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Congressional Record

United States
of America

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, SECOND SESSION

SENATE

WEDNESDAY, JUNE 22, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, who art the abiding peace of the universe, we bow before Thee in humility and reverence.

Send us forth on the threshold of a new day, armed with Thy power, to right wrong, to overcome evil; if need be to endure hardship; but in all things to serve Thee bravely, faithfully, joyfully, that at the end of the day's labor, kneeling for Thy blessing, Thou mayest find no blot upon our shield.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 21, 1966, was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Constitutional Rights of the Committee on the Judiciary.

The Subcommittee on Securities of the Committee on Banking and Currency.

The Subcommittee on Labor of the Committee on Labor and Public Welfare.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs and the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

I understand that this request has been cleared with the leadership of both the majority and the minority.

Mr. KUCHEL. Mr. President, there is no question that these requests have been cleared?

Mr. PROXMIRE. It is my understanding that they have been cleared with the majority as well as with the minority.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Internal Security of the Committee on the Judiciary was authorized to meet during the session of the Senate tomorrow.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

REVISION OF TITLE 10, UNITED STATES CODE, RELATING TO RECOUPMENT OF DISABILITY SEVERANCE PAY UNDER CERTAIN CONDITIONS

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Deputy Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions, which, with an accompanying paper, was referred to the Committee on Finance.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

Two resolutions adopted by the Missouri Federation of Postal Clerks, Springfield, Mo., protesting against the manner in which the President has acted in the matter of guidelines on wages and fringe benefits, and condemning certain acts of the Post Office Department in negotiations with the United Federation of Postal Clerks; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance, without amendment:

H.R. 13431. An act to extend the Renegotiation Act of 1951 (Rept. No. 1295).

FEDERAL METAL AND NONMETALLIC MINE SAFETY ACT—REPORT OF A COMMITTEE—MINORITY AND INDIVIDUAL VIEWS (S. REPT. NO. 1296)

Mr. YARBOROUGH. Mr. President, on behalf of the Senator from Wisconsin [Mr. NELSON], from the Committee on Labor and Public Welfare, I report favorably with an amendment, the bill (H.R. 8989) to promote health and safety in metal and nonmetallic mineral industries, and for other purposes. I ask unanimous consent that the report may be printed, together with the minority views of Senators JAVITS, PROUTY, DOMINICK, MURPHY, and GRIFFIN, and the individual views of Senators JAVITS, FANNIN, and DOMINICK.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Texas.

BILL AND JOINT RESOLUTION INTRODUCED

A bill and joint resolution were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 3537. A bill for the relief of Gilmour C. MacDonald, colonel, U.S. Air Force (retired); to the Committee on the Judiciary.

By Mr. HARTKE:

S.J. Res. 170. Joint resolution to provide for the establishment of an Office of Deputy Superintendent of the Arts within the Recreation Board for the District of Columbia to develop and conduct a program of the arts for the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. HARTKE when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

TO EXPRESS THE SENSE OF THE SENATE ON THE "KAIULANI" PROJECT, THE LAST SURVIVING AMERICAN-BUILT SQUARE-RIGGED MERCHANT SHIP

Mr. BARTLETT submitted a resolution (S. Res. 275) to express the sense of the Senate on the *Kaiulani* project, the last surviving American-built square-rigged merchant ship, which was referred to the Committee on Commerce.

(See the above resolution printed in full when submitted by Mr. BARTLETT, which appears under a separate heading.)

ESTABLISHMENT OF AN OFFICE OF DEPUTY SUPERINTENDENT OF THE ARTS WITHIN THE RECREATION BOARD FOR THE DISTRICT OF COLUMBIA

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a joint resolution to provide for the establishment of an Office of Deputy Superintendent of the Arts within the Recreation Board for the District of Columbia to develop and conduct a program of the arts for the District of Columbia.

The Recreation Board for the District of Columbia was made the official arts agency for the District of Columbia by the Congress in adopting the act, approved April 29, 1942—District of Columbia Code, section 8-211—establishing the Recreation Board.

The need for the legislation I am introducing today has arisen because of the new and much heavier art burdens, and responsibilities for the arts, which Congress has heaped upon the District of Columbia Recreation Board first, by making the Chairman of the Board an ex officio member of the Board of Trustees of the John F. Kennedy Center for the Performing Arts and, second, by making the District of Columbia Recreation Board the State arts agency under Public Law 89-209 establishing a National Foundation on the Arts and the Humanities.

When the legislation creating the National Foundation on the Arts and the Humanities was before the House on September 21, Congressman William B. Widnall, of New Jersey, offered an amendment making the District of Columbia Recreation Board the State agency for the District of Columbia. Congressman Widnall explained his amendment this way:

> This amendment recognized the longtime place of the District Recreation Board in having responsibility over the recreational and art programs of the District of Columbia. Congress in 1942 authorized such jurisdiction for the District of Columbia Recreation Department. Through the years the Recreation Board has been commended for its fine performance and I fully believe that it has the support of all the District citizens whom it has served so well and impartially throughout the years, as well as the National Symphony Orchestra, the Washington Civic Opera Association, and other cultural groups and organizations.
>
> At the present time, Congress is now appropriating nearly $5 million per year to the District Recreation Department to carry on all of the District's recreation and art activities. The adoption of the amendment will insure that the District of Columbia Recreation Department will be protected by the Congress and the District government in future legislation brought before the Congress, including the home rule bill. Mr. Milo F. Christiansen, presently and for a long time superintendent of the Recreation Department, Joseph H. Cole, the assistant superintendent, and the board chairman, William H. Waters, Jr., deserve great credit for the work that has been done and the programs accomplished during their tenure in office.

While funds under Public Law 89-209 have not yet been made available to the District of Columbia Recreation Board and Department, the Board has taken steps to strengthen its art sector in order to carry out its new and important art functions. On February 15, 1966, it created a new Arts Advisory Committee, whose membership is as follows:

District of Columbia Recreation Board Arts Advisory Committee

HONORARY MEMBERS

Mrs. Robert Low Bacon, Mr. Milton Berliner, Mrs. Robert Woods Bliss, Mrs. Morris Cafritz, Mrs. Norris Dodson, Jr., Mr. Charles C. Glover III, the Honorable Charles A. Horsky, Mr. David Lloyd Kreeger, Mrs. Cazenove Lee, Mrs. John A. Logan, Mr. Walter C. Louchheim, Jr., Mrs. Robert R. McCormick, Mrs. Robert G. McGuire, Jr., Mrs. John H. Morrison, Jr., Miss Flaxie M. Pinkett, Mrs. Merriweather Post, Mrs. Richard Riddell, Mr. Nelson C. Roots, Mrs. Jouett Shouse, Mrs. C. Haskell Small, Mr. Hobart A. Spalding.

VISUAL ARTS PANEL

Mr. Carter Brown, Mr. Melvin D. Buckner, Mr. Robert Gates, Mr. Henry H. Hecht, Jr., Mr. Gerald Nordland, Mrs. Duncan Phillips, Mr. David Scott, and Mr. Hermann Warner Williams, Jr.

DANCE PANEL

Miss Pia Berndt, Mr. G. Bowdoin Craighill, Jr., Miss Mary Day, Miss Claire H. Haywood, Mrs. Helen Moore, Mr. Igor Schwezoff.

DRAMA PANEL

Miss Ellie Chamberlain, Mr. Thomas C. Fichandler, Mr. Jack Golodner, Rev. Gilbert V. Hartke, Mr. Scott L. Kirkpatrick, Mrs. Edwin W. Semans.

INSTRUMENTAL MUSIC PANEL

Mr. Richard Bales, Mr. Patrick Hayes, Mrs. Paul F. Koehn, Mr. Irving Lowens, Mr. Emerson Meyers, Mr. M. Robert Rogers.

VOCAL MUSIC PANEL

Mr. Paul Callaway, Mr. Todd Duncan, Dr. Frederick Fall, Mr. Lewis D. Resseguie, Mr. Toby Tate, Mr. Day Thorpe.

LIAISON PANEL

Mrs. San Juan W. Barnes, Dr. Joseph M. Carroll, Mrs. Jack Coopersmith, Mr. J. George Frain, Mr. Charles B. Lipsen, Mr. Robert E. McCord, Mr. Maurice Tobin.

PROGRAM ALLOCATION PANEL

Dr. Henry Goldstein, Mr. Armiger Jagoe, Mr. James L. Kunen, Dean Warner Lawson, Mr. Robert Richman, Mr. S. Dillon Ripley, Mrs. Charles H. Roberts, Dr. Arthur W. Sloan, Mr. John S. Thacher; ex officio, chairman, Recreation Board, and chairman, Recreation Board's Committee on the Arts.

At the first meeting of the new Arts Advisory Committee, Commissioner John B. Duncan said, among other things:

> Despite the earnest and continuing efforts of your Commissioners, it was not until recently that we were able to secure congressional approval of an amount specifically earmarked for the arts in the appropriation of the Recreation Department. The amount was modest. Gradually it has been increased. In the current year it is $51,000, and next year, if Congress approves this item in the President's budget, it will be $76,000. Of course, we recognize that even this larger amount is wholly inadequate for the needs, and is completely disproportionate to the great services your organizations provide for our community.

It can be seen that with the Congress providing only $76,000 for the arts in a budget of $6,500,000 the arts will continue to have a minor and insignificant role in the District of Columbia.

Commissioner Duncan, one of the most distinguished Americans to serve as Commissioner of the District of Columbia, pointed out that the funds provided by the Congress for the art activities of the District of Columbia Recreation Board "is wholly inadequate for the needs, and is completely disproportionate to the great services your organization provides for our community."

I certainly wish to congratulate the District of Columbia Recreation Board for giving priority for the use of the funds provided under Public Law 89-209 to: First, programs in art education; second, creating new audiences, especially among the poor; and third, aid to established nonprofit arts organizations.

That the heavier duties and responsibilities which Congress has given the District of Columbia Recreation Board would be attended by problems is, of course, inevitable. The Washington Post had this to say on February 26, 1966, on the District of Columbia Recreation Board:

> The Advisory Committee will help, but it is only advisory and its members have other interests. Further it is necessary to make it clear that the Recreation Department will treat the arts program as an entity in itself, not merely as an adjunct to traditional recreation programs. A supplemental budget request for a full-time director of the Department's arts branch would be a step in the right direction.

It seems to me that it is high time that the Congress take the necessary steps at this time to enable the District of Columbia Recreation Board to discharge fully and completely the heavy duties and responsibilities given it by previous enactments. I think this can be done by the adoption in this Congress of the measure which I am offering today.

I think it is important to remember that while he was in the Senate President John F. Kennedy himself introduced legislation to expand the role of the District of Columbia Recreation Board in the management of the arts in the District of Columbia by providing it a major role in the establishment of a municipal arts center for the District comparable to the New York City Center for the Arts. And while he was a Senator Vice President Hubert H. Humphrey introduced legislation to provide the District of Columbia Recreation Board 1 mill out of each $1 of tax revenue of the District Government, a step, he explained, which would bring the city's art programs abreast of what other U.S. cities do in the arts.

I ask unanimous consent that the remarks of the then Senator Humphrey of January 13, 1960, may appear at the close of my comments, together with tables he inserted at that time concerning the financing of various municipal ventures in the arts.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HARTKE. Mr. President, surely the District of Columbia Recreation Board is an agency which deserves to be retained and strengthened, and it is clear that the Congress has repeatedly advanced along these lines. Its members serve without compensation and they deserve high praise for their dedicated and imaginative public service.

For the record it should be noted that the District of Columbia Recreation Board broke voluntarily with the segregation pattern of the District of Columbia in 1952, 2 years before the historic Supreme Court decision of 1954 required the desegregating of the District's public schools. Its programs in the arts, as well as in recreation, have been consistently open to all of the District's citizens since that time.

Art programs sponsored and aided financially by the District of Columbia Recreation Board include the annual art fair in the President's Park south of the White House, which is sponsored by the Washington Post. Hundreds of professional and amateur artists participate. President and Mrs. Johnson have attended this art fair several times. The President has purchased some of the art works, and has tremendously encouraged the young, unknown artists who would not otherwise have an opportunity to display their works. Mrs. Johnson opened the program at ceremonies last year. This year the program was opened by Mrs. Philip Graham of the Washington Post, which is sponsoring it, and Mme. Charles Lucet, wife of the Ambassador of France.

Other programs in the arts made available to the people by the District of Columbia Recreation Board include the Shakespeare Summer Festival in the Sylvan Theater which is of high quality, is now in its sixth season, and which has played to some 70,000 during a short summer season of a few weeks. Some of its staff trained with Joseph Papp, who has contributed so much to the edification and enjoyment of citizens of New York City with his Shakespeare productions in Central Park.

Other high-quality art programs of the District of Columbia Recreation Board include the Children's Theater, the One-Act Play Tournament, the Showcase Players, whose production of "West Side Story" was exceptionally fine, and the opera and music programs in the performing arts at the Watergate, the Carter Barron Amphitheater, Constitution Hall, and the Smithsonian Institution on the Mall. Some of these programs are so highly regarded, the Washington Civic Opera productions are an example of this quality work, that they have been presented under the distinguished patronage of the Ambassadors of France, Austria, Germany, Italy, and other countries. Thus are the people encouraged and aided in the production of cultural programs of high quality, as participants, and to make the most of the leisure time provided by our society, to learn and to know by doing.

The Retail Clerks International Association, AFL–CIO, have, during the past 5 years, contributed $1,300 each year to the District of Columbia Recreation Department to provide free-admission opera productions during the Christmas season for the children and the families of thousands of union members and the general public. This highly commendable public service will now be strengthened and made permanent by the legislative measure I am offering today.

With the adoption of the measure which I am introducing today, the District of Columbia Recreation Board will be able to fully and completely carry out the mandate given it by the Congress in the various art enactments which I have cited. During the past 13 years, when records have been kept, attendance at cultural activities sponsored by the District of Columbia Recreation Board has grown 2,610,809 in 1953 to 4,336,248 in 1965, for a total attendance of 57,164,998—an enviable record. These are the authenticated figures of the District of Columbia Recreation Board.

Congress itself has long recognized the importance of the freedom of the arts from domination and control from whatever source, and has placed the Federal art institutions—the National Gallery of Art, the Freer Gallery, the National Collection of Fine Arts, the National Portrait Gallery, and the John F. Kennedy Center for the Performing Arts—in the Smithsonian Institution, "a quasi-public, quasi-private entity" where they can be fully protected, as far as humanly possible, from unwise and dominating influences and pressures. It seems to me to be equally desirable to maintain and protect, encourage, foster, and aid financially the District's own art programs, and Vice President Humphrey, President Kennedy, and others have shown us the way.

I hope the Congress will find my own proposal to have merit, and that it will become law in the remaining months of this session.

I ask unanimous consent that there may appear in the Record hereafter also the text of my joint resolution, the text of a letter from the National Symphony Orchestra, the Washington Post editorial to which I have made reference, and a schedule of events sponsored this summer by the citywide division of the District of Columbia Recreation Department, whose director is Mr. Clinton Price.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution, letter, editorial, and schedule will be printed in the Record.

The joint resolution (S.J. Res. 170) to provide for the establishment of an Office of Deputy Superintendent of the Arts within the Recreation Board for the District of Columbia to develop and conduct a program of the arts for the District of Columbia, introduced by Mr. Hartke, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the Record, as follows:

That there is hereby established, within the Recreation Board for the District of Columbia (hereinafter referred to as the "Board"), the Office of Deputy Superintendent of the Arts; and the Board is hereby authorized and directed to appoint a Deputy Superintendent of the Arts, who shall be the Director of the City-Wide Division of the District of Columbia Recreation Department, whose training, knowledge, capacity and years of experience especially qualify him to discharge the duties of Deputy Superintendent of the Arts.

Sec. 2. The Deputy Superintendent of the Arts shall serve at the pleasure of the Board and, under the direction of the Board, shall be charged with the development, conduct, supervision, and administration of a comprehensive program of the arts for the District of Columbia. In carrying out his duties under this joint resolution, the Deputy Superintendent of the Arts shall give special consideration to the art needs of pupils of elementary and secondary schools and low and moderate income families.

Sec. 3. (a) There is hereby established within the Board a Department of Culture and the Arts (hereinafter referred to as the "Department"), which shall be under the direction of the Deputy Superintendent of the Arts. All of the present culture and art activities, programs, and events carried on by the Board shall be transferred to such Department, and all funds provided by the Congress, and from other sources, for such culture and art activities, programs, and events shall be expended by the Deputy Superintendent of the Arts under the direction of the Board.

(b) All personnel of the Recreation Department for the District of Columbia concerned with the present culture and art activities, programs, and events authorized by the Board shall be transferred to the Department established by subsection (a) of this section, and shall be under the direction of the Deputy Superintendent of the Arts.

Sec. 4. In carrying out his duties under this joint resolution, the Deputy Superintendent of the Arts shall undertake to develop and conduct the arts program authorized herein on a cooperative basis with the public and private schools, education and recreation departments, agencies, and officials, and public or private agencies administering social welfare or antipoverty programs within Washington, District of Columbia, and the various communities in the metropolitan area of Washington, District of Columbia. For the purposes of this section, the Deputy Superintendent of the Arts is authorized to enter into agreements with such organization, schools, departments, agencies, and officials regarding cooperation and participation by them in the arts program authorized herein.

Sec. 5. (a) The Board, upon the recommendation of the Deputy Superintendent of the Arts, is authorized to appoint such additional secretarial, clerical, and other staff personnel as are necessary to carry out the purposes of this joint resolution.

(b) The Deputy Superintendent of the Arts and other regular annual personnel of the Office of Deputy Superintendent of the Arts shall be employees of the District of Columbia. The salaries and positions of such personnel shall be fixed in accordance with the Classification Act of 1949 and the civil service laws and regulations.

(c) The Deputy Superintendent of the Arts is authorized to employ, from time to time, for periods not to exceed ninety days, as full- or part-time employees, such special employees as may be necessary to carry out the arts program authorized by this joint resolution, at rates of pay to be fixed by the Board without regard to the Classification Act of 1949 and the civil service laws and regulations. With the approval of the Board, any such special employee may be retained in the service of the District of Columbia for a period longer than ninety days.

(d) The Board is authorized, upon the recommendation of the Deputy Superintendent of the Arts, to accept the services of voluntary and uncompensated personnel to assist in the carrying out of the arts program authorized by this joint resolution, and to reimburse them for travel and other necessary expenses incurred by them in the performance of duties authorized by the Deputy Superintendent of the Arts.

Sec. 6. The Deputy Superintendent of the Arts, under the direction of the Board, shall submit to the Commissioners of the District of Columbia an annual report of his activities pursuant to this joint resolution and an annual budget itemizing the appropriations necessary in order to carry out the arts program authorized by this joint resolution.

SEC. 7. There are hereby authorized to be appropriated to the Board for the purposes of this joint resolution $100,000 for the fiscal year ending June 30, 1967, and $100,000 for the fiscal year ending June 30, 1968, but for the fiscal year ending June 30, 1969, and each subsequent fiscal year, only such sums as the Congress may hereafter authorize by law. Sums appropriated pursuant to this section shall remain available until expended.

SEC. 8. As used in this joint resolution—

(1) the term "the arts" shall have the same meaning as such term has under section 3(b) of the National Foundation on the Arts and the Humanities Act of 1965, and

(2) the term "metropolitan area of Washington, District of Columbia" includes the municipal limits of Washington, District of Columbia, and such surrounding areas as the Deputy Superintendent of the Arts may determine to constitute the metropolitan limits of Washington, District of Columbia.

The letter, editorial, and schedule of events, presented by Mr. **HARTKE**, are as follows:

NATIONAL SYMPHONY ORCHESTRA,
Washington, D.C., September 17, 1965.

Mr. WILLIAM H. WATERS, Jr.,
Chairman, District of Columbia Recreation Board, Washington, D.C.

DEAR MR. WATERS: I was most pleased to see that Congress has unanimously amended the Federal Arts and Humanities Act to assure that the D.C. Recreation Board will be the "state" arts agency for the District of Columbia.

We, of the National Symphony staff, have been most appreciative of the intelligent activities of the D.C. Recreation Department within its extremely limited budget for the arts. When you have worked with the National Symphony you have consistently helped us to extend our policy of "Music for Everyone," which is the correct approach for a municipal agency. We also compliment you on your development of the Washington Civic Opera Company, which, among other virtues, has given the Nation's Capital the opportunity to enjoy the outstanding operatic conducting talents of Dr. Frederick Fall.

For these and other related reasons, we had no hesitation in recommending, when we were consulted, that the D.C. Recreation Board be the administrative agency to supervise the first municipal grant of funds to the Washington National Symphony by the Congress. It was under this program that the first free symphony concert was successfully presented on The Mall last Memorial Day. This, as you know, turned out to be the last public appearance in Washington by the late and lamented Adlai Stevenson, who performed with the Orchestra under Howard Mitchell as the narrator of "Lincoln Portrait."

Congratulations on your past achievements. I hope that the new legislation will eventually mean that your future budgets will be much less limited.

Sincerely,

M. ROBERT ROGERS.

FRAMEWORK FOR THE ARTS

The District of Columbia Recreation Department's first effort at allocating funds from the National Endowment for the Arts embraces at least two imaginative projects. The grant to allow young soloists to rehearse and perform with the National Symphony at youth concerts and the Corcoran Gallery's plan to create playground sculpture for recreation areas both promise cultural stimulation for the community and indicate a desire to encourage young artists.

On balance, however, the grants represent a scatter-shot approach that reflects two major problems the Board faced: A lack of time and a lack of proposals. The money to be divided up—probably something less than the $50,000 on which the allocations were based—will go to groups that are established firmly enough to match the grants and that were able to frame and submit acceptable proposals.

The Board, more than a little ill-at-ease in dealing with the arts, now has an obligation to encourage a coordination of effort and philosophy on the role of the arts in Washington. The instrument for this undertaking is at hand in the advisory panels that were named to assist in apportioning the Federal funds. These groups, which met only briefly this spring to review applications, should be called together on a regular basis. They should not become window-dressing for a predetermined Recreation Board policy, but should actively contribute to the formulation of that policy.

With an active advisory group from the local artistic community helping to orient the development of the arts in Washington and a qualified arts director within the Recreation Department to administer the program, as provided in a bill introduced in Congress by Senators **JAVITS** and **PROUTY**, a framework for drawing together this city's efforts in the arts will be available.

COMING CITYWIDE DIVISION SPECIAL EVENTS OUTDOOR ART FAIR, JUNE 4 TO 12, 15TH AND E STREETS NW.

[Viewing 9 a.m. to dark; demonstrations daily; entertainment nightly]

Sylvan Theatre—15th and Independence Ave., S.W. (Washington Monument Grounds).

June 10 Academy Dancers—8:30 P.M.

June 11 Montgomery Light Opera Company ("Iolanthe")—8:30 P.M.

June 12 Overtones, Inc. Choral Ensemble—8:30 P.M.

June 13 Y.M.C.A. Boys Choir of Racine, Wisconsin—8:30 P.M.

June 14 Washington Civic Symphony Orchestra—8:30 P.M.

June 15 Barbershop Quartet—8:30 P.M.

June 16 Academy Dances—8:30 P.M.

June 17 International Folk Dancers of Washington—8:30 P.M.

June 18 Showcase Dancers (Modern and Jazz)—8:30 P.M.

June 19 Regional Ballet Company—8:30 P.M.

June 20 Regional Ballet Company—8:30 P.M.

The Watergate—Ohio Drive and Memorial Bridge NW.

June 15 Lorton Reformatory Orchestra and Glee Club—8:30 P.M.

CONCERT SERIES

June 22 Watergate Summer Symphony and Singers—Opera Favorites—Nicholas Pappas, Conductor—8:30 P.M.

June 29 Watergate Summer Symphony—Symphonic Favorites—Nicholas Pappas, Conductor—8:30 P.M.

July 6 Watergate Summer Symphony—Symphonic Favorites—Richard Pittman, Conductor—8:30 P.M.

July 13 Watergate Summer Symphony—Nicholas Pappas, Conductor, Jacob Barkin, Tenor—8:30 P.M.

July 20 Watergate Summer Symphony—Dr. Henry Goldstein, Conductor; Charlie Byrd, Guitar—8:30 P.M.

July 27 Watergate Summer Symphony and Singers—Broadway Music—Dr. Henry Goldstein, Conductor—8:30 P.M.

Aug. 3 Watergate Summer Symphony—Concerto Program—Dr. Henry Goldstein, Conductor—8:30 P.M.

Aug. 10 Jazz at the Watergate—8:30 P.M.

Shakespeare Summer Festival—Sylvan Theatre—15th and Independence Ave. SW. (Washington Monument Grounds)—July 1 to August 21.

Nightly except Mondays at 8:30 P.M.—"The Winter's Tale."

Meridian Hill Park—16th and Florida Avenue NW. Concerts are given every Sunday at 6:00 P.M. The D.C. Recreation Department is responsible for the following presentations:

Aug. 7 U.S. Navy Band—6:00 P.M.

Aug. 14 U.S. Army Field Band—6:00 P.M.

Aug. 21 Outdoor Art Fair—9:00 A.M. to Dark.

EXHIBIT 1

[From the CONGRESSIONAL RECORD, Jan. 13, 1960]

CULTURAL ACTIVITIES IN THE DISTRICT OF COLUMBIA

Mr. **HUMPHREY**. Mr. President, I introduce for appropriate reference, a bill to provide that 1 mill out of each $1 of tax revenue of the government of the District of Columbia be set aside in a special fund to be used by the Recreation Board for the District of Columbia to defray in part the expenses of the National Symphony Orchestra, the Corcoran Gallery of Art, and other nonprofit art and cultural programs of the District.

There can be no doubt that the city of Washington is truly one of the most beautiful in the entire world. All who come here are impressed by the city's lovely tree-lined strets, beautiful parks, and public buildings.

Throughout my service in the Senate, I have consistently supported measures to improve the city of Washington and to make it an even more beautiful and pleasant city in which to live. I shall continue to support such programs because I believe it is in the best interest not only of the city of Washington but the United States itself. After all, Washington is a picture window through which the people of other nations look and draw their judgments about America. Washington should represent the artistic and cultural aspirations of the American people.

Unfortunately, all too little has been done to promote the arts in the Nation's Capital. I was most interested in the study prepared last year by the Library of Congress for Representative **HARRIS B. MCDOWELL**, of Delaware, which revealed that Washington's budget has allotted for civil cultural events only $16,000—of which about $10,000 helps to support the Watergate concerts. As compared with Washington, New York spends $2,600,000, Philadelphia $824,000, and Baltimore $448,000. The small city of Hagerstown, Md., only a short distance from the Nation's Capital, gives its Museum of Fine Arts $12,500 out of its regular annual budget—only $3,500 less than the entire amount that Washington spends out of its more than $200 million budget.

To date, the promotion and financing of opera, ballet, orchestras, and theaters has been left primarily up to the citizens of Washington itself. Precious little has been given by the District government to promote the arts. If any city in the United States should be spending money to promote the arts, it should certainly be Washington, the Capital of the United States. I, therefore, believe it is time that Washington join with other cities of our great country to promote the arts by providing that at least a small portion of tax revenue go for such programs.

Under my bill, 1 mill out of every dollar of tax revenue of the District of Columbia would be deposited in a special fund in the Treasury of the United States. The money in such fund would be made available to the Recreation Board for the District of Columbia to help in defraying at least in part the expenses of the National Symphony Orchestra, the Corcoran Gallery of Art, and other nonprofit art programs.

We can be proud of our fine National Symphony Orchestra and of the Corcoran Gallery of Art, but we in the Congress can take little pride in the fact that we as the City Council of Washington have done precious little to promote these institutions and other cultural programs of the District. We have an obligation to join with the citizens of the District to give financial support for the fine arts of Washington.

I ask unanimous consent, Mr. President, that the study made by the Library of Congress at the request of Representative McDowell, to which I have referred, be printed at this point in the Record.

Exhibit A

Municipal financial support of certain artistic and cultural activities in selected U.S. cities, a compilation of answers to a questionnaire

City	Amount of municipal financial support	Source of municipal financial support	Type of activity supported
Akron, Ohio	$36,000	General fund (indirect support in lieu of tax for facility).	Art museum.
	$5,000,000	Direct tax construction cost	Plans for the construction of a municipal auditorium and "cultural grouping for arts, library and arena."
	1 or 3 parts of a $100,000 recreation program	General fund (part of "recreation program")	Band concerts.
Atlanta, Ga	$7,500	General fund	Atlanta Symphony Guild.
	$6,000	do	Atlanta Pops Concert.
	$5,000	do	Municipal Theater Under-the-Stars.
	$10,000	do	Atlanta Art Association for Benefit High Museum and School of Art.
Baltimore, Md	1959 appropriations:		
	$25,594	do	Municipal Museum.
	$119,994	do	Bureau of Music.
	$288,000	Endowment funds (estimated income)	Walters Art Gallery.
	$15,000	General funds (pensions)	
Birmingham, Ala	$90,000 (this year's appropriation)	General funds	Birmingham Museum of Art.
Buffalo, N.Y	Appropriated in 1958-59:		
	$73,430	Real estate tax and other current revenues	Albright Art Gallery.
	$30,000	do	Buffalo Philharmonic Orchestra Society, Inc
	$27,300	do	Kleinhans Music Hall.
Chicago, Ill	Calendar year 1958:		
	$232,405.87	Payments from Chicago Park District, an independent municipal corporation in the city of Chicago.	Art Institute of Chicago.
	$232,309.11	do	Museum of Science and Industry.
	$232,405.92	do	Chicago Natural History Museum (field museum).
Dallas, Tex	$80,000	General revenues, "the major part of which is ad valorem tax."	Fine Arts Museum.
Detroit Mich	1959-60 gross appropriation, $543,081	Local taxes, grants and gifts, and revenues	Arts Commission.
Evansville, Ind	1959 contribution, $9,200 Proposed budget for 1960, $18,400	Civil City of Evansville	Evansville Museum of Arts and Sciences.
	1959 contribution, $9,200 Proposed budget for 1960, $18,400	School City of Evansville [1]	Do.
Hagerstown, Md	$12,500 (provided for in annual budget)	General revenues	Washington County Museum of Fine Arts.
Houston, Tex	$19,500	do	Museum of Natural History.
	$20,000	do	Museum of Fine Arts.
	$3,000	do	Civic Theatre.
	$25,000	do	Houston Symphony.
Kansas City, Mo	For fiscal year ended Apr. 30, 1959:		
	$21,211	General fund; park funds	Nelson Art Gallery (buildings and ground maintenance).
	$9,925	General fund	Philharmonic Orchestra (free rent).
	$42,830	General debt and interest fund	Starlight Theater (debt service for facility developed by park department).
	$48,231	General fund	Museum (buildings and ground maintenance).
	$33,502	do	Liberty Memorial (operation and maintenance).
Los Angeles, Calif	Appropriation for fiscal 1959-60: $196,998	General revenues	Department of municipal art; bureau of music.
Newark, N.J	1959 appropriation: $525,426	Tax and general revenues	Newark Museum.
New Orleans, La	$40,000 annually	Appropriated by city	Delgado Museum of Art.
	Appropriated "this year":		
	$5,000	do	New Orleans Philharmonic Society.
	$2,500	do	New Orleans Opera House Association.
	$875	do	Crescent City Concerts.
New York, N.Y	$944,525 (operating budget, July 1, 1959, to June 30, 1960).	Tax levy and general fund revenues	Metropolitan Museum of Art.
	$904,989 (capital budget, Jan. 1, 1959, to Dec. 31, 1959).	Capital allocations	Do.
	$1,329,559 (operating budget, July 1, 1959, to June 30, 1960).	Tax levy and general fund revenues	American Museum of Natural History.
	$1,071,985 (capital budget, Jan. 1, 1959, to Dec. 31, 1959).	Capital allocations	
	$125,140 (operating budget, July 1, 1959, to June 30, 1960).	Tax levy and general fund revenues	Brooklyn Institute of Arts and Children's Museum.
	$95,866 (operating budget, July 1, 1959, to June 30, 1960).	do	Brooklyn Institute of Brooklyn Academy of Music.
	$69,510 (capital budget, Jan. 1, 1959, to Dec. 31, 1959).	Capital allocations	Do.
	$127,000 (operating budget, July 1, 1959, to June 30, 1960).	Tax levy and general fund revenues	Museum of the City of New York.
	$50,250 (capital budget, Jan. 1, 1959, to Dec. 31, 1959).	Capital allocations	
Norfolk, Va	$2,000	General revenue	Norfolk Symphony Orchestra.
	$69,083	do	Norfolk Museum of Arts Sciences.
Oakland, Calif	1958-59:		
	Salaries for a professional staff of 6 plus $2,000 allowance for books and $500 for pictures.	Annual appropriations by city council to library department from which library and museums commission adopts an operating budget.	Art and pictures department of main library.
	$70,377	do	Oakland Public Museum.
	$57,212	do	Art Museum.
	$31,577	do	Snow Museum.
Philadelphia, Pa	$25,000	General revenues	Academy of Fine Arts.
	$75,000	do	Robin Hood Dell.
	$25,000	do	Philadelphia Grand Opera.
	$624,760	do	Philadelphia Art Museum and Rodin Museum.
	$30,000	do	Johnson paintings.
	$10,000	do	Philadelphia Art Festival (every 2 years).
Pittsburgh, Pa	$35,000 (1959)	General revenues (through specific appropriations each year).	Pittsburgh Symphony.
	$20,000 to $30,000 (annually)	do	Free summer band concerts.
	$25,000 (approximate cost to city annually)	do	Arts and Crafts Center.
Providence, R.I	Current appropriations:		
	$24,877	General revenue	Museum in Roger William Park.
	$1,500	do	Band concerts.

Footnotes at end of table.

EXHIBIT A—Continued

Municipal financial support of certain artistic and cultural activities in selected U.S. cities, a compilation of answers to a questionnaire— Continued

City	Amount of municipal financial support	Source of municipal financial support	Type of activity supported
Reading, Pa.	$140,000 (approximate expenditures for 1959)	General revenues (budgeted annually according to estimated needs).	Recreation Bureau (sponsors orchestra, Nature Museum, etc.).
	$3,028 (1959)	do	Bureau of parks weekly band concerts.
Richmond, Va.	$5,000	Direct appropriation	Valentine Museum.
Rochester, N.Y.	1959–60 expenditures:		
	$10,000	General revenues or real estate taxes	Civic Music Association.
	$20,000	do	"Opera Under the Stars."
	Not indicated	Not indicated	Museum.
Sacramento, Calif.	1959–60 budget amounts:		
	$4,500	General ad valorem taxes	Philharmonic Orchestra.
	$4,000	do	Park band concerts.
	$66,866	do	Crocker Art Gallery (city-owned).
	$17,000	do	Children's art and dancing classes (city recreation department).
St. Louis, Mo.	1958 Revenue: $320,007.53	Permanent levy of $0.02 per $100 valuation on all real and personal property (established under State law in 1907).	St. Louis Art Museum.
St. Paul, Minn.	1959 city budget appropriations:		
	$13,500	Appropriations "financed as part of the overall city budget."	St. Paul Gallery and School of Art.
	$10,000	do	St. Paul Civic Oprea.
San Antonio, Tex.	$81,000 (approximate budget for ensuing year)	Supported primarily by general fund	Witte Museum.
	$81,000	do	2 municipal auditoriums.
	$1,500	do	San Pedro Playhouse (auditorium devoted primarily to theatrical productions).
San Diego, Calif.	1959–60 city budget:		
	$57,159	General revenues	Fine Arts Gallery.
	$19,289	do	Serra Museum (local history).
	$48,715	do	Natural History Museum.
	$49,949	do	Museum of Man (anthropology).
	$10,000	do	San Diego Symphony.
San Francisco, Calif.	1958–59 budget:		
	$158,365 (taxes, $120,665; other, $37,700)	Budget of the city and county of San Francisco	Art commission.
	$35,493 (taxes)	do	War Memorial Art Museum.
	$255,456 (taxes, $254,856; other, $600)	do	California Palace of the Legion of Honor (art museum).
	$367,942 (taxes, $367,692; other, $250)	do	De Young (art) Museum.
Scranton, Pa.	An average of about $28,740 per annum over the past 10 years.	General funds	Everhart Museum.
Seattle, Wash.	$233.37	City's annual budget funds without regard to income source.	Art commission.
	$34,097.55	do	Art museum.
	$18,000	do	Public music.
	$62,743.57	do	Art division of the library department.
Springfield, Mass.[2]	$33,127.93	General tax revenues	Museum of Natural History.
	$31,092.45	do	George Walter Vincent Smith Museum.
	$18,161.40	do	William Pynchon Memorial (Connecticut Valley Historical Museum).
	$1,267	do	Springfield Museum of Fine Arts.
	Not indicated	do	Fine arts department of library.
Syracuse, N.Y.	$25,000 appropriation annually	General tax levy	Syracuse Museum of Fine Arts (privately chartered institution).

[1] City budget for 1960 based on 1 cent per $100 valuation of the city. Funds provided by taxes earmarked for this specific purpose.

[2] Included in the library budget is the position of musical adviser, which is the way in which the city contributes to the salary of the conductor of the Springfield Symphony Orchestra.

Compiled by Anne M. Finnegan and Helen A. Miller, Education and Public Welfare Division, Legislative Reference Service, Library of Congress, July 29, 1959.

LET'S BRING THE "KAIULANI" HOME

Mr. BARTLETT. Mr. President, there is no better way for us to learn about our past and our forebearers—to gain a real appreciation of their lives, their hardships, failures and successes—than to live among the relics of their time. This is attested to by the fact that our museums are equal centers of attraction for the serious student of history and the idly curious. Both become better citizens because of their encounter with the past.

One of our greatest institutions—our merchant marine—has had a colorful past which rivals our wild west for pure drama and excitement. But despite its role in the shaping of our country, we have not done much to preserve its treasures for future generations.

We should, therefore, be genuinely grateful that through the efforts of the National Maritime Historical Society the last American-built, square-rigged merchant ship has been set aside for restoration and eventual display in this capital city.

The story of the ship, the *Kaiulani*, and its return to the United States through the generosity of the people of the Philippines is well recorded by Alan D. Hutchison, president of the National Maritime Historical Society, in the March 1966 issue of the Explorers Journal.

Mr. President, I ask unanimous consent that the article be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"KAIULANI"—THE LAST YANKEE SQUARE RIGGER: A NOBLE LADY—SHE MAY YET SURVIVE

(By Alan D. Hutchison)

"Never, in these United States, has the brain of man conceived, or the hand of man fashioned, so perfect a thing as the clipper ship. . . . For a brief moment of time they flashed their splendor around the world, then disappeared with the sudden completeness of the wild pigeon. . . . A tragic or mysterious end was the privilege of many ships favored by the gods. Others, with lofty rig cut down to cautious dimensions, with glistening decks and topsides scarred and neglected, limped about the seas under foreign flags, like faded beauties forced upon the street.[1]

My first sight of the *Kaiulani* in North Manila Harbor vividly recalled these words of Samuel Eliot Morison; there she was, the last Yankee square-rigger . . . "decks and topsides scarred and neglected," a barge hauling Philippine mahogany logs from Mindanao to Manila, but still afloat and still earning her keep.

The search for the *Kaiulani* started two years earlier in a cafe on San Francisco's waterfront. A husky Cape Horner, Karl Kortum, the Director of San Francisco's Maritime Museum, summed up his story of America's square-rigged merchant fleet, "Only one forlorn barge is left. She survives today in Manila—finis to 17,000 merchant square-riggers built in this country."

Karl Kortum had led the campaign to save the Scottish built full rigged ship, *Balclutha*, which, today, is a floating maritime museum alongside Fisherman's Wharf in San Francisco. A small group of sailing ship enthusiasts wanted a square-rigger to grace the skyline of the redeveloped Maine Avenue waterfront in Washington, D.C. Kortum was the man to see—he nominated the *Kaiulani*, the last Yankee square-rigger, as worthy of the Nation's Capital.

On October 5th of last year, Kortum and I stood side-by-side, along with the other trustees of the National Maritime Historical Society in the White House. Philippine President Diosdado Macapagal and President Lyndon Johnson were shaking hands. The *Kaiulani* had just been given to the people of the United States by the people of the Philippines.

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[1] Morison: The Maritime History of Massachusetts 1783–1860.

During the time from that first meeting on the San Francisco waterfront to the formal White House ceremony, a nationwide campaign was launched to save the old ship, which culminated in the generous offer of her owners, the Madrigal Shipping Company of Manila, to return her to her native waters as a gift from the Philippine people.

The story actually begins sixty-five years ago on a crisp Maine day when the *Kaiulani* was launched into the ice-filled Kennebec River. Built for the Hawaiian trading firm of H. Hackfeld & Company by Arthur Sewall & Company of Bath, Maine, the *Kaiulani* was designed to be the fastest sugar packet in the Honolulu-San Francisco trade.

The bark was named *Kaiulani* in honor of the Hawaiian princess who had died at the age of 24 on March 6, 1899. Princess Kaiulani, "Child of Heaven," had been the heir apparent to the Hawaiian throne, from the accession of her aunt, Queen Liliuokalani, in 1891, until Hawaii became a republic in 1893.

The *Kaiulani* measured 225.7 feet long, 42.3 feet in breadth, with a depth of 20 feet in the hold. She was designed to carry 2,400 tons of sugar, and grossed 1,570 tons, making her the largest three masted bark ever built in the United States.

A Honolulu newspaper, the *Pacific Commercial Advertiser,* of December 27, 1900 summed up the new bark *Kaiulani*—

"Handsome and new, she lies alongside Brewer's wharf, the object of the curiosity and criticism, favorable or otherwise, of all the people who have business on the waterfront.

"She is the new steel bark Kaiulani *and she arrived from San Francisco yesterday morning after a voyage of 24 days.*

"She presents a very fine appearance and those who ought to know something about ships say that she is a splendid sailer, that she is a great carrier and that she will prove a money maker.

"Some say that she does not draw enough water when she is carrying a large cargo and that she would need particularly clever handling, supposing she was only carrying ballast, while beating into port with a lee shore, and that if she should ever come to grief, it would be on account of her alleged shortcomings in this respect.

"Others say she is easily handled in ballast or with a full load, and that she is built to defy the elements through a long and prosperous career.

"There is one point upon which all nautical men who have viewed the bark agree, and that is that the Kaiulani *can give many an older and more famous vessel cards and spades at sailing with a fair wind.*

"This is the first trip of the Kaiulani *to this port, and her arrival naturally excited a great deal of interest on the waterfront yesterday. She experienced none of the severe weather which recent steamers have gone through, although Captain Dabel remarked a very heavy swell and arrived at the conclusion that there had been an unusually rough bit of weather in some quarter.*

"The Kaiulani *was built by Sewall at Bath, Maine. She is steel throughout even including her decks, which are covered with heavy pine. The accommodations aft are up to date and comfortable and she is possessed of a particularly fine dining saloon.*

"Several passengers can be carried and they would not want for more convenient and elegant accommodations than are to be found in the new bark."

The crew consisted of a captain, two mates, a cook and a mess boy, a carpenter and donkeyman, and twelve foremost hands—a small crew for such a large ship.

From Honolulu to San Francisco raw sugar was the primary cargo, but the *Kaiulani* had accommodations for sixteen passengers in the poop—the fare was $40. On the outward run from San Francisco, canned goods, kerosene, flour and hay was the usual cargo, with a few cows or horses in the 'tweendecks and some passengers.

The Hawaiian sugar fleet made a voyage to Australia for coal each year during the off season when sugar was not being harvested. In 1907 the *Kaiulani* was held up by a coal strike at Newcastle, New South Wales with 130 other sailing ships. This famous windjammer port has probably never been so crowded with tall sailing ships.

Alfred Basil Lubbock in his interesting book "Coolie Ships and Oil Sailers" comments on the many famous sailing ships in Newcastle during that autumn of 1907:

"Amongst the held up ships were the oil sailers, Juteopolis *from Manila,* Comet *from Nagasaki, and the skysail yarder* Kentmere, *which had taken 100 days from New York to Melbourne, the coolie ship* Avon, *Thompson Dickie's smart full-rigger* Largiemore, *the connell built three-mast barques,* Collune *and* Zinita, *and a Number of Americans, which included the* W. F. Babcock, S. D. Carleton, A. J. Fuller, Governor Roble, Isaac Reed, General Fairchild, James Drummond, *the skysail yarder* Hawaiian Isles, *and the rakish-looking barque,* Kaiulani, *which was supposed to be able to sail round anything on salt water, with the exception of the* James Drummond, *whose skipper considered her capable of towing the Cutty Sark.*

"Though the majority of the Britishers were bound to nitrate ports, the Comet, Largiemore, Daylight, Kentmere, *and most of the Americans were chartered for 'Frisco and Puget Sound. The rivalry as to which ship would make the best passage across the Pacific was intense, and there was scarcely a man in cabin, halfdeck, midshiphouse, or foc's'le who did not make a bet on the result. The Yankees, of course, thought they had the race to themselves with three such noted flyers as* James Drummond, Kaiulani, *and the British-built* Hawaiian Isles, *the skipper of the* James Drummond *being specially confident.*

"With such an army of windjammer men in port the police had their hands full, and during the height of the strike there were something like 400 sailors in gaol, indicted for almost every crime in the calendar.

When the strike ended the Daylight *got away amongst the first, and after shaking off the* Largiemore *arrived in San Francisco 60 days out and beat the whole fleet easily. The* Kaiulani *came in second with a run of 83 days, but the other Yankees all made long passages, most of them being over 100 days, about the longest being that of the queerly rigged* Olympic, . . ."

By 1910 steamers had put the sailing ships out of business on the Honolulu-San Francisco run, and on January 27, 1910, the *Kaiulani* was sold to the Alaska Packers Association of San Francisco and renamed the *Star of Finland.*

The Alaska Packers Association, owners of the last large American square rigged fleet, operated a variety of colorful ships, including the *Star of Alaska* (the ship *Balclutha*),[2] and the *Star of India,*[3] (the bark *Enterpe*).

The Star fleet would depart from the Oakland Estuary each Spring with cargoes of lumber, pilings, coal, tin plate and box shooks, for the salmon canneries of southern Alaska and Bristol Bay. The ships were manned by the fishermen, mostly Italians and Scandinavians, and carried in addition to the fishermen, Chinese and Mexican cannery workers, along with a few German cannery technicians. The poop deck on the *Star of Finland* (*Kaiulani*) was extended 48 feet in 1912 to provide greater accommodations for the fishermen and cannery workers. This increased her tonnage to 1,699 gross.

The entire summer's fishing and cannery operation was sustained by the floating warehouse Star fleet. Upon arrival at the cannery both anchors were let go and a swivel shackled into the chains so that ship could swing freely. The chief mate was generally the beach boss and he had the job of getting the cannery ready for operation. All hands turned to, doing everything from carpentry to overhauling the boats and barges.

At the end of the fishing season the canned and boxed salmon and the weary fishermen and cannery workers headed back to San Francisco. The season lasted seven months at most.

During World War I when the regular Matson steamers were requisitioned to serve as transports in the Atlantic, some of the Alaskan Packers Star ships were chartered to haul the Hawaiian sugar crop. The *Star of Finland* returned to this old familiar route in 1918 for one not uneventful voyage: she lost eight sails in a sudden squall three days out of Honolulu on January 18, 1918, but she completed the voyage under a jury rig and delivered her cargo of 36,684 bags of sugar.

In the early 1920's the Alaska Packers Association began laying up the older wooden vessels, then the smaller iron and steel ships. As buyers were found, the ships disappeared—many on one-way voyages to Japan for scrapping. Steamers began to replace the square-riggers. The last voyage of an Alaska Packers Star sailing vessel was in 1930. Finally, only the *Star of Finland* was left.

With the outbreak of World War II in Europe, every vessel capable of carrying cargo took on a new value. A San Francisco group saw the possibility of a profit-making opportunity by shipping Pacific Northwest lumber to South Africa—and purchased and refurbished the *Star of Finland*. The new owners restored the bark's original name and registered her under the Panamanian flag.

The *Kaiulani* was chartered through the General Steamship Company of San Francisco to the East Asiatic Company of Denmark to load lumber from Grays Harbor, Washington to Durban, South Africa. The *Kaiulani* left San Francisco under tow on August 13, 1941 and arrived in Grays Harbor six days later. Her crew came up from San Francisco, about equally divided between old timers and youngsters eager to sail before the mast—including my friend, Karl Kortum. The master, Captain Hjalmar Wigsten, according to most reports, was an unorthodox but competent skipper. Wigsten was a veteran of 49 windjammers in the Pacific trade. The Swedish-born master often quarreled with his Norwegian mate, and once grappled with him on the cabin floor.

On September 25, 1941, the *Kaiulani* was towed to sea and sail was set. This was the last commercial cargo-carrying voyage of an American-built square-rigged merchant vessel. The bark headed out into the Pacific and picked up the northeast trades, but was becalmed for seventeen days in the doldrums. Finally the southeast trades started her sailing again.

The crew discovered there were only 15 gallons of kerosene on board and it had to be carefully rationed for the binnacle light. Course was then set for Pitcairn Island, in the hope of trading some lumber for kerosene. Pitcairn Island, the home of the *Bounty* mutineers, was reached 55 days out on November 20th. After Pitcairn, she headed south to the "roaring forties."

Throughout the voyage the crew worked on the rigging. The younger members of the crew knew this was an historic voyage and, even then, talked of saving the old bark as a maritime museum. As a result of this interest, the last voyage of the *Kaiulani* is perhaps one of the most and best photographed voyages in the annals of maritime history.

Durban was reached 126 days out, on January 29, 1942. The lumber was discharged, but no cargo was obtainable except 190 tons of Government freight for Sydney. The *Kaiulani* took this freight and ballast and sailed for Sydney on May 7th.

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[2] Now a museum ship on San Francisco's Fisherman's Wharf.

[3] Now a museum ship in San Diego.

Captain Wigsten had a radio for this leg of the journey, and on June 6th he learned of the Japanese submarine attack on Sydney. A conference was called among all hands and it was decided to alter course to Hobart, Tasmania, since a sailing ship would be an easy target for a submarine. The *Kaiulani* entered this picturesque harbor on June 19, 1942—the end of the voyage.

Friction which had developed during the voyage between the Captain and the younger crew members over working conditions and wages came to a head in Hobart. The crew called it a strike—the Captain a mutiny—and most of the younger crew members ended up in Hobart jail. A member of Parliament came to the defense of the jailed seamen and the matter was settled, but by then the *Kaiulani's* sailing days were over.

The U.S. Army learned of the bark, requisitioned her, and towed her to Sydney, where the crew rigged her down and then scattered—many being commissioned in the Army Transportation Corps.

In 1942 the U.S. Army was operating a large fleet of vessels between Australia and New Guinea. This fleet included a number of coal burners taken over from Australian owners as well as some Dutch vessels which escaped from the Dutch East Indies before the Japanese occupation. Many of these vessels could not carry sufficient coal for a round trip from Australia to New Guinea. It was decided to convert the *Kaiulani* into a storage collier to service this fleet. As a coal barge the *Kaiulani* proved useful in New Guinea and was towed along with the fleet following each landing as U.S. forces fought their way back to the Philippines.

At the end of the war the *Kaiulani* was in Manila Bay. The coal barge was taken over by the U.S. Maritime Commission, and advertised for sale as surplus. In March, 1948, she was purchased by the Madrigal Shipping Company of Manila.

For the next seventeen years the *Kaiulani* toiled as a log barge from Manila to Mindanao. The vessel had virtually no maintenance during this period, and the loading and unloading of the heavy Philippine mahogany logs badly battered her decks and bulwarks. On several occasions the tow line parted during a typhoon and the *Kaiulani* was given up for lost, only to be found again several days later.

In November, 1964, Captain James Kleinschmidt, then the Assistant Curator and Director of Maintenance at the Mystic Seaport in Connecticut, and I, journeyed to Manila to survey the vessel, take legal possession of her, and participate in yet another formal ceremony—this one at Malacañang, the palace of the Philippine President. As President of the National Maritime Historical Society, I formally accepted the vessel on behalf of the American people. The final deed of acceptance was witnessed by Philippine President Diosdado Macapagal and the U.S. Ambassador to the Philippines, William McCormick Blair, Jr.

The following day the United States Navy provided a tug to tow the *Kaiulani* from her berth in North Manila Harbor to the United States Ship Repair Facility at Subic Bay. Captain Kleinschmidt and I were aboard for the 12-hour voyage—after being on the trail of the *Kaiulani* for almost two years, it was immensely gratifying finally to be aboard her while underway, even if only under tow. The voyage from Manila to Subic Bay took us along the Bataan Peninsula and then right by Corregidor. There was a great deal of American history packed into those few moments when the old *Kaiulani* went past Corregidor.

We were extremely pleased to note that, battered and dented as she was, she did not take on any water and appeared to be sound below the water line. Later, while the *Kaiulani* was in drydock at Subic Bay, an electronic vidigage hull survey proved the vessel was still sound and seaworthy.

A typhoon headed for Subic Bay during December while the *Kaiulani* was still there for temporary repairs. The United States Navy ordered all ships at sea—only the *Kaiulani* was left behind. Captain Kleinschmidt watched her ride out the typhoon and when she survived, commented, "I'm convinced the old girl definitely leads a charmed life."

Earlier this year, the Philippine Government generously donated the use of the facilities of the Philippine Navy Ship Repair Yard at Cavite City. The National Maritime Historical Society has the full use of the Ship Repair Yard facilities including cranes, drydock, and machine shops, but must provide its own labor and materials. The Society has hired 28 Filipino shipyard workers who are actively working on the restoration of the *Kaiulani* under the supervision of Captain Kleinschmidt. The restoration work is truly monumental. Many plates above the water line and the entire 'tween decks must be replaced, a new deck must be installed, all the interior work must be completed, new masts and yards and fittings must be fabricated, and the ship rerigged with both standing and running rigging. Total cost of restoration is estimated at $250,000 and will take approximately two years to complete.

If all goes well, the *Kaiulani* will be ready to set sail on her final voyage home sometime in 1967. Plans are already being made to organize a volunteer American crew to sail the bark from Manila to Washington, D.C., with a Philippine cargo, following the traditional China Clipper route through the South China Sea, past Java Head into the Indian Ocean, around the Cape of Good Hope, and up to the East Coast of the United States. The *Kaiulani* does not have any auxiliary power and will make this voyage as she made her initial voyage in 1899, with the possible exception of a radio and a few niceties of mid-twentieth century civilization. This point, however, is still being argued between the "traditionalists" and the "realists" within the Maritime Historical Society.

At her final place of rest on the Maine Avenue waterfront of Washington, D.C., the *Kaiulani's* tall masts will change the skyline of the Nation's Capital. As a floating museum ship, the *Kaiulani* will give the countless visitors to Washington D.C. the opportunity to board a real square rigger and gain an insight into the life of the merchant seamen and an appreciation of America's maritime history.

Back in 1937 Mark Hennessy wrote of the *Kaiulani* in his book Sewell Ships of Steel: *"The time will come when the American public will have to depend on this vessel for an idea of what a square-rigger looks like."* The prophecy of 1937 may become a reality in 1967.

(NOTE: *The restoration of the* Kaiulani *is being financed by the National Maritime Historical Society entirely through membership dues and contributions. Dues and contributions are tax deductible.*—Ed.)

Mr. BARTLETT. Mr. President, we are indeed fortunate that the *Kaiulani* will become a living memorial to the maritime industry and to the men and their families who devoted their lives to this vital part of our heritage. It is fitting that the ship be moored in the Nation's Capital.

In support of this nonprofit voluntary project, I submit a resolution and request unanimous consent that it be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 275) was referred to the Committee on Commerce; and, under the rule, was ordered to be printed in the RECORD, as follows:

S. RES. 275

Whereas the Kaiulani, the last surviving American-built, square-rigged merchant ship, was a gift of the people of the Philippines to the people of the United States; and

Whereas the President of the Philippines formally presented the gift to President Lyndon B. Johnson in a ceremony at the White House on October 5, 1964; and

Whereas the task of restoring the Kaiulani was assigned by President Johnson to the National Maritime Historical Society as trustee for the people of the United States; and

Whereas the Kaiulani is presently being restored in the Philippines by the National Maritime Historical Society; and

Whereas upon completion of restoration the Kaiulani will be sailed to the United States and permanently berthed on the Washington Channel waterfront in the Nation's Capital as a nonprofit museum devoted to the maritime heritage of this great country: Now, therefore, be it

Resolved, That it is the sense of the Senate of the United States that the Kaiulani project deserves the full support of the American people and all segments of the American merchant marine and should receive the full assistance and cooperation of the executive branch of the United States Government whenever and wherever possible.

TRANSFERS OF POST OFFICE DEPARTMENT APPROPRIATIONS—AMENDMENT

AMENDMENT NO. 614

Mr. SALTONSTALL submitted an amendment, intended to be proposed by him, to the bill (H.R. 7423) to permit certain transfers of Post Office Department appropriations, which was ordered to lie on the table and to be printed.

THE METAL AND NONMETALLIC MINE SAFETY ACT—AMENDMENT

AMENDMENT NO. 615

Mr. JAVITS. Mr. President, on behalf of myself and Senators PROUTY, DOMINICK, and FANNIN, I send to the desk an amendment to H.R. 8989, the proposed Metal and Nonmetallic Mine Safety Act, which was reported to the Senate favorably today by the Labor and Public Welfare Committee, and which, I understand, will be taken up tomorrow.

This amendment deals with the provisions in the bill concerning "State enforcement plans." These provisions were substantially changed in committee, and I believe that the original version, as it passed the House, is preferable to the committee amendment.

The amendment I send to the desk, therefore, would restore the State plan provisions which the House adopted, except that this amendment does not include the controversial provision for judicial review, which was included in the House-passed bill.

Mr. President, I ask unanimous consent that the full text of this amendment, as well as the text of the minority views filed today by the minority members of the Senate Labor Committee, be printed at this point in the RECORD.

The **PRESIDING OFFICER.** The amendment will be received, printed, and appropriately referred; and, without objection, the amendment and minority views will be printed in the RECORD.

The amendment (No. 615) was ordered to be printed and to lie on the table, as follows:

On page 18, delete line 12 and insert, in lieu thereof, the following: "each underground mine which is subject to this Act, except mines located in States having in effect State plans approved under section 16(b)."

Strike out all beginning on page 39, line 18, through page 42, line 7, and insert in lieu thereof the following:

"SEC. 16. (a) Any State which, at any time, desires to assume responsibility for development and enforcement of health and safety standards in mines located in the State which are subject to this Act shall submit, through a State mine inspection or safety agency, a State plan for the development of such standards and their enforcement.

"(b) The Secretary shall approve the plan submitted by a State under subsection (a), or any modification thereof, if such plan—

"(1) designates the State agency submitting such plan as the sole agency responsible for administering the plan throughout the State: *Provided*, That the Secretary may, upon request of the Governor or other appropriate executive or legislative authority of the State responsible for determining or revising the organizational structure of State government waive, the single State agency provision hereof and approve another State administrative structure or arrangement if the Secretary determines that the objectives of this Act will not be endangered by the use of such other State structure or arrangement,

"(2) provides for the development and enforcement of health and safety standards for the purpose of the protection of life, the promotion of health and safety, and the prevention of accidents in mines in the State which are subject to this Act, which are or will be substantially as effective for such purposes as the mandatory standards designated under section 6(b) and which provide for inspection at least annually of all such mines, other than quarries and sand and gravel pits,

"(3) contains assurances that such agency has, or will have, the legal authority and qualified personnel necessary for the enforcement of such standards,

"(4) gives assurances that such State will devote adequate funds to the administration and enforcement of such standards,

"(5) contains reasonable safeguards against loss of life or property arising from mines which are closed or abandoned after the effective date of this Act,

"(6) provides that the State agency will make such reports to the Secretary, in such form and containing such information, as the Secretary shall from time to time require.

"(c) The Secretary shall, on the basis of reports submitted by the State agency and his own inspection of mines, make a continuing evaluation of the manner in which each State having a plan approved under this section is carrying out such plan. Whenever the Secretary finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan (or any assurance contained therein), he shall notify the State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect.

"(d) The provisions of sections 8 and 9, and of subsection (b) and paragraph (1) of subsection (a) of section 11 of this Act shall not be applicable in any State in which there is in effect a State plan approved under subsection (b)."

The minority views presented by Mr. JAVITS are as follows:

MINORITY VIEWS

The original version of section 16 (section 13 of the House-passed bill) provided for approval of State enforcement plans, for delegation of the Secretary's enforcement powers to State agencies operating under approved State plans, and for judicial review of a refusal by the Secretary to accept a State plan meeting the specific safety requirements set forth in the Statute.

After considering a proposal to eliminate the State plan system altogether, the Committee adopted a compromise amendment to section 16 based on section 202 of the Coal Mine Safety Act. The amended version of section 16 is accompanied by an amendment to section 4, which strikes out the italicized words below: "At least once each calendar year the Secretary shall inspect each underground mine which is subject to this Act, *except mines located in States having in effect State plans approved under section 13(b)*." (Technically this should now read "section 16(b).")

The effect of striking out the exception for State plans is to convert section 16 into a system of "joint inspection" similar to, but *not* identical to, the system in effect under the Coal Mine Safety Act.

Under the Coal Mine Safety Act, the State and Federal inspectors make joint inspections, and if they disagree, either can call upon the local Federal District Judge to appoint a third inspector to decide. The Committee amendment, while it seems to require this sort of "joint inspection," is completely devoid of such a mechanism for breaking a deadlock.

In short, the present structure of section 16, taken together with the amendment to section 4, is a bad legislative compromise incorporating none of the best features of either the original bill or the Coal Mine Safety Act.

Even if the bill were further amended to adopt the full Coal Mine Safety Act pattern, moreover, it would still be a bad compromise, for it would defeat one of the primary functions of section 16 under *this bill:* the function of relieving the Secretary of the enormous burden of inspecting *every* underground mine in *every* State once *every* year. It should be clear that this bill, unlike the Coal Mine Safety Act, covers 50 States and a very much greater number of mines—indeed, everything from sand and gravel pits to uranium mines.

The Bureau's program calls for gradual expansion of its present staff of 40 inspectors until, at the end of the *third* year, the Bureau would have "a total of 85 experienced inspectors and 20 supporting personnel in addition to the present staff of engineer-inspectors who will also act as instructors" (Hearings, page 99).

By contrast, New York alone, according to the testimony, already has some 70 inspectors (Hearings, page 326), and other States have equivalent staffs of qualified inspectors.

It seems clear, therefore, that at least in the foreseeable future State inspection in many States will be far more effective and thorough than federal inspection. If the system of joint inspection implicit in the Committee amendment is to be adopted, therefore, it will have a double-barreled adverse effect. First, it will force the Bureau to overtax its admittedly-sparse staff of inspectors by making an annual inspection mandatory even in those States with approved State plans. And second, it will hamper the effectiveness of the State inspectors operating under approved plans, for, though they will be *permitted* to inspect even when the Federal inspector is not present, as a practical matter they will have to wait for the Federal inspector, or else be forced to re-inspect when the Federal inspector finally comes around.

The original versions of sections 4 and 16 constitute a more effective State plan system. Something must be done, however, one way or the other, for the present State plan system embodied in the bill as reported by the Committee will simply not do the job it was designed to do.

JACOB K. JAVITS,
WINSTON L. PROUTY,
PETER H. DOMINICK,
GEORGE MURPHY,
PAUL J. FANNIN,
ROBERT P. GRIFFIN.

EXTENSION OF TIME FOR BILL TO LIE ON THE DESK

Mr. McCARTHY. Mr. President, I ask unanimous consent that the bill I introduced on June 15 (S. 3506), which provides tax deduction for certain moving expenses of employees, lie on the desk for another 8 days, until the close of business on June 30.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL AND CONCURRENT RESOLUTION

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Pennsylvania [Mr. CLARK] and the Senator from Montana [Mr. METCALF] be added as additional cosponsors of the bill (S. 3509) to establish a National Intergovernmental Affairs Council.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that, at the next printing of the concurrent resolution (S. Con. Res. 19) requesting the President to take such action as may be necessary to bring before the United Nations the question of the suppression of freedom in the Baltic States, the names of Senators NELSON, PASTORE, and YARBOROUGH be added as cosponsors.

The resolution expresses the sense of the Congress that the President should instruct the U.S. mission to the United Nations to bring the Baltic States question before that body with the view to obtaining the withdrawal of Soviet troops from Lithuania, Latvia, and Estonia, and the return of exiles from these nations, from slave-labor camps in the Soviet Union; and to conduct free elections in these nations.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

HEARINGS BY MINERALS, MATERIALS, AND FUELS SUBCOMMITTEE

Mr. GRUENING. Mr. President, as chairman of the Subcommittee on Minerals, Materials, and Fuels of the Interior Committee, I am pleased to announce that the subcommittee has scheduled public hearings for Tuesday, June 28, on several bills to which I would like to draw the attention of the Members of the Senate.

Of primary interest are two measures to amend Public Law 167, 84th Congress, the so-called Common Varieties Act, or Materials Act. This law was designed to prevent misuse of the public lands of the United States under color of the mining laws by persons who were for the most part nonmining men. It was the clear-cut congressional intent that legitimate mining operations should not be interfered with, nor development of mineral resources retarded.

However, in recent years the interpretation and administration of the Common Varieties Act have been increasingly narrow and harsh, to the point where now the law is having a harmful effect on mineral development in many areas and causing unwarranted hardship on legitimate mining men.

Two measures designed to correct this situation are pending before the Minerals Subcommittee, and will be the subject of public hearings next Tuesday. One of these bills was introduced by the distinguished Senator from Nevada [Mr. CANNON]. It is S. 2281, cosponsored by Senators BIBLE, MOSS, SIMPSON, and BENNETT.

The other, S. 3485, sponsored by the able Senator from Montana [Mr. METCALF] on which I am a cosponsor, was drafted as a result of hearings held by the subcommittee last year in Montana and here in Washington.

Other measures which also will be the subject of Tuesday's hearings are:

S. 336, Senator HOLLAND's bill to provide for conveyance of certain mineral rights reserved by the Federal Government in a tract of land in Florida to the surface owners thereof.

S. 1101, a measure sponsored by the Senator from South Carolina [Mr. THURMOND] to convey similarly reserved mineral interests in a small tract in South Carolina to the surface owners.

S. 1880, by Senators McGEE and SIMPSON, to authorize reinstatement of an oil and gas lease in Wyoming that had to be canceled because of a mistake of 25 cents in the rental payment.

S. 2753, sponsored by Senator HOLLAND to provide for the conveyance of reserved phosphate rights in a tract of land in Florida to the surface owners.

S. 2918, by Senator MOSS, to direct reinstatement of an oil lease which had to be canceled because of an administrative error in the amount of acreage covered by the lease.

On behalf of the subcommittee, I invite any Member of the Senate who is interested to participate in the subcommittee's hearings.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 3233. An act for the relief of Emanuel G. Topakas; and

H.R. 12031. An act to authorize the appointment of Col. William W. Watkin, Jr., professor, of the U.S. Military Academy, in the grade of lieutenant colonel, Regular Army, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 693. An act to amend the Foreign Agents Registration Act of 1938, as amended;

S. 1160. An act to amend section 3 of the Administrative Procedure Act, chapter 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information, and for other purposes;

S. 1495. An act to permit variation of the 40-hour workweek of Federal employees for educational purposes;

S. 2142. An act to simplify the admeasurement of small vessels;

S. 2307. An act for the relief of certain civilian employees and former civilian employees of region 1 of the Bureau of Reclamation; and

H.R. 11227. An act to authorize the Honorable EUGENE J. KEOGH, of New York, a Member of the House of Representatives, to accept the award of the Order of Isabella the Catholic.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 3233. An act for the relief of Emanuel G. Topakas; to the Committee on the Judiciary.

H.R. 12031. An act to authorize the appointment of Col. William W. Watkin, Jr., professor of the U.S. Military Academy, in the grade of lieutenant colonel, Regular Army, and for other purposes; to the Committee on Armed Services.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 22, 1966, he presented to the President of the United States the following enrolled bills:

S. 693. An act to amend the Foreign Agents Registration Act of 1938, as amended;

S. 1160. An act to amend section 3 of the Administration Procedure Act, chapter 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information, and for other purposes;

S. 1495. An act to permit variaton of the 40-hour workweek of Federal employees for educational purposes;

S. 2142. An act to simplify the admeasurement of small vehicles; and

S. 2307. An act for the relief of certain civilian employees and former civilian employees of region 1 of the Bureau of Reclamation.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

Gerald F. Tape, of Maryland, to be a member of the Atomic Energy Commission.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The Chief Clerk read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask that the nominations of postmasters be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

SENIOR CITIZENS AND ECONOMIC SECURITY

Mr. PEARSON. Mr. President, one of the great social and economic challenges of our time is that of creating and maintaining those conditions whereby our senior citizens can live in dignity and enjoy the rewards of economic security. That we are a rich and powerful nation today is due largely to the past and continuing contributions of our senior citizens. This fact, plus the demands of decent humanitarianism means that no senior citizen should suffer the personal indignities and physical hardships of economic deprivation.

Much has been done, but much remains to be accomplished. Today health care for the aged through the new medicare program monopolizes the attention of the Nation. Without in any way depreciating the significance and value of this program, I want to stress that one of the most pressing needs in the area of programs for the elderly involves the reform and expansion of our social security system. In this connection I believe that the recommendations of the recently issued minority report of the Special Committee on Aging, of which I am a member, are most valuable and which I hope will be enacted in the near future by Congress.

It has long been my contention that adequate income for the elderly is far preferable to a compulsory Federal program as a means of assuring necessary health care coverage for the aged. If adequate income is realized, each individual can decide for himself how he wishes to guard against the crippling burden of medical expense. In this manner, our senior citizens can preserve their independence and dignity instead of becoming wards of a welfare state.

In this respect, the report recommended that the appropriate legislative committees of Congress give serious considerations to proposals which would amend the Social Security Act to provide:

First. Automatic cost-of-living increases in social security benefits, and increases in the minimum social security payments.

Second. Extend old-age and survivors insurance benefits to persons past 72 who are not now covered.

Third. Eliminate or liberalize the restriction on how much a social security beneficiary may earn without penalty.

Fourth. Assure adequacy of old-age assistance programs.

Fifth. Increase social security's flexibility by providing for actuarially sound increases in monthly benefits to persons choosing deferment of participation until an age subsequent to 65.

Sixth. Improvements in administration of housing programs.

Seventh. Encouragement of growing private pension efforts.

Further, I would note that the minority report included recommendations with respect to simplifying and improving the medical assistance for the aging program. With the future course of elderly health care at stake we must, at the very least, bend every effort toward achieving effective and imaginative solutions to these problems. I think the recommendations of the report move significantly in this direction.

Finally, it needs to be emphasized that an absolute and vital part of any effort to maintain the economic security of the elderly is the maintenance of the value of the dollar. Inflation strikes hardest and most cruelly at our senior citizens. Purchasing power of a 72-year-old person with a fixed $3,000 income has been reduced since 1956–59 by over $330 a year. Inflationary pressures continue to grow, thus depreciating the purchasing power of money. This is in large part due to improper and in some cases irresponsible Federal Government spending and poor management of the Nation's fiscal and monetary policies. Halting of the current inflationary spiral is absolutely necessary to protect the economic security of our senior citizens.

WIRETAPPING

Mr. LONG of Missouri. Mr. President, the Washington Post yesterday concluded a three-part series by Mr. Richard Harwood on wiretapping.

I ask unanimous consent to insert, at this point in the RECORD, this series of articles.

There being no objection, the series of articles was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 19, 1966]

LAS VEGAS, 1961: A FEDERAL WIRETAPPING OPERATION IS BORN

(By Richard Harwood)

Las Vegas, it has been said, is a mirage that "belongs to the Mob . . . Nobody is about to take it away from them."

Its opulent casinos on the Strip, the plebeian slot-machine parlors of Glitter Gulch, and the well-fleshed girls of the chorus lines, have a deadly fascination for Rotarians and Jet Set alike. They come by the millions to Las Vegas and leave behind for the gambling houses—and the Mob—$250 million to $300 million a year.

This mecca of anti-Puritanism, set down in a wasteland of hot sand and rock, became in the winter of 1960–61 the operating headquarters for a mysterious little enterprise with the innocuous name of "Henderson Novelty Company."

The company's business, it revealed in an application for a post office box in May, 1961, was to provide a "musical rental service."

That statement, apparently, was untrue. The main business of Henderson Novelty Company was eavesdropping for the Government of the United States. Its organizers were agents of the FBI whose purpose, so far as can be divined, was to strike a blow at organized crime in America.

That purpose has not been achieved. The Henderson Novelty caper threatens, instead, to discredit the Department of Justice or the FBI or both.

It could damage the reputation of prominent men in public life—perhaps an Attorney General, perhaps J. Edgar Hoover.

It could prove politically embarrassing to the White House for it has placed in jeopardy the Government's case against Robert G. "Bobby" Baker, Senate Majority Secretary when Lyndon B. Johnson was Senate Majority Leader.

It has jeopardized the income tax conviction of Fred B. Black Jr., the Washington business consultant who was Baker's business associate, and briefly, a neighbor of then Vice President Johnson.

Moe Dalitz, Johnny Drew, Ruby Kolod and other professional gamblers of fearsome repute may likewise escape the Federal charges that confront them—income tax evasion and, in the case of Kolod, extortion.

These far-reaching contingencies have precipitated a bitter controversy within the Justice Department over the question of who is responsible for what. The Supreme Court has become interested in the same question and has demanded in Black's case an explanation from the Attorney General for the practice of government eavesdropping in a free society.

Finally, the Las Vegas agents of the FBI who invented Henderson Novelty are confronted here today with a $2 million damage suit and the possibility of prosecution for criminal behavior under Nevada law. They were engaged, attorneys for Bobby Baker have argued, in "a studied, well-organized, amply financed criminal conspiracy."

This is not the kind of language ordinarily employed to describe the law-enforcement activities of the FBI, often called "the most respected, feared and incorruptible police force in U.S. history."

But it is nevertheless a crime under Federal law for anyone—either a private citizen or the FBI—to "intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person."

Both wiretapping and eavesdropping are also crimes under the laws of Nevada and other states. Furthermore, both Federal and state courts have held that eavesdropping involving a trespass is a violation of the constitutional protections against unreasonable search and seizure.

It was in this context that the Henderson Novelty Company began operations in Las Vegas more than five years ago. The story, taken from sworn affidavits filed in the Federal District Court in Las Vegas and from sworn depositions by officials of the Central Telephone Company, has not been denied by the Justice Department or the FBI.

LEASING PHONE LINES

Late in 1960 or early in 1961—the date is uncertain—Dean Elson, head of the FBI office in Las Vegas, and M. B. Parker, one of his agents, paid a call on Frank Dresslar, president of the local telephone company. They informed Dresslar and other officials of the company that they wished to lease 25 private telephone lines to connect the FBI office at 301 S. 11th St. with the company's central telephone exchange.

The bills for this service, the agents said, were to be mailed to the Henderson Novelty Company—at 301 S. 11th St.—or to Post Office Box 1423. The bills would be paid in cash.

Following this meeting, Dresslar instructed his subordinates to supply "whatever service they needed." On May 18, 1961, the lease agreement was concluded.

CONNECTED IN 1962

The company's records covering the use of the 25 FBI lines in 1961 have not been made public. But the service order journals for 1962 and 1963 have been produced. They indicate 24 to 26 separate uses of the leased lines by the FBI.

One of the lines—LL 24-9—was connected surreptitiously on Oct. 30, 1962, to the central exchange serving the Fremont Hotel, a downtown casino, whose president and major stockholder is Edward Levinson, gambler and business entrepreneur. Levinson's partners in various enterprises have included Bobby Baker and Fred B. Black, Jr.

An extension of LL 24-9 was run from the exchange to Levinson's office, where it was hooked up to a listening device installed on the telephone on Levinson's desk. In this way all telephone conversations in the room, could be monitored in the offices of "Henderson Novelty."

The techniques used for these installations have been described in an affidavit of Marvin E. Barr, a special service supervisor for Central Telephone in 1962 and 1963:

"If the intended destination of the new (FBI) leased line was the Fremont Hotel, for example, John Zacker (a Central Telephone employe) would then induce trouble on the Fremont Hotel telephone lines down at the central office.

TROUBLE CORRECTED

"When the Fremont Hotel called in to complain of its disrupted service, John Mallory (a Central Telephone employe) would be sent out to make the repairs. Under the pretext of making the repairs, Mallory would install the new leased line on behalf of the Henderson Novelty Company at its intended destination within the Hotel in accord with his directions from Bob Lee (an FBI agent). After installation of the line, John Zacker would correct the trouble he had induced on the Fremont Hotel lines." The bugs used apparently were supplied—and may have been manufactured—by the FBI.

Several months after the tap was installed on Levinson's phone and the "bugs" were installed in his office, Levinson decided to redecorate the room.

In the course of this beautification project, he asked the telephone company to move his phone. The man assigned to the job was Al Kee, a $95-a-week installer with a sufficiently high regard for Levinson that he used his day off to do the job.

NOTIFIES LEVINSON

Kee, quite by accident, discovered the "bug" hidden in Levinson's telephone instrument. He immediately informed Levinson.

LL 24-9 was traced to the switchboard and from there to the main cable serving the hotel. The cable diagram, which was available to the hotel, listed LL 24-9 as a line leased to the Henderson Novelty Company.

The date was April 27, 1963.

News of this discovery spread through the Las Vegas gambling fraternity. On July 2, two more lines leased to Henderson Novelty—and two more "bugs"—were discovered at the Sands Hotel, in which both Frank Sinatra and Dean Martin had a financial interest. One was in the hotel bedroom of Carl Cohen, the manager at the Sands; the other was in his sitting room.

Early in August, 1963, Major Riddle, managing partner of the Dunes Hotel, unearthed a leased line and a "bug" in his office. Similar discoveries followed at the Stardust

Hotel, the Desert Inn, and the home of Johnny Drew of the Stardust.

By now it was obvious to the gambling crowd that they had been the object of "a massive wire-tapping and eavesdropping surveillance." It was less obvious who was behind it and why.

RETAINS LAWYER

Levinson paid a call on officials at the telephone company in August to discuss the matter but learned nothing. He was then advised to get a lawyer and in due course retained Edward Bennett Williams of Washington.

In February, 1964, Williams filed a multimillion-dollar damage suit against the Central Telephone Company, charging breach of contract, conspiracy and invasion of privacy. In the months that followed, depositions were obtained from Company officials in which the FBI's role in the buggings was described in considerable detail.

Two days after the discovery of the "bugs" in Levinson's office, the company revealed, the FBI ordered LL 24–9 disconnected and further ordered the company to change its billings for the leased lines from Henderson Novelty Company to another fictitious company, Clark Associates (with the same FBI address on South 11th Street).

Similar instructions were issued by the FBI each time a "bug" was discovered.

Frank H. Rogers, Central Telephone's divisional vice president, became concerned and in September, 1963, according to his deposition, asked three of the Las Vegas FBI men to come to his office. He identified them as M. B. Parker, Robert Lee and James Moreland.

Rogers asked the agents for an explanation of what they were doing with the 25 leased lines. But they reacted, Rogers testified, like a trio of Sphinx.

"They did not admit any connection * * * with Henderson or Clark Associates * * * They did not say anything about placing the bug * * * It was pretty silent as far as their end of the conversation went."

Their only pertinent comment, Rogers said, was: "We have heard about it (the buggings)."

Later, company officials were to have another meeting with the agents at which there was an argument over a $1,400 bill owed by Henderson Novelty and Clark Associates.

* * * * *

[From the Washington (D.C.) Post, June 20, 1966]

Marshall "Confession" Recalled—Wiretapping Dispute Widens Rift Between FBI and Justice Department

(By Richard Harwood)

Thurgood Marshall, the Solicitor General of the United States, submitted an extraordinary confession to the Supreme Court on May 24.

The Federal Bureau of Investigation, he said, was guilty of illicit eavesdropping on an American citizen—Fred B. Black, Jr.—for reasons yet to be explained.

Furthermore, Marshall strongly implied, the FBI had acted without any authority from the Attorney General of the United States, whose consent presumably is required in all wiretapping and eavesdropping cases.

Marshall's confession to the Court has had the broadest ramifications.

It has provided a new line of defense for Robert G. (Bobby) Baker, a former friend and political associate of President Johnson. Baker is under indictment as a thief and tax evader.

It has enhanced the possibility that Black, a business associate of Baker, might have his income tax conviction overturned.

Of even greater significance, perhaps, was the subtle implication in Marshall's memorandum to the Court that the FBI is under uncertain control and that it has been operating in violation of the policies of the Department of Justice.

This, at least, is how the Marshall memorandum was read by allies of FBI Director J. Edgar Hoover, who reportedly filed a bitter protest with Attorney General Nicholas deB. Katzenbach over Marshall's implications to the Court.

It is in any event an open secret that the incident has opened a wide breach between Hoover and his superiors in Justice and that it may produce a collision embarrassing to the reputation of men in high places in the Government.

For years Hoover has reigned over the FBI with a virtually free hand. He has been courted and deferred to by every U.S. President of the past quarter century, in part out of respect and in part out of political expediency.

One member of John F. Kennedy's White House staff has said that the late President was appalled at Hoover's obsession with "Reds under every bed" and was unable to carry on a coherent conversation with him. Members of President Johnson's staff toyed with the idea of replacing Hoover in 1964 but backed off out of fear of the political repercussions.

The friction between Hoover and Attorney General Robert Kennedy was ill-concealed. Kennedy went to great lengths to exert his authority over the FBI but with little success. Attorney General Katzenbach once joked in private: "Sure I could fire him on Monday. The only thing I'd have to do on Tuesday would be to find a new job."

When Hoover in 1964 attacked the Rev. Dr. Martin Luther King, Jr., the Nobel Prize winner, as "the most notorious liar in the country," he received no public rebuke from the White House. When he testified last year in opposition to the President's proposal for a new consular agreement with the Soviet Union, he escaped reprimand.

He has become, Newsweek magazine said a couple of years ago, "an authentic folk hero," invulnerable to criticism and immune from the dictates of his superiors.

LARGE ANNUAL BUDGET

Whatever the merit in this judgment, Hoover in the past 30 years has built a huge investigatory machine with an annual budget approximately as large as the State Department's and more than twice the size of the budget available to the Attorney General.

With a 16,000-man staff at his command, Hoover's FBI has become involved in everything from stolen car recoveries, kidnapings, and civil rights demonstrations, to "national security."

The question of who is to be investigated and on whose authority is one of the crucial issues in the wiretapping and eavesdropping controversy in which the Justice Department is now embroiled.

The FBI, according to the Solicitor General's confession to the Supreme Court, placed a "listening device" in Fred Black's suite in the Sheraton-Carlton Hotel in February, 1963, without the knowledge of "any . . . attorney in the Department of Justice."

On the face of it, this would appear to have been a clear act of insubordination and a clear violation of the stated policies of the Justice Department.

As Attorney General in 1962, Robert Kennedy repeatedly reassured Congress and the public that "at the Federal level, wiretapping is limited to a small number of cases involving the national security and criminal cases in which the life of a victim is at stake. It is done only with the express approval of the Attorney General."

EXTENSIVE WIRETAPPING

At the very time Kennedy was making these statements, the FBI was engaged in an extensive wiretapping and eavesdropping operation in Las Vegas and apparently in a number of other American cities.

Arthur Brewster, the Division security supervisor of Southwestern Bell Telephone Co., in Kansas City, testified under oath before a Senate subcommittee last year that the FBI leased lines to tap and eavesdrop on office and residential telephones on at least nine occasions between 1961 and 1965. The most recent of the incidents occurred on Jan. 5, 1965.

William P. Rogers, who served as Attorney General from 1957 until 1961, has said that he authorized no wiretaps during his term in office except in cases involving "the national security." Rogers, however, made a distinction between a "wiretap," by which telephone conversations are intercepted, and a "bug," or "listening device," which may simply record and broadcast conversations carried on within a room.

This same distinction has likewise been made by FBI men.

FORMER AGENT'S STORY

There is some evidence, however, that even under Rogers wiretapping in nonsecurity cases was being employed by the FBI. William W. Turner, a former FBI agent, last year described in a magazine article his role in the FBI's "Top Hoodlum" program in 1959.

"I was an inspector's aid to review the program's results in Los Angeles," Turner wrote. "I found that agents had installed wiretaps and electronic 'bugs' on hoodlums and foraged through their refuse for clues."

This type of activity—during Rogers' term of office but without Rogers' knowledge—has been independently confirmed by highly placed sources in the Justice Department.

In Black's case, it has been argued that the "bug" placed in his hotel suite in Washington did not qualify technically as a "wiretap." Solicitor General Marshall described it as a listening device . . . not a telephone wiretap.

Any "listening device," however, will monitor at least one end of a telephone conversation and this in itself was an apparent violation of Justice Department policy in 1963. Sen. Howard Cannon (D-Nev.) wrote to Attorney General Kennedy on Nov. 7 and again on Nov. 15, 1963, for an explanation of the Department's policy on wiretapping and "bugging."

DISCLAIMED AS POLICY

Katzenbach, who was then Kennedy's deputy, promptly replied: "As a matter of policy this department does not wiretap, monitor or record telephone communications in any other type of matter except where there is consent of an actual party to the conversation."

At that very time, however, the FBI was not only "bugging" men like Black but was actively "wiretapping" in the traditional meaning of the word.

Thus, a grave question of credibility is involved, not only in the Black affair, but in the Baker case, the "massive wiretapping and eavesdropping" operation in Las Vegas, the wiretapping and eavesdropping operation in Kansas City, if not in other American cities.

Other questions have arisen. Why was the FBI "bugging" a neighbor of Lyndon B. Johnson, who was then Vice President, if, as Marshall said, the Justice Department had not ordered it and if, as he also said, it had nothing to do with Black's income tax case?

If on the other hand, the Justice Department was fully aware of the FBI's electronic surveillance campaign—as associates of Hoover flatly maintain—why was Marshall's statement submitted to the Court?"

These are questions to which the Court itself has demanded answers.

[From the Washington Post, June 21, 1966]

KENNEDY DESPISED IT—PRESIDENTS FORBADE USE OF WIRETAPPING

(By Richard Harwood)

So far as the American public has been aware, wiretapping and eavesdropping—except in rare cases involving national security—have been contrary to the policies of the United States Government for years.

President John Kennedy, according to his appointments secretary, Kenneth P. O'Donnell, "despised that kind of thing and never authorized it."

President Lyndon Johnson "shortly after taking office"—either in late 1963 or early 1964—forbade wiretapping by any Federal official or employe except in national security cases, according to his press secretary, Bill D. Moyers.

Every Attorney General from the Eisenhower Administration to the present has assured Congress that wiretapping is prohibited in non-security cases.

Desipte these clear expressions of national policy, there is a growing body of evidence that the FBI under J. Edgar Hoover has for years been eavesdropping on American citizens in cases not even remotely connected with "national security."

Wiretaps and "bugs" were installed by the FBI in the homes and offices of various Las Vegas gamblers in 1962 and 1963. At least nine wiretaps or eavesdropping devices were arranged by the FBI in Kansas City between 1961 and 1965. A "listening device" was installed by the FBI in 1963 in the Washington hotel suite of Fred B. Black, Jr.

From the day it began the FBI's eavesdropping has been a risky business. It is a Federal crime to intercept without permission of the sender "any communication and divulge or publish the existence, contents substance, purport, effect, or meaning of such intercepted communication to any person . . ."

Eavesdropping with devices unconnected to a telephone is likewise illegal if any form of trespass is involved, even such a trivial trespass as inserting a "bug" in a wall to "the depth of a thumbtack shaft."

SELF-DEFEATING TECHNIQUE

Furthermore, as Attorney General Nicholas deB. Katzenbach informed the Senate last year, eavesdropping and wiretapping are self-defeating techniques.

"Once you put a wiretap on or use an illegal device of any kind," said Katzenbach, "the possibilities of prosecution are gone. It is like a grant of immunity."

This is true whether or not the "national security" is involved. Thus, a suspected spy cannot be prosecuted if his telephone is tapped.

Nevertheless, Katzenbach and his predecessors have authorized wiretapping in such cases—50 to 100 a year—on the assumption that the information gained is more important than a conviction.

They have not been prosecuted for their apparent violation of Federal law because they have interpreted the law to mean that so long as information from wiretaps is not disclosed outside the Department no crime has been committed.

FBI Director Hoover is thoroughly familiar with the wiretapping and eavesdropping laws. "He would never engage in any of that without authority from the Attorney General," one of his former superiors has said.

Another Justice Department figure, knowledgeable in these affairs, has said much the same thing: "Anyone who claims that Hoover had no authority for what he did (in Las Vegas and in the 'bugging' of Black's suite) is just not telling the truth. And anyone who says Bill Rogers, BOBBY KENNEDY and Nick Katzenbach didn't know what he was doing, doesn't know the facts. 'Whizzer' White (Associate Supreme Court Justice Byron White) knew a lot about this himself when he was working for BOBBY (as a Deputy Attorney General)."

RAPS MARSHALL

One government official in a position of responsibility has gone further. "It seems pretty clear to me," he said, "that the (Bobby) Baker case, the Black case, and the cases in Las Vegas are going to be lost because of (Solicitor General) Thurgood Marshall's memorandum to the Supreme Court (admitting that Black's hotel suite had been 'bugged').

"Some of these cases will never come to trial. Deals will be made if they haven't already been made and Hoover is being set up to take the blame. This whole affair is not being handled like a law suit. It's being handled politically."

How much—if anything—the Justice Department knew about the FBI's eavesdropping and wiretapping activities is a closely held secret that will be aired, ultimately, before the Supreme Court.

For the moment, however, Hoover has turned down requests for an interview and has ordered his aides not to discuss the matter. Katzenbach takes the same position and has ordered his subordinates not to talk. They will not even reveal what, if any, regulations now are in effect governing wiretapping and eavesdropping by Government agencies.

Nonetheless, certain information has become available. It has been obvious for several years to some attorneys in the Department, one official said that detailed reports from the FBI on various conversations could only have come as a result of wiretapping or eavesdropping. It is not clear whether these reports came to the personal attention of the Attorney General or his deputies.

BUGGING DISCUSSED

It has been ascertained that FBI officials met with Justice Department lawyers last year and discussed at length the use of "bugging" equipment in the Black case.

Solicitor General Marshall in his memorandum to the Supreme Court referred to a meeting last fall at which "attorneys in the Criminal Division of the Department of Justice learned that a listening device had been installed in (Black's) suite. They then reviewed materials derived from that installation for the purpose of determining whether information obtained therefrom would prejudice a pending criminal investigation unrelated to (Black)."

There have been strong suggestions—but no official confirmation—that the "pending criminal investigation" Marshall referred to involved Bobby Baker and that the Justice Department was aware before Baker was indicted in January of this year that wiretapping was involved in his case.

This virtually has been admitted by William G. Hundley, the Justice Department's chief racketeering prosecutor, in a brief filed with the Federal District Court here earlier this month.

IDENTICAL BUGS

He said in his brief that wiretapping and eavesdropping issues raised in connection with the Baker indictment were identical to issues that had been raised long ago in Las Vegas in connection with the wiretapping of gambler Edward Levinson and others. The two cases, said Hundley, involved in the same "bugs," the same wiretaps, the same offices and the same bedrooms.

In that context, it was logical to assume that the Department had known for some time before the indictment that the wiretapping issue would be raised in the Baker case, for it had been aware of the Las Vegas incidents at least since 1964.

In the light of Katzenbach's statement that wiretapping is "just like a grant of immunity" the question has been raised within the Administration as to whether the Baker indictment was a meaningful step toward prosecution or a meaningless legal gesture.

"Once you admit wiretapping," one official has said, "it becomes almost impossible to prove that any other evidence you have is not tainted."

These are, of course, speculations that the courts will decide. They also may resolve the question of whether Hoover exceeded his authority.

LED TO BITTER DISPUTE

It is known that Marshall's memorandum to the Supreme Court infuriated Hoover and provoked a bitter dispute with Attorney General Katzenbach, who is said to have ended one discussion with the curt announcement: "That's the way it's going to be."

On June 13, the Supreme Court entered this area of dispute with an order to the Attorney General to give a complete accounting of the Black "bugging" incident, along with the names of those responsible and the legal authority on which they relied.

"Hoover," it has been reported, "will not wash this dirty linen in public. He's too loyal for that."

But it may be washed in public both here and in Las Vegas, where Hoover's agents are the target of a $1 million law suit by Edward Levinson and the Fremont Hotel.

Whatever the outcome of these and related cases, they have raised profound issues involving the operation of the FBI, and the rights of citizens in a free society.

WIDE RANGE

The FBI's recent investigations have included such areas as these:

A national magazine discovered in 1964 that the FBI had compiled—for unexplained reasons—a dossier on the ex-wife of one of its writers. The material in the file was cited by Hoover's associates in refusing to allow the writer to sit in on an interview with the FBI director.

The managing editor of a prominent newspaper in the Midwest was advised by a U.S. District Attorney in 1965 that a reporter for the paper had become persona non grata at the Federal building because of "derogatory information" circulated by the FBI.

University professors and Americans in other walks of life have become aware within the past year that they have been under surveillance both here and in their foreign travels at the instigation of the FBI.

The authors of books critical of the Federal establishment are the subject of dossiers in the FBI files.

The investigations that have produced these materials are based on almost unlimited authority to probe into the lives of suspected criminals, "security risks" and "subversive." The Attorney General, the Justice Department says, provides only "general" supervision over these activities.

The grant of investigative authority to the director of the FBI is, in other words, extremely broad, and the Justice Department now finds itself in the position of trying to define the limits in terms of eavesdropping and wiretaps.

The irony is that it has taken the Federal drive against "organized crime" and the Bobby Baker case to bring the issue to a head.

VIETNAM PEACE EFFORTS

Mr. JAVITS. Mr. President, in regard to Vietnam, I believe that the mood of the American people is to offer reasonable proposals to bring the struggle to a conclusion. The report in today's New York Times to the effect that we have offered a "reciprocal lessening of hostilities"—a proposal similar to the one I have been making for a military freeze—is such a reasonable first step proposal. I must also point out, however, that the American mood has another dimension—that if our opponents in Vietnam continue their unwise practice of curtly rejecting such peace offers, the reaction of the U.S. people will be even more resolute.

If the Communists are strategizing their policy on the assumption that the United States lacks staying power in Vietnam—that the American people will become tired—they are pursuing precisely the wrong course. I say this as one who has been against escalation and has questioned certain aspects of our policy in Vietnam. The Communists have only to remember the fact that we still have over 50,000 American troops in Korea. The American people become more, not less resolute, in pursuing a struggle when they believe that our Government is making good faith peace offers.

The proposal for a military freeze reportedly made by our Government is both practical and reasonable. The fact that the Communists have rejected it out of hand, and the further fact that they continue to insist on the unconditional cessation of bombing in the North without reciprocity on their part should be clear indication that they are not yet seeking peace as they profess.

As long as the Communists continue in their opposition to peace, we must concentrate our efforts on helping the people of South Vietnam to hold free elections and create a duly-elected civilian government to carry on the struggle. Under the circumstances, this is the best way to guarantee the resolute spirit of the American people in respect of Vietnam.

Last Saturday, the President issued a most important statement on Vietnam in terms of its emphasis on military solutions. The President was, in effect, providing the rationale for the further escalation of the conflict. This is in line with Secretary McNamara's announcement that by the end of this year, U.S. troops in Vietnam will number at least 400,000.

I am fully aware of the reasons for this decision—the stubborn and persistent refusal of NLF and Hanoi leaders—with Communist China and the U.S.S.R. backing them—to negotiate and the increasing infiltration into South Vietnam of regular North Vietnamese forces. But, I believe that as the President commits the United States to a large increase in our forces at this time—up to about the maximum I and many others had ever visualized—he should continue to make other realistic attempts by private and public means to put a lid on the fighting and to bring about a peace conference of all relevant parties.

I stress the word "realistic" because many of the proposals recently made, such as cease-fires and high-level diplomatic meetings, are not realistic if the other side will not respond. And, at this stage of the Vietnam conflict, there is probably little hope for a prolonged or extended cease-fire. More likely, as in the Korean war, fighting will occur during the negotiations themselves. The establishment of a cease-fire, as a practical matter, probably will be the business of the conference itself. The proposal for a Foreign Ministers' meeting is similarly impractical at this point. There must be someone to talk with and something to talk about, some common ground, before talks can proceed profitably at this high level.

Therefore, a first step toward peace should deal with the problem of escalation itself, for while the conflict is escalating there is little likelihood that discussion could begin.

I would, therefore, like to reiterate my proposal for a military freeze; that is, a ceiling on the present magnitude of battle particularly in respect to the introduction of new troops. Such a freeze could be agreed to by the parties involved prior to the actual peace conference. This would consist of a pledge by the United States that it will stop sending additional troops into South Vietnam in return for a pledge by North Vietnam to halt the infiltration of its soldiers into South Vietnam; the freeze should be subject to international verification by the U.N., the I.C.C.—India, Poland, and Canada—or any other agreeable international body.

I agree that the United States may have to step up its operation in the south and also "raise the cost of aggression at its source," but I would urge the President to make another try to avoid the further escalation of the conflict.

Mr. President, in this connection, I ask unanimous consent to have printed in the RECORD at this point an article published in the New York Times of June 22, 1966.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 22, 1966]

Hanoi Said To Bar Latest U.S. Offer for Peace Parley—Plans for Talks While Both Sides Reduce the Fighting Is Reported Spurned—Proposal Called Fraud—U.S. Aid Goes to Ottawa, Perhaps To See Aid Who Visited North Vietnam

(By Seymour Topping)

HONG KONG, June 21.—North Vietnam was reported today to have rejected a United States proposal for the opening of peace talks while both sides reduce military activities.

Communist officials have told foreign diplomats in Hanoi, according to reliable reports reaching American sources here, that the United States bid was simply another "peace offensive fraud" perpetrated by the Johnson Administration.

[William P. Bundy, the Assistant Secretary of State for Far Eastern Affairs, flew from Washington to Ottawa Tuesday, presumably for a report on the latest Canadian peace approach to Hanoi, The Associated Press reported. A special Canadian envoy, Chester Ronning, has just returned to Ottawa from Hanoi.]

As a prerequisite to negotiations, Hanoi is demanding unconditional cessation of United States bombing of North Vietnam, without any commitment that the Communist country would diminish sending troops and supplies to aid the Vietcong guerrillas in South Vietnam.

The impression of diplomats stationed in Hanoi is that the North Vietnamese are still determined to prosecute the war, in the hope that the Saigon Government will collapse politically or that President Johnson's Administration will be compelled to withdraw United States troops under pressure of public opinion at home.

North Vietnamese regiments have massed in the Central Highlands of South Vietnam, apparently to deal a blow during the monsoon season that would discourage the United States war effort.

DIPLOMATS HEAR RESPONSE

North Vietnamese officials have stated their attitude in talks with foreign diplomats and with Communist delegates who attended the congress of the Czechoslovak Communist party in Prague this month.

The United States offer for a reciprocal lessening of hostilities as a basis for peace negotiations was conveyed to North Vietnam through the ambassadorial talks in Warsaw between the United States and Communist China, through Eastern European channels, and presumably, by Chester Ronning, special envoy of Canada, who recently visited Hanoi.

Mr. Ronning left Hanoi last Saturday to return to Ottawa after three days of talks with the North Vietnamese Foreign Minister, Nguyen Duy Trinl. The Canadian envoy visited Hanoi on a similar mission in effort to bring North Vietnam and the United States to the conference table. Canada has extended her good offices within the framework of truce machinery established by the International Control Commission for Vietnam, of which she is a member.

North Vietnamese officials, commenting on the Ronning mission, said that the Canadian envoy was given an explanation of a letter sent by President Ho Chi Minh of North Vietnam to Ottawa on Jan. 24. One of the cardinal conditions for peace talks stated in the letter was a demand for unconditional cessation of the bombing of North Vietnam.

HANOI-PEKING TIES IMPROVE

Hanoi's dismissal of the United States proposal may have been related to a recent improvement of relations between Hanoi and Peking according to analysts here. The Chinese Communists have been the most intransigent opponents of any move toward a negotiated settlement of the Vietnamese war. The Chinese have charged that the Soviet Union, Peking's foe, in the Communist idological split, is in collusion with the United States to bring about a peace settlement unfavorable to the Vietcong.

Hanoi's relations with Peking had deteriorated because of North Vietnam's refusal to line up ideologically with Communist China against the Soviet Union. The North Vietnamese, dependent on both the Soviet Union and Communist China for military aid, have been reprimanded by Peking for pursuing an unacceptable compromising "centrist position" on ideological matters.

Analysts believe that these Peking-Hanoi tensions have been eased as a result of a secret meeting between President Ho Chi Minh and Chinese Communist leaders. He had been absent from his customary public activities between mid-May and last Friday, and is presumed to have gone to Peking during this period.

After the reported meeting, Hanoi has taken a number of actions that appeared to be designed to soothe the Chinese Communists.

The North Vietnamese Lao Dong (Communist) party issued a statement on June 10 denouncing "modern revisionism" as practiced by President Tito of Yugoslavia. The term "modern revisionism" is also applied by Communist China to the ideological position of the Soviet Union.

The North Vienamese Communists' statement represented a reaffirmation of the militant ideological line, although it did not go so far as supporting Peking's charges that the Kremlin leadership is also guilty of "modern revisionism."

PEKING BLOCKAGE DENIED

Hanoi also published a statement yesterday that denounced what it described as malicious reports spread by Western news agencies to the effect that Peking had impeded railroad transit of Soviet military aid going to North Vietnam. Peking has repeatedly accused Moscow of inspiring reports that the Chinese Communists were delaying deliveries of Soviet aid.

There also has been a sudden increase in contacts between Peking and Hanoi.

Hanoi in the past has tried to assure its independence of action by using its ties with Moscow as a counterweight against Chinese influence. But now the North Vietnamese have apparently mollified the Chinese Communists by assuring them that Hanoi would continue to press the war in South Vietnam. In their contacts with foreigners, Hanoi leaders are said to behave as if they are convinced that they are winning the war against the United States.

"They act as if they are victims of their own propaganda," one diplomat said.

At the Prague Congress of the Czechoslovak Communist party, Le Duc Tho, a member of Hanoi's ruling Politburo, told delegates that Communist forces in South Vietnam had knocked out 40,000 United States troops including at least 14 battalions. He also said that 1,400 United States planes had been destroyed.

[In Washington, United States Defense Department sources labeled the claims of Le Duc Tho as "completely false." The correct figure on United States military dead as a result of combat in South Vietnam, they said, was 3,804 as reported by the Pentagon up to and including June 11. United States aircraft destroyed in action in Vietnam up to June 2 totaled 374, they said. "No United States battalions have been rendered ineffective through personnel losses," an official spokesman said.]

SOURCES OF HOPE EMERGE

Le Duc Tho's remarks also revealed the origins of the apparent conviction in Hanoi that the anti-Communist war effort would collapse for political reasons.

Describing Buddhist ferment in South Vietnam, Le Duc Tho said "quarrels among the puppet army and the Administration have reached a degree of acuteness as has never been seen in the past 11 years." He said that the debate in the United States over Vietnam revealed that "our country enjoys the sympathy of the American people" while there are "mounting contradictions among U.S. ruling circles."

North Vietnamese leaders tell foreign visitors that they anticipate escalation of the war and United States bombing of the capital of Hanoi and the port city of Haiphong.

The system of air-raid shelters in the North Vietnamese capital has been extended. Thousands of one-man shelters—cement cylinders 2½ feet in diameter and about 5 feet in height—have been sunk into streets and vacant lots around the city. When an air raid signal sounds at the approach of occasional United States reconnaissance planes, members of the population take refuge in the cylinders and pull cement covers over their heads.

Many women and children have been sent out of the capital. Government offices and factories in some instances have been dispersed to surrounding villages.

THE 34TH ANNIVERSARY OF THE CHARTERING OF THE DISABLED AMERICAN VETERANS ORGANIZATION

Mr. MONDALE. Mr. President, last Thursday, June 16, the Disabled American Veterans celebrated the 34th anniversary of their incorporation by the Congress. In those 34 years, and indeed for many years before 1932 as well, the DAV has ably championed the principle that those who sacrifice to defend our country in time of war shall not be forgotten in time of peace.

I regret that I was unable to be on the Senate floor at the time when many of my fellow Senators were joining in paying tribute to the accomplishments of this remarkable organization. I would like, therefore, to gratefully express my respect for the achievements of the DAV this afternoon. I have been in the Senate but a short time, but I remember the indispensable role which the Disabled American Veterans played last year in the bill we enacted increasing compensation for those with service-connected disabilities.

And since the DAV was formed on Christmas Day in 1919 by a group of 200 dedicated veterans of World War I, there have been countless examples of its efforts to secure for the disabled veteran his just share in the fruits of the society which his efforts did so much to protect. And the DAV does not just work for legislation; it also works very hard with individual veterans to help them secure employment or obtain full benefit of the rights which they have under our national law.

So I hope that the DAV will continue this good work. The late President Kennedy said about the Disabled American Veterans:

> Your experience in the crucible of war has strengthened your sense of responsibility so that others may look to you with trust.

I share these sentiments, as do so many of my colleagues.

ASSISTANCE FOR LARGE FAMILIES

Mr. KENNEDY of New York. Mr. President, a statement on the problems of the large family in the United States by Dr. Paul J. Reiss, chairman of the department of sociology and anthropology at Fordham University was recently forwarded to me.

Dr. Reiss has made a number of interesting points concerning the needs of these families, and some of the aspects of family size that warrant further exploration.

It is important that every aspect of problems affecting American families be discussed and considered openly.

I ask unanimous consent that this statement be included in the RECORD and call it to the attention of my colleagues.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE LARGE FAMILY IN THE UNITED STATES

(By Paul J. Reiss, Ph. D., Chairman, Department of Sociology and Anthropology, Fordham University)

Several trends during this century especially since the Second World War, have resulted in a high proportion of American families having 2–4 children. It is the family of this size which is usually viewed as the typical American family. This situation, however, has caused us to overlook the continuing significance of the large family in American life.

How prevalent is the large family? To answer this question we first must recognize that families grow in size as children are born and then decrease in size as the children grow up and leave the home. The size of all families at any given time therefore does not accurately reflect the proportion which previously attained or will attain a large size at some time. However, we can consider those families in which the head of the family is 35–39, the age at which most families are at their full size. We discover in the reports of the 1960 census, that in 10.4% of these families there were five or more children. Looked at in another way, we find that of all families with children below the age of 18, there were 2,650,107 which had seven or more members (almost all, five or more children). These represented 10.3% of all families with children under 18. Thus it is clear that the large family continues to represent a significant proportion of American families. The significance of the large family is even greater, however, because of the large numbers of children who grow up in such families. In 1960 of all children under 18 living in families 19.3% were living in families with five or more children. Thus while large families represent perhaps 10% of the families in the United States, approximately one out of five children in the United States grows up in a large family.

We might logically ask next, where are these large families? It is quite true that the large family is found in higher proportions among the non-white population, the families of lower income and the families in rural areas. While this is so, it would be a serious error to stereotype large families as families exclusively of these segments of the population. Approximately three fourths of the large families are white families and sixty percent are found in urban areas. The comparative economic status of the large family is revealed by a comparison of annual incomes among families with the head 35-44 years of age, between those where there were six or more members and those with fewer members. We find in this comparison a larger proportion of the large than small families (48% vs. 39%) had incomes below $6,000. However, it should be recognized that a majority of the large families still had annual incomes above $6,000. We can conclude from this that the large family is well represented in most segments of American society although it is disproportionally represented among the non-white, rural and low income families.

One of the most important characteristics of any social group is its size. It is a characteristic which almost always influences the social patterns and functioning of the group. Family size is, therefore, an important factor in the needs and problems of families. For this reason the need is apparent for more attention, study and action directed toward the distinctive problems of the large family which represents, as has been pointed out, a substantial portion of American families and the family context for an even more substantial proportion of American children. Research on the large family is needed which will reveal the distinctive patterns of family life in the large family, including the manner in which roles are allocated to parents and children, the way in which household tasks are handled and the influence of a large number of children on the relationship between the parents and between the mother and father and each of their children. In general the dynamics of family life in the large family needs to be explored.

There is hardly a more significant social fact in the lives of a married couple than the size of their family. We should thus expect that a large family has a relationship to the values, ideologies and attitudes of the parents, including social and religious attitudes. The relationship of a large family to the quality and characteristics of marital and familial satisfaction has yet to be understood beyond superficial impressions and accounts. Of particular interest and importance is the significance of a large family for the socialization of children. We should carefully examine the large family as a context within which children develop intellectual, occupational and social goals and attitudes. The behavioral patterns and values of children are bound to be in some way related to the fact of being socialized in a large family. There is some research on the topic but not much which goes beyond a comparison of children from different size families on some characteristic.

The economic needs and resources of the large family should be the subject of some rather intensive study. Of particular importance here is housing, since the large family has obvious requirements here. Housing for the large family is likely to have a great influence on the manner in which family life is led. In addition to housing are all the other items of family consumption for which the large family has particular needs. We need to examine the consumer economics of the large family in addition to those of the average American family and to be particularly concerned with the requirements for income maintenance in the large family. In general the welfare and health of the large family is a neglected subject of national importance and one about which we do not have adequate knowledge.

In addition to the need for research there is also a need for action programs directed to the problems of large families:

(a) Education: The large family with distinctive needs and problems should be the beneficiary of educational programs through which the parents of large families may learn how better to cope with their problems whether social or economic. This could be done through pamphlets, reports, a magazine, or lectures explicitly designed for this segment of the population.

(b) Organization: There is a need to stimulate on the local level, gatherings or organizations through which parents of large families can meet with each other to exchange ideas and provide mutual support with respect to their common problems.

(c) A Voice: At the present time there is a need for an organization or group which will express the interests and needs of large families. The large families of the United States should have a voice in order that they be heard by government, industry and professional associations on those matters of special concern to large families whether it be the amount of the income tax deduction for children, the size of packages of consumer products, or the services to large families provided by medical professions or insurance companies.

The conclusion should not be hard to reach that there is need for research on large families which should be carried on by competent researchers with government or foundation support, as appropriate, and a need for an organization which can handle the educational and organizational needs for large families and to make known their interests when and where it is important to do so.

It should be pointed out that the goals of such research and action are not based on any position concerning the value of large vs. small families either for the individual or the society. Without taking any stand on questions of population policy, family planning or desirable family size, we can clearly recognize that it is consistent with our American value of individual freedom, for married couples to have the freedom to decide on the size of their families whether large or small. In any event, whether planned or not, there are substantial numbers of large families in the United States currently attempting to cope with their distinctive problems. Research and action is needed which will be directed toward the family life and needs of these American families.

CHANGES IN ECONOMICS PRACTICE IN COMMUNIST EASTERN EUROPE

Mr. LAUSCHE. Mr. President, early in May, Mr. Bernard D. Nossiter of the Washington Post Foreign Service, wrote a series of articles concerning the changes in economic practice and theory now sweeping Communist Eastern Europe.

One of the articles dealt with Yugoslavia and was titled "Yugoslavia Spurs Industry With Reforms in Economy." This particular column on Yugoslavia gave praise to what Tito was doing in Yugoslavia in promoting certain reforms in the economy of that nation.

When I read what Mr. Bernard D. Nossiter had to say about Yugosalvia, I was deeply skeptical about the soundness of his description of Tito's program and achievements.

In the Tuesday, May 24 issue of the Washington Post, a letter to the editor, written by Cyril A. Zebot, professor of economics of Georgetown University, is carried on the editorial page. Dr. Zebot points out conspicuous weaknesses in the analysis made by Mr. Nossiter in the latter's description of the alleged achievements of Tito.

The Members of the Senate of the United States of course are interested in learning what the true political and economic situation is in Titoland. Illuminating information is contained in the recitation of facts made by Prof. Cyril A. Zebot to the editor of the Washington Post. I ask unanimous consent that a copy of Dr. Zebot's letter be printed in the RECORD along with the pertinent articles to which I have referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 11, 1966]

BELGRADE SEEKS INVESTORS' FAITH

(By Bernard D. Nossiter)

(NOTE.—This is the first of a series of articles by The Washington Post's economic correspondent in Europe on the changes in economic practice and theory now sweeping Communist Eastern Europe.)

BELGRADE.—In a cavernous government building in New Belgrade, a leading architect of Yugoslavia's daring economic experiment leans forward and earnestly talks to a visitor in a language any businessman would recognize. He says, in effect:

"We are now trying to create a climate of confidence so that our enterprises will invest in each other. The trouble is that our parliament is all too ready to expropriate."

On the other bank of the Sava River, in a turn-of-the-century brownstone, a high ranking planner says:

"We are only mapping the broad indicators here now. I won't be upset if the actual structure of the economy differs from the indications in our plan."

Such freewheeling talk is now common here. This is the most open and venturesome of the countries calling themselves Socialists. Reform and talk of reform are now going on all over Eastern Europe, but it is going furthest and fastest in Yugoslavia.

All through this region, the economic problem is essentially the same: how can a society without private ownership and free markets provide a rational allocation of resources, one that takes into account real economic costs?

In one form or another, these countries are coming up with similar answers: reduce arbitrary directives from the top, encourage managerial discretion and rely—as much as is politically possible—on market forces. In effect, firms are being rewarded for maximizing their profits, for saving on materials and labor and expanding their sales. To be sure, "profit" is an ideologically suspect word so it is transmuted into euphemisms, "surplus" in Yugoslavia or "gross income" in Czechoslovakia.

One crucial feature remains unchanged throughout Eastern Europe. Productive means are owned by the State, not individuals. But the curve of change is bending so rapidly in Yugoslavia that even the concept of public ownership is becoming transformed in the drive to make capital more mobile.

Boris Krajger, vice president of the Federal Executive Council and the single most important man concerned with economic affairs here, says:

"We are now working on a set of regulations so that all the resources created by an enterprise—apart from taxes—cannot be alienated in any way."

This comes perilously close to saying that workers and managers in an enterprise shall enjoy a joint ownership right in their firm's production.

Ideological purity has long since been abandoned here. "If it works, it's good," a key legislator says. Indeed, throughout this capital, there is a sense of zest, adventure and vitality. It is reflected in the lively crowds on the streets, in the surprisingly frank and hearty talk of some officials.

A manager explains that his firm has some idle funds and so he loaned them to another concern to earn 7 percent interest. He looks away in amusement when the party leader in his plant sternly says that "Communist workers must lead the struggle and give the example in increasing output. For this manager, such slogans are clearly banal.

Western newspapers and magazines are sold in Kiosks on the principal streets. A teacher points out the massive Marx-Engels square built right after the war and scornfully dismisses it as a "legacy of monumental Soviet style building."

To be sure, experienced observers here warn that Yugoslavs are Latin and like to talk. There is often a wide gap between brave words and cautious deeds. On paper, Yugoslavia now welcomes foreign private investment in its enterprises. In fact, nobody yet has figured out a technique to bridge private capital's insistence on a share in profit and the country's formal allegiance to collective ownership.

Again, firms that sell abroad are supposed to have free use of most of the foreign exchange they earn. In fact, they must still ask to use what they earn and are assured only of priority consideration.

For all the open talks one hears, the week I was in Belgrade a dictionary was seized because it carried "chauvinistic" definitions and the editor of a satirical weekly who had hinted at the corrupt use of some public funds was given a public warning by the League of Communists, Yugoslavia's Communist party.

The nation's top leaders do appear committed to the liberalising drive now under way and many factory managers and workers are enjoying the greater control they have been given over their own affairs. But the whole movement is running into foot-dragging from vested local interests, from middle level bureaucrats who relinquish authority with reluctance and managers uneasy in a new world of risk and accountable responsibility.

Only a few months ago, President Tito himself complained of "individual communists who were for the reform in word, but remained passive in deed or even acted counter to its intentions."

A trade union leader says "extraordinary efforts are needed to overcome the bureaucratic tendency of state officials to hang onto things as they were."

But this country has been moving by fits and starts for 15 years in the direction of a less centralized, more open economy. It has recently taken its biggest jump forward on this road. As Krajger, the economic chief, told me: "there might be serious problems and setbacks along the way but there is no possibility of turning back. A return to the old methods is unthinkable."

[From the Washington Post, May 12, 1966]

YUGOSLAVIA SPURS INDUSTRY WITH REFORMS IN ECONOMY

(NOTE.—Second of a series on reforms in Eastern Europe.)

(By Bernard D. Nossiter)

BELGRADE.—The latest and biggest wave of economic reform in this bold country embraces three closely linked elements.

The domestic price structure has been turned upside down, raw materials and power costs have been increased compared to those for manufactured goods, so, in one stroke, a heavy element of subsidy for Yugoslavia's industry has been wiped out.

The state has drastically cut back its taxes from producing firms. Now these enterprises can no longer look to the government for handouts to buy machines and expand their capacity. They must finance investment from their own earnings or stand in line at a bank.

A crazy-quilt of artificial exchange rates for the dinar has been abandoned. Last summer, the currency was devalued by a whopping 40 per cent and fixed very close to what it fetches in the black market at Trieste. This more realistic exchange rate makes it easier for Yugoslavia to subject her young and often inefficient producers to foreign competition from the West.

These three moves comprise the mechanism of reform. Behind them is a desire to cut enterprises loose from the leading strings of state authorities, and put them on their own, to stand or fall by measurable performance.

RAPID INDUSTRIALIZATION

To understand the importance of these changes, Yugoslavia's recent past must be recalled. When the Communists took over after World War II, this was an essentially agrarian society with little industry. The nation's new leaders, like those elsewhere in the backward parts of Eastern Europe, determined to enter the modern world through rapid industrialization.

To achieve this end, they ran the economy as a single state enterprise, directing it largely from the top and subsidizing new plants openly and covertly. The chief form of subsidy was a price system that undervalued raw materials and power and overpriced finished goods. In effect, farmers, coal miners and the like paid to build the plants.

In a crude way, this worked. Yugoslavia's growth has been rapid and its income per person is now at a promising $500. But to advance further, the Yugoslavs recognized they would have to economize in the literal sense—use resources sparingly, provide incentives to incorporate new technology and abandon the wasteful methods of production now in use.

"We had to devise something that made it painful for people to continue to think that happiness simply consists of smoking chimneys," one economist told me.

Tying wages and salaries to a firm's earnings was one crucial, early step. Last year's price reform was an indispensable measure to give firms a rational way of determining real costs. With this move, all prices rose but those for fuel and raw materials went up three times as much as those for manufactured goods.

This step was paid for by everyone, not just a few special groups. Altogether, consumer prices rose about 35 per cent last year but wages and salaries went up only half that much.

The change in taxes to give firms their own funds was equally as severe. The state's takings from a firm's net income were cut by nearly 30 per cent. Enterprises received a second and even bigger helping with the abolition of a turnover or sales tax on their gross income. In one plant I visited, profits or "surplus," as it is called here, had been 500 million dinars in 1964. The tax changes gave this enterprise an additional 650 million dinars to play with.

The currency devaluation was just as severe. The dinar's official buying power was cut by 40 per cent. Before the reform, 750 dinars supposedly bought one dollar. After the reform it took 1250.

As a result of all this, Yugoslavia began paying her way in the world. Last year for the first time in the postwar period, her foreign payments were in balance. She isn't likely to repeat that performance in 1966, but neither is she likely to run into the severe payments deficits of a few earlier years.

REGARDED AS FIRST STAGE

Bold as these moves are, Yugoslavia's economic directors regard them as only the "first stage of the surgery." In the next, they want to move their investment funds to the point where they will bring the highest return.

This means that a textile plant in Serbia must be confident it can put its money into a Macedonian fiber producer and get a share of the profits. No such assurance now exists. However, some important economists here are not only talking about reforming Yugoslavia's banking system but even about creating a "socialist" capital market in which firms sell shares in themselves.

One curious and unresolved feature of this unique economic landscape is the system of workers' councils. Perhaps they too will have to be revised in the next stage of surgery.

The councils consist of both blue-collar and white-collar managerial workers and at least on paper they have the final say in every plant. They are supposed to determine how much shall be invested, how much shall be paid in wages, approve all major contracts and act like a board of directors. Inevitably, their short-run interest in immediate income conflicts with an enterprise's need to take a long-run view of its investment needs. In one plant I saw with 60-year-old machines, the council had decided to cut its work-week by six hours next fall. With the low productivity of this plant, it is obvious that an unsound decision has been taken.

NOMINAL AUTHORITY

In many enterprises, the councils' authority is more nominal than real. But even so, they are often powerful enough to make wage claims on their firms' earnings that pose a distinct danger in this inflation-prone economy. A leading economic adviser to the government told me: "I am more puzzled about what we should do to guide personal incomes than about any other aspect of our problem."

Moreover, the freedom given firms to make their own decisions is still sharply limited by price controls. The state fixes nearly three-quarters of the industrial prices and sets ceilings for key raw materials and retail prices too. "This is our greatest relic from the past," the economic adviser says candidly. But inflationary pressures are still so strong in the ebullient Yugoslav economy that the authorities are afraid to remove the lid. They are planning to lift price controls little by little. In the end, a more courageous all-at-once approach may prove to be healthier.

These are only a few of the problems confronting the reformers. There are even more difficult, unresolved institutional questions that slow the foward motion.

Nearly every knowledgeable person complains that petty bureaucrats are getting in the way. Like officials everywhere, they don't relish losing power, but the whole point of the reform is to shift decisionmaking from government organs to enterprises.

Among the enterprises themselves, the new freedom isn't always viewed as an unmixed blessing. If the new system works as it should, some will close their doors because they will be in the red. The state is no longer supposed to rescue the inefficient, but whether it can resist the pressure to do so is a very open question.

An even deeper problem here and in other reforming Eastern countries is the absence of a deep-rooted entrepreneurial tradition. Managers of plants who have simply been taking orders for years are now being told to make their own decisions, to take risks, to calculate on economic lines. Some are finding the change painful. Others are simply not capable of making it.

COMPROMISES EXPECTED

Finally, there is the nagging difficulty of Yugoslavia's nationalities. Until recently, a form of log-rolling softened this. So, if the state financed a new plant in Slovenia, Serbia could demand and receive equal attention. This gave rise to demands from Montenegro or Macedonia, and a whole network of enterprises were put in operation to satisfy local demands.

In the new economic order, this kind of particularism is supposed to disappear. Inevitably, there will be compromises. Whether they are far-reaching enough to jeopardize the experiment here is another open question.

Despite the enormous difficulties—of power, attitudes, institutions and local interests—my own judgment is that Yugoslavia is well and truly launched.

An itinerant economic reporter is reminded of the pragmatic spirit and zestful enterprise in Tunisia, another up-and-coming nation on the other side of the Mediterranean. If intelligent self-confidence and a willingness to recognize mistakes counts for much in economic development, then Yugoslavia is a first-rate prospect.

[From the Washington Post, May 24, 1966]

REFORMS IN YUGOSLAVIA

Bernard D. Nossiter's two reports on Yugoslavia's economic reforms were informative. However, some important omissions left the total picture unclear.

To begin with, there are two unresolved root problems in all Communist economic systems, not one. There is not only the question of detecting and reducing wasteful use of resources in whatever happens to be produced. There is the even more basic problem of producing the right kinds of things in the right order of priorities. In any contemporary society with a growingly diversified economy these two intertwined problems of economic efficiency cannot be met unless there is a genuine market mechanism through which individual and collective consumers register their real priorities and producers guage their efficiency against corresponding actual scarcities. The lack of such a market system was the common cause of current economic reforms in all Communist-ruled countries in Eastern Europe.

Beyond this, there were three specific reasons for the current economic reform in Yugoslavia: a pronounced and prolonged inflation, and unmanageable level of foreign indebtedness, and an explosive resistance against 25 years of politically imposed exploitation of the more advanced northwestern parts of Yugoslavia for a very inefficient industrial development of the rest of the country.

The reform, initiated last July, aimed at solving the two root problems of economic efficiency as well as Yugoslavia's special problems. By and large, the reform, as reported by Mr. Nossiter, was well conceived but incomplete. And its implementation has been spotty and slow. Virtually all prices are still frozen. Unless they find a way to unfreeze them, the restructured price system of the reform will be badly out of line again and its very purpose will thereby be defeated.

There are other shortcomings the report simply leaves unmentioned. A major one is the continued doctrinaire mistreatment of agriculture. Individual farmers still have to fight for the right to buy farm machines or to form voluntary cooperatives of their own. No individual farmer is allowed to cultivate more than ten hectares. And they continue to be harassed with special taxes. Thus the country, so rich in agricultural possibilities, must go on wasting its meager foreign exchange and incur further foreign debts to import food.

Finally, Mr. Nossiter failed to point out that even if the current reform is implemented, politically Yugoslavia will still be a one-party dictatorship pledged to the ultimate transformation of the country into a classless and stateless Communist utopia. Nothing has changed in this respect, not even on paper. The single opportunity at the recent republican and federal congresses of the Socialist Alliance to transform it into a parallel political organization independent of the League of Communists, was passed up.

This is crucial. For it is no secret in Yugoslavia that the main source of the protracted footdragging in the implementation of the reform resides in the very ranks of the Communist Party. It is seriously suspected that even one of the party's very top leaders pays only lip service to the reform. As long as the goal of the Party remains to engineer the Communist utopia, there will always be plenty of excuses and pretexts for the Party to control all things one way or another.

Cyril A. Zebot,
Professor of Economics, Georgetown University.
Washington.

ESSAY—CAN DEMOCRACY KEEP UP WITH THE SPACE AGE?

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for the graduating high school seniors in my State of Wyoming the McGee Senate Internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest, each student is required to complete an essay on "Can Democracy Keep Up With the Space Age," and each year I am impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. All show real thought and a thorough knowledge of our system of government.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that one of these essays, written by Miss Meredith Ann Story, of Laramie, Wyo., which received honorable mention in the McGee Senate Internship contest, be printed in the Record.

There being no objection, the essay was ordered to be printed in the Record, as follows:

Can Democracy Keep Up With the Space Age?

In 1963, 30 men were tried in a Cuban court without the benefit of legal counsel or jury. They were found guilty, and within a half hour were shot to death by a firing squad.

In 1956, the Communist Chinese announced that they encouraged the free comment of their people. A few courageous Chinese educators accepted this statement, and commented freely on foreign and agricultural policies of the government. They were removed from their positions and were sent to slave labor prison camps.

In Rhodesia four million Negroes are ruthlessly dominated by two hundred thousand white people. The vast black majority is allowed only 15 seats in a 65-seat legislature. Negroes are prevented by national laws from owning land, operating businesses, and even riding in buses.

These incidents occurred at different times and places, but they all have important factors in common: Men were denied their basic rights. These incidents show the pressure of our era, the violent and authoritarian forces at work in our world. The spirit of the space age, the desire of many to control, to change violently presents great challenges and greater opportunity. I believe that the answer to the survival and growth of American democracy during the space age lies in the attitude of the American people to their Constitution. If the American people live up to the Constitutional concept of democracy, our way of life will survive, grow, and improve. If the American people ignore their Constitutional responsibilities, the darker forces of the space age will overcome our way of life. The Constitution gives us a blueprint for keeping and developing democracy, a means of keeping the freedom we have and extending and perfecting the benefits of the democratic way of life.

I believe that American citizens of the twentieth century have three primary responsibilities to his Constitution.

1. Use well all the privileges given us by our Constitution.
2. Insist that basic principles of our democracy not be changed.
3. Attempt to improve the quality of our government by using our Constitutional privileges.

The essence of democracy is the intelligent use of the opportunities our Constitution gives. Perhaps most important is the right to vote. When our forefathers were establishing our government, they advocated a revolutionary idea, a concept unknown to the monocratic political system of the eighteenth century. This was that a people are qualified not only to influence their government, they should actually control it. Male Americans were given the right to vote. Today, this privilege is grossly ignored. Less than two thirds of eligible voters cast their ballots in presidential elections. In congressional, state, and local elections the record is much poorer. Not only do many Americans ignore their right to vote, but many of our people cast their ballots without bothering to learn the qualifications of candidates, the positions of political parties on local, state, and national problems, or the important issues of the campaign. This is as great a danger to the democratic process as not voting. The freedom of speech is another freedom which will continue only if it is used. Walter Lippmann has described an informed active debate as the basis of a democratic society. A free people must be an active and informed people. The survival of the Democratic system depends on our people accepting the duties which come with their privileges.

Our way of life depends on our insisting that the fundamental principles of our Constitution not be changed. We are still living in a fast-moving, revolutionary, and dangerous era. We will be tempted during the coming years to forget those ideals on which our nation was founded. Making one branch of the federal government more powerful than another branch might seem more convenient. A crisis might be more easily solved if the civilian control of the military were temporarily relinquished. Denying some critics of American policy the freedom of speech might seem safer. Forgetting that the first obligation of a government is the welfare of its people might seem temporarily wise. But if we let the pressures of present or future events destroy these vital principles, then not only living Americans will be the losers, but the democratic dream will be lost.

Our final obligation is to use our constitutional powers to improve the quality of our government. The founders of our nation knew that a democracy is only as strong as its people. They established a constitution that gave as many people as possible the chance to participate in government. They knew that if the ideals, the ambitions, and the energies of many people were directed toward the national government, the national political heritage would improve and grow. This is exactly what happened. During certain great periods of our history, the American people have looked upon their constitutional rights not as harsh duties to be ignored or done as quickly or easily as possible, but as opportunities for improved government and public service. We have challenges as great as those faced by earlier Americans: a government often mediocre and corrupt, a nation apathetic and nonparticipating, a world impoverished and brutal, and injustice in our world and sometimes in our own nation. We can do so much if we will look upon our governmental rights as tools with which to make a better life for all people.

The American people must realize that democracy is much more than realizing what a fine government we have or listening to fine speeches on the Fourth of July. We must realize that a government of the people, by the people, and for the people will be only as strong, as free, and as effective as its people. When this age has passed, the democratic process will be more glorious and complete than ever dreamed possible, or the democratic dream will be a reality no longer. We, the children of a free and affluent nation have a unique contribution to the democratic process. The Space Age has given us great dangers to the free way of life; it has also given us great tools to meet those challenges. We must remember the words of the great parliamentarian Edmund Burke, "The only thing necessary for the triumph of evil is for good men to do nothing."

THE NEW ASIA

Mr. INOUYE. Mr. President, a new Asia is being born.

This is news of major importance, but not the kind of news that we would normally read in the newspapers.

It is one of those things that takes place slowly before our eyes—and is not seen. It is one of those things that happen today—and then is recognized in a year or 5 years as being of great significance.

We live so much in the shadow of violence and of crises that constructive things escape our notice. If 500 young men and women complete their education with honor and with high promise, we may find it on page 17. If one youngster gets in trouble, it is likely to be on page 1.

Terror, violence, bloodshed—all are spread before us in word and picture, day in and day out. You have to look hard to find the quiet and constructive works that are going forward, here at home and around the world.

But these works are there.

I said that a new Asia is being born. I do not think that is too extravagant a description. And when we look back, a few years hence, I think we will recognize that 1965 and 1966 were a decisive turning point in the life of that large, heavily populated and vastly important part of the world.

Last week, in Seoul, Korea, the representatives of 10 Asian and Pacific nations met. Seven of them were foreign ministers; the others were high officials of their governments. They represented Australia, the Republic of China, Japan, Korea, Laos, Malaysia, New Zealand, the Philippines, Thailand, and Vietnam.

They determined to work more closely together for the mutual benefit of their people. They charted a course for cooperation in economic, technical, cultural, social, and information fields. And for these purposes, they established the Asian and Pacific Council.

They plan to invite the other free nations of Asia to join them. They agreed to meet again at a high governmental level next year. Meantime, a headquarters for the new organization is to be established. And specialized groups will be formed immediately to begin working on the development of programs to achieve their goals of closer cooperation in a wide variety of peaceful areas.

The Seoul meeting—and the organization that has emerged—were the fruits of Asian initiative. We were not present. Nor were we in the wings pulling strings. We were in the audience, and we applauded.

Mr. President, Asia is on the move. A free Asia, a cooperating Asia, an active and progressing Asia.

It will be recalled that a year ago—at Johns Hopkins University—President Johnson spoke out for the works of peace in Asia. He called on the countries of southeast Asia to "associate themselves in a greatly expanded effort for development." He said he would ask the Congress for a billion-dollar American investment in that effort once it was underway.

Stemming directly from the President's speech, new Asian initiatives were launched. An Asian Development Bank has been born. Old rivalries are being submerged in the effort to move jointly ahead in overcoming the problems that haunt most of the people of that vast area—disease, illiteracy, poverty, maldistribution, the shortage of capital, and many others.

Asia is now moving ahead on the path of peaceful development.

But let us note one item of the greatest importance.

Would all this have happened if our President had not taken the course of strength and courage in facing up to the threat of aggression in Vietnam?

Would Asia now be able to think of cooperative training centers—and institutions of learning—and schools of medicine—and engineering tasks—if we had backed out of Vietnam?

If Vietnam had been allowed to fall under Communist rule, would the men in Indonesia who faced the threat of imminent Communist takeover from within have had the courage to stand up and beat it back? Or would they have read and heeded the signs that communism was on the rise—and made their peace as best they could?

But we did stand firm in Vietnam, and it is not under Communist rule. As a direct result, Asia is astir—with plans, with hopes, and with action.

When people ask why we are in Vietnam, this is a good part of the answer.

It is so that Asians can have a future, so they can make plans, so they can build, so they can be the masters of their own destiny.

Our dearest hope is that soon we can devote our energies and our imagination and our resources to cooperating even more fully in that great venture. For we would prefer to build, not to destroy.

Mr. President, we are witnesses to, and participants in, a great event. A new Asia is truly being born.

POLICE INTERROGATION OF CRIMINAL SUSPECTS

Mr. TALMADGE. Mr. President, there has been considerable public outcry in recent days over the Supreme Court decision rendered June 13 concerning police interrogation of criminal suspects. Understandably so, much of the alarm which has been expressed has come from law enforcement officers.

This decision, which lays down strict regulations for the questionings of arrested persons, which virtually bans effective police interrogation and will very likely make questioning a thing of the past. In the words of Justice Harlan in his dissent:

> How much harm this decision will inflict on law enforcement cannot fairly be predicted with accuracy.

At a time when the crime rate in the United States is soaring to disturbing heights, the Court's recent decision is indeed, as Justice Harlan declared, "a hazardous experimentation."

Mr. President, there appeared in yesterday's edition of the Washington Evening Star an excellent editorial column by James J. Kilpatrick concerning the Court's decision. By treating this column in a satirical fashion, Mr. Kilpatrick makes his point with tremendous impact. I commend this column to Members of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HISTORY OF ANOTHER LANDMARK DECISION

(By James J. Kilpatrick)

It was a little after midnight on the night of June 21, 1968, when the call came into Chicago's Homicide Bureau at 11th and State Streets. Lieutenant Blackstone and Detective Sergeant Wigmore picked up their suitcases, which always were kept packed for such emergencies, and headed for the scene of the crime.

They proceeded to an address off Archer avenue, and mounted all alone to the third floor. There, just as the anonymous tipster had said, they found a trickle of blood flowing from beneath a locked door. With one kick, the door gave way. Inside, sure enough, they found the body of Dollee Mame, twin sister of Lily May Mame, a young lady of the evening not unknown in those precincts. She had been shot through the head. A pistol, still warm, was found nearby.

Relying on what scraps of information they could find, Blackstone and Wigmore were soon on the trail of one Joseph Doakes, 25, who was reported, in the jargon of the district, to have been "shacked up" with the deceased. About 2 a.m., they found him cowering in a nearby alley. The police approached with friendly smiles and outstretched hands.

"Ya got me," said Joe.

"Hush!" cried Blackstone.

"Not a word!" cried Wigmore. "The accusatorial stage has been reached!"

The officers put Joe into the commissioner's limousine, and drove off to the Palmer House. They discussed the White Sox. They reviewed movies. But the suspect remained distraught and uneasy.

"Whatcha doin' with me?" he demanded. "I'm trying to tell ya—"

"Joe," said Blackstone. "It's late. We want you to have a good night's sleep. In the morning will be time enough."

So they put Joe in a suite at the Palmer House, called room service for ice, and bade the suspect good night. About 10 in the morning, they returned, bringing a basket of fruit and six law books. Wigmore took off his blue coat and began opening his suitcase.

"Ya gonna beat me up?" asked the hollow-eyed defendant. (It developed that he had not slept a wink all night).

"Heavens, no!" said the sergeant. He slipped into a sports coat, an ascot, and a shirt of vivid magenta. "The uniform, the badge, and the physical accoutrements of a police officer are in themselves symbols of oppression and intimidation, calculated to overpower the friendless and oppressed defendant. Please have a banana."

On their way to the Art Museum, over on the Boulevard, the detectives explained that in times past, in-custody interrogation had been psychologically oriented. Suspects had been questioned in privacy in bleak rooms at station houses. Isolation had served as a form of mental coercion. So they sat down at a little table in the museum's garden by the Triton Fountain, and Blackstone dug a tape recorder and three volumes of U.S. Reports from the bag.

"Now, Joe," he began, reading from Miranda V. Arizona, "you understand, do you not, that anything you say may be held against you? You are not required to say anything at all. If you would rather talk about sculpture, that is fine with us. Would you like another ginger ale?"

"Listen!" cried the defendant. "I've been tryin' to tell you since 2 o'clock this morning, I sh—"

Wigmore clapped a burly hand across Joe's mouth. "If you say another word until you're advised about counsel," he said grimly.

"Police brutality," whimpered the suspect.

Blackstone was still reading. "Our accusatory system of justice demands that the government produce the evidence against an individual by its own independent labors, rather than by the cruel, simple, expedient of compelling it from his own mouth. Would you like a lawyer, Joe? We can get you a lawyer right away. If you can't pay him, we'll pay him. How about a nice lawyer? We can suspend until he gets here."

Joe numbly shook his head. "I don't want a lawyer," he said. "Just want to tell you about Dollee."

Blackstone did his best, but Joe was adamant. He knowingly, willfully and intelligently declined his right to counsel. He refused to shut up, even when Wigmore begged him, and at last, a little before lunch time, they took Joe to State Street and booked him for murder.

The rest of the story is quickly told. Joe went and got a lawyer. In October, a jury heard the officers' testimony and found the defendant guilty. The sentence was 50 years, but before a day could be served, the lawyer took it to the Supreme Court. The holding (Doakes v. Illinois, 586 U.S. 417), further extended the Miranda rules. The high court threw out the evidence of Dollee's body, on the grounds that the room had been entered without a proper warrant. The fingerprints went out, on the grounds that Joe could not be thus compelled to incriminate himself. The confession went out because 22 hours had elapsed during the interrogation period. The sergeant had struck the accused in the mouth. The Palmer House and the Art Institute were deemed impermissibly unfamiliar surroundings. It was another landmark opinion.

Blackstone and Wigmore were suspended from the force on June 21, 1969, a year to the day from the crime. And the next night Joe went out and shot Lily May.

THE SITUATION IN VIETNAM

Mr. FANNIN. Mr. President, on June 16, an editorial, entitled "Time To Fish or Cut Bait," appeared in the Arizona Daily Star, the morning daily newspaper of Tucson, Ariz. William R. Mathews, the veteran editor of the Star, is an astute observer of national and international affairs, and I believe this editorial is both timely and provocative. I commend it to the attention of my colleagues and ask permission to have it printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Time To Fish or Cut Bait

(Editor's Note.—The continuation of the Saigon riots with announcements calling upon the President to do what he can to relieve Premier Ky, and accompanied by "Yankee Go Home" threats, adds to the timeliness of the following editorial.)

When President Eisenhower originally made his commitment of American protection for South Viet Nam, the country was at peace. When President Jack Kennedy accepted that commitment, a reign of terror was just starting. He sent military and civilian advisers to the country and gave generous military and economic aid. When Lyndon Johnson became President, the reign of terror had become an organized war between the Viet Cong, under orders from Hanoi, and the South Viet Nam government, under President Diem.

When Lyndon Johnson became President in November, 1963, he accepted the original commitment and felt it his duty to aid the government in South Viet Nam. The American people overwhelmingly supported the President's action in escalating the war.

The situation now has changed to the point where Buddhists again are dividing the country in their campaign to unseat Premier Ky—the one Vietnamese who appears more and more as a courageous able leader. Should they succeed, the legal government will continue to be divided, and so will the military effort of the Vietnamese.

The promise to call an election to elect members to a Constitutional Assembly on September 11, amounts to putting the cart before the horse. Instead, the American precedent of 1776, with its resounding Declaration of Independence, should be followed. That is what should be done now, with a proclamation joined in by America to liberate Viet Nam from its invader. Then, once the country is pacified, a constitutional convention would be necessary and proper.

The country should unite in its war of liberation, and be pacified before any constitution is written. The calling of any election before this is done certainly will divide the country still more.

American military forces already are trapped. In a few months they will be confronted with a still more chaotic civil anarchy. They will be fighting courageously, with a kind of religious-political war dividing the country they hope to save.

President Johnson has made a record of remarkable patience. He properly supported Premier Ky. He has been so tolerant of the anarchy and the personal abuse of himself by the Buddhists, that patience and toleration have ceased to be a virtue. As this continues, his personal popularity has declined sharply. The Gallup Poll figures prove it. But they also reflect the heartbreaking stalemate our military forces, and the growing disgust and anger of the American people with the conduct of the Buddhists.

The time has come for the President to act. That means he must publicly call the turn in Viet Nam. He must come out again publicly for Premier Ky and call for all Vietnamese to unite behind him until the country is liberated. He must frankly caution all discordant elements, like the Buddhists, who may refuse and continue their anarchy, that such a course will leave no alternative than for him to order the withdrawal of all American military and economic help. He well might explain to them that hundreds of thousands more of American military personnel, and billions more of economic aid dollars, cannot liberate a country that cannot govern itself, and where the people are apathetic about their liberty.

Such an announcement would resound throughout the world. It would restore the unity of the American people, and the chances are fair that it would bring an end to the prevailing anarchy. It would inspire both the American and Vietnamese military forces. By America's election day in November, the pacification of the country should show good progress. The end of the war could be assured reasonably within 12 months, if not sooner.

If the President continues his present policy, the tension probably will snap this coming autumn. There could be a big blow-off of some kind ignited possibly by the fraud charges that will be a part of any election. In that case, the President would face a mounting number of angry people, and their anger easily could spread to the boys who are doing the fighting in Viet Nam.

Surely the President, who knocked the heads of labor leaders and bosses together to forestall catastrophic strikes, should realize he is going to have to do the same thing with the religious and political leaders of South Viet Nam. The extent of the American commitment there demands it.

If the people of South Viet Nam will not unite and fight their common enemy, if they persist in savage anarchy, they should be told what the score is. America in such circumstances has no alternative other than to withdraw.

DR. JACK LIPPES, INVENTOR OF IUD, MAKES RECOMMENDATIONS FOR FAMILY PLANNING PROGRAM IN INDIA

Mr. YARBOROUGH. Mr. President, Dr. Jack Lippes, originator of the Lippes IUD, returned to Washington yesterday to report on a month-long tour of family planning centers in India. The Government of India invited him to discuss family planning services in India with physicians, public health officials, and maternal and child health specialists.

Dr. Lippes sounded a dire warning that if Indian population growth is not slowed down and India adds another 200 million people to its population in 10 years, "neither India nor her friends will be able to feed those new numbers."

Dr. Lippes then proceeded to make a number of recommendations designed to help India make progress in slowing down her rate of population growth.

I believe that all Americans should be aware of the great test which India faces in her attempt to plan for her future and show that the world's largest democracy can succeed in her attempt to control her rate of population growth.

I ask unanimous consent that Dr. Lippes' recommendations be printed at this point in the Record.

There being no objection, the recommendations were ordered to be printed in the Record, as follows:

Summary of Lippes Recommendations for Family Planning Program in India

Report on India—The urgency of overpopulation in individual families and the nation requires urgent and speedy solutions. With regard to this problem, India's greatest shortage is not transport, medical personnel or foreign exchange. The greatest shortage in India is time. The birth control revolution must be instituted in less than 10 years. If in ten years, India adds another 200 million people to its population, neither India nor her friends will be able to feed these new numbers.

1. The first pre-requisite in providing a service is to make it readily available. Within one year, the intra-uterine contraceptive device (IUCD) should be a routine procedure in all hospitals and in all dispensaries and health centers throughout India.

2. The second requirement is that more persons should know about this service and of what value it is to them. For this, the Central Government should establish a separate information service devoted entirely to family planning.

3. The incidence of abortions in India should be studied. How many illegal abortions occur in India each year? How many such abortion cases end up in hospitals? What percentage of hospital beds are occupied by abortion cases? What do such beds now cost the state? How many mothers die each year from the effects of induced abortion? How many Indian children are made motherless each year from the effects of induced abortions? What does this cost to the state?

4. The Central Government's Information Service should act as advisors to their counterparts in each state government. Obviously, the cultural and language differences will require separate state information services.

5. Increase in the numbers of health educators is important. The most effective way to start family planning programs is with the home visitor. This is well documented both in Korea and Taiwan. Both male and female educators are needed.

6. Establish family planning training and research institutions in every state to guide, spread knowledge and motivate doctors, civil servants, politicians, academicians and journalists in birth control. Each institute should be equipped with a small library on family planning subjects such as sociology,

demography, communications, contraception, etc.

These institutions should have regular seminars and workshops of persons involved in family planning. The family planning newsletter should be enlarged. Each state family planning institute should submit articles reviewing and analyzing both their successes and their failures on a regular basis. This could be done first quarterly and next year on a monthly basis.

Establish in each state a completely independent evaluation cell which would review target attainments or failures and reasons for the same. Such cells should be used to encourage family planning workers with imaginative and constructive advice and not act as policemen or supervisors.

Establish training institutions for various medical and nonmedical workers to be involved in family planning.

7. Financial incentives should be of greater magnitude, e.g., each doctor should be paid Rs. 8/- for each loop insertion. This payment should be made both to government and private doctors. Rs. 5/- should be paid to subsidize the patient for being away from home for the day. Rs. 2/- should be paid to the village Dai or social worker or anyone else who brings the patient in for her loop insertion. This is a total of Rs. 15/- for each loop insertion, which is half of the current subsidy of Rs. 30/- now being paid for vasectomy. Nothing will promote the IUCD program faster than financial incentive.

8. Along this line, the government should organize the coupon referral system as is now practiced in Taiwan. In this system the health educator and the social worker register all those women who want to have the IUCD. The patients are issued a coupon. The patient then submits the coupon to the doctor who inserts the IUCD. The doctor then sends his coupons to the government in return for payment. The government will then know exactly how many loops have been inserted, where and among what age groups, because this information will be on the coupon. Sampling at a later date will show how many people are continuing the use of the IUCD. In this respect it is important to note that even in the first year about 20% will probably discontinue the method. Those persons who cannot use the IUCD will have to be offered other methods such as the condoms, foam tablets and birth control pills—probably on a free or subsidized basis.

9. Family planning as a career should be upgraded and glamorized with the awards and recognitions due the family planning workers.

The government should provide security to the people doing family planning work. This will also help to attract competent individuals.

10. Organizational changes should be instituted to prevent procedural delays, especially right now. Emergency or urgent problems require short administrative lines.

11. Encourage the Indian Medical Association, especially the private practitioners to form medical advisory committees in every state so that their skill and guidance can benefit the family planning program of India. The establishment of such committees will also insure the cooperation of the medical profession. Where important medical doctors remain unconvinced as to the value, safety or effectiveness of the IUCD, they should be placed on medical teams which would visit the successful districts, such as Ambala District in the Punjab, and the Hoogly and Bakara Districts of West Bengal.

12. The Central Government leaders should establish an old-age pension in order to decrease parental dependency on children. I believe this will go a long way in making the idea of a small family more acceptable to the mass of the Indian populace. A whole array of legislative devices should be utilized to promote family planning, e.g. no maternity leave after the third child.

13. The goal of the family planning program for the next 6 or 7 years should be 50 million effective contraceptors. All these 50 million would not be able to use the loop. Some of them should be offered the pills. It could be free to the poorest of the women who cannot use the loop. It should be partially subsidized to the middle-income people who cannot use the loop; the well-to-do should pay for their own medication.

14. The Central Government should provide funds to the states for follow-up therapy of loop patients.

15. The Central Government Family Planning Institute should write a guidebook on promoting family planning to suggest the proper approaches for various types of occupations, i.e., village farmers, the city clerk, priest, etc.

The Central Government Family Planning Institute must create training films for doctors, especially about the IUCD device. A list of indications and contraindications for IUCD insertions in the training program should be made.

16. All family planning centers should treat infertile cases as well as the overfertile. This would put the family planning centers on a more positive basis.

I would expect the program to reach 3 million insertions in 1966. The target for 1967 should be 6 million. Thereafter, insertions should reach 10 million per year. The World Bank Report anticipated 6 million sterilizations and 27 million couples accepting condoms by 1973. This is a reasonable goal. With this type of program of 25 million loop insertions by 1969, a real drop in the birth rate could be expected with a resultant improvement in the per capita income of all Indian families. Along with the increased production of fertilizers, this program will stave off the threat of massive famine of the 1970's.

One will then look forward to a generation of happy and prosperous Indians.

Jack Lippes, M.D.

THE NECESSITY TO INCREASE SOYBEAN YIELD

Mr. HARTKE. Mr. President, President Johnson, in his food-for-freedom message, requested the American farmer to increase substantially the Nation's production of soybeans. The President said:

> The demand for soybeans has climbed each year since 1960. Despite record crops, we have virtually no reserve stocks. To assure adequate supplies at prices fair to farmers and consumers, the Secretary of Agriculture will use authority under the 1965 Act to encourage production of soybeans on acreage formerly planted to feed grains. Feed grain stocks are more than sufficient.

In order to carry out the President's request, the National Soybean Crop Improvement Council, in conjunction with the Department of Agriculture, is conducting a national drive to get the American farmer to plant 3.5 million acres of soybeans this year—a 10-percent increase over last year.

Why the worldwide demand for soybeans? Soybean oil is recognized as the oil of the future in many countries of the world. Soybean meal as a protein for livestock feeding is used extensively in the United States and is being exported at an unexpectedly high rate to many countries. In the last 4 years, soybeans proved to be the top dollar earner in U.S. agricultural exports, thus substantially aiding our balance-of-payment problem.

However, the most important value of soybeans lies in their potential ability to feed the world's 1.5 billion undernourished persons.

A prominent company in my State, Central Soya of Fort Wayne, is contributing to the goal of transmitting vital protein from soybeans to the hungry and undernourished. Central Soya has developed an experimental cookie which contains soy protein concentrate and isolated soy protein. This practical cookie illustrates soybean potential in alleviating protein malnutrition.

Will soybean production continue to increase to meet worldwide demand? The answer is "no"—if we continue with our present policies. In the past, soybean production increase has resulted from increased acreage, since yields per acre have remained constant. Much of the additional acreage came from crops such as oats. However, for the future, soybean production increase will have to come from per acre yield increases, because, first, oat acreage is almost exhausted; and second, soybeans have difficulty competing with other crops for land due to low soybean yields.

The solution: Higher soybean yields per acre.

If we are to continue our past progress in the sale of soybeans, both at home and abroad, we have no other alternative but to increase soybean yields per acre. However, higher yields depend on production research. Unfortunately, Federal research funds in the past have been insufficient.

I strongly urge an appropriation which will enable us to maintain an effective research program in soybean research, in order to augment yield per acre to meet domestic and export demands. By making certain that adequate funds for soybean research are available, we reassure our productive and efficient farmers of their vital role in the Nation's economy and recognize their help in easing the balance-of-payments gap.

THE SITUATION IN VIETNAM

Mr. McGEE. Mr. President, it is the duty of a leader to lead, not follow. Leadership that has been unwavering has been ours, thanks to the determination of President Johnson. And it is paying off, too, as becomes increasingly apparent with virtually every passing day.

The successes of American foreign policy have not escaped attention, despite the continuing criticism from some quarters. In its current issue, Life magazine, for one, takes editorial note of these successes. And in today's Washington Post, columns by Roscoe Drummond and Rowland Evans and Robert Novak present further commentary on the steady improvement of the situation in Vietnam and elsewhere. I ask unanimous consent that each of these reports be printed in the Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From Life magazine]

L.B.J.'s Foreign Policy Successes

The Johnson administration has been looking for fresh ideas and initiatives in foreign policy. Examples are the President's espousal of a "summit meeting" of Latin American leaders and of regional development programs in Africa. Others probably lie ahead. Some White House advisers exude a new mood of resolute optimism. Johnson's critics dismiss all this as an "exercise in rhetorical rejuvenation" or attribute it to the White House fears of the coming congressional elections based on Johnson's own bad showing in recent polls. Yet a glance at the major sectors of U.S. foreign policy will show that a measure of optimism is not out of place.

Let us start with Europe. On the anniversary of D-day last fortnight, peace in Europe had lasted one day longer than it did between World Wars I and II. As it passed this milestone Europe had less reason to expect another war than at any time since the Cold War began. This despite De Gaulle's efforts to dismantle NATO. Even De Gaulle counts on the natural coherence of the Atlantic world, and its U.S. nuclear umbrella, for ultimate security. Meanwhile the changes in NATO are echoed by fissures in the Warsaw Pac, and the so-called "satellites" of Eastern Europe show increasing independence of Moscow.

In Asia there is a grisly war, but it is not a very dangerous one either to the U.S. or to world peace. Moreover, the news from Vietnam is so much better than a year ago that Johnson and McNamara ought to be taking bows instead of brickbats. The fierce battle in the central highlands—a "spoiling attack" on General Giap's North Vietnamese troop concentrations—is another sign that the initiative has moved to U.S. and Vietnamese forces. The casualty ratio; the enemy desertion rate; the increased mobility, firepower and morale of Westmoreland's troops, all justify his confidence that he can handle the "monsoon offensive" which Giap may be preparing. Even the Saigon political situation looks more stable on the first anniversary of the Ky directory.

Red China is going through a purge, the first major split in its leadership since the Mao regime took power. It *may* signal the end of that regime and its successor *may* be less bellicose and more concerned with China's enormous internal problems. Maoism has lost all influence in Indonesia, whose new leaders have just terminated Sukarno's insane war on Malaysia and seem to be steering their unfortunate country back to ways of order and sense.

Indeed a new Asia is beginning to take shape. Perhaps its birthplace will be recorded as Seoul, the capital of an even bloodier war than Vietnam's only 15 years ago. In Seoul last week the foreign ministers of nine free Asian and Pacific countries—Japan, South Korea, Taiwan, Thailand, the Philippines, South Vietnam, Malaysia, Australia and New Zealand—met to discuss their mutual desire to cooperate on trade, development and other common problems. For the first time the new men of Asia (as Thai Foreign Affairs Minister Thanat Khoman put it) "are getting together without being influenced by any of the former colonial powers." The initiative came from the proud leaders of the Republic of Korea, a successful new nation (economic growth rate almost eight percent a year) anxious to assert its Asian identity.

This new free-Asian regionalism is indigenous, not made in America, and it is welcomed by U.S. policy makers. The U.S. role is mainly to give it financial and technical aid, as through the Mekong Basin project and the Asian Development Bank.

In Latin America our main regional agencies are the Alliance for Progress and the Organization of American States. In what was widely criticized as his major blunder, President Johnson broke the letter of the nonintervention treaty on which the O.A.S. was founded when he unilaterally sent over 22,000 U.S. troops to quell the Dominican rebellion of April '65. That "blunder" does not look so bad today.

Johnson intervened, so he said at the time, solely to save lives and to assure a free election. He has succeeded in both. His intervention enabled the O.A.S. to take control of the troops of six nations (mostly U.S.) that have kept substantial peace for a year in the Dominican Republic. O.A.S. picked the provisional president, Garcia-Godoy, whose disinterested integrity made the recent election possible. O.A.S. oversaw the voting and can now withdraw its remaining 8,000 soldiers as soon as the new president-elect, Joaquin Balaguer, agrees.

Balaguer campaigned on a promise of civil peace, and the Dominicans, especially the rural women, supported him with a landslide. One can even hope that the Dominicans, despite their long history of violence and tyranny, are now on the road to successful self-government. Hats should be off to Garcia-Godoy, to the U.S. representative to the O.A.S., Ellsworth Bunker, and to all others who made possible this success story (knock wood) of inter-American diplomacy.

And not just diplomacy. Democracy also had a victory. The right of a people to choose their own government is the essential principle at issue in our struggle with Communism. Whenever a people freely exerts that right, our side scores a political victory of a kind that our adversaries can't answer.

An even more crucial election is scheduled in Vietnam in September. Some U.S. policy makers are gloomy about it, since the Vietcong will try to sabotage it and the Buddhists threaten not to participate. Yet the very prospect of an election, and Marshal Ky's evidently serious preparations for it, have already strengthened the directory. The U.S. has every reason to cheer the plans for this election. It could well result in the first broad popular base for a government in Saigon, and so make the political side of the war as hopeful as the military.

Johnsonian foreign policy has not been uniformly successful, nor should it get credit for all its own recent good news. But neither has it been the series of disasters some of Johnson's critics love to wallow in. We must be doing something right, for aggression is being contained, regional institutions of order are developing, some new countries are thriving, and there is even a little permeation of the Iron Curtain (as in Willy Brandt's East-West German conversations). If Johnson is serious in his talk of new initiatives in foreign policy, the time is opportune. He should ignore the polls when he knows that a policy is the right one, such as his attempt at bridge-building in Eastern Europe. The little outcroppings of sense, decency and hope now visible around the world prove that good policies sometimes have their reward. And there are ample opportunities ahead for U.S. policy to continue trying to make the world at least somewhat safer both for democracy and for diversity.

Gains of U.S. Policy

(By Roscoe Drummond)

Two of the most repeated arguments for the United States giving up in Vietnam are being disproved by events.

One is that Communist expansion is the wave of the future for all Southeast Asia and that nearly all the nations in this whole region would rather accommodate themselves to the inevitable than have the U.S. fighting back.

Not true.

The other argument is that the United States ought to quit defending South Vietnam because South Vietnam can't possibly hold together and we are bound to lose.

Not true.

The truth is that the Asian and Pacific nations not under Communist control have taken heart because of the strong American stand in Vietnam and are acting to establish a collective solidarity which seemed unthinkable a year or so ago.

Here's what's happening:

1. The foundations of a non-Communist region security system are being laid.
2. At a conference in Seoul nine countries—South Korea, Thailand, the Philippines, Nationalist China, Malaysia, South Vietnam, Japan, Australia and New Zealand—joined to create the Asian and Pacific Council (ASPAC) patterned after the Organization of American States.
3. After a long period of isolation and hesitation, Japan, the most advanced and strongest nation in the Pacific, is being welcomed as an active participant.
4. The new government of Indonesia has severed the Djakarta-Peking axis, made peace with Malaysia and is considering joining the Asian Council. So is Laos.
5. India and Pakistan are moving into a much improved relationship which will almost certainly strengthen India's capacity to resist Chinese Communist attacks and tend to cause Pakistan to keep Peking at arm's length.
6. All of the members of the ASPAC are helping South Vietnam and the military commitments of some are expected to increase.

South Vietnam is not falling apart—though political turmoil makes it look at times as though it were—and with the aid of the United States, it is not losing the war.

Premier Ky has recovered the government's authority in the dissident northern cities of Hue and Danang and the prospects of a meaningful September election of a constituent assembly to draft a new constitution are improved.

All of this provides a favorable background for President Johnson's unwavering determination to persist and to help build a peaceful world by proving that aggression is not even the wave of the present.

The Porter Report

(By Rowland Evans and Robert Novak)

Behind President Johnson's all but final decision to step up the air war against North Vietnam is a series of new reports from Saigon, including one from William J. Porter, Deputy U.S. Ambassador in Saigon.

Porter, whose special responsibility is the political and economic reconstruction program (now called "revolutionary development"), reported here last week that the so-called "nationalist" revolution of the Communist Vietcong is in fact a fraud, utterly lacking in broad, popular support.

This has further buttressed the President's unshakeable conviction that, despite shrill and continuing protests against his policy in Vietnam, his course is the right one. Furthermore, along with the fact that Premier Nguyen Cao Ky has, at least temporarily, mastered the militant Buddhists, the Porter report has reinforced the President's conviction that his goal of a non-Communist Vietnam is attainable. All this lies behind the imminent escalation of bombing.

Ambassador Porter is a veteran of nationalist uprisings, or insurgencies, in no less than four separate countries: Algeria, Morocco, Iraq and Syria. He is also one of this country's most qualified diplomatic troubleshooters. Therefore, his personal report last week to the President and his top aides was backed by the rare credentials of intimate exposure to the politics of nationalism. Porter has been in Saigon for more than six months.

The essence of Porter's report was that, in contrast to the experience of Algeria and Morocco, there is simply no evidence at all that the Communist-dominated National Liberation Front (NLF) in South Vietnam, and the Vietcong guerrillas that sustain it, represents genuine nationalism.

To the contrary, the NLF is a false front lacking anything like the tight discipline and the broad control over the population that marked the Algerian FLN, for instance.

Thus, efforts on two occasions by the NLF to call a national strike flopped. Thus, U.S. servicemen in the thousands can and do wander unarmed through the cities of South Vietnam without fear of murder.

Porter's assessment of the hard-core political strength of the NLF can't just be brushed off as making the facts fit the hope. Nor can the new assessment coming in from Saigon on the declining strength of the Buddhist activists be ignored as wishful thinking.

It now seems clear that the most militant of the Buddhist leaders, Thich Tri Quang, has lost considerable ground within the United Buddhist Church to the more moderate faction led by Thich Tam Chau. Tri Quang is the religious leader of perhaps a million Buddhists in Central Vietnam, but there is growing evidence that his religious hold over his followers is not duplicated in the field of politics.

At this writing, Tri Quang is on a hunger strike against Premier Ky's military junta (but seems to be surviving rather well on large quantities of nourishing fruit juices and tea generously laced with cream and sugar).

Tri Quang's militancy has deepened the split within the Buddhist Institute to a point that gives some U.S. experts hope of a fundamental reduction in the Institute's power to make trouble. Discredited Buddhist activists pushing the Tri Quang line of militant hostility to the military junta may be losing their influence.

If this is an accurate appraisal, it means that the more moderate Buddhist faction, headed by Thich Tam Chau whose power lies in the South, could become a most significant instrument in the work of reconstruction and development that is now making its first serious beginning in the countryside.

All this is in the background of the President's impending decision to step up the air war, details of which are still a tightly-held secret. With the apparent resolution of the five-month-old political crisis coupled with the Porter report, the mood in Washington has undergone subtle change.

Now the over-all Vietnam problem may be on the threshold of a slow but steady improvement as President Johnson continues his hard, unwavering policy of resistance to aggression from the North. His refusal to waver despite the political onslaught against him at home may soon begin to pay small but important dividends—both at home and abroad.

YOUTH WANTS TO KNOW FOUNDATION PROGRAM

Mr. JAVITS. Mr. President, Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, recently appeared as a guest in a new series of "Youth Wants To Know" television programs, created and produced by Theodore Granik. These programs are made available as a public service through a grant from the Continental Grain Foundation of New York.

Continental Grain Foundation and its president, Michel Fribourg, are to be commended for making the award-winning "Youth Wants To Know" program available to major metropolitan areas, and expanding it also to the metropolitan Washington, D.C., public, through WETA-TV, the educational television station in the Nation's Capital.

Continental Grain Foundation's activities, I understand, consist also of providing scholarships and financial assistance to students at various colleges and universities throughout the world, without regard to race, creed, color, religion, nationality, or sex, and to foster the exchange of students between the United States and foreign countries.

Continental Grain Foundation is performing a public service in making these programs available and thereby providing the opportunity to present the important issues of our time as they are discussed by leading authorities in their fields. I trust that this public service contribution of Continental Grain Foundation, through the leadership of its president, Michel Fribourg, will augur well for arousing interest in other foundations backing programs of this type, to enlist public interest in these vital issues concerning all thinking Americans.

Mr. President, I ask unanimous consent that the transcript of the program of Sunday, May 22, 1966, be printed at this point in the Record.

There being no objection, the transcript of the program was ordered to be printed in the Record, as follows:

Youth Wants To Know

(Created and produced by Theodore Granik)

(Youth Wants To Know presents: Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff)

Mr. Granik. Youth Wants To Know, the penetrating, provocative questions of America's young people, created and produced by Theodore Granik.

Ladies and gentlemen, welcome to Youth Wants To Know. Our guest is General Earle G. Wheeler, Chairman of the Joint Chiefs of Staff. The General is an outstanding leader who has dedicated his life to the service of our country. He has distinguished himself in all of his many assignments throughout his Army career. It is a great privilege, General, to have you back with us again on Youth Wants To Know.

Greg, do you want to open the questioning?

Question. General Wheeler, what can we do to win the war in Vietnam?

General Wheeler. Well, we can do more of what we are doing right now—namely, to continue to carry the offensive actions against the Viet Cong and the North Vietnamese Army strongholds in the remote part of the country. We can continue our air campaign against North Vietnam. And I think also that we can continue to improve the economic conditions and the living conditions of the people in that country. And this, of course, we are trying to do.

Question. Do you think if we took no offensive or defensive stands, and just stood still in Vietnam that they would come to the negotiation table?

General Wheeler. I certainly don't. Not only that, as a matter of military principle, the side that has the initiative, in other words, the side that calls the shot, wins. If you just sit, you lose. So I would say that that would be the surest way of not having the Viet Cong or the North Vietnamese come to the negotiating table.

Question. General Wheeler, is the war in Vietnam a political war?

General Wheeler. All wars are political to some extent. You know, no war makes sense, unless it is fought for political objectives. Our political objective in this particular case has been enunciated by the President, the Secretary of State, and our other political leaders, on many occasions. And it is this: To have the aggressor nations of Southeast Asia—namely, the North Vietnamese and the Communist Chinese—let their neighbors live in peace, and not attempt to enforce their will on the South Vietnamese.

Question. General Wheeler, how come there are over 250,000 soldiers in South Vietnam and we're only using a few divisions for actual fighting?

General Wheeler. Because the combat forces of a modern army, the people who actually engage in combat face to face with the enemy, is only a small percent. They're the cutting edge of the whole instrument. You will find that in every modern army you have to have doctors, engineers, signal people, people who unload the ships at the ports, people who get the supplies forward to the troops. They're always on the ratio of about 6 or 7 to one to the combat soldiers.

Question. General, are the National Guard and reserve units ready and able for jungle warfare?

General Wheeler. The high priority units, and in fact, all of the National Guard and reserve units, are receiving special instructions in that type of warfare. Now I wish to emphasize though that the so-called high priority units are receiving additional instruction to prepare them for such warfare if we have to call them up.

Question. Sir, now that the war is stepping up, how is the draft dealing with the conscientious objectors?

General Wheeler. Well the conscientious objectors are being treated as they have in the past in any war—namely, they are employed in other than combat tasks.

Question. Sir, do you think that the draft card burners are influencing our troops in Vietnam morally—I mean, their morale? Do you think that it is detrimental to our forces or do you think our forces are overlooking this menace in the States?

General Wheeler. I was talking to General Krulak of the Marines, who commands our fleet Marine forces in the Pacific, the other day, and he told me that in a recent trip he had talked to some of the Marines out there about this, and I talked to some of our troops also when I was there at Christmastime. It has very little effect except it makes them sort of angry. And one young Marine said to General Krulak that he noticed that the people who were burning their draft cards were not at the same time burning their Social Security cards.

Question. Sir, is Red China a paper tiger—all talk and no show?

General Wheeler. Well, I wouldn't call it a paper tiger exactly. To date, they have talked a much more belligerent game than they have played. Someone has made the remark that the Red Chinese are prepared to fight to the last North Vietnamese. However, you've got to recognize that they do have a powerful ground force, and they have a sizable air force. Now, these are not modern forces by our standards.

Mr. Granik. Is this their own force, General?

General Wheeler. Yes, their own.

Mr. Granik. Or that supported by the Russian government?

General Wheeler. No, these are the Chinese forces. They have large manpower, a sizable air force, somewhat obsolescent, and I would not call them a paper tiger in terms of capability for causing trouble in the Far East if they cared to do so.

Question. Are our air strikes on North Vietnam doing any good in slowing down infiltration from the North?

General WHEELER. Yes. Our air strikes up there have three purposes. One is to raise the morale of the South Vietnamese people. This was at the outset. The second was to attempt to influence the morale, detrimentally now, of the North Vietnamese, and particularly the North Vietnamese government, and the third objective was to slow down or to impede the movement of men and things from North Vietnam to the south, and also within North Vietnam. The first objective we achieved. We did raise the morale of the South Vietnamese. The second objective, I would say we have not achieved, at least at this point in time.

Mr. GRANIK. Haven't we swayed some over, General?

General WHEELER. Oh, their morale is bad in certain areas. Food distribution, and other goods distribution has been impeded, and this affects the morale of the people. The apparent determination of the North Vietnamese government to continue the war has not been altered, at least so far as we can see. We have impeded, obstructed the movement of men and things in North Vietnam and from North Vietnam south into South Vietnam. We know, for example, that they have had to take about somewhere between eighty and a hundred thousand men from their normal peacetime pursuits and put them to work on the lines of communication to repair the damage that we've done. And we have slowed them down, but we haven't stopped them.

Question. Do you feel that Red China should be admitted to the U.N. on her willingness to negotiate on Vietnam?

General WHEELER. Well now you're making a question to me that you ought to ask to the Secretary of State. He has expressed himself on this subject a number of times. He has pointed out that the Red Chinese apparently don't want to be admitted to the U.N., at least they've shown no desire to at the present time.

Question. General, how many South Vietnamese troops are being employed in battle, and are they pulling their share of the load?

General WHEELER. The South Vietnamese armed forces—I'm speaking now of Army, Navy, Air Force, and the so-called para military forces—approach 700,000 in strength. The Army, which is—and the Marines—Vietnamese Marines now—who are carrying the bulk of the load—about 133 battalions all told. A sizable number of these are engaged in security operations, protecting vital installations. However, there are about three dozen offensive type operations going on today in Vietnam of battalion size or larger. Of this number the Vietnamese units now are conducting or participating in about 25, which I think indicates the level of their activity.

Question. Will there be a significant change in Chinese foreign policy—that is, Communist Chinese foreign policy—with the demise of Mao Tse Tung?

General WHEELER. Again, this is something that Secretary Rusk could answer better than I, but I would say that our experts who study these things say that probably not, because the successors to Mao Tse Tung would also be men of his vintage, of his time and of his belief, and that it would be too much to expect a radical change occurring due to the death of one man.

Mr. GRANIK. You would have the same philosophy.

General WHEELER. Same philosophy—the brothers of the "Long March." In other words, the men who participated with Mao Tse Tung in the years of revolution leading up to the time when they. . . .

Mr. GRANIK. Same cartel of thought.

General WHEELER. The same people, the same group of men, and they have exactly the same ideas.

Question. Do you favor bombing Hanoi and Haiphong?

General WHEELER. If you're talking about bombing the population of Hanoi and Haiphong, the answer is no.

Mr. GRANIK. When you say that General, do you mean. . . .

General WHEELER. A population—I mean, we don't—no one has ever advocated, no one in a responsible position in the government has ever advocated bombing people.

Mr. GRANIK. People, but are there military. . . .

Question. I mean the industrial centers?

General WHEELER. I would say that there are certain targets up in the Hanoi-Haiphong area now—these are not small areas, these are large areas—that at some point in time we might want to attack.

QUESTION. General Wheeler, do you think we should issue a formal declaration of war on Vietnam?

General WHEELER. I see no particular reason to. Moreover, there are other factors, political factors involved that, to my view at least, make this unnecessary.

Mr. GRANIK. Those areas you talk about attacking in Hanoi and Haiphong, or possibly attacking, General—I don't want to go into military secrets—are they industrial areas? Are they highly industrialized?

General WHEELER. No. North Vietnam is not a highly industrialized area, in our sense of this term. Their industry is small in quantity. It does not provide enormous or even substantial support to the war effort in the South.

Question. Wouldn't more increased bombing of North Vietnam draw Red China into the conflict?

General WHEELER. Oh, I don't think so. The—some people regard this as an escalatory step. I don't think so. Now I'm sure that if we attacked Red China, why—targets in Red China—the pressures on the Chinese to retaliate would be very great. As long as it is in North Vietnam, I see no reason for them to get into this.

QUESTION. Why did President Johnson particularly acknowledge the Ky regime in Honolulu?

General WHEELER. I don't think that he did, to tell you the truth. I was out there at the Honolulu conference as a member of the President's party. His emphasis there was on the nonmilitary aspects of the war. You will recall in answering a question earlier I said that the social and economic reforms were a part of the overall program and a part of the things that we should do to win the war out there. President Johnson, I think, feels that the military program has been going very well, and he wanted to emphasize to the world, and to the American people, I imagine, in particular, that the nonmilitary aspects of this war deserve equal weight. In other words, the way to defeat Communism is to do away with the seeds of Communism—in other words, social injustice, economic instability, ill health, sickness, poverty.

Mr. GRANIK. Far beyond just a purely military situation.

General WHEELER. That's right.

Question. Does President Johnson call the shots in Vietnam?

General WHEELER. He certainly does. He is the Commander in Chief of the American armed forces, and he is also the elected political leader of the American people.

Question. How congenial are you to civilian control of the armed forces?

General WHEELER. The Constitution of the United States has always provided since the founding of the republic, that the military forces are under control of the elected leadership of this country—namely, the President of the United States. So that to me, it is unthinkable that you would have any other sort of control.

Question. How come so much of the defense budget is spent on managing and then over in Vietnam they're caught short of bombs and supplies?

General WHEELER. I don't think we are short over there. In talking to General Westmoreland, our commander in country, Admiral Sharpe, our commander in the Pacific, I have been assured that there are no shortages which have affected adversely our combat operations or the welfare of the troops.

Question. Has Saigon become an American brothel?

General WHEELER. I don't think so. As a matter of fact, Secretary Rusk on a TV program one Sunday answered this quite adequately. He pointed out that the world's oldest profession, unfortunately, is practiced in every large city in the world, and has been from time immemorial, that this is an oversimplification of a very difficult problem. He used this term.

Question. Getting back to the demonstrators, do you think that they protest because they have strong convictions or because they are cowards?

General WHEELER. Oh I wouldn't say they were cowards. Perhaps some of them are. I mean, just as you have a percentage of cowards in almost any segment of the population. I think that these people, to a degree at least, are misguided. They, in many instances, I think, are perhaps protesting merely to be protesting against something. It is a small number. Now one thing that exacerbates this problem, however, is the publicity that they receive. I have reason to think that if they received no publicity, they wouldn't protest so much.

Question. Sir, to change the subject, would the United States be caught short if the war in Vietnam exploded into a sustained ground warfare?

General WHEELER. I don't believe so. I think that we have adequate means to carry out any operations that I can foresee.

Question: What effect will the monsoon season have on the American war effort in Vietnam?

General WHEELER. Well, as you may know, the monsoon out there has opposite effects in the two parts of the Vietnam. In North Vietnam when the weather is good, it is bad in South Vietnam, and vice versa. And the monsoon is just changing now. We've had very bad flying weather up North in recent weeks and months. We have had good weather in the South. Now it is going to start to change. So our air operations in the North will be easier, but our air operations in support of our ground forces in the South will be more difficult. In other words, we'll have greater problems in flying when we want to fly.

Question. Do you feel that Premier Ky's retention of power could cause more military and political turmoil?

General WHEELER. I think that probably that it wouldn't cause any greater difficulties than we're having now.

Question. General Wheeler, why don't we employ nationalist Chinese troops in Vietnam?

General WHEELER. Well, there are several reasons. One, it would be in a sense expanding the war by bringing Chinese into an area where they are not particularly congenial to the population. Secondly, the nationalist Chinese have no particular desire to participate in that war down there. You'd open up a whole series of political problems.

Mr. GRANIK. Wouldn't that bring China in then?

General WHEELER. Well, this is one of the arguments, that it would bring Red China into the war directly. Again, I think this is debatable because it would depend on the circumstances in which these Chinese nationalist troops were used.

Question. General, are there mercenaries involved in Vietnam, and if so, what is their role?

General WHEELER. We have no mercenaries in the American armed forces. And I assure you that the Koreans are not mercenaries either. They are there at the direction of their government in support of their national policy of opposing Communism in the Far East. So there are no mercenaries in South Vietnam.

Question. Do you feel that free elections can be held in a country such as Vietnam in the political turmoil that it is in now?

General WHEELER. I think so, under—with care. As a matter of fact, there have been elections in the recent past for provincial posts, and so on, which were quite successful—a tremendous turnout and a very fine outcome for the government.

Mr. GRANIK. What happens then? How do we abide by these elections, General? Let's say the Viet Cong were successful in the elections.

General WHEELER. Well, it is unthinkable to me that they would be. And I think that Secretary Rusk is a better expert on this than I. I'd be trying to address a hypothetical question and I don't see how I can do it.

Question. Is Premier Ky daring the Buddhists to a showdown by declaring there will be no constituent government until 1967?

General WHEELER. I don't think so. Just a comment on what I understand he said. I believe that he is saying that the time that will be needed to draw up a constitution and to have elections will be somewhat greater than people think.

Question. Sir, is there any chance that the reservists and National Guard will be activated?

General WHEELER. Oh there's always a chance. If there is a sizable increase in the tempo of the war, if we are faced with other contingencies, why we, of course, would depend upon the National Guard and the reserves to augment the active forces.

Question. Sir, if they are activiated, are they really ready for the kind of fighting that is going on there?

General WHEELER. I think so. Now we have, as I mentioned earlier, certain units that have already been selected. These are the high priority units—to receive special and additional training so that their readiness has been increased. And this is always an incremental step if you call the National Guard and reserve into action, and so I think my flat answer to you would be yes.

Question. Sir, why do we have more commitments in our foreign policy than our nation can really afford?

General WHEELER. Well I don't think that we have. I think that the United States can afford to do those things to protect its own security interests and to assist our allies in protecting theirs. I don't believe that we are over-committing to use a simple phrase.

Question. To get off the subject of Vietnam, what do you see for the future of NATO?

General WHEELER. I believe that NATO is going to remain a viable military alliance. Now, undoubtedly, there are going to be changes made and these are being discussed at the highest governmental levels, and when I say governmental, I mean all the governments of NATO, except France, at this time. Our NATO partners apparently are all agreed that NATO is a valuable security mechanism and they and we are determined to maintain it.

Question. Do you think West Germany will get nuclear weapons through NATO if France pulls out?

General WHEELER. No, that's not the object of the exercise by any means.

Question. Sir, does the moon have any military value?

General WHEELER. Well, at night it is awful useful to have the moon shining so you can see, but not to be facetious in answering your question, what you're really asking me is if going to the moon has a direct military application. My answer to you is that we don't know. What we do know is that the things that we learn in the scientific area by these space flights and these efforts to project man into space increase our entire knowledge of a broad spectrum of military interests. And it could be that some day the ability to put a man on the moon will have a direct influence on our security mechanism.

Question. Do you foresee the moon to become a battleground between the United States and Russia?

General WHEELER. I don't think so. I certainly hope not.

Mr. GRANIK. That's why we applaud the President's wonderful action urging unity there.

Question. How much emphasis do the Communists place on our youth demonstrations?

General WHEELER. It's very interesting. That's an excellent question. General Giap, who is the Minister of Defense of North Vietnam and who was the commander of their forces when they defeated the French at Dien Bien Phu, wrote a series of three articles which appeared in the Hanoi official newspaper in January. I read these articles with great interest. Giap, in these articles, and other articles and statements that I have read coming from North Vietnamese officials, and from China, for that matter, emphasized the fact that they are going to win this war politically, and they cite as an example of why they will win politically, the fact that there are demonstrations, that there is support for their efforts in this country and in other countries of the Free World.

Question. Do you feel that the conquest of space, to return to space, should be set aside until we settle the problems of poverty, ignorance and disease?

General WHEELER. I don't believe so. I believe that our country is blessed with enough wealth, enough resources, in terms of scientific brains, vast industrial base, so we can push ahead on both fronts at the same time.

Question. General Wheeler, do you see any danger in the future of attack from outer space?

General WHEELER. As of right now, my answer to you would have to be a categorical no, and I would say that this is a problem that you young gentlemen and ladies here are going to have to address perhaps some time in the future. It is beyond my ken.

Question. General, why doesn't the Air Force release to the public its Blue Book Project on unidentified flying objects?

General WHEELER. You're asking me a question I simply can't answer, because I don't even know what the Blue Book Project is. However, I can tell you this, that the Air Force has made a very careful, elaborate investigation of every report of this kind that has ever been forthcoming, and to date, they haven't identified anything that is not explainable by natural means.

Question. Have the Fulbright Hearings, by acknowledging some Americans' uncertainty as to our position in Vietnam, encouraged our enemies?

General WHEELER. I don't think that I should comment on the deliberations in the Congress. It's not my place.

Question. Just how closely do the Joint Chiefs of Staff work with the State Department?

General WHEELER. Well, let's say it this way, the Department of Defense works extremely closely with the State Department, and the Joint Chiefs of Staff, of course, participate in all of these deliberations. It is a rather complicated mechanism. But we are always represented, either by me or, in the case of meetings between officials, by one of the officers of the Joint Staff, at all deliberations that have any military application at all.

Question. Sir, just how justified are the State Department's travel bans?

General WHEELER. Again, this is something you'll have to ask Secretary Rusk. That falls in his purview, not mine.

Question. Sir, why does the United States, a democracy, support a military dictatorship, largely despised by its people?

General WHEELER. In what country are you talking about?

Question. Vietnam, sir.

General WHEELER. Let's say this. You have had in Vietnam a series of governments. The latest government is a military dictatorship because this is the power base in South Vietnam.

Mr. GRANIK. I'm sorry to interrupt, General. I know there are many more questions, but unfortunately there just isn't any more time. Thank you General Wheeler for being our guest on Youth Wants to Know. Our thanks to you, panel, for your most interesting questions, and to you, ladies and gentlemen, for being with us. Please join us again next week on Youth Wants to Know, where through the eyes of youth, we explore and discover, we measure the important people, ideas and events of our time. And now this is Theodore Granik bidding you goodbye.

Produced by: Theodore Granik.

Associate Producer: Jay B. Cutler.

Assistant to the Producer: Janet Calhoun.

LET US TALK SENSE ABOUT VIETNAM—IT IS LONG OVERDUE

Mr. GRUENING. Mr. President, in an excellent article in today's New York Times entitled "Thant's Vietnam Proposals" commendation is given Secretary General Thant for "focusing attention again on the real problem in Vietnam, which is to move toward a negotiated settlement of the Communist insurrection."

The editorial pointed with approbation to Secretary General Thant's three-pointed proposal calling "for the cessation of bombing North Vietnam; the scaling down of military action in the south to achieve a cease-fire; the opening of peace talks among all those who are actually fighting, including the Vietcong."

Both the Secretary General and the New York Times are talking sense to the American people. My own views on the folly of our military involvement in southeast Asia have been expressed repeatedly for nearly 2½ years.

Force begets force; escalation begets escalation.

If a world conflagration is to be avoided—if indeed it is not too late—then the points suggested by the Secretary General should be heeded and no time should be lost to carry out his suggestions.

I ask unanimous consent that the editorial from the New York Times for June 22, 1966, be printed in full in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 22, 1966]

THANT'S VIETNAM PROPOSALS

Secretary General Thant has performed a useful service in focusing attention again on the real problem in Vietnam, which is to move toward a negotiated settlement of the Communist insurrection.

The bombing of North Vietnam and the buildup to more than a quarter-million

American troops in the South have neither reduced the Vietcong forces nor stabilized the internal politics of Saigon. On the contrary, the Vietcong buildup also is continuing, aided by infiltration of regular North Vietnamese units. And the American takeover of the military conflict has simply freed the Buddhist and military politicians of South Vietnam to pursue their power struggle. There is little reason to believe that further escalation will change the picture.

Mr. Thant's suggestion is that a new attempt be made to deescalate instead. His three-point proposal calls for the cessation of bombing North Vietnam; the scaling down of military action in the South to achieve a cease-fire; the opening of peace talks among all those who are "actually fighting," including the Vietcong.

Sooner or later, this is the only way the war in Vietnam can be brought to an end. The unanswered question is how this process can best be set in motion.

The efforts of numerous intermediaries to bring Hanoi to the conference table have all run into the same demand: talk to the Vietcong's National Liberation Front. Until the Saigon government shows a willingness to do so, there will be no prospect of peace. But what incentive can there be for the military junta to seek a compromise settlement when American troops protect it against the consequences of political folly? The dream that the military balance can be turned and a Communist surrender achieved will only give way to reality when the American commitment ceases to be open-ended.

At the present rate of buildup there will be 350,000 to 400,000 American troops in South Vietnam by the end of the year. The talk in Washington of higher targets of 600,000 or 750,000 American troops in 1967 and later is further encouragement to political irresponsibility in Saigon.

At some point a halt must be called. American forces may be able to contain the larger Vietcong units, but it is much more doubtful that they can destroy the Vietcong's political network or its guerrilla bands. Every whirl upward on the escalation spiral merely restores the military balance at best—but at a higher level. A halt in the buildup may prove far more effective in forcing the Saigon factions to unite and in bringing them to face up to the need of opening contacts with the other side.

THE FEDERAL PAY RAISE BILL

Mr. MORSE. Mr. President, I have received a number of wires from residents of the State of Oregon urging that prompt action be taken by the Senate on the Federal pay raise bill, H.R. 14122. In view of the importance of these comments I ask unanimous consent that the wires to which I have alluded be printed in the RECORD at this point in my remarks.

There being no objection, the telegrams were ordered to be printed in the RECORD as follows:

SALEM, OREG., *June 21, 1966.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Please do all in your power to bring H.R. 14122 to an affirmative vote this week. Thank you.

NATIONAL ASSOCIATION POSTAL SUPERVISORS, LOCAL 225.

SALEM, OREG., *June 21, 1966.*

Senator WAYNE MORSE,
Washington, D.C.:

Urge your immediate action to expedite enactment of Government salary bill H.R. 14122 by July 1, 1966.

VERNON E. PAUL.

EUGENE, OREG.

COOS BAY, OREG., *June 21, 1966.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Just returned from State convention. Important H.R. 14122 brought before Senate for immediate action. Urge your favorable support.

FRED CRAMER,
Secretary, Branch 1450 NALC.

SALEM, OREG.,
June 21, 1966.

Senator WAYNE MORSE,
Washington D.C.:

Request your support to expedite enactment of Government Salary bill, H.R. 14122.

CLYDE C. PIKE.

COOS BAY, OREG.,
June 20, 1966.

Senator WAYNE MORSE,
Senate Office Building, Washington D.C.:

Ladies State auxiliary, NALC urges your support of H.R. 14122. Important this bill passes at earliest date.

MILDRED SMITH,
State Legislative Chairman,
Auxiliary No. 173, CALC.

SALEM, OREG.,
June 21, 1966.

Senator WAYNE MORSE,
Washington D.C.:

Your immediate action is urged for enactment of Government Salary bill, H.R. 14122 by July 1, 1966.

RUTH A. DAVIS.

SALEM, OREG.,
June 21, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Request your support in passing government salary bill, H.R. 14122, effective July 1, 1966.

M. RITA CROSBY.

SALEM, OREG.,
June 21, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

I wholeheartedly support you and your efforts in behalf of the Federal pay raise.

CARMALETE Y. EGELSTON.

SALEM, OREG.,
June 21, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Urge support Federal pay bill. State competition makes Federal clerical recruiting difficult. Attractive pay essential.

NORMA I. GERBERDING.

SALEM, OREG.,
June 21, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Request your support for immediate enactment of H.R. 14122 approved by Senate Civil Service Committee.

THEODORE N. LAUSE.

PORTLAND, OREG.,
June 19, 1966.

Hon. WAYNE MORSE,
Washington, D.C.:

Please support pay bill 14122.

A. W. CLARK.

PORTLAND, OREG.,
June 20, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Please do all possible to have H.R. 14122 reported out of the Senate Policy Committee.

TOM LINVILLE.

NORTH BEND, OREG.,
June 20, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

DEAR MR. SENATOR: We need your help for a favorable report on H.R. 14122 to be reported out of Senate Policy Committee. Please help us keep up with the yearly increased cost living.

Sincerely,

N. Irving Engle, Robert Emmett, Howard Pate, Memphis Hadden, Bev. Bigelow, Robert Klien, William Babbitt, Jack Clark, Jack Goll, Joyn Riesbeck, Jack Chanler, Al Carlson, Bud Grossen, Jim Hurst, Henry Lawdese, Les Croff.

GRANTS PASS, OREG.,
June 20, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Oregon State Letter Carriers in session at Portland, Oreg., ask your support of H.R. 14122 to get this bill reported out of Senate policy committee for immediate action.

ARTHUR H. STRUNK, Sr.,
Secretary, Oregon State NALC.

GRANTS PASS, OREG.,
June 21, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Urgently need your support on H.R. 14122. Thank you for past favors.

DELORES ROLEY,
Secretary, NALC.

CORVALLIS, OREG.,
June 21, 1966.

WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Urge your assistance getting bill H.R. 14122 on floor earliest time.

RAY WEATHERS,
Secretary 1274, NALC.

SALEM, OREG.,
June 21, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Urge your immediate action to expedite enactment of Government salary bill, H.R. 14122 by July 1, 1966.

B. CECIL BASWETT.

GRANTS PASS, OREG.,
June 20, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Urgently need your support on H.R. 14122. Thanking you for past favors.

MRS. A. H. STRUNK, Sr.

OREGON CITY, OREG.,
June 20, 1966.

Hon. WAYNE MORSE,
Senate Building,
Washington, D.C.

SENATOR: We strongly urge H.R. 14122 be brought before the Senate immediately.

NALC BRANCH 1140.

GRANTS PASS, OREG.,
June 20, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Urgently need your support on H.R. 14122. Thanking you for past favors.

ARTHUR H. STRUNK, Sr.

PORTLAND, OREG.,
June 22, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Urgent that you contact Senate leadership and Senate Policy Committee to have H.R. 14122 brought before the Senate immediately.

FORTY-TWO LETTER CARRIERS WORKING FROM LENTS STATION.

ROSEBURG, OREG.,
June 21, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

I urge you to vote "yes" for H.R. 14122 postal pay raise to be effective July 1, 1966.

ROBERT H. JOHNSON,
Roseburg, Oreg., Branch 1518, National Association of Letter Carriers.

SALEM, OREG.,
June 21, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Strongly urge you use influence to persuade Senate Policy Committee to schedule H.R. 14122 for vote immediately. This bill is needed now; stalling tactics of committee to prevent passage prior July 1 is contrary to the intent Congress and the needs of those affected. Thanks.

M. W. SCOTT.

KLAMATH FALLS, OREG.,
June 21, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Urge your support to get pay bill H.R. 14122 out of policy committee and onto floor of Senate.

Sincerely,

JOHN W. STROOP,
Secretary, Branch No. 1784, NALC.

ONTARIO, OREG.,
June 21, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

We urge you to contact the Senate Policy Committee to favorably report out H.R. 14122, postal pay bill.

OLIVER PARKER,
President, Branch 3750, NALC.

PORTLAND, OREG.,
June 22, 1966.

Hon. WAYNE MORSE,
U.S. Senator,
Washington, D.C.:

Urge action on H.R. 14122 and H.R. 14266 for quick enactment.

H. Eklof, D. Patterson, V. Weisgerber, K. Bundy, E. Graves, R. Jones, C. Juett, J. Kelly, C. Harr, R. Veith, J. Steele, R. Petrasso, W. Keefer, J. Campbell, D. Reynolds, D. Boectel, R. Smith, D. Brown, T. Fleming, W. Concannon, H. Johnson, R. Pierce, M. Nelson, D. Knaks, R. Hutchings, R. Keller, A. Jones, R. Green, H. Walday, S. Root, F. Scholz, A. Rein, R. Pickup, T. Caldwell, L. Parman, J. Schmotzel, G. Pierce, G. Melchi, R. Griones, C. Salmeiel, E. Shirts, J. Cobb, C. Sherman, R. Whisnant, I. Wangsnes, A. H. Millspaugh, B. G. Sizemore, L. P. Scheetz, G. Juernberg, A. G. May, K. Pullen, E. Waritz, G. Schultz.

PORTLAND, OREG.
June 21 1966.

SENATOR WAYNE MORSE,
Washington, D.C.:

H.R. 14122, please get it on the floor immediately. Support it with "yes" vote. Thanks.

E. H. JESKE.

PORTLAND, OREG.,
June 22, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Urge action and passage of H.R. 14122.

LYLE WALTERS.

PORTLAND, OREG.,
June 22, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Urge action and passage of H.R. 14122.

CHARLES POTTS.

PORTLAND, OREG.,
June 22, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Urge action and passage of H.R. 14122.

HARRY MABIN.

IT'S TIME TO LOOK AT OUR EXPORT CONTROL ORDERS

Mr. McGOVERN. Mr. President, the other day our neighbor to the north, Canada, sold Russia another $800 million worth of wheat. They are to deliver 3 million tons a year for 3 years to the Soviet Union.

The United States undoubtedly could have had a share in this huge order—as our producers might have shared in past large Russian purchases—except for a wholly senseless export control order requiring that half of any wheat we sell to the Russians be shipped in American vessels. The price of American shipping is so high that the order makes it impossible for our producers to compete for this rather large piece of hard dollar, commercial, business.

Nearly everyone is in agreement on this fact. Administration officials, the Senate Agriculture Committee, and the Foreign Relations Committee have all affirmatively stated that the regulation under the Export Control Act of 1949, as amended, is unwise. Everyone, except a very shortsighted labor group, whose spokesman agreed during testimony before the Foreign Relations Committee that they should not interfere in a dollar transaction for wheat, but took his testimony back in talking to reporters outside the committee room.

In this instance, a misguided labor group is actually being allowed to dictate American foreign policy because of the unwillingness of the administration to rescind an export order of questionable legal foundation, and unquestionable stupidity, and offend the union involved.

The Washington Post this morning carried an editorial, captioned "Against the U.S. Grain," in which they say:

> Thanks to the American maritime unions, the farmers of the United States don't have to bother figuring how to get a piece of the Soviet grain business. The unions in 1964 rammed into law their demand that half of any grain shipments to Russia must be in American bottoms; the high American shipping rates make U.S. wheat prohibitively expensive in most instances. The question is rendered moot these days by the United States low wheat reserves and high Vietnam involvement. But 800 million dollars—in hard currency—is a lot of dough.

I ask unanimous consent, Mr. President, for the full text of the editorial to be included in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 22, 1966]

AGAINST THE U.S. GRAIN

The Soviet Union is smart to buy Western wheat; perhaps it ought to buy more, on a more regular basis. The cost, in terms both of pride and gold, is bearable. In return, the foreign purchases cushion the impacts of unkind soil and weather, compensate for the inefficiencies built into the country's collectivized agricultural system, and buy time and domestic support for the farm programs that almost certainly will produce better grain harvests in the future.

The Soviet grain crop in 1963 was a disaster, requiring imports of 11 million tons. The 1965 grain total was very low, made so by harsh weather and by the government's courageous and overdue decision to squeeze less grain out of the farmers at low state-set prices. Together, the two years persuaded the leadership to undertake massive spending programs, offer the farmers more incentives and get off their backs. The government anticipated lower grain collections at the start, figuring on fatter results later. The grain collections have been lower. It is to meet this anticipated short-run deficit that the Canadian grain deal apparently was made. Moscow will buy three million tons a year for three years, for about $800 million.

Secretary of Agriculture Freeman said the Canadian deal showed "the failure of the Soviet system." He's probably wrong. For once, the deal may have shown more reason and sense, since it was made not in response to a spot crisis but as part of a measured effort to put Soviet agriculture on a solid footing. The weather hasn't been so bad in the Soviet Union this year; the planning has been better. That's why Moscow is buying.

Thanks to the American maritime unions, the farmers of the United States don't have to bother figuring how to get a piece of the Soviet grain business. The unions in 1964 rammed into law their demand that half of any grain shipments to Russia must be in American bottoms; the high American shipping rates make U.S. wheat prohibitively expensive in most instances. The question is rendered moot these days by the United States' low wheat reserves and high Vietnam involvement. But 800 million dollars—in hard currency or gold—is a lot of dough.

Mr. McGOVERN. I would like to comment also, Mr. President, that the editorial is inaccurate in two particulars.

First, the shipping requirement is not in law. It is an Executive regulation, or requirement, which could be rescinded yet this afternoon by the Secretary of Commerce. It cannot be blamed on Congress. Every action we have taken recently on this subject has reflected disapproval of the wheat shipping restriction.

Second, the question of unnecessarily sacrificed wheat markets is not moot; American farmers have at least 60 million idle cultivable acres. They will have 50 million or more idle next year, in spite of a 15-percent or nearly 8-million-acre increase in wheat acreage allotments. They could produce 2 or 3 million tons more of wheat on a fraction of that idle acreage, and rebuild our reserves at the same time.

The fact is that the farmers of America, grain handlers, railroads, maritime workers themselves, and shipping companies are all being penalized hundreds of millions of dollars by a shipping regulation that makes no sense at all. As is much too often the case, the farmers are the principal goats.

But this is not the only instance in which farmers are the goats of unwise export restrictions.

There is an export order still in existence limiting the number of cattle hides which can be sold abroad to about one-third of our conjectured production—and I use the word "conjectured" advisedly, for the figures used do not justify even the word "estimated."

The Export Control Act provides that export restrictions cannot be put on agricultural commodities for economic reasons if the Secretary of Agriculture finds the supply in excess of our domestic requirements.

The Secretary of Agriculture was not asked about the adequacy of our supply of hides. The Secretary of Commerce worked out his own justification for imposing an export order. He says he saw some Department of Agriculture reports and that the Secretary of Agriculture concurred in the order. He contends that an order is proper in the absence of any finding by the Secretary of Agriculture.

But it is obvious that any finding by the Secretary of Agriculture was avoided. The fact that the order allows 11 million hides to be exported is certainly proof that the supply exceeds domestic requirements. Nonetheless, the very provision of the Export Control Act from which agricultural commodities are exempted if they are in excess of domestic requirements, is the provision under which the hide controls have been imposed.

The hide order, Mr. President, was one of those anti-inflation moves that did not work. Farmers were penalized at least 25 cents per hundred pounds on all the beef they market for the purpose of keeping down the price of shoes, which went up very promptly after the order was issued. The order has been modified, but not rescinded as it should be.

Some are inclined to deprecate the importance of the order to cattlemen's and dairymen's income. After all, they say, it is only about 1 or 2 percent of gross on the cattle sold.

I ask unanimous consent, Mr. President, to include in the RECORD an article from the Washington Farmletter which indicates that the loss of hide value may be 10 percent of the producers' net income.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Hides: The 25¢ a cwt. cut in cattle prices estimated by USDA due to the restriction on hide exports may not seem much on a 1000-pound steer selling for around $250—only $2.50, or 1%. But it looms big when related to the margin of value over costs in cattle feeding.

USDA's report of average prices and costs in feeding steers in the Corn Belt, 1954 through June 1965, shows that margins on 1050-pound fed steers ranged from minus $13.32 in 1963–64 to a high of $71.78 in 1957–58. For 1964–65 it's estimated at $55.71. This margin above cost doesn't include overhead, cost of pasture, or death losses.

The average for 11 feeding years was $26.61. A cut of 25¢ a cwt. would have meant about a 10% cut in margins. With the margin this year (1965–66) likely around $40–$50, the effect of lower prices of hides means a cut in net feeding return per head of around 5%.

Mr. McGOVERN. Mr. President, the hide order is another instance of misuse of the Export Control Act to make farmers the scapegoats in the solution of a problem for which they are not to blame.

I have pending before the Senate Banking and Currency Committee, S. 3175, a bill to amend the Export Control Act to require that before export controls are applied to any agricultural commodity the Secretary of Agriculture "shall conduct a public hearing and shall have determined that the supply of the commodity is and will continue for an extended period of time to be substantially inadequate to meet the requirements of the domestic economy."

I speak today to advise my colleagues that I am requesting early hearings on the bill.

Hearings have been delayed because of other priority matters, because of the Department of Commerce's hearings and modification of the hide export order, and to allow time to determine the effect of the revised hide order.

The serious effect this unjustified order is having on producers continues to be apparent. The Department of Agriculture itself is my authority for the contention that the export restriction has depressed cattle prices at least 25 cents per hundred pounds.

The serious effect of the senseless wheat shipping order on American producers is again made painfully apparent by the Canadian wheat sale to Russia.

It is time that we carefully examine and revise the Export Control Act so it cannot be misused. I am sure that the chairman of the Banking and Currency Committee will handle the matter just as expeditiously as possible, in his customary accommodating and courteous way.

I hope my colleagues will be prepared to give him and his committee the benefit of their views and recommendations when the matter is subjected to a much-needed review.

THE LEGALITY OF U.S. PRESENCE IN VIETNAM

Mr. JAVITS. Mr. President, now, for the first time, we have an authoritative analysis of the legal basis for U.S. assistance to the Republic of Vietnam. In my own thinking there can no longer be any doubt about the legality of our assistance to the people of South Vietnam in view of the report to be distributed today by the American Bar Association.

While the debate over policy in Vietnam must go on, the question concerning the legality of U.S. action in Vietnam should now be resolved. I have never doubted the lawfulness of U.S. assistance to the Republic of Vietnam. Today, it is my privilege to present to the Senate and the American people a document which, I believe, supports this proposition beyond any reasonable doubt.

It is one point to question the policy choices of the United States in Vietnam, but it is quite another to challenge the basic legality of our assistance. Comparisons between our presence in Vietnam and Soviet aggression in Hungary and Communist Chinese aggression in India and in Korea are demagogic; the document I am presenting should lay all these comparisons to rest.

Prepared for distribution by the American Bar Association, the document was written by three respected professors of law: Myres S. McDougal, sterling professor of law at Yale and former president of the American Society of International Law; John Norton Moore, associate professor of law at the University of Virginia Law School; and James L. Underwood, assistant professor of law at the University of South Carolina College of Law. Their paper does not argue for or against U.S. policy in Vietnam; it concentrates on the law.

The authors assert that:

> The present United States assistance to the Republic of Vietnam is lawful under the most widely accepted principles of customary international law.

Their discussions of this proposition shows that:

First. The Republic of South Vietnam is a state under international law, and that for present practical and treaty purposes, it is a separate international entity from the Democratic Republic of Vietnam—North Vietnam.

Second. Because of this recognition of two independent states, the Vietnam conflict cannot be legally characterized as a "civil war."

Third. The generally recognized Government of South Vietnam has legally requested assistance from the United States to meet a situation it recognizes as outside armed aggression.

Fourth. U.S. assistance is in accord with the right of collective self-defense as construed under international law and the United Nations Charter.

Fifth. The United States has properly sought to bring the conflict to the attention and within machinery of the United Nations.

Sixth. The Geneva accords of 1954 were not breached by the United States whose presence was duly requested by the Government of South Vietnam, but were in fact violated by North Vietnam by virtue of sending its regular armed forces into South Vietnam.

Seventh. U.S. Armed Forces are in South Vietnam as sanctioned by accepted U.S. constitutional processes, executive-congressional actions, and by virtue of proper resolutions, authorizations, and appropriations.

The authors conclude that "lawfulness means compliance with the basic structures of international law and the United Nations; structures designed to promote self determination and world public order."

I fully subscribe to this careful and important study and commend it to the attention of the American people. It sustains as lawful the presence of our forces and their actions to help the people of South Vietnam attain self determination and freedom. The conscience of the Nation can rest more easily as the result of this historic report. The Nation should be grateful to the American Bar Association and to the authors of this report.

Mr. President, I ask unanimous consent, to have printed in the RECORD, as a part of my remarks, the most pertinent aspects of this approximately 250-page study.

There being no objection, the excerpts from the study were ordered to be printed in the RECORD, as follows:

THE LAWFULNESS OF UNITED STATES ASSISTANCE TO THE REPUBLIC OF VIET NAM

In recent months, critics of United States assistance to the Republic of Viet Nam have increasingly used legal arguments in their attacks on that assistance. They have asserted that the United States presence and activities in Viet Nam violate general principles of international law, the United Nations Charter, and the United States Constitution. In support of these assertions, they argue that the Republic of Viet Nam is not a state, that the United States is merely intervening in a civil war, that this intervention neither qualifies as self-defense under Article 51 of the United Nations Charter nor is otherwise legally justified, and that since Congres has not formally declared war the present United States military presence and activities in Viet Nam exceed the executive power. Although there is certainly room for choice and disagreement among the available policy alternatives, these legal arguments substantially misstate the case.

The present United States assistance to the Republic of Viet Nam is lawful under the most widely accepted principles of customary international law, the United Nations Charter and the Constitution of the United States. Since the Republic of Viet Nam has requested aid from the United States and other nations of the world to meet a situation with a significant component of outside armed aggression, there can be no question that the United States and the other nations responding with appropriate assistance are lawfully acting pursuant to the right of self-defence recognized under customary international law and the United Nations Charter. Moreover, the executive—congressional action taken in rendering assistance to the Republic of Viet Nam is in accordance with United States constitutional processes.

These conclusions are based not on mere legalistic exercises but on the genuine shared expectations of the international community as developed through a long history of practices and authoritative communications and reflected in principles designed to ensure minimum world public order. The principal thrust of many of the more important principles of contemporary international law, both customary and as incorporated into the United Nations Charter, is to secure genuine freedom of choice to the peoples of the world about their own form of government. Thus, under customary international law, states have not only been accorded a most comprehensive right of self-defense but have also been authorized to give aid to the established governments of other states, when such states are attacked by enemies from without or within. Similarly, the self-determination of peoples is stated as a principal goal of the United Nations and few of its goals have been more insistently sought in the practice of the organization; the Charter contains many provisions designed to preclude attacks, by any means, upon the territorial and political integrity of states; and the sum total of provisions in the Charter would, in the absence of an effective centralized peacekeeping machinery, appear greatly to enhance the authorization of states reciprocally to assist each other when subjected to attack. These widely accepted principles are consistent with declared United States goals of complete self-determination for the people of the Republic of Viet Nam and the maintenance of minimum world order through the rule of law.

The following discussion will show point by point that the United States presence in Viet Nam is lawful under customary international law and the United Nations Charter, that the particular United States activities in Viet Nam are lawful; that the United States has met its obligations under the United Nations Charter; that the Geneva Accords support the United States position in Viet Nam; and that the executive-congressional action rendering assistance to the Republic of Viet Nam is in accordance with United States constitutional processes. In particular, the discussion will show in detail that the Republic of Viet Nam is a state under international law and that today there are substantial expectations that the Republic of Viet Nam (South Viet Nam—the R.V.N.) and the Democratic Republic of Viet Nam (North Viet Nam—the D.R.V.) are separate and independent states under international law; that the Viet Nam conflict can not be fairly characterized as a "civil war"; that the R.V.N. has requested assistance from the United States to meet armed aggression; that the present United States assistance to the R.V.N. is in accordance with the right of self-defense recognized under customary international law and the United Nations Charter; that the United States seeks a solution through the machinery of the United Nations; that the United States assistance is supported by the Geneca Accords which have been fundamentally breached by the D.R.V. in its armed aggression against the R.V.N.; and that the executive-congressional action taken in rendering assistance to the R.V.N. is in accordance with United States constitutional processes, as authoritatively interpreted by successive presidents and congresses of the United States.

I. THE UNITED STATES PRESENCE IN VIET NAM IS LAWFUL UNDER CUSTOMARY INTERNATIONAL LAW AND THE UNITED NATIONS CHARTER

In examining the lawfulness of the United States assistance to the Republic of Viet Nam, it is important to distinguish between the lawfulness of the United States general presence in Viet Nam and the lawfulness of the particular United States activities in Viet Nam, and also to distinguish between the relevant international and constitutional law. When all relevant prescriptions are reviewed, it will appear evident both that the United States presence in the R.V.N. is lawful and that the use of the military instrument is well within the permissible limits of self-defense.

Under customary international law and the United Nations Charter, a recognized state such as the R.V.N. has the right to request and receive assistance from other states pursuant to its right of self-defense. It is important to note, however, that even if the R.V.N. were not a recognized state under international law, and was instead a mere "temporary zone" not "qualifying politically as a state," there still would be no basis for suggesting that it would not be entitled to receive assistance pursuant to its right of self-defense when subject to armed aggression from another zone in violation of a major purpose of the international agreement establishing it. In fact, the United Nations action in Korea and the major thrust of contemporary international law and the United Nations Charter strongly indicate that even a temporary zone in an internationally divided country has the right to request and receive assistance in self-defense. One of the major purposes of the United Nations Charter is to authorize collective measures for the suppression of acts of armed aggression, whether by United Nations action as such, or by collective assistance from individual states, until the United Nations is able to act. Moreover, clearly one state does not have the right under customary international law and the United Nations Charter to armed aggression against another. And since there are substantial expectations today that the D.R.V. and the R.V.N. are separate and independent states under international law, any armed aggression by the D. R. V. against the R. V. N. is in violation of a fundamental principle of customary international law and the United Nations Charter. But again, it is important to note that even if the D.R.V. and the R.V.N. did not qualify as separate states under international law, but were instead merely separate "temporary zones" not "qualifying politically" as states, it is still clear that armed aggression by the D.R.V. against the R.V.N. would violate the same fundamental principle of customary international law and the United Nations Charter in breaching by force the core of the international agreement that established them in a situation not authorized by self-defense. Aggression in these circumstances, whether against a state under international law or against a mere "temporary zone" not "qualifying politically as a state" is still violative of fundamental principles of the United Nations Charter.

A. THE REPUBLIC OF VIET NAM IS A RECOGNIZED STATE UNDER INTERNATIONAL LAW

The classical definition of a state under international law points to four factors, a people, a territory, a government, and capacity to enter into relations with other states. The Republic of Viet Nam meets all of these qualifications. It has a current population of approximately 15 million, administers a territory in Viet Nam south of the 17th parallel of approximately 66,000 square miles, has a widely recognized government, and has repeatedly been recognized as having capacity to enter into relations with other states. Similarly, at least since the Geneva Accords of 1954 the Democratic Republic of Viet Nam also meets these qualifications for statehood, although to a lesser extent with regard to international recognition. And although the R.V.N. and the D.R.V. qualify as states even under these restricted classical requirements, there have been instances in which political entities have been recognized as states in spite of difficulty in meeting one or more of these requirements as, for example, was the case with the State of Israel in 1948. In the final analysis, then, it is the expectations of the international community as manifested by their conduct toward a particular political entity which establishes its statehood. In this regard, probably the most important indicators of the expectations of the international community as to statehood are recognition and United Nations determinations. Thus it is said in Oppenheim, one of the leading international law treatises:

"In recognizing a new State as a member of the international community the existing States declare that in their opinion the new state fulfills the conditions of statehood as required by International Law."

In fact, this author asserts in unnecessary extreme that it is the act of recognition itself which creates statehood: "Recognition, while declaratory of an existing fact, is constitutive in its nature. Similarly, Article 10 of the Charter of the Organization of American States which is declaratory of the general international law in this respect provides: "Recognition implies that the State granting it accepts the personality of the new State, with all the rights and duties that international law prescribes for the two States.

In addition, as Professor O'Connell points out, United Nations determinations are also important indicators of statehood: ". . . the United Nations Charter allows membership only to States, and decision on membership would seem to be conclusive on the question of *de facto* Statehood." Moreover, Professor Briggs has written that: "[A] determination [by the General Assembly of the United Nations] that . . . [a state has] the capacity to accept and perform the obligations of the Charter is a recognition of . . .

statehood and international juridical capacity, whether or not . . . [it is] admitted to the United Nations. It should also be pointed out that there are essentially no major differences in consequences under international law whether recognition is *de facto* or *de jure*.

In the light of these general principles of international law the next sections will examine the international status of the Republic of Viet Nam and its predecessor governments and the Democratic Republic of Viet Nam. This examination will look at the international status of these communities prior to the Geneva Accords of 1954, will discuss the effect of the Geneva Accords on that status, and finally will examine their status today, nearly twelve years after the Geneva Accords.

STATUS PRIOR TO THE GENEVA ACCORDS OF 1954

Historically, the territory comprising all of Viet Nam has been divided between rival political factions or separate government units during a substantial part of its history. In the words of Anthony Eden: "Indo-China had no tradition of unity, and there was little in common between the rich south and the overpopulated north." In recent times, Viet Nam was composed of several French territories themselves in turn parts of the larger French Indo-China, which during the Second World War was largely controlled by the Japanese. Following World War II, pursuant to the Potsdam agreements of 1945, Viet Nam was divided at the 16th Parallel between the British and the Chinese commands for the purpose of accepting the surrender of the Japanese troops in Indo-China. During this brief period of occupation in 1945–46, the Chinese allowed the Democratic Republic of Viet Nam under Ho Chi Minh to become entrenched principally in North Viet Nam as the government of Viet Nam, while the British subsequently encouraged return of French colonial government beginning in South Viet Nam and moving North and which also claimed sovereignty to all of Viet Nam. Although territory both North and South has changed hands since then, at least from that time until the present, there have essentially been two separate governments in Viet Nam controlling different territories, developing along different ideological lines and both at least until recently, claiming sovereignty over all of Viet Nam.

In June 1948, the French High Commissioner for Indo-China signed a declaration recognizing the independence of the State of Viet Nam as an associated state within the French Union, and in 1949 and 1950 pursuant to the Elysee Agreement this status was achieved. Although the agreement did not effectively provide complete independence to the French recognized Boa Dai government at that time, it and subsequent French actions did create a substantial international status for the Bao Dai government which was in the next few years recognized by at least thirty states, a number which would grow to about thirty-five prior to the Geneva Accords. Pursuant to this legal status, the State of Viet Nam was given legal authority over many internal matters and was able to enter into some treaties in its own name. In particular, on June 18, 1952, it ratified the Treaty of Peace with Japan. And on November 5, 1952, it accepted the jurisdiction of the International Court of Justice with respect to disputes arising under this Japanese Peace Treaty, again in the name of the State of Viet Nam. Most importantly, however, in 1952 it was recognized as a state by the United Nations. Pursuant to a French draft resolution to admit the Bao Dai government of the State of Viet Nam to the United Nations, the Security Council on September 19, 1952, voted 10 to 1 in favor of admission. The Soviet Union cast the only vote against the resolution, but this negative vote by a permanent member of the Council prevented the adoption of the resolution. In response to this Soviet "veto," on December 21, 1952, the General Assembly of the United Nations adopted a resolution by a vote of 40 to 5 with 12 abstentions to the effect that the State of Viet Nam was a state qualified for membership in the United Nations, and calling on the Security Council to take note of this General Assembly determination. The resolution said in part:

"(The General Assembly) *Determines* that Vietnam is, in its judgment, a peace-loving state within the meaning of Article 4 of the Charter, is able and willing to carry out the Obligations of the Charter, and should therefore be admitted to membership in the United Nations * * *."

By this resolution, the United Nations recognized the Bao Dai government of the State of Viet Nam as representative of a state under international law. It should be pointed out that this recognition of the Bao Dai government of Viet Nam was made by the United Nations despite arguments by the Soviet Union that Ho Chi Minh's Democratic Republic of Viet Nam was the only government of Viet Nam entitled to admission to the United Nations. A Soviet draft resolution to this effect to admit the D.R.V. as the sole representative of the State of Viet Nam was rejected in the Security Council by vote of 10 to 1.

As further evidence of its international status at this time, the State of Viet Nam (the Bao Dai government) was a member of the United Nations Educational, Scientific and Cultural Organization, the Food and Agricultural Organization, the World Health Organization, the International Telecommunication Union, the International Labour Organization, the Universal Postal Union, and the Economic Commission for Asia and the Far East.

This substantial recognition by other nations of the world, membership in international organizations, conclusion of treaties in its own name, and United Nations recognition indicate that as early as 1952 the State of Viet Nam had substantial recognition as a state under international law.

This international status was further reinforced when in June, 1954 France signed a treaty with the State of Viet Nam which by its terms granted the State of Viet Nam complete independence as of June 4, 1954. Subsequent to the signing of this treaty but prior to the Geneva Accords, the leadership of the State of Viet Nam substantially passed from Bao Dai to Ngo Dinh Diem, who Bao Dai had appointed as the new Premier of the State of Viet Nam. Premier Diem formally organized his government on July 7, 1954. Thus prior to the Geneva Accords, there were some expectations that the State of Viet Nam was an independent state under international law and by the conclusion of the Conference the State of Viet Nam was recognized by about thirty five states. Moreover, at the Geneva Conference itself, the French made it clear to all concerned that the State of Viet Nam was legally independent and that France lacked the capacity to negotiate on its behalf.

The Democratic Republic of Viet Nam on the other hand could, prior to the Accords, also claim some right to be regarded as a state under international law, for at one time the French had concluded a treaty with the D.R.V. at least factually recognizing its existence, it had been recognized by the People's Republic of China, the Soviet Union and a number of East European nations, and it had formal diplomatic rélations at least with the People's Republic of China, although arguably under the classic test the statehood of the D.R.V. was not as clear as that of the State of Viet Nam. Perhaps an indication of the true state of international expectations prior to the Geneva Accords is indicated by the fact that Professor Lauterpacht, at one time a judge of the International Court of Justice, in a list apparently made prior to the Accords, listed both Viet-minh and Viet Nam as separate states under international law.

THE EFFECT OF THE GENEVA ACCORDS OF 1954

Nine states participated in some phase or another of the 1954 Geneva Conference on Indo-China. They were Great Britain, Cambodia, the Democratic Republic of Viet Nam (Viet-minh), France, Laos, the People's Republic of China, the Soviet Union, the State of Viet Nam, and the United States. It should be noted that both the D.R.V. and the State of Viet Nam were represented at the Conference, a factual recognition of the reality of two long separate and competing states in Viet Nam. The final products of the Conference, reached on July 21, 1954, are widely known as the Geneva Accords of 1954.

The Geneva Accords with respect to Viet Nam consisted of an Agreement on the Cessation of Hostilities, signed only by representatives of the Democratic Republic of Viet Nam and the French Union Forces in Indo-China, and an unsigned Final Declaration of the Conference. The Agreement On Cessation Of Hostilities which, as was indicated by the fact that it was signed, was the core of the Accords, provided principally for a military cease fire to be followed by a regroupment of opposing French Union and D.R.V. forces to the South and North respectively of a provisional military demarcation line, a limitation on the introduction of armaments and military personnel in order to prevent further conflict between the opposing forces, and the creation of an International Control Commission to supervise the execution of the agreement. Civil administration was to be in the hands of the party whose forces were regrouped in that zone pending general elections for the unification of Viet Nam. The Agreement on the Cessation of Hostilities was dated July 20, 1954. The Final Declaration of the Geneva Conference made on July 21, 1954, which reiterated the spirit of the cease fire agreement and which dealt in slightly more detail with the provisions for elections was signed by no one. It was orally approved, however, by all of the nine states attending the Conference except the United States and the State of Viet Nam each of whom made unilateral declarations of their own. The United States declared that it would refrain from the use of force to disturb the settlements, in accordance with its obligations under the United Nations Charter but would view any future aggression in violation of the agreements as seriously threatening peace and security. The United States also reiterated its position that "peoples are entitled to determine their own future, and that it will not join in an arrangement which would hinder this." The State of Viet Nam, toward which, as has been seen, there existed expectations that it was an independent state under international law at this time and which was not a party to the Accords protested them. In a final declaration which the Conference took note of, however, the State of Viet Nam pledged itself not to use force to resist the cease fire arrangements in spite of its general objections to those agreements.

Because the Agreement on the Cessation of Hostilities in Viet Nam referred to a "provisional military demarcation line," and "regrouping zones" pending general elections for the unification of Viet Nam, and the Final Declaration said:

"The Conference recognizes that the essential purpose of the Agreement relating to Viet Nam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary . . ."

Some have concluded that "under the Geneva Accords of 1954, South Viet Nam is merely a temporary zone not even qualifying politically as a state," and that aggression by North Viet Nam against South Viet Nam is merely a civil war, comparable even to the United States Civil War.

These conclusions are based on erroneous interpretations of the Geneva Accords. As has been seen, at the Conference, Viet Nam was represented by two states each claiming sovereignty to all of Viet Nam and each recognized as the only lawful government of Viet Nam by one or the other of the major opposing power blocs at the Conference. The Communist nations supported the credentials of the D.R.V., and the Western powers implicitly backed by the prior United Nations action supported those of the State of Viet Nam. Seen in context, then, this language as to provisional zones was intended to preserve the existing claims to sovereignty to all of a united Viet Nam by both the D.R.V. and the State of Viet Nam, and to indicate that the participants contemplated eventual unification of Viet Nam by free elections. This language was not intended to undercut the existing credentials of statehood of either of the contenders prior to unification. The participants at the Conference each wanted to avoid recognizing the government championed by the other side as a lawful government of any part of Viet Nam and each wanted to preserve the claims to sovereignty over all of Viet Nam of the government that they recognized. To say that the participants at the Conference intended to reduce the legal status of the particular government of Viet Nam that they recognized to that of a "temporary zone not qualifying politically as a state" is practically to state the opposite of what *both* sides intended. The declarations and actions of the parties before, during, and after the conference make this opposite interpretation evident.

Thus, the foreign ministers of the United States, France, the United Kingdom, and the Soviet Union, in a February 18, 1954 Berlin Resolution agreeing on the holding of the Geneva conference said:

"*It is understood* that neither the invitation to, nor the holding of, the above-mentioned Conference shall be deemed to imply diplomatic recognition in any case where it has not already been accorded."

After consultations between the French and Soviet delegations at the Conference, the list of nine participating states, including both the D.R.V. and the State of Viet Nam was agreed to but again subject to this nonrecognition provision of the Berlin Resolution.

Similarly, French Foreign Minister Bidault made it clear in the opening address at the proceedings on Viet Nam that:

"For France, there is a Viet Nam State of which the unity, territorial integrity and independence must be respected. With the presence at this Conference of a party which, in order to fight against this state, has organized armed forces, has been admitted as a necessity with a view to bringing about a cessation of hostilities, this presence must not be interpreted as implying on our side any kind of recognition . . . The elements of this solution depend, first and foremost, in our opinion, upon the opinion which will be expressed by the Government of Viet Nam."

And in a later address at the Conference he reiterated that:

"[T]here does exist a Government of the State of Viet Nam. That Government is the government of His Majesty, Bao Dai, which is recognized by thirty-five states, is a member of various international organizations, and which is represented here in the eyes of all those who have recognized it. This Government is fully and solely competent to commit Viet Nam. . . . The sovereignty and independence of Viet Nam are therefore recognized by France over the whole territory of Viet Nam. . . ."

Proposals made by both the State of Viet Nam and the D.R.V. at the Geneva Conference called explicitly or implicitly for recognition of the sovereignty of their particular government. And there is no indication in the records of the Conference in the *British Command Papers* or in the Accords themselves that the D.R.V. consented to relinquish its existing claims to statehood and sovereignty, at least over North Viet Nam, by signing the ceasefire agreement and acceding to to the Final Declaration. Certainly the State of Viet Nam which expressly objected to the Final Declaration and which had not even signed the cease fire agreement did not consent to have its status reduced from a recognized state under international law to that of a mere zone. And the same is apparently true with respect to the interpretations by all of the other participants in the conference with respect to the accords on Viet Nam. There can be no better evidence of this intention than by the subsequent interpretations on this point by the participants in the conference itself. As the comments to the *Harvard Research Draft Convention on The Law of Treaties* indicate:

"In interpreting a treaty, the conduct or action of the parties thereto cannot be ignored. If all the parties to a treaty execute it, or permit its execution, in a particular manner, that fact may reasonably be taken into account as indicative of the real intention of the parties or of the purpose which the instrument was designed to serve."

Similarly, Article 69 of the *International Law Commission 1964 Draft Articles On The Law Of Treaties* provides:

". . . There shall also be taken into account, [in the interpretation of treaties] together with the context: . . .

"(b) Any subsequent practice in the application of the treaty which clearly establishes the understanding of all the parties regarding its interpretation."

By way of subsequent conduct of the participants with respect to Viet Nam, the British government, one of the Co-Chairman of the Conference, said sometime after the Conference was concluded:

"The references in the title and text of this message to the "Democratic Republic of Viet Nam" do not involve any departure from the policy of her Majesty's government in recognizing, in accordance with their obligations under Article 12 of the Final Declaration of the Geneva Conference, the Government of the Republic of Vietnam as the only legal Government of Vietnam."

And, by way of further indication of this, the British Joint Parliamentary Under-Secretary of State for Foreign Affairs said in the House of Lords on June 25, 1957:

"The present division of Viet-Nam into two parts on either side of the 17th Parallel dates from the agreements reached at the Geneva Conference of 1954. In the North authority is vested in the so-called Government of the Democratic Republic of Viet-Nam resident in Hanoi. The South is administered from Saigon by the Government of the Republic of Viet Nam of which Ngo Dinh Diem is President. Her Majesty's Government recognizes the Government of the Republic of Viet-Nam as the sole Government entitled to represent the State of Viet-Nam in international affairs."

Similarly, in a dispute with respect to the maintenance of a United States consulate in Hanoi shortly after the Accords, both the D.R.V. and the United States seemed to interpret the Accords as preserving the statehood of the governments of the D.R.V. and the Republic of Viet Nam respectively. Later statements by the Soviet Union delegates to the United Nations are consistent with the retention of claims to statehood by the governments concerned. In fact, although it is always difficult to prove the negative, a cursory but conscientious search indicates that none of the participants in the Geneva discussions on Viet Nam ever put forth the interpretation that under the Geneva Accords the D.R.V. and the R.V.N. were both merely "temporary zones not qualifying as states." In the face of the uncontradicted evidence of what the participants actually intended by the Geneva Accords such assertions of loss of statehood are untenable.

Certainly the participants in the Conference intended, at least by the language of the agreements, that Viet Nam be unified by free elections under one or the other of the competing governments variously recognized by the two sides. This, however, is quite a different intent from that of reducing the statehood of the D.R.V. and the R.V.N. to "temporary zones not qualifying as states." It is principally this intent that Viet Nam be unified by free election which is expressed by the "provisional zones" language in the accords. To suggest, however, from this intent that aggression by the D.R.V. against the R.V.N. is merely a "civil war" even comparable to the United States Civil War is to ignore the crucial fact, among others, that the central purpose of the internationally drawn provisional demarcation line in Viet Nam was for a military cease fire making aggression across that line unlawful. If nothing else, the two zones were at least intended as separate international entities with respect to the lawfulness of the use of force by one zone against the other. Consequently, *even if* the D.R.V. and the R.V.N. were not today two *separate* states, aggression by the D.R.V. against the R.V.N. is a fundamental breach of the Geneva Accords entitling the R.V.N. to the appropriate corresponding right of self-defense. Since this point has often been ignored, it bears emphasizing that even if this were a "civil war" in Viet Nam in the sense that there were no current expectations that two independent and separate states exist today in Viet Nam, nevertheless, the fact that armed aggression by the D.R.V. against the R.V.N. is in fundamental breach of an internationally drawn cease-fire line makes the legal consequences radically different from those attending a "civil war." As Professor Quincy Wright pointed out in the 1959 Proceedings of the American Society of International Law:

"Another complication may result from the protracted functioning of a cease-fire or armistice line within the territory of a state. While hostilities across such a line by the government in control of one side, claiming title to rule the entire state, seems on its face to be civil strife, if such lines have been long continued and widely recognized, as have those in Germany, Palestine, Kashmir, Korea, Viet Nam and the Straits of Formosa, they assume the character of international boundaries. Hostilities across them immediately constitute breaches of international peace, and justify "collective defense" measures by allies or friends of the attacked government, or "collective security" measures by the United Nations. If this were not so, armistice and cease-fire lines would have no meaning at all. . . ."

The United Nations action in Korea lends support to this distinction. Moreover, it cannot be validly maintained that the military demarcation line pursuant to the Geneva Accords no longer has validity in Viet Nam. For both the D.R.V. and the R.V.N. regard the Accords as having continuing legal validity and continue to make complaints to the International Control Commission. Furthermore, the decisions and continued functioning of the International Control Commission long after the July 1956 failure to hold elections also indicates the continuing legal validity of the internationally set demarcation line in Viet Nam. In addition, apparently all parties concerned regard the Accords at least as the beginning point of any current settlement, and the general international community attitude bears out this expectation that the demarcation line is of continuing validity today. This continuing legal validity of the demarcation line in Viet Nam is consistent with the stated United States policy not to attack the integrity of the D.R.V. as a territorial or political entity, but simply to induce the D.R.V. to halt its armed aggression against the R.V.N.

The nearly ten years of separate development of the D.R.V. and the R.V.N. along different ideological lines after the date set for elections had come and gone indicates that the cease fire line established by the Geneva Accords in fact created continuing expectations of an international boundary between the D.R.V. and the R.V.N. The actions of the D.R.V. in continuing attempts to conceal their military direction and assistance with respect to the N.L.F., rather than openly admitting that the attack on the R.V.N. includes elements of the PAVN army, also provides some indication that the D.R.V. regards the cease fire line as a valid international demarcation line with respect to the employment of force across that line, and that they regard the use of force by the D.R.V. against the R.V.N. as something other than "civil strife."

Although some have argued that assistance even to the recognized government in a "civil war" should be outlawed because of the danger of civil strife escalating to international war, the same argument would appear to apply even more strongly with respect to the use of force by the D.R.V. across what is at least a factual international cease-fire line dividing the major contending ideological systems in the World today. And once significant outside armed aggression takes place across such a line against the established government, certainly the situation should give rise to appropriate rights of self-defense.

It should also be pointed out that there is no indication in the Accords themselves that they would cease to function should elections not be held. In the light of the complete lack of evidence of such an intent in the Accords and of the continuing evidence of expectations to the contrary this interpretation would be unwarranted. And it should be remembered that any argument depending on the cessation of the effect of the Geneva Accords because elections were not held would cut both ways. Under such a theory presumably it would also be a "civil war" should the R.V.N. openly invade the North even in some hypothetical situation in which they had no provocation. It is doubtful that in these circumstances the nations supporting the D.R.V. would be inclined to accept the "civil war" label and in any event this also would be too disruptive of minimum world public order. Consequently, such a theory of the expiration of the Geneva Accords when elections were not held would seem neither realistic nor attractive.

Moreover, despite the language of the Accords there are some indications that at least some of the participants at the Geneva Conference were aware that the Accords might result in indefinitely partitioning Viet Nam until genuinely free elections could be held. Anthony Eden's memoirs indicate his feelings in 1954 that the partition of Viet Nam was the best solution. In fact, in view of the German and Korean experiences partition seems a somewhat drastic way to arrange a cease fire and election if that was all that was contemplated by the parties. Moreover, the Accords are not notoriously heavy in election provisions, mentioning them only in a rather airy fashion. It was clear that the Conference had not come to grips with the key election problem in any meaningful way in 1954. With this background, it may well be that the participants at the Conference were not particularly surprised when elections were not held in 1956.

In summary, the proponents of the view that the use of the military instrument by the D.R.V. against the R.V.N. is a "civil war" must establish not only that factually the Accords did not establish an international demarcation line creating expectations of two spearate international entities in Viet Nam today, but also that the military cease fire line of the Accords had ceased to have legal validity prior to the D.R.V. aggression against the R.V.N., a result which does not automatically follow from a mere recitation of the language in the Accords to the effect that "the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary." For even if the line was not originally intended as a political or territorial boundary this does not mean that the cease-fire line itself, a major purpose of the Accords, is of no validity today on the issue of military aggression across that line.

The use of the military instrument by the D.R.V. against the R.V.N., then, is clearly not analogous to "civil strife" either for the purpose of assessing the lawfulness of that use or for the purpose of assessing the lawfulness of the reponding assistance to the R.V.N. This is so both because of the existence of substantial expectations today that the D.R.V. and the R.V.N. are separate and independent states under international law and in the existence of an international cease-fire line in Viet Nam violated by armed aggression of the D.R.V. against the R.V.N. The "civil strife" label, then, ignores the essence of the Geneva Accords in preference to a facile verbalism. Also, of course, the United States Civil War analogy is non-comparable, among other reasons because the "Hanoi regime is anything but the legitimate government of a unified country in which the South is rebelling against lawful national authority."

With respect to the effect of the 1954 Geneva Accords on the status as states of both the State of Viet Nam and the D.R.V., the Accords in no way lessened the established status of the State of Viet Nam or the existing claims of the D.R.V. Instead, they could only have strengthened the claims to statehood of the competing governments, particularly the seemingly weaker claims of the D.R.V., since the reality of the settlement was that the two governments had acquired, even if intended to be temporary, relatively fixed and separate territories and had participated in an important international conference even though that participation did not technically result in recognition of their asserted statehood by the countries of the opposing bloc.

In the nearly twelve years following the Geneva Accords, this reality of two separate and independent states in Viet Nam has become increasingly clear.

SENATOR RANDOLPH LEADS IN AID FOR THE BLIND

Mr. BYRD of West Virginia. Mr. President, my distinguished senatorial colleague from the State of West Virginia, Mr. RANDOLPH, has accomplished a great many noteworthy deeds in his career as an educator, businessman, and legislator—but none is more deserving of recognition and expression of public appreciation than is his effort to promote programs to benefit the blind.

We here in the United States are fortunate that our standard of living and advanced knowledge of health practices have greatly reduced blindness among our citizens, for elsewhere in the world more than 500 million people—more than one-sixth of the world's population—are becoming blind from the ravages of just one eye disease alone—trachoma. And rehabilitative care, helping the blind to help themselves, is unknown.

Nonetheless, our Nation is still faced with the heartache that comes from lack of sight for more of its citizens than we generally may realize—from ravages of infectious diseases, industrial and traffic accidents, eye organic malfunctions, and other similar causes. And blindness has all too often been the cause of poverty for its victims, so that it becomes a part of a vicious cycle which prevents the stricken from developing their other potentialities—often very great indeed—to compensate for their loss of physical vision.

Successful attacks on this cycle serve not only to improve the personal lives of the blind, but they also add to the general level of economic advancement in our Nation by saving some of our precious national resources—the creativity and productiveness of many of our citizens. Through the constructive efforts of persons such as JENNINGS RANDOLPH, programs have been instituted at private, civic, State, and Federal levels to alleviate some of the problems of the blind of the United States.

Senator RANDOLPH's deeds in this humanitarian area were reported in a recent article in the Gazette-Mail, Charleston, W. Va., on June 19, and I feel that the Members of this body will want to know more about his record of labors in behalf of sightless Americans.

I ask unanimous consent that this newspaper article be printed in the RECORD.

There being no objection, the newspaper article was ordered to be printed in the RECORD, as follows:

[From the Gazette-Mail, June 19, 1966]

LEADER IN AID FOR BLIND NEARLY AFFLICTED HIMSELF

(By Robert D. Horan)

"The plight of the sightless has been a paramount concern of mine, and now I have seen it first hand. But I never felt sorry for myself. Above all else, I learned previously the blind don't feel sorry for themselves, and now I know it."

These are the words of a man responsible for legislation which has assisted thousands of sightless persons in the United States and enabled them to be self sustaining, independent businessmen.

JENNINGS RANDOLPH, cosponsor of a bill in the mid-1930s to aid the sightless, ironically came close to blindness himself 40 years after he embarked on a lifetime program of helping the blind to help themselves.

On the eve of the 30th anniversary of the Randolph-Sheppard Act, Sen. RANDOLPH, D-W. Va., still actively working for the blind, said:

"We've been working just the past few days on an appropriation for the blind program."

The Randolph-Sheppard Act was a far reaching piece of legislation, and its results are seen daily in government buildings, private buildings and industry.

It was that act which authorized the operation of vending stands in federal buildings.

It was slow going at first. In 1937, there were 170 stands in federal buildings with average net earnings of $500 a year for the operator. But the program caught on, and last year, there were 2,575 stands in the country, employing 2,806 persons with an average net income of $4,716 per operator. Gross sales were $59,372,192.

Projections are even more phenomenal. Dr. D. C. MacFarland, chief of the division of services to the blind of the Department of Health, Education and Welfare, said a survey shows that by 1970, the program will grow to a gross volume business of $100 million, with a maximum potential of $150 million by 1975.

The modern concept of vending stands reportedly started about 1895 in some industrial plants, but were mostly haphazard because of the almost universal installation of poor equipment and of inadequate stocks, and most failed as rapidly as they were started.

Several attempts were made in the next few decades to provide a workable program whereby the blind could operate vending stands.

It wasn't until June 20, 1934, that such a plan was placed into action.

RANDOLPH, then a freshman congressman from the old Second District, asked the late Sen. Morris Sheppard, D-Tex., to join him in sponsoring an act providing for vending stands in federal buildings to be operated by the blind; survey opportunities for the blind to do the same in industry, and obtain information to assist blind persons to obtain employment.

From this foundation grew the program which, for thousands of sightless persons, meant a steady income and a worthwhile and satisfying existence.

Senator RANDOLPH said he first became interested in the blind when he became a member of the Lions Club in June, 1924, while he was a member of the news staff of the Clarksburg Daily Telegram.

"Lions International traditionally has had as its primary project, assistance to the blind," he said. "The project they had appealed to me as a young man. I've never relinquished my active membership."

It was in March, 1964, that the senator realized in a very personal way how valuable work for the sightless is. He suffered a detached retina, was hospitalized, underwent surgery, then regained his full sight.

"For many weeks, I quietly reflected," he said. "You know, you get busy and don't pay too much attention as the world goes on. But when something slows you down, and you're in the dark, you have much time to think. It gives you a sense of values that maybe you don't have in a day-by-day job."

The senator is reluctant to talk about the relation of his problem with the work he has done for the sightless. He prefers to talk about the blind and the program for them.

"The blind, you know, are very gifted people," he said. "They have made a tremendous contribution by proving that this handicap, which is supposed to place a person out of the main stream of society and more or less sit him down in a chair, does not prevent them from becoming business rich. There are so many skills of the blind. They have a very real sensitivity. They are able to perform so many creative tasks."

Speaking of the Randolph-Sheppard Act, he said, "It has just been a source of real satisfaction to me to help a group of our people who have helped themselves. There were some doubters at the beginning that this program would function successfully. I never had any fear that the blind couldn't, with training do these managerial jobs, and meet the public and be a success.

"They have become producing citizens. They are taxpayers. They are leaders in community programs. They feel a sense of belonging, and have been able to make substantial salaries," he added.

One example—James Dobbs who has operated a stand in a federal government building, in Washington for 23 years, made $8,000 last year. One of his three children, Daniel, will enter the University of Miami this fall.

The original act has undergone a series of changes.

One of the more significant occurred while RANDOLPH was an executive for Capital Airlines. That was in 1954, when the act was amended to permit the Vocational Rehabilitation Administration to participate in the vending stand program by providing matching funds for the purchase of new stands and acquisition of initial stocks.

The act also changed the words "federal buildings" to federal properties, setting forth a preference for the blind in the operation of vending stands on federal property. Although not in Congress at the time, RANDOLPH was consulted before the changes were made and gave information and assistance.

"I have never been out of touch with the program and the amendments," he said.

RANDOLPH was extremely active in the most recent, far-sighted development. Under the 1965 Vocational Rehabilitation amendments, provision was made for the first time to permit the administration to match federal funds with state agency funds used for matching services.

Starting July 1, the amendment goes into effect on a matching ratio of three to one.

Monday, RANDOLPH will be given a testimonial luncheon by the Washington Lions Club. On hand will be Secretary of Health, Education and Welfare John W. Gardner, and Leonard Robinson, a blind person who assisted in providing information for the writing of the Randolph-Sheppard Act. Robinson is an employe of the federal government in Washington.

Also scheduled to be present is Dr. J. E. Blaydes Sr. of Bluefield.

While RANDOLPH was president of the West Virginia Lions district in 1931, a major project was transporting blind children from the West Virginia School for the Deaf and Blind to Bluefield, where Dr. Blaydes performed operations on them without charge. He restored sight to some of the children, RANDOLPH said.

RANDOLPH concluded, "The years roll on. You never know when you work at something in your youth whether the problem you try to solve for others will come back to affect you."

DAV DAY ON THE HILL

Mr. BYRD of West Virginia. Mr. President, the "DAV Day on the Hill" observation on June 16 was most appropriately undertaken, and I wish to add my remarks to those of Senator YARBOROUGH and Senator DOMINICK, the Senate sponsors, and others. Senator YARBOROUGH's efforts for the disabled veterans are unceasing. This year's cold war GI bill is a tribute to his perseverance, and just this month he was a great help in getting my bill (S. 1199) through the Senate. This bill, now awaiting House action, proposes the liberalization of the provisions providing grants toward the purchase of automobiles for disabled veterans.

I wish to express my good wishes to DAV National Commander Claude L. Callegary. I feel that we are, in a way, kindred spirits. Both of us had rather extended and unusual interruptions in our educations. Mr. Callegary was forced to leave school at the seventh grade in the 1930's, but studied for his high school diploma in an Army hospital during World War II and went on to college and law school. He epitomizes the statement the late President Kennedy made of the DAV:

> Your experience in the crucible of war has strengthened your sense of responsibility so that others may look to you with trust. And your example continues to inspire all Americans physically handicapped, both veteran and nonveteran.

I also note that the founder of the DAV in 1919, the late Robert S. Marx, was a distinguished jurist from Cincinnati, Ohio, and that he made possible the law library which bears his name at the University of Cincinnati.

The Disabled American Veterans organization was granted a charter 34 years ago this June. This was a fitting reward for the service this organization has rendered to the disabled veteran, his widow, and his orphan. Since the grant of the charter in 1932, the DAV work for the disabled veteran has intensified in scope and significance.

The main thrust of DAV activities over the years has centered on legislation and services to assist wartime disabled and their dependents. The problem of keeping our veterans' legislation up to date and responsive to changing needs is a difficult task. My bill which passed the Senate earlier this month is illustrative. It not only extends the grant provision for automobiles to Vietnam veterans—service after January 31, 1955—who have suffered serious service-connected disabilities but it also reopens this provision to World War II and Korean war veterans who had failed to make timely application under the old law.

I note that DAV legislative goals for this year are varied—seven in the field of compensation, one concerning education and training, two regarding hospitalization and outpatient treatment, and four in the fields of employment and civil service. Over the years I have worked closely with the 1,700 DAV's in West Virginia, and the association has been mutually beneficial. Only by working together can we keep our veterans' laws current so that they apply equitably to changing conditions. The efforts of this disabled veterans' organization are already reflected indelibly in title 38 of the United States Code, and we in Congress solicit the continued assistance of its officers and members in future legislation.

I wish to express commendation to the DAV for the effective services provided to disabled veterans and their dependents and survivors. The organization now has a staff of 150 professionally trained service officers, all of whom are disabled veterans. They are stationed throughout the country to aid the disabled veterans in matters of employment, compensation, hospitalization, home loans, education and all the other vital matters that affect his welfare. Statistics for the last 6 months of 1965 testify to the magnitude of DAV efforts. I am advised that during this period the organization's national service program handled 40,742 cases which provided more than $55.5 million in benefits to disabled veterans, and its staff in this period reviewed 115,662 VA claims, made 56,215 appearances before rating boards, and prepared 30,926 briefs. In West Virginia, the national service officer in Huntington processed 2,600 claims worth $1,400,000 in fiscal 1966. This is indeed an outstanding accomplishment.

Let me once again thank the sponsors for providing an opportunity for special recognition of this organization's effective work. I wish the Disabled American Veterans many more anniversaries in the future in commemoration of its devotion to the welfare of our Nation's disabled former servicemen.

WEST VIRGINIA HEMLOCKS

Mr. BYRD of West Virginia. Mr. President, with the growing appreciation in our country for untouched natural beauty, I would offer for the Senate's enjoyment a report of the efforts being made in West Virginia to preserve a tract of virgin hemlock trees.

The tract is located near Spruce Knob in Pendleton County.

A report on this effort appeared in the June 9 edition of the Pendleton Times of Franklin, W. Va.

I ask unanimous consent to have the newspaper article printed in the Record.

There being no objection the article was ordered to be printed in the Record, as follows:

Giant Hemlocks To Be Preserved—Pendleton Forest Will Be Sanctuary

Morgantown.—A land of giant trees resembling the redwood forests of coastal California is being preserved in eastern West Virginia.

West Virginia University Agronomist Dr. Willem van Eck said today that the state chapter of The Nature Conservancy has bought a 59-acre tract of virgin timber near Spruce Knob in Pendleton County, the highest point in the Mountain State.

Dr. van Eck, who has been project leader for the purchase of the forest tract, said the area was obtained at a recent auction of the Fanny Bennett farm near Cherry Grove. Comprising about one-third of the 188-acre farm, the land was purchased through the efforts of Dr. van Eck with the assistance of Ephe M. Oliver, superintendent of the Monongahela National Forest, and Mrs. John Paul Jones of Fairmont, active in garden clubs in Marion County and interested in preserving the state's natural areas.

Dr. van Eck said the Pendleton County woodland creates a feeling of being in the midst of majestic California redwood forests. He said over half of the West Virginia tract is comprised of virgin hemlock with some having a diameter more than three feet. Thirty-five trees are more than two and one-half feet in diameter. Other large native trees in the forest include white, red and chestnut oaks, sugar maple, white pine, red spruce, wild cherry, ash, and yellow birch.

The professor said the Pendleton forest, contrary to the virgin hemlock in Cathedral State Forest, is vigorous and growing. He added that the trees on the Bennett Farm also have obtained a greater height. Having never been cut nor burned, the forest contains nearly one-half million board feet of timber.

The preservation of this eastern U.S. wonderland originated with an idea by Leon Wilson of Wilson and Weaver Consultant Foresters in Petersburg. Wilson feels this tract is the most beautiful, impressive, and scenic virgin timber stand in the eastern United States.

After surveying and appraising the farm following Fanny Bennett's death earlier this year, Wilson contacted the Nature Conservancy about the possibility of their obtaining the 59-acre tract of woods. The group was immediately interested and later became highest bidder for the land. As a memorial to the former owner, the preserved area has been named The Fanny Bennett Hemlock Tract.

Open to the public for study and recreation, the forest is located 2.2 miles west of Route 28 at Cherry Grove on the Saw Mill Run Road going toward Spruce Knob. The woods are situated where the road crosses the stream of Saw Mill Run. One of about a half dozen virgin hemlock stands remaining, it offers recreational and scientific research facilities for future generations.

The West Virginia chapter of The Nature Conservancy, which has national headquarters in Washington, D.C., was established in 1963. Organized to preserve the natural and scenic wonders of the Mountain State, the group had its beginnings at WVU when a committee was formed to preserve the Cranesville Swamp area in Preston County. The organization is a nonprofit group that is actively engaged in the preservation of wild areas through purchases, gifts, and bequests.

In addition to the Cranesville Swamp and the Bennett tract, other projects include seven acres of virgin timber adjacent to Cathedral State Forest, the 160-acre Old Hemlock Farm near Brandanville in Preston County, and the 70-acre geologic "rock city" oddity of Bear Town in southern Pocahontas County.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there any further morning business? If not, morning business is concluded.

THE REMOVAL OF A RESTRICTION ON CERTAIN REAL PROPERTY HERETOFORE CONVEYED TO THE STATE OF CALIFORNIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 1582) to remove a restriction on certain real property heretofore conveyed to the State of California.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, notwithstanding the provisions of section 3 of rule VIII, the Senator from Wisconsin [Mr. Proxmire] be permitted to proceed for 8 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CONSUMER PRICES STAY DOWN; FARMER DESERVES CREDIT

Mr. PROXMIRE. Mr. President, this morning's newspapers report that the rise in the cost of living last month was only one-tenth of 1 percent. Most statisticians would call this statistically insignificant—that is, that the rise is so slight that it could very easily be accounted for by a minor statistical error or even by a rounding of figures to the nearest decimal.

The stability in consumer prices last month is mighty good news for many reasons. It certainly should mean that the need for an anti-inflationary tax hike is dead. And, of course, it also means that the American housewife was able to buy for the family last month without a big increase in prices.

The hero of this situation is the farmer, because food prices dropped six-tenths of 1 percent last month, and virtually all alone offset other increases in the cost of living, including an eight-tenths of 1 percent increase in medical care and a seven-tenths of 1 percent increase in the cost of apparel and upkeep.

Let me remind the Senate that between 1950 and 1964, the American consumer increased his per capita expenditure on food from $274 to $363, or by $89. In 1950, the farmer received $116 of the $274 spent; in 1964 he received $117 of the $363 spent. The statistics of the Department of Agriculture show that the farmer received exactly 1 dollar—1 dollar—of the $89 increase.

Mr. President, the tragic drop in farm income in the past couple of months to a situation where the farmer is once again receiving only 78 percent of parity is the reason why the American housewife last month suffered no inflation. The farmer was responsible for holding down the cost of living last month—but those off the farm should ask whether the injustice to the farmer in the low prices he is receiving makes it fair to put the entire burden for price stability on him.

I ask unanimous consent to have printed in the Record at this point an article published in this morning's New York Times, reporting the price statistical situation for last month.

I also ask unanimous consent to have printed in the Record a release on the Consumer Price Index for May from the Department of Labor.

There being no objection, the article and release were ordered to be printed in the Record, as follows:

[From the New York Times, June 22, 1966]

Consumer Prices Edge Up Slightly

(By Edwin L. Dale, Jr.)

Washington, June 21.—The recent steep increases in consumer prices moderated in May, the Labor Department reported today.

With food prices down and many other prices up, the Consumer Price Index for the month rose one-tenth of 1 per cent, far less than the increases in the preceding three months, which averaged five-tenths of a per cent.

The May index was 112.6, with average prices in the years 1957–59 taken as 100. This meant it took $112.60 last month to buy the same goods and services that cost $100 in the base period. The April index was 112.5.

The big change in May was a turnaround in food prices, led by meat. The index for food had soared from 109.7 last November to 114.0 in April. The May food index was down to 113.5, as meat prices dropped by 1.5 per cent and some fruits and vegetables also declined.

SERVICE COSTS RISE

There was no halt last month, however, in the steady upward movement of many other prices, particularly in services. Among the upward changes were mortgage interest rates, the cost of baby sitters, many home repairs, medical care, haircuts, cigarettes, women's summer dresses, shoes and furniture.

Once again the sector of consumer durable goods, led by automobiles, was essentially stable, with new car prices declining a little and used car prices rising a little. Prices for new cars and for household appliances are actually below the 1957–59 base period.

Arnold E. Chase, Assistant Commissioner of Labor Statistics, said "I really cannot tell" whether consumer prices had returned to a more normal condition of very small monthly increases, after the spurt earlier this year and late last year.

He did point out, however, that some increase in the index could be expected in June, if only because it had risen in that month every year for the last 10 years.

Some leveling in the Consumer Price Index had been foreshadowed by stability in average wholesale prices since February. Once again this has been a mixture of declining food prices offset by continued increases of from two-tenths to four-tenths of a per cent a month in the nonfood area.

Although one month does not make a trend, the slowing of the increase in the Consumer Price Index added another element in the scales weighing against an anti-inflation tax increase. Other economic indicators have also showed a distinct moderation of the pace of the boom since the end of March.

However, a former Secretary of the Treasury disclosed today that he still believed a tax increase was the right medicine for the economy—and had thought so for nearly a year. Douglas Dillon, a Republican who served as Secretary in the Kennedy and Johnson Cabinets, testified before the Senate Foreign Relations Committee, chiefly on foreign policy matters. He gave his views on a tax increase in response to questions.

PAY RISES EXPENDED

The Consumer Price Index for May was 2.7 per cent higher than a year earlier. A companion report showed that this increase in prices, together with the increase in Social Security taxes that took effect the beginning of this year, had more than eaten up the $3.70-weekly pay rise of the average factory worker with three dependents over that period.

Thus, his "real" spendable earnings were 18 cents less last month than a year earlier. This situation is building up pressure for large labor wage demands in the numerous contract negotiations that are coming up next year.

The May index, combined with those for earlier months, brought automatic pay increases of up to five cents an hour for about 206,000 workers with cost-of-living escalator contracts.

[News from U.S. Department of Labor, Bureau of Labor Statistics, June 21, 1966]

CONSUMER PRICE INDEX FOR MAY 1966

The Consumer Price Index rose by 0.1 percent in May, the United States Department of Labor's Bureau of Labor Statistics announced today. The increase was caused mostly by higher costs of homeownership, furniture, women's apparel, medical care, and cigarettes. Average prices of foods in grocery stores dropped 0.6 percent. At 112.6 percent of its 1957–59 average, the index was 2.7 percent above a year ago.

PRICE CHANGES, APRIL–MAY 1966

Charges for consumer services went up by an average of 0.3 percent in May. The most significant increases were for mortgage interest rates, doctors' and dentists' fees, hospital service charges, domestic service, house repairs, and barber and beauty shops. Services of all types account for more than a third of the typical family budget.

Apparel and footwear prices continued to rise more than seasonally, especially for women's apparel, which advanced by 1 percent as summer lines came on the market at prices higher than at the end of the season last year. Cigarette prices continued to rise at retail in response to recent factory price hikes. Used car prices were up only 0.1 percent in May, considerably less than the usual advance over April. Prices of new cars declined 0.4 percent.

The drop in food prices was the first since September 1965. Meat prices declined 1½ percent in May, when increased supplies of pork put downward pressure on prices of both pork and beef cuts. Poultry and egg prices also dropped, as supplies became more plentiful.

Fruit and vegetable prices, which usually rise at this season, fell in May because of sharp price declines for cucumbers and green peppers. However, potato and onion prices increased substantially when unfavorable weather conditions in the South and Southwest reduced available supplies. Prices of apples and oranges rose seasonally.

PRICE, TRENDS, MAY 1965–MAY 1966

Higher food prices and increased charges for consumer services have been responsible for most of the rise in living costs over the past year. In spite of their recent decline, meat prices in May still averaged 15 percent higher than a year ago, and poultry prices were up by nearly 10 percent. Egg prices also stood 13 percent above a year ago in May, and prices of dairy products were 5 percent higher. On the other hand, consumers were paying 5½ percent less for fresh fruits and vegetables this year, primarily because of an 11 percent drop in average prices of fresh vegetables.

Charges have increased by an average of about 3½ percent for all kinds of consumer services since May 1965. The largest increase—nearly 4½ percent—has been for medical care services. Advances for household, transportation, and other kinds of services have ranged from 3½ to 4 percent.

Apparel prices have gone up by 2.3 percent over the past year, to a considerable extent because of a 6 percent rise in footwear. Prices of consumer durables, on the other hand, were lower than a year ago, as the result of last summer's Federal excise tax cuts and a 3 percent decrease in used car prices.

COST-OF-LIVING ADJUSTMENTS

About 206,000 workers will receive cost-of-living wage increases based on the May Consumer Price Index. Some 95,000 employees of aerospace firms will receive 3 cents an hour as a result of the rise in the national index since February, and 75,000 meatpacking workers will receive 5 cents an hour based on the change since November 1965. Other workers will receive increases ranging from ½ cent to 6 cents an hour.

DEPARTMENT OF AGRICULTURE CALLS FOR PERMANENT SCHOOL MILK PROGRAM

Mr. PROXMIRE. Mr. President, I am delighted to be able to direct the Senate's attention to a statement made yesterday by Secretary of Agriculture Freeman before the Senate Committee on Agriculture and Forestry which indicates the Department's complete support for the special milk program for schoolchildren.

The subject for discussion was the Child Nutrition bill of the Senator from Louisiana [Mr. ELLENDER]. This legislation among other provisions, would extend the school milk program for an additional 4 years and place a $100 million ceiling on the amount authorized to be appropriated for the program. The Proxmire bill, on the other hand, would make the school milk program permanent and set the appropriation levels at not less than $110 million for fiscal 1967, $115 million for fiscal 1968 and $120 million for fiscal 1969 and thereafter.

The Secretary of Agriculture suggested an approach which is wonderful news to the supporters of the school milk program in its present form. He suggested that the Ellender proposal be amended to remove the 4-year limitation and make the program permanent. He also supported the removal of the $100 million limit on authorizations.

Of course, this expression of support for the program is very gratifying to me. I am sure that it is most pleasing to my 67 Senate colleagues who joined with me in sponsoring legislation to make the school milk program permanent.

Secretary Freeman deserves the heartfelt thanks of parents, teachers, schoolchildren, and dairy farmers for his strong support of the program. As a former Governor of Minnesota he has a deep understanding of the problems faced by the dairy industry. As Secretary of Agriculture he knows how beneficial the school milk program has been to the Nation's schoolchildren. The administration's decision to back the school milk program 100 percent demonstrates both Secretary Freeman's and President Johnson's deep concern over the continued health of the Nation's schoolchildren as well as the farm sector of the economy.

THE WEST FRONT OF THE CAPITOL

Mr. PROXMIRE. Mr. President, last Friday the Committee on Extension of the Capitol recommended a $34 million expenditure to extend the west front of the Capitol. Friday afternoon, under the chairmanship of the Senator from Oklahoma [Mr. MONRONEY], the Legislative Subcommittee of the Appropriations Committee held hearings. This issue came before the subcommittee because the budget of the Architect of the Capitol was before it.

At that time, both the Senator from Oklahoma [Mr. MONRONEY] and I indicated our concern with this expenditure and criticized it. We pointed out some of the serious problems involved, including the question of whether the Capitol needed more space, particularly for restaurants, which are already losing money, and whether it would not be far more economical and practical to provide for modern construction of the walls of the west front.

At that time, the Architect testified that it would cost almost as much money—$31 million to $34 million—to prop up the west walls.

Mr. President, I wish to call attention to an article which appeared in Time magazine, which was called to my attention by a constituent. The article makes reference to a new $32 million hotel, one of the most beautiful hotels in the world.

This hotel has been constructed in Los Angeles. It is the Century Plaza Hotel, an 800-room hotel, which opened last week. As Time magazine states, the Century Plaza Hotel has no fewer than 32 shops, 7 restaurants and bars, and many attractive and exciting features. Guests' rooms all have colored TV, roomwide balconies that are 6 feet deep, built-in bars with ice machines, and electric blankets. There is also a dining room on the mezzanine floor; and, for conventioneers, there is the immense 24,000 square-foot Los Angeles ballroom.

Mr. President, the point is that this entire hotel, consisting of 800 of the fanciest rooms anywhere, cost only $32 million. The Architect of the Capitol says that it would cost up to $34 million to extend the west front, and practically the same amount to shore up its walls. Now, I ask my colleagues, consider this comparison—a magnificent 800-room luxury hotel costing $32 million. Why on earth should it cost more simply to shore up a few feet of wall? The only answer is that the Architect of the Capitol and the committee that recommended this has a contempt for money.

I submit that the statement made by the president of the American Institute of Architects to me, which I related to the Senate yesterday, that this could be done for far, far less makes sense; and it is indeed an insult to the intelligence of Congress to say that we have to spend $34 million simply to shore up the west walls.

The job can be done more efficiently, and we can retain the magnificent Capitol revered by so many Americans, and properly so, as one of the great architectural achievements of this Nation.

Mr. President, I ask unanimous consent to have printed in the RECORD the article which appeared in Time magazine relating to the Century Plaza Hotel.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CITY—THE PRESTIGE ACROPOLIS

Mustang after Mustang rolled down the Avenue of the Stars and up the gently curving driveway, past a sparkling fountain, to halt beneath the porte-cochere. On hand to help the guests alight were doormen rigged out in Beefeater suits. Inside, phalanxes of blonde, straight-haired teen-agers, wearing tight pants and no shoes, padded noiselessly through the vast, thickly carpeted lobby. Standing by the automatic elevators were delicately feminine Japanese starters in long kimonos and obi sashes.

"Coming to a hotel," says Architect Minoru Yamasaki (Time cover, Jan. 18, 1963), "should be an event, a fun thing." His new $32 million, 800-room Century Plaza Hotel, which opened last week in Los Angeles, is all of that and more. To begin with, there is the hotel's distinctive shape. To eliminate endless vistas down straight corridors, Yamasaki designed the hotel as a curved slab, 400 ft. long. In most new hotels, ballrooms, restaurants and shops are housed aboveground in a massive and ungainly block; Yamasaki placed them beneath notice, underground, along with a 1,000-car garage, so that the gracefully balconied slab rises cleanly from the ground.

BURIED BALLROOM

The hotel has no fewer than 32 shops and seven restaurants and bars, including the dimly lit Hong Kong Bar, with its bead-curtained alcoves, and the Spanish-style Granada Grill, with arched doorways and central fountain. In front, guests can wander onto an outdoor "cafe plaza," one floor below lobby level; in back, they can sip tall drinks beneath mustard-colored umbrellas in a Japanese-style formal garden crisscrossed with bridges, or take a dip in the swimming pool.

Guests' rooms all have color TV, roomwide balconies that are 6 ft. deep, built-in bars with ice machines, and electric blankets; they cost $16 to $21 a day for single occupancy, while penthouse suites run up to $150. To capitalize on its superior location—much closer to the airport than its downtown competitors—Century Plaza offers extensive meeting-room facilities. For corporate guests, the hotel has nine board rooms, each with an adjoining private dining room on the mezzanine floor; for conventioneers, there is the immense, 24,000-sq. ft. Los Angeles Ballroom buried two floors underground but directly accessible to motorists via ramps.

ORDER OF BUSINESS

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. Consideration of H.R. 1582.

Mr. MANSFIELD. Has there been any debate?

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MANSFIELD. Have any amendments been offered as yet?

The PRESIDING OFFICER. No amendments have been offered as yet.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE REMOVAL OF A RESTRICTION ON CERTAIN REAL PROPERTY HERETOFORE CONVEYED TO THE STATE OF CALIFORNIA

The Senate resumed the consideration of the bill (H.R. 1582) to remove a restriction on certain real property heretofore conveyed to the State of California.

Mr. KUCHEL. Mr. President, 30 years ago, the Government of the United States, through appropriate legislation passed by the Congress, gave to the people and the government of the State of California, the title to a huge, imposing, 500-foot-high, awe-inspiring chunk of earth—a great rock lying a few hundred yards seaward of the California coast line.

It was here that the State contemplated making a State park in the county of San Luis Obispo in order to preserve the beauty of this natural landmark. The State has created that park, and Morro Rock is the focal point of scenic attention. It is a distinctive and beautiful geographic feature in this coastal area.

Under the terms of the statute by which title was given to the State of California, two principal rights were reserved by the Government of the United States: First, that title would revert to the Federal Government if California did not use Morro Rock for public park purposes; and, second, that the United States reserved the right to resume ownership, possession, and control of the rock for Government purposes at any time and without the consent of the State of California.

Mr. President, in the intervening third of the century, the Government of the United States, acting through the Corps of Engineers, saw fit to exercise the second of these rights in order to quarry tons and tons of stone from the face of Morro Rock. Such activity has seriously marred the beauty of this distinctive landmark. As a result, conservationists and others interested in perpetuating what beauty still remains in this great land of ours, urged that suitable legislation be adopted by Congress under which the Government of the United States would not have the right to chip away at this historic monument.

Legislation was introduced in the House of Representatives. The Department of the Army responded, as it must respond under the law, stating that it had no objection to this legislation. No other Federal agency involved indicated any disagreement with the laudable goals of this proposal. Thus, from the House of Representatives there came to the Senate a bill—H.R. 1582. This bill will shear away the right of the Government to mar or destroy the beauty of Morro Rock. The right by which the United States continued to quarry stone from this historic rock was eliminated. California could continue to use the rock for public park purposes without the threat of Government intervention.

In simple language, if the Congress now adopts this legislation, California will be able to preserve the integrity of Morro Rock as a part of Morro Bay and as a part of Morro State Park. California will be able to truly fulfill the purpose of the initial conveyance—to use this Rock for public park purposes. This legislation will further retain the right of reversion to the Federal Government in the event California does not use Morro Rock as a public park.

Under these circumstances, I was delighted to see this legislation unanimously reported by the Committee on Commerce. It has been reported to the Senate by the distinguished chairman of that committee [Mr. MAGNUSON]. I trust the Senate will approve it and send it to the White House, where it will become law. This law will enable the people of the United States, now and in the future, to see a unique part of the earth's geography retained in perpetuity for the benefit of all Americans.

Mr. MORSE. Mr. President, it is patently in the interest of the United States and all the Federal taxpayers that the Morse formula be preserved and applied to all bills, including this bill, without exception, when they provide for the Federal Government to give up control, ownership, or possession of property in which it claims an interest.

Mr. President, may I have the attention of the Senator from California [Mr. KUCHEL]? I do not think I should extend the courtesy that I want to extend if it is going to be of any inconvenience to the Senator from California. The Senator from Kansas has asked me to yield to him, without my losing the floor, for a 5-minute speech on another subject, in order to meet a time schedule, and I am willing to do it if it does not interfere with the time schedule of the Senator from California.

Mr. KUCHEL. Mr. President, I have no objection. However, I want to say, for the information of the Senator from Kansas and for the information of other Senators, that there will be a rollcall. That being so, they should be on notice of that fact.

Mr. MORSE. I always ask for a rollcall when there is an attempt to violate the Morse formula.

Mr. KUCHEL. I have no objection.

Mr. MORSE. Mr. President, without losing my right to the floor, I yield to the Senator from Kansas.

INFLATION

Mr. PEARSON. Mr. President, during the past few years this Nation has enjoyed an expanding prosperity—and all Americans are rightfully thankful. Yet within the past few months the frightful shadow of inflation has darkened and spread—and all Americans are rightfully troubled.

Economists tell us that we now are involved in a situation where, most simply stated, the supply of money exceeds the supply of goods produced and offered for sale. And the circumstances are such that with the increased supply of money, people seek to buy more than has been produced. Prices rise. The purchasing power of the dollar goes down.

Mr. President, with the growing complexities of the marketplace, with the specialization which exists within our economic community, all can recognize that the character of money is complex and sophisticated. The regulation of the supply of money is a most difficult matter. Perhaps, Mr. President, money is generally thought of as currency—the bills and coins we carry in our pocket. But actually it consists primarily of numbers on the ledgers of the banks that maintain our checking accounts. Indeed, most of our money moves from buyer to seller in market transactions through the writing of checks which orders the bank to debit one account on their books and to credit another. Moreover, Mr. President, money being, in essence, the power to purchase it also takes the form of credit.

All recognize, all agree that the Federal Government directly or indirectly may control the supply of money. And this is true because of its enormous powers to spend, to tax, to set interest rates, and to create credit because of budget deficits which affects the quantity or the national supply of money.

Mr. President, although the administration would seek to shield the ugly side of our economy, the truth of the matter is that we are now experiencing an accelerated upward inflationary spiral. The cost of living continues to rise month by month. The consumer price index has reached a record high. Higher prices for food are most notable and attract the greatest attention. But the truth is that prices are going up on a broad range of goods and services—from baby sitting rates, laundry, clothing, shoes, home maintenance costs and on many other items. If the present trend continues, if the cost of living increases one-half of 1 percent each month this will indeed represent an increase of 6 percent this year which one could claim to be equivalent to an additional 6 percent sales tax.

Mr. President, those who suffer most are usually those who least deserve to be the losers—the prudent, those who live on fixed income by virtue of wages, pensions or savings and, of course, the poor which we seek to help with a poverty program on one hand and penalize by inflation on the other.

The point I seek to develop may best be explained by an illustration which was directed to my attention not long ago. It has been said that a worker who earned $7,000 last year and got a $300 raise this year would find himself spending $288 of this raise not only for higher living costs, but for increased Social Security taxes, higher State and local taxes, as well as additional Federal withholding tax payments. This would leave him with only a $12 increase for the year, or less than $0.25 a week in the increase of his income. And I have not mentioned the worker who did not receive any such $300 a year increase.

Mr. President, who is to blame? This is a question asked not in the spirit of partisan politics. We must know the cause before we can find a remedy. Some would accuse business of seeking higher profits. Some would accuse labor of demanding higher wages. These may be contributing factors. But, Mr. President, the administration has consciously and knowingly promoted inflation. Its theory of the "new economics" has been that if there could be an increase in spending in both the private and public sector then the demand for goods would increase, production would expand, unemployment would drop—as indeed it has—and there would be, as a result, an increase in corporate and private income. And to complete the circle, this increase of individual and business income would increase tax revenues and provide for greater public spending.

Mr. President, under conditions of absolute control such a theory might work. But in a free, complex, and changing economy such regulation and control of inflation is not possible and indeed the point where this theory breaks down is at that point where the economic dreamers predict that increased production will bring increased employment. The truth of the matter is that there exists today job opportunities equal to the national unemployment figures of our work forces. The skills or the capabilities are simply not present to make such a simplistic and utopian theory work.

Mr. President, the administration's position has been a history of evasion and confusion. Its response to inflation has been: first, to deny that it existed; second, to deny that they, the administration, caused it; third, to deny that its economic or political actions were for the purpose of controlling inflation; and, last, to finally concede that inflation is a clear and present problem and that their actions are an attempt to be responsive to this danger.

So, without making any real decision, I think it fair to charge that the administration has just talked around the issue. The President and his spokesmen have discussed the monetary and fiscal policy of the Government; whether or not interest rates should be raised; whether or not tax rates should be increased, and how to use indirect price and wage controls. But, Mr. President, what the administration has refused to consider or discuss is the necessary reduction of nondefense spending.

Mr. President, in the face of this economic peril the administration is of necessity cautious. It speaks of the dangers of "putting the brakes on too quickly." It moves to find an economic consensus. And to this end it has resorted to actively pursuing a policy of wage and price controls through indirect and often unannounced methods. Some weeks ago I addressed myself to this subject at some length on the floor of this Chamber. And so it is sufficient now to simply observe once again that it is obvious that the administration hopes that its present scheme of indirect price and wage controls will keep the economy continue its high spending programs, permit the Johnson administration to continue its high spending programs, prevent the necessity of tax increases, and also prevent the necessity of mandatory direct price and wage controls.

All this would be very well, but in practice the administration's indirect price and wage controls have been ineffectual and unfairly applied.

Mr. President, the administration has at its hand enormous political and economic weapons: the power to dump stockpiles of strategic goods or farm reserves; the power to control exports and imports, the power to control taxes and interest rates; the power to award or withhold Government contracts; the power to spend for public works wherever and whenever the master planners approve. Indeed in some cases, I think there is sufficient evidence to hold that the volume of Government purchases in some areas is so great that its purchase orders or lack of purchase orders can influence the price of a given commodity.

And so, Mr. President, as the Government uses these economic or political powers, powers I might say which are used in a manner never intended by Congress, its actions are selective and are exercised only in relation to those sectors of our economy where the administration has its greatest power and its greatest influence. And this has been to the detriment of the agricultural Midwest where one great power of the Government resides. Moreover, the results are controls which are unclear, deceptive and unjustified. We are told of the Johnson administration's price and wage guidelines—yet we do not know how, when, or where this policy will be executed, what exceptions will be made, what Government powers will be used or even whether or not the actions of the administration are reasonable or effective.

To date, a great part of the debate on the administration's price and wage guidelines has centered around the question of whether or not the administration was applying its 3.2 percent price-wage guidelines with equal persistency and with equal firmness to both business and labor. Perhaps this is a proper inquiry. But it seems to me there is another question of equal importance. In addition to the question of whether or not the administration is applying a double standard, intended to favor business over labor or labor over business, there is a real question of whether or not the administration has, through its selective controls, favored some segments of business over other segments of business and whether or not some segments of the labor force are being favored over other segments of the labor force. And this question is pertinent not because of some evil intent on the part of the administration, but because the very inherent nature of its policy means that economic favoritism will inevitably occur.

Mr. President, if the administration is to continue a process where prices in some industries and business have rolled back while other prices have been advancing rapidly, we shall be promoting inequities. For example, there have been price rollbacks in aluminum, copper, steel and cigarettes at the same time that there have been advances in key areas such as chemicals, plastics, TV tubes, gasoline, newsprint and rubber tires. Some labor contracts have resulted in wage increases which are within the 3.2 productivity guideline while others have gone beyond this standard.

Mr. President, let me make one point with precision. This is not a proposal for the imposition of statutory mandatory price and wage controls. Such a move is one of the most drastic steps a free society and a free economy can take. Nor is it a total rejection of the use of indirect price and wage controls. What is proposed is that the administration join with the Congress in explaining its current policy of indirect price and wage controls. This is urged for two reasons. First, despite the fact that the administration is engaged in an extensive price fixing policy, its full intentions have never been fully identified and the techniques to be used have never been explained. Indeed on some occasions the administration has attempted to hide from the American public its real intentions and methods. And, second, a policy of indirect price and wage controls is very likely to result in numerous inequities, as I have described, and the result shall be that various groups of our society will be forced to make sacrifices not demanded of others.

The administration's policy in seeking to hold down prices and wages should be brought into the open and submitted to a full and searching inquiry and debate not only on this floor, but in the appropriate congressional committees. In a word, the Congress should be an active participant in this area of decision making.

Mr. President, inflation effects every citizen. The individual thinks of it in terms of wages earned and the price of clothing, food and shelter. In reality it faces every citizen in a deeper way for it affects the very vitality of the Nation itself and our role in the free world. Thus, what is to be done about inflation is a public policy decision relating to the strength of the United States in a hot war in Vietnam and a cold war around the globe.

I thank the Senator from Oregon for yielding, and thank the Senator from California for his courtesy.

THE REMOVAL OF A RESTRICTION ON CERTAIN REAL PROPERTY HERETOFORE CONVEYED TO THE STATE OF CALIFORNIA

The Senate resumed the consideration of the bill (H.R. 1582) to remove a restriction on certain real property heretofore conveyed to the State of California.

Mr. MORSE. Mr. President, in the interest of continuity, I wish to repeat the beginning of my statement. It is patently in the interest of the United States and all the Federal taxpayers that the Morse formula be preserved and applied to all bills without exception when they provide for the Federal Government to give up control, ownership, or possession of property in which it claims an interest.

In such a case the grantee should be required to pay 100 percent of the fair appraised market value when the property is not transferred for public purposes and 50 percent of the fair appraised market value when transferred for public purposes. This amount compensates for the giving up of that Federal right which after all, belongs to the taxpayers of the United States.

May I say, most respectfully, all the taxpayers of the United States have a property interest in Morro Rock. It does not belong to the citizens of California, and should not be given to the citizens of California, in respect to all the Federal interest now involved in it, without any cost whatsoever.

Since 1946, when the Morse formula was made the policy of the Armed Services Committee—and I then made it the policy on all bills that come up on the unanimous-consent calendar of the Senate for disposal of property in which there is a public interest—it has been circumvented and evaded on only five occasions.

In order to circumvent that policy, the course of action followed in the Senate, which resulted in the circumvention, has been to bring up the bill by way of a motion. I think it is unfortunate, because the Morse formula has proved its soundness over the years. In most instances, my colleagues have said, "If you do not make an exception, although we may have to oppose the formula on the floor of the Senate with respect to a matter that involves disposal of property affecting our State, we will continue to agree with you that the policy is a sound one."

There is no exact figure on the amount of money the Morse formula has saved for the American taxpayers since 1946, due to the fact that it has a deterrent effect and we do not know how many bills would have come up which were in violation of the Morse formula if bills had been offered knowing that I would not object to them on the floor of the Senate in case they were called up by unanimous consent; but I have been advised, and this is an estimated figure, that it has saved a minimum of $850 million since 1946, which is no small amount by way of an economy that protects the interest of the people of this country.

I believe if the Morse formula is not preserved the result will be a grave disservice to every Member of the Senate who has recognized its sound equity and to every Federal taxpayer who would be necessarily shortchanged.

In fact, in 1946, when the Morse formula became a part of the recommendations of the subcommittee of the Armed Services Committee, of which I was a member—I was chairman of the subcommittee, and the Senator from Massachusetts [Mr. SALTONSTALL] and Senator Harry Byrd of Virginia were members of the subcommittee—we came forward with the Morse formula to be applied in the disposal of any Federal military property.

We observed, as members of the Armed Services Committee, that there was a growing temptation for Members of Congress in both Houses to offer bills to obtain, for nothing, surplus property of large value located in their respective States. Sometimes they sought large tracts of real estate that were part of a military reservation; sometimes they sought office buildings that had been taken over by the military in the prosecution of the war. Sometimes they sought large quantities of federally-owned personal property—and when I say federally-owned, I mean in fact owned by all the taxpayers of the United States.

So we decided in committee that no surplus military property should be disposed of to any agency of a local government for a public purpose unless that local government was willing to pay 50 percent of the appraised fair market value; and that if, on the other hand, the property was sought for a private use—and there were many instances of that—the seeker of the property should be required to pay 100 percent of the appraised fair market value.

Some Senators may still smile when recalling a dispute that existed in this body many years ago over a piece of property that a chamber of commerce in Nebraska was seeking to obtain in order to offer, without charge, to industries that might come into Nebraska, a site for the location of their factories and plants.

I opposed the matter for 2 years. Then we had, one day, a rather unfortunate hassle on the floor of the Senate. On that occasion, I was circumvented by being called out to the cloakroom for an alleged long-distance telephone call. None existed, but while I was out, proponents of the bill slipped it through immediately on the Consent Calendar by a unanimous-consent agreement for its passage.

But to the everlasting credit of the then majority leader, during the debate that followed on my return, when the Parliamentarian advised me what had happened while I was off the floor, the majority leader—of the Republican Party—asked for a reconsideration of the bill; it was returned to the Consent Calendar, and the objection continued to stand until, in this instance, the private interests of Nebraska were willing to pay 100 percent of the appraised fair market value.

An interesting thing about that incident—as I have found without exception in every other instance in which I have been involved with local private groups that sought to obtain surplus property for private use—the Nebraska group was really not aware of the meaning of the Morse formula, and they advised me that what they wanted was the property. They were not asking to get it for nothing; that was the idea of their political leader. They were perfectly willing to pay 100 percent of the appraised fair market value of the property. They simply wanted it for a private purpose.

One of the most delicate political arguments in my career in the Senate arose over the application of the Morse formula in my own State. There were those in the Oregon delegation who sought to obtain for nothing a piece of property in Roseburg, Oreg.—which was appraised at that time at $250,000, but which subsequently sold for more than $300,000. I took the position that the Morse formula applied without exception in my own State as well as in every other State.

I make these passing references today, Mr. President, because it always makes me unhappy to find myself in disagreement with my fellow Senators in regard to an attempt to violate the Morse formula. Those who disagree with me are just as sincere as I am. They are just as honest in their view that an exception should be made as I am honest in my view that we cannot start making exceptions and not risk the gradual weakening of the formula. Although it is true that the RECORD shows only five exceptions since 1946, I happen to think that that is five too many; and I do not believe the Senate can justify making a sixth exception today.

On January 19, 1966, Mr. President, knowing that my friend, the Senator from California, would eventually bring the bill to the floor of the Senate on a motion, and because at that time it looked as though he might do it earlier than today, I made a statement on the Morro Rock bill which I shall now repeat.

At that time I said:

> Mr. President, Senate Report No. 863 accompanying H.R. 1582 indicates that Morro Rock, formerly the site of a Federal lighthouse in Morro Bay Harbor, Calif., was conveyed to the State of California by the United States for public park purposes by an act of May 28, 1935. The 1935 act required that the 30 acres so conveyed be used for a public park and that if the property were not so used it should revert to the Federal Government. In addition, the 1935 act gave the United States the right to resume ownership, possession, and control at any time and without the consent of the grantee.
>
> In accordance with the ownership, possession, and control reservation the Federal Government has, from time to time, removed quarry stone from the face of Morro Rock. Apparently the stone removal threatens the esthetic value of the rock.
>
> The State of California requested the legislation envisioned in H.R. 1582 in order to preserve the integrity of the site.
>
> H.R. 1582 calls for deletion of the last sentence of section 36 of the act of May 28, 1935, insofar as that sentence relates to Morro Rock. According to page 4 of report No. 863, the following sentence would be deleted from the 1935 act:
>
> "The United States reserves the right to resume ownership, possession, and control, for Government purposes, of any of the property so conveyed, at any time without the consent of the grantee."
>
> The bill would not remove the requirement that the property be used for public park purposes. This is made clear from the following statement appearing at page 2 of report No. 863:
>
> "The committee * * * notes with approval that the legislation as amended in the House would continue to require use of the property for public park purposes."
>
> Under this bill, the Federal Government would be giving up its right to resume ownership, possession, and control of the property. However, the giving up of the right of the Federal Government to remove rock from the Morro Rock site alone would involve a substantial potential loss in quarry rock savings to the Government. This point is brought out in the letter of August 5 addressed by the Secretary of the Army to Chairman Bonner of the House Committee on Merchant Marine and Fisheries. A portion of the Secretary's letter appears at pages 3–4 of report No. 863:
>
> "Over the course of years records indicate that approximately 1,200,000 tons of stone were removed at an estimated savings to the Government of $3 million. In connection with possible future development of several new projects in the area, additional savings to the Government as well as to local interest in financing their share of the costs might be realized if the stone required was obtained from Morro Rock. These savings are not determinable at this time because of the indefinite nature of the projects. However, if one or more of these projects should materialize the savings to the Government could range between $½ million and $5 million.
>
> "During the past year considerable public interest has been expressed in preserving Morro Rock in its present state as a public landmark attraction and park. Moreover, it is understood that the major objective of this bill is merely to preclude the further removal of stone by the Corps of Engineers, Department of the Army. In view of the extent of this public interest, it is recognized that any potential savings attributable to this rock as a source of stone may be more than offset by the value inherent in Morro Rock as a historical site and natural landmark. For this reason, the Department of the Army is willing to assure this committee, the State of California, and the local interests that it will forego any further use of Morro Rock as a source of stone. Should this proposal satisfy the objectives of all parties concerned, there would be no necessity for enactment of this bill."

Mr. President, as I interpret it, this means that they do not intend to take any further rock, but an emergency might develop in which the Federal Government might very much need that rock.

If the bill is not enacted, then, in the absence of any such national emergency, the rock is not going to be taken from Morro Rock. But what California apparently wants is insurance that, irrespective of what needs might develop in the future, the Federal Government cannot take the rock. That is where the Morse formula comes in. Whatever that rock is worth to meet the needs of the United States at any hour of emergency, it belongs to all the taxpayers of the country and not merely to the people of California.

I think that California for other reasons that I shall note before I sit down ought to be willing to pay whatever is fixed as one-half of the appraised fair market value of the rock as far as its economic value to all of the taxpayers is concerned. That means that all the taxpayers are in fact contributing to the people of California half the park for nothing, and the people of California are paying for half the value.

I recall that some years ago a similar controversy arose in Portland, Oreg., in regard to an abandoned Federal post office in the heart of the city. There were those citizens in the city of Portland who wanted to get that post office site for nothing.

The senior Senator from Oregon took the position that all the taxpayers of the United States certainly should not be expected to contribute more than half the value of that post office site for a park in the city of Portland, Oreg. Because I persistently insisted upon that position, all the taxpayers of the country were protected, and the people of my State were asked to pay only what the remaining taxpayers in equity had a right to expect them to pay. I think that is true in this case as far as the citizens of the State of California are concerned.

I continued on January 19 to point out:

> Apparently the Senate Commerce Committee would dispose of the quarry rights of the Federal Government on a de minimus basis. This is evidenced by the committee's conclusion set forth at page 2 of report No. 863 that "the Department of the Army—has indicated its intention to voluntarily abandon those rights."

Let me make clear that those rights do not belong to the Department of the Army, although I am more and more coming to the fearful conclusion that the Pentagon is laboring under the delusion that it owns the country.

The rights in Morro Rock are owned not by the Army, but by all the taxpayers of the United States.

I continued to read:

It was the committee's conclusion that it was not "appropriate to require any consideration for the release of the right of the Federal Government to resume possession and control of the property."

In its present form, H.R. 1582 violates the Morse formula because the Federal Government is required under this bill to give up a valuable right, including the right to quarry rock. The grantee should be required to pay for the giving up of that Federal right which, after all, belongs to all the taxpayers of the United States. It is immaterial that the Department of the Army has expressed willingness to retreat from its rocks quarry right which, after all, is only a part of the property right which is being released by this bill; the important point to recall is that the Department has not declared the quarry rights to be excess to its needs and it has not indicated that it is ready to turn over its rock quarry rights to the General Services Administration for the normal disposal procedures.

I want to make it very clear that this bill violates other basic rights that ought to be protected. Our Commerce Committee has not insisted on following normal procedures in regard to the disposal of surplus property. If the Army wants to declare this rock surplus to its needs, then the entire matter should be referred to the General Services Administration under the law, and it has not been done.

This will is an attempt to get around the procedure that is applicable to other surplus property by simply having the Commerce Committee urge the adoption of this bill without the property going through the normal procedure for the handling of surplus property. The matter would normally be submitted to the General Services Administration, and then the General Services Administration would take over jurisdiction, and not the Army. The whole bill is a shortcut of the procedure in respect to the disposal of surplus property rights.

I continue to read from the RECORD of January 19, 1966:

This bill should be amended in both the House of Representatives and the Senate to require the payment of 50 percent of appraised fair market value of the property interest which the Federal Government is releasing to the State of California.

I do not know what that property interest is. But it can be appraised, and whatever the expert appraisers appointed by the Government find it to be, that is what the taxpayers of California ought to be required to pay, the extent of 50 percent of its value.

I continue to read:

The provisions in the 1935 act requiring the property to be used for public park purposes and providing for its reversion to the United States if it is not so used shall remain applicable to such property. I am not changing those provisions.

Of special interest is the following observation which appeared in GSA Administrator Knott's letter of July 27 addressed to Chairman Bonner, of the House Committee on Merchant Marine and Fisheries:

"With respect to consideration of the matter of requiring payment for the release, it may be noted that under existing law, in connection with disposals by GSA to States, payment of the estimated fair market value is required if no use restrictions are imposed, and payment of 50 percent of the fair value is required if the use is limited to public park or recreational purposes."

The analogy of the quoted paragraph to the requirement of the Morse formula in this instance, is obvious.

I close this part of my argument by saying again that the GSA was carefully not given jurisdiction over this property, and if it is in fact surplus, the GSA is entitled to jurisdiction. As Mr. Knott makes perfectly clear, the GSA rules upon surplus property require that 50 percent of the appraised fair market value is required to be paid if it is for public use. That is exactly where this matter ought to be referred, and the Department of the Army should not be allowed to follow the course of action that is has followed in this case, of taking this matter up directly in effect with the committees of the two Houses and circumventing the normal procedure for the disposal of surplus property under existing law.

Mr. President, in spite of the fact that the senior Senator from California and the senior Senator from Oregon differ on this matter, and although it is also true that there are other matters on which we differ from time to time, I think we agree more often than we disagree. However, that is irrelevant to the argument this afternoon.

When two Senators take diametrically opposed positions, as we will take this afternoon, there are those in our respective States and elsewhere that are inclined to draw certain conclusions in regard to the matter of personal relations between the Senators. I want the RECORD to show—and I am sure that most people in California know, and the senior Senator from California knows—that there is a very warm bond of personal friendship and mutual respect that exists between the senior Senator from California [Mr. KUCHEL] and the senior Senator from Oregon. However, we have our respective obligations as the legislative representatives of the people of our States, and I have no fault to find with the performance of his duty by the Senator from California as he sees his duty.

But the Senator from Oregon, as is true also of the Senator from California [Mr. KUCHEL], never permits personal relationship or friendship to color the performance of his duties, as he sees them, in connection with legislative issues on which we debate and vote in the Senate.

In keeping with the fine personal relationship that exists between us, I wrote to the Senator from California on June 13, 1966, the following letter. I wrote the letter after he and I had had a conversation in which I told him that I would submit to him, after further consultation with my administrative assistant, my final position in regard to the bill that he has had brought up by motion today. In that letter I said:

DEAR TOM: With reference to our conversation concerning the bill H.R. 1582, to remove a restriction on the Morro Rock conveyance of May 28, 1935, I have again reviewed the bill and Senate Report No. 863 thereon. As a result of that review, I find that there is little to be added to the statement I made in the Senate on January 19, 1966, with respect to this case. For your information, I enclose a tearsheet from the CONGRESSIONAL RECORD of that date.

My main concern over this proposed release of restrictions, TOM, has to do with the fact that under H.R. 1582, the government would be required to give up valuable rights encompassed in the last sentence of Section 36 of the Act of May 28, 1935, which reads:

"The United States reserves the right to resume ownership, possession, and control, for Government purposes, of any of the property so conveyed, at any time without the consent of the grantee."

Passage of this bill would require the government to give up the right to quarry rock, which was inherent in the right to possession and control.

The letter from the Secretary of the Army to Chairman Bonner of the House Merchant Marine and Fishery Committee dated August 5, 1965, makes it clear that over the course of years, approximately 1,200,000 tons of stone were removed by the government and that this quarry operation resulted in an estimated savings of $3 million to the government. The Secretary's letter also pointed out that potential new projects in the area could involve additional savings of between $500,000 and $5 million if the quarry at Morro Rock were to be utilized.

It is evident that the Federal Government has retained an interest in the Morro Rock property which involves, among other things, the very valuable right to remove rock. This interest, although less than a fee simple, has value and should not be given up by the Federal Government without payment.

Under the Morse formula, the payment of 50 percent of fair appraised market value would be required for the rights to be given up in this instance with the inclusion of a clause calling for a reversion of the interests previously transferred by the United States if the public use of the property should cease. If the Morse formula is to continue as a device for protecting the interests of the taxpayers of the United States in connection with the ownership of property or property interests, it must be enforced in a case of this type where a potential property interest estimated at between $500,000 to $5 million is involved.

An exception knowingly made in this case would undermine the formula and would make it impossible to apply it in other cases. It is my hope that upon reconsideration of the important principle at issue, you will join with me in protecting the interests of the United States in its property rights.

I have noted with a great deal of interest the portion of Report No. 863 wherein it is stated, "The Department of the Army—has indicated its intention to voluntarily abandon those rights," relating to the removal of quarry rock. Rather than undermine the Morse formula in this case, it would seem to me that you and the proponents of the project should be willing to rely upon this assurance on the part of the Department of the Army. If you do not have faith in the intention expressed by the Department, I believe it is only fair to ask that the Morse formula be applied and that 50 percent of the fair appraised market value of the rights given up in this case be paid to the United States subject to the usual reverter provision in case the public use of Morro Rock should cease.

As you know, there is pending on the Senate Calendar, under order number 1166, the bill S. 2602, which I introduced on behalf of John Johnson, a resident of Oregon, to remove a cloud on title to certain real property in Oregon which has been in the possession of

John Johnson and predecessors for many years. If you are seeking to find an analogy between the Morro Rock case and the John Johnson case, I say most respectfully that the analogy is misplaced.

Report No. 1200, accompanying S. 2602, indicates that the Johnson land was part of the public domain prior to 1871, but that in 1871 it was conveyed to the O&C Railroad. Title remained in the Railroad until 1916 when the O&C lands were revested in the United States. In the interim, John Johnson and his father resided upon and held the tract, cleared a part of it and otherwise improved it prior to 1916 for a much longer period than 10 years. As noted in the Report 1200, "In Oregon, adverse possession for 10 years gives title."

The point of difference in the Johnson case is that the government does not claim any property interest or right in the John Johnson land. In fact, as pointed out in Report No. 1200, "No action has been taken by this Department (the Department of the Interior) to dispose of the land or its resources or to use or permit its use in interference with Mr. Johnson's possession or his title." Johnson is not permitted to sue the United States, so S. 2602 seeks to do equity by removing a cloud on the title.

If the United States claimed any interest in the John Johnson property, I would be the first to insist that fair appraised market value be paid therefor. In this connection, I remind you that I have always insisted that the Morse formula be applied without exception in any case involving a proposed transfer of Federal lands in Oregon. The John Johnson case stands in complete contrast because, as I have said, no property interest is claimed by the United States against John Johnson. In previous instances, this same rule has been applied.

In the interest of preserving the integrity of the Morse formula, it is my hope that you will discuss the Morro Rock case again with the House sponsor of H.H. 1582 and that you will urge him to have a Morro Rock bill approved by the House of Representatives in a form which gives recognition to the requirements of the Morse formula.

With best regards,
Sincerely,

WAYNE MORSE.

I desire the RECORD to show, Mr. President, that the record is perfectly clear that the Morse formula has always been inapplicable to cases involving clouds on title.

On January 15, 1963, the Senate considered H.R. 5456, to clear title to certain Florida lands owned by J. C. Drake. The land was included by error in a condemnation action for a national forest. Since no interest was claimed by the United States in land acquired by error, no objection was raised to the bill.

Similarly, H.R. 9491, considered by the Senate on October 3, 1962, involved an effort to clear title to certain land owned by the Vallejo School District, Vallejo, Calif. There was a flaw in the title with respect to the transfer by the then-existing Federal agency which was called the U.S. Housing Corporation, a defunct agency, and the cloud was removed.

Mr. President, these are two cases of many that I could cite if we researched them from the records since 1946. The cloud-on-title cases do not involve the Morse formula, because no Federal interest is involved in those cases.

I do not think that any injustice is being done to the people of California because of my request to have the Morse formula applied to the pending bill. In fact, in view of the position that representatives of the Federal Government are taking in regard to their intention not to quarry any more rock, I think that all that needs to be done is to simply use Morro Rock as a park as it was originally intended, because I think there is not the remotest chance, in view of that representation, that the rock will be used for quarrying purposes.

However, I want the RECORD to show, as I said earlier, that in the absence of payment, certainly the Federal Government should reserve unto itself this very valuable economic interest so that in case of a national emergency, or in case of any need for the rock that can be shown to place the public interest above the interest of the property as a park, the Federal Government should be free to go in and quarry the rock.

I wish to say in all respect, and motivated only by consideration of the facts, that the Senator from Oregon has supported the State of California on many occasions in obtaining great benefits to which I thought they were entitled under various programs of the Federal Government.

We all know the great growth of population in that State. As chairman of the Subcommittee on Education I have not given California anything it did not deserve, but that opinion is not the test around this body. I have seen to it, however, that California got what it deserved in connection with aid bills that involved special educational programs in California.

I would cite, for example, the community college program of California. It is the leader in the Nation. It really has been the bellwether in the Nation in the development of the community college concept.

I am very proud that my State of Oregon and its educators have learned much from the educational leadership of the community college authorities in California. I wish to say that we are in hot pursuit, so to speak, to attempt to equal California—in comparison with our population and our needs—in the development of community colleges.

From the very beginning the senior Senator from Oregon sought every possible aid we could possibly make available under proposed legislation as it came before my committee for the support of junior colleges. I cite that as one of a long list of examples that I could cite.

However, I do feel in this case that California is somewhat selfish in seeking to get an exception to the Morse formula in regard to Morro Rock. I think that California should be willing to pay 50 percent of the appraised fair market value—whatever the value is after it has been determined by appraisal.

I think that California should not put itself in the position of seeking to get this economic advantage on the basis of the rationale that has been advanced by the Committee on Commerce, the Department of the Army, and the proponents of the pending bill.

California's demand that the Federal Government simply make a gift to it of Morro Park is incredible. There is no reason why this rich and prosperous State should not be willing to pay its fair share to the Federal Goverment, if it is not amenable to accepting the Army's decision to stop quarrying rock at the park.

The State of California is well able to pay the relatively small amount which it rightfully owes to the Federal Government for the privilege of assuming complete rights over the park. This State receives more assistance from the Federal Government by far than any other State in the Union and it has no excuse to be seeking a gratuity—a handout—instead of paying for the area it requests.

The figures on Federal funds going into the State of California are truly astronomical. This State, whose population is only slightly greater than that of other large States received more than $5 billion in prime military contracts in fiscal 1964.

Mr. KUCHEL. Mr. President, will the Senator yield on that point?

Mr. MORSE. I am glad to yield.

Mr. KUCHEL. The Senator from Oregon does not directly or indirectly imply any fraud, deals, or special favors were involved in the award of those contracts, does he?

Mr. MORSE. I voted for them. I voted for them. But the thrust of my argument is that I am at a loss to understand why the State of California does not wish to pay for a right—there is no question about a legal right—for a legal right belonging to all of the taxpayers of the United States in view of what I am about to demonstrate is its ability to pay, and its ability to pay as a result of the great stimulation to its econmy through the tax dollars of all of the people of the United States.

Mr. KUCHEL. I would like to add that I have a similar respect for the senior Senator from Oregon as my colleague and as my friend. The Kuchel family has always had a fondness for the members of the Morse family. But in this instance, my friend, the Senator from Oregon, is 100 percent wrong.

Mr. MORSE. I know that the Senator thinks so, but that does not make me wrong.

No other State came within even striking distance of this figure. New York was second with about $2.5 billion. Massachusetts, Illinois, Ohio, Pennsylvania, and Texas combined received less than the huge sum awarded to California.

Another indicator of California's largess from the Federal Government and her ability to pay is the Federal wage and salary disbursements in that State compared with sister States of comparable population size. The Federal civilian payroll in the State of California is more than $1⅔ billion and military disbursements are well over $1 billion. Only New York and Maryland and Virginia, where most of the employees of the Federal Government in Washington, D.C., reside, have Federal civilian payrolls of over $1 billion, but none of them equal that of California. In military salaries no State receives anything like the $1 billion from the Federal Treasury which goes to California. Texas receives approximately $792 million; Virginia, $587 million. Others are far below these figures.

According to the statistics compiled by the Legislative Reference Service, California heads the list of States in the total amount received in Federal expenditures—in excess of $11 billion. New York, whose population is not appreciably smaller than that of our Western Goliath, receives $4 billion less—around $7 billion. On the other hand, when it comes to the total taxes paid to the Federal Government a very different picture emerges. In this respect the tables are dramatically reversed. New York contributes more than $20 billion; California roughly $10.5 billion.

Thus the State which is far in the lead in what it gets from Uncle Sam is contributing only half as much in taxes to the support of the Federal Government as is New York and only slightly more than Illinois, $8 plus billion; Michigan, $9 plus billion; and Pennsylvania, $7 plus billion.

It is high time that the State most favored by Federal contracts and assorted expenditures of all kinds, does its part in paying its way and not in asking for favors it does not deserve. It is asking for a favor it does not deserve in this case. It should be willing to pay half the appraised fair market value of whatever Federal appraisers appraise the value of this right that California is asking the taxpayers, through the Senate, to give to them for nothing this afternoon.

After all, there is such a thing as fair play. I say most respectfully that I do not believe that California is being fair to the taxpayers of this country in view of the figures I have just cited as to the benefits California gets by seeking to get what I think is this undeserved gratuity this afternoon in connection with the Morro Park bill.

Mr. President, I ask unanimous consetn to have printed in the RECORD the statistical information prepared for me by the Legislative Reference Service of the Library of Congress.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Total tax collections and selected Federal expenditures [1] by State, fiscal year, 1964

	Total tax collections	Total, selected Federal expenditures in the several States	Federal grants-in-aid payments to States	Federal wage and salary disbursements [2]		Old-age, survivors, and disability insurance benefit payments	Veterans' compensation pensions and other benefits	Military prime contract awards
				Civilian	Military			
	Thousands			*Millions*	*Millions*	*Thousands*		*Thousands*
Alabama	$726,075	$1,331,850,373	$248,820,168	$425	$125	$221,258	$121,091,205	$190,681
Alaska	81,299	473,311,297	115,294,599	120	127	5,992	3,479,698	101,545
Arizona	427,550	685,921,395	111,514,580	142	95	107,333	56,248,815	173,825
Arkansas	358,881	606,628,441	175,749,730	94	70	145,354	91,793,711	29,731
California	10,534,708	11,205,196,424	1,153,938,266	1,735	1,351	1,335,117	529,491,158	5,100,650
Colorado	1,348,563	1,174,405,924	174,691,643	243	165	132,622	69,581,281	389,511
Connecticut	1,944,718	1,780,966,327	165,525,084	100	64	254,078	71,309,243	1,126,054
Delaware	986,032	170,054,134	28,418,109	23	38	36,713	13,499,025	30,424
District of Columbia	([3])	1,349,579,251	128,607,508	760	89	50,920	98,104,743	222,947
Florida	1,803,001	2,653,459,043	315,836,538	346	413	588,256	207,775,505	782,591
Georgia	1,415,391	1,961,112,382	293,108,938	374	397	242,032	134,802,444	520,169
Hawaii	293,453	521,876,023	64,220,557	160	203	32,070	10,473,466	52,112
Idaho	206,824	238,420,812	69,889,609	50	30	54,286	26,441,203	7,804
Illinois	8,697,901	3,098,710,769	560,979,891	626	257	936,133	289,396,878	429,201
Indiana	2,549,350	1,596,111,773	210,766,396	214	64	436,627	132,778,377	537,940
Iowa	856,388	776,317,558	166,231,434	120	23	268,920	94,774,124	103,392
Kansas	738,063	1,011,261,656	151,101,489	137	160	191,904	82,211,167	289,045
Kentucky	1,844,540	1,050,209,064	255,495,330	179	213	253,586	108,651,734	40,476
Louisiana	928,317	1,135,154,248	339,874,376	154	159	192,290	108,562,872	181,427
Maine	270,544	386,035,757	71,615,943	73	75	95,263	39,625,814	31,531
Maryland	[3] 2,629,382	2,367,573,970	176,460,024	1,049	291	212,781	90,396,946	547,936
Massachusetts	3,221,613	2,781,476,174	388,493,998	424	195	526,090	215,830,176	1,032,062
Michigan	9,382,587	2,415,609,770	451,258,275	292	144	721,139	215,922,495	591,290
Minnesota	1,764,467	1,114,524,289	249,706,495	163	43	304,454	136,422,794	217,941
Mississippi	342,933	767,391,825	172,086,580	105	118	134,272	82,122,245	155,911
Missouri	2,596,494	2,683,039,430	309,797,145	318	138	410,828	157,343,285	1,349,071
Montana	187,267	309,334,091	96,267,216	67	46	56,456	27,188,875	16,422
Nebraska	664,886	514,464,185	109,756,828	97	93	129,693	51,093,357	33,921
Nevada	240,646	172,470,612	51,612,364	46	37	20,204	11,293,248	6,361
New Hampshire	235,984	297,211,383	44,971,168	59	43	64,492	20,891,215	64,857
New Jersey	3,513,804	2,580,711,117	243,734,656	410	232	602,098	175,317,461	917,561
New Mexico	251,737	516,589,326	113,417,264	149	98	48,402	36,284,062	71,486
New York	20,167,510	7,068,803,614	898,372,065	1,157	291	1,699,775	526,218,549	2,496,438
North Carolina	2,738,295	1,502,262,459	242,900,027	185	355	299,505	146,341,432	273,416
North Dakota	134,035	445,414,683	93,942,801	39	48	49,646	22,800,882	192,025
Ohio	6,693,373	3,455,104,093	525,188,187	577	152	872,358	299,611,906	1,028,946
Oklahoma	1,091,472	1,107,773,505	264,303,896	279	155	190,824	96,156,609	122,489
Oregon	748,948	657,157,437	193,861,619	144	35	185,611	69,580,818	29,104
Pennsylvania	7,088,866	3,949,372,420	599,281,567	810	143	1,133,583	380,442,853	883,065
Rhode Island	469,582	408,547,537	68,576,536	81	99	90,093	31,705,001	38,173
South Carolina	489,959	773,735,221	125,082,042	153	233	140,977	70,055,179	51,621
South Dakota	152,889	287,511,731	86,105,381	55	32	58,198	32,900,350	23,308
Tennessee	1,041,970	1,211,518,445	273,890,896	255	99	251,085	138,978,549	193,564
Texas	4,240,209	4,419,557,112	607,347,391	774	792	621,988	329,790,721	1,294,431
Utah	324,575	753,431,890	104,036,695	191	25	59,322	34,033,195	340,040
Vermont	120,646	135,074,976	45,117,043	19	4	38,295	14,650,933	14,012
Virginia	1,823,564	2,949,892,457	238,980,230	1,036	587	262,936	134,124,227	590,852
Washington	1,382,842	2,266,086,070	243,209,980	321	245	265,782	105,398,090	1,085,696
West Virginia	398,255	569,177,732	131,628,368	65	13	185,386	86,836,364	87,327
Wisconsin	1,959,380	1,078,657,913	198,628,785	127	44	392,226	139,586,128	177,217
Wyoming	107,027	217,353,711	71,172,612	38	19	24,268	15,505,099	49,408
Total	[4] 112,216,792	82,983,411,829	12,220,868,322	15,560	8,967	15,633,521	6,184,915,507	24,417,107

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[1] This tabulation does not include all Federal expenditure programs carried on in the several States but is limited to those for which information is readily available on a State basis.

[2] Data are for the calendar year 1963.

[3] Tax collections for the District of Columbia are included in the total for the State of Maryland.

[4] Details do not add to total due to rounding.

Sources:

Department of Commerce, Survey of Current Business, August 1964, pp. 18–21.

Department of Defense, Office of the Secretary of Defense, Military Prime Contract Awards by State. Release of June 1964.

Department of Health, Education, and Welfare, Social Security Bulletin, December 1964, p. 31.

Treasury Department, 1964 Annual Report, Commissioner of Internal Revenue, Washington, Government Printing Office, 1965, p. 73.

Treasury Department, preliminary tabulation to be included in the Annual Report of the Secretary of the Treasury for the fiscal year 1964, "Expenditures Made By the Government as Direct Payments to States Under Cooperative Arrangements and Expenditures Within States Which Provided Relief and Other Aid, Fiscal Year 1964."

Veterans' Administration, Annual Report, Administrator of Veterans' Affairs, 1964, Washington, Government Printing Office, 1964, pp. 324–325.

Mr. MORSE. Mr. President, before I offer my amendment, I close my argument by saying to my good friend, the Senator from California, that I have no personal difference with him whatsoever. I do have a very emphatic professional difference with him this afternoon in regard to the merits of the position he is taking. I have a high regard for the dedication of the Senator from California to his duty as he sees that duty in connection with this bill.

Mr. President, I send to the desk my amendment, the controlling section of which I shall take a moment to read:

> On page 2, after line 4, insert the following new section:
>
> "SEC. 3. Sections 1 and 2 of this Act shall take effect upon the payment by the State of California to the Secretary of Commerce of an amount equal to 50 per centum of the fair market value, as determined by the Secretary of Commerce after appraisal, of the property interest of the United States to be released to the State of California by the first section of this Act."

Mr. President, after the Senator from California or anyone else makes such remarks as he cares to make, I shall ask for a quorum call—not a live quorum, but just long enough, let me say to my majority leader, who already has assured me that he will do what he can to help me obtain a yea and nay vote on my amendment, to obtain such a vote.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

> On page 2, line 1, beginning with the comma, strike out all through the comma on line 2,
>
> On page 2, after line 4, insert the following new section:
>
> "SEC. 3. Sections 1 and 2 of this Act shall take effect upon the payment by the State of California to the Secretary of Commerce of an amount equal to 50 per centum of the fair market value, as determined by the Secretary of Commerce after appraisal, of the property interest of the United States to be released to the State of California by the first section of this Act."

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

Mr. KUCHEL. Mr. President, will the Senator from Oregon yield before he suggests the call of the quorum?

Mr. MORSE. I am glad to yield to the Senator from California.

The PRESIDING OFFICER. Does the Senator from Oregon withhold his request?

Mr. MORSE. Mr. President, I withdraw my request.

The PRESIDING OFFICER. Without objection, the request of the Senator from Oregon is withdrawn and the Senator from California is recognized.

Mr. KUCHEL. Mr. President, as I tried to indicate earlier, any attempt to apply that kind of provision to this bill is both unwarranted and unreasonable, and as such, should be rejected by the Senate.

However, I do not rise at this time to further expatiate on that subject.

Let me say to my friend, the Senator from Oregon, that I placed a hold on his bill in order that I might study it at greater length. I have given this proposal careful consideration and have no objections to its passage. A time problem, however, has developed with numerous Senators attempting to return to the Capitol from various engagements downtown. It would therefore be appreciated if the distinguished Senator from Oregon would agree to temporarily the set aside his amendment and place his bill on the calendar for the present consideration of the Senate. I am certain this could be arranged with the approval of the majority leader.

Mr. MORSE. I appreciate the courtesy of the Senator from California, but I would not want to do that. I would want my bill to take its course under the Unanimous Consent Calendar. The bill in no way violates the Morse formula, for reasons which I have already set forth. There is no Federal interest involved. Therefore, I would prefer to have the bill come up on the regular calendar and if any objection is raised I will discuss the objection at that time.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. So far as the call of the calendar is concerned, it would be in order at any time. If I may suggest, however, in view of the situation which has developed regarding some Senators who are now downtown on official engagements, would the Senator from Oregon consider the possibility of entering a unanimous-consent agreement to vote on the Morse amendment at 2:15 p.m. and, in the meantime, take up the Johnson bill, S. 2602, which is on the calendar and ready for action?

Mr. MORSE. I would agree to a unanimous-consent agreement to vote at 2:15 p.m., but I would not want to take up the Johnson bill in the format of this discussion this afternoon.

Mr. MANSFIELD. No.

Mr. MORSE. I know. The Senator may not agree with me, but I think it could be very much misunderstood. The Johnson bill, so far as I am concerned, should stand on its own merits and I will defend it on its merits in regular consideration of the unanimous consent calendar, where the bill now is, and in due course of time the Senate will come to its consideration on that Unanimous Consent Calendar. I would not want my bill taken off that calendar by this procedure this afternoon. There are certainly other matters the Senate could discuss up until 2:15 p.m. Let me say to my majority leader that perhaps I could pay my disrespects to the war in Vietnam until that time. Perhaps we could use that time for that subject.

Mr. MANSFIELD. No; there are other legislative measures which I would like the Senate to consider, if that would be agreeable to the Senator from Oregon. And I would like to include the Johnson bill in that program—I use the word "Johnson" because I believe that is its popular name.

Mr. MORSE. That is right.

Mr. MANSFIELD. There is no objection to it, but I am more than willing to agree to the suggestion of the Senator from Oregon and take up afterward——

Mr. MORSE. Just put it down as a legislative eccentricity on my part. But, I would not want to have that bill taken off the calendar. I want it to go through its normal procedural rulings on the Unanimous Consent Calendar.

Mr. MANSFIELD. Both land bills could be taken up today. Therefore, I wish the Senator would reconsider. I do not make this request on the premise that there is a similarity between the bill now under consideration and the Johnson bill. I am confident we can reach an agreement and only ask the Senator to think it over.

Mr. MORSE. There is nothing to think over, so far as I am concerned. I hope that the majority leader will not press the Johnson bill today—in any event, not take up the Johnson bill until some other intervening legislation is passed by the Senate.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. All right, that is agreeable and will be worked out. In view of the seeming assent of the two Senators, Mr. President, I ask unanimous consent that the vote on the pending Morse amendment be held at 2:15 p.m.

Mr. KUCHEL. Mr. President, reserving the right to object—and I do not object—let me ask the majority leader and the Senator from Oregon, would they be inclined to agree to a unanimous-consent agreement for a yea-and-nay vote, which has not yet been ordered—but I commit myself to it—would they be agreeable to having a yea-and-nay vote on the pending amendment to commence at 2:20 p.m., to be followed immediately thereafter by a vote on final passage?

Mr. MORSE. That would be perfectly all right.

Mr. MANSFIELD. That would be satisfactory.

Mr. KUCHEL. That would give a little time for Senators to return to the Capitol from downtown.

Mr. MANSFIELD. Very well. Mr. President, I amend my request in the sense stated by the distinguished Senator from California.

Mr. KUCHEL. I thank the majority leader.

Mr. President, I also ask unanimous consent that rule XII be waived.

The PRESIDING OFFICER. Is there objection? The Chair hears none, the unanimous-consent request is agreed to, and rule XII is waived.

DOGS AND CATS USED IN RESEARCH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily, and that the Senate proceed to the consideration of Calendar No. 1246, H.R. 13881.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 13881) to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with an amendment, to strike out all after the enacting clause and insert:

That, in order to protect the owners of dogs and cats from theft of such pets, to prevent the sale or use of dogs and cats which have been stolen, and to insure that certain animals intended for use in research facilities are provided humane care and treatment, it is essential to regulate the transportation, purchase, sale, housing, care, handling and treatment of such animals by persons or organizations engaged in using them for research or experimental purposes or in transporting, buying, or selling them for such use.

SEC. 2. When used in this Act—

(a) The term "person" includes any individual, partnership, association, or corporation;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "commerce" means commerce between any State, territory, possession, or the District of Columbia, or the Commonwealth of Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, or the Commonwealth of Puerto Rico, but through any place outside thereof; or within any territory, possession, or the District of Columbia, or the Commonwealth of Puerto Rico;

(d) The term "cat" means any live cat (Felis catus);

(e) The term "dog" means any live dog (Canis familiaris);

(f) The term "research facility" means any school, institution, organization, or person that uses or intends to use dogs or cats in research, tests, or experiments, and that (1) purchases or transports dogs or cats in commerce, or (2) receives funds under a grant, award, loan, or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, or experiments;

(g) The term "dealer" means any person who, regularly and for profit, transports, except as a common carrier, or buys and sells animals intended for use in research facilities;

(h) the term "animal" means live dogs, cats, monkeys (nonhuman primate mammals), guinea pigs (Cavia cobaya), hamsters (Cricetus), and rabbits (Oryctolagus cuniculus).

SEC. 3. It shall be unlawful for any research facility to purchase animals from any dealer unless such dealer holds a valid license issued by the Secretary pursuant to this Act.

SEC. 4. It shall be unlawful for any dealer to buy, sell, offer to buy or sell, transport or offer for transportation in commerce any animal unless such dealer has obtained a license from the Secretary in accordance with such rules and regulations as the Secretary may prescribe pursuant to this Act, and such license has not been suspended or revoked.

SEC. 5. No department, agency, or instrumentality of the United States which uses animals for research or experimentation shall purchase or otherwise acquire animals for such purposes from any dealer unless such dealer holds a valid license issued by the Secretary pursuant to this Act.

SEC. 6. Every research facility shall register with the Secretary in accordance with such rules and regulations as he may prescribe.

SEC. 7. The Secretary shall establish and promulgate standards to govern the humane handling, care, treatment, and transportation of animals by dealers and research facilities. Such standards shall include, but not necessarily be limited to, minimum requirements with respect to the housing, feeding, watering, sanitation, ventilation, shelter from extremes of weather and temperature, separation by species, and adequate veterinary care. The foregoing shall not be construed as authorizing the Secretary to prescribe standards for the handling, care, or treatment of animals during actual research or experimentation by a research facility as determined by such research facility.

SEC. 8. Any department, agency or instrumentality of the United States having laboratory animal facilities shall comply with the standards promulgated by the Secretary for a research facility under section 7.

SEC. 9. All dogs and cats delivered for transportation, transported, purchased, or sold in commerce by any dealer shall be marked or identified in such humane manner as the Secretary may prescribe.

SEC. 10. Research facilities and dealers shall make, and retain for such reasonable period of time as the Secretary may prescribe, such records with respect to the purchase, sale, transportation, identification, and previous ownership of dogs and cats as the Secretary may prescribe, upon forms supplied by the Secretary. Such records shall be made available at all reasonable times for inspection by the Secretary, by any Federal officer or employee designated by the Secretary.

SEC. 11. The Secretary shall issue a license to any dealer upon application therefor and payment of the license fee prescribed pursuant to section 23 of this Act if the Secretary determines that the facilities of such dealer comply with the standards prescribed by the Secretary pursuant to section 7 of this Act. The Secretary may license as a dealer any person who is not a dealer within the meaning of section 2(g) of this Act, upon application and payment of the prescribed fee, if such person enters into a written agreement with the Secretary under which such person agrees to comply with the requirements of this Act and the regulations prescribed hereunder.

SEC. 12. The Secretary shall make such investigations or inspections as he deems necessary to determine whether any person has violated or is violating any provision of this Act or any regulation issued thereunder. The Secretary shall promulgate such rules and regulations as he deems necessary to permit inspectors to confiscate or destroy in a humane manner any animals found to be suffering as a result of a failure to comply with any provision of this Act or any regulation issued thereunder if (1) such animals are held by a dealer, or (2) such animals are held by a research facility and are no longer required by such research facility to carry out the research, test, or experiment for which such animals have been utilized.

SEC. 13. (a) The Secretary shall consult and cooperate with other Federal departments, agencies, or instrumentalities concerned with the welfare of animals used for research or experimentation when establishing standards pursuant to section 7 and in carrying out the purposes of this Act.

(b) The Secretary shall take such action as he may deem appropriate to encourage the various States of the United States to adopt such laws and to take such action as will promote and effectuate the purposes of this Act, and the Secretary is authorized to cooperate with the officials of the various States in effectuating the purposes of this Act and any State legislation on the same subject.

SEC. 14. No dealer shall sell or otherwise dispose of any dog or cat within a period of five business days after the acquisition of such animal, except pursuant to regulations prescribed by the Secretary.

SEC. 15. The Secretary shall issue rules and regulations requiring licensed dealers and research facilities to permit inspection of their premises and records at reasonable hours upon request by legally constituted law enforcement agencies in search of lost animals.

SEC. 16. No dog or cat may be sold or offered for sale in commerce at a public auction or by weight, and no research facility may purchase a dog or cat at a public auction or by weight, unless the sale or offer for sale of such animal is made (1) in accordance with regulations prescribed by the Secretary, and (2) by a dealer licensed under this Act.

SEC. 17. (a) Nothing in this Act shall be construed as authorizing the Secretary to promulgate rules, regulations, or orders for the handling, care, treatment, or inspection of animals during actual research or experimentation by a research facility as determined by such research facility.

(b) The Secretary is authorized to promulgate such additional standards, rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this Act.

SEC. 18. Any dealer who violates any provision of this Act shall, on conviction thereof, be subject to imprisonment for not more than one year or a fine of not more than $1,000, or both.

SEC. 19. (a) If the Secretary has reason to believe that a dealer or any person licensed as a dealer has violated or is violating any provision of this Act or any rule or regulation prescribed hereunder, he may suspend such person's license temporarily, but not to exceed thirty days, and, after notice and opportunity for hearing, may revoke or suspend such license for such additional period as he may specify if such violation has occurred, and may order such person to cease and desist from continuing such violation.

(b) Any person aggrieved by a final order of the Secretary issued pursuant to subsection (a) of this section may, within sixty days after entry of such an order, seek review of such order in the manner provided in section 10 of the Administrative Procedure Act (5 U.S.C. 1009).

SEC. 20. Whenever the Secretary has reason to believe that any research facility has violated or is violating any provision of this Act or any rule or regulation prescribed thereunder, he shall cause a complaint in writing to be delivered to such research facility, describing the alleged violation or violations. If the Secretary, after the expiration of twenty days following the day on which the complaint was delivered to such research facility, has reason to believe that such research facility is continuing to violate the provisions of this Act, or any rule or regulation prescribed thereunder, as described in the complaint, he shall apply to the district court for the district in which such research facility is located for a court order directing such research facility to cease and desist from committing the violations described in the Secretary's complaint.

SEC. 21. When construing or enforcing the provisions of this Act, any act, omission, or failure of any individual, while acting within the scope of his office or employment for a dealer, shall be deemed to be the act, omission, or failure of such dealer as well as of such individual.

SEC. 22. If any provision of this Act or the application of any such provision to any person or circumstances shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 23. The Secretary is authorized to charge, assess, and cause to be collected reasonable fees for licenses issued to dealers. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts.

SEC. 24. The regulations referred to in section 7 and section 10 shall be prescribed by the Secretary as soon as reasonable but not later than six months from the date of enactment of this Act. Additions and amendments thereto may be prescribed from time to time as may be necessary or advisable. Compliance by dealers with the provisions of this Act and such regulations shall commence ninety days after the promulgation of such regulations. Compliance by research facilities with the provisions of this Act and such regulations shall commence six months after the promulgation of such regulations, except that the Secretary may grant extensions of time to research facilities which do not comply with the standards prescribed by the Secretary pursuant to section 7 of this Act provided that the Secretary determines that there is evidence that the research facilities will meet such standards within a reasonable time.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, may I say that at 2:20 the Senate will return to the business which has just been laid aside temporarily, the Morse amendment.

I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the Morse amendment, which will be voted on at 2:20.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, I desire to address myself to the bill H.R. 13881, reported by the Senator from Washington [Mr. MAGNUSON], chairman of the Committee on Commerce, as amended by the committee.

This bill is generally known as the Humane Act for the Handling of Research Animals.

I think, after nearly half a century of failing to note the plight of animals who serve humanity so well in research and who have helped bring us forward in the frontiers of medical science, it is high time Congress addressed itself to the correction of these unnecessary and inhumane conditions.

The bill, which has been carefully studied and amended a great many times, strikes first at the source of supply for laboratory animals in seeking to eliminate the theft of household pets, dogs and cats, and to put restrictions on dealers who sell animals for research purposes.

There have been many exposés, by some of our finest magazines and newspapers, regarding the well-organized theft of animals from homes and from farms, collecting them in secret places, and shipping them out in illicit and clandestine interstate commerce to other States, where they then find their way, presumably, into the research facilities.

I think the sections of the bill which deal with the transportation, the sale, and the handling of these dogs and cats by such dealers can most effectively be carried out and in fact can only be carried out by the Federal Government, because the ease with which they can be put in trucks and shipped across State lines overnight takes them far away from their homes and far away from the possibility of identification by the owners who would be searching for them.

The purposes of the bill, I think, are clearly set out in the report, which places under the Secretary of Agriculture the operations of the bill, and which—

(1) Requires the licensing of animal dealers by the Secretary of Agriculture.

(2) Makes it unlawful for a research facility to purchase animals from any dealer unless the dealer has been licensed.

(3) Requires research facilities to register with the Secretary of Agriculture.

(4) Directs the Secretary of Agriculture to promulgate regulations after consultation with other Federal agencies to insure—

(*a*) The humane handling, care, treatment, and transportation of animals by dealers and research facilities except during actual research or experimentation as determined by a research facility;

(*b*) That dogs and cats are marked or identified in a humane manner;

(*c*) That research facilities and dealers make and retain records of their purchase and sale of dogs and cats;

(*d*) That licensed dealers and research facilities permit inspection of their facilities by legally constituted law enforcement agencies in search of lost animals;

(*e*) That dogs and cats are humanely treated during auction sale; and

(*f*) That inspectors will be able to confiscate or destroy dealer-held and postresearch animals found suffering because of violations of the act.

(5)—

And this is the point, I think, in greatest controversy—

Directs the Secretary of Agriculture to make inspections to determine whether dealers and research facilities are complying with the act.

The enforcement of the provisions of the bill, particularly with respect to dealers and research facilities, in prescribing humane conditions under which the animals must be cared for, rests with the Secretary of Agriculture. Some have urged that enforcement be placed with the Department of Health, Education, and Welfare.

The bill further—

(6) Provides a criminal penalty for violation of the act by dealers and suspension or revocation of a dealer's license for violations of the act or regulations issued thereunder with the right of review in the proper district court.

Research institutions, because of their high standing and their important leadership in medical research, are treated entirely differently. In the case of such institutions, the bill merely provides that in cases of violation by research facilities, after having been warned over a period of 20 days, the Secretary, upon failing to receive voluntary compliance with an order for humane care, can apply to the appropriate district court for a cease and desist order.

Twice in the bill it is pointed out specifically that there can be no interference by the Secretary of Agriculture, in enforcement, with any type of research facility whatsoever, in its actual research on the animal, either preoperative or postoperative.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to my fellow member of the committee, the distinguished Senator from Rhode Island.

Mr. PASTORE. First of all, Mr. President, I should like to compliment the distinguished Senator from Oklahoma for the yeoman work he has done on this legislation.

I agree with the spirit and the purpose of the bill 100 percent. Yes, the time has come when something affirmative must be done to insure the treatment of research animals in a humane manner.

Personally, I am a dog lover. We have always had a dog in our family, and our family dog has always been very dear to all of us. I think it is disgraceful, in this enlightened age, that people should treat animals in some of the ways of which experience has indicated they are capable.

My feelings are shared by the legion of pet-owners in my State of Rhode Island and in the sincerest letters they have made their views known to me.

The other day, Dr. Shannon, the distinguished head of our National Institutes of Health visited me at the office. He is very much in favor of this legislation exactly as it is. His only expressed fear was that because the rehabilitation of animal care facilities usually is not as dramatic as some of the other items upon which we have been spending our money, there has been a reluctance to use any funds for that purpose.

Realizing that, the committee wrote into the bill a provision that insofar as research facilities are concerned, they would have a reasonable opportunity to meet the requirements of the law. Am I not correct in that?

Mr. MONRONEY. That is absolutely correct, and we would anticipate a moving forward on a gradual basis, so that research institutions would not be required or expected to obtain complete new animal care facilities within a period of 30 or 60 days. We do wish to see the facilities they have cleaned up and improved.

We felt the Secretary of Agriculture could administer this, and then we provided for the grants of which the Senator is well aware, having served so faithfully on the Health, Education, and Welfare Appropriations Subcommittee under the chairmanship of the distinguished Senator from Alabama [Mr. HILL], whereby research facilities could obtain the 50–50 fund matching that is available for the improvement of animal quarters.

Mr. PASTORE. On that point—and I agree implicitly with the Senator from Oklahoma—Dr. Shannon intimated that possibly we should review the formula of 50–50 fund matching. There may be cases, he thought, where we could speed up the modernization of such facilities if we took into account the fact that some such establishments do not have the money available to match, and that a more favorable formula might be devised.

I realize we cannot write this contingency into this bill, and he does not pretend for one moment that we should. But I should like to ask the Senator whether or not he would be amenable to such an idea.

Mr. MONRONEY. I would not only be amenable, I would be happy to associate myself with the distinguished Senator from Rhode Island and the dozens of other Senators who would like to see this matching made greater, and expedited in sums sufficient to correct the situations in the roughly 2,000 research laboratories that would be primarily affected by the bill.

We think it is penny-wise and pound-foolish to appropriate $1,900 million for medical research facilities and for medical research, and to be penurious on the care of the research animals.

Mr. PASTORE. Without which you cannot have the research.

Mr. MONRONEY. Without which we could not have research in the first place; that is correct.

Mr. PASTORE. I congratulate my fellow Senator. I say again, he has done a magnificent job on this measure. He is to be congratulated, and I hope the bill will pass by an overwhelming vote. As a matter of fact, I hope it will pass without a dissenting vote.

Mr. MONRONEY. I thank the Senator from Rhode Island. We appreciate the support of Dr. Shannon.

We felt that when it was understood what the bill as amended provides, there could be no objection from the research fraternity, which is doing so great a work throughout the country.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. Mr. President, I am happy to yield to the distinguished Senator from Pennsylvania, who has fought for so long for the very helpful legislation that we hope will be passed in the current session of Congress.

Mr. CLARK. Mr. President, I congratulate the chairman of the Commerce Committee, the senior Senator from Washington [Mr. MAGNUSON], and the Senator in charge of the bill, the senior Senator from Oklahoma [Mr. MONRONEY] for the splendid work that they have done in reporting the bill dealing with the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation.

The background of need for this legislation is well set forth in the committee report which begins at the top of page 5.

I ask unanimous consent that that portion of the report beginning at the top of page 5 and ending immediately before the section-by-section analysis may be printed in the RECORD.

There being no objection, the portion of the report was ordered to be printed in the RECORD, as follows:

BACKGROUND AND NEED FOR THE LEGISLATION

This bill recognizes the need for Federal legislation to deal with the abuses that have developed as a result of the Nation's vast program of medical research. Much of this medical research involves experiments and tests with animals. The demand for research animals has risen to such proportions that a system of unregulated dealers is now supplying hundreds of thousands of dogs, cats, and other animals to research facilities each year.

The committee held 3 days of hearings on the subject of regulating those who sell, transport, or handle animals intended for use in medical research. During these hearings, shocking testimony was received concerning the existence of pet stealing operations which supply some animals eventually used by many research institutions. Stolen pets are quickly transported across State lines, changing hands rapidly, and often passing through animal auctions. While in the hands of dealers, these animals are faced with inhumane conditions. Quarters are cramped, uncomfortable, and unsanitary, with inadequate provisions for food and water.

The public has been aroused by exposés of pet theft and the treatment encountered by many of these animals on their way to the medical laboratory. Yet, State laws have proved inadequate both in the apprehending and conviction of the thieves who operate in this interstate operation, and in providing for adequate conditions within dealer premises.

Much of the responsibility for creating this huge demand for medical research animals rests with the Federal Government. Grants to research institutions for biomedical research have multiplied twelvefold since the early 1950's. H.R. 13881 provides a mechanism that will block the existing interstate trade in stolen pets and at the same time will insure humane treatment of those animals which are destined for use in research facilities.

However, it is not just the animal on the way to the laboratory that is faced with inadequate care and treatment. The committee hearings disclosed that shortcomings existed in the care and housing that animals receive after arriving in many medical research laboratories. Cramped quarters and inadequate care are often present, especially in the older research institutions.

H.R. 13881 as amended by the committee also recognizes the need for upgrading animal standards in the laboratory, but at the same time provides adequate safeguards to insure that medical research will not be impaired. While all witnesses before the committee recognized the need for improving care and housing in the research laboratory, contradictory testimony was received on the question of whether this problem was a responsibility for the Secretary of Agriculture or the Secretary of Health, Education, and Welfare. After lengthy consideration, including an extra day of hearings on the specific issue, it was the committee's determination that the Department of Agriculture was the proper agency for regulating care and housing in the laboratory. However, the committee was very careful to provide protection for the research in this matter of exempting from regulation all animals during actual research or experimentation, as opposed to the pre- and post-research treatment. It is not the intention of the committee to interfere in any way with research or experimentation.

The medical research community was unanimous in its position that additional funds might be needed in order for many research facilities to meet desirable standards in their animal care facilities. The committee took cognizance of this situation by providing that the Secretary may grant extensions of time for compliance by research facilities beyond the 6-month compliance time in the bill, provided that the research facility can comply within a reasonable time.

The bill does not provide for any additional Federal funds for laboratory animal care facilities. It is hoped that the appropriate committees in the Congress will be able to consider the desirability of additional aid to research facilities for animal quarters in the future.

Mr. CLARK. Mr. President, for several years under the pressure of—and I use that word advisedly and in the best possible sense—a number of splendid women, including wives of Members of this splendid body, it has been my pleasure to introduce and pursue to enactment legislation which would deal with the really shocking conditions which exist with respect to the handling of animals.

A bill is presently pending in the Committee on Labor and Public Welfare which is sponsored by me and cosponsored by the able Senator from Ohio [Mr. YOUNG]. That bill was originally also cosponsored by the junior Senator from Oregon [Mrs. NEUBERGER]. I regret that she saw fit at a later date to remove her endorsement.

That bill would deal across the board with the basic and fundamental problems of animal care in connection with research.

May I state very clearly that nobody who supported either that bill or this bill can legitimately be classified as an antivivisectionist. We all appreciate the need for medical research, research in biology, and in chemistry, and the existing need to use animals in connection with medical training if the pursuit of knowledge is to be successfully carried on.

That is no reason that these animals should be treated cruelly and inhumanely during the period of time in which they are awaiting experimentation or, even though the bill does not call for it, once the experimentation is completed.

An incident which occurred in Slatington, Pa., a year or two ago in which a pet poodle of a member of the local power structure was stolen by an animal dealer, transported to New York, placed in a hospital, and killed as a result of the research experiments before the owner of the dog could discover what had happened to his dog, induced me to introduce legislation which in principle is identical with the bill now before us.

I found present in the Senate Chamber that same day the able senior Senator from Washington [Mr. MAGNUSON], who was in the process of introducing a similar bill. We coordinated our efforts and combined our activities. The bill which is now reported and being acted on by the Senate is the result of that activity.

I note that my colleague, the junior Senator from Pennsylvania, is present in the Chamber. He also introduced a bill along the same lines, making his contribution to the final effort in which we are now engaged.

I thank my friend, the senior Senator from Oklahoma, for his courtesy in yielding, and I indicate my very strong support for the legislation and hope that it might be promptly passed.

Mr. MONRONEY. Mr. President, I thank the distinguished Senator for his pioneering work and for his great drive in assisting the crusade for corrective legislation.

Mr. President, I am happy to yield to the distinguished junior Senator from Pennsylvania and to thank him for his continuing interest evidenced by the introduction of his legislation, his sponsorship of the pending matter, and the very active part he has taken on the Committee on Commerce in helping to work out a compromise and bring it to the floor.

Mr. SCOTT. Mr. President, I am most grateful to my friend, the distinguished senior Senator from Oklahoma.

I favor H.R. 13881 wholeheartedly. We of the Committee on Commerce have worked out the best possible bill in my opinion. It was essential to move to cure the evils which have pervaded so many American neighborhoods in which dogs and cats have been stolen and brutally and savagely treated and kept under cruel and inhumane conditions.

In order to accomplish our purpose, we were careful not to interfere with the legitimate research activities involving the use of animals in research by properly authorized and suitably inspected hospitals and other medical research agencies.

My own bill, S. 3059, was quite similar to the bill finally reported. Some of the provisions of my bill are included in the pending measure.

I am well satisfied with the final product.

I appreciate the references to my bill by my colleague, the distinguished senior Senator from Pennsylvania.

This legislation is in the public interest. It should bring some comfort to people who own and love their pets.

I am very happy to support the measure. I thank the senior Senator from Oklahoma for yielding to me.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. ELLENDER. Mr. President, I understood that the Department of Agriculture had some objections to the original bill. They objected because the inspection of the animals and the records to be kept was to be done by the animal handlers and not by those people who actually used the animals.

Do I correctly understand that the bill has been amended to provide that the records will be kept not only by those people who handle the animals, but also by those who use them?

Mr. MONRONEY. The Senator is correct, and by those who buy the animals from the dealers. A mark of identification will be placed upon the animals, and the records of the care of the animals and everything related to the research facility is the problem of the research facility.

Mr. ELLENDER. The department would have to look for a record to those who handle the animals and to those who use them.

Mr. MONRONEY. The Senator is correct. A fee is to be charged for the license. We expect to provide adequate funds for the Department of Agriculture to carry on the inspection work which is to be carried on under the act with relation to both the animals and the research quarters in which the animals are kept.

Mr. ELLENDER. Will the fees be sufficient to take care of the cost of operating the program?

Mr. MONRONEY. We believe that the program will require an expenditure of approximately $2 million a year total to enforce the legislation. Certainly the Department of Agriculture is eligible for appropriations for this purpose.

Mr. ELLENDER. Would the fees be deposited in the Treasury?

Mr. MONRONEY. License fees collected under the act would decrease, to some extent, the future cost to the Government. It would revert to the Treasury under the bill.

Mr. ELLENDER. But the bill actually provides that the fees and charges would go to the Treasury.

Mr. MONRONEY. The Senator is correct.

(At this point, Mr. PASTORE assumed the chair as Presiding Officer.)

Mr. MONRONEY. I yield to my distinguished colleague, the Senator from Oregon.

Mrs. NEUBERGER. Mr. President, for many years, several of us have been sponsoring legislation to provide uniform Federal standards for the humane care and treatment of animals used in medical research. In previous Congresses the reaction of the organized medical research community was completely negative. The National Society for Medical Research rejected out of hand any suggestion that there was a need for Federal legislation. All those who proposed such measures were branded as antivivisectionists or well-intentioned but ill informed. Either way, it was claimed that the result of Federal legislation would be disastrous to medical research. The care and treatment of animals in the laboratories was adequate already; no Federal involvement was necessary or desirable. This concern by the medical researchers that the proposed remedy was worse than the disease was legitimate as it applied to some of the legislation introduced through the years. But to deny that inhumane or substandard conditions existed in animal research laboratories was, to put it mildly, less than candid; or to suggest that the Federal Government, with its enormous financial investment in research, has no legitimate interest in humane care is ludicrous.

In the 89th Congress, the NSMR decided to reverse a long standing policy and to support Federal legislation. This measure was introduced by Congressman ROYBAL in the other body. The Roybal bill was long on money but short on standards. All other proposals before Congress were roundly condemned as restrictive of medical research, with the exception of my own bill, S. 1087, which was singularly described as both helpful and backward.

With this long history of opposition to any Federal legislation in the area of humane animal care in research laboratories, I find it difficult to work up much sympathy for those doctors who bemoan the passage of the measure before us today and who urge support for the bill drafted by the National Institutes of Health, which was recently introduced by the distinguished chairman of the Labor and Public Welfare Committee [Mr. CLARK]. If the medical community had supported rather than fought legislation in past years, it could have had money and trained personnel years ago. It gets neither in this bill, and what it does get are administrative problems that may cause nightmares for several years.

By denying categorically over the years in intemperate language that any problems existed in the laboratories, the doctors forfeited their bargaining position in the legislative process.

Their "thou shalt not pass" attitude taken on medicare is another case in point, of what happens when those most affected by proposed legislation refuse to cooperate and compromise with Congress.

With that said, I want to turn to some serious problems which exist in the pending legislation, H.R. 13881. When this bill came to the Senate from the other House it was strictly an animal dealer measure. It established humane standards for the care and handling by commercial dealers of certain animals to be used in medical research. In the Senate, however, the coverage was expanded to include research facilities. The reason for research facilities being included in this bill from the Commerce Committee is directly related to the history of animal care legislation which I have just related.

The medical research animal care legislation introduced into Congress in the past has been referred to the Labor and Public Welfare Committee. Due primarily to the adamant opposition of medical opinion to legislation in this area, that committee has not taken any action on the bills. Therefore, when the animal dealer bill came to the Commerce Committee, it appeared to some supporters of humane care legislation to provide an ideal opportunity to get Senate action, after years of frustration, by amending the dealer bill which was before a committee which might be more receptive than the Labor and Public Welfare Committee had ever been.

It is interesting to note here that the only support for this approach from the organized humane movement came from the Society for Animal Protective Legislation. The much larger Humane Society of the United States, the American Humane Society, and the Catholic Animal Protection League all opposed the inclusion of research facilities in the pending legislation. These latter groups took their position on the grounds that the Labor and Public Welfare Committee was at long last ready to hold extensive public hearings on the various humane care bills before it and that the resulting bill would be much more comprehensive and effective than the amended Commerce Committee version. The medical community also opposed the Commerce Committee amended bill on the grounds that the NIH bill before the Labor and Public Welfare Committee met the needs of humane animal care much more adequately. The Commerce Committee rejected these appeals from the national humane societies and the medical researchers, deciding to include research facilities in the bill, presumably on the theory that a bird in the hand is worth two in the bush.

It being agreed then that humane standards ought to be established for research facilities, who should draw them up and administer them? The alternatives before the committee were the Agriculture Department and the Department of Health, Education, and Welfare. Agriculture was charged with setting up the standards in the bill for the dealers, so it was natural that its authority should be extended to cover research facilities. On the other hand, it was medical research which was being conducted on the animals, so HEW was also a natural agency to which to turn. The Department of Agriculture made very clear to the committee in both correspondence and in testimony that it did not want the responsibility of administering standards of animal care in research facilities, and itself suggested that HEW was the more appropriate department.

The committee, however, decided in favor of Agriculture. It did so for two reasons. One was that giving the administration of standard setting and investigation over to medical people in HEW to apply to medical research facilities smacked of self-regulation. Self-regulation in the abuse of animals was considered inappropriate by the committee. Secondly, the committee decided that the standards for humane care in research facilities would apply only to pre- and post-experiment situations, not when the animals were in experimentation. The committee report and the explicit language of the bill make it very clear that it is not the intention of the committee to interfere in any way with medical experimentation. This assumption of the committee that animal care can be separated from animal experimentation was then used to justify giving Agriculture the administrative responsibilities in the bill. Everyone agreed that Agriculture employees were not qualified to make decisions about animals in experimentation. But the committee decided that the standards would apply only before and after experimentation, and at those times the Agriculture employees were certainly capable of making intelligent decisions.

Unfortunately, neither rationale just mentioned is satisfactory. In the first place the refusal to trust doctors to regulate animal facilities seems a bit silly when we allow those same doctors self-regulation in the accreditation of our hospitals which take care of human ills. On the basis of experience, rapport, and administrative efficiency and cost the HEW would appear to be the logical agency to handle a program affecting medical research laboratories.

The second assumption, though, is even less warranted. Animal care facilities cannot be separated under the definitions of this bill from animal experiment facilities. In most research facilities covered by this bill there are no animal care quarters separate from the plant where the experimentation takes place for guinea pigs, hamsters, rabbits, and cats. In some laboratories this is also true of dogs. These animals enter experimentation as soon as they arrive in the research facility and therefore would be outside the regulating authority of the Secretary, if the research facilities so determine.

This situation is unfair to everyone. It places the researcher in a position of interpreting the explicit language of sections 7 and 17(a) in such a way that no Federal standards would apply if he wants it that way. It means that the humane groups will charge bad faith. It means that the Agriculture Department is in the most uneviable position of having to make some decisions that only Solomon could tackle. The only way to avoid this administrative mess is to amend the bill so that HEW administers the standards. Then sections 7 and 17(a) could be amended as well. But I see no realistic chance of such an amendment being carried. I want to go on record as having great sympathy for all who will be concerned with the administration and enforcement of this bill, as I see nothing but trouble.

Its intent is good but it is what I consider rather poor legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Unlock the Doors," published in the bulletin of the National Society for Medical Research, January–February 1966.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the bulletin of the National Society for Medical Research, January-February, 1966]

UNLOCK THE DOORS

(By Ken Niehans)

The University of Oregon Medical School has gone a step farther than unlocking the doors. The doors to the animal facilities have no locks.

Discussion of the use of animals in medical research has traditionally been a taboo topic in most institutional public information programs. This was true at Oregon Medical School until a little over two years ago when this tradition was tossed out. An about face was made.

It was the director of animal care, Allan Rogers, and the clinical veterinarian, Dr. Leroy Erickson, who nudged school authorities into starting a public education program concerning animal care and animals in research. Assistant Dean Joe Adams, Rogers, Erickson and Ken Niehans got together to talk over some of the problems facing the animal care department. An antivivisectionist city ordinance made animals unavailable locally. Another problem was recruitment of qualified animal caretakers and educating them about the function of good animal care in successful investigative programs.

Both Rogers and Erickson, who hold full-time faculty positions at the medical school, base their animal-care philosophy on the principle that animals must be given care effectively similar to that of human patients. It was felt that if by word and deed we could show the public this philosophy at work, we could gain support for our program.

There was nothing to hide. Our animals were extremely well cared for. So it was decided not only to establish an "open door" policy but to present to the public, through various news media, information about how animals are used in medical research, how they are cared for and their contribution to medical science.

Shortly after deciding to initiate an information campaign, the Medical Research Foundation of Oregon purchased a 180-acre farm for the medical school to use in breeding and housing animals. This purchase gave an excellent starting point for the information program. Families on neighboring farms and ranches were visited and informed as to the type of facility the farm would be. A caretaker was hired from the area. He knew everyone nearby and was well liked.

News stories about the farm and plans for its use were prepared in the Public Affairs Office. These were sent to newspapers, radio and television stations. When new animals arrived at the farm they were photographed and the pictures were provided to the news media.

During this developmental period the new nine-story research building was under construction. The first two floors of the new building are devoted to animal quarters, experimental animal surgery, the animal morgue, cage washing facilities, etc.

In December 1962, following a preview for the press, an open house for the public was held. One of the most popular areas, visited by several thousand persons, was the experimental animal surgery suite, where, with the use of department-store mannequins, a very authentic mock animal-surgery setup was presented. A member of the animal care department was on hand to answer questions and explain the use of the various pieces of equipment.

Science stories released to the news media included information on the use of animals. When Dr. Erickson, the school's first full-time veterinarian was appointed to the faculty, brief announcements were sent to the newspapers. Later these were followed with a feature story in our school publication which goes to all the news media and "thought leaders" throughout the state, as well as to the employees and faculty of the medical school.

The program appeared to have gained acceptance from the local animal humane groups. The way seemed to have been paved for a more direct approach. A local medical reporter was approached regarding a story on our animal care department and our animal breeding program. He accepted the idea enthusiastically. A full picture page appeared in the press along with the story about the animals at the school, the farm, and about our dog breeding program.

A few days later, quite by accident, an incident happened which gave an excellent opportunity to get research animals into the news again. One of the goats in which an artificial aorta had been implanted was being brought in from the farm for a checkup by the surgeon. In the act of being unloaded at the medical school, he jumped out of the pick-up truck and literally went "over the hill" into the forested area which surrounds the school. An extensive search failed to turn up the evasive animal. The surgeon, of course, was very anxious to get him back as he was important to the investigator's evaluation of the artificial aorta and the method of implantation.

We called the newspapers, radio and television stations and asked them to help us find the lost goat. The papers all ran stories about him, radio stations mentioned him daily on their newscasts and TV stations asked their viewers to keep on the lookout for the white goat, which by this time had been named "Barney" by a local reporter.

Barney remained lost for 10 days before a filling-station attendant spotted him high on one of the hills in Jackson Park. Finding him led to more stories in the press, again informing the public about research animals.

It was then decided the time was right—and the public ready—for a television documentary on animals in research. Scouting around produced a perfect star for the show, a black and tan mongrel dog at the farm which had been used in the open-heart surgery program. For supporting actors Rogers, Dr. Erickson, Dr. John Brookhart, chairman of the medical school's research committee and Dr. William Fletcher, a young surgeon on our staff were used. But the real star of the TV show was the mongrel dog named Duke.

Thanks to the kennel manager Vic Reynolds, in a matter of a week Duke was trained to make his entrance on cue, and sit in a chair just like the other members of the panel. The show was called "Animal Soldiers in Research."

To promote viewing of the documentary, post cards were printed with Duke's picture on them and sent to kennel owners, humane groups, legislators and community thought leaders. No punches were pulled in showing and speaking the truth on this show. (A copy of the film is available for loan from the National Society for Medical Research.)

It must be admitted that there was much speculation whether the switchboard would be flooded with calls after the broadcast. Concern proved to be unwarranted. Not a single objection to the program was received by either the school or by KGW, the NBC-affiliate station which telecast the show.

Duke, the canine star, who had contributed so much to the school's heart surgery program was later nominated and named National Research Dog Hero of the Year. Perhaps you already know about the rather elaborate press conference that was held for the dog, resulting in front-page newspaper picture stories in most of the major cities in the country and television broadcasts to an estimated 160 million viewers in and beyond the United States.

Those who have been through a formal press conference, facing dozens of reporters and a battery of cameras will agree that for this alone Duke deserved retirement—not to mention his contributions to medicine. Duke was presented to a 6-year old boy who had had the same type of surgery as the dog, and today Duke is enjoying life with his beneficiary and his family on a large farm near Portland.

It seemed extremely important to direct some of our efforts in this information program to youngsters. Last year a tour program of the school was arranged that included the animal-care department. The student groups ranged from high school students to youngsters 9 or 10 years old. We found that children of all ages spent more time in the animal quarters than anywhere else on the campus. During the past year more than 1,000 students toured our facilities. The animal-care department received a number of letters of thanks, not only from teachers and scout group leaders, but from the children themselves.

It is probable that in the years to come these youngsters will have a better understanding of the use of animals in scientific research. They will be less likely to be influenced by nonsensical antivivisection literature.

A large number of adults also have toured our facilities. Responsible adults always are invited to go into animal surgery if they wish, provided they mask, cap and gown and observe the other sterile precautions. We feel it is important for them to see that our animal surgery suite compares favorably with a human operating room.

The same "open door" policy is practiced at the farm. There are no gates to the driveway. Anyone is free to drive in and take a look for himself. When nothing is hidden it is amazing how much the whole approach to the animal situation is simplified.

On several occasions people have called and said they were sure we had their dog. They were told that it was quite unlikely, but they were welcome to look at dogs in our kennels. After inspecting the animals they were not only satisfied that the school did not actually have their dog, they also were impressed by the fine accommodations provided for dogs at the medical school.

We enrolled some of our breeding-colony dogs in Canine Club Obedience Clases. This not only resulted in well-trained animals for the medical school, but exposed other dog owners in the community to the fine care and treatment the animals get at the medical school.

Also, each year some of the animals are entered in both the county and state fairs and they usually bring back their share of blue ribbons.

At our invitation, the director of Portland's Humane Society and the mayor's administrative assistant spent a half a day in the animal quarters. This visit resulted in a good working relationship between the Humane Society and the animal care people of the medical school. Although the city ordinance still prevents the medical school from getting dogs from the Portland pound, the director of animal care was recently consulted by the mayor's office when a committee was working on a new ordinance to insure proper transportation and care of animals in pet shops and retail establishments.

Although the animal information program is far from completed here are some of the results to date.

1. More animals are being donated.

2. The public knows of the variety of animals now used in medical research.

3. Recruitment of good animal care personnel has been possible.

4. The faculty is pleased with changing public attitudes toward use of animals.

5. Our 2,000 employees show an increased pride in our animal care facilities and are telling their friends in no uncertain terms that research animals are not mistreated.

6. Because of the far-reaching implications which are involved for all institutions of higher education in America, we presented a summary of this public relations program in national competition of the American College Public Relations Association. We were pleased that it won first prize for distinguished achievement in a public relations project. However, we feel that the real value of entering the competition was to make other universities and colleges aware that research animals need not be a taboo topic but rather a subject that should be and can be explained to the public.

It is believed that great progress has been made since this program was started. But it is going to take the work of more than one institution in the Pacific northwest to gain national public understanding and support of the use of animals in scientific research.

Advances in public understanding have been made. It is hoped that other medical school people will talk to their public relations office and initiate an appropriate information program.

If you sincerely believe that an information program such as is underway at the University of Oregon Medical School will not work in your area, perhaps you should look over your operation with a supercritical eye. If you have decent facilities and you are doing a good job, you should have nothing to hide from the public.

If acceptable facilities are not available, or if animals are not cared for properly, this not only presents a potentially dangerous public relations problem to an institution, but a real headache to faculty and researchers who must have healthy animals if the results of their investigations are to be valid.

If you unlock your doors and tell the people, in the long run you are going to make your job easier. You are going to gain support for the use of animals in research, and you will discourage undue legislative controls over the use of animals.

Mr. JAVITS. Mr. President, will the Senator from Oklahoma [Mr. MONRONEY] yield to me?

Mr. MONRONEY. I am happy to yield to the Senator from New York.

Mr. JAVITS. Mr. President, I introduced the Humane Laboratory Animal Treatment Act of 1966, S. 3218, patterned after legislation suggested by the New York State Society for Medical Research, which seeks the same objectives as the bill now before us which the Senator from Oklahoma [Mr. MONRONEY] is discussing.

I am glad to see the pending bill before the Senate and, of course, I support it.

I do have one question. The fact is that the bill does leave to the researcher himself the decision as to when the animal is for experimental purposes. As we know, there are also big institutions, foundations, research agencies, and hospitals involved. The view of the Senator from Oregon [Mrs. NEUBERGER] is very impressive on this point.

Can the Senator from Oklahoma [Mr. MONRONEY] assure us that at least the Department of Agriculture will make itself helpful to agencies charged with this decision; that we will see to that through legislative oversight; and that if there is coordination necessary with HEW for medical and research decisions the Department of Agriculture will seek that kind of coordination?

Mr. MONRONEY. Certainly, in my mind there is no danger that any researcher is going to say that an animal is always undergoing research when he is in the research facility. They do know, as we know, that there are long periods of time when animals are undergoing research, and that they should be completely exempted from any interference by the Department of Agriculture, or any supervisory group.

For this reason, we wrote it twice in the bill to make certain that it was not overlooked. We would be happy to urge the Department of Agriculture to supply advice in an area where they have no room to operate, so that the people will be certain that the exemption means exactly what it says, that we do not interfere with research. In following out our oversight responsibilities in the Committee on Commerce, we will be careful to look into the results of this legislation as it applies to our research facilities.

Mr. JAVITS. They should also consult with HEW, the private scientific researchers, and the humane societies, in order to get as much guidance as possible.

Mr. MONRONEY. Section 13(a) of the bill states:

> SEC. 13. (a) The Secretary shall consult and cooperate with other Federal departments, agencies, or instrumentalities concerned with the welfare of animals used for research or experimentation when establishing standards pursuant to section 7 and in carrying out the purposes of this Act.

THE REMOVAL OF A RESTRICTION ON CERTAIN REAL PROPERTY HERETOFORE CONVEYED TO THE STATE OF CALIFORNIA

The Senate resumed the consideration of the bill (H.R. 1582) to remove a restriction on certain real property heretofore conveyed to the State of California.

The **PRESIDING OFFICER**. The hour of 2:20 o'clock p.m. having arrived, under the unanimous-consent agreement entered into, the Senate will proceed to vote on the amendment of the Senator from Oregon.

UNANIMOUS-CONSENT AGREEMENT

Mr. **MAGNUSON**. Mr. President, may I ask the majority leader and the acting minority leader if I may propound a unanimous-consent request, to postpone the vote until 2:35 o'clock p.m. on the Morro Rock matter. I do this out of consideration for one of the Senators from California whom I have just left, both of us having important engagements downtown. He was to make a speech. I believe that inasmuch as he is now on his way to the Capitol, I do not think the Senate would like to have a yea-and-nay vote without his presence in the Chamber because of his great interest in this subject.

Mr. **KUCHEL**. Mr. President, I have no objection whatsoever.

Mr. **MANSFIELD**. Mr. President, I fully agree with the distinguished Senator from Washington and the acting minority leader. I believe that this may discommode other Senators but, under the circumstances, I ask unanimous consent that the vote on the Morse amendment take place at 2:35 o'clock p.m.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none, and it is so ordered.

DOGS AND CATS USED IN RESEARCH

The Senate resumed the consideration of the bill [H.R. 13881] to authorize the Secretary of Agriculture so regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation and for other purposes.

Mr. **MAGNUSON**. Mr. President, I offer an amendment to the committee amendment and send it to the desk. It would delete certain language.

The **PRESIDING OFFICER**. The amendment to the committee amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

> On page 10, line 18, after "District of Columbia", to strike out the comma and "or the Commonwealth of Puerto Rico".

Mr. **MAGNUSON**. Mr. President, I do this because the Resident Commissioner of the Commonwealth of Puerto Rico was concerned about the inclusion of the internal commerce of Puerto Rico in the bill. He states that such a regulation of Puerto Rican internal commerce would violate the compact between the United States and Puerto Rico and should, therefore, be deleted from the bill.

Mr. President, I ask unanimous consent that the letter from SANTIAGO POLANCO-ABREU, Resident Commissioner of the Commonwealth of Puerto Rico, requesting the amendment be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> CONGRESS OF THE UNITED STATES,
> HOUSE OF REPRESENTATIVES,
> *Washington, D.C., June 21, 1966.*
>
> Hon. WARREN G. MAGNUSON,
> *Senate Commerce Committee,*
> *Room 5202, U.S. Senate,*
> *Washington, D.C.*
>
> DEAR MR. CHAIRMAN: I would like to call your attention to a matter of immediate concern to me. In the form reported by your Committee, H.R. 13881 authorizes the regulation of the commerce of dogs and cats "within . . . the Commonwealth of Puerto Rico." The House-passed version did not so impose upon the internal commerce of Puerto Rico.
>
> As I explained to you in my recent letter concerning the proposed Hartke-Mackay Amendment to the Traffic Safety Act, regulation of the internal commerce of Puerto Rico by the United States Government would be a direct violation of the 1952 compact, between the United States and Puerto Rico, which created the Commonwealth.
>
> A member of my staff discussed this problem today with Mr. Donald Cole, and was informed that this error probably originated in the office of the Senate Legislative Counsel. Mr. Cole suggested that it be corrected by a Floor amendment, when the bill is considered by the Senate.
>
> I would appreciate it very much if you would offer the enclosed amendment to remedy this situation.
>
> Sincerely yours,
> SANTIAGO POLANCO-ABREU.

Mr. **MAGNUSON**. Mr. President, since this does violate the compact, I believe that we should all agree it be deleted from the bill, and urge adoption of my amendment.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment to the committee amendment of the Senator from Washington.

The amendment to the committee amendment was agreed to.

Mr. **MONRONEY**. Mr. President, the painful plight of animals used in medical research has been a topic of controversy for many years. Ninety years ago, the British Parliament enacted the Cruelty to Animals Act which provided for minimum standards of care and comfortable housing of research animals. During the past decade, numerous bills have been introduced in both Houses of Congress attempting to remedy the situation in this country.

These proposals have been the source of continuous struggle between humane societies and medical research facilities. Perhaps the problem has remained unsolved because both sides have been so unwilling to compromise. This is a highly complicated and emotionally charged issue. Both the humane groups and the research community have had divisions among their own ranks.

We are all aware that without the use of living animals in research the tremendous advances in medical knowledge of the past few decades could not have occurred. Medical experimentation is necessarily painful sometimes. Researchers are properly afraid of any legislation or control that would restrict or inhibit the necessary surgical or other medical experiments that they must perform on animals if the life sciences are to continue to advance.

Something can be done, however, without interfering with research, to insure that laboratory animals are provided decent, humane care before and after the period of actual experimentation.

For too long the housing, care, and feeding of research animals has been neglected in many of our research institutions and medical colleges. The great emphasis on medical and other research in the life sciences of the last several years has left little time, it seems, to provide for the animals who make most of these activities possible. In some instances, only unskilled attendants or careless part-time workers have been to blame. But inadequate facilities for the care of research animals and callous disregard for even the fundamental principles of cleanliness and comfort on the part of some supervisory officials, have caused the necessary laboratory suffering to be compounded many times.

Often our finest research centers with the very best in laboratory equipment utilize ill-kept basements, cramped inside rooms, or ramshackle wooden outbuildings to house the animals they use. Few of our research institutions provide outside exercise pens so these animals can have proper exercise, sunshine, and fresh air.

The committee heard of many heartbreaking examples. Cages large enough for a dog to stand or lie down in comfortably are often not available. The chance of saving a few cents on cleaning often leads to wire flooring in cages that cuts the dogs' feet. Even such an elementary service as fresh water for the animals is frequently neglected.

The details of the testimony concerning the inhumane treatment of research animals are not pleasant. The pitiful conditions that exist in some animal detention rooms never come to public attention because these rooms are seldom available for public inspection. The sights, sounds, and smells that emanate from them are often repugnant and offensive.

But not always are the animals caged within these rooms allowed to cry out in protest. Dogs used in research sometimes are "debarked"—surgically made voiceless so that their protests cannot be heard.

The details that appear in the committee record reflect very poorly upon a nation so affluent that it now can spend $1.9 billion annually on medical research. Unsavory and repulsive as they are, I feel that some of the facts brought out in these hearings must be mentioned in connection with this legislation.

Repeated testimony in the hearings cited cases of malnutrition and extreme restraint and confinement in animal quarters. Witnesses described one laboratory after another where dogs were caged in tiers or stacks of cages. Some of these cages have no floors other than the wire mesh.

The committee was told about research dogs which had had internal organs removed or altered but which had been returned to cages where no comfortable resting place was available. The committee was advised that the wounds resulting from surgical experiments had, in some instances, become infected because of poor maintenance of confinement kennels—or cages, as the case might be.

In one large university hospital, large German Shepherd dogs were found stuffed into cages that were far too small. This was not part of an experiment involving physical restraint. The dogs simply had been mistreated, carelessly placed in cages designed, apparently, for toy breeds, or for rabbits.

Cases were reported of animals being allowed to starve, either because the food supplied them was miserably inadequate or their food needs simply neglected.

I hesitate to go on with gruesome details. I hesitate to mention that in one research facility the bodies of monkeys that had been dead for possibly a week were found in a neglected confinement area.

I could go on and cite one case after another of cramped and inadequate quarters, poor and inadequate food, pitiful animals suffering from infections not related to research but resulting from carelessness and neglect.

Let me make it crystal clear that this bill in no way will impair the rights of researchers and the managers of research facilities to subject animals to medical or surgical procedures required for research and experimentation. It spells out adequate safeguards that medical research will not be impaired. It specifically exempts from regulation those procedures required during actual experimentation. Section 7 and section 17 of the bill both state:

> Nothing in this Act shall be construed as authorizing the Secretary to promulgate rules, regulations, or orders for the handling, care, treatment, or inspection of animals during actual research or experimentation by a research facility as determined by such research facility.

The researcher is left completely free to use an animal in his research project in whatever way, no matter how painful, and for as long as he deems necessary, including removing any organs or vital parts, or even experimentation that he knows will result in the death of the animal.

The original provision that was in the bill to license research facilities has been deleted and, hence, there is no question of revocation or suspension of licenses. The most severe penalty is the right of the Federal court to issue a cease and desist order which merely directs the institution to correct the situation in its animal quarters.

In summary, the provisions regulating research facilities provide the following:

First. Prohibit research facilities from buying animals from an unlicensed dealer.

Second. Require research facilities to register with the Secretary of Agriculture.

Third. Direct the Secretary of Agriculture to establish minimum standards for the humane handling, care, treatment, and transportation of animals by research facilities, exempting periods of actual research.

Fourth. Direct the Secretary of Agriculture to consult with other Federal agencies concerned with the welfare of research animals, including HEW.

Fifth. Allow inspectors to confiscate or destroy postresearch animals found suffering because of violations of the act. The committee report limits this to animals whose use in experimentation has been completed and which are suffering because of the lack of humane care while in their postoperative condition.

Sixth. That in case of a violation by a research facility the Secretary of Agriculture could issue a complaint to the offending facility and they would have 20 days in which to comply. If the facility failed to comply, the Secretary could then seek a cease and desist order in Federal court.

Seventh. The research facility has 6 months after promulgation to comply with the regulations and the Secretary can grant extensions of time for compliance if he determines the research facility will meet the standards within a reasonable time.

Eighth. The application of these provisions is narrowed to those facilities purchasing or transporting dogs or cats in commerce or which receive Federal grants for research involving animals. This limits the application only the 2,000 largest facilities and excludes the thousands of hospitals, clinics, and schools which use other animals such as mice, rats, and hamsters for research and tests.

These provisions clearly do not interfere with research; otherwise, I would not have put them in the bill. I have always been an advocate of medical research. I proposed the original amendment establishing the 50–50 matching for the construction of research facilities. My goal here is only to eliminate the unnecessary suffering of these animals.

The objection has been raised that research facilities do not have the necessary funds available to bring their animal quarters up to proper standards. This objection is raised by institutions now receiving more than $1 billion annually from the Federal Government for research, most of which involves animals. Certainly, the cost of providing decent animal facilities would be a small fraction of the total research expenditures. The bill carefully allows for extensions of time for research facilities to comply with the standards.

Another objection that has been raised is that the regulation of animal care and housing in research laboratories should be carried out by the Department of Health, Education, and Welfare rather than the Department of Agriculture. The Department of Agriculture, with its well-established inspection service and its experts in the field of animal husbandry, is ideally suited for the task. Agriculture conducts programs in research related to animal diseases, and it presently administers laws regarding the humane slaughter and treatment of livestock, and the 28-hour law to prevent cruelty to animals in interstate transit.

HEW, on the other hand, has failed in the past to require decent standards of animal care of research institutions receiving millions of dollars in NIH grants. HEW has implied that they would farm out the regulatory authority to the American Association of Accreditation of Laboratory Animal Care, a group formed by the American Medical Association and several other medical bodies. This group would make an initial accreditation of animal facilities and then reevaluate them every 5 years.

The American Association of Accreditation of Laboratory Animal Care seems hardly adequate to the problem, especially since the inspectors would be drawn from the same scientific community involved in being inspected, a situation where there would be no serious impartiality.

The reason Federal legislation is needed in the first place is the shocking failure of self-policing by the medical community.

Again, I want to emphasize that this bill will not interfere with, restrict, or inhibit research or experimentation in any way. Its objective is merely to provide protection from unnecessary suffering to all laboratory animals in the hands of animal dealers, in transit, and in the laboratory. The bill provides for reasonable reform. I believe it will prove to be beneficial to the research institutions for it will insure them a supply of healthy animals with which to carry out their important mission.

It is commonsense that the use and even reuse of weak, infected, and injured animals can only lead to high mortality rates and inaccurate or even misleading conclusions, and waste of time and money.

Mr. President, we are respected throughout the world not only because our Nation is rich and powerful—but also because we are humane. Life is precious to us—we abhor needless pain and suffering.

This emphasis on humanity is typified by our treatment of animals. The "bad guy" is best caricatured as an ill-tempered citizen who vents his spleen by kicking his dog—and we have a special contempt for such acts.

Some 5 million animals are used each year in U.S. research. This bill will bring our treatment of these animals up to a level in keeping with the high standards we apply to all aspects of our national life.

Mr. President, I believe that Senators are now ready to vote on this vital matter.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays on the bill.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, today, we have an opportunity to take an important step in insuring that the vast number of animals used in our vital medical research programs are neither stolen nor abused.

Since last summer, the public has been aroused by the press reports of stolen dogs and cats being sold to dealers who, in turn, sell them to research institutions.

In addition, there have been many instances uncovered where dealers in these animals have subjected their animals to cruel and inhumane conditions. And even after these animals reach the research institution, conditions for their care and housing are often, in the words of one noted medical researcher, less than desirable.

H.R. 13881, as amended by the committee, recognizes the need for Federal legislation to deal with the abuses that have developed as a result of the Nation's vast program of medical research. Much of this medical research involves experiments and tests with animals. The demand for research animals has risen to such proportions that a system of unregulated dealers is now supplying hundreds of thousands of dogs, cats, and other animals to research facilities each year.

The committee held 3 days of hearings on the subject of regulating those who sell, transport, or handle animals intended for use in medical research. During these hearings, shocking testimony was received concerning the existence of pet-stealing operations which supply some animals eventually used by many research institutions. Stolen pets are quickly transported across State lines, changing hands rapidly, and often passing through animal auctions. While in the hands of dealers, these animals are faced with inhumane conditions. Quarters are cramped, uncomfortable, and unsanitary, with inadequate provisions for food and water.

The public has been aroused by exposés of pet theft and the treatment encountered by many of these animals on their way to the medical laboratory. Yet, State laws have proved inadequate both in the apprehending and conviction of the thieves who operate in this interstate operation and in providing for adequate conditions within dealer premises.

Much of the responsibility for creating this huge demand for medical research animals rests with the Federal Government. Grants to research institutions for biomedical research have multiplied twelvefold since the early 1950's. H.R. 13881, as amended, provides a mechanism that will block the existing interstate trade in stolen pets and at the same time will insure humane treatment of those animals which are destined for use in research facilities.

However, it is not just the animal on the way to the laboratory that is faced with inadequate care and treatment. The committee hearings disclosed that shortcomings existed in the care and housing that animals receive after arriving in many medical research laboratories. Cramped quarters and inadequate care are often present, especially in the older research institutions.

H.R. 13881, as amended by the committee, also recognizes the need for upgrading animal standards in the laboratory, but at the same time provides adequate safeguards to insure that medical research will not be impaired. While all witnesses before the committee recognized the need for improving care and housing in the research laboratory, contradictory testimony was received on the question of whether this problem was a responsibility for the Secretary of Agriculture or the Secretary of Health, Education, and Welfare. After lengthy consideration, including an extra day of hearings on the specific issue, it was the committee's determination that the Department of Agriculture was the proper agency for regulating care and housing in the laboratory. However, the committee was very careful to provide protection for the researcher in this matter by exempting from regulation all animals during actual research or experimentation, as opposed to the pre- and postresearch treatment. It was not the intention of the committee to interfere in any way with research or experimentation.

Mr. President, the growing traffic in stolen pets and the inhumane treatment that animals receive at the hands of dealers has generated a public outcry rarely experienced by Members of Congress. The members of the Committee on Commerce have received tens of thousands of letters demanding action. Newspapers and magazines throughout the Nation have devoted many editorials to this problem. It is now time for the Senate to act.

Mr. CLARK. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I am happy to yield to the Senator from Washington.

Mr. CLARK. As the Senator well knows, I strongly support the bill. However, I have discovered—somewhat to my surprise—that the record has not been printed. If we are going to have a yea-and-nay vote, we may have to go to conference, and I would therefore urge the chairman of the committee to see that the staff has the record printed.

Mr. MAGNUSON. We will. It is on its way over right now. We just did not have it here to put on Senators' desks.

Mr. MORSE. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I am happy to yield to the Senator from Oregon.

Mr. MORSE. I want to commend the Senator from Washington, and others on the committee which brought forth this bill. It is a long overdue bill and a sound one, and I am proud to associate myself with it.

Mr. MAGNUSON. I thank the Senator.

Mr. YARBOROUGH. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I am happy to yield to the Senator from Texas.

PROTECT OUR PETS FROM THEFT

Mr. YARBOROUGH. Mr. President, I support H.R. 13881, as amended by the Committee on Commerce. This legislation, which authorizes the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended for use in research and experimentation, is a good step in the direction of eliminating the increasing evil trade in stolen pets. This Nation's families should be protected from dog-and-cat thieves who steal the family's cherished pet, to sell those pets by the pound or at auction.

This bill strikes at the dog-and-cat stealers and those who work and cooperate with them by authorizing licensing of animal dealers, prohibiting research facilities from buying from unlicensed dealers, and by directing the Secretary of Agriculture to issue regulations concerning the care, handling, and treatment of the animals they have.

Humane treatment of animals in the hands of dealers and research facilities is furthered by those parts of the law requiring that animals be marked in a humane fashion, that they be humanely treated during auction sale, and that inspectors can confiscate or destroy animals found suffering because of violations of the act.

Particularly helpful to families whose pets are stolen are provisions which facilitate the recovery of stolen pets: law enforcement officials are allowed to inspect the facilities of dealers and research facilities in search of lost animals, and the dogs and cats may not be disposed of for 5 business days after the animal has been acquired by the dealer.

Mr. President, I urge the passage of this legislation.

Mr. YOUNG of Ohio. Mr. President, this is an extremely important bill—one of the very important legislative proposals that we shall have before us this year. I hope it will pass in the Senate by unanimous vote. It gives me pleasure to report, Mr. President, that when the senior Senator from Pennsylvania [Mr. CLARK] introduced the first bill providing for humane treatment of experimental animals I was recorded as cosponsor. I spoke out at that time and at times since in this Chamber in support of this meritorious and needed legislative proposal.

This legislative proposal should effectively deter the inhumane treatment of animals by unscrupulous dealers who heretofore have toured the countryside picking up stray dogs and cats and selling them to animal concentration camps. It also provides for humane treatment of these animals when they arrive at experimental laboratories and institutions. In that regard the amendments by the Committee on Commerce to this bill have done much to strengthen it and to make it really effective legislation.

Mr. President, I am hopeful that in the future additional legislation will be enacted which will assure that when essential experiments are conducted, animals such as dogs and cats will be subjected to a minimum of torture, as provided in the bill, S. 1071, introduced by the distinguished senior Senator from Pennsylvania [Mr. CLARK]. That bill is so important and so greatly needed I hope that later this year or early in the next congressional session it will be further considered in committee and reported to the Senate for debate and vote.

Mr. President, subjecting animals to needless suffering does nothing to advance science or human welfare, and a nation as idealistic in tradition and as great in resources as ours should not tolerate any unnecessary inhumane treatment of animals used in experiments. Such humane legislation will in no way deter the advancement of medical science. To the contrary, it will eliminate needless brutality.

Mr. COOPER. Mr. President, as the sponsor of what I believe was the first bill in the Senate to provide for the humane treatment of laboratory animals, I am very glad to support today, H.R. 13881.

Six years ago I introduced S. 3570, the purpose of which was to assure the humane treatment of animals used in federally financed research, in which Senators CLARK, MANSFIELD, BARTLETT, BYRD of West Virginia, Kefauver, MORSE, PROXMIRE, RANDOLPH, GRUENING, and McNamara joined as sponsors. But, no hearings were ever held on the bill by the Labor Committee, I assume, because of the severe attacks upon it by some researchers, and by some groups who wanted to stop all research. And the only opportunity we had at that time to direct public attention to this matter was on the Senate floor, as when Senator MORSE and I discussed the problem and the need for hearings in February of 1961. Although no action was taken by the committee or the Congress at that time, I feel that the introduction of that bill did stimulate voluntary steps by medical schools, hospitals, and laboratories to care for the animals they use for research.

Other legislation has been introduced in the intervening years, including in this Congress, S. 1071 by Senator CLARK, and S. 1087 by Mrs. NEUBERGER, to authorize the Surgeon General to establish minimum standards for the humane care and treatment of research animals. The House Committee on Interstate and Foreign Commerce held hearings last year on H.R. 5191, introduced by Congressman ROYBAL, to authorize the Surgeon General to support grant programs relating to the care of laboratory animals and to establish standards of care and treatment, and set up an advisory committee to prepare a biennial report to the Congress on the status of laboratory animal care. Many Kentucky doctors wrote to me in support of the Roybal bill, and I agree that its proposals were well directed toward the root of the problem. Also, last year, the House Committee on Agriculture held hearings on the bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for research or experimentation, and this is the bill which was passed by the House and which concerns us today. I am glad to support H.R. 13881 as amended by the Senate Commerce Committee.

I note that in its report to the Senate, the Commerce Committee called attention to the need for the appropriate committees in the Congress "to consider the desirability of additional aid to research facilities for animal quarters in the future." It is clear that the stealing of pets, which causes much pain and heartbreak, should be stopped. It is also clear that this traffic in pets may be caused by the large demand for animals to be used in medical research and to train doctors, and by the lack of facilities for the large-scale production of high-quality standardized laboratory animals. Research and experimentation utilizing animals must go on, and I hope the Senate Labor Committee will now go on to hold hearings on S. 3332, introduced last month by Senator HILL, to provide financial assistance for the construction of better and proper laboratory animal facilities.

Mr. President, I ask unanimous consent that excerpts from the CONGRESSIONAL RECORD for May 18, 1960, and February 6, 1961, be included at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

[From the CONGRESSIONAL RECORD, May 18, 1960]

HUMANE TREATMENT FOR CERTAIN ANIMALS

Mr. COOPER. Mr. President, on behalf of myself, and Senators MANSFIELD, BARTLETT, BYRD of West Virginia, Kefauver, MORSE, PROXMIRE, RANDOLPH, GRUENING, MCNAMARA, and CLARK, I introduce, for appropriate reference, a bill which would provide for the humane treatment of animals used in experiments by recipients of grants from the United States, and by departments and agencies of the Government.

I am aware that there are those who have raised objection to this proposal. Yet it seems to me that the objectives of the bill are such that they are entitled to be considered by the appropriate committees of the Congress. I do not say that the language is perfect or that every approach is necessarily the proper one. Certainly, the objectives of the bill are worthwhile, and it merits earnest attention.

I am informed that this bill would not inhibit or prevent experimental research. Nor is it my intention or that of the cosponsors of this bill to do so. Its basic goal is to insure that in experiments requiring the use of animals, precautions will be taken and every effort will be made to conduct such experiments in a manner that is as humane as possible.

I ask unanimous consent that the bill lie on the table for 5 days so that other Senators who wish to join in sponsoring the bill may have the opportunity to do so.

[From the CONGRESSIONAL RECORD, Feb. 6, 1961]

RULES AND REGULATIONS FOR TREATMENT OF EXPERIMENTAL ANIMALS BY RESEARCH GROUPS RECEIVING FEDERAL RESEARCH FUNDS

Mr. MORSE. Mr. President, last year the Senator from Kentucky [Mr. COOPER] introduced a bill, numbered S. 3570, of which I was happy to be one of the cosponsors. The bill provided some rules and regulations for the treatment of experimental animals by research groups receiving Federal research funds.

The bill was subsequently attacked very strongly by medical research organizations and many persons in the medical profession. Last fall there appeared in Science magazine a letter from Prof. Bradley T. Scheer, chairman of the department of biology at the University of Oregon, in which he made what I regard as a very sound and worthwhile analysis of the bill and its purpose. I ask unanimous consent to have Dr. Scheer's letter to Science magazine printed at this point in the RECORD, for the information of my colleagues.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

"The bill S. 3570 recently introduced into the Senate by Senator COOPER and others, 'to provide for the humane treatment of animals,' has been strongly attacked both in Science [132, 7 (1960)] and in the Bulletin of the National Society for Medical Research. These attacks have given what I think to be a false idea of the nature and intent of the bill, and of the motives of its sponsors, and prompt me to make a carefully considered statement of my own opinion.

"The issue of humane treatment itself is a moral one: To what extent are we justified in inflicting pain and discomfort on other organisms in our search for knowledge? Bill S. 3570 takes the position 'that living vertebrate animals used for scientific experiments shall be spared unnecessary pain and fear; that they shall be used only when no other feasible and satisfactory methods can be used to ascertain biological and scientific information for the cure of disease, alleviation of suffering, prolongation of life, or for military requirements; and that all such animals shall be comfortably housed, well fed, and humanely handled.' This is a statement with which, I think, most biologists would agree in principle; personally I should feel more comfortable if the words 'potentially valuable' were inserted after the words 'scientific information,' but I think that the efforts of the National Society for Medical Research, the Animal Care Panel, and the American Physiological Society over the past several years have been directed toward the general aims stated above.

"The second issue posed by the bill is a practical political one: Granted that humane treatment is desirable, is legislation, and in particular this legislation, the best means to assure it? The alternatives would seem to be voluntary action by the investigators or local control by individual communities. The charges recently brought against Stanford University and the College of Medical Evangelists in California show that local action under the influence of extremist pressure groups may still endanger medical research; it seems probable that the existence of Federal legislation of the type proposed in S. 3570 would do much to protect laboratories against this sort of local attack. The question of voluntary action is a more debatable one. In my own experience I have never come across an instance of wanton cruelty to experimental animals, but I have encountered numerous cases of neglect due to callousness, inadequate facilities, inexperience, or carelessness; again, it would seem that S. 3570 would help to eliminate such instances.

"The reasonable objections which have been made to the specific provisions of S. 3570 are well summarized in the Science editorial: 'Advanced approval of experimental plans by the Department of Health, Education, and Welfare, burdensome recordkeeping, annual or more frequent reports to HEW, additional costs and a new and unnecessary amount of redtape.' As I read the bill, it seems to me that the requirements are not greatly beyond those now in force. Every application for Federal research funds requires submission of an experimental plan which is approved by a panel of scientists. I hope that all of us who publish results of animal experiments do at least the amount of recordkeeping specified by the bill. Every Federal research grant now requires an annual report. The only additional features are that the experimental plan must specify what animals are to be used and what type of experiments are to be performed; there is nothing in the bill requiring advance approval of every minor change in experimental procedure. The report, also, must specify the animals used and the procedures employed, but there is nothing in the bill to say that this must coincide exactly with the plan proposed. Compliance with the provisions of the bill will cost more, insofar as the existing laboratories do not provide adequate facilities for the animals used, but this should result in better experimental results as well as more humane care.

"The National Society for Medical Research has devoted much attention to the provision for inspection of facilities and for certificates of compliance with regulations to be laid down by the Secretary of Health, Education, and Welfare; this is presumably the redtape with which Science is concerned. At present, every institution receiving grants from Federal agencies is visited—or if you wish, inspected—by officers of those agencies. On the basis of past experience, I think that we have nothing to fear from these officers, who have abundantly demonstrated that their main aim is to further research of the highest quality. Any regulations which HEW might lay down under an act of the sort proposed would, I think, not depart from this aim. In any event, the bill gives no police powers to HEW or anyone else, so that work sponsored by any but Federal agencies would not be in any way affected.

"In sum, I cannot find in this bill the evils which the National Society for Medical Research or Science profess to see, and I would urge my colleagues who are interested in animal experimentation, humane treatment, or both, to read the bill with care, to make their own appraisals on the basis of their own judgments, and to communicate these judgments to their representatives in the Congress.

"BRADLEY T. SCHEER."

Mr. MORSE. I do not know whether or not the Senator from Kentucky contemplates reintroducing his bill at a later time in this session. I shall, at a later time, present some information I have received in opposition to the bill in the form in which it was introduced last year.

I feel it is only fair to see to it that the points of view of both the opponents and proponents of the bill are made available for the study of our colleagues in the Senate before any further action is taken on the bill.

I think it is quite possible some of the objections to the bill may lead to a consideration of some modification in the language of the bill, or possible amendment to the bill, in case it is introduced in its original form.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. COOPER. I appreciate very much the references made by the Senator from Oregon to the bill I introduced last year. As the Senator will remember, the purpose of the bill was to assure humane treatment of animals used in federally financed research.

After I introduced the bill—and the Senator from Oregon and other Senators joined in introduction of the bill—I was flooded with letters of protest from various sources, many of them from people engaged in research, who made the assertion that the bill, if passed, would very seriously interfere with all such research. Others have said that its hidden purpose is to stop all research with animals.

I have also read the articles that have been appearing in the magazines. I must say that those articles and advertisements, sponsored by the antivivisection society, must have cost a great deal of money. They say, on the contrary, that it is a ruse for actually approving the use of animals for research.

I am not an expert in this subject. It could very well be true that the bill should be modified. I assume it would be the function of the Committee on Labor and Public Welfare to consider modification when it reaches the committee.

I intend to introduce the bill again. I hope the Senator from Oregon will join me in its introduction. I am sure that most people doing research use humane methods, as has been stated in their letters, and I know it is not the intent of any of the bill's sponsors to interfere with their search in any way. But there may be some who should not be engaged in research; and if they are using methods which are not humane or necessary, or if animals are neglected in some places prior to their use by qualified researchers, then I think there is a real purpose in the bill.

I was much interested in one article I read only yesterday, which will appear in one of the leading magazines in a short time. It said, commenting on the "dangers" of the bill which I introduced, that it would "torpedo" medical research, that it would "strangle" it.

I assert that the statements which have been made are exaggerated, and most of them are without any foundation at all. I would say some of them have evidently been devoted to preventing any kind of judgment as to what kind of methods are being used.

Research with animals has produced great benefit for humanity and society, as a result of methods which have been developed to treat human disease. I am sure that the lot of animals killed or injured for that purpose is not always pleasant or happy or without pain. Surely, if the lives of animals are to be taken for our benefit—to help mankind—standards ought to be established to treat those animals humanely. That is the purpose of the bill.

As I have said, I have no scientific knowledge as to whether the particular provisions of the bill are extreme or whether it should be modified. But I say flatly the purpose of the bill is not in any way to inhibit, frustrate, or interfere with research. It is to encourage research, for the best research is carried out as humanely as possible.

The bill does have a humane purpose. When animals are to be used to save human life or treat disease, surely we can establish methods to give assurance the animals are well treated. If one does not care about life in one form, he may not care about life in any form.

I thank the Senator for yielding to me.

Mr. MORSE. I thank the Senator from Kentucky for his comments. I shall make available to the Senator from Kentucky the material I am now having a staff member study in connection with this bill, preparatory to submitting recommendations to me as to whether or not he would advise any modification of the language of the bill. As soon as that study is completed, I shall make it available to the Senator from Kentucky.

The purpose of the bill, as stated by the Senator from Kentucky, is exactly the same purpose he stated when the bill was introduced, a purpose of which I approve.

There is no question about the fact that the purpose of the bill is to meet the complaint on the part of some persons within our country who state that research with animals is not conducted in the most humane way possible. It certainly is not unsound or unfair for us to take the position that, consonant with research objectives, these experimentations should be carried on in a humane manner. That is all that is sought by the bill; and if that objective can be accomplished with some modification of the bill, so far as I am concerned I would have no quarrel with any amendments.

But I am sure, may I say to the Senator from Kentucky, that he and I are dealing with one of those "hot potatoes," legislatively speaking, in which we are bound to displease some, no matter what course of action we follow. The Senator will recall that last year, or the year before, we finally passed a humane slaughter bill. The proposals that were made by some of those who have very deep feelings about problems of slaughtering were, in my judgment, so extreme that, if we were to comply with the wishes of some of them, all of us would become vegetarians, because to adopt their policy would have involved the closing down of all the slaughterhouses in America. We could not possibly have operated slaughterhouses in America if we had carried out the proposals that were made in regard to how animals were going to be slaughtered. That is, it would not have been possible to conduct slaughterhouses on the basis of the American free enterprise system; and I would be the first, in this field, as in any other, to oppose nationalization of any segment of our economy, may I say, as a liberal.

So what we tried to do in the slaughterhouse bill was to find an area that answered the question in regard to humane proposals for slaughtering actually being advocated. To the extent that they were followed, we thought they ought to be incorporated in the bill. We passed the bill. Perhaps the Senator from Kentucky or some other Senator has heard of some calamity which has followed the passage of the bill, but I have not heard about any.

Mr. COOPER. No.

Mr. MORSE. I think it has come to be recognized that we did at least a fairly good job in meeting a problem which needed to be met.

The Senator from Kentucky has referred to the antivivisectionists. One of the communications I received in regard to the bill was from a distinguished doctor in this Nation. I am sure the Senator from Kentucky will recognize the name the moment he takes a look at the letter. It was a pretty rough letter on both the Senator from Kentucky and the Senator from Oregon. In fact, it said that we had surrendered to the antivivisectionists.

When someone writes to me in that vein I am inclined to suspect that there is a great big hole in his case, because if he has the evidence and the facts which support his position he does not have to accuse Senators of engaging in some form of surrendering to or "buckling under" to some legislative group in the country.

I replied to the good doctor by pointing out to him that I had always made clear I did not adopt the point of view of the antivivisectionist; but the fact is, as I said, that some of our finest citizens in all the communities of America share the antivivisectionist point of view. They are as sincere as are those who are opposed to their point of view, and as sincere as those of us who feel that our responsibility as legislators is to try to find the middle ground between the antivivisectionists and those who feel that no legislation in regard to humane treatment of animals, in respect to experimentation and laboratory tests, should be passed at all.

I said that I happen to be one who believes it is essential, in the interest of protecting human existence, to make use of animals in experimentation in the medical field, and in endeavors to help us bring to an end some of the great disease scourges which plague mankind, but I also hold to the point of view that there is this much which can be said for the position of the antivivisectionists, although they want to go much further: They are certainly correct in pointing out that if there is any lack of humaneness, if there is any unnecessary suffering and cruelty inflicted upon animals in the carrying out of experimentations, then it is necessary to devise proper controls and improvements in laboratory techniques to keep the suffering to a minimum.

I shall discuss this matter at greater length later, when I bring to the Senate the study I am having made by a staff member.

Let the RECORD show that the senior Senator from Oregon is not going to support the extreme position taken by the antivivisectionists, which, when all is said and done, would have the effect of saying, "Pass legislation which stops the use of animals in this whole matter of experimentation in the laboratories which are seeking to carry on investigations to solve some of the great disease problems which plague mankind."

That is the position I take. I should like to confer with the Senator from Kentucky in the next few days about his bill, before he introduces it, if he thinks it is feasible to wait for that period of time.

Mr. COOPER. I will be glad to do so, and I appreciate the comments of the Senator from Oregon.

I am not an antivivisectionist, and of course I do not adhere to that point of view. I know we have to have experiments and we have to use animals in these experiments.

I am sure that in most places over the country those who are engaged in these experiments observe, as best they can, humane procedures, but the charge is made that some do not.

Even to have the bill introduced, to bring it before the committee, and to allow hearings to be held upon it, will certainly establish whether any law is needed. If none is needed, the committee can decide the point. If the bill which I have introduced is not proper for the purposes we both seek, the committee can make whatever modifications are necessary. I have served on the Committee on Labor and Public Welfare. I know it is a good committee.

I have received letters from deans of medical colleges and universities which have said flatly the bill would stop all research. After I had written to them expaining the purposes of the proposal, I have also received letters from several which said, "We think it is all right. Let the matter be heard."

I know this much about the Senator from Oregon—he is not afraid of any outcry which may be raised about a bill before it has even been discussed and considered by a committee. I know he knows I am not.

Let the matter be heard. I agree with the Senator. I remember the situation which occurred when the humane slaughter bill was introduced. A great outcry was heard all over the country, that the passage of such legislation would stop the processing and distribution of food. It was claimed that passage of such legislation would put people out of business, especially the small packers, and that it was a move to help the great packing industry—although that part of the industry was not in favor of the proposed legislation either and fought it. The Senator remembers that. It took about 2 years to pass the bill.

Finally, a reasonable bill was passed. I have asked what has happened since then. I have learned that the Department of Agriculture has already secured 87 percent compliance in this field, and secured that in less than half a year that the act has been in force.

I am sure the Senator also remembers a bill which was called the wild horse bill. I always liked the title. Although I am from Kentucky, which is a horse State, when the bill was first brought to my attention, I was puzzled by its reference to wild horses. I learned that there was a problem in the West in regard to catching wild horses. I think the horses were being chased by airplanes, and various inhumane ways were used to capture them.

That bill was fought. It was said that it was necessary to do the things being done to capture the horses. The committee considered the bill. The Congress passed the bill. I do not believe it has ruined the wild horse industry.

The Senator is a horseman, and can tell me about the subject.

Mr. MORSE. It might have increased the cost of dog meat a little bit, but that was probably either necessary or desirable.

Mr. COOPER. I am very happy to have the Senator's contribution.

Mr. MORSE. I say to the Senator from Kentucky that in answering the distinguished doctor I took the liberty of stating it was my position—and I was sure it was the position of the Senator from Kentucky—that when the hearings were held on the bill, if evidence could be brought forth that the bill needed either modification or defeat the Senator from Oregon and the Senator from Kentucky would follow where the evidence led, but that the proponents of the bill, being responsible citizens of this country, had a right to petition their Government for consideration of the subject matter of the bill, and that right alone justified the introduction of a bill for hearings, as the Senator from Kentucky has indicated this afternoon.

I happen to be a member of the committee to which the Senator refers. If the bill is introduced and is referred to our committee for hearings, I will see to it that all sides of the question receive a full and adequate hearing, so that they can present their evidence in support of their respective positions.

Mr. COOPER. I hope the bill will be referred to the subcommittee of which the Senator is chairman. I had the honor of serving with the Senator from Oregon on the Senate Committee on Labor and Public Welfare for 5 years. I served on a subcommittee with him, and remember very well one bill which we considered for 2 years, the Railway Labor Act. Whatever agreement or disagreement others may have with the Senator from Oregon—and we all differ at times with each other on various subjects—I may say that I never saw a chairman of a committee or of a subcommittee who took more pains to give everyone on both sides a chance to be heard, to hear the evidence, and then to consider the evidence submitted and work out bills properly based on that evidence, than did the Senator from Oregon. I know his conscientious methods from intimate association with him on committees, and I am glad to have the opportunity to tell what I have observed during my various terms in the Senate of the United States.

Mr. MORSE. The Senator from Kentucky is very kind and gracious. His leaving the Senate Committee on Labor and Public Welfare is a great loss to the committee, and I wish I had the power of suasion which would induce him to return to the committee, because I would very much like to have him on the committee again.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the committee amendment as amended, and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Arizona [Mr. HAYDEN], the Senator from Wisconsin [Mr. NELSON], and the Senator from Maryland [Mr. TYDINGS], are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Oklahoma [Mr. HARRIS], the Senator from Arkansas [Mr. McCLELLAN], the Senator from South Carolina [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN], are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. BASS], the Senator from Maryland [Mr. BREWSTER], the Senator from Oklahoma [Mr. HARRIS], the Senator from Arizona [Mr. HAYDEN], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Wisconsin [Mr. NELSON], the Senator from South Carolina [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Maryland [Mr. TYDINGS], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. CASE] is absent on official business.

The Senator from Nebraska [Mr. CURTIS], the Senator from South Dakota [Mr. MUNDT], the Senator from Vermont [Mr. PROUTY], and the Senator from Wyoming [Mr. SIMPSON], are necessarily absent.

If present and voting, the Senator from New Jersey [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from South Dakota [Mr. MUNDT], the Senator from Vermont [Mr. PROUTY], and the Senator from Wyoming [Mr. SIMPSON], would each vote "yea."

The result was announced—yeas 85, nays 0, as follows:

[No. 106 Leg.]

YEAS—85

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Murphy
Muskie
Neuberger
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell, Ga.
Saltonstall
Scott
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—15

Bass
Brewster
Case
Curtis
Harris
Hayden
McClellan
Mundt
Nelson
Prouty
Russell, S.C.
Simpson
Smathers
Sparkman
Tydings

So the bill (H.R. 13881) was passed.

The title was amended, so as to read: "An Act to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and certain other animals intended to be used for purposes of research or experimentation, and for other purposes."

Mr. MANSFIELD. Mr. President, the Senate's unanimous passage of this measure which is designed to protect our Nation's dogs, cats, and other animals is another great tribute to the able and effective leadership of the senior Senator from Washington [Mr. MAGNUSON]. A success of this magnitude could be achieved only with his strong and articulate advocacy. Once again the Senate and the Nation owe him a debt of sincere gratitude for his unmatched skill and devotion.

Equally in the debt of the Senate and the Nation today for the outstanding success of this measure, is the distinguished senior Senator from Oklahoma [Mr. MONRONEY]. His able efforts have been behind the bill throughout its history in this body. His capable leadership and articulate advocacy assured its unanimous endorsement by the Senate today.

As is so often the case, many other Senators played vital roles in helping to accomplish this achievement. The highly able support and cooperation of the distinguished junior Senator from Oregon [Mrs. NEUBERGER] was indispensable to its overwhelming acceptance. Similarly, both of the Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT] were characteristically most articulate in their support, as was the Senator from Rhode Island [Mr. PASTORE], the Senator from Louisiana [Mr. ELLENDER], the Senator from New York [Mr. JAVITS], and the senior Senator from Oregon [Mr. MORSE].

Finally, to the Senate as a whole I personally am deeply grateful for the highly efficient and orderly disposition of the bill. Its great success is a tribute to this entire body.

THE REMOVAL OF A RESTRICTION ON CERTAIN REAL PROPERTY HERETOFORE CONVEYED TO THE STATE OF CALIFORNIA

The Senate resumed the consideration of the bill (H.R. 1582) to remove a restriction on certain real property heretofore conveyed to the State of California.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the Senate will now proceed to vote on the amendment of the Senator from Oregon to the bill (H.R. 1582). The question is on agreeing to the amendment of the Senator from Oregon. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Wisconsin [Mr. NELSON], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Georgia [Mr. RUSSELL], and the Senator from Maryland [Mr. TYDINGS], are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Oklahoma [Mr. HARRIS], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from South Carolina [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana [Mr. ELLENDER], would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. CASE] is absent on official business.

The Senator from Nebraska [Mr. CURTIS], the Senator from South Dakota [Mr. MUNDT], the Senator from Vermont [Mr. PROUTY], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

If present and voting, the Senator from Nebraska [Mr. CURTIS] would vote "nay."

The result was announced—yeas 16, nays 67, as follows:

[No. 107 Leg.]

YEAS—16

Anderson
Byrd, Va.
Douglas
Fulbright
Gruening
Hartke
Kennedy, N.Y.
Lausche
Mansfield
McCarthy
McGee
Metcalf
Morse
Proxmire
Williams, Del.
Young, Ohio

NAYS—67

Aiken
Allott
Bartlett
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, W. Va.
Cannon
Carlson
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Dominick
Eastland
Ervin
Fannin
Fong
Gore
Griffin
Hart
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Long, Mo.
Long, La.
Magnuson
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morton
Moss
Murphy
Muskie
Pastore
Pearson
Pell
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—17

Bass
Brewster
Case
Curtis
Ellender
Harris
McClellan
Mundt
Nelson
Neuberger
Prouty
Russell, S.C.
Russell, Ga.
Simpson
Smathers
Sparkman
Tydings

So Mr. MORSE's amendment was rejected.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third, the question is, Shall it pass?

The bill (H.R. 1582) was passed.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORTON and Mr. HRUSKA moved to lay the motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to query the distinguished Senator about the program for the remainder of the day and week.

Mr. MANSFIELD. Mr. President, in response to the questions raised by the distinguished minority leader, it does not appear as of this moment that there will be any further rollcall votes today.

We have Calendar No. 1166, S. 2602, another land bill, which would clear the title. I understand that there is no objection to the measure.

We have Calendar No. 1256, H.R. 14050, a bill to extend and amend the Library Services and Construction Act.

It is anticipated that tomorrow we shall have the Mine Safety Act, and on Friday the traffic safety bill.

It looks as though we shall have a full week.

Mr. COTTON. Mr. President, will the majority leader yield for an inquiry?

Mr. MANSFIELD. I yield.

Mr. COTTON. The majority leader said that we would take up the traffic safety bill.

The PRESIDING OFFICER. Will the Senator speak in a voice so that the Chair can hear him?

Mr. COTTON. Mr. President, the distinguished majority leader stated that we would take up—I believe he phrased it—the traffic safety bill.

Does the majority leader mean the bill on automobile safety which came from the Committee on Commerce, or the bill on highway safety that came from the Committee on Public Works?

Mr. MANSFIELD. I mean the bill which came from the Committee on Commerce, the committee on which the distinguished Senator is the ranking minority member. The bill is S. 3005, sometimes known as the Auto Safety Act.

Mr. COTTON. That will be taken up by itself, at least at the start?

Mr. MANSFIELD. The Senator is correct.

Mr. COTTON. I thank the majority leader.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, when the Senate convenes on tomorrow, and after the Chaplain's invocation, 45 minutes be allotted to the distinguished junior Senator from Michigan [Mr. GRIFFIN] to make his maiden speech.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, the Senate will have a morning hour immediately following the conclusion of the speech of the junior Senator from Michigan.

REMOVING A CLOUD ON THE TITLE TO CERTAIN REAL PROPERTY IN THE STATE OF OREGON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1166, S. 2602.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2602) to remove a cloud on the title to certain real property in the State of Oregon owned by John Johnson.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1200), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill quitclaims the interests of the United States to approximately 40 acres of land in Oregon occupied by Mr. John F. Johnson, an Umpqua Indian, who was born upon the property in 1898. His father occupied the property before him.

BACKGROUND

Prior to 1871, the land in question was public domain. In 1871, it was conveyed to the Oregon & California Railroad. The land was revested in the United States in 1916. Under the laws of Oregon, Johnson held the land adversely to the Oregon & California Railroad Co., and adverse possession in the State for 10 years gives title. However, Johnson does not have record title in Oregon because the land was revested to the United States, cannot sue the United States, and his only recourse is such remedial legislation as this bill.

COMMITTEE POSITION

The committee recommends passage of S. 2602 as reported to the Senate.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of removing a cloud on the title to certain land, the United States hereby quitclaims to John Johnson of Milo, Oregon, all right, title, or interest in and to the southwest quarter of the northeast quarter of section 7, township 30 south, range 2 west, Willamette meridian, Oregon.

EXTENSION AND AMENDMENT OF THE LIBRARY SERVICES AND CONSTRUCTION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1256, H.R. 14050.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 14050) to extend and amend the Library Services and Construction Act.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 5, line 14, after the word "share", to strike out "(as determined under section 104, except that the Federal share for the fiscal year ending June 30, 1967, shall be 100 per centum) of the total sums expended under such plan (including costs of administering such plan)" and insert "which for the fiscal year ending June 30, 1967, shall be 100 per centum of the total sums expended under such plan (including costs of administering such plan), and for any fiscal year thereafter shall be 50 per centum of such sums"; on page 14, after line 4, to strike out:

(c) Section 504(d) of such Act (as so designated by subsection (b)) is amended to read as follows:

"(d) The term 'construction' includes construction of new buildings, and acquisition, expansion, remodeling, and alteration of existing buildings, including architects' fees, the cost of the acquisition of initial land, the cost of the acquisition of initial equipment for any such buildings, and the cost of the acquisition of works of art for any such buildings;".

At the beginning of line 13, to strike out "(f)" and insert "(e)"; after line 15, to strike out:

SEC. 11. Section 104(c) of the Library Services and Construction Act is amended by striking out "66" wherever it appears and inserting in lieu thereof "60", and by striking out "33" and inserting in lieu thereof "40".

At the beginning of line 20, to change the section number from "12. (a)" to "11."; after line 22, to strike out:

And, on page 15, at the beginning of line 4, to change the section number from "13" to "12".

(b) The amendments made by section 11 shall apply with respect to the Federal share for fiscal years beginning after June 30, 1966. The Commissioner shall promulgate, as soon as practicable after the date of enactment of this Act, any change, resulting from such amendments, in the Federal share of any State for the fiscal year beginning July 1, 1966.

And, on page 15, at the beginning of line 4, to change the section number from "13" to "12".

The PRESIDING OFFICER. The question is on agreeing en bloc to the committee amendments.

The amendments were agreed to en bloc.

Mr. HILL. Mr. President, H.R. 14050 would extend the existing Library Services and Construction Act for an additional 5 years. It would add two new titles to the present law; one, a new title on interlibrary cooperation, and two, a title dealing with specialized library services.

In Title I: Library Services, the bill would authorize $35 million for the fiscal year ending June 30, 1967. The authorization figure would increase $10 million for each of the 5 years until for the fiscal year ending June 30, 1971 the authorization would be $75 million.

In Title II: Library Construction, the bill would authorize $40 million for the fiscal year ending June 30, 1967. The authorization figure would increase $10 million for each of the 5 years until for the fiscal year ending June 30, 1971 the authorization would be $80 million.

Title III is a new title intended to assist States and localities to have improved interlibrary cooperation. It would provide for systematic coordination of the resources of school, public, academic, and special libraries by establishing and maintaining local, regional, State, or interstate cooperative networks of libraries.

The bill would authorize an appropriation of $5 million for the fiscal year ending June 30, 1967. This figure would increase at the rate of $2½ million a year until in the year ending June 30, 1971 the authorization would be $15 million.

Title IV is a new title to assist specialized library services. It is divided into two parts. Part A deals with State institutional library services. Its purpose is to assist the States in improving "State institutional library services" which are defined to mean—

The providing of books, and other library material, and of library services to (A) inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, or general or special institutions or hospitals operated or substantially supported by the State, and (B) students in residential schools for the handicapped (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired persons who by reason thereof require special education) operated or substantially supported by the State.

Five million dollars would be authorizd for the fiscal year ending June 30, 1967. This figure would increase at the rate of $2½ million a year until in the year ending June 30, 1971 the authorization would be $15 million.

Part B is intended to assist the States to establish and improve library services to the physically handicapped, including the blind and visually handicapped, who are unable to read or use conventional printed materials as a result of physical limitations.

The bill would authorize $3 million for the fiscal year ending June 30, 1967. This figure would increase at the rate of $1 million a year until in the year ending June 30, 1971 the authorization would be $7 million.

There are two committee amendments:

First. The formula for allocation of money among the States would be retained as it is in the present law, varying between 2 to 1 matching in the poorer States to 1 to 2 matching in the richer States. The House changed this provision to 60–40 matching in the poorer States and 40–60 in the richer States.

The amendment, however, would provide for 50–50 matching in the new title III, dealing with interlibrary services. It is felt that in this area it is reasonable to require 50–50 matching since many agreements will be between States and it would be fair that each State was supplying an equal share.

Second. The definition of the term "construction" would be continued as it now exists in the present law. The librarians themselves are split on this issue and it seems wise to maintain the present definition until we have received further information. In any case, this would be a subject for conference with the House Members should that be necessary.

Mr. JAVITS. Mr. President, I have had a good deal to do with the pending bill, as the ranking minority member of the Committee on Labor and Public Welfare. It is a splendid bill, and I commend it highly to the Members of the Senate.

Mr. President, the bill at hand is a significant achievement for it not only extends for 5 years by titles I and II the present proven Library Services and Construction Act but also adds two important new titles.

The new title III provides funds for the establishment of local, regional, State, or interstate cooperative networks of libraries. It is similar in language to a provision I pioneered in my bill, S. 2944, introduced on February 18 and cosponsored by Senators COOPER, PROUTY, and RANDOLPH.

The new title IV has two parts, part A strengthens State institutional library services for those in such State institutions as prisons, orphanages, hospitals and residential schools for the handicapped. This part is also similar to provisions in my bill, S. 2944, and I am proud to have initiated them.

Part B of the new title IV provides for library services to the physically handicapped. Much credit goes to the distinguished chairman of our committee [Mr. HILL] for his initiation and development of this provision, a provision which will effectively help in turning disabilities into abilities. New light will now shine into the lives of the more than 2 million people who cannot, because of physical impairment, read ordinary books and periodicals. Senator HILL, through part B of title IV, has indeed brought new meaning into the lives of those unfortunates, and new hope.

This bill H.R. 14050, is a monument to the broad, bipartisan support given the library services and construction program and a tribute to the purposes it serves. The Congress may take justifiable pride in its enactment.

Mr. COOPER. Mr. President, I join today with Senator HILL in urging passage of the Library Services and Construction Act Amendments of 1966, as I have supported during my entire service in the Senate efforts to develop a public library program.

Public demand for books is great, and I must say that Senator HILL, the American Library Association and, at home, the Friends of the Kentucky Libraries, had great foresight back in 1946 when they helped work up the first proposed public library demonstration bill. In the years since the Library Service Act was enacted in 1956, we have been the extension of Federal assistance for school libraries—indirectly in title III of the National Defense Education Act which I cosponsored in 1958, and directly in title II of the Elementary and Secondary Education Act of 1965, as well as through the projects for educationally deprived children under title I. Also, title II of the Higher Education Act provides for grants to colleges and other institutions for library materials; and the Medical Libraries Assistance Act will aid medical schools and hospital libraries.

This complementary development of library resources is good, and I was proud to be a cosponsor this year of S. 3046 and S. 2944, which had similar purposes and led to the development of the bill before the Senate today. Earlier this year, when the bills were introduced, I presented in the Senate facts about the operation of the library services program in Kentucky, the progress that has been made, and the task remaining. Later, I was glad to support this measure before the Senate Committee on Labor and Public Welfare at the time the committee was holding its hearings on the bill.

I am pleased that the Senate amendments maintain the State matching provisions of present law, as I urged. Each year, it has also been my practice, as the distinguished Senator from Alabama, who is its chairman, knows, to go before the Subcommittee on Appropriations, as do others, in support of funds necessary for this program.

The bill we are voting on today will extend the library program to the physically handicapped and promote interlibrary cooperation. I am glad to vote for it.

Mr. McGOVERN. Mr. President, I rise to express my strong support for H.R. 14050, the bill to extend and amend the Library Services and Construction Act.

On January 20 of this year I introduced a bill, S. 2802, to provide for the extension of this important library program for an additional 5 years.

Both at the time that I introduced my bill and later in testimony submitted to the Senate Labor and Public Welfare Committee, I pointed out that the Library Services and Construction Act has made possible substantial growth and improvement in the library activities and services in South Dakota. Because of this program, many citizens in my State now have library resources available for the first time. Numerous South Dakota communities are now working to develop better public library services, viewing their efforts as an investment in educational excellence.

I am particularly pleased that the legislation before the Senate today contains the new interlibrary cooperation title which I first proposed in S. 2802. This provision will enable the States to initiate procedures to adapt library systems to better serve people. Cooperative techniques will enable the States to take advantage of the broadest possible use of library resources.

Mr. President, I urge the Senate to overwhelmingly approve H.R. 14050. I am most hopeful that final congressional action can be completed on this measure before the program expires on June 30.

LIBRARY SERVICES AND CONSTRUCTION AMENDMENTS—A STEP INTO THE FUTURE

Mr. YARBOROUGH. Mr. President, the Library Services and Construction Act was passed in 1956. In the 10 years of its existence, this program has brought libraries to areas all over the country which before its passage had no libraries. Children who could not afford books of their own and who had no libraries to go to, now can go into nice, bright, modern libraries and read books, do research, and use the many other facilities of a modern library.

As originally enacted, the program was directed toward providing financial assistance for public library services to rural areas which lacked these services. In 1964 the program was amended to provide financial assistance in both rural and urban areas for the development of public library services, title I, and for the construction of public library buildings, title II.

H.R. 14050 extends the services and construction parts of the program and adds two new programs—one for interlibrary cooperation and another for specialized State library services.

These are days of great advancement in library science. The world's knowledge is increasing at an astonishing rate. This information will be useless to man unless he has access to it. It is the function of the modern library to provide quick, efficient access to man's accumulated knowledge. The inter-library cooperation program is a step into the future. Congress is showing wise foresight in channeling expenditures into this new program which will pay great dividends in years to come.

Mr. President, I ask unanimous consent to insert at this point in the RECORD a table showing the areas of Texas which have received assistance under the Library Services and Construction Act.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

LIBRARY SERVICES AND CONSTRUCTION

The Library Services Act of 1956 as amended provided for the extension and development by the States and Territories of public library services to *rural* areas (under 10,000 population) that lacked such services or that had inadequate services. The 1956 Act was renamed the Library Services and Construction Act by P.L. 88–269, approved February 11, 1964. The amended Act makes Federal financial assistance available for the development of public library service in both rural and urban areas (Title I) and for the construction of public library buildings (Title II). Under the amended Act, funds for new library buildings and the expansion, remodeling, and alteration of existing buildings are authorized. The cost of land acquisition and initial equipment is also included.

Title I is intended to promote public library services in areas without such services or with inadequate services. Title II provides funds for the construction of library facilities only in those areas which are without the facilities necessary for the development of library services. Grants to any State are based upon the State's plan and upon the State library administrative agency's determination that library services are inadequate in any area within the State.

TITLE I

(Funds 57.24% Federal)—grants made from $500 to $20,000 42.76% State.

Temple, Bryan, McKinney, Denison, Val Verde County, Abilene, Galveston, Waco, Lubbock, Amarillo, Beaumont, Orange, Gatesville, Trinity, Groveston.

Wharton County, Brownwood, Guadalupe County, Moore County, Sherman, Victoria, Hutchinson County, Harlingen, Harris County, Halletsville, Lockhart, Taylor, Commerce, Ballinger, Ector.

Kendall County, Gillespie County, Carr County, Mt. Pleasant, Bonham, La Feria, Silsbee, Gladewater, Bandera, Mason County, Martin County, Plain Oaks, Weslaco, Hardeman County.

TITLE II

Grants made from $7,353 to $300,000 for construction.

Brownwood, Killeen, Denison, La retama, San Antonio, San Antonio branch, Houston (3 branches), Fort Worth (5 branches), La Porte (Harris County), Mitchell County, Austin (remodeling), Eagle Pass (remodeling), Fort Neches, Pharr, San Marcos.

AREA REFERENCE CENTERS

($50,000 each for books).

Austin, El Paso, San Antonio, Corpus Christi, Fort Worth, Houston, Texas State Library.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1291), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSES

The Library Services and Construction Act of 1964 expires on June 30, 1966. This bill proposes to extend the act for 5 years. In addition to extending the current title I dealing with library services, and title II, dealing with library construction, the bill adds two additional titles; one would provide for interlibrary cooperation and the second would provide specialized State library services.

In the case of all titles, the State library administrative agency is responsible for drawing up and submitting the required plans for library development and specialized State library services suited to the needs of the State and local communities.

BACKGROUND OF LEGISLATION

National concern for the development of good public library services was first demonstrated by the 84th Congress which passed the Rural Library Services Act of 1956 (Public Law 84–597). The act authorized an annual appropriation for 5 years of $7.5 million to assist the States and territories to extend and develop libraries in areas under 10,000 population. In 1960, Congress extended the act (Public Law 86–679) for an additional 5 years. This modest grant program succeeded far beyond expectations. Its impact has been far in excess of the amounts of Federal funds involved.

Between 1956 and 1965:

All 50 States plus American Samoa, Guam, Puerto Rico, and the Virgin Islands operated library programs under approved State plans.

Largely as a result of Federal stimulation, State funds for library development in small towns and rural areas increased from $6.7 to $15.8 million, or 135 percent and local expenditures rose from $31.7 to $68.5 million, or 116 percent.

Areas containing more than 40 million rural residents received library services for the first time or had their local libraries improved under this act.

More than 375 bookmobiles were added to existing library resources to reach rural readers.

An estimated 14 million books and other informational materials were added to library collections.

This program has changed and expanded with the 1964 amendments to the basic law (Public Law 88–269). Participation was extended to urban areas, and Federal funds for the construction of public library facilities were made available for the first time.

During fiscal year 1965, the first year of operation under the amended act, 54 States and territories were operating under approved State plans for library services, and 53 had approved plans for construction. To the Federal grants of $55 million, the States and localities added $150 million in matching funds for new, additional, or improved library services or buildings. For improved services only, the sum of $39.3 million from State sources and $352.2 million from local sources were available for expenditures in expanded areas covered by State plans. In the first year of operation, the matching funds available were $54 million in excess of the minimum required. Sixty-five million people currently enjoy the services of public libraries participating in State plan projects.

In the construction phase of the Library Services and Construction Act program, during 1965, 53 States or territories reported that they had approved 363 local public library construction projects with a total cost of $99.6 million. The Federal share of these projects was $29.8 million. Of the 363 projects, 233 were for the construction of new buildings; 58 were for additions to existing library buildings; and 72 were for remodeling or alteration. An estimated 23.3 million people will be served by this new construction.

While the accomplishments to date are praiseworthy, serious gaps remain. For example, over 12 million people in this country still have no public library services and 38 percent of the public library buildings are over 40 years old. For this reason the committee unanimously supports the passage of this bill.

ANALYSIS OF THE BILL

Title I—Public library services

The bill authorizes specific appropriations for the 5 years beginning with fiscal year 1967. These amounts are $35 million for the 5 years beginning with fiscal year 1968; $55 million for fiscal year 1969; $65 million for fiscal year 1970; and $75 million for fiscal year 1971.

As in the present act, the matching grant funds may be used for books and other library materials, library equipment, salaries, and other operating equipment. It is specifically intended that the cost of binding and otherwise repairing or maintaining materials may be paid for with title I funds. The minimum State allotment which must be matched would remain at $100,000 for each of the States, Puerto Rico, and the District of Columbia, and $25,000 each for American Samoa, the Trust Territory of the Pacific Islands, Guam, and the Virgin Islands. The base year for the maintenance of effort provisions has been updated from 1963 to the second fiscal year preceding the year of allotment.

Title II—Public library construction

Specific appropriations are authorized for the 5 years ending June 30, 1971. The amounts authorized are $40 million for fiscal year 1967; $50 million for fiscal year 1968; $60 million for fiscal year 1969; $70 million for fiscal year 1970: and $80 million for fiscal year 1971.

The basic allotment remains at $80,000 for each of the States, Puerto Rico, and the District of Columbia, and $20,000 each for American Samoa, the Trust Territory of the Pacific Islands, Guam, and the Virgin Islands. The Federal share of the expenses of administering title II construction programs will be paid out of title II allotments rather than out of title I services funds as the existing act authorizes.

To accommodate the increase in both library use and materials, more building space is needed. The major factor which increases the need for new and improved building facilities is the obsolescence of the public library plant in the United States. Over 1,600 libraries were built in the Carnegie era during the first two decades of this century. Reports from local libraries indicate that 38 percent of publicly owned public library buildings are more than 40 years old.

Local public libraries currently occupy about 55 million square feet of floor area and are expending about $140 million for construction. They need over 40 million square feet of additional space costing about $940 million to enable millions of men, women, and children throughout the country to be able to sit down when they visit their neighborhood libraries to read and study. About $650 million are currently being expended for public library services and construction from Federal, State, and local sources. Almost $2 billion more are needed to bring public libraries up to a minimal level of adequacy so that they may fulfill their vital role as "the university of the people" for all Americans. If Federal funds are not increased very substantially at this time, the gap between minimal public library needs for the people of our affluent country will increase in years to come.

Title III—Interlibrary cooperation

The act provides for a new title for the establishment and maintenance of local, regional, State, or interstate cooperative networks of libraries. The authorizations are as follows: $5 million for fiscal year 1967; $7.5 million for fiscal year 1968; $10 million for fiscal year 1969; $12.5 million for fiscal year 1970; and $15 million for fiscal year 1971. The basic allotment is $10,000 each to Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands, and $40,000 to each of the other States. The Federal share for fiscal year 1967 would be 100 percent, with no matching funds required. Thereafter, matching would be on a 50–50 basis. Costs of administration may be paid from the money allotted under this title.

Interlibrary cooperation is defined as the establishment and operation of systems or networks of libraries, including State, school, college and university, public, and special libraries, working together to provide maximum effective use of funds in providing services to all library users. Such systems may be designed to serve a community, metropolitan area, region within a State, or may serve a statewide or multistate area. Requirements for participation include: Provisions for coordination of supplementary services; appropriate allocation of costs; assurance that every appropriate local or other public agency in the State is given an opportunity to participate; criteria for evaluation and assignment of priorities by the State agency; and establishment of a statewide council, broadly representative of professional library interests and of library users, to act in an advisory capacity to the State agency.

Title IV—Specialized State library services

This, also, is a new title, and is designed to assist the States in providing greatly needed specialized State library services. It is in two parts:

A. State institutional library services.

B. Library services to the physically handicapped.

Part A—State Institutional Library Services

Part A, title IV, authorizes $5 million for fiscal year 1967; $7.5 million for fiscal year 1968; $10 million for fiscal year 1969; $12.5 million for fiscal year 1970; and $15 million for fiscal year 1971.

This provision would authorize grants to the State library agencies for 5 years to strengthen library services to (A) inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, or general or special institutions or hospitals operated or substantially supported by the State; and (B) students in residential schools for the handicapped (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired persons who by reason thereof require special education) operated or substantially supported by the State.

Under this section the basic allotment would be $10,000 each to Guam, American

Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands, and $40,000 to each of the other States. No matching funds would be required in fiscal 1967; thereafter, the Federal share would be determined on a per capita income basis, as under title I, section 104.

Although the basic purpose of this part is to extend the benefits of public library service to those persons who are unable, because of their institutional confinement, to use regular community library facilities, it should also be recognized that it is important that the resources of State institutional libraries should meet the administrative and technical needs of the staff and should be tied into State resources for specialized materials not held within the institutions. The responsibility for such service has long been clearly recognized as resting with State library agencies, but lack of funds has prevented the satisfactory meeting of this need.

Part B—Library Services to the Physically Handicapped

The authorizations for part B, title IV, are $3 million for fiscal year 1967; $4 million for fiscal year 1968; $5 million for fiscal year 1969; $6 million for fiscal year 1970; and $7 million for fiscal year 1971.

This part would authorize payments to States for 5 years to encourage the establishment or improvement of library services to the physically handicapped, including the blind and the visually handicapped. Such service is interpreted as the provision of library service through public or other nonprofit libraries, agencies, or organizations, to physically handicapped readers certified by competent authority as unable to read or to use conventional printed materials. Plans would be approved by the Commissioner of Education, who may consult with the Librarian of Congress, where appropriate.

With the exception of fiscal year 1967, when the Federal share would be 100 percent, matching grant funds would be available to the State as under title I, section 104 of the act, including costs of administering such programs. No part of these grants may be applied, directly or indirectly, for construction or land acquisition. The basic allotment would be $5,000 each to Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands, and $25,000 to each of the other States.

It is estimated that there are, in this country, almost 2 million persons—including 400,000 blind, 600,000 near-blind, and a million paraplegics and victims of cerebral palsy and other severely crippling conditions—who cannot read conventional printed books, magazines, and newspapers because of impaired vision or other physical factors which make them incapable of manipulating these materials.

Because of the high cost of library service for the handicapped, public libraries have been unable to provide anything but the most rudimentary service to this segment of our population. It is estimated that only $1,500,000 in State and local funds are currently expended for library service for the blind. Much less is being spent for other physically handicapped persons.

COSTS OF BOOKS AND PERIODICALS

Last year, in its report on the Higher Education Act of 1965 (S. Rept. 673), the committee expressed its concern that the cost of books and periodicals has risen more rapidly than the cost of living. The Commissioner of Education and the Librarian of Congress, as indicated by their testimony during the hearings on this bill, share this concern.

The American Book Publisher Council, in its statement, disputed some of these statistics and indicated that the council would be glad to cooperate with the Department of Health, Education, and Welfare in arriving at a proper base for measuring changes in book prices. It is suggested that this be done, as this committee is interested in maintaining a continuing look at increases in the prices of library and text books.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HILL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE METAL AND NONMETALLIC MINE SAFETY ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 8989, the Metal and Nonmetallic Mine Safety Act. I do this so that the bill will become the pending business.

The PRESIDING OFFICER (Mr. PASTORE in the chair). The bill will be read by title.

The LEGISLATIVE CLERK. A bill (H.R. 8989) to promote health and safety in metal and nonmetallic mineral industries, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consideration of the bill.

AIR TRAFFIC IN THE WASHINGTON AREA

Mr. BYRD of Virginia. Mr. President, I have been increasingly concerned about the condition of air traffic at the airports directly serving the Nation's Capital.

Last year, Washington National Airport handled nearly 7 million passengers. That represented an increase of 760,000 passengers over the previous year.

Now that jets have begun operating out of National Airport, the situation appears to be getting completely out of hand.

Ironically, while this is going on, Dulles International Airport—which the Federal Government constructed at a cost of $110 million to serve Washington—sprawls in the peaceful quiet of our beautiful Virginia countryside, virtually neglected. Dulles has a special four-lane, limited-access highway connecting it with the Nation's Capital. Yet the road is virtually unused.

These figures to me are revealing, and cause me considerable concern: Last month, the first full month during which jets used National Airport, National handled 15,000 more passengers than during the previous month of April, while Dulles—an airport designed specifically to handle jets—lost 14,000 passengers.

National Airport and Dulles International Airport are under the control of the Federal Aviation Agency. It remains a puzzle to me why the FAA is permitting the overcrowded conditions to become even more accelerated at National, while the potential use of Dulles hardly has been tapped.

I understand that some airlines are exploiting a loophole in an agreement with the Federal Aviation Agency. As it was agreed upon, airlines were to use National for jet aircraft only for the relatively short hops—within 650 miles. But they are getting around this by having long-range jets make a quick stop at a city within the 650-mile radius, thereby making those jets theoretically short-hop flights.

I hope the FAA will crack down on those airlines trying to take advantage of the clear intent of the agreement.

I submit, Mr. President, that while the efficiency of the personnel at National Airport is excellent—otherwise traffic conditions there would be chaotic—it does not appear logical for the FAA to permit jamming traffic conditions at National while letting Dulles, constructed as Washington's International Airport with moneys approved by the Congress, lie relatively idle while operating at a deficit.

Aside from the operation of the two airports which are under the jurisdiction of the FAA, the policymaking body for airline service, the Civil Aeronautics Board, has the responsibility to assure adequate airline service to all localities.

I submit, Mr. President, that with the overcrowding at National Airport, the Washington-northern Virginia area is not being adequately served. And because the area does have remedial facilities ready and waiting—Dulles Airport—the CAB should work closely with the Virginia Airports Authority, designated by the Governor of Virginia to handle Dulles Airport involvements at the State level, to rectify this unbalanced situation. Virginia's splendid State senator from Arlington, just across the river, the Honorable Charles R. Fenwick, is chairman of this State authority. Senator Fenwick and his associates have the knowledge, the experience, and the ability to assist the CAB in solving this perplexing problem.

Action is needed now by both the FAA, as administrator for the airports, and the CAB, which has responsibility for adequate airline service.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial, entitled "Jams at National While Dulles Idles," published in the Sunday Star, Washington, D.C., on June 12, 1966.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JAMS AT NATIONAL WHILE DULLES IDLES

Congestion at Washington National Airport has reached near-crisis proportions.

If there is one thing its users agree upon, it's this point. Aerospace magazine says parking space there for private aircraft is "critical." The Air Transport Association estimates delays at National are costing airlines $4 million annually. An official of the Aircraft Owners and Pilots Association calls the ground congestion "a terrible traffic jam." Arven H. Saunders, director of the Bureau of National Capital Airports, says the situation now is well-nigh intolerable.

In 1965 the airport handled 6,951,845 passengers, an increase of 763,553 over the previous year. Since the advent of jets in April, with their larger capacity, the crowds have swollen.

The situation is fraying nerves on both sides of the counter. Customers are stacked up ten deep a few minutes before flight departures during peak periods. Outside the terminal building, vehicles jam the loading points. There isn't enough parking lot space for cars. Congestion is choking gates, hallways and baggage counters.

It is a minor but significant fact that although National reaches its 25th anniversary June 16, officials will omit ceremonies and speeches. Explains one executive: "We don't want to do anything that would attract more crowds."

The ironic side of all this is that in the meantime Dulles International Airport sits in peaceful quite out in Virginia, under-utilized and yearning for customers. The number of passengers has grown encouragingly in the past year, up 212,199 to a total of 994,449. But it's nothing like the total that this $110 million facility could accommodate.

With a passenger ratio between National and Dulles of roughly seven to one in favor of the former, it's small wonder that authorities are calling for a "re-evaluation" of how the two federal airports are used.

Under the present agreement, a simple distinction exists. National is supposed to handle jet flights up to a maximum of 650 miles, and Dulles anything over that including transcontinental and international flights. But the proximity of National to the city has disrupted plans. Airlines are in a mad competitive scramble to land there. The public's overwhelming acceptance of jets has aggravated matters; from an initial total of 102 takeoffs and landings April 24, the number of jet airliners has risen to 118 a day and is headed toward 138 a day by the end of next month.

Some airlines also are exploiting a loophole in the agreement with the Federal Aviation Agency. They are using National for flights beyond the 650-mile limit by the expedient of landing at intermediate points en route. You can get a plane now at National, for example, for Los Angeles or Seattle or San Antonio. In theory, such long flights should be using Dulles.

As landlord, the FAA can get tough if it chooses in this problem. But so far it has preferred the negotiating table, and that is where matters are being hashed over now with both the air carriers and so-called general aviation, meaning private and executive planes.

It would be desirable, of course, for all parties to agree voluntarily on some kind of self-limiting plan for National while the airport goes ahead with its program for enlarging terminal facilities. A temporary "freeze" on the number of airliners landing there daily, announced by the airlines last week, was a step in this direction.

The Aircraft Owners and Pilots Association long has argued that congestion could be relieved by moving out a number of government operations at National. The point is well taken; there is no particular reason why the Coast Guard, the Military Air Lift Command, the Corps of Engineers or the FAA itself should be operating aircraft there for the convenience of VIPs. In fact, the FAA last Wednesday announced plans for shifting some of its operations to Dulles.

Even more puzzling is why unrelated government work is being housed at National. In one temporary wooden building dating from World War II, some 5,000 persons are employed in Defense personnel and engineering work. The General Services Administration says they may be moved elsewhere some day. In the meantime they add to congestion and parking problems.

Previous experience elsewhere has demonstrated that cutting back on commercial aviation at National may not necessarily cut down air traffic. When a similar move was attempted at LaGuardia, the private and chartered planes filled up the gap and authorities found matters as bad as ever.

What is needed is a firm agreement by all parties on a specific limit, with the excess moved elsewhere. If this does not work, the FAA of course has a variety of weapons at hand, such as raising airport landing fees, to encourage the exodus.

The private aircraft spokesmen insist their right to land at any public airport built with taxpayer money is written into law. But in fact that right already is hedged; planes lacking two-way radios, for example, are barred from National, as are student pilots, for safety reasons, and the same cause of public safety might well be invoked against both general and commercial aviation if traffic continues to pile up there.

The FAA has shown a constructive attitude. Just the other day it called for proposals to build and operate a motel at Dulles in order to attract more travelers by providing overnight accommodations and meeting rooms. The Agency also has lowered landing fees at Dulles for commercial planes.

But this promotional approach is not the complete answer. If the airlines will not discipline themselves in the matter of disguised long-range flights out of National; if they fail to provide Washington area residents with more service at Dulles, and if the private and executive aircraft owners do not come up with a voluntary plan for holding down their own operations at National, the FAA will have but one choice. It will have to put aside the carrot and pick up the stick.

PROPOSED CHANGES IN THE CAPITOL

Mr. DOUGLAS. Mr. President, in his oration against the conspiratorial demagog Cataline, the Roman orator and statesman Cicero began his speech with these words:

> How long, O Cataline, wilt thou abuse our patience?

These words are particularly applicable at this time to the so-called Architect of the Capitol, Mr. J. George Stewart. How long, Mr. Architect, will you abuse our patience?

Our patience has been sorely tried by the Architect: First, the relative abortion of the New Senate Office Building, constructed at great cost, and with relative lack of facilities and complete lack of architectural distinction. Then, the excessive cost of the subway between the New Senate Office Building and the Capitol. Then, the defacement of the east front of the Capitol, again conducted at great expense, and helping to spoil the noble east front. Also, what has been up to date the crowning insult of all, the Rayburn Office Building, which blends all types of architecture in an inharmonious melange which reminds one of the early period of Mussolini or Hitler, in their architecture of Rome and Berlin, respectively.

Now comes his assault on the west front of the Capitol, defacing once again one of the great adornments of the Capitol and, indeed, of the country.

Make no mistake about it, he has plans in the offing for an underground garage which would cost close to $10,000 per car.

So I ask our unarchitectural Architect: How long, O Architect will you abuse our patience? I think our patience should be running rather thin.

Some years ago, when the Architect was planning his assault on the east front, I expressed my feelings in some doggerel, which I take the liberty to repeat:

> O Architect, spare our Capitol.
>   Touch not a single stone.
> In youth it sheltered our Republic.
>   Oh, please let it alone.

But I do not expect that beseechments of this type will have any effect upon Mr. Stewart.

In a more solid vein an article, entitled "More Capitol Punishment," written by Francis D. Lethbridge, and published in the Journal of the American Institute of Architects, for April 1966, has already been made a part of the RECORD by Senator PROXMIRE on June 21. Mr. Lethbridge is chairman of the Joint Committee on Landmarks for the National Capital and is a practicing architect in Washington, D.C.

Mr. President, I hope we may have an organized citizens' movement across the Nation which will register the protests of the American people at this latest effort to deface the Capitol of the United States.

Mr. TYDINGS. Mr. President, I wish to take this opportunity to associate myself with the remarks of the distinguished Senator from Illinois [Mr. DOUGLAS].

I believe that the appropriation of $34 million at this time to rebuild, in effect, one part of our historic Capitol is not only an economic extravagance, for we can ill afford it at this particular period in our history, but I believe it is a senseless degradation of a great national monument.

When I consider the need of the Congress for adequate office space, for adequate room for Senate staffs, and for Senators to work, which could be supplied at one-tenth of that amount of money—needs that are, in my opinion, crucial—and when the Architect of the Capitol proposes $34 million to change the front appearance of this great Capitol, I think, as the Senator from Illinois [Mr. DOUGLAS] does, that it is about time that we take a good look at the office of the Architect of the Capitol.

The people of the United States were not happy over the latest workmanship, the Rayburn Building, which, as has been stated, is the most costly building in the history of mankind.

Now, to take a magnificent piece of architecture, the Capitol of the United States, and rebuild it, disfigure it, and use tens of millions of dollars of taxpayers' dollars to do it, is absolutely senseless and wasteful.

I hope the Senate will not concur in such an economic extravagance as this.

(At this point Mr. LONG of Louisiana assumed the chair.)

COMMUNISM IN LATIN AMERICA AND SOUTH AMERICA

Mr. DOMINICK. Mr. President, some time ago I had printed in the RECORD a very acute and observant article by Mr. Charles W. Wiley on some of the problems which we face nationwide in regard to communism. Recently I have been discussing from time to time problems we face in South America and Latin America on this subject.

With reference to the Tricontinental Congress, and the activities in January of this year at that conference, it will be recalled that there were over 80 nations represented from the Communist world at that conference. They committed in Soviet funds alone over $1 million at the conference to the subversion of Latin America and South America.

Recently in the Elks magazine Mr. Charles W. Wiley and Mr. Richard J. Bockled wrote another article entitled "Latin Campuses: Study in Red."

The article is of sufficient importance to our country and the Members of this body that I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LATIN CAMPUSES: STUDY IN RED

(By Charles W. Wiley and Richard J. Bocklet)

"Make no mistake—the communists have launched a major campaign to conquer South America." The speaker, a high ranking officer, is an expert on insurrectionary warfare with the United States Southern Defense Command based in the Panama Canal Zone. "But this war is different. The enemy thinks not only in terms of companies and battalions but in university clubs and student organizations. Communist student leaders are the captains in their order of battle."

After careful study of the situation in Latin America, Senator THOMAS J. DODD, in an introduction to a Senate report, stated: "Although writers and commentators have been prone to skirt the issue, the communists have succeeded in massively infiltrating the student movements in Latin American countries."

Secretary of State Dean Rusk warned the Organization of American States at a conference in Rio de Janeiro that Latin America was "not yet free from the same threat of a 'war of liberation' [such as the one] raging in Vietnam."

Senator STROM THURMOND, in a recent speech on "The Threat of Communism to Latin America," made clear the importance of the situation to the United States: "However much so it may sound, this subject is not one of just academic relevance to you or to any American citizen. The subject is remote, if at all, only in a geographic sense. It has a very direct and immediate bearing on your future. . . .

"The intensification of the communist threat in Latin America, and the disproportionately heavy allocation of resources dedicated by the communists to Latin America, is a direct consequence of the geographic proximity and the strategic economic and political relation of Latin America to the United States."

The communists know that it takes more than a Castro hiding in the hills to carry off a revolution. They realize that their "spontaneous uprisings" must be carefully organized and expertly led, for which the leadership rarely comes from among the peasants and slumdwellers who supposedly are the backbone of a revolution.

It is important to recognize, too, that university students in Latin America (and most of the rest of the world) are not like students in the U.S. Here, they are preparing themselves for a satisfactory place in a society that, by and large, they want to preserve. But in "underdeveloped" Latin America, it is not difficult for agitators to convince students that they have a stake in changing the system.

To comprehend the nature of the danger South of the Border, one must give primary consideration to what's going on in the universities, traditionally the centers of unrest.

Based on numerous interviews with communist and non-communist students, professors, and university officials throughout Latin America, we found, on separate trips covering the entire area, that Reds have captured many university student bodies and have made deep inroads in nearly all. Security officials and experts on communism confirmed our findings.

Students are both the shock troops and the officer cadre of the communist Latin American command in its campaign to conquer the Western Hemisphere's soft, southern underbelly. This growing army of young men and women numbers in the tens of thousands—with up to 20,000 presently undergoing training in Cuba, the Soviet Union, East Europe, Red China, and Vietnam.

Students on many Latin American campuses openly proclaim support for the guerrillas and for the downfall of the government. They are the backbone of rebel movements, and guerrilla ranks usually swell during vacation months. In the cities, students carry on terrorist campaigns. They rob banks and others businesses to finance guerrilla operations, kidnap wealthy citizens, plant bombs, and assassinate police and government authorities. U.S. embassies and American-owned businesses are special targets of student terrorist attacks.

One Latin counter-intelligence officer, responsible for keeping track of communist penetrations in the universities, told us: "We didn't take this problem seriously for a long time—too long. We thought of our radical students as 'children passing through a phase.' But suddenly we realize that many of our 'children' are trained killers, organized to take over our country. The big question is whether we've made the discovery in time to turn the tide."

One of his colleagues warned: "I hope I'm wrong, but I'm convinced that you North Americans will face the same problem in the future."

For many years Latin students, especially freshmen and sophs, became radicals as an outlet for adolescent exuberance. There was little guidance or organization, and no realistic future outside the university for communists. Most of the student extremists of the 1930s, '40s, and '50s are moderates today. But the picture is changing.

Campus recruitment and the use of students for the communist cause is now a smooth operation, well directed and organized. While it is still true that many students recruited into communist ranks as freshmen start slipping away in their junior and senior years, the number who stay on the Red path through college and beyond is steadily increasing. The cry "Revolution!" is no longer an empty call to arms.

Communist leaders and guerrilla chiefs throughout the continent are heroes on the campus, and future leaders are the primary target of communist recruiters in the universities. Student agitators who can whip up anti-government and hate-U.S. demonstrations on cue from the communist hierarchy will probably do just as well later organizing peasants and poor urban workers for the Red cause. Students who can instigate bloody riots that not only embarrass but sometimes threaten governments, as has happened in nearly every Latin American country, possess a talent that is crucial for the success of communist revolutionary plans.

Miguel Rotalde, former Mayor of Peru's main port of Callao and, until recently, a Minister of Government, said flatly: "The universities are the main source of communist action in Peru." Rotalde made the statement last year, just after Peru was forced to declare a state of siege because of communist guerrilla and terror activity.

Once a student has proven himself on campus he has carved out a future with the Communist Party. In some cases he will be allowed to do post-graduate work at Party expense. Many will be given military training to operate in the hills as guerrillas. Some will be assigned to jobs in labor unions and the communications media. Since the communists have long established themselves in the Ministries of Education, they are often able to place graduates in important teaching posts in high schools and universities. Through Party arranged jobs or heavy subsidization from Red funds, the young communists achieve a much sought after stability in a generally precarious economic situation.

Communists, because of their training and resources, are even more powerful than their actual numbers would indicate. Democratic forces lack the dedication and organization of the Reds. Most students, although noncommunist, find little time for politics, and the field is left wide open for the extremists.

Students follow world events, often colored by communist propaganda, and many feel that history is on the side of communism. Castro is the symbol of that tide in Latin America. But events anywhere on the globe can also influence the situation. Every Vietcong victory speeds up the bandwagon, and a U.S. retreat in Vietnam could trigger a hemispheric "war of national liberation."

Representative ARMISTEAD SELDEN of Alabama warned in a recent speech: "The aggressors' target is not simply the sphere of Southeast Asia. It is the Western Hemisphere. Were we to take the easy course in Vietnam, we would soon be faced with Vietnam-type subversion and aggression by communist and communist-inspired enemies of freedom throughout Latin America.

"As chairman of the House Subcommittee on Inter-American Affairs, I know the volatile nature of that threat. The communists and their friends in Central and South America—encouraged and aided by Peking—would need only the indication that the American will to resist in Vietnam was weakening. We would then witness a quantum jump in the communist technique of so-called 'wars of national liberation.' Our own hemisphere would be the battlefield."

Latin students look to Fidel Castro for inspiration and guidance. His own revolution took its ideological base and leadership from Havana University, and this enhanced student revolutionary prestige throughout the continent.

The Castro influence on radical Latin youth is illustrated by a statement of Americo Martin, former president of Central University's Federation of Students, in Caracas: "We want to do the same as Castro. . . . Cuba showed the way all the other Latin countries must go."

Vilma Espin, wife of Fidel Castro's brother Raul and a member of the Central Committee of the Cuban Communist Party, put it in more direct anti-U.S. terms. In a Moscow speech, she boasted: "If small Cuba, 90 miles from North American imperialism, has been able to maintain its revolution, all nations can do so."

Cuba provides a meeting ground for all Latin American communists, and many broadcast to their countrymen via Radio Havana. Students consider it a mark of distinction to have spent time in Castro Cuba. Travel to Cuba is through Mexico—the only Latin American country that maintains air service to Havana. From there, many continue on to other communist countries.

Another route to the U.S.S.R., Eastern Europe, and Asia is through Paris, where visas are issued—but not stamped into students' passports. It is an open secret that campus communists—sometimes professors, or even deans—provide forged travel documents to students wishing to go to Cuba or behind the Curtain.

Communist money from Moscow, Havana, Peking, and elsewhere pours into Latin America, much of it for student activities. For example, a Central Intelligence Agency report to Congress revealed that Castro alone has pumped over $1 million into just one country—Venezuela—for subversive purposes.

The Red bloc often outbids Western nations, including the United States, in offering scholarships and other privileges to promising students. Standards for study behind the Iron Curtain are much lower than for study in the United States, and in addition to scholarships ranging up to seven years, roundtrip transportation is provided, plus room and board, books, clothing, and some entertainment allowances.

At Red bloc universities, Latin students are trained in Marxist-Leninist doctrine, agitation, infiltration tactics, sabotage, and terrorism. Guerrilla warfare schools are the specialty of Castro Cuba, with an increase from ten in 1962 to more than 30 in 1965, according to U.S. Intelligence reports. Usually reliable reports place the number at more than 40 today.

Thousands of "graduates" have returned to their countries, some to infiltrate the labor movement, government, and mass communications; others to organize peasant uprisings and terrorist activity. They have even established contact with dissident young military men in some countries, the most notable being Lieutenant Marco Antonio Yon Sosa in Guatemala. After the failure of a leftist coup, Yon Sosa fled to the hills where he leads guerrilla forces, made up of a good number of students.

Trained communists assigned to the universities become "professional students," and often remain in school until their late 30s or early 40s. Paid communist functionaries, who devote full time to their jobs, are responsible for recruiting new members, seeing that communists and sympathizers get the important student and faculty positions, and general organizational work.

They use the campus as a platform from which to agitate in every phase of the nation's life. Communist slogans and posters are splattered everywhere. Campaigns may cover almost any subject. Perennial ones include demands for expropriating American-owned property and the release of jailed subversives. Often, the agitation leads to student demonstrations—usually against the government or the United States—and, if the communist organizers do their job well, bloody riots.

The activity of the professional student leaders is well financed, and they receive other outside help such as propaganda material and expert advice. Massive amounts of free or cheap communist pamphlets and books are available for distribution. Mimeograph machines are ready to quickly turn out leaflets to stir up support for candidates, demonstrations, protests, etc. Professionals, trained in agitation, prepare this material, and it is nearly always clever, with a single major point that can be easily grasped.

The non-communist forces are seldom as well organized or financed—and often are not organized at all. And even when local anti-communists make the effort, it is very infrequent that they are in the same league as the Reds.

The U.S. hasn't fully accepted the challenge. In dozens of programs we have aimed at improving economic, social, and political conditions. We have tried, often successfully, to attract students to our way of life through scholarships and other education programs. But we haven't trained professional organizers to cope with communist agitators, and they are as desperately needed as technicians and doctors.

One of the answers to this problem may well be a U.S.-based "Freedom Academy" that would teach non-military people from Free World countries how to fight communists in their particular fields. The Cold War Council, a bipartisan organization of outstanding Americans concerned with communist political warfare, reported at Congressional Committee hearings on the Academy bill: "Training citizens of other nations [is] a key factor in achieving Free World security." A Freedom Academy bill narrowly missed Congressional passage last year.

Meanwhile, the privately sponsored Freedom Studies Center is nearing completion outside of Boston, Virginia. With similar aims, it could make a solid contribution in this field. Among those cooperating in the various projects of the Center are the American Security Council, the American Legion, and a large number of universities and other educational organizations. It is administered by the Institute for American Strategy.

The battle is already being fought on the labor front. The AFL–CIO has training programs for Latin American trade unionists that have contributed to many victories of free labor over communists.

The general political and economic atmosphere on nearly all Latin American campuses gives the communists a big advantage in attracting young people. The "right" on the political spectrum in most universities is equivalent to left-liberal in the U.S., and is considered reactionary. Conservatives, or even moderates or "middle-of-the-roaders," as we use these terms, are almost unheard of. Moving left, the spectrum passes the communists and reaches the extreme radicals who are even more extreme than the Peking-line communists.

Paradoxically, the Reds often have less trouble winning over "right-wing" students than the radicals who want immediate, all-out revolution. They try to convince the extremists that careful groundwork and preparation must be undertaken before revolution has a fair chance of success; that infiltration and working through front groups is necessary. Many, aflame with impetuous revolutionary zeal, cannot be slowed down, and in some cases they have gained control of student groups by calling the communists reactionary.

Paralleling the split in communist parties throughout the world, Latin Red students are divided into pro-Moscow and pro-Peking groups, the latter in the ascendency. But despite splits within communist ranks, they usually unite on major issues. During a crisis, such as in the Dominican Republic, they work side by side. They seldom lose sight of the main objective—the communist conquest of Latin America.

Despite rampant leftism, the United States has some latent support on Latin American campuses. This comes generally from the more non-political students, who seldom air their views in public. Those who do are not fiery public speakers and are rarely in student leadership positions. Some students leaders describe themselves as "democratic"—but this does not mean pro-American. They frequently criticize the U.S., but also refuse to accept communist dictation. They feel that both communism and capitalism have equally undesirable aspects.

This thinking was characterized at the Fourth Latin American Congress of Students (LACS) held in Natal, Brazil, in October, 1961. When they couldn't dominate the Congress, delegates from communist-dominated student federations walked out. Those remaining, representatives of ten democratic federations, issued a press statement on their position: "The Latin American student body has firmly stated its attitude of open struggle against the imperialist domination exerted by the United States over Latin America. It has also made clear that it will not permit oppression by one great power to be replaced by the domination of another, the Soviet Union, which already turns its ambitious eyes to Latin America with obvious voracity."

On the faculty level, it is imprudent to express sympathy for the U.S. With a precarious tenure system, few teachers will risk bucking the leftist and communist trend on campus. Rectors and deans, who are elected with student support, find themselves in the same situation. A teacher or dean publicly defending the U.S. faces retaliation that can destroy his career.

In one Latin American university the rector was forced out recently because his criticism of the U.S. Dominican intervention wasn't strong enough. This fear of being labeled "Yankee supporter" runs to the top of the political structure. To avoid being charged with being an American puppet, by his enemies, most political leaders, even those who are friendly to us, will occasionally throw jabs at American policy.

Over the years, communism has been skillfully pictured as the champion of popular aspirations while capitalism is automatically associated with the status quo and against all change. For a student to proclaim himself a communist simply means, to many, that he has dedicated himself to the fight for social and economic justice.

On campus, leftists glibly link free enterprise with self-seeking profiteering, while communism is presented as having a "social conscience." Communism is the opposite of this cold-blooded "capitalism"—not of freedom. To be anti-communist on campus is to be pro-capitalist.

This concept of free enterprise generally holds true among the teachers, too. Schooled on heavy doses of Marxism, they just naturally expound it in their classrooms. Many of them regard Marxism as a science and are quite oblivious to the political aspects of it, and it is considered sophisticated among teachers to be Marxists. Said one Latin professor: "Communism is even more attractive to the intellectuals and the middle class than to the poor rural masses."

The status of the university in Latin American society makes it fertile ground for political intrigues. The Spanish legacy has given the university the task of forging national leaders, and it has great prestige in the community. Students are looked up to as the vanguard of the future.

In only the last two or three decades, Latin America has been shifting educational goals from the concept of an elite to a mass-based society. While the United States transformed the educational aim of its universities many years ago, Latin America is still suffering the throes of change. With free tuition, the majority of the students are from poor families, many of them not prepared for college. All these factors are a help to the communists.

Reds, capitalizing on the traditional autonomy of Latin American campuses, have turned universities into sanctuaries for wanted subversives and depots for weapons. Students openly brag of the arsenals they have established in their dormitories and of the production-line procedures they have for turning out Molotov cocktails.

When student activity becomes intolerable, university autonomy is sometimes forgotten by government authorities, and the campus becomes a battlefield between police and communist-led students. The resulting bloodshed and antigovernment propaganda works to the advantage of the communists, often outweighing whatever gains were achieved by the raid.

The veteran workhorse of international communism, Dolores Ibarruri ("La Pasionaria" of Spanish Civil War fame), has outlined the communist blueprint for using students:

"Conquer the students as much as possible, as they are a very great force. . . . The students are those who best suit our purposes, because they always struggle to win. . . .

"A half-dozen clear ideas will suffice to inflame the students. Tell them that they are intellectuals, and that they must shout in favor of peace, and that they do not want more wars. And promise them scholarships and free trips and aid in order to advance life."

And, ". . . congratulations to the students, who are advancing together throughout the entire world, and who are the vanguard."

The warning is unmistakably clear: we must face the challenge squarely or risk disastrous consequences. The entire hemisphere is threatened by students who are cunningly led into doing the work of Moscow and Peking. It is easier to inflame destructive revolutionary passion than to sell realistic democratic answers to very complex problems. But ours is the only road that ultimately will bring to the majority of Latin Americans, including students, what they seek.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. TYDINGS. Mr. President, in accordance with the previous order, I move that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 3 o'clock and 14 minutes p.m.) the Senate adjourned until tomorrow, Thursday, June 23, 1966, at 11 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 22, 1966:

POSTMASTERS

ALABAMA

James E. McClamery, Elmore.
Relfe S. Pruett, Seale.
James L. Shurett, Shawmut.

ALASKA

Eldor R. Lee, Petersburg.

ARIZONA

John E. Babcock, Fort Huachuca.
E. J. Foutz, Teec Nos Pos.
Arnold R. Elias, Tucson.

ARKANSAS

Charles T. Bryan, Gurdon.

CALIFORNIA

Wilbur S. Gram, El Cerrito.
J. Edmund Culver, King City.
William J. Askew, Lower Lake.
Edward F. Harrington, San Luis Obispo.

COLORADO

Harold D. Jackson, Rye.

CONNECTICUT

Richard J. Marks, Norwich.

FLORIDA

Ray A. Hilliard, Geneva.

GEORGIA

James B. Young, Clermont.
Thomas L. Exley, Springfield.

IDAHO

Joseph W. Ebberts, Challis.

ILLINOIS

William L. Sinnett, Adair.
Roger V. Crosman, Braidwood.
Bernie J. Cassidy, Cabery.
James N. Carner, Carriers Mills.
Robert E. Wurmnest, Deer Creek.
Marvin S. Bloomer, Maquon.
Richard E. Dixon, Monticello.
Marjorie E. Scott, Olympia Fields.

IOWA

William J. Dohrer, Rudd.
Lars C. Larson, Woden.

KANSAS

Francis J. O'Leary, Fort Leavenworth.
Morris T. Bowker, Ogden.
Robert Shove, Onaga.
Marie E. Vickers, Pratt.

KENTUCKY

Clarence F. Jones, Grand Rivers.
Robert O. Lanier, Kevil.

LOUISIANA

Robert O. McClung, Homer.

MAINE

Claude A. Cyr, Fort Kent.

MARYLAND

C. Alvin Sanger, Cordova.
William C. Norris, Jr., Forest Hill.

MASSACHUSETTS

Dorothy L. Connolly, Dunstable.
Philip E. Sullivan, East Pepperell.
Robert Connell, Forge Village.
Antone L. Silva, New Bedford.
Martin T. Ready, Winchendon.

MINNESOTA

Frank E. Biniek, Bowlus.
Joseph E. Frankovich, Chisholm.
Richard E. Reiland, Rollingstone.

MISSISSIPPI

James J. Luter, Canton.
Paul B. Alford, Jr., Morton.
James N. White, Wiggins.
Hugh J. McGraw, Yazoo City.

MISSOURI

Harold R. Warren, Climax Springs.
Elvin N. Meredith, Weaubleau.

NEBRASKA

Leonard H. Pelc, Johnstown.
Mildred M. Green, McCool Junction.
Opal K. Reese, Pleasanton.

NEW HAMPSHIRE

G. Nelson Lambert, Center Harbor.
George S. Downer, Hampton.
Paul E. Sanborn, Wilmot Flat.

NEW JERSEY

Howard F. Haas, Cherry Hill.

NEW MEXICO

Orba L. Ray, Tularosa.

NEW YORK

Edwin J. Faber, Caroga Lake.
Blake F. Winter, Cicero.
Harold T. Zwick, Crompond.
Kerlin R. Farwell, Cuba.
Shirley A. Marshall, Hemlock.
Barbara A. Alkinburgh, Nelliston.
Grant D. Morrison, Northville.
Leo J. Soricelli, Peekskill.
Edward S. Norwicki, Warsaw.
Joseph J. Neratko, Westfield.

NORTH CAROLINA

Iva E. Hampton, Coinjock.
W. Marvin Worrell, Jr., Como.
Nancy C. Blue, Jackson Springs.
Joe D. Thompson, Mooresville.
Thomas W. Galloway, Rosman.

NORTH DAKOTA

Donald R. Holler, Drayton.
Vesta M. Schultz, Glen Ullin.

OHIO

John D. Woosley, Camden.
Lillian H. Harbaugh, Clinton.
Herman A. Clarke, Crown City.
William E. Smith, Deshler.
Francis E. Szollosi, Toledo.

OKLAHOMA

Herman D. Jones, Burlington.
Homer H. Wyssmann, Fairmont.
J. Freeman Parker, Ochelata.
Billy R. Robertson, Sand Springs.

PUERTO RICO

Luis I. Lugo-Mercado, San Antonio.

RHODE ISLAND

James M. Phelan, Warwick.

TENNESSEE

Lucile M. Rowland, Del Rio.

TEXAS

Orveta D. Generaux, Addison.
Weldon E. Kaddatz, Bynum.
Wilbert A. Shanks, Combes.
Jack G. Hunt, Kosse.
W. Freeman Philpott, Sherman.

VERMONT

Doris C. Kendall, Reading.

WASHINGTON

Betty J. Hages, Easton.
Charles H. Nash, Friday Harbor.
John C. Hafstad, Oakesdale.
Melvin W. Schauerman, Odessa.

WEST VIRGINIA

Etta M. Aulabaugh, Hancock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 22, 1966

The House met at 12 o'clock noon.

The Chaplain, Dr. Edward G. Latch, D.D., offered the following prayer:

Where two or three are gathered together in My name, there am I in the midst of them.—Matthew 18: 20.

Our Heavenly Father, who hast given Thy word that where two or three are gathered together in Thy name, there Thou art in the midst of them—make us aware of Thy presence this moment as we assemble in Thy name, invoking Thy blessing upon us and praying that Thou would make us adequate for the tasks of this day, give us wisdom for the decisions we have to make and courage always to do what is right.

Bless, Thou, our President, our Speaker, and all the Members of this House. Support us all the day long of this troublous life, until the shadows lengthen, and the evening comes, and the busy world is hush, and the fever of life is over, and our work is done. Then, of Thy great mercy, grant us a safe lodging and a holy rest and peace at the last; through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 3438. An act to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 136. An act to amend sections 1, 17a, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 693) entitled "An act to amend the Foreign Agents Registration Act of 1938, as amended."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1336. An act to amend the Administrative Procedure Act, and for other purposes; and

S. 2769. An act relating to the establishment of parking facilities in the District of Columbia.

A MATTER OF PERSONAL PRIVILEGE

The **SPEAKER**. For what purpose does the gentleman from Michigan [Mr. CHAMBERLAIN] rise?

Mr. **CHAMBERLAIN**. Mr. Speaker, I rise as a matter of personal privilege.

The **SPEAKER**. The gentleman will state his matter of personal privilege.

Mr. **CHAMBERLAIN**. Mr. Speaker, I rise with respect to an article which appeared in the Washington Post this morning entitled "Question: Do Congressmen Steal," by the columnists Drew Pearson and Jack Anderson.

The **SPEAKER**. The gentleman from Michigan is recognized under the question of personal privilege.

Mr. **CHAMBERLAIN**. Mr. Speaker, this morning the Washington Post carried the syndicated column, Washington Merry-Go-Round, with the byline of Drew Pearson and Jack Anderson which was titled "Question: Do Congressmen Steal?" I presume this column appeared in other newspapers throughout the United States.

This article should be of interest to every Member of this body for it challenges the integrity of certain Members of this House, myself included, charging by innuendo grave misconduct on the part of the Members of this great body in the performance of their legislative duties.

Ordinarily, I do not read the column published by these journalists and would not have seen this if it had not been called to my attention by other parties. Over the years I have come to the conclusion that the matters contained in the column are not worthy of my time and, in fact, I have generally felt they do not warrant a rebuttal. However, in this case the allegations are of such a serious nature that I cannot come to this Chamber and take my seat without asking for an opportunity to set the record straight.

First, it is true that I am a lawyer. I attended law school at the University of Virginia and graduated in 1949. I am a member of the Virginia bar. I also took the Michigan bar in the fall of 1949 and was admitted to practice law in the State of Michigan shortly thereafter. I started my professional career without a client and simply by hanging out my shingle. In the fullness of time I was named an assistant prosecuting attorney for Ingham County. I also served as city attorney for the city of East Lansing, Mich., as counsel for the Judiciary Committee of the Michigan State Senate, and finally as prosecuting attorney for the county of Ingham just prior to my election to Congress.

For several days following my election to the 85th Congress, I continued a limited relationship with several attorneys who had served on the staff of the prosecuting attorney of Ingham County during my term of office. In the spring of 1962, I had discussions with the senior partner for the law firm of Fraser, Trebilcock, Davis & Foster which led to my becoming associated with this firm pursuant to an agreement entered into on May 31, 1962. During our discussions the possibility of a conflict of interest at some future date was of primary importance and was pursued in depth. In view of the text of the column to which I have referred, I want to include in the RECORD a portion of the basic agreement that was made with this law firm.

> You will perform no service for the firm, nor shall you share in any income received by the firm from services performed by it, involving matters with or before the United States, its departments, bureaus, services or facilities; it being the clear intention and purpose of all of us to scrupulously and completely avoid any possible conflict of interest or even the appearance thereon between your services to the United States as a Congressman, on the one hand, and as a consulting lawyer to this firm, on the other hand.

Not a year had passed before it became apparent that I would not have sufficient time to devote to any private legal matters and on July 1, 1964, I terminated, at my own request, my relationship with this law firm. My letter of resignation reads in its entirety as follows:

> JULY 1, 1964.
>
> Mr. ARCHIE C. FRASER,
> *Fraser, Trebilcock, Davis & Foster,*
> *1400 Michigan National Tower,*
> *Lansing, Mich.*
>
> DEAR ARCHIE: Since our last visit, I have given considerable thought to my continued relationship with you and your partners of Fraser, Trebilcock, Davis and Foster.
>
> At the time we first discussed the matter, I was most optimistic about the future of such an arrangement and felt confident that as soon as I had an opportunity to spend some time in Lansing, I could help in a modest way to further the business interests of the firm. However, since June 1, 1962, the date of our association, I have only spent three weeks in Lansing and they were the weeks immediately preceding the 1962 Congressional campaign . . . and during the peak of the Cuban missile crisis. Following that November election, I went on active duty to meet my reserve obligation, and soon returned to Washington to prepare for the convening of Congress. Last year, we were in session until Christmas Eve which of necessity precluded my being in Lansing . . . and while we're not sure now when Congress will adjourn this year, it has become apparent that my Congressional activities will preempt any time that I had hoped I could devote to personal affairs. Further, I am mindful that our relationship may have, in some respects, been a source of embarrassment to the firm. Thus, for these reasons I have reluctantly concluded that it is best that our association be terminated at a time suitable to your convenience.
>
> I have been most grateful for the opportunity to be identified with Fraser, Trebilcock, Davis and Foster and have felt a warm relationship with each of its members . . . all of whom I hold in highest esteem. It is my deep regret that I have been unable to make the business contribution that I had hoped I would be able to make.
>
> With my warmest regards to you, each member of the firm, and your most efficient and courteous staff, I am,
>
> Sincerely yours,
>
> ______ ______.

So my colleagues, I have not been associated with this firm or any other law firm since July 1, 1964, in any way whatsoever, and the authors of this article could have been apprised of this fact by simply calling my office. Likewise, they could have confirmed this fact by a telephone call to the firm itself. Further, they could have gone to the 1966 volume of the Martindale and Hubbell Law Directory and discovered that I am not listed as having any identification with this law firm whatsoever.

The article to which I refer makes specific reference to my legislative interest in repealing the excise tax on automobiles and trucks. I would like to call attention to two brief paragraphs from this article:

> Three years ago, Rep. CHAMBERLAIN introduced a bill, H.R. 458, to repeal the manufacturers' excise tax on passenger cars and trucks.
>
> When the Congressman introduced this bill, he did not tell his congressional colleagues or the voters back home that his law firm represented the United Trucking Service and the Detroit Automobile Interinsurance Exchange, both interested in having taxes on trucks and cars removed.

To charge that I pushed for the repeal of the 10-percent automobile excise tax because my law firm had two clients favoring such action or to imply personal financial consideration to me is absolutely ridiculous, irresponsible, and false. In the first place, while I will gladly and proudly admit that I have pursued this repeal with diligence, the article is in error where it suggests that I first introduced the bill 3 years ago. The true facts are these: I first took the oath of office as a Member of this body on January 3, 1957, and 13 days later, on January 16, I introduced H.R. 3022 to repeal the excise tax on passenger automobiles and trucks. As I have already indicated, my connection with the firm of Fraser, Trebilcock, Davis & Foster began on May 31, 1962, and was terminated on July 1, 1964.

I would further point out that I introduced this legislation to keep a promise to the voters of the Sixth Congressional District of Michigan after specifically calling for such legislation prior to the election in 1956. I would also say to my colleagues that my efforts in behalf of this legislation have been supported at different times by the entire Michigan delegation, Democrats and Republicans alike, who were as anxious to see the automobile excise tax repealed as I and who often deferred to me as their spokesman because the district I originally represented included Flint, the home of thousands of Buick and Chevrolet workers and Lansing, the home of thousands of Oldsmobile workers. It was because of the auto-oriented complexion of my congressional district that I began thumping the drums for auto excise tax repeal from the very first day

I came to Congress in January 1957—and for no other reason. I would have been derelict in my duty to my constituents if I had not done so.

The charge of personal interest also is ridiculous because in pushing for auto excise tax repeal, I found myself in 1961 and ensuing years a minority voice on Capitol Hill, with the fate of legislation being dictated by the administration. When excise taxes, including the auto excise tax, finally were repealed, it was because my colleagues then saw the wisdom of a course I and a few others had been recommending for years but to no avail.

During the brief period I was identified with this law firm, and for that matter, before this affiliation, and since its termination, I have never had any business contacts directly or indirectly with any of the clients mentioned in this article.

Mr. Speaker, may I conclude by simply stating that it is indeed regrettable, since the authors of this column indicate such concern with respect to the ethics of Members of Congress, that they have such blatant disregard for the ethics of the journalistic profession in that they have made no effort to ascertain the truth about the matters I have discussed.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. CHAMBERLAIN. Mr. Speaker, I am happy to yield to my distinguished colleague, our minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am delighted that the gentleman from Michigan has set the record straight and told the facts. All of us here admire his integrity, his honesty, his forthrightness and his diligence. I am sure his constituents in Michigan feel as I do. He has an unblemished record. I am proud of him and his accomplishments.

Mr. CHAMBERLAIN. I thank my colleague for his generous words.

CONTINUING RESOLUTION ON APPROPRIATIONS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that it may be in order on any day next week to consider a House joint resolution making continuing appropriations.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. JONAS. Mr. Speaker, reserving the right to object, and I shall not object. I have discussed the matter with the distinguished gentleman from Texas, the chairman of the House Committee on Appropriations and informed him that I will not object to his request.

But I believe it would be proper for the RECORD to show—and the gentleman from Texas would not say this himself—that at the beginning of this session of Congress the distinguished chairman of the Committee on Appropriations set up a schedule of bills to be considered by subcommittees and hopefully to be cleared through the House. If we could have adhered to that schedule, we would have had most of our appropriations problems out of the way, or should have them out of the way before the beginning of the next fiscal year on July 1 next.

What I want the RECORD to show is that the House Committee on Appropriations is not responsible for whatever delays have transpired. We are up with our work. We have to wait on authorizations. Without intending any criticism of legislative committees, I merely say that we will act in the Appropriations Committee as promptly as it is possible to act when the authorization bills have cleared the Congress.

Mr. MAHON. Mr. Speaker, I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, further reserving the right to object, I take it that time will be provided next week, when the resolution is brought before the House, for some discussion with respect to the situation that prevails.

Mr. MAHON. Mr. Speaker, I am sure that when the resolution is brought up, there will be ample opportunity for discussion of this matter. The gentleman knows that most of us, I am sure, would like to see Congress adjourn as soon as reasonably possible, but we have to have a continuing resolution, because the appropriation bills have not become law, and some delay will be inevitable. We hope to pass the continuing resolution early next week, and also the Defense appropriations bill for the fiscal year 1967, which we hope to report later this week and bring to the floor of the House probably on Tuesday or Wednesday of next week. I do not believe the leadership of the House has decided yet on the exact date.

Mr. GROSS. I would hope that the majority leadership in the House, when the resolution comes up next week, will be prepared to give us some idea as to whether this session of Congress will go on interminably with the passage of a continuing resolution and perhaps an extension, as has been the case in previous years.

The House is entitled to have some idea of how long this session of Congress is going to run if it approves a continuing resolution.

I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

The Chair hears none.

SUBCOMMITTEE ON HOUSING OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may be permitted to sit this afternoon while the House is in session during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight tonight to file a report on H.R. 15639, and that the minority may have the same permission with respect to filing minority views.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Rules Committee may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SUBCOMMITTEE ON FISHERIES AND WILDLIFE OF THE COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries may be permitted to sit while the House is in session today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. HANLEY. Mr. Speaker, on Monday of this week the House passed the freedom-of-information bill. Unfortunately I was detained in my office of the time of the vote. I supported this legislation. Had I been present, I would have voted "yea."

ANTIPOVERTY PROGRAM SUPPLEMENTAL APPROPRIATION

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, no action taken by this Congress was more shortsighted than the shortchanging of the antipoverty program. Although the House approved an authorization of $1,895 million for the Office of Economic Opportunity for the current fiscal year, that figure was cut to $1,735 million in the subsequent conference. Then, as though that cut were not enough, the Committee on Appropriations drove the knife even deeper into this important program by recommending an appropriation of only $1.5 billion.

It was in the light of this legislative history that I viewed with interest the action taken by the United States Conference of Mayors last week in Dallas. Meeting in convention, the conference noted that 60 percent of the poor live in our large cities. The conference urged the President and Congress to recognize the severe deficiency of antipoverty funds and urged action to appropriate the full authorization for this fiscal year.

Mr. Speaker, the action of the U.S. Conference of Mayors gives hope that greater interest in the problems of the poor will be forthcoming at the local level.

Today I have introduced a bill which would provide a supplemental appropriation for the Office of Economic Opportunity in the amount of $285 million, money which was authorized by this Congress but never appropriated.

Mr. Speaker, I urge the support of all Members of the U.S. Conference of Mayors for this proposal. They must organize a concerted effort to impress all the Members of the Congress with the urgency of the situation. The need is imperative as we face the desperate problems in our urban centers.

I also urge the Committee on Appropriations to promptly consider this measure, if this Nation is to begin to meet the problems of the poor and disadvantaged, which are so acute in our cities.

MASSACRE ON THE HIGHWAYS

Mr. O'NEILL of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I take the floor of the House today to bring the attention of this body to a national scandal—the annual killing of 50,000 Americans and the injuring of some 2 million on our Nation's highways.

Mr. Speaker, for this reason, I am introducing legislation which would create a National Traffic Safety Agency within the U.S. Commerce Department. Within this Agency my bill would establish a National Traffic Center to carry out research and make studies regarding the causes of traffic accidents.

My bill also creates a national traffic safety program and authorizes the Secretary of Commerce to promulgate national traffic safety standards.

I am hopeful that we will get early and favorable action on this vital piece of legislation.

JULIUS KLEIN

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I was glad to notice that the Senate Ethics Committee will attempt at least to summon back to the United States for testimony Julius Klein, the Chicago public relations man whose connections with various German industries are of wide interest. As a convenience to the committee I am sending them and placing herewith in the RECORD a set of questions which I feel should be explored when Mr. Klein takes the witness stand:

Why has Mr. Klein not filed with the Justice Department details of the representation agreement with Rheinmetall Co., Dusseldorf, West Germany as required by the Foreign Agents Registration Act?

Why has he not filed full details of receipts and expenditures in connection with representing Rheinmetall?

How can he possibly claim his representation was and is purely mercantile and nonpolitical and therefore exempt from the act in view of his letter of April 5, 1965, to Assistant Secretary of State William Tyler?

What did Klein do in his work as representative of Rheinmetall?

What were his fees? What disbursements did he make?

What U.S. officials did he see or write to in his efforts in behalf of Rheinmetall?

Why did he not file with the Justice Department full financial details of his representation of the Hispano-Suiza firm, another foreign munitions organization which owns rights to the controversial H.S. 820 20 millimeter machine gun?

What were his fees? What disbursements did he make?

What U.S. officials did he see or write to in behalf of Hispano-Suiza?

Was he aware that the H.S. 820 gun did not meet minimum performance standards of the U.S. Army in tests performed at intervals since 1962?

If so, what efforts if any did he make to meet the problem this presented to his clients?

While in West Germany the past few days was he in communication with any Hispano-Suiza or Rheinmetall officials or with West Germany officials or U.S. officials or representatives who were in West Germany in connection with the impending U.S. contract to buy $73 million worth of the H.S. 820 machine gun?

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 149]

Abbitt
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Aspinall
Bandstra
Belcher
Blatnik
Brown, Clarence J., Jr.
Buchanan
Conyers
Corman
Diggs
Ellsworth
Evins
Farbstein
Farnsley
Flood
Flynt
Fogarty
Gallagher
Gilbert
Gray
Green, Pa.
Hagan, Ga.
Hanna
Harsha
Harvey, Ind.
Holifield
Jarman
Jones, N.C.
Kee
Kelly
King, Calif.
Kirwan
Leggett
Long, La.
Mackie
May
Morton
Multer
Murray
Powell
Race
Resnick
Rhodes, Ariz.
Rooney, N.Y.
Scott
Shipley
Thomas
Toll
Trimble
Udall
Vanik
Whitener
Williams
Willis
Wilson, Bob

The SPEAKER. On this rollcall 370 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION TO FILE CONFERENCE REPORT

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that the conferees on S. 2950 have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

TO AUTHORIZE USE OF MILITARY EQUIPMENT IN CONNECTION WITH 12TH BOY SCOUTS WORLD JAMBOREE

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 12270) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the 12th Boy Scouts World Jamboree and 21st Boy Scouts World Conference to be held in the United States of America in 1967, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out all after line 21 over to and including line 14 on page 3 and insert:

"SEC. 2. (a) Under regulations prescribed by the Secretary of Defense and to the extent that furnishing such transportation will not interfere with military operations, the Secretary of Defense is authorized to provide transportation without expense to the United States Government from United States military commands overseas, and return, on surface and other transportation facilities of the armed services for (1) those Boy Scouts, Scouters, and officials certified by the National Council, Boy Scouts of America, as representing the National Council, Boy Scouts of America, at the jamboree referred to in the first section of this Act; and (2) the equipment and property of such Boy Scouts, Scouters, and officials and the property loaned to the National Council, Boy Scouts of America, by the Secretary of Defense pursuant to this Act."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. HALL. Mr. Speaker, reserving the right to object, might I inquire of the distinguished chairman of the Committee on Armed Services as to whether or not the intent of this amendment is solely to preclude the transportation at their own expense on U.S. Government surface vessels or the military airlift, of Boy Scouts of foreign national sovereign nations who have not been certified as coming to the world jamboree in the United States in the interest of the National Council of the Boy Scouts of America?

Mr. RIVERS of South Carolina. This is principally my understanding of the amendment as it was inserted by the other body. It is not with respect to the Boy Scouts of America but to delete authority for the Department of Defense to transport Boy Scouts of other nations. We have decided to agree to it.

Mr. HALL. In the opinion of the distinguished gentleman from South Carolina, this would allow us at U.S. posts and commands around the world to bring Boy Scouts of America who happen to be stationed with their parents on said stations, on a space available basis, without expense to our Government, to attend this first world jamboree in the United States of America?

Mr. RIVERS of South Carolina. It is not only my understanding, but it had better be the understanding of the Department of Defense.

Mr. HALL. We certainly appreciate the good offices of the chairman in this matter, and in bringing this up. Having conferred with the Representatives of the other body and the Boy Scouts of America on this, I know it is an amendment on which they insist and it could not be ironed out in conference, so I am glad that the chairman moved to accept it.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

UNEMPLOYMENT INSURANCE AMENDMENTS OF 1966

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 893 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 893

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15119) to extend and improve the Federal-State unemployment compensation program, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 893 provides a closed rule, waiving points of order, with 4 hours of general debate for consideration of H.R. 15119, a bill to extend and improve the Federal-State unemployment compensation program.

H.R. 15119 would extend coverage under the Federal-State unemployment compensation system to about 3.5 million of the approximately 15 million wage and salary workers not now covered. The extension would bring the total number of workers covered by unemployment insurance—including the Federal programs for railroad workers, Federal civilians and ex-servicemen—to about 53 million, slightly more than 82 percent of all wage and salary workers.

Coverage would be extended by broadening the definition of employer by changing the definitions of "employee" and of "agricultural labor" and by requiring States to provide coverage for certain employees of nonprofit organizations and of State hospitals and institutions of higher education.

Still excluded would be employees of local governments, most State employees, agricultural workers, domestic workers in private homes, and some workers in small establishments.

The coverage provisions would generally be made effective for wages paid after December 31, 1968. The delay in the effective date is to permit States ample time to amend their laws to apply the State tax to all employers who will be subject to the Federal tax.

The proposals embodied in H.R. 15119 would provide major improvements in the Federal-State unemployment compensation. The bill is the product of the broadest and most intense review which has been given to the unemployment compensation program since it was enacted in 1935 as part of the Social Security Act.

The unemployment compensation program has assisted millions of men and women in overcoming the hardships of involuntary unemployment. It has also furnished a stability to the national economy that has helped to moderate, and on occasion perhaps to avert, economic recessions.

Mr. Speaker, I urge the adoption of House Resolution 893 in order that H.R. 15119 may be considered.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. Price). The Chair recognizes the gentleman from California [Mr. Smith].

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this resolution, House Resolution 893, provides for 4 hours of general debate. It is a closed rule and waives points of order, with the exception of one motion to recommit, and provides for the consideration of the bill H.R. 15119, the Unemployment Insurance Amendments Act of 1966.

The purpose of the bill is to amend the Federal unemployment insurance program to first, provide for extended employee coverage; second, establish a permanent program of extended benefits to those who have exhausted their regular benefits during periods of high unemployment; third, provide judicial review for the States of the determinations of the Secretary of Labor; and fourth, increase the wage base and rate of taxation under the program to put it on a more sound fiscal basis.

The bill represents the most comprehensive review of the system since its inception in 1935.

About 3.5 million additional workers will be covered by the bill, bringing the total to about 53 million on the effective date, January 1, 1969. An employer will come under the Federal-State system if he employs one worker in 20 calendar weeks, or pays wages of $1,500 in any quarter. This will add about 1.2 million. The term "employee" is redefined to include outside salesmen, and commission salesmen. Full-time insurance salesmen are not included. The term "agricultural labor" is redefined to cover workers in major processing plants where one-half of the produce was not grown by the plant operator.

About 1.9 million employees of nonprofit organizations, State hospitals, and institutions of higher learning are newly covered. Exempted are clergymen, church and high school and primary school employees, doctors and medical personnel of a hospital except nurses who are covered. Nonprofit organizations have the option of either reimbursing the State for unemployment compensation attributable to service for them or paying the regular State unemployment insurance tax; they are not required to pay the Federal portion.

The effective date of the bill is January 1, 1969, put off to let States amend their laws to conform to changes. Four new requirements are added to the program: first, a beneficiary must have had work since the beginning of his benefit year in order to qualify for compensation in that year; second, the wage credits of a worker cannot be canceled or his benefit rights reduced because of a disqualifying act except discharge for misconduct on the job, a fradulent compensation claim, or the receipt of disqualifying income; that is, pension. A State can disqualify a worker during the period of unemployment following a disqualifying act so long as his benefit rights are preserved for a future period; third, compensation cannot be denied to workers who are enrolled in an approved retraining program; fourth, compensation cannot be denied or reduced because a claimant lives in another State.

Finally, a new exemption has been created to protect, these employers who, in connection with an institution of higher learning's program, employ for stated periods, full-time students who are learning their profession as a time student. Their course of study, however, provides for regular periods of work during the school year. If the institution he attends certifies the employer that such work is an integral part of the work-study program, the employer is exempted from paying the contribution on the wages paid such students.

For the first time judicial review is provided. The bill gives to a State a procedure for appealing a decision of the Secretary of Labor to a U.S. court of appeals within 60 days after the Governor has been notified of the adverse decision.

Findings of fact by the Secretary are conclusive unless "contrary to the weight of the evidence."

The bill establishes a permanent program of extended benefits for those who have exhausted their regular compensation benefits during periods of high unemployment. This provision will become effective on January 1, 1969. The program will be financed 50-50 by the States and Federal Government. Two separate but overlapping programs are established: First, a national extended benefit period, created if (a) the rate of insured unemployed for the Nation equaled or exceeded 5 percent for each month of a 3-month period, and (b) during the same 3-month period the total number of claimants exhausting their rights equaled or exceeded 1 percent of covered employees. If either of these conditions are not present, no national extended benefit period occurs. Second, a State extended benefit period created if (a) the rate of insured unemployed for the State equaled or exceeded during a 13-week period, 120 percent of the average rate for the corresponding 13-week period in the preceding 2 calendar years, and (b) such rate also equaled or exceeded 3 percent. Both conditions must be present to activate the program. The absence of one terminates the program.

The tax rate under the Federal Unemployment Tax Act is increased from 3.1 to 3.3 percent effective with respect to wages paid in 1967. The taxable wage base is increased from $3,000 per year to $3,900 from 1969 through 1971, and to $4,200 in 1972 and thereafter.

All minority members except the gentleman from Missouri [Mr. Curtis] support the bill. They have filed concurring views pointing out the vast improvement of H.R. 15119 over the administration's proposal, H.R. 8282. That bill was designed to apply Federal standards to all 50 State programs. Benefits standards as to length of time and amount were proposed. The experience rating system, designed to benefit the employer with a stable employment situation was to be downgraded. All this the committee refused to do. They support the bill as reported.

Mr. Curtis does not. He believes the improvements are significant, particularly the inclusion of judicial review of the decisions of the Secretary of Labor. However, he does not believe the bill is the answer needed in this area, as it was drafted to improve H.R. 8282 and not to really remedy problems which have developed in the program. He believes that what is needed is in coordinating the unemployment program with the Manpower Training Act and the passage of the Human Investment Act, which will retrain those whose skills are no longer needed in our economy.

Mr. Speaker, I urge the adoption of the rule, and now yield 5 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Speaker, I thank the gentleman from California [Mr. Smith] who has accurately stated the situation as to the prospective debate. Of course, the debate now is on the rule—and this is a closed rule waiving points of order—a very strange procedure. I might say, for a Committee on Rules that was liberalized, supposedly, so that the House could work its will on these issues.

There is no question that the bill proposed by the administration, H.R. 8282, has had its enacting clause stricken and we have before us an entirely new measure, H.R. 15119.

I anticipate that during the debate there will be Members who will represent the point of view of some of our national labor leaders, who are going to take the floor or probably insert in the Record great speeches as to why they might be going along with this bill but that, regrettably, the will of the majority has prevailed, and they cannot offer the amendment to revive H.R. 8282 so that the House can consider them.

All I am trying to drive home here is that their opportunity, if they really wanted the House to work its will, would have been to join with those of us—for different reasons entirely—who feel that these matters should come before the House under an open rule where amendments could be offered and considered and their amendments could be offered and considered. But I just want, to the best of my ability, to drive home the inconsistencies of these positions and the complete inconsistency of those who argued that by enlarging the Rules Committee, you actually were liberalizing it.

My position on enlarging the Rules Committee was more along the line of giving those who conceived it enough rope and letting them hang themselves. I did not think there was any sincerity in the arguments of the so-called liberals in enlarging the Rules Committee. What they were really after was to gain control of the Rules Committee so that they could bring out more matters under closed rules and waiving points of order. This is exactly what has happened and this is just one more example of it. Hopefully, I thought we would have the operation in the public eye, so that we would be able to have a public debate on what are correct procedures. These hopes have not been realized mainly because the news media has failed to report these procedural issues as they have arisen.

I have minority views. I would only hope that Members would read them. I sometimes wonder whether we have reached the point where the only way we communicate is orally. In these written views I try to point out the areas where I think we should have amendments. I also point out that I am not in a position to offer most of these amendments or to urge them at this time to the Committee of the Whole House because the Ways and Means Committee did not go into those areas. And I am not being completely critical of my committee in saying this, because my points are that the main improvement in the field of unemployment and employment lies in Manpower Training Act development and the Human Investment Act approach.

But in order to make those programs meaningful, we have to do a great deal of coordinating with the unemployment insurance program. The Ways and Means Committee has a real job cut out for itself to assist in this coordination. But we cannot do it if the Committee on Education and Labor does not meet jointly in some fashion with the Ways and Means Committee to develop these points.

There are some specifics, though, that I would be in a position to offer in the way of amendments if this measure were being considered under an open rule. I have said that, No. 1, I do not think there should be a rule at this time. I do not believe we are in a position, in spite of lengthy hearings—and there are lengthy hearings—and in spite of the very thorough review of the narrow sector of just the unemployment insurance program, to debate the crucial issue: How do we move our society forward in handling the problem of unemployment? And, equally important, How do we move forward in handling the real bottleneck in our economy; namely, the fact that we have jobs going begging for which we do not have skilled people to fill?

This is what I think should be before us.

There are good things in this bill. I do think that the bad features in H.R. 8282 have been eliminated. I do not think that the bad features which I still see in H.R. 15119 go to the heart of our present very fine State-Federal unemployment insurance program. I do think they constitute a step backward. There are a number of very fine things in H.R. 15119. But I do think that these good things are good enough to outweigh the step backward.

What I hope will come before the Congress in the next year or so is a bill which will have a comprehensive approach to the problem of unemployment and employment.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The **SPEAKER** pro tempore (Mr. Price). Without objection, the previous question is ordered.

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

UNEMPLOYMENT INSURANCE AMENDMENTS OF 1966

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15119.

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15119, with Mr. Zablocki in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The **CHAIRMAN.** Under the rule the gentleman from Arkansas [Mr. Mills] will be recognized for 2 hours and the gentleman from Wisconsin [Mr. BYRNES] will be recognized for 2 hours.

The Chair recognizes the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the Committee of the Whole House has before it the bill H.R. 15119, proposed Unemployment Insurance Amendments of 1966.

Mr. Chairman, this bill is the product of many months of labor by the Committee on Ways and Means. It is in every sense of the world a committee bill. It is a bipartisan bill. The ranking minority member of the committee, my friend, the gentleman from Wisconsin [Mr. BYRNES], introduced an identical measure, H.R. 15120, at the time the committee bill was introduced at the direction of the committee by the chairman of the committee.

Mr. Chairman, the Committee on Ways and Means turned its attention to unemployment compensation last year, when the President submitted his recommendations for legislation making certain changes in the existing program. The committee held approximately 3 weeks of public hearings in August of 1965 on the administration bill, H.R. 8282.

Another session was held this year, on March 15 and 16, to receive additional testimony from the Interstate Conference of Employment Security Agencies. Mr. Chairman, as we know, this is a group made up of State directors of unemployment compensation representing all of the 50 States.

Mr. Chairman, I believe it should be pointed out at the inception that the committee not only had full cooperation from the Secretary of Labor and the representatives of the Department of Labor in the executive sessions of the committee, but also we had full cooperation of this interstate conference, in that we had in the executive sessions of the committee at the request of the committee, representatives of the organization at all times while the bill was being considered. We found that their presence in the executive sessions of the committee made a major contribution to the work of the committee and a major contribution to the development of legislation within the committee.

Thus I want not only to thank those who worked with us from our own staff and from the Library of Congress, but also those who worked with us from the executive department and from the Interstate Conference. Every one of them made a very great contribution to the work of the committee, and there was most helpful assistance from each of them who came to the committee.

During the months that we worked—and I say months, because it was during the 2 months really that we worked—in executive session, giving almost all of our time to the subject matter, we began to formulate ideas, we began to formulate exceptions and changes with respect to the initial proposal, the result being H.R. 15119.

Mr. Chairman, I believe the committee very slowly and very carefully put together this bill during those weeks of deliberation and study. I do not claim it is a perfect bill. I would not disagree with my friend from Missouri that it has imperfections and that perhaps more could have been done; but I am confident in my own mind that the provisions, if enacted, will strengthen and improve the Federal-State unemployment compensation program in several areas in which I believe changes are needed at the present time.

DIFFERENCE BETWEEN H.R. 8282 AND H.R. 15119

The reported bill differs from the initial bill of the administration in many, many respects. The so-called Federal benefits standards contained in H.R. 8282 are omitted from the bill before the Committee. These were the provisions, Members will recall, which would have required the States to pay weekly benefits to an individual equal to one-half of his average weekly wage up to a State maximum. They also would have required the State to pay 26 weeks of benefits to any worker with 20 weeks of qualifying earnings in his base period.

These provisions, I repeat, are not contained in the bill presently before the Committee.

Also omitted from the bill are provisions which were contained in H.R. 8282 relating to the elimination of the experience rating as the sole means of determining employer tax credits, and provisions limiting the time in which a State could disqualify a worker from receiving benefits because of the commission of a disqualifying act.

None of these things, I repeat, is in the bill before the Committee.

Mr. Chairman, in order to point out the other differences—and all the differences—between the administration proposal and the committee bill, the staff of the Ways and Means Committee prepared a brief comparison of these two bills. That comparison was printed and is available to all Members. In order that it may be available to the public generally, at the proper time I shall ask permission to include it at this point in my remarks.

The matter referred to is as follows:

COMPARISON OF UNEMPLOYMENT COMPENSATION BILLS, H.R. 8282 (ADMINISTRATION BILL) WITH H.R. 15119 AS ORDERED REPORTED BY COMMITTEE

Item	H.R. 8282	H.R. 15119
Extended benefits	*Federal Unemployment Adjustment Benefits Program*—Establishes a Federal unemployment adjustment benefits (FUAB) program to provide benefits to unemployed workers with a long work history who exhaust their benefits under a State (or Federal) program.	*Federal-State Extended Unemployment Compensation Program*—The bill would establish a new permanent Federal-State extended unemployment compensation program which would require the States to enact laws, that would have to take effect beginning with calendar year 1969, to pay extended benefits to workers who exhaust their basic entitlement to unemployment compensation during periods of high unemployment.
	When payable—Benefits would be payable at all times, regardless of the general level of unemployment.	*When payable*—Benefits would be payable only during an "extended benefit period," based on either a National or a State "on" indicator. When a national extended benefit period is established, extended benefits are payable in all States. An extended benefit period always stays in effect for at least 13 weeks. A national extended benefit period would be established if (*a*) the seasonally adjusted rate of insured unemployment for the Nation equaled or exceeded 5 percent for each month in a 3-month period, and (*b*) the total number of claimants exhausting their rights to regular compensation during those 3 months equaled or exceeded 1 percent of covered employment. It would end whenever either of these conditions was not met. In the absence of a National extended benefit period, an extended benefit period would be established for an individual State if (*a*) the rate of insured unemployment for a running 13-week period equaled or exceeded 120 percent of the average rate for the corre-

COMPARISON OF UNEMPLOYMENT COMPENSATION BILLS, H.R. 8282 (ADMINISTRATION BILL) WITH H.R. 15119 AS ORDERED REPORTED BY COMMITTEE—Continued

Item	H.R. 8282	H.R. 15119
		sponding 13-week period of the 2 preceding years and (*b*) such rate equaled or exceeded 3 percent. It would end whenever either of these conditions was not met.
	Qualification, amount, and duration of benefits—Benefits paid under the FUAB program would be equal in weekly amounts to worker's regular weekly benefits under a State program, including dependents' allowances if any. In order to qualify for FUAB a worker must have had at least 26 weeks of employment in his State base period (usually the 1-year period immediately before he became unemployed) and at least 78 weeks of employment in a Federal qualifying period consisting of the State base period and the 2 years immediately preceding. The worker must also have been unemployed for 26 weeks and exhausted his regular benefits.	*Qualification, amount, and duration of benefits*—Benefits during an extended benefit period (either National or State) would be equal in weekly amount to a worker's regular weekly benefits under the State program, including dependents' allowances if any. To qualify, a worker must exhaust his regular benefits and may be required under State law to have had at least 26 weeks of base period employment, or the equivalent. Extended compensation would be payable for up to ½ his basic entitlement, but for not more than 13 weeks, and for not more than 39 weeks of combined regular and extended compensation.
	FUAB payments would be paid for 26 weeks during the worker's Federal benefit period, consisting of the State benefit year and the 2 succeeding years. If a worker had received payments under a State program for more than 26 weeks, the duration of his FUAB benefits would be reduced accordingly and the State would be reimbursed for such payments.	
	Financing—Benefits would be paid entirely from the Federal adjustment account described below. (Sec. 101.)	*Financing*—The Federal Government would pay 50 percent of the benefits from the extended unemployment compensation account described below. The States would pay the other 50 percent. (Secs. 201–208.)
Federal grants for excess benefits costs	Establishes a program of Federal matching grants to States that have high benefit costs. The Federal Government would pay ⅔ of the benefit costs of a State that are in excess of 2 percent of the total covered wages in such State. For example, in a State with a 3-percent benefit-cost rate, the Federal share of such cost would be 0.66 percent and that of the State would be reduced to 2.33 percent. A State would have to meet all of the requirements of the Federal Unemployment Tax Act including the benefit requirements contained in another title of the bill (mentioned below) in order to receive Federal grants under this program. Federal grants would be financed from the Federal adjustment account described below. (Sec. 102.)	No provision.
Extension of coverage:		
1. Employers of one or more workers	Present law limits coverage to persons or firms employing 4 or more workers in 20 weeks during a calendar year. The bill would cover any person or firm employing 1 or more workers at any time in a taxable year. (Sec. 201.)	Covers employers who employ one or more workers in 20 weeks during a calendar year, or pay wages of $1,500 or more in any calendar quarter in a calendar year. (Sec. 101.)
2. Employees of nonprofit organizations	Coverage would be extended to employees of nonprofit organizations, with the following exceptions: (*a*) Duly ordained ministers and members of religious orders; (*b*) Clients of sheltered workshops; (*c*) Part-time service for a religious organization at a pay rate of less than $15 a week; and (*d*) Participants in unemployment work-relief or work training programs financed in whole or part by a Federal, State, or local government agency. No change in existing exclusions of students for school they are attending, of student nurses and interns, and of nonprofit services paid less than $50 a quarter. States could provide special methods for determining contributions to be paid by nonprofit organizations. (Sec. 203.)	States would be required, as conditions for tax credit, to extend coverage to employees of certain nonprofit organizations and State hospitals and institutions of higher education. In addition to the exclusions stated in (*a*), (*b*), and (*d*) under H.R. 8282 and the other existing exclusions of students, etc., the following would be excluded: (1) Church employees and employees of church controlled or supported organizations operated primarily for a religious purpose; (2) Employees of schools other than institutions of higher education; (3) Persons employed by an institution of higher education in an instructional, research, or principal administrative capacity; (4) Physicians and similar licensed practitioners in a hospital or hospital-connected research organization, but nurses would be covered; and (5) Nonprofit organizations which did not have at least 4 workers in 20 weeks. Nonprofit organizations must be allowed the option of either reimbursing the State for unemployment compensation attributable to service for them or paying the regular State unemployment insurance contributions. They would not pay the Federal portion of the unemployment tax. A separate

COMPARISON OF UNEMPLOYMENT COMPENSATION BILLS, H.R. 8282 (ADMINISTRATION BILL) WITH H.R. 15119 AS ORDERED REPORTED BY COMMITTEE—Continued

Item	H.R. 8282	H.R. 15119
		effective date would allow the States to put the reimbursable option into effect at any time after Dec. 31, 1966, although the requirement of coverage would not be effective until 1969. (Sec. 104.)
3. Definition of employee	The present definition of "employee" is limited to officers of a corporation and persons who are employees under usual common law rules. The bill would adopt the definition of employee that applies to the OASDI system, which includes additional persons who are not employees under common law rules, such as certain agent-drivers and outside salesmen. (Sec. 204.)	Similar provision, except that full-time insurance salesmen and persons who work on materials in their homes who are not common law employees would not be covered. (Sec. 102.)
4. Agricultural workers	(*a*) The bill would extend coverage to farm employers using 300 or more man-days of hired farm labor during a calendar quarter. (*b*) In addition, the bill would adopt the definition of "agricultural labor" that applies to the OASDI system. Adopting the OASDI definition would extend UI coverage to an estimated 200,000 workers now exempt as agricultural workers. Included in this group are maple sugar workers, those engaged in off-the-farm raising of mushrooms and poultry hatching and workers in processing plants where more than half the commodities handled were not produced by the plant operator. (Sec. 205.)	(*a*) No provision covering hired farm labor. (*b*) Similar provision, except that employees of certain agricultural cooperative organizations would not be covered. (Sec. 103.)
Other coverage changes	No other changes in categories of employment excluded.	Students in certain work-study programs would be added to the categories excluded from coverage. (Sec. 105.)
Federal benefit requirements	The bill establishes requirements concerning eligibility for, amount and duration of benefits, which a State would have to adopt for employers within the State to receive full tax credits. Employers in a State that does not meet these requirements would have their credits reduced from 2.7 percent to a percentage equal to the 4-year benefit-cost rate of the State, if that rate is lower than 2.7 percent. The requirements are: (*a*) Eligibility for benefits: No worker could be required to have more than 20 weeks of employment (or its equivalent) in his base period. (*b*) Benefit amount: An individual who qualifies for benefits would be entitled to a weekly benefit equal to ½ of his average weekly wage, up to the State maximum. The State maximum would be based on statewide average weekly wage. The bill requires that initially the State maximum would have to be set at 50 percent of the statewide average weekly wage, with this percentage figure increasing to 60 percent by July 1, 1969, and ultimately to 66⅔ percent by July 1, 1971. (*c*) Duration of benefits: An individual who qualifies for benefits based on 20 weeks or more of employment would be entitled to receive them for a potential duration of at least 26 weeks. (Sec. 209.)	No provision.
Additional Federal standards (including disqualification).	The bill provides additional requirements which must be met by the States to obtain approval of their programs by the Secretary of Labor. Failure to obtain such approval would result in the loss of all tax credits to employers in a State and withholding payment of the State's administrative expenses. The most important of these new requirements relates to disqualifying workers from receiving benefits. It would prohibit a State from disqualifying a worker from receiving benefits for a period longer than the week in which the disqualifying act occurred and the succeeding 6 weeks. 3 exceptions to this prohibition are provided; these would allow the denial of benefits in cases of: (1) fraud in connection with claims (for up to 36 weeks); (2) labor disputes (for an unlimited period); and (3) conviction of a crime aris-	Contains similar requirements, with the following changes: Disqualification requirement omitted.

COMPARISON OF UNEMPLOYMENT COMPENSATION BILLS, H.R. 8282 (ADMINISTRATION BILL) WITH H.R. 15119 AS ORDERED REPORTED BY COMMITTEE—Continued

Item	H.R. 8282	H.R. 15119
	ing in connection with the individual's work (for up to 52 weeks).	
	The other new standards of the bill would—	
	(*a*) Require a worker to have intervening work since the beginning of his benefit year to qualify for benefits in his next benefit year (outlawing the "double dip").	(*a*) Same.
	(*b*) Prohibit cancellation or reduction of wage credits or benefit rights because of disqualifying act.	(*b*) Prohibit cancellation of wage credits or total reduction of benefit rights except in cases of discharge for misconduct in connection with work, fraud in connection with a claim for compensation, or receipt of disqualifying income (such as pensions).
	(*c*) Prohibit denial of benefits to a worker attending training with the approval of the State agency.	(*c*) Same.
	(*d*) Prohibit denial or reduction of benefits to a worker because he files his claim or resides in another State or in Canada. (Sec. 211.)	(*d*) Prohibits denial or reduction of benefits to a worker because he files his claim or resides in another State. (Sec. 121.)
Experience rating	Under existing law, experience rating is the only method that may be used to reduce employer tax rates below 2.7 percent in States with pooled funds. The bill would allow, but not require, the States to use other methods of reducing such rates. (Sec. 208.)	No provision, but a related amendment would allow the States to reduce tax rates for new or newly covered employers (to not less than 1 percent) until they have the necessary 3 years of experience to obtain a reduced tax rate under the State experience rating system. (Sec. 122.)
Tax rate increase	The FUAB and grants for excess benefit-costs programs would be financed by an increase of 0.15 percent in the tax rates of employers subject to the Federal Unemployment Tax Act, plus an equal contribution from Federal general revenues. These funds would go into a new Federal adjustment account to be established in the Federal Unemployment Trust Fund, from which FUAB payments and grants for excess benefit costs would be made. Whenever the balance in the Federal adjustment account reaches a stated level the additional tax rate would be reduced to 0.10 percent. (Secs. 202 and 101.)	Increases net Federal tax rate by 0.2 percent (from 0.4 to 0.6 percent) with respect to wages paid in 1967 and thereafter. ½ of the rate increase (0.1 percent) would be put into a new extended unemployment compensation account in the Unemployment Trust Fund to finance the Federal share of the new extended benefits program. Any excess of the other 0.5 percent collections over administrative expenses also would be credited to this account. Whenever that balance in the extended unemployment compensation account reaches a stated level, the additional revenue would be credited to the Federal unemployment account in the Trust Fund. (Secs. 301 and 206.)
Wage base increase	The taxable wage base of the Federal Unemployment Tax Act (now $3,000) would be increased to $5,600 for calendar years 1967 through 1970, and to $6,600 thereafter. (Sec. 207.)	Increases the taxable wage base to $3,900 effective with respect to wages paid in calendar years 1969 through 1971, and to $4,200 beginning in 1972. (Sec. 302.)
Judicial review	No provision	Under existing law the decisions of the Secretary of Labor as to whether or not a State law conforms to the requirements of the Federal law are final. There is no specific provision in the law allowing a State to appeal these decisions to a court. The bill would furnish the States a procedure for appealing these decisions of the Secretary to a U.S. court of appeals within 60 days after the Governor of a State has been notified of an adverse decision by the Secretary. Findings of fact by the Secretary would be conclusive upon the court "unless contrary to the weight of the evidence." The provision would be effective upon enactment. (Sec. 131.)
Other amendments:		
1. Maritime employers	Provides that maritime employers in a State that does not meet the requirements now in sec. 3305(f) for equal treatment of maritime employees and maritime workers may be denied tax credits for their State contributions. (Sec. 206.)	Similar provision, but broadened to apply to additional types of employers such as those of certain Federal instrumentalities. (Sec. 123.)
2. Research and training	The Secretary of Labor would be directed to conduct research either through the Labor Department or under grants or contracts in the field of unemployment compensation and related areas and to provide training for personnel engaged in administering the unemployment compensation program. (Sec. 103.)	Similar provisions except that with respect to training of personnel the Secretary is to act directly and through the State employment security agencies. (Sec. 142.)
3. Special Advisory Commission	Directs the Secretary to appoint a Special Advisory Commission on Unemployment 3 years after the date of enactment to review the unemployment compensation program and make recommendations for improvements with particular reference to changes made by the bill. (Sec. 301.)	No provision.

COMPARISON OF UNEMPLOYMENT COMPENSATION BILLS, H.R. 8282 (ADMINISTRATION BILL) WITH H.R. 15119 AS ORDERED REPORTED BY COMMITTEE—Continued

Item	H.R. 8282	H.R. 15119
4. Change in certification date	The date on which the Secretary of Labor certifies State laws to the Secretary of the Treasury for the purpose of granting tax credits to employers would be changed from Dec. 31 to Oct. 31. (Sec. 212.)	Same. (Sec. 144.)
5. Use of certain funds for administration	No provision	Extends for another 5 years the time within which the States could expend for administrative purposes (including construction of buildings used in the employment security program), funds returned to them as excess Federal tax collections. (Sec. 143.)

MAJOR PROVISIONS OF H.R. 15119

What are the major changes the bill would make in the unemployment compensation program? These changes, I believe, can be divided into four or five categories.

First, the bill would extend coverage to approximately 3½ million workers whose jobs are not now protected.

Second, it would establish a permanent program of extended benefits to workers who exhaust their regular unemployment compensation payments during periods of high unemployment.

Third, it would provide the States with a system of judicial review.

Fourth, it would improve the financing of the program.

It would also add a few new State requirements and make other changes to improve and strengthen the Federal-State unemployment compensation program.

Let me summarize very briefly these four or five matters to which I have alluded, and the other changes that the bill would make.

CHANGES IN COVERAGE

Let us take up first the question of changes in coverage. Today there are approximately 49.7 million jobs—those include Federal employees, ex-servicemen, and of course railroad workers who are under a separate program—which are presently protected by unemployment compensation. In other words, if they become unemployed and jobs cannot be found for them, then they would be entitled to an unemployment payment or an unemployment benefit.

Approximately 15 million jobs as of today are not covered either by Federal law or by State law. This bill would extend the coverage to about 3½ million of those 15 million jobs, effective January 1, 1969.

Now let us talk about the types of workers whose jobs would be covered by this extension within the confines of this bill. First are workers in the employ of persons or firms with less than four employees. Present Federal law only applies and only requires coverage by the States of those employers who have four or more workers in their employ in 20 weeks of a calendar year. There are some States, however, Mr. Chairman, acting on their own, who have reduced this matter of coverage and the numbers of employees from four to one. Some States have included one employee and therefore subjected the employer to the State tax when that employer has that one employee at any time. So the States have moved in this direction without any compulsion from the Federal law or from the Congress. All of them have not, but the point is this, Mr. Chairman: Even though the State which so moved has subjected these employers of one or more to the application of the State unemployment compensation tax, they are not subject to the Federal tax, which, of course, is the difference in existing law between 3.1 percent of payroll and 2.7 percent which the employer gets as a State credit against the Federal tax.

So really what we are doing in those cases where the States have moved forward already to subject the employer of one or more to a State tax is to make the Federal tax also applicable to it. However, all States, bear in mind, would have to reduce from four or more, if they still have that definition of employment for the purposes of taxation, to one or more if that one employee works for that employer in 20 weeks out of the calendar year or the employer might be taxed if he comes into the State as a contractor from another State on a contract that will require him in 30 days or even in a lesser period of time to perform if he pays as much as $1,500 in wages during any quarter of a calendar year.

Mr. Chairman, there are approximately 1.2 million of these jobs and workers who would be given unemployment compensation protection for the first time as a result of this legislation.

Mr. Chairman, another group that we might refer to, a smaller group, is involved in the changed definition of the term "employee." There are approximately 200,000 additional workers who would be covered by adopting, with a modification, the definition of "employee" that applies to the old-age survivors and disability insurance program. There is a slight modification in the definition as it is adopted for unemployment compensation purposes.

Those affected by this change are persons who are not considered to be employees under common law rules, such as certain agent drivers, and some outside salesmen. The concept of employee as adopted by the bill differs from that of the old-age and survivors disability insurance program in that it does not apply to the full-time life insurance salesman. Old-age and survivors disability insurance does cover them but this bill does not. Persons who work in their own homes on materials which are furnished by another person are also not covered. Of course, there might be a common law relationship of employer and employee, and wherever that exists, of course, they are covered regardless of what we say here.

Next is the redefinition of the term "agricultural labor."

Now, Mr. Chairman, bear in mind that we are not including under unemployment compensation anyone who works as a field hand or who works for the farmer in the growing and in the harvesting of his crops. But within the definition of "agricultural labor," we do have certain people who may never work actually on a farm as a farmhand. They may work in some processing plant.

Mr. Chairman, it is interesting to note, for example, that services performed off the farm in the hatching of poultry are presently considered to be farm labor and therefore not included under the protection of unemployment compensation under existing law, but would be included under the bill.

Approximately 200,000 additional workers would be covered by adopting the definition of "agricultural labor" that applies to the old-age and survivors disability insurance system, but with a modification. The bill would not cover farmworkers generally but would extend coverage to some of the now excluded borderline agricultural employment. Included for example would be services performed off the farm in the hatching of poultry. Also included would be services performed in connection with the operation or maintenance of an irrigation system for profit.

The bill would also extend coverage to services performed in the employ of commercial handlers in preparing fruits and vegetables for market. Postharvesting processing services performed in the employ of the operator of a farm would be excluded if the operator produced over one-half of the commodity processed. These services performed in the employ of a group of farm operators or a cooperative organization of which farm operators are members would be excluded if the member operators produced more than one-half of the commodity processed.

The CHAIRMAN. The time of the gentleman from Arkansas has expired. The gentleman has consumed 15 minutes.

Mr. MILLS. Mr. Chairman, I yield myself 5 additional minutes.

Now, Mr. Chairman, the greater number of people who are covered under this bill for the first time are the employees of nonprofit organizations as well as State hospitals and institutions of higher learning.

Now, Mr. Chairman, there are approximately 1.9 million such jobs in the United States which under the present law are not covered.

Mr. Chairman, this was a rather knotty problem. You have these nonprofit organizations dependent, of course, in most instances not upon taxation developed from either State, Federal, or local government processes, but these organizations are dependent upon the charges they render or else upon the charitable contributions that organizations or individuals may make to them.

Under the provisions of existing law a State today may include the employees of a nonprofit hospital, any time the State wants to do so, but there is no compulsion under the Federal law that they do it. But if the State does do it—my State or your State or any State does it—the only way they can include that hospital or other type of nonprofit organization and determine the benefits of its employees is to subject it to the same rules of taxation that are applicable to every other employer within that State.

Now, we have made a change in that. We said that the State, in the process of being required to put these employers and their employees under the program, may give the employer an option as to how they are brought under it. Take a university, for instance—a university that has employees in a clerical or custodial type of position. If that university comes under the program and some one of its employees loses his job and no job can be found for him, and under State law that employee becomes entitled and receives a total of $100 of benefits, instead of that institution being subjected to the tax rate in the State, as some other employer would have been taxed, we provide that the State give the university an election to bring it under the program on a self-insurance basis. By this, the university can reimburse the State for that exact amount of money, $100, that the State has been out, under its system, in looking after that unemployed former employee of the university.

In addition we say here that none of these nonprofit institutions will be included as far as the Federal law is concerned—they will not be subject to Federal tax anyway—none of them will be covered as a result of this bill unless they had as many as four employees working 20 weeks in a calendar year.

So that we impose here upon these organizations a materially smaller burden, as they come into the program, than we imposed upon the profitmaking hospital, for example, or any other profitmaking employer when that employer came under the program. I have heard no objection, frankly, from any of these institutions to this method of providing protection for their employees, whereas all of them, universities and hospitals, and so on, were very much disturbed over the method of inclusion which was proposed in H.R. 8282 wherein they would have been treated as any other employer and made subject to the tax that the employers have to pay.

EXCLUSION OF CERTAIN STUDENTS

A new exclusion from coverage is provided by the bill for students employed under specified work-study programs arranged by the schools they attend, effective January 1, 1967.

There is a growing trend in schools and colleges toward requiring a combination of outside work experience with formal classroom study. In some of these programs, students enrolled at an institution alternate between full-time class study and full-time outside employment on a quarter or semester basis. In other programs the students spend a portion of each day or divide their time on a weekly basis between classroom attendance and outside work. These work-study programs are integrated into the regular school curriculum and form a part of a formalized full-time educational program.

Students enrolled in these work-study programs usually engage in employment of the type which is covered under the unemployment compensation system. Under existing law the wages paid to these students are therefore subject to the Federal tax under present law. The schools might have more success in persuading employers to participate in cooperative education plans if the wages paid to the students were not taxable, as the bill provides.

ADDITIONAL REQUIREMENTS FOR UNEMPLOYMENT COMPENSATION PROGRAMS

States would be required under the committee bill to amend their laws, effective not later than January 1, 1969, in order to obtain approval by the Secretary of Labor for the purpose of tax credits for employers, to provide that—

First. Work requirement: A beneficiary must have had worked since the beginning of his benefit year in order to obtain unemployment compensation in his next benefit year—prohibiting the so-called double dip which allows a worker to draw full benefits in 2 successive years following a single separation from work.

Second. Cancellation of wage credits: The wage credits of a worker may not be canceled or benefit rights totally reduced by reason of a disqualifying act other than discharge for misconduct connected with his work, or fraud in connection with a claim for compensation, or by reason of receipt of disqualifying income such as pension payments. But a State could, for example, disqualify a worker for the duration of a period of unemployment following a disqualifying act, such as a voluntary quit, so long as the worker's benefit rights are preserved for a future period of involuntary unemployment during the benefit year.

Third. Worker training: Compensation may not be denied to workers who are undergoing training with the approval of the State unemployment compensation agency.

Fourth. Interstate claims: Compensation may not be denied or reduced because a claimant lives or files his claim in another State.

JUDICIAL REVIEW

Under existing law a decision of the Secretary of Labor that a State law, or State administration of its law, does not meet the requirements of the Federal law is final. There is no specific provision in the law allowing a State to appeal such a decision to a court.

The bill would furnish to a State a procedure for appealing a decision of the Secretary to a U.S. court of appeals within 60 days after the Governor of the State has been notified of an adverse decision by the Secretary. Findings of fact by the Secretary would be conclusive upon the court "unless contrary to the weight of the evidence." The provision would be effective upon enactment.

FEDERAL-STATE EXTENDED UNEMPLOYMENT COMPENSATION PROGRAM

Mr. Chairman, there is one other element in this bill that I think is worth a great deal. I think it is really the outstanding provision, perhaps, in the entire bill. I am referring to the Federal-State extended unemployment compensation program which the bill establishes.

Those of you who were here recall that twice within the last 8 years, first in 1958 and again in 1961, the Congress enacted laws that provided for extended benefits to workers who have exhausted their benefits under State programs for whom jobs could not be found because of the high level of unemployment that existed on each of those occasions. While these programs were beneficial, and while they helped to offset the effects of the high unemployment at that time, there are defects inherent in any such approach to the solution of the problem that bring about that type of action.

Now, to me, a program enacted as we are presently discussing it today, under circumstances where there is no pressure or emergency—a program that will take effect in a period of high-level unemployment—recession, if you please—that will go into effect the minute that begins to become evident, and not later on as in the past—but which will trigger in because of certain occurrences within the State, or because of certain occurrences nationwide, is far better than to depend upon a later action by the Congress, when the pressure is great and after the event has occurred.

The bill would establish a new permanent program which would require the States to enact laws, that would have to take effect beginning with calendar year 1969, to pay extended benefits during periods of high unemployment to workers who exhaust their basic entitlement to unemployment compensation.

Benefits would be paid to workers under the program only during an "extended benefit" period. Such a period could exist, beginning after December 31, 1968, either on a National or State basis by the triggering of either a National or State "on" indicator. The bill contains some rather technical provisions regarding these "on" and "off" indicators." The basic purpose of these provisions is to limit the program to times of high unemployment, when there is a real need for it.

An extended benefit period on a national basis would be established if, first, the seasonally adjusted rate of insured unemployment for the Nation as a whole equaled or exceeded 5 percent for each month in a 3-month period and, second, during the same 3-month period the total number of claimants exhausting their rights to regular compensation—over the entire period—equaled or exceeded 1 percent of covered employment for the Nation as a whole. There is a national "off" indicator if the rate of insured unemployment remained below 5 percent for a month or if the number of claimants exhausting their rights to compensation added up to less than 1 percent for a 3-month period.

An extended benefit period would be established for an individual State, first, if the rate of insured unemployment for the State equaled or exceeded, during a moving 13-week period, 120 percent of the averaged rate for the corresponding 13-week period in the preceding 2 calendar years and, second, if such rate also equaled or exceeded 3 percent. There is a State "off" indicator if either of these conditions is not satisfied.

During an extended benefit period, whether established by National or State conditions, the State must provide each eligible claimant with extended compensation, at the individual's regular weekly benefit amount—including dependents allowances—equal to one-half his basic entitlement, but not more than 13 times such weekly benefit amount, or the difference between his regular compensation and 39 times such weekly benefit amount, whichever is the lesser. The Federal Government will pay half the cost of these required payments. The State may provide more benefits, but at its own expense. A State which requires less than 26 weeks of work, or its equivalent as a condition of eligibility for regular compensation may limit eligibility for extended compensation to those who had more weeks of base period employment but not more than 26 weeks or the equivalent.

FINANCING PROVISIONS

Mr. Chairman, the one fundamental thing that many people might not like that is in the bill is the fact that the bill provides for a slight tax increase. As I said earlier, the total tax which is now levied for unemployment compensation by Federal law is 3.1 percent of payroll. Four-tenths of 1 percent of that total amount comes to the Federal Government. It is used to defray the cost of administration at State levels of these officers that have been set up under State laws to handle unemployment compensation and the problems of finding employment for those who are unemployed. This bill increases that four-tenths of 1 percent to six-tenths of 1 percent.

That is done for two reasons: First, we want to build up the fund in time of prosperity, such as we now have, to enable the Federal Government to be able to take care of half of the cost of this extended benefit program which I have just described. One-tenth of 1 percent will do that. The other one-tenth of 1 percent which is added to the present four-tenths of 1 percent is required, in our opinion, to develop sufficient moneys to pay for the administrative costs, at the State level, of this program.

The bill puts the tax rate increase into effect with respect to wages paid in calendar year 1967. In addition, adjustments are made within the wage base itself. The bill raises from $3,000 to $3,900 those wages which are subject to Federal tax for the years 1969 through 1971. Beginning in 1972, and thereafter, $4,200 of wages will be subjected to this Federal tax.

Mr. Chairman, I do not know of any real opposition to the bill anywhere within our economy. The bill is so different from that which was initially introduced, I think that those who had opposed the initial proposal would now tell you that they are perfectly willing for the Congress to enact this bill.

OTHER PROVISIONS

The bill also contains provisions to—

First, authorize funds to conduct research relating to the unemployment compensation system and to train unemployment compensation personnel and prospective personnel;

Second, change from December 31 to October 31 of each year the date with respect to which the Secretary of Labor certifies to the Secretary of the Treasury that the State laws and administration meet the requirements of the Federal Unemployment Tax Act;

Third, extend for another 5 years the time within which the States could expend for administrative purposes funds returned to them as excess Federal tax collections;

Fourth, permit the States to reduce the tax rates of new employers—to not less than 1 percent—during the first 3 years they are under the unemployment compensation program and

Fifth, provide for enforcement of existing prohibitions against unequal treatment of maritime and other employment with respect to which the Federal Government has a special jurisdictional interest. I should like to point out that the Committee on Ways and Means made no decision concerning the alleged discrimination against maritime employees. This merely supplies an enforcement provision, which is now lacking in the law, for those cases in which it may be determined that discrimination exists. In addition, the provision makes clear that the judicial review procedure provided elsewhere in the bill will be available to appeal any final decision the Secretary of Labor might make under this provision.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman for yielding. The gentleman has made his usual fine explanation of legislation he brings to the floor, but I have one question relative to the extension of the coverage of this unemployment insurance to employees of nonprofit institutions. Am I correct in assuming that the employers in nonprofit institutions would not have to pay this Federal portion of the payroll tax?

Mr. MILLS. The gentleman is correct. And at its election a nonprofit organization may avoid the payment also of the State tax, by electing to go on what we described in the committee as a type of "self-insurance."

Mr. WAGGONNER. I thank the gentleman for yielding.

Mr. MILLS. Mr. Chairman, I would, therefore, urge the Committee to accept the product of the Ways and Means Committee.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, during the debate on the rule I made some comments as to why I thought we were not prepared to debate this matter on the floor. The basic issue is: What can we do to improve our unemployment and our employment programs?

One of the things I wanted to add to that discussion is this: I am fearful that maybe the debate that is going on here will have very little meaning to what actually might become law. The strategy of the administration could well be to go ahead and pass this bill, then get it over to the Senate, and then put on all of these measures set out in H.R. 8282 that the House Ways and Means Committee in its judgment refused to enact. Then it would come back to the House under a conference report, thus robbing the House of any opportunity for debate and deliberation on the subject. This is not unusual, regrettably. This does occur.

But, nonetheless, I am going to do what I can to debate the issue.

Essentially I am going to read my minority view into the RECORD.

I concur in the reasoning advanced by my Republican colleagues but I reach a different conclusion as to whether the bill H.R. 15119 should be supported. I do not believe its good features, and there are some, outweigh its bad features and make up for the areas of neglect. Therefore, I do not support the bill as written. Regrettably, the committee has not developed sufficient data so the House can consider with intelligence many amendments which would make the bill a good one. Therefore I do not believe it should be considered by the House at this time.

I must approach this bill from the following standpoint. If I were writing a bill to improve the State-Federal unemployment insurance program, would I write this bill? The answer must be, "No." This bill was written not with a healthy affirmative approach of how can we improve our State-Federal unemployment system, but rather from a negative approach of how can we prevent the present State-Federal system from being badly damaged as H.R. 8282 would surely have done. H.R. 15119 does not badly damage our system. It has some desirable improvements, not the least of which is judicial review, but it does take several serious steps backward and fails to take some important steps forward.

The administration based its case for H.R. 8282 on three major premises which the committee hearings reveal to be unsustained.

First. That the States had not improved the benefits in amounts and duration or the extent of coverage since the State-Federal system was first established in 1936. This was a sweeping generality and a simple cross-examination of the Secretary of Labor and the other executive spokesmen who advanced the premise established it to be preposterous and wholly without foundation. Whether the improvements which have occurred over the years in the State systems have been timely and in keeping with cost of living increases and standard of living increases, of course, always deserves serious and constant study. The studies in evidence before the committee reveal that benefits in amount and in duration have more than kept pace with increased cost of living in all States. In some States they have not kept pace with the national average increase in standard of living. I am not certain of their record in respect to their own standard of living. However, in most States the benefit payments have exceeded the very fine increase our society overall has experienced in the standard of living and there is every indication that the States which have not kept up fully are not laggards and are striving to catch up. The incentives exist for them to continue on this course.

Second. The next premise advanced by the administration was almost abandoned before it was stated it was so contrary to the evidence. The argument was that the unemployment insurance trust funds of the States and other fiscal aspects of the State unemployment systems were in a precarious condition. The evidence shows the State trust funds to be ample with the States having adequate ability to increase them if required. For the Federal officials to advance such an argument about the State unemployment insurance trust funds in light of the truly precarious position of the Federal old-age and survivors disability insurance trust funds was certainly looking for a mote in the neighbor's eye with a plank in one's own eye. The old-age and survivors disability insurance trust fund was supposed to have in it four times the annual benefit payment. The last time we had such a ratio was in 1954 when the annual payments were about $5 billion and the trust fund was about $21 billion. Today the annual benefit payments are running around $16 billion and the trust fund is a bit below $18 billion, scarcely a 1-to-1 ratio, let alone a 4-to-1 ratio. The Social Security officials in view of this fact have now openly abandoned this basic fiscal theory of the old-age and survivors disability insurance trust fund. It is not now to be considered as a basic source of income out of which to supplement payment of benefits, but only as a contingent fund to insure full benefit payments against unexpected events.

Third. The third premise of the administration was that the 50-State system resulted in unhealthy competition among the States. It was argued that States kept their unemployment insurance tax rates low (and their benefits) in order to attract industry into the State. Unfortunately and shortsightedly this argument has been used at times in State legislatures to resist increases in unemployment benefits and accordingly payroll tax rates, and sometimes successfully. It is a question, however, whether the Federal standards sought to be imposed by H.R. 8282 being advocated by the administration were necessary to meet this problem even if it proved to be a real one.

However, a basic question asked many witnesses, including some of the national labor leaders, revealed the converse of the problem to exist. The question was: Do you think that a well-developed unemployment insurance system attracts and holds industry in a State? The evidence clearly reveals that those States which have the best systems—defining "best" in terms of benefits and extent of coverage—are the ones which have the most industry, are continuing to hold it and attract more. California and New York illustrate the point. Indeed, the States with inferior unemployment insurance systems seem to be at a competitive disadvantage. It seems strange for the advocates of good unemployment insurance programs to be taking the other side of the argument.

A somewhat similar consideration provides the answer to the argument advanced by some national labor leaders that experience rating stimulates employers to "denying" the unemployed the benefits they are entitled to. The States which have utilized and developed experience rating certainly include the big industrial States where labor unions are strong politically. It would be inconceivable that the governmental tribunals established by those States to pass judgment on whether a man is entitled to unemployment benefits or not are so dominated by management as to hand down such unjust decisions. Walter Reuther, when asked about the tribunals in the State of Michigan, conceded that he thought they were fair and impartial. And I think this is true of all States. Mr. Reuther again, as he has in the past, failed to supply me a list of specific injustices upon which he based his general charges.

How do we improve the State-Federal unemployment system? First, let me point out that the most recent major improvement in the system was the passage of the Manpower Training Act of 1962. Many know that I had a great deal to do with the conception, development, and passage of this very beneficial legislation, but not so many know that it grew out of the then recent hearings the Ways and Means Committee had conducted on the State-Federal unemployment insurance system. During these hearings I asked myself the logical question, what good does it really do merely to extend the periods during which an unemployed gets unemployment insurance benefits if at the end of that period he still is unemployed, particularly when the problem of many of the unemployed today is that they do not possess skills in demand. They either have no skill at all, or are semiskilled or have a skill which automation has rendered obsolete.

It amazed me to find that none of the administration witnesses in their prepared statements for the 1965 hearings—or the national labor leaders for that matter—discussed the relationship of the Manpower Training Act to the improvement suggested in the unemployment insurance program. Only under my cross-examination did they begin to relate the two programs, and they had no beneficial suggestions for bringing about a better coordination and improvement of the two related programs.

I am convinced that the greatest improvement in the unemployment insurance program lies in further coordinating it with the Manpower Training Act and getting the Human Investment Act enacted into law. The Human Investment Act would encourage management to do a great deal more on-the-job training in teaching skills to the unskilled and those with obsolete skills and upgrading the skills throughout the labor force. We need to provide better early warning systems so those who are about to become unemployed can begin retraining at once and so avert their ever being unemployed. I have discussed over the years, and at some length, the coordination which could be provided through amending the unemployment insurance program to enable employer A who is phasing out employees to train them during the phasing out period for employer B who is expanding to be reimbursed by B for the costs of this retraining which benefits B but not A.

During the hearings a new problem was posed which I believe deserves proper study with the view of presenting corrective legislation. I was discussing the matter of retraining with one of the witnesses. The witness pointed out that retraining was great for the younger unemployed, but was not so feasible for the man who say had spent 35 years at his skill and then in his fifties finds that his skill is no longer needed. It is not easy for men or women in their fifties to learn a new skill—and possibly have to move to another community even when a new skill has been learned. We had the same problem in respect to the social security disability program where the discipline that makes that program work requires the disabled person to register with the rehabilitation program to learn to adapt his skill to his handicap or learn a new skill. It was pointed out that a different standard should apply to an older disabled person—that he should only be required to adapt his skill to his handicap and not to be required to learn a new skill. We so amended the act.

I suggested that we needed to look at our old-age and survivors disability insurance programs and private tax exempt pension programs to see whether or not in the cases of the older employee an early and accelerated vesting of his retirement benefits was not in order. I think it is. So here to improve the unemployment insurance programs we need to coordinate them with our retirement programs.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. While the gentleman is on this subject, it should be pointed out that we did make a change in the act which moves in the direction of a coordination of the unemployment compensation system and some of the retraining programs. This bill provides that the States cannot deny an unemployed worker who is taking retraining any unemployment compensation benefits to which he might be entitled during that period, and that he would still be considered under the law as available for work even though he was taking retraining.

Mr. CURTIS. I am happy the gentleman from Wisconsin pointed that out. Indeed, that is so, and is one of the arguments I used to get us to originally enact the Manpower Training Act.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the chairman of our committee.

Mr. MILLS. My friend from Missouri will also recall that we took another step in the direction of what he is discussing, when we provided for students who are on work-study programs to be excluded from the payroll of the employer in order to get more of them into that type of work-study arrangement.

Mr. CURTIS. The gentleman from Arkansas is accurate in that statement.

When we go back into the House I believe the chairman of our committee will ask for unanimous consent for all Members to extend their remarks and include extraneous matter. I am going to put in the RECORD a study from the Library of Congress listing all of the various Federal manpower training programs that presently exist, which are largely uncoordinated. This is the kind of thing I am arguing about. We must coordinate these programs on the base of the unemployment insurance program.

Let me add that this is not even discussing the programs under the Department of Labor in apprenticeship training, where there is a lack of coordination, or the tremendous vocational education programs conducted by the Military Establishment. The unemployment insurance program, of course, is the base.

I am distressed at the backwardness of this administration, and I must say of previous administrations going back to the Eisenhower administration, in failing to coordinate these programs.

We have a problem in the House because we do, and we must, separate these jurisdictions among committees. The Ways and Means Committee holds basic jurisdiction, but the Committee on Education and Labor holds a great deal of jurisdiction in an area relating to this, as does the Committee on Agriculture and as do other committees which deal with aspects of the poverty program.

What we badly need, perhaps, is an ad hoc committee consisting of representatives of all of committees, to go into this basic problem.

I point out that there are three important caveats which have been ignored in H.R. 8282 and even to some degree in H.R. 15119.

First. The unemployment insurance program is essentially for the primary worker. It, of course, should be and is extended by all States in varying degrees to cover the seasonal and the in-and-out workers—the secondary workers, but if we ever lose sight of the primary worker by failing to distinguish his characteristics from those of the many categories of secondary workers we will badly damage the primary system and not be able to improve it as should be done periodically for the primary worker.

Second. The State-Federal system works because it has flexibility. It permits each State to "tailor" the system to its needs. If the Federal Government imposes national standards of what employers and what employees should be covered, the amount and duration of coverage down to the minutest detail, this flexibility is lost. The tailoring is particularly applicable in areas of the coverage of secondary workers, and of small and different types of employers. There is a difference in relationship between an employer of one and his employee and the employer of many and his employees. For many reasons some States do not want to cover this kind of employment; others do. There is plenty of reason for permitting the States to have flexibility, for the benefit of both the employee and the employer. So it is with other kinds of employers, for example, farmers, State and local governments, and nonprofit organizations. Coverage of farmers and nonprofit organizations illustrate problems at the opposite ends of the pole.

The nonprofit organizations, such as our hospitals and schools, point out that they have little or no incidence of unemployment, and the record seems to bear them out. Therefore, if they are included in a system with industrial employers they bear an undue share of others' costs. With farmers it is almost the reverse. Here the incidence of unemployment is so high that the other employers do not want them included unless in a special category. Some States have sought to cover farmworkers with varying degrees of success, and experimentation is still going on and should be permitted. Flexibility for the States must be preserved so that the differences existing between States may be taken account of and so innovation may continue.

Third. The State-Federal system is truly an insurance system and should never be corrupted into a welfare system. That is not to say that society forgets about the unemployed who runs out of or has no unemployment insurance coverage. It simply means that society takes care of him under different systems. Our society does just this. Those who erroneously conclude that because a person is not covered or runs out of unemployment insurance is thereby forgotten can do grave damage to the basic insurance system by stretching it to do a job it is not structured to do. This I believe is the greatest danger to our unemployment insurance system.

Finally, I think there is serious question of just how much money the Federal Government needs in order to properly administer the present unemployment insurance program, particularly the U.S. Employment Service part of it. I think our committee failed to dig into these expenditures deeply enough. For example, I think the USES could be doing a better job, but isn't doing a better job, not because of lack of money but because its administrators and the Secretary of Labor have misunderstood its basic purposes; namely, to get jobs for the unemployed, not to help employers fill jobs with people who already have jobs or can get them on their own or on other private initiatives. I think the financing in H.R. 15119 gives too much money to the Federal administrators under guidelines entirely too loose. Although I favor some increase of the tax base to facilitate better experience rating systems on the part of the States, the increase in the base provided in H.R. 15119 is entirely too much.

Mr. Chairman, the variety of apprenticeship training programs conducted by the Department of Labor may be seen in the booklet entitled "The National Apprenticeship Program," 1965 edition prepared by the Manpower Administration, Bureau of Apprenticeship and Training. The material I referred to earlier from the Library of Congress is as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., December 6, 1965.

Legislative Reference Service.
To: Ways and Means Committee.
From: Education and Public Welfare Division.
Subject: Federally assisted work training and retraining programs designed to assist able-bodied adults to return to the labor force.

The following is a brief description of each program with information, where available, as to the number of individuals assisted and the the amount of Federal authorization and expenditure.

MANPOWER DEVELOPMENT AND TRAINING ACT

The principal program to provide training to unemployed and underemployed workers is conducted under the Manpower Development and Training Act of 1962, as amended. The program provides for the cost of training and for the cost of allowance payments to certain qualified trainees. In addition, the Act provides special programs of testing, counseling, guidance, job development and placement for unemployed workers. State and local agencies are utilized in administering the programs. Generally speaking, the Department of Health, Education and Welfare is charged with the responsibility of furnishing the training afforded under the Act through public and private schools. The remaining functions are administered by the Manpower Administration in the Department of Labor.

Important changes in the provisions of the MDTA were adopted by legislation enacted in 1963 (Public Law 88–214) and by the Manpower Act of 1965 (Public Law 89–15). The 1963 amendments, among other things, expanded the type of training available to include basic education subjects such as reading, writing and arithmetic in order to improve the capabilities of trainees lacking in these skills to qualify for occupational training. The Manpower Act of 1965 extended the life of the MDTA programs until June 30, 1969, and made other changes, including increasing the maximum period for receiving training allowances and incorporating the worker training provisions of the Area Redevelopment Act into the MDTA.

The types of training that are furnished under the MDTA, as presently amended, are—

Institutional Training: Training given in either a public or private vocational or educational institution to equip persons with skills to enable them to obtain employment.

On-The-Job Training: Training by performance and observation on the job. Trainees are paid for productive work in accordance with prevailing industry and wage level standards.

Basic Education Training: Training in reading, writing, language skills, and arithmetic given to persons needing these skills in order to improve their capabilities to qualify for occupational training.

Multioccupational Training: Training for large numbers of persons with varied potentials who can be grouped together for training in a range of occupations.

Youth Training Programs: Training, counseling, and other services for disadvantaged out-of-school, out-of-work youth 16 through 21.

The Office of Manpower, Automation and Training (OMAT) reports that by late August 1965, 9,252 training projects had been approved in every State, the District of Columbia, Puerto Rico and the Virgin Islands which provided training for 430,850 persons in over 700 different occupations. In addition, 145 projects were approved to train or serve 90,183 persons in experimental and demonstration programs. Roughly 70 percent of the graduates of these programs have obtained jobs, most of them in occupations related to their training.

The MDTA program has been completely financed from Federal funds since its inception. As now amended, full Federal financing is extended until June 30, 1966. For the remaining three years of the program the Federal Government will pay 90 percent of the training costs and the States will pay 10 percent in cash or kind; the costs of training allowances will continue to be paid fully by the Federal Government. The Act authorizes expenditures of $454 million for fiscal year 1966 and such sums as may be necessary for each fiscal year thereafter. According to the Appendix to the Budget for 1966, expenditures for all activities under MDTA were $109,970,000 in fiscal 1964 and an estimated $210,000,000 in 1965. Expenditures for training under the ARA were $6,500,000 in 1964 and an estimated $7,985,000 in 1965. Total appropriations for MDTA activities and administrative expenses in the 1966 Labor-HEW appropriation act (P.L. 89–156) and the Labor-HEW supplemental appropriation act (P.L. 89–199) come to $434,899,800.

VOCATIONAL EDUCATION ACT OF 1963

This act authorizes a program of Federal grants to the States for the purpose of assisting them in maintaining and improving existing programs of vocational education, in developing new programs, and in making all programs available to all persons who can benefit therefrom, whether they are enrolled in school or not. The statement of purpose includes specific mention of "vocational . . . retraining" and stresses that all programs should be planned and carried out to accord with actual or anticipated employment opportunities.

Programs under this act are to be available to 4 groups of persons: (1) those in high school; (2) those who have completed or left high school and can study full-time in preparation for entering the labor market; (3) those who are employed, but need additional training or retraining; (4) those who have special academic, socioeconomic, or other handicaps. Clause (3) is particularly relevant to the subject of this memo, since it provides for the retraining of workers to keep them abreast of changing demands in the labor market brought about by technological advances and mobility of industry. Excluded from the group of eligible persons under clause (3) are those persons who are receiving training allowances under MDTA, ARA, or the Trade Expansion Act of 1962.

In addition to making certain groups eligible for Federally assisted vocational education programs for the first time, the act also relaxes the strict vocational categories which may be included in programs under earlier vocational acts—the George-Barden Act of 1946 (and related acts) and the Smith-Hughes Act of 1917. For example, under the earlier acts, Federal assistance for agricultural education was available only for programs designed for—

"Persons over 14 years of age who have entered upon or who are preparing to enter upon the work of the farm or of the farm home; [and] that such schools shall provide for directed or supervised practice in agriculture, either on a farm provided for by the school or other farm, for at least 6 months per year." (Smith-Hughes, sec. 10; George Barden, sec. 7.)

As a result of the 1963 act, however, the limitations on agricultural education are relaxed so that the term is defined as—

"Vocational education in any occupation involving knowledge and skills in agricultural subjects, whether or not such occupation involves work of the farm or of the farm home, and such education may be provided without directed or supervised practice on a farm." (Sec. 10.)

Grants to States are made on the basis of approved State plans. Of the basic appropriation (authorized in sec. 2) 90% is allotted among the States for support of programs for the 4 groups of persons mentioned above, for construction of area vocational schools, and for ancillary services and activities; 10% is reserved for support of research and training programs in vocational education. A separate appropriation is authorized for the support of work-study programs for vocational students and for the construction and operation of residential vocational education facilities (sec. 15).

For fiscal 1965, the basic (sec. 2) authorization was $118.5 million. This sum was appropriated in full. The estimated expenditure in that year was $106,650,000.

For fiscal 1966, the basic authorization is $177.5 million. Again, this sum has been appropriated in full.

The Office of Education states that the Vocational Educaton Act of 1963 (and related acts), served 5.2 million students in 1965, and that the 1966 total of students served will rise to approximately 5.8 million. A breakdown of this total into numbers of high school students trained, unemployed adults given preparatory job training, and employed adults given job retraining is not yet available.

TRADE EXPANSION ACT OF 1962 AND AUTOMOTIVE PRODUCTS TRADE ACT OF 1965

Authority to provide training to certain workers adversely affected by foreign imports is contained in the Trade Expansion Act of 1962 (TEA) and the Automotive Products Trade Act of 1965 (P.L. 89–283).

The TEA provides special assistance to workers (and firms) who are economically injured as a direct result of United States tariff concessions under the Act. The specific forms of relief potentially available to workers are: 1) readjustment allowances (cash); 2) testing, counselling, training and job placement; and 3) relocation allowances. With respect to the furnishing of training to eligible workers, section 326(a) of the TEA provides:

"To assure that the readjustment of adversely affected workers shall occur as quickly and effectively as possible, with minimum reliance upon trade readjustment allowances under this part, every effort shall be made to prepare each such worker for full employment in accordance with his capabilities and prospective employment opportunities. To this end, and subject to this part, adversely affected workers shall be afforded, where appropriate, the testing, counseling, training, and placement services provided for under any Federal law."

Section 326(b) of TEA provides that whenever possible training programs will be developed to prepare workers for employment with the same firms that employed them before their jobs were adversely affected under the Act.

Before the forms of workers assistance may be made available under TEA, the U.S. Tariff Commission must either approve a petition of a group of workers for a determination of eligibility for assistance or it must have found the firm employing the workers to be injured within the meaning of the Act. Since the Tariff Commission has not made an affirmative finding of either type as yet, no training or other forms of worker assistance have actually been made available under the TEA.

P.L. 89–283, which was enacted to implement the United States-Canadian Automobile Agreement of January 16, 1965, authorizes the President to eliminate U.S. duties on motor vehicles and on original equipment parts and accessories imported from Canada. It provides TEA adjustment assistance for workers or firms dislocated because of new trade patterns growing out of the agreement, with special rules of procedure for determining eligibility during a transitional period terminating July 1, 1968. Under the procedures in effect during the transitional period a firm or group of workers may petition the President (or the agency to which he delegates his functions) for a determination of their eligibility to apply for adjustment assistance. The criteria for making such a determination differ from those of the TEA and are designed to facilitate the certification of workers or firms for adjustment assistance. After July 1, 1968 the regular TEA procedures for applying for such assistance will be followed.

Both the TEA and the Automotive Products Trade Act authorize the appropriation of such sums as may be necessary to carry out their purposes of providing adjustment assistance to firms and workers. The Appendix to the 1966 Budget shows expenditures of $145,000 in fiscal year 1964 and an estimated $308,000 in fiscal 1965 for activities of the Labor Department under the TEA.

COMMUNITY WORK AND TRAINING PROGRAMS UNDER TITLE IV OF THE SOCIAL SECURITY ACT (AID TO FAMILIES WITH DEPENDENT CHILDREN)

The purpose of the legislation is the conservation of work skills and the development of new ones for adults who are receiving assistance under the aid to dependent children program. The program is optional with the States. The Federal government participates in the cost of the payments to individuals on such work projects up to the amount he otherwise would be receiving as assistance. (Although it would be possible for a State to have a Community Work and Training program even though it has not implemented the unemployed parent option in AFDC, the current experience has been that such programs have appeared only in some of the 18 States which have exercised the option.) Under the legislation, the Federal government does not participate in the cost of materials or equipment or of project supervision. The law requires, among other things, that certain standards as to health and safety be met; that payments for work be at a rate not less than minimum rate set for similar work by State law and not less than rates for the same type of work prevailing in the community; and that such work be performed on projects which serve a useful public purpose, do not displace regular workers, and are of a type which (except in emergency) is not normally undertaken by the State or community. It is also required that cooperative arrangements be entered into with the system of public employment offices in the States, including registration of recipients for work, and also with the agencies administering vocational education and adult education in the State, looking toward the retraining of individuals for regular employment. The Community Work and Training provision will expire after June 30, 1967.

As of July 1965, some 10 States have Community Work and Training programs. In this month 20,663 families had an adult on such programs which in terms of individual recipients provided payments for 38,825 adults and 75,596 children. Approximately $3.8 million a month was paid in July 1965 to these families, $2.7 million of which represents payments for work performed on such programs.

WORK EXPERIENCE PROGRAM OF TITLE V OF THE ECONOMIC OPPORTUNITY ACT

Title V of EOA provides that in order to stimulate programs to help "unemployed fathers and other needy persons to secure and retain employment or to attain or retain capability for self-support or personal independence," the Director of the Office of Economic Opportunity is to transfer funds to the Secretary of Health, Education, and Welfare (the Welfare Administration is the administering agency) to enable him to make payments for experimental, pilot, and demonstration projects under section 1115 of the Social Security Act. Section 1115 of that Act allows for the waiver of public assistance plan requirements but the projects would be subject to the same requirements mentioned previously for Community Work and Training programs with the major exception that there is no restriction against Federal financing of the cost of materials or equipment or the cost of project supervision. Under the Economic Opportunity Act of 1964 the first year cost of the 3-year program was to be financed solely by the Federal government with State and local participation in the last two years. The 1965 Amendments, however, provided for full Federal financing for all three years. Also the 1965 amendments amended the act so that, for eligibility purposes, workers in farm families with net family incomes of less than $1,200 are considered unemployed. In administering the provision, the Director is directed to make maximum use of the programs available under the Manpower Development and Training Act of 1962 and the Vocational Education Act of 1963.

The following table shows the recipients and funding of the program for fiscal 1965 and 1966:

Estimated average monthly number of family heads and other needy persons in demonstration projects for work experience and training for an average of 9 months, and obligations of Federal funds, fiscal years 1965 and 1966

Type of demonstration projects	Average monthly number of family heads and other needy persons			Obligations of Federal funds		
	Existing obligational authority (1965 funds)	New obligational authority (1966 funds)	Change, 1966 over 1965	Existing obligational authority	New obligational authority (1966 funds)	Increase, 1966 over 1965
I. Extension of work experience and training programs to families receiving AFDC-UP	22,600	40,000	17,400	$8,816,000	$14,502,000	$5,686,000
II. Extension of AFDC-UP and work experience and training programs to more families and provision of assistance and work experience to other needy persons	45,900	44,300	−1,600	94,747,000	122,160,000	27,413,000
III. Provision of work experience and other needed training to AFDC mothers	20,200	25,000	4,800	7,930,000	12,238,000	4,308,000
Total	[1] 88,700	[2] 109,300	20,600	111,493,000	148,900,000	37,407,000

[1] With 276,000 dependents.
[2] With 327,900 dependents.

SPECIAL PROGRAMS FOR THE UNEMPLOYED POOR UNDER TITLE II OF THE ECONOMIC OPPORTUNITY ACT

This program was established by a 1965 amendment to Title II (Community Action programs) of the Economic Opportunity Act so as to authorize the Director to make grants which involve activities directed to meet the employment needs of those chronically unemployed poor who have poor employment prospects and are unable, because of age or otherwise, to secure appropriate employment or training assistance under other programs. These special programs, in addition to other services, must offer participation in projects for the betterment or beautification of the areas served, with emphasis on activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local parks, highways, and other lands. The program will have to be conducted in accordance with standards which assure that they are in the public interest and consistent with the policies for the protection of employed workers and the maintenance of basic rates of pay and other suitable conditions of employment. The new provision, which was added by the Senate, had initially an authorization earmarking of $150 million for the first year. This earmarking was eliminated by the Conference Committee. Ten million dollars, however, was earmarked in the Supplemental Appropriation Act, 1966 (P.L. 89–309) for the programs. The following is an excerpt from Mr. Shriver's testimony as to the Administration's position on the new program which was given on August 31, 1965, before the House Committee on the supplemental appropriation bill:

"We are told there are some changes on the authorization bill which is not final, which has not yet been signed, and not passed. We have been told, however, that there are these changes germane to your consideration. One is known as the Nelson amendment. This is an amendment proposed by Senator NELSON, of Wisconsin, which the Senate specified $150 million for the purpose of aiding the chronically unemployed poor, especially older people.

"The conference committee adopted the provision but did not specify any specific sum of money. We have made no specific provision in our estimates for this program. We have not worked out any administrative procedures by which this program should be carried out if it remains law.

"Mr. LAIRD. You are not asking for any money to carry on my Senator's program?

"Mr. SHRIVER. We will be happy if you will give us the money to do it.

"Mr. LAIRD. We want to know what the President recommends.

"Mr. SHRIVER. The President recommends what is indicated in the budget."

ADULT BASIC EDUCATION

Programs in adult basic education—that education designed to impart basic literacy and mathematical skills to illiterate adults or to increase the language and mathematical skills of adults with a low degree of literacy to a level which will qualify such adults for productive employment—are currently authorized under four laws: the Manpower Development and Training Act and the Vocational Education Act of 1963 (both treated above); the Economic Opportunity Act of 1964; and the Elementary and Secondary Education Act of 1965.

I. Economic Opportunity Act of 1964

The purpose of Part B, Title II of this Act is to initiate programs in literacy education for those persons 18 years old and over whose inability to read and write English impairs their ability to get and hold productive and profitable jobs.

To qualify for Federal funds under this program, a State must draw up a State plan and secure the approval of the Director of the Office of Economic Opportunity. The State plan must outline the program to be undertaken and provide for the administration of that program by the State educational agency.

Of the sums allocated for grants under this part for a fiscal year, up to 2 percent is reserved for distribution to the outlying territories. The remainder is allotted among the States on the basis of the relative number of individuals in each State who have attained age 18 and who have completed not more than 5 years of school. Each State is allotted at least $50,000.

Under the original legislation, the Federal share was set at 90 percent of program cost for fiscal 1965 and 1966, and at 50 percent for years thereafter. As a result of the Economic Opportunity Amendments of 1965 (P.L. 89–253), the 90 percent Federal share has been extended for one more fiscal year (through fiscal 1967).

A State may use Federal grants under this program to help (1) pay the costs of local adult basic education programs; (2) finance pilot projects designed to improve adult education techniques and materials; and (3) improve technical services provided by State agencies. Under the 1965 amendments to the Act, the Director of OEO may reserve up to 5 percent of allocated sums to be used in programs to develop teachers for adult literacy education.

According to the Office of Economic Opportunity $18.6 million was available to the States under this part in fiscal 1965. 40 States had their plan approved in that fiscal year, and 14 States had programs funded in the amount of $4,168,836. Consequently, $14.4 million was carried over for use in fiscal 1966.

Fiscal 1966 appropriations for the Economic Opportunity Act are $1,500,000,000, the amount requested in the President's budget. Though funds are not specifically earmarked for Part B of Title II in the appropriations act, it is to be expected that programs under this part will be funded to the amount of $30 million, the amount requested by the President.

OEO estimates that by the end of fiscal 1966, 105,000 participants will have been reached by the adult basic education program.

II. Elementary and Secondary Education Act of 1965

Title III of this act authorizes a 5-year program of Federal grants to local school agencies for use in establishing and supporting supplementary educational centers and services. Initiative for planning and carrying out programs under this title rests with the local school agency, which must have its program plan approved by the Commissioner of Education. While programs under this title are to be directed primarily at increasing the amount and quality of educational and cultural opportunity available to elementary and secondary school children, the local agencies may also provide adult educational activities.

Paragraph 118.4 ("Purposes") of the Regulations governing this title contains the following pertinent language:

"(b) Grants may be made for innovative and exemplary programs in the following categories: . . . . (2) comprehensive academic services, and, where appropriate, vocational guidance and counseling, for continuing adult education;"

We have been informed by the Office of Education that 739 applications for Title III programs have been submitted to date, "some" of which contain provision for adult basic education. Detailed data on the content of individual project plans will not be available until after the Commissioner announces the list of approved projects.

FREDERICK B. ARNER.
JAMES W. KELLEY.
TERRY PRIDGEN.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BETTS].

Mr. BETTS. Mr. Chairman, I simply want to comment briefly on the subject of the denial of tax credits in certain cases, which appears at the bottom of page 11 of the bill. I do so mainly because during the hearings there was a great deal of discussion about the attitude of the Department of Labor over the years toward the State of Ohio as to whether or not it is complying with the workmen's compensation law with respect to maritime employers and employees. I am not going to get into the details or the technicalities of this except simply to say that it arose over the question as to whether the State of Ohio was correct in treating maritime employees as seasonal workers. H.R. 8282, which was the administration bill, had a provision in it which would give the Secretary of Labor the authority to deny the tax credits to maritime industry if it thought that the State of Ohio was discriminating against maritime employees. As I say, I am not going to get into the details or the technicalities of it, but there was this controversy or at least some difference of opinion as to whether or not the State of Ohio was complying. Up until this time there was no provision in the law whereby the Secretary of Labor could enforce this denial of tax credit. I think that the committee handled the question in a very satisfactory manner in section 123, which begins at the bottom of page 11, which merely extends the right to withhold tax credits to all parties in a specific category of cases which is referred to in that section. Furthermore, this bill for the first time provides for judicial review, so if at any time any State feels the Secretary of Labor or any other official has arbitrarily taken a position against the State, that State has the right to appeal to the U.S. circuit court of appeals in the State in which it is situated. I think that satisfies this problem raised by the maritime employers and the Secretary of Labor.

Mr. Chairman, if there is any dispute, and if the Secretary of the Department of Labor should withhold tax credit, then the State of Ohio would have the right to appeal to the Circuit Court of Appeals in Cincinnati and the issue could be resolved there rather than left solely to the Secretary of Labor to make the decision.

Mr. Chairman, it is my opinion that the committee very wisely took the position that it was not going to take sides in this dispute, and I believe the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], will agree with me in this statement.

Mr. MILLS. Mr. Chairman, if the gentleman from Ohio will yield, I would like to join the gentleman in his statement and point out that the Committee on Ways and Means made no decision whatsoever concerning the alleged discrimination against maritime employees. What we undertook to do in writing the provisions of the bill, as my friend the gentleman from Ohio [Mr. BETTS] is pointing out, was to merely supply an enforcement provision which is now lacking in the law in those cases in which it might be determined that discrimination existed.

Then, Mr. Chairman, as the gentleman from Ohio [Mr. BETTS] has pointed out, there is provision also in this measure for judicial review which would be available to anyone to appeal any final decision which the Secretary of Labor might make under this provision. I say "anyone" but I am talking about any legislature of a State.

Mr. BETTS. Mr. Chairman, I thank the chairman of the Committee on Ways and Means for his comments which in my opinion bolster the position which I have taken with respect to this section and this difference of opinion that has existed over many years.

Mr. Chairman, I just simply want to say that while it does not affect many other States, it affects the State of Ohio and it has been the subject of a great deal of discussion in the Committee on Ways and Means.

Mr. Chairman, I believe the issue has been met in a satisfactory manner and I certainly want to compliment the committee in not taking sides with either the States or the Maritime Commission.

Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHNEEBELI] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHNEEBELI. Mr. Chairman, I rise to support H.R. 15119. This measure represents a constructive attempt to make needed improvements in our Federal-State unemployment compensation system. The committee's action in tabling H.R. 8282, the recommendations by the Johnson administration to federalize our unemployment compensation system, was a victory for commonsense and responsibility.

The administration's recommendations would have ignored 30 years of successful experience with our Federal-State unemployment insurance system by drastically altering it beyond recognition. The architects of the original Social Security Act—the Committee on Economic Security—recommended that broad discretion be vested in the States to provide the type of unemployment compensation program appropriate to social and economic conditions prevailing at the local level.

Provisions relating to eligibility, benefit amounts, benefit durations, disqualifications, and similar matters were left to the States to determine. A cardinal principle of the original law was the provision that reduced the tax rate applicable to employers with favorable employment records as an incentive to stabilize their employment—the so-called "experience rating provision." Those concerned with the original act were careful to separate elements properly part of unemployment "insurance" from assistance more appropriately provided as a form of welfare.

The administration's proposal, H.R. 8282, would have rejected the careful advice of the original architects of the system, the lessons of 30 years of successful experience, and commonsense, by providing a federalized program of unemployment insurance that would have standardized benefit amounts and durations as well as disqualifications, undermined experience rating, and resulted in a confusion of relief and insurance. Specifically, H.R. 8282 would have—

First, required every State to pay benefits equal to 50 percent of a claimant's wage up to, by 1971, 66⅔ of the average State wage of covered workers;

Second, in effect imposed a uniform benefit period on the States by providing that a worker who had 20 weeks of base period employment, or the equivalent, must receive at least 26 weeks of benefits at the State level;

Third, provided 26 weeks of extended benefits at the Federal level for insured workers who exhausted their State benefits. These benefits would have been payable regardless of the prevailing economic conditions;

Fourth, limited State disqualifications of individuals who voluntarily quit work, were fired for cause, or refused suitable work, to a suspension of 6 weeks' benefits. Under the administration's bill an individual would have been able to voluntarily walk off the job, and after a waiting period of 6 weeks, collect benefits for up to 1 years;

Fifth, repealed the provision of Federal law permitting the States to grant employers a reduced rate only on the basis of their favorable record with employment. This provision of Federal law, which has encouraged employers to stabilize their employment during the last 30 years, is known as the "experience rating" provision;

Sixth, extended coverage to any employer employing one or more at any time, to agricultural employees; and to employees of nonprofit organizations; and

Seventh, and raised the wage base of the Federal unemployment tax to $5,600 in 1967 and $6,600 by 1971.

The committee, in reporting H.R. 15119, rejected the administration's recommendations for Federal standards relating to eligibility, benefit amount, benefit duration, and disqualifications. In taking this action, the committee acknowledged the success of the Federal-State partnership in unemployment insurance over the last 30 years.

The committee enacted a program of 13 weeks of extended benefits, triggered in during periods of high unemployment either at the State or National level. By rejecting a program of 26 weeks of extended benefits, regardless of economic conditions, financed partly from general revenues, the committee has rejected the welfare approach to unemployment compensation in favor of the insurance approach. It is a sound program designed to accommodate the needs of our workers by insuring that the strength of the unemployment compensation system will be maintained.

Additionally, the committee strengthened and improved many of the essential features of the program. For instance, instead of repudiating experience rating as an incentive for an employer to stabilize his employment, the committee's bill strengthens it. Under the committee's bill, the States will now be able to extend experience rating to newly covered employers. Additionally, the increased wage base enacted by the committee will generate additional State revenues. Revenue needs have forced the States to impose minimum rates—ranging as high as 1.6 percent—on employers who have experienced no unemployment. The additional revenue provided by the wage base increase will enable the States to reduce the minimum rate on the basis of an employer's favorable experience rating, thus increasing the experience rating incentive to stabilize employment.

I do not propose to go into the intricacies of various features of the bill, for they have already been explained in the committee's report and the statements of other members of the committee. I think this brief discussion has been sufficient to show the contrast between H.R. 8282 and the bill we are considering today.

However, I do want to discuss the provisions relating to nonprofit organizations. Our nonprofit organizations have done a splendid job throughout our history in responding to social needs, often providing the individual creativity and pioneering advances that have been an important part of our Nation's success. Our society has been placing increasing reliance on solving its problems through the public sector, and the source of innovation and service provided by nonprofit organizations is maintained with increasing difficulty. Although this is particularly true in the area of private colleges, it is also true with other nonprofit organizations, such as hospitals.

The administration's recommendation provided for broad coverage of employees of nonprofit organizations. The administration's proposal would have covered nonprofit organizations employing one or more at any time, with minor exceptions. The States would have been permitted to tax the nonprofit organizations on the same basis as profitmaking businesses. Nonprofit organizations would have been required to pay the Federal portion of the tax. Professional employees, such as teachers, doctors, and similar licensed practitioners, who are rarely ever unemployed, would have been covered on the same basis as clerical and custodial employees.

Additionally, although nonprofit schools and hospitals would have been covered by the tax, there was no assurance that corresponding institutions run by the State would also have been covered. In short, Mr. Chairman, the administration's broad-brushed proposal was ill considered, failing to take account of the stabilized employment of exempt organizations, their basically nonprofit nature, and the peculiar functions that they perform in our society.

I am happy to say, Mr. Chairman, that in contrast to the administration's proposal, the Ways and Means Committee has extended coverage to nonprofit organizations on a carefully considered basis that is generally fair to all concerned. The Ways and Means Committee recognized that our nonprofit organizations—such as colleges, universities, and hospitals—are engaged in activities that do not fluctuate with the demands of the marketplace. Many of the people employed by nonprofit organizations are professional people, such as doctors and teachers, who are in short supply and who experience very little unemployment.

The demand for services provided by our nonprofit organizations is increasing as our population increases and additional funds are made available to provide for education and medical care. Because of the level of activity in our nonprofit organizations, their clerical and maintenance employees experience very little unemployment

The Ways and Means Committee therefore concluded that it would be unfair to tax nonprofit organizations on the same basis as profit organizations. The committee has recommended that nonprofit organizations be exempted from the Federal portion of the unemployment tax. Under the committee's bill, the States must allow nonprofit organizations the option of either reimbursing the State for unemployment compensation attributable to their employees, or paying the regular State unemployment insurance contributions. Additionally, the committee excluded from coverage professional-type employees of nonprofit institutions such as teachers, principals, physicians, and similar employees, recognizing that they experience very little, if any, unemployment and that the normal rules of availability for work are difficult to apply to their cases.

The committee's bill would require the States, as a condition of receiving the tax credit, to extend coverage to certain nonprofit organizations and to similar organizations run by the State. This would prevent our nonprofit organizations from being placed at a competitive disadvantage with the State institutions, as they would have been under the administration's proposal.

There are other features of the committee's extension of coverage to nonprofit organizations that recognize the harm that can come from too precipitous and broad an extension of coverage to these organizations, particularly when we have no historical experience to base our action on. Thus, the committee's bill would limit the extension of coverage to nonprofit employers of at least 4 workers in 20 or more weeks. Employees of schools other than institutions of higher education would be excluded.

Although the provisions extending coverage to nonprofit organizations are not perfect—since there are reservations about their constitutionality—they are in general an acceptable resolution of many difficult problems with which the committee was confronted. Compared to the recommendations of the administration, they are a testament to the careful evaluation the committee made of this area.

Finally, Mr. Chairman, let me say that the Ways and Means Committee is in no small measure indebted to the Interstate Conference of Employment Security Administrators for the workable and sound features of the legislation we are considering. The incongruity of the Labor Department asking for the establishment of a new advisory council after failing to consult the existing advisory council in preparation of H.R. 8282 has been pointed out in the concurring views of the Republicans on the Ways and Means Committee. Even more serious than the failure to consult the advisory council is the Labor Department's failure to utilize the expertise provided by the Interstate Conference of Employment Security Agencies. The interstate conference is an organization that is composed of the chief administrative officials in the unemployment compensation and employment service operations conducted in the 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands.

The basic objectives of the interstate conference include efforts to improve the effectiveness of unemployment compensation laws and employment service programs, and, where desirable, to propose new State or Federal legislation in the field of employment security.

This organization has made a major contribution to our Federal-State unemployment compensation program through the years. It is widely recognized that members of this organization provide a collective body of experience and expertise that is unparalleled in the unemployment compensation field. They are in contact with the grassroots operation of the program and are therefore in a position to present the Federal Government with a great deal of information that it lacks. Despite this, the President of the Interstate Conference of Employment Security Agencies told the Ways and Means Committee:

> The interstate conference was not consulted about this particular bill during its preparation. Shortly before the bill was introduced the interstate conference legislative committee was shown a copy, not of the bill, but of draft language, which the Department said would probably be the bill. Until the bill was introduced the conference was not aware of exactly what its provisions would be, although we had seen and, of course, studied provisions similar to these over the years.

The Ways and Means Committee has attempted to correct these procedures. At the committee's request, the interstate conference submitted its recommendations for legislation. The Ways and Means Committee held 2 days of public hearings, which were printed, earlier this year to carefully evaluate the conference's recommendations.

Representatives of the interstate conference were present throughout all executive considerations during which the Ways and Means Committee considered the unemployment compensation proposals. The final bill reported by the committee reflects both the original recommendations of the interstate conference and the able technical assistance provided by these representatives during the committee's deliberations. These State administrators will be confronted with the task of implementing this legislation at the administrative level, and it was particularly helpful to the Ways and Means Committee to have their assistance. I am particularly grateful for the very effective assistance and fine contributions made by Jack Brown, the State administrator for my own State of Pennsylvania.

In conclusion, Mr. Chairman, the thorough and responsible consideration of the unemployment compensation system by the Ways and Means Committee has resulted in a proposal that is both responsible and constructive. While there may be minor disagreements about various provisions, I can tell the House that passage of this legislation will make a significant contribution to our American free enterprise system and increase the benefits that it provides our citizens.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Montana [Mr. Battin].

Mr. BATTIN. Mr. Chairman, I take this time only to pay a special compliment to the Committee on Ways and Means on which I have the pleasure to serve as its newest member. My views on the legislation is set forth in the committee report so I will not repeat them now.

Certainly, Mr. Chairman, the time and effort that went into the consideration of this bill—a month of public hearings and 2 months of executive sessions—points out to me rather dramatically what a committee can do if it sets out to do a job.

Mr. Chairman, a special tribute, is in my opinion, due the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. Mills], and certainly to our ranking member, the gentleman from Wisconsin [Mr. Byrnes], for the time and effort and dedication they gave to the writing and compilation of the facts in regard to this bill.

Mr. Chairman, it is my opinion everyone understands that it takes an enormous amount of time and effort to go through a bill of this complexion and at the same time come up with what the committee believes is a good bill and a bill which can be supported by both sides of the aisle.

Mr. Chairman, I again point out to the Members of the Committee of the Whole House on the State of the Union the hours and days—and we are talking about weeks—usually mornings and afternoons that went into the consideration of this important measure.

Mr. Chairman, a week in terms of its consideration in the Committee on Ways and Means 5 days a week and usually all day. We owe a debt of gratitude to the members of the committee and to our excellent staff.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Virginia [Mr. Broyhill].

Mr. BROYHILL of Virginia. Mr. Chairman, I rise to support H.R. 15119 as reported by the Ways and Means Committee. The bill represents what is probably the most exhaustive consideration of our Federal-State unemployment compensation system that the Ways and Means Committee has made during the 30-year history of the program.

The committee held 3 weeks of hearings last fall during which all interested members of the public were invited to express their views on the administration's proposal. These hearings produced 5 printed volumes totaling 2,191 pages. During these hearings, the committee requested the State administrators—the Interstate Conference of Employment Security Administrators—to submit their recommendations for improving our unemployment insurance system.

Earlier this year the committee held 2 days of public hearings to explore the recommendations of the State administrators. Throughout the many weeks of executive sessions representatives of the State administrators assisted the Ways and Means Committee with their expertise.

This careful evaluation by the committee led the committee to repudiate the administration's proposal, H.R. 8282, to federalize the system.

H.R. 8282 was a poorly prepared bill designed to federalize our unemployment insurance program by enacting Federal standards relating to benefit amount, benefit duration, and disqualifications. This proposal would have undermined experience rating—the provision of Federal law encouraging the States to grant reduced credits to employers with favorable employment records as an incentive for employers to stabilize their employment. A permanent Federal program of extended benefits would have been established, providing 26 additional weeks of benefits—for a Federal-State total of 52 weeks—to insured individuals exhausing their State benefits. In short, Mr. Chairman, the Federal-State partnership would have been altered beyond recognition to the detriment of our citizens—as taxpayers, consumers, workers, and employers.

The Federal-State system of unemployment compensation has worked well through the years. This cooperative partnership has resulted in extensive improvement in the benefits that our unemployed workers received over the years.

Although the administration's case for federalizing the program was based on the theory that the States have not improved the benefits sufficiently through the years, this is simply not the case.

The record of State improvements is impressive. Through the years the States have—

First, substantially raised the average weekly benefits payable to unemployed workers;

Second, greatly increased the maximum benefit payable to unemployed individuals;

Third, significantly increased the duration over which unemployment insurance benefits are payable; and

Fourth, reduced the waiting period after unemployment begins during which no benefits are payable.

The unemployed individual today receives more benefits sooner for a longer period of time and can buy more real goods with what he receives than at any other time in the 30-year history of the program.

However, this does not mean that there cannot be improvements in the Federal-State system. It simply means that any real improvements should take place within the basic framework of the Federal-State system that has served our country so well over the last 30 years. This is the philosophy that guided the Ways and Means Committee during its deliberations, and it is reflected in the many constructive improvements in our unemployment system contained in H.R. 15119.

This bill, while certainly not perfect in every respect, makes many constructive improvements in the program. Thus, the bill establishes a permanent program of 13 weeks extended benefits, triggered in during times of high unemployment either at the State or Federal level. In 1958 and 1961 Congress recognized the necessity of providing additional protection to our workers during periods of high unemployment. This measure merely establishes on a permanent basis a program analogous to the temporary extended benefits provided during those years. In recommending this soundly financed program, the Ways and Means Committee is merely following the old adage of "providing for a rainy day" while the sun shines. It is a sound practice both with individuals and governments, Mr. Chairman.

The bill reported by the Ways and Means Committee also, in contrast to the Johnson administration's proposal, strengthens experience rating. The experience rating provision of Federal law has resulted in all States adopting provisions that grant reduced tax rates to employers who achieve favorable employment records. This reduced rate provides an incentive for employers who stabilize their employment on the theory that it is better to insure our citizens of a job than to compensate them during periods of unemployment. By permitting States to extend experience rating to new employers, the bill will strengthen this incentive encouraging the employer to avoid layoffs. The moderate increases in the wage base—the first in nearly 30 years—will also provide revenues that the States can utilize to increase the difference in the taxes now paid by the employers with very poor employment records and those employers with the most favorable records.

Due to the necessity for revenue at the State level, this differential has been inadequate to achieve the real purposes of experience rating in many cases.

One of the most worthwhile features of the bill, Mr. Chairman, is the provision that provides for judicial review of the Secretary's determination that a State plan is not in conformity with the law. Under present law, if the Secretary of Labor determines that the State's unemployment compensation plan is not in conformity with Federal law, the State has no alternative but to accept the Secretary's determination. Even though the alleged nonconformity of the State plan may be small in relation to the total operation, and even though the State is firmly convinced that it is in conformity with Federal law, the State must abandon its position or all of its employers will lose their credit against the Federal tax. The costs imposed by such a result are so burdensome that the States are forced into the position of supine acquiescence. This relationship is not consistent with the "Federal-State" partnership because it underemphasizes the role of the State in the planning process.

The committee corrected this situation by providing the States with the procedure for appealing decisions of the Secretary to the U.S. court of appeals within 60 days after the Governor of a State has been notified of an adverse decision by the Secretary. I commend the committee for recommending this provision which will most certainly enhance the health of our Federal-State system.

I noted earlier, Mr. Chairman, that the bill is not perfect in every respect, and I want to comment on a provision I do feel has deficiencies—the provision covering nonprofit organizations for the first time. The administration recommended broad coverage of our nonprofit colleges, universities, hospitals, and other organizations, in a manner failing to take account of the basic nature of the services these organizations perform. These organizations are not profitmaking organizations with economic objectives, but institutions whose humanitarian aims and social goals differentiate them from other organizations subject to the tax. Nonprofit organizations often employ professional employees, such as teachers, doctors, and nurses who experience little, if any, unemployment.

The coverage that the Ways and Means Committee provided is a vast improvement over the administration's proposal. The nonprofit organization will not be paying any portion of the tax. The States will be required to cover them, if the nonprofit organizations so desire, on a "cost basis." Since they will be paying only the costs attributable to unemployment of their employees, nonprofit organizations that do not experience any unemployment will not be charged anything. Additionally, the Ways and Means Committee excluded from coverage certain professional employees, such as doctors, teachers, school principals, and other officials.

Although I supported these changes in the Ways and Means Committee and commend the committee for rejecting the administration's approach, I do not feel that the changes go far enough. I feel that nurses are a professional group whose services are so in demand that there is no significant problem of unemployment, and that they should have been excluded with other professional groups. I also feel that the demand for the services of our nonprofit organizations is such that there is little danger of any of their employees experiencing unemployment. In view of the administrative burdens that our hospitals and universities are undergoing in adjusting to massive new Federal legislation, it would have been desirable to avoid imposing new administrative burdens on them at this time, particularly in view of the unlikelihood that they will cause any unemployment.

However, Mr. Chairman, despite these reservations, I do feel, as I stated before, that the bill before the House is a carefully considered proposal that will provide significant improvements in our Federal-State unemployment insurance system. Enactment of this bill will result in an improved Federal-State unemployment partnership that will redound to the longrun advantages of our economy and particularly to our workers, employers, and the general public. I recommend that the House pass this legislation.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I share a feeling of accomplishment with my colleagues on the Committee on Ways and Means in bringing this bill before you today. First, because it is a good bill. As the gentleman from Arkansas has mentioned, I introduced an identical bill to H.R. 15119. That bill carries the number H.R. 15120.

Second, I think it makes significant and important changes in our Unemployment Compensation Act. It updates that law, and makes some very desirable changes in it. The chairman has gone into the details of most of the changes. I will briefly mention some of the major ones.

First, the bill increases the wage base for the Federal unemployment insurance tax. This provides the basis for achieving real improvements in the experience rating concept which has been vital to the success of the unemployment compensation system that we enjoy in this country.

The bill also enacts a sound and permanent program of 13 weeks' extended unemployment compensation benefits during those periods when we have a high amount of unemployment and a high degree of exhaustions by beneficiaries either at the National or State level.

I should say this is a matter about which the chairman and I have been concerned for some years; namely, that instead of waiting until a time of emergency and of recession, and in such a period hastily enacting an extended-benefits program, that we should have on the books a system that is designed to be triggered in during these emergency periods to assure that those workers who exhaust their benefits do have an extended period to receive benefits while they are still looking for work.

I should mention at this point that the chairman and I a couple of years ago introduced companion bills to provide an extended-benefit program. The program that the committee has proposed to you today in this bill follows very much the proposal that we made at that time, although considerable improvements have been made in it as a result of the committee's work.

The bill also extends unemployment compensation benefits rights to some 3 million workers who have every right to have this protection, but who today are not assured of that protection, at least under the Federal law.

Another very important step forward, in my judgment, is that the bill provides for judicial review of determinations by the Secretary of Labor which under existing law can nullify the tax credit allowed for State unemployment tax if the Secretary decides that the State plan or its administration does not conform with the prescribed norms of the Department.

In my opinion these are significant accomplishments.

As the Republican members of the committee pointed out in our concurring views, the wage base has not been increased for the Federal tax since the program was first enacted some 30 years ago. Many States have found it necessary in order to do equity between its employers to increase the wage base for the State tax beyond the amount provided under Federal law. The demands of the unemployment compensation insurance system, coupled with a relatively low wage base on which to compute credits, minimize the extent to which credit could be given under the experience rating. The experience-rating concept thus, it seems to me, became diluted because of the inability to vary the minimum and the maximum rates within the State of the tax applicable to the relatively low wage base.

I would also point out that the increase in the wage base does not necessarily mean that any employer will pay more taxes to that State for unemployment compensation benefit purposes. He will pay more Federal tax for administrative purposes, but from the standpoint of benefit purposes, this does not mean that he will pay more taxes. It will all depend upon how the State itself adjusts their need for funds in terms of benefit needs, and adjust it within their experience-rated program. If the States adjust their taxes to reflect the greater latitude resulting from the increased wage base, the employer with a very good experience rating could in some cases be paying less taxes into the State fund for benefit tax purposes, rather than more taxes. However, as I point out, the bill does increase that part of the overall tax which goes into the Federal fund, part of which is returned to the States to cover administrative expenses, and part of which will be retained in the special fund to finance the extended benefits during periods of recession.

In my judgment, if we are to preserve a sound system, this increase is inevitable. Administrative costs have been increasing, but with a low wage base and a fixed tax rate the resulting revenues available for administration have not increased in proportion to those increased costs. A part of the increase was needed to compensate for this deficiency.

But while I am on this point, may I suggest to the members of this Committee that I think it is time that we make a real review of all of the various services and the charges that are now assessed against the unemployment compensation tax, the administrative phase of it. In my judgment, many of these charges are questionable as to whether they should be charged against the payroll tax and the employers of this country rather than to the general fund and the general taxpayers of this country. I think we have gone far afield in some instances in the use of the funds that we have collected for administrative purposes under the Unemployment Compensation Act for the employment services. We have extended its activities into other areas—and I am not questioning at this time whether we should be providing those services as governmental services or not—but the question is, Who should bear the burden of the cost of these charges? It seems to me that is a question that we must consider at an early date.

The balance of the increase in the Federal portion of the tax is required to set up a fund in order to finance extended benefits in a time of recession. This is not a new concept. On two separate occasions the Congress has enacted programs to provide extended benefits in periods of recession and has levied special taxes to finance those benefits. I think all of us will agree that it is better to finance those benefits—to provide for that contingency—in times of high employment, when the tax will be relatively less, than to wait until we are in a recession in order to raise taxes to finance additional benefits.

No one likes to pay more taxes, and no Member of this House likes to vote for a tax increase. What we are doing here today, however, with respect to the tax rate and the wage base is essential I believe, if we are to maintain a sound and progressive program of unemployment compensation insurance.

Now, for those of you who may not like all that is in this bill—and let me say I think each individual member of the Ways and Means Committee might have had some change that he would have desired to have made in either the present act or in the bill as it is reported to you—let them at least take real heart from that which is not in the bill. Faced with the broad and sweeping proposals advanced by the administration, the committee has, in my judgment, brought to you today a reasonable and a sound bill, and, if anything, a bill that advances the autonomy of State systems rather than, as would certainly have been the course of events if we had followed the provisions of 8282, a greater centralization of authority and determination at the Federal level. It does not and should not prevent the States from initiating change within the broad framework of the Federal law.

The administration's bill—H.R. 8282—would have established Federal standards with respect to the amount and the duration of unemployment benefits, to which all State systems would have been required to conform. In addition, the bill automatically provided an additional 26 weeks of unemployment benefits—on top of 26 weeks prescribed as a minimum for State benefits—without regard to economic conditions. A worker might get 52 weeks—1 year—of unemployment compensation after having worked only 20 weeks immediately preceding his unemployment. The administration's proposal really was a first step toward a guaranteed annual income for everyone who had any attachment to the labor force, casual or otherwise. The adoption of this proposal would have converted the unemployment insurance system into just one big handout or dole.

The administration's approach to the problem of the long-term unemployed was to pay him for idleness, rather than rely upon retraining and relocation in order to find him a job. It was degrading to the individual, and accomplished nothing.

If a person is unemployed because the major industry in his community has closed down, or has moved away, or because his job there has been eliminated through technological change and automation, nothing is accomplished by paying him for 52 weeks of idleness, and then transferring him to some other program for retraining or relocation. By that time, his desire and capacity for work has deteriorated through months of subsidized unemployment. The solution to the long-term unemployed is not longer benefits, but more prompt recognition of their problem followed by training and relocation in order to fit them to a new job. This is essential to the overall well being of our society but is not a part of the unemployment insurance system.

I fully sympathize with the plight of the individual for whom there is no longer a job in his community, or in the economy of the Nation as a whole. He deserves our help. That help should be constructive, however, and not destructive of his dignity and morale.

Under the administration's recommendations, coverage for unemployment insurance would have been extended to just about everyone, except the housewife. Employers of one or more at any time would have been covered. Nonprofit organizations, such as hospitals, colleges, and schools would have been made subject to the act. The tax would have been levied against the wages of the teacher and the janitor alike. The wages of farmworkers, including migrant workers, would have been subject to tax.

With the exception of domestic servants, the administration would have made the unemployment insurance tax for all practical purposes coexistent with the social security tax.

In rejecting this concept, we were not unmindful of the fact that the migrant farmworker, or the casual handyman, or anyone else, might and could be unemployed in the sense that they were not then working. That was not the problem. The problem arises because for a sound program of unemployment insurance—and not just a handout—there must be a basis of determining that the claimant is unemployed through nonseasonal causes and is ready and available for work. If the individual's attachment to the work force is of such an intermittent or casual nature, or is strictly seasonal, it becomes impossible or impractical to determine whether the individual meets the conditions for unemployment benefits. To be "unemployed," you must first have been "employed."

Nothing is gained by taxing the employer on the wages of a casual or migrant worker, if the worker never becomes entitled to draw any benefits. And believe me, under the proposals advanced by the administration, the great bulk of those whose wages would have been taxed would never have qualified for unemployment benefits, not because they might not lack work, but because their attachment to the work force was such that they could not meet the subjective tests required in any sound system of unemployment insurance.

In addition, the administration's bill—that is H.R. 8282—made a two-pronged attack on the basic concept of insurance which is an essential element of the present unemployment compensation system.

Our unemployment benefit programs are truly "insurance" because first, the rates or taxes charged to the employer for these benefits for his employees is based upon his experience rating, just as any other form of insurance, casualty, fire, or workmen's compensation is based upon the experience rating or risk attributable to the particular insured.

Rates based on experience provide an incentive for employers to stabilize their employment—to keep workers on during intermittent slack periods and find other work for them rather than lay them off—because the unemployment benefit paid for the layoff is charged to the employer's account and is reflected in his taxes.

The same insurance concept also requires that the worker should not be compensated for a loss of employment which he brought about himself, through having voluntarily and for no good reason left his job, or for having caused his discharge from his job by his own action. The concept also requires that the worker—just as any other insured—take reasonable steps to minimize his loss. The worker must take other suitable work, if available. These elements are essential to any sound program of unemployment insurance.

Under the administration's bill—H.R. 8282—these concepts would have been destroyed. The provision in the law today, which requires that credits be given on the basis of experience rating, rather than arbitrarily or across the board, would have been repealed.

Similarly, a worker would not have been disqualified for benefits—only temporarily suspended for 6 weeks—if he quit his job for no reason whatsoever or was fired for anything short of a crime, or refused to accept suitable work when offered to him.

Coupled together, these two proposals by the administration—which were rejected by the committee—would have nullified any incentive for employers to stabilize their employment. There would have been no burden or obligation on the worker to remain on a job, if it became at all distasteful to him or to take a new job if he did not like it.

We would have been encouraging the "drifter" as against the conscientious worker who might some day, through no fault of his own, become unemployed. Instead of conserving the funds available for the purpose of providing better benefits for that type of worker, we would dissipate the funds on those who really are not fully reconciled to working as a means of livelihood.

In the bill before you today, we reject the idea that unemployment compensation insurance should be perverted into just another welfare program. This would have been the result if it pursued the course outlined in the administration bill, H.R. 8282.

We reject the idea that the heavy Federal hand should clamp down on the autonomous State programs—which have been so successful over the past 30 years—we reject the proposal that Federal bureaucrats should direct the programs from Washington rather than leaving the programs in the hands of our State governments and State administrators.

The administration sent the committee a broad series of recommendations that would have destroyed unemployment compensation insurance as we now know it. The committee studied those recommendations and, instead, presents today a bill which will improve and strengthen the unemployment insurance system.

I would be remiss, Mr. Chairman, if I did not, during the course of these remarks, express to this Committee appreciation for the great contribution which I think the State administrators of these programs in the various States made to the Ways and Means Committee in helping us to bring to you this bill today. Their help, because of their practical involvement and their closeness to the problem was invaluable.

They gave of their time and they were away from home. They supplied people to be here who were experts in the various facets of the problem. They did this to be helpful to us and they made, in my judgment, a great contribution and were most helpful. Without their able counsel and advice, I doubt that we would have a bill here today that we could present to you with such unanimity of opinion.

I would conclude, Mr. Chairman, simply by saying that by the action we take today, we take a real step forward in our unemployment compensation systems. It is deserving of your support.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, for 3 years it was my privilege to serve as a member of the Texas Employment Commission. In that position I had the opportunity to observe firsthand the working of the unemployment insurance program of my State. Although some people claim that many folks draw unemployment insurance who are not entitled to it, by and large, the person who draws benefits has earned them, and he draws them when he has credits and not unless he has credits.

There are certain weaknesses in the program, but I can say firsthand that in my opinion the unemployment insurance program is the greatest safety valve against depression this Nation has ever known.

It is an excellent program, if we will keep the general control of the establishment of eligibility and disqualification in the States and if we work it on a proper Federal-State level.

I believe the bill which the committee has reported is a healthy approach. It does retain for the States the general control of eligibility and disqualification requirements. As such, it keeps it basically on the same level the program was intended to be maintained when adopted by the Congress some 30 years ago.

We might disagree with some of the provisions, but this is a good, healthy modernization of the program, and I endorse it.

I should also like to make the observation that in the bill there is a provision for judicial review, as was mentioned by the gentleman from Wisconsin. I introduced a similar measure 2 years ago, H.R. 9511, which would have provided for judicial review. This is a most healthy development, and one which should be passed.

Members do not fully realize how heavy a hand the Federal Government might exercise over a State by control of these trust funds. In my own State we have a trust fund, which we maintain at a certain level. If it ever drops below that level it is automatically built back up, so that our State fund will remain solvent; yet, at any one given hearing, if the Secretary of Labor were so to decide, he could hold the administration of our funds and of the entire trust fund out of conformity.

The provision in this bill is a fine provision and one which should be made available.

I certainly compliment the chairman of the committee and the members of the committee, and particularly my colleague from Texas, the Honorable CLARK THOMPSON, for the excellent work which he and they have done on this bill.

It was my privilege to visit with many administrators who came up from my State and, like the gentleman from Wisconsin, I believe they made an excellent contribution.

I endorse the legislation, Mr. Chairman.

Mr. Chairman, as has been mentioned, I served as a member of the Texas Employment Commission for approximately 3 years, from 1960 to 1963, and while acting in that capacity, I served on the legislative committee of the Interstate Conference of Employment Security Agencies. My association with the program made it abundantly clear to me that provisions should be made in the Federal law for judicial review of the findings and decisions of the Secretary of Labor on questions of conformity and compliance relating to the various State programs. Thus, I introduced H.R. 9511 which would accomplish this purpose, and which in effect, is included in this bill.

Under the present Federal law, the administrative findings and decisions of the Secretary of Labor are final and conclusive. They are not subject to review by the Federal courts. The State has no right to appeal an adverse finding by the Secretary.

For a number of years the Interstate Conference of Employment Security Agencies has believed that such power in the hands of a single Federal administrative official, which can affect virtually the entire citizenry of a State, should properly be subject to review by the Federal courts. I want to assure the committee that my position is not directed to any one individual. Instead, it is based on the elementary principle that the acts of any public administrator should be subject to review by the appropriate court.

A former Secretary of Labor publicly announced that a decision of his or any other individual in his position, being only one individual without the wisdom of Solomon, for the protection of the program and the protection of the public, should be reviewed by the Federal courts. To demonstrate his firm conviction in this matter, he later requested Senator Knowland to introduce a bill to provide for judicial review of the findings and decisions of the Secretary of Labor.

It has been previously pointed out to this committee that the severe penalties exacted by the statutes when the uncontrolled discretion of the Secretary is exercised is of grave concern to the States. This is particularly true when it is recognized that the employment security program in this Nation is operated as a partnership between the Federal and State Governments. It was clearly the intent of Congress when the program was originally enacted that it should be operated as a partnership; otherwise, Congress would have established a Federal program.

In setting up the present program, Congress provided certain restrictions and limitations which the States were required to meet in order to obtain Federal funds to finance the administration of their respective programs. The Secretary of Labor was given final authority to determine whether the State laws met the Federal requirements, and if he did not so find, he was authorized to deny funds to the States for the administration of the program, and the tax offset credit allowed to employers in the State would also be discontinued.

There has been some contention that the Federal Administrative Procedure Act gave the States recourse to the courts from an adverse finding of the Secretary. However, it should be pointed out to this committee that no such recourse is provided for by the Federal Administrative Procedure Act. Clearly, section 1009 of that act excepts from its provisions such matters of agency action which are, by law, committed to agency discretion. Under the Federal statutes in question, numerous matters are expressly committed to the Secretary of Labor. It has been pointed out that in no less than 30—perhaps more—Federal statutes specific provision is made, for judicial review of the agency action. In addition, I would like to point out that in the 1964 New Hampshire conformity hearing held by the Secretary in May of that year, the attorney for the Secretary stated on the record that in his opinion the provisions of the Administrative Procedure Act did not apply and further that this opinion had been discussed with the Department of Justice, and the Department of Justice was in agreement with the opinion.

Finally, I would like to point out that the States cannot risk seeking a court decision to determine whether the Administrative Procedure Act provides recourse to the States for judicial review under the Federal Administrative Procedure Act. If a court decision was sought on this question and it should ultimately be held that judicial review was not available under such act, the States would suffer extremely severe penalties.

I would like now to review a few of the compliance and conformity questions which have been raised by the Bureau over the past years. In the majority of instances, because of the unavailability of judicial review, the States have been forced to capitulate under the threat of denial of offset tax credits or administrative grants, or both. In addition to the "threats," there have been several hearings on matters involving compliance or conformity matters between the Federal Government and the several States.

In one case the California Supreme Court in a situation concerned with maritime workers determined that certain work was not "new work" under the California act. The Secretary's representatives decided the court was wrong and ordered the State to defy the court decision. The California agency refused, and a hearing was held by the Secretary's representative. Both management and labor joined in the fight. The Secretary's position was clearly wrong, and a panel of professors appointed by the Secretary to advise him in the matter so informed him. The Secretary's final ruling was that the State had not failed to "conform."

In the State of Washington in another proceeding also involving the interpretation of the term "new work" of section 3304 of the Internal Revenue Code, the Secretary found the State agency to be interpreting its law in a "nonconforming" manner. The Washington agency had no choice but to yield to the Secretary's ruling and interpret its law to produce a result it believed to be contrary to the law.

In the State of New Jersey a question arose regarding the procedure to be used on appeals by claimants from denial of benefits. The Bureau questioned the procedure on the grounds that it did not afford the claimants an opportunity for a fair hearing as required by section 303(a)(3) of the Social Security Act. The State's procedure was modified after consultation with the Bureau.

It might be of interest to point out here that the Bureau of Employment Security in the New Hampshire conformity hearing in 1964 declared that the State agency was not entitled to a hearing on a ruling with respect to conformity or compliance with the provisions of section 303(a)(3) of the Social Security Act. This is an ironic situation. The State agency was held out of conformity because it failed to provide a claimant an opportunity for fair hearing under section 303(a) of the Social Security Act; yet, in the opinion of the Secretary, the State agency under the same provision is not entitled to a hearing on an adverse decision of the Secretary. Thus, without judicial review, the Secretary's discretion is completely uncontrolled and can even be contradictory.

In still another case in Oregon in 1938, a controversy arose over whether the State's definition of the term "labor dispute" in its unemployment compensation law conformed with the provisions of the Federal Unemployment Tax Act. It was ruled that the State law was out of conformity with the Federal requirement. This dispute had to be resolved by legislative amendment in Oregon in 1939.

In still another case the State of Alabama enacted legislation which provided that when an employer's business was adversely affected by a disaster, the benefits paid due to resultant unemployment would not be charged to his experience account for rate calculation purposes. The Secretary ruled "nonconformity" and the agency was forced to declare the law inoperative.

In still another case Arizona had its employment service taken over by the Federal Bureau because the administrator of the State employment security agency had other duties assigned to him.

Two years ago, two hearings were held by the Secretary of Labor on the matter of conformity and compliance, which show how far the Secretary may go in holding a State out of conformity. As a matter of fact, at the New Hampshire hearing when some seven States appeared and testified, it was established that the position of the Secretary was so completely unfounded that after the hearing by the hearing examiner, the Secretary dismissed the proceeding without ruling on the issue.

In the South Dakota case after extensive correspondence and telephone calls between the South Dakota agency representatives and representatives of the Bureau, the agency was notified that the Bureau would provide an informal hearing before the Assistant Secretary of Labor. No ground rules or procedures for the hearing were set forth. Testimony previously afforded this committee showed that the hearing was "informality" personified. There was no procedure, no record taken, and no presentation of the Bureau's position. The ruling as finally given by the Secretary found that the legislation in question was not in conformity. Because of the feeling that there was a complete lack of fairness to the South Dakota agency, the South Dakota Legislature reenacted the disputed legislation providing that if, after a fair hearing, the Secretary of Labor ruled against legislative enactment, the Governor could, by executive order, render the enactment inoperative. Subsequently, a hearing was scheduled and procedures mutually acceptable to all parties were provided, and after the hearing the Secretary again ruled that the legislation did not "conform."

The handling of the New Hampshire and South Dakota conformity cases only last year clearly demonstrates that judicial review of conformity and compliance decisions of the Secretary of Labor adverse to the States should be provided by Federal law. Otherwise, the States in this Nation can look for no better treatment than that afforded to the New Hampshire and the South Dakota agencies.

It seems to me that the right of appeal—without slowing down or stripping the Secretary of any immediate rights of administration and which in no way would render the Secretary immobile or left at the mercy of any State official—is desirable, reasonable, and democratic. Without judicial review of some kind, the control of the Secretary might be unfair and unreasonable.

The threat of nonconformity is greater than any of you might think. In my State of Texas, we keep our trust fund in as good shape as possible so that we will always be solvent and thus be able to take care of any unusual demands against the fund in case of recession or depression. When I was on the commission, we put a floor of $225 million under our trust fund, and any time it dropped below that figure, the employers of our State would be taxed across the board one-tenth of 1 percent for each $5 million the sum dropped below the floor until the fund was again above $225 million. Obviously, we felt that Texas should take care of its own unemployment, and not call on the Federal Government or other States to bail us out of difficulties. But it is readily seen that any time a Secretary of Labor can rule us out of conformity he has in his power the possibility of taking over our entire trust fund—whatever its amount. Believe me, that is a threat that hangs over the heads of all the States—all the time.

Mr. ANNUNZIO. Mr. Chairman, I rise in support of H.R. 15119, the Unemployment Insurance Amendments of 1966, which is presently being considered by the House of Representatives.

The need for this legislation has been amply demonstrated during the extensive hearings held by the House Ways and Means Committee under the able chairmanship of my distinguished colleague from Arkansas, Hon. WILBUR MILLS.

The reliability of the Federal-State unemployment insurance system, which was instituted in 1935, was also brought out in the hearings. In referring to this system, the Secretary of Labor, Hon. Willard Wirtz, stated:

> It has kept millions of men and women and their children from what would otherwise have been personal as well as financial bankruptcy, and has stabilized the economy

and probably kept it from time to time from complete collapse.

Certainly, no greater endorsement could be extended to any Government program.

The responsibility which faces us now is to revise and bring up to date the existing unemployment insurance law in order that it may continue to meet the needs of our people and our country. The Committee on Ways and Means, after broad study and intensive deliberations, has given us just such a bill.

The committee bill, H.R. 15119, is designed to guarantee to the involuntarily unemployed person sufficient income to meet nondeferable expenses, but at the same time, this income is not so high as to deter him from seeking employment. And, by guaranteeing this income to unemployed persons, their purchasing power is bolstered during periods of high unemployment, and our economy as a result is stabilized to a great degree.

H.R. 15119 strengthens and improves the existing unemployment compensation program in various ways. First, it extends coverage by 1969 to about 3 million additional workers, who are not now covered, bringing those protected by unemployment compensation to a total of about 52.7 million persons.

Second, an important new provision for judicial review has been included in the committee bill. H.R. 15119 would, for the first time, allow a State to appeal in a U.S. court of appeals, decisions relative to the unemployment compensation program rendered by the Federal Government.

Third, the Unemployment Insurance Amendments of 1966 would establish a permanent program of extended compensation. This provision is vital to our economy because all too often unemployment today is the result of the permanent loss of a job to a machine. The worker then needs to retrain himself and acquire a new skill before he can be reemployed. A permanent program of extended coverage would give just such an individual the time needed to learn a new skill and reenter the labor market.

And finally, H.R. 15119 would bring up to date the financing of the unemployment insurance program by increasing the tax rate and the taxable wage base now in effect. Increasing the tax rate would insure the economic feasibility of the program. Adjusting the taxable wage base, which has not been changed since 1939, would provide a more realistic relationship between taxable wages and total wages of workers subject to the tax.

Over 2 years ago, in his manpower message, President Johnson recognized the need for major improvements in the unemployment insurance program and called for action by the Congress to meet the changing needs of our people and our economy.

It remains our responsibility to meet the challenge of our times by enacting the urgently needed Unemployment Insurance Amendments of 1966. I urge my colleagues to join me in meeting that challenge and in providing for the needs of the American people by supporting H.R. 15119.

Mr. McMILLAN. Mr. Chairman, I want to take this opportunity to congratulate the gentleman from Arkansas [Mr. MILLS], the great chairman of the Ways and Means Committee, and all the members of his committee, on rewriting H.R. 8282 and presenting to the Congress H.R. 15119.

I realize that under the Truman, Eisenhower, Kennedy, and Johnson administrations, there has been an effort to have Congress enact legislation of this nature. However, I, as one Congressman, continue to feel that this is unnecessary legislation and if I could have my own opinion enacted into law on this subject there would be no unemployment compensation during times when every person in the United States can secure a job if he desires to work. I realize we have thousands of people in the United States who are unable to work and they should be taken care of by public welfare, social security, and other agencies already operating under the jurisdiction of the Federal and State governments.

I certainly do not believe that this Congress would ever enact H.R. 8282, a bill of a similar nature that has been pushed by the administration and some of the members of the minority.

I was elected to serve in the U.S. Congress on a private enterprise platform and I have never changed my mind on that subject. We can continue to have everyone look to the Federal Government for a handout all for security to the extent that we will soon be in the same category with Russia where everything is handled by a central Federal Government including the farms.

I cannot conscientiously support this proposal, H.R. 15119, even though it is in my opinion approximately 100 percent better than H.R. 8282 which has been before the Congress since the beginning of the 89th Congress. Again, I want to thank the Ways and Means Committee for abandoning H.R. 8282 and using as a substitute, H.R. 15119, which I believe we can live with even though I still contend it is absolutely unnecessary to have legislation of this nature enacted at this time.

I realize that I may be old fashioned in my thinking on this subject. However, if our Government is to remain solvent, we should require every person drawing unemployment compensation to perform some type of work to earn the money he receives rather than being presented with a free handout from the Federal Government.

There are millions of jobs in the United States where the unemployed people could be of assistance not only to the Federal Government but the entire communities where they reside.

I hope this bill will be defeated. However, from the tone of the speeches being made on the floor of the House today, I am certain it will pass the House by a large majority.

Mr. MINISH. Mr. Chairman, according to an old adage, yesterday's radicalism is today's conservatism. Something similar could be said of the Social Security Act which was enacted in 1935 amid many dire predictions of failure and catastrophe to be met upon an uncharted sea. Yet, how many do we find today who are in favor of repealing that act and doing away with the programs of social insurance and public assistance that it established?

At the same time, the Social Security Act was not a perfect instrument when it was enacted, nor is it one today after the adoption of many improvements and refinements over the years.

One of the two social insurance programs of the Social Security Act is unemployment compensation. The other is, of course, the old-age, survivors, and disability insurance program.

The Federal law governing unemployment compensation has, I think, experienced the least amount of development over the years of all of the programs contained in the Social Security Act. It has been the least subject to change to meet the newer and substantively different needs of an expanding and changing economy.

Many landmark statutes have been approved during the last three Congresses to better the lot of the disadvantaged segments of our American society. To name but a few, there was the Area Redevelopment Act enacted in 1961, the Manpower Development and Training Act of 1962, the Economic Opportunity Act of 1964, and the Public Works and Economic Development Act of 1965, which broadened and improved upon several preexisting programs.

Thus, while legislative accomplishments to aid the economically distressed have been made, there is still one important goal that has not yet been reached. This is a bringing up to date of our unemployment compensation system, which is now entering its fourth decade on the statute books.

While it is true that the scope of unemployment is much less today, at around 4 percent of the labor force, than was the almost overwhelming rate of 20 percent that existed during the depression years that engendered the enactment of the unemployment compensation programs, the causes of unemployment which raise the problems that we are faced with today are vastly different from those that existed in the past. One of the chief troublemakers in the employment market today is the obsolescence of skills at an ever-increasing pace. Another is the dislocation of whole areas or industries, while the economy as a whole steams ahead leaving in its wake the workers from these areas and industries, the long-term unemployed.

Today's problems call for new remedies. We have started to build an arsenal of new remedies with the retraining and other programs that have been adopted. I believe that improvements in our unemployment compensation system must be added to this arsenal.

Most workers who find themselves among the long-term unemployed today have national causes to thank for their plight. As our economy has developed and become more efficient it has also become less independent in its parts. The powers of individual employers or States to provide adequate remedies for those who are forced into unemployment for extended periods are limited. Theirs is a problem for which the entire country must accept some responsibility.

To handle the problems raised by the types of unemployment that arise in our economy today I introduced legislation in the 88th Congress and again in this Congress to update and improve the system. The inadequacies of the existing program are demonstrated by the fact that on two occasions it has had to provide temporary unemployment compensation for the long-term unemployed and to otherwise assist the State systems. A constructive overhauling of the system must include extended benefits for the long-term unemployed, minimum benefit amounts, equalization grants, and extension of coverage to new groups of workers.

It is most regrettable that the Ways and Means Committee has not seen fit to approve many of the proposals contained in the legislation sponsored by me to meet the deficiencies in the existing system. The committee bill fails to face up to the urgent need for enacting basic amendments to the Federal unemployment insurance laws. Nevertheless, the pending measure marks a degree of progress in meeting our obligations in this area. I therefore will support H.R. 15119.

Mr. COHELAN. Mr. Chairman, a clear and urgent requirement exists to update our Federal-State unemployment insurance system.

Thirty-one years ago, with the Social Security Act of 1935, this country made a basic commitment to insure its workers against the hardships of involuntary unemployment. The wisdom of this policy, both in terms of the individual workers that were covered and the national economy, has been documented repeatedly during that time.

But, while significant changes have been made during the last 31 years in other aspects of the social security program, no major improvements have been made in the unemployment insurance system that would enable it to keep pace with the times.

Cast in this perspective, the committee's recommendations which we are considering today are shortsighted and a severe disappointment.

I am particularly distressed, Mr. Chairman, that the committee has ignored the plight of America's farmworkers by refusing to bring even a limited number under the protection of the act.

What justification is there now, or was there ever, for singling out this group of workers and systematically denying them the protection of almost every piece of Federal and State social welfare legislation? We have all heard arguments that farm employment is different and that therefore the agricultural industry is entitled to certain exceptions.

Well, I agree that farm employment is different, just as the work in a steel mill is different from the work in a dress factory. The work may be different but the workers' need for a decent wage, for decent working conditions, and for some reasonable degree of insurance against involuntary unemployment is not diminished because he labors in the field instead of the factory.

I do not think it is asking too much of Congress to remove this badge of exclusion, of second-class citizenship, from one of our oldest and proudest occupations.

I am also concerned, Mr. Chairman, that the committee has completely eliminated the Federal benefit standards originally proposed in H.R. 8282.

From its inception, the goal of the unemployment insurance system has been to assure workers unemployed through no fault of their own, a weekly benefit sufficient to meet their essential living costs but not too large to decrease their incentives to find new work.

Unfortunately, benefits have not kept pace with increases in wages, or the cost of living, and the program has lost ground. The standard of a weekly benefit equal to at least half of a worker's usual weekly wage, which has been sought by every administration beginning with President Eisenhower in 1954, and which is accepted by the Interstate Conference of Employment Security Agencies, has simply not been maintained.

In 1939, for example, when benefits first commenced, 49 of the 51 existing jurisdictions had maximum weekly benefit provisions of 50 percent or more of the State's or territory's average weekly wage. Today this is true in only 18 States.

In 1939, 34 States had maximum benefit levels equivalent to 60 percent or more of average weekly wages. Today that figure has dwindled to one.

The record is clear that present standards are inadequate and that this bill is seriously deficient in not providing for them. If amendments were permitted under the rules governing consideration of this measure, I would offer them in both of the cases I have discussed. Since they are not I can only urge the other body to consider the arguments we are making here today and make the necessary adjustments before final action is taken on this bill.

Mr. Chairman, I will support this bill, albeit reluctantly, because it includes several constructive provisions which represent important improvements in the present program. Particularly, I support the step that would bring an additional 3.5 million workers under the coverage of the act, including nearly 2 million employees of nonprofit organizations. I also support the extended benefits to workers who in periods of high unemployment find their basic entitlements exhausted. The inadequacy of the present program in this regard is clearly documented by the emergency action which Congress found it necessary to take in 1958 and again in 1961.

But I sincerely hope that this bill can be strengthened before we complete action on it. Thirty years is a long time to wait for the first comprehensive review and revision of a measure of this magnitude. Let us strive to insure that our actions more adequately reflect our experience of what is required.

Mr. ADAMS. Mr. Chairman, I support the unemployment compensation bill, H.R. 15119, which will extend additional benefits to many employees not presently covered and will increase the compensation available to others. All of us who support these bills have a deep responsibility to be certain that the programs authorized operate successfully. I have been troubled by the fact that in my district and throughout the entire Seattle-King County area we have recently experienced a labor shortage, while at the same time the Washington State Employment Security Department is paying unemployment compensation benefits to a number of individuals and the State welfare department is making grants to many more on its rolls.

We recently held a conference in Seattle with business, labor, and government officials to determine how we could better use the local individuals being carried on the public rolls to meet the labor shortage so we reduce the number of unemployed and welfare recipients on the public roles and avoid an additional strain on our schools and other public facilities which would be caused by a mass importation of labor from other areas.

I have also supported the Economic Opportunity Act and am in support of the present Federal welfare assistance given to the various States. I was pleased therefore when we recently established in Seattle a new coordinated training system utilizing the programs available in the Labor Department, Department of Health, Education, and Welfare, and Office of Economic Opportunity to work on the problem of training the unemployed. I want to be certain, however, that we are reaching the true problems in this area and that we are not wasting funds by following outmoded procedures. One of the basic problems to be examined is how Federal funds are being administered by State agencies under the particular standards of each State.

Because of the apparent inconsistency between "unemployment" and a "labor shortage" I have inquired as to why we are paying unemployment compensation and making welfare payments to a considerable number of people while we are experiencing a labor shortage. In response to my inquiry, Mr. Walter Woodward, of the Seattle Times, conducted an investigation and has recently published a series of articles outlining what is occurring in the State of Washington in the Federal-State area of unemployment compensation and welfare.

I am including these articles with my remarks at this point in the Record because I believe they will be of interest to my colleagues. These articles indicate a continuing examination of this whole area of activity is necessary.

[From the Seattle Times, June 14, 1966]

Why Pay Jobless in Labor Shortage?

(By Walt Woodward)

(First of a series)

Why should Seattle-area residents draw unemployment compensation when 10,000 or so jobs are going begging?

Many an irate taxpayer—particularly an employer paying unemployment taxes—has asked that question. It was given a new point of reference last week when Representative Brock Adams, announcing $700,000 in Federal funds to aid the Seattle-King County war on poverty, said:

"We should not be carrying thousands on unemployment compensation when we have a labor shortage."

At the request of The Times, four top officials of the State Employment Security Department discussed the congressman's statement. This series is a report of that discussion. The officials are:

M. T. Hewitt, chief, programs and methods, and Thomas Hillier, reviewing officer, both from Olympia, and James Scanlan and Howard R. Dishman, both of the Seattle office.

In the first place, they do not deny the congressman's premise.

"Our most important job is putting people to work," Scanlan says.

Neither do they particularly object to Adams' contention that there must be a "massive improvement" in the department's screening practices to move "able-bodied men and women off public rolls and onto private payrolls." Dishman puts it this way:

"We recognize we need a more sophisticated approach. We can and do match a job opening with a worker who is experienced in that job. But we are weak in our present ability to refer a worker who has had no experience in that job but who may have latent abilities to fill it.

"We are working on this. Nationally, occupation categories are being refined. Whether this is going to take massive investment in expensive computers, we do not know. But we must try to do a better job in this area."

The four officials do say, however, that there are many reasons beyond their control which contribute to unemployment-compensation payments even in a time of labor shortage.

But first, some basic facts. For instance, how many "thousands" now are drawing unemployment compensation? No so many as there used to be.

For the week ending June 4, there were 3,793 persons on "U.C." in King and Snohomish counties. This was 17 per cent less than the 4,566 for the previous week and a whopping 55 per cent less than the 8,409 for the same week a year ago.

In the week that ended June 4, 557 applied for unemployment compensation. While this may shock those irate taxpayers, that figure is 55 per cent less than a year ago.

Just to keep the record straight, those 3,793 persons by no means are the total unemployed in the area. Many others have exhausted benefits—a maximum payment of $42 a week for a maximum of 30 weeks. Other unemployed persons have no work experience and, therefore, are not eligible for unemployment compensation. If they are in trouble financially, they receive welfare assistance.

Scanlan says the latest available unemployment count for King and Snohomish counties is 12,300 persons. That is a dramatic slash of about one-half of the 25,000 figure used just a year ago.

The mid-June count probably will be higher. Schools closed last week for summer vacation. Statistically, the "unemployed" must include everyone older than 14 years, even though this state's laws restrict the jobs which youngsters up to 19 may accept.

But if this area's total unemployment figure is around 12,000 persons, then about one-third of them are drawing unemployment compensation in a time when jobs are going begging.

[From the Seattle Times, June 15, 1966]

"ROCKING-CHAIR MONEY" FOR SEASONAL WORKER IS ISSUE

(By Walt Woodward)

(Second of a series)

The contention by Representative Brock Adams that "we should not be carrying thousands on unemployment compensation when we have a labor shortage" immediately reminds many persons of "rocking-chair money."

And that reminds them of seasonal workers, such as those in the fishing and timber industries, who draw unemployment compensation as soon as their "season" ends.

The legislature has been the scene of many a political battle over the issue of whether a seasonal worker should be eligible for unemployment compensation during winter months.

Well, what are the facts?

The last annual report of the State Employment Security Department, for the fiscal year ending last June 30, showed 58,051 "covered" lumber and wood-products (except furniture manufacturing) workers eligible for unemployment compensation.

Of these, 17,270 did file unemployment-compensation-payment claims. Of those who filed, 9.5 per cent (or 1,641) exhausted their payments.

That is, 1,641 lumber and wood-products workers took full advantage of the unemployment-compensation law, which allows 30 weeks of payments up to $42 a week.

The department's report also shows the average annual pay of lumber and wood-products workers to be $4,900. The maximum which unemployment compensation could have added is $1,260 for a total of $6,160.

The department's report is not so exact on fishing. It lists only employes in the fishing industry. This means cannery and other dockside workers as well as the actual fishermen. In any event, 3.022 were "covered" and eligible for unemployment compensation. Claimants totaled 1,464 and, of these, 23 per cent (or 337) exhausted their payments.

The departmental report lists the average annual wage in the fishing industry as $3,300. But that does not shed much light on what a fisherman earns. Maybe some Puget Sound salmon fishermen "starved" last year while their Bristol Bay brothers "struck it rich"—a wide range from, perhaps, $3,000 to $16,000. Maybe a halibut fisherman averages $8,000. This writer does not know what the "average" fisherman's wage is; maybe there is no such figure.

So there is the record of two groups of seasonal workers who, for years, have been accused in some quarters of making much money in the summer and then taking "rocking-chair money" the rest of the year.

The record shows that only 3 per cent of eligible timber workers and 11 per cent of eligible fishing-industry workers took all the unemployment-compensation money they could get. Of those who claimed something less than maximum benefits, it was 29 per cent for timber workers and 48 benefits, it was 29 per cent for timber workers and 48 per cent for those in the fishing industry.

Sixty-nine percent of timber workers claimed none; 41 percent of fishing industry workers claimed none.

What happened to those who either claimed none or only some? They either made it through the year in that fashion, or they found other employment.

In the case of timber workers, many of them remained employed the year round, for the timber industry in recent years has made great strides in permanent employment. The fishing industry, governed by man's closure regulations and nature's fish runs, cannot do this.

Those who did find other work did so under a handicap. Many employers do not like the idea of training and employing a person who, come summer, is going to resign for his "regular" work.

In the final analysis, it comes down to a state unemployment-compensation law which permits a seasonal worker to draw unemployment compensation when he no longer can find suitable work.

[From the Seattle Times, June 16, 1966]

WHY JOBLESS ON ROLES IN BOOM

(By Walt Woodward)

(Last of a series)

Why, as Representative Brock Adams asked, do we have 3,793 persons drawing unemployment compensation benefits in King and Snohomish Counties at a time of extreme labor shortage?

These are some of the reasons given by top officials of the State Employment Security Department:

1. Many of the compensation recipients do not have skills demanded by employers.

2. Job specifications are considerably higher than they were a decade ago, and much higher than they were 20 years ago. The demand for unskilled workers is much less than it once was.

3. Time is needed while inexperienced workers are trained and while employers revise and lower their specifications.

4. The department admits it must develop a more sophisticated procedure so that it not only can match an employer's demand with a person experienced in that field, but also with an inexperienced worker who has latent abilities in that line of work.

5. About half of the unemployment-compensation claimants are women. Women, up to now in the King-Snohomish situation, have not been called by employers as much as they were during the Second World War labor shortage.

Finally, department officials come down to the state law under which they must administer unemployment compensation. As Howard R. Dishman, in the department's Seattle office, puts it:

"Among compensation-covered employees, we now are down to a 1.2 percent rate of unemployment, a record low which is more than one half less than what it was a year ago. Yet 2.5 percent is widely quoted as being the factor below which you rarely go because of something we call frictional unemployment.

"You see, we do not administer the Unemployment Compensation Act solely on the basis of a short labor market."

Frictional unemployment is the "trade" name for the time lag between a resignation or dismissal and the time of hiring in a new job.

It covers the situation while a person looks around for a better job or for a higher-paying situation. State law says he may do so.

The law specifies that a person cannot claim unemployment compensation if he refuses "suitable work." The law tries to define "suitable work," but not in terms which are too specific. For example, "suitable work" must involve the factors of a worker's health, safety and morals.

Morals? You bet. The department discovered—in a recent Superior Court ruling—that it is required to give unemployment compensation to a Seventh Day Adventist who refused, on religious grounds, to accept a job requiring her to work on Saturday.

The law adds these other "suitable work" factors: ". . . prospects for securing local work in his customary occupation" (you can draw unemployment compensation while "waiting" for a job in your field) . . . "the distance of the available work from his residence" (you can draw unemployment compensation if the only job is a long way from home).

What is more, the law flatly says that "if the remuneration, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality," the job hunter may claim unemployment compensation (you do not have to accept a low-paying job).

Employment Security Department officials do not voice any opinion as to whether the law is good or bad. Mostly merit-system career people, they simply try to administer the law as given them by the Legislature.

But they are frank to say that the law's "suitable work" provision accounts, in large part, for those relatively few members of the work force who are drawing unemployment compensation.

Mr. KARSTEN. Mr. Chairman, I rise to express myself in support of the committee bill, H.R. 15119, and for the improvements it will bring to the unemployment insurance program.

These improvements will do a great deal toward helping 3½ million people whose occupations are similar to those in covered employment but who have been left, from the beginning, outside of any wage insurance protection. The bill will also add additional weeks of benefits in recession periods and in a small way will help reduce the number of persons in such times whose benefits are cut off before they have found employment.

In supporting this measure, I do not feel we need to overemphasize what it will do nor underestimate what it will not do. Many Members in this House, including myself, are aware that the unemployment insurance system is in need of more changes than those represented in this measure. The historical decline in the benefit amounts relative to the weekly income of wage and salary employees requires that the Federal Government should establish benefits standards for the States. The fact that this bill fails to include such standards does not mean that the Congress can long continue to close its eyes to developments.

The unemployment insurance system in the United States is both a Federal and a State program in which the funds are raised through Federal taxes and returned to the States under certain conditions. I believe that one of those conditions should be nationally defined minimum benefit levels for both the weekly amount and the duration of benefits.

In saying this, I also want to make clear that these changes would in no way alter the basic Federal-State structure. There are many respects in which States would continue, even with the benefit requirements I have urged, to show latitude and areas of experimentation in the benefits provided. I contemplate no "federalization" of the system and neither does anyone else who supports the addition of minimum benefit standards.

It is simply a question of whether the Federal Government has met its responsibility in establishing essential bench marks as a condition for the States' use of Federal funds.

No one here can see around the corner or know what economic conditions will be 2, 3 or more years ahead. But we do know that the provisions of the bill on which we are voting do leave many of the essential problems unsolved. I know there are difficulties inherent in enacting legislation when those problems are not a part of the immediate experience of wage and salary earners who in general are enjoying regular work at this time. But to the extent that past experience in 1957, 1958, and 1959, as well as in 1960, 1961, and 1962, are an indication of the performance of the unemployment insurance system, we are keenly aware of the limited nature of the bill we are supporting.

The economy is changing too rapidly for us to ignore much longer the interstate differences and the severe limitations of many State laws. In supporting this bill, I feel I am more committed to "gradualism" than I really want to be, but under the circumstances this is the only alternative open at this time.

In appraising the alternative, I choose not to ignore what H.R. 15119 will mean to the millions of people working in jobs that often are characterized by low pay, insecure tenure, and unappealing prospects. Certainly we can no longer refuse to deny them the kind of wage insurance that we long ago gave to other workers whose only difference is that their employer is engaged in profitmaking activity.

I urge my colleagues who would have preferred a more extensive buttressing of the unemployment insurance system not to fail those who will be helped by this bill as reported by the committee.

Mr. RHODES of Arizona. Mr. Chairman, at the June 21, 1966, meeting of the House Republican policy committee a policy statement regarding H.R. 15119, Unemployment Insurance Amendments of 1966, was adopted. As chairman of the policy committee, I would like to include at this point in the RECORD the complete text of this statement:

Republican Policy Committee Statement on Unemployment Insurance Amendments of 1966—H.R. 15119

The House Republican Policy Committee supports the Committee bill, H.R. 15119. We commend the Republican members of the Ways and Means Committee for their work in defeating the Johnson-Humphrey Administration bill, H.R. 8282, and substituting in its place reasonable and necessary amendments to the present unemployment compensation law.

As reported, the Committee bill, H.R. 15119, preserves the highly-successful system of autonomous State programs of unemployment insurance. It rejects the following power-seeking proposals of the Administration bill which would have federalized and straitjacketed these programs.

(a) The imposition of federal benefit standards, both with respect to amount and duration.

(b) The restriction of disqualification to cases of fraudulent unemployment insurance claims, conviction for a work-connected crime, or labor disputes.

(c) The abandonment of the experience rating system as a basis for granting the credit against the Federal tax.

(d) The automatic granting of an additional twenty-six weeks of benefits, irrespective of the state of the economy.

(e) The broad and indiscriminate extension of coverage to employers of one or more workers, non-profit organizations and farm workers.

(f) The increase in the taxable wage from $3,000 to $6,600 by 1971.

In contrast to the federal dictation and controls contained in the Administration bill, the Committee bill, H.R. 15119, would update and improve the present law as follows:

1. Thirteen weeks of extended unemployment compensation is provided during periods of recession. This is a refinement and improvement of the unemployment benefit programs adopted by Congress in 1958 and in 1961.

2. Coverage is extended to those workers who can be generally considered "regularly" employed and for whom there can be reasonable standards of availability for work. Thus, employers of one or more workers during 20 weeks of a calendar year, or employers who pay more than $1,500 in wages during a calendar quarter, are covered. Farm workers are not covered. Certain non-profit organizations are covered if they employ four or more workers in any quarter, but coverage is restricted to clerical, custodial, and maintenance workers. These workers are also covered in institutions of higher learning. The primary and secondary schools, however, remains exempt.

3. Non-profit organizations are given the option of participating as self-insurers. Under this option, a non-profit organization will not be required to pay any part of the Federal tax and will be charged only with the amount of unemployment benefits actually paid to an unemployed worker of such organization.

4. The wage base is increased from $3,000 to $3,900 beginning in 1969 and to $4,200 beginning in 1972.

5. A judicial review of determinations by the Secretary of Labor with respect to qualifications of State plans is provided. Thus, for the first time, a State threatened with the loss of the tax credit as a result of an action on the part of the Secretary of Labor may appeal to the courts. This system of court review has been advocated for many years by Republican Members of Congress and the State administrators. It will enable the States to adapt their programs of unemployment insurance to meet the needs of their particular State.

Thus, under the provisions of the Committee bill, H.R. 15119, the States are permitted to establish benefit and eligibility standards without federal control. The experience rating concept has been preserved and there is no substantial change with respect to disqualification criteria. Moreover, the all-important judicial review concept has been included. As a result of the modifications and changes that are included in this bill, the present unemployment compensation system has been strengthened. The role of the States in developing sound unemployment insurance programs will increase rather than diminish. Thanks to the efforts of the Republican members of the Ways and Means Committee and the many individuals, organizations and employers who testified before that Committee, H.R. 15119 presents a fair and forward-looking program.

We believe that the discarding of the Johnson-Humphrey Administration bill, H.R. 8282, is one of the most significant steps taken in this Congress. It means the preservation of the autonomous State programs of unemployment insurance. It marks the rejection of the concept of ever more federal controls and standards. It establishes that the present highly-successful program of unemployment compensation will continue to provide necessary and essential assistance to the involuntarily unemployed. It insures that this program will not become a federalized system that permits abuse and encourages the unemployed to remain idle the maximum period of time rather than accept suitable employment or enter training programs as quickly as possible.

Mr. RYAN. Mr. Chairman, H.R. 15119, the bill before us, is a revision of H.R. 8282, the administration's proposal to extend and improve the unemployment compensation program. Unfortunately, it does not meet the objectives of the original bill in at least four major respects.

The most important shortcoming is its failure to provide for Federal unemployment compensation standards. The administration's measure would have required the States to meet minimum standards of compensation—50 percent of wages, duration at least 26 weeks—and qualification. Thus, unemployment compensation would be propped up in those States which now have programs that do not meet these standards, and the whole system would be made more uniformly beneficial.

Second, the committee reduced the number of employees to whom new coverage would be extended. Under H.R. 8282, 5 million workers would have been able to receive for the first time the benefits of unemployment compensation. Under H.R. 15119, the revised bill, only 3.5 million new workers will enjoy these benefits.

Third, under the administration's proposal, the wage base would have risen to $5,600 in 1967 and $6,600 by 1971. I might point out that the wage base has not been increased in the Federal law since the inception of the program 30 years ago. Eighteen States have already adopted a wage base well in excess of $3,000. Yet the committee saw fit to cut the wage base proposal. The present $3,000 figure will remain in effect until 1969, when it will rise to $3,900, eventually rising to $4,200 in 1970.

Finally, the committee did not adopt the supplemental benefits provision, which would have provided extended benefits for an additional 26 weeks after an unemployed worker exhausted his regular 26 weeks of payment. Instead, it has provided for 13 additional weeks, and also restricted the extended program to times of unusually high national unemployment. This is a reversal of the original objective of this provision.

Mr. Chairman, I am pleased that the bill reported out by the Committee on Ways and Means extends coverage to those employed in voluntary, nonprofit hospitals. On February 17, of this year, I pointed out to the House the problems faced by hospital workers. It is important that their plight be relieved.

While I will vote for this bill, I feel that it does not meet congressional responsibility to the workingman. It merely postpones the day when the Federal Government must give due regard to the many problems of working men and women who experience the economic tragedy that results from the loss of a job. Congress should be willing to do more.

Mr. DONOHUE. Mr. Chairman, as one who has consistently supported the principle of unemployment insurance compensation I urge and hope this House will overwhelmingly approve the measure before us, H.R. 15119, to extend and improve our current unemployment compensation program.

Although many here may seriously question the effectiveness of this bill in fully meeting all the present and potential problems involved in creating an equitable and prudent system of unemployment compensation insurance, this measure does appear to represent the best compromise agreement that can be offered at this time and it does contain some substantial forward steps in our ultimate objective of a completely revised program.

In summary, this bill extends coverage of the Federal-State unemployment insurance system to an estimated 3.5 million additional workers; establishes a permanent program of extended benefits to workers who exhaust their basic entitlement to unemployment compensation payments during periods of high unemployment; furnishes the States a procedure for obtaining judicial review of certain of the findings of the Secretary of Labor with respect to a State's program by appeal to a U.S. court of appeals; provides certain additional requirements which must be met by a State in order to have its unemployment compensation law approved by the Secretary; and makes other changes which will strengthen and improve the Federal-State unemployment insurance system.

The extension of benefits and improvements in operation contained in the provisions of this measure impel us to accept it as an instrument of progress for today while we plan and work for a wider and more improved program that it appears will be required to maintain our economy stability through the further technological transition and adjustment period that lies ahead.

It might be well to remind ourselves that this whole unemployment problem goes right to the hearts of the morale of the American people and very often it provides an unhappy comparison of what this Congress is asked to do in helping the people abroad and what we are requested to do in assisting millions of Americans here at home.

Let us realize that none of our military aid or foreign assistance programs or diplomatic overtures can be successfully carried out without the full backing of the American people possessed of a high morale. One substantial way of encouraging that high morale is the establishment of an adequate and equitable unemployment compensation insurance program granting effective economic assistance to millions of wage earners and taxpayers when they need it the most and they do need it most when they are out of work through no fault of their own.

In that spirit and toward that objective let us approve this proposal without prolonged delay.

Mr. RANDALL. Mr. Chairman, although nearly all opposition to H.R. 15119 appears to have evaporated, it seems to me there remains an obligation for those who appreciate the content of this bill rather than proposals in H.R. 8282 to speak up in appreciation of the good work of our Ways and Means Committee and in particular to its most distinguished chairman, the gentleman from Arkansas, Wilbur Mills.

Every Member of this House is indebted to the chairman of the Committee on Ways and Means for his perseverance and determination to report out a bill which could be passed rather than to pursue upon the course of futility by insisting upon the provisions of H.R. 8282, which could not have in the opinion of those who had polled the House come even near to passage.

Our debt is so great to the friendly and always helpful chairman from Arkansas that I would ask to be permitted to digress for a moment to recall another instance not too long ago when this same chairman rendered a service to all of us which is too frequently taken for granted and by too many Members of this House. I may be guilty along with my colleagues for the omission and failure to express my gratitude to Chairman Mills for a great service in connection with what is now known as medicare. Those of us who have been around for awhile recall the bitter opposition a few years ago to even the mention of hospital insurance under social security. It was bitterly denounced as socialized medicine. About 4 years ago large sums of money were raised to defeat those candidates who suggested hearings should be held to permit proponents of this principle to have a forum to express their viewpoint.

All of us now realize we have come a long way since those days because our Ways and Means Committee, not only surmounted most of the objections of opponents of medicare but brought forth workable, acceptable, options and alternatives which have now been enacted into law as part A and part B of Public Law 89–97 which will be subjected to its first test less than 2 weeks hence. Mr. Chairman, I hope I may be pardoned for this reference to past accomplishments, but I have digressed simply to express once more my gratitude to Chairman Mills, who, in my opinion, was largely responsible for changing an attitude of bitterness by the medical profession into one of conditional acceptance the principle of hospital insurance and medical care under the social security system.

When H.R. 8282 was introduced in May 1965 it unlocked a torrent of protest from small businessmen and even some of the larger business enterprises. While the number of opponents to this bill were large, in most letters there was a strong tone of resentment and bitterness against the effort to create a Federal unemployment adjustment benefit program to replace the Federal-State unemployment compensation program which had worked so successfully. I recall it was argued H.R. 8282 would defeat the entire intent of unemployment compensation which was intended to be aid rather than support. I distinctly recall there was a charge that undeserving workers could quit without cause or be fired for willful misconduct including drunkenness or other unreliable acts and being once off the job could even refuse suitable work and yet receive under the provisions of the former bill considerable compensation.

It slips my mind now who may have made the computation but in some of our protest mail someone pointed out that a worker could draw over $100 a week in unemployment compensation by 1971, based on a 40-hour week, which would be somewhat in excess of $2.50 per hour for not working. There were so many objections that I should not take the space to enumerate them. It was charged by opponents that even an unemployed worker who was receiving $100 a week for as much as 1 year, would not be charged with any taxable income.

To shorten what might otherwise make a long story, the changes wrought by the committee from H.R. 8282 to H.R. 15119 are pretty well summarized in the title of the two bills. The title of H.R. 8282 provides for the establishment of a program of Federal unemployment adjustment benefits; to establish Federal requirements; to establish a Federal Adjustment Act in the unemployment trust fund; to provide for a research program and a special advisory commission. The title, on the other hand, of H.R. 15119 simply states the bill is intended to extend and improve the Federal-State employment compensation program. Those who stood firm for H.R. 8282 point out the new bill accomplishes only about half of what was intended by the old bill and that the coverage is extended to only about half as many new workers and enter the complaint that the wage base does not rise as sharply or as quickly as it should. It is pointed out the duration of supplemental benefits has not been increased. It should be recalled that under the provisions of H.R. 15119, not only was the Federal standard section deleted as contained in the former bill but the committee has accorded to the States even more power by adding a section that would permit the States a court appeal from adverse decisions of the Secretary of the Department of Labor as to whether or not a State conforms to Federal requirements. Under existing law, the decision of the Secretary of the Department of Labor as to whether or not a State law conforms to the requirements of the Federal law is final.

Mr. Chairman, H.R. 15119, described as a clean bill was introduced approximately 1 year after the introduction of H.R. 8282. Long hearings intervened. The vast amount of work that has been devoted to this matter of improved unemployment compensation has resulted in a measure which now seems to enjoy such widespread acclaim, there probably will be only a small handful of Members who remain in opposition. H.R. 15119 deserves support and our great chairman of the House Ways and Means Committee deserves the commendation of his fellow Members.

Mr. VIVIAN. Mr. Chairman, I support H.R. 15119, the revision of the Federal-State unemployment compensation program, sponsored jointly by the distinguished chairman and the distinguished ranking minority member of the House Ways and Means Committee. I commend the committee for reviewing, painstakingly, H.R. 8282, the bill originally proposed, and for making substantial improvements in this bill, leading to the revised bill H.R. 15119 before us today.

Mr. Chairman, as one who has had a good deal of experience in the management of a business, I am pleased that the Ways and Means Committee rejected the idea of tampering with the experience-rating system of setting unemployment compensation tax rates on individual employers. I believe the experience rating system developed in my State of Michigan to be an eminently fair and effective practice, well worth supporting. Also, I commend the committee for cutting back both the pace and the scope of the extension of taxable wage base. The committee bill calls for an increase in the base of only 40 percent over the next 6 years instead of 120 percent, as had been proposed in H.R. 8282. That bill would have imposed a greatly increased burden on the employers in my district and State, without adding materially to worker benefits. Michigan today is proud to provide one of the highest unemployment benefit payment schedules in the Nation. Yet H.R. 8282 would have edged Michigan dollar benefits higher; much higher than would have been demanded of the present low-wage, low-benefit States; and then channeled funds from Michigan to those low-wage States to help pay their benefits. This would have placed Michigan at a further competitive disadvantage with the low-wage States.

But H.R. 15119 does attack important deficiencies in our present unemployment compensation program. In particular, it extends coverage to numerous uncovered job classifications; and, most important, it establishes a permanent program of extended benefits to exhaustees during periods of persistent and high unemployment.

Mr. Chairman, this bill is supported by management and labor. It is fair to all concerned. I support it and will vote for it.

Mr. GILBERT. Mr. Chairman, I support H.R. 15119, to extend coverage of the Federal-State unemployment insurance system to an additional 3.5 million workers and to set up a permanent program of extended benefits to workers who have exhausted their regular benefits during periods of high unemployment.

I am disappointed the bill is not closer to the administration bill, H.R. 8282, and especially that it does not contain the provisions for minimum Federal standards for State programs with respect to amount and duration of eligibility for benefits. This provision of H.R. 8282 would have required the States to pay weekly benefits for an individual equal to one-half of his average weekly wage up to a State maximum, and would have required the State to pay 26 weeks of benefits to any worker with 20 weeks of qualifying earnings in his base period.

The goal of the unemployment insurance system has been to assure workers unemployed through no fault of their own, a weekly benefit sufficient to meet their living needs but not too large to decrease their work incentives. Benefits have not kept pace with increases in wages and the cost of living. A weekly benefits standard equal to at least one-half of a worker's usual weekly wage has been sought by every administration since 1954.

Under the 50 individual State programs each State determines the eligibility for an amount and duration of benefits and sets employer tax rates to pay for its own program. This has led to general inadequacies in the individual programs and to competition among States for the location of businesses. State employer tax rates for unemployment compensation range from a high of 3 percent in my State of New York, and in California, to a low of .07 percent in Virginia and Iowa. A State with a high employer tax rate—whether due to liberal benefits or high unemployment—is at a competitive disadvantage to a State with a low employer tax rate, which may be due to inadequate benefits and/or low unemployment.

The unemployment insurance program has been both a Federal and State program in which the funds are raised through Federal taxes and returned to the States under certain conditions, and I feel that one of those conditions should be defined and established minimum benefits levels for both the weekly amount and the duration of benefits.

I regret that the number of employees to whom new coverage would have been extended was reduced in committee. H.R. 8282 would have given new coverage to 5 million, instead of the 3.5 million in the bill before us.

H.R. 15119 does contain many important and needed improvements in the unemployment insurance system. I am pleased the bill extends coverage to 1.9 million employees of nonprofit organizations and State hospitals and institutions of higher learning. Nonprofit organizations have the option of either reimbursing the State for unemployment compensation attributable to service for them or paying the regular State unemployment insurance tax; they are not required to pay the Federal portion.

Mr. Chairman, time does not permit me to elaborate on the various provisions, and, therefore, with permission, I wish to include for the RECORD the following committee summary of the "Unemployment Insurance Amendments of 1966.":

EXTENSION OF COVERAGE

Today approximately 49.7 million jobs (including those of Federal employees, ex-servicemen and railroad workers) are protected by unemployment compensation. Approximately 15 million jobs are not covered. Nearly 7 million of the workers not covered are in the employment of State or local governments and, except for certain employees in State universities and hospitals, unaffected by the bill. Of the approximately 8 million remaining workers not presently covered, the bill would extend coverage to about 3.5 million, effective January 1, 1969.

The following are the groups of workers to whom coverage would be extended by the bill:

a. *Definition of Employer (workers in the employ of persons or firms with less than 4 employees)*.—Present Federal law applies only to those employers who have 4 or more workers in their employ in 20 weeks in a year. Under the bill an employer would come under the Federal-State system if he employs one or more persons during 20 weeks in a calendar year, or pays wages of $1,500 or more in any calendar quarter in a calendar year. Approximately 1.2 million additional workers would be covered under this provision.

b. *Definition of Employee.*—Approximately 200,000 additional workers would be covered by adopting the definition of employee which is used for social security purposes, with a modification. Those affected by this change are persons who are not considered employees under common law rules, such as certain agent-drivers and outside salesmen. The concept of employee as adopted by the bill differs from that of the Social Security Act in that it does not apply to full-time insurance salesmen and persons who work on materials in their homes which are furnished by another (if they are not employees under common law).

c. *Agricultural Processing, etc. Workers.*—Approximately 200,000 additional workers would be covered by adopting the definition of "agricultural labor" that applies to the social security system, with a modification. Included among the newly covered workers would be those working in processing plants where more than half of the commodities handled were not produced by the plant operator and others working on specific commodities, such as maple sugar workers and those engaged in off-the-farm raising of mushrooms and poultry. The bill would not cover the employees of certain agricultural cooperative organizations who are covered under social security system.

d. *Employees of Non-Profit Organizations and State Hospitals and Institutions of Higher Education.*—Approximately 1.9 million employees of non-profit organizations and State hospitals and institutions of higher education would be brought under the unemployment compensation system. Coverage would not be extended to certain employees of non-profit organizations, however, including duly ordained or licensed ministers of the church; employees of a church; employees of schools other than institutions of higher education; professors, research personnel and principal administrators in an institution of higher education; and physicians and similarly licensed medical personnel of a hospital, but nurses would be covered under the program.

Non-profit organizations must be allowed the option of either reimbursing the State for unemployment compensation attributable to service for them or paying the regular State unemployment insurance contributions. They would not be required to pay the Federal portion of the unemployment tax. A separate effective date would allow the States to put the reimbursable option into effect at any time after December 31, 1966.

The extension of coverage would apply only to non-profit organizations that employ 4 or more workers in 20 weeks during a calendar year.

Certain types of workers, such as domestic servants in private homes, would continue to be excluded from the coverage of the Federal law. In addition, a new exclusion is provided by the bill for students employed under specified work-study programs arranged by the schools they attend, effective January 1, 1967.

ADDITIONAL REQUIREMENTS

States would be required to amend their laws, effective not later than January 1, 1969, in order to obtain approval by the Secretary of Labor for the purpose of receiving tax credits for employers and payment of administrative expenses, to provide that—

1. A claimant must have had work since the beginning of his benefit year in order to obtain unemployment compensation in his next benefit year (prohibiting the so-called "double dip" which allows a worker to draw full benefits in 2 successive years following a single separation from work);

2. The wage credits of a worker may not be cancelled or totally reduced by reason of a disqualifying act other than discharge for misconduct connected with his work, fraud in connection with a claim for compensation or receipt of disqualifying income such as pension payments. But a State could, for example, disqualify a worker for the duration of a period of unemployment following a disqualifying act, such as a voluntary quit, so long as the worker's benefit rights are preserved for a future period of involuntary unemployment during the benefit year;

3. Compensation may not be denied to workers who are undergoing training with the approval of the State unemployment compensation agency; and

4. Compensation may not be denied or reduced because a claimant lives or files his claim in another State.

Related provisions of the bill permit the States to reduce the tax rates of new employers (to not less than 1 percent) during the first three years they are in business and provide a sanction to enforce an existing prohibition against discriminatory treatment of maritime employees.

JUDICIAL REVIEW

Under existing law the decisions of the Secretary of Labor as to whether or not a State law conforms to the requirements of the Federal law are final. There is no specific provision in the law allowing a State to appeal these decisions to a court.

The bill would furnish the States a procedure for appealing these decisions of the Secretary to a United States Court of Appeals within 60 days after the Governor of a State has been notified of an adverse decision by the Secretary. Findings of fact by the Secretary would be conclusive upon the court "unless contrary to the weight of the evidence." The provision would be effective upon enactment.

FEDERAL–STATE EXTENDED UNEMPLOYMENT COMPENSATION PROGRAM

The bill would establish a new permanent program which would require the States to enact laws, that would have to take effect beginning with calendar year 1969, to pay extended benefits to workers who exhaust their basic entitlement to unemployment compensation programs during periods of high unemployment.

The Federal Government would pay 50 percent of the benefits under the program, with the States paying the other 50 percent.

These benefits would be paid to workers only during an "extended benefit" period. Such period could exist, beginning after December 31, 1968, either on a national or State basis by the triggering of either a national or State "on" indicator.

A national extended benefit period would be established if (a) the seasonally adjusted rate of insured unemployment for the nation as a whole equalled or exceeded 5 percent for each month in a 3-month period and (b) during the same 3-month period the total number of claimants exhausting their rights to regular compensation (over the entire period) equalled or exceeded 1 percent of covered employment for the nation as a whole. The national extended benefit period would terminate if the rate of insured unemployment remained below 5 percent for a month or if the number of claimants exhausting their rights to compensation added up to less than 1 percent for a 3-month period.

An extended benefit period would be established for an individual State if (a) the rate of insured unemployment for the State equalled or exceeded, during a running 13-week period, 120 percent of the average rate for the corresponding 13-week period in the preceding two calendar years and (b) if such rate also equalled or exceeded 3 percent. An extended benefit period in a State would terminate if either of these conditions was not satisfied.

During either a national or State extended benefit period an individual claimant would be entitled to receive payments equal in amount to those he received under regular compensation (including dependents' allowances) for up to one-half of the number of weeks of his basic entitlement but for not more than 13 weeks. No claimant could receive more than 39 weeks of combined regular and extended compensation.

FINANCING

The bill would increase the rate of tax under the Federal Unemployment Tax Act from the present 3.1 percent of taxable wages to 3.3 percent, effective with respect to wages paid in calendar year 1967 and thereafter. The taxable wage base under the act would be increased from the present $3,000 per year to $3,900 per year, effective with respect to wages paid in calendar years 1969 through 1971 and to $4,200 beginning in 1972 and thereafter.

The bill in effect increases the net Federal unemployment tax from 0.4 percent to 0.6 percent. A portion (0.1 percent) of the net Federal tax would be put in to a separate new acocunt in the Unemployment Trust Fund to finance the Federal share of the extended benefits programs established by the bill.

OTHER PROVISIONS

The bill also contains provisions to—

1. Authorize funds to conduct research relating to the unemployment compensation system and to train Federal and State unemployment compensation personnel;

2. Change the date with respect to which the Secretary of Labor certifies that the State laws are in conformity with the requirements of the Federal law from December 31 to October 31 of each year;

3. Extend for another five years the time within which the States could expend for administrative purposes funds returned to them as excess Federal tax collections.

Mr. LOVE. Mr. Chairman, I can now support the unemployment compensation bill, H.R. 15119, without the fears I had over H.R. 8282 because those who will gain will be those who work for wages within their respective States as the basic contract is left where local needs and local conditions can apply rather than through a nationwide system which would ignore economic differences and regional variations.

As an Ohioan who believed that his State had developed a satisfactory law for the most part within the spirit of the Social Security Act of 1935, I am grateful for this new bill. I commend the committee in general and the gentleman from Arkansas [Mr. MILLS] in particular for the painstaking work in making substantial improvements in H.R. 8282 which lead to H.R. 15119 before us today.

I rather suspect that no bill has had more time given to it with the possible exception of medicare in both public and executive hearings. I can attest to the fact that the committee received and considered many thoughtful letters from my worried constituents which I channeled to the committee when I thought either a constituent or I might make a contribution to a better bill. So I am doubly grateful.

Instead of rejecting at once the provisions of H.R. 8282, I felt it would be best to work toward a revision and improvement of existing law as unemployment is a national problem carrying with it Federal responsibility. The system itself, however, can best be handled by the 50 States as this bill now provides.

The article in the February issue of Reader's Digest entitled "New Grab for Federal Power: Unemployment Benefits" was very unfortunate. It contained many inaccuracies, misstatements and innuendoes about the purposes of H.R. 8282. In fact, I sent out Senator EUGENE J. MCCARTHY's response to this article so that my constituents would not be misled by mere emotionalism.

This bill is now supported by management and labor and, since this draft is so carefully conceived, I am hopeful that it will have the unanimous support it deserves.

I was glad, Mr. Chairman, that the committee rejected the idea of tampering with the experience rating system. The Ohio system I thought for the most part was eminently fair and effective. Many of my constituents felt that the provisions of H.R. 8282 seemed to be placing a premium on laziness. I agreed with them and sent the chairman of the committee some thoughtful countersuggestions in this regard.

I was happy when the committee cut back the pace and scope of the extension of the taxable wage base. The new bill calls for an increase in the base of only 40 percent over the next 6 years instead of 120 percent as had been proposed by the administration.

In addition, this bill first, extends coverage to 3.5 million additional employees; second, provides a highly modified version of the Federal program of extended benefits for a long-term unemployed person during periods where unemployment is up nationally or in the State; third, deletes the minimum Federal standards with respect to amount, duration, and eligibility of benefits; fourth, deletes the section providing Federal grants to assist States with unusually high benefit costs; fifth, added judicial review permitting States to appeal decision of Labor Secretary with respect to State programs which is always preferable to Executive administrative orders and fairer to both the State and Federal Governments; and sixth, increases the Federal unemployment tax from the present 3.1 to 3.3 percent effective for wages paid in 1967 and thereafter.

In fact, this bill fits my concept of the way private enterprise in a capitalistic system should work. A great improvement has been made in what has proved to be an important tool in our economy by the cooperation of labor, management, and the government in a project bound to be better for the country's economic health than what was first proposed. I hope certain lobbyists who think only in terms of their own advantage will let this "concensus" which the committee has wrought work in the country's interest and, if it passes the House with a large majority, the Senate will do likewise so the unpopular H.R. 8282 can be buried as excessive legislation that had at least one virtue—it got thousands of people thinking constructively about an important problem, the welfare of the workingman in those times when he is out of a job through no fault of his own.

Thanks again to the committee for a job well done. Once again, I am proud to be a part of the 89th Congress.

Mr. HANSEN of Iowa. Mr. Chairman, I rise to comment on H.R. 15119, the Unemployment Insurance Amendments of 1966.

I feel that these amendments are an excellent example of true compromise and good solid legislative negotiation. In formulating this legislation, the Congress took serious consideration of the reservations expressed by our constituents concerning proposals which were earlier advanced.

These amendments set forth by H.R. 15119 make five major changes in the unemployment compensation program.

First, coverage will be extended to approximately 3½ million workers whose jobs were not previously protected.

Second, a permanent program will be established to extend benefits to workers who exhaust their regular unemployment compensation payments during periods of high unemployment.

Third, the States will be provided with a system of judicial review.

Fourth, the financing of the program will be improved.

Fifth, a few new State requirements will be added and other changes will be made to improve and strengthen the Federal-State unemployment compensation program.

When this legislation was being initially considered, I was concerned about the apparent misunderstanding of some people regarding the relationship of the Federal Government with the unemment compensation program. Far from being an invasion of the rights of the States, unemployment insurance was a Federal concept from the beginning. It was part of the Social Security Act of 1935 and since that time, the Federal Government has collected from employers and distributed it to the States.

These amendments take great strides to improve and strengthen our Federal-State unemployment compensation program.

GENERAL LEAVE

Mr. MILLS. Mr. Chairman, I ask unanimous consent that all Members desiring to do so many extend their remarks at this point in the RECORD on the bill under consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Chairman, I have no further requests for time.

Mr. BYRNES of Wisconsin. Mr. Chairman, I have no futher requests for time.

The CHAIRMAN. Under the rule, the bill will be considered as having been read for amendment.

The bill is as follows:

H.R. 15119

A bill to extend and improve the Federal-State unemployment compensation program

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Unemployment Insurance Amendments of 1966".

TITLE I—IN GENERAL

Part A—Coverage

Definition of Employer

SEC. 101. (a) Subsection (a) of section 3306 of the Internal Revenue Code of 1954 is amended to read as follows:

"(a) EMPLOYER.—For purposes of this chapter, the term 'employer' means, with respect to any calendar year, any person who—

"(1) during any calendar quarter in the calendar year paid wages of $1,500 or more, or

"(2) on each of some 20 days during the calendar year, each day being in a different calendar week, employed at least one individual in employment for some portion of the day."

(b) The amendment made by subsection (a) shall apply with respect to remuneration paid after December 31, 1968.

Definition of Employee

SEC. 102. (a) Subsection (i) of section 3306 of the Internal Revenue Code of 1954 is amended to read as follows:

"(i) EMPLOYEE.—For purposes of this chapter, the term 'employee' has the meaning assigned to such term by section 3121(d), except that subparagraphs (B) and (C) of paragraph (3) shall not apply."

(b) Section 1563(f)(1) of such Code (relating to surtax exemption in case of certain controlled corporations) is amended by striking out "in section 3306(i)" and inserting in lieu thereof "by paragraphs (1) and (2) of section 3121(d)".

(c) The amendment made by subsection (a) shall apply with respect to remuneration paid after December 31, 1968, for services performed after such date.

Definition of Agricultural Labor

SEC. 103. (a) Subsection (k) of section 3306 of the Internal Revenue Code of 1954 is amended to read as follows:

"(k) AGRICULTURAL LABOR.—For purposes of this chapter, the term 'agricultural labor' has the meaning assigned to such term by subsection (g) of section 3121, except that for purposes of this chapter subparagraph (B) of paragraph (4) of such subsection (g) shall be treated as reading:

" '(B) in the employ of a group of operators of farms (or a cooperative organization of which such operators are members) in the performance of service described in subparagraph (A), but only if such operators produced more than one-half of the commodity with respect to which such service is performed;' ".

(b) The amendment made by subsection (a) shall apply with respect to remuneration paid after December 31, 1968, for services performed after such date.

State Law Coverage of Certain Employees of Nonprofit Organizations and of State Hospitals and Institutions of Higher Education

SEC. 104. (a) Section 3304(a) of the Internal Revenue Code of 1954 is amended by redesignating paragraph (6) as paragraph (12) and by inserting after paragraph (5) the following new paragraph:

"(6)(A) compensation is payable on the basis of service to which section 3310(a)(1) applies, in the same amount, on the same terms, and subject to the same conditions as compensation payable on the basis of other service subject to such law, and

"(B) payments (in lieu of contributions) with respect to service to which section 3310(a)(1)(A) applies may be made into the State unemployment fund on the basis set forth in section 3310(a)(2);"

(b)(1) Chapter 23 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new section:

"SEC. 3310. STATE LAW COVERAGE OF CERTAIN SERVICE PERFORMED FOR NONPROFIT ORGANIZATIONS AND FOR STATE HOSPITALS AND INSTITUTIONS OF HIGHER EDUCATION.

"(a) STATE LAW REQUIREMENTS.—For purposes of section 3304(a)(6)—

"(1) except as otherwise provided in subsections (b) and (c), the service to which this paragraph applies is—

"(A) service excluded from the term 'employment' solely by reason of paragraph (8) of section 3306(c), and

"(B) service performed in the employ of a State, or any instrumentality of one or more States, for a hospital or institution of higher education, if such service is excluded from the term 'employment' solely by reason of paragraph (7) of section 3306(c); and

"(2) the State law shall provide that an organization (or group of organizations) which, but for the requirements of this paragraph, would be liable for contributions with respect to service to which paragraph (1)(A) applies may elect, for such minimum period and at such time as may be provided by State law, to pay (in lieu of such contributions) into the State unemployment fund amounts equal to the amounts of compensation attributable under the State law to such service. The State law may provide safeguards to ensure that organizations so electing will make the payments required under such elections.

"(b) SECTION NOT TO APPLY TO CERTAIN SERVICE.—This section shall not apply to service performed—

"(1) in the employ of (A) a church or convention or association of churches, or (B) an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches;

"(2) by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order;

"(3) in the employ of an educational institution which is not an institution of higher education;

"(4) in the case of an institution of higher education, by an individual employed in an instructional, research, or principal administrative capacity;

"(5) in the case of a hospital (or in the case of a medical research organization directly engaged in the continuous active conduct of medical research in conjunction with a hospital), by an individual as a physician, dentist, osteopath, chiropractor, naturopath, or Christian Science practitioner, or by an individual employed in an instructional or research capacity;

"(6) in a facility conducted for the purpose of carrying out a program of—

"(A) rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, or

"(B) providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market,

by an individual receiving such rehabilitation or remunerative work; and

"(7) as part of an unemployment work-relief or work-training program assisted or financed in whole or in part by any Federal agency or an agency of a State or political subdivision thereof, by an individual receiving such work relief or work training.

"(c) NONPROFITS MUST BE EMPLOYERS OF 4 OR MORE.—This section shall not apply to service performed during any calendar year in the employ of any organization unless on each of some 20 days during such calendar year, each day being in a different calendar week, the total number of individuals who were employed by such organization in employment (determined without regard to section 3306 (c)(8) and by excluding service to which this section does not apply by reason of subsection (b)) for some portion of the day (whether or not at the same moment of time) was 4 or more."

(2) The table of sections for such chapter 23 is amended by inserting at the end thereof the following:

"Sec. 3310. State law coverage of certain service performed for nonprofit organizations and for State hospitals and institutions of higher education."

(c) Section 3303 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"(e) PAYMENTS BY CERTAIN NONPROFIT ORGANIZATIONS.—A State may, without being deemed to violate the standards set forth in subsection (a), permit an organization (or group of organizations) described in section 501(c)(3) which is exempt from income tax under section 501(a) to elect (in lieu of paying contributions) to pay into the State unemployment fund amounts equal to the amounts of compensation attributable under the State law to service performed in the employ of such organization (or group)."

(d) The amendments made by subsections (a) and (b) shall apply with respect to certifications of State laws for 1969 and subsequent years, but only with respect to service performed after December 31, 1968. The amendment made by subsection (c) shall take effect January 1, 1967.

Students Engaged in Work-Study Programs

SEC. 105. (a) Paragraph (10) of section 3306(c) of the Internal Revenue Code of 1954 is amended by striking out the semicolon at the end of subparagraph (B) and inserting in lieu thereof ", or" and by adding at the end thereof the following new subparagraph:

"(C) service performed by an individual who is enrolled at an educational institution within the meaning of section 151(e)(4)) as a student in a full-time program, taken for credit at such institution, which combines academic instruction with work experience, if such institution has certified to the employer that such service is an integral part of such program;".

(b) The amendment made by subsection (a) shall apply with respect to remuneration paid after December 31, 1966.

Part B—Provisions of State laws

Provisions Required To Be Included in State Laws

SEC. 121. (a) Section 3304(a) of the Internal Revenue Code of 1954 is amended by inserting after paragraph (6) (added by section 104(a) of this Act) the following new paragraphs:

"(7) an individual who has received compensation during his benefit year is required to have had work since the beginning of such year in order to qualify for compensation in his next benefit year;

"(8) compensation shall not be denied to any individual by reason of cancellation of wage credits or total reduction of his benefit rights for any cause other than discharge for misconduct connected with his work, fraud in connection with a claim for compensation, or receipt of disqualifying income;

"(9) compensation shall not be denied to an individual for any week because he is in training with the approval of the State agency (or because of the application, to any such week in training, of State law provisions relating to availability for work, active search for work, or refusal to accept work);

"(10) compensation shall not be denied or reduced to an individual solely because he files a claim in another State or because he resides in another State at the time he files a claim for unemployment compensation;".

(b) The amendment made by subsection (a) shall take effect January 1, 1969, and shall apply to the taxable year 1969 and taxable years thereafter.

Additional Credit Based on Reduced Rate for New Employers

SEC. 122. (a) Subsection (a) of section 3303 of the Internal Revenue Code of 1954 is amended by striking out "on a 3-year basis," in the sentence following paragraph (3) and inserting in lieu thereof "on a 3-year basis (i)", and by striking out the period at the end of such sentence and inserting in lieu thereof ", or (ii) a reduced rate (not less than 1 percent) may be permitted by the State law on a basis other than as permitted by paragraphs (1), (2), and (3)."

(b) The amendments made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1966.

Credits Allowable to Certain Employers

SEC. 123. Section 3305 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"(j) DENIAL OF CREDITS IN CERTAIN CASES.—Any person required, pursuant to a permission granted by this section, to make contributions to an unemployment fund under a State unemployment compensation law approved by the Secretary of Labor under section 3304 shall not be entitled to the credits permitted, with respect to the unemployment compensation law of a State, by subsections (a) and (b) of section 3302 against the tax imposed by section 3301 for any taxable year after December 31, 1967, if, on October 31 of such taxable year, the Secretary of Labor certifies to the Secretary his finding, after reasonable notice and opportunity for hearing to the State agency, that the unemployment compensation law of such State is inconsistent with any one or more of the conditions on the basis of which such permission is granted or that, in the application of the State law with respect to the 12-month period ending on such October 31, there has been a substantial failure to comply with any one or more of such conditions. For purposes of section 3311, a finding of the Secretary of Labor under this subsection shall be treated as a finding under section 3304(c)."

Part C—Judicial review

Judicial Review

SEC. 131. (a) Title III of the Social Security Act is amended by adding at the end thereof the following new section:

"JUDICIAL REVIEW

"SEC. 304. (a) Whenever the Secretary of Labor—

"(1) finds that a State law does not include provisions meeting the requirements of section 303(a), or

"(2) makes a finding with respect to a State under subsection (b) or (c) of section 303,

such State may, within 60 days after the Governor of the State has been notified of such action, file with the United States court of appeals for the circuit in which such State is located or with the United States Court of Appeals for the District of Columbia a petition for review of such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary of Labor. The Secretary of Labor thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

"(b) The findings of fact by the Secretary of Labor, unless contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary of Labor to take further evidence, and the Secretary of Labor may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive unless contrary to the weight of the evidence.

"(c) The court shall have jurisdiction to affirm the action of the Secretary of Labor or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(d)(1) The Secretary of Labor shall not withhold any certification for payment to any State under section 302 until the expiration of 60 days after the Governor of the State has been notified of the action referred to in paragraph (1) or (2) of subsection (a) or until the State has filed a petition for review of such action, whichever is earlier.

"(2) The commencement of judicial proceedings under this section shall not stay the Secretary's action, but the court may grant interim relief if warranted, including stay of the Secretary's action and including such relief as may be necessary to preserve status or rights.

"(e) Any judicial proceedings under this section shall be entitled to, and, upon request of the Secretary or the State, shall receive a preference and shall be heard and determined as expeditiously as possible."

(b)(1) Chapter 23 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new section:

"Sec. 3311. Judicial Review.

"(a) In General.—Whenever under section 3303(b) or section 3304(c) the Secretary of Labor makes a finding pursuant to which he is required to withhold a certification under such section, such State may, within 60 days after the Governor of the State has been notified of such action, file with the United States court of appeals for the circuit in which such State is located or with the United States Court of Appeals for the District of Columbia a petition for review of such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary of Labor. The Secretary of Labor thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

"(b) Findings of Fact.—The findings of fact by the Secretary of Labor, unless contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary of Labor to take further evidence, and the Secretary of Labor may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive unless contrary to the weight of the evidence.

"(c) Jurisdiction of Court; Review.—The court shall have jurisdiction to affirm the action of the Secretary of Labor or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(d) Stay of Secretary of Labor's Action.—

"(1) The Secretary of Labor shall not withhold any certification under section 3303(b) or section 3304(c) until the expiration of 60 days after the Governor of the State has been notified of the action referred to in subsection (a) or until the State has filed a petition for review of such action, whichever is earlier.

"(2) The commencement of judicial proceedings under this section shall not stay the Secretary's action, but the court may grant interim relief if warranted, including stay of the Secretary's action and including such relief as may be necessary to preserve status or rights.

"(e) Preference.—Any judicial proceedings under this section shall be entitled to, and, upon request of the Secretary or the State, shall receive a preference and shall be heard and determined as expeditiously as possible."

(2) Subsection (c) of section 3304 of the Internal Revenue Code of 1954 is amended to read as follows:

"(c) Certification.—On October 31 of each taxable year the Secretary of Labor shall certify to the Secretary each State whose law he has previously approved, except that he shall not certify any State which, after reasonable notice and opportunity for hearing to the State agency, the Secretary of Labor finds has amended its law so that it no longer contains the provisions specified in subsection (a) or has with respect to the 12-month period ending on such October 31 failed to comply substantially with any such provision. No finding of a failure to comply substantially with the provision in State law specified in paragraph (5) of subsection (a) shall be based on an application or interpretation of State law with respect to which further administrative or judicial review is provided for under the laws of the State. On October 31 of 1969 or of any taxable year thereafter, the Secretary shall not certify any State which, after reasonable notice and opportunity for hearing to the State agency, the Secretary of Labor finds has failed to amend its law so that it contains the provisions specified in subsection (a) added by the Unemployment Insurance Amendments of 1966, or has with respect to the 12-month period (10-month period in the case of October 31, 1969) ending on such October 31 failed to comply substantially with any such provision."

(3) The table of sections for such chapter 23 is amended by adding at the end thereof the following:

"Sec. 3311. Judicial review."

(c) The amendments made by this section shall take effect on the date of the enactment of this Act. In applying section 3304(c) of the Internal Revenue Code of 1954 (as amended by subsection (b)) with respect to the taxable year 1966, certifications shall be made on December 31, 1966, in lieu of October 31, 1966.

Part D—Administration

Amounts Available for Administrative Expenditures

Sec. 141. (a) Section 901(c)(3) of the Social Security Act is amended—

(1) by striking out "the net receipts" each place it appears in the first sentence and inserting in lieu thereof "five-sixths of the net receipts"; and

(2) by striking "0.4 percent" in the second sentence and inserting in lieu thereof "0.6 percent".

(b) The amendments made by subsection (a) shall apply to fiscal years beginning after June 30, 1967.

Unemployment Compensation Research Program and Training Grants for Unemployment Compensation Personnel

Sec. 142. Title IX of the Social Security Act is amended by adding at the end thereof the following new sections:

"UNEMPLOYMENT COMPENSATION RESEARCH PROGRAM

"Sec. 906. (a) The Secretary of Labor shall—

"(1) establish a continuing and comprehensive program of research to evaluate the unemployment compensation system. Such research shall include, but not be limited to, a program of factual studies covering the role of unemployment compensation under varying patterns of unemployment, the relationship between the unemployment compensation and other social insurance programs, the effect of State eligibility and disqualification provisions, the personal characteristics, family situations, employment background and experience of claimants, with the results of such studies to be made public; and

"(2) establish a program of research to develop information (which shall be made public) as to the effect and impact of extending coverage to excluded groups.

"Authorization of appropriations

"(b) To assist in the establishment and provide for the continuation of the comprehensive research program relating to the unemployment compensation system, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1967, and for each year thereafter such sums as may be necessary to carry out the purposes of this section. From the sums authorized to be appropriated by this subsection the Secretary may provide for the conduct of such research through grants or contracts.

"Training grants for unemployment compensation personnel

"Sec. 907. (a) In order to assist in increasing the effectiveness and efficiency of administration of the unemployment compensation program by increasing the number of adequately trained personnel, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of $1,000,000, and for each fiscal year thereafter such sums as may be necessary for training such personnel.

"(b)(1) From the sums authorized to be appropriated by subsection (a) the Secretary shall provide (A) directly and through State agencies or through grants to or contracts with public or nonprofit private institutions of higher learning, for training personnel who are employed or preparing for employment in the administration of the unemployment compensation program, including claims determinations and adjudication, and (B) directly or through grants to or contracts with public or nonprofit private agencies or institutions, for special courses of study or seminars of short duration (not in excess of one year) for training of such personnel, and (C) directly or through grants to or contracts with public or nonprofit private institutions of higher learning, for establishing and maintaining fellowships or traineeships for such personnel at such institutions, with such stipends and allowances as may be permitted by the Secretary.

"(2) The Secretary may, to the extent he finds such action to be necessary, prescribe requirements to assure that any individual will repay the amounts of his fellowship or traineeship received under this subsection to the extent such individual fails to serve, for the period prescribed by the Secretary, with a State agency or with the Federal Government, in connection with administration of any State employment security program. The Secretary may relieve any individual of his obligation to so repay, in whole or in part, whenever and to the extent that requirement of such repayment would, in his judgment, be inequitable or would be contrary to the purposes of any of the programs established by this section."

Use of Certain Amounts for Payment of Expenses of Administration

Sec. 143. Section 903(c)(2) of the Social Security Act (42 U.S.C., sec. 1103(c)(2)) is amended—

(1) by striking out "nine preceding fiscal years." in subparagraph (D) of the first sentence and inserting in lieu thereof "fourteen preceding fiscal years.";

(2) by striking out "such ten fiscal years" in subparagraph (D) of the first sentence and inserting in lieu thereof "such fifteen fiscal years"; and

(3) by striking out "ninth preceding fiscal year" in the second sentence and inserting in lieu thereof "fourteenth preceding fiscal year".

Change in Certification Date

SEC. 144. (a) Section 3302(a)(1) of the Internal Revenue Code of 1954 is amended by—

(1) striking out "for the taxable year" after "certified"; and

(2) inserting before the period at the end thereof the following: "for the 12-month period ending on October 31 of such year".

(b) Section 3302(b) of such Code is amended by—

(1) striking out "for the taxable year" after "certified";

(2) inserting after "section 3303" the following: "for the 12-month period ending on October 31 of such year"; and

(3) striking out "the taxable year" the last place it appears and inserting in lieu thereof "such 12-month period".

(c) Section 3303(b)(1) of such Code is amended to read as follows:

"(1) On October 31 of each calendar year, the Secretary of Labor shall certify to the Secretary the law of each State (certified by the Secretary of Labor as provided in section 3304 for the 12-month period on such October 31) with respect to which he finds that reduced rates of contributions were allowable with respect to such 12-month period only in accordance with the provisions of subsection (a)."

(d) Section 3303(b)(2) of such Code is amended by—

(1) striking out "taxable year" where it first appears and inserting in lieu thereof "12-month period ending on October 31";

(2) striking out "on December 31 of such taxable year" following the words "the Secretary of Labor shall" and inserting in lieu thereof "on such October 31"; and

(3) striking out "taxable year" after "contributions were allowable with respect to such" and inserting in lieu thereof "12-month period".

(e) Section 3303(b)(3) of such Code is amended by—

(1) striking out "taxable year" where it first appears and inserting in lieu thereof "12-month period ending on October 31";

(2) striking out "taxable year" where it next appears and inserting in lieu thereof "12-month period".

(f) Section 3304(d) of such Code is amended by striking out "If, at any time during the taxable year," and inserting in lieu thereof "If at any time".

(g) Section 3304 of such Code is amended by adding at the end thereof the following new subsection:

"(e) CHANGE OF LAW DURING 12-MONTH PERIOD.—Whenever—

"(1) any provision of this section, section 3302, or section 3303 refers to a 12-month period ending on October 31 of a year, and

"(2) the law applicable to one portion of such period differs from the law applicable to another portion of such period,

then such provision shall be applied by taking into account for each such portion the law applicable to such portion."

(h) The amendments made by this section shall apply with respect to the taxable year 1967 and taxable years thereafter.

TITLE II—FEDERAL-STATE EXTENDED UNEMPLOYMENT COMPENSATION PROGRAM

Short title

SEC. 201. This title may be cited as the "Federal-State Extended Unemployment Compensation Act of 1966".

Payment of extended compensation

State Law Requirements

SEC. 202. (a)(1) For purposes of section 3304(a)(11) of the Internal Revenue Code of 1954, a State law shall provide that payment of extended compensation shall be made, for any week of unemployment which begins in the individual's eligibility period, to individuals who have exhausted all rights to regular compensation under the State law and who have no rights to regular compensation, with respect to such week under such law or any other State unemployment compensation law or to compensation under any other Federal law. For purposes of the preceding sentence, an individual shall have exhausted his rights to regular compensation under a State law (A) when no payments of regular compensation can be made under such law because such individual has received all regular compensation available to him based on wage credits for his base period, or (B) when his rights to such compensation have terminated by reason of the expiration of the benefit year with respect to which such rights existed.

(2) Except where inconsistent with the provisions of this title, the terms and conditions of the State law which apply to claims for regular compensation and to the payment thereof shall apply to claims for extended compensation and to the payment thereof.

State May Impose Special Eligibility Requirement

(b) Notwithstanding subsection (a)(2), the State law may provide that to be eligible for extended compensation an individual must have had a number of weeks (specified in such law, but not to exceed twenty-six weeks) of covered employment in his base period (or a specified wage or work history which is the substantial equivalent).

Individuals' Compensation Accounts

(d)(1) The State law shall provide that the State will establish, for each eligible individual who files an application therefor, an extended compensation account with respect to such individuals' benefit year. The amount established in such account shall be not less than whichever of the following is the least:

(A) 50 per centum of the total amount of regular compensation (including dependents' allowances) payable to him during such benefit year under such law,

(B) thirteen times his average weekly benefit amount, or

(C) thirty-nine times his average weekly benefit amount, reduced by the regular compensation paid (or deemed paid) to him during such benefit year under such law;

except that the amount so determined shall (if the State law so provides) be reduced by the aggregate amount of additional compensation paid (or deemed paid) to him under such law for prior weeks of unemployment in such benefit year which did not begin in an extended benefit period.

(2) For purposes of paragraph (1), an individual's weekly benefit amount for a week is the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for such week for total unemployment.

Extended benefit period

Beginning and Ending

SEC. 203. (a) For purposes of this title, in the case of any State, an extended benefit period—

(1) shall begin with the third week after whichever of the following weeks first occurs:

(A) a week for which there is a national "on" indicator, or

(B) a week for which there is a State "on" indicator; and

(2) shall end with the third week after the first week for which there is both a national "off" indicator and a State "off" indicator.

Special Rules

(b) (1) In the case of any State—

(A) no extended benefit period shall last for a period of less than thirteen consecutive weeks, and

(B) no extended benefit period may begin by reason of a State "on" indicator before the fourteenth week after the close of a prior extended benefit period with respect to such State.

(2) When a determination has been made that an extended benefit period is beginning or ending with respect to a State (or all the States), the Secretary shall cause notice of such determination to be published in the Federal Register.

Eligibility Period

(c) For purposes of this title, an individual's eligibility period under the State law shall consist of the weeks in his benefit year which begin in an extended benefit period and, if his benefit year ends within such extended benefit period, the next thirteen or fewer weeks which begin in such extended benefit period.

National "On" and "Off" Indicators

(d) For purposes of this section—

(1) There is a national "on" indicator for a week if—

(A) for each of the three most recent calendar months ending before such week, the rate of insured unemployment (seasonally adjusted) for all States equaled or exceeded 5 per centum (determined by reference to the average monthly covered employment for the first four of the most recent six calendar quarters ending before the month in question), and

(B) the total number of claimants exhausting their rights to regular compensation under all State laws during the period consisting of such three months equaled or exceeded 1 per centum of average monthly covered employment under all State laws for the first four of the most recent six calendar quarters ending before the beginning of such period. (2). There is a national "off" indicator for a week if either—

(A) for the most recent calendar month ending before such week, the rate of insured unemployment (seasonally adjusted) for all States was less than 5 per centum (determined by reference to the average monthly covered employment for the first four of the most recent six calendar quarters ending before such month), or

(B) paragraph (1) (B) was not satisfied with respect to such week.

State "On" and "Off" Indicators

(e) For purposes of this section—

(1) There is a State "on" indicator for a week if the rate of insured unemployment under the State law for the period consisting of such week and the immediately preceding twelve weeks—

(A) equaled or exceeded 120 per centum of the average of such rates for the corresponding thirteen-week period ending in each of the preceding two calendar years, and

(B) equaled or exceeded 3 per centum.

(2) There is a State "off" indicator for a week if, for the period consisting of such week and the immediately preceding twelve weeks, either subparagraph (A) or subparagraph (B) of paragraph (1) was not satisfied.

For purposes of this subsection, the rate of insured unemployment for any 13-week period shall be determined by reference to the average monthly covered employment under the State law for the first four of the most recent six calendar quarters ending before the close of such period.

Rate of Insured Unemployment; Covered Employment

(f)(1) For purposes of subsections (d) and (e), the term "rate of insured unemployment" means the percentage arrived at by dividing—

(A) the average weekly number of individuals filing claims for weeks of unemployment with respect to the specified period, as determined on the basis of the reports made by all State agencies (or, in the case of subsection (e), by the State agency) to the Secretary, by

(B) the average monthly covered employment for the specified period.

(2) Determinations under subsection (d) shall be made by the Secretary in accordance with regulations prescribed by him.

(3) Determinations under subsection (e) shall be made by the State agency in accordance with regulations prescribed by the Secretary.

Payments to States

Amount Payable

SEC. 204. (a) (1) There shall be paid to each State an amount equal to one-half of the sum of—

(A) the sharable extended compensation, and

(B) the sharable regular compensation, paid to individuals under the State law.

(2) No payment shall be made to any State under this subsection in respect of compensation for which the State is entitled to reimbursement under the provisions of any Federal law other than this Act.

Sharable Extended Compensation

(b) For purposes of subsection (a) (1) (A), extended compensation paid to an individual for weeks of unemployment in such individual's eligibility period is sharable extended compensation to the extent that the aggregate extended compensation paid to such individual with respect to any benefit year does not exceed the smallest of the amounts referred to in subparagraphs (A), (B), and (C) of section 202(d) (1).

Sharable Regular Compensation

(c) For purposes of subsection (a) (1) (B), regular compensation paid to an individual for a week of unemployment is sharable regular compensation—

(1) if such week is in such individual's eligibility period (determined under section 203(c)), and

(2) to the extent that the sum of such compensation, plus the regular compensation paid (or deemed paid) to him with respect to prior weeks of unemployment in the benefit year, exceeds twenty-six times (and does not exceed thirty-nine times) the average weekly benefit amount (including allowances for dependents) for weeks of total unemployment payable to such individual under the State law in such benefit year.

Payment on Calendar Month Basis

(d) There shall be paid to each State either in advance or by way of reimbursement, as may be determined by the Secretary, such sum as the Secretary estimates the State will be entitled to receive under this title for each calendar month, reduced or increased, as the case may be, by any sum by which the Secretary finds that his estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made upon the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency.

Certification

(e) The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this section. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payment to the State in accordance with such certification, by transfers from the extended unemployment compensation account to the account of such State in the unemployment trust fund.

Definitions

SEC. 205. For purposes of this title—

(1) The term "compensation" means cash benefits payable to individuals with respect to their unemployment.

(2) The term "regular compensation" means compensation payable to an individual under any State unemployment compensation law (including compensation payable pursuant to title XV of the Social Security Act), other than extended compensation and additional compensation.

(3) The term "extended compensation" means compensation (including additional compensation and compensation payable pursuant to title XV of the Social Security Act) payable for weeks of unemployment beginning in an extended benefit period to an individual under those provisions of the State law which satisfy the requirements of this title with respect to the payment of extended compensation.

(4) The term "additional compensation" means compensation payable to exhaustees by reason of conditions of high unemployment or by reason of other special factors.

(5) The term "benefit year" means the benefit year as defined in the applicable State law.

(6) The term "base period" means the base period as determined under applicable State law for the benefit year.

(7) The term "Secretary" means the Secretary of Labor of the United States.

(8) The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

(9) The term "State agency" means the agency of the State which administers its State law.

(10) The term "State law" means the unemployment compensation law of the State, approved by the Secretary under section 3304 of the Internal Revenue Code of 1954.

(11) The term "week" means a week as defined in the applicable State law.

Extended unemployment compensation account

SEC. 206. (a) Title IX of the Social Security Act is amended by striking out section 905 and inserting in lieu thereof the following new section:

"EXTENDED UNEMPLOYMENT COMPENSATION ACCOUNT

"Establishment of account

"SEC. 905. (a) There is hereby established in the Unemployment Trust Fund an extended unemployment compensation account for the purposes provided for in section 904(e), such account shall be maintained as a separate book account.

"Transfers to Account

"(b)(1) The Secretary of the Treasury shall transfer (as of the close of January 1968, and each month thereafter), from the employment security administration account to the extended unemployment compensation account established by subsection (a), an amount determined by him to be equal to 16⅔ per centum of the amount by which—

"(A) transfers to the employment security administration account pursuant to section 901(b)(2) during such month, exceed

"(B) payments during such month from the employment security administration account pursuant to section 901(b)(3) and (d). If for any such month the payments referred to in subparagraph (B) exceed the transfers referred to in subparagraph (A), proper adjustments shall be made in the amounts subsequently transferred.

"(2) Whenever the Secretary of the Treasury determines pursuant to section 901(f) that there is an excess in the employment security administration account as of the close of any fiscal year beginning after June 30, 1967, there shall be transferred (as of the beginning of the succeeding fiscal year) to the extended unemployment compensation account the total amount of such excess or so much thereof as is required to increase the amount in the extended unemployment compensation account to whichever of the following is the greater:

"(A) $500,000,000, or

"(B) the amount (determined by the Secretary of Labor and certified by him to the Secretary of the Treasury) equal to two-tenths of 1 per centum of the total wages subject (determined without any limitation on amount) to contributions under all State unemployment compensation laws for the calendar year ending during the fiscal year for which the excess is determined.

Transfers to State Accounts

"(c) Amounts in the extended unemployment compensation fund shall be available for transfer to the accounts of the States in the unemployment trust fund as provided by section 204(e) of the Federal-State Extended Unemployment Compensation Act of 1966.

"Transfers to Federal Unemployment Account

"(d) If the balance in the extended unemployment compensation account as of the close of any fiscal year exceeds the greater of the amounts referred to in subparagraphs (A) and (B) of subsection (b)(2), the Secretary of the Treasury shall transfer (as of the close of such fiscal year) from such account to the Federal unemployment account an amount equal to such excess. In applying section 902(b), any amount transferred pursuant to this subsection as of the close of any fiscal year shall be treated as an amount in the Federal unemployment account as of the close of such fiscal year.

"Advances to Extended Unemployment Compensation Account

"(e) There are hereby authorized to be appropriated to the extended unemployment compensation account, as repayable advances (without interest), such sums as may be necessary to provide for the transfers referred to in subsection (c)."

(b)(1) Section 901(f)(3) of the Social Security Act is amended by striking out "to the Federal unemployment account" and inserting in lieu thereof "to the extended unemployment compensation account, to the Federal unemployment account, or both,".

(2) Section 902(a) of such Act is amended by striking out "the total amount of such excess" and inserting in lieu thereof "the portion of such excess remaining after the application of section 905(b)(2)".

(3) The second sentence of section 1203 of such Act is amended to read as follows: "Whenever, after the application of section 901(f)(3) with respect to the excess in the employment security administration account as of the close of any fiscal year, there remains any portion of such excess, so much of such remainder as does not exceed the balances of advances made pursuant to section 905(e) or this section shall be transferred to the general fund of the Treasury and shall be credited against, and shall

operate to reduce, first the balance of advances under section 905(e) and then the balance of advances under this section."

Approval of State laws

SEC. 207. Section 3304(a) of the Internal Revenue Code of 1954 is amended by inserting after paragraph (10) (added by section 121(a) of this Act) the following new paragraph:

"(11) extended compensation shall be payable as provided by the Federal-State Extended Unemployment Compensation Act of 1966; and".

Effective dates

SEC. 208. (a) In applying section 203, no extended benefit period may begin with a week beginning before January 1, 1969.

(b) Section 204 shall apply with respect to weeks of unemployment beginning after December 31, 1968.

(c) The amendment made by section 207 shall apply to the taxable year 1969 and taxable years thereafter.

TITLE III—FINANCING

Increase in tax rate

SEC. 301. (a) Section 3301 of the Internal Revenue Code of 1954 (relating to rate of tax under Federal Unemployment Tax Act) is amended—

(1) by striking out "1961" and inserting in lieu thereof "1967",

(2) by striking out "3.1 percent" in the first sentence and inserting in lieu thereof "3.3 percent", and

(3) by striking out the last two sentences.

(b) The amendments made by subsection (a) shall apply with respect to the calendar year 1967 and calendar years thereafter.

Increase in wage base

SEC. 302. (a) Effective with respect to remuneration paid after December 31, 1968, section 3306(b)(1) of the Internal Revenue Code of 1954 is amended by striking out "$3,000" each place it appears and inserting in lieu thereof "$3,900".

(b) Effective with respect to remuneration paid after December 31, 1971, section 3306(b)(1) of such Code (as amended by subsection (a)) is amended by striking out "$3,900" each place it appears and inserting in lieu thereof "$4,200".

The CHAIRMAN. Under the rule, no amendments are in order except amendments offered by direction of the Committee on Ways and Means. Are there any committee amendments?

Mr. MILLS. Mr. Chairman, there are no committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having assumed the chair, Mr. ZABLOCKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration of the bill (H.R. 15119) to extend and improve the Federal-State unemployment compensation program, pursuant to House Resolution 893, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CURTIS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CURTIS. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CURTIS moves to recommit the bill H.R. 15119 to the Committee on Ways and Means.

Mr. MILLS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. MILLS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 375, nays 10, not voting 47, as follows:

[Roll No. 150]

YEAS—375

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Bandstra
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Bray
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Cameron
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Cohelan
Collier
Colmer
Conable
Conte
Cooley
Corbett
Craley
Cramer
Culver
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Fallon
Farnum
Fascell
Feighan
Findley
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilligan
Gonzalez
Goodell
Grabowski
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Gross
Grover
Gubser
Gurney
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harvey, Mich.
Hathaway
Hawkins
Hays
Hébert
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Kupferman
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Meeds
Michel
Miller
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Price
Pucinski
Purcell
Quillen
Race
Randall
Redlin
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Senner
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Tenzer
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Tuck
Tunney
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vigorito
Vivian
Waggonner
Waldie
Walker, N. Mex.
Watkins
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Widnall
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—10

Ashmore
Curtis
McMillan
Passman
Pool
Rogers, Tex.
Teague, Tex.
Walker, Miss.
Watson
Whitten

NOT VOTING—47

Andrews, Glenn
Andrews, N. Dak.
Brock
Brown, Clarence J., Jr.
Buchanan
Conyers
Corman
Diggs
Ellsworth
Evins, Tenn.
Farbstein
Farnsley
Flynt
Fogarty
Gilbert
Gray
Hagan, Ga.
Hanna
Harsha
Harvey, Ind.
Huot
Jones, N.C.
Kee
Kelly
Long, La.
Martin, Mass.
Morrison
Morton
Multer
Murray
Nix
Powell
Quie
Reinecke
Resnick
Rooney, N.Y.
Scott
Selden
Shipley
Smith, N.Y.
Toll
Trimble
Vanik
Williams
Willis
Wilson, Bob
Younger

So the bill was passed.

The Clerk announced the following pairs:

Mr. Long of Louisiana with Mr. Brock.

Mr. Shipley with Mr. Younger.

Mr. Conyers with Mr. Ellsworth.

Mr. Vanik with Mr. Clarence J. Brown, Jr.

Mr. Williams with Mr. Buchanan.

Mr. Gilbert with Mr. Smith of New York.

Mr. Resnick with Mr. Glenn Andrews.

Mr. Scott with Mr. Quie.

Mr. Corman with Mr. Bob Wilson.

Mr. Multer with Mr. Harsha.

Mr. Evins of Tennessee with Mr. Andrews of North Dakota.

Mr. Morrison with Mr. Martin of Massachusetts.

Mr. Hanna with Mr. Reinecke.

Mr. Farnsley with Mr. Morton.

Mr. Trimble with Mr. Harvey of Indiana.

Mr. Diggs with Mr. Huot.

Mr. Willis with Mr. Rooney.

Mr. Toll with Mr. Powell.

Mr. Selden with Mr. Murray.

Mr. Gray with Mr. Nix.

Mr. Jonas of North Carolina with Mr. Flynt.

Mr. Fogarty with Mr. Farbstein.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that those of us speaking in general debate today on the bill just passed may be permitted to revise and extend their own remarks and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all those Members desiring to do so at that point in the RECORD where I propounded the unanimous-consent request in the Committee of the Whole be permitted to have 5 legislative days in which to extend their remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

ROLE OF HELICOPTER SERVICE IN AIR TRANSPORTATION

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, last month I spoke briefly on the very important role that helicopter service could play in air transportation in this country by relieving the traffic congestion that inevitably develops at airports in major metropolitan centers.

At that time, I suggested that the time had come to give realistic support to establishing some type of helicopter operation in these areas, and I urged a study of this problem be undertaken.

Ground traffic in the Baltimore-Washington area is definitely a clear-cut case of congestion.

Perhaps, then, the most ideal place to start some type of direct lift aircraft program would be right here in the Nation's Capital.

Almost every day, I have read or heard reports that stressed the overcrowded conditions at Washington's National Airport, while at the same time there has been a slowing down of traffic, by comparison, at Dulles and Friendship airports.

If an adequate helicopter transportation system was available at these three airports and in downtown locations of Baltimore and Washington there would be an untold amount of time saved by users of commercial air transportation as well as relieving the critically crowded and congested conditions.

I am pleased to report that one of our colleagues, the gentleman from Maryland, the Honorable SAMUEL FRIEDEL, has recommended to Mr. Charles Murphy, Chairman of the Civil Aeronautics Board, that a comprehensive study be initiated with regard to establishing helicopter service in the Baltimore-Washington area.

I endorse this move as a giant step forward in the direction of reducing traffic congestion as well as providing a much needed service to air travelers and I urge that this study be authorized at the earliest possible date.

As a further recommendation, I urge that a demonstration or trial flight from a central downtown location, the Ellipse for example, to the various Washington area airports to point up the many benefits in cost and time saved that would be derived from such an operation.

If such a trial helicopter operation were established, I am sure that the Commerce Committee, if it could be so provided, would invite any Member to test these facilities on a personal basis.

CHICAGO HONORS SAMUEL A. GOLDSMITH

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, tonight Chicago is honoring Samuel A. Goldsmith upon his retirement as executive vice president of the Jewish Federation of Metropolitan Chicago, the Jewish Welfare Fund of Metropolitan Chicago, and the Combined Jewish Appeal of Metropolitan Chicago.

Mr. Goldsmith has been the executive head of Chicago's Jewish philanthropies for 36 years. He has been recognized as one of the Nation's foremost authorities in the field of community welfare. Tonight's reception and dinner will be held in the Grand Ballroom and State Ballroom of the Palmer House and will be one of the largest gatherings of the season, a testimonial of the high esteem and warm affection in which Mr. Goldsmith is held by his fellow Chicagoans. Speakers will be Mayor Richard J. Daley; Lt. Gov. Samuel H. Shapiro; Ambassador Michael S. Comay; Abram D. Davis, president, the Jewish Federation; Morris Glassner, president, Jewish Welfare Fund; Edward L. Ryerson; and Isidore Sobeloff.

Mr. Speaker, the labors of Samuel Goldsmith for more than half a century have made this a better and a nobler country. He has broadened the horizons of human compassion. I know that I speak for all my colleagues in extending to him the commendation, the congratulations and the good wishes of the House of Representatives of the Congress of the United States.

By unanimous consent I am extending my remarks to include the following tribute by the dinner committee of 187, chaired by Dr. Samuel S. Hollender:

SAMUEL A. GOLDSMITH

All that is creative in man stems from a seed of endless discontent.

Poets, authors, composers, artists; captains of industry and great scientists; entrepreneurs, and those who seek to unravel the nature of matter, or the universe. Many names come to mind of those who have reached out towards the limitless horizons of human achievement because the seed of discontent had been planted in the hearts of men. Men like Sam Goldsmith.

Sam Goldsmith has achieved much in the fifty-two years he has given to this field of social welfare. The man and the field grew up together, the two matured in concert, yet it is clearly true that the man influenced the field more. The field needed his boldness, his vigor, his intellectual depth, for this was a half-century in which society became more and more complicated, organizations developed rapidly to cope with the pressure of human needs. Sam Goldsmith gave direction and meaning to this development. But he gave far more: a sensitivity and commitment to human values which knew no bounds of personal sacrifice of time or energy or substance.

He served brilliantly as the executive head of this community's Jewish philanthropies for the past thirty-six years. His counsel and energies were frequently sought and always readily given to advance the work of numerous local and national private and public health and welfare agencies. Jewish and Christian alike. He brought all the wisdom of his experience and his philosophy to bear on Jewish welfare work particularly, at home and overseas in one of the most desperate eras of our history. These are some of the reasons why "his work has had so marked an impact on a field in which the Jewish community has made perhaps its most brilliant contribution to the American scene."

Sam Goldsmith is called "the highest ranking welfare statesman, the dean, the leading personality in the field of community welfare." He is direct, forthright, indefatigable, widely experienced, an iconoclast yet tolerant, a man whose handiwork has touched the lives of many millions of people, people in every walk of life, every creed.

This is the man whom we shall honor on June twenty-second.

Mr. PUCINSKI. Mr. Speaker, I am happy to join with my colleague, the gentleman from Illinois [Mr. O'HARA], in extending congratulations and good wishes to a great Chicagoan, Samuel A. Goldsmith, who for more than a third of a century has been the executive head of the Jewish philanthropies of Chicago. He has rendered an outstanding service in community welfare and has endeared himself to the people of Chicago.

GENERAL LEAVE

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that any of my colleagues who so desire may have 5 days in which to extend their remarks on this subject.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

JOB ORIENTATION IN NEIGHBORHOODS PRESENTS PETITION

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **RYAN**. Mr. Speaker, yesterday 75 New York City youths who belong to the Alumni Clubs of JOIN—Job Orientation in Neighborhoods—traveled to Washington to present a petition addressed to the President of the United States.

This petition, which contains some 100,000 signatures which were gathered by these young people throughout the city, urges support for the narcotics legislation sponsored by Senators KENNEDY and JAVITS.

I was delighted to meet with these dedicated young people who understand that the narcotics addict needs medical and psychiatric treatment and rehabilitation services. I commend them for their efforts to bring about desired change through legislation. Their plea was an eloquent one—one Congress should heed.

The youths who planned and carried out the petition drive were placed in jobs through the services of JOIN. They have formed the JOIN Alumni Clubs composed of one-time unemployed school dropouts, ages 16 to 21. Their delegation to Washington was led by Henry Lopez of East Harlem, the chairman; Joyce Turner of Jamaica, the vice chairman; and Thomas Feeley of Staten Island, the secretary. They were accompanied by several members of the JOIN staff including, Genia Bonne, director of neighborhood organization, and Aramis Gomez, the director of the Herbert H. Lehman Center in East Harlem. El Diario-La Prensa, which furnished the bus for the trip, was ably represented, as usual, by Luisa Quintero.

Mr. Speaker, the dedication of these young people is an inspiration. I am sure that their efforts in the anti-narcotics project will affect future legislation and bring closer to reality their goals.

I should like to include at this point in the RECORD the moving speech which Henry Lopez, the chairman, made upon presenting the petition to John G. Stewart, assistant to Vice President HUMPHREY, who represented the Vice President at the ceremony. Senators JAVITS and KENNEDY and our colleague, the gentleman from New York [Mr. KUPFERMAN] joined me in participating in this presentation. I also include a copy of the petition:

SPEECH DELIVERED BY HENRY LOPEZ, CHAIRMAN OF JOIN ALUMNI ANTI-NARCOTICS PROJECT ON JUNE 21, 1966, AT WASHINGTON, D.C.

Senator JAVITS, Senator KENNEDY, Congressman RYAN, distinguished guests, fellow JOIN'ers, friends of JOIN Alumni, ladies and gentlemen, I am deeply honored to speak briefly on this occasion and address myself to the work the JOIN Alumni has done to assist in combating what we feel is one of the most serious, complex and crucial problems that beset many of our communities. That problem is drug addiction and its subsequent cancerous effects on its victims.

JOIN (Job Orientation in Neighborhoods) is an agency of the city of New York. It is set up to provide direct counseling, testing, job training, as well as, meaningful job placement to the high school dropout, 16 to 21 years of age, who is out of school, out of work, and, largely, out of hope. The Alumni Club of JOIN is a social and cultural organization that exists at each of our 9 JOIN centers located throughout the city. Our alumni organization is composed of the young men and women who come to JOIN for services. We elect our own officers and decide our own activities. This city-wide anti-narcotics petition campaign was our first city-wide involvement in community action.

Our alumni meetings give us the opportunity to think for ourselves and to delve deeply into those problems that continue to plague our city, our neighborhood, our block, and, yes, at times our very homes. At many alumni meetings in different sections of the city, the narcotics problem was the subject of great inquiry and discussion. These discussions usually followed the showing of a film or a talk on narcotics by a visiting expert. Most of us first heard of the Javits-Kennedy bills on anti-narcotics at these meetings. Needless to say, we liked what we heard about these bills and saw this also as a grand opportunity to do something about this problem through what we feel is the most realistic approach to the narcotics problem yet devised. Realistic because the Javits-Kennedy bills seek to create medical, social, and other rehabilitation services.

Further, and even *more* important, this legislation views the addict as a *sick* person in need of help. It junks the antiquated criminal designation of the addict. And so, the Alumni Clubs, following the lead of our New York Senators, agreed to get together—alumni members from all over the city—to help make these plans a reality.

We organized ourselves and drew up a petition to President Johnson urging him to use all his influence with Congress so that these bills may be passed into the law of the land as soon as possible. Our goal was the collection of *100,000* signatures. To obtain these signatures we went into the streets, into the highways and byways, into the schools, the churches, to the civic and social organizations. We canvassed the silk stocking district as well as the slums of Harlem and Bedford-Stuyvesant. We ourselves organized conferences, rallies, informational sessions to tell the public of our efforts. We appeared on T.V., on radio, were interviewed by major newspapers in a tremendous effort to inform and solicit New York's support behind this historic legislation. We are indeed happy to report, Mr. Vice President, New York, as usual came through. We have the 100,000 signatures and many more!!! We now leave the burden with you, as our chosen leaders will use all your influence and legislative know-how to get this valuable anti-narcotics legislation off the drawing boards, out of the committees and into the vast arena of human suffering brought about by this cruel epidemic of drug addiction. And you may be assured also, gentlemen, that Harlem, E. Harlem, Bedford Stuyvesant, Williamsburg, Staten Island, the Bronx, Jamaica, Bay Ridge, and the whole of New York are behind you in every way. We stand firm in our commitment that we must not allow this scourge of drug addiction to claim one more victim. We look around our neighborhoods and see a virtual army of men, women and children—our generation—crippled by this germ, this disease and we know it must be stopped. We want this narcotics mess cleared up—starting now! To this point and no further!!

The petition follows:

CITY-WIDE ANTI-NARCOTICS PROJECT

Petition to the President of the United States in support of the Javits-Kennedy Anti-Narcotics bills

Mr. President, we, the undersigned, are alarmed at the great increase in narcotics addiction in New York City and elsewhere in the nation. We strongly support the legislation introduced by Senators JACOB K. JAVITS and ROBERT F. KENNEDY, by which the narcotics addict is properly viewed as a sick person in need of medical and psychological treatment and social rehabilitation, rather than as a criminal. We urge that the Administration's narcotics bill be amended to include Federal aid for treatment facilities and services for narcotics addicts, as proposed in the Javits-Kennedy bills. Furthermore, we support the stiffest possible prison terms for non-addicted "pushers" and others who profit from the misfortunes of narcotics addicts, with concern only for financial gain.

We urge you, Mr. President, to exert all your influence to ensure that the very highest priority is given to this legislation and to obtain its passage into law at the earliest possible time.

THEY DIED FOR OUR FREEDOM

Mr. **WAGGONNER**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The **SPEAKER**. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. **WAGGONNER**. Mr. Speaker, as a recent editorial in the Shreveport Journal pointed out, 3,662 American men have died in combat in Vietnam since 1961 and there is no way, of course, to single out any 1, 2, or 3 of these men for special recognition. Each of these lives is precious, not only to those left behind who make up the immediate family, but precious as well to our Nation.

In a recent week, three of these young men were from Louisiana's Barksdale Air Force Base and the impact perhaps was greater than might have been had their deaths not all come in the same week. Regardless, their sacrifice for our freedom and the freedom of others, is worthy of our attention and I would like to commend this editorial to the attention of every Member. It comes from the Journal of June 11 and is entitled "They Died for Our Freedom":

THEY DIED FOR OUR FREEDOM

Three thousand, six hundred and sixty-two American men have died in combat in Viet Nam since 1961 when the United States first became involved in the war against Communism there.

U.S. casualties in Viet Nam for last week alone amounted to 109 killed, 636 wounded and 13 missing or captured. The toll for the previous week was 86 dead, 602 wounded and two missing.

From time to time, news dispatches have told of the deaths of Shreveport or other Ark-La-Tex soldiers who have perished in valorous action on the field of battle. The news has come in dribbles, the result being that only the next-of-kin have felt the real agony of warfare and have experienced its greatest loss. Since the number of Americans actually engaged in Viet Nam is proportionately small in relation to the population of a country so large as ours, the full measure of sacrifice on the part of those who are working and fighting and dying in the Far East is not properly appreciated.

The tragic consequences of war were brought home forcefully to Shreveport and North Louisiana during the past week when it was revealed that three Barksdale Air Force Base airmen had been ambushed and slain by Viet Cong troops last Sunday.

T/Sgt. Antone P. Marks, 34, S/Sgt. John P. Guerin, 28, and A-1C Rufus L. James, all of whom were a part of our community just a few months ago, have made the supreme sacrifice in order that other Americans might remain free. Sergeant Marks and Sergeant Guerin have left widows and children behind in Bossier City, while Airman James leaves a grieved father to mourn him in nearby Marshall, Tex.

The sacrifices of these three fine young men are neither greater nor less than those of any other American soldier who has given his life in Viet Nam. But the impact is greater because of the circumstances. All of these young men were known in Bossier City and in Shreveport. The families of the two sergeants reside on the same block in Bossier City. The plight of the widows and their children is a graphic reminder of the toll of war.

Our debt to these departed servicemen becomes all the greater when it is realized that this country today is permitting a situation whereby several hundred young Americans—using the description loosely—are residing in Canada as U.S. draftdodgers and loudly and proudly thumbing their noses at their draft boards and their country. Here in our own United States we have tolerated too long the antics of beatnik draft-card burners.

Canada refuses to extradite the American fugitives. When they become 31 years old, if they wish, they may return to the United States and, without fear of loss of citizenship or other punishment, be footloose and free to brag about how they outsmarted Uncle Sam while patriotic Americans were fighting and dying for their liberty. Congress should act now to prevent these characters from coming back to the country they refuse to defend.

Memorial services were held at Barksdale Air Force Base yesterday for the three men who were slain last Sunday. It is fitting that this nation's highest honors should be bestowed upon these men posthumously and that their survivors be given every consideration of a grateful government and its people. None of us—no matter how great our devotion to country—can match the contribution they have given for our freedom.

"ALIBI" FREEMAN

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter to Secretary Freeman.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, it was quite a performance "Alibi" Orville Freeman put on in Iowa last weekend in his desperate efforts to placate the irate farmers of the State.

At various stops, Freeman lambasted the news media for what he described as "sloppy reporting," for all practical purposes called a U.S. Senator a prevaricator, took a crack at the distinguished minority leader of the House of Representatives and lied about my voting record.

Incidentally, the taxpayers should be interested to know that "Alibi" Orville commandeered a military plane for his political junket, which simply means that they will be required to pick up the tab.

In an effort to be helpful, I have offered Freeman a suggestion. In a letter to the Secretary, I suggested that if he again tries to alibi himself and the Johnson administration from what the farmers of Iowa know was an attempt to make them the goats for inflation, that he ought not to be quite so "sloppy" in his regard for the truth.

Following is the text of my letter to Freeman:

JUNE 22, 1966.

Hon. ORVILLE L. FREEMAN,
The Secretary of Agriculture,
Washington, D.C.

DEAR SIR: While in Iowa last week on a political junket, you were quoted by at least two reporters as saying: "Congressman GROSS has voted against every piece of farm legislation in his very long and questionable career."

Is this an accurate quote or would you describe it as another example of the "sloppy reporting" you talked so much about in your desperate efforts to placate the understandably irate farmers of Iowa?

In either event, I have news for you. You underrate the intelligence of the farmers of Iowa if you think they will be influenced by such hogwash.

First of all, the farmers of Iowa know I have voted for many sound agriculture bills during my service in Congress. They also know I voted in their best interests in opposing your plan to slap strict controls on feed grain farmers; a plan, incidentally, which was opposed by a substantial number of members of your own political party.

In addition, they know I voted in their best interests in voting to restore the budget cuts you had recommended in the school lunch, special milk, land-grant college, Farmers Home Administration, REA and conservation programs.

As for your comments about "sloppy reporting," the farmers of Iowa know there was nothing "sloppy" about the notable service performed by Nick Kotz of the Des Moines Register in uncovering your confidential "Dear Bob" letter to Defense Secretary McNamara. This was the letter in which you recommended a sharp reduction in pork purchases for the military and which also indicates you suggested certain other actions which would have the effect of undermining farm income.

I have a suggestion if in the future you try again to alibi yourself and the Johnson administration from the responsibility for what the farmers of Iowa know was an attempt to make them the goats for inflation: Please don't be quite so "sloppy" in your regard for the truth.

Sincerely,

H. R. GROSS.

GO-GO GIRLS ENTERTAIN REPUBLICAN CONVENTION

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, there were two big events out in Iowa over the weekend, one where apparently my friend from the Third District of Iowa has his record discussed and the other one was the Republican convention where they discussed the records of the rest of the Iowa delegation. I notice the gentleman from Iowa, my friend from the Third District, attended that convention. I am glad he did, and certainly he had every right to do so. I notice that according to the newspaper for entertainment they had some go-go girls. Apparently they will go to any length to try to get some younger ideas back into the minds of some of those old mossback Republicans.

THE "FORTAS" DECISION

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, about a year ago, after continuing reports of the rising national crime rate, President Johnson decided to declare war on crime, and appointed a so-called "Blue Ribbon Commission" to decide how to stop crime on our streets.

Commendable, but not long afterward President Johnson made his first appointment to the Supreme Court—Mr. Abe Fortas.

I spoke on the floor of the House of Representatives in opposition to the Fortas appointment, but is was to no avail, as the President's party gave him a solid vote of endorsement in the Senate.

Last week, the Supreme Court, in an historic decision, set down new ground rules which placed severe, if not impossible, restrictions on the right of the police to question criminal suspects. Most police officials around the Nation and the overwhelming majority of the Nation's press—including the two large metropolitan dailies in our congressional district—deplored the Supreme Court ruling.

The Supreme Court ruling carried by 1 vote. The deciding vote on this issue was cast by Mr. Abe Fortas, the Johnson appointee, who only a few days before his appointment, said that he believed in the right of the police to question criminal suspects. So, not only is the Johnson war on crime a war in reverse, but it very likely cannot be changed until another President has an opportunity to appoint a Supreme Court Justice, and that could be quite a while. If the next appointment is made by President Johnson, the issue could be decided the same way, except with a two-vote margin.

On the contrary, Justice Byron White, who was appointed by the late President Kennedy, voted with the minority, and against the new restrictions on our law enforcement agencies, charged with protecting society from the criminal.

The true issue involves the majority's eager, crusading spirit, tipping the balance of justice toward the criminal—without equal regard for those against whom the criminal has offended, and without regard for the responsibility of the State to protect life and property of the majority of law-abiding citizens.

I believe that history will record that the sound opinion of the Court was expressed, not by the majority opinion, but by the four dissenting Justices who, as Justice White pointed out, realize that this decision will turn loose many criminals to repeat their acts of terror, assault and murder. The full weight of this decisive one vote rests squarely on the new Justice—Abe Fortas—and on the man who appointed him—President Lyndon B. Johnson.

I have just received the FBI uniform crime report for the first quarter of this year. It shows that crime in the United States rose 6 percent during the first 3 months over the same period in 1965.

President Johnson and Abe Fortas take note.

I ask unanimous consent to include the following editorial from the Springfield, Mo., Leader and Press.

[From the Springfield Leader and Press, June 14, 1966]

STEP BACKWARD

Yesterday the U.S. Supreme Court ruled a suspect may not be questioned by officers if he is alone "and indicates in any manner that he does not wish to be interrogated."

Although this newspaper in the past has been prone to defend most High Court decisions, here it feels the court is going too far in its interpretation of individual rights under the Constitution.

The ruling was based on the Fifth Amendment, which deals with safeguards against self-incrimination, and which we sometimes have felt is abused more than a little yet which is utterly essential to the American concept of justice: that a man is innocent until proven guilty.

In reading the court decision, Chief Justice Earl Warren pointed out certain fundamental rights: the suspect may be warned that anything he says may be used against him, is entitled to legal counsel, etc. We had assumed—believe that most police procedure in today's America will support the assumption—that these rights are customarily given to anywhere in the land.

However, we also had assumed—actually supported by the Supreme Court prior to yesterday—that a suspect's rights begin at the time when he is actually accused. Yesterday's ruling held such rights begin earlier, at the moment of apprehension.

There is more than an academic difference. Considerable helpful information in determining guilt can be obtained before the "accusatory" stage of investigation is reached—could be, that is, until yesterday.

Moreover, under the new interpretation, once arrested a guilty man may decide never to permit himself to be questioned. This gives individual rights a ridiculous edge over social rights.

Three justices dissented, apparently because they, too, felt the same way—and a fourth dissented in three of the four cases covered under the same broad ruling.

Justice Byron White declared that such "privilege against self-incrimination . . . has no significant support in the history of the privilege or in the language of the Fifth Amendment."

And Justice John Harlan feared the decision "entails harmful consequence for the country at large. How serious . . . only time can tell."

Law, of course, is as old as civilization, and its evolution has been slow but steady through the passing centuries. Its fundamental justification has been to protect society. Indeed, it has only been in the past three centuries that the individual counted as against the group.

We can thank democracy for that, and development of this concept along democratic lines has been one of the most significant contributors to Western greatness.

Nevertheless, there is a hazy philosophical corridor where the rights of the individual and the rights of society are hard to distinguish and separate. But one thing is certain, when individual rights begin to override rights of all society, there is the point where mankind begins to turn away from law to walk down the path to anarchy.

In a world where the complexities of crime grows apace with the tremendous complexities of overpopulation and all else that makes society go, anarchy is the one thing we can't afford.

The Supreme Court for two centuries has carved history in its glorious upholding of human and individual rights. Going too far in safeguarding the criminal—the individual against all society—can undo much of that glory.

Yesterday's decision was, in our opinion, a step in that direction.

A BILL TO PREVENT THE DESECRATION OF THE NATION'S CAPITOL

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, apparently, it is going to take an act of Congress to prevent the planned desecration of the Nation's Capitol. I have therefore introduced today a resolution that it is the sense of the Congress that the architecture of the historic west front of the Capitol of the United States should be preserved for the education and enjoyment of the people of the United States, and, therefore, any work done with respect to such west front should be limited to replacing or reconstructing damaged, deteriorating, or unsafe portions of such west front.

The preservation of the Nation's Capitol, its unique architecture and design, particularly the magnificent west front, is an obvious responsibility of the Office of the Architect of the Capitol. To intentionally plan its destruction has been aptly described as an act of vandalism, and is to me incomprehensible. It is as if the spirit of the British vandals who seized the Capitol and burned it down during the War of 1812 lives on in the most unlikely breasts.

I hope my colleagues will join me by introducing similar resolutions to save the Nation's Capitol.

Mr. Speaker, I place at this point in the RECORD the most eloquent editorial on this matter appearing in the Washington Post on June 21, 1966.

THE TEMPLE PROFANED

"We have built no national temples but the Capitol," said Rufus Choate. Now that temple is to be profaned and the architectural genius of Thornton, Bullfinch, Latrobe, and Walter is to be buried under cafeterias and other conveniences.

Allan Nevins has described the Capitol as "the best-loved and most revered building in America." He has called it "the Spirit of America in Stone." He has said it is "History—the Major Symbol of the Nation."

But the noble western front of the building with its handsome classic walls and its cascading staircases must give way to the convenience and comfort of Congressmen who need more room. Whether the exterior walls are or are not safe is a matter for competent engineers to decide. They have stood less than 200 years and sandstone structures of the kind elsewhere have lasted for hundreds of years. If they are unsafe, they can be rebuilt and replaced without alteration of the original design.

When bombs destroyed the British House of Commons in the 900-year-old palace of Westminster on the River Thames on May 10, 1941, the impulse of the whole British nation was its restoration, not its modification. When he visited the vast ruin on Oct. 29, 1943, Winston Churchill gazed upon the wreckage and said: "There I learnt my craft, and there it is now, a heap of rubble. I am glad that it is in my power, when it is rebuilt, to keep it as it was."

The English people, led by Churchill, insisted that the House be restored, even though the reproduction can seat but 437 of the 627 members.

The wrecker's ball soon will do for the west front of the Capitol what the Nazi bombers did for the House of Commons. Is there no American of equal devotion to the temple of American democracy who can insist that when it is rebuilt, it will be kept as it was?

U.N. KOREAN WAR ALLIES ASSOCIATION

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, visiting in Washington this week is Mr. Kap-chong Chi who is the Director of the United Nations Korean War Allies Association. Mr. Chi departed his native city of Seoul, Korea, on June 3 en route to Brussels, Belgium, where he participated on June 5 in the unveiling ceremony of a magnificent 36-foot monument of the 106 members of the Belgian battalion who fought in Korea in the U.N. army that preserved the integrity of the Republic of South Korea. King Baudouin of Belgium, the Belgian Ambassador, the U.S. Ambassador were present for the ceremony, as was Mr. Chi; 450 members of the veterans of the Belgian battalion marched in the preceremony parade and were representative of the 3,600 men who served from that country during the Korean war.

Mr. Chi visited veterans organizations and war correspondent associations in the Netherlands, Luxembourg, France, England, and the United States. He will continue his tour to meet with President Harry Truman who took the forthright position to stem the flow of communism on that fateful day, June 24, 1950. Mr. Chi will then go to Canada and return to Seoul.

The U.N. Korean War Allies Association was formally established on January 19, 1963, prior to the 10th anniversary of the Korean armistice—July 27, 1953—with the warm and positive encouragement and support from the veterans of the United Nations forces who served in defense of freedom and justice during the Korean war. The purpose of UNKWAA is to promote better understanding and strengthen the friendly ties through a people-to-people movement among the people of the Allied Nations of the Korean war, and by doing so, to cement the unity of the free world and contribute to preserve world peace. The

16 nations that sent fighting forces are: Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, The Netherlands, New Zealand, The Philippines, Republic of South Africa, Thailand, Turkey, United Kingdom, United States.

The five nations that sent medical units are: Denmark, India, Italy, Norway, and Sweden.

To date the association has successfully carried out the following activities:

First. Memorial service for the 17 U.N. war correspondents—United States, 10; United Kingdom, 4; France, 2; Philippine, 1—killed in the Korean war, July 27, 1963.

Second. Photo exhibition introducing the U.N. Korean war allies, July 1963.

Third. A good will reception in honor of the ex-commanders of the U.N. Korean war veterans, December 16, 1963.

Fourth. Memorial service for the late General of the Army, Douglas MacArthur, April 1964.

Fifth. Souvenir program for the hospitalized U.N. Korean war veterans, July 1964–March 1965. The organization sent Korean native souvenir mementos to a grand total of 12,080 hospitalized veterans. Australia, 18; Canada, 95; Philippines, 59; United Kingdom, 23; United States, 11,885.

Sixth. Ceremony of endowing the honorary citizenship of the special city of Seoul to the late Private First Class Monigan, U.S. Marine Corps, who was awarded the Medal of Honor, September 27, 1965.

Seventh. Ceremony, commemorating the 15th anniversary of the Republic of Korean and U.N. forces reaching the Korea-Manchuria border, November 22, 1965.

Eighth. A reception for the Foreign Missions and the United Nations Forces in Korea together with the Korean journalists, January 31, 1966.

Ninth. Erection of the memorial monument for the Philippine Expeditionary Forces to Korea, April 22, 1966.

Projects planned for the future are:

First. Construction of the memorial hall in Seoul, representing each Allied nation of the Korean war.

Second. Erection of memorial monuments in commemoration of each Allied nation's participation in the Korean war on the most appropriate sites to be selected by mutual agreement.

Third. Remembrance programs for the veterans of the United Nations forces who served for the noble cause of freedom and world peace.

Fourth. Sponsoring an international friendship program through a people-to-people movement between the civil organizations of Korea and those of the Allied Nations.

Fifth. Undertakings to remind Koreans of the foreign assistance and to introduce the past and present of Korea to the people of the free world.

Sixth. Holding the events introducing the Allied Nations and cultural exchange exhibitions.

Seventh. Exchange of art and athletic missions with the Allied Nations.

Eighth. International films festival participated by the Allied Nations: exchange and coproduction of films with each other.

Ninth. Arrangement for good-will reception once a month for the civilians of the Allied Nations residing in Korea.

Tenth. Publication of a monthly magazine.

In May, Mr. Chi met with the honorary chairman of the UNKWAA, Hon. Jong-pil Kim, chairman of the Democratic Republican Party, ROK and Gen. Il-kwon Chung, Prime Minister of the ROK Government, to initiate construction of a museum that will be a show place in the great international city of Seoul. This museum will be a symbol of the unified efforts of the free world and the valiant South Korean people in their determined fight to preserve freedom and democracy in Korea and the entire Far East.

THE IMPORTANCE OF LUMBER

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. Wyatt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WYATT. Mr. Speaker, since our country's inception, lumber has been a most basic building material in virtually all commercial and home construction. In this century the Pacific Northwest has furnished a very substantial part of this lumber.

A most alarming development was brought to my attention yesterday. It appears that the office of the Surgeon General has proposed drastic changes in hospital construction regulations prohibiting use of wood. These proposed changes would be effective tomorrow.

This outrageous, high-handed action is almost beyond belief.

Lumber is an essential building material in nearly every commercial building. Modern techniques make possible wide uses of lumber not previously possible. Fireproofing of lumber can readily be accomplished.

Despite historic and well established use of lumber in hospital construction, the Surgeon General proposes to prohibit it hereafter.

The war in southeast Asia makes all forms of building materials more scarce. There probably is, however, less pressure on lumber than other forms of building materials, including steel.

The most alarming aspect of the proposed action is that a trend in this direction could well be established which could indeed seriously harm and even cripple our great lumber industry.

I ask that the Surgeon General at once, today, suspend his proposed changes until representatives of the forest industry can have a fair hearing before the Surgeon General.

ANOTHER BLOW TO FARMERS

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NELSEN. Mr. Speaker, Nick Kotz of *Cowles Publications reported in the* June 17 issue of the Minneapolis Tribune that the Defense Department is continuing its policy of buying certain beef and pork overseas rather than buying it here in this country. Personally, I view this decision, taken at the recommendation of Agriculture Secretary Freeman, as far more damaging to the American farmer than the 50 percent cutback in military prime pork purchases. Why is that? Because buying meat for our servicemen overseas from foreign sources rather than American farmers means a domestic livestock surplus is being permitted to build up. This can produce the same extreme livestock price depression that happened a couple years ago because of massive beef imports. This is another example of the administration's unswerving attempt to make the farmer the scapegoat for inflation.

I request inclusion of the Kotz article at this point in my remarks.

[From the Minneapolis Tribune, June 17, 1966]

FOREIGN MEAT BUYING BY UNITED STATES WILL CONTINUE

(By Nick Kotz)

WASHINGTON, D.C.—The Defense Department has ordered continued indefinitely an administration anti-inflationary policy to buy certain beef and pork overseas rather than to buy more expensive meat in the United States.

Thus the Defense Department is extending one part of a controversial purchasing order which was partially reversed after a month of farmer protests, a defense order reveals.

The Feb. 17 order, recommended by the Agriculture Department as part of a White House-directed anti-inflation campaign called for a 50 per cent reduction in prime pork purchases for six months. This section was reversed last month following farm protests.

The order also stated that pork and beef for post exchanges overseas should be purchased locally until Sept. 30 by Agriculture Department arranged barter agreements rather than imported from the U.S. Meat for general troop feeding would still come from the U.S.

Now, in a May 23 order to the Air Force, Assistant Secretary of Defense Paul Ignatius ordered the buy-abroad policy should "continue indefinitely."

(Senate urges *Administration to Stop Cutting Farm Prices—Page 49*).

The Minneapolis Tribune has obtained a copy of this order which was not released to the public.

Deputy Assistant Secretary of Defense Paul H. Riley, an assistant to Ignatius, said Wednesday that the indefinite continuance also will apply to the other armed services.

The barter arrangements are designed to keep the U.S. from losing dollars in these transactions.

In his order to the Air Force, Ignatius said foreign buying "is clearly in the best interests of the Department of Defense" so long as these purchases can be made at considerably less cost than in the U.S. and no dollars are spent.

The buy-abroad order was one of many measures which came out of the White House directed campaign to fight inflation.

In recommending the overseas purchases to Secretary of Defense Robert McNamara, Agriculture Secretary Freeman wrote:

"This (barter arrangement to secure beef and pork overseas) would relieve some domestic price pressure at a time when it may be most intense. We will review this regularly and advise you as to the desirability of continuing it."

Riley noted that the beef and pork purchases involved are relatively small compared to buying for the entire armed services.

A BILL TO PROVIDE FOR THE ESTABLISHMENT OF THE PLYMOUTH ROCK NATIONAL MEMORIAL

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, man's search for freedom has been an endless effort. Much the same as the ripples from a rock tossed into the water, are the still continuing efforts by men in every area of the globe, to achieve total spiritual freedom.

We here in America today enjoy this individual freedom of religious expression as a stalwart birthright and heritage resulting from one of the most courageous and dauntless search parties ever to exist. They sought neither structures of marble nor spires of gold, but rather for an expanse of land and sky where they might unfold their love and devotion to their God, without man-made restrictions.

As is true in any search to obtain a goal or purpose, a well-chartered course with step-by-step progress is almost always the direct route to eventual success, and all the while maintaining the desire to reach that "far-vision" destination as the inspiration to "sail on" in spite of whatever adversity presents itself.

Mr. Speaker, such was the case with regard to the "search party" to which I now specifically refer. Dear to the hearts of Americans of all ages, is the memory of that valiant voyage of a little less than 350 years ago, made aboard the now famous *Mayflower* with Pilgrims who had set their sights for a new world. Upon sighting their new world land, and reaching that same shore, they "stepped" on the Plymouth Rock and into a new world where their religious beliefs could be fully expressed, each in his own way. The ripples of their great journey still flow through this free Nation, and so therefore, I feel it is vital to preserve a fitting and lasting yet simple monument at Plymouth Rock to which all who choose, may go in humble gratitude or recognition and, perhaps, come away with a renewed inspiration to continue and maintain this Nation's belief in complete and individual religious freedom.

Mr. Speaker, for this reason, I urge my colleagues to support my bill H.R. 15840, now being introduced for the establishment of a national memorial park at Plymouth Bay, Mass.

Although we know the deeds of the brave Pilgrims who in 1620 landed at Plymouth Rock, we have not yet, after almost 350 years, included the site of their landing in the National Park System.

Plymouth Rock should be a national memorial, and I am pleased to join my colleague, Senator EDWARD M. KENNEDY, of Massachusetts, in sponsoring the establishment of the Plymouth Rock National Memorial. His bill S. 3477 and mine are the same.

The bill follows:

H.R. 15840

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of commemorating the landing of the Pilgrims in the New World at Plymouth Bay, Massachusetts, in 1620, the Secretary of the Interior may acquire by gift, purchase with donated or appropriated funds, exchange, or otherwise, not to exceed fifteen acres of land (together with any buildings or other improvements thereon), and interests in land at Plymouth Harbor in the town of Plymouth, Massachusetts, for the purpose of establishing thereon a national memorial: *Provided,* That property owned by the Commonwealth of Massachusetts may be acquired only with the consent of the owner.

SEC. 2. The property acquired pursuant to the first section of this Act shall be established as the Plymouth Rock National Memorial, and shall be administered by the Secretary of the Interior subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666).

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

INTRODUCTION OF LEGISLATION REQUIRING AUTHORIZATIONS FOR APPROPRIATIONS

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MAILLIARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MAILLIARD. Mr. Speaker, over the past several months, our Committee on Merchant Marine and Fisheries has been conducting a series of hearings on "Vietnam—Shipping Policy Review" in an examination of the current plight of the American maritime industry.

During the course of these hearings, several witnesses have suggested that our Committee on Merchant Marine and Fisheries review and authorize budget requests of the Maritime Administration before such requests are processed by our Committee on Appropriations. Such a procedure would enable our Committee on Merchant Marine and Fisheries to express its views and make appropriate recommendations concerning these budget requests.

Experience has indicated that the absence of a requirement for a legislative review of the Maritime Administration's programs, particularly in the field of vessel construction, limits the Congress in its scope of its understanding and appreciation of the need for on-going and progressive programs to meet the needs of the American merchant marine. This is particularly important at the present time in light of events in southeast Asia and in the foreseeable future when the American merchant marine again may be called upon to meet the security requirements of the United States.

By requiring legislative review and authorization prior to appropriation for the various Maritime Administration promotional programs on an annual basis, I firmly believe that a genuine service can be rendered to both the Congress and the Maritime Administration in evaluating and implementing such programs. It also would be beneficial in overcoming a serious present lack of responsiveness to the needs of the American merchant marine.

Three years ago to meet a similar need Public Law 88-45 was enacted requiring authorization for certain appropriations for the Coast Guard. Since that time our committee's experience has been that assertion of such congressional control has proven to be beneficial for the Congress, the U.S. Coast Guard, and ultimately our national interest by enhancing the preparedness of the Coast Guard to discharge its missions.

Accordingly, I am today introducing a bill to amend title IX of the Merchant Marine Act, 1936, as amended, so as to require that appropriations to carry out the provisions of that act be preceded by specific legislative authorization and thereby strengthen congressional control over promotional efforts designed to assist the American merchant marine.

COMMUNIST TREACHERY

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, one of the world leaders who has had first-hand experience with the treachery of Communists is Mr. Stanislaw Mikolajczyk, whose experience in the postwar government of Poland which was insidiously distorted by Communists qualifies him to speak on many vital questions, including Communist and coalition governments. Mr. Mikolajczyk is still an active leader in the free world, working zealously toward the day when Poland can benefit from a government based on the wishes of its people. On May 29, 1966, in his capacity as President of the Polish Peasant Party, Mr. Mikolajczyk addressed the annual meeting of that group in Chicago, Ill., and I ask leave to include as part of my remarks his speech.

Address by Mr. Stanislaw Mikolajczyk, President of the Polish Peasant Party, Broadcast by Radio Free Europe to Poland on the Occasion of the Peasant Festival, May 29, 1966

Members of the Polish Peasant Party, Dear Countrymen, Dear Friends, Dear Youth, Women of the Polish Village, Brothers and Sisters!

The Peasant Festival in Poland was always a fine day. Throughout Poland the green banners adorned with the images of God's Mother and golden ears of wheat and clovers flocked to churches to take part later in the celebrations of the Peasant Festival.

Joy filled the hearts of the peasant masses. Despite want and distress, new hopes entered human hearts under the breath of spring awakening nature to a new life. The peasant huts beautifully decorated with bundles of sweetflag and the fragrance of flowers spreading from the meadows and green fields added splendor to the Peasant Festival. I am speaking therefore to you on Radio Free Europe with joy because, at least once a year I am able to share with you my thoughts and feelings on this day of the Peasant Festival which the communists have stolen from you in Poland, so as not to allow you free and uncontrolled celebrations of the Festival.

This year, we celebrate an uncommon and rare occasion—a Millennium of Christian Poland. A millennium is a very long period of time. Many generations have passed. Our nation has lived through great victories and disasters, ascents and falls, pride and shame, dignity and baseness, joy and suffering, hopes and despairs. Thus, the centuries have formed and shaped our national character and our national spirit within the framework of Christian principles and ideology.

The reception of Christianity by Poland was a very wise move on the part of Mieszko I. It protected Poland from extermination by Germany and brought her on the road of progress of civilization, in which the Church played a large role. Today, a thousand years later, the Church in Poland is a constant and important influence in the shaping of moral and ethical values in the life of our nation and state. The national and religious traditions are deeply rooted in the soul of the Polish nation. These traditions which the Church has developed and fostered through centuries have permitted the Polish nation to endure many national disasters, bondage, and persecutions by the conquerors and usurpers. Thanks to these traditions the Polish nation has existed and developed. Thanks to these traditions the oppressors succeeded only in consolidating in the Polish people their national consciousness and determination to endure. They attached the Polish nation even more strongly to the Church and the Church to the nation. The year 966 found Poland with organized foundations of the Polish state. The newest historical research indicates that the first forms of the Polish state were created a few centuries earlier. In this year, therefore, 1966 we celebrate a Millennium of Christian Poland, and not a thousand years of the Polish State as the Polish communists proclaim in their propaganda for party purposes. The organizing by the communists of rival celebrations of the thousandth anniversary of the Polish state shows besides stupidity, a tendentious communist malice, infatuation, and party passion arising out of hatred of the Church. It is dictated by the fear for the future of communism.

On Moscow's orders, the letter of the Polish Episcopate to the Episcopate of Germany was a pretext for undermining the solemn character of these celebrations. It was designed to prevent the participation of the Holy Father, Paul VI as well as numerous foreign guests, cardinals, bishops, priests, journalists, radio and television reporters and Poles from abroad.

We know these communist methods only too well from the period of the political struggle of the Polish Peasant Party against the communists in the years 1945–47. Nothing has changed since that time not even the chief director of the aping act, Gomulka himself. Just as then, the Security Police, Citizens Militia, Voluntary Militia Reserves, the soldiers with fixed bayonets are led into the streets. Just as then, rival meetings are organized. Party activists are gathered from around the whole country to form a "crowd" for the communist speaker. Just as then, people are slandered and maligned so as to prevent from speaking out those forces in the nation which enjoy its respect and support. Just as then, blackmail and intimidation are used against those who take part in the meetings and festivities. Just as then, trains do not run on the days of the meetings, buses are not available, roads are being repaired although road repairs could wait. Just as then, noisy demonstrations are organized, loud speakers are going full blast to drown out the solemn "Te Deum", and the sermons and prayers of the faithful. Just as then, planes and trucks make noise and tanks are kept ready in the event of a crowd reaction. Nothing has changed since the period of 1944–47. Today, Cardinal Wyszynski and the Polish Episcopate are accused of betrayal of national and state interests and of disturbing peace and public order, just as I was accused at that time.

The Polish nation will not forget these harassments. It will not forget who bears the responsibility for degrading the dignity of Poland and pride of the Polish nation. It will not forget who has done harm to its interest on the international arena, who has caused it incalculable moral and material damages. No! The Polish nation cannot forget it and will not forget it, because the celebration of the Millennium of Christianity and the possibility of taking advantage of it for the prestige of Poland occurs once in a thousand years.

After the terrible suffering from the hands of the Hitlerite thugs who have murdered large numbers of the clergy, teachers and intelligentsia and millions of Polish citizens, the Polish nation had the right to expect a peaceful and solemn character of the Millennium of Christianity, which has saved Poland from extermination by Germany and the Polish nation from denationalization. After these tortures the Polish nation had the right to expect that the state authorities who call themselves representatives of this nation and supposedly hold the power by the people's will, although hostile to the Church, would take advantage of this great anniversary to increase the prestige of Poland on the international arena. It had the right to expect that they would respect the feelings of the people and would participate in these celebrations at least appearing as its friends and not as its enemies and destroyers.

Where is the dignity and earnestness of the state? Where is their sense as rulers and their political wisdom as statesmen?

It is not Cardinal Wyszynski and the Polish Episcopate who betrayed the interests of the Polish nation. It is the communists who betrayed them. By their party infatuation and furious attack on Cardinal Wyszynski and the Polish Episcopate they showed the world opinion that there is no unanimity in the Polish nation on such fundamental problems as the Polish frontiers on the Oder and Neisse rivers. It is the communists who, being motivated by the narrow party interest, preferred to provide fodder for the German revisionist propaganda, rather than agree to the international character of the celebrations of the Millennium of Christian Poland.

It is not the first and certainly not the last act detrimental to the interests of Poland on the international arena committed by the communist regime. By their loyalty to the interests of Moscow the Polish communists headed by Gomulka arrive at a ridiculous absurdity. Lately having the interest of Moscow at heart the fact was concealed that on his way to the Communist Party Congress in Moscow Gomulka could not land at Moscow. The fact was concealed that Gomulka landed instead at Leningrad and proceeded from there by train to report to Brezniew and Kosygin. For what purpose? After all something may always go wrong with transportation.

In 1960 before the departure to the session of the United Nations in New York, Gomulka announced that he had to go to the meeting to help Khrushchev defend the Polish frontier on the Oder and Neisse rivers. And as you know Khrushchev banged with his shoes against the table but did not touch the problem of the frontier on the Oder and Neisse rivers. And he told Gomulka to remain silent. On the other hand, when Cardinal Wyszynski and the Polish Episcopate brought up the problem of the frontier on the Oder and Neisse rivers and achieved positive results from the public opinion abroad, Gomulka is infuriated because he does not want the resolution of this problem for reasons known only to Moscow.

The communists in Poland also concealed the fact that it was Gomulka's representative, Mr. Lewandowski who proposed in the United Nations the resolution to admit Mr. Ulbrecht, the leader of communist Germany as a full member of that organization.

Gomulka will not conceal his errors and the harm he has done to Poland by his prohibition to carry the picture of Our Lady of Czestochowa into Gniezno, Poznan and other places. Neither will he lessen them by his furious attack on Cardinal Wyszynski and the Polish Episcopate.

Certain changes occur in the evaluation of the importance of the Church in the life of nations even at the Kremlin. Whenever the importance of the Church was brought to Stalin's attention he used to ask: "How many army divisions does the Pope have?" and disregarded the influence of the church. However, recently Gromyko had an audience with the Pope for almost an hour. Does it mean that Moscow now recognized its error and will change its attitude toward the Church? Will Gomulka now cease his attacks on the Church?

My people of Christian Poland wherever fate has thrown you and no matter how bitter is your life and no matter to what work bench are you chained or will be chained in the future—do not be led astray by the communist hypocrites. Always try to learn the truth at its source and not from the lying communist propaganda. Persevere at the side of your leaders, who fight for the freedom of Poland in difficult and dangerous conditions. Fight, until you achieve results, for your rights and the rights of the whole nation to manage your own country. These rights are yours not by the grace of one or another satrap but because of your service for Poland and because of your centuries long suffering and humiliation. Who else preserved Poland in its heart as the Polish people did despite the contempt of the mighty and the treason of the vile. Who else remains its buckler in the present hard struggle.

Those who today debase Poland will depart. The faithful peoples will remain and Poland will remain. Because, as the Polish proverb says, "a monastery will outlast its prior." They will depart like a plague. They will disappear under a cover of contempt and oblivion. A free Poland will rise and a free people will undertake to build a just motherland for all her children. And in such a Poland the people will create the "Government of the people, by the people and for the people" as Abraham Lincoln did for the American people. Happiness and joy will return to our country. The nightmare of communist tyranny will disappear and man will again become man's brother. The Green Banners with Our Lady of Czestochowa on them, which today are not permitted to add splendor to the celebrations of the Millennium of Christian Poland, will again flutter over the Polish soil. The hardened hands of the peasants will then lower the banners before those who risking their lives fought with dignity for their rights to freedom and justice.

Hold out! Hardened and experienced in this struggle do not be provoked to acts inconsiderate and dangerous for Poland.

On the day of our Peasant Festival, in the year of the Millennium of Christian Poland we are sending to you, Dear Countrymen, to the Polish clergy headed by Cardinal Wyszynski, to you Peasant Brothers and to the Poles abroad, our best greetings and assurances that we will not abandon our common struggle for a free and just Poland. We will seek strength for continued struggle and inspiration among those in Poland who in such difficult conditions consider the conduct of this struggle as their national duty.

In addition, Mr. Speaker, the Polish Peasant Party cooperates with other free world groups and has been especially effective in dramatizing the suffering of the Polish peasants under the misrule which the farmworkers in Poland endure at the present time. I insert in the Record as a continuation of my remarks the resolutions adopted at the annual meeting of the Polish Peasant Party.

Resolution Adopted at the Polish Peasant Day Held in Chicago on May 28, 1966

The assembled at the Peasant Day Festival in Chicago:

1. Join spiritually with the Polish nation in celebration of Poland's Millennium of Christianity, send heartfelt greetings to the Polish nation and pay it homage for its patriotic stand in defense of principles of Christianity and freedom;

2. Send expressions of deepest reverence, fidelity and gratitude to His Eminence Stefan Cardinal Wyszynski, the Polish Episcopate and the Clergy for their defense of the faith of our fathers moral rights and world outlooks constituting the essence of the Polish and the Western culture, as well as for their devotion to the Polish nation and services to Poland;

3. Raise the strongest protest against nonadmission of the Holy Father to Poland, taking away of passport from Stefan Cardinal Wyszynski, nonadmission of pilgrimages from abroad to Czestochowa, as well as against hindering the Polish nation from peaceful celebrations of Poland's Millennium of Christianity;

4. Raise a protest against persecution of religion and the Catholic Church in Poland;

5. Raise a protest, on the tenth anniversary of the Poznan Uprising, against abridging, in every field, of the minimal civil liberties, achieved by the Polish nation in 1956, and against restoration of the Stalinist system;

6. Raise a protest against the attempts of the regime at introduction of a complete collectivization of agriculture;

7. Condemn Gomulka's regime for its harming the interests and the good name of Poland abroad;

The assembly demands in particular:

a. Stopping of harassments and allowing of peaceful celebration of Poland's Millennium of Christianity to the Polish nation.

b. Restoration of freedom of speech and assembly in Poland.

c. Repatriation of all the Poles from the Soviet Union.

d. Release of all political prisoners.

e. Withdrawal of the Soviet army and the Soviet emissaries from Poland.

f. Restoration of freedom, democracy and full sovereignty to Poland.

g. Bringing the question of Poland and other nations, subjugated by the Soviet Union, to the attention of the United Nations and enabling those nations to express freely their will in free elections held under international control.

h. Recognition by the Government of the United States of the equitable and just border on the Oder and Neisse line.

i. Appeal to the American Polonia for a mass protest against persecution of religion in Poland, against taking away of passport from Cardinal Wyszynski and against hindering the Polish nation from celebrating freely Poland's Millennium of Christianity.

Mr. Speaker, I believe that our State Department authorities have, ever since the close of World War II, continually gone too far in appeasing the Communist dictatorships of Eastern Europe. It is obvious that the true voice of the people of Poland and the other Iron Curtain countries is reflected far more clearly by the statement and resolutions I have just included with my remarks than it is by the propaganda of the government in Warsaw.

DISCRIMINATION AGAINST WOMEN IN THE SELECTION OF STATE AND FEDERAL JURIES

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mrs. DWYER. Mr. Speaker, I believe it is axiomatic that discrimination in the selection of a jury undermines the very foundation of democracy in the administration of justice, whether such discrimination is based on race, economic class, political affiliation, or sex.

In his state of the Union message to Congress on January 12, 1966, the President took notice of this fact and assured us that he would "propose legislation to establish unavoidable requirements for nondiscriminatory jury selection in Federal and State courts."

The great majority of our colleagues in the Congress, I feel certain, agree with this objective and welcomed the President's assurance. On February 25, a bipartisan group of our women colleagues joined me in writing to the President and the Attorney General to urge them to include in the administration bill then being drafted provisions which would preclude, in both State and Federal courts, any discrimination in jury service based on sex as well as on other irrelevant factors.

As we emphasized to the President at that time:

> We, as Members of Congress, believe that this Nation has for too long tolerated the wholly arbitrary discrimination against women's participation in the jury system.

We pointed out that, although women are now eligible to serve on all Federal juries by virtue of the Civil Rights Act of 1957, the procedures still being used in many of the Federal district courts have failed to give full effect to the statutory purpose. And we noted that the situation is much worse in State courts where only 21 States—the number is now 22—apply the law equally to men and women. The remaining 28 States and the District of Columbia, we wrote, permit varying degrees of discrimination which effectively discourage or totally exclude women from serving on both grand and petit juries.

Finally, we expressed the conviction that legislation to eliminate discrimination in jury service in State as well as Federal courts is fully authorized under section 5 of the 14th amendment and that a bill banning such discrimination based on sex would be in accord with the principles embodied in the Equal Pay Act of 1963 and title VII of the Civil Rights Act of 1964 guaranteeing equal treatment for women in employment.

In brief, Mr. Speaker, we believed then as we do now that women also deserve equal treatment in the exercise of their civic responsibilities, one of the most important of which involves service as jurors in the administration of justice in civil and criminal controversies.

On March 1, I addressed the House on this subject, informing our colleagues of the action we had taken, and including for the information of the House the texts of our letters to the President and the Attorney General and a detailed memorandum describing the current status of the problem.

On April 28, the President sent his civil rights bill to Congress and with it a message in which, discussing the need to deal with discrimination in jury selection, he said:

> It is not only the excluded group that suffers. Courts are denied the justice that flows from impartial juries selected from a cross section of the community.

This is precisely our point, Mr. Speaker. Women constitute a cross section of one-half of the adult community. The jury system will not be representative, or nondiscriminatory, unless and until no distinction is made between men and women with respect to jury service.

For this reason, we have viewed with great disappointment the provisions of the Administration's civil rights bill which concern the problem of discrimination based on sex in jury selection. The bill now pending before the Judiciary Committees of both the House and the Senate would deal only with the outright exclusion of women from juries in three States: Alabama, Mississippi, and South Carolina. The bill would not affect the variety of sex distinctions in jury service now permitted by the laws of 25 other States and the District of Columbia.

For example, in 13 States and the District of Columbia, women can be excused from jury service solely because of their sex. Men, obviously, cannot. In three States, women—but not men—must register with the clerk of the court in order to serve. In eight others, women—but not men—are exempt if they have family or child-care responsibilities. Two States permit women to serve only where courthouse facilities exist, and two States exempt women in cases involving certain crimes. In both these situations, men are not similarly treated.

These sex distinctions, Mr. Speaker, undermine women's sense of civic responsibility. They introduce totally unwarranted distortions in the selection of a jury so that it fails to be a cross section of the community.

We are not unaware, obviously, that there are many valid reasons for exempting citizens from service on juries. Some of these reasons tend to be associated more frequently with women than with men, but it is the reason itself that should provide the exemption, not the sex of the person involved. Exemptions from jury service—including exemptions for the reason of family and child-care responsibilities—should apply to both men and women. And this should be true in all States, not just 22.

Once again, therefore, we have written to the President, this time indicating our disappointment in the inappropriate language of the jury selection provisions in the Administration's civil rights bill, explaining why we believe these provisions will be inadequate to the President's own stated objective of eliminating discrimination, and proposing an amendment which we believe will meet the need.

Joining me on this occasion were the following distinguished colleagues: the senior Senator from Maine [Mrs. SMITH], the gentlewoman from Ohio [Mrs. BOLTON], the gentlewoman from Michigan [Mrs. GRIFFITHS], the gentlewoman from Washington [Mrs. MAY], the gentlewoman from Washington [Mrs. HANSEN], and the gentlewoman from Hawaii [Mrs. MINK].

Our objection, Mr. Speaker, is to the very restricted language of section 201 of the administration bill. It provides:

> No person or class of persons shall be denied the right to serve on grand and petit juries in any State court on account of race, religion, sex, national origin, or economic status.

Since this language merely forbids a denial of "the right to serve," and does not touch the variety of lesser but more widespread forms of discrimination, we have proposed the following substitute provision:

> It shall be unlawful to make any distinction on account of race, color, religion, sex, national origin, or economic status, in the qualifications for service, and in the selection of any person to serve, on grand or petit juries in any State court.

We have also suggested that a similar change should be made in the language of that part of section 101 of the bill which would amend 18 U.S.C. 1862. The changes we recommend will bring this aspect of the proposed Civil Rights Act of 1966 into accord with the policy against sex distinctions which is already expressed in section 703 of the Civil Rights Act of 1964 and section 3 of the Equal Pay Act of 1963.

I am pleased to note, Mr. Speaker, that the language of our proposed amendment has been strongly endorsed by many groups and individuals including, for example, the National Federation of Business and Professional Women's Clubs and the Women's Bar Association of the District of Columbia.

It is especially timely to note, too, that next week 49 State commissions associated with the President's Commission on the Status of Women will be meeting here in Washington to consider the progress that has been made in many areas of concern to women as citizens. It should be recalled, therefore, that in its final report the President's Commission urged that attention be given "to assuring equal jury service without distinction as to sex. Women and men alike should assume their responsibilities for making juries representative of the communities in which they live."

We wholeheartedly agree, Mr. Speaker, and we hope that our colleagues in both Houses of Congress, including those who serve on the two Committees on the Judiciary to whom we sent copies of our letter to the President, will consider our amendment and give it their support.

For the information of our colleagues, Mr. Speaker, I include as a part of my remarks the letter we addressed to the President, the text of a resolution adopted by the Women's Bar Association of the District of Columbia, and a letter from the national legislation chairman of the National Federation of Business and Professional Women's Clubs.

The letters and resolution follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

THE PRESIDENT,
Washington, D.C.

DEAR MR. PRESIDENT: Your state of the Union message of January 12, 1966, promised to "propose legislation to establish unavoidable requirements for nondiscriminatory jury selection in Federal and State courts."

As Members of Congress, we welcomed your message, and on February 25, 1966, we asked you, and the Attorney General, to include provisions in your sponsored bill to "preclude, in both State and Federal courts, any discrimination in jury service on the basis of sex, as well as other irrelevant factors such as race, color, political or religious affiliation, or economic or social status." We strongly believe that the arbitrary discrimination in the jury system on the basis of sex is wholly unjustified and must be eliminated.

However, we regret to note that because of inappropriate language the Civil Rights bill which you sent to the Congress on April 28 will fail to accomplish your goal and ours: "to establish unavoidable requirements for nondiscriminatory jury selection."

We therefore respectfully request, and urge, that you support the amendment which we here propose to rectify the unduly limited language now in the bill.

Discrimination in the selection of a jury undermines the very foundation of a democracy in the administration of justice, whether such discrimination is based on race, economic or social class, political or religious affiliation, or sex. Where such discrimination occurs, as your message of April 28 to Congress so clearly says: "It is not only the excluded group that suffers. Courts are denied the justice that flows from impartial juries selected from a cross section of the community.

Women constitute a cross section of one half of the adult community. The jury system will not be representative, or nondiscriminatory, unless and until no distinction is made between men and women with respect to jury service.

Although the Civil Rights Act of 1957 made women eligible to serve on all Federal juries, the procedures still being used in many of the Federal district courts continue to undermine the statutory purpose.

The situation is much worse in State courts. Only 22 States have laws that put men and women on an equal footing with regard to jury service. The other 28 States and the District of Columbia make various distinctions on the basis of sex alone which result in distorted and unrepresentative juries, as follows:

A. Three States—Alabama, Mississippi and South Carolina—totally exclude women from juries.

B. Twenty-five States and the District of Columbia provide different treatment for men and women with regard to jury service, as follows:

1. Three States—Florida, Louisiana and New Hampshire—permit women to serve on juries only if they first register with the clerk of the court. These States have no similar law with respect to men. (In addition, a jury in a condemnation case in Florida must be composed only of men.)
2. Fourteen jurisdictions excuse women from jury service solely because of their sex, namely, Arkansas, District of Columbia, Georgia, Kansas, Maryland (in 4 of 23 counties), Minnesota, Missouri, Nevada, New York, North Dakota, Rhode Island, Tennessee, Virginia, and Washington.
3. Eight States exempt women (but not men) if they have family and child care responsibilities. These are Connecticut, Massachusetts, Nebraska, North Carolina, Oklahoma, Texas, Utah, and Wyoming.
4. Two States allow women to serve on juries only where courthouse facilities permit: Rhode Island and Nebraska.
5. Two States specifically exempt women from jury service in cases involving certain crimes: Massachusetts and Nebraska.

In the light of these facts, let us look at the specific language of section 201 of your proposed bill. It provides:

"No person or class of persons shall be denied the right to serve on grand and petit juries in any State court on account of race, religion, sex, national origin, or economic status."

This language would clearly change the laws in Alabama, Mississippi, and South Carolina which totally exclude women from jury service. However, it would not invalidate the laws of the other 25 jurisdictions which make sex distinctions in jury service. In these 25 jurisdictions women have a "right to serve" on the jury, and section 201 merely forbids a denial of "the right to serve."

The sex distinctions now drawn in these 25 jurisdictions result in great evil. They are used in many locations to discourage women from serving on a jury. Frequently, women ask to be excused because they are disturbed by gratuitous suggestions about the inconvenience of jury service, the uncertainty of time required, the unwholesomeness of the surroundings, or the distasteful facts to be heard in some cases. These sex distinctions undermine women's sense of civic responsibility. They introduce totally unwarranted distortions in the selection of a jury so that it fails to be a cross section of the community.

The recent Federal court decision (White v. Crook, Feb. 7, 1966), holding the Alabama law unconstitutional did not help very much, because the court's decision allowed the State until June 1, 1967, to set up a new system which could include such factors as "whether service is to be compulsory or voluntary and the availability of physical facilities." If Alabama, Mississippi and South Carolina, which now exclude women, follow the example of the 25 other jurisdictions, allowing women to serve, but not on the same basis as men, the Civil Rights bill will have very little practical effect on eliminating sex discrimination in the selection of State juries.

Unless the Civil Rights bill tackles the problem of sex distinction in jury service, rather than merely the denial of the "right to serve", the bill will not "establish unavoidable requirements for nondiscriminatory jury selection" as promised in your State of the Union Message of January 12.

Although further litigation might bring further progress in ending discrimination between men and women in jury service (for example, whether the absence of physical facilities in a courthouse causes a denial to women of the right to serve on juries on account of sex), litigation is a long and costly process, of uncertain outcome, and the results will vary from State to State.

We believe that there should be but one law relating to jury service, applicable equally to both men and women; not one law for men and another law for women. We believe that no one should be excused from jury service solely on the basis of sex. We believe that jury service by women should not depend on whether a State or county has installed physical facilities for women jurors in court houses. We believe jury service should not depend on whether women register specially to serve, or otherwise ask to be allowed to serve. We believe that making women eligible for jury service on the same basis as men will not drag the mother away from her home-making and child-care duties. The existence of such responsibilities, which is a proper functional basis for excuse from jury duty, should be a reason available to any citizen, not just women.

We agree with the position of the President's Commission on the Status of Women which urged: "Attention to assuring equal jury service without distinction as to sex. Women and men alike should assume their responsibilities for making juries representative of the communities in which they live." (*American Women*, 1963, pp. 46–47). We agree with the 1963 report of the Commission's Committee on Civil and Political Rights which stated (pp. 12–14):

"The Committee believes there is urgent need for State legislative reform with respect to jury service eligibility, exemption, and excuse in order to achieve equal jury service in the States. The removal of sex distinctions in State laws respecting jury service would not mean that women having the care of small children would be forced out of the home; it would mean only that eligibility for an exemption and excuse from jury service would be the same for either sex."

To help achieve our common goal of establishing "unavoidable requirements for nondiscriminatory jury selection in Federal and State courts," we shall recommend, and hope you will support, amending the language of section 201 to read as follows:

"It shall be unlawful to make any distinction on account of race, color, religion, sex, national origin, or economic status, in the qualifications for service, and in the selection of any person to serve, on grand or petit juries in any State court."

We suggest that a similar change should be made in the language of that part of section 101 of the bill that would amend 18 U.S.C. 1862. The changes we recommend will bring this aspect of the Civil Rights Bill of 1966 into accord with the policy against sex distinctions which is already in section 703 of the Civil Rights Act of 1964 (Public Law 88–352), and section 3 of the Equal Pay Act of 1963 (Public Law 88–38).

Respectfully yours,

RESOLUTION ADOPTED BY THE WOMEN'S BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA ON MAY 24, 1966

Whereas equality of rights under the law for all persons, male or female, is basic to democracy and its commitment to the ultimate value of the individual and should be clearly reflected in the law of the United States; and

Whereas the United States is signatory to the Charter of the United Nations which reaffirms faith in fundamental human rights, in the dignity and worth of the human person, in the *equal rights of men and women* and of nations large and small; and

Whereas the laws of three states deny the right to serve on state juries to any woman; the laws of another three or more states exclude women unless they take some affirmative steps to assert their desire to serve, steps not required of men; while the laws of 15 states exempt women from jury duty on the sole ground of being female, without other reason, and the tendency of public officials in many such jurisdictions is to encourage women to avoid jury service, thus circumventing the fundamental concept of the jury as cross-sectional and democratic and of special and local competence to judge; and

Whereas there are now pending before the Congress a number of bills involving civil rights and specifically involving jury service, including H.R. 14765 and S. 3296 (introduced April 28, 1966), which latter embrace the draft prepared by the Attorney General of the United States and sponsored by the administration; and

Whereas, Sec. 201 thereof, as submitted, would eliminate *all* discriminations relating to men serving on juries, but would perpetuate a distinction based on individually, have repeatedly urged that jury service be uniform for men and women citizens, and have voiced the desire and readiness to assume this duty of full citizenship, unhampered by the circumstance of their sex; and

Whereas the report of the President's Commission on the Status of Women recommended the elimination of these discriminations so as to assure "equal jury service without distinction as to sex" (*American Women*, 1963, pp. 46–47); and

Whereas numerous State Commissions on the Status of Women, organized within the last three years, have likewise called for eliminating sex discrimination and opening the doors to women for the discharge of this civic duty on the same basis as for men; and

Whereas there is no logical basis for continuing the single discrimination against women in jury service on state juries while banning all other forms of discrimination; Now, therefore, be it

Resolved by the members of the Women's Bar Association of the District of Columbia, in annual meeting on May 24, 1966, That the President of the United States, the Attorney General of the United States, and the members of Congress be urged to amend the pending legislation so as to insure that the qualifications and selection of women citizens for jury service be on the same basis as for men citizens; and be it further

Resolved, That the following substitute language be advanced and advocated as appropriate, as an amendment to accomplish this purpose:

"SEC. 201. It shall be unlawful to make any distinction on account of race, color, religion, sex, national origin or economic status, in the qualifications for service, and in the selection of any person to serve on grand or petit juries in any state court."

THE NATIONAL FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS, INC., OF THE UNITED STATES OF AMERICA,
Washington, D.C., June 1, 1966.

Hon. FLORENCE P. DWYER,
House Office Building,
Washington, D.C.

DEAR FLO: Thank you for your letter of May 24th enclosing an additional copy of H.R. 14765. This legislation is of extreme interest to our Federation. As you know, one of the planks in our National Legislative Platform provides for "Uniform Jury Service for Men and Women."

There are nineteen states in which women may be exempt from State Jury Duty solely on the ground of their sex. This inequality should be eliminated as it prevents women from becoming full citizens in these states.

I have been in contact with Marguerite Rawalt, one of our Past National Presidents in Washington, D.C., and she advises me that the following amendatory language has been suggested to Hon. John Doar, Assistant Attorney General, Civil Rights Division, as effective to bring about equality of right and duty between men and women:

"SEC. 201. It shall be unlawful to make any distinction on account of race, color, religion, sex, national origin or economic status, in the qualifications for service, and in the selection of any person to serve on grand or petit juries in any state court."

In the event that you agree that the above would eliminate discrimination based on sex in the qualification for service and in the selection of State grand and petit juries, would you take whatever steps are necessary to substitute the above clause for the present Section 201, Title II, of H.R. 14765?

We now number over 176,000 business and professional women throughout the United States, all of whom are anxiously looking forward to Uniform Jury Service for Men and Women.

I will deeply appreciate your favorable consideration of this matter and I will look forward to hearing from you.

As soon as I hear from you I intend to contact our clubs throughout the United States again urging them to have their members to contact the proper persons in an endeavor to obtain uniform Jury Service at this time.

Thanking you for your continued valuable assistance, I am,

Sincerely yours,
EMMA C. MCGALL,
National Legislation Chairman.
WESTFIELD, N.J.

POLL WATCHERS FEAR INTIMIDATION

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. REID of New York. Mr. Speaker, I have introduced an amendment to the President's Civil Rights Act of 1966 which would make explicit that interference with or intimidation of any poll watcher, candidate for office, or other person participating in any general, special or primary election constitutes a Federal crime and is punishable in accordance with Federal criminal procedures.

Two weeks ago, I traveled to Mississippi as part of a bipartisan congressional delegation to underscore Federal concern with both the tragic shooting of James Meredith and the conduct of the Mississippi primary elections under the new Voting Rights Act. Although the Voting Rights Act is beginning to work, I heard firsthand reports of the real concern and even fear many persons still have regarding the electoral process. Mississippians who had served as poll watchers in prior elections refused to serve in the recent primaries—as a result of their concern over direct or indirect intimidation.

Mr. Speaker, the House Committee on the Judiciary is presently considering the civil rights legislation in executive session, and I hope that this amendment explicitly concerned with the electoral process, poll watchers, and candidates for public office is adopted by the committee before the bill is reported to the floor.

UNEMPLOYMENT COMPENSATION BILL REPRESENTS VICTORY FOR COMMONSENSE AND FAIRPLAY

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, today we have witnessed one of the most successful efforts of this Congress in cutting down a preposterous administration proposal and enacting in its place an unemployment compensation bill which is totally consistent with Federal-State relations in this field and humanitarian goals. The Republican members of Ways and Means Committee are deserving of particular commendation for the leadership they gave in defeating H.R. 8282 which would have adopted the most socialistic unemployment bill ever envisioned. It was, in fact, little more than Walter Reuther guaranteed annual wage through the back door.

The bill we voted on today preserves the highly successful system of autonomous State programs of unemployment insurance. It rejects the devastating proposals encompassed in H.R. 8282 which became a symbol of this administration's socialistic plans. Some of the provisons covered in H.R. 8282 which have been relegated to the scrap heap are as follows:

First. The imposition of Federal benefit standards, both with respect to amount and duration.

Second. The restriction of disqualification to cases of fraudulent unemployment insurance claims, conviction for a work-connected crime, or labor disputes.

Third. The abandonment of the experience rating system as a basis for granting the credit against the Federal tax.

Fourth. The automatic granting of an additional 26 weeks of benefits irrespective of the state of the economy.

Fifth. The broad and indiscriminate extension of coverage to employers of one or more workers, nonprofit organizations and farmworkers.

Sixth. The increase in the taxable wage from $3,000 to $6,600 by 1971.

Particularly offensive, of course, was the effort to undermine the merit rating system that many States such as Ohio had found so successful in rewarding industries with low unemployment and giving an incentive to police the unemployment compensation system from malingerers. It would have struck a deathblow at the Federal-State concept and would have established a vehicle to bring about the treasured goal of COPE and the radicals in the labor movement who seek to pay a man as much when he is idle as when he is working. Let the Russians keep that philosophy, we in this country want none of it.

I have strongly opposed H.R. 8282 and was particularly apprehensive in giving the Federal bureaucrats any vehicle which they could develop into the full scale H.R. 8282 model they wanted. The bill we passed today, H.R. 15119, affords no such opportunity and I supported its passage. Some of the features of this bill are as follows:

First. Thirteen weeks of extended unemployment compensation is provided during periods of recession. This is a refinement and improvement of the unemployment benefit programs adopted by Congress in 1958 and in 1961.

Second. Coverage is extended to those workers who can be generally considered regularly employed and for whom there can be reasonable standards of availability for work. Thus, employers of one or more workers during 20 weeks of a calendar year, or employers who pay more than $1,500 in wages during a calendar quarter, are covered. Farm workers are not covered. Certain nonprofit organizations are covered if they employ four or more workers in any quarter, but coverage is restricted to clerical, custodial and maintenance workers. These workers are also covered in institutions of higher learning. The primary and secondary schools, however, remain exempt.

Third. Nonprofit organizations are given the option of participating as self-insurers. Under this option, a nonprofit organization will not be required to pay any part of the Federal tax and will be charged only with the amount of unemployment benefits actually paid to an unemployed worker of such organization.

Fourth. The wage base is increased from $3,000 to $3,900 beginning in 1969 and to $4,200 beginning in 1972.

Fifth. A judicial review of determinations by the Secretary of Labor with respect to qualifications of State plans is provided. Thus, for the first time, a State threatened with the loss of the tax credit as a result of an action on the part of the Secretary of Labor may appeal to the courts. This system of court review has been advocated for many years by Republican Members of Congress and the State administrators. It will enable the States to adapt their programs of unemployment insurance to meet the needs of their particular State.

Thus, in discarding the provisions of the Johnson-Humphrey administration proposal which was anointed by the labor bosses as "their bill," the House did a rare thing—it exercised its own independent judgment, something we have seen all too seldom in this rubberstamp 89th Congress. Under the provisions of H.R. 15119, the States are allowed to continue their right to establish benefit and eligibility standards without Federal control. The experience rating concept has been preserved. More important, the all-important judicial review concept has been included. All of this adds up to strengthening the State unemployment systems. It marks the rejection of the concept of ever more Federal controls and centralized dictation. We must not forget that those who offered it are merely defeated for the moment. If history means anything, they will be back with the whole package in the future and like medicare and other programs, sooner or later they will get them unless citizens stand up and be counted.

I could not help but get some solace from the unhappy statements of Secretary of Labor Wirtz and AFL–CIO boss George Meany. They for once did not get what they wanted and expressed great dissatisfaction with this bill. On my desk this morning was the UAW Washington Report, radical mouthpiece of Walter Reuther which grinds out antifree enterprise, anticonservative and prosocialistic trash every week. In their "Weekend Wrap Up" column, they opined:

> Chairman Wilbur Mills, of House Ways and Means Committee, tried his level best to get federal standards for unemployment insurance through Congress—but state UC administrators posing as technical experts worked with antilabor employers to play political game against upping UC standards. Now scene switches to Senate Finance Committee, and private secretaries of big employers will again be writing those imposing letters which frequently frighten congressmen. If America's union members had stenographers write letters to Congress, mail count would show time is ripe to reform UC.

They may be unhappy but most Americans are not. Certainly not this speaker, certainly not those who are taxpayers rather than taxeaters. A victory, yes, but a mere skirmish. The war is yet to be fought and the fate of free enterprise yet to be determined. It is refreshing, however, to see a ray of light here and there. This has been one of the first in 2 years.

COMMUNIST SUBVERSION CONTINUES

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Ashbrook] is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, one of the most unwarranted generalities which is heard frequently on campus and in high governmental circles is that the Soviet Union has matured and has given up its bad ways which should therefore usher in a new era of cooperation, negotiation and resultant world peace. To a person who is even passively observing, this is a patent falsehood. While there is every effort to downplay the continual subversive conduct of the Communists, their ardor to achieve their goal of global conquest has not abated and they still use their traditional tools—deception, subversion, criminal conspiracy. The only thing that is incredible in this case is the unexplicable gullibility of many Americans who through some rose colored glasses tend to view communism as a genuine, respectable political party.

The record of Communists and their efforts to penetrate U.S. Government agencies and every other segment of our society from education to labor unions to business is not necessary to recount at this point. What I thought I might present, Mr. Speaker, is a capsule summary of what the Communist Party is doing now, in this decade. It is not necessary to recount the Alger Hiss story nor the sequence of events that led to the spy trials of Harry Gold, the Rosenbergs and others. What is going on now? I maintain that the same effort is proceeding as methodically as ever with a change here and there to better cover up, a little more polish and a different set of Communist Front organizations.

As the ranking minority member on the House Committee on Un-American Activities, I have a close connection with the effort to legislate a legal framework for our security laws to protect our American interest. For more than 20 years I have studied communism and believe that they are now ready to make their "great leap forward" in the United States, to borrow from the Chinese Communist dictator. Historically, the Communists stand condemned for their murder, treachery and global conspiracy. Most Americans know this. What most Americans overlook—and their Government, unfortunately, helps in this evasion of responsibility—is the Communist Party of the sixties is no different.

SUBVERSION IN THE SIXTIES

I will point out, for example, only those Americans who have been convicted of espionage since 1960 and the Communists who have been ordered out of our country as persona non grata. It first might be interesting to look at the record as far as our relations with the U.S.S.R. is concerned. Diplomatic recognition was formally granted to them after they piously promised to not use their embassies and official missions in the United States for any espionage or activity inimicable to the interests of this Nation. What a farce. A worse farce is that this administration in the consular treaty would extend even more privileges to the Soviets in face of the overwhelming evidence that they are using the United Nations, their embassies, their trade missions, their exchange programs and every form of contact with this country for their overall plans of espionage and subversion.

In 1933 in an exchange of letters between President Roosevelt and the Soviet Union regarding the establishment of diplomatic relations between the two countries, Maxim Litvinoff, People's Commissar for Foreign Affairs, U.S.S.R., stated in part that it would be the fixed policy of the Soviet Union "to refrain, and to restrain all persons in government service and all organizations of the Government or under its direct or indirect control, including organizations in receipt of any financial assistance from it, from any act overt or covert liable in any way whatsoever to injure the tranquillity, prosperity, order, or security of the whole or any part of the United States, its territories or possessions, and, in particular, from any act tending to incite or encourage armed intervention, or any agitation or propaganda having as an aim, the violation of the territorial integrity of the United States, its territories or possessions, or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its territories or possessions."

How well the Soviet Union has kept its word to "restrain all persons under its direct control from any act overt or covert liable in any way to injure the security of the whole or any part of the United States," can best be judged by J. Edgar Hoover's statement before a House Appropriations Subcommittee on March 4, 1965:

> A growing problem is the extent to which the Soviet intelligence services are dispatching undercover spies into the United States. These individuals have no ostensible connection with either the official Soviet establishments or personnel in this country nor do they make any overt contacts with their foreign espionage headquarters. They are well-trained, professional intelligence officers and usually bear assumed identities and are supplied with expertly fabricated documents and unlimited funds. They enter the United States without difficulty to become assimilated into our population and, unless uncovered, eventually serve as the nucleus of an extensive clandestine espionage network. Their detection among the more than 190 million people in this country is a counterintelligence problem of great magnitude.

So, instead of the Soviet Union mellowing as some so-called experts would have us believe, the fact of the matter is that the Soviets are really stepping up their drive to subvert our Nation by expanding their espionage network. The House Committee on Un-American Activities and other committees and agencies are well aware of this and we continue our vigil.

But information such as that above supplied by Mr. Hoover is certainly not the only basis for judging the sincerity or treachery of the Soviet Union. A review of the public record regarding Soviet or Soviet-bloc diplomatic or other personnel and their expulsions from the United States for espionage activities in recent years is a good indicator of how sincere they are in fulfilling Litvinoff's pledge of 1933. In addition, the number of Americans and non-Soviets convicted in the United States for conspiring to aid the Soviet Union should make us think twice about building wider bridges to the east.

SOVIET GUIDELINES REVEALING

In this age of guidelines, the record of Soviet and Soviet-bloc nationals expelled from this country plus the convictions of American citizens and foreign nationals for espionage activities in the United States provides an excellent guideline to determine the sincerity or treachery of the Soviet Union in its relations with our Nation. The record of Soviet espionage in the United States might well be likened to the case of John Doe coming upon his next-door neighbor, a known felon with a number of burgulary convictions, attempting to break into Doe's house in the dead of night. The first attempt might possibly have a plausible explanation, but if Doe apprehends the neighbor in a second, and a third, and a fourth attempt and Doe does not take corrective action, then John Doe needs to have his head examined.

Since 1933 Soviet and Soviet-bloc personnel have been apprehended repeatedly attempting through espionage to "break in" on American military, scientific and industrial secrets. In each case the diplomatic personnel involved are usually declared persona non grata and expelled from the country while nondiplomatic individuals are tried in the courts. But after the disposition of each case, the Soviet past record and policy of espionage and subversion is conveniently forgotten until the next case appears in the headlines. To make the case even more unbelievable, Soviet cases of espionage have occurred over the years in countries all over the world, and still we have in our Nation experts who are sold on bridge building, coexistence and friendly cooperation with the Soviets and the Soviet-bloc nations, with nary a reference to the Soviet campaign of espionage in the United States.

What is to be done?

Fortunately, the answer lies in part with the American people themselves. A Department of State publication, published in 1961, entitled, "How Foreign Policy Is Made," supplies part of the solution:

> We are a government "of the people, by the people, and for the people." This means that all decisions ultimately must pass the test of public acceptance. This also means that periodically the people avail themselves of their right to change the men through whom they govern themselves.

Herein resides the citizen's basic recourse—the power of the ballot box.

The above-mentioned publication further emphasizes this theme:

> This is an important fact in our foreign relations. It puts the world on notice that America is capable of continually revitalizing its leadership with fresh, new, and vigorous men, armed with a clear mandate from the people.

The surveillance and apprehension of those involved in espionage activities is the responsibility of the FBI, and except in those cases where individual citizens have properly relayed pertinent information to the Bureau, the citizen's experience in this area is very minimal. However, each voter should have a real and personal concern regarding the overall policy of the Soviet Union which directs clandestine activities in our land and the merit of U.S. policy with those Soviet and Soviet-bloc leaders who permit them. Furthermore, each citizen's appraisal of these policies should be a very important guideline in determining for himself the correctness or wrongness of our current foreign policy.

The following two listings should be helpful in providing background material on this issue. The first enumerates those Soviet nationals declared persona non grata or otherwise removed from their official assignments in the United States from July 1960 to January 1965. This is not necessarily the complete listing for this period of all Soviet nationals expelled from the United States, but only those involved in cases handled by the Justice Department.

The second listing comprises some cases of prosecutions for violations of espionage statues from 1960 to 1965:

Soviet Nationals Declared Persona Non Grata or Otherwise Removed From Their Official Assignments in the United States From July 1960 to January 1965*

Leonid Afanasievich Dovalev, 1960: Soviet National. Employee of United Nations Secretariat. Employed as translator at the United Nations Secretariat. Engaged in intelligence gathering activities. Requested to depart as PNG.

Igor Y. Melekh (Indicted), 1961; Melekh, a Soviet National, an employee of the United Nations Secretariat. He was arrested on October 27, 1960, after having been indicted by a Federal grand jury charging him with conspiring to violate the espionage laws of the United States. On March 24, 1961, Judge Edwin A. Robson of the Federal District Court in Chicago, Illinois, dismissed the case against Melekh pursuant to a request of the Attorney General, upon the condition that Melekh depart from the United States for the Soviet Union on or before April 7, 1961. The request of the Attorney General was made after lengthy consultations between the State Department and the Department of Justice in the belief that it would best serve the national and foreign policy interests of the United States. This case received considerable publicity.

Vladilen Vasilyevich Klokov, 1961: Soviet National, Third Secretary of the Soviet Mission to the United Nations. Was entitled to diplomatic privileges and immunities under provisions of Section 15 Headquarters Agreement. Klokov departed the United States on November 16, 1961. USSR Mission to the U.N. advised by the U.S. Department of State that Klokov's visa was invalidated and he would not be permitted to re-enter the United States.

Evgeni Valerianovich Pavlov 1962: Soviet National, employed at UN Secretariat, as an Associate Economic Affairs Officer in the Industrial Development Division of Department of Economic Social Affairs. Pavlov departed the United States on June 8, 1962. Requested to depart as PNG.

Yuriy A. Mishukov, 1962; Yuri V. Zaitsev, 1962: Both Soviet Nationals. Were employees of UN Secretariat. Sought intelligence information from a candidate for election to a state legislature (NY). Information regarding their illegitimate activities brought to attention of Secretary-General by State Department and Secretary-General dismissed both men. Mishukov had already left the country and Zaitsev departed on August 7, 1962.

Evoeni M. Prokhorov, 1962; Ivan Y. Vyrodov; 1962; Vadim Vladimirovich Sorokin, 1962; Mikhail Stepanovich Savelev, 1962: Named as co-conspirators in *United States* v. *Drummond*. Soviet Nationals attached to Soviet Mission to UN. Prokhorov and Vyrodov were Second and Third Secretaries, respectively, of the Soviet Mission and Sorokin and Savelev were employees of the Soviet Mission.

Prokhorov and Vyrodov were declared as PNG and they departed the USA on October 1, 1962. Sorokin and Savelev had previously departed the country voluntarily.

Ivan Dmitrievich Egorov (Indicted) 1963; Petr Egorovich Maslennikov 1963; Aleksei Ivanovich Galkin 1963: Named as co-conspirators in *United States* v. *Egorov, et al; United States* v. *Sokolov-Baltch*. Egorov, a Soviet National employed by the UN Secretariat, together with his wife, Aleksondra; Robert K. Baltch and Joy Ann Baltch, was indicted by a Federal grand jury in Brooklyn, New York, on July 15, 1963, for violation of the espionage statutes (Title 18, USC, Section 794(c)). Petr E. Maslennikov and Aleksei I. Galkin, First Secretaries of the Russian Mission and Byelorussian Mission to UN, respectively, were named as co-conspirators. Prior to trial, Egorov and his wife were simultaneously exchanged for two Americans, a Jesuit priest and a student, who were being held by the Soviets in the USSR. A superseding indictment was returned by the Federal grand jury in Brooklyn, New York, on December 17, 1963 (*U.S.* v. *Sokolov-Baltch*) naming the Egorovs as well as Soviet officials Maslennikov and Galkin as co-conspirators but not as co-defendants. Maslennikov and Galkin had voluntarily departed this country on May 3, 1963 and May 10, 1963, respectively.

Gleb A. Pavlov 1963; Vladimir I. Olenev 1963; Yuri A. Romashin 1963: Named as co-conspirators in *U.S.* v. *Butenko and Ivanov*. Soviet Nationals attached to the Soviet Mission to UN. Romashin was Third Secretary; Pavlov was an Attache and Olenev was an employee of the Soviet Mission. All were declared as PNG and they departed the country together on November 1, 1963.

Gennadiy Sevastyanov 1963: Soviet National, cultural attache of the Soviet Embassy, Washington, D.C. Expelled from the United States for "highly improper activities incompatible with his diplomatic status," which activities reportedly involved his efforts to penetrate the Central Intelligence Agency (CIA) by attempting to recruit the services of a U.S. Government employee of Russian parentage. Declared PNG and departed the United States on July 3, 1963.

Vasily V. Zadvinski, Vladimir P. Grechanin, Alexander V. Udalov, 1964: Soviet Nationals, attached to Soviet Embassy, Washington, D.C. General Major Zadvinski was Soviet Military Attache; Colonel Grechanin was Assistant Soviet Military Attache, and Colonel Udalov was Assistant Soviet Air Attache. All were declared PNG and ordered to depart the United States on December 14, 1964.

Boris Karpovich, Fedor Kudashkin, 1965: Named as co-conspirators in *U.S.* v. *Robert Glenn Thompson*. Both are Soviet nationals. Fedor Kudashkin was a former employee of the United Nations Secretariat who had departed for the Soviet Union prior to returning of the indictment in *U.S.* v. *Thompson*. Boris Karpovich was Information Counselor at the Soviet Embassy in Washington, D.C. Karpovich held diplomatic immunity and was declared PNG and ordered to depart the United States on January 12, 1965.

Then there are the cases where American citizens have been involved in espionage—remember, this is espionage of the present not of the past—and have been subsequently prosecuted by the U.S. Government. This is a reminder that Soviet perfidy has not mellowed but rather has continued in a steady, well planned and all too successful manner. Note these specific cases:

A Partial Listing of Violations of Espionage Statutes, 1960–65

1. Igor Y. Melekh and Willie Hirsch, indicted on three counts with conspiracy to violate Section 793 (a) (b) (c) and Section 951 of Title 18, U.S. Code. On motion by Government, court altered the bond of Igor Melekh, a United Nations employee, to permit him to leave the United States. Upon further motion by the Government, court dismissed the indictment on April 11, 1961, as to Melekh and Hirsch.

2. Robert Soblen, convicted for violation of espionage statutes and sentenced to life imprisonment on August 7, 1961. Free on appeal, Soblen unlawfully fled the United States and subsequently committed suicide in England.

3. Arthur Rogers Roddey, pled guilty to violations of espionage statutes and sentenced to eight years imprisonment on February 17, 1961.

4. Irvin C. Scarbeck, charged with unauthorized transmittal of classified information to an agent of a foreign government. Convicted and sentenced to 30 years imprisonment in 1961. In 1963 sentence was reduced to 10 years by District Court.

5. Nelson C. Drummond, indicted on two counts in October, 1962, convicted and sentenced to life imprisonment for having conspired with four Soviet Nationals, all former members of the Soviet Mission to the United Nations to deliver information relating to the national defense of the United States to the U.S.S.R.

6. Ivan Dmitrievich Egorov, Aleksandra Ivanovna Egorov, Robert K. Baltch and Joy Ann Baltch, indicted on charge of conspiring to transmit information about rocket launching sites, atomic weapons in shipments, and other aspects of national defense to the Soviet Union. Egorov, a Soviet National, was employed by United Nations Secretariat, but his claim of diplomatic immunity was denied by court. Prior to trial, the Egorov's were exchanged for two Americans, a Jesuit priest and a student, who were being held by the Soviets in U.S.S.R. The Baltches, alias Sokolovs were dismissed from a new indictment at the request of the Attorney General whose action was prompted by overriding considerations of national security. They departed from United States on October 15, 1964.

7. John William Butenko and Igor A. Ivanov, a Soviet National, convicted of conspiracy to violate espionage statutes and sentenced to 30 and 20 years imprisonment respectively in December 1964.

8. Robert Glenn Thompson, indicated on charge of obtaining information for the Soviet Union on U.S. military installations, missile sites, code books and intelligence and counterintelligence activities, including the identity of American agents. Pled guilty and sentenced to 30 years imprisonment last year.

9. Robert Lee Johnson and James Allen Mintkenbaugh, indicted on charges of conspiring to commit espionage on behalf of Soviet Union. Pled guilty and sentenced to 25 years imprisonment each in 1965.

10. Paul Carl Meyer, pled guilty on four counts of misuse of American passports. On February 26, 1965, was sentenced to 2 years' imprisonment on the first of these counts and to 1 year each on the remaining three counts, these sentences to run concurrently. Meyer fraudulently obtained 15 passports in Chicago, traveled to Berlin and sold passports to Soviets.

British Prime Minister Wilson, a Laborite, was compelled to stand up before the Parliament recently and reveal that the dock strike which has created a national crisis in island England is the work of hard-core Communists.

Yet there are those here who tell us, as they did just before the Cuban missile crisis, that communism is "mellowing" and that the Communists are not behind much of the violence and revolutionary action currently disturbing the United States.

The record is quite the contrary. The Communists are as active or more active than ever on the home front and, in Vietnam, they are supplying with armaments those fighting our American forces. The leopard has not changed his spots; they are just being whitewashed.

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* See FBI Statement, "Expose of Soviet Espionage—May 1960" (pp. 30–38, for PNG cases during period of January 1, 1950 to May 1, 1960)

AN OPTIMISTIC COMMUNIST PARTY

An optimistic Communist Party, U.S.A. moved into more overt activities in 1965 and 1966 than at any time in the past. A series of favorable Supreme Court decisions coupled with public apathy and the perennial liberal shortsightedness on communism has given it an impetus to push its activities harder than at any time since the late forties and early fifties. Communists have been very active in stirring public sentiment against the Vietnam involvement. They have been active on campus and in their efforts to infiltrate civil rights groups. No target seems as promising as the youth of our Nation, however, and it is in this area we should have special concern.

Typical of the duplicity they utilize is the Berkeley, Calif., student uprising and the tactics of Bettina Aptheker. She "inspired" and "led" the students during their uprising while concealing her true allegiance and identity. She tiraded against anyone who suggested she was a Communist and posed as a modern Joan of Arc. She later revealed that she had been a Communist all of the time. Unsuspecting Americans play into the hands of those who infiltrate mass organizations. The record is replete with other examples of this same infiltration of free speech movements, socialist clubs, the DuBois Clubs and so forth.

OFFICIAL PERSONNEL FOMENT SPYING

The most powerful source of subversive assault on America comes from the official Soviet personnel who are in the United States. At a recent congressional hearing, FBI Director J. Edgar Hoover warned:

> It is well established that a topheavy percentage of Soviet bloc personnel assigned to this country actually have intelligence assignments of one type or another. The number of these representatives has steadily increased over the years and the Soviet bloc works diligently to send more and more such representatives to this country. These individuals range from those assigned to their embassies and the United Nations to numerous other groups, including commercial representatives, exchange groups and the like.

In the Communist Party, U.S.A., the Soviets have a great advantage in commanding their own forces behind the lines of the declared enemy, us, and of having the enemy accord such forces the status of legal participants in the quest for political power. Supreme Court decisions have put the Communist Party in a position that it is a legitimate contender for political power, a great misassumption of fact, I am certain. With their own nationals in our country to give direction to the CPUSA, they have a dangerous combination which should make all Americans consider the subversive thrust of our avowed enemy.

The House Committee on Un-American Activities, the Senate Internal Security Subcommittee, the FBI, the Justice Department, and other intelligence agencies are at the forefront of the fight against Communist subversion and criminal conspiracy. Public opinion is just as vital, however, and Americans must never let themselves be lulled into complacency. As the record clearly indicates, Communist subversion and conspiracy continues just as it has since the godless philosophy gained a foothold in Russia two generations ago. To understand the enemy and his tools is half of the battle and I join many others who pledge to continue this unrelenting fight against a vicious, wily and most dangerous foe.

THOSE MAGNIFICENT REDWOODS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. DON H. CLAUSEN] is recognized for 30 minutes.

Mr. DON H. CLAUSEN. Mr. Speaker, great interest has been shown in proposals to create a Redwood National Park in northern California, and many Members of this House have asked me as Representative of the Redwood area, about these proposals. Recently I testified before the Senate Interior and Insular Affairs Committee field hearings held in Crescent City, Calif., June 17 and 18. At that time, I attempted to set forth the background of the problem, as I have learned it from a lifetime of residence in the area, and I attempted to spell out my own opinions of the proposals before the Congress. For those who would be interested in this statement, I insert this statement in the RECORD:

STATEMENT OF HON. DON H. CLAUSEN BEFORE THE SENATE INTERIOR COMMITTEE, CRESCENT CITY, CALIF., JUNE 17, 1966

Mr. Chairman and members of the Senate Interior Committee, may I first of all welcome you to the First Congressional District of California—the beautiful "Redwood Empire District"—and say that my constituents and I are pleased and thankful to have you here to view the area affected by the Redwood Park proposals before this committee. We have been urging full and complete hearings on these proposals for a number of reasons, with some groups urging creation of a Redwood Park without delay and others, the residents of this Redwood area, needing a prompt solution so as to ease the financial strain on the local economy which would be caused by delay. Also, the threat of government acquisition of large forest productive acreages has left an adverse psychological impression on the local people affected. They are understandably weary of the continuing harassment.

As some of you may recall, this community of Crescent City and the County of Del Norte have had their share of problems. In 1963, the Alaskan earthquake caused the devastating tidal wave that nearly wiped out the downtown section of Crescent City. In 1964, the extraordinary floods swept all of the buildings of the town of Klamath out to sea. This last winter, the Smith River went on the rampage, causing damage to the lower valley of the river with the resultant opening of a new mouth to the river. And now, the Redwood Park proposals to many is "the straw that broke the camel's back."

Your hearings here today, and those hoped for by the House Interior and Insular Affairs Committee—are a reasonable answer to these requests for prompt action. For this we thank you very much.

At the outset of my testimony, perhaps it would be of interest for you to know the position of the Congressman from this Congressional District. As you may know, President Johnson proposed his Redwood National Park program to the Congress on February 23 of this year through Secretary Udall. On that same day, Senator KUCHEL and I introduced the President's bill in the Senate and the House, respectively.

When I introduced this bill, I made a statement to the House of Representatives expressing my views. I think two paragraphs of this statement will adequately summarize my position. First of all I said:

"It has become clear that one of the rarest resources in the world—the tall coast redwoods—should be recognized as one of our great national assets and that suitable redwood forests be set aside under the care of the National Park Service. By my words and action today, I fully endorse this concept."

Parenthetically, this key statement that, in my judgment, accurately describes the current status, appeared in the most recent issue of U.S. News & World Report:

"There appears to be wide acceptance of the idea that the giant Redwood Trees are one of Nature's greatest wonders and should be included in the National Park System. Virtually everyone agrees that, when all is said and done, there is going to be a National Redwood Park. The only remaining questions are when, where and how big?"

Regardless of my own thoughts, my position of responsibility is different from that of any other member of the House. Again, may I quote a second paragraph from my statement:

"More than 400 members of this honorable body may find it hard to question the protection of beautiful redwood forests, and that is understandable. But there is only one—the Congressman from the First District of California—who has the direct responsibility to protect also the legitimate interests of all the people who live there."

With this position in mind, Mr. Chairman, I would confess that I had some reservations in introducing the Administration's bill. Many people in this particular area are critical that the State of California has not developed the recreational potential of the more than 100,000 acres of redwood forests it has held in State parks for many years. Secondly, because the timber products industry represents more than 70 percent of the local economy, others fear for their jobs. And still others, who pay property taxes, or public officials concerned with tax revenue income, fear that the tax base will be seriously eroded by federal acquisition of private lands, thereby increasing their own tax load.

These are reasonable concerns that I, as their representative, also must voice. Frankly, I introduced the Administration bill because I thought it made an honest effort to answer these problems and was a reasonable starting point for Congressional consideration. I am sure the witnesses before you today and tomorrow will go into great detail about the local economy, jobs, the tax base and other considerations involved, and I hope that, from this, a clear determination can be made as to whether these concerns are adequately answered by the bill. It is my personal view that the economic adjustment provisions are totally inadequate and will require the maximum evaluation by the committees.

Quite frankly, I do not believe that either one of the bills now before your committee, as written, will be finally accepted and adopted by the Congress. More logically, I believe it will be a combination of the two. This, of course, is to be expected when considering what I will describe as the most complex and complicated conservation proposal ever presented to the Congress.

There are strong feelings on both sides of the issue before us. As many of my colleagues have sympathetically stated. "CLAUSEN, we don't envy your position, being caught squarely in the middle of a highly emotional and controversial issue." This may come as a surprise to you, Mr. Chairman, but quite to the contrary, I welcome this opportunity to accept the challenge that will lead toward a satisfactory compromise solution.

At the risk of appearing to be immodest, I would like to state for the record the reasons why I am content to be in this position. First, careful scrutiny of my voting record in Congress will reveal a strong record of support for the responsible conservation programs presented to the Congress. On this Redwood Park and other conservation proposals, I have consistently kept an open mind and will continue to do so because in a representative government, we have the obvious obligation to seek recommendations for improvement of any legislation before us.

Secondly, the fact that I was born and reared in this great Redwood country, I believe, places me in a unique position to assist the interested groups and the legislators in gaining access to and being provided with the important factual data that is so vitally necessary to the rendering of a proper decision. Suffice it to say, I am equally aware of the problems and the potentials.

Having said this, it will be my objective to work with you to find the most reasonable and practical compromise—the final plan could well take shape by coordinating and improving the two bills before you. Mr. Chairman, I am strongly convinced that everyone is going to have to give on this matter. As the testimony is gathered and the overall economic factors come to light, I am certain that you will then see what I know to be true—we have previously referred to this National Redwood Park proposal as complex and complicated. I might add one very important description—it will be very costly.

Mr. Chairman, the financial problems associated with this park question are enormous. Further, a careful study of the history of the various parks authorized by the Congress, particularly in recent years, will reveal a pattern of gross underestimates in the land acquisition and park development costs. Some will say that this is to be expected because "whenever the government moves in to buy something, the costs go up and/or the speculation runs rampant." Others have said the estimates have been kept purposely low in order to get the bill passed through Congress.

In this case, we cannot afford to speculate. There is too much at stake. Before arriving at any final decision, every member of Congress should know exactly what it will cost. The taxpayers of America also have a right to know. It will be my purpose to do everything within my power to minimize any inaccurate estimates of the project.

To emphasize my point, the Senior Senator from California, Mr. KUCHEL, and I also have bills pending before the Congress to increase the grossly underestimated authorization of the Point Reyes National Seashore from the original $14 million to the new Park Service estimate of an additional $30.5 million, or a total of $44.5 million. This project is also in my Congressional District.

Mr. Chairman, I want to serve notice right here and now that I believe we, in the Congress, have the responsibility of completing the job on existing park proposals such as Point Reyes. Many people were affected by this project and are entitled to expect an early completion. I, therefore, have established this as my first priority conservation project.

Returning to the Redwood Park question, I would like to point out that because of these stated concerns and reservations, I introduced a second bill in the House—and this brings me to the first of two major points I would like to make before this Committee today. My second bill, H.R. 13042, would provide a Redwood National Park in this same area as the Administration bill, but instead of taking the 18,000 acres of Rellim Redwood Company lands, comprising the entire Mill Creek watershed, the bill provides for a corridor connecting the two state parks. This would leave the question of the Rellim lands within the Mill Creek watershed—most of which are not park quality—subject to an acceptable land management agreement with the Congress. As to watershed protection, the Lowdermilk Report will substantiate and remove any concern of soil erosion.

With the existing demonstration forest program and the Redwood Park and Recreation Plan of the forest products industry involved, we have the opportunity of establishing an interesting and potentially exciting new concept of coordinated conservation planning. The end result could be a model reforestation program immediately contiguous to the Redwood National Park. The educational value associated with this concept is truly unlimited. The local people have adopted a slogan, "Parks and Payrolls." This proposal is designed to fulfill their request. The Rellim Redwood Company has the reputation of being one of the finest land managers in the business, thereby lending validity toward acceptance of this concept. Incidentally, part of this recommendation came as a result of many discussions I held with a highly respected member of the Save-The-Redwoods League and also a local informal citizens committee headed by the late Superior Court Judge, Michael Messner. The fact that this bill has not been introduced in the Senate points to the reason for its not being up for consideration by your committee today, but I would ask that the members of this Subcommittee become increasingly familiar with this approach because I believe it provides many meritorious opportunities toward reaching the ultimate compromise.

As you also know, the second major proposal before this committee today is to create a Redwood National Park in the Redwood Creek watershed, consisting of some 90,000 acres. This proposal also contemplates the acquisition of thousands of acres of non-park quality lands for the purpose of forming a so-called "ecological unit" to protect the virgin redwoods downstream.

So it seems to me that one of the major issues before the Congress is this doctrine of federal acquisition of an ecological unit. I simply ask the academic question: Are there other ways to guarantee the protection of these cathedral-like forests other than authorizing the federal government to buy the entire watershed? It seems to me that the answer to this question reaches to the very heart of the crucial economic question before the Congress, not only from the standpoint of federal cost in a time of extremely tight money, but also from a standpoint of economic damage to the local community.

This question of economics also is involved in the second major point I would like to raise before the committee today. Perhaps the members of this honorable committee are aware—and especially Senator KUCHEL because of his very close contact with the state—of the major factors, aside from the federal bills, that affect the redwood park issue. But I can say from my own knowledge that most of the people of this area specifically, and presumably the United States in general, are not aware that the State of California apparently plans even greater land acquisitions for the state park system than are envisioned by the federal government in the Administration bill. It is a clear fact that creation of a Redwood National Park by the Congress physically cannot meet all of the economic problems involved unless the committees of the Senate and the House thoroughly study the impact of the total land acquisition contemplated by the state as well as the federal government.

In other words, the economic problems of the redwood region cannot be solved if the federal government places a park in Del Norte County and attempts to solve the economic impact here while the state expands its Prairie Creek and Southern Humboldt State Parks in Humboldt County. Or, in the wisdom of the Congress, if it places the park in the Redwood Creek watershed, including Prairie Creek Redwood State Park as proposed by the Sierra Club, then the economic problems are not solved if the state expands here in Del Norte County and at Southern Humboldt Redwood State Park. For this reason, I strongly urge this committee to make every effort to determine what the state planing is at this time, so that the entire land acquisition picture can be placed before the Congress and the people for action and reaction. In other words, we the people of the area must consider the federal and state land acquisition plans in block because of the overall economic impact on our entire area.

It is appropriate to note, at this point, that these acquisitions are not unilateral actions by the federal government on one hand and the State of California on the other. Secretary Udall's proposal to the Congress, in submitting the Administration bill, makes this clear in the Section labeled "Scope of the Proposal" contained in the Secretary's presentation on pages 20 and 21. This Section clearly indicates that a deal has been made between the state and federal administrative agencies.

This agreement contemplates that the federal government will establish a Redwood National Park by receiving Jedediah Smith and Del Norte Coast Redwood State Parks from the state and by acquiring 18,000 acres of Rellim lands to round out this major unit of the park, as well as acquiring approximately 1,400 acres of the separate "tall trees" unit to the south. This is the portion of the proposal that is generally known by the public.

The state's part of the proposal, which is not generally known, is that it would receive the King Range Conservation area of approximately 31,000 acres from the federal government and consolidate this with the 38,000 acre Southern Humboldt Redwood State Park by acquisition of an additional 18,000 acres in the Mattole River area. In addition, the state would also acquire some 16,600 additional acres adjacent to Prairie Creek Redwood State Park to expand this state facility as well as receive the Muir Woods National Monument in Marin County from the federal government. The total of these new state acquisition was estimated by Secretary Udall to cost $12,700,000, one-third of which, according to the Secretary, could come from contingency funds in the Land and Water Conservation Fund, the Secretary would help raise another third of this amount from major national foundations, and the other one-third would, hopefully, be raised by local conservation groups in cooperation with the state. In all honesty, I think it is appropriate that we remind ourselves of the problems associated with the Land and Water Conservation Fund. The revenues are lower than estimated originally, and there are over 300 conservation projects now authorized by the Congress that will be dependent upon the scheduled accumulation of moneys for their funding.

For the record, Mr. Chairman, I would respectfully request at this time that pages 20 and 21 of Secretary Udall's proposal to the Congress be included in the committee record at this point.

In summary, Mr. Chairman, it is my feeling that the Congress has before it proposals with a great number of ramifications because the facts are difficult to obtain. I fully agree with the committee's determination to build a full and complete record on all of the economic and aesthetic considerations involved in these proposals. And, I strongly urge that the doctrine and philosophy of the ecological unit be thoroughly considered and examined as well as the entire package proposal of land acquisitions by the federal and state governments so that the full impact on the area can be ascertained. Only when this is done can the Congress make an accurate decision based upon all of the facts. In my judgment, no Senator or Congressman can arrive at an honest and objective decision on this vital question until this full and complete record is available for review. As the Congressman from the area, I have not yet reached a final decision, and will not do so until all testimony is included in the record. I ask that each of you follow this suggested approach.

In conclusion, Mr. Chairman, you, the Members of this Subcommittee, our colleagues in the House and Senate and I, have a very heavy responsibility in this matter. We must share the burden of arriving at the final decision that includes the proper solution to the Redwood National Park question.

With this in mind, I would like to remind the Senators present that this hearing is being held in the County that has been my home for the past 25 years. I served as a Member of this Board of Supervisors for seven years, so I feel somewhat qualified to suggest that the Congressman from the First District is quite familiar with the area in question.

Therefore, I would like to offer what I think would be a representative point of view of the people of this county. Let's inventory the situation as the residents of this county might do. Put yourself in their position. What might be your observations? First, and quite naturally, you will be concerned over any major land acquisitions by public agencies when over 70 percent of the available land in the entire county is already owned by the State or Federal governments. With each passing week, some new development takes place. Another staff member or an appraiser representing a State or Federal agency has come in to "disturb the serenity" of the area. A new, chastising article appears in the newspaper or in a magazine, placing emphasis on readily acknowledged forest practice problems that were created by some cut-out and get-out logging operator who is no longer here to be held responsible for his actions. You live in this area because you like it here, the natural beauty of the rivers and trees, the fishing and camping, the people, the opportunity to provide a normal living for your family.

Quite honestly, you don't mind sharing this abundance of natural beauty with others—you've been doing it for years with the outstanding Jedediah Smith and Del Norte Coast Redwood State Parks in your backyard. As a matter of fact, you see the opportunity of "making a buck" from tourists who come to see these giant cathedral-like groves such as the Stout Memorial. But, having lived here, you are also quite familiar with the fact that the type of weather conditions we have on the North Coast, the heavy winter rains and the prevalent summer fogs, which cause these great trees to grow and reproduce in the first place, are also the understandable limiting factors for expanding the tourist industry.

Then, as one who has worked for years to attract stable industry to your area, you realize the limitations of the area because of a lack of railroad facilities. You work to encourage diversification of the existing industries because you know you can depend on this for your bread and butter.

After years of continuing coordination and cooperation with a highly respected organization operating a similar integrated forest industry processing plant in the State of Oregon, you reach the day when this organization holds a meeting announcing its plan for expansion.

Even though you are still recovering from the flood and tidal wave disasters, there now appears to be a ray of hope on the horizon. The men working now in smaller mills, who do not have sufficient timber resources to keep going, can feel secure in knowing that when their plant closes down, they have an opportunity to get a job in the new full-utilization plant that is expanding. As the grocer, the clothing merchandiser, the service station operator, the clerk in the five and dime store, you take great satisfaction in the fact that payrolls will continue to provide purchasing power for the goods and services you have to offer.

Then, out of the blue, come the activities of State and Federal agencies, the announcement of the President to create a National Redwood Park. Your hopes for the future are clouded—you don't know if you'll have a job. Can we stay in the area? Can the children remain with their schoolmates? Should we buy that new or used car this year? Should we buy that new home or add on this additional room? No, let's wait until this Redwood Park issue is settled.

Gentlemen, while this may appear to be irrelevant to the legislation before you, I can assure you that that which I have described is very real to the person who lives in Fort Bragg, Scotia, Fortuna, Arcata, Orick or Crescent City. This is representative of the type of mail I have been receiving from people subjected to this harassment for the past two to three years. The continuing uncertainty about one's future can have a devastating effect on the morale of the area.

These people know what they have now, they know what they could plan on. They have an expanding operation underway that could well be the backbone of their economy for the years to come. Is it not understandable that they are concerned as they testify today?

Mr. Chairman, these people need our assurance that we will not legislate a new pocket of poverty in Humboldt or Del Norte County. The economic adjustment payment provision, which has heretofore never been accepted or established by Congress, is only the beginning of their concern.

I firmly believe the people of the area have a right to expect full protection against any legislatively imposed economic disasters. The basic point that I want to make is that should the Congress finally decide to adopt either the Administration or the Sierra Club proposal, then the Congress has the obligation of recommending and providing alternative economic and industrial sources of income for the areas. The recommended economic adjustment payments deal only with the calculated tax base losses and leave much in doubt as to the guarantee against other economic losses caused by the land acquisitions. This portion of the proposal must be more specific in scope before it can be understood and accepted.

I cannot say honestly that the people residing on the North Coast of California are against a National Redwood Park—they simply say, "We will support a park plan we can live with."

With this in mind, I will be working toward that end—a reasonable and responsible approach to the development of a "Livable Park Plan." With the passage of time, as more factual data is presented to our committees in the Congress, I shall keep abreast of my thinking on this important matter. I hope you will ask for my point of view from time to time. The people of the area and the nation are depending on us to be carefully considerate before arriving at a final decision—a decision that will be of extreme importance to all America. Together, I believe we can develop a satisfactory compromise.

In the coming months, as the record is built, I shall be putting together my thoughts for a comprehensive conservation package recommendation whereby the areas involved, the industry, the State and Federal governments can consolidate their efforts toward the adoption of a plan of "Redwoods Forever" by combining the preservation of an adequate reserve of the magnificent park-quality Redwoods with proper forest management practices. This package will include a National Redwood Park, the existing system of State Parks, with some possible additions, the completion of the Point Reyes National Seashore, a State Recreational complex associated with the Water Resource Reservoir development plans for the North Coast, the Scenic Roads and Trails recommendations of the State of California, the Forest Service Multiple-Use and Recreational plans, the Demonstration Forests of the Redwood Region Conservation Council and the very exciting Redwood Park and Recreation Plan.

The overall acreage commitment in this package will be surprising and should strike a responsive chord with preservation conservationists and multiple-use conservationists alike, with fishermen, hunters, campers and recreationists. This regional conservation package will be designed to sustain the integrity of this Committee, the House Committee and the entire Congress. It will embody an exceptional array of natural and man-made resource developments to demonstrate to the world that we in the Redwood Empire truly possess "American's Family Playground."

Thank you very much, Mr. Chairman and Members, for your patience and kindness in permitting me to testify today.

SOLVAY-GEDDES COMMUNITY YOUTH CENTER

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Hanley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANLEY. Mr. Speaker, on Sunday, June 19, I had the pleasure of attending the dedication ceremonies marking the formal opening of the Solvay-Geddes Community Youth Center in my district. It was also a privilege to be allowed to contribute in small measure to the occasion by presenting the center with a flag that had flown over the U.S. Capitol. I was so impressed with the center itself and with the story behind its construction that I would like to share it with my colleagues.

The community youth center is a one-story structure containing a gym, swimming pool, steamroom, and other facilities for the recreational enjoyment of the town of Geddes, and especially for their children. Its existence is the result of many years of hard work and planning by the Solvay Tigers Athletic Club and its auxiliary, the organization engaged in the building and operation of the center. The late James M. DeLucia, a member of the Tigers, conceived the idea for such a building, and a memorial to him now hangs in the lobby in recognition of his contribution.

Over the past 20 years, the Solvay Tigers have conducted baseball and basketball programs for boys from the area. To support these activities and to realize their dream of a youth center, the Tigers conducted various fundraising activities with each member selflessly giving of his time and effort. Then, a few years ago, the group decided to take the first direct steps toward their goal of a permanent center where they could organize and conduct their existing programs and expand their operations for the benefit of young people. The community youth center that exists today is the wonderful result of all their efforts throughout the years.

What makes the achievement of these fine people so noteworthy is that they accomplished their objective almost exclusively on their own. In addition to making financial contributions toward the center during the fund drive and having worked throughout the years to raise the initial capital, many of these same people went so far as to donate their time on weekends and evenings to aid in the construction of the building in order to help lessen costs. Through the cooperation of the village of Solvay and the town of Geddes, the Tigers were able to obtain equipment which the members used to level the side of a hill in order to provide an adequate building site.

When other citizens in the community became aware of the tremendous enthusiasm and dedication of the men and women of the Tigers, they responded with material assistance. Two charitable organizations, the Rosamond Gifford Foundation and the United Community Chest, made substantial financial contributions. The local business community also did its part. The Crucible Steel Co., located in Solvay, made as part of its contribution the presentation of stainless steel ovens for the kitchen at the center. The Solvay Process Division of the Allied Chemical Corp. donated the land for the center site and contributed substantial support in the form of financial assistance and the technical know-how of its employees.

As with any project of this magnitude, someone has to be appointed as overseer. To fill this position, the Tigers were extremely fortunate in obtaining the services of Mr. Carl E. Sassano. His individual contribution of time and ability was so outstanding that the members of the Tigers themselves, who could all claim equal praise for their efforts toward the center, saw fit to single out Mr. Sassano for special recognition and made the dedication ceremony a testimonial in his honor. Such commendation by his fellow citizens was truly well deserved, judging by the results of his activities. Mr. Sassano's conduct in this endeavor affords an excellent example of what a private citizen, interested in the welfare of his community and willing to expend the time and effort required to do something about it, can do to bring about an improvement in the life of his community.

The work and achievement of Mr. Sassano and his fellow citizens in the town of Geddes has not gone unnoticed. Their efforts and their center stand as a model of what a community can do when motivated. Other communities are looking to them for ideas on how to build similar structures in their areas. It was also as a result of this recognition that the Tigers were able to obtain as main speaker at their dedication the Right Reverend Monsignor Nicholas H. Wegner, director of the world-reknown Father Flanagan's Boys Town. Indeed, it was only fitting that a personality of Monsignor Wegner's stature and background be present at the opening of a facility primarily intended for the development of the youth of the community.

Thus, Mr. Speaker, it is a source of great pride for me to serve as the Representative in Congress of such people as those in the town of Geddes. Their efforts in constructing a youth center marks not only a successful completion of many years of hard work but also marks a beginning in that these wonderful opportunities are now available to their children. Through this facility, the young people of the town of Geddes will have a better chance to develop into responsible and worthwhile citizens who will be an asset to both their community and their country. They have been given the finest example of community responsibility and civic pride by their parents and neighbors, who have done so much for them and for their town by building this great center.

VIET MAIL CALL

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. ASHMORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHMORE. Mr. Speaker, I would like to call to the attention of the House an outstanding example of what is being done to assist in lifting the morale of our fighting men in Vietnam. A project called Viet Mail Call was begun last November by the Greenville Piedmont, the evening newspaper in Greenville, S.C. This was followed by the morning paper, the Greenville News, which produced a newsletter and sent it free to servicemen.

In the words of Seaman Charles Blocker:

> Every letter I receive says, "I don't know what to say that could cheer you up." Well, just to see the letters come is enough.

Thus Seaman Blocker, stationed on the U.S.S. *Valley Forge* off Vietnam, expresses his appreciation to the Greenville News-Piedmont Co. and hundreds of Greenville area people who had written as part of the News-Piedmont program of support. Blocker is only one of hundreds of servicemen, relatives, friends, area citizens, and organizations now involved in the constantly growing program of mail, materials, and most of all, moral support of our fighting men and units.

The Viet Mail Call and newsletter list, beginning with only "local" boys, now contains more than 150 names and addresses sent in by friends and relatives. It continues to grow daily. One marine wrote that he had received almost 600 cards and letters from Greenville area citizens, that he could not possibly answer them all, and wanted the Piedmont to thank the public for him. Dozens of sincere letters were received by the papers asking similar help.

The Piedmont's Viet Mail Call has developed into a folksy, page 1 column, with correspondence going to, and coming from, servicemen with citizens telling of replies from them and relatives writing in to thank the paper and the public. The Greenville News' newsletter also received high praise for its summaries of sports and news events edited especially for Vietnam fighters far away from home. In some cases these men were unable to get up-to-date newspapers from their hometown.

Probably the biggest single flood of mail, one which emphasized citizenship in the best possible way, came from Wade Hampton High School in Greenville. Miss Bonnie Barrows, student body president and daughter of Cliff Barrows, who is Evangelist Billy Graham's song leader, directed a Citizenship Week project in which some 1,500 students each wrote a Viet Mail Call addressee on Freedom Day. Much of this correspondence has been continued.

There was also the case of the small Bible class at Greenville's Edgewood Church of Christ, which "adopted" one Marine Lance Cpl. Robert Borger, for prayer and letters. Bob and the class, taught by Mrs. W. D. Lawless of Route 2, Piedmont, S.C., now carry on a "family" correspondence that seems to be an inspiration to both.

Several organizations and individuals have "adopted" men and units to help them with Vietnam social and rehabilitation projects, the Viet Mail Call advises others wishing to do so to contact the Community Affairs Branch of the Pentagon if planning a large-scale project.

Throughout the projects, one thing has been quite clear: all of the servicemen are eager for expressions of support and the people of the Greenville area are more than willing to respond to the appeal for support of their fellow citizens caught up in war.

The Greenville-Piedmont Co., both management and staff, are to be commended for such a fine program. I wish to bring their efforts to public attention so that others may know what they are doing, and I can think of no better place than here in the U.S. House of Representatives.

IDAHO'S GREAT OPPORTUNITY

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UDALL. Mr. Speaker, recently I had an opportunity to participate in an unusual day of political activities in Pocatello, Idaho. On one day, and in one city, there was a Republican dinner, a Democratic dinner, and a public meeting at which representatives of the two parties debated current political issues. My colleague, the gentleman from Michigan, Congressman GERALD FORD, the minority leader, and I took part in the debate.

At the Democratic dinner that evening my party's candidate for U.S. Senator was the guest of honor. His name is Ralph Harding, and he is well known to all of us who served with him in the 87th and 88th Congress. He was a vigorous and effective Member of the House, and I know he will be an equally valuable Member of the Senate.

The principal address at the Harding dinner was given by one of our most beloved colleagues, the gentleman from California, the Honorable CHET HOLIFIELD. His speech was not only a strong endorsement of Mr. Harding's candidacy but a positive statement of what the Democratic Party stands for and has been working for in this Congress.

Mr. Speaker, without objection, I shall insert the text of Mr. HOLIFIELD's speech in the RECORD at this point:

REMARKS OF THE HONORABLE CHET HOLIFIELD, DEMOCRAT, OF CALIFORNIA, POCATELLO, IDAHO, MAY 21, 1966

It's a real pleasure to be here tonight helping the friends of Ralph Harding launch his campaign for the United States Senate. Ralph Harding served with me for four years during the 87th and 88th Congresses, and I can honestly say he was the type of Congressman who I feel will make an outstanding United States Senator.

After Ralph Harding first arrived in Washington in 1961, we soon became good friends. He realized early that the committee assignments of his colleagues could be helpful to the State of Idaho. I am sure it wasn't entirely accidental that our friendship developed rapidly.

I was chairman of the Joint Committee on Atomic Energy, and Ralph Harding had a great interest in atomic energy because of the National Reactor Testing Station located here in Idaho.

He proved to be a valiant fighter for authorizations and appropriations that were needed for the National Reactor Testing Station and other atomic energy programs. Our Committee could count on the vote and the support of Ralph Harding in meeting the atomic energy research and development needs of this great Nation.

Therefore, when in the 88th Congress, Ralph Harding sought a seat on the Joint Committee on Atomic Energy, I was delighted to sponsor him. Had he been reelected to the 89th Congress, I am confident that Ralph Harding today would have been a member of this Committee that is so important to your State.

I supported him not just because he had a major atomic energy installation in his District, but because I honestly felt he was the type of progressive and dedicated young man who puts the needs of the nation first and foremost in his service in Washington.

I still have high hopes that some day it will be Ralph Harding's opportunity to serve under my chairmanship on the Joint Committee on Atomic Energy, even though he will necessarily be doing so as a member of the United States Senate.

The past year, during which Ralph served as the Special Assistant for Legislative Affairs for the Secretary of the Air Force, has been a year of growth and development that will enable him to be a very productive member of the United States Senate.

Ralph's background has certainly prepared him to serve with distinction in the United States Senate. His two years of military service, his college education in political science, his term in the Idaho State House of Representatives, his four years as Auditor with a certified public accounts firm and Comptroller of a large Idaho industrial corporation, his two terms in the House of Representatives, and now his year as an Assistant Secretary of the Air Force, provide an ideal foundation from which to launch a career in the United States Senate.

Ralph Harding has the background, the ability, the dedication, and the political philosophy to do a great job for the people of Idaho.

Ralph Harding's political philosophy is very close to my own. He believes in moving America forward through the wise and progressive legislative programs of such great Presidents as Franklin D. Roosevelt, Harry S. Truman, John F. Kennedy and Lyndon Baines Johnson.

Ralph Harding is proud to be a Democrat, and we Democracts in the United States House of Representatives were proud to work with him and we will be even prouder to work with him as your next United States Senator.

Two factors are vital in our National Legislature—experience and seniority. Ralph Harding has a fine background of experience in business, state and federal legislative bodies and as an Assistant Secretary of the Air Force.

He is a young man, as is your senior Senator, the Honorable FRANK CHURCH.

I am 62 years old. I am serving my 24th year in the House of Representatives. A few years ago I had the opportunity to be a candidate for the United States Senate from California. I considered at some length the value of my accumulated seniority in the House and my age at that time.

One of the factors that caused me to stay in the House was my life expectancy in relation to Senate turnover of membership. I decided the percentage for duration of service, in order to obtain the power which seniority brings to a member of the Senate, was not in my favor.

In the case of Senator FRANK CHURCH and Ralph Harding, the percentage of life expectancy is markedly favorable. Because of the higher level of age in the Senate, these mature but relatively younger men, have great growth potentiality.

A United States Senator can progress in seniority a long way in two terms in the Senate, particularly in growth of power . . . if he is a member of the majority party.

A state has a tremendous selfish interest, if you will, in the potentiality of a Senator's growth in effective seniority. As evidence of this, you are aware that Senator CHURCH, first elected in 1956 at the age of 32 is in his 10th year of service, the Chairman of two important Subcommittees of the Foreign Relations and Interior and Insular Affairs Committees.

Within a very few years Senator CHURCH will, as he continues to serve you, be chairman or ranking member of one of these two great Senate Committees.

Ralph Harding will be 37 years old this September. He is in the prime of life and vigor. While none of us can predict the span of life of an individual, we do know the percentages listed on the life expectancy tables.

Ralph Harding is experienced enough to be your Senator. Fortunately, he is at an age to accrue many years of seniority. He is a member of the Party that has proven to be in tune with the Nation's needs and he will be a member of the Congressional Party which the majority of voters have chosen, for 30 years out of the last 34 years, to implement our great social, scientific, and economic programs.

I came to Idaho a day early in order to visit the National Reactor Testing Station. At this Station we are demonstrating the dynamics of a probing, inventive policy of experimental development in the new field of atomic science.

We, the members of the Joint Committee on Atomic Energy, know intimately of its great importance to our nation and the free world.

With its 5,500 employees, it is a great asset to your state.

We have invested more than a billion dollars in its facilities and operational costs. This year's budget is approximately 83 million dollars. It will continue to have an important function in our atomic program.

Few people realize that the first full-scale prototype of the nuclear submarine fleet, the *Nautilus*, was built on the National Reactor Testing Station site under the direction of Admiral Hyman G. Rickover. He is still in charge of the Naval Nucelar Reactor Program and we are approaching the 100 mark in our nuclear submarine fleet.

Thirty-seven of these fantastic vessels are equipped with 16 Polaris nuclear-tipped missiles. Each of these submarines possesses more than three times the explosive power of all the bombs dropped in World War II. They represent the first line of defense for *your* freedom and the freedom and liberty of the non-communist world!

The prototype for this great deterrent power was constructed on the sands of Idaho. The crews for each of these new submarines are given their initial training in these prototypes.

Now we are moving into propulsion of surface warships. We have the great aircraft carrier *Enterprise*, the cruiser *Long Beach*, and the frigate *Bainbridge*. Others will follow. Important developmental work is in progress for the nuclear fleets of tomorrow, in Idaho.

On the civilian side, this past year and a half has reflected a significant breakthrough in the numbers of nuclear power plants being ordered by the electric utilities.

In the first four months of 1966 electric utilities have announced firm construction contracts for approximately 3,700,000 kilowatts of additional nuclear capacity. This represents one-half of all new generating capacity announced. New announcements are being issued every month.

This means commercial acceptance of the production of electricity from the atom. It means the developmental work performed here at the National Reactor Testing Station has been successful.

But we have not completed our work. The challenge of the breeder reactor that will utilize 30 to 40 times the thermal units imprisoned in the atom demands additional developmental work here at the National Reactor Testing Station.

It will not be an easy job, but if we succeed, we will bequeath to our descendants a limitless source of energy.

The level of living and cultural standards of a society is related directly to the per capita use of energy. We have the highest standards of living in the world because we use more horsepower of mechanical and electrical energy per person than any other nation.

I want to talk to you tonight about the programs that demand an ever-increasing use of energy.

The Democratic Party does not believe in drift and delay. We do not believe in fear of the future or a policy of resistance and obstruction for the present.

Before you can use mechanical and electrical energy, you must have the energy of the mind to direct that use * * * and you must have the energy of the heart to use that energy for the welfare of the people.

The great leaders of the Democratic Party, Woodrow Wilson, Franklin Delano Roosevelt, Harry Truman and John F. Kennedy, brought you great new programs under the banners of the "Square Deal," the "New Deal," the "Fair Deal" and the "New Frontier." Under these programs the people prospered and advanced.

Today we march under a new banner which we call the "Great Society" and our great and energetic leader is President Lyndon Baines Johnson.

We are going to attain the goals of the Great Society because it is based on the firm foundations laid so well by the predecessors of Lyndon B. Johnson.

We are going to attain the Great Society because the energy of mind and heart of our President has never been excelled by his great predecessors.

We are going to make giant strides toward the goals of the Great Society because the people of the United States are glimpsing the form and structure of that society as we in the Congress, working with President Johnson, build floor on floor of that Great Society structure.

The President cannot do it alone. He must have skilled workmen, such as Senator FRANK CHURCH and Senator-to-be Ralph Harding. These men share the same ideals and are dedicated to the support of the Great Society programs. You can do your part by sending the type of skilled workmen the President needs to our Nation's Capitol.

You, the people of Idaho, are adventurers, or you would not be here or remain here. The West, whether it be Idaho, Montana, New Mexico, Arizona, Nevada, or the coastal states, represents the daring, courageous men and women of vision and heart. We live in a vibrant, changing, dynamic section of the United States.

We are a society that is young in heart and spirit but possessed of mature minds.

We are a society which works for education for our children.

We in the West long ago accepted the worth of a man . . . the dignity of the human individual, regardless of his race or his creed.

We in the West long ago learned to rely on our strength of body and the strength of our determination to build a better society than the ones we and our forefathers left behind.

Lyndon B. Johnson and his forebears fought the battles of drought and poverty and knew the value of cooperation with his neighbors the same as you.

We of the Democratic Party, under his great leadership, are cutting the chains of bigotry and prejudice by passing various civil rights laws.

We are cutting the chains of ignorance and illeteracy through passing the most comprehensive federal assistance laws to education our nation has ever known.

We are tackling the problem of bringing decent housing to our people and have established a new cabinet-level Department charged with solving this basic need.

Under the leadership of President Johnson we have declared war on poverty. In a land as rich in resources, in brains and energy as ours, we are determined to eradicate poverty by removing the causes of poverty—illiteracy, obsolete job capabilities, disease, lack of opportunity.

We are studying every phase of our economic environment.

We are determined to eliminate the pollution of our rivers and our atmosphere.

We are going to set up a Cabinet-level Department of Transportation. (I am holding hearings now on this bill in my Government Operations Committee), because we know the movement of persons and commodities throughout our Nation must be fluid and efficient.

As our population grows, we cannot afford the luxury or incompetent people or stagnation of movement for people and products.

We know the population of our Nation will jump in the next 35 years from 195 million people to 362 million people.

Again I say the time for meeting the age-old challenges of poverty, disease, ignorance and illiteracy is short. We cannot drift. We cannot hesitate in making pressing decisions fraught with the destiny of humanity.

The population of the world has grown in 1965 years, from the time of Christ, from 250 million people to 3 billion people.

Listen to me carefully—

The population experts predict that it will double, go to 6 billion people by the year 2000. That is 34 years from today!

We must make every year, every month, every day count. We need great leadership and we desperately need intelligent, dedicated support for that leadership. The 89th Congress under great leadership has surveyed the land. We have bought the right of way for the route into the future.

President Johnson has not swept the problems under the rug. He has brought them into the open. He has exposed the weaknesses of our society, while invoking our strength. He has called attention to the cesspools of poverty, crime, disease, special privilege; waste of resources; need for reclamation of land; purification of our water and air and development of our energy resources.

He has proclaimed the need for academic education; the need for vocational training so new skills can replace obsolete skills; so every American can cultivate his capabilities to his full individual capacity; so every American can contribute to his own family's improvement and to the overall advance of our Nation.

The 89th Congress has drawn the blueprint. We will continue to enlarge that blueprint in every Congress of the future . . . with dedication, with energy, and with vision, because we know too well from the annals of history that "where there is no vision the people perish."

We are proud, as workers in the Democratic Party, of our progress in the years since the Great Depression of the 1930's. Our record is an impressive one.

We are pleased that the gross national product has topped 700 billion dollars for one year, but we are determined to go forward.

We are pleased that the unemployment rate has dropped below 4%—a new 12-year low, but we are determined that those still out of work shall have the opportunity of a job.

We are pleased with the new programs for health, housing, education and civil rights, but it will take years of work to bring to fulfillment our policies and programs.

Thirty years ago this month, Franklin Roosevelt said, "I . . . do not believe that the era of the pioneer is at an end; I only believe that the area for pioneering has changed."

My friends, today we, the Democratic people, are pioneering in social and economic frontiers. As we tackle these age-old problems in our domestic society, we are not unaware of problems that beset free men throughout the world.

We are aware that there is a real threat by the communist conspiracy to dominate, one by one, the weak and under-developed countries of southeast Asia. Many of us are fearful that if the formula of communist conquest—infiltration, subversion, terrorism, and guerrilla-armed-force takeover succeeds in Viet Nam, it will set the pattern for a billion people in southeast Asia to succumb to Red Chinese domination.

President Kennedy once said, "Let every nation know, whether it wish us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival of the success of liberty."

And we shall.

We who have been blessed with so much—will continue to build a safer—a freer—a happier world society where small, as well as large, nations will have the right to self-determination of their own form of government and the right to live in peace.

We have, without seeking it, inherited the leadership of the free world. If the free world is to survive, we must accept the great responsibility of world leadership at this moment in history.

In his state of the Union message, President Johnson said:

"This Nation is mighty enough, its people are strong enough, to pursue our goals in the rest of the world, while building a Great Society here at home."

Now I want to talk some practical politics to you, the people of Idaho. The Democratic Party is dominant in the House by 293 members to 139. The Democratic Party is dominant in the Senate by 67 members to 33.

Why have the people of the United States given the responsibility of leadership to the Democratic Party? The answer is contained in this one fact.

The Democratic Party has responded to the changing conditions of our society as it has moved from an 80% agricultural base to a 70% urban base. We Democrats have been alert to the need for change. We have been innovators, yes; we have had the courage to experiment with programs and policies.

I have given you an accounting of some of those programs tonight. But let me state this: the Democratic Party is not an impersonal entity. It is a Party of individuals. The great mass of citizen voters form the base of our Party.

The leaders in Congress and the White House are individuals who come from, and draw their strength from, the millions who comprise the base of our Party. These leaders rise from your farms and your cities. They are educated and work in your communities. They speak again and again to you of their philosophy of government. They pledge to you, again and again, their positions on all the problems of our time.

They reveal their thoughts and purposes in regard to education, reclamation, basic energy costs, labor rights, business rights, agricultural programs, and the great issues of establishing peace in the world and protecting liberty and freedom in this dangerous atomic age.

I know that Ralph Harding has told you of his philosophy, his aims and purposes and dedication to the ideals and programs which mean so much to each of us. Fortunately, because of his four years of service in the House of Representatives, his pledges and purposes have not been made in a vacuum.

Ralph Harding demonstrated, by his votes for four years in Congress on every one of those vital issues, that he was honest in deed as he has been open and frank in his words.

So you are not gambling on promises when you vote to elect Ralph Harding as your United States Senator. You are contracting for a bond of performance based on a record of highest integrity.

Now for the practical politics which you, the people of Idaho, can pursue if you believe in the philosophy of the Democratic Party, if you believe in the philosophy of Senator FRANK CHURCH and your Senator-to-be Ralph Harding.

Your State has less than a million people; but under our great constitution you, the voters in Idaho, have an unusual opportunity to wield—at this time—more power, more prestige, more influence in the United States Senate than either of the great states of California or New York with their respective populations of more than 18 million people.

Let me explain . . . the Senate has 100 members. The majority Democratic Party, which controls programs and appropriations, has 66 members.

Two Democratic Senators from the State of Idaho would represent one thirty-third of the majority power. New York, with one Democratic Senator, represents one sixty-sixth of that power.

California, with two Republican Senators, has no vote among that sixty-six Democratic majority. Therefore . . .

Two Democratic Senators from Idaho, a State with less than one million people, would, by their unified vote, have twice the Senate power of decision which California and New York have with their combined population of 36 million.

I repeat . . . two Democratic Senators from Idaho, representing less than one million people, would, by their unified vote, have twice the Senate power of decision which California and New York now have with their combined population of 36 million!

In your last Senatorial election for an unexpired term, you, the people of Idaho, cast a total of 257,677 votes. By a margin of 4881 votes, you failed to take advantage of your great opportunity to send to the Senate a Democratic partner to work with your great Democratic Senator Frank Church.

As a Californian, with No Democratic Senatorial representation, let me conclude my remarks by saying:

What an opportunity you, the voters of Idaho, have in the forthcoming election!

With less than the number of voters in my Congressional District, you can obtain twice the power and prestige in the United States Senate of 36 million people in New York and California.

Here in my hand I hold the key to Idaho's greatest opportunity . . . a replica of your ballot marker.

Use it wisely. It is your choice. It is your opportunity for effectiveness . . . for progress in Idaho.

Vote for Ralph Harding!

BILL TO AMEND MENTAL RETARDATION FACILITIES CONSTRUCTION ACT OF 1963

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. Mink] may extend her remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. MINK. Mr. Speaker, I am introducing today a bill to amend the Mental Retardation Facilities Construction Act of 1963 in order to permit the construction of classrooms under that act.

At present, matching grants are made under title I, part C, of the act only for construction of physical facilities in institutions that provide comprehensive domiciliary care for the mentally retarded. This amendment would allow similar grants to be made for the construction of classrooms in schools which do not provide such comprehensive services for the retarded.

Mr. Speaker, my State of Hawaii is rightly proud of the great strides it has made in recent years in the treatment of its mentally retarded. The State's Waimano Training School and Hospital has embarked on a vigorous program of assistance to mentally retarded adults and children, ranging from the nonambulatory to the trainable who can, with intensive care, be returned to the community.

In addition, the children's health services division, State department of health, operates a mental retardation program that stresses early detection, diagnosis, care and treatment so necessary to prevent secondary handicaps and emotional problems. Authorized services, besides early diagnosis, include a day-care center, homemaker and home nursing services, and a special comprehensive statewide team evaluation service for children not yet 14 years of age who are suspected of being mentally retarded.

In Hawaii, as throughout the Nation, it is recognized that the primary need of mentally retarded children is the training and schooling that will enable them to develop themselves wherever possible into productive members of society. Frequently, the best way to provide this is through special classes in the public schools.

It has been reported, however, that fewer than 450,000 of the more than 1 million of the retarded children of school age in our country were enrolled in such special classes in 1963.

The problem, I think, is an obvious one. Because of the continuing strain on funds available for school construction, facilities for specialized use must frequently give way to the needs of an ever-growing regular school population.

By allowing use of these Federal funds for construction of special classrooms for the mentally retarded, we will be taking a multipurpose approach to a complex and far-reaching problem.

We will be providing the means for many of the mentally retarded to become self-sufficient, or at least partially self-sufficient, members of their community; thus cutting the cost in the future of their maintenance.

We will be lessening the strain on institutions for the mentally retarded, allowing them to concentrate more fully on those who need their help the most.

We will be freeing funds for other specialized or regular classrooms, which also are urgently needed all over the country.

Mr. Speaker, the Nation is responding magnificently to the opportunities opened by the original provisions of the act. I urge my colleagues to give early consideration to this proposal to further develop these opportunities and to provide mentally retarded children with the care and services they need.

"THE FEDERAL GOVERNMENT AND EDUCATION," A SERIES OF ARTICLES BY ROGER BIRDSELL, EDUCATION WRITER, THE SOUTH BEND (IND.) TRIBUNE

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, one of the most extraordinary areas of achievement of the 88th and 89th Congresses has been in the area of education legislation.

In the past few years, Congress, with effective leadership from both Presidents John F. Kennedy and Lyndon B. Johnson, has passed a series of measures which have significantly increased the investment of the Federal Government in the most valuable national resource we have, educated men and women.

One of the most thoughtful analyses of the role of the Federal Government in education that I have seen is represented by a series of articles published in June of 1966 by a very able journalist, Roger Birdsell, the education writer of the South Bend, Ind., Tribune.

Mr. Birdsell's articles are based both on his own experience in observing schools and universities in Indiana and on interviews with members of the executive branch who have responsibility for administering education programs and members of congressional committees with jurisdiction over education legislation.

Under unanimous consent I insert at this point in the Record Mr. Birdsell's excellent articles:

Aid to Education No Longer Debated

(Note.—Tribune education writer Roger Birdsell recently spent a week in Washington. This is the first in a series of reports on federal aid to education—Editor Tribune.)

(By Roger Birdsell)

The federal aid camel is now in the education tent and almost nobody in Washington expects his removal.

No one debates the propriety of the federal aid anymore. Rather they argue about how much money should be committed, where it should be directed and how it should be administered.

In a year of mounting Viet Nam war expenditures, the administration asked a modest $200 million increase in U.S. Office of Education expenditures for fiscal 1967, which starts July 1.

At present it looks like Congress will direct the expenditure of an added $400 million, raising Office of Education expenditures from $3.3 billion in fiscal 1966 to $3.9 billion in fiscal 1967, in round numbers.

OTHER EDUCATION FUNDS

(Office of Education expenditures are not the only federal outlays for education. One estimate of overall education expenditures for fiscal 1966, including the Department of Defense, the National Aeronautics and Space Administration and other agencies, is $8.7 billion.)

Generally speaking, Congress is going along with the administration where it maintains or increases expenditures for education but is rejecting cutbacks.

Illustrative of this reluctance to reduce established education aid programs is the continued health of the impacted area program supporting public school systems with a significant number of families employed by defense installations or other federal activities.

Such aid has been given since 1951, and in 1950 Congress gave uniformity to the program in two basic laws, one for building construction aid and the other for operating expenses aid.

VOTES $200,000 STUDY

Last year, at the request of President Johnson, Congress voted a $200,000 study of impacted area legislation by the Stanford Research Institute.

On the basis of this study, the administration this year recommended amendments to the basic laws to correct certain "inequities," which, when coupled with suggested budgetary cutbacks, reduced the fiscal 1967 program from $466 million to about $206 million and eliminated about 1,200 of the 4,077 school districts now eligible for this aid.

A month ago the House simply rejected out of hand by voice vote the administration request. No one on Capitol Hill expects the Senate to go against the House on this issue.

A popular explanation is that no Congressman will knowingly reduce federal funds for his district and the majority of Congressmen have at least one of those 4,077 impacted school districts in his district.

CALLED OVER-SIMPLIFICATION

Jack Reed, counsel to the general education sub-committee of the House calls this an over-simplification. What was an "inequity" to the Stanford people may not be an "inequity" to the majority of Congress, he pointed out.

Moreover, Reed said, Congress is still convinced children of federal employees should not be penalized because of their impact on a local school district nor should school districts suffer in their tax base because of federal activity.

House Republicans and Democrats united on the impacted areas action, and a similar closing of the ranks defeated administration proposals to sharply reduce school lunch and milk programs for next year and concentrate the remaining effort on needy children.

If Congress is reluctant to cut established aid to education programs, it sometimes balks at funding authorized programs for which many members retain their suspicions, as witness the National Teacher Corps.

MONEY BILL VOTED LATE

Authorized under Title V of the Higher Education Act of 1965, the Teacher Corps simply was not funded until May 10 when a supplemental appropriations bill cleared Congress with $9.5 million for fiscal 1966.

The Office of Education is using this money for 48 training programs this summer, including one at Indiana State University, Terre Haute. Once trained, corps members are to be formed into teams to go into schools with concentrations of disadvantaged children to supplement the work of regular staffs.

However, while Congress finally provided initial funds, the House on May 5 deleted from its regular fiscal 1967 appropriation bill for the Office of Education the entire $31 million request for the Teacher Corps. It remains to be seen whether any funds can be restored in conference with the Senate.

The historian can trace federal aid to education back to the provisions of the Northwest Ordinance of 1787, which set aside land for public schools, and the land-grant state college system which started in the 19th century.

MORE FEDERAL ASSISTANCE

More recently, the camel got a little further in the tent through such legislation as the impacted areas and school lunch acts and assistance to agricultural and home arts education.

Republicans like to point to the National Defense Education Act of 1958 which sought to strengthen education in areas considered essential to the security of the nation through such devices as matching grants for the purchase of school science laboratory equipment.

An indication of the quick acceptance of the NDEA program and its vitality has been its continuous expansion in scope and appropriations by a series of amendments since 1955.

Nevertheless, the complete camel did not finally move into the tent until the assassination of President Kennedy in the fall of 1963. The President died with his major educational proposals pretty well bottled up by the Republican-Conservative Democrat coalition.

FOUR JOHNSON PROGRAMS

Vice-President Johnson, with his long experience as Senate majority leader, moved into the presidency and quickly maneuvered into law the Higher Education Facilities Act, the Vocational Education Act and the Manpower Development and Training Act late in 1963 and the Library Services and Construction Act early in 1964.

Later in 1964, Congress passed the President's Economic Opportunity Act with its many educational features; the Civil Rights Act, one part of which tied educational aid to at least a policy of desegration, and other educational legislation.

Last year, with the Johnson election landslide bringing a relative shift to the left in a heavily Democratic Congress, the administration carried through the Elementary and Secondary Education Act, with its major impact on the public school system; the Higher Education Act, much broader in scope than the 1963 facilities act, and other education bills.

An Office of Education brochure, "The First Work of These Times," lists 19 major pieces of legislation under the Johnson Administration through 1965. Affected are everything from preschool education through the college graduate level.

In two years, from fiscal 1964 to fiscal 1966, Office of Education expenditures have jumped from $700 million to $3.3 billion.

The impact on the local level is indicated by the experience of the South Bend Community School Corp. Excluding the Manpower program which was massive in 1964 because of the Studebaker situation, the 1964 school budget included $59,900 in federal funds. The 1966 budget included $1,870,000.

When the Manpower program, which declined from its 1964 peak, is included, the 1964 figure is $1,483,200 and the 1966 figure, $2,439,000.

CONGRESS PAUSES IN EDUCATION LAWS

(Second of a series)

(By Roger Birdsell)

Congress is taken a breather in federal aid to education legislation this year after the hectic pace of late 1963 through 1965.

The legislative effort this session is concentrating more on amending and extending the basic acts passed in the previous period than in new endeavors.

Secretary of Health, Education and Welfare John W. Gardner said the legislative pause is only natural after a series of programs which put the federal government into education at all levels in a major role. His opinion is shared widely.

Indeed, Gardner believes the normal pace of legislation is slower. "It may not be good policy to continue at the accelerated pace of the last two years," he remarked.

THREE AMEND ACTS

Of the five more or less major education bills expected to pass Congress this year, three amend and extend the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965 and the Library Services and Construction Act of 1964.

The "Cold War GI Bill," already passed and signed into law, extended educational and other benefits to armed forces veterans in the pattern previously established by the World War II and Korean War "GI Bill."

This leaves the International Education Act of 1966, which is being guided through the House by Rep. JOHN BRADEMAS, South Bend Democrat, as the only relatively new legislation. It would strengthen studies of foreign societies and cultures and international relations in American schools, colleges and universities.

Congress, of course, will continue to control all education programs through the power of the purse as it appropriates or refuses to appropriate funds requested by the administration.

FIRST MASSIVE AID

The federal legislative process in education is aptly illustrated by the Elementary and Secondary Education Act, the first really massive aid program to reach the nation's public and private schools below the college level.

The act has five principal titles. Title I funds special programs designed to aid the economically and social disadvantaged student in schools having concentrations of students from low income families. These are to supplement the regular programs.

Title II purchases library book, textbook and other instructional materials for the schools. Title III finances experimental and "innovative" educational programs in the schools.

Title IV amended the Co-operative Research Act of 1954 to create regional research and development centers in education and to help finance the training of educational researchers. Title V gave direct grants to strengthen state departments of education.

AUTHORITY EXTENDED

The 1966 amendments extend the operational authority of Titles I, II, III and V, which would expire June 30, through fiscal 1970. There is continuing authority for Title IV.

Certain relatively minor changes in the basic law are incorporated in the amendments as a result of a year of experience. For example, Indian children, migrant worker children, institutionalized orphans and others are being brought under the scope of Titles I and II.

Finally, the amendments increase authorized expenditures from fiscal 1966 to fiscal 1967 and succeeding years. Title I expenditures, for example, would increase from $959 million for fiscal 1966 to $1,406 million for fiscal 1967; Title II from $100 million to $105 million, and Title III from $75 million to $150 million.

Operational concentration during the first year has been on Title I, with approved projects now nearing the 20,000 mark; an estimated 3.5 million children already affected, and an estimated 7 million to be affected by the end of the year.

PROGRAMS CALLED EFFECTIVE

"Generally, where Title I programs have got under way and where they are able to recruit staff they have been effective, though, of course, there are exceptions," Arthur L. Harris, associate commissioner for elementary and secondary education in the U.S. Office of Education, reported.

"We hope to improve overall quality next year and in July there will be state conferences and then a national conference to discuss ways and means to accomplish this."

Harris said most Title I programs concentrate on the improvement of reading skills and the upgrading of language arts in general.

Harris said the $500,961.78 South Bend Community School Corp. Title I program built around 12 instructional research resource teachers and other staff serving 13 public and eight Catholic elementary and junior high schools is one of the outstanding programs in Indiana. He also cited the $11,960 Baugo Community School Corp. program in Elkhart County.

STAFF SHORTAGES

Title I programs have been approved in 95 per cent of the Indiana school systems and will use about 95 per cent of the fiscal 1966 allotment for the state, Harris reported. He said the principal problem to date appears to be a shortage of qualified staff.

Local school officials concerned with Title I worry about the time it takes Congress to pass the amendments to the basic act and appropriate the necessary funds in light of their need to plan and staff the program for the 1966-67 school years.

Harris called this worry "more psychological than real." Like almost everybody in the administration and on Capitol Hill, he is certain Congress will continue and fund the program.

CONTROVERSY BROKEN

The basic act passed in 1965 was a result of what has been called "an ingenious arrangement" which broke the church-state controversy deadlock. Until then, Catholic groups fought any new aid to public schools which did not assist private and parochial schools.

Under Titles I and II, funds are given to and administered by the public schools, but the programs they support must equally benefit public, private and parochial school children. Hence, the involvement of eight Catholic schools in the South Bend program.

Mishawaka School City officials have come under attack from Catholic spokesmen as not living up to the spirit or the letter of the law in their Title I remedial reading program. However, Harris said Mishawaka-type problems are relatively few.

Credit for the church-state solution is a matter of some debate in Washington. Brademas gives a lot of credit to the flexible, pragmatic attitude of Robert H. Wyatt, executive secretary of the Indiana State Teachers Assn. and president of the National Education Assn. during 1965. (The solution and the act won the unprecedented support of the NEA, the National Catholic Welfare Council and the National Council of Churches.)

MEET AT DINNER

Another influential factor appears to have been a series of private dinner meetings Brademas helped arrange at which leading public and Catholic school spokesmen sought possible avenues of co-operation and compromise.

While recognizing the importance of the church-state solution, Gardner believes the basic significance of the act is "the solution of a tremendous problem, the directing of money and educational effort into the low income areas."

He said it is a much better method than pumping money in general aid to low income states.

However, not all agree Title I is sufficiently selective of low incomes areas. The Republican minority report on the act in 1965 criticized the provision that 10 or more "low income" students are all that are necessary for a school system to qualify for Title I funds.

EDUCATORS ASSUME POVERTY WAR ROLES

(Third of a series)

(By Roger Birdsell)

Sargent Shriver's mandate to wage war on poverty uses education as one of its major weapons, but educators are a bit uneasy in their role of auxiliaries in this battle.

The role of the educator as an auxiliary appears to be part of the philosophy of people in Shriver's Office of Economic Opportunity, as witness Stanley J. Salett, acting director of the education division for the Community Action Program.

"In a way," Salett remarked, "we are experts on the poor with an overview of the whole problem which the educational and other specialized agencies do not have."

The attitude of OEO personnel is conveniently studied in the Head Start program to give economically and socially deprived pre-school children intensive training to prepare them for regular kindergarten or first grade.

LAUNCHED WITH FANFARE

Launched with considerable fanfare last summer, Head Start has proven one of the most popular of the OEO programs. Despite some administrative difficulties, the full-year and follow-up aspects of the program have been built up to about 182,000 youngsters. This summer's program is expected to enroll 500,000 children.

Head Start is part of the overall "community action" program authorized by Title II of the Economic Opportunity Act of 1964 which created the OEO and gave the agency its mandate.

Head Start has been so successful that OEO officials now regard it as a generating force for a much broader community action program to eradicate poverty.

"Head Start should lead to more comprehensive programming since it is much more than an educational program," Salett declared. Program officials stress education as one of only five aspects of Head Start. Health services, social services, nutrition and parental involvement are the others.

PROVIDE READING IMAGE

From the OEO viewpoint, it is perhaps more important to reach the parent than the child; for example, the parent is encouraged to take out a public library card and read books to provide an image of reading as a part of life for the child.

Similarly, there is considerable OEO interest in training adults in poverty areas to be teacher aides, not only for Head Start but other educational programs.

Salett conceives of OEO and its component community agencies like ACTION, Inc., in St. Joseph County, as planning and directing the overall assault against poverty but delegating whenever possible actual operations to local school systems and other agencies.

Not everyone buys this view of OEO as a sort of paramount chief delegating operational authority to others at either the federal or the local level.

DISPUTED BY BRADEMAS

Rep. John Brademas, South Bend Democrat, said this simply was not the intent of Congress in passing the Economic Opportunity Act. The action a month ago on the OEO budget for fiscal 1967 by the House Education and Labor Committee, of which Brademas is a member, appears to bear this out.

The committee, while maintaining the $1.7 billion level of spending asked by President Johnson, put a lot more restrictions on the ways in which the funds can be spent than requested by the administration.

Title II community action funds were trimmed by more than $100 million to $827.5 million and all but $323 million was earmarked for specific programs, the bulk, $352 million, going to Head Start.

The committee directed that $496 million, more funds than asked by the administration be spent on the Neighborhood Youth Corps programs such as the Step program administered by the South Bend Community School Corp.

ADMINISTERS YOUTH CORPS

By agreement with the OEO, the Department of Labor administers the Neighborhood Youth Corps, which provides counseling and jobs designed to allow youths from poor families to continue their schooling while remaining at home. (The Job Corps is another OEO program which removes youth from the home environment to residential training centers such as Camp Atterbury in Indiana.)

There is a tendency to divorce programs under the Economic Opportunity Act from the OEO even more completely. Congress has already assigned responsibility for college work-study programs to the Office of Education and is in the midst of a similar transfer of the adult basic education program this year.

Earlier this year there was talk in Washington of putting Head Start and the Upward Bound program under Office of Education direction, but this has not materialized.

Upward Bound is designed to encourage bright high school students from poverty areas to go to college. After a pilot effort last year, the program swings into full action this summer. The University of Notre Dame is one of 222 centers reaching 20,138 students in this effort.

FAVOR ITS TRANSFER

Whatever the feeling on Capitol Hill, and many like Rep. ALBERT H. QUIE, R-Minn., of the House Education Committee favor the transfer of Head Start, the administrative offices involved are making a definite effort at co-operation.

President Johnson early this year established an inter-agency co-ordinating committee in education which was chaired until his recent resignation by Francis Keppel, assistant secretary for health, education and welfare and former commissioner of education.

The Office of Education and the OEO in March reached agreements on co-operative procedures in the administration of Head Start and other community action programs and Title I of the Elementary and Secondary Education Act.

Title I, administered by the Office of Education, is by law directed towards economically deprived children in public and private schools. Co-ordination with community action programs is also directed by law.

USED FOR MEDICAL SERVICES

Arthur L. Harris, associate commissioner for elementary and secondary education, said some communities are using Head Start funds for medical and other services and Title I funds for staff salaries.

Nevertheless, the final decision on Title I programs remains with state departments of education, and Harris and other officials said the amount of co-operation remains on a voluntary basis.

Commissioner of Education Harold Howe II agreed conflict is quite possible between local community action and educational authorities, but he said this is "not necessarily unhealthy. Something good could develop from such jarring actions; new perspectives could be gained."

FUNCTIONING OUTSIDE

Secretary of Health, Education and Welfare John W. Gardner agreed with Howe that inter-agency co-operation at the federal level is working fairly well, but he cautioned "there is a rather basic problem in that the OEO is functioning outside the normal institutional structure of the government."

Shriver's agency reports directly to the President and retains much of the flavor of President Kennedy's New Frontier days. There is a crusading spirit at work in the OEO of an intensity one does not sense in the older, more established agencies.

Shriver, of course, is a brother-in-law of the late President and captained that first great and successful New Frontier effort, the Peace Corps. Under him, the OEO remains very much a part of the federal effort in education.

SCHOOL RESEARCH EMPHASIS SHIFTED

(Fourth of a series)

(By Roger Birdsell)

Research and development promises to be very big this coming year in the federal aid to education picture.

U.S. Commissioner of Education Harold Howe II promised "new ideas and new excitements by the end of the year" as a result of this "shift of emphasis."

Officials of the Office of Education hope to harness Titles III and IV of the Elementary and Secondary Education Act of 1965 in tandem to speed research results to the classroom.

The time lag betwen educational research and actual application in the classroom has been notorious in the past, Howe pointed out, as indicated by the slow seepage of such innovations as team teaching and nongraded elementary schools.

ONE PER CENT OF COST

Federal officials point out that research accounts for less than 1 per cent of total annual education expenditures of $42 billion in the U.S. while private industry allocates up to 10 per cent or more for research and development.

Title IV of the 1965 act amended and expanded the Co-operative Research Act of 1954 to finance a series of regional educational research laboratories and to expand the training of educational researchers.

The Office of Education is now in the process of establishing 20 of these regional laboratories under Title IV. Indiana is included with Illinois and parts of Wisconsin and Michigan is the laboratory just established at the University of Illinois, Urbana.

R. Louis Bright, associate commissioner for research, said the regional laboratory "is a new organization in which we are insisting on a wide representation of all educational institutions in the area. In many ways, it is bringing these people together for the first time.

ACTIVITIES CENTRALIZED

"They are being asked first to identify a major problem in their area, then to develop a program to meet the problem and finally to bring the results down to the classrooms by programs of demonstration."

In an effort to strengthen research generally, all such federal activities early this year were centralized in Bright's office. Authorized under seven different acts, research expenditures are expected to jump from $104 million for fiscal 1966 to $117 million for fiscal 1967. Ten years ago federal educational research expenditures were only $1 million.

Of the fiscal 1967 expenditures for research $70 million will be under Title IV, with about half going to the regional laboratories and about half for the training of researchers.

"In a sense we are engaged in centralization through the creation of the research office and in decentralization through the creation of the regional laboratories," Bright remarked.

BROADER COMMUNICATION

He said his office will seek to develop effective communication between the various regional laboratories so research dissemination can be nation-wide.

Each laboratory, in turn, is expected to disperse various individual research projects among a number of co-operating institutions and individuals. Bright said the laboratory is to be more a clearing house for ideas and projects than a physical facility.

Tie-in of research with Title III projects is a major goal, Bright said. Such tie-ins are expected to hasten the process of getting research findings into the practice of education, he explained.

Title III channels funds into local educational public school programs which are innovative in the sense of meeting needs which local school officials feel are not being met through the regular program.

Congress appropriated $75 million for Title III for fiscal 1966 and there is every expectation this figure will be doubled for fiscal 1967.

Arthur L. Harris, associate commissioner for elementary and secondary education, said "the emphasis this past year has been placed deliberately on the planning of projects which when finally launched will be operated on the basis of a thorough analysis of needs.

"This slower process is indicated in the very language of Title III. Otherwise, we would run the danger of duplicating the Title II program by simply acquiring more materials." (Title II provides funds for library books, textbooks and other instructional materials.)

Harris expects districts planning programs under Title III this year to move them into the operational stage this coming year. He also expects other districts to launch acceptable programs.

Federal officials insist Title III projects be truly innovative and meet a definitely identified need, and Harris admitted this poses problems of administration. (The South Bend Community School Corp. recently was turned down on its first Title III application, a series of concerts for school children by the South Bend Symphony Orchestra.)

SOME MISUNDERSTANDING

Harris said there seems to be some misunderstanding about "innovation." Programs do not have to be "brand new," he insisted, but "rather new to the particular district in which the program will operate."

Some Congressmen, particularly on the Republican side, dislike Title III because it gives funds directly to local school districts rather than channelling them through state departments of education, as is the case in Titles I and II of the act.

Howe noted that in several states state education authorities are helping plan Title III programs though the local district retains the power to by-pass the state agency.

Howe defended the practice of giving some Federal funds directly to local school districts as provided "a healthy degree of counter-balance."

SHOULD BE STRENGTHENED

A similar view was expressed by Howe's superior, Secretary of Health, Education and Welfare John W. Gardner. State departments of education should be strengthened, as is being done under Title V of the act, Gardner commented, "but I wouldn't go so far as to make a fetish out of it."

This pragmatic attitude is shared by Rep. John Brademas, South Bend Democrat who is a ranking and influential majority member of the House Education and Labor Committee.

"I think federal aid to date represents a vast vote of confidence in our local school districts," Brademas remarked.

"I am clearly in favor of increasing the effectiveness of state departments of education and personally made the motion last year to increase Title V funds to accomplish this.

"While I feel very strongly about this, the purpose of Title II is experimental and state departments in the past have been notably weak in this regard. I feel it would be a mistake, therefore, to give them a veto power over these programs."

U.S. College Aid Becomes General

(Fifth of a series)

(By Roger Birdsell)

A condition of general aid to education by the federal government is rapidly becoming a reality for American colleges and universities.

"If you look at all the federal aid programs benefiting higher education, there is a mosaic of general aid in operation," Peter P. Muirhead said.

Muirhead, associate commissioner for higher education in the U.S. Office of Education, noted a basic trend of Congress in the past few years to rapidly "broaden the base" of aid programs.

An example of this trend, he said, was the removal in 1965 on construction grants and loans for undergraduate academic facilities of the 1963 limitations which specified they must be for the teaching of science, mathematics, modern foreign languages and engineering.

The 1963 act was called the Higher Education Facilities Act. In 1965 it was amended, broadened and incorporated as only one of seven major titles in the new Higher Education Act.

ONLY ONE ASPECT

The 1965 act is only one aspect of the total higher education aid picture. Colleges and universities are also assisted by the amended and expanded National Defense Education Act of 1958 and the massive research and training programs of the Department of Defense, the National Aeronautics and Space Administration, the National Science Foundation and other agencies.

The University of Notre Dame, for example, now receives more than $4 million annually in federal research money, which accounts for about four fifths of its total research effort.

Additionally, Notre Dame annually receives more than $400,000 for undergraduate loans and grants, more than $600,000 for graduate fellowships and more than $1 million for teacher training institutes, conferences, scientific equipment and other programs.

Notre Dame's $2.2 million Radiation Laboratory was built entirely by Atomic Energy Commission funds. Indiana University is getting matching grants of more than $200,000 under the 1965 act for the expansion of the physical plant and equipment at its South Bend-Mishawaka campus. A federal loan made possible St. Mary's College new $4.5 million dining and residence halls.

GREATER BOOSTS SEEN

Congress gives every sign this year of substantially increasing for fiscal 1967 the appropriations for the Higher Education Act programs, which received $680 million in funds for fiscal 1966.

The House recently sent to the Senate a bill incorporating $403.9 million in partial appropriations under the act with every program but one, community service and continuing education, receiving substantial increases over fiscal 1966. This did not include the ill-fated National Teacher Corps, for which no funds were provided.

This House bill did not include two major titles, III and VII. Amendments are still before the House of extend programs under these titles through fiscal 1967 and authorize increased expenditures.

Title III provides special financial assistance to smaller and developing institutions of higher learning. The proposed fiscal 1967 authorization is $30 million as compared to the $5 million fiscal 1966 appropriation.

Muirhead said fiscal 1966 money under Title III is handling only a fraction of the 309 fund requests and even with $30 million for next year, total demands will not be met.

ENCOURAGES EXCHANGES

Faculty exchanges, co-operative programs with other schools and teaching fellowships are being encouraged under Title III. Junior colleges get 22 percent of these funds, with the rest going to four-year institutions.

Title VII is the grant and loan program for facilities. The amendments propose to continue at the same annual level the $460 million undergraduate and $60 million graduate grant expenditures but increase the loan appropriation by $90 million to $200 million.

Muirhead said the system of processing facility grant and loan requests through special state commissions is working out very well. He said the system provides a necessary element of local control within the allotment to each state.

Direct financial assistance to the student at the college of his choice remains the cornerstone of the federal aid effort in higher education. It is a form of aid which has met general acceptance since the World War II "GI Bill."

Muirhead estimated that about 20 per cent of undergraduate students in the country now receive federal financial aid in some form. He predicted this percentage will rise to 30 to 35 per cent in the next few years.

HELP MORE THAN HALF

More than half of the nation's graduate students are receiving some form of federal financial assistance Muirhead said.

Student financial assistance employs what Muirhead called the "three-legged stool approach" of outright grants, work-study grants and loans.

All three are provided under Title IV of the Higher Education Act. House action has already increased the appropriation for the direct educational opportunity grant, aimed at the low-income student, from $60 million to $123 million for fiscal 1967 and the work-study program from $40 million to $143 million.

The guaranteed loan program appropriation is being increased from $10 million to $43 million while the direct student loan program under the National Defense Education Act is being maintained, by House action at its present level with a $190 million appropriation for fiscal 1967.

House action on direct loans ran counter to President Johnson's request that a definite move be taken this coming year to phase out the direct loan system in favor of the guaranteed loan.

USE PRIVATE MONEY

From a fiscal standpoint, the guaranteed loan program attracts because it shifts the main funding burden from the federal treasury to the private money market by making the loans through banks and other financial institutions.

In a year of budget strain from the Viet Nam war, this had its attractions for the administration. Moreover, the guaranteed loan program had the enthusiastic endorsement of the American Bankers Assn.

However, many Congressmen regarded the administration proposal, to use the words of one Capitol Hill observer, "as a rabbit out of the hat trick to balance the budget."

Moreover, Congressmen began getting anguished cries from college financial aid officers across the country who were already well into planning for the 1966–67 year with direct loan funds.

In addition, there were arguments the banking industry was not really ready to take over the loan program, the tight money market was unfavorable to guarantee loans and poorer students would find it difficult, if not impossible, to secure bank loans even with the federal guarantee.

Vocation Schooling Policies Show Clash

(Sixth of a series)

(By Roger Birdsell)

Vocational education in Indiana presents a reasonably good example of problems which arise when changing federal and state policies have trouble meshing gears.

The Vocational Education Act of 1963 was one of the first moves Congress made when it began its massive entry into the federal aid to education field. The act did three things.

It set up a permanent program of financial aid for vocational education of high school students, recent high school graduates training for jobs, workers seeking retraining and handicapped persons.

The permanent program also included funds for the construction of area or regional vocational schools on a matching basis, "ancillary services and activities" and special research and training programs.

EXPERIMENTAL SCHOOLS

The act authorized four-year programs of work-study grants for vocational education students and the development of experimental residential vocational schools, the latter of which have yet to be funded or established.

Finally, the act continued the older Smith-Hughes and George-Barden acts aiding agriculture, home economics and certain other specified occupational fields but so relaxed these categorical restrictions as to permit the states to freely transfer these funds for other vocational purposes.

The permanent program channeled funds through the states and required each state to file a master program plan with the U.S. Office of Education. This was the point where the program in Indiana went awry, at least for a while.

Early in 1965, the Indiana General Assembly, apparently unhappy with the direction vocational education was getting in the State Department of Public Instruction, created a sort of super-agency, the State Board of Vocational and Technical Education.

CHANNELS FEDERAL FUNDS

This board was given the power to receive all federal vocational funds and channel them either through the General Commission of the public instruction department or the independent Indiana Vocational Technical College.

The college has been created by the legislature in 1963 but was not funded until 1965. The state vocational board was to become operative this last Jan. 1.

The result of all this was delay in submitting a state plan under the 1963 federal act, and it was not until this spring that funds under the permanent program began clearing through the vocational board.

Moreover, the Indiana arrangement has resulted in an intense competition between the public instruction department and the college for the available federal funds.

GIVES $400,000 TO COLLEGE

Thus, in April, the vocational board gave $400,000 to the college to help build a regional vocational school in South Bend and other federal monies through the public instruction department to school systems in cities like Michigan City for expansion of vocational school facilities.

Vocational education officials in the U.S. Office of Education are cautious in commenting on the Indiana arrangement, but they obviously aren't very happy about it. In particular, they don't like the competitive atmosphere.

However, there is little federal officials can do. Congress channeled the vocational funds through state agencies and it is the prerogative of the state to set up its own administrative structure.

Congress is giving the 1963 act full support. A fiscal 1967 appropriation bill which recently cleared the House included $290 million for vocational education, $39 million more than requested by the administration and funding the permanent program at its full authorization for the first time.

ONLY ONE SERIOUS COMPLAINT

Edwin Rumpf, chief of the state vocational services branch of the Office of Education, had the operation of the act, the work-study program.

The act places specific limitations on the wages a vocational student may receive under the work-study program which are lower than the federal minimum wage law, which is the standard applied in college work-study programs under the Economic Opportunity Act.

As a result, Rumpf said, the vocational work-study program has never reached the size authorized by Congress. He is hopeful uniformity can be achieved when Congress reviews the work-study program for which authorization expires at the end of fiscal 1967.

Rumpf sees no basic conflict between the vocational programs of his office and the Manpower Development and Training Act of 1962 which is administered by the U.S. Department of Labor.

PROVIDES FOR RETRAINING

The Manpower Act provides for the retraining of workers who lose their jobs because of technological change or situations such as happened in South Bend when Studebaker Corp. shut down auto production here. (The South Bend program was one of the first under the act.)

Manpower programs provide training for specific job skills for which there is a demand * * * officials. Trainees are paid the equivalent of unemployment benefits while in training.

Rumpf said the Manpower program started out as a sort of temporary program but is becoming a permanent feature of the vocational education effort.

The need for such a retraining effort is suggested, Rumpf said, by studies which show, for example, that the worker now in the 20–24 age group can expect an average of 6.6 job changes during his working life.

Congressional support of the Manpower program was reflected in 1963 and 1965 amendments which strengthened and broadened the program. House appropriation action for fiscal 1967 included the full $400 million requested by the administration.

Brademas Sees Education Bill To 198–89 Victory in House

(Seventh of a series)

(By Roger Birdsell)

Rep. JOHN BRADEMAS, D-Ind., last Monday had the great personal satisfaction of steering the International Education Act of 1966 to House Passage by a 198–89 vote.

The only major new educational legislation to have administration backing this year, the act undoubtedly is a Brademas bill if anyone's.

Senate passage appears assured with the sponsorship of Sen. WAYNE MORSE, chairman of the subcommittee on education in that branch of Congress.

BRADEMAS co-sponsored the proposal in the House along with Rep. ADAM CLAYTON POWELL, D-N.Y., chairman of the Education and Labor Committee, and headed the Task Force on International Education of the committee.

As first speaker in the floor debate Monday, BRADEMAS said "the unanimous bipartisan vote" the bill received in committee "shows a widespread awareness that American colleges and universities need more support in the field of international studies and research."

RELY ON COLLEGES

The South Bend congressman went on to say, "Over the last two decades, the federal government has relied very heavily on our colleges and universities for personnel. knowledge and expertise in world affairs. But this reliance has not brought with it adequate support to strengthen these institutions for the future.

"Our total national output of Ph.D's specializing in the Chinese language—and in today's world this is no ivory tower subject—has been averaging one every four years. It is easier to study Arabic or Hindi in this country than Portuguese despite the proximity and importance of Brazil, with a population of 80 million and a land area larger than the United States.

"The International Education Act will not remedy all our shortcomings in knowledge of other countries and international problems, but this measure will make possible crucial assistance to American colleges and universities in this life or death field."

AUTHORIZES GRANTS

The act authorizes grants of federal money to graduate centers of research and training in international studies; to comprehensive programs to strengthen and improve undergraduate instruction in international studies, and to professional and scholarly public and non-profit private organizations which can further international studies.

A five-year authorization of expenditures for these purposes earmarks $10 million for fiscal 1967, $40 million for fiscal 1968, $90 million for fiscal 1969 and such sums as Congress may grant for the last two years.

In addition, the act calls for an annual report to Congress on international education by the Department of Health, Education and Welfare and amends Title VI of the National Defense Education Act of 1958.

FINANCES CENTERS

Title VI finances modern foreign language training centers at colleges and universities. The amendment strikes from the act the requirement such centers teach languages "not readily available," eliminates the matching requirement for funds, and provides grant as well as contracting authority.

BRADEMAS and others involved in the legislation stress the fact that the bill, despite the possible ambiguity of its title, is a domestic bill aiding American colleges and universities, not foreign institutions.

Nevertheless, the official report on the bill to the House as a whole said "useful effects . . . would be to increase substantially the supply of experts in international affairs, international development and the languages and cultures of other nations to serve in business, government, academic and other fields at home and abroad."

An indication of the close personal interest of BRADEMAS in the bill is the fact he virtually co-authored the language of the official report with Peter N. Gillingham, chief counsel to the task force. Such authorship is considered unusual in Washington.

TRACED TO JOHNSON TALK

BRADEMAS traced the impetus for the bill back to President Johnson's Smithsonian speech of last September in which the President expressed a concern for improving international studies in this country and related needs.

An administrative study group, including Secretary of State Dean Rusk and Secretary of Health, Education and Welfare John W. Gardner, was appointed, and their findings found expression in a Johnson message to Congress Feb. 2. BRADEMAS introduced his bill the next day.

The act as now passed by the House incorporates only a part of the program proposed by the President in his message. Other proposals are being implemented by executive order and amendments to existing legislation.

These other proposals include creation of a center for Educational Co-operation with an advisory Council on International Education in Gardner's department; creation of a corps of education officers in the U.S. Foreign Service, and establishment of a placement service to assist Americans teaching abroad.

WILL USE ALL AGENCIES

The President plans to use not only the Department of Health, Education and Welfare but the State Department, the Peace Corps and the Agency for International Development to further his program.

Gardner said the program as a whole "is a very significant development," though relatively inexpensive, which "in the long run will put the HEW into a very key role in the international education picture."

The hearings of the BRADEMAS' House task force on the act itself were "all sweetness and light," Gardner said, a rather unique atmosphere on Capitol Hill.

BRADEMAS said this atmosphere was created by careful staff work. Each task force member, Republican and Democrat, was invited, for example, to have at least one expert witness from his home district.

Herman B. Wells, chancellor of Indiana University, Bloomington, served as chief educational consultant to the task force, and BRADEMAS said Wells was invaluable in lining up an impressive parade of witnesses in support of the bill.

All Republicans on the full committee supported the bill, though in their "supplemental views" to the official report they stressed the bill as a "logical extension" of the NDEA passed under President Eisenhower.

FITS INTO PHILOSOPHY

Rep. ALBERT H. QUIE, R-Minn., a committee and task force member, said the act fits well into the Republican philosophy of "federal aid in those areas where the federal government has the primary responsibility."

"After all," QUIE remarked, "we can hardly expect our local or state institutions to be concerned primarily with African problems or the promotion of the foreign policy of the United States."

BRADEMAS said the task force was not simply a rubber stamp for the administration. Members, he pointed out, increased the fund authorization and inserted the provision for an annual report to Congress.

For BRADEMAS personally the act represents "a natural marriage of my early and continuing interests in both foreign affairs and education."

These interests were buttressed, he said, by his Greek heritage from his father; studies in international relations and Spanish affairs at Harvard University; study as a Rhodes scholar at Oxford University, England, and visits as a Congressman to educational institutions in Latin American, Europe and Russia.

BRADEMAS is ranking majority member, next in line to the chairman, of both the general and special subcommittees on education in the House.

RACIAL PATTERNS SHOW LITTLE CHANGE

(Eighth of a series)

(By Roger Birdsell)

The federal effort in education has not substantially changed patterns of racial segregation in the schools, nor does it appear likely to do so in the immediate future.

The historic 1955 U.S. Supreme Court decision on discrimination in the public schools struck down de jure segregation or separation of the races by deliberate public policy.

The 1964 Civil Rights Act sought, among other things, to hasten the process of eradicating lingering de jure segregation in the South by permitting the Justice Department to bring suit on behalf of individuals suffering from such segregation.

STRIKES OUT REQUIREMENT

The Civil Rights Act of 1966, now being debated in Congress, would amend this part of the 1964 act to make it easier for the Justice Department to act, particularly by striking the requirement that the department must wait for a written complaint by the individual in question.

Furthermore, the U.S. Office of Education has the power, and this year is starting the process of exercising it, to cut off all federal aid to school districts which practice racial discrimination as a policy.

However, even with the most vigorous administration of existing law, few observers in Washington expect much more than a conversion of the South to the de facto segregation pattern of the North.

Unless the courts or Congress change federal law, mere existence of a pattern of segregation resulting from neighborhood schools or other practices is not illegal.

PROVEN AS DELIBERATE

Decisions like that of U.S. District Judge George N. Beamer in the Gary school case make it clear that segregation must be proven deliberate school board policy before it is unlawful.

Representative JOHN BRADEMAS, South Bend Democrat and a member of the House Education and Labor Committee, said "de facto segregation is one of the most pressing and difficult problems facing the public schools and I see no immediate answers."

Secretary of Health, Education, and Welfare John W. Gardner said the Civil Rights Act "does not provide a very strong base" from which to attack the problem.

He said "puzzlement may be the honest stance" when it comes to suggesting effective federal solutions to the problem.

Senator EDWARD M. KENNEDY, Democrat, of Massachusetts, has introduced a bill, apparently going nowhere in this session, which is designed to offer positive incentives to local districts desiring to end de facto segregation.

The Kennedy bill would give technical assistance in designing desegregation plans; arrange special training for affected teachers and other personnel, and finance various projects seeking to end racial imbalance.

Gardner saw merit in the Kennedy proposal and BRADEMAS said, "I would think there is a great deal to be said for a positive effort to persuade and even reward local school districts in solving this problem, at least at the outset."

U.S. Commissioner of Education Harold Howe II was somewhat less optimistic. He said the Kennedy proposal may have some "useful devices" but would, in his judgment, only "dent" the problem.

QUIE DIFFERS ON PROCESS

Representative ALBERT H. QUIE, Republican, of Minnesota on the other hand, believes existing civil rights legislation provides the means by which Negroes can use the political, economic and social processes to solve the segregation problem without federal intervention.

Indeed, QUIE, a colleague of BRADEMAS in the House committee, said, "It is good that people are thrust into the position of securing their rights at the state and local levels."

The Brademas-Quie divergence on the segregation problem reflects a strong, underlying philosophical split that runs through the entire area of the federal role in American education.

CALLED STATE RESPONSIBILITY

QUIE holds to a basic view of "education as a state responsibility." While not opposed to federal aid to education, he would rigorously channel it through the states in recognition of this responsibility.

Moreover, QUIE said federal control of educational policy is a danger, particularly in those programs where state agencies are bypassed and aid given directly to the local school district.

Finally, QUIE would convert as rapidly as possible to a federal program of general aid to education going through the states to the local school districts.

He dislikes the present pattern of expenditure of federal funds for specific purposes such as for poverty-stricken children; for books and other instructional materials, and for "innovative" programs in the Elementary and Secondary Education Act of 1965.

"BECOMES DISCRIMINATORY"

"The federal purpose in the present legislation should be accomplished in five years," QUIE remarked, "if not, the legislation becomes discriminatory against those not directly affected."

QUIE believes general aid is politically possible without raising the church-state controversy by expanding the formula devised for the 1965 act which gives federal money to public schools with the direction of the programs being shared with the private and parochial schools.

BRADEMAS, on the other hand, is not nearly as confident about the religious formula since it is restricted to shared programs. He sees renewed conflict based on a call for direct general aid to both public and private schools as a distinct possibility.

DISCOUNTS DANGER OF DICTATION

The existing policy of federal aid to attack specific educational problems has a basic appeal for BRADEMAS. He discounts the danger of undue federal dictation to local school districts.

"What concerns me is the need to be assured that the substantial monies being given to the local school districts are spent effectively," Brademas said.

"It is for this reason that Congress must take a look at the programs supported by federal aid. If they are not effective, then we should stop spending the money in these ways and put it in some other more effective program."

FAIR PACKAGING AND LABELING BILL

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, I have today introduced a fair packaging and labeling bill identical to H.R. 15440, introduced June 2 by the gentleman from West Virginia, the distinguished chairman of the Committee on Interstate and Foreign Commerce [Mr. STAGGERS].

I have introduced the bill in my own name to underscore my support for the idea that the consumer is entitled to a higher degree of accuracy in the seller's claims about the wares he is offering in the marketplace. I also believe this bill will provide for protecting the rights of the seller of items covered by this legislation through due-process procedures.

Under unanimous consent, I insert in the RECORD a brief analysis of H.R. 15440, as introduced by the gentleman from West Virginia [Mr. STAGGERS]:

EXPLANATION OF H.R. 15440: FAIR PACKAGING AND LABELING BILL, INTRODUCED BY CONGRESSMAN HARLEY O. STAGGERS

H.R. 15440 directs the Secretary of HEW, and the FTC to promulgate regulations to insure that the labels of packages of consumer commodities adequately inform consumers of the quantity and composition of the contents, and facilitate price comparisons.

—identity of the commodity and the name and place of business of the manufacturer, packer, or distributor would be required.

—a separate and accurate statement of net quantity of contents (in terms of weight, measure or numerical count) would be required.

—the net quantity of contents of a package containing less than four pounds or one gallon would be required to be expressed in terms of weight or fluid volume in ounces or in whole units or pounds, pints or quarts, i.e., 19 ounces in place of 1 pint 3 ounces.

—minimum standards with respect to location and prominence of the statements of net quantity of contents would be established.

—qualifying words or phrases, such as "giant pint", which exaggerate net quantity, would be prohibited.

H.R. 15440 provides authority for the Secretary of HEW, and the FTC to promulgate regulations on a commodity line basis when necessary—

—to require sufficient ingredients or composition information to be placed conspicuously on the package.

—to prohibit cents off sales when not really cents off to consumers.

—to set standards defining size nomenclature relating to quantity such as "small," "medium," or "large."

—to set serving standards to enable the consumer to compare competing products.

—to prevent packages of sizes, shapes or dimensional proportions which are likely to deceive consumers.

H.R. 15440 provides for the establishment of weights and quantities standards to facilitate price per unit comparisons.

—offers industry and consumers opportunity to set standards for weights and quantities through the voluntary product standard program of the Department of Commerce.

—prohibits the promulgation of any regulation that would vary from a voluntary product standard.

—exempts weights or measures less than two ounces.

—exempts packages of particular dimensions or capacity customarily used unless likely to deceive.

—exempts particular dimensions or capacities of returnable or reusable glass containers for beverages which are in use as of effective date of Act.

H.R. 15440 provides for due process procedures in the promulgation of regulations.

—the bill incorporates due process safeguards which provide assurance of adequate notice, and ample opportunity for hearing in the administrative process of promulgating regulations.

—in addition regulations promulgated by the Secretary of HEW, or the FTC are subject to judicial review.

CHIEF PANAMANIAN TREATY NEGOTIATOR: "AN ACKNOWLEDGED MARXIST INTELLECTUAL"

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, since the acquiescence by the executive branch of our Government to radical demands by Panama to renegotiate the 1903 Canal Treaty, many thoughtful citizens of the United States have wondered why Panama, which has been benefited so greatly by the Panama Canal, should seek a new treaty.

The explanations offered are varied and many of them questionable. Two of the most often repeated objections to the present treaty are its "sovereignty" and "perpetuity" provisions, which have been used by Panamanian politicians to inflame the Panamanian people to a high degree of emotionalism.

In this connection, these politicos never point out that the "perpetuity" feature applies with equal force to the United States, and that as long as our country retains the powers of sovereignty over the Canal Zone, the independence of the Republic of Panama is guaranteed.

The chief of the Panama team in the current diplomatic negotiations is Dr. Diogenes de la Rosa, an "acknowledged Marxist intellectual and long-term socialist." He has frankly stated that the task for Panama after finishing the negotiations is "to remake the state from within, revise its institutions and rectify its method of conducting public affairs." He then emphasizes that if this is not done, "any benefits from the negotiations would lose all significance."

The meaning of such pronouncement is obvious. The canal is to become the source of still more extensive benefits for Panama, and this can be done only by revenue from greatly increased transit tolls or by further taxation of the American people.

Unfortunately, the shipping industry of the United States has not been alert to what has been transpiring on the isthmus, no one in the Senate has spoken out in defense of our country's interests, and the taxpayers of our Nation are not organized.

A recent article from Panama City, Republic of Panama, by Ralph Skinner, a longtime resident of the isthmus and distinguished correspondent of the Christian Science Monitor, gives new light on the subject of why Panama seeks a new treaty and is commended for reading by every Member of the Congress.

The indicated article follows:

WHY PANAMA SEEKS NEW PACT

(By Ralph K. Skinner, Special correspondent of the Christian Science Monitor)

PANAMA CITY.—It is important that Panama come to an agreement with the United States on a canal treaty, says Dr. Diogenes de la Rosa, chief Panamanian treaty negotiator.

An even more important job for Panama, he says, is "to reconstruct our national life from bottom to top, economically, socially, and politically." He has been addressing various groups throughout the country, briefing them on the larger meaning of the upcoming treaty and its potential for transforming the whole future of Panama.

Dr. de la Rosa said: "The first task, after treaty negotiations are finished, is for the people of Panama to remake the state from within, revise its institutions, and rectify its method of conducting public affairs. If this is not done, any benefits from the negotiations would lose all significance."

The Panama intellectual says that he is chiefly aiming criticism at the groups here who control commerce and industry and use their political power to safeguard vested interests and to rotate selected officials.

Dr. de la Rosa accused these groups of callous exclusion of the laborer, farmer, and humble artisan, as well as the emerging middle class, from participation in national planning, policymaking, and opportunity.

AN OFFENSIVE NOTE

As an acknowledged Marxist intellectual and long-term socialist, as one who has tried to improve labor codes in several Latin-American countries, this is offensive to Dr. de la Rosa's philosophy and his sense of what is good for Panama and its citizens.

Asked if he expects much support in these radical changes from the government, he replied: "Any fair or honest Panamanian of whatever position or background must recognize that we cannot go along as we have for the past 60 years, if we have in mind the interest of our country."

Asked about leadership in these needed reforms, the Panamanian negotiator said: "There does not exist in Panama at this moment any political party able to do this task. Existing parties belong to a past which is dead and must be buried. No political party here is organized in terms of reference to our very real national problems. Political parties talk the language of failure, suspicion, and jealousy. What is needed is clear language to express and find solutions to the problems we are confronting now."

He added: "When I think in terms of reforms, I think of a national movement rather than political parties. We need a new national conscience to face the future."

The negotiator termed "unpredictable" the length of time to develop this national movement. He said: "When and *if* the people understand, they will react rapidly. There are many groups who do not wish the people to understand, to protect their own interests. For example, most newspapers won't help because it would be against their interests, but there are presently some other media which would help."

Regarding leadership for this national movement, Dr. de la Rosa confirmed that presently there exist no leaders of this capability, but he expressed confidence that the national reform will create and produce its own leaders. He said this has been a historical fact on many occasions in many countries.

A WALK FOR DECENT WELFARE

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Sweeney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SWEENEY. Mr. Speaker, as Congressman at Large for the State of Ohio, I am sad to report that this morning at 7 a.m. in my State, a march began from Cleveland, Ohio, to the State capitol at Columbus, Ohio, called, A Walk for Decent Welfare. I am sad because of the fact that the citizens engaged in this public effort have for many years been registering appeals concerning the inadequacy of the allowances for welfare recipients in the State of Ohio. Visits, letters, and testimony before the State legislatures, and State officials have produced no results, and therefore, this morning several hundred people began a walk of protest.

What is this particular grievance all about? It is very simple, Mr. Speaker, the State of Ohio has established what they call minimum standards for welfare recipients in order that such a person on welfare might have the bare essentials and the minimum amounts to clothe, house, and feed themselves.

The State of Ohio, although enjoying historic revenues and possessed of surplus funds in the millions, has for a period of many years paid but 70 percent of this minimum amount to these welfare claimants.

Mr. Speaker, we are living in a day and age when we think in terms of prosperity and wealth, and disease as being remote and thousands of miles removed from this land which has been so blessed by Almighty God, but indeed, Mr. Speaker, in every large city of the State of Ohio, there are mothers who on the 20th day of each month are without funds to pay for shoes for their children, there are mothers who are unable to provide vegetables, and fruit, and milk in the family diet.

In my State, Mr. Speaker, on the 20th day of each month or thereabouts, these mothers are without funds to provide warm clothing in the wintertime and adequate medical and dental care. It is sad, Mr. Speaker, that in the second largest industrial State in the Union, and the sixth richest State of the Union, that an adequacy of public assistance cannot be provided when the State government has the capability.

Mr. Speaker, the plight that I have described of these Ohio people and these Ohio children does not result from the fact that the Federal Government has failed to provide supplemental Federal grant assistance programs for the indigent of my State, but rather, Mr. Speaker, it results from the disposition of the present State leadership in using Federal funds as a substitute for State action rather than as a supplement to State action.

Today I draw the attention of the House to the fact that I called upon Secretary Gardner, of the Department of Health, Education, and Welfare, to undertake a study and report as to whether or not Federal funds ought to continue to flow to States of the Union who fail to meet their own established minimum standards under the aid to dependent children programs and under general relief programs as well.

Mr. Speaker, I am of the opinion that there ought to be an arresting of such Federal assistance if the recipient States are unmindful of and refuse to discharge their State responsibility to their own needy, and who in the alternative promote State austerity and develop dollar surpluses in State general funds at the expense of those welfare recipients who are on the very lowest rung of the economic ladder and who have the greatest need in these prosperous days.

THANT'S VIETNAM PROPOSALS

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. McVicker] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McVICKER. Mr. Speaker, like a majority of my colleagues in this body, I fear, I am troubled and perplexed as to the course we should pursue in bringing an end to the tragic conflict in Vietnam.

Amidst all my doubts, though, I have held one firm conviction: that we should explore every avenue to peace and should utilize the offices of every responsible mediator in that quest.

We cannot continue indefinitely our present policy of limited involvement and attrition. I apprehend that we shall soon come face to face with a hard decision—to escalate or to deescalate. Before we reach that point, let us once again open the door to the conference room.

In that regard, I should like to call the attention of my colleagues to an appraisal in the New York Times of Secretary General U Thant's latest proposal for defusing this incipient powder keg:

> Thant's Vietnam Proposals
>
> Secretary General Thant has performed a useful service in focusing attention again on the real problem in Vietnam, which is to move toward a negotiated settlement of the Communist insurrection.
>
> The bombing of North Vietnam and the buildup to more than a quarter-million American troops in the South have neither reduced the Vietcong forces nor stabilized the internal politics of Saigon. On the contrary, the Vietcong buildup also is continuing, aided by infiltration of regular North Vietnamese units. And the American takeover of the military conflict has simply freed the Buddhist and military politicians of South Vietnam to pursue their power struggle. There is little reason to believe that further escalation will change the picture.
>
> Mr. Thant's suggestion is that a new attempt be made to deescalate instead. His three-point proposal calls for the cessation of bombing North Vietnam; the scaling down of military action in the South to achieve a cease-fire; the opening of peace talks among all those who are "actually fighting," including the Vietcong.
>
> Sooner or later, this is the only way the war in Vietnam can be brought to an end. The unanswered question is how this process can best be set in motion.
>
> The efforts of numerous intermediaries to bring Hanoi to the conference table have all run into the same demand: talk to the Vietcong's National Liberation Front. Until the Saigon government shows a willingness do so, there will be no prospect of peace. But what incentive can there be for the military junta to seek a compromise settlement when American troops protect it against the consequences of political folly? The dream that the military balance can be turned and a Communist surrender achieved will only give way to reality when the American commitment ceases to be open-ended.
>
> At the present rate of buildup there will be 350,000 to 400,000 Americans troops in South Vietnam by the end of the year. The talk in Washington of higher targets of 600,000 or 750,000 American troops in 1967 and later is further encouragement to political irresponsibility in Saigon.
>
> At some point a halt must be called. American forces may be able to contain the larger Vietcong units, but it is much more doubtful that they can destroy the Vietcong's political network or its guerrilla bands. Every whirl upward on the escalation spiral merely restores the military balance at best—but at a higher level. A halt in the buildup may prove far more effective in forcing the Saigon factions to unite and in bringing them to face up to the need of opening contacts with the other side.

THE RAPID ACCUMULATION OF KNOWLEDGE AND ITS IMPLICATIONS FOR MODERN BUSINESS

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, it has been my privilege on many occasions to hear remarks given by Mr. Edmund F. Martin, chairman and chief executive officer of the Bethlehem Steel Corp. When I am unable to be present as part of the group he is addressing, I look forward to having a copy of his remarks and reading them at my leisure.

Very recently, Mr. Martin delivered a thoughtful and thought-provoking talk before the American Iron and Steel Institute. It is concerned with the enormous amount of knowledge man has achieved in the centuries since the birth of Christ—knowledge of himself, his fellow human beings, and the universe they inhabit. It particularly stressed the fantastic accumulation of knowledge in recent years.

I feel Mr. Martin's discussion of the knowledge explosion is an informative and cogent example of the extraordinary leadership the Bethlehem Steel Corp.'s management has brought to bear on the complex isues confronting our people and our time.

By unanimous permission, I include the text of his address as part of the printed RECORD of these proceedings in the hope that many of my colleagues will find the time to read it and share it with me:

CHALLENGES OF MODERN MANAGEMENT

(An Address to the General Meeting of the American Iron and Steel Institute, New York, New York, May 25, 1966, Edmund F. Martin, Chairman and Chief Executive Officer, Bethlehem Steel Corporation)

Fellow Institute Members:

Living up to that introduction before you distinguished people presents quite a challenge. It is a challenge, however, that only I have to face. The challenges I want you to consider face all of us every day—and will for years to come. Of these, three stand out in my mind:

Developing good working relations between Business and Government—

Making the best uses of Advancing Technology—

Ensuring constructive Social Change.

It will occur to you at once that these are big challenges and they are related to each other. You will also have noticed that to meet these challenges we must solve some of our most difficult national problems. But far more than this, these challenges offer us as businessmen unequaled opportunities. It is to these opportunities that I direct your attention this morning.

First, let us look at the relations between business and government. It is hard to think of a business decision or action that government does not affect in one way or another. To some extent, this has been true for many years, but government's influence on business has been growing. And, while we may regret this, I do not see any prospect of its shrinking—certainly not in our lifetime.

Many factors have stimulated the growth of government. Technology is the most powerful of these. It has moved many of our people from the farm to the city. It has raised our standard of living to levels mankind has never known before. These changes, in turn, have led to new social problems and a growing insistence that they be solved. The urge of men within government, of course, to increase their own power has contributed to government's expansion. But without these fundamental changes in our society, men could not have built government to its present power.

We know that the agency most responsible for applying technology to people's daily lives is business. Big government did not produce the industrial revolution. In fact, it was the other way around. And government is not continuing this revolution—we businessmen are. Now government can encourage or discourage business in its revolutionary activity. It can speed up or slow down the process. In short, government influences the economic climate in which we do our work. But in our system it does not initiate growth and better methods of using resources which are the hopes upon which our society depends. What this means is that we can function productively as businessmen only if we recognize that government and business must be partners.

PARTNERSHIP MEANS WORKING TOGETHER

Obviously, an effective partnership means working together. One partner should not dominate the other; nor should they always agree. "Come now, and let us reason together"—so often recommended by President Johnson—is exactly what partners should do. But there are times when men in government seem to think of "reasoning" in terms of the end of the passage from the Book of Isaiah, the source of this presidential advice. The actual passage reads in part as follows:

> "Come now, and let us reason together,
>   saith the Lord: . . .
> If ye be willing and obedient,
>   ye shall eat the good of the land.
> But if ye refuse and rebel,
>   ye shall be devoured with the sword;
> for the mouth of the Lord hath spoken it."

Partners must both accept the same basic goals and have a real understanding of each other's role in society. They must also both accept responsibility. To be blunt about it, we in business have not always been ready to accept ours. This has hurt us in two ways—it has given ambitious men in government a readymade excuse to move into fields better dealt with by private effort. Worse still, it has reduced our influence in guiding social change. To say that business has a "poor public image" is simply to say that we businessmen have at times abdicated our positions as leaders in society. We are the leaders. We must never forget this.

POLLUTION IS GROWING PROBLEM

Take pollution of our environment which has existed ever since man discovered fire. It did not become a serious, widespread problem until the industrial revolution hit its stride—a revolution started and kept going by businessmen. Not until the middle of this century have businessmen given much thought to the consequences of discharging industrial wastes into the air, streams and lakes. In the past we failed to realize that, as the population grew and its standard of living rose even faster, wastes were being generated in greater quantities. Many of us neglected that part of the growing problem over which we had a measure of direct control. Some of us also kicked about rising taxes when people in our communities tried to deal effectively with such nonindustrial wastes as sewage.

This has put us in a serious situation. Having failed to accept our responsibility in the past, we encouraged government to move in on us. And, when men in government propose remedies that we know are impractical or so drastic as to threaten the existence of some plants, they seem deaf to our objections. Yet, solving pollution problems is clearly a job for a partnership. Some types of pollution have to be dealt with by various levels of government but others can be controlled most effectively by industry. Control of pollution can be accomplished at reasonable cost and without undue delay only if business and government work together as partners.

Partnership requires understanding—and understanding cannot exist without effective communication and mutual respect. There is ample evidence that government does not always understand the goal, methods, and problems of business. Some of you may remember that I had an example of this earlier in the year. What we sometimes fail to realize is that we are the ones who have to educate government concerning the contributions only business can make in achieving social goals.

PROFITS ARE VITAL

One aspect of business least understood by men in government is the vital importance of profits. Of course, high government officials sometimes talk about the importance of profits but you wonder whether their hearts are really in it when you look at some of the proposals they make.

All men must understand that the expectation of profits is the force that makes our market system work. And this system must work if we are to achieve even a small part of "The Great Society." Too few government people recognize the truth of a comment made by President Johnson in his second annual economic report. The President said:

"No planned economy can have the flexibility and adaptability that flow from the voluntary response of workers, consumers, and managements to the shifting financial incentives provided by free markets."

Too many people in both government and business have forgotten—if they ever knew—the origin of the world "profit." It comes from the Latin word "profectus" and profectus means advancement and progress.

This, then, is the message we must get across to all government people at all levels—social progress within our democratic system is possible only if the profit motive is encouraged.

BUSINESS MUST STAND TOGETHER

Politicians, who are realists when it comes to a problem arousing public concern, promptly look for a whipping boy to simplify the problem and make a favorite remedy look plausible. Not infrequently, to our cost, the whipping boy is the management of a company or an industry. Attacking management is safe because management people have few votes. And, on the rare occasion when we do talk back, we get little public attention and support. Regrettably, we get little support from other members of management!

We have a good example of this in the attack against the automobile companies on the matter of highway safety. I do not suggest that our Congressmen are not honestly concerned over the slaughter that takes place on our highways. I am sure they are. But it is perfectly clear that highway accidents occur for many reasons. And the remedies lie in the hands of many people—including politicians. In my opinion, singling out automobile construction as the primary cause of accidents is unfair. Furthermore, it is unwise since it distracts attention from other, more important causes, such as excessive speed and alcohol and inadequate law enforcement. And to imply—as some politicians have been doing—that automobile company executives don't care about highway safety is grossly untrue.

When government attacks one business unfairly, the rest of us should stand up and say so—and not just because that business happens to be a good customer of ours. The Business Council was right in backing the automobile companies on the safety matter and there should be more support of that kind. An unfair attack, if unchallenged, weakens public confidence in all business. It encourages those in our society who want government to manage everything. We cannot expect to increase understanding of business by sitting back and smugly thanking God that someone else is getting it. And we must recognize that disagreement between partners, if honest and unemotional, strengthens a partnership.

GOVERNMENT RELATIONS MUST BE IMPROVED

Now what does this mean to us? It means that we must improve our working relations with government. We must get to know better the people in government, not only in Washington but in state capitals, city halls and county offices. It means talking with Democrats as well as Republicans. And when we meet with government officials, we should listen as well as talk. They have pressures and points of view which are different and we must try to understand them. Furthermore, our approach to their problems must be constructive. Their problems are real and solutions must be found. We ought to become part of the solution rather than part of the problem. We can be sure that the cure will not be worse than the disease only if we help develop it. Nearly 2,400 years ago, the greatest Athenian politician, Pericles, said:

"We do not say that a man who takes no interest in politics minds his own business. We say that he has no business to mind."

The passage of time has added to the truth of that statement. We have made real progress toward better relations with government collectively, through the Institute, and individually, through our own public affairs activities. But we need to do a lot more.

CHALLENGE OF ADVANCING TECHNOLOGY

Turning now to the challenge of advancing technology, we know better than any other group in society how much our present standard of living owes to technical progress. After all, we businessmen apply technology to the solution of economic problems. Thus, it is up to us to make sure that advancing technology is used to the best advantage.

Technology is, of course, based on accumulated knowledge and knowledge is growing at a remarkable rate. Someone has estimated that the total of human knowledge doubled between the birth of Christ and the year 1750; it doubled again between 1750 and 1900—just one and a half centuries; it doubled once more in the half-century between 1900 and 1950; and again between 1950 and 1960—a single decade. A fifth doubling occurred between 1960 and 1965 and, by 1970, we will be accumulating knowledge so fast that we can expect the sum of it to double every six months.

This knowledge explosion is due to greatly expanded research. We did not know how much time and money were being devoted to research until recently. We can be reasonably sure that about 90 per cent of all the scientists who have ever lived are alive right now. In our own country, research expenditures have tripled in the last ten years alone. It is worth noting that nearly two-thirds of the money involved comes from the federal government. Without getting into the question whether this is good or bad, the heavy participation of government in research activity affects business directly and indirectly. This is one more reason why we in business should act as partners with government.

How are we to deal with the huge amount of information our research is giving us? Fortunately, we are acquiring not only new facts but also new principles. These provide ways of analyzing facts and putting them to use. Research is constantly improving the hardware needed to collect, store and process information. And it is providing us with better ways to control activities. Thus, the real challenge presented to management by the rapid growth of knowledge is not how to accumulate and process it, but how to use it.

INCREASING USE OF RESEARCH

We in the steel industry have made increasing use of research to the profit of our customers and their customers. Starting with raw materials, we have applied new ideas and principles in steelmaking. You are all familiar with the changes that have resulted. These many applications of new knowledge and new combinations of old knowledge mean constantly improving products, more effective use of labor, materials and capital, and better service. I am convinced we are just at the beginning of a new revolution in steel.

As today's managers, we are responsible for the future of our industry. This means increasing the use of new analytical methods and new equipment. We must be even quicker to adopt new ideas, particularly those relating to management. As our plants and markets become more complex, every level of management must employ the most modern analytical tools.

SOCIAL PROBLEMS AND INDUSTRY

I foresee problems outside the limits of our industry having a growing effect on its character and the way we mould it. What I am talking about are the social problems which arouse more concern every day. As our general prosperity grows, it will be increasingly difficult to tolerate urban congestion, the existence of slums, inadequate educational services, and unequal opportunities for American citizens. These are not problems dragged out of the closet by politicians to obtain votes in an election year only to be put back after November. They are serious. The evidence is all around us of a growing public insistence that they can and must be solved. The way they are solved can affect the future of every business profoundly. Steel is no exception.

Business can make contributions to our society. We have already done a great deal in some directions, although many of our accomplishments have not been widely recognized. Blaine Cook of United Airlines was not exaggerating when he said recently:

"The American business system has probably done more to alleviate poverty than any other human institution in the history of the race."

We cannot, in our own interest, sit back and rest on our past accomplishments. To rest is to rust. We will be neither good businessmen nor good citizens if we leave the solution of our social problems entirely to government.

Solving those problems offers great business opportunities as well as the satisfaction of improving our society. Just think for a moment what traffic jams cost our own companies. Or, consider what happens to our taxes when large areas in the cities where we have plants are allowed to become slums. How much of the present labor shortage results from inadequate education? Or, looking at the other side of the coin, how much business will be generated by improving urban transportation, housing and schools? The possibilities are immense.

ROLE OF BUSINESS

The role of business lies in applying our technical knowledge and management skill to the solution of social problems. And playing this role requires that we do three things intensively:

We must participate more actively in politics. Only then will we better understand government problems and expand our influence in their solution.

We must direct more of our attention and research to such matters as urban renewal, disposal of wastes, and transportation.

We must increase our contacts and assistance to schools and colleges—not just in money but in the realm of ideas as well.

The challenges which I have been discussing with you—developing good working relations between business and government, making the best use of advancing technology, and ensuring constructive social change—give us unparalleled opportunities to shape the future. Let us remember what Abraham Lincoln once said:

"The dogmas of the quiet past are inadequate to the stormy present. . . . As our case is new, so we must think anew and act anew."

Gentlemen, this should be our intent and purpose.

PRIVATE ENTERPRISE AND THE GUARANTEED STUDENT LOAN PROGRAM

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PEPPER. Mr. Speaker, last October Congress approved, as part of the Higher Education Act, a system of guaranteed loans to students which will greatly expand the availability of loan funds to those who must borrow money in order to finance their college education. The program calls for cooperation between the Federal Government, the States, institutions of higher learning, the financial community, and private nonprofit organizations which guarantee student loans. Despite the great need for financial aid to students, the program has been slow to get off the ground; although loans totaling $700 million were guaranteed by the Federal Government for fiscal year 1966, only about $150 million were borrowed.

I was therefore very pleased to read in Tuesday's newspaper that the American Bankers Association is taking new steps to encourage its members to participate, beginning this fall, in the loan program. The private banking resources of our Nation are urgently needed, if we are to remove the financial barrier to a college education for every capable individual American. The 1965 Higher Education Act enlists the help of America's 18,000 banks for this purpose. I am gratified that the American Bankers Association is acting to gain the immediate participation of its members in this program.

Mr. Speaker, the article by Mr. William Reddig, which appeared in the Evening Star on June 21, 1966, follows:

[From the Evening Star, June 21, 1966]

BANK GROUP ASKS MEMBERS TO JOIN STUDENT LOAN PLAN

(By William Reddig)

The American Bankers Association, which fought to keep new student loan financing in the private arena, is asking all its members to participate, beginning in the fall, under the 1965 Higher Education Act.

More than half a million college students are expected to borrow about $400 million during the school year beginning in September. During the last school year, students borrowed $150 million under state and private guaranteed loan programs.

The ABA wants its members to assign a top management person as student loan officer and to put on pressure in the states to make sure that adequate insurance reserves are provided for a state or private nonprofit loan insurance agency.

After a bank makes the appointment, the ABA will send the officer information on the program and a promotional kit to advertise it in the bank and with local media. Most of the 18,000 banks in the country are expected to cooperate.

"Student loan programs present the banking industry with one of the best public relations opportunities the industry has ever had," said Archie K. Davis and Charls E. Walker, president and executive vice president respectively of the ABA, in a joint statement.

SETS UP RESERVES

The federal government is providing $17.5 million for this student loan program under the 1965 education act. The funds will set up reserves and offer payment up to 6 percent of interest charges on student loans.

The private loan program supplements direct loans provided for needy students under the 1958 National Defense Education Act. About $175 million is available under this program.

Under the 1965 education act, loans will be made directly to the students by the banks and other lending institutions. State and private nonprofit agencies will guarantee the loans against default.

Thirteen states, including Maryland, guarantee plans. One of the largest private plans is the United Student Aid Funds of New York, which operates in all 50 states and endorses low-cost loans made by participating banks to students at more than 600 colleges.

SAXON'S INSTRUCTIONS

James J. Saxon, comptroller of the currency, told the banks that national bank examiners will be instructed to treat student loans made under Title IV of the act "in a manner similarly accorded to FHA Title I loans."

The federal government will pay interest benefits quarterly to lenders on behalf of students whose adjusted family income is under $15,000 annually.

But interest charges cannot be over 6 percent and the student cannot be required to begin repayment sooner than 60 days after he finishes school.

In general, a student may borrow up to $5,000 for undergraduate education. A graduate or professional student may borrow up to $1,500 a year, with a maximum of $7,500 for both undergraduate and graduate education.

DISCRIMINATORY REGULATION ON THE PART OF THE INTERNAL REVENUE SERVICE

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAMILTON. Mr. Speaker, many teachers in the Ninth Congressional District of Indiana have written to me protesting what they call a discriminatory regulation on the part of the Internal Revenue Service.

I speak of the regulation which prevents practicing teachers from deducting the educational expenses of getting their master's degrees.

Beginning teachers—those with bachelor's degrees—are required by the State of Indiana to obtain the master's degree within 5 years to qualify for a professional teacher's certificate. Yet, teachers working to fulfill that State requirement are told this expense of getting an advanced degree is not deductible.

On the other hand, an attorney in Indiana is allowed to deduct the expense of any additional training as soon as he is admitted to the bar and allowed to charge money for his services.

In this light, it seems to me that teachers are being penalized to meet Indiana's standards of excellence in education.

In fact, it seems to me that this policy contradicts the administration's emphasis on educational excellence.

I have been in contact with officials of the Internal Revenue Service, but there have been no indications that an administrative order to change this situation is in the offing.

Therefore, I am introducing legislation to secure income tax deductions for practicing teachers' advanced professional education.

LEGISLATION TO INCREASE FAA POWERS IN AIRCRAFT NOISE CONTROL AND ABATEMENT

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, on behalf of myself and my colleagues, the gentlemen from New York, [Mr. ADDABBO and Mr. WYDLER], I am today introducing legislation to increase the powers of the Federal Aviation Agency in the field of aircraft noise control and abatement.

For some time, we have been aware of the growing social costs of our air transportation system. Not the least of these costs is aircraft noise. Since 1960, the Federal Government has been active in this area through research and development programs. We have found that people within a 5-mile radius of major airports are subject to serious noise disturbances which can often be correlated with nervous conditions, heart conditions, and simple inconveniences. Through the efforts of the National Aeronautics and Space Administration and the Federal Aviation Agency, we have documented the case against aircraft noise so that its threat is no longer a matter for controversy.

This clear record, and the increased pressure from the afflicted public, has resulted in certain steps forward in the war against aircraft noise. Local airports have adopted safe flight patterns to minimize noise effects, even if there may be some routing inconvenience involved. Aircraft companies are being urged to adopt new engineering techniques in jet propulsion systems. I think, overall, the Federal Aviation Agency has done an effective job in this area, given the limits of its authority. But it is clear that authority needs to be expanded.

It was this situation, I think, which prompted the President to announce in his transportation message of this year, that "we must embark on a concerted effort to alleviate the problems of aircraft noise."

To that end, he established a special Presidential commission, headed by the President's Science Adviser, to study the development of noise standards, and the compatible issues of land near airports, to consult with local communities and industry, and to recommend new steps, administrative or legislative.

I believe this commission represents a full-scale national commitment to control and abate aircraft. It is my view, however, and that of my colleagues from New York, that we must move to a new program of activity and enforcement. The science of noise control is still in its youth. But we presently know enough to start taking some forthright action.

Accordingly, our legislation empowers the Administrator of the Federal Aviation Agency to prescribe and amend standards for the measurement of aircraft noise and apply such standards in the issuance, amendment, modification, or revocation of any certificate authorized by the Federal Aviation Act of 1958. This is a proposal to give the Federal Aviation Agency some long-needed muscle in the enforcement field. All the research and development in the world will be of no use if it is not given the opportunity for implementation. Our measure gives the Federal Aviation Agency the chance to consider noise problems at the very root of certification procedures.

To balance the proposal, however, the legislation guarantees certificate holders the right to notice and appeal.

This legislation was reached after careful consultation with the Federal Aviation Agency, which has approved this measure. We, and they, feel it can most effectively deal with the growing noise problem, and can help us answer one of our most basic and neglected human rights—the right to peace and quiet.

MORE CAPITOL PUNISHMENT

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHEUER. Mr. Speaker, the proposed extension of the west front of the Capitol is a matter of growing concern to many Members of Congress. It is inconceivable to me that the decision has been made to obliterate the last remaining external vestiges of our Nation's revered Capitol Building without the advice of impartial experts. The facts are these:

First. The U.S. Capitol is a proud national possession, an essential and irreplaceable element of our rich heritage. Any alterations made to it should be considered fully and openly in a manner which gives the public—the building's true owner—a voice in the discussion.

Second. The west front wall of the U.S. Capitol has been allowed to fall into a state of unsightly disrepair and should be restored immediately by the associate architects employed by the Architect of the Capitol, and, if necessary, with the aid of a restoration specialist. Many historic buildings here and abroad have been so restored. One example is the Tennessee Capitol Building at Nashville, which was in far worse condition than the U.S. Capitol Building until the matter was put to rights by an enlightened legislature. The argument of those in favor of extension that a wall need be moved to be repaired is, to put it baldly, sheer nonsense.

Third. The piecemeal approach to meeting the present and predicted needs of Congress cannot longer be tolerated. Eventually, these disconnected, ad hoc alterations would convert the Capitol into a completely different building, a building planned by no rational intelligence but which rather simply growed, like Topsy. A comprehensive space-need-use survey of Capitol facilities should be undertaken immediately and from this survey data a master plan should be developed. Master planning is used by our cities, by forward-looking businesses, industrial and banking concerns, and by our great universities and should be the basis for all our Capitol planning. Toleration of this Topsy-like growth has already invited chaos.

Fourth. The architectural profession, represented by the American Institute of Architects, has been traditionally, and is, opposed to changing the west front of the Capitol, believing that the west front is architecturally meritorious as it now stands. The AIA is convinced that the Capitol has rightly come to be an indelible part of the American scene. Recent comments in the press and reports from all over the country have confirmed the Institute's belief.

> If the old stones of the Capitol are crumbling let them be restored, or replaced if need be, but let us refrain from padding its bones with layers of rooms until it becomes a shapeless mass * * * Congress deserves a mid-20th century answer to its space needs, not a misguided 19th century alternation to a venerable building deserving of respectful preservation.

Mr. Speaker, I would like to include the statement of the American Institute of Architects on the proposed extension of the west front:

[October 13, 1965]

STATEMENT OF THE AMERICAN INSTITUTE OF ARCHITECTS

The Institute believes that the Capitol of the United States is a vitally important symbol of our nation's government. As such, it should be preserved. If reconstruction is structurally necessary, it should be carried out in strict accordance with the present design. If the Capitol continues to expand, it will rapidly lose all resemblance to the original building. The AIA believes that it should be a permanent policy of the Congress that the exterior of the Capitol is to remain unchanged. Today, the West Front contains the last remaining external vestiges of the Capitol as it was originally designed and built. It is the only important link with the beginnings of the building. If the West Front of the Capitol is extended, we will have buried the last of those walls that date from the early years of the Republic, and will have obscured a part of our history that can never be restored.

PROGRAM FOR REMAINDER OF THE WEEK

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have requested this time in order to inquire of the distinguished majority leader the program for the remainder of the week.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman yield to me?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in addition to the program heretofore announced we are scheduling the bill S. 3368 on which a rule has been granted today. This is a closed rule. I understand the bill was unanimously reported from the Committee on Banking and Currency.

Mr. GERALD R. FORD. Mr. Speaker, could the gentleman from Texas [Mr. PATMAN] give the Members the title of the legislation and the content of the proposal?

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, the bill proposes to extend for 2 years the power and authority of the Federal Reserve to make direct purchases of obligations from the Treasury, up to but not exceeding $5 billion.

Mr. Speaker, they have had that power—at least the Federal Reserve has had that power—for the last 20 years, and it has been extended about every 2 years. It has not been used, however, since 1958 and it is certainly not proposed to be used in the next 2 years. However, it is a good thing to have available in the event an emergency may make its use necessary; that is, to use this power. It is supported by both the Federal Reserve and the Department of the Treasury. It was unanimously reported by the Committee on Banking and Currency. Heretofore there has never been any objection to its extension.

Mr. GERALD R. FORD. As I understand it, the ranking minority Member, the gentleman from New Jersey [Mr. WIDNALL], is in favor of the legislation, and the minority members on the committee were unanimous in supporting the bill?

Mr. PATMAN. Mr. Speaker, if the gentleman will yield further, that is right; and as stated here on the floor by the gentleman from New Jersey [Mr. WIDNALL] to the gentleman from Michigan [Mr. GERALD R. FORD] a while ago, and to myself, the gentleman from New Jersey stated he would have no objection to it coming up for consideration tomorrow afternoon.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield.

Mr GROSS. I take it this is the old printing-press money bill that has been kicked around here and subject to renewal around every 2 years?

Mr. PATMAN. Yes, the gentleman from Iowa always refers to it as the printing-press money bill.

Mr. GERALD R. FORD. May I ask the distinguished majority leader with reference to the legislative program, other than the bill that we have just been discussing, the only other business this week is the bill H.R. 13196, the Allied Health Professions Training Act?

Mr. ALBERT. That is the only legislative business programed for the remainder of this week. Of course, conference reports and any matter which is agreed to be taken up under unanimous consent would always be in order.

COMMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may meet tomorrow afternoon while the House is in session and engaged in general debate.

I have cleared this with the ranking minority member of the committee, the gentleman from New Jersey [Mr. WIDNALL] and he said that it was satisfactory.

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, does it not seem a little paradoxical that the chairman of the Committee on Banking and Currency should be one minute asking for authority to bring up a bill from his committee, and in the next breath he should be asking permission for the Committee on Banking and Currency to sit while the House is in session?

Mr. PATMAN. That can be explained in this way: I have some good people next to me who can serve as chairman in the event I am away, and I would expect to be away, here on the floor of the House.

The object of this request is that Mr. Horne, the Chairman of the Federal Home Loan Bank Board, cannot be here before noon tomorrow, and therefore we will use other witnesses, but in the afternoon when he returns we want to use him before our committee. We expect to get through tomorrow, and that is the reason for asking for an afternoon session.

I hope it is not objected to.

Mr. GERALD R. FORD. What is the legislation, and what is the hurry?

Mr. PATMAN. It is the certificates of deposit legislation. We have been on it for several weeks, and we are anxious to bring it to a close if we can. As far as the testimony is concerned, we expect to close the testimony tomorrow.

Mr. GERALD R. FORD. It so happens that the gentleman whose name was mentioned, Mr. Horne, is a good neighbor of mine in the Washington, D.C., area, but cannot this appearance by him be delayed until the next day?

Mr. PATMAN. That delay is something that the homebuilders will claim will be very injurious to them. You see, they are anxious to get this certificates of deposit matter settled so that the savings and loans institutions can go back to extending loans on home building.

The SPEAKER pro tempore (Mr. PEPPER). Is there objection to the request of the gentlemen from Texas [Mr. PATMAN]?

Mr. GERALD R. FORD. Mr. Speaker, I object.

HONESTY, ETHICAL STANDARDS AND MR. FREEMAN

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, two incidents of recent date involving Agriculture Secretary Freeman show the importance of old-fashioned investigative reporting. The first involved the famous "Dear Bob" letter Mr. Freeman wrote January 22 to Defense Secretary McNamara, in which Mr. Freeman recommended a 50-percent cut in pork purchases for 6 months, purchase for 6 months of European pork and beef instead of U.S. products and reduction in purchases of various fruits and vegetables. In it he explained his recommendation as being needed to "help keep domestic food prices in line."

On February 17 the Defense Department issued an order carrying out precisely what Mr. Freeman had recommended. The order did not become public knowledge until 7 weeks later, and it was reversed on May 7 after farmers protested.

Despite all this Secretary Freeman told the press on June 3 that the Agriculture Department had little or no role in the Defense Department decision and further that the decision was not intended to influence consumer prices. Obviously, Mr. Freeman was not leveling with the reporters. He was trying to mislead them.

Thanks to the digging of Mr. Nick Kotz, reporter for the Des Moines Register, Mr. Freeman was asked about the "Dear Bob" letter and he quickly reversed his field. Had Mr. Kotz not challenged Mr. Freeman, the public record of this chapter in agricultural history would have been false and misleading.

This incident may be trivial in itself, and perhaps as Secretary Freeman later insisted, the order had little impact on market conditions, but honesty is important in matters large and small. It certainly raises troubling questions: How much duplicity like this goes on which is never brought to light? How far do high officials stretch the truth in efforts to make themselves look good? What and whom can one believe?

The second incident also involves both Mr. Kotz and Mr. Freeman. It deals with a planned leak of news to a Democratic Senator about intended butter purchases by USDA. It was a flagrant example of playing partisan politics with highly sensitive marketing operations. It was a distinct departure from the standards of high ethical conduct on such matters long followed by career employees in the Department of Agriculture.

Here is the report of the affair as written June 20 by Mr. Kotz:

WASHINGTON.—The Secretary of Agriculture personally called a Democratic Senator to offer him the privilege of announcing an impending department marketing decision.

But the next day, the department decided not to announce the decision because another Member of Congress had "leaked" the announcement to the press.

Agriculture Department officials said they delayed the announcement because they feared the premature congressional press release would give unfair advantage to some persons in the commodity trading market.

Admittedly, this account sounds confusing. How can the Agriculture Secretary offer to let one Senator prematurely announce an order, and later contend the announcement was delayed because of premature disclosure by another Congressman.

This situation involving a butter purchase order illustrates some possible confusion in the department concerning the handling of sensitive information which can and does affect the commodity markets.

The particular case mentioned above happened late in May, according to highly informed sources. The Agricultural Department declines to relate officially its version of what happened.

Asked formally for the department's account of the delayed butter purchase announcement, Agriculture Secretary Orville Freeman's press secretary replied: "We will have no comment."

The Members of Congress most directly involved—Senator GEORGE MCGOVERN, Democrat of South Dakota, and Representative LYNN STALBAUM, Democrat of Wisconsin, also decline comment.

But other sources report the following.

Freeman called MCGOVERN and told him he could make the announcement that the Agriculture Department was going to buy butter at market prices for the school lunch program. The department would make its official announcement the next day.

This Department announcement, utilizing a section of the 1965 farm bill authored by MCGOVERN, had considerable import to the butter and dairy markets.

Dairy prices were very weak. The announcement was an indication that the Agriculture Department stood ready to buy about 50 million pounds of butter a year at market prices.

The announcement could be expected to have effect of strengthening the butter futures market and the market for whole milk at creameries.

At least some other Senators found out in advance about the forthcoming order. MCGOVERN made his announcement in South Dakota and Senator WALTER MONDALE, Democrat, of Minnesota, made one in his State.

But the next day the department didn't issue the order. Some congressional officials were informed by Agriculture Department officials that the order was not issued because Representative LYNN STALBAUM, Democrat, of Wisconsin, announced it prematurely.

Tom Hughes, assistant to Freeman for congressional liaison, said last week that it was his understanding the announcement was delayed because STALBAUM's premature press release might have affected the markets.

The announcement finally was made on June 2 that the Department would take bids to buy butter at market prices.

On this occasion, the Department took great care not to inform interested members of congress until after the commodity markets had closed.

The butter announcement is only one of several in recent weeks indicating a lack of uniform procedures in announcing information which can affect sensitive commodity markets.

In some of these other cases, other Departments as well as Agriculture are involved.

The initial Defense Department decision to cut in half its prime pork purchases for six months didn't become public information for seven weeks, but the large meat packing concerns knew within a few days.

When the administration, reacting to farm State protest, reversed the pork order a month later, the announcement again was not a uniform one. At least some democratic midwest congressmen were informed of the order in advance by Agriculture Department officials and made announcements ahead of the official one.

A similar situation existed when the Commerce Department first restricted exports of hides and then modified the order following farm protests. In the first case, shoe manufacturers and tanneries knew of the decision in advance. In the second case, the Commerce Department let some Democratic Congressmen leak stories in advance of the actual retrenchment of the order.

Several congressional sources report that the Agriculture Department has been following a more uniform procedure in recent days, namely, the department has been waiting until after the markets close, then informing Congressmen several hours in advance of the public notice.

One congressional expert on commodity matters commented that "The department is in a tough spot."

"Congressmen gripe at the department if they're not told about these things in advance," he commented.

It has been the normal practice in most administrations to let Members of Congress of the same political party make many announcements affecting their districts.

But everyone interviewed in Congress and in the Agriculture Department agrees that decisions affecting commodity markets should be announced uniformly so that no person or group is given an advantage.

The Agriculture Department has taken great care and is proud of its security measures to prevent leaks of information involving reports of its crop reporting boards.

The estimates of the crop reporting boards vitally affect futures in the commodity markets.

Yet, knowledgeable officials both on Capitol Hill and in the Agriculture Department state that many department decisions—such as welfare program buying or surplus commodity selling—can have just as great an effect on the commodity markets.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HARSHA (at the request of Mr. GERALD R. FORD), from June 21 through June 30, on account of serious illness in family.

Mr. HAGAN of Georgia (at the request of Mr. ALBERT), for today and tomorrow, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ASHBROOK (at the request of Mr. MCDADE), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. DON H. CLAUSEN (at the request of Mr. MCDADE), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. RONCALIO and to include extraneous matter.

Mr. GRABOWSKI in two instances.

(The following Members (at the request of Mr. MCDADE) and to include extraneous matter:)

Mr. PELLY.

Mr. DOLE.

Mr. MARTIN of Massachusetts.

(The following Members (at the request of Mr. TUNNEY) and to include extraneous matter:)

Mr. TODD.

Mr. SWEENEY.

Mr. CAREY.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1336. An act to amend the Administrative Procedure Act, and for other purposes; to the Committee on the Judiciary.

S. 2769. An act relating to the establishment of parking facilities in the District of Columbia; to the Committee on the District of Columbia.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 693. An act to amend the Foreign Agents Registration Act of 1938, as amended;

S. 1160. An act to amend section 3 of the Administration Procedure Act, chapter 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information, and for other purposes;

S. 1495. An act to permit variation of the 40-hour workweek of Federal employees for educational purposes;

S. 2142. An act to simplify the admeasurement of small vessels; and

S. 2307. An act for the relief of certain civilian employees and former civilian employees of region 1 of the Bureau of Reclamation.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 11227. An act to authorize the Honorable EUGENE J. KEOGH, of New York, a Member of the House of Representatives, to accept the award of the Order of Isabella the Catholic.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 6438. An act to authorize any executive department or independent establishment of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof;

H.R. 6515. An act to supplement the act of October 6, 1964, establishing the Lewis and Clark Trail Commission, and for other purposes;

H.R. 7042. An act to amend section 402(d) of the Federal Food, Drug, and Cosmetic Act;

H.R. 7402. An act to provide for the establishment of the Chamizal National Memorial in the city of El Paso, Tex., and for other purposes;

H.R. 10357. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the U.S. Secret Service; and

H.R. 15202. An act to provide, for the period beginning on July 1, 1966, and ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

ADJOURNMENT

Mr. TUNNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to. Accordingly (at 3 o'clock and 9 minutes p.m.) the House adjourned until Thursday, June 23, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2505. A communication from the President of the United States, transmitting an amendment to the request for appropriations for the Department of the Interior for fiscal year 1967 (H. Doc. No. 454); to the Committee on Appropriations and ordered to be printed.

2506. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report on insurance and guarantees on U.S. exports to Yugoslavia for the month of May 1966, pursuant to title III of the Foreign Assistance Act of 1966, and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

2507. A letter from the Comptroller General of the United States transmitting a report of improvements in the budget presentation of proposed major capital expenditures, the Alaska Railroad, Department of the Interior; to the Committee on Government Operations.

2508. A letter from the Comptroller General of the United States, transmitting a report of savings available by use of conventionally designed airport traffic control towers at low-activity airports, Federal Aviation Agency; to the Committee on Government Operations.

2509. A letter from the Comptroller General of the United States, transmitting a report of review of the equipment modification program for M48A1 tanks, Department of the Army; to the Committee on Government Operations.

2510. A letter from the Comptroller General of the United States, transmitting a report of review of eligibility of veterans for total disability insurance, Veterans' Administration; to the Committee on Government Operations.

2511. A letter from the Comptroller General of the United States, transmitting a report of review of the purchase of title insurance on properties acquired in the State of Florida under the loan guarantee program, Veterans' Administration; to the Committee on Government Operations.

2512. A letter from the Comptroller General of the United States, transmitting a report of review of repair practices relating to single-family properties acquired through mortgage insurance programs, Federal Housing Administration, Department of Housing and Urban Development; to the Committee on Government Operations.

2513. A letter from the Comptroller General of the United States, transmitting a report of examination of financial statements of the Bureau of Engraving and Printing fund, Treasury Department, fiscal years 1964–65; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Thirtieth report entitled "Unshackling Local Government—A Survey of Proposals by the Advisory Commission on Intergovernmental Relations"; without amendment (Rept. No. 1643). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Thirtieth report entitled "1965 Survey on Disposal of Sewage and Industrial Wastes by Federal Installations (Water Pollution Control and Abatement)"; without amendment (Rept. No. 1644). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. S. 3150. An act to make further provision for the retirement of the Comptroller General; without amendment (Rept. No. 1645). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 894. Resolution providing for the consideration of S. 3368. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury; without amendment (Rept. No. 1646). Referred to the House Calendar.

Mr. PATMAN: Committee on Banking and Currency. H.R. 15639. A bill to amend title III of the National Housing Act to increase the authority of the Federal National Mortgage Association to obtain funds for use in its secondary market operations; without amendment (Rept. No. 1647). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Tennessee:

H.R. 15831. A bill to amend the Rural Electrification Act of 1936, as amended, to establish REA electrification and telephone loan accounts and Federal banks for rural electric and rural telephone systems to provide supplemental financing for the rural electrification and rural telephone programs, and for other purposes; to the Committee on Agriculture.

By Mr. BINGHAM:

H.R. 15832. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BOLAND:

H.R. 15833. A bill to authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreational Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DON H. CLAUSEN:

H.R. 15834. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. CASEY:

H.R. 15835. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. de la GARZA:

H.R. 15836. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. GARMATZ (by request):

H.R. 15837. A bill to repeal the prohibition upon the fixing or collection of fees for certain services under the navigation laws; to the Committee on Merchant Marine and Fisheries.

By Mr. GILBERT:

H.R. 15838. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Board-Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KING of New York:

H.R. 15839. A bill to establish a National Commission on Reform of Federal Criminal Laws; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 15840. A bill to provide for the establishment of the Plymouth Rock National Memorial, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McCARTHY:

H.R. 15841. A bill to amend title XIX of the Social Security Act to eliminate therefrom certain costly requirements imposed with respect to State programs for medical assistance established pursuant thereto; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 15842. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 15843. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 15844. A bill to extend to State public assistance programs approved under titles XIV, XVI, and XIX of the Social Security Act the special matching provisions presently in force with respect to certain Navajo and Hopi Indians, and for other purposes; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 15845. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 15846. A bill to amend the Mental Retardation Facilities Construction Act in order to permit the construction of classrooms under that act; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL of Massachusetts:

H.R. 15847. A bill to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce, to reduce accidents involving motor vehicles, to reduce the deaths and injuries occurring in such accidents and to the extent consistent with such reductions, to reduce property damage which occurs in such accidents; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 15848. A bill to amend the Public Works and Economic Development Act of 1965 to extend for an additional year the eligibility of certain areas; to the Committee on Public Works.

By Mr. ROONEY of Pennsylvania:

H.R. 15849. A bill to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 15850. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN:

H.R. 15851. A bill to make an additional appropriation for carrying out the purposes of the Economic Opportunity Act of 1964, as amended; to the Committee on Appropriations.

By Mr. STRATTON:

H.R. 15852. A bill to amend the Public Works and Economic Development Act of 1965 to extend for an additional year the eligibility of certain areas; to the Committee on Public Works.

H.R. 15853. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 15854. A bill to provide a temporary program for dairy farmers under which production adjustment payment shall be made to such farmers who voluntarily adjust their marketings of milk and butterfat; to the Committee on Agriculture.

By Mr. TALCOTT:

H.R. 15855. A bill to establish a National Commission on Reform of Federal Criminal Laws; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 15856. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITENER:

H.R. 15857. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes; to to the Committee on District of Columbia.

H.R. 15858. A bill to amend section 6 of the District of Columbia Redevelopment Act of 1945, to authorize early land acquisition for the purpose of acquiring a site for a replacement of Shaw Junior High School; to the Committee on the District of Columbia.

By Mr. NELSEN:

H.R. 15859. A bill to amend section 6 of the District of Columbia Redevelopment Act of 1945, to authorize early land acquisition for the purpose of acquiring a site for a replacement of Shaw Junior High School; to the Committee on the District of Columbia.

By Mr. WHITENER:

H.R. 15860. A bill to establish the District of Columbia Bail Agency, and for other purposes; to the Committee on the District of Columbia.

By Mr. NELSEN:

H.R. 15861. A bill to establish the District of Columbia Bail Agency, and for other purposes; to the Committee on the District of Columbia.

By Mr. GARMATZ:

H.R. 15862. A bill to require authorization for certain appropriations for the Maritime Administration, under the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LENNON:

H.R. 15863. A bill to require authorization for certain appropriations for the Maritime Administration, under the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DOWNING:

H.R. 15864. A bill to require authorization for certain appropriations for the Maritime Administration, under the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MAILLIARD:

H.R. 15865. A bill to amend title IX of the Merchant Marine Act, 1936, to require certain authorizations for appropriations; to the Committee on Merchant Marine and Fisheries.

By Mr. BOLAND:

H.R. 15866. A bill to provide severance pay for certain temporary employees; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL of Virginia:

H.R. 15867. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes; to the Committee on District of Columbia.

By Mr. CORMAN:

H.R. 15868. A bill to incorporate the Town Affiliation Association of the United States; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 15869. A bill relating to termination of Federal supervision over the Confederated Tribes of the Colville Reservation; to the Committee on Interior and Insular Affairs.

By Mr. HAMILTON:

H.R. 15870. A bill to amend the Internal Revenue Code of 1954, to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

By Mr. SMITH of New York:

H.R. 15871. A bill to amend the tariff schedules of the United States to allow containers for certain petroleum products and derivatives to be temporarily imported without payment of duty; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 15872. A bill to permit the disposal of certain Federal real property for use for educational purposes; to the Committee on Banking and Currency.

By Mr. WRIGHT:

H.R. 15873. A bill to authorize the establishment of the Dinosaur Trail National Monument in the State of Texas; to the Committee on Interior and Insular Affairs.

By Mr. WYDLER:

H.R. 15874. A bill to create an Office of Aircraft Noise Abatement; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL:

H.R. 15875. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ADDABBO:

H.R. 15876. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DEL CLAWSON:

H.J. Res. 1176. Joint resolution proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on the Judiciary.

By Mr. KING of New York:

H.J. Res. 1177. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.J. Res. 1178. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the 93d annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in Washington, D.C., in July 1967, to authorize the granting of certain permits to "Imperial Shrine Convention, 1967, Inc.," on the occasions of such sessions, and for other purposes; to the Committee on the District of Columbia.

By Mr. GONZALEZ:

H. Con. Res. 793. Concurrent resolution expressing the sense of the Congress with respect to the preservation of the west front of the Capitol of the United States; to the Committee on Public Works.

By Mr. MOORHEAD:

H. Con. Res. 794. Concurrent resolution expressing the sense of Congress on the holding of elections in South Vietnam; to the Committee on Foreign Affairs.

By Mr. BROWN of California:

H. Con. Res. 795. Concurrent resolution relating to Federal acquisition of urban park lands for nonpark use; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of the rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHELF:

H.R. 15877. A bill for the relief of Mrs. Virgie M. Bailey; to the Committee on the Judiciary.

By Mr. DELANEY (by request):

H.R. 15878. A bill for the relief of Pericles Peponias; to the Committee on the Judiciary.

By Mr. DYAL:

H.R. 15879. A bill for the relief of Joseph H. Wingo; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 15880. A bill for the relief of Milford W. Henry; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 15881. A bill for the relief of Maj. Leon F. Higgins II; to the Committee on Armed Services.

By Mr. OTTINGER:

H.R. 15882. A bill for the relief of Norris Nosworthy; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 15883. A bill for the relief of Richard E. Larson; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 15884. A bill for the relief of Bernardo Amato; to the Committee on the Judiciary.

H.R. 15885. A bill for the relief of Andrea Mannino; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 15886. A bill for the relief of Dr. Iluminada L. Santos; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 15887. A bill for the relief of Miss Pramilas Parasnis; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 15888. A bill to provide for the free entry of a carillon for the use of the University of California at Riverside; to the Committee on Ways and Means.

By Mr. WHITE of Idaho:

H.R. 15889. A bill for the relief of Theodore Asvestas; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

International Convention of Sertoma

EXTENSION OF REMARKS

OF

HON. JOSEPH W. MARTIN, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 1966

Mr. MARTIN of Massachusetts. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to report to my colleagues that the international convention of Sertoma, the 54-year-old service-to-mankind organization, is in session this week at the Sheraton-Park Hotel from Wednesday through Saturday. Our thousand Sertomans with their wives, many of them members of the La Sertoma auxiliary, and around 250 children are expected to attend from all over the United States, Canada, Mexico, and Puerto Rico.

As an honorary Sertoman, affiliated for the past dozen years with the Washington Sertoma Club, I can speak with knowledge and authority concerning the tremendous contributions of 479 Sertoma clubs and 18,757 members in helping make life worthwhile for the afflicted and the unfortunate. Sertomans give and raise many millions of dollars for a great variety of good causes, in addition to fostering patriotism through its freedom program.

I became a Sertoman on January 30, 1954, on the occasion of the charter banquet of the Washington Sertoman Club, held at the National Press Club ballroom. I was sponsored for membership and invited to be the principal speaker by the founder and charter president, Edward R. Place, who was born in Fall River, Mass., in my district, and educated at nearby Brown University in Providence, R.I. Another prominent Sertoman, Raymond B. Leavitt, second president of the Washington club, came from Taunton in my district. Ray was appointed from my district to the U.S. Naval Academy.

Washington Sertoma Club has donated to various service-to-mankind projects $12,481.46, as of February 7, 1966, an average of more than $1,000 yearly. More than two-thirds of the charity fund has gone to the Salvation Army summer camp, Happyland, in Triangle, Va., to accommodate boys and girls, white and black, in healthful and enjoyable camping pursuits. American Cancer Society, American Hearing Society, Children's Hospital, Boys Junior-Senior High, Metropolitan Police Canine Corps, are other beneficiaries.

Disclosures of the Week—Part VII

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 1966

Mr. PELLY. Mr. Speaker, once again I am pointing up a few disclosures which have come to my attention this week.

CASE 1

Revealing the extent of inflation, the National Industrial Conference Board in its "Road Maps of Industry Chart" reports that a family man with two children today must earn $13,234 a year to equal the purchasing power of $5,000 in 1939. This is due to inflation and also increased Federal income and social security taxes.

CASE 2

The Architect of the Capitol has let it be known he proposes to extend the west front of the Capitol Building to add space for restaurants, a tourist center, and additional offices. After spending $100 million on the new Rayburn Office Building with its adequate restaurant and Member's offices it is difficult to justify this addition. However, I do think it is essential that the west front of the Capitol be reinforced and needs repairs.

CASE 3

Last November the administration rolled back the price of newly mined copper to 36 cents per pound and put a ban on its export. Since then according to an editorial in the June 20, Washington, D.C., Post, the world price has risen to 62 cents a pound. So not to expand local production the General Services Administration will provide an incentive in the form of a subsidy paid for by the taxpayer.

As the Washington Post asks, would it not be better to allow copper prices in this country to rise to the world level which would encourage the use of aluminum and other substitutes and thereby reduce the consumption of inessential copper and at the same time expand copper production.

CASE 4

The Seattle, Wash., Times is critical of President Johnson's Democratic Party fundraising gimmick, the Elite President's Club.

As this paper points out, invitations to the White House should not be sold as a reward for a $10,000 contribution to the party coffers. It is indeed a misuse of what in effect is a national shrine.

CASE 5

According to U.S. News & World Report, a new multimillion-dollar Great Society program has been drafted. At a price of billions this would provide jobs and a guaranteed annual income for every American. It is scheduled by planners to be on the President's desk soon.

CASE 6

According to the American Enterprise Institute a guest editorial in the June 16 Chicago Tribune reported that Michael E. Tigar, who was said to make no bones about his Communist activities, is slated to become clerk to Supreme Court Justice William J. Brennan.

CASE 7

The present poverty war scandals continue to grow. The poverty war is shelling out $6,000 a year rent for a building which only cost $6,000 when purchased a year ago for a rehabilitation project. The building owner's son gets $7,300 a year to supervise the project, located in Kentucky.

Sertoma International

EXTENSION OF REMARKS

OF

HON. BERNARD F. GRABOWSKI

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 1966

Mr. GRABOWSKI. Mr. Speaker, I wish to join the Vice President of the United States, the Honorable HUBERT H. HUMPHREY, in commending Sertoma International, the famed Service to Mankind organization, for 54 years of unselfish service to advance and better the lot of the afflicted and underprivileged. Delegates from 500 Sertoma Clubs throughout the United States, in Canada, Mexico, and Puerto Rico, many of them with their wives and children, are meeting this week at the Sheraton Park Hotel in their annual convention.

In a message to the convention, directed to International President H. A. Zethren of Lincoln, Nebr., the Vice President said:

> Please convey my greetings to the convention of Sertoma International. My special congratulations to Mr. Glenn M. Young, who deservedly receives your 1966 International Service to Mankind Award. His type of dedicated labor with young Scouts is in Sertoma's and all America's finest traditions. Now, more than ever before, we do need Sertoma's spirit of service to mankind—helping the less fortunate, serving as a beacon for civic progress, building community institutions.
>
> While unfortunately I cannot be with you in person, please know that I am wishing for you the best convention ever. May Sertoma continue to flourish in advancing the ideals we as a Nation cherish.

Glenn Young, International Service to Mankind winner, served Scouting in the Duluth, Minn., area from 1923 to 1955 in every conceivable "volunteer" position—committeeman, first aid instructor and merit badge counsellor for Boy Scouts, Girl Scouts, and Cub Scouts, a Scoutmaster and an active member of the Duluth Area Scouting Extension Committee. Since "retiring" in 1955, Young has built 44 Scout troops in the Tampa, Fla., area singlehandedly, and his immediate goal is 50 Scout troops.

Taras Shevchenko

EXTENSION OF REMARKS

OF

HON. ROBERT E. SWEENEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 1966

Mr. SWEENEY. Mr. Speaker, in 1964 President Lyndon Johnson said in proclaiming Captive Nations Week:

> It is appropriate and proper to manifest to the people of the captive nations the support of the Government and the people of the United States of America.

He urged us to renew our devotion—

> to the just aspirations of all people for national independence and human liberty.

One way we may show this devotion to liberty is by issuing a series of postage stamps honoring the great fighters for freedom within the captive nations. Surely, Mr. Speaker, no one represents this dedication to the ideals of freemen more than does Taras Shevchenko, Ukrainian artist, poet, and lover of freedom.

Shevchenko was born in the little town of Morintsi in 1814, the third of six children. From the beginning his innate intelligence and free spirit made life difficult for him. As a son of a peasant Shevchenko was expected to work in the fields and serve his master in household chores. Rather the boy would often spend long periods in the country reflecting and painting. Through the intercession of K. Bruillov, the artist, and V. Zhukovsky, the famous Russian romantic poet, Shevchenko, at the age of 24, was given his freedom.

From that time on, Shevchenko wrote and painted as a free man. He was a romantic who glorified the resistance to the Russian oppression of the Ukraine. Through his works he fostered rebellion against the Russian political and social domination of his homeland.

For his unceasing criticism of czarist rule Shevchenko was sentenced to forced labor in a military camp for 10 years. So much did Czar Nicholas I fear Shevchenko's pen that he forbade the poet to write during the term of his imprisonment.

Shevchenko spent most of his imprisonment in the dread fortress of Novopetrosk under the cruel tyranny of a Captain Poptapov who browbeat him and mocked him mercilessly. During this time the world was deprived of his wisdom and words. In 1857 he was released under the conditions that he write no more about the Russian oppression. He died in 1863 a broken man.

Remembering Shevchenko's love for liberty, Mr. Speaker, let us not forget the indescribable hardships and deprivations that the Ukrainian people have faced throughout the centuries. Let us not forget the ruthless persecutions that they have endured for remaining steadfast to their ideals. Taras Shevchenko never wavered from these ideals. Never did this great Ukrainian leader give up the struggle. He hoped for the day that sooner or later whether by evolution or revolution a Ukrainian Nation would be reestablished and her suffering ended.

Mr. Speaker, it is truly proper that we dedicate the first of a series of stamps in honor of lovers of freedom to Taras Shevchenko. For he himself reminded us what living under oppression and despotism is like. Lest we ever give up the struggle against the forms of oppression that imprison men's souls and bodies; let us remember the melancholy words written by Taras Shevchenko soon after his release from imprisonment:

> There is no greater sorrow than recalling
> In dread captivity one's former freedom,
> And yet I do remember you my precious liberty,
> Never before have you appeared so fresh and youthful.

Western Kansas Opinion Poll Results

EXTENSION OF REMARKS

OF

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 1966

Mr. DOLE. Mr. Speaker, in March of this year, I mailed approximately 125,000 questionnaires to residents in my 58-county congressional district. Our records show that approximately 16,000 have been returned, which indicates significant interest in the important issues of the day.

Western Kansans feel strongly, as indicated in the tabulation below, that: First, antipoverty funds should not be increased; second, one house of a State legislature should be apportioned considering factors other than population; third, section 14(b) of the Taft-Hartley Act should not be repealed; fourth, unemployment compensation programs should not be centralized and federalized.

Western Kansas residents were almost evenly divided on 4-year terms for Members of the House of Representatives, while more than 80 percent felt America's prestige in the world has declined since 1960.

A great number of those participating commented on specific questions and, almost without exception, made some reference to the crisis in Vietnam. Over 55 percent of those responding indicated dissatisfaction with the handling of the war in Vietnam by Secretary of Defense Robert S. McNamara.

CONSTITUENTS' OPINIONS IMPORTANT

In my opinion, it is most helpful to have "grassroots" views, even though it is difficult to respond to all questions with a simple "yes" or "no" answer. Since nearly everyone in my district will be affected, directly or indirectly, by the actions of Congress, they should express themselves, and an opinion poll provides this opportunity.

When the questionnaires were mailed, I indicated the results would be tabulated and printed in the Congressional Record. All Members will be interested in western Kansas opinions and, therefore, I am pleased to include the final tabulations in the Record.

The questions, just as they appeared in the questionnaire, and the percentage for, against, or undecided, are as follows:

Kansas' First District Opinion Poll

[Results given in percentages]

Do you favor—(answer "yes" or "no")—

1. Creation of a new Cabinet-level Department of Transportation?

Yes	20
No	72
Undecided	8

2. 4-year terms for members of the House of Representatives?

Yes	47
No	50
Undecided	3

3. Repeal of Section 14(b) of the Taft-Hartley Act, abolishing so-called "right-to-work" laws?

Yes	12
No	86
Undecided	2

4. Legislation which would increase the authority of the Federal Government to prohibit racial discrimination in the sale or rental of housing?

Yes	15
No	83
Undecided	2

5. Abolishing the House Committee on Un-American Activities?

Yes	11
No	84
Undecided	5

6. Increasing trade with Communist Russia and other eastern European Communist countries?

Yes	33
No	62
Undecided	5

7. Increased appropriations for the President's "anti-poverty" program?

Yes	6
No	93
Undecided	1

8. An amendment to the Constitution to give states, such as Kansas, the right to apportion one house of its legislature considering factors other than population?

Yes	82
No	15
Undecided	3

9. Additional tax credits or deductions for parents of college students?

Yes	67
No	31
Undecided	2

10. Increasing federal control of the Unemployment Compensation program, increasing duration of benefits and the amount of payments as well as employer contributions?

Yes	7
No	91
Undecided	2

GENERAL QUESTIONS

1. Do you approve of teach-ins, sit-ins, and other demonstrations against our Viet Nam policy?

Yes	7
No	90
Undecided	3

2. Do you approve of the actions of Secretary McNamara with reference to the war in Viet Nam?

Yes	29
No	58
Undecided	13

3. Have you been helped by the passage of any "Great Society" program?

Yes	5
No	93
Undecided	2

4. Would you support the so-called "Human Investment Act" providing a tax credit for part of the expense of on-the-job training to improve skills (Dole bill)?

Yes	75
No	20
Undecided	5

5. Do you believe that America's prestige in the world has improved in the last 5 years?

Yes	13
No	84
Undecided	3

No Turning Back

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 1966

Mr. CAREY. Mr. Speaker, on June 13, our esteemed colleague, the gentleman from Rhode Island the Honorable John E. Fogarty, delivered an historic and memorable address at the 102d commencement of Gallaudet College.

Known as the "Champion of Better Health for the Nation," Representative Fogarty has been the principal spokesman for medical and related research in the Congress. Of particular interest to Gallaudet College and other institutions responsible for the education and training of the handicapped, are his successful efforts in behalf of legislation to provide for teachers of the deaf, educational films for the deaf and the Vocational Rehabilitation Act.

During the first session of the 89th Congress, Representative Fogarty was instrumental in securing the authorization and funding of the Health Professional Education Assistance Act, control of drug abuse, the Water Pollution Control Act, medical complex centers for heart disease, cancer and stroke, and a National Technical Institute for the Deaf. In addition, he sponsored legislation to provide for the construction of the National Institute for Dental Health and the establishment of an Administration of Aging in the Department of Health, Education, and Welfare.

In conjunction with Senator Lister Hill, of Alabama, Congressman Fogarty sponsored the health for peace bill which led to the establishment of a National Institute for International Health and Medical Research.

Nineteen colleges and universities have conferred honorary degrees upon him. Four health and education centers in Rhode Island bear his name.

Earlier this year President Johnson presented the American Heart Association's "1966 Heart of the Year Award" to him.

Mr. Speaker, it was appropriate that on the occasion of the 102d commencement of Gallaudet College that both Representative Fogarty and Senator Hill should be awarded honorary doctor of laws degrees and receive the warm praise of President Johnson who referred to them in an impromptu speech as "statesmen who have picked up the cudgels for equality of the deaf." In addition, the President made one of the most important pronouncements in educational leadership this year when he pledged his wholehearted support for programs to aid the handicapped.

So that everyone may have the benefit of Congressman Fogarty's views on the progress that has been made in regard to the education of the deaf, I insert the text of his address, "No Turning Back," at this point in the Record:

No Turning Back

(Remarks of Honorable John E. Fogarty, U.S. House of Representatives, Second Congressional District of Rhode Island, Gallaudet Commencement, June 13, 1966)

President Elstad, members of the faculty, parents and friends of the graduates, and members of the graduating class of 1966, I am happy to be here with you this morning on this significant occasion. To you who are graduating the significance is obvious. To me, granted the privilege of addressing you today, the occasion is equally significant. For I have long been acutely concerned with and interested in providing quality educational opportunities to the deaf.

Few could have realized when President Lincoln signed the charter establishing Gallaudet College in 1864 the extent to which Gallaudet would grow and the important role it would play in our education history as the only college in the world devoted to higher education for the deaf. You have been the fortunate participants of the period of greatest growth in Gallaudet's history. Since its accreditation in 1957 by the Middle States Association of Colleges and Secondary Schools, Gallaudet has strengthened its faculty, facilities, and courses to broaden your educational horizons to better prepare you for our complex scientific and technological society. As you are aware, during the time you have spent here, the physical plant of the college has been greatly expanded. A library housing 150,000 volumes has been constructed, a men's dormitory, a women's dormitory, a gymnasium, a laboratory and classroom building, a Student Union, and a unique and advanced Hearing and Speech Center have been completed. Plans for the future include greater expansion: an outdoor stadium, a new Kendall school building, and a new auditorium. These plans must, however, realistically appraise the needs for educating the deaf and provide the necessary training and innovation to Gallaudet students and the whole deaf community. As the only liberal arts college for the deaf, it is imperative that Gallaudet concern itself with the overall education of the deaf, from the primary grades through college. The whole learning process of the deaf is a continuing one and it is of mutual benefit that Gallaudet actively study and participate in the education of elementary school age deaf children.

In emphasizing the work that remains to be done in the field of educating the deaf, I would like to impress upon you the significance of the words engraved on the base of the Tower Clock of Chapel Hall: Vestiqua Nulla Retrorsum, "No Turning Back." How many of you graduating today have thought about the importance to your futures of these words? Much of what you have learned during your years at Gallaudet will be subject to change, and your skills may become outdated due to discoveries in our continually changing world. But these years have developed in you an ability not only to adapt to the future, but to be the guiding force in determining what your future will be. I ask that you also be a guiding force in improving and initiating programs to provide new and needed educational opportunities for the deaf, that you not "turn back", content with *your* educational opportunities and achievements.

Our job is to see to it that we give our deaf citizens the same opportunities that we have given to all the youth of our country. The Department of Labor reports that there is in process a tremendous shift toward increased job complexity. So much so that the need for unskilled workers will be as low as 5% of the total work force by 1970. This means, therefore, that handicapped persons (including the deaf) who are unskilled will be virtually unemployable.

Because Gallaudet College and its graduates have done so well over the years, both have become a source of great inspiration. The nation is grateful for the contribution that has been made. The partnership between the government and Gallaudet in this enterprise has been most worthwhile. So much so, in fact, that the government is about to launch another program that we hope will be an appropriate complement to this one.

The project I am referring to is the one to establish a National Technical Institute for the Deaf. A great deal has been learned from Gallaudet College with respect to what it can do for the youth of our nation. This experience will help to assure success in the new venture. The need for this new program has been with us for some time now and the fact that it is finally becoming a reality is because those who are interested in you have faith in what you can do if given the opportunity. These people (including your Congressmen, parents, educators, and the deaf) have dedicated themselves beyond any ordinary call of duty to see this happen.

The new Technical Institute will address itself to the area which includes skilled, professional, semi-professional and technical jobs. A good portion of the leadership currently involved in this project are products of your fine school. All of you have an investment in it. You will, I am sure, help it to become a success so that it may truly be one of the strongest links in the chain of educational programs available to our students.

I am particularly pleased and honored to have been asked to have a part in this program. I hope that the reason I was asked was because I have always had a deep personal interest in this special field of education and have been very close in recent years to the activities of Gallaudet.

I welcome this opportunity to mention several things that lie close to the hearts of your parents, the college and *all of us* who have an interest in your success as citizens and leaders of the future.

First, there is the pride that we all share in the fine achievements of the Students of Gallaudet College.

Second, is the gratitude that all of us have to your faculty and Gallaudet staff for their devoted services since the beginning of your experience here.

Third, I want to use this opportunity to urge all of you to work for your school and for all organizations for the deaf. *Now* is the time to turn your attention to the *World of the Adult Deaf*. A new frontier of services to and with the deaf is pending everywhere. The responsibility is never-ending. Help those of us who are trying to rise to this responsibility and together we will provide the resources for programs of effective social action for all the handicapped including the deaf.

This year, as in almost 100 years past, Gallaudet is sending you, outstanding young men and women, into responsible positions across our Nation. In this age of automation and advanced technology, new demands will be made upon you. I challenge you to meet the demands of *other* deaf youth, to utilize to the fullest the opportunities available for educating the deaf, to become leaders and initiators in this important area. While cherishing and benefiting from your past educational experiences here, I implore you to heed the inscription on the Chapel Tower Clock and to look upon it as a promise for your future. I congratulate you for your past successes, rewarded here this morning, and challenge you not to turn back, but to go forward and continue your accomplishments—so that you, other deaf persons, and all society may benefit.

Debate Urged Before Start of Alteration on West Front

EXTENSION OF REMARKS

OF

HON. PAUL H. TODD, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 1966

Mr. TODD. Mr. Speaker, it is of considerable concern to me that it has been proposed that the west front of the Capitol will be replaced with, among other things, a cafeteria. Although there may be a need for additional tourist facilities near the Capitol, it seems to me that before contracts are drawn or construction gets underway it would be appropriate for the Congress as a whole to consider whether or not these changes would be in keeping with our desire to preserve the traditions and architectural patterns associated with this historic building.

The rules and traditions of the Congress are among the important institutions which have enabled our great Nation to survive periods of stress and turmoil without sacrificing the fundamental concepts in accordance with which our Nation serves its citizens. Although stone and architecture is not a substitute for restraint and balance in the minds of men, it does much to remind us of the greatness which has preceded us and the progress which will follow us. If we pass this architecture down to succeeding generations, it may give them a greater respect for both our successes and our failures, so that they can improve upon both.

In the sweep of history ahead of us, I think we would better serve our Nation if we left the west front of the Capitol as it was planned and provide public facilities elsewhere and in such a manner that they would not impair the dreams and visions which are created in the minds of our people as they view the Capitol from the west.

In any event, it would be most appropriate to have this entire subject debated at length in Congress prior to the taking of action. I urge that this be done.

Toward a North American Water Policy

EXTENSION OF REMARKS

OF

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 1966

Mr. RONCALIO. Mr. Speaker, on June 8, Senator FRANK E. MOSS, of Utah, spoke before the Royal Society of Canada at the University of Sherbrooke, in the province of Quebec, on water policy on the North American Continent. Not only is it unusual for an American to be invited to Canada to speak on the explosive subject of water export, but it is a rare privilege for any speaker to appear before Canada's leading association of men of letters.

As a former member of the International Joint Commission, which deals with United States-Canadian water problems along our mutual border, I read Senator Moss' speech with great interest. I found it the most searching and informative discussion on water which has yet been made on either side of the border. I can understand why it was so well received in Canada.

Senator Moss approached his delicate subject in a forthright manner. The United States pleads guilty to having abused and misused its own water supplies, but is trying very hard to make amends. Regardless of the heroic measures we are now taking, we will probably not have enough water for our galloping population. We are hopeful that after Canada has thoroughly measured its own water supplies, and projected its ultimate water requirements, there will be surplus water which we can import into thirsty parts of the United States.

The Senator reiterated again and again that through such proposals as NAWAPA the United States is not trying to trick Canada out of water it needs. We are interested only in surplus water which is now running unused to the sea. But, Senator Moss emphasized:

> Transportation of unused water from an area where usability is meager or impossible is all but inevitable. Population, economics and common sense demand it.

I commend to my colleagues this brilliant analysis of American and Canadian water interdependence on a continent in which we hope to live in peace and harmony for many years. Under unanimous consent I include the speech by Senator Moss in the CONGRESSIONAL RECORD:

TOWARD A NORTH AMERICAN WATER POLICY

(Speech of Senator FRANK E. MOSS, Democrat, of Utah, before the Royal Society of Canada, at the University of Sherbrooke, Quebec, Canada, June 8, 1966)

It is a singular honor to be invited to address the Royal Society of Canada—the senior learned society of your country, and one of the world's leading associations of men of letters.

Whether my appearance here today sets some sort of precedent—whether some of my colleagues in the United States Senate have preceeded me on this platform—I do not know. But I am sure that such an appearance is rare, and I shall treat it with respect.

I am by custom and courtesy in a position to bring you greetings from the American people. I do so with warmth. We, Canadians and Americans, have inherited jointly the lovliest and most richly endowed of all continents. We share the job of preserving its beauty and the responsibility of developing its natural resources for the greatest benefit, not only of this generation, but of unborn millions who will follow us.

At the beginning, let me make my position clear. I do not speak as the representative of the Executive Branch of the United States government. I speak as a member of the United States Senate—as the Senator from the water-conscious state of Utah. I will try to set forth what I believe should be the policies of my government. Many in my country share these views.

I always feel very much at home in your country. A recent U.S. Department of the Interior publication describes Utah as a panorama of peaked mountains, lush valleys, and windswept plains where the taming of the wilderness made "the history of Utah an epic of hardship, determination, and triumph." I am sure those same words could have been written about many parts of Canada.

Timber, trapping, minerals, farming, and incredible beauty have been as much a part of Canadian experience as in Utah. One of the first white men to see the Great Salt Lake, nature's identifying monument in my State, was a Canadian trapper named Etienne Provost. The first white settler in Utah came from St. Louis, whence he had come from Quebec. His name was Antoine Robidou—I am told there are still Robidous in Quebec.

And just as the railroads helped knit Canada, Utah is proud to be the place where the last spike was driven in the bands of steel which first linked our western and eastern coasts of America.

What is more to the point in today's discussion, however, is the nature and intensity of our common interest in the preservation of our natural resources. Our lives and our future depend upon the care we take of them, particularly the care we take of our water.

In Utah we have an almost sacred respect for water, which shares its indispensable lifegiving role only with the air we breathe. Its value is determined everywhere by nature's pattern of distribution. In my state there is no more precious thing.

TO PRESERVE WATER

I am sure that Canada, which has a very large portion of the earth's fresh water, does not value it less. The problem of assuring an adequate supply of water for Canada's future differs from the U.S. problem more in degree than in substance. The pollution and levels of the Great Lakes, for example, are bringing as many grey hairs to you as to us, and the flow in the St. Lawrence is as vital to the Port of Montreal as the flow of the Hudson is to New York. Time may be crowding you less, but the challenge of preserving your water resource is clear and near.

The challenge looms larger and closer for us. We are already feeling the sharp pinch of necessity. Our demands are quantitatively greater than yours, and the pattern of population growth and industrial development in the United States is putting tremendous pressure on us.

Two factors must be weighed in considering the speed and manner of growth of economic development in the United States and Canada, and the intensity of the exploitation of natural resources in the two countries.

In the first place, there is considerable disparity between our two countries in total population and in gross national product. This is unavoidably a source of strain between Canadians and Americans. Such disparity tests the skills of professional diplomats as much as it calls for good manners and broad understanding on the part of all of us. We beg your understanding of our problems, and expect you to ask the same of us.

In the second place, there is a melancholy lesson for Canada in the economic and natural resource history of the U.S. This is a lesson in the importance of "taking care" of water resources. We in the U.S. are learning it late and under stress. You have the opportunity to learn it in time to apply it purposefully and according to plan.

The trust of my message today is a plea to you as members of the influential Royal Society to support the long-range studies, the surveys, the appraisals, and the planning which will provide without unnecessary delay, a sound basis for effective management for your vast water resources.

In order that there be no misunderstanding in this area, let me state my position clearly. After you in Canada have measured your water and projected your own ultimate requirements, it is my hope that you will find that you have water for export—over and above your own foreseeable needs. I assure you that you will find a profitable market for it south of the border in both the United States and in Mexico.

UNUSED RUNOFF

Preliminary studies indicate that it is technically feasible and economically sound, to collect, store, and redistribute unused runoff water from the northern reaches of the continent. Unlike oil and uranium, water can be marketed on a sustained yield basis. If the producing areas are properly managed, they will continue without depletion to produce a profitable "crop" for export. But first, you must answer the basic question as to whether it is clearly to your advantage to export water. This question cannot be answered definitively until Canada's water-harvesting capabilities are fully and accurately measured.

Let me clarify one or two points of possible misunderstanding. Borrowing from the techniques of the practice of law in both our countries, I want to remove from argument, by stipulation, two very important points which underlie my discussion today. These points should be the permanent foundation for continuing relations between the two countries.

A JOINT EFFORT

The first point which I hope we may stipulate is: that we Americans and Canadians are mutually desirous of living together in peace on this continent for a very long time to come, preserving the sovereign values of both our nations and our societies and developing our respective talents constructively for the greatest good for the greatest number.

The second point of my stipulation is that we two peoples, in addition to all of our intangible blessings, have been endowed and entrusted with a very valuable piece of real estate, a section of the earth which is conducive to life and worthy of our care and affection, and that we are equally interested in preserving it and enhancing it as a region for human habitation.

Now, these are not points to be stipulated in isolation. They are not points to be agreed upon in passing and separated from the real world of politics, economics, and diplomacy. If you agree to such a dual stipulation, then the course ahead should be carefully plotted in both countries and clearly coordinated for the mutual benefit of both.

In other words, if we want to continue to live in constructive peace on this richly endowed continent of North America, and to grow, as St. Luke said, "in wisdom and stature," then we must cooperate in taking care of it.

I would not dare to come here and utter such seeming platitudes were it not for my confidence in the traditional good manners of Canadians. Were this audience to indulge the habits of old-fashioned American politics, you might drown my voice in loud guffaws and say "Look who's talking. Why don't you clean your own house first?"

And I must plead guilty to this basic charge made against the United States: that we have not taken proper care of our own waters. How then can we qualify to address our neighbors on the subject?

I answer on two grounds: first, tardily, we have learned our lesson and are doing something about our wasted waters. Second, we can help Canada to avoid the onerous costs of trying to recover lost ground after too many years of neglect. Our experience should be valuable to you.

A Canadian businessman recently observed to an American associate, in a friendly but meaningful sally, "You Americans have muddied your own water, now you want to muddy ours." He added, more in jest than justice, I hope, that to part of the U.S. press, Idaho water was "American" but British Columbia water was "continental."

My response is that really we are not the reprobates we sometimes are made to appear. In my own discussion I have been careful to talk about continental planning and not continental water. I trust most of my countrymen intended to do the same.

NAWAPA

A certain amount of Canadian skepticism is a normal reaction to the widespread discussion in the United States on continental water planning, and particularly to the great attention which has been given to the North American Water and Power Alliance—or NAWAPA concept.

Let me point out first of all that the concept relates to a continent-wide water system, and not to continental water. Then allow me to put into proper perspective the actual status of NAWAPA in the United States.

The concept was developed by the Ralph M. Parsons Company of Los Angeles. Its central idea came from one of the outstanding water planning engineers of the West. Over the years it has been broadened to include parts of many regional plans which have been discussed on both sides of the border and expanded into an integrated system. The resulting proposal or concept is based entirely on maps and analyses of published topographical, climeographical and hydrological data. In many areas there have been no on site investigations.

The Parsons Company has put the concept or plan in the public domain. While no funds other than his own have been invested in it, Ralph M. Parsons, the head of the company, makes no proprietary claims. The project has been entirely an inhouse research and development effort in a field of special competence of the firm. The concept is, I understand, still being revised and refined. When it was brought to my attention, it seemed to me to warrant the attention of the Senate Committees on water resources.

At my request, a Special Subcommittee on Western Water Development was appointed and directed to look into the matter. I was named Chairman. The Subcommittee made a rough comparison of this NAWAPA plan with an inventory of all the water projects anticipated by our U.S. Federal agencies over the next twenty years. The Committee's general conclusion was that, for about twenty-five per cent greater total cost, the NAWAPA concept could deliver nearly twice as much water as could be provided by the large number of American projects envisioned by the four U.S. Federal agencies having water resource development responsibilities.

Our review admittedly was hasty. The degree of refinement of the NAWAPA concept at that time did not warrant more detailed study. I believe that now it does.

America still has a lot of homework to do. I hope Canada will feel that she does, too. Before discussing this homework, let me review for you the essentials of the NAWAPA concept.

In one sentence, it is a continent-wide plan for collection, redistribution, and efficient utilization of waters now running off to the seas totally unused or only partially used.

It would collect about 15–18 per cent of the excess runoff from the high precipitation, medium elevation areas of Alaska and western and northern Canada. It is important to keep in mind that the concept deals with surplus water. By proper diversion and storage optimal flows can be maintained downstream and flood peaks leveled.

This collected, surplus water would be diverted south and east through a continent-serving system of tunnels, canals, and improved natural channels linking chains of reservoirs. Such controlled distribution of the waters from the North, pooled with waters from the interconnected producing areas of both countries, would benefit one territory and seven provinces of Canada, thirty-five states of the U.S., and three states of Mexico.

NAWAPA would create a vast power generation system across Canada, pivoted in the west on your great Peace River project. It would supply new industrial and agricultural water and would provide low cost water transportation to the Prairie Provinces. It would stabilize flows in both the Columbia and the St. Lawrence—with protection for Montreal Port—and permit stabilization of the levels of the Great Lakes with living new water from both the Northwest and from the James Bay watershed.

In the United States, NAWAPA would permit increased flow in the Upper Missouri and Upper Mississippi during low flow periods. It would provide ample supplies of clean water for all of the arid states of the west including supplies for restoration of groundwater where it has been depleted. NAWAPA would also provide new high-quality water for Mexico in amounts many times greater than that the Egyptians will garner from the Aswan high dam.

Canada and the United States, of course, share the benefits of all the water in the Great Lakes, but if additional Canadian water is available from the North, the question of actual water export via the Lakes is worthy of investigation.

The system of stabilized optimal levels in the Lakes would aid gradual restoration of their biological health.

The transfer of James Bay water to the Great Lakes is not exclusive to NAWAPA. The idea has been proposed in only slightly different form by Thomas W. Kierans of Sudbury, Ontario, whose GRAND Canal scheme embodies the possibility of converting most of James Bay into a great fresh water reservoir. Mr. Kieran's expanded plan now covers almost as much territory as does NAWAPA.

There is no point at this time in attempting to make a choice between the Kierans and NAWAPA proposals for diversion of water into the Great Lakes. NAWAPA would add water from the Northwest as well as from the James Bay watershed. There is certainly sufficient promise in both proposals, however, to warrant the detailed survey and appraisal work which is necessary. Once these studies are completed, Canada may then want to develop one plan or a combination of the two, or design a third plan, or reject the whole idea.

One undeniable value of the NAWAPA idea is that it stimulates resource study. The least that should be said for continental water planning is that it justifies investigation of all the water resources which might be incorporated in the system. Rational discussion of the specifics of any and all of the plans must await more precise technical data.

Assuming that Canada actually produces the surplus water which today's sketchy climatological and hydrological data indicates she does—and I believe detailed engineering studies will confirm and expand the amount—NAWAPA would substantially benefit both countries, and bring direct profitable return to Canada.

Here then lies the bulk of that homework I mentioned: the actual field engineering determination of whether the initial assumptions are true. A determination of real precision, one in which the public can have confidence, must be made and it must demonstrate clearly that Canada does, in fact, have sufficient water harvesting capability to consider export to her neighbors to the South.

It would make little sense for us to debate further at this time any of the details of the continental planning concept, or even the question of whether it is a good idea for either country.

But it makes a lot of sense to go after the facts on which to base definitive judgments.

It also makes sense to examine the condition of the continent we share, to survey and appraise its total life-support capability in terms of water supply. Then we should plan the best way to preserve and, if possible, to expand this resource. Finally, we must plan its most advantageous use for both our countries and for Mexico.

A CANADIAN INTEREST

Let me now stipulate a third point: the people of the United States cannot expect the people of Canada to consider entering any arrangements such as this unless it is demonstrably and unquestionably for Canada's long-term best interest—and so found by Canadians.

America has no right to suggest nor to expect any water scheme which might provide water in the U.S. for the next thirty or forty years, but which would leave Canada too little to meet her own future requirements.

I want to emphasize this point because the engineers, administrators and parliamentarians who are scrutinizing the NAWAPA concept as a conceivable long-range answer to U.S. water supply problems are not conspiring to steal Canada's water. We are not devising a scheme to trick Canada. We are not even trying to arrive at minimum price at which we might cajole and persuade you into selling us some of your water. As a matter of fact, we are working with dedication to avoid the prospect of U.S. dependence on imported water.

The United States is now embarking on every possible venture to strech our own water, creatively and ingeniously, and to find out whether we might have enough of our own to see us through. We realize that only through an intensive effort can we find out just how much we can do on our own. After that we will know whether we must seek to import water, and if so, how? Where? At what cost?

Our labors have a strange duality. The things we must do to get ready to import water, in case it is offered, are, to a very large extent, the things we must do if the water is not offered. In my opinion, however, transportation of unused water from an area where usability is meager or impossible is all but inevitable. Population, economics and common sense demand it.

Historically, there have been three great surges of Federal interest and activity in water resources protection and development in the United States. One was under Theodore Roosevelt when Gifford Pinchot led the movement for protection of forests. The second was under Franklin Roosevelt when conservation received a mighty boost from depression-stimulated economic recovery programs. Neither of these efforts, however, compares in scope or pace with the third surge now taking place under President Johnson.

I think it is safe to say that in the past three years the Congress has passed more constructive water legislation than in any other time of our history. I will mention only the most important programs.

NEW U.S. LAWS

Congress enacted the Water Resources Planning Act, a landmark measure which places water resource planning on a river basin basis. It recognizes the fundamental fact that water does not stop at state or county or municipal boundaries, and that any planning which does not take this into consideration will be piecemeal planning—with piecemeal effect. (As an aside, may I add that water does not recognize international boundaries either in its interaction with terrain and gravity).

Congress launched a Water Research Program which will invest nearly $100 million a year for ten years on basic water research. This is over and above the program to bring desalting of water into economic balance both in North America and elsewhere in the world.

Congress established a Water Pollution Control Administration which will conduct and oversee a broad public and industrial pollution control program, and we have greatly increased the Federal funds available to communities for the construction of waste treatment plants and other pollution control facilities.

We have before us this session legislation which will coordinate attacks on water pollution within each river basin. To make the program more effective, we have just transferred the Water Pollution Control Administration from the Department of Health, Education and Welfare to the Interior Department where other river basin planning is centered.

We are also considering in the Senate at this time a bill which would establish a National Water Commission, to be composed of distinguished citizens outside the government who will consider all aspects of our complex and inter-related water problems and recommend long-range policy solutions. This emphasis on long-range planning makes our discussions of the same subject here today even more timely.

There is likewise pending in Congress—with hearings scheduled for some time this fall—a bill which I have introduced to reorganize our Federal water resource management and place all agencies concerned with it in one department to be called the Department of Natural Resources. At the present time, a score of agencies in five departments have some kind of statutory responsibility for water.

In February of this year, the Committee on Water Resources Research of the Federal Council for Science and Technology, published a recommended program for ten years of water research. It would cover techniques of planning, organization, and water law. The program recognizes the need for better methods of weighing costs and benefits of water resource development. In addition, it would expand research in waste treatment, in water consuming industrial processes, in agricultural practices in conservation of watersheds for improved yield, in desalting, weather modification and many other fields.

To make an exciting story short, let me say simply that there is a welling up of water interest and activities throughout the Federal government, and throughout the country. Water is truly front and center in the United States at this time in our history.

Sometimes I think we make the water problem appear more complex than it really is. There are four general categories of effort, and we must invest in all.

First is conservation, or taking care of water producing areas. This means attention to trees and grass on the watersheds, as well as adequate flow control through systems of retention pools and reservoirs to prevent floods and soil erosion.

Second is proper water handling. This includes pollution abatement, cleaning up the water courses, treatment of water for recycle, improvement in water consuming processes. We must be able to define legitimate water requirements in order to bridle growing demand. Such disciplinary measures as metering come in this category.

The third category is the search for new sources of usable water. One way is the desalting of the seas and inland brackish water. Another is rainmaking, or weather modification. I recently heard a term applied to the latter which was most descriptive—"Stimulated Atmospheric Transport."

Fourth is water resource development, which covers collection and storage of surplus water, interbasin transfers, and recharging of aquifers. Here we find the multiple-use projects for domestic and industrial water supply, irrigation, recreation, transportation, power, and wildlife support.

While redistribution systems, such as the NAWAPA concept, fall essentially in the fourth category, they plan an important role in the others. Continental planning makes no sense unless we practice conservation, pollution control and efficient utilization of water. Economic exploitation of desalting and rainmaking both depend upon efficient distribution.

It is going to cost billions of dollars to restore and to extend U.S. water resources over the next two or three decades. Were this a meeting of the Chamber of Commerce, I would say to you that the business to be done in the water improvement field during the last third of this century will be greater than the economic explosion of railroad building over two-thirds of the 19th Century.

For example, the NAWAPA concept has a price tag, obviously very loosely attached, of $100 billion for a 25–30 year construction program. This sounds like a lot of money, and of course it is, but it is not unprecedented. The U.S. Interstate Highway program is a 15 year program to cost between $45 and $50 billion.

Parsons engineers estimate about 48 per cent of the NAWAPA investment would be in Canada, slightly less in the U.S., and about 5 per cent in Mexico.

The total revenues from NAWAPA activities and services, from the sale of water and electric power, and from other charges for use of facilities, are estimated at about $4 billion a year. Annual operating expenses are estimated at less than $1 billion, leaving $3 billion for capital financing. This makes the scheme quite practical for amortization within the usual time for water projects in my country.

Most of the water revenues will come from the United States. While more than half of the power available would be generated in Canada, the United States would, in the normal course of events, provide a market for large amounts of this Canadian-generated power. More of the navigation benefits would accrue to Canada. Recreation benefits would be about evenly divided.

The benefits of such a continent-spanning water collection, saving and distribution system are very real. They would be felt throughout the continent. Not only would the level and purity of water in the Great Lakes be restored and sustained, but the Lakes could be used as a distribution manifold, as is proposed specifically in the expanded Kieran's Plan.

The flow of water in the Columbia and the St. Lawrence would be stabilized for both power generation and navigation. We could write "finis" to destructive floods on these and other rivers. The collection and redistribution system established in the Prairie Provinces would end floods there, provide water supply, and mesh into a nationwide system of water transportation.

The new lakes and recreation areas would make the northlands even more attractive. Canada's recreation lure is already beckoning countless thousands of Americans. Their numbers would increase, and with almost limitless stretches of new waterways, the boating boom would become continent-wide.

THE WESTERN PROVINCE

British Columbia would have the greatest NAWAPA investment, in storage, power and navigation facilities. The town of Prince George would be the center of a complex of waterworks unrivalled anywhere in the world.

British Columbia would be the site also of what might be the single most controversal feature of the initial NAWAPA concept. This is the proposal to make a huge lake out of the natural defile known as the Rocky Mountain Trench, along the west side of the Canadian Rockies. Studies must be made, of course, to determine the ecological impact of such a man-made, inland, fresh water sea. If this project is judged to be too costly in terms of real estate and wilderness impact, other routes for the transfer of water could doubtless be found, but the values of such a great, useful, spectacular new lake should also be considered.

First-hand studies, including the bioenvironmental studies, hydrological and geological surveys and field engineering work may reveal flaws in the NAWAPA proposal. The United States may find it more beneficial to build a great collection and storage complex in Alaska, then ask Canada for right-of-way to transfer some of this water to the contiguous states. It even has been proposed that we might do this by a plastic pipeline which could be submerged in the Pacific Ocean. Both America and Canada must determine what we should do—and determine it fairly soon.

To help make such a determination, I introduced a resolution last summer to provide for the use of the mechanism of the International Joint Commission to investigate the NAWAPA proposal. I chose IJC because it is an existing and qualified agency through which both countries can work. I am now beginning to have some reservations, however, about using IJC—not because of principle—but because of timing and the scope of the job.

The task is broader than the charter of the IJC, and there are several years of American and Canadian homework to be done merely to develop instructions for an international agency. Besides, IJC studies of pollution and control of lake levels of the Great Lakes must be speeded because of the pressing importance of corrective action. The lessons to be learned in working out joint programs for the improvement of this shared water resource should point the way to broader programs involving transfer and export of more distant waters.

I predict that you will see a big change in the overall water outlook in the United States in the next ten years. I hope that our domestic water programs will be so successful that America will not need to seek any of Canada's bountiful supplies.

But even so, we would be happy to join with Canada in a continent-wide conservation and development water study. Canada's investment in water resource development would extend, without limit in decades or acre-feet, the producing lifetime of your water harvest areas, and would evolve a better distribution system. Such a program would head off more expensive Canadian investment later on.

Common sense and prudence dictate that both countries keep an eye on a possible continental system as each of us design national water resource projects. Let's make sure that while we are making up our minds about the value of a continental approach that we not do anything to make it unworkable.

One final thought—the total amount of moisture in the earth life support envelope is fixed and constant: the number of people to use it is not. Their numbers expand, their water uses change and increase, their modes of travel, their industries and their residences shift.

Should America and Canada approach the solution of water supply vs. water demand separately or together?

H.R. 15034—To Prohibit Desecration of Our Flag

EXTENSION OF REMARKS

OF

HON. BERNARD F. GRABOWSKI

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 1966

Mr. GRABOWSKI. Mr. Speaker, I rise to express my appreciation to the American Veterans of World War II and Korea and other organizations which have endorsed my bill, H.R. 15034, to prohibit desecration of the flag.

AMVETS has issued the following statement from the office of Richard C. Sullivan, national public relations director:

> AMVETS national commander, Ralph E. Hall, has commended Congressman BERNARD F. GRABOWSKI, of Connecticut, for his drive to enact legislation making the defacement of the American Flag a Federal offense.

The statement continued:

> In a recent speech, the Congressman stated, "The flag represents the great number of sacrifices—including loss of life itself made by men and women since the founding of this Nation. There are some State laws that cover the desecrating of the flag, but no national law to protect our national symbol from defacement."
>
> Commander Hall, representing 200,000 veterans of World War II and Korea, noted that in recent months flag burnings, flag rippings and other acts of such nature have increased, and he said, "We are 100 per cent behind the Congressman in his efforts to enact corrective legislation in this matter, and urge all citizens to write the Congressman in support of his bill."

As a member of the Knights of Columbus, I am grateful to the State council of the Knights of Columbus of the District of Columbia for writing me:

> We strongly endorse your bill and urge the Congress to enact it as a manifestation in these troublous times of the great reverence which the American people have for the flag of their country.

Sertoma Club of Washington, host this week here for the Sertoma International Convention, has thanked me for introducing the bill, adding that it was "high time some action was taken." I have also received support from the Phi Beta Kappa Association in the District of Columbia, the Association of the Oldest Inhabitants of the District of Columbia, and leaders of the illustrious Society of the Cincinnati and Brightwood Lions Club.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 23, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

O Lord my God, in Thee do I put my trust.—Psalm 7: 1.

Almighty Father, the creator of the world, the sustainer of life and the strength of those who put their trust in Thee—lay Thy hand in blessing upon us as we wait upon Thee in prayer. Take Thou our minds and think through them, take Thou our hearts and love through them, take Thou our hands and use them to lift the fallen, to strengthen the weak, to encourage the discouraged and may we, hand in hand, in Congress and everywhere work together with Thee for justice between races, for good will among men and for peace in our world; through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 1582. An act to remove a restriction on certain real property heretofore conveyed to the State of California.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 13881. An act to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; and

H.R. 14050. An act to extend and amend the Library Services and Construction Act.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2602. An act to remove a cloud on the title to certain real property in the State of Oregon owned by John Johnson.

EULOGIES TO THE LATE HERBERT C. BONNER AND ALBERT THOMAS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BURLESON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, I have requested this time to call attention to all Members that the Joint Committee on Printing is ready to go to press with the eulogies expressed in Congress on the occasions of the passing of two great House Members. One book contains the tributes to Herbert C. Bonner, of North Carolina, who died on November 7, 1965; and the other is to Albert Thomas, of Texas, who passed away on February 15 of this year. In the event that any Member desires to incorporate his personal sentiments in either or both of these testimonial books, I am today advising the membership that the closing date will be July 15, 1966, for acceptance of all insertions. I hope sincerely that this statement serves as ample notice to all Members.

COMMITTEE ON APPROPRIATIONS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Friday, June 24, to file a privileged report on the defense appropriations bill for the fiscal year 1967.

Mr. BOW. Mr. Speaker, on that I reserve all points of order.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE DOMINICAN REPUBLIC

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, last Saturday President Johnson announced that Vice President HUMPHREY would head the delegation to the inauguration of President-elect Joaquin Balaguer.

Behind the announcement lies 14 months of critical action by the United States, the OAS and the Provisional Government of Garcia Godoy to keep the democratic options open for the Dominican people.

A year ago the Dominican people had only one option: civil strife in which a minority, using the tactics we came so well to know in Cuba, tried to seize power. Three weeks ago the Dominican people had an opportunity to choose their new leaders. They rejected the turbulence of the past and elected the man who represents stability with freedom, reform through democratic process, progress by hard work and self-discipline.

I ask, Mr. Speaker, could there be a more eloquent answer to the foresight and wisdom of the decisions taken in the White House and in the Pan American Union in April and May of 1965 which led to the landing of forces and the establishment of the Inter-American Peace Force?

This is what that action accomplished:

It saved the lives of countless numbers of people.

It prevented destruction which might have run into hundreds of millions of dollars.

It blocked another thrust of communism in this hemisphere.

It permitted the Dominican people to decide freely and fairly who their leaders were to be.

I recall that at the time the prophets of gloom and doom predicted that President Johnson's action would mean the end of the inter-American system—that the American intervention would tear apart the fabric of regional cooperation through the Organization of American States.

I wonder, Mr. Speaker, what these critics are saying now.

The OAS has not fallen apart. Quite the contrary, it is improving and strengthening its machinery through appropriate amendments in its 20-year-old charter. This task was initiated at the Special Inter-American Conference in Rio last December and is scheduled to be completed in a foreign ministers meeting in August.

Our relations with Latin America have not frozen up. They are as warm and friendly as ever. I hardly need mention the reception received by President and Mrs. Johnson on their recent visit to Mexico City.

The Alliance for Progress has not foundered. Again last year it achieved the goal of 2.5-percent increase in per capita gross national product. The proposal of President Illia of Argentina for an OAS summit meeting to give increased momentum to the Alliance has been well received and preparations are underway.

The reaction in Latin America to the outcome of the Dominican crisis has not been hostile. The opposite is true. Press comment has been overwhelmingly favorable. The honestly and freedom of the elections have been commended. The outcome has been interpreted as a vote for peace and order and a rejection of extremism by the Dominican people. Some editorial writers and columnists regard the vote as a vindication of U.S. action last year and of the important role played by the Organization of American States.

In sum, Mr. Speaker, the outcome of the Dominican crisis has been in the first instance a victory for the Dominican people. It has been a success as an OAS peacekeeping operation, bringing credit on the regional system. And it represents a vindication of what President Johnson reluctantly knew that he had to do until the collective machinery of the OAS could act to assume responsibility.

TRIBUTE TO ADM. WILLIAM F. RABORN

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, this past weekend President Johnson announced that he had accepted, with regret, the resignation of Adm. William F. Raborn as Director of Central Intelligence. He also announced his nomination of Mr. Richard Helms, presently serving as Deputy Director, to succeed Admiral Raborn.

As Director of Central Intelligence, Admiral Raborn has continued the high caliber of dedicated public service for which he was known as a career officer in the U.S. Navy. While he served with distinction in many capacities, he is best known for the work he did on the development of the Polaris missile system as Director of Special Projects. He subsequently became Deputy Chief of Naval Operations—Development—and was retired from the Navy on September 1, 1963.

When another distinguished American, John A. McCone, retired as Director of Central Intelligence, the President appealed to Admiral Raborn to return from his retirement from public office to fill this position which is so vital to our national security. Despite the fact that he had become settled in private life, Admiral Raborn responded to this call.

As a member of the House Armed Services CIA Subcommittee, having legislative oversight over the CIA, it was my privilege to resume a close relationship with Admiral Raborn. In the highest traditions of service, and in keeping with the practice of his predecessors in this position, Admiral Raborn maintained a close and continuing contact with this subcommittee, keeping it completely informed on all matters in which the Agency was involved.

Mr. Speaker, few people either in or out of Government service are aware of the extreme importance of this position and the rigorous responsibilities placed upon the Director of Central Intelligence. I believe it was President Kennedy who welcomed John McCone to this position by saying "welcome to the bull's-eye"—indeed this position is on the bull's-eye. For no matter how well the job is done, no credit is received and if things go wrong, the CIA is an easy target for the comment "it was a failure of intelligence."

I appreciate the contribution which men like Allen W. Dulles, John A. McCone, and "Red" Raborn have made in this job and so do other members of the House and Senate Armed Services and Appropriations Subcommittees who deal with CIA activities. I just want to say here in this chamber that Admiral Raborn, who this year received the Forrestal Award from the National Security Industrial Association, well deserves the gratitude of every American.

I want to wish him well as he returns to private life and want to extend to Mr. Richard Helms, his very able successor, every good wish for the future as he assumes these duties.

Mr. MAHON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, I will not take the full minute, but I do rise to concur fully and completely in the very excellent statement which the gentleman from Illinois has made in regard to Admiral Raborn and others who have served the Nation in this important capacity in previous years. I wish to specifically approve all the complimentary references which the gentleman from Illinois [Mr. ARENDS] has made to Admiral Raborn, my able, dedicated and respected friend of long standing.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Mr. Speaker, may I associate myself with the splendid remarks of the gentleman from Illinois. I believe every Member of Congress ought to know the record of Admiral Raborn. Nobody could have or has done a job equal to or surpassing the job Admiral Raborn has performed in the Central Intelligence. He left there on his own will. The Nation owes him a debt it can never repay.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Texas yield?

Mr. MAHON. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I likewise want to associate myself with the views expressed here today by the gentleman from Illinois, the gentleman from Texas and the gentleman from South Carolina.

It has been my privilege and pleasure to know and work with Admiral Raborn for a number of years on critical problems affecting our national security. Our Polaris submarine capability with its ballistic missile weapon system can be largely attributed to the extraordinary management genius of Admiral Raborn over the years at a time when this Nation faced a serious crisis.

I believe from my personal observations and knowledge that Admiral Raborn did a vital job in a very difficult circumstance by heading up the Central Intelligence Agency. All of us, I am sure, will wish him well in the years ahead.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Speaker, I should like to join the gentleman from Illinois, the gentleman from Texas, and my other colleagues in paying my respects and regards to Admiral Raborn, who has done magnificent service for his country for many, many years, beginning as a young naval officer and then later in the development of the atomic submarine and the other work he has done.

In recent years I have had occasion to meet with him on other matters. He is a great American, a man whom we will miss. I am sorry he will no longer be available, but I am sure he will be available to us in special circumstances.

I join the other gentlemen in paying respects to him.

Mr. ALBERT. Mr Speaker, will the gentleman yield?

Mr. MAHON. I yield to the majority leader.

Mr. ALBERT. I thank the gentleman for yielding.

Mr. Speaker, I cannot let this opportunity pass without joining the distinguished group of gentlemen who are paying tribute to "Red" Raborn.

Admiral Raborn went to the Military Academy from Marlow, Okla. That by itself is a great endorsement.

He has distinguished himself as one of the really great leaders of our Military Establishment of modern times. His work on the Polaris missile was monumental. His personal sacrifice in returning to duty to head up the CIA at a critical time is illustrative of his devotion to country. His service has been far beyond the call of duty. I join my colleagues in saluting this great American.

MEDAL OF HONOR PRESENTATION TO 1ST LT. CHARLES Q. WILLIAMS

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, I witnessed this morning one of the greatest ceremonies I ever had the privilege to attend—the presentation of the Medal of Honor to 1st Lt. Charles Q. Williams, a dedicated hero of the war in Vietnam.

We are proud of this Charleston native, our country is proud and grateful for his endeavors in behalf of America. His splendid record stands out as a beacon of light and hope in a world threatened by the forces of aggression.

Mr. Speaker, I want the world to know of what this great American has done in the cause of freedom.

Mr. Speaker, I here include the Medal of Honor presentation:

MEDAL OF HONOR PRESENTATION BY THE PRESIDENT OF THE UNITED STATES TO 1ST LT. CHARLES Q. WILLIAMS, U.S. ARMY, AT THE WHITE HOUSE, WASHINGTON, D.C., ON THURSDAY, JUNE 23, 1966, AT 1100 HOURS

PROGRAM

1045: Lieutenant and Mrs. Charles Q. Williams arrive at the Southwest Gate of the White House and proceed to the Red Room where they will be met by the Secretary of the Army.

1050: All guests are escorted to their positions in the East Room.

1055: Major Robinson will escort the President to the Red Room and introduce the President to Lieutenant and Mrs. Williams.

1100: Major Robinson will escort the President and Lieutenant and Mrs. Williams to the East Room.

Remarks by the President of the United States.

Reading of the Medal of Honor Citation by the Secretary of the Army.

The President of the United States drapes the Medal of Honor around the neck of Lieutenant Williams.

The President of the United States is introduced to the members of the Williams family by Lieutenant Williams.

1115: The President of the United States departs the East Room. Following the President's departure, Lieutenant and Mrs. Williams and other invited guests depart the White House.

CITATION

The President of the United States of America, authorized by Act of Congress, March 3, 1863, has awarded in the name of The Congress the Medal of Honor to First Lieutenant Charles Q. Williams, United States Army for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty:

First Lieutenant Charles Q. Williams, (then Second Lieutenant), Infantry, distinguished himself by conspicuous gallantry and intrepidity at the risk of his own life above and beyond the call of duty while defending the Special Forces Camp at Dong Xoai, Republic of Vietnam, against a violent attack by hostile forces that lasted for fourteen hours, June 9 to 10, 1965.

Lieutenant Williams was serving as Executive Officer of a Special Forces Detachment when an estimated Vietcong reinforced regiment struck the Camp and threatened to overrun it and the adjacent District Headquarters. He awoke personnel, organized them, determined the sources of the insurgents' main effort, and led the troops to their defensive positions on the south and west walls. Then, after running to the District Headquarters to establish communications, he found that there was no radio operational with which to communicate with his commanding officer in another compound. To reach the other compound, he traveled through darkness but was halted in this effort by a combination of shrapnel in his right leg and the increase of the Vietcong gun fire. Ignoring his wound, he returned to the District Headquarters and directed the defense against the first assault.

As the insurgents attempted to scale the walls and as some of the Vietnamese defenders began to retreat, he dashed through a barrage of gun fire, succeeded in rallying these defenders, and led them back to their positions. Although wounded in the thigh and left leg during this gallant action, he returned to his position and, upon being told that communications were reestablished and that his commanding officer was seriously wounded, Lieutenant Williams took charge of actions in both compounds. Then in an attempt to reach the communications bunker, he sustained wounds in the stomach and right arm from grenade fragments.

As the defensive positions on the walls had been held for hours and casualties were mounting, he ordered the consolidation of the American personnel from both compounds to establish a defense in the District building. After radio contact was made with a friendly air controller, he disregarded his wounds and directed the defense from the District building, using descending flares as reference points to adjust air strikes. By his courage, he inspired his team to hold out against the insurgent force that was closing in on them and throwing grenades into the windows of the building.

As daylight arrived and the Vietcong continued to besiege the stronghold, firing a machine gun directly south of the District building, he was determined to eliminate this menace that threatened the lives of his men. Taking a 3.5 rocket launcher and a volunteer to load it, he worked his way across open terrain, reached the berm south of the District Headquarters, and took aim at the Vietcong machine gun one hundred and fifty meters away. Although the sight was faulty, he succeeded in hitting the machine gun. While he and the loader were trying to return to the District Headquarters, they were both wounded. With a fourth wound, this time in the right arm and leg, and realizing he was unable to carry his wounded comrade back to the District building, Lieutenant Williams pulled him to a covered position and then made his way back to the District building where he sought the help of others who went out and evacuated the injured soldier.

Although seriously wounded and tired, he continued to direct the air strikes closer to the defensive position. As morning turned to afternoon and the Vietcong pressed their effort with direct recoilless rifle into the building, he ordered the evacuation of the seriously wounded to the safety of the communications bunker. When informed that helicopters would attempt to land as the hostile gun fire had abated, he led his team from the building to the artillery position, making certain of the timely evacuation of the wounded from the communications area, and then on to the pickup point. Despite resurgent Vietcong gun fire, he directed the rapid evacuation of all personnel.

Throughout the long battle, he was undaunted by the vicious Vietcong assault and inspired the defenders in decimating the determined insurgents. Lieutenant Williams' conspicuous gallantry, extraordinary heroism, and intrepidity at the risk of his own life above and beyond the call of duty are in the highest traditions of the United States Army and reflect great credit upon himself and the Armed Forces of his country.

PERSONAL ANNOUNCEMENT

Mr. HUOT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. HUOT. Mr. Speaker, when roll No. 150 was called yesterday on H.R. 15119, the Unemployment Insurance Amendments of 1966, I was necessarily absent from the floor. Had I been present and voting I would have voted in favor of the bill.

NATIONAL AIRPORT DANGEROUSLY OVERCROWDED

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, in recent weeks, as many Members of this House have learned at considerable inconvenience to themselves and loss to their constituents, the congestion at the National Airport at Washington, D.C., has become literally intolerable. One method of reducing that congestion, it appears to me, would be severely to restrict the use of private aircraft at that airport. I have today written to the Administrator of the FAA suggesting pleasure and sports planes be restricted altogether from the use of the airport and that private business planes be restricted to nonpeak hours.

Mr. Speaker, I would welcome the support of other Members in this effort to see that we get decent transportation in and out of this principal airport in the Capital City.

PRESIDENT AND ATTORNEY GENERAL URGED TO PROTECT CIVIL RIGHTS MARCHERS IN MISSISSIPPI

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on Tuesday of this week, June 21, I spoke from this well in commemoration of the tragic deaths in Mississippi of three courageous civil rights workers 2 years ago, James Chaney, Andrew Goodwin, and Michael Schwerner. On that very day violence again broke out in Philadelphia, Miss., as the Reverend Martin Luther King led a tribute in that town to those three courageous young men. According to newspaper reports, law enforcement officers on the scene failed to take action until the civil rights marchers fought back.

Mr. Speaker, we must not permit violence to continue in that section of the country or in any part of the country. Civil rights leaders have promised to return to that county seat in Neshoba County this Friday again to pay tribute to the three martyrs, and to make clear that there must be no part of the country where anyone is afraid to walk.

Mr. Speaker, I have urged and shall continue to urge that the Attorney General send Federal marshals and all available manpower to Philadelphia, Miss., on Friday in order to protect the civil rights leaders of this Nation in offering their tributes. The Federal Government must do everything in its power to protect the marchers and to prevent further violence and bloodshed.

Mr. GEORGE W. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman.

Mr. GEORGE W. ANDREWS. Is the gentleman familiar with the record that the FBI has of Martin Luther King?

Mr. RYAN. I am familiar with the fact that the Reverend Martin Luther King is one of the great Americans of our time. He is a Nobel Peace Prize winner and one of the remarkable leaders of this world. That Martin Luther King should be subjected in any part of this country to the kind of violence and brutality which took place the other day is an outrage which must be stopped. I hope that the gentleman from Alabama will join in this request that the President and the Department of Justice use Federal marshals, the FBI and the Armed Forces, if necessary—every facility at the disposal of the President in order to protect those who are only exercising their constitutional rights.

Mr. GEORGE W. ANDREWS. Mr. Speaker, will the gentleman yield further?

Is the gentleman familiar with the statement that Mr. J. Edgar Hoover made about Martin Luther King?

Mr. RYAN. Dr. King's record speaks eloquently for him.

The SPEAKER. The time of the gentleman has expired.

CHARLES H. TAYLOR—THE CORNERSTONE OF THE GLOBE

Mr. O'NEILL of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. **O'NEILL** of Massachusetts. Mr. Speaker, today I clipped from the Boston Globe of Wednesday, June 22, the following article, which was the lead editorial of the day. Charles H. Taylor died 45 years ago today. He was the original owner, founder, and publisher of the Boston Globe. He said at that time:

> THE CORNERSTONE OF THE GLOBE
>
> My aim has been to make the Globe a cheerful, attractive and useful newspaper that would enter the home as a kindly, helpful friend of the family. My temperament has always led me to dwell on the virtues of men and institutions rather than upon their faults and limitations. My disposition has always been to build up rather than to join in tearing down. My ideal for the Globe has always been that it should help men, women and children to get some of the sunshine of life, to be better and happier because of the Globe.

Mr. Speaker, I hope that the publishers, editors and newspapermen as well as columnists throughout America will read the "Cornerstone of the Boston Globe."

PERSONAL EXPLANATION

Mr. **YOUNGER.** Mr. Speaker, yesterday on rollcall No. 150 on H.R. 15119 we had a task force education meeting in the room of the Republican whip. Through mechanical failure the bells did not ring and we missed our vote.

Had I been present I would have voted "aye" on rollcall 150.

PERSONAL EXPLANATION

Mr. **REINECKE.** Mr. Speaker, I was at the same meeting with the gentleman from California [Mr. YOUNGER] on yesterday and therefore missed the final rollcall vote on H.R. 15119, rollcall vote No. 150.

Mr. Speaker, had I been present I would have voted "aye."

PERSONAL EXPLANATION

Mr. **SMITH** of New York. Mr. Speaker, I, too, was with the two gentlemen from California in the office of the Republican whip and did not hear the rollcall bells.

Mr. Speaker, had I been present, on rollcall No. 150 on final passage of H.R. 15119, I would have voted "aye" on this rollcall.

ENTERTAINMENT IN IOWA

Mr. **GROSS.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. **GROSS.** Mr. Speaker, the gentleman from Iowa [Mr. SMITH] entertained the House yesterday with a brief speech about the appearance of what he called "go-go girls" at the Iowa Republican convention in Des Moines last week.

Mr. Speaker, having attended the barbecue at the State Fairgrounds where the so-called "go-go" girls appeared, I want to report that these young ladies were of high school age and younger, dressed in the attire worn by cheer leaders and baton twirlers at any high school athletic contest in Iowa or elsewhere.

Mr. Speaker, unlike certain Great Society functions here in Washington, no one appeared at the barbecue in a peekaboo, fish-net dress. And, I might add, Iowa Democrats, at their recent State convention in Des Moines, staged a champagne breakfast after a night of revelry.

COMMITTEE ON RULES

Mr. **ALBERT.** Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON THE JUDICIARY

Mr. **ALBERT.** Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may sit while the House is in session today during general debate.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

Mr. **WHITTEN.** Mr. Speaker, I object.

SUBCOMMITTEE ON FISHERIES AND WILDLIFE, COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. **ALBERT.** Mr. Speaker, I ask unanimous consent that the Subcommittee on Fisheries and Wildlife of the Committee on Merchant Marine and Fisheries may sit while the House is in session today during general debate.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AMENDING BANKRUPTCY ACT

Mr. **ROGERS** of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 136) to amend sections 1, 17a, 64a (5), 67(b), and 70c of the Bankruptcy Act, and for other purposes, with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, strike out lines 3 to 7, inclusive.

Page 2, line 8, strike out "SEC. 3" and insert "SEC. 2".

Page 2, line 22, strike out "SEC. 4" and insert "SEC. 3".

Page 3, line 10, strike out "SEC. 5" and insert "SEC. 4".

Page 6, line 9, strike out "SEC. 6" and insert "SEC. 5".

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

Mr. **POFF.** Mr. Speaker, reserving the right to object, and I shall not object, may I ask the distinguished gentleman from Colorado to explain the purpose of the Senate amendments?

Mr. **ROGERS** of Colorado. Mr. Speaker, the Senate amendment harmonizes H.R. 136 with another House bankruptcy bill, H.R. 3438, passed by the Senate on the same day without amendment, and now awaiting the President's signature.

The Senate amendment to H.R. 136 deletes section 2 of the bill. Section 2, in turn, amends section 17 of the Bankruptcy Act. This Senate amendment harmonizes H.R. 136 to another bankruptcy bill, H.R. 3438, which the Senate approved on Tuesday of this week. Since the major amendment to section 17 of the Bankruptcy Act is contained in the other bankruptcy bill (H.R. 3438), it is appropriate that H.R. 136 be amended in this fashion so as to eliminate any inconsistencies.

Passage of these bills marks a significant reform in bankruptcy law. H.R. 136 has been approved by this House unanimously in each Congress since the 86th.

Mr. **POFF.** Mr. Speaker, I am familiar with the content and the effects of the Senate amendment and support the amendment.

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado [Mr. ROGERS]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. **SPRINGER.** Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER.** Evidently, a quorum is not present.

Mr. **ALBERT.** Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 151]

Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Ashley
Bandstra
Brown, Clarence J., Jr.
Burton, Utah
Carey
Casey
Cederberg
Clawson, Del
Corbett
Craley
Dawson
Denton
Ellsworth
Evins, Tenn.
Farbstein
Fisher
Flood
Flynt
Fogarty
Fraser
Giaimo
Gibbons
Gilbert
Griffiths
Hagan, Ga.
Hanna
Harsha
Harvey, Ind.
Hathaway
Holifield
Jones, Ala.
Jones, Mo.
Jones, N.C.
Kee
Keith
Kelly
King, Utah
Kupferman
Landrum
Long, La.
Martin, Mass.
Martin, Nebr.
Morris
Murphy, N.Y.
Murray
Nix
Powell
Pucinski
Resnick
Rogers, Tex.
Rooney, N.Y.
Rosenthal
Roush
Satterfield
Scheuer
Scott
Shipley
Sickles
Sweeney
Toll

Trimble
Utt
Walker, Miss.
Watkins
Watts
Weltner
Williams
Willis
Wilson,
Charles H.

The **SPEAKER**. On this rollcall 361 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION TO COMMITTEE ON FOREIGN AFFAIRS TO FILE REPORT ON FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Mr. **MORGAN**. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs have until midnight tonight to file a report on H.R. 15750, amendments to the Foreign Assistance Act of 1961, as amended.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CHARLIE BROWN NO MYTHICAL CHARACTER

Mr. **DUNCAN** of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. **DUNCAN** of Oregon. Mr. Speaker, many people think that Charlie Brown, the indomitable pitcher-manager of the comic strip "Peanuts," is a purely mythical character. But, it is not so, and all of the members of the Democratic baseball team know that it is not so.

Mr. Speaker, Charlie Brown's prototype wanders around the Halls of Congress every day—and last night cowered around and behind the pitcher's mound at the "H.R. Gross Stadium" amid a flurry of batted balls.

Mr. Speaker, Charles Brown's real name is MORRIS UDALL. While he did not have his blanket with him last night on the field, he found it soon after the game, and I am told that he drew as much comfort from the blanket as he did from the performance of the Senators in the second game.

Mr. Speaker, I am further told that the gentleman from Arizona [Mr. UDALL] has been nominated as the most valuable member of the Republican team. I know eight Democrats who will second the nomination, as we offer our congratulations to the Republicans.

Mr. **UDALL**. Mr. Speaker, will the gentleman yield?

Mr. **DUNCAN** of Oregon. Reluctantly so, yes.

Mr. **UDALL**. Mr. Speaker, I now renew my request of last year that the District of Columbia Stadium be declared a disaster area on account of the great disaster that occurred there last night.

I wish to advise the House that I am suing my colleagues for nonsupport, and I refer specifically to the gentleman from Oregon who muffed several balls that any athlete with any degree of ability could have handled.

I want to say further to my Republican friends that I have practiced for some time on my new pitch called the Great Society "gopher" ball—and it was just that. They all went for it—and I congratulate them.

My arm is sore.

My ego is wounded, but wait until next year.

PERSONAL ANNOUNCEMENT

Mr. **QUIE**. Mr. Speaker, as the gentleman from California [Mr. YOUNG] and the gentleman from New York [Mr. SMITH] and the gentleman from California [Mr. REINECKE] just stated, yesterday we were in the whip's office when rollcall No. 150 was called. The bells in the whip's office were not working. So, Mr. Speaker, on rollcall No. 150 on the final passage for the bill, H.R. 15119, the Unemployment Insurance Amendments Act of 1966, on yesterday, June 22, I was recorded as not voting. Had I been present, I would have voted "yea" on this rollcall.

FREEDOM MARCH IN MISSISSIPPI

Mr. **BURTON** of California. Mr. Speaker, I am sure it is not necessary to remind the Members of this House nor to belabor the point that it is of the utmost importance that the Federal Government and all its appropriate agencies extend the fullest possible protection to those engaged in the freedom march in Mississippi.

The most unfortunate and shocking occurrences of the last day or two remind all of us there is still much to be done to bring peace and harmony to this land and the full exercise of citizenship and fuller promise of freedom to our fellow citizens who are Negroes.

I strongly urge the Department of Justice to spare no effort or energy to see that the final few days of this march are carried forward under the full protection of the Federal Government and to redouble their effort to anticipate and avoid any possible injury to any of the participants.

WATERSHED PROGRAM DOWN THE DRAIN?

Mr. **DOLE**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. **DOLE**. Mr. Speaker, the Johnson administration has apparently deliberately killed the small watershed program, bringing to a halt 12 years of progress that has been made on this phase of soil and water conservation.

President Johnson must shoulder the responsibility for not a single application being forwarded to our committee this year, and inquiries I have made indicate none will be submitted this year. The Soil Conservation Service, which has always given our committee splendid cooperation, has forwarded 46 applications to the Budget Bureau for review in accordance with established procedure, but they have been pigeonholed there on the President's orders.

Mr. Johnson has decided the Committee on Agriculture no longer has a right to review these applications and that he should be the final arbiter of them. This incredible position is based upon an unbelievable legal opinion that the present act, which has been in effect since 1954, is unconstitutional. But Public Law 566, the Watershed Protection and Flood Prevention Act, clearly vests our committee with this authority, and it has operated well and without question for a dozen years.

This is simply another example of administration indifference toward the Nation's farmers and agriculture generally. Watershed development in Kansas which has made such dramatic progress under the able guidance of State Conservationist Morrie Bolline, is being retarded by the President's recalcitrance, as is the development of this important program elsewhere in the Nation.

COMMENTS OF KING FAISAL

Mr. **HALPERN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **HALPERN**. Mr. Speaker, the more I read the public comments of King Faisal expressed during his official visit here, the more outraged I feel.

He has deplorably breached the diplomatic courtesy extended him as an official guest, graciously received by the Government and people of the United States, to deprecate a section of the population of the host country by anti-Jewish remarks.

King Faisal not only uttered rude generalizations in characterizing Jews as a group, but also indicated that he regarded as an enemy of Saudi Arabia any American business firm trading with Israel, or anyone aiding Israel. Therefore, he must regard our Government, his host, as an enemy because the United States is officially aiding Israel.

How can the King remain in America after today and continue to accept our hospitality? He should know that he will now be unwelcome in New York City, which he is scheduled to visit next, because New York City takes pride in respecting the race, color, and religious faith of all its citizens. The President told the King that our national house was open to him, but the King has now abused the hospitality and should fold up his tent and silently fade away in his jet.

ALLIED HEALTH PROFESSIONS PERSONNEL TRAINING ACT OF 1966

Mr. **PEPPER**. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 892, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 892

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13196) to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from California [Mr. SMITH] and I yield myself such time as I may consume.

Mr. Speaker, House Resolution 892 provides an open rule, with 2 hours of general debate for consideration of H.R. 13196, to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes.

The principal purpose of the bill (H.R. 13196) as reported by the committee is to authorize a new program of support for the education of a wide range of professional and technical personnel in the allied health occupations, to meet growing and increasingly urgent needs for such personnel. The bill reported by the committee would authorize a 3-year program of grants to universities, colleges, and junior colleges to assist in the construction of new facilities as centers for training; grants to such training centers for improving the quality of training; traineeships covering the costs of tuition and fees; and grants to training centers for the development, demonstration, or evaluation of curriculums.

The distinguished chairman [Mr. STAGGERS] and his able committee has recognized the acute shortage of paramedical specialists and thus expanded the bill to include assistance to junior colleges. I am indeed gratified to know that the committee saw fit to take heed of my recommendation to include 2-year colleges. This 89th Congress has gone on record in its recognition of the need for improvement in higher education. The House has demonstrated its concern in this field and has taken great steps to provide adequate opportunities for our Nation's students. I urge the House to continue in this path and enact this much-needed bill.

As the Members of the House know, the junior colleges of our Nation constitute a very important educational resource. There are presently over 770 of these institutions in the United States with an enrollment of more than 1¼ million students. In my own State we are fortunate in having 27 junior and community colleges which are doing an outstanding job of educating our young people. These schools, it seems to me, are ideally suited to offer training in the allied health professions, and they are eager to do so. Unfortunately, however, only a small share of the funds under the Vocational Education Act has been available to junior colleges, and nearly all of that has been spent for the training of Practical Nurses. In short, practically nothing is available to assist the junior colleges in establishing new programs to train dental technicians, X-ray technicians, occupational therapy assistants, medical record technicians, and the host of other paramedical specialists needed today.

There are several considerations which justify the extension of the provisions of the Allied Health Professions Personnel Training Act to cover junior colleges. First of all, as I have indicated, there are many allied health personnel who could be adequately trained during a 2-year course and whose services are needed. Construction and improvement grants would stimulate the training of such manpower. Second, the training offered in a great many junior colleges is parallel to that offered during the first 2 years at other colleges and universities, and large numbers of students transfer to 4-year institutions upon completion of the junior college course. It seems very unfair that the junior colleges which are offering the same courses in many cases as their neighboring 4-year colleges should not be eligible for the same Federal assistance. Finally, it should be pointed out that many of our communities are taxing themselves quite heavily to meet the needs of their local junior colleges. I think it is clearly in the best interests of the Nation for the Congress to recognize, encourage, and assist these efforts whenever possible.

The Committee on Interstate and Foreign Commerce has received testimony concerning the growing demand for allied health personnel and the expected impact of medicare in this area. As the House knows, I have long been a strong advocate of a health program for the aged, but I would be the first to admit that the legislation will be of little value unless we have sufficient facilities and personnel to make health care available to all who need it. This is another reason why I feel it is important that we not delay in establishing a program to train students in the allied health professions. These paramedical people can take a tremendous load off our doctors, dentists, and professional nurses and enable them to treat more people more quickly and more effectively. We already have programs to train professional manpower—doctors, dentists, nurses, and others—but a supplementary program to train allied health personnel would help us get even greater value from our investment in the existing ones, for we would then have a broad range of trained personnel and each member's experience, knowledge, and skill could be put to its optimum use.

Finally, let me repeat what I said in my testimony on the bill to aid veterinary medical education. That is, to be sound a national program for training health manpower must be carefully balanced. We cannot afford to expend all our effort and resources on just a few of the many health professions. This point was made in the hearings on H.R. 13196, by Secretary Gardner, I believe, who said:

> It is perfectly clear that we can no longer function in a situation in which we have people who are only trained on the level of the Ph. D. and the M.D., and postdoctoral specialties of various kinds.

We face a serious need for supporting personnel of all types, and our junior colleges hold a great potential as producers and educators of allied health professionals.

The bill establishes a number of interrelated programs to aid in the training of additional high quality medical personnel. It also enlarges the existing loan forgiveness program, and would also establish for the health professions a number of optional loan programs in addition to the existing loan programs. For example, the health professions are added to its loan guarantee program under the Higher Education Act of 1965. Yesterday, I inserted in the RECORD an article from the Evening Star pointing out the program just started by the American Bankers' Association to implement this program, and expressing my gratification at their action.

Mr. Speaker, the total authorization for the bill is $51,250,000 for fiscal year 1967; $66,750,000 for fiscal year 1968; and $37 million for fiscal year 1969.

Mr. Speaker, I urge the passage of House Resolution 892 in order that the bill may be considered. This is a continuation and extension of the programs that have been adopted in the past by the Congress. It is in an area of great public need and demand. The committee has done an excellent job, I feel, in the presentation of this measure to the House, and I hope that the rule will be adopted allowing immediate consideration of this meritorious proposal.

I yield to the gentleman from California.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the distinguished gentleman from Florida, House Resolution 892 provides an open rule for

2 hours of general debate for the consideration of H.R. 13196, the Allied Health Professions Personnel Training Act of 1966.

The purposes of the bill are to authorize for a period of 3 years, the following programs: First, assistance to schools and to students in the allied health professions through construction grants, improvement of facilities grants, and traineeships; second, increase in the loan forgiveness provisions for doctors, dentists, and optometrists who practice in poor rural areas; and third, a new program of federally guaranteed and subsidized loans to supplement the existing program at health professions schools.

The cost of the bill over the 3-year period, through fiscal 1969, is $155 million. For fiscal 1967 the authorization is $51.25 million; for 1968, $66.76 million; and for 1969 $37 million. The decrease in the final year is due to the ending of the student loan program in fiscal 1968.

There is currently in the United States a serious shortage of trained personnel in all fields of medical and health professions. As our population increases and the medicare program begins operation, the shortage will become more acute. Today about 2.4 million Americans are engaged in the health professions. Government estimates show a need for an additional 1 million by 1975.

Congress has moved to meet the growing needs in many programs involving aid to schools for construction and remodeling of facilities and to students under scholarship and loan programs. The Committee on Interstate and Foreign Commerce believes this bill will further meet these needs.

The bill authorizes grants to assist in the construction of new facilities as training centers for the allied health profession, or the replacement or rehabilitation of existing facilities. The Federal share may not exceed two-thirds of the cost of new construction or major expansion of existing facilities; other programs can receive up to one-half of the costs from the Government. For the first time junior colleges are included in the program along with colleges and universities which provide programs in the allied health professions leading to a degree.

Basic improvement grants are also available to such institutions for expanding and upgrading its programs. Such grants are to equal $5,000 times the number of allied health curriculums plus $500 times the number of full-time students in these curriculums. The Surgeon General is also authorized to make special improvements grants to applicants, for whom a basic grant has been approved, for the purpose of providing or maintaining a specialized program in the field.

Traineeships are authorized to cover the costs of advanced training for allied health personnel to prepare them for teaching, administrative, and supervisory positions. Such traineeships would include costs of tuition and fees, and a stipend and allowances for travel. The program is similar to that provided by the Nurse Training Act of 1964.

Finally, grants are available for underwriting the costs of development and demonstration of new curriculums for training new types of health technicians and technologists.

Student loan forgiveness provisions are broadened. Current law permits forgiveness of up to 50 percent for doctors who practice in shortage areas. The bill will include dentists and optometrists and will forgive up to 100 percent of the student loan at the rate of 15 percent a year.

Title IV, part B, of the Higher Education Act of 1965 establishes a guaranteed student loan program. The bill expands this program to include students at schools of medicine, osteopathy, nursing, dentistry, pharmacy, optometry, and podiatry.

If a school borrows non-Federal funds for its loan program, repayment with interest may be guaranteed by the Government; it may also agree to make up 90 percent of the losses on defaults and pay an interest differential to make up the difference between the rate paid by the school and that charged to the students. Additionally, a private institution may make student loans and enter into the same type of guarantee agreement with the Government.

All Government departments involved, and the Bureau of the Budget, support the legislation. There are no minority views.

I urge the adoption of the rule, Mr. Speaker.

Mr. PEPPER. Mr. Speaker, I yield such time as he may consume to the able gentleman from California [Mr. MILLER].

Mr. MILLER. Mr. Speaker, I am very happy to see this bill being brought to the floor of the House. I rise in full support.

It is a piece of legislation which is long overdue. It supplements the educational health program that we have established. In this day and age, education is indispenable not only to our welfare but to our very survival as a nation and a race.

I congratulate the Committee on Interstate and Foreign Commerce for bringing this bill out. I congratulate the Rules Committee for bringing it in under this very adequate rule. I urge the adoption of the rule and the bill.

Mr. JOELSON. Mr. Speaker, I rise in support of H.R. 13196.

Mr. Speaker, I am very pleased to support H.R. 13196. I believe that the allied health professions perform a valuable and necessary public service, and that it is in the public interest for the Congress to increase the opportunities for training and education in these fields.

Mr. PEPPER. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TWO-YEAR EXTENSION OF FEDERAL RESERVE DIRECT PURCHASE AUTHORITY

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 894 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 894

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3368) to amend section 14(b) of the Federal Reserve Act, as amended, to extend for two years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Banking and Currency. Amendments offered by direction of the Committee on Banking and Currency may be offered to the bill at the conclusion of general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], and, pending that, I yield myself such time as I may consume.

Mr. Speaker, this is a closed rule, allowing 1 hour of debate, to continue an authority that has existed for many years, in this phase since 1942, allowing the Federal Reserve Banks to buy up to $5 billion worth of Treasury issues directly instead of going on the open market.

This gives to the Treasury a considerably greater flexibility than it otherwise would have. The authority has been rarely used in the past, it must be reported to the public when used, and it is only in the nature of a standby flexible approach available to the Treasury.

I know of no opposition to the proposition, and I know of no substantial opposition to the rule.

Therefore, I reserve the balance of my time.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. Mr. Speaker, I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate my colleague yielding.

I know what this bill is, and the purpose, and I agree with everything he says, except I would like to make my usual inquiry for the RECORD as to why this consideration must be under a closed rule?

Mr. BOLLING. The gentleman from Missouri would reply to the gentleman from Missouri that it was not essential that it be a closed rule, but it was thought better to limit the discussion to this very narrow provision of this very complicated Federal Reserve Act.

If it were not an open rule, almost any kind of proposition could be laid before the House, including abolishing the Federal Reserve Board.

We thought it better to leave it in a very narrow area. That was why I moved a closed rule.

Mr. HALL. I appreciate the gentleman's answer. I certainly would agree, so far as the example he has stated is concerned.

Did I correctly understand the gentleman to say that he in person moved the closed rule, or was it a request of the chairman of the committee involved?

Mr. BOLLING. The gentleman understood me correctly.

Mr. HALL. I thank the gentleman.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 894 will provide a closed rule, with 1 hour of general debate, for consideration of S. 3368, which involves a 2-year extension of the Federal Reserve direct purchase authority.

The reasons for the bill are set forth on page 2 of the report, and the explanation is on page 1.

My understanding of the bill and of the rule is precisely the same as given by the able gentleman from Missouri [Mr. BOLLING].

I urge the adoption of the rule. I know of no objection to it.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ALLIED HEALTH PROFESSIONS PERSONNEL TRAINING ACT OF 1966

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13196) to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, poditary, pharmacy, optometric, and nursing students, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13196, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia [Mr. STAGGERS] will be recognized for 1 hour, and the gentleman from Illinois [Mr. SPRINGER] will be recognized for 1 hour. The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members of the House, I might say, at the start, the bill came from our committee unanimously. It is a nonpartisan measure because it has to do with health. This field certainly is nonpartisan in our Nation, since it affects all people, regardless of race, creed, color, or politics.

After due deliberation, as I say, the bill was reported unanimously.

The bill contains three programs.

The first is the assistance in the training of members of the allied health professions, such as medical technologists, physical therapists, occupational therapists and the like.

Second is forgiveness of loans made to students of medicine, dentistry, and optometry, at the rate of 15 percent a year, up to 100 percent of the loan, for each year of practice in a poor rural area.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. What is being done about the training of nurses? Do they come under the bill at all? There was one notice I saw which said there was going to be some emphasis put on remedying the extreme lack of nurses.

Mr. STAGGERS. I might explain to the gentlewoman that in this bill we do not take up the nurse training program at all.

We have different bills on this, and we will take them up, because I realize the extreme urgency and need of nurses in the Nation.

Mrs. BOLTON. Are we going to have a nursing bill?

Mr. STAGGERS. We hope so, but I cannot say right now because of the pressure of time. However, I think this great need is recognized throughout the Nation, and it will certainly be considered.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield for just one further statement?

Mr. STAGGERS. I am glad to yield.

Mrs. BOLTON. I hope very definitely you will take notice of the fact that it is the bedside nurse that is so desperately needed and where we are at least 80,000 short in this country.

Mr. STAGGERS. I agree with the gentlewoman and recognize the need.

Mr. Chairman, in talking about the forgiveness of loans made to doctors, dentists, and optometrists practicing in poor rural areas, we have a forgiveness plan to take care of those who will so do.

Third, the authorization of a new system of loans for students of medicine, dentistry, and other health professions under which they can obtain guaranteed loans under the Higher Education Act of 1965 and encouragement is provided for students to obtain loans from other sources in addition to the existing program of student loans.

The portion of the bill containing the allied health professions personnel contains four parts.

Mr. Chairman, H.R. 13196 carries out recommendations of the President in his message on domestic health and education. The bill is designed to help meet the serious and urgent need for increased numbers, improved quality, and new categories of allied health personnel to supply present needs in this country.

It would authorize a 3-year program of—

First, grants to universities, colleges, and junior colleges to assist the construction of new facilities as centers for training in the allied health professional and technical occupations, or the replacement or rehabilitation of existing facilities for such centers;

Second, grants to such training centers for improving the quality of training they provide, through the development of new curriculums and otherwise, and for the expansion of their programs;

Third, traineeships, covering the costs of tuition and fees, and a stipend and allowances to encourage and assist individuals to undertake advanced training to prepare them for teaching, supervisory, administrative, and other specialized duties; and

Fourth, grants to training centers for the development, demonstration, or evaluation of curriculums for the training of new types of health technologists and technicians.

The bill would also liberalize the forgiveness of loans obtained under Public Law 88–129, as amended, allowing up to 100 percent forgiveness as an encouragement, in certain cases, to physicians, dentists, and optometrists to practice in poor rural areas in the United States.

The bill also contains provisions to supplement and add flexibility to the loan programs available to students of the health professions. It provides authority for students at schools of medicine, dentistry, osteopathy, pharmacy, podiatry, or optometry to participate in the guaranteed loan program established by part B of title IV of the Higher Education Act of 1965. And, it adds provisions to encourage the use of private capital for the health professions and nursing student loan programs.

This bill, Mr. Chairman, is a positive step toward solving an urgent and growing problem. We are a prosperous people, demanding more and better health care. Yet we cannot meet those demands unless we act now to increase the supply of health manpower, and health facilities, and to make their utilization as efficient as possible.

The Committee on Interstate and Foreign Commerce has recognized that this is so, and has acted a number of times in recent years to report legislation designed to increase and improve the Nation's supply of health manpower. In each instance—the Health Professions Educational Assistance Acts of 1963 and 1965; the Nurse Training Act of 1964; and the Graduate Public Health Training Amendments of 1964—we recognized fully that only a part of the total health manpower situation was being dealt with.

There are today clear needs at every level—from doctors and dentists to aids and orderlies.

The first and most urgent priority today is to provide a significant amount of Federal support for the education of personnel in the allied health professional and technical occupations.

We must train greater numbers of technologists and technicians for every phase of health care—from the doctor's office and the operating room to those who help to rehabilitate the ill and injured.

And that, Mr. Chairman, is what the bill we bring before the House today would do. It authorizes a new, 3-year program to make a total of $78 million available to assist training in the Allied Health occupations.

The bill comes to the House with the unanimous support of the committee. And I would like to thank all of the members—on both sides of the committee—for their diligent efforts and thoughtful participation in the work of the committee on this bill. Every member recognized that this is not a partisan issue, and that the need is clear. Every member worked hard to bring a good bill to the House.

Mr. Chairman, the annual expenditures on health and medical services in this country have increased from $13 billion in 1950 and $27 billion in 1960 to approximately $40 billion last year. Private spending for personal health care in 1965 exceeded $26 billion—about 6.1 percent of personal consumption expenditures.

There are many reasons for this upward trend: rising income, better education, urbanization, population growth, the changing age structure of the population and new mechanisms of payment for services, including private insurance coverage and public programs such as medicare.

There have been great changes in the practice of medicine. No one will deny that medicine has much more to offer today than a generation ago. Advances in diagnostic and surgical techniques make it possible to forestall the crippling and killing which were the results of many diseases. These advances, coupled with the increase in demand, require additions to the supply of health manpower—additions both in numbers and in new skills.

New medical procedures require an increasing number and variety of skilled workers such as occupational therapists, dental hygienists, physical therapists, medical record technicians, and nuclear medicine technologists. Tomorrow there will be even newer types of specialists.

As is stated in the Coggeshall report, "Planning for Medical Progress Through Education":

> Once it took only one doctor to resign himself and the child's parents to the inevitable death of a blue baby. It now takes a team of medical specialists and auxiliary personnel to correct the congenital abnormality of a baby's heart to insure the child a normal lifespan. At least 15 persons, including 4 surgeons, are needed in the operating room for the repair of a congenital lesion of the heart. More than 100 medical specialists, nurses, and skilled technicians are involved in post-surgical care of the patient.

The size of today's medical team is a reflection of the advances in technology. New occupational skills are constantly being introduced both in medical diagnosis and treatment. The Secretary of Health, Education, and Welfare testified before the committee:

> One of the unknown quantities in health care is that we do not today have job descriptions for all of the kinds of people we will have to train and employ.

We should recognize that it is impossible today to assess the Nation's health manpower needs with total accuracy.

But there is no doubt at all that the present needs are urgent.

The needs are being felt in hospitals, in laboratories, in nursing homes, and in public and private health agencies across the country.

The plain facts are that the supply of doctors, dentists, and other highly trained professions cannot grow to meet all these needs. A large number of allied professional and technical workers will be required to extend the reach of physicians and dentists. Ten years from now the supply of physicians will be about the same in relation to population as it is today. This means that the only way we can provide the best in health care for the American people is to increase the numbers and the capabilities of allied health workers.

To give a realistic picture of this dismal situation, Mr. Chairman, permit me to cite a few examples. From a recent report of the Health Careers Council of Illinois, I quote:

> All doubts about the extent of personnel vacancies in Illinois hospitals have been removed by the study of budgeted hospital personnel vacancies, conducted by the Illinois Hospital Association. Total budgeted vacancies have increased 79 percent from 1,950 vacancies reported in 1963 by 284 hospitals to 3,485 reported in 1965 by only 270 hospitals.

On our southeastern shore we find a similar picture in the State of Georgia. A survey by the Georgia Hospital Association, reported on February 23 of this year, revealed 1,574 immediate openings in the paramedical area in hospitals and nursing homes. The shortages included a need for 20 medical record librarians, 30 dieticians, 50 medical technologists, 22 X-ray technologists, and 15 physical therapists.

Estimates based on studies by the Public Health Service and by professional groups show that in some of these fields we require that by 1975 American schools graduate annually an estimated—

Twice the present number of medical and X-ray technologists;

Three or four times the number of dental hygienists;

Eight or ten times the number of medical record librarians; physical therapists, and occupational therapists.

Mr. Chairman, we need a virtual army of middle level professional and technical workers. As critical as the health manpower problem is today, it would become downright chaotic if we do not plan ahead to head off what appears to be a worsening situation each year.

Passage of H.R. 13196 will stimulate the proper training and supervision of these workers to work effectively on the health team. Without adequate numbers of well-trained personnel we cannot make full use of our increasing medical knowledge, our technological competence, our hospitals and other health care facilities.

So far, Federal support for health manpower training has been concentrated at the professional or graduate level—medical and dental education, public health training, research training and other advanced training. And the Office of Education program for support of practical nurse training has had a substantial impact on training practical nurses. On the other hand, support for the training of allied health professional and technical workers has generally been piecemeal and scant.

The bill as presented represents a strengthening of the administration's recommendations. We have broadened the institutional base to include community or junior colleges so that we can tap this important resource for the training of allied health professions personnel. In doing this we have provided for additional sums over and above that recommended by the administration so as not to undercut or dilute support for the baccalaureate degree programs. It is our sincere belief that including these junior colleges will lead to a substantial increase in the number of curriculums at these schools throughout the United States in the allied health professions fields and that it will add an urgently needed new resource for training a large number of people in the health occupations.

The developmental grant provisions of the bill would make available a total of $6 million during the 3-year period for development of new curriculums for training new types of health workers. In the past when the need for a new member of the medical team became apparent the person closest at hand gradually assumed the new duties and in time became a specialist in laboratory work, physical therapy, or some other field.

Now medicine advances so fast that this natural evolution of manpower is no longer acceptable. As quickly as we can identify the need for new specialists, we must begin to produce them, and to do this we must say what their training is to be and how it shall be obtained. These developmental grants in the bill will enable us to do so.

The improvement grants section of the bill provides the financial wherewithal for allied health professions training centers to improve the quality of their programs and their effectiveness in training in the health occupations. It provides a very substantial amount of support, as noted in the committee report, and this is where the bulk of the funds will go—$9 million in the first year. The basic improvement grants provisions would make funds available to schools on the basis of $5,000 per curriculum in the allied health professions, plus $500 times the number of full-time students in those curriculums. In addition, the bill authorizes the Surgeon General to make special improvement grants to any institution which is approved for a basic improvement grant in order to improve the specialized functions of the training centers, especially in multidisciplinary training of personnel in the health occupations.

The bill also provides for traineeships to encourage people who are already at work in the allied health professions to return to school for advanced training. This will enable us to make use of the existing supply of skilled manpower to provide as quickly as possible the teachers, supervisors, and highly qualified specialists we need today. Without these traineeships, which are familiar to us in other legislation, such as the Nurse Training Act, the financial difficulties of returning for advanced study would prevent many if not most of these people from improving their skills.

In summary, Mr. Chairman, I wholeheartedly commend this bill to this House for action.

First. H.R. 13196 will encourage the growth and development of educational programs for allied health professional and technical personnel. This will increase the number of those persons, such as medical technologists, occupational therapists, and dental hygienists who are indispensable to the physician or dentist as he attempts to meet ever-increasing demands on his time.

I should like to recall our continuing concern as a Nation over the deficiencies in our supply of physicians. The limitations imposed by this shortage on our expectations for health and productive lives have been made plain to this House and to its Committee on Interstate and Foreign Commerce. I should like to remind the House that these limitations will not be removed solely by our efforts to increase the number of physicians; that equally essential is the provision of other types of health workers who assist in providing medical care and thereby extend the effectiveness of our physicians.

Second. H.R. 13196 will amend the Health Professions Educational Assistance Act of 1965 to provide increased loan forgiveness in order to encourage physicians, dentists, and optometrists to practice in areas of greatest need. Our rural population has great difficulty in obtaining medical care. We cannot stand idly by and watch the trend toward urbanization deprive these people of reasonable access to medical care.

Third. It will provide new and alternative means by which student loans may be financed under the Health Professions Educational Assistance Act and the Nurse Training Act by encouraging the use of private capital for such loans. The committee has been assured that the level of financing for these student loan programs will not be decreased as a result of this legislation.

Finally, Mr. Chairman, I should like to say that this legislation is an important step in solving our health manpower problems. We will, of course, have to take other steps. We must find ways to use the health workers we now have more effectively. We should develop more efficient hospitals, nursing homes, clinics. We must find additional ways to encourage vast numbers of young people to make a career of health work.

I am absolutely certain, however, that without enactment of this legislation, improvements in the Nation's health will be delayed—perhaps denied. This bill provides the cornerstone—the trained people—on which all other plans must be laid.

Mr. Chairman, I know of no opposition to the bill from any source, so I hope that the bill will be passed unanimously.

Mr. **SPRINGER**. Mr. Chairman, I yield myself such time as I may consume.

The Allied Health Professions Personnel Training Act will be a necessary and desirable adjunct to the Health Professions Educational Assistance Act (H.R. 12) and the other measures passed by this House in the last 3 years aimed at increasing the health manpower of our country. It could be argued that the allied health professions should have been the first to be given the shot in the arm because of the number needed to work with and assist the doctors and dentists we hope to produce to meet the health needs of the people.

The provisions of the bill sound very familiar when we hark back to the various measures designed to create the facilities and encourage their use by large numbers of new people dedicated to health care. H.R. 13196 provides:

First. Construction grants to universities, colleges and junior colleges to build facilities for training of allied health professionals. These grants are very similar in amount and administration to those provided under H.R. 12 for the building of medical schools. The 3-year program will cost $25.5 million.

Second. Grants to improve courses and curriculums in the hope of getting more schools involved and in obtaining new courses as well as improving courses already in being. The bill would allow for grants to the schools of $5,000 plus $500 per student for courses containing no less than 20 students. The 3-year program would cost $39 million.

Third. Traineeships in the form of money grants to individuals for advanced training to provide teachers and supervisors in the various allied health professions. The 3-year program would cost $6.5 million.

Fourth. Grants to schools for the development of new curriculums or demonstration and experimental courses in new and developing specialties. The 3-year program would cost $6 million.

Fifth. The bill will liberalize the forgiveness feature now applicable to doctors for practicing in rural areas. It will allow as much as 100 percent forgiveness of educational loans to doctors, dentists, and optometrists who practice in such areas for a full 5 years.

Sixth. It would provide additional funds for loans to students by authorizing the guarantee of private loans and subsidizing the interest required to obtain such loans. It is estimated that this program for 3 years would cost $77 million.

The total cost of the entire program for 3 years is estimated at $155 million.

The first question which comes to mind is, What are the allied health professions? It is not as easy to answer this question as it was in other bills to say "doctors are included and also optometrists.' Everyone well knows what these professions are, and the bill spelled out with particularity which were included. This cannot be done here, and I will explain why.

First of all, there are roughly 200 professions and technical skills engaged in the health field already. The number of people engaged in them are increasing, but so are the number of skills and categories. As medical and health programs change in emphasis, such as those for heart, stroke, and cancer, new technical skill becomes necessary. The result of all this is a stratified professional ladder.

Doctors and dentists require long and arduous training to be qualified for their very exacting and creative roles in the health field. Not only do they need baccalaureate degrees but varying amounts of post graduate study and supervised experience before practicing.

Below this level are professions which require 4-year courses of study such as medical technologists and physical therapists. Some skills may be either 2- or 4-year courses with responsibility assigned accordingly. Here are nurses from three different programs including 4-year baccalaureate degrees.

In many instances a difference in the designation, as technologist or technician, may indicate a difference in level of education involved as well as the work the individual may handle. For example, there are X-ray technologists and X-ray technicians. There are dental hygienists and dental technicians. And there are some I could not possibly explain such as cytotechnologists, mycologists, and virologists. Some are even harder to pronounce, but I know that when we need their services, we want them to be there and to be well trained.

Another reason I cannot tell you exactly what all the allied health professions are is that I might be out of date before I finished listing them. With the medical profession bringing forth new miracles in treatments, cures and replacement parts, the kinds and numbers of assistants needed and the skills they will require change rapidly. New categories and subcategories of specialists emerge constantly. That means that new courses and new curriculums will be needed to produce these important professionals and technicians.

This bill recognizes these conditions and creates a scheme of assistance which is as flexible as the problem. We already know that by 1975 we must increase the production in some categories as follows: twice the number of medical and X-ray technologists; twice the number of speech pathologists and audiologists; three or four times the number of dental hygienists; far greater numbers of medical librarians, occupational therapists and physical therapists.

All of which poses the more immediate and acute problem of obtaining highly qualified teachers and supervisors for these future professionals. This bill attacks that problem through the traineeships it provides. That idea has worked rather well for nurses and others such as teachers of the deaf and should also help appreciably here.

As proposed, this bill concentrated upon the creation of teachers and supervisors through large university centers with baccalaureate and postgraduate courses. The committee has included others, principally junior colleges, in the program. Manpower is critically short, and if it is possible to increase the supply of health manpower without adversely affecting the procurement of additional teachers and specialists, it should be done. If anything like the required number of skilled technicians is to be produced, the junior college must produce them and the process must be started at once so that it can develop in orderly fashion.

It is not intended, and the legislative history will clearly indicate, that the training of teachers and supervisors should suffer at the expense of stepping up the production of technicians now. The sums of money made available under this bill are well defined, and the committee report gives a clear marching order to those who must administer the program.

Loan guarantees for private financing is a new wrinkle which is regarded with some suspicion—not because it is a bad idea but because of how it might be used. As you know, there was an attempt, or so it seemed, to do away with the present loan programs for students by gradual replacement with elaborate systems of private financing and Government guarantee. Whatever political problems attached to the idea, we cannot assume that it would work and risk the dangers to the whole program if it does not. In the other fields of education the idea was at least deferred.

So here the right to guarantee loans obtained privately by students is granted as is the authority to help them with the interest and to pick up part of the loans where it would have been forgiven had it been from the Government originally. It is obviously intended as an additional source of loan funds and not a substitute for present programs. I personally feel that it will attract few takers and that the machinery now in existence will handle the great bulk of student borrowing. The committee has taken pains to make it clear that the existing programs are to be relied upon and not cut back.

I favor the passage of H.R. 13196 although I fear that by this time next month we may wish that we had started at this end of the health manpower problem several years ago. Of all the health legislation we have considered and passed, this bill and the Nurse Training Act affect most vitally the people who spend the most time and continuing effort with the patient.

The CHAIRMAN. The gentleman from Illinois [Mr. Springer] has consumed 7 minutes.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. Younger].

Mr. YOUNGER. Mr. Chairman, I rise solely for the purpose of completely endorsing this bill.

We had extensive hearings on the bill and I think it is one of the best considered bills to come before the Congress.

In the light of what will happen because of medicare on July 1, it certainly is incumbent upon the Federal Government to see to it that all of the training facilities possible are made available to train people in those professions who are needed in carrying out the terms of the medicare bill.

Mr. Chairman, I think this is an excellent bill and I endorse it in every way.

Mr. DENT. Mr. Chairman, I rise in support of H.R. 13196. Today as our population grows and grows and our technology advances, the growth of our supply of health manpower is not keeping pace. Medicine, dentistry, nursing, and many of the allied health professions are suffering from urgent shortages. Hospitals, nursing homes, and home health services are all badly understaffed.

Technological advances have made the local general practitioner a member of a team of technicians rather than a one-man hospital. New diagnostic and surgical techniques require many types of workers, such as medical technologists, cytotechnologists, virologists, immunohematologists—you name it, and the medical profession has an "-ologist" to take care of it. Advances in these techniques have made it possible to forestall many of the maimings and deaths which were the result of some diseases. As our life span is extended, the aged population, which has the most chronic illnesses requiring long-term treatment and care, will be on the increase.

Our rising level of education has produced an intensified concern for good health and physical fitness, giving an increased appreciation of the value of health care. This rising level of education has also kept the people informed as to what treatments are available and from whom they may be received. The lack of manpower forces many to travel long distances for treatment, wait long periods of time for appointments, and pay outrageous prices, because the demand for the specialists simply overwhelms the supply. This demand is made even greater by the expansion of both private insurance and public programs for the payment of the expenses of health cares.

The continuation of the life processes, for many people afflicted with chronic diseases, depends not only upon the services of physicians and nurses, but also on the allied services, such as physical therapists, rehabilitation counselors, or speech and hearing therapists. The extension of life and the addition of years of life are not to be cheaply gained. One cost is the necessary training of manpower to provide health services for the chronically ill.

In the decade between 1950 and 1960, our population has increased by 18 percent, and this rate of growth has been approximately the same for physicians. The dichotomy between our technological potentials and their effective applications is due, in part, to a lack of any significant change in the ratio of physicians to population.

Within the past few years, a number of studies have been made which point to shortages of health manpower, and the need for new and expanded training facilities. From these studies and from testimony given before the committee of my distinguished colleague, the gentleman from West Virginia [Mr. Staggers], it was estimated that before 1975 American schools must graduate twice the present number of medical and X-ray technologists, twice the number of speech pathologists and audiologists, three or four times the number of dental hygienists, and even greater increases in the number of medical record librarians, occupational therapists, and physical therapists. To meet these needs, there are two courses of action which should be followed: First, sharply increase the output of professional workers, emphasizing teaching needs; and second, increase the amount of technical workers through expansion of junior colleges and other technical and vocational programs. H.R. 13196 is designed to make such increases possible.

The principal purpose of H.R. 13196 is "to authorize a new program of support for the education of a wide range of professional and technical personnel in the allied health occupations, to meet growing and increasingly urgent needs for such personnel." The bill reported by committee would authorize a 3-year program of—

First, grants to schools to assist in construction or rehabilitation of facilities for training in the allied health professional and technical occupations;

Second, grants to such training centers for improving their quality through development of new curriculums and expansion of their programs;

Third, traineeships covering the costs of tuition and fees, and a stipend and allowances to encourage and assist individuals to undertake advance training to prepare them for teaching, supervisory, administrative, and other specialized duties; and

Fourth, grants to training centers for the development of curriculum for the training of new types of health technologists and technicians.

As reported, the bill would also liberalize the forgiveness of loans obtained under Public Law 88-129 allowing up to 100 percent forgiveness as an encouragement to physicians, dentists, and optometrists to practice in poor rural areas in the United States.

The bill, in addition, provides that students in schools of medicine, dentistry, osteopathy, nursing, pharmacy, podiatry, or optometry may participate in the guaranteed loan program established by part B of title IV of the Higher Education Act of 1965. The bill also is designed to encourage the use of private capital for loans to these students.

As health care becomes more complex, and as the people's health demands become greater, the supply of doctors, dentists, and other highly trained professionals cannot be sufficiently expanded to meet the demands. Our only solution is to extend the reach of physicians and dentists by increasing the number of allied professional and technical workers. Maintenance of our high standards of medicine and health can be had only through this expansion, and H.R. 13196, with its broad provisions, is a means to this most important end.

Mr. HUOT. Mr. Chairman, I rise in support of H.R. 13196, the Allied Health Professions Training Act of 1966.

We have often heard about the shortages of health manpower in the United States. We have begun to recognize that there are too few trained health workers to meet the rising demands for more and better health services.

Figures cited beginning on page 13 of the committee report show that there are current needs in nearly all of the so-called Allied Health professions. We shall need an additional 27,000 dental hygienists by 1975. We need at least 40,000 medical technologists and 42,000 physical therapists to mention just a few. But we do not need merely to train more health professionals, we must train better ones. Our professional schools must keep pace with the rapidly advancing technology. Facilities must be improved and curriculums expanded. This our schools cannot do alone—all Americans have a large stake in the continued advancement of medical science—an advancement which could be stymied by a continued shortage of personnel in the allied professions.

At the same time, it is abundantly clear that we are not now training sufficient numbers to meet these needs. For example, our report states that American schools must graduate twice as many medical and X-ray technologists, twice the number of speech pathologists and audiologists and three or four times as many dental hygienists.

Mr. Chairman, the needs for these specialists will not decrease. Nor will they be met at our present training levels. The advent of medicare will inevitably place an increased strain upon our facilities and manpower. As our standard of living continues to rise, more and more people will seek medical care where before they refrained from doing so because they felt they could not afford it. Finally, the advanced technology being employed in the medical profession requires not only increased numbers of personnel, but improved methods as well. As we learn more about disease and its cause, we must also refine our methods of treatment.

The Health Professions Educational Assistance Amendments of 1965 will help to educate more and better doctors, dentists, osteopaths, optometrists, and podiatrists. But these professionals can only function as well as the teams of assistants which support them. Without highly trained assistants much of the time of our professionals will be lost. And without a positive concerted effort we shall be unable to provide these skilled personnel.

The passage of H.R. 13196 will enable us to make such an effort. It will enable us to train increasing numbers of allied health professionals to meet the increasing needs of our medical profession. I urge the favorable consideration of H.R. 13196.

Mr. SCHMIDHAUSER. Mr. Chairman, I want to take this opportunity to express my strong support for H.R. 13196, which I believe will contribute much to meeting our Nation's health needs. Since I have been in office, I have received requests from a number of communities in my district for assistance in securing a full-time physician or dentist. I have long been concerned with the problem of shortage of medical personnel which is particularly acute in many of the small communities in my district and throughout the Nation. In many areas, citizens must travel great distances to receive any type of medical care, which certainly could have tragic consequences in the event of an emergency.

I firmly believe that the bill which we are considering today will help to meet this great need. The loans and grants authorized by this legislation will permit many more individuals to receive training in schools of medicine, osteopathy, dentistry, nursing, pharmacy, podiatry, and optometry. Presently, we are faced with a critical shortage of personnel in these occupations and with the continued growth of our Nation this shortage will become more serious if we do not act to meet the problem.

I believe this legislation is another example of the concern of the 89th Congress for the well-being of our citizens who reside in rural areas. In the past, many of the programs of assistance were not extended to these areas and, as a result, many dedicated Americans were not able to receive the full benefits of modern society. Approval of this legislation will again represent our firm commitment to meet the needs of all parts of America. Under the provisions of the student loan forgiveness section of this bill, physicians, dentists, and optometrists who practice in low-income rural areas will be permitted to receive 100-percent loan forgiveness at a rate of 15 percent for each year. The bill also will permit a 50-percent loan forgiveness, at a rate of 10 percent for each year, for nurses, dentists, optometrists, and osteopaths who serve in shortage areas. I believe this program will greatly assist our smaller rural communities in attracting well-trained individuals to their areas. The result will be more healthy citizens and a stronger America.

This legislation also will help to meet the urgent needs in the allied health professional and technical occupations. Presently, there is a critical shortage in these professions, a factor which seriously affects our overall effort to provide the highest quality medical care for citizens.

Among the allied health professions personnel are the dental hygienist, dietitian, hospital administrator, medical record librarian, medical social worker, occupational therapist, physical therapist, radiobiologist, virologist, and X-ray technologist. There are also shortages among the allied health personnel at the technical level such as operating room technicians, laboratory technicians, psychiatric technicians, and inhalation therapists.

This bill, which we are considering, will help to end this shortage. By increasing the number of trained personnel in these professions, the research and scope of the physician will be extended.

Mr. Chairman, in conclusion, I want to again indicate my strong support of this bill, and I urge its approval by the House of Representatives.

Mr. FOGARTY. Mr. Chairman, I rise to speak in favor of H.R. 13196, a bill to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions. The bill also seeks to improve the educational quality of the schools training such allied health professions personnel. A third major purpose is to strengthen and improve the existing loan programs for students of medicine, osteopathy, dentistry, pharmacy, podiatry, optometry, and nursing.

While Congress in the past has developed a fine record of providing for the training of physicians, nurses, dentists, optometrists, podiatrists, and pharmacists, there is an ever-increasing need to support the training of the wide array of technologists and other health professionals. These allied health professions perform the technical support work so essential to the practice of modern medicine.

The allied health professions include such occupations as clinical psychologists, dental hygienists, dieticians, hospital administrators, medical illustrators, medical record librarians, medical technologists, nutritionists, physical therapists, virologists, and X-ray technologists.

In addition to the working professionals there is a need for supervisors of subprofessional workers such as technicians and laboratory aids and for teachers in the allied health professions.

H.R. 13196 seeks to provide for these needs through, first, grants for the construction of teaching facilities; second, grants for schools for educational improvement; third, traineeships to help prepare teachers, administrators, supervisors, and other personnel in specialized practice; and fourth, project grants to develop, demonstrate, or evaluate curriculums for training new types of health technologists.

The construction grants are patterned after those now available for medical, dental, and certain other health professions schools under the Health Professional Educational Assistance Act, and to nursing schools under the Nurse Training Act.

The improvement grant provisions closely resemble the educational improvement grants authorized by the Health Professions Educational Assistance Amendments of 1965. Funds for these grants will be used to upgrade the quality of education, including the coordination of allied health curriculums within an institution. This coordination enables individuals who will later work together in providing health care to be trained together in situations which approximate actual experience.

The traineeships would help prepare teachers, administrators, supervisors, and specialists in the various allied health professions. The traineeships would make it possible for many people now working in the allied health professions to return to school for limited periods to obtain the further training which is necessary to fit them for teaching or supervisory duties.

The project grants proposed in H.R. 13196 are to be used for developing, demonstrating, or evaluating new courses of study to train new kinds of health technologists. As technology develops, new types of people will be needed to apply the new methods. The project grants would allow educators flexibility and room for experimentation to anticipate these new requirements.

In 1963 there were some 5,000 graduates at the baccalaureate and about 2,000 more at the advanced degree levels in the various allied health professions. Under the 3-year program proposed in H.R. 13196, an additional three to four thousand persons could be trained.

As the physician encounters increasing demands on his time, more and more tasks need to be delegated to trained specialists. Furthermore, it is neither practical nor possible to train physicians to be skillful in all of the various special techniques and methods required in the health field today.

The expenditure on health and medical services in this country totaled $40 billion last year. Rising incomes, better education, urbanization, population growth, the changing age structure of the population and new mechanisms of payment for health services have worked to enlarge the demand for such services.

Physicians, dentists, and nurses form the core of the health manpower team, but we are becoming increasingly dependent on services from an expanding number and variety of other health workers.

As Secretary John W. Gardner said in his testimony on H.R. 13196:

> There is a need for allied health professionals to extend the reach of services both in terms of quantity and quality that can be provided by physicians and dentists. There is a need for a vital army of health workers * * * who will require training and supervision to provide needed services.

Acute shortages of such personnel have been reported in virtually every area of the country. Estimates made by the Public Health Service and professional groups show that to meet our needs in some of these allied health fields, American schools will need to graduate twice the present number of medical and X-ray technologists; 3 or 4 times the number of dental hygienists; and 8 or 10 times the number of medical record librarians, physical therapists and occupational therapists.

An excellent appraisal of why we face this grave situation was given in a recent report by the National Commission on Technology, Automation, and Economic Progress which stated:

> We have * * * not developed the proper manpower training programs for the new technologies. We have continued to hold on to our traditional and basic training programs in the various health and medical fields without analyzing the new technologies available and the real possibility of training new categories of manpower who can perform many of the functions now carried out by highly skilled and scarce professional personnel.

It is time that we in Congress acknowledge not only this "real possibility," but this necessity. It is time that we reaffirm our commitment to improving the Nation's health through a comprehensive assistance program which must include the trainng of these vital allied health professionals.

I urge each of you to lend your full support to this measure. The great needs for the coming decade can only be met fully if we act and act now.

Mr. DANIELS. Mr. Chairman, I rise in support of H.R. 13196, the Allied Health Professions Personnel Training Act of 1966.

Mr. Chairman, I shall not take the time of this House to point out the critical shortage of trained medical personnel. This is not a New Jersey or a sectional problem; it is a problem in all parts of the Nation. Perhaps the shortage is most acute in low-income urban areas and in remote rural areas. In many parts of the Nation the need can only be described as critical. In almost every phase of modern medicine the shortage of trained people is reaching truly alarming proportions.

Today at a time when medical research is able to provide the American people with care which would have been described as visionary a generation ago, we are hamstrung by a shortage of trained people to accomplish these medical marvels.

As the sponsor of the Vocational Rehabilitation Act which was signed into law last year by President Johnson, I am well aware of what can be done to restore people to health if the facilities and trained personnel are available. It is the shortage of personnel which is our greatest problem. To take just one profession, there are now about 7,200 registered occupational therapists in the United States. The American Occupational Therapy Association testified that there were 15,600 unfilled positions in 1965. They estimate that if we are to fill the need for the year 1975 we will have to turn out 8,000 graduates a year. There were only 800 graduates last year. For another example, we will need to produce 8,000 physical therapists a year by 1975. Last year there were 900 graduates. This is an alarming situation.

Mr. Chairman, this legislation today is critically needed. I urge all Members to join with me in supporting this important piece of legislation.

Mr. GILLIGAN. Mr. Chairman, I rise in support of H.R. 13196, the Allied Health Professions Personnel Training Act of 1966.

We in Congress can be proud of our record in addressing Federal resources to meet the critical health manpower shortage of our Nation. In the last 3 years, we have passed two landmark acts focusing on the needs for more and better prepared health professionals.

In 1963 we passed the Health Professions Educational Assistance Act; the following year we passed the Nurse Training Act. Grants under these programs to date will result in the addition of 885 new first-year places in medical schools, 372 new places in dental schools and 1,125 new places in nursing schools.

These acts will have a tremendous impact on the health manpower situation. They represent bold responses to critical problems; but they are not enough. They only begin to solve the problem.

Doctors and dentists and nurses need support—support from highly trained technicians. Without this support, our professional health personnel are forced to spend endless hours on tasks that could be handled by persons with less specialized training. Oftentimes, these tasks are left undone. We cannot expect our doctors and dentists and nurses also to be medical record librarians and dental hygienists and X-ray technologists. This is a terrible waste of manpower. It is inefficient and intolerable.

The need for persons trained in the allied health professions is with us today and growing rapidly. As our society has become more prosperous, we have turned more attention to the preservation of man's good health. The annual expenditure on health and medical services in this country increased from $13 billion in 1950 and $27 billion in 1960 to approximately $40 billion last year. Private spending for personal health care in this country in 1965 was more than $26 billion—about 6.1 percent of personal consumption expenditures.

This growth in expenditures, unfortunately, has not been matched by the growth of trained health manpower. This is particularly true in the allied health professions. The top Government health official—the Surgeon General—has forecast the need for an increase of about 1 million such workers by 1975, with a need to prepare an additional 100,000 health workers each year.

There are many reasons for the shortage of trained health personnel. Rising income, better education, urbanization, population growth, the changing age structure of the population, and new private insurance coverage and public programs all contribute to a dwindling supply of adequately trained personnel.

At the same time, medicine is making tremendous breakthroughs in treating diseases. People are living today, who only yesterday were given up for dead because of a dreadful disease. These breakthroughs require skilled professionals and highly trained technicians as well. A striking example of the effect of new medical discoveries on manpower requirements is vividly portrayed in the Coggeshall report, "Planning for Medical Progress Through Education." The report states:

> Once it took only one doctor to resign himself and the child's parents to the inevitable death of a blue baby. It now takes a team of medical specialists and auxiliary personnel to correct the congenital abnormality of a baby's heart to insure the child a normal lifespan. At least 15 persons, including 4 surgeons are needed in the operating room for the repair of a congenital lesion of the heart. More than 100 medical specialists, nurses, and skilled technicians are involved in preparation for, and performance of, the operation and the post-surgical care of the patient.

Mr. Chairman, this bill before us today calls for needed funds to try to fill the gap that exists in the allied health professions field. The cost of the program is relatively modest. In the first year of the program, fiscal year 1967, the cost of training will be $8 million.

These funds will be used for a variety of purposes: grants to institutions of higher education for the construction of centers for the training of the needed personnel; grants to the centers for the improvement of the quality of their training; and grants to centers for the development and demonstration and evaluation of curriculums for the training of new types of health technologists and technicians.

The bill also provides a program of increased loan forgiveness for physicians, dentists, and optometrists who practice in poor rural areas. In addition, the proposed law includes a program of federally guaranteed and subsidized loans to supplement the existing student loan program at health professions schools.

Each of these programs, Mr. Chairman, is desperately needed. Each of these programs provides promise in meeting our commitment to good health for every American. I, therefore, urge the Members of this body to support this legislation.

Mr. DINGELL. Mr. Chairman, I am happy to speak today on behalf of H.R. 13196, the Allied Health Professions Personnel Training Act. I believe that this legislation represents a major step forward in the training of what is now becoming known as the paramedical team—the team of trained specialists in many different health-related fields who work with the physician and help to conserve his skills and talents. This legislation, in other words, is a way of helping to expand the very limited supply of medical and dental manpower in the United States, by training new specialists to work with the physician and nurse.

The supply of doctors, dentists, and other highly skilled professionals simply cannot be expanded rapidly enough to meet the present health needs of the United States. The training of large numbers of allied professional and technical workers is required to "extend the reach" of the physician and dentist, to quote from the report of the committee. The committee report also states that even 10 years from now it appears that the supply of physicians will be about the same as it is now, in relation to the population. Thus, we can provide the best in health care for the American people only by increasing the numbers and capabilities of allied health workers.

I believe that one of the most important sections of the proposed legislation is section 793, which authorizes funds for traineeships to cover the cost of advanced training for allied health professional personnel, to prepare them for teaching, administrative, and supervisory capacities. As the committee report states, one of the greatest bottlenecks in training additional health workers is the shortage of qualified teachers, both at the baccalaureate and the junior college level. Junior college teachers in these fields are in especially short supply, even though a great many junior colleges are willing and eager to expand their offerings in the health fields.

Witnesses who testified before the committee stated that many teachers in the allied health fields learned to teach on the job. Many administrative personnel have also come into their present positions without adequate professional training, because of the shortage of manpower in these fields. Section 793 will make it possible to train new teachers and administrators, and also to enable people now in the field to take leaves and to upgrade themselves.

I might add, Mr. Chairman, that programs for the advanced training and upgrading of junior college teachers are especially important because most Federal programs for teacher training and upgrading do not include junior college teachers, but are intended either for elementary and secondary teachers or for 4-year college and university professors. This bill, therefore, in addition to its many other merits, is important as a contribution to junior college teacher training in this important field.

Mr. HORTON. Mr. Chairman, as we all know, our country is currently facing a critical shortage of nurses. A prominent member of the medical profession has been quoted as saying that unless something is done soon, hospitals will have to begin closing wards and perhaps entire wings because of the inavailability of trained nurses for patient care. It was in an effort to help erase this shortage that the 88th Congress approved the Nurse Training Act in 1964. The act provided several ways to attack the problem. It established construction grants for new or improved classroom facilities; it provided grants for the improvement of nurse training; and it offered partial reimbursement to diploma schools of nursing for the costs of enlarging nurse traineeships and, perhaps most important of all, established a new program of loans for students in all types of nursing schools.

The student nurse loan program has, predictably, proved very popular. This is a field in which little financial assistance was heretofore available. Moreover, as the evidence offered during the hearings on the Nurse Training Act showed, many families are unable to meet the full cost of the training program and, as a result, thousands of potential nurses are lost each year either because accepted applicants do not actually enroll or because students are forced to drop out of training for financial reasons.

Unlike many collegiate programs, nurses' training allows the student almost no opportunity to earn money through a part-time job. Due to the demanding requirements for clinical experience and the rotating schedules used in most training programs, outside employment is virtually impossible. Furthermore, nurses' training programs provide only a few weeks of vacation each year rather than the 2- or 3-month vacation enjoyed by most college students; thus another opportunity to work is lost. It is no wonder, therefore, that competition for financial assistance is so keen and that, according to the American Nurses' Association, there have been more than 20 applicants for every scholarship available in recent years.

The student nurse loan program is urgently needed, it seems to me, both by nursing students and by our Nation which is so desperately short of professional nurses. Unfortunately, however, the effectiveness of the loan program is being seriously curtailed by a provision in the Nurse Training Act which requires that nursing schools be accredited by a body designated by the Commissioner of Education in order to participate. As the Members will recall, when this matter was brought to the floor last session, it was explained that the Commissioner of Education has designated the National League of Nursing as the accrediting body and, as a result, a great many schools offering collegiate and associate degree programs which have already been approved by the appropriate State and/or regional accrediting body but not by the NLN are not eligible to participate in the loan program.

I am confident that it was never the intention of Congress to establish a program which would be open to only a few of the collegiate and associate degree schools of nursing—particularly when the need for nurses with baccalaureate degrees for teaching and supervisory positions is even more acute than is the need for general duty nurses. Furthermore, I do not think it was our intention to establish an eligibility requirement unlike that of any other Federal student loan program. In fact, however, the student nurse loan program is the only Federal loan program in which eligibility depends upon accreditation by an outside professional organization rather than by the appropriate State and regional bodies.

The Committee on Interstate and Foreign Commerce recommended to the House last year that this problem be rectified by a technical amendment to the Health Professions Educational Assistance Act amendments then under consideration. The committee expressed its concern over the delay and expense many schools were experiencing in attempting to gain National League of Nursing accreditation and over the precedent that was being set with regard to requiring multiple accreditations for participation in Federal programs. The committee stated that it felt that the programs of nurse training being conducted by our junior colleges and colleges were of high quality and that modification of the eligibility requirements of the Nurse Training Act would not impair the goals of the act, which were to increase the quantity of nurses available for the care of patients and to improve the quality of the training of nurses.

Upon the committee's recommendation the House approved this technical amendment, but it was later deleted from the bill on the Senate side. I consider this most unfortunate and I have introduced H.R. 11890 to amend the Nurse Training Act to provide that all collegiate and associate degree schools of nursing accredited by the proper State and/or regional bodies shall be eligible to participate in the student nurse loan program and other benefits of the Nurse Training Act of 1964.

Today we have before us H.R. 13196, the Allied Health Professions Training of 1966. This bill contains a provision whereby schools which are not accredited by the organization chosen by the Commissioner of Education, but are able to show the likelihood of their accreditation by the time the present first-year class graduates, will be eligible for Federal assistance programs. While this still necessitates multiple accreditation in the case of schools already approved by regional accrediting agencies, it is a step forward in that Federal help will be used to upgrade many of these schools.

The need for health personnel is so urgent that enactment of H.R. 13196 this year is essential.

With the advent of medicare, and the increase in patient load that is anticipated in its wake, we need trained personnel to man not only present health-care institutions but new and expanded hospitals which have been projected to meet a health facilities shortage.

I have sponsored H.R. 15470 and H.R. 15469 to extend Federal assistance for the construction and modernization of health-care facilities. Without the prompt and expanded assistance to the training of health professionals that is provided in H.R. 13196, however, efforts to expand facilities will be futile, and our Nation will find itself in the midst of a medical-care crisis.

Mr. KORNEGAY. Mr. Chairman, I rise in support of H.R. 13196. Its various provisions will go far toward solving some of our vexing health manpower problems.

In particular, I should like to speak to the provisions of the bill which are designed to encourage more professionals to practice in areas of acute shortage. The Health Professions Educational Assistance Act of 1963 established loan programs for students of medicine, dentistry, osteopathy, or optometry. Loans of up to $2,000 per academic year were repayable over a 10-year period beginning 3 years after graduation and excluding periods—up to 3 years—of military or Peace Corps service.

The Health Professions Educational Assistance Amendments of 1965, which became effective last October 22, modified and extended until July 1, 1969, this loan program. Students of pharmacy and podiatry were included, and a forgiveness feature incorporated.

This forgiveness feature permits the cancellation of up to 50 percent of a student's loan at the rate of 10 percent of the loan per year of practice, if he elects to practice in an area in which State Health authorities have determined that there is a need for and shortage of his services. These areas must also be designated as "shortage areas" for the purposes of this program by the Secretary of Health, Education, and Welfare.

It is, of course, too early to determine what effects this forgiveness feature may have. Meanwhile, the trend toward concentration of our medical care resources in urban centers continues, and it is apparent that we must take more steps to assure adequate health services for our rural citizens, particularly the rural poor.

This bill, therefore, further liberalizes the forgiveness feature of the loan programs for physicians, dentists, or optometrists. It authorizes forgiveness at the rate of 15 percent per annum—rather than 10 percent—of up to 100 percent of the loan—rather than 50 percent.

There are many reasons why physicians choose to practice where they do, and money is by no means the most important one. Experience of various States with loan forgiveness programs shows wide variation in effectiveness, but a degree of overall success nonetheless.

The problem certainly deserves solution. Urban-rural differences in health manpower have been compared for 1963. On a per capita basis, in our isolated rural and semirural counties there were only 60 percent as many physicians as there were for the rest of the country, and these, of course, can be less effective because of the greater amounts of travel required.

The plight of small communities that are unable to attract a doctor is well known. They are turning in increasing numbers toward the government for some solution to their dilemma.

Mr. ROGERS of Florida. Mr. Chairman, I rise in support of H.R. 13196. The 89th Congress is raising an edifice of health care for the citizens of this country. It is being raised brick by brick, consistent with our principles of free enterprise, high standards in medicine, and minimal Government control. In retrospect, I am confident that this legislative structure will be monumental in appearance and—because of its careful construction—will stand the test of time.

H.R. 13196 is one of the key elements in this design; perhaps a buttress, one of many that are necessary, and all essential to upholding the structure.

The professional and technical personnel to which this bill, in part, addresses itself are the key supporting elements in our health system. Without them, the physician would have to revert to the primitive sort of practice that he conducted in the early years of this century. Half a century ago there were 135 physicians for every 100,000 persons; today there are only 150. The tremendous progress that has been made in medical care over these years obviously has not been accomplished by the physician alone. Without his helpers on the health team, the quality of medical care that we know today would be unattainable.

At the same time, we recognize the fact that our medical facilities are not distributed equitably, and that millions lack access to good medical care simply because there are not enough health workers to go around. Demand for allied health personnel has far outdistanced the growth of their professions, and the gap between supply and demand is still increasing. Last year this Congress passed two far-reaching acts in the 1965 Social Security Amendments and the heart disease, cancer, and stroke program. When these indispensable armaments in our fight against disease begin to translate unmet needs for medical care into effective demand, the shortage of health workers will be tremendous.

Within the next decade our schools must graduate twice their present output of medical and X-ray technologists; twice their present output of speech pathologists and audiologists; three to four times their present output of dental hygienists; several times their present output of occupational therapists; nine to ten times their present output of physical therapists. There are unfilled positions today in every one of these disciplines. We must repair these deficiencies now or face breakdowns of service within the very near future.

H.R. 13196 will provide more places where health workers can be trained. It will provide some of the teachers in fields where supply is shortest. It will provide added incentive for physicians, dentists, and optometrists to seek out and practice in undersupplied areas. It will modify the present arrangements for low-interest student loans so that private as well as Federal funds may be used to finance health professions education.

There is one important feature of this bill that deserves special emphasis. During the course of hearings, our committee was impressed by appeals from expert witnesses that training in the allied health professions be stimulated in junior colleges as well as other institutions. After serious deliberation, it was therefore decided to augment the administration's original proposal with an authorization for that purpose.

This authorization does not in any way impinge upon the proposals for assistance to baccalaureate teacher training programs. It was added because of the overwhelming evidence of manpower shortages in allied health professions which are not being met through existing college programs, but which could be ameliorated through the substantial resources available in our junior colleges.

We are told that there is crucial need in the medical laboratory for medical technologists, particularly in less affluent regions and in pockets of poverty where all medical facilities are scarce. Yet hospital schools in this field are operating at half capacity because prospective students are unable to meet the cost of preparation at junior college level. These are the very students most acutely aware of deficiencies in our health network. However, there is no other appropriation that reaches this purpose in substantial amount. Most of the funds available through the Vocational Education Act, for example, go to secondary schools; and most of its postsecondary expenditures support practical nurse trainees, often on a part-time basis. Very little Vocational Education Act money is left over for junior college or similar postsecondary programs, and even less is spent in support of health-related programs. And even if Vocational Education Act money is available, it amounts only to $70 to $88 per year, in contrast to the $500 and more which this bill authorizes.

It is imperative that junior college programs be included in this bill, Mr. Chairman, first of all because our 4-year colleges simply do not have the capacity in their existing curriculums to train all the allied health professions personnel that will be needed within the foreseeable future. Furthermore, to exclude junior college programs would be to provide assistance, during the first 2 years of training, only to students in 4-year colleges. It would discriminate against students pursuing identical programs, but completing their first 2 years as transfer students in junior colleges.

The provision for junior college programs was added to this bill so that Congress would not be in the position of stigmatizing junior colleges as second-class institutions and their students as second-class citizens. The junior and community colleges are integral parts of our Nation's system of higher education. We cannot short-change them through legislative neglect without short-changing ourselves in quantity and quality of health technicians.

In my own State, the J. Hillis Miller Health Center at the University of Florida operates a unique program where health technicians are trained as part of a team including other professional levels. In Chicago City Junior College and Cerritos College in California, students learn the manufacture and fitting of prosthetic devices. At Erie County Technical Institute in Buffalo they are taught optical technology. These are only a sample of the opportunities available through the junior and community college network. With adequate congressional provision, the junior colleges of the Nation stand ready to contribute manpower in an area of very great need.

I am therefore pleased that, at my urging, the committee adopted and wrote into this bill an authorization for junior college preparation of allied health professions personnel. The importance of this provision, and of the entire bill, is in the laboratory tests that must be run when life hangs in the balance. It is in the rehabilitation of the chronically infirm when life holds little hope. It is in the day-by-day therapy for a child when speech or hearing fails.

Mr. Chairman, the health technicians to be trained through this bill could make the difference between life and death for any Member of this Chamber, or for someone dear to him. But they most certainly will make that difference to hundreds of thousands of our fellow-citizens for whom we act in trust. We cannot delay passage of this vital legislation, except in abdication of the responsibility that has been vested in us.

I therefore urge my fellow Members to join with me in enacting the Allied Health Professions Personnel Training Act of 1966 for the better health of our Nation.

Mr. ADAMS. Mr. Chairman, the Allied Health Professions Personnel Training Act is an important and constructive step in moving to meet one of our country's most critical problems: the shortage of health manpower.

This bill does not stand alone. In the past 3 years the Congress has enacted similar laws to encourage the education of more doctors, dentists, and other highly trained professionals.

Now we have before us this bill—to provide Federal assistance to universities, colleges, and junior colleges to stimulate the education of greater numbers of technologists and technicians.

This is a good bill, and we come to it none too soon. The growing specialization of medical practice and the rapidly changing technology of health care are day by day increasing the pressure on our health resources.

These developments alone—even without larger demands for medical care—have created needs for a whole spectrum of new professional and technical aids.

One example of which I am particularly aware is the need for specially trained people to operate kidney dialysis machines. These machines, which are now adding useful years to the lives of many people, did not exist until recently. And now even if—as I hope—we could have as many of these life-sustaining machines as are necessary to serve all the people who need them, we would still need the specially trained manpower to operate them.

These are complex developments; and health care involves more than numbers—quality is not an "extra" but an essential. Thus, we must move from on-the-job training and the inheritance of these jobs to organized programs of training designed to produce highly skilled and qualified technologists and technicians.

Finally, Mr. Chairman, I want to say how pleased I am with the committee's decision to include junior college health occupation training programs in the bill. The gentleman from California [Mr. MOSS] and the gentleman from Florida [Mr. ROGERS] deserve particular credit in helping us establish support of these forward-looking provisions. In the State of Washington, as in many other States, our junior colleges provide an ideal resource for training technicians in the health occupations, and in other areas.

Mr. Chairman, there is a greatly increased demand for health care in this country, and we have a commitment and a responsibility to assure that it is available and accessible. We could not come close to providing the manpower we need if we ignored the potential of America's junior colleges. I am happy that the committee recognized that potential.

Mr. Chairman, I urge the passage of H.R. 13196.

Mr. SICKLES. Mr. Chairman, I want to express my strong support for the Allied Health Professions Personnel Training Act of 1966. The enactment of this 3-year program will constitute a firm commitment on the part of the U.S. Government to insure that there are enough properly trained health specialists to take care, in the years to come, of our rapidly growing population.

The demand for additional trained health service personnel will be acute in several more years. In seven prominent fields of health specialists—dental hygiene, medical record library service, medical technology, occupational therapy, physical therapy, speech pathology and audiology, and X-ray technology—there were 159,200 active practitioners in 1965. A decade from now we will need more than double the present number, or approximately 365,000.

Just as an example of the increase that will be required in one of these seven fields, let me cite the growing demand for physical therapists. In 1965, there were 12,000 physical therapists, and by 1975 we will need 54,000. In order to meet the 1975 demand, we will have to graduate 8,000 trained physical therapists annually, but currently we are only graduating 900 a year. The Allied Health Professions Personnel Training Act of 1966 will help to close this gap by awarding grants to institutions to improve existing and construct new training facilities for physical therapists and other health specialists.

Miss Ruth M. Latimer, director of the physical therapy educational program at the University of Maryland, pointed out in a letter to the House Interstate and Foreign Commerce Committee, which reported this measure, just how acute the need for physical therapists is. She said that the "increasing longevity of man and subsequently chronic diseases, the large number of persons injured by accidents but left with a disability, other Federal legislation pertaining to social security and vocational rehabilitation, and programs for the mentally retarded and heart disease, cancer and stroke" had made the present demand for physical therapists almost double the existing supply.

In her letter, Miss Latimer said the objectives of physical therapy education would be "facilitated with Federal assistance to promote expansion and improvement of the existing 42 educational programs, to encourage additional new programs of which there are presently six in stages of development, and to offer loans and scholarships to worthy students."

I was particularly pleased that the committee chose to make junior colleges eligible under the proposed program, thereby expanding on the President's original proposal. The need for including junior colleges was brought to my attention by Robert S. Zimmer, president of Allegheny Community College in Cumberland, Md., and Moses S. Kock, president of Essex Community College in Essex, Md.

In a letter to the distinguished chairman of the Interstate and Foreign Commerce Committee, the gentleman from West Virginia [Mr. STAGGERS], I had urged the adoption of the amendment because of the significant contribution which junior colleges are already making to the training of certain technicians and other health specialists. My letter stated:

> The need for the paramedical training, usually limited to two years for such service personnel as laboratory technicians, dental hygienists, X-ray technicians, etc., is great. The community junior college is logically the place for such training to be provided. However, because of the cost of the scientific equipment necessary to such programs, they are unable to meet the demand for training opportunities for students interested in such work.
>
> The growth of the community junior college movement in this country indicates that by 1970 half of all college students will be enrolled in junior colleges. These institutions provide opportunities for less affluent youngsters to receive an education without the cost of paying room and board, for they can continue to live at home. Many go on for upper-level work in four-year colleges and universities. Of equal concern, however, are the two-year terminal students who will make careers of the very jobs which H.R. 13196 is designed to aid.

Maryland, as a State with 17 junior or community colleges, relies heavily on these fine institutions for its supply of trained manpower. Without inclusion in this program, they could not graduate the trained personnel that will be needed in future years.

The training that will be promoted under this program of Federal assistance can be grouped in five general areas: doctoral training for physicians and dentists; baccalaureate programs for the training of nurses, physical therapists, medical technologists and other related fields; 3-year hospital programs for the training of nurses; 2-year junior college, technical and vocational schools programs for training medical laboratory technicians, practical nurses, medical assistants and other technicians; and on-the-job training in hospitals to train hospital aides and orderlies.

Mr. FULTON of Tennessee. Mr. Chairman, this Nation is richly endowed with the world's finest medical practitioners, facilities, and training institutions.

And yet, for all the advances we have made, for all the progress we have marked and for all the benefits we enjoy, we find that the demands made on the time and talents of our physicians and allied professional and technical personnel threaten our growing population with insufficient medical resources to meet its health needs.

In recent years, the Congress and administration have enacted a number of Federal partnership programs to meet these needs. There is the Professions Educational Assistance Act of 1963, the Vocational Education Act of 1964, the Nurses Training Amendments and the Health Professions Educational Assistance Act of 1965.

These programs, all separate but all related, were designed to maintain and promote the health of our Nation's peoples.

Today we consider another program, the Allied Health Professions Personnel Training Act of 1966.

This is a modest proposal when measured against many of the massive Federal spending programs underway or envisioned today. H.R. 13196 calls for an authorization of only $155 million over 3 years. Nonetheless, these moneys are no less important to the future well being of our Nation than the billions we spend on poverty, economic development, military procurement and defense, or the billions spent to send a man to the moon.

This bill, when enacted, will provide Federal funds for construction or rehabilitation of training centers for allied health professions.

This bill will provide funds to improve the quality of education at these centers.

This bill will provide grants to these centers for traineeships for the advanced training of professional allied health personnel to prepare them for teaching, administrative, and supervisory positions.

This bill provides funds for development of new curriculums to insure that the trainees are adept at the latest diagnostic and treatment techniques.

There are also provisions to encourage members of the medical profession and allied health professional personnel to serve in low income rural and shortage areas.

This Nation today is endangered by a critical shortage of personnel in dealing with our health problems, particularly in the allied health professions. H.R. 13196 will help to insure that in the years to come, our physicians will not be forced to practice at less than 100 percent efficiency due to a lack of qualified and competently trained allied health professional and technical personnel upon whose services they must rely so heavily.

This is a sound and needed program which should be enacted without delay.

Mr. JARMAN. Mr. Chairman, I rise to lend my support to H.R. 13196, the Allied Health Professions Training Act.

Mr. Chairman, the bill before us today represents the product of months of a search by our committee for an adequate solution to the ever-increasing demand for the proper training of health personnel.

As medical care becomes more specialized, and the techniques of diagnosis and treatment become more complex, the demand for new skills in the health field necessarily increases. The expansion of both private insurance and public programs for the payment of expenses of health care require additions in numbers to the supply of health manpower.

Mr. Chairman, passage of the bill presently pending before this body will result in much of this demand being satisfied. The bill would amend the Public Health Service Act to increase the opportunities for the training of medical technologists and personnel in other allied health professions. It would provide for grants for new construction or improvement of existing training centers, and improvement of the educational quality of the schools training such personnel. It would further improve the existing loan programs for physicians, dentists, and optometrists who practice in poor rural areas.

Mr. Chairman, the bill establishes a 3-year program, and the committee expects to scrutinize very carefully the administration of this program when it is called upon to extend it in the future.

Mr. Chairman, the need for Federal financial assistance in this area has been demonstrated. I am convinced that each of the programs established by the bill is in the public interest. I urge my colleagues to pass favorably on this measure without delay.

Mr. EDMONDSON. Mr. Chairman, I support the provisions of H.R. 13196 to improve training opportunities for medical technologists and personnel in other allied health professions.

The improvement of these opportunities, and the strengthening of student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, will assuredly benefit the entire Nation.

I commend the Committee on Interstate and Foreign Commerce for bringing this excellent bill to the House, and feel sure it will be passed by an overwhelming vote.

Mr. KUPFERMAN. Mr. Chairman, I support the Allied Health Professions Personnel Training Act of 1966, which is before the House today.

In the United States at the present time there exists a tremendous need for health manpower at every level. The growth of the health occupations has been rapid but is still far short of meeting present needs.

The health of our citizens should be of prime concern to all of us, and it takes trained personnel to administer to their needs.

The report of the Committee on Interstate and Foreign Commerce, House Report No. 1628, on this bill H.R. 13196, is comprehensive and detailed and shows the various ways and areas in which this situation can be helped. The committee and its chairman are to be commended for a fine report, and I am pleased to support H.R. 13196.

Mr. BINGHAM. Mr. Chairman, I am pleased to join in support of H.R. 13196, the Allied Health Professions Personnel Training Act of 1966. This act helps fill a major gap in our Nation's medical needs by assisting not only the training of doctors and other health personnel on the professional level, but also those health technicians whose presence and support is necessary to the effectiveness of doctors. It will thus make it easier for all the people to make use of the great advances in medical technology.

We must remember that these great advances in medical technology, increasing the average life span and the possibilities for a fuller and more healthy life, also increase the burdens on our society. Not only are there more people to be treated, but new needs arise. This is especially true as it affects the lives of our senior citizens.

I have heard much talk about the burdens placed on our hospitals and medical staffs by the passage of medicare. It was even suggested in some quarters that it would be too difficult or too costly to enact medicare—or, in my home State of New York, to extend medical aid—because of the shortage of hospital space or of doctors or other medical personnel. To have followed this advice would have made the ability to receive adequate medical care dependent not on the need for the care but on the ability to pay for it. This type of means test goes against the grain; it is contrary, in my opinion, to the best tendencies in our background. The argument really is whether we should have a means test for survival from illness or relief of pain. If facilities to treat the ill are inadequate, the answer is to expand the facilities, not to reduce the number of patients on the basis of income or assets.

And the situation desperately needs correction. In 1965, for example, there were only 15,000 dental hygienists while the estimated need for 1975 is 42,000. To meet that need, there would have to be 5,500 graduates annually in that field—but, in 1965, there were only 1,470. Similarly, we would have to double the annual number of graduates in X-ray technology, speech pathology and audiology, and medical technology. And in fields such as occupational therapy and physical therapy, the gaps are even greater. Eight thousand people must be graduated annually in each of these fields to match the estimated needs. Yet the rate of graduation in 1965 was only 500 occupational therapists and 900 physical therapists. It is little wonder that many medical and health personnel are so overworked, or that it takes so long so often to get adequate medical care, or that many poorer people are simply unable to get the treatment they need.

The picture is not all bleak, of course. In recent years, the proportion of health workers in the work force has increased. And recent legislation has assisted the training of personnel in professional fields such as nursing and public health. This bill would supplement, not compete with, these programs. It provides for some extension of these programs. More importantly, in my opinion, it acts to cut the bottleneck where it is now at its worst, by providing for grants for the construction and improvement of training facilities in the technical fields which support the doctors, and an extensive program of student loans to enable young people to enter these fields. At a relatively modest price—$155 million spread over 3 years—this is a program we can well afford. Indeed, we cannot afford not to afford it.

Mr. **CORMAN**. Mr. Chairman, we are in an age of inspired revolution. This is an era in which the rights of American citizens have been assured in far-reaching legislation.

We have been concerned to secure the rights to vote, to enjoy an education in which all citizens participate on an equal basis, and to obtain food and lodging in public accommodations—and the list might be extended. Today, in considering H.R. 13196, we consider a right which in a sense is still more fundamental: the right of all Americans to enjoy a life of full physical vitality, a life of good health.

The individual confined to the hospital bed is not able to reap the full benefits of his civil rights, to take advantage of the magnificent opportunities available for education and attainment to him in this Nation. In order that all citizens may participate to the fullest in the benefits and the productivity of this great country, we must do everything in our power to assure that the people of this Nation receive the best health services which we can provide.

Significant steps have already been taken in this direction. In the past 3 years the Congress has enacted a number of major pieces of health legislation that will contribute significantly to improvement in the quantity and quality of our health manpower resources. It will require an expansion of existing programs, and the development of new programs such as the one proposed in H.R. 13196 to meet the growing demand for health workers.

We are expanding our efforts to support the education of physicians, dentists, nurses, podiatrists, and optometrists. But there is an urgent need in the medical field which has not been sufficiently recognized. This is the overwhelming shortage of well-trained manpower in the allied health occupations. While physicians, dentists, and nurses form the nucleus of the health manpower team, support of these technologists and technicians is essential if we are to meet the rising demand for health services.

In the words of the Secretary of Health, Education, and Welfare:

> There is a need for allied health professionals to extend the reach of services, both in terms of quantity and quality that can be provided by physicians and dentists. There is a need for a virtual army of health workers at the subprofessional level who will require training and supervision to provide needed services.

The bill before us today is designed to ameliorate this situation. It authorizes a new 3-year program to assist in the training of allied health professional and technical personnel at the junior college, baccalaureate, and advanced degree levels. There are four basic provisions in the bill: first, grants for construction of training centers for the allied health professions; second, grants to improve the quality of such training centers; third, traineeships for advanced training to prepare personnel in the allied health professions for teaching, supervision, and other specialized functions, and fourth, project grants to training centers to develop, demonstrate, or evaluate curricula for the training of new types of health technologists and technicians.

I want to compliment the distinguished chairman of the Committee on Interstate and Foreign Commerce and the members of the committee on their wisdom in expanding the bill to include junior college programs to train health technicians.

Junior colleges constitute a substantial resource for the training of allied health personnel, and these provisions of H.R. 13196 are of the highest importance. Without new legislation, the prospects for increases in the supply of such trained personnel are discouraging. The authorization to provide for the training of students at this level should lead to a substantial increase in the number of curricula at junior colleges.

The shortages of allied health manpower are critical, and it would have been foolish for the Congress to fail to make use of junior colleges to meet our urgent needs.

Mr. Chairman, I commend this bill to all of my colleagues and urge its passage.

There can be no partisanship in assuring the right to health.

Mr. **ANDERSON** of Illinois. Mr. Chairman, I fully support H.R. 13196 to amend the Public Health Service Act to enlarge opportunities for training of personnel in the many health professions, to improve the calibre of higher institutional training for prospective personnel of the health professions, and to update the existing student and school loan program in the fields of medicine, osteopathy, dentistry, podiatry, pharmacy, optometry, and nursing.

I am pleased to note that the bill authorizes worthwhile programs to provide for better training, more adequate facilities, and a thorough loan system which most certainly will attract many of our young men and women to the sundry opportunities of medical training and eventually to be fully trained to provide the medical aid urgently in demand today and which demand will continue to grow with the years.

The fiscal provisions of the bill, to be administered during a 3-year period starting in 1967, will include a series of Federal grants for, first, assistance in construction of new facilities at universities, colleges, and junior colleges; second, improvement of training and expansion of existing curriculums; third, traineeships covering tuition, fees, and allowances to encourage individuals to take up advanced training in preparation for teaching, administrative, supervisory, and other specialized duties; fourth, demonstration and evaluation of school curriculums for the training of new health technicians and technologists.

As one who is familiar with the attempts of our citizens in rural communities to try to encourage doctors to locate in their areas to attend to their medical needs, I am especially pleased to see also included in the grant-aid prospectus a liberalized forgiveness of loans to help those health professions who want to practice in the rural areas of our Nation. The exodus of specially trained health students gravitates to the large cities and urban areas where financial reward is greatest. The crying need for competent physicians, dentists, nurses, and other health professionals cannot for long be overlooked. Indeed, H.R. 13196 is a significant step to meet the rural medical need.

Statistics point to a substantial increase in the percentage of America's health personnel to the total civilian labor force: 2.4 percent in 1950, 3 percent in 1960, 3.3 percent in 1965. However, before we satisfy ourselves with this recognizably increasing recruitment to the forces of health professions, let us look at several problems that in a few years will almost surely put a tremendous strain on our health personnel and programs.

The changing age distribution of our population will soon create a mass of middle-aged and elderly individuals who will have to find health services and accommodations with trained personnel to diagnose, treat, and cure their ills. The social security amendments and the heart disease, cancer, and stroke amendments both of 1965 initiated many new hospital and insurance programs which will tax our ability to meet the demands for high quality medical attention. As an increasingly greater percentage of people live to a ripe old age they should not have to suffer through a 2- or 3-week delay in attaining medical attention or advice merely because there are not enough doctors, nurses, or dentists to accommodate them.

The National Commission on Technology, Automation, and Economic Progress published in their first report an excellent evaluation of the problem:

> The gap between the technological potential and our ability to apply it effectively is partly due to the lack of a significant improvement in the proportion of physicians to population. We have also not developed the proper manpower training programs for the new technologies.
>
> The only solution, in the long run, is an increase in the number of trained medical personnel, physicians, nurses, and medical technicians in all categories. For this we need an extensive planned program of Government support for the creation of more schools, expansion of enrollments, new methods of instruction, redefinition of how modern knowledge and technology can be most effectively applied, and as seems likely, training of new categories of health personnel to supplement and complement those already in existence.

The need for such a program cannot be overemphasized enough. True in all the testimony to the committee, the shortages of health personnel were lamented as a problem of grave importance and an area where the Federal Government might exert some constructive efforts.

Mr. HUNGATE. Mr. Chairman, in 1638 the Jesuits of Peru discovered quinine, and the subsequent knowledge of their marvelous findings spread far and wide with speed and excitement. But during an age plagued by uncertainty and fear of the unknown, it was commonly held in various medical circles that to drive evil substance from the human body required a display of power and strength over the supernatural forces of evil.

History shockingly discloses to us of how the University of Paris went so far as to declare unconstitutional the usage of the miraculous new drug; and history reveals that the use of quinine was finally banned in favor of bleeding patients—an archaic process thought to relieve the human body of noxious substances and humors.

Fortunately the unlearned nature of the 17th century eventually gave way to enlightenment, and the use of quinine became a common remedy for man's ills. It is ironic to note, however, that quinine was not socially acceptable until it was introduced by a quack, who disguised it in a mysterious compound of medically irrelevant components.

Mr. Chairman, I am pleased we live in an age somewhat removed from the suspicion and darkness experienced during the 17th century. As proof, we have before us today a bill which expresses respect for the past, yet shows confidence in the future. H.R. 13196, the Allied Health Professions Personnel Training Act of 1966.

This act publicly acknowledges a proper concern for and awareness of the importance of maintaining the health of this Nation by providing a comprehensive plan for assistance in the training and educating of future personnel for the health professions.

I rise in full support of H.R. 13196 because I am encouraged that it prepares our Nation now, to meet the personnel requirements of tomorrow's health problems. Let us be bold, and wise enough to plan for the future with open eyes and inquiring minds.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time and if my colleague, the gentleman from Illinois [Mr. SPRINGER] has no further requests for time, I ask that the Clerk read.

The CHAIRMAN. If there are no further requests for time, pursuant to the rule the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 13196

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Allied Health Professions Personnel Training Act of 1966".

ADDITION OF PART G TO TITLE VII OF THE PUBLIC HEALTH SERVICE ACT

SEC. 2. Title VII of the Public Health Service Act is amended by adding at the end thereof the followning new part:

"PART G—TRAINING IN THE ALLIED HEALTH PROFESSIONS

"Grants for construction of teaching facilities for allied health professions personnel

"Authorization of Appropriations

"SEC. 791. (a)(1) There are authorized to be appropriated for grants to assist in the construction of new facilities for training centers for allied health professions, or replacement or rehabilitation of existing facilities for such centers, $3,000,000 for the fiscal year ending June 30, 1967; $9,000,000 for the fiscal year ending June 30, 1968; and $13,500,000 for the fiscal year ending June 30, 1969.

"(2) Sums appropriated pursuant to paragraph (1) for a fiscal year shall remain available for grants under this section until the close of the next fiscal year.

"Approval of Applications for Construction Grants

"(b)(1) No application for a grant under this section may be approved unless it is submitted to the Surgeon General prior to July 1, 1968. The Surgeon General may from time to time set dates (not earlier than the fiscal year preceding the year for which a grant is sought) by which applications for grants under this section for any fiscal year must be filed.

"(2) A grant under this section may be made only if the application therefor is approved by the Surgeon General upon his determination that—

"(A) the applicant is a public or nonprofit private training center for allied health professions;

"(B) the application contains or is supported by reasonable assurances that (i) for not less than ten years after completion of construction, the facility will be used for the purposes of the training for which it is to be constructed, and will not be used for sectarian instruction or as a place for religious worship, (ii) sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility, (iii) sufficient funds will be available, when construction is completed, for effective use of the facility for the training for which it is being constructed, and (iv) in the case of an application for a grant for construction to expand the training capacity of a training center for allied health professions, for the first full school year after the completion of the construction and for each of the nine years thereafter, the enrollment of full-time students at such center will exceed the highest enrollment of such students at such school for any of the five full school years preceding the year in which the application is made by at least 5 per centum of such highest enrollment, and the requirements of this clause (iv) shall be in addition to the requirements of section 792(b)(2), where applicable;

"(C)(i) in the case of an application for a grant for construction of a new facility, such application is for aid in the construction of a new training center for allied health professions, or construction which will expand the training capacity of an existing center, or (ii) in the case of an application for a grant for replacement or rehabilitation of existing facilities, such application is for aid in construction which will replace or rehabilitate facilities of an exsting training center for allied health professions which are so obsolete as to require the center to curtail substantially either its enrollment or the quality of the training provided;

"(D) the plans and specifications are in accordance with regulations relating to minimum standards of construction and equipment; and

"(E) the application contains or is supported by adequate assurance that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on the construction of the facility will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a5). The Secretary of Labor shall have, with respect to the labor standards specified in this subparagraph (E), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(3) Notwithstanding paragraph (2), in the case of an affiliated hospital (as defined in paragraph (3) of section 724), an application which is approved by the training center for allied health professions with which the hospital is affiliated and which otherwise complies with the requirements of this section, may be filed by any public or other nonprofit agency qualified to file an application under section 605.

"(4) In the case of any application, whether filed by a training center or, in the case of an affiliated hospital, by any other public or other nonprofit agency, for a grant under this section to assist in the construction of a facility which is a hospital or part of a hospital, as defined in section 625, only that portion of the project which the Surgeon General determines to be reasonably attributable to the need of such training center for the project for teaching purposes or in order to expand its training capacities or in order to prevent curtailment of enrollment or quality of training, as the case may be, shall be regarded as the project with respect to which payments may be made under this section.

"(5) In considering applications for grants, the Surgeon General shall take into account—

"(A) the extent to which the project for which the grant is sought will aid in increasing the number of training centers for allied health professions providing training in three or more of the curriculums which are specified in or pursuant to paragraph (1)(A) of section 795 and are related to each other to the extent prescribed in regulations;

"(B) (i) in the case of a project for a new training center for allied health professions or for expansion of the facilities of an existing center, the relative effectiveness of the proposed facilities in expanding the capacity for the training of students in the allied health professions involved and in promoting an equitable geographical distribution of opportunities for such training (giving due consideration to population, relative unavailability of allied health professions personnel of the kinds to be trained by such center, and available resources in various areas of the Nation for training such personnel); or

"(ii) in the case of a project for replacement or rehabilitation of existing facilities of a training center for allied health professions, the relative need for such replacement or rehabilitation to prevent curtailment of the center's enrollment or deterioration of the quality of the training provided by the center, and the relative size of any such curtailment and its effect on the geographical distribution of opportunities for training in the allied health professions involved (giving consideration to the factors mentioned above in subparagraph (i)); and

"(C) in the case of an applicant in a State which has in existence a State or local area agency involved in planning for facilities for the training of allied health professions personnel, or which participates in a regional or other interstate agency involved in planning for such facilities, the relationship of the application to the construction or training program which is being developed by such agency or agencies and, if such agency or agencies have reviewed such application, any comment thereon submitted by them.

"Amount of Construction Grant; Payments

"(c) (1) The amount of any grant for a construction project under this section shall be such amount as the Surgeon General determines to be appropriate; except that (A) in the case of a grant for a project for a new training center for allied health professions, and in the case of a grant for a project for new facilities for an existing center which such facilities are of particular importance in providing a major expansion of the training capacity of such center, as determined in accordance with regulations, such amount may not exceed 66⅔ per centum of the necessary cost of construction, as determined by the Surgeon General, of such project; and (B) in the case of any other grant such amount may not exceed 50 per centum of the necessary cost of construction, as so determined, of the project with respect to which the grant is made.

"(2) Upon approval of any application for a grant under this section, the Surgeon General shall reserve, from any appropriation available therefor, the amount of such grant as determined under paragraph (1); the amount so reserved may be paid in advance or by way of reimbursement, and in such installments consistent with construction progress, as the Surgeon General may determine. The Surgeon General's reservation of any amount under this subsection may be amended by him, either upon approval of an amendment of the application or upon revision of the estimated cost of construction of the facility.

"(3) In determining the amount of any grant under this section, there shall be excluded from the cost of construction an amount equal to the sum of (A) the amount of any other Federal grant which the applicant has obtained, or is assured of obtaining, with respect to the construction which is to be financed in part by the grant under this section, and (B) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

"Recapture of Payments

"(d) If, within ten years after completion of any construction for which funds have been paid under this section—

"(1) the applicant or other owner of the facility shall cease to be a public or nonprofit private training center for allied health professions, or

"(2) the facility shall cease to be used for the training purposes for which it was constructed (unless the Surgeon General determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so), or

"(3) the facility is used for sectarian instruction or as a place for religious worship, the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility.

"Grants to improve the quality of training centers for allied health professions

"Authorization of Appropriations

"SEC. 792. (a) There are authorized to be appropriated $9,000,000 for the fiscal year ending June 30, 1967; $13,000,000 for the fiscal year ending June 30, 1968; and $17,000,000 for the fiscal year ending June 30, 1969; for grants under this section to assist training centers for allied health professions to develop new or improved curriculums for training allied health professions personnel and otherwise improve the quality of their educational programs.

"Basic Improvement Grants

"(b) (1) Subject to the provisions of paragraph (2), the Surgeon General may, for each fiscal year in the period beginning July 1, 1966, and ending June 30, 1969, make to each training center for allied health professions whose application for a basic improvement grant has been approved by him a grant equal to the product obtained by multiplying $5,000 by the number of curriculums specified in or pursuant to paragraph (1) (A) of section 795 in which such center provides training during such year, plus the product obtained by multiplying $500 by the number of full-time students in such center receiving training in such curriculums.

"(2) The Surgeon General shall not make a grant under this subsection to any center unless the application for such grant contains or is supported by reasonable assurances that for the first school year beginning after the fiscal year for which such grant is made and each school year thereafter during which such a grant is made the enrollment of full-time students at such center will exceed the highest enrollment of such students in such center for any of the five school years during the period July 1, 1961, through July 1, 1966, by at least 2½ per centum of such highest enrollment, or by three students whichever is greater. The requirements of this paragraph shall be in addition to the requirements of section 791(b) (2) (B) (iv) of this Act, where applicable. The Surgeon General is authorized to waive (in whole or in part) the provisions of this paragraph if he determines that the required increase in enrollment of full-time students in a center cannot, because of limitations of physical facilities available to the center for training, be accomplished without lowering the quality of training for such students.

"Special Improvement Grants

"(c) (1) From this sum appropriated under subsection (a) for any fiscal year and not required for making grants under subsection (b), the Surgeon General may make an additional grant for such year to any training center for allied health professions which has an approved application therefor and for which an application has been approved under subsection (b), if he determines that the requirements of paragraph (2) are satisfied in the case of such applicant.

"(2) No special improvement grant shall be made under this section unless (A) the Surgeon General determines that such grant will be utilized by the recipient training center to contribute toward provision, maintenance, or improvement of specialized function which the center serves, and (B) such center provides or will, with the aid of grants under this part, within a reasonable time provide training in not less than three of the curriculums which are specified in or pursuant to paragraph (1) (A) of section 795 and are related to each other to the extent prescribed in regulations.

"(3) No grant to any center under this subsection may exceed $100,000 for any fiscal year.

"Application for Grants

"(d) (1) The Surgeon General may from time to time set dates (not earlier than in the fiscal year preceding the year for which a grant is sought) by which applications for basic or special improvement grants under this section for any fiscal year must be filed.

"(2) A grant under this section may be made only if the application therefor is approved by the Surgeon General upon his determination that—

"(A) it contains or is supported by assurances satisfactory to the Surgeon General that the applicant is a public or nonprofit private training center for allied health professions and will expend in carrying out its functions as such a center, during the fiscal year for which such grant is sought, an amount of funds (other than funds for construction as determined by the Surgeon General) from non-Federal sources which are at least as great as the average amount of funds expended by such applicant for such purpose in the three fiscal years immediately preceding the fiscal year for which such grant is sought;

"(B) it contains such additional information as the Surgeon General may require to make the determinations required of him under this section and such assurances as he may find necessary to carry out the purposes of this section; and

"(C) it provides for such fiscal control and accounting procedures and reports, and access to the records of the applicant, as the Surgeon General may require to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section.

"(3) In considering applications for grants under subsection (c), the Surgeon General shall take into consideration the relative financial need of the applicant for such a grant and the relative effectiveness of the applicant's plan in carrying out the purposes of such grants, and in contributing to an equitable geographical distribution of training centers offering high-quality training of allied health professions personnel.

"Traineeships for advanced training of allied health professions personnel

"SEC. 793. (a) There are authorized to be appropriated $1,500,000 for the fiscal year ending June 30, 1967; $2,500,000 for the fiscal year ending June 30, 1968; and $3,500,000 for the fiscal year ending June 30, 1969; to cover the cost of traineeships for the training of allied health professions personnel to teach health services technicians or in any of the allied health professions, to serve in any of such professions in administrative or supervisory capacities, or to serve in allied health professions specialties determined by the Surgeon General to require advanced training.

"(b) Traineeships under this section shall be awarded by the Surgeon General through grants to public or nonprofit private training centers for allied health professions.

"(c) Payments to centers under this section may be made in advance or by way of reimbursement, and at such intervals and on such conditions, as the Surgeon General finds necessary. Such payments may be used only for traineeships and shall be limited to such amounts as the Surgeon General finds necessary to cover the cost of tuition and fees, and a stipend and allowances (including travel and subsistence expenses) for the trainees.

"Development of new methods

"Sec. 794. There are authorized to be appropriated $750,000 for the fiscal year ending June 30, 1967; $2,250,000 for the fiscal year ending June 30, 1968; and $3,000,000 for the fiscal year ending June 30, 1969; for grants to pubic or nonprofit private training centers for allied health professions for projects to develop, demonstrate, or evaluate curriculums for the training of new types of health technologists.

"Definitions

"Sec. 795. For purposes of this part—

"(1) The term 'training center for allied health professions' means a department, division, or other administrative unit (in a junior college, college, or university)—

"(A) which provides, primarily or exclusively, programs of education leading to a baccalaureate or associate degree or to the equivalent of either or to a higher degree in the medical technology, optometric technology, dental hygiene, or any of such other of the allied health professions curriculums as are specified by regulations, or which, if in a junior college provides a program (i) leading to an associate or an equivalent degree, (ii) of education in medical technology, optometric technology, dental hygiene, or any of such other of the allied health technical or professional curriculums as are specified by regulation, and (iii) acceptable for full credit toward a baccalaureate or equivalent degree in the allied health professions or designed to prepare the student to work as a technician in a health occupation specified by regulations of the Surgeon General,

"(B) which provides training for not less than a total of twenty persons in such curriculums,

"(C) which, if in a college or university which does not include a teaching hospital or in a junior college, is affiliated (to the extent and in the manner determined in accordance with regulations) with such a hospital,

"(D) which is (or is in a college or university, which is) accredited by a recognized body or bodies approved for such purpose by the Commissioner of education, or which is in a junior college which is accredited by the regional accrediting agency for the region in which it is located or there is satisfactory assurance afforded by such accrediting agency to the Surgeon General that reasonable progress is being made toward accreditation by such junior college, and

"(E) in the case of an applicant for a grant under section 793, which, if the college or university does not include a school of medicine, school of optometry, or school of dentistry, as defined in paragraph (4) of section 724, or with each of such schools, as may be appropriate in the light of the training for which the grant is to be made, is affiliated (to the extent and in the manner determined in accordance with regulations) with such a school,

except that an applicant for a grant for a construction project under section 791 which does not at the time of application meet the requirement of clause (B) shall be deemed to meet such requirement if the Surgeon General finds there is reasonable assurance that the unit will meet the requirement of clause (B) prior to the beginning of the academic year following the normal graduation date of the first entering class in such unit, or, if later, upon completion of the project for which assistance is requested and other projects (if any) under construction or planned and to be commenced within a reasonable time.

"(2) The term 'full-time student' means a student pursuing a full-time course of study, in one of the curriculums specified in or pursuant to paragraph (1)(A) of this section, leading to a baccalaureate or associate degree or to the equivalent of either, or to a higher degree, in a training center for allied health professions; regulations of the Surgeon General shall include provisions relating to determination of the number of students enrolled at a training center on the basis of estimates, or on the number of students enrolled in a training center in an earlier year, or on such basis as he deems appropriate for making such determination, and shall include methods of making such determinations when a training center was not in existence in an earlier year.

"(3) The term 'nonprofit' as applied to any training center for allied health professions means one which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"(4) The terms 'construction' and 'cost of construction' include (A) the construction of new buildings, and the acquisition, expansion, remodeling, replacement, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land (except in the case of acquisition of an existing building), off-site improvements, living quarters, or patient-care facilities, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered."

PER DIEM FOR ADVISORY COUNCILS

Sec. 3. (a) Section 725(d) of the Public Health Service Act is amended by striking out "$50" and inserting in lieu thereof "$100".

(b) Section 841(c) of such Act is amended by striking out "$75" and inserting in lieu thereof "$100".

LOAN REIMBURSEMENT PAYMENTS FOR HEALTH PERSONNEL

Sec. 4. (a) Section 741(f) of the Public Health Service Act is amended by adding at the end thereof the following new sentence: "In the case of a physician, dentist, or optometrist, the rate shall be 15 per centum (rather than 10 per centum) for each year of such practice in an area in a State which for purposes of this subsection and for that year has been determined by the Secretary, pursuant to regulations and after consultation with the appropriate State health authority, to be a rural area characterized by low family income; and, for the purpose of any cancellation pursuant to this sentence, an amount equal to an additional 50 per centum of the total amount of such loans plus interest may be canceled."

(b) Section 741 of the Public Health Service Act is amended by inserting at the end thereof the following new subsection:

"(j) In order to encourage students who have obtained a loan under this part to refinance such loan through the student loan program carried out under part B of title IV of the Higher Education Act of 1965, and likewise to encourage students to obtain new loans under such part B program in lieu of obtaining such loans under this part, a student who does so with the approval of the educational institution involved shall, with respect to so much of the loan under such part B as—

"(1) is a refinancing of a student loan made by the institution under this part, or

"(2) in the case of a loan under such part B obtained in lieu of aloan from the institution, does not exceed the amount which he was eligible to borrow from the institution, be entitled, in accordance with regulations of the Secretary, to have the following loan reimbursement payments paid to him by the Secretary where such person—

"(1) engages in the practice of medicine, dentistry, optometry, or osteopathy in an area in a State determined by the appropriate State health authority, in accordance with regulations prescribed by the Secretary, to have a shortage of and need for physicians, optometrists, or dentists; and

"(2) the appropriate State health authority certifies to the Secretary, in accordance with regulations prescribed by the Secretary, that such practice helps to meet the shortage of and need for physicians, optometrists, or dentists in the area where the practice occurs, then an amount equal to 10 per centum of the total amount of each such loan shall be paid for each year of such practice, up to a total of an amount equal to 10 per centum of the total amount of each such loan shall be paid for each year of such practice, up to a total of an amount equal to 50 per centum of such loan. In the case of a physician, dentist, or optometrist, the annual amount shall be 15 per centum (rather than 10 per centum) for each year of such practice in an area in a State which for purposes of this paragraph and for that year has been determined by the Secretary, pursuant to regulations and after consultation with the appropriate State health authority, to be a rural area characterized by low family income, and for the purpose of payments pursuant to this sentence, an amount equal to an additional 50 per centum of any such loan may be paid.

No payment shall be made under this subsection for service performed more than fifteen years from the execution of the note or written agreement evidencing it."

(c) Section 823 of the Public Health Service Act is amended by inserting at the end thereof the following new subsection:

"(f) In order to encourage students who have obtained a loan under this part to refinance such loan through the student loan program carried out under part B of title IV of the Higher Education Act of 1965, and likewise to encourage students to obtain new loans under such part B program in lieu of obtaining such loans under this part, a student who does so with the approval of the educational institution involved shall, with respect to so much of the loan under such part B as—

"(1) is a refinancing of a student loan made by the institution under this part, or

"(2) in the case of a loan under such part B obtained in lieu of a loan from the institution, does not exceed the amount which he was eligible to borrow from the institution,

be entitled, in accordance with regulations of the Secretary, to have paid to such student by the Secretary, as loan reimbursements, an amount equal to 10 per centum of the total principal amount of any such loan for each complete year of service as a full-time professional nurse (including teaching in any of the fields of nurse training and service as an administrator, supervisor, or consultant in any of the fields of nursing) in any public or nonprofit private institution or agency, up to a total of an amount equal to 50 per centum of such loan. No payment shall be made under this subsection for service performed more than fifteen years from the execution of the note or written agreement evidencing it."

(d)(1) The second sentence of section 435(a) of the Higher Education Act of 1965 (relating to the definition of "eligible institution") is amended to read as follows: "Such term also includes any public or other nonprofit school of health or school of nursing, and any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provision of clauses (1), (2), (4), and (5)."

(2) Such section 435 is further amended by striking out all that follows subsection (a) and inserting in lieu thereof the following new subsections:

"(b) The term 'school of health' means a school which is accredited as provided in section 721(b)(1)(B) of the Public Health Service Act and which provides training leading to a degree of doctor of medicine, doctor of dentistry, or an equivalent degree, doctor of osteopathy, bachelor of science in pharmacy, or doctor of pharmacy, doctor of podiatry, or doctor of surgical chiropody, or doctor of optometry, or an equivalent degree.

"(c) The term 'school of nursing' means a collegiate, associate degree, or diploma school of nursing.

"(d) The term 'collegiate school of nursing' means a department, division, or other administrative unit in a college or university which provides primarily or exclusively an accredited program of education in professional nursing and allied subjects leading to the degree of bachelor of arts, bachelor of science, bachelor of nursing, or to an equivalent degree, or to a graduate degree in nursing.

"(e) The term 'associate degree school of nursing' means a department, division, or other administrative unit in a junior college, community college, college, or university which provides primarily or exclusively an accredited two-year program of education in professional nursing and allied subjects leading to an associate degree in nursing or to an equivalent degree.

"(f) The term 'diploma school of nursing' means a school affiliated with a hospital or university, or an independent school, which provides primarily or exclusively an accredited program of education in professional nursing and allied subjects leading to a diploma or to equivalent indicia that such program has been satisfactorily completed.

"(g) The term 'accredited' when applied to any program of nurse education means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education, except that a program which is not eligible for accreditation by such a recognized body or bodies shall be deemed accredited for purposes of this part if the Commissioner finds, after consultation with the appropriate accreditation body or bodies, that there is reasonable assurance that the program will meet the accreditation standards of such body or bodies prior to the beginning of the academic year following the normal graduation date of students who are in their first year of instruction at such school during the fiscal year in which such finding by the Commissioner is made.

"(h) The term 'eligible lender' means an eligible institution, an agency or instrumentality of a State, or a financial or credit institution (including an insurance company) which is subject to examination and supervision by an agency of the United States or of any State.

"(i) The term 'line of credit' means an arrangement or agreement between the lender and the borrower whereby a loan is paid out by the lender to the borrower in annual installments, or whereby the lender agrees to make, in addition to the initial loan, additional loans in subsequent years."

ENCOURAGING PRIVATE CAPITAL FOR LOANS TO STUDENTS IN SCHOOLS OF MEDICINE, OSTEOPATHY, DENTISTRY, PHARMACY, PODIATRY, AND OPTOMETRY

SEC. 5. (a) Part C of title VII of the Public Health Service Act is amended by inserting at the end thereof the following new sections:

"ENCOURAGING PRIVATE CAPITAL FOR STUDENT LOANS

"SEC. 746. (a) For the purpose of substituting for direct Federal support to the maximum extent practicable private and other non-Federal funds for student loans, the Secretary is authorized to provide the following forms of assistance, upon such terms and conditions as he may deem appropriate, for the benefit of students attending schools of medicine, osteopathy, dentistry, pharmacy, podiatry, and optometry:

"(1) If a school borrows non-Federal funds (or otherwise receives or makes available repayable non-Federal funds) for deposit in a student loan fund established under this part, the Secretary may (A) guarantee timely repayment of all or part of such funds (plus interest thereon), (B) agree to reimburse the school for up to 90 per centum of the loss to it from defaults on student loans made from such funds, and (C) agree to pay to the school the amount of the interest differential (as defined in subsection (c)) with respect to such funds.

"(2) If such a school arranges for a student assistance organization (as defined in subsection (c)) to make loans to students attending the school, the Secretary may enter into an agreement with the organization upon the terms set forth in section 740 and may (A) guarantee timely repayment of funds (plus interest thereon) borrowed by the organization for deposit in its student loan fund established under this part, (B) agree to reimburse the organization for up to 90 per centum of the loss to it from defaults on student loans made from such borrowed funds, and (C) agree to pay to the organization the amount of the interest differential with respect to such borrowed funds. A student assistance organization with which the Secretary makes an agreement pursuant to this paragraph shall be deemed to be a school described in section 740(a) for purpose of applying the other provisions of this part.

"(3) If such a school enters into an arrangement with one or more lenders pursuant to which the lender makes loans (upon terms and conditions set forth in section 741) in such amounts and to such students as the school may determine on the basis of the criteria set forth in subsections (a) and (b) of section 741, the Secretary may (A) guarantee to the lender timely repayment of the loans (including amounts thereof which are canceled), and (B) agree to pay to the lender such amount as the Secretary determines will give the lender, considering the interest on the loan, a reasonable rate of return on such loan. The Secretary shall condition any such assistance upon agreement by the school to pay the Secretary promptly an amount equal to 10 per centum of the amount paid by him to the lender on account of defaults on such student loans.

"(b) The assistance provided by the Secretary pursuant to subsection (a) shall be subject to the following limitations:

"(1) If the interest on an obligation is exempt from income taxation by reason of section 103(a) of the Internal Revenue Code of 1954, the Secretary shall not guarantee timely payment of that obligation except during such time or times as it is held beneficially by a holder which is exempt from income tax because it is a State or an instrumentality of a State or because of section 501(c) of such Code.

"(2) No payment shall be made under this section with respect to a loan if the rate of interest on that loan exceeds such per centum per annum on the principal obligation outstanding as the Secretary (after consultation with the Secretary of the Treasury) determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the rate of interest the borrower pays or would have to pay with respect to other loans of a similar duration.

"(c) For purposes of this section—

"(1) the term 'interest differential' means the excess of (A) the amount of interest paid by a school or organization with respect to sums deposited by it as capital contributions to a student loan fund established under this part, over (B) the amount of interest received by it on student loans made from such funds,

"(2) the term 'student assistance organization' means a nonprofit organization authorized to make loans to students in one or more schools of medicine, osteopathy, dentistry, pharmacy, podiatry, or optometry.

"REVOLVING FUND; APPROPRIATIONS AUTHORIZED

"SEC. 747. (a) There is hereby created in the Treasury a separate fund (hereinafter in this section called 'the fund') which shall be available to the Secretary without fiscal year limitation as a revolving fund for making deposits into the student loan funds of schools which have agreements with the Secretary under this part but which for legal or other reasons are unable (as determined by the Secretary) to take adequate advantage of assistance under section 746. Deposits made from the fund shall be made upon such terms and conditions as the Secretary may deem appropriate, and they may be made without regard to the allocation provisions of section 742(b). There shall be deposited into the fund all amounts appropriated pursuant to this section, all amounts appropriated pursuant to section 742(a) and not obligated prior to the date of enactment of this section, all amounts received by the Secretary as repayment of sums deposited by him in student loan funds, and any other moneys, property, or assets derived by him from his operations in connection with the fund, including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund. There shall be paid from the fund all payments to schools required by section 741(1) with respect to student loans financed from deposits made from the fund and all expenses and payments of the Secretary in connection with the sale (through the Federal National Mortgage Association or otherwise) of participations in obligations acquired under this part. If at any time the Secretary determines that moneys in the fund exceed the requirements of the fund, such excess shall be transferred to the general fund of the Treasury.

"(b)(1) There are authorized to be appropriated $22,000,000 for the fiscal year ending June 30, 1967, and $20,000,000 for the fiscal year ending June 30, 1968, for making payments into the fund established under subsection (a).

"(2) In order to receive deposits from the fund (and notwithstanding section 741(g)), a school must agree to require each student who receives a loan financed from such capital contributions to authorize in writing assignment to the Secretary of the note or other evidence of that loan, and the note or other evidence of each prior loan made by the school to the student under this part, and the school must agree to assign to the Secretary so much of these notes or other evidence of loans as he may determine. The school shall continue to collect, as agent of the Secretary and for so long as he may determine, payments of principal and interest with respect to any such notes or other evidence of loans which may be assigned. Ten per centum of such payments with respect to notes or other evidence of loans which have been assigned shall be retained by the school and 90 per centum of such payments shall be paid to the Secretary.

"(c)(1) For any fiscal year, the aggregate of (A) the amount of loans which may be guaranteed under clause (A) of paragraph

(1), (2), or (3) of subsection (a) of section 746, (B) the amount of any other loans with respect to which the Secretary agrees to pay the interest differential authorized by section 746(a), (C) the amount of deposits to student loan funds made from the fund established under subsection (a), and (D) the amount of loans (except so much of such amount as is for refinancing loans) with respect to which the Secretary may be required, by virtue of section 741(j), to make loan reimbursement payments, may not exceed such maximum amount as may be authorized by an appropriation Act, except that this amount in turn may not exceed the amount authorized to be appropriated for that year by section 742(a). Whenever a specified maximum amount is so authorized by an appropriation Act, there shall be established on the books of the Treasury as indefinite appropriations such sums as may be necessary from time to time to enable the Secretary to make payments required by a contract of guaranty or by any other undertaking made by him pursuant to section 746 with respect to such maximum amount.

"(2) For any fiscal year, the share of the maximum amount determined under paragraph (1) which shall be available for students attending any school shall be determined by the Secretary by allocating such maximum amount among schools and organizations with which he has agreements under this part in a manner which he deems to be consistent, considering the availability of student assistance under title IV–B of the Higher Education Act of 1965, with the provisions of section 742(b)."

(b) Section 743(b) of such Act is amended to read as follows:

"(b) After September 30, 1966, each school with which the Secretary has made an agreement under this part shall pay to the Secretary, not less often than quarterly, 90 per centum (or such lesser proportion as the Secretary may deem to be equitable in light of the relative contributions to the loan fund) of the amounts received by the school after that date in payment of principal or interest on student loans made from the student loan fund established pursuant to such agreement, and the remainder of such amounts shall be retained by the institutions."

ENCOURAGING PRIVATE CAPITAL FOR LOANS TO STUDENTS IN SCHOOLS OF NURSING

SEC. 6. (a) Part B of title VIII of the Public Health Service Act is amended by inserting at the end thereof the following new sections:

"ENCOURAGING PRIVATE CAPITAL FOR STUDENT LOANS

"SEC. 829. (a) For the purpose of substituting for direct Federal support to the maximum extent practicable private and other non-Federal funds for student loans, the Secretary is authorized to provide the following forms of assistance, upon such terms and conditions as he may deem appropriate, for the benefit of students attending schools of nursing:

"(1) If such a school borrows non-Federal funds (or otherwise receives or makes available repayable non-Federal funds) for deposit in a student loan fund established under this part, the Secretary may (A) guarantee timely repayment of all or part of such funds (plus interest thereon), (B) agree to reimburse the school for up to 90 per centum of the loss to it from defaults on student loans made from such funds, and (C) agree to pay to the school the amount of the interest differential (as defined in subsection (c)) with respect to such funds.

"(2) If such a school arranges for a student assistance organization (as defined in subsection (c)) to make loans to students attending the school, the Secretary may enter into an agreement with the organization upon the terms set forth in section 822(b) and may (A) guarantee timely repayment of funds (plus interest thereon) borrowed by the organization for deposit in a student loan fund established under this part, (B) agree to reimburse the organization for up to 90 per centum of the loss to it from defaults on student loans made from such borrowed funds, and (C) agree to pay to the organization the amount of the interest differential with respect to such borrowed funds. A student assistance organization with which the Secretary makes an agreement pursuant to this paragraph shall be deemed to be a school of nursing for purpose of applying the other provisions of this part.

"(3) If such a school enters into an arrangement with one or more lenders pursuant to which the lender makes loans (upon terms and conditions set forth in section 823 (b)) in such amounts and to such students as the school may determine on the basis of the criteria set forth in section 823, the Secretary may (A) guarantee to the lender timely repayment of the loans (including amounts thereof which are canceled), and (B) agree to pay to the lender such amount as the Secretary determines will give the lender, considering the interest on the loan, a reasonable rate of return on such loan. The Secretary shall condition any such assistance upon agreement by the school to pay the Secretary promptly an amount equal to 10 per centum of the amount paid by him to the lender on account of defaults on such student loans.

"(b) The assistance provided by the Secretary pursuant to subsection (a) shall be subject to the following limitations:

"(1) If the interest on an obligation is exempt from income taxation by reason of section 103(a) of the Internal Revenue Code of 1954, the Secretary shall not guarantee timely payment of that obligation except during such time or times as it is held beneficially by a holder which is exempt from income tax because it is a State or an instrumentality of a State or because of section 501(c) of such Code.

"(2) No payment shall be made under this section with respect to a loan if the rate of interest on that loan exceeds such per centum per annum on the principal obligation outstanding as the Secretary (after consultation with the Secretary of the Treasury) determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the rate of interest the borrower pays or would have to pay with respect to other loans of a similar duration.

"(c) For purposes of this section—

"(1) the term 'interest differential' means the excess of (A) the amount of interest paid by a school or organization with respect to sums deposited by it as capital contributions to a student loan fund established under this part, over (B) the amount of interest received by it on student loans made from such funds.

"(2) the term 'student assistance organization' means a nonprofit organization authorized to make loans to students in one or more schools of nursing.

"REVOLVING FUND; APPROPRIATIONS AUTHORIZED

"SEC. 830. (a) There is hereby created in the Treasury a separate fund (hereinafter in this section called 'the fund') which shall be available to the Secretary without fiscal year limitation as a revolving fund for making Federal capital contributions to schools which have agreements with the Secretary under this part but which for legal or other reasons are unable (as determined by the Secretary) to take adequate advantage of assistance under section 829. Federal capital contributions made from the fund shall be made upon such terms and conditions as the Secretary may deem appropriate, and they may be made without regard to the allocation provisions of section 825. There shall be deposited into the fund all amounts appropriated pursuant to this section, all amounts appropriated pursuant to section 824 and not obligated prior to the date of enactment of this section, all amounts received by the Secretary as repayments of sums deposited by him in student loan funds, and any other moneys, property, or assets derived by him from his operations in connection with the fund, including any moneys derived directly or indirectly from the sale of assets, or beneficial interest or participation in assets, of the fund. There shall be paid from the fund all payments to schools required by section 823(c) with respect to student loans financed from capital contributions from the fund, and all expenses and payments of the Secretary in connection with the sale (through the Federal National Mortgage Association or otherwise) of participations in obligations acquired under this part. If at any time the Secretary determines that moneys in the fund exceed the requirements of the fund, such excess shall be trasferred to the general fund of the Treasury.

"(b)(1) There are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1967, and $20,000,000 for the fiscal year ending June 30, 1968, for making payments into the fund established under subsection (a).

"(2) In order to receive capital contributions from the fund (and notwithstanding section 823(b)(7)), a school must agree to require each student who receives a loan financed from such capital contributions to authorize, in writing, assignment to the Secretary of the note or other evidence of that loan, and the note or other evidence of each prior loan made by the school to the student under this part, and the school must agree to assign to the Secretary so much of these notes or other evidence of loans as he may determine. The school shall continue to collect, as agent of the Secretary and for so long as he may determine, payments of principal and interest with respect to any such notes or other evidence of loans which may be assigned. Ten per centum of such payments with respect to notes or other evidence of loans which have been assigned shall be retained by the school and 90 per centum of such payments shall be paid to the Secretary.

"(c)(1) For any fiscal year, the aggregate of (A) the amount of loans which may be guaranteed under clause (A) of paragraph (1), (2), or (3) of subsection (a) of section 829, (B) the amount of any other loans with respect to which the Secretary agrees to pay the interest differential authorized by section 829(a), (C) the amount of capital contributions to student loan funds made from the fund established under subsection (a), and (D) the amount of loans (except so much of such amount as is for refinancing loans) with respect to which the Secretary may be required, by virtue of section 823(f), to make loan reimbursement payments, may not exceed such maximum amount as may be authorized by an appropriation Act, except that this amount in turn may not exceed the amount authorized to be appropriated for that year by section 824. Whenever a specified maximum amount is so authorized by an appropriation Act, there shall be established on the books of the Treasury as indefinite appropriations such sums as may be necessary from time to time to enable the Secretary to make payments required by a contract of guaranty or by any other undertaking made by him pursuant to section 829 with respect to such maximum amount.

"(2) For any fiscal year, the share of the maximum amount determined under paragraph (1) which shall be available for students attending any school shall be determined by the Secretary by allocating such maximum amount among schools and organizations with which he has agreements under this part in a manner which he deems to be consistent, considering the availability of student assistance under title IV–B of the Higher Education Act of 1965, with the provisions of section 825."

(b) Section 826(b) of such Act is amended to read as follows:

"(b) After September 30, 1966, each school with which the Secretary has made an agreement under this part shall pay to the Secretary, not less often than quarterly, 90 per centum (or such lesser proportion as the Secretary may deem to be equitable in light of the relative contributions to the loan fund) of the amounts received by the school after that date in payment of principal or interest on student loans made from the student loan fund established pursuant to such agreement, and the remainder of such amounts shall be retained by the institutions."

(c) Paragraph (1) of section 806(c) of the Public Health Service Act is amended by inserting "(A)" after "year" and by inserting the following before the semicolon at the end of such paragraph: ", or (B) a loan of $100 or more (i) pursuant to section 823(f) (except so much as refinances a loan) or (ii) pursuant to section 829(a)(3)".

AUTHORIZING LOAN INSURANCE FOR LOANS TO REFINANCE LOANS MADE FROM FEDERALLY ASSISTED STUDENT LOAN FUNDS

SEC. 7. A loan by an eligible lender (as that term is defined in section 435 of the Higher Education Act of 1965) shall also be insurable by the Commissioner of Education, or by a State or nonprofit private institution or organization, under the provisions of title IV–B of that Act if it is made for the purpose of enabling the borrower to repay one or more student loans obtained by him from a loan fund established under title VII or VIII of the Public Health Service Act. The Commissioner of Education shall promulgate such regulations as he may deem appropriate to assure that loans which are insurable by virtue of this section shall be used for the purpose for which they are made. A loan shall be insurable by virtue of this section only if it is evidenced by a note or other written agreement which meets the requirements of section 427(a)(2) of the Higher Education Act of 1965, except that if the repayment period has begun for any loan which is to be repaid, the new loan may not be insured unless its repayment period begins when the loan is paid to the borrower. The amount of any loan which is made insurable by virtue of this section shall not be included in determining whether a student has exceeded the annual or aggregate limits set forth in section 425(a)(1) or section 428(b)(1)(A) of such Act.

REORGANIZATION PLAN NUMBERED 3 OF 1966

SEC. 8. The amendments made by this Act shall be subject to the provisions of Reorganization Plan Numbered 3 of 1966.

Mr. STAGGERS (during the reading of the committee amendment.) Mr. Chairman, I ask unanimous consent that the amendment be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

AMENDMENTS OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Chairman, I have several amendments at the desk which I ask unanimous consent to be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Chairman, I offer the amendments.

The Clerk read as follows:

Amendments offered by Mr. STAGGERS: On page 65, line 11, strike out "(a)".

On page 69, strike out line 7 and all that follows down through "with the fund" in line 13 on page 69, and insert in lieu thereof the following:

amounts appropriated pursuant to this section and any other moneys, property, or assets derived by the Secretary from his operations in connection with the fund.

On page 72, strike out lines 3 through 14.

On page 72, line 17, strike out "(a)".

On page 76, beginning in line 14, strike out the comma and all that follows down through "with the fund" in line 20 on page 76, and insert in lieu thereof the following:

and any other moneys, property, or assets derived by the Secretary from his operations in connection with the fund

On page 79, strike out lines 12 through 23.

On page 79, line 24, strike out "(c)" and insert in lieu thereof "(b)".

Mr. STAGGERS. Mr. Chairman, these are clarifying amendments. They have been cleared with the minority and I ask that they be adopted.

The CHAIRMAN. The question is on agreeing to the amendments.

The amendments were agreed to.

AMENDMENT OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Chairman, I have one more amendment. If my colleague, the gentleman from California [Mr. Moss] were here, he would offer the amendment.

Therefore, I offer the amendment in his behalf.

The Clerk read as follows:

Amendment offered by Mr. STAGGERS: On page 58, strike out the quotation marks in line 12, and after line 12, insert the following:

"RECORDS AND AUDIT

"SEC. 796. (a) Each recipient of a grant under this part shall keep such records as the Surgeon General may prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such records as will facilitate an effective audit.

"(b) The Secretary of Health, Education, and Welfare and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of any grant under this part which are pertinent to any such grant."

Mr. STAGGERS. Mr. Chairman, I would like to explain the amendment. This is a provision that we intend to put in all of our bills, and have so intended in recent years. It is recommended by the Comptroller General so that he will have access to records, and can look at them, and that records will be kept.

Mr. SPRINGER. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from West Virginia.

The amendment was agreed to.

The CHAIRMAN. The question is on the committee substitute as amended.

The committee substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 13196) to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes, pursuant to House Resolution 892, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point or order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 364, nays 0, not voting 68, as follows:

[Roll No. 152]

YEAS—364

Abbitt
Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, George W.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Bray
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Cameron
Carter
Casey
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Collier
Conable
Conte
Conyers
Cooley
Corman
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.

Erlenborn
Evans, Colo.
Everett
Fallon
Farnsley
Farnum
Fascell
Feighan
Findley
Fino
Fisher
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Gross
Grover
Gubser
Gurney
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harvey, Mich.
Hathaway
Hawkins
Hays
Hébert
Hechler
Helstoski
Henderson
Herlong
Hicks
Holland
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Karth
Kastenmeier
Keith
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McMillan
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Marsh
Martin, Ala.
Mathias
Matsunaga
Matthews
May
Meeds
Michel
Miller
Mills
Minish
Mink
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morrison
Morse
Morton
Mosher
Moss
Murphy, Ill.
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price
Purcell
Quie
Quillen
Race
Randall
Redlin
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, Pa.
Rostenkowski
Roudebush
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Saylor
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Senner
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Tuck
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Waldie
Walker, N. Mex.
Watson
Whalley
White, Idaho
White, Tex.
Whitener
Widnall
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—0

NOT VOTING—68

Abernethy
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Bandstra
Brock
Brown, Clarence J., Jr.
Burton, Utah
Carey
Clawson, Del
Colmer
Corbett
Craley
Dawson
Denton
Dow
Ellsworth
Evins, Tenn.
Farbstein
Flood
Flynt
Fogarty
Gilbert
Griffiths
Hagan, Ga.
Hanna
Harsha
Harvey, Ind.
Holifield
Jones, Mo.
Jones, N.C.
Kee
Kelly
Kupferman
Leggett
Long, La.
Mailliard
Martin, Mass.
Martin, Nebr.
Minshall
Morris
Multer
Murphy, N.Y.
Murray
Nix
Powell
Pucinski
Resnick
Rogers, Tex.
Rooney, N.Y.
Rosenthal
Roush
Satterfield
Scheuer
Scott
Shipley
Sickles
Sweeney
Toll
Trimble
Utt
Walker, Miss.
Watkins
Watts
Weltner
Whitten
Williams
Willis

So the bill was passed.

The Clerk announced the following pairs:

Mr. Morris with Mr. Anderson of Illinois.

Mr. Sweeney with Mr. Martin of Massachusetts.

Mr. Jones of North Carolina with Mr. Glenn Andrews.

Mr. Shipley with Mr. Corbett.

Mr. Multer with Mr. Mailliard.

Mr. Denton with Mr. Andrews of North Dakota.

Mr. Satterfield with Mr. Walker of Mississippi.

Mr. Long of Louisiana with Mr. Brock.

Mr. Abernethy with Mr. Minshall.

Mr. Evins of Tennessee with Mr. Ellsworth.

Mr. Hagan of Georgia with Mr. Clarence J. Brown, Jr.

Mr. Roush with Mr. Utt.

Mr. Weltner with Mr. Martin of Nebraska.

Mr. Flynt with Mr. Burton of Utah.

Mr. Colmer with Mr. Harvey of Indiana.

Mrs. Kelly with Mr. Kupferman.

Mr. Rooney of New York with Mr. Del Clawson.

Mr. Murphy of New York with Mr. Watkins.

Mr. Scott with Mr. Harsha.

Mr. Nix with Mr. Toll.

Mr. Holifield with Mr. Scheuer.

Mr. Dawson with Mr. Resnick.

Mr. Pucinski with Mr. Powell.

Mr. Carey with Mr. Kee.

Mr. Sickles with Mr. Craley.

Mr. Bandstra with Mr. Rosenthal.

Mr. Farbstein with Mr. Hanna.

Mr. Dow with Mrs. Griffiths.

Mr. Willis with Mr. Trimble.

Mr. Williams with Mr. Rogers of Texas.

Mr. Whitten with Mr. Watts.

Mr. Fogarty with Mr. Gilbert.

Mr. Leggett with Mr. Murray.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight Saturday, June 25, 1966, to file certain sundry reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON AGRICULTURE

Mr. POAGE. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be given until midnight Saturday, June 25, to file a report on the bill S. 2934.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

DOGS AND CATS USED IN RESEARCH

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill—H.R. 13881—to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

The Chair hears none, and appoints the following conferees: Messrs. COOLEY, POAGE, PURCELL, RESNICK, QUIE, Mrs. MAY and Mr. DOLE.

TWO-YEAR EXTENSION OF FEDERAL RESERVE DIRECT PURCHASE AUTHORITY

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3368) to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 3368, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. PATMAN], will be recognized for 30 minutes, and the gentleman from New York [Mr. FINO] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, S. 3368 is a straightforward and uncomplicated bill. It is noncontroversial. This legislation received the unanimous approval of your Banking and Currency Committee as it has in previous years. This is good legislation. To my knoweldge it has received almost unanimous, if not unanimous, support from this body in previous years.

TWO-YEAR EXTENSION OF FEDERAL RESERVE DIRECT PURCHASE AUTHORITY

S. 3368, which recently passed the Senate unanimously would amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 additional years the authority of the Federal Reserve banks, through the Federal Open Market Committee, to purchase U.S. obligations directly from the Treasury in an amount not to exceed $5 billion at any one time. The existing authority which provides for this identical procedure expires on June 30, 1966. Initially, this direct purchase authority was provided for in 1942 and has been extended periodically since that time. In other words, Mr. Chairman, this bill, S. 3368, would do nothing more than change the date in section 14(b) of the Federal Reserve Act, as amended, from July 1, 1966, to read July 1, 1968.

This legislation is supported by the administration, including the Board of Governors of the Federal Reserve System. No public or private body has voiced any opposition to this legislation. The importance of this legislation which, as I have indicated, would allow the Treasury to borrow up to $5 billion directly from the Federal Reserve System lies, as pointed out by the Secretary of the Treasury in support of this legislation, not in the amount or frequency of its use but rather in its availability in time of need. The existence of this authority allows, for example, the Treasury to operate with a smaller cash balance than would otherwise be prudently justified.

In addition, this authority would allow the Treasury to use the Federal Reserve as a direct source of purchase for up to $5 billion outstanding at any one time in case of emergency.

The Federal Reserve Board concurs in these views as indicated in their letter supporting S. 3368 which has been reproduced in the Committee Report No. 1640, as has the letter to the Speaker of the House from the Secretary of the Treasury. Further, the letter from Chairman Martin, as the facts show, indicate that this authority has been used most judicially since it was first enacted. This authority was last used over 8 years ago at which time the Treasury borrowed a total of $350 million from the Federal Reserve.

I strongly recommend renewal of this authority at this time.

A CHALLENGE TO THE FEDERAL RESERVE

I believe it is in order for me to state that the Federal Reserve System has the greatest challenge it has ever had to act in the public interest. We are in a war situation now. We hope it does not expand. But, if it were to expand, interest rates which now are a major item in our budget would, of course, become a problem of increasing proportions.

INTEREST RATES HELD LOW IN THE PUBLIC INTEREST FROM 1939-51

In World War II we had a Federal Reserve Board that was responsive to and working in the public interest. From 1939 to 1951, over a 12-year period, we were for part of that time in a devastating depression. People's homes and farms were being sold by the sheriffs of thousands of our counties for the purpose of liquidating the debts to creditors. People were in breadlines and at the soup kitchens. We actually had people starving during part of that time. The most terrible situation that had ever confronted our country occurred during this 12-year period.

Then during another part of the 12 years we had an inflationary situation. That was during World War II. People were working and making good wages. They were unable to buy automobiles and durable goods, so that money continued to pile up in their bank accounts and in their pockets. This created the greatest potential threat of inflation we ever had. That occurred during part of this 12-year period.

But a Federal Reserve Board, acting in the public interest, under President Franklin D. Roosevelt—the late President—demanded that they operate in the public interest—by keeping interest rates low.

THE FEDERAL RESERVE BOARD SETS INTEREST RATES

The Federal Reserve Board has the power and the privilege of fixing interest rates at any level they desire. The Federal Reserve could say, "We are going to have interest rates at 1.99 percent," or they could say "at 5.01 percent." The Federal Reserve Board can fix rates at any point it wants to and it can keep the rate right there.

If there is any doubt about that statement, let me present some undisputed proof. With war in Europe—the year 1941 was the roughest we had in this country preceding our own entry in the war on December 7, 1941, at Pearl Harbor. During that time of those 12 years, and following—our Government never paid more than three-eighths of 1 percent on short-term obligations. Much of the time the Government only paid one-eighth of 1 percent. Why should it have paid more? It is just paying interest on interest-bearing currency, on short-term obligations.

But now, compared to then, we have just recently paid almost 5 percent on short-term obligations, because the market was rigged and forced up.

This is a great challenge to the Federal Reserve Board, since our interest rate burden is such a terrific one. These high rates can be changed by the Federal Reserve Board. They can be changed overnight.

Today our national debt is about $330 billion. If the rates that were fixed by Mr. Roosevelt and by Mr. Truman had been retained since that time, our national debt would be more than $40 billion less and our interest costs on the national debt, instead of being $13 billion a year—the second largest item in the budget—would be only $6.5 billion, or only one-half as much.

THE 4¼-PERCENT CEILING ON LONG-TERM BONDS

We have had an interest rate ceiling of 4¼ percent on long-term Treasury bonds in this country since 1918, during the administration of Woodrow Wilson. The laws say interest rates on long-term Government obligations shall not exceed 4¼ percent.

An effort was made during a preceding administration, upon two occasions, to remove that ceiling, so that the rate could go up to 5, 6, 7, or maybe even 10 percent, but the Democrats succeeded in stopping it, so that the 4¼-percent ceiling is still there—but the Federal Reserve has been getting around it, because the Federal Reserve has permitted, and in some cases forced, interest rates on short-term issues to go up to much beyond this ceiling.

From 1939 to 1951 were the 12 years which were the roughest years in the history of our Nation, from the standpoint of devastating inflation and from the standpoint of a world war. It was a terrible war. During those 12 years we maintained reasonable interest rates. The Federal Reserve Board held rates not exceeding 2½ percent. Anyone who had a Government bond, who wanted to get his money, could get his money, 100 cents on the dollar, plus accrued interest.

That is a good record. Nobody can object to that. Now what are we doing? Interest rates which cost us $1,000 during the war for a certain sum of money for a specified length of time—short-term Government rates—now cost us from $21,000 to $62,500.

Is that not shocking, my friends? Of course it is shocking, when interest rates go up from 2,000 to 6,000 percent. This is a runaway inflationary condition. There can be no question of this.

Nobody can deny the statements I am making. If anybody denies any statement I make, let him ask me to yield and I will yield right now, at any time. I hear no such request. So no one can deny that the Federal Reserve Board during 12 years kept the interest rates low, short term, and now they are 2,000 to 6,000 percent higher today.

Suppose an automobile which cost a person $1,000 in 1941—now cost him $62,500. Using the same percentage increase as in the case of short-term Treasury rates, this is what that car would cost today if car prices had risen as far and as fast as money prices.

In addition to this, long-term rates on Government securities have doubled. They have gone up more than 100 percent.

If it were necessary or if this were a free market, that would be all right, but let us remember that no person in authority—the Federal Reserve Board members or anyone else—will tell us that there is a free market in Government bonds.

It just cannot be. It is a fixed market. It cannot be anything else.

I repeat, the Federal Reserve has a great challenge now. Will the Federal Reserve roll back short-term interest rates to World War II levels and save the Government and the people a lot of money or will they keep on raising them?

THE FEDERAL RESERVE AND THE CD SCANDAL

Now, December 6, 1965, the Federal Reserve Board met and increased interest rates right in the midst of the Vietnam war just as though—I will not say they did it for that purpose, but some people claim they said, "Well, we will get ours while the getting is good. We will raise the rates which the banks can offer from 4 percent to 5½ percent," which is a 37½ percent increase. This has forced rates up all across the board. The Federal Reserve did not have to do this except in their shenanigans to move up the short-term Treasury rate they had to get these corporate purchasers of Government short-term securities every Monday out of the auction market. So what did they do? They induced them into a few New York banks by selling them certificates of deposit—interest-bearing certificates of deposit—which would draw 4 percent, which was much more than they could get at these Monday morning auctions of short-term Government securities.

When they all quit the short-term market and ran to New York and took certificates of deposit, then, of course, the short-terms went up. That is what the Federal Reserve wanted. When these CD's were coming due and the short-term Treasury bill rate was over 4 percent the banks said they had to have a lot more than 4 percent to renew them, so they called on the Board and said, "We are hurting. You have to raise our one permissible CD rate and raise them high. We took these certificates of deposit and granted them at 4 percent, and we are going to pay a lot more or they will call on us for the cash and we will be in a distressful condition. We have to have higher interest rates right quick."

The Federal Reserve Board met, and the President let them know they would make a terrible mistake by raising those rates. Notwithstanding that they defied the President of the United States. These few banks—only about 30—were hurting. Raising the CD rate to a maximum of 5½ percent by the Federal Reserve was not done for the war in Vietnam. It was not done for the general welfare of the people. It was done for half a dozen New York banks and a few more in Chicago and a few other places. They raised the rate from 4 percent to 5½ percent, which is a 37½-percent increase.

The first time a President was defied by the Federal Reserve Board was in 1951 just before March 4 when the Board announced that they were not going to support the Government bond market any more. Mr. Truman called them into his office and shook his fist in their faces and said, "Now listen. You fellows would be unpatriotic to do this. You have to wait until this debt is reduced before you permit interest rates to be increased." He told them they had better not do it or they would have a war on their hands with Harry Truman. They sneaked out of that meeting and they did not do it. Of course they did not do it.

All right. Now, then, they have a chance to correct all this by getting back in the public interest and keeping interest rates down. I wonder if they will.

BANKING AND CURRENCY COMMITTEE ACTION ON CD'S

Our committee met this morning on these certificates of deposit which have caused all of this trouble—this rate war between banks and thrift institutions.

As you know, the Banking and Currency Committee has been studying means of stopping the interest rate war created by the Federal Reserve Board's disastrous action of last December 6. I know many of my colleagues are deeply concerned about this situation.

Most of the crisis is the direct result of certificates of deposit being issued by the large banks at interest rates of 5½ percent. The Federal Reserve allowed the banks to jump to this 5½-percent figure in December when it raised interest rates across the board.

This morning, the Banking and Currency Committee, recognizing the serious situation created by these certificates of deposit, adopted a resolution which expressed the sense of the committee that the Federal Reserve Board should act within 30 days to stop this interest rate war.

The Federal Reserve must act to halt this war before it completely wrecks the thrift industry and the housing industry across the country.

If the Federal Reserve continues to ignore the public interest in this area, then the Congress must act to halt this destructive and leap-frogging interest rate battle. We have given the Federal Reserve 30 days in which to meet its responsibility. I hope the Federal Reserve Board will take this resolution seriously and move with speed to correct its December 6 action.

The resolution passed is as follows:

> Whereas, the Federal Reserve Board has authorized interest rate increases on certificates of deposit and other time deposits, and;
>
> Whereas, subsequent to this action large sums of money have been invested in these forms of deposits in commercial banks, and;
>
> Whereas, other financial institutions—notably those for the encouragement of thrift—whose investments are in long-term investments have lost deposits and fear further losses which vitally affect the housing industry, and;
>
> Whereas, this excessive interest rate competition and the threat of more such competition has caused considerable concern to Congress, to financial institutions and the public, and;
>
> Whereas, the Federal Reserve Board was created and empowered to advise and guide American monetary policy, and;
>
> Whereas, the Federal Reserve Board now has the power to put to an end this excessive interest rate competition between institutions; Now, Therefore:
>
> *Be it resolved by the Committee on Banking and Currency of the United States House of Representatives,* That it is the sense of this Committee that the Federal Reserve Board should act within thirty days to put to an end this excessive interest rate competition and to forestall the threat of such further competition.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, I yield myself 2 additional minutes.

Mr. Chairman, we could not get a CD bill out to go to the floor of the House before the upcoming recess. Therefore, we passed a strong resolution as I have indicated stating and giving the Federal Reserve 30 days in which to correct this horrible situation which they created.

Now, Mr. Chairman, Mr. Martin, the Federal Reserve Board Chairman, admitted himself that the increase of these rates to 37.5 percent placed the savings and loan institutions and many others at a great disadvantage. They knew it would do so. Now, then, they are hurting. They must do something for them, and if they do not within a period of 30 days our committee is going to meet and we shall do our very best to correct the situation ourselves, by law.

Mr. FINO. Mr. Chairman, I yield myself such time as I may consume.

Mr. FINO. Mr. Chairman, I listened with a great deal of interest to what the gentleman from Texas had to say. While he did not confine himself strictly to the contents of the bill, his words were certainly interesting.

Mr. Chairman, I was just wondering, in view of the fact that the gentleman devoted most of his time to a discussion of high interest rates, and his great and deep concern about rising rates of interest, why the gentleman did not show the same concern several weeks ago when we had the Participation Sales Act under consideration. If he will recall, we permitted FNMA to sell participation certificates for 5¾ percent.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. FINO. I would be very happy to yield to my distinguished chairman.

Mr. PATMAN. Mr. Chairman, if there had been an issue of high interest rates versus low interest rates, the gentleman from New York may rest assured that I would have been on the low rate side and the gentleman from New York would have been on the high rate side.

Mr. FINO. I have always been on the low interest rate side.

Mr. PATMAN. But, it was not that issue at all. That issue was the question of whether or not the Government would continue to make loans to small business and take the taxpayers' money and use it for that purpose and get securities and then hold these securities and not let them get back into the private sector. That was the issue that was involved. The interest rate would apply whether the interest were low or high. They would have to accept the market rate. Therefore, at that time interest rates were not the question that we were considering. We were considering the question of whether or not we would let these securities go back into the private sector.

Mr. FINO. Well, Mr. Chairman, the gentleman from Texas knows full well that this legislation that we did pass, the Participation Sales Act, helped to aggravate the situation and raise the interest rates that much higher. The gentleman from Texas knows that these certificates are selling much higher than the CD's, about which the gentleman from Texas is concerned.

Mr. Chairman, the minority side is fully in support of this legislation, S. 3368, which will extend for another 2 years the authority of the Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

Mr. Chairman, at this time I now yield 3 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, with the gentleman from New York [Mr.

FINO], I listened to the gentleman from Texas [Mr. PATMAN] talk about almost everything else but the purpose of this bill. I thought for some time that I was listening to a special order dealing only with interest rates. We do have a bill pending before us.

Mr. Chairman, I have opposed this legislation in the past and I still oppose it. However, I believe I know when I am licked. So, I shall not go, perhaps, as far today in opposition as I have gone in the years past because I know it would be futile.

Mr. Chairman, this bill, purely and simply, is a printing press money bill.

It provides that there can be $5 billion outstanding at the termination of this act and there is nothing Congress could do about it except to levy the taxes to retire the $5 billion that would be outstanding.

Members of the House ought to be fully aware that all the Government has to do is print Treasury notes or certificates and thus put the Government in debt another $5 billion without any further authorization on the part of the Congress.

I say again, repeat, and emphasize, that at the end of the effective date of this act June 30, 1968, there could be $5 billion of printing press money outstanding and the only way it could be gotten out of circulation would be to tax the people to retire the debt. It is just that simple.

I want again to be recorded as opposed to this kind of blank-check financing. I know of no reason why, if the Federal Government becomes short on money, that it cannot come to the Congress, because we are in session these days almost the year around. There is no reason why the Treasury Department could not come to the Congress to get emergency assistance if needed.

This is another evasion of direct accountability on the part of Congress. It is a further and unnecessary delegation of power to the executive branch of Government. The extension of this law should not be approved.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, I have no further requests for time.

Mr. PATMAN. Mr. Chairman, I have no further requests for time and ask that the Clerk read.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment.

The bill is as follows:

S. 3368

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14(b) of the Federal Reserve Act, as amended (12 U.S.C. 355), is amended by striking out "July 1, 1966" and inserting in lieu thereof "July 1, 1968" and by striking out "June 30, 1966" and inserting in lieu thereof "June 30, 1968".

The CHAIRMAN. Under the rule, no amendment is in order except amendments offered by direction of the Committee on Banking and Currency. Are there any committee amendments?

Mr. PATMAN. Mr. Chairman, there are no committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee having had under consideration the bill (S. 3368) to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury, pursuant to House Resolution 894, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NATIONAL CEMETERY POLICY

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Speaker, I wish to take this opportunity to call to your attention the inquiry being conducted by the Veterans' Affairs Committee into the national cemetery policy of our Government, which is one of opposing expansion of our national cemetery system. These cemeteries are considered as shrines honoring those who have served in the Armed Forces of our country during times of crisis and national emergency, when our country's very life was at stake. This is a matter of importance to every veteran and his family.

Today there exists a shortage of burial sites in the national cemeteries in the area east of Illinois and north of the Mason-Dixon line which is acute in some localities at this very moment and nonexistent in the Philadelphia area today.

This morning I presented a statement in behalf of the Philadelphia delegation before the Veterans' Affairs Committee as did three members of the United Veterans Council of Philadelphia, Mr. Casper J. Knight, Jr., Mr. Marvin Silver, and Mr. Joseph D. Shein.

I urge serious consideration by the Congress of the matter and the arrival of a long-range solution to the problem. However, recognizing the number of complicating factors and time involved in seeking long-range solution to the problem, I would suggest that immediate action be taken by the Congress to increase the burial allowance for veterans. I am therefore, today, introducing a bill to increase to $500 the amount paid by the U.S. Government in connection with the funerals of certain veterans. I will also urge that administration officials immediately undertake to secure sections of existing private cemeteries to be designated and set aside for veterans and those eligible under existing law, with the Federal Government meeting the expense of perpetual care and maintenance of such section.

Mr. Speaker, I would like to include my statement made to the Veterans' Affairs Committee on this very serious situation.

Mr. Chairman and Gentlemen, I am pleased to have this opportunity to appear in behalf of the Philadelphia Delegation on the matter of National Cemetery policy. Your Committee is to be commended for undertaking this inquiry, which is so packed with human emotion and feeling. I will not take up your time discussing the National Cemetery system, as I know you are all fully familiar with these facts. And for the same reason, I will not burden you with a discussion of those who are eligible for burial in our National Cemeteries.

I would, however, like to make comments on several factors which I believe should be recognized, understood and considered. While the law indicates that burial in a National Cemetery is a privilege for those eligible, I believe it is their right. Our National Cemeteries are considered as shrines honoring those who have served in the Armed Forces of our country during times of crisis and national emergency, when our country's very life was at stake. To honor those who thus served is both fitting and proper.

The present policy against expansion of our National Cemetery system was adopted almost a decade ago and has been reaffirmed several times since then. The determination was apparently based upon a large number of nationwide figures and statistics. While this policy may be supportable when based on these nationwide figures, I believe that a close study will reveal some interesting facts.

A statement from the Office of the Chief of Support Services, Department of the Army, dated 23 February 1966, states that 87% of all burials occur in just nine cemeteries located near large metropolitan areas. This is bound to increase with the passage of time and the continued growth of our metropolitan areas. The area east of Illinois and north of the Mason-Dixon Line definitely has a shortage of burial sites in national cemeteries which is acute in some localities at this very moment and non-existent in the Philadelphia area today.

Since the closing of Beverly National Cemetery in New Jersey this past February, there have been requests for 468 burials from Philadelphia. The requests were denied and interments were made in private cemeteries at the expense of the family. However, the costs in such instances are not as expensive as the cost would be to transport the body to a distant National Cemetery for burial.

If we are to continue to honor those who have fought for our country during time of emergency, and I say we should, we must realistically face the existing situation and arrive at a reasonable and sensible solution. I believe that it is unreasonable to expect the bereaved family to ship their loved one to some distant national cemetery for burial. Often the financial situation of the family prevents such a sacrifice, even if the family is willing. Nor is it reasonable to expect a family to travel a far distance to pay their respects and honor to the deceased.

A number of legislative proposals have been introduced to establish new national cemeteries. My honored colleague from Philadelphia, Congressman HERMAN TOLL has introduced a bill, H.R. 8497 to establish a national cemetery near Philadelphia. This is a worthy proposal and deserves serious consideration by the Congress, as part of the long range solution to the problem.

However, recognizing the number of complicating factors and time involved in seeking a long range solution to the problem, I would suggest that immediate action be taken by the Congress to increase the burial allowance for veterans and the immediate undertaking of an effort to secure sections of existing private cemeteries to be designated and set aside for veterans and those eligible under existing law, with the Federal Government meeting the expense for perpetual care and maintenance of such sections.

PROPOSED AMENDMENTS TO PRICE-ANDERSON ACT

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, the Price-Anderson Nuclear Indemnity Act was originally passed in 1957 for a term of 10 years. The act affords protection to the public and to the Atomic Energy Commission's licensees and contractors from the risks associated with atomic energy by providing for a program of private liability insurance—or self-insurance—governmental indemnity, and limitation of liability with respect to damages that conceivably could arise from a serious nuclear incident.

As you will recall, the Joint Committee held hearings last summer on a proposed extension of this legislation. As a result the committee recommended that the act be extended for 10 years to 1977, and that several other important changes be made in this legislation. The extension and amendments were adopted as Public Law 89-210.

It has been suggested in the past that the Price-Anderson legislation is deficient because it does not establish the legal basis for suits which might arise out of a nuclear incident. Instead it leaves this matter almost entirely to varying State law. On the other hand, the legislation of a number of other nations with advanced nuclear programs provides for absolute and exclusive liability on the part of nuclear facility operators, and several international nuclear liability conventions have been drafted so as to provide for the same legal principles.

Prior to the Joint Committee's hearings last year, the AEC reported to the committee that the possibility of amending the Price-Anderson Act to provide for absolute and exclusive—or "channeled"—liability for nuclear facility operators deserved further study. A recommendation in favor of such an amendment was made during the hearings themselves, and several related problems were identified such as first, the difficulty that could be expected if a large number of suits arising out of a serious nuclear incident were filed in different jurisdictions; second, the apportionment of insurance and indemnity funds; third, the application of various State statutes of limitations; and, fourth, the processing of claims for emergency relief.

I recognize, of course, that the likelihood of a serious nuclear incident is extremely remote. However, in view of the substantial participation by the Government in the nuclear energy program—and the special provisions already contained in the Price-Anderson Act for the benefit of the public and the nuclear industry—it appeared to a number of members of the Joint Committee that if an incident should occur, the public should be able to rely on the availability of the insurance and indemnity funds without having to prove someone was negligent. However, a claimant should still have to prove that the incident caused his injury and what his damages actually were.

After considering all the testimony, the Joint Committee decided last year not to delay action on the extension pending consideration of the matter of a Federal statute prescribing absolute liability for nuclear incidents, although the committee's report stated we planned to conduct hearings on this matter in the near future.

Since last year, representatives of private industry—including the utility, insurance and equipment manufacturing industries—have intensively studied this subject, in consultation with the staff of the AEC and the Joint Committee. The result of this effort is a bill which I have introduced today. I anticipate that Senator CLINTON ANDERSON will introduce an identical bill very shortly. In the extremely unlikely event a member of the public ever is injured by a serious nuclear incident this bill would provide greater assurance that such a person would not be subjected to technical legal obstacles in recovering any damages he may have suffered.

Although I believe this bill may require further refinement, I think it represents a great stride forward in achieving our objectives without the necessity for a Federal statute imposing absolute liability upon facility operators.

The initiative of private industry in connection with this legislation calls to my mind a very interesting speech delivered by former Secretary of Defense Thomas S. Gates to the Edison Electric Institute at its annual convention a few weeks ago. Mr. Gates—currently chairman of the board of Morgan Guaranty Trust Co. of New York—astutely observed that private industry must take the lead in attempting to resolve serious problems confronting society, rather than merely reacting to solutions offered by others—including the Government. This is extremely sound advice which, if followed, could produce great benefits for industry, Government, and the public at large.

The bill I have introduced today is an excellent example of an imaginative proposal by private industry, in cooperation with the Government, to resolve a significant problem affecting the public welfare. To provide additional background information for persons studying this subject in preparation for hearings by the Joint Committee, I shall briefly explain the bill's provisions.

The bill would authorize the AEC to establish coordinated procedures with the nuclear liability insurance pools—NELIA and MAELU—for the prompt handling, investigation, and settlement of claims arising out of a nuclear incident, and to make financial assistance available to claimants immediately following a nuclear incident without requiring claimants to sign a release or otherwise compromise their claims. This should assure that payments for such immediate necessities as food and shelter, medical expenses and the like would be made to claimants on an emergency basis during the interim period before final settlements of claims are made.

The bill would authorize the AEC to incorporate provisions in its indemnity agreements, and to require incorporation of provisions in insurance policies and contracts furnished as proof of financial protection, which waive any requirement that a claimant prove negligence in order to recover for his damages. Such waivers would apply only after an "extraordinary nuclear occurrence," as defined in the bill, had taken place. Thus, in the event of an extraordinary nuclear occurrence both the insurance company and the named insured designated in the policy of nuclear liability insurance would waive most defenses. The AEC and the licensee or contractor designated in Price-Anderson indemnity agreements would waive the same defenses. Subject to certain limited exceptions, the effect of these waivers would be to require a victim of such an incident to prove only that he or his property was damaged and that such damage was caused by the nuclear incident.

The definition of "extraordinary nuclear occurrence" has been drafted so that minor claims involving nuclear facilities will remain subject to all the traditional rules of tort law. The Commission would be empowered to determine whether an "extraordinary nuclear occurrence" had taken place, subject to a number of criteria.

Another problem which the bill seeks to cure is that caused by the relatively short statutes of limitations prevailing in many States which might expire before a delayed emergence of radiation injury became evident to the victim. Under the bill the AEC would also be authorized to require that the statute of limitations not be used as a defense against actions begun within 3 years after knowledge by the victim of his injury and its cause, and in any event within 10 years after the nuclear incident. The waiver of the defense of the statute of limitations would also contain certain limited exceptions.

Other significant provisions in the proposed legislation would amend the Price-Anderson Act so that in case of an extraordinary nuclear occurrence, suit arising therefrom could be filed in the Federal courts without regard to the amount in controversy or diversity of citizenship; venue would be fixed in the U.S. district court in the district where the incident has occurred, thus assuring uniformity of treatment of all claimants by a single court; and the district court having such jurisdiction would be endowed with the authority necessary to implement the provisions of the act, including the power to approve, disapprove or modify plans for the distribution of funds in the event of a nuclear incident exceeding the limitation of liability provisions of the act. In connection with the last mentioned amendment it should be noted that the AEC and insurance carriers would be authorized to pay out up to 15 percent of all funds available without prior court approval.

Mr. Speaker, I look forward to early and detailed hearings by the Joint Committee on Atomic Energy concerning this bill. The history of this proposed legislation has been characterized by a fine spirit of cooperation on the part of the nuclear industry and the Government, and I am very hopeful that a sound bill can be presented to Congress for approval before long.

LIVESTOCK MARKETING COOPERATIVES

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, just 1 year ago, when I addressed the House on the need for more export outlets for American livestock and livestock products, I paid tribute to the livestock marketing cooperatives. I urged that, in view of their contributions in keeping a steady flow of animals coming from the plains to the market, they deserved more support and recognition.

More recently, when I addressed the Montana Stockgrowers Association Convention at Great Falls, Mont., on May 21 of this year, I deplored the plight of the farming industry and again pledged my support to the cattle growers of my State.

When the farmer receives only 39 cents of the food dollar; when farm prices are 14 percent below what they were in 1952; when our share of livestock exports in the world market is declining, and when the farm-retail spread has increased 50 percent since 1950, I believe we need to pay a great deal more attention to our farming industry.

I have reported to my constituents that the forthcoming report of the National Commission on Food Marketing will highlight the farmers' problems and offer some constructive solutions.

Recently, I have been advised that this report will carry a strong recommendation that farm cooperatives and other grower groups be granted the authority to bargain collectively on prices. Currently, a small segment of agriculture has been permitted to operate under Federal marketing orders, but the majority, including the livestock producers, do not have this privilege.

The substance of the commission's recommendation will be that Federal marketing agreements and orders should be authorized for any agricultural commodity. In addition, it will recommend that legislation should be enacted enabling Agricultural Marketing Authorities to be formed on the vote of producers, for the purpose of joining in the sale of products as they first enter into channels of trade.

These recommendations will receive my careful review and support, if they represent an adequate solution to the farm price squeeze. I am sure that the administration and Congress will support such findings and recommendations. It is one practical solution that merits our full attention.

This is the kind of strengthening and recognition I have sought for farm cooperatives in order that they may better serve their members. Local groups, such as the Montana Stockgrowers Association and larger organizations, such as the National Live Stock Producers Association, I am informed, will welcome and support such legislation. I pledge my continued efforts to obtain for the farmer and stockgrower a greater share of the food dollar.

ZIP CODE

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include letters.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, the time is fast approaching when a postal regulation affecting almost every business in America takes effect. Former Postmaster General John Gronouski announced in February 1965, that his Department would require upward of 350,000 business mailers to include on their bulk second- and third-class mail five-digit numbers—better known as ZIP codes—and to presort such mail by ZIP code sequence after January 1, 1967. In one fell swoop, the Postal Establishment transferred from postal clerks to private industry the difficult task for scheming a high percentage of the 75 billion pieces of mail handled annually by the Post Office.

By the stroke of the pen, the Post Office is seeking to force American business to abandon its traditional and time-tested ways of doing business with its customers. Almost every business file in America is kept in alphabetic-geographic order. He is now being forced to throw this filing system out the window and put everything in five-digit, ZIP code order. It is as if the U.S. Government issued a regulation which suddenly imposed the metric system of measures on American industry. To service customer's orders and to comply with the mandatory ZIP code order, business will have to set up two filing systems. What a titanic waste.

Recognizing that this most revolutionary of Government regulations would have profound and startling repercussions in every community in the United States, the Subcommittee of the Post Office and Civil Service Committee which I head—Facilities and Modernization—scheduled hearings so that all sides of the vexing issue might be aired. Starting last spring, our subcommittee has heard the testimony of 42 witnesses during 11 public sessions. It is our intention to continue the hearings until every person desiring to be heard has had a chance to testify. The only witnesses categorically supporting the compulsory regulation were postal officials. The postal clerks opposed the Gronouski order. No business mailer has appeared to give the scheme unqualified endorsement. Those opposed to the regulation admit the value of using ZIP codes to speed the handling of the mail and to cut costs but contend that compliance on a mandatory basis as soon as January 1, 1967, is either impossible or so costly as to defeat the Department's aim of saving the Federal Government large sums of money.

The testimony makes clear that the Department itself has not provided the bulk mailers with the necessary tools to make compliance with the mandatory requirement feasible. Because the ramifications of the regulation are so vast and because neither the business community nor the Department has been able to conduct a survey to discover the cost of adding five numbers to an unknown number of billions of address plates, the subcommittee can only make an educated guess of that cost—no less than $250 million. If the guess is anywhere close to the mark, the Federal Government can expect to lose in tax revenues upward of $125 million. There can be no question that the cost of conversion to ZIP is a proper business deduction.

Since Postmaster General Gronouski predicted savings of only $22.4 million annually when all bulk second- and third-class mail is fully ZIP coded, we can quickly conclude that the savings are not real but illusionary. Postal costs may be reduced $22.4 million annually, but the cost of presorting mail by ZIP sequence will be so great that the total of reduced corporate tax payments will exceed by at least 10 times the so-called postal savings. Let me qualify this dark prediction by stating that these costs are predicted on the crash, rush-rush program of the Department. Once postal patrons begin using the numbers—and it should take at least 3 years to convince them to do so—then the mailer's problems are somewhat mitigated. Time and education is the key to a successful ZIP code program.

Mailers contend that had the Department avoided a crash program, the numbers could have been added gradually over a 3-year period at far less cost. A majority of the subcommittee voted to defer the application of the mandatory requirements until January 1970, but the administration is violently opposed to such a delay, making the enactment of a bill somewhat difficult.

While educated guesses may be made with regard to the probable cost of adding numbers to address plates, no one—highly placed postal officials or experts from the mailing industry—can venture an estimate of the cost of sorting bulk mail by ZIP code sequence after January 1, 1967. Only experience can provide us with solid data. The costs could prove to be astronomical.

Bulk third-class mail is presently presorted by city and State and has been for 40 years. For performing that expensive task and then enduring extremely deferred handling of his mail, the bulk third-class mailer has been paying a rate of postage somewhat less than preferred first-class mail. Congress has readjusted the rates of postage many times in the past 15 years. The increase in the third-class minimum piece rate has advanced 188 percent since 1952. The rates for both bulk second- and third-class mail have been readjusted by the Congress on the basis of factors other than the use of five-digit ZIP code numbers, or the need to presort by such numbers. The compulsory ZIP code regulation, in effect, transfers part of the rate-making function to the executive branch.

In the case of second-class mail, unzipped material will be forced to pay the third- or fourth-class rates of postage by weight rates so high that many small publications forced to pay them could be driven to the bankruptcy wall. In the case of regular or business third-class mail, unzipped material would be denied the 2⅞-cent rate and forced to pay the single piece rate of 4 cents, a rate hike of 39 percent. In the case of nonprofit third-class mail, used by many worthy charitable organizations, the hike would be extremely drastic—220 percent. Unzipped nonprofit third-class mail would be denied the 1¼-cent rate and be required to pay the 4-cent rate previously mentioned.

During our hearings, Post Office witnesses made no bones about their desire to either transfer most of the sorting work to the mailer or to recover higher postal payments from him. The overtones of ratemaking involved in the ZIP code regulation provide clear evidence that the Department has arrogated unto itself the zealously guarded ratemaking power of the Congress, given to it by the Constitution. The Post Office contends that the basic law permits it to issue regulations requiring fantastic presortation of the mail by second- and third-class permit holders. Deputy Postmaster General Frederick Belen testified on May 19 of this year that the use of six numbers was seriously contemplated. Unless the Congress clarifies the law governing bulk mailers, some future Postmaster General may very well decide to scuttle both the free press and the direct-mail industry by requiring the use of seven or more numbers. We must not allow this threat to hang so heavy over the corporate heads of so many mailers.

While I have devoted many, many hours to the subject and listened to much expert testimony, I must admit that I still do not grasp the fantastic requirements of the mandatory regulation. While it is fairly easy to understand the sectional center concept of distributing the mail, a sudden shift from long used methods could prove disastrous. There are 552 such centers strategically placed throughout the country. Mail eventually will bypass oldtime distribution bottlenecks and get to its destination more quickly. In time scanners will be perfected and in sufficient supply to help in the dispatch of the mail. Under the mandatory ZIP code order, the bulk mailer will be required to presort his mail to the sectional centers. I say "supposedly" for that is not exactly the case. There are actually 930 assigned first three-digit numbers. If one is fortunate enough to have an expensive computer with all his addresses in ZIP code sequence, one might suppose that the mail will automatically be presorted in accordance with the mandatory regulations as it flows off the belt line. Not so. It is impossible from the Department's official ZIP Code Directory to determine which first three-digit number to use. Moreover, some sectional centers have more than one three-digit number. Members of the House will quickly perceive that the mailer will be writing to him about the scheme after it goes into effect on January 1. As difficult as the sectional center sorting requirement might seem, it is completely dwarfed by the requirement to break down the mail in the 314 multicoded cities to the 6,000 or more zones within those cities. I am referring to the last two numbers of the code in those cities. The requirement is that the mailer has to make a sort to any particular number if he has at least one-third of a bag of mail for that number. In effect, he lines up veritably thousands of bags, never knowing in advance which of the bags will be one-third or more full at the end of the sort. Those having less will have to be combined with mail in other bags. In effect, the mailer gets involved in what the trade calls regression—a very, very frustrating and expensive experience, I can assure you.

All of this seems difficult, and it is. If I have not brought much light to the subject, please bear with me. I am now about to shove you into total darkness.

There are 34,000 official post offices in the United States. All of these appear in the Department's official ZIP Code Directory. Each has one or more numbers. Boston, for instance, has 96; Washington, 37. What is not generally known is the fact that there are 120,000 or more "locals," or prestige communities, in America, few of which appear in the ZIP Code Directory. Let me give you a few illustrations. Bethesda, Md., is one of the largest communities in our neighboring State. It does not, however, have its own ZIP code number. It is part of Washington, D.C. So is Chevy Chase, Garrett Park, Kenwood, Oxon Hill. People living in those communities are reluctant to use a Washington, D.C., address. They like the prestige name of their community and are reluctant to be identified with the voteless city of Washington. As I mentioned earlier, there are more than 100,000 such communities. How in heaven's name can the bulk mailer in Montana or California know of these towns if they do not appear in the ZIP Code Directory. He cannot, and that is another rub of the vexing problem. The mailer is perfectly justified in protesting the mandatory order when the Department has failed to supply him with a comprehensive and usable directory.

Members will just have to take my word for the following flaw in the program. One and all were assured that ZIP numbers would not be changed, except in the case of post offices closed down or newly opened. What has happened? Individual postmasters in many of the 314 multicoded cities have been changing the numbers without authority from Washington. The Postmaster General has cautioned them not to make further changes but evidence mounts that many have not yet received the message or, having seen it are ignoring it. In a word, the Department's official ZIP Code Directory is outdated, inaccurate, and useless to mailers at this moment.

The case of the Department's computer tape is another example of extremely poor planning. It is replete with error and of no earthly use to mailers foolish enough to use it. One instance of a glaring error in the tape will suffice to demonstrate its inadequacy. The Department has an official book—No. 59—which gives the standard abbreviation of many towns in the United States. Wherever the word "Springs" is part of the town name, the official book urges mailers to use the abbreviation "Spg." That sounds simple enough. Unfortunately, the Department's computer tape violates a basic EDP rule and uses the abbreviation "Spgs." That extra "s" fouls up the mailer's tape whenever he tries to compare it with the Department computer.

It is getting late in the year. All of us are busy with many matters, including the coming campaign. Because I regard the chaos implicit in the Post Office Department's mandatory ZIP code order, I am giving the House this interim report of my subcommittee's findings. I wish it were possible to assure Members that the coming catastrophe will be avoided by the enactment of legislation which would assure the success of the ZIP code program without wreaking corporate destruction, but we will need the help of every Member to accomplish that result. On May 25 I wrote to the Postmaster General outlining all of my misgivings about the ZIP program. The text of that letter follows my remarks. On last Friday I received a reply from Postmaster General O'Brien. As you will see from his letter Mr. O'Brien is quick to admit many of the deficiencies in the program, avoids the comment on other points in my letter, but declines to give administrative support to the legislation I proposed in my letter. He does offer some hope in the way of hardship exemptions to mailers who have done their best to comply without success, but in my judgment the proliferation of such requests for hardship extensions will prove to be a barrel of worms for all of us in Government. The granting of extensions involves the collection of postal revenues. Vast sums of money are involved. The pushing and tugging for hardship extensions will be fearful. Politics will somehow get involved but the Solomon does not exist who will be able to say aye or nay to the ten thousands of petitions for relief which will descend on the Postmaster General, his aids, and us.

In turning down my suggestion for legislation to ameliorate the impact of ZIP code conversion on American business, Postmaster General O'Brien quoted an old saying:

> Nothing will ever be attempted if all possible objections must be first overcome.

It is his honest conviction that compulsory ZIP coding must be ordered even though the Department's EDP tape is faulty, the ZIP Code Directory is inaccurate, inadequate, and in short supply; even though the 600,000 postal workers from postmasters down do not understand the ramifications of the system and are thus unable to advise postal patrons of ways and means to best comply. I disagree with this approach. These faults are not minor. They represent major deficiencies which should be cured before businessmen are asked to accept compulsion. What the Department proposes is a far more complicated plan than getting an American on the moon. Many astronauts would be dead today if officials of the space agency overlooked major faults in its rocketry.

I will shortly introduce legislation to finance the planning essential for ZIP code success and to permit mailers to enter the program in more orderly fashion.

In my judgment, millions of dollars need to be appropriated for this purpose. Postmaster General O'Brien inherited a policy decision made not so much on the basis of poor planning but rather on lack of planning. With the help of Congress our able postal administrator can acquire the tools and the time necessary for the installation of a sound numbering system. I hope my colleagues will help me in this worthwhile undertaking.

For the edification of my colleagues, I am entering my recent letter to Postmaster General O'Brien on the subject of ZIP code, and his reply to that letter:

[Confidential]

HOUSE OF REPRESENTATIVES, U.S.,
SUBCOMMITTEE ON POSTAL FACILITIES AND MODERNIZATION OF THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C., May 25, 1966.
Hon. LAWRENCE F. O'BRIEN,
The Postmaster General,
Washington, D.C.

DEAR LARRY: The purpose of this letter is to outline some conclusions I have reached about the ZIP code program and to offer a suggestion for legislation which will help that needed program off the launch pad and into orbit. Just about everyone who has examined the system agrees that it holds the greatest hope for a modern, efficient postal establishment.

I must admit to an error in judgment when I submitted legislation early last year which would provide discounts for bulk mailers who would use the numbers and presort and bag their mail by ZIP. While it was the wrong approach, the bill did have the salutary effect of permitting all sides of the issue to be aired. I cannot be generous enough in my praise of all the postal officials who have helped make the hearings such a profitable dialogue on a very complex subject. Members of Congress are concerned with so many issues that it is not always possible to delve as deeply as they would like into side issues such as ZIP. The House must depend on the recommendations of subcommittees such as the one I head for information and guidance. I think you will agree that we have not merely scratched the surface of the issue but have probed it in great depth. The latest hearings have permitted an even finer inspection of claims and counterclaims than our sessions of last spring. We can now form intelligent judgments based on the information at hand. In capsule form here are some conclusions I have arrived at:

1. The ZIP Code concept is sound. Mailers, including all of those who have testified, believe in the program.

2. Once in full operation, ZIP will save the Department far more money than Mr. Gronouski predicted it would. I believe the savings will be in the hundreds of millions rather than the tens of millions.

3. The program was announced by Mr. Day at the time of his departure from the Department without sufficient advance planning. This haste to take credit for a new method of handling the mail has imperiled ZIP.

4. In spite of Mr. Day's premature announcement of the system, the Department cannot now withdraw from the January 1, 1967, date. Aside from suffering a loss of face, such withdrawal would have a bad psychological impact on the ordinary mail patron.

5. Those mailers who have had the necessary capital and tools to make the ZIP Code conversion acted in good faith and would be irked by failure to start the program on January 1st.

6. Congress will resent the overtones of rate-making which have attended the Department's testimony on ZIP. The setting of rates should remain with Congress. Many factors must be taken into account when the House and Senate reform the rate structure.

7. Mr. Gronouski was correct in informing the Congress of his belief that legislation should be enacted bringing large volume first class mailers under ZIP. No such legislation has been recommended by the Department.

8. The ZIP Code directory is an example of a hastily prepared document designed to meet a deadline rather than the carefully planned basic tool it must be. It resembles the camel put together by a committee trying to produce a horse. It, and the inadequate computer tape of the Department, unless improved will prove to be the Achilles heel of the program. The hearings have adduced sufficient testimony from both sides to prove conclusively that the bulk mailer does not presently have the tools with which to do the ZIP coding job accurately and efficiently. Once advised of this serious deficiency in the program, the Congress will resist compulsory compliance by anyone. Having admitted that much, we must all work together to provide the tools to assure compliance.

9. The January 1st date favors the large mailer over the smaller company. The Government must never provide the giant corporation with an advantage over the small businessman. The evidence developed by the Subcommittee shows conclusively that the cost of acquiring the proper numbers and putting them on plates and tape is by no means a small one. Inability to obtain directories (and inaccurate ones at that, I might say) has caused some panic among many small mailers who cannot cope financially with a crash program of conversion. These mailers need relief.

10. A serious question still exists as to the legality of the program. As Mr. Gronouski and many others have said before, the ZIP Code system is the most revolutionary change ever made in postal operations. I am just afraid that the program would be seriously imperiled if some mailer won a court test on the claim that the Department did not submit the revolutionary proposal under the Administrative Procedures Act. This, of course, is a tricky legal question. We should remove all doubt by enacting affirmative legislation on the subject.

11. Postal employees themselves, including highly placed supervisors, postmasters and top aides, still do not understand all ramifications of the program and are thus unable to assist and advise those mailers anxious to comply with the compulsory regulation. A vigorous training program is called for. ZIP is important to the nation and no effort should be spared to make it work. If money is needed by the Department, I and my colleagues on the House Post Office Committee can be lobbyists in that worthy cause.

12. An up-to-date "bible"—a new directory—should be produced in quantity. It should include the vital information about "locals" or "prestige communities", information which appears in the expensive publications produced by Rand-McNally and others, plus some that they cannot keep up with. Every letter carrier should have access to one. There should be several in the lobbies of post offices. The Federal Government alone will require a quarter million copies. Bulk mailers and other business concerns will require more than a million. Your present program of providing mail patrons with forms to gather the names of friends, relatives and business associates for proper ZIP coding would be more successful if such a "bible" existed presently.

13. An up-to-date computer tape, one which includes the locals and prestige communities, must be developed promptly. The Department should not have to be admitting publicly that the tape contains many errors and does not even conform to the standard abbreviations contained in the Department's own book No. 59.

14. The excepting of certain newspapers and bulk third-class mail for the numbering requirement has had and will continue to have a bad impact on the ordinary mail patron. If newspapers and "occupant mail" can get delivered without the numbers, why should he worry about the numbers? We must get numbers on every possible piece of mail. The scanning machines of the future will be expensive and useless toys unless we plan now to get a high percentage of mail ZIP Coded.

15. Bulk mailers themselves want the system to work. They have good ideas for improvements in the system. They recognize the need to cut costs. They are not unaware of the constant turnover in postal personnel and the ease with which employees can be recruited to sort mail by numbers rather than street addresses.

16. The granting of hardship extensions could prove to be the most complicated and politics ridden procedure ever adopted by government. No matter how written, the regulations could generate nightmares for the Department and Congress alike. Moreover, since large sums of money are involved in the granting of a lower rate of postage, there will be claims of favoritism, etc. in the granting of extensions. I am sure that none of us want to get involved in such gyrations.

All of these things being true, in my judgment, I should like to recommend Administration endorsement of a bill which I and many of my colleagues on the House Post

Office Committee would introduce to legitimatize ZIP Code by removing any legal cloud now hanging over it. We would spur cooperation by the application of a 5 pecent penalty on bulk mail not ZIP Coded between January 1, 1967 and January 1, 1968, a 10 percent penalty between the latter date and January 1, 1969, and a 15 percent penalty thereafter until January 1, 1970, when no bulk mail would be handled except in ZIP Code sequence. Present regulations would pertain to those unable to ZIP Code. In my judgment, mailers would increase their efforts to come within the system under the impact of this legislation and that after two years little, if any, unzipped bulk mail would remain.

The recommended legislation would eliminate the need to grant hardship extensions. It would permit the small mailer to come into the system more gradually without suffering catastrophic conversions costs. Moreover, the bill would appeal to those companies, large and small, which will be ZIP Coded by January 1, 1967. In addition, the percentages could apply no matter what the rate of postage. The formula is simple and could be applied even if rates were to be readjusted in the 90th Congress

I will leave to your judgment the desirability of inviting bulk first-class mailers into the program by offering them a 5 percent discount carrot. I believe this is the only feasible way to get the large first class mailers avidly behind the program. I would apply the discount to those mailing 5,000 pieces or more at any one time.

We live in an uncertain age, but of one certainty we have knowledge: the role of government is to assist the free enterprise system and not to invoke plans or schemes which retard it. I am fully convinced that, without modification, the road the Department is currently following will lead to destruction of a worthwhile program. Speaking as a Democrat I do not want my Party to be labelled as the one which attempted to foist on the American people an unworkable program; a Party which took a good idea and failed to make it work.

Cordially,

Arnold Olsen,
Chairman.

The Postmaster General,
Washington, D.C., June 16, 1966.

Hon. Arnold Olsen,
Chairman, Subcommittee on Postal Facilities and Modernization, Committee on Post Office and Civil Service, House of Representatives, Washington, D.C.

Dear Mr. Chairman: As I stated in my interim reply of May 27, 1966, your letter, covering in great depth the subject of the ZIP Code Program, was a most thoughtful one. We have studied it and have given serious consideration to your conclusions as well as your suggestions.

I personally wish to express my appreciation for the interest and assistance you have given this program. In particular, I want to thank you for the kind words you expressed in your letter about the postal officials here in the Department regarding their participation during your hearings.

As you said in your letter, the ZIP Code concept is sound. The Hearings which you have held have certainly delved into the program most thoroughly. However, in reviewing all that has transpired and analyzing the Status of where we are today, an old saying came to mind: "Nothing will ever be attempted if all possible objections must be first overcome." Certainly, all those who have taken a supporting interest in the ZIP Code Program can feel very comfortable in the thought that they have productively pursued an endeavor and constructively responded to objections as they were presented.

In regard to your remarks concerning the National ZIP Code Directory and our data processing tape file, I believe the staff here at the Department has the ability and the knowledge to correct whatever deficiencies may exist in the Directory and tape. Consequently, I have instructed the proper Departmental staffs to review them in depth. As a result, we are obtaining information from the field regarding the number of new streets open since publication of the January edition and information regarding other types of additional corrections that might be needed in the basic directory. It is becoming increasingly apparent that we must advance our next scheduled publication date of July 1967, because of the unusual demand for the current edition, and we now anticipate advancing that publication date somewhere between six and nine months.

In addition, I have directed our data processing specialists to make a critical analysis of the existing ZIP Code conversion file to determine what additional improvements can be made to increase its effectiveness. One important consideration is that we have planned for some time to convert the basic directory data, including all street listings, to computer format. This should be accomplished prior to the next edition of the ZIP Code Directory and will facilitate greater accuracy and flexibility in the maintenance and use of the data. Another advantage to the data processing format would be that it would permit the publication of periodical listing of new streets, perhaps on a quarterly basis, for the benefit of those mailers whose needs are such as to require this on that basis.

I agree that there is a real need for a national training program for postal employees, and I can report to you that the format of such a program is available but its implementation has been delayed for budgetary reasons. The funds, which will be in excess of two million dollars, have to be derived from our operating accounts. It does not appear that this sum will be available from our current monies and it is highly unlikely that we can borrow from the fiscal year 1967 appropriations as approved. In the event we again have to go to Congress for a supplemental appropriation, your support of these needed training funds would be deeply appreciated.

Our interpretation of your letter is that you are proposing two recommendations in addition to the constructive comments and conclusions.

One recommendation is, by means of legislation through the Congress, a law to be proposed, the language of which would have the same effect as the ZIP Code Regulations. Within your conclusions, you indicate a serious question still exists as to the legality of the program. Your recommendation of legislation, as you state, would remove any legal cloud now hanging over the program.

Before issuing these regulations, Postmaster General Gronouski consulted the General Counsel of the Department who advised him that such regulations were within his authority. I also have had my General Counsel review the matter and he also advises that the regulations are authorized.

The procedures followed in adopting the regulations fully comply with the requirements of the Administrative Procedure Act. A notice of proposed rule making was published in the February 17, 1965, Federal Register (30 F.R. 2152). That notice set forth the terms of the proposed regulations and invited the submission of written data, views and arguments concerning them to an official of the Department within the following 30 days. Thereafter, the Department received a substantial number of written comments and arguments. Departmental officials also conferred with various individuals and groups. As a result of the foregoing, the Department found some modification of the proposed regulations to be in the public interest. On July 1, 1965, the Department published in the Federal Register the regulations which insofar as are pertinent will become effective January 1, 1967, some 18 months after issuance. The Federal Register document (30 F.R. 8477) explains the changes in the proposal. Subsequently, these regulations were relaxed to provide that upon a proper showing mailers who could not come into compliance by January 1, 1967, would be allowed appropriate extensions of time.

A comparison of the steps taken in this matter with the requirements set forth in section 4 of the Administrative Procedure Act shows that all steps required by the Act have been followed and properly applied.

As indicated, the Department does not believe that new legislation is required to support the outstanding regulations.

The second recommendation contained in your letter is, again by legislation, postage rates applicable to second- and third-class would be adjusted upwards in increments if the mailer did not follow ZIP Code presort regulations to be effective January 1, 1967.

In responding to this recommendation, it is my best judgment that the subject of legislation covering postage rate changes should not be presented to this session of the Congress. We are late in the session and, as you state, "many factors must be taken into account when the House and Senate reform the rate structure." As evidenced in the past, legislative action on the adjustment of postage rates, the time devoted to Hearings, and the deep study provided by Members of the Congress is a most time-consuming process, which is as it should be. We might relate this to the time, energy, and constructiveness your Committee Members have given to the ZIP Code Program, and we feel that the subject of postage rates would require at least as much time. Therefore, I would hope that I have your support in my recommendation that we not present the subject of postage rate changes to this session of Congress.

With the above being acecptable, we must, therefore, pursue the subject of providing extensions of time to those mailers who, for legitimate reasons, cannot fully ZIP Code by January 1, 1967. We now have in process and will shortly send to the field amplifications on our existing instructions covering extensions of time for noncompliers. This will include a form for the mailer to use so he can supply us with sufficient and necessary data on which we can make determinations. We ask the mailer to advise us of the total number of addresses on his list, the number of addresses ZIP coded, and the balance to be ZIP coded. We also ask him to advise us of the earliest practicable compliance date, and to inform us of the steps he has taken to date, which will permit us to render judgments on his intent. We want to know the source of his lists, whether they are supplied by List Brokers, customer correspondence, etc., and if they are lists of a permanent nature or if there is much turnover. We also desire to know if he is awaiting delivery of a particular piece of equipment, such as a computer, which may be the cause for delaying full conversion. Additional information, for example, would be whether the extension would be applicable to mailings issued on a repetitive basis or whether it is purely promotional mail. We would also want to know whether the applicant mails at more than one post office, so that each post office could be properly notified of the extension, if granted.

In addition to requesting the above information by form, our Customer Relations Officers in the Regional Offices or our Postal Service Representatives at Post Offices will personally visit and assist to the greatest extent possible all of those mailers who submit an application for an extension of time. This will be done before the Regional Director makes his decision on the application, and I *will advise the Regional Directors to immediately begin this process and to make their determinations quickly.*

I am confident that with the mutual cooperation of individual mailers, large and small, the American public, the Congress, and the Post Office Department we can move forward enthusiastically and produce the positive steps that all have indicated this worthwhile program will provide to the Postal Service of this country.

Again, let me thank you for the interest and cooperation you have personally given this program.

Sincerely yours,

LAWRENCE F. O'BRIEN.

LOW-PRICED TILE IMPORTS FROM JAPAN

Mr. **HERLONG**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **HERLONG**. Mr. Speaker, the other day I took the floor to note a situation created by low-priced wall tile imports from Japan, imports which are currently being investigated by the Treasury Department under our antidumping laws. At that time, I noted that the complaint in this case alleges that Japanese dumping of this product is widespread, injurious, flagrant, and predatory, that it involves a dumping price 35 to 45 percent below prices for similar tile in their own home market.

I have now received certain followup information bearing on the operations of the Japanese in this area which should be part of the record. My informant, on a recent visit to Japan, learned that Japanese manufacturers of glazed wall tile and the giant trading cartels responsible for its distribution throughout the world were greatly concerned by the filing of this case.

Apparently, daily meetings of executives of these companies were held on the subject over the course of several months. Their purpose, of course, was to see how best to get around a possible ruling by the U.S. Government that they have been violating our antidumping statutes.

It would appear that at least two ways of circumventing the law are now under active consideration. First, while raising the price of the individual squares of tile themselves to what will appear to seemingly be a less predatory price, the Japanese plan simultaneously to lower the price of tile trim to such a point that in effect the overall price of a shipment for installation in this country would still be at discriminatorily low rates. Such trim is of such a high price and sold in such a variety of sizes it would be almost impossible to police the pricing of this product. Second, we understand that slight modifications in the product itself are contemplated such as a modified glaze on the surface in an attempt to make a legal distinction between such products and those currently under investigation.

Mr. Speaker, these matters are called to your attention not for the purpose either of injuring or embarrassing our relations with the Japanese Government. Rather, they serve merely as further indication of the need for tightening of our antidumping laws. It is my firm belief that passage of some legislation that would assure fair competition in this country on products such as ceramic wall tile is most essential.

It is also important we take note of these developments, Mr. Speaker, as the fifth meeting of the Joint United States-Japan Committee on Trade and Economic Affairs is about to be held in Kyoto on July 5–7. I am sending a copy of this and my previous statement to Secretary of the Treasury Fowler, so our delegation to this Conference is informed of this critical situation causing great harm to a small U.S. industry and its workers.

WHITE HOUSE APPROVAL OF S. 944 IS SIGNIFICANT STEP FOR NATION'S OCEANOGRAPHIC COMMUNITY

Mr. **ROGERS** of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **ROGERS** of Florida. Mr. Speaker, the President has signed into law S. 944, the oceanography bill which represents years of effort on the part of the House and Senate.

The President deserves the praise of the entire Congress for putting his signature to this significant piece of legislation. Ocean exploration has already become a vital factor in America's progress. Our national defense is becoming more and more concerned with antisubmarine warfare. The presence of Soviet research and fishing trawlers in the waters close to U.S. shores gives added weight to the efforts to accelerate ocean exploration.

S. 944 could be as significant for oceanography as the 1958 National Space Act was for outer space exploration. As the President knows from his service as chairman of the Space Council during the time he was Vice President of the United States, America must move forward to retain world leadership through space achievement. The President, as a man of vision, has likewise seen the need for progress through achievement in hydrospace.

Sea scientists are already predicting achievements in undersea technology which novelist Jules Verne, who also foretold sending men to the moon by rockets, has described. Ocean science may soon reach the point where Americans, living and working in tiny cellular cities 1,500 feet below the surface, will move about by "aquascooters." Vacationers will visit glass houses submerged five stories below the surface.

Marine scientists are talking about new concepts in "aquaculture," and fish farms will allow marine delicacies such as lobster and shrimp to be grown commercially. Commercial growth of certain seaweeds may also be possible, and some varieties are being examined for use in pharmaceuticals and fertilizers.

The Soviets, already ahead of us in many respects of ocean exploration, are experimenting with undersea mowers to harvest valuable seaweeds.

Undersea mining is already producing submerged minerals in other parts of the world. Coal is being mined in 3,000 feet of water off the coast of Japan, which next year will get over 20 percent of its coal supply from undersea sources. Diamonds are now being mined commercially off the coast of Africa in 200 feet of water.

Engineers are now at work developing "deep jeeps" which will operate routinely at 20,000 feet under the sea, where stress of over 3 tons per square inch is exerted on submarine hulls.

The next year and a half will be crucial to America's development as an undersea power. The high-level Cabinet-rank Council provided in the bill gives genuine stature to the field of ocean development. The Presidential Commission, which I was pleased to have authored in H.R. 9064, marks the first time a working dialog will be established between Government, industry, and the academic community in the field of oceanography.

America has entered the "wet space age." I am hopeful that our conquest in the underseas will be as rapid and dramatic as our progress in outer space exploration.

AMERICAN INVESTORS BEING ASKED TO FINANCE PUBLIC POWER

Mr. **SAYLOR**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **SAYLOR**. Mr. Speaker, soon the British Columbia Hydro and Power Authority will be asking American investors to buy $500 million in bonds to help finance the so-called Peace River hydroelectric development in Canada. This would not be such a startling revelation except for the fact that this same government-owned power authority came into being a few short years ago by the simple mechanism of seizing an investor financed electric company in British Columbia. There can be no better example of the old warning of the fox wanting to guard the henhouse.

Barron's, the national business and financial weekly, did not overlook this announcement by British Columbia. In the June 13 issue, Barron's pointed out in a front-page article that the willingness of several American underwriting firms to take this client indicates one of the most unfortunate failings of Wall Street, "its willingness to do business with men one can't trust."

The very informative article in Barron's also says:

> Even in the best of times, as the prospectus neglects to point out, the Peace River development which the new bonds will help to finance would strike most observers as highly speculative. Power, as Lord Acton once said, corrupts. He should have lived to see public power.

Mr. Speaker, this article in Barron's is very timely because it comes at a time when the Congress is concerning itself with several different approaches to financing electric power development in America. There are bills being considered in the legislative committees and appropriations committee to authorize or fund Federal construction of hydroelectric facilities. This body within the past week has approved an increase in the limitations placed on TVA's revenue bond financing authority. The Agriculture Committee is holding hearings on a new and in many ways an almost unbelievable scheme to finance REA rural electric cooperatives. Therefore, I believe every Member of this body will benefit from reading the careful discussion of the British Columbia financing scheme as reported in Barron's. For this reason, I will insert this article in its entirety at this point in my remarks:

[From Barron's, June 13, 1966]

THE PEACE MONGERS—A NOTE ON THE BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

"British Columbia Hydro and Power Authority has filed a registration statement with the U.S. Securities and Exchange Commission relating to a proposed public offering of $50,000,000 of Sinking Fund Bonds, Series Y, due July 2, 1991. The underwriting group will be headed by Kuhn, Loeb & Co., The First Boston Corp., Halsey, Stuart & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith Inc., Allen & Co., W. E. Hutton & Co., and James Richardson & Sons, Inc. The Bonds will be direct and unconditional general obligations of the Hydro and Power Authority. Principal and interest will be unconditionally guaranteed by the Province of British Columbia and will be payable in New York City in U.S. dollars. Annual sinking fund payments commencing July 2, 1971, will retire 50% of the issue prior to maturity. Purchases of the Bonds by United States persons will not be subject to the Interest Equalization Tax."

In the busiest new issue market in the annals of Wall Street, the foregoing announcement last week caused barely a ripple of interest. On the previous day, after all, Louisville Gas & Electric Co. accepted a bid which represented the highest return on Triple-A utility obligations in a half-century. Next day Fannie May offered the first installment—$530 million worth—of loan participation certificates, novel and controversial government securities priced to yield up to an unprecedented 5.75%. Despite its distant origins and relatively small size, however, the B.C. Hydro and Power Authority issue rates at least a footnote to financial history. For it points up one of the Street's most unfortunate failings, its willingness to do business with men one can't trust.

On this score British Columbia Hydro and Power Authority, as a creature of the Provincial government, eminently qualifies. A half-decade ago this government, headed then as now by the Honorable W. A. C. Bennett, leader of the Social Credit Party, launched the Authority through the simple expedient of seizing the British Columbia Electric Co. After years of litigation, during which the B.C. Supreme Court ruled that Premier Bennett had acted illegally on every count, the Province and the utility finally reached a settlement. From a bad beginning the Authority is moving steadily toward a dubious end. In view of the restraints on investment, domestic and foreign, now being urged on private enterprise in the U.S. and Canada alike, this is a curious moment to pursue a huge and costly project. Even in the best of times, as the prospectus neglects to point out, the Peace River development which the new bonds will help to finance would strike most observers as highly speculative. Power, as Lord Acton once said, corrupts. He should have lived to see public power.

It's quite a sight. On the U.S. side of the border stand such monuments to lack of principle as the obsolete nuclear power station at Hanford, Wash., as well as the illegally financed generating plant of the Colorado-Ute Electric Association (Barron's, February 21). Now a project is rising north of the border, which—for size, cost and potential waste of resources—will dwarf anything on the continent. Portage Mountain Dam on the Peace River, some 600 miles north of Vancouver, will boast on ultimate capacity of 2,270,000 kilowatts, several hundred thousand more than Grand Coulee, currently the largest in the world. Including three storage dams planned under the Columbia River Treaty, the B.C. Hydro and Power Authority has blueprinted total capital outlays of $1.36 billion for the next half-decade. According to the prospectus for the forthcoming offering, which constitutes merely the first round. "The Authority expects to obtain the $932 million balance of the capital funds required by borrowing approximately two-thirds of that balance from Provincial Government investment accounts and the remainder from other investors."

While bursting with statistics, the prospectus is something less than a model of full disclosure. For example, it scants the protracted dispute between the Authority and the original owner of the properties, the British Columbia Electric Co. The issue arose in mid-1961, when a bill to expropriate B.C. Electric was passed in record time. Literally, overnight, as Barron's observed, a century-old private concern became an agency of the Crown. "The speed of the move," we went on, "was matched by its highhandedness. In a previous case, an impartial tribunal, after weighing such factors as future earning prospects and replacement costs, fixed the compensation. Here, in contrast, the price was decreed, solely on the basis of paid-in capital by the government itself, with no provision for appeal . . . The terms are patently unfair to most stockholders. In the view of the Dominion's financial community, which has denounced them as 'arbitrary, unfair and inconsistent with the Canadian tradition of equity and legal recourse' such terms smack less of expropriation than of confiscation."

The Supreme Court of British Columbia agreed. In July of 1963 it declared the enabling act unconstitutional. The court added that the takeover price of $172 million, which purported to be "full, fair and adequate compensation," was too low. B.C. Electric finally settled with the Province for $197 million.

Water over the dam, some may say. However, in view of the large sums of private capital—all guaranteed by Victoria—which the Authority hopes to raise, surely the past is worth recounting. As to the future, the prospectus sheds equally dim light. For example, it nowhere breaks down total scheduled investment between the three Columbia River dams, two of which will generate neither electricity nor profits, and the Peace River project itself. It makes no effort to suggest where the power ultimately will go, or at what price or cost. Queried about markets last week, the Authority told Barron's it expects to sell its output primarily in British Columbia, with any surplus ticketed for the Bonneville Power Administration. However, in view of the huge projected increase in kilowatts (Portage Mountain Dam will more than double present Provincial generating capacity), the competition likely from new discoveries of oil and gas (Rainbow Lake), and the declining cost of nuclear power, the confidence of the Peace mongers may prove misplaced. As to the U.S., the Pacific Northwest, according to private utilities, will not lack for power in the 'Seventies.

If the past and future look murky, the present is clear. B.C. Hydro and Power Authority, the prospectus shows, operates like anything but a business. Its railroad and transit operations run at a loss. Since taking over from B.C. Electric, it has steadily reduced rates, notably to residential users, at the expense of profits. In the 1962 fiscal year, the Authority showed a net income of $16.3 million on aggregate revenues of $133 million; last year, in striking contrast, on $160 million it earned only $7.5 million. In short, a 20% increase in gross has gone hand-in-hand with a 55% drop in net.

In some circles, to be sure, such results are praiseworthy. Thus, the Northwest Public Power Association last Spring presented British Columbia Hydro and Power Authority with the Paul J. Raver Award for Community Service. After listing its achievements, the Citation reads: "The annals of of the electric utility industry have never recorded so much progress in so little time." On both sides of the border, what former President Eisenhower labelled creeping socialism lately has been making a great leap forward. Wall Street should be the last to underwrite its advance.

VIETNAM

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I have spoken a number of times about the failure of the news media to carry to the people the full story of our operation in Vietnam. I am pleased now for the opportunity to say that one paper I know of has no hesitancy to speak up on this vitally important side of our operation there. The Shreveport Times carried an editorial on June 18 which expresses my view exactly and I think it is important that other Members have a chance to see it also.

THAT OTHER WAR

What the average American hears from Viet Nam usually concerns one of two things—combat operations against the Communists or the latest political upheaval in Saigon.

But there's a third story about Viet Nam that ought to be told and that is what America is doing, amid the chaos of war and political turbulence, for the people of South Viet Nam.

Most people are not aware that swarms of Americans are out working in the Vietnamese countryside; not fighting, but rebuilding what has been lost in the war; building things like schools and clinics that Viet Nam never has had.

Literally hundreds of thousands of Vietnamese people have been treated by American medical teams, not for war wounds but for ailments like round-worms and beriberi.

What's more, nearly every American defense perimeter has a military clinic—and it serves not only U.S. and Vietnamese troops but Vietnamese men, women and children. At the great Marine base of Da Nang, for instance, Marine doctors not only patch GI's but attend to Vietnamese villagers—many of them kids—who sleep right alongside armed leathernecks.

Politically, American forces are trying to teach the people some representative democracy at the grassroots, in the villages and provinces. The idea is to build a viable, free-working political structure from the ground up. If Viet Nam does ever have a really free election, this kind of American work will pay off.

These positive American efforts to help all the Vietnamese people are not very often emphasized. Here we confess to puzzlement. The administration, it seems, could go a long way toward building up public confidence in what we are doing in Viet Nam by publicizing our non-war efforts.

For the truth is that Americans are fight- two wars in Viet Nam. We can win and are winning the military war. We also are trying to win a war against disease, poverty and ignorance. We cannot be victorious in just one of these two struggles; both must be won if a real peace is to come to Viet Nam.

HORTON RECOGNIZES ANNIVERSARY OF EAST BERLIN UPRISING

Mr. HORTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, June 17 marked the 13th anniversary of the East Berlin uprising. While the House of Representatives was not in session on that day, I feel it is fitting at this time to recognize this significant event in man's fight for freedom and to honor the memory of those who participated in it.

The entire world was aroused by the incidents which took place behind the Iron Curtain on June 17, 1953. Even today freemen continue to marvel at the revolt which took place in East Berlin causing the Russian Government serious embarrassment and clearly demonstrating to the world how cruel and heartless the commissars and their puppet East Germans could be.

Though under Russian occupation, the East Berliners, nevertheless did not lose sight of progress and improved living conditions made by their countrymen in the Western sector. Those in the East were aware of the propaganda which the Soviets were feeding them, and when the hated dictator Stalin died in March 1953, the people of East Berlin felt that here was their chance to public dissatisfaction with their living conditions and lack of political freedom. Thus on June 17 began the heroic, but short-lived revolt which the Russians brutally put down. Many brave men and women were caught up in the Russian retaliation and paid the supreme sacrifice—their lives. The example of their courage was not lost, however, and a few years later a similar revolt broke out in Hungary. Clearly the Soviet Union's Iron Curtain was being splintered and much of the credit belongs to the gallant people of East Berlin who defied the goliath of the Communist world.

That Soviets and East Germans still fear the East Berliners' quest for freedom is obvious with the construction in 1962 of the infamous Berlin wall. What further indictment of communism's failure is required than for it to feel obliged to wall a large segment of its people in?

Mr. Speaker, it is possible that those East Berliners of the June 17 revolt never dreamed that its repercussions would still be felt in this year 1966. But to their credit the regime of the East must either institute more repressive means to stifle dissent or grant the people more generous measures of freedom and equality. Time will judge what they choose. But time cannot erase the role played by those participants of the June 17 movement who struck a blow for freedom, the effects of which are still clearly evident.

DEMOCRATS: THE HIGH INTEREST RATE PARTY

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CURTIS. Mr. Speaker, I was appalled the other day to see $530 million of federally owned mortgages offered at an interest rate of 5.75 percent and a great loss to the Government. This sale further tightened an already tight money situation and exerted further pressures toward high interest rates. It also diverted funds from the savings and loan industry and the housing market, further compounding the problems in those areas. I think we can now truly call the Democrat Party the "high interest rate party." It is particularly alarming that also involved is a deceptive effort to cover up excessive deficit spending for more mismanaged Great Society programs. Under unanimous consent I insert an article from the Wall Street Journal of June 17 describing this situation:

THE TANGLED WEB

When officials first planned to step up sales of Government-owned mortgages to private investors, they were sure they had a good idea, but by now they should be having their doubts.

The Administration arguing for the sales, could picture itself as a foe of Big Government; after all, wasn't it substituting private for public credit? True, in a sense: Private investors indeed will be collecting the interest on the loans. The mortgages remain Federally insured, though, so the Government still assumes most of the risk.

Aside from principle, the sales had their practical aspects. By disposing of a lot of mortgages, the expenditure side of the administrative budget, as well as the deficit, could be reduced. And that would leave room, on paper anyway, for more Great Society programs. Of course it was a little deceptive, but how many voters understand the workings of high finance?

However many such well-versed voters there may be, quite a few members of the electorate plainly don't care much for high interest rates. As evidence of that, a number of Democratic politicians have largely built their careers by campaigning for ever-low interest charges.

That being true, it must have been a little embarrassing to some people the other day when $530 million of Federally owned mortgages were offered at an interest rate of 5.75%. It's a good bit more than the Government has to pay when it sells its own securities; several Republicans were quick to claim that the Democrats had now become the exponents of high interest rates.

The high rate also promises to divert funds from the savings and loan industry and the housing market, thus slowing their growth. While a little slower growth might be desirable after years of exuberance, you don't find many Democratic politicians saying so.

If they want to, the Democrats can point out that the Republicans also sold off plenty of mortgages during the Eisenhower Administration, but we don't think they will find this any great consolation. When you're stuck in a tangled web, it doesn't matter much who first began to weave it.

CRACKS IN THE FACADE OF ECONOMIC PROSPERITY

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CURTIS. Mr. Speaker, cracks are beginning to appear in the Nation's facade of economic prosperity. Over the past year, there has been a sharp reduction in the rate of increase of our standard of living as a result of higher taxes and price inflation.

The Wall Street Journal on June 21, 1966, pointed out that between the second and third quarters of 1965 "real" income per capita grew $47. The increase fell to $29 between the third and fourth quarters and to only $13 between the fourth quarter and the first quarter of 1966.

The slowdown in the growth of per capita personal income adjusted for tax increases and rising prices is already having effects on the economic outlook. Unless checked, the growth of the economy itself will level off in the coming months. Even worse, inflation may continue or even accelerate. The decline in "real" spendable earnings will spur union leaders to make unusually large wage demands during the heavy bargaining that is scheduled for next year.

The slower growth of consumer purchasing power is already having its effects on the economy. The personal savings rate has fallen substantially in recent months, putting even more upward pressure on interest rates that already are at historically high levels. Retail sales also are increasing less rapidly than last year, while surveys of consumer buying plans indicate a leveling off of purchases in the coming months.

In an inflationary environment such as exists today, this news should draw some cheers. Indeed, this would be the case if it were the result of a conscious effort by Government to reduce excessive demand by reducing or deferring nonessential civilian spending.

Today, however, inflationary excesses themselves are braking economic growth and, at the same time, creating pressures for inflationary wage demands next year. If military spending is then increased in the face of an emerging wage-price spiral, the Johnson administration will face a Hobson's choice of its own making. It will be forced to permit galloping inflation, apply harsh and painful monetary and fiscal restraints or seek authority to impose wage-price controls. No matter what the policy choice, the American people will lose.

The situation that is building up today is what the minority members of the Joint Economic Committee warned against in their annual views contained in the committee's 1966 annual report on the Economic Report of the President. In that report, we said that failure by the administration to take timely and effective action against inflation would lead to a recession next year.

Since then, the administration has followed a policy of drift and delay, relying largely on the wage-price guideposts. The guideposts, however, have proven not only ineffective, but they came under such sharp attack from economists that they are now all but dead and buried.

Except for the increase in payroll and excise taxes and the change in the withholding schedule, the administration has put the burden for fighting inflation squarely on the shoulders of the Federal Reserve. As the minority of the Joint Economic Committee warned, the result has been soaring interest rates. The competition for funds among financial institutions threatens to erupt into a full-blown crisis, with the savings and loan institutions the principal victims of the adminstration's economic blundering.

A tax increase now would only aggravate those conditions which are leading to a wage-price spiral. Monetary policy cannot be expected to carry any more of the load. The only feasible way to dampen down inflationary pressures is by reducing Federal spending for nonessential, civilian spending. The need for expenditure restraint is all the greater in the light of the increased commitment of troops and material to Vietnam which the administration may very well make before the end of the year.

For years the administration has been trumpeting its economic achievements in the relatively simple and popular task of stimulating growth through large increases in Government spending, tax cuts, and easy money. Now—when faced with the more difficult and unpopular job of restraining demand to curb inflation—it has given way to political pressures. It does nothing to restore sustainable and noninflationary growth, except mouth pleas to the private sector to exercise responsibility and restraint. The cost to the Nation is very likely to be slower growth with inflation in 1967, if not before.

Under unanimous consent, I include in the RECORD the article from the June 21 Wall Street Journal referred to earlier in these remarks:

PRESSURES ON PAY: HIGHER PRICES, TAXES SLOW THE RISE OF "REAL" INCOME, ANALYSTS SAY—LIVING-STANDARDS INDEX CLIMBS ONLY $13 IN 3 MONTHS; UNION WILL SEEK "ESCALATOR"—THE IMPACT ON RETAIL SALES

(By Albert R. Karr)

America's vaunted standard of living has begun to rise much more slowly.

This is the conclusion of more than a score of leading economists and other specialists interviewed in recent days by The Wall Street Journal. The evidence they generally cite is contained in a little-noticed but highly important statistic compiled quarterly by the Government: Per-capita personal income after tax payments and after adjusting for rising prices.

Many analysts feel this figure, also known as "real" income, comes closer than any other single statistic to measuring U.S. living standards. It stood at an annual rate of $2,260 in the year's first quarter, after allowing for seasonal factors. The first-quarter rate was a record, but it also was only $13 above the comparable rate in the previous quarter. The 1965 fourth-quarter rate, by contrast, was $29 higher than in the previous period. The increase between the second and third quarters was $47, nearly four times the latest gain.

LITTLE SLACK REMAINS

Many analysts not only note that the rise is slowing but predict the slowdown will continue in coming months. They expect increasing consumer prices, higher taxes, particularly at the state and local level, and slower business growth that will make real personal income gains more difficult. Slower business growth, most analysts agree, is the inevitable result of the fact that relatively little slack remains in today's fast-stepping economy, in terms of man-power or machine-power.

Beryl W. Sprinkel, vice president and economist for Chicago's Harris Trust & Savings Bank, expresses the view of many analysts: "Increases in real income will continue to slow down, in large part because from now on we must rely for further economic growth on increases in production capacity and available manpower. There is practically no more slack to take up."

The slowdown in "real" income can hurt the economy in several ways, most economists say.

"Over the years, there's been a very close relationship between real income and retail sales," declares George W. McKinney, Jr., vice president and economist for Irving Trust Co. of New York. The banker says that signs of a retail slowdown already are evident. Consumers in recent weeks have been spending only some 7% more for goods than a year earlier, he notes; in the first quarter, by contrast, such spending ran about 10% above the 1965 pace.

CONCERN ABOUT PRICES

At the same time, a recent survey by the University of Michigan finds that "consumers will spend less freely" in coming months. "The net result might be a leveling off in spending," the survey states. It notes, particularly, that consumers are concerned by the extent to which rising prices are eroding their take-home pay.

This erosion can be pinpointed by comparing two series of per-capita income statistics. The first-quarter rate of $2,260 is expressed in terms of 1958 prices, to eliminate the effect of inflation. However, the Government also issues per-capita income statistics that are not adjusted for inflation. Expressed in terms of current prices, Government records show, first-quarter per-capita income stood at an annual rate of $2,492—a full $232 above the noninflated figure for the period. In 1958, of course, the two statistical series were identical; per-capita personal income after taxes in either series totaled $1,831 then.

The impact of rising prices on real income has been particularly noticeable in recent months. This is because the Government's consumer price index, which most economists feel is tantamount to the cost of living, recently has been climbing at an accelerating rate. In the three-month period ended April 30, for instance, the price index registered its largest gain, 1.4%, for that period since 1951.

The first quarter slowdown in real income growth took place despite a continued sharp rise in personal income in current dollars, not adjusted for inflation. Since then, there are signs of an easing in the rate of increase of income in even these terms, which would, of course, accentuate the slowdown in real income. Government figures show an average monthly rise in total personal income of $2 billion in April and May, well below the average monthly climb of $3.5 billion in the first quarter.

Purchasing power is also being held down by higher Federal taxes. An increase in withholding tax rates on May 1 reduced take-home pay. It followed a sizable boost in Social Security tax deductions on Jan. 1, which had a similar effect.

PRESSING FOR PAY BOOSTS

Many analysts predict that the income slowdown will prompt employees generally to press for big pay increases that ultimately could lead to still more rapid price inflation but wouldn't appreciably bolster their real income.

Typically, Nat Goldfinger, research director for the AFL–CIO, points to Government figures showing that a downturn in purchasing power already is hurting some wage earners. In terms of 1957–59 prices, Mr. Goldfinger relates, the average weekly wage of a manufacturing worker with three dependents climbed last year to $88.06, a record, from $85.27 in 1964. At times this year, however, this statistic has fallen below the year-earlier level. In March, for instance, it was $87.80, down from $88.16 in March 1965; the April figure of $87.32 was a scant nine cents above the April 1965 average.

Particularly disturbed by such data are unions that in the early 1960's decided not to press hard for cost-of-living "escalator" clauses in their contracts, on the calculation that the years of rapid price inflation were over. Such clauses, of course, tie union wage schedules directly to movements of the consumer price index; auto workers, for instance, have already received a six-cents-an-hour cost-of-living pay boost this year.

The International Union of Electrical Workers, among others, gave up its escalator clause in 1960, recalls David Lasser, the big union's collective bargaining director. Since then, the labor leader reports, hourly wages of many IUE members have climbed 11%, barely more than the 9% rise of consumer prices in the same period.

Because of this situation, Mr. Lasser says, "we are not only going to ask for large pay increases but for a reinstitution of the cost-of-living escalator" in contract negotiations scheduled to start later this year. The union official adds: "Loss of purchasing power is one of the most important issues that our people have expressed themselves on. I'm sure everybody is catching it from their wives—I know I'm catching it from mine."

The income slowdown, some economists say, has led many consumers recently to save a smaller than normal portion of their earnings. Personal savings amounted to only 5% of after-tax income in the first quarter, down from 5.6% in the previous quarter.

However, these analysts add, history shows that consumers don't let their savings remain at unusually low levels for very long. If the savings rate bounces back to a more normal level of near 6%, as history suggests it soon will, this would force a further slowdown in consumer spending, these analysts observe.

Mr. McKinney of Irving Trust says: "The consumer is apt to let tax increases and other such things bite into his savings at first; he will go on spending at the old rate. But after a while he will adjust to the new circumstances."

KKK IN THE NORTH

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, although we usually associate the activities of the various Klans with the South, the North is not without its share of racial extremists. The following account of a KKK meeting in Lakewood, Ohio, should wake up those who still view the KKK as being at least as far away as the Mason-Dixon line.

I talked with Tom Shaughnessy, the Sun-Herald reporter who covered the KKK meeting of May 7 and learned that since that time his car has been set on fire on at least two occasions. Obviously the front page story complete with seven pictures which appeared in the Sun-Herald of May 12 was the last type of publicity desired by the attendants.

On June 16, I introduced a bill, H.R. 15754, which would curb organizational conspiracies in the United States which seek to deprive citizens of their rights by clandestine or violent methods. I am sure the need for enactment of this measure will be more apparent after reading Tom Shaughnessy's account of the May 7 KKK meeting in Lakewood, Ohio, entitled: "West Shore Snubs Imperial Wizard; Klan Vents Hate on Herald Reporter," and I ask that this item be inserted in the RECORD at this point.

WEST SHORE SNUBS IMPERIAL WIZARD; KLAN VENTS HATE ON HERALD REPORTER

(By Tom Shaughnessy)

Bigotry is a flop in the West Shore.

KKK sympathizer Robert Annable and his Conservative Society punks could have held their hate get-together in somebody's basement.

In spite of much publicity, only about 200 paid a buck and a half to hear KKK Imperial Wizard James R. Venable and Negro Archbishop Clarence C. Addison talk about "Negras" Saturday night at Lakewood Civic Auditorium.

Even the pickets got bored and went home early. Sign-carriers hauling around placards reading "KKK Fascist Swine" and "Klansmen are American Nazis" paraded in front of the auditorium for a short time before the program.

When I tried to take pictures, I found most of the bigots weren't wild about having the folks back home find out where they were spending Saturday night.

I turned the camera on a doll whose face was completely covered with a scarf when a couple of guys started jumping over seats after me.

"I'm not too old to go to the hospital," one guy hollered at his wife who was hanging on to the back of his coat.

"Okay pop, say cheese," I told him.

"What he said didn't even come close. I took his picture anyway.

"Get that camera," a guy with sideburns screeched.

The cops spoiled all the fun.

For the next 90 seconds I felt like I'd been caught rolling loaded dice at a policeman's benefit.

"Why don't we talk it over in the lobby," I finally suggested.

Speaker Venable who had been telling us if it weren't for the KKK, we'd all be mulattos, stopped his talk.

"Throw that damn fink photographer out," a lady on the aisle screamed.

"Yeah, he's a stinking integrationist," others screeched. "Throw the fink out."

Out in the lobby the bigots kept yelping at police to get my film. Police ignored them.

"He's drunk—you can tell the fink is drunk," one fellow with sideburns and a nasal Roy Acuff twang kept telling police.

"He's on LSD," another whined.

"I can tell he's Irish—I can smell him," said another. Nobody laughed.

"He's a lousy integrationist," repeated a broad-shouldered woman wearing sun glasses.

I suggested a return match after the police went home. So, far, there's been no R.S.V.P.s.

One fellow, who works as a Lakewood cab driver, swiped at me with a rolled-up program.

Back in the hall one of Annable's punks—they say they're trying to enlighten the public—spit on my clean suit coat. I'm saving his picture until I finish my karate lessons.

Speaker Venable wound up his talk, telling the bigots Catholics can't belong to his organization because they owe allegience to the Pope and Jews can't either because they're not Christians.

Annable, local organizer of the sponsoring National Christian Conservative Society, spent the next 90 minutes whining about the Lakewood Sun-Post and the Cleveland Press and pointing out that the NAACP doesn't have a Negro president.

Annable complained newspapers twisted his message and said he wanted to sue the Press but couldn't find a lawyer who would represent him. Hooded Klansmen have picketed the Press several times in recent weeks carrying Annable's signs.

You could tell the players without a score card.

License plates in the parking lot indicated most of audience was not from Lakewood.

Watching who applauded inside separated the believers from the non-believers.

One articulate Lakewood teenager told me he disagreed with those who said the Klan gathering should be kept out of Lakewood.

"The quickest way to get rid of those jerks would be to let everyone in town see the nonsense here tonight," he explained.

Annable, swamped in a bid for nomination as a state representative from the Parma Heights area in last Tuesday's primary, continued to deny Klan membership, but did say he agrees "wholeheartedly with the principles of the Klan."

Negro Archbishop Addison was the final speaker.

Addison, spirtual leader of an East Orange, New Jersey diocese, argued that red ants and black ants don't share the same ant hill, which he said proves integration is evil.

"God made the difference, you didn't" the Archbishop thundered while the bigots cheered. "The black bird doesn't flock with the pigeon. The crow doesn't wing with the dove."

Rev. Addison said he believed Negroes have "just as good a chance as any white man" in this country.

ESTABLISH A NATIONAL COMMISSION ON REFORM OF THE FEDERAL CRIMINAL LAWS

Mr. KING of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, I, like many of my colleagues, believe that it is incumbent upon the Congress to remain continually vigilant in fighting crime. In Congress after Congress we have enacted laws which we all hoped would curtail or prevent the antisocial behavior of the criminal; yet year after year the crime rate continues to rise.

I now believe that we must reevaluate our approach, which apparently is not the most successful means of protecting our citizens or dissuading those who so blatantly disregard our laws. Accordingly, I am joining several of my colleagues in introducing a bill which I believe will provide an opportunity for reevaluation of our Federal system of criminal justice.

This proposed legislation establishes a bipartisan National Commission on Reform of the Federal Criminal Laws and is made up of Members of Congress, judges, and private citizens. The Commission will have one goal: improvement of the Federal system of criminal justice. More specifically, the Commission will recommend to the Congress within 2 years how the Federal criminal laws might be rewritten to better serve the ends of justice and the protection of society. The Commission will do more than merely revise and improve upon the existing law, it will recommend new laws that might be added and old laws which should be deleted from the Federal Criminal Code.

Throughout history there have been efforts to recodify and republish the criminal laws. I believe it would serve a useful purpose to briefly point out how these prior efforts are to be distinguished from the work of the proposed Commission.

The first Federal criminal laws were enacted in the Crimes Act of 1790. That act, defined, among others, such offenses as treason, misprision of felony, forgery and bribery, and prescribed punishment for each. Many of these offenses and their punishments have survived the years in almost verbatim form. It was a small act defining only general crimes against the United States, but our Nation was also small then with a population of only 3 million.

Remembering that there are no Federal common law crimes and that Federal prosecution must rest upon an act of Congress defining the crime, it has always been the responsibility of the Congress to write these laws. Throughout our early years, such crime legislation was enacted without any real attempt to reconcile conflicting provisions with the earlier law. It was not until 1866, when

President Andrew Johnson saw fit to attempt a codification of these accumulated laws, that an effort was made to collect and clearly state the Federal criminal laws. This first Commission finally produced the Revised Statutes which contained a section specifically dealing with Federal criminal laws.

Again, in 1897, Congress authorized a Commission to revise and codify the criminal and penal laws of the United States. This resulted in the Criminal Code of 1909. Thirty-nine years later the Federal Criminal Laws were again revised, recodified and enacted into positive law, as title 18 of the United States Code.

It must be noted that all of these publications of the criminal laws were limited in that they did not attempt to change the existing law, rather merely bring the existing law up to date and state it more precisely. Similarly, President Johnson has recently sent to the Congress a bill to establish a criminal law revision commission, but the proposal merely envisages another attempt at recodification. I believe this is insufficient, and I suggest that the National Commission on Reform of the Federal Criminal Laws, which can go beyond the existing laws and suggest new substantive areas to be incorporated into the criminal code, will go much further in improving the Federal system of criminal justice.

COLLEGE HILL CENTENNIAL

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. CLANCY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CLANCY. Mr. Speaker, it is my pleasure to bring to the attention of my colleagues the fact that the community of College Hill, which was annexed by the city of Cincinnati in 1911, is commemorating its 100th anniversary this year. The Honorable Walton H. Bachrach, mayor of Cincinnati, has proclaimed the week of June 20 through 26 as College Hill 100th Anniversary Week.

College Hill began a 7-day festival on Monday to commemorate its incorporation as a city in 1866. Activities include a homecoming program for former residents, "Sing Out Cincinnati," selection of Miss College Hill, and Sports Night, during which noted sports personalities will give demonstrations and sign autographs. In addition there will be a 2-day sidewalk sale, featuring merchants in costumes from Lincoln's era, a record hop, tours of historic College Hill homes and buildings, a parade, and an ice cream social.

We have been fortunate in having good local government, numerous churches representing many denominations, first-rate educational institutions, many active civic and fraternal groups, businesses of all descriptions, and attractive residential areas in College Hill, all contributing to making this area the fine community it is.

In the 1840's College Hill became a noted educational center when Freeman G. Cary established Farmer's College with a model farm, the first agricultural experiment station in the United States. Many young men who afterward became famous in the annals of our country's history attended Cary's Academy for Boys, precurser of Farmer's College. Among these was Benjamin Harrison, 23d President of the United States.

In 1890 Farmer's College became the Ohio Military Institute. The OMI was torn down in the 1950's. In 1961, Aiken High School was completed, built to resemble a college campus. College Hill Elementary School was constructed in 1903 and in 1926 was expanded. Since College Hill has grown tremendously since 1903 when the school was built, it has become necessary to build another elementary school. The new school will be completed in September 1966 and will be called Pleasant Hill Elementary School. There are two parochial schools located in College Hill—St. Clare Elementary School, which was erected in 1915, and McAuley High School, which was built in 1960.

Another eminent institution on College Hill during its early days was the Ohio Female College, opened in 1848 as one of the most elite schools in the Midwest. The school was twice destroyed by fire and rebuilt. The grounds on which the college stood are now the site of the Emerson A. North Hospital, which continues the school's history of service to the community.

There is much community and civic pride in College Hill and justifiably so, for it is unquestionably one of the finest communities in the United States. The members of the many civic and fraternal groups have contributed their time, money and much hard work to lend a hand in making this an outstanding community in Cincinnati.

Merchants in the College Hill area sponsor baseball and football teams for the children in the community, as well as other worthwhile events and activities. Crawford's Field and Town Hall are both used for recreational facilities.

I would also like to point out that the citizens of College Hill have received many awards through the years in recognition of their service to city, State, and country, and everyone is extremely proud of them.

On this most important occasion we are proud to recall the rich heritage of College Hill, and though we will not be around for the celebration of its second centennial, I feel sure that the present and future residents of the community will preserve and enhance its well-deserved reputation.

NPA ENDORSES ATLANTIC UNION

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FINDLEY. Mr. Speaker, recent extensive hearings by the House Foreign Affairs Committee and the Senate Foreign Relations Committee reflect the deep interest of the Congress in the current critical condition of the North Atlantic Treaty Organization.

A cogent analysis of this problem, with a broad approach to its solution, was recently published by the National Planning Association.

This association is an independent, nonpolitical, nonprofit organization comprising leaders of agriculture, business, labor, and the professions. Its purpose is to maintain and strengthen private initiative and enterprise.

NPA committees, assisted by a research staff, study issues of public concern and publish reports.

Believing that all should have the benefit of this study, I offer a portion of it herewith from the RECORD:

THE EMERGING NEEDS OF THE ATLANTIC COMMUNITY

In the light of history, the achievements of NATO are very impressive. Yet in the light of the following needs of the peoples of the Atlantic Community, they are clearly inadequate.

Political: To prevent disruption of the Atlantic Alliance, which would imperil the security of the entire free world; to attain increased capabilities for meeting common political, military, economic, and social challenges; to achieve common policies and united action on questions of mutual concern; to create a stronger basis for successful negotiations with Communist governments, e.g., on such issues as German unification and Vietnam.

Military: To attain an acceptable and satisfactory solution to the potentially disruptive issue of nuclear control; to achieve more equitable national contributions to the common defense; to gain greater efficiency and economy in defense through integration of production, joint research and development, and standardization of weapons and equipment.

Economic: To harmonize and coordinate economic policies in order to foster economic growth and raise standards of living; to expand trade by progressive reduction of trade barriers; to promote adequate international monetary reform; to harmonize policies on East-West trade; to provide more adequate and more coordinated aid to developing countries.

These requirements could all be fulfilled by the peoples of the Atlantic Community through the exercise of sufficient imagination, initiative, will, and cooperative spirit. And, the constructive effort necessary to fulfill them would bring nearer the attainment of the five great objectives of the Western peoples noted earlier.

The task of meeting these political, military, and economic needs presents a challenge unprecedented in scope and complexity, but it is by no means beyond Western capabilities. Political inventiveness did not die with the founders of our Republic, as the founders of the European Economic Community have recently shown. The peoples of the West, who have made such vast progress during this century in science, industry, transportation, communications, and public health cannot be regarded as lacking the capacity to achieve comparable progress in political construction. The principles on which to found the institutions required to meet Atlantic needs are embodied in the two new concepts of interdependence and community. Guidelines can be found not only in the political creations of past centuries, but also in the European Economic Community. But the developments required to serve existing needs and those of our children cannot be carried out without paying a price.

For the American people, this price consists primarily of accelerating the changes that have already been occurring in their habits of thought. Americans have already been learning to think in terms of something larger than existing nations. Along with the feeling of loyalty Americans have always had toward their city or town, their state and their country, they will have to develop an additional loyalty toward a larger political entity. This additional loyalty is not too difficult to attain, as so many civil servants on the staffs of the European Communities, NATO, and the United Nations demonstrate every day.

For the people of the United States, however, the price will not be paid in the loss of their sovereignty. In a democracy, sovereignty is the possession of its citizens; the governments they create are only their agents. In the case of the United States, this is evident from the first sentence of the Constitution and the historic fact that the Constitution itself was put into effect by conventions elected by the people of the states. The sovereign citizens of a democracy can entrust certain functions to entities other than national governments without "sacrificing" or "losing" any of the sovereignty they possess. They lose nothing, and may gain much, by delegating powers to a new agent when the existing agent cannot adequately serve their interests in peace, freedom, and economic welfare.

The cost to the U.S. government will be measured in a reallocation of certain powers to the larger political units needed in today's world. This has happened many times in the past, through international treaties as well as such collective instruments as the North Atlantic Treaty and the United Nations Charter, when the interests of the United States dictated such actions. The process would presumably be accelerated through participation in a Community of Democracies adequately organized to meet the most critical needs of its peoples.

The resulting restrictions of the U.S. government's freedom of action would, however, go considerably beyond those now imposed by its existing international commitments. While the United Nations Charter does circumscribe the freedom of action of the United States in certain respects, the U.S. government remains free to decide what action it will take within the Charter. Substantive decisions of the Security Council are subject to an American veto, and decisions of the General Assembly are not binding. Decisions of the North Atlantic Council have also been taken by consensus requiring the acquiescence of the United States. But, in a unified Community which had been endowed by its members with the capacity to act by less than a unanimous vote, decision making would not be subject to the will of any one country.

This barrier to political evolution among democratic peoples will have to be overcome before such evolution can adequately serve the needs. That the American people are not unready to contemplate paying such a price for more adequate assurance of their future peace and freedom is suggested by numerous polls and by their critical reactions to the intensely nationalistic doctrines of President de Gaulle.

The American people as a whole have turned their backs upon such negativism. But they are facing up too slowly to the positive requirements for attaining the kind of eventual world order they desire—one which assures them freedom to run their own domestic affairs in their own way. Any world order of this kind would necessarily be built upon the federal principles upon which this country was constructed. Certain powers relating to the maintenance of peace and to international trade would need to be entrusted by the peoples of the countries concerned to an international agency. Remaining powers could be reserved by these peoples and exercised by their national governments.

Ideally, such a world order would be built around a Community comprising all democracies, all peoples who maintain free institutions and human rights and for whom the state exists to serve the citizen rather than the reverse. However, major obstacles appear to block a direct approach to a worldwide system. The Soviet Union and Communist China are opposed to a free and democratic world. Developing nations in Africa and Asia, which have only recently gained their independence, lack both the political maturity and the economic viability necessary for effective participation in such an organized Community of Democracies. Many of them are democracies in name only, and free institutions have only shallow roots; in others, it is not certain whether such institutions will flourish or wither. A century and a half of Latin American history demonstrates that the development and maintenance of democratic government does not automatically follow the winning of national independence.

These existing conditions indicate that a Community of Democracies is not attainable now, and suggests that it must be approached indirectly and through a long period of evolution. Is there a practical approach to this goal?

THE APPROACH THROUGH ATLANTIC UNIFICATION

We believe that the most promising approach is to proceed first toward integrating the Atlantic Community. While progress in this direction must entail a considering period of political evolution, we recommend that positive steps should be taken as quickly as practicable. Attainment of Atlantic unification can provide the best foundations for an eventual Community of Democracies, which could embrace so large a proportion of the human race as to lead, in turn, to an ultimate free world. And, it offers a means of moving toward the attainment of the five great objectives listed at the beginning of this statement as well as bringing about an Atlantic relationship close enough to meet the specific political, military, and economic needs listed above.

Such steps would be undertaken within the framework of the United Nations, as was the North Atlantic Treaty. Increasing cohesion of the Atlantic democracies would directly strengthen the United Nations and directly contribute toward the achievement of its principal objectives, salient among which are international peace and security, economic advancement, and human rights.

A basis for such action exists in NATO, whose members, as already noted, have taken some significant military and political steps toward integration. The NATO nations have been the creators of our modern civilization and together possess an overwhelming proportion of the industrial and military power of the free world. During the last 20 years, every President of the United States has emphasized the need for greater unity of the Atlantic Community. And, a body of representative citizens of these nations, the Atlantic Convention—which met in Paris in January 1962—has called for "the creation of an Atlantic Community suitably organized to meet the political, military and economic challenges of this era."

Prior to 1963, there appeared to be a possibility that Atlantic integration could proceed on the basis of a "bilateral partnership" between the United States and a United Europe. Since then, President de Gaulle has prevented Britian from joining the EEC and has hindered progress toward political union among the Six. The prospects for a United Europe which would include Britain are at present beyond the horizon and the actual Atlantic partnership comprises the individual members of NATO. Since it would obviously be unwise, and even perilous, to postpone steps to develop the Atlantic relationship until a United Europe which includes Britain can be created, the only practicable approach to Atlantic integration at this time must be based upon the NATO nations.

To see how effective integration of the Atlantic Community might lead to the larger objective of an integrated Community of Democracies, we need to consider means by which the 15 members of NATO might effectively unite. Methods which might be followed are suggested in both past and recent experience.

The most effective method utilized in the past to integrate free peoples has been the application of federal principles, exemplified so strikingly in the formation of our Republic. History has shown federation to be the most successful peaceful means of extending political authority based upon common advantage and common consent over a number of political entities, while providing them all with a proportionate voice in decisions and actions. It is not intended here to suggest that an integrated Atlantic Community must be built upon the same pattern as the United States. What is suggested is that federal principles embodied in the American Constitution could be applicable to the task at hand.

Less comprehensive methods of integration have been utilized in creating the European Economic Community. The EEC was established by a treaty negotiated among the governments instead of by a constitutional convention. This treaty provided for two mechanisms which might be of value for Atlantic integration: the weighted majority vote and the transition period.

In so complex an undertaking, it would be essential to put first things first. The critical need at this period of history is unification of foreign policy and defense. However, an additional feature would appear essential at the start: the Community should have the powers necessary to raise the appropriations required to carry out unified foreign and defense policies. Without such powers, the Community would be afflicted by the paralysis which gripped the United States before its present Constitution was adopted.

Another significant feature should be a provision opening the Community up to the accession of other democracies on the basis of common consent. This would be essential to demonstrate to free peoples on all continents that the unified Atlantic Community was not an exclusive "club," but was designed to expand progressively by mutual agreement until it developed into a Community of Democracies of every region of the planet.

The institutional requirements of such a Community for the conduct of unified foreign and defense policies could be determined only after exhaustive studies by its founders. Here, we can merely indicate some general principles.

The institutions of the Community would need to operate effectively and by democratic means. These two purposes could be served by: (1) provision, in accordance with federal principles, that the participating peoples should entrust to the Community certain powers which they now entrust to their national governments; (2) provision for a legislative body on which they would be represented; (3) provision for an executive body subject to appropriate legislative control.

When the United States was founded, the problem of representation of big and little states was solved by the compromise which accorded them equal representation in the Senate and representation in proportion to population in the House. A solution to this problem would have to be developed for the Community, but it might have to be sought along different lines in view of the great disparity in population among some of the Atlantic nations and the prospect of accession by other nations of varying sizes in the future.

The principle embodied in the Treaty of Rome of weighted votes in the EEC Council might facilitate a solution of this problem. The need for some provision based on this principle is indicated by the prospect that, if representation of peoples were proportional to population in one house of the legislative body, the United States would have initially more than one third of the total, perhaps too large a share in the eyes of Europeans; subsequently, as the Community expanded, the share of American representation would progressively decline until it could become too small in American eyes.

This difficulty might be reduced if representatives in the other house were apportioned according to a formula agreed upon when the Community was established, instead of equally. Such a weighting of national representation might take into account certain factors other than population, such as relative contributions to the Community's budget. The representation to be accorded any new member in this house could then be determined in the negotiations leading to its accession.

However the problems of creating suitable institutions might be approached, we may be confident that they would be solved once an agreement to create an integrated Atlantic Community had been reached by the governments concerned. Granted the will, these problems are easily within the capacity of the peoples who have built modern civilization.

In establishing such an Atlantic Community, the substantial degree of economic integration that has been achieved during the past two decades among the countries concerned provides a favorable basis for moving more rapidly toward full economic union as a future goal. Economic union could contribute greatly to the welfare and prosperity of the Atlantic peoples. As the experience of EEC has shown, the approach to economic union must be gradual, entailing a period of transition to permit necessary adjustments. Bearing this in mind, a schedule for economic unification should be set.

To produce optimum results, economic union should extend to freedom of movement of men as well as of money and goods. Yet even among the NATO nations, freedom of migration could have consequences which some of them might find unacceptable in view of their substantial differences in standards of living. A solution might be the postponement of freedom of migration within the Community until such time as economic union has brought greater equalization of living standards.

The difficulty of this problem is compounded by the prospect of expansion of the Community in the future to include extra-Atlantic nations with very low living standards. If freedom of migration were made mandatory at an early date, Americans and other Western peoples might oppose inclusion of such nations and thus block progress toward an eventual Community of Democracies. A possible solution of this problem during the future expansion of the Community might be found in providing that regulations governing migration problems affecting a new member should be agreed upon by the Community and the prospective member during the negotiations preceding its accession.

There are many roads—political, military, economic, cultural, etc.—along which the countries of the Atlantic Community could proceed toward the goal of full union. So long as the ultimate goal is clear, this multiplicity of means for achieving it provides a constructive flexibility—the freedom to choose the particular method or methods which at any given time offer the greatest prospect for forward movement. This flexibility also makes possible the harmonization of the diverse needs and disparate potentialities of the different Atlantic Community countries in an agreed-upon strategy for achieving the eventual goal.

BENEFITS OF ATLANTIC UNIFICATION

The formation of an effectively unified Atlantic Community would enable substantial progress to be made toward the five great objectives listed at the beginning of this statement.

First, the Community could provide far greater assurance against thermonuclear war and other forms of aggression than can the existing NATO Alliance. It would be able to create a deterrent, including conventional defense forces, of whatever power necessary, and could do so much more easily and cheaply than can the United States and its allies separately. Unification of defense would save billions a year now wasted on duplication. And, a unified foreign policy would ring down the curtain on the capability which Moscow and Peking now possess of dividing the Atlantic democracies over such issues as Vietnam.

Second, the Community could safeguard and promote the freedom and dignity of man far more effectively than can the existing Atlantic Alliance. In this area, moreover, its peoples would no longer be on the defensive against the Communists as well as, on a lesser scale, Sukarno, Nasser, or other national dictators. Its promise of expansion by mutual consent would exert a magnetic attraction on all peoples to be free, thereby placing democracy on the offensive throughout the world.

Third, with its unified foreign policy, the Community could obviously deal much more effectively with both the Soviet Union and Red China in economic relations, including East-West trade, as well as in political relations. At the same time, its economic and political attractions would generate powerful currents among the Eastern Europeans who still aspire to freedom.

Fourth, the achievement of a growing degree of economic union within the Community would produce immense economic benefits both for the Atlantic countries themselves and for the less developed countries of Africa, Asia, and Latin America. A single economic area embracing all of North America and Western Europe would today have a combined gross product of well over $1 trillion. The countries that would comprise so vast a market have had, as a group, a higher annual average rate of growth during the 1960s than the nations of the Communist bloc, and their imports from one another now total approximately $65 billion, representing about two thirds of world imports.

An economic union of this size and dynamism would provide the opportunities and the stimuli for maintaining a high rate of economic growth with much less uncertainty than can now be done on a separate national basis, even with such existing facilities for mutual consultation and cooperation as the OECD. In a large and dynamic integrated market, the adjustment to freedom of trade and increased competition would be greatly facilitated by the many new investment opportunities, which would provide employment for more caiptal and labor, and by the fact that wage rates would tend to move up toward those of the most productive workers in the union, which would be those of the United States. Thus, an economically unified Community could assure continued adequate employment and high and rising living standards for all of its inhabitants.

Fifth, such a large and dynamic Community could provide a bigger and faster growing market for the raw material exports of the less developed countries than is now possible on a separate national basis. Moreover, an economically unified Community could with much less difficulty adopt a policy of the free entry for the manufactured goods of the less developed countries—a development highly unlikely if left to the separate Atlantic governments, as is now the case. Aid to these countries would undoubtedly be much larger than at present, owing to the high and steady rate of growth which the Community would achieve, and it would be much better coordinated because, in effect, it would be a single program. Thus, the less developed countries would obtain major additional benefits from an economically unified Community, which they are unlikely to enjoy in its absence. In turn, these benefits would advance the time when the developing peoples could hope to join the Community.

Thus, the creation of such an integrated Atlantic Community could contribute greatly toward the freedom, peace, and welfare of its peoples, and in doing so would mark a decisive step toward the larger goal of a Community or Democracies comprising peoples of every continent. As indicated above, the initial Atlantic Community should be "open ended," designed to include other free peoples on the basis of common consent. Obviously, no outside nation could be included if its people did not wish to join and, equally obviously, the Community could not be compelled to include a new member which had not yet attained adequate standards of democratic government.

What the conditions of eligibility might be cannot be known now, but one would seem essential: possession by the prospective member of adequate and effective free institutions. Exceptions might be made if geographic, strategic, or economic relationships made them desirable and if it were reasonable to expect that such institutions might develop over a period of time. An example is Portugal, a small NATO member, which would presumably participate in the initial Community and be likely to develop democratic institutions in such circumstances. But, any large dilution of the freedoms of the Community could imperil its foundations.

The expansion of the Community could proceed only slowly and gradually. The initial Community would need to complete its "shake down cruise," its institutions would need to become firmly established, and its peoples would need to develop a feeling of citizenship in it before any large numbers of other peoples could be added. Even then, small countries could more readily be admitted than larger countries entitled to sizable representation in the Community's institutions. For this reason, another feature of EEC might prove applicable—the "association" of countries outside its membership pending the time when their inclusion would be practicable.

Expansion of the Community to cover the free world might be a very long process, or it could occur quite rapidly if circumstances were favorable. Formulation of this larger goal, with the hope it would generate for the future freedom, security, and welfare of peoples in all parts of the world, could transform "the shape of things to come." Free men everywhere would then be able to see an alluring goal for their struggles, a free and secure world instead of one in which freedom and civilization are threatened.

Despite new weapons and aggressive ideologies, there is still no limitation on the political capabilities of man other than intelligence and will. Owing to its wealth, power, and world-wide responsibilities, the other NATO nations look to the United States for leadership. The United States can supply this leadership only when its own leaders can be brought to realize what is needed to overcome the critical threats of today and to safeguard America's freedom and way of life during the final third of the twentieth century and beyond. The path outlined here is one unparalleled in history in its promise. For it leads through the integration of the Atlantic Community to the gradual creation of a Community of Democracies and ultimately to enduring freedom and peace for all mankind.

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FOREIGN AID TO THE NEAR EAST AND SOUTH AMERICA

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FRASER. Mr. Speaker, with half the less-developed world's population and bordering Sino-Soviet territory, the Near East and South Asia is one of the most strategic regions of the globe today. Accordingly, NESA countries account for almost half of our economic assistance funds, with concentration on the three nations of India, Pakistan, and Turkey.

The economic and social problems of these countries are as diverse as their peoples and terrains. Populations have outdistanced production, educational opportunities and urban development are way behind the needs to develop into modern economies, ancient rivalries and social problems stand in the way of progressive legislation, food and agricultural crises would stagger any modern government.

Some of these nations, however, have made the transition from dependence on economic assistance to self-support—which demonstrates what a combination of determined self-help efforts, sound internal policies, and well-planned economic assistance can accomplish.

Nevertheless, the problems of NESA countries are unique. The Agency for International Development has compiled an excellent summary of our foreign assistance efforts in these countries. I would like to include in the Record the following excerpt from the Agency's presentation to Congress for fiscal year 1967:

THE NEAR EAST AND SOUTH ASIA

In the great arc of land known as the Near East and South Asia region, stretching from the Mediterranean Sea to the Indian Ocean, the United States is helping nations to face the enormous challenge of our time—the effort to meet the economic and social needs of their people.

This complex and disparate area, containing 18 countries with a total population of some 775 million, receives almost half the total economic aid programed by AID in support of U.S. objectives.

These objectives, which stem from basic U.S. security interests, are the maintenance of the independence of the nations of the region and the development of economically and socially progressive societies which will preserve their internal and external security.

The "Northern Tier" countries of the region—including Greece, Turkey, Iran, Afghanistan, Pakistan, India and Nepal—border on the Communist countries of Eastern Europe. Soviet Russia, and China.

The region's problems are commensurate with its 4.4 million-square-mile area, and as varied as the range of its countries' political systems from the world's largest parliamentary democracy to the smallest kingdom.

While some of the countries in the region—Greece, Israel and Lebanon are examples—have made the difficult transition to self-supporting economic growth with help from the United States and other free world sources, many will continue to need our help for some time to come.

Population is growing at an average rate of 2½ percent a year, diluting the slow growth of per capita income, which for most people is barely $100 annually. Skills and literacy in most of the area remain inadequate for dynamic economic and social growth. With some three quarters of the population dependent on the soil, agricultural productivity generally fails to keep pace with human and industrial requirements.

In addition to the traditional economic and social problems in portions of the Near East and South Asia are ancient feuds and political rivalries which militate no less against progress. In the great Asian subcontinent of India and Pakistan—the principal focus of U.S. assistance in the region—economic development was slowed during 1965 as the two nations renewed hostilities over Kashmir, wasting limited resources. New development loans and grants were suspended as the United States made clear to both countries its concern for the reestablishment of peace as an essential and basic condition for economic development.

The proposed fiscal year 1967 programs are predicated on peaceful relations on the subcontinent and assurance that economic help will not result in an arms race. The Tashkent agreement and subsequent moves to solidify and extend the armistice indicated progress toward peaceful settlement, and the United States has made limited new loan commitments to both India and Pakistan for fiscal year 1966.

AID IS HIGHLY CONCENTRATED

Nearly 90 percent of U.S. aid in the Near East and South Asia region is programed for India, Pakistan, and Turkey, all of which have development plans accepted by the major free world donors as a basis for external aid. The remainder is largely concentrated in two countries—Jordan and Afghanistan—with smaller programs planned for Nepal, Yemen, the United Arab Republic, Iran, Cyprus, and Ceylon.

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*Member of the Joint Subcommittee which prepared the Joint Statement.

*Member of the Joint Subcommittee which prepared the Joint Statement.

**Chairman of the Joint Subcommittee which prepared the Joint Statement.

The effectiveness of U.S. assistance in a developing country depends in large part on the determination of its people to help themselves.

The development of Greece and Israel—where no further economic development aid is planned—demonstrates that a combination of constructive internal economic and social policies and well-planned external aid can lift the economies of developing nations into a rapid rhythm of growth. In Greece, the rate of growth now exceeds eight percent a year; in Israel, 10 percent—one of the highest in the world. Lebanon also is forging ahead on its own, and Iran has gained economic strength to the point where no further development loans are expected, although technical aid for educational and agricultural programs will continue for a limited period.

The bulk of U.S. assistance in the Middle East goes to the development program in Turkey, which is aiming for self sufficiency by 1973.

Both Turkey and India are now financing more than three-quarters of their development programs from their own resources. Pakistan has succeeded in increasing its share to 60 percent.

All have undertaken reforms and policy changes in support of their development plans:

Turkey, tax reforms which are increasing sources of revenues and public savings;

Pakistan, the removal of restrictions on imports to broaden the participation of private industry which unfortunately were suspended because of the economic difficulty resulting from hostilities;

India, incentive prices for producers of foodgrains and measures to encourage private enterprise, particularly foreign capital for production of such needed goods as fertilizers.

Both the economies and societies of these countries are undergoing profound changes. All of them now produce many industrial products formerly imported—an important step on the road to self-reliance. Construction, power, mining, and transport all show gains. So do exports. Agriculture has also been making some gains in recent years, particularly in Pakistan. In India, primary school enrollments (now exceeding 60 million pupils) have doubled since 1951. The number of technicians and skilled workers, though far from sufficient, is also increasing. Although the rapid growth of population continues to dilute the effect of gains in production, all are managing to provide their people with a small improvement in consumption while devoting more resources to investments for future growth.

CONSORTIA

The United States is not alone in its effort to provide assistance to countries of the Near East and South Asia. Many other free world countries and the principal international institutions have joined in consortia to finance development needs in India, Pakistan, and Turkey and now provide about 55 percent of the funds pledged to these countries. The U.S. share is provided mainly through loans to finance the imports from the United States of equipment, raw materials, spare parts, and other components that go into national development, particularly in the private sector.

For 1965, India, Pakistan, and Turkey received pledges of $1,810 million through the consortia, including debt deferment for Turkey. The United States' share was about $793 million in AID and Export-Import Bank loans.

The United States has been successful in easing the terms of loan assistance for every country drawing support from the international consortia.

FOOD PROBLEMS

Rapidly growing populations and increased incomes swell the demand for greater food production. The response of the agricultural sector to this challenge has been inadequate in many countries, but Pakistan's experience since 1962 gives promise for other developing countries despite a drought which has reduced production in the current crop year. There, as a result of U.S.-assisted programs to improve the use of water, fertilizer, and other factors, agricultural output has increased 12 percent between 1962 and 1965.

With its food crisis, India is attacking agricultural problems on a broad front, allocating foreign exchange for the import of fertilizer and encouraging its private production. Farm production should also benefit from other planned capital investment and from reorganized agricultural administration.

Under its aid program, the United States is intensifying its technical and capital assistance to agriculture and AID plans to continue to support the development of effective agricultural education institutions. Five U.S. universities are working with seven Indian agricultural universities, and similar arrangements are financed by AID in Pakistan and Turkey.

THE FISCAL YEAR 1967 PROGRAM

The fiscal year 1967 economic aid request of $799.4 million for the Near East and South Asia includes funds for 11 countries as compared with 15 countries in fiscal year 1964. Development loans account for 90 percent of the economic aid requests for fiscal year 1967.

Program summary

[In millions of dollars]

	Fiscal year 1965 actual	Fiscal year 1966 estimated	Fiscal year 1967 proposed
Development loans	605.5	430.0	719.0
Technical assistance	49.9	46.0	48.0
Supporting assistance	38.5	34.9	32.4
Total	693.9	510.9	799.4

The substantial increase over fiscal year 1966 estimated obligations is accounted for by the fact that lending to India and Pakistan was suspended during part of fiscal year 1966.

DEVELOPMENT LOANS

About 80 percent of AID's total development loan funds are concentrated in the Near East and South Asia countries. India, Pakistan, and Turkey will receive most of the loan assistance. All have given evidence, through self-help measures, of a willingness to move steadily along the road to development.

Program loans will finance increased imports of fertilizer, pesticides, and other components needed to raise agricultural productivity. These loans have proved to be one of the most effective ways of stimulating private industrial growth. Growing experience in their administration, carefully compiled lists of allowable items, the close cooperation of host country governments, the inducement to liberalize imports, and regular end-use audits enhance the effectiveness of the program loan technique. The loans help to finance capital goods for various industries and concerns of all sizes, supporting investment in a wide range of the private sector.

Project loans will be available in fiscal year 1967 to build power plants, irrigation systems, transportation networks, and other facilities essential to development. Loans will also be available for fertilizer plants, as will specific risk and extended risk investment guaranties for U.S. private investments in fertilizer and other production.

TECHNICAL COOPERATION

The planned expansion of technical cooperation in fiscal year 1967 reflects increased emphasis on agricultural, educational and health projects. The needs of developing countries for technical advice and training continue to be as urgent as their need for capital. This type of assistance is planned for nine countries, under regional programs, and through the Central Treaty Organization (CENTO). Almost 70 percent is concentrated in five nations: Afghanistan, India, Jordan, Pakistan, and Turkey.

The technical cooperation program draws on the experience and competence of both private and public U.S. institutions, including many universities and colleges.

In agriculture, U.S. assistance will support the campaigns of India and Pakistan to produce enough food for growing populations. Programs to increase wheat production in Afghanistan will be intensified. Jordan will continue to receive assistance in developing cooperatives, extension services, credit and marketing, and rural development in general.

In education, India's Summer Institute program for teaching science and mathematics will be expanded. Vocational-engineering efforts, teacher training, and agricultural and educational program improvements will continue in Afghanistan. The program in Pakistan emphasizes vocational training.

Assistance has been requested for population control programs in Turkey, Pakistan, the United Arab Republic, and India. Experimental programs in improving nutrition will be started in Turkey and India.

More than 2,000 present and potential leaders from the Near East and South Asia countries are being trained in the United States and third countries. These professionals, administrators, and technicians will be returning to positions in their governments or private enterprises in which they can contribute effectively to national development.

SUPPORTING ASSISTANCE

The request for Supporting Assistance for the region continues the downward trend of previous years. It now comprises only four percent of the total regional request and will be for only two countries: Jordan and Yemen.

The continued independence of these countries is vital to U.S. interests in the volatile area of the Middle East and in the oil-rich Arabian Peninsula. Though on a diminishing scale, U.S. assistance will be needed for some time to come to help Jordan meet its national budget requirements. In Yemen, the program is now oriented toward urban and rural self-help and training programs.

SPIRIT OF SERVICE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. DADDARIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DADDARIO. Mr. Speaker, the Hartford Times quotes President Johnson's recent talk with high school students at the White House in an editorial acclaiming the response of our young people to the challenge of service to mankind.

The President discussed good citizenship with 800 young winners of the annual Rural Electric Youth Day essay contest. He told them they had an unequaled chance for useful service and called on Americans to develop "a new sense of citizenship—a new concern for the public good."

The Times cites those remarks in declaring that fine spirit of public service is developing among today's young people. Noting the growing number of young men and women who are volunteering for the Peace Corps and anti-proverty programs, the newspaper urges them to become actively involved in the field of politics.

The editorial also refers to comments on the challenge of public service by Deputy Defense Secretary Vance and former Defense Secretary Gates. I believe its optimistic commentary on today's younger generation is worthy of a place in the RECORD:

[From the Hartford (Conn.) Times, June 13, 1966]

SPIRIT OF SERVICE

Money, success and security haven't quite the same glamor for young people today that they did for those of a generation ago. A fine spirit of adventure in public service is developing, worthy of being encouraged in every way.

For example, although employment opportunities are much greater than in former years, twice as many college students as last year are applying to serve as Vista volunteers in the anti-poverty campaign. Vista enrollees devote a year or more to work among the poor. They receive food, clothing, housing and $50 monthly.

Young people in growing numbers are identifying themselves with organizations such as the Peace Corps, Head Start and similar agencies. These are activities in which they cannot possibly hope for great financial rewards but from which they can derive an enormous amount of personal satisfaction.

It is not only in the field of social service that we need far greater participation of our young men and women today. They must become actively involved in the political field which always needs the highest type of leadership.

The call to youth is being sounded on a wide front by men in high places. The President stressed it Wednesday in addressing 800 high school students in Washington. He said that if we are to solve our problems "our citizens must develop a new sense of citizenship—a new concern for the public good."

The President also told the young people: "Your most stirring possibility is the chance you have—unequalled in any other land at any other time—for useful service to your fellow man."

Deputy Defense Secretary Cyrus R. Vance, speaking here at the recent Trinity College commencement, said much the same thing when he urged the graduates to accept the challenge to be "private citizens with a public conscience." He added, "your reward will be the fulfillment of self and the greatness of your country."

And in San Francisco Thomas S. Gates, New York banker and defense secretary in the Eisenhower administration, noted that "the successful working of our governmental system requires greater involvement of citizens in the actual process of government."

Happily, our young people are responding in steadily increasing numbers to this spreading challenge to help others. It is reassuring to know they realize that selfish indifference to public need is not sound citizenship.

INVOLVEMENT OF THE AMERICAN BUSINESS COMMUNITY IN OUR NATIONAL EFFORT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, there is a growing need for the American business community to involve itself more in our national effort to aid developing countries. Both the greatest opportunity and the greatest challenge may exist in the health field, and, though the Federal Government is making important contributions directly and through the World Health Organization, there is plenty of room for the private sector to play a part.

A brief article in the Saturday Review of Literature recently told of a program developed by one U.S. pharmaceutical house, Smith Kline & French Laboratories, of Philadelphia, in cooperation with this country's medical schools, to send volunteer junior and senior medical students overseas to serve the people of medically underdeveloped countries during their summer vacations.

Called the S.K. & F. foreign fellowship program, it has been in full operation since 1960 and has supported the work of 215 medical students in 48 countries in Africa, Asia, Latin America, and Oceania. This year, another 35 students—selected, like the others by the Association of American Medical Colleges—are about to start on their tours of duty.

The pharmaceutical house finances the cost of travel, accident insurance, passports, and visas. It provides $1,600 for an unmarried student, $2,500 for a husband-wife team when the wife is also qualified in a public health field. In all, S.K. & F. has invested more than $400,000 in these young men and women who want to serve our less privileged neighbors.

As the Saturday Review article points out, this one company's program is truly a drop in the bucket in terms of the tremendous need. But, as the magazine said, "in terms of service to people it touches, it is enormous."

Mr. Speaker, under unanimous consent, I insert this article, from the May 14, 1966, issue of the Saturday Review, in the CONGRESSIONAL RECORD at this point, in the hope that others will be encouraged, by this fine example, to act:

PUBLIC RELATIONS: AIDING DEVELOPING NATIONS

Corporations with a sense of responsibility to the public have long had programs which filled a community or national need. But only recently, as American business has become more deeply involved in fields abroad, have companies extended their obligations to include foreign lands. This trend is bound to accelerate as management becomes more aware of the importance to this country of the developing nations.

It is not easy to work out a creative program which is both of value to the developing country and related to the corporation's interest. It demands skill, a knowledge of the host nation's basic needs, and an appreciation of the fact that unrealistic programs can boomerang. One of the companies that operates such a program successfully is Smith Kline & French Laboratories. As often happens, the program grew out of a series of events that made it clear to the management of the Philadelphia pharmaceutical firm that it could perform a service both at home and abroad.

It all began with an hour-long documentary, *Monganga*, sponsored by SK&F on NBC–TV in 1957. The program told the story of Dr. John E. Ross, an American physician working for the Christian Missionary Society in Lotumbe, the Congo. A sudent who was completing his third year at the University of Pennyslvania School of Medicine saw the program and was inspired to go to Africa for the summer to work with Dr. Ross and Dr. Albert Schweitzer in Lambarene. Under the sponsorship of his university he applied for financial help to SK&F, which gave him a travel grant of $1,300. When he returned he spoke to his medical school in assembly and to a number of mission groups. Other students applied to the company for similar aid.

Such was the beginning of the Smith Kline & French Foreign Fellowships, which are open to junior and senior students in U.S. medical schools for study and work in the medically underdeveloped areas of foreign countries. Under the program, which has been in full operation since 1960, qualified medical students are chosen by a committee of medical educators picked by the Association of American Medical Colleges, which administers the program. An unmarried student is given $1,600, a married one $2,500 for himself and his wife—if she can make a contribution as a registered nurse, medical or dental technician or some other kind of public health worker. This sum is for travel, accident insurance, passports and visas. The students "live in" at the institutions which they serve.

For ten or twelve weeks during the academic vacation the Fellows work in relatively primitive settings, where the medical and social problems are quite different from those to which they have been accustomed. The Fellow thus benefits from unusual clinical and social experiences while serving both as a representative of U.S. medical education, and of the United States itself.

When the Fellow returns home he must, within sixty days, turn in to the Association of American Medical Colleges a report suitable for publication.

In the first year of the program twenty-nine students were sent abroad at a cost of $55,000 to SK&F. This year thirty-five were chosen and the pharmaceutical firm will pay $70,764 for their expenses. In all, for the seven years of the program, the company has paid $439,548 for 215 students. In terms of the tremendous need it is a drop in the bucket. In terms of service to people it touches, it is enormous.

So far, Fellows have gone to forty-eight countries in Africa, Asia, Latin America and Oceania. The 1966 Fellows will serve in such places at Kenya, Burundi, the Philippines, Peru, Thailand, Tanzania, Nepal, and Malaysia. Five of the Fellows are women: they include a junior from the University of Minnesota who will go to Assam, India; a junior from Tufts University who will go to Nigeria; and a junior from Howard University who will go to Uganda. There are also four husband-and-wife teams: one from the University of Florida will go to the Philippines, one from Louisiana State University to Ethiopia, one from Ohio State University to Nigeria, and one from Northwestern University to Swaziland.

Most of the students, after finishing their medical studies, go into private practice in this country. However, seven Fellows have gone into the Peace Corps, two into public health service, and four to mission hospitals in Africa.

Smith Kline & French does not interfere in the running of the program. Says Walter A. Munns, president: "In today's community of nations no country can exist in isolation. The technologically advanced nations have a responsibility to give counsel and aid to those seeking higher living standards and freedom from disease. Vision and leadership on the part of government, educational institutions, and business are urgently needed if the world community is to eliminate the natural hazards standing in the way of international independence, growth, prosperity, and peace."

Not every company interested in the developing nations can have the same type of program—although the need is great—and the burden should not be left to the World Health Organization, governmental bodies, educational institutions, church groups and individuals. Smith Kline & French has shown that there is room for private industry. And as more and more corporations get more deeply involved in business affairs abroad, there is bound to be an increase in programs that will help developing nations while they serve the interest of the stockholders by contributing to stability abroad.

L. L. L. Golden.

ANNUAL CONVENTION OF THE NATIONAL RIVERS AND HARBORS CONGRESS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, earlier this month I had the distinct privilege and honor to be the principal speaker before members and delegates to the annual convention of the National Rivers and Harbors Congress here in Washington.

This year's convention was most successful, and I was pleased to address the group and to meet with Mr. Buckman, General Person and the other competent officers and staff of the national congress. Each year, the president of the group submits a report to the officers, members and delegates on the activities of the organization. President Buckman has written a very fine report, and I am happy to commend it to my colleagues.

The report follows:

Annual Report of the President, National Rivers and Harbors Congress, in Convention, June 7–10, 1966, in Washington, D.C.

To the President of the Senate and the Speaker of the House of Representatives.

Sirs: I have the honor to submit, on behalf of the National Rivers and Harbors Congress, this report of its aims and activities during the year ending May 30, 1966.

This organization, founded sixty-five years ago to promote the welfare and security of the United States through the study, use and conservation of water, has continued to pursue its original objectives appropriately expanded to keep pace with the advancement of learning and the needs of a rapidly growing population beset with developing social problems, subject to an advancing technology and faced with an increasingly threatened security.

The organization has maintained throughout its national, non-partisan and non-profit character. Its membership, representative of all States of the Union, has continued to grow at a healthy rate. Its organic structure has remained unchanged. This comprises its membership governed by a Board of National Directors elected for three-year terms by the members in annual convention. Its executive officers are limited to a President, an Executive Vice President, a Secretary and a Treasurer, all of whom, except the Executive Vice President, serve without compensation.

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Nathan Levy, Sr. of Louisiana
Dale Miller of Texas
John Young, M.C. of Texas

THE COMMITTEES

The procedures of the National Rivers and Harbors Congress are carried out through the work of certain operative standing committees. The members of these committees are selected on the basis of ability and experience in the several respective jurisdictions, due consideration being given to appropriate geographical distribution. They are appointed for terms extending one year from the end of the year in which the appointment is made. Committee reports may be either special or annual, and may be released for publication after approval by the Committee on State and National Policy With Respect to Water. These committees include:—

The committee on state and national policy with respect to water: The membership of this committee comprises only the National Directors ex officio, with the President of the organization as its chairman.

The committee on projects: Chairman: Robert T. Secrest, M.C. of Ohio; Co-chairman: Al Hansen of Minnesota.

This committee is made up of one member representing the area of Hawaii and certain other Pacific islands; one member each representing the ten great drainage basins of the continental United States and includes the area of Puerto Rico and adjacent islands, plus one member representing the so-called Western Inter-Mountain Division. The committee examines and classifies projects which are brought to it by its sponsors for that purpose. Neither this committee nor any other has authority to propose any project for examination or classification. Only the Committee on Projects may indorse, classify, or otherwise deal with any specific project. Application for the examination and classification of any specific project having been duly filed with the Committee by its sponsors, the Committee will examine the same and classify it. When requested by the applicants, a public hearing by the Committee will be afforded. Upon completion of its examination the Committee will classify and certify each project duly brought before it as being in one of the following five classes: (1) Endorsed for Prompt Construction in the Public Interest; (2) Meritorious; (3) Expeditious Report for Authorized Survey Requested; (4) Recommended for Survey; (5) Classification Deferred for Lack of Sufficient Data. A project placed in Class (1) will remain in that class until constructed or withdrawn by its sponsors. All Class (1) projects on which construction has not been begun and for which there is pending before the Bureau of the Budget no request for construction funds by the Federal Agency in charge are regularly brought before the Bureau by a panel of officers of the National Rivers and Harbors Congress with a request that funds for their prompt construction be included in the forthcoming Public Works Budget of the President. The sponsors of any project not classified in Class (1) may apply to the Committee on Projects for a reexamination of the project upon the presentation of significant additional evidence.

The committee on industrial and municipal water use and pollution abatement: Chairman: John A. Blatnik, M.C. of Minnesota; Co-chairman: J. E. Sturrock of Texas.

The committee on irrigation and reclamation: Chairman: Mark Andrews, M.C. of North Dakota; Co-chairman: J. W. Grimes of South Dakota.

The Committee on Navigation: Chairman: Gleason N. Stambaugh, Sr. of Florida; Co-chairman: Dale Miller of Texas.

The Committee on Use and Treatment of Saline Waters: Chairman: Wayne N. Aspinall, M.C. of Colorado; Co-chairman: W. B. Camp of California.

The Committee on Defense Transportation: Chairman: Robert L. F. Sikes, M.C. of Florida.

The Committee on Recreation and Wildlife: Chairman: Ed Edmondson, M.C. of Oklahoma; Co-chairman: Randolph Hodges of Florida.

NAVIGATION

By action of the Executive Committee, the name of the Committee on Inland Navigation has been changed to the Committee on Navigation. Three subcommittees of this committee have thus far been instituted: (1) The Subcommittee on Inland Navigation; (2) The Subcommittee on Ocean Navigation, and (3) The Subcommittee on Criteria for the Evaluation of Proposed Inland Navigation Improvements. To this last-named subcommittee has been assigned the task of removing the very grave threat to all inland navigation posed by the issue from the office of the Chief of Engineers of the Army of the directive of November 20, 1964 providing certain new criteria for the evaluation of the improvement of inland navigation channels. The National Rivers and Harbors Congress is dedicated to the view that the actual relative economy achievable by transportation on inland navigation channels is the true measure of the value of such improvements.

DEFENSE TRANSPORTATION

The continuing possibility that this country can be drawn into another armed conflict of world magnitude which could strain the resources of the United States beyond the point which prudence can allow has caused the Executive Committee to institute a Special Committee on Defense Transportation. This committee will objectively and critically study the total capacity of our transportation resources which could be made available for our war effort if and when needed. They will examine and evaluate our need for and ability to transport, internally and overseas, with existing facilities, the increased load which the needs of the civilian population, the civilian war effort and the operations of the military establishment would impose upon all modes of transport including rail, water, highway, airway, and pipeline. In the light of their findings they will make such recommendations as appear to them to be justifiable. The membership of this committee is as follows:

Honorable ROBERT L. F. SIKES of Florida, Chm. U.S. House of Representatives.

Honorable E. L. BARTLETT of Alaska, U.S. Senate.

Honorable WILLIAM H. BATES of Massachusetts, U.S. House of Representatives.

Honorable FRANK T. BOW of Ohio, U.S. House of Representatives.

Admiral Arleigh Burke, USN (Ret.), Director, Executive Board, Center for Strategic Studies.

Mr. J. W. Clark, president, Delta Steamship Lines.

Honorable DON H. CLAUSEN of California, U.S. House of Representatives.

Rear Admiral P. Corradi, USN (Ret.), Gibbs & Hill, Inc.

Honorable WILLIAM C. CRAMER of Florida, U.S. House of Representatives.

Honorable GEORGE H. FALLON of Maryland, U.S. House of Representatives.

Honorable JOHN J. FLYNT of Georgia, U.S. House of Representatives.

Honorable Randolph Hodges of Florida, Dir., Florida Board of Conservation.

Honorable CRAIG HOSMER of California, U.S. House of Representatives.

Mr. Frank Hulse, president of Southern Airways.

Honorable ROBERT E. JONES, Jr. of Alabama, U.S. House of Representatives.

General Joe Kelly, USAF (Ret.), Senior International Representative, General Dynamics.

George Killion, President, American Presidents Lines, Ltd.

Honorable JOHN J. MCFALL of California, U.S. House of Representatives.

Mr. Dale Miller of Texas, Executive Vice President, Gulf Intracoastal Waterway Association.

Honorable THOMAS M. PELLY of Washington, U.S. House of Representatives.

Honorable MENDEL RIVERS of South Carolina, U.S. House of Representatives.

Honorable JOHN P. SAYLOR of Pennsylvania, U.S. House of Representatives.

Honorable JAMES W. TRIMBLE of Arkansas, U.S. House of Representatives.

Mr. Daniel C. Wall, Consulting Engineer.

Lt. Gen. W. K. Wilson, USA (Ret.), Vice President, Southern Industries, Inc.

Honorable Eugene M. Zuckert, Former Secretary of the Air Force.

SEA WATER FOR AGRICULTURE

Increasing attention is being given by the directorate to the need for further exploration of the possibility of breeding or developing agricultural or arboreal crops which may be grown with undiluted sea water. No significant progress in the attack on this problem, if there has been any frontal attack, has been achieved in the United States. Reports of investigations being currently conducted by the government of Israel promise a measure of success, and the matter is being brought to your attention in the hope that legislation, or a Senate or House resolution, may cause an appropriate committee to conduct a thorough investigation of the possibility of this problem being solved through competent and adequately supported research by Government agencies and scientific bodies. The gains to the food economy of the world which would result from the ability of the race to use the limitless water of the sea for food production justify whatever expense this exploitation might entail.

PUBLIC EDUCATION AND WATER

Sometime ago the National Rivers and Harbors Congress created an independent nonprofit scientific and educational trust—The Bureau of Water Resources—with authority to build, equip, maintain and present to the Federal Government free of cost to the latter a center for the education of the public as to the nature, distribution, uses and availability of water in the United States. Identical bills providing for the acceptance of this gift by the United States, introduced by Representative WAYNE ASPINALL of Colorado (H.R. 13181) and by Representative ROBERT L. F. SIKES of Florida (13182) are pending in the present session.

POLLUTION AND FLOOD CONTROL

The relation between pollution and flood control is not generally recognized by the public. But these two aspects of the use and control of water are inseparably linked and may well be placed under the aegis of one committee. For this reason there is now under consideration a change in our committee structure which will result in the institution of a new operative Committee on Flood Control and Pollution. This group will be concerned with all matters coming properly under either of the two heads. Lack of adequate flood control, and increasing pollution of our streams constitute (together) a great and growing threat to our basic need for supply. Because of this they are rapidly rising to first rank in importance in the field of water. It is hoped that the new committee can be established and begin its work before the end of the present year.

Sincerely and respectfully,
HENRY H. BUCKMAN,
President
(For the National Rivers and Harbors Congress).

INTRODUCTION OF A BILL TO AMEND SECTION 312 OF THE IMMIGRATION AND NATURALIZATION ACT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. MINK. Mr. Speaker, I am today introducing a bill to amend section 312 of the Immigration and Naturalization Act. All that my bill does is to delete the words "on the effective date of this Act".

Section 312 which was amended by Public Law 82-414 provided that aliens who were 50 years old and who resided in this country for 20 years, as of the effective date of this act, could become naturalized citizens without meeting the requirement of being able to read, write, and speak the English language.

It happened that the effective date of that act was December 24, 1952. Thus any alien born before December 24, 1902, and who lived in this country for at least 20 years could have the benefit of this waiver.

This arbitrary date has created a great inequity in the law. Many long-time resident aliens who have lived here for 30 or more years, but who were not 50 years old as of December 24, 1952, are arbitrarily denied the waiver. I think it is only fair that these long-term residents of our country who wish to take a full part in the affairs of their adopted homeland be given the same opportunity for citizenship as those who arrived here before them and who took advantage of this waiver because of the prior act of Congress dated December 24, 1952, which since that date has become an arbitrary cut-off. Today's 20-year alien resident must be 63 years old to qualify for this waiver. If in 1952, 50 years of age was appropriate, then I think it is still appropriate today. The present cut-off date merely perpetuates an inequity that has no logical basis for being.

A FRUITFUL CONFERENCE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CHARLES H. WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, there is much to be gained from a down-to-earth meeting of State and Federal officials—and, in the opinion of State legislative leaders, much actually was gained from the recent conference arranged by President Johnson.

These leaders adopted, unanimously, a resolution declaring they are now better informed on urgent problems facing the Nation.

The President originated the National Legislative Leaders' Conference to familiarize the presiding officers of State legislative bodies with Federal programs in all areas of Government activity.

Those participating found the briefings they received from officials of the executive branch helpful in discharging their own responsibilities as well as in the carrying out of Federal programs. They asked that similar conferences be held in the future.

Speaker Jesse Unruh, of the California Assembly, who serves as chairman of the National Legislative Leaders' Conference, and who also happens to be a distinguished constituent of my 31st District, introduced the resolution, which I hereby offer for the RECORD:

Whereas: For the first time in our history a National Legislative Leaders' Conference has been called by the President of the United States, and

Whereas: This conference has brought together the presiding officers of the respective Houses of the State Legislatures of the United States, and

Whereas: There is a growing awareness throughout our country of the urgent necessity to strengthen State Legislatures and State Government to meet the growing problems of our citizens, and

Whereas: President Johnson has given emphasis and sharper focus to this growing movement, both through his call for a "Creative Federalism" and through his sponsorship of this conference, and

Whereas: We, as presiding officers and leaders of our respective legislatures, are vitally interested in the great impact which Federal programs and policies, both foreign and domestic, have upon the health, safety and welfare of our nation and its citizens, and

Whereas: We have found the excellent briefings on Federal programs in all fields of governmental activity by the distinguished officials and leaders in their respective fields stimulating, informative and enlightening, and

Whereas: We feel that as a result of this conference we are better informed about the huge problems confronting the nation, its citizens and their government, and

Whereas: We believe such briefings can be helpful both for the implementation of Federal programs and for the effective discharge of our own responsibilities to the citizens of our respective States and we hope there will be further such conferences for State Legislators, be it therefore. * * *

Resolved: That the participants in this National Legislative Leaders' Conference go on record expressing their appreciation to President Lyndon B. Johnson for making this conference possible, and be it further

Resolved: That we commend Vice President HUBERT HUMPHREY and Speaker JOHN W. MCCORMACK for their interesting and informative addresses which opened this conference, and be it further

Resolved: That we commend Governor Farris Bryant and his able staff for their fine work in the organization and conduct of this conference, and be it further

Resolved: That we express our appreciation to such distinguished Federal officials who conducted the excellent briefings as Secretary of State, Dean Rusk; Secretary of Health, Education and Welfare, John Gardner; Director of the Office of Economic Opportunity, Sargent Shriver; Attorney General Nicholas deB. Katzenbach; Secretary of the Air Force, Harold Brown; Secretary of Housing and Urban Development, Robert Weaver; Secretary of Commerce, John Connor; Secretary of Interior, Stewart Udall; Secretary of Agriculture, Orville Freeman; Secretary of Treasury, Henry Fowler; Bureau of the Budget Director, Charles Schultze; Director of Telecommunications Management, James D. O'Connell; Special Assistant to the President, Joseph Califano, Jr.; Deputy Attorney General Ramsey Clark and Under Secretary Wilbur Cohen.

"PRESERVE US FROM SUCH A FATE"

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. VIVIAN. Mr. Speaker, I have read with dismay of the plans to complete the destruction of one of the few truly historic monuments left in this great Capital City—the west front of the U.S. Capitol Building, the only remaining portion of the original exterior of this great building.

According to press reports, this disaster is to be perpetrated in order to provide some few thousand square feet of the most expensive office and public space in the history of public buildings—space that will cost the taxpayers far more than $100 per square foot.

Mr. Speaker, one of the phrases most frequently sonorously cried out in these hallowed Halls is "waste in Government." That term, usually directed at the bureaucrats downtown, will, I fear, lose all future credibility if this project goes forward.

Some $34 million is being asked for this project; but I doubt that anyone in the Congress believes this will be the final bill.

But, Mr. Speaker, why stop at merely destroying the west front of the Capitol Building? If we need more space, why not go all the way. We could tear down this old building entirely. Then we could level Capitol Hill, on which it stands, to save the daily effort and shoe leather of those who must labor up the great slope. Then we could commission a brandnew marble masterpiece. For a model, perhaps we could turn our eyes southward, across Independence Avenue, to that great triumph of architectural esthetics and economic construction—the newest of the House Office Buildings. Mr. Speaker, preserve us from such a fate.

I could happily vote for the appropriation of the $10 million which is estimated to be required to permanently preserve the present west front. We could thus save the public several tens of millions of dollars. And at the same time, we would save a historic public building which, although we may tend to forget it, is not the property of the Architect of the Capitol, not even the property of the U.S. Congress, but, rather, the property of the people of the United States—now and, I hope, for generations in the future.

ERROR OF FACT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. VIVIAN. Mr. Speaker, on May 12 I placed in the CONGRESSIONAL RECORD an insertion which included several paragraphs identified as reprinted from an article in the May issue of the magazine Consumer Reports. On June 14, Mr. Robert Dailey, of the Carnation Co. wrote me to advise me that he believes the article contained an error of fact.

I am pleased to have this matter brought to my attention. In order that his views may be known to all those who may have been influenced by the first, Mr. Speaker, under unanimous consent I place Mr. Dailey's letter, reprinted in full, at this point in the RECORD:

CARNATION CO.,
Los Angeles, Calif., June 14, 1966.

Hon. WESTON E. VIVIAN,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN VIVIAN: We have received a copy of the Appendix of the CONGRESSIONAL RECORD of May 12, 1966, in which you placed in the RECORD an article on packaging and labeling which had appeared in the May issue of Consumer Reports. While we do not question your earnesty or the sincerity of whoever wrote that article, we must point out an inaccuracy.

The reprinted article, commenting on canned tomato prices, states as fact:

"Carnation Co. made the switch last year on its Contadina brand and, again, a CU reader reported buying 14½-ounce cans at the price (two for 39 cents) previously paid for 16 ounces."

Contadina Foods, Inc., early in *1963*, was the *second* of the two major California tomato canners to convert from the 16-ounce to the 14½-ounce can. Contadina's (and now, our) major competitor had long since converted, maintaining the price at the old 16-ounce level, in order to stop attrition of its profits caused by higher costs of raw materials, labor, cans, advertising, and distribution. For the same reasons, Contadina finally "made the switch," as the writer of the article puts it, in 1963. At the end of that year, Carnation Company acquired Contadina Foods, Inc. Among the things acquired was the 14½-ounce size of canned tomatoes—by then, the standard in the industry. As is the case from time to time in the packaged goods industries, carryovers of inventories of the old size cans resulted in the presence of some 16-ounce cans on retail shelves in 1964. But the likelihood of survival of those old inventories on into 1965 was, and remains, remote.

This is the history of the matter, taken from our files. The Consumer Reports writer, in an excess of zeal, apparently made an assumption, based on the reader's report in 1965, that the can size was changed in 1965. This seemingly innocent assumption has obviously been accepted as fact by many people, including you.

While the mistake may have been innocent, it has the effect (you are our star witness) of creating an image of Carnation Company as an unscrupulous gouger. Actually, industry prices of canned fruits and vegetables are sensitive and responsive to the supply and demand fluctuations, and resulting price fluctuations, in the raw fruit and vegetable market. Farm prices necessarily play a major part in determining canners' pricing to the retail trade of the finished products. And, since we do not try to exercise resale price maintenance through so-called "fair trade" contracts, the pricing of products at retail to the consumer is out of our hands. You can see that there are many factors at work in the fruit and vegetable canning economy and in the finished product distribution economy.

We do not want to go into the complexities of the 303 can versus the 300 can, nor into details as to pricing, which, as you can appreciate, are proprietary information. The basic facts have been set forth. While the damage has been done, and no retraction or correction of the record can undo it, we must try to protect our good name against future damage.

Very truly yours,

CARNATION CO.,
ROBERT F. DAILY,
Corporate Department.

TRAFFIC SAFETY

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. MACKAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MACKAY. Mr. Speaker, the Los Angeles Times has published the finest series of articles dealing with the subject of traffic safety which I have seen in any newspaper. These articles were written by Bob Thomas, the auto editor of the Times.

Because the subject is so complex it is invaluable to have a first-rate reporter explore the many facets of the problem.

Mr. Thomas has made a distinguished contribution toward building informed public opinion which must exist before effective legislative and executive action can be achieved.

These articles are as follows:

[From the Los Angeles (Calif.) Times, Apr. 24, 1966]

DETERMINED ATTACK EMERGING ON TRAFFIC SAFETY PROBLEMS—GOVERNMENT INTEREST SEEN AS CATALYST IN EFFORT TO COORDINATE INDUSTRY EFFORTS COMBATING DEATH RATE

(By Bob Thomas)

America's most misunderstood social problem is the automobile accident.

It has been clouded by statistics, oversimplifications, slogans and scare tactics.

Lately, it has been dramatized by recriminations.

But never has the real question of traffic safety been satisfactorily explored. Or defined.

Finally, however, the time for action and solutions has arrived.

It comes, unfortunately, 67 years after a gentleman, assisting a lady from a street car in New York City, was struck and killed by a horseless carriage. He was the first of 1,500,000 Americans to die in traffic accidents.

The impetus for action is being provided for the first time by the federal government, which, since 1924, has only tiptoed timidly on the fringes of the problem

GOVERNMENT ROLE AS CATALYST

The government could be the catalyst that has been missing in past splintered and uncoordinated safety efforts. It is doubtful that it can do much more—or should—although there is both a persistent and impatient attitude among some in Washington to establish rigid controls, particularly on industry.

American automobile manufacturers, on the other hand, are resisting the strait jacket approach while outlining safety strategy by evolution. Experts within the industry—engineers, designers and executives—warn of the dangers of revolution.

The third major area of influence, the science and research field, offers perhaps the best hope for a reduction in the accident toll—although it also contributes the sobering advice that there is no quick solution. Anyone harboring such hope will be disappointed, they say.

Science, which has had a faint voice in automobile safety in the past, has launched into broad new research programs on such fronts as accident causation, injury and death causes, and human factors, both psychological and physical.

The accident itself has been generally described as an interaction of automobile, road and driver. However, no research has ever been undertaken that measures the importance of each factor—although human error has been the rather "pat" explanation for the millions of deaths and injuries in the U.S. since 1899.

AREN'T TIED TOGETHER

"We must recognize that the causes of accidents and the cures aren't necessarily tied together," said Dr. B. J. Campbell of Cornell Aeronautical Laboratory in New York. Dr. Campbell recently embarked on the first intensive study into the causes of accidents.

"The traffic safety problem is filled with assumptions, speculation, emotionalism, and incomplete data," said another researcher, Dr. Donald Huelke, who conducted a four-year study of auto deaths at the University of Michigan.

"We've got to get more science into this thing," he emphasized.

One does not have to go far, of course, to find experts on automobile safety. The subject abounds with them.

Every person who owns an automobile considers himself to be something of an expert.

Even some people who don't own cars—including the Senate's No. 1 authority, Ralph Nader, the intense young attorney and author of the controversial book, "Unsafe at Any Speed," which is an indictment of the automobile industry.

Expertise, unfortunately, offers just about everything.

This includes:

—False hope as well as hopelessness.

—Oversimplification, a political pitfall (or expedient).

—Cliches and slogans: the Nut Behind the Wheel . . . Speed Kills . . . Don't Drink and Drive . . . Is Driving a Right or a Privilege . . . etc.

EMOTIONAL PROBLEM

Mainly, automobile safety has become a problem packed with human emotion and cold statistics.

These two factors in this national disaster—49,000 dead last year and another 2 million injured—contribute most toward distorting the real picture.

Statistics are used to arouse the public, drawing either fear or consternation.

Does fear make the road safer?

"Scare techniques may be used moderately as an attention getter, but that isn't going to get the job done," said Howard Pyle, president of the National Safety Council, the clearinghouse for grim statistics.

MOVED MOMENTARILY

People apparently are moved only momentarily by statistics—as are drivers by the sight of a patrol car in the rear view mirror.

Statistics can be graphic. For example:

—If a jet airliner crashed every day of the year somewhere in the United States, killing more than 100 people daily, the total would not approach the number of people killed annually in motor vehicle accidents. In fact, it would not come close.

—There are 1.6 million people among us now who are permanently disabled due to an automobile crash injury.

—Every 11 minutes someone dies from an auto injury.

—Twenty-five people who attended last year's Rose Bowl Game will not attend the next. They will die in a highway crash at the current rate of fatalities per 100,000 citizens.

—The American Trial Lawyers Assn. warns that each of us has a 50–50 chance of being injured in an auto accident.

—Since World War II, a half million auto deaths exceed U.S. battle losses in our last three wars by 125,000. The 1,500,000 Americans who have died on the highway comprise considerably more casualties than all our wars combined.

Statistics, exhibiting their fickle nature, also are used to "prove" that motor madness is not really so serious after all. As follows:

—Last year 90% of all accidents (nearly 20 million), fender benders included, did not involve an injury of any kind. And only 0.3% of them involved a fatality.

DETROIT STATISTIC

—A Detroit safety engineer can produce a statistic that gives the average driver 17.5 million miles of "deathless" driving.

—Another source rationalizes auto deaths by relating them to the laws of nature, pointing out the accidental death total hasn't changed much in 50 years. Exposure has merely changed from inside (the factory) to outside (the street).

However, there are numbers that measure the scope of the problem.

Last year, for example, more than 49,000 Americans were killed and 1.8 million hurt seriously enough to be disabled for a day or longer. The cost of traffic accidents exceeded $8.5 billion. All are record totals.

NINETY-ONE MILLION DRIVERS

These statistics were posted by 91 million registered drivers from a population of 194 million (8 of every 10 persons of driving age has a license), covering 880 billion vehicle miles of travel.

That divides into 5.6 deaths per 100 million miles.

That rate marked the first drop in fatalities after an unprecedented three-year rise, down from 5.7 in 1964. By contrast, 25 years ago the rate was 12 deaths per 100 million miles of driving.

Why, then, this sudden national alarm over an old problem?

Some say it is politically motivated. Others say the public, long apathetic to the problem, finally has awakened.

Some concern obviously was generated by the accident and death phenomena of the 1960s.

During the preceding decade, total casualties hovered consistently below the 40,000 level. But a dramatic jump occurred in the early 1960s—a 25% increase, pressing the count of dead toward 50,000.

Several theories have been volunteered. They include:

1—Greater exposure—the car population soared as did the number of miles traveled.

2—More young, inexperienced drivers—the postwar baby boom matured to driving age.

3—The compact car era—thus, less survival room for occupants in severe accidents.

4—More motorcycles—cycle deaths doubled (to 1,600).

5—Higher speed—the national miles-per-hour average went up (boosting accident severity).

Perhaps it is a miracle things aren't worse. They are elsewhere.

The death rate by motor vehicles in Europe, compared to the United States, is half again as high in the safest countries and as much as 10 times higher in others.

Maybe we underestimate our efforts at home.

Despite misconceptions about total lack of concern, there has been considerable work done in traffic safety by many dedicated people and organizations. Unfortunately, these efforts have rarely been coordinated.

Those who have been engaged in research work might ask those harking loudest now for action: "Where were you 10 years ago?"

That was the very question a Ford Motor Co. executive asked a Washington critic last year when a feature on a 1954 model Ford interior was assailed as unsafe.

Recently, assaults have been aimed directly at manufacturers, who have been charged with negligently building unsafe cars. Subordinated, for the moment at least, are the contributions of the driver and highway design to accidents.

"The automobile can't vote," is a bitter explanation from some in Detroit.

Or, is the attack on the auto an admission that driver and highway improvements are hopelessly beyond remedy . . . problems much too big to cope with?

To that, a member of the National Safety Council, answered:

We should never get the feeling that the situation is hopeless. It's a complex problem with complex solutions."

[From the Los Angeles (Calif.) Times, Apr. 25, 1966]

Forty-two Years Between Steps: Congress Prodded Into Auto Safety Action

(By Bob Thomas)

In 1924, Secretary of Commerce Herbert Hoover convened the first National Conference on Street and Highway Safety—a life and death meeting, he emphasized.

That was the federal government's first serious look at a problem created shortly before the turn of the century by the automobile. Hoover's conference, however, produced nothing serious. At least nobody took it seriously.

In 1966—last month, in fact—another commerce secretary, John T. Connor, a former General Motors board member, stated:

"For many years Congress has demonstrated its serious and continuing concern for traffic safety."

Apparently the secretary had failed to do his homework—or, at least study the record.

In the 42 years between Hoover's and Connor's statements, more than one million Americans died on the highway . . . while Congress hesitated to define the federal role in traffic safety.

Now Congress is poised—committed, actually—to respond to legislation it did not generate—President Johnson's traffic safety bill of 1966.

The President has proposed standards for industry, accident and injury research, a government test facility, highway improvement and assistance to state programs which include the driver.

Congress now must determine whether the bill becomes law as outlined—nonrestrictive in nature—or is to be rewritten with rigid guidelines for industry.

If it is the latter, it could mean serious restrictions on automobile manufacturers.

Such a bill seems unlikely, but not for the reason expressed by Rep. James A. Mackay (D-Ga.) who said:

"The automobile industry is so powerful that I think it can gut this legislation if it sets its mind to."

Despite recriminations against industry, legislators are not likely to bind industry's hands too tightly.

Even one of Detroit's severest critics, Sen. Abraham Ribicoff (D-Conn.), admits the problem is broader than that.

Ribicoff, called "Mr. Traffic Safety" by his colleagues, undoubtedly is the man most responsible for a concerted federal effort. He has been a relentless crusader for highway safety since his days as governor of Connecticut (1954–60). Those close to him say almost reverently: "He came in a time of national need."

Ribicoff's subcommittee launched an in-depth study on the subject a year ago.

"No federal role was coordinated," said the senator about the timing. "I think we were effective in 11 months. We now have the whole government in it."

The job of any subcommittee, Ribicoff explained, is to "explore, highlight and needle."

His committee succeeded on all counts.

"NOT DESTRUCTIVE"

"However," he added, "you must work very carefully . . . so the public realizes you're a constructive and not destructive critic."

Ribicoff has both commended and condemned the President's bill.

As proposed, it would permit industry to set standards for safety, subject to scrutiny after two years and approval by the secretary of commerce or transportation, if the latter department is established.

At hearings, Ribicoff assailed the bill's timetable, demanding interim federal standards and said "discretionary authority" for the secretary is not enough. In effect, he said, "don't let industry off the hook."

In his office, Ribicoff exhibits more patience with this problem, if not the bill, but no less urgency to get things rolling.

"If the bill goes through, you have to give it time to work," he said, nevertheless leaving the impression that he fears neither the Commerce Department nor his colleagues in Congress share in depth his concern for the traffic "emergency."

DIRECTED AT CAR

Ribicoff has directed most of his safety efforts at the car, including one that hasn't been built yet—the so-called prototype survival-car.

The senator long has advocated that the federal government should get into the automobile business by having a prototype built to its standards. He also points to the aerospace industry as the most likely source to provide the concept for a crashproof car.

Specifically, in fact, he has suggested that the government provide financial support for a safety car project that is being developed for the state of New York by Fairchild Hiller's Republic Aviation Division.

It is estimated that the cost of development and construction of a dozen prototype vehicles and subsequent crash tests would be $4 to $5 million, a figure that Ribicoff labels "extremely cheap."

Further, he states:

"The auto industry should have such a car of its own."

The Senator contends that the industry knows there is a different kind of car to be built, safety rather than design oriented.

A government prototype, he indicated, would put the industry under the gun to build one . . . "and put the engineer in his rightful place (on a level with the designer)."

LONG-RANGE LOOK

A prototype development program, of course, is a long-range look.

What about the "unsafe" cars presently on the road?

"You can't do a lot with what's on the road now," Ribicoff admitted. "Comdemnation is a pretty tough thing. If there is inspection, dangerous cars will be ruled off. Normal attrition will take care of the others."

The National Safety Council has taken a strong stand against safety cars and imposition of mandatory standards on auto builders. Howard Pyle, a former governor of Arizona and now president of the council, is wary of the political approach, especially what he calls "the tendency to put the whole blame on the automobile."

Pyle plainly favors an act that would establish the federal government's role as chiefly that of coordinator and not regulator. Uncle Sam would serve best, according to Pyle, as stimulator to state and local projects, mainly by financial assistance.

"Legal authority best reposes with the state and local governments and we think substantial momentum has been built up," he said, pointing to recent compacts on driver licensing between 19 states and vehicle equipment safety between 44 states.

"Bedlam, however, breaks out if you don't do it orderly," he said, speaking against hasty federal interim standards that would supersede state standards.

FUNDS CRITICIZED

Pyle contends that impatience will not bring results quicker but poses the danger of "pulling everything down on our heads."

"Government is never the shortest distance between two points."

Pyle, while warning against federal standards that go too far, is also critical that some areas of the President's bill don't go far enough—particularly in providing federal funds.

"The act asking for $700 million for a six-year period is inadequate," he said. "We estimate it will take an additional $958 million (annually) at the state, county and city levels to expedite official action."

Pyle, of course, is anxious to stimulate through federal aid the long-standing but lagging Action Program for Highway Safety, developed since 1946 by various safety authorities, including, in recent years, the President's Committee on Traffic Safety.

The Council-supported Action Program encompasses laws and ordinances, accident records, education, engineering, police supervision, courts, public information, organized citizen efforts, research and care and transportation for the injured.

If the program reaches full operation in states and communities throughout the country, Pyle predicted the net cut in accidents would be 50%.

Federal influence in safety also raises a cost consideration which eventually comes right back to the consumer. First, how much is a life worth?

Everyone agrees, politicians in particular, that you can't put a price on human life. Thus, is price to be among criteria in determining what safety devices and standards are approved for cars?

Sen. Ribicoff claims a safe car will not cost more or look much different than today's automobile. Part of his reliance is based on the competitive nature of the industry.

"My feelings is that you could strip $100 worth of junk from the automobile that is there now. There is an awful lot in an automobile that is absolutely useless . . . nonsensical," said the senator.

Industry disagrees, naturally. For instance:

"That's pure fiction," said Larry Nagler of American Motors, the pioneer safety engineer presently in Detroit. "That's another self-generated statement—just more guesswork. The basic automobile just doesn't have $100 to trim out."

Safety standards, Nagler pointed out, already have added about $100 to the cost of a car. His reference is to Government Service Administration standard (requirements for cars purchased for federal use). Half of that cost includes the California-approved anti-smog controls.

"That's an added billion dollars in a 10-million car market," Nagler emphasized.

The public pays.

GSA standards, which were drawn up with the help of industry, have been adopted voluntarily by manufacturers—obviously to reduce political heat. In most cases, they are "tack on" items. More will be added next fall when 1967 models are introduced, including a collapsible steering wheel and dual brake systems (which only American Motor Corp. and Cadillac now have).

A retail price of $125 has been mentioned for the steering column assembly in House committee hearings.

RIBICOFF asserted the public will gladly pay extra for safety devices that will help save the lives of loved ones.

Maybe, but it would require a change of heart. Safety items as optional equipment have never been as popular as white wall tires.

RIBICOFF claims that automobile highway safety is a neglected field because the federal government has been "sucked in with the propaganda" that the problem should be left to the states.

But now the government is about to take the plunge.

It remains to be seen if it gets more than its feet wet.

[From the Los Angeles (Calif.) Times, Apr. 26, 1966]

CAR SAFETY IS DILEMMA FOR INDUSTRY: FEATURES MAY SAVE LIVES BUT MIGHT NOT SELL

(By Bob Thomas)

The automobile has marked the life of Richard A. Teague with tragedy. He lost an eye in an automobile accident as a youth. Later, his father and stepmother were killed in a crash.

The automobile also is the life of 42-year-old Dick Teague. He is one of Detroit's four vice presidents of styling, and one of the men most maligned for putting design ahead of safety.

"The car is a classic example of compromise," said Teague, styling chief at American Motors and former designer with General Motors and Ford. He scoffed at the idea that stylists minimize safety for the sake of art or, in the final analysis, even have the last word in major decisions influencing the end product.

CRITICISM EXPANDS

"Have they forgotten that our wives and children drive and ride in automobiles?" asked Teague, referring to critics who focus blame for 49,000 motor vehicle deaths last year—highest ever—on the auto.

Criticism of the automobile, of course, has penetrated much deeper than the influence of design over engineering.

Congress recently authorized Commerce Secretary John Connor to establish interim safety performance standards for new tires, which later would be tightened on the basis of a government program of tire testing, research and development.

It has been charged that car builders foist tires on new car buyers that are not safe under sustained speed or heavy load conditions, and that they exert pressure on tire manufacturers to provide them with subquality tires to hold down costs.

Amid denials by both industries the Rubber Manufacturers Assn. has issued figures to indicate that tires figure in only about 5% of auto mishaps. However, Sen. ROBERT F. KENNEDY (D-N.Y.) said the figure might be as high as 10%.

Another controversy centers on "call backs," those automobiles found after introduction to have mechanical defects, sometimes of a serious safety nature.

Legislation has been initiated to force public disclosure of such defects. In the past these corrections have been handled quietly by manufacturers through innocuous dealer notices to customers.

Several million cases of "call backs" have been uncovered in recent hearings on traffic safety.

In all of this it has been the engineer who has gained from critics both their sympathy for his suppressed role and their wrath for dragging his feet in producing safety advances.

ON THE SPOT

Harry Barr, vice president of engineering at General Motors, has found himself in the unenviable role of being industry's engineering spokesman. Barr warns against a hasty, impulsive approach to safety through radical changes, especially those made "under the gun."

And industry has found itself looking down the barrel.

"Make sure first that you don't design something for one type of accident that's worse in others," he said.

Barr cited, as an example, the possibilities latent in a device such as the collapsible steering wheel column which will be introduced in 1967 models.

"Safety doesn't come in a prototype car wrapped in a ribbon," said Barr in rebuttal to those in and out of the federal government who are pressing for development and construction of the complete survival package, the so-called safety car.

In addition to the styling chief and the engineer, there's a third person—the interior designer, who may contribute the most vital part of all. He must cope with the "second collision" in automobile accidents—one that occurs between occupant and the automobile after the first impact.

And Colin Neale, who is most responsible for interior environment in Chrysler products (credit him with the most significant new safety feature in 1966 models—the flush-type inside door handle), offered the most ominous warning:

"Revolution in car design could be quite bloody."

IMPROVED APPEARANCE

And, he added, costly.

In a less alarming tone, he described "styling as really only a fashioning of the pieces that have to be there anyway."

In perspective, he said, automobile development is a serious "ping pong game between us and engineering."

"Generally 'brainstorming' starts with us," he explained about interior design, "but the engineer advises us all along the way."

Additionally, industry has a catalyst, it says, in the safety engineer, who has emerged from the shadows to popularity and prominence.

One of the newest on the job, Colver (Cog) Briggs of Ford Motor Co., takes a broad look at safety.

"Research is a lot of work," he said. "By and large, it is a slow, discouraging process."

Briggs said, as did Barr, that safety evolves step by step, component by component and does not emerge totally in a "concept car," as industry calls special prototypes.

"What you learn from a design concept car," said Briggs, "is how not to do things. This gives you direction for the next generation design."

One of Ford's own "concept" cars rebounded in its lap—the Mustang I, which included a host of special safety features. These items did not appear in the production Mustang that was introduced later.

The fact is, according to Briggs, Ford merely borrowed the name—Mustang—from its concept showpiece for a now very popular production car that was already in the works.

The safety features in the one-of-a-kind Mustang I, said Briggs, were experimental and untested.

Barr questions the feasibility of testing a prototype safety car "with everything" and still coming up with data on each safety item.

"How do you run two dozen impact tests with it?" he asked. "Working on these things component by component, you can repeat tests under many varied conditions."

BASIC FEAR

Basically, what industry fears most is someone designing its cars for them.

Manufacturers are most concerned about the federal approach to standards materializing from President Johnson's bill on traffic safety pending in Congress.

A "strait jacket," according to Barr, could be disastrous.

"Performance standards, not design standards, make sense," said Larry Nagler, American Motors safety engineer, who helped write General Services Administration standards.

Heinz A. Abersfeller, commissioner of GSA's federal supply service (which buys cars for the government) draws a clear distinction in standards.

"A performance standard," he said "is one which sets values on an end result and without prescribing how that end result is to be achieved."

STANDARDS NOT NEW

"Standards aren't new to us," said Briggs of Ford. "We've got 1,900 of our own now in the design of a car."

"It might be a danger if the federal bill gets too detailed," said Neale of Chrysler. "The standards then would have to be based on past or known methods. That would bind our hands."

This fall, automakers will include as standard equipment the 17 safety devices required on all government-purchased passenger cars. Among the features are the collapsible steering column and dual brake systems (offered now as standard by Cadillac and AMC).

Sen. ABRAHAM RIBICOFF (D-Conn.) said industry questioned the merits of these innovations before his subcommittee a year ago, but now is ready to adopt them for 1967 models.

He charged that the collapsible steering column, the prime example used by critics to indicate foot-dragging by the auto industry, has been "on the shelf collecting dust for years."

Industry admits that collapsible steering column designs are not new.

"I can show you collapsible steering column after collapsible steering column," Briggs said.

"If we had felt it would perform as we wanted it to, then there's no earthly reason why we wouldn't have put it on a car. Eventually ways could be found to take the added cost out of it."

TOLERANCE FACTOR

A collapsible steering column, he pointed out, would be useless if a driver died anyway.

Barr said engineers still face "military-type choices" in designing safety items—like trying to avoid fatalities or minimizing injuries. A device might do one, but not the other.

"If something is designed for (minimizing) injury then under certain impacts, it could give too easily to save a life," he explained. And vice-versa.

"What is our design 'bogey' for a head-on crash? Is what is good in a 20 m.p.h. impact also good at 40 m.p.h.?"

Industry calls these problems, "trade offs."

AMC's Nagler said:

"When you monkey around with steering gears and brakes you better know for sure what you are doing. There's inherent conservatism in engineers and management on such items."

Seat belts and other restraints pose a particular challenge for establishing the interior environment of an automobile, especially due to the public's reluctance to wear them.

Interiors must be fashioned to consider the occupant with or without seat belt, according to designers. This is not only critical in "defensing" against interior collisions but also in operation of the vehicle—placement of the controls. The problem intensifies when harness restraints are mentioned.

Industry always has had trouble selling safety—probably because it never really wanted to. Safety's biggest setback occurred 10 years ago when Ford offered a safety package. It did not sell. Industry never fails to remind us as a result of that that safety doesn't sell.

"We've got to make safety attractive," said Chrysler's Neale, a man with that assignment. "We have to make people want to do something that will make them safer."

Safety features fall into two categories—"active and passive," said Nagler.

"It is a matter of getting people used to using the kind that require a thinking action," he said.

Seat belts, he pointed out, fall in that category.

"What if manufacturers put in a feature whereby you couldn't start a car until the seat belts were secured?" Neale asked. "That could be done, you know."

He answered his question with a question. "What would be the side effect?"

Politicians, then, aren't the only ones fearful of pushing the public too far. So is industry.

[From the Los Angeles Times, Apr. 27, 1966]

Drivers Called Major Traffic Safety Obstacle—No One Who Has the Power To Control Motorists Effectively Has Dared Use It

(By Bob Thomas)

What voice in the United States looms stronger than that of the American voter?

It is that of the automobile driver.

There are more licensed drivers than registered voters—millions more. In fact, the U.S. driving force is greater than its labor force.

And the drivers stand collectively as a monumental obstacle in the path of the country's most serious domestic problem—traffic safety.

No one who has the power to control the driver effectively has dared use it.

Yet his numbers multiply rapidly each year and by 1970 will total 100 million.

DEATHS INCREASE

Hand in hand, the number of deaths annually from motor vehicle accidents is climbing toward the 50,000 level, a grim plateau which most assuredly will be reached for the first time this year. Also, two million persons will be injured, many permanently.

Traditionally, control of the driver has rested with state and local authorities. Only feeble efforts to produce uniformity in laws and licensing have been inspired by the federal government in the past 42 years. And little heed has been paid to them.

It is unlikely that the power of authority will shift under enactment of President Johnson's Traffic Safety Act of 1966. What is expected, however, is a general upgrading of licensing practices and enforcement under the impetus of the federal government, which can become the long-needed catalyst.

BLAME NOT DEFINED

As yet the burden of blame on the driver in automobile accidents has never been clearly defined. It has been proportioned loosely from a conservative 60 to 95%.

The consensus "scapegoat" for the huge death and injury toll always has been that ubiquitous "nut behind the wheel."

However, Sen. Abraham A. Ribicoff (D-Conn.), "Mr. Traffic Safety" in Washington and a leading critic of the automobile industry, has taken a "show me" attitude, saying: "I'm wary of such statistics."

Whatever the driver's part in the accident tragedy that also includes the automobile and the highway, studies indicate that all drivers share equally in the peril.

A driver may be good, but not necessarily safe. It has been found that his chances for survival are no better than those of the bad driver. One-third of all deaths in collisions include "at fault" drivers. Another third of the fatalities are passengers. And the final third are drivers in the right.

The first and most obvious corrective measure to reduce the number of dangerous drivers is tighter licensing procedures. The problem, however, has 50 parts, one for each state.

Many of the more than 90 million licensed drivers on the road today have never taken a behind-the-wheel examination. And they never will . . . unless new, retroactive laws are written. These drivers received their licenses before many states had such a requirement. Only a few states order a recheck of driving skills, but usually not until a driver has reached an advanced age.

A Cleveland doctor recently recommended that an age limit be set for automobile drivers. He proposed the late 70s—or sooner as speeds climb and reaction times of drivers become more critical.

The modern automobile simply has outgrown most state laws on licensing. Many were enacted before the car lost its luxury status and became a necessity, thus increasing its use and exposure to accidents.

MAIL-ORDER SERVICE

Licensing procedures, as a result, provide material for a book on ludicrousness—everything from issuing driving permits to people on blind relief rolls to lifetime licenses as a reward to war veterans. Some states even have provided mail-order service.

The National Safety Council has found, in fact, that there are more licenses in circulation than drivers. Many drivers actually have acquired licenses in two states, some for the very purpose of dividing their bad driving record. Others, having lost a license in one state, simply replace it with a license from another. Only a handful of states have reciprocal agreements to prevent this.

Also, many people who don't drive or ever intend to drive hold licenses. They use them, for example, to cash checks. The automobile driver license is universally received as an ID card.

RIGHT OR PRIVILEGE

Why have licenses been so easy to obtain?

Perhaps this can be traced back to the old controversy of whether driving is a right or privilege.

Rep. James Mackay (D-Ga.), who is spearheading House safety efforts, says: "I don't see how you can call it (driving) a privilege. You should be allowed to have the right until you forfeit it for one reason or another."

Sen. Ribicoff agrees.

The President's Committee for Traffic Safety disagrees and labels licensing as "the granting of a privilege." If driving were a legal right, contends the committee, licensing would be unnecessary—in fact, impossible.

In the past, committee recommendations have met only light response. The committee has provided, through its Action Program for Highway Safety, a pattern for uniformity in driver license laws, such as minimum training standards, systematic rechecks of driving skills and elimination of the necessity for drivers to learn and abide by a multiplicity of diverse laws in interstate travel.

While state driver license laws have become basically similar, they have not yet approached even minimum standards for across-the-board uniformity as proposed by the President's committee.

Federal government involvement in traffic safety should bridge gaps which exist among states, Sen. Ribicoff says.

There is now a National Driver Register which offers limited exchange of information on persons whose licenses have been revoked for drunk driving or traffic violations involving a fatality. Already the roster includes the names of 820,000 drivers, but not all states use it.

Traffic authorities see the register as a guide for broader controls and checks on drivers. However, no consideration is being given to a national driver's license.

Restricting or revoking licenses is a far more complex problem for authorities than issuing them in the first place.

"I think you can go far with the public," said Sen. Ribicoff about strict enforcement. "Your actions must be based on firm knowledge, though, not outright whim."

Politicians and local officials traditionally have been timid when it comes to leaning heavily on the public in matters of license suspensions. They liken it to tight-rope walking.

Simply, rigid enforcement—even when strict laws are available—is too hot a political potato.

The dependence on the automobile by today's American household has heightened the problem of enforcement. Eight of every 10 commuting workers in the United States use the automobile to get to their jobs.

It has become commonplace for a breadwinner who consistently has demonstrated that he is an unsafe driver to return to the road despite a suspension or revocation of license. He drives again with blessing because it has been deemed necessary for him to do so in order to earn a living and support his family.

Traffic safety experts, however, oppose "hardship" licenses, charging they nullify the effectiveness of basic laws relating to license suspensions.

UNPOPULAR PROCESS

Even revoking the license of the chronically bad driver is not enough. It is difficult to keep him off the road. It has been estimated that one-third of the drivers who have had their licenses suspended or revoked go right back to the highway.

The Los Angeles Police Department conducted a special one-month study to determine what percentage of drivers in accidents were operating with invalid licenses.

Among 7,481 drivers in accidents during the period 423 (5.65%) did not have licenses in their possession at the time. Upon further check, 75 of them (1% of the total) had suspended or revoked licenses. However, police did not run a check on the other 7,000 drivers to see if the licenses they were carrying were valid or not.

To do so, an official explained, would require a link between the policeman in the field and a central office computer. Hopefully, that is coming, he said.

Until that time, however, it is evident that random checks of driver licenses—even among traffic violators—would be a slow, unpopular and unlikely process.

Another surprising statistic was produced in the Los Angeles survey. Of the 423 drivers cited for not carrying a license, it was found that 134 did not have driver's licenses at all.

Ground rules that will keep other potentially dangerous drivers off the highway—for example, those under treatment for physical or emotional illnesses—will evolve through federal participation in traffic safety, predicted Ribicoff. He did not elaborate.

Those who have been studying the problem, however, don't agree that it will happen that easily.

"How do you keep the driver out of his car who has been up all night or who has taken a heavy dose of medication?" asked Dr. Donald Heulke of the University of Michigan, a man who has studied fatal accidents since 1961.

INTOXICATED DRIVERS

The most difficult problem driver to control is the drinker.

Road checks turn up an infinitesimal number of intoxicated drivers but a recent University of Michigan study showed in a sampling of fatal crashes that half of the "at fault" drivers were alcoholics or heavy drinkers.

Action against the drinking driver is both difficult and inconsistent. It has been widely suggested that society's feeling of "there but for the grace of God go I" has let many a drunken driver "off the hook."

Few states (only 16) have an "implied consent" provision. This law considers that any person arrested for driving while under the influence of liquor has given his consent to a test for the purpose of determining the alcoholic content of his blood. California, for instance, has a bill covering the provision now under committee study in Sacramento.

Without such a test, convictions are difficult, if not impossible.

Nevertheless, in states without an "implied consent" law, the decision of the driver to submit is voluntary with no punitive action if he decides not to undergo the test.

[From the Los Angeles (Calif.) Times, Apr. 28, 1966]

Skid Schools Urged for Defensive Driving—Safety Experts Support Scheme To Teach Motorists How To Act in Panic Situations

(By Bob Thomas)

America's best defense against the automobile accident is experience.

That is the contention of three leading U.S. traffic safety experts in the research field who propose a somewhat spectacular scheme for teaching drivers how to cope with emergency situations.

They advocate establishment of "skid schools" throughout the country to provide such training.

Otherwise, they contend, motorists only can gain experience in defensive driving techniques the hard way—in an accident. Then it is usually too late, they point out.

PANIC RESPONSE

Liberty Mutual, which has a skid school at its Hopkinton (Mass.) research center, sees a network of such facilities as helpful for drivers of all ages.

"A skid school," said Jack Creeden, assistant chief engineer at Liberty, perhaps the most active insurance company in highway safety research, "can teach proper emergency control procedures to those who usually know only one panic response—to hit the brakes."

And that's the wrong thing to do, Creeden said.

Application of the brakes in panic, Creeden explained, usually causes a lockup of the wheels—they cease to rotate.

"In a four-wheel lockup," Creeden continued, "the car becomes essentially just a sled. Steering control is lost.

ROLLING WHEEL

"Your best friend is a 'rolling wheel,'" he added.

Even slight rotation not only shortens the stopping distance, Creeden said, but often gives a driver an opportunity to steer around an object.

A skid school, according to Creeden, also can provide experience for protection against spin-outs. Because of inexperience, most drivers don't recognize a spin situation until they're gone beyond the point of correction.

"A good driver controls forces," Creeden concluded. "A bad driver lets forces control him."

Most experts agree, however, that the line between a full, effective brake application and the dangerous lockup is too precise for even the most experienced driver to judge, much less the inexperienced motorist.

The ideal control would be a failsafe nonlocking brake system. Hopefully, the automobile industry will provide one in the near future. It is working on the problem.

Dr. Donald Huelke of the University of Michigan, who has made a close study of fatal accidents since 1961, proposes asphalt "skid pans" for driver education courses in high school.

A skid pan is a spacious paved area where drivers may maneuver under simulated emergency conditions without fear of hitting fixed obstructions or other vehicles. It usually resembles a large supermarket parking lot.

"Give them (the students) the problems they may face on the road," Dr. Huelke said.

He even suggests such drastic skid-pan instruction as blowing out tires, a practice usually reserved for test track drivers and law enforcement trainees.

"I'm sure there are enough old tires around to carry out such a program," he said.

EVASIVE TACTICS

W. F. Milliken of Cornell Laboratories in Buffalo, N.Y., a former sports car race driver and one of the country's leading experts in aeronautical and automotive dynamics, claims drivers should be taught evasive tactics—how to avoid the child that runs into the street; how to control a car in a critical turn situation.

"With a little training, you can show the driver what a car will do," said Milliken, who contends an automobile can recover when a driver can't.

"It isn't a skill proposition," Milliken said of the driver's reaction to lateral forces in a quick turn maneuver. "It's fear."

A car, according to Milliken, will feel like it is going to break away to the untrained driver long before it actually reaches its limit of adhesion.

It's like learning to ski. You learn by experience to do what you didn't think you could do.

FEAR STAGE

What do untrained drivers do when they reach the "fear" stage? "Let go of the wheel," Milliken said, "and hit whatever they were trying to miss."

Driver education (classroom) and driver training (behind the wheel), especially in high school, fall into the same category as mandatory vehicle inspection and improved highway conditions.

They are controversial preventive measures.

As a result, it is difficult to measure their actual effect in reducing traffic deaths, which last year reached a record level of 49,000 persons.

Driver education has been highly controversial since it was launched 30 years ago.

It has been attacked as a "frill" in education that drains tax money that could be better spent on the three R's. Opponents charge that the automobile is as disruptive an influence in education in the classroom as it is in the school parking lot.

Proponents, however, claim the automobile has taken as overpowering role in today's society and affects the lives and future livelihood of students, so driver education demands a rightful place beside the three R's.

Thirty state legislatures apparently agree. They have passed special bills appropriating funds to support driver education. All 50 states now provide for some form of it.

Federal assistance now is being sought as part of President Johnson's Traffic Safety Act of 1966.

In a plea for federal funds, Robert Marshall, assistant executive secretary of the National Commission on Safety Education, said the government's participation in the program would (1) make driver education a reality for all eligible boys and girls in the United States (2) provide research for improvement of instruction, (3) assure preparation of teachers, and (4) promote state-level supervision.

There are 1.5 million students enrolled in driver education courses in 13,000 of the nation's 17,000 high schools. Another 1.5 million who are eligible are not enrolled.

TYPICAL COST

Marshall estimates that the typical cost per student is $50, indicating that $75 million is being spent annually on the program.

"Putting 1.5 million new drivers on the road each year with inadequate preparation merely delays by that much our facing up to what should have been done years ago," said Marshall in his plea before the Senate Commerce Committee. "The toll from further inaction can only be continuing tragedy."

Studies have not clearly pinpointed the advantages of driver education, admitted Marshall.

Parents of graduates are among its biggest boosters, claiming that driver education not only has had an effect on their teen-agers' driving attitude but also has influenced the driving habits of all family members.

YOUNG DRIVERS

While safety experts warn of the peril due from the "rising tide" of young, accident-prone drivers (half the population will be under 27 by 1970), the encouraging fact is that more safety-indoctrinated drivers also will be reaching the road.

AUTO INSPECTION

Even more controversial among frequently proposed traffic safety remedies is periodic vehicle inspection and maintenance which are aimed at counter-attacking owner negligence.

Is inspection a boon or a boondoggle?

Although mandatory inspection dates back to 1929, only 20 states and the District of Columbia have it. Others have tried and abandoned it.

A complex program, it is applied under a variety of methods, chiefly through state-controlled private garages or state-owned stations.

The states with inspection embrace only a third of the nation's vehicles, some covering only commercial vehicles.

The Southern California Automobile Club stands as the major opponent of mandatory inspection in California. The club bases its opposition on the opportunities for "gouging" and the difficulties in administering a program that would prevent it.

Automobile manufacturers and various safety experts strongly urge adoption of inspection by all states.

Sen. Abraham Ribicoff (D-Conn.), whose state does not have an inspection program, says a manageable system is feasible, even in a state as large as California, which has 10% of the country's automobiles. He cites Pennsylvania as a state with a successful inspection operation.

There is no sure way to determine the actual effect of inspection on accident prevention. Half of the states with it are above the national average for motor deaths. Too many factors, however, contribute to auto accidents to make this statistic significant.

American Motors' safety engineer Larry Nagler seemed to put it best when he said:

"The value of vehicle inspection is in direct proportion with the quality of its administration."

And that's the hardest part.

Another remedy is improvement of the road itself in traffic safety.

The critical thing is to stay on it. Otherwise, obstacles include trees, concrete abutments, signs, ditches and other cars—some moving at high speed in the opposite direction only a foot or two away.

What would be ideal (but impossible), according to students of the problem, would be a relatively level, 100-foot area—an escape route—along each highway.

MOVE THE TREES

"You can't change all the roads. But the tree on the side of the road that has been hit time and time again can be moved," Dr. Huelke said.

A case in point, said Dr. Huelke, was a tree in his district against which five people have died in three accidents. It is still there.

He noted another "death" tree that impinges on a country road. "I was told there was no money allocated to remove trees like that," recalled Dr. Huelke. "Two years later I saw it was marked for removal . . . not because of its hazardous highway position. No, it had Dutch elm disease."

The other tree, however, remains. Unfortunately, it is an oak.

"I'm very worried about Mrs. Johnson's highway beautification program," continued the doctor. He wasn't kidding. "Trees usually are the first consideration in community beautification projects. Well, saplings someday become immovable objects."

Dr. Huelke recommends shrubs and indigenous ground cover. "These things can be deceleration factors when struck by a car."

[From the Los Angeles (Calif.) Times, Apr. 29, 1966]

Study Shows Traffic Fatalities Can Be Cut—2-Year Project Stresses Wearing Proper Restraining Devices by Occupants

(By Bob Thomas)

Death and injury on the highway could be reduced 50% to 75% "while accidents go on forever," a UCLA surgeon has concluded after intensively studying crash injuries in the Los Angeles area for two years.

This prediction was made by Dr. Alan M. Nahum, who Thursday released data on his findings.

Significantly, the optimistic declaration came from a usually conservative field—science—that is being groomed to take the lead in efforts to solve America's most misunderstood social problem, the automobile accident.

Enactment of President Johnson's Traffic Safety Act is expected to result in unprecedented coordination of research projects on motor vehicle accidents and injury causes. It aslo is expected to accelerate application of proposed remedies.

SELECTED ACCIDENTS

Dr. Nahum, assistant professor of surgery at UCLA's School of Medicine, produced data collected from 150 carefully selected accidents in Los Angeles. They involved 496 serious injuries to 242 of the 347 occupants in the cars under study.

"Approximately 90% of these injuries would have been prevented or at least converted to a minor category if the occupants had been wearing a proper restraining device," Dr. Nahum said.

"These are people who stayed in the car," he explained. "Ejection is readily preventable and not worth studying."

The purpose of the study, which is being broadened over the next five years, is to determine the causes of severe injuries and to plot counteractions, according to Dr. Nahum.

However, he said preliminary data "conclusively indicates that the majority of injuries could be prevented now" by (1) wearing seat belts or other proper restraints and (2) altering the interior designs of automobiles.

INJURY CAUSES

His report listed injury causes, in order of frequency, as the steering wheel and column, instrument panel, windshield, door, roof support pillars at either side of the windshield and roof area above the windshield.

Dr. Nahum based his optimistic 50-75% projection on a crash program concentrating on the so-called "second collision" which occurs inside the car between the occupant and interior.

"In contrast, a crash program on accident causes might bring a 1% decline," Dr. Nahum said. "It could take 10 years to cut accidents 10%.

"Our premise is the accident is going to keep happening . . . unfortunately," he said. "The primary accident is not preventable. It's like mixing two chemicals. What then are the most important things about accidents? Injury and death, obviously. This is where we will concentrate."

Nahum and Derwyn Severy, who heads UCLA's collision study projects, discussed their findings at a traffic symposium sponsored by the National Academy of Engineering in Washington, D.C., Thursday.

OTHER PROJECTS

Several other major research projects already are underway.

The most notable ones involve an $800,000 grant from the Automobile Manufacturers Assn. to Cornell Aeronautical Laboratory, which previously had concentrated on injury research, to study accident causes, controlled collision tests by UCLA's Institute of Transportation and Traffic Engineering (ITTE); a $10 million grant to the University of Michigan from the auto industry and human tolerance research at Wayne State University in Detroit.

Dr. B. J. Campbell of Cornell has organized teams of scientists, automotive engineers and traffic engineers to begin on-the-scene, in-depth studies for accident causes in the Buffalo area, ignoring statistics that label driver error as 90% of the problem.

"We will operate with the assumption that the driver, car and road all share a 100% partnership," Dr. Campbell said. "It is clear that there is no single overriding cause. If this were the case, we'd have found it long ago.

"In the 10 cases we've looked at so far" he continued, "we have found all the classic categories—driver error, traffic control failure, faulty vehicle maintenance and treadless tires."

Cornell has been accused of minimizing defects found in automobiles in the past because of the strong support it gets from the auto industry. In reply, Campbell contends that criticism of auto design is really not new, especially by Cornell.

"We say 'welcome to the club'. You can do a great deal with vehicle design. We said that 10 years and 400,000 lives ago. I'm glad there is interest there today."

Fear of litigation has been blamed as the stumbling block in past attempts to ferret out accident causes.

Cornell apparently is willing to take the chance.

"We're not going to leave any question unasked because of possible consequences later on," Campbell said.

While the study has a three-year timetable, Cornell will make a preliminary report after the first year. If some overwhelming factor is noted earlier, Campbell said it will be announced.

"We must recognize that the causes of accidents and the cures aren't necessarily tied together," warned Dr. Campbell. "Remedies may be totally unrelated to the causes."

Dr. Donald Huelke recently concluded one of the most widely publicized research projects in traffic safety, a four-year study of auto fatalities in the Ann Arbor (Mich.) area. It pointed up the importance of restraint devices—seat belts, basically—for survival.

"We've got to get more science in this thing," said Huelke about finding accident causes. "There are facts on very few cases."

Dr. Huelke, in collaboration with Dr. Paul Gikas, recently issued a report that indicates possibly 12,600 lives could be saved each year by the use of the simple lap belt, applying the figure to the ratio of preventable deaths among the 177 fatalities they studied.

"We had only one case of a survivor who owes his life to not wearing a seat belt and 71 who owe their deaths to not wearing one," said Dr. Huelke. "It's just stupid not to wear one."

In the study, 20% of the victims would have been saved by the addition of a shoulder restraint while one-third of the deaths would have occurred regardless of restraining devices due to the deformation or compression of the compartment.

DRINKING INVOLVED

Drinking was involved in half of the fatal accidents investigated, Dr. Huelke said.

Ejection remains, he said, the leading cause of death.

Only one dashboard knob could be associated with a death in the study. A recessed knob was exposed with a dash buckled under impact, killing a child. Huelke, who studied only fatalities, said knobs undoubtedly play a larger part in injury causes.

Huelke also expressed hope that repeated emphasis on "unsafe" automobiles won't divert attention from other safety needs.

"To change one factor in the traffic problem will not noticeably affect the entire problem," he said. "If we say it is all the driver or the car then we are kidding ourselves."

Huelke will continue traffic safety research as a part of the new safety institute being established at the University of Michigan under the $10 million grant from the auto industry.

"It's going to be a multi-pronged attack," said Huelke. "It's entirely independent of industry. The university has carte blanche."

UCLA Thursday also released significant data and findings on its latest controlled collision series—injury exposure in rear-end crashes, the most common urban accident.

The whiplash, according to Severy, is a very real thing and can produce major body injury even in a low-speed accident that results in only minor car damage.

Severy said Thursday in Washington that the findings from the UCLA experiments indicate that "automobiles should be rated on their collision performance as well as acceleration and braking performances. Also, basic safety engineering in automobiles should include head supports," he said. Severy called them a long overdue safety device.

Further, Severy said most head supports now on the market are "more hazardous than no-support at all."

They are incapable of handling the weight loads which occur, he explained.

Severy added that automobile manufacturers are the logical source for development of adequate "retrofit units" for the millions of cars that are currently on the road in need of these head supports.

Severy, described as the leading authority on controlled crashes in the country, said seat belt and head rest recommendations are not new.

UCLA, which pioneered fully instrumented collision studies with anthropometric dummies in 1951, urged the use of them in 1954.

"It takes about 10 years for that sort of thing to become popular," Severy explained.

Nearly 90 collision experiments have been conducted by UCLA, leading to important findings on ejection, door locks, door latches and door control designs.

Severy, who never drives anywhere without a lap belt, said lateral acceleration in crashes can be so violent that it will actually punch people through doors. "The inadequately restrained person becomes a battering ram," he said.

LOCKING DOORS

Both Severy and Huelke emphasized the importance of locking car doors while driving as a further safeguard against ejection.

A major research breakthrough occurred within the past six months when Wayne State released its findings on human body tolerances. Data on the impact tolerance of the human chest provided the auto industry with guidelines to complete development of the collapsible steering column for introduction this fall on 1967 models.

Dr. Nahum's injury investigation staff at UCLA includes a heart specialist, Dr. Irving I. Lasky, and a young doctor, Stan Trachtenberg, who is studying concussions to determine brain damage.

He is using monkeys in his concussion tests at UCLA, terming the "primate as the middle ground between the anthropometric dummy and the human."

Heart damage, according to Dr. Laskey, is going undetected in many accidents. "People go undiagnosed," he said. "Some of them could be saved."

Dr. Laskey said one of seven accident fatalities is related to a tear of the heart at the point of insertion of the aorta. He said cardiac injury is possible just from rapid deceleration "due to the movement of a very heavy column of blood."

Scientists have concluded that the automobile accident must be attacked like a serious disease. Exposure to it is unavoidable. In that case, the only thing to do is to see that people, once exposed to the disease, don't catch it.

This method worked with polio, they point out.

The automobile, though, appears to be made of sterner stuff. It kills and cripples more people than polio ever did. Last year 49,000 people died and 1.8 million were injured on the nation's roads.

Obviously, no quick, sure cure is in the cards, mainly because it is generally agreed that, in an imperfect world, accidents will continue to happen.

Traffic safety, however, has more things in its favor now than ever before.

Increased public interest, in contrast to apathy, offers a measure of relief from the problem even if it can't provide a cure. Awareness, for example, makes the simple but effective seat belt more acceptable.

The impending Traffic Safety Act, despite the fact it is being shaped in an atmosphere of recrimination, promises to draw the federal government, the automobile industry and research field into concert for the first coordinated attack.

The Congress, after 42 years of failing to define its position in traffic safety, or even take one, now is committed to action.

Automobile manufacturers, defending themselves by warning that revolution in safety design could be dangerous, have been prodded out of their conservatism to speed up the process of evolution.

With attention steadily and dramatically focused on the auto industry, one fact seems to have been totally obscured. Congress is on the spot much more than car builders.

Detroit only has to build safer cars.

Politicians must make the driver safer.

That will take firmer, perhaps unpopular laws.

Like the automakers, lawmakers have been reluctant to do their job, too.

NATIONAL LEGISLATIVE LEADERS CONFERENCE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Mackay] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MACKAY. Mr. Speaker, President Johnson gave life and meaning to the term "creative federalism" when he convened in Washington the first National Legislative Leaders Conference which met on June 15 and 16.

At the conference he brought together the presiding officers of the respective houses of the 50 State legislatures. These leaders received extensive briefings by key leaders in the Government.

At the conclusion of the meeting the following resolution was adopted which speaks for itself.

In one respect State legislative viewpoints are well represented in Congress because information compiled by the legislative reference service of the Library of Congress shows that 190 Members of the 89th Congress have served in our State legislatures. This report is attached following the resolution.

The National Legislative Leaders Conference is highly significant because it shows that the President is trying to make the term "creative federalism" a working relationship between State and National leaders and not just a phrase to adorn speeches.

The resolution and Library of Congress report follow:

RESOLUTION

Whereas: For the first time in our history a National Legislative Leaders' Conference has been called by the President of the United States, and

Whereas: This conference has brought together the presiding officers of the respective Houses of the State Legislatures of the United States, and

Whereas: There is a growing awareness throughout our country of the urgent necessity to strengthen State Legislatures and State Government to meet the growing problems of our citizens, and

Whereas: President Johnson has given emphasis and sharper focus to this growing movement, both through his call for a "Creative Federalism" and through his sponsorship of this conference, and

Whereas: We, as presiding officers and leaders of our respective legislatures, are vitally interested in the great impact which Federal programs and policies, both foreign and domestic, have upon the health, safety and welfare of our nation and its citizens, and

Whereas: We have found the excellent briefings on Federal programs in all fields of governmental activity by the distinguished officials and leaders in their respective fields stimulating, informative and enlightening, and

Whereas: We feel that as a result of this conference we are better informed about the urgent problems confronting the nation, its citizens and their government, and

Whereas: We believe such briefings can be helpful both for the implementation of Federal programs and for the effective discharge of our own responsibilities to the citizens of our respective States and we hope there will be further such conferences for State Legislators: Be it therefore

Resolved: That the participants in this National Legislative Leaders' Conference go on record expressing their appreciation to President Lyndon B. Johnson for making this conference possible, and be it further

Resolved: That we commend Vice President Hubert H. Humphrey and Speaker John W. McCormack for their interesting and informative addresses which opened this conference, and be it further

Resolved: That we commend Governor Farris Bryant and his able staff for their fine work in the organization and conduct of this conference, and be it further

Resolved: That we express our appreciation to such distinguished Federal officials who conducted the excellent briefings as Secretary of State, Dean Rusk; Secretary of Health, Education and Welfare, John Gardner; Director of the Office of Economic Opportunity, Sargent Shriver; Attorney General Nicholas deB. Katzenbach; Secretary of the Air Force, Harold Brown; Secretary of Housing and Urban Development, Robert Weaver; Secretary of Commerce, John Connor; Secretary of Interior, Stewart Udall; Secretary of Agriculture, Orville Freeman; Secretary of Treasury, Henry Fowler; Bureau of the Budget Director, Charles Schultze; Director of Telecommunications Management, James D. O'Connell; Special Assistant to the President, Joseph Califano, Jr.; Deputy Attorney General Ramsey Clark and Under Secretary Wilbur Cohen.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C.

MEMBERS OF THE 89TH CONGRESS, 2D SESSION, WHO HAVE HAD PREVIOUS SERVICE IN STATE LEGISLATURES

(NOTE.—This compilation is only as complete as the information supplied by the Congressional Directory.)

ALABAMA

Rep. Armistead Selden, Jr.: Member—Alabama House of Representatives.

ALASKA

Rep. Ralph J. Rivers: Member—Alaska Territorial Senate.

ARKANSAS

Rep. Ezekiel Gathings: Member—Arkansas State Senate.

CALIFORNIA

Sen. Thomas Kuchel: Member—California State Assembly Member—California State Senate.

Rep. Harold T. Johnson: Member—California State Senate.

Rep. John E. Moss: Member—California State Assembly; Assistant Democratic Floor Leader of the Assembly.

Rep. Robert Leggett: Member—California State Assembly.

Rep. Phillip Burton: Member—California State Assembly.

Rep. George P. Miller: Member—California State Assembly.

Rep. Charles S. Gubser: Member—California State Assembly.

Rep. John J. McFall: Member—California State Assembly.

Rep. Cecil R. King: Member—California State Legislature.

Rep. Harlan Hagen: Member—California State Legislature.

Rep. Augustus Hawkins: Member—California State Assembly.

Rep. Glenard Lipscomb: Member—California State Legislature.

Rep. Ronald Cameron: Member—California State Legislature.

Rep. George E. Brown, Jr.: Member—California State Assembly.

Rep. Charles Wilson: Member—California Legislature.

Rep. Richard T. Hanna: Member—California State Assembly (1957–1962).

Rep. James B. Utt: Member—California State Assembly.

COLORADO

Sen. Peter H. Dominick: Member—Colorado House of Representatives (1957–1961).

Rep. Byron G. Rogers: Member—Colorado Assembly (1931–1935); Speaker (1933).

Rep. Roy H. McVicker: Member—Colorado State Senate (1956–1964).

Rep. Frank E. Evans: Member—Colorado House of Representatives; Democratic Floor Whip.

Rep. Wayne Aspinall: Member—Colorado House of Representatives (1931–1938); Democratic Whip (1931, 1933); Speaker (1937, 1938). Member—Colorado State Senate (1939–1948); Democratic Whip (1939); Majority Floor Leader (1941); Minority Floor Leader (1943–45–47).

CONNECTICUT

Sen. **Abraham Ribicoff**: Member—Connecticut General Assembly (1938-1942).

Rep. **William St. Onge**: State representative.

DELAWARE

Rep. **Harris B. McDowell, Jr.**: Elected to the State House of Representatives (1940); elected to the State Senate (1942-1946).

FLORIDA

Sen. **Spessard Holland**: Member—Florida State Senate (1932-1940).

Rep. **Robert Sikes**: Elected to Florida State Legislature in 1936 and 1938.

Rep. **Charles E. Bennett**: Member—Florida House of Representatives (1941).

Rep. **Claude D. Pepper**: Member—Florida House of Representatives (1929-1930).

Rep. **Dante Fascell**: Elected State Representative in 1950 and in the 1951 session as one of the ten outstanding legislators, and one of the outstanding freshmen; reelected in 1952 without opposition and selected as one of the outstanding members of the 1953 session.

Rep. **James A. Haley**: Elected to the Florida House of Representatives in 1948 and 1950.

Rep. **Don Fuqua**: Elected to the Florida House of Representatives in 1958; reelected in 1960.

Rep. **Sam M. Gibbons**: Elected to the Florida State Legislature in 1952 and served for six years; elected to the Florida Senate in 1958 and served four years; named one of the top ten members of each body.

Rep. **William C. Cramer**: Served in the Florida State Legislature (1950-1952) and was first Minority Leader of that body.

GEORGIA

Rep. **G. Elliott Hagan**: Served five terms in the State House of Representatives and one term in the State Senate.

Rep. **James A. Mackay**: Elected to six terms in the State House of Representatives.

Rep. **John J. Flynt, Jr.**: Member—House of Representatives, State of Georgia (1947-1948).

Rep. **Robert G. Stephens, Jr.**: Member—Georgia State Senate (1951-1953); member—Georgia State House of Representatives (1953-1959).

HAWAII

Sen. **Hiram Fong**: Fourteen years in the Legislature of the Territory of Hawaii; six years as Speaker and four years as Vice Speaker.

Sen. **Daniel Inouye**: Majority Leader, Territorial House of Representatives (1954-1958); Territorial Senate (1958-1959).

Rep. **Spark Matsunaga**: Member—Territorial Legislature (1954-1959); House Majority Leader (1959).

Rep. **Patsy T. Mink**: Member—Hawaii House of Representatives (1956 and 1958); member—Hawaii State Senate (1958-1959 and 1962-1964).

IDAHO

Sen. **Len B. Jordan**: Member—Idaho Legislature (1947).

ILLINOIS

Rep. **Edward J. Derwinski**: Served one term in the Illinois General Assembly as State Representative of the 24th District (1957-1958).

Rep. **John Kluczynski**: Elected to the Illinois State Legislature in 1932, serving sixteen consecutive years. Elected in 1948 to the Illinois State Senate.

Rep. **Daniel Ronan**: Served as State Representative (1948-1952).

Rep. **Dan Rostenkowski**: Served as State Representative in the 68th General Assembly and as State Senator from the 33d Senatorial District in the 69th and 70th General Assemblies.

Rep. **Robert McClory**: Elected to the Illinois House of Representatives (1950); elected to the Illinois State Senate in 1952 and reelected in 1956 and 1960.

Rep. **John Erlenborn**: State Representative (36th District) (1957-1965).

INDIANA

Sen. **Birch Bayh**: Elected to four terms in the Indiana House of Representatives; served as Speaker for one term and as Minority Leader for two terms.

Rep. **J. Edward Roush**: Served one term in the Indiana Legislature in 1949.

Rep. **Winfield K. Denton**: Three terms in the Indiana State Legislature, during which time he was Minority Leader in the 1941 session and Caucus Chairman in the 1939 session.

Rep. **Ralph Harvey**: In 1942 was elected to the House of Representatives of the Indiana General Assembly, and served in sessions of 1943, 1945, and 1947.

Rep. **Andrew Jacobs, Jr.**: Indiana House of Representatives (1959-1960).

IOWA

Sen. **Bourke Hickenlooper**: Elected to Iowa House of Representatives (1934); reelected (1936).

Sen. **Jack R. Miller**: Member—Iowa House of Representatives (1955 and 1956); Member—Iowa Senate (1957-1960).

KANSAS

Sen. **Frank Carlson**: Member—Kansas Legislature (1929 and 1931 sessions).

Sen. **James Pearson**: Member—Kansas State Senate (1956-1960).

Rep. **Robert Dole**: Member—Kansas House of Representatives (1951 session).

Rep. **Garner Shriver**: State Representative (1947-1951); State Senator (1953-1960).

KENTUCKY

Sen. **John Sherman Cooper**: Served as member of the lower house, Kentucky Legislature.

Rep. **Charles Farnsley**: Member—Kentucky Legislature (1936-1940).

Rep. **John C. Watts**: Member—Majority Leader of the House of Representatives, Kentucky State Legislature (1947-1948).

Rep. **Carl D. Perkins**: Member—Kentucky General Assembly from the 99th District in 1940.

LOUISIANA

Sen. **Allen J. Ellender**: Member of the House of Representatives of Louisiana (1924-1936); Floor Leader (1928-1932); Speaker of the House of Representatives (1932-1936).

Rep. **Edwin E. Willis**: Elected to the State Senate in January 1948.

Rep. **Edwin W. Edwards**: Elected to the Louisiana State Senate, 35th District, in 1964.

Rep. **Speedy O. Long**: Served eight years in the Louisiana State Senate from May 1956 to May 1964.

MAINE

Sen. **Edward Muskie**: Member—House of Representatives, 93d, 94th, and 95th Maine Legislatures.

Rep. **Stanley Tupper**: Elected to the 96th Maine Legislature in 1952.

MARYLAND

Sen. **Daniel Brewster**: Elected to the Maryland House of Delegates in 1950; reelected in 1954 and served as Vice Chairman of Judiciary Committee (1954-1958).

Sen. **Joseph Tydings**: Member of the Maryland House of Delegates (1955-1961).

Rep. **Carlton Sickles**: Served as Delegate, Maryland House of Delegates (1955-1962).

Rep. **Hervey G. Machen**: Elected to State House of Delegates in 1954 and reelected in 1958 and 1962.

Rep. **Charles McC. Mathias, Jr.**: Elected to Maryland House of Delegates 1958.

Rep. **Samuel Friedel**: Elected to the House of Delegates of the Maryland State Legislature in 1935, serving from 1935-1939 as a Member of the Ways and Means Committee.

MASSACHUSETTS

Sen. **Leverett Saltonstall**: Member—Massachusetts House of Representatives (1923-1936); Speaker of the House for eight years of service.

Rep. **Silvio Conte**: Elected to the Massachusetts State Senate; served as Senator from the Berkshire District (1951-1958).

Rep. **Thomas O'Neill, Jr.**: Member—Massachusetts Legislature (1936-1952); Served as Minority Leader in 1947 and 1948 and as Speaker of the House of Representatives (1948-1952).

Rep. **John W. McCormack**: Member—Massachusetts House of Representatives in 1920, 1921, and 1922 and State Senator in 1923, 1924, 1925, and 1926—the last two years as Democratic Leader.

Rep. **Joseph W. Martin**: Member—Massachusetts House of Representatives (1912-1914) and Member of the Massachusetts Senate (1914-1917).

Rep. **James A. Burke**: Served in the Massachusetts General Court for 10 years; Assistant Majority Leader in the House of Representatives for four years.

Rep. **Hastings Keith**: State Senate (1953-1956).

MICHIGAN

Rep. **Edward Hutchinson**: Elected to the Michigan House of Representatives in 1946 and 1948; State Senator (1951-1960).

Rep. **Charles Diggs, Jr.**: Member of the State Senate (1951-1954).

Rep. **William D. Ford**: Member of the State Senate (1962-1964).

Rep. **Martha Griffiths**: Member of the Michigan Legislature (1949-1952).

Rep. **William Broomfield**: Elected to the Michigan House of Representatives in 1948, 1950, and 1952 and was elected Speaker Pro Tem in 1953; elected to the State Senate in 1954.

MINNESOTA

Rep. **Albert H. Quie**: Elected State Senator in 1954.

Rep. **Ancher Nelsen**: State Senator for McLeod County from 1935 to 1948.

Rep. **Joseph Karth**: Member—Minnesota House of Representatives (1950-1958).

Rep. **Donald Fraser**: Former State Senator (1954-1962).

Rep. **Odin Langen**: State Representative from the 67th District (1951-1958); Minority Leader of the Minnesota House (1957-1958).

Rep. **John Blatnik**: Elected to the Minnesota State Senate in 1940; reelected in 1942.

MISSISSIPPI

Sen. **James O. Eastland**: Member of the State House of Representatives from Scott County, Mississippi (1928-1932).

Sen. **John Stennis**: Elected to the Mississippi House of Representatives (1928-1932).

Rep. **Jamie L. Whitten**: Elected to the Mississippi House of Representatives when 21 years of age and served one session.

MISSOURI

Sen. **Edward V. Long**: Elected to the Missouri Senate in 1945; Majority Floor Leader of the Missouri Senate, 65th General Assembly and President Pro Tem of the 68th General Assembly.

Rep. **Richard Ichord**: Member—Missouri House of Representatives (1952-1960); elected Speaker Pro Tem in 1957 and Speaker in 1959.

Rep. **Paul C. Jones**: Ten years' service in the Missouri Legislature (January 1935-December 1944); eight years in the State Senate where he served as Chairman of the Appropriations Committee.

MONTANA

Rep. **James F. Battin**: Served in the State House of Representatives.

NEVADA

Rep. **Walter Baring**: Elected Assemblyman from Washoe County to the Nevada State Legislature in 1936; reelected in 1942.

NEW HAMPSHIRE

Sen. Norris Cotton: Majority Leader and later Speaker of the New Hampshire House of Representatives.

Rep. James C. Cleveland: Member—New Hampshire State Senate (1950–1962), serving as Majority Floor Leader during the Gregg and Dwinell Administrations.

NEW JERSEY

Sen. Clifford P. Case: Member—New Jersey House of Assembly (1943–1944).

Rep. William Cahill: Member—New Jersey Legislature.

Rep. Frank Thompson, Jr.: Elected to the General Assembly in 1949 and reelected in 1951 and 1953. Served as Assistant Minority Leader in 1950, the first person to hold that office and Minority Leader in 1954.

Rep. Florence Dwyer: Member—New Jersey Legislature (1950–1956).

Rep. William Widnall: Member—New Jersey House of Assembly (1946–1949) and reelected for 1950 and 1951.

NEW MEXICO

Sen. Joseph Montoya: Elected to the New Mexico House of Representatives in 1936 at the age of 21 while still in college; reelected in 1938 and named Majority Floor Leader; elected as youngest member of the State Senate in 1940 and named Majority Whip; reelected to the State Senate in 1944; in 1952 was again elected to the State Senate.

Rep. Thomas Morris: Elected to the New Mexico House of Representatives and served continuously from January 1953 to December 31, 1958.

Rep. E. S. Walker: Served two terms in the New Mexico House of Representatives; Majority Whip.

NEW YORK

Rep. Seymour Halpern: Elected to the New York State Senate (1940); served seven consecutive terms through 1954.

Rep. Leonard Farbstein: Represented Fourth of Manhattan in the State Legislature.

Rep. Jacob H. Gilbert: Served in the State Assembly (1951-1954); member of the State Senate from 1955 to March 1960.

Rep. Paul A. Fino: From January 1945 to May 1950 was New York State Senator representing the 27th Senatorial District.

Rep. Robert C. McEwen: Member of the New York State Senate (1954–1964).

Rep. Barber B. Conable, Jr.: Member of the State Senate (1963–1964).

NORTH CAROLINA

Sen. Sam J. Ervin, Jr.: Representative from Burke County in the North Carolina Legislature (1923, 1925, 1931).

Rep. Walter Jones: North Carolina State Senate.

Rep. L. H. Fountain: North Carolina State Senate (1936–1941); North Carolina State Senate (1947–1952).

Rep. Ralph J. Scott: Member—North Carolina House of Representatives (1937).

Rep. Alton Lennon: Served two terms (1947 and 1951) as North Carolina Senator in the North Carolina General Assembly.

Rep. Basil L. Whitener: Member—North Carolina House of Representatives for the 1941 session; renominated in 1942, but resigned to enter the U.S. Navy.

Rep. Roy A. Taylor: Representative in the North Carolina General Assembly in 1947, 1949, 1951, and 1953.

NORTH DAKOTA

Sen. Milton R. Young: Elected to the House of Representatives of the North Dakota State Legislature in 1932; elected to the State Senate of North Dakota in 1934 and served continuously until resignation March 14, 1945; elected President Pro Tempore (1941); Majority Floor Leader (1943).

Rep. Rolland Redlin: Nominee for State House of Representatives in 1952; elected to the State Senate in 1958 and reelected in 1962.

OHIO

Sen. Stephen Young: Served two terms in the Ohio General Assembly.

Rep. William McCulloch: Member—Ohio House of Representatives for six terms, serving as Minority (Republican) Leader (1936–1939) and as Speaker for three terms.

Rep. Delbert Latta: Represented nine northwestern Ohio counties in the Ohio Senate for three terms.

Rep. Jackson Betts: Member of the Ohio General Assembly (1937–1947); Speaker of the House of Representatives of Ohio in 1945 and 1946.

Rep. Samuel Devine: Served three terms in the Ohio Legislature (1951–1955).

Rep. Charles A. Mosher: Member of the Ohio Senate five terms (1951–1960).

Rep. Robert Secrest: Member of Ohio Legislature (1931–1932).

Rep. John M. Ashbrook: Member of the 101st and 102d Ohio General Assemblies.

Rep. Wayne L. Hays: Ohio State Senator one term (1941–1942).

Rep. Michael Feighan: Member of the Ohio State Legislature (1937–1940); Minority Floor Leader (1939–1940).

Rep. Charles Vanik: Elected Member of the Ohio State Senate in 1940.

Rep. William Minshall: Member of the 93d Ohio General Assembly (1939–1940).

OKLAHOMA

Sen. Fred R. Harris: Member of the Oklahoma State Senate (1956–1964).

Rep. John Jarman: Member of the House of Representatives and State Senate of the Oklahoma Legislature.

OREGON

Sen. Maurine Neuberger: Member of the Oregon House of Representatives (1951–1955).

Rep. Robert Duncan: Elected to the State Legislature in 1956, 1958, and 1960, serving two terms as Speaker and on occasion as acting Governor.

PENNSYLVANIA

Rep. James A. Byrne: Member of the Pennsylvania State Legislature (1950–1952).

Rep. Herman Toll: Elected to the General Assembly from the 16th Legislative District in Philadelphia in 1950; reelected in 1952, 1954, and 1956.

Rep. G. Robert Watkins: Member of the State Senate for three 4-year terms.

Rep. J. Irving Whalley: Member of the State House of Representatives for two terms; served two terms in the Pennsylvania State Senate.

Rep. Fred B. Rooney: Elected to two terms in the State Senate and served from November 5, 1958 until his resignation on August 6, 1963.

Rep. Elmer Holland: Served four terms in House of Representatives.

Rep. John H. Dent: Elected to the Pennsylvania House of Representatives for one term, then elected to the State Senate in 1936; reelected in 1940, 1944, 1948, 1952, and 1956; served as Pennsylvania Democratic Floor Leader in the Senate for 17 years.

Rep. Albert W. Johnson: Elected to the Pennsylvania House of Representatives in 1946; reelected in 1948, 1950, 1952, 1954, 1956, 1958, 1960 and 1962; served as Majority Whip in 1951 and as Minority Whip in 1959 and 1961; majority leader in 1953, 1957, and 1963.

Rep. James Fulton: Pennsylvania State Senator (1939–1940).

RHODE ISLAND

Sen. John Pastore: Member of the Rhode Island General Assembly.

Rep. Fernand St Germain: Member of the Rhode Island State House of Representatives (1952–1960).

SOUTH CAROLINA

Sen. Strom Thurmond: State Senate (1933–1938).

Rep. L. Mendel Rivers: Served in the South Carolina Legislature (1933–1936).

Rep. Albert Watson: Served in the South Carolina General Assembly (1955–1958) and (1960–1962).

Rep. William J. B. Dorn: Youngest Member of the South Carolina House of Representatives (1939–1940).

SOUTH DAKOTA

Rep. E. Y. Berry: Member of the State Senate during the 1939 and 1941 legislative sessions.

TENNESSEE

Rep. James Quillen: Republican Member of the Tennessee House of Representatives in 1955 and for three succeeding terms, 1957, 1959, and 1961; minority floor leader 1959; nominated in 1957 and 1961 as Republican Speaker of the Tennessee House of Representatives.

Rep. Richard Fulton: Served as State Senator in the Tennessee General Assembly, representing Davidson County.

TEXAS

Rep. Joe R. Pool: Elected to the Texas House of Representatives in 1952 and served three terms.

Rep. Wright Patman: Member of the Texas Legislature for four years.

Rep. Jack Brooks: Member of the Texas Legislature, 1946–1950.

Rep. Ray Roberts: Member of the Texas State Senate, 1955–1962.

Rep. William R. Poage: Member of the Texas House of Representatives from 1925–1929 and of the Texas State Senate from 1931–1937.

Rep. James C. Wright: Served in the Texas State Legislature.

Rep. Eligio de la Garza: Served in the State House of Representatives for twelve years.

Rep. Richard C. White: Member of the State House of Representatives, 1955–1958.

Rep. Henry Gonzalez: Elected to the State Senate in 1956 and reelected in 1960.

Rep. Robert R. Casey: In 1948 was elected to the State House of Representatives and served in the regular and special sessions of the 51st legislature.

VERMONT

Sen. George D. Aiken: Elected town representative in 1931 and 1933; Speaker of the House of Representatives in 1933.

Sen. Winston L. Prouty: Member of the Vermont House of Representatives in 1941, 1945, and 1947, serving as Speaker in 1947.

VIRGINIA

Sen. A. Willis Robertson: Member of the State Senate for six years, 1916–1922.

Rep. David Satterfield, III: Member of the State House of Delegates, 1960–64.

Rep. William M. Tuck: Member of the House of Delegates of Virginia, 1924–1932; Virginia State Senator, 1932–1942.

WASHINGTON

Sen. Warren Magnuson: Elected to the Washington State Legislature; served in the regular and special sessions of 1933.

Rep. Julia Hansen: Member of the State House of Representatives from January 1939 to November 1960, serving as Speaker Pro Tempore, 1955–1960.

Rep. Catherine May: Elected to the Washington State Legislature in 1952 and served six years.

WEST VIRGINIA

Sen. Robert C. Byrd: Elected to the West Virginia House of Delegates in 1946 and reelected in 1948; elected to the West Virginia Senate in 1950.

WISCONSIN

Sen. Gaylord Nelson: Elected to the Wisconsin Legislature in 1948.

Rep. Lynn Stalbaum: Elected to the State Senate in 1954 and reelected in 1958 and 1962; Caucus Chairman in 1957, 1959, and 1961; Assistant Minority Leader in 1963.

Rep. Vernon W. Thomson: Member of the State Assembly 1935–1949 and served as Speaker for three consecutive terms and Republican Floor Leader during the 1945, 1947, and 1949 sessions.

Rep. Melvin Laird: Elected to the Wisconsin State Senate in 1946; reelected without opposition in 1948.

Rep. John W. Byrnes: Elected to the Wisconsin State Senate in 1940; Majority Floor Leader in 1943.

Rep. Glenn R. Davis: Elected to the State Assembly in 1940 and served in the 1941 session.

WYOMING

Sen. Milward Simpson: Member of the Wyoming House of Representatives, 1926–1927.

Source: Congressional Directory (89th Congress, Second Session, January 1966.)

Mary Jane Fiske,
Government and General Research Division.

March 22, 1966.

ACCOUNTING OF IMPORT AND EXPORT OF AGRICULTURAL COMMODITIES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. Ullman] may extend his remarks at this point in the Record and include extraneous matter.

Mr. SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ULLMAN. Mr. Speaker, I am pleased today to introduce legislation which will provide the Congress and the American business community with a concise, up-to-date accounting of the import and export of agricultural commodities. The bill will amend the Tariff Act of 1930 to facilitate the formulation of sound tariff policies with respect to farm products. My learned colleague, the gentleman from Alabama [Mr. Sparkman], has presented a similar bill, S. 3522, in the Senate.

The tremendous strides of the past decade in the technology of packaging and handling of perishables, and the ever expanding productivity of the American farmer, promise increasing development of worldwide markets for our agricultural goods. However, as recent experience with the Small Business Committee of the Senate has shown, pertinent data on the United States role in the international trade of agricultural commodities is difficult to find; and, when available, this data is dispersed throughout a myriad of sources.

Our bill directs the Secretary of Agriculture to prepare a single, comprehensive reference work on the import and export of agricultural commodities. The publication will be made available February 1 of each year for perusal by the Congress and other interested parties.

Among other features, the act requires that the Secretary of Agriculture prepare reports on the quantity and dollar value of agricultural imports and exports; the transportation, insurance, and other handling charges incident to their shipment; and the methods of financing the sale and purchase of these products. The balance-of-payments effect on agricultural trade will be presented in the document.

Additional data will enable the reader to compare current imports and exports with volumes in other years. The Comptroller General and the General Accounting Office will supervise the statistical analysis in reference to accepted accounting procedures and international trade reporting practices.

Senator Sparkman and I submit that this legislation will permit collection in a convenient, packaged and usable form, information of great value to the public and to the Congress in the preparation of tariff policies consonant with the expanding international trade of agricultural products.

I offer this legislation for the favorable consideration of my colleagues.

AIRCRAFT NOISE CONTROL AND ABATEMENT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Pucinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I am very happy to join my colleagues, the gentlemen from New York [Mr. Rosenthal, Mr. Addabbo, and Mr. Wydler] in sponsoring legislation to amend the Federal Aviation Act to authorize the issuance of regulations for aircraft noise control and abatement.

The introduction of this legislation is still another effort in a whole series of efforts to persuade Congress to recognize the necessity for taking appropriate action to reduce noise from jet and other aircraft arriving and departing from airports adjacent to residential communities. Today, it is estimated that more than 20 million people suffer from the problems created by aircraft noise. Aircraft noise—particularly that from jets—has changed the living pattern of more than 1 million people in the immediate area of O'Hare Field in Cook County, Ill., one of the busiest airports in the entire world.

The President's recent message to Congress, urging the establishment of a Department of Transportation, made special reference to the growing problem of aircraft noise to citizens living and working near our large airports. This is a major step forward in efforts to reduce the problem.

Concerted and continued efforts at the agency level are also of the utmost importance if we are to find a solution to the aircraft noise problem.

Mr. Speaker, enactment of this legislation will be a further and important step toward finding an ultimate solution to the problem of aircraft noise abatement and I urge my colleagues to give it their support.

The bill follows:

H.R. —

A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Aviation Act of 1958, as amended (49 U.S.C. 1301), is further amended by adding a new section 611 as follows:

"AIRCRAFT NOISE CONTROL AND ABATEMENT

"(a) The Administrator is empowered to prescribe and amend standards for the measurement of aircraft noise and to prescribe and amend such rules and regulations as he may find necessary to provide for the control and abatement of aircraft noise, including the application of such standards, rules, and regulations in the issuance, amendment, modification, suspension, or revocation of any certificate authorized by this title.

"(b) In any action to amend, modify, suspend, or revoke a certificate wherein violation of aircraft noise standards, rules, or regulations is at issue the certificate holder shall have the same notice and appeal rights as are contained in section 609, and in any appeal to the Civil Aeronautics Board, the Board shall consider the aircraft noise violation issues in addition to the safety and public interest issues as provided in section 609."

DEFACING THE CAPITOL

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ASHLEY. Mr. Speaker, while citizen groups throughout the country are fighting to save historic buildings, here in Washington our own Architect of the Capitol is advancing plans to deface the Nation's most famous structure. Indeed, at the very moment last week that the Housing subcommittee was voting unanimously to adopt a broad Federal program for the preservation of historic sites, our Architect was releasing to the press details for the desecration of the historic west front of the Capitol.

We may be able to accept the judgment of Mr. Stewart that the sandstone walls of the west front are weak and need repair. Mr. Stewart should know; he was once a civil engineer. It may be defensible to restore the west front. This alternative, however, was not even seriously considered by the Capitol Architect and his staff. No estimates or plans for restoration were ever presented. Nor were a sufficient number of outside architects consulted as Congress clearly requires.

Mr. Stewart, intent upon securing his own niche in the Capitol as the most lavish, extravagant nonarchitect Architect in Capitol history, is not content to shore up the west front. He wishes to enlarge it by tacking on some 4½ acres of new brick, mortar, and marble. I find these plans distasteful for a number of reasons: on financial grounds, esthetic grounds, for reasons of history and tradition and because the need for the facilities of the enlargement is minimal at best.

In his 11-year tenure as nonarchitect of the Capitol, Mr. Stewart has been responsible for more "architecture" than any of his predecessors. I believe that the Rayburn Building is a fitting memorial to his ability. Let him spare the west front of the Capitol.

His expenditures in the last 11 years totaled more than $330 million. When I see his estimates of $34 million for the enlargement, I can only be skeptical. I recall his original estimates for the Rayburn Building and I recall his testimony before the Senate Appropriations Committee in June 1963, when he originally proposed this west front extension at a cost of $20 million.

But the financial cost is even more repulsive when one notes that the Capitol Architect and his staff have been unwilling or unable to produce plans and figures for making the building safe and keeping it intact. In 1963 a Member of the other Chamber called for such a study by a qualified engineering firm; as far as I can ascertain, this study was never made.

Obviously, the only possible reason for enlarging rather than restoring would be the necessity for additional space. But do we really need 2 more heavily subsidized restaurants, 2,400 capacity auditoriums, and additional conference rooms? The new facilities of the expensively expanded east front—costing $15 million—are themselves used only sparingly—and the same can certainly be said of much of the space and facilities in the new 2,375,000 square foot Rayburn Office Building.

On esthetic grounds, the proposed enlargement is an abomination. Terming it a "tragic disfiguration," Wolf Von Eckard, the architectural critic for the Washington Post, puts it succinctly when he says "this is assassination." Professional groups not connected with the Capitol Architect's committee have voiced similar disapproval, with the American Institute of Architects on record as overwhelmingly opposed to any plans to "bury" the last remaining outer walls of the Capitol.

In terms of history and tradition, the enlargement plans are similarly egregious. The west front still holds portions of the original work of Thornton, Latrobe, and Bulfinch, the first three Architects of the Capitol. Remnants of the Capitol burned by the British in 1812 also remain.

Are all of these to be sacrificed on the unsupported recommendations of a Capitol Architect who has never been an architect and whose value and credentials have come under increasing question in Congress and throughout the country?

The Commission for the Extension of the Capitol has taken the advice of Mr. Stewart and approved the plans for enlargement. But Congress retains the power to refuse to vote money for this garish travesty and I suggest that it is our clear responsibility to do so in no uncertain terms.

SAVE THE CAPITOL

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schmidhauser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SCHMIDHAUSER. Mr. Speaker, I would like to take this opportunity to join with a number of my colleagues who have expressed extreme displeasure with the plans of Architect of the Capitol Stewart to alter and extend the west front. It would be indeed unfortunate if these plans were allowed to proceed unquestioned. I would like to call to your attention an editorial which appeared in the Washington Post this week which forcefully presents the principal arguments for halting any immediate steps that Architect Stewart had planned to take:

The Temple Profaned

"We have built no national temples but the Capitol," said Rufus Choate. Now that temple is to be profaned and the architectural genius of Thornton, Bulfinch, Latrobe, and Walter is to be buried under cafeterias and other conveniences.

Allan Nevins has described the Capitol as "the best-loved and most revered building in America." He has called it "the spirit of America in Stone." He has said it is "History—the Major Symbol of the Nation."

But the noble western front of the building with its handsome classic walls and its cascading staircases must give way to the convenience and comfort of Congressmen who need more room. Whether the exterior walls are or are not safe is a matter for competent engineers to decide. They have stood less than 200 years and sandstone structures of the kind elsewhere have lasted for hundreds of years. If they are unsafe, they can be rebuilt and replaced without alteration of the original design.

When bombs destroyed the British House of Commons in the 900-year-old palace of Westminster on the River Thames on May 10, 1941, the impulse of the whole British nation was its restoration, not its modification. When he visited the vast ruin on Oct. 29, 1943, Winston Churchill gazed upon the wreckage and said: "There I learnt my craft, and there it is now, a heap of rubble. I am glad that it is in my power, when it is rebuilt, to keep it as it was."

The English people, led by Churchill, insisted that the House be restored, even though the reproduction can seat but 437 of the 627 members.

The wrecker's ball soon will do for the west front of the Capitol what the Nazi bombers did for the House of Commons. Is there no American of equal devotion to the temple of American democracy who can insist that when it is rebuilt, it will be kept as it was?

HONOR SGT. JIMMIE HOWARD

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schmidhauser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SCHMIDHAUSER. Mr. Speaker, I would like to take this occasion today to commend Sgt. Jimmie Howard for his courageous leadership and determination in the recent action in South Vietnam when he and the members of his unit fought off a massive Vietcong attack, defeating enemy efforts and maintaining by their courage and determination the finest traditions of the U.S. Marine Corps.

Sergeant Howard is a native of Sperry, Iowa. His parents, Mr. and Mrs. George Schnedler, still reside there. He is a career man in the U.S. Marine Corps, and in this recent action in South Vietnam earned his fourth Purple Heart. He is presently being treated in Balboa Naval Hospital in San Diego, near his devoted wife, Theresa, and their six children.

The people of southeast Iowa, all of the civic leaders, and the editorial staff of our great newspaper, the Burlington Hawk-Eye, as well as Mr. Burton Prugh, commander of the Navy League in Burlington, Iowa, have all indicated their great admiration for Sergeant Howard's contribution. The Burlington Hawk-Eye and the Burlington Navy League provided a trip to San Diego for Sergeant Howard's mother, Mrs. Edith Schnedler.

I want to take this opportunity to call to the attention of the Members of the House of Representatives the tremendous contribution made by Jimmie Howard and to commend him most highly for his personal contribution to the cause of freedom and the honor of the United States.

DISABLED AMERICAN VETERANS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MULTER. Mr. Speaker, the people of this great country have for well over 150 years lived in an environment that has demanded freedom, fostered liberty, and maintained the basic rights of man. Yet many times the very shores of these United States have been ominously threatened by a variety of enemies; and on each occasion American men and women have responded to the call of duty and put their very own lives in jeopardy so that this great country might flourish and maintain its integrity while providing a common security for its citizens.

It is these brave Americans that I now praise before our colleagues, many of whom I know have served this country valiantly, both in the Congress and on the battlefield.

But when war is over, the fighting ended, many servicemen return wounded, disabled, maimed for life; some never return at all, but lie buried in a foreign land with a heartbroken family left at home mourning and without care.

These men, women, and children who directly feel the consequences of war must be cared for, and so I take this opportunity before our colleagues to pay public tribute to an organization that has recognized the necessary responsibility of providing for and advancing the cause of thousands of disabled servicemen, their widows, dependents, and orphans. Such an organization is the congressionally chartered Disabled American Veterans whose national commander is Claude L. Callegary, and which has just recently celebrated 34 years of exemplary service to this country and its fightingmen and families.

As each citizen has an obligation to fight for his country during war, so does that country have the responsibility to aid, protect, rehabilitate, compensate, in all, to serve that person and his family after war. Once again I extend my personal praise and thanks before our colleagues to the DAV for its incalculable, unselfish service.

RURAL RECREATION FOR MORE AMERICANS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. MORRISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MORRISON. Mr. Speaker, the pressure for more outdoor recreational opportunities is increasing throughout the United States. This need must be filled in large part on private lands that are best suited for this important purpose. A unique and rewarding opportunity exists in the rural countryside through technical and financial assistance provided by the U.S. Department of Agriculture for recreational development on farms and ranches.

Louisiana's rural landowners and operators are devoting more and more of their land to fishing, swimming, picnicking, hunting, and other recreational areas, and for cabins, cottages, and campsites.

Louisiana has long been conscious of its attractions to tourists and vacationers from within the State and from outside the State. We hope now to provide even greater incentives for a large public seeking rest, relaxation, and enjoyment in outdoor activities.

I am proud to represent the enterprising Sixth Congressional District where substantial headway is being made in converting land that is not needed nor best suited for crops to income-producing outdoor recreation.

In the Sixth District, 14 landowners and operators had established recreational enterprises on their properties by the first of this year, and 3 had made recreation their primary source of income on 2,841 acres. In addition, four small watershed projects in the district, built under Public Law 566, provide recreational opportunities. These outdoor recreational benefits on rural lands are multiplied throughout the State of Louisiana.

I am particularly pleased with this development for several important reasons: the rural economy is strengthened, and an opportunity is afforded nonfarm people to enjoy the open countryside—and in many cases experience life on the farm—in a manner that would not be possible in any other way.

There is another very good reason for this opening of the gates to rural America: it is a means of bringing the people of the city and the country closer together so that they might better understand their common heritage, hopes, and needs. Everything we can do to enhance the town and country relationship benefits our Nation because it strengthens the bonds that unite all Americans.

The great yearning for communion with the outdoors is deeply seated in our human nature. Cityfolk crowd the highways in seach of some idyllic setting in a woodland or meadow, or by a stream.

The wondrous world of nature abounds in the vast expanses of rural America. I heartily applaud those landowners and operators who are making it possible for more Americans to join in the life of our rural society—to enjoy and appreciate the multiple values of the countryside, and to better understand the role of every American in providing a more satisfying life for all the people of this great Nation.

Mr. Speaker, to show the extent of these programs in the Sixth District of Louisiana, I present the following tables which show obligations by activity for fiscal year 1966 and a summary of watershed activities under Public Law 566:

U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE

Obligations for activities in counties of the 6th Congressional District of Louisiana, fiscal year 1966 (estimated)

Parishes	Activities			
	Conservation operations	Watershed planning	Watershed protection	Total
Ascension	$32,182		[1] $309,229	$341,411
East Baton Rouge	19,644			19,644
East Feliciana	22,124			22,124
Iberville	33,578			33,578
Livingston	22,503			22,503
Pointe Coupee	41,804			41,804
St. Helena	18,858			18,858
St. Tammany	24,026			24,026
Tangipahoe	26,761			26,761
Washington	28,620			28,620
West Baton Rouge	16,102			16,102
West Feliciana	13,060			13,060
Total	299,262	0	309,229	608,491

[1] Panama Canal-Conway Bayou watershed protection project.

WATERSHED PROTECTION (PUBLIC LAW 566)

Status of program in the 6th Congressional District of Louisiana as of June 8, 1966

	Area (acres)	Parish	Local sponsors	Date approved	Completion (years)	Estimated total cost	Estimated total Federal cost	Total Federal cumulative obligations through June 30, 1965	Structures completed
Projects approved and underway:									
Panama Canal and Conway Bayou.	43,780	Ascension	New River Soil Conservation District; Ascension Parish police jury; East Ascension Gravity Drainage District No. 1.	Dec. 14, 1964	5	$1,172,500	$376,400	$1,280	
Pleasant Valley, Big Ditch and Scarboroughs Creeks.	11,800	Washington	Bogue Chitto River Soil Conservation District.	May 29, 1959	4	698,206	482,346	338,713	5 floodwater retarding structures; 1.1 miles channel improvement.
Total						1,870,706	858,746	339,993	
Estimated allotments for fiscal year 1966.								67,000	
Unserviced watershed applications:									
Bayou Grosse Tete	137,000	Pointe Coupee	Pointe Coupee Parish police jury; Upper Delta Soil and Water Conservation District.						
Choctaw Bayou	110,000	Pointe Coupee, West Baton Rouge.	Upper Delta Soil and Water Conservation District; Pointe Coupee Parish police jury; West Baton Rouge Parish police jury.						

ASSISTANCE TO ISRAEL?

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Barrett] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARRETT. Mr. Speaker, yesterday the King of Saudi Arabia, while here in our country as a guest, took the opportunity to classify as his enemies those in the United States and throughout the world who provide assistance to the State of Israel.

This is a direct insult to all of us—Jew and non-Jew—who support the State of Israel.

It may be regretted that this incident took place, but it should serve to make us fully realize who our true friends are.

AMENDING THE CONNALLY HOT OIL ACT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. Jarman] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. JARMAN. Mr. Speaker, the Connally Hot Oil Act was passed by Congress in 1935 to prevent individuals and businesses which produce oil in violation of State law from selling that oil in interstate commerce, and thereby profiting from their illegal activities. Since then, however, it has become increasingly necessary that States be excluded from this restriction.

The amendment to the Connally Act submitted by my colleague from Texas [Mr. Rogers], H.R. 10860, is designed to accomplish this adjustment in the law. Experience has shown that many States through due process have impounded a great deal of oil which was illegally produced. Unfortunately, the present Connally Act prohibits that State from selling the seized oil in interstate commerce. The impact of this is that the State must pay the storage charges without any prospect of ridding itself of the oil, or from profiting from its sale. In Texas, for instance, between 140,000 and 150,000 barrels of oil fall under the hot-oil category. This oil is worth approximately $450,000 on today's market, but the State of Texas is unable to sell it because of the Connally restriction. About all Texas can do is sell it locally, being careful not to enter into interstate commerce. So far, the best they have done is sell some of it at 25 cents a barrel for building county roads. The situation of Texas, Mr. Speaker, is typical of other oil-producing States.

It is clear that the State's intent in selling the oil through interstate commerce is not the same as that of the party or parties which originally violated the law in its production. The Connally restriction was designed merely to prevent these people from selling illegal oil.

Mr. Speaker, the fact that this proposed amendment emerged from committee with a unanimous endorsement, and that during the hearings, not one witness was heard against it, bears witness to the fact that it is a helpful and necessary revision of the Connally Hot Oil Act.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time to ask the distinguished majority leader the program for the remainder of this week, and the schedule of the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we have completed the legislative program for this week and will ask to go over, upon the announcement of the program, to next week.

Monday is District Day, and there are eight bills. They are as follows:

House Joint Resolution 1178. Special regulations for Shrine Convention in July 1967;

H.R. 10823. Student loans on insurance policies;

H.R. 15857. Amending District of Columbia Police and Firemen's Salary Act of 1958;

H.R. 15860. To Establish District of Columbia Bail Agency;

H.R. 15858. Authorizing site for Shaw Junior High School;

H.R. 12119. Replacement of 14th Street Highway Bridge;

H.R. 8337. Amending Practical Nurses Licensing Act; and

H.R. 5426. To provide that common law marriages may not be contracted in the District of Columbia.

I am advised that these bills may not necessarily be called up in the order in which they are listed.

Scheduled for Monday also is House Resolution 875—21-day resolution providing for the consideration of H.R. 14904; and

H.R. 14904. Revising postal rates on certain fourth-class mail, with an open rule providing for 3 hours of debate, pending, of course, adoption of House Resolution 875.

This, of course, applies also to the 21-day resolution. They may not be brought up in the order in which they are now appearing.

For Tuesday and the balance of the week, there is the Defense Appropriation Act for the fiscal year 1967, waiving points of order on that part pertaining to S. 2950. And may I advise the House that the ability to call up this bill will be contingent upon a conference agreement on the authorization bill. So this is made subject to that contingency.

Also, as a part of the program for Tuesday and the balance of the week, there will be a House joint resolution continuing appropriations for 1967, and H.R. 5256, crediting Inactive Reserve service for enlisted personnel; H.R. 14741, authorizing increase in Marine Corps general officers; H.R. 15005, removing inequities in the promotion of certain Air Force officers; and H.R. 12615, authorizing reimbursement of certain travel expenses of members of the uniformed services.

This is made, subject, of course, to the usual reservations that conference reports may be brought up at any time and that any part of the program may be announced later. May I advise that it will be our hope that we can adjust the program as is necessary in order to be sure that we finish up that part of the business which we need to finish up prior to the Fourth of July vacation.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished majority leader yield?

Mr. ALBERT. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. The program scheduled for Tuesday and the balance of the week lists these various bills in order, but it is possible and conceivable that they would not necessarily come in that order?

Mr. ALBERT. The gentleman is correct. Of course, if there should be a delay in the bill which is the most important bill on the list, we may want to put other bills ahead of it, if they are ready. That is the reason I made the statement. I want to be as flexible as possible, so that we can dispose of the business as quickly as possible and whenever it is ready next week.

ADJOURNMENT TO MONDAY, JUNE 27, 1966

Mr. ALBERT. Mr. Speaker, if the gentleman will yield further, I will ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule may be dispensed with next week.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished majority leader yield at this point?

Mr. ALBERT. Mr. Speaker, I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, the gentleman said a few moments ago, that the District Day bills would not necessarily come in the order listed on the written notice of information.

Mr. ALBERT. That is correct.

Mr. GERALD R. FORD. But are we to understand that the District Day bills will come ahead of House Resolution 875 and H.R. 14904?

Mr. ALBERT. Of course, that would be a matter for the discretion of the Speaker. We did list them this way, but I did make that statement with respect to all the business for Monday. I thank the gentleman.

APPOINTMENT TO COMMITTEE TO INVESTIGATE NONESSENTIAL FEDERAL EXPENDITURES

The SPEAKER. Pursuant to the provisions of section 601, title 6, Public Law 250, 77th Congress, the Chair appoints as a member of the Committee To Investigate Nonessential Federal Expenditures the following member of the Committee on Appropriations to fill an existing vacancy thereon: Mr. KIRWAN, of Ohio.

PARTNERS FOR PROGRESS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. FRELINGHUYSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, I wish to bring to the attention of my colleagues the fine and humane work of the Partners of the Alliance programs of the Alliance for Progress.

This organization has done much to bring about a better understanding of our Latin American neighbors, and to foster the realization that citizens of the Americas are working together in the spirit of the Alliance for Progress.

A short time ago, my own State of New Jersey dramatized this people-to-people effort when it was called upon to assist its "partner," the State of Alagoas in northeast Brazil.

Alagoas had been struck by disastrous flooding which caused several deaths and made countless persons homeless. These people were in desperate need of medicines, drugs and vitamins. Through Alagoan officials, an appeal for these supplies was made to its partner, New Jersey, and within a short time a planeload of medical supplies was on its way to Brazil.

Program officials have told me the rapid response of New Jersey in answering these pleas for help had tremendous impact in Alagoas, so much so that radio and television stations there broadcast hourly bulletins for 2 days on the progress of the plane's flight.

I would like, at this time, to commend to my colleagues the following speech delivered by Mr. James H. Borean, director of the Partners of the Alliance programs, at the 16th annual convention of the Chamber of Commerce of the Americas at Montego Bay, Jamaica, on June 11, 1966.

The speech is as follows:

Remarks of James H. Boren, Director, Partners of the Alliance Programs, Alliance for Progress, Agency for International Development, at the Dinner, 16th Annual Convention, the Chamber of Commerce of the Americas, Royal Caribbean Hotel, Montego Bay, Jamaica, Saturday, June 11, 1966

Dr. Eldemire, Mr. Prime Minister, Chairman Gatteri, distinguished guests, ladies and gentlemen. It is a genuine and high honor for me to have been invited to be with you this evening, not only because of the great work of your organization as an organization but also because of the distinguished people who participate in your activities. For it is of people and the private sector that I wish to think with you this evening.

The role of the private community in the Alliance for Progress is usually expressed in the business terms of investment and return. I have not come to your convention here in beautiful Jamaica, however, to speak in terms of investments in that sense, but rather I have come to think together with you about another type of hemispheric investment. I have come to think with you about the need for a new assessment of your opportunities and responsibilities. I have come also to ask for your help.

This is a beautiful land and we are fortunate indeed to be in Montego Bay which has been described from this platform as the source of the stardust of beauty. Yes, this is beautiful Jamaica but it is also exciting Jamaica. What an exciting and challenging time to be living here—to be a part of the great historic task of nationbuilding. What an exciting time for all of us to spend the breath of life in the great drama of development. Of all the ages there has been none to compare with the daring and the boldness of the one in which we are now living.

On May 17 and again on June 1, I stood at Cape Kennedy to witness the launch of Gemini 9. I was there at the invitation of my friend—and, incidentally, a friend of the Partners of the Alliance—Astronaut Tom Stafford. The Agena and the Atlas (ATB) were launched and two days later Gemini 9 began its successful and historical flight.

As the countdown proceeded, and as I stood there with Tom's efficient assistant, Lola Morrow, the quiet excitement mounted to an unbelievable level. Everyone marvelled at the personal courage of Tom Stafford and Gene Cernan as they were sitting in the space capsule in the nose of that giant vehicle which was to orbit the earth at a speed of 5 miles a second.

Everyone also marveled at the teamwork of the thousands of people which was putting our nation and mankind closer to new worlds of human achievement. The countdown period was no time for flippant conversation but it *was* a time for reflection on the pioneering role of man as we break one barrier after another in the drive to literally reach for the stars. The flight of Gemini 9 which began on June 3 was an extremely successful one, and as the reports unfold about that flight, it again brings a great sense of excitement.

There is another great effort that calls for new ideas, new acts of creation, and new acts of courage. This is the great drive for economic and social development in which we all are deeply involved. This too is an effort which requires us to work as a great development team that involves not only the governments but also the private citizens of the Americas.

The Alliance for Progress is the boldest and most important multilateral undertaking in the history of the Americas. It is at once exciting, frustrating and challenging. It embraces the analysis of cold economic data and the establishment of development priorities. It involves the building and strengthening of institutions, and it requires an understanding of the power structure and the decision-making processes in both the public and private sector. It involves, at times, time-phase conflicts and project contradictions that may fall within a single development plan. And—it involves people and their hopes and aspirations.

All of these factors, however, focus on the common element of change and the motivation for that change.

Fred Harbison, in a discussion in a very interesting book,* describes the process of innovation as being based, for example, in the creative people in government service, in private activities, in education and in business.

Business entrepreneurs can play a major role in development either as a designer of change or as one who is able to inspire others to try new approaches and put new ideas into operation. Business entrepreneurs have been in the forefront of world leadership, but as Harbison indicates, greater numbers of innovators—the designers and "pushers" of change—are coming from the fields of politics, education, labor, engineering and other professional and technical areas. This broadening of the base of the designers of change is good and is as it should be. I submit, however, that business leaders cannot float their way through a changing world and survive. I submit that creative entrepreneurs can and should be more active as prime movers of change.

One program which can serve to bring creative people together in an effort to conceive ideas and translate them into action is the Partners of the Alliance.

The Partners of the Alliance is a private community program through which business, professional, labor and civic leaders and citizens throughout the Americas can work on specific projects. Today 30 states of the United States are working with 30 areas in 15 countries of Latin America. They are working in community self-help projects, technical assistance, educational, cultural, and health programs, and joint venture investments.

The Partners program works in both directions. Partnership, in the business world, signifies a sharing in the proceeds of business operations. In a similar way, the Partners of the Alliance seeks to establish a channel through which every area in the hemisphere can share in the work of the Alliance for Progress.

The first contribution in the Venezuela/Tennessee partnership, for example, was in the form of an outstanding collection of Venezuelan art which has been on tour throughout Tennessee for the past eight months. On their own initiative the Tennessee and Alabama Partners shared the art exhibit. Made available through the Neumann Foundation of Caracas, this collection has not only contributed to the cultural life of Tennessee and Alabama but it has resulted in the formation in the United States of the Southeast Regional Arts Council. This Council is completing arrangements for the Venezuelan art to tour the states of the Southeast, and is developing a broad art program for the entire region. This will enable more states to benefit from the cultural contributions of Latin America.

A newsboy of Lima and a young girl of the Amazonian city of Iquitos face a brighter future following successful open heart surgery arranged by the Texas Partners of the Alliance. An agricultural extension specialist in Rio Grande do Sul, Brazil, is now working in the development of his area, thanks to open heart surgery performed through Indiana Partners arrangements. A value can be assigned to the operations but the real value defies the usual dollars and cents tag.

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* C. Arnold Anderson and Mary Jean Bowman, "Education and Economic Development" (Chicago: Aldine Publishing Company, 1965.)

Last summer, a number of high school language teachers completed a program at Miami University in Ohio through which they were introduced to the Portuguese language. The Ohio partnership is with the state of Parana in Brazil, and through providing the professor of Portuguese, Dr. Navarro, Parana was making a contribution to its U.S. Partner state. The University of Illinois, because of their involvement in the Partners program, has established a full four-year Portuguese language course. The University has also created a post for a Portuguese language instructor from Sao Paulo, their Brazilian Partner state.

The village of Navan in the Andes of southern Peru has been isolated for years—with a narrow mountain trail being the only outlet for the products of the valley. The people of Navan provided the initiative, the plan and the labor and the Texas AFL–CIO provided the picks, wheelbarrows, and shovels. Upon completion of the Navan road, a special ceremony was arranged in which the village council passed the tools to a neighboring village which is now working on a 2-mile road to connect with Navan.

An accomplished young concert pianist from Texas, Monte Hill Davis, performed several benefit concerts in Peru and 10 in Brazil. The funds raised were applied to local Partners projects but her contribution went beyond the financial return.

Collections of Inca gold and photographic art of Peru have been shown in the Partner area of Texas.

Central College of Pella, Iowa, has established a full scholarship for a student from Yucatan—room, board, tuition, fees and $200 per semester. The recipient of the scholarship will be a resource person for the Spanish language program. Central College, an imaginative liberal arts college, is also establishing a Partners of the Alliance professorship through which a Mexican educator will teach one or two courses in Spanish or art. The bulk of his time, however, will be made available to the high schools in the area. The contribution will thus be to the broad community served by the college.

Last week the New Jersey Partners received a message from their Partners committee in Alagoas in Northeast Brazil. Flood waters had caused several deaths, 500 children had taken shelter in a school and 5,000 people were in need of shelter, medicine and food. The New Jersey Partners provided the requested emergency shipment of drugs and supplies.

Last year, in the Barranquilla area of northern Colombia, a number of children had died and more were in critical condition from dehydration. The supply of saline and dextrose solutions in the area was almost totally depleted. The private sector Colombia Partners Committee contacted their counterpart group in Florida. Within hours a supply of the vitally needed solutions arrived in Barranquilla through arrangements involving the Partners and Aerocondor Airlines.

The fiftieth student from Colombia was recently admitted to a Florida college under the Florida-Colombia alliance, sparked by Tom Adams, the imaginative Florida Secretary of State. Florida students are also studying in Colombia.

The people of one Andean village were separated from their small plots of land by a rapidly flowing river. Every day the men hand-walked a steel cable stretched high over the river in order to plant, tend, and harvest their crops. 1,200 feet of 1½ inch steel cable was sent to that village. With it they have completed a suspension bridge—a bridge to their land—and a bridge of understanding to the high plains of Texas whose citizens became their working Partners.

Pumps have been provided for community wells, and seed for school gardens. Hand tools have been provided for rural vocational schools, and medical equipment has been made available to small hospitals and medical posts.

A number of joint-venture investments and other commercial relationships are developing as a natural outgrowth of the relationships.

High school and college students in several states have provided the funds to place roofs, doors, and windows on schools constructed through the self-help efforts of villagers.

Blockmaking machines have been provided—as have chain saws, handtools and other equipment to enable slum improvement associations to complete buildings, schools, and medical posts.

We are now exploring the possibility of one or more investment conferences through which specific business or joint-venture proposals can be presented to potential investors in a widely-advertised state-wide conference. This may be one of several program areas in which you may be interested. The initiative should come from the private community Partners committees.

Last year I was privileged to appear before your convention. Following that appearance, I was approached by Mr. Ishmael Gomez with a specific request to consider sending a partnership team to his country. Later I flew to Belize City where I was met by the distinguished Premier, the Hon. George Price, Minister Hunter, Mr. Gomez and other public and private leaders. Since that time Partners Committees have been formed in Belize (British Honduras) and Michigan. A team of Michigan leaders visited various areas of the country, and the group is now in Michigan beginning to implement specific projects. As Minister Hunter has indicated to you, the Partners of the Alliance program is beginning to develop in a number of fields. Potential investors are beginning to look at specific opportunities. This is one of the partnerships in which I can visualize an investments conference being held soon. This partnership, incidentally, can be traced in its origin to your organization.

This is partnership response to community self-help efforts in a program which recognizes the prime importance of human dignity. This is the spirit of the Alliance for Progress, and this Partners of the Alliance program is one effort to unleash the creative forces of private citizens as prime movers of innovation.

There are those who insist upon measuring progress solely in balance-sheet terms and who contend that progress is not progress unless measurable on the charts of the economist. The truly sound and practical economist is the first to recognize and acknowledge the limits of his professional tools, and he is the first to recognize that there are important elements of human progress which cannot be measured in quantitive terms.

There are those who seek the financial participation of the private sector, but who also say other citizen participation is not worth the time, effort and cost involved. Effective professionals in the field of economic development recognize that the private citizens who constitute the body politic are the ultimate sovereign power in development funding from both public and private sources.

To those men who recline in the comfort and safety of their charts and who recoil at the idea of the non-professional or average citizen participating in the development process, I say we in the Partners of the Alliance have demonstrated that the people of the Americas—at the citizen level—can contribute to development. In less than two years we have witnessed a "hard value" investment of more than $3 million—investment made not for dollar dividends but for profit expressed in the human terms of greater opportunities for a better life.

The Partners program can never be a substitute for the vital government to government programs but it can help fill a void and give the grass roots of the Americas an opportunity to participate directly in the work of the Alliance.

Ladies and gentlemen, I am proud of my agency—the Agency for International Development—and I am personally very proud of the continuing support being given by President Johnson to the Alliance for Progress. I am also proud, how ever, of the great response of the private community to the challenge of the Charter of Punta del Este. The Partners of the Alliance has been one instrument for the articulation of this response and your organization has been another. We can and should work closer together.

You of the Chamber of Commerce of the Americas has accepted the challenge as this convention has centered its attention on the role of the private sector in economic and social development. You are movers of innovation. You are exploring solutions to practical problems, and you are giving balanced attention to both the social and economic processes. You are to be congratulated for your efforts and your successes.

May you, as business entrepreneurs, continue to work in the development of new industries, new investments, new methods of producing the distributing goods and services, and new approaches to tourism, but may you do so motivated by the fact that the results will be measured not only in economic returns but also in the satisfaction of helping to build a better hemisphere. May the professional and technical leaders continue to work for improved services and greater efficiency but in so doing be motivated not only by the drive for personal professional advancement but also by the keen desire to be a part of your country's development and history. May those of the labor movement strive to improve their skills, increase their productivity and improve their lot, but in so doing keep the missionary spirit of a movement that participates in the building of a nation and a peaceful world.

May each day in the year ahead see you as individuals carrying forward the spirit and the purpose of this convention. May you continue to be motivated to seek even greater investments and dividends in terms of human progress for all the people of the Americas. May you, with the Astronauts, reach for the stars and explore the new approaches to the future. May your explorations be motivated by the desire to be innovators, but may your explorations be not in the jingles of hollow words but in the eloquence of thoughtful action.

NEW YORK MEDICAL CARE PROGRAM

The SPEAKER. Under a previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 10 minutes.

Mr. RYAN. Mr. Speaker, I rise this afternoon to state that I have today urged the Secretary of Health, Education, and Welfare to approve the medical assistance for needy persons plan which was submitted by the State of New York to the Department of Health, Education, and Welfare to provide for medical care in our great State.

Under the Social Security Amendments of 1965, which we passed last year, there are two major provisions.

The first is known as medicare, which was an historic advancement for this country and which is generally known to the public. It will provide hospital care and, under the supplemental plan, medical assistance for those over 65 years of age.

The second is a program under title XIX of the Social Security Amendments of 1965 which provides 50 percent Federal reimbursement for certain services under State medical plans provided they meet the criteria set forth in the law.

In implementing title XIX, the New York State Legislature adopted a far-reaching program of medical care which would reach all of the citizens of the State who are medically in need, whose income and resources are insufficient to meet the cost of necessary medical services. We all know the financial burden resulting from illness.

This proposal is very advanced, more advanced than that adopted by any other State. Some eight States and Puerto Rico have now had plans approved by the Federal Government.

The New York plan is now pending before the Department of Health, Education, and Welfare. There has been considerable controversy over this plan in the State of New York. There has been a diversionary hue and cry about the invasion of the relationship between doctor and patient, which is unjustified because freedom of choice is preserved. There has been a hue and cry harking back to the days of the 1930's and the 1940's when every advanced social measure was denounced as socialism.

I regret to report that even some of our Democratic colleagues from the State of New York have been critical of this plan.

In order to dispel any doubt about the legality of the New York State plan, I urge the Secretary to approve it so that there can be no question that New York State can go ahead and provide for its citizens, for every citizen who is medically in need, the means with which to meet the costs of medical care and hospitalization.

Mr. Speaker, when President Johnson signed the Social Security Amendments of 1965 on July 30, he said:

> It was a generation ago that Harry Truman said, "Millions of our citizens do not now have a full measure of opportunity to achieve and to enjoy good health. Millions do not now have protection or security against the economic effects of sickness. The time has now arrived for action to help them attain that opportunity and to help them get that protection." We are taking such action 20 years later . . . The need for this action is plain.

Thus, the social security amendments became law. The act included title XVIII, medicare for the aged, and the less-noticed title XIX, grants to States for medical assistance programs, to which I referred earlier.

Title XIX suggests that the Great Society is a dynamic program intended for the benefit of all levels of society—not merely an emergency plug for the dykes of poverty. Title XIX begins to implement the idea that in the richest nation on earth the opportunity for health care should be a basic right, not dependent upon income. A family's financial stability should not be threatened by the incidence of disease and illness.

As I pointed out, New York State has acted to implement title XIX. On April 30, title 11 of article 5 of the social welfare law—medical assistance for needy persons—was signed into law. In general the measure provides that a person is eligible for medical assistance if he is receiving or is eligible for public assistance or has insufficient income and resources to meet the cost of medical care and services. Under the eligibility limits set by the State, a family of four will be eligible if it has a net income of $6,000 after taxes and health-insurance premiums, plus savings up to $3,000 and life insurance with a face value of $4,000. Under the State medical plan in effect previously, the eligibility limit was $5,200, and it was intended to increase it to $5,700 before implementation of title XIX.

New York's plan is strikingly more ambitious than that of the eight other States and Puerto Rico which have been approved by the Secretary of Health, Education, and Welfare. Each State has advanced somewhat beyond its previous plan. New York again has taken the lead in having the most liberal arrangements for medical care of its citizens.

The New York plan is now under serious attack. Its scope has upset and frightened some who were not previously opposed to the Federal legislation. It had been assumed by some that title XIX represented another small, inevitable increase in benefits without an appreciation of the fact that this law is a new milestone in carrying out the implications and philosophy of the Great Society. On the contrary, it sees health and medical care as a right for all American citizens—not just the very poor or the very rich. It asks that minimum standards of health care exist for all groups, regardless of their ability to pay.

Mr. Speaker, charges of socialism and bankrupting the Federal treasury have sprung up from many quarters. There are charges of interfering with the doctor-patient relationship and excessive Federal control of medicine. Private citizens are aroused by the barrage of charges and are frightened that assistance to individuals who are not known to be public welfare cases means the entry of Marxism into American life.

Inevitably, the repercussions of this hysteria have extended back into the government—both local and Federal.

Some of my colleagues have asked the Secretary of Health, Education, and Welfare not to approve the plan or to delay approval until serious modification can be made. One New York Member of the other body has introduced amendments which would seriously weaken the purpose of the Federal law.

In an unpredecented move the New York State Legislature held hearings after enactment of the State law, questioning the effectiveness and propriety of the law without waiting to see how it operated in fact. This past Tuesday the New York State Senate pushed through 11 amendments designed to limit the scope of the State legislation.

I am deeply disturbed by this turn of events. I do not think we can afford to stand idly by and see the New York State plan emasculated, or the Federal law restricted.

Therefore, I have urged the Secretary of Health, Education, and Welfare to approve the New York plan promptly.

Mr. Speaker, let me make it clear also, in case there are any doubts, that the New York State medical plan—medical assistance for needy persons—does comply with Federal guidelines and the intent of Congress.

Public Law 89–97, the Social Security Amendments of 1965, section 1902(a)(10)(B)(i) provides that medical or remedial care and services may be provided to persons not eligible under any prior State plan by reason of excess income or resources but who have insufficient income and resources to meet the costs of necessary medical or remedial care and services. Section 1902(a)(10)(B)(ii) provides that the amount, duration, and scope of medical assistance made available must be the same for all such persons.

Section 1902(17) requires the State plan to "include reasonable standards, which shall be comparable for all groups, for determining eligibility for and the extent of medical assistance under the plan which (A) are consistent with the objectives of this title, (B) provide for taking into account only such income and resources as are" allowable and not specified to be disregarded. In reference to this provision the Committee on Ways and Means in House Report No. 213 on the Social Security Amendments of 1965 explains further:

> Before an individual is found ineligible for all or part of the cost of his medical needs, the State must be sure that the income of the individual has been measured in terms of both the State's allowance for basic maintenance needs and the cost of the medical care he requires. The State may require the use of all the excess income of the individual toward his medical expenses, or some proportion of that amount. In no event, however . . . may a State require the use of income or resources which would bring the individual below the test of eligibility under the State plan.

Section 1903(e) of the Social Security Amendments of 1965 states:

> The Secretary shall not make payments under the preceding provisions of this section to any State unless the State makes a satisfactory showing that it is making efforts in the direction of broadening the scope of the care and services made available under the plan and in the direction of liberalizing the eligibility requirements for medical assistance, with a view toward furnishing by July 1, 1975, comprehensive care and services to substantially all individuals who meet the plan's eligibility standards with respect to income and resources, including services to enable such individuals to attain or retain independence or self-care.

Again, in explication of this point, the Ways and Means Committee Report No. 213 says:

> This provision was included in order to encourage the continued development in the States of a broadened and more liberalized medical assistance program so that all persons who meet the State's test of need * * * whose own resources are insufficient, will receive the medical care which they need by 1975.

In a publication "To Improve Medical Care" dated April 1966, the Department of Health, Education, and Welfare has said:

> The Social Security Amendments of 1965 reflect a determination by the American people and the Congress that needed medical care is not to be denied to any person regardless of age, because he, individually, cannot afford to pay the costs.

Mr. Speaker, the hysteria surrounding the implementation of title XIX must not prevent carrying out the mandate of the American people. This mandate was expressed in their endorsement of the Great Society program in 1964.

President Johnson said in his health of the Nation message on February 10, 1964:

> The American people are not satisfied with better-than-average health. As a Nation, they want, they need, and they can afford the best of health—not just for those of comfortable means—but for all our citizens, old and young, rich and poor.

Let us not delay any further. I hope the Secretary of Health, Education, and Welfare will approve the New York State plan immediately with a full statement of endorsement. Let us oppose all efforts to deny to future generations their basic human right of good health.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RYAN (at the request of Mr. GONZALEZ), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. CELLER and to include extraneous matter.

Mr. SAYLOR and to include extraneous matter.

(The following Members (at the request of Mr. BUCHANAN) and to include extraneous matter:)

Mr. REINECKE.

Mr. PELLY in two instances.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. CALLAN.

Mr. JOHNSON of California.

Mr. MURPHY of New York.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2602. An Act to remove a cloud on the title to certain real property in the State of Oregon owned by John Johnson; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1582. An act to remove a restriction on certain real property heretofore conveyed to the State of California;

H.R. 3438. An act to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy;

H.R. 7371. An act to amend the Bank Holding Company Act of 1956;

H.R. 10721. An act to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes; and

H.R. 12270. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the 12th Boy Scouts World Jamboree and 21st Boy Scouts World Conference to be held in the United States of America in 1967, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 11227. An act to authorize the Honorable EUGENE J. KEOGH, of New York, a Member of the House of Representatives, to accept the award of the Order of Isabella the Catholic.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until Monday, June 27, 1966, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Thirty-second report entitled "Separating Storm and Sanitary Sewers in Urban Renewal (Water Pollution Control and Abatement)"; without amendment (Rept. No. 1648). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: U.S. House Delegation to the 11th Conference of Members of Parliament from the NATO Countries. Report of the U.S. House Delegation to the 11th Conference of Members of Parliament from the NATO Countries, held in New York City, October 4-9, 1965; without amendment (Rept. No. 1649). Referred to the Committee of the Whole House on the State of the Union.

Mr. DADDARIO: Committee on Science and Astronautics. H.R. 14838. A bill to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes; without amendment (Rept. No. 1650). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs: H.R. 15750. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; with amendment (Rept. No. 1651). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H.R. 15890. A bill to assist city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in these areas, to improve and amend our housing programs, and for other purposes; to the Committee on Banking and Currency.

By Mr. BARRETT:

H.R. 15891. A bill to assist city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in these areas, to improve and amend our housing programs, and for other purposes; to the Committee on Banking and Currency.

H.R. 15892. A bill to amend title 38 of the United States Code in order to increase to $500 the amount paid by the U.S. Government in connection with the funerals of certain veterans; to the Committee on Veterans' Affairs.

By Mr. BECKWORTH:

H.R. 15893. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 15894. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Ways and Means.

H.R. 15895. A bill to revise postal rates on certain fourth-class mail, to suspend for an additional 3-year period certain restrictions on the use of postal appropriations, to create a temporary Commission on Parcel Post to study parcel post problems, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DERWINSKI:

H.R. 15896. A bill to revise postal rates on certain fourth-class mail, to suspend for an additional 3-year period certain restrictions on the use of postal appropriations, to create a temporary Commission on Parcel Post to study parcel post problems, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FINO:

H.R. 15897. A bill to amend title II of the Social Security Act to provide that a disabled woman may qualify for disability insurance benefits and the disability freeze with any 4 years of coverage (instead of only with 5 years out of the 10 years immediately preceding her disability, as generally required) if she is the widow of a fully insured individual; to the Committee on Ways and Means.

By Mr. **FRASER**:

H.R. 15898. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. **FRIEDEL**:

H.R. 15899. A bill to amend the Railroad Retirement Act of 1937 to waive, in the case of an annuitant 65 years of age or over who has at least 30 years of railroad service, the provision prohibiting a retired annuitant from returning to the service of his last employer; to the Committee on Interstate and Foreign Commerce.

By Mr. **HANSEN** of Iowa:

H.R. 15900. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. **HATHAWAY**:

H.R. 15901. A bill to amend section 57n (11 U.S.C. 93n) of the Bankruptcy Act; to the Committee on the Judiciary.

H.R. 15902. A bill to amend the Vessel Exchange Act by eliminating the trade-in requirement in certain cases where national defense purposes require; to the Committee on Merchant Marine and Fisheries.

By Mr. **KEE**:

H.R. 15903. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon", approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 15904. A bill to place deputy U.S. marshals under the competitive civil service, and for other purposes; to the Committee on the Judiciary.

By Mr. **McCLORY**:

H.R. 15905. A bill to permit the compelling of testimony with respect to certain crimes, and the granting of immunity in connection therewith; to the Committee on the Judiciary.

By Mr. **MacGREGOR**:

H.R. 15906. A bill to establish a National Commission on Reform of Federal Criminal Laws; to the Committee on the Judiciary.

By Mr. **MADDEN**:

H.R. 15907. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mrs. **MINK**:

H.R. 15908. A bill to amend section 312 of the Immigration and Nationality Act to exempt certain additional persons from the requirements as to understanding the English language before their naturalization as citizens of the United States; to the Committee on the Judiciary.

By Mr. **MINSHALL**:

H.R. 15909. A bill to amend title II of the Social Security Act to provide that a divorced wife may qualify for benefits on her former husband's wage record, even in the absence of continuing support (or any right to such support) from him, if she received a substantial property settlement upon their divorce; to the Committee on Ways and Means.

By Mr. **MURPHY** of New York:

H.R. 15910. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Board-Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. **OLSEN** of Montana:

H.R. 15911. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyance moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. **POOL**:

H.R. 15912. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. **PRICE**:

H.R. 15913. A bill to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

By Mr. **REINECKE**:

H.R. 15914. A bill to establish a National Commission on Reform of Federal Criminal Laws; to the Committee on the Judiciary.

By Mr. **RIVERS** of South Carolina:

H.R. 15915. A bill to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions; to the Committee on Armed Services.

By Mr. **SENNER**:

H.R. 15916. A bill to amend the Public Works and Economic Development Act of 1965 to extend for an additional year the eligibility of certain areas; to the Committee on Public Works.

By Mr. **STRATTON**:

H.R. 15917. A bill to amend title XIX of the Social Security Act to impose certain limitations with respect to eligibility requirements under State plans for medical assistance, and to require that State medical assistance programs be designed not to discourage the growth and development of private and group medical insurance; to the Committee on Ways and Means.

By Mr. **SWEENEY**:

H.R. 15918. A bill to establish safety standards for motor vehicle tires sold or shipped in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 15919. A bill to amend title 38 of the United States Code, to increase the rate of pension to certain veterans of World War I, World War II, the Korean conflict, their widows and children, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. **ULLMAN**:

H.R. 15920. A bill to amend the Tariff Act of 1930 to facilitate the formulation of sound tariff policies with respect to agricultural commodities; to the Committee on Ways and Means.

By Mr. **CAMERON**:

H.R. 15921. A bill to amend the Economic Opportunity Act of 1964 to provide insurance for loans made to assist in the creation of employment opportunities for low-income persons; to the Committee on Education and Labor.

By Mr. **HAWKINS**:

H.R. 15922. A bill to amend the Economic Opportunity Act of 1964 to provide insurance for loans made to assist in the creation of employment opportunities for low-income persons; to the Committee on Education and Labor.

By Mr. **McFALL**:

H.R. 15923. A bill to amend the Internal Revenue Code of 1954 to permit the withholding of Federal income taxes for employees of certain water districts; to the Committee on Ways and Means.

By Mr. **McCARTHY**:

H.R. 15924. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. **TALCOTT**:

H.J. Res. 1179. Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. **CRALEY**:

H. Con. Res. 796. Concurrent resolution expressing the sense of the Congress with respect to certain matters in connection with the 225th anniversary of the founding of York, Pa.; to the Committee on the Judiciary.

By Mr. **McCARTHY**:

H. Con. Res. 797. Concurrent resolution expressing the sense of Congress on the holding of elections in South Vietnam; to the Committee on Foreign Affairs.

By Mr. **MATSUNAGA**:

H. Con. Res. 798. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. **CAREY**:

H.R. 15925. A bill for the relief of Giuseppe D'Angelo, his wife, Rose D'Angelo, and Onofrio D'Angelo and his wife, Francesca D'Angelo; to the Committee on the Judiciary.

H.R. 15926. A bill for the relief of Vittoria Mancuso; to the Committee on the Judiciary.

By Mr. **COHELAN**:

H.R. 15927. A bill for the relief of James Rodriguez Garcia (also known as Jaime Wilson and Jaime Betia); to the Committee on the Judiciary.

By Mr. **MACKAY**:

H.R. 15928. A bill for the relief of Mrs. Ruth Brunner; to the Committee on the Judiciary.

By Mr. **MORSE**:

H.R. 15929. A bill for the relief of Mr. Salehbhai Shamsi and Mrs. Sakina Shamsi; to the Committee on the Judiciary.

By Mr. **MULTER**:

H.R. 15930. A bill for the relief of Andrea Ventimiglia; to the Committee on the Judiciary.

By Mr. **O'HARA** of Illinois:

H.R. 15931. A bill for the relief of Ileja Kalember; to the Committee on the Judiciary.

By Mr. **POWELL**:

H.R. 15932. A bill for the relief of Giovanni Fiorini; to the Committee on the Judiciary.

By Mr. **ROSTENKOWSKI**:

H.R. 15933. A bill for the relief of Kazimiera Niemirowska; to the Committee on the Judiciary.

By Mr. **ROYBAL**:

H.R. 15934. A bill for the relief of Miss Jai Ok Yuh; to the Committee on the Judiciary.

H.R. 15935. A bill for the relief of Abdallah Hanna Abi Monsour; to the Committee on the Judiciary.

By Mr. **ST GERMAIN**:

H.R. 15936. A bill for the relief of Maria De Jesus Da Silva Ferreira; to the Committee on the Judiciary.

H.R. 15937. A bill for the relief of Maria Inez Pacheco de Andrade Medeiros; to the Committee on the Judiciary.

By Mr. **TEAGUE** of Texas:

H.R. 15938. A bill for the relief of Julio Cesar Gon Martinez; to the Committee on the Judiciary.

By Mr. **WALDIE**:

H.R. 15939. A bill for the relief of certain employees of the Naval Weapons Center, Concord, Calif.; to the Committee on the Judiciary.

By Mr. **WOLFF**:

H.R. 15940. A bill for the relief of Thalia Simos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

402. The **SPEAKER** presented a petition of Ralph Boryszewski, Rochester, N.Y., relative to impeachment, which was referred to the Committee on the Judiciary.

SENATE

THURSDAY, JUNE 23, 1966

The Senate met at 11 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Lord our God, whose love is so gracious and tender that it passeth understanding, we bow before Thee in gratitude at the remembrance of Thy mercies. Bring us, we beseech Thee, into the quiet sanctuary of Thy presence that we may be still and know that Thou art God.

In spite of all the evil that stalks the earth with shackles and chains, we thank Thee for human kindness, for hope that shines undimmed, for faith that is dauntless, and for all the qualities of high personality that cannot be bought. Let Thy beauty, O Lord, be upon us, that our spirits may be radiant as in Thy strength we face the perplexities of these troubled days. Use us, we pray Thee, as ambassadors of good will. At the end, without stumbling or stain, strengthen our arms as in all the world we fight for righteousness and justice and truth.

We ask it in the name of that One who is the life and truth and the way. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 22, 1966, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting nominations, was communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 12270) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the 12th Boy Scouts World Jamboree and 21st Boy Scouts World Conference to be held in the United States of America in 1967, and for other purposes.

The message also announced that the House had passed a bill (H.R. 15119) to extend and improve the Federal-State unemployment compensation program, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 1582. An act to remove a restriction on certain real property heretofore conveyed to the State of California;

H.R. 3438. An act to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy;

H.R. 7371. An act to amend the Bank Holding Company Act of 1956; and

H.R. 10721. An act to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 15119) to extend and improve the Federal-State unemployment compensation program, was read twice by its title and referred to the Committee on Finance.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the speech to be delivered by the distinguished junior Senator from Michigan [Mr. GRIFFIN], which I understand is not to exceed 45 minutes, there be a period for the transaction of routine morning business, with statements to be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, once again I wish to state that after the Senate disposes of the metal and nonmetallic mine safety bill, which will be the pending business at the conclusion of the morning hour, it is our intention to take up tomorrow the Traffic Safety Act. I urge all Senators to be in the city and available for attendance in the Chamber, because there may be amendments to be voted on.

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair recognizes the Senator from Michigan.

(At this point Mr. MCGEE assumed the chair as the Presiding Officer.)

UNITED STATES ECONOMIC ASSISTANCE TO VIETNAM

Mr. GRIFFIN. Mr. President, I rise to make my first speech in this Chamber, at an hour of testing in the history of the Republic.

Ten thousand miles from this Chamber, on the other side of our planet, more than 300,000 young Americans are engaged in fighting an enemy who is everywhere and nowhere—an enemy who walks barefoot through the rice paddies of the Mekong Delta and rides through the streets of Saigon on a bicycle carrying a bomb.

Mr. President, I served 14 months overseas during World War II, and I do not claim to be a military expert. Recently, I spent 5 days, from May 9 to May 14, in Vietnam as a member of the House Subcommittee on Foreign Operations and Government Information, studying the commodity import program of the U.S. Agency for International Development. I do not come back and profess to be an expert on all the problems of Vietnam. During my visit in Vietnam, I had an opportunity to meet and engage in discussions with our top military, political, and economic representatives, with our soldiers in the field, and with the Vietnamese people themselves.

With all humility, I offer some assessments and conclusions. I earnestly hope that they will contribute to a better understanding of the problems we face in Vietnam. For one need not be an expert to realize that in Vietnam we are confronted with a new and terrible kind of war—terrorism that makes pawns of the innocent, and severely tests the morale, the loyalty, and the steadfastness of the civilian population.

In Vietnam the economic and political know-how of the 20th century is struggling to bring nationhood out of subversion, and some order out of chaos.

Whether South Vietnam, with the military and economic help of the United States, will be able to survive this ordeal, no one can predict with certainty. Militarily speaking, I believe we can see some light at the end of the tunnel; however, the possibility continues that the tunnel may cave in before we reach the end.

THE CHALLENGE OF COMMUNIST TERROR

I should like to suggest that two wars are raging in Vietnam today: one is the war to defeat the Communist Vietcong in the countryside and in the villages of the south and to repel overt aggression from the north; the other is the war to win the people, so that they can create a viable political, social, and economic order—in short, so that they can build a nation.

South Vietnam is a relatively small country. Its trained leaders are even fewer in relation to its size. Yet, in a period of 2 years, more than 600 village headmen and civil servants were killed by the Communist Vietcong, and over 1,400 kidnaped. Imagine the sense of terror which would pervade America if every good mayor and every good public servant in the United States risked death or kidnaping at the hands of Communist gangsters. Yet, this is the situation in South Vietnam.

In its total context, the war in Vietnam cannot, and will not, be won merely by dropping bombs or by taking over Vietcong territory. In the final analysis, to win this total effort, a nation must be rebuilt out of the chaos, confusion, and corruption left in the wake of 25 years of continuous strife and conflict. To succeed, we must be as skillful and ingenious with the tools of nation building as our fighting men are skillful and ingenious with the weapons of battle.

No matter how many military engagements are won by American soldiers, the war will surely be lost if our civilian personnel fail in their education, health, and economic programs—in the nation building aspects of the total effort. And, every shortcoming and failure in our economic assistance and development program serve only to prolong the war.

THE WEAKEST LINK

In my judgment, based on my recent visit to Vietnam, the weakest link in U.S. activities is, inexcusably, the economic one. I am very much disturbed to report that our largest economic assistance program in Vietnam has not been well handled. As a result of serious mismanagement and ineffective controls, U.S. import subsidies have brought boom to the black markets of Saigon; they have made the rich richer and the poor poorer; and they have indirectly routed American supplies into the hands of the Communist Vietcong.

The program to which I refer is the commodity import program. Through it the U.S. Agency for International Development—AID—provides indirect budget support for financing the importation into Vietnam of capital goods, raw materials and consumer goods.

Over the years, the commodity import program has grown to the point where it represents the major portion of our foreign aid package in Vietnam. For the current fiscal year, approximately $370 million has been budgeted for the commodity import program in Vietnam—well over half of our total economic aid commitment to that country. Unfortunately, the rapid expansion of this program, which has resulted in an almost unmanageable influx of commodities, has not been accompanied by an equivalent expansion in the number of competent AID administrators, or in the system of controls.

The commodity import program was originally designed, first, to shore up the Vietnamese Government's foreign currency reserves by cutting down on their foreign expenditures; second, to provide additional government revenues to balance their budget; and third, and most important, to help combat inflation in Vietnam.

This well-intentioned but, unfortunately, not well-administered program works something like this:

First. The Saigon Government maintains a list of approved importers in Vietnam. A firm or individual on the list has a tremendous opportunity for realizing profit, licit and illicit.

Second. Only approved importers are eligible to apply for a license to import particular goods. Yet our AID officials have paid little or no attention to the list of approved importers, or to the granting of import licenses. There has been no reliable system of checking on the backgrounds, honesty, loyalties or secret connections of the import applicants. Administration of the import licensing system has been left almost entirely to Vietnamese officials. Although licenses are supposed to be issued without charge, it is common knowledge in Saigon that an "under the table" payment to the appropriate local official is "part of the game."

Third. By using his privileged authority, a Vietnamese importer can obtain an import license—say, for the import of $10,000 worth of cement—by paying the Vietnamese Government in local currency at the "pegged" bargain rate of 60 piasters to $1. I am speaking here of the period prior to last week's devaluation of the piaster. The exporter, who may be in the United States or a third country, is paid by the U.S. Government in dollars.

Fourth. Upon obtaining the imported goods, the importer remains virtually unchecked—at least, this has been the case in the past—in his methods of disposal. He can—and often does—sell the goods on the Saigon black market where the going exchange rate has ranged between 160 and 180 piasters to the dollar. The spread between the official rate and the "down on the corner" exchange rate insures a real windfall profit for the importer. He can nearly triple his original investment in piasters.

But he need not stop there. Other avenues for profiteering have been open to the resourceful importer.

By working through a "cooperative" foreign sales agent, the importer can arrange for the seller to make a kickback to him on a part of the sales price. Overstatement of invoice prices, short shipments, or shipment of inferior goods are other devices for realizing profits from a generous Uncle Sam. Kick-back payments may actually go to the importer in Saigon through a sales representative, or they may take the form of a transfer of funds between foreign banks.

A large percentage of the goods brought into Vietnam under the commodity import program are supposed to be purchased from the United States. But if Uncle Sam is paying no attention, shipping documents can easily be falsified as to the country of origin. This makes it simpler to get dollars into French or Swiss banks.

In a recent series of syndicated columns on the profiteering in Vietnam, economics consultant Eliot Janeway has written:

> The business of latching on to war dollars has grown into the only really big business there (in Vietnam). . . . Of the $600 million outflow to Vietnam, nearly half (roughly 20 percent of our worrisome [balance of] payments deficit) goes right back to France as ammunition for her war against the dollar. Back when the French were paying for their own war in Vietnam, they complained against the profiteering there which created a vested interest in keeping troops bogged down in Vietnam.

DIVERSION OF U.S.-FINANCED IMPORTS TO THE ENEMY

Profiteering by unscrupulous importers and, in some cases, exporters is not the only shocking example of laxity of control over the administration of the commodity import program. Expansion of the program at a faster rate than AID could recruit qualified administrators has apparently resulted in the most outrageous attack upon the taxpayers' dollars yet—the diversion of the U.S.-financed imports to the enemy and the smuggling of supplies out of Vietnam for resale in other areas.

For example, on May 9 the New York Times reported:

> The possibility that United States taxpayers may indirectly be financing the Viet Cong through the import program is a continuing headache to AID officials. Enough diverted supplies have been recovered from the Viet Cong to suggest that much more has gone the same route.

Evidence has been presented in the press and elsewhere, including the committee in the other body on which I served, to substantiate these reports. For example, there is reason to believe that American steel has been used to re-enforce Vietcong bunkers; that American steel has been used by the Vietcong to fashion homemade mortars; that small machine equipment, medicines, and other items have been pilfered from the docks in Saigon—actually under the noses of AID officials—and transferred to the Vietcong; and that rice, imported from Texas and Louisiana, has been smuggled from Vietnam into Cambodia, making that country, according to the New York Times, "the fastest growing exporter of the staple in southeast Asia."

In the May 10 issue of the New York Times Felix Belair, Jr., wrote:

> Nobody in the Agency for International Development here (in Washington) or in Saigon knows on anything like a current basis how much (of the imports) has arrived or where it went.
>
> In the circumstances, "estimates" that 20 percent of AID-financed shipments are stolen in transit or from the docks and warehouses or otherwise diverted go unchallenged because there are no figures to refute them.

THE NEED TO HELP THE 80 PERCENT OF THE PEOPLE

The profiteering by unscrupulous elements in the cities and ports of Vietnam is naturally demoralizing to the great mass of the people faced with suffering and terrorism inflicted by the Communist Vietcong. It must be stopped if we are going to win the 80 percent of the Vietnamese population who live as peasants in the countryside.

In the May 5 issue of the Reporter magazine, Stanley Andrews, a noted authority on rural development who spent a number of years in Vietnam, said:

> Perhaps no more than 10 to 20 percent of American aid has trickled down to the hamlets in a way the peasants can relate to either the United States or their own Government . . . Most of the aid has benefited the elite and the urban middle class.

WHO IS TO BLAME?

A good part of the blame for the past and present situation in Vietnam must be laid at the door of top AID officials.

Consider these facts about the AID mission in Vietnam:

First. On March 26, 1966, AID mission personnel in Vietnam totaled approximately 2,800, which is nearly the number stationed in Washington. However, until recently there were only a handful of American AID employees in Vietnam whose principal concern was the administration of the commodity import program. A year ago there was only one such employee.

Second. While I was in Vietnam, four key administrative posts, including the position of Deputy Director, were vacant.

Third. There have been four different Directors of the Vietnam AID mission during the past 4 years.

Fourth. There have been few audits of the AID operation in Vietnam. At the time of our visit, there had been no audits of the operation by AID-Washington since 1961. Controls and supervision over the commodity import program by Washington or Saigon have been minimal or nonexistent.

In other words, the AID agency in Washington and Saigon has been "looking the other way." Its personnel policies have been inadequate. During the past 5 years there have been no meaningful measures to check or audit this vital program.

Since the House Foreign Operations Subcommittee took an interest in this problem several months ago, however, I am pleased to report that the attitude in Washington has been changing. In recent weeks three high-level teams have been dispatched to Saigon to investigate, including the Inspector General for Foreign Assistance, the Controller of AID, and a high-level team from the General Accounting Office.

These are important—although disastrously late—first steps toward improving the administration of the commodity import program. I trust these first-hand observations will help to spur meaningful reforms.

WHAT SHOULD BE DONE?

In the long run, peace in South Vietnam means political security and economic progress for the people. The United States, alone, cannot supply these vital commodities under any foreign aid program, but we can help the Vietnamese if they will help themselves.

Our military men are doing their job. But when soldiers are dying in battle for the cause of South Vietnam's freedom, our civilian personnel must also perform up to the same standards. In many respects, their responsibilities are more subtle, more complex, and more difficult than military objectives. One thing is certain, this economic and social challenge will not be met just by throwing U.S. funds around as if they were hand grenades in a battle.

Specifically, I would recommend four steps to be taken right now to upgrade our civilian programs in Vietnam.

First, I propose the establishment of an Executive Service Corps patterned along the lines of the Peace Corps. I believe greater incentives must be provided to attract businessmen and others with special training and experience to serve as civilians in the "other war" in Vietnam. We need to put to work the best talents and the genius of American enterprise in this total effort.

I envision a program that would stimulate greater interest among American businessmen to serve their Government on a longer term basis than is currently the case.

The program might involve an expansion of principles and guidelines already laid by the successful International Executive Service Corps, which is a private nonprofit group of volunteer businessmen who have served in such countries as Iran and Taiwan, but not in Vietnam.

The Executive Service Corps should encourage executives to take a 1- to 3-year leave from their businesses—without loss of position or status—to serve the country overseas while enlarging their own administrative experience. Such an infusion of talent would provide a real "shot in the arm" for the AID program in Vietnam and, at the same time, it could open the way for more meaningful cooperation between the business community and Government in the whole field of economic development.

Second, a team of auditors and investigators must be stationed in Vietnam—not to execute the profiteers, but to show simply and firmly that the United States insists upon honest accounting for its funds. By cutting back and stopping the "under the table" profits in Saigon, we would help significantly to combat the traditional country-city hostility in Vietnam and spread the benefits of U.S. aid more equitably among the South Vietnamese people.

Third, career incentives should be developed to attract the most competent and dedicated AID personnel to serve in Vietnam. This could be accomplished by requiring successful service in a crisis area like Vietnam as a condition of promotion above a certain level, or by permitting AID or Foreign Service personnel with responsibilities in Vietnam to be eligible for promotion within a shorter period, or by screening AID personnel for Vietnam so carefully that such an assignment would be considered an indication of superior ability. There are many ways, within the AID organization, to insure that only the best are sent to Vietnam, but so far, to my knowledge, these methods have not been fully employed.

Fourth, additional programs are needed to reach the rural areas—which, after all, contain 80 percent of the Vietnamese people. They must be programs that do not pour black market money into the countryside. Such programs should offer realistic and practical help in farming, irrigation, transportation, health, and the like. Community clinics for such endemic ills as trachoma, and sympathetic treatment for civilians wounded by military actions, for example, would have a far-reaching impact upon the South Vietnamese people.

THE ULTIMATE OBJECTIVE

The ultimate objective for South Vietnam is nationhood. But the South Vietnamese, not the United States, must build it. As Americans strive and look forward to peace and a day when meaningful elections will be held—when the South Vietnamese will freely select their own government—we must not forget that in the long run the United States cannot rule the Vietnamese people—we cannot govern for them.

Mr. President, while I was in Vietnam, I spent a part of a day with the U.S. Marines in the Da Nang area visiting a small village—actually a hamlet—where about 35 or 40 people live. The marines had helped to build a very crude school for the youngsters in that hamlet; it was apparent that the Marine Corps is concentrating particular attention on the Vietnamese children. Throughout the Da Nang area our marines are taking a very real personal interest in the people of the villages and hamlets, working with them on their agricultural problems, helping them find ways to irrigate the fields and to grow more rice, and helping to provide security during the harvest. At a nearby children's hospital built and operated by our marines, Vietnamese nurses were being paid by the marines out of their own pockets.

The marines that I visited in the Da Nang area represent the kind of example that Americans must hold out to the people of Vietnam. Surely, it is not asking too much to expect that U.S. civilian personnel in the "other war" will demonstrate a comparable interest and competency, and that our AID programs will be administered efficiently and effectively. This is the least that American civilians can do while American servicemen are sacrificing their lives. At present, unfortunately, it is more than we are doing.

Mr. KUCHEL. Mr. President, will the Senator from Michigan yield?

Mr. GRIFFIN. I am happy to yield to the Senator from California.

Mr. KUCHEL. Mr. President, I would like to say, with respect to the lucid address to which the Senate has just listened, that as an American, I am delighted to greet our new and able colleague from Michigan.

As a Republican, I am particularly grateful that one with his background in American government now graces this Chamber.

I believe it was my late, great, and illustrious predecessor, Hiram Johnson, who on one occasion said, "In war, the first casualty is truth." It is an aspect of this problem which the distinguished junior Senator from Michigan has outlined so carefully to the Senate today. I trust that his message will carry beyond this Senate to the executive branch of the Government. These problems have arisen in the heat of conflict; a conflict which certainly involves the honor and integrity of the American system. They must be brought to the attention of the American people. Action must be taken to increase our scrutiny of the manner in which our commodity import program is being conducted in South Vietnam today.

In view of the gravity of the charges which have been made and the specific recommendations which our able colleague has laid down, there is, I believe, a duty incumbent upon the executive branch of the Government to respond to this challenge posed by the Senator from Michigan. It should indicate to the Senator and to the Senate how it intends to improve the procedures and how it intends to remove the apparently tremendous opportunity for corruption that exists in the use of the commodity import program.

I would also like to state to my able friend from Michigan that I thoroughly applaud his excellent and constructive suggestion that businessmen in America devote their knowledge and experience to the business of the Government of the United States for a temporary period of time. In this manner, they can bring their unique and successful qualifications under the free enterprise system to bear in the exceedingly important cause of freemen 10,000 miles from this Chamber.

There is also a great deal of pride for all Americans, to be found in what our young men in the U.S. Marine Corps did with respect to the civilian population of South Vietnam. The Senator from Michigan has ably drawn our attention to the outstanding efforts of our fighting men in the small hamlets and villages in the rural part of that tragic and melancholy land. I was particularly proud to know that our men in uniform have assisted young people in constructing schools and the local, indigenous population in improving agriculture.

Now I should like to ask the Senator a question. In the Senator's opinion, is our civilian aid program working with the civilian aims of our military personnel in that country?

Mr. GRIFFIN. Mr. President, first, I thank my distinguished colleague from California for his very kind observations.

I think, generally speaking, that there is close cooperation and liaison between our AID agency in Vietnam and our military. I elaborate on my statement by emphasizing that my criticism is not focused, or is not intended to be focused, on all aspects of our AID program in Vietnam. I am particularly pointing out the commodity import program.

I also want to emphasize that we have many fine, competent, dedicated people in Vietnam in the AID agency. They are not all incompetent, by any means. Particularly in the pacification program, for example, we have people in the AID agency who are out in the countryside, incurring considerable personal risk, and who are doing a very fine job in some of the same areas in which the marines are doing it. When I mentioned the marines, I do not wish to imply that that is the only part of the military that is doing this work with the people there. It just happens that I had an opportunity to be in the field with the marines.

I hope, with that elaboration, perhaps the address I have made today will be placed in a proper perspective.

Mr. KUCHEL. The Senator has indeed done just that. What prompted my interest was an opportunity I had to speak with some returning military and civilian personnel over the last year. Our conversations reflected the views of the able Senator in that we do have excellent and able American civilians in that area. Some of them raised considerable question, in connection with our Appropriations Committee function, that perhaps there was not sufficient attention given to the problems of the civilian population. As the Senator has said, 80 percent of the people in Vietnam live in rural areas. It is in these small villages and hamlets, where such problems as inadequate sanitation and antiquated techniques of agriculture and the like, offer a tremendous opportunity for this fine program to help the civilian population and the cause for freedom.

I would like to thank the Senator for his admirable presentation and for his lucid response to my question. I would again like to welcome the Senator from Michigan to the Senate and to thank him for his able and constructive speech.

Mr. GRIFFIN. I thank the Senator. I also wish to express appreciation to the majority leader for making it possible for me to make this speech at this time.

Mr. MANSFIELD. I am glad we had the opportunity to have the Senator make his speech.

Mr. PEARSON. Mr. President, let me say that I regret that committee assignment responsibility prevented me from being on the floor when the distinguished Senator from Michigan [Mr. GRIFFIN] addressed the Chamber. His experience in that troubled area, his great record in Congress, have enabled him to give to our own colleagues, and indeed to the Nation, a great insight into the problems to which he has directed attention.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Kansas [Mr. PEARSON] be allowed to speak for 5 minutes, and I also ask unanimous consent that thereafter the Senator from Alaska [Mr. BARTLETT] may be allowed to speak for 30 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

VIETNAM CREDIBILITY GAP

Mr. PEARSON. Mr. President, on May 29 Radio Moscow devoted some attention to the speech I made on this floor on May 27 wherein the Soviets indicated that yet another U.S. Senator had criticized the President for his Vietnam policy.

I would not expect to be correctly reported or correctly interpreted by Radio Moscow, but I shall not let their misrepresentation go without response.

Mr. President, I support a policy aimed at the containment of communism in southeast Asia; the halting of Communist aggression and the guarantee of an independent and a peaceful South Vietnam.

But, Mr. President, what I sought to interpret on May 27 is some meaning as to why the American people are concerned and confused about our commitment and about our participation in Vietnam. For the truth of the matter is that our Nation is at war. Our objectives are honorable and worthy. The American people genuinely want to support the President in any international crisis.

Yet to the average citizen whose support is so vital in our democratic system we appear to be helpless victims of a situation we cannot control; that the most powerful Nation in the world cannot determine its own destiny; and that while we know where we have been, it is impossible to guess where we will be in the future.

Why is there such uncertainty and confusion? Why do the polls and the surveys indicate a lack of support for the President who acts as the Commander in Chief of a nation which has always responded with great unity in times of international confrontations?

The inevitable answer was that the administration's position was not believable. There was a lack of credibility. And in the Washington lexicon of the day there existed a "credibility gap."

With some due candor I would assume that this is a result of partisan politics in an election year. Yet the most vociferous critics are members of the President's party. And one cannot overlook the fact that there continue to be a growing number of newspaper editors and columnists who are constrained to question our policy.

So, while the ever-present partisan politics is always present, this lack of belief in the administration's policy must be caused by something else. And that something else is a mismatch between words and deeds, a contradiction between ends and means and a conflict in statements and actions which have existed over a long period of time and which in turn brings about that slow erosion of public confidence.

Therefore, the tragedy of the most agonizing episode in the midsixties for all Americans may be that our Vietnam policy may fail—not because they are wrong, but because our people are confused and disillusioned.

Mr. President, this confusion stems, it seems to me, from three administration weaknesses regarding our policy in Vietnam. The first is the administration's unhealthy obsession with a notion that it is always right and never wrong—or that, at least, it should so present itself.

And second is the administration's overpowering urge to be "all things to all men," to govern by consensus not only in domestic, but in foreign policy. The emphasis, therefore, has been on nullifying domestic and international criticism rather than following a policy best designated to achieve the objectives sought.

And third is what appears to be the administration's aversion to long-range planning, a predisposition of "playing things by ear," of responding rather than taking the initiative.

If one asserts that such weaknesses exist, there is, of course, the responsibility to offer some documentation.

Mr. President, in recent weeks there have been repeated stories of shortages of war materials in Vietnam. Now if we know anything about past military buildups of this sort, we know that such shortages inevitably occur. And if these shortages are not the result of gross mismanagement then they constitute only another of harsh facts of war—which is organized confusion at best.

But what has been the administration's response to, first, the press disclosures of these shortages and later confirmation by congressional committees?

At first they were categorically denied. The Secretary of Defense described them as "baloney," an extreme example of the administration's overreaction of critics and an administration that admits no mistakes; and administration policy which seeks to discredit critics, but which finally only raises new doubts.

And then there was the speech by the distinguished junior Senator from New York [Mr. KENNEDY], who suggested that the United States should negotiate with the Vietcong.

The administration's overreaction once again proposed that, first, they were in agreement; second, that they were in complete disagreement; and, third, that they were "very close to Mr. KENNEDY'S views."

This is another illustration of an administration trying to cover all bets, attempting to be all things to all people at all times. But in the meantime, what is our policy? New doubts are raised. New confusions are created.

In the order of things these may be matters of small circumstance, but let us go on to review issues of greater consequence.

In the administration's explanation of the basic reasons as to why we are in Vietnam they speak in generalities.

The administration spokesmen talk of defending freedom and democracy in South Vietnam. These are admirable causes. The very basic tenants of our foreign policy are to expand the boundaries of freedom by means of halting aggression and by means of peaceful persuasion. But admirable as they may be, who among us now really believes there is any real meaningful freedom and democracy in Vietnam or indeed in southeast Asia?

The administration speaks in terms of narrow legalisms, of honoring commitments, of contending that we are bound by the SEATO Treaty. But if we are, other treaty members apparently do not appear to believe that they are so bound. And apparently the administration does not either for it has never really consulted with our allies regarding Vietnam policies. It talks to them in terms of more men and material commitment, but it does not discuss policy or SEATO Treaty obligations.

The administration talks about our commitment by past administrations, by the Kennedy administration and by the Eisenhower administration. These commitments supposedly are binding upon our Government and on our people for which we are honorbound. The truth of the matter is that the Eisenhower commitment was nothing more than a letter to the Diem Government offering economic and technical assistance upon the condition that there would be achieved certain social, economic and political reforms.

Mr. President, the real reason we are in South Vietnam today is to prevent the spread of imperialistic, totalitarian communism into South Vietnam and into the rest of southeast Asia which threatens the peace of the world. This has been a cornerstone of our foreign policy for two decades. It is the basis of the Marshall plan; it was the reason we instituted the airlift into Berlin; that we resisted Soviet-sponsored thrusts into Greece, Iran, and Turkey; it is the reason we opposed conventional warfare in Korea; it is the reason we reacted to the missile crisis in Cuba; and indeed it is the reason we are committed in southeast Asia. And the administration ought to say so. The American people would understand. But to talk about our presence there in terms of treaty commitments, legalistic arguments and talk of a war for freedom and democracy clouds the real reason and creates doubt and confusion.

Let me make reference to another phase of this problem which has long been difficult for the American people to understand. This is our position in regard to negotiations with the Communists. In May 1965 the President, in his now famous Johns Hopkins speech, said we would negotiate anywhere at any time without prior conditions. We then immediately imposed a condition ourselves and that was that we would not negotiate with the Vietcong. Now, Mr. President, there may have been good and valid reasons why we should not negotiate with the National Liberation Front. Certainly we should not negotiate only with the Communists in South Vietnam as Hanoi and Peking would suggest. But here again is more uncertainty.

Note also that every time we escalate our peace effort we also escalate, in like manner, our military effort. One dilutes the other.

In relation to the so-called peace feelers, I would remind the Senate that after our declaration that we would explore all possibilities of negotiation, the American people learned of the overtures through the United Nations, through the Italian Foreign Minister and others only after evidence had come forth to the extent that the administration could no longer deny that they existed. Again these overtures may not have been worthy of consideration. The administration's position may have been absolutely sound. But the administration was discredited when they first denied their existence and then had to acknowledge such contacts after public disclosure.

I make reference also to the so-called peace offensive of January 1966. At that time all will recall that the bombing had stopped. Ambassador Harriman was sent to Poland, Yugoslavia, and India; Mr. McGeorge Bundy went to Ottawa; Ambassador Goldberg was sent to the Vatican, Rome, Paris, and London; the Vice President toured the Far East capitals; Ambassador Kohler called upon those in authority in the Soviet Union; Mr. G. Mennen Williams contacted several African nations; and Mr. Thomas Mann went to Mexico.

This was a massive peace offensive. A great political display. But even at the time it was underway many felt that the objective was to nullify criticism rather than to find a response to our peace offensive.

The point is if in the past months we had been making the proper diplomatic efforts then this diplomatic spectacular would have been unnecessary. And if we had not been making the proper diplomatic efforts for peace then this jet diplomacy would convince no one.

Let me make reference to the severe problem of government stability in South Vietnam. A great cloud hangs over America's involvement with the numerous Saigon governments.

I specifically make reference to the Honolulu Conference. The situation at that time was that the peace offensive had failed, the bombing had been resumed in the north, the desperately needed economic, social, and political reforms had not taken place, criticism of the administration's position was increasing as manifested by the Senate Foreign Relations Committee hearings. It was precisely at this point that the President, together with his top advisers, went off to a conference with Premier Ky, and here again the general feeling among many was that this was to nullify criticism at home rather than to extend a long-range policy.

Secretary McNamara's recent offhand comment that the conflict between the Ky regime and the Buddhists was a healthy sign was either thoughtless or naive.

Now, Mr. President, one can understand the niceties of diplomacy and the delicate circumstances of international relations. But if the United States approves and supports each government, we, in turn, compound the confusion in the minds and in the consciences of our people.

Mr. President, the great confusion lies in the mismatched words and deeds of the administration.

Mr. President, if we are to reduce this to a single proposition, looking back over the long and troubled past, one will see that the administration from time to time has taken a public position that we would commit ourselves only so far, and at the same time the administration asserted that there were certain actions which we would not do and that this scope of commitment would achieve the objectives that we seek. Then inevitably conditions change and the administration does the very act that they promised not to do, whether it be increased troop commitment or some other action. But now they say this new escalation, this new commitment, will solve the Vietnam problem. Yet the solution never comes.

Let me illustrate. In 1964 the President said our objectives can be achieved without American troops. Today there are over 400,000 American troops in North Vietnam.

In 1964 the President indicated that there would be no bombing north of the 17th parallel. At a later time air strikes into North Vietnam became necessary to cut the supply lines, yet supplies continue to flow over the Ho Chi Minh trail in ever-increasing volume.

If the administration really thought that a limited action and a limited commitment would suffice, then the result is a misjudgment. But if the administration thought that the limited commitments previously made would never suffice, then it constitutes deception. But, in any event, the result is confusion and doubt on the part of the American people.

Mr. President, once again, I say that I will support the position of the administration which is, as I understand it, to be goals of halting Communist aggression in Vietnam and southeast Asia and in securing a free and independent South Vietnam. As I stated, I am persuaded that the American people want to support the administration. I am persuaded that our objectives are right and honorable and worthy. I am convinced that the administration will receive the support of our people if it will only clearly state the reasons for our commitment.

The people of this land are wise enough and strong enough to understand that the lessons in South Vietnam in 1966 are the same lessons of Munich in 1939. I think they are wise enough to understand that freedom of South Vietnam is not the same kind of freedom that we would have for our land and for our people, and they know and expect that the unexpected will occur.

Mr. President, I think the American public can understand a policy of limited action for limited objectives, that they can understand that there is a new concept of victory in a nuclear age and that they are willing to do what is necessary in these times.

Mr. President, one last point. The great wrong of the administration's policy of seeking a consensus in foreign affairs is that not only doubt and confusion have resulted, but it is in the fact that in this doubt and confusion many people have been driven to extreme positions. The simplistic approach of all-out war on one hand or complete withdrawal on the other gains popularity every day. The broad body of thought which understood that there are no simple answers for Vietnam; that understood that there is no "yes or no" answer; that understood that solutions do not appear in black or white shades now is dissolved and the administration's mismatch of words and deeds has led an ever-increasing number of people into extreme positions which can only give way to extreme solutions.

For America, in the midsixties the agony of Vietnam could be the trial for this generation. What we need today is reason, understanding and patience and, Mr. President, these will exist if our goals are clear and if we know where we are going.

CONTAMINATION OF THE COLORADO RIVER BASIN

Mr. BARTLETT. Mr. President, repeatedly in recent years I have spoken to the Senate about the increasing hazards to man and his progeny caused by radioactive contamination and pollution of the air we breathe, the water we drink and the food we eat. I will continue to speak out on this subject.

Radiation exposure is cumulative and it comes from many sources. We are receiving ever greater exposures from the known sources of radiation. We are ever finding new, hitherto unsuspected, sources of radiation. The more monitoring and surveillance of the environment we undertake the more we find which needs to be done.

The newspapers, in a paragraph here, a paragraph there, report these increases: We read of Columbia River oysters contaminated by the Hanford Laboratory in Washington, we hear of Eskimos exposed to unusual amounts of radiation in the Arctic, we learn the tributaries of the Colorado River are polluted by the tailings of uranium mills, the American Academy of Pediatrics warns us against use of the fluoroscope and the British medical journal Lancet warns us against unnecessary diagnostic X-rays.

All of this is reported; yet it is buried in the rush of the day-to-day news. Nowhere is it all put together. Nowhere are the full implications of the increasing radioactive burdens to man and his environment made clear.

When the test ban treaty was ratified, Federal interest—especially congressional interest—in radiation hazards seemed to fade away. This is unfortunate for as the National Advisory Committee on Radiation pointed out in its report to the Surgeon General this April:

> Although the nuclear weapons test ban appeared to reduce the need for environmental surveillance for a time, current world conditions make a continuing effort in this field essential.

Essential as our efforts in this field may be, they are not now even remotely adequate to the problem. It is true that the test ban treaty cut down on the amount of radioactivity released in the air through atmospheric testing by the great powers. It did not reduce, however, the amount released through inadvertent "venting" from underground tests. Neither France nor Red China are affected by the terms of the treaty and both are mounting atmospheric testing programs this summer. The extent and use of radioactive substances in medicine increase substantially each year. The full extent of the ability of certain food chains to absorb radioactive materials is only now being determined. The difficulty of safely disposing of radioactive waste products has yet to be solved. The Federal and State responsibilities in all these fields are unclear and unsettled.

In reviewing these and other matters the National Advisory Committee on Radiation in its report to the Surgeon General has proposed a greatly increased Federal effort to strengthen our research and training programs in radiology, to strengthen our laboratory and statistical resources and to develop standards of acceptable radiation exposure that make clear "the balance of profit and risk" involved in all matters pertaining to the human application of ionizing radiation. The present guidelines are drawn without adequate knowledge and without adequate consultation with representatives of the life scientists. Until now the safety standards on radiation exposure have been administered largely by the men who make the radiation. They are hardly unbiased.

The Advisory Committee report is important, its recommendations are vital. I intend to make sure that it is heard.

Radiation contamination is a problem facing all mankind. It is especially pressing in the United States because of the ever-increasing military, medical, and industrial uses we are making of radiation materials. In order to draw Senators' attention to the problem, I intend, over the next 3 weeks, to speak on three particularly distressing cases of excessive radiation exposure. In location these range from New York to Arizona, from the Arctic to the Gulf of Mexico.

In the Colorado River Basin, of Colorado, New Mexico, and Utah there are 33 uranium ore-processing mills. Some of these are now shut down; some of these are still open. Beside each there are piles of mill tailings. These are heavily radioactive and in some cases they have seriously contaminated the area about them. Today let me draw the attention of the Senate to two particular examples: the contamination of the San Miguel and the Animas Rivers.

The mills along these two rivers are AEC licensed. This means that they are required by their license to abide by the so-called part 20 regulations which limit the amount of concentrations of radioactivity which can be released from mill sites. These regulations were proposed in 1955 and were adopted in 1957.

Let us see how well they were regarded. The Federal Government has promulgated radiation protection guides which are to be used in evaluating radiation contamination hazards from peacetime uses of atomic energy. The guides clearly state that radiation exposure should be kept as low as possible. They set forth three ranges of exposure. The first, range I, calls for "periodic confirmatory surveillance as necessary." The second, range II, provides for "quantitative surveillance and routine control." The purpose of this control is defined as providing "reasonable assurance that average rates of intake by a suitable sample of an exposed population group, averaged over the sample and averaged over periods of time of the order of 1 year, do not exceed the upper value of range II."

Range III calls for "evaluation and application of additional control measures as necessary." It is presumed that lengthy exposure to range III levels of radiation would call for active counter measures in the community or the area: food exchange, crop storage, water treatment, and so forth.

The principal radionuclide released from the uranium mill pilings has been radium 226. The FRC guide for radium specifies that exposure from 0 to 2 picocuries of Ra^{226} is in range I; exposure from 2 to 20 picocuries of Ra^{226} is in range II and exposure from 20 to 200 of Ra^{226} is in range III.

An average person drinks and eats about 2.2 liters of water a day.

Keep these facts in mind.

In 1955 the San Miguel River contained concentrations of radium 226 as high as 88 picograms per liter. If any one had been drinking water from this river at that time he would have absorbed 193.6 picograms of radium a day. This is at the upper limit of range III.

The Animas River in 1959 contained 24 picograms of radium per liter. A person drinking from this river would have received 52.8 picograms of radium per day. Again this is a level well within range III.

A polluted river does damage to the entire river environment. For example, the sport fish disappeared from both rivers during the years of maximum pollution. Some hardy fish remained. Minnows taken downstream from the uranium mills in 1958 contained, on an average, 18 times the natural background level of radium contamination. Some samples contained as much as 48 times the natural background level.

Fish taken from the San Miguel River in 1956 and 1957 were as much as 98 times more radioactive than they should have been.

Bottom fauna taken from the Animas River in 1961 contained radium contaminations as much as 30 times greater than normal. Bottom fauna taken from the San Miguel River at the end of 1962, 7 years after the maximum contamination period, still retained concentrations of radium 226 20 times greater than normal.

The radium content of algae from these two rivers was even greater. In 1959 algae taken from the Animas River contained 888 picocuries of radium 226 per gram ashed weight. Compare this with samples of unpolluted algae taken from above the radium mill which contained an average of 4 picocuries per gram. Algae taken from the San Miguel River in 1957 ranged as high as 3,560 picocuries of radium 226 per gram of ashed weight. This is 890 times the level of the unpolluted samples of algae.

There are approximately 25,000 persons living in the Animas River Basin. Fewer persons live along the banks of the San Miguel River. Even so, these people have been drinking treated or untreated river water and have been irrigating their crops with water taken from these rivers. Radiation contamination of alfalfa and hay grown along the Animas River averaged about nine times the normal expected level during the period of maximum contamination. Now several years after, the levels of contamination stand at 70 picocuries per kilogram, about four times the natural concentration of radium 226.

Uranium mills have been operating in the Colorado River Valley since the Second World War. The Atomic Energy Commission began studying the radiation safety aspects of mill operations only in 1957. The AEC began its study of closed mill pilings only in 1963. By that time much water, much radiation, had flowed over the dam.

It may be that the AEC part 20 regulations are adequate to the task of prohibiting such contamination as I have outlined. It may be, but I doubt it. Most of the contamination in the Animas and San Miguel Rivers occurred after the part 20 regulations had been promulgated.

It may be that the pilings at the closed mill sites are properly banked and that there is no danger of their contaminants leaching into the streams or draining into the water table. It may be, but I am not sure of this.

The problem is very real at the closed mill sites in the Colorado River Valley. Radium 226 has a half life of 1,620 years. We must have more than the present temporary measures to guard against the long-lived hazard caused by radium contaminated mill pilings. This problem may become even more important in the years ahead. Uranium is basically a scarce material and uranium production can be expected to rise substantially in the years ahead. It is expected that world demand for uranium will reach about 60,000 tons a year in 1980, a 50-percent increase over present capacity. To meet this demand, it will be necessary to open new mines and mills and to reopen old ones. There is a great deal more uranium in the United States to be mined and prospecting is now going on at a lively level.

Because contamination from pilings is a real and continuing problem, I am pleased that the junior Senator from Maine [Mr. MUSKIE] is holding hearings on the subject before his Subcommittee on Air and Water Pollution.

Much valuable evidence has been obtained at these hearings. I am told the subcommittee intends to continue its study and I here pledge to give the committee every assistance and support that I can.

The Colorado River Basin is but one of many hot spots. We are learning only slowly and very tardily how to measure and evaluate the extent of the contamination in the biological food chain and our environment generally. We must train the men, provide the laboratories, and finance the research needed to insure that with the increasing use of radiation products mankind does not inadvertently do his world grave and permanent harm.

Mr. President, I ask unanimous consent that a letter of questions which I sent to the chairman on the pollution of the Colorado River Basin as well as replies to these questions from the AEC and the Federal Water Pollution Control Administration and also an article on the increased demand for uranium from May 14 issue of the Economist may be made a part of the RECORD at this time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 6, 1966.

Honorable EDMUND S. MUSKIE,
Chairman, Subcommittee on Air and Water Pollution, Committee on Public Works, United States Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I deeply regret that I am unable to appear before your subcommittee as it begins its study of the hazards caused by uranium mill tailings piles in the Colorado River basin and as it considers what public policy should be on such matters. I congratulate you and your subcommittee for undertaking what is a most complicated and dreadfully important inquiry.

As you know, for several years I have worked to expand and improve our research programs on radiation protection. We spend many billions of dollars a year building nuclear weapons; we spend very few dollars a year investigating their effects on man and his environment—both potential and real.

Radiation contamination is of particular concern to Alaskans. The Arctic food chain is highly susceptible to contamination from radioactive fallout. This fallout comes to earth and settles on the Arctic mosses and sedges. These plants receive their nourishment from the air and not from the earth. They live for many years and fallout remains upon them. The mosses are eaten by the wandering herds of caribous, and the caribous become heavily radioactive. The inland Eskimos, citizens of Alaska and the United States of America, are dependent in large part for their protein on caribou meat. And as a result, the ingestion of radionuclides by the inland Arctic Eskimos is many times greater than the average for Americans across the 48 United States. It approaches, indeed sometimes exceeds, the maximum permissible levels as set by the Radiation Protection Guide. Attached to this letter you will find several speeches which I have given to the Senate discussing this problem in great detail. I would ask that the subcommittee make these speeches a part of its hearing record.

As a result of these speeches and the concern of scientists and others, I have been successful in obtaining improved monitoring and surveillance programs for Arctic Alaska. The situation is being closely watched and counter measures are being studied so that we will be prepared to insure the safety and health of the Alaska Eskimos.

Alaska is not the only place where radiation problems cause concern. The appalling amounts of Iodine 131 which have fallen over parts of Nevada and southern Utah are only now being fully investigated. It may well be that the levels absorbed by the children in that area of the country have been sufficiently great to cause measurable somatic effects.

Your subcommittee, Mr. Chairman, today is taking up a problem no less grave. The pollution by way of uranium mill tailings sliding into the tributaries of the Colorado River apparently has been—and may well still be—extensive. A close reading of the report of the Federal Water Pollution Control Administration indicates that in three rivers at least, levels of radiation have been reached which exceed the so-called maximum permissible levels as established by the National Council on Radiation Protection.

In 1955 the San Miguel River contained concentrations of radium-226 as high as 88 picograms per liter. In 1961 South Creek had concentrations measured at 27 picograms per liter. In 1959 the Animas River contained 24 picograms per liter of radium-226. According to the Radiation Protection Guide anything more than 2 picocuries of radium-226 absorbed per day by a large scale of population group would call for federal "quantitative surveillance and routine control." According to the Guide, anything more than 20 picocuries per day would call for "evaluation and application of additional control measures"—this is commonly taken to mean the application of counter measures.

A picogram of radium-226 taken internally will produce the equivalent of a picocurie of radiation.

An average person drinks and eats about 2.2 liters of water a day.

If a person were to drink water from the Animas River during its period of high radium contamination he would have absorbed 52.8 picocuries of radium-226 a day. This is well within Range 3.

If a person were to drink South Creek water during its period of high radium contamination he would have absorbed 59.4 picocuries a day. This also is well within Range 3.

If a person who lived along the San Miguel River drank its water in 1955, he would have absorbed 193.6 picocuries of radium a day—an amount at the very upper limit of Range 3.

I do not know whether there were people drinking water from these rivers during these periods. I do not know whether the Atomic Energy Commission knows but I would like to find out.

I would appreciate it if the subcommittee would ask the Commission witnesses the following questions in my behalf, I am very much interested in having their replies.

The rivers and wells in the area have been polluted with radioactive contamination. The food chain has been polluted too. I am informed that alfalfa and hay are particularly susceptible and as a result the cattle feed for the area is unusually radioactive.

What are the figures for the radium-226 content of alfalfa and hay in the area?

Are the dairy cattle in the area of radioactive contamination?

Is radium-226 concentrated in the milk?

What is the radioactive content of the sport fish of the three streams?

What is the radioactive content of the algae and other marine plants in the streams?

How many human beings live in the contaminated area and drink water from the contaminated wells and rivers?

How much is known of the doses received by the people drinking it and using the water?

What is the maximum dose recorded in each of the river basins?

What is the average of each of the three?

As part of this area is within the wind pattern of the Las Vegas test site, it may be that some persons have received similar exposure from fallout as well as from radium in the water.

Have any studies been made of the total dose from all sources absorbed by the people who live along these rivers?

I know that there are difficult questions and that they must in large part be answered by estimation but I believe that they are important questions.

I deeply appreciate whatever the subcommittee and the Atomic Energy Commission can do to provide their answers.

Sincerely yours,

E. L. BARTLETT.

ATTACHMENT 1

RESPONSE TO QUESTIONS RAISED IN SENATOR BARTLETT'S LETTER FROM AEC

The following discussion is given in response to the various questions presented in Senator BARTLETT's letter.

Senator BARLETT's letter refers to concentrations of radium-226 in the Animas River, San Miguel River and South Creek. With respect to the Animas River, Senator BARTLETT's comments refer to a situation which existed in 1958 when a uranium mill at Durango, Colorado, was discharging solids and liquids containing concentrations of radium-226 and other radioactive materials directly to the Animas River. In 1959, as a result of AEC and Public Health Service actions, the mill discontinued releasing solid tailings to the river and minimized, through construction of settling ponds, liquid effluents being released to the Animas River. Similarly, action was also taken by the mills located near the San Miguel River and South Creek to prevent discharge of solid waste tailings into these streams. As a result of these actions, the concentrations of radium-226 and other radioactive materials in these streams steadily declined to their present low levels.

To illustrate this decline in radium-226 concentrations, the average radium-226 concentration in the Animas River at the Colorado-New Mexico state line below the mill at Durango was 7.6 picocuries per liter in 1958 when both solid waste tailings (15 tons per day) and untreated liquid wastes (300 gallons per minute) were being released to the river. In 1959 when solid tailings were no longer released, the radium-226 concentration dropped to 1.4 picocuries per liter. During the period 1961-1963 when the major part of liquid wastes was not being released to the river, the average radium-226 concentration was 0.32 picocuries per liter. Following the closing of the mill in 1963, the radium-226 concentration decreased to 0.13 picocuries per liter. The average radium-226 concentration for the period March through July, 1965, was 0.09 picocuries per liter or about 1/100 of the AEC Part 20 standards.

The maximum concentration of radium-226 reported for the Animas River from a one day sample collected in 1959 was 24 picocuries per liter, and for the San Miguel River from a sample collected in 1955 was 88 picocuries per liter. The maximum radium-226 concentration reported for South Creek was 27 picocuries per liter. These values represent single samples and not average radium-226 concentrations which were not determined at that time. However, the data in the FWPCA Radium Monitoring Network Data, Release No. 8, for the period February to August, 1965, show that the average radium-226 concentration in the San Miguel River below Uravan, an operating mill, was 0.29 picocuries per liter or about 1/33 of Part 20 standards. The average concentration of radium-226 in South Creek below the Monticello tailings in 1964 was 0.97 picocuries per liter or about 1/10 of Part 20 standards.

The higher radioactivity concentrations referred to above were not due to erosion of tailings piles into rivers and streams, but rather to direct discharges of waste materials. These situations have long since been corrected and are not likely to re-occur.

The Public Health Service conducted surveys of the Animas River area in 1958-1959 during the time of waste discharges into the Animas River. Similar surveys were not conducted in the San Miguel or South Creek areas. These waters were not being consumed by people. The Animas River surveys included assays of treated water supplies, raw water from the Animas River, crops irrigated with Animas River water, stream biota and milk. Based on the data from these surveys, estimates were made of exposures to people in the area from stronium-90 (which came from fallout, not mill operations) and radium-226, the isotopes of principal interest. These surveys represent the only information available on overall exposures of individuals to all sources of radioactivity.

The data reported (in May 1959) as a result of these surveys showed that the average radium-226 concentration in raw Animas River water downstream from the mill was 7.6 picocuries per liter and the concentration in treated water at Aztec and Farmington, New Mexico, was 3.6 and 2.6 picocuries per liter, respectively. The estimated daily intake of individuals in the area of radium-226 and strontium-90 from foods was 4.4 and 39 picocuries per day, respectively. The reported strontium-90 content in the Animas River water was about 1 picocurie per liter. For persons who may have consumed the treated water at Aztec and Farmington, the estimated exposure would have been at that time 64% and 58%, respectively, of the upper limit of Range II of the present Federal Radiation Council (FRC) guides (the FRC guides had not been issued at that time). It is doubtful that persons would have consumed untreated water at that time because of its poor quality from a chemical standpoint. However, even if an individual had consumed untreated water, the estimated exposure would have been 88% of the upper limit of Range II of the present FRC guides. These estimates are based on the standard daily intake values for water recommended by the International Commission on Radiological Protection of 2.2 liters (1.2 liters from drinking water and the remainder from food). Less than 30,000 people were estimated to be residing in the Animas River area at that time. Regulatory action taken by the AEC which resulted in the mills discontinuing release of solid wastes and minimizing dischange of liquid wastes was also in May 1959.

The FRC Radiation Protection Guides are based on radiation exposures throughout a person's lifetime. Also, for purposes of evaluating radiation exposures in terms of the FRC Guides, individual determinations of intake of radioactive material may be averaged over periods of time not exceeding one year. Thus, temporary increases in the amount of radioactivity ingested (or inhaled) are not necessarily significant. What is important is the average intake over longer periods of time. For administrative purposes, exposures may be averaged over one year periods.

With regard to the effects of the mill effluent on fish and other biota in the Animas River, it was found in 1958 that the chemical toxicity of the wastes, particularly the organic raffinate, had practically eliminated such life from the stream for some distance below the discharge point. Following the corrective actions taken by the mill, the stream biota in the Animas became evident again. Surveys have not been made of radium-226 in stream biota in the San Miguel River or South Creek.

As part of the 1958-1959 Animas River study, the Public Health Service determined concentrations of radium-226 in crops and milk. The PHS studies of crops generally indicated higher levels of radium in those crops irrigated with Animas River water below the mill discharge location than similar crops irrigated by Animas River water upstream from the mill, and that certain crops, such as hay and alfalfa, had a tendency to concentrate radium-226 more than other crops. The reported concentration of radium-226 in one alfalfa sample taken upstream from the Durango mill was 13 picocuries per kilogram. The reported concentrations of radium-226 in two samples taken downstream from the Durango mill were 12 and 27 picocuries per kilogram. However, interpretation of these studies was complicated by the discovery at a later date that certain fertilizers used on the crops contained significant concentrations of radium-226. Because of the fertilizer influence, it became difficult to relate radium-226 in crops to the discharge of mill tailings. The Public Health Service also reported in this regard that, in general, the radium content of the crops appeared to be related primarily to top soil rather than to irrigation water radium concentrations, which would tend to support the possibility of fertilizer influence on radium-226 in crops. We have no information from the PHS which indicates any attempt was made to relate the radium-226 concentrations in the hay and alfalfa to radium in milk or to human exposure.

The Public Health Service reported, as a result of the Animas River study, that concentrations of radium in river organisms were somewhat higher downstream than upstream. Limited data on such biota as continued to exist immediately downstream from the mill indicated maximum concentrations of radium-226 in fish of 24 picocuries per gram of ash, in algae of 530 picocuries per gram of ash, and in other stream biota of 160 picocuries per gram of ash. However, these radium-226 concentrations were not examined in relation to human exposure and we are not aware of further studies in this regard.

With respect to concentrations of radium in milk, the Public Health Service reported, as a result of the Animas River survey, a value of 0.37 picocuries per liter. The general background radium level in milk averages about 0.25 picocuries per liter. Radium is not concentrated in milk, as evidenced by studies which have shown that only about ¼ of the radium in the diet appears in the milk. We have no information which would indicate dairy cattle are grazing on lands significantly contaminated with radioactivity.

In view of the present low radium-226 concentrations in the Colorado River Basin, if a further study were undertaken, it would undoubtedly show radium-226 concentrations much lower than those found during the Animas River survey.

Answers to Questions by Senator Bartlett From Water Pollution Control Administration With Reference to San Miguel, South Creek, and Animas Rivers, May 13, 1966

1. (Q) What are the figures for the radium-226 content of alfalfa and hay in the area?

(A) The Federal Water Pollution Control Administration's data on alfalfa and hay are primarily from the Animas River and San Miguel River vicinities. In general, alfalfa and hay at locations not subject to uranium mill pollution averaged about 18 picocuries of radium-226 per kilogram of live material. In contrast, alfalfa and hay samples from farms that were exposed to uranium mill waste contaminated irrigation water averaged 170 picocuries of radium-226 per kilogram and ranged as high as 1160. These results represent the late 1950's and early 1960's, and are associated with pollution by operating uranium mills rather than tailings piles at closed mills. Samples collected today would probably contain lower levels of radioactivity, but would still indicate higher than normal levels and the ability to concentrate radioactivity when it is available, as do other media such as fish, stream organisms, and marine plants. Hay samples collected from the San Miguel and Dolores River area in 1964 contained as much as 70 picocuries of radium-226 per kilogram of live material.

2. (Q) Are there dairy cattle in the area of radioactive contamination?

(A) To the best of our knowledge there is only a limited number of dairy cattle in these areas which have been exposed to the effects of uranium mill pollution. We know of no large commercial dairly herds in the effected areas. A small number of cattle bone samples were analyzed about three years ago, and bones from cattle not exposed to uranium mill waste pollution effects averaged 0.5 picocuries of radium-226 per gram of ash; 4 samples from cattle from exposed locations averaged about 4 picocuries of radium-226 per gram of ash, with one result as high as 10.

3. (Q) Is radium-226 concentrated in the milk?

(A) In the early 1960's a few samples of milk were analyzed for radium-226. Whole unpasteurized milk from cattle not exposed to uranium mill pollution contained an average of 0.15 picocuries of radium-226 per liter of milk. Three samples of whole unpasteurized milk from cattle exposed to uranium mill pollution contained an average of 2.7 picocuries of radium-226 per liter of milk with one result as high as 4.8.

In 1964, several milk samples from the Durango, Colorado area showed concentrations of about 0.1 picocuries of radium-226 per liter of milk from cattle not exposed to uranium mill pollution. In contrast, a June 1964 milk sample from a ranch located on the Dolores River downstream from the Uravan mill contained 0.7 picocuries of radium-226 per liter of milk and a September 1964 sample contained 3 picocuries of radium-226 per liter of milk. In this case, the prime source of radium intake for the cows is believed to be from eating hay irrigated with contaminated river water, and that a substantial part of the contamination may be due to residual effects of gross contamination occurring during the late 1950's.

4. (Q) What is the radioactive content of the sport fish of the 3 streams?

(A) The San Miguel River and South Creek have not contained much by way of sport fish in the area of contamination. The Animas River did not have sport fish for many miles below the uranium mill until some two years after mill pollution was abated. It is our understanding that sport fish returned to this section of the river in approximately 1961 or 1962. Therefore, no samples of sport fish from contaminated areas have been analyzed for radium-226 contents. However, samples of nonsport fish (suckers, etc.) were obtained in earlier years and were analyzed for radium-226. In 1958 samples of minnows from locations upstream of the uranium mill on the Animas River contained approximately 0.5 picocuries of radium-226 per gram of ash. Comparable samples from downstream locations contains approximately 9 picocuries of radium-226 per gram of ash with results as high as 24. It should be noted that these were primarily minnow samples that were homogenized and analyzed as paste in toto. Radium-226 is a boneseeker, and it is probable the majority of radium-226 referred to here was contained in the skeleton rather than in the flesh.

Similar results were obtained for fish taken from the San Miguel River above and below the Naturita and Uravan uranium mills in 1956 and 1957, with results ranging as high as 49 picocuries and of radium-226 per gram of ash in that case.

Fish (dace) collected from the San Miguel River in 1963 indicated radium-226 content of 0.008 picocuries per gram of live weight in fish above the Naturita and Uravan mills, and up to 0.423 picocuries in fish collected below the mills. These were from samples in toto. Skeletons from 1963 San Miguel fish samples contained 0.14 picocuries of radium-226 per gram of bone ash in fish collected above the contaminated area, and up to 0.68 picocuries in fish collected downstream from the mills. Fish flesh samples also indicated the ability to concentrate radium-226 with contents ten times as high in fish collected downstream as those found in upstream fish.

5. (Q) What is the radioactive content of the algae and other marine plants in the stream?

(A) The radium content of algae and other aquatic plants was analyzed in the late 1950's on the San Miguel River and the Animas River. In 1958 and 1959, algae taken from the Animas River below the Durango, Colorado uranium mill contained as much as 880 picocuries of radium-226 per gram of ashed weight. Algae samples from an unpolluted location above the uranium mill contained an average of 4 picocuries of radium-226 per gram of ashed weight. Algae taken from the San Miguel River in 1957 contained similar quantities of radium-226 as those found for locations below the Durango uranium mill on the Animas River, with the exception of one sample which ranged as high as 3560 picocuries of radium-226 per gram of ashed weight.

No recent results are available for radium content of algae. Similar samples taken at this time would undoubtedly show very low concentrations of radium compared to the earlier data. This is because of the extensive abatement program undertaken by the industry in terms of the control of liquid effluent.

Bottom fauna samples from the Animas River in August 1961 indicated radium-266 concentrations of up to 30 times higher in samples collected downstream from the then operating Durango uranium mill than in samples collected upstream. November 1962 samples indicated concentrations in downstream specimens of up to 15 times those found in upstream specimens. Dolores and San Miguel bottom animal specimens below operating mill waste discharges indicated radium-226 concentrations up to about 20 times those found in upstream specimens in November 1962.

6. (Q) How many human beings live in the contaminated area and drink water from the contaminated wells and rivers?

(A) Except for the Animas River Valley below Durango, we do not have accurate survey numbers for the population living in that contaminated area and drinking water from the contaminated wells and rivers. In the case of the Animas River, the rural and urban populations of Farmington and Aztec, New Mexico have been involved, and the total population involved is of the order of 25,000 persons. In the case of South Creek the exposed population would be very limited, if existent at all, as only two or three ranches have been in use along South Creek below the Monticello uranium mill. South Creek joins the San Juan River above Mexican Hat, Utah and receives great dilution at that point. Several ranches are located along the contaminated portion of the San Miguel River, particularly in the near upstream vicinity of Gateway, Colorado, and the population of this area, while quite limited in numbers, must be considered exposed.

To our knowledge there are no domestic wells being used with radioactivity contamination concentrations above recommended maximum permissible limits. The one known domestic well with concentrations above recommended drinking water limits is near the Monticello, Utah tailings pile in the South Creek area. The well is located on an abandoned farm and is not currently used for domestic purposes.

7. (Q) How much is known of the doses received by the people using and drinking the water?

(A) Knowledge of the dose received by people using the water (drinking, irrigation, stock-watering, etc.) is limited. So far as the Animas River is concerned, thorough surveys were made of radiation dose due to the boneseekers radium–226 and strontium–90 in 1958, and in that case this dose is considered well known. However, no similar studies were made of persons in the vicinity either of South Creek or the San Miguel River.

It should be carefully noted that the radiation dose referred to above pertains only to the skeletal dose due to the presence of radium–226 and strontium–90. No estimates were made of radiation dose either on the Animas River or elsewhere by the Federal Water Pollution Control Administration or the Public Health Service regarding exposure to other radioisotopes commonly found in fallout and affecting other critical organs of the body.

To the best of our knowledge the one other survey involving radiation dose to people of this area has been the limited studies of food and water intake of radium–226 conducted by the Public Health Service, Division of Radiological Health. We are not aware that any other such radiation dose surveys have been conducted.

8. (Q) What is the maximum dose recorded in each of the river basins?

(A) "The maximum dose recorded" in regard to uranium mill wastes is, to the best of our knowledge, the estimated average dose of approximately three times the allowable amount for radium–226 and strontium–90 received by persons in the Animas River Valley who consumed raw Animas River water for drinking and domestic purposes prior to 1959. This figure is recorded in the report of survey of the Animas River. It should be emphasized that this figure represents an estimated average exposure of that group of people, and does not necessarily represent maximum exposure received by any individual in that population group. It is in fact likely that occasional individuals within that population group received somewhat higher radiation doses. To the best of our knowledge, there are no other recorded estimates of radiation dose received by people in these areas.

9. (Q) What is the average of each of the 3?

(A) We cannot give an average maximum dose for each of the three river basins because no such studies were conducted for the San Miguel or South Creek Basins.

10. (Q) As part of this area is within the wind pattern of the Las Vegas test site, it may be that some persons have received similar exposure from fallout as well as from radium in the water.

Have any studies been made of the total dose from all sources absorbed by the people who live along these rivers?

(A) We do not know of any studies that have been made of the "total dose from all sources absorbed by the people who lived along these rivers." The only accurate dose estimates that we are aware of are those that have been made and recorded in the Animas River studies of the late 1950's. As has been noted above, those studies estimated radiation dose only for radium-226 and strontium-90, and did not include dose estimates for the other constituents of fallout from weapons tests at the Nevada Test Site or other locations. Of course the incidence of weapons tests has been greatly reduced in the past few years.

[From the Economist, May 14, 1966]

CALLING OUT THE PROSPECTORS

Prospectors are blowing eight years' of accumulated dust off their Geiger counters, and the search for uranium is on again for the first time since the bottom fell out of the market for nuclear power. Encouraging deposits have been found in Tunisia and in the United States, the Atomic Energy Commission's director of raw materials has revised—upwards—his department's estimates of cumulative home demand over the next 15 years and arrived at a figure higher than present proven American reserves. Euratom has done the same sort of calculations and also called for more prospecting which is one reason why the AEC has warned that the United States cannot rely on importing uranium to fill the gap. What this will show is who is right: the Canadian mining lobby which has maintained right through the slump that uranium is basically a scarce material and prices must go up, or the British negotiators who have held that uranium only looks scarce because prospecting ceased when production fell.

Demand for uranium only recovered last year, when atomic costs in Britain and the United States—the two countries where design is most advanced—began to match those of ordinary, thermal electricity. The break-through, when it came, was sudden. Only eighteen months ago, the AEC was estimating that between 6,000 and 7,000 megawatts of atomic plant would be installed in the United States by 1970; now it is fairly clear that atomic capacity by that date will be around 10,000 MW, 3040 per cent greater than estimated. Capacity by 1980, previously vaguely guessed at between 60,000 MW and 90,000 MW, is now being fixed much more firmly at around 90,000 MW. On this revised estimate, cumulative American requirements to 1980 will be about 170,000 tons of natural uranium, with demand by the end of the period running at 27,000 tons a year. But the latest estimate of American reserves is 145,000 tons.

Euratom puts cumulative requirements of the EEC countries by the same date at 176,000 tons. Add to this British requirements (covered already by long-term contracts) and previous estimates of a world market for 50,000 tons annually by 1980 begin to look on the low side. What is impossible to say is how easily the mines can increase their output of relatively low cost uranium at $8 a pound and under, in response to a demand around 60,000 tons a year. World capacity before the slump was 42,000 tons a year, with Canada and the United States as the world's main producers. The Americans came late to the business, it is by no means certain that all of the United States' resources of uranium had been discovered. Now prospecting is re-starting in earnest, there is no guessing what, if any, fresh deposits will be located in the United States and elsewhere, nor what their quality will be. The only available estimates of world uranium reserves have all been prepared by the producing countries, even those figures put out by the European Nuclear Energy Agency, and much doubt has been thrown on their accuracy. The mines have an obvious vested interest in making their reserves look as low as possible.

Mr. BARTLETT. Mr. President, that concludes my remarks at this time on the subject of radiation hazards. As I mentioned at the outset, I shall speak further about this subject in the future, because I believe it is a grave problem, an important problem, and one to which we should devote more rather than less attention.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. BARTLETT. I yield.

Mr. DOMINICK. Mr. President, I do not know how much time the Senator from Alaska has remaining under his unanimous-consent request, but I should like several minutes of his time, if I may, to comment on his presentation.

Mr. BARTLETT. I yield for that purpose.

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER. To whom does the Senator from Alaska yield?

Mr. BARTLETT. I have yielded initially to the junior Senator from Colorado, and after he speaks, I shall be prepared to yield to the senior Senator from Colorado.

The PRESIDING OFFICER. The Chair is advised that the Senator from Alaska has 10 minutes remaining of his unanimous-consent time.

Mr. BARTLETT. I yield 5 minutes to each Senator from Colorado.

Mr. ALLOTT. Mr. President, I shall be happy if the Senator from Alaska yields all his time to the junior Senator from Colorado. However, I ask unanimous consent that at the conclusion of the remarks of the junior Senator from Colorado, I may address myself to the same subject for a period of 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I thank the distinguished Senator from Alaska for yielding time to me on this subject.

Frankly, I was concerned when I read the statement of the Senator from Alaska. The difficulty with the statement, as I see it, is that he refers to so-called conditions in 1955, and 1959, and he makes the general implication that the same conditions still prevail today, in 1966.

I believe that the uncontroverted evidence which was given to the distinguished Senator from Maine [Mr. MUSKIE] in the hearings before the Subcommittee on Air and Water Pollution of the Committee on Public Works, on May 6, 1966, refute this statement. I believe that this evidence should be a part of the record, because it shows clearly, in my mind, that the problems which the Senator from Alaska has referred to have already been anticipated, and that the corrective actions have already taken place.

The first statement to which I desire to refer is that of Mr. Murray Stein, who is the Chief of the Enforcement Program of the Federal Water Pollution Control Administration in the Department of Health, Education, and Welfare. This evidence appears, as I have said, in the hearing record of May 6, 1966. In part, he said:

> In 1960, a conference was held on all of the Colorado River Basin at the request of six of the seven States involved, and the Animas River pollution problems were incorporated into this enforcement conference. The Colorado River Basin water quality control enforcement project was then established and included in its work were studies of other sources of radioactive waste discharged to basin streams. The Colorado conference has met in five sessions, and recommendations have been made to abate radioactive and other sources of pollution.
>
> Uranium mill waste discharges have been substantially reduced. This was achieved through the joint efforts and cooperation of the States involved, the Federal water pollution control program, the Atomic Energy Commission, and the uranium milling industries themselves.

I desire to emphasize the next statement:

> We believe the control and prevention of radioactive pollution in the Colorado River Basin has been one of the significant success stories in pollution abatement in this country. When we first began to deal with this problem in several areas, the radioactive levels were several times the maximum permissible concentration.

I believe that testimony supports the original statement that the Senator from Alaska made:

> We found evidence of disturbingly high radium levels in two municipal water supplies. Now we are happy to say that radium levels in the Colorado River are about one-third of the amount considered permissible by the Public Health Service drinking-water standards. In addition, there have been established structural requirements for uranium tailings lagoons which minimize the possibility of breaks, and an alerting system designed to protect downstream water supplies and water uses in the event of an accidental break or spill.
>
> Mr. Chairman, I might say we have also cleaned up a dearth of fish life in the Animas River. I think we have had in this area one of the most exciting pollution control detective stories rivaling scientific detective stories of the best type. When we first discovered pollution below the Durango mill, we asked our biologist to get out on the stream to find us some fish. We wanted to examine the bowels of the fish and see if the uranium was present in the fish. Lo and behold, for about 50 miles below the mill he could not find any fish. Then he looked further, and he could not find any food that the fish lived on. He found a biological desert. It was obvious that some other pollutant was affecting the fish life in the stream.
>
> After very exhaustive study in the evaluation of the mill process, they found that organic reaffinate, a waste, used to extract the ores, was being discharged into the

> stream and that infinitely small quantities of this were lethal to fish.

The Senator from Alaska will notice that this was another pollutant. This was not radioactive waste:

> They took the fish to a fish hatchery at Durango, put some on the fish and the fish would immediately die. Then they would dilute it and the fish would die; dilute it again, and the fish would still die. When we called this to the attention of the mill and that it was coming out of a relatively small pipe, the reaction was, "My gosh, that stuff is expensive." It was stopped immediately and within a year or two the fish began to reappear.
>
> I am glad to say that that stream is totally restored to its former biological characteristics. The fish and the rest of the biota are present in the stream now.
>
> Senator MUSKIE. When were the corrective measures taken?
>
> Mr. STEIN. They were taken in the late 1950's, about 1959, sir.

This is about the end of the period to which the Senator from Alaska has referred. I invite attention to the fact that the fish life is back to normal, as is the fish food.

Later, Mr. Klashman, who is the Regional Director, Federal Water Pollution Control Administration of HEW, in Denver, also testified before this committee, and in part he referred to the following matters:

> The cooperative industry-Government radioactive pollution abatement program has been eminently successful. Early studies had indicated that the tailings solids were the major source of stream contamination, and hence the industry instituted waste treatment practices that successfully captured and retained these settleable solids. Our surveillance network demonstrates clearly that for all practical purposes surface waters of the entire basin are now free of recent bottom deposits of mill tailings. In addition, where needed, the industry installed additional chemical treatment facilities to remove substantial quantities of radium dissolved in the liquid wastes before release of the latter to the surface streams. In earlier years, also, the industry had been plagued by a series of accidents in which the occasional rupture of earthen tailings pond dikes released large quantities of radioactive wastes to the water environment. Better dikes construction and maintenance has essentially solved this problem.
>
> Our surveillance program demonstrates that as a result of this abatement program, the surface waters of the Colorado Basin have for several years contained no more than one-third of the quantity of radium that is regarded as safe. This is a precedent-setting case in which an entire industry has cooperated in reducing pollution to a level sharply below that which has been regarded as acceptable.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield.

Mr. BARTLETT. I merely desire to say that the figures that I presented in my remarks came from the Federal Water Pollution Control Administration. It is no secret to any of us that the various agencies involved with this subject give different interpretations. They vary widely in their estimates.

I do not mean to imply that poisons are running wild through these Colorado rivers in other basins and areas that I intend to discuss later. I desire, chiefly, to point out the inherent dangers and the possibility that accidents that have happened in the past may be repeated in the future.

The Senator mentioned that the water now contains one-third of the amount of radium that is considered to be dangerous; and, again, another agency might place a different interpretation. There is a high state of confusion here. This is one of the things that I believe we should resolve.

Mr. DOMINICK. I thank the Senator for bringing up those points.

The comments I have made are from, first, Mr. Stein, who is chief of the enforcement program of the Water Pollution Control Administration, from which he derived his figures; and secondly, Mr. Klashman, who was the regional director of the Federal water pollution program. Both of these men are active in the same agency.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOMINICK. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Also in the record of the hearings there is a statement by Dr. Morris, Director, Division of Operational Safety of the Atomic Energy Commission. I will not read the entire statement but I do wish to say a few things about his remarks. On page 17 of this record he states that he joins with Mr. Stein and Dr. Tsivoglou, to say:

> We have done a wonderful job in the Colorado River Basin. We think the levels are one-tenth, not just one-third of permissible levels.

He goes on to refer to the report which was issued by the Public Health Service entitled "Disposition and Control of Uranium Mill Tailing Piles in the Colorado River Basin" issued in March of 1966.

This report states, and he quotes it:

> There is currently no significant immediate hazard associated with uranium milling activities anywhere in the Colorado River Basin.

He goes on to say:

> We agree with the conclusion in the PHS report that there is currently no significant hazard associated with uranium milling activities in the Colorado River Basin.

He anticipates that some question would be raised as to future hazards. In connection with that he says:

> *However, we do not think that data available at this time support a conclusion that there is a long-term radiological hazard.* The report conjectures that the radiological situation could deteriorate in the future, but there is no present indication that this will occur.

I mention these matters inasmuch as I think they are important because of the activity which has been involved in trying to reach the problem referred to in the past by the Senator from Alaska [Mr. BARTLETT].

I wish to refer to the Senator a letter which was sent to the Senator from Maine [Mr. MUSKIE] under date of May 23, and an order of our Colorado State Department of Public Health, which was adopted May 9, 1966, to become effective 30 days later, which would be June 10, 1966, a short time ago.

Mr. President, I ask unanimous consent to have printed in the RECORD the order adopted May 9, 1966, by the Colorado State Department of Public Health.

There being no objection, the order was ordered to be printed in the RECORD, as follows:

> It is hereby declared to be the order of the Colorado State Board of Health that the owners, operators and other persons or corporations having or claiming to have a legal interest in the premises where tailing piles from uranium or thorium mills are situated, or persons having responsibility for the operation of the mill, submit to the State Department of Public Health within ninety (90) days after the effective date of this regulation a written report setting forth plans and measures employed by them to stabilize such tailing piles and what further plans and measures, if any, are proposed to accomplish the purposes of this regulation.
>
> The effective date of this regulation will be thirty (30) days from and after the date of adoption hereinafter set forth.
>
> ROY L. CLEERE, M.D., M.P.H.,
> *Secretary, Colorado State Board of Health.*
>
> Adopted May 9, 1966.

Mr. DOMINICK. I shall read for the benefit of the Senator from Alaska [Mr. BARTLETT] the actual order that was put into effect:

> It is hereby declared to be the order of the Colorado State Board of Health that the owners, operators and other persons or corporations having or claiming to have a legal interest in the premises where tailing piles from uranium or thorium mills are situated, or persons having responsibility for the operation of the mill, submit to the State Department of Public Health within ninety (90) days after the effective date of this regulation a written report setting forth plans and measures employed by them to stabilize such tailing piles and what further plans and measures, if any, are proposed to accomplish the purposes of this regulation.
>
> The effective date of this regulation will be thirty (30) days from and after the date of adoption hereinafter set forth.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. DOMINICK. The State of Colorado is going forward on this. I yield to the Senator from Alaska.

Mr. BARTLETT. The record of Colorado in this regard is outstanding. As a matter of fact, Colorado, I am informed, is the only State, of all the States, which has issued regulations on this particular subject.

The people of the State of Colorado are to be congratulated and I do congratulate them.

Mr. DOMINICK. I thank the Senator from Alaska. I certainly share his commendation for the Department of Public Health of the State of Colorado and its cooperation between industry, the Public Health Service, and the Federal Water Pollution Control. I believe they have done a fabulous job in the entire area.

I do not wish to close without saying this. The activities that went on in Colorado in the process of mining uranium have been of enormous importance to this country, not only in the defense and security of this country, but in the health and well-being of the country, by providing a raw material from which we have been able to develop isotopes, methods of treating food, and providing raw material for the nuclear field over the world.

I do not wish to leave the impression that the operation of uranium is something which should be disgraceful, downgraded, or anything of that kind.

What the Senator from Alaska [Mr. Bartlett] is trying to do, and I applaud his effort, is to call attention to the fact that there are byproducts involved in this which are of concern to many people.

I believe that Colorado has done a good job to reduce this concern to a minimum in a nation which, according to the Federal Water Pollution Control, is somewhat lacking in this area at this time.

I thank the Senator from Alaska.

Mr. ALLOTT and Mr. YOUNG of Ohio addressed the Chair.

The PRESIDING OFFICER (Mr. Mondale in the chair). Under the previous order, the Senator from Colorado [Mr. Allott] is recognized for 15 minutes.

Mr. ALLOTT. Mr. President, I wish to address myself to the same subject which the Senator from Alaska [Mr. Bartlett] and my colleague [Mr. Dominick] have been discussing for the last few moments.

I shall not burden the Record unnecessarily, particularly with repetition of statistical data, which my colleague has supplied and which he has, with his usual clarity and insight, explained to the Senate.

I wish to comment on this subject generally. I have long been personally concerned with the problem of water and air pollution and to the end that I have cosponsored two important measures in this Congress dealing with the problem. One measure is S. 2947, which modifies and beefs up considerably the Clean Water Act of 1965. The distinguished Senator from Alaska [Mr. Bartlett] is also a cosponsor of that bill. The full committee has held an executive session on the measure today. The second bill which I have cosponsored is S. 2857, which would allow double the modernization tax credit to industry for pollution abatement in equipment purchased and installed.

With respect to the statements made by the distinguished Senator from Alaska [Mr. Bartlett] a few moments ago, I happen to have personal knowledge of the situation back in the fifties, because I was involved in the instigation of the investigation of the rivers in southwest Colorado.

The point which my colleague made is very well taken. There should be no stigma here that the participation in the production of uranium, either by mining or processing, should have any cloud over it. The vitality of our uranium industry enabled us to end World War II in short order. It has provided a nuclear umbrella for us and deterrents for some 20 years, and accounts for our strong military position in the world.

Then, subsequently, it has also permitted the great and almost fantastic development of nuclear power for the production of electricity, as well as almost infinite applications of this rare mineral in the area of medicine.

The State of Colorado has taken the lead and has imposed regulations to deal with this problem of stream pollution by mill tailings. I say this to the Senator from Alaska, who has been kind enough to remain in the Chamber, because a casual or hasty reading of his statement might lead to the inference by someone who did not read it carefully that the situation still exists in Colorado and that there is actually a radiological problem on the rivers of southwest Colorado and the Colorado River basin.

Regulations were issued this year, May 9, after public hearings, and became effective on June 10, 1966. These regulations require that the mill operators submit plans within 90 days showing what has been done to stabilize the tailings and what future measures will be taken, which are all subject to the review of the Director of Public Health.

Earlier, I made a statement before a subcommittee of the Public Works Committee, of which the junior Senator from Maine is the chairman, on S. 2947, and I should like to refer to it to show what the State of Colorado has actually done in this area. It has created a State Water Pollution Commission which is responsible for, one, general supervision over administration and enforcement; two, adopting stream water quality standards in accordance with criteria established in the act and satisfactory to Federal requirements where interstate streams are involved; three, accepting and allocating loans and grants; four, adopting, modifying, and enforcing rules and orders pertaining to water pollution control; and, five, employing technical personnel and hearing officers, and other general responsibilities.

I have previously paid tribute to the Legislature of the State of Colorado—both Republicans and Democrats. Under the leadership of Governor Love, I believe the Colorado Legislature led the way in the field this year by the passage of this Antipollution Act. I pay tribute to them again for this constructive and forwardlooking measure.

Mr. President, since my statement before the Air and Water Pollution Subcommittee may be of interest to others, I ask unanimous consent that it be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALLOTT. In conclusion, I wish to say that there is, of course, some difference of opinion between the agencies most directly involved.

Mr. Murray Stein, who is the chief of the enforcement program, Federal Water Pollution Control Administration, made one statement. Peter A. Morris, Director of the Division of Operational Safety on Atomic Energy, drew a slightly more optimistic picture than did Mr. Stein. However, it might be enlightening to look at the record and see what was said.

The Senator from Maine [Mr. Muskie] asked Dr. Morris—and Murray Stein was there at the time:

> Senator Muskie. How about the use of these piles—

The word usually used is "tailings"—

> as a child's sandpile?
>
> Dr. Morris. I think this allowable averaging applies directly. If the Boy Scouts camped on it for one night, there would be no danger whatsoever.
>
> Senator Muskie. How many nights could they camp on it safely?
>
> Dr. Morris. We could ask about the boy who slept there every night. My rough calculation shows if one was there 40 hours a week, he would get about four times the annual permissible dose.
>
> Again, this is close to levels for which there is no observable biological effect.
>
> We certainly would not recommend it, either.

Then later, the Senator from Maine [Mr. Muskie] said:

> As father of five kids, I can say those are just the places that the kids would use, the uninviting ones.
>
> Mr. Morris. But they grow up, and they go away. It is not a hazard in terms of short-term exposure. In terms of long-term mechanisms or some flash flood or geological change, again the immediate effect would be temporary.
>
> So that it is difficult for us to conceive of some mechanism where there would really be a radiological hazard, by our current standards.

Then, skipping a few questions, Dr. Morris said:

> We felt that simply as a matter of good housekeeping prudence in being a good neighbor, we should stabilize that pile, and return the land to its natural state.

Mr. President, so far as anyone camping on these piles, it is inconceivable that anyone would want to camp on what amounts to a large pile of blow sand, because all of these piles of tailings, where they occur, are in areas where there are dozens of much more preferable camping sites. There is a definite feeling, in view of beautification and the good-neighbor policy, that they should be stabilized and plantings made. With that I can agree. They are not a beautiful sight, but neither are mine tailings in my friend's State, or the refuse from mines which is dumped out into the valley. Thus, we have the same situation there. We are now taking a more enlightened attitude toward these things, I believe, and will take care of them.

I repeat, I take the floor merely because I would not wish anyone to draw a hasty conclusion from the technical matters in my friend's statement, that there was any danger on the Colorado River Basin today.

Mr. BARTLETT. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield to the Senator from Alaska.

Mr. BARTLETT. I did not intend to so imply. Obviously, the record is clear that no dangers are to be encountered by anyone at this time. One could go to the Arctic as a tourist, where there has been a peculiar situation in connection with radioactive fallout, and eat caribou meat and there would be no danger at all, or any dire consequences. We are not so sure, yet, that the Eskimos, who subsist on caribou meat day in and day out, are not in some danger even now, although several years have passed since tests have been made in the outer atmosphere.

I wish to assure my friend from Colorado that I am not talking today and shall not talk later as an alarmist. We have mined uranium in the past. We have processed uranium in the past. We are going to continue to do so. As suggested in my statement, our production of uranium is likely to be greatly increased in the years immediately ahead because of the accelerated rate in the use of this material for peaceful purposes.

All I believe we should be sure of, and all I believe we should insist upon, is that every possible safeguard be established to protect the population in the future, whether it be in Colorado, Alaska, or wherever any possible danger may exist. I know that my friend from Colorado will join me in an expression of that hope.

Mr. ALLOTT. The Senator is entirely correct.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. ALLOTT. I ask unanimous consent to have 2 additional minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. ALLOTT. The Senator is entirely correct. Every sign points to greatly increased production and refinement of uranium and its use in the coming years. This is something about which we cannot afford to be complacent. On the other hand, we do not want to get those who are easily alarmed in a state of alarm over the matter.

Mr. President, I wrote a letter to Dr. Seaborg, Chairman of the Atomic Energy Commission, on April 29, with respect to the pollution situation in Colorado and the Colorado River. He replied to me by letter of June 7, 1966. I ask unanimous consent that it may be placed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., June 7, 1966.

Hon. GORDON ALLOTT,
U.S. Senate.

DEAR SENATOR ALLOTT: I am pleased to provide in response to your letter of April 29, 1966, the Commission's views relative to the recommendations contained in the report entitled, "Disposition and Control of Uranium Mill Tailings Piles in the Colorado Basin" issued by the Federal Water Pollution Control Administration (FWPCA).

As you know, the water pollution hearings held by the Subcommittee on Air and Water Pollution, Senate Committee on Public Works, included on May 6, 1966, a discussion of the FWPCA report. A statement (copy enclosed) of the views of the AEC on the matter of disposition and control of uranium mill tailings and the FWPCA report was presented at the May 6 hearings.

The FWPCA report, which deals with potential effects of uranium mill tailings on rivers and streams in the Colorado River Basin, states, "there is currently no significant immediate hazard associated with uranium milling activities anywhere in the Colorado River Basin". However, the report recommends that because of the long half-life of radium-266—the isotope of principal interest in the tailings from a water standpoint—and the uncertainties regarding changes that may occur over centuries in things such as river hydrology and the uses of water, measures should be taken to prevent the erosion, spread and distribution of tailings and that binding agreements should be reached as soon as possible regarding long term public and/or private responsibility for adequate maintenance of the tailing piles.

We agree with the conclusion in the FWPCA report that there is currently no significant hazard associated with uranium milling activities in the Colorado River Basin. The evidence available at the present time does not support a conclusion that the uranium mill tailings piles represent a radiation hazard to their environment. The exposure of persons to concentrations of radioactive material in the vicinity of tailings piles would be only a small fraction of the concentrations allowed by applicable standards.

We recognize, however, that in their gross physical aspects the uranium mill tailings piles are unsightly, are sources of disagreeable dust and, in general, constitute a nuisance to those communities which are adjacent to them. Amelioration of such nuisances would, of course, reduce any radiation now present. We share with others the desire that appropriate actions be undertaken. Through its Division of Raw Materials the Commission has taken action and will continue to take action that involves the cooperative efforts of both the milling industry and state agencies. This includes the encouragement of voluntary control by the milling companies and support for the development of adequate and effective state regulations compatible with Executive Order 11258 on abatement of water pollution by Federal activities. These actions are producing results in that a number of mill owners have already stated publicly their decision to stabilize their tailings piles and have initiated appropriate engineering studies. The Commission plans to continue its cooperative effort with Federal, State and local authorities and with the milling industry to achieve adequate pollution control. The Commission will continue to participate in special studies, special surveillance or other technical assistance that may be appropriate.

As you know, on May 9, 1966, the State of Colorado Board of Health adopted regulations concerning the handling and disposition of radioactivity-bearing ore materials. The regulations which become effective June 10, 1966, require mill owners to submit to the State of Colorado health authorities within ninety days from that date a written report on measures taken to stabilize tailings piles together with any further actions proposed. We think the approach adopted in the Colorado regulations is a good one.

Please let me know if you would like any further information.

Cordially,

GLENN T. SEABORG,
Chairman.

Enclosure: AEC Statement on Mill Tailings.

Mr. ALLOTT. Mr. President, I yield the floor.

EXHIBIT 1

[From the office of GORDON ALLOTT, U.S. Senator, 5229 Senate Office Building, Washington, D.C.]

WATER POLLUTION STATEMENT BEFORE THE SUBCOMMITTEE ON AIR AND WATER POLLUTION OF THE SENATE COMMITTEE OF PUBLIC WORKS

Mr. Chairman, as a cosponsor of S. 2947 I appreciate having this opportunity to make this statement before the Committee. As you know, S. 2947 is designed to broaden and increase the authorization of the basic act, the Federal Water Pollution Control Act (Public Law 84-660), and the Water Quality Act of 1965 (Public Law 89-234). The 1965 Act, among other things, set up the Federal Water Pollution Control Administration. As is the case with most new agencies this one has had its difficulties.

One of the less serious problems has been with switchboard operators. Recently, these young ladies were called together by their supervisor who said: "Please, ladies, when you answer the phone you are to say 'Federal Water Pollution Control Administration.' A bad impression is created when you answer the phone and say 'Dirty Water.'"

This humorous little story does point out one thing however, "dirty water" has created a nation-wide bad impression—and rightly so. There is a public awareness of the problem of dirty water, and the fine work of this Subcommittee on Air and Water Pollution has assisted immeasurably in developing it. The water shortage in New York City vividly exemplified the unfortunate situation of a city on the banks of one of the Nation's mightiest rivers and yet not able to put that great resource to use because of pollution. The time when we could afford to be careless with our great water resources has passed, and the time for judicious water management is here.

Of necessity, we of the arid and semi-arid Western States have been conscious of the necessity for water management. We were not blessed with abundant rainfall that fill the many great streams of the Eastern States. But our efforts have been in the direction of diverting and storing water for future use. Some attention has been given to pollution abatement, but not enough. Westerners know, however, that the future of their country depends upon an adequate supply of uncontaminated water. For the last 100 years "water has been king" in the West. Now, because the requirement for water in the Eastern States has expanded to such an extent, this precious resource has become monarch in the East also.

The problem is the same both in the East and in the West: "How do we make our water resources effectively yield maximum benefits?" Obviously, pollution control and abatement is an essential element of judicious water management. Patience has run out, people are no longer going to put up with having to drink the sewerage of their upstream neighbors. There is a moral obligation to treat waste waters. No civilized person throws trash in his neighbor's yard. Why would a community discharge its wastes into a neighboring community's water source?

Can a community afford to build sewers and a treatment plant? Sewage treatment is one of the cheapest services a local government provides for its citizens. In one State, sewage treatment costs about five cents per day per family. A community of 50,000 may pay $102 per person for hospitals and $303 for schools, but invests only $36 per person for secondary sewage treatment. The cost is lowered to about $12 per person in an area with one million people. The larger the community the lower the per person cost of sewage treatment; and conversely, the smaller the community the higher the per person cost. From this it would appear that the smaller communities will require the greater proportionate financial and technical assistance.

The backbone of any water pollution prevention and abatement success story rests with the local government. The national water pollution crisis is really many local problems put together. The national crisis will disappear when all local governments solve their separate local pollution problems. In the final analysis, it is essentially the municipality, the special district, or the county which must plan, finance, build, and operate the treatment facilities. The State and Federal governments can provide assistance of various kinds, but the responsibility for the initiative and the day-to-day operation will fall upon the shoulders of the local community. It will take informed and dedicated local officials to adequately mobilize effective pollution abatement programs, because waste waters must be discharged around the clock, and only the removal of pollutants and contaminants by a correctly built, maintained and operated treatment facility will reduce pollution.

Some may point to the State and local governments and say, "But they have had all this time and the problem still exists." Well, first, nearly everything—inadequate as it may be—that has been done to date to abate pollution has been done by the State and local governments. It is estimated that in Colorado alone communities have invested over $47 million in the construction of 102 sewage treatment plants. In addition, just two of Colorado's major industries have spent upwards of $10 million in reducing or eliminating pollutants.

And second, the Federal Government cannot point to its own record with pride. S. 560, a bill designed to take positive steps to stop pollution by Federal installations, sponsored by Senator MUSKIE, the able chairman of this subcommittee; Senator BOGGS, who first suggested such legislation; and several others, has yet to be enacted into law. The bill passed the Senate on March 25, 1965, but has languished in committee in the House of Representatives ever since. Until Congress removes the mote from the "Federal eye" it is not seemly for us to complain too loudly about the State and local governments.

But the purpose of these hearings is to find answers—to come up with an effective mechanism with which to combat pollution—not to engage in recriminations. To do this the problem must first be analyzed.

The first question is: "What is pollution?" Pollution is different things to different people. What may be pollution to one person may not be pollution to another. The public health officer, the fisherman, the farmer, the industrialist, and the outdoor recreationist all have differing concepts of pollution. To most of us, however, pollution is that which we dislike seeing, smelling, tasting, or even thinking exists in the stream, lake, or other body of water. In short, it is "dirty water." It would be unrealistic to simply ban all forms of pollution, for in order to enforce such a ban we would all have to discontinue the use of water. Obviously, enforcement agencies must have a more precise definition with which to work than just "dirty water." Realistic and enforceable standards must be established. The Water Quality Act of 1965, which was signed into law just seven months ago, has helped to put the necessary machinery into action to develop such standards. States are "gearing up" now. The 1965 Act is an "or else" mandate to the States: "Establish water quality standards and enforcement procedures acceptable to the Secretary by June 30, 1967, 'or else' the Secretary will establish them for you."

My own State of Colorado has created a State Water Pollution Commission which is responsible for:

1. general supervision over administration and enforcement,

2. adopting stream water quality standards in accordance with criteria established in the Act and satisfactory to Federal requirements where interstate streams are involved,

3. accepting and allocating loans and grants,

4. adopting, modifying and enforcing rules and orders pertaining to water pollution control,

5. employing technical personnel and hearing officers, and other general responsibilities.

The new commission is composed of eleven members: four from State Agencies, one each from industry, municipal or county governments, and agriculture, and four from the public at large. Seven of the members are appointed by the Governor.

The commission is already hard at work on fulfilling the responsibilities I have just enumerated.

The second question is: "Who are the polluters?" Man, of course, contributes most to pollution; however, Nature contributes her share. Floods pick up tremendous amounts of silt, brush, and other "natural" pollutants in addition to man-made debris and other pollutants and eventually discharges this polluted water into major water courses and lakes. Fish and wildlife also contribute some pollution. So, there are at least three classes of polluters: first, those we can and wish to control, this includes both man and Nature, but the control of Nature is limited to our ability to control floods and other natural causes of pollution; second, those we cannot control which includes the natural forces and wildlife elements beyond our present ability to control; and third, those we do not wish to control because control would do violence to other public policies and we have decided to accept that degree of pollution in the furtherance of those other policies.

In our efforts to control the first class of polluters recognition is essential of the fact that while some of man's activities create much more pollution than others, all of us contribute to the problem. The housewife grinding garbage down the disposal or washing laundry, the factory discharging waste materials into a nearby stream, the camper carelessly discarding his refuse into a stream, the farmer whose irrigated field drains into a watercourse; all of these activities have one thing in common: they cause some degree of water pollution. So long as man is on Earth, man-made pollution cannot be totally eliminated. But, it can be limited and kept within tolerable limits.

It has been said that ". . . no one has a 'right' to pollute water." This, however, comes into conflict with man's superior right to live, since the mere act of living necessarily causes pollution. Perhaps it could be better said this way: "No one has a right to allow his pollutants to enter a stream, lake, or other body of water without first having taken all reasonable steps of pollution abatement."

The question then becomes: "What are the reasonable steps of pollution abatement?" The answer will depend on many factors, some of which are:

1. The nature of the pollution;

2. The assimilative capacity of the receiving body of water;

3. Present technology—the state of the art of removing pollutants;

4. The existence and development of alternative methods of disposing of waste materials;

5. The economics of abatement;

6. The location of new potential sources of pollution.

Obviously, there is no easy answer; just as there is no single standard that can be applied to all areas and all conditions. Pollution abatement will take many different forms in different places.

Our technology has many rivers yet to cross. For example, even though secondary sewage treatment is considered by many as the best practical method of treatment now available, secondary treatment still leaves 15% of the nuisance and oxygen demanding pollutants in the effluent.

The other day I came across a news article in the Wall Street Journal which mentioned the ZIMPRO Process of burning "wet" sewage sludge. In responding to my inquiry, Dr. J. Mark Hiebert, Chairman of the Board of Sterling Drug Inc., furnished me with several interesting brochures and technical papers. According to these materials the ZIMPRO Process oxidizes the sewage sludge in a completely contained unit. In effect the sludge is "burned in water," and the exhaust gases are free of both fly ash and objectionable odor. According to one brochure, the large continuous operating unit utilizes the gases and steam produced by the Process to operate the plant. The required heat necessary for start-up is obtained from an outside source, but once started, no external heat is needed to maintain "burning." Even the exhaust gases are used to power an expansion engine which operates the air compressor. The residue is completely sterile and can be used for fill material. Units are already in use in Chicago, Wheeling, West Virginia, and Rye, New York.

Recently, a ZIMPRO Batch unit was installed and tested in South Milwaukee. This unit is designed to meet the needs of smaller communities with populations of from 2,000 to 40,000. The Batch unit can operate on an intermittent basis, storing the sludge in a tank until there is sufficient to warrant starting up the plant. While it does not have the advantages of the larger unit in utilizing waste products as a source of power, there is less proportionate initial investment because of the simpler installation.

I wish to make it perfectly clear that I have no interest in, nor do I have any connection with the manufacturers of the ZIMPRO Process. I have mentioned these developments merely as an example of the imaginative research and development work private industry has been doing in the field of pollution abatement and which should not be overlooked in our quest for clean water.

The task of pollution abatement is an immense job and cannot be achieved by government action alone. Everyone has a part to play. One needs only to look at the litter thrown into our streams to conclude that a big dose of ordinary manners is needed by many of our people. But, beyond that, industry alone can take a giant step towards our objective of clean water.

It seems to me that one of the quickest and most economical methods of abating industrial pollution is through the tax credit technique.

Last February I joined Senator COOPER and others in sponsoring legislation which would increase industry's investment credit allowable on equipment for the control and abatement of water and air pollution.

As the members of the Subcommittee know, industry is presently allowed a 7% tax credit on the first $25,000 it spends for modernization equipment, and 7% on 25% of all it spends above that amount in a year. The proposal I sponsored would double the tax credit, to 14%, on just that equipment purchased for air and water pollution abatement.

It is unrealistic to assume that either an individual industry or the Federal government can stand the entire financial gaff for this expensive but vital equipment, because installation does not produce additional profits for industry nor as a result does it produce additional revenues for the Federal government.

The plan would reduce Federal tax revenues by approximately $25 million the first year $30 million the second year, and would ultimately average about $50 million annually. The tax revenue reduction seems insignificant when compared with what we proposed to spend in S. 2947.

I realize that income tax matters are not within the jurisdiction of this subcommittee; however, I believe that no discussion of pollution abatement is complete without the mention of tax incentives. In this regard, the Twenty-First report of the Committee on Government Operations states on Page 15 that ". . . In general, the State Governors favored Federal tax incentives for this purpose, and saw no conflict between a Federal tax incentives program and any similar State programs." I also note the support of the tax incentive approach by this Subcommittee in its excellent report entitled "Steps Toward Clean Water."

The ink was hardly dry on the Water Quality Act of 1965 when I joined the distinguished chairman of this Subcommittee in sponsoring S. 2947. I joined 46 of my colleagues in cosponsoring S. 2947 because I was convinced that while the 1965 Act was a good approach it was limited. In other words, we need more, and S. 2947 gives us more.

Recent projections indicate that our population will increase from an estimated 195 million in 1965 to an estimated 362 million in the year 2000. Our need for water will also increase, but it will increase at a rate greater than our population increase. In 1965 approximately 325 billion gallons of water are used each day, but by the year 2000 our need for water will have increased to around 900 billion gallons per day. So that while our population will have increased by about 85%, our requirement for water will have increased by about 177%. The West alone, whose population is expected to reach 108 million by the year 2000, will require 365 billion gallons of water per day, which is about 40 billion gallons more than the whole nation requires now. We cannot hope to meet the soaring demands for clean water with half-hearted efforts. Nor can we hope to meet the challenge by restricting ourselves to the use of only part of our talent, experience, and resources.

We cannot afford to get bogged down in bureaucratic in-fighting, which wastes too much time, energy, and talent in determining who is going to be in the "drivers seat," at the expense of getting the job done.

Centralization may be a good thing when we know precisely what course we intend to take. But, at the present time we only know the ultimate objective; we do not know the shortest and best route to take to achieve that objective. Exploration by many and in many directions is essential at this stage. In an operation too highly centralized, one pet approach will tend to monopolize the field. We cannot allow ourselves to become so heavily committed to one approach that we cannot back off and take a new direction, if one is indicated by technological advances. There is urgency in getting on with pollution abatement, but let us not be panicked into heading down the wrong road.

I believe S. 2947 is the right road. It achieves the flexibility so necessary to an all-out attack on pollution instead of just a Federal attack on pollution. With dynamic administration and adequate funding, together with the whole-hearted cooperation of State and local governments and a sensible tax incentive program for industry, I believe we can expect to see some exciting results in the near future. And, we must have results.

Mr. ANDERSON. Mr. President, after I have had an opportunity to study fully the statement made by the distinguished Senator from Alaska, I may have some additional comments. For the moment I would like to say the following. The Senator has made several important points in his talk concerning the threat of radiation. He has cited two reports: an April 1966 report by the National Advisory Committee on Radiation, chaired by Dr. Russell Morgan, and issued as an advisory report to the U.S. Public Health Service and a report on the disposition and control of uranium mill tailings piles in the Colorado River Basin.

I am acquainted with Dr. Morgan's report and I would like to add to what my distinguished colleague has said by pointing out that, in my view, the main thrust of the Morgan committee's report is to draw attention to the increasing use of radiation sources such as radioisotopes and X-rays in diagnostic and therapeutic medical practice and a consequent growing demand for trained specialists in the field of radiology. The Morgan committee specially urges that the Public Health Service—page iii—

> Take the initiative in the formulation and promulgation of (a) standards dealing with the qualifications of personnel who operate X-ray equipment or who use radioactive materials not regulated by the Atomic Energy Commission; (b) design standards for sources containing radium and other radioactive materials that are not reactor by-products; and (c) standards for the premarketing clearance of X-ray equipment used in the health professions and in industry.

I certainly agree that in this time of increasing utilization of X-ray machines, radioisotopes and other sources of radiation, that it is important that our Public Health Service play a major role in setting necessary standards to insure that the risks associated with these activities be well defined and that appropriate standards and criteria be established in order to provide necessary guides for industry and for public health officials at all levels of government.

In connection with the problem of uranium mill tailings which the Senator from Alaska has mentioned, I would like to quote briefly from a report on this subject issued by the Department of Health, Education, and Welfare, Federal Water Pollution Control Administration, in March of this year. The report states on page ii:

> To determine the degree of hazard associated with these tailings piles is no simple problem. If you think in terms of immediate hazards, or in terms of hazards this year, it is very difficult to show that there is a problem. What has concerned us right along has been the long-lived nature of the radioactivity involved.

The report makes it clear that it is not especially concerned with immediate hazards from uranium mill tailings, rather it is concerned with the potential problems that may result in the long term. This means that there is adequate time for evaluation and a deliberate course of action.

It is my belief that corrective action can be taken to insure that the radium content of the uranium mill tailings piles is not allowed to enter into adjacent rivers or water supplies in excessive amounts. There are a number of possible control measures which have been suggested. These include fertilization and cultivation of the top and side surfaces of the piles in order to effect stabilization. Also suggested is the building of dikes to insure that nearby water cannot erode the tailings piles.

It is my understanding that the State of Colorado has adopted a regulation requiring millowners to submit in a report to the State their plans for controlling their uranium mill tailings piles in order to insure that these materials do not enter water supplies in excessive amounts. The control of radium historically has been left to the States. Radium is not an isotope regulated by the Atomic Energy Commission. It appears that the State of Colorado recognizes the problem and is moving toward the necessary solution to insure that the health of the people in the surrounding area will be protected. I believe this body should follow closely their progress in dealing with this problem.

I would like to conclude with a few remarks concerning the radiation protection guides which the Senator from Alaska has mentioned during the course of his statement.

The Joint Committee on Atomic Energy has followed closely the development of radiation guides from the very beginning of the atomic energy program. There is a long history of development of these guides from work done by the National Committee on Radiation and finally the Federal Radiation Council which has promulgated the guides in their present form. The guides are intended to apply to normal peacetime uses of atomic energy. In addition the council has published protective action guides intended for use in the case of fallout and certain other sources of radiation contamination. The Joint Committee was instrumental in drawing attention to the need for a Federal body which would have the responsibility of advising the President concerning radiation matters. The Federal Radiation Council was established in 1959 to fulfill this purpose. On recommendation of the Joint Committee on Atomic Energy during my chairmanship, the Federal Radiation Council was made statutory by Public Law 86-373, through amendment to the Atomic Energy Act of 1954. Subsequently, the Council published a series of reports recommending criteria and standards for radiation which have been approved by the President for guidance to the executive agencies of the Government.

I would particularly like to call attention to the fine work of the Subcommittee on Research, Development and Radiation of the Joint Committee on Atomic Energy, under the chairmanship of Congressman Mel Price. Much of the information developed and made public through the years has come from hearings of that subcommittee. A great deal of credit should go to Congressman **Price** for bringing attention to the need for criteria and for the actual establishment of the radiation guides.

For those who may be interested in the full and complete background on the development of standards for radiation, I would refer them to hearings before the Subcommittee on Research, Development and Radiation on the Joint Committee on Atomic Energy which have been held in order to obtain information for the Congress and in part to provide an open forum so that representatives of all phases of government, industry, and the general public would have an opportunity to be heard concerning the suitability of radiation guides. I ask unanimous consent that a listing of these publications be printed at the conclusions of my remarks. It is my belief that these hearings and reports by the Joint Committee have served to educate the public and the Members of Congress on this important subject matter.

There being no objection, the listing was ordered to be printed in the RECORD, as follows:

JOINT COMMITTEE ON ATOMIC ENERGY HEARINGS ON RADIATION PROTECTION STANDARDS

Hearings before the Special Subcommittee on Radiation of the Joint Committee on Atomic Energy, "Radiation Protection Criteria and Standards: Their Basis and Use." May 24, 25, 26, 31, June 1, 2, and 3, 1960.

Summary-Analysis of Hearings May 24, 25, 26, 31, June 1, 2, and 3, 1960, Special Subcommittee on Radiation of the Joint Committee on Atomic Energy, "Radiation Protection Criteria and Standards: Their Basis and Use." October 1960.

Index to Hearings and Selected Materials of May 1960, Special Subcommittee on Radiation of the Joint Committee on Atomic Energy, "Radiation Protection Criteria and Standards: Their Basis and Use," June 1961.

Hearings before the Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy, "Radiation Standards, Including Fallout," June 4, 5, 6, and 7, 1962, Part I.

Hearings before the Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy, "Radiation Standards, Including Fallout," Part 2, Appendix.

Summary-Analysis of Hearings Held on June 4, 5, 6, and 7, 1962 before the Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy, "Radiation Standards, Including Fallout," September 1962.

Hearings before the Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy, "Fallout, Radiation Standards, and Countermeasures," June 3, 4, and 6, 1963, Part I.

Hearings before the Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy, "Fallout, Radiation Standards, and Countermeasures," August 20, 21, 22, and 27, 1963, Part 2.

Hearings before the Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy, "Federal Radiation Council Protective Action Guides," June 29 and 30, 1965.

ADDITIONAL JOINT COMMITTEE HEARINGS ON TOPICS RELATED TO RADIATION EXPOSURE

Hearings before the Special Subcommittee on Radiation of the Joint Committee on Atomic Energy, "The Nature of Radioactive Fallout and its Effects on Man," May 27, 28, 29, and June 3, 1957, Part I.

Hearings before the Special Subcommittee on Radiation of the Joint Committee on Atomic Energy, "The Nature of Radioactive Fallout and its Effects on Man," June 4, 5, 6, and 7, 1957, Part 2.

Hearings before the Special Subcommittee on Radiation of the Joint Committee on Atomic Energy, "The Nature of Radioactive Fallout and its Effects on Man," May 27, 28, 29, June 3, 4, 5, 6, and 7, 1957, Part 3, Index.

Summary-Analysis of Hearings May 27–29, and June 3–7, 1957, Special Subcommittee on Radiation of the Joint Committee on Atomic Energy, "The Nature of Radioactive Fallout and Its Effects on Man," August, 1957.

Hearings before the Joint Committee on Atomic Energy, "Problems of the Uranium Mining and Milling Industry," February 19, 24, and 25, 1958.

Joint Committee on Atomic Energy, "Selected Materials on Employee Radiation Hazards and Workmen's Compensation," February 1959.

Hearings before the Subcommittee on Research and Development of the Joint Committee on Atomic Energy, "Employee Radiation Hazards and Workmen's Compensation," March 10, 11, 12, 17, 18, and 19, 1959.

Summary-Analysis of Hearings March 10, 11, 12, 17, 18, and 19, 1959 of the Joint Committee on Atomic Energy, "Employee Radiation Hazards and Workmen's Compensation," September 1959.

Hearings before the Special Subcommittee on Radiation of the Joint Committee on Atomic Energy, "Fallout from Nuclear Weapons Tests," May 5, 6, 7, and 8, 1959, Volume I.

Hearings before the Special Subcommittee on Radiation of the Joint Committee on Atomic Energy, "Fallout from Nuclear Weapons Tests," May 5, 6, 7, and 8, 1959, Volume 2.

Hearings before the Special Subcommittee on Radiation of the Joint Committee on Atomic Energy, "Fallout from Nuclear Weapons Tests," May 5, 6, 7, and 8, 1959, Volume 3.

Index to Hearings before the Special Subcommittee on Radiation of the Joint Committee on Atomic Energy, "Fallout from Nuclear Weapons Tests," May 5, 6, 7, and 8, 1959, Volume 4.

Summary-Analysis of Hearings May 5–8, 1959 of the Joint Committee on Atomic Energy, Special Subcommittee on Radiation, "Fallout from Nuclear Weapons Tests," August 1959.

Mr. YARBOROUGH. Mr. President, I want to congratulate my distinguished colleague, the Senator from Alaska [Mr. BARTLETT], for bringing to the attention of the Senate and his country the facts he has provided us with today concerning the contamination of our environment by radioactivity from sources of which we are not always aware.

The report of the National Advisory Committee on Radiation to the Surgeon General which Senator **Bartlett** brings to our attention is vital reading, and with him I commend it to all. Its recommendations for a greater Federal effort which would lead to better standards of acceptable radiation are worthy of the most serious consideration.

My able colleague is to be commended for his concern in this matter, and I look forward to his further reports in the coming weeks on the problems of radioactive contamination.

Mr. MANSFIELD. Mr. President, I commend the distinguished Senator from Alaska [Mr. BARTLETT], who sparingly takes the floor, but, when he does, always has something worthwhile to say. By the same token, I commend the Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK] for pointing out the situation in their State and also for making clear for the RECORD what the Public Health Service has done in Colorado. Moreover, I wish to commend the distinguished senior Senator from New Mexico [Mr. ANDERSON] for offering this astute appreciation of the problem and for sharing with the Senate his vast knowledge of the situation.

I desire to take particular note however of the fact that the Senator from Alaska [Mr. BARTLETT] has assembled in his speech the fragments of information on this subject that occasionally appear in the newspapers, and has given us not only a clear picture but a fine perspective; he has performed a great service.

I hope he will continue his research on this important subject. Nevertheless, while he says he is not an alarmist—and he is not—this topic or subject is of such importance to all the American people that we cannot afford to sleep while this matter which may be so detrimental to certain people or to areas of the country goes without proper and careful attention.

Mr. BARTLETT. I thank the distinguished majority leader.

ORDER OF BUSINESS

The PRESIDING OFFICER. The Senate will now return to the transaction of routine morning business, with a 3-minute limitation on statements.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT ON EXPORT-IMPORT BANK INSURANCE AND GUARANTEES ON U.S. EXPORTS TO YUGOSLAVIA

A letter from the Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that the amount of Export-Import Bank insurance and guarantees on U.S. exports to Yugoslavia for the month of May 1966, not previously reported, totaled $660,482; to the Committee on Appropriations.

REPORT ON PROJECTS FOR AIR NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on additional projects proposed to be undertaken for the Air National Guard; to the Committee on Armed Services.

AMENDMENTS TO REGULATIONS GOVERNING THE REPORTING OF BOATING ACCIDENTS BY UNINSPECTED NUMBERED VESSELS

A letter from the Assistant Secretary of the Treasury, transmitting, pursuant to law, a certified copy of amendments to the regulations governing the reporting of boating accidents by uninspected numbered vessels (with an accompanying paper); to the Committee on Commerce.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the purchase of title insurance on properties acquired in the

State of Florida under the loan guarantee programs, Veterans' Administration, dated June 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of repair practices relating to single-family properties acquired through mortgage insurance programs, Federal Housing Administration, Department of Housing and Urban Development, dated June 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of eligibility of veterans for total disability insurance, Veterans' Administration, dated June 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on improvements in the budget presentation of proposed major capital expenditures, the Alaska Railroad, Department of the Interior, dated June 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the equipment modification program for M-48A1 tanks, Department of the Army, dated June 1966 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 261. Resolution providing for the printing of a revised edition of the document "History of the Senate Seals" (Rept. No. 1297);

S. Res. 271. Resolution to provide additional funds for the Committee on Interior and Insular Affairs;

S. Res. 272. Resolution to print as a Senate document a compilation on the history of the Senate Committee on Commerce (Rept. No. 1298); and

S. Res. 274. Resolution to provide additional funds for the Committee on Appropriations.

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with an amendment:

S. Con. Res. 98. Concurrent resolution to provide for the printing of additional copies of the pamphlet entitled "Our Capitol" (Rept. No. 1299).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 14347. An act to liberalize the provisions for payment to parents and children of dependency and indemnity compensation, and for other purposes (Rept. No. 1300).

By Mr. RANDOLPH, from the Committee on Public Works, with amendments:

S. 3052. A bill to provide for a coordinated national highway safety program through financial assistance to the States to accelerate highway traffic safety programs, and for other purposes (Rept. No. 1302).

Mr. METCALF subsequently said: Mr. President, I ask unanimous consent that at its next printing, the names of Senators BAYH and BOGGS be added to Senate bill 3052, reported today from the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment:

H.R. 14025. An act to extend the Defense Production Act of 1950, and for other purposes (Rept. No. 1303).

By Mr. BARTLETT, from the Committee on Commerce, with amendments:

S. 2720. A bill to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate (Rept. No. 1304).

APPOINTMENT OF A SENATE DELEGATION TO ATTEND A MEETING OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION—REPORT OF A COMMITTEE

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported the following original resolution (S. Res. 276); which was referred to the Committee on Rules and Administration:

Resolved, That the President of the Senate is authorized to appoint four Members of the Senate (at least one of whom shall be from the Committee on Foreign Relations) as a delegation to attend the next general meeting of the Commonwealth Parliamentary Association, to be held in Ottawa, Ontario, Canada, at the invitation of the Canadian Branch of the Association, and to designate the chairman of said delegation.

SEC. 2 (a). The expenses of the delegation, including staff members designated by the chairman to assist said delegation, shall not exceed $10,000 and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

(b) The expenses of the delegation shall include such special expenses as the chairman may deem appropriate to carry out this resolution, including reimbursements to agencies for compensation of employees detailed to the delegation and expenses incurred in connection with providing appropriate hospitality to foreign delegates.

(c) Each member or employee of the delegation shall receive subsistence expenses in an amount not to exceed the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964.

DOROTHY L. JOHNSTON—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 277); which was placed on the calendar:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Dorothy L. Johnston, widow of Joel H. Johnston, an employee of the Senate at the time of his death, a sum equal to eleven months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

MARY L. HARRIS—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 278); which was placed on the calendar:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mary L. Harris, widow of Joseph W. Harris, Sr., an employee of the Senate at the time of his death, a sum equal to ten months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

TRAFFIC SAFETY ACT OF 1966—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT NO. 1301)

Mr. MAGNUSON. Mr. President, from the Committee on Commerce I report favorably, with amendments the bill (S. 3005) to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents, and I submit a report thereon.

I ask unanimous consent that the report be printed, together with individual views.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Washington.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF:

S. 3538. A bill for the relief of Venanzio Falzetti; and

S. 3539. A bill to confer jurisdiction upon the U.S. District Court for the District of Montana to hear, determine, and render judgment upon certain claims of Ramona Bible Swingley, on behalf of herself or her four minor children; to the Committee on the Judiciary.

S. 3540. A bill to authorize Rural Housing loans to lessees of nonfarm rural land, and for other purposes; to the Committee on Banking and Currency.

S. 3541. A bill to amend the Public Works and Economic Development Act of 1965 in order to allow more flexibility in the designation of redevelopment areas; to the Committee on Public Works.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 3542. A bill providing that certain privately owned irrigable lands in the Milk River project in Montana shall be deemed to be excess lands; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON (by request):

S. 3543. A bill to repeal the prohibition upon the fixing of collection of fees for certain services under the navigation laws; and

S. 3544. A bill to amend the Intercoastal Shipping Act of 1933 to provide for accounting at the expiration of a rate suspension; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. MOSS:

S. 3545. A bill for the relief of Jin Suk Yang; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 3546. A bill to permit certain service-connected disabled veterans to use commissary stores operated for military personnel; to the Committee on Armed Services.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

Mrs. NEUBERGER (for herself and Mr. Morse):

S. 3547. A bill to make certain expenditures of the city of Portland, Oreg., eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. ANDERSON:

S. 3548. A bill to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

(See the remarks of Mr. Anderson when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself and Mr. Kennedy of New York):

S. 3549. A bill to amend certain provisions of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to landlords and tenants; to the Committee on the District of Columbia.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK (for himself and Mr. Metcalf):

S. 3550. A bill to provide for the issuance by the Secretary of Agriculture of a 25-cent per bushel export marketing certificate on wheat for the 1967, 1968, and 1969 crops of wheat; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Burdick when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND (for himself, Mr. Allott, Mr. Curtis, Mr. Dominick, Mr. Hruska, Mr. Robertson, Mr. Tower, and Mr. Young of North Dakota):

S.J. Res. 171. Joint resolution to require the removal of certain agricultural products from negotiation of tariff reductions under the Trade Expansion Act of 1962, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Holland when he introduced the above bill, which appear under a separate heading.)

RESOLUTIONS

APPOINTMENT OF A SENATE DELEGATION TO ATTEND A MEETING OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original resolution (S. Res. 276) authorizing the appointment of a Senate delegation to attend a meeting of the Commonwealth Parliamentary Association, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Fulbright, which appears under the heading "Reports of Committees.")

DOROTHY L. JOHNSTON

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 277) to pay a gratuity to Dorothy L. Johnston, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

MARY L. HARRIS

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 278) to pay a gratuity to Mary L. Harris, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the hearing "Reports of Committees.")

DESIGNATION OF YORK, PA., AS HONORARY CAPITAL OF THE UNITED STATES ON JULY 4, 1966

Mr. SCOTT submitted a resolution (S. Res. 279) to express the sense of the Senate that on July 4, 1966, the city of York, Pa., should be deemed to be the honorary Capital of the United States, which was referred to the Committee on the Judiciary.

(See the above resolution printed in full when submitted by Mr. Scott, which appears under a separate heading.)

REPEAL OF PROHIBITION UPON FIXING OF COLLECTION OF FEES FOR CERTAIN SERVICES UNDER NAVIGATION LAWS

Mr. MAGNUSON. Mr. President, I introduce, at the request of the Secretary of the Treasury, a bill to repeal the prohibition upon the fixing or collection of fees for certain services under the navigation laws. I ask unanimous consent that the letter and memorandum on the proposed fee schedule from the Secretary be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and memorandum will be printed in the Record.

The bill (S. 3543) to repeal the prohibition upon the fixing of collection of fees for certain services under the navigation laws, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and memorandum, presented by Mr. Magnuson, are as follows:

The Secretary of the Treasury,
Washington.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is transmitted herewith a draft of a proposed bill, "To repeal the prohibition upon the fixing or collection of fees for certain services under the navigation laws."

The proposed legislation would repeal the statute prohibiting the charging or collection of fees for certain services rendered to vessel owners by the United States Coast Guard. The services involved include the shipping or discharging of seamen, the inspection, examination and licensing of steam vessels, and the licensing of masters, engineers, pilots, and mates of vessels. The Department has previously forwarded a proposal introduced in the Senate as S. 1875 which would repeal a portion of the section that the accompanying proposal would repeal in its entirety. A proposal identical to S. 1875 has been introduced in the House of Representatives as H.R. 726. In neither of these bills, however, were the services performed by the Coast Guard included in the part to be repealed.

The repeal of the section would enable the Secretary of the Treasury to impose charges for the services mentioned in accordance with the standards set forth in 5 U.S.C. 140, the latter stating the sense of Congress, generally, that services provided by the government to identifiable recipients shall be self-sustaining to the full extent possible. In this connection, it should be observed that authority presently exists to impose fees for similar services performed for small passenger carrying vessels and it is somewhat anomalous that the government, expanding a greater effort in performing these services for larger vessels, should be prohibited from imposing a charge when it is determined to be appropriate.

Should this legislation be enacted, charges would be imposed only after public hearings in compliance with the requirements of the Administrative Procedure Act had been held at which, it is assumed, the viewpoints of all interested parties will be presented. There is attached, however, a memorandum containing preliminary determinations regarding the magnitude and range of fees which would form the basis of proposals to be considered at hearings.

It would be appreciated if you would lay the proposed bill before the Senate. A similar bill has been forwarded to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that the enactment of the proposed bill would be consistent with the Administration's objectives.

Sincerely yours,

Henry H. Fowler.

Memorandum—User Charge Fee Schedule, Proposed March 1, 1966

If 46 U.S.C. 331 is repealed, user charges which are now prohibited could be imposed in the following areas:

a. Certificate of Inspection.
b. Amendments to certificates of Inspection.
c. Permits to Proceed.
d. Excursion Permits.
e. Permits to carry persons in addition to the crew.
f. Permits to carry additional persons on tugboats and fishing boats.
g. Letters of Certification of Stability.
h. Approval of Plans of Vessels.
i. Factory and shop inspections of equipment.
j. Officers' Licenses.
k. Seamen's Documents.
l. Shipment and Discharge of Merchant Seamen.
m. Approvals or Acceptances and Certificates of Approvals.

The fee schedule which follows represents an initial judgment as to reasonable fees which should be imposed having in mind the criteria established in 5 U.S.C. 140. The amount of revenue which could be expected if these charges were in effect cannot be definitely ascertained at the present time; however, estimates have been made in broad terms as follows:

a. Vessel Certificate Inspections, $1,000,000.
b. Factory Inspections of Merchant Vessel Equipment, $400,000.
c. Type Approvals of Required Merchant Vessel Equipment, $75,000.

d. Licenses and Certificates for Merchant Marine Personnel, $500,000.

e. Shipment and Discharge of Seamen, $400,000.

f. Approval of Plans for Vessels, $400,000.

I. Certificate of inspection, initial, passenger vessels, ocean and coastwise:

Fee schedule (*gross tons*)

Under 100 tons	$50
Over 100 tons to 250 tons	100
Over 250 tons to 500 tons	125
Over 500 tons to 750 tons	150
Over 750 tons to 1,000 tons	175
Over 1,000 tons to 1,500 tons	200
Over 1,500 tons to 2,000 tons	240
Over 2,000 tons to 3,000 tons	285
Over 3,000 tons to 4,000 tons	320
Over 4,000 tons to 6,000 tons	390
Over 6,000 tons to 8,000 tons	470
Over 8,000 tons to 10,000 tons	525

Over 10,000 tons to 20,000 tons 600 plus $35 each 1,000 tons over 10,000. Over 20,000 tons to 30,000 tons, $900 plus $25 each 1,000 tons over 20,000. Over 30,000 tons, $1,150 plus $22 each 1,000 tons over 30,000.

II. Certificate of inspection, annual, passenger vessels, ocean and coastwise:

Fee schedule (*gross tons*)

Under 100 tons	$50
Over 100 tons to 250 tons	80
Over 250 tons to 500 tons	100
Over 500 tons to 750 tons	120
Over 750 tons to 1,000 tons	140
Over 1,000 tons to 1,500 tons	165
Over 1,500 tons to 2,000 tons	200
Over 2,000 tons to 3,000 tons	235
Over 3,000 tons to 4,000 tons	270
Over 4,000 tons to 6,000 tons	320
Over 6,000 tons to 8,000 tons	350
Over 8,000 tons to 10,000 tons	430

Over 10,000 tons to 20,000 tons, 430 plus $25 each 1,000 tons over 10,000. Over 20,000 tons to 30,000 tons, $680 plus $22 each 1,000 tons over 20,000. Over 30,000 tons, $900 plus $19 each 1,000 tons over 30,000.

III. Certificate of inspection, initial, passenger vessels, lakes and inland; ferries:

Fee schedule (*gross tons*)

Under 100 tons	$50
Over 100 tons to 250 tons	90
Over 250 tons to 500 tons	105
Over 500 tons to 750 tons	130
Over 750 tons to 1,000 tons	145
Over 1,000 tons to 1,500 tons	170
Over 1,500 tons to 2,000 tons	200
Over 2,000 tons to 3,000 tons	235
Over 3,000 tons to 4,000 tons	270
Over 4,000 tons to 6,000 tons	320
Over 6,000 tons to 8,000 tons	350
Over 8,000 tons to 10,000 tons	430

Over 10,000 tons, $430 plus $25 each 1,000 tons over 10,000.

IV. Certificates of inspection, annual, passenger vessels, lakes and inland; ferries:

Fee schedule (*gross tons*)

Under 100 tons	$50
Over 100 tons to 250 tons	75
Over 250 tons to 500 tons	90
Over 500 tons to 750 tons	105
Over 750 tons to 1,000 tons	120
Over 1,000 tons to 1,500 tons	140
Over 1,500 tons to 2,000 tons	165
Over 2,000 tons to 3,000 tons	195
Over 3,000 tons to 4,000 tons	220
Over 4,000 tons to 6,000 tons	260
Over 6,000 tons to 8,000 tons	285
Over 8,000 tons to 10,000 tons	330

Over 10,000 tons, $330 plus $22 each 1,000 tons over 10,000.

V. Certificate of inspection, initial, tank ships, all cargo ships and miscellaneous ships, ocean and coastwise:

Fee schedule (*gross tons*)

Under 100 tons	$50
Over 100 tons to 250 tons	75
Over 250 tons to 500 tons	$100
Over 500 tons to 750 tons	125
Over 750 tons to 1,000 tons	150
Over 1,000 tons to 1,500 tons	180
Over 1,500 tons to 2,000 tons	210
Over 2,000 tons to 3,000 tons	250
Over 3,000 tons to 4,000 tons	300
Over 4,000 tons to 6,000 tons	360
Over 6,000 tons to 8,000 tons	420
Over 8,000 tons to 10,000 tons	500
Over 10,000 tons to 20,000 tons	560

Plus $25 each 1,000 tons over 10,000.

Over 20,000 tons to 30,000 tons, $800 plus $21 each 1,000 tons over 20,000.

Over 30,000 tons, $990 plus $18 each 1,000 tons over 30,000.

VI. Certificate of inspection, annual or biennial, tank ships, all cargo ships and miscellaneous ships, ocean and coastwise:

Fee schedule (*gross tons*)

Under 100 tons	$50
Over 100 tons to 250 tons	65
Over 250 tons to 500 tons	85
Over 500 tons to 750 tons	105
Over 750 tons to 1,000 tons	125
Over 1,000 tons to 1,500 tons	150
Over 1,500 tons to 2,000 tons	180
Over 2,000 tons to 3,000 tons	210
Over 3,000 tons to 4,000 tons	250
Over 4,000 tons to 6,000 tons	300
Over 6,000 tons to 8,000 tons	350
Over 8,000 tons to 10,000 tons	390
Over 10,000 tons to 20,000 tons	390

Plus $21 each 1,000 tons over 10,000.

Over 20,000 tons to 30,000 tons, $600 plus $18 each 1,000 tons over 20,000.

Over 30,000 tons, $780 plus $16 each 1,000 tons over 30,000.

VII. Certificate of inspection, initial, cargo ships and miscellaneous ships, lakes and inland:

Fee schedule (*gross tons*)

Under 10 tons	$50
Over 100 tons to 250 tons	75
Over 250 tons to 500 tons	95
Over 500 tons to 750 tons	115
Over 750 tons to 1,000 tons	135
Over 1,000 tons to 1,500 tons	160
Over 1,500 tons to 2,000 tons	185
Over 2,000 tons to 3,000 tons	220
Over 3,000 tons to 4,000 tons	255
Over 4,000 tons to 6,000 tons	305
Over 6,000 tons to 8,000 tons	355
Over 8,000 tons to 10,000 tons	400

Over 10,000 tons, $400 plus $21 each 1,000 tons over 10,000.

VIII. Certificate of inspection, annual or biennial, cargo ships and miscellaneous ships; lakes and inland:

Fee schedule (*gross tons*)

Under 100 tons	$50
Over 100 tons to 250 tons	60
Over 250 tons to 500 tons	70
Over 500 tons to 750 tons	85
Over 750 tons to 1,000 tons	95
Over 1,000 tons to 1,500 tons	110
Over 1,500 tons to 2,000 tons	130
Over 2,000 tons to 3,000 tons	150
Over 3,000 tons to 4,000 tons	175
Over 4,000 tons to 6,000 tons	200
Over 6,000 tons to 8,000 tons	230
Over 8,000 tons to 10,000 tons	260

Over 10,000 tons, $260 plus $18 each 1,000 tons over 10,000.

IX. Certificate of inspection, initial, barges:

Passenger barges

Under 100 tons	$50
100 tons to 500 tons	60
500 tons and over	80

Tank barges

Under 100 tons	$50
100 tons to 500 tons	60
500 tons and over	80

Seagoing barges

100 tons to 500 tons	$70
500 tons and over	100

X. Certificate of inspection, annual or biennial, barges:

Passenger barges

Under 100 tons	$50
100 tons to 500 tons	55
500 tons and over	65

Tank barges

Under 100 tons	$50
100 tons to 500 tons	55
500 tons and over	65

Seagoing barges

100 tons to 500 tons	$60
500 tons and over	75

XI. Certificate of inspection, initial, freight motorboats; 15 gross tons and over, $50.

XII. Certificate of inspection, biennial, freight motorboats; 15 gross tons and over, $50.

XIII. Certificate of inspection, initial, steam tug and towboats:

Seagoing	$160
Inland	95

XIV. Certificate of inspection, biennial, steam tug and towboats:

Seagoing	$110
Inland	60

XV. Certificate of inspection:

Initial, oceanographic vessels	$75

XVI. Certificate of inspection:

Biennial, oceanographic vessels	$50

XVII. Miscellaneous:

Amendments to certificates of inspection	$10
Permits to proceed	25
Excursion permits	25
Permits to carry persons in addition to the crew	50
Permits to carry additional persons on tugboats and fishing boats	25
Certificates of seaworthiness for change of name	50
Certificate of seaworthiness for carriage of dry or perishable cargo	50
Certified copy of certificate of inspection	5

XVIII. Letters of certification of stability (including experiment observed and calculations review by Coast Guard, passenger vessels:

Fee schedule (*gross tons*)

Under 100 tons	$50
Over 100 tons to 250 tons	65
Over 250 tons to 500 tons	90
Over 500 tons to 750 tons	135
Over 750 tons to 1,000 tons	185
Over 1,000 tons to 1,500 tons	245
Over 1,500 tons to 2,000 tons	295
Over 2,000 tons to 3,000 tons	410
Over 3,000 tons to 4,000 tons	520
Over 4,000 tons to 6,000 tons	670
Over 6,000 tons to 8,000 tons	900
Over 8,000 tons to 10,000 tons	1, 130

Over 10,000 tons $1,130 plus $90 per 1,000 tons over 10,000.

XIX. Letters of certification of stability (including experiment observed and calculations reviewed by Coast Guard), cargo, tank, and miscellaneous vessels:

Fee schedule (*gross tons*)

Under 100 tons	$50
Over 100 tons to 250 tons	65
Over 250 tons to 500 tons	75
Over 500 tons to 750 tons	85
Over 750 tons to 1,000 tons	100
Over 1,000 tons to 1,500 tons	125
Over 1,500 tons to 2,000 tons	150
Over 2,000 tons to 3,000 tons	190
Over 3,000 tons to 4,000 tons	230
Over 4,000 tons to 6,000 tons	280
Over 6,000 tons to 8,000 tons	340
Over 8,000 tons to 10,000 tons	390

Over 10,000 tons, $390 plus $21 per 1,000 tons over 10,000.

Letters of certification of stability when inclining experiment is performed and data calculated by the Coast Guard. Charges to be based on actual cost calculated at the rate of $12 each hour for each Coast Guard officer or agent engaged.

XX. Duplicate letters of certification of stability (for issuance to sister ships of a vessel on which full stability data has been calculated):

Fee schedule (gross tons): All vessels 1,000 tons and under, $20; over 1,000 tons to 10,000 tons, $20 plus $10 each 1,000 tons over 10,000. Over 10,000 tons, $120 plus $10 each 2,500 tons over 10,000.

New vessels or conversions (46 CFR 31.10–5, 71.65–1, 91.55–5) where plans have prior approval of a classification society.

XXI. Approval of plans of vessels:

Fee schedule (*gross tons*)

Under 100 tons	$50
Over 100 tons to 250 tons	60
Over 250 tons to 500 tons	70
Over 500 tons to 750 tons	85
Over 750 tons to 1,000 tons	95
Over 1,000 tons to 1,500 tons	110
Over 1,500 tons to 2,000 tons	130
Over 2,000 tons to 3,000 tons	150
Over 3,000 tons to 4,000 tons	175
Over 4,000 tons to 6,000 tons	200
Over 6,000 tons to 8,000 tons	230
Over 8,000 tons to 10,000 tons	260

Over 10,000 tons, $260 plus $18 each 1,000 tons over 10,000.

Note 1.—For passenger vessels proposed to carry more than 100 passengers, an additional fee of $50 for each additional 100 passengers or portion thereof proposed to be carried is to be prescribed.

Note 2.—In 46 CFR 31.10–5, 71.65–1 and 91.55–5 certain plans are marked which may have prior approval of a classification society. When plans are received without prior approval of a classification society, the applicable fee based on the above fee schedule shall be increased by 50 percent.

Note 3.—Approval of cargo gear plans required when plans are not approved by a classification society (46 CFR 31.37–15, 71.47–15, and 91.37–15) the fee shall be $100, which is in addition to the applicable fee in above fee schedule.

XXII. Factory and shop inspections of equipment (a minimum fee of $20.00 shall be charged for each visit made by a Coast Guard Officer or agent for the purpose of conducting shop or factory inspections):

Buoyant apparatus, $3.00.

Buoys, life, ring, $0.75.

Davits (set), $30.00.

Doors, watertight, sliding, including controls, $15.00.

Ladders, embarkation-debarkation (flexible), $0.75.

Lifeboats: 40 persons or less, $22.00; 41 to 85 persons, $30.00; over 85 persons, $37.50.

Motor Lifeboats or lifeboats fitted with hand propelling gear: 40 persons or less, $37.50; 41 persons to 85 persons, $45.00; over 85 persons, $52.50.

Life Floats, $4.50.

Life preservers, fibrous glass, Models 51, 52, 55 and 56, $0.15.

Life preservers, kapok, Models 2, 3, 5 and 6, $0.15.

Life rafts, $22.50.

Line throwing appliances, impulse-projected rocket type, and equipment, $1.50.

Signal pistols for parachute and flare distress signals, $0.75.

Signals, distress combination flare and smoke, hand, $0.40.

Signals, distress, flare, red, hand, $0.40.

Signals, distress, hand-held rocket-propelled parachute and flare, $0.40.

Signals, distress, smoke, orange, floating, $0.40.

Signals, distress, smoke, orange, hand, $0.40.

Winches, lifeboat, $45.00.

Boilers: 3000 sq. feet heating surface and under, $15.00; over 3,000 to 10,000 sq. feet heating surface, $60.00; over 10,000 sq. feet heating surface, $90.00.

Air tanks (receivers, storage): 100 cu. feet volume and under, $7.50; over 100 cu. feet to 300 cu. feet volume, $15.00; over 300 cu. feet volume, $22.50.

Heat Exchangers (feed-water heaters, fuel oil heaters, evaporators, etc.): 18 inches outside diameter and under, $30.00; over 18 inches outside diameter, $60.00.

Cargo tanks (liquefied petroleum gas): 60 inches outside diameter and under, $90.00; over 60 inches outside diameter, $180.00.

Class "A" Materials: Boiler plates, $1.35 per Short Ton; rivets, $1.35 per Short Ton; structural shapes, $1.35 per Short Ton.

Furnaces, dished or flanged plates (at places other than boiler or pressure vessel fabricating shop), $7.50.

XXIII. Officers' Licenses:

License, Master, Steam/motor, Ocean, $50.00.

License, Master, Steam/motor, Coastwise, $40.00.

License, Master, Sail, Ocean/Coastwise, $20.00.

License, Master, Yachts, Ocean/Coastwise, $40.00.

License, Master, Steam/motor, Great Lakes, $40.00.

License, Master, Steam/motor, Lakes, Bays, Sounds, $40.00.

License, Master, Steam/motor, Rivers, $40.00.

License, Master, Steam/motor, Ferries, $20.00.

License, Master, Yachts, Lakes, Bays, Sounds, Rivers, $30.00.

License, Master, Passenger Barges, $20.00.

License, Master, Vessels operating under special conditions, $30.00.

License, Chief Mate, Steam/motor, Ocean, $40.00.

License, Chief Mate, Steam/motor, Coastwise, $40.00.

License, 2nd Mate, Steam/motor, Ocean, $30.00.

License, 2nd Mate, Steam/motor, Coastwise, $30.00.

License, 3rd Mate, Steam/motor, Ocean, $20.00.

License, 3rd Mate, Steam/motor, Coastwise, $20.00.

License, Mate, Inland or rivers, $20.00.

License, Mate, Vessels operating under special conditions, $20.00.

License, Pilot, 1st or 2nd Class, $30.00.

License, Pilot, Steam yachts; lakes, Bays, Sounds, or Rivers, $20.00.

License, Pilot, Tank vessels not over 150 gross tons, $20.00.

License, Pilot, Vessels operating under special condition, $20.00.

License, Chief Engineer, Steam Vessels, $50.00.

License, Chief Engineer, Motor Vessels, $50.00.

License, 1st Ass't Engineer, Steam Vessels, $40.00.

License, 1st Ass't Engineer, Motor Vessels, $40.00.

License, 2nd Ass't Engineer, Steam Vessels, $30.00.

License, 2nd Ass't Engineer, Motor Vessels, $30.00.

License, 3rd Ass't Engineer, Steam Vessels, $20.00.

License, 3rd Ass't Engineer, Motor Vessels, $20.00.

License, Engineer of Motor Vessels operating on Puerto Rican or Hawaiian Waters, $20.00.

License, Radio Officer, $10.00.

License, Master, Motor/Sail, uninspected vessels, $30.00.

License, Mate, Motor/Sail, uninspected vessels, $10.00.

License, Chief Engineer, Motor, uninspected vessels, $30.00.

License, Ass't Engineer, Motor, uninspected vessels, $10.00

Lifting of limitations on licenses, $10.00.

Removal of restriction on licenses, $10.00.

Endorsements extending routes on licenses, $15.00.

Endorsements as pilot on licenses, $15.00.

Renewal of licenses, $10.00 (when no examination is required).

Renewal of licenses, $15.00 (when examination is required).

XXIV. Seamen's Documents:

Certificates, Staff Officers, $10.00.

Continuous Discharge Books, $10.00.

Merchant Mariners' Documents, $10.00.

Endorsements requiring examinations on Merchant Mariners' Documents, $10.00.

Endorsements not requiring examinations on Merchant Mariners' Documents, $5.00.

XXV. Shipment and Discharge of Merchant Seamen:

Shipping Articles, including shipment and discharge services by Shipping Commissioners; Shipments or Discharges (charges to be established at shipment, and to include both shipment and discharge services):

Fee schedule: Minimum of $15.00 with 100 Men or or less, $1.00 for each man; over 100 Men to 500 Men, $100.00 Plus; $0.75 for each Man over 100; over 500 Men, $400.00 Plus; $0.50 for each Man over 500.

XXVI. Approvals or Acceptance and Certificates of Approvals:

Certification or acceptance of an item of equipment or material as authorized for use on vessels in accordance with law or rules and regulations in 46 CFR Chapter I. In those instances where charges based on actual costs have been made for tests and examinations conducted by Government agencies or commercial organizations at the request of the Coast Guard, such charges will continue in addition to the fees indicated below. For the renewal of a certification or the approval of an alteration of an approved item requiring reissuance of a certificate of approval, the fee is to be $12.00. The fee to obtain each initial certification or acceptance is to be as follows:

a. Appliances, liquefied flammable gas (46 CFR 38.10–1): $40.00.

b. Boilers, auxiliary, automatically controlled, packaged, for merchant vessels (46 CFR 162.026): $352.00.

c. Boilers, heating (46 CFR 52.01–15): $183.00.

d. Bulkhead panels (46 CFR 164.008); $52.00.

e. Buoyant apparatus (46 CFR 160.010); $112.00.

f. Buoyant cushions (46 CFR 160.048, 160.049); $31.00.

g. Buoyant vests (46 CFR 160.047, 160.052, 160.060): $31.00.

h. Buoys, life, ring, for merchant vessels and motorboats (46 CFR 160.009, 160.050): $56.00.

i. Compasses, lifeboat (46 CFR 33.15–10(e), 75.20–15(e), 94.20–15(e)): $62.00.

j. Containers, emergency provisions (46 CFR 33.15–10, 75.20–15, 75.20–20, 94.20–15, 94.20–20); $54.00.

k. Containers, water (46 CFR 160.026): $54.00.

l. Davits, gravity type (46 CFR 160.032): $322.00.

m. Davits, quadrantal or sheath screw type (46 CFR 160.032): $241.00.

n. Deck coverings (46 CFR 164.006): $52.00.

o. Desalter kits (46 CFR 160.058): $31.00.

p. Fire extinguishing systems, fixed (46 CFR 34.05–5(a), 76.05–20(a), 95.05–10(a)): $172.00.

q. Fire protective systems (46 CFR 161.002): $472.00.

r. Fishing tackle kits (46 CFR 160.061): $31.00.

s. Flame arresters, backfire (for carburetors) (46 CFR 162.041, 162.042, 162.043): $35.00.

t. Flame arresters for tank vessels (46 CFR 162.016): $56.00.

u. Flashlights, electric hand (46 CFR 161.008): $67.00.

v. Fusible plugs (46 CFR 162.014): $12.00.

w. Gas masks, self-contained breathing apparatus, and supplied air containers (46 CFR 160.011): $30.00.

x. Gaging devices, liquid level, liquefied compressed gas (46 CFR 38.10–20, 40.05–45, 98.25–45): $34.00.

y. Hand propelling gear, lifeboat (46 CFR 160.034): $262.00.

z. Hatchets, lifeboat and liferaft (46 CFR 160.013): $26.00.

aa. Incombustible materials (46 CFR 164.009): $52.00.

ab. Indicators, boilers, water-level, secondary type (46 CFR 52.70–50): $45.00.

ac. Jacknife, with cap opener (46 CFR 160.043): $30.00.

ad. Kits, first-aid, for inflatable liferafts (46 CFR 160.054): $60.00.

ae. Kits, first-aid (46 CFR 160.041): $60.00.

af. Ladders, embarkation-debarkation (flexible) (46 CFR 160.017): $77.00.

ag. Lamps, safety, flame (46 CFR 160.016): $30.00.

ah. Lifeboats (46 CFR 160.035): $212.00.

ai. Lifefloats (46 CFR 160.027): $112.00.

aj. Life preservers, fibrous glass, Models 51, 52, 55, and 56 (46 CFR 160.005): $70.00.

ak. Life preservers, kapok, Models 2, 3, 5, and 6 (46 CFR 160.002): $70.00.

al. Life preservers, repairing, and cleaning (46 CFR 160.006): $45.00.

am. Life preservers, unicellular plastic foam (46 CFR 160.055): $70.00.

an. Liferafts (46 CFR 160.018): $142.00.

ao. Liferafts, inflatable (46 CFR 160.051): Initial approval $200.00; Periodic inspection and tests $50.00.

ap. Lights, water, electric, floating, automatic (with bracket for mounting), for merchant vessels (46 CFR 161.001): $137.00.

aq. Lights, water, self-igniting (calcium carbide-calcium phosphide type), for merchant vessels (46 CFR 160.012): $82.00.

ar. Line-throwing appliance, impluse-projected rocket type (and equipment), for merchant vessels (46 CFR 160.040): $127.00.

as. Line-throwing appliance, shoulder gun type (and equipment), for merchant vessels (46 CFR 160.031): $127.00.

at. Loudspeaker system, emergency (46 CFR 113.50–5): $472.00.

au. Mechanical disengaging apparatus, lifeboat, for merchant vessels (46 CFR 160.033): $262.00.

av. Mirrors, signaling (emergency) (46 CFR 33.15–10(v), 75.20–5(v), 75.20–20(f), 94.20–15(v), 94.20–25(f)): $37.00.

aw. Nozzles, fire hose, combination solid stream and water spray (1½-inch and 2½-inch), for merchant vessels (46 CFR 162.027): $45.00.

ax. Pumps, bilge-lifeboat (46 CFR 160.044): $77.00.

ay. Rescue boat (46 CFR 160.056): $60.00.

az. Sea anchors, lifeboat (46 CFR 33.15–10 (ee), 75.20–15(ff), 94.20–15(ee)): $34.00.

ba. Searchlights; motor lifeboat (46 CFR 161.006): $66.00.

bb. Signal pistols for parachute red flare distress signals (46 CFR 160.028): $67.00.

bc. Signals, distress, combination flare and smoke, hand (46 CFR 160.023): $72.00.

bd. Signals, distress, flare, red, hand (46 CFR 160.021): $72.00.

be. Signals, distress, hand-held rocket-propelled parachute red flare (46 CFR 160.-036): $72.00

bf. Signals, distress, pistol-projected parachute red flare (46 CFR 160.024): $72.00

bg. Signals, distress, smoke, orange, floating (46 CFR 160.022, 160.057): $72.00.

bh. Signals, distress, smoke, orange, hand (46 CFR 160.037): $72.00

bi. Structural insulation (46 CFR 164.-007): $52.00.

bj. Tanks, portable, for combustible liquids (46 CFR 98.35–7): Initial approval $200.00; Periodic test and inspection $50.00.

bk. Telephone systems, sound-powered (46 CFR 113.30–25): $125.00.

bl. Valves, pressure-vacuum, relief and spill, for tank vessels (46 CFR 162.017): $67.00.

bm. Valves, relief, hot water heating boilers (46 CFR 162.013): $56.00.

bn. Valves, safety, power boilers (46 CFR 162.001): $67.00.

bo. Valves, safety, steam heating boilers (46 CFR 162.012): $56.00.

bp. Valves, safety relief, liquefied compressed gas (46 CFR 162.018): $56.00.

bq. Welding electrodes (46 CFR 56.01–20): $12.00.

br. Winches, lifeboat (46 CFR 160.015): $322.00.

bs. Work vests, unicellular plastic foam (46 CFR 160.053): $31.00.

Approval of plans of repairs or minor alterations. No fees are to be prescribed.

AMENDMENT OF INTERCOASTAL SHIPPING ACT OF 1933, RELATING TO ACCOUNTING AT THE EXPIRATION OF A RATE SUSPENSION

Mr. MAGNUSON. Mr. President, I introduce, at the request of the Federal Maritime Commission, a bill to amend the Intercoastal Shipping Act of 1933 to provide for accounting at the expiration of a rate suspension. I ask unanimous consent that the letter from the Chairman of the Federal Maritime Commission together with a statement of the bill's needs and purposes prepared by the Commission be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The bill (S. 3544) to amend the Intercoastal Shipping Act of 1933 to provide for accounting at the expiration of a rate suspension, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement, presented by Mr. MAGNUSON, are as follows:

FEDERAL MARITIME COMMISSION,
Washington, D.C., June 10, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There are submitted herewith four copies of a proposed bill, to amend the Intercoastal Shipping Act of 1933, to provide for accounting at the expiration of a rate suspension.

The need for and purpose of the proposed bill are set forth in the accompanying statement.

The Federal Maritime Commission urges enactment of the bill at the second session of the 89th Congress for the reasons set forth in the accompanying statement.

The Bureau of the Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

JOHN HARLLEE,
Rear Admiral, U.S. Navy (Retired)
Chairman.

(Enclosures.)

STATEMENT OF PURPOSES AND NEED FOR THE BILL TO AMEND INTERCOASTAL SHIPPING ACT OF 1933 TO PROVIDE FOR ACCOUNTING AT THE EXPIRATION OF A RATE SUSPENSION

The bill would amend section 3 of the Intercoastal Shipping Act, 1933, and authorize the Federal Maritime Commission to require a carrier to keep a detailed account of its charges when a suspended rate goes into effect prior to the conclusion of a hearing as to its lawfulness. In addition, in the event the proposed increased rate is found unlawful, the Commission would be authorized to order refunds, with interest, to shippers who have paid the proposed increased rates. This amendment is similar to language contained in the Interstate Commerce Act with respect to accounting for the monies and would offer similar protection to shippers.

COMMISSARY PRIVILEGES FOR DISABLED VETERANS

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill to permit certain service-connected disabled veterans to use commissary stores operated for military personnel.

A short time ago, the Eielson Area Post of the Veterans of Foreign Wars, Alaska, suggested to me that veterans with disability ratings of 50 percent or more were in dire need of commissary privileges in order to make the best use of their monthly compensation checks. Upon discussing this proposal with the director of the National Legislative Service of the Veterans of Foreign Wars here in Washington, I found enthusiastic support for the proposal.

In addition, the Alaska State Legislature, on April 14 of this year, passed Senate Joint Resolution 107 in support of commissary privileges for service-connected disabled veterans with disability of 50 percent or more. I ask unanimous consent that Senate Joint Resolution 107 of the Alaska State Legislature be printed in the RECORD following my remarks.

I am pleased to sponsor this measure because I think it has considerable merit and I am sure it will attract the support of other Senators.

Mr. President, I ask unanimous consent that the text of the bill also be printed in the RECORD following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and joint resolution of the Alaska State Legislature will be printed in the RECORD.

The bill (S. 3546) to permit certain service-connected disabled veterans to use commissary stores operated for military personnel, introduced by Mr. BARTLETT, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 3546

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That chapter 147 of title 10, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 2483. Commissary stores: disabled veterans

"Under such regulations as may be prescribed by the Secretary of Defense, any veteran (as defined in section 101(2) of title 38, United States Code) who has a service-connected disability of 50 per centum or more, as determined by the Administrator of Veterans' Affairs, shall be granted the privilege of using the services and facilities of commissary stores operated for the benefit of military personnel."

SEC. 2. The section analysis at the beginning of chapter 147 of title 10, United States Code, is amended by adding at the end thereof the following:

"2483. Commissary stores: disabled veterans."

The joint resolution, presented by Mr. BARTLETT, is as follows:

"SJR 107

"Joint resolution relating to commissary privileges for the service-connected disabled veteran

"*Be it resolved by the Legislature of the State of Alaska:*

"Whereas veterans that have a service-connected disability rating of 50 per cent or more are forced to the lower end of our economic and social scale, because 50 per cent or more of their ability to earn a living has been forfeited; and

"Whereas commissary privileges would allow the service-connected disabled veteran to utilize his compensation check to the fullest extent and help to ensure such veterans an adequate standard of living; and

"Whereas our moral obligation to the service-connected disabled veteran is no different than to a medically discharged or retired veteran;

"*Be it resolved*, That members of the Alaska delegation to the Congress of the United States introduce legislation granting commissary privileges to veterans having a service-connected disability rating of 50 per cent or more, or otherwise take appropriate action."

Copies of this resolution shall be sent to the Honorable Lyndon B. Johnson, President of the United States; the Honorable William Driver, Administrator of Veterans' Affairs; the Honorable E. L. BARTLETT and the Honorable ERNEST GRUENING, U. S. Senators, and the Honorable RALPH J. RIVERS, U. S. Representative, members of the Alaska delegation in Congress.

AUTHENTICATION

The following officers of the Legislature certify that the attached enrolled resolution, SJR 107, was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

Passed by the Senate, April 14, 1966.

ROBERT J. MCNEALY,
President of the Senate.

Attest:

EVELYN K. STEVENSON,
Secretary of the Senate.

Passed by the House, April 16, 1966.

MIKE GRAVEL,
Speaker of the House.

Attest:

NADINE WILLIAMS,
Chief Clerk of the House.
WILLIAM A. EGAN,
Governor of Alaska.

PROPOSED AMENDMENTS TO PRICE-ANDERSON ACT—ANNOUNCEMENT OF HEARINGS

Mr. ANDERSON. Mr. President, last year the Joint Committee on Atomic Energy recommended a 10-year extension of the Price-Anderson nuclear indemnity legislation, which was subsequently enacted as Public Law 89-210. In its report recommending this extension, the committee stated there are a number of problems involving the Price-Anderson legislation which warrant further review by the executive and legislative branches. Among these are the adequacy of State tort law applicable to nuclear incidents, and the desirability of amending the Price-Anderson Act to establish the basis of liability for such incidents and to assure an effective means of consolidation of suits resulting therefrom. The committee further stated that it expected to conduct hearings on this subject as early as practicable.

Since last year considerable study has been given to this matter by representatives of private industry in close cooperation with the staff of the Atomic Energy Commission and the Joint Committee. As a result of this cooperative effort, a proposed bill has been drafted which Representative MELVIN PRICE and I are introducing today. I believe this bill is a constructive step toward resolving some of the major problems specified in the Joint Committee's 1965 report. This proposed legislation should also serve as a suitable basis for the hearings which the Joint Committee intends to conduct. I particularly want to commend the initiative of those in private industry and the Government who have come forward with this proposal.

I have discussed this matter with the chairman of the Joint Committee, Representative CHET HOLIFIELD, and we have agreed that the committee's hearings on this bill should commence July 19.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3548) to amend the Atomic Energy Act of 1954, as amended, was received, read twice by its title, and referred to the Joint Committee on Atomic Energy.

HOUSING BILL FOR DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, all of us who live and work in Washington are aware of the difficult, often deplorable and sometimes desperate conditions under which many of our fellow citizens are housed.

Last week I visited sections of Washington where thousands of people live in perpetual squalor; in houses and apartments often without paint or screens, sometimes without electricity, and all too frequently with plumbing in a bad state of disrepair. There is virtually no insulation in many of these houses. Garbage and refuse is strewn in the streets and yards. The occupants' constant companions are rodents and vermin. And the smell of poverty is everywhere.

No doubt these slum conditions are in part caused by housing shortages which crowd too many human beings into one small room or apartment. No doubt also, attitudes of despair and frustration of many slum dwellers and slum property owners also cause some houses to fall into disrepair and eventual condemnation by local authorities. This in turn, creates additional housing shortages.

One thing is clear: We cannot promise a life of dignity for all of our citizens without, at the very least, enabling them to live in decent houses.

There are several ways to cope with this problem: urban renewal is one. Providing for repair by the District of Columbia at the expense of the owner of buildings violating the housing regulations is another. This last approach is taken in S. 2331, a bill introduced last year by the Senator from New Jersey [Mr. CASE]. Greatly expanded reporting, inspecting and citing of housing code violations is still another way to grapple with the problem.

A fourth approach is incorporated in a bill which I am introducing today on behalf of the Senator from New York [Mr. KENNEDY], and myself. This bill is patterned after a bill drafted by the Washington Planning and Housing Association. For the past few months our offices have met with representatives of the Washington Planning and Housing Association and have discussed their draft bill with representatives of the Washington Board of Realtors; the District of Columbia Department of Licenses and Inspections; judges and officials of the Court of General Sessions; civil rights organizations; the Home Builders Association of Metropolitan Washington; National Association of Housing and Redevelopment officials; housing officials in other cities and persons in academic life knowledgeable in this area. The bill we introduce today is a result of these discussions. Senator KENNEDY and I plan to hold hearings in the Business and Commerce Subcommittee of the District of Columbia Committee later this month on Senator CASE's bill and on the bill which we introduce today.

In general outline, this bill does seven things:

First, it authorizes "rent trusteeships." Under such an arrangement rents are paid into a court-administered trust, which is then used to effect the necessary repairs. A rent trusteeship could be established by court order when a landlord fails to respect a final administrative order to remedy a housing code violation.

Second, it discourages landlords from evicting tenants or increasing their rent in retaliation for a tenant's lodging of a complaint under the housing regulations. A landlord is prevented from evicting or increasing the rent of a tenant for 9 months after the lodging of such a complaint; except for specified legitimate purposes, such as to obtain possession for his own personal use. While retaliatory evictions or increases may not be widespread, they do occur, and it is thought that the possibility that a landlord may retaliate discourages tenants from bringing legitimate violations to the attention of the authorities.

Third, it prevents landlords from attempting to shift to their short-term tenants the obligation to make repairs, unless such repairs are made necessary by the tenant's negligence.

Fourth, the bill clarifies the Commissioner's current authority to repair unsafe structures and to charge the costs of such repairs to the property owner. Senator Case's bill would grant the District Commissioners similar authority.

Fifth, tenants are, for the first time, made statutorily responsible for exercising reasonable care in keeping their dwellings clean and sanitary. The bill would authorize the Commissioners to establish a housing education program to help owners and occupants meet their responsibilities. An owner or occupant who fails to keep his dwelling clean could be required to participate in a housing education program. The concept is similar to sending a negligent driver to driving school.

Sixth, some procedural reforms are made which should discourage landlords from filing suits in landlord-tenant court before making an effort to collect delinquent rents. The judge sitting in the landlord-tenant court is given wider discretion to conciliate controversies between the landlord and tenant.

Seventh, the bill provides that a landlord who fails to comply with deficiency notices of the Housing Division 30 days after the violation has been turned over to the corporation counsel for enforcement will be penalized $3 per day for each such unremedied violation. All violations are made to run against the property, so that violations will not lapse when it is sold, mortgaged, or leased. This would close a serious loophole in existing law.

Mr. President, I want to emphasize that our purpose in introducing this bill is to put before the District of Columbia Committee a number of concrete proposals which responsible members of the community, knowledgeable on housing matters, believe to be useful in meeting some of the housing problems of the District.

The purpose of the bill is not to take sides in the often emotional interaction between landlords and tenants. The purpose of the bill is not to castigate landlords as selfish or tenants as irresponsible. Rather, the purpose of the bill is to provide a vehicle for an in-depth analysis of the extent of substandard housing in the District of Columbia and a study of what legislation might be useful to improve existing housing. Our basic objective is to find practical means of bringing more of our present housing supply up to adequate standards of health and safety.

This bill and the hearings that will be held in the coming weeks are only first steps. They deal primarily with existing housing and not with the equally, if not more, serious problem of increasing the housing supply. The housing problem is immense and I have no illusion that we will solve all the problems in 1 month or 1 year and certainly not in one set of hearings. But if we are able even partially to ameliorate the conditions of ill housing that still affect many thousands of residents of this Capital City, our efforts will not be in vain.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

(The bill (S. 3549) to amend certain provisions of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to landlords and tenants, introduced by Mr. Tydings (for himself and Mr. Kennedy of New York), was received, read twice by its title, and referred to the Committee on the District of Columbia.

Mr. KENNEDY of New York. Mr. President, I am glad to cosponsor the legislation which Senator Tydings has introduced today. I think it is time that we in Congress take a careful look at the housing situation here in the District, and this bill will give us a chance to do that. I look forward to participating in the hearings and to examining and analyzing the bill in detail. I want to emphasize that I am not necessarily committing myself to each and every provision of the bill. It is long and complex, and should undoubtedly be strengthened in some ways and modified in others. In particular, I have some doubts about the tenant responsibility and housing school provisions of the bill. We can explore this matter in our hearings, as well as the possibility that tenants should be afforded a private remedy against abuses by landlords, in addition to the other remedies contemplated by this bill. I look forward to hearing the testimony of those who will appear before our subcommittee, so that we can develop the bill's proposals further and discuss the housing problem in the District generally. We will want to know about the administration of the District's housing law and the enforcement of its codes. We will want to examine landlord and tenant relationships and practices. With the information that we develop in the hearings, we can take further action to perfect the bill which the Senator from Maryland introduces today, and to improve housing code enforcement and administration in the District.

REMOVAL OF CERTAIN AGRICULTURAL PRODUCTS FROM CONSIDERATION FOR TARIFF REDUCTION UNDER THE TRADE EXPANSION ACT OF 1962

Mr. HOLLAND. Mr. President, on behalf of myself and Senators Allott, Curtis, Dominick, Hruska, Robertson, Tower, and Young of North Dakota, I introduce, for appropriate reference, a joint resolution and ask that it lie on the table for 1 week for additional cosponsors, and be printed in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record, and remain at the desk for 1 week for additional cosponsors, as requested by the Senator from Florida.

The joint resolution (S.J. Res. 171) to require the removal of certain agricultural products from negotiation of tariff reductions under the Trade Expansion Act of 1962, and for other purposes, introduced by Mr. Holland (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S.J. Res. 171

Whereas more than two years have expired since public hearings were held by the United States Tariff Commission and the Committee for Trade Information with respect to the President's List of Articles for Possible Consideration in Trade Agreement Negotiations; and

Whereas domestic growers and producers of certain agricultural products testified at the public hearings in opposition to further tariff reductions on the ground of the then existing vulnerability of many domestic crops to import competition; and

Whereas returns to growers and producers have decreased and costs to consumers have increased since the public hearings were closed because of the unavailability of an adequate supply of qualified domestic labor to harvest crops resulting in losses and increased costs of production; and

Whereas there has been a virtual prohibition since January 1965 of the employment of foreign supplemental labor theretofore admitted to the United States for the harvesting of many crops in the absence of an adequate supply of qualified domestic labor; and

Whereas these conditions which have arisen since the public hearings have increased the vulnerability of many domestic crops to import competition, and may be expected to stimulate domestic investment in foreign agricultural enterprises, while simultaneously hastening the further mechanization of domestic planting and harvesting operations, to the detriment of agricultural employment: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President shall reserve from negotiation under title II of the Trade Expansion Act of 1962, for the reduction of any duty or other import restriction or the elimination of any duty, any agricultural article which the Secretary of Agriculture certifies was grown, produced, or harvested in the United States during the three-year period 1962 to 1964 with the substantial use of labor of aliens lawfully admitted to the United States for such purpose.

Sec. 2. Within thirty days after the date on which this joint resolution is agreed to, the Secretary of Agriculture shall certify to the President, and publish in the Federal Register, those agricultural articles which were grown, produced, or harvested in the United States during the three-year period 1962 to 1964 with the substantial use of labor of aliens lawfully admitted to the United States for the purpose of performing services in connection with the growing, producing, or harvesting of such agricultural articles.

Mr. HOLLAND. Mr. President, this joint resolution provides for the removal of certain agricultural products from the Presidential list of items to be considered for tariff reduction under the Trade Expansion Act of 1962.

Florida is one of the leading producers of fruits and vegetables in this country. It is primarily an agricultural State and its economic well-being and prosperity are overwhelmingly linked to products of the soil.

The immediate as well as the long-range effect of certain national policies that have been or are about to be implemented either by legislation or administrative action are of deep concern to all agricultural interests.

The first of the adverse actions that affected the fruit and vegetable growing in my State, was the virtual elimination of imported workers who prior to 1965 had been brought into the State under appropriate regulations to help in the growing and harvesting of various crops. Severe hardship was caused by the precipitate manner of the cutoff and the inflexibility of the Department of Labor in acceding to emergency needs.

The second dark cloud is in the form of the pending minimum wage bill with its provisions for extended coverage of farmworkers.

Already there have been outcries from the public against the rise in food prices in this country since a year ago. I have reliable reports to the effect that farm wages in Florida have risen some 20 to 40 percent since last year in efforts to attract additional domestic labor. At the same time, the growers have been plagued with a higher labor turnover and lower productivity per man-day or man-week.

The overall net effect has been to increase the cost of production and to stimulate imports. Not only have imports increased but acreage devoted to fruit and vegetable crops in Mexico and the Caribbean Islands and Central America has been rising sharply.

As if this were not enough to bring discouragement to Florida growers or to lure them to offshore plantings of their own, the tariff on fruits and vegetables under the so-called Kennedy round, which is under negotiation in Geneva, might be reduced a full 50 percent across the board with a bare minimum of exceptions.

Mr. President, I confess to an inability to understand the reason for this triple assault on the fruit and vegetable industry. What has this industry done to incur so high a degree of hostility from our Government and administrative officials? I believe that it is imperative if our fruit and vegetable industry is to survive that these policies be reviewed in the light of their effects on this branch of agriculture that is so important to the consumer health of this country.

Florida is the source of a high proportion of our citrus products, in the form of oranges, grapefruit, limes, and tangerines. It also contributes heavily to the supply of tomatoes and a large variety of other vegetables such as green beans, cabbage, celery, cucumbers, strawberries, sweet corn, green peppers, and so forth. These items are all recognizable as elements of the national diet of which they are a vital constituent.

The question is threefold:

First. Are we in the United States to continue using our land resources to their best advantage in growing such crops or is an increasing part of the supply to be shifted to low-wage areas that lie close at hand across our national boundaries or offshore at no great distances?

Second. Is the American housewife to be saddled with the higher costs forced by the cutoff of imported workers and the extension of minimum wages to farm labor, thus again increasing costs?

Third. Are we to hasten the mechanization of growing and harvesting of our crops to the point of displacing farm workers more rapidly than production expands, in feverish efforts to meet import competition?

Let me say a word about each of these three questions. As for the utilization of our land resources to their best advantage in producing fruits and vegetables, this will be greatly discouraged by strong impetus, already felt, that will send more and more dollars into farm purchase and operation in Mexico and the islands and lands in or adjacent to the Caribbean and the gulf.

In a recent report of the Foreign Agricultural Service of the U.S. Department of Agriculture—May 1966—it is estimated that planting of orange trees in Mexico has doubled in the past 5 years. Several reasons are given for this expansion, one being the "many press articles on the problems in harvesting U.S. citrus following the end of the bracero program." Another reason is given as "the need in Mexico for crops that require more hand labor than the basic field crops."

The attraction to American capital is obvious. The same report gives the minimum wages paid in various parts of Mexico per 8-hour day. For 1965–66 these are reported as $1.72 per day on the west coast of Mexico, $1.48 in Veracruz and $1.42 in Montemorelos. Social security adds about 10 percent to these rates, the report says. Skilled wages are higher, it adds, but few are paid over $3 per day.

Compare this pay with the domestic wages and we find that hourly wages on farms in Florida are nearly as high as the daily wages in Mexico.

The upsurge in citrus production—oranges and tangerines—in Mexico is illustrated by the jump of the number of trees from 14,500,000 trees in 1961 to 34,900,000 in 1966. Over half of these are concentrated in the State of Veracruz and close to water transportation to this country.

The expansion aimed at the American market is, however, not confined to citrus crops. Fresh tomato production has also climbed sharply and other vegetable products are on the upgrade. Fresh tomato exports from Mexico rose to a record high of 265 million pounds in 1965 and is estimated by our Department of Agriculture to grow from 30 to 40 percent in 1966. This estimate is supported by the import statistics during December–March 1965–66 compared with the same period in 1964–65. Imports from Mexico in poundage increased 29.5 percent in those two 4-month periods.

The trend in strawberry production in Mexico is equally alarming for our growers. Mexican production has more than doubled in the last 4 years, moving from 25,400 short tons during the 1961–62 season to 55,000 short tons during the 1965–66 season. U.S. imports of frozen strawberries have risen from 23 million pounds in 1959–61 period to 51.8 million pounds in 1965. In the first 2 months of 1966 they have been running well ahead of 1965. Meantime Mexico is pushing us out of the Canadian market.

Mr. President, what more do we need to point up the trend which I believe to be a direct result of the policies adopted by our Government toward our growers? The outlook for greater expansion in nearby countries and islands is very bright. The outlook for the American grower is proportionately bad.

The answer to my first question then is that a growing share of the American consumption of fruits and vegetables of the kind grown in Florida, with the intensive utilization of the State's land resources, will in the future shift beyond our boundaries if present policies are allowed to continue.

The second question has to do with higher costs. Unquestionably increased costs in the past year have been sufficient to denote a trend. This will be aggravated as a result of the minimum wage legislation if it is passed in its present form. Costs will rise, and this will produce two effects that will be injurious to our farm labor. One of these is feverish exertion to achieve greater mechanization of both growing and harvesting operations, thus leading to massive displacement of workers. The other will be acceleration of investment of American capital in farming operations in Mexico and the islands and other areas already mentioned. This is already well under way. It means essentially that while we have virtually cut off the access of foreign workers to our farms, we are taking our work to them on their home grounds.

This course of investment effectively circumvents the higher costs incurred in this country by the policies designed in theory to help American farm labor. Thus do we produce some bizarre effects through legislative and administrative action that refuses to be guided by the facts in the premises.

Mr. President, it seems unthinkable that on top of this evidence of rising imports and increasing farm costs in this country, it would be proposed to cut our tariffs on fruits and vegetables. Yet, under the Kennedy round, and under the ground rules agreed to in Geneva, we are committed to a 50-percent tariff cut "across the board with a bare minimum of exceptions."

I must repeat that I find it difficult to believe that we should knowingly commit ourselves to such a course as I have described. Therefore, I have introduced the joint resolution, cosponsored by some of my colleagues, that would remove all agricultural products that prior to 1965 were grown or harvested with the substantial help of foreign workers admitted lawfully into this country for the purpose, from the possibility of further tariff reductions.

DESIGNATION OF YORK, PA., AS HONORARY CAPITAL OF THE UNITED STATES ON JULY 4, 1966

Mr. SCOTT. Mr. President, I submit for appropriate reference a resolution declaring that it is the sense of the Senate that on July 4, 1966, the city of York, Pa., should be deemed to be the honorary Capital of the United States.

The idea that some means might be found to designate York Capital for a day, was originally suggested to me by York's State Senator, Robert O. Beers.

York was, in fact, our Nation's Capital when, following the British capture of Philadelphia, the Continental Congress sat there from September 30, 1777 until June 27, 1778. During that period the Continental Congress adopted the Articles of Confederation and transmitted them for ratification to the original thirteen States. News of the French Alliance, which many historians believe to have been a decisive factor in bringing our war for independence to a successful conclusion, was received by the Continental Congress in York.

York, the oldest settlement in Pennsylvania west of the Susquehanna, is now celebrating the 225th anniversary of its founding. York's 200th anniversary occurred during World War II and, because the city fathers felt that it would be inappropriate to have a celebration at that time, the celebration was officially deferred for 25 years.

The original town of York was laid out in 1741 under the authority of the members of the Penn family who were the colonial proprietors of Pennsylvania. Today, York is the center of one of the richest farming areas in the country. It is a vibrant and thriving community which produces industrial machinery, many kinds of paper, textile products, cement, lime, candy, furniture, and good cigars.

The citizens of York are conducting a series of ceremonies and events marking their anniversary. The final day of this celebration will be this July 4th, the anniversary of the Declaration of Independence.

Because of York's important role in the founding of the United States under a constitutional form of government, and in conjunction with that historic city's anniversary celebration, I believe that it would be particularly fitting for the Senate to resolve that York should be deemed honorary Capital of the United States on July 4, 1966.

The **PRESIDING OFFICER**. The resolution will be received and appropriately referred.

The resolution (S. Res. 279) was referred to the Committee on the Judiciary as follows:

S. Res. 279

Whereas the calendar year 1966 marks the two hundred and twenty-fifth anniversary of the establishment of the city of York, Pennsylvania; and

Whereas from time to time in this year of 1966 the citizens of York, Pennsylvania, are conducting appropriate ceremonies and events in celebration of this historic anniversary; and

Whereas the city of York, Pennsylvania, has played a significant role in the founding of the United States under a constitutional form of government; and

Whereas from September 30, 1777, until June 27, 1778, the Continental Congress sat at York, Pennsylvania; and

Whereas it was during this period that the Articles of Confederation were adopted by the Continental Congress and transmitted for ratification to the original thirteen States: Now, therefore, be it

Resolved, That the Senate hereby extends to the city of York, Pennsylvania, its most cordial greetings and felicitations upon the occasion of the two hundred and twenty-fifth anniversary of the establishment of such city; and be it further

Resolved, That it is the sense of the Senate that on July 4, 1966, the city of York, Pennsylvania, should be deemed to be the honorary Capital of the United States.

CONGRESS MUST ACT TO PRESERVE AMERICA'S PARKS FROM DESTRUCTION BY HIGHWAYS

AMENDMENT NO. 616

Mr. **YARBOROUGH**. Mr. President, the highway program of the United States has made a magnificent contribution to the economy of the country. It has provided the Nation with the greatest freedom of mobility of people and goods. It has ribboned the land with a magnificent network of roads, making freely accessible farm and factory, home and business, workplace and play place, providing the ultimate transportation of door-to-door service.

The work of our highway planners and engineers has been a notable achievement. State and Federal Governments have on the whole performed superbly in building the highway system. The people of the country want the highways, use them and pay for them willingly.

Yet in recent years, it must be recognized, there has arisen some sharp discontent—not with the highway system as a whole, but with a series of specific cases in which the highway threatens to become a destroyer rather than a creator, to rob assets rather than add them, to blight rather than build.

These situations have multiplied to an alarming extent and threaten the yet unfinished task of completing the kind of highway system the country needs and wants.

Up to now the highway system has moved well in the open countryside where more elbow room, less costly land rights-of-way and lower density of population have given the highway planner the opportunity to lay out modern highways with least hurt to other interests and maximum gain to all.

But the highways run up against the urban centers and metropolitan areas. What has happened is that the highway planners and engineers have tried to apply what can be well, effectively and most easily done in the open countryside, to the more heavily built-up and populated areas. They have slashed through residential neighborhoods, cut across college campuses, invaded parks and parkland.

Most of the time, they have invaded open spaces on the grounds that these are "free" spaces, despite the fact that the lands themselves have cost money, their development as parks cost more money, they have created important values of all kinds, and most important of all, they are needed by people. They are needed especially by people who have no great estates of their own, no large houses with ample grounds, no elegant and privileged country clubs.

It is ironic that at the same time the Congress has encouraged and provided funds for the acquisition and development of parks and other open spaces, it has permitted the highway program to take away just such spaces. It hardly seems consistent to pay Paul while robbing Peter.

Now, fine statements have been made about the desirability and virtue of respecting open spaces and parks while planning highways. Yet, curiously enough, there always seem to be overriding reasons why the highway through the park is more economical, that automobiles must be taken care of no matter what else. The reality is that the statements are fine but the parks are being lost, sometimes in the face of sound if not better alternate plans and routes.

The trouble is that the highway people have no guiding policy that will not only make them respect these parklands, college campuses, and other open spaces, but give them support in avoiding them to save the precious assets of the people.

In no other time, in the great surge of a population explosion, in the vastly increased demand for facilities for the use of leisure time, in the prevention and elimination of air pollution, has there been an equal need for more rather than less park and open green space. We cannot sit idly by while parks are gobbled up.

This is not a little wayside problem. This is a crisis. The threat to the Brackenridge Park system by a highway in San Antonio, the threat to other parks and historic places elsewhere are symbolic for the whole country. To let the present situation continue will make things worse. We cannot wait until it is too late.

It is still not too late to save some dreadful situations—such as that of Brackenridge Park. The people and the future will thank us for foresight if we declare forthrightly that these parklands must be protected and saved and for making the public policy clear. The highway people too will thank us so that they can go about their business of planning and building highways and not destroying parks, college campuses, and historic treasures. The only assurance that the people of this country can be given is the word of Congress.

Therefore, I am submitting an amendment to the Federal Highway Act, S. 3155, which would declare a national policy that in carrying out the provisions of the Federal-aid highway program maximum effort should be made to preserve Federal, State, and local government parklands and historic sites and the beauty and historic value of such lands and sites. The Secretary of Commerce is authorized to cooperate with the States in developing highway plans and programs which carry out this policy. After July 1, 1968, the Secretary shall not approve any Federal-aid highway program under section 105 of title 23, United States Code, which requires the use of any land from a Federal, State, or local government park or historic site unless: First, there is no feasible alternative to the use of such land; second, the program includes all possible planning to minimize any harm to the park or site resulting from such use; and, third, where possible and appropriate substitute land will be provided for the park or site.

This amendment is consistent with the philosophy of the Federal-aid highway program, which is a program of close Federal-State cooperation. The amendment is patterned after section 134, title 23, United States Code, which was added to the Federal Highway Act in 1962 and which requires transportation planning in urban areas of over 50,000 population.

Adding this amendment to the law will work a hardship on no one and will benefit every man, woman, and child in this country. On behalf of all who value America's parklands, I ask for its acceptance.

I ask unanimous consent that the text of the amendment be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the Record.

The amendment (No. 616) was referred to the Committee on Public Works, as follows:

At the end of the bill insert a new section as follows:

"PRESERVATION OF PARKLANDS

"Sec. 8. (a) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

" 'P 137. Preservation of Parklands

" 'It is hereby declared to be the national policy that in carrying out the provisions of this title maximum effort should be made to preserve Federal, State, and local government parklands and historic sites and the beauty and historic value of such lands and sites. The Secretary shall cooperate with the States in developing highway plans and programs which carry out such policy. After July 1, 1968, the Secretary shall not approve under section 105 of this title any program for a project which requires the use for such project of any land from a Federal, State, or local government park or historic site unless (1) there is no feasible alternative to the use of such land, (2) such program includes all possible planning to minimize any harm to such park or site resulting from such use, and (3) where possible and appropriate substitute land will be provided for such park or site. Any additional project costs incurred for the purpose of acquiring any such substitute lands shall be considered to be included in "costs of rights-of-way" for the purpose of this title.'

"(b) The analysis of such chapter is amended by adding at the end thereof the following:

" '137. Preservation of Parklands.' "

HIGHWAY SAFETY ACT OF 1966—AMENDMENTS

AMENDMENTS NOS. 617 THROUGH 619

Mr. RIBICOFF. Mr. President, I submit three amendments, intended to be proposed by me, to S. 3052, the so-called "Highway Safety Act of 1966." I stated on June 9, 1966, that a stronger Federal role in traffic safety is required than that provided in the bill reported by the Public Works Committee. Accordingly, my first amendment will restore the authorizations for sections 402 and 403 to the amounts and duration originally proposed in the bill. My second amendment authorizes $400 million in aid to the States for driver education and training. The third amendment provides $36 million to assist the States in establishing and improving motor vehicle inspection facilities. I ask unanimous consent that the amendments be printed at this point in the Record. I plan to offer these amendments when the bill is before the Senate.

The PRESIDING OFFICER. The amendments will be received, printed, and will lie on the table; and, without objection, the amendments will be printed in the Record.

Amendment No. 617

On page 17, line 1, strike out "and".

On page 17, line 2, immediately before the period, insert a semicolon and the following: "$80,000,000 for the fiscal year ending June 30, 1970; $80,000,000 for the fiscal year ending June 30, 1971; and $100,000,000 for the fiscal year ending June 30, 1972".

On page 17, line 7, strike out "and".

On page 17, line 8, immediately before the period, insert a semicolon and the following: "$30,000,000 for the fiscal year ending June 30, 1970; $35,000,000 for the fiscal year ending June 30, 1971; $40,000,000 for the fiscal year ending June 30, 1972".

Amendment No. 618

On page 8, after line 16, insert after "403. Highway safety research and development." the following: "404. Grants for State motor vehicle inspection programs."

On page 12, between lines 5 and 6, insert the following new section:

"§ 404. Grants for State driver education and training programs

"(a) From sums appropriated pursuant to the Highway Saftey Act of 1966 to carry out the provisions of this section for the fiscal year ending June 30, 1968, and for the four succeeding fiscal years, the Secretary is authorized to make grants to States to pay up to 50 per centum of the cost of developing, establishing, and improving programs for driver education in accordance with the provisions of this section. The Secretary shall determine the amount of the Federal share of the cost of such programs for each fiscal year based upon the funds appropriated therefor for that fiscal year and the number of participating States.

"(b) Any State desiring to participate in the grant program under this section shall submit through its State educational agency, a State plan which shall—

"(1) provide for the initiation of a State program for driver education or for a significant expansion and improvement of such a program already in existence;

"(2) include provisions for the training of qualified instructors and their certification;

"(3) provide for adequate research, development, and procurement of practice driving facilities, simulators, and other similar teaching aids;

"(4) include provision for financial assistance by the State to institutions of higher education for research in driver education testing, curriculum, and methods of instruction;

"(5) provide that the State will pay from non-Federal sources the cost of such program in excess of amounts received under this section;

"(6) provide adequate State supervision and administration of such driver education;

"(7) provide that the State agency will make such reports, in such form and containing such information as the Secretary may require; and

"(8) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

"(c) Prior to prescribing regulations under this section the Secretary shall consult with the Secretary of Health, Education and Welfare.

"(d) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b).

"(e) For the purpose of this section, the term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the governor or by State law."

On page 17, between lines 11 and 12, insert the following new sections:

"Sec. 105. For the purpose of carrying out section 404 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $60,000,000 for the fiscal year ending June 30, 1968, $70,000,000 for the fiscal year ending June 30, 1969, and $90,000,000 for each of the three succeeding fiscal years."

On page 17, line 12, strike out "Sec. 105" and substitute "Sec. 106", and redesignate the succeeding sections accordingly.

Amendment No. 619

On page 8, after line 16, insert after

"403. Highway safety research and development."

the following:

"404. Grants for State motor vehicle inspection programs."

On page 12, between lines 5 and 6, insert the following new section:

"§ 404. Grants for State motor vehicle inspection programs

"(a) From sums appropriated pursuant to the Highway Safety Act of 1966 to carry out the provisions of this section for the fiscal year ending June 30, 1968, and for the four succeeding fiscal years, the Secretary is authorized to make grants to States to pay up to 20 per centum of the cost for the establishment or improvement of State programs for motor vehicle inspection in accordance with the provisions of this section. The Secretary shall determine the amount of the Federal share of the cost of such programs for each fiscal year based upon the funds appropriated therefor for that fiscal year and the number of participating States.

"(b) Any State desiring to participate in the grant program under this section shall designate or create an appropriate State agency for the purpose of this section, and submit, through such State agency, a State plan which shall—

"(1) set forth a program for establishing, or improving (in the case of a State which already has in operation a State administered motor vehicle inspection program), State supervised motor vehicle inspection at garages or other suitable facilities certified by the State for that purpose;

"(2) agree to accept and apply such minimum standards for highway traffic safety with respect to inspection as the Secretary shall by regulation prescribe;

"(3) provide that the State will pay from non-Federal sources the cost of such program in excess of amounts received under this section;

"(4) set forth provisions for the financing of such plan without Federal assistance beginning with the fiscal year ending June 30, 1973;

"(5) contain satisfactory evidence that the State agency will adequately supervise such program;

"(6) provide that the State agency will make such reports, in such form and containing such information as the Secretary may require; and

"(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

"(c) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b)."

On page 17, between lines 11 and 12, insert the following new section:

"Sec. 105. For the purpose of carrying out section 404 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $5,000,000 for the fiscal year ending June 30, 1968, $7,000,000 for the fiscal year ending June 30, 1969 and for the fiscal year ending June 30, 1970, $8,000,000 for the fiscal year ending June 30, 1971, and $9,000,000 for the fiscal year ending June 30, 1972."

On page 17, line 12, strike out "Sec. 105" and substitute "Sec. 106", and redesignate the succeeding sections accordingly.

ADDITIONAL COSPONSORS OF BILL

Mr. MANSFIELD. Mr. President, at its next printing, I ask unanimous consent that my name and the names of Senators Boggs, Fong, Griffin, Gruening, Inouye, Metcalf, Montoya, Murphy, Pearson, and Young of Ohio be added as cosponsors of the bill (S. 3112) to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of June 7, 1966:

S. 3475. A bill to abolish the office of United States commissioner, to establish in place thereof within the judicial branch of the Government the offices of United States magistrate and deputy United States magistrate, and for other purposes: Mr. Bayh, Mr. Bennett, Mr. Brewster, Mr. Douglas, Mr. Ervin, Mr. Kennedy of Massachusetts, Mr. Long of Missouri, and Mr. Moss.

Authority of June 8, 1966:

S. 3482. A bill to enlarge the home mortgage purchase authority which the Federal National Mortgage Association may exercise in its secondary market operations by increasing the amount of preferred stock which such Association may issue for delivery to the Secretary of the Treasury: Mr. Bennett, and Mr. Cooper.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Ben Hardeman, of Alabama, to be U.S. attorney, middle district of Alabama, term of 4 years—reappointment.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Thursday, June 30, 1966, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

THE MILITARY JUNTA IN SOUTH VIETNAM

Mr. YOUNG of Ohio. Mr. President, in Parade, which is the Sunday magazine section of the Washington Post and many other newspapers of our Nation, there was a very important and very interesting item in the June 19, 1966, issue, an item startling in character. In an article the question was asked:

> The 10 generals who govern Vietnam with Nguyen Cao Ky at the head—can you tell me how many of them fought the French?

The answer given was:

> Of the 10 generals in the junta, only one joined the Viet Minh resistance movement against the French in 1945. He is Lt. Gen. Phan Xuan Chieu, popularly recognized in Saigon as the only junta member who fought to free his country from French colonial rule. The other nine either fought on the side of the French or took training in French military schools during the Vietnamese war against the French from 1945 to 1954.

General Ky, the present Prime Minister, spent most of those years out of his country, learning to fly in French Air Force schools. In Vietnam, the Vietnamese forces fought the Japanese until the end of World War II. Then, the French colonial oppressors, who had governed Indochina for many years reinstated themselves in Vietnam, Laos, and Cambodia, and sought to continue their oppressive colonial rule. The Vietnamese, from 1946 to 1954 waged a war of liberation against the French.

It is startling to Americans to learn that of the 10 generals we are now supporting in Saigon, 9 of them fought alongside the French colonial power at that time against the liberation of Vietnam.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YOUNG of Ohio. I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. In other words, we Americans, who like to regard ourselves as the most revolutionary nation in the world, have become, it seems, the most unrevolutionary in nature. The generals with whom we are associated and are supporting and keeping in power in Saigon were the Tories of that day, and we are aiding and abetting them at this time. That fact is further evidenced that there is a civil war raging in Vietnam, and the National Liberation Front, which led the fight for freedom from 1946 on, is still fighting for the freedom of Vietnam as they see it.

This is further evidence that we are involved in a miserable civil war in Vietnam, which has little or no strategic or economic importance to the defense of the United States.

In 1954 12,000 of the French forces surrendered to the Viet Minh at Dienbienphu on May 7. Then, following that, in September the French withdrew their 240,000 men from Vietnam. The battle at Dienbienphu did not do it; they had been bled white over a period of 8 years. We are not being bled white, but we are spending from $1 to $2 billion each month intervening in that war in Vietnam, and the prospect of victory does not seem any brighter than when we committed ourselves to this messy civil war 10,000 miles from our shores.

The Vietminh who waged guerrilla warfare for the liberation of Vietnam and what is now Cambodia and Laos from 1946 to September 1954 came from all areas of Vietnam. Historically, there is no North nor South Vietnam. The demarcation line at the 17th parallel effected by the Geneva Accords was supposed to be temporary pending elections to be held in 1956 throughout all Vietnam. These were called off by our puppet head of state in Saigon, Diem, with the approval of Secretary of State John Foster Dulles.

In the 8 years of struggle for freedom waged against the French colonial oppressors thousands of Vietnamese fought alongside the French against many thousand Vietnamese fighters who were then called Vietminh. Those who allied themselves with the French were the Tories of that time. In recent years the Vietminh have been termed the Vietcong. Many of them now as then are members of the National Liberation Front. Those who had fought alongside the French moved south of the 17th parallel settling in what is called South Vietnam. Thousands of those from the southern area of Vietnam who had fought with the Vietminh against the French likewise settled in the north.

Prime Minister Ky has announced elections in South Vietnam for early this fall. These elections are for the purpose of electing an assembly to draft a constitution. It is noteworthy that in more than a year since Ky was selected by the generals as Prime Minister he never spoke out nor took any step toward elections until the conference with our President at Honolulu earlier this year. It is said he proposes that no Vietcong, or suspected Vietcong sympathizers and also no member of the National Liberation

Front, whether or not he is suspected of being a Communist, and no neutralist, will be permitted to vote. It is wishful thinking that such an election would result in pacification of South Vietnam.

France having squandered tremendous sums of money in addition to the billions of dollars in military aid from the United States finally withdrew. We now have nearly 360,000 men of our Armed Forces in South Vietnam. In addition, 40,000 in Thailand, and 50,000 officers and men of our 7th Fleet off the Vietnam coast. Our servicemen in southeast Asia are the "cream of the crop." They are the finest fighting men in the world. Their morale is high. Their firepower is so tremendous many more Vietcong have been killed than Americans; and we have suffered more than 2,000 who have died in combat this year.

What assurance can there be if by late December our forces have been increased to 600,000 or 800,000, as seems probable, that guerrilla tactics of the Vietcong will have been ended and Vietcong resistance crushed? Even if the Hanoi government is silent as to offers to negotiate and during the coming years the Vietcong do bury their weapons, return to their farms or go to Saigon, Cam Ranh Bay and elsewhere in South Vietnam to work for the Americans and even if the shooting and the killing should cease, is there anyone who can say following the time we "bring the boys home" that guerrilla warfare will not again break out?

What is occurring in Vietnam seems to be a rerun of the 8-year struggle on the part of French generals against the Vietnamese seeking freedom from French oppression. Also it is most unfortunate for us that heads of State of Japan, the Philippine Republic and other Asian allies and of allies like Canada have refused to give us any military aid whatever.

WHY NOT HELP AND NOT DISCRIMINATE AGAINST THE ST. LAWRENCE SEAWAY?

Mr. YOUNG of Ohio. Mr. President, earlier this month I spoke out in this Chamber strongly opposing recent attempts to increase tolls on the St. Lawrence Seaway. At that time I stated that should tolls on the seaway be increased, I intend to ask that the Senate Committee on Public Works review Federal expenditures for future improvements of entrance channels leading from the oceans to our ports with the view toward placing all entrance channels on the same self-liquidating basis as the St. Lawrence Seaway.

What is good for the goose is good for the gander. All of this Nation's seaports, including the Great Lakes ports, should be placed on the same economic footing with equal rights of access to the oceans of the world. It is high time that officials of port authorities in Eastern and in Gulf States and executives of railroads serving those cities recognize the fact that ports and great cities on the Great Lakes such as Cleveland, Toledo, Lorain, Duluth, Buffalo, Milwaukee, Chicago, and others have become international seaports in every sense of the word and are no longer to be considered as poor country cousins from the Midwest.

Millions of our Nation's taxpayers' dollars have been spent for construction of entrance channels for ports such as New Orleans, Philadelphia, Houston, and other cities and on none of these waterways do shippers pay a penny in toll charges. At the same time, one ship traveling from Montreal, Canada, to Cleveland, Ohio, loaded with 15,000 tons of cargo now pays seaway tolls and transit charges amounting to more than $14,000.

Mr. President, at the present time the great St. Lawrence Seaway is a self-liquidating project on which 3½ percent interest is being paid on every dollar borrowed by our Government to construct it. Both principal and interest must be returned from toll revenue derived from all toll shipping within a 50-year period. What is important today is to encourage, not to discourage, use of the great St. Lawrence Seaway. In doing so, we shall not only take advantage of the great potential which the seaway holds for Ohio and for all the States in the Midwest, but in the long run through greater use of the St. Lawrence Seaway we shall enable it to liquidate its debt with greater dispatch and probably in many fewer years than the 50 years now contemplated. Increasing toll rates at this time would only work to destroy the effectiveness of the seaway.

Mr. President, on June 16, 1966, there appeared an excellent editorial, entitled "Why Not?" in the Toledo Blade, one of the great newspapers of our Nation, commenting on this subject. I commend this to my colleagues and ask unanimous consent that it be printed in the Record at this time as part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Toledo Blade, June 16, 1966]

Why Not?

"All of this nation's seaports, including the Great Lakes ports, should be placed on the same economic footing with equal rights of access to the oceans of the world."—Senator Stephen Young.

It remained for Ohio's Senator Young to inject a bit of irrefutable logic into the debate over whether tolls on the St. Lawrence Seaway ought to be maintained at present levels, raised, or reduced. It boils down to a question of just why this one waterway connecting U.S. ports with ports abroad should be saddled with discriminatory tolls when other U.S. waterways on which tax funds are spent are toll-free.

Senator Young indicated that he intends to introduce legislation to impose tolls on vessels using coastal ports if the drive, led by Seaway opponents, to increase tolls on that waterway succeeds. There is fully as much justification for that as there is for requiring vessels moving to and from the Great Lakes via the Seaway to pay tolls that run into thousands of dollars per passage.

U.S. taxpayers, for instance, have had to pick up the $100 million bill—nearly as much as the entire U.S. investment in the Seaway—for construction of a ship channel serving New Orleans, but not a cent of toll is charged there. Another $70 million in tax funds went into the Delaware River channel, $57 million into a channel linking Houston with the Gulf of Mexico, and $50 million to connect Sacramento with salt water, to mention but a few cases. Yet, on none of those waterways do shippers pay a penny in toll charges.

Why, then, should a 15,000-ton vessel using the Seaway be forced to fork over $14,000 in tolls, when the same ship could use any other U.S. waterway free?

That is a point which Senator Young should keep raising, as he pierces the smokescreen of propaganda thrown up by lobbyists for the eastern ports, the railroads, and others who have little interest in seeing the Seaway succeed. The Seaway should expect no special favors from our Government or from anyone else; on the other hand, it should not be hit by a toll schedule that no other tax-built and publicly supported waterway must carry.

If those forces trying to reduce the Seaway's competitive thrust by imposing higher tolls will not listen to reason, then perhaps they will get the Senator's message when, as the second ranking member of the Senate Public Works Committee, he dusts off legislation to meet fire with fire.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. MILLER. Mr. President, the lead editorial in today's Washington Post, entitled "The Road to the Polls," points out very well the difficulties besetting efforts to obtain home rule for the District of Columbia.

A reading of this editorial should persuade anyone that is a cynical partisan political power play behind some of these efforts, seeking to lock in political power at the expense of what is needed and good for the people of the District.

Specifically, these power interests wish to have elections at large on a partisan ticket; and they are content to pursue these goals even if it means the loss of a home-rule bill for the District.

I recall, at the time the Senate passed a bill last year, the partisan power that was used to defeat amendments to make these elections nonpartisan and to require members of the city council to be elected from separate wards rather than some or all of them at large.

Those who genuinely wish to see home rule for the District would do well to dissociate themselves from the partisan political power players, who must bear the full responsibility for the failure of the Congress to promptly enact a good home-rule bill for the District.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, June 23, 1966]

The Road to the Polls

The hope for city elections in Washington this year is being demolished by the very people who want them most. There are now four bills to extend the city's voting rights, and each is being vociferously attacked by the partisans of the others. As the city's political leaders go after each other, the genuine enemies of local democracy can look on with their hands in their pockets and smiles on their faces.

If none of these bills is passed in this Congress, the city will not be able to blame that misfortune on the wicked segregationists and the Board of Trade. The responsibility will lie a great deal closer to home. The District's Democratic Central Committee is particularly culpable. Instead of using its authority to weld together a broad alliance of all who favor elected self-government in Washington, the Committee is indulging itself in the luxury of old vendettas and following narrow factional interests.

The future distribution of political power in the city depends heavily upon the character of the election process. Election at large, citywide, gives an advantage to politicians with access to large citywide organizations. Partisan elections give power to party managers. Nonpartisan elections help independent candidates, and elections by ward are essential to those who, like most slum politicians, have a personal following concentrated in one neighborhood.

The Administration's home rule bill, passed by the Senate but not the House, would establish partisan elections and, for most of the important offices, citywide elections at large. It would greatly benefit the proprietors of the only citywide political organization in town, the Democratic Central Committee. Small wonder that the Committee is ready to defend this version to the bitter end.

The Sisk city charter bill, passed by the House but not the Senate, would establish an elected charter committee to decide the form of the future city government. Since the elections to the crucial charter committee would be nonpartisan but at large citywide, the Sisk bill is widely supported among the Democratic faction that was beaten in the last primary.

The Green amendment, still in the House Education and Labor Committee, would establish a School Board elected by ward on a nonpartisan ballot. This kind of election would directly help the rising generation of young leaders in the central city, who have been working through social action organizations and have no hope of favor from the parties.

The fourth bill, to provide a nonvoting District delegate in the House, carries little power and causes little stir. All of these bills are honest and useful proposals. The most promising, at this particular moment, is the bill for an elected School Board. While the Administration home rule bill promises much more, it cannot be moved without massive intervention by the White House.

But none of the bills can be passed without some measure of agreement among the city's political and civic leadership. It is still possible for the city to go to the polls within the next year, but only if factional leaders show themselves capable of tactical skills not currently visible.

TAXATION AND INFLATION

Mr. MILLER. Mr. President, a timely and outstanding article, entitled "Taxation Alone Cannot Cope With Inflation," written by Harley L. Lutz, was published in the Wall Street Journal of Tuesday, June 21, 1966. Dr. Lutz is professor emeritus of public finance at Princeton University.

Dr. Lutz persuasively points out that an excessive increase in the money supply is the direct cause of inflation; that taxation has no effect on the money supply; that budget balancing can be achieved by reduced Federal spending; and that this would be the better way to control the money supply in view of the drag effects of taxation.

I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, June 21, 1966]

Taxation Alone Can't Cope With Inflation

(By Harley L. Lutz)

The critical phase of the New Economics doctrine of perpetual prosperity through Government manipulation of the economy is approaching. The first stage—stimulation through deficits, cheap money, tax cuts, and guidelines for wage increases—is drawing to an end. Despite positive evidence of an undercurrent of inflation, its existence, when not denied or ignored, was rationalized on the ground that expanding total demand was the chief prop of prosperity. This was a comforting doctrine for both Government and business as long as inflation worked underground. When it erupted into the price indexes the facts could no longer be disregarded. Inflation is now recognized to be a present danger. The moment of truth is at hand.

Inflation has two aspects. One is the visible evidence of rising prices, the other an excessive increase of the money supply, excessive in relation to the supply needed to effect the exchange of produced goods and services at a given price level. As used here money supply means demand deposits in commercial banks and currency in circulation. Rising prices are more generally perceived and understood than details of bank statements and Treasury reports. They are not, however, the real thing but rather a symptom or outward expression of the basic inflationary force.

TWO CATEGORIES AND POLICIES

The policies designed to cope with inflation fall into two categories, according to whether the attack is directed at the symptom of rising prices or at the root cause. The difference between superficial and fundamental inflation control measures is apparent in the following summary:

Policies aimed at inflation through price control:

1. Price control by a Government agency, as in World War II.
2. Real or simulated outrage at price increases proposed by business concerns and severe pressure for rescission. No similar indignation at or condemnation of wage increases exceeding the guidelines.
3. Dumping of Government stockpiles to prevent price increases.
4. A campaign for consumer boycott of goods deemed to be priced too high.
5. Pressure on business concerns to curtail or defer programs for new capital investment. Hints at repeal of the 7% investment credit.
6. Tax increase in the mistaken belief that it would cause prices to fall by reducing total demand.

Policies aimed at curbing inflation by limiting or reducing money supply:

1. Restriction of the capacity of commercial banks to increase demand deposits through loans and investments.
2. Federal budget balance.

The political approach to the problem deals primarily with the superficial aspect of inflation—rising prices—and only as a last resort, if at all, with the basic cause. This is natural for more popular support can be garnered by attacks on profiteering and price "chiseling" than by essays on the technicalities of monetary and fiscal policy. An illustration is the bad semantic connotation of budget balance. Moreover, a switch now to emphasis on fundamentals would mean an admission that the Government policies responsible for inflation had been wrong. Any hint of fallibility is bad for the political image.

Since inflation is a blowing up, or inflating of the money supply, effective control involves action to halt the expansion. This requires a combination of monetary and fiscal policy. The details of monetary policy must be dealt with here only briefly for the main emphasis is to be on the role of taxation in an inflation control program. Specifically, it is a question of the extent to which taxation, as an instrument of policy, can check inflation by influencing the money supply.

SOURCE OF NEW MONEY

The main source of increased money supply is the expansion of loans and investments by commercial banks through the procedure of entering the proceeds of these transactions as demand deposit credits. Currency in circulation has also increased but its chief function is to serve as pocket and till money and for some payrolls. Any issue above these needs will not stay in circulation but will drift into the banks. For the greater part of total purchases and other payments is effected by means of checks and other documents drawn on deposit accounts.

Restriction of bank credit expansion is applied through appropriate monetary action, including sales of securities by the Federal Open Market Committee to soak up member bank reserves and a higher discount rate when these banks borrow from their respective Reserve Banks to replenish reserves. The discount rate was advanced to 4.5% last winter amid grumblings from "diehard" cheap money advocates. In a single week of mid-April, 1966, the Committee sold $1,084 million of Government securities to tighten the brakes on credit expansion. Further restrictive action may be in the offing.

The expansion of demand deposits occurs in response to both private and public demand for more credit accommodation. Just why the process of bank lending and investing should, in the course of a boom, lead to creation of an excessive money supply is explicable only in terms of human attitudes and behavior. It can best be explained briefly by saying that in a boom expectations eventually outrun realizations. Speculative anticipation of the future becomes extravagant. Hence loans are made at greater risk. Investments are screened less cautiously. Assurance of Government economists that the economic cycle has been abolished contributes to expansionary enthusiasm by removing the fear of a deflationary downturn. In recent years the Government's own example and influence have been on the side of cheap money, easy credit, and disregard of prudence in spending. For these and other reasons, over-optimistic credit policy increases the money supply at a greater rate than justified by long-term reality. Inflation control requires that the increase be slowed down to a rate consistent with maintenance of a stable price level.

Both the private and the public sectors of the economy have contributed to excessive expansion of credit and adequate control measures must be appropriate to these respective transactions. In this regard a significant difference emerges. Private credit can be controlled and regulated by monetary policy, provided the Federal Reserve System is not prevented from exercising the necessary restraint by political pressure and interference. There is no authority superior to the Federal Government to regulate the amount and the terms of its borrowing. Its fiscal and monetary discipline must be self-imposed.

Thus we have a definite boundary to our topic. Established agencies can effectively control private credit excesses, though there will always be criticism of Federal Reserve operations as being sometimes too much, too little, too soon, or too late. From this point on the concern will be with the measures available for eliminating the very considerable contribution which the Government has made, directly and by precept, to inflationary credit expansion. The chief one is taxation and the following discussion deals with its limitations and possibilities.

Taxation and money supply. The process of taxation, as such, has no effect on the money supply. Payment of taxes transfers money from taxpayers to Government. At the moment of transfer private funds are reduced while public funds are increased through deposit of tax collections in depository banks. The transfer does not change the total of demand deposits in the banking system. There would be a temporary decline of commercial bank deposits if revenue collections were shunted to Treasury account in the Federal Reserve Banks. Thus Treasury policy with regard to tax collection, not the fact of taxation, can have a restrictive effect on money supply to the extent that tax payments are temporarily stored in the Reserve Banks. This condition would last only until Federal spending had restored the funds to the people and through them to the banks.

Taxation and total demand. Just as taxation causes a change in the distribution of the money supply without affecting the total, so also does it cause a shift in the apportionment of demand between private consumers and Government in the role of public consumer. An increase or decrease of taxes will move the dividing line toward Government or the people, respectively. At any given level of production total demand will be the same, regardless of the tax allocation of this total between private and public consumption.

It has generally been accepted, however, that the tax reductions of recent years increased total demand. But this conclusion takes no account of the fact that in the fiscal years 1961–1965 inclusive, the total Federal deficit was upwards of $24 billion. Naturally there would be an increase of demand capability when the people had more of their own money to spend because of the tax cuts and the Government was pumping this immense flood of new money into the economy.

Taxation and "fiscal drag." The notion that taxation is a "fiscal drag" on the economy was introduced as part of the rationalization to support tax reduction of Government fiscal policy. The figures given above show how effectively any drag was eliminated.

If all that the term means is that taxes are a burden on the taxpayers, it is not a new, but a very old, fact of life. The obligation to pay taxes has always meant that Government rather than the individual determines how a certain part of his income is to be spent. The incentive to get income, whether by effort or by saving and investment, is surely affected by the size of the Government's take. Since the growth of the private economy, which after all must support both the people and the Government, depends primarily on the decisions as to working, investing, or becoming wards of the Government, it is obvious that the weight of taxation is an important factor in the decision.

This is not, however, the context in which the idea of fiscal drag was introduced. To its proponents, it meant simply that because a given level of taxation would limit private demand, this limitation must be offset by deficits which would increase the total. Hence, by reducing the tax drag on private demand the total could still be increased by injecting Federal deficit money and this was done on a grandiose scale.

There is a psychological as well as an economic effect of taxation. Regardless of general recognition by the people that Government is necessary, that within limits it is beneficial, and that it must be supported, compulsory surrender of part of the fruits of one's effort or prudence is depressive rather than exhilarating, a condition that is compounded as taxes are increased. Relief from this depressive effect was sought by the fiscal alchemist's mixture of tax reduction and deficit financing.

Taxation and budget balance. Insofar as deficit financing is a source of additional money supply, taxation does make a positive contribution to its reduction if the total collected is sufficient to reduce or eliminate the deficit. But budget balance does not depend entirely on exorbitant taxation. It can be achieved as well by reduced spending as by increased taxation. Under the present circumstances it would better be done this way in view of all the arguments with respect to the repressive, frustrating, and drag effects of higher taxation. We can go a step farther and say that taxation can be a means of reducing the money supply if a budget surplus is realized and is sterilized by not being spent.

Various one-shot operations have been devised to improve the current budget situation. Among these are stepped-up prepayment of corporation income tax, graduated withholding of individual income tax, and sale of certificates of participation in pools of Government-owned mortgages and loans. The tax changes can have no ultimate effect on real tax liability but some corporations may have to borrow to meet the temporary tax increase. There may be some borrowing, also, by investors who buy the certificates. Any increase of commercial bank loans increases the money supply.

No definite program for tax increase has been announced but preliminary references to the subject indicate that such increase will be mainly in the corporation tax and the middle to upper rates of individual income tax. Certain excise tax reductions have been or would be restored but there is no mention, and probably no thought, of restoring broadly based excise taxes, whether selective or general.

Such a tax program would conflict with an accepted theory of the New Economics, which calls for inflation control by using taxation to reduce total demand. This theory has been criticized above. Assuming its validity for sake of argument, the above tax increase plans do not entirely square with it. A large proportion of total private demand is in the great mass of low to lower middle incomes. These plans would do no more than scratch the surface of this huge segment of demand.

Furthermore, lower after-tax corporation income could lead to less plant expenditure, an objective of the political approach to inflation control. This would be short-sighted, for a method of fighting inflation not considered here is to offset the increased money supply by a larger output, which would require more, not less, new capital expenditure. There could also be some reduction of dividends after the tax increase. It is generally known that those with incomes in the middle to upper brackets do not spend all of their income for present needs. Hence a higher tax would merely reduce the amount of their saving, not necessarily their current consumption.

The potentialities of the immense total of savings in relation to the theory of reducing total demand by taxation have apparently not been adequately considered by advocates of this theory. Also overlooked is the stubborn propensity to maintain accustomed living standards even at the cost of saving. For example, it was expected that the increase of Social Security tax, effective Jan. 1, 1966, would be reflected in lower demand, as the theory prescribes. For the first quarter of 1966 the effect reported was a lower rate of saving, with no noticeable decline of consumption spending. The time deposits in savings and other interest-bearing accounts are not considered here to be part of the active money supply. They can easily become part of that supply by being transferred to demand deposit accounts.

Conclusions: First, the basic fact of inflation is excessive increase of money supply. Both private and public demand for credit contribute to this increase.

Second, monetary policy is the most effective means of curbing increase of money supply but it is operative only in the private sector. There is no authority superior to the Government to regulate public use of credit.

Third, the fact of taxation, as such, has no effect on money supply or total demand. Its chief contribution is to prevent deficit financing by being levied in an amount sufficient to balance the budget. An unspent budget surplus would reduce money supply.

Fourth, granting a greater influence to taxation than the facts warrant, more restraint of private demand would be exerted by a broad-based consumption tax than by tax rate increases on corporation income and middle to upper individual incomes.

Fifth, the immense pool of savings and other time deposits constitutes a potential addition to active money supply which could negate efforts to curb inflation by taxation.

Dr. Lutz is professor emeritus of public finance, Princeton University.

THE BRITISH TURN AWAY FROM SOCIALIZED MEDICINE

Mr. MILLER. Mr. President, a front-page article, entitled "Cradle to Grave?" written by Neil McInnes, was published in Barron's, a national business and financial weekly, for June 20, 1966. Mr. McInnes, European correspondent for Barron's, points out that as the United States embarks on its national medicare program, the British are turning away from socialized medicine. He invites attention to the problems which the British system has spawned, problems which will be pressing upon the people of the United States if the Federal Government is not more careful than it was when it enacted a program to provide medicare to anyone over the age of 65, regardless of his financial need for it.

I ask unanimous consent that this excellent and timely article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Barron's, June 20, 1966]

CRADLE TO GRAVE?—THE BRITISH ARE TURNING AWAY FROM SOCIALIZED MEDICINE

(NOTE.—The accompanying on-the-scene account of the revival of private medical practice in the United Kingdom was written by Neil McInnes, European correspondent for Barron's.)

LONDON.—By a curious coincidence, on July 1 the U.S. will take its first step toward socialized medicine and Britain will take its biggest step away from it. On the same day medicare goes into effect for senior American citizens, all British subjects, old or young, will be offered a paying alternative to the free National Health Service. A company called Independent Medical Services, Ltd., will seek to sell Britons for cash what they have been getting free from the welfare state for nearly two decades. In this apparently quixotic undertaking it enjoys the backing of the British Medical Association, of which the vast majority of this country's doctors are members.

Executives of Independent Medical Services recently told Barron's that public opinion surveys showed 30%–40% of Her Majesty's subjects are not satisfied with free cradle-to-grave state medicine. They would prefer to make private arrangements with a family doctor. The firm, for a moderate charge, will enable them to do just that.

Public discontent with the National Health Service, however, had less to do with formation of Independent Medical Services than doctor dissatisfaction with their pay and working conditions. Disagreement between the Health Minister and the United Kingdom's 23,000 physicians on those matters has been chronic. The boiling point was reached early last month, when 18,000 doctors signed undated resignations from the National Health Service.

The resignations were held by the British Medical Guild, to be handed in unless doctors' salaries and conditions were improved within 3 months. Holding a pistol to the Prime Minister's head while demanding more money was perhaps undignified—the Times called it "militant trade unionism"—but it worked. In May doctors got pay hikes ranging up to 35% for hospital interns.

Independent Medical Services was set up in the course of that dispute to lend credibility to the doctors' threat of a walkout from the state medical scheme. It is unlikely that British doctors would ever really go on strike, as their Belgian and Italian colleagues did recently, and the Health Minister knew it. Thus, to prove their determination to quit unless they got a better deal from the National Health Service, the doctors laid plans for a private medical insurance plan. If worse came to worse, the National Health Service might be paralyzed, but Britain's sick would be looked after.

As it happened, the pay dispute was settled without recourse to mass resignations. Meanwhile, however, Independent Medical Services had begun to look like a sound and workable proposition. Its sponsors decided to launch it in competition with socialized medicine. While it will not be the first private challenge to the National Health Service, it will be neatly complementary to existing, and thriving, private medical insurance schemes.

Currently, over two million Britons are covered by private health insurance, for which they or their employers pay regular subscriptions. The policies cover the cost of treatment in private nursing homes or in the single rooms and pay-beds of the nationalized hospitals. Most of these people subscribe to the British United Provident Association (BUPA), one of the more successful brainchildren of the late Lord Nuffield, maker of the Morris car. Independent Medical Services will not insure the cost of nursing home treatment, as BUPA does, but rather against family doctor bills and drug costs, which BUPA does not cover.

Even without Independent Medical Services, private medical schemes have been gaining 100,000 adherents a year. Subscribers to British United Provident are increasing at a rate of 75,000 annually. Two smaller concerns of the same kind, Hospital Services Plan in Tunbridge, Wells and Western Provident in Bristol, are understood to be signing up another 28,000 a year between them. This rate of growth has surprised no one more than the managers of BUPA itself. Hence, they have commissioned a J. Walter Thompson subsidiary to do a market survey to find out just how many people in Britain are willing to pay for an alternative to free state medicine.

"We never dreamed this business could grow so far and so fast," says BUPA's Hugh Elwell, joint secretary in charge of development. "We kept thinking the boom would top out, but it didn't. Now we want to see how big the potential market is—five million people, 10 million, maybe more? While we're finding out, we are stepping up our advertising outlays from $28,000 to $132,000 a year. Most of our members have been won by word of mouth, but now we have decided to sell a little harder. Also, we've ordered a computer from De La Rue-Bull big enough to handle millions of subscribers."

Unlimited medical and dental care became free in Britain shortly after World War II, when a socialist government implemented Lord Beveridge's plan for a national health service. After some hesitation, all but a thousand or so doctors joined the health scheme. They care for patients gratis, and they get paid from a central pool in proportion to the number of patients on their list. Hospitals were nationalized at the same time; the one island of medicine remaining in private hands was a few score nursing homes.

Some nursing homes had been supported by health insurance companies for their policy holders. It was assumed they would go out of business after 1948, when free hospitals became available to all. Yet, because some people had paid their premiums and their policies were still in force, the nursing homes could not be shut down overnight. The British United Provident Association and the two smaller organizations were formed to gradually phase out groups of private nursing homes, as contributions stopped coming in and prior commitments were honored. For the first two years the contributions fell off as expected and the liquidation seemed well advanced.

Around 1950, however, people suddenly started buying more private hospital insurance. BUPA, at the time headed by Viscount Nuffield, took this to be a flash in the pan, probably due to overcrowding in the nationalized hospitals. Still, the trend continued, and by 1955–56, subscriptions totaled $4.9 million. They increased sixfold in the ensuing decade; for 1965–66 BUPA's total income will be around $30 million. Hospital Services Plan will take in another $3 million or so, while Western Provident is nearing $1 million.

BUPA is a non-profit organization; however, since claims absorb 85%–89% of income, while administartion costs are kept low, there is in fact a small, regular surplus. It is invested, and BUPA today owns around $14 million in securities besides liquid reserves of $8 million. Income goes to a charity, the Nuffield Nursing Home Trust, which builds modern, fully equipped hospitals to care for BUPA subscribers and others who wish to pay for treatment. The present socialist government deliberately is reducing the number of private rooms and pay-beds available in public hospitals, and the Trust is stepping up its appeals for funds to build more nursing homes.

In its "standard scheme," BUPA offers to pay most of the cost of accommodation and nursing in a hospital, plus the fees of surgeons, anesthetists and visiting physicians. Premiums vary, depending on the amount of coverage required and the age of the subscriber, from $17.20 a year for a young bachelor to $112 a year for a family man of 50. It should be noted that the two million Britons covered by such schemes must continue to make their weekly contributions to the State's health service, which they don't use, while they get no tax rebate for their private insurance premiums.

BUPA lately has started offering as an optional extra a "general practitioner scheme," which partly anticipates the coverage which Independent Medical Services will be marketing after July 1. For annual subscriptions of $13.30, plus $3.25 for each dependent, BUPA will reimburse most of the costs of medical care outside the hospital. The policy, however, does not cover the cost of drugs. That's where Independent Medical Services breaks fresh ground.

Drug distribution is one major obstacle to the success of a private medical insurance plan inside Britain's welfare state. Patients pay nothing for the drugs prescribed by doctors under the government's health plan, but if they go to the same doctor in his private capacity, and pay his fee, they must pay for the drugs, too. The first socialist Health Minister, the late Aneurin Bevan, agreed that this was unfair and said it would be abolished, but it remains on the books.

FEAR DRUG BILLS

Realizing that fear of an unknown pharmaceutical bill was keeping many citizens, who preferred private medicine, on the lists of National Health Service doctors, Independent Medical Services plans to cover that risk, too. Its policy will cost $1.82 a month ($21 a year) for people between 17 and 65, and $1.12 ($12.60 a year) for those older or younger. It picks up the tab for drugs; the patient will pay only 35 cents for each surgery consultation and 70 cents for a home visit. A family of four can enjoy the care of a general practitioner and free drugs for $1.40 a week. Alternatively, for $2.94 a quarter or $11.20 a year, a subscriber can insure against the cost of drugs only, paying the doctor's bills himself.

When this coverage becomes available next month, desertions from the National Health Service could snowball. By combining BUPA's nursing home plan with Independent Medical Services' drugs-and-doctors scheme, British families of modest means for the first time will be able to guard against all the ills to which the flesh is heir, great or small, without resort to socialized medicine.

Doctors, too, will be able to ignore the National Health Service completely, instead of combining a list of nonpaying patients with a private practice on the side, as many now do. Independent Medical Services executives calculate that a medic serving 2,000 subscribers to their plan will be able to earn a pre-tax income, after deducting the cost of drugs and practice expenses, of $16,800 a year. By comparison, a doctor with a list of 2,000 National Health patients has been finding it hard to earn $5,600 before tax, and the recent pay hike will only bring him up to $8,400 a year.

NOT ONLY THE RICH

Why are so many of Her Majesty's subjects willing to pay for medical care substantial sums in addition to those they have already paid, in taxes and in National Health stamps, for "free" care? Not only the rich are doing so. Those who are deserting state medicine are middle-class Britons and quite a few workers who cannot afford catastrophic medical bills, but are not content with socialized medicare.

Their complaints are precise. First, the average National Health doctor has 2,300 people on his list, which compares with one doctor for 752 people in the U.S. It means long, frustrating (and, for some, costly) hours in waiting rooms. Consultations often are so hasty that, rightly or wrongly, patients feel they are perfunctory. If a specialist is needed, the patient has no say in who will be consulted, nor where, nor when.

If the specialist is a surgeon and he recommends an operation, there is no guarantee that he will perform it himself. The scalpel may be wielded by a surgeon whom the patient has never seen before and may not see very often afterward. In short, many a sufferer gets the feeling he is on a conveyor belt in a very impersonal medical factory.

M.D.'S FROM BANGALORE

Furthermore, because of the emigration of British doctors to lands where medicine is still relatively free, the National Health Service must draw on foreign doctors to meet the vast demand it has created for free treatment. Fully 43% of all doctors in British hospitals have taken their degrees abroad, mostly in India, Pakistan, the West Indies and various Commonwealth countries of Africa.

In a report on doctors' working conditions published last month, Lord Kindersley noted that "the rise in the number of overseas-born doctors in the grades of registrar and below was . . . equivalent to virtually the whole of the increase in numbers in those grades" between 1960 and 1964. In other words, except for the top echelon specialists, all of the demand for extra medical care created in Britain by the fact the government pays for it is being met by doctors imported from abroad. While denying that racism has anything to do with it, many Britons would like to be treated by doctors with degrees from universities more reputable than Bangalore and Accra.

Finally, there is the vital question of waiting time for hospital accommodation. The last report of the Health Ministry shows there are 404,019 beds occupied in British hospitals, against a waiting list of 475,863. Because of the strain free treatment has placed on health resources, only the most urgent cases can be sure of prompt treatment. Critics fairly concede that for emergency operations the National Health hospitals are as good as any in the world. For adenoids, tonsils or a rumbling appendix, however, waiting time can run to nine months.

WORKMEN WANT IT, TOO

Working men are as interested in BUPA and Nuffield nursing homes as anyone else. A factory hand who develops a hernia might lose overtime for six months because he has to rest while awaiting a hospital bed in his locality. Subscribing to BUPA to be sure of prompt treatment saves him money.

Since his employer's interests run along parallel lines, BUPA has won the support of many British companies. Some 70 leading insurance firms, presumably good judges of medical underwriting, have covered their executives. Another 6,400 corporations or institutions have taken out group policies on their staffs, and BUPA gives them rebates of up to 33% for handling the clerical work.

Increasingly, British companies are not just handling the clerical work, but pay the premiums as well. BUPA coverage now figures in help-wanted ads, along with the free car and company house, as bait for executives. The British Medical Association asked BUPA to work out a plan to cover doctors, and some government departments of the welfare state itself have bought BUPA coverage for their civil servants.

Public discontent with the nationalized medicine is matched by the frustrations of the doctors who dispense it. Lord Kindersley noted in his report last month the symptoms of that frustration and diagnosed its causes. The basic difficulty, he said, is that "the doctor's contract is open-ended, in the sense that though remuneration and conditions of service are fixed by the state, the services rendered depend entirely upon the demands of the patients, on which no external restraint is placed."

Since Britons can demand treatment for every symptom, imaginary or real, there is "a growing burden on doctors," says Lord Kindersley, "to a point that many are beginning to find insupportable. There is a clear feeling that nowadays patients, undeterred by any charge, come to their doctors for minor disorders and injuries of a kind with which their parents would not have troubled the doctor."

The Kindersley report calls attention to the staggering increase in the medical workload and cites the "monastic life" of hospital staffs on duty for 120 hours a week. In general practice, too, doctors complain of overwork. Their burden was increased, the report said, by the Wilson Government's abolition of the 28-cent charges once imposed on all prescriptions. That "demagogic gesture," as The Financial Times called it, has cost the Health Service a jump of 22% in its drugs bill in the first full year, to a record total of $361 million.

TRIVIAL CHORES

Probing more deeply, Lord Kindersley reported that it is not only the volume of work that is getting British doctors down. No one ever went into medicine without expecting to work hard and long. What is giving doctors "a sense of frustration" is the "preoccupation with trivia"—mainly looking after people who haven't much wrong with them. "We think the sense of being overloaded is exacerbated by a feeling that too much of the work that the general practitioner is being asked to do is trivial, and not only does not call for the full exercise of his clinical skill but also makes it more difficult for him to practice good medicine and to provide the best standard of service to those whose need of medical advice and skill is real and urgent."

Low-pay and poor working conditions are causing 600 doctors a year to quit the nationalized hospitals. They are replaced by immigrant medicos from Asia and Africa. Several hundreds more each year resign from general practice under the National Health Service, and their numbers rose sharply last year. Lord Kindersley pointed out that "the rise in the rate of withdrawals has been particularly marked among doctors under the age of 45."

THE BRAIN DRAIN

Because, up to now, there has been little scope for private practice, doctors who quit the Health Service have had no alternative but to leave Britain. From 1955 to 1962, an average of 400 British doctors emigrated each year; in 1964, no fewer than 1,200 left the country for good, as against 1,600 who graduated from British medical schools. Deploring this "substantial permanent loss," Lord Kindersley cited a survey of British doctors who had emigrated which showed: "Unwillingness to enter general practice, or to stay in general practice, as it exists under the National Health Service, was most common complaint mentioned by those who responded to our postal questionnaire from Canada and Australia."

The Kindersley report urged, and the Wilson Government was obliged to implement, big increases in doctors' salaries. Still, his sagacious lordship evidently had doubts as to whether more money alone would restore the prestige of British medicine. "We have had to consider," he wrote, "to what extent inadequacy of remuneration is an underlying cause of trouble, and to what extent complaints made overtly about remuneration are really attributable to some other cause of dissatisfaction." Independent Medical Services, Ltd., thinks it has the remedy for the latter.

The growth of private, paid medicine within the bosom of the welfare state is a fact little known even in these islands, let alone abroad. That is because it causes little political discussion. The Labour Party chooses to ignore it, while the Conservatives seem afraid to notice it. Said an officer of BUPA, "In all the 13 years of Tory rule or misrule, we could never once get to see the Health Minister. We have had no help or encouragement from the Conservative Party. It was only after they were defeated by the socialists that they came to talk to us about alternatives to socialized medicine. It apparently had struck them that our two million-odd supporters could represent an electoral force. But we're not interested in politics."

While eschewing politics, Independent Medical Services, Ltd., recently took a fling at philosophy. The introduction to the booklets it is distributing this month to advertise its appearance is not a citation from any Tory manual or Liberal manifesto. Rather, it quotes Abraham Lincoln: "You cannot build character and courage by taking away men's initiative and independence. You cannot help men permanently by doing for them what they could do for themselves."

IN DEFENSE OF THE ARCHITECT OF THE CAPITOL

Mr. LONG of Louisiana. Mr. President, I wish to say a word or two on behalf of the Architect of the Capitol, in defense of his position, and even in support of his position compared to the positions of some of those who have been critical.

Mr. President, I have seen some reference to the Architect of the Capitol, questioning his adequacy to hold his position. I must say that in looking back over the service of the present Architect, it has been my impression that as to the controversies with regard to which he has been involved, history has invariably proved him to be far more competent than those who are critical of him.

Such controversies which have occurred while I have been a Member of the Senate, and while the present Architect of the Capitol, Mr. Stewart, has been serving in that capacity, have included the New Senate Office Building—which was very controversial at the time it was proposed. Measures to provide for the building were offered and debated at least twice. There was a very pressing need for more office space, but Senators were timorous about voting to provide it, even at a time when we had several times the number of employees in the Old Office Building than had been there at the time of its construction.

Then there was all sorts of criticism about the building of the New House Office Building, the Rayburn Building. That building was built, and again I say—with all due deference to those who were critical, and who said that that office building cost a lot of money—that this happens to be the Government of the United States, the greatest nation on the face of the earth, and this Nation can afford to have adequate and desirable offices for those who serve in its legislative branch.

For my part, I am happy to see that that building is better than the older buildings which existed prior to that time. I wish I could say the same thing for the New Senate Office Building, but unfortunately some of our economy advocates in this body succeed in postponing and delaying the construction of the building until the cost of construction had gone up very substantially, and those features were eliminated that might have added grace and beauty to that important building visited by people of all 50 States almost every day of the year.

There is a question whether any overall economy was achieved at all in view of the fact that the costs of construction had advanced. However, the economy advocates were successful in stripping from the plans of the new office building everything that would be graceful and beautiful and would cause one to think of the building as one of which the Nation should be proud. It is a very austere building, in line with their desires. They even opposed having rugs on the floors. I do not think that any sightseers will refer to it with great pride.

One could say more concerning the Rayburn Building, the New House Office Building. At least under the leadership of Sam Rayburn, who supported the Architect of the Capitol, a superior building was designed to that type of building built 20 or 30 years ago or further back in our Nation's history.

These buildings were needed. They were necessary. They were built to fill the need of a great, growing country. As our country grows, the Government grows with it. Government is a part of a great country. It is necessary that this should be that way.

It can be argued in some respects that the country cannot progress and grow unless it keeps pace with the progress of industry.

I point out to those who make the argument that the building should not be touched or changed—"Woodman, spare that tree"—a desire to preserve something historic—that the Capitol was not built at one time. It was built in segments. A cornerstone was laid. An adequate edifice was built for the 13 small States on the eastern seaboard.

As the Nation grew, the Capitol grew, and additions were made to it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, the Senate wing of the Capitol, in which I now stand, as well as the House wing, was constructed immediately prior to the Civil War. There are perhaps people still living who had been born before the two wings of the Capitol were added to the Nation's Capitol.

In our time we have extended the front of the Capitol to give the building better architectural symmetry. I have walked up and down those steps and studied the problem. In my judgment, the building has better architectural balance since the extension of the east front of the Capitol. Most people would never notice any change, but the advance of the east front provided space badly needed for meetings and conferences among legislators.

A committee is now studying what should be done with regard to the west front. Unless the west front is replaced by better structural material, it will cave in.

Should we move the west front forward somewhat when this part is being replaced? This could be done in a manner that no one would be able to detect the difference unless he were to make a careful study of the building before the extension. Should we reconstruct the west front exactly as it is, with a building no more adequate than at present?

I have had a small office in the west front for some time. I am familiar with the problem. I have no objection to the inconvenience that would be occasioned in expanding and improving the west front to provide us with more office space so that other Senators might have space there.

Mr. President, it seems to me that those Senators who fight so determinedly to prevent the building of another office building and to prevent the addition of more space in the Capitol Building, should decline to accept the space which presently exists in the building. They should give up their space in the new office building and certainly should not ask for any additional space after provision is made for additional space. Those who wish to go forward, to provide additional space for the needs of the country, should have a priority in requesting and receiving such space as they need, both in the Capitol and in the office buildings.

So far as I know, there is very little doubt about the things that we have done to improve the Capitol. There is no criticism now. The same thing would apply to the office building.

Everybody wants more office space. Nobody wants to settle for less than his allotment. More Senators desire to have a small office somewhere in the Capitol, convenient to the Senate Chamber, than there are spaces available. Some expansion of the Capitol would be desirable to take care of those needs.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may be permitted to continue for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, perhaps four or five times as many tourists come to see the Capitol, to sit in the galleries, and to watch the Senate and the House in operation, than did when I took my oath of office more than 17 years ago.

We have no adequate restaurant to serve those people. They have to share the facilities of our staff in the New Senate Office Building.

Matters of this kind should be considered when we tear down the west front and replace it. We should think in terms of what the future needs will be.

The desk of Jefferson Davis is still in this Chamber. The desk was here when the Senators from the Confederate States left the Senate. Someone sought to damage that desk, but he was stopped by a noncommissioned officer who said that this Nation would grow and become greater, and that the desk would be needed again in the future.

The desk was saved. I think it is now occupied by the distinguished Senator from Mississippi [Mr. STENNIS]. The damage done to the desk by a Union soldier's bayonet is still evident by a patch on the desk.

At that time the Capitol was being enlarged and expanded. I believe that the great dome was being built on the Capitol at that time. President Abraham Lincoln was asked whether they should go forward with the improvement of the Capitol in view of the fact that the money, labor and materials could be used in the war effort.

Abraham Lincoln said:

> Go forward with it. When you go forward with the construction of your Capitol, people will feel that, if the Capitol is being built, it is one more indication that the Nation will survive.

Abraham Lincoln had the courage to go forward and improve the building even though materials were scarce, and there was criticism for doing it in his time.

Certainly if the great men of our country could build adequately at that time for both the present and the future—and I particularly admire those who build for the future—it seems to me that we should go forward with this project now.

I personally admire the progressive spirit and attitude of the Speaker of the House and the Vice President of the United States—who is the Presiding Officer of the Senate—as well as of the minority leaders of the Senate and the House, and those who serve on the commission set up under the act of 1955 who have suggested that in replacing parts of the building which are deteriorating and would otherwise collapse, we build something better than exists at the present.

That has been the whole trend of this country. I hope that it will continue to be so.

KING FAISAL'S LOST OPPORTUNITY

Mr. JAVITS. Mr. President, I desire to invite the attention of Senators to an interesting occurrence that took place this morning with respect to the visit of King Faisal of Saudi Arabia. I speak of this matter in great sorrow, rather than in anger, but it illustrates an important point with respect to our Government being host to the King.

Because it would have been unfeasible to act otherwise, it became necessary for the mayor of New York City, Hon. John Lindsey, to cancel a dinner reception scheduled for tonight in New York for King Faisal. This was the only course of action the mayor could have taken, in reaction to the rather intemperate statements of the King in Washington, yesterday, about Israel and about the Jewish people.

By his statements and the ideas they represent, King Faisal exhibited an unfortunate understanding of Americans who sympathize with his efforts to bring his desert kingdom into modern times and to resist the repeated threats of invasion and actual acts of aggression by President Nasser's United Arab Republic.

In welcoming distinguished foreign visitors to the United States, we have the right to hope that such visitors will bolster the efforts to secure peace, rather than to threaten them.

In his statements, King Faisal reiterates the traditional Arab cliches and prejudices which have kept the whole Middle East in turmoil and near war, statements about destroying Israel as a state and about the Jews being the enemies of his people.

Nothing could be further from the truth. The Jewish people of the United States have already ardently and loyally backed aid to the Arab refugees in large amounts, and are certainly not enemies of the Arab people. The Jewish people of the United States would certainly be delighted if the Arabs and the State of Israel would come to an accord for that peace and that development which can be so meaningful toward bringing the whole benighted Middle East, including King Faisal's desert kingdom, into modern times.

Mr. President, King Faisal missed an opportunity. He comes from a part of the world that is riven with strife, blood feuds, and continued threats of warfare. His visit could have served the purpose to indicate to Americans—who would, I feel, be receptive to such words—that as a leading Arab statesman, his goal is a peaceful Middle East and progress for his people in an atmosphere of peace.

I hope that this oppressive incident—one must face it very frankly—may have an effect upon the King in moderating the prejudices which he has expressed. I hope that before he returns to his homeland, the King may embrace the opportunity which perhaps this experience will have taught.

Certainly, Mr. President, the sooner the Middle East comes out of the darkness of the Middle Ages, the sooner it recognizes the tremendous mutual benefits for itself, for the other Arab countries, and for Israel stemming from peace and security and stability—and the enormous contribution which can be made to the development of the Middle East and of those Arab countries by bringing an atmosphere of peace and security and constructive development to that area—the sooner will the world rest more easily.

With our concern about Vietnam, we are inclined to overlook the fact that the Middle East remains the tinderbox of the world; that President Nasser is engaged in active aggression right now in the nation of Yemen and, indeed, as far as one can see, is engaged in active hostilities with the Saudi Arabia of King Faisal.

Mr. President, understanding fully the situation, but regretting it and being sorrowful over the fact that an Arab monarch received by our Nation should nonetheless give voice to such sentiments as the King has expressed, I express the hope that this incident may have taught the King—kings can learn too, I am sure—some lesson which will cause him to rethink what he has said, to rethink the ideas and the policies reflected by what he has said. Perhaps then he will really accept a historic opportunity which could be uniquely his, as an almost absolute monarch in a very tightly organized country to begin to travel the road toward some kind of light, instead of the darkness and the danger which seem to engulf the Arab States in the Middle East.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 136) to amend sections 1, 17a, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 12270) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the 12th Boy Scouts World Jamboree and 21st Boy Scouts World Conference to be held in the United States of America in 1967, and for other purposes, and it was signed by the Vice President.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order Nos. 1254, 1255, and 1257.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL ASSISTANT POSTMASTER GENERAL

The Senate proceeded to consider the bill (H.R. 13822) to provide for an additional Assistant Postmaster General to further the research and development and construction engineering programs of the Post Office Department, and for other purposes.

Mr. YARBOROUGH. Mr. President, H.R. 13822 will create a sixth position of Assistant Postmaster General to be in charge of the Department's program of research and development.

At the present time, there is an Office of Research and Development and Project Engineering in the Post Office Department, but it does not have sub-Cabinet status and it is in the Department's and committee's belief that elevation of this very important program to sub-Cabinet status will enhance the opportunities for increased efficiency in the postal service.

I am sure that every Member of the Senate is aware of the tremendous volume of mail that the Department is now handling. The American public is now mailing almost 2,000 letters a minute—every minute of every day, 365 days a year. The development of modern equipment is imperative to handle present and future mail volume. The creation of a new bureau within the Post Office Department to handle this task is a major step to achieve that goal.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1289), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This legislation would create a sixth position of Assistant Postmaster General in the Post Office Department, to be in charge of research, development, and construction engineering programs.

The necessity for effective research and development programs in the postal service is of vital importance to the Nation. Mail volume is now at its highest level in history and its rate of growth is increasing. At the present time, about 1,400 letters are mailed every minute of every day of the year. It will increase next year.

The meaning of modern research and engineering programs is that this gigantic mail volume can be handled only if up-to-date equipment is installed in post offices all over the Nation. The postal service cannot continue indefinitely adding employees to the payroll. New methods must be devised to deliver the mail at the most economical price to the mail user and the taxpayer. The proper utilization of modern machinery and processing equipment is a major factor in achieving this goal.

The program presently existing in the Post Office Department will not enable the postal service to keep pace with the Nation's growth. Prior to 1950, there was no research and development program in the Post Office Department, and its activities since Public Law 81–231 have been modest. Strong interest on the part of the Congress and the Department have not characterized the program until recently. For fiscal year 1967, only one-third of 1 percent of the Department's appropriation has been allocated to research and development. Other Federal agencies allocate much more for research and development. The Department of Defense will spend more than 11 percent of its operating budget for research and development in fiscal year 1967.

H.R. 13822 will provide the administrative machinery to move toward an effective program of research and development. Recognition of sub-Cabinet status will place proper emphasis upon the importance of the program to the postal service. In addition to the new Assistant Postmaster General, the bill will authorize two new directors within the Bureau, one for research and development and one for construction engineering, and increase from three to six the number of scientific and professional positions in the Department's research and development and construction engineering functions.

COST

The direct costs resulting from the enactment of this legislation are the salaries of the new positions created, about $130,000 a year at present salary rates.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

COST-OF-LIVING ADJUSTMENTS IN STAR ROUTE CONTRACT PRICES

The Senate proceeded to consider the bill (H.R. 2035) to provide for cost-of-living adjustments in star route contract prices which had been reported from the Committee on Post Office and Civil Service, with amendments, on page 1, line 5, to strike out "subsection" and insert "subsections"; in line 6, after "January 1,", to strike out "1965" and insert "1966"; on page 2, at the beginning of line 2, to strike out "1963" and insert "1964"; in line 8, after "July 1,", to strike out "1965" and insert "1966"; in line 9, after the word "from", to strike out

"1963" and insert "1964"; in the same line, after the word "to", to strike out "1964" and insert "1965"; in line 12, after "January 1,", to strike out "1964" and insert "1965"; in line 20, after the word "of", to strike out "any" and insert "each"; in the same line, after the word "year", to strike out "other than 1965" and insert "after 1966"; and on page 3, after line 10, to insert:

> (d) The increases authorized by subsection (c) of this section shall not apply in the case of any contractor who operates more than one star route contract or to any contract which has been increased pursuant to subsection (a) of this section within the twelve months next preceding the date on which an adjustment in such contract would otherwise be authorized under subsection (c) of this section.

Mr. YARBOROUGH. Mr. President, H.R. 2035 would provide a cost-of-living adjustment in a contract price of certain star route mail contracts. Under present law, the only way a star route contractor can get an increase in his contract price during the 4-year term of the contract is to itemize his increased operating expenses and justify his request to the Post Office Department. For many contractors, this is virtually an impossible task.

H.R. 2035 will recognize the problem facing many small star route contractors by providing that whenever the consumer price index rises at least 1 percent in 1 year, the Postmaster General shall increase the contract price of any contract which is personally operated or which requires not more than two employees. The increase shall apply only to the first $15,000 of any contract. The increase shall not apply to benefit any contractor who operates more than one star route, and it shall not apply if within the 12 months preceding the date of adjustment the contract price has been increased pursuant to any other provision of law.

The committee estimates that this bill will cost about $250,000 annually.

I think that this increase deserves support, because these small star route carriers deserve this consideration in an era of rising costs.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1290), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This legislation will provide an automatic cost-of-living adjustment in the contract price of certain star route contracts whenever the Consumer Price Index reflects an increase of at least 1 percent in 1 year. The increase will be limited to not more than $15,000 of any star route contract.

STATEMENT

There are about 12,000 star route contracts in the United States which are let out for competitive bidding by the Post Office Department. Each contract is for 4 years and may be renewed upon agreement between the Department and the contractor. (See 39 U.S.C. 6405, 6411, and 6416.)

Under present law (39 U.S.C. 6423(a)), the Postmaster General may readjust the contract price to reflect increased or decreased costs of operation during the terms of the contract. The Postmaster General may take into account changed conditions of the contract operation, including cost-of-living increases, increased wages to employees, taxes, and increased operations expenses.

To fulfill the requirements for such an adjustment, the contractor must fill out a form and present it to the Department for consideration. A copy of this form is included in this report.

More than half of the star route contracts in operation in the United States are for less than $10,000 each year, and most star route contractors are individuals serving one route. To comply with departmental regulations, each contractor must maintain operations records of his expenses of the route. In many cases this is most difficult if not impossible.

Testimony presented during public hearings on this bill before the Postal Affairs Subcommittee (July 29, 1965) indicated that adjustments are never requested by many contractors because of the difficulties involved or because an increase in the contract price may result in the Department readvertising the route at the end of the contract period.

Regardless of the amount of increase in the cost of operation, no increase can be granted unless the procedures in 39 U.S.C. 6423(a) are met. The committee favors adherence to such procedures, but recognizes that some contractors are not equipped to fulfill the requirements of the law.

H.R. 2035 will correct this situation by requiring an adjustment on July 1, 1966, and each succeeding July 1 if the Consumer Price Index indicates a 1-year increase of at least 1 percent from the second preceding year to the immediately preceding year. The index increase shall not be cumulative; that is, if the increase is not 1 percent in 1 year, a new period of measurement will commence.

AMENDMENT

The committee has amended the bill as referred to confine such adjustments to contractors who operate not more than one contract, and to preclude any increase if within the 12 months preceding the date of adjustment the contract has been increased under section 6423(a).

COST

An accurate estimate of cost is unavailable. The adjustment is limited to the CPI increase for the first $5,000, three-quarters of such increase for the second $5,000, and one-half of such increase for the final $5,000. The amendments made by the committee should reduce the cost below the $300,000 annual figure estimated to be the cost of the bill as referred to the Committee.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

AMENDMENT OF ACT RELATING TO THE GREAT SALT LAKE RELICTED LANDS

The Senate proceeded to consider the bill (S. 3484) to amend the act of June 3, 1966, relating to the Great Salt Lake relicted lands which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, line 4, after the word "by", to strike out "deleting ', shall be deemed permits, licenses, and leases of the United States and shall be administered by the Secretary in accordance with the terms and provisions thereof' and by substituting 'shall not be binding on the United States unless within ninety days they are renegotiated to include such modified terms and conditions as the Secretary of the Interior deems appropriate,' " and insert "changing the period at the end of the section to a comma and adding the following: 'excepting for land rental rates which rates shall be subject to change based upon fair rental value as determined by the Secretary of the Interior and shall be subject to review and appropriate modification not less frequently than every five years by the Secretary of the Interior in accordance with rules and regulations of the Department of the Interior'."; so as to make the bill read:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 6 of the Act of June 3, 1966 (Public Law 89–441, 80 Stat. 192), is amended by changing the period at the end of the section to a comma and adding the following: "excepting for land rental rates which rates shall be subject to change based upon fair rental value as determined by the Secretary of the Interior and shall be subject to review and appropriate modification not less frequently than every five years by the Secretary of the Interior in accordance with rules and regulations of the Department of the Interior."

Mr. MOSS. Mr. President, I urge passage of the bill now before us, S. 3484, which will amend the law governing transfer of certain surface lands to the State of Utah. The basic bill was S. 265 which I introduced in the Senate early last year and which was signed into law by President Johnson on June 3, 1966.

This amendment simply provides that, in the event the surface lands revert to the Federal Government, the leases thereon which the State of Utah had executed and which then would be taken over and administered by the Federal Government, would be subject to renegotiation of land rental rates in accordance with fair rental value. This fully protects the Federal Government in the event that Utah has granted a land lease at too low a figure, and it will protect the lessee in the event he is paying too high a land rental in the eyes of the Secretary of the Interior.

The amendment is satisfactory to Utah and to lessees on the Great Salt Lake. It is fair and permits commercial firms to proceed in extracting salts and metals from the brines of the lake. The original wording of the amendment, S. 3484, as introduced would have been disastrous. I appreciate the consideration and perception of the Interior Committee and the Senate in rejecting the original wording of the amendment and in substituting the wording now before us.

I hereby adopt and read into the Record the words of the report of the Interior Committee upon S. 3484, as follows:

PURPOSE AND NEED OF MEASURE

The purpose of S. 3484 is to amend the act of June 3, 1966 (Public Law 89–441; 80 Stat. 192), to insure full protection to the contingent interests of the Federal Government in certain lands in the State of Utah relicted from the Great Salt Lake.

The act, which is based on S. 265 as amended by both Houses, provides for the sale to the State of Utah of all Federal interests in these relicted lands, now amounting to several hundred thousands of acres. The subject lands have substantial potential value for industrial development, and outdoor recreational and fish and wildlife purposes. (See S. Rept. 1006, 89th Cong., to accompany S. 265.)

In order that the State might proceed with revenue-producing development as rapidly as possible, provision was made for conveyance by quitclaim to it prior to determination of the amount and manner of the compensation to be paid. Some little time might elapse between conveyance and consummation of the sale, since the State has the option of taking the issue of Federal-State property interests in the lands to the Supreme Court.

Section 6 of the act authorizes the State to issue, during the interval between the time it takes title and prior to settlement and final payment—"permits, licenses, and leases covering such of the lands as the State deems necessary or appropriate to further the development of the water and mineral resources of the Great Salt Lake, or for other purposes."

Before initiating such a program, however, the State, by or pursuant to an express act of its legislature, must agree to administer the lands "in the manner of a trustee." Proceeds derived by the State from such leases are to be paid to the United States until compensation for the full value, as determined under the provisions of the act, has been made.

In the event the provisional conveyance to the State becomes null and void for any reason, such as the decision of the State not to pay the price, then the lands revert to the Federal Government. Under the act as passed, valid leases issued by the State under the authority of section 6 are to be deemed leases of the Federal Government and are to be administered by the Secretary in accordance with their terms and conditions. The committee points out that the substance of this provision was derived from the Submerged Lands and Outer Continental Shelf Acts, among others, but recognizes that these acts did set forth specific standards that State-issued leases must meet.

The President and Secretary of the Interior point out that despite the requirement that the State must administer the lands as a trustee for the Federal Government pending consummation of the sale, the above provisions might result in the Federal Government's finding itself obligated to adopt leases on its own lands, the terms of which had not been approved by any of its responsible officers. That is, in the event of reversion, the United States might be required to recognize dispositions of public lands which would be improvident and inequitable from the Federal point of view.

For example, the State of Utah has issued certain leases on the subject lands for a period of 49 years at an annual rental of 50 cents an acre for the entire 49 years. The administrative agencies believe that such a period is too long for such a low, fixed amount. Rather, it is urged that if the lands increase in value, as, for example, is probable by virtue of the discovery of improved processes for beneficiation of the brines, then the amount of the rent should be subject to review, in accordance with accepted commercial practice. Furthermore, Utah State law provides that rents from mineral leases may be offset against royalties. Thus, with the State deriving its revenues primarily from royalties from the minerals in the brines, and the Federal Government looking almost solely to rentals for income from the subject lands, leases which might be in the best interests of the State might not necessarily be in the best interest of the Federal Government also.

THE COMMITTEE AMENDMENT

As submitted by the Secretary of the Interior, S. 3484 would have amended section 6 of Public Law 89–441 by deleting from it: "shall be deemed permits, licenses, and leases of the United States and shall be administered by the Secretary in accordance with the terms and provisions thereof" and by substituting therefor the following: "shall not be binding on the United States unless within ninety days they are renegotiated to include such modified terms and conditions as the Secretary of the Interior deems appropriate."

Spokesmen for the State and the lessees, present and potential, pointed out, however, that this provision would cause all leases issued by the State to be in doubt, and thus make financing difficult if not impossible. That is, any of the terms of a lease, as well as the lease itself, would be subject to cancellation if unknown terms and conditions to be set by the Secretary were not met, and within a quite limited period of time. Under such conditions, banks would be reluctant to advance money for development of the mineral resources of the brines of the lake, and thus a primary purpose of the parent law would fail.

The Federal Government's concern with the existing provision in the law was based upon its lack of authority to determine fair rents at fair market rates on the lands it might be required to take back. The committee adopted new language in lieu of that of the original amendment recommended by the Secretary to assure all interested parties that the Federal Government is entitled to take a careful look at the adequacy of the land rental rates in the event of revision. The committee's amendment now provides that although valid permits, licenses, and leases issued by the State under the authority of Public Law 89–441 are to be deemed instruments of the Federal Government in the event the lands revert to it, rental rates shall be subject to review and modification, if indicated, by the Secretary of the Interior at the time of reversion and at intervals of not more than 5 years. Any changes would be on the basis of fair market rates for the lands.

The amendment adopted by the committee to S. 3484 is as follows:

On line 4, following the word "by", strike out the remainder of the bill and insert in lieu thereof the following: "changing the period at the end of the section to a comma and adding the following: 'excepting for land rental rates which rates shall be subject to change based upon fair rental value as determined by the Secretary of the Interior and shall be subject to review and appropriate modification not less frequently than every five years by the Secretary of the Interior in accordance with rules and regulations of the Department of the Interior.' "

Under this new language holders of State-issued leases will be secure in their leases, with changes in rents only made when increases in land values make such changes equitable.

The committee wishes to make clear its understanding of the situation if S. 3484 is enacted, as follows:

1. Any leases made by Utah after June 3, 1966, the date of the enactment of Public Law 89–441, and before enactment of S. 3484, would be binding on the United States according to their terms.

2. Any leases made by the State after enactment of S. 3484 would be affected by its terms and the rental would be subject to periodic renegotiation as provided in the committee amendment.

3. Leases executed by the State prior to the date of Public Law 89–441, that is, June 3, 1966, and which were thereafter "ratified and confirmed" by the Legislature of Utah would not be, in the committee's view, "issued by the State under the authority of" section 6 of Public Law 89–441 and are therefore not binding on the United States in the event of reversion of title. Of course, the State could effectively reissue such leases. If reissued after enactment of S. 3484, they would be subject to its provision for review and modification of rentals.

4. As to options, the committee does not consider them to be permits, licenses, or leases and hence State-issued options would not be binding on the United States if the conveyance becomes null and void under the provisions of Public Law 89–441. If any options are exercised and ripen into leases before the passage and approval of S. 3484, the leases would be binding on the United States. If, however, the options are exercised after passage and approval of S. 3484, the committee's amendment would govern.

Also, the "rules and regulations of the Department of the Interior" to which specific reference is made in the proposed legislation are rules and regulations that will be promulgated by the Secretary to implement the act. At present there are no rules and regulations applicable to the administration of the Great Salt Lake Relicted Lands Act.

With respect to such administration and authorized changes in the leases, the committee cites with approval and adopts the following interpretation and statement of understanding presented by Hon. Frank J. Barry, Solicitor of the Department of the Interior, at the committee's executive session:

"Although a further change in the language of the amendment is not needed, it should be pointed out that we understand the reference to changes in rental rates to include changes either in amount or in method of computation. In other words, although rental rates must be based on fair rental value of the land, they may be computed at a fixed charge per acre, or as a percentage of income, or in any other commercially acceptable manner."

It gives me great satisfaction to reach this final Senate action on my Great Salt Lake shorelands solution. It is my hope that the other body will quickly act, that the President will quickly sign the bill and thus complete the legislative action.

Then at long last Utah may continue its development of the Great Salt Lake as we have been doing ever since Utah came into the Union. Not until a Department of the Interior solicitor's opinion cast a cloud on the title of Utah to that part of the bed of the Great Salt Lake from which the water had temporarily retreated, did anyone believe or suspect that Utah lacked full ownership of the whole lake, including the exposed portions of the lakebed.

Utah has gone the extra mile. Utah has agreed to pay fair market value for the Federal interest claimed to the surface of the exposed lakebed. In exchange Utah will release and transfer to the Federal Government: whatever claim it may have to uplands once under water above the meander line or which might hereafter be covered and thereby subject to a claim or State ownership; whatever claim Utah might have to subsurface minerals under the lakebed, whether under the exposed portion or under the waters where the State's title is unquestioned; and all minerals beneath potential school sections on the lakebed. This well may be more in value than the claims to surface rights conveyed by the Federal Government. But, so be it. Utah wants to complete the transfer promptly.

Already has Governor Rampton sent the director of the Utah State Land Board, Mr. Max Gardner, to Washington to open negotiations. Our desire is to get the jobs done.

Before he signed S. 265 President Johnson wanted to know whether Utah intended to acquire clear title to the bed of the Great Salt Lake. Both Governor Rampton and I assured him most solemnly that Utah would move to acquire clear title. I point out that action has already begun. So the amendatory language adopted today will be surplusage when Utah completes its negotiations and transfers certain mineral rights to the Federal Government, for then there never will be reversion of surface interests of the lakebed to the Federal Government.

It has been a long, complex and often frustrating legislative road to today's action. I am happy to be where we are today.

Mr. BENNETT. Mr. President, as the original sponsor of the Great Salt Lake shorelines legislation in the 87th Congress, I hope that after the Senate passes the bill before us we can put to rest the long and involved controversy that has surrounded the question.

Early this month the President signed the Great Salt Lake shorelines bill conveying certain lands to the State of Utah. All of us in Utah rejoiced. However, it turned out that there were some caveats attached to his signature, and the bill had to be amended "as quickly as possible." I had no part in the compromises or the promises made at the time of the signing, and I would like the record to be very clear on this point.

I am told that the State and the principals involved approve the new language which is before us today, and which merely gives the Secretary of the Interior the right to make adjustments in the leases in the event the lands revert to the Federal Government. Frankly, Mr. President, I think the chances of this occurring are remote, because the State of Utah has given its word that it will acquire the land after a reasonable appraisal.

After this bill is passed, I hope that the entire Great Salt Lake shoreline issue and controversy can be laid to rest so that the industries can begin making their plans for development around the lake. Up to this point there has been some question as to who owns the land on which industries plan to build, and it is my hope that after the President signs the new language the matter will be dropped so that industries can take over. Although I much preferred the bill as it was signed on June 3, the heavy cloud surrounding the agreements and the amendments, as well as the Interior Department's new proposals, have to be lifted; and I am told by the land experts in the field, in the State, and here in Washington that this will be accomplished as a result of today's bill.

Frankly, I am pleased to see the 5-year stipulation in the amendment which will allow the State to proceed at least for that period of time without Interior Department renegotiations potentially occurring every month or earlier.

Mr. President, for these reasons I will vote for passage of the measure before us, and encourage my colleagues to do the same.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Commerce.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. RANDOLPH, from the Committee on Public Works:

Ross D. Davis, of New York, to be Administrator for Economic Development.

By Mr. RUSSELL of Georgia, from the Committee on Armed Services:

Myron R. Blee, of Florida, to be Deputy Director of the Office of Emergency Planning; and

Robert Alan Frosch, of Maryland, to be an Assistant Secretary of the Navy.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. McINTYRE. Mr. President, from the Committee on Armed Services I report favorably the nomination of 1 officer for appointment to the grade of commander in the Navy and 13 officers for temporary promotion to the grade of rear admiral in the Navy. I ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, placed on the Executive Calendar, are as follows:

Lt. Comdr. Eugene A. Cernan, U.S. Navy, for permanent appointment to the grade of commander in the Navy; and

John S. Cowan, and sundry other officers, for temporary promotion to the grade of rear admiral in the Navy.

Mr. McINTYRE. Mr. President, in addition, I report favorably the nominations of 546 officers for appointment in the Air Force in the grade of lieutenant colonel and below. Since these names have already been printed in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that the list be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Wallace E. Fluhr, U.S. Air Force, for appointment as permanent professor, U.S. Air Force Academy; and

Regis C. Kohring, and sundry other persons, for appointment in the Regular Air Force.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nomination on the Executive Calendar.

ATOMIC ENERGY COMMISSION

The legislative clerk read the nomination of Gerald F. Tape, of Maryland, to be a member of the Atomic Energy Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

THE U.S. BALANCE OF PAYMENTS

Mr. DIRKSEN. Mr. President, during the past few days I have had an opportunity to examine a very remarkable and most timely study prepared by the International Economic Policy Association under the direction of its president, Dr. N. R. Danielian. This study titled "The United States Balance of Payments" contains the most comprehensive analysis of the many factors that have produced the recurring deficits in our balance of payments that I have encountered and the solutions suggested by the Association merit careful consideration by every person concerned with finding a solution to this vexing problem.

I note that on Monday the senior Senator from Missouri placed in the RECORD some press references to this book. Several more such comments have come to my attention and I ask unanimous consent that they appear at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, June 11, 1966]

TIME TO FACE FACTS

The business men whom President Johnson has been blaming for much of the dollar drain have turned around and put the finger right where it belongs, on the government. A 200-page study calling for new tactics in the balance of payments battle—and especially for restraints on the government itself—has been published by the International Economic Policy association. This association speaks for a number of big companies with interests abroad—the type of company which Mr. Johnson has punished with voluntary restraints on overseas investment.

The study comes at an opportune moment because the administration has recently conceded—after frequent claims of victory—that its program hasn't worked. The payments deficit is almost as large as ever, and the White House is casting about for new ideas.

The suggestion that the government should look to its own policies is hardly a new idea, however. The government has been brushing it aside for years with the impatience of one who refuses to believe that he can be mistaken. We've been assured, without adequate evidence, that money spent abroad by the government tends to come back in the form of purchases whereas private money invested abroad yields only the hope of far distant profits and can thus be forsaken with no great loss.

The present study uses department of commerce figures to show that the opposite is nearer the truth. These figures show that capital investment abroad yields not only future profits, but also immediate exports. In 1964, nearly 11 billion dollars of income from abroad was related directly to foreign business investment—more than double the amount invested that year—while only 3.4 billion dollars was attributed to government foreign aid and military spending abroad—or less than half the amount thus spent.

The study confirms that the private sector of the economy has consistently produced a surplus in its dealings with foreign countries and that the government, in its transactions, has consistently produced a deficit.

It contradicts the frequent suggestion that private investment in the developed countries of Europe is responsible for the exchange surplus which they have shown. Transactions with these countries have tended, instead, to show a surplus for the United States, the association finds. Where the Europeans have earned their surplus is not from dealings with the United States, it says, but rather thru third country transactions, mainly with underdeveloped countries which spend American aid funds in Europe.

The first recommendations of the report, therefore, are that foreign aid be strictly curtailed and that, instead of providing cash, we provide only goods and services for use on specifically approved projects.

Other recommendations include persuading international agencies like the World bank to do their borrowing abroad rather than in the United States; gradually withdrawing our troops from Europe, with the possible savings of 400 million dollars a year; encouraging more foreign tourism in this country; using special trade agreements to combat similar agreements which are used by other countries and which discriminate against our exports; and, of course, sound fiscal policies at home.

These are sensible suggestions, by and large. If adopted they will prove much more effective than anything the government has tried so far. It's time for the administration to come off its high horse and admit that somebody else may possibly be right, for a change.

[From the Washington Post, June 18, 1966]

WHY TAKE IT OUT ON LYNDA BIRD?

(By John Chamberlain)

Lynda Bird Johnson is taking a graduation trip to Spain, and Congressman H. R. GROSS of Iowa is hopping mad about it. For the balance of international payments is still running against this country, and Lynda Bird's daddy, the man in the White House, has been asking other people to refrain from spending dollars abroad while his daughter goes blithely ahead with her own rather extensive plans.

Personally, I don't begrudge Lynda Bird her trip in the least; if I could make it to Spain this summer I'd certainly do it. Nevertheless, there is a good reason for Rep. GROSS' anger. For the President, in lecturing the so-called private sector (tourists included) for damaging the dollar by international spending, is not zeroing in on the real culprit. The fact is that if it weren't for the Government's own excess spending abroad the balance of international payments would be running in our favor. Lyndon Johnson could stanch the outflow of both U.S. dollars and U.S. gold simply by telling the people who work for him to submit to a little efficiency engineering in their own governmental foreign expenditures.

It so happens that as Lynda Bird Johnson was getting her verbal spanking from Congressman GROSS, Dr. N. R. Danielian, a pertinacious economist whose 15-year fight in and out of the Department of Commerce for the St. Lawrence Seaway was finally crowned by success, was issuing a study for his International Economic Policy Association that shows conclusively how our international payments position could be improved by "at least $3 billion." This would more than wipe out our deficits.

The impact of Dr. Danielian's program could be terrific, but if it takes as long to put it through Congress as it did to build the St. Lawrence Seaway it will come too late. The sad thing is that the program must be carried out by Government, for private citizens and corporations can't help by "voluntary restraints."

The dealings of the private sector abroad actually generate a payments surplus. The President has asked for voluntary hobbles on direct investment abroad by U.S. companies, but the fact is that the manufacturing plant maintained by American businessmen in foreign lands returns an annual earned income that exceeds the outflow of capital in nearly every industry involved. Moreover, exports to the foreign affiliates of U.S. manufacturing companies account for 35 percent of the total of American exports of manufactured goods. We are thus cutting off our nose to spite our face when we cut down on direct foreign investing.

Dr. Danielian's study points out that it is not Europe, where we have many factories, that is to blame for our foreign payments deficits. We sell more to Europe than we buy from her. The big drain on our dollar and gold supplies comes from the deficits that result from "soft loans" and aid to the underdeveloped countries of Asia and Latin America. These areas take our money, but do not necessarily buy our goods.

The Dr. Danielian-International Economic Policy Association program is a mosaic of small items which, added together, would result in $3.2 billion in annual savings on the U.S. foreign account. The program suggests a substitution of "aid in kind" for "aid in dollars." It asks for a reappraisal of our strategic concepts, for, as troop transport jets get bigger, there is less and less necessity for quartering soldiers far from home. Instead of cutting down on U.S. tourism abroad, the International Economic Policy Association suggests "dollar coupons" for special classes of foreign tourists coming to this country.

But, since the Pentagon, the State Department and a number of congressional committees would have to agree to the IEPA $3.2 billion savings program, nothing will happen unless Lyndon Johnson cracks a few heads together. And he seems to be busy with other things.

[From the Rome Daily American, June 14, 1966]

GROUP SAYS HELP U.S. BY HELPING TOURISTS

(From combined dispatches)

WASHINGTON, June 13.—Dollar coupons to lure foreign tourists to the United States were suggested today as one way of reducing the U.S. balance of payments deficit.

The suggestion came from the International Economic Policy Association, a private organization made up of 20 major U.S. corporations doing business abroad.

Under the Association's proposal, the government could give dollar coupons to "special classes" of foreign tourists such as students or clubs. The coupons could be used to pay for hotel and other expenses in the United States.

Coupons worth $10 million might be issued the first year. If these proved successful, they might be increased to $50 million a year, the Association said.

It said $50 million a year in coupons might bring in $250 million a year in additional spending by foreign tourists.

Tourist subsidies were one of a number of measures contained in a 200-page Association study, "The United States Balance of Payments: An Appraisal of U.S. Economic Strategy."

A recurrent theme of the study is the government should put an end to its "voluntary" curbs on overseas investments by U.S. companies. The government also should assure businessmen that no restrictions or controls on capital flows are contemplated, the study said.

Other proposed measures for reducing the dollar out flow include:

Possible formation of a North Atlantic Common Market, including the United States, Canada, Great Britain and other members of the European Free Trade Association or "Outer Six";

Tax incentives for U.S. exporters;

Possible troop reductions in Europe;

Adoption of a conditional most-favored-nation trading principle to give United States more bargaining power in trade talks; and

More "tying" of foreign aid to purchases of U.S. goods and services.

The Association said its proposals could reduce the dollar drain by at least $3 billion a year. Last year the balance of payments deficit was $1.3 billion.

In the first quarter of 1966 it ran at an annual rate of $3.3 billion.

The Association's founder and president is N. R. Danielian, an economist who once taught at Harvard University and has been active in promoting construction of the St. Lawrence Seaway.

Danielian said it was government overseas spending which caused the payments deficit. The private sector had produced a surplus, he said, but insufficient to offset government spending abroad. But it would be shortsighted, he believed, to suggest a total withdrawal of U.S. military forces abroad or total cessation of foreign aid.

Any expectation that the problem could be solved by controlling private overseas investment was misplaced, he said. "We will never earn more in the future unless we are willing to invest today."

[From Business Week, June 18, 1966]

The advantage to Canada of such a grouping would be to open up larger markets—without submerging the country's national identity. This reflects a basic fear of Canadians whenever schemes for closer integration with the U.S. are proposed.

For the U.S., the primary advantage would be to strengthen Atlantic political as well as economic ties.

The free trade area would be open to membership by other industrial countries. But at the outset, the committee concedes, the idea almost certainly would not interest major traders such as the European Common Market and Japan.

A similar idea was launched by the International Economic Policy Assn., a Washington group backed by a number of U.S. corporations and headed by N. R. Danielian, one of the promoters of the St. Lawrence Seaway. The group views a free trade area primarily as a means of cutting down the U.S. balance-of-payments deficit.

[From Chemical Week, June 18, 1966]

How Business Could Help Balance Payments: Recommendations by International Economic Policy Assn.

The U.S. should consider taking advantage of GATT provisions by organizing a new trading area, such as a North Atlantic Common Market.

The U.S. should consider switching its trade policy from unconditional to conditional "most favored nation" basis.

The U.S. should consider ways to give a tax incentive on exports, such as a lower tax on profits from export sales.

The Export-Import Bank should offer to U.S. exporters credit and insurance at least comparable to those offered by other developed nations.

Discriminatory cargo freight rates—eastbound across the Atlantic, westbound across the Pacific—should be eliminated.

International commodity agreements should be judged with specific reference to their effects on U.S. balance of payments.

The U.S. should capitalize on East-West trade opportunities; bilateral trade agreements should specify that dollars earned in U.S. are to be used for procurement in U.S.

Restraints—voluntary or otherwise—on direct private investments abroad should be eliminated.

Bank loans for financing U.S. exports—or for financing trade among third countries—should be freed from any limitations.

Restraints should be continued on long-term bank loans for industrial development in other countries, such as Japan and Western Europe.

Leeway for Foreign Growth

The U.S. can give its businessmen freedom to invest overseas as they see fit and still dig its way out of its balance-of-payments deficit in about one year, a private, nonprofit and nonpartisan economic research organization asserted this week.

In that organization's findings and recommendations, some 15 chemical process companies whose export sales and foreign dividend income have been making a sizable contribution to the nation's balance-of-payments ledger have now made a significant contribution to the debate about how to end the overall deficit in U.S. foreign transactions.

Relying on Business: These process companies make up the majority of a group of corporations [1] that are sponsoring the work of International Economic Policy Assn., which was established in '57 "to encourage effective U.S. international economic policies and programs." IEPA is headed by N. R. Danielian, a former Harvard economics instructor who helped plan the St. Lawrence Seaway project.

IEPA's recommendations, based on a study of major plus and minus components in the U.S. balance-of-payments accounts during two decades, '45–'64, put heavy emphasis on the part to be played by private U.S. business.

No Letdown on Security: He insists the recommendations do not involve abandoning any national security commitments and emphasizes the desirability of giving aid-in-kind in the form of commodities, rather than giving foreign aid in dollars.

And Danielian stresses the importance of tough, reciprocal bargaining in the present round of trade and tariff negotiations. "The European Common Market," he says, "is interested in the reduction of U.S. tariffs in such industries as chemicals, machinery, man-made fibers—all industries that have been earning large trade surpluses for the U.S. To sacrifice trade advantages in these industries without assured new markets in other areas will hurt the U.S. balance of payments, instead of helping it."

[From the Los Angeles Herald-Examiner, June 14, 1966]

Economist Offers Shotgun Plan: Cure for Dollar Drain

(By James H. Howard)

Redeployment of U.S. military forces overseas is one of 33 recommendations made today by the International Economic Policy Association to correct the nation's international payments deficit.

The recommendations are contained in a 200-page book, "The United States Balance of Payments: An Appraisal of U.S. Economic Strategy."

The key to curing the deficit, says Economist N. R. Danielian, president of the privately-financed research group, will be found "in a number of actions, each of limited return, but the combination of all leading to a fundamental correction in the U.S. balance of payments."

NOT SHORT SIGHTED

The study says, "It would be shortsighted to suggest a total withdrawal of military presence abroad, or total cessation of foreign aid; both would be dangerous to U.S. power and security. It is also impractical, however, to expect the private economy, through increased sales or diminished credits and investment, to raise, in the short run, U.S. net earnings abroad by an additional $3 billion a year to offset government deficits."

The private sector of business has generated a payments surplus for several years while Federal spending has been in deficit by more than $3 billion a year.

Several of the IEPA suggestions are based on reorientation of Federal policies and programs. The research group asks for greater emphasis on private investment projects, a more selective allocation of "soft" loans to less developed countries and the creation of an international aid agency to foster an international sharing of the global aid burden.

IEPA favors a revision of the most-favored-nation principle from its traditional, unconditional basis to a conditional one. The group believes this would enhance the U.S. bargaining position during trade negotiations.

OTHER SUGGESTIONS

Danielian said other recommendations contained in the study include tax incentives for exports, liberalizing the Export-Import Bank's credit and insurance terms for exports, incentives for foreign visitors to the U.S. and a program to encourage international financing institutions, such as the World Bank, to confine their borrowings to the European capital markets until the U.S. deficits are eliminated.

The seven areas in which recommendations are made and the savings believed possible for each include: revision of trade policies, $500 million; removal of restraints on direct investment, $500 million; modified exchange rates, curbs on long term bank loans, $500 million; farm sales under PL 480 and East-West trade, $450 million; foreign aid, $400 million; redeployment of U.S. military forces, $350 million; restrain on borrowing in U.S. by World Bank, etc. $250 million and tourism, $250 million.

The study concludes: "Next to the military security objectives of the United States, there is no aim deserving of greater devotion than this, the correction of U.S. payments deficits in order to free the United States in the pursuit of its national purposes from the restraints of other countries."

[From the New York Post, June 15, 1966]

Tourists Unplugging the Dollar Drain

Washington, June 15 (AP)—A record number of Americans plan to travel abroad this year, despite the drain on the U.S. dollar.

This is shown by passport statistics slated for publication soon. Passport issues are an advance indicator of foreign travel plans.

The figures also indicate the number of overseas trips by U.S. officials is climbing somewhat faster than that for American tourists. Much of the increased official travel is to Southeast Asia.

The White House has made some effort to curb foreign travel by officials and to encourage U.S. citizens to see America first. However, the President's daughter Lynda Johnson, is among many intending a trip abroad. She is scheduled to leave for Europe shortly.

POSES BIG HEADACHE FOR U.S.

Spending by Americans overseas is one of the headaches for U.S. authorities worried about the gold outflow. In 1965 a record 2,500,000 citizens went abroad, not counting those who just crossed the border to Canada or Mexico.

In dollar spending terms the 1965 U.S. travel deficit amounted to $1,800,000,000. This year's total may top $2,000,000,000.

The passport office statistics cover issuances of new passports and renewal of old ones during the first quarter of this year. They show:

In January through March, 364,701 passports were issued or renewed. This is 14.3 percent above the 318,932 passports for the same period of 1965.

VIET TRAVEL SOARING

Official passports issued in January-March of this year were included in this figure. They totaled 57,251, 17.6 percent for the like 1965 period.

The number of officials indicating they were going to South Viet Nam rose from 1,130 in January-March 1965 to 5,550 in the first quarter of 1966 while the number headed for Thailand climbed from about 6,900 to 11,000. This is aside from military men in combat units, who do not need passports.

The passport count is a bellwether rather than an exact record of actual travel. A person can make an indefinite number of trips on one U.S. passport, which is good up to five years. A few get passports and decide not to travel.

[From the Travel Management Newsletter, June 20, 1966]

Observing the Industry

Subsidy for special classes of foreign tourists, proposed by the International Economic Policy Assn. (TMN, June 13), merits serious consideration as a way of drawing more travel to the U.S., according to Commerce Secretary John T. Connor. There are drawbacks, he notes—the plan would be equivalent to having a multiple exchange rate, contrary to U.S. policy. Also, "the political disadvantages are obvious."

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[1] American Cyanamid, Aluminum Co. of America, Armstrong Cork, Cargill, Chrysler, Continental Grain, Deere, Ford Motor, Goodyear International, Hanna Mining, International Telephone and Telegraph, Koppers, Merck, Monsanto, Owens-Corning Fiberglas, Owens Illinois, Pfizer International, Procter & Gamble, Smith Kline & French Overseas Co., and Upjohn International.

[From the New York Herald Tribune (European Edition), June 13, 1966]

PROGRAM TO CURB OUTFLOW OF DOLLARS CALLED FAILURE

WASHINGTON, June 12.—An independent research organization today described President Johnson's voluntary-restraint program on foreign investments as a failure and called on the government to cut back its own expenditures abroad.

The International Economic Policy Association, in a 200-page report issued today after two years of research, said "an international financial crisis involving the purchasing power of the dollar and its position as a reserve currency cannot be ruled out" if present trends continue.

Dollar coupons to lure foreign tourists to the United States were suggested by the organization as one way of reducing the U.S. balance-of-payments deficit.

The IEPA, whose membership includes representatives of 20 major U.S. corporations doing business abroad, said the present deficit was the result of "programs which are intertwined with our military, trade and foreign-aid policies."

SPENDING ABROAD

It said that the United States is spending between $8 and $9 billion a year abroad for military expenditures, military assistance, defense support and foreign aid.

"We would have no balance-of-payments problem except for these government expenditures abroad," IEPA president N. R. Danielian told a news conference.

Under the association's foreign-tourist proposal, the government could give dollar coupons to "special classes" of foreign tourists such as students or clubs. The coupons could be used to pay for hotel and other expenses in the United States.

$10 MILLION IN COUPONS

Coupons worth $10 million might be issued the first year. If these proved successful, they might be increased to $50 million a year, the association said.

It said $50 million a year in coupons might bring in $250 million a year in additional spending by foreign tourists.

"The private sector of international transactions is producing a surplus in earnings, but not enough to meet the massive transfer on government accounts," Mr. Danielian said. "It is completely unrealistic to expect the private sector to increase net earnings sufficiently to offset all of the government's unilateral expenditures abroad."

Mr. Danielian said: "We feel that in view of this record, any expectation that the problem can be solved by controlling private investments is misplaced, for the record shows that private investments in every area of the world and in most industries have produced greater income than the capital outflow."

[From the Christian Science Monitor, June 14, 1966]

OVERSEAS INVESTMENT EASING URGED

(By Philip W. McKinsey, special correspondent of the Christian Science Monitor)

WASHINGTON.—A business-backed economic research group has called for ending quickly and permanently the administration's program of voluntary curbs on direct investment abroad.

The International Economic Policy Association, supported by a group of big corporations, asserts that unless American investments abroad continue to expand the balance-of-payments deficit will never be licked.

"We will never earn more in the future unless we are willing to invest today," the group says.

Meanwhile, it was learned in Washington that the administration is moving in just the opposite direction.

A 10-nation task force, under the auspices of the Organization for Economic Cooperation and Development and with American support, reportedly is ready to recommend that nations with balance-of-payments deficits adopt a policy of temporarily curbing outflows as needed.

This would reverse traditional American policy in favor of free flows of capital.

SURPLUS EVALUATED

Business in general has been concerned that the administration's "temporary" curb on investment would be stretched out in view of the continuing deficit.

President Johnson expressed hope in January that the payments deficit would be ended this year. Instead, due largely to Vietnam outlays, it will run at least $2 billion. Such a deficit will encourage the administration to continue restraining investment.

The association points out that the United States is able to maintain foreign economic and military assistance only because the private sector earns a surplus abroad. But these surpluses have not been large enough to offset the loss from government overseas spending.

Government programs, including support of our own military forces overseas, have been running a deficit consistently over $3 billion a year. This occurs despite military hardware sales to foreign countries and aid that requires receiving nations to purchase American goods.

SOLUTION ADVANCED

A two-year study by the association concludes that "it is completely unrealistic to expect the private sector to increase net earnings enough to offset all of the government's expenditures abroad."

It calls the payments deficit "the nation's principal unsolved economic problem" and asserts that in spite of all administration efforts to date "a solution is not in sight."

The only way the problem can be licked, it asserts, is by cutting down the dollar drain from American commitments abroad.

While the group does not want to see American security commitments reduced, it offers a number of recommendations, including changes in trade policy as well as government programs.

These changes, the group asserts, would cut the dollar outflow by $3 billion a year.

Some of the group's recommendations fall in the category of wishful thinking. They want the United States, for instance, to limit foreign aid to countries which are trying to help themselves—a goal the administration already pursues to what some critics call the peril point.

Also they want the administration to "insist" on elimination of discriminatory import charges and restrictions on feed grains in the current "Kennedy round" of trade talks—a problem American negotiators have been wrestling with for months.

But the group offers a series of changes that would, if practicable, stem the dollar drain. For instance, it suggests that more foreign aid be in the form of goods instead of dollars.

N. R. Danielian, president of the association, says, "We have more goods to give than gold." The association recommends that other developed countries give aid in the forms of resources, too, through a program coordinated under the United Nations.

REASSESSMENT URGED

The need to maintain an American military establishment abroad is recognized, but the group asserts that a reassessment of military strategy might show that technological developments would make it possible to keep fewer men abroad.

Troops might be taken out of France, which is contributing to the gold drain, and relocated in countries which agree to help alleviate the American payments problem. It suggests that the host country be required to buy enough extra American goods to offset American military outlays there.

The group urges new initiative in the trade area, such as possibly organizing a "North Atlantic common market" to offset the European Common Market; eliminating ocean freight rates that discriminate against American goods; providing a tax incentive for exports by substituting a "value added" tax for some corporate taxes, as many European countries do; and granting subsidies to foreigners to encourage tourism in the United States.

[From the Washington (D.C.) Star June 13, 1966]

SUBSIDY FOR TRAVEL IN UNITED STATES URGED TO EASE DOLLAR DEFICIT

A private research group is suggesting a subsidy for foreign tourists as one of 33 recommendations to end the deficit in the U.S. balance of payments.

Another suggestion by the International Economic Policy Association in its report released last night is for a broad reappraisal of the deployment of U.S. forces in Europe.

The study suggests no panacea for solving the U.S. payments imbalance but says the picture could be improved by $3.2 billion if all its recommendations were followed. It recommends cutting foreign aid by $1 billion and military expenses in Europe by at least $400 million.

SUBSIDY FOR TRAVEL

It would spend $10 million the first year, and $50 million thereafter, to subsidize foreign travel in the United States. This would be done by arranging lower plane and ship fares for tourists and perhaps by partial payment of some visitors' hotel bills.

The group also calls for a reassessment of U.S. trade policy, possible creation of a North Atlantic Free Trade zone to include the United States and Canada and elimination of restraints on direct foreign investment.

This last suggestion is a slap at the Administration's voluntary business program to stem the flow of investment dollars overseas.

The Association describes itself as a private, nonprofit, nonpartisan organization established in 1957 to encourage effective U.S. international economic policies and programs. Its membership includes 20 major U.S. corporations. Its founder and president is N. R. Danielian, an economist who once taught at Harvard University and has been active in promoting construction of the St. Lawrence Seaway.

PRESENT PLAN CRITICIZED

Danielian says it is Government overseas spending which has caused the balance-of-payments deficit. The private sector has produced a surplus, he said, but insufficient to offset Government spending abroad. But it would be shortsighted, he believes, to suggest a total withdrawal of U.S. military forces abroad or total cessation of foreign aid.

Any expectation that the problem can be solved by controlling private overseas investment is misplaced, he says. ". . . We will never earn more in the future unless we are willing to invest today," he adds.

The United States ran a $1.3 billion deficit in its balance of payments last year and a $582 million deficit during the first three months of this year.

The Association calls its plan a bolder undertaking based on the assumption that the Vietnam conflict does not escalate into a major war.

The suggested subsidy for foreign tourists would apply to special visitors such as students, clubs and group travelers. Danielian feels a five-fold return in foreign currencies would justify "such a novel experiment" and would go far in eliminating the travel deficit, which totaled $1.8 billion last year and is expected to reach $2 billion this year.

In calling for a reappraisal of overseas defense spending, the group says, "there is clear evidence . . . that at present the Communist bloc in Eastern Europe is fragmented, and that a relaxation of tensions between East European countries and the West is a goal sought by both sides."

Assuming that a defense shield still is needed in Western Europe, the Association asks whether such a large deployment of U.S. manpower is necessary. Military factors being equal, the United States should consider balance of payments questions in locating its forces abroad, the report said.

[From Chemical & Engineering News June 13, 1966]

PAYMENTS DEFICIT CURE OFFERED

Bold new federal action is needed along a broad front if the U.S. is to solve its persisting balance of payments problem, the International Economic Policy Association has concluded after a two-year study. In its hard-cover, 200-page appraisal of the payments situation to be released this week, IEPA—a prestigious, privately financed economic research group—lays down no less than 33 specific recommendations. Taken together, the recommendations could convert the U.S.'s payments deficit into a respectable surplus, IEPA claims.

The cure for this country's chronic payments deficit, says IEPA president N. R. Danielian, lies "in a number of actions, each of limited return, but the combination of all leading to a fundamental correction in the U.S. balance of payments." The proposals (none particularly novel) range from curtailing government spending abroad to granting tax incentives on exports. IEPA estimates that these recommendations, if adopted in total, would add some $3.2 billion to the plus side of the U.S. payments ledger.

The recommendations are coming at an appropriate time. First-quarter figures show the U.S. payments deficit running at a rate of $2.3 billion for the year, largely as a result of the escalation of the war in Vietnam. The 1965 deficit was only $1.3 billion.

The carefully worded report is critical of, among other things, the Administration's restraint on direct investments abroad by U.S. firms. The restraint, according to IEPA, is not the way to go about reducing the U.S. payments deficit. IEPA points out that the private sector consistently generates a payments surplus as a result of export surpluses and income on direct overseas investments. Federal spending (foreign aid, military, and the like), however, has been just as consistently "in deficit by over $3 billion a year." The economic research group urges that restraints, "voluntary and other," on direct overseas investments be ended as soon as practical.

The report also takes a swipe at the 1962 Trade Expansion Act. The act should be revised, the report says, to "make it a better instrument to achieve U.S. commercial objectives." It is time, IEPA adds, to "cease putting undefinable political objectives ahead of clearly definable economic advantages."

In calling for revision of the 1962 act (which expires in June 1967), IEPA also urges the U.S. to take a more hard-nosed approach to international trade bargaining. It calls for a complete reassessment of U.S. policies "unhampered by historical and intellectual predilections." For instance, IEPA would like the U.S. to abandon its unconditional MFN (most-favored-nation) policy in favor of a conditional one.

"The U.S. can no longer afford to be the principal country in the world granting [MFN] treatment to others while absorbing the economic shocks of discriminations implicit in the organization of trading areas on other continents," it maintains. A conditional MFN policy is likely to result in freer trade [in an expanding world economy] faster than "negotiating over tariffs by methods involving built-in obstacles," IEPA believes.

SEE THE LIGHT, UNCLE SAM

(By Don Oakley)

The balance of payments problem—in simple terms, the difference between the amount of money that leaves this country and the amount that comes in every year—continues to be worrisome.

The deficit in the first quarter of this year ran at an annual rate of $2.3 billion, compared with $1.3 billion for all of 1965.

This need not be, says the International Economic Policy Association. This privately financed economic research group has just issued a batch of proposals which it claims could improve the payments picture by at least $3 billion.

The association's study points out that for several years the private sector of the economy, as a result of export surpluses and income on private investments abroad, has generated a payments surplus. It is federal spending overseas (foreign aid, military outlays, etc.) that has been "consistently in difficulty by over $3 billion a year."

In the foreign aid field, the research group recommends greater emphasis on private investment projects and the creation of an international aid agency to foster an international sharing of the global aid burden. It also suggests that U.S. military forces be reduced in countries unwilling to co-operate in efforts to reduce this country's payments problem.

Other recommendations include tax incentives for exports and incentives for foreign visitors to America.

The study seems deserving of a close reading in Washington. Something else seems sure: Backing into a new kind of isolationism by discouraging private American tourism and private American investment abroad, which are two of the current strategies, is not going to solve this public problem.

[From Foreign Letter, June 17, 1966]

U.S. officials have grasped the wrong end of the stick in their fight against the balance of payments deficit, according to a new, well documented study of the problem.

The point is that long-term difficulties are being met with remedies that can be adequate only for the short term.

This is the conclusion of the book, "The United States Balance of Payments—An Appraisal of U.S. Economic Strategy," published by the International Economic Policy Association at $10.00 a copy.

Membership of the Association includes 20 major U.S. corporations which do business internationally.

It would therefore be expected that the study would seek other means than limiting investment abroad to achieve a payments balance.

The book, however, is neither a polemic nor a lawyer's argument. It consists of facts on U.S. aid, trade, and investment gathered over two years by a staff directed by Dr. N. R. Danielian, IEPA founder.

He won previous fame as the principal architect of the program for construction of the St. Lawrence Seaway.

Persistence of the payments problem should in itself rule out the temporary remedies based on political expediency.

The Johnson Administration unquestionably agrees with the Association that there should be a definite time limit on the hold-down on overseas investments, now in effect.

A major contribution of the new study, however, may be that it shows the need to realize that the payments problem is not just going to blow away—through expansion of the U.S. economy or by any other means.

It is a nettle that will have to be grasped—with the Government required to do most of the grasping.

The U.S. has had a payments deficit in every year since 1950, except for 1957. From 1950 through 1956, deficits averaged $1.5 billion a year, and were not considered serious. Some thought them helpful, since U.S. dollars were in short supply abroad, and U.S. goods in demand, especially in Europe during the postwar reconstruction period.

From 1958 to 1964, deficits ranged from $3 billion to $4 billion a year, a rate that is not sustainable over a period of time. Yet, for most of this period of high deficits, the domestic economy was strong and rising, and wholesale price levels held unusually steady.

U.S. direct foreign investment has, in fact, proven to be one of the more stable and positive factors in the U.S. balance of payments in this century.

In addition, direct investment abroad is essential to the continued growth of exports—a major Administration goal. Aggressive selling from the U.S. by itself, independent of investments, has proven an illusion, through figures gathered by Commerce Department.

Overseas Government spending is main cause of the U.S. deficits.

The answer does not lie in the U.S. pulling back from its many world commitments and retreating to an isolationist shell.

A significant fact reported by the IEPA study is that the commodity trade surplus has permitted the transfer of capital resources for foreign aid—on a scale much greater than would have been possible otherwise.

In addition, it is very doubtful that the U.S. could have maintained its military presence in various parts of the world without the earnings of direct investments.

With the expansion of military commitments in Vietnam, the long-term picture on the payments deficit "does not appear encouraging without basic changes in U.S. policy." Prolonged limitations on capital export will only weaken whatever long-range strength now exists.

Recommendations for policy change are spelled out.

The study finds it possible to change the U.S. payments system favorably by "at least $3 billion" a year, even with the growing expenditures for the Vietnam War and increased imports.

A saving of $400 million should result from revising foreign aid programs, basically by providing American goods and services for specific projects rather than cash.

Additional cash income from farm product sales, with cash replacing P.L. 480 transactions (except in emergency situations such as India), would add an estimated $450 million.

Reduction or redeployment of U.S. forces in Europe should save $350 million.

Revision of export policy, to include tax incentives on exports, expanding regional trade area concepts under GATT, and to stop placing of "undefinable political objectives ahead of clearly definable economic advantages," as well as capitalizing on East-West trade opportunities, should increase the trade surplus by at least $500 million to $800 million.

A continuing annual increase of $500 million in investment income can be expected, if restraints on direct investment are lifted.

Higher interest rates and restraints on long-term banking and portfolio capital movements should keep $500 million at home.

Tourist income can be increased $250 million a year, via securing through diplomatic negotiations lower trans-Atlantic fares for Europeans, plus subsidies in the form of dollar coupons (for students, clubs, and foreign group travelers), and raising the travel service budget.

Such proposals do not readily lend themselves to slogans.

The payments problem itself is baffling to most Americans, who cannot see how the most powerful and richest nation in the world can run into consistent deficits in world transactions.

The major need now, it would seem, is for Washington officialdom to realize that it is a long-term problem requiring action at the Executive level, as well as with support from Congress.

Until it is solved, the U.S. will remain handicapped in carrying out national purposes by restraints in other countries. The list of proposed remedies will bear serious study.

[From the Chicago Tribune, June 13, 1966]

GOLD OUTFLOW STUDY URGES NEW SOLUTIONS

WASHINGTON, June 12.—A series of "hard-nosed" recommendations for solving the American balance of payments problem emerged today from a major study of the problem by the International Economic Policy association.

The 30-odd proposals include a far tougher foreign aid policy, troop reductions abroad in all cases where the host country does not help offset the balance of payments cost, and a possible North Atlantic free trade area that would initially exclude the European Common Market.

One of the more unusual suggestions is that the government partially subsidize thru "dollar coupons" some classes of foreign tourists, such as students.

A basic theme of the 157-page study is that the one area that the United States should not restrict is private direct investment abroad. There is also no suggestion for higher tariffs or other curbs on imports.

The International Economic Policy association is headed by N. R. Danelian, an economist, who directed the study published today. The association is made up chiefly of a number of corporations that operate internationally.

A major conclusion is that the deficit in the balance of payments is largely attributable to government expenditures, and that private activities, taken as a whole, produce a surplus.

Underlying many of the recommendations is the view that solution of the balance of payments problem should take precedence over other long-held positions in government policy.

The key proposal in the trade field is that the United States abandon the hitherto sacred most-favored nation principle.

SCHOOL MILK PROGRAM NEEDS $115 MILLION FOR FISCAL 1967

Mr. PROXMIRE. Mr. President, as I indicated on the floor of the Senate yesterday, the administration, in the person of Secretary of Agriculture Freeman, has now come out in support of a permanent special milk program for schoolchildren with no set ceiling on the amount of money that can be appropriated under the program. Consequently, we should now turn our attention to program needs for fiscal 1967, while continuing to press for early enactment of legislation for extension of the program.

Last year Congress appropriated $103 million for the school milk program. A Senate-approved appropriation of $108 million was cut in conference between the House and Senate to the $103 million figure. As a result the Federal reimbursement rate to program participants had to be cut by 5 percent. When the Bureau of the Budget decided to withhold $3 million of the $103 million appropriated for fiscal 1966, an additional cut of 5 percent in the Federal reimbursement rate took place for a total cut of 10 percent.

If we are to reverse this trend and provide full funding for the program in fiscal 1967, we must provide at least $110 million on the basis of the present school age population and current program participation. The $10 million should restore the 10-percent reimbursement cut that was necessary when the program was held to $100 million by the Bureau of the Budget.

However, a projected increase in enrollment in public and nonpublic elementary and secondary school pupils of almost 2 percent in 1966–67 will require an additional $2 million for the school milk program if it is to keep pace with increasing school enrollments. An additional $3 million should be adequate to take care of increased participation by schools, nurseries, summer camps and child-care institutions across the country. The total, then, would be $115 million for the school milk program in fiscal 1967.

Mr. President, I hope that the 67 Senators who have joined me in sponsoring legislation to make the school milk program permanent, as well as the many others who have told me of their support for the program, will not only continue to press for early enactment of legislation extending the program, but will also join me in an effort to see that the program gets $115 million in this year's agriculture appropriations bill.

SENATOR JENNINGS RANDOLPH HONORED FOR SERVICE TO BLIND ON ANNIVERSARY OF THE ACT HE AUTHORED—PRESIDENT JOHNSON AND SECRETARY GARDNER JOIN IN TRIBUTE

Mr. YARBOROUGH. Mr. President, Monday, June 20, was the 30th anniversary of the signing of the Randolph-Sheppard Act, the legislation which provides the nationwide program of vending stands operated on Federal property by blind persons. President Franklin D. Roosevelt signed the pioneering legislation.

This measure, as we know, carries the name of the distinguished senior Senator from West Virginia [Mr. RANDOLPH] who was the principal author of the bill. At that time, our dedicated colleague was a member of the House of Representatives in his second term. The Senate author was the late Morris Sheppard, a distinguished senator from Texas, who served in this body for 30 years, longer than any other person in the history of Texas.

In recognition of Senator RANDOLPH's efforts in securing enactment of this humanitarian measure, the Washington, D.C., host Lions Club sponsored a luncheon in his honor. The testimonial, including a telegram from President Lyndon Johnson, was a timely tribute to the man who 30 years ago combined the vision and energy to act in providing blind persons a program through which they could become productive members of society.

A brief review of the progress of the vending stand operations is tangible evidence of the significant successes achieved by our Nation's blind persons in leading purposeful lives. From a 1937 total of 170 stands the program in 1956 showed 1,727 stands, operated by 1,804 blind men and women with average net earnings of $2,532. By the end of fiscal 1965, the last year for which figures are available, the nationwide breakdown includes 2,575 stands, 2,806 operators, with average net income of $4,716 and gross sales in excess of $59 million. This includes stands on Federal, State and local installations. This is an increase of over 80 percent in net earning and over 50 percent in citizens participating since 1957.

Mr. President, I was privileged to participate in the tribute to Senator RANDOLPH. It was a meaningful occasion for the many persons present, who had actively pursued programs of assistance for the blind and who have shared a common bond over a period of many years.

Former Representative from Illinois, Calvin Johnson, served as the master of ceremonies. This industry and civic leader knows well the extensive efforts which resulted in Public Law 732, 74th Congress, and he expressed in moving words his praise of Senator RANDOLPH.

President Johnson messaged this commendation:

> Thirty years ago JENNINGS RANDOLPH, a young member of the House of Representatives, offered new hope to those who lack the ability to see but who have the determination to be self-reliant. I am pleased to join with you in tribute to our good friend, Senator RANDOLPH. I send him my warmest personal wishes and congratulations.

Secretary of Health, Education, and Welfare John W. Gardner, whose Department implements the vending stand program, praised the West Virginia legislator for his pioneering efforts not only on behalf of the blind but also for all the handicapped.

Mr. President, three presentations were made by leaders closely associated with rehabilitation of the blind and other handicapped persons. These included: "A Citation to JENNINGS RANDOLPH—Distinguished Legislator, Eminent Lion, Humanitarian, Christian Gentleman," presented by William H. Gilliam, president, Washington host Lions Club; "A Citation for Meritorious Service," presented by J. Leo Lynch, chairman of the District of Columbia Commissioner's Committee on Employment of the Handicapped; and a plaque presented by

H. Paul Messmer, technical adviser to the President's Committee on Employment of the Handicapped.

In acceptance remarks, Senator Randolph described his years of cherished association with work for the blind as a member of Lions International and as a past district governor of the clubs in West Virginia. His moving words eloquently expressed admiration for those valiant workers, devoted to the cause of the blind, who placed themselves unstintingly into the action which makes the story of the vending stand program, especially those whose efforts have seldom been mentioned in print. He called attention particularly to Leonard Robinson, who when the Randolph-Sheppard Act was passed, was supervisor of services for the blind section, District of Columbia Rehabilitation Service, and to Joseph Clunk, an early apostle of the vending stand movement. Both men are blind.

Senator Randolph stated:

> This program has provided unique opportunities for substantial employment of capable blind business men and women, but it has made an even greater contribution in the demonstration of the abilities of blind persons. On a national basis, these efficient business persons, by means of daily contacts with the general public, do more to establish a positive image of the competitive abilities of a blind person than in almost any other media. They become sellers and buyers and most important productive members of society.

Mr. President, I commend the members of the Washington host Lions Club for their continuing activities in developing constructive programs for the blind and I congratulate them for sponsoring the tribute to the farsighted gentleman from West Virginia on the 30th anniversary of the Randolph-Sheppard Act, coauthored by the former Texas Senator, Morris Sheppard.

Mr. President, I ask unanimous consent that the program for the luncheon, the telegram from the President, the remarks of former Representative Johnson, and the list of those who were recognized be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Remarks by the Honorable Calvin D. Johnson

Thirty years ago, the average person had good reason to fear the loss of sight because it practically guaranteed that the afflicted would be idle for the balance of his life—that he would be dependent on the charity of the community or his family for personal support and would be even more dependent on others for personal activity of any kind. In every sense of the word—physical blindness was synonymous with disability in a total sense.

Our honored guest, Jennings Randolph, sponsored legislation in Congress to bring hope to the blinded. He knew that all the welfare funds in the world could not neutralize the impact of blindness. That 3 meals per day would not provide the food necessary to make life worthwhile.

Prior to 1936, blind persons were considered to be of no value for rehabilitation. That is was a waste of funds to give them training. The Randolph-Sheppard Act is the first federal recognition of the employment needs for blinded persons. At the time of its passage, all of the states combined appropriated less than $20,000.00 a year with which to provide services that might be called rehabilitation. A blind person might be given work in a broom shop or weave rag rugs at home or make a few flowers to sell to his neighbors. This was his sentence by society regardless of prior employment experience, education, personality, family needs or any other conditions.

There were many skeptics who did not believe that a blind person could or should try to operate a business more extensive than the sale of a few magazines or newspapers. Our honored guest was not in this group. His legislation presented major employment suggestions without restricting consideration of any other type of employment. Refreshment stands in Federal buildings have inspired similar employment in thousands of office buildings, hospitals and industrial plants. Placement of the blinded in industry would provide work for persons mainly suited to factory employment and would encourage and develop industrial production activities for thousands who lived in our highly industrialized communities. Senator Randolph realized that these forms of employment would become educational outposts in the wilderness of public opinion and would break down the barriers for blinded persons, many of whom could continue their careers as teachers in schools and colleges for the sighted, as attorneys, as administrators of business and social service programs, as managers of busines activities, news reporters, musicians and all the rest of the thousands of activities in which we all earn a living.

The Randolph-Sheppard Act became the battering ram that has opened the doors of employment, which enables the blinded person to have his and her chance to prove every day, that blindness is not a total disability unless the sighted world insists on making it so. As a result of the administration of this act between 1936 and 1943, the first authorization to grant funds to the States specifically for the rehabilitation of blind persons was included in Public Law 113 and the Bardon-La Follette Act provided for the use of these funds by the State agencies.

Today the refreshment business stands in Federal and other buildings do an annual business of more than 59 million dollars and hundreds of blind persons have incomes far greater than they would be receiving if they were sighted. The state agencies appropriate 7½ million dollars annually and federal funds assigned to the states for rehabilitation of blind persons is approximately $13,000,000.00. Last year 5,500 blind persons were rehabilitated in our land as compared with one or two a year before 1936. Very rapidly we are noting the change in the attitude of sighted people toward physical blindness.

In 1936, we said to our blinded neighbor—you can't do this or you shouldn't do that. Today we approach our blinded neighbor from a positive point of view, we help him analyze the duties of the occupations in which he wishes to engage. No longer do we say—you can't—but we do say—you are an able person and we will do everything we can to help you continue normal living.

Practically all of the states have enacted laws following the intent of the Randolph-Sheppard act and virtually every country in the world is providing rehabilitation services to its blind based upon the principles of the Randolph-Sheppard Act. A native in Uganda, Brazil, India, Palestine, Egypt or England may never have heard of Jennings Randolph although his fame began to develop many years before Congress approved this legislation. In every sense of the word the emancipation proclamation for blind persons throughout the world is synonomous with the Randolph-Sheppard Act and the grateful prayers of millions are lifted for its sponsors. We join with them in their gratefulness and I proudly present a fellow Lion, my personal friend and former colleague—the Honorable Jennings Randolph—United States Senator from the state of West Virginia.

Testimonial Luncheon for the Honorable Jennings Randolph, Sponsored by the Washington Host Lions Club, June 20, 1966, Mayflower Hotel

Program

Invocation: Rev. Thomas A. Stone, Ph. D. Pastor, National Presbyterian Church.

Introductions: Hon. Calvin D. Johnson, Director of Customer Relations, Remington Rand Division of Sperry Rand Corporation, master of ceremonies.

Presentations: J. Leo Lynch, Chairman, D.C. Commissioners' Committee on Employment of the Physically Handicaped; H. Paul Messmer, Technical Advisor, President's Committee on Employment of the Handicapped; William H. Gilliam, President, Washington Host Lions Club.

Musical selection: Robert C. Nicholson, Baritone; Sampson P. Holland, Accompanist.

Response: Hon. Jennings Randolph.

Benediction: Rev. Stone.

Telegram From the President of the United States

June 20, 1966.

Hon. Calvin Johnson,
Washington Host Lions Club,
Washington, D.C.:

Thirty years ago Jennings Randolph, a young Member of the House of Representatives, offered new hope to those who lack the ability to see but who have the determination to be self-reliant.

The Randolph-Sheppard Act, which he cosponsored, authorized the establishment of concession stands to be operated by the blind. While their earnings are not extravagant, some 2,700 blind persons now conduct these stands across the Nation and enjoy the quality of pride that is born of self-sufficiency.

On the thirtieth anniversary of this inspiring act, I am pleased to join with you in tribute to our good friend, Senator Randolph. I send him my warmest personal wishes and congratulations.

Lyndon B. Johnson.

Special Guests Present

Norman W. Pierson, Director of Department of Vocational Rehabilitation of the District of Columbia; Rev. Thomas A. Stone, Ph.D., Pastor, National Presbyterian Church; Edward K. Maloney, President, Washington Society for the Blind; Calvin J. McMillion, Governor, District 22–C, Lions International; Hon. John W. Gardner, Secretary of Health, Education and Welfare; Mrs. Jennings Randolph, and Frank, son of Senator and Mrs. Randolph; H. Paul Messmer, Technical Advisor to President's Committee on Employment of the Handicapped; J. Leo Lynch, Chairman of D.C. Commissioners' Committee on Employment of the Handicapped; William H. Dyer, one of the Founders of Washington Society for the Blind. Senator Ralph W. Yarborough, chairman of the Post Office Subcommittee of the Senate.

Edmond L. Browning, Jr., President, D.C. Association of Workers for the Blind; Joseph F. Clunk, Director of Special Sales, Maryland Workshop for the Blind and an original member of the Washington Society for the Blind; Charles Gallozzi, Assistant Chief, Division for the Blind, U.S. Library of Congress; J. Arthur Johnson, Executive Director, Columbia Lighthouse for the Blind; George Keller, Supervisor, Maryland Vocational Rehabilitation Office; David Krause, 3rd Vice President, American Council of the Blind;

Douglas MacFarland, Chief, Services for the Blind, Vocational Rehabilitation Administration, Department of Health, Education and Welfare.

Leonard A. Robinson, Supervisor, Division of Services for the Visually Impaired, D.C. Vocational Rehabilitation Office; Thomas Herron, Executive Director, Washington Society for the Blind; Charles W. Hillegeist, Past President, and a long-time member of the Washington Society for the Blind; Carl Bacon, Executive Director, Blinded Veterans Association; and the splendid program chairman, Wylie W. Barrow.

STUDENT COMMENCEMENT ADDRESSES AT UNION, MAINE, HIGH SCHOOL, JUNE 23, 1966

Mr. MUSKIE. Mr. President, on June 10 it was my pleasure to speak at commencement exercises at Union High School, Union, Maine.

Special rewards to me were the graduation addresses by Valedictorian Carol Hardie, Salutatorian Zoa Hawes, and First Honor Essayist Debby Leonard.

Their words gave me renewed faith in today's youth and confidence in tomorrow's leaders.

This year's high school graduates are the best educated generation of teenagers in the history of our Nation. The quality of the graduation addresses convinced me that the maturity of these young adults equals their knowledge.

Miss Hardie, Miss Hawes, and Miss Leonard demonstrated that their generation is concerned about the quality of their lives and careers, the opportunities for personal and national fulfillment, and the tasks that older generations of Americans have not completed.

They demonstrated that they are willing to assume the responsibilities of the world they inherit, and capable of meeting its challenges. They demonstrated their desire to make that world a better one.

Mr. President, I ask unanimous consent that the addresses appear in the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

WE HOLD THE KEYS TO A BETTER WORLD

(By Carol Hardie, valedictorian)

We are surrounded by doors. Some we have opened, but some are still locked tight. We hold the keys to these closed doors, but they are only of value if we use them. They are the keys to life. They are the keys to a better world.

Tonight we are graduating from high school. For twelve years we have walked the corridors of basic learning. We now must turn the key to the door of further education and step through. We must not step through and stop. We must continue on by self instruction, vocational training, or college. At times throughout our lives we will be tempted to close the door to further knowledge. However, we have no choice but to retain an inquisitive mind.

Education will provide the key to another room, the room of successful living. There is stiff competition in the business world. To compete, one is required to have an alert and educated mind. No longer can the young reach the ultimate of success without first having opened the door to further education.

There are other doors to open with our keys. They are the doors to life, liberty, and the pursuit of happiness, first opened by our country's founding fathers. We, too, must open these doors for ourselves and for all people of the world. Our basic freedoms are the most precious ideals we have. We can open these doors by conquering the powers of hatred, inequality, ignorance, and immorality. While in this passageway, we must use our energy to recognize trouble, establish a cure, and take action to effect that cure. No longer should problems be recognized but no action taken. A century ago John Stuart Mills said that man may cause evil by his inactions as well as his actions, but in either case he is to blame. Thus, we must open the doors to concern, responsibility, and action. The door to apathy may remain locked; we need no key to it.

We are traveling these passageways and rooms with people of every race and creed. We must open the doors to concern, understanding, and respect for these people. These young people are also pointing their hopes and ambitions towards a better world. Together, we can open the door to brotherhood for all. Then, the door to world peace will be only a few steps away.

The keys to new frontiers are numerous. Their doors are waiting to be opened. Science is constantly finding new frontiers to conquer in space, on earth, and under water. We are all familiar with the projects in outer space but—how many realize there is as much unknown about the life and conditions under the oceans? Some of us may open the door to the science of oceanography and discover its true existence. Also behind the door to science lie the answers to the problems of air and water pollution, population explosion, and declining amounts of natural resources.

While some of us hold the key to the door of science, others hold the key to the door to public service. Upon entering this door one might be confronted with the problems of highway safety, crime, or poverty. Our generation is faced with these problems. It is our responsibility to use our keys and attempt to solve them.

I have named only a few problems with which we will be concerned in the fields of science, human relations, education, and world understanding. Each of us graduating here tonight must decide for himself which doors he will open with his keys. Some are locked tight; some are already open. Those that take strength and courage to open are those leading to a better world. Those that are easily opened are traps. They lead to crime, greed, ignorance, immorality, and apathy. We must close these doors and board them over forever. If the world is to be more beautiful, we must struggle to open the opposite kind of door. We can and must continue to open the doors to enlightenment and enrichment.

Each of us has some special talent: musical, athletic, intellectual or simply, love. These, also, are keys to a better world. Use them and the world will flourish; neglect them and there may be no world. Our civilization is looking for youth who care, who think, who dream. I dare you to use your keys. Open the right doors. Close the wrong doors. Give your best talents to the world. Make it a better place to live. We hold the keys to the kingdom. The world dares us to use them.

CAROL HARDIE.

JUNE 10, 1966.

"MUSIC HATH CHARMS"

(By Zoa Hawes, salutatorian)

On behalf of the class of 1966, it is my pleasure to welcome you to our graduation exercises. This is the hour we here before you have been waiting for, not just waiting but working; working for our own individual goals. From the time of birth it is a matter of reaching out, farther and farther to achieve those goals that lie in the distance. Now that we the class of 1966 have reached a threshold, perhaps we are a little hesitant of passing through, but with good judgment and self confidence, what is there to fear?

We are not too young to realize what strife there is in the world today, but there is also a pensiveness that may be obtained through the art of music.

Today about 13,700,000 young people—nearly a fourth of the entire United States population under 21 play some musical instrument. This is an increase of more than 300 per cent in the past 15 years. In the same period of time, school bands and orchestras have nearly doubled.

This year United States companies manufacturing musical instruments expect to see their combined sales soar to more than $900,000,000 a larger sum than the United States public spends on cameras, comic books, playing cards, and sports events put together.

Among these musical instruments the piano and guitar lead all others in popularity. There are now, for examples, more than 22 million amateur pianists across the U.S. Other most popular instruments are: the organ, accordion, and violin.

Prosperity has provided the opportunity to learn music. Education has added the stimulus. According to statistics of the National Education Association, approximately 97 per cent of the nation's elementary schools and 95 per cent of the high schools provide music programs of one kind or another.

Locally our school has been enriched musically by the organization of the band eleven years ago. It is quite remarkable how a group of youngsters many of whom knew nothing about music, could be organized into a band and show so much progress. Vocal talent has also been encouraged through the chorus and musical productions, a course in music appreciation is required of junior high school students and offered to those in high school in our school today.

Music appreciation helps one to set a value on and to prize music, to be grateful for an understanding of it, and to be able to feel the beauty of it. The best way to learn to feel music is to listen intently to all kinds.

In considering the different types of music, it is sometimes classified as classical, folk, and popular.

Two and one half centuries of famous composers from back to Gershwin have given to the world music that will be enjoyed for ages. The home of the classical period was in Vienna and its chief composers were Joseph Haydn, who is often called the father of the symphony and the string quartet, Mozart, considered by many to be the greatest musical genius of all times; and Beethoven, who stands as a link between classical and romanticism.

Folk music has entrenched itself in the favor of the American public. Its song is usually one of simple character, often handed down among the common people. Although the words are simple, their meaning is great. Attendance at folk concerts reached record proportions; nearly one of every three popmusic discs had some folk favor, and the term "hootenanny" became a household word. The chief impetus of this folk music craze has probably come from the American Broadcasting Company's Hootenanny television show. Folk music which has been instilled in the American vein will never be lost.

In considering popular music, there is a diversity of opinions as to what is good music. Rock "n" roll is the music of young people and its popularity has lasted now far past the point where mere fads fade away. Many adults do not care for the steady heavy, simple beat but their dislike only adds to its advantages from the teenage point of view. Teenagers want to challenge the adult world with something powerful of their own, possibly a more competitive than a rebellious attitude. When the listener subjects himself to the steady beat of rock "n" roll, the difficult world of external objects becomes blurred and unreal. It bridges the gap between tension and relaxation. No matter what type of music springs up, there is always the work of the geniuses to turn to.

Music has been called the language of emotions. It plays an important role in therapy. The principle value lies in its influence upon the emotions, through passive listening, active listening, performance, and creative work. The music that affects a person's feelings is usually the best music. It can cheer the down hearted, relieve nervous tension, and take a person's attention away from himself and his troubles. My dentist usually has a radio playing soft music while he is at work, so he too must believe in music therapy.

As an example of how music might stir one's emotions, I shall play portions of some selections depicting various moods, such as: joy, sorrow, excitement and patriotism: "June is Busting Out All Over"; Autumn Leaves"; Stouthearted Men"; "My Country 'Tis of Thee."

May we always remember: "music hath charms to soothe the savage breast, to soften rocks, or bend a knotted oak".

"SUCCESS"

(By Debbie Leonard, first honor)

As the graduating class of 1966 steps from school life into life's school, we will enter a world of opportunities and responsibilities. Each member of our class will take a different path, each aiming for his individual goal-success.

Each of us has his own opinion of what constitutes success in any field of life. Is a person successful if he amasses a fortune, yet fails in his homelife? Who is the more successful, a doctor who saves lives, or a teacher or pastor who inspires lives? Success, as you see, is difficult to measure.

I feel that to be successful, a person must be at peace with himself. Men, like Hitler and Napoleon, became powerful military leaders, but caused great misery to their fellow leaders, others have amassed great fortunes, yet never enjoyed what they had. Can these people be called successful?

Mohandas K. Gandhi may be considered one of the most successful men of all times, yet he displayed none of the ordinary symbols of success. When he died, his soul possessions consisted of a pair of sandals, a pair of spectacles, a few garments, a book, and a prayer wheel. Gandhi contributed his life to humanity by helping relieve the oppression of his people. His remarkable wit, wisdom, as well as his humanitarian pursuits, made him one of the greatest figures in history.

Many people have been fortunate enough to combine outward symbols of success with inner satisfactions. Andrew Carnegie, Russell Sage, Irving Berlin, and Eleanor Roosevelt were such people.

Essentially, success depends on skill in living with others, as well as in a career. Many stories and plays, such as those by Arthur Miller and Eugene O'Neal, are based on the failure of a person to achieve personal success in his relation to others, even though he may achieve success financially or as a political or social leader.

There is a price men must pay to achieve success, and this price is never cheap, but the effort to achieve it represents the finest genius given to man.

Many people would like to be successful, to be a leader, to be president of their company, but few are willing to make the necessary sacrifices. They won't prepare for it, they won't qualify themselves, they won't become completely involved.

The loyalty of a person's associates is a great factor in success. It cannot be purchased, it must always be earned.

Often, after a person achieves success, he reaches a point where he no longer tries to improve himself. He reaches a comfortable rut! We must always assume that tomorrow the competition will be stiffer. We must continue to improve, to perfect, to better qualify ourselves.

The factors back of success are character, drive and enthusiasm, singleness of purpose, and a happy disposition that attracts people. The measure of your IQ is not as important as what you do with the brain power you have. Brain power without drive and determination is not enough.

Only by making an effort did Franklin Delano Roosevelt succeed in getting through Columbia Law School. Thomas Edison, because of his deafness was considered the dunce in his class, but he had a goal, and a drive. John Kennedy was only in the Middle of his class at Harvard, but he knew how to work with people.

The opportunities to success are before us—the rewards are great.

In the words of Emily Dickenson, he who has gained the respect of intelligent men and the love of little children; who has filled his niche, and accomplished his task; who has left the world better than he found it, whether by an improved poppy, a perfect poem, or a rescued soul; who has never lacked appreciation of Earth's beauty, nor failed to express it; who has alway looked for the best in others and has given the best he had; whose life was an inspiration, whose memory a benediction.

TO DIE: FOR WHAT?

Mr. GRIFFIN. Mr. President, since 1868, Americans have paid tribute in Memorial Day observances to the valiant men who have died for our country. In the past few years, unfortunately, some of us have lost sight of the meaning behind this observance.

One of the most thought provoking comments that I have heard on the significance of Memorial Day was delivered this Memorial Day by Mr. Truman Walrod over WWTV, Cadillac-Traverse City, and WWUP–TV, Saulte Ste. Marie, Mich. Because I believe my colleagues will find food for thought in this commentary, I ask unanimous consent to have it presented in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Today marks the 99th Memorial Day in our Nation. This holiday began in 1868 as Decoration Day and was established by the Grand Army of the Republic to honor those Union soldiers who had died in the War Between the States. The day has since been re-named and enlarged to honor those veterans of all our country's wars . . . those who offered themselves as living sacrifices upon the altar of freedom.

We may wonder about the significance of dying. Do we honor the dead only because they are dead? Is it a case of dying solely for the sake of dying? Is there more to Memorial Day than a morbid manifestation of necrophilia?

Americans have fought in many wars . . . and died on many battlefields. They died, not in wars of conquest or aggression, but rather in struggles to establish and preserve an economic system, a foundation of government, under which all men can enjoy the freedoms who now may take for granted as a part of "the American way of life."

Did the thousands of Americans who fell in battle want to die? Obviously, they did not! However, they felt so strongly that the ideas of freedom upon which the United States of America was founded were worth a sacrifice that they fought, and many died, so that we could enjoy this legacy of freedom they prized so much.

Let us this day think of our country's fighting-forces and the men who continue to risk their lives that we may enjoy a holiday today. Did those men who died, and are dying, die in vain?

The answer to that question lies within each of us today. Do we value the ideals for which our nation's veterans fought and died? Do we value our American heritage enough to fight and, if necessary, to die for these principles of freedom and democracy? If we do, no one killed in battle for our country has died, or is dying in vain.

Conversely, if we don't really care; if we don't treasure our government by law, our free-enterprise system of republican democracy, our "certain uninalienable rights," then each man who sacrificed his life for us, did offer himself as a senseless sacrifice.

Those who lie beneath the sod in countless cemeteries around the world made their contribution. Our contribution is to resolve that we will not dissipate the legacy of law, the heritage of hallowed freedoms, willed to us by our nation's fighting forces from the first battle of the American Revolution to the jungle-fighters of Viet Nam today.

The Book of Ecclesiastes in the Bible says: "For everything there is a season . . . and a time for every matter under heaven . . . a time to be born and a time to die . . . a time to kill and a time to heal . . . a time to keep silent and a time to speak . . . a time for love and a time for hate . . . a time for war and a time for peace."

Today, Memorial Day, 1966, is a good time to examine our spiritual and ethical "bankroll." Today is a good time to think not only of our fallen dead but to awaken an appreciation of the ideals for which they died.

If we think about these heroes of battles past and believe in the United States of America which is built upon their ideals . . . a nation cemented together with the blood of Americans from the time of the American Revolution to the present . . . those who fell to the God of War did not die without reason. Their ideals, alive today, provide them with immortality.

If we ignore their hopes and dreams, they did indeed die in vain. They all died in a futile fight as senseless sacrifices to our apathy.

Whether our nation's fallen fighting men and women are truly dead or whether they live forever—that is our choice this Memorial Day, 1966.

GEORGE WASHINGTON CARVER NATIONAL MONUMENT

Mr. SYMINGTON. Mr. President, near the small southwestern Missouri town of Diamond, the National Park Service maintains as a national monument the birthplace and boyhood home of George Washington Carver.

From the visitor center at the entrance to the monument grounds, visitors may follow the trail past the cabin site where Carver was born, past the famous statue of Carver as a boy, the home of Moses and Susan Carver, and through the woods where Carver walked as a boy and was inspired with a love of nature and a knowledge of its ways.

George Carver had a compulsion to learn about growing things and to share his knowledge with others. Through his efforts the lot of the farmer was improved by many breakthroughs in the application of scientific principles in agriculture.

Dr. Carver's life demonstrates the opportunities which the United States offers to any man of ability and diligence, regardless of his origin. It was, therefore, another well-deserved tribute to his life of achievement and service when the Navy saw fit to name our 37th Polaris nuclear submarine for this great American.

Shortly after completion of sea trials of the U.S.S. *George Washington Carver*, in a letter to the noted newsman, Ralph McGill, Adm. Hyman Rickover wrote a moving tribute to Dr. Carver.

I ask unanimous consent that Mr. McGill's column, as it appeared in the June 7 edition of the Kansas City Star, be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Kansas City (Mo.) Star, June 7, 1966]

HIS NAME TO A NUCLEAR SUB: MISSOURI AND NATION REMEMBER GEORGE W. CARVER

(By Ralph McGill)

After reading a letter from Admiral H. G. Rickover, I began to remember. I recalled visiting a quiet, frail, very shy old man in his laboratory at Tuskegee Institute in Alabama. He had come a long way from harsh beginnings. He had never lost faith in himself or his country. He made his life one of service, confident that the promises of this nation, then cruelly withheld from him and several millions of others, would one day be made good. Admiral Rickover's letter is both informative and inspirational. He wrote:

"Dear Ralph: We have just successfully completed the first sea trials of our 37th Polaris nuclear submarine. The U.S.S. *George Washington Carver* was built by the Newport News Shipbuilding and Dry Dock Company, Newport News, Va. We have also in operation 22 attack type nuclear submarines, making a total of 59."

PARENTS WERE SLAVES

"This ship is named for George W. Carver, a botanist and chemurgist renowned in the annals of American scientific agriculture. The child of slaves, he did not know the day of his birth. Even the year is not certain, but he thought it was 1860. Where he was born, however, is not in doubt. In 1943, shortly after he died at Tuskegee Institute, Alabama, both houses of Congress passed, without a dissenting vote, a bill authorizing erection of a national monument at his birthplace near Diamond, Mo. In fourscore years, George W. Carver had come a long way and accomplished a great deal.

"By great good fortune his master, Moses Carver (from whom he took his surname), was not a typical planter but a plain farmer, one of the socalled 'Black Republican abolitionist Germans,' or 'lop-eared Dutch,' as they were contemptuously called, who had migrated to Missouri in the 1830s. He was opposed to slavery, but he and his wife were childless and middle-age; they needed help and servants were not to be had. So Moses bought a slave girl from a neighbor for $700.

"After she had been abducted, he took it upon himself to raise her small son. Slavery ended when the boy was four years old, but he remained with the Carvers and was treated much as any other farm boy. He was an especially apt pupil in all the domestic chores around the house and showed early that he had a way with growing things."

HAD KEEN MIND

"The boy was born with a keen mind, fantastically clever hands and so great a thirst for knowledge that no obstacle could bar him from obtaining an education. Of rebuffs he suffered many, but he was also often given a helping hand.

"The free school nearby was barred to him, whereupon Mrs. Carver gave him an old 'Blue-Back Speller' and with her help he taught himself to read and write. Thereafter he was hardly ever without a book in his hand. He would prop it up while he washed and ironed, these being some of his chores.

"At 10 he decided he must find a school and so he left the Carvers, all his possessions in a small bundle over his shoulder. Thus began an odyssey that was to take him in short stages northward geographically and upward educationally."

UP EDUCATIONAL LADDER

"George Carver literally inched himself up the educational ladder. . . . He was 20 before he got to high school, 25 when he graduated. . . . He was 30 when he finally entered Simpson college in Iowa. A year later, he entered Iowa State University, graduating with a bachelor of science degree in 1894. Invited to become a member of the staff in charge of systematic botany, the bacteriological laboratories and the greenhouse, he continued his studies and received a master of science degree in 1896.

". . . In Tuskegee, he went about looking for ways to restore the overworked earth and found it in green manure and the growing of nitrogen-producing legumes—pod bearers such as vetch, peas, clover, peanuts—plants which enriched the soil. Crop rotation which European peasants had practiced for a thousand years had to be relearned by Southern tenant farmers who knew no other crop but cotton. Carver went among them preaching diversification. He urged them to grow peanuts and sweet potatoes; those who heeded his advice rode out the disastrous invasion of the boll weevil . . .

"On the experimental farm he developed at Tuskegee, he evolved a cross between the short-stalk and the tall-stalk cotton known as 'Carver's Hybrid,' besides three other new strains. With green manuring he grew enormous potatoes, cabbages, onions, watermelons, and cantaloupes."

HELD DEMONSTRATIONS

"He instituted a visiting day each month for neighboring farmers to show what could be grown with scientific methods. They were most impressed with his new cotton strain which carried 275 huge bolls on a single bush, and yielded nearly a bale and a quarter per acre, in contrast to the usual one third of a bale most tenant farmers produced . . .

"Many people from all over the world sought out this shy and retiring man, wanting to talk to him and to observe his work . . . He was introduced to the dinner guests in Theodore Roosevelt's New York home with these words which are a summing up: 'I have the honor to present not a man only, but a life, transfused with passion for the enlarging and enriching of the living of his fellow man. . . .'

"Sincerely,

"H. G. RICKOVER."

THE CRISIS IN AMERICAN LEADERSHIP

Mr. MURPHY. Mr. President, as my colleagues know, former Vice President Nixon has been writing a series of articles on various important domestic and foreign problems facing our Nation. In this, the fourth of the series of articles, Mr. Nixon, in a many-count indictment points out the "crises in American leadership." Noting the present drift of our ship of state, Mr. Nixon expresses great concern for the lack of leadership, because "the country has never been in greater need of great leadership."

Particularly appropriate are the remarks regarding the necessity for removing politics from the poverty program, for the Senate Subcommittee on Employment, Manpower and Poverty is reviewing the poverty program at this time. It is my hope that the committee will accept my amendment, S. 2908, which would help to eliminate politics from the program.

Mr. President, I ask unanimous consent that the article be printed in full at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 5, 1966]

WASHINGTON'S LEADERSHIP GAP

(By Richard M. Nixon)

(This is the fourth in a series of monthly articles by the former Vice President.)

NEW YORK.—Public support for the Johnson Administration has sunk to its lowest point since he took office. If the present downward trend continues, the Presidential coattails that pulled Democratic candidates along to overwhelming victory in 1964 will drag them down to devastating defeat in 1966.

It is the critical leadership gap in Washington which is costing the President support across the country. He has lost the leadership of the Free World, of his own party and of the economy.

Unless the President can pull an election-year rabbit out of his hat this fall, he will lose the leadership of the Nation in 1968—and the Democratic candidates who clamored to run with him in 1964 will be running away from him in 1966.

The country is reaping the consequences of one-party government—second-rate panaceas for problems that cry out for first-rate solutions. Unless the leadership gap is closed, we are headed for a major recession in the United States and a major defeat in Southeast Asia.

There is only one way to close the gap. The deeply divided Democratic Party has demonstrated that it cannot provide the leadership America needs. Only by strengthening the Republican opposition in Congress can the gap be closed.

In the Vietnam crisis, the President is losing public support, not because the people opposes his policy, but because they simply do not know what that policy is. The people are confused and the indecision in the White House and deep Democratic division in the House and Senate have added to that confusion.

The policy of dissident Democrats is to end the war with appeasement. The Administration's policy is an endless war without appeasement. Both are half wrong and half right. America needs a policy which will end the war without appeasement.

The President has not yet learned that you cannot fight a war by consensus. There is no military strategy that will satisfy both those who want to win and those who want to run.

The United States is fighting the kind of war the enemy wants: a land war and a long war; they want to bleed America white. We must not fall into this trap.

The longer the war goes on, the greater the chances for disintegration in war-weary South Vietnam and the greater the risk of World War III—because of the inevitable growth of Red China's nuclear capability.

The Johnson Administration has held back from adopting the only strategy which will reduce American casualties and end this war with the least risk of World War III. We must quarantine the aggressor in North Vietnam by reducing his war-making capacity through air strikes on all military targets, and by cutting off the flow of supplies from the sea through mining the harbor of Haiphong.

The crisis in leadership has produced two grim results. For the first time in history, the President has been unable to unite his own party in time of war and the United States is fighting for freedom without the support of our European allies. We are the loneliest nation in the world.

The Johnson Administration also has failed to convince our allies to stop trading with and aiding the enemy in North Vietnam. In 1965, the bulk of the cargo to the port of Haiphong was carried in merchant ships of NATO countries.

Apart from Vietnam, the crisis in American leadership is evident around the world. Respect for the United States is at an all-time low on every continent of the globe.

Eight American fishing vessels have been seized in international waters this year and held for tribute by Panama, Colombia and Peru, and the United States has done nothing.

In January, Cuba declared itself the international clearing house for Communist "wars of liberation" on three continents. America's reaction: silence.

NATO is divided and disintegrating and the Johnson Administration has made no move to rebuild it.

In the five years of Democratic Administration, there have been twice as many attacks on United States installations and property abroad as occurred in the first 60 years of this century.

Hardly a day goes by without news of another American embassy being stoned, a library being burned or an ambassador being humiliated.

While the ship of state drifts toward disaster in Asia—for lack of a firm hand on the tiller—the economy at home wallows in a sea of inflation for the same reason.

Last year, along with other Repulicans, I urged the President to declare war on inflation by submitting a responsible budget. Instead, he submitted an irresponsible one and began waging war on the poor, who must pay for his irresponsibility in higher prices for food, clothing, rent, medical care and other essential items.

The New Economics has become the old economics—war and inflation.

Instead of becoming a pillar of strength in combating the threats to the economy, the Administration has become a troika of confusion—speaking in three voices and pulling in three directions.

The Federal Reserve Board leadership calls for tax hikes and economic restraint, the Treasury sees no need for either and the White House watches and waits.

The crisis in leadership has produced a crisis in confidence in the business community. Thus, while prices rise, the stock market flounders; while the economy booms, economists talk of recession. Unless the Administration assumes a decisive role of leadership and responsibility in economic matters, the dollar will be in deadly jeopardy and the Nation will be headed for a major recession in 1967.

The Administration's economic brinkmanship risks plunging the Nation into a War on Prosperity.

The lack of leadership has been evident as well in the massive mismanagement of the poverty program—where we see the ugly spectacle of politicians making a profit out of the poor. In many communities across the Nation, the War on Poverty has become a melancholy mess.

In all these areas of national concern—Vietnam, NATO, Latin America, the economy—Republicans have offered constructive criticism and constructive proposals.

Among the many proposals advanced by Republicans in this session of Congress are ones to end the war in Vietnam without appeasement, to rebuild the NATO alliance, to win the war against inflation and halt the war against prosperity and to take the politicians out of the poverty program and put the poor into it.

But their criticism has gone unheard and their proposals unheeded because the Republican voice on Capitol Hill is too weak. This weakness is not because of a lack of quality, but because of a lack of quantity—and that voice can be strengthened only by increasing the number of Republicans in the House and Senate.

The country has never been in greater need of great leadership. But history has shown again that great leadership will never emerge from the stagnation of one-party government.

We need a strong loyal opposition on Capitol Hill to force the White House to act when it would vacillate, to stand firm when it would retreat.

Only a vigorous and loyal opposition, debating the issues and demanding action, can force the President to fill the vacuum of leadership at home and abroad which has developed during his Administration.

STRATTON ORGANIZES COMMITTEE TO SAVE WEST FRONT OF CAPITOL

Mr. PROXMIRE. Mr. President, I was shocked and appalled last week to learn that the Architect of the Capitol plans to ask for funds for a $34 million desecration of the west front of the Capitol.

I am sure many other Senators shared my feeling.

Representative SAMUEL STRATTON also felt that the restoration and preservation of the west front should not be used as an excuse to add money-losing restaurants and meeting rooms which seldom would be used.

As a rallying point for the millions of Americans who want to preserve our Nation's most noble building from the wrecker's ball, Representative STRATTON announced the formation of the Committee of 1 Million To Save the U.S. Capitol. This is indeed a praiseworthy decision.

Today, I am happy to tell my colleagues that Representative STRATTON has invited every Senator who opposes this scheme to serve as a cochairman.

We welcome any others who care to join forces against this needless assault on our beautiful and beloved Capitol.

CRIME ON THE RISE

Mr. BYRD of West Virginia. Mr. President, the Federal Bureau of Investigation has reported a 6-percent increase in crime in the period of January through March of this year, as compared to the same period in 1965.

I ask unanimous consent to have printed in the RECORD a news release issued by the U.S. Department of Justice which details the increases in crime in the country.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

Crime in the United States continued its upward trend with a 6 percent rise during the first three months of 1966 when compared to the same period in 1965, according to figures from the FBI's Uniform Crime Reports which were released today by Attorney General Nicholas deB. Katzenbach.

In making these statistics available, FBI Director J. Edgar Hoover noted that the nationwide increase was led by a 14 percent rise in forcible rape. The other serious or Crime Index offense categories also climbed with larceny $50 and over up 11 percent; aggravated assault 9 percent; auto theft 5 percent; and murder, robbery and burglary 4 percent each. As a group, the violent crimes of murder, forcible rape, aggravated assault and robbery jumped 7 percent, while the property crimes of burglary, larceny $50 and over and auto theft rose 6 percent.

The FBI Director stated cities which have populations in excess of 100,000 had an overall increase of 4 percent as a group.

The suburban communities continued to show the greatest percentage increase in the volume of crime, up 9 percent, while crime in the rural area rose 8 percent.

Mr. Hoover noted that all geographic regions of the United States registered increases with the North Central States and Southern States each up 8 percent, the Northeastern States up 7 percent, and the Western States 3 percent. The Western geographic region recorded decreases in murder, down 8 percent, and robbery, down 9 percent.

Discussing the crime figures which were released today, Mr. Hoover commented that one of the significant factors was the pronounced increase in the violent offenses against the person. He pointed especially to the fact that forcible rape and aggravated assault increased in all areas—city, suburban and rural—as well as in each geographic region.

(Enclosure.)

[For release Monday p.m., June 20, 1966]

UNIFORM CRIME REPORTING (JANUARY–MARCH, 1966)

Crime in the United States as measured by the Crime Index rose 6 percent during the first three months of 1966 over the same period in 1965. Nationally, forcible rape was up 14 percent, aggravated assault 9 percent and murder 4 percent. Robbery increased 4 percent while the voluminous crimes against property continued the upward trend, led by larceny $50 and over up 11 percent, auto theft 5 percent and burglary 4 percent. The large core cities with over 100,000 population had an average total crime rise of 4 percent, suburban police agencies reported a 9 percent increase and the rural area 8 percent. All cities when grouped by population size had total increases ranging from 2 to 10 percent. The offenses of forcible rape, aggravated assault and larceny $50 and over were up in all areas—city, suburban and rural—as well as each geographic region.

TABLE 1.—*Crime index trends (January to March, percent change 1966 over 1965, offenses known to police)*

Population group and area	Number of agencies	Population	Total	Murder	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny $50 and over	Auto theft
Total, all agencies	5,084	143,071,000	+6	+4	+14	+4	+9	+4	+11	+5
Total, cities over 25,000	769	74,385,000	+5	−1	+18	+6	+6	+3	+10	+4
Suburban area	1,831	43,299,000	+9	+3	+5	−1	+20	+6	+13	+10
Rural area	1,253	22,267,000	+8	+31	+9	−9	+9	+5	+14	+9
Over 1,000,000	4	9,401,000	+4	+14	+14	+5	−1	+4	+5	+5
500,000 to 1,000,000	19	12,171,000	+2	−11	+23	+10	+7	−2	+11	−3
250,000 to 500,000	30	10,599,000	+7	+5	+15	+1	+6	+6	+12	+6
100,000 to 250,000	93	13,343,000	+6	−3	+23	------	+5	+4	+7	+8
50,000 to 100,000	210	14,451,000	+7	−1	+20	+9	+17	+3	+12	+8
25,000 to 50,000	413	14,421,000	+8	−5	+10	+13	+17	------	+17	+9
10,000 to 25,000	986	15,159,000	+10	+19	+44	+8	+23	+4	+15	+14
Under 10,000	1,773	9,835,000	+8	−9	+1	−10	+16	+3	+14	+12

Table 2 below sets forth the crime experience by geographic region for the period covered in this report. Total crime trends were fairly consistent in all regions. Decreases were recorded in murder and robbery in the Western States, down 8 percent and 9 percent, respectively.

TABLE 2.—*Crime index trends by geographic region (January to March, 1966 over 1965)*

Region	Population	Total	Murder	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny, $50 and over	Auto theft
Northeastern States	34,234,000	+7	−1	+9	+3	+10	+5	+17	+1
North Central States	42,856,000	+8	+8	+22	+11	+10	+3	+11	+12
Southern States	37,688,000	+8	+7	+6	+11	+11	+5	+13	+5
Western States	28,293,000	+3	−8	+16	−9	+5	+2	+7	+3

TABLE 3.—*Offenses known to the police, January through March 1965 and 1966, cities over 100,000 in population*

	Year	Murder, non-negligent man-slaughter	Forcible rape	Robbery	Aggravated assault	Burglary, breaking or entering	Larceny, $50 and over	Auto theft
Akron, Ohio	1965	5	6	62	25	534	310	422
	1966	3	9	82	42	435	353	495
Albany, N.Y.	1965	------	2	15	12	181	63	179
	1966	1	------	11	19	227	117	154
Albuquerque, N. Mex.	1965	------	10	42	77	749	213	185
	1966	1	12	47	132	1,004	144	288
Alexandria, Va.	1965	------	8	22	63	296	159	66
	1966	------	2	19	70	167	151	86
Allentown, Pa.	1965	------	3	6	5	95	101	34
	1966	2	1	8	4	122	93	42
Amarillo, Tex.	1965	1	------	12	43	256	213	73
	1966	2	6	11	41	266	201	75
Anaheim, Calif.	1965	1	6	23	26	521	318	111
	1966	------	6	17	19	461	263	105
Arlington, Va.	1965	------	5	15	40	196	250	60
	1966	3	6	17	35	330	273	99
Atlanta, Ga.	1965	19	22	135	172	1,330	1,098	928
	1966	21	29	115	236	1,212	1,302	580
Austin, Tex.	1965	3	6	36	105	399	143	129
	1966	2	8	23	110	523	155	143
Baltimore, Md.[1]	1965	------	------	------	------	------	------	------
	1966	49	69	709	829	2,334	2,015	1,527
Baton Rouge, La.	1965	5	4	21	34	453	354	78
	1966	6	8	22	40	568	428	145
Beaumont, Tex.	1965	2	3	7	39	205	44	54
	1966	2	------	4	78	236	56	32
Birmingham, Ala.	1965	11	9	83	184	1,023	710	316
	1966	12	10	70	214	865	766	301
Boston, Mass.	1965	13	15	266	188	1,117	535	2,855
	1966	6	23	276	221	1,176	744	2,175
Bridgeport, Conn.	1965	2	2	14	24	392	145	200
	1966	2	------	22	19	335	164	148
Buffalo, N.Y.	1965	4	8	86	92	921	480	605
	1966	4	10	71	80	1,325	524	677
Camden, N.J.	1965	1	4	65	30	377	140	152
	1966	3	4	42	33	258	135	165
Canton, Ohio	1965	------	------	14	14	141	115	93
	1966	2	4	15	12	150	116	55
Cedar Rapids, Iowa	1965	------	------	1	2	88	65	61
	1966	------	4	7	5	64	80	62
Charlotte, N.C.	1965	9	2	49	163	659	323	143
	1966	4	10	108	203	760	346	140
Chattanooga, Tenn.	1965	6	4	27	30	344	77	84
	1966	5	9	40	47	557	114	268
Chicago, Ill.	1965	90	267	3,431	2,200	7,350	3,740	6,206
	1966	102	284	3,830	2,259	6,890	3,644	6,327
Cincinnati, Ohio	1965	6	23	71	128	607	363	160
	1966	7	32	75	152	776	434	203
Cleveland, Ohio	1965	20	31	459	303	1,950	212	1,043
	1966	20	32	546	243	1,539	265	1,584
Columbia, S.C.	1965	4	4	19	47	318	209	105
	1966	2	1	9	43	282	215	110
Columbus, Ga.	1965	4	2	8	10	221	154	139
	1966	2	1	12	18	258	157	86
Columbus, Ohio	1965	5	9	113	128	992	544	497
	1966	3	22	145	104	1,199	697	594
Corpus Christi, Tex.	1965	1	3	31	82	527	399	75
	1966	4	4	22	95	617	424	139
Dallas, Tex.	1965	27	25	139	256	1,859	528	908
	1966	26	18	153	488	1,920	592	762
Dayton, Ohio	1965	5	12	98	93	631	242	288
	1966	5	13	63	102	602	254	246
Dearborn, Mich.	1965	1	------	29	6	173	145	87
	1966	------	------	20	5	224	191	153
Denver, Colo.	1965	10	25	213	131	1,259	715	810
	1966	6	32	179	159	1,409	762	703
Des Moines, Iowa	1965	------	3	12	2	299	234	105
	1966	5	4	23	12	229	301	148
Detroit, Mich.[1]	1965	------	------	------	------	------	------	------
	1966	42	151	1,700	938	5,866	1,927	2,719
Duluth, Minn.	1965	------	1	3	6	116	78	36
	1966	------	1	3	5	119	102	58
Elizabeth, N.J.	1965	------	------	62	38	330	96	211
	1966	1	3	38	54	298	98	140
El Paso, Tex.	1965	1	10	48	86	690	201	229
	1966	5	10	34	66	671	224	221
Erie, Pa.	1965	------	2	26	19	164	79	149
	1966	------	3	10	24	151	79	107
Evansville, Ind.	1965	2	9	30	38	422	217	111
	1966	2	5	24	49	349	260	149
Flint, Mich.	196	4	8	76	276	505	451	174
	1966	3	18	75	255	455	433	200
Fort Lauderdale, Fla.	1965	1	------	38	90	514	272	108
	1966	2	7	51	63	541	347	157
Fort Wayne, Ind.	1965	1	2	49	26	163	269	97
	1966	1	5	11	22	281	254	97
Fort Worth, Tex.	1965	18	9	93	106	1,044	210	274
	1966	5	17	114	120	1,034	338	338
Fresno, Calif.	1965	5	3	50	28	592	530	349
	1966	2	1	57	32	703	542	326
Garden Grove, Calif.	1965	------	3	15	23	395	273	91
	1966	------	3	8	32	343	284	98
Gary, Ind.	1965	5	12	193	131	394	327	366
	1966	10	14	142	97	385	330	264
Glendale, Calif.	1965	1	1	19	5	288	212	150
	1966	------	3	19	7	217	240	118
Grand Rapids, Mich.	1965	1	8	18	31	238	193	112
	1966	1	4	34	30	406	267	143
Greensboro, N.C.	1965	3	5	16	170	165	200	87
	1966	3	4	12	211	187	211	87
Hammond, Ind.	1965	1	2	22	32	167	137	153
	1966	1	------	30	15	165	172	132
Hampton, Va.	1965	4	1	6	13	155	110	35
	1966	3	2	1	19	238	121	32
Hartford, Conn.	1965	1	1	29	53	513	173	193
	1966	1	5	48	53	468	230	159
Honolulu, Hawaii	1965	2	1	28	46	1,136	520	551
	1966	3	4	21	48	1,334	520	460
Houston, Tex.	1965	27	20	261	590	2,671	1,056	953
	1966	47	33	58	554	3,920	1,196	1,231
Huntsville, Ala.	1965	4	1	11	129	202	292	91
	1966	2	7	12	84	242	302	136
Independence, Mo.	1965	4	2	19	14	145	58	34
	1966	1	6	18	32	206	109	39
Indianapolis, Ind.	1965	8	24	276	112	1,424	648	787
	1966	8	27	320	128	1,456	605	927
Jackson, Miss.	1965	3	3	5	32	212	65	52
	1966	6	------	2	24	219	106	67
Jacksonville, Fla.	1965	8	7	205	113	944	502	172
	1966	4	6	143	70	702	424	240

See footnote at end of table.

TABLE 3.—*Offenses known to the police, January through March 1965 and 1966, cities over 100,000 in population*—Continued

	Year	Murder, non-negligent man-slaughter	Forcible rape	Robbery	Aggravated assault	Burglary, breaking or entering	Larceny, $50 and over	Auto theft
Jersey City, N.J	1965	1	3	27	45	209	39	517
	1966	4	3	41	43	288	32	499
Kansas City, Kans	1965	3	4	40	105	372	134	113
	1966	3	10	59	58	380	94	130
Kansas City, Mo	1965	16	37	247	239	1,900	855	623
	1966	14	55	392	249	1,323	994	871
Knoxville, Tenn	1965	4	1	20	41	367	127	100
	1966	2	6	20	115	449	152	138
Lansing, Mich	1965	1	1	6	28	201	204	129
	1966	----	6	20	20	219	250	157
Las Vegas, Nev	1965	2	4	29	26	172	213	118
	1966	3	3	52	38	281	205	138
Lincoln, Nebr	1965	----	3	2	14	115	102	23
	1966	1	4	5	29	118	142	37
Little Rock, Ark	1965	5	7	52	64	315	434	84
	1966	2	2	40	89	281	337	62
Long Beach, Calif	1965	3	19	203	103	1,223	698	599
	1966	2	30	170	91	1,240	673	727
Los Angeles, Calif	1965	47	289	2,216	2,246	12,584	7,534	5,532
	1966	57	334	1,918	2,152	13,132	8,161	5,673
Louisville, Ky	1965	14	18	163	102	1,196	872	493
	1966	10	18	150	80	1,133	977	761
Lubbock, Tex	1965	2	7	18	35	331	280	75
	1966	3	4	20	65	356	298	87
Macon, Ga	1965	5	4	21	75	379	189	88
	1966	4	3	38	39	349	136	92
Madison, Wis	1965	----	2	5	8	121	128	47
	1966	1	1	7	2	121	169	92
Memphis, Tenn	1965	13	9	129	122	1,488	997	350
	1966	5	11	146	36	1,632	1,096	371
Miami, Fla	1965	10	17	314	355	1,815	846	346
	1966	18	17	358	540	1,808	832	395
Milwaukee, Wis	1965	4	4	42	94	547	773	553
	1966	5	4	41	90	681	885	697
Minneapolis, Minn	1965	4	12	149	149	1,402	648	558
	1966	10	22	269	135	1,516	820	775
Mobile, Ala	1965	3	12	36	68	820	234	105
	1966	2	3	48	93	847	253	159
Montgomery, Ala	1965	7	5	15	19	251	219	106
	1966	6	3	14	15	290	239	70
Nashville, Tenn	1965	16	9	83	194	1,045	432	509
	1966	8	17	64	141	1,031	648	399
Newark, N.J	1965	13	40	374	399	1,740	753	987
	1966	15	29	396	424	2,325	961	987
New Bedford, Mass	1965	2	----	8	40	297	93	159
	1966	----	2	8	9	201	69	148
New Haven, Conn	1965	----	1	2	35	212	116	208
	1966	----	----	3	26	299	140	240
New Orleans, La	1965	18	24	292	252	1,712	1,196	1,349
	1966	31	34	336	278	1,770	1,253	1,168
Newport News, Va	1965	1	5	39	113	243	118	63
	1966	1	1	24	52	227	122	57
New York, N.Y.[1]	1965	----	----	----	----	----	----	----
	1966	128	335	2,895	3,958	17,473	22,614	9,087
Niagara Falls, N.Y	1965	----	1	19	11	95	97	40
	1966	----	1	9	55	125	132	59
Norfolk, Va	1965	4	8	76	202	717	435	264
	1966	5	5	98	176	901	454	331
Oakland, Calif	1965	8	15	203	144	1,320	502	548
	1966	14	18	253	117	1,446	825	479
Oklahoma City, Okla	1965	7	13	117	78	1,084	107	434
	1966	6	7	124	84	846	129	417
Omaha, Nebr	1965	4	6	34	9	610	231	331
	1966	3	9	41	10	713	145	419
Orlando, Fla	1965	4	2	35	39	229	225	82
	1966	1	8	30	70	363	236	92
Pasadena, Calif	1965	1	8	40	43	422	257	121
	1966	2	8	42	28	464	251	161
Paterson, N.J	1965	----	3	37	23	294	53	200
	1966	4	3	39	21	289	46	206
Peoria, Ill	1965	----	6	30	33	320	154	184
	1966	1	4	37	43	377	171	172
Philadelphia, Pa	1965	49	104	765	917	3,234	1,027	1,670
	1966	36	125	702	906	2,856	1,006	1,917
Phoenix, Ariz	1965	8	30	156	220	1,720	1,260	641
	1966	7	27	136	140	1,642	1,401	766
Pittsburgh, Pa	1965	8	34	331	180	1,593	922	1,458
	1966	4	44	381	175	1,518	980	1,337
Portland, Oreg	1965	3	17	159	65	1,009	815	530
	1966	2	18	133	56	1,047	941	351
Providence, R.I	1965	1	2	30	61	586	264	428
	1966	3	4	36	49	452	198	508
Raleigh, N.C	1965	4	4	12	84	231	202	69
	1966	3	2	17	81	206	177	58
Reading, Pa	1965	----	1	14	8	72	35	43
	1966	----	----	8	12	139	40	62
Richmond, Va	1965	15	6	76	131	732	337	356
	1966	12	18	73	97	808	408	415
Riverside, Calif	1965	2	6	18	44	496	291	112
	1966	1	5	9	62	445	383	131
Roanoke, Va	1965	5	1	19	32	239	131	70
	1966	1	1	13	57	252	133	87
Rochester, N.Y	1965	4	6	33	34	550	249	159
	1966	10	9	27	60	554	343	239
Rockford, Ill	1965	----	1	16	7	140	95	44
	1966	4	1	9	14	155	107	53
Sacramento, Calif	1965	4	19	157	43	967	752	449
	1966	4	10	102	59	1,020	634	602
Saginaw, Mich	1965	3	1	24	65	135	61	50
	1966	4	3	45	33	144	65	150
St. Louis, Mo	1965	31	56	522	384	3,258	672	1,343
	1966	26	78	569	465	2,947	604	1,053
St. Paul, Minn	1965	1	8	68	65	975	316	368
	1966	2	15	88	83	902	373	306
St. Petersburg, Fla	1965	4	5	50	149	496	276	72
	1966	4	9	67	96	565	333	74
Salt Lake City, Utah	1965	2	8	29	34	638	435	163
	1966	1	4	44	24	500	439	218
San Antonio, Tex	1965	19	16	88	324	1,737	1,054	453
	1966	13	21	98	263	2,026	1,095	653
San Bernardino, Calif	1965	----	1	35	24	410	353	131
	1966	----	5	39	25	426	295	140
San Diego, Calif	1965	5	12	103	111	736	1,086	434
	1966	2	9	90	132	790	1,323	524
San Francisco, Calif	1965	16	18	562	457	3,111	952	1,833
	1966	8	24	586	438	2,771	982	1,858
San Jose, Calif	1965	3	6	27	23	797	247	398
	1966	7	14	32	21	956	233	382
Santa Ana, Calif	1965	2	8	28	34	378	130	142
	1966	----	2	15	51	262	122	82
Savannah, Ga	1965	7	7	42	99	429	210	76
	1966	2	5	68	148	346	249	74
Scranton, Pa	1965	----	----	4	6	93	35	51
	1966	1	----	3	8	147	32	43
Seattle, Wash	1965	5	16	156	67	1,216	997	468
	1966	8	21	144	73	1,140	985	400
Shreveport, La	1965	4	1	34	113	278	94	85
	1966	5	2	22	108	232	115	138
South Bend, Ind	1965	----	----	11	10	234	75	79
	1966	2	2	13	12	217	101	74
Spokane, Wash	1965	1	----	7	16	177	97	81
	1966	----	1	13	9	251	113	97
Springfield, Mass	1965	----	1	----	4	107	88	236
	1966	1	----	2	----	120	81	173
Springfield, Mo	1965	----	1	9	5	151	59	26
	1966	----	1	12	4	184	67	35
Syracuse, N.Y	1965	1	11	48	78	358	355	170
	1966	----	11	23	81	390	320	71
Tacoma, Wash	1965	1	1	17	33	319	144	95
	1966	2	4	12	27	226	167	92
Tampa, Fla	1965	6	17	158	158	1,182	649	305
	1966	6	6	134	179	1,221	725	286
Toledo, Ohio	1965	7	8	140	55	656	493	223
	1966	4	13	114	65	825	502	301
Topeka, Kans	1965	----	4	15	20	147	74	49
	1966	----	4	18	40	182	77	28
Torrance, Calif	1965	1	2	34	19	489	365	193
	1966	1	6	25	23	440	381	148
Trenton, N.J	1965	----	1	52	42	313	111	364
	1966	1	11	85	38	329	93	324
Tucson, Ariz	1965	4	7	41	61	518	290	230
	1966	1	12	20	59	516	333	269
Tulsa, Okla	1965	----	7	50	86	688	502	286
	1966	2	11	37	32	530	544	232
Utica, N.Y	1965	----	1	4	1	99	34	35
	1966	----	1	7	5	67	49	28
Virginia Beach, Va	1965	2	1	8	41	251	110	47
	1966	----	3	3	36	171	120	33
Waco, Tex	1965	1	3	16	39	400	99	36
	1966	----	4	15	88	485	168	36
Warren, Mich	1965	1	----	8	9	195	179	71
	1966	----	6	13	45	290	248	120
Washington, D.C	1965	45	33	737	513	2,746	812	1,545
	1966	44	31	788	616	2,419	968	1,241
Waterbury, Conn	1965	----	----	5	20	209	72	115
	1966	1	----	9	16	165	95	83
Wichita, Kans	1965	1	5	46	63	466	303	161
	1966	----	6	31	61	399	324	177
Wichita Falls, Tex	1965	----	----	5	51	131	84	42
	1966	3	2	7	56	114	68	52
Winston-Salem, N.C	1965	9	5	17	152	295	142	95
	1966	4	2	17	214	256	137	80
Worcester, Mass	1965	----	5	25	9	274	74	251
	1966	1	5	41	24	606	189	350
Yonkers, N.Y	1965	----	1	19	26	329	248	135
	1966	2	----	10	20	310	255	215
Youngstown, Ohio	1965	1	3	21	62	249	82	121
	1966	3	2	34	42	259	94	141

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[1] 1965 figures not comparable with 1966.

NOTE.—All 1966 crime figures from reporting units are preliminary. Final figures are published in annual report.

TAX INCENTIVE FOR POLITICAL CONTRIBUTIONS OF $100 OR LESS

Mr. WILLIAMS of Delaware. Mr. President, last Thursday, June 16, the Democratic leadership, with almost a solid party vote, defeated an amendment which I offered, the purpose of which was to carry out a recommendation endorsed by the President to provide a tax incentive to political contributions of $100 or less.

The purpose of this proposal was to encourage the participation of a larger number of American voters in election campaigns rather than continue the present policy of financing these campaigns through large contributions from wealthy families and company officials who ofttimes are doing business with the Government.

I was disappointed when the Democratic leadership bowed to the dictates of labor and rejected their own President's proposal. Apparently their plan is to continue the financing of campaigns with the $1,000 President club and contributions by the $10,000 elite who can afford to contribute this amount in return for an invitation to the White House.

This novel method of financing the Democratic campaign is something new. In this connection, I ask unanimous consent that there be printed in the RECORD an article written by Rowland Evans and Robert Novak and published in a recent issue of the Washington Post. The article is entitled "The Elite President's Club."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

L.B.J.'S ELITE

(By Rowland Evans and Robert Novak)

President Johnson's daring and controversial fund-raising gimmick for the 1966 congressional campaign, hitherto undisclosed, offers Democratic Party contributors the right to buy a gilt-edged invitation to a formal White House party.

The price is $10,000 each. It may seem high, but already an estimated 100 contributors, most of them in New York City, have gladly paid it.

So secret is the new group of $10,000 contributors, unofficially known as the "Elite President's Club," that some high officials in the Democratic National Committee have never heard of it. The "Elite President's Club" is a spectacular jump in size of contribution and prestige from the old, non-elite President's Club, which requires a mere $1,000 membership fee.

Although the new club has had a success in New York and in other selected areas, it is running into serious, sometimes bitter opposition from old-pro Democrats from other states. The reason for this opposition is simply stated. The Elite Club moves the Democratic Party's fund-raising operations even further away from the rank-and-file Party member than the original President's Club, which started back in 1961 under President Kennedy.

The proposition that bigtime donors to a political party deserve some special recognition, such as an ambassadorship to a small-time country, is as old as the Republic. But the new club of presidential elites seems to carry this political precept into new territory.

To the critics, the new plan gives the Democratic Party, the traditional party of the people, the aura of a rich man's club more in keeping with the Republicans than the Democrats.

In at least one state, a state that is full of fat-cats ambitious for White House recognition, Party leaders have flatly refused to sell membership tickets to the $10,000 club, even though the incentive of a guaranteed invitation from President Johnson to a White House party would undoubtedly find eager prospects. Their resistance stems also from the fact that local leaders at the state, city and district levels are angry at what they regard as a cold shoulder from the National Committee and the White House. These local leaders, accustomed to doing business with Washington without ritual or formality, find a lack of sympathy for their problems here. They are particularly unhappy at the tight control exercised within the White House, often by Presidential Assistant W. Marvin Watson, Jr., over the National Committee.

On top of this the sale of $10,000 tickets to White House social functions is simply one more grievance.

The moving force behind the President's most exclusive club are Arthur B. Krim, president of the United Artists and finance director of the National Committee, and the President himself.

Krim was prevailed on by the President to become the Party's chief fund-raiser only after several weekend visits to the LBJ Ranch in Johnson City, Tex. Confronted with a massive, long-concealed Party deficit (still close to $2 million), and under orders to raise a campaign fund, Krim decided that the Party's poor financial position justified the new club. He was strongly encouraged by the President. Finally, most of the Party's desperate efforts to raise money in the traditional way—by small contributions from many Democrats—have been dismal failures. In desperation, Krim has turned to the fat-cats.

Privately, Krim has said that the original President's club, limited to $1,000 contributors, was a sound money-raising device. In the Washington of the 1960s, he has said, $1,000 can't buy much of anything, including political favors. Presumably, he feels the same complacency about contributions ten times that large.

The Hatch Act limits a single political contribution to $5,000, but there are several ways for members of the new club to evade that restriction. The quick success of the plan in New York indicates that it won't slow down because of resistance by local professionals. Having discovered the value of an invitation to a White House party, the ticket-sellers won't stop now, no matter how much the scheme seems to conflict with President Johnson's formal plan, sent to Congress last month, to provide tax deductions for political contributions up to $100. That plan is supposed to encourage small-time giving.

SUPPORT FOR LEGISLATION TO COMPENSATE VICTIMS OF CRIMES

Mr. YARBOROUGH. Mr. President, last year I introduced S. 2155, the Criminal Injuries Compensation Act, which would provide compensation to victims of violent crimes. While my bill would only apply to the District of Columbia and certain other Federal jurisdiction, I hope it would provide an example for the States to follow in enacting their own legislation.

Evidence of the increasing support for this idea is shown by a resolution passed by the United Automobile Workers Union at its convention last month, urging all States to adopt victim compensation legislation, to provide compensation for police officers injured or killed in the line of duty, and supporting prompt enactment of S. 2155.

I ask unanimous consent that the resolution be printed at this point in the RECORD.

The resolution follows:

1. All states should adopt legislation to compensate innocent victims and families of innocent victims who have been injured or killed by an act or omission directly attributable to:

a. the commission of a crime of violence;

b. the prevention or attempted prevention of a crime;

c. assistance rendered to a police officer in the proper performance of his duties.

2. Adequate compensation should be paid to police officers and the families of police officers who have been injured or killed while performing their duties.

3. The Yarborough Bill, S. 2155, which would compensate the victims and families of victims of violent crimes committed within federal jurisdiction, should be enacted promptly.

GREAT SALT LAKE NATIONAL MONUMENT

Mr. MOSS. Mr. President, last week the Senate Subcommittee on Parks and Recreation held a public hearing in Salt Lake City on S. 25, a bill to create the Great Salt Lake National Monument. As this hearing follows one which was held 6 years ago in Salt Lake City and in Ogden on a bill to create the Great Salt Lake National Park, S. 25 is a refinement and a perfection of the original bill which I introduced the first session that I served in the Senate of the United States. The Salt Lake Tribune has written a very perceptive editorial concerning the bill and has recorded the newspaper as favoring the Moss plan in principle, with safeguards. I think this is a very wise observation and the bill itself does contain safeguards to assure that commercial development on the lake, the possible changing of the shoreline, or the building of roads will not be inhibited in any way by the creation of the Great Salt Lake National Monument. But, as the editorial points out, Antelope Island is one of the most outstanding physiographic features of the "Old West" because from this point the lake levels of prehistoric Lake Bonneville, as well as the geologic formations of the Wasatch front escarpment can be observed and to the west one can see the shimmering salt sea and the white salt flats beyond. Every schoolchild in America knows about the Great Salt Lake, the only dead sea in the Western Hemisphere. There should be opportunity for people to experience this unique phenomenon of bathing in the waters where one floats like a cork, to stand and view the beauties that surround the island on all sides, to observe the wild game such as the herd of buffalo which inhabit the island and have been there for uncounted years, and the other phenomena which would be available in the monument. I ask unanimous consent that the editorial of the Salt Lake Tribune be included in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Salt Lake Tribune, June 18, 1966]

ISLAND MONUMENT WITH SAFEGUARDS

A Senate subcommittee hearing in Salt Lake City this week indicated that local opinion regarding recreational development of Antelope Island in the Great Salt Lake has changed little since a similar hearing was held by the same subcommittee in the fall of 1960. Spokesmen representing a variety of Utah public and private interests registered agreement that tourist and other values of the island should be developed but disagreement remains on whether the project should be undertaken by the federal government or by state and local agencies.

The hearing was on Senate Bill 25, sponsored by Utah Senator Moss, to create the Great Salt Lake National Monument to include all the island (really not a true island any more but a promontory jutting out into the lake) and 1,000 feet of adjoining lake water. Previously the bill called for creation of a national park, but as the measure has been revised and refined through the years its scope has been limited and safeguards have been added for industrial development elsewhere around the lake.

An important outward change now is that the Utah state administration favors the Moss bill whereas previously state officials were in opposition. Actually, however, both administrations hold that the plan must not in any way interfere with exploitation of minerals and other resources of the lake away from Antelope Island. Former Governor G. D. Clyde held in 1960 that the Moss bill at that time might interfere with such developments and advocated starting the project on a small scale with state and/or local funds. Governor Rampton this week said he saw no danger of conflict in the newest Moss bill or any loss of state rights. He said the development of the island as proposed in the bill would enhance the value of the area and added that the state is not in a financial position to undertake a plan such as is proposed by the U.S. Park Service.

The Tribune is on record as favoring the Moss plan in principle, with safeguards. If an exhaustive study of the bill indicates that it does not sufficiently keep the door open to industrialization on other parts of the lake and shorelands the measure should be further refined.

A national monument at Antelope Island should be possible without affecting the lake level or impairing other valid rights of the state and private interests in developing resources outside the boundaries of the monument.

The lake, as the Park Service emphasizes, is a remnant of old Lake Bonneville and one of the outstanding physiographic features of the West. Antelope Island would make an excellent platform from which to view and interpret the "dead sea" and its history and surrounding scenery. It would prove an excellent scientific and tourist attraction, away from the industrial developments under way on the south and west shores.

BIG BROTHER

Mr. LONG of Missouri. Mr. President, recently the Southeast Missourian, a newspaper from Cape Girardeau, Mo., stated in an editorial that "the right to privacy is and always has been a cherished American tradition." The editorial continues to point out that "invasion of privacy doesn't draw cheers from Americans in general, even when it is resorted to by law enforcers to track down criminals." As the Senate Subcommittee on Administrative Practice and Procedure continues its hearings on invasions of privacy, we, too, have been impressed with this fact.

I ask unanimous consent to insert, at this point, in the RECORD the article from the May 18, 1966, issue of the Southeast Missourian.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ABOUT TIME

The Federal Communications Commission has jumped into pest control by leveling a spray gun at one of the most obnoxious bugs of all.

This would be the sneaky little radio transmitter—known in eavesdropping circles as "the bug"—that is so frequently planted surreptitiously by snoopers who for various reasons want to stick their nosy ears into other people's business.

The FCC has issued a ruling that will prohibit anyone but law enforcement officers from using such devices for such purposes under penalty of a $500 fine for each day the bug is debugging.

It's about time.

Invasion of privacy doesn't draw cheers from Americans in general even when it is resorted to by law enforcers to track down criminals. And it is even less acceptable when—as has been openly asserted—American industry is more and more bugging the offices of competitors to see what the competitors are up to in the mad scramble to see who can sell most first.

Wild? Perhaps.

But a man who manufactures a device which unbugs spy bugs estimates that 75 per cent of all major companies periodically inspect their offices for wire taps and hidden electronic gadgets they fear may have been planted by curious rivals.

And one company which makes debuggers at $350 each says it has sold 500 of them in the last year, is turning out 35 a week, and is still running a month behind orders. This company further says businessmen are among its customers.

It's hard to believe that responsible businessmen would stoop to such low-level snooping. You like to think such cloak-and-dagger stuff is confined to law enforcement, international espionage and to movie and television sleuths.

The right to privacy is and always has been a cherished American tradition. And if even a part of industry is in fact mocking this right by wire taps or other snoopery, you have to wonder if our free enterprise system—also a cherished American tradition—isn't in danger of becoming more enterprising than free.

TRADE WITH COMMUNIST COUNTRIES

Mr. THURMOND. Mr. President, in the July issue of Reader's Digest there appears an article entitled "Should We Be Trading With the Reds?" This article summarizes our current and proposed policies applicable to trading with the Communists and weighs the arguments pro and con. In conclusion, it presents a devastating case against even our present misguided level of trade with our Communist enemies and makes recommendations which are realistic and sensible.

I ask unanimous consent that this article be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SHOULD WE BE TRADING WITH THE REDS?

(By Noel F. Busch)

On January 28, 1966, the Department of Commerce issued a routine announcement that it was licensing export of technical data to enable a United States firm to build six fertilizer plants in Soviet Russia. Queried by a Congressman for details, the Department replied that the six plants would have a combined productive capacity of 4830 tons a day. No one had any idea how the fertilizer would be used.

Shortly thereafter, Secretary of Agriculture Orville L. Freeman, returning from a visit to South Vietnam, reported: "There is a strong demand for fertilizer chemicals and improved seeds. Fertilizer is as important as bullets." In this statement the secretary was, of course, referring to South rather than North Vietnam—where the need for such chemicals is known to be even *more* acute. That same week, in Senate committee testimony, Secretary of Defense Robert S. McNamara revealed that volume shipments of war supplies—*including fertilizer*—were coming into the North Vietnamese port of Haiphong from the U.S.S.R.

Incidents like these are causing a good many Americans to doubt the wisdom of the present stated administration policy of "building bridges to Eastern Europe" by increasing our trade with the U.S.S.R. and its European satellites. These doubts are by no means new: they have boiled up frequently ever since 1950, when Western nations decided that trade with communist countries would be harmless if confined to "non-strategic goods." A coordinating committee of 14 NATO countries and Japan thereupon drew up a list of some 100 items, known as the "Cocom List," which all agreed *not* to export to the communists. (The United States itself, in addition, now bans trade with China, Cuba, North Korea and North Vietnam.)

In purely economic terms, our trade across the Iron Curtain has never amounted to much. Except for 1964, the year of our celebrated sale of wheat to the U.S.S.R., our total annual exports to all communist countries have been running below $200 million a year—less than we export to Switzerland. Nonetheless, the question of whether we should continue, let alone increase, trade with communists in Europe at a time when we are in a shooting war with communists in Asia has understandably generated a high degree of confusion. The question deserves to be pondered, because on the answer may well depend the outcome of the cold war.

THE CASE FOR DOUBT

Possibly the best summation of reasons for trading with communist countries was put forth in April 1965 by a Presidentially appointed committee of 12 business and academic leaders headed by J. Irwin Miller, board chairman of the Cummins Engine Co., Inc., of Columbus, Ind. "The U.S. government should act to remove any stigma from trade with communist countries where such trade is determined to be in the national interest," the committee declared. "Trade is one of the few channels available to us for constructive contacts with nations with whom we find frequent hostility. In the long run, selected trade, intelligently negotiated and wisely administered, may turn out to have been one of our most powerful tools of national policy."

No patriotic American would oppose any trade which has truly been determined to be in the national interest. The question here is whether the national interest has in fact been accurately "determined" and whether the "selected trade" has in fact been "intelligently negotiated and wisely administered." Recent experience casts grave doubt upon these points.

In June 1964, for example, the Romanian government proposed that a major U.S. rubber company build a $50-million plant in Romania. Since tires are an item of military value, since Romania has been especially outspoken in its support of North Vietnam, and since a busy traffic goes on between Russia's Black Sea ports and North Vietnam's harbor of Haiphong, the strategic implications of this project were questionable. Nonetheless, the plan was endorsed by the U.S. State Department on the ground that Romania was following the praiseworthy example of Yugoslavia in loosening its ties with the U.S.S.R. (The rubber company involved backed out anyway.)

Just as plausible as the Miller committee's pronouncement are the State Department's views on East-West trade, as voiced by the Assistant Secretary for Economic Affairs, Anthony M. Solomon, last October: "Strategic trade, that is, trade in items of military significance to the communists, is embargoed not only by the United States but also by our European allies and Japan. . . . The Cocom list is reviewed periodically to add new items of technological importance and to delete others no longer of strategic significance."

Unfortunately, this statement is more or less devoid of meaning, since it presumes the validity of precisely those assumptions which are most open to question. One assumption concerns the effectiveness of the Cocom list, which nations interpet for themselves, and which ignores the basic fact that in modern warfare *anything* which helps a nation in any way has strategic value. Another concerns the effectiveness of our nonstrategic embargo, which Cuba and North Vietnam can and do circumvent by routing their orders for U.S. goods through the U.S.S.R. or one of its European satellites, or by ordering the goods from one of our allies.

One example of a grave error in granting export licenses occurred in 1960, when 45 precision machines for miniature ball bearings were earmarked for shipment to U.S.S.R.* Only when a sharp-eyed young company engineer protested to Sen. WINSTON L. PROUTY of Vermont that the machines were of a unique type obtainable nowhere else and used primarily for important space and military equipment was the shipment questioned. The Senate Internal Security Subcommittee launched a full-scale investigation which ultimately halted the shipment when six machines were actually on the dock. By this time, however, vital instruction books, drawings and other data which might help the Russians to make the machines themselves had already been dispatched.

FORCE FOR PEACE?

The administration conceives of trade with the communists as a force for peace. The idea is that if we help to raise their standards of living, the satellites will become more independent of the U.S.S.R., and the U.S.S.R. itself will become less belligerent. If the communists were really interested in peaceful trade in consumer goods, this process might conceivably take place. But the communists aren't interested in just consumer goods; they are interested in getting goods which *they* consider to be of strategic value, even if we don't. Most especially, they are interested in getting the technical knowledge that will enable them eventually to manufacture such goods themselves.

Thus, one reason that the dollar volume of trade with the communists does not rise more rapidly is that a large proportion of this trade is in small lots or single items for apparent use as models or prototypes. A sampling from current licenses will show the trend:

To the U.S.S.R.: $112 worth of industrial instrument parts; $1 worth of aerosol valves; $323 worth of automatic valves.

To East Germany: $76 worth of parts for spectrum measuring; $467 for a microscope and accessories; $60 for pneumatic pressure control.

To Bulgaria: $1 worth of activated carbon; $1 worth of anti-oxidant.

There is another reason why the dollar value of our shipments to the communists in Europe fails to represent their true value. This is that technological information, which could help much more than models and prototypes, is listed "no value." Hundreds of applications for such data have been approved.

DIFFERENT PREMISES

Reduced to its basic elements, then, the case for trading with the communists can be summed up as follows:

1. It enables the free world to increase its contact with the otherwise closed communist societies. Such contacts should lead to better understanding between the United States and the U.S.S.R., and also to a greater degree of independence for the East European satellites.

2. Trade with the communists has an important propaganda value in the obvious superiority of our goods to theirs.

3. Even if we don't trade with the communists in Europe, others will. Hence we might as well share the profits.

Underlying these three major points are several convictions about communism in general. They are that communism is here to stay, and we must adjust to it; that the European communist countries are now so advanced that they could get along without us; and hence that the whole question of how much we trade with the communists is not really very important anyway.

Opponents of trade with the communists start from a different set of premises. In their estimation, the communist economies are by no means as strong and as self-sufficient as their statistics purport to prove. This is shown most dramatically perhaps by communist nations' purchases of free-world wheat, but it is also implicit in their desperate attempts to catch up with Western technology. While it may seem unimportant to us, trade with the West is a matter of life and death to them. Hence the question of how and what we trade—even if there were no danger of our own goods being used against us in Vietnam—automatically becomes a matter of urgent political importance to us as well. On this assumption, the three main arguments in favor of trade can be answered as follows:

1. So far, after 16 years of experiment, there are few signs, if any, that our trade contracts have led to better understanding with the U.S.S.R. or to more independence for its satellites.

2. Trade helps to perpetuate the dictatorial regimes by protecting them against the penalties of their own mistakes. For example, crop failures in the U.S.S.R. and Red China are due at least in part to the passive resistance of the peasants against the hated collective system.

3. To accept the principle that, since we cannot prevent others from trading with the communists, we should compete with them for the small profits involved is to confirm Lenin's sardonic prophecy that "When the time comes for us to hang the capitalists, they will compete with each other for the profits of selling the rope." Instead, the United States should do all it can to set an example for the free world.

THE ULTIMATE QUESTION

What, then, *is* the right course?

So long as we are at war in Vietnam, our first concern should be that we send nothing to the communist countries in Europe that can be reshipped for use against us on the battlefield or behind the lines. To make doubly sure that none of our wares or those of our allies turn up there, we should blockade the port of Haiphong.

In addition to eliminating anything which seems to *us* to be of strategic value, we should bar anything the communists want that might have such value to *them*. Moreover, for whatever we do send, we should make sure that we receive direct, immediate and tangible benefits. If we really used trade to its maximum effect as a lever, we might be able to persuade the U.S.S.R. to tear down the Berlin Wall or move toward genuine nuclear disarmament. The 1964 free-world wheat shipments to the U.S.S.R., for example, amounted to about 17 percent of the Soviet Union's total annual requirements, and helped its leaders to avert famine. Instead of gold, we should have exacted commensurate political concessions.

We should insist on a new emphasis in the Commerce and State Departments in applying the Cocom regulations. Licenses for technological data, for example, should be granted only in exceptional cases.

Finally, our lawmakers should realize that trade across the Iron Curtain is part of the problem of the war in Asia. They should be concerned not with new legislation to build metaphorical "bridges to Europe"; they should rather make sure that goods we send abroad are not used against us or the members of our armed forces who risk their lives to destroy real bridges along the supply routes to South Vietnam.

TRIBUTE TO DR. EDWARD CARLIN, UNION COUNTY, N.J.

Mr. WILLIAMS of New Jersey. Mr. President, I would like to pay tribute to Dr. Edward Carlin for his many years of devoted service both as a physician and as a public official to the people of Union County.

Dr. Carlin received excellent medical training at the University of Maryland, and under the U.S. Navy. Navy life gave Dr. Carlin an insight and training on mass medical problems and mass treatment. This valuable knowledge added to his physician's training has made Dr. Carlin alert to welfare and civic problems affecting Union County.

His energy and devotion to duty are a legend in Rahway where he served with distinction and honor as mayor, as a member of the school board, and from 1957–1963 as a member of the Union County Board of Chosen Freeholders. This was no mean feat considering the Republicans had held sway for the previous 40 years.

No one who intimately knows Dr. Carlin, is surprised at his ability to get the job done. One former Freeholder has said:

> Dr. Carlin grasps and understands welfare problems in 15 minutes, which takes us seven months to understand.

In 1946, he focused national attention on the black market in streptomycin when he interceded in the case of a dying 14-year-old girl whose parents were being victimized.

In 1958, when he became chairman of the welfare committee, he undertook an

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*See "Why *Help* the Reds Win the Cold War?" The Reader's Digest, October '63.

extensive effort to overhaul and upgrade the status of the county's hospital which treats chest diseases and the chronically ill. He accomplished this goal by the ingenious method of converting Rose Hall, a newly built home for resident nurses, which was only half occupied into a 110 patient hospital at one-tenth of the price of a new construction.

Dr. Carlin has repeatedly stated:

> As physicians we are dedicated to the service of mankind, which includes civic as well as medical obligations.

Certainly, Dr. Carlin has more than fulfilled his obligations in both fields. The people of Rahway and all of us who live in Union County, N.J., owe a debt to Dr. Edward Carlin that can never be repayed.

It is a privilege for me to be able to honor his long years of service to his fellow man.

THE EAST-WEST CENTER AND THE UNIVERSITY OF HAWAII

Mr. INOUYE. Mr. President, at a recent ceremony held by the Department of State honoring the East-West Center and the University of Hawaii, a certificate of cooperation was awarded to the East-West Center by the Agency for International Development. The presentation was made by Mr. Daly C. Lavergne, Director, Office of International Training, AID.

This award, in recognition of the consistently high caliber of training, also recognizes the quality of the staff of the Center. Dr. Dai Ho Chun, Director of the Institute for Technical Interchange at the East-West Center, accepted the award in behalf of the East-West Center and the University of Hawaii. Dr. Chun made some brief statements at the time of receiving the award and, if there are no objections, I ask that his remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks by Dr. Dai Ho Chun, Director, Institute for Technical Interchange East-West Center, Honolulu, Hawaii, Presented at the AID Awards Ceremonies in Washington, D.C., June 15, 1966

Senator Daniel K. Inouye, Secretary Harold Howland, Mr. Daly C. Lavergne, ladies and gentlemen:

Thank you very much—Mr. Lavergne—for your kind words, and for AID's generous recognition. I accept this Certificate of Cooperation—not only in behalf of the East-West Center, but also of the people of Hawaii, our supporters in Congress and AID, and the participants who have visited our islands. Without them, there would not be an East-West Center.

By honoring the Center, you are indeed paying tribute to all these wonderful people who have made the Center possible. You are also paying tribute to the leadership of President Johnson, Governor John A. Burns of Hawaii, Congressman John Rooney and other members of Congress, and many others, whose farsightedness, and zeal gave birth to this increasingly important "national institution with an international purpose."

Furthermore, you are paying tribute to those who are giving the Center continuing support in the form of funds and services. I refer to agencies like the United States Congress, which funds our activities; to our good friends like Secretary Harold Howland and his associates of the Department of State, who have done so much to help us solve our critical problems; to the eminent national figures in education, business, and government who make up the prestigious State Department National Review Panel*, and many others. At this time, I would like to thank all of them publicly for their invaluable service.

The East-West Center, as many of you know, is much more than the 8½-million-dollar complex of buildings in beautiful Manoa Valley and its 200,000 volumes of Asiana; much more than its staff and advisers; much more than the 2,500 faculty members of the University of Hawaii.

The Center also includes the more than 100 universities and organizations on the mainland United States and in the Pacific-Asian region, which work closely with us; the entire State of Hawaii and its many facilities; a happy combination of a wide spectrum of social, cultural, and economic forces, the totality of which provide an excellent social climate, making it possible for our foreign guests to "feel at home" quickly and easily—thus enabling them to attain the Center's goal of free interchange of technical and cultural ideas and to build lasting friendships.

The Center (ITI in particular) follows a number of important functional guidelines. But because of the limited time I have at my disposal today, I can only mention a couple of them. First, we concentrate on institutional-building projects—those which make the most impact in a country. For instance, our project on the retraining of the entire Keio University English faculty would result in 100,000 better equipped English teachers for Japan every 10 years. These teachers, in turn, would help some 4,000,000 students in Japan to read, write, and speak better English during the same lenth of time. Secondly, we believe sincerely that it is most important for all our participants to undergo "total exposure." We don't think it is enough for them to learn technical skills only. We provide them with numerous opportunities to exchange cultural practices among themselves; to know America and its ideals; to know the community and the people.

Of course, all this is predicated on the assumption that we must know our participants well and are sensitive to their social, cultural, intellectual orientations, to their needs, their values, their interests, their problems, their aspirations. During the past 12 years, we have made real progress in this regard. We are constantly trying to do better.

I cannot begin to describe to you the Center's comprehensive programs and its substantial contributions during the five years of its existence. However, I would like to suggest that you read Secretary Howland's excellent article on the Center and how it is building bridges of understanding and expediting the free flow of ideas between the East and the West. But even reading Mr. Howland's excellent article would not enable you to understand completely the "real spirit behind the Center." Therefore, we would like to invite all of you to visit us, to observe first-hand what we are doing, and to participate in our many and varied activities. (You will, of course, be happy to come at your own expense!)

And now I will close my brief remarks by quoting these words from President's recent speech: "Freedom's surest defense, and freedom's greatest force is the enlightment of the minds of all . . . peoples . . . The East-West Center is helping to prove the truth of this statement every day . . . ."

Thank you and Aloha.

BOOK EXONERATING LEE HARVEY OSWALD DELIGHTS RUSSIAN COMMUNISTS

Mr. LAUSCHE. Mr. President, in the Friday, June 17, issue of the Washington Daily News appeared an article: "American Book Gets Raves in Russia." The particular book about which the Russian Communists have taken great delight was written by an alleged journalist and lawyer, Harold Weisberg.

Weisberg in his book, with great distortion of the reported facts, proceeded to prove that Lee Harvey Oswald did not kill President Kennedy.

Lee Harvey Oswald, of course, was a professed Marxist and had lived in Russia having announced his repudiation of American citizenship while there. The proof is clear that Oswald was a Marxist, asked for Russian citizenship, and was the man who fired the shot that took the life of John F. Kennedy, the President of the United States.

Harold Weisberg's book does not serve the truth. Through its distortions, having a distinct appeal to the wishes and the objectives of the Communists of the world, it will, I suppose, be a moneymaker.

Mr. President, I ask unanimous consent that the article which appeared in the June 17 issue of the Washington Daily News on this subject be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tass Clears "Oswald Lee"—American Book Gets Raves in Russia

Moscow, June 17.—Russia, which has never accepted the fact that Lee Harvey Oswald killed President Kennedy, gave rave reviews yesterday to an American book that it said denies proof of his guilt.

Tass identified the book as "Oswald Lee Whitewash," (SIC), by "journalist and lawyer" Harold Weisberg, who it said once worked as an "investigator and adviser in the American Senate."

Weisberg, according to Tass, denies proof of Oswald's guilt and "points out that President Kennedy was a victim of a plot." The book, it said, is the result of an "objective consideration" of the shooting.

Tass quoted Weisberg as saying 63 American publishers refused to publish his book because they "fear to handle this subject."

Russia while deploring the assassination, has never conceded Oswald was involved apparently because he was a professed Marxist and had lived in Russia.

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* Members of the National Review Board are: John A. Burns, Governor of Hawaii, chairman; Hugh Borton, president, Haverford College; Dr. Hung Wo Ching, chairman, Aloha Airlines, Honolulu; Francis Keppel, U.S. Commissioner of Education; Roy E. Larsen, chairman, executive committee, Time, Inc.; Mrs. Mary Lasker, president, Albert and Mary Lasker Foundation, Inc.; the Very Reverend Laurence J. McGinley, former president, Fordham University; Otto N. Miller, president, Standard Oil Company of California; Logan Wilson, president, American Council on Education; and Dr. Charles Frankel, Assistant Secretary of State for Educational and Cultural Affairs.

FEDERAL CONTROLS AT A SNAIL'S PACE

Mr. BOGGS. Mr. President, a column by John C. O'Brien in the Philadelphia Inquirer of June 18 points up the problems caused by the Department of Agriculture's delay in reaching a decision involving possible changes in the Delaware Valley milk marketing order.

As the column indicates, the Department a year ago cited the urgent need for a hearing on difficulties involved in administering the marketing order. The hearing was held last October and November. But here we are, 7 months later, with a decision still pending. Action by the Department is overdue.

I ask unanimous consent that the column entitled "Federal Controls at a Snail's Pace" be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Philadelphia Inquirer, June 18, 1966]

Washington Background: Federal Controls at a Snail's Pace

(By John C. O'Brien)

Washington, June 17.—As the Federal Government constantly extends regulatory controls over an ever-widening spectrum of business, one of the chief frustrations of those conducting business enterprises is the snail-like pace of Government bureaucracies in coming to decisions.

While Government agencies are making up their minds, industries to be affected by agency regulations are compelled to operate for months, sometimes for years, in a fog of uncertainty.

A case in point is that of the Delaware Valley milk farmers who supply the Greater Philadelphia, Wilmington and South Jersey population centers. For a full year they have been waiting for the Department of Agriculture to amend the milk marketing order under which they operate.

The uncertainty has driven the milk producers to the point of distraction and unless the uncertainty is lifted soon, spokesmen for the producers are warning there may be shortly a curtailment of milk supplies for the area they traditionally serve.

In its notice of a year ago, the Agriculture Department stressed the urgency for the proposed change in the milk marketing order. "Because of the difficulties encountered in administering the order in its present form," the notice said, "it is imperative that there be no delay in holding a hearing on the matter."

The hearing was held between October 4 and November 24, last year. A majority of the dairy farmers and handlers operating under the order indicated at the hearing their desire to retain the order substantially in its present form, but suggested amendments to facilitate administration and enforcement of its minimum price provisions which were being undercut by a few chiselers.

Because of the Department's stress on the urgency, the dairy farmers and their cooperatives were given less than two months to study the hearing record of almost 5000 pages and write briefs.

But after the completion of the hearings the urgency, so insistently proclaimed by the Department at the outset, seemed to disappear.

Gov. William W. Scranton, the Pennsylvania and Delaware Senators, the entire Pennsylvania delegation in the House, the entire Maryland delegation in Congress and hundreds of dairymen have written Secretary of Agriculture Orville L. Freeman, urging retention of the present handler pool—under which the farmers work out their price with the handler to whom they sell—and pleading for an early decision. Their pleas have gone unheeded.

Meanwhile, the farmers, not knowing what kind of a marketing or pricing system they are going to have, are growing restive and despondent. Many, according to Dr. James E. Honan, general manager of the Interstate Milk Producers' Cooperative of Philadelphia, are considering abandoning milk production at the very time that the Department is holding hearings throughout the country to determine whether to permit price increases in the face of milk shortages.

The price increase sought by the Inter-State Milk Producers' Cooperative is only half as large as that sought by producers in many surrounding Federal order markets.

"If the present indecision and threat persists," Dr. Honan has warned, "we may have to seek a large increase to encourage dairy farmers in our market to stay in business. And that could directly affect consumers prices, which are not involved in our pending problem with the Department of Agriculture."

SENATOR ERVIN RECEIVES RELIGIOUS LIBERTY CITATION

Mr. JORDAN of North Carolina. Mr. President, for more than 12 years the U.S. Senate has enjoyed the membership of a distinguished lawyer and scholar. I refer to the senior Senator from my own State of North Carolina, my friend and colleague, Sam J. Ervin, Jr. By his service to the Nation he has become known to us all as the constitutional conscience of this body and is respected for his devotion to a constitutional form of government. He is especially known for his love and understanding of the first amendment's guarantees respecting the freedom of religion.

On February 22 of this year, Senator Ervin received the "Religious Liberty Citation" by Americans United for Separation of Church and State by which he was acknowledged as—

> Distinguished statesmen, jurist, constitutional attorney, patriot and churchman, who has displayed in the United States Senate unparalleled devotion to this country's hallowed tradition of church-state separation.

In an address before the 18th National Conference of Americans United, Senator Ervin declared that—

> To the self-examined American, religious liberty is the greatest contribution this Nation has made both in the realm of politics and of religion. We can be proud that the United States became the first place in the world where complete religious liberty was actually tried in a political state; and, up to now at least, religious liberty has flourished.

He also expresed concern, however, for "the actions of those in a position to affect the affairs of mankind who feel themselves not only capable, but duty-bound to ignore the thinking of the drafters of our first amendment," and reminded his listeners of Mr. Justice Black's statement that "government should not be allowed, under cover of the soft euphemism of 'cooperation,' to steal into the sacred area of religious choice."

Mr. President, I know all Senators will join me in congratulating Senator Ervin for this honor and recognition and will heed the warning of Daniel Webster who said:

> God grants religious freedom only to those who love it and to those who are always ready to guard and defend it.

I ask unanimous consent that the full text of Senator Ervin's address in Nashville be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

"Experiments on Our Liberties"—New Challenges for Enduring Principles

(Remarks prepared by Senator Sam J. Ervin, Jr., Democrat, of North Carolina, for delivery to the 18th National Conference on Church and State in Nashville, Tenn., on February 22, 1966.)

As I considered the subject of my remarks for tonight, I was reminded of the story about the old country preacher from my part of North Carolina who felt obliged to speak periodically to his congregation on the subject of "church attendance." Whereas I am reluctant to admonish any audience, I see, as the minister undoubtedly saw, the desirability of continual reference to a subject already appreciated by his listeners.

Tonight, I want to share with you my concern for the current Federal policy toward the principle of separation of church and state. By illustrating the importance of this enduring principle, I want to present to you a challenge to reverse recent attitudes and actions of those who, albeit unwittingly, undermine our political fabric by vitiating the document that gives it meaning.

Congressional actions that appeared as an occasional intrusion on our liberties a generation ago have today attained the proportion of a massive assault. An indication of this development and its portent is evinced by a statement made in December, 1965, by the Director of the Office of Economic Opportunity, Mr. Sargent Shriver. He said, "three or four years ago it was practically impossible for a Federal agency to give a direct grant to a religious group. Today, we have given hundreds without violating the principle of separation of church and state."

As we celebrate the birthday of the Father of our Nation, it is particularly appropriate that we examine the principles upon which he and the other Founding Fathers designed the master plan for our government. For, as George Washington recognized, the most heart-rending story of history is that of man's struggle against civil and ecclesiastical tyranny for the simple right to bow his own knees before his own God in his own way.

As one of America's wisest jurists of all time, the late Chief Justice Walter P. Stacy, of the Supreme Court of North Carolina, declared: "Men contend more furiously over the road to heaven, which they cannot see, than over their visible walks on earth."

And history records the tragic fact, "that men have gone to war and cut each other's throats because they could not agree as to what was to become of them after their throats were cut."

To the self-examined American, religious liberty is the greatest contribution this Nation has made both in the realm of politics and of religion. We can be proud that the United States became the first place in the world where complete religious liberty was actually tried in a political state; and, up to now at least, religious liberty has flourished.

By the time the new State and Federal constitutions were being drafted, religious liberty was to a large degree already in practical operation. A failure to recognize this liberty in these new constitutions and to breathe life into this ambition would have meant a retreat from attitudes prevalent among the colonists.

Today, religious liberty is enjoyed in America to an extent unparalleled anywhere else in the world. Unfortunately, the complacency that besets many Americans about problems less understood is also prevalent in the realm of religion. We too often take for granted a right which may be in jeopardy this very day.

It is fitting, therefore, that we recall the conditions under which this national treasure was conceived and we would do well to remember that a nation which ignores the lessons history teaches is doomed to repeat the tragic mistakes of the past.

What is the meaning of separation of church and state?

What did our Founding Fathers intend to do when they embodied in the First Amendment these words: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."?

The answer to either of these questions cannot be determined by a narrow analysis of any one event but must be viewed as an evolutionary process. The trend was unmistakable, the stages identifiable.

One might think that religious liberty in the United States was a natural consequence of the emergence of a new Nation. This was, however, not the case. Those coming to colonize found that in a majority of the colonies the predominant religious groups had established official churches. Accordingly, all members of the colony were compelled to pay taxes for the support of churches. Moreover, they were required to frequent the services of such religious institutions even though they might disagree with their doctrines.

During the pre-Revolutionary period, at least eight colonies provided for the selective use of taxes for the support of an established church. The Anglican and Congregational Churches were favored in these colonies and in some, they were established by law.

Dissenters to this principle of single establishments began their efforts to achieve complete separation of seeking special concessions and granting privileges of free worship. They said, and I think rightfully so, that it was tyrannical for a government to attempt to regulate the relationship of worship between the individual and his God, and that such regulation was also sinful.

Their demand for the disestablishment of churches was comprised of two objectives: First, an end to the financial connection between state and church; second, a recognition of the right of each person to exercise freely his own mode of worship.

Opposed to this, the established churches, in order to ward off attacks for total disestablishment, persuaded the state legislatures to open up the tax privileges to the dissenting groups and to gradually admit more churches to the establishment.

It is the resulting compromise between the liberal groups, believing in religious freedom and the established churches, that once again threatens what we know and enjoy as the principle of separation of church and state.

This compromise existed in a number of states for a relatively long time. Any cooperation between the state and any or all churches was considered establishment. It was against this background and this expanded meaning of multiple establishment that the First Amendment was planned.

It disturbs me to observe the actions of those is a position to affect the affairs of mankind who feel themselves not only capable, but duty-bound to ignore the thinking of the drafters of our First Amendment. But as Mr. Justice Black has said, "government should not be allowed, under cover of the soft euphemism of 'cooperation,' to steal into the sacred area of religious choice."

Those seeking to pervert the principle of separation by affording financial assistance to denominational institutions have apparently forgotten this meaning of multiple establishment.

They have conveniently misunderstood significant events in our history in urging that cooperation between church and state is advisable so long as the state treats all religious groups equally and fairly.

The present policy of making Federal aid available to all nonsecular institutions is in reality a reappearance of an earlier threat to our religious freedom: the principle of multiple establishment so wisely discarded years ago.

They have filed away in the halls of bureaucracy the great truths discovered by those early men that the right of free expression of conscience is natural and inalienable and cannot be fully enjoyed as long as it is dependent upon a grant of privilege by the state.

They have overlooked an event in history which presented a clear opportunity for decision on the issue of establishment. This decision laid the foundation of religious liberty in America.

This event, or series of events, occurred in the Virginia Legislature immediately preceding the writing of the First Amendment. There Patrick Henry, in 1784, introduced "A Bill Establishing a Provision for Teachers of the Christian Religion." It undertook to give official recognition to virtually all Christian Churches and to provide taxes for their support.

In the same legislature, James Madison introduced Thomas Jefferson's "Bill for Establishing Religious Freedom" which has come to be known as "The Virginia Statute of Religious Freedom." Written in 1779, it is one of the great documents which preceded the writing of the Constitution and laid down two propositions: First, that there should be no religious qualifications as a test for holding office; and second, that it is sinful and tyrannical to tax a man for the propagation of religious doctrine which he disbelieves.

Thus, the Virginia Legislature was presented with a clear-cut choice. To assist these legislators in their decision, James Madison issued one of the greatest appeals for religious freedom ever made. It was called "The Memorial and Remonstrance Against Religious Assesments." In his remonstrance, James Madison used the word "establishment" at least five times in contexts which showed that in his mind "an establishment of religion" meant an official relationship between the State and one church or many or all churches.

In reference to Patrick Henry's bill, Madison said, "It is proper to take alarm at the first experiment on our liberties . . . The freeman of America did not wait until usurped power had strengthened itself by exercise, and entangled the question in precedents." He had feared the entanglements that could occur in the then brief history of our Nation. Can we not apply his observation even more justifiably to the present "experiments on our liberties?"

The legislature enacted into law, by a large majority, Jefferson's bill for religious freedom rather than Patrick Henry's establishment bill.

I cannot overmagnify the importance of this bill which sets the example and mood for the First Amendment to our Constitution. The demands of Madison and Jefferson and thousands of other Americans produced that Amendment so as to ensure a total disestablishment of religion.

The influence of the Virginia Statute in the Supreme Court's interpretation of the religious clauses of the First Amendment was recognized by Mr. Justice Black in *Everson* v. *Board of Education*. (330 U.S. 1, 13 (1947)) He said:

"This Court has previously recognized that the provisions of the First Amendment, in the drafting and adoption of which Madison and Jefferson played such leading roles, had the same objective and were intended to provide the same protection against governmental intrusion on religious liberty as the Virginia Statute."

Time and time again, the Supreme Court has said that neither a State nor the Federal Government can pass laws which aid one religion, aid all religions, or prefer one religion over another.

Jefferson's use of the phrase "wall of separation" in his 1802 letter to the Danbury Baptist Association has been the byword in all judicial opinions on this subject, and, judicially, the tendency of interpretation of this phrase has been to broaden and extend its application.

Inclusively, it has been construed to mean that the State may not employ its facilities or funds in such a way as to give any or all churches greater strength in our society than it would have by relying on its members alone.

In further defining establishment, Mr. Justice Douglas has said, "an institution is strengthened in proselytizing when it is strengthened in any department by contributions from other than its own members."

Despite 180 years of continual remonstrances against establishment, our centralized government is endeavoring to relieve the church membership of the right and responsibility for its own support.

I agree with Mr. Justice Frankfurter that Elihu Root's phrase bears repetition. He said, ". . . we have staked the very existence of our country on the faith that complete separation between the State and religion is best for the State and best for religion." It is my firm conviction that this course is not tantamount to a decision against God, as some suggest, but rather a decision supporting the faith and intelligence of all free men.

With due deference to all other men of all generations, I confess my belief that the world has never known any other group as well qualified as the Founding Fathers to write organic law for a people dedicated to the freedom of the individual.

We, as they, know that a nation which ignores the lessons taught by such history is doomed to repeat the mistakes of the past.

One hundred and eighty years ago, Americans paid dearly to secure our basic constitutional freedoms. Today, we are allowing these freedoms to be dissipated for temporary purposes. James Madison said he would not tolerate threepence for religious establishment. Yet today, the Federal Government administers over 60 programs costing almost $5 billion in which nonsecular schools and colleges may participate.

As a part of its continuing study of the separation of church and state, the United States Senate Subcommittee on Constitutional Rights, early next month, will begin a series of hearings on legislation which provides the judicial machinery for determining the constitutionality of certain Federal appropriations. It is my hope that these hearings will officially recognize the need for resolving the First Amendment conflict with which we are confronted.

The Founding Fathers foresaw that troublous times would arise when government would seek by sharp and decisive measures to accomplish ends deemed just and proper And, in so doing, the government would put the freedom of the individual in peril unless such freedom were established by irrepealable law. To forestall this calamity in such times, they devised the Constitution to define and limit the powers of the

Federal Government, and to protect the freedom of the individual from destruction at its hands. With this Constitution, they gave us a land with the knowledege and understanding that God grants religious freedom as well as all other freedoms only to those who love it, and, in the words of Daniel Webster, to those who are always ready to guard and defend it.

EXCLUSION OF PORTSMOUTH NAVAL SHIPYARD FROM MODERNIZATION PROGRAM

Mr. MUSKIE. Mr. President, the Portsmouth Naval Shipyard at Kittery, Maine, has been excluded from a project by the Naval Ship Systems Command to develop and engineer a long-range modernization program for all other Navy yards.

Portsmouth is the only east coast yard specializing in submarine overhauling and repairs. With Russia boasting a submarine fleet of 500, the decision to pass over Portsmouth is dangerous and shortsighted.

In a rapidly changing world, the decision threatens our national security. The Navy is gambling for short-range savings today on the hope of a peaceful future. Judging from recent developments in Vietnam and elsewhere, the Navy's optimism appears excessive.

The decision apparently reflects an order, made by Defense Secretary McNamara 2 years ago, to close Portsmouth. Since then, the defense needs of our Nation have changed radically, and Portsmouth is busier than ever. Yet, it appears the Navy is ignoring recent history as it makes plans for the modernization program.

On June 13, the Portland, Maine, Press Herald published an editorial entitled "Memo to McNamara: Keep Kittery Fighting Fit for Our Fleet." The editorial builds a solid argument for including the Portsmouth yard in the modernization program.

Mr. President, I ask unanimous consent that the editorial appear in the Record at this time.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Portland (Maine) Press Herald, June 13, 1966]

Memo to McNamara: Keep Kittery Fighting Fit for Our Fleet

Kittery Naval Shipyard has, in Navy lingo, been "passed over."

The Naval Ship Systems Command, in the Pentagon, has recently issued a contract to Kaiser Engineers, Oakland, California to "develop and engineer a long-range modernization program" for all existing yards—except the Kittery Yard at Portsmouth.

Phase One of the contract, to be completed in 24 weeks, concentrates on the naval shipyards at Philadelphia and Long Beach, California.

Phase Two will develop recommendations for modernizing the naval shipyards at Charleston, Norfolk, San Francisco Bay, Boston, Pearl Harbor and Puget Sound. But not Kittery.

A spokesman for Kaiser, the contractor, reveals that the Kittery Yard is not included in this modernization program. He presumes this omission is because Kittery is scheduled to close down.

Months ago Secretary McNamara ordered that the Kittery Yard be phased out and closed down by 1974. Then, the situation was far different.

Since then, Kittery has been hectically busy and very effectively productive in its national defense work.

Vice President Hubert Humphrey, on a recent visit to the Kittery Yard, spoke in glowing terms of the vital work being done there.

This newspaper will fight and plead and work for the future of Kittery just as long as Kittery continues to make a fine and vital contribution to American security.

American security is the sound reason on which we base our fight.

Rightly, an effort to keep an unneeded and expensive facility for purely local economic reasons would not carry very much weight with McNamara. Nor would we advocate it.

But the most expensive mistake the Secretary and the Defense Department planners could make is to continue now with their earlier plan to close down Kittery by 1974. And consequently rule Kittery out from the Kaiser study.

To do so is to gamble recklessly with American security, with American lives—and not just run the risk of incurring vast defense department expenditure later on to restore Kittery under emergency conditions to modern efficiency after they had phased it out.

Kittery is a specialist in nuclear submarine maintenance and repair.

The Soviet Union now has the world's largest submarine fleet by far. It numbers close to 500, including nuclear and missile equipped submarines.

Sea blockade is, since Cuba, now in Vietnam and if ever the USA should become involved in war with China, an ever more important phase of our military strength.

Who can predict today how desperately the United States might need Kittery to support our fleet tomorrow?

The Pentagon timetable still assumes the close down of Kittery by 1974.

As a result the Pentagon contract to Kaiser does not include Kittery in the Naval Shipyards to even be studied for modernization.

This omission is a reckless, dangerous and costly gamble.

We strongly urge that Kittery be included in this study. If in the years ahead, international tension declines, it will easily be possible then to re-assess the importance of Kittery. But we should not lower our guard now.

To omit Kittery now, when a small cost is involved, is to risk paying huge penalties later when far more than money may be at stake.

Secretary McNamara should immediately order that Kittery Naval Shipyard be included in the modernization study.

THE PROBLEMS OF THE FARMERS AND THE RANCHERS

Mr. YOUNG of North Dakota. Mr. President, because I am keenly aware of the problems facing our farmers and ranchers today, I wanted to share with others two very good speeches recently given by the senior Senator from Colorado. Senator Allott is thoroughly conversant with the two industries through his practice as a lawyer before he came to the Senate in an area dependent largely on agriculture. In these two speeches he makes an excellent analysis of the producers' problems and the course of action he urges has great merit. I am sure it will be of great interest not only to Members of Congress but to the public in general and particularly farmers and ranchers.

The first of the two speeches was given to the Colorado Farm Bureau annual meeting last November. Even then, the Senator seemed to demonstrate a prescience about the course of events which would follow concerning the farm and ranch industries. He predicted that the pressure of rising costs and lack of labor on the farmer and rancher would inevitably lead to crop shortages and higher prices to consumers. Perhaps even more significantly, he predicted that the present administration would make a scapegoat of these producers of our basic food commodities.

In his speech of June 8 to the Colorado cattlemen's convention, the Senator demonstrates how his prediction of last November has indeed come to pass. He details the ambivalent attitude of the Secretary of Agriculture, the one man in the administration whom we would expect to try to help the food producer. And, he renews his suggestion that to compete with big industry, big labor, and big government, the farmer and rancher must federate and cooperate, or face the prospect of complete domination of his business by government and a very few gigantic producers.

Mr. President, I commend the Senator from Colorado for his insight. I recommend his two speeches to all who are interested in the problems of the farmer and rancher, and ask unanimous consent that they be printed in the Record at this point.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

Speech by Senator Gordon Allott, Colorado Farm Bureau Annual Meeting, November 16, 1965, Lamar, Colo.

You have assigned a discussion topic to me that should have the concentration of at least a score of experts. It is a subject that could occupy a panel several days before reaching any solid conclusions, and even then several computers might have to be fed for accurate forecast.

However, I have never been one to back down if there was any possibility of finding the answer. In taking up the title "Where to from Here?" I felt the only way to offer a fragment upon which to base your own conclusion would be to combine my reasoning with those of true experts whose ideas I have pondering as I read them in recent months.

Before getting into the area of prognostication, let's begin with the farmer's present position in history. I have found you must always first know where you are and where you've been before charting any course for the future.

I might as well be brutally frank in the beginning, because you probably know or suspect your position in the politico-economy of this year 1965.

You have become a statistic . . . a low number in the caste system evolved under the reigning great God—Gross National Product. Like the many-headed Gods of ages past, Gross National Product is pretty much a myth because it has no relation to actual production. It includes every spendable income, plus production. That means in the weighing of your efforts compared with all others you even rate below government and government enterprises. While most of us would rate agriculture far above that statistic on the GNP, we can't deny your official political rank on the Great Society computers of a nation headed for the moon.

The statisticians say you rank at only 5.5% of the Gross National Product. Because you are still eager to operate your own businesses despite all odds, the bureaucrats have no fear of crippling strikes or slowdown in food production as in other phases of our national life. They know you will go on breaking your backs so long as you can, even with little or no profit to you. Government stumbling blocks and even outright harassment will not deter the farmer from producing food and fiber. They know you will continue to supply the all-important consumer in the foreseeable future with all we want to eat at the lowest possible production prices. But, if the time comes when you cannot continue there will be no worry for the bureaucrats. With each new regulation and law, with lack of sufficient action on your part, the stage is being set for intergrated industry to take over at any point of need. Thus you are a frontrow pawn to be sacrificed at any moment.

This becomes more obvious when you learn that government is now planning a complete about-face in agricultural programs. Instead of curtailing food supplies you may be suddenly encouraged to produce all you can. Basically, foreign policy is dictating such a shift—an area from which the Great Society would like to divert public attention.

Under this new policy, of course, our consumer-taxpayers will no doubt still buy the surplus in one way or another, and food will become the second-row pawn in international affairs, with the State Department in control. In this fantastic realm of politico-economics, City folks are now paying a larger portion of the bill, but families of agriculture are paying more than their share through contribution of food at a net loss.

Under the heading of "agriculture present" you have been made to accept the termination of the Bracero labor program under the totally false guise of employing domestic labor. Failure of the Labor Department in proving its point has not even induced bureaucratic red faces. They are thoroughly convinced that agriculturists were at fault in not using the winos and habitual unemployables offered in lieu of Braceros. At the same time, we are importing billions of dollars in goods which take away employment from hundreds of thousands of our people. Yet, importing a few thousand Braceros for a few months and returning them back home is depicted as a heinous crime against American labor . . . further proof of agriculture's political pawn position.

Not considering the moral issue involved, who is paying for this fiasco? Not only the food producer. Consumers are just now starting to pay the price of government meddling and blundering. Price hikes of 20% on canned fruits and vegetables have been announced by major packing companies. Since the average family spends 20 to 25% of its budget for food, Americans are going to pay plenty for destroying a labor program that had been mutually beneficial to all people in the United States and to a substantial number in Mexico. It was a people-to-people benefit. It was too good for politically oriented government departments and therefore had to go. Where was the Department of Agriculture during that period? It turned its back on producers and consumers, abdicating its proper responsibility completely.

"Where to from here?"

We haven't seen the end to this problem. There will be a lot of farm produce missing from the market in 1966 and beyond because growers have had to switch from their traditional crops to others requiring little or no stoop labor. As a result, we will also see our farm employment drop still further under the impetus of automation rushing in to fill the void stupidly created under the guise of helping labor.

On the subject of labor, another factor is well on its way to becoming law. This is the minimum wage. What will be it's effect? A North Carolina State University economist figures a $1.25 minimum would result in adding $5.80 per hundred cost to flue-cured tobacco, and for wheat the increase would be from three to five cents a bushel. Vegetable producers would find a cost boost somewhere in between those figures. Consumers will pay a major part of that increase, just as they do on all the taxes heaped upon other facets of our national economy. Only a dreamer believes that business pays the taxes . . . every cost must be passed on to the consumer . . . how else could business survive?

But these are just a minor part of the picture . . . minor only in its total impact upon the nation's economy, although major in its effect upon the city consumer and the food producer. And do not forget this . . . and I hope the City folks don't overlook it . . . in the years ahead, men of agriculture and the consumer must stand together to fight this battle against constant bureaucratic bungling.

This leads up to another great threat to our nation . . . inflation. The specter overshadows every field of endeavor. The unheeding runaway emptying of the treasury, plus borrowing from tomorrow's generation, can have no other effect than skyrocketing all costs of living and doing business.

A shortage of food could develop as predicted in the next ten years, particularly if the administration attempts to feed the world as recklessly as it has pursued the dumping of cash upon every country whether they wanted it or not. If this happens, you could be blamed for aiding inflation. Scapegoats by the dozen will be raised to cover reckless administration action.

You have heard of Harry Golden, the author and newspaper publisher of Charlotte, North Carolina. He made an astounding statement while in Denver a couple weeks ago. He said seriously what most of us more or less have joked about. Golden said, "A balanced budget is just a myth . . . as long as the debt remains money we owe ourselves, as long as the interest on the debt is money we pay ourselves, it doesn't matter where it goes . . . it's just a matter of bookkeeping." Obviously, the Administration is sold on this theory.

Contrast this wild scattering of billions of dollars in every direction with the problems on the other side of the silverless coin. Who would have thought that our Country would ever see a time when we would try to convince our people that they must not take trips abroad, or that investments must be discouraged abroad to protect our dollar? Who would ever have thought that gold would leave our shores in such vast quantities that it has become a major concern of our treasury? Few people know what thinking goes on behind the veil of omnipotence surrounding this Administration.

Our imports and our give-aways have burgeoned so greatly that scapegoats are substituted for the real reasons behind our problems.

Why do I inject these factors into the farm picture? It's all an integral part of the mess that must be unraveled before it is too late. International affairs with a thousand facets are tied so securely to our national economy, and government, under-cover policies that the average person has no conception of where we are going.

In your own field you know what has happened to the price of land. Tax assessments upon purchase price has become a major issue in many states, and inheritance taxes based upon these inflated land prices has spelled tragedy to farm families left with the tax burden.

Colorado has only one and three-fourths million people. The State of Colorado will have an operating budget of around $220 million; small cities talk about spending in the millions each year; counties many times more; and the Federal Government takes $1000 million out of our State in income taxes alone each year. It is a miracle that more inflation hasn't resulted. On the Federal side, what portion comes back depends upon the political strategists punishing or rewarding. But you haven't begun to tabulate the grand total until you sum up the indirect taxes. Small wonder that all studies, including those of the government, reveal that farmers and ranchers net a return on their investments of less than the lowest interest on tax-free municipal bonds.

How long can this go on? How long will you have freedom of management for your farm? Your guess is as good as mine. You could have just one more year to determine what direction you and your neighbors will go. The projected about-face of Administration agricultural policy carries many unknown questions.

Meanwhile, integration of farms and feedlots into the food industry is a progressing movement. Just this past month, a packing plant in a neighboring State purchased feedlots in an effort to stabilize their own operation. This is always a blow to marketing by the independent cattle operator because his product becomes secondary to the integrated industry. When the small operator, because of financial limitations, cannot supply requirements to specifications, it is normal for big processors to move into the field themselves.

To replace declining traditional agriculture in the United States, there are those who come up with wild schemes, calling upon the nation to back them to the tune of more billions in setting up government commissaries to oppose private retail marketing. Rather than seek a logical private initiative way of meeting the problem, they would demand more of the same government which has many times in recent years hurled us faster towards destruction of the traditional American farm.

Blindly and blandly these wild ones overlook the fact that the very programs they have advocated and instituted in the past have created the greatest problems we face today.

I note that the Farm Bureau has been moving towards a goal of self-operated marketing associations. While this is a start, has it been too slowly and perhaps on too small a scale? Mutual or cooperative marketing of cattle, for instance, in one small area can scarcely be the answer to our highly mobilized economy where meat or live cattle can be transported half way across the nation within hours. Any successful marketing program, to stem the tide, must be more coordinated and comprehensive. A buyer does not need to obtain his produce or meat supply from a limited area. If he can buy cheaper in a neighboring State, or even thousands of miles away, there is no reason why he won't do it and thus depress prices in all areas. It seems to me, the answer obviously must be in forming area-wide marketing groups with nationwide market factors fed into the areas for intelligent marketing.

The Grange has come up with a proposal to establish a Wagner Act for agriculture. The very National Food Commission before which the Grange made this suggestion, is hinting that unless men of agriculture change their marketing methods, government may do it for you, in the national interest. And, in the light of past experience, can anybody believe it is wise to invite more government intervention?

Where to from here? Let's bring in some of those experts I mentioned in my opening statement.

I have been intrigued of late by emergence of a Catholic Franciscan nun of Manitowoc, Wisconsin, into the agricultural scene. She has been quoted in several farm magazines, including the *Dakota Farmer*, most recently. Sister M. Thomas More of the history department at Holy Family College is mighty outspoken in her concern over marketing in agriculture. She told a combined farm organization audience in South Dakota that federation of farm organizations is essential to obtaining the power structure needed to market profitably. Forming new organizations is useless, she declared. Rather, she said, "The trick is to get off our haunches and put strength into the organizations we have."

Like so many before her, she says, "Farmers must work together . . . all of them . . . federation can provide a structure strong enough to enable agriculture to match government, industry, labor and finance, all of which operate in the market place and from a federated base." I believe she is prophetic, although there is nothing really different in what she has said. A lot of us have thought and talked about it for a generation. The same problem remains . . . will we get off our haunches and put strength into our convictions? It is up to the farmer. No other individual can do the job. All we can do is prod.

Integrated big industry is doing a job for itself. Is there any reason why farmers should be of less intelligence or have less ability to operate on a large scale? In this new phase of feeding the world, I noted that a spokesman for an international food manufacturer in Switzerland recently revealed his firm hires some 30,000 people in 25 countries in production, manufacturing and distributing of food into 80 nations. Yes, big industry is rolling forward . . . and you ain't seen nothing yet!

Will you be an individual part of this picture in the future, or merely an employee?

Where to from here? I read many statements made by men who have observed agriculture and the trend during their lifetime. Perhaps being on the outside and keeping tab from a distance gives them insight which the man with his nose on the grindstone cannot see.

Dr. O. G. Bentley, who has been Dean of Agriculture at South Dakota State University and is now going to Illinois University in the same capacity, has this to say, "The speed of change in agriculture is faster than ever before in man's history. In the years ahead, merely adjusting to change may not be sufficient. Whenever we have to adjust it indicates that much of the parade has already passed us by. Those who create change find their adjustments the least painful and the most rewarding."

Ralph B. Bunje, known to many of you as general manager of the California Canning Peach Association, appeared before the Agricultural Relations Council in Denver this summer. He said, "Politically, the producer is in a minority, organization-wise he is hopelessly out of date, and the changes in his market are rapid and vast and generally of a nature that does not enhance his bargaining power." Then he added, "Farming in the Great Society and selling on a free market is not a profitable posture for today's farmer."

Dr. Elmer E. Kiehl of Columbia, Missouri, member of the National Food Marketing Commission, told a Washington State University audience last month: "If the present trend continues a handful of men will one day control the supply and price of most food commodities from grower to consumer." Dr. Kiehl then concluded, "It now appears that the only way to slow down the trend toward vertical integration and the concentration of power over the food marketing structure may be some form of government regulation or cooperative activity on the part of producers."

You note he listed only two alternatives. But what will this same commission suggest to Congress when it issues its report next spring in time for action by Congress in a political year? If it recommends more government regulation, there is no doubt this administration will go all the way. In the light of recent history in Congress I might paraphrase a song of a few years back, "What LBJ wants, LBJ gets."

Right here might be a good moment to ask, "Do you want more government regulation?" If you are thinking along that line you might consider the aluminum situation. When the producers announced a price raise, government immediately threatened to dump 200,000 tons of government surplus on the market to drive down the price. What happens when the right of management is taken away from private enterprise? If any doubt remains in your mind, consider what this same type of retaliation by government could do to challenge a future coordinated program of your own.

Let's turn to our experts again.

Don Paarlberg of Purdue University this past month said, "Farm parity ratio will fall further by 1980 . . . prices of farm products may be 5% below the level of the early sixties."

Under present management and marketing conditions could you continue operating if that prediction comes to pass?

The same foreboding is mixed with a ray of hope in the prediction of Lindley Finch, vice president of the Continental Illinois National Bank and Trust Company of Chicago. Finch, at an editors forum in St. Charles, Illinois, said, "By 1975, I believe, there will be an acute shortage of farm operators who have the ability, the courage, and the desire to operate commercial farms and ranches successfully. Consequently the future is exceedingly bright for those who do prepare for tomorrow's agriculture."

The same speaker, speaking on financing, said, "Farm credit will be tailored more and more to the purpose for which it is used rather than to requirements of the lender. Farm credit is becoming more like factory credit—in this case, a biological factory; it will be based more on earnings potential and management capability and less on the collateral."

Could you operate individually and alone on that basis? And the question still hangs in midair . . . have you prepared for this agriculture of tomorrow, or are you merely trying to catch up with what happened yesterday, as Dr. Bentley told South Dakota farmers?

In the light of all these studied opinions, the tremendous advances of the past 50 years are likely to be dwarfed in comparison with scientific progress that potentially can be made between now and the close of the 20th Century.

A farm management specialist at the University of Delaware has forecast, "Farm operators will be businessmen rather than technicians or specialists, but he will rely heavily on advice from extremely well-trained specialists . . . and he will form closer alliances with his banker, his lawyer and an expert business adviser or consultant to help with specialized problems."

Does that sound like an extension of the family farm you operate today? The answer must be "no."

Looking at only the United States market, in the next 35 years if the present trend continues we will have a population of 340 million by the year 2000. That means 145 million more people requiring food, representing nearly 75% more mouths to feed. That's a bright outlook for farmers with surpluses at this time. But the question still remains . . . who will supply this food . . . you as individual operators, or huge integrated combines? And that basically is what I am talking to you about today.

I warned that I would be brutally frank in this discussion. We have pussy-footed too long.

Perhaps you have already pondered much of which I have tried to say in this brief period. You know the alternatives—coordination in private initiative, or total reliance upon government. You cannot depend upon sufficient legislative aid. In its apportionment decision, the Supreme Court attended to that at state and national levels. Your political voice today has been reduced to a whisper.

Somehow there must be a way to reverse the trend of our people becoming blind followers. Just how, is up to you in the field of agriculture. You have every tool you need from brains to available finances. Enlist the consumer in your battle to halt the wild fluctuation of prices that affects the monthly city family budget. I urge you to join hands with producers in every phase of the agricultural community . . . locally and nationwide . . . and move fast. Time is running out for independent action.

Where to from here? It's in your hands, but I am eager to add mine in the big push towards immediate development of an equitable and private initiative forward movement of agriculture.

Speech of Gordon Allott, U.S. Senator, Colorado Cattlemen's Convention, Lamar, Colo., June 8, 1966

I am particularly happy to be with you of the Colorado Cattlemen's Association today at your Annual Convention. It is an added pleasure to welcome you to my home city of Lamar, where I have spent 25 good years of my life in the practice of law—mostly concerned with the problems associated with, and rising from those of your great industry—water, conservation, soil replenishment, and agricultural credit.

It is indeed unfortunate, I think, that too few in business and in heavy industry, have the opportunity that I have here . . . to see and become aware of the accumulated experience, keen know-how, and dedication represented in your group. For, indeed, you and your industry represent one of the truest cross-sections of the nation's phenomenal capacity to produce the food for our own citizens and, at the same time, provide the storehouse for world emergencies.

It is difficult to imagine how anything, short of a nuclear conflagration, could possibly upset the equilibrium and productive capacity of this group. Yet, looking backward over a period of just two months, it is clear that *fuzzy*-headed thinking at high bureaucratic levels did exactly that—putting fear and confusion into the minds of producers, and casting the long shadow of apprehension across the future.

Considering the events of the past 90 days, can there be any question that the seemingly innocent powers ceded to the executive branch of the government, one by one, over the years, have finally shaped up into means for the full control of prices? This has been demonstrated by manipulations in dairy products, pork, beef, wheat and feed grains—every one affecting your interests directly or indirectly.

I shall not review in detail the mechanics of recent price rollbacks by the government. Rather, my obligation is to pose to you the real basic problem presented:

How can the producer be capable of intelligent planning operating under a free enterprise system, when he has to out-guess cost fluctuation, prices, disease and weather, *plus* sudden Government decisions to destroy the normal marketing law of supply and demand?

A brief analysis of what precipitate government action, in an effort to control prices, can do to wreck havoc with present and future supply and prices may well be in order. The instability of such action affects not just the producer and the feeder, it affects directly your banker, and every local community that depends in a major degree upon your income for its support.

No amount of "understanding" can bring back the millions of dollars deliberately lifted from your bank account and from the local economy by governmental edicts and government persuasion, however much that "understanding" was promoted by hundreds of government public relations men at the consumer level. The charge was thrown at you—that meat prices were too high. Your own efforts to blast out the truth were lost when the Secretary of Agriculture, backed up by these same public relations men, justified his actions by telling the consumer that farmers of this nation were better off than ever—and that they would receive $1 billion more in income this year than in the previous year. The average consumer was sold the idea your tears were crocodile and they were the ones being hurt.

Of course, at the time the Secretary made this statement he could not possibly have been able to estimate the crops and, in spite of some statements he has made that might make us believe he thinks otherwise, I doubt that he has yet obtained the omnipotence with which to predict drouth, flood, disease, and a hundred other variables which enter into the whole picture. The consumer was not told, in any event, that the $1 billion went to a relatively few producers by way of government subsidies.

Seven months ago, in this same community building, I told the Colorado Farm Bureau that agriculture was fast becoming the pawn in the politico-economy developed in the past six years; that agriculture had, in fact, become a statistic; that it would be blamed for aiding inflation as a blind and a ruse to cover Administration actions that had actually created this inflation. These factors seemed to loom on the horizon at that time. For no person engaged in the agricultural industry could ignore the political fact that the farm population gets smaller year by year, that family farms are decreasing in number (over 500,000 in the past six years) and that the great political power of this nation is becoming centered more and more in the great urban centers of this nation. And, no one could ignore that by appealing to consumers, without telling them the whole story and by misrepresenting the financial plight of the producer, it was obviously hoped that those at the helm would be able to exert the political control of this country.

Now with that short flashback of my remarks a few months ago, let's explore just what happened in black March of this year. For, I happen to believe that if the picture is truly and well presented to the consumer, that he too will recognize that the producer has a right to a fair share of the fruits of our economy.

It is true that the consumer was unhappy over higher red meat prices than they had been accustomed to paying over the previous two years. However, had the situation been allowed to settle, there would have been less protest, for prices were leveling themselves in a full cycle that was nearing satisfactory conditions for both producer and consumer.

In the pre-March situation, the consumer had started the cycle by resisting the top cuts and buying cheaper portions. This advanced the price of hamburger, chuck roasts and similar cuts. In order to move the better steaks and cuts, retailers dropped these prices and the consumer started to again take them home to the family. When this occurred, hamburger and like products started to move towards a more realistic level than they had been in years.

And, the better price for live cattle was creating an improved economic situation for producers, and the completion of the normal cycle—without government intervention—would have brought a balance acceptable to the consumer and far more agreeable to the producer. As an example, farm organizations have said repeatedly that producers should not be expected to continue to supply hamburger at three pounds for a dollar, a price which amounts to a subsidy by the producer. As wages increased, the consumer would logically have expected the prices of these cheaper cuts to increase also.

It was just at this point, as the situation was beginning to right itself, that the government intervened with its clumsy, muddling fingers.

The result is that discouraged producers, including dairymen, have been shipping more cows and heifers to market than in many years. As I look at the situation and analyze it, it would appear that many of these should have been going into stocker positions instead of the feed lot. Both before the rollbacks and since, the demand for beef in ever-increasing quantity has been evidenced by a continuing boost in slaughter and a ready acceptance of the full supply by the consumer.

Since, in this day and age, we seem to talk in industrial terms, this attrition and partial depletion of the cow factory will almost inevitably result in a shortage of beef towards the latter part of 1967. No government manipulation can change this outlook. It just takes a certain amount of time to produce a calf and feed it for consumption. And though this government seems to belive itself capable of miracles, it is doubtful that even they will be able to convince a cow that she ought to be producing twins or triplets in order to meet the shortage that the Secretary of Agriculture will recognize only after it is here in late 1967. At this time, we will have gone completely around the circle. Supply will be short, stockers and feeders will be paying more and the prices at the consumer's meat counter is going to be much higher than if the normal supply and demand cycle had not been interrupted.

When this time in the cycle arrives, do you think the government will accept the blame? I am certainly not so naive! The same methods used this year will again be utilized and the producers voice will again be lost, like a summer breeze in the face of a tornado. But, ironically it will also be a sad day for the consumer housewife. For she, speaking in Biblical terms, will then have to reap the tares in terms of increased living costs.

Even as these frustrations appear to you, they also appear to those of us in Congress charged with the supervision of an ever-burgeoning Federal Government . . . an administrative monstrosity that literally defies tight control. As a member of the Appropriations Committee in the Senate, I know of the pressure for constantly increased Federal spending which assails us from this bureaucratic behemoth and from a thousand different special interest groups throughout this country.

And, herein lies the one great key to the future strength or weakness of America. Inflation is the great cancer that gnaws at the welfare of all! The out-pouring of billions of Federal dollars towards unproductive programs, creating annual deficits, is the one greatest element of inflation and the high cost of living. I do not have to tell you of the inflation squeeze. The poverty program, the rent supplement, mass transit, and hundreds of others each contribute their share towards inflation. Inflation has caught you, and even worse, it catches those in the smaller income bracket, the young newlyweds, the unskilled, and untrained, and more particularly the aged in a government fly trap from which there is no escape unless there is a willingness and an ability to face the hard realities. No withdrawal of silver by the government from our good coinage, resulting in a morally illicit profit of from $2.5 to $4 billion, will do it. No wholesale sale of our assets from the government stockpiles will do it. No government sales of participation certificates in the notes and mortgages covering loans to our people will do it. No government by gimmick can do it.

Only self-resolution by you and your representatives in Congress can do it.

The debilitating effect of inflation is felt in a thousand ways on our economy. One Colorado cattle feeder estimated that a ½% interest boost would mean a $12 increase in his production cost per head. This seems incredible unless you consider that it has to be applied to all the means of production; his entire investment in land, equipment, supplies, and cattle. The Federal Reserve reports that in most areas a 1% increase in interest rates is being charged—not a ½% increase. On this figure, it could mean a net increase in cost of as much as $24 per animal. Yet, does the Federal Government tell the consumers of this? Does it accept responsibility for this huge loss to producers? *It does not.* On the contrary, these same people are in the forefront advocating an increase in taxes in 1967 to help stave off an economic collapse. If all of this sounds like Alice in Wonderland, consider what Arthur Okun, a member of the President's Council of Economic Advisers, told the Society of American Business Writers at their convention in Minneapolis, Minnesota, on May 10, 1966:

"It is to guard against the risks of an inflationary spiral that we need flexible fiscal (tax and spending) policies.

"If defense spending should need to be significantly revised upward for fiscal 1967, we would be obliged to advise the President to ask for further tax action this year."

And now, again to the matter of food and prices. The President's *chief* economic adviser is Gardner Ackley, Chairman of the Council of Economic Advisers. He told the Supermarket Institute in Chicago that "Labor's willingness to accept wage increases within the government's voluntary wage-price guidelines depends in a large part on what happens to food prices." He added: "A decline in retail food prices in the year ahead can make a vital contribution to avoiding our getting entangled again in that dreary price spiral which we know too well from the past."

What unbelievable reasoning is this! What does the Administration's top economist believe causes the higher food prices?

Certainly it is not the producer. For, even though faced with increasing costs all around, agriculture as a whole is essentially operating at the same prices of 14 years ago. Yet, and again let's get back to Mr. Freeman, for the first time in the memory of man, a U.S. Secretary of Agriculture has actually expressed gratification about a drop in farm prices. Can you just imagine the response from union officials and union members if a Secretary of Labor took action to lower wages and expressed gratification over the results?

With the administration-set 3.2% wage increase guidelines for each year—and that annual increase added to equipment, supplies, labor, transportation, and other operating costs of the agricultural producer, even after making allowances for increased productivity, the inflation squeeze is on you and is not hard to identify, my friends.

This should be sufficient to measure some of the major factors involved in your present position. Therefore, let's pursue for a few moments what you and I can do to neutralize what has become a cynical attitude towards the producer, an attitude especially identifiable with those in government charged with special responsibility for the welfare of agriculture.

You know the cattle business, and I know it in a general way from years of association with you. So where do we start when the rural population has a smaller voice and the knowledge of the consumer comes from such weird distortions as Gardner Ackley and others?

We must inform the consumers that they are in this mess with the producer. We must inform them, not with misinformation and half-truths, but with dedication and sincerity . . . and by whatever new or exotic information means are available . . . that something must be done now or the consumer will pay in the future, by higher prices, for the economic folly that is committed now.

Let's take a leaf from the notebook of the Secretary of Agriculture at the observance of Cooperative Month last October. He challenged farmer cooperatives to direct their efforts towards attaining a "fair share of marketing power for the producers of food and fiber." He added that unless farmers unite to achieve an authoritative and equitable role in marketing, that "in the long run they will not attain parity of income opportunity regardless of how effective their productive systems and supply management and price support programs are operating."

Yes, as inconsistent as it may seem, it is the same man who made these statements that helped to make it so tough to achieve parity for your beef in March. And, for once, I find myself in agreement with him. For, while you are weak in number, your voice can still be heard, *IF* it is organized!

In April, the Secretary of Agriculture had the effrontery to ask the Congress for legislation which would give him the authority for the permanent management of farm prices. I refer to identical bills introduced in the House and the Senate . . . S. 2932 and H.R. 12784. This proposal ostensibly was to give the Secretary the means of accumulating reserves for the Food for Freedom program. However, when examined, Mr. Freeman's request was almost as great as the so-called Omnibus Act of 1961 . . . H.R. 6400. Included in this 1966 request was embodied the supply management concept which would have given the Department of Agriculture control over almost every phase of agricultural production and marketing.

In late May, after it became apparent to the Secretary of Agriculture that this concept was in great trouble in the Congress and that there was little chance for any action on it this year, Mr. Freeman announced that he had been advised by his counsel that he had clear authority, however roundabout, under existing statutes, to provide a "workable route to the same objective."

To counter this interpretation, I have sponsored along with 40 of my colleagues on both sides of the aisle a concurrent resolution that opposes such arbitrary Federal action to hold down farm prices. Senate hearings are scheduled this month with Mr. Freeman and Gardner Ackley expected to be among the principal witnesses.

During those hearings and during any subsequent floor debate that might result, I shall join in an attempt to convince the majority that it is the intent of the Congress—yes, that it is the intent of the American people—that agricultural producers have a right to attain parity—and keep it—with the rest of our economy. We shall try and demonstrate to the consumers that they will suffer equally if our producers are forced to drop by the wayside due to lack of adequate income. This is an effort in which *all* farm organizations *must* remain united. If so, hopefully, we may be able to stall off additional controls for at least this election year.

The welfare of our nation's food supply and its producers is too important for anything but the greatest concern on my own part. The great underlying dedication of our citizens devoted to agricultural pursuits has been the real base, the strength, that has enabled the rest of our economy to prosper . . . without worry or concern over the food and fiber needs of our nation. It is our greatest strength in our world position and anything less than the strongest free, competitive system is unthinkable and unacceptable.

With our commitments in Viet Nam, with the greatest portion of the world facing food shortages, and even Canada planning on importing one million tons of feed grains from the United States this year, it would be foolhardy for responsible members of Congress not to be aware that steps must be taken which would assure us a reserve of food supplies over our immediate demands. However, we must legislatively assure that those who administer Federal programs will not find ways to interpret these laws in such a way as to take unto themselves individual powers for the purpose of price control over the producers.

As your Senator, I pledge myself to this position: That your great independent, intelligent, and productive capacity shall not be stifled; and that it will carry us through the future with the same assurance it has given us in every time of national emergency.

OMBUDSMAN

Mr. LONG of Missouri. Mr. President, Walter Gellhorn, the distinguished professor of law at Columbia University, presented the Holmes Lectures at Harvard University on March 28–30. Professor Gellhorn's topic was "The Ombudsman."

I ask unanimous consent to insert, at this point in the RECORD a report of Professor Gellhorn's lectures which appeared in the April 14, 1966, issue of the Harvard Law Record.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[From the Harvard Law Record,
Apr. 14, 1966]

GELLHORN ADVOCATES UNITED STATES ADOPT OMBUDSMAN IDEA

(By John Spitzer)

People suffering psychic lacerations after tangling with bureaucratic machinery need an Ombudsman, according to Walter Gellhorn, Columbia University professor of law, at the Holmes Lectures March 28–30.

"Typical cases handled by Ombudsmen in countries I have visited would almost never be taken to court," he explained. "For instance, the Swedish fisherman's disagreement with a game warden's interpretation of the law, the Norwegian craftsman's demand that a licensing authority return his expired license certificate as a keepsake, and the Finnish townsman's dissatisfaction with local officials who insistently advised him how to be a good neighbor when all he wanted was to be left alone."

He advocated an American Ombudsman on state and local levels in order to handle matters of this kind, and also to resolve the hotly contested issue of police civilian boards. "It is not sound governmental structure for citizens and police to fight one another in an adversary proceeding," emphasized the friendly, urbane speaker. "Police chiefs should in turn be responsible to an external critic or Ombudsman."

Public housing administration abuses was another area cited as needing an impartial overseer to make independent investigations instead of forcing an abused citizen to enter a costly maze of litigation. Prof. Gellhorn commented that unmarried mothers are often evicted from an apartment with such curt words as, "Go and never darken our doorsteps again. You have sullied the name of the Calvin Coolidge Housing Development." Illegal admission policies might be another field of investigation in this area.

Welfare administration is especially prone to bureaucratic "dehumanizing" and "autocratic condensation," he contended. "The welfare recipient frequently becomes insecure and submissive as a result. Instead of jointly attacking a problem of shared concern, the welfare staff member and the client have all too often ended by attacking one another." Reducing the "grimness of twentieth century life" through a combination father-figure, investigator and "Mr. Fixit" was a recurring theme of the lectures.

As prisoners currently have few means of making their dissatisfaction known "other than by rioting," Prof. Gellhorn pointed out how useful an Ombudsman could be to them. A conflict with a high school principal and students over what kind of haircut could be worn to school is another area where help is needed.

He urged that experimental Ombudsman systems be set up around the country to help alleviate "bureaucratic bungling." Stressing that an Ombudsman would not be expensive to maintain, he pointed out experiments would be easy to institute because they would entail "virtually no organizational restructuring or change in administrative responsibilities.

"But there is a danger of over-reliance on what an Ombudsman could do," he cautioned. "Many Americans absorb the idea of an Ombudsman as though it were a well advertised household remedy for every ache and pain. Too many persons seem willing to suppose that God's in his heaven, all's right with the world of public administration so long as an Ombudsman is keeping an eye on operations. That is a dangerous fallacy.

"Administrative critics do not produce good government. They cannot themselves produce good social policies. They cannot themselves create sound social policies. They have no capacity to organize a competent civil service. They are at their best when calling attention to infrequent departures from norms already set by law or custom and at their weakest when seeking to choose among competing goals or to become general directors of governmental activity.

"Issues that concern the public at large without focusing upon individuals may perhaps best be left to political controls instead of to the judgment of a jack of all trades. He can tidy up a well-built house, but he cannot himself build one."

The administrative law specialist went on to warn of the "danger of insipidity," of need of "a little abrasiveness" as a more desirable alternative than the "flabby carrying out of public policies." A bland administration was characterized as a possible result when "a constant peering over their shoulders causes some servants to become too timid instead of too bold."

He did not consider "the danger of insipidity" a serious threat if the Ombudsman system was properly administered. He further argued that outside criticism might "strengthen, not weaken, public administration by attacking concededly obnoxious behavior—needlessly slow dispatch of business, rudeness in manner, unwillingness to explain decisions, unprincipled inconsistency in handling objectively similar cases."

Again and again he returned to the theme of how clumsy judicial review would be for these minor abuses of administrative discretion. Not only are the courts already overloaded, but also it would be too much bother to litigate. With an Ombudsman, a complaint would be made and then the citizen would not have to follow it all the way through the crannies of justice.

The adversary system of judicial review also neglects the important function of an external critic as "preventive medicine," according to Prof. Gellhorn. He stressed that American public servants are typically loyal, hard-working officials and "not beasts to be kept at bay. We should not have the attitude that one is always engaged in beating the bureaucrat over the head for his sins."

Congressmen in Washington are currently serving as unofficial Ombudsmen, a former representative once describing himself to Prof. Gellhorn as "the voter's messenger boy, employment agency, business promoter, war veteran's friend and in general, watchdog of the underdog." Prof. Gellhorn observed that the natural self-interest of Congressmen in wishing to be re-elected often leads them to "squeeze the last drop of campaign juice out of these complaints" instead of turning them over to an external official or impartially handling the complaints on the merits. Since the highly personalized American system of congressional candidacies artificially emphasizes the "services" of Congressmen, he did not believe a separate agency would be set up by Congressmen to handle complaints.

Prof. Gellhorn emphasized that a national Ombudsman after the Swedish model would not be feasible because of the "scope and complexity of federal operations, the geographical dispersal and number of persons those operations affect."

The situation is more hopeful and more urgent on the state and local level where an Ombudsman could effectively oversee complaints. Representatives of state legislatures are so underpaid and understaffed that they are not able to perform the quasi-ombudsman function of U.S. Congressmen, he added.

RUMANIA'S OTHER FACE

Mr. WILLIAMS of New Jersey. Mr. President, last September 2, 1966, I had the opportunity to sponsor, together with 12 colleagues a resolution condemning Communist Rumanian oppression of the 1.7 million Hungarian minority in Rumania.

Unfortunately, their situation failed to improve in the interim, despite some efforts on the part of the Communist Rumanian Government to chart a semi-independent course in foreign affairs from Moscow.

On May 28, 1966, our President, addressing the African ambassadors on the occasion of the third anniversary of the Organization of African States declared that the root of American policy is to oppose discrimination against certain groups, ethnic, racial or religious, and that the United States will be in the forefront of the fight against prejudice and discrimination. I believe that the President had in mind not only the regrettable racial discrimination still surviving in the southern third of the African Continent, but also the lack of free cultural and economic development of the citizenry in the Communist countries, with particular reference to disadvantaged national minorities, like the Hungarians of Transylvania. Therefore, I trust that he will do everything in his power to bring about a relief of the situation of this culturally rich minority in Eastern Europe.

Today, we are looking forward toward a freer development of the peoples of Eastern Europe and have a policy of bridge-building with them. We must be aware that the changes occurring and in coming do not perpetuate or worsen the condition of minority populations, a problem which contributed much to the vassalage of the area first to Nazi Germany and later to the Soviet Union.

In this regard, it is especially helpful to see the interest maintained by various groups and journalists in the question. On May 25, 1966, John Chamberlain in a syndicated column appearing in over 40 papers described the situation in concrete and precise terms.

Mr. President, I ask unanimous consent to include this article at the end of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the San Antonio (Tex.) Light, May 25, 1966]

Romania's Other Face

(By John Chamberlain)

The Romanians, for the moment, are the heroes among those who hope to promote some kind of freedom from Moscow for the satellite states of Europe. Nicolae Ceausescu, the Romanian Communist Party leader, has been quoted as saying it is "anachronistic" to station foreign troops in independent countries and is asking for a revision of the Warsaw Pact which would give the satellites a veto power over the use of any atomic weapons stationed on their territory.

This "Romanian De Guallism" will probably go as far as Moscow permits it to go, for Romania, after all, borders on Russia and must reckon that if the Red Army could suppress a revolution in Hungary it could certainly be used to a similar end in Romania.

The satellites, in general, are watching the Romanian defiance with a rather hopeful interest, but Hungarians have mixed feelings about the new East European "hero" nation. They have a special gripe about the way the Hungarian ethnic group in Transylvania, now a province of Romania, has been treated over the last decade. Just as the Soviets are trying to wipe out the cultural and religious identity of the Jewish community inside Russia, so the Romanian Communists have been doing their best to "Romanize" 1.7 million Hungarians who happen to live within the present-day borders of Romania.

FORCIBLE TRANSFERS

The Romanian "liquidation of the Hungarian question" is pursued by the combination of economic and social means. There has been a forcible transfer of Hungarian teachers, civil servants and other professions into purely Romanian areas, most of them outside Transylvania.

Hungarian refugees who have been trying to persuade the U.S. House of Representatives Foreign Affairs Committee to conduct hearings on the mistreatment of minorities in Europe claim to have more than a hundred documented cases in which Hungarian professionals have been moved against their will. Sometimes the transfer is compelled by the simple means of denying a housing license in a Hungarian-speaking district to a Hungarian intellectual.

The Romanians have also taken decisive measures to discourage the use of the Hungarian language inside the country's borders. Last autumn, on a trip to Transylvania, Congresman Edward J. Patten said he heard Hungarian spoken only in whispers. In 1957 there were more than 1,100 Hungarian grammar and high schools in Transylvania. These have been wholly abolished. Hungarian sections still exist in Romanian schools in the purely Hungarian areas of Transylvania, but the government has been slowly choking them by refusing to certify their graduates for acceptance in the universities.

CENTRAL PLANNING

Central planning of the Romanian economic system is another tool being used against Hungarians who wish to preserve their cultural identity. There was every economic reason for the Romanians to set up a chemical industry near the natural gas wells in one of the Hungarian provinces of Transylvania. But instead of doing this, the planning board sanctioned chemical plants some 200 miles away in Moldavia, piping the gas across the Carpathian mountains. The Transylvania Hungarians had to move out of their own communities to take jobs.

What goes on in distant Transylvania may not seem at first glance to be a fit subject for a U.S. House of Representatives investigation. But if the U.S. is to "build bridges" to East Europe, it should properly concern itself with what is to be found at the other end of a bridge.

The Romanian government, now posing as the champion of the East European satellites against the oppressive tactics of Moscow, has not been following the golden rule when it comes to dealing with its own Hungarian minority. Moreover, it has been violating the charter of the United Nations, the 1948 Declaration of Human Rights, the 1947 Paris peace treaty with the Allied powers which obtained Transylvania for Romania, and its own constitutional guarantee of free cultural and linguistic development of minorities.

Some champions of freedom, the Romanian Communists!

HUMANE TREATMENT OF LABORATORY ANIMALS

Mr. BARTLETT. Mr. President, I was happy to support H.R. 13881, a bill passed by the Senate yesterday which authorizes the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats and other animals used for research and experimentation.

It was reported a few weeks ago that more congressional mail was being received on the subject of the humane treatment of laboratory animals than on any other subject except the war in Vietnam. I know that my own mail has been heavy and has reflected genuine and legitimate concerns: on the one hand, that cruelty to animals be curtailed and, on the other, that medical research not be hampered through excessive regulation. The bill reported by the Commerce Committee I believe meets both concerns.

The public has been alarmed, and rightly so, by recent reports of pet-stealing operations and of inhumane treatment of animals enroute to research laboratories. Senators Clark, Neuberger, Magnuson, Monroney, and others are to be commended for the attention they have given these problems and the leadership they have exerted in designing a legislative remedy. We do well to heed the words of the Christian Science Monitor:

> Members of Congress and their constituents may be tempted to think that, in the face of global upheavals and serious domestic crises, bills relating to the treatment of animals are unimportant. It is a false premise. No matter involving the public conscience is even relatively unimportant, and the treatment of animals in experimental laboratories is a matter of public conscience. Man's inhumanity to man is not so separate from this inhumanity to animals that he can afford to ignore the latter. Mercy is indivisible.

It should be emphasized that H.R. 13881 aims not merely at eliminating cruelty to animals. It also seeks to prevent the victimization of pet owners by unscrupulous "dognapers" who in recent years have developed a profitable business, stealing household animals and selling them to research organizations. The bill requires the licensing of animal dealers by the Secretary of Agriculture, and makes it unlawful for a research facility to purchase animals from nonlicensed dealers. It also provides for the promulgation of regulations to insure the humane handling, care, and transportation of animals by dealers and research facilities and requires the Department of Agriculture to make inspections to determine whether these regulations are being obeyed.

The bill contains adequate safeguards to insure that legitimate research will not be hampered. The observations made by Dr. William Welch in the 1900 debate on the antivivisection bill remain valid:

> The main cause of (our) unparalleled progress in physiology, pathology, medicine and surgery has been the fruitful application of the experimental method of research, just the same method which has been the great lever of all scientific advance in modern times.

We must not inadvertently hinder the advancement of human health and wellbeing through medical research. Thus the committee has seen fit specifically to exempt actual experimentation from the bill's coverage and to limit the sanction for enforcement of the regulations which cover laboratories to a cease-and-desist order from a Federal court. It is to be hoped that more stringent licensing regulations and enforcement procedures will not prove necessary.

Mr. President, thousands of pet owners have been victimized by traffickers in stolen animals. And the public conscience has obviously been aroused by reports of inhumane treatment of animals by suppliers and research laboratories. H.R. 13881 is a promising and needed legislative remedy, and I am greatly encouraged by its enactment.

CANADIAN WHEAT SALES

Mr. BURDICK. Mr. President, the announced sale of 9 million tons of Canadian wheat to the Soviet Union over a 3-year period is disconcerting to those of us who represent the Nation's wheat farmers. It is certainly not an overstatement to say that some, perhaps most of this wheat, could have been supplied by the United States for cold hard cash had American farmers not been shackled by a restrictive and reactionary trade policy which demands that half of all wheat to the Soviet Union be shipped in American bottoms. Because of the higher costs in American ships, the Soviet Union finds it more profitable to take its trade elsewhere. Canadian farmers will receive an estimated $800 million for their wheat shipped to Russia over the next 3 years. There is every reason to believe that the demand will grow and additional sales will follow.

Mr. President, this country's policy of hindering the sale of wheat to the Soviet Union is pure folly, coming as it does at a time when wheat farmers have yet to reach the income levels they realized back in the late 1940's and early 1950's. It is especially inconsistent in light of the President's recent call for removing restrictions on East-West trade. In addition, I think it can be said that, even though it was adopted to insure the maritime unions a large portion of the trade to Russia, it has failed in its objective and its futility can be realized by observing that in the last 2 years the grand total of our wheat sales to Russia has been zero. Our policy of insuring the unions 50 percent of the wheat trade to Russia has succeeded in giving them 50 percent of nothing.

Mr. President, this policy could be repealed by a declaration from the President or Secretary of Defense or by a concurrent resolution by the Congress. It is my hope that its repeal will be considered by the President and the congressional leadership.

I would like to submit to the RECORD an editorial from the Washington Post of June 22 on this topic. Its message is worthy of the consideration of every Member of this body.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 21, 1966]

AGAINST THE U.S. GRAIN

The Soviet Union is smart to buy Western wheat; perhaps it ought to buy more, on a more regular basis. The cost, in terms both of pride and gold, is bearable. In return, the foreign purchases cushion the impacts of unkind soil and weather, compensate for the inefficiencies built into the country's collectivized agricultural system, and buy time and domestic support for the farm programs that almost certainly will produce better grain harvests in the future.

The Soviet grain crop in 1963 was a disaster, requiring imports of 11 million tons. The 1965 grain total was very low, made so by harsh weather and by the government's courageous and overdue decision to squeeze less grain out of the farmers at low state-set prices. Together, the two years persuaded the leadership to undertake massive spending programs, offer the farmers more incentives and get off their backs. The government anticipated lower grain collections at the start, figuring on fatter results later. The grain collections have been lower. It is to meet this anticipated short-run deficit that the Canadian grain deal apparently was made. Moscow will buy three million tons a year for three years, for about $800 million.

Secretary of Agriculture Freeman said the Canadian deal showed "the failure of the Soviet system." He's probably wrong. For once, the deal may have shown more reason and sense, since it was made not in response to a spot crisis but as part of a measured effort to put Soviet agriculture on a solid footing. The weather hasn't been so bad in the Soviet Union this year; the planning has been better. That's why Moscow is buying.

Thanks to the American maritime unions, the farmers of the United States don't have to bother figuring how to get a piece of the Soviet grain business. The unions in 1964 rammed into law their demand that half of any grain shipments to Russia must be in American bottoms; the high American shipping rates make U.S. wheat prohibitively expensive in most instances. The question is rendered moot these days by the United States' low wheat reserves and high Vietnam involvement. But 800 million dollars—in hard currency or gold—is a lot of dough.

TRUTH AND FREE SPEECH—THE TWIN VICTIMS OF THE UNDECLARED WAR IN VIETNAM

Mr. GRUENING. Mr. President, in an excellent column printed in the Capital Times of Madison, Wis., on June 20, 1966, entitled "Morse, Fulbright Stand Defended," John Chancellor refutes a vitriolic attack against our two colleagues by commentator William S. White.

One of the first casualties of a war—declared or undeclared—are truth and free speech.

In the past few years, with respect to the mess in Vietnam, we have all seen how, time and time again, attempts have been made by the administration to rewrite history—to change the facts as they were into myths as the administration now self-deludes itself into thinking they should have been.

Thus has truth been one of the early victims of the undeclared war in Vietnam.

Freedom of speech is fast becoming its second victim.

Already the hue and cry has gone forward from those who believe in freedom of speech so long as the words spoken are the words they want to hear. Already the word has gone forward that those of us who would dare question the shaky, shallow foundation of myths and unrealities upon which the administration seeks to build its case for the legality and morality of what it does in Vietnam are somehow unpatriotic.

As Mr. Chancellor says in his column:

> It was men of similar courageous dissent and principle that made the America the world used to respect, and the disloyalists today are not the Fulbrights and Morses but rather those who flagrantly depart these basic American and humanitarian principles.

During the Mexican War the then Congressman Abraham Lincoln spoke out strongly against the U.S. involvement in what he considered an unjust and immoral war against our neighbors to the south. History has not judged him as "exceeding the limits of permissible debate." In the same way will my colleagues, Senators FULBRIGHT and MORSE, be judged by history as having performed an outstanding public service in speaking out against "an immoral, irrational, illegal war in Vietnam."

I ask unanimous consent that the column by John Chancellor entitled "Morse, Fulbright Stand Defended" from the Capital Times of Madison, Wis., on June 20, 1966, be printed in full in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OPEN LETTER TO WHITE: MORSE, FULBRIGHT STAND DEFENDED

(By John Chancellor)

As war hysteria begins to spread, vituperation always sets in against those who "appeal to reason" and humanism. The following self-explanatory protest was prompted by vicious criticism of Sens. FULBRIGHT and MORSE now being advanced by conformist commentators like William S. White:

Dear Mr. White: I listened with dismay the other night to your commentary in the excellent In My Opinion series of National Educational Television, when you suggested that Sens. FULBRIGHT and MORSE had exceeded the limits of permissible discussion of public issues by their persistent criticism of what they and I and many others still think is an immoral, irrational, illegal war in Viet Nam.

You attribute their opposition to obstinacy and an insatiable desire to force their views. You suggest that deference to the government, which theoretically represents the nation, supersedes that to principle and humanitarian ethics, and that supposed majority or accepted opinion should preclude criticism.

I think you miss the whole point of the opposition of the senators and their "faction," as you call it. Their position is dictated not by an abject deference to the formal traditions and arbitrary technical ground rules of political debate and dissent in our history but rather by a "decent respect for the opinions of mankind" regarding what is humane and just.

It seems so obvious from the records of such men that they are concerned to be humanitarians first, in the belief that humanitarianism is an essential and traditional cornerstone of true Americanism. America was founded and constituted to secure "The Rights of Man" to "life, liberty, and the pursuit of happiness," not to uphold the arrogant parent governments of the hour as then constituted in England and Europe.

This, it seems to me, is evident throughout the great guidelines of principle—the Constitution, the Declaration of Independence, and the other speeches and writings of the Fulbrights and Morses of that day—Jefferson, Paine, Madison, Mason, Henry, Franklin, Adams, and Washington.

I think you are wrong in attributing the position of the "Fulbright-Morse faction" to mere political contentiousness. They are among the keenest, most informed, and intelligent minds in our government today, true prototypes of our great dissenting Founders and, like those, setting principle and "the rights of man" uppermost.

It was men of similar courageous dissent and principle that made the America the world used to respect, and the disloyalists today are not the Fulbrights and Morses but rather those who flagrantly depart these basic American and humanitarian principles.

There is no truer political axiom than that of Lord Acton, who said, "Power corrupts, and absolute power corrupts absolutely." And there is an unstated but natural corollary to this, namely: "Power blinds and unseats reason, and absolute power blinds absolutely." Yet in spite of two horrible, costly examples of these verities in recent times—the overgrown aggressive military power of pre-war Germany and Japan—we are still blinded from seeing our own arrogance and aggressiveness.

VICE PRESIDENT HUMPHREY ADDRESSES COAL CONVENTION

Mr. BYRD of West Virginia. Mr. President, several months ago, Mr. Stephen F. Dunn, president of the National Coal Association, expressed interest in securing Vice President HUBERT H. HUMPHREY to speak at the annual convention of the association this year. The Vice President graciously accepted the invitation, and it was an extreme pleasure for me to present our esteemed Vice President at the convention of the National Coal Association here in Washington this week.

Vice President HUMPHREY spoke to a convention luncheon on Tuesday offering encouragement and advice for increased shipments of coal to foreign countries.

We all know the need for the United States to improve its international balance of payments, and the sale of domestic coal to foreign buyers is certainly one of the best avenues through which to pursue this effort. Needless to say, coal-producing States such as West Virginia have long been ready to assist in every effort to increase sales of coal.

I believe it is most important for everyone to heed the advice of our Vice President. I ask unanimous consent to have his address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TRANSCRIPT OF REMARKS BY VICE PRESIDENT HUBERT H. HUMPHREY AT NCA-CEA LUNCHEON, JUNE 21, 1966

Thank you, Senator BYRD. My good friend Senator RANDOLPH, Mr. Colnon, Mr. Dunn, distinguished representatives of the many nations that are gathered here, particularly your excellencies of the embassies that have joined us today, the members of the Economic Commission, and ladies and gentlemen:

I was so pleased to see my old friend Dr. Seaborg here from the Atomic Energy Commission to protect the interests of nuclear energy in this coal association, and I want Dr. Seaborg to know that when the National Coal Association decided to select its new chairman, it selected a man that stands with equal height with you, sir.

And I am very pleased to note also today that a goodly number of the members of the Congress are here. I always hesitate to mention a name or two because I'm generally leaving out one, but I did see Dr. MORGAN, Congressman EDMONDSON and Congressman SAYLOR and I'm sure there are others. I'd only say that when I came down to Congressman EDMONDSON I said, "What are you here for, protecting the interests of oil?" And he said, "Well, you just don't know what you're talking about, Mr. Vice President. We are moving into coal rapidly." So I've had the feeling that there's a merger here of the energy interests of the United States—atomic energy, gas and oil and coal. And with that amount of energy and heat—at least the potentiality for heat—I suppose what a Vice President's supposed to do is cast some light upon the situation.

Yesterday I understand, Mr. Colnon, that you had a debate here between two members of the House of Representatives. I know that that was an interesting and engaging event. That's another source of energy that we have around Washington. Every debate takes a great deal of energy and does generate some heat. Today I am going to, however, concentrate my remarks on a rather cool and important subject, the utilization of our great energy resources in coal.

I can't properly express the thanks of our country to the National Coal Association on its sponsorship of and hospitality towards the many representatives here of the countries from many parts of Europe. I have had the opportunity in the few moments that I have been with you to at least shake the hand of some of the representatives of the nations represented here. But I noticed when you asked them to stand that I haven't completely fulfilled my happy assignment, because there were several here that I didn't meet. So I want to extend to you a cordial welcome and a word of thanks for your presence.

I am always one that believes that the more we get together and the more that we see of each other, the more we talk to one another, the longer we will live together in peace and in the enjoyment of the good life. Well, I come to you today to talk about how we can live together a little better and enjoy the wonderful blessings of this earth. My friend Senator BYRD came to me weeks ago and urged upon me my attendance at this gathering. I wanted to come because he invited me. But I also wanted to come when I found out the nature of your program. It has indeed been a rich program, and one that I believe serves our nation's interests and serves the interests of people all over the world.

A great American writer, philosopher, poet—Ralph Waldo Emerson— once said that "coal is a portable climate." And I think this is fully evident in the warmth of your hospitality here today. I understand that the delegates representing the Coal Committee of the Economic Commission for Europe have just returned from a study tour of our bituminous coal industry. And I've been told by the officers of the National Coal Association that this tour was very successful.

I only regret that we do not have coal deposits in my state of Minnesota, so that we could have invited you there. Because I do believe that when we have distinguished visitors from other lands we ought to take them to all the good parts of our country and not exclude any. But sometime may I say to those that are engaged in mining in the basic metals and in what we call the extraction industries—may I invite you to come to the upper Midwest and see our tremendous development in taconite production, which is as you know a product of the iron mines of a rock that we call taconite that's processed into pellets of about 60 percent pure iron ore. And you'd be surprised how well coal and those pellets mix and work together. In fact without your coal our pellets aren't worth much. And without our pellets your coal wouldn't be worth as much. So I want to just invite you to take advantage of that invitation.

This occasion brings together producers with consumers and with what we hope are potential customers. I could recite the facts of the coal industry of America with a spirit of joy and exultation. The production record, the achievements of this industry are second to none. And I am so pleased that representatives of our great electrical utilities are here today. Because the electrical utilities in the United States of America have greatly expanded their use of coal. The fact sheet that I studied indicated that back about 1946 our electrical utilities were using about 69 million tons of coal; last year 242 million tons of coal. Now lest anybody that's in other fuels or sources of energy feel that coal is taking up all of the electrical utility field, I want to advise them and admonish them that this is a growing country and a growing world. This is a world in which there will be unbelievable needs in the field of energy sources. Fuels and food will have an ever-pressing demand placed upon them. So as our coal industry progresses, and as our great utilities utilize our coal, may I assure Dr. Seaborg and may I assure those in gas and oil and even those in the great water power industries that there is a tremendous need for every known source of energy, including human energy, to build a better world.

So let's get right down to business now and talk about the business all of us in this room at least are engaged in—coal, and particularly the international aspects of coal, international trade in coal.

Now as exporters we Americans are still in the minor leagues—which, for the benefit of our European guests, means that we've got a long way to go before we are really good at it. The truth is that our European friends are professionals when it comes to export business. And I almost have to break out in tears and sympathy for my fellow Americans when we sit across the negotiating table when it comes to exports. However, now we export only 4 per cent of our gross national product—and I repeat for my fellow Americans, only 4 per cent of our gross national product, a fraction of what European countries do. We do have some industries which know about export and export business. And one of them is the coal industry. So I forewarn my friends from Europe, when you deal with Mr. Colnon or Mr. Dunn and the National Coal Association, you are talking to people who understand the export business. Now you've received fair warning from a high official of the government of the United States.

Now our coal export tonnage has increased steadily over the past fifteen years. For this we are very grateful. Last year we exported about half a billion dollars worth of coal, something like ten per cent of our total output of coal. May I on behalf of the government of the United States express a note of thanks to the exporters of coal for your helpfulness in this balance of payments situation. I am convinced that the strength of the dollar is in many ways underwritten by the volume of coal exports.

So you're helping all of us, even as you help yourself. We are able and willing, however, to export even more. And here is where we talk to our friends that have come to see us. We want you to know that your visit to the United States which we hope has been joyful and pleasant could also have some good, sound economic and social benefits for all of us. Now when I say that we want to export even more, this of course will mean better business for our producers, more jobs for our workers, and export earnings for our country. Also as you well know, the more coal that we can sell, the more efficiently and economically we can produce it. So this is a situation that's good for all of us. But to our foreign visitors may I say this: American coal is also good for you. And now that we have you in this room, I am going to show you why it's good for you.

American coal can help you reduce your energy costs. It can help restrain inflationary forces in your economies. For as you well know, the cost of energy, the price of energy for your industry is a part and sometimes a substantial part of the cost of every product. Your products become more competitive as you are able to reduce the cost of their production. Already American coal can compete with oil, gas and atomic energy in the coastal areas of Europe. More efficient production, handling and transport will make it even more competitive and more advantageous for those who purchase it, here and abroad. The productivity per man-shift in the American coal industry today is two and one half times what it was fifteen years ago, more than double the increase in productivity for our economy as a whole.

I know of only one other segment of the American economy that has done as well as our coal industry, and that's American agriculture. The farmers and the coal miners, the farm operators and the coal operators, they have set all-time records and I hope that my friends abroad will let us boast for just a moment. We don't always do this well in everything, but when it comes to producing the food and mining the coal, we think we claim some championship laurels here.

Now on your tour, our visitors from abroad saw some of the new machines which made this performance of productivity possible. And I want to pay tribute here not only to management but to the responsible statesmanship of the United Mine Workers in helping to make this technological revolution. And when workers understand that machines are not their enemy, but rather their partners, then workers and management and country all alike are the better.

This is something that needs to be impressed upon all of us in every part of the world. There is no gain for anyone in attempting to retard progress. The task of management and of government is to try to make the benefits of machines available to the worker and the consumer, and to the investor, all people sharing in the benefits.

We've also improved the transport of coal, all the way from the mine mouth to the automated pier at Norfolk, that great port. I believe that I noted the other day where we are contemplating ships of 80,000 tons capacity to take coal from the automated pier to any part of the world.

Now what about the future, because that's what is really important. We can't do much about the records of 1965 and half of 1966 is already gone. What about the future and the future of the coal supply? Well our coal reserves constitute one-third of all the known coal deposits in the world. We are rich in coal, if we can convert that great resource into a usable commodity. These reserves represent such a large part of our natural wealth that they must as a matter of national policy, my fellow Americans, be developed to the full. And I am delighted to see the Congressmen and the Senators here, as well as members of the agencies of government, that have understood that this great resource of coal—wealthy resource—demanded national attention, that it is a potential source of wealth that requires the development of this nation through its technology and its science.

In summary, there are three steady pillars on which the future competitiveness of American coal rests. First, this broad resource base that's there for the development. Second, extremely high and rising productivity that can yet be improved. And thirdly, leadership—management leadership—in production and delivery of coal. These are the three pillars of the success of this industry. Our government is undertaking research programs to develop wider markets for American coal. And when I served in the Senate with Senators BYRD and RANDOLPH and others, I voted for our coal research program and worked for it, not because it meant anything directly to the state that I was privileged to represent in part, but because I saw in this great abundance of coal tremendous good for America and indeed for the whole world. We are also trying to secure relaxation or removal of non-tariff barriers which limit trade in coal. The United States took the initiative in bringing discussions of these restrictions into the so-called Kennedy Round International Trade Negotiations in Geneva.

Now what must be done then to provide more coal to the nations that need it? I have already mentioned our commitment to liberalize international trade. And I might add that we have a good deal to do yet in our own country on this. Before we start pointing the finger at others, I think we ought to take a look in the mirror and see ourselves. But we will need, too, the attention of the American coal industry through the expansion of exports, including the attention of the inland producers not now selling overseas. We will need constant innovation in methods of mining and apparatus. And we will need stable prices and good labor-management relations. And we will need cheaper and quicker ways to move the coal from the mines to the deep-water ports.

And I hope, my friends of the coal industry, that you will be sitting down regularly with our railroad industry to work out these problems of transportation. This can mean greater returns to the carriers. But it can also and must mean, and this is essential, the passing on of substantial savings in lower freight rates to improve the competitive position of American coal in foreign energy markets and to help the American consumer.

Now, finally a word to our European guests. We know that trade liberalization is a two-way street as I said a moment ago. We have declared our national intention to take part in honest give-and-take of international negotiation. We are ready to give as well as to ask and to take. Negotiation means negotiation in good faith—the willingness to sit down and talk it out rather than fight it out. We believe that liberalization of trade in coal as well as in other areas is especially important, not just to those who sell the product, but also to those who need it. And that's why we hope that all countries will be committed to the availability of coal on the international market without artificial barriers.

Now we have a saying here in America which I would like to pass along to our friends from overseas. It's an old New England saying and it goes like this: "A rising tide lifts all the boats." This is just a simple way of saying that what helps someone else helps you. The rising tide of international trade can benefit all of us and every industrialized nation or every nation that hopes to have industrialization knows the importance of energy fuels, and knows indeed the importance of coal.

So I submit that this rising tide of international trade can benefit particularly the people of our countries who depend on coal for warmth, for the human needs, for industrial progress and strength, and for the means towards a better and a more prosperous life.

I salute the National Coal Association for its progressive outlook in the field of trade and production and distribution. I thank our friends from overseas for their kindness to us, for their willingness to join us in seeing America at work. And we hope that out of this meeting and this tour will come not only new knowledge for those that have come to see us, but might I say to our fellow Americans we can learn a great deal from them. I would hope that our coal industry would be willing to enter into its own programs of exchange of information so that all of us might benefit out of the knowledge of the human family.

Thank you very much.

A TRIBUTE TO THE DISABLED AMERICAN VETERANS

Mr. WILLIAMS of New Jersey. Mr. President, I regret that I was unable to be present on Thursday, June 16, when a number of my colleagues paid tribute to the Disabled American Veterans on the occasion of the 34th anniversary of the granting of the Disabled American Veterans' congressional charter. The tribute that was paid that day to the fine work of the DAV was richly deserved, and I want to add my own expressions of respect and admiration for this good organization.

As a member of the Labor and Public Welfare Committee, I have had frequent occasion over the past years to note the dedication of the DAV to sound legislation providing decent educational opportunities, medical treatment, and rehabilitation services to the veterans of America who have been crippled and injured in the service of their country. The fighting now going on in Vietnam demonstrates once again the obligation we owe to the courageous members of our Armed Forces. It is an obligation that does not cease when these men return to civilian life and it is through responsible organizations such as the DAV that veterans are ably represented before the Congress.

I know that many useful and rewarding years lie before the DAV. I want to thank them for the helpful contributions to sound legislation which they have already made, and say that I look forward to working with this distinguished veterans' group in the years ahead.

HOW MUCH DOES IT COST TO SUPPORT A DEPENDENT?

Mr. SIMPSON. Mr. President, recently my attention has been drawn to the varying costs of the many Government programs that call for Federal funds to support the basic needs of an individual. Because of the centralization and Federal control it would be natural to think that there would be some uniformity among the programs and a relationship between the costs and benefits derived. Unfortunately, this is not the case.

If you were to talk to the Internal Revenue Service officials, you would be told that each taxpayer is allowed a $600 personal exemption for each dependent the taxpayer is supporting. This personal exemption is the amount the U.S. Government allows tax free for covering the bare necessities of life.

But if you were to contact an official of the Great Society and ask him about the Job Corps camp at Camp Atterbury, Ind., you would be told of the Government's costs on providing the bare necessities. Ten million dollars was spent at Camp Atterbury, before the generals of the war on poverty finally wrote it off as a total failure. Unfortunately, it cost the American taxpayer $22,000 per enrollee before that decision was made.

According to the newspaper accounts of March 1966, Democrat Congresswoman Edith Green of Oregon said the poverty program's Job Corps was excessively costly. Representative Green cited as an example the Tongue Point, Oreg., Job Corps camp, where it cost the Government $13,000 per enrollee per year, not including camp construction cost. This particular camp has had a dropout rate of 65 percent.

Later, one of President Johnson's lieutenants submitted a report to the House committee showing that first-year costs of the same Oregon camp, including construction costs amortized over a 20-year period, might be in excess of $17,500 per Job Corps enrollee per year.

On page 570 of the House committee's hearings on the Economic Opportunity Amendments of 1966, Sargent Shriver, the man President Johnson has running the scandal-ridden war on poverty, presented some interesting facts. He said:

> If you take the first year and all the start-up costs of all these centers, whether it is men's, women's, or conservation, if you annualize the cost per enrollee, including the start-up costs, it would be $11,252. The same figure for fiscal year 1967 is $8,120 and for 1968, presumably, if we get to what we call a steady state operation and by that I mean we have an enrollment which is constant, that figure would go down to even less. In the men's urban centers right now, through December, it was even higher than that, because that is where you have most of your capital cost to get the thing started, plus the fact that in a number of those centers we operated way below capacity because of difficulties in the administration of one or another center, like Camp Breckenridge, in Kentucky, where the administration did not operate correctly and we had very few kids there as compared to the capacity.
>
> In the first year on the men's urban centers it would be $12,510, putting in all the costs. It will be down to $7,800 for fiscal year 1967. Some of the centers are running exactly the way we had told Congress last year they would run when they reached capacity.
>
> For example, Camp Gary, in Texas, is doing exactly that. It is running at around $8,438.

Mr. Shriver does not seem to be a bit worried about what I consider excessive costs. He reported to the House committee that 32 camps have a $7,000 to $8,999 cost per man-year range and that nine centers have a cost range of $11,000 to $14,100 per man-year. We could send students to expensive Ivy League private schools cheaper than we can teach them to chop wood, cook, and clean parks. Harvard has a tuition charge of $2,890 per year per student, which seems meager as compared to the costs of some of these Job Corps camps. The officials of one of our great land grant universities, the University of Wyoming, advise prospective students that total essential costs for 9 months at the campus would cost $1,250. The figure includes tuition, books, room and board. Consequently, if a young person has the mental capabilities, he can secure at the University of Wyoming a fine education at a fraction of what it costs the Federal Government to carry on a school for parkrakers, mechanics, or other vocations.

I am told that in Gibson County, Tenn., a camp was established to teach 60 women to cook. The cost was $91,300. This is ridiculous. I do not have the slightest idea how many were hired to teach the 60 women how to cook, but I do know that at the end of the last fiscal year there was more than one employee in Washington, D.C., for every two volunteers trained in the entire Nation.

The Democrats of the Great Society asked for $17.5 million for the VISTA program—Volunteers in Service to America. The bureaucrats estimated that there would be 2,500 volunteers this year. Thus, the cost per volunteer to the United States would be $7,000. These figures can be found on page 401 of the 1966 supplemental appropriations hearing for the OEO.

After reviewing the several programs of the Great Society and studying their excessive costs, tremendous wastes, and exorbitant salaries, I found that little was being accomplished other than the scandals, corruption, and political shenanigans of the party in power.

How much does it cost to support a dependent? It depends.

If you are a typical taxpayer, you will be told by the Federal Government that it costs $600. If you ask the political boss of a Democratic administration either in Washington or in some city ward, you will be told that it may cost as much as $22,000 per dependent to provide the bare necessities for a "poor, underprivileged juvenile."

Mr. President, it is time that we review these programs in an effort to eliminate the waste and the corruption.

A recent column written by Allen and Scott puts the matter in its proper perspective. I ask unanimous consent to have it printed in the Record at this point.

There being no objection, the column was ordered to be printed in the Record, as follows:

Allen-Scott Report: Corps Graduates Are Expensive

(By Robert S. Allen and Paul Scott)

The widely controversial and trouble-plagued Job Corps is turning out *the most expensive graduates in the country.*

In the first 17 months of this Great Society program, out of 38,951 enrollees, *the Job Corps had graduated 3,080—which figures out to $160,064 per graduate.*

Basis of this calculation is the following: Since the inception of this anti-poverty project in January 1965, it has cost taxpayers $493 million.

Of the 3,080 graduates, 110 are women. The graduates' known post-graduate record is:

2,072 got jobs in private business and government. 200 of those working for the government are in the Job Corps, Park and Forest Services and Agriculture Department.

803 entered the military services. Of this group, some 60 per cent were drafted; 40 per cent enlisted.

205 returned to school; 15 are in college.

Additional details about the graduates are sketchy. Until recently no provision was made for a comprehensive follow-up. Such a study is now underway by a leading polling firm. However, reportedly it is sampling only a small cross-section of the graduates.

A check by the Job Corps itself on the first 200 graduates several months after being employed disclosed that 90 per cent were still working on their first jobs.

Authorities claim three years are needed to fully evaluate the career of a Job Corps graduate. The first job, it is held, is not decisive. It's what the graduate does in his second job that will indicate the value, or lack of it, of Job Corps training; whether he is promoted and seeks additional training.

A high drop-out rate of 32 per cent continues to sorely afflict the Job Corps.

Around 9,000 enrollees have quit so far. Twenty-five percent left of their own accord for a variety of reasons; 5 per cent were kicked out on disciplinary grounds; 2 per cent were discharged because of poor health.

Corps officials soft-pedal the embarrassing drop-out rate; they stress instead that 68 per cent stay, even though they are school drop-outs.

Being a school drop-out is one of the requirements for Job Corps admission. Also, the 16 to 22-year-old applicants must come from impoverished families and be unemployed. Based on intelligence and aptitude tests, they are sent to either conservation camps or urban centers. All women's camps are in urban areas. Training ranges from three months to two years.

One hundred and three centers and camps are now in operation in 36 states, with 26,871 enrollees. Another 17 installations are planned for a total enrollment of 45,000 by July 1967.

This is far short of of the original goal proclaimed by anti-poverty director Sargent Shriver, whose agency runs the Job Corps. Immediately in charge of that program is Dr. Franklyn Johnson.

Shriver foresaw 40,000 trainees in 1965, and 100,000 this year.

A number of factors blocked this—foremost among them Congress' refusal to vote the necessary funds. Shriver talked in terms of $500-million-a-year Job Corps budgets. Instead, Congress approved $183 million for last year; $310 million for this year; and the budget drafted by the House Labor Committee cuts that to $210 million for next year.

In addition, this Democratic-controlled committee, which singled out the Job Corps program for sharp criticism, limited its enrollment to 45,000 and barred the opening of new centers beyond those already planned.

Announced purpose of these restrictions is to compel anti-poverty authorities to make greater use of existing centers and to cut costs.

At present it costs the Job Corps $11,252 per trainee.

Corps officials argue this high figure is not "realistic" as it includes the expense of opening training centers—in most instances unused military and conservation installations requiring extensive renovation.

Without these considerable charges, it is estimated actual training cost per enrollee *is $9,120 per year for men and $8,400 for women.* The corp's avowed aim is an overall average of $7,765.

But in the option of members of Congress, including supporters of the program, even that's too high.

Representative Edith Green, D-Ore., third-ranking member of the Labor Committee, expressed this view directly to Shriver during hearings on the new $1.7 billion anti-poverty authorization bill.

"Maybe we should find other ways of training these people that wouldn't cost so much," she told him. "You are a former member of the Chicago School Board. Could you justify the expenditure of an average *of $9,000 on a few people as compared to a nationwide expenditure of $484 per student in the public school system?"*

The anti-poverty chief had no reply. But Mrs. Green did.

Mr. SIMPSON. Mr. President, noted newscaster Paul Harvey of the American Broadcasting Co. made some interesting remarks on this general subject. I ask unanimous consent that Mr. Harvey's comments be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

[Excerpt from Paul Harvey News, Oct. 26, 1965]

How Much To Rear a Child?

Hey, Uncle, how much does it cost to rear a child?

You allow us taxpaying parents only $600 a year to feed, clothe, house and train a youngster. Yet to feed, clothe, house and train a youngster in your Federal Government Job Corps you spend $7,000 a year!

Now, which is the correct figure. Either we're allowing you too much or you're not allowing us enough. You allow taxpaying parents $600 deduction for the care and feeding of each child . . . Yet under the Cuban refugee program, you assume minimal upkeep requires $1,200 a year—and if the Cuban boy or girl is attending school —an extra $1,000 a year.

How come you short change the homefolks?

In the austere environs of a federal prison, you have discovered that it costs—to maintain one person—with no frills—no luxuries —and no borrowing dad's car—$2,300 per year!

By what rule-of-thumb do you estimate that Mom and Dad can do it for one-fourth that amount?

Under Social Security, you will pay $168 a month to maintain the elderly. What makes you think we can maintain our young 'uns on $50 a month?

And Uncle, your VISTA program (Volunteers in Service to America) spent $3,100,000 this last fiscal year to turn out only 202 trainees. That indicates that the cost of maintaining and training one youth for one year is more than $15,000!

Then how come we taxpaying parents get an exemption of only $600 to maintain and train one youth for one year?

Or let's see how much you spend upkeeping one youngster in military uniform: Housing, $55.20 a month. Food, $30.27 a month. Clothing upkeep, $4.20 a month. That comes to $1,076.04 a year.

How in the world do you expect parents to provide all these things, plus clothes, recreation, books, medicine . . . for $600 a year? With your own figures, you admit it can't be done.

It is possible, Uncle, that you expect us parents to manage more efficiently than you, because we usually do.

With all our expenses, we American individuals have more than enough savings to offset our debts; you don't.

With all our prosperity, you, Uncle, are still spending per year 2.9 billion dollars more for relief than during the depths of the depression.

So it may be that you are uncommonly extravagant.

But however we try to rationalize and explain you and excuse you, it is still a hurtful affront when you allow us hard-working, dues-paying homefolks only six hundred dollars a year to rear a legitimate child . . . While you, under ADC, will pay more than $600 a year to upkeep an illegitimate one.

THE DIFFICULT TASK OF THE POLICE OFFICER

Mr. McCLELLAN. Mr. President, I think it can be said without serious challenge that the police officer of today has one of the most difficult tasks in America, with small reward in money compensation and gratitude for the dangerous and essential services he renders. It is necessary for him to risk his life daily and display the historical qualities of physical bravery, patience, and courage to withstand the verbal and legal attacks that are being made upon him by some elements of our society and by the amazing shackles now being placed upon him by recent decisions of the U.S. Supreme Court. Later, I shall have more to say about these Supreme Court decisions, but my purpose today is simply to call attention to what I consider to be an excellent speech given by one of our colleagues, Senator Byrd of West Virginia, on last evening at a banquet of the State convention of the Fraternal Order of Police of West Virginia. The banquet was held in Charleston.

As we know, Senator Byrd has long studied the varied attacks on police officers and the frequently heard charge of police brutality. I believe Senator Byrd's comments last night should be read and meditated upon by all who are interested in this critical problem. Mr. President, I ask unanimous consent to have this address presented in the Record at this point as a part of my remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Senator Byrd of West Virginia

Abraham Lincoln once said, "Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling books, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay of all sexes and tongues and colors and conditions sacrifice unceasingly upon its altars."

As you gentlemen know, however, President Lincoln's words have a hollow sound today for it is fashionable in these times to break the law or to bend it beyond effectiveness in order to demonstrate various grievances.

As a result, your job is more difficult than ever before. As all of you know, the local police establishment throughout the country has suffered some grievous days recently at the hands of all sorts of detractors. Most of your difficulties have arisen from civil rights and associated problems. I believe, however, that truth is fast dissipating the myth of police brutality which we have heard so much clamor about and that responsible public sentiment is beginning to swing in favor of the police service and what it is duty-bound to try to accomplish.

Plainly, you gentlemen have an awesome task, but law enforcement has come a long way in the past few decades. It has raised itself, almost unaided, to a professional plane by dint of hard work and devotion to the principle of public service. Much has been done, and much remains to be done. But although law enforcement can accomplish more by harder work and greater dedication, this does not detract one iota from the greatness of its achievement. Every day brings more evidence of the fact that the most important single development in the administration of public justice in our time has been the trend of law enforcement towards professional status.

It is the task of professional law enforcement not only to combat crime as effectively as possible, but to do so according to the letter and spirit of the law. It is a contradiction to enforce the law in an unlawful way. When this is done, no matter how isolated the instance, it brings the weight of public and judicial censure down upon the necks of those officers responsible and damages the entire profession. As experience plainly tells, one deviation can undo the good work of many good men over many years.

At the same time, however, I firmly believe that something must be done to protect our policemen from the growing number of vicious and cowardly assaults to which they are being subjected. It is time for the phony police brutality charge to be put to rest and the full force of the law directed at those elements of our society who are killing and injuring policemen.

As you well know, 18,000 police officers were assaulted by civilians in 1964 and 54 policemen were murdered while 7,700 were injured. It seems to me that brutality is coming from the other direction. As a matter of fact, in fiscal year 1963, there were 1,376 allegations of brutality received by the U.S. Department of Justice. Investigations of these complaints resulted in indictments being returned in 12 of the cases involving 20 officers. Convictions were recorded in three cases involving four officers.

In fiscal 1964, there were 1,592 complaints of police brutality. Sixteen of these cases resulted in indictments against 28 officers, and convictions were recorded in two cases involving four officers.

Fiscal year 1965 brought 1,787 allegations of police brutality with indictments being returned in 13 cases involving 23 officers. Convictions resulted in five cases involving six officers.

While I know these facts are discouraging to you, they emphasize the necessity of your observing the civil rights of the people with whom you come in contact.

When law enforcement fails to enforce the law in a constitutional manner, even though it may be only in a single instance motivated not by malice but by misguided zeal or misunderstanding, it presents to the avowed enemies of our way of life, a longed-for opportunity to discredit law enforcement. These enemies never fail to exploit such a chance to the utmost for their own sinister purposes. They are at work furtively and constantly to build a wall between law enforcement and the people.

Law and order, as we know the term, is a stench in the nostrils of the totalitarian. It is so because the term means that the legal institutions of a country are functioning as they were meant to function—in furtherance of the will of a free people. Accordingly, the totalitarian views the police officer of the free world as an enemy to be destroyed by every possible means. Therefore, he is to be knocked at every turn. He is to be identified as the cat's paw of big business, the enemy of the working man, the champion of terror, the lover of discrimination, the idolator of injustice, the destroyer of civil rights, and the despiser of those constitutional liberties which free people hold dear.

It is your duty to give those enemies of freedom no ammunition for attack by any careless disregard of rights or injury to any person in the enjoyment of his lawful rights and privileges.

Of course, the citizens of this country should not expect you to bear the full weight of today's problems.

There is a prime need in every community in America today for the private citizen to realize that he not only has a personal interest in maintaining law and order but that one of the most effective ways he can meet this obligation is to furnish information he may possess on crime and the criminal to the proper authorities.

There is no question that the civic duty of furnishing information to the proper law enforcement agency may be difficult. It always takes time and trouble. In some cases it may actually be onerous. Americans like to live their lives in as private and peaceful a manner as they can. They like to "mind their own business," as the homely expression goes. The prospect of perhaps going to court and taking the witness stand is not a happy one to them. Furthermore, when they hear the expression "give information to the authorities" it may instinctively raise in their minds the image of the "political informer" so indigenous to the totalitarian governments of history and of our own day and so alien to our own country. But we are talking about another matter. We are talking about information that has to do with the criminal laws of a free country—and in that distinction lies a world of difference. The fundamental fact in this field is that here crime is everybody's business. It cannot be left to the professional law enforcement officer under the theory of "Let George do it".

Information received from the public is a cornerstone of effective law enforcement. The validity of this proposition cannot be doubted. Visualize for a moment the predicament of the law enforcement officer, and in logical sequence the whole community, if he were met with silence at every door to which he turned seeking information as to the commission of a crime and the identity of the criminal. Under such circumstances all the equipment, all the personnel, all the buildings, all the training, all the experience of our professional police forces would be virtually useless. Crime would reach epidemic proportions.

Most responsible citizens who possess information do their duty and do it gladly. Every day and every hour of the day across the face of America hundreds of them conscious of their obligation and willing to meet it, take the time and trouble to advise their peace officers of alleged violations of law that come to their attention. But what is needed is that even more of our people be conscious of this obligation and fulfill its requirements. Our way of life is no historical accident but is a blessing realized from a form of government conceived by genius and carried out by selfless dedication to an ideal. If it is to endure forever, the conviction of all of us, it can endure only by every American doing his share of the job—private citizen and law enforcement officer. The old adage puts it: "He who takes a benefit must also bear the burden of responsibility that goes with it." Those who made our country what it is today followed the maxim and cheerfully accepted their burden. All Americans today must go and do likewise, and all Americans should rally to the support of men who wear the police uniform.

If the police force is subjected to chronic harassment and unjustifiable charges of "police brutality" by those who desire to weaken its authority and effectiveness for good law enforcement; if policemen are made to feel that they cannot properly do their work because of the ever-constant threat of unjustified complaints being lodged against them to be followed possibly by unjustified censure or disciplinary action; if policemen can no longer be sustained by a faith in the steadfast support of their superiors—then, indeed, the morale and efficiency of the police force will be impaired and cause for concern will be given to every citizen.

Moreover, a number of recent court decisions have strengthened the rights of the individual and unduly restricted the power of the police. No American should want to see any abrogation of civil liberties or any abuse of constitutional privileges. Yet, there is conclusive evidence that some judges, in their decisions, are today unnecessarily fettering law enforcement, that is, putting unrealistic handcuffs on the police.

Remember that the police officer must make his decisions immediately—on the scene. He doesn't have the time to consult legal dictionaries or read long sociological treatises, the latter of which apparently figure large in the decisions of some modern jurists, particularly those on the U.S. Supreme Court. The courts do have a deep responsibility to see that the defendant is provided his constitutional rights, but they also have a duty to the general public.

Police officers shackled with false charges of brutality, immobilized by citizen review boards, hampered by court-imposed restrictions, and receiving wages less, in many cases, than common laborers—does this encourage talented young men to enter this honorable and vital profession of service to the citizens and service to the principles of this Nation? Little wonder that it has become virtually impossible to employ the number of policemen necessary to maintain law and order.

I want you to know that many of my colleagues in the Senate and House are fully aware of your plight and many of us are working diligently to bring you some relief. Of course, it is difficult for a Federal legislator to be of assistance with respect to local laws and their enforcement, but I think that each of your elected representatives can perform an invaluable service by constantly reminding the American public of what they owe to their police departments.

I, for one, intend to speak out in every instance when I become aware of actions which are demeaning to police officers and their public image.

I am also aware that some police for a number of years have been endeavoring to persuade the Postmaster General to issue a commemorative stamp honoring law enforcement and the American policemen.

I know that the International Association of Chiefs of Police contacted the Post Office Department in this respect and your organization has done the same. It seems, perhaps, like a small thing, but to my mind I think our police should be honored in this manner. I intend to join in the fight to bring about recognition of the police in this manner.

FEDERAL-STATE-LOCAL RELATIONS

Mr. MUSKIE. Mr. President, the Advisory Commission on Intergovernmental Relations has provided State and local officials, the Congress, and the executive branch with an impressive array of studies, recommendations, and follow-up action in the field of Federal-State-local relations. Because this subject cuts across such a wide area of problems and programs, however, and because it seems more academic than real, the work of the Commission and its excellent staff many times escapes the attention of the Nation's press, Members of Congress, administrators, and the public at large.

This is unfortunate, because improved intergovernmental relations are the key to surmounting the urban challenge and the problems of the Great Society programs.

The success or failure of our basic programs and goals—education, antipoverty, housing, economic development, manpower development, crime prevention, civil rights—depends directly upon the total impact of joint efforts of Federal, State, and local officials. How these officials use the resources available to them, how they plan, how they interrelate programs to get maximum benefit, and how they monitor the effectiveness of their administration, can make the critical difference between a tense, unhappy—and even violent—community, and a peaceful, hopeful, viable one.

There is nothing academic about the riots of Los Angeles and Chicago; the poverty of Appalachia; the illiteracy of many of the disadvantaged everywhere. They are real. They are caused in part by the shortcomings of individuals, groups, political systems, and national attitudes. But they are also caused by inadequate and ineffective interlevel governmental administration to meet public needs.

We must press and press with every resource, use every idea and device to encourage and support our State and local governments to strive toward economic and social development in the critical areas on a broad and effective basis. This involves, among other factors, a modern approach to the real problems of contemporary federalism and modern tools for better intergovernmental administration.

The Advisory Commission is and will continue to be a leader in this effort. Its fine work is exemplified by a comprehensive, educational, and thought-provoking lecture delivered by its Assistant Director for Governmental Structure and Functions, Mr. Norman Beckman, at the Catherine Bauer Wurster Memorial Public Lectures, sponsored by Harvard University and the Massachusetts Institute of Technology, last March. This address provides an excellent description of the changing roles of Federal, State, and local governments in light of the challenge of accelerating urbanization. I feel that it should be brought to the attention of all Members of Congress, and I ask unanimous consent that Mr. Beckman's paper be included in the RECORD following these remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CHANGING GOVERNMENTAL ROLES IN URBAN DEVELOPMENT

(By Norman Beckman, Assistant Director, Advisory Commission on Intergovernmental Relations)

(Prepared for Delivery at the Catherine Bauer Wurster Memorial Public Lecture Series, Sponsored Jointly by the Departments of City and Regional Planning, Harvard Graduate School of Design and Massachusetts Institute of Technology, Cambridge, Massachusetts, March 21, 1966.)

New discoveries in astronomy have strengthened the theory of an exploding universe. There is increasing evidence that all the galaxies are receding from us. This Big Bang theory holds that the universe is, in effect, expanding like an infinite balloon. Astronomy is in one of those turbulent chaotic periods when major advances are made, and out of it new ideas are born.

Similarly, evidence continues to mount that the Nation is undergoing an urban explosion in which governments, public policy, and, indeed, society itself are undergoing a scatterization and atomization across the urban landscape. Although the forces of dispersal are now in ascendance, there are at the same time developments working for consolidation, rationalization, and integration. The situation is not simply a matter of dispersive elements being undesirable and the factors of consolidation desirable. The goal should be a status achieved in our own solar system; one hopes the astronomers will at least leave that theory alone. Perhaps a better simile of what is desired is the growth of a healthy child—exploring, experimenting, innovating, secure, and developing into the maturity of a good life—the old Greek definitions of both government and city.

The late Morton Grodzins, one of the most thoughtful observers of the intergovernmental scene, concluded that:

"The centrifugal force of domestic politics needs to be balanced by the centripetal force of strong presidential leadership. Simultaneous strength at center and periphery exhibits the American system at its best, if also at its noisiest." [1]

His concern was with the distribution of powers among the Federal, State, and local governments. This paper is likewise concerned with the traditional division of Federal powers; but, in addition, is also concerned with such other centrifugal and centripetal forces in the public sector affecting urban development as the number and variety of Federal aids available, interagency relationships, local government patterns, the central city-suburban dialectic, the role of the States, and administrative and organizational adaptations within as well as between the levels.

THE FORCES OF FRAGMENTATION

The litany of demographic, economic, and governmental change has been definitively reported in the 1960 Census of Population and Housing and the 1962 Census of Governments. Though the opportunity to measure the current speed at which urban fallout is occurring was lost when the Administration opposed a 1965 mid-decade census of population, the trends and implications are clear enough. Most of them were anticipated by Catherine Bauer Wurster in the report of the President's Commission on National Goals.[2] The great bulk of the Nation's population increases will be in the suburban fringes of our metropolitan areas. The core cities within metropolitan areas will continue their population decline, sometimes relatively, but in the larger and older cities absolutely. They will increasingly provide a haven for the socially and economically underprivilegd thus creating a hundred Mason-Dixon lines across the Nation.

Projected urban population growth will require replication of our current physical plant by the year 2000, causing growing pains beyond our present understanding. Transportation will become increasingly auto-dominated. The suburbs will continue to attract space-demanding commercial and industrial facilities. Science and technology through improved communication will further weaken the role of the city. Fashion plus rising income equal the quarter acre lot. Increased leisure time will result in accelerated demand for recreational, cultural, and educational services. The TV set, the deep freeze, the washing machine, and the garden give each man his castle and kingdom. The poor are finally visible in the newspapers but not face to face. What will happen to current urban form and to the sense of community—when each household is able to manufacture its own water and dispose of its own wastes—when one's home is no longer linked to public services?

The pattern of local government in metropolitan areas is becoming increasingly complex, marked in recent years by a decreasing number of single county metropolitan areas. Metropolitan areas are leading the Nation in new municipal incorporations and special districts, and lagging in reduction of school districts. York Willbern has concluded that the central city is now only one component among many, the other parts being in addition to special districts and counties, a variety of public and private utility-type enterprises and cooperative arrangements with State and Federal agencies.[3] Indeed, even the concept of a metropolitan government may be obsolete as "megalopolis" creeps up and down the Atlantic Coast, next on the Pacific Coast, around the Great Lakes, and then in other regions of the country.

Federal policies in the fields of transportation, water supply and sewage treatment, and especially housing, contribute to the dispersal of urban populations. Charles Abrams has recorded the lost opportunity of offering cities cheap mortgage money and housing subsidies for middle-income families so as to give the cities a more equal chance to compete for the fruits of the growth in population. Instead, FHA and VA have, to date, unabashedly emphasized suburban development.[4]

Other centrifugal forces are at work. Many of the existing and new urban professions demand separateness from the general units of government. The schools won their independence over a century ago. The librarians, the public health officials, the highway engineers, the welfare workers, all seek jurisdictional and organizational autonomy. The public housing, urban renewal, transit, and economic opportunity specialists are more newly upon us.

Perhaps something more deeply ingrained in the national character is involved in the current pattern of urban development. A remark by the developer of Tapiola in Finland, considered to be probably the most handsome new European town, may have captured a basic difference in the temper of the Scandinavians and ourselves:

"Prosperity came late to Finland," he said, "because until recently, the Soviets got every penny we earned as war reparations. Perhaps that was an advantage. We could learn from your mistakes. When we finally caught up, we asked ourselves: What are we to do with our new affluence? We can't eat more. There is a limit to the automobiles and gadgets we really need. So I started to persuade my countrymen that we should build a beautiful and suitable environment for everyone. Good housing is not enough. We have to counteract strains and tensions of modern urban life." [5]

Now Melvin Webber has provided the philosophic rationalization for urban dispersal and space consumption by rejecting the physical and geographic approach to urban development used by planners and political scientists in the past in favor of what he terms "order in diversity: community without propinquity."

"These changes now taking place in American society may well be compatible with—and perhaps call forth—metropolitan forms that are neither concentrated nor concentric nor contained . . . Instead, we might see the emergence of a pragmatic, problem-solving approach in which the spatial aspects of the metropolis are viewed as continuous with and defined by the processes of urban society—in which space is distinguished from place, in which human interaction rather than land is seen as the fruitful focus of attention." [6]

It is chastening to the political scientist to find that the role of government in urban development is often depreciated. Thus, Scientific American magazine in devoting its September 1965 issue [7] to a series of essays on cities, includes articles on their origin and evolution, on the land, transportation, and the metabolism of cities, but no articles and little space to the role of the Federal, State, and local governments.

Buckminster Fuller may be articulating the extreme of this position:

"Take away the energy distributing networks and the industrial machinery from America, Russia and all the world's industrialized countries, and within six months 2 billion swiftly and painfully deteriorating people will starve to death.

"Take away the politicians, all the ideologies and their professional protagonists from those same countries and leave them their present energy networks, industrial machinery, routine productions and distribution personnel and no more humans will starve or be afflicted in health than at present." [8]

But this borders on intellectual extremism. Government is most important in urban development, not because it supplies the shelter, the food, or the clothing needed by urban populations—it doesn't. Government is crucial because it is the major mechanism for protecting the public interest, for refereeing or resolving conflicting interests, for achieving greater equity in social and economic opportunity, and for doing "for the communities of people whatever they need to have done, but cannot do so well, for themselves in their separate and individual capacities."

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[1] "The Federal System," in Goals for Americans, Report of the President's Commission on National Goals (Prentice-Hall, Inc., 1960), p. 282.

[2] Ibid., pp. 225–47.

[3] York Willbern, "The Withering Away of the City" (Birmingham: University of Alabama Press, 1964).

[4] Charles Abrams, "The City is the Frontier" (New York: Harper and Row, 1965), p. 357.

[5] Wolf Von Eckhardt, "The Case for Building 350 New Towns," Harper's, December 1965, p. 86.

[6] Melvin W. Webber, "Order in Diversity: Community Without Propinquity," in "Cities and Space: The Future Use of Urban Land" (Baltimore: The Johns Hopkins Press, 1963), p. 25.

[7] Later published as "Cities," Scientific American (New York: Alfred A. Knopf, 1965).

[8] R. Buckminster Fuller, "Planners May be Left Behind by Technological Revolution," "The Planner in Emerging Urban Society—A Confrontation" (Proceedings of 1965 Annual Conference in St. Louis, Missouri), p. 22.

At the same time we know that the interest of the general public in urban governmental issues is low. Voting participation in Presidential elections is not particularly high in the United States compared to other democracies. Yet, a survey of voter reactions to governmental reorganization proposals in 18 metropolitan areas from 1950 to 1962 revealed that less than half as many people voted in the reorganization referenda as voted for President in that period.

V. O. Key estimated that the political activists or active public in the United States constitute no more than 10 to 15 percent of the adult population.[9] Rather, public attitudes permit a wide range of discretion within which Federal, State, and local governments may act. Events and popular leadership are the two major variables in determining public policy:

"The generality of public preferences, the low intensity of the opinions of many people, the low level of political animosities of substantial sectors of the public, the tortuousness of the process of translation of disapproval of specific policies into electoral reprisal, and many other factors point to the existence of a wide latitude for the exercise of creative leadership."[10]

Thus, the role of the scholar, the public administrator, and the politician is crucial in determining the changing role of government in urban development.

Kenneth Galbraith[11] has observed that in our American democratic system any segment of society that receives less than a fair share of the Nation's bounty will eventually, through the political process, win for itself recognition, compromises, and eventually fair play. And so it is, with a number of recent governmental policies and actions now underway to correct the undesirable effects of fragmenting trends designed to help hold our decentralized federal system together.

The remainder of this paper has as its objective tracing three major sets of trends toward fragmentation and the countervailing forces of consolidation currently at work.

The first set of trends has to do with the variety, number, and specificity of Federal aids and the organizational reaction to this proliferation through metropolitan planning, State offices of local affairs, and city development agencies.

A second set of trends deals with the pattern of organizational and professional vertical autocracy in grant administration and the countertrends of interagency cooperation, preference provisions, Department of Housing and Urban Development leadership, and field organization.

The third set of centrifugal and centripetal forces has to do with the lack of State involvement in the past and the current offsetting factors of reapportionment, Federal-State-local linkage, State assistance for urban development, and State constitutional reform.

Some additional future steps are then identified toward a reconciliation of forces at work in urban development, including areal administration, urban research, fiscal equalization, metropolitan workable program, metropolitan party organization, innovations and examples drawn from the experience at all levels of government of the last few years.

THE FEDERAL CORNUCOPIA: THE VARIETY, NUMBER, AND SPECIFICITY OF FEDERAL AIDS

The tempo of Federal aid for urban development is rapidly increasing—in variety, amount, and objectives. Grants-in-aid, the indispensable "glue" of our federal system, provide equalization of tax burden, achievement of national minimum standards, and stimulation of new activities. Each grant has to a greater or lesser extent different requirements for local eligibility and organization, the role of the State government, planning, interagency coordination, equalization and matching provisions, relocation services, and termination dates.

The year 1932 has been cited by Roscoe Martin[12] as constituting a kind of geologic fault line in the development of Federal-city relations. The years 1949 and 1965 represent more recent fault lines in Federal assistance for urban development. By the end of 1965, the Federal Government was administering more than 70 separate programs of financial aids specifically for urban development. More than three-quarters of these were authorized after January 1960. Administration of these 70 programs was distributed among many bureaus of 7 departments and 8 independent agencies within the Executive Branch.

Congressional enactments in 1965 alone included grants for basic water and sewer facilities, neighborhood facilities, advance acquisition of land, open space and urban beautification, code enforcement assistance, demolition of unsafe structures, rent supplements, and support for councils of elected officials—all contained in the Housing and Urban Development Act of 1965. In addition, increased Presidential and congressional attention to the Nation's urban needs was documented by enactment of the Water Quality Act, Clean Air Act Amendments, the Solid Waste Disposal Act, Public Works and Economic Development Act, expansion of the Economic Opportunity Program, extension of Juvenile Delinquency Control Program, the Law Enforcement Assistance Act, Higher Education Act, and Highway Beautification Act.

In 10 years, Federal aid to State and local governments, the great bulk of which is ultimately administered in urban areas, will have more than tripled, rising from $4 billion in 1957 to an estimated $14.5 billion in 1967.[13] Federal aids to State and local governments over the last few years have been increasing at the fairly consistent rate of $1 billion a year. State expenditures increased by 100 percent and local expenditures, including intergovernmental transfers, rose $2.5 billion per year during that same decade. Consideration of these trends alone ignores the increased fiscal interdependence of our federal system:

"At the state level one finds an increase in federal monies relative to state revenues from own sources. In 1946 $1 came from the national government for each $6.8 raised from state own sources. By 1964 the relationship had fallen to the point where $3 of state money was used for every $1 of funds from the national government. At the local level, the change is even more spectacular, moving from approximately $115 to $32 of local own revenue per $1 of federal funds. Combining state and local funds, the measure of financial interdependence changes from 13.5 in 1946, to 5.8 in 1964, and to a projected 4.0 in 1970. Thus, as the business of government has grown, state and local governments have become much more closely entwined with the national government. It is important to observe that the major part of this change has already taken place."[14]

Such budgetary analysis does not fully reflect the continuing modification of programs in all departments and agencies to meet urban needs. None of the Federal departments and agencies are willing to be read out of the rapid and continuing urbanization of the country. Thus, the Interstate and Defense Highways Program, with 90 percent of the mileage provided outside of urban areas, will spend more than half of its funds, $4 billion in 1967, within standard metropolitan statistical areas. Even the Nation's official guardian of rural values and interest, the Department of Agriculture, is deeply involved in assisting the urbanization process. The President's 1966 Message to the Congress on Rural Poverty declares that the ultimate solution to rural poverty is social and economic linkage to urban communities, large and small. The 1963 Yearbook of Agriculture stated the new view of the Department in its preface:

"Our purpose is to inform all Americans about the effects of urbanization and industrialization on rural America and the need for plans and action so that people will have a proper place to live. Many of the forces of change are most apparent in the urban-rural fringe, but our interest is in functional, rather than geographic, aspects—in the interaction of rural and urban influences wherever they occur."[15]

The rapid expansion of the number, diversity, and size of urban-oriented Federal programs has created a new communication problem. Local government officials, State administrators, and even congressional committees are having increasing difficulty in simply being aware of the availability of these Federal programs. Perhaps for the first time a comparative shopping or market basket situation has been created where one grant program may offer more attractive terms for a local applicant than another program designed to accomplish the same purpose. This competitive situation is apparently already abundantly evident in such program areas as parks and open space, planning, water supply, and sewage treatment.

A situation has been reached in which increasingly we need a score card to identify the players. The best-selling volume in the United States today is a pristine Congressional Committee Print entitled "Catalog of Federal Aids to State and Local Governments," prepared by the Library of Congress. Approximately 100,000 of these Catalogs, including supplements bringing the listing up to date, have been distributed to Members of Congress, State governments, and local officials. In colorless legal and bureaucratic language it provides a systematic compilation of program descriptions, eligibility information, a cross index, and statutory citations.

The Office of Economic Opportunity has produced a volume resembling a good-size telephone book, titled "Catalog of Federal Programs for Individual and Community Improvement."[16] It became a collector's item several days after its first printing of 100,000 copies was made available. It attempts, through use of a program index and program description to answer basic questions of what programs are available under such general headings as human needs; human skills, physical, social and economic assistance; what the eligibility requirements are, where to apply, and where to get additional information.

Cities throughout the country are showing an increasing interest in assigning "Our Man in Washington" to assure that the city maximizes its opportunities for assistance in the welter of aids now available. To forestall a flood of individual representatives, the National League of Cities and the U.S. Conference of Mayors have joined together to form a Joint Council of Urban Development to provide such a Washington representative service to cities on a contract basis.

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[9] V. O. Key, Jr., "Public Opinion and American Democracy" (New York: Alfred A. Knopf, 1964), p. 546.

[10] Ibid., p. 555.

[11] John Kenneth Galbraith, "American Capitalism—The Theory of Countervailing Power."

[12] Roscoe C. Martin, "The Cities and the Federal System" (New York: Atherton Press, 1965), p. 111.

[13] "Special Analyses: Budget of the United States," Fiscal Year 1967, p. 134.

[14] Selma J. Mushkin and Robert F. Adams, "Emerging Patterns of Federalism," March 1966, pp. 23–24. (preliminary, mimeographed).

[15] U.S. Department of Agriculture, "A Place to Live—The Yearbook of Agriculture, 1963" (Washington: U.S. Government Printing Office), p. ix.

[16] Office of Economic Opportunity, "Catalog of Federal Programs for Individual and Community Development (Washington: December 15, 1965).

What are some of the factors that have led to the multiplicity of individual grant programs? First is the fragmented organization within the Federal Establishment, each grant administering agency aided and abetted by its various counterpart interest groups and by the perhaps equally fragmented pattern of congressional committee and subcommittee jurisdiction. The reforms of the Legislative Reorganization Act of 1946 consolidating a number of standing committees have been vitiated by expansion in the number of subcommittees.

Within the Federal Establishment, organization of water activities illustrates the problem. As early as 1950, the Hoover Commission found that 25 offices and bureaus in 6 departments and 5 independent agencies were charged with administering Federal water programs, the whole pattern "wrapped about by traditions and prerogatives evolved through the decades and jealously guarded."[17] It is therefore not surprising to find that there are at least 5 aid programs currently available for sewage facilities. These include the sewage treatment construction grant program of the Federal Water Pollution Control Administration of the Department of Health, Education, and Welfare,[18] the grants and loans for basic water and sewer facilities of the Department of Housing and Urban Development, the public works funds for redevelopment areas in the Economic Development Administration of the Department of Commerce, the grants for construction of disaster-related community facilities of the Office of the President, and the grants and loans for construction of rural water and waste disposal systems available from the Farmers Home Administration of the Department of Agriculture.

Another factor leading to the proliferation of Federal aids is the high viscosity or tendency for grants-in-aid to stay on the books once they are authorized and funded. Each new grant program creates, is supported by, and once enacted, helps create additional vested interests who join their governmental counterparts in a symbiotic relationship. One of the most recent examples is the creation of the National Association for Community Development, an organization of the local and State anti-poverty program administrators. In addition, these grants become quickly built into the budgetary base of State and local governments, creating an additional resistence to change.

It may take 30 years to get a program such as medicare or aid to elementary or secondary education on the statute books. But once the issue has been fought out and Congress acts, a new and highly stable framework of public opinion is established that accepts the new governmental role. With the exception of poliomyelitis vaccination, and veterans re-use housing, no grant program has been terminated since 1950.

Public opinion is usually not a matter of major concern to program administrators of existing Federal aids. Enactment and implementation creates legitimization. Thus, a Harris poll in January of this year asked whether people approved or disapproved of a series of especially controversial bills that were enacted in the first session of the 89th Congress. On Federal aid to education, 90 percent approved; on college scholarships, 89 percent approved; on medical care for the aged, 82 percent approved.[19]

Attempts to reverse this trend toward continuation and expansion of Federal grant-in-aid programs have been singularly unsuccessful. Experience with the results of the recommendations of the Joint Federal-State Action Committee, which operated from 1957 to 1959 and was headed by a number of distinguished governors and Presidential representatives, is instructure. After two years of work the Committee proposed that two programs be transferred to the States from the Federal Government—vocational education and municipal waste treatment plant construction—along with a credit against the Federal tax on local telephone calls.

The report of the House Committee on Government Operations, in rejecting this proposal, indicated the difficulty of attempting to unwind the federal system of grants-in-aid. First, the exchange of a specific tax for a grant would adversely affect the lower income States, since they would lose far more in grants than they would gain in tax revenue. Second, while grants are supposed to assist the States in supporting specific activities of national concern, there was no guarantee that States would pick up these functions.[20]

THE ORGANIZATIONAL REACTION TO GRANT PROLIFERATION

A standard text in administration defines "coordination" as "a technique for drawing together a number of conflicting skills and interests and leading them toward a common end. It is the centripetal force in administration."[21]

Arrayed against the continuing increase in individual, usually narrowly-defined and sometimes duplicating, Federal grant programs, are a number of new procedural and organizational developments at the Federal, State, and local level. This coordinating machinery includes the use of planning requirements and assistance by Federal and State agencies, strengthened planning machinery at the local level, State agencies for local affairs concerned with responsibility for giving systematic and continuing consideration to local government needs and problems, and departments of city development at the municipal level with responsibility for relating planning and public and private development decisions into a meaningful local municipal development program.

Metropolitan planning and local politicians

The National Government is increasingly requiring and promoting effective planning in jurisdictionally fragmented metropolitan areas to assure that Federal aid funds are properly used and contribute to coordinated urban development goals. Planning as a performance requirement under Federal grant programs is now accepted as a major device for relating Federal aid projects to each other and to State, local, and private development decisions at the grass roots level. Aids for functional and comprehensive planning have become legion in number if not in reputation.

In 1960, the term "metropolitan" could scarcely be found in Federal law or regulation. Today, most new grant-in-aid programs and more than one-third of the existing Federal programs affecting urban development encourage broader jurisdictions for areawide coordination of projects in law, in official policy statements, and in definitions of eligible projects.[22]

The President's 1965 Message to Congress on "Problems of the Central City and Its Suburbs," proclaimed as national policy what is already taking place, agency by agency, on an ad hoc basis. The Message proposed new programs which would "require sound, long-range development programs as a condition of federal assistance. Wherever it can be done without leaving vital needs unmet, existing programs will also be keyed to planning requirements."

A few of the more outstanding examples of this new dimension in the use of Federal performance requirements will suffice. The Federal Highway Act of 1962 required that beginning in July 1965 no funds under this massive program could be approved for a project in any urban area of more than 50,000 population unless there is an established continuing comprehensive transportation planning process for the urban area as a whole. By December of that year it was reported that this transportation planning process was "underway in all 224 urbanized areas of more than 50,000 population and in many small areas as well. In the majority the process is fully adequate to permit evaluation of any proposed transportation system and in most of the remainder it can provide reasonable bases of review of individual projects. The fears of some that the planning requirement of the 1965 Act would serve to delay the Federal-aid highway program have proved unfounded."[23]

The requirement marked a milestone in intergovernmental affairs by: (a) requiring planning cooperation among the local governments in the area and the State agency affected in the planning process; (b) operating across the entire urbanized and urbanizing area; and (c) directly linking policy-making to implementation machinery. Whether the functional planning operations established so quickly under the Highway Act will undermine or strengthen metropolitan comprehensive planning agencies remains to be seen.

The "701" Metropolitan Planning Program authorized by Congress 11 years ago has led to the establishment of metropolitan planning agencies in about three-fourths of the metropolitan areas of the country. This two-thirds Federal matching program has aided more than 400 projects for metropolitan regional planning, 77 statewide plans, and more than 1,300 projects in small urban areas. Even the Demonstration Cities Program, the major new urban development proposal in the President's 1966 legislative program designed to provide "block" or unearmarked grants to meet central city needs, requires that the municipal program developed be "consistent with comprehensive planning for the entire urban or metropolitan area."[24]

The water and sewer facilities grant program requires that four planning elements be met: conformance to local functional plans; conformance to areawide functional plans; conformance to areawide comprehensive plans; and, finally, that the comprehensive planning is conceived and carried out to attain urban area goals and objectives under the policy direction of local elected officials.[25]

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[17] Task Force on Water Resources and Power, "Water Resources and Power," Prepared for the Commission on Organization of the Executive Branch of the Government, Vol. I, June 1965, p. 59.

[18] The President in his February 1966 Message to the Congress on Pollution, Natural Beautification and Recreation, has proposed that this program be transferred to the Department of the Interior.

[19] Washington Post, January 2, 1966, p. 2.

[20] U.S., Congress, House, Committee on Government Operations, "Federal-State-Local Relations," House Report No. 2533, 85th Cong., 2d Sess., 1958, pp. 28–29.

[21] John M. Pfiffner and Robert V. Presthus, "Public Administration" (New York: The Ronald Press, 1960), p. 111.

[22] Advisory Commission on Intergovernmental Relations, "Impact of Federal Urban Development Programs on Local Government Organization and Planning" (Washington: U.S. Government Printing Office, 1964), p. 16.

[23] E. H. Holmes, "Progress and Events Since the First National Conference on Highways and Urban Development." Remarks at the Second National Conference on Highways and Urban Development, Williamsburg, Virgina, December 12–16, 1965, p. 5.

[24] Section 4(c)(5) of S. 2842, 89th Cong., 2d Sess.

The President in his 1967 Budget Message called for enactment of the Intergovernmental Cooperation Act which establishes consistent local and metropolitan planning requirements on an entire range of urban-shaping grant programs.

Until recently little use was made of incentives to achieve effective areawide administration, presumably on the ground that the Federal Government shouldn't have to pay for, but can simply require, effective areawide performance. However, the Clean Water Program and the Economic Development Program, both authorized in 1965, provide an additional 10 percent grant for projects officially certified as being in conformity with a comprehensive plan.[26] The President's proposed 1966 Urban Development Act would add 20 percent for certain federally aided development projects that contribute to metropolitan-wide comprehensive planning and programming.

Planning requirements, planning funds, planning agencies, and the planning profession are on the upswing. Yet there is a pervasive attitude held by many planners and other observers of the urban scene that little progress has been or is likely to be made toward implementation of sound development plans—a feeling that something is rotten in the state of the art. In a national survey, almost half the metropolitan planning agencies cite as major weaknesses that: (1) their powers are inadequate; (2) they have too limited funds and staff; and (3) they have insufficient public and government support. While more than half were satisfied that they had a good technical program, only 20 percent thought that metropolitan planning was being accepted.[27]

Ways are being sought to improve the batting average for implementation of metropolitan plans, and provide the political legitimacy that pristine planning has lacked in the past. The Department of Housing and Urban Development, in awarding "701" metropolitan planning assistance grants, now requires the planning agency to establish a "check point" procedure for review of recommendations on preliminary drafts of planning proposals by the chief executive and legislative body of the localities in the planning area. Review by councils made up of elected officials in the metropolitan area is recommended as desirable practice. This has been facilitated by a new grant program in the Housing and Urban Development Act of 1965 (P.L. 89–117) making available two-thirds matching grants to support the activities of such councils, including studies of common, legal, governmental, and administrative problems in the area. Over a dozen such councils have been established to date, beginning in 1954 with the Supervisors Inter-County Committee in the Detroit metropolitan area.

The planners, the highwayman, and others concerned with the paucity of regional instrumentalities have high hopes for metropolitan councils of governments. How effective the council approach actually will be depends in large part on whether it brings out the full expression of conflicting views, creates an awarenes of varying problems and interests among jurisdictions, uses existing local governmental machinery to implement council decisions, develops that crucial but currently missing ingredient of the metropolitan mix—regional leadership, and presents a united front in negotiations with Federal and State agencies. Alternatively, if voluntary councils and other new machinery for metropolitan cooperation neutralize or obscure the real conflicts, fail to adequately represent and concern themselves with central city problems, and serve to protect the status quo, they will make no real contribution to regional progress.

State offices of local affairs

In recent years a number of States have been adapting their governmental machinery to meet the dynamic requirements of urbanization. At least seven States have now established a State office of urban affairs for continuing attention, review, and assistance on problems of local government finance, structure, organization, and planning. New Jersey, New York, Tennessee, Washington, Alaska, Rhode Island, and Pennsylvania have already established such agencies. Their functions include advising the governor and legislature on coordination of State programs affecting urban development, serving as a clearing house of information on common problems of local government, and providing technical assistance for problems of local government structure, financing, and improvement in management of urban services.

Typically, these agencies do not have responsibility for direct operating programs and their organization and functions vary widely from State to State. In some instances these offices were established by legislation to provide broad technical assistance services for local governments. In other cases, agencies initially responsible for supervisory responsibilities over local finance are evolving a broader program of general assistance. In essence, they provide a number of pairs of hands devoted on a continuing basis to problems of State-local relations.

New York's Office for Local Government, typical of many of these units, serves as a staff aid in the Office of the Governor. In his 1966 annual Budget Message, Governor Rockefeller recommended, and there was subsequently established, a Federal aid clearinghouse in the Office of Local Government to assist localities in preparing applications for aid and help expedite these applications through the Federal agencies.

Pennsylvania has gone further than even the Federal Department of Housing and Urban Development by establishing a cabinet status Department of Community Affairs in 1965. The powers and duties exercised by the existing Bureau of Community Development in the Department of Commerce, the Bureau of Municipal Affairs in the Department of Internal Affairs, the Public Service Institute in the Department of Public Instruction, and the local planning and development responsibilities of the State Planning Board have been transferred to the new Department.

Federal-State liaison offices

Another significant organizational trend at the State level to meet the intergovernmental stresses established by the increasing number and diversity of Federal programs has been creation of liaison units in a number of States to survey these programs and determine where the State stands in connection with them. They seek to coordinate Federal programs involving more than one agency, provide background for gubernatorial policy decisions and carry out the technical work prerequisites to State participation.

The majority of coordination offices were created during 1965, although California and Pennsylvania initiated programs earlier. Special committees or task forces were established in 1965 in New York, North Carolina, and Rhode Island. In Tennessee, Connecticut, Missouri, New Hampshire, South Carolina, Massachusetts, South Dakota, and Maine special assistants have been named by the Governors to coordinate Federal development programs affecting more than one State agency, collect summary information on all Federal aid programs, and keep abreast of new and changing Federal programs.[28]

The National Association of Counties has recommended a similar approach at the county level. It has proposed that each county appoint a County Federal Aid Coordinator (or Urban Adviser) to be responsible for coordinating all county-Federal relations; develop local grant programs; establish State, regional, and national contacts; and maintain a follow-through on Federal aid programs from the information stage through the grant approval stage.[29]

A number of States have found it desirable to establish representatives in Washington as Federal-State liaison officials. California established such an office as early as 1959, followed by Pennsylvania in 1962, and in the last year or so, Ohio, Oklahoma, West Virginia, Illinois and Indiana have taken similar steps.

City development agencies

At the community level, up to a dozen cities have established a city development department in which the city's planning function is made part of a general public works and development agency. The City of Milwaukee in 1961 set the precedent by establishing a department of city development encompassing public housing, redevelopment, code enforcement, the management of city real estate, and planning. The city's planning commission, housing authority, and redevelopment authority serve in an advisory capacity to the executive director of the new agency, who in turn is responsible to the mayor. Pittsburgh in 1965 combined the office of director of planning and renewal coordination into a single office and San Francisco established the position of coordinator of planning, housing, and redevelopment to better coordinate the city's various development programs.[30]

Jerome Kaufman of the American Society of Planning Officials, in a thoughtful analysis of this trend, observes that:

"Critics of the new-type department fear that planning will become subservient to development—instead of guiding development, it may merely mop up in its wake. Others view with foreboding the eventual disappearance of the lay planning commission, an independent, often neutralizing check on government. To date, experience fails to substantiate these concerns.

"What is significant for planning is that more and more such reorganizations will take place in the future. As they do, planning will gradually lose its ivory tower reputation. In fact, evidence points to other moves to sew the planning function into the local government fabric, and with it the opportunity to relate Federal, State, and local private development activities in a more meaningful and purposeful way."[31]

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[25] Department of Housing and Urban Development, "Water and Sewer Facilities Planning Requirements: A Program Guide" (Washington: November 20, 1965), p. 1.

[26] Until amended in 1965, the Open Space Land Program contained a similar 10 percent incentive grant provision.

[27] U.S., Congress, Senate, Committee on Government Operations, "National Survey of Metropolitan Planning," 88th Cong., 1st Sess. (Washington: U.S. Government Printing Office, 1963), p. 23.

[28] The Council of State Governments, State Government News, December 1965, Vol. 8, No. 12, pp. 5–6.

[29] National Association of Counties (Federal Aid Advisory Service), "Guidelines for Federal Aid Programs," p. 1.

[30] Jerome L. Kaufman, "Some Planning Trends in the 'Sixties'," Public Management, December 1965, pp. 310–316.

[31] Ibid., p. 311.

NO PROFESSION IS AN ISLAND: VERTICAL AUTOCRACY IN GRANT ADMINISTRATION

Working relations have almost always been satisfactory among functional specialists at each level of government. The Public Health Service works easily with the State Health Officers. Indeed, it provides the secretariat for their State and Territorial Health Officers Association. The Urban Renewal Administration staff, both headquarters and field, know the directors of the larger local renewal agencies. There is good communication and even mobility of staffs between Federal and State Highway Departments, prison systems, welfare agencies, and so on down the professional list:

"From abattoirs and accounting through zoning and zoo administration, any governmental ativity is almost certain to involve the influence, if not the formal administration, of all three planes of the federal system".[32]

The growing problem is not so much interjurisdictional as interdisciplinary: one of weaving the individual vertical physical, social, and economic efforts into a harmonious development pattern.

The Senate Subcommittee on Intergovernmental Relations recently published the results of a survey of Federal officials[33] responsible for administering some 109 programs of grant-in-aid assistance. Among the major findings were:

"Federal administrators attach little importance to coordinating related Federal programs.

"Federal administrators are reluctant to encourage and insist upon coordination among State and local agencies using Federal funds.

"There are conflicts and hostilities between administrators and policy officials at all levels of government with respect to the method by which Federal aid programs should be carried out.

"Special purpose agencies have proliferated to take advantage of Federal funds where 'general purpose' State, county, and city governments were not meeting their responsibilities."

Federal agencies have generally taken a pragmatic approach in establishing organizational requirements for eligibility, i.e., the primary Federal interest sought is to assure professional performance of the function being assisted, and the achievement of specific program objectives. Most Federal aid is available to both general purpose and special units of local government. Special purpose units are actively endorsed and sometimes even required by about one-quarter of all Federal programs, ostensibly to achieve an appropriate workload and resultant economies of scale. These include such units concerned especially with urban fringe development as regional planning agencies, local economic development district organizations, industrial development authorities, rural area development committees, irrigation districts, and water user associations. For many years independent local renewal and public housing agencies were encouraged. The Office of Economic Opportunity favored autonomous public and private community action agencies, and so on.

The special district is now increasingly being used as a legal device for financing urban development projects:

"The California speculator has recently discovered that he can employ special districts and other public agencies to provide him with a significant credit subsidy. With boundary lines artfully drawn to include only the promoter's land, a special district becomes a tightly controlled operating division of the promoter's organization—an operating division which can use its bonding powers to raise risk capital independent of the subscriber's own credit resources or capital reserves."[34]

"The district approach tends to be used in situations where the costs of conventional financing (which accurately reflects the elements of risk) have been termed 'ridiculous' by developers themselves. In effect, therefore, the district device nurtures many projects unable to survive the rigors of the competitive money market."[35]

Districts such as these are eligible to take advantage of such susceptible Federal aids as community facility loans, economic development grants, Water Works and Sewage Disposal Plants in Rural Areas Program, and the Land and Water Conservation Fund.

GETTING THE FEDERAL HOUSE IN ORDER

Here again, a number of trends, precedents, and proposals can be cited seeking to redress the dangers of bureaucratic "free enterprise" in our increasingly interdependent public sector, utilizing such procedural mechanisms as formal and informal interagency community activities, the novel preference provision provided in the Economic Opportunity Act, the leadership potential of the Department of Housing and Urban Development, and some innovations to improve Federal field administration.

Interagency cooperation

Working relationships among different Federal agencies administering related programs and even within the larger bureaucratic holding companies have been established in a number of ways—by legislation, by Presidential direction, by formal interagency agreement, and by informal agreements.

While there is no evidence of any general urban development policy to which all Federal programs pay obeisance, interagency working relationships of one kind or another have been established in at least some portions of every agency's activities.[36] Informal relationships are by far the most common, covering at least two-thirds of the Federal urban development programs. About one-quarter of the programs operate under formal interagency agreements for sharing review responsibilities for plans or projects, and slightly more than one-quarter have congressionally estabilshed working relationships.

Among bilateral interagency coordination agreements in the urban sector, the one between the Department of Commerce and the new Department of Housing and Urban Development establishing joint highway and urban planning project administration is one of the oldest (1960) and most significant. This agreement allows planning assistance funds from the Bureau of Public Roads and the Urban Renewal Administration to be pooled for joint transportation planning projects undertaken as part of a comprehensive urban development planning process. Joint State and local sponsors undertake the planning with URA–BPR supervision through joint regional office steering committees.

Typical of the web of interagency coordination within the Federal Establishment are those of the Public Housing Administration. It works with the Urban Renewal Administration on relocation timetables, the Bureau of Public Roads on site selection, the FHA and VA on defaulted properties, HEW on welfare aids and housing programs, and the Bureau of Indian Affairs on their model health program.[37]

The Economic Opportunity Act created one of the newest and most promising pieces of coordinating machinery on the Washington scene, the Economic Opportunity Council. It is made up of department and agency heads responsible for the various aspects for the Administration's whole war on poverty and described by the President as a "domestic security council." The difficulty of achieving coordination among peers is indicated by the fact that the Council met only four times in its first year of operation.

Improved interagency working relations are largely a question of building up competence in procedures and understanding of interrelationships, rather than one of overcoming resistance. It is noteworthy that the establishment of the Water Resources Council in the Executive Office of the President and the sophisticated interagency agreements in the field of water resources took almost a generation to reach its present stage of developments.

Two new straws in the wind are in the form of ad hoc arrangements and devices for coordinating Federal program administration justify identification because of the use of Presidential machinery. As enacted by the Congress, the Park and Open Space grant programs under the Outdoor Recreation Program of the Department of the Interior and the Open Space Program of the Department of Housing and Urban Development have, at least in part, embarrassingly similar purposes. The President in July of last year issued Executive Order 11237 which attempts to delineate responsibilities under the two programs. This Order illustrates the potentialities, the mechanics, and, also, the ambiguities of delimitation. The Department of Housing and Urban Development's Open Space Program is given primary responsibility for acquisition of land "of utility primarily to the urbanized areas in which they are located, such as squares, malls, and playgrounds, and parks, recreation areas, historic sites, and open spaces for scenic purposes." The Department of the Interior's primary responsibility is for larger regional parks and sites "to serve residents of urban and other local areas." Interior-supported acquisitions in urban areas must be consistent with comprehensive statewide outdoor recreation plans and meet the planning requirements established by the Department of Housing and Urban Development for the Open Space Program and vice versa. The Departments are directed under the Order to establish additional coordination machinery for consultation and exchange of information.

On the last day of 1965, the Bureau of the Budget issued a Standard Form 101, "Preliminary Inquiry Concerning Federal Assistance for Water Projects, Sewer Projects and Waste Treatment Plants," to help avoid problems created by the number of major available water and sewer grant programs cited above. Local applicants, in making inquiries to Federal agencies concerning financial assistance for water and sewer projects, must now submit this pre-application form to one of the Federal agencies. After interagency review, the most appropriate Federal agency is to respond to the applicant. The dividing line established by the Department of Agriculture's water and sewer aid program and the other departments and agencies is on the basis of population, namely communities of not more than 5,500 population or areas which do not contain a community of this size.

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[32] Grodzins, op. cit., p. 265.

[33] U.S., Congress, Senate, Committee on Government Operations, "The Federal System as Seen by Federal Aid Officials." 89th Cong., 1st Sess., December 15, 1965.

[34] Thomas H. Willoughby, "The Quiet Alliance," Southern California Law Review, 1965, Vol. 38, No. 1, p. 72.

[35] Ibid., p. 78.

[36] Impact, op. cit., p. 11.

[37] See "Hearings on the Intergovernmental Cooperation Act of 1965" before the Subcommittee on Intergovernmental Relations of the Committee on Government Operations, U.S. Senate, 89th Cong., 1st Sess., pp. 68–70, for a tabulation of (1) interagency coordination within the Federal Government established by legislative or executive action or interagency agreement, and (2) programs where interagency coordination machinery would appear to be desirable.

Preference provision

A most promising precedent for focusing Federal resources on broad problem areas within a given community was established by the preference provision of the Economic Opportunity Act. The Act provides[38] that preference in all Federal aids be given to projects which are parts of an approved community action program. The purpose of the provision is to make more effective the mobilization of Federal and community resources for eliminating poverty. The ordinary channels of administration are preserved under this provision. However, before priority is to be granted, the aided project must be included as part of the local community action program plan. It is sobering to discover that after a year and a half the Office of Economic Opportunity and the other Federal agencies are still seeking ways to implement this innovation.

Department leadership

Creation of the Department of Housing and Urban Development in 1965 gave belated political and administrative recognition to the urbanization of the United States. The bill, as submitted to the Congress by the President, recited in the Declaration of Purpose the responsibility of the Secretary to assist the President "in achieving maximum coordination of the various Federal activities which have a major effect upon urban, suburban, or metropolitan development." In addition, the Secretary is empowered to exercise "leadership at the discretion of the President in coordinating Federal activities affecting housing and urban development." The Senate Committee on Government Operations, in considering the Department proposal, was not satisfied that these intentions, plus certain clearinghouse responsibilities, would sufficiently achieve the coordination of broad national policies and administration of national programs required. One of the few provisions added by the Congress in establishing the Department was the creation of the position of Director of Urban Coordination to be concerned specifically with the problems of coordinating Federal urban development programs. The intention of Congress, as stated in the Committee report, is "to provide a focal point for identifying such coordination problems and for assisting in their solution."[39] Implementation of this intention by the new Department in the next few years will be a major administrative challenge.

Field organization

Attempts at Federal field coordination have had a long but relatively undistinguished history. Federal regional administration continues even today to be characterized by a lack of consistency in the delegation of decision-making among agencies and a lack of uniformity in regional boundaries, both within and among departments. Previous attempts to rationalize field activities have been primarily directed to administrative housekeeping matters and have included: the Federal Coordinating Service of the Bureau of the Budget (1920–33); the Federal Business Associations (1921–present); the National Resources Planning Board (1933–43); Bureau of the Budget field offices (1943–53); as well as the present Federal Executive Boards established in 1961. For the first time since 1953 the Bureau of the Budget in its appropriations request to the Congress, has asked for funds to re-establish a small field service. Six small field offices are proposed to serve the Bureau in its contact with agency field operations and with State and local governments.

The President, in his 1966 legislative proposal for City Demonstration Programs, has called for an Office of the Federal Coordinator to be set up in each locality having an approved comprehensive city demonstration program. Under the legislation as proposed, the Director of the Office shall, under the direction of the Secretary, seek to help "achieve the maximum effective coordination of Federal grant-in-aid programs undertaken in connection with comprehensive city demonstration programs."[40] Expenditures under approved city demonstration grants would be certified by the Federal Coordinator. His contemplated role is to serve in effect as an ambassador from the Federal Government to the cities to help them find their way through the maze of Federal aid programs in meeting the whole range of needs identified by the community and to oversee spending.

Special district subordination

As noted above, Federal grants tend to be available to special districts as well as to cities and counties responsible for a wide range of governmental functions. A partial solution to the intergovernmental problems of urban development may lie in strengthening these existing general units of government in urban areas, making it difficult to create additional units arbitrarily, and more closely regulating those special districts that remain.

Several trends and developments here are worthy of identification Federal and State aids and local "home rule" provisions in State constitutions and laws have long vested responsibility for the whole range of urban services in cities and counties. Of all direct local governmental expenditures in 1964, municipalities accounted for 33 percent, counties 20 percent, townships 4 percent, school districts 38 percent, and all special districts only 5 percent.[41]

The proposed Intergovernmental Cooperation Act which passed the Senate in 1965 and now has been specifically endorsed by the President as part of his 1966 legislative program, contains a section granting local governments—cities, counties, and towns—first priority over special districts in eligibility to receive Federal loans or grants for urban development. Getting "first crack" at these Federal aids to the general government would in no way affect the authority of any special districts to receive Federal grants. Where they do so, however, they would be required to provide full information concerning the request for such aid to the appropriate unit of general government in the area.

At the State level, California has established a useful precedent for adoption elsewhere by establishing within each county an agency formation commission made up of representatives of the city and county governments in the area. These commissions have responsibility for deciding whether or not a special district is needed in the area to carry out a new governmental function or whether such function should and could be performed by units of general local government. If municipalities and towns and counties are willing or unable to provide a governmental service demanded by the people, then the district is authorized by the commission. Similar action also was taken in 1965 by New Mexico and Oregon.

THE STATE ROLE IN URBAN DEVELOPMENT: STATES RIGHTS AND STATES WRONGS

The States must bear a good share of the blame for the current fragmentation of government and governmental efforts in urban development. From the beginnings of the Nation, the States have had the powers to act. Certain of these powers are not available to even the Federal Government. These major endowments are statewide areal jurisdiction, the ability to exercise direct action and leadership; broad tax and revenue resources, limited only by interstate and Federal competition; and predominance over local government organization and powers.

The States are today established regional forms of government, and the number of governmental services that rest primarily with the States rather than the Federal Government is substantial. These include the classic police powers of health, safety, and welfare, the schools, interstate regulations, parks and recreation, and water supply. But there is a great range of municipal services to which the States contribute little, except legal power for local government to act. These include mass transportation, urban renewal, housing, planning, sewage disposal, refuse collection and disposal, air pollution control, police and fire protection, libraries, and to a large extent, public welfare and medical care facilities. The States and urban development, like Thursday's child, have far to go.

The variables in determining the State role in urban affairs are not legal, but rather political and administrative ability, vision, courage, and initiative. Only isolated examples can be cited of recent State innovations taking advantage of their great geographic and legal powers. Relatively advanced programs of water supply and distribution are underway in New Jersey and California. A number of States have spent heavily in open space and recreation. The States are establishing an increasingly respectable record of direct action in the fields of regional planning. In the field of regional development, Connecticut took the lead in 1955, and today 15 regions have been defined and 7 regional planning agencies have been activated covering 80 percent of the State's population. California regional planning legislation in 1963 automatically created a regional planning district in each of the State's regions if two-thirds of the local governments declare there is a need for such a district. New York State's Office of Regional Development has recommended the designation of development regions and the creation of regional councils to prepare comprehensive regional plans. Georgia has divided the State into 17 planning districts.

Little progress can be cited in the 32 interstate metropolitan areas which contain 23 percent of the Nation's population. The Delaware River Basin Commission bridging the gap between the States and the Federal Government in the Philadelphia metropolitan area; the Tri-State Transportation Committee dealing with mass transit and commuter problems; several exhortative interstate water pollution control agencies; the Port of New York Authority; the Delaware Port Authority; and the Bi-State Development Agency in the St. Louis area pretty well total the list of formal regional interstate agencies.

Although the tenth amendment to the Constitution means less than many people might have thought, the State does retain the residual power under our federal system. The classic "rule" on State-local relations as expounded by Justice Dillon, unless otherwise provided in State constitutions, is accepted as basic legal doctrine: "Municipal corporations owe their origin to, and derive their powers and rights wholly from, the legislature. It breathes into them the breath of life without which they cannot exist. As it creates, so it may destroy. If it may destroy, it may abridge and control."[42]

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[38] Section 211 and Section 612 of the Economic Opportunity Act of 1964.

[39] U.S., Senate, Committee on Government Operations, "Establishment of a Department of Housing and Urban Development" (Washington: U.S. Government Printing Office, August 2, 1965), 89th Cong., 1st Sess., Report No. 536, p. 12.

[40] Section 7 of H.R. 12341, 89th Cong., 2d Sess.

[41] U.S. Bureau of the Census, "Governmental Finances in 1963–64" (Washington: U.S. Government Printing Office, 1965), p. 30.

On the other end of the State-local power continuum, State constitutional guarantees of home rule to municipalities are creating problems for local governments in attempting to meet metropolitan-wide problems. These constitutional provisions, which, in many cases, spell out functions of government with respect to which the State legislature may not intervene, have the effect of preventing the State and the local government in metropolitan areas from solving their own problems. Thus, a metropolitan capital improvement district, financed by a six-county Denver metropolitan area sales tax, was found unconstitutional in a 1962 State Court decision on the grounds that the Colorado Constitution gave home rule cities "exclusive right to govern themselves in matters of local and municipal concern. . . . The General Assembly cannot reinvest itself with any portion of the authority it lost to home-rule cities upon adoption."

The present pattern of fragmentation, overlapping, and absence of leadership in tackling areawide problems has developed, in part, like the British Empire, in a fit of absentmindedness; in part because of local political gamesmanship designed to maximize revenues and minimize demands for governmental services. But here, too, the States must take the lion's share of the blame because of their excessive permissiveness in permitting new incorporations and special districts, the weaknesses built into State legislative and executive branch decision-making processes, and their financial arrangements that support otherwise unviable local jurisdictions. The results of this abdication of concern with local government structure and organization is revealed in the *1962 Census of Governments* and in a host of metropolitan reorganization proposals.

Roscoe Martin, in what will likely be the archetype of the antistate urban volumes for some time to come, *The Cities and the Federal System*, analyzes an important aspect of our new urban federalism—the direct Federal-city relationship. He finds it good and predicts its increase. Assessing the States' capacity to meet the demands of a new urban age, he concludes:

"That state constitutions are outmoded and inflexible; that the legislatures, identified as the keystone of the democratic arch, are not representative; that resources, partly from deliberate choice, are inadequate; that the atmosphere is not congenial to the embrace of new programs; and that state horizons are severely limited by prevailing mythology . . . the vast new problems of urban America are unique in the experience of the states, which react to them in an impatient and sometimes a truculent manner. Nothing would please the states more than for the cities and their problems to dematerialize into thin air."[43]

WHY THE STATES WILL ACT

We have seen that the number of Federal aids and Federal agencies involved in urban affairs have provoked remedial counteraction at the State as well as the Federal and local level. There is increasing evidence that the States are about to come into their own in utilizing their unique governmental powers to play a crucial and positive role in urban development. Such redress is already underway.

Why is the States' urban role going to expand far beyond its present involvement? There are at least four reasons:

(1) the increasing urbanization of State populations to the point of electoral superiority in every region of the country;

(2) the Supreme Court's decisions on reapportionment of both houses of State legislatures, and the rapid implementation of the Court's decisions;

(3) the incentives and support to State action that stem from Federal and local efforts to meet urban citizens' needs; and, finally,

(4) the increasing recognition of the need and knowledge of new methods for reforming the current pattern of "jurisdictional fallout" coupled with restrictions on local powers, that characterize local government today.

One urban man, one urban vote

If the Census Bureau's definition of "urban population (people living in communities of 2,500 or more) is used, 39 of the 50 States today are predominantly urban. In 1910 only 13 States could be so classified. The significance of this in politics—that is, who gets what, how, when, and why—is evident. Predictably, the governors in these 39 States will be the urban residents' friend; they are dependent upon urbanites for nomination and election. Few State political parties today can ignore urban needs and be successful at the polls.

One of the most significant developments in the aftermath of *Baker* v. *Carr*[44] and the June 1964 decisions mandating population as the basis of apportionment in both houses has been the number of reapportionments actually accomplished or in process.

As of January 1966, 40 States had already completed the reapportionment of both houses of their legislatures. In the remaining 10 States, the legislatures are under court order to act. So different from the implementation record of the 1954 school desegregation decision, the rotten-borough system in the State legislatures has been virtually wiped out in less than two years. Attempts in the first session of the 89th Congress to amend such legislation as National American Legion Baseball Week to block the Court's decision are not likely to be seriously attempted again. The tide has turned.

While the primary beneficiaries of reapportionment will be the suburbanites, suburban-rural coalitions in the State legislature are likely be fragile and temporary. Analysis of the 1960 Census of Population and Housing reveals that the classic metropolitan dichotomy in which the poor, the uneducated, and unskilled dominate the central city as contrasted with the comfortable suburb applies primarily to the largest metropolitan areas and to the Northeast. The fact is that for the majority of metropolitan areas in the United States there is not a 10 percent difference between central cities and suburbs in their respective proportions of under-educated adults, high school dropouts, and families with low income. Unsound and low value housing is much more conspicuous in the suburbs than the central cities.[45] In short, the central cities have no monopoly on social problems. The close-in suburbs are already beginning to look more like and face many of the same problems as the cities. Suburban needs for State as well as Federal assistance for transportation, planning, water supply and sewage disposal, air pollution control, hospitals, and education are as real as those of the cities.

Federal-State-local linkage

Reports of a direct Federal-local tie freezing out the States may, like Mark Twain's obituary, be greatly exaggerated. The 1964 Air Pollution Program broke a long tradition of the Public Health Service by making grants directly to cities, as well as to States. The Economic Opportunity Act provides for direct grants to local private and public recipients, as well as to States, leaving, aside from its adult basic education and manpower training titles, a relatively negative role of gubernatorial veto (later modified) for the States.

On the other hand, most of the major Federal urban development programs provide for direct administration by State agencies, financial contributions by the State or approval of local projects as part of a State plan. Only a few of the 25 new or expanded Federal grant programs enacted in the first session of the 89th Congress leave the States without a significant role to play. The direct Federal-city ties established that year are primarily limited to the Housing and Urban Development Act of 1965, continuing a long-established HHFA, and now Department, tradition. In Federal-State-local relations, the Federal agencies, and perhaps especially their layers, are creatures of habit. Federal grants are available for the support of counterpart State level departments and agencies in such fields as agriculture, highways, civil defense, vocational education, water pollution, hospital facilities, and public assistance. For most Federal agencies, ignoring the States would be unthinkable.

State aids for urban services

The winds of change are sweeping across the prairie and mountain States as well as the East and West coasts. State government expenditures continued to increase at a fairly consistent 10 percent rate over the last 15 years. New or added taxes were recommended by the governors to about half of the State legislatures meeting in 1965. Alan Campbell has concluded:

"The most dynamic part of the American economy today is the state-local government sector of that economy. Although public discussion and debate about the appropriate role of government concentrates most of its attention and fire on national government, that level is relatively stagnant compared to state and local levels. In fact, the rate of growth in expenditures, revenues and employment by state and local governments outstrip the growth rate of all other parts of the economy, public or private.

"One indication of the comparative growth of the state and local sectors is to relate it to the growth of federal sector. Federal general expenditures increased 25 per cent in the past decade while state and local expenditures increased 128 percent."[46]

More than half the States now have grants to local governments for public education, health, hospitals, welfare, and highways. A lesser but growing number make payments for libraries, fire, police, water, pollution control, and housing. A number of new technical assistance activities for specific urban operating programs have been authorized in State legislatures.

A whole range of State actions have been taken since 1963 to exercise supervision, make available an arsenal of permissive powers permitting local governments to organize better to meet public service needs and remove undesirable restrictions. During this period a number of State legislatures liberalized annexation laws granting across-the-board inter-local contracting and joint enterprise authority. A number of States extended home rule powers, while retaining the right to act where necessary. No less than six States enacted municipal incorporation control legislation in 1963 and 1964.[47]

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[42] *City of Clinton* v. *Cedar Rapids and Missouri River R.R.*, 24 Iowa 455, 475 (1868).

[43] Martin, op. cit., pp. 80–81.

[44] 369 U.S. 186 (1962).

[45] Advisory Commission on Intergovernmental Relations, "Metropolitan Social and Economic Disparities: Implications for Intergovernmental Relations in Central Cities and Suburbs" (Washington: January 1965), pp. 8–38.

[46] Alan K. Campbell, "Most Dynamic Sector," National Civic Review (Vol. LIII, No. 2, February 1964), p. 1.

Reform of State constitutions and legislatures

Action on legislative reapportionment has had perhaps an even more useful byproduct—stimulating interest and opportunity for long overdue State constitutional reform. After decades of inactivity, State constitutional revision commissions have been established in California, Idaho, Kentucky, New Mexico, Wisconsin, and Maryland, among others. Constitutional conventions have recently been completed or called in Connecticut, New York, and Rhode Island.

Michigan's success indicates what can be done. The 1963-approved Michigan Constitution established a number of State-local reforms. The Constitution removed a number of limitations on that most hobbled level of government, the country. The grant to counties to adopt their own charters now parallels the privileges of home rule previously limited to cities. For metropolitan areas, the legislature is authorized to establish additional forms of government or multi-purpose authorities with prescribed powers, duties, and jurisdiction.

In a closely related development, a number of well-financed efforts have gotten underway to salvage and reform the most scorned link in our federal system—the State legislature. A Citizens Conference on State Legislatures, supported by the Ford Foundation and the Carnegie Corporation and headed by the former Governor of Kansas, John Anderson, Jr., is dedicated to the stimulation of "grass roots" activity designed to overhaul and modernize the legislative articles of State constitution. One of their first research findings revealed that the appropriations to operate the United States Congress are more than twice the amount available for operating the 50 State legislatures combined. Implications of this statistic in terms of State legislative salaries, staff, research, reference services, office space, are clear.

In a parallel development, the Ford Foundation is supporting a National Municipal League multi-phased investigation of the constitutional barriers and other outdated practices which interfere with State legislative effectiveness. Among other things, the League has started a newsletter, *State Legislatures Progress Reporter*. The lead article in the January 1966 issue of the newsletter described the New York State Legislature as "a sort of solid gold oxcart" with "the bulk of its practices and procedures having come down from the last century, untouched by the jet age." Still another development launched in 1965 is a two-year appraisal of State government with emphasis on the execution and administration of State services under the direction of Terry Sanford, former Governor of North Carolina.

SOME FURTHER STEPS TOWARD RECONCILIATION

Additional centripetal action will be needed to bring about a reconciliation of the demographic, social, and governmental forces affecting urban development. It is late, but not too late, to change the recent trends. Fortunately, there has been a badly needed redirection of interest and talent in all fields of endeavor directed to the development of new Federal, State, and local policies for meeting urban problems. The approaches below are representative of the directions likely to be taken.

Areal administration

There is a need to minimize the jurisdictional overlays among federally spawned regional planning and operating agencies. Consideration should be given to utilizing a single agency—a common administrative vessel—to carry out such federally supported programs as Economic Development Administration, the Community Action Program of the Office of Economic Opportunity, and regional planning agencies. With only a handful of exceptions, the economic development district, the local community action agency, and the regional planning commission operate independently with often similar but non-congruent boundaries. When Federal financial assistance is provided for regional programs of physical, economic, and human resource planning and development, aids might well be conditioned upon the programs being planned and conducted by the same regional agencies. The States could aid in this effort by authorizing and providing financial incentives for formation and operation of such multi-functional agencies. For example, Georgia now provides State aid to regional planning and economic development commissions and the Governor follows the boundaries of these commissions in designating areas with the Economic Development Administration and the Appalachian Regional Commission. Not only do these bodies reverse the trends of governmental proliferation but they provide a unified framework for coordinating related programs, make the most use of limited leadership resources, and make the beginnings of regional policy-making possible. Similarly, the continuing transportation planning process, the metropolitan planning agency, and the regional council of elected officials in each metropolitan area would benefit from consolidation of staff resources and political leadership into a single entity.

The Federal field structure should be examined with a view to achieving greater consistency in regional office boundaries, decentralization of decision-making in grant and program administration:

"And with increasing authority assigned to Federal field offices, new interagency information sharing, planning, and program co-ordination must be made possible at the regional as well as at the Washington level. The President should also insist that "overhead" money be given to state and local governments to assist their administrators in setting to rights their present haphazard participation in the scores of Federal aid programs."[48]

Greater geographic juxtaposition of Federal regional office agencies with State, county, and local government office buildings is needed to help achieve "one stop service" and information for the citizen and face-to-face intergovernmental relationships between and among governmental levels and programs.

Urban research

Reform in urban research administration is needed. Despite the importance in an urban society of better understanding of the factors affecting urban social and economic well-being, a survey by the Bureau of the Budget indicates that urban research constitutes only a small fraction of all research undertaken under Federal sponsorship. A general lack of balance in urban research was found with only a handful of the many Federal agencies affecting urban development supporting such efforts. A relative lack at present of what might be called basic as distinguished from applied research was revealed. Finally, no significant focal point within the Government could be identified for consideration of unifying or coordinating machinery in federally sponsored research on urban development.[49]

Some progress can be cited. The Science Information Exchange of the National Science Foundation is now getting underway to make available on a more orderly and continuing basis information on urban research currently in progress, beginning with federally supported research and later to be extended to other public and private activities. A host of research oriented centers, mostly in universities, have sprung up in recent years, operating on an interdisciplinary approach directed to develop a more basic knowledge about structure and functions of urban areas.

Fiscal equalization

A discernable trend in recent years to achieve greater equalization of local fiscal capacities and need is for the Federal Government to pay a preponderance of the total project costs, e.g., the 90–10 highway program and urban renewal, or a large share of the cost of minimum payments as in the case of public assistance. Project grants such as the proposed 100 percent Federal matching "City Demonstration Program" reinforce equalization effect in that they tend to be directed to the communities and individuals in the greatest need. The Elementary-Secondary Education Act, in effect provides unmatched grants to local communities for educational services for culturally disadvantaged children. Other new Federal programs, such as the Economic Opportunity Act, Appalachia, and Economic Development Programs cover 80–90 percent of project costs and go primarily to the poorest jurisdictions for support of a range of local programs. These approaches tend to minimize the importance of the matching provisions.

The States too can administer grants and tax sharing in a way to minimize differences in local fiscal capacity and disparities in services. In Wisconsin, for example, under its residential property tax credit system, a portion of the sales tax is channeled to localities most in need of property tax relief by using a formula which directs the greatest share to districts with the highest effective tax rates. An example of minimizing level-of-service disparities in a specific program area is provided by the inclusion by over half the States in State education grant distribution of factors designed to measure local tax effort and community educational requirements.

Almost all Federal and State grant programs need to be reexamined to remove features that aggravate differences in local fiscal capacity to deal with their public service needs in metropolitan areas. As a beginning, there is need to assess the extent to which variations in local fiscal capacity should be recognized in the distribution of Federal and State grant funds and to assemble data required for measuring State-local fiscal capacity and tax effort.

Metropolitan workable program

A joint metropolitan goals effort should be tried, at least on a demonstration basis. The first step might be an invitation by the President to governors and mayors for a partnership exploration by the key Federal agencies, State representatives, and local governments for the development of agreed-upon goals in a number of selected major metropolitan areas. Within the framework of these agreed-upon goals, an examination might then be made of the present and needed performance of the whole range of urban functions to be followed by development of a Metropolitan Workable Program. Such Metropolitan Workable Program would be multi-program, multi-jurisdictional, and include procedures to assure that before any local government in the metropolitan area would be eligible for any Federal aids that they be a party of the workable program agreement. The plan would include a politically responsible comprehensive planning process, an integrated regional fiscal capital program and budgetary plan, and agreed-upon variety of land development control mechanisms. Federal incentives to such a cooperative regional effort would have to be high and might take the form of cash contributions of unearmarked grants to help meet regional budget needs not available through existing sources. Federal aids for councils of governments and the grant incentives for metropolitanwide projects in the Metropolitan Development Title of the Urban Development Act proposed by the President are steps in the direction of a metropolitan goals effort.

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[47] See Norman Beckman and Page I, Ingraham, "The States and Urban Areas," Law and Contemporary Problems (Durham, North Carolina: Winter 1965), pp. 76–102, for additional citations of State aid for urban areas, reform of State tax and revenue authority, exercise of State control coupled with removal of restrictions over local government organization and powers.

[48] Stephen K. Bailey, "Co-ordinating the Great Society," The Reporter, March 24, 1966, p. 41.

[49] U.S., Senate, "Urban Research Under Federal Auspices" (A Survey Prepared by the Bureau of the Budget for the Subcommittee on Intergovernmental Relations of the Senate Committee on Government Operations, 88th Cong., 2d Sess.) (Washington: U.S. Government Printing Office, April 15, 1964), pp. 5–6.

Metropolitan party organization

The classic functions of political parties in the United States are to provide leadership, to crystallize issues and to reconcile diverse community and private interests. These functions are precisely what are needed in our metropolitan areas today. In the not too distant past, parties were well organized from the ward to State party organization. But patronage has declined, and governmental programs today, as a matter of right rather than party favor, increasingly meet peoples' needs for assistance. Local political party organization in metropolitan areas today is simply a pale reflection of the existing pattern of local government.

One approach recently suggested in the Philadelphia metropolitan area called for a supplementing of the existing local party structure "with a unit which will attend to the political realities of today's inter-county, inter-state, super-city . . . Within the inter-county—inter-state area encompassed by urban Philadelphia, the Republican Party was represented by three men seeking seats in the U.S. Senate. Though largely facing the same problems and all campaigning within the area of influence cast by such factors as TV, there was no coordination of candidate or party activity. A minimum of coordination could have improved each campaign and could have saved money through volume purchases of time and space."

Such a council, the proposal goes on, could develop programs in a multitude of critical areawide problems, including transportation, water resources, housing, zoning, and race relations. A similar effort is underway in the Minneapolis-St. Paul metropolitan area. These political leaders understand the importance of the metropolitan area to their party's future, both in terms of the proportion of the vote cast in metropolitan areas and in terms of growing urban problems. This approach has application in both parties. It can revitalize and widen the horizons of the existing central city political machine and add structure, professionalization, and form to today's suburban political efforts.

Public use of the private sector

The private corporation has many of the attributes of an ideal metropolitan government. It can operate across jurisdictional and even State boundaries. It generally has broad legal authority to perform an almost unlimited variety of functions and has always attracted the bulk of the managerial and professional talent of the country. It has broad borrowing power. Its potential excesses can be controlled by government regulation. And, finally, the private corporation, like the public official, is concerned with citizen reaction to its activities, "its image." These qualitites should make the private corporations especially attractive to governmental officials at all levels to help carry out their programs. Many Federal agencies have already, in effect, created their own private corporations, e.g., Rand, Institute for Defense Analysis. Other agencies have done likewise, but more covertly.

A number of contracts have been let under the Economic Opportunity Program with major industrial corporations to operate Job Corps training centers. The corporations diversify their activities while OEO taps their managerial resources for public purposes.

The State of California has let contracts with some of the Nation's aerospace corporations to examine the feasibility of attracting urban problems through the scientific and systems approaches developed by these firms in helping carry out the Nation's defense and space programs. Taking a leaf from this experience, Lyle Fitch of the Institute of Public Administration predicts "the development of public-private 'consortiums' to meet urban social and physical needs. Government . . . might contract with industry for entire systems or urban services."[80]

Given a high degree of competence and concern with the protection of the public interest on the part of government contractors, industry is in a strategic position to make major contributions in such previously exclusive public sectors as crime and delinquency control, government information, economic development, and water supply and sewage disposal.

CONCLUSION

The current trends in the role of government in urban development might have been described in the paradoxical opening lines of Dickens' "A Tale of Two Cities":

"It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity; it was the season of light, it was the season of darkness; it was the spring of hope, it was the winter of despair."

The role of the Federal and State governments continues to grow. They are helping local government do what local governments cannot do very well for themselves; raise adequate revenues and do it equitably, achieve economies of scale, administer regional programs, and provide a forum for the resolution of conflicting interests.

A new dimension in Federal and State aids is likely to be demanded by local government. In an age of $100 billion Federal budget, civil rights groups are calling for an added $40 billion a year to "aid economic development and racial justice in the Nation's large cities." The lesson of this new dimension of proposed financial aid will not likely be lost on urban interest groups developing a strategy for the future.

The role of the Federal Government will continue to be that of acting when it is the only agency with the necessary resources, when the needed activities cannot be handled within the jurisdictional limits of smaller governmental units, when nationwide minimum standards are justified, when State, local or private groups are likely to take action that injures the interests of people in other States, or when basic political and civil rights are impaired.[81] The vitality of the Federal response to urban problems—in voting rights, education, poverty, increased housing choice, and planning—has been demonstrated. Its role will be increasingly pragmatic and less vulnerable to traditional arguments for limitations on Federal action. It will administer little directly other than the Post Office, national parks, and veterans hospitals.

Until now, the States in the Federal Union have exercised relatively unlimited autonomy, in four major areas of governmental activity: (1) the administration of election machinery and the prescription of voter qualifications in State and local elections; (2) the financing and administration of the public schools; (3) maintenance of law and order; and (4) maintenance of independent tax systems. Pressured by sins of commission and omission in a handful of States, the Federal Government in 1965 entered three of these previously reserved fields in substantial manner, through the Voting Rights Act (P.L. 89-110), the Elementary and Secondary Education Act (P.L. 89-10), the Law Enforcement Assistance Act (P.L. 89-197), and establishment of a National Commission on Law Enforcement and Administration of Justice. If the Heller Plan becomes the Johnson Plan, the Federal Government will enter the fourth previously exclusive area. And once public responsibility revolves upward it rarely devolves again.

Federal programs will continue to use the States, sometimes as a channel as in "701" planning assistance to smaller communities, a priority-setting body as in sewage treatment and hospital construction grants, a planning body as in the Federal-Aid Highway program, a partner as in the River Basin Commission title of the Water Resources Planning Act, and an approving body as in the Land and Water Conservation Fund. In large part, these differences in administrative relationships reflect subtle adaptation to political and administrative necessities, but in larger part arise from piece-meal decision-making and past patterns of behavior. Still needed is a Federal philosophy and broad doctrine on the role of the States in Federal assistance for urban development.

The States will continue to be an indispensable part of the system for a number of old reasons and for a number of new ones. The States do avoid a concentration of power, facilitate a wide participation in government, provide yardsticks and laboratories for experimentation, serve as an outlet for local grievances and for political aspirations, permit administrative decentralization and distribution of work load, allow for diversity and regional adaption, and help protect our two-party system. The State has ample powers and financial resources; it exists, therefore it will be used. It will increasingly be called upon to perform the functions of regulation, leadership, technical and financial assistance, and removing archaic restrictions on local government. With no sign of metropolitan government in sight, the governor's office and the legislatures will increasingly serve as a place of arbitration and for developing understanding among suburban and city dwellers, and among the sometimes competing metropolitan area populations within the same State.

As for local government, like Shakespeare's Cleopatra, "Age cannot wither her, nor custom stale her infinite variety." It is the place where the buck stops, where ultimately most public services will be administered, and where almost all public funds, however collected, will be spent. The role of local governments in urban development will not be tidy, or even efficient, in an accountant's sense.

On the other hand, physical and administrative tidiness (and even economy) is not the only if indeed the principal test of desired urban development. The local community action agencies spawned by the Economic Opportunity Act measure their success in part by the disruption of the status quo. Jane Jacobs (and in our hearts we know she's right) has made an effective case for the central cities being a long way from the demise predicted for them; it is still the locus of governmental faith, hope, and charity.

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[80] Architectural Forum, January-February 1966, Vol. 124, No. 1, p. 94.

[81] Commission on Intergovernmental Relations, "A Report to the President for Transmittal to the Congress" (1955), p. 64.

There is little indication that the local government omelet can be unscrambled. The urban county, interlocal contracting, voluntary councils of elected officials, responsible regional development districts, liberalized annexation, municipal incorporation control, metropolitan planning, supervision of special district activities, and residual home rule powers; these will all help prevent the local government situation from getting worse, or at least slow down the rate of fragmentation. But this may be the best that can be hoped for in the way of intrametropolitan action.

Buckminster Fuller has expressed shock at the realization that in the field of international relations, "continuation of the weapons race and of cold and hot warring are motivated only by intramural party fears of local political disasters. The world's political fate does not rest with leaders at the summit, expressing the will of world people, but with the local ambitions and fears of lower-echelon political machines . . . All political machine professionals of all political states will always oppose loss of sovereignty for their own state. Solution of the impasse, if it comes at all, must clearly come from other than political initiative."[52]

Substitute for the world's fate, "the metropolitan area's fate," and we have a picture of interlocal relations today. Unfortunately for international relations, there is nothing comparable to the Federal and State governments to help keep things manageable.

Much political, professional, and administrative talent will continue to be expended just to make the interdependent metropolitan area work. At a minimum, each metropolitan area will need some form of regional governmental machinery, most likely taking the form of a council of elected officials and staffed by a regional planning unit, a regional citizen information-education-response system and an integrated regional fiscal plan, to meet agreed-upon regional goals.[53]

All three levels are developing a more discriminating form of cooperative federalism[54] to meet the needs and realities of government in metropolitan areas. In a governmental system of shared functions, frictions and anomolies will occur. There are no basic defects, however, in the federal system itself. It has met all of the challenges but one—the Civil War. The system will continue to serve for a long time to come in meeting the problems of race riots, water shortages, traffic congestion, and increasing crime rate, and contaminated air. There are no ultimate solutions in either human or governmental affairs. Consistency in urban development will, in Emerson's words, "continue to be the hobgoblin of little minds, adored by little statesmen and philosophers." The responsibility of the students and practitioners of government in keeping the system in good working order will be to help locate and oil the squeak points as they appear.

REPORT BY ERIC SEVAREID ON SOUTHEAST ASIA

Mr. FULBRIGHT. Mr. President, on Tuesday evening, June 21, the distinguished commentator, Mr. Eric Sevareid, made a personal report on the CBS television network. Mr. Sevareid is well known to all Americans for his penetrating observations over many years to the people of this country on most of the important issues about which all of us are concerned.

He recently spent a month in southeast Asia and this personal report of what he found is one of the best balanced and most objective analyses of the situation that prevails in that unhappy area that has come to my attention.

I believe that what Mr. Sevareid said about this tragic situation will be of interest to Senators and to people of the country. Therefore, I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

VIETNAM: A PERSONAL REPORT

(By Eric Sevareid)

(Below and on the pages that follow is the full text of the CBS News' "Vietnam: Eric Sevareid's Personal Report," scheduled for broadcast Tuesday evening, June 21, on the CBS Television Network. Mr. Sevareid videotaped the broadcast shortly after returning from several weeks in Vietnam followed by a swing through Asia that took him to Hong Kong, Thailand, Japan and Formosa. Text may be reprinted in full or in part, with credit to CBS News.)

Good evening. I'm Eric Sevareid.

I propose to sit here for the next thirty minutes and talk about America in Asia, about war and about truth. This may set television back a long way. We'll find out.

I am not an authority on Asia. Asia is far too big, changing far too rapidly for many certainties.

I am not an expert on war. There is no such thing as military science. War is a rude art, in which human character, will and faith play at least as great a role as figures and logic.

About truth, I hope I know more. It is a reporter's business to tell appearance from reality, rhetoric from fact.

He often fails. In this Vietnam war, he fails unusually often. Because he is normally a stranger to the land, its language and its people. And because at every level—military, political, economic, psychological—the truth is fragmented in a thousand pieces. At each level it is a jigsaw puzzle that no single man is able to piece together. We are therefore confronted with an extraordinary condition: no honest man can return a convincing answer to the great and obvious questions that all men ask:

Is our action there insurance against eventual war with China, as the administration asserts, or is it increasing the risk of such a war? Will the Vietnamese pull themselves together, politically, or fall further apart? Are we winning this war? Do we have a clear strategy for winning it? How many years and men will it take?

To each question, the official rhetoric of Washington gives the optimistic response. These officials speak from faith, not fact. The total of the known facts does not deny their optimism; but it does not confirm it, either.

Through this fog of uncertainties the reporter must pick his way; he must report out of instinct, experience and impression. He can guess, estimate, and try to project what seem to him the probabilities.

And his first task is to break through the crust of his own pre-conceived notions.

I think I was only dimly aware of what the American power in the Pacific world really means. As you fly the great arcs to Alaska and Japan, and down the eastern rim of Asia's land mass, you begin to understand. The vast Pacific and the skies above it belong to American power. America—its men, money and machines—is intermingled with the affairs of governments everywhere, the daily lives of hundreds of millions of people.

Consider the world of the Pacific Ocean and the southern seas in this American era:

Alaska—30,000 military men.
Hawaii—100,000 military men.
Guam—20,000 military men.
Okinawa—25,000 military men.
Japan—39,000 military men.
Korea—55,000 military men.
Taiwan—10,000 military men.
The Philippines—25,000 military men.
Vietnam—about 285,000 military men.
Thailand—20,000 military men.

Besides, of course, the Seventh Fleet itself—60 to 70,000 men.

This is the legacy of the defeat of Japan in World War Two; of the take over of China by the communists; of the collapse of European rule; of the Korean war; and now, of the fighting in Vietnam. It is also the legacy of habit, of the military man's fear of ever giving up any salient, of the idea that Communist China is bent upon military aggression, as were Hitler's Germany and Stalin's Russia.

There is a strange phenomenon that comes into play in the relationship between impressions and reality. It has to do with time and space. For distance lends, not only enchantment, but apprehension. So, to Americans at home, the Buddhist riots in Saigon means that all Saigon is in turmoil. But the man sitting in a cafe a block from the riots is relaxed; he knows it's not. So, to us at home, China appears a frightening monster, straining at the leash, eager to smash her neighbors.

But some of her neighbors are far more relaxed than we. This is true of the government of Japan, the most powerful non-communist society of eastern Asia. Their view of China as an aggressive threat is closer to the view of Senator FULBRIGHT than to that of Secretary Rusk.

They believe that China is already contained. She is contained by the existence of the nuclear bomb, by the simple knowledge that if she marches over the border of a friendly country that we are able to help, we shall immediately help. She is contained by this gigantic ring of steel built by the United States along her eastern and southern borders and by Russia's ring of steel along four thousand miles of her western borders. If she feels encircled, no big power ever had more right to feel that way. She fears what the United States may do more than some of her neighbors fear what she may do.

China can try the methods of subversion in Southeast Asia, she has and she does. But it is doubtful how successful she would be, even without our presence and resistance in Vietnam. Nationalism is basically stronger than any ideology. Most nations are not dominoes, that fall over with a click. These nations of Southeast Asia, like Thailand or Burma, are more like sponges.

Their edges can become waterlogged with Communist-trained resistance groups, but there are a thousand natural obstacles to the water seeping through the whole organism. One is the historic dislike and distrust of the Chinese throughout these regions.

A crucial question is whether our resistance in Vietnam is preventing the spread of Chinese dominance in other Asian countries. through their propaganda, infiltration, subversion.

The administration points to Indonesia where the powerful Chinese-inspired Communist apparatus was smashed not long ago. That would never have happened, they like to think, were we not there, in Vietnam.

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[52] The New Yorker, January 8, 1966, p. 93.

[53] See "The State of the Region," President's Annual Report Delivered to the Board of Trustees of the Metropolitan Fund, Inc., Detroit, Michigan, January 26, 1966, p. 5.

[54] Henry C. Hart, "The Dawn of a Community-Defining Federalism," The Annals, May 1965, p. 149.

If this is true, all of us would all feel very much better about this war in Vietnam. My personal opinion is that that is not true. Indeed, it was the conclusion of Japan's ambassadors to Southeast Asian countries, in recent consultation, that Vietnam had nothing to do with those events in Indonesia, that internal, domestic pressures alone were responsible.

Korea in the north, Thailand in the south are exceptions to this line of thought. The men who rule Thailand have thrown in their lot with the United States and its argument. Contrary to Burma on their west, Cambodia on their east, they do fear China and Communism in general, and they have given welcome and facilities to American power.

The Thai government tries to keep as much of all this as secret as it can; and we help them in this out of diplomatic consideration. For the truth is that we have upwards of twenty thousand military men in Thailand, mostly on the great bomber bases from which we hit North Vietnam and the Ho Chi Minh trail. Reporters are not permitted to see these bases. Twenty thousand is more men than we had in Vietnam itself when Mr. Johnson became the President.

Our military wanted, at one time, to put ground combat units into Northeast Thailand where skirmishes go on with Chinese trained guerrillas. Our diplomats stopped that; but we have more than a few special forces advisory and fighting teams in the Northeast. And there one sees how war tends to spread and of why military men must be kept in constant check by political men.

Laos, technically neutral by the Geneva Agreements, is thoroughly engulfed in the war already. The North Vietnamese run their supplies and fresh soldiers through much of Laos and therefore we bomb it constantly. We admit to no men on the ground in Laos. My information from people I consider reliable, is that we have several thousand soldiers inside Laos, including spotter groups and special forces teams. When an American is killed in or over Laos, his death is officially registered as having occurred in Vietnam.

Cambodia is becoming more and more deeply involved in the fighting. We have bombed and shelled Cambodian territory, more than once, for some time back because we have had to. I believe our front line intelligence reports and our eyewitnesses. When General Larsen, Commander of our second corps, whose boundaries lie along the Cambodian line, said there are heavy North Vietnamese troop concentrations inside Cambodia—I am inclined to believe him rather than the Pentagon's immediate denial of this. After all, he is on the scene.

This, then, is how war spreads—in spite of all the official proclamations that we shall not allow it to spread.

War has a logic, a momentum, imperatives of its own. And in this process, language is adulterated, reason twisted, policy follows in the wake of actions, instead of the other way around, and the inner sequence of cause and effect is lost to men's comprehension.

(And so,) the administration argues that unless we stop communism, or China, or both in Vietnam now, other nations will fall, as happened in Europe in the thirties, until the grand confrontation of World War Three with China will be forced upon the world.

It seems to me that it is quite as logical to argue that our very presence in Vietnam, with this inevitable osmotic spread of hostilities across other borders, is just as likely to produce war with China, unless we are extremely careful and extremely lucky. And if that happens, it will be like World War One, if not World War Two; men still argue how World War One got started, as actions led to reactions and still further reactions, engulfing nation by nation. And if we are sucked into collision with China in these regions, we will never be sure of the precise point in space or time when it happened. How the Vietnam war goes will be the test of all this; Vietnam is the anvil on which our future relations with vast, emerging China are being hammered out, and the sparks fly in all directions.

Until we got into it, the Vietnam war was essentially a civil war; a civil war and a social revolution and a struggle for national identity and freedom from European rule.

For legal and diplomatic reasons, Washington must argue that it is not a civil war at all, but an aggression and invasion by an external power. But when men speaking the same language, living within the same cultural context, raised in the same cities and villages fight one another by the thousands that is civil war. When the men of the north (including Prime Minister Ky) are part of the government of the south, and vice versa, it is civil war. Even the Geneva Agreements called the two "zones" of the one country, not sovereign states.

North Vietnam has gone to the Chinese weapons system; their material help from China and Russia is considerable. But no Chinese officer or soldier has ever been found among the enemy's fighting cadres, to my knowledge.

It is the apparent conviction of Washington that if North Vietnam will just stop its infiltration into the south the war could be settled. Not necessarily, not unless Hanoi also ordered a cease fire all down the line. One of our leading generals there argues strongly that the units from the north need the local guerrillas far more than the guerrillas need them. The guerrillas are home; they need ammunition but not trucks or oil or great depots of rice.

How many men are coming down from the north? Last fall, Secretary McNamara said it was forty five hundred a month; this April we were told in Saigon that it had gone higher and might reach seven thousand. The other day the Pentagon again said forty five hundred. These figures are educated guesses, no more.

How many in all have come down? At the Saigon headquarters you are told there are, at a generous estimate, fifty battalions of North Vietnamese now in the south. Their battalions are far smaller than ours—perhaps four or five hundred men. That means about twenty five thousand northerns in their own combat units. That in turn, is only ten per cent of the estimated total of a quarter million organized (and semi-organized) enemy fighting men that we and the South Vietnamese now face.

On both sides, it's a much bigger war than a year ago, when it was nearly lost and when President Johnson ordered the massive infusions of American troops. Our intelligence officers out there now believe that the enemy is now better armed, man for man, than our South Vietnamese allies. Far worse armed, of course, than we.

Our fighting men, our weapons and devices, our tactical ingenuity—all are profoundly impressive. We could not fight this war at all were it not our side that enjoys the real "privileged sanctuaries"—the sea and the sky. Both are denied to the enemy.

If our tactics are ingenious, our grand strategy remains a mystery, at least to me. We are fighting what is essentially a war of attrition, the most disagreeable kind of war, counting progress by the number of enemy bodies.

The count is accurate when our men can actually go among the bodies; when the Air Force claims so many Viet Cong killed from bombing and strafing runs, those are foolish guesses. The claims of enemy killed by the South Vietnamese forces—and the figures on their own casualties—may be approximately right or widely wrong; none of us can really check.

It might be better if we in the news business reported weekly progress in terms of hamlets restored or re-settled, classrooms built, village chiefs who feel it safe to go back and sleep in their own houses. This, after all, is what the war is about. And in this respect there is progress. It is something to see tough American Marines acting as dedicated social workers; it is a fact worth knowing that of the three thousand Marines who have voluntarily extended their term of duty in Vietnam, most are those men who work daily with the ordinary people. Progress, but painfully slow progress, and against it must be set the great numbers of refugees who come into our secured areas. About a million of them now. And not all, by any means, fleeing from Viet Cong terror; many fleeing from the terror of our napalm and high explosives which have, inescapably, killed and maimed hundreds of innocent people.

We are not really conquering territory. Our official statement is that at the end of last year eight and half per cent of the total land area was considered secure; at the end of February nine and half per cent; all the rest is in enemy hands or disputed and unsafe, or empty. About eight million people, a bit over half the population, are in secure allied controlled areas.

We are using giant sledgehammers to kill hornets. The Vietcong's National Liberation Front in the south has an annual budget estimated at about ten million dollars. Our annual costs in this war run to about fifteen billion. The enemy needs an estimated eighty seven tons of supplies each day; the American establishment alone needs about twenty-thousand tons a day. In terms of last year's total expenditure for the war, each enemy soldier killed last year cost us well over a million dollars.

What of our human investment and human losses? Of the total American military in-country, say 285,000 (or so) only a distinct minority do the real fighting, on the ground and in the air. They alone are the heroes. All the rest, in the enormous support and supply echelons, in the cities and ports, in the countless offices—they may occasionally court danger, but their life is wholly different, usually comfortable, for a great many enjoyable.

We had, when I left, five combat divisions and two brigades in the field, around eighty five thousand men. Add to that the special forces teams and the combat fliers. Of these I would guess, generously, that about sixty thousand can be defined as men in frequent combat. Now this is an arbitrary definition, but necessary—some definitions necessary—if we are to think at all about our human investment and losses.

And thinking, from that rough definition, one feels obliged to say that our casualties are high, not low. They are low in relation to the total number in Vietnam, mostly men who never or rarely ever see the enemy. And low compared to enemy losses. But our losses in combat dead and wounded have mounted rapidly to the current rate of about 30 thousand a year. One year is a man's term of service there. On the statistical face of it, then, the chances for the individual fighting soldier in an active combat zone avoiding death or wounds in his twelve months are not great, about fifty-fifty. What lengthens his odds is the increasing rotation of more units, not just between home and Vietnam, but between the fighting zones and the rest zones. If enemy attacks slacken, that, of course, will improve the odds.

For every man admitted to hospitals, in Vietnam for combat injuries, three times as many are admitted for non-combat injuries and disease. In terms of combat troops, one is forced to the conclusion that we lose the equivalent of about a battalion a week, most of them, of course, to return later on. But this is a rather constant process; the need for more men and more rotation in combat operations would seem obvious.

In this sense, our casualties are high, not low. And by the other relevant measuring rod—the lasting gain from the average combat operation—some Viet Cong killed, some rice destroyed, a village cleaned out, much of which the enemy will later replace and recover—by this measure, too, the casualties must be considered high, not low.

Last summer began the big increase in the American fighting force. So this summer, tens of thousands of men will leave Vietnam. But they will be replaced, these veterans, by green troops. However good their training at home, all soldiers are green until they have gone through at least one real battle. And green-ness does cost lives. One green company of my acquaintance recently lost a hundred and thirty men, killed and badly wounded, out of its hundred and seventy, in one engagement. In the official handout later, the casualties of that action were desribed as "moderate," presumably because other units were also involved or because the enemy lost even more. The phrase "heavy casualties" I don't think I ever saw in those handout statistics.

I do not believe we are losing this war or will lose it. I am not sure one can call it a stalemate, as some men do. The Viet Cong in the south and those units from the north are getting badly hurt. That is why the Viet Cong is now recruiting kids as young as thirteen from their homes in the south, taxing the people more heavily and thus losing some of their popular support. That is why some of those northern units are not at all well trained; that is why those who desert to the other side are nearly all the enemy fighters, not South Vietnamese or, of course, American.

Hanoi may have to call it off, though we see no signs yet that it will. We are not playing chess. Both sides are playing poker, doubling each lost bet. It is a test of political will.

But, like some others, when I try to envisage the process of winning, I am haunted by a spectre. The spectre of this fragmentized, weary, Vietnamese society.

It was our official belief and the argument among many of the so-called Hawks, that as we stopped losing this war—which we've done—and as we started winning it, which we've not quite done—the bitterly conflicting political and social factions inside South Vietnam would start to pull together, in their national interest. But the trouble is that Vietnam is only a society, not a nation. There is not a single leader of country-wide prestige in South Vietnam. The people have had little experience in responding to general laws and impersonal institutions. They respond to local personalities, cliques, religious groupings or their own private interest. The resistance and rioting of the most militant Buddhists seems to mean that they hate the central government more than they hate the Communist enemy.

We try to apply Western logic and experience to this Oriental land. So we encourage the elections, envisage a parliament, eventual civilian rule, representing groups and regions.

My own guess is that this process of democratizing would produce years of political turmoil before stability is reached. It will probably, though not certainly, open a whole new pandora's box, all the quarrels in the country bursting into the open. Vietnam, I think myself, is not to be compared with Korea or Greece, where we were successful, in these respects; a strong national sense and strong leaders existed in those countries.

If this proves to be the trend, as we try to democratize government in Vietnam, then the immediate consequence will be a nightmare for us—for we should then have to involve ourselves deeper and deeper into their politics, their economy and more and more of the fighting and dying will be done by Americans and less and less by the Vietnamese.

Ten days ago, Secretary McNamara asserted that Vietnamese politics would not hinder our war effort there. It is part of the duty of national leaders to speak from their faith, not their fears. But it is part of the duty of the press to examine their faith, to raise the questions that officials never publicly raise.

The hypothetical alternatives in Vietnam remain about what they were: bomb more of North Vietnam's industry and see what happens while nervously watching nervous China; halt the bombing and pull back to our base areas and see what happens; encourage the various third nation efforts to get negotiations started; quit Vietnam entirely; keep the pressure on, as we are doing, and wait for Hanoi's will to break.

As of now, the prospect is more pressure—more and heavier war; that is the meaning of the stepped-up draft, the new troop shipments, the longer lanes of cargo vessels plowing the South China Sea, the increasing roar of the airplanes settling on to those ever increasing airfields.

I should like to mention, before I end this long and not very happy discourse, two matters: a bit cosmic perhaps, but of fundamental consequence for our future affairs.

One is the fantastic size of our military establishment and the fantastic speed by which its cost increases. This can consume our marginal substance. This is what General Eisenhower warned about in his last words as President. He said we must guard against undue power by a military industrial complex. It will take a very convincing peace and a very strong President to put our military genie back in the bottle.

The other thing is this: the deepest, strongest forces motivating the people of Asia are not those we picture as we sit here at home. From here, one has the illusion that Asia is clanking armies, colliding ideologies, aggression and fear, that Asia is politics.

But the deepest forces moving Asian peoples now are not these at all, but the forces of the modern scientific-industrial revolution. Asians have discovered the great secret, so long hidden from their hope: that man is not born to a short life of pain and work and poverty. They see the marvelous evidence, nearly everywhere they look; Japan, a booming economic colossus whose production may soon pass Great Britain's. Korea, prosperous enough to do without direct American aid. Taiwan, where food production has doubled in fifteen years and where new hotels, highways, factories open every month. Thailand, whose cities boom and grow. Indonesia, which has stopped its ridiculous war with Malaysia and now wants to join the real procession. Even Communist China, where basic comfort now seems assured for most, and where a new generation of economists, engineers, builders is slowly but surely coming to replace the old men of politics and war as they were replaced in Russia when Stalin died.

In Taiwan I had a Chinese driver, name of Jimmy. A mainlander who had to flee the Chinese Communists and has no love for them at all. But he said to me, "If only America and China can learn to get along—what a wonderful thing for us all."

Jimmy perceives what Asia and life can be. Our government perceives it, as attested by the Johnson plans for Southeast Asia's economic development.

But if this war in Vietnam goes wrong and the great collision does come, all this will be lost. And that would break history's heart.

This reporter, like most, even among those who fear and doubt, still believes that God and the stars will again indulge their notorious weakness for Americans and bring us through this unhappy Vietnamese transaction in safety and peace.

There, like the government officials, I speak from faith, not from the facts; knowing, as they know, that faith—even blind faith—can sometimes change the facts.

This is Eric Sevareid in New York. Good evening.

ADDRESS BY AMBASSADOR CHARLES LUCET AND INTERVIEW OF MINISTER OF FOREIGN AFFAIRS COUVE DE MURVILLE, OF FRANCE

Mr. FULBRIGHT. Mr. President, on June 15, His Excellency Charles Lucet, French Ambassador to the United States, made a most interesting address at a luncheon of the National Press Club. The Ambassador's remarks clarify the policies of his Government and of President de Gaulle.

On June 5, M. Couve de Murville, French Minister of Foreign Affairs, was interviewed by the Canadian Broadcasting Corp. His comments also serve to clarify the policies of the French Government.

Mr. President, the Ambassador's address and the Minister's interview deserve the attention of the Senate, and I ask unanimous consent that they be printed at this point in the Record.

There being no objection, the address and interview were ordered to be printed in the Record, as follows:

Address by His Excellency Charles Lucet French Ambassador to the United States Before the National Press Club Luncheon on Wednesday, June 15, 1966

I want to thank you for your welcome and tell you how much it pleases me. This is not the first time, of course, that I have attended a National Press Club Luncheon—even among the honored guests—but it is the first time that I have had the privilege of being your speaker, and that is quite another thing.

A preliminary remark is needed: I have lived in this city and country which I love for thirteen years, and I have spent here the best years of my life. Here I have learned the English language a little, but its pronunciation, not at all. I had hoped to overcome this disability, but it really seems to be "beyond repair." Perhaps you have noticed that my accent is a little like that of Charles Boyer, even if I have passed the age of "bedroom eyes."

The more I think about it, the more delighted I am to have an opportunity to express my views. After all, we have more or less the same duties and, to a certain extent, the same job. You inform your readers of what goes on in a world which you observe with cold, impartial, photographic eyes. I, as unbiased as you, do the same, with one difference—I have fewer readers.

Having returned to the United States after an absence of six years, I naturally see a lot of changes. Those of you who have recently been in my country, perhaps after a long absence, may also have seen a striking transformation in France, and this is what I would like to say a few words about first.

We have lived through two wars, and, in addition, between 1945 and 1962, the ordeals of two colonial wars in Indochina and Algeria. We are now living in peace for the first time in many years of our history—since 1962, to be exact.

We were a nation with a falling birth rate that was slowly moving toward its decline. This trend has been reversed. France is now a young country. In 1966, 30% of her population is less than thirty years old.

We were a country with an unstable currency and a deficit in our trade balance. How many former French statesmen have you seen at this very rostrum, confessing that, in visiting Washington, their purpose was to obtain a few additional dollars from your Treasury? And they really could do nothing else. But since 1958—following a highly successful devaluation and an indispensable stabilization plan, which is gradually becoming more flexible—our economy is once again prospering. Our currency is strong, and we are repaying our debts—some of them before they are due. Marshall Plan aid and our own efforts have enabled us, at the proper time, to start modernizing our industry and our agriculture. We can now continue, on our own steam, ready to face the rules of international competition with no outside assistance.

Lastly, thanks to a new Constitution, approved by the nation, we have regained political stability, which was so sorely lacking during the two proceding Republics. Need I recall that we had 38 different Cabinets between 1918 and 1940, and 24 different ones between 1945 and 1958? Since 1958 we have had only two, after several electoral consultations.

Believe me that I do not say all this to boast, and much remains to be done. But in today's world, the world of 1966, France—if not on the scale of giants—is at least a nation that is young, stable, balanced and prosperous.

While France has changed, she has not thereby abandoned her traditional mission, which is to seek to weave peaceful bonds with her neighbors, and first of all to help the young nations that have just gained their independence.

In this regard, I do not like the term "nationalism" that is frequently applied to us. It does not correspond to the reality of France. We want to help, and we want to cooperate.

We are applying our aid, as I have just said, first to the developing countries, and primarily to those that we have led to independence, as is only natural. Recent statistics show that while the United States alone provides 56% of all forms of international aid, France ranks second with 16%. If you take the proportion of foreign aid and gross national product, France's aid program—which totals 1.5% of the G.N.P.—is slightly above that of the United States. And, in any case, it is higher than the rate of 1% recommended by the United Nations.

Moreover, France—far from wanting to live closed in by her frontiers—is at this time actively participating in the construction of Europe. It can be said that—contrary to what many claim, and quite wrongly—this is one of her main concerns. You know that sizable progress has recently been made in this area. Customs duties between the six countries forming the Common Market will disappear completely by July 1st, 1968. Already, these duties are only 20% of what they were at the time of the Rome Treaty's signature, and in this area we are eight years ahead of schedule.

In the sphere of agriculture, considerable progress has also been made recently. A month ago, the Six adopted a common financial regulation that sets the conditions for exporting and importing agricultural products. Soon each product will have a single price and will circulate freely. This Europe, which we so keenly desire, will probably achieve its final form—at least on the economic level—between 1968 and 1970. What was a dream many years ago, and even when the Treaty was signed in 1957, has become a concrete reality.

Furthermore, you know that this Europe of the Six is not limited to its initial members. It is ready to welcome those countries that accept its now-established rules and that feel they have a real European vocation. It is also ready to push forward conversations with the world's other great economic and commercial powers—and this is called the Kennedy Round. We recognize the benefits of broader, and simultaneously more liberal, international trade.

My photographic view of the international scene has perhaps been slow to develop, because it is such a complex picture. France is no longer what she was right after the war; Europe is no longer what it was, at least not on the economic level. Nor on the political level.

First, a major event has taken place—the French-German reconciliation sealed by the treaty of January 1963. A few days ago at Verdun—and the choice of the site is especially meaningful—General de Gaulle recalled France's desire to maintain "direct and privileged relations" with that Germany which yesterday had done her so much harm. And we also fully realize that in today's world, if we want to insure peace, Germany cannot remain a divided country forever. Moreover, German reunification is possible only within a global Europe that itself would cease to be divided.

But there is more. Since 1946, Europe—the Europe of traditional geographic frontiers—has been divided by a heavy iron curtain that made all contact impossible. I do not say that the iron curtain has entirely risen, but it is no longer so opaque, so heavy. It is a fact that, due to sociological developments in each of the States, taken separately, due to slow progress in conditions and ways of life, cracks are beginning to appear and people are beginning to communicate. It is a slow evolution, but apparently an irreversible one. The development of exchanges in people, merchandise, books and films will only accelerate. Especially, is there not a new spirit taking shape, and would it be wise—remaining cautious, nonetheless—to ignore the great changes occurring and not to draw certain consequences from them? The matter therefore involves changing the climate so as to engender confidence and pursuing a long-term, but not a dramatic policy.

This stirring and changing world goes beyond the frontiers of Europe. The communist world, as everyone knows, is no longer a monolithic bloc, and two great powers are now vying for its leadership. In addition, Africa and Latin America have opened wide, and the number of United Nations members has today grown to 118.

I am not here, of course, to draw a detailed picture of the world, but to point out that, in the face of a reality so different from that which prevailed at the end of the hostilities, France is trying to adapt herself to this changing world and, if possible, to foresee its further transformation. She is not doing so by yielding to some scheme for grandeur or hegemony that would be outside her means and her intentions. She is doing so only because, being free of mind and having solved most of the problems that have been plaguing her for several years, she can serve as a link and open some doors more easily than others can.

This does not mean that France is trying to move away from her oldest friendships. We know to which world of ideas and to which spiritual family we belong. While we think that the times have changed, we do not therefore draw the conclusion that our friendship with the United States—a friendship two centuries old and cemented on so many battlefields—is any less dear to us. The opposite is true.

We want to remain your friend and your ally within the Atlantic alliance. We know that this alliance is still indispensable for the balance and peace of the world. We do not think that the military threat is so great in Europe today. But if this threat were to be revived, you know which side we would be on. I think we proved this during the Berlin and Cuban crises—and you know it. There was no possible doubt about our determination then. We are not playing the game of ephemeral alliances.

We simply say that the alliance is durable and necessary, but that the organization it adopted to meet the requirements of the cold war, and perhaps of an imminent war, should in our opinion be revised in order to take the world's changes into account. In addition to it we wish to remain in close liaison and cooperation with our other partners to face eventualities in time of war.

France—essentially a Catholic country, as you know—was considered in the 17th and 18th centuries to be the eldest daughter of the Church, and this was true, for she has always been a country of intense faith. But, at the same time, what is known as the Gallican spirit has always existed in our country. By this, you should understand that, in matters of faith, France has never strayed from the straight line, and that she has never been tempted by chism, which is tantamount to separation. But, at the same time, when not dogma, but organization or current practice were involved, we have always upheld our liberties when in our view they better corresponded to a desirable evolution of ideas.

Dare I say, without forcing things, that there are some analogies in the present situation. France is and remains the daughter of the alliance. Faithful, France remains so in her traditional Gallican spirit: the alliance must remain, but its organization and its spirit should take into account the requirements of a changing world.

In saying this—and this will close my remarks—I am well aware that, outside the customary formulas, I again find the old common fund of Franco-American relations. That is why we are such friends, but that is also why we give the appearance of having had so many quarrels and disputes since the dawn of your history. The thirteen revolutionary colonies upheld certain principles, around which we rallied together. New aspirations were seeking a form of expression, and above the ruins of the *ancien régime*, the idea of democracy was new to Europe as well as to America. Since that time we, like you, have had the habit and formidable privilege of raising questions to others. A time comes when the formulas harden, and when we must look for a new form of intellectual ferment. I hope I have demonstrated that, for our part, we are in no way being narrow-minded or backward-looking in this matter. That is why, today as yesterday, I am placing my stakes in the future of Franco-American relations.

SAN JUAN DAY

Mr. DOUGLAS. Mr. President, this June 24 is San Juan Day. It is a day dedicated to St. John the Baptist and it is a day that reminds us of America's outstanding Puerto Rican community. San Juan itself is the beautiful capital of Puerto Rico and was one of the first great cities of the New World. When Columbus discovered Puerto Rico he named the entire island San Juan Bautista. During the three centuries after its discovery Puerto Rico was the center of international rivalry and many fleets tried to fight past the great fort that guarded the harbor of San Juan. In the 19th century the arts and commerce of the island began to flourish. In 1899 Puerto Rico passed from Spanish to American sovereignty.

The people of Puerto Rico have long had a tradition of progressive democratic government. They are proud that they as a group have the ability to make democracy work. Luis Muñoz Rivera, the George Washington of Puerto Rico, started that tradition when he forced the Spanish to grant the island a charter of autonomy.

This tradition lives today in the persons of Mayor Donna Felicia de Gautier and Mr. Luis Muñoz-Marín, the great Puerto Rican statesman. Mrs. Gautier is the dynamic and charming lady who is the mayor of San Juan. She has visited Chicago and because of her reputation for courage and honesty in government she was enthusiastically received by the people of my home city. Mr. Marín is the former Governor of Puerto Rico who conceived and directed Operation Bootstrap. This program, thanks to the dedication of Mr. Marín, has revitalized the entire Puerto Rican economy.

Many Puerto Ricans have come to live on the mainland of the United States and like all of the different groups who have landed on our shores they have found us to be strange and at times difficult. But few people have adapted themselves as rapidly or as successfully as the Puerto Ricans, and few have had so many outstanding individuals representing them in all phases of American life. Teodoro Moscoso was the head of the entire Alliance for Progress under the Kennedy administration, Jose Ferrer is noted for his acting genius, Jesus Maria Sanroma is a famous pianist, Orlando Cepeda is a baseball star of the first rank, and Brig. Gen. Pedro del Valle was decorated for bravery at Guadalcanal and was my commanding general in the 1st Marine Division.

All Americans are proud of our ties with Puerto Rico, and we know that our destiny and that of the Puerto Rican community are inseparable.

DESIGNATION OF HAWAII AS A PLACE OF REST AND RECUPERATION FOR SERVICEMEN IN VIETNAM

Mr. INOUYE. Mr. President, the Department of Defense recently announced that Hawaii would be designated a rest and recuperation area for servicemen in Vietnam.

This decision was very gratifying to me and to the hundreds of wives of servicemen in Vietnam who live in Hawaii or who remained behind in Hawaii when the 25th Division and elements of the 1st Marine Brigade were ordered to Vietnam.

Many of these women wrote letters to me and a number were sent to the Department of Defense for their study before the final decision to go ahead was made.

If there are no objections, Mr. President, I ask that these letters be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Schofield, Hawaii,
April 27, 1966.

Dear Senator Inouye: I am one of the wives of our 25th Division that are now serving our Country in Viet Nam, and am writing hoping you can help us with the R & R problem. I can't believe the statement that was in our Star Bulletin that it would be worse for our men morale to have to come home & leave there family again, to me its a poor excuse, do the people in Washington realize what it has done to there morale now.

We have appreciate everything you have done & are still doing for our fighting men in Viet Nam.

We want to thank you and we are still hoping & praying.

Sincerely,

Mrs. Stephen Wedding.

Schofield Barracks, Hawaii,
May 2, 1966.

Dear Sir: My husband is serving his 13 mo. tour of duty in Viet Nam with the 25th Inf. Div. formerly station at Schofield Bks., Hawaii.

Earlier this year Hawaii was under consideration as an R & R area for men serving in Viet Nam.

Sir our husbands left with hopes of returning here for R & R. Many of the wives are remaining here at Schofield so they can be together again even if only for a few days. I know myself I had a daughter born 3 days before my husband left and I would be happy if he could only see the kids again if only for a little while.

I also believe that if the men know they have the privilege of returning to their families for R & R they can defend their country and government with all the honor and pride of being American soldiers. I know in my husbands letters he say all that keep's the Guy's going is looking forward to coming home to their family in Hawaii.

There have been statements saying it is to expensive to return these men to Hawaii. Have these people considered how much money the U.S. is losing by forcing our men to other foreign country and denying them the right to return to their homes and families?

Sir will you please support our efforts to let our fighting men return to their homes for a break in their tour.

It is my sincere belief that the morale of our men and the morale of the wives and children waiting for their return will be strengthened by being reunited again. We have gone through the sorrow of being separated and it really hurts. But the happiness of being with my husband for even a few day's during his tour will give us something to look forward to and a beautiful memory to look back on during the remaining mo. he is serving in Viet Nam.

Thank you very much for your interest and concern of this matter. Please let us know what we can do to help our Guy's get R–R in Hawaii.

Yours truly,

Sp5c. and Mrs. C. M. Vaughn.

April 13, 1966.

Dear Mr. Inouye: How happy you made myself and countless others that you will continue your fight to make Hawaii an R. & R. station for the military.

Please continue to do all you can to get it approved. Indeed it will bolster morale and help keep families together, and help have more people of an emotional and mental frame of mind.

It will do untold & immeasurable good for wives and husband & children. We will have happier & healthier peace of mind. In addition to this of course it will bring more "revenue" into Hawaii & keep more people here—and even those of us who live "on Post" must do shopping in civilian stores & purchase clothes etc. in civilian shops. My main reason I'm sure you understand is that it will mean so much to be reunited even briefly with my husband & the children will benefit immensely.

We would greatly appreciate any help.

Thank you very much,

Mrs. H. ————.

3608 A Schofield Barracks APO
San Francisco, Calif.,
May 6, 1966.

Senator Daniel K. Inouye,
U.S. Senate,
Armed Forces Committee,
Washington, D.C.

Sir: I received the enclosed signatures as a token of their support in our campaign asking reconsideration in designating Hawaii as an R&R center for our husbands now in Viet Nam. Permission was granted to forward them on to you. I hope they can be of some help to you concerning this vital issue.

Sincerely,

Mrs. Patricia A. Miller.

Martha Nahamura, Lei Taite, Doris Hayakawa, Zillah Puaala Young, Filomena Cadian, Sue Sugai, Lucille Devers, Valeriamo Rabot, Hazel K. Ho, Robert Masch.

Mary Anne Haime, Elsie Green, Anna Oliver, Frank Farrelly, Mrs. Alex Doninye, Mickey Gib, Thelma Cochrane, Terry Sculd, Sgt. Edward K. Iona, Jr., Edward K. Iona, Sr.

John F. Williams, SF William E. Gulf, Mitzi Pugh, Pearl Fuller, Herbert Cherry, Fumie Nishimura, Charles E. Powell, Isabel Roberta, Janet C. Casomina, Maxine Payne.

Elizabeth Kepilino, Millicent L. Viela, Blanche Anguay, Rachel P. Igasta, Dolores Zolteh, Dorothy L. Ho, Juanita M. Thil, Shirley W. Briggs, George Upeda.

Frances Chef, Sinclair Fsi, Mildred Baker, Eleanor Azeuldo, Margie Denman, Mrs. Ludwick Raymond, John Dagmond, Mrs. Mary K. Waiolama, R. K. Cathy K. Wauleman, Audrey L. Moon.

Iwalane Gomard, Reri Kan Lane, Robert Miyorato, Stan Arjarato, Rose Kamibon, Lorean H. Spell, May Chambers, Peggy Medeiro, Minnie Fallon, Pauline Mumford.

Constance E. Costo, Donald J. Coats, Rose Cleveland, Ileas Ulatsemote, Frances Asano, Phillip C. Fraza, Amy Cummings, Janet Gaison, Stephen Kam, Martha K. A. Enos.

Jo Ramos, Adrian R. Ramif, Robert S. Tate, Mrs. Bernard Skibrinski, Mrs. M. Silva, James R. Ayar, Andrew W. Miller, Richard Quinn, Patricia Espiritu, Matilda W. Ching.

Salome O. Foster, Mrs. Kathleen McMahon, Frieda S. Yokoprina, Mrs. Lanis Meliker, Mrs. Elizabeth Paloma, William Paloma, David H. Malyise, Rona Kalingo, Vivian P. Willing, Anna P. Willing.

April 22, 1966.

Dear Senator Inouye: I am writing this letter to plead with you to help us, concerning the matter of rest-and-recreation in Hawaii.

Some of these men in war has families here. I know it would help there morale, if they can see and be with there families, if only for two days.

My husband was in Viet Nam when our younger daughter was born. He was home for eight months before he left for thirteen months. I am not complaining or feeling sorry for myself.

I am proud of my husband and the men that are serving in Viet Nam.

But as a wife and mother with two girls. I don't think there are any words in the dictionary that will explain why we are in war. We're not asking much. We just want our husbands home for a couple of days with their children, before returning to combat.

What can a strange country do to there morale, except a little more depressed.

We are hoping you can help us. Thank you for taking your time to read this letter. We know your a busy man.

Sincerely,

Mrs. Rose M. Anderson.

HAWAII,
April 27, 1966.

DEAR SENATOR INOUYE: The reason I am writing is for two reasons. One is to say Thank you for all you have done already to help Hawaii to become a rest area for men on duty in Viet Nam. The other is to ask you please on behalf of all families on Schofield and surrounding areas to continue your efforts to get R&R for our husbands. I can't describe the disappointment all of us felt when told R&R to Hawaii was out.

Actually I feel it is even harder for the fighting men than for the families as they have been looking forward to this so very much. Maybe in some way you will be able to make these people in Washington understand that the war effort would be improved with these men's morale built up instead of torn down. I'm sure every soldier would return to his job far better able to do a good job after being able to spend a few days with his family. The cost should not present a problem as there aren't that many men with families on Oahu. With planes coming and going from there so often it would seem these men could come with no cost to the Govt. Please continue to support our cause. All 25th Div. wives are counting on you.

I will close by saying Thank you.

Sincerely,

MRS. BURL BRANHAN.

HAWAII,
April 29, 1966.

DEAR SIR: I am one of the many disappointed Army wives who was left here in Hawaii thinking her husband would be coming home on R.R.

Don't get me wrong, Sir. My husband isn't any better than the next man to fight in this war. But he does love his family very much. It wouldn't have been so bad on us here and our husband's but, we was told there would be R.R. here in Hawaii.

I do hope there is some way you can help us out, and may God bless you in each step you take.

Yours truly,

MRS. BOBBY L. COX.

SCHOFIELD, HAWAII,
April 12, 1966.

Senator DANIEL INOUYE,
Washington, D.C.

DEAR MR. INOUYE: I am a wife of a service man now serving in Viet Nam. Presently, I am living in Hawaii along with many other husbandless families. When our husbands left last Jan. it was a rumor that Ohau, Hawaii would be made into a rest and recuperation center for our fighting men in Viet Nam. Recently some of our men have put in for a week's leave for rest and recuperation in May or June and it was rejected. They were told to take their leaves in some other Asian country other than Hawaii. I don't think this is fair to a Fighting man or to his family that awaits his return home for a visit. We ask ourselves why can't our men spend their money here in our own country and why should a married man spend his valuable leave in some other country when they had much rather be at home with their families. I think we owe this much to our fighting men in Viet Nam to choose their own places of rest and recuperation. Anything you could do for us in this respect would greatly be appreciated.

Respectfully yours,

MRS. COY CROSBY.

MAY 1, 1966.

Senator DANIEL K. INOUYE,
Hawaii State Senator,
Washington, D.C.

DEAR SIR: My husband is serving his 13-month tour of duty in Viet Nam with the 25th Infantry Division formerly stationed at Schofield Barracks, Hawaii.

Earlier this year Hawaii was under consideration as an R & R (Rest and Recuperation) Area for men serving in Viet Nam.

Sir, our husbands left with the hope of returning here for R & R. Many of the wives and children are remaining here at Schofield so they can be together again even if only for a few days. I believe that if the men know they have the privilege of returning to their families for R & R, they can defend their country and government with all the honor and pride of being Americans. The encouragement they have in knowing they can return here will build our men's morale and give them even more desire and determination to end this conflict and to show the other nations that we value our freedom and we will fight to defend these freedoms in other countries, too.

There have been statements saying it is too expensixe to return these men to Hawaii. Have these people considered how much money the United States is losing by forcing our men to other countries and denying them the right to return to their homes and families?

Sir, will you please support our efforts to let our fighting men return to their homes for a break in their tours.

It is my sincere belief that the morale of our men and the morale of the wives and children waiting for their return will be strengthened by being reunited again. We have gone through the sorrow of being separated and it really hurts. But the happiness of being with my husband for even a few days during his tour will give us something to look forward to and a beautiful memory to look back on during the remaining months he is serving in Vietnam.

Thank you very much for your interest and concern of this matter.

Sincerely yours,

MRS. HELEN A. ENEBO.

MARINE CORPS AIR STATION, CARE OF
FPO, SAN FRANCISCO,
April 30, 1966.

Hon. DANIEL K. INOUYE,
U.S. Senate,
Committee on Armed Services,
Senate Office Building,
Washington, D.C.

GENTLEMEN: We enclose a letter regarding the reopening of the Rest and Relaxation Center for Hawaii issue along with lists of signatures of service wives who have remained in Hawaii.

This began with a few wives and due to favorable publicity it has snowballed into an island wide project. The response has been tremendous and we have been very pleased that not only service wives have called but civilians and ex-servicemen and even teenagers are offering to assist with it. It is indeed gratifying to know that these people are interested in our problems and are willing to help us.

The letter explains fully our reasons for requesting that the issue be reconsidered. We are sending copies of this letter and the signatures to the House Armed Services Committee. It is our hope that you will give this matter your attention and assist us in getting this done.

Sincerely,

MRS. NANNETTE M. FIELDS.

Enclosures.

Permission is hereby granted to enter this in the CONGRESSIONAL RECORD.

NANNETTE M. FIELDS.

MARINE CORPS AIR STATION, CARE
OF: SAN FRANCISCO,
April 26, 1966.

Hon. DANIEL K. INOUYE,
U.S. Senate, Committee on Armed Services,
442 Senate Office Building,
Washington, D.C.

GENTLEMEN: I have been asked to write to you on behalf of the service wives who have signed the attached page regarding the designation of Hawaii as a Rest and Relaxation Center for our husbands who are currently serving in Viet Nam.

Our main reason for remaining in Hawaii is that we feel closer to our husbands here and most especially because we hoped that the R. & R. would come through. Our letters to our husbands and their letters to us were filled with plans and hopes and dreams for this short leave we would have together. A year is a very long time and all of us feel it would help immensely to be able to see our husbands halfway through it. They feel this way too!

Since the announcement was made that Hawaii would not be made an R. & R. Center, their letters reflect how low their morale is. We get complaints about the heat, the cold water showers, how poorly they sleep, the poor food and a hundred other things which were never mentioned before. We are convinced this is due only to poor morale. No, Gentlemen, saying goodbye twice would never lower our husband's morale—on the contrary, a few days at home with us would raise it far more than spending them in some lonely hotel in a city far from home.

It is our understanding that one of the chief reasons for considering a stateside location was the need to keep U.S. dollars in our Country. Since we have learned that there is no hope of our husbands coming home, many of them have asked us to fly to Japan and other R. & R. centers to meet them for their out of country leaves. This will entail a minimum cost of each family of approximately $1,000, including the commerical air fare. Needless to say, this will work a definite hardship on some families especially those where children are involved. Our husbands do fully realize this but if it is important enough to them to ask us, somehow we will make arrangements to go. In addition, the amount of U.S. Currency going into these other countries will certainly be fantastic.

Our understanding of the R. & R. program is that the men get to choose their own destination. In view of this, we feel that the men whose wives have remained in Hawaii would make up the majority of those who would come here as the unmarried men may prefer to visit the more exotic offerings. We therefore feel that it would not be necessary to renovate Fort DeRussy as most of the men would stay in their homes and the few single men could be accomodated in one of the many available hotels.

It is our sincere hope that you will accept this letter in the spirit in which it was written—simply a statement of our views and our husbands views on the matter and our hope that this issue which is so very important to our husbands and to us will be reopened.

Very truly yours,

MRS. NANNETTE M. FIELDS.

Enclosure

Mrs. Laura Blakey, Mrs. Barbara Buttke, Mrs. Kathryn Kee, Mrs. Theresa Collins, Mrs. Georgia L. Widener, Evangel L. Davis, Mrs. Catherine Phillips, Mrs. Rita Page, Mrs. Darlene Patton, Mrs. Bobbie L. Baker, Mrs. Kay K. Conklin, Mrs. Jacqueline G. Zerbato, Mrs. Julia Daligcon, Mrs. David G. Schnabel, Mrs. Nannette Fields, Mrs. Ursula Tshikawa.

APRIL 26, 1966.

MRS. PATTON: Below is signature for attaching to petition for Hawaii R. & R.

Thanks,

EDITH J. ZUNIGA.

For R and R:

Mrs. Rose M. McCoy, Mrs. Marie Fulmer, Mrs. Donna Penisten, Mrs. Mary A. Sullivan, Mrs. Charles P. Garber (yes), Mrs. Leonard J. Brisco, Mrs. Ronald J. Pascual, Mrs. Jack A. Dozier, Mrs. Suem T. Sampson, Mrs. Lois McGregor, Mrs. Patricia Naisbitt, Mrs. Bernice

M. Bradley, Mrs. Pauline L. Rudolph, Mrs. Thomas Beaudette (yes).

Mrs. Rosie E. Foster, Mrs. Ameline Belcher, Mrs. Marie G. Dudley, Mrs. Henrietta M. Wilson, Mrs. Tsurue Wood, Mrs. Sylvia Russell, Mrs. Joan Fisher, Mrs. Maruska Houser, Chisheffe Dixon, Anna T. Hollos, Sara Ardrey, Mafhilve Warhado, Eilcie V. Lindquist, Mryna A. Tialler.

Virginia Steele, Joana Barrozo, Anna Maria Ailkin, Beabe Frost, Elaine Flandera, Marie Dudley, Lilde McCoy, Jannie Salley, M. L. Welsh, Rose Wilson, Helen Gonsalzes.

Mrs. Evelyn P. Kashack, 118th Arty.; Mrs. Betty L. Sitz, 2nd Bn., 35th Inf.; Mrs. Helena Rother, 1st Bn. 35th Inf.; Mrs. Tomie Esque, Co. A, 25th Avn.; Mrs. Kay Bennett, 1st Bn. 5th Inf. (M); Mrs. Tolsue Jarvis, 2nd Bn. 14th Inf.; Mrs. Iku S. Hyrne, 25th Admin. Co. (PSD); Mrs. Reiko Thomas, Hq. Co. 69th Armor.; Mrs. Suzanne Scott, 4th Bn., 9th Inf.; Mrs. Eiko Kight, Hq. Hq. Co., 25th Inf. Div.;

Mrs. Hideko Mifiad, HHO &. Co. Sport Comd. 25th Div.; Mrs. Rennell R. Crawford, HHC 2/S School, 25 Div.; Sarah E. Fleming, HHC, 1st Bde., 25th Inf. Div.; Peggy S. Kubo, 168th Engr. Bn., B Co.; Addie P. Garland, 3934C Nelson St.; Daisy M. Smart, 317–B Millett St.; Canal Mantnay, 2nd Bn. 14th Inf.; Ruth Mobley, HHC 1st Brig. 25th Div.; Rita Itao, 7th Bn. 11th Arty.; Starrett Stevens, 4th Bn., 9th Inf., 1st Bde.

Mrs. James R. De Rouin, Mrs. Sorjoke Wilder, Mrs. Yoshiko Youso, Mrs. Yamada, Mrs. Reiko Harris, Mrs. Sachiko Wedlock, Mrs. Duane Wilson, Mrs. Setsuko Kikemoto, Mrs. Emiko Coty, Mrs. Tashiko Vienzle.

Mrs. Christine N. How, Mrs. Hector Serna, Mrs. Conception G. Lanet, Mrs. Ramona Y. Nicolas, Mrs. Bernardita D. Luabena, Mrs. Patricia A. Miller, Mrs. Frank Taylor, Mrs. Curtis, Mrs. LaVerne Sharp, Mrs. Beverly J. Ballard, Anna Barfield.

April 26, 1966.

Dear Mrs. Patton: Please include our signatures to the letter which will be sent to the U.S. Senate Armed Services Committee. Our husbands are also serving in Viet Nam.

Sincerely,

Mrs. Gaile MacMichael.

Mrs. Gaile MacMichael, Mrs. I. V. Faxon, Mrs. Vincent R. Foulkes.

Waipahu, Hawaii,
April 27, 1966.

Mrs. Patton: I would like my name added to your letter requesting Hawaii be reconsidered as an R and R center.

Thank you,

Maxine I. Ritter.

I feel that the proposed "Rest and Recreation" for our men in Viet Nam should be located here in Hawaii and not in a foreign country.

Mrs. Willam T. Elston.
Mrs. Sheila B. Davis.
Mrs. Marvin B. Manning.
Mrs. Fannie L. Little.
Mrs. Marilyn E. Dale.

We want R&R in Hawaii for our servicemen in Viet Nam:

Mrs. James P. McClintock, R.R. #1, Box 441–B, Waialua, Hawaii.

Mrs. H. E. Shaw, 8 Malulu Pl., Wahiawa, Hawaii.

Mrs. Saburo Kuboto, 1932 Kiniohu St., Wahiawa, Hawaii.

Mrs. Nadine Chambers, 4959c Hendrick St., Schofield Barracks.

Mrs. Janet Kiriu, 94–223 Pupukui St., Waipahu.

Mrs. L. O. Ennis, 59–181E Ke Nui Rd., Sunset Beach, Hawaii.

Mrs. Edward L. Naorz, 348 Circle Mouhn pl. Aohiawa, Hawaii.

Faye R. Quickman, 3/4 Cav.; Karen Hoyt, 3rd Brigade; Lady A. Johnson, 11th Artillery; Alice M. Bulger, 65th Engineers Br.; Charlotte A. Snyder, 3/4 Cav.; Esther L. Dube, 3 Bde.; Alberta M. Mello, 3rd Bde.; Yuome Branham, 69th Armdr.; Mrs. Bobby L. Cox, Co. B, 25th Avn. Bn.; Mrs. Margaret Wedding, Co. "C" 2nd Bn 27 Inf.

Mrs. Silvia L. Smith, 3 Bde; Annie M. Ware, 725th Main. Bn.; Pollyanna R. Lawrence, 725th Main. Bn.; Mrs. Judith Ann Dake, Troop "A" 3rd Recon. Sqd. 4th Cav.; Mrs. Pecolia M. Boone, 25th Avn. Bn. Co. B; Mrs. James Evrard, Hq. 1 Bn. 14 Inf.; Mrs. Jones, Hq. 1 Bn. 14 Inf.; Mrs. Ivan Crandall, HHT, 3rd Sqdn., 4th Cav.; Mrs. Hart Akagi, 44th Bn.; Mrs. Alice C. Jones, Co. B 25th Avn Bn.

Mrs. Evelyn Price, USAR GAR; Mrs. Katie Partin, 25th Inf Div Arty; Mrs. Moe L. Wooters, 125th Sig. Bn. Co. B; Mrs. Myrtes L. Gilmore, 125th Signal Bn. Hqs., Hqs. Div.; Mrs. Arthur K. Goto, Mrs. Bert M. Yamaguchi, Mrs. Louis J. Pelizzari, Mrs. Johnnie C. Whitfield, Mrs. Jo Anne V. Gaides, Mrs. Marion Lyons.

Mrs. Robert M. Henley, Mrs. Earl E. Griffith, Mrs. George A. Weaver, Mrs. Robert Seigler, Mrs. James H. Dare, Mrs. Douglas K. Allen, Mrs. Mickey Shaw; Mrs. Geraldine Madrigal, Mrs. Christel E. Engum, Mrs. Donald L. Holt, Mrs. William L. Ferguson.

Mrs. Betty Regan, Mrs. Donald E. Cayton, Mrs. Geo. Agnew, Mary H. Nelson, Charlyne M. Riggs, Lillian M. Lambert, Mrs. Kyoko Cawley, Mrs. George P. Jacang, Beatrice Curry.

Mrs. James C. Bosworth, Mrs. Jessie M. Doyle, Mrs. Marie B. Chun, Mrs. Robert L. Sloane, Mrs. William M. Connor, Jr., Mrs. Lee M. Abbott, Mrs. Robert Miller, Mrs. Miguel A. Perez, Mrs. D. S. Debley, Mrs. John P. Irving.

Mrs. Faith D. Napute, Linda M. Braun, Mrs. Harold L. Braun, Jr., Mrs. Frances L. Russell, Mrs. Carrie B. Fish, Mrs. Jerome H. Ongies, Mrs. Edward B. Keyes, Mrs. Ann (Lucio) E. Ygueravide, Mrs. Geo. E. Martz.

Sue Wilson, Opal Holmes, Yolanda Byrd, Patricia Cahill, Dorothy Jose, Frank Grossmer, Annie Franklin, Priscilla Ferriman, Mrs. Wilma Edmundson, Mrs. B. Matswera, Mrs. L. Aster, Mrs. R. Baldorado.

April 26, 1966.

Mrs. Patton: Please include my signature in favor of the R & R.

Use either signature below, its up to you with or with the address.

Mrs. Manor Jane Waters.

Please include my name on your petition for G.I. rest center in Hawaii.

Mrs. Robt. H. Britt.

Honolulu, Hawaii.

Hilo, Hawaii,
April 27, 1966.

Dear Senator Inouye: Please help to have our men in Viet Nam spend their rest period here in Hawaii. I feel that much of their tension of war would be eased if they could rest on American soil. Also, the new policy is to spend American dollars in our country and this can be done, too, if our men spent their rest period here.

Please do what you think is best for our men.

Thank you for serving our country so well.

Sincerely,

Nancy T. Inouye.

Aloha!

APO San Francisco,
April 28, 1966.

Senator Daniel Inouye,
U.S. Senate, Washington, D.C.

Dear Senator: As the wife of a 25th Div. soldier now serving in Viet Nam. I would like to ask your further support in having Ft. De Russy designated an R&R Center.

Many families have decided to remain in Hawaii, solely in the hope their husbands and fathers might be allowed to return here to spend their leave time.

News of the unfavorable reaction in Washington to this proposal had had a demoralizing effect on a great many of our fighting men, and of course was a severe blow to those of us who had been looking forward to spending some time together in the not too distant future.

Not unmindful of what you have already done on our behalf in this respect, and with grateful appreciation, I now ask your continued help, along with every dependent of the division living in your state, in any way which might be beneficial in obtaining a favorable decision in this very important matter.

Yours truly,

Tatsue Jarvis.

Schofield Barracks,
April 29, 1966.

Hon. Daniel K. Inouye,
U.S. Senate,
Armed Forces Committee,
Washington, D.C.

Senator Inouye: On behalf of the wives of the 25th Infantry Division, I am writing to enlist your aid in having Hawaii designated as an R&R center for our husbands currently serving in Viet Nam.

We fully realize the difficulties of designating Hawaii as a full scale R&R center, but we believe that for many reasons it could and should be opened up on a limited scale for those men with wives and families here.

The idea that it would be detrimental to the men to return and then have to leave again is certainly and absolutely ridiculous. At all times have our husbands cheerfully and willingly undertaken any assignment anywhere in the world at beck and call of Uncle Sam. A few days of relaxation from the rigors of war would only serve to enhance their performance of duty rather than be a deterrent. We fully realize the conflict in Viet Nam may be a long one, and many of the men, as professional career soldiers, may necessarily serve a second tour of combat.

It seems paradoxical that our leaders on the one hand deplore the gold flow and on the other hand deny our men the opportunity to spend their money in the United States. In addition, the outflow of United States dollars will not be confined to the servicemen alone. Many of the wives are making plans to travel to the approved R&R centers in the Far East to meet their husbands. These are trips most of us can ill afford, but which we will undertake as it may well be the last time we shall see our husbands.

We believe that the establishment of Hawaii as an R&R center is feasible on the aforementioned limited scale. Single men would undoubtedly prefer to visit the exotic Far East centers now in operation, but those with families here have expressed their desire only to return to Hawaii.

We sincerely hope that you will support us in our desire that this issue be reconsidered and approved. It is of grave importance not only to us but to our husbands as well.

Very truly yours,

Mrs. Patricia A. Miller.

Permission hereby granted to incorporate this letter into the Congressional Record.

EVERY STATE AND DISTRICT AFFECTED BY TARIFF NEGOTIATIONS REPORT OF REPRESENTATIVE THOMAS B. CURTIS, OF MISSOURI

Mr. HRUSKA. Mr. President, Members of Congress, the press and the Nation received recently a most remarkable scholarly report on the trade negotiations currently underway in Geneva as part of the Sixth Round of Trade Negotiations under the General Agreement on Tariffs and Trade, generally known as the Kennedy round.

My respected colleague and friend, Congressman Thomas B. Curtis, of St. Louis County, Mo., is one of the four congressional delegates to the negotiations, a real scholar on the subject of how international trade affects American companies, workingmen, farmers, and stockholders, in addition to overseas interests. All Members of Congress are very fortunate that he is taking so seriously the extra responsibilities which have been placed on his shoulders. In addition to his being the senior House Member of the House-Senate Joint Economic Committee, he is the second ranking Republican member of the Ways and Means Committee and senior House member of the Congressional Reorganization Committee. His personal participation and interviews in Geneva, as well as the extended work he has done in America himself, have provided guidance to many of us who are deeply interested and concerned in these negotiations.

It is a unique aspect of this type of additional congressional responsibility that an individual Member of either body has to use his own staff and facilities in order to fulfill the duties of such a national assignment. To those of us who know Tom Curtis, it is understandable why he has given so generously of himself and of his office to exercise genuine congressional participation in these talks just as the law specifies.

The executive branch and the Congress is richer in knowledge as a result of this report and we look forward to the second report which will be forthcoming.

I would like to share with my colleagues the following: editorials from the New York Times, June 4, 1966, and the Washington Post of June 6, 1966, praising and commenting intelligently on Congressman Curtis' unique contribution in this highly complicated and economically important international trade field, and an article by Mr. Sterling Green, the respected chief economic writer of the Associated Press, as printed by the New York Times on June 1, 1966, also Rodney Crowther's story in the Baltimore Sun, June 1, 1966.

These are samples of some of the editorials and accurate news stories about this congressional study.

I ask unanimous consent that the editorials, articles and the full text of Representative Curtis' report be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York Times, June 4, 1966]

“KENNEDY ROUND” COMES ALIVE

The pall of gloom that has enveloped the "Kennedy Round" of trade negotiations is lifting. Jean Rey, Commissioner for External Affairs for the European Economic Community, has predicted after a visit to Washington that the Common Market would begin bargaining on agricultural products this summer and that agreement, covering both industrial and farm products, will be reached early next year. And Representative Thomas B. Curtis of Missouri, who has just returned from the bargaining sessions in Geneva, found "an increasing pace of negotiations" that led him to conclude that there is real hope of accomplishing some trade liberalization.

These optimistic assessments run counter to widely aired notions that the "Kennedy Round" is either dead or dying. They do not mean that there is any chance of achieving the dramatic and exaggerated elimination of trade barriers that had been envisioned when Congress passed the Trade Expansion Act that paved the way for the "Kennedy Round." Nor do they even mean that a more limited liberalization can be taken for granted. Mr. Curtis made clear in his report that the prospect for a reduction in barriers to freer trade still hinges on the determination of the six members of the Common Market, who have yet to reach agreement among themselves, to enter into meaningful bargaining with the U.S. and other industrialized nations.

But if the negotiations will fall far short of the original and obviously unrealistic expectations, both Commissioner Rey and Representative Curtis insist that it would be wrong to give up hope for the "Kennedy Round." They are anxious to stem moves toward new regional trading arrangements or unilateral steps designed to bolster protectionism. According to Mr. Curtis, there is still time for the Common Market to relax its "very tough and inflexible" position and make concessions in dealing with the American delegation, which he described as the most competent ever to represent the United States.

Because the authority provided the White House for the "Kennedy Round" runs out next June, the Europeans have sometimes acted as if they can delay hard bargaining until the last minute—or until Congress provides a new deadline. But Mr. Curtis warns that Congress will be unwilling to extend fresh authority unless the Administration has something to show for its efforts. If the "Kennedy Round" is to be regarded as even a modest success that can get a new lease on life, hard bargaining on both industry and farm goods must be concluded this year.

[From the Washington Post, June 6, 1966]

REPORT FROM GENEVA

A Congressman cannot expect to capture the limelight by paying meticulous attention to protracted international negotiations. All the more reason why Rep. Thomas B. Curtis of Missouri, the leading Republican spokesman on economic affairs, deserves a round of applause for his excellent work as a congressional member of the delegation that is bargaining for tariff reductions in Geneva. Anyone who takes the time to read Mr. Curtis' latest report to the House will be impressed by its encyclopedic scope and liberal spirit.

Because of the recent progress in settling political differences within the European Economic Community, Mr. Curtis is now hopeful that "an important package of trade expanding bargains" can be outlined by November. But he warned against a preoccupation with tariffs and the neglect of other barriers to world trade-import quotas; border tax adjustments and antidumping legislation that would eliminate trade rather than unfair competition. When the Kennedy Round is completed, the world community will have to turn to what Mr. Curtis calls the "lost" trade problems.

[From the New York Times, June 1, 1966]

SPEED-UP IS SEEN ON TARIFF TALKS—HOUSE IS TOLD LEGISLATION HINGES ON SWIFT ACCORD

Washington, May 31.—Representative Thomas B. Curtis reported to Congress today an encouraging if belated speed-up in the 68-nation tariff-cutting negotiations at Geneva.

But Curtis, a member of the Congressional delegation for trade negotiations, warned that more haste was needed if trade barriers were to be lowered before this country's five-year Trade Expansion Act expired next year.

In a speech to the House, the Missouri Republican said he was convinced by talks with United States negotiators and officers of the General Agreement on Tariffs and Trade that prospects for reciprocal lowering of trade barriers had improved.

"I found an increasing tempo of negotiation, in which many separate subjects are being simultaneously explored, and in which there is reason for hope," he said.

The most urgent obstacle to a successful outcome, he said, is "the European Economic Community's difficulty in solving its own problems." These have been eased by indications from France of a more "constructive" stance, he said, adding:

"The credibility of the French threat to 'torpedo' the Community has certainly been reduced."

Mr. Curtis indicated agreement with the statement of Secretary of the Treasury Henry H. Fowler last week—that failure to make prompt use of the tariff-cutting authority of the Trade Expansion Act "can trigger a substantial setback for the movement toward liberal trade."

The law "undoubtedly will not be renewed in its present form even if it is given an extension," Representative Curtis predicted.

After five years, he said, the House "will be impatient to open up and re-examine any new delegation of authority to the President to negotiate United States tariffs and trade treaties."

He implied that American lawmakers were unlikely again to authorize tariff reductions to levels that would encourage more European imports, in view of deep official concern over the dollar outflow.

"This new legislation will be examined in the light of economic and political conditions as they exist in 1967—including the inflationary condition of the domestic economy . . . and, importantly, the heavy United States deficit in the balance of international payments," said Mr. Curtis, a ranking minority member of the Ways and Means Committee.

[From the Baltimore Sun, June 1, 1966]

GOOD TARIFF WORK NOTED—CURTIS HOPEFUL OF GENEVA TRADE CONFERENCE

(By Rodney Crowther)

Washington, May 31.—Representative Curtis (R., Mo.), a member of the Congressional delegation for the "Kennedy" round of trade negotiations, today reported to Congress that "there is reason to hope" for a favorable outcome of the Geneva tariff negotiations.

The Republican Congressman, who is also a member of the House Ways and Means Committee, which wrote the 5-year trade act, also reported that he had discerned a "new willingness of the French to move ahead in the Kennedy round bargaining partly as the result of strong pressures from the French electorate who has demonstrated its approval of the European common market."

He warned, however, that time is running out for achieving the tariff-cutting program which was envisioned when the trade act was written in 1962, and he said more speed is needed.

However, he said in his report to the House that prospects for reciprocal reduction of tariffs by the GATT (General Agreement of Tariffs and Trade) countries has improved. The Missouri Congressman recently attended Geneva sessions.

U.S. NEGOTIATORS PRAISED

"It is my hope," Curtis said, "and that of United States negotiators that, impelled by public sentiment, the French will continue to cooperate . . . and that the Geneva negotiations can be pursued intensively on the broadest possible front—agricultural, industrial, nontariff and underdeveloped nation—with a view to beginning the concluding over-all bargaining in November."

The most urgent obstacle to a successful completion of the trade negotiations, Curtis said, is "the European community's difficulty in solving its own problems."

Curtis said that his most recent visit to Geneva gave him "great confidence in the knowledge and ability of the United States negotiating team."

"Never before has the United States been as well represented at any trade negotiations," he said.

EUROPEAN OFFER REJECTED

As to the future of the Trade Expansion Act, which must be renewed next year, the Missouri Republican said that Ways and Means Committee and House Members will be "impatient to re-examine any new delegation of authority to the President to negotiate United States tariff and trade treaties."

Curtis arrived in Geneva just when discussions were getting under way on steel, aluminum, chemicals and anti-dumping proposals. He found the offer of the European economic community unacceptable, as did the United States negotiators who rejected it.

He said that "many difficult problems must be resolved before the industrial negotiations can be successful."

While the European economic community has been tough throughout the negotiations, Curtis said that "there are now signs that the European community might be able to proceed with modifications of its former unsatisfactory stand."

Report on the Sixth ("Kennedy") Round of Trade Negotiations Under the General Agreement on Tariffs and Trade

(Remarks of the Honorable Thomas B. Curtis, in the House of Representatives, May 31, 1966)

Mr. Speaker: During much of the year since my report to Congress on the Kennedy Round on June 2, 1965, the trade negotiations under the Geneva Agreement on Tariffs and Trade (GATT) have languished. Pessimism about their outcome has been expressed on all sides. At best U.S. and foreign officials are "guardedly optimistic".

I went to Geneva on May 2–5 to discuss with the U.S. negotiating team, heads of foreign delegations, and the Director General of the General Agreement on Tariffs and Trade (GATT), the progress of the round and its complex negotiating problems. These talks have convinced me that the prospect for the current round is more balanced than it has often been presented to be. I found an increasing pace of negotiation, in which many subjects are being simultaneously explored, and in which there is reason for hope. In this sense the timing of my visit was very appropriate: discussions on steel, aluminum, chemicals and anti-dumping were opening, while long awaited European Economic Community (EEC) decisions on key issues were anticipated during the same week.

In the following report, which I have intended to make as comprehensive as possible within the limits of such a presentation, I explain many of the problems the U.S. and foreign nations are engaged in discussing in these extraordinarily inclusive trade negotiations whose effect will be felt not only by U.S. farmers, laborers and industrialists but by all industrial and most developing nations.

I would make clear at the outset that the reason for this report is my continuing obligation fully and accurately to inform this body about the trade negotiations as a member of the Congressional Delegation for Trade Negotiations, appointed by Speaker McCormack under Section 243 of the 1962 Trade Expansion Act. This is consistent with my philosophy that all national issues should be openly and publicly explored in full.

THE TRADE NEGOTIATIONS AND THE EUROPEAN ECONOMIC COMMUNITY

The trade negotiations in GATT are an important part of U.S. relations both with Atlantic Community and Japan, and the developing countries. Thus the current round of trade negotiations was conceived first as a vital link in forging what has been termed the "Atlantic partnership", as a way of helping developing countries to grow through increased exports, and as a means of strengthening free world nations in relation to Communist nations.

Today the web of inter-relationships surrounding the Kennedy Round is more tangled than in 1962. Due largely to French differences with her partners, the North Atlantic Treaty Organization (NATO) is in disarray and the goal of Atlantic partnership is endangered. The challenge of providing really effective help to the developing countries remains; their problems have not been solved by financial aid and technical assistance programs. The present GATT negotiations hold out hope that the poorer nations can develop their own economies through expanding old and finding new export markets. Recognition of the inter-relationships between the Kennedy Round trade negotiations and world political problems is also a recognition of the importance to world peace of world commercial relationships of all kinds.

Within this broad setting, the most immediate barrier to concluding the trade negotiations successfully is the European Economic Community's difficulty in solving its internal problems. The people of the United States still stand to benefit if the EEC emerges as a unified economic bloc—outward looking and competitive in its commercial relations. The trade negotiations have been useful in this respect. Though impatience with the EEC is expressed by many, we must acknowledge the difficulty of the tasks the Six have undertaken in creating economic and political union.

NEW FRENCH WILLINGNESS TO NEGOTIATE

I believe that General de Gaulle is, especially after the National elections of 1965, much more responsive to the sentiment of the French people than has been reported by the American press. There are indications that the French favor de Gaulle's position on NATO, stemming from a feeling that more independence from the United States in defense matters is desirable. On the other hand, there are strong indications from French public opinion polls that the French favor the European Community. The result is that NATO problems may be more difficult to solve, while there is hope for progressive French action in solving Community problems.

For example, a February 1966 poll by the Institut Francais d'Opinion Publique showed that those polled believed that the European Economic Community "was the most important problem facing France" at that time. In response to the question, "Would you be in favor or opposed to France becoming part of a European union in which certain important political decisions were the responsibility of a central authority rather than of each member country?" 55% of Frenchmen polled responded affirmatively. This percentage rose from 42% in October, 1964, and 32% in June, 1962.

Another factor revealing popular support for integration is the position of the Patronat Francais (the powerful French business and industrial association) which, though it has asked that French industry be given time to adjust to tariff reductions, has nonetheless urged continued French participation in EEC. French agricultural organizations have also issued statements urging continued EEC participation, in part because the French agriculture sector, the most efficient in the Community, will benefit from completion of a common agriculture market.

The strong domestic consensus, and General de Gaulle's resultant very close victory over his opponent in the December 1965 national elections, Mitterand, allow one to conclude that French Prime Minister Pompidou was sincere when he said on April 13 in the National Assembly that:

"Not envisaging the Community as an entity withdrawn within itself under the protection of the external tariff, France is prepared to encourage the progress of the so-called 'Kennedy Round' and, through a generalized reduction in customs duties, to promote the development of international trade from which it expects a strengthening of the ties between the participating countries and general economic progress. However, everything is tied to and depends on the establishment of the agricultural Common Market, hence, the completion of the financial regulations. I am happy that the most recent conversations at Brussels make it possible to contemplate the future, from every aspect, with reasonable, measured optimism."

Other factors lending credibility to this position are the assumption that the elections for the National Assembly to be held next year will be close, the fact that a majority of the electorate voted against General de Gaulle in the Presidential elections, and the failure of de Gaulle to gain the concessions he sought through France's eight-month boycott of the Community last year. The credibility of the French threat to "torpedo" the Community has certainly been reduced.

A series of very important EEC Council of Ministers (the highest decision-making body of EEC) meetings on May 5–6, and 9–11, have proven a decisive step for the Community. These, some of the most important of the EEC talks, resulted in a decision on agriculture financing and on the date (July 1, 1968) for concluding the intra-EEC Customs Union. The tone of these EEC meetings is reported to augur well for continued constructive French positions on the decisions yet to be made through difficult negotiation.

The May 11 agriculture financing decision will not be followed, however, by the immediate beginning of agriculture negotiations in the Kennedy Round. It will instead be kept in "cold storage" until the Council of Ministers can decide other matters such as the fusion of the three Community executives (European Economic Community, European Coal and Steel Community, and European Atomic Energy Agency), agriculture prices and regulations, and various Kennedy Round problems. When all these decisions have been made the Community hopes to be able to remove them from storage and proceed to act on them.

Thus the recent May Council meetings and the meetings that will follow during the next several weeks will be devoted to completing the package of decisions. It is my hope and that of U.S. negotiators that, impelled by favorable public sentiment, the French will continue to cooperate, the package can be brought out of "cold storage" and effectuated by early July, and the Geneva negotiations can be pursued intensively on the broadest possible front—agricultural, industrial, non-tariff, and under-developed nation—with a view to beginning the concluding overall bargains in November.

TRADE EXPANSION ACT RENEWAL

I wish to emphasize several matters of U.S. policy in the Kennedy Round which are of deep concern to the Congress.

First, the Trade Expansion Act will undoubtedly not be renewed in its present form even if it is given an extension. I believe I express the feeling of the House Ways and Means Committee, which has originating authority to set tariffs, in saying that a five-year delegation of authority is a very long one. In terms of the House of Representatives it covers three Congresses.

The Ways and Means Committee and members of the House will be impatient to re-examine any new delegation of authority to the President to negotiate U.S. tariff and trade treaties. This new legislation will be examined in the light of economic and political conditions as they exist whenever a new trade bill is considered—whether in 1967 or later—including inflation in the domestic economy or the after-effects of that inflation and, importantly, the heavy U.S. deficit in its balance of international payments. These conditions are quite different from those in 1962. Another factor is that redistricting and the coming Congressional elections may substantially change the composition of Congress and therefore affect its response to new trade legislation.

These are some of the reasons why it will likely not be possible to renew the Trade Expansion Act in its present form. The Act is unique, the result of the peculiar conditions extant in 1962. Clearly these conditions are not in force today. The European Community and other preferential trade blocs are showing that they can create economic—as well as political—difficulties; a new trade act may have to provide more ample authority to deal with them. At the same time the international economy has become more competitive: the U.S. balance of international payments reflects not only the strains of government programs abroad but of foreign industry's ability to compete. It will also be necessary in a new trade act to provide much broader authority to attack in earnest new trade problems. We should put aside our obsession with tariff barriers to trade. The "lost" trade problems—among them international anti-trust, patent and commodity problems—must be dealt with.

These changed circumstances will be considered by the members of the Ways and Means Committee when they plan beyond June 30, 1967, the date when the Trade Expansion Act's negotiating authority will expire. In conjunction with Ambassador Michael Blumenthal, Deputy Special Representative for Trade Negotiations at Geneva, I made every effort to point out to European and other delegations the realities of this situation, particularly in light of some rather politically naive, although well intentioned, remarks by some of my congressional colleagues who do not have the task of developing and shepherding trade legislation through the House.

The second principle of U.S. "Kennedy Round" policy that I want to stress is that industrial bargains cannot be made without agriculture bargains. A final package must include both. This has been and remains an inviolable U.S. policy objective. Foreign trade is as important to U.S. farmers as it is to industrialists and workers. They have as much to gain or lose by the success or failure of the present negotiations.

AMERICANS' STAKE IN INTERNATIONAL TRADE—THE FLORENCE AGREEMENT

The importance of international trade for many Americans is at best remote, the subject of extended negotiation in a foreign country for unknown stakes. Discussions of foreign trade are couched in difficult language which suffers in translation. To explain that generalized removal of barriers to trade among nations results in more efficient use of the world's material and human resources is meaningless. It helps to say that successful trade negotiations will benefit consumers by making sweaters, cheese and nails less expensive. Missourians will respond when I say that Boone County will sell more of its famous ham if other countries lower their trade barriers against pork products.

One area where the benefits of trade can readily be demonstrated is books and magazines, films and videotapes, paintings and prints. scientific instruments for use in teaching college and university students the most advanced ideas and technology, and articles for display in museums in cities and towns throughout the U.S.: in short, cultural materials of all kinds. The more easily Americans have access to such materials the better informed, the better entertained, the better taught, the more aware of the tides of world events and the cultures of foreign people we will be. Americans thirst for such awareness. The tremendous upsurge in American travel abroad—both in Europe and in less-developed Asia and Africa—proves it.

The need for freer access to all of these good things has been recognized by the United States—at least since 1950—when U.S. representatives helped draft a treaty known as the Florence Agreement. Nations who implement the Florence Agreement agree to allow all the above cultural materials and more to be bought by their people free of import taxes. Forty-nine other nations have implemented the Agreement. The United States has not implemented it in spite of the fact that we signed the Agreement in 1959 and the Senate "ratified" it in 1960. There is no expressed opposition to the Agreement's implementation. It has only required Executive initiative. (CONGRESSIONAL RECORD May 25, 1966, pp. 11419–11422.)

Sixteen years from the creation of the Florence Agreement the United States is still denying to our people the benefits that implementation of the Agreement would bring. Americans can benefit in the best sense from duty-free imports of these materials. It is in all our interests—our personal interests and especially the national interest—to implement the Florence Agreement. How can other nations have any faith in the United States when even in small matters it cannot match its promises and pronouncements with deeds?

As former Democratic Senator William Benton of Connecticut, one of my former Colleagues on the House-Senate Joint Economic Committee and now U.S. Ambasador to the U. N. Educational, Scientific and Cultural Organization (UNESCO) in Paris, has said:

"My fellow-members of the UNESCO Executive Board keep pointing out to me the fact that full U.S. participation in these agreements is not only in line with U.S. doctrine on the free flow of information among nations; they point out to me that U.S. membership in these agreements is strictly in line with the national interest of the United States as the principal exporter of educational and cultural materials."

The Florence Agreement has no direct relation to the Kennedy Round. It stands as a separate measure to promote intellectual and cultural commerce and better understanding among peoples. It recognizes that such misunderstandings are often the root causes of war, just as we know that in the trade negotiations we have an unequalled chance to erase some of the economic dislocations that can cause war.

INDUSTRIAL NEGOTIATIONS

In comparison with agriculture negotiations the industrial negotiations at GATT have made progress. But many problems remain: problems not only of negotiating ground-rules and strategy, such as the "exceptions" lists and the "disparities" issues, but problems also in certain very important industrial sectors that have been set aside for separate negotiations. In the context of the overall negotiations, however, the principal need is to balance the industrial and agricultural bargaining.

Exceptions and the offers tabling process

From their beginning the negotiations have been based on the concept that the maximum number of items, both agricultural and industrial, would be included with a minimum number of exceptions in tariff cutting negotiations. This concept was formally adopted as a ground rule for the negotiations in the Ministerial meetings of May 1963 and 1964. In November, 1964, all nations tabled their industrial offers lists, and in the months that followed a confrontation and justification process was undertaken among all negotiating countries to attack each other's "exceptions lists". I described this process in detail in my June 2, 1965, report (CONGRESSIONAL RECORD, vol. 111, pt. 9, pp. 12361–12365). I would only note that the U.S. exceptions list included fewer items covering less trade than the EEC list. Not only are U.S. offers on a 50% linear basis large and our exceptions list quite small but about 40% of U.S. imports were duty free according to 1961 statistics.

Since June, 1965, negotiators have engaged in extensive bilateral discussions the purpose of which was to discover concretely and finally exactly what cuts are being offered. The U.S. insisted that the EEC specify its offers in order to know how much our major bargaining partner is willing to give in return for what we have offered. This process is now largely complete: the EEC offers, and those of other nations, are known except in the sectors of pulp and paper, and aluminum. The objective is now to enlarge those offers.

The persistent problem of "disparities" between tariff rates

In my June, 1965, report on the trade negotiations I discussed at length the problem of disparities. At that time I warned the European Economic Community had allowed disparities as an issue to become quiescent, but said that this extra-ordinarily complex issue, which kept U.S. and EEC negotiators at work without agreement for at least a year, could yet "raise its ugly head". If it did, I said the possibility loomed that negotiators might once again become embroiled in a wasteful and perhaps fatal discussion. The threat remains. GATT Director-General Eric Wyndham-White has indicated that the problem of disparities might have to be reopened in several areas.

Essentially, a disparity is this: when one country has a high rate on a particular item and another country has a low rate on the same item, and the spread between the two is significant, the EEC claims that a disparity exists and that the country with the low rate should be allowed to reduce tariffs less than 50%, while the high rate country applies a full 50% cut. Negotiators have never been able to agree on rules for defining and acting on disparities.

United States negotiators have consistently taken the position that at best the disparities "rule" should only apply to cases where the spread between high and low tariff rates on the same item has a *significant trade effect*. This is also the sense of the GATT Ministerial Resolution of May 1963 on the subject.

United States negotiators should continue vigorously to make clear the arguments against acceptance of any disparities rule which ignores the criterion of significant trade effect. At the same time we should prepare, in instances where we feel disparities may become a justified trade issue, to work out the terms on which we and other affected countries, such as the United Kingdom, will negotiate. The U.S. is by no means alone in having a few high rates.

The United States must continue its effort to expose the fallacies of disparities as a mathematical concept and stress its pragmatic effect in part because of the interest of third countries, such as Switzerland or Norway. Should a mathematical disparities rule be adopted regardless of whether a significant trade effect exists, many EEC tariffs will not be cut by the full 50%. This would have the effect of preventing third countries from obtaining access to EEC markets commensurate with the access they offer to their own markets, just because another country's rate was high and therefore a mathematical disparities rule was applied. The obvious effect would be to cause third countries to retract their offers. The application of a mathematical disparities rule would in this way limit quite effectively the tariff-cutting success of these multilateral negotiations.

I am convinced that the problems posed by the lengthy exceptions lists of other countries vis a vis those of the U.S., and the identification and treatment of disparities can be overcome. My observations throughout the current round of negotiations, buttressed once again by my recent visit to Geneva, have given me great confidence in the knowledge and ability of the U.S. negotiating team. Never before has the United States been as well represented at any trade negotiation. In some part this is because procedures which were originated by the Trade Expansion Act as rewritten by the House Ways and Means Committee have been operating to encourage U.S. industry to make available to our negotiators the wealth of knowledge of products and markets that industry alone can provide. I have continuously urged the closest cooperation between government and industry in these negotiations, having sought to assure that mutually confident relations are established, and that valuable business information provided the negotiators is held securely. (CONGRESSIONAL RECORD, April 27, 1966, pp. 9162–9163.)

The time may now have come, moreover, when such industry advice should be used at Geneva. The President's Special Representative for Trade Negotiations, Governor Herter, has established a roster of about 300 technical specialists—people who know about tuna, citrus, steel, chemicals, etc.—to provide information to negotiators in specific products. I suggest a wider use of such industry specialists at Geneva at all times when they can be helpful, to supplement their present usefulness to the Trade Negotiator's Washington office.

Negotiations on steel, pulp and paper, cotton textiles, aluminum, and chemicals

In recognition of their special problems, GATT Director General Wyndham-White suggested in early 1965 that discussions begin in each of the above five "sectors". Preparations for these detailed negotiations have necessitated extensive use of industry advisers by U.S. negotiators in Washington, teams of private advisers having been formed to contribute data on the products and problems within each sector.

I have concluded that the sector approach is a logical one and has been very useful indeed in the present negotiations. The danger has always existed that such an approach to negotiations could result merely in special market arrangements, and this was suggested by the press when the sector technique was adopted. The threat has not yet materialized.

I will discuss below what I believe to be the important negotiating problems and policy issues in each sector.

Steel

On May 4 the steel sector talks opened in Geneva with very difficult problems to resolve. The parties to the steel sector discussions are the U.S., U.K., Japan, Sweden, Austria and the Six European Community nations, who are represented by delegates both from the European Coal and Steel Community (ECSC) and the European Economic Community itself. Benelux members (Belgium, Netherlands, and Luxembourg) have a common tariff. Therefore, essentially four, rather than six, ECSC/EEC rates are being negotiated in the steel sector. ECSC and EEC negotiate as a team in steel sector negotiations, negotiating authority being divided between them on the basis of steel products. ECSC has jurisdiction over unmanufactured products (the bulk of the steel products traded), while EEC has jurisdiction over mostly highly manufactured products.

One ECSC/EEC objective is eventually to establish a common external tariff (CXT), thereby fixing uniform Community rates for each steel product. ECSC/EEC has taken the position that the rates of each of the four for all products must be negotiated separately in the current round, then a CXT for each item fixed at some future time. The U.S. and third countries insist that a bargain be made in the present round on the basis of average rates which will become the ECSC's CXT.

The ECSC/EEC strategy has been to choose as the base from which to bargain an average level of tariff rates of about 14%, and to offer a cut in this average rate, which would at best be about 7%. The 14% average rate chosen by ECSC/EEC was *legally* in effect in January 1964, but its actual effective average rate was about 7%. In February 1964, however, the EEC unilaterally and "temporarily" increased the effective rate from 7% to 9%, where it remains. The U.S. and others insist on the January 1964 actual rate of 7% as the proper average rate from which to cut, by 50% because the trade negotiations were well under way by January 1964. Other sector partners take the same position.

The EEC is therefore offering at best a questionable concession, in effect a cut from a 14% average level of rates. This concession, if held to, can yield little trade benefit to the U.S. because it would cut the present effective 9% ECSC/EEC average rate to at best 7%, the previously existing rate. The U.S. has rejected this reasoning, as have the other negotiating countries. We have accordingly treated ECSC/EEC's "offers" as part of EEC's exceptions list.

The U.S. interest in obtaining truly substantial offers from foreign nations is partly demonstrated by U.S. production and export-import data. In 1964 U.S. shipments of steel products were 84.9 million short tons. Exports that year were $622 million and imports were $749 million, 7.3% of estimated U.S. consumption. In 1965 U.S. shipments of steel products were 92.7 million short tons. Exports were $508 million and imports were $1,177 million, 10.3% of estimated U.S. consumption. Thus U.S shipments of steel products were higher in both 1964 and 1965 than ever before, as was U.S. production of ingots for both years. Imports in 1965 reached a new high, adding emphasis to the shifting balance to larger imports than exports, a reversal from the favorable U.S. steel trade balance existing in 1958, when U.S. exports were $564 million and imports were $192 million. In 1959, a year of prolonged steel strike, the balance shifted.

U.S. steel manufacturers argue in brief that imports are cutting deeper into the U.S. market, partly as a result of foreign over-capacity and cut-rate pricing, and partly because of increased U.S. costs, including wage and other employee benefit costs.

Importers of steel products contend on the other hand that the large increase in imports in 1965 was due largely to temporary factors such as strike hedge buying and increased U.S. demand resulting from continuing economic expansion. The argument continues. I would only observe that the U.S. industry is operating at an estimated 95% of capacity (New York Times, April 17, 1966), and that imports are a traditional and important way of dampening inflation by satisfying demand, in spite of their effect on a balance of payments already strained by U.S. international commitments and short-sighted Administration investment restraint policies. The industry has backed Senate Resolution 149 requesting a Commerce Department study of the import situation. To decide the argument I recommend that a study of the role of imports in the domestic market be made by the competent agency, the U.S. Tariff Commission, which could do so under authority provided in Sec. 221 of the Trade Expansion Act or pursuant to request by the President or Congress under Sec. 332 of the 1930 Tariff Act. Such study could determine whether steel imports are entering the U.S. in greater quantity because of unfair foreign practices, and whether in fact there is serious impairment of U.S. competitive ability in steel.

Austria, Japan and the United Kingdom also have a high stake in obtaining and/or maintaining increased access to ECSC/EEC markets. Austrian exports of steel to W. Germany in 1964 were 40% of Austria's total 1964 steel exports, and about 40% of W. Germany's steel imports from markets outside the EEC. When averaged into the ECSC/EEC common external tariff the present low German average tariff rate would rise, thus effectively decreasing Austrian access to its traditional German market. This is an important example why steel sector participants should negotiate an ECSC/EEC average rate now.

Japan has offered a very substantial linear tariff cut, insisting that as a condition for steel bargains some change in U.S. anti-dumping practices be made, but at the same time suggesting it would consider an even more liberal offer if this were done. Japanese steel exports were 9.9 million metric tons in 1965, 44% of which, worth $551.5 million, was exported to the U.S. in 1965. By contrast the U.S. exports very little steel to Japan, only 1,000 tons in 1964. Thus opening EEC markets to Japan's exports in the Kennedy Round is important for the United States as well as Japan. If Japan's access to markets of the Six can be widened, the amount of Japanese exports to the U.S. might lessen. In 1964 Japan exported 288,000 metric tons of steel to the Six, only 4% of its total steel exports. Japan is the world's largest steel exporter and the largest foreign steel supplier of the U.S.

The United Kingdom has become somewhat ambivalent about the negotiations, though it has a clear incentive to maintain its substantial export markets. Its position is complicated by a bilateral deal with the ECSC made in 1958, when ECSC and the U.K. negotiated a "Council of Association" Agreement. Part of the Agreement was a duty reduction by both, with the provision that an increase in agreed duties by either party would take place only after consultation. When ECSC raised its effective rate to 9% in February 1964, it claims it fulfilled the consultation requirements of its Council of Negotiation Agreement with the U.K. The U.K. on the other hand claims that ECSC did not do so, and that the U.K. has already paid for the present ECSC offer in the sector talks by the February 1964 ECSC "unilateral" duty increase for steel imports. This may be a hard position for the U.K. to sustain, because its present average effective duty rate is 15%, higher even than ECSC's 14% negotiating rate, and because its exports to ECSC have been substantial: 438,000 tons in 1964 or 12.6% of its total exports. 1964 and 1965 were both record years for U.K. steel exports.

Another complication of the British position is the possibility that the British steel industry might be nationalized, making U.K. cautious about lowering its tariff rates until this situation is resolved. All these factors combine to make the U.K. less aggressive in seeking ECSC concessions in the sector negotiations than the U.S. might like.

The Effect of U.S. and EEC Customs Valuation Methods on Steel Negotiations. Another factor that must be considered in the steel sector negotiations is the effect on steel mill products trade of the different U.S. and ECSC/EEC customs valuation methods. The U.S. uses as the base on which to assess duties on most imports the price in the country of manufacture for which a product is freely offered for sale as an export to the U.S. Technically this valuation method is called "export value", and is provided for in Sect. 402 of the Tariff Act of 1930. Popularly, however, it is considered that the U.S. uses the F.O.B. (free on board) valuation method, and thus the U.S. customs valuation system is usually referred to as an F.O.B. system.

The EEC, and most other countries, use as the basis of customs valuation the price of an import plus the cost of insurance and freight (the C.I.F. method). The C.I.F. method is roughly analogous to the so-called "Brussels Definition" of value for customs purposes which was formulated in 1950 and has become a general standard for most nations, even though as formulated it has certain deficiencies.

The result is that an EEC rate of duty of 20% yields a higher amount of duty than a U.S. rate of duty of 20% on the same product. The differential between the two customs valuation systems is commonly estimated at 10%, the percentage used by the International Monetary Fund in its statistical reports even though its accuracy is often contested. The Tariff Commission's present study of U.S. and foreign valuation systems will, I hope, throw needed light on this dispute.

For most steel products the cost of insurance and freight in ocean shipping is substantially higher than that for other products—possibly 25% above the F.O.B. price of the product. Thus the ECSC/EEC rates of duty likely have a much greater trade effect than ordinarily because they are assessed on a higher base. This added effect of the C.I.F. valuation method on steel products must be taken into account in the steel sector negotiations as U.S. representatives seek to obtain meaningful foreign offers.

The U.S. strategy at the steel sector talks in May was to specify rates in the tariff schedules of the ECSC/EEC which should be substantially cut and to pinpoint such rates as negotiating targets for improving all sector participants' offers on steel mill products. ECSC/EEC is therefore now in the defensive position of having to justify why it should not offer cuts to the target rates we have suggested.

U.S. negotiators should perhaps seek in conjunction with the other members of the steel sector group to make a concession in another area of the overall negotiations as an incentive to the ECSC/EEC to become more flexible. But this should be done only in the context of a balanced package of total concessions. This means that some type of EEC offer would have to be made in order to balance the U.S. "incentive" concession.

The EEC has not tabled a meaningful offer and at present has not indicated a willingness to offer greater concessions. It must do so if it expects the U.S. to maintain its substantial offer of access to the U.S. market.

Pulp and paper

The United States has a growing export interest in the pulp and paper area. But the countries with greatest export interest are Canada and the Scandinavian countries. The EEC has stipulated that a bilateral agreement with its major suppliers, the Scandinavians, is necessary before multilateral discussion within the sector can begin. Thus negotiations in the pulp and paper sector have been prevented.

The EEC wishes to modify the present Scandinavian practice regarding exports of pulp as opposed to exports of paper products. The EEC obtains about two-thirds of its pulp from Scandinavia and therefore is strongly dependent on this near-by source of supply. Scandinavians maintain artificially high pulp prices, however, in order to ensure that foreign paper products manufacturers will not be able to compete strongly with Scandinavian paper products exports. In short, the Scandinavians, capitalizing on their position as dominant European supplier, maintain a situation whereby their paper products processing industries, which are large employers, will maintain their large foreign markets.

To date the Scandinavian countries have refused EEC's offer for a bilateral deal, preferring to negotiate in a multilateral forum. EEC will have to decide to accept multilateral negotiations before the talks in this sector can get under way.

Cotton textiles

In what form to extend the Long-Term Arrangement (LTA) regarding Trade in Cotton Textiles dominates the cotton textile sector negotiations.

As provided by Section 8 of the Arrangement a meeting must be held before September 30, 1966, to consider whether to renew, revise, or discontinue it. The United States' objective is to renew the LTA, under the authority and provisions of which the U.S. has negotiated 17 bilateral agreements with other countries, each controlling the amounts of cotton textiles these 17 countries can import into the United States. Bilateral discussions with two other exporters are now in progress.

Shorn of its trimmings the LTA is simply a world-wide market control scheme by which the importing (mostly advanced industrial) countries have imposed on the exporting (mostly developing) countries quotas which limit their exports of cotton textiles. The major condition of LTA is that the importing countries should expand their imports by 5% every LTA year. In the past LTA year the U.S. has allowed imports to expand sufficiently to meet the 5% growth requirement, and in aggregate has lived up to its growth commitment. Other advanced nations have not done so. Producing countries have pointed out that the rate of growth for imports of cotton textiles into industrial markets was higher in the years preceding the operation of the Arrangement than during the period of its operation.

LTA has had two principal results. First, the underdeveloped countries (LCD's) are denied what they consider to be justified hard currency earnings from exports of one of the few things they can manufacture. Cotton textiles represent almost half of the total exports of manufactured products from the LDC's. Second, U.S. wool and man-made fibre producers are pressing to share in a protective quota scheme such as that available to cotton textile manufacturers. Wool and man-made fibre producers are sharing in the current textile boom—however their argument for special protective import measures for their industries refers to future rather than to present needs.

The U.S. has taken the position in the cotton textile talks that: 1) the LTA should be extended without change, with the proviso that 2) it will be more liberally administered, and that 3) the maximum possible cuts in industrial nations' cotton textile tariffs will take place.

The EEC has made its cotton textile offers on many items conditional on renewal of LTA. Other consuming countries have also insisted on LTA renewal as a price for tariff concessions.

Because cotton textiles are so clearly a matter of interest to less-developed countries, and therefore to the stature of the GATT and the credibility of its position on its new special LDC trade initiatives, LDC's must receive special consideration in this sector. The outcome of negotiations depends simply on what price the exporting countries will require in order once again to submit to quotas imposed under the LTA. I urge that every possible consideration be given to removing all barriers—tariff and non-tariff—which restrict LDC exports and therefore their ability to earn development capital, and recommend that the importing countries allow substantial liberalization and eventual elimination of import quotas under the LTA. I reject the "ordering" of international or domestic markets so as to control supply or demand factors in any way. It is in this context that the objective "trade not aid" can be more than a slogan.

Liberalization of LTA by allowing gradually larger imports and phasing out the Arrangement should be economically acceptable to U.S. industry under present circumstances. The U.S. cotton textile industry is in a period of boom. Order backlogs are higher than ever, and some firms are not accepting orders for some products. Sales and profits of firms making cotton (and other) textiles have risen faster than any other product group on the stock exchange. The industry's rate of capital spending is as high as any major industry, and return on equity is very near the national average. In a speech to the American Textile Manufacturer's Institute on March 26, Commerce Secretary Connor spoke of the export potential of U.S. cotton textiles, urging the industry to sell more in foreign markets. The U.S. industry is back on its feet after several years of spoon-feeding by means of special depreciation allowances and other devices, including the LTA's quota system. As I said in a letter published in the New York Journal of Commerce on September 9, 1965, now is the time to remove the artificial barriers to increased imports in order to absorb U.S. demand and prevent the development of overcapacity that could contribute to recession when the current boom ends.

Aluminum

Among major aluminum producing and consuming countries having relatively high tariffs on ingots, Japan is largely self-sufficient in aluminum, and the EEC is now, and in the future is likely to be, the major world market where actual and potential production will fall short of consumption. The only other deficit market of note is the United Kingdom, which has a zero duty on unalloyed primary aluminum.

We do not yet know what the extent of the EEC offer on primary aluminum will be. Its present aluminum tariff is 9%, almost double that of the U.S. tariff on primary aluminum. The Japanese rate is 13%. I would ask those who seem so alert to denigrate the United States to take note of this. Indeed the U.S. has its peccadilloes but overall we are by far the most free trading nation in the world, which is as it should be. This is merely enlightened self interest.

The U.S. position should be one of continuing to seek full 50% duty reductions, or bindings on existing duty-free rates, on primary and wrought aluminum by all major producers and consumers of aluminum. The Canadians and Norwegians should play the principal role in confronting the high EEC and Japanese tariffs, since the former are the only producers with actual and potential primary aluminum exportable quantities of real magnitude.

It is expected that the EEC eventually will offer as a concession some type of tariff quota. They now have such a quota (5% rate applies to in-quota amount), but it is unbound in the GATT, and we have no idea of the size of the quota the ECC might offer. The facts of the present quota and the potential trade do not lead to believe that any tariff quota proposal the EEC may offer will be an acceptable substitute for a reduction in the 9% CXT on aluminum. Since the Japanese cannot make a sound case for continuance of their high rate on primary aluminum imports, every effort must be made to seek a full 50% reduction in the Japanese tariff.

Canada has always presented a special problem to the U.S. in the aluminum area. Its extraordinarily flexible anti-dumping "laws" have been used to exclude American primary aluminum exports, once again revealing the importance the U.S. of reaching an international code on anti-dumping, an important item in the non-tariff barriers area of the present negotiations. Canadian anti-dumping policy is administered at ports of entry by customs officials who are allowed unusual discretion in applying a dumping duty without first having to determine whether the "dumped' items are injurious to Canadian industry. Thus Canadian practice does not conform to GATT Article VI, which requires, in brief, findings first of sales at less than the price in the home market, then injury to domestic industry in the importing country. But most important, Canadian practice prevents effective U.S. price competition with Canadian producers. The U.S. does comply with the GATT requirement for determination of injury. It would be of great benefit to the U.S. and other nations to bring Canadian practice as well as the practices of other countries up to a high stadard through an international anti-dumping agreement. I will discuss anti-dumping further below.

Chemicals

I recognize the importance of the American selling price (ASP) system of customs valuation as a problem in the Kennedy Round negotiations but I strongly deplore both its exaggeration by Europeans and others, and the attempt to include it as a proper subject for determinable negotiation under the Trade Expansion Act.

No authority was given the President by the 1962 Trade Expansion Act to negotiate removal of the ASP method of valuation. Any change in this system of valuation, or any other system, must be made by Congress and Congress cannot be committed ahead of time. This is true of other non-tariff trade barriers such as revision of the U.S. anti-dumping law.

Undoubtedly other countries share this problem in respect to negotiating some of their non-tariff trade barriers, be they patent laws, internal taxes, quotas, licenses, cartel and state trading arrangements, subsidies hidden or open, monetary exchange arrangements or whatever. However, we must not lose sight of the fact that many non-tariff trade barriers which either are not subject to political restriction or which in effect may be extra-legal if not illegal practices, the curbing of which can be done in the negotiations without political approval. Certainly any country can agree that no tariff concessions will be binding if there are not agreements against substituting non-tariff barriers by legislation or administrative discretion which would make the tariff concessions meaningless.

Furthermore, there is no reason why the U.S. and other countries cannot begin on a conditional basis non-tariff trade barriers negotiations which require congressional action, as long as everyone understands that the offers are tentative and conditional upon future action by Congress, and as long as the tentative negotiation is public knowledge so that the U.S. Congress or the legislative organ of another nation is free to exercise its honest judgment on the issue and not be put in the position of either acquiescing or having its country accused of welching on a deal.

American selling price is one among the many trade problems under discussion in the round under these guidelines. I was surprised, in light of the fact that it has been made such a point of discussion, that Ambassador Blumenthal and I should have had to explain to European and other negotiators in Geneva some of the most essential aspects of ASP: not just its technical meaning, but especially its political significance.

U.S. Customs Valuation Methods and American Selling Price: ASP is one of nine U.S. customs valuation methods provided by U.S. law; four under Sec. 402 and five under 402(a) of the Tariff Act of 1930 as amended.

Since the enactment of the Customs Simplification Act of 1956, Section 402 of the Tariff Act of 1930 has provided four methods of customs valuation for purposes of computing ad valorem rates of duty. Three alternative methods are used to compute ad valorem rates on most imported products. Of these the first and preferred method of valuation is known as "export value", or the wholesale price of the imported product offered in arm's-length transactions in the country of origin. If "export value" cannot be determined, the second method of valuation is "U.S. value", or the wholesale price of the imported product in the United States, less such elements as profit, duty, and transportation costs in order to approximate "export value". If "U.S. value" cannot be determined, the third normal method of valuation is "constructed value" or an estimate of what export value would be based upon the costs of production in the country of origin.

The three normal methods of valuation provided by section 402 of the Tariff Act of 1930 do not apply as a matter of law to four groups of imported products: certain benzenoid chemicals, rubber-soled footwear, certain canned clams, and woolen knit gloves. For these classes of goods a special method of valuation known as American selling price applies.

With respect to benzenoid chemicals, the law provides that any imported benzenoid chemical which is *competitive* with a *similar* domestic product shall be valued on the basis of the American selling price of the domestic product (or its wholesale price). If the imported benzenoid chemical is not competitive, it is to be valued, first, on the basis of U.S. value and, if this cannot be determined, then export value or constructed value. Most non-competitive benzenoids are valued on U.S. value.

With respect to rubber-soled footwear, canned clams, and woolen knit gloves, the law provides that any imported product which is *similar* to such a domestic product shall be valued on the basis of the American selling price of the domestic product. If the imported product is not similar to any domestic product, it is to be valued on the basis of the normal methods of valuation: export value, U.S. value, or constructed value.

In accordance with the Customs Simplification Act of 1956, section 402 of the Tariff Act of 1930 largely superseded earlier valuation provisions and contains the current definitions not only of the three normal methods of valuation but also of ASP as it applies to *most* of the products falling into the four groups noted above. Certain of these products, however, are included in the so-called "final list" of imported products established pursuant to the Customs Simplification Act of 1956.

With respect to products on the final list Section 402(a) of the Tariff Act of 1930 provides for the continued application of the old methods of valuation. These methods are five: foreign value, export value, U.S. value, constructed value, and American selling price. Thus, depending upon whether a product is on the final list, either the current (Sec. 402) or old (Sec. 402(a)) definitions of ASP may apply.

The five valuation methods provided by Sec. 402(a) of the 1930 Tariff Act are a vestigial remain of the attempt in the 1956 Customs Simplification Act newly to define four methods to take their place and in so doing to eliminate foreign value as a valuation method. This was done in the bill as it passed the House of Representatives. However, in the Senate, the provision was added to the bill that whenever the foreign value of an item provided 5% more duty, it should be listed by the Treasury Department on a "final list". Thus when an import enters the U.S., if it is on the final list it is valued for customs purposes first on its foreign value, and if foreign value cannot be determined, then export value, U.S. value, and finally constructed value. If an import is on the final list and is also subject to ASP, then the ASP method is used.

Tariff Commission Study of U.S. and Foreign Valuations Methods. Pursuant to a resolution of the Senate Committee on Finance of February 9, 1966, the U.S. Tariff Commission has begun a study of the customs valuation methods of and by the principal trading nations. By June 30, 1966, the Commission must submit to the Committee a preliminary report describing the methods used and comparing the basic differences between such valuation methods. By February 28, 1966, the Commission must submit a report recommending improvement in U.S. customs valuation laws, including the advisability of adopting the Brussels Definition of customs value.

I have urged a review of U.S. customs valuation methods and strongly support the Finance Committee resolution. Such a study is long overdue. I recommend, however, that the U.S. not make any change in its overall valuation methods at a time when such change could endanger the trade negotiations, which will draw to a close only five months after the Tariff Commission's recommendations are due.

It has been argued that the conversion from the ASP method to conventional customs valuation methods should await the completion of the Tariff Commission valuation study. I have argued instead that ASP is an identifiable separate issue which can be discussed in the Kennedy Round.

History of ASP. ASP was first conceived as a means of permitting the existence and growth of the U.S. "infant" chemical industry. During World War I the U.S. found itself cut off from supplies of coal-tar (benzenoid) chemicals, for which we relied on Germany. Thus during and after the war the U.S. began to build its own chemical industry, only to find that by 1920 its traditional, cartelized, German suppliers had begun once again to sell, at cut rate prices, in the U.S. market. Such exports were aided by foreign currency depreciations, which made them cheaper. Depreciation was accompanied by rapid price fluctuations which made it difficult to determine a meaningful value for customs purposes. These factors led to ASP, which was convenient because it was based on relatively easily determined U.S. prices, and because it concealed the actual amount of tariff "protection" afforded by the ad valorem rate listed in the schedules. Congress has traditionally been reluctant to fix rates higher than 50% ad valorem, and the ASP method avoided doing so.

Congress acted first in 1921 to provide a differential between foreign and U.S. prices by enacting the Dye and Chemical Control Act of 1921. It was followed by the Tariff Act of 1922, which established the American selling price system for benzenoid chemicals. In the 1930's ASP was extended by Presidential Proclamation under Sec. 336 of the Tariff Act of 1930 to certain rubber footwear, certain canned clams, and certain wool knit gloves. Section 336 was effectively obviated by the Reciprocal Trade Act of 1934, which provided that no Sec. 336 action could take place on an item on which there was a duty reduction under the Act. This provision of the 1934 Act has been carried forward in successive reciprocal trade acts. Therefore a Sec. 336 determination can only be made on the approximately 400 (out of about 6000)

U.S. tariff items on which there has never been negotiated reduction.

How ASP is Applied. When an import is dutiable under the American selling price method of valuation, the amount of the duty is determined thusly: when an item competitive with a similar U.S. product is imported, the ad valorem rate listed in the U.S. Tariff Schedules (TSUS) is taken as a percentage of the price of the similar U.S. product. This, plus any specific duty which may apply, then yields the amount of the duty on the import. The value of the import is of no relevance in determining the duty. The ASP duty is derived simply from the U.S. price, and the amount of the duty will rise or fall as the U.S. price rises and falls, thus providing a constantly effective differential between the U.S. and foreign goods. If no similar competitive article is manufactured or produced in the U.S., then the ad valorem rate on the import is based on United States value or constructed value.

An import is considered by U.S. Customs similar to and competitive with a U.S. product when it accomplishes results substantially equal to those accomplished by the domestic product when used in substantially the same manner. In the case of chemicals, laboratory analysis is used by Customs to determine similarity. Competitiveness is determined by Customs officials, one reason for the administrative complications which make ASP in chemicals a barrier to trade. A similar problem exists in determining the competitiveness of certain rubber footwear, a problem to be discussed below.

Conversion from ASP to Conventional Valuation Methods. In my report to Congress last June, I recommended that whatever if anything was done about ASP, a study should be made to convert ASP-determined rates to ad valorem rates based on the conventional valuation systems specified by Sec. 402 and 402(a) of the 1930 Tariff Act. This would help us evaluate the real significance of ASP as an economical differential. I have also advocated a study of all of the different methods used by the U.S. and other nations to which tariff rates are applied.

On December 23, 1965, Governor Herter at the direction of the President requested the U.S. Tariff Commission to make such a study and report to him a new schedule containing tentative converted rates for benzenoid chemicals subject to ASP, rubber-soled footwear, certain canned clams, and wool knit gloves. This tentative converted schedule of rates was made public on May 2, 1966. Hearings at which all interested parties including foreign governments may be represented will begin on June 8 at the Commission. The Commission will then publish a recommended list of converted rates later in the summer. These rates can become effective only if enacted by Congress.

The conversion study was requested by Governor Herter at the direction of the President for reasons largely relating to Kennedy Round chemical sector discussions which will be discussed below. In recommending converted ad valorem rates for benzenoids the Tariff Commission also prepared a list of "ad valorem equivalents" (AVE's) of the compound rates now in the schedules. A compound rate is both a specific rate of duty on quantity (x cents per pound) plus a percentage rate on the value of the import. The AVE's, expressed in percentage terms, were calculated for the present (unconverted) schedule based on the export value of 1964 imports of benzenoids. This is the first time that the actual duty on benzenoids has been exposed as a percentage of the value of the import. Many expected this tentative conversion list to show many rates well over 100% of the value of the import. In fact, there are only 6 rates over 100% and only 27 rates over 50%, out of the 92 TSUS items for which AVE's were calculated. The highest AVE is 170%, which results largely because of technical problems existing in the conversion process. If no imports of a TSUS item occurred in 1964 no AVE was calculated. U.S. rates based on ASP were shown by the list of AVE's to be much lower than many had anticipated, therefore less of a trade barrier.

The calculation of AVE's on benzenoids was necessary in order to determine comparability of U.S. rates of duty with foreign rates of duty. If negotiations take place on items with compound rates, such as these, the bargains will be made by cutting the specific rate by a certain amount, and the ad valorem rate by a certain amount. The result will then be calculated as an AVE in order to determine the actual meaning of the cut in terms of a percentage. One effect of the few high AVE's has been to reactivate the European claim of disparities in the chemical sector. However, the public hearings on the tentative schedule of converted rates may well end up with few if any of the rates being above 50%, so the disparities problem may well be minimized. In any case the few high rates are exceptions and should not be used for political purposes by the EEC.

In the conversion from ASP rates to conventional rates certain problems have arisen peculiar to the item being discussed. Conversion problems in the benzenoid and rubber footwear fields deserve separate mention. Thus the four categories of products subject to ASP will be discussed separately below.

ASP and Benzenoid Chemicals. Imported benzenoid chemicals subject to ASP had an invoice value in 1964 of about $53 million and accounted for about 1.5% of domestic benzenoid sales totaling $3.4 billion. In 1964 about 700 manufacturing companies, employing at least 116,000 persons, made benzenoids among other products. About five U.S. firms produce benzenoid chemicals alone. These firms would understandably be most sensitive to change in the present system. Indeed to grant a concession could badly damage them. Most firms that would be affected, however, are large and diversified. U.S. negotiators have made it plain that tentative negotiations on prospective conversion of ASP by the Congress will have to contain some trade concessions on the part of Europeans in the chemical area in order to bring about congressional approval.

In calculating the converted rates, the Tariff Commission chose 1964 data on which to base the conversion. The key statistic in such conversion is the actual export value of the imported benzenoid chemical. The immediate guide to finding such export value is the price on the actual invoice slip which must accompany each import when it enters U.S. Customs at any port (most benzenoids are entered at New York). Invoice prices for benzenoid imports are often inaccurate, however. This is because many benzenoids are only infrequently traded, perhaps only once every several years. When traded, they may come in varying quantities, and in varying "strengths", from different countries, and from different companies. Rather frequently they are traded between parts of the same company. For these reasons invoice prices often do not reflect true sale values.

There is another important reason for invoice price inaccuracy. Benzenoid invoice prices are not normally scrutinized for accuracy by U.S. Customs, because the invoice prices are not used as the base on which to assess duty. They are therefore unimportant except to the U.S. buyer, who might be paying quite a different price from that shown on the invoice.

For all of these reasons the invoice prices for 1964 that were available to the Tariff Commission had to be re-evaluated to reflect realistic import values.

Thus, for 1964, the Tariff Commission selected a sample of about 1,000 invoices out of the approximately 15,000 available to it. In selecting its sample, the Commission considered: the frequency of importation of each compound; the size of individual shipments; unit values; whether duty was based on ASP or another valuation method; names of importers, exporters and makers; and whether the entries represented transactions between affiliated firms.

What emerged from this exercise undertaken in conjunction with the Customs Bureau was a list of more accurate dutiable values (usually export value) for about 1,000 imported benzenoids. These values were then used in computing a converted rate. For example, the benzenoid product Phenol (TSUS 403.40) has a present ad valorem rate of 17% and an American selling price of $.10 as determined by the Tariff Commission. If the export value as determined by the re-evaluated invoice values for Phenol in 1964 were an average of $.065, then the converted ad valorem rate for Phenol would be 26%.

This is determined by using the following formula:

$$\frac{.10\ (\text{ASP})}{.065\ (\text{export value})} \times 17\%\ (\text{present TSUS ad val. rate}) = 26\%\ (\text{tentative converted rate})$$

Chemical Industry's Conversion Problems. The object of the conversion exercise is to ensure equity of conversion from the ASP valuation method to conventional valuation methods for imported benzenoids. Both methods should provide the same amount of duty. Various uses might be made of the converted rates in the trade negotiations, under certain circumstances to be explored below.

The U.S. industry is aware that if the reconstructed invoice values are incorrect, the rate conversion could result in a rate that is too low. Importers are also afraid that the rates could be too high. Both parties will have an opportunity at hearings beginning June 8 to express their viewpoints and to contest the converted rates based on information available to them. I would hope that in this process the Tariff Commission will make use of any data not previously available to it, in order to arrive at the most equitable possible list of final recommended rates for benzenoids as well as for rubber-soled footwear and certain canned clams. I would expect the hearing process to produce sound decisions ensuring the best possible tentative rate conversion.

Thus both U.S. industry and importers are now attempting to determine average world market prices for those benzenoid chemicals subject to the tentative converted schedules. In order to do so they can call on their network of market information using subsidiaries and affiliates and other trade channels, networks that are often worldwide. The U.S. chemical industry in this instance acts much as a group through the Synthetic Organic Chemical Manufacturers Association (SOCMA) and the Manufacturing Chemists Association.

It would be helpful to the U.S. industry to have access to the invoice information used by the Tariff Commission in arriving at the converted rates, but the Tariff Commission has deemed such information confidential business information on the ground that, except in the form of totals for groups of products, the release of invoice values would reveal certain operations of individual concerns. There are comparatively few foreign manufacturers and U.S. importers involved in the import trade in benzenoid chemicals and names of the traders in particular products are well known. Even if not accompanied by names of traders, release of invoice values would reveal traders' commercial secrets. The Tariff Commission has a reputation as a keeper of the business secrets of both U.S. industry and importers which it must maintain. I have not yet heard an argument that would convince me that the invoice values could be revealed without damage to their confidentiality and the Tariff Commission's reputation.

The U.S. industry believes that the month first allowed by the Tariff Commission and Special Representative for Trade Negotiations to prepare for the June 8 Tariff Commission hearings was too short. I am in sympathy with this argument. I urged and was pleased that the Commission and Special Representative decided to allow an additional week for industry and importers' preparation for hearings. I believe also that the scheduling of a second hearing for early fall on the economic impact of conversion should also allow industry more time, because industry need prepare and present only its case on conversion at the Tariff Commission hearing beginning June 8. Arguments on the economic impact of conversion can be withheld for presentation at the second hearing, which I think might appropriately be held either by the Tariff Commission or the Trade Information Committee of the Special Trade Representative's office.

The U.S. industry is also concerned that the new benzenoid schedules not group too many items, resulting in an averaging of rates that could mean converted rates too high for some items and too low for others. The Tariff Commission intended that the groupings be made so that only minor changes in duties would result in most cases, especially on important items of trade. Effort was made to arrange the groupings so that the effects on the domestic producers and the importers would be kept to a minimum and so that the disadvantages that might accrue to the U.S. industry or to the importers would be offset by approximately equal advantages to the same groups.

For example, in the proposed TSUS basket item 403.60 G ("other"), there are grouped 980 items at an average tentative converted rate of 36% ad valorem and specific rate of 3.5¢ per pound. An item like 2 Napthol-6-sulfonic acid of which 366,000 pounds were produced in the U.S. in 1964, could perhaps be dutiable at a converted rate of 64% based on its export value, instead of 36%, if listed separate from the basket. Is this an equitable converted rate for this benzenoid? These are the types of questions the Tariff Commission must address itself to. It may be that such basket categories should be further broken down if the information presented at the coming hearings proves it necessary.

Another conversion problem is that of "standards of strength". As noted above, the duties on most benzenoids subject to ASP are compound (contain both a rate of duty per pound and a percentage ad valorem rate). The specific part of the duty on all imports of colors, dyes, and stains which exceed standards of strength established by the Secretary of the Treasury is computed on the weight which the article would have if it were diluted to the standard strength. This is the so-called "Treasury list", which contains only 3 chemicals.

Another list applies to other ASP benzenoids. For all products assessed on ASP value which are imported in a different strength from the similar competitive U.S. article, the value of the imported article is adjusted in the proportion which strength of the imported article bears to that of the domestic article. Industry is concerned that were the ASP-required test of competitiveness and similarity to be deleted from the law, the standards of strength provisions will no longer be applied to imports.

ASP Conversion for Benzenoid Chemicals and International Trade Negotiations. By themselves the tentative converted rates, and even the final Tariff Commission recommended rates, are meaningless except as they help us to understand its impact on imports and U.S. industry. If the President so decides, they may become an item for preliminary negotiation in the Kennedy Round. I have been formally assured that before such decision a second hearing on the economic impact of conversion will be held.

Several uses could be made of the recommended converted rates in the negotiations, all of them subject to Congressional approval.

One outcome of international negotiation on ASP could be simply to adopt the converted rates *per se*, without any lowering, and therefore to remove the ASP valuation method for benzenoids. This would have two effects: first, it would be an advantage to foreign benzenoid exporters because the administrative delay occasioned by the process of determination of similarity and competitiveness with a U.S. benzenoid would be removed. Also eliminated would be the administrative discretion entailed by the system, which we like to think of as a fault only of foreign nations' customs administration. What U.S. industry is most essentially losing, however, is the automatic protection afforded it whenever it chooses to begin to manufacture a product similar to and competitive with an import. Adoption of converted rates would freeze those imports that are at this time competitive and similar at a higher rate of duty than non-competitive unsimilar imports. This flexibility of the ASP system, which helps make it such a unique valuation device, would be lost.

By adopting the converted rates, without lowering those rates, the U.S. would be making a concession in the non-tariff barrier area, and should require a compensating foreign non-tariff or other concession.

Another outcome of negotiation could be both conversion and reduction of converted rates, a truly "meaningful" U.S. offer which would require additional foreign concessions in the form of substantial offers in items in the three Chapters of the Brussels Tariff Nomenclature that EEC has excepted from negotiations, as well as concessions in the non-tariff barriers' and perhaps other areas.

Yet another outcome of the negotiations could simply be a reduction of the present, unconverted, U.S. ad valorem rates (even when subject to ASP) if substantial enough concessions are made by the EEC and others.

Geneva Chemical Sector Discussions Open. During my visit to Geneva, U.S. and foreign negotiators opened discussions in the chemical sector based on the EEC's decision to table its remaining offers in chemicals.

The U.S. made clear at the meeting that it is prepared to explore the possibility of modifying the effect of the ASP system of valuation as it applies to benzenoid chemicals. As a working hypothesis, the U.S. is ready to discuss the possibility of conversion of rates as they might be reduced in the current round to a new set of rates based on standard methods of valuation, designed to yield duties substantially equivalent to those now collected. But the U.S. is not now offering such a conversion, only proposing to explore what is feasible. The U.S. could make a formal offer only in the framework of a separate package including additional and comparable offers by others, and such an agreement would require enactment of implementing legislation by Congress.

The U.S. has made very substantial offers on the bulk of chemicals traded today. These offers would open the U.S. chemical market to increased foreign competition. Ignoring these very attractive and meaningful offers, the EEC has chosen to insist on negotiations on ASP as a price for removing the conditions that it has placed its offers in major areas of the U.S. trade interest. It would be a shame if the EEC were not to proceed with negotiations on the trade offers on which the President presently has full authority to conclude agreements.

Concessions on ASP can only be included in the final agreement if in return the U.S. receives a fully reciprocal *quid pro quo*, in part provided in the chemical sector, and in part provided by concessions by others in the non-tariff barriers field. Such concessions have not been forthcoming from the EEC and Japan and until they do the U.S. cannot and will not continue to offer concessions and will withdraw them if necessary to achieve a balanced package of reciprocal concessions.

Patents are of particular concern to the chemical industry. I have long considered that U.S. chemical concerns should not fear international competition because of their diversity, research orientation, marketing and distribution ability, and size. If an adequate international patent system could be devised, it could prevent foreign firms from selling products newly developed by U.S. firms in the U.S. market at highly competitive prices. I have no indication how much such international competition exists. I do believe, however, in the right of companies everywhere to have as a means of recouping their expenditures exclusive use of the fruits of their own research and development for specific periods and I believe this should extend into international trade. In the chemical and other sectors I think it a perfectly reasonable goal to seek foreign concessions in terms of better patent practices as part of a bargaining package.

In summary. The chemical sector talks have been complicated by the ASP problem. It has been claimed that Europeans and other nations have chosen to select out ASP as a delaying device, without knowing its economic effects and political implications. The U.S. has now disclosed its willingness to discuss ASP, and in doing so has put the Europeans and others on the defensive. It is now up to our negotiating partners to decide whether to "fish or cut bait", to return to the table ready to bargain with improved offers or no.

ASP and Rubber-soled Footwear. Section 336 of the Tariff Act of 1930 provides for Tariff Commission investigations of the differences in the cost of production of domestic articles and of like or similar foreign articles and the equalization of such differences. It provides that a 50% increase in the statutory rate of duty is insufficient to equalize such difference, the Commission shall so state in a report to the President and shall specify an ad valorem rate of duty, based on the American selling price of the domestic article, necessary to equalize such difference.

After due investigation under Section 336 of foreign imports of certain rubber footwear, the Tariff Commission recommended to the President a rate of 35% ad valorem on the ASP value, and the President proclaimed such rates on March 3, 1933. The 35% ad valorem rate was reduced after tariff negotiations under GATT in 1955 to 20%.

The items subject to the 1933 proclamation are provided for in item 700.60 of the TSUS at a rate of 20%. These items are footwear having uppers of fabric and soles of rubber or plastics, items commonly referred to as "sneakers" and variants thereof.

Fifty-one U.S. firms produce rubber-soled fabric-upper footwear among other products. Thirty-six such firms are in the Northeast United States. Production according to Tariff Commission statistics was: 71 million pairs in 1958; 103 million pairs in 1961; and 166 million pairs in 1965, a steadily rising rate of production. Imports were: 4 million pairs in 1958; 28 million pairs in 1961; and 33.4 million pairs in 1965. U.S. exports were 69 thousand pairs in 1960 and 225,000 pairs in 1964. In 1964, 21 million pairs or 73% of total imports under TSUS item 700.60 were dutiable under ASP. In 1965 this figure fell to 18 million pairs or 53%, a significant change in trade, the reason for which industry and importers claim they do not understand. To try to determine the reason the industry and importers alike have asked the Tariff Commission for data on the 47% of imports defined by U.S. Customs as outside the ASP provision.

In 1965 a major change in the administration of the ASP provision was made by the Treasury Department after a lengthy decision-making process. Prior to 1963 the practice of the Customs Bureau in the appraisement of such footwear was to assess the duty on the value of the highest-priced like or similar domestic article. Early in 1963, the Bureau suspended appraisement of footwear found to be subject to the ASP provision, pending a possible change in the method of determining ASP.

In the Federal Register of August 19, 1965, the Bureau announced proposed new guidelines providing that the appraisement of such footwear should be made on the value of the closest priced like or similar domestic article: "the product which is closest in price to the price of the imported article shall be selected as the most similar." This provision was finally adopted in February 1966.

The new guidelines have the effect that less duty has to be paid on imports because the American selling price on which the duty is assessed is lower than previously. The new guidelines are retroactive to early 1963 (date of suspended appraisement) on all imports of such footwear, which had been entered in bond pending Treasury decision.

The industry claims that the Treasury decision was improper and perhaps an illegal use of the Treasury's authority. Whether or not the Treasury decision was a correct one, the industry on paper has taken a very substantial tariff cut, because the new guidelines have resulted in considerably lower rates of duty on imported rubber-soled canvas-upper footwear. A bill (H.R. 12983) to rescind the new guidelines and reinstate the old has been introduced.

Under the new Treasury guidelines a weighted average converted rate for the four basic types of footwear imports is 59.5% rounded off at 60%. Under the old Treasury guidelines the weighted average ad valorem rate of duty for the same types of footwear would have been 96.1%. The difference between the two is 36.6%, a significant loss of duty.

This is the U.S. industry's case for claiming that it has suffered a unilateral reduction of duty and that traiffs on its products, either in their present or in converted form, should not be negotiated in the Kennedy Round. It is a strong case. The case is contested by importers who claim that since the suspension of appraisement in 1963 and the bonding of imports pending a decision, importers have calculated and taken into account of an average duty on the four types of footwear in question of about 60%. Imports, they argue, have actually been priced in U.S. markets for the past three years at prices reflecting the duties resulting from the new guidelines. They point to statistics showing that imports entering the United States at this level of duty have remained at a plateau during this time. In essence, they argue that the 60% rate has been in effect throughout the past three years without and damage to the domestic industry in terms, at least, of increased imports.

These complex problems are complicated by the difficulty of obtaining statistics regarding production, imports, and employment that can be agreed by both sides. For such reasons the Tariff Commission was established as an adjunct of Congress. Congress must rely on the Commission for impartial and scholarly study of technical matters such as these. Once again I express the hope that the June 8 Tariff Commission hearings, and the later hearings on the economic impact of ASP conversion, will help to complete the picture and produce truly equitable decisions. In spite of my confidence in the Tariff Commission, it cannot supplant the need for careful determinations by the House Ways and Means and Senate Finance Committees, and continuing through scholarship by their Members and staffs.

In converting rates for these footwear, the Tariff Commission used data covering nearly half of the total imports of footwear for 1965, collected at the four major ports of entry. They calculated the rate of duty for these invoice values on the basis of the new guidelines, and arrived at a weighted average converted rate of 60%, as noted above. In the new proposed schedule a Subclass A would cover types of footwear not subject to ASP valuation at a rate of 20%, and Subclass B would set a tentative converted rate of 60% covering types of footwear now dutiable under ASP.

Both industry and importers have certain problems with the conversion of rates that should be considered. First, there is the question of trade data on which the tentative conversion is based. As noted above, there was an unusual drop in the amount of imports entered under ASP in 1965. In this circumstance, was the choice of 1965 data alone for conversion purposes a wise one? The industry asks whether it would have been more appropriate to take data from 1962, the year prior to the suspension of appraisement and the eventual adoption of new guidelines. The industry now asks to have sufficient data to be able to construct weighted average converted rates under both new and old guidelines for 1962, 1963, and 1964, in order to be able to determine the fairness of the 60% converted average rates. Importers argue on the other hand that the trade data used should be as current as possible to reflect present competitive trends.

Another problem is the fairness of the price of footwear used as the comparable price by Customs. In the first three months of this year data was gathered for the first time to show that canvas for making the uppers of rubber-soled footwear was being imported in large quantity, a projected 15 million pairs of uppers for 1966. Uppers made of such imported canvas are of unmarked origin and therefore, industry claims, difficult to trace as they emerge in a final product. But they would contribute to making a cheaper sneaker. If the imported canvas uppers are in fact used in large enough quantity, the industry argues that they could lower the price of the shoe against which the import is being in fact compared for purposes of its ASP valuation.

Finally, the industry is wary of the use of the converted rates on rubber-soled footwear in the trade negotiations. As in the case of chemicals, there are really two principal ways of negotiating ASP. First is to simply remove ASP as a valuation method, offering a conversion of rates in return for some foreign *quid pro quo*. Second is not only to convert ASP rates but to reduce them in negotiations. Given the unilateral reduction of duties effectuated by the new Treasury guidelines for which we get no concessions it would seem unfair to further reduce the converted rates even by reciprocal concession.

The rubber footwear industry argues that, just as the chemical industry has been assured some element of *quid pro quo* in terms of export interest in the same sector, so the rubber footwear industry should receive a *quid pro quo*. The industry argues, however, that it has no export potential, pointing to 1965 exports of only 225,000 pairs of rubber-soled shoes, and concludes that no negotiations are possible on the condition of industry reciprocity. They ask what they could possibly get in return for a concession on ASP.

The answer is obvious. Just as in the case of the chemical industry, only a small number of firms produce only rubber-soled footwear, and could therefore obtain no reciprocal benefit from negotiations. Some very large rubber footwear manufacturers like U.S. Rubber and B. F. Goodrich could benefit strongly from successful trade negotiations. One healthy outcome of negotiations would be to achieve liberalization of EEC markets to imports of Japanese rubber-soled footwear which would reduce pressure on the U.S. market.

Further, I would like to stress that the concept of reciprocity within sectors, especially such a narrow sector as rubber footwear, has not and should not be adopted in the current trade negotiations. We have been very careful to circumscribe this theory in the chemical sector, making clear first that reciprocal chemical concessions are only one of the needed *quid pro quos*, and that such concessions would apply to the broad range of chemicals in which the U.S. has an export interest.

ASP and Canned Clams. Canned boiled baby clams are the only article in TSUS item 114.05 which the Customs Bureau finds like or similar to a domestic product. On May 31, 1934, the duty of 35% ad valorem on ASP basis was proclaimed by the President after a Section 335 investigation and recommendation by the Tariff Commission.

In 1965 boiled baby canned clams were 73% of imports of clams in the relevant TSUS item, or 1,025,000 pounds. U.S. production of similar clams in 1965 was 460,000 pounds. Such clams are packed in three plants in Maine, two in the State of Washington and one each in Delaware, New York and Alaska.

The Tariff Commission in its conversion effort determined that in view of the stability of the ASP and the relatively uniform unit foreign export value, the best conversion rate for canned boiled baby clams appears to be a specific rate of 12.5¢ per pound. This rate is set for clams valued at not over $.40 per pound, a value bracket which would include all imports now dutiable on the ASP basis, and would exclude virtually all imports not dutiable on such basis. Canned clams valued over $.40 per pound would continue to be dutiable at 20% ad valorem based on export value.

ASP and Wool Knit Gloves and Mittens. A Presidential proclamation on March 22, 1936, set a tariff of 35% ad valorem based on ASP valuation for gloves and mittens, finished or unfinished, wholly or in chief value of wool, valued at not more than $1.75 per dozen pairs. Imports of such gloves virtually ceased in the late 1930's because the value limitation (less than $.15 per pair) precluded any imports under that item. Future imports of such low cost gloves are unlikely. The National Association of Glove Manufacturers has suggested that the rate of duty now applicable to the gloves in item 704.35 be retained with the deletion of the ASP headnote, and this suggestion has been followed, resulting in a "converted" rate of $.40 per pound plus 35% ad valorem.

Summary

One danger of the sector approach, a danger shared by bilateral negotiation, is that concentration on the problems of a single group of products tends to limit the available alternatives for use in bargaining. One of the truly useful innovations of the current round of negotiations is the linear cut approach and the agreement that balancing should be achieved in the negotiated package as a whole rather than in each of its sectors. This very flexible approach may be compromised to some extent by the sector talks. On the other hand, the sector discussions have been very useful in identifying the key problems in these difficult areas, and bringing to bear on them the combined resources of the majority of negotiating countries who want meaningful negotiations to be concluded.

Many difficult problems must be resolved before the industrial negotiations can be successful. Hopefully the EEC, faced by negotiating partners anxious to make trade-stimulating concessions, will now recede from the very tough and inflexible bargaining positions it has taken on many matters. It is the natural inclination of any hard bargainer to hold on to a hard position up to the wire. There is time for the EEC and others to make meaningful offers and to conclude an important package of bargains in all sectors.

If the EEC is unwilling to make meaningful concessions the United States and other nations should so adjust their packages of offers as to achieve a balanced negotiation, even though this could mean the Kennedy Round might not achieve its original objectives. Under no circumstances should the U.S. conclude a hasty negotiation in order not to have to admit that the Kennedy Round was unsuccessful.

AGRICULTURE

The decision to negotiate agriculture problems in the Kennedy Round was itself ground-breaking. Agriculture is of great political importance to all nations, and national agriculture policies are expressed in special measures both for promotion and control of agricultural production. The effort to grapple with the various national subsidy, state trading, license and quota, and embargo programs in an international trade negotiation is a great step forward.

The goal of the United States in the agriculture negotiations is to achieve acceptable conditions of access to world markets for agricultural products in furtherance of a significant development and expansion of world trade in such products. Thus the main thrust of the negotiations is the United States effort to maintain "acceptable conditions" of access to traditional European markets. The U.S. exported a record $4.7 billion in 1965, compared to the previous record of $4.6 billion in 1964. These sales represented over 25% in value of U.S. merchandise exports. This is why the U.S. is determined to obtain in the Kennedy Round improved access to world markets for its agricultural exports. How to define and achieve "acceptable conditions" of access is therefore the major problem of the negotiations.

Because the United States has such a deep export interest to maintain, the U.S. could offer little in the way of reciprocal concessions in agriculture. This is one reason why the rules established for the negotiations by Ministerial Resolutions in May 1963 and May 1964, and agreement at lower levels, have provided that the final package of concessions should not be balanced sector by sector but across the board on all items, including those in the industrial and non-tariff barrier sectors. To some extent the EEC agriculture bargains will be tied in with U.S. industrial and non-tariff offers. Thus a key element of U.S. policy has been that industrial bargains cannot be concluded without agriculture bargains.

Progress has been slow in the agriculture sector because of the EEC's inability to forge an internal agriculture policy, which includes two principal problems. First, a common pricing system must be established. This means creating a uniform community target price, a price at which support would be maintained ("target price"), and a price at which imports would be allowed to enter ("sluicegate" or "threshold" price). The latter is often referred to as the variable levy system. The variable levy is actually the difference between the world price and the threshold price, and constitutes an import tax which raises the price of the import to a high enough price to provide protection in all EEC domestic markets.

The second element of the pricing system is the financing of the price support program and agricultural export subsidies, and certain Community technical services to agriculture. Some of the funds for this support are supplied by variable levies and other import taxes. The remainder was contributed by member nations in varying proportions. It was the requirement that the final arrangements for agriculture financing, plus the French concern that some aspects of its sovereignty might be impaired by the gradual accretion of powers by the Community, that led to France's boycott on June 30, 1965, for the most part resolved in Luxembourg in February this year.

This in bare outline is the problem the U.S. is faced with in trying to achieve "acceptable conditions of access," to European markets. In a sense it may be too late to try to achieve such modification. So many political decisions have been built into the agreed pricing system that it may be difficult to alter. The U.S. might have moved earlier to try to prevent the establishment of such a system, inasmuch as the EEC agriculture proposals now being put into action were a long time being conceived.

The negotiating problems in agriculture vis-a-vis the EEC divide into two major areas, grains and "other" farm products.

Grains. The discussions of GATT's "Cereals Group" have moved ahead faster than any other agricultural area. Major negotiating participants are the U.S., Canada, Australia, Argentina, EEC, United Kingdom, Japan and Switzerland. On May 17, 1965, all negotiating countries tabled offers in this category of farm product. Generally the grains negotiations are proceeding on the official assumption that a world grains arrangement is the best means whereby the goals of the agriculture negotiations, which include sharing the supply of food to the LDC's, can be achieved. Without such agreements, the U.S. argues, it would lose its foreign markets. The U.S. objective is to utilize as much of the market place mechanism as possible and to avoid an agreement that would fix trading prices and likely lead to market allocation, but at the same time, through a Kennedy Round grains agreement, remove the barriers to U.S. agriculture exports.

Much work has been done by the date of the French boycott of the Community beginning June 30, 1965, but further negotiation by the Cereals Group must await EEC Council decision in three key areas:

1. Access to traditional markets. To help achieve the major objective of gaining acceptable conditions of access to markets efforts must be made to allow market forces to adjust commercial market suppliers to effective demand. The EEC under its present artificial pricing practices will probably increase grain production much more rapidly than consumption. This would increase the problem of grain exporters, such as the U.S., maintaining access to the EEC market.

The U.S. has taken the position that a world agreement on access arrangements is necessary and can be obtained through the current negotiations. But the former U.S. position that control of production on a world basis was necessary has been weakened by the recent entering into production of new U.S. acreage. On May 5, 1966, Secretary of Agriculture Freeman announced an increase of 15% in the national acreage allotment for wheat for the 1967 crop. One reason for the increase was explained by the Secretary to be that "strong demand for wheat exports both for dollars and for food assistance programs has reduced our stocks sharply." Previously the U.S. had supplied food aid from its surplus stocks. Official policy is stated to be to shift from supplying food aid from stocks to supplying it from current production.

2. On international pricing system including minimum and maximum prices. It is considered that efficient producers of grains, such as the United States, should find such prices remunerative. The U.S. has rejected the EEC "montant de soutien", or "margin of support", scheme for establishing such prices.

The margin of support proposal would, essentially, freeze the amount of the difference between the domestic support price, or target price, and the minimum threshold price. This would amount only to an EEC guarantee that the import price—against which foreign sellers have to compete—would move up or down only when the domestic support price fluctuated. It would not provide for a freeing of trade by reduction of levies and modification of the present import price levy system, and is unacceptable to the United States.

The EEC should realize that the U.S. cannot accept such a scheme, and modify its proposal accordingly by providing acceptable access arrangements. This must be done soon so that Cereals Group discussions can begin again by July at the latest. There is now indication that the EEC Commission is willing to do so.

3. Joint sharing by all developed countries of the program of food aid. United States officials insist that other producing nations should share the U.S. program of supplying food to less-developed countries on an other than direct sales plan. Very little attention has been given this problem in previous Cereals Groups discussions! The U.S. position is that as other countries such as the EEC become substantial commercial grain exporters they will be able to take part in this supply program. Shipments under U.S. food programs totaled about $1.5 billion in 1965 compared with $1.8 billion in 1964. It is estimated that the U.S. sends about one-fourth of its food wheat to India alone.

"*Other Farm Products.* Under a timetable agreed in March 1965, all participating nations were to have tabled their offers for products other than grains by September 16, 1965. The EEC crisis beginning June 30, 1965, made it obvious that the EEC would not be able to table, being prevented by the French boycott from making the necessary decisions regarding the price system for many of the products to be negotiated. The U.S. continued to use the September 16 deadline to exert pressure on the EEC, but to no avail; the EEC notified its partners of its inability to table on the agreed date. The President then made the decision, in order to try to prevent the negotiations from "losing momentum", to table the U.S. offers, excluding those of major interest to the EEC. This allowed some exploration of third country offers to proceed. The negotiations remain at a standstill. There is hope that the EEC can move ahead with tabling soon, but this must be done by July at the latest, in order that progress might be made before the traditional European August recess.

The U.S. has made clear that in the broad area of processed foods, tariffs are still the traditional form of protection and that negotiation should be concluded on the basis of reduction in fixed tariffs.

U.S. "Section 22" Quotas. At the March 24, 1961, meeting of the Contracting Parties of the General Agreement on Tariffs and Trade member nations discussed U.S. import quotas on certain agricultural commodities, called "Section 22 quotas" because they are fixed under authority of Section 22 of the Agricultural Adjustment Act, effective August 1935. The purpose of the quotas is to prevent imports from undercutting U.S. agricultural commodity prices held above world market levels. The U.S. has a permanent waiver under GATT, and reports annually on its quota program. Many GATT members maintain restrictions on agricultural imports. Scandinavian countries, for example, maintain quotas against imports of U.S. horticultural products such as citrus fruits, contrary to GATT obligations. The United Kingdom maintains very restrictive quotas on citrus fruits exported from the U.S., that are illegal under GATT. Section 22 quotas include twenty TSUS items covering milk in various forms, cheese, wheat and wheat products, peanuts, and cotton in various forms. Other U.S. quotas are imposed under the Sugar Act of 1948, the Philippine Trade Agreement Revision Act of 1955, and other quotas and embargoes as provided in the TSUS. These are quotas on furs imported from the USSR or Communist China, impure tea; bird feathers, skins and eggs; crude petroleum and petroleum products; cattle and beef; tuna; potatoes; brooms and bushes of broom corn. Some of these quotas are imposed for health and conservation reasons.

In the discussions at the March meeting nations with export interest called for increase in U.S. quotas on products such as butter where U.S. surplus stocks have been greatly reduced. Many of those taking part in the discussion questioned whether the maintenance of the waiver was still justifiable in view of the drastic changes in the U.S. dairy products situation. Others expressed their concern that the United States felt able to make only a minor improvement in the quota for cheddar cheese in April this year. (CONGRESSIONAL RECORD, April 6, 1966, p. 7787).

Section 22 quotas are allowed by the GATT under permission given in 1955 as a measure necessary to achieve a broader economic objective. In this light and in light of the extraordinary "variable levy" protection scheme devised by the European Community, and the protection devices of other countries, *Section 22 quotas seem to be a minor matter* indeed.

NONTARIFF BARRIERS

I have frequently stressed the importance of *"other-than-tariff"* barriers to international trade. My colleagues on the House-Senate Joint Economic Committee and I stated last February in our *unanimous* Republican views on the 1966 Economic Report of the President that a new emphasis on non-tariff-barriers is needed:

". . . were the Kennedy Round to be successfully completed, tariffs on the whole would cease to become a major trade barrier. Unfortunately, as tariff barriers have diminished other barriers to international trade, more pernicious and often hidden, have arisen. These 'non-tariff barriers' can take many forms . . . They can have a highly protective effect . . .

"We believe the future trade negotiations must concentrate not only on tariff but on non-tariff barriers. These far more knotty international problems should be the subject of consistent effort by the Special Representative for Trade Negotiations, during and between formal GATT negotiating rounds. Fetters on international trade cannot be removed so long as there is a preoccupation with tariffs and a neglect of non-tariff barriers."

The U.S. has several non-tariff barriers about which we are frequently reminded not only by foreign nations but our own press. I have admitted that these problems exist, and have urged U.S. negotiators with some success to consider changing them. At the same time I have insisted, however, that the U.S. look equally hard at the non-tariff practices of other nations, which far exceed those of the U.S.

Among the most important of the non-tariff barriers the U.S. seeks to modify are high European road taxes, which effectively discriminate against American automobiles, border tax adjustments, coal quotas and tobacco monopolies, and restrictions against showing of American films and videotapes. Buying practices of foreign governments often discriminate against foreign goods and are not publicly administered or even known, while the same nations criticize U.S. buying practices which are fully known.

Foreign nations have concentrated in the Kennedy Round on several U.S. nontariff barriers, chief among them U.S. anti-dumping practices and Buy American practices, and American selling price has been discussed above in the context of the chemical sector.

An Anti-dumping Code. Anti-dumping has been of special interest to me because I believe that the U.S. and other nations have much to gain from an international agreement on anti-dumping measures. To that end I introduced on June 1, 1965, House Resolution 405, directing the President to pursue the negotiation of an international anti-dumping harmonization code. (CONGRESSIONAL RECORD, vol. 111, pt. 9, p. 12075, and March 8, 1966, p. 5333.)

Since that time, due in part to the prodding of the United Kingdom and other nations, and the new willingness of the U.S. Treasury to consider modifying its present anti-dumping administrative regulations, the possibility exists that an agreement may be reached which might require some change (after Congressional approval) in the U.S. Anti-dumping Act of 1921 and changes also in Treasury's administrative regulations. Chief among other nations' complaints is the U.S. system of withholding of appraisement, whereby U.S. Customs suspends appraisement of an import for duty purposes when a dumping investigation is initiated by Treasury, pending completion of the dumping investigation.

In return for modifying U.S. practice, the U.S. must require our negotiating partners to modify their own practices in order most importantly to assure *fair* and *open* anti-dumping proceedings in which notice at least of dumping investigation and publication of reasons for findings is required. We must also require such *procedures to be consistent* with Article VI of the GATT, which sets forth the two determinations that must under GATT precede imposition of a penalty dumping duty: first, finding of sales at less than home market price in the exporting country; second, finding of injury from the dumped goods to industry in the importing country. The Canadian practices described under the aluminum sector above are an example of the capricious administration of anti-dumping provisions, as well as the provisions of Article VI.

Other nations also apply anti-dumping in a manner which I regard as a serious harassment to international trade, and as harmful to U.S. exporters. A recent British anti-dumping action provides a case in point. On March 24, 1966, the British Board of Trade announced that a dumping duty would be imposed the following day on diphenyl ether and diphenyl exported by the Dow Chemical Corporation. A like product is made in Britain by the giant firm, Imperial Chemical Industries. In imposing the dumping duty the U.K. provided no notice of investigation either of "sales at less than fair value" or "injury". It did not give the U.S. industry opportunity to learn the substance of the dumping charge, or to rebut the charge. The penalty duty was imposed literally by flat after determination of dumping and injury by administrative officers without benefit of public exposure of the charges and facts of the case. This is in contrast with U.S. procedure which requires detailed public investigation with full opportunity for both sides to be heard in both stages of the investigation of the dumping complaint.

In the Geneva Anti-dumping Group discussions on May 9 and 10 the United States for the first time expressed its willingness to reconsider its practices in light of the criticism of foreign nations if those nations agree to consider modifying their practices. The meeting was therefore constructive because it succeeded in shifting to foreign nations the responsibility for proposing the next step in negotiations. As in the question of ASP, the U.S. has shown its willingness to discuss and consider modifying reciprocally practices that Europeans and others have used to belabor the U.S. In both instances we have succeeded in putting those nations on the defensive.

In taking a position in favor of internationally agreed anti-dumping practices, I disagree with those Congressmen and Senators who would rather make the U.S. anti-dumping law an effective barrier to international trade before seeking to reach international agreement, at the same time agreeing that dumping is an unfair trade practice and that anti-dumping measures are necessary. Instead, I suggest that if their proposals for change in the present system have merit, they should be adopted internationally and applied uniformly by trading nations.

I will confess to a certain puzzlement about the need for tightening amendments in the present U.S. anti-dumping law and procedures. It is accepted that industries of all nations dump. Do foreign industries dump in the U.S. more than U.S. industries dump in foreign markets? Does injury from such dumping occur more frequently than the Tariff Commission's investigations have found? I have looked briefly into the economics of a major industry which has strongly supported the effort to amend the anti-dumping law, the U.S. cement industry. My examination has not been intensive but I would be led to the following conclusion: imports of cement have a negligible effect on total U.S. industry, and dumped cement is not a problem.

Record production and shipment of cement was reported in 1965 for the third consecutive year. Domestic production reached 385 million barrels at the end of 1965. Imports of cement reached 5.6 million barrels in 1965, less than 2% of domestic shipments. Bahamas is a large exporter to the U.S., but exports are produced by a plant of the Universal Atlas Company, a division of United States Steel. Imported cement may be a problem in some markets on the Eastern coast, where most of the imported cement is sold, but it is less likely to be strongly competitive in midland areas because of high transportation costs.

It is estimated that the U.S. cement industry is in better condition than previous years, with continued high production, increased capital spending, more efficient ways of transporting and storing cement, and the pruning out of old manufacturing units. Nonetheless, I have asked for and would be pleased to discuss any data proving the contrary.

Buy American. U.S. Buy American policies are by no means as onerous as the government purchasing practices of foreign nations. The U.S. is the only nation to publish fully its administrative procedures on government buying. A certain confusion does exist, however, due to the action of the Defense Department to increase the amount of defense dollars spent in the United States and minimize the effect of foreign spending on the U.S. balance of payments. The Defense Department's new policy of buying U.S. goods unless the foreign goods are 50% cheaper means that its practices differ widely from those of all other government agencies, who buy foreign goods when they are 6% cheaper. The House-Senate Joint Economic Committee's Subcommittee on Federal Procurement and Regulation has in recent hearings broached this subject and will pursue it.

The effects of the Defense Department's new policies, which are somewhat flexible besides, need examination to determine exactly what their economic effects are. A uniform procedure should be established by the Budget Bureau governing buying practices of all agencies, because the present differential will encourage firms to sell only to the agency providing the highest differential. Under these circumstances it is possible that an industry could become entirely dependent on the Defense Department, always assured of sales in spite of a wide differential between its costs and those of foreign makers.

The Defense Department's Buy American guidelines are only another example of the palliative measures undertaken to try to control basic balance of payments maladjustments.

As a step toward improvement of national buying practices, emphasis should be put behind the Organization for Economic Cooperation and Development (OECD) to begin to develop a code of policies and practices related to government purchasing, and this OECD effort should be coordinated with the present GATT negotiations, if possible.

CONCLUSION

This has been a review of the major problems of the present negotiations. Only one of its major aspects has not been discussed, that is the role of the negotiations in removing barriers to exports from developing countries. This, and other problems such as fisheries and the role of patents, anti-trust, and restrictive business practices in international trade will be discussed in a second section to this report. The U.S. Government's organization for conducting foreign economic policy will also be discussed. This second section will soon be forthcoming.

As the above report witnesses, the trade negotiations at Geneva are proceeding intensively on many fronts. There is a new air of optimism resulting from the EEC's recent decisions on financing its agriculture program and its anticipated decisions in other areas. The progress of the next two months preceding the August vacation period in Europe will in large part determine whether satisfactory bargains can be outlined in general form by November. In my view there is time to make an important package of trade expanding bargains that will substantially increase U.S. exports and promote the world economy.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, with the concurrence of the distinguished minority leader, the Senator from Illinois [Mr. Dirksen], I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE METAL AND NONMETALLIC MINE SAFETY ACT

The PRESIDING OFFICER. Two hours having elapsed, the Chair lays before the Senate the unfinished business, which will be stated by title.

The Legislative Clerk. A bill (H.R. 8989) to promote health and safety in metal and nonmetallic mineral industries and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Metal and Nonmetallic Mine Safety Act".

DEFINITIONS AND EXEMPTIONS

Sec. 2. For the purposes of this Act.

(a) The term "commerce" means trade, traffic, commerce, transportation, or communication between any State, the Commonwealth of Puerto Rico, the District of Columbia, or any territory or possession of the United States, and any other place outside the respective boundaries thereof, or wholly within the District of Columbia, or any territory or possession of the United States, or between points in the same State, if passing through any point outside the boundaries thereof.

(b) The term "mine" means (1) an area of land from which minerals other than coal or lignite are extracted in nonliquid form or, if in liquid form, are extracted with workers underground, (2) private ways and roads appurtenant to such area, and (3) land, excavations, underground passageways, and workings, structures, facilities, equipment, machines, tools, or other property, on the surface or underground, used in the work of extracting such minerals other than coal or lignite from their natural deposits in nonliquid form, or if in liquid form, with workers underground, or used in the milling of such minerals, except that with respect to protection against radiation hazards such term shall not include property used in the milling of source material as defined in the Atomic Energy Act of 1954, as amended.

(c) The term "operator" means the person, partnership, association, or corporation, or subsidiary of a corporation operating a mine, and owning the right to do so, and includes any agent thereof charged with responsibility for the operation of such mine.

(d) The term "Secretary" means the Secretary of the Interior or his duly authorized representative.

(e) The term "Board" means the Federal Metal and Nonmetallic Mine Safety Board of Review created by section 10.

Sec. 3. Each mine the products of which regularly enter commerce, or the operations of which affect commerce, shall be subject to this Act.

The Secretary may, by published rules adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction under this Act over any class or category of mines where, in the opinion of the Secretary, either the effect of the operations of such mines on commerce is not sufficiently substantial to warrant the exercise of jurisdiction under this Act, or such exercise of jurisdiction would impair the effective overall realization of the objectives of this Act.

INSPECTIONS

Sec. 4. The Secretary of the Interior is authorized at any time to cause to be made such inspections and investigations as he shall deem necessary in mines which are subject to this Act (1) for the purpose of obtaining, utilizing, and disseminating information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life, or the causes of occupational diseases originating therein, (2) for the purpose of determining whether or not there is compliance with a health and safety standard or order issued under this Act, or (3) for the purpose of evaluating the manner in which a State plan approved under section 16 is being carried out. At least once each calendar year the Secretary shall inspect each underground mine which is subject to this Act.

Sec. 5. For the purpose of making any inspection or investigation authorized by this Act, authorized representatives of the Secretary shall be entitled to admission to, and shall have the right of entry to, upon, or through, any mine which is subject to this Act.

HEALTH AND SAFETY STANDARDS

Sec. 6. (a) The Secretary shall develop, and from time to time revise, after consultation with advisory committees appointed pursuant to section 7 of this Act, and promulgate health and safety standards for the purpose of the protection of life, the promotion of health and safety, and the prevention of accidents in mines which are subject to this Act.

(b) After consultation with an appropriate advisory committee established pursuant to section 7 of this Act, the Secretary, by a notice published in the Federal Register, shall designate as mandatory standards those standards promulgated pursuant to subsection (a) of this section which deal with conditions or practices which could reasonably be expected to cause death or serious physical harm, and the operators of mines to which such standards are applicable shall comply with such mandatory standards pursuant to the provisions of section 8 and section 9 of this Act.

(c) (1) The provisions of the Administrative Procedure Act (5 U.S.C. 1001–1014) shall be applicable with respect to the promulgation of health and safety standards, and to the designation of any standard as a mandatory standard.

(2) Any person aggrieved by an order of the Secretary promulgating health and safety standards or designating any such standard as a mandatory standard may obtain a review of such order by the United States Court of Appeals for the District of Columbia by filing in such court within twenty days following the issuance of such order a petition praying that the order of the Secretary be modified or set aside in whole or in part. A copy of such petition shall forthwith be served upon the Secretary, and thereupon the Secretary shall certify and file in the court a transcript of the record upon which the order complained of was issued. The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of a proceeding under this paragraph (2) shall not, unless specifically ordered by the court, operate as a stay of the Secretary's order.

(3) The provisions of paragraph (2) of this subsection (c) shall not be applicable to any standard promulgated by the Secretary which has been recommended to the Secretary by an Advisory Committee appointed pursuant to section 7 of this Act.

ADVISORY COMMITTEES

Sec. 7. (a) The Secretary is authorized to establish advisory committees to assist him in the development of health and safety standards for mines which are subject to this Act, and to advise him on other matters relating to health and safety in such mines. Each such advisory committee shall include among its members an equal number of persons qualified by experience and affiliation to present the viewpoint of operators of such mines, and of persons similarly qualified to present the viewpoint of workers in such mines, as well as one or more representatives of mine inspection or safety agencies of the States.

(b) Members appointed to such a committee from private life shall, while serving on business of the committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be paid travel expenses and per diem in lieu of subsistence at the rates authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C., sec. 73b–2).

FINDINGS AND ORDERS

SEC. 8. (a) If, upon any inspection or investigation of a mine which is subject to this Act, an authorized representative of the Secretary finds that conditions or practices in such mine are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated, such representative shall determine the extent of the area of such mine throughout which the danger exists, and thereupon issue an order requiring the operator of such mine to cause all persons, except the following persons whose presence in such area is necessary to eliminate the danger described in such order, to be withdrawn from, and to be debarred from, entering such area:

(1) Any person whose presence in such area is necessary, in the judgment of the operator of the mine, to eliminate the danger described in the order; (2) any public official whose official duties require him to enter such area; or (3) any legal or technical consultant, or any representative of the employees of the mine, who is a certified person qualified to make mine examinations, or is accompanied by such a person, and whose presence in such area is necessary, in the judgment of the operator of the mine, for the proper investigation of the conditions described in the order.

(b) If, upon any such inspection or investigation, an authorized representative finds that there has been a failure to comply with a mandatory standard which is applicable to such mine, but that such failure to comply has not created a danger that could reasonably be expected to cause death or serious physical harm in such mine immediately or before the imminence of such danger can be eliminated, he shall find what would be a reasonable period of time within which such violation should be totally abated and thereupon issue a notice fixing a reasonable time for the abatement of the violation. If, upon the expiration of such period of time as originally fixed or extended, the authorized representative finds that such violation has not been totally abated, and if he also finds that such period of time should not be further extended, he shall also find the extent of the area which is affected by such violation. Thereupon, he shall promptly make an order requiring the operator of such mine to cause all persons in such area, excepting the following persons whose presence in such area is necessary to abate the violation described in the order, to be withdrawn from, and to be debarred from, entering such area:

(1) Any person whose presence in such area is necessary, in the judgment of the operator of the mine, to abate the violation described in the order; (2) any public official whose official duties require him to enter such area; or (3) any legal or technical consultant, or any representative of the employees of the mine, who is a certified person qualified to make mine examinations, or is accompanied by such a person, and whose presence in such area is necessary, in the judgment of the operator of the mine, for the proper investigation of the conditions described in the order.

(c) Findings and orders issued pursuant to this section shall contain a detailed description of the conditions or practices which cause and constitute a situation of imminent danger or a violation of a mandatory standard, and a description of the area of the mine throughout which persons must be withdrawn and debarred.

(d) Each finding made and notice or order issued under section 8 of this Act shall be given promptly to the operator of the mine to which it pertains by the person making such finding or order, and all such findings, orders, and notices shall be in writing, and shall be signed by the person making them. A notice or order issued pursuant to section 8 of this Act may be annulled, canceled, or revised by an authorized representative of the Secretary.

REVIEW BY SECRETARY

SEC. 9. (a) Except as provided in section 9(c), an operator notified of an order made pursuant to section 8(a) may apply to the Secretary for annulment or revision of such order. Upon receipt of such application the Secretary shall make a special inspection of the mine affected by such order, or cause three duly authorized representatives of the Secretary of the Interior, other than the representative who made such order, to make such inspection of such mine and to report thereon to him. Upon making such special inspection himself, or upon receiving the report of such inspection made by such representatives, the Secretary shall find whether or not danger throughout the area of such mine as set out in such order existed at the time of making such special inspection. If he finds that such danger did not then exist throughout such area of such mine, he shall make an order, consistent with his findings, revising or annulling the order under review. If he finds that such danger did then exist throughout such area of such mine, he shall make an order denying such application.

(b) Except as provided in section 9(c), an operator notified of an order made pursuant to section 8(b) may apply to the Secretary for annulment or revision of such order. Upon receipt of such application the Secretary shall make a special inspection of the mine affected by such order, or cause three duly authorized representatives of the Secretary of the Interior, other than the representative who made such order, to make such inspection of such mine and report thereon to him. Upon making such special inspection himself, or upon receiving the report of such inspection made by such representatives, the Secretary shall find whether or not there was a violation of a mandatory safety standard as described in such order, at the time of the making of such order. If he finds there was no such violation, he shall make an order annulling the order under review. If he finds there was such a violation, he shall also find whether or not such violation was totally abated at the time of the making of such special inspection. If he finds that such violation was totally abated at such time, he shall make an order annulling the order under review. If he finds that such violation was not totally abated at such time, he shall find whether or not the period of time within which such violation should be totally abated, fixed under section 8(b), should be extended. If he finds that such period of time should be extended, he shall find what a reasonable extension of such period of time would be. Thereupon he shall find the extent of the area of such mine which was affected by such violation at the time such special inspection was made, and then he shall make an order, consistent with his findings, revising the order under review. If he finds that such violation was not totally abated at the time of such inspection, and that such period of time should not be extended, he shall find the extent of the area of such mine which was affected by such violation at the time such special inspection was made, and he shall then make an order, consistent with his findings, affirming or revising the order under review.

(c) An order made pursuant to section 8 with respect to a mine in a State in which a State plan approved under section 16 is in effect shall not be subject to review under section 9 (a) and (b), but shall be subject to review under section 11.

(d) In view of the urgent need for prompt decision of matters submitted to the Secretary under this section, all actions which the Secretary or his representatives are required to take under this section shall be taken as rapidly as practicable, consistent with adequate consideration of the issues involved.

CREATION OF REVIEW BOARD

SEC. 10. (a) An agency is hereby created to be known as the Federal Metal and Nonmetallic Mine Safety Board of Review, which shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) The terms of office of members of the Board shall be five years, except that the terms of office of the members first appointed shall commence on the effective date of this section and shall expire one at the end of one year, one at the end of two years, one at the end of three years, one at the end of four years and one at the end of five years, as designated by the President at the time of appointment. A member appointed to fill a vacancy caused by the death, resignation, or removal of a member prior to the expiration of the term for which he was appointed shall be appointed only for the remainder of such unexpired term. The members of the Board may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

(c) Each member of the Board shall be compensated at the rate of $50 for each day of actual service (including each day he is traveling on official business) and shall, notwithstanding the Travel Expense Act of 1949, be fully reimbursed for traveling, subsistence, and other related expenses. The Board, at all times, shall consist of two persons who by reason of previous training and experience may reasonably be said to represent the viewpoint of metal and nonmetallic mine operators, two persons who by reason of previous training and experience may reasonably be said to represent the viewpoint of metal and nonmetallic mine workers, and one person, who shall be Chairman of the Board, who shall be a graduate engineer with experience in the metal and nonmetallic mining industry or shall have had at least five years' experience as a practical mining engineer in the metal and nonmetallic mining industry, and who shall not, within one year of his appointment as a member of the Board, have had a pecuniary interest in, or have been regularly employed or engaged in, the metal or nonmetallic mining industry, or have regularly represented either metal or nonmetallic mine operators or workers, or have been an officer or employee of the Department of the Interior assigned to duty in the Bureau of Mines.

(d) The principal office of the Board shall be in the District of Columbia. Whenever the Board deems that the convenience of the public or of the parties may be promoted, or delay or expense may be minimized, it may hold hearings or conduct other proceedings at any other place. The Board shall have an official seal which shall be judicially noticed and which shall be preserved in the custody of the secretary of the Board.

(e) The Board shall, without regard to the civil service laws, appoint and prescribe the duties of a secretary of the Board and such legal counsel as it deems necessary. Subject to the civil service laws, the Board shall appoint such other employees as it deems necessary in exercising its powers and duties. The compensation of all employees appointed by the Board shall be fixed in accordance with the Classification Act of 1949, as amended.

(f) Three members of the Board shall constitute a quorum, and official actions of the Board shall be taken only on the affirmative vote of at least three members; but a special panel composed of one or more members, upon order of the Board, shall conduct any hearing provided for in section 11 and submit the transcript of such hearing to the entire Board for its action thereon. Every official act of the Board shall be entered of record, and its hearings and records thereof shall be open to the public.

(g) The Board shall hear and determine applications filed pursuant to section 11 for annulment or revision of orders made pursuant to section 8 or section 9. The Board shall not make or cause to be made any inspection of a mine for the purpose of determining any pending application.

(h) The Board is authorized to make such rules as are necessary for the orderly transaction of its proceedings, which shall include requirement for adequate notice of hearings to all parties.

(i) Any member of the Board may sign and issue subpenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths. Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

(j) The Board may order testimony to be taken by deposition in any proceeding pending before it, at any stage of such proceeding. Reasonable notice must first be given in writing by the party or his attorney proposing to take such deposition to the opposite party or his attorney of record, which notice shall state the name of the witness and the time and place of the taking of his deposition. Any person may be compelled to appear and depose, and to produce books papers, or documents, in the same manner as witnesses may be compelled to appear and testify and produce like documentary evidence before the Board, as provided in subsection (i). Witnesses whose depositions are taken under this subsection, and the persons taking such depositions, shall be entitled to the same fees as are paid for like services in the courts of the United States.

(k) In the case of contumacy by, or refusal to obey a subpena served upon, any person under this section, the Federal district court for any district in which such person is found or resides or transacts business, upon application by the United States, and after notice to such person and hearing, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Board or to appear and produce documents before the Board, or both; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(l) The Board shall submit annually to the Congress as soon as practicable after the beginning of each regular session, a full report of its activities during the preceding calendar year. Such report shall include, either in summary or detailed form, information regarding the cases heard by it and the disposition of each.

REVIEW BY BOARD

SEC. 11. (a) An operator notified of an order made pursuant to section 8 may apply to the Federal Metal and Nonmetallic Mine Safety Board of Review for annulment or revision of such order without seeking its annulment or revision under section 9. An operator notified of an order made pursuant to section 9 may apply to the Board for annulment or revision of such order.

(b) The operator shall be designated as the applicant in such proceeding, and the application filed by him shall recite the order complained of and other facts sufficient to advise the Board of the nature of the proceeding. He may allege in such application: that danger as set out in such order does not exist at the time of the filing of such application; that violation of a mandatory safety standard, as set out in such order, has not occurred; that such violation has been totally or partially abated; that the period of time within which such violation should be totally abated, as fixed in the findings upon which such order was based, was not reasonable; or that the area of the mine described in such order as the area affected by the violation referred to in such order is not so affected at the time of the filing of such application. The Secretary shall be the respondent in such proceeding, and the applicant shall send a copy of such application by registered mail or by certified mail to the Secretary at Washington, District of Columbia.

(c) Immediately upon the filing of such an application the Board shall fix the time for a prompt hearing thereof.

(d) Pending such hearing the applicant may file with the Board a written request that the Board grant such temporary relief from such order as the Board may deem just and proper. Such temporary relief may be granted by the Board only after a hearing by the Board at which both the applicant and the respondent were afforded an opportunity to be heard, and only if respondent was given ample notice of the filing of applicant's request and of the time and place of the hearing thereon as fixed by the Board.

(e) The Board shall not be bound by any previous findings of fact by the respondent. Evidence relating to the making of the order complained of and relating to the questions raised by the allegations of the pleadings or other questions pertinent in the proceeding may be offered by both parties to the proceeding. If the respondent claims that imminent danger or violation of a mandatory safety standard, as set out in such order, existed at the time of the filing of the application, the burden of proving the then existence of such danger or violation shall be upon the respondent, and the respondent shall present his evidence first to prove the then existence of such danger or violation. Following presentation of respondent's evidence the applicant may present his evidence, and thereupon respondent may present evidence to rebut the applicant's evidence.

(f) If the proceedings is one in which an operator seeks annulment or revision of an order made pursuant to section 8(a) the Board, upon conclusion of the hearing, shall find whether or not danger throughout the area of such mine as set out in such order existed at the time of the filing of the operator's application. If the Board finds that such danger did not then exist throughout such area of such mine, the Board shall make an order, consistent with its findings, revising or annulling the order under review. If the Board finds that such danger did then exist throughout such area of such mine, the Board shall make an order denying such application.

(g) If the proceeding is one in which an operator seeks annulment or revision of an order made pursuant to section 8(b), the Board upon conclusion of the hearing shall find whether or not there was a violation of a mandatory safety standard as described in such order, at the time of the making of such order. If the Board finds there was no such violation, the Board shall make an order annulling the order under review. If the Board finds there was such a violation, the Board shall also find whether or not such violation was totally abated at the time of the filing of the operator's application. If the Board finds that such violation was totally abated at such time, the Board shall make an order annulling the order under review. If the Board finds that such violation was not totally abated at such time, the Board shall find whether or not the period of time within which such violation should be totally abated fixed under section 8(b) or section 9(b) should be extended. If the Board finds that such period of time should be extended, the Board shall also find what a reasonable extension of time should be, and shall immediately also find the extent of the area of such mine which was affected by such violation at the time of the filing of such application and the Board shall then make an order consistent with its findings, revising the order under review. If the Board finds that such violation was not totally abated at the time of the filing of the operator's application and that such period of time should not be extended, the Board shall find the extent of the area of such mine which was affected by such violation at such time, and shall make an order, consistent with its findings affirming or revising the order under review.

(h) Each finding and order made by the Board shall be in writing. It shall show the date on which it is made, and shall bear the signatures of the members of the Board who concur therein. Upon making a finding and order the Board shall cause a true copy thereof to be sent by registered mail or by certified mail to all parties or their attorneys of record. The Board shall cause each such finding and order to be entered on its official record, together with any written opinion prepared by any members in support of, or dissenting from, any such finding or order.

(i) In view of the urgent need for prompt decision of matters submitted to the Board under this section, all action which the Board is required to take under this section shall be taken as rapidly as practicable, consistent with adequate consideration of the issues involved.

JUDICIAL REVIEW

SEC. 12. (a) Any final order issued by the Board under section 11 shall be subject to judicial review by the United States court of appeals for the circuit in which the mine affected is located, upon the filing in such court of a notice of appeal by the Secretary or the operator aggrieved by such final order within thirty days from the date of the making of such final order.

(b) The party making such appeal shall forthwith send a copy of such notice of appeal, by registered mail or by certified mail, to the other party and to the Board. Upon receipt of such copy of a notice of appeal the Board shall promptly certify and file in such court a complete transcript of the record upon which the order complained of was made. The costs of such transcript shall be paid by the party making the appeal.

(c) The court shall hear such appeal on the record made before the Board, and shall permit argument, oral or written or both, by both parties. The court shall permit such pleadings, in addition to the pleadings before the Board, as it deems to be required or as provided for in the Rules of Civil Procedure governing appeals in such court.

(d) Upon such conditions as may be required and to the extent necessary to prevent irreparable injury, the United States court of appeals may, after due notice to and hearing of the parties to the appeal, issue all necessary and appropriate process to postpone the effective date of the final order of the Board or to grant such other relief as may be appropriate pending final determination of the appeal.

(e) The United States court of appeals may affirm, annul, or revise the final order of the Board, or it may remand the proceeding to the Board for such further action as it directs. The findings of the Board as to facts, if supported by substantial evidence on the record considered as a whole, shall be conclusive.

(f) The decision of a United States court of appeals on an appeal from the Board shall be final, subject only to review by the Supreme Court as provided in section 1254 of title 28 of the United States Code.

MANDATORY REPORTING

SEC. 13. The Secretary shall require operators of mines which are subject to this Act to submit, at least annually and at such other times as he deems necessary, and in such form as he may prescribe, reports of accidents, injuries, and occupational diseases, and related data, and the Secretary shall compile, analyze, and publish, either in summary or detailed form, the information obtained; and all information, reports, orders, or findings, obtained or issued under this Act may be published and released to any interested person, and shall be made available for public inspection.

PENALTIES

Sec. 14. (a) Whenever an operator (1) violates or fails or refuses to comply with any order of withdrawal and debarment issued under section 8 or section 9 of this Act, or (2) interferes with, hinders, or delays the Secretary, or his duly authorized representative, in carrying out his duties under this Act, or (3) refuses to admit an authorized representative of the Secretary to any mine which is subject to this Act, or (4) refuses to permit the inspection or investigation of any mine which is subject to this Act, or of an accident, injury, or occupational disease occurring in or connected with such a mine or (5) being subject to the provisions of section 13 of this Act, refuses to furnish any information or report requested by the Secretary, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the Secetary in the district court of the United States for the district in which the mine in question is located or in which the mine operator has its principal office.

(b) Whoever violates or fails or refuses to comply with an order of withdrawal and debarment issued (1) under subsection (a) of section 8 or (2) under subsection (b) of section 8 if the failure to comply with an order of abatement has created a danger that could cause death or serious physical harm in such mine immediately or before the imminence of such danger can be eliminated, shall upon conviction thereof be punished for each such offense by a fine of not less than $100, or more than $3,000, or by imprisonment not to exceed sixty days, or both. In any instance in which such offense is committed by a corporation, the officer or authorized representative of such corporation who knowingly permits such offense to be committed shall, upon conviction, be subject to the same fine or imprisonment, or both.

EDUCATION AND TRAINING

Sec. 15. The Secretary shall develop expanded programs for the education and training of employers and employees in the recognition, avoidance, and prevention of accidents or unsafe or unhealthful working conditions in mines which are subject to this Act.

STATE PLANS

Sec. 16. (a) In order to promote sound and effective coordination in Federal and State activities within the field covered by this Act, the Secretary shall cooperate with the official mine inspection or safety agencies of the several States.

(b) Any State desiring to cooperate in making the inspections required under this Act may submit, through its official mine inspection or safety agency, a State plan for carrying out the purposes of this section. Such State plan shall—

(1) designate such State mine inspection or safety agency as the sole agency responsible for administering the plan throughout the State and contain satisfactory evidence that such agency will have the authority to carry out the plan: *Provided,* That the Secretary may, upon request of the Governor or other appropriate executive or legislative authority of the State responsible for determining or revising the organizational structure of State government, waive the single State agency provision hereof and approve another State administrative structure or arrangement if the Secretary determines that the objectives of this Act will not be endangered by the use of such other State structure or arrangement,

(2) give assurances that such agency has or will employ an adequate and competent staff of inspectors qualified under the laws of such State to make mine inspections within such State,

(3) give assurances, that upon request of the Secretary, the agency will assign inspectors employed by it to participate in inspections to be made in such State under this Act, and

(4) provide that the agency will make such reports to the Secretary, in such form and containing such information, as the Secretary may from time to time require.

(c) The Secretary shall approve a State plan or any modification thereof which complies with the provisions of subsection (b) of this section. He shall not finally disapprove a State plan or modification thereof without first affording the State agency reasonable notice and opportunity for hearing.

(d) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency, finds that in the administration of the State plan there is—

(1) a failure to comply substantially with any provision of the State plan; or

(2) a failure to afford reasonable cooperation in administering the provisions of this Act,

the Secretary shall notify such State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect.

(e) No inspection of a mine shall be made by a representative of the Secretary under this Act in any State in which a State plan is in effect unless a State inspector participates in such inspection in accordance with such plan, except where, in the Secretary's judgment, an inspection is urgently needed to determine whether a danger described in section 8(a) exists in such mine, and participation by a State inspector would unreasonably delay such inspection.

(f) The Secretary or any duly authorized representative, and any State inspector assigned in accordance with a State plan shall be entitled to admission to any mine subject to this Act for the purpose of making any inspection authorized under this Act.

ADMINISTRATIVE PROVISIONS

Sec. 17. The Secretary shall provide that the major responsibility for administering the provisions of this Act shall be vested in the Bureau of Mines of the Department of the Interior which has the major responsibility for carrying out the Federal Coal Mine Safety Act. The Secretary acting through the Bureau, shall have authority to appoint, subject to the civil service laws, such officers and employees as he may deem requisite for the administration of this Act; and to prescribe powers, duties, and responsibilities of all officers and employees engaged in the administration of this Act: *Provided, however,* That, to the maximum extent feasible, in the selection of persons for appointment as mine inspectors, no person shall be so selected unless he has the basic qualification of at least five years practical mining experience and in assigning mine inspectors to the inspection and investigation of individual mines, due consideration shall be given to their previous practical experience in the State, district, or region, and in the particular type of mining operation where such inspections are to be made.

EXCLUSION FROM ADMINISTRATIVE PROCEDURE ACT

Sec. 18. Except as provided in subsection (c) of section 6 of this Act the Administrative Procedure Act shall not apply to the making of any finding, order, or notice pursuant to this Act, or to any proceeding for the annulment or revision of any such finding, order, or notice.

EFFECT ON STATE LAWS

Sec. 19. (a) No State or territorial law in effect upon the effective date of this Act or which may become effective thereafter, shall be superseded by any provision of this Act, except insofar as such State or territorial law is in conflict with this Act, or with orders issued pursuant to this Act.

(b) Provisions in any State or territorial law in effect upon the effective date of this Act, or which may become effective thereafter, which provide for greater safety of persons in a mine as defined in this Act, than do provisions of this Act, which relate to the same phase of such operations, shall not be construed or held to be in conflict with this Act. Provisions in any State or territorial law in effect upon the effective date of this Act, or which may become effective thereafter, which provide for the safety of persons in a mine as defined in this Act concerning which no provision is contained in this Act, shall not be construed or held to be superseded by this Act.

(c) Nothing in this Act shall be construed or held to supersede or in any manner affect the workmen's compensation laws of any State or territory, or to enlarge or diminish or affect in any other manner the common law or statutory rights, duties, or liabilities of employers and employees under State or territorial laws in respect of injuries, occupational or other diseases, or death of employees arising out of, or in the course of, employment.

REPORT OF SECRETARY

Sec. 20. The Secretary shall submit annually to the Congress, as soon as practicable after the beginning of each regular session, a full report of the administration of his functions under this Act during the preceding calendar year. Such report shall include, either in summary or detailed form, the information obtained by him under this Act, together with such findings and comments thereon and such recommendations for legislative action as he may deem proper.

AUTHORIZATION OF APPROPRIATIONS

Sec. 21. There are hereby authorized to be appropriated not to exceed $650,000 for the fiscal year ending June 30, 1967, and $900,000 annually for the fiscal year ending June 30, 1968, and each succeeding fiscal year thereafter.

EFFECTIVE DATE OF ACT

Sec. 22. This Act shall become effective on the date of its enactment, except that sections 8 and 9, and subsection (b) and paragraph (1) of subsection (a) of section 14 shall become effective one year after the date of publication of notice in the Federal Register of the designation of mandatory standards as provided for in section 6(b) of this Act.

Mr. MANSFIELD. Mr. President, may I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I deeply regret that the chairman of the subcommittee which handled the pending bill, the distinguished Senator from Wisconsin [Mr. Nelson] is away from Washington on official business of the Senate and could not be here today to take charge of the bill.

It was my preference that the bill be postponed until the Senator from Wisconsin could return, but the leadership of the Senate advises me that it is the desire of the Senator from Wisconsin [Mr. Nelson] that we proceed with the consideration of the bill in accordance with the previous scheduling of its handling.

Mr. President, the members of the subcommittee, of which I was one, will be of assistance to me in the handling of the bill, and we shall also be ably assisted by the Senator from Montana [Mr. Metcalf].

I believe the Record will show that for 14 years the Senator from Montana [Mr. Metcalf], including his years of public service in the House of Representatives, and ever since he has been a Member of this body, has been greatly interested in the purposes of the pending bill.

In my opinion, there is no one in the Senate, and I doubt if there is anyone in the Congress, who has worked harder and done more in connection with reaching the point that we have reached today for formal legislative consideration of the bill.

I have asked the Senator from Montana [Mr. Metcalf] to be of assistance to me in my floor management of the bill. When I shall have completed my opening remarks the Senator from Montana [Mr. Metcalf] will follow me, presenting a further viewpoint based on his expertise on the subject matter to the Senate.

The purpose of this act is to reduce the high accident rate and improve health and safety conditions in mining and milling operations carried on in the metal and nonmetallic mineral industries. Coverage is extended to all metal and nonmetallic mining other than coal and lignite mining.

The responsibility for carrying out the purposes of the act is vested in the Bureau of Mines of the Department of the Interior. The Bureau is the agency which has the major responsibility for carrying out the Federal Coal Mine Safety Act. The Secretary is directed to cause inspections to be made as required by the act, and to develop and enforce health and safety standards.

BACKGROUND OF LEGISLATION

Although the Congress has never enacted safety legislation in mining other than coal, it has demonstrated its concern with the high accident rate and hazardous nature of mining. In 1910 the Bureau of Mines was established with one of its principal responsibilities the promotion of improved mine health and safety conditions. The Bureau has worked to develop safer mining techniques and equipment, collected and analyzed accident reports, studied the dangers of excessive concentrations of dust and radiation in mines, provided an extensive program of safety education and training to mine supervisors and workers, and taken other appropriate steps to reduce the hazards of mining.

In 1941, the Congress enacted the Federal Coal Mine Safety Act, authorizing the Bureau of Mines to make annual or necessary inspections of coal and lignite mines, for the purpose of promoting improved health and safety conditions in these mines. This act required operators of coal and lignite mines to admit Federal inspectors to their properties and to provide the Bureau, upon request, with information concerning all mine accidents involving injury or death. It did not, however, empower the Bureau to enforce health and safety standards.

In 1952, in the wake of heavy loss of lives in several coal mine disasters, the Federal Coal Mine Safety Act was amended to make a number of health and safety standards mandatory, and the Bureau of Mines was empowered to enforce these standards upon all coal and lignite mines regularly employing 15 or more persons underground.

Since 1952, the Congress has repeatedly considered legislation to eliminate the exemption granted mines employing less than 15 persons underground. On March 26, 1966, such a provision became law, subjecting all underground coal mines to the Bureau of Mines power to enforce the mandatory health and safety standards specified in the Federal Coal Mine Safety Act.

Mr. President, I am very proud of the amendments to the Federal Coal Mine Safety Act of 1966, and somewhat biased, perhaps, because of my connection with those amendments. The chairman of the Committee on Labor and Public Welfare appointed me to serve as chairman of an ad hoc subcommittee to hold the hearings on the 1966 act.

We held those hearings, made a voluminous record in regard to the problems of coal miners of the country in respect to their safety and health problems, took the bill as it was approved by the subcommittee and by the full committee to the floor of the Senate, and enacted it, as I mention in my statement today, on March 26, 1966.

Mr. President, I want the Senate to keep in mind that the debate this afternoon will revolve in no small measure around the action taken by the Senate in connection with the Federal Coal Mine Safety Act Amendments of March 26, 1966. A substantial majority of our committee, in regard to the pending bill, takes exactly the same position that we took in the coal mine safety bill in regard to the procedures that should be approved by the Congress.

We take the position that a life is a life, a limb is a limb, whether it is endangered in a coal mine or a metal and nonmetallic mine. We take the position—and I want to say this early in debate, because it will be one of the issues of considerable contention—that the history of safety legislation is clear, that unless we vest in the Bureau of Mines the ultimate and final authority to see to it that safety regulations are enforced, there will be no uniformity of protection to the miners in this country from coast to coast.

True, there are some States, such as New York, which have very fine State inspection and enforcement systems. There is nothing in the bill, which I am managing this afternoon at the request of the majority leader, which does not recognize this. A State with good State laws has nothing to fear from this legislation. The fact is we must have uniform application of safety regulations in this country if we are going to protect the miners.

When those who will propose this afternoon that there should be a different enforcement procedure in this bill than there is in the Federal Coal Mine Safety Act, I want to say that what they will be doing will be relying on the good States and forgetting the bad States in respect to safety regulations and enforcement. Therefore, if we are going to protect the miners of this country, it is just as sound in connection with this bill as it was in connection with the coal safety bill that the ultimate responsibility be vested in the U.S. Bureau of Mines.

If we do not do that this afternoon, then the Senate, in my judgment, will have to assume responsibility of an absolute certainty that in the future there will be loss of life and loss of limb and great bodily injury because the Senate did not live up to what I consider to be its full responsibility. The Senate should pass legislation to protect the lives and limbs of miners in the metal and nonmetallic mines as we have protected them in the coal mines.

There are States with good coal mine safety laws. But we learned when we considered legislation amending the Federal Coal Mine Safety Act that we cannot rely upon uniform protection of the miners in this country by trying to make the kind of exception that those who are opposed to this bill in some particulars this afternoon are going to try to propose; namely, to place final enforcement upon the State.

While the Congress has taken action to provide Federal enforcement in coal mines, it has not enacted legislation extending such Federal protection to workers in other types of mines. Yet the hazards faced by workers in these mines are quite comparable to those encountered by coal miners.

Numerous bills have been introduced in Congress during the last decade relating to health and safety in the Nation's metal and nonmetallic mines. Congressional hearings were held as early as 1956 to consider ways and means of dealing more effectively with the health and safety problems in these industries. These early bills would extend Federal inspection to mines other than coal mines. Extensive hearings were held on similar bills in 1961 by the House Select Subcommittee on Labor.

As a result of the evidence of a continuing high rate of serious injuries and deaths in these mines, Public Law 87-300 was enacted in 1961. This law authorized the Secretary of Interior to conduct a study covering the causes and prevention of injuries and health hazards, the existing health and safety conditions and the scope and adequacy of State mine safety laws applicable to such mines including the enforcement of such laws. The report was to be filed within 2 years of enactment of Public Law 87-300. Thereafter, a special Mine Safety Study Board, appointed by the Secretary, conducted this study, and the Secretary transmitted its report with recommendations to Congress on November 13, 1963. The study's chief source of information was mine inspections by Bureau of Mines personnel in 1961-63 and mandatory reporting from each mine operator whose operations substantially affected commerce—as required by Public Law 87-300.

The report by the Mine Safety Study Board clearly demonstrated first, the widespread existence of correctable hazards to life and health in mines; second, a high casualty rate suffered by working miners from dangerous conditions beyond their own control; and third, the ineffectiveness of State and local efforts to reduce the mine health and safety hazards.

Several of the major findings of the report are:

First. During calendar year 1962 there were at least 212 deaths and 9,977 nonfatal lost-time injuries from accidents in metal and nonmetallic mining and milling operations—including stone quarries and sand and gravel operations—surveyed by the Mine Safety Study Board. Of these, 65 deaths and 3,556 injuries were reported from underground mine operations which fall within the jurisdiction of this bill.

Second. Bureau of Mines personnel analyzed the circumstances of 270 fatal injuries occurring in the surveyed mining and milling operations during an 18-month period, from early December 1961 through May 1963, in an attempt to determine the primary responsibility for each of these fatalities. On the basis of this analysis, 50.7 percent of the fatal injuries were classified as resulting "from circumstances over which the workmen had no control, but which were within the scope or range of supervisory responsibility." That is: approximately half of the 270 men killed were classified as victims of inadequate supervision, failure to provide safety devices, defective equipment, collapses of roof which supervisors permitted to be unsupported, inadequate ventilation, and other hazardous environmental conditions reasonably within the power of management to prevent.

Third. During the study, initial inspections were made of a representative sample of 800 mines. More than 12,000 remediable hazards—an average of approximately 15 per mine inspected—were found. These hazards included a great variety of conditions, such as: unguarded machinery and chutes; lack of fire alarm systems or adequate firefighting equipment; improper handling and storage of explosives; absence of second escapeways to surface; lack of safety devices on locomotives, mucking machines, and other equipment; damaged and deteriorated supporting timbers; inadequate ventilation equipment; excessive concentrations of dust; excessive levels of radioactivity in uranium mines; lack of air-testing devices; lack of adequate communication systems between surface and underground; cave-in dangers from loose or inadequately supported ground; failure to maintain escapeways in passable condition.

Fourth. Reinspection of these mines indicated a lax attitude on the part of many mine operators toward hazards that had been called to their attention. More than 700 mines were inspected a second time during the course of the study. Only about half of the thousands of hazards revealed on initial inspection, and recommended for elimination in written reports given by the Bureau of Mines inspectors to the mine operators, were found to have been corrected in the interim.

If there had been some Federal inspection authority, that would not have been the case. These studies were made without the requirement, proposed in the bill, of placing final authority and power in the Bureau of Mines; authority and power that the States do not exercise, as they should, to provide the inspection and protection to which the men are entitled.

On March 29, 1965, Secretary Udall sent to Congress a message and a proposed bill based upon this study. The House Select Subcommittee on Labor held hearings on the administration's proposals and related bills during 1965. The House passed H.R. 8989 by voice vote on September 2, 1965.

The Senate Subcommittee on Labor held hearings on H.R. 8989 March 21 and 22 of this year. During the hearings, oral testimony was received from Secretary Udall and other officials of the Department of Interior, from Senators LEE METCALF, ROBERT F. KENNEDY, EUGENE J. MCCARTHY, FRANK E. MOSS, WALTER F. MONDALE, and JOSEPH M. MONTOYA, as well as several Members of the House of Representatives; also from Dr. Doyle, of the Public Health Service, from representatives of labor organizations, mine operators and other employer groups, and from officials of several State mine safety agencies.

On June 8, 1966, the committee, after lengthy consideration of the House bill in executive session, ordered it reported with an amendment in the nature of a substitute. A number of amendments had been adopted both in subcommittee and full committee executive sessions. These amendments were offered by Senators from the majority and the minority. I believe that these amendments have vastly improved the bill. I wish to give credit to Senator JAVITS and his colleagues on the committee who offered many constructive amendments which are included in the reported bill. I particularly wish to compliment Senator GAYLORD NELSON, who at the request of the subcommittee chairman, the late Senator Pat McNamara, conducted the hearings and handled the bill during executive sessions. As I said at the beginning of my remarks, Senator NELSON is, unavoidably, unable to manage Senate consideration of the bill today because of his appointment to the International Labor Organization Conference in Geneva. All the members of the committee spent many hours giving careful consideration to this important legislation. In addition, Senator LEE METCALF, as I have already pointed out, a former member of the committee attended the hearings because of his past and continuing interest in mine safety which is extremely important to the interest of his State, Montana. Senator METCALF, by making available his expertise and experience, made a valuable contribution to the record of hearings and reporting of the bill.

MAJOR PROVISIONS OF THE BILL

The major provisions of the bill are as follows:

First. A Federal Metal and Nonmetallic Mine Safety Act is established which is applicable to each mine in commerce. Mine is defined to cover any area of land from which minerals, other than coal and lignite, are extracted.

Second. Inspection and investigation by the Secretary are authorized, whenever deemed necessary; however, each underground mine must be inspected annually.

Third. The Secretary is required to promulgate health and safety standards for the protection of life, health, and safety, and the prevention of accidents in the mines after consultation with advisory committees. The Secretary shall designate as mandatory standards those standards dealing with conditions or practices which could reasonably be expected to cause death or serious physical harm. Operators must comply with such standards. Provision is made for making the Administrative Procedure Act applicable and judicial review available to the promulgation and designation of such standards.

Fourth. Advisory committees composed of representatives of the operators, workers, and State safety agencies shall advise and assist the Secretary on the standards and other matters.

Fifth. The authorized representative of the Secretary is authorized to issue findings and orders of withdrawal and debarment where he finds during inspection that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of danger can be eliminated.

If the authorized representative finds that a mandatory standard has been violated but that such violation has not created an immediate or imminent danger, he shall issue findings and orders to have the violation abated or orders heretofore described of debarment and withdrawal.

Sixth. Except in States having an approved State plan—I repeat, except in States having an approved State plan—provision is made for application to the Secretary for annulment or revision of the order issued by the authorized representative. In a State with an approved State plan, an order issued shall not be subject to review by the Secretary but by the Review Board under section 11 of the act.

Seventh. A Federal Metal and Nonmetallic Review Board is created consisting of five members appointed by the President, by and with the consent of the Senate. Their term of office, compensation, place of office, and procedure is set forth in the act. Two of the members of the Board represent mine operators, two represent mineworkers, and the Chairman shall be a graduate engineer with experience in the industry or at least 5 years' experience as a practical mining engineer in the industry. The Board is required to submit an annual report of its activities to Congress.

Eighth. An operator notified of a final order closing all or part of a mine issued by the authorized representative of the Secretary or by the Secretary upon review may apply to the Board for annulment or revision of the order. The procedure for application, including a prompt de novo hearing, is set forth in the act.

Ninth. Any final order of the Board is subject to judicial review by the U.S. court of appeals.

Tenth. The act provides for mandatory annual reporting of all covered mine operators. Such reporting shall be published and all other information of the Secretary shall be made public.

Eleventh. The act provides civil penalties for violation of the provisions of the act other than violation of safety orders. In those instances, criminal penalties are provided.

Twelfth. The Secretary is required to continue education and training programs in mine safety under the act.

Thirteenth. The Secretary is directed to cooperate and coordinate with State agencies in the promotion of health and safety in mines. Further, provision is made for a State plan for any State desiring to cooperate in making inspections. A State agreeing to participate with Federal inspectors is entitled to have a State inspector accompany the Federal inspector in every mine inspection within the State, unless in the Secretary's judgment an inspection is urgently needed to determine if imminent or immediate danger exists in the mine, and State participation would unreasonably delay the inspection.

Fourteenth. No State laws shall be superseded by this act except to the extent such law is in conflict. Further, State laws providing greater safety of persons in a mine or concerning which no provision is in this act shall not be in conflict with it. Nor shall State workmen's compensation laws be affected.

Fifteenth. The Secretary is required to file with the Congress an annual report of his administration of this act with comments and recommendations for legislative action.

Sixteenth. There is authorized $650,000 during the first year and $900,000 annually thereafter—a smaller amount for this year because this money, to a great degree, will be needed to get the program set up and administratively into operation.

Seventeenth. The act shall be effective as of the date of enactment except for the provisions of sections 8 and 9—orders of debarment and withdrawal—and 14 (a)(1) and (b) dealing with penalties.

The committee adopted and rejected certain amendments upon which minority and individual views have been written and are included in the report on each Senator's desk.

SAND, GRAVEL, AND CRUSHED STONE OPERATIONS

The committee adopted an amendment authorizing the Secretary to decline jurisdiction over certain mining operations after rejecting several amendments offered in the subcommittee and full committee executive consideration of H.R. 8989 to delete entirely or exempt partially sand, gravel, and crushed stone operations. The committee did not agree to such amendments because the results of the study—page 130 of the Senate hearings—and information in certain Bureau of Labor Statistics tables—pages 211 and 212 of the Senate hearings—on injury frequency and severity rate conclusively show that the sand and gravel industry is the most hazardous except for the underground coal and mineral mining industries.

Mr. President, a man killed in a sand or gravel pit is just as dead as a man killed in a metal and nonmetallic mine. A man injured in a sand or gravel pit is just as injured, if he suffers the same mayhem upon his body, as if he were injured in a metal and nonmetallic mine.

Therefore, throughout the executive sessions, Mr. President, I refused to take my thoughts off of what the objective of safety legislation is.

Let us try to give greater protection to human beings. There is no doubt about the fact that if we did not have on the books the safety legislation we already have, there would be greater suffering on the part of workers both by way of injuries and, in those tragic cases, fatalities.

Mr. President, we cannot erase the indelible figures from the injury and fatality lists in respect to sand and gravel operations. They are there, and, although undoubtedly an attempt will be made on the floor this afternoon to exempt them, I hope my fellow Senators will not take their thoughts off the objective of safety legislation, which is to protect human beings.

A sand and gravel pit operator, in my judgment, has no moral right to enjoy the benefits of our great system of economic freedom which we call the private enterprise system, the profits of which are essential for maintaining what we call the American way of life under our system of economic and political freedom, and not comply with the safety regulations that he would be required to comply with after the passage of this bill. In my judgment, no employer has the moral right to ask for or expect exemptions from the application of those safety regulations. I do not care what is said in the debate, Mr. President, in regard to this subject—it never can change the major premise I have just laid down. That is the purpose of the bill—to protect the bodies of workers.

Mr. President, the cost of compliance with safety regulations must be accepted by management in this country as a part of the cost of operating in a system of private enterprise. For private enterprise gives to no employer in this country the right to avoid the reasonable safety regulations envisioned by this bill, and which in my judgment will flow from the bill if enacted. I would have my fellow Senators come back to that major premise as the debate develops here in the Senate.

Although, as I say, the committee did not agree to these amendments, it was concerned about inspection—although only inspection of underground mines is required—and mandatory reporting requirements in the bill with respect to small mine operators, including sand, gravel and crushed stone operations which often employ few persons and whose operation is often of short duration. In the experience of some members of the committee, many sand and gravel pits and comparable crushed stone operations operate for a short period of time, often with respect to a particular job such as highway construction. In these situations the Secretary is expected to consider carefully whether his authority to decline jurisdiction should be exercised. He would be expected to exercise his authority to decline jurisdiction if the safety experience warranted it. The committee would expect the Secretary to give controlling weight to the evidence of hazard in such operations in determining whether jurisdiction should be exercised. Likewise, in the case of the small operator, consideration should be given to simplifying the reporting required of all mine operators under section 13 of the act. Reporting forms should be adequate but clear and concise, so as not to place too great a burden on the person reporting. But the responsibility for seeing to it that safety is maintained will continue to rest with the Secretary.

STATE PLANS

The committee amended the House bill on my motion to delete the State plan provision provided in section 13. Under this section, if a State had presented a plan which met the qualifications set out in section 13 of the House bill, it could assume all responsibility for development and enforcement of health and safety standards in mines located in the State through a State mine inspection or safety agency.

A State plan similar to the State plan in the Federal Coal Mine Safety Act was offered on my motion and accepted by the committee. The committee had considerable discussion on amendments to delete the State plan provision entirely, leaving all inspection and enforcement under the proposed act with the Federal Government. The original administration proposals did not include a State plan. We were faced with the mine operators and the State inspectors on the one hand who desired the State plan as provided in H.R. 8989, and the labor representatives of many of the employees in these mines who favored no State plan but solely Federal inspection and enforcement.

The State plan adopted by the committee patterned after provisions of the Federal Coal Mine Safety Act would permit any State desiring to cooperate in making inspections to submit a State plan which, if it met the requirements provided in section 16 of the reported bill, would require the presence of a State inspector whenever a representative of the Secretary made an inspection under the proposed act. The only exception, as I have already pointed out, would be in the case of imminent danger as described under section 8(a) of the bill, where the Secretary or his authorized representative finds that participation by a State inspector would unreasonably delay such inspection. The Secretary would retain the sole responsibility for enforcement of health and safety standards promulgated by him. The Secretary is required under section 16(a) of the bill to cooperate with official State mine inspection or safety agencies.

I firmly believe that the provision for a State plan patterned after the Federal Coal Mine Safety Act best meets the needs of health and safety in the mines to be covered by this act. By providing for sole Federal enforcement of health and safety standards promulgated by the Secretary, there will be unifomity of inspection and enforcement. During the testimony at the hearings, I was impressed by the failure of the States to update and improve their mine safety codes, although in recent years since this legislation has been pending there has been a greater effort on the part of some State legislatures. In a few instances, the State governments were providing excellent mine health and safety standards as well as enforcement of those standards. However, in general the States have not enacted and implemented health and safety standards adequate to overcome the injury severity and frequency rates and fatalities in these mines. Earlier this year, as I said earlier, the Senate passed amendments to the Federal Coal Mine Safety Act which extended coverage to the so-called small mines employing 14 or fewer persons. The hearings and statements presented to the committee at that time showed that five States had submitted plans under the Federal Coal Mine Safety Act so that in those instances joint and cooperative inspection was carried on by Federal and State governments. In the other States where coal was produced and no State plan had been accepted, the State inspectors continued their inspection and enforcement of State codes where the Federal code is silent, or the State code provides greater safety or where there is no conflict with the Federal code. In addition, State coal mine safety codes were constantly improved. The enactment of the Federal Coal Mine Safety Act in 1952 did not lessen State inspection and in fact encouraged State inspection and improvement of State safety codes.

I firmly believe that this bill with a State plan providing for joint and cooperative Federal and State inspection will result in better health and safety standards and better enforcement of those standards.

Mr. President, I say quite frankly that what we did in the subcommittee and in the full committee was to reject what could be described as the industry's desire for the elimination of the enforcement power of Federal officials.

We rejected the proposal of organized labor representing workers in these mines that sought to eliminate entirely any State cooperative participation in connection with the enforcement of the act.

We struck what I considered to be a very fair compromise of the two points of view.

I made the motion, as I said a moment ago, by simply proposing the same procedure that the Senate adopted earlier this year in connection with the coal mine safety bill.

I think the same uniformity ought to be available to the workers in the metal and nonmetallic mines and in the sand and gravel pits of the country as are available to the workers in the coal mines.

The provision of H.R. 8989, as amended by the committee, have been carefully designed to advance the safety of those persons who must earn their livelihood in one of the Nation's most hazardous industries, metal and nonmetallic mining. At the same time, we attempt to attain this goal with a minimum burden upon those engaged in the mining industry and to augment, rather than duplicate, State efforts in this field.

The safety of the men employed in these mines, the security of their employment, and the economic well-being of the industry have been thoroughly considered and the conclusions have been adopted in H.R. 8989, as reported.

Mr. President, it is my understanding that the Senator from Montana [Mr. METCALF] would appreciate an opportunity to proceed with a supporting statement on the floor manager's description of the bill.

Mr. METCALF. Mr. President, this bill embodies an idea whose time is past due. The idea is that men who labor under the earth deserve adequate protection from injury or ill health caused by job hazards.

The men in the metallic and nonmetallic mining industry have not had that protection in the past. They do not have it now. That is why this bill is before us today.

There is nothing sudden or surprising about this legislation. National concern in this general area goes back a long time. For example, the report of President Theodore Roosevelt's National Conservation Commission in 1909 stated:

> Even more serious than the question of waste of materials is the excessive loss of life in our mining and metallurgical operation.

The very next year, concern over health and safety conditions in some mines resulted in establishment of the U.S. Bureau of Mines.

Mr. President, I am grateful for the opportunity that I had to participate in hearings through the courtesy of the committee and to question the witnesses and to take part in the hearings held by the Senate subcommittee.

I am also grateful, of course, for the kind words of the senior Senator from Oregon who has outlined that 14 years ago I introduced the first mine safety bill. It was one of the first bills that I introduced upon coming to Congress.

The direct history of today's legislation can be traced back to the bills introduced that long ago. However, this legislation first started a decade ago. In 1956, the House Committee on Education and Labor set up a special subcommittee to consider several bills, among them my own, relating to safety in the mines. I was named chairman. Other members were Congressmen Carl Elliott of Alabama, PHIL LANDRUM, of Georgia, JOHN RHODES, of Arizona, and Orvin Fjare, of Montana.

We held hearings in Minnesota, Montana, and Colorado in addition to a 3-day hearing in Washington that December. Our unanimous report recommended:

> The overall subject of safety in the Nation's metallic and nonmetallic mines should be given further study.

By direction of that subcommittee, I went before House Appropriations subcommittees early in 1957 to urge additional funds for the Public Health Service and Bureau of Mines to increase their research and education activities to improve mine safety. The Appropriations Committees provided the money for expansion and improvement of their programs.

In 1961, the House Committee on Education and Labor directed another set of subcommittee hearings to be held on the continuing serious problem of health and safety in the mines. Those hearings led to the enactment of Public Law 87-300, which instructed the Secretary of Interior to conduct an intensive 2-year study of health and safety hazards in the mines, to evaluate the adequacy of mine safety legislation and programs of individual States, and to present his findings and recommendations to the Congress.

That study was carried out skillfully and thoroughly by a special mine safety study board. Findings and recommendations filling two volumes were published in November 1963.

As the committee report points out, this study was the only nationwide study that has ever been made on the basis of mandatory, rather than voluntary, reporting of employment and accident information by metal and nonmetallic mine operators.

Based upon those findings, the administration was prompted to draft a proposed Federal Metal and Nonmetallic Mines Safety Act, which was transmitted by the Secretary of the Interior on March 29 of last year. The Select Subcommittee on Labor held a week of hearings on that bill in May.

Those hearings resulted in a number of amendments to the administration bill, and a revised version incorporating those amendments was passed by the House on September 2 of last year.

Next, the Labor Subcommittee of the Senate Committee on Labor and Public Welfare conducted 2 days of hearings in March of this year on the House-passed mine safety measure and three other bills introduced in the Senate, including one I introduced for myself, the junior Senator from New Mexico [Mr. MONTOYA] and the junior Senator from Utah [Mr. MOSS].

I should note in passing that our bill contained more stringent provisions than the bill we consider today. I am conscious that the bill before us represents an effective and fair compromise in which a sincere effort has been made to accommodate the legitimate views of all interested parties within the limits of achieving a meaningful bill responsive to the broad public interest.

Out of its deliberations, the Committee on Labor and Public Welfare has reported to the Senate the bill we consider today.

That is an outline of the unhurried path along which the proposed legislation has moved. It is a path marked by thorough and detailed study and consideration. The activity in this past decade, building up to the proposed legislation, has been spurred by a demonstrated compelling need. So let us review for a moment the factors that compose that need.

We get a true perspective of the situation by turning to the job-injury data collected by the National Safety Council and the U.S. Bureau of Labor Statistics. Year after year, the injury rates for "underground mining, except coal," are equaled or exceeded by only two other categories. One of these is underground coal mining; the other is marine transportation. In both these other industries the hazards of the job have caught congressional attention. We have acted with respect to both of these industries by passing legislation that establishes the Federal responsibility for promoting improved safety. The Federal Coal Mine Safety Act and the Longshoremen's and Harbor Worker's Compensation Act are on the books. All I am arguing today is that the time is past due when we should also place on the books similar legislation to protect workers in the only other line of work where the job hazards are equal to or worse than the two for which we have already legislated.

I have noted that part of the effort building up to this legislation consisted of a 2-year study by a special mine safety study board. That study showed, among other things, that accidents in metal and nonmetallic mining and milling establishments were claiming lives at a rate of more than 200 a year, and causing some 10,000 nonfatal injuries a year. We should remember that many of these injuries leave the victim permanently disabled.

The sad fact is, Mr. President, that if we project into the future the statistical record of the past, we can say outright that of every hundred underground metal miners who enter this line of work, seven will be killed in accidents on the job before reaching retirement age.

As the Senator from Oregon has already pointed out, in the course of the 2-year study of mine conditions, Bureau of Mines field teams checked some 800 mines, quarries, and mills which made up "a representative sample of metal mining activities." The report showed 10,180 lost-time injuries and 212 accidents in 1962 in the metallic and nonmetallic mineral industry.

Evaluating the fatal accidents investigated, the board concluded:

> Accidents resulting from unsafe conditions over which workmen had no control accounted for more than half of the fatalities that occurred.

The inspectors discovered an average of 15 identifiable hazards in each mine visited—hazards endangering the worker's life and health.

These conditions were found to exist in spite of the fact that many—although not all—of the mines visited were covered by some form of State safety legislation. The existence of various State laws in this field is said by some to obviate the need for Federal action. But if I say to you that, "the present structure of State law coverage and enforcement is clearly inadequate to deal comprehensively with the problem of safety in the mineral industry," I am only concurring with—indeed, quoting directly from—the report of the special mine safety study board which studied this subject for 2 years.

Authority to regulate mineral mine safety is provided in widely differing degrees by 45 States. According to the study, and quoting again from the report of the Committee on Labor and Public Welfare, 13 of the 50 States had no specific mine safety law at all applicable to mines other than coal and lignite mines. The laws of only 33 States specifically require the inspection of all mines. The staff available for this vital inspection function varies as widely as the content of the laws. The chief of the inspection agency is the sole inspector in two States; in 30 States, the inspection force ranges from 2 to 10 men. Only 14 States have more than 10 inspectors.

In compiling its survey results, the special mine safety study board made a list of some 57 elementary provisions that could be incorporated in laws governing the health and safety of mineworkers. It then rated the scope of applicable laws in the various States on a scale in which a State law containing all 57 provisions would receive a 100-percent rating.

The highest rating achieved by any single State's laws was 91 percent; only nine others exceeded 75 percent. Twenty-five States failed to get a 50-percent rating.

Turning to the number of miners covered by these State laws, the board discovered that some 470,000 employees—28 percent of the mineral mining population in 1960—were either exempt from State mine safety laws or were not covered by specific laws.

The fact of the matter is that some States and some companies have moved ahead in admirable fashion to make mines safer. But there are wide variations in the effectiveness of the protection offered by State laws, State programs, company policies, and company programs.

If anything, the legislation we propose today will afford the most progressive States and companies a greater degree of equity with those States and firms who are slack in this field.

It is plain that safety equipment, training, and education cost money. Mining is a highly competitive business. The companies that spend more to safeguard the lives and health of their employees—and the States that effectively enforce adequate requirements in this field—are placed at a competitive disadvantage to the less conscientious States and companies. The purpose of a Federal statute in this field is to require a minimum effort in all areas and by all firms, so that none can gain an advantage of profit by slighting this responsibility.

The pending bill follows the pattern of other safety legislation in hazardous occupations by giving the Secretary authority to set standards and to make mandatory inspections. In setting the standards he is, in the language of the bill, "required to consult with advisory committees."

A second major point of this bill is that it extends the definition of mining. It goes beyond underground operations, and into the first stage of the milling operations located on the mine premises.

The bill provides for a review of the decisions of the Secretary by a review board, and it provides for judicial review of the standards and enforcement of closure orders.

It requires annual reports from mine operators of injuries and occupational diseases.

A key section, and perhaps the most important, directs the Secretary to develop training and education programs for supervisors and employees in accident prevention.

A significant difference between the measure before us today and the bill approved by the other body is that the Committee on Labor and Public Welfare has deleted the State plan provided by section 13 of the original bill and substituted therefor a plan similar to that provided by the Federal Coal Mine Safety Act.

Section 16 of the bill as it is before us provides that wherever there is a State mine safety law, a State inspector shall accompany the Federal inspector. However, the Secretary would retain the sole responsibility for enforcing health and safety standards promulgated by him. This provision would recognize existing plans in those States which have moved to meet the need in this vital area, and will encourage other States to do likewise.

A significant section is 19(b). It provides that no State or territorial law which provides for standards higher than those to be set by the Secretary shall be superseded by this legislation.

The effective authority of the Secretary of Interior to enforce standards giving mine workers adequate protection rests in the requirement for orders of withdrawal and debarment. Whenever an inspection reveals a hazardous condition which threatens imminent death or serious physical harm, the Federal inspector must issue an order of withdrawal and debarment. Such an order forbids the presence of any person in the area in which danger exists, except those persons whose presence is required to eliminate the danger.

These orders may also be issued to mine operators who have failed to take proper action to correct violations of mandatory health and safety standards within a specified reasonable time.

Again, let me stress that the bill contains protection against arbitrary use of orders of withdrawal and debarment.

The Secretary's authority to issue such orders is qualified by procedures of appeal and review available to mine operators.

Mr. President, almost 50,000 men in this vital industry, one of the most dangerous industries in the United States, are not covered by any safety legislation at all. The only way to get such legislation enacted and to update the other safety legislation in the States is to pass this kind of national inspection legislation. I urge the passage of the pending bill.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. METCALF. I yield.

Mr. MOSS. Mr. President, I commend the junior Senator from Montana for his long and able work in the field of mine safety. I am a cosponsor with him on this bill, and I believe that I have been a cosponsor with him on the mine safety bills that he has introduced heretofore, since he came to the Senate. Before coming to the Senate, the junior Senator from Montana worked in this field in the House. I congratulate him for the fine exposition that he has just made of the terms of the pending bill.

Mr. President, I rejoice that at long last we have before the Senate a bill to give better protection to the workers in the Nation's metal and nonmetallic mines. The measure as reported by the Senate Committee on Labor and Public Welfare is a stronger and more desirable bill than the one passed by the House, and I hope the Senate will pass it.

Mining has played a tremendous role in the economy of my State of Utah over the years. Copper, gold, silver, lead-zinc, iron, uranium, potash, beryllium—we have been and still are leading producers of these and other metals. They provide many jobs and considerable revenue for our merchants, our counties, and our State.

We are, as almost everybody knows, one of the Nation's leading producers of uranium. It is hard to believe that in this enlightened day and age more than half of this country's underground uranium miners are exposed regularly to lung cancer and hazards from radium gas. In a recent U.S. Public Health Service survey, 1,264 miners were found breathing radon gas on the job in concentrations declared unsafe. Out of the 544 mines examined, there were 4,080 violations of State mine safety laws, with little or no attempt in many instances by State enforcement agencies to enforce or correct the situation causing the dangers. Some 28 percent of the total number of miners employed were not covered by any safety legislation whatsoever.

The job Utah is doing in mine safety in uranium and other mines is constantly improving. But this is not the case in some of our States. What we must have is Federal consistency in both inspection and enforcement of health and safety standards.

I have always believed that, all other things being equal, enforcement should be kept close to the people. But in mine safety, all other things are not equal. Due to the competitive nature of mining, it is extremely difficult for one operator to maintain proper safety standards as long as competitors refuse to do so. This is true, also, of the States themselves—each State is competing with its sister States to attract more business, and finds itself at a distadvantage if it has to enforce safety regulations which might have a tendency to drive business away or to discourage the establishment of new business.

The bill before the Senate today places the major responsibility for the inspection of metal and nonmetallic mines and the enforcement of safety provisions in the hands of the Secretary of the Interior, through the Bureau of Mines, although the States are by no means bypassed.

Any State desiring to cooperate with the Federal Government in making mine inspections can do so. A system of joint Federal-State inspection is provided when a State has an approved plan. This would give Federal and State inspectors an opportunity to work together and compare findings and procedures, to the benefit of both. There is nothing in the bill, of course, which precludes the State from making inspections for compliance with the State code at any time.

Frank Memmott, Deputy Director of the Bureau of Mines, in a statement made in hearings before the Senate Labor Subcommittee on the bill, stated the Federal position very clearly:

> We do not expect, at least as long as I have anything to do with the administration, to duplicate or take away any prerogatives of the State.

He continued:

> However, we do expect the States to take a more aggressive attitude and accept their responsibility.

When inspection turns up a condition or practice which creates a danger which could reasonably be expected to cause death or serious physical harm immediately or before the condition can be eliminated, the bill empowers the Secretary of the Interior to issue an order that the mine operator must remove workers from a mine.

Once this is done, if the mine owner feels that the order was unjustified, he has two channels of appeal. The first is the Federal Metal and Nonmetallic Mine Safety Review Board, an innovation in this bill, whose members shall be appointed by the President, with the advice and consent of the Senate. If the mine operator is not satisfied with the decision of this board, he can take his second appeal to the U.S. court of appeals.

So the bill as reported is equitable to all concerned, and goes far toward establishing a fair and workable code for safety standards for metal and nonmetallic mines.

This measure is based on the findings of a 2-year study by the Mine Safety Board—the only nationwide study which has ever been made on the basis of mandatory reporting of employment and accident information in metal and nonmetallic mines. It is sound legislation which is the result of many years of debate and consideration. I have been sponsoring and cosponsoring mine safety legislation ever since I came to the Senate—the bill before us today is a refinement of earlier measures.

It provides for the gathering of data on accidents, fatalities, and occupational diseases on a regular basis, with mandatory reporting, so that health and safety standards can be developed in a thoroughgoing and scientific manner. It establishes realistic and consistent nationwide inspection procedures, and effective machinery to take miners out of unsafe and dangerous conditions when they are found in them. It gives industry a direct channel of appeal if a mine owner feels a safety order is unfair. It is the best bill we have produced. I commend the committee for its fine work.

Mr. President, earlier this session we strengthened the Coal Mine Safety Act by making its provisions applicable to small mines of less than 15 employees as well as large ones. I hope we can now embellish the record of the 89th Congress by enacting an effective bill to assure the protection they so well deserve to our men working in metal and nonmetallic mines.

I join the Senator from Montana [Mr. METCALF] in his plea for the passage of the bill.

Mr. MONTOYA. Mr. President, will the Senator from Montana yield?

Mr. METCALF. I shall be delighted to yield in a moment. First, I wish to make comment in respect to the statement made by the Senator from Utah [Mr. MOSS].

It is true that we worked together, shoulder to shoulder, for many years to try to achieve some sort of mine safety legislation. We have a good bill before us today, one which we can both support.

I am glad that the Senator mentioned the President's statement on the question of May 23. On May 23, in his remarks to the labor press editors, the President said:

> And we are going to extend Federal health standards to cover, not only coal miners, but all other miners as well. The Metallic and Nonmetallic Mine Act, which has passed the House and is now in Senate committee, will protect our men mining copper and uranium, or working in sand and gravel quarries—practically everyone who labors under the earth to earn his livelihood.

I am happy to yield to the Senator from New Mexico [Mr. MONTOYA].

Mr. MONTOYA. I wish to commend the Senator from Montana [Mr. METCALF] for being one of the pioneers in this type of legislation. I had the great honor to cosponsor the bill with him while we were both Members of the House of Representatives. I had the honor of being a cosponsor with him of his bill which went before the Committee on Labor and Public Welfare.

I also wish to commend the senior Senator from Oregon [Mr. MORSE] for lending his usual leadership in trying to get this legislation before the Senate and eventually enacted. Throughout his career he has distinguished himself as being a strong voice in behalf of the working people of this Nation. I wish to avail myself of this opportunity to pass a deserved word of commendation to the distinguished Senator from Oregon [Mr. MORSE].

The report of the Labor subcommittee brings out the findings of the Mine Safety Study Board's report.

Mr. President, I ask unanimous consent that page 4, paragraph 6, subparagraphs a, b, c, and d, extending over to the last paragraph on page 5 of the report, be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

6. The study's thorough analysis of the scope and adequacy of present State mine safety laws, and the adequacy of their enforcement, revealed an unsatisfactory record. A brief outline follows of the detailed indictment which the Mine Safety Study Board's report makes of current State laws and practices:

(*a*) The large majority of State mine safety laws—and 13 of the 50 States had no specific mine safety law at all applicable to mines other than coal and lignite mines—fell substantially short of establishing adequate enforcible standards. The Board evaluated each State law or safety code by means of a "scope rating" which measured the extent to which it "reflected 57 reasonable and elementary provisions for the health and safety of mineworkers"—such provisions, for example, as requirement of a second escapeway, regulations for safe handling of explosives, minimum ventilation standards, limitations on allowable concentration of dust, or requirements for the support of mine roof. A State law or safety code which directly or indirectly incorporated all such provisions applicable to conditions within the State would have received a scope rating of 100 percent. None, however, did. Only 10 States merited a scope rating of more than 75 percent, and 25 failed even to merit a rating of 50 percent. (Some States, of course, received a zero rating since they had no enforcible State law applicable to the mining and milling operations covered by the study.) At least half the States, in other words, either had established no enforcible standards applicable to non-coal mining, or had drawn up sets of standards which included less than half of the "reasonable and elementary provisions" that Bureau of Mines personnel considered necessary for the protection of mineworkers.

(*b*) State mine safety laws and codes by no means covered all the workers in mineral mining operations. In only 24 States was there coverage of 100 percent of these workers. The remaining States either had no specific laws or codes, or made them applicable only to certain categories of mining. For the Nation as a whole, the Mine Safety Study Board estimated that approximately one-third of the workers engaged in mineral mining, other than coal, were employed in operations not subject to any State mine safety law.

(*c*) Whatever the health and safety standards which an individual State proposed to maintain, the funds and qualified personnel actually required to enforce these standards were all too frequently, not provided. The Board's report shows that: many States employed too few inspectors to allow thorough coverage of the mining operations within their jurisdiction; in some States those serving as mine inspectors were not required to have had specific experience in the mining industry, or to have demonstrated their competence through a civil service examination or in any other way; salaries paid State mine inspectors were frequently so low as to raise a serious question of the ability of many States to attract and hold well-qualified inspection personnel.

(*d*) The mine inspections carried out by Bureau of Mines personnel during the study cast grave doubt upon the present effectiveness of the individual States in enforcing health and safety standards spelled out in State laws and codes. In the process of inspecting 800 mines, the Bureau's inspectors not only found more than 12,000 remediable hazards—but found more than 1,700 such hazards which could be reasonably categorized as long-standing violations of existing State laws. (The figure of 1,700 is a conservative one, since only those violations of State laws were included which, in the judgment of the inspector, "obviously had existed for a time sufficient to have allowed prior correction.") The fact that Federal inspectors could go into mines subject to State mine safety laws and uncover so many long-standing violations of these laws—violations which had remained uncorrected by State authorities—speaks for itself.

The conclusions reached by the Mine Safety Study Board, in submitting its report in November 1963, included these summary statements:

"The number and severity of the injuries experienced each year by persons employed in the extractive industries should be alarming to an America that prides itself on its * * * concern for the welfare of its citizens. In the face of 10,000 lost-time injuries and more than 200 deaths in a single year, it would be difficult to ignore the need for positive action * * *. The present structure of State-laws coverage and enforcement is clearly inadequate to deal comprehensively with the problem of safety in the mineral industry."

Mr. MONTOYA. Mr. President, this is an important day for the metal and nonmetallic miners and quarrymen of this country as the Senate considers H.R. 8989, the proposed Federal Metal and Nonmetallic Mine Safety Act.

This bill, similar to S. 996 which I cosponsored early in the last session of this Congress, will go a long way toward reducing the accident toll and the health hazards which plague the mining industry of this country. Action in this field is long overdue, and I am happy to lend my support to H.R. 8989, as amended by the Committee on Labor and Public Welfare.

The fact that mining and quarrying are unusually hazardous occupations has been well known to the miners themselves for many years, but, surprisingly, there was little official evidence to confirm this view until the comprehensive study by the Mine Safety Study Board was completed 2 years ago.

This study demonstrated conclusively the hazards of mining and quarrying. In this special report to the Secretary of the Interior, it was found that in 1962, there were 44.11 fatal and injury accidents in underground mining operations for every 1 million man-hours worked in the industry.

By way of comparison, for textile mills it is 9.3, for machinery manufacturing 11, for oil and gas extraction 17.6. I would point out that the latter is generally considered a dangerous occupation, yet the rate for underground mineral mining is nearly three times as great.

The overall rate for American industry is 6.12.

The mine safety report clearly demonstrated the widespread existence of correctable hazards to life and health in mines inspected during the study, a high casualty rate suffered by miners from dangerous conditions beyond their control, and the ineffectiveness of present efforts to reduce mine health and safety hazards.

In 1962 there were 212 fatal accidents in mineral mining and milling operations, including stone quarries and sand and gravel operations, and 9,977 injuries. Of this total, 65 deaths and 3,556 of the injuries occurred underground.

It is high time the Congress acted to correct this situation by enactment of H.R. 8989.

This is a matter of particular concern to me because mineral mining is one of New Mexico's most important industries. Federal mine safety regulations will affect some 9,000 men of my State who work in those mines. Miners throughout the United States are entitled to: First, better safety education; second, uniform safety and health rules and regulations; third, frequent and strict inspection and enforcement; and fourth, competent administration of good mine safety laws and standards.

Mr. President, this afternoon we may be asked to pass upon an amendment which would deprive the Federal Government of jurisdiction provided in the bill and relegate mine safety to the sanctuary of the States.

In my State the experience has been as follows: First of all, the legislature has refused on many occasions to update standards or regulations that might be required to enforce a proper safety program. Second, we have lacked the manpower in our State to properly safeguard the miner in the mines. This is the situation and pattern in most States having mine safety regulations and laws. There is not adequate personnel to police safety in those States.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. MORSE. I express my appreciation to the Senator from New Mexico [Mr. MONTOYA] for his kind and generous remarks concerning my work in the mine safety field, including both coal and metal and nonmetallic minerals.

But I really rise to thank him for the argument which he has just made. It is an argument to which I have given great emphasis in committee, and one which I do not think that we should ever lose sight of when we come to consider whether or not an amendment should be added to the bill that would turn control over to the States.

As the Senator has pointed out, there are many States that have not taken the action necessary to provide a mine safety code to give protection to the men.

That is the objective of the legislation before us. I believe the pending bill has worked out a very acceptable compromise of the Federal-State issue and will prove to be an inducement to proceed to pass necessary legislation so that they can conform to a safety program that will make it possible for a State plan to be adopted in respect to them.

Once a State plan is adopted in respect to a State, joint and cooperative inspection will follow resulting in better administration of safety regulations.

I thank the Senator.

Mr. MONTOYA. I thank the Senator from Oregon for his remarks. I also want to say that the passage of this legislation as recommended by the committee will encourage many of the States to implement the defective legislation—or should I say "outdated" legislation?—which is now on their books. I think this piece of legislation will bring a happy day for the miners of America because under Federal inspection there will be new safety standards, and uniform standards throughout the country, which will inure to the benefit of these working people who, when they are injured, are not adequately compensated by workmen's compensation laws in their respective States. I say this authoritatively. They are maimed for life if they survive an accident, and therefore, I believe it is high time that we in the National Government, through Congress, do something about these working people by providing safety standards which will prevent accidents, so that they can continue to be wage earners for their families instead of being maimed individuals, living in poverty.

Mr. METCALF. Mr. President, I commend the Senator from New Mexico for his persistent efforts in getting this proposed legislation before Congress.

Both as a Member of the House of Representatives and during his current tenure as a Senator, he has labored very hard to get mine safety standards adopted, so that there will be no more injuries, no more maiming of workers in the mines of his and my State and all of the States. As a result of our activity in this field in the Senate today, the miners of our country will be able to live longer, and permanent disabilities or injuries will be prevented, not only in New Mexico, Montana, and Utah, but everywhere in the United States.

I also concur in his praise of the Senator from Oregon [Mr. MORSE], whose leadership has permitted the Senate to consider the bill today and engage in this debate.

Mr. DOMINICK. Mr. President, I am always reluctant to take the floor in disagreement with the distinguished chairman of the Subcommittee on Education, and in opposition to some of my good friends and Western colleagues.

In listening to the debate, I take interest in automatic assumption that if the Federal Government should assume mine safety authority, the person working in the mine would be automatically benefited.

Let me say in deference to my colleagues that their words are magnificent, but the proof is not in the hearings. I am astounded to hear time and again that we are for the workingman and therefore we will put the Federal Government in charge of this program. This is an assumption that the workingman will be benefited by this bill, an assumption which, in my opinion, has not been in any way backed up by the evidence before us.

I participated in the hearings with the Senator from Montana [Mr. METCALF]. I also listened to the evidence and read the hearings, and I have since written some individual views on this particular bill. I think some points should be made in the process of debate, because I believe they are important.

First. Let me say that everyone of the State representatives appearing before the committee—there may be an exception, but I have not found it—testified emphatically that he felt there was no need for this legislation, that it would not improve safety so far as the mines are concerned.

Second. I would point out that the bill requires that there be Federal uniform—and I emphasize the word "uniform"—health and safety standards for mining, and uniform inspection standards.

The question is: Can we apply uniform health and safety standards to mining, using the word in as broad a context as it is used in this particular bill?

I quote from the testimony of the deputy head of our Colorado State agency. Let me say for the RECORD that he is a very fine person whom I have known for a long period of time. Also, let me say that Colorado in the safety field is No. 1 in the entire country. It has done more in the way of providing health and safety regulations than any other State in the country, a fact to which members of the Department of the Interior testified, by means of the Department's report which was placed in the hearings.

Mr. Franz stated as follows:

> Mining problems are different at each property. This condition requires intimate and personal attention from the inspection agencies so that the problems can be worked out to the satisfaction of both parties without unnecessary delay. Even in our State, rules for one property cannot be imposed on an adjoining property. This should indicate that it would be a decided if not a fatal hardship on many mining properties to be subject to set rules of national rights.

Mr. President, it seems to me that this is self-evident—that health and safety standards applicable to sand and gravel operations are not going to be applicable necessarily to uranium operations in the State of Wyoming or Colorado, even though they may be open pit properties. To me, it seems self-evident that, in underground mining we are not going to have health and safety conditions which are similar in uranium mining to the conditions in lead and zinc mines, or gold or silver mines—or whatever it may be.

It seems self-evident that the conditions under which these properties are operated will vary depending upon the geological formation, depending upon the exterior contour of the land, depending upon the ore deposits, and their thickness, the availability of equipment, and the degree to which these properties can be mined in an efficient manner.

Mr. President, let me make this personal reference. During the early 1950's, long before I became active in political affairs, a company in which I was interested was mining uranium in Utah. We had a 1,200-foot cliff that we had to get down by road or continue operating it by air. There was no way to get to the bottom of the cliff except by a river barge from upstream. This was only a shallow draft barge, and we could not get equipment down. Thus, we started to build and operate a road, operating the mine by air and building the road as we went. The interesting thing was that the geological formation we were trying to put a road into, in order to get down to the mining property, was so friable that we had to put parachute harnesses on the "cat" drivers and hammer pitons in the wall so that if the road should collapse and the "cat" went over the side, we would still find our operators safe, hanging by the pitons and the parachute harness.

This is an example of the problems we can run into in the process of trying to operate mining properties. I am happy to advise the Senate that we were able to complete that road without a single fatality or casualty—in fact, with no injuries.

I bring this up, because, as I say, I think that it is important to show the difference in formations in properties from place to place.

The automatic assumption of this bill is that if we adopt uniform Federal rules, we will immediately have an increase in safety for all miners everywhere in the country. So, the first proposition I think we should look into is: Do we have any Federal uniform rules on health and safety?

I refer to the examination I made of Mr. Boyajian, the coordinator for the Department of the Interior, who testified before the committee. I have quotations from his testimony in my individual views contained in the Senate report on this bill; but, for emphasis' sake, I would like to present them to the Senate as a whole. I asked him:

> Well, you are actually going ahead and advising on health and safety standards now in every State in the Union, are you not?

I was referring to the Bureau of Mines.

> Mr. BOYAJIAN. Yes, sir; that is correct.

Then I said further:

> Then why do we have to develop something new; have you not already done it?
>
> Mr. BOYAJIAN. They have not been established, sir, to my knowledge, on a uniform basis.

I added:

> I am not talking about whether they are established. You are talking about the developing of health and safety standards. Now, have you not developed those already?
>
> Mr. BOYAJIAN. We have not developed the standards; no, sir.

So here is testimony from the Department of the Interior that they have not even developed Federal health and safety standards of any kind on a uniform basis.

Then I went into whether they had inspection standards developed. Again I refer to my individual views on page 33 of the report on this bill, in which it was stated, to get to the meat of the problem, by Mr. Moyer, who was with Mr. Boyajian:

> Well, they have been working at it—

Safety standards—

> but not as intensively, as they would if there was an authorized inspection program.

Prior to that, Mr. Boyajian had said that they had no standards set up for inspection purposes.

I could go on and on, but the point I have been trying to make is that if we are to have any Federal authority to improve safety, we ought to know whether there are safety standards established and health standards established, and procedures developed. In the meantime the testimony of the Department is that there are no health and safety standards. They have not been developed.

The third point which I think is of importance and should be pointed out is that there is a requirement that every underground mine be federally inspected at least once each year. When I asked Mr. Boyajian how many people he had who were qualified to serve as Federal inspectors, he said he had 40.

As a matter of fact, he did not know how many he had. He had to supply that information for the record later. This appears on page 35 of the report. He said he had 40 inspectors.

There are 1,857 underground mines, according to the Bureau of Mines, as of 1963. Mining has received some boost since that time, so possibly the number is larger.

How in the world are we to improve the safety factor by having only 85 Federal inspectors? There are only 40 safety inspectors now. How are we going to improve safety in the mines by increasing over a period of 3 years the number of Federal inspectors from 40 to 85, when they will still be required to inspect all underground mines once a year? They could not possibly travel around to all the Western States, much less the other States, with any reasonable hope of having effective inspection by Federal inspectors.

This is my whole point. There are no safety standards or procedures. They are absent. There are no standards for health or safety, nor are there standards for inspections, nor is there an adequate number of inspectors.

In addition to the 1,857 underground mines as of 1963, it is also required that Federal inspectors take care of all other mining operations, which include open pit mining, sand and gravel pit mining; and according to the information which was given in the process of the hearing, there are over 5,300 sand and gravel operations alone which would have to be inspected by the 40 inspectors in addition to the 1,857 underground mines.

I just do not see how we, in all conscience, can say, as the committee has said, "Now, we are going to improve mine safety," when, as a matter of fact, we are taking over the role of the States and are, in effect, saying to the States, "There is no point in your going forward with your State procedures, because the Federal Government has primary responsibility in this field."

One of the witnesses who testified before the committee was Dr. James Boyd. He is well known nationally. He is chairman of the Noncoal Mine Safety Committee of the American Mining Congress. In reply to the Senator from New Mexico, who said that there is some kind of conspiracy against the safety of miners by the mining industry or State officials, let me say I can think of nothing further from being accurate than that statement. It is perfectly obvious that those who work in the mines are interested in their safety, and that those operating the mines are interested in the safety of the people working in them, because if there is no safety they will not get production out of those mines. So it is a self-interest proposition as well as a humanitarian proposition.

At this point I wish to quote from the testimony of Dr. Boyd, at page 289 of the hearings:

> We in the noncoal segment of the mining industry are firmly opposed to the legislation being discussed by this committee today. We are opposed because:
>
> 1. It involves unnecessary duplication of effort.
>
> 2. Where Federal authority has been tried in similar fields, it has failed to achieve its objectives.
>
> 3. The powers are far better exercised at the local level and have so proved themselves.

It is extraordinary to me that we happily go along in the name of safety, which is a magic word and with which no one can quarrel, and yet establish procedures which, in fact, will be detrimental to the safety of the people working in the industry. This is the point I wish to emphasize. This is what I emphasized time and time again during the hearings. I received then, the most unsatisfactory answers from a representative of the Department of the Interior that I have ever received during my service in the Congress. It was absolutely contrary to the background which would justify the passage of this bill.

Mr. President, I shall not take much longer. This measure possibly could have been palatable if we had been able to preserve in it the section, numbered 13, which had been added by my very distinguished colleague in the House, Mr. ASPINALL.

That was deleted in our committee, in favor of a modified form of provision which was more or less based on the Coal Mine Safety Act. And yet, although this provision says that a State plan may be adopted if the Secretary would approve it, the fact of the matter is that this coal mine safety provision has been in effect since 1952, and there have been only six State plans adopted. And none of these States are major coal-producing States.

I see no reason to think that the experience level in the metallic and nonmetallic minefields would be any different than it has been in the coalfield. I might add that out of the six States whose plans have been adopted, two of them do not have any underground coal mining—namely, North Carolina and Alaska. The others have an infinitesimal amount of underground coal mining compared to the total amount of coal that they produce—largely by open pit and strip mining.

If we are able, today, to adopt the amendment which will be jointly proposed by the Senator from New York [Mr. JAVITS], the Senator from New Hampshire [Mr. PROUTY], the Senator from Arizona [Mr. FANNIN] and myself, then I think perhaps we will have a bill that we can live with. But it strikes me that if we do not follow that course, we will be taking a long step, not in the interests of mine safety, but toward superimposing Federal control over operations that are not basically oriented to Federal controls and which will not improve the safety of miners, but rather will be detrimental to them.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I call up amendment No. 615 on behalf of myself, Senator PROUTY, Senator DOMINICK, and Senator FANNIN of the minority on the Labor and Public Welfare Committee, and ask that it be reported.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from New York [Mr. JAVITS], for himself and others, proposes amendment No. 615.

Mr. JAVITS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with. I shall explain the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment proposed by Mr. JAVITS is as follows:

AMENDMENT No. 615

On page 18, delete line 12 and insert, in lieu thereof, the following: "each underground mine which is subject to this Act, except mines located in States having in effect State plans approved under section 16(b)."

Strike out all beginning on page 39, line 18, through page 42, line 7, and insert in lieu thereof the following:

"SEC. 16. (a) Any State which, at any time, desires to assume responsibility for development and enforcement of health and safety standards in mines located in the State which are subject to this Act shall submit, through a State mine inspection or safety agency, a State plan for the development of such standards and their enforcement.

"(b) The Secretary shall approve the plan submitted by a State under subsection (a), or any modification thereof, if such plan—

"(1) designates the State agency submitting such plan as the sole agency responsible for administering the plan throughout the State: *Provided*, That the Secretary may, upon request of the Governor or other appropriate executive or legislative authority of the State responsible for determining or revising the organizational structure of State government, waive the single State agency provision hereof and approve another State administrative structure or arrangement if the Secretary determines that the objectives of this Act will not be endangered by the use of such other State structure or arrangement,

"(2) provides for the development and enforcement of health and safety standards for the purpose of the protection of life, the promotion of health and safety, and the prevention of accidents in mines in the States which are subject to this Act, which are or will be substantially as effective for such purposes as the mandatory standards designated under section 6(b) and which provide for inspection at least annually of all such mines, other than quarries and sand and gravel pits,

"(3) contains assurances that such agency has, or will have, the legal authority and qualified personnel necessary for the enforcement of such standards,

"(4) gives assurances that such State will devote adequate funds to the administration and enforcement of such standards.

"(5) contains reasonable safeguards against loss of life or property arising from mines which are closed or abandoned after the effective date of this Act,

"(6) provides that the State agency will make such reports to the Secretary, in such form and containing such information, as the Secretary shall from time to time require.

"(c) The Secretary shall, on the basis of reports submitted by the State agency and his own inspection of mines, make a continuing evaluation of the manner in which each State having a plan approved under this section is carrying out such plan. Whenever the Secretary finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan (or any assurance contained therein), he shall notify the State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect.

"(d) The provisions of sections 8 and 9, and of subsection (b) and paragraph (1) of subsection (a) of section 14 of this Act shall not be applicable in any State in which there is in effect a State plan approved under subsection (b)."

Mr. JAVITS. Mr. President, the essential purpose of this amendment is to allow States which have the capacity, and which meet rigorous tests with respect to that capacity, to take over the inspection responsibilities and to carry them out, as long as they carry them out in strict accordance with the statute.

Two things are to be emphasized, so that there will be no uncertainty about it. Point No. 1 is that we are not dealing with coal mining here—which is confined to certain States of the Union—but we are dealing with other mines of all kinds, including sand and gravel pits, which occur in every one of the 50 States. The fundamental postulates of the Coal Mine Safety Act are therefore not the same as for this act; and unless Senators agree with that fundamental proposition, it is impossible to understand why we are doing what we are doing. So the first point is that we are dealing with 50 States, not just a limited number of coal mining States.

Secondly, and equally important, this is not a matter of imposing on the States a responsibility of the Federal Government. This is a matter of permitting the States, if they wish and if they can comply with very strict standards, to carry out the Federal law—with the right of the Federal Government to move back in at any time that it thinks the State is not doing the job, and to keep close tabs on it, even to the extent of inspection to make sure that the State is doing the job it has undertaken. The States are very strictly tied, Mr. President; they would have no general warrant of authority. The amendment expressly says that approval may be granted only to such State plans—I refer to page 2, lines 22 to 24, inclusive:

> Which are or will be substantially as effective for such purposes as the mandatory standards designated under Section 6(b) and which provide for inspection at least annually of all such mines, other than quarries and sand and gravel pits.

In other words, precisely the same standards are applicable to the State as we wish to impose upon the Secretary and the Federal Government—if the States wish to do it, if they demonstrate that they can do it, and if they continue to do it.

Indeed, Mr. President, the amendment places a greater responsibility on the States than does the bill on the Federal Government because the States are required to demonstrate that they have a State agency which is adequately financed and has enough employees to do the job. We make no such requirement on the Federal Government, and, indeed the Federal Government at present is a far cry from measuring up to that standard, and will have to build up a staff to do it.

Mr. President, I am sponsoring this amendment, with other Senators, for a very good reason. I am a liberal, and I am proud of it. I am very favorable to labor, and I am very proud of that. I yield to nobody, Mr. President, in terms of my solicitude for the safety and security of the men in the mines, no matter what it costs or how much time and attention it may require.

But, Mr. President, I have a hard head, and I do not favor wasting money nor building up Federal bureaucracies which are not valid and which exist only because we do not trust anybody else but the Federal Government to do the job. I do not think that is the way to do it.

I do not think that is the Federal system. If it can be demonstrated that the States can do the job, and that the States want to do the job, then I am for letting them do it. I see no reason whatever to turn those propositions down.

My own State has 70 inspectors. The Federal Government would have 85 inspectors, 3 years from now. New York is only one State. The State of New York is perfectly willing to do this job. Why should it not be willing? It is willing to pay for the job. Why should the State of New York not relieve the Federal Treasury to that extent, if we have that much pride in our own State administration?

Why should not California or any other State which can qualify under these extremely rigorous conditions set forth in the bill do the same?

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LAUSCHE. Mr. President, in the event the bill is passed as written, what will become of the State enforcement agencies which now exist? Would there still be a need for them, or would that need be eliminated because the Federal Government would take over the inspections under the law?

Mr. JAVITS. A prediction on that would be difficult. It is a very pertinent question. I shall relate the situation.

The committee was trying to compromise that proposition, but I do not think it is a compromise at all.

The Federal Government continues to have the responsibility to inspect the underground mines at least once a year. If a State wishes to continue its own plan, it must nonetheless have a Federal inspection of the underground mines at least once a year. That means, for all practical purposes, that the State inspector will have to wait on the Federal inspector at least once a year for that purpose.

States may prefer under those circumstances to lay it all on the Federal Government and dismantle their apparatus completely, since they would not be charged with the sole responsibility. They may, on the other hand, decide to go ahead and carry out that responsibility. I do not know what will be done. However, the important point is that the Federal Government should have an opportunity to hold down its own bureaucracy, and it is not availing itself of that opportunity, notwithstanding the strict requirements of the amendment.

The Federal Government would go ahead and duplicate the work and expense by having inspections of these underground mines every year according to the mandate of the law. That is the thing that made me bridle at the proposition.

I told the Senator, and the Senator knows from my record, that I would be expected to be the last one to offer the amendment. However, it seemed to be a glaring case of the Government's wasting money and effort for no good reason, since the standards required were so strict.

I took the additional precaution, to show my good faith—since there was a requirement in the House bill for judicial review—of eliminating the provision for judicial review.

The only provision for such review is in the mandatory standards which the Secretary sets for safety, and so forth, and then only if his mandatory standards are not in agreement with the advice of the Advisory Committee as provided by the bill.

While the bill provides limited judicial review in other respects, also State plans, no review is provided. Enforcement cannot be held up. There are no problems of injunctions or anything else. There is no delegation of authority unless the Secretary approves the State plans. Then and then only is there delegation of his authority to the States, to the extent that they will do the bulk of the work and pay for it, rather than the Secretary. This is an elementary accommodation in the Federal system.

As a very careful lawyer, I looked over the restrictions upon the authority of the States. I found that they must really toe the mark, as I pointed out, more strictly than the Federal Government. They must be ready with employees and financing and so forth. The Federal Government does not have that restriction.

We may not appropriate anything for the bill. We might let it ride. There is no requirement that we should appropriate. However, if a State takes it over, it must go forward to the satisfaction of the Secretary.

Mr. LAUSCHE. Do I correctly understand the Senator to say that in the event the State does not do a job in compliance with the law, and the Federal Government so determines, the Federal Government can step into the operation?

Mr. JAVITS. The Senator is correct. I should like to read to the Senator from page 3, line 20, to page 4, line 2, of my amendment. It reads as follows, and remember there is no judicial review:

> Whenever the Secretary finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan (or any assurance contained therein)—

Remember, that requires that the State plan must have fidelity to the mandatory standards. I continue to read from the amendment:

> he shall notify the State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect.

That is rather condign authority, not coupled with any provision for judicial review. It would not require injunctions or anything else to carry it out.

Mr. LAUSCHE. Mr. President, merely for the purpose of recording information, would the Senator state why he believes that this power, if a State desires to exercise it, should be allowed to remain in the State.

Mr. JAVITS. Mr. President, I emphasize the fact that under the Federal system of compatibility between State and Federal administration, where it is possible to get every conceivable thing out of the State and, indeed, I point out that it would require of the States even more, because the State must be ready—which the Federal Government does not have to be—to accomplish the Federal objective. The compatibility of the Federal system requires that we do it, and that is the purpose of the amendment.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. DOMINICK. Mr. President, I point out that the Senator from New York is not only offering a very important amendment—if the amendment be agreed to—but the amendment is also in accord with the resolution adopted at the Western Governors Conference in April of this year in Las Vegas.

The resolution stated:

> If the Congress should deem it advisable to enact federal non-coal mine safety legislation, such legislation should provide that the individual states may retain jurisdiction over inspections and enforcements under such reasonable and practical provisions as will permit effective exercise of those functions.

It seems to me that the amendment of the Senator is in accord with that particular resolution.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LAUSCHE. Mr. President, I did not hear the identity of the agency that adopted that resolution.

Mr. DOMINICK. The resolution was adopted by the Western Governors Conference in April of this year at Las Vegas, Nev.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. METCALF. Mr. President, I know that the Senator from New York is familiar with the very fine statement that was made before the committee by Mr. Lefkowitz, deputy industrial commissioner of the New York State Department of Labor, in which he pointed out——

Mr. JAVITS. What is the page number?

Mr. METCALF. I shall refer to page No. 325 in a moment.

Mr. Lefkowitz pointed out that New York State rated 88 percent in the scope of its mine safety provisions—table 6-2—and those provisions were enforced, in part, by 70 inspectors, 5 of whom were experienced in mining.

The reason for this dichotomy of 70 and 5 is that much, if not most, of the problems dealt with were open pit and quarry work where we do not have mine specialists as such, but rather use our construction experts. Most of the work in open-pit mining is much more comparable to construction work with the shoring of ditches and such and, therefore, we use our construction men for open-pit mining and have five trained mine experts who do the work in the deep-cut mines.

That is an explanation of the number of inspectors in the State of New York. Only five inspectors are the kind of experienced inspectors that we would have under the inspecting of underground mines under this bill.

Mr. JAVITS. Mr. President, I point out to the Senator that it is entirely within the power of the Secretary to turn down the State of New York if he does not think it has enough underground inspectors to take care of its underground mines.

We have comparatively few underground mines in New York.

I refer to my amendment.

On page 3, lines 3 to 5, my amendment reads: "contains assurances that such agency has, or will have, the legal authority and qualified personnel necessary for the enforcement of such standards,".

I should like to ask the Senator from Montana if in the pending bill a similar requirement is imposed on the Secretary of the Interior, if he administers it?

Mr. METCALF. The only inspection required by the bill, as I understand it, is of underground mines; and in the State of New York there are only five experienced inspectors for such underground mines.

In the House hearings, Mr. O'HARA said that the State of Montana has one of the best mine laws of all the mining States. But consider the situation in Montana. The report revealed that Montana has 350 mines—that would be about one-fifth of the 1,850 mining operations in the United States—and nearly 5,000 employees. It has one of the most comprehensive State laws, and has one mine inspector, who is directed to inspect every mine in the State at least annually.

Montana, one of the States with a better mining safety code, has one mine inspector for one-fifth of the underground mines in the entire United States. Does that not indicate a need for additional Federal inspection?

Mr. JAVITS. If additional Federal inspection is required, I shall be the first to vote for it. However, I should like to minimize it, if I can, with the application of wit and with the application of the carrot and the stick.

As to New York, I request the Senator from Montana to refer to page 330 of the hearings. There he will find a letter from John F. O'Leary, Deputy Assistant Secretary of the Interior, to Representative ROBERT C. MCEWEN, in which he said:

> We feel confident that your State will submit a plan that will meet the 6 requirements set forth in H.R. 8989 and thus be acceptable to the Secretary.

So he was not worried about the five inspectors.

Mr. METCALF. As pointed out by Mr. Lefkowitz in his testimony, the State of New York was one of the highest in compliance with the criteria that were set for it—88 out of 100.

Mr. JAVITS. New York State has 10 percent of the population. If we can save a little money for the United States in administering the plan in my State, why not, with the regulations as strict as they are? If another State cannot qualify, then it will not. But why not attempt to minimize this new expansion of the Federal bureaucracy? I do not say that invidiously. This type of legislation is essential. I have supported it before, and I shall support it again. But why not use our wit to minimize it in this one respect—and without minimizing its effectiveness—if we can? That is all I am arguing for, with my amendment.

Mr. METCALF. My State has not 10 percent of the population. It is a sparsely populated State. However, it has 20 percent of the underground mines in the country. Certainly, one inspector in the State of Montana, to carry out the provisions of the State law for an annual inspection, is an inadequate provision.

Thirteen States have no regulation whatsoever. That is why the bill is before us. It is not because we are looking at the best State or the best of all possible worlds. We are looking at the States that have no regulations, no control. We are concerned with the 47,000 employees of the mining industry in the United States who have no Federal or statutory protection.

Mr. JAVITS. Mr. President, I am for the bill, and I am for supplying the necessary regulation in States which cannot muster the money or the personnel or cannot meet the standards of the proposed amendment. My argument is that in the case of States that can do so, I desire to give them the main responsibility, so long as they meet it. That is the whole argument of my amendment.

(At this point Mr. BURDICK took the chair as Presiding Officer.)

Mr. METCALF. I commend the Senator from New York. I know he is for the bill. He has performed a great service in having the bill come before Congress.

Mr. JAVITS. I thank the Senator from Montana.

Mr. President, I desire to make a few other observations. I should like to point out why there must be a material expansion of the Federal Establishment if the bill is passed without the amendment I have offered on behalf of myself and the other minority Senators who are members of the committee.

According to our figures, in excess of 10,000 open pit mines are in operation in the United States, and more than 4,000 of these employ 5 or more men. In addition, there are over 1,500 underground mines.

Mr. President, I am informed that sufficient Senators are present for the yeas and nays. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I point out that under the pending bill as it stands, at least one inspection a year would be necessary in each underground mine. As I have said, they number between 1,500 and 1,800.

Then, some inspection of the open pit mines would be necessary. Even if the inspection were confined to those with 5 or more employees, that would be approximately 4,000. That is about the outside maximum of the workload which could possibly be carried by the present Bureau, as it has been estimated that 85 inspectors could do no more than 5,100 inspections a year.

So, if inspection occurs, it will occur to every State in the Union. Geographical problems exist as well.

If States are not adequately equipped for this purpose, to the satisfaction of the Secretary of the Interior, a material increase would be necessary in the Federal inspection staff.

If my amendment should not be adopted, I would be the first to support the pending legislation, because good faith is involved. If we really wish to do this job, we cannot expect the Department of the Interior to do it, unless we give it the personnel for the purpose.

Finally, and very important to me, we must remember that many things are legislated in Congress.

Before I come to my final argument, I should like to point out that the accident experience in the smaller open-pit mines is a very serious problem. This is not just a problem of accident experience in underground mines.

The table of the Department of the Interior, appearing at page 130 of the record, indicates that during a typical period of survey, more accidents of a fatal character occurred in surface metal and nonmetallic, open stone-quarry, and open sand and gravel than in the underground mines. The figures were, roughly, 99 to 65.

So, we are dealing with very pertinent problems of peril in both types of mining, requiring rather high standards of inspection.

Now I come to the final point. We legislate a great deal in the area of Federal and State responsibility; and I felt that I would be derelict in my duty if I did not make this point and offer my amendment now, in a situation which seems as open and shut as this one, for this reason: People like myself, who are inclined to support many advances in what I consider—with all respect for the views of others—to be improvements in the economic, social, and political life of the country, are constantly charged with voting for Federal program after Federal program. We are charged with being heedless of the fact that we have a Federal system in which considerable political and financial responsibility exists in the States and in the local units of government. Therefore, we should pay more attention to the capabilities which inhere in that kind of State and local administration.

Therefore, Mr. President, when a situation such as this occurs, in which it is crystal clear to me that an important responsibility could feasibly be carried by the States, not only without risk to the fundamental purpose of the bill, but also in embellishment and improvement of the fundamental purpose of the bill the States should do so; because if my amendment is adopted, the standard would be higher for the States than it would be for the Federal Government.

The States have to be ready to perform—with personnel, with money, and so forth. Under the bill, the Federal Government does not. It seems to me that it is my duty, under such circumstances, to seek to honor the Federal system, when it can be honored, in a way completely consistent with the purpose of a highly important national objective.

In this same connection, I point out that the committee acted because it was mindful to some extent of what we are trying to do in adopting a State plan idea: It coupled with it a requirement for at least an annual inspection by the Secretary of the Interior. It seems to me that this unduly compromises and unnecessarily complicates the State plan, and calls for an increase in the Federal establishment which is not warranted, in my judgment, under the circumstances.

Therefore, what the House did—and this is essentially what the House did, minus the provision for judicial review—gives us an excellent scheme for the enforcement of a national objective by Federal means and fully protects against the possibility of dilution or debasement. It should be made a part of the statute.

I sincerely hope that the amendment will be adopted.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COTTON. First, I commend the distinguished Senator from New York for his amendment and assure him of my hearty support of it.

Mr. JAVITS. I thank the Senator from New Hampshire.

Mr. COTTON. Included in the bill are sand and gravel pits. I shall not discuss them at length, because it is my understanding that the distinguished Senator will take them up later. But they should not be included.

Mr. JAVITS. The Senator from Arizona [Mr. FANNIN] will discuss them.

Mr. COTTON. But with sand and gravel pits included in the bill—and there are thousands of such pits throughout the country—if the Senator's amendment is not adopted, the Federal Government cannot escape inspecting them, and must inspect all of them.

In a State like my own, where most of the sand and gravel, I am informed, is furnished to the State highway department, it might be perfectly feasible for the highway department to take over the inspection of the sand and gravel pits. But if the Senator's amendment is not adopted, and if sand and gravel pits remain in the bill—I think they should not remain in the bill—a State that has practically no underground mines whatever could of itself, through its highway department or through the proper officials, and to the satisfaction of the Secretary of the Interior, take over the jurisdiction and relieve itself and relieve the Federal Government of the cost of sending inspectors into a State that has no underground mining.

Mr. JAVITS. In reply to the Senator I wish to say that under the amendment adopted by the committee the State can get a plan adopted by the Secretary of the Interior free of Federal inspection because there are no underground mines. This is one amendment that the minority was successful in pursuing—allowing the Secretary to decline to assert jurisdiction—although the Senator from Arizona [Mr. FANNIN] will move to eliminate sand and gravel pits. On page 17, of the bill, line 14, it is stated:

> The Secretary may, by published rules adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction under this Act over any class or category of mines where, in the opinion of the Secretary, either the effect of the operations of such mines on commerce is not sufficiently substantial to warrant the exercise of jurisdiction under this Act, or such exercise of jurisdiction would impair the effective overall realization of the objectives of this Act.

As far as the State is concerned the bill would not present insurmountable obstacles in respect to other than underground mines, and the Senator has no problem with underground mines.

Mr. COTTON. It would present very serious problems but they are not particularly affected by the amendment of the Senator.

Mr. JAVITS. Exactly. I thank the Senator.

Mr. COTTON. I support the amendment of the Senator.

Mr. CLARK. Mr. President, I shall vote for H.R. 8989, the metallic and nonmetallic mine safety bill, as completely rewritten by the Senate.

This bill has been a long time in reaching the floor of the Senate. In fact the initial appeal as to the need for this bill was presented in the 81st Congress at the request of President Philip Murray of the United Steelworkers of America who appealed to Senator Robert A. Taft and to Senator James E. Murray who was then chairman of the Senate Labor Committee.

With the advice and help of the U.S. Bureau of Mines, a mine safety bill was eventually drafted and introduced by Senator Murray and other Senators interested in mine safety. That was in 1953.

This bill gave the Bureau of Mines the right of entry into any metallic or nonmetallic mine. It also empowered the Secretary acting through the Bureau to make annual or necessary inspections of the metallic or nonmetallic mines for the purpose of obtaining information relating to health and safety conditions in the mines. I reintroduced that bill this year.

I regret that the majority members of the Labor Committee, under the leadership of the able senior Senator from Oregon [Mr. MORSE] did not feel inclined to accept that bill. I pressed the substance of it to a vote in committee and was defeated. I am content now to accept the compromise which the Senator from Oregon is managing on the floor.

He has successfully presented to this body a compromise which in many ways pleases neither the mine workers nor the operators, but in many ways is a fair and equitable bill.

The original Murray bill, which I introduced, provided an approach to mine safety which called for inspection coupled with gathering and reporting of all data relating to accidents, fatalities and working conditions in these mines. Unfortunately, some of the operators and the American Mining Congress were opposed to that bill in 1953. It did not pass. They are opposed to H.R. 8989 in 1966. But I predict the bill brought forward by the Senator from Oregon will pass today.

Mr. President, the hearings record contains abundant statistical justification of the need for the pending compromise bill. One is particularly revealing. It is that of each 100 young men entering a lifetime career as an underground metal miner, no less than 7 of them can expect to die on the job as the result of an accident before retirement age.

That is a shocking fact.

Yet the operators are against this bill.

Some operators realize that all mines do not live up to safety standards. There are no means by which the industry can enforce compliance on itself.

Many of the corporations engaged in metallic and nonmetallic mining are cooperating with the Bureau of Mines health and safety programs at this very moment.

I should like to read from a statement on page 58 of the House hearings on mine safety, 87th Congress:

> Mineowners are indebted to the U.S. Bureau of Mines for its data on accidents and recommendations for their prevention. The Bureau employs competent engineers and obtains trustworthy data in rendering its service.

The attempt to augment this excellent and necessary activity with Federal inspection saw the operators retreat to State inspection and statutes as the better approach to mine safety.

If they have such great respect for the Bureau staff on an educational basis, why the resistance when an inspector is given the authority to see that all mines are made as safe as they can humanly be made?

The very nature of underground mining makes it a dangerous industry in which to operate and to work.

We cannot have too many involved in safety, be they State or Federal agencies, or private associations. The operators admit they cannot enforce compliance.

This bill, in my opinion, is the least we can do for the metallic and nonmetallic miners of the Nation. It is infinitely preferable to the procedures under the Javits amendment.

Accordingly, I shall oppose the Javits amendment and support the pending measure offered by the senior Senator from Oregon.

Mr. MORSE. Mr. President, I shall reply to the Senator from New York [Mr. JAVITS]. Before doing so I wish to make a comment or two on the statement which has just been made by the Senator from Pennsylvania [Mr. CLARK].

The Senator from Pennsylvania [Mr. CLARK] has outlined to the Senate with complete accuracy what happened in the full committee, and his statement of what is possible to be done under the bill is also typical of him.

The Senator from Pennsylvania presented an amendment in committee which, in effect, eliminated the State plans and made the Federal Bureau of Mines controlling and supreme in the situation.

On the other hand we had presented to us in committee the proposal of the Senator from New York [Mr. JAVITS], which we likewise turned down, and which in effect, would place ultimate control in the States.

We adopted the compromise that I offered, which is the procedure of the Federal Coal Mine Safety Act which we amended March 26, this year.

I said then, I said in my opening remarks today, and I repeat now, that in my judgment it is a good proposal. It is a fair compromise of the two positions. It will do what we seek to do in carrying out the objectives of the bill, and from which I am not going to take my eyes for a moment in this debate. It will provide, I think, the best possible safety for the workers. After all, that is the objective: To pass a bill that will protect life and limb. This is a humanitarian bill.

Let me say most respectfully that I am not interested in saving money at the cost of failing to protect life and limb, if anyone wishes to put it in terms of saving money. Anyone that wants to argue economy with me on this bill, if they think it is not an economic bill—and, in my judgment, it is an economic bill—I can give them instances as long as both my arms as to where Congress can save money by the millions and millions of dollars without involving human values.

Mr. President, we have an obligation to do what we can to pass legislation in this field which will save lives and prevent serious injuries in the nonmetallic mines of this country and in the sand and gravel pits.

Let me point out to the Senate that the States have had decades in which to do this and they have not done so. In fact, the proponents of this amendment have a hard time finding half a dozen State plans that begin to provide the minimum standards that should be provided for protecting life and limb. They come a little late, in my judgment, with this great plea to put the States in the saddle. We are confronted with a national safety problem in connection with these mines. The Federal Government has the primary responsibility and we have come forth with a bill this afternoon that works out a compromise; that provides complete cooperation with the States; and that recognizes, because the States have in the past, in the overwhelming majority of instances, have not protected life and limb. The Federal Government deserves criticism for this; and past Congresses, too, for not having done something about it on a Federal basis, as we now propose this afternoon, to accept what we think is a fair, equitable, and workable compromise.

Thus, I briefly wish to make this statement as my reply to my good friend from New York in opposition to his amendment and hope that the Senate will reject it.

This amendment would substitute the State plan which was in the House-passed bill for the State plan patterned after the Federal Coal Mine Safety Act State plan provision. The State plan under the House bill would place the entire inspection and enforcement of mine safety within the jurisdiction of the State mine safety agency where it presently is located. The basic reason for this bill is the failure of the States to provide adequate mine safety standards and enforcement. The proponents of this legislation are asking the Senate to leave it with the States with no Federal inspection and enforcement where the State plan qualifies under the act.

The adoption of this amendment for such a State plan would mark a departure from the practice and procedure under the Federal Coal Mine Safety Act. We will recall we amended that act this year making no change in the State plan provision.

Let me recite for the Senate the action of the committee on this amendment.

The committee on my motion amended the House bill H.R. 8989 to delete the State plan provision provided in section 13. Under this section, if a State had presented a plan which met the qualifications set out in section 13 of the House bill, it could assume all responsibility for development and enforcement of health and safety standards in mines located in the State through a State mine inspection or safety agency. A State plan similar to the State plan in the Federal Coal Mine Safety Act was substituted.

The committee had considerable discussion on amendments to delete the State plan provision entirely, leaving all inspection and enforcement under the proposed act with the Federal Government. The original administration proposals did not include a State plan. We were faced with the mine operators and the State inspectors on the one hand who desired the State plan as provided in H.R. 8989, and the labor representatives of many of the employees in these mines who favored no State plan but sole Federal inspection and enforcement.

Based upon our experience with coal mine inspection, let me say that it will continue and it will be strengthened. The States which provide inspections plan to continue to exercise inspections. We also need Federal inspectors to work with the States. We have worked out here a program whereby, except where there is imminent danger, the Federal inspector cannot go in without a State inspector with him. They will work together. The State inspector will make available to the Federal inspector and to Federal authorities any special problems in the State that exists there with which he may not be familiar because of nonexistence elsewhere in the country.

This is a cooperative program between the Federal Government and the State. I am for developing more cooperation in areas where human values are involved, as they are in this case. We have found that under the system which exists in the coal mining industry, State programs are constantly being strengthened, and so is the Federal program. In fact, in my judgment, neither the State program nor the Federal program has yet reached the level for adequate protection of the coal mining industry. We need them both under procedures provided for in this bill.

The State plan adopted by the committee patterned after the provisions of the Federal Coal Mine Safety Act would permit any State desiring to cooperate in making inspections to submit a State plan which, if it met the requirements provided in section 16 of the reported bill, would require the presence of a State inspector whenever a representative of the Secretary made an inspection under the proposed act. The only exception would be in the case of imminent danger as described under section 8(a) of the bill, where the Secretary or his authorized representative finds that participation by a State inspector would unreasonably delay such inspection. The Secretary would retain the sole responsibility for enforcement of health and safety standards promulgated by him. The Secretary is required under section 16(a) of the bill to cooperate with official State mine inspection or safety agencies.

I firmly believe that the provision for a State plan patterned after the Federal Coal Mine Safety Act is the plan which best meets the needs of health and safety in the mines to be covered by this act. By providing for sole Federal enforcement of health and safety standards promulgated by the Secretary, there will be uniformity of inspection and enforcement. The committee was impressed by the failure of the States to update and improve their mine safety codes, although in recent years since this legislation has been pending there has been a greater effort on the part of some State legislatures.

In fact, passage of the proposed legislation, in my judgment, will speed up that State action.

In a few instances, we found State governments that were providing excellent mine health and safety standards as well as enforcement of those standards. However, in general the States have not enacted and implemented health and safety standards adequate to overcome the injury severity and frequency rates and fatalities in these mines. Earlier this year, the Senate passed amendments to the Federal Coal Mine Safety Act which extended coverage to the so-called small mines employing 14 or fewer persons. The hearings and statements presented to the committee at that time showed that five States had submitted State plans under the Federal Coal Mine Safety Act so that in those instances joint and cooperative inspection was carried on by Federal and State Governments. In the other States where coal was produced and no State plan had been accepted, the State inspectors continued their inspection and enforcement of State codes where the Federal code is silent, or the State code provides greater safety or where there is no conflict with the Federal code. In addition, State coal mine safety codes were constantly improved. The enactment of the Federal Coal Mine Safety Act in 1952 did not lessen State inspection and in fact encouraged State inspection and improvement of State safety codes. I believe that this bill with a State plan providing for joint and cooperative Federal and State inspection will result in better health and safety standards and better enforcement of those standards.

For those reasons I urge that the amendment be defeated.

But I want to comment on an ancillary issue that has been brought into the debate with reference to the amendment. It has to do with the development of health and safety standards.

A question has been submitted as to the status of development of Federal health and safety standards to be enforced under this act. It has been stated in the report by the minority that the Bureau of Mines has not developed health and safety standards, although it has had many years to do so.

First, let me state that the record is clear that the Bureau of Mines had no discretion under present legislation to develop such standards for inspection. It has, however, as a part of its education and training program and general assistance to the State mine safety agency worked on the development of model State standards.

If the bill is passed, the Federal Bureau of Mines will have authority to develop health and safety standards for enforcement. But the Federal Bureau of Mines does not have any legislative authority to do what has been raised here this afternoon as not having been done.

It is also clear that the Department will have drafted standards ready for the advisory committees to consider as soon as this proposed legislation becomes law.

That is the pledge we extracted from the administration witnesses at the hearing. They pointed out that they had no code because there is no legislative authority for it. Give them this bill and this authorization and then they can proceed to bring together clearly many of the recommendations they have already made to the States in connection with their cooperative programs in developing State codes. They will be able to get together and make recommendations for the advisory committees for a Federal code.

On page 205 of our hearings the Department provided a memo for insertion stating that at that time it estimated such standards would be drafted by May 1, 1966. There is no final model set of health and safety standards for these mines because this legislation specifically provides that the Secretary must consult with the advisory committees before promulgating such standards and designating certain of them mandatory standards.

Because this point was mentioned, I have made this comment on it for two reasons. First, the Bureau had no model code because it had no legislative authority to have one. Second, as soon as the advisory committees are established, as provided by this bill, there will be a model code for the advisory committees.

My third point is that this is a good example of the preferability of having a cooperative arrangement built up between the Federal Government and State authorities.

For those reasons, I urge that the amendment be defeated.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. Mr. President, I have been reading the amendment offered by the distinguished Senator from New York. If I read it correctly—and I hope I may have the attention of the Senator from New York—the only time a State shall have autonomy is whenever it has submitted a plan which must be approved by the Secretary. If the plan and its standards are approved, then the State is granted autonomy. We are all for safety of human life. That is not the question. The question is, What are the standards? If a State's plan is a good one, why should not that be satisfactory? To me, the question is as simple as that. If I am wrong, I would like to be corrected.

Mr. MORSE. I think there is a facet that the Senator is overlooking. Under the bill as the committee brings it, the Secretary is required to cooperate with the States and in case of a State plan conduct joint inspections. I happen to think that in the case of New York there undoubtedly would be that arrangement. But the difference is that there is a reservation, which it is important should be retained, that the final authority is vested in the Secretary. That authority should be kept and should stay in the bill. The bill carries out the major objective of the Senator from New York, because an arrangement can be worked out between the Federal Government and the State, but the bill leaves the final decision to the Federal Government.

Mr. PASTORE. I point out that under the amendment, and I am looking at page 3, subsection (c), line 20:

> Whenever the Secretary finds—

We are talking about the Federal Secretary—

> after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure . . .

Therefore, the Secretary at all times has the final say. If he determines there is a failure, he can then say what shall be done.

Mr. MORSE. Under the Federal Coal Mine Safety Act State plan, which is the provision the committee adopted, the cooperative arrangement exists. It has worked very well. The Javits amendment is not needed. The bill leaves no question as to any difference with respect to a uniform procedure in every State. Why should there be one procedure in one State and a different procedure in another State?

Mr. PASTORE. I am not concerned so much with New York or Colorado or Montana, or my own State of Rhode Island, which has no mining. But I have to go home and answer questions. Somebody is going to ask me, "Why do we have to have a Federal inspector? Why should we pay money for a Federal inspector that comes from the taxpayers of Rhode Island when a State code will comply with all the Federal standards?"

Mr. MORSE. The answer to that question is that we must have a Federal check. We have a joint arrangement under the Federal Coal Mine Safety Act.

Mr. PASTORE. But the State must submit the plan to the Secretary under the amendment, and he must approve it. If he does approve it, it goes into effect.

Mr. MORSE. The Secretary continues, as under the Federal Coal Mine Safety Act procedure, to have authority to have Federal inspection. We want to maintain that authority. If that authority is not maintained, safety in the mine is jeopardized.

Mr. PASTORE. But the Secretary of the Interior can assume his responsibility if the State does not live up to the standards.

Mr. MORSE. I do not see that that follows at all. This bill provides for a check. Under the proposal the Federal bureau will go in after the fact. It does not do any good to go in after the fact if we want to prevent accidents. The Federal Government must be able to go in before the fact. We need constant inspection in order to give protection. The State inspectors are not going to be in mine X except infrequently during the year, in addition the Federal inspector will be able to go in there.

It is a question of whether we will place safety first, and we cannot place safety first to the degree we ought to unless we establish procedures for the Federal Government to inspect, as well as the State. They can both inspect.

Mr. PASTORE. But I was Governor of my State, and I was just as interested in the safety of the people of my State as is the President of the United States.

Mr. MORSE. Yes; the Senator from Rhode Island was.

Mr. PASTORE. Do not tell me that the State authorities, the Governor and the State legislatures, are not as interested in the welfare and safety of their people.

Mr. MORSE. The Senator makes an error when he assumes that the same thing will take place with reference to some States. The Senator makes a mistake in assuming that because, when he was Governor, he was interested in inspections for the safety of the people, all the States in all circumstances will do the same.

Mr. PASTORE. I am not saying that at all. All I am saying is that this proposal requires that a State must submit a plan which meets Federal standards.

Mr. MORSE. Submitting a plan does not mean that the plan will be enforced without continuous Federal inspection to check up on them. What is involved is a checkup on the State, rather than saying, "All right, we are going to turn the autonomy over to the State," and then waking up to the fact that a lot of men have been hurt and killed and saying, "It is just too bad, we will have to take the authority away from them now."

This is one case, may I say, where a double standard is justifiable.

Mr. PASTORE. I do not wish to quarrel with the Senator from Oregon and the Senator from Montana, who are high in my esteem and my affection.

I realize that what the Senator says is true. But say that we pass this bill, together with the proposed amendment making this requirement. To be practical about it, there are unions in these States, and if the States are not living up to the safety standards, the Secretary will be hearing about it within a matter of minutes.

Mr. MORSE. I say to the Senator, take a look at what the position of the unions has been in this case. They do not want any State inspection at all, because their testimony was that State inspection has caused them a great many workmen's lives and a great many injuries.

Management wanted nothing but State inspection. I did not buy it, because we have already passed a Federal Coal Mine Safety Act that has exactly the double standard of inspection proposed in this bill. It is working well, and in the interest of the human values involved, we should apply it here.

Mr. PASTORE. I would not buy it, either, to be perfectly honest about it. But what I am saying is this: Inasmuch as we are seeking to pass this bill, which would bring the entire matter up to date, I can see the wisdom of an amendment which would go so far as the Senator feels would be proper.

But where a State is willing to assume the responsibility and do the job as the job should be done, then that State should be given autonomy.

Mr. MORSE. Then the Senator is buying it. That is what management wants, because they feel that they will have greater autonomy at the State level than at the Federal level. And in too many States, that is true. In too many States, powerful industries such as the mining industry can exercise much more influence at the State level than they can against the Federal Bureau of Mines.

It comes down to insisting that we have a check upon the State, when we have a matter, as here, which basically also involves a Federal responsibility.

Mr. METCALF. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I have finished.

The **PRESIDING OFFICER.** The Senator from Montana.

Mr. METCALF. One of the original reasons urged for the passage of this legislation was the occurrence of silicosis in many of the deep underground mines, and the failure of the mineowners and operators to have standards for ventilation, dust reduction, and so forth. It is still an important reason.

According to a study of 540 mines made in connection with Public Law 87-300, mines subject to State laws which were inspected in the course of the study, 460 were found to be in violation of the silicosis provisions in the State safety laws.

Mr. PASTORE. I realize that.

Mr. METCALF. A total of 4,080 violations were noted.

Mr. PASTORE. I read the report.

Mr. METCALF. Those States were presumed to have proper silicosis prevention plans. They would have argued that their State laws so provided. They would have said, "Mr. Secretary, we have a program here that provides, as a matter of statute, that there will be only so much silica dust in the air. We have mandatory ventilation."

But 460 of those 540 mines were found to be in violation of those State laws or State plans. How is the Secretary of the Interior to find out whether or not they are carrying out the provisions of those plans, unless we have this dual inspection procedure?

Mr. PASTORE. They can find it out in very many different ways. As a matter of fact, let us be practical about it: Most of these people are unionized, at least they are in my State. Many of these safety measures they insist upon in collective bargaining—which of course should not be complete and final—and in many instances, the Senator would find that they would make their complaints to the Federal Government if the standards were not being met.

I am not arguing against this legislation.

Mr. METCALF. I understand.

Mr. PASTORE. I am all for this legislation. All I am saying is that here is an amendment which says that where a State fully complies with the standards, and is willing to assume its responsibility—as we in Congress want every State to assume that responsibility, by a Federal fiat—then the States, if they comply with all of those standards, should be left alone to carry out the responsibility, and pay for the expense on their own. As one who is interested, of course, in saving as much as we possibly can and still doing the job, I do not see why this amendment is so obnoxious.

I concede that there are many States which have never lived up to their responsibilities. The law would take care of that. But there are States which have lived up to their responsibilities, so why not leave them to take care of the matter as they have in the past, meeting all of the requirements and all of the standards which we seek to promulgate on a national level? That is how simple it is to me.

I am not arguing against protecting people. I am not arguing against safety laws. I merely say that where a State is doing the job, doing it adequately, and meeting all of the requirements, why do we have to supersede that arrangement, and add to the expense?

Mr. METCALF. But how are we to know? Even such a State as New York, which, it has been demonstrated, has a good law, good procedures, and so forth, in this very matter of control of silica dust has no standards whatever; and they have inferior enforcement.

Mr. PASTORE. But under the Senator's bill, and under the proposed amendment, they would have to have standards, would they not?

Mr. METCALF. They would. But the only way we would be able to find out whether or not they were enforcing the safety provisions as to ventilation, for example, or storage of dynamite, or any of the other various matters—the kind of ladders, the kind of skips, the kind of hoists that are needed—is to have the kind of inspection envisioned in this bill. Where the State inspector and the Federal inspector go in together, they inspect the mine together, the Federal inspector says, "Look, you are not carrying out the provisions of the Federal statutes," the State inspector then continues to work under his State law. He continues to inspect and enforce the State mine procedures, and if there are superior or better safety regulations, the State inspector enforces those procedures.

Mr. PASTORE. That is absolutely true. But let us assume they both go in, and they find that everything is properly being done; then are we not paying one man unnecessarily? That is my point.

Mr. METCALF. No, then we are fortunate. That may be true in 1966, and in 1967 we will find out there is a violation of that State plan in that very same mine.

Mr. PASTORE. All I wish to say in conclusion is that I shall vote for the amendment. I add only this: Please let us not FBI the country unless it is absolutely necessary.

Mr. MORSE. Mr. President, I judge from what the Senator says nothing can change his mind. But I do not wish the record to stand without at least a reply to one or two of the observations the Senator from Rhode Island has made.

In the first place, when he points out that the Federal Government will have ways and means of finding out without following the procedures in the Federal Coal Mine Safety Act—which, incidentally, the Senator from Rhode Island voted for, and we heard no argument then of the nature he is making here today, in opposition to so-called dual inspection in the coal mines.

But when he says that he seeks to protect the workers, I do not question that. I do not know of anyone more desirous of protecting the workers than the Senator from Rhode Island.

Mr. PASTORE. I certainly am.

Mr. MORSE. But the result of his position will not be the protection of workers, in many instances, because if he is proceeding on the assumption that the Federal Government, under the Javits amendment, will know of any failure within the State because the mines are unionized, I reply that the majority of the gravel and sand operations in this country are not unionized, and a good many of them——

Mr. PASTORE. They are in Rhode Island.

Mr. MORSE. Well, certainly we are not going to adopt a law here this afternoon, I hope, just because conditions are good in Rhode Island.

Mr. PASTORE. No; all I am saying——

Mr. MORSE. We have the record before us, and the record is that in many of the States very deplorable conditions exist, and the adoption of a State plan on paper will not guarantee to the miners that they will receive protection.

But the Federal Government is free to go anywhere, in any State, and make an inspection to see whether or not the State plan is being lived up to. If a violation is found, the Federal inspector calls to the attention of the State the improvements which are necessary.

Mr. PASTORE. I realize that.

Mr. MORSE. Experience shows that there are accidents in a good many of those States, accidents which could be prevented. However, the kind of inspection that we are calling for is preventative.

When the Senator argues concerning whether we will pay both inspectors, my reply is that we ought to be willing to pay both inspectors if that provides a stronger safety system.

Mr. PASTORE. Whether it is necessary or not.

Mr. MORSE. All I can reply to the Senator is that the coal mine safety program, for which the Senator voted, provides a double inspection system. It is a very sound procedure for us to follow in order to afford the maximum possible assurance to these workers, that we have both the Federal and State Governments maintaining surveillance over working conditions.

Mr. PASTORE. The Senator from Rhode Island has the highest respect for the point of view of the senior Senator from Oregon. I hope that he reciprocates and renders the same to me. It is not because I do not understand the situation. I understand what the law would do. I understand what we are trying to do.

All I say is that in my own State we are very careful. We maintain about the highest level of standards to protect our workers, no matter where they work. I merely say that insofar as I am concerned, I think the dual inspection is just a waste of money in Rhode Island. That may not be true somewhere else. That is the reason that we have this provision. There is nothing frivolous about the amendment.

Where a State is willing to protect its workers on its own and live up to the standards promulgated by the Federal Government, why should we have to waste money by sending in two inspectors when one inspector could do the job?

Mr. MORSE. We have no assurance that Rhode Island will have the same conditions in effect 5 or 10 years from now. Rhode Island, as well as every other State, ought to welcome the cooperative program that the bill provides with the Federal Government, and not take the position that we ought to throw the Federal Government out as far as inspection is concerned merely because the State thinks it will always protect their citizens.

The Senator from Rhode Island is no longer Governor, and I do not know who the future Governors will be. But I know that this kind of inspection on the basis of the record shows the desirability for protecting human life and limb.

Mr. PASTORE. That is true. But I do not know who the next Secretary of the Interior is going to be.

Mr. MORSE. We would have the States to check on him. That is why a dual system is so sound.

Mr. JAVITS. Mr. President, the Senator from Rhode Island, with his usual, cogent insight, recognized two things. He recognized the existence of the role of the minority and the need for autonomy, the real issue involved here. I am pleading for autonomy in which the worker is fully protected.

With all respect, I am also pleading for the role of the minority. I think the duty of the minority is to pick up things like this in legislation in order to afford an opportunity to correct them.

I believe that the whole process of government is materially improved if the majority has an open mind on the subject and understands that the administration or those concerned with the administration may miss a very important point. I think that has been illustrated in this debate. I think that the Senator from Rhode Island has clearly punctured the balloon with his answer to the argument concerning the future of the administration.

The Senator from Rhode Island asked about the future of the Federal administration. The essential point is, that a tougher standard is provided for the States in this amendment than is provided for the Federal Government. There is no assurance whatever provided in the bill that the Federal Government will have the qualified personnel necessary for the enforcement of the standards. However, there is a mandatory requirement that before a State plan can be approved the State must have the necessary qualified personnel for the enforcement of such standards. The Secretary of the Interior is not bound by whatever a State might tell him. Indeed, my amendment provides:

> The Secretary shall, on the basis of reports submitted by the State agency and his own inspection of mines, make a continuing evaluation—

The Secretary is not shut out from the mines. The only thing that is not enforced is the coal mining safety scheme of dual inspection, which the senior Senator from Oregon has now admitted is the purpose of the bill as reported.

The majority has not even followed the coal mining safety scheme which provided for dual inspection. They have not provided for the breaking of a deadlock as is done in the Coal Mine Safety Act. Under the Coal Mine Safety Act, if the two inspectors do not agree, they may go to a U.S. district judge and get a third inspector appointed. That is not provided for under the pending bill.

The majority has not even followed the coal mine safety scheme. But, be that as it may, the Senator from Rhode Island has quite properly set out the basic issue of State autonomy by which every safeguard can be put into a law in order to protect autonomy, and still fully protect the worker.

I say with all due respect to the senior Senator from Oregon that no guarantee is provided against accidents because of the dual inspection system. Coal mines have not been accident-free since the Coal Mine Safety Act has been in effect.

It seems to me that the scheme of the law as we have it with this amendment would be effective for the purpose. It will make for a very marked reform and progress and will at the same time give the States a legitimate role, where they have a legitimate role to play.

For those reasons, the amendment should be agreed to.

Mr. MORSE. Mr. President, let me say to my friend, the senior Senator from New York, that of course we will have accidents, no matter whether we have inspectors or not. But we will have fewer accidents with inspection because the inspections are preventative.

It is perfectly clear that if the State and Federal inspectors go into a mine, they can see the danger ahead of time if preventative measures are not taken. Inspection is very important.

I say good naturedly to my friend, the senior Senator from Rhode Island, that his State is not a very good measuring rod that the Senate ought to follow this afternoon in regard to the pending bill. For example, including all the operations that would be under the jurisdiction of the bill, including the sand and gravel pits, there would be 34 operations with a total of 214 employees in the whole State of Rhode Island. It is not more than a pebble on the beach in comparison.

Rhode Island rates 8 percent on the 100-percent scope rating. It is 8 percent as far as having the applicable standards and objectives that we have in mind in connection with the type of inspection program that ought to exist.

Rhode Island is a State that is not presented with the problems of States in which there are thousands of employees and large and expansive operations which would fall under the jurisdiction of the bill.

I am not going to let the almost de minimis operations of Rhode Island be considered by me as having any weight as to what I ought to do in trying to get the double inspection for accident prevention that I think the provisions of the Federal Coal Mining Safety Act would afford. I do not intend, may I say, to vote this afternoon for what the mine operators are after in this country, which is the provisions of the present amendment, because they obviously consider that to be of advantage to them.

I desire no advantage for the mine operators and no advantage for the workers. I only desire a bill passed that in my opinion is obviously in the public interest. The Federal Coal Mine Safety Act has proved, in my judgment, to be in the public interest.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. I should like to say a word about the matter of the mine operators that the Senator from Oregon has spoken about.

I have not been in touch with any mine operators, and I am not being motivated by mine operators, and my strings are not being pulled by mine operators. But quite apart from that, suppose they were—suppose the mine operators did represent something. Is there some anathema about the fact that the Senate can listen to mine operators, as well as mine workers, as well as other individuals? Are they second-class citizens? If they make a good suggestion, I shall be for it. I am not afraid of the fact that it comes from the mine operators.

This matter is quite beyond the amendment. I am not intimidated by the fact that that is what they may want. Maybe it is good. If so, I shall look at it objectively; and if I think it is good, I shall be in favor of it.

Mr. MORSE. The Senator from New York is laboring under the impression that I think he is controlled by the mine operators. Nothing in my statement would justify his concern about that. I listen to them, too. I listen to the representatives of the unions, too. When they have someting good, I shall give my support to it.

I have reached a valued judgment. I believe both parties are wrong. I believe the better solution is the solution that better represents the public interest, by providing for the dual inspection system of the Coal Mine Act.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. I did not draw the implication from the statement of the Senator from Oregon that I was necessarily controlled or that I was sensitive on that point. I was stating a general proposition.

As an argument, the Senator from Oregon said that this is what the mine operators seek, and therefore it is wrong; that they are attempting to get the inside track with the State. I was answering the point that even if they do want it—maybe they want it selfishly. Labor wants many things selfishly, too. They may be good. If so, I shall be in favor of them. I am not inhibited, ipso facto, by the fact that they want something.

Mr. MORSE. I listened to them, also, and I came to the conclusion that they desire this program because they believe it would be to their advantage, that it would give them a more lax safety procedure, and that it would be less costly to them than the procedure which is being offered. That is why I rejected their proposals. I do not think those proposals are in the public interest.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. It is not their position. But whatever it may be, I believe their position—the argument has demonstrated it—is as sound as can be obtained under the federal system, and still give some honor to the federal system.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOMINICK. Mr. President, I support what the Senator from New York has said.

The Senator from Oregon has replied that Rhode Island's laws are only 8 percent in compliance with the proposed standard. Colorado has 91. It has led the way, and has created many of the standards. Colorado is described by the Bureau of Mines report as the best mine safety State in the entire country, and it will be wiped out under the provisions of the bill, unless we adopt the amendment of the Senator from New York.

What incentive is there for any State to put its own program into effect and to attempt to develop its own mine safety program? It will be effectively eliminated anyway.

The bill, as it has now been developed, would not result in any additional safety, nor does it provide incentive to any State to develop its own program. We do not have uniform inspection standards, and we do not have enough inspectors to do the inspection provided by the bill.

Mr. MORSE. In reply, I wish to say that Colorado's mine safety program will not be wiped out; it will continue with its program. It will strengthen its program over the years, just as every State has done under the coal mine safety program. The Federal Government has not wiped them out. They have continued to develop their programs. By developing their programs in conjunction with the arrangements that are made between the Secretary of the Interior and the States, the Federal costs are kept down. Were it not for the State programs, the program would be much more expensive. The Federal Government must be included, in order to do some of the inspecting and to keep check on the States.

Mr. FANNIN. Mr. President, I hope my colleagues will support this amendment.

In passing H.R. 8989, the House of Representatives, without a dissenting vote, incorporated into the bill a section—section 13 in the House-passed bill—establishing a State plan. Under this provision, a State, if it meets certain specific criteria spelled out in the legislation, would be permitted to assume the responsibility for inspection and enforcement of Federal safety standards under the act.

Far from weakening the legislation, this provision strengthened it. Such a State plan is designed to encourage States to expand and increase their safety programs. It will insure more frequent inspections by qualified personnel who are intimately familiar with the problems of the particular area involved. I know from experience in my own State of Arizona.

The sponsors of this provision in the House clearly recognized its importance. This section was described on the House floor as "an unusual and imaginative feature." During the House debate, Representative O'Hara of Michigan, the bill sponsor, said that this provision:

> Sets forth two alternative routes toward the accomplishment of the same goal: improved health and safety conditions in our mining industry. In effect, each State is offered the option of choosing between its own State enforcement, and Federal enforcement, of adequate standards—and, indeed, each State is encouraged to opt for State enforcement. This bill, therefore, will not necessarily lead to direct enforcement of mine health and safety standards by Federal authority in any State of the Union. The decision is left to each individual State, and each State is invited to take upon itself the responsibility that must otherwise be shouldered by Federal authority.

Representative O'Hara goes on to state:

> The responsibility of the Secretary of the Interior does not, of course, entirely cease upon his approval of a State plan. He will be required to make a continuing evaluation of the manner in which the plan is carried out, to assure that the State continues, over the years, to provide necessary financial resources, competent personnel, and conscientious administration.

The Subcommittee on Labor of the Senate Labor Committee carefully considered this provision both in its open hearings on the legislation and in executive session. In reporting the measure to the full committee, it reported this section without recommendation but with perfecting amendments designed to further strengthen the workability of a State plan.

However, the measure reported by the full committee totally eliminated this plan and substituted for it a State plan similar to that contained in the Federal Coal Mine Safety Act. But it should be noted that this plan is not identical to the one found in the Federal Coal Act, because it omits one vital provision of that plan. The key provision of the State plan reported by the full committee is subsection (e) of section 16, which states:

> No inspection of a mine shall be made by a representative of the Secretary under this act in any State in which a State plan is in effect unless a State inspector participates in such inspection in accordance with such plan, except where, in the Secretary's judgment, an inspection is urgently needed to determine whether a danger described in section 8(a) exists in such mine, and participation by a State inspector would unreasonably delay such inspection.

But what happens if the Federal inspector and the State inspector disagree on the question of whether or not a mandatory standard has been violated? This bill is silent on this point. The Federal Coal Mine Safety Act, however, contains the following provision—(2), (3), subsection (e), section 203:

> No order shall be made pursuant to subsection (c) of this section with respect to a mine in a State in which a State plan approved under section 202(b) is in effect unless a State inspector participated in the inspection on which such order is based and concurs in such order, or an independent inspector appointed under paragraph (3) concurs in such order. If the State inspector does not concur in such order, the operator of the mine, the duly authorized representative of the Bureau who proposes to make such order, or the State inspector may apply within 24 hours after the completion of the inspection involved, for the appointment of an independent inspector under paragraph (3). Within 5 days after the date of his appointment, the independent inspector shall inspect the mine. The representative of the Bureau and the State inspector shall be given the opportunity to accompany the independent inspector during such inspection. If, after such inspection is completed, either the independent inspector or the State inspector concurs in the order, it shall be issued.
>
> Within 5 days after the date of receipt of an application under paragraph (2) of this subsection, the Chief Judge of the United States district court for the district in which the mine involved is located (or in his absence, the clerk of such court) shall appoint a graduate engineer with experience in the coal-mining industry to serve as an independent inspector under this subsection. Each independent inspector so appointed shall be compensated at the rate of $50 for each day of actual service (including each day he is traveling on official business) and shall, notwithstanding the Travel Expense Act of 1949, be fully reimbursed for traveling, subsistence, and related expenses.

This omission, vital as it is, is not the fundamental reason that mitigates against the workability of this so-called State provision. The very purpose of a State plan is to encourage the various States to increase their activities in the field of metal and nonmetallic mine safety. The experience under the Federal Coal Mine Safety Act clearly demonstrates that the State plan contained in that act has failed in accomplishing this purpose. Only six States have seen fit to qualify under this plan: Alaska, Wyoming, Washington, North Dakota, North Carolina, and Oklahoma. It is readily apparent that most of the major coal-producing States are not included in this group.

The inhibiting factor in this plan is its requirement for joint Federal-State inspections. Quite obviously this creates a needless duplication of effort, both from the standpoint of State inspection agencies and the Federal Government.

The State plan contained in H.R. 8989, as passed by the House and as proposed in this amendment, is an effective and fully workable provision. The provision contained in the bill before you now will only result in the various States taking the attitude of "let the Federal Government go ahead and carry through this program." In order to encourage greater State activity in the field of mine safety and assure that qualified inspections will be made by qualified inspectors who know and understand the area to which they are assigned, I urge that this amendment be adopted.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment of the Senator from New York [Mr. Javits]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. **INOUYE**. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from New York [Mr. Kennedy], the Senator from Louisiana [Mr. Long], the Senator from Maine [Mr. Muskie], the Senator from Wisconsin [Mr. Nelson], and the Senator from Georgia [Mr. Russell], are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster] is absent because of illness.

I further announce that the Senator from Oklahoma [Mr. Harris], the Senator from Indiana [Mr. Hartke], the Senator from Alabama [Mr. Hill], the Senator from South Carolina [Mr. Russell], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. Harris], the Senator from Wisconsin [Mr. Nelson], the Senator from Louisiana [Mr. Long], and the Senator from Arkansas [Mr. Fulbright] would each vote "nay."

Mr. **KUCHEL**. I announce that the Senator from Nebraska [Mr. Curtis], the Senator from Kentucky [Mr. Morton], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Kansas [Mr. Carlson] and the Senator from Massachusetts [Mr. Saltonstall] are detained on official business.

If present and voting, the Senator from Kansas [Mr. Carlson], the Senator from Nebraska [Mr. Curtis], the Senator from Kentucky [Mr. Morton], the Senator from California [Mr. Murphy], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 41, nays 39, as follows:

[No. 108 Leg.]

YEAS—41

Aiken
Allott
Bennett
Boggs
Byrd, Va.
Case
Cooper
Cotton
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Griffin
Hickenlooper
Holland
Hruska
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
McClellan
McIntyre
Miller
Mundt
Pastore
Pearson
Prouty
Robertson
Scott
Simpson
Smith
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—39

Anderson
Bartlett
Bayh
Bible
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Douglas
Gruening
Hart
Hayden
Inouye
Jackson
Kennedy, Mass.
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Neuberger
Pell
Proxmire
Randolph
Ribicoff
Smathers
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—20

Bass
Brewster
Carlson
Curtis
Fulbright
Gore
Harris
Hartke
Hill
Kennedy, N.Y.
Long, La.
Morton
Murphy
Muskie
Nelson
Russell, S.C.
Russell, Ga.
Saltonstall
Sparkman
Tower

So Mr. Javits' amendment was agreed to.

Mr. **JAVITS**. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

Mr. MORSE. Mr. President, I ask for the yeas and nays on the motion to reconsider.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon withhold his request?

Mr. MORSE. Mr. President, I withdraw my request for the call of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion to reconsider the vote by which the amendment was agreed to.

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from New York [Mr. KENNEDY], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER] is absent because of illness.

I further announce that the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from Alabama [Mr. HILL], the Senator from South Carolina [Mr. RUSSELL], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. HARRIS] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kansas [Mr. CARLSON] and the Senator from Massachusetts [Mr. SALTONSTALL] are detained on official business.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from Nebraska [Mr. CURTIS], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] would each vote "nay."

The result was announced—yeas 42, nays 38, as follows:

[No. 109 Leg.]

YEAS—42

Anderson
Bartlett
Bayh
Bible
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Dodd
Douglas
Eastland
Fulbright
Gruening
Hart
Inouye
Jackson
Kennedy, Mass.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Neuberger
Pell
Proxmire
Randolph
Ribicoff
Smathers
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—38

Aiken
Allott
Bennett
Boggs
Byrd, Va.
Case
Cooper
Cotton
Dirksen
Dominick
Ellender
Ervin
Fannin
Fong
Griffin
Hickenlooper
Holland
Hruska
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
McClellan
McIntyre
Miller
Mundt
Pastore
Pearson
Prouty
Robertson
Scott
Simpson
Smith
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NOT VOTING—20

Bass
Brewster
Carlson
Curtis
Gore
Harris
Hartke
Hayden
Hill
Kennedy, N.Y.
Morton
Murphy
Muskie
Nelson
Russell, S.C.
Russell, Ga.
Saltonstall
Sparkman
Stennis
Tower

So the motion to reconsider the vote by which the amendment was agreed to was agreed to.

The PRESIDING OFFICER. The question now is on the amendment of the Senator from New York.

Mr. JAVITS. Mr. President, is the amendment debatable?

The PRESIDING OFFICER. It is.

Mr. JAVITS. I would like to be recognized to debate it.

The PRESIDING OFFICER. The Senator from New York.

Mr. JAVITS. Mr. President, I think often we vote these matters with very few Senators in the Chamber and in the absence of any real knowledge of what we are asked to vote on, and the tendency is to follow party lines or what we consider allegiances of the minority or majority, rather than on the merits of the issue. I submit that on its merits, this amendment should be adopted. It will follow the pattern of this legislation. It will make it a much better bill.

I shall bear the burden of convincing Senators of that statement if the Senate will bear with me for less than 5 minutes.

The bill before us is one to regulate safety of mines other than coal mines.

The question to be resolved is what is the best way to protect the safety of mines, the most economic as well as the most efficient way.

There is no question about the bill vesting authority in the Secretary of Interior to promulgate standards of health and safety for all the mines. The question is, When, if at all, shall a State be entitled, if it shows itself capable of doing so, to take over the administration of the safety standards promulgated by the Secretary of the Interior?

My amendment provides that if a State is qualified to do so, by its organization and personnel, and satisfies the Secretary that it is able to enforce the standards which he has promulgated, it will take over the administration of the safety standards.

The bill before us provides for dual inspection by the Federal Government and the State authorities. The essence of the amendment is that dual inspection is completely unnecessary, the safety standards being so tight that if the Secretary does not approve a State plan, he then proceeds to take over the inspection. And if he first approves the plan and then ascertains that the standards are not being followed, he can revoke the approval of the State plan and then do the inspecting.

This is the essence of the Federal-State system. The bill is a hybrid. It follows the coal mine safety plan, although not entirely, because the coal mine pattern provides for joint inspection, and for a third inspector if the two cannot agree. The pending bill does not provide for breaking a deadlock.

But the critical difference between what is planned for noncoal mine inspection and what we already have for coal mine inspection is that in coal mine inspection we are dealing with a relatively small number of States. In this bill, we are dealing with every State, because every State has some mining operations, even though it be only sand and gravel. When we have such widespread operations, let us not defer to the Federal Government as being the most efficient way to do it. The Federal Government will have 85 inspectors. It is inconceivable—knowing how the Government operates—if the bill as proposed is passed and the States are not given the authority to do it when they are able and qualified to take over effective administration of the bill, that the job will be done effectively. There will be a material expansion of the Federal Establishment. But as the Senator from Rhode Island [Mr. PASTORE] has said, it is unnecessary.

The amendment is even tougher than the bill. The amendment requires the personnel of the State to be ready, willing, and able to do the job. The bill does not require that of the Federal Government. The Secretary of the Interior does not have the staff or facilities now, and he cannot have them unless Congress appropriates money for them. But if the State is to take over the inspection, under my amendment, it must be fully qualified to do so. Then the Secretary may select States such as New York, California, Rhode Island, and perhaps other States that are qualified to do it. Many States may not be qualified, in which case the Secretary of the Interior will administer the law.

I think we ought to vote to permit the States that are qualified to do the inspection.

There is no predilection on my part to thwart the passage of the bill. I am as liberal as anyone here, as I am sure Senators know, but where there is compatibility between the Federal system and Federal-State system, I think we ought to adopt the one which is more efficient. What is the Federal system for if it is not to encourage the adoption of the more efficient system?

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PASTORE. In any event, the standards promulgated must meet the Federal standards and be approved by the Secretary of the Interior before any State can do the job. Is that correct?

Mr. JAVITS. Absolutely.

Mr. PASTORE. If it fails in any way, the Secretary can, ex parte, move against any State and bring in his own inspector. Is that correct?

Mr. JAVITS. Yes.

Let me complete my statement. I am not unsophisticated politically. I think there are times when it is the duty of the minority to make proposals which will help the majority to keep its "eye on the ball" and to correct errors. I do not think there should be an attitude of merely sweeping things under the rug, when they should be adopted, merely because they are proposed by members of the minority. I think if members of the minority offer amendments that are good, the majority ought to vote for them, and not oppose them merely because they come from this side of the aisle. I do not do that, and I hope the Senate does not do it, either.

My amendment is a deserving change in the bill that I think should be adopted.

Mr. MORSE. Mr. President, the amendment offered by the Senator from New York was offered and rejected by the committee. The unions wanted no State inspections at all. Then we took the position that what the Senate adopted on March 26, 1966, by way of an inspection program for the coal industry was also sound for this industry. That is what Senators voted on March 26 when the Senate adopted the coal mine amendments.

Under the bill the committee brings out, the Secretary of the Interior has authority to enter into agreements, contracts, and arrangements with States for cooperative programs for the States to administer inspection systems, but with the very important check of the right of the Federal Government to go into the States and make inspections.

Unless the Federal Government can make inspections, the accident rate will grow. It is good for the Federal Government to be able to make inspections under the dual system, because it has worked so well in the coal area.

The Senator speaks of the Federal inspectors. But let me refer to page 436 of the hearings:

> Experience gained over the past 24 years under the Federal coal mine inspection program reveals that an inspector completes an average of 60 inspections per year. On this basis, a force of 85 inspectors would make 5,100 inspections per year. This would mean that each of the 1,500 underground mines could be inspected at least two times a year, with leeway to inspect recalcitrant operations more often and that each of the 800 larger open-pit mines could be inspected once a year with leeway to inspect recalcitrant open cut operations.

These inspectors cooperate with the State inspectors under the coal mine arrangement.

But what does the record of the hearings show? It shows that in the mining industry, there are many States with exceedingly low standards. The procedure that we are urging will help raise those standards.

Although the unions did not want any State inspection, and management wanted only State inspection, we feel that the proposed dual inspection is highly preventive of accidents. The Senator from New York pointed out one difference between this bill and the coal mine bill, but that difference will not exist after today.

Under this bill, where an approved State plan exists, the Federal Government does not go in without offering the State the right to come in to join them with a State inspector, so that any controversy as to what the situation is will be checked by the State.

The only time that the Federal Government can go in without a State inspector is when there is some imminent danger. The Federal Government should be in a position to inspect on its own when there is an imminent danger. If there is not a closeby State inspector, then the Federal Government can go in alone.

But let us assume that subsequently the State says there is not an imminent danger. Although the Secretary's ruling will prevail until the difference is resolved, under the Federal Coal Mine Safety Act, they resort to the Federal district judge in the area to appoint a third person to make a decision on the facts. And under an amendment which will be offered before the afternoon is over, this bill will be brought on all fours with the coal mine bill.

But, Mr. President, we are looking at a situation here in which the record of the hazards and the injuries lead me to believe that we cannot justify turning enforcement over to the States with no compatible concomitant Federal check by way of an inspection. It is this so-called dual inspection referred to by the Senator from New York that gives us the preventive check that is so important.

I close by saying again, as I said in committee and have stated earlier today, we have a responsibility to exercise those safeguards legislatively that will give to the workers the greatest assurance of a preventive system that will stop loss of life and damage to limb. We have a program working in the coal mines area. We have that experience to rely upon. The same argument could be made in regard to the coal mines, Mr. President, but we have learned the advantage of the dual check.

It does not follow, as some of the proponents of the amendment would give the impression, that dual inspection would lead to a great deal of duplication. What happens in actual practice is that the State inspectors inspect a good many mines and the Federal inspector inspect a good many mines, but not always the same mines. Only when a controversy develops, or the allegation is made that there is some danger in a particular mine, will the inspector go in on the imminent danger theory and make the inspection without a State inspector, if one is not available.

All I wish to say as I close is that if Senators wish to vote for a program which has worked, if they wish to vote for a program which is a fair compromise between the two positions in this case—we rejected the unions' position and we rejected management's position, as the Senator from West Virginia, who ably supported me in this compromise and who comes from a great mining State, will tell you—then support your committee. The Javits amendment was defeated in the committee. We believe the committee has performed a very worthwhile service in preparing the bill which we offer.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from West Virginia.

Mr. RANDOLPH. I wish to commend the able manager of this legislation upon the clarity of his explanation.

There is no conflict between Federal and State authorities embodied in the legislation here proposed. With reference to the partnership, that is exactly what it is, a partnership in the prevention of accidents in the hazardous mining operations, which exist not only within the coal mining industry, but in metallic and nonmetallic mines as well.

Both the Senator from Oregon and the Senator from New York know that this is a matter which was not passed over lightly in the subcommittee or in the full committee. It was clearly and adequately debated. And I repeat, what the bill provides is a partnership, and in no way conflicts the Federal and the State Governments.

Mr. JAVITS. Mr. President, I do not wish to take much of the Senate's time, but there are two points which need to be made clear. One is that the amendment I have proposed is essentially the amendment which was enacted in the House, except that the House bill as passed provided for judicial review. Here the provision for judicial review has been omitted, to buttress the idea that the Secretary shall have complete authority in passing on State plans.

Second, my amendment does not deprive the Secretary of authority to make spot inspections. It specifically says, at page 3, lines 17 and 18, that the Secretary may make spot inspections.

The real issue between the Senator from Oregon and myself is the question of autonomy, where autonomy is practical and will fully protect the objective of the Federal law; and duality, where duality, in my judgment—and I have argued that to the Senate—is duplication rather than duality.

The fine word "partnership" cannot disguise the fact that it is duplication in those States which are ready, willing, and able to meet their responsibility; and, indeed, they are called upon for a higher standard, even, than the Federal Government under my amendment. As I pointed out, they must have the people ready, able, and willing to do the job.

I believe the amendment should be agreed to. Therefore, Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I will be very brief. I merely wish to reply to some of the comments made by the distinguished Senator from Oregon.

There is one big difference between this bill and the coal mine safety bill. The Coal Mine Safety Act has been in effect for a long period of time. This bill has never been in effect; and the undisputed testimony before the committee was that the Interior Department did not have health and safety standards already developed, that they did not have inspection procedures already developed, and that they had only 40 inspectors. So I would remind the Senate that this is a different situation than exists under the Coal Mine Safety Act. I think that we should agree to the amendment, and allow those States which are able to make the inspections meeting with the approval of the Secretary, to take over that role.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER (Mr. TYDINGS in the chair) (after having voted in the affirmative). The Chair withdraws his vote. On this vote the Chair has a pair with the junior Senator from Wisconsin [Mr. NELSON]. If he were present and voting, he would vote "nay." If the Chair were at liberty to vote, he would vote "yea." The Chair withholds his vote.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Tennessee [Mr. GORE], the Senator from New York [Mr. KENNEDY], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER] is absent because of illness.

I further announce that the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from Alabama [Mr. HILL], the Senator from South Carolina [Mr. RUSSELL], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. HARRIS] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kansas [Mr. CARLSON] and the Senator from Massachusetts [Mr. SALTONSTALL] are detained on official business.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from Nebraska [Mr. CURTIS], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 40, nays 41, as follows:

[No. 110 Leg.]

YEAS—40

Aiken
Allott
Bennett
Boggs
Byrd, Va.
Case
Cooper
Cotton
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Griffin
Hickenlooper
Holland
Hruska
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
McClellan
McIntyre
Miller
Mundt
Pastore
Pearson
Prouty
Robertson
Scott
Simpson
Smith
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—41

Anderson
Bartlett
Bayh
Bible
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Douglas
Eastland
Fulbright
Gruening
Hart
Hayden
Inouye
Jackson
Kennedy, Mass.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Neuberger
Pell
Proxmire
Randolph
Ribicoff
Smathers
Symington
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—19

Bass
Brewster
Carlson
Curtis
Gore
Harris
Hartke
Hill
Kennedy, N.Y.
Morton
Murphy
Muskie
Nelson
Russell, S.C.
Russell, Ga.
Saltonstall
Sparkman
Tower
Tydings

So Mr. JAVITS' amendment was rejected.

Mr. FANNIN. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 16, line 13, strike out "coal or lignite" and substitute "coal, lignite, gravel, or sand".

On page 16, line 20, strike out "coal or lignite" and substitute "coal, lignite, gravel, or sand".

Mr. FANNIN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

LIMITATION ON DEBATE

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FANNIN. I yield.

Mr. MANSFIELD. Mr. President, I have discussed the possibility of a consent agreement with the distinguished Senator from Arizona [Mr. FANNIN], the distinguished Senator from Colorado [Mr. DOMINICK], and the distinguished minority leader [Mr. DIRKSEN], and I am about to propound a unanimous-consent request which I hope the Senate will look upon with favor.

I ask unanimous consent that there be a time limitation of 40 minutes on the pending measure, one-half to be under the control of the distinguished Senator from Arizona [Mr. FANNIN], and the other half to be under the control of the distinguished Senator from Oregon [Mr. MORSE].

Mr. COTTON. Reserving the right to object, I would like at least 5 or 8 minutes.

Mr. MANSFIELD. The Senator from New Hampshire will receive the time.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. FANNIN. Mr. President, I yield myself 5 minutes.

Mr. President, my proposed amendment is a simple one. It would exempt from the provisions of the act the sand and gravel industry. I offered the amendment in committee and it was discussed extensively. I believe that a specific exemption in the law should be provided.

The sand and gravel industry consists of a large number of small companies extracting materials from loose deposits by digging pits which are generally shallow in nature. Sand and gravel is a surface mining operation. Underground work is not involved and explosives are not used. Extraction is accomplished by power shovels, cranes, front-end loaders, and similar equipment, and, on occasion, dredges. The processing operations consist of washing, screening, separation of deleterious particles, and, to some extent, crushing of oversized materials. The market for these materials must be within close proximity to the operations, generally less than 20 miles.

In 1963, the most recent year for which Bureau of Mines figures are available, 5,835 plants in the United States were producing commercial sand and gravel. Almost 60 percent of these plants produced less than 50,000 tons of material in that year. The average plant employed only seven men. In other words, the industry contains no large individual plants in terms of personnel exposed to catastrophic hazards.

H.R. 8989 calls for the promulgation and enforcement of safety standards for every segment of the mining industry. The task of applying these safety standards to the sand and gravel industry would be a difficult one. While the bill does not call for annual inspection of sand and gravel pits, they are nevertheless included in the application of the proposed legislation. The bill would not improve or contribute to the improvement of safety conditions in the sand and gravel industry, which must, by its nature, be regulated from a State or local basis. Although the application of this proposed legislation is limited to mines engaged in interstate commerce, under current constitutional interpretation, any sand and gravel producer who sells material used in road construction would be declared to be engaged in interstate commerce, although there are very few producers who actually ship material across State lines. Practically all sand and gravel producers sell material used in road construction. Indeed, many road contractors, and State and local governments as well, produce sand and gravel from roadside borrow pits for use in road construction.

The operations of a sand and gravel producer are essentially the same as a road contractor or, indeed, any construction company which excavates the earth and hauls the material away. In terms of hazards, therefore, a sand and gravel operation is more akin to a construction job than to a mining operation. Accordingly, it is inappropriate to include this industry under a Federal law which is designed to regulate safety in the mining industry. It is best regulated by existing State and local codes applicable to manufacturing and construction operations which contain hazards similar to those encountered in this industry.

Mr. President, I commend the Senators who have spoken so eloquently this afternoon on safety. We all have the same objective. The question is, How can we achieve the greatest safety for our workers?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FANNIN. I yield myself 2 more minutes.

The **PRESIDING OFFICER.** The Senator may proceed.

Mr. FANNIN. If the problem is continuous inspections, this could be brought about by other legislation. In many instances, both Federal and State agencies are involved in the operation and in the control of sand and gravel pits—the Bureau of Public Roads, our highway departments, in many cases local governments.

If the desire is to provide continuous inspections, this can be easily accomplished by putting safety legislation under the jurisdiction of one of those departments or of both the State and the Federal Government.

No one wants a hit-or-miss program. I believe that the sand and gravel pits should be eliminated from the proposed legislation, and covered under other legislation or under legislation enacted by the States or the local governments.

Mr. President, in my opinion, this is the question: How can we best carry through a safety program?

Mr. MORSE. Mr. President, I yield myself 10 minutes.

The proposed amendment was rejected by the subcommittee and the full committee. This amendment deals with the protection of the lives and the safety of workers in the most hazardous industry next to underground mining in this country. The dangers of sand and pit operations are clearly established by data on pages 130, 131, 211, and 212 of the hearings.

I call attention to page 212. It will be noted that the rate of injury for sand and pit operations is next to that of underground mining.

It has been stated that the bill would require an army of inspectors to inspect the mines covered by the bill, including approximately 6,000 sand and gravel pits. I reiterate that the bill in no instance requires the inspection of sand and gravel pits. It only requires the inspection of underground mines, which number approximately 1,500.

The Department submitted a statement to the committee, to which I referred a few moments ago, making clear that those 80 inspectors would have no difficulty in inspecting the 1,500 underground mines. Additional inspectors would be required with respect to sand and gravel pits.

However, I wish to point to the agreement that was reached in committee on what was known as the Javits proposal. It was written into the committee report, because we agreed with the Senator from New York that we should put language in the report that would make clear that the Secretary can enter into arrangements with an industry that shows freedom from a high accident rate. Proponents of the amendment would delete sand and gravel pits from the bill, and claim that the administration cannot administer the program.

I call attention to the two largest States—California and New York. Both these States include sand and gravel operations within the jurisdiction of their mine safety codes, because they recognize the hazards of the sand and gravel pits where not properly supervised. Most States do not include these operations.

New York is considered a leading State in coverage of sand and gravel in the country, together with California. Both States are leaders in providing supervision in regard to this industry.

The following appears on page 6 of the report:

> The committee adopted the amendment authorizing the Secretary to decline jurisdiction over certain mining operations after rejecting several amendments offered in the subcommittee and full committee executive consideration of H.R. 8989 to delete entirely or exempt partially sand, gravel, and crushed stone operations. The committee did not agree to such amendments because the results of the study (p. 130 of the Senate hearings) and information in certain Bureau of Labor Statistics tables (pp. 211 and 212 of the Senate hearing) on injury frequency and severity rate conclusively show that the sand and gravel industry is the most hazardous except for the underground coal and mineral mining industries.

I wish to tell the Senate what I think will happen by the adoption of the bill in its present form. You will find the industries working out arrangements with the Secretary of Interior that will not require frequent inspections. But because you have involved the industry which is second in the Nation, so far as hazards from the standpoint of accidents are concerned, I think we would make a great mistake by adopting the amendment of the Senator from Arizona [Mr. FANNIN], I urge its defeat.

Mr. DOMINICK. Mr. President, will the Senator from Oregon yield for a question?

Mr. MORSE. I yield.

Mr. DOMINICK. Does the Senator from Oregon know whether or not the Secretary of the Interior or the Bureau of Mines has set up health and safety standards and inspection procedures for sand and gravel mines?

Mr. MORSE. I have already told the Senator that as soon as the pending bill is adopted we have the assurance there that they will proceed to produce health and safety standards. They have already made recommendations to State agencies. At the present time they do not have a code that they can lay before us immediately.

What they will do will be to take a good many of the recommendations that they previously made and proceed to give us a code. It will not take much time.

Mr. DOMINICK. Then, the answer is——

Mr. MORSE. The bill requires that they first consult with the advisory committees and the advisory committees in Arizona, Oregon, and other States will confer with them as to what they think will be a fair code for inspection.

Mr. DOMINICK. Then, the answer is that they have been consulting with them on the mines, and they have not had a code there for 20 years or more.

Mr. MORSE. There is no question about the fact that they have a great body of information they can use for consultation, which they will be required to do under the bill.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. AIKEN. I note that section 3 on page 17 states:

> SEC. 3. Each mine the products of which regularly enter commerce, or the operations of which affect commerce, shall be subject to this Act.

Is that intended as an exemption of the sand pit where a few loads may be sold or loads may be taken without the knowledge of the owner?

Mr. MORSE. No; it is not.

Mr. AIKEN. Certainly, that is not done regularly. But usually when sand is taken from somebody's farm pit it does not affect commerce. Frequently it is taken by the community for the repair of roads. The man who owns the pit may be giving it to the community.

Mr. MORSE. Counsel advises me that there are court decisions which make very clear that the pits to which the Senator refers are covered.

Mr. AIKEN. Every little farm pit is covered. The neighbors' children can stop playing in the sand or the owner is liable for any injuries.

Mr. MORSE. Under the Javits amendment and the language in the bill the Secretary obviously is going to take jurisdiction over this. We have the provision in here which does not require him to take jurisdiction.

Mr. AIKEN. Would he take jurisdiction after an accident occurred?

Mr. MORSE. He would, if he has information that there is a dangerous situation.

Mr. AIKEN. It should be remembered that this is not a situation of 1,700 of those establishments; there are tens of thousands of them in the country.

Mr. MORSE. I am aware of that. Any time he gets evidence that there is an area so lax in safety regulations, he can order an inspection.

Mr. AIKEN. That is on a commercial enterprise. I am speaking of the small sandpit where it is customary for the neighbors to go there and take a load of sand.

Mr. MORSE. Does the Senator mean on a perfectly private operation? That obviously is not included.

But there is the situation where there is a sandpit that is operated on a commercial basis where there is employment of a few people to work in that sandpit. If it can be shown that it is necessary for the Secretary to inspect, he would have the power to inspect.

But under the Javits proposal in the bill, the Secretary has the discretion not to bring that type of pit under his jurisdiction. But he should be allowed to if he finds that the facts warrant the inspection.

Mr. AIKEN. I once owned a farm that had a gravel pit on it. The neighbors would come around there when they wanted sand and gravel and they took it. I do not own it any more and so I feel that I have no conflict of interest.

However, under the pending bill would I have been responsible if any of them or their children came there, became bogged down in the sand, and smothered?

Mr. MORSE. In my opinion, no. I do not think that is covered.

Mr. AIKEN. The owner would not be responsible?

Mr. MORSE. That is covered by the language which the Senator read.

Mr. AIKEN. We are responsible for nearly everything now.

Mr. MORSE. I do not think they would be responsible. It has to be a commercial operation.

Mr. AIKEN. I wanted to hear the Senator say so.

Mr. MORSE. I think that it is important for the legislative history. I am glad to state it. It has to be a business commercial operation; not a situation where a farmer says to a neighbor who wants gravel to put in his barnyard, "Go over and take what you want." That farmer is not liable.

Mr. AIKEN. I agree with the Senator. It would only be the commercial enterprise of sand and gravel.

Mr. MORSE. That is all that is covered.

Mr. AIKEN. It should be covered because certainly we have fatalities every year in almost every community.

Mr. MORSE. Let the legislative history show that if it is noncommercial, it is not covered.

Mr. AIKEN. But suppose they sell only a few dollars worth a year. Would that be commercial?

Mr. MORSE. That would be diminutive. Absolutely not.

Mr. COTTON. Mr. President, will the Senator from Arizona yield?

Mr. FANNIN. Mr. President, how much time have I remaining?

The **PRESIDING OFFICER.** The Senator from Arizona [Mr. FANNIN] has 13 minutes remaining.

Mr. FANNIN. Mr. President, I yield to the Senator from New Hampshire.

Mr. COTTON. Mr. President, the idea that sand and gravel pits on the surface are mining operations, from a common sense viewpoint, is almost ridiculous.

I am perfectly ready to cast my vote for a bill that is reported by a committee of the Senate to make more safe the men who go down into the mines in this country, who work underground, and who are subject from time to time to the most shocking accidents, injury, and loss of life.

But when the hand of the Federal Government, under the guise of mining legislation, is stretched to take in the operations of the sand and gravel pits of this country it does violence to commonsense.

The Senator from Arizona [Mr. FANNIN] has very well said that the operation of sand and gravel pits is much more in the nature of roadbuilding and similar types of contract work.

There may be and undoubtedly are reports of injuries, dangers, and hazards. Dangers and hazards exist in many occupations. But the Federal Government, unless it has a phobia for getting its finger into every single pie in this country, should not stretch mining legislation to include activities that are obviously and patently not true mining operations.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. COTTON. I will yield in a moment.

I have been informed by telephone from my own State this afternoon that most of those accidents which have occurred over the years in sand and gravel pits have occurred in pits that have been abandoned. Children have played in them, landslides have occurred, and injuries have resulted. I have been unable to ascertain the exact number of such injuries. But I do know, in these circumstances, that there could be no Federal recourse. The bill does not provide, and we could not expect, effective Federal inspection. To do so would mean that the Department of the Interior, in Washington, would have to establish standards for sand and gravel operations. To establish standards for that kind of operation would be a good deal like establishing standards for controlling the sands of the sea.

Those of us who have seen roadbuilding operations know that they open a pit in a certain location one week, 3 weeks later it is closed and another one opened 4, 5, 6, or 8 miles down the highway. It encourages all kinds of activities, including those of farmers who sell a limited amount of sand and gravel, from time to time, from their farms to local highway departments for use on the roads.

While I was listening to the debate, I thumbed through the record of the hearings. I always try to be cautious in criticizing or characterizing anyone, and certainly I do not want to be unjust to individuals; but as I read the testimony of members of the Bureau of Mines in the Department of the Interior, I came to the conclusion that they were about the last people in the world I would want to have sit down in Washington and dream up standards to be applied to the ordinary operations of roadbuilding in the State of New Hampshire. Those standards could not be enforced. They would not be inspected. It would be impossible to do so without a multitude of inspectors and it is not even called for in the bill. About all they would accomplish on this would be that, if an accident occurred and a civil suit followed, some plaintiff's lawyer would come into court with some standards promulgated in Washington and try to establish a prima facie case of negligence against the owner.

Those who employ these people in these operations are insured. Insurance companies are keenly aware of the hazards and conduct their own inspections. Contractors are aware of the hazards and they are aware of the insurance rates as well. They also have some milk of human kindness and solicitude in their minds for the protection of employees. Why, then, this desire to reach into every nook and crevice and drag sand and gravel into this so-called mining bill.

To me, it seems not only illogical and inconsistent but also very much of an injustice. It would lead to careless supervision in establishing standards which, in turn, would be dangerous.

Mr. CANNON. Mr. President, will the Senator from New Hampshire yield?

Mr. FANNIN. Mr. President, before I yield further I should like to make a short statement in regard to some statistical information.

Permit me to state that statistics have been quoted which I believe to be misleading. Not that they are not correct from the standpoint of the record, but I would say that road equipment and truck equipment has perhaps caused most of the injuries which have been involved. Therefore, I would say that we cannot control this trucking equipment under the mine safety bill, but it can be controlled under a highway safety bill, or an industry control bill, where an industrial commission or the agencies of the highway department in a State would have control.

I believe it is important to realize that we are not going to accomplish our objective in this regard.

Mr. COTTON. I am glad to yield now to the Senator from Nevada and apologize for keeping him waiting.

Mr. CANNON. I should like to ask the Senator from New Hampshire if it is not a fact that the Secretary of the Interior himself, in administering the mining laws of this country over which he exercises jurisdiction, has taken the position that sand and gravel is not locatable under the mining laws?

Mr. COTTON. That is my understanding, and I thank the distinguished Senator from Nevada for adding that sterling point to this colloquy.

Mr. President, I commend the Senator from Arizona for his amendment, and I hope that in the interest of justice and commonsense the amendment will be adopted.

Mr. FANNIN. Mr. President, how much time do I have remaining?

The **PRESIDING OFFICER** (Mr. WILLIAMS of New Jersey in the chair). Five minutes remain to the Senator from Arizona.

Mr. MILLER. Mr. President, will the Senator from Arizona yield for a question?

Mr. FANNIN. I am happy to yield to the Senator from Iowa.

Mr. MILLER. Is dirt mining covered by this bill? It is my understanding that it is not.

Mr. FANNIN. I do not think so. But it is difficult to determine from the wording in the bill.

Mr. MILLER. I should like to ask the Senator in charge of the bill, the Senator from Oregon [Mr. MORSE], whether earth is covered by this bill? Will the Senator from Oregon be good enough to respond to my question as to whether earth removal is covered by this bill?

Mr. MORSE. If it comes under the definition of sand and gravel pits, it is covered.

Mr. MILLER. I am not talking about sand and gravel. I am talking about——

Mr. MORSE. That is what the bill is talking about, not earth removal.

Mr. MILLER. I am talking about dirt, whether dirt is covered by the bill.

Mr. MORSE. Earth is neither sand nor gravel.

Mr. MILLER. That is what I wanted to bring out. If the bill does not cover it, I am wondering why it covers sand and gravel, because the operations in connection with the removal of dirt for filling on highway constructions and other types of public works are identical.

Therefore, I believe that the Senator's amendment is perfectly in order.

Mr. FANNIN. Mr. President, further on that subject——

Mr. HOLLAND. Mr. President, will the Senator from Oregon yield? Does the Senator from Oregon have any time left?

The PRESIDING OFFICER. The Senator from Oregon has 10 minutes remaining.

Mr. HOLLAND. Could I ask a question of the Senator from Oregon?

Mr. MORSE. I want to yield most of my time to the Senator from Montana, but I am glad to yield to the Senator from Florida for a question.

The PRESIDING OFFICER. How much time is yielded to the Senator from Florida by the Senator from Oregon?

Mr. MORSE. As long a time as it takes him to ask his question.

Mr. HOLLAND. I wanted to find out whether such operations as borrow pits along the side of a road's right-of-way being constructed by a contractor are covered by the bill which the Senator from Oregon is now handling.

Mr. MORSE. We discussed that point at considerable length in the committee. That is not, at present, involved in the Javits amendment and is covered by the language I cited on page 7, as follows:

> In the experience of some members of the committee, many sand and gravel pits and comparable crushed stone operations operate for a short period of time, often with respect to a particular job such as highway construction. In these situations the Secretary is expected to consider carefully whether his authority to decline jurisdiction should be exercised. He would be expected to exercise his authority to decline jurisdiction if the safety experience warranted it. The committee would expect the Secretary to give controlling weight to the evidence of hazard in such operations in determining whether jurisdiction should be exercised.

This is the area in which the great contribution to accidents comes from. But we are dealing with the sand and gravel industry. They rate second to underground mining in this country in accidents and hazards. Let me say respectfully that the record does not show that most of these accidents are caused by trucks. They are third in the cause of accidents within sand and gravel pits—others are cave-ins, improper timbering—a great many of these sand and gravel type pits have to be timbered for protection and there is great laxity on the part of some companies to protect them. That is why in California and New York they have the best recognized safety code procedure in the country. They have included sand and gravel for years, and that is why it has been helpful in those two States in bringing them far below the average of accidents in this industry in other States.

Mr. HOLLAND. Do I correctly understand the Senator to hold that the bill does cover the operations which I have described?

Mr. MORSE. As long as it is commercial sand and gravel. We think that is made perfectly clear by the Javits language. But suppose there is a contractor who has a terrible record of accidents and he has sand and gravel pits on his road construction. He should be covered. He should be inspected as he establishes sand and gravel pits along the highways. But if he has got a good record, he is not going to be covered.

Mr. HOLLAND. My State happens to be in large part flat, for mile after mile after mile, where there would be required an excavation on each side of the road and borrow pits every quarter of a mile in order to get the necessary grade material. It seems to me unreasonable to cover that kind of operation.

Mr. MORSE. It would be unreasonable if the Secretary insisted on it, but I do not think that is probable.

Mr. FANNIN. Mr. President, I am vitally interested in the safety of the workers, but I think it can better be obtained by other means than through the Bureau of Mines or under this legislation.

We know that commercial enterprises, companies working with the industry, are interested in safety from the standpoint not only of their workers but also from their own standpoint. But the Bureau of Public Roads, especially in the area mentioned by the distinguished Senator from Florida [Mr. Holland], does have jurisdiction and responsibility, and I believe it and the highway departments can best cover that particular area. It is my opinion that it would be highly desirable, if we are to have additional safety legislation, to have it under the jurisdiction of other departments.

Mr. MORSE. Mr. President, I yield the remaining time to the Senator from Montana [Mr. Metcalf], but before I do so let me comment that an insurance policy does not bring a person back to life or replace a lost limb. We have to have safety standards, and there must be sound safety measures.

Mr. FANNIN. Mr. President, if the Senator will yield, let me say my point is that it would be better done by turning it over to the highway departments.

Mr. MORSE. They would inspect if there was a bad accident rate. If there was not, the inspector would not inspect.

Mr. FANNIN. The point is that the Bureau of Public Roads should be involved in this procedure. This is its daily activity. An inspector of underground mines is not qualified for this type of inspection.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. FANNIN. I yield.

Mr. COTTON. An insurance policy does not bring a person back to life, but an insurance policy does make it possible for the inspector to see what is going on, and that would be more than what would be done under the bill.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. FANNIN. I yield to the Senator from Ohio.

Mr. LAUSCHE. The Senator from Oregon has said that New York and California have their own safety laws, including sand and gravel pits. How many other States have laws of their own?

Mr. MORSE. Very few. All the more reason why the Federal Government should have people there to inspect to prevent injuries, when this is the second most hazardous activity.

Mr. FANNIN. Mr. President, if the Senator will yield, the Bureau of Public Roads and the department of highways give protection.

Mr. MORSE. No; not under the code developed under the bill.

Mr. LAUSCHE. Mr. President, I want to reply to what the Senator from Oregon has said. He argues that only the U.S. Congress knows what is sound, and that the other 48-State legislatures do not know.

Mr. MORSE. That is the Senator's own comment. That is the Senator's fallacious deduction.

Mr. LAUSCHE. That is a correct deduction.

Mr. MORSE. According to the Senator's own sights. The Senator is blind, though.

Mr. LAUSCHE. The Senator is overintelligent.

Mr. MORSE. I yield now to the Senator from Montana [Mr. Metcalf].

Mr. METCALF. Mr. President, I want to go over some of the statistics to remind Senators that this is the second most hazardous industry. These statistics are not statistics of children playing around in pits. They are not statistics of boys playing around abandoned pits. These statistics are from page 133 of the hearings, statistics showing required injury reports.

Handling materials was the most frequent cause of injuries. Handling of materials covered certain specifications, such as conveyor belts, and so forth.

The second most important cause of injuries was slips or falls of persons.

The third most frequent cause was haulage, but not necessarily within the sand and gravel pit itself. These are standard operations within and around the pit. They would be comparable to the same sort of operation as open pit mining.

I know the Senator from Arizona, as a former Governor, is also concerned with mine safety, and is concerned with mine safety at all levels. Certainly he is concerned with open pit operations which are common in his State and mine.

The statistics I have referred to relate to gravel and sand pits.

As the Senator from Oregon [Mr. Morse] has pointed out, the Secretary is permitted to enter into negotiations with respect to operations of these activities and borrow pits along the road and permit continued highway inspections, but the operations of conveyor belts and huge machinery within the mines are the kinds of activities that have caused the large number of accidents that we are trying to prevent.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. METCALF. I yield.

Mr. FANNIN. I recognize the need for safety in those instances. I merely say this is not the place for legislating for such safety. It should be done by other departments. The Bureau of Public Roads is one. There will be a safety bill coming up tomorrow. I think that would be a better safety program for this purpose.

Mr. METCALF. This is certainly analogous to open pit mining. In New York there are 70 inspectors for mine operations, and only 5 of them qualify for deep underground inspections. The other 65 are for operations of this kind, sand and gravel open pits, and highway inspection. In the two States that have the best safety program, they have adopted the same procedure we have adopted in the bill to provide for safety inspection for open mining and gravel and sand pits, as well as for underground mines.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. METCALF. I yield.

Mr. PASTORE. How will the Secretary in this particular case exempt certain gravel pits? Will he enter into an arrangement with State authorities, or is it required in every situation that either he or a contractor should come to Washington and work out that exemption?

Mr. METCALF. It does not mean that in every instance he would have to come to Washington to negotiate a contract or arrangement. I read from page 17 of the bill:

> The Secretary may, by published rules adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction under this Act over any class or category of mines where, in the opinion of the Secretary, either the effect of the operations of such mines on commerce is not sufficiently substantial to warrant the exercise of jurisdiction under this Act, or such exercise of jurisdiction would impair the effective overall realization of the objectives of this Act.

Mr. PASTORE. In other words, is it fair to assume he would assume jurisdiction only in large operations?

Mr. METCALF. From large operations, he would exempt the categories mentioned by the Senator from Florida from regular inspections. Necessarily he would have to, because of the limitation of the number of inspectors put on.

Mr. FANNIN. Mr. President, I yield back the remainder of my time.

Mr. MORSE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Arizona. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). Mr. President, on this vote I have a pair with the distinguished junior Senator from Wisconsin [Mr. NELSON], who is absent on official business by leave and order the Senate. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Therefore, I withhold my vote.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from New York [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER] is absent because of illness.

I further announce that the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from Alabama [Mr. HILL], the Senator from Oregon [Mrs. NEUBERGER], the Senator from South Carolina [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. HARRIS], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Oregon [Mrs. NEUBERGER] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kansas [Mr. CARLSON] and the Senator from Massachusetts [Mr. SALTONSTALL] are detained on official business.

If present and voting, the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] would each vote "yea."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 35, nays 42, as follows:

[No. 111 Leg.]

YEAS—35

Allott
Bennett
Bible
Boggs
Cannon
Church
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Griffin
Hickenlooper
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
McClellan
Miller
Mundt
Prouty
Robertson
Scott
Simpson
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—42

Aiken
Anderson
Bartlett
Bayh
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Clark
Dodd
Douglas
Fulbright
Gruening
Hart
Inouye
Jackson
Javits
Kennedy, Mass.
Long, Mo.
Long, La.
Magnuson
McCarthy
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Morse
Moss
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Smith
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—23

Bass
Brewster
Carlson
Curtis
Gore
Harris
Hartke
Hayden
Hill
Kennedy, N.Y.
Mansfield
Montoya
Morton
Murphy
Muskie
Nelson
Neuberger
Russell, S.C.
Russell, Ga.
Saltonstall
Smathers
Sparkman
Tower

So Mr. FANNIN's amendment was rejected.

Mr. MORSE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. METCALF. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I am in this situation. People have come to me and asked if I was going to ask for any more rollcall votes. I said I was not going to ask for any more rollcall votes. The majority leader was one of those who asked me. I have been advised by the minority leader—and I can be corrected if I am wrong—that some Members on the other side of the aisle have asked for a rollcall vote on passage of the bill.

I do not want anyone to think that I am walking out on my word. As the Senator in charge of the bill, I was not going to ask for a rollcall vote on the final passage. I do not want anyone to think that I am walking out on my word.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Mr. President, it was my thought that we could go forward without a rollcall vote. I am the acting minority leader. However, there is a request on this side for a rollcall vote, and as the Senate honors those requests, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I send to the desk on behalf of myself and the senior Senator from New York [Mr. JAVITS], an amendment on which I shall not ask for a rollcall vote.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. MORSE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 24, between lines 10 and 11, insert the following subsection:

"(e)(1) If an order is made pursuant to subsection (a) of this section, and a State inspector did no participate in the inspection on which such order is based, the duly authorized representative of the Secretary who issued the order shall notify the State mine inspection or safety agency immediately, but not later than 24 hours after the issuance of such order, that such order has been issued. Following such order the operator of the mine may immediately request the State mine inspection or safety agency to assign a State inspector to inspect the mine. The State agency shall then promptly assign a State inspector to inspect the mire affected by such order and file an inspection report with the Secretary and the State agency. The order of the duly authorized representative of the Secretary shall remain in effect, but shall immediately be subject to review as provided in this section.

"(2) No order shall be made pursuant to subsection (b) of this section with respect to a mine in a State in which a State plan approved under section 16(b) is in effect unless a State inspector participated in the inspection on which such order is based and concurs in such order, or an independent inspector appointed under paragraph (3) of this subsection concurs in such order. If the State inspector does not concur in such order, the operator of the mine, the duly authorized representative of the Secretary who proposes to make such order, or the State inspector may apply, within twenty-four hours after the completion of the inspection involved, for the appointment of an independent inspector under paragraph (3). Within five days after the date of his appointment, the independent inspector shall inspect the mine. The representative of the Secretary and the State inspector shall be given the opportunity to accompany the independent inspector during such inspection. If, after such inspection is completed, either the independent inspector or the State inspector concurs in the order, it shall be issued.

"(3) Within five days after the date of receipt of an application under paragraph (2) of this subsection, the chief judge of the United States district court for the district in which the mine involved is located (or in his absence, the clerk of such court) shall appoint a graduate engineer with experience in the type of mining involved to serve as an independent inspector under this subsection. Each independent inspector so appointed shall be compensated at the rate of $50 for each day of actual service (including each day he is traveling on official business) and shall, notwithstanding the Travel Expense Act of 1949, be fully reimbursed for traveling, subsistence, and related expenses."

Mr. MORSE. Mr. President, I can explain the amendment very quickly. The amendment provides that when the Secretary orders an inspection because of an imminent danger, and there is no State inspector to go with him, the inspection may be made. If an imminent danger is found to exist, the Secretary issues certain orders for safety precautions. If the State disputes that question of fact, the bill does not provide for a procedure to break the deadlock as does the mine safety bill.

The mine safety bill contains a provision that in such a situation the Federal district judge at the location of the mine will appoint a third person to make the determining decision as to whether there is an imminent danger.

All that the senior Senator from New York and I have done is to take the language on this procedural matter out of the mine safety bill and include it in the pending bill.

We think that it greatly strengthens the bill.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Mr. President, the reason for doing this is so that we might offer the complete matter to a conference committee. The Senate version is not complete. It does not contain the coal mine safety version.

I am not confident that our view will prevail, but as a member of the conference committee, I will honestly do my best to sustain the views of the Senate. We must have the complete version incorporated in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the senior Senator from Oregon.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the committee amendment, as amended, and the third reading of the bill.

The committee amendment, as amended, was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. DOMINICK. Mr. President, before we vote, I should like to make a few comments. As I said earlier in the debate, the State of Colorado has been the leader in mine safety.

If the pending measure is enacted into law, all the work that Colorado has expended in becoming the leading State in mine safety will be thrown out the window.

There will be no opportunity for the State to go forward under its own inspection procedures and its own plan will be knocked out by the pending bill. The Federal Government would take over.

This is not the first time that this has happened under the measures enacted into law by the majority party. It will be recalled that in enacting the poverty program into law we knocked out the veto right of the Governor thus taking away the Governor's responsibility in that matter.

We have witnessed case after case of this. It was even tried in the field of civil rights, in which field Colorado once again had been in the forefront of the field. We had passed all these laws, and yet the Federal Government was going to take over until our minority leader was able to get the Senate to agree to an amendment to cure that situation.

In all humility, I ask what possible incentive there is for State governments to become better qualified and to try to move forward in such an important field if every time one or two States do not follow a course of procedure, we come in and pass a Federal law which supersedes everything which is going on in the enlightened State.

We have been working in this mine field for many years. As I said, our code in many instances has been the basis for much of the education and assistance that the Bureau of Mines has given to other States.

I suggest that perhaps we ought to look to see what we are trying to do. If we are trying to retain any kind of a Federal system, I cannot see the rationale for saying that those States which have performed their functions and provided the services that the people are asking for should also be made subservient to the Federal Government because some of the other State governments have not adequately performed their functions.

Unanimity for the sake of unanimity does not seem to me to raise up the ones that are below.

I ask Senators, What are we doing here? We are asked to pass a bill in the holy name of safety. Those of us who oppose the bill will be attacked in the next election because we are not in favor of safety. How ridiculous can we get? All Senators are in favor of safety. We are being asked to pass a bill which will federalize this system. We are being asked to do so at a time when the very department which would be responsible does not have the safety codes and does not have the inspection procedures set up. It has only 40 qualified people, by their own testimony, and 3 years of training would be required to increase their number to 85. In the States at present are a minimum of 202 inspectors. However, there is no percentage in going forward that way, because there is no percentage in having a State mining agency, really.

We are being asked, in the name of safety, to put something into effect, with no programs, no plans, and no inspectors. We are asked to do it in the name of safety.

I say, in all humility, that by downgrading the very agencies which have accomplished the most in the safety field, we are not aiding safety; we are hurting the miners, we are hurting the States, and we are violating, in my opinion, the fundamental concept of our Federal system.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. SIMPSON. Mr. President, I associate myself with the remarks of the distinguished Senator from Colorado.

This is another evidence of the head-on, headlong rush into Federal control of anything and everything. It is high time for the Senate to do something about it and to stop it.

Mr. DOMINICK. I thank the Senator from Wyoming.

Mr. COTTON. Mr. President, I shall not repeat the words of the distinguished Senator from Colorado, although I am impressed by them.

For a long period, I have seen a situation developing in this Congress in which, again and again, Members are placed in the position of voting against education, of voting against health, of voting against safety, unless they are prepared to knuckle under and submit to measures placing completely in the hands of the Federal Government and its agencies autocratic powers which are entirely repugnant to the fundamental rules of this Republic.

I have no intention, and never have had an intention, as an eastern Senator, coming from a State which now has little if any mining, of casting a vote against a mining safety bill brought in by a committee which has considered it. But this is not a mining bill.

I shall not be bludgeoned by any considerations of political consequences, of what someone may say or think, into voting to place in the hands of a bunch of Federal bureaucrats the power to harass and oppress the small business people of the State of New Hampshire, and to increase the costs of our highway construction, by a bill which extends to a subject that is no more associated with mining than it is with cutting timber.

When the amendment offered by the distinguished Senator from Arizona [Mr. FANNIN] was rejected, an amendment that would have divorced from the bill an activity that certainly is not mining—the matter of sand and gravel operations by small operators along the highways and byways of this country—I resolved that I am here to represent a State, and I shall represent it with principle and conviction. I shall not be intimidated into voting for a measure simply because it is a so-called safety bill. I shall not allow my State to be trampled on.

As I said before, when the amendment was being discussed I have been reading the testimony of the representatives of the Bureau of Mines and of the Department of the Interior before the committee. I do not like to say this, but in 20 years in Congress, I have never read such uninformed testimony. It may have sounded better than it read. But if those spokesmen are competent to step into every State in the Union, lay down standards and disregard the State or override the State or compel the State to accept the Secretary's standards, then God help this Republic.

I regret exceedingly that I must vote against a mining bill designed and promulgated as a mining safety bill. What I have said does not constitute the slightest reflection on the able members of the committee and the Senators who have managed the bill, of whose complete sincerity I am aware.

The proposed legislation represents a trend, and either we oppose it or we surrender a principle that is very dear. For that reason, contrary to my expectations, I shall be compelled to join the distinguished Senator from Colorado and the distinguished Senator from Wyoming, whom I know have the highest regard for safety, in voting against this so-called mining safety bill.

Mr. ALLOTT. Mr. President, I join with the distinguished junior Senator from Colorado and with the others who have spoken in opposition to the bill.

This is not an easy decision for me to make, because if I am a candidate for reelection, there will be those who will use this in the election.

I am as aware as anyone else, of the need for safety but I also know that Colorado has been in the forefront of hard-rock mining in this country, almost since this country has existed. I also know that our standards of safety and inspection are far ahead of anything we can expect to receive from the Federal Government for many, many years. It is a function under the police powers of the State, one which the State should exercise, and we are only dragging it in the back door, through a supposed extension of part of the Federal Constitution.

According to the words of the Senator from Oregon [Mr. MORSE] who managed the bill this afternoon, this leaves a dual responsibility. These were the words he used. Mr. President, a dual responsibility means no responsibility.

In this regard, I wish to bring to the attention of the Senate the comments of the Deputy Commissioner of Mines of the State of Colorado. I quote from page 36 of the report:

> Mr. G. A. Franz, Jr., deputy commissioner of mines in the State of Colorado, summarized his concern over this legislation as follows:
>
> "First, may we state that we hold the highest regard for the Department of the Interior and the U.S. Bureau of Mines and have enjoyed excellent cooperation between the Colorado Bureau of Mines and the U.S. Bureau of Mines.
>
> "We maintain that dual inspection in States that are properly equipped to do their own inspecting will result in a contempt for both organizations and severely interfere with the progress that has been made under single inspection" (hearing record, p. 388).

I am convinced that the State of Colorado has led the way and has supplied the standards for safety in mines, hard rock mines. I cannot abrogate to the Federal Government a job which it is our duty, as citizens, to do in Colorado, and which without question we have done well.

A Member of the House of Representatives, a member of another party, foresaw this, and inserted in the bill provisions which would be acceptable to me when the bill came to the Senate.

The effect of the bill in its present form is to substitute an inspection system with no standards, with only a handful of inspectors, and no real experience for systems that have standards, have hundreds of inspectors, and have a wealth of experiences. How does this help mine safety? It does not help mine safety; it hurts it. The amendment inserted in the bill in the other body by Mr. ASPINALL corrected this deficiency, but that amendment has been deleted by the Senate.

I am sure that that distinguished Representative is no more interested in tearing down the standards of safety than is my colleague, or the distinguished Senator from Wyoming [Mr. SIMPSON], in whose State there is also considerable hard rock mining, or the distinguished Senator from New Hampshire [Mr. COTTON], or many others.

For that reason, and for that reason alone, I cannot accept this measure in its present form. I believe that the Senate had within its power today to adopt an amendment which would have enabled us to pass a better bill, one which I think would have promoted safety rather than causing its deterioration, as this bill will cause in the States which already have good mining inspection systems.

For that reason, Mr. President, I shall vote against the bill.

(At this point Mr. PELL assumed the chair.)

Mr. LAUSCHE. Mr. President, for a moment I thought there would be an overwhelming vote in favor of the bill and that, therefore, I might as well yield and go along with the mob—I should say "go along with the majority"—to be in conformity with the thinking of the Senate. But upon reflection I decided that to do so, I would have to abandon my honest thinking and the dictates of my reasoning.

From the standpoint of those who are supposed to deliver votes, those who were in the reception room following me as I came through this afternoon, I should vote for the bill. I came through the reception room, and I was cowed by three persons telling me that they wanted the bill passed, and that they wanted the amendments defeated.

Now, the query is, Why do they come to Congress to seek the relief which they were pressuring me to give to them? They pressured 50 legislatures. In those legislatures there are thousands of minds, not so rich in thinking as that of the Senator from Oregon [Mr. MORSE], but still minds.

They could not succeed in procuring in the 50 States what they wanted, so they came to the Congress of the United States, with its 100 Members of the Senate, and stood in the doorway, impliedly indicating the thousands of votes that they can deliver, and convinced that by that show of force they can get the bill passed.

I have been through this. I do not say it vainly, but I was Governor for a number of years, and I was in contact with what is sought to be done.

This is supposed to be a mining law. Well, study it closely and see what relationship it has to the great specter facing the American people; what they think of individuals going down into the black subterranean surfaces of the land. There is no relationship to that principle at all.

Yet, the bill is brought before this body with all of the facets and aspects of a mining bill intended to protect the workers down in the black pits beneath the surface of the land.

Certainly with that facade, with that aegis, there is an appeal to protect the strip miners or to protect the miners. But as the Senator from New Hampshire [Mr. COTTON] has said, there is no relationship to the subject about which we are concerned, which is the blackened face of the miner down below the land.

As I said in the beginning, I had told the Senator from Florida [Mr. HOLLAND], "Why should I buck my head against a stone wall? The bill will pass. I will vote for it."

To do so I would have to stultify my conscience and vote contrary to what my honest judgment is.

Mr. President, we are witnessing week after week the theft of the powers of the State and the transition of them to the Federal Government. Week after week we are announcing to the people of the Nation impliedly: Do not depend upon your senators and representatives in the legislatures; they know not what they are doing. Rely on the Congress of the United States, because good judgment lies with them.

I will not vote for the pending bill, Mr. President. I believe that in the end, when the people of Ohio learn the true facts, my political strength will be lifted. I am convinced that if they become fixed in their judgment that I bowed my reasoning and the dictates of my conscience to those who cowed me outside of this Chamber, they would say to me, "We did not elect you to allow others to formulate your judgment. We elected you because we had faith in your thinking and in your execution of that which you believe is in the best interest of the country."

The bill will be passed. Let us not delude ourselves that it will not. But the tragedy is that we are only at the beginning of the movement. Week after week, more bills will be encroaching, on the part of the Federal Government, upon those rights which legitimately belong to the States.

Mr. President, as I have said, I cannot support the pending bill.

Mr. HOLLAND. Mr. President, I shall vote against the pending bill. I would be very happy to join in giving appropriate protection to those who work in the mines. We have some mines in my State of Florida. I would be glad to see them have the additional protection that the bill would give to them.

However, I cannot vote for the pending bill. In the first place, I think we should have given some reasonable consideration to the responsibility, authority, and powers of the States, and the good work done by many of the States, by adopting the amendment offered by the senior Senator from New York [Mr. Javits].

In the second place, I thought we would have given reasonable scope to the bill by the adoption of the amendment offered by the Senator from Arizona [Mr. Fannin]. The report of the majority on the committee clearly and succinctly states that such work as work in gravel pits and sand pits alongside roads and highways is covered by the terms of the bill.

Mr. President, I ask unanimous consent to have printed in the Record the first paragraph of page 7 of the report.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

> Although the committee did not agree to these amendments, it was concerned about inspection (only inspection of underground mines is required) and mandatory reporting requirements in the bill with respect to small mine operators, including sand, gravel, and crushed stone operations which often employ a few persons and whose operation is often of short duration. In the experience of some members of the committee, many sand and gravel pits and comparable crushed stone operations operate for a short period of time, often with respect to a particular job such as highway construction. In these situations the Secretary is expected to consider carefully whether his authority to decline jurisdiction should be exercised. He would be expected to exercise his authority to decline jurisdiction if the safety experience warranted it. The committee would expect the Secretary to give controlling weight to the evidence of hazard in such operations in determining whether jurisdiction should be exercised. Likewise, in the case of the small operator, consideration should be given to simplifying the reporting required of all mine operators under section 13 of the act. Reporting forms should be adequate but clear and concise so as not to place too great a burden on the person reporting.
>
> Further, the Secretary shall include in the annual report to the Congress his administration of the reporting inspection requirements of sand and gravel pits under this act; in particular, it should include the violations reported and safety practices in the sand and gravel industry.

Mr. HOLLAND. Mr. President, that paragraph makes it clear that the committee is almost apologetic concerning some of the terms of the bill.

For instance, I read from the paragraph:

> Although the committee did not agree to these amendments, it was concerned about inspection (only inspection of underground mines is required) and mandatory reporting requirements in the bill with respect to small mine operators, including sand, gravel, and crushed stone operations which often employ a few persons and whose operation is often of short duration. In the experience of some members of the committee, many sand and gravel pits and comparable crushed stone operations operate for a short period of time, often with respect to a particular job such as highway construction. In these situations the Secretary is expected to consider carefully whether his authority to decline jurisdiction should be exercised.

I close the quotation at that point, but there is more of the same. It seems to me that instead of telling the Secretary what his jurisdiction is and when it should be exercised, the committee is merely expressing, and rather weakly, its hope that the Secretary, on such matters as borrow pits and ditches along the highways, and other things which are absolute necessities in the construction of modern highways, modern railroads, or any other modern construction in low, flat country, will decline to exercise his jurisdiction.

I do not believe that that is the way to pass strong, meaningful, and effective legislation. Instead, we should instruct the Secretary as to what his jurisdiction is and what his jurisdiction is not.

Mr. President, I cannot vote for the bill. I believe it is a weak bill. I believe that it has hurt—by some of the provisions which I have mentioned only briefly—some of the very fine things which are intended to be accomplished by the bill, and which I would gladly support; but I cannot support it in its present form.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (after having voted in the affirmative). Mr. President, the Senator from Wisconsin [Mr. Nelson], who worked so hard and so long on this bill in committee, is entitled to all the credit possible for its passage. Therefore, I must state that had the Senator from Wisconsin been present, he would have voted "yea." Under the circumstances, therefore, I vote "nay."

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Tennessee [Mr. Gore], the Senator from Arizona [Mr. Hayden], the Senator from New York [Mr. Kennedy], the Senator from New Mexico [Mr. Montoya], the Senator from Maine [Mr. Muskie], the Senator from Wisconsin [Mr. Nelson], the Senator from Georgia [Mr. Russell], the Senator from Ohio [Mr. Young], and the Senator from Arkansas [Mr. McClellan] are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster] is absent because of illness.

I further announce that the Senator from Connecticut [Mr. Dodd], the Senator from Oklahoma [Mr. Harris], the Senator from Indiana [Mr. Hartke], the Senator from Alabama [Mr. Hill], the Senator from Oregon [Mrs. Neuberger], the Senator from South Carolina [Mr. Russell], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Connecticut [Mr. Dodd], the Senator from Oklahoma [Mr. Harris], the Senator from Indiana [Mr. Hartke], the Senator from New York [Mr. Kennedy], the Senator from New Mexico [Mr. Montoya], the Senator from Maine [Mr. Muskie], the Senator from Oregon [Mrs. Neuberger], and the Senator from Ohio [Mr. Young] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Curtis], the Senator from Kentucky [Mr. Morton], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Kansas [Mr. Carlson] and the Senator from Massachusetts [Mr. Saltonstall] are detained on official business.

On this vote, the Senator from Kansas [Mr. Carlson] is paired with the Senator from Nebraska [Mr. Curtis]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Kentucky [Mr. Morton] is paired with the Senator from California [Mr. Murphy]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from California would vote "nay."

On this vote, the Senator from Massachusetts [Mr. Saltonstall] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 57, nays 18, as follows:

[No. 112 Leg.]

YEAS—57

Aiken
Anderson
Bartlett
Bayh
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Dirksen
Douglas
Fong
Fulbright
Griffin
Gruening
Hart
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kuchel
Long, Mo.
Long, La.
Magnuson
McCarthy
McGee
McGovern
Metcalf
Miller
Mondale
Monroney
Morse
Moss
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Scott
Smathers
Smith
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Yarborough

NAYS—18

Allott
Bennett
Cotton
Dominick
Eastland
Ellender
Ervin
Fannin
Hickenlooper
Holland
Hruska
Jordan, N.C.
Lausche
McIntyre
Mundt
Simpson
Thurmond
Young, N. Dak.

NOT VOTING—25

Bass
Brewster
Carlson
Curtis
Dodd
Gore
Harris
Hartke
Hayden
Hill
Kennedy, N.Y.
Mansfield
McClellan
Montoya
Morton
Murphy
Muskie
Nelson
Neuberger
Russell, S.C.
Russell, Ga.
Saltonstall
Sparkman
Tower
Young, Ohio

So the bill (H.R. 8989) was passed.

Mr. MORSE. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. METCALF. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, now that the voting is over, I wish to make a brief statement expressing my deep appreciation for the cooperation I have received this afternoon, and previous to this afternoon, in connection with the bill by my many colleagues on the committee and off the committee, and by members of the staff.

First, as I pointed out in my explanation of the bill earlier today, I am very sorry the Senator from Wisconsin [Mr. Nelson], himself, was not here to take the bill through the Senate. The Senator from Wisconsin was the chairman of the special subcommittee that was appointed by the late Senator McNamara to handle the bill. He conducted the hearings. We are all very much indebted to him for his leadership in respect to the bill.

I know that he would be delighted with the decision of the Senate, because he was an advocate of the bill.

I also had help in the committee, because during the committee consideration, as my colleagues know, I was very active in connection with the bill. The handling of the bill in committee would simply not have produced the bill that came to the floor of the Senate today if the Senator from West Virginia [Mr. Randolph] had not exercised a great deal of assistance as we faced up to the various amendments that were offered, and which, if adopted, would not have given us as good a bill as was reported to the Senate.

With his long experience in this field, both in the House and in the Senate, we had associated with us in the committee—although he is not a member of the Committee on Labor and Public Welfare, he has been a member of it—the Senator from Montana, Lee Metcalf. He has demonstrated on the floor of the Senate the able leadership he made available during the committee's handling of the bill. On behalf of the committee, I thank him very much for his great help.

Although we opposed many of their amendments, we nevertheless, received the finest of cooperation from Senators Javits, Dominick, Prouty, and Fannin on the Republican side of the committee. They offered many amendments, including some of the amendments that were offered in the Senate today.

As I said to Senators Javits, Fannin, Dominick, and Prouty in personal conversations, I say for the Record this afternoon, once again, that I very much appreciate being associated with them on the Committee on Labor and Public Welfare. Although we sometimes had different points of view, they were not narrow points of view in the sense of being partisan.

I particularly wish to thank Senator Javits, since he is in the Chamber, for the courtesy and consideration he has extended to me not only in connection with so-called labor legislation but also with education legislation as well.

The chairman of the Committee on Labor and Public Welfare, the distinguished Senator from Alabama [Mr. Hill], who was not able to be here this afternoon because of other official business, was very cooperative with us in giving us the procedural clearance that only he as chairman of the committee could give to us, thus making it possible for us to present the bill, first, to the committee, and then to the Senate for action today.

We Senators, may I say most respectfully, are not the most important people, after all, in many respects, in the preparation of a bill for floor handling—or for committee handling, for that matter. After all, we rely heavily—and it is in the very nature of the work that we should—upon our able committee staff members.

So I wish particularly to thank Mr. John Bruff, counsel for the majority of the Committee on Labor and Public Welfare, who was assigned to the proponents of the bill, for his invaluable and dedicated work, on which hours and hours were spent far beyond his line of duty. I also thank the general counsel of the committee, Mr. Jack Forsythe, who has never failed me in connection with my work on the Committee on Labor and Public Welfare in giving me yeoman service, and high-quality service, whenever I have sought his help.

Also, I say to the Senator from New York [Mr. Javits] that we on the majority are indebted to him for making available to us Mr. Frank Cummings, his very able assistant, who has served, in this instance, really as legal counsel for the committee.

Mr. JAVITS. He is labor counsel.

Mr. MORSE. His exact title is that of labor counsel for the minority. I wish to thank him for helping to bring into focus these differences of opinion that develop within a committee on various amendments, and also for helping bring us together on a good many amendments.

The debate this afternoon has not shown the areas of agreement between the majority and the minority in respect to various amendments that were first offered by each side, and then modified as we discussed them across the table and reached a mutuality of understanding which made it unnecessary to press for any action on the floor of the Senate.

Then, of course, as always, our majority leader, the Senator from Montana [Mr. Mansfield], who cooperated with us in having the bill scheduled for debate today, deserves, again, our thanks for his leadership, as does the minority leader, who joined with Senator Mansfield in providing the necessary leadership clearance for consideration of the bill.

To all these, and to the present Presiding Officer of the Senate [Mr. Pell], who worked with us on the committee, as did all of our colleagues on the committee, express my very sincere thanks.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield the floor.

Mr. JAVITS. Mr. President, I, too, would like to join with the Senator from Oregon in his very gracious words to all of those, other than myself, whom he mentioned, and to thank also the other members of the committee. I do not believe the Senator mentioned the Senator from West Virginia [Mr. Randolph], who represents a mining area. I know the Senator feels as grateful for his service as do I.

The members of the minority cooperated particularly fully, and I think deserve a great deal of credit for the passage of the bill. It could have been held up, bedeviled, riddled with many amendments; but their eye was single toward giving the Senate an opportunity to exercise its judgment, and at least a majority of the minority stood with the bill, although we were disappointed at our very close loss of what we considered to be the most important amendment, for which we all were fighting together.

I, too, wish to thank our majority and minority leaders, as well as those who participated in the work on the bill, and to express my gratification to Mr. Cummings, who is one of the minority counsel particularly concerned with labor matters, the minority labor counsel, who, as the Senator from Oregon has generously said, is a splendid lawyer, and, I think, one of the finest anywhere in Congress in this particular field, and was of invaluable service in bringing about and consummating this result.

I should like to say just one further word, if I may, for the benefit of the Secretary of the Interior. I hope that when it comes to administering this statute, he will take some cognizance of the things we have discussed.

For example, we had no idea that the little sand and gravel operations were going to be bedeviled with elaborate schemes for inspection. They were to be kept safe and obedient to the law, but we had clearly in mind the fact that these were peripheral operations, and we expected good sense and practicality to prevail.

Mr. MORSE. Mr. President, will the Senator yield in regard to that particular matter?

Mr. JAVITS. I yield.

Mr. MORSE. I did not intend to comment upon it, but as the Senator from New York knows, I joined with him in having included in the report the language that has been interpreted by one Senator as language of instructions to the Secretary of the Interior. We decided that we would join in that language, rather than seek to jeopardize providing for inspection within the industry, in view, as I stated during the debate, of the very alarming rate of accidents that occur in this particular segment of American industry—the second most dangerous industry in the country.

We were confronted with the problem of what we could do to protect the workers in the industry as a whole, and at the same time advised the Secretary of the Interior that these small operations, where they are safe operations—and most of them have a good safety record—could very well be excused from his taking jurisdiction, in the absence of a showing that they are not safe.

But I repeat that I think we would have been derelict in our responsibilities if we had not included the sand and gravel industry, because there are many operations in that industry that are exceedingly dangerous. The Senator's own State of New York, as well as the State of California, has recognized that, and has included sand and gravel operations within its safety code.

So I would not wish a discussion of the bill to close without this reference to the contribution which the Senator from New York made, and in which I joined him; and the committee, even those who wished to exclude sand and gravel entirely, voted with us unanimously that this language should be included in the report by way of instruction to the Secretary of the Interior; and I have every confidence that he will follow our instructions.

Mr. JAVITS. I thank the Senator. I think that does set the matter, for both of us, exactly straight for the Secretary of the Interior.

I wish to say just one further word. I have said this before, and I shall say it again. The Senator from Oregon is considered more or less an independent in the Senate. It bothers some of us sometimes when we wish to go home early. But when it comes to the handling of bills, he certainly has no superior and few peers. So I should like to pay tribute today to my beloved friend of so many years and my colleague on the committee for the particularly able way in which the Senator—a totally different character of man, with a strong sense of a Senator's responsibility—has piloted this bill through the Senate.

Mr. MORSE. Most people think I cannot be embarrassed, but the Senator from New York embarrasses me again with his generosity of comment. The thing I like best about what he has said—though naturally I appreciate everything he has said—was his use of one of the most precious words in the English language, his reference to me as a friend. I want him to know that that is very mutual. I have said out of his hearing what I wish to now say in his hearing: Of the many, many people in this country whom I count as friends, I consider Senator JAVITS, of New York, one of my close and true friends.

I do not know of anything more precious than a true friend, unless it might be a biased friend. I think he meets that definition also, and I thank him.

Mr. METCALF. Mr. President when I first came to Congress, I had the pleasure of introducing in the House a mine safety bill introduced by my colleague in the Senate, the late Senator James E. Murray, of Montana. That was in 1953.

Over the years we worked for that bill. Had it not been for the superb leadership of the Senator from Oregon in the committee, in the course of the hearings, in the course of the deliberations, in executive session, and of course, the masterly way in which he handled the bill on the floor of the Senate, that act would not be an accomplished fact today.

I also wish to thank the members of the committee for their courtesy to me in permitting me to participate in the hearings and discussions, and especially to both the majority and the minority members of the staff, who have always been helpful in answering any interrogations I have made on the bill.

I think that the minority members—through their participation in the hearings, their knowledge of the mining situation in Colorado, Arizona, and other Western States—have made a substantial contribution to making this a better piece of legislation than it was when originally introduced.

Their searching inquiry, some of the amendments that they submitted, and some of the ways in which they worked for the betterment of the bill have shown cooperation that is in the highest tradition of the Senate.

I think that the senior Senator from New York has especially helped to save the lives of dozens of miners in my State as well as in his State.

I am grateful, after all my service in Congress, to all who have assisted in having this piece of legislation passed. Had it not been for the work of the senior Senator from New York and the senior Senator from Oregon and their colleagues, I do not think that we would have had this legislation passed today.

Mr. BURDICK. Mr. President, I add my note of commendation to the senior Senator from Oregon and the junior Senator from Montana for their expeditious and able handling of the bill just passed.

Mr. MANSFIELD. Mr. President, I join my colleagues in what they have had to say about the usual—which in a sense is unusual—skill of the distinguished senior Senator from Oregon who has just piloted another most important, most noteworthy, and most needed bill through the Senate.

Only yesterday I approached Senator MORSE to request his services along with the services of my Montana colleague [Mr. METCALF] to handle this measure on the floor today. His presentation of the purposes and objectives of the proposal, along with his articulate and strong advocacy, contributed greatly to its passage. Plainly, Senator MORSE's long experience and careful study of the problems of the miners of the Nation, those employed in metal and nonmetallic mines as well as in coal mines, served immeasurably to assure its success.

My praise also goes to the ranking minority member of the committee which handled this legislation, the distinguished senior Senator from New York [Mr. JAVITS], who has always shown his fine intelligence and deep understanding of the issues involved, and who has made many contributions to the passage of this legislation.

I pay especial tribute to my colleague, the distinguished junior Senator from Montana [Mr. METCALF], who has followed in the footsteps of Jim Murray, who served for many years in this body and who tried during almost his entire career of service to have a bill of this kind passed. It fell to his successor, Senator METCALF, to pick up the ball and carry it forward. Senator METCALF has long been devoted to improving the working conditions in the mines, both in our State of Montana and throughout the Nation. His service in the cause of safe mining practices has been distinguished always by tireless efforts and great success. The miners of the Nation are fortunate indeed to have an advocate of his outstanding skill and ability.

The fact that the junior Senator from Wisconsin [Mr. NELSON] was not present is no fault of his, because at the request of and on the order of the Senate he is away on official business; therefore, his absence can be easily understood. However, I am very glad personally that on all the votes which were held today his position was noted. I am sure that every Senator is aware of his keen and intense interest in this type of legislation and his regret that he was not here personally to carry forward the responsibility which ordinarily would have been his.

His strong support and highly capable guidance of the proposal from its inception in this body has earned for him the sincere appreciation of all Americans interested in improving the working conditions in the mines of the Nation. We are grateful.

Others also are to be thanked for their splendid cooperation and strong and articulate support which assured this great success. The Senator from Utah [Mr. MOSS] and the Senator from New Mexico [Mr. MONTOYA] are thus to be commended for backing the measure with their typically highly capable abilities as are the Senator from Pennsylvania [Mr. CLARK] and the Senator from New Hampshire [Mr. COTTON].

I pay tribute also to the Senator from West Virginia [Mr. RANDOLPH], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], and all other Senators who participated in the debate today, for the worthwhile contributions they have made to the bill that has just been passed.

PROVISION FOR ISSUANCE BY THE SECRETARY OF AGRICULTURE OF A 25-PERCENT-PER-BUSHEL EXPORT MARKETING CERTIFICATE ON WHEAT FOR 1967, 1968, AND 1969 WHEAT CROPS

Mr. BURDICK. Mr. President, I introduce, for appropriate reference, a bill to provide for the issuance by the Secretary of Agriculture of a 25-percent-per-bushel export marketing certificate on wheat for 1967, 1968, and 1969 crops of wheat.

I ask unanimous consent that the bill lie on the table until June 30 for additional cosponsors.

Mr. METCALF. Mr. President, I ask unanimous consent to have my name added as a cosponsor of the bill just introduced by the Senator from North Dakota.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill will be received and appropriately referred; and, without objection, the bill will lie on the table for additional cosponsors as requested.

The bill (S. 3550) to provide for the issuance by the Secretary of Agriculture of a 25-cent-per-bushel export marketing certificate on wheat for the 1967, 1968, and 1969 crops of wheat, introduced by Mr. BURDICK (for himself and Mr. METCALF), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

TRAFFIC SAFETY ACT OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 3005. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3005) to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, it is so ordered.

The Senate proceeded to consider the bill.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, with the approval of the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN], I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE OTHER SIDE OF THE SOUTH AFRICA STORY

Mr. BYRD of West Virginia. Mr. President, much has been in the news recently about South Africa. Presenting "The Other Side of the South Africa Story," the U.S. News & World Report, on June 27, carries the full text of a recent adress by H. L. T. Taswell, South African Ambassador to the United States. Ambassador Taswell's address was delivered before the Executives' Club of Chicago. Ambassador Taswell's address is both interesting and informative, and I feel that the facts which he presents should be brought to the attention of the American people, as I would assume that most Americans know very little of the details as they are told by the Ambassador.

For example, he points out that the biggest hospital on the continent of Africa is in the Republic of South Africa and that it caters almost exclusively to black people. He points out that virtually every black child of South Africa is in walking distance to a primary school.

Also of interest to Americans is the fact that American foreign aid to Africa this year will amount to $205 million but that not one cent will go to South Africa and that South Africa has never asked for or accepted foreign aid. Americans might also like to know that 30 to 40 percent of all American exports to the continent of Africa go to the Republic of South Africa and that our exports to South Africa are in excess of our imports from South Africa, thus giving the United States a very favorable balance of trade.

While one government after another on the African Continent has toppled, the Government of South Africa continues to be a stable government. Moreover, and very importantly to ourselves, the Government of South Africa remains friendly and well disposed toward the United States even in the face of uncomplimentary remarks, from time to time, by some Americans.

Ambassador Taswell closed his speech with a sentence which should give us satisfaction and, at the same time, cause us to reflect a bit on our attitude toward the government of South Africa:

> We do not nationalize American industries, nor do we defile the American flag.

I ask unanimous consent to have printed in the RECORD the article from the forthcoming June 27 issue of U.S. News & World Report.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the U.S. News & World Report, June 27, 1966]

THE OTHER SIDE OF THE SOUTH AFRICA STORY

(Following is full text of a recent address, "South Africa Prospers While Critics Crumble," made by H. L. T. Taswell, South African Ambassador to the U.S., before the Executives' Club of Chicago.)

Recently, a certain millionaire revealed that his personal fortune amounted to about 48 million dollars. He likes to work on a cash basis, and put his "petty cash" resources at 5.6 million. In preparation for a big deal in properties, he had this "petty cash" counted out in bills. It took 20 assistants over two days to complete the task.

This millionaire happens to be a black man living in the Republic of South Africa—or, to be more precise, in the territory of the Transkei, the centuries-old home of the Xhosa people in the Republic. The Transkei already has its own all-black legislature, made up partly of traditional leaders and partly of members elected on a "one man, one vote" basis. Executive authority is vested in an all-black cabinet. The territory has its own national anthem, its own official language, and is currently deciding on the final design of its own flag. The territory's constitution, providing for self-government, came into effect two years ago. Of the 2,478 posts in its civil service, 1,900 were filled by black people. Within the next two or three years, all the posts should be filled by black people.

The biggest hospital on the continent of Africa treats on an average 2,000 inpatients and 2,000 outpatients *every single day of the year*. It performs 1,800 operations each month, and serves over 10,000 meals every 24 hours.

This hospital happens to be in the Republic of South Africa at Baragwanath, near Johannesburg, and it caters almost exclusively to black people.

In 1965, over 6,500 nonwhite undergraduates studied at South African universities. Among the Bantu alone in the Republic, there are already over 2,800 university graduates. In 16 years, South African universities produced more black graduates than nine other countries on the African continent, with a population of 70 million, succeeded in doing in 50 years.

In other parts of independent Africa, the number of children at school, in the age group 7–12, varies from 49 percent down to 5 per cent. In our country, it is 83 per cent among the Bantu alone, and it is rising steadily. Today, virtually every black child in South Africa is within walking distance of a primary school.

This year, it is expected that American foreign aid to Africa will amount to about 205 million dollars.

Not one cent of this will go to South Africa. We have never asked for or accepted foreign aid.

South Africa is one of only three countries in the world which have paid all their war debts.

Latest statistics indicate that American exports to South Africa in 1965 reached a record figure of about 438 million dollars. Our exports to you were about 225 million, giving you a very favorable balance of trade.

Between 30 and 40 percent of all American exports to the continent of Africa go to the Republic of South Africa.

Only 13 other countries in the whole world purchase more from you than we do.

Your investments in our country are valued at between 489 million and 650 million dollars. On these you obtain a very substantial return.

Total American and foreign investment in South Africa is equal to that on the rest of the African continent put together. People have not invested in our country for sentimental reasons. They have invested because of the soundness of our economy, because of the stability of our country, and because we have given ample proof that we believe in the principles of free enterprise.

Our industrial, mining, agricultural and economic production has been prodigious. Annual gold production has reached a record level of over 1 billion dollars. Between 1945 and 1964, industrial production increased sixfold. Our exports and imports last year reached new record levels.

Domestic capital formation has reached the point where we can, if necessary, maintain a reasonable rate of growth by financing developments solely from our own resources.

Our railroads carry as much freight as those on the rest of the continent put together. Latest figures show that we produce over seven times as much steel as the whole of the rest of Africa combined, 10 times as much coal, and over twice as much electricity.

About half of the telephones and automobiles in Africa are in our Republic. As a matter of interest, an independent survey showed that there is one car for every 13 persons in South Africa. Only six other countries in the world show better figures for car ownership than that.

Skills have greatly improved in our country. From a technical point of view, the number of things which we cannot ourselves produce is steadily diminishing. In common with the United States and Russia, we were one of the first three countries to make synthetic diamonds. With only 6 per cent of Africa's population, we generate 20 per cent of the continent's total geographic income. All sections of our population benefit from our prosperity. That holds good for our whites, whose ancestors came to South Africa over 300 years ago and settled areas which were virtually unoccupied; it also holds good for our colored people, for our Indians, and for our Bantu or black national groups.

These various Bantu national groups, each one with its own language, customs and traditions, migrated from Central Africa at about the same time as whites settled at the Cape. The black national groups occupied other parts of the country.

Our very close association over a long period of time with all the various groups constituting our population has given us a keen insight into their customs, traditions and general way of life. It has brought to light the sharp contrasts between them and shown the frictions which can readily arise when the differences are ignored.

Our aim is to improve relations between the various racial groups. We are against domination of any one race by another.

With this in mind, we are working in the direction of a commonwealth or common market, based on political independence and economic interdependence. Within this framework, we see the formation ultimately of separate states for the whites and for the black, or Bantu, national groups and the development of the greatest degree of governmental autonomy for the colored people and for the Indians. We also see the creation of a consultative body in which leaders may meet on a basis of equality to consider matters of common interest and ways of removing possible friction. The Transkei, to which I referred earlier, is one striking example of the positive progress we are making in this direction.

Such have been the achievements in our country that nowhere in independent Africa do people, regardless of their race or color, have as high a general standard of living, education or health as they do in South Africa.

Forming part of Africa as we do, we in South Africa watch with keen interest the development taking place in various parts of that continent.

We are frequently asked what our attitude is to events in Rhodesia, our immediate neighbor to the north, which declared its independence from Britain on Nov. 11, 1965.

As our Prime Minister recently pointed out, our basic policy is one of nonintervention in this domestic confrontation between Britain and Rhodesia. We deprecate the intervention of others.

The question which many people ask is whether the action being taken against Rhodesia might not bring about a collapse of order and economic development and precipitate the very confusion which it is said the actions are designed to avoid. What sorely tried Africa needs is not further confusion but the maintenance of order, stability and peaceful development.

We in South Africa continue regular relations with both Britain and Rhodesia. We do not support or participate in any form of boycott, nor are we yielding to any pressure to do so.

We have, over a long period of years, maintained and promoted the closest of relations with Rhodesia. Our bonds of friendship and our economic ties have grown.

It is our aim to maintain ties of friendship with all neighboring countries, whether white or black. We are anxious to expand our trade with them, to improve our relations with them, to assist and cooperate with them in any way we can.

Much has been happening on the African continent of late to cause concern.

One government after another has been toppled—five alone by military take-over during the last four months.

Sad to relate, these events have frequently been accompanied by violence, bloodshed, a heavy toll of life, murder, and even assassination. Some countries on which great hopes had been placed as models of stability and democracy have crumbled. Developments have occurred which have, unfortunately, made a mockery of the Western concepts of majority rule and "one man, one vote."

But what does not make the headlines is the untold human suffering, the hunger and disease that go with all this, while leaders vie for position and try to undermine other countries.

There are many ugly realities in Africa from which people wish to hedge away. Collapsing economies, instability, falling standards of living, of education and of health have, unfortunately, characterized so many parts of Africa in recent years, following the rapid transition to independence.

Added to this there have been serious border clashes and other disorders. Tribal warfare in one country alone resulted in the slaughter of an estimated 8,000 men, women and children. A revolt in another country caused loss of life estimated at 40,000. Barbarous atrocities included the savage beating to death or shooting of people whose only apparent crime was that they could read and write.

We in South Africa have so often been told that we are wrong in what we are doing and that we must conform to the pattern in Africa! We in the Republic do not claim to be perfect, but Africa has certainly furnished us with some striking examples of just how not to run our affairs.

Two decades ago, there were only four independent states on the African continent. Early last year, the number rose to 37. We in South Africa have much sympathy and understanding for the people of Africa. We can readily appreciate their desire for independence. We, after all, strove for many years to obtain our own.

Many of the ills from which independent Africa is suffering can be traced to the attempts to impose a Western form of government on people which is not only foreign to their nature, but one in the arts of which they have received very little training. Far too little value has been attached to the basic social structure on which so much of Africa has operated in the past and on which it will, no doubt, continue to operate for years to come. Attempts to destroy it—and there are many in progress—take away the very mainstay of African community life and create a dangerous void which promotes insecurity and instability.

Enemies of the West are profiting from instablility in Africa and from the fact that Africa countries hold about one third of the total votes at the United Nations—this notwithstanding the fact that they contribute just over 2 per cent of the U.N. budget.

Red China is now represented in about 17 countries in Africa. Roughly one third of all Peking's diplomatic missions throughout the world are in Africa. When the issue of Communist China's membership arose at the United Nations recently, the voting was 47–47. Of the African countries, 18 voted in favor of seating Peking and seven abstained. South Africa took the same position as the United States and voted against admission.

Problems in Africa will not be solved by emotional hysteria or by the incessant repetition of hollow slogans and platitudes. Nor will the lasting friendship of the black man be won by undermining the white man in Africa, as is still believed in certain quarters.

We are proud of our achievements in South Africa. Each day takes us a further step forward on our path of positive progress. Our aim is to allow all groups to preserve their own way of life and to prosper to the maximum of their ability without undermining one another.

Today, about 1 million foreign Africans work in our country. One of our greatest problems is presented by the thousands of others who constantly cross our borders illegally in order to seek the benefits of life which our country has to offer.

We have great confidence in our future. We are jealous of our sovereignty, and mighty resentful of attempts to interfere in our internal affairs. What we have built up during the last 300 years is something which we are ready to defend with all the forces at our disposal.

In spite of the fact that some people in influential positions in your country at times make most uncomplimentary remarks about us, we remain friendly and well disposed toward the United States. American satellite and missile-tracking stations in our country receive the fullest assistance from our Government. We do not nationalize American industries, nor do we defile the American flag.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand adjourned until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 56 minutes p.m.) the Senate adjourned until tomorrow, Friday, June 24, 1966, at 10 a.m.

NOMINATION

Executive nomination received by the Senate June 23, 1966:

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Environmental Science Services Administration:

To be captains

Harry D. Reed, Jr.
Emerson E. Jones
William E. Randall
Allen L. Powell

To be lieutenant commander

Walter L. Bradly

To be ensigns

Jeremy R. Hutt
Willis J. Kircik
Phillip B. Clark
Peter F. MacDoran
Donald R. Askew
Charles Y. Molyneaux

CONFIRMATION

Executive nomination confirmed by the Senate June 23, 1966:

ATOMIC ENERGY COMMISSION

Gerald F. Tape, of Maryland, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1971.

EXTENSIONS OF REMARKS

Questionnaire Results, 1966

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 1966

Mr. PELLY. Mr. Speaker, recently I sent out my annual questionnaire, with the obvious purpose of determining the views of my constituents on the important issues which face the Congress and the Nation.

My questionnaire was evenly distributed throughout the First Congressional District of Washington, thus insuring the truest possible reading of the views that could be obtained from my constituents. A return of over 12 percent demonstrates the great interest and concern of the people in the First Congressional District. The questions were prepared at my request by the Department of Political Science of the University of Washington. Even so, many who replied found it necessary to insert special comments which I noted carefully and for which I am gratified.

Several questions revealed important trends in public opinion. On the question, for example, of whether or not my constituents agree or disagree with current U.S. policy in Vietnam—24.9 percent agreed, 68.8 percent disagreed one way or the other, and only 6.3 percent failed to answer.

Those who disagreed were divided as follows: 34.3 percent of the 68.8 percent favored pulling out of Vietnam, leaving the Vietnamese to settle their own differences; 36.6 percent of the 68.8 percent favored increased military involvement.

From the individual comments as well as the tabulated replies I think it is fair to say that as to Vietnam, the majority of the citizens of my congressional district are not happy with administration policies. From the tabulation which follows, likewise, I get the feeling that the majority favor a reduction of expenditures for domestic programs, if necessary, as against other expedients such as a tax increase.

In Washington State we do not register according to party affiliation. Therefore, on an optional basis, each person was asked to indicate their political party preference. The responses, which closely parallel previous polls, were as follows:

	Percent
Democrat	11.3
Republican	56.8
Independent	27.2
No answer	4.7

TABULATION OF 1966 QUESTIONNAIRE

I. Do you agree or disagree with current United States policy in Viet Nam?

	Percent
Agree	24.9
Disagree	68.8
No answer	6.3

If you disagree which of the following alternatives to current United States policy in Viet Nam do you favor?

	Percent
Pull out of Viet Nam, leaving the Vietnamese to settle their differences among themselves; establish a stronger United States presence in Thailand and the Philippines	34.3
Increase American military involvement, including invasion and more intensive bombing of North Viet Nam	36.6
No answer	29.1

II. If we cannot adequately finance, without adding substantially to the national debt, both the Viet Nam war and domestic programs, which would you favor:

	Percent
Increased taxes	4.2
Reduction of expenditures for domestic programs	59.3
A little of each—a small tax increase and a small decrease in public expenditures	22.8
No action	3.8
No answer	9.9

III. With the increase in the cost of living, which action do you favor?

	Percent
Wage controls	7.3
Price controls	7.3
Wage and price controls	43.1
Increased taxation	8.4
No action at this time	19.3
No answer	14.6

Coal Research

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 1966

Mr. SAYLOR. Mr. Speaker, inasmuch as I was author of the legislation that established the Office of Coal Research, I have attempted to keep informed on the progress of that office and its various projects.

Last year I visited a facility in Cleveland where beds of coal are used to filter sewage, and I have since noticed increasing interest in this project on the part of both Government and industry. Once the coal has served its purpose as a filtering agent, it can be burned under boilers with little loss of Btu content.

I have also toured the Bituminous Coal Research Laboratory in Monroeville, Pa., where experimentations under OCR auspices as well as numerous industry-sponsored studies are taking place. Last week it was my pleasure to inspect the laboratory of Gourdine Systems, Inc., in Livingston, N.J. This facility has recently been awarded an OCR contract to conduct research in electrogasdynamic power generation, through which it is hoped that large volumes of electricity will be produced without the use of conventional generators and turbines.

The success of the Gourdine project would not only reduce air contamination—currently one of coal's major problems—but also increase efficiency in power production and eliminate the need for large water supplies at electric plants. With an assortment of air pollution control regulations now facing the coal and oil industries, it is mandatory that new combustion techniques be developed as soon as possible.

The Federal Government and some large municipalities have suddenly adopted or threatened such stringent regulations on smoke, fly ash, and sulphur emissions that even the most modern combustion equipment cannot guarantee the coal-burning plants will meet requirements. Certainly the electric utility industry has made outstanding progress in reducing atmospheric pollution, and the coal industry has invested in multimillion-dollar preparation plants to remove impurities before the product goes to market.

Only an all-out research program can advance the cause of air pollution control to a point where it can meet some of the new standards proposed or already adopted. OCR's projects to develop competitive synthesis fuels from coal show exceptional promise, and coal's bright future will be assured if the Gourdine process proves successful.

Vietnam

EXTENSION OF REMARKS

OF

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 1966

Mr. REINECKE. Mr. Speaker, the total of American dead in Vietnam is now nearing the 4,000 mark and local American papers increasingly carry news of the dead from local cities, towns, and farms. I saw one such report this morning in the Washington Post.

Last week, American Armed Forces suffered 883 casualties in Vietnam, of which 142 were killed. The number of wounded is, of course, many times that of the dead and casualty figures do not include those ill from the peculiar diseases of Asia and one of the world's deepest jungles.

Nor—and this is very important—do the official casualty figures bear a relationship to the number of troops involved. The majority of the battles in Vietnam are fought in small units of from platoon to battalion strength. If a battalion suffers 300 casualties that is a high rate indeed.

Mr. Speaker, like most Americans, I do not know when or what to expect in Vietnam. Like most Americans, I do not know how much news is being given out or withheld and how much of that allowed out is accurate. I must confess, however, that I have little confidence in those whose spokesman has enunciated the official "right to lie" and recently has jibed at Vietnam reporters who expect officials to tell them the truth. But all this is somewhat beside the point of what I intend to say.

Mr. Speaker, thus far this has been the most mismanaged war in the history of the United States as a sovereign nation. It is a sad thing when our soldiers have to write home from Vietnam to ask to get a pair of shoes, tents, when ammunition supplied our allies in Europe has to be bought back at a profit to the holders and then flown to Vietnam; when a small American command has to ask General Ky's headquarters in Saigon before making a local attack on an assembly of Vietcongs, when military helicopters are summarily requisitioned in the battle area to carry civilian supplies, and when the record shows that 70 percent of supplies reaching Saigon by ship are not military supplies at all.

Whatever happens in the future, the American people are not going to forget or forgive the massive mismanagement of a war in which their sons, husbands, and fathers are fighting and dying.

Mr. Mother Lode—Archie Stevenot

EXTENSION OF REMARKS

OF

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 1966

Mr. JOHNSON of California. Mr Speaker, today I would like to pay tribute not only to a great American but also a true friend, Archie Stevenot, of Sonora, Calif.

There is a region in the American West that in time will be regarded as a great phenomenon in the world's evolution. Measured by its influence on—and the significance of—subsequent events, the Sierra Nevada is not surpassed by any region anywhere. Nearly all facets of modern American life have roots that go back to the Mother Lode, the Comstock, the mining camps, or settlements in this geographical area surrounding the mountain range for which it is named.

Indeed the gold rush to California sparked a progression into the Sierra Nevada which continues to this day, and provides a profound story for historians to compile and relate. History—of any thing, any place—cannot be the rigidly organized sequence of events presented by many textbooks. History is a potpourri. It is pieces and it is totals and always it is people. Archie Stevenot is indeed a part of the history of the Mother Lode. He has lived for eight decades within familiar range of several magnificent Sequoia proves and the grandeur of nearby Yosemite and his memories of the glorious gold mining days, which have given him insight to his role in history.

There is hardly an activity for the benefit of California and the Mother Lode with which Archie Stevenot has not been identified.

Mr. Stevenot, founder of the Mother Lode Highway Association which later became the Golden Chain Council, which was organized 47 years ago, had never missed a directors' meeting. Recently Archie was hospitalized and it was feared that his record would be broken. However, the president of the Golden Chain Council, Ralph Thiel, said "If we can't bring Archie to the meeting, we will take the meeting to Archie." This was done and Archie's record is still intact.

Driving north from Sonora on Highway 49, after crossing the Stanislaus River into Calaveras County there is a historical monument in his honor. The bronze plaque affixed to an ore car has these words for coming generations:

> Archie Stevenot. Mr. Mother Lode, Student, salesman, miner, ranger, Postmaster, school board member and general superintendent of the nearby Carson Hill Mine.

Archie Stevenot is truly an "All American." He has always had the interests of our great country at heart and today I would like to doff my hat to him.

William Goldfine

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 1966

Mr. MURPHY of New York. Mr. Speaker, William Goldfine, president and board chairman of Royal National Bank of New York, was a participant recently in a WOR radio discussion on the topic "The Philosophy of Philanthropy." It was altogether fitting that Mr. Goldfine should be invited to offer his views on this important subject, for he has provided exemplary leadership on behalf of a host of worthy civic and charitable causes.

The fact that he has received high honors from such organizations and institutions as Federation of Jewish Philanthropies, United Jewish Appeal, and the Albert Einstein College of Medicine attests to the deep concern over the need for the community at large to support worthy philanthropic endeavors.

He has given selflessly of his time and his energies too on behalf of the Hebrew Home for the Aged in Riverdale, of which he is honorary president, the Israel Bond Organization for Greater New York, where he has served as chairman; the Bronx YM and YWHA, the Knights of Pythias, B'nai B'rith and the Bronx County Society for Mental Health, to name but a few.

I think it is significant to point out further that it has been under Mr. Goldfine's astute leadership that Royal National Bank of New York has emerged as one of the city's leading banking institutions. Royal National is enjoying a remarkable period of growth and has become a "partner in progress," through its activities in construction financing, in the residential renaissance in the city.

Mr. Goldfine's banking career spans more than 40 years. He entered the field as a youth, and before his 21st birthday, he had organized his first banking concern, a credit union which served small business and manufacturing concerns in the Bronx. He served as treasurer and manager of the Bronx Credit Union from 1919 to 1932.

During the next 19 years, until he accepted the executive vice-presidency of the Royal State Bank of New York in July 1951, Mr. Goldfine served as assistant vice president of the National Safety Bank, vice president of National Bronx Bank, and vice president of Manufacturers Trust Co. He was elected chairman of the board of the Royal National Bank in April of 1965, only 4 years after he accepted the presidency of the institution.

In the banking field, Mr. Goldfine has earned a reputation as a man with a remarkable understanding of the many and complex factors that shape our economy. And, in the field of philanthropy, he has personified the true spirit of giving. He is indeed on of New York's most dedicated and respected civic and philanthropic leaders, and his devotion has helped to brighten the lives of countless citizens in our city.

Sinister Plan To Bury Our American Shipbuilding and Shipping Industries

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 1966

Mr. PELLY. Mr. Speaker, this morning's Washington Post has an article dealing with recommendations of the Committee on Congressional Organization. One of these recommendations is in accordance with the whispers that have been circulating on Capitol Hill, to the effect that the House Committee on Merchant Marine and Fisheries is scheduled for elimination and its jurisdiction is to be transferred to the House Committee on Interstate Commerce.

As such, a policy of the Democratic administration and its leader, President Johnson, in burying opposition to his maritime policy, is coming to light. First, the President asks for a new Department of Transportation, in which would be merged the once independent Maritime Administration, established as it was to protect and promote an American merchant marine adequate for national defense.

Now, a sinister proposal is revealed, to do away with the legislative committee that has been attempting to resist the executive branch's program to downgrade American ships and shipbuilding. It looks like someone's fine hand is behind this idea.

The House Merchant Marine Committee has been bipartisan in seeking to restore the onetime independence of the Maritime Agency.

Earlier this week, the committee passed a resolution opposing the plan to bury the Maritime Agency in a new Department of Transportation.

I hope the American people realize what this means. It means that the Johnson-Humphrey administration plans to have American ships built in foreign yards and thereby eliminate more than 20,000 jobs, as called for by the recent task force report of the Department of Commerce.

It means scrapping the policy of maintaining American-flag ships for defense and abdicating to the Soviet Union and other nations that are in the process of building new merchant ships to a number many times ours.

If the House Committee on Merchant Marine is done away with, the administration will have adroitly eliminated the chief source of opposition to its policy to downgrade American shipbuilding and shipping. As such, the move will be a sad page in the history of this once great maritime Nation.

Next, the United States will be abdicating all sovereignty and sharing with Panama the management of the Panama Canal. The administration acts like there is no need for ships.

Mr. Speaker, the United States may be the richest nation on earth, but under President Johnson's maritime policy, we are certainly not acting like the wisest.

Citizen-Soldiers

EXTENSION OF REMARKS
OF
HON. CLAIR CALLAN
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 23, 1966

Mr. CALLAN. Mr. Speaker, I wish to call the attention of my fellow Congressmen to the outstanding performance during 1965-66 of the citizen-soldiers of the 1st Battalion, 355th Regiment—BCT—89th Division—TNG—U.S. Army Reserve Center, Lincoln, Nebr.

All five units of the battalion received superior ratings for 1965-66 during the recent annual general inspection and command maintenance material inspection. Improving present methods and devising more reliable methods of administration, training, and supply were the major contributing factors in the battalion's successful performance.

In these days of world crises, it must be insured that the citizen-soldiers who help guard this Nation are thoroughly trained and highly capable of performing their mission. It is with great pride that I announce to you that this battalion within my district stands ready, willing, and highly qualified to meet any task it might be called upon to accomplish.

Commission Should Be Established To Consider National Observances and Holidays

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 23, 1966

Mr. CELLER. Mr. Speaker, I have introduced a bill on June 15, 1966, to establish a Commission on National Observances and Holidays. The consideration of bills seeking Presidential proclamations is a burden upon Congress, acting as a whole, and a burden upon the individual Congressman.

The Bureau of the Budget has stated:

> We are concerned about the proliferation of statutes which request the issuance of Presidential proclamations calling for the recognition of particular events or groups. At the present time, between thirty and forty proclamations—some based on statutory authorizations and others on long-standing precedent—are issued annually to provide for special observances. In addition, about ten events are observed annually by virtue of proclamations issued at some time in the past.
>
> We believe that the increasing number of such observances could detract from the desired effect of a Presidential proclamation, and we question whether the practice should be extended further.

I concur heartily. In the 89th Congress, 364 holiday and celebration bills were introduced in the House. The printing of these bills upon introduction and the printing of the act, if enacted, are a considerable cost to the Government. Understandably, each Member wishes to have his bill enacted. This places pressure upon the Judiciary Committee since it becomes most difficult at times to give reasons for enacting one holiday bill and not the other. Most Members have experienced the difficulty of trying to explain to a group of constituents why "this small bill" could not be enacted.

The bill I propose establishes a Commission on National Observances and Holidays, to be composed of the Archivist of the United States, the Librarian of Congress, and the Secretary of the Smithsonian Institution. The members of the Commission receive no compensation for their services as such, but may employ not more than two employees.

Any proposal calling for national observances and holidays shall be submitted to the Commission and the Commission shall make such recommendations as it may deem appropriate. The bill prohibits the Commission from making any recommendation for a National Observance honoring a fraternal, political or religious organization, or a commercial enterprise or product.

I am hopeful that this bill will be enacted in this Congress.

SENATE

FRIDAY, JUNE 24, 1966

The Senate met at 10 a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

Rev. Edward B. Lewis, minister, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

O God of life and love, we come before Thee this morning asking Thy forgiveness for the way we ignore Thee. We make decisions based on our own limited knowledge. Our need is the best knowledge and wisdom that comes through God and man working and thinking together consistently. We need enlightenment and inspiration as it comes from on high. Therefore, we pray that Thou wouldst speak to us and through us for these trying hours.

Be Thou the inspiration today in debate, deliberation, and decision of these worthy servants of the people of the United States. May they feel the security of being servants of the Almighty and thus wise leaders of the day.

Direct our President and his advisers. Show them new paths of peace. Give us all a desire for peace within our hearts and minds in order that we might have peace to share among our brethren of the world.

Forgive wherein we have failed Thee. Help us to become more worthy sons of God even through this prayer at this place of high office. We pray in the name of Jesus, our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 23, 1966, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 601, title 6, Public Law 250, 77th Congress, the Speaker had appointed Mr. KIRWAN, of Ohio, as a member of the Committee To Investigate Nonessential Federal Expenditures, to fill an existing vacancy thereon.

The message announced that the House had passed, without amendment, the bill (S. 3368) to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 13881) to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. PURCELL, Mr. RESNICK, Mr.

QUIE, Mrs. MAY, and Mr. DOLE were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H.R. 13196) to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 13196) to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes, was read twice by its title and referred to the Committee on Labor and Public Welfare.

PROPOSED AMENDMENT TO THE BUDGET, 1967, FOR DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE (S. DOC. NO. 96)

The ACTING PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1967, in the amount of $1,123,000, for the Department of Health, Education, and Welfare, which communication, with an accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RANDOLPH, from the Committee on Public Works, without amendment:

H.R. 3788. An act to revive and reenact as amended the act entitled "An act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill.," approved December 21, 1944 (Rept. No. 1306); and

H.R. 3976. An act to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill. (Rept. No. 1305).

By Mr. PELL, from the Committee on Labor and Public Welfare, with amendments:

S. 2439. A bill to amend the National Science Foundation Act of 1950, as amended, so as to authorize the establishment and operation of sea grant colleges and programs by initiating and supporting programs of education, training, and research in the marine sciences and a program of advisory services, relating to activities in the marine sciences, to facilitate the use of the submerged lands of the Outer Continental Shelf by participants carrying out these programs, and for other purposes (Rept. No. 1307).

Mr. PELL. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 2439) the name of the Senator from Hawaii [Mr. FONG] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2784. A bill for the relief of Doreen Delmege Willis (Rept. No. 1308);

S. 3083. A bill for the relief of Dr. Rafael A. Penalver (Rept. No. 1309); and

H.R. 12232. An act to amend title 1 of the United States Code to provide for the admissibility in evidence of the slip laws and the Treaties and Other International Acts Series, and for other purposes (Rept. No. 1310).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 2076. A bill for the relief of Kil Ja Chung (Rept. No. 1311);

S. 2295. A bill for the relief of Guiseppe Rubino (Rept. No. 1312);

S. 2317. A bill for the relief of Dr. Albert Victor Michael Ferris-Prabuh (Rept. No. 1313);

S. 2997. A bill for the relief of Noriko Susan Duke (Nakano) (Rept. No. 1314); and

S. 3189. A bill for the relief of Dr. Alonso Portuondo (Rept. No. 1315).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

S. 1571. A bill for the relief of Kermit Wager, of Lebanon, S. Dak. (Rept. No. 1320);

H.R. 1240. An act for the relief of Harry C. Engle (Rept. No. 1321);

H.R. 5204. An act for the relief of Joseph K. Bellek (Rept. No. 1322);

H.R. 6590. An act for the relief of Arthur Hill (Rept. No. 1323);

H.R. 8793. An act for the relief of Eugene J. Bennett (Rept. No. 1324); and

H.R. 9302. An act for the relief of Lt. Charles W. Pittman, Jr., U.S. Navy (Rept. No. 1325).

By Mr. BURDICK, from the Committee on the Judiciary with an amendment:

S. 231. A bill for the relief of James W. Adams (Rept. No. 1318).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S.J. Res. 144. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day (Rept. No. 1316);

S.J. Res. 162. Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes (Rept. No. 1317); and

S.J. Res. 168. Joint resolution to authorize the President to issue annually a proclamation designating the 7-day period beginning October 2 and ending October 8 of each year as "Spring Garden Planting Week" (Rept. No. 1319).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

H.R. 10994. An act for the relief of Charles T. Davis, Jr., Sallie M. Davis, and Nora D. White (Rept. No. 1326);

H.R. 13650. An act to amend the Federal Tort Claims Act to authorize increased agency consideration of tort claims against the Government, and for other purposes (Rept. No. 1327);

H.R. 13652. An act to establish a statute of limitations for certain actions brought by the Government (Rept. No. 1328); and

H.R. 14182. An act to provide for judgments for costs against the United States (Rept. No. 1329).

By Mr. ERVIN, from the Committee on the Judiciary with an amendment:

H.R.13651. An act to avoid unnecessary litigation by providing for the collection of claims of the United States, and for other purposes (Rept. No. 1331).

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS—REPORT OF A COMMITTEE (S. REPT. NO. 1330)

Mr. EASTLAND, from the Committee on the Judiciary, reported the following original concurrent resolution (S. Con. Res. 99); which was placed on the calendar:

S. CON. RES. 99

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act, as amended (66 Stat. 204; 8 U.S.C. 1251):

A–4839402, Goldberg, Meyer.
A–6741048, Cassar, Lewis.
A–13696909, Lee, Hing Nom.
A–13525402, Young, Bok Jim.
A–8862836, Pollock, Benjamin.
A–4419302, Estes, Leon Morris.
A–13710436, Gee, Kim Heung.
A–11425282, Gee, Loy Sun.
A–5433779, Alesi, Anthony Angelo.
A–3977065, Diamond, George.
A–7077231, Mielzynski, Felix Christopher.
A–1465952, Villegas-Arrellano, Fidel.
A–2710178, Chee, Tong.
A–13702123, Ow, Hoy Kee.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TYDINGS:

S. 3551. A bill for the relief of Dr. Robert H. A. Haslam; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 3552. A bill for the relief of Dr. Carlos H. Boetsch; to the Committee on the Judiciary.

By Mr. HAYDEN:

S. 3553. A bill for the relief of Mrs. Mary T. Brooks; to the Committee on Rules and Administration.

By Mr. BARTLETT (by request):

S. 3554. A bill to amend the Vessel Exchange Act by eliminating the trade-in requirement in certain cases where national defense purposes require; to the Committee on Commerce.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S. 3555. A bill to amend title 18, United States Code, to make a misdemeanor the flight, in interstate or foreign commerce, by any person who is the parent of a minor child or who is a married man, if such person so flees with the intent of evading his legal responsibilities with respect to the support or maintenance of his minor child or of his wife; to the Committee on the Judiciary.

(See the remarks of Mr. ERVIN when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S.J. Res. 172. Joint Resolution to authorize the President to proclaim the first

Wednesday in May of each year as a "Day of Recognition" for Firefighters; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original concurrent resolution (S. Con. Res. 99) favoring the suspension of deportation of certain aliens, which was placed on the calendar.

(See the above concurrent resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. McCARTHY:

Address by Senator WILLIAMS of New Jersey delivered at Bridgeton, N.J.

By Mr. BYRD of Virginia:

Address by the Senator from Texas [Mr. YARBOROUGH] at an appreciation dinner for Col. Waldron Leonard, sponsored by the American Legion.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

AMENDMENT OF VESSEL EXCHANGE ACT RELATING TO TRADE-IN REQUIREMENT IN CERTAIN CASES

Mr. BARTLETT. Mr. President, I introduce, by request, for appropriate reference, legislation to amend the Vessel Exchange Act by eliminating the trade-in requirement in certain cases where national defense purposes require.

I ask unanimous consent that a memorandum describing the purpose of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The bill will be received and appropriately referred; and, without objection, the memorandum will be printed in the RECORD.

The bill (S. 3554) to amend the Vessel Exchange Act by eliminating the trade-in requirement in certain cases where national defense purposes require, introduced by Mr. BARTLETT, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The memorandum, presented by Mr. BARTLETT, is as follows:

MEMORANDUM

The change proposed in the Vessel Exchange Act by this bill is an emergency measure occasioned by the immediate and urgent need for additional specialized vessels by the Department of Defense. It appears that vessels that would qualify for trade-in under the Act are not readily available. This shortage of vessels for purposes of trading in and the need for additional American-flag vessels, especially for the carriage of defense cargoes, has created an abnormal, speculative and inflationary market for obsolete American-flag tonnage that was not contemplated by the Act.

The bill would provide temporary relief from an extraordinary situation by permitting the Secretary of Commerce to waive the trade-in requirement where the vessels to be acquired from the Reserve Fleet have been certified by the Secretary of Defense to be necessary for national defense or military purposes. The applicant for such vessels would be required to pay the Government in cash the fair market value of the vessel acquired and would be required to convert, reconstruct or rebuild such vesesl for use to carry defense cargoes. Each such proposal would require the approval of the Defense Department.

Recently, most of the vessels traded in under the Vessel Exchange Act have been traded in for scrap. In fact, of the 68 vessels traded in since the Act was originally passed, 35 have been scrapped. Vessels that would qualify for such trade-ins have now become exceedingly scarce items, with any available vessels selling on the market for many times their real value. Some speculators, aware of this curious and specialized application of the law of supply and demand, have collected such vessels for purposes of resale. These vessels have become known in the trade as "box tops" for the Vessel Exchange Act.

The acquisition of an immobile and economically useless vessel by an operator for purposes of trading in the vessel under the Vessel Exchange Act is largely engaging in subterfuge. For all intents and purposes, the Government is selling the traded out vessel to the operator, since the traded in vessel has no conceivable value to the Government or to anyone else except as scrap. Vessels that would qualify for trade-ins under the Vessel Exchange Act are available for prices of between $100,000 and $200,000 more than their trade-in value under the Vessel Exchange Act. The shortage of trade-in vessels and the exorbitantly high prices of the limited vessels that are available may prevent some operators from offering proposals to MSTS for the carriage of military cargoes, and the situation may reflect itself in higher costs to the Government than would otherwise be the case.

LEGISLATION TO MAKE TRAVEL IN INTERSTATE COMMERCE WITH INTENT TO EVADE LEGAL FAMILY RESPONSIBILITIES A FEDERAL CRIME

Mr. ERVIN. Mr. President, today I am introducing legislation which will make it a Federal offense for a parent or husband to move or travel in interstate or foreign commerce with the intent of evading his or her legal obligation to support a wife and children. This proposal is aimed at one of the most troublesome problems of our time—the problem of providing support for the dependent wife or children who have been separated from the man of the family. Much attention, publicity, and discussion has been centered in recent months on the problem of family breakdown in this country. The absence of the father from the family and his refusal to provide for the support of his family has serious consequences, for both the family and for the community.

Welfare departments across the country face this situation continually. In many welfare cases, it is the desertion of the father, or his delinquency in paying the support payments required by court order which causes the family to apply for welfare funds. Unless the father can be found and forced to face his responsibility for the maintenance of his wife and children, this family will continue on the welfare rolls.

This is a burden felt not only by the State and local governments. The Federal Government, too, has a stake in this problem through their ever-growing contributions to the aid to families of dependent children program. A comprehensive study undertaken in 1961 revealed that in two-thirds of the families receiving aid from this program, the father was absent from the home and not providing support for the family. This absence was due to a number of reasons, but in all cases the father was living and legally responsible for the support of his family. These families included a total of 1,652,661 children, for whom $68 million a month in Federal funds was being paid under the AFDC program. The cost to State and local welfare departments is also high. Unfortunately, the situation appears to be growing worse. In the period since 1961 there is estimated to have been a 6.8-percent increase in the number of families in which the father is absent. This means that currently AFDC aid is being paid to about 761,000 families, with 2,286,209 children, in cases where the father is not present or providing support.

In recent years uniform reciprocal enforcement of support legislation has been adopted in the 50 States and the District of Columbia. This arrangement permits an obligee to secure support from an obligor without traveling from his State to bring suit. However, this solves only a small part of the problem. The uniform reciprocal enforcement of support acts may be effective only when the whereabouts of the father is known.

Unfortunately, if the father is attempting to evade his responsibility he may move from State to State and his disappearance will prevent effective use of the reciprocal acts. His dependent wife may have to file one suit after another in her own State in an effort to locate the husband and father and require his support. This is a very costly and cumbersome process and is probably out of the question in the case of a woman left in necessitous circumstances.

The enactment of Federal legislation would provide an equitable and economical solution to be utilized in cases not easily taken care of by existing reciprocal laws. It would involve a one-step process instead of the complicated procedure presently required. By making it a Federal offense to travel across State lines to avoid compliance with court support orders, the force of criminal law would be brought to bear. Federal legislation would overcome the reluctance of various Federal agencies, such as the Veterans' Administration and the Social Security Administration, to provide information as to the whereabouts of the obligor. Location would also be facilitated through use of Federal law enforcement personnel. Under rule 18 of the Rules of Criminal Procedure as to venue, the defendant could be returned to the State where his family resides, and the court order requiring his support for his family could eventually be enforced.

Federal legislation in this area would overcome the difficulties of staff shortage and indifference to the plight of a deserted wife and children which may be encountered in the State where the deserting husband is residing. State and county welfare departments which currently cannot afford the expenditure necessary to locate absent fathers would be aided under this legislation in their efforts to bring families together and require support from the man of the family.

Although the problem of the deserting father is by far the most extensive, this law would also apply to mothers who desert their children, when responsible for their support. This was found to be the case of 4 percent of the families receiving aid to families of dependent children in the survey made in 1961.

I urge serious consideration of this proposal. The problem of deserting fathers is of national significance and requires Federal legislation to rectify it.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3555) to amend title 18, United States Code, to make a misdemeanor the flight, in interstate or foreign commerce, by any person who is the parent of a minor child or who is a married man, if such person so flees with the intent of evading his legal responsibilities with respect to the support or maintenance of his minor child or of his wife, introduced by Mr. ERVIN, was received, read twice by its title, and referred to the Committee on the Judiciary.

FOOD FOR FREEDOM OF 1966—AMENDMENTS

AMENDMENTS NOS. 620 AND 621

Mr. MONDALE. Mr. President, I send to the desk two amendments to H.R. 14929, the proposed Food for Freedom Act of 1966, and ask that they be appropriately referred.

The first of my amendments would call upon other advanced countries to play a greater role in the war on world hunger. The second would urge increased emphasis on adaptive agricultural research in hungry nations receiving food for freedom assistance.

In many ways, the Food for Freedom Act in its present form represents a landmark victory for those of us who have been supporting expanded U.S. participation in an all-out war on world hunger. In particular, the elimination of the principle of surplus disposal and the increased emphasis on self-help in agriculture in developing countries are vital changes which I hope that the Senate will uphold.

Yet in its present form, the bill is deficient in at least two respects. My amendments seek to deal with these problems.

In the hearings before the Senate Agriculture and Forestry Committee earlier this year, repeated concern was expressed about the need for other advanced nations, particularly those which export large amounts of farm commodities for cash, to play their proper role in meeting the world hunger explosion.

I was most gratified to learn that, at the time when Secretary Rusk testified on the resolution to supply emergency food to India, 23 nations had made contributions to averting famine in that country. I am informed that, since that time, 22 others have joined them.

We can likewise rejoice that the world food program, under the auspices of the United Nations and its Food and Agriculture Organization, has expanded to a target program level of $275 million for 1966–68, and that pledges totaling $209.3 million had already been made by 60 nations as of April 30 of this year.

But this program remains pitifully small when compared to our own efforts. Its present target level is less than 5 percent of the food aid which the United States will provide in the same 3 years. And there is real doubt that even this modest target can be attained.

I believe that the Congress should go on record in favor of increased efforts by other advanced nations in this area. My amendment would put the Congress on record to this effect.

It would support an expansion of the world food program to achieve this objective, and express the sense of the Congress that the United States should agree to match any contributions by other nations—in commodities, cash, or services—which are in excess of the present target of the program.

This would not mean additional cost to the United States, since it would mean channeling a slightly greater proportion of our food aid through the international program rather than increasing the total amount of such aid. But it would, I believe, be a strong demonstration of our support for such international efforts, and would encourage others who can well afford it to contribute more to them.

My second amendment would emphasize the role of adaptive agricultural research as an indispensable part of farm progress in developing countries.

Two weeks ago, I introduced a similar amendment to the economic assistance bill, calling for increased emphasis on supporting adaptive agricultural research in our aid to agriculture programs. I have been disturbed by the nearly unanimous testimony of experts such as Prof. Theodore Schultz of the University of Chicago, who said that "agricultural research has been postponed, put off, and grossly neglected" in our foreign aid program.

As one example of this neglect, we can look at the statistics for Latin America. In the period from 1960 to 1962, the U.S. Government and international and regional agencies together spent less than $8 million on agricultural research in tropical Latin America. At the same time, we spend nearly $2 billion—about 250 times as much—on adaptive agricultural research in the United States.

Such research is essential to adapt seeds, fertilizers, techniques, and farm equipment which have worked in other locations to the particular conditions in developing countries. We all recognize the invaluable contribution which such research has made to agricultural development in this country.

But I regret that the neglect of agricultural research seems to be continued in the Food for Freedom Act as presently drafted.

As passed by the House, H.R. 14929 lists eight self-help measures which recipient countries should undertake, and the United States should support, to improve agricultural production and distribution. Included are agricultural extension, production of fertilizers and farm machinery, providing adequate incentives to producers, and improving storage, marketing and distribution systems. All of these I favor. But I consider it a serious omission that adaptive agricultural research is not mentioned.

My amendment would remedy this by listing "establishing and expanding institutions for adaptive agricultural research" as one of the self-help measures the United States would encourage and support.

The PRESIDING OFFICER. The amendments will be received, printed, and appropriately referred.

The amendments (Nos. 620 and 621) were referred to the Committee on Agriculture and Forestry.

FEDERAL EMPLOYEES' PAY BILL AND MILITARY PAY BILL

Mr. MONRONEY. Mr. President, as chairman of the Committee on Post Office and Civil Service, I reported to the Senate on May 26, 1966, H.R. 14122, the Federal employees' pay bill for 1966.

Since that date, no action has been taken, no move has been made, and virtually no word has been said about when the Senate would take up the bill. As we all know, the bill has an effective date of July 1, 1966. If the Senate does not take action to have the bill before the President before July 1, every agency in the Government will have to compute retroactive pay from the date of enactment back to July 1, 1966. If this is a way to reduce the costs of Government in the executive branch, it is a very odd way.

The House of Representatives Committee on Post Office and Civil Service unanimously reported the bill with an effective date of July 1, 1966. The House passed the bill by a vote of 393 to 1. The Senate committee unanimously reported the bill.

On the specific issue of the effective date, I supported the administration's recommendation that the pay raise be later than July 1. But other members of the committee did not share this viewpoint, and the effective date of July 1 was approved by a vote of 11 to 1.

I think it is crystal clear that the administration's recommendation that the bill be effective January 1 or October 1 has been given careful consideration by the Members of Congress, and will not be accepted.

The pay bill is now pending before the Senate. I know that many Senators, if not all of them, are anxious for the opportunity to express themselves on this measure. Around 2 million Federal employees also are anxious about the bill. The opportunity to express our views of this legislation and to vote on its merits cannot arise so long as it lies on the Senate Calendar.

The pay bill should be taken up and voted upon as soon as possible so that the problems and the considerable expenses attached to a retroactive pay bill can be avoided.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the ranking minority member of the Post Office and Civil Service Committee.

Mr. CARLSON. Mr. President, I concur in the statements that have just been made by the chairman of the Post Office and Civil Service Committee, the distinguished Senator from Oklahoma, in regard to the pay bill which is pending on the Senate Calendar.

I sincerely hope that action will be taken. As the Senator from Oklahoma has so well stated, it is my personal opinion that nothing can be gained by delaying action on this matter, in the hope that a later effective date for the pay raise increase can be obtained. It is my personal opinion, as one who is a member of that committee and who supported July 1 as the date, that I shall not change my position; and should the matter be presented to the Senate for action, I shall stress and urge and insist on a vote on the July 1 date.

The Senator from Oklahoma has made a most timely statement.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Oklahoma may have an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I appreciate the remarks made by the distinguished chairman of the Committee on Post Office and Civil Service and by the ranking minority member of that committee, as well.

The intention is not to delay the consideration of the Federal pay raise bill. I am certain that my distinguished colleagues are aware that at this time a military pay raise bill also is being considered. It was the hope of the leadership that once that matter was decided—the question is still in conference—the Senate would then take up both bills. It is the present intention of the leadership to take up the Federal employees pay raise bill in the week after we return from the Fourth of July recess.

I hope that this definite statement and the fact that consideration of the Federal employees pay bill is tied to the military pay bill—which is just as important, if not more important—will be taken into consideration, understood, and acceded to by all concerned.

Mr. MONRONEY. I thank the distinguished majority leader for giving us this information, because we have been uncertain as to why the delay has occurred and as to when we could expect action.

It was my understanding that the military pay bill was designed to take effect on the date determined by Congress for the Federal employees pay bill to take effect.

Mr. MANSFIELD. The Senator from Oklahoma is correct. We desire to bring them both up together, as close as possible.

Mr. MONRONEY. I appreciate the comments of the distinguished majority leader. He has always been most helpful to us in scheduling legislation dealing with Federal employees.

Mr. CARLSON. Mr. President, as always, the distinguished majority leader has again demonstrated true statesmanship.

I have every reason to believe that there is no occasion for pressing this matter now, in view of the statement by the majority leader. I sincerely hope that action will be taken after the Senate returns from the Fourth of July recess.

Mr. MANSFIELD. The Senator from Kansas can be assured of that.

The chairman of the committee and the ranking minority member of the committee are aware of the great importance attached to the military pay raise bill, especially in view of the situation in which the Nation finds itself at the present time in its overseas difficulty.

Mr. MONRONEY. I thank the majority leader.

AGRICULTURAL TRADE WITH JAPAN—ADDRESS BY SENATOR CARLSON

Mr. CARLSON. Mr. President, the Washington Agricultural Conference on trade with Japan was held in Washington yesterday. Outstanding leaders in agriculture and trade from both Japan and the United States were in attendance.

Japan was represented by His Excellency Ryuji Takeuchi, Ambassador of Japan to the United States, and many Japanese interested in the expansion of trade between the United States and Japan.

The United States was represented by our distinguished Secretary of Agriculture, Orville L. Freeman, many officials from the Department of Agriculture, and representatives of commercial groups interested in expanding our trade with Japan.

The program, which was most informative, was presided over by representatives of our three large farm organizations, Dr. John M. Eklund, executive vice president of the Farmers Union International Assistance Corp.; Hon. Harold D. Newsom, master of the National Grange; and Mr. Roger Fleming, secretary-treasurer of the American Farm Bureau Federation.

It was my privilege to attend and participate in the program. I spoke on the subject "Agricultural Trade With Japan—Bond of Prosperity and Friendship."

In my remarks I stated that Japan and the United States have an opportunity to demonstrate to the world that distant nations, having different problems and ideologies, can build a bond of friendship that will promote mutual good will and understanding.

I ask unanimous consent that my speech be made a part of these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AGRICULTURAL TRADE WITH JAPAN—BOND OF PROSPERITY AND FRIENDSHIP

(Speech by Senator FRANK CARLSON, Washington Agricultural Conference on Trade With Japan, Statler Hilton Hotel, June 23, 1966

The subject—Bond of Prosperity and Friendship With Japan—is particularly appropriate and timely, as I come from the State of Kansas, which produces annually about one-fourth of the winter wheat in the Nation.

The subject of wheat is most timely, as we are now entering our wheat harvest season. As a result of an unseasonably late freeze—drouth and insects—our state's 1966 wheat production—which was estimated early this year by the U.S. Department of Agriculture at 265 million bushels—has deteriorated, according to private estimates, to as low as 150 to 180 million bushels.

Wheat today is an international commodity in every sense of the word. More wheat moves in international trade than any other agricultural commodity. Wheat is important, both economically and politically.

Our international trade—foreign aid—and Food for Peace Programs are largely used by our Government for the promotion of good will—understanding and friendship in every continent on the globe.

The importance of wheat as a product for use in the field of international good will and friendship can best be understood when one realizes that our nation exports over 70 per cent of our annual wheat export through Public Law 480 and Food for Peace Programs, and less than 30 per cent for dollar sales.

We need to continually emphasize the importance of maximum sales in commercial markets, and therefore, our trade with Japan must be to the mutual advantage of both nations.

For the past decade, the Japanese economy has grown at an astonishing rate. Japan and the United States has developed a trade that has proven mutually beneficial to both countries and strengthened the bond of mutual understanding and friendship.

I want to devote a few minutes to the growth and development of our sales of wheat to Japan and their commercial importance to both countries.

The wheat market development program in Japan was initiated in 1956. It is administered by Western Wheat Associates—U.S.A., Inc.—in cooperation with FAS and Great Plains Wheat, Inc.

Japan is the largest single dollar market in the world for U.S. wheat. During Japanese Fiscal Year 1965, total U.S. wheat purchases by the Food Agency amounted to 1,860,014 tons (68,336,914 bushels). This was the largest wheat sale ever recorded in the history of United States-Japan wheat trade. Compared with Japanese Fiscal Year 1964, sales in 1965 were up 18 per cent and represented an increased cash value of approximately $115 million to over $135 million. Canadian and Australian sales both declined. Canadian sales totaled 1,271,695 tons—down 10 percent—and Australian sales were down 27 per cent to 301,050 tons.

U.S. wheat sales to Japan have increased by 217 per cent over the past five years. Total

U.S. sales in Japanese Fiscal Year 1965 gave the U.S. at 54.2 per cent share of the Japanese market. A combination of many factors—Wheat Associates' activities—USDA efforts here and in the United States—aggressive wheat grower action—were instrumental in leading the U.S. to its present import level.

International negotiation toward the reduction of trade barriers has never been an easy task. But I have great concern that today we are in great danger of having our efforts founder in the waves of a new surge of restrictionism.

It has been four years since Congress passed the Trade Expansion Act of 1962. This armed U.S. negotiators with the authority to make significant reductions in U.S. tariffs on a reciprocal basis. Negotiations have dragged out, and I have been able to note little progress. Achievement in reaching agreement in the agricultural area has been virtually nonexistent.

The Congressional mandate was clear in the Act of 1962, and I believe U.S. policy is clear in current negotiations—the United States will not enter into a trade agreement that does not contain meaningful reductions of trade restrictions on agricultural products.

Representing as I do the great farm state of Kansas, perhaps I recognize the importance of the policy more keenly than some others. But this policy is not just for the benefit of farmers—it is essential from the standpoint of the over-all economy of the United States and from the standpoint of solving the precarious U.S. balance of payments deficit.

All of those who believe in expanded foreign trade must re-dedicate their efforts toward reducing restrictions and preventing, what I call the legitimatizing of these restrictions. One of the chief threats to this goal—in my view—is the threat of the proliferation of international commodity agreements.

The objective of most commodity agreements is to fix trade patterns by placing limits on exports—on imports—or both. A commodity agreement that provides export and import quotas would be a trade restrictive device rather than a trade expansion device if member countries live up to their commitments.

By definition, international commodity agreements protect the inefficient producer and penalize the efficient. Consumers are generally required to pay a much higher economic price for their requirements.

In this context, consider if you will the dynamic trade development between the United States and Japan. Just ten years ago total trade between our countries amounted to approximately $1 billion. Just five years ago this trade had expanded to almost $2.5 billion. Last year $4.5 billion worth of products moved from Japan to the United States—or from the United States to Japan.

Could this have happened if we had made the decision when Japan acceded to GATT ten years ago that such trade should be controlled and regulated by international commodity agreements? We did not make that decision—our decision was to reduce restrictions not perpetuate them, and the economics of comparative advantage took it from there.

About three years ago the United States negotiated an international commodity agreement on coffee. In July of 1964 implementing legislation for this agreement was before the United States Senate. I had opposed the ratification of the International Coffee Agreement in May of 1963. I opposed the implementing legislation in July of 1964.

I warned on the floor of the Senate that the International Coffee Agreement was "the beginning of a great global price-fixing program that this nation best be on the alert for in the future." Unfortunately, the legislation was passed. Since that time the restrictionist cry for international commodity agreements has reached a great crescendo reverberating in the halls of one international meeting after another. It now imperils effective trade negotiation.

May we look to precedent—shall we check the record as to the effect of the International Coffee Agreement two years after implementing legislation was passed? I would refer you to an editorial in "The Journal of Commerce," June 17, 1966. I will read a very few excerpts from it:

"The International Coffee Agreement is in serious trouble, both from within and without, as a Washington dispatch to this newspaper reported on Monday. World production is outrunning consumption by a large margin, the movement of contraband (i.e. coffee shipped outside the agreement) is seemingly heavy . . .

"Brazil cannot be blamed for 'wanting out' unless the agreement is considerably strengthened and properly enforced. But when she asks that such consuming nations as the United States crack down on other producers shipping in excess of their quotas, she raises issues that take the whole problem out of the realm of economics and put it in the field of international politics. . . .

"This, unfortunately, is the Achilles' heel ever present in efforts to stabilize commodity pricing and marketing by international agreement. . . .

"So even if the Brazilians can make a good case for unilateral quotas on the part of consuming nations, it is a case that cannot be isolated from the real world of international politics and considered on its merits alone. There is altogether too much at stake beyond the limits of the coffee trade.

"This is just one inevitable consequence of efforts to substitute for the give-and-take of the market place an international system of price controls and export quotas. Is it worth the cost? There are many in this country as as well as in Brazil who are beginning to doubt it."

I believe the most important part of the history of trade between the United States and Japan is in the future if we can with today's wisdom prepare for it by reducing rather than creating trade restrictions.

Perhaps the United States had a special role in suggesting the benefits of foreign trade to Japan in the previous century. This is a role we can be proud of. Let it not be said in this century that we created the mechanism to throttle that trade.

Japan and the United States have an opportunity to demonstrate to the world that distant nations—with different problems and ideologies—can build a bond of friendship that will promote mutual good will and understanding.

WE MUST STOP THE PROPOSED VANDALISM OF THE NATION'S CAPITOL

Mr. YOUNG of Ohio. Mr. President, it is shocking and inconceivable that the Capitol Extension Commission would recommend alterations to the Capitol without the advice of impartial experts.

The Capitol is one of our greatest national possessions, an irreplaceable element in our national heritage. Surely, any decision to change its design should be given the utmost consideration.

The Commission presumably acted on the advice of the Architect of the Capitol, J. George Stewart. If the old adage, "Experience keeps a dear school, but a fool will learn in no other," has any meaning, then it would be sheer folly to follow this most recent of Stewart's recommendations. One has only to look at the Rayburn House Office Building, in all probability the most stupendous architectural monstrosity of our time, to realize the ineptness of the so-called Architect of the Capitol. It is ugly. It is wasteful. It is quite possibly the worst building costing the most money in the history of the construction of public buildings anywhere in the world. It took more than 7 years to build, costing at least $22 million more to complete than originally estimated, largely as a result of expensive miscalculations. The building itself is a functional monstrosity.

Now, this same Architect, so-called, recommends the defacement of the west front of the Capitol. What are J. George Stewart's qualifications for the position in which he has supervised the spending of more than $200 million of taxpayers' money? The answer is, no qualifications.

He served in the House of Representatives from 1935 to 1937. This certainly does not qualify him as an architect. He attended the University of Delaware, class of 1911, and received his bachelor of science degree in civil engineering in 1958, 47 years later. In other words, as an alumnus, he was honored nearly half a century after he attended classes. He served as a member of the staff of the Senate District of Columbia Committee from 1947 to 1951. Immediately prior to his appointment in 1954 by President Eisenhower as Architect of the Capitol, he was head of the Speaker's Bureau of the Republican National Committee.

None of this experience—absolutely none—qualifies him for the important post which he has held for the past 11 years, and in which he has supervised the spending of millions and millions of taxpayers' dollars.

The Capitol is a national shrine. As a man does not live by bread alone, neither does a nation. We must preserve our cherished buildings and monuments as well as our God-given national heritage. It would be virtual sacrilege to destroy the noble west front of the Capitol with its classic walls and its cascading staircases without the most impelling reasons for doing so. It is a stirring sight, no matter how many times viewed.

Mr. President, I am sure in the years that you have served the State of Ohio in such an outstanding manner as a Senator you have been thrilled many times at night at the sight of the illuminated Capitol of our country in driving from your Washington residence to your office or to a session of the Senate. It is always an inspirational sight, even to those of us who have been here over the years. And yet, this man would destroy that.

Each day as I drive to my office I am no less thrilled with a sense of national pride and with a sense of the beauty and grandeur of this building than I was many, many years ago when I first viewed it. I am sure that the same is true for all Members of Congress, for all those who work and live in Washington, D.C., and for the millions of Americans who make the pilgrimage to Washington to visit this revered building, this symbol of the Nation. I never get over the thrill and really the feeling of reverence at seeing the Capitol lighted up as I drive down

Constitution Avenue to attend a night session of the Senate or to complete work in my office.

The proposed alteration would provide additional offices for Members of the Congress, provide two auditoriums, two cafeterias, and four dining rooms. It would virtually make the Capitol of the United States into a king size Howard Johnson's. There is no pressing need for these additional facilities which cannot be readily met without the desecration of the Capitol.

Not one cent should be appropriated for this boondoggle until the most careful and detailed engineering study has been made to determine if this is the only manner in which the west front can be guaranteed against further deterioration. Frankly, I believe that qualified engineers and architects will report that the walls can be braced and strengthened without doing damage to the historic building. The architectural profession, represented by the American Institute of Architects, has traditionally been and is now opposed to changing the west front of the Capitol, and has stated that if reconstruction is strictly necessary it should be carried out in strict accordance with the present design. The Fine Arts Commission has called the proposed reconstruction a national tragedy and has stated that the old walls can be repaired in their present location. It would be a sacrilege, in fact well-nigh criminal, to permit J. George Stewart to perpetrate what he has in mind without the most searching investigation by qualified architects and engineers.

Mr. President, the appropriation of $34 million at this time to change the face of the Capitol is not only an economic extravagance, but senseless vandalism on a national monument. I join with my colleagues in the Senate and in the House of Representatives in hoping that there will be an organized citizens movement across the land which will register loudly and clearly the protests of Americans at this latest effort to deface the Capitol of the United States.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. **FULBRIGHT**, from the Committee on Foreign Relations:

Henry E. Stebbins, of Massachusetts, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Uganda; and

John H. Crimmins, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Dominican Republic.

By Mr. **EASTLAND**, from the Committee on the Judiciary:

Marion Mathias Hale, of Texas, to be U.S. marshal for the southern district of Texas;

Robert I. Nash, of Texas, to be U.S. marshal for the northern district of Texas;

Tully Reynolds, of Texas, to be U.S. marshal for the eastern district of Texas;

Louis C. LaCour, of Louisiana, to be U.S. attorney for the eastern district of Louisiana;

Ernest Morgan, of Texas, to be U.S. attorney for the western district of Texas; and

William W. Justice, of Texas, to be U.S. attorney for the eastern district of Texas.

By Mr. **KENNEDY** of Massachusetts, from the Committee on the Judiciary:

W. Arthur Garrity, Jr., of Massachusetts, to be U.S. district judge for the district of Massachusetts.

By Mr. **TYDINGS**, from the Committee on the Judiciary:

Harrison L. Winter, of Maryland, to be U.S. circuit judge, fourth circuit.

By Mr. **MAGNUSON**, from the Committee on Commerce:

Rosel H. Hyde, of Idaho, to be a member of the Federal Communications Commission; and

Nicholas Johnson, of Iowa, to be a member of the Federal Communications Commission.

The **PRESIDING OFFICER**. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

ADMINISTRATOR FOR ECONOMIC DEVELOPMENT

The legislative clerk read the nomination of Ross D. Davis, of New York, to be Administrator for Economic Development.

The **PRESIDING OFFICER**. Without objection, the nomination is confirmed.

DEPARTMENT OF THE NAVY

The legislative clerk read the nomination of Robert Alan Frosch, of Maryland, to be an Assistant Secretary of the Navy.

The **PRESIDING OFFICER**. Without objection, the nomination is confirmed.

OFFICE OF EMERGENCY PLANNING

The legislative clerk read the nomination of Myron R. Blee, of Florida, to be Deputy Director of the Office of Emergency Planning.

The **PRESIDING OFFICER**. Without objection, the nomination is confirmed.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the nominations in the U.S. Navy be considered en bloc.

The **PRESIDING OFFICER**. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE AIR FORCE

The legislative clerk proceeded to read sundry nominations in the Air Force.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The **PRESIDING OFFICER**. Without objection, the nominations on the Secretary's desk are considered and confirmed en bloc.

Mr. **MANSFIELD**. Mr. President, I ask that the President be immediately notified of the confirmation of these nominations.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate turn to the consideration of legislation on the calendar, beginning with Calendar No. 1259, and that the rest of the legislation be considered in sequence.

The **PRESIDING OFFICER**. Without objection, it is so ordered. The clerk will proceed to state the items on the calendar, beginning with Calendar No. 1259.

AMENDMENT OF THE CLASSIFICATION ACT OF 1949

The Senate proceeded to consider the bill (H.R. 1535) to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases, which had been reported from the Committee on Post Office and Civil Service with amendments, on page 2, after line 10, to insert:

> (3) shall be paid for such minimum periods as the Commission may determine to be appropriate; and

And, at the beginning of line 13, to strike out "(3)" and insert "(4)".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1294), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this legislation is to permit the payment of premium compensation to Classification Act employees for periods of work involving usually hazardous conditions.

JUSTIFICATION

Hazardous duty pay is presently extended to certain military, Public Health Service, and wage board personnel. Existing law does not authorize this premium for employees under the Classification Act who may work side by side with those now receiving the additional compensation. This legislation would correct this by directing the Civil Service Commission to establish schedules of pay differentials, not to exceed 25 percent of basic compensation, for Classification Act employees for any period in which they are subjected to physical hardship or hazard not usually associated with their jobs. Such differentials would not be payable when the physical hardship or hazard was taken into account in classifying the employee's position. The typical case where the premium would be authorized is the participation of an engineer or technician in an experimental flight or the trial run of a newly built submarine. Another common example would be the performance of work at extreme heights under adverse conditions.

This legislation should serve as an incentive to employees to accept intermittent assignments involving hazardous duties and it will also afford some measure of recognition and appreciation for the employees' willingness to take unusual risks not normally associated with their positions.

HEARINGS

A public hearing was held by the Subcommittee on Civil Service on March 29, 1966. All testimony favored enactment.

COST

The Civil Service Commission estimates that the cost of this legislation will be less than $100,000 annually.

TO EXTEND THE RENEGOTIATION ACT OF 1951

The bill (H.R. 13431) to extend the Renegotiation Act of 1951 was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1295), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUMMARY

The Renegotiation Act of 1951, as amended, which authorizes the Government to recapture excessive profits on certain Government contracts and subcontracts expires as of June 30, 1966. H.R. 13431 extends the act for 2 years, or until June 30, 1968.

II. GENERAL STATEMENT

Present law.—The Renegotiation Act of 1951, in general, provides that the Renegotiation Board is to review the total profit derived by a contractor during a year from all of his renegotiable contracts and subcontracts in order to determine whether or not this profit is excessive. The Board is empowered to eliminate those profits found to be excessive in accordance with certain statutory factors. Thus, the renegotiation occurs not with respect to individual contracts but with respect to all renegotiable contracts and subcontracts of a contractor during a year. These contracts vary in form from cost-plus-fixed-fee to firm fixed-price contracts. Some may be prime contracts, while others are subcontracts, and they may be concerned with many different services and products. With respect to any given year they may also reflect only partial payments made on the contracts.

For purposes of renegotiation, profits generally are defined and determined in much the same way as for tax purposes. This similarity is also reflected in that provision is made in renegotiation for a 5-year loss carryforward, as well as the offsetting of losses and profits on different contracts within the year.

The act provides, in general terms, that the Renegotiation Board in determining whether profits are excessive is to give favorable recognition to the efficiency of the contractor with particular regard to attainment of quantity and quality products, reduction of costs and economy. The Board must also consider the reasonableness of costs and profits, the net worth (with particular regard to the amount and source of public and private capital employed), the extent of the risk assumed, the nature and extent of the contribution to the defense effort, and the character of the business. Thus, in effect, the Board in its judgment must consider all of these factors, and the producer, where these factors are present to the greatest extent (e.g., is most efficient or makes the greatest contribution to the defense effort), is permitted to retain more profit than the producer who satisfies these factors to a lesser extent. This gives assurance that the act will not impede the cost reduction program of the Defense Department with its emphasis on the use of incentive contracts.

Various types of contracts are excluded from the act; some on a mandatory and others on a permissive basis. The mandatory exemptions include contracts with a State, local, or foreign government, those dealing with certain agricultural commodities, those dealing with mineral and related products, those with certain regulated common carriers, and receipts and accruals for standard commercial articles or services.

Reasons for extension.—Under existing world conditions, the continuation of the Renegotiation Act is in the national interest. The deterrent effects of renegotiation on overpricing have long been recognized. Not to continue renegotiation at this time would encourage price rises and larger Government spending in the area of defense contracts. This is a result which none of us desires.

The negotiation process has saved large amounts for the Government. In the fiscal year 1965 alone, directly or indirectly renegotiation resulted in refunds or price reductions of over $32 million and since the inception of the Renegotiation Board in 1951 has resulted in savings of over $2 billion. Of course, in addition to this savings, the renegotiation process has had a deterrent effect on overpricing on Government contracts because of the realization that renegotiation is backstopping the allowable profits. The savings referred to above include both refunds made as the result of determinations of excessive profits by the Renegotiation Board and also voluntary refunds and price adjustments made, or justified, by the companies because of the existence of renegotiation. The breakdown between these two categories is as follows:

[In millions]

	Fiscal year 1965	Cumulative total from 1961 through 1965
1. Refunds arising from determinations of excessive profits made by Renegotiation Board	$16.1	$911.9
2. Voluntary refunds and price reductions reported by contractors	16.4	1,246.6
3. Total	32.5	2,158.5

The bulk of military procurements must, under present conditions of necessity, be made on the basis of negotiated prices, since the product or service being procured usually does not have a market price to guide the negotiators. Thus, renegotiation is essential, in the absence of competitive norms which make it possible to assess in advance the probable profit outcome.

In addition, price competition in substantial areas of Government procurement under present conditions is weak or nonexistent, since in the procurement of large weapons and space systems the contractor winning a research and development contract is usually the only one capable of performing on follow-up contracts. There are a number of other factors also which recommend the desirability of continuing the Renegotiation Act under present conditions. Many of the major Government contractors work with Government plant, equipment, and progress payments which make it difficult to evaluate the prices which should be paid to them in view of their extensive use of Government capital. Moreover, in the case of many new products and systems, cost estimates involve a high degree of uncertainty and, in many other cases, negotiated prices may be affected by the relative negotiating skill of the Government and private negotiators. The greater knowledge of technology involved in this area tends to give the private negotiators an advantage in this respect.

In addition, since Government contracts are negotiated on a contract-by-contract basis with many of these contracts extending over several years, negotiators cannot be certain that the profits of a contractor in any particular year will be reasonable, except through the renegotiation process.

Your committee agrees with the Committee on Ways and Means of the House that in view of the extent of our defense effort at the present time, the Renegotiation Act should be extended for a 2-year period, from June 30, 1966, to June 30, 1968. This is in place of the 6-year period initially recommended by the administration. The Renegotiation Board has advised the Committee on Finance that in the interest of speedy passage of this bill it approves the 2-year extension. The 2-year extension will accord Congress the opportunity to reexamine the need for the renegotiation process in the relatively near future.

ADDITIONAL FUNDS FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

The resolution (S. Res. 271) to provide additional funds for the Committee on Interior and Insular Affairs was considered and agreed to, as follows:

Resolved, That the Committee on Interior and Insular Affairs is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-ninth Congress, $10,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

ADDITIONAL FUNDS FOR THE COMMITTEE ON APPROPRIATIONS

The resolution (S. Res. 274) to provide additional funds for the Committee on Appropriations was considered and agreed to, as follows:

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the Eighty-ninth Congress, $30,000, in addition to the amounts, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946, and Senate Resolution 101, agreed to May 20, 1965.

PRINTING OF REVISED EDITION OF DOCUMENT "HISTORY OF THE SENATE SEALS"

The resolution (S. Res. 261) providing for the printing of a revised edition of the document "History of the Senate Seals" was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate is authorized and directed to prepare a revised edition of the document entitled "History of the Senate Seals" (Senate Document Numbered 164, Eighty-second Congress), which revised edition shall be printed with illustrations as a Senate document.

PRINT AS SENATE DOCUMENT A COMPILATION ON THE HISTORY OF THE SENATE COMMITTEE ON COMMERCE

The resolution (S. Res. 272) to print as a Senate document a compilation on the history of the Senate Committee on Commerce was considered and agreed to, as follows:

> *Resolved*, That there be printed as a Senate document a compilation of materials relating to the history of the Senate Committee on Commerce in connection with its one hundred and fiftieth anniversary (1816–1966); and that there be printed for the use of that committee five thousand additional copies of such document.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1298), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> Senate Resolution 272 would authorize the printing as a Senate document of a compilation of materials relating to the history of the Senate Committee on Commerce in connection with its 150th anniversary (1816–1966). There would be printed 5,000 additional copies of such document for the use of that committee.
>
> The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$386.79
5,000 additional copies, at $99.10 per thousand	495.50
Total estimated cost, S. Res. 272	882.29

MARY L. HARRIS

The resolution (S. Res. 278) to pay a gratuity to Mary L. Harris was considered, and agreed to, as follows:

> *Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mary L. Harris, widow of Joseph W. Harris, Senior, an employee of the Senate at the time of his death, a sum equal to ten months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

DOROTHY L. JOHNSTON

The resolution (S. Res. 277) to pay a gratuity to Dorothy L. Johnston was considered and agreed to, as follows:

> *Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Dorothy L. Johnston, widow of Joel H. Johnston, an employee of the Senate at the time of his death, a sum equal to eleven months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PRINTING OF ADDITIONAL COPIES OF PAMPHLET ENTITLED "OUR CAPITOL"

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 98) to provide for the printing of additional copies of the pamphlet entitled "Our Capitol," which had been reported from the Committee on Rules and Administration, with amendments, on page 1, line 4, after the word "that", to strike out "three hundred and twenty-two thousand five hundred additional copies shall be printed, of which one hundred and three thousand copies shall be for the use of the Senate and two hundred and nineteen thousand five hundred copies for the use of the House of Representatives" and insert "one hundred and sixty-one thousand two hundred and fifty additional copies shall be printed, of which fifty-one thousand five hundred copies shall be for the use of the Senate and one hundred and nine thousand seven hundred and fifty copies for the use of the House of Representatives"; and, on page 2, after line 2, to insert a new section, as follows:

> SEC. 2. The additional copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balances shall be distributed as directed by the Joint Committee on Printing.

So as to make the concurrent resolution read:

> *Resolved by the Senate (the House of Representatives concurring)*, That there be printed as a Senate document, with illustrations, the pamphlet entitled "Our Capitol"; and that one hundred and sixty-one thousand two hundred and fifty additional copies shall be printed, of which fifty-one thousand five hundred copies shall be for the use of the Senate and one hundred and nine thousand seven hundred and fifty copies for the use of the House of Representatives.
>
> SEC. 2. The additional copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balances shall be distributed as directed by the Joint Committee on Printing.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

OUR AMBASSADOR TO JAPAN, EDWIN O. REISCHAUER

Mr. MANSFIELD. Mr. President, on June 15, the distinguished senior Senator from Vermont [Mr. AIKEN], the ranking Republican in this body, raised the question of the retention of Ambassador Edwin O. Reischauer as our envoy to the Empire of Japan.

During the course of that debate, participated in by the distinguished Senator from Massachusetts [Mr. SALTONSTALL], the distinguished Senator from Wisconsin [Mr. PROXMIRE], the distinguished Senator from Pennsylvania [Mr. CLARK], and led off by the distinguished Senator from Vermont, the statement was made that insofar as the Senators speaking were concerned—and, I am quite certain, speaking for a majority of Senators—it would be in the best interests of this Nation for Ambassador Reischauer to be retained in his present position as Ambassador to Japan.

During the course of that colloquy, a statement was made by me to the effect that it was my belief one of the reasons why the question of Ambassador Reischauer's position was in doubt was the possibility that he had to return to Harvard University by September of this year in order to retain his position and tenure there.

This morning I am in receipt of a letter from Dr. Nathan M. Pusey, president of Harvard University, which reads as follows:

> DEAR SENATOR MANSFIELD: You are quoted on page 13170 of the CONGRESSIONAL RECORD for June 15, 1966 in a discussion apparently provoked by an unconfirmed report that Ambassador Reischauer is planning to leave his ambassadorial post in Tokyo as saying, "I believe the impetus behind these reports is based on Ambassador Reischauer's desire to retain his tenure and position on the faculty of Harvard University which under the university's rules will terminate this coming September."
>
> I write to inform you that Mr. Reischauer resigned the position of which you speak in March, 1963. I shall be grateful if you can find some way to correct the RECORD on this point.
>
> Yours sincerely,
>
> NATHAN M. PUSEY.

Mr. President, I am delighted to correct the RECORD at this point, but I want again to join with the distinguished Senator from Vermont in making it clear that, so far as I am concerned, I believe that Ambassador Reischauer is one of the best emissaries this country ever had to any country. It would be my hope that the administration would see to it that his valued services in such an important country as Japan, will be retained.

He has served as our Ambassador during 5 tumultuous years. In my opinion, the years ahead will be even more difficult. I can think of no one, under any circumstances, who would be as effective and as efficient as the present Ambassador. It is my hope that he will retain his position to represent us with such distinction and integrity in the future, as he has in the past.

Mr. AIKEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am happy to yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, let me say that I was very much surprised to receive a copy of the letter from Dr. Pusey to the majority leader this morning because of the information it contained that Mr. Reischauer has not been a member of Harvard University faculty since 1963.

Rumors apparently had been carefully conceived and disseminated to the effect that he had to return to this country in order to retain his job at Harvard University.

I realize that Ambassador Reischauer is not a member of the establishment and was not brought into the Government by the elite corps of the State Department. I do not know how or why the rumors started, but they certainly fooled me and I think they also fooled some people higher up in Government than I am.

Anyhow, I hope that the President will take notice of the fact that Ambassador Reischauer does not have to come back to retain his job at Harvard University, because he has no job at Harvard University, and is available to remain in Tokyo as our Ambassador.

I reiterate that, regardless of whether he belongs to the establishment or not, he is one of the best Ambassadors this country ever had in any country, and there is no reason to eliminate him from that particular office at this time.

I do not know who would succeed him but I am sure that whoever did would not be able to do any better and probably not so good a job as Ambassador Reischauer is doing now.

I reiterate that I do not know who started the rumors, or for what purpose they were started. I do know that there are some things that happen within the State Department which make me feel a bit uneasy, such as getting rid of certain employees before they achieve 12 years in the Foreign Service, which means that they cannot become permanent members of the elite anyway. But, I hope that this is not another case of that kind, and hope that the President will ask Ambassador Reischauer to stay where he is regardless of the desires of anyone else.

Mr. MANSFIELD. Mr. President, what has been Harvard's loss has been the Nation's gain. What evidently will continue to be Harvard's loss will, I hope, continue to be this Nation's gain.

EISENHOWER ANNIVERSARY AND EISENHOWER COLLEGE

Mr. JAVITS. Mr. President, I call to the attention of the Senate the 50th wedding anniversary on the 1st of July of our 34th President, Gen. Dwight D. Eisenhower and his wife, Mamie. I am sure that I express the sentiments of millions of Americans in recalling the lifetime of service that the general has given to his Nation and to the free world, as leader of great armies in defense of freedom, as the head of one of the Nation's greatest universities, and as the President of our country. The golden anniversary serves as a memorable occasion for us to express our affection and regard to General and Mrs. Eisenhower, as the first family of the United States from 1953 to 1960.

One historical footnote to this anniversary is that this will be the first time in 119 years that a President and his lady have reached their golden anniversary. The last time occurred 119 years ago on July 26, 1847, when John Quincy Adams and his wife, Louisa Adams, celebrated their 50th anniversary.

In conjunction with this historic event, I call attention to the founding of Eisenhower College in beautiful Seneca Falls, N.Y., the first independent college to be chartered by the State of New York in a quarter of a century. This new college has been dedicated as a "living monument to a monumental man." Eisenhower College, which plans to open its doors in 1967, will be a coeducational, liberal arts institution. With its distinguished board of trustees, chaired by Adm. Lewis L. Strauss, former Chairman of the Atomic Energy Commission, the college will be offering a liberal arts program leading to a bachelor of arts or bachelor of science degree. As General Eisenhower so eloquently expressed it at the ground-breaking ceremony for the college in September of 1956:

> The founding of a small independent liberal arts college dedicated to quality teaching in a moral setting of individual responsibility is a significant development . . . The liberal arts college, in my opinion, is the key to the understanding and exercise of real citizenship.

I call attention to Eisenhower College because the former President—in a gesture typical of his nature—has requested that all congratulatory expressions on their anniversary be given to this college which is so close to his and Mamie's hearts, rather than to themselves. Those who wish to express their admiration and appreciation for all the general has done for them may send gifts directly to Eisenhower College. I am doing so myself and I hope others will also. All gifts will be permanently recorded at the new college.

I ask unanimous consent to have printed at this point in the RECORD a press release of the "Eisenhower Golden Wedding Anniversary Committee," led by Bob Hope and the Honorable Robert B. Anderson, which explains the event.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

From: Eisenhower Golden Wedding Anniversary Committee, Cochairmen: Bob Hope and Hon. Robert B. Anderson, 530 Fifth Avenue, New York, N.Y.

Contact: Joe Coffee. Phone (212) 687-6502

NEW YORK.—Two well-known personalities—globe-trotting comedian Bob Hope and former Secretary of the Treasury Robert B. Anderson—are forming a committee to alert the American public to the 50th wedding anniversary of General and Mrs. Dwight D. Eisenhower, July 1, 1966, it was announced today. They will serve as co-chairmen of the Eisenhower Golden Wedding Anniversary Committee being formed to pay tribute to the Eisenhowers.

The Eisenhowers' golden wedding anniversary will be the first time in 119 years that a President and his lady have reached this milestone. John Quincy Adams and Mrs. Louisa Catherina Johnson Adams celebrated their 50th wedding anniversary on July 26, 1847.

Respecting the wishes of General and Mrs. Eisenhower, the committee has decided that the finest tribute that can be given them would be for the American people to support the establishment and advancement of Eisenhower College, Seneca Falls, New York.

"I know that the American people, and those of the entire free world", Mr. Anderson said, "have, as I do, a deep sense of affection as well as gratitude for General and Mrs. Eisenhower, and will welcome the opportunity to express it on this memorable occasion.

"Nothing is dearer to this distinguished soldier-statesman, who saved freedom for the world, than the college which bears his name.

"Nothing would be more meaningful to him and to his wife than to see that institution receive the warm and wholehearted support of the nation and the free world".

Recalling his participation in the ground breaking ceremonies last September, Hope said: "Eisenhower College is a living monument to a monumental man who believes that education is something more than one of freedom's blessings—a man who believes, in fact, that education is freedom of the mind to search for and find a better way of life for all mankind."

Eisenhower College—the first independent college to be chartered by New York State in a quarter of a century—will be a co-educational, liberal arts institution. The new college, which will operate year-round, will open its doors to some 300 freshmen for the Fall semester in 1967. Eventually the college will accommodate 1500 students whose Bachelor of Arts or Bachelor of Science degrees may be obtained in less than three years.

Dr. Earl J. McGrath, former U.S. Commissioner of Education, is the college's first Chancellor.

SCHOOL MILK PROGRAM ESSENTIAL TO GOOD SCHOLARSHIP

Mr. PROXMIRE. Mr. President, in supporting a permanent school milk program through testimony before the Senate Agriculture Committee last Wednesday, Secretary Freeman recognized the vital role that nourishment plays in the learning process.

You simply cannot properly teach a hungry child. This is why the mid-morning and mid-afternoon milk breaks provided by the school milk program are so important. They provide vital nourishment to the child who may not have had a proper breakfast, if indeed he has had any breakfast at all, or the child who may be going home to an inadequate dinner. These milk breaks also help to sustain children who have had to travel long distances to reach their schools.

Secretary Freeman recognized the importance of proper nourishment when he told the Agriculture Committee, quoting from a publication issued by the Office of Education and the Office of Economic Opportunity:

> Scientific studies have shown conclusively that the process of learning virtually ends when a human being becomes uncomfortably hungry. When a child appears at school in the morning having had little or no breakfast, he might just as well have stayed at home. The teacher's effort is wasted. The curriculum, the long hours of professional preparation, the value of textbooks and teaching aids are lost upon him * * *. A hungry child not only injures himself, but his discomfort may subtly disturb the teaching of a whole class.

Secretary Freeman went on to describe the results of a demonstration lunch program but he could just as well have been speaking of the value of milk breaks when he said:

> The school nurse reports that the change in students, particularly the needy students, has been remarkable. Complaints of stomach cramps have dropped, and the attention span of students has increased.

I think it is especially noteworthy, Mr. President, that although the Secretary of Agriculture emphasized needy students he made it clear in his statement that there was a change in the students generally. This certainly goes far towards destroying the myth that only needy students receive improper nourishment. It emphatically underlines the wisdom of continuing to provide federally supported school lunches and school milk to the total school population wherever possible. This is why we must continue to fight for adequate funding for the school milk program.

THEY HATE TO COME HOME

Mr. SYMINGTON. Mr. President, a recent thought-provoking editorial in the St. Louis Post Dispatch, "They Hate To Come Home," points out that, in spite of General de Gaulle having now ordered the military forces of the United States out of France, apparently it is planned to still keep in Europe the nearly 1 million Americans who are now living over there, at heavy cost to the American taxpayer; and in effect, at even heavier cost to our continuing unfavorable balance of payments.

The concept of what is needed militarily for a nation's security has changed more in the past 20 years than in the previous 1,000. Apparently, however, this recognition of change has not been interpreted practically in our diplomatic and economic arrangements; and in the location of our forces abroad.

Everybody knows what some of the big battleship advocates nearly did to the overall concept of seapower; and what some of the big missile advocates nearly did to the concept of mobile ground forces; and what some of the big bomber advocates nearly did to the overall concept of airpower. Fortunately their ideas did not prevail.

With respect to modernization and progress in the diplomatic and economic fields, however, the philosophy of the "no change" advocates, so far as the structure, functioning, and financing of such organizations as NATO, SEATO, and CENTO are concerned, would appear to be prevailing; and I believe this resulting rigidity is becoming dangerous to the security and prosperity of the United States.

In the editorial in question the Acheson quote would appear particularly pertinent—and could well be correlated with a recent statement of Secretary McNamara to the effect that the United States has "no mandate to police the world."

Nor have we any mandate to finance the world; or instruct the rest of the world as to the type and character of government they should have.

When correlated with the fiscal crisis now imminent in Great Britain, a country we have pledged—and properly so—to stand by, this growing balance-of-payments problem should convince every American, once and for all, that recognition of the great changes should be expressed in the diplomatic and economic field as well as in the military field.

The figures presented in this editorial as to the percentage of their gross national product these countries of Europe are spending for their security justifies us in asking how long this Nation can continue to refuse to face up to reality; a clear question that calls for a clear answer.

Every American should realize that every deficit dollar spent for U.S. military presence in Europe either results in an immediate loss of our limited gold supply or a borrowing from our European friends.

Yesterday we had extended hearings on a new medical bill for the military as proposed by the House; plus a proposed Senate bill.

The aims of both these bills are desirable; but each of them would cost hundreds of millions of dollars; and as things are now going, every citizen has the right to ask, "Where is the money coming from?"

One place it could come from would be in the Department of Defense—by reducing somewhat the hundreds upon hundreds of thousands of people the United States has kept in Europe for over 20 years.

I ask unanimous consent that the editorial in question, "They Hate To Come Home," be inserted at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch,
June 17, 1966]

THEY HATE TO COME HOME

The power of resistance to change is again being demonstrated in arrangements for the withdrawal of American planes and personnel from France at President De Gaulle's request.

One might have thought this move would be regarded in Washington as a welcome opportunity to reduce the strain on our balance of payments. That would require bringing at least some of our forces now in France, along with the small army of wives and children accompanying them, back to the United States, where their support would relieve a payments deficit that is again on the rise. Not at all. The plan is to keep them overseas; if not in France, then in Britain and Germany and the low countries. There they will continue to add to the dollar drain, and the continuing deficit will pile up claims on our gold stock, already flowing to—of all places, France.

No doubt technical reasons require the transfer of some forces elsewhere in Europe, but we suspect that not very much study has been given to figuring out how many could be brought home if we tried. The State and Defense Departments have dug in on the line that any reduction of American troops in Europe is unthinkable, and they are backed up by the full power of an entrenched military bureaucracy which, once overseas, does not intend to come home without a struggle.

Yet the problems of maintaining so many men in Europe, whether present military conditions require it or not, continue to multiply. Secretary McNamara is getting very tough with the Germans, insisting that they buy more American arms than they want to buy, in order to offset the dollar costs of sustaining 225,000 American troops in Germany. Presumably if new forces are now transferred from France to Germany, the Germans will have to increase their arms purchases yet again.

We have come a long way indeed from the spring of 1949, when Secretary of State Dean Acheson was rallying Congress to support the North Atlantic treaty. A Senator asked him: "Are we going to be expected to send substantial numbers of troops over there as a more or less permanent contribution?" To which Mr. Acheson responded: "The answer to that question, Senator, is a clear and absolute 'no.'"

The "no" turned out to be not so clear and absolute, after all. Seventeen years later we have a huge military establishment in Europe and insist on keeping it there even if it means ramming arms purchases down Germany's throat, shipping gold to France, and increasing the strains imposed by an unwise war in Asia. As Senator SYMINGTON recently pointed out, we spend annually for defense close to 10 per cent of our gross national product while France spends 6 per cent, the United Kingdom 5 per cent, Germany and The Netherlands 4.5 per cent, and Belgium and Italy 3.5 per cent.

How long can we refuse to face the realities of today's world? Secretary Rusk says France's intentions in regard to NATO are "unclear," but one thing is blindingly clear, and that is that change is on the march in Europe, in NATO, in the Atlantic community. If we are wise we will adapt to it instead of pretending to ourselves it isn't there.

Mr. MANSFIELD. Mr. President, I wish to say to the distinguished Senator from Missouri [Mr. SYMINGTON] that I think he is performing a public service in his continual and unremitting statements on the floor of the Senate about the gold outflow from this country. I think this problem of gold outflow is related very closely to the continued maintenance of our Armed Forces in Europe, now approximately six divisions plus their dependents. The reduction of this allocation would have a significantly favorable impact on this drain on our finances.

It is my understanding that even in France, where we have been told to get out, the 30,000 servicemen and their dependents are being transferred to other parts of Europe, and not being brought home. Even that would be a great saving.

So I commend the Senator from Missouri, and I hope he keeps up his fight. I hope it will not be too long before there will be a sizable and drastic reduction of Armed Forces personnel and their dependents in Europe, where they are no longer needed.

Mr. SYMINGTON. Mr. President, I am very grateful to the able and distinguished majority leader for his comments. He is one of the foremost authorities in this country on U.S. foreign policy. I hope those of my fellow Senators who respect him in all fields will be especially interested in the comments he has made today which bear on the growing economic problems we face in this country, primarily because of our commitments all around the world.

IS THIS WHAT THEY MEAN BY "DEMOCRACY"?

Mr. ELLENDER. Mr. President, recently a constituent of mine living in New Orleans forwarded to me an editorial which appeared in the Chicago Tribune on June 10, 1966, entitled "Is This What They Mean by 'Democracy'?"

I ask unanimous consent to have the editorial printed in the body of the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit I.)

Mr. ELLENDER. Mr. President, the editor takes to task those so-called American liberals who denounce apartheid in South Africa, white supremacy in Rhodesia, and colonial rule in Portuguese Africa while at the same time remaining ominously quiet about conditions in those countries ruled by black Africans. To the so-called liberals, the countries which are ruled by black Africans are

Democratic and those which are ruled by whites are not.

The editor further states that:

> The tribal chieftains are at least as autocratic and brutal as any white rulers, and the jealous opponents who try to oust them in the name of national unity or democracy are likely to be even more so.
>
> So when we hear white governments like Rhodesia's denounced as dictatorial, despite the prosperity of the Africans under it, we should remember what the alternative is in practice.

Mr. President, when I made my observations on Africa 3 years ago, I was denounced as a racist, a white supremist, and a scuttler of American foreign relations. My only purpose in stating at that time that in many areas of Africa, the Africans had not developed far enough to govern themselves was to effect a simple warning, particularly to our State Department and the European countries concerned, that we were in for rough times with the so-called newly developing nations. I merely stated, honestly and forthrightly, what any responsible observer thought. It was obvious to me that the educational and cultural advancement of the African was in such a primitive stage that he could not govern himself, nor operate the ordinary machinery of organized society, at least in the American or European sense.

A few years later and a few hundred million dollars poorer, the U.S. Government, and especially the State Department, would probably now agree with me. Yet with the benefit of this previous experience, we witness the U.S. Government rushing headlong into the controversy between Great Britain and Southern Rhodesia.

In a recent inquiry which I sent to the State Department, Mr. Douglas MacArthur II replied that:

> The United States Government has at all times recognized the sovereignty and legal authority of the United Kingdom in Southern Rhodesia. Southern Rhodesia has not become an independent state and has not been recognized as such by any other government. Moreover, the measures taken by the United Kingdom and other governments, including our own, are not measures against an independent state or country, but rather against an illegal regime which has temporarily usurped power in Southern Rhodesia.

The State Department seems bent on recognizing authority which does not exist and refusing to recognize governments which exist de facto. At the rate we are now proceeding, the State Department should in a few years establish diplomatic relations with people who represent no one and ignore half of the world's population represented by existing governments.

Mr. MacArthur represents the State Department's view further by saying:

> What is at stake in Southern Rhodesia is an orderly development under established constitutional procedures, toward an independent government based on the consent of the governed.

I wonder if Mr. MacArthur really thinks that the other African nations with which we maintain diplomatic relations have established "constitutional procedures based on the consent of the governed." It is a fact of life that the so-called illegal regime in Southern Rhodesia is more stable and more capable of operating democratic institutions than any other government in Africa.

I would hope, Mr. President, that American foreign policy toward Africa, if there is one, would adjust itself to the realities of life and would for once begin assisting governments which are in fact democratic. Democracy does mean much more than confused tribesmen running around in a state of anarchy.

EXHIBIT I

IS THIS WHAT THEY MEAN BY "DEMOCRACY"?

How is democracy faring in Africa? Ask an African nationalist or a man like Sen. BOBBY KENNEDY, who is courting Negro support at home by preaching racial equality in South Africa, and he will shake his head in dismay, pointing to apartheid in South Africa, white supremacy in Rhodesia, and colonial rule in Portuguese Africa. To these professional Africans and liberals, any African country which is ruled by Africans is a democracy and any which is ruled by whites is not.

They can hardly complain, therefore, when we look at "democratic" Africa and note eight civil wars or revolutions in the course of less than a year. Right now, civil war is raging in Uganda and threatening in Nigeria and [once again] in the Congo.

In Uganda, the prime minister has fired the president, who is also the king of the country's leading tribe, the Baganda, and has shelled his palace and killed hundreds of his supporters. In Nigeria, the military clique which ousted the federal government in January on the ground that it was corrupt has stirred up rebellion in the north by trying to centralize the government and abolish the regional governments which have been dominated by the respective tribes.

In the Congo, one former prime minister has been executed as the result of an alleged plot on the life of the president, and another—Moise Tshombe—has been accused of high treason. Tshombe happens to be the man who prevented the disintegration of the Congo and is probably still the only man capable of holding it together.

There's no telling where the next explosion of violence will be, but there's no doubt that it will come, and that others will continue as far ahead as we can foresee. The stark truth is that none of these countries is any more democratic since its latest revolution than it was before, with the exception of Ghana, where anything at all would have been an improvement over Nkrumah.

Democracy is still nothing more than a word in Africa—a word generally used to mean throwing out the Europeans. One-man-one-vote means little enough in our own political machines in the United States; what can it possibly mean in a land where illiterate masses are governed by tribal customs dating back for centuries? The tribal chieftains are at least as autocratic and brutal as any white rulers, and the jealous opponents who try to oust them in the name of national unity or democracy are likely to be even more so.

So when we hear white governments like Rhodesia's denounced as dictatorial, despite the prosperity of the Africans under it, we should remember what the alternative is in practice.

It is an African dictatorship where any hope of prosperity is smothered by chaos at the hands of tribal or anti-tribal leaders who tend to be no more interested in democracy than in ski-jumping.

COURT BUILDINGS IN THE DISTRICT OF COLUMBIA

Mr. BREWSTER. Mr. President, in most of the nations of the world, the capital city is a showpiece. Mexico City, Rome, Copenhagen, Brasilia—the capital city always displays the best that the country has to offer. Sadly, this is not the case with Washington, D.C.

There are many ways in which this city excels. The beauty of most of its official buildings is unsurpassed in the world—although such projects as the proposed debeautification of our Capitol Building would endanger this excellence.

But there are just as many respects in which this city lags far behind other major cities in the United States. One of the proudest boasts of this Nation is that its legal system provides speedy and impartial trials for its citizens. In the Capital City, this often is not so. And one of the reasons for this failure is the disgraceful condition of our court buildings.

Anyone who has recently visited the court of general sessions for the District of Columbia, where misdemeanors and most civil cases are handled, can appreciate the situation. Most of the courtrooms are too large; as a result, crowds of litigants, attorneys, and onlookers mill about in the courtroom. It is sometimes impossible for the judge to make himself heard in the resulting noise and confusion. Does this produce either a rapid resolution of disputes or a healthy respect for the law?

There should be interview rooms where attorneys can discuss their cases with criminal defendants in reasonable privacy. Such rooms are also needed for conferences with welfare representatives, other government officers, and for conciliation meetings which can be an effective means of solving many problems before they go to trial. One of the judges in the court of general sessions has told me that the present facilities are nothing less than "scandalous."

Improved facilities for jurors and witnesses, for police liaison, for the U.S. attorney, and for other officials are badly needed. More importantly, the Senate and House conferees are about to take final action on a proposal to add five judges to the court. Unless action is taken soon, there will be inadequate courtroom, office and library space for these new judges.

Mr. President, we cannot expect orderly and speedy legal proceedings under conditions like these. Until we grant home rule to the District, responsibility for this situation rests solely with the Congress. We almost never appropriate funds adequate to meet the various needs of the District of Columbia. Surely we cannot cut corners in such an important matter as our courts.

I have written Walter N. Tobriner, the President of the Board of District Commissioners, to request that the District government begin planning this urgently needed construction. I will ask for the appropriation of the necessary funds as soon as the Commissioners submit a proposal. Certainly some of the $34 million which we are urged to spend to destroy the beauty of the Capitol Building could be better used to promote the administration of justice in the court of general sessions.

ESSAYS: CAN DEMOCRACY KEEP UP WITH THE SPACE AGE?

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for the graduating high school seniors in my State of Wyoming the McGee Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student is required to complete an essay on "Can Democracy Keep Up With the Space Age?" and each year I am impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. All show real thought and a thorough knowledge of our system of government.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Miss Dimity Laybourn, of Cheyenne, Wyo., and John Hickey, of Cheyenne, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the Record.

There being no objection, the essays were ordered to be printed in the Record, as follows:

Can Democracy Survive in the Space Age?

(By Dimity Laybourn, Cheyenne, Wyo.)

Before we can discus the question, "Can democracy keep up with the space age?" we must answer the question, what is democracy in the space age?

Democracy, according to Montesquieu, is "when the body of the people is possessed of the supreme power." Pericles tells us, "Its administration favors the many rather than the few." Mill holds that democracy is "the government of the whole people by the whole people" in which "the majority will outvote and prevail." In his Representative Government he writes "The ideally best form of government is that in which the sovereignty, or supreme controlling power is the last resort, invested in the entire aggregate of the community, every citizen not only having a voice in the exercise of that ultimate sovereignty, but being, at least occasionally, called on to take an active part in the government, by the personal discharge of some public function, local or general."

Democracy has been renounced as extreme perversion of government, and has been extolled as the political ideal, the only perfectly just state. Plato tells us it is "the worst of all lawful governments, and the best of all lawless ones."

But what exactly has it come to mean in 20th century United States? In order to keep its position of importance, in order to continue as a vital force, our democratic system must be capable of change. Adaptability has long been a characteristic of this "best of governments." Our concept of democracy is not the concept of 18th century France, or pre-Christian Greece. To survive, our system cannot afford to remain static. It must change with a changing society, meeting the needs of an advanced technology.

In meeting this challenge, the government is going to have to answer the questions that become insoluble each day they go without attention. It will have to face the eventuality of World Law, and accept the antiquation of the global theories. It must find a complete, adequate, and final settlement of the arms race. It must act to end the inequality that exists between the have and have not nations, eradicating humanity's centuries-old enemies, poverty, ignorance, and disease. It must provide for, and accommodate the population explosion, abandoning idle speculation to arrive at practical, workable answers. It must explore the new realms of leisure, the leisure of an automated, cybenatized nation.

The development of the atom bomb has made World Law a necessity just as it has outlawed war. Now that world destruction is controlled by the push of a button, mankind must put aside the time-worn cliches of conventional warfare. In the thermonuclear age the old economic-political theories of balance of power and global systems have lost their relevancy, the stakes have become too high.

World Law must become a reality in the future if individual nations are to continue to exist. *In Must Destruction be our Destiny,* Harrison Brown writes, "Participation by every nation in some plan for world control of atomic energy is an inescapable conclusion." With the threat of Red China, the atomic club is no longer a closed organization, and the arms race is no longer a private contest. In the fall of 1964, China exploded a nuclear device, today Dean Rusk tells us that she will be a nuclear power comparable to Great Britain, with a complete delivery system by 1969. Coupled with the Chinese threat there is the Nth country factor, the ever increasing rate of proliferation. Today the ingredients vital to the production of atomic bombs are being manufactured in 35 countries, there are six hundred nuclear reactors in the hands of 40 nations. Before the end of the year Israel, South Africa, and Indonesia will be atomic powers. The implications are frightening. Israeli weapons would mean Arab weapons; South African bombs would spawn Black African bombs, and the list grows.

Politically, socially, economically the continued tension of the arms race can only be detrimental to the international community. Grenville Clark in *"The Need for Total Disarmament under Enforceable World Law,* "Twenty percent of our people (over thirty-eight million) are ill-clad, ill-fed, and ill-housed; it will become steadily that adequate provision for their need is incompatible with our vast military expenditure."

Our immense expenditure on armaments, at some twenty billion per annum, constitutes an almost insuperable handicap to the relief of world poverty. If the arms race continues to sap billions of dollars every year, mankind will never be able to defeat his old enemies, poverty, ignorance, and disease. In the words of Nobel winner, Dr. Maxwell Borne, "The only thing that saves us is an old dream of the human race: world peace and world organization. . . . World peace in a world that has become smaller is no longer Utopian, but a necessity, a condition for survival of the human race."

Democracy could succeed in banning the bomb, outlawing war, and establishing international law, and still fail, causing a reversal in the course of civilization if the problem of human hunger is not solved. The great discrepancies between nations are epitomized by the statement that Americans, representing two percent of the world population, yearly consume one half of the world's food. Two-thirds of the world's people are undernourished, one-half of them actually weak from hunger; one hundred thousand people die of starvation every day.

Another factor is the impending over population that is threatening to outstrip the world's capacity to produce food. The threat of world famine could become reality in a little over ten years. Only the most sweeping and determined action, now and by the entire world can avert the tragedy.

Senator George McGovern (Democrat, South Dakota) expresses the inexorable arithmetic of population growth this way: "It has taken the entire history of the human race from the Garden of Eden to 1960 to reach a global population of 3 billion people. By the end of this century, 34 years from now, the globe will double its present size."

Our democracy must adapt to flourish, continue to be "that perfect instrument of the people" only if it meets the challenges of a shrinking world, disarmament, hunger, and population, can it fulfill its promise in the space age.

Can Democracy Keep Up With the Space Age

(By John Hickey, Cheyenne, Wyo.)

Sir Winston Churchill once aptly analyzed democracy when he said "democracy is the worst form of government on earth except for all the others." The point of Churchill's statement is simply this: that no government devised by men is or ever will be perfect. It is the ability of a government to govern fairly and efficiently, and the ability of that government to adapt to change which makes it fit. The ability to govern, and the ability to adapt, were the two foundations upon which democracy was founded in Ancient Greece and upon which it has flourished in Space Age America.

In the annals of history we find possibly the greatest proof for democracy's value as an institution of government and its ability to keep abreast with the times. Modern Western Government's birth place, the ancient city states of Greece, were the first true democracies. The absolute Democracies of Greece's Golden Age in which all native born citizens could speak and vote in assemblies were the first step toward the great democratic structure of the government which we live under today. Ancient democracy did not presuppose equality of all individuals, slavery was prevalent and the majority of the population had no political rights. The Greek Democracies, far from being the ideal form of government, did recognize the equality of all its citizens, but not the general conception of equality for all. The great contribution of the Ancient Greeks to Political thought was government by the consent of the governed.

The fall of Golden Greece and the use of Imperial Rome saw the transformation of Grecian language, culture, and thought (among them those of government) into Roman life. For a time during Rome's assent to world domination a Roman Republic existed. This republic was similar to that of Greece with the addition that Roman citizenship was in some cases granted to men of non-Roman descent, a widening somewhat of the democratic concept. The Roman Republic gradually ended in the despotism of Empire and with continual attacks by barbaric tribes outside it, the Empire and the civilized western world fell into the dark ages. What little bit of Democracy that had existed during the Empire also disappeared.

It was not until the Middle Ages that Democracy once again appeared. It existed to an extent in the independent cities of Italy, Flanders, and Germany. However, during the great rebirth of thought, the Renaissance, Democracy once more became a part of man's ideals of government. With the new freedom in religious thought, the Protestant Reformation, and the concentration on Humanism by the authors of the time freedom in Government became a subject of thought writings.

This radical idea of government, government by the masses, had its first trial in the American Colonies shortly after their successful rebellion against Britain. Democracy for the first time in almost 1800 years, since the Roman Republic, was again being used as a form of national goverment. The fathers of the American Constitution were beginning one of the greatest experiments in Political Science of all times—a government made of the people, chosen by the people, and established solely for the people. The Constitutional Democracy, which was established is a masterpiece of political writing. Its sharing of governmental responsibilities by state and Federal Government is a built in balance which has helped preserve democracy in America. The separation of Powers between the Executive, Legislative, and Judicial is also part of the great system of checks and balances which has protected and perpetuated the great Democratic experiment. The Constitution has not only preserved Democracy in America it is what insures democracy for future generations. Under the Constitution, our democratic form of government has for the most part governed fairly and efficiently for 180 years. It has done this in great part due to the flexibility of a democracy.

Today democracy is being challenged in the United States and throughout the world by the sinister specter of Communism. Democracy is under fire as a national and international institution on all fronts, whether directly as in Viet Nam or indirectly as in the underdeveloped nations of Africa, Asia, and Latin America. Communism has promised to bury us and leave our way of life only a memory of the past.

The free world can succumb to this deadly doctrine and be crushed under the yoke of oppression as was the Democracy in Greece; or perhaps worse be destroyed from within as was the Roman Republic.

We may begin to think that a system which is slow in its deliberation and careful in its judgment has no place in a world in which nuclear annihilation can occur within an hour. It is, however, democracy's vital virtue of fair and efficient deliberation which has caused it to be used as a government form throughout the ages. This virtue is the very thing which will perpetuate the democracy as an institution in an age in which the right is so important.

Democracy will not only keep pace with the space age, it will exist long after the space age has become a part of man's past.

THE VATICAN'S CONCERN ON THE BIRTH CONTROL ISSUE

Mr. GRUENING. Mr. President, it is gratifying to know that the Holy Father is concerned about the birth control problem and is engaged in an intensive study on all aspects of the problem. I should like at this time to call to the attention of my colleagues and other readers of the CONGRESSIONAL RECORD a June 23, 1966, news story by New York Times Reporter Robert C. Doty which discusses the study underway in Rome.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 23, 1966]

EASED BIRTH CURB REPORTED BACKED IN VATICAN PANEL—MOST OF PAPAL GROUP IS SAID TO SUPPORT CHANGE IN RULE LIMITING CONTRACEPTION—REPORT DUE NEXT WEEK—DELAY BY POPE IS FORESEEN—EXPERTS THOUGHT TO SEE NO THEOLOGICAL BARRIER

(By Robert C. Doty)

ROME, June 22.—A large majority of the experts who will report to Pope Paul VI on the birth-control problem early next week will favor change in the Roman Catholic prohibition of chemical and mechanical contraception, according to informed sources.

These sources confirmed reports that the Pontiff would receive opinions pro and con on all aspects of the problem instead of a unanimous opinion from the 60 clerical and lay experts on the papal commission and the 16 cardinals and other prelates appointed in March to review their work.

But the weight of the evidence and argument will be in support of some liberalization of the rules, according to those in a position to know. This will include the view of a majority of the theologians on the commission—including all the Italians, who are generally considered to be the most conservative—that there exists no insuperable doctrinal obstacles to modification of the ban on all birth-control techniques except the so-called rhythm method.

THEOLOGICAL STAND THE KEY

This concurrence in the concept of change by most of the theologians is of vital importance. If they had major theological objections to a liberalized ruling, no amount of pragmatic argument on social, psychological or demographic grounds would have been likely to prevail.

The views of a conservative minority arguing for maintenance of the status quo will be fully reported to the Pope, the sources said. But, they added, he has followed the three years of work by the commission closely and is already aware of the majority opinion favoring change.

Those familiar with the issues do not expect Pope Paul to make an early ruling either upholding the rhythm, or "safe period," method as the only legitimate method of family planning or authorizing other techniques.

They foresee that he will study all the evidence and argument for several months and may seek the opinions of other authorities before announcing a decision, possibly in the fall.

Last Sunday the commission of prelates began a review of the work of the commission of experts—theologians, scientists and married couples—and was scheduled to complete the task by the weekend.

The prelates are being assisted by various members of the original commission, whose task it is to brief them on all aspects of the report. The minority upholding the status quo is represented in this group.

Alfredo Cardinal Ottaviani, head of the Congregation for the Doctrine of the Faith and stanch conservative, is chairman of the group of 16 prelates.

LIBERALS SEEM TO HAVE EDGE

Among the other members those classed as progressives appear to have a slight numerical edge. Julius Cardinal Döpfner, Archbishop of Munich, a vice chairman; Leo-Josef Cardinal Suenens, Archibishop of Malines-Brussels, and Lawrence Cardinal Shehan, Archbishop of Baltimore, for example, were all backers of the concept of "developing doctrine" during the recent Ecumenical Council. The first two were actively identified with efforts to stress liberal concepts on the role of conjugal love.

John Cardinal Heenan, Archbishop of Westminster, the other vice chairman, had been considered a conservative, but in a pastoral letter made public just before his departure for Rome for the present meeting he stressed that "our notions of right and wrong have also undergone change."

Informed sources denied persistent rumors that the American membership of the original commission on birth control had been predominantly conservative. The Americans made valuable contributions to the panel's work in such fields as sociology, psychology, gynecology and church history, the sources said.

They also sought to correct the widespread impression that the commission's report was focused almost exclusively on the question of the "pill." The recommendations deal with almost all chemical and mechanical techniques, they said.

INTERNATIONAL ROAD FEDERATION'S 1966 MAN OF THE YEAR—REX M. WHITTON

Mr. LONG of Missouri. Mr. President, it is with great pleasure that I inform the Senate that our Federal Highway Administrator, Rex M. Whitton, a great Missourian, has just been named the first American to win the International Road Federation's 1966 Man of the Year Award.

This award is a great tribute to his success in building highways quickly, economically, and honestly.

Rex Whitton, as many Members of the Senate know, has had a distinguished career which included 40 years in the Missouri State Highway Department. When President Kennedy asked him to become U.S. Federal Highway Administrator he was serving as Missouri's chief highway engineer.

For many years we have seen his great interest and abilities put to the task of building the U.S. highway system. He has played an extremely important role in keeping the U.S. Interstate Highway System on schedule toward the 41,000-mile goal.

Among the many recognitions that have been given him are the George S. Bartlett Award for outstanding service in highway progress in 1958; the Thomas H. MacDonald Award for continuous service in the highway engineering field in 1960; and, also in 1960, he was among Kiwanis International's top 10 Public Works Men of the Year.

This new award is not only for his work here in the United States but for his "hard work to promote good roads internationally."

He was principal speaker at the Fourth International Federation meeting in Madrid in 1962, at the federation's regional conferences in Tokyo in 1964 and Lima in 1965, and at the Ninth Pan American Highway Congress in Washington in 1963.

He has led U.S. support for construction of the Pan American Highway, and under his direction the U.S. Bureau of Public Roads has contributed to the road building and improvement programs of many nations around the globe.

Mr. President, I know I speak for the Senate, the citizens of Missouri, and many people around the world, in congratulating Rex Whitton on this Man of the Year Award.

WEBSTER'S ELOQUENT CALL FOR PRESERVATION OF CAPITOL—FOREVER

Mr. PROXMIRE. Mr. President, I have spoken here several times before on the matter of the proposed extension of the west front of the Capitol.

I have called attention to the appalling waste of the taxpayers' money involved in the $34 million extravaganza proposed by the Architect of the Capitol. I realize the practical necessity of insuring that the walls be made structurally sound but I have been assured by the president of the American Institute of Architects that this can be done at far, far less cost than the $34 million now being sought.

But, quite aside from the vital question of wasting the taxpayers' money, is the matter of preserving the spiritual heritage made manifest in the Capitol Building itself.

This building was not erected as a tourist attraction. I welcome the hundreds of thousands of Americans who come to Washington to enrich their knowledge of America's history. And I wholeheartedly support measures to see that they are properly taken care of while here in the matter of facilities. But this can certainly be done without tearing apart the U.S. Capitol for this purpose.

We here in the Senate and House of Representatives have a unique responsibility to preserve this hallowed meeting-place of our predecessors. As you know, the Capitol was built in five sections. In the cornerstone of the second section, a manuscript in Daniel Webster's handwriting was laid. Webster concluded his epic manuscript with the following paragraph:

> If, therefore, it shall be hereafter the will of God that this structure shall fall from its base, that its foundation be upturned, and this deposit brought to the eyes of men, be it then known, that on this day the Union of the United States of America stands firm, that their Constitution still exists unimpaired, and with all its original usefulness and glory; growing every day stronger and stronger in the affection of the great body of the American people, and attracting more and more the admiration of the world. And all here assembled, whether belonging to public life, or to private life, with hearts devotedly thankful to Almighty God for the preservation of the liberty and happiness of the country, unite in sincere and fervent prayers that this deposit, and the walls and arches, the domes and towers, the columns and entablatures, now to be erected over it, may endure forever.
>
> God Save The United States of America—Daniel Webster, Secretary of State of United States.

TRIBUTE TO T. J. LAFEBER

Mr. LAUSCHE. Mr. President, former Senator Alexander Wiley, of Wisconsin, called my attention to the contemplated retirement of Mr. T. J. Lafeber, president of DeVry Technical Institute, 4141 Belmont Avenue, Chicago, Ill.

On the eve of Mr. Lafeber's retirement, I believe it fitting and proper that we recognize and pay tribute to him for his great record in aiding the development of more than 50,000 men, now holding important posts in our national defense, as well as in scientific laboratories, great communication centers, and industry.

DeVry Technical Institute, which is an institution of higher learning, is one of the world's largest electronics educational centers, with an alumni built up during the past 35 years that exceeds 100,000 men.

The huge educational institution, which Mr. Lafeber helped build, currently has 3,000 resident students and an extension program which prepares another 18,500 men throughout the entire Nation.

So effective and popular DeVry training became during the last 35 years, that Mr. Lafeber also built a large resident school in our sister country Canada to the north. DeVry Technical Institute, Ltd., is located at 970 Lawrence Avenue West in Toronto.

Lafeber, who pioneered the growth of electronics education from a small school with 31 students to one of the world's largest, was formerly associated in this effort with Dr. Herman C. DeVry, one of the early pioneers of audiovisual education and Dr. Lee DeForest, creator of the vacuum tube which made radio, and later television, possible.

As the result of Mr. Lafeber's early efforts, you will find DeVry Tech graduates almost everywhere electronics devises are used. DeVry men play an important role in our Nation's space program. They will be found at Cape Kennedy in Florida, at the George C. Marshall Space Flight Center in Huntsville, Ala., as well as at the NASA headquarters in Houston.

You will also find DeVry men playing important roles in our largest television and other communication centers throughout the North American Continent.

On the eve of his retirement after 35 years of forging ahead in the administration of electronics education, we recognize the outstanding contribution this individual has made to secure our national defenses and advance the economy of this Nation.

THE SHORTAGE OF NURSES

Mr. McCARTHY. Mr. President, Mr. Joseph F. McCaffrey recently gave a series of commentaries over WMAL–TV dealing with the nursing shortage. His comments and recommendations provide an excellent summary of the situation and will, I believe, be of interest and value to Members of Congress. I ask unanimous consent that his commentaries be printed at this point in the Record.

There being no objection, the commentaries were ordered to be printed in the Record, as follows:

Commentary of Joseph F. McCaffrey, May 26, 1966, WMAL–TV (7), Washington, D.C.

One of the major problems facing this immediate area, and the nation as a whole, has been building over the years. Today it has reached frightening proportions, but as bad as it is, it will get worse within the next 60 days. It will be so bad as to be unbelievable.

I am talking about the shortage of nurses.

As of the beginning of this year, the shortage was 100,000. But when Medicare goes into effect with its sharply stepped-up demands, that shortage jumps another 25,000 immediately to 125,000; within a year that figure will be even higher.

In February the three million dollar John F. Kennedy Hospital opened in Atlantis, Florida, to help ease over-crowded hospital facilities in the Palm Beach area. But to staff the 150-bed facility hospital officials were forced to close nearby Lake Worth General, citing the severe shortage of nursing personnel as the primary factor.

The nursing shortage is so severe that administrators have turned to raiding other countries. In the Washington Metropolitan area the shortage is serious.

The twenty-four hospitals affiliated with the Hospital Council here have a shortage of 380 nurses—which will increase sharply after July 1st. Twenty of these hospitals are contemplating expansions and new additions will require additional staffing, but they are unable to properly staff their present facilities; how can they hope to staff a larger hospital? Yet, there are sick people who have to be admitted to hospitals, so the facilities have to be built, even though it is admitted they will not be staffed adequately.

The situation is so bad here in Washington that the great potential of Medicare is of no value to the people of this area because it is doubtful if the required facilities and care can be supplied.

Tomorrow night I will continue to explore this shame of our affluent society.

Commentary of Joseph F. McCaffrey, May 27, 1966, WMAL–TV (7), Washington, D.C.

The current nursing shortage will become more acute, not only because of the coming of Medicare, but because of many other pressures—such as the new heart, stroke and cancer centers, the step-up in hospital construction and a growing population of affluent Americans demanding better medical care throughout the nation.

But the sad part of this story is that the nursing profession has not been keeping abreast of fast changing health care needs. Students have not been enrolling in nursing programs in sufficient numbers to meet the growing demands, and health officials, all those we talked to in preparing this series, say the problem will become worse, much, much worse, before it gets better.

Actually, the nursing shortage right now is even worse than the figures which are used to prove how bad it is. House Commerce Committee staff economist Norman Holley says the figures don't really show the significance of the shortage because we are not counting the nurses needed to treat better the existing diseases and we are not even considering the need for nurses in the area of preventive medicine. Some point the finger at Congress, saying that Congress has been willing, even eager, to create new medical programs but has not provided for the training of those needed to implement these additional health services.

In the Washington area, there are eight nurses' training programs. Three of these are degree programs and five diploma programs. William M. Bucher, executive director of the Hospital Council, says the need here justifies four additional training schools. *But* there is little prospect of getting them. The District, for example, is not willing to pay for nursing training from its tax base. The cost of these training programs then is absorbed by the patients, and until, the community recognizes its responsibility the patient will have to continue to foot these costs. But even so, when nurses receive their training through a college program or a hospital school, there is no guarantee they will stay to work in the area. More often, it seems, they don't. Today there are 956 students enrolled in this area. We're lucky if 600 stay in the area upon graduation.

On Monday night I'll have another look at the nursing shortage.

Commentary of Joseph F. McCaffrey, May 30, 1966, WMAL–TV (7), Washington, D.C.

There are more than a million nurses in the nation, but only 631,000 of these are now practicing.

Four years ago the Surgeon General's Consultant Group on Nursing reported that there should be a minimum of 850,000 professional nurses by 1970. But this was before Medicare legislation was approved and before Congress authorized the establishment of heart, cancer and stroke centers, so the *850,000 figure is, actually, very low.*

But even that goal is unobtainable. When it issued its report four years ago the Consultant Group said it is not feasible to reach this number in view of potential students and potential school capacities. Here in the District, the Hospital Council is taking several approaches in an effort to get more nurses into the hospitals. It plans to spend about $3,000 to advertise for nurses in the Journal of Nursing. It also is setting up a training program under the Manpower Training Act to bring older nurses back into their profession. The goal, or at least the hope, is to pull 500 nurses from the home environment back to work on a part-time basis. Hospitals can use part-time nurses, but they can't maintain the same quality of service with them.

But full-time or part-time, there is still the question of how good nursing care is today. This question is prompted by the fact that 80 percent of the nurses now practicing graduated before 1950, and the world has changed a great deal since then, especially the world of medicine. Thus, there is a need, an urgent need to update the older nurse so she can practice effectively—and herein lies the conflict today within the nursing profession itself. I'll talk about that tomorrow night in this continuing series on the nursing shortage.

COMMENTARY OF JOSEPH F. MCCAFFREY, JUNE 1, 1966, WMAL–TV (7), WASHINGTON, D.C.

There is a conflict going on within the nursing profession over just how professional nurses should be. In fact, the nurses will fight this out at their big convention next month in San Francisco.

The American Nurses Association has issued a position paper stating that all professional nurses should have a baccalaureate degree. Those without such a degree would be termed "technical nurses." The association feels that scientific advances are forcing nurses up in the field of medicine. They are now performing many duties heretofore done only by doctors. And as the nurse moves into a higher level of practice, the supplemental nursing staff, the licensed practical nurses—practical nurses, aides, and orderlies—are taking over more and more of the actual bedside care of patients.

With the proper educational background, nurses are on their way to becoming clinical specialists. At Presbyterian-University of Pennsylvania in Philadelphia nurses operate the experimental intensive coronary care unit. Dr. Lawrence Meltzer and Dr. Roderick Kitchell are improving the treatment of those who have suffered heart attacks. Nurses monitor the machine which indicates any abnormalities of the heart, looking for what, in layman's language, is a short circuit in the heart, causing the heart to quiver. It is this post-attack short circuit which causes most of the deaths. There are 30 different kinds of such short circuits. The nurses at Presbyterian are trained to spot the kind, and to treat it accordingly. In seven months the hospital has not lost a heart patient because of these short circuits. This intensive care may be the new wave of the future, but it will also increase the demand for more and much better trained nurses.

COMMENTARY OF JOSEPH F. MCCAFFREY, JUNE 2, 1966, WMAL–TV (7), WASHINGTON, D.C.

In discussing the nursing shortage, as we have been doing here for the last week, some attention must be given to the most important contributing factor: money, or rather the lack thereof.

Low pay has discouraged more girls from becoming nurses than any other one consideration. A U.S. Public Health official says that everybody gets paid but the nurse. However, hospital officials maintain that *nursing salaries are comparable to salaries* of women in other professions. But is this true?

A doctor at Washington Hospital Center tells about a nurse with five years' experience, "One of the best I have ever worked with," says the doctor, "who earns about $5,400 a year. Her roommate who has been working only two years earn $8,000 a year as a receptionist."

Here in the Washington area many girls—too many perhaps—choose government service, rather than a nursing career. They do this because even taking a clerical job they will earn more during the first three years than if they had entered nursing training, and even in the fourth year their government pay will top the graduate nurse's pay.

The government must share the blame with the hosiptals for the low nursing pay. For example: a nurse with a master's degree begins a government nursing career at a grade five, or $5,230 a year. Yet most other professions with the same educational qualifications begin government service at a grade seven level or a starting salary of $6,322.

The Hospital Council here recommended pay increases for area nurses effective last January from $375 to $400 a month, with a second raise to $425 due in September. This amounts to an annual salary of $5,100. In this day and age, $5,100 a year is poor pay for a professional.

I'll continue this nursing shortage series on Monday.

COMMENTARY OF JOSEPH F. MCCAFFREY, JUNE 6, 1966, WMAL–TV (7), WASHINGTON, D.C.

There are many recommendations that could be suggested to ease the current nursing shortage, a shortage which will get worse—and within the next ten weeks.

But the one which must be listed number one is salary.

During the course of this series I have had calls and letters from many nurses, telling me how little they earn. I had a call from a business administration professor whose two daughters had considered entering nursing but decided against it because of the low pay scale. He said, "Any business major I have graduating this June can get a job at $8,000 a year, and a nurse is lucky if she gets a hundred dollars a week."

This would be bad enough pay for a straight Monday-through-Friday eight-hour day. But illness is not confined to a nine-to-five working day, and neither is a nurse's working hours. Hospitals must be staffed round the clock and nurses must fill the 24 hours. They rotate shifts and in some cases work split shifts. For young women this disrupts their social lives, and for married women this proves difficult in raising children and running their homes.

The Surgeon General, Dr. William Stewart, says health officials have recognized the shortage problem for the last ten years and have tried to do something about it—but are still running behind. He said nurses are beginning to have a voice by unionizing to demand better pay and working conditions. "But it goes back to one thing," says the Surgeon General, "if communities want good health services they must be willing to support their nurses through taxes."

Tomorrow night some further recommendations aimed at stemming the nursing shortage.

COMMENTARY OF JOSEPH F. MCCAFFREY, JUNE 7, 1966, WMAL–TV (7), WASHINGTON, D.C.

These suggestions could be made as steps which could help ease the ever-worsening nursing shortage: more men should be recruited to professional nursing. Today male nurses make up only nine-tenths of one percent of the overall total. Male nurses are invaluable in caring for old patients in nursing homes, and with Medicare, nursing *homes—already at 90 to 95 percent* of capacity—will be filled to the attic.

This June the military will probably draw off a great percentage of the nurses graduated by hospitals and colleges. It might be that the time is here when the military should consider seriously training all or part of its nursing supply. The same might be said of the Veterans Administration which is a competitor for the available nurses.

In the Washington area there should be four more schools of nursing. One should be established at George Washington University which has a hospital and a medical school and officials there want a nursing program, but they must have help. Help which community leaders in the Greater Washington area could easily encourage and with such encouragement it should be possible to have a nursing school at George Washington within the next few years.

To help in recruitment, the image of the modern nurse must be changed. This should be easy to do, because actually the modern nurse has changed. Her profession is more challenging, more interesting and as medicine strides forward, the role of the nurse will grow accordingly.

Bringing home to the American people the true image of the nurse and the nursing profession today will not only help recruitment, it will also help fight the basic cause of the current shortage: low pay. Once the citizens realize the importance and value of the modern nurse they will then, it is hoped, be willing to pay for nursing care.

First, the public must be willing to pay, through taxes, for the establishment of tuition-free courses in community and junior colleges.

The State of Kentucky has already initiated a nursing program in junior colleges which is being watched by other areas, and some states have already started planning similar programs.

Once the public is willing to back such courses from tax revenue, then it should, through voluntary contributions and fees, permit higher wages so that we can hold in the field those who are attracted to the profession.

Tomorrow night I would like to suggest the most important step that could be taken immediately to combat the nursing shortage.

COMMENTARY OF JOSEPH F. MCCAFFREY, JUNE 8, 1966, WMAL–TV (7), WASHINGTON, D.C.

Traditionally hospital schools have been training nurses. These nurses earn a diploma under a three-year program which has been more or less an apprenticeship. Today these nurses make up about 84 percent of the nursing profession.

Today, the trend is to get out of the hospital setting and into the colleges. But with the move to the academic setting, there is a greater loss of nursing students to the other related and more lucrative fields; but even so, recruitment for the degree nursing program is no problem.

The nursing profession needs the brightest young minds coming out of high schools today. There are not enough receiving baccalaureate and advance degrees to fill the teaching and administrative nursing posts. And there simply aren't enough nurses with Ph. D.'s to do nursing research. Out of a million nurses in the country, 360 have doctorates. The need then is not only to increase in quantity, but to increase in quality. So now there is a controversy over whether, when countering the nursing shortage, we should merely get "bodies to the bedside" or, because of advancements in nursing technology, we should demand quality among those caring for the ill.

It could be that we should divide the nursing field into perhaps *basic* nursing and *professional* nursing. Today we could use as many nurses with degrees as we could possibly get with the best recruiting program, and we could use as many "bodies at the bedside" as we could obtain.

Therefore the recruiting drive might be two-pronged. At one level, perhaps, we should encourage high school seniors to enter the practical nursing field, working out a combination academic schedule at the high school along with an apprentice schedule at a nearby hospital. At the end of the senior year, with perhaps an additional six months' full hospital duty, the student who completes successfully all requirements would be given a practical nursing certificate. On the other hand, nursing programs should be stepped up in colleges and universities, with community and junior colleges being brought into nursing by offering nursing courses tuition-free, those courses paid for from the state or local community treasuries.

Thus, there would be two categories of nurses, each fulfilling a definite need, each complementing and supplementing the other: the practical, bedside nurse and the advanced, degree nurse. These then, are some of the observations a layman would make after worrying over the nursing shortage.

In conclusion I would like to make one observation.

I have presented eight programs on the nursing shortage, one of the most pressing problems facing our society today.

I have had communications from about seventy-five people since the series started. Of these only two were outside the medical or hospital field. I feel as if I have been talking to only those personally involved—no one else cares.

I now know, I think what hospital people meant when they told me at the beginning of our investigation into the nursing shortage, that "no one cares—."

People just don't care about the nursing shortage.

But they will. Because within a year the nursing shortage, already bad, will become much more acute.

Then people will become concerned. But in the meantime we have lost a whole year—a year in which we could be doing something.

THE ONE-MAN, ONE-VOTE MOVEMENT

Mr. BREWSTER. Mr. President, one of the most important trends of recent years, one which is applauded by supporters of vigorous State government, has been the one-man, one-vote movement. This body has considered and rejected proposals to short circuit this trend.

But the driving force behind the reapportionment of State legislatures has come, not from this Congress, but from individual citizens of the States involved. One of the leaders in the battle for fair apportionment in my own State has been an outstanding Maryland attorney, Alfred L. Scanlan.

It was more than 6 years ago that Al Scanlan began his fight to achieve fair representation in the legislature and in congressional districts. He has devoted innumerable hours of his time, without compensation, during these years. He has worked extremely hard to achieve a goal which few would have believed attainable in 1960. And he deserves most sincere congratulations for his efforts and for his success.

The Washington Post recently published an article which detailed the activities of Al Scanlan in the reapportionment battle. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HE'S VIRTUALLY REMAPPED A STATE

(By Alan L. Dessoff)

Alfred L. Scanlan, attorney at law, propped his feet on the desk of his 15th Street office and heaved a sigh. "It's been a long six years," he said.

On March 12, 1960, Scanlan joined the task of winning fair representation for Maryland's suburban voters. The record reflects his success:

Legislative reapportionment that will end rural domination of the State Senate and House of Delegates and give the populous metropolitan areas 75 per cent of the seats in both houses.

Congressional redistricting that will result this year in election of Maryland's eight members of the House of Representatives from districts substantially equal in population.

Abolition of the unit voting rule so that candidates now can be elected only by a majority of the popular vote, which was not always the case in Maryland.

FOR THE FUTURE

Still Scanlan is not finished. Pending in the U.S. District Court is his suit to have the Montgomery County Council election districts redrawn on a population basis. And Scanlan is a member of the special gubernatorial commission that is preparing the working papers for a state constitutional convention that probably will be called next year.

The convention will have the job of rewriting Maryland's 99-year-old constitution to embody, among other things, the milestones of electoral reform that Scanlan has helped to reach.

"With that done, and with reform of the Legislature and the executive branch, and maybe some changes in the judiciary, it's possible that state government can reflect a renaissance of state responsibility," Scanlan said.

"If state governments were more responsive to the demands of their people, there would be less pressure on the Federal Government to settle those demands."

NOT SO BRIGHT PROSPECTS

There seemed but small chance of success when Scanlan and a dozen other citizens formed the Maryland Citizens Committee for Fair Representation in 1960.

At the beginning, and throughout much of the fight, they were up against virtually every fiber of the state government—the Governor, the Attorney General, most members of the Legislature, some Congressmen and even the courts.

"It was strictly a long-shot bet, and we would have probably been happy with less than we got," Scanlan said.

The group soon came to realize that the results of its campaign were inevitable, thanks to the pressure and the direction that began to come from the Federal courts. It was only then that the state courts, and later the Attorney General's office, swung into line. But the Legislature remained a tough nut to crack.

"Almost at any point during the process, if the General Assembly had given a little—just a little—they might have made it easier, and even postponed the final result for a few years. But they refused to compromise," Scanlan said.

BEHIND THE SCENES

Most members of the citizens organization remained out of the public limelight. The exceptions included Scanlan and Royce Hanson, who has served almost since the beginning as its president and is running for Congress again this year after failing two years ago.

But the group continued to develop the strategy and raise the funds to press forward. The money paid the expenses, of which Scanlan was not one. He has served without fee.

He figures that if he added up all the time he spent in meetings, in one court or another, in the meticulous preparation of petitions and briefs and arguments, it would amount to several thousand hours. He donated them to the cause.

"Lawyers have to do things without fee in the public service," he said.

The Citizens Committee for Fair Congressional Redistricting didn't get going until the summer of 1963, and remained apart from the legislative reapportionment group.

"We never thought that congressional redistricting was quite as important a goal as the legislative changes. Congress itself could always have straightened itself out," Scanlan said.

Although he is a strict believer in the sharp division of governmental functions between the executive, the legislative and the judiciary—"it has validity and should be preserved"—Scanlan also feels that the courts should be used if necessary. But "I was never happy in asking the courts to take over what should have been a legislative process," he said about the reapportionment case.

"You can't make a mockery out of government and expect it to endure. I can't understand to this day how the British got rid of the rotten borough system without resort to the judiciary."

THE BEST WE CAN

Although Scanlan would have preferred a redistricting plan different from the one imposed by the Federal courts, he is satisfied with it.

"I think we've done about the best we can. After all, politics is a human science, a social science. The only real simple standard in this matter is the population standard, and as long as we assure equality to different segments of our population, a little gerrymandering is not all that bad. You've got to allow a little play at the joints."

Scanlan admits that he experienced some pessimism during the long fight over the Dirksen amendment, which would have undone much of what he was trying to do with legislative reapportionment. "But that seems to have been safely laid to rest," he said.

Looking to the future, Scanlan raises a note of caution for the next Legislature.

"The trouble with the past wasn't so much that the rural boys were antagonistic or hostile to the cities and suburbs; they were just indifferent; they didn't understand suburban problems.

"We have to watch now that we don't reject the rural counties altogether," he said.

Although he was becoming tired of the fair representation campaigns toward the end—"it was almost one brief too many, and you can only say the same thing in so many ways"—Scanlan admits to enjoying the long fray.

His court appearances reflected his excitement. Scanlan moves quickly and forcefully. His voice is pleasantly loud with a New Jersey twang and he enjoys nothing more than a good verbal exchange with a judge or an opposing lawyer in the courtroom.

In his Supreme Court appearance on the legislative reapportionment case, then Justice Arthur Goldberg asked him why Baltimore

City had six state senators and each county had only one.

"They tell me it is because Baltimore is unique, your honor," Scanlan replied, "and I find this to be irrefutable. Ask anyone who has been there."

Scanlan, 45, lives in Bethesda with his wife and five children—all redheads like their father.

Rep. CARLTON R. SICKLES, who is seeking the Democratic gubernatorial nomination, is seriously considering Scanlan as his running mate for Attorney General.

Scanlan, who shares the liberal, reform philosophy of SICKLES and Sen. JOSEPH D. TYDINGS (Democrat, of Maryland), also is giving it serious consideration—and the opportunities it would provide to practice his profession in the public service. That might well be his personal credo.

IDENTIFYING "SUCCESS ABILITIES"—A USEFUL EMPLOYMENT COUNSELING TECHNIQUE

Mr. JAVITS. Mr. President, two recent articles by Bernard Haldane, president of the Foundation for Reemployment of New York, describe a useful employment counseling technique being used to prevent unemployment of workers laid off because of automation, encourage the unemployed to find new jobs, and stimulate the motivation of youths and adults.

I ask unanimous consent to have printed in the RECORD the two articles written by Bernard Haldane, the first entitled "Focus on Success Instead of Failure" and published in the Journal of the National Education Association for April 1966, and the second entitled "Speedy Reemployment: Solution to a Delicate Problem," published in the Public Relations Journal for May 1966.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Journal of the National Education Association, April 1966]

FOCUS ON SUCCESS INSTEAD OF FAILURE

(By Bernard Haldane, chairman, board of trustees, Foundation for Reemployment)

Adults in general and teachers in particular often invoke the successes of famous men and women to inspire young people to achievement. My own experience with thousands of youths and adults has convinced me of how important it is to teach people of any age to learn from and build on their own success.

Most of us have been trained from early childhood to learn from our mistakes and to "leave well enough alone" as far as our achievements are concerned. This is a topsy-turvy approach if one accepts the axiom that study and concentration generally result in improved performance. According to this axiom, people who study their mistakes are likely to improve their ability to make mistakes; people who study their successes should improve their ability to achieve further success.

When an individual has done something well, enjoyed doing it, and been proud of it, he has almost certainly used some of his best skills or talents. Such an experience can be called an achievement or success, no matter how modest.

Success experiences are different in early childhood, in adolescence, and in adulthood, but they almost invariably involve a common core of talents or abilities.

Take Henry Ford as an example. When he was 6, he started fixing clocks, and by age 10 he had a flourishing small business in watch and clock repair.

Two years later he directed classmates in the building and operation of a forge. At 14, he designed a dam and supervised its construction, and by 16 he was repairing engines. Repairing, designing, supervising—all these talents become apparent when his achievements are studied.

Every child has a similar, though probably less outstanding, series of successes on which to build. Unless this is pointed out to him, however, he is likely to discount his accomplishments as unimportant or to ignore them as he continues an undirected search for his route to educational, vocational, and personal success.

A high school junior with whom I worked had no interest in school and was prepared to drop out, feeling that further education would be of no use to him. A questionnaire he filled out revealed that almost all his successes were concerned with his after school and weekend occupation as a pizza pie chef, a job at which he earned more than a great many adults in his community. His stated goal was to be a chef in his own restaurant.

A specially trained counselor asked him, "Do you think it would help your career if you were able to handle the business side of running a restaurant?" When he said yes, the counselor told him what courses the school offered that would help him deal with the financial aspects of a restaurant. The boy decided to stay in school and is now doing well in bookkeeping and other business courses, which are strengthening his best talents by broadening the base of their application.

This boy is typical of many potential dropouts who have been encouraged to stay in school when the focus has shifted from their weaknesses to their strengths. It is high time for teachers—and parents too—to become more aware that learning from successes pays off better than learning from failures. Such an approach not only unleashes the desire for more achievement; it also encourages individuals to look for the best in others as well as in themselves.

[From Public Relations Journal, May 1966]

SPEEDY REEMPLOYMENT: SOLUTION TO A DELICATE PUBLIC RELATIONS PROBLEM

(By Bernard Haldane)

A large U.S. company was recently forced to announce that it was going to close a major plant manned by hundreds of workers. The decision was an economic necessity, said management. Nonetheless, union protests were loud, and a special Senate hearing was called to investigate the shutdown. Company officials were called to Washington to explain their action, which the union said would cause an unemployment disaster in the community.

The company obviously faced a serious public relations' and community relations' problem. Management's solution was to call in the Foundation for Re-employment, a nonprofit organization with headquarters in New York. The Foundation's reason for being is to help "disemployed" people find new jobs. In this case, the Foundation set up special seminars to train the laid-off workers in tested job-finding skills. Two and a half days of intensive training were followed by regular coaching sessions conducted by experienced counselors. Net result; within two months, 85 per cent of the disemployed workers seeking new jobs had them—most at incomes comparable to, or better than, their previous pay. This success was scored despite the fact that the majority of employees in this group had 20 or more years of seniority and were past 50 years of age.

Just four months after the company had been censured by the State's two senators, these same senators sent a telegram lauding the company for preventing what could have been a serious unemployment problem.

This example is just one of 40 programs so far conducted by the two-year-old Foundation for Re-employment. Such problems and the solution the Foundation offers deserve the attention of any public relations officer concerned with the community impact of terminations caused by mergers, reorganizations, automation and plant relocations.

Another example: In Paterson, N.J., 59 so-called "hard-core unemployed" (ranging in age from 45 to 60) completed the Foundation's program. Forty-four of these people looked for jobs. Twenty-seven, or 60 per cent, were re-employed within five weeks.

In contrast, when Studebaker closed its South Bend plant, 7,500 people were thrown out of work. A major Federal effort was launched to help these workers find employment. One year later, only 1,200, or 15 per cent, were re-employed, half of them in Government subsidized companies.

In New York, 71 disemployed white collar people registered for the Foundation's program. In an average time of *less than seven weeks,* 63 found jobs for 10 per cent more than they formerly earned. Five found comparable jobs, but three were unsuccessful.

In contrast to this case, when Martin-Marietta in Baltimore terminated 163 technical people, the company went to great expense to find jobs for them. But *six months later,* only 25 per cent were re-employed.

This is but a small sampling of typical case histories. Companies already helped by the Foundation for Re-employment include such names as Standard Oil of N. J., Union Carbide (Linden Division), Esso International, the Singer Company and many others.

Recently David C. McClelland pointed out in *Harvard Business Review* that many job opportunities exist. The problem, he says, is to increase the achievement needs of job seekers; in short, to motivate them. This can be done fairly economically, he says, and "not with long-term, expensive educational programs taking months or years." His recommendation: "short intensive courses."

The Foundation's programs have been fulfilling this need and the cost is small, particularly when compared with other approaches. The employer pays only $175 for each factory or clerical worker given the program, and $350 for management and professional people.

The Foundation's program represents a dramatic breakthrough in employee and community relations. It means that a company can now convert a mass layoff from an image-smashing catastrophe to a powerful public relations tool. The catalyst is the new concept that treats job loss not as a tragedy, but as an opportunity.

The program has two main objectives. It trains disemployed workers to identify their strongest "success abilities." It then develops and fortifies their job-getting skills. Thus armed, the job seeker—whether he is a laborer, manager or professional—is now qualified to enter the job market and quickly find the spot best matched to his abilities—and he is trained to do it on his own.

Of specific interest to the public relations community, the re-employment program has chalked up a long string of successes in:

Retaining terminated employees as loyal customers and good-will ambassadors.

Boosting the company's image in the eyes of the community.

Spurring the recruitment effort—present and future—by instilling in people the conviction that the company is a good one for which to work.

Sustaining the morale and performance of employees on the job in the face of mass terminations.

When a mass firing occurs, a company has two alternatives. It can permit the grapevine to take over the task of influencing its various publics with regard to its motives and intentions—or the company may assume this task itself. This would call for a program of action designed to convince the public that it cares about its people and the community and that it is taking positive steps to support its position.

Needless to say, the company that chooses alternative number one is asking for trouble:

For example, one multi-plant corporation wants to build a plant in a particular city. "But," says the president, "we are forced to steer clear of the area." He makes no bones about the reason. A company facility in that city was shut down during the depression years ago. More recently, a second plant was closed when government contracts were terminated at the end of World War II. Today, the company is convinced it could not recruit successfully in that city. "With our reputation," says the president, "we'd attract nothing but drifters."

This is the price of wielding the axe without regard as to where the pieces fall.

The public relations value of a Foundation re-employment program is illustrated by this example. A certain company has a worldwide reputation for "lifetime job security." It recently initiated a hard-driving cost reduction program. Heads rolled as fat was trimmed. The grapevine swung into action. Some of the people fired had 15 or more years of service behind them. Productivity fell sharply. Absenteeism soared. Discipline showed signs of breaking down.

Then a Foundation re-employment program was announced. Within a week, participants were whistling a new tune. The news coursed through the grapevine. The trainees soon realized they would have little difficulty finding new jobs with comparable pay. And experience bore out this belief. Forty-four men took part in the program. Forty-one had comparable positions within 90 days.

The main program consists of two-and-a-half days of intensive training. This is followed up by periodic counseling sessions. In small workshop seminars, trainees are taught to recognize and exploit their individual talents and abilities. At the start of the program, each participant works up his own "skills inventory." Emphasis is placed on "Success Factor Analysis"—helping the terminated employee pinpoint what he does best and what he likes best. He then learns how to single out the job that most closely matches his personal abilities and desires. He is then ready to concentrate on the best techniques for tracking down his job target in the marketplace.

The Program Leader works with the trainee to organize a job-finding campaign tailored to his needs. The trainee is taught to spot and make use of all possible avenues of job opportunity. He learns how to prepare an effective résumé or "job power report." He learns how to communicate well during the interview. Most important, motivated by both the Leader and the group, he is literally taught to "accentuate the positive and eliminate the negative."

The program centers on sparking the trainee's will to become re-employed. It builds his enthusiasm and hope and instills in him the confidence that he will succeed. It also follows him through to new employment. As he sees others succeeding all around him, his confidence is continually bolstered.

Registration for a re-employment program runs from 15 to more than 100 people. The larger groups are divided into sub-groups. Individual obstacles and difficulties are brought into the open. Case histories are presented to show how employee abilities repeatedly tend to overcome all obstacles.

Discussion periods get right down to cases with no punches pulled. Live situations are simulated. The trainee learns how to field tough, personal questions likely to be posed by the prospective employer: How old are you? How much money do you want? Did you ever have trouble with your supervisor? Why were you fired from your last job?

Role playing is part of the program. In one typical exchange the Leader asks: "How old are you?" The reply: "Fifty-one." The Leader then stresses a key point. "Remember this. Only your future is for sale. Concentrate on the future, not the past. If you're 51, say something like this: 'I expect the next 14 years to be the most productive ones of my life. That makes me 51.' "

Always the aim is to bring the best in each person to the surface. This sometimes results in the complete replanning of a man's life.

One man was fired from a data processing job. By his own admission he had spent years "whistling at holes in punched cards." But his skills inventory revealed other, nonrelated talents. He spent much of his spare time teaching at the "Y." As a scout leader he trained boys for their merit badges. On Sundays he conducted a Sunday School class. All his life he had wanted to become a teacher. Today this dream has been realized.

Another man was 48 whose education ended at the 7th grade. When he lost his exterminator's job, his initial reaction was one of numbing shock and disbelief. Then a Foundation program revealed a fact that had been tucked away for years in his subconscious. He was in the wrong business. His real pleasure was tinkering with clocks, radios, television and other electronic devices. Today he is a successful electronics technician.

A third case involves a 33-year-old personnel executive. After he was fired from his job, he registered with the Foundation for Re-employment. Today he earns over $30,000 a year as production manager—more than triple his former salary.

All these people have two things in common: (1) self-confidence based on knowledge of their true abilities, and (2) motivation to achieve goals and surpass them.

When the basic program is complete, the registrant is on his own for only a few days. He then returns to a problem-solving workshop. Here, his progress is assessed and his difficulties discussed. Suggestions are made by the Program Leader and by other group members. Sometimes job leads are exchanged.

Results come quickly, much faster than expected. Some land new jobs in a week. Others take longer. But whether the goal is reached in a week, a month or 2 months, is not significant. The important thing is that results are faster and surer than by any other re-employment method tried to date.

It is also significant that as a result of Foundation training many people come to understand themselves more fully than ever before. It is only natural that the letters keep pouring in: "Thank you for the opportunity to participate in this program." "Success Factor Analysis put a rudder on my ship and gave me a bearing." "Using the salary negotiation techniques you taught me, I was able to obtain a startling salary of $17,000 plus."

Community leaders also take the time to pen thank-you notes to companies sponsoring Foundation programs. It's little wonder. The program's impact on the economy cannot be overstated. For every five people thrown out of work, one more job loss is generated as a result. And for every seven people who find employment, one new job is created.

This precisely is what the Foundation for Re-employment is achieving. It shows terminated employees how to find new jobs quickly on their own. And in the doing, new jobs are created.

What it all adds up to is good economics, good management—and, without a doubt—the very best in public relations.

THE MISSOURI PLAN FOR THE SELECTION AND TENURE OF JUDGES

Mr. LONG of Missouri. Mr. President, the American Bar Association Journal for June has a very fine article by Prof. Richard A. Watson, associate professor of political science at the University of Missouri, on what is known as the Missouri plan for the selection and tenure of judges. Briefly, the plan provides for a nominating committee composed of outstanding citizens of Missouri who nominate high-caliber men for the judgeships of the various courts of Missouri. From this list of nominees, the Governor of Missouri appoints the best available legal talent as judges. After serving their terms, the judges run on their records with the voters deciding whether or not they should be retained in office.

This plan was jointly developed 25 years ago by the American Bar Association and various bar associations in the State of Missouri. The plan has worked so well that it has become a model for other States. There are currently six other States using the plan and still other States that use portions of it. As Professor Watson observes, the Missouri plan has transformed Missouri, in this instance, from the "show me" State to the "show them" State.

I urge other States to study the plan and see if it will work for them as well as it has for Missouri and the other States that have adopted it. I salute the American Bar Association and the State of Missouri on this celebration of the Silver Anniversary since the plan went into effect. I congratulate all the fine judges who have served under the plan and who are chiefly responsible for its effectiveness. Without objection, I would like to have inserted into the Record the article by Professor Watson and also an editorial appearing in the same issue of the American Bar Association Journal on the plan.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

Missouri Lawyers Evaluate the Merit Plan for Selection and Tenure of Judges

(Editor's note.—The material for this article is drawn from a general study conducted by the author and two of his colleagues, Rondal G. Downing and Frederick C. Spiegel, with the assistance of grants from the Social Science Research Council and the Research Center of the University of Missouri.)

(By Richard A. Watson, associate professor of political science, University of Missouri)

The American Bar Association's merit selection and tenure plan for the judiciary celebrated its silver anniversary recently, since it was on November 5, 1940, that the voters of Missouri accepted the provisions developed by the Association and other bar groups for selecting judges in their state.[1]

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[1] In addition to the American Bar Association, the American Judicature Society, the Missouri Bar Association, the Bar Association of St. Louis, the Lawyers' Association of Kansas City and the Missouri Institute for the Administration of Justice played important roles in developing the plan and working for

Since that time, the Appellate Judicial Commission, composed of lawyers, laymen and the Chief Justice of the Supreme Court,[2] have nominated candidates for appointments to the Supreme Court, as well as to the three intermediate courts of appeal of the state—St. Louis, Kansas City and Springfield. Similarly, circuit judicial commissions in St. Louis and Kansas City, with a parallel composition,[3] have nominated candidates for the circuit and probate courts of the two communities, as well as the St. Louis Court of Criminal Corrections.

Six governors of the state, who have served in that office in the last twenty-five years, have made some sixty appointments from among these nominees, and all judges so appointed have run subsequently "on their records" with the voters deciding whether or not they should be retained in office.[4]

In recent years this method of choosing judges has become the focus of a nationwide movement that has transformed Missouri from the "show-me" state to the "show-them" state. Since 1956 voters in four states, Alaska, Iowa, Kansas and Nebraska, have accepted the merit plan (also referred to as the Missouri Plan, as well as the nonpartisan court plan), and features of it apply to courts in six other states.[5] Moreover, in some areas where the plan has not been legally adopted, its principles have been put into effect. Governors William W. Scranton of Pennsylvania and John A. Love of Colorado, as well as Robert F. Wagner, when he was mayor of New York City, have voluntarily utilized nominating commissions for their appointments.[6] Meanwhile, the plan is being debated in bar associations and state legislatures in other states in the Union, and it has been suggested recently for the selection of federal judges.[7]

This concerted campaign has provoked a series of charges and countercharges among lawyers concerning how well the plan has operated in Missouri. Statements both pro and con that have appeared on the issue from time to time, while helpful and suggestive, have been based primarily on impressions of individuals or small groups of lawyers, rather than on reactions of a substantial number of attorneys of that state. As such, they are open to the criticism that they may not represent the views of the entire Bar. The findings reported here, however, are based on responses from a representative cross section of the Missouri Bar, numbering more than 1,200 lawyers, almost one-fifth of those practicing in the state.[8]

The survey, part of a four-year study of the merit plan, sought information (provided anonymously by members of the Bar) on three major matters relating to the selection of judges. The first was the method lawyers prefer for choosing circuit and appelate judges—the merit plan, nonpartisan elections, partisan elections or straight gubernatorial appointment. The second was how they felt the plan had actually operated over the years in recruiting and selecting judges, as well as its effect on judges' behavior once in office. The third dealt with the improvements they felt should be made in the plan. The following discussion analyzes the responses of the Bar.

PREFERENCES ON JUDICIAL SELECTION

The lawyers in the state clearly prefer the merit plan over other methods of selecting judges at the circuit court level. (These are the courts of original, general jurisdiction in Missouri.) Of the 1,233 respondents who replied to the questionnaire, 61 per cent favor the plan, 16 per cent prefer nonpartisan elections, 12 per cent partisan elections and 11 per cent have other suggestions or expressed no opinion. In the latter category, it is interesting to note that only about 1 per cent would like to see the governor on his own appoint judges (a practice that typically occurs in the actual operation of an elective system),[9] and an equally small number think that lawyers alone should choose them.

The strongest support for the nonpartisan plan comes from the state's urban areas. Lawyers practicing in Kansas City and St. Louis, where the circuit judges are selected under the plan, favor it by 79 and 70 per cent proportions. Those whose main practice is in St. Louis County, a suburban complex that surrounds the city, prefer the plan over the present system of choosing their judges in partisan elections by a 44-to-5 per cent ratio, with some 30 per cent supporting nonpartisan elections.

Lawyers with an equal amount of practice in the city and county in the St. Louis area, who have the opportunity to see both selection systems at work, support the merit plan even more: over half of them choose it, compared to 6 per cent who favor partisan elections and another 27 per cent who would like to see nonpartisan elections used to select circuit judges.

The major opposition that exists to the plan in the state is concentrated in the "outstate" areas, which at present choose their circuit judges in partisan contests. Lawyers practicing there generally prefer some kind of elective system, with 30 per cent choosing partisan and 27 per cent nonpartisan ballots. However, it is significant to note that a substantial group, the largest proportion favoring any one method, some 36 per cent, would like to see their jurisdictions adopt the merit plan system, a possibility that to date has never been authorized by the Missouri legislature.[10]

As far as choosing judges to the state's four appellate courts is concerned (the supreme court and three intermediate courts of appeal), lawyers in all areas of the state definitely want to retain the merit plan, which now governs these selections. Support for the plan in choosing appellate, as compared to circuit, judges increases in all geographical groups, but the contrast is most dramatic among outstate attorneys: some two thirds of them prefer the plan for upper court judges, almost twice the proportion that favors it to select those sitting on the lower courts.

Lawyers who prefer to elect their circuit judges, but who want to use the merit plan for appellate judges, were asked to give their reasons for choosing different selection methods for the two kinds of courts. A variety of explanations was given, but essentially they involved a few major arguments. The first is that the people, particularly in outstate areas, are in a position to know personally the lawyers practicing in their area, and thus they can make an intelligent and independent choice as to which of them should be judges. However, this is not the case with respect to the selection of appellate judges; the voter cannot be acquainted with their qualifications since they may come from distant areas of the state. The result is that the influence of urban political organizations, particularly in the primaries, would become the crucial factor in the selection of appellate judges. Therefore, these judges should be selected under the nonpartisan plan, which neutralizes the effect of political forces.

Other reasons advanced for preferring disparate systems at the two levels have to do with the different conceptions lawyers have of the functions performed by trial and appellate courts. Some attorneys feel that trial judges are "closer to the people" than appellate judges and that they should be more responsive to public sentiment than higher court judges. As one respondent expressed it:

"I am of the opinion that the judges of the lower courts must feel the pulse of the people in order to accomplish justice according to current circumstances. Making the circuit judges more accountable to the people tends to insure this result. The higher courts should not be subject to the influence of circumstances of a particular locality."

Related to this same difference in function of the two kinds of courts is the opinion that the people are in a better position to evaluate judges for the lower courts, since (1) they observe these judges in action and (2) the conduct of trial proceedings does not involve as much legal *expertise* as work on appellate tribunal. One lawyer suggested, "A circuit judge needs to be more understanding of human nature and observant of people, while an appellate judge applies more legal theory." Thus, the reasoning is that

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its adoption. See PELTASON, THE MISSOURI PLAN FOR THE SELECTION OF JUDGES, Chapter II (Vol. XX, No. 2, the University of Missouri Studies, 1945).

[2] The Appellate Nominating Commission, includes, in addition to the Chief Justice, three lawyers elected by members of the Bar (one from each of the courts of appeals' jurisdictions) and three laymen appointed by the Governor from the same jurisdictions.

[3] There is a separate nominating commission for Jackson County and St. Louis City-County. Each consists of two lawyers elected by members of the Bar residing in the circuit court jurisdiction, two laymen from the jurisdiction appointed by the Governor and the presiding judge of the court of appeals of the area, who serves as ex officio chairman.

[4] In the twenty-five-year operation of the plan, only one judge has been voted out of office. This occurred in 1942.

[5] The plan is utilized to choose judges for courts in Birmingham, Alabama; Dade County, Florida; Denver, Colorado; and Tulsa, Oklahoma. In addition, California and Illinois utilize the tenure aspects of the plan, under which incumbent judges run in noncompetitive elections.

[6] 48 J. AM. JUD. SOC'Y 133 (1964). Mayor Lindsay has made a pledge to continue the practice in New York City and to work for the permanent establishment of a nominating commission by constitutional amendment. 49 *Id.* 124 (1965).

[7] Savage, *Justice for a New Era*, 48 J. AM. JUD. SOC'Y 47 (1965).

[8] Since The Missouri Bar is integrated, we used the membership of that association as our "population." We randomly selected 3,303 of the 6,606 Missouri lawyers who belonged to the association and mailed questionnaires to them in May of 1964. A comparison of the lawyers responding (1,233) with the entire Missouri Bar as of that same year analyzed in *The 1964 Lawyer Statistical Report* (American Bar Foundation, 1965) indicates that our sample is very representative on such characteristics as age, kind of practice arrangement (sole, firm, etc.), geographical location of practice and law school education.

[9] Studies of the subject have shown that many state judges, as high as 50 per cent in some cases, come to the bench originally by appointment of the governor as a result of the retirement of a sitting judge. Once appointed, they run in subsequent elections as incumbents, which puts them at a decided advantage, vis-à-vis other candidates. See VANDERBILT, MINIMUM STANDARDS OF JUDICIAL ADMINISTRATION 8 (1949) and Winters, *One-Man Judicial Selection*, 45 J. AM. JUD. SOC'Y 198 (1962).

[10] The Constitution of the State of Missouri, 1945, Article V, Section 29(b), provides for the adoption of the plan by voters in other judicial circuits, but the Missouri Supreme Court has ruled that this section is not self-executing and requires legislation to make it effective. *State* ex rel. *Millar* v. *Toberman*, 360 Mo. 1101, 232 S.W. 2d 904 (1950). Several attempts to pass such legislation have failed.

lay persons are capable of determining the qualities needed for a trial judge, while only lawyers and judges can properly evaluate those of candidates for the higher courts.

Preferences of Missouri lawyers concerning judicial selection for both the circuit and appellate courts are affected somewhat by the fields of legal practice in which they specialize. Defendants' and corporation lawyers most favor the plan; those representing plaintiffs, labor unions and persons accused of crime are least enthusiastic about it. However, it should be noted that in the metropolitan areas, all elements of the Bar, including lawyers with the last three specialties, prefer the merit plan over other selection methods, even though some of these groups opposed the plan when it was originally introduced in Missouri.[11] The same is true of sole practitioners, although their support for the plan falls considerably below that of attorneys working in law firms, as well as those employed by corporations or government agencies.

Political party loyalties also have some bearing, but their effect on the metropolitan Bar is not as great as one might expect. More Republicans than Democrats practicing in Kansas City and St. Louis favor the plan for the selection of both circuit and appellate courts. This is understandable since, given the Democratic majorities that exist statewide and in these areas, it is unlikely that as many Republicans would have been elected to these benches as have been appointed under the plan during the past twenty-five years.[12] However, the support of the Democrats for the plan in these two areas is nevertheless high (68 per cent for selecting circuit judges and 75 per cent for appellate), indicating that other factors besides partisan advantage are taken into account by urban Democratic lawyers in their preferences concerning judicial selection.[13]

ATTITUDES ON THE OPERATION OF THE PLAN

In the personal interviews we conducted with over 200 lawyers in the state in connection with our general study of the merit plan, we asked lawyers to give their reasons for supporting or opposing the plan. From the comments advanced, we took six consequences lawyers mentioned most often as being associated with the operation of the plan (three favorable and three unfavorable) and asked the respondents in our sample survey to indicate whether they agreed or disagreed with each of them. We thus gained a view of which of the reasons advanced in support or opposition to the plan were most persuasive to the Bar as a whole.

The results show that the consequences of the plan about which most lawyers agree are that the plan recruits better judges than popular election does. The major reason advanced for this result is that able lawyers are more willing to seek a judgeship under a system that spares them the rigors, expense and uncertainties of election campaigns. Most lawyers also agree that the independence judges enjoy under the plan encourages them to make decisions based on the merits of cases, rather than subjecting them to pressures elective judges must often face. About two thirds of the attorneys see these as results of the plan, while only about one tenth of them do not. Also, by about a two-to-one ratio, lawyers in the state reject the comments often made by those opposing the plan that it tends to make judges arbitrary in their treatment of lawyers and laymen with business before the courts and favors the selection of defendants' and corportion lawyers as judges.

The allegations concerning the merit plan about which the Missouri Bar is most uncertain are those relating to the role that "politics" plays in choosing judges. The lawyers are almost evenly divided on the issue of whether the plan has succeeded for the most part in taking "politics" out of the selection of judges. Thirty-eight per cent say it has, while 41 per cent feel it has not. More than half the lawyers in the state agree, moreover, that the plan substitutes Bar politics and gubernatorial politics for the traditional politics of party leaders and machines, compared to about one fifth of the Bar that thinks this result has not occured.

One of the difficulties with these statements, revealed by comments added to some questionnaires, is the fact that the respondents interpreted the word "politics" differently, some restricting it to party politics and others giving it a broader connotation, as evidenced by one lawyer's statement that, "Politics unavoidably exists whenever people are involved, since the personal element can never be discounted." Similar assumptions concerning the inevitability of politics led some lawyers to state that while they agreed that the plan substituted one brand of politics for another, they preferred that associated with the plan to the kind produced by the elective system of choosing judges. As one attorney put it, "Plan politics is the lesser of two evils inasmuch as party politics entails the additional demand of monetary expenditures." Thus, disagreements within the Bar on the part that politics plays in choosing judges under the plan are, at least in part, based on semantic differences rather than those of substance.

SUGGESTED IMPROVEMENTS IN THE PLAN

We followed the same procedure with respect to improvements in the plan as we did with attitudes on its operation. We asked lawyers we personally interviewed for suggestions as to how the plan might be improved, and we then requested respondents in our sample survey to indicate which of these suggestions they favored. They were also asked to specify any other improvements they would like to see made in the plan. Virtually all the lawyers had some ideas for improving the plan, including those who vigorously support it.

Clearly, the gravest weakness in the plan, as Missouri lawyers view it, is the problem of removing from the bench judges who are not capable of handling the duties of the office. Under present state statutes, appellate judges must retire at age 75, but there is no such requirement for circuit judges in Kansas City and St. Louis or, for that matter, for those outstate judges who are elected. About four fifths of all lawyers in Missouri favor extending this provision to the lower court judges, and some of them would like to see the age limit lowered to 65 or 70 for all judges. At the same time, about one half of the Bar would like to see the retirement benefits of judges increased beyond the present level of one third of the annual salary at the time of retirement.

Although the issue is most acute for older judges, there is also some concern among lawyers for developing a procedure for removing incompetent judges from the Bench regardless of their age. There is general agreement in the Bar that the present requirement that a judge be retained in office by an affirmative vote of the electorate is so easily met that in actuality it has meant life tenure for judges, and that some more effective method of dealing with the problem should be devised. One third of the lawyers favor raising the "yes" vote necessary to stay in office from a simple to a two-thirds majority. Other possibilities are also suggested, such as granting the nominating commission authority to remove judges who are not properly fulfilling the duties of their office, or giving the Bar a greater role in determining whether judges should be retained in office.[14]

Three other improvements in the plan drew the approval of at least one third of the Bar. One involves raising the compensation of judges to make it competitive with income received by leading members of the Bar engaged in private practice. Another is the selection of the commissioners of the appellate courts—who at present receive the same salary as the regular judges and share the duties of working on cases, but who have no vote in deciding them—through the provisions of the plan, rather than permitting the court members to choose them. (The fact that several supreme court commissioners have subsequently been chosen as judges is resented by some lawyers. They charge that judges in effect pick their future colleagues by first getting them in the court as commissioners and then using their influence on the appellate nominating commission [15] to get them selected as judges.) The third involves requiring the courts under the plan to be bipartisan, that is, to represent as equally as possible both major political parties. As might be anticipated, this latter improvement is much more favored by Republicans than by Democrats, since the latter party has had more of its members appointed to the bench under the plan than the former.[16]

HOW THE SURVEY MAY BE SUMMARIZED

In summary, it may be said that after twenty-five years of experience with the merit plan, Missouri lawyers are for the most part satisfied with this system of selecting judges. It is particularly significant that the members of the Bar who have lived with it most closely—those practicing in Kansas City and St. Louis—are its strongest supporters. At the same time, they are willing to consider improvements that will strengthen the plan.[17] Their thinking is epitomized by the frank comment of one attorney: "Best system devised to date, but needless to say, far from perfect."

Selection of Judges

The celebration by Missouri of twenty-five years of operation of the Missouri Plan for the selection of judges is of importance to lawyers, judges and, above all, the people of every state in the Union. Devised by Professor Albert M. Kales and approved and sponsored by the American Bar Association, that plan (also called the American Bar Association merit plan) was adopted in Missouri in 1940. There have been efforts to overthow it and much information has been published about it in a recent number of our contemporary, the *Journal of the American Judicature Society*.

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[11] Some elements of organized labor, together with some leading labor lawyers, opposed the adoption of the plan in Missouri. Also, The Kansas City Bar Association and the Lawyers' Association of St. Louis, both of which included in their leadership some prominent plaintiffs' lawyers, generally were opposed to the plan. PELTASON, *op. cit. supra*, note 1, Chapter III.

[12] During that period, ten Republicans have been appointed to Kansas City and St. Louis circuit and probate courts, three to the courts of appeals of the two areas and three to the Missouri Supreme Court.

[13] Among lawyers practicing in St. Louis County and outstate, the Democrats support the plan more than Republicans.

[14] Since 1948 The Missouri Bar has conducted bar polls among lawyers practicing in merit plan jurisdictions to obtain their view as to whether judges up for re-election should be retained in office. The polls, however, are only advisory for the electorate.

[15] It will be recalled that the Chief Justice of the Missouri Supreme Court serves as chairman of the Appellate Nominating Commission.

[16] Of the sixty lawyers appointed to the bench under the provisions of the plan, 70 per cent have been Democrats and 30 per cent Republicans.

[17] A committee was formed recently to look into the improvement of the plan.

In this issue appears an article by Richard A. Watson (page 539) to which we invite special attention. Investigators and bar association committees from other states have visited Missouri to determine and report on the merits and demerits of the plan. The overwhelming evidence is that it has been an outstanding success.

Not only have efforts to destroy the plan been defeated in Missouri, but the neighboring States of Iowa, Kansas and Nebraska, with firsthand information from next door, have adopted it. Likewise, it has been fully adopted in Alaska, and partially in Illinois, California and Alabama. Strong movements exist in many states for its adoption, and there is reason to believe that these will be successful after due education and instruction of the public. The sad fact is that in many places it is not the Bar who have led the movement, but laymen discouraged by the obvious shortcomings of our present hodge-podge of political elections, short terms and ineffective screening of candidates.

The primary concept of the Missouri Plan is that a judgeship should not be a reward for a partisan political activity. Judges should be selected not for their ability to get votes in elections that are held to determine public policies, but for their apparent or proved qualifications. The essential elements of the machinery for attaining this end are two: (1) the nonpartisan nominating commission, which presents a list of qualified persons to the governor for appointment, and (2) the noncompetitive election in which a judge at the expiration of his term runs on his record.

This is not the place in which to set forth details, which may vary. But it is the place in which to urge lawyers in their respective localities to accept their responsibility for studying, improving and working for the adoption of a system of selecting judges that has demonstrated its effectiveness in improving our judicial system.

SCREW-WORM ERADICATION IN MEXICO

Mr. YARBOROUGH. Mr. President, yesterday the Senate Agriculture Committee held hearings on S. 3325, a bill introduced by the distinguished junior Senator from New Mexico, Senator Montoya, to authorize the Secretary of Agriculture to cooperate with Mexico in a screw-worm eradication program in that country. It is an honor for me to be a cosponsor of this important piece of legislation.

In the past, livestock producers in the southern half of the United States suffered an annual loss of $100 million due to the destructive screw-worm population. A new program is being developed at Texas A. & M. University to employ electronic data processing in the battle against the screw-worm. I am proud that Texas is taking the lead in this important research. An article in Texas Agricultural Progress, fall 1965, reports that for every dollar spent on the eradication program the livestock industry has saved $15.

Mr. President, I ask unanimous consent that this article, "Between Atoms and Computers, The Screw-Worm's Days Are Numbered," in Texas Agricultural Progress, volume 11, No. 4, fall, 1965, be made a part of the Record at this time.

There being no objection, the article was ordered to be printed in the Record, as follows:

Between Atoms and Computers: The Screw-Worm's Days Are Numbered

The white-coated technician picks up a stack of cards and slips it into the electronic computer. The giant machine begins to hum, gears whir, lights flash.

Within the hour, the technician is on the telephone: "It looks like we may have a potential threat forming in the Monclova region, just this side of the Sierra de la Gloria mountain range. This is the third consecutive week a buildup has been indicated. With favorable weather approaching, we can expect a movement northeast toward the border and once they gain a foothold there, they could quickly fan out and cause problems throughout the area."

Poring over a map with a series of contour lines across it, the technician continues: "Judging from the data compiled by the computer, I'd recommend employing a screen over the lower portion of the Balcones Escarpment before the rainy season sets in, and perhaps strategic airdrops along any rivers within 150 miles of the border. This should prevent any major breakthrough."

NO ORDINARY ENEMY

This is war! Not an ordinary war fought with guns, rockets and bombs, because, for one, it doesn't involve an ordinary enemy. This is a battle against a deadly insect, capable of inflicting pain, injury and death—screwworm flies which in the past have caused losses up to $100 million annually to livestock producers across the southern half of the United States.

Sounds way out? Perhaps, but battling screwworms with computers is not as far-fetched as it may first appear. This idea has been under consideration for several years. At the present time, the availability of electronic equipment is being investigated and much of the data that will be needed to make the system operable is already being consigned to punch cards.

Staff members of the Electronic Data Processing Center at Texas A & M University are being consulted to determine whether the use of such equipment would be technically feasible and economically practical.

CONCEPT HAS CHANGED

Impending entry into the computer age is highly indicative of how far the sterility technique for eradicating insects has come in a little more than a quarter century since the concept was conceived. At that time, entomologists were rearing screwworms in washtubs in shacks under the clump of mesquite trees in Southwest Texas and irradiating them by "moonlighting" time on X-ray equipment in nearby hospitals.

The sterile fly production facilities presently being used near Mission, Texas, while seldom mistaken for a perfume factory, are modern, well-equipped and clean. Production techniques, once crude and primitive, have been perfected to the point that practically every operation is at least partially automated and is carried out on a rigid timetable, permitting an output of more than 150 million flies per week. Efficiency is such that about 85 percent as many workers produce twice as many flies at half the cost as during the campaign in the southeastern United States in the late 1950's.

The sterile fly technique has been used to eradicate screwworms in 10 states, from Florida to New Mexico, and the last stronghold for the insect in this country—Arizona and California—is presently under treatment. It has been estimated that for every dollar spent on the eradication program, the livestock industry has saved $15.

RESEARCH IS KEY

Such success has been attainable only as the result of continuous reseach and development of new techniques for producing sterile flies and deploying them where they will be most effective in bringing about elimination of native fly population. It has also been necessary to make best possible use of all information available from the field in charting program action.

Making more effective use of field information has been one of the projects of Dr. Richard B. Davis, formerly with Texas A&M's Department of Wildlife Management and now a member of USDA's Entomology Research Division conducting screwworm fly research at Mission. Dr. Davis has been instrumental in developing an automated system for compiling and interpreting data on conditions in the eradication area.

Noting the many factors that could affect the operation and success of the program, he set out to develop a means whereby all the data filtering into the eradication center could be integrated to form a single picture which could be used as a basis for deciding the most effective method for dealing with screwworms in a given area.

Reasoned Dr. Davis: If some system could be devised to match up information we have on each reported screwworm infestation with weather conditions and topography, we could then visually diagram all those factors bearing on our activities, and from that decide what action should be taken.

USE CONTOUR MAPS

A former Naval weather man, Davis immediately thought of using contour maps to chart climatic factors and topographical features. The next step would be to plot the incidence of screwworm infestations on a similar map.

Screwworms, like any infectious disease, behave according to the theory of contagious distribution. From peaks of high populations, flies spill over to fill spots with low concentrations, following the paths of least resistance—fanning out into areas where terrain, weather, vegetative cover, ready access to water and an abundance of animal wounds are most favorable for their development—much like water rushing down a canyon or a sandpile flattening out on the beach.

By pinpointing the areas of high concentrations of flies and then tracing the routes the insects would be most likely to follow in moving outward from the peaks, Davis reasoned it should be possible to predict, weeks in advance, where outbreaks could be expected to occur if present infestations were left untreated.

GET ADVANCE WARNING

Sterile fly drops and ground preventive measures could be employed immediately to surround and contain these areas of high concentration and alleviate any danger of spread. Spring and fall buildups of screwworms, which have become known to livestockmen as annual occurrences, could be prevented by treating the source, perhaps hundreds of miles away, while the population of native fly colonies was still at a low, controllable level. This advance knowledge would give eradication workers several weeks jump on their enemy.

Since the patterns of fly distribution could be charted even from low volumes of information, the system would be of particular value in the sparsely populated regions of Mexico where producer surveys are not as comprehensive as in the United States and a greater lag exists between the time infestations are detected until enough information is available for eradicators to begin control measures.

Significantly, the system could be placed in effect with no increase in labor or paperwork; in fact, Davis believes it would simplify much of the record-keeping presently required.

EQUIPMENT NEEDED

All information concerning a specific infestation, such as location, date of detection or type of wound, would be recorded on a single punch card. Through use of a card sorter, the cards could be arranged or filed in any order desired—by map coordinates, county, name of rancher, species of livestock or reporting date.

The third piece of equipment would be a card printer, which could print the material contained on the cards after they are sorted and tabulate specific data that are required.

This information would then be taken by trained people who would plot it on maps, draw the contour lines linking up areas with equal screwworm incidence and make the necessary interpretations as to where, how many and in what manner sterile flies should be dispersed or what other control measures should be taken.

COMPUTERS STILL A DREAM

Davis points out that gigantic, expensive computers are not a necessary ingredient to the system; in fact, it would be years before the eradication program would be ready to use anything that elaborate.

He can't help but get a gleam of excitement in his eyes, however, as he visualizes the potential possibilities of developing an ultra-refined system whereby an assortment of facts, such as the current case situation, level of fly production and number of aircraft available, would be fed into a computer and the machine would tell eradicators where these resources should be concentrated to achieve best results.

Although the use of electronic gear is still in the study stage, it could be instituted in short order once program officials are convinced that it is practical and the necessary equipment and trained personnel can be obtained.

The way they see it, the screwworm program pioneered the peaceful use of atomic energy and developed brand new concepts in insect eradication; why shouldn't it be the first to use a computer against the insect world?

SENATE JOINT RESOLUTION 171—REMOVAL OF CERTAIN AGRICULTURAL PRODUCTS FROM CONSIDERATION FOR TARIFF REDUCTION UNDER TRADE EXPANSION ACT OF 1962

Mr. ALLOTT. Mr. President, yesterday the distinguished senior Senator from Florida introduced Senate Joint Resolution 171. I am a cosponsor of that joint resolution, and while the exigencies of Senate business prevented me from participating in yesterday's discussion of the measure, I wish to comment on it now.

For better or for worse, the bracero program is at an end. When the last extension of the program was obtained in 1963, I warned farmers in my State that under the circumstances another extension of Public Law 78 would not be possible. I warned them that other arrangements would have to be made.

Other arrangements have been made, but not the arrangements that were expected by the proponents of the termination of the bracero program. Massive recruitment programs were initiated, based upon the assertion by the Secretary of Labor that adequate domestic labor could be found if sufficient recruiting action was taken. But, despite the Secretary's assurances and the massive recruitment programs, adequate and competent farm labor was not found and great quantities of agricultural crops rotted in the fields and in some cases were not planted because of labor scarcity. Unfortunately for the farmer and the consumer, the development of the great domestic farm work force predicted by the Secretary did not materialize.

As a result, the fruit and vegetable industry of this country has commenced to move elsewhere, and particularly to Mexico, where the necessary labor is available. In Sierra Leone, Mexico, over 2 million orange trees have been planted which at maturity will equal the entire Valencia orange production of California and Arizona. Vegetable plantings in Mexico and the Caribbean have increased tremendously. Most of this increased production is aimed at the U.S. market. In essence, this labor policy has greatly reduced the U.S. production of fruits and vegetables. The vacuum thus created will be filled, and is being filled, by agricultural products raised in Mexico and the Caribbean. In other words, we have started to export our farm industry, and along with its a large part of our agricultural processing industry. By exporting those industries, we also export the jobs associated with them.

As Senators know, even though Public Law 78 required growers to hire domestic workers first, the major reason given by the proponents of the termination of the bracero program was that it was necessary in order to protect jobs for the domestic worker and assure him of additional work. Other reasons were given, but this was the reason upon which the greatest emphasis was placed. Quoting from page 3 of Senate Report No. 155, 89th Congress, 1st session, entitled "The Migratory Farm Labor Problem in the United States":

> In the debates on the last extension of Public Law 78, many Members of Congress stated that the program had caused severe adverse effects on the wages and job opportunities of American farmworkers.

If this is truly the reason for the termination of the bracero program, it makes no sense to me for us to reduce the tariff protection of the domestic grower and processor so that the flight of this industry to foreign shores will be accelerated. It stands to reason that the more cheap foreign produce enters the market in this country, the fewer the jobs for our domestic farmworkers and agricultural process workers there will be. If we remove or reduce the tariff protection of our domestic producers so that the industry which creates the jobs that we were trying to protect is jeopardized by cheap foreign competition, what have we gained? If the grower has to go out of business because of cheap foreign competition, the job of the domestic worker is gone, and in addition, so is the income of the domestic grower.

As Senators know, the ground rules of the Kennedy round of trade negotiations at Geneva are for a 50-percent tariff cut "across the board with a bare minimum of exceptions." Cutting the tariffs on those agricultural products which have in the past been raised substantially with imported labor would not increase job opportunities for domestic workers. It would instead accelerate the flight of that industry from this country, and along with the industry goes the job.

Secretary Wirtz said in a statement on the California farm labor panel report of December 1, 1965 that—

> The decrease in foreign workers and the rise in domestic employment has undoubtedly had significant economic ramifications for the balance of payments problem. Average earnings for 1959 through 1963 were approximately $81 million, of which a large portion certainly ended up in Mexico. In 1964, the figure was $78 million, while in 1965, Bracero earnings dropped to an estimated $12 million.

All of these significant benefits to our balance-of-payments problem will be lost if the present trend toward importing more and more of our food continues. We will actually lose more and more in our balance of payments if we do not protect our domestic producer because a great many more dollars will end up in Mexico through the purchase of fruits and vegetables than would ever end up there through the wages saved by the braceros and brought back to their homeland.

If the fruit and vegetable industry moves out of this country, the packing plants will also move to follow the farm production. It must. This means an additional loss in jobs for agricultural processing plant workers.

It also means a loss of revenue for government at all levels. Besides the loss of revenue from duties, there will be other, and much more important revenue losses to all levels of government. The flight of this industry to foreign countries will mean a loss of taxes from the grower, the processor, the agricultural worker, and the processing worker. At a time of record Government spending and enormous public debt—as Senators know only a few days the Senate approved a temporary increase to the Federal debt limit to $330 billion, an all-time record—the question is, Can we afford it?

The effect of this resolution will be to help bring about what the proponents of the termination of the bracero program repeatedly stated as their objective; namely, to increase job opportunities for American farmworkers. The resolution applies only to those products which "the Secretary of Agriculture certifies was grown, produced, or harvested in the United States during the 3-year period 1962–64 with the substantial use of labor of aliens lawfully admitted to the United States for such purpose." To oppose this measure is tantamount to encouraging the removal of our fruit and vegetable industries to foreign countries and supporting the inescapable diminution of job opportunities for the domestic farmworker.

I ask unanimous consent to insert the text of the resolution at this point.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 171

A joint resolution to require the removal of certain agricultural products from negotiation of tariff reductions under the Trade Expansion Act of 1962, and for other purposes

Whereas more than two years have expired since public hearings were held by the United States Tariff Commission and the

Committee for Trade Information with respect to the President's List of Articles for Possible Consideration in Trade Agreement Negotiations; and

Whereas domestic growers and producers of certain agricultural products testified at the public hearings in opposition to further tariff reductions on the ground of the then existing vulnerability of many domestic crops to import competition; and

Whereas returns to growers and producers have decreased and costs to consumers have increased since the public hearings were closed because of the unavailability of an adequate supply of qualified domestic labor to harvest crops resulting in losses and increased costs of production; and

Whereas there has been a virtual prohibition since January 1965 of the employment of foreign supplemental labor theretofore admitted to the United States for the harvesting of many crops in the absence of an adequate supply of qualified domestic labor; and

Whereas these conditions which have arisen since the public hearings have increased the vulnerability of many domestic crops to import competition, and may be expected to stimulate domestic investment in foreign agricultural enterprises, while simultaneously hastening the further mechanization of domestic planting and harvesting operations, to the detriment of agricultural employment: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President shall reserve from negotiation under title II of the Trade Expansion Act of 1962, for the reduction of any duty or other import restriction or the elimination of any duty, any agricultural article which the Secretary of Agriculture certifies was grown, produced, or harvested in the United States during the three-year period 1962–1964 with the substantial use of labor of aliens lawfully admitted to the United States for such purpose.

Sec. 2. Within thirty days after the date on which this joint resolution is agreed to, the Secretary of Agriculture shall certify to the President, and publish in the Federal Register, those agricultural articles which were grown, produced, or harvested in the United States during the three-year period 1962–1964 with the substantial use of labor of aliens lawfully admitted to the United States for the purpose of performing services in connection with the growing, producing, or harvesting of such agricultural articles.

COMPUTER TECHNOLOGY AND FEDERAL TAXES

Mr. HARTKE. Mr. President, on June 9, 1966, Mr. Surrey, Assistant Secretary of the Treasury, spoke before the conference on the impact of computers on the tax practice, sponsored by the National Law Center of George Washington University in cooperation with the American and Federal Bar Associations.

In outlining the effect of computers on tax policy, Secretary Surrey discussed the models developed and the research carried on using the computers, stressing the need to anticipate effects of new tax structures on businesses and individuals. He pointed out that—

> The complexity and interdependence of a modern tax system place great demands on all who participate in tax legislation, but especially on those who must prepare and analyze the numbers. Yet, it is clear that the extent to which the tax system does its job of raising the necessary revenue for financing government programs, of providing fiscal stimulus or restraint, and of playing its role in the achievement of a Great Society—all with as equitable a distribution of the tax burden as possible—is highly dependent on the quality and often the speed with which the tax proposals are analyzed.

Computers have made great progress in this area possible.

I request unanimous consent to insert Secretary Surrey's remarks in the Congressional Record, so that my colleagues can have the opportunity to learn of this further benefit of the computer age.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Computer Technology and Federal Tax Policy

(Remarks by Hon. Stanley S. Surrey, Assistant Secretary of the Treasury, before the Conference on the Impact of Computers on the Tax Practice, sponsored by the National Law Center of George Washington University in cooperation with the American and Federal Bar Associations at the Washington Hilton Hotel, June 9, 1966)

In the literature on tax policy, there has been a line of thought which stresses what we might call a purely philosophical approach. Essentially, this approach holds that one recognizes good taxes by their conformity to certain general principles. The approach is summed up in the two commandments: "Taxes should be for revenue only" and "Taxes should be equitable and as neutral as possible in the sense of having as little distortion as possible on free market decisions."

I do not want to debate these two propositions on philosophical grounds. They clearly have an intellectual appeal, and they make life simple for the tax analyst. Obedience to these two prescriptions would largely make it unnecessary to explore empirical questions concerned with ascertaining and then evaluating the results of particular tax measures. When the analyst is applying the principle of neutrality to a tax proposal, all he must do is ask whether or not it is intended to create incentives or disincentives for something. If the answer is "yes", then his conclusion is automatically against the proposal. He doesn't have to measure anything. He doesn't have to determine how much incentive or disincentive would result and what its effects would be.

Despite these attractions of the philosophical approach to tax policy and despite the applicability of these prescriptions in the large to our tax system, the overwhelming fact is that almost everyone wants to talk about the particulars of tax policy in terms of their effects. It is interesting that many people who pay lip service to the doctrine of "Taxes for revenue only" have no reluctance to advocate one tax provision because it encourages charity, another provision because it encourages home ownership, and so on.

Part of the reason for this functionalism in tax policy is based upon a consistent intellectual ground, namely, that at the high level at which taxes must be applied in the 1960's for revenue purposes, rigid neutrality is impossible. This high level of tax rates is bound to influence free-market decisions, and at the very least we must attempt to minimize any harmful effects of this tax structure.

In addition, the goals of a Great Society require a buoyant and growing economy to provide the resources needed to achieve our social objectives, and a tax system must contribute to the attainment of that economic health. Moreover, all the resources and tools of modern government must be constantly scanned to see which provide the most effective path to a particular goal, and a modern tax system must be available for use if that use is compelled by standards of efficiency and fairness in comparison with other tools.

Whatever the reasons for the need to assess a tax structure by its specific effects, it does make life very difficult for the tax analyst. This need makes the measurement of effect crucial. It becomes extremely important to provide a great amount of detailed economic analysis in order to evaluate tax policy decisions.

As one example, the constant task of estimating budget revenues becomes a much more sophisticated problem. Not only is it necessary to determine the size of the tax base but also it is important to provide quite detailed judgments as to how the tax base will change with different developments in the private economy. We talk not only about the expected level of revenues but also about the flexibility of the revenue system and what the revenue yield would be at a hypothetical full employment level.

Moreover, as we have become successful in bringing our economy to full employment, the demands on economic forecasting are greater. In a finely tuned economy, the choice between economic policies of restraint or stimulus largely turns on short-run forecasts. The economic forecaster can consider himself challenged by the thought that we can pinpoint a target on the moon, but we still have to expect errors of 15 percent or so in forecasts of the change in GNP.

In connection with proposed particular changes in the tax law, it becomes imperative to know how a change is likely to affect the distribution of income after tax, how efficiently the change will operate in achieving its objective, what effect the change is likely to have on private economic decisions, and what these effects imply as to the level of GNP. This analysis not only has to be applied to the specific tax proposal but also to a range of alternative solutions, both tax and nontax, in connection with each proposal. And after a change has been made in the tax law, all these questions must be answered again but this time in terms not of what will happen if the change is made but in terms of what did happen once the change was made.

Minor proposals as well as major proposals require a considerable amount of economic detective work to reach a judgment on what will be the effects of the proposal, and once the change is made what were the effects—and the burdens of detection can be just as difficult in unraveling what actually happened as in the forecasting of what will happen.

The complexity and interdependence of a modern tax system place great demands on all who participate in tax legislation, but especially on those who must prepare and analyze the numbers. Yet, it is clear that the extent to which the tax system does its job of raising the necessary revenue for financing government programs, of providing fiscal stimulus or restraint, and of playing its role in the achievement of a Great Society—all with as equitable a distribution of the tax burden as possible—is highly dependent on the quality and often the speed with which tax proposals are analyzed.

To aid us in these complex tasks, the Treasury Department since 1963 has become increasingly reliant on high-speed digital computers for assistance in many areas of tax analysis. I would like to discuss some of the ways we have used these computers.

THE INDIVIDUAL INCOME TAX MODEL

The significant Treasury activity in the area of tax analysis with computers has been the development of a model of the individual income tax. The idea was first proposed by Joseph Pechman of the Brookings Institution. The Treasury initiated the program during the Kennedy Administration and has continued its emphasis in the present Administration. A model was designed to investigate the effects of changes in the yield and distribution of the individual income tax, assuming simultaneous changes in a number of variables, such as income tax rates, exemptions, etc.

The model consists of two parts, a magnetic tape data file and a computer program. The file is a random stratified sample consisting of 100,000 income tax returns which can be blown up to yield results representative of the universe of taxpayers for the year in which the sample was selected. The first two data files were drawn from 1960 and 1962 returns respectively. Currently a data file for 1964 returns is in preparation. A model for the corporation tax is also in preparation.

The computation of tax liability under the model involves an ordered sequence of mathematical operations. These operations consist in combining information from a given tax return in the input sample with a set of known constants, such as rate schedules, defined by the tax structure under consideration. A run of the model then consists in specifying two or more tax structures by assigning values to the relevant variables and sequentially computing the tax liability for each return under both plans. The results are then blown up to represent the entire population of taxpayers, and numerous comparisons between the effects of the two tax structures are made in some 300 pages of output tables.

The flexibility and speed of the computer in preparing revenue estimates are most appreciated by policymakers when they are involved in the current consideration of legislative proposals to alter the tax system. Thus, in the course of Congressional consideration of the 1963–64 tax bill, Committee and Treasury requests to the analysts for further information on the effect of specific provisions or alternative proposals were very frequent. During the latter stages of the Committee sessions when the model first became operational, it was possible to provide comprehensive information early in the morning in response to requests made the previous afternoon.

As an example, at the time the repeal of the 4 percent dividend credit and the doubling of the dividend exclusion were being considered a number of people asserted that the result would be substantial tax increases for many individuals in spite of the reduction in tax rates. Although it could be shown from published data that this was generally untrue, a really convincing demonstration required more detailed information on dividends in relation to taxable income for various taxpayers than these data afforded. By making two runs of the income tax model with the tax structure of the 1954 Code, the Ways and Means Committee tax bill which repealed the dividend credit, and the Ways and Means Committee bill plus the dividend credit and smaller exclusions, it was possible to isolate the effect of the repeal of the dividend credit and the increase in the exclusion. We thus obtained a count of the very small number of taxpayers whose taxes would increase because of these changes, detailed information on the size of their income and tax increases, and information on their other characteristics.

Much the same thing took place during Congressional consideration of the recent Tax Adjustment Act of 1966. Several adjustments were discussed during the Committee sessions aimed at reducing overwithholding for taxpayers with large itemized deductions. We were able to estimate the number and characteristics of all taxpayers eligible for these proposals along with their revenue effects, usually by the next day. In making these estimates, we used two features of the computer program which have proved extremely useful in this type of analysis. One feature instructs the computer to limit the tax calculations to returns with designated characteristics, in this case the relevant characteristic being the absence of a declaration of estimated tax. The second program feature is the capability of using the relationship between two specified tax structures as a screening device for a third structure.

Specifically, the 1965 tax law was defined as the first structure, present law withholding as the second, and graduated withholding as the third. The tax for each return in the input sample was then computed under each of the first two structures, and the magnitude of the individual's final tax liability was compared with his withholding. The results of this comparison then gave us a three-way division: If the individual's withholding was less than his tax liability, he was underwithheld; if greater, then he was overwithheld. Equality was defined as having total withholding within plus or minus $10 of the final tax liability. Two runs were then set up: On the first only underwithheld returns were allowed through the computation under graduated withholding, and on the next only returns with overwithholding were allowed to go through. We thus obtained, in addition to the aggregate results for all returns, information for what would happen under graduated withholding to individuals who were previously underwithheld and overwithheld and, by subtraction, what would happen to taxpayers who were previously within $10 of their tax liability. These data were supplied for a variety of income classes, both by number of taxpayers involved and amounts of overwithholding and underwithholding.

In connection with graduated withholding, an interesting problem arose that emphasizes the need for combining a good deal of ingenuity and human judgment along with computer results. We knew that some people had voluntarily increased their own withholding by claiming fewer exemptions for withholding than they were entitled to claim. We were able to make a reasonable estimate of this situation by computing a hypothetical withholding for the taxpayer on reported wages and salaries with the number of exemptions reported for computation of the actual tax liability and comparing this hypothetical figure with the actual reported withholding. Where this hypothetical withholding was sufficiently above actual withholding to indicate at least one or more unused exemptions, we then had to build into the analysis a judgment as to how this taxpayer would behave under a new graduated withholding system.

Specifically, we assumed with certain exceptions that any taxpayer whose old withholding was greater than his withholding under the new tax graduated system, using all the exemptions to which he was entitled, would continue to make this voluntary adjustment for more withholding.

All of this illustrates some cautions regarding computer analysis: No matter how much data are at our command, because of the new vistas that are thereby disclosed there will always be the tantalizing numbers that are not available—the more the analysts give us, the more we will rail at them for not knowing still more. In turn, we must be careful not to be lulled into a false security because of the quantity of numbers and the mixture of actual and apparent precision they offer. We must constantly seek to know all the assumptions that underlie the numbers and where to place the dividing lines between precision, indeed degrees of precision, and judgments, indeed degrees of judgments. A good computer program and analysis should also carry with it the materials for a careful cross-examination of the results.

To return to the computer technique described in the analysis of withholding, in general the effect of any major provision of the present tax structure can be found by using some variation of this technique of specifying one tax structure containing the provision and one without it. This procedure is useful both for provisions which have a substantial impact on the distribution of taxable income through the tax brackets, such as the $600 personal exemption, as well as for those with a small and disbursed impact, such as the deduction for casualty losses.

Using the model in this way, we have gained better insights into both the operation of the individual income tax as a whole and the effect of its component provisions. The use of the model is, of course, always limited by the information which is put on the tape data file. Our 1962 model did not use all of the tax return data, but the 1964 model will do so. Our 1962 model could not handle the retirement income credit with its intricate series of internal limitations. The complexity of this provision may still continue to stump our programers—just as it does many of the aged it is intended to benefit—but we are working on it.

BASIC RESEARCH

So far in this discussion of the model, I have emphasized research primarily concerned with changes in the tax law, but we are by no means limited to this form of research. The income tax model is also useful for a number of types of basic research.

One research task that can be performed with the income tax model is sensitivity analysis. The crucial variables involved in forecasting revenues under a given tax law are the level and distribution of income. The tax model, although representative of the sample year, may not be realistic for a future year. To deal with this problem, weights are applied to increase income levels from the sample year to the later year under examination. These weights are themselves developed, at least in part, by using the computer to fit trend equations to past data on the growth of income by components, the number of returns with standard or itemized deductions, and the number of single and joint returns. Many different sets of weights can be tested, each of which represents a different level and/or distribution of income, and the influences of each set on the output variables, such as taxable income, tax liability, etc., can be obtained.

This type of analysis will throw considerable light on the automatic response of the tax system to changes in income levels, or, as it is commonly called, the built-in flexibility of the tax systems. Economists attach considerable importance to this characteristic of the system—witness also the recent report of the Subcommittee on Fiscal Policy of the Congressional Joint Economic Committee stressing this factor in connection with its discussion of the adaptation of the tax system to fiscal restraint or stimulus—because this is one way in which government action is automatically adjusted to offset inflationary or deflationary tendencies in the economy. It is not possible, however, to find out enough about the flexibility characteristics of our tax system by simply looking at aggregate tax collections. We have to know more about the detailed characteristics of the tax system which can only be revealed by analytic tools, such as the income tax model.

A particularly interesting current application of the income tax model is the detective work on the precise reasons for our present large increases in tax revenues. At this point, we do not have any compilation of tax returns for the year 1965. We do have the data for tax collections on 1965 income tax liabilities in the aggregate, and we do have the estimates of personal income for 1965. These data indicate that we collected appreciably more revenue in 1966 on account of 1965 tax liabilities than we would have expected from the aggregate 1965 personal income and previous experience with the marginal tax rate applicable to increases in aggregate personal income (i.e., the amount of additional revenue resulting from that increase divided by the increase). The data indicate that while this marginal rate had remained relatively constant for many years through 1963 it rose significantly in 1964 and 1965. Actual revenues for fiscal year 1966, calendar year 1966, and fiscal year 1967 will thus be increased on this account over the January 1966 estimates. Since this particular increase is not per se caused by the increase in personal income tax which comes with a rising National Income (though, of course, the revenue will also increase for that reason and were so estimated in January 1966), but rather by a stronger effect of the tax system than the previous data indicated and the previous estimate assumed, the consequences for economic projections are much the same as if an explicit tax increase in the same amount had been effected.

Until a tabulation of 1965 tax returns is available, we are constrained to test alternative hypotheses about the precise reasons for this result. This is not an idle intellectual exercise because, as you well know, we have to be looking constantly at the question whether our present tax levels are adequate to deal with the economic conditions generated by the current levels of public and private expenditure. The tax model in this situation has proved useful in testing alternative hypotheses as to precisely what has happened and throwing light on what we may expect the present tax structure to produce in the future.

Another important area in which the individual income tax model plays a part is the investigation of horizontal tax equity. In a tax law which provides a variety of specialized deductions and a variety of different treatments for various types of income, it is relevant constantly to investigate what is the range of effective tax rates applicable to those individuals at a given level of total income. The model has proved quite useful in describing the range of rates under existing law and also describing how possible changes would affect this spread of rates.

An interesting application of a similar model, by Dr. Michael Taussig then at MIT, that used the same sample of tax returns as an input was a cross-section analysis aimed at explaining the amount of charitable contributions of each taxpayer in terms of the other characteristics of the taxpayer that were reflected on the tax return. Of particular interest in this analysis was the effort to isolate the net effect of the taxpayer's marginal tax rate on the amount of charitable giving. This form of analysis deals with the sort of question—e.g., just what effect does a tax incentive for charitable contributions actually have—that I indicated in my earlier remarks is crucial to the approach we should take to many of our tax provisions.

This analytic approach opens our tax system to the whole range of cost effectiveness analysis that we are now applying to governmental and private expenditures. If diligently and carefully pursued, it could well involve major significance for the tax policies of the future. It may hold the key to an objective appraisal of many of our existing tax preferences. Where it discloses dollar waste and inefficiency resulting from inappropriate tax benefits, it may in the long run—which is the important perspective in tax policy—thereby overcome lobbying pressures and the pull of the status quo and thus succeed where arguments based only on logic and tax equity have proven insufficient.

SIMULATION OF BUSINESS EXPERIENCE

Another kind of analytic computer model has been developed under a research project contracted for by the Treasury Department in connection with our continuing study of the depreciation deduction.

In July 1962, the Treasury substantially revised the basic approach to the determination of the useful life of depreciable assets. The new procedure provides guideline useful lives by industry grouping rather than on an asset by asset basis, with one guideline life applying to all the assets in each of the less than 100 specified industry classes. The new approach contains a reserve ratio test, refined in 1965 with a revised transitional procedure to this test, that is intended to provide an objective basis for appraising the appropriateness of the depreciable lives used by the taxpayer for tax purposes. This reserve ratio test has been widely discussed. The issues that have been raised include whether it is worthwhile to require that a taxpayer uses lives for tax depreciation purposes which correspond to his replacement cycle and whether the reserve ratio provides an efficient test of this correspondence.

To aid policy analysis in this difficult and important area, the Treasury is now in the process of testing a computer based simulation model of the profitability of depreciable assets. The major purpose of this effort concerns the investigation of the following two questions:

1. How much variation in effective tax rates results between taxpayers if they use lives for tax depreciation purposes which are markedly different from the actual lives involved in their various replacement cycles? How much difference does it make in the after-tax rate of return if two taxpayers use, say, ten years lives for tax depreciation purposes but one replaces on a ten year cycle and the other on a twenty year cycle?

2. How well does the reserve ratio test work in its present form? Under what circumstances will it generate unwarranted failures by taxpayers who are in fact conforming?

In general, both propositions need to be explored or evaluated by assuming varying degrees of conformity between actual lives and tax lives in an adequate number of alternative investment situations. The primary parameters in the definition of an investment situation include: actual life of the asset or average composite life of a group of subaccounts, pre-tax profitability, growth characteristics, inferiority gradient, retirement dispersion, degree of conformity between actual life and tax life, and investment tax credit. The remaining parameters are provided to generate realistic investment situations. That certain characteristics were listed as important means simply that they make a good deal of difference in the answers that the model will give about depreciation and the investment credit. In other problems of investment, different parameters would be important. Since virtually none of the important parameters are single-valued, and since some have a rather wide range of plausible values, the number of alternative discrete investment situations is very large.

In the past, analysis of problems of this sort has involved the creation of rather simple models that could be worked on a desk calculator. The literature on tax depreciation, for example, exhibits many instances of conclusions drawn from discounting at a single discount rate future after-tax income arising from a single asset. It is important, however, to ask our depreciation questions with reference to a realistic range of business situations: What happens to the after-tax rate return year after year for a firm with a large complex of assets of various ages and various relationships between actual lives and lives for tax depreciation purposes? What happens in this kind of a model if we change the rate of growth, or the basic rate of before-tax profit, or the assumptions as to how the productivity of particular assets declines with increasing age? The number of combinations of assumptions thus rises very rapidly, and only the capability of high-speed computer equipment makes it possible to thoroughly investigate these questions.

We are now engaged in an exploration of another simulation study in the area of tax influences on real estate investment. The tax law applies with significant differences between investment in buildings on the one hand and in machinery and equipment on the other. Buildings do not qualify for the investment credit, but they do have certain capital gain possibilities not available to machinery and equipment. The 1962 depreciation revision does not apply to buildings. It is also possible that some special features of investments in buildings, such as the longer life and typically high leverage, might cause some features of the depreciation system to have significantly different effects between buildings and machinery. Given this combination of tax provisions, the question arises whether the income from investments in buildings is taxed too lightly or too heavily, or in ways that produce distortions as to certain types of investments, or just right.

Here again the problem is one that presents many variables so that the number of potential combinations is very large. The computer will be a valuable tool to aid understanding in this area if a program can be written which embodies the important characteristics of actual real estate investments.

ECONOMETRIC ANALYSIS

I have described two particular models that we have developed and are utilizing in tax analysis. I should add that we are also making considerable use of the extensive current work in econometric analysis that is going on in research and academic organizations. Many of you are familiar with the econometric model of the aggregate economy based upon fitting relationships simultaneously to a set of equations. A major contribution in this area has been the work recently published by the Brookings Institution and the Social Science Research Council describing their elaborate model of the United States economy. Somewhat less ambitious models have been used for several years in forcecasting work by Professors Evans and Klein at Pennsylvania, by Professor Suits at Michigan, and the recently published model of the Office of Business Economics.

Treasury tax policy and revenue estimation must necessarily take into account forecasts of economic activity, and our work on current economic forecasts has drawn heavily upon the output of these simultaneous equation models. As you know, the computational task involved in the development of these models is such that they could only have been developed in the age of the high-speed computer.

One important aspect of these simultaneous equation systems and other elaborate curve-fitting methods is that potentially they offer a better estimate of what are called the structural characteristics of the economy. Under the older techniques of correlation analysis, while it was possible to observe relationships that existed in our economy, it was extremely difficult to break down broad economic relationships into their components. For example, obviously the amount of investment that takes place in the economy is related to the size of the gross national product. But how does this relationship actually work? Does it work through the increase in markets that is generated by higher levels of income, or does it work through the increase in profit rates generated by higher levels of income, or does it work through the increase in cash flows of corporations generated by higher levels of income? If we are to talk about the effect of a particular tax provision, such as the 7 percent investment credit for machinery and equipment, it becomes important to know more than that there is a relationship between investment and an increase in income. We need to know the relative importance of the various ways in which this relationship works out in the economy, since alternative tax devices can be selected which have differing effects on the size of the consumer market, the rate of return on investment, or the amount of corporate cash flow. The more sophisticated work in econometric analysis that is going on will permit us to draw bettter conclusions for tax policy in this investment area. The Treasury is therefore in close touch with research activity in this area and is developing studies designed to explore the effects of the investment credit and depreciation changes on the level of private investment.

STATISTICAL DATA

Another general area of reliance on the computer is the generation of data for analysis. The automatic data processing system of the Internal Revenue Service offers promise of new and quite challenging opportunities to find out how our economic system works, and how the tax structure affects it.

The ADP system gives promise of providing a more sophisticated technique for drawing returns that will allow more efficient sampling and better statistics. This can be especially helpful in research involving the operation of the relatively less used deductions and exclusions. Hopefully, also, we can develop techniques for obtaining detailed statistics relating to panels of identical taxpayers over a number of years. This will provide information on the impact of the tax system on people with variable income and variable deductions. Besides being of aid to tax policy decisions, these data would furnish information about our economic system which would be of great value to social scientists generally. Another promising development, which is facilitated by the computer technology, is the construction of more efficient statistical bridges between our income tax statistics and other statistical sources, such as the Consumer Income Report of the Bureau of the Census. The presently published tax return information presents a very limited picture of the total situation of low-income families because of the absence of family groupings and the absence of information on nontaxable incomes.

CONCLUSION

Because of computer technology and econometric analysis, we are entering upon a period of considerable change in tax analysis. Periods of change are times of great hope and promise, and they are also times of considerable strain. Change may dramatically improve things, but in the process of making changes we can also make mistakes. The greatest protection against mistakes is an ability to devise experiments to find out beforehand how things would work. The computer technology provides a basis for simulated experiments under realistic conditions. It offers, therefore, a capacity for avoiding mistakes and can mean that this period of change offers somewhat greater safety than in the past.

We should certainly recognize that our present tax system is too complex, too highly structured, and too important to permit its development to be guided by the platitudes and cliches that mark many efforts for change. The computer technology offers us the opportunity of far greater knowledge than we have ever possessed in shaping and evaluating the tax policy alternatives. It is incumbent on those who are the guardians of this technology to strive to inform policymakers of the opportunities and potentialities it affords and to keep them constantly aware of how their decisions can be more solidly grounded in empirical data and analytic support.

New techniques, however, will sometimes generate unexpected answers. Until these unexpected answers have gone through the elaborate testing which is involved in gaining professional acceptance, we will need to rely on human judgment to relate the new insights derived from the computer to the body of wisdom accumulated in the past. It is not true that any number is always better than no number at all. We must beware that the apparent certitude offered by the mass of computers can generate or the conclusions that the ranks of econometric equations can produce do not lull us into a false security. There is still room, as the computer technology develops, for a constructive two-way dialogue between the computer technologists and those whose insights come from experience and accumulated wisdom. Working together they can offer great hope and promise for an improved tax system capable of fully bearing its share of responsibility for achieving the Great Society we are seeking.

REX M. WHITTON—ABLE AMERICAN

Mr. SYMINGTON. Mr. President, those of us from Missouri and all Americans can be proud of the recognition just announced by the International Road Federation for an able and dedicated public servant, U.S. Federal Highway Administrator Rex M. Whitton. Mr. Whitton has been named as the 1966 International Road Federation Man of the Year.

It is significant and an honor for Mr. Whitton that he is to be the first American ever to receive this award. Other recipients have included seven from Europe, two from the Far East, five from Western Hemisphere countries other than the United States, and one from Africa.

In 1961, when Rex Whitton was literally drafted by President Kennedy to become the Federal Highway Administrator, those of us in Missouri who knew of his ability and his dedication were certain he would perform capably in the most important job which could be held by any man who has dedicated his life to building better and safer highways. This confidence was shared by Members of the Senate who had become acquainted with Mr. Whitton when he was president of the American Association of State Highway Officials in 1956 and a frequent witness before the Senate Public Works Committee on highway matters.

Since that time, his ability and work have been recognized by a great many others throughout the Nation, and now we are glad to see that the International Road Federation shares our high opinion.

I ask unanimous consent that the press release by the Federation announcing this honor for Mr. Whitton be inserted at this point in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

U.S. Federal Highway Administrator Rex M. Whitton is the 1966 IRF "Man-of-the-Year."

The head of the big U.S. highway building program is the 16th recipient of the award made annually by the International Road Federation for distinguished service in national and international road developments.

He will be the first from the U.S. to receive the award. Others have been spread around the world, including seven to Europe, two to the Far East, five to Western Hemisphere countries other than U.S., and one to Africa.

Two ceremonies will mark the conferring of the award upon Mr. Whitton. A plaque will be presented him in Washington by a distinguished U.S. government official, and a diploma award will be a part of the opening day ceremonies of the IRF World Meeting in London on September 18. A top British Government official will preside at the London ceremonies.

When Mr. Whitton was appointed Federal Highway Administrator by the late President John F. Kennedy in 1961, he analyzed his mission as "simply to build highways quickly, economically and honestly."

The IRF Man-of-the-Year award is a tribute to his success in carrying out his goal.

Previous winners of the IRF "Man-of-the-Year" Award are: Hellmuth Swietelsky, Austria (1965); Vicente Mortes, Spain (1964); G. W. Knapp, New Zealand (1963); Eduardo Dibos, Peru (1962); Werner Mackenroth, Germany (1961); Michizo Kishi, Japan (1960); Luigi Tochetti, Italy (1959); Samuel T. Tolon, Cuba (1958); K. G. R. Ahlbäck, Finland (1957); Luis de Carli, Argentina (1956); J. Britschgi, Switzerland (1955); Thomas J. Mahony, Canada (1954); Charles Berry, South Africa (1953); Malte Jacobsson, Sweden (1952); Romulo O'Farrill, Sr., Mexico (1951).

Mr. Whitton's selection was made by a special IRF award committee meeting in Chamonix, France in May. Announcement of the award was made in New York at an IRF meeting on June 23.

One of Mr. Whitton's difficult jobs has been to keep construction of the vast U.S. interstate highway system, the 41,000-mile network of express highways criss-crossing the nation, on schedule.

But despite rising costs and other technical problems, the network is scheduled for completion by 1973 at a total outlay of $46.8 billion.

Although the price tag on the system rose from that originally contemplated by Congress, design improvements have accounted for a substantial part of the increase. Labor costs have risen during the period, but some of these have been offset by more efficient construction methods, including increasing use of computers.

"One thing I know", Mr. Whitton remarked recently, "the highway program is as efficiently and honestly run as any public works ever. It compares favorably with any major activity I know. I am proud of what has been accomplished."

Born in 1898 in Jackson County, Missouri, U.S.A., Mr. Whitton earned a civil engineering degree at the University of Missouri in 1920, and promptly began a 40-year career with the Missouri State Highway Department.

He advanced through the ranks to become the Department's Chief Engineer in 1951. He held that post until he became Federal Highway Administrator on February 10, 1961.

He was President of the American Association of State Highway Officials in 1956, and also served as the association's regional vice president and a member of its executive committee for a number of years.

Active with the U.S. Highway Research Board, he is currently serving on its executive committee (of which he was chairman in 1957) and as a member of its special committee on urban research. He is also a member of the Missouri Society of Professional Engineers and the American Society of Civil Engineers.

The IRF "Man-of-the-Year" achievement is only the latest in Mr. Whitton's series of awards. In 1958, he was recipient of the George S. Bartlett Award for outstanding service in highway progress in the Nation. In 1960, he received the Thomas H. MacDonald Award for continuous service in the highway engineering field. The same year the American Public Works Association, in cooperation with Kiwanis International, named him as one of the top ten Public Works Men of the Year.

The more than half completed interstate highway system is not the only monument to his outstanding abilities.

In the field of scientific traffic studies, he was responsible for providing an experimental computerized installation on a four-mile stretch of the Eisenhower Expressway in Chicago, the TV-supervised John Lodge Expressway in Detroit and the Houston Gulf Parkway with metered traffic inputs.

These and other recent traffic surveillance and control steps have led to dramatic improvements in highway use efficiency—the equivalent of adding a fourth lane to three already in use, or an increase in average traffic movement of from 10 to 12 per cent.

Mrs. Lyndon Johnson's highway beautification program was pushed hard by Administrator Whitton and the resulting Congressionally-approved law is making rapid progress in the scenic advancement of Roadside America.

Under his guidance, the nation became more highway safety conscious. One of his projects was to provide a more liberal allocation of federal funds to states that undertake to eliminate highway traffic hazards.

A summary of Mr. Whitton's distinguished career was recently made by Secretary John W. Connor of the Commerce Department, under whose jurisdiction Mr. Whitton operates.

The U.S. cabinet official said:

"In carrying out a vast undertaking, he has proved to be an efficient and effective executive and engineer whose integrity is consistent with the highest public ethics.

"His monuments are the thousands and thousands of miles of road here in the U.S. which reflect his more than 45 years of service in land communication."

Mr. Whitton has worked as hard to promote good roads internationally as he has in the U.S.

He was a principal speaker at the Fourth IRF World Meeting in Madrid in 1962, at the IRF Regional Conferences in Tokyo in 1964 and Lima in 1965, and at the Ninth Pan American Highway Congress in Washington in 1963.

He has been responsible for the sturdy support the U.S. has given the building of the Pan American Highway and under his direction the U.S. Bureau of Public Roads has contributed to the road building and improvement programs of many nations around the globe.

The global outlook which has characterized his thinking is typified by his comment at the IRF Regional Meeting in Lima:

"I think," he said, "all of us come eagerly to conferences such as this, to exchange ideas and information, and at once to learn and to teach one another.

"For it is thus that we build better roads—which build better communities, regions and nations—and a better world."

VIETNAM'S 12 ELECTIONS

Mr. CHURCH. Mr. President, Prof. Bernard B. Fall of Howard University is one of the few people in America who knows very much about Vietnam. A prolific writer, we have become accustomed to a steady flow of stimulating and eye-opening pieces. His most recent article, "Vietnam's 12 Elections," in the May 14 edition of the New Republic, maintains these high standards.

In discussing the proposed elections in Vietnam for a constitutional convention, he points out that—

> A good case could be made for the assertion that the Vietnamese have been overexposed to phony elections to such a degree that they are terribly sensitive to the stage-managing which is again likely to be going on in the name of insuring that only the "good guys" get elected.

He goes on to say further that the creation of even a passably democratic government would take time and tranquillity, both of which are excessively scarce in Vietnam. The prospects are hardly good.

I commend the logical analysis in this article to my colleagues and ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM'S 12 ELECTIONS

(By Bernard B. Fall)

(NOTE.—Bernard B. Fall, professor of international relations at Howard University, Washington, D.C., won 1966 George Polk and Guggenheim Awards for his writings on Vietnam. His book Viet-Nam Witness will be published this week.)

(The Vietnamese) "never had elections on a national basis and a national question. It's never happened in their whole history."—Ambassador Henry Cabot Lodge, Saigon, April 22, 1966.

Something like a magic curse attaches to the use of elections in settling Vietnamese problems. All along, both sides have paid homage to the sacred principle of the free exercise of popular will, only to corrupt it. And contrary to Ambassador Lodge, the Vietnamese do not lack experience in elections. Quite to the contrary: A good case could be made for the assertion that the Vietnamese have been overexposed to phony elections to such a degree that they are terribly sensitive to the stage-managing which is again likely to be going on in the name of insuring that only the "good guys" get elected.

Under the French colonial administration, the Mekong lowland areas of South Vietnam to the edge of the southern mountain plateau formed the colony of Cochin-China, which voted for representatives in the French parliament. The colonial electoral process was then about as badly twisted as in the American Deep South before the 1965 Civil Rights Act, with the result that only about 5,000 native Vietnamese participated in the election of a senator and a deputy. At the local level, however, the Vietnamese soon found out that a strong voice in the Saigon city council was an extremely effective way of getting a public hearing for the disfranchised colonials.

Officials in Saigon would do well to read again the best American account of that stormy period, written by Milton I. Sacks in Frank Trager's Communism in Southeast Asia. To the amazement of the colonial administration, Saigon left-wing elements as well as bourgeois nationalists coalesced in 1933 to put up an eight-man slate running as Liste Ouviere (Workers Slate). For the first time, the Vietnamese "Uncle Toms" on the city council were faced with concrete democratic demands, from the right to vote and to strike, to lighter taxes and better housing. Two of the slate's members were elected by the lower middle-class voters who came out en masse for the first time. One of them, 30 years later, would be North Vietnam's minister of labor. By the time the next municipal elections came around in 1935, the left coalition (one of the few in the world at the time where Trotskyists and Stalinists would still cooperate with each other and with the Nationalists), gained a little further ground. Four of its members were seated.

Cochin-China's last pre-World War II elections for the colonial council—the assembly which voted the budget for the whole colony and which, in the guise of discussing budgetary matters, could handily embarrass many a colonial governor—were held on April 30, 1939. Three Trotskyists were elected to it with 80-percent majorities over French-supported candidates or competing Stalinists. Never again would Saigon hear such widely conflicting opinions confront each other in public debate, but many South Vietnamese are old enough to remember.

The destruction of the French colonial regime by the Japanese brought with it the creation of Ho Chi Minh's "Democratic Republic of Vietnam" in September 1945. Within a year, Ho's regime organized elections for a legislative assembly whose first job would be to write a constitution. The elections, which took place in January, 1946 throughout the whole country, from North to South and clandestinely even in those areas where returned French garrisons forbade them, were greeted with genuine enthusiasm. Of course, they were slanted in favor of the ruling Viet Minh alliance, but two hard facts must be remembered: in the North they took place in the presence of Chinese Nationalist occupation troops, and in the South in the presence of British and French garrisons. An American writer who observed Vietnamese affairs very closely at the time, Dr. Ellen J. Hammer, correctly observed that even by "the strictest of Western standards, a few more conservatives might have been chosen," but that the overall results would still have heavily favored Ho. And a highly-respected French observer who then was a young officer right on the spot, Philippe Devillers, noted later that, considering the times, the 1946 elections clearly reflected the realities of Vietnam. The 1946 Vietnamese elections were "on a national basis and a national question."

But it was again the turn of the French to default on their promises. A preliminary accord, signed between France and Vietnam on March 6, 1946, provided for an eventual settlement of the reattachment of Cochin-China to Vietnam by mutual negotiations; and an attempt by the runaway colonials to set up an "Autonomous Cochin-China Republic" contributed much to the outbreak of the Indochina War. When the French finally recognized the inevitable and decided to grant Cochin-China the right of free choice—they made the decision three years later, and in favor of the unpopular Bao-Dai regime—but the reelected Territorial Assembly of Cochin-China voted, on April 23, 1949, in the midst of the Indochina War, to join a unified Vietnam! The vote: 55 for reunification, 6 against, and 2 absentions. On May 21, 1949, the French National Assembly in turn transferred the colony to the State of Vietnam. Again, Vietnamese (and South Vietnamese at that) had made a key political choice at the ballot box—and it again had been for reunification.

In 1953, a new attempt was made to elect, in the non-Viet Minh zones, a first tier of municipal councils and village councils, to be topped off by elected provincial councils which, in turn, would elect a representative assembly. The French knew that the elections would go against them, but finally felt that an anti-French but palpably honest election would help their cause more than yet another phony operation. However, political rivalries among the non-Communist Vietnamese finally had the same result. In the North Vietnamese Red River delta, the right-wing governor's Dai-Viet (Great Vietnam) Party managed to have only 687 out of 5,861 villages declared as "secure" enough for voting, which immediately raised a storm of protest and resulted in a revision of the village lists. The same problem is likely to arise in any future election in South Vietnam. The elections nonetheless took place, were predictably anti-French and in perennially radical-minded Saigon (doesn't anybody realize by now that Saigon is radical-minded?) the Taxi Drivers Union got a Trotskyist elected to the city council. The provincial council elections took place also and brought forth some strong regional leaders: Catholic bishops from the North, Cao-Dai Buddhist leaders from the South, etc.

And in October, 1953 Bao-Dai's regime, French-dominated though it was held, had to face up to yet another crucial decision: a treaty with France which would seal Vietnam's membership in the French commonwealth structure. Bao-Dai convened a congress in Saigon of Vietnamese politicians and spiritual leaders as a substitute legislature. The congress included open neutralists who advocated an end to the fighting and United Nations supervision of national elections. The chief advocates of that line then were not the Buddhists, but the left-wing Catholic groups around Ngo Dinh Nhu. Predictably enough, the congress, on October 16, 1953, voted against Vietnamese membership in the French Union. Again, Vietnamese had made an important political choice in the midst of a war, and one that went against the desires of their own government and the expectations of its major foreign ally, France.

With the end of the fighting at Geneva in July, 1954, two separate Veitnamese states emerged with their own political institutions. In North Vietnam, Ho's republic now became a full-fledged "people's democracy." The 1946 parliament had, over the war years, shrunk from over 400 members to about 220. It had met only once during the Indochina War—in December, 1953—to approve the new land reform program, but its "standing committee," like the Supreme Soviet, continued the appearance of legislative control. The legislative elections in the North, held in 1960 and 1965, returned predictably 99-percent Communist legislatures, but here again, total silence has not yet set in, at least in such technical fields as budgeting and the allocation of resources. And in Hanoi, a few stubborn Socialists and Democratic Party members keep on voting their own ticket and electing one or two members to the Hanoi parliament.

A RUBBER-STAMP LEGISLATURE

In the South, the Ngo Dinh Diem regime also tried its hand at elections. On October 23, 1955, a plebiscite dethroned ex-emperor Bao-Dai and made South Vietnam a republic with Diem its first president. Donald Lancaster, then a British Embassy official in Saigon, stated later in his excellent *The Emancipation of French Indochina* that the elections were run with "cynical disregard for decency and democratic principles"; and *Life,* in an otherwise wholly laudatory article on Diem, remarked innocently on May 13, 1957 that Diem's American advisers had told him that a 60-percent "success" would have been quite sufficient, "but Diem insisted on 98 percent." In fact, in Saigon Diem got 605,025 votes for a total of 450,000 registered voters. The South Vietnamese legislature elected in March, 1956 was, of course, as much a rubber stamp as its North Vietnamese counterpart. By 1959, the regime shed all its pretenses: it had dissolved elected village government in 1956 (thus exposing the appointed unpopular village chiefs to immediate guerrilla reprisals) and even Catholic candidates running without the regime's approval were the object of hounding and harassment. When one lone American-trained loyal opposition candidate was finally elected in spite of the fact that 5,000 government troops were trucked into his district to vote, he was finally barred from taking his seat on charges of vote fraud.

But again the Vietnamese showed that they had understood the election mechanism better than they had been given credit for. In 1961, Diem again ran for the presidency in the face of token opposition by two put-up candidates, one of whom was a faith-healer and the other a business associate of Diem's brother. By his own reckoning, Diem lost *one million* votes since 1955 (although Vietnam had gained two million people in the meantime); and in Saigon, where the foreign press watched some of the polls, he got 354,000 votes out of a total of 732,000, or 48 percent of the vote.

As the whole dynastic house of cards was collapsing under the impact of the awakened Buddhist masses, the Diem regime in October, 1963 once more went to the polls to "elect" a legislature. With one-half of South Vietnam under guerrilla control, the regime simply invented election statistics: 6.8 million voters allegedly registered for voting and 92 percent allegedly voted. The 123 "elected" legislators were a perfect cross-cut of the oligarchy which has never ceased to run things in South Vietnam: 31 "civil servants on leave," 19 lawyers, 17 teachers and professors, 15 landowners, 14 "businessmen and farmers" (!), 8 doctors, etc. There was not one factory worker, rubber plantation tapper, Buddhist leader or labor union official in the lot. The Diem regime misunderstood its people to the last.

The one thus far civilian-dominated regime since the November, 1963 coup promulgated a Provisional Charter which provided for a measure of civil rights, but whose Article 5 stated that "freedom of speech may not be abused . . . to make propaganda for Communism and neutralism." And that wasn't idle talk: four respectable non-Communist Vietnamese who had spoken of a neutralist Vietnamese solution in terms which President Johnson would not have disavowed, found themselves expelled across the 17th parallel to North Vietnam, after several worse fates had been initially contemplated for them. Yet, on May 30, 1965, municipal elections again were held throughout South Vietnam. Of 9-million voters termed "eligible," 4.5 million actually were said to have registered for voting, and of those, 73 percent voted. Liberation Front interference was minimal, but the effect of the war was clearly visible by the fact that that there were, for example in the IIIrd Army Corps area, which surrounds Saigon, only 144 candidates for 87 posts, *i.e,* many posts went uncontested. Many of the local and provincial councils were never installed as the new military regime of Generals Thieu and Ky, which came to power on June 12, 1965, began a new round of administrative changes, abolished the Provisional Charter of 1964 to replace it with a brief "Convention" on June 19, which does not even mention rights of citizens; and set about ruling the country without benefit of popular advice. The illusion that this could continue *ad infinitum* without challenge (and it was an illusion which the South Vietnamese military were not alone in holding) was rudely shattered somewhere between Honolulu and Danang, a few weeks ago. And once more—for a twelfth time, by actual count—the poor, war-weary, harassed South Vietnamese people are being asked to settle their own fate via the ballot box. Providing, of course, that they vote exactly as they are expected to.

THE REAL ISSUE

But there, precisely, lies the problem. The South Vietnamese no longer even know *what* is expected of them; or, rather, *who* expects what from them. If they were to believe voices heard in Washington, nothing would please anyone more than if the good South Vietnamese would vote themselves a government which would ask for an end to the war; call for direct talks with the Viet Cong; and request a gradual departure of American troops to be replaced (optimally) with the Southeast Asian equivalent of an Inter-American Peace Force; or (minimally) would at least keep the "Yankee Go Home!" signs off the walls until the last GI has reembarked.

That program might sound terribly tempting to Americans—and not only of the "dove" variety—but it happens to be against the law in Vietnam. For there is Decree Law No. 004/65 of May 17, 1965, on the books, which makes a crime, punishable by jail from one to five years (more in some specific cases) of " . . . All moves which weaken the national anti-Communist effort and are harmful to the anti-Communist struggle of the people and the armed forces. All plots and actions under the false name of peace and neutrality. . . ."

By that definition, the State Department's 14-Point program of January, 1966 would fall within the definition of such a "plot." And what the fate of a "peace and neutrality" candidate would be under such circumstances is hardly open to question. Yet, there is no evidence thus far that it is being clearly understood that this election, like the democratic system in the American Deep South, will entirely hinge on the *electoral process.* For it is the latter which will control whether the *real* issue—the question of war and peace in Vietnam—will be something on which the South Vietnamese will at long last be able to express themselves or not.

Let there be absolutely no mistake on this. The great definitions of who can vote; what issues can actually be discussed in the electoral campaign; which parties can or cannot run; whether the competing candidates will or will not get radio time on the entirely government-controlled broadcasting system; whether or not they will obtain travel space on government aircraft (for the woefully inadequate "Air Vietnam" is booked months ahead and in most places one can no longer engage in surface travel)—all these very simple nuts-and-bolts requirements of the basic democratic process must be present in Vietnam if the promised election of a constitutional convention is going to be more than yet another sham foisted on a war-weary people and an uninformed and unsuspecting foreign audience.

And those optimists who already see peace-via-the-ballot-box around the corner in South Vietnam, along with an honorable disengagement for the United States, would do well to remember that the contemplated elections would (or could) be limited to the election of a *constitution-writing* body. The regime then in existence could well deny that body legislative powers, let alone an "advise-and-consent" function in the field of foreign policy. In subsequent elections, a real legislature would have to emerge which, in turn, would form the new government. That process takes time and tranquillity under the best of circumstances. In South Vietnam, both items are excessively scarce. It would be a miracle if it took less than a year to run its course if everyone were hell-bent to make it work. Yet last week General Ky already had warned that the August 15 election deadline would have to be pushed back to October. Or later, perhaps. Preferably after victory. In a way, perhaps General Ky is logical. What is the point of going through this whole elaborate ceremonial as long as the problem of what to do with the Liberation Front—the Viet Cong—has not been solved? The Pentagon itself estimates the adversary at 80 percent *South* Vietnamese. The VC may simply ignore the whole thing, as they have done in the past, and go on fighting while we breathlessly admire the South Vietnamese as they go for the eleventh time through an election process which allegedly "never happened in their whole history."

And while we engage in yet another round of self-congratulations on how smoothly the Vietnamese learned the rudiments of Western electioneering which they allegedly had never seen before (who advised them on the 1955–1965 elections?), the grim little people in the thick jungles of "Zone C" and their mentors in Hanoi may well be in the process of preparing South Vietnam's twelfth election—one which will no longer be ours to inspire or to guide, and which will foreclose the future of all of Vietnam for a long time.

TAPPING THE GREAT RESERVOIR OF YOUTH

Mr. MUNDT. Mr. President, events of the past few years, and all intelligent projections into the future, clearly demonstrate that food production to meet increasing needs of population growth is a problem which promises to tax the ingenuity of mankind as efforts are made to feed and clothe the peoples of the world.

One aspect of this problem concerns the human resources we can utilize in this critical struggle to achieve full productivity of the land, both here at home and in other nations.

Where do we find the talent, the people, who can best put into motion the significant efforts required to not only achieve increased production from our own land resources but to aid those in other lands in utilizing their own natural resources for food production?

Mr. President, Duane C. Acker, dean of the South Dakota State University College of Agriculture and Biological Sciences and director of the agricultural experiment station, addresses himself to this question in an article which he wrote for the May-June 1966, issue of the Journal of Soil and Water Conservation.

His answer is that we go back to the land, the source of our foods and fiber, for it is there we also have the great human resource, the people. Dean Acker's suggestion can be summed up in this one recommendation to soil conservation technicians—and to any other individual who serves in the complex that is today's agri-business industry—when he says:

> You have taught farmers to conserve now for future increased production. You can teach them the same regarding their children. The youth might be productive at a low level earlier, if they did not go to college, but their full potential is needed. Higher education will increase their potential and thus decrease hunger.

Mr. President, Dean Acker's guest editorial for the journal is not an "off the top of the head" idea, it is a thoughtful recommendation developed from his own extensive experience of working both with farmers and with institutions which are dedicated to making the most of our human resources by developing their talents and opening young minds to new paths of inquiry and study.

I request permission to include his editorial in the Record and heartily recommend his suggestions as an avenue worthy of pursuit.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Agriculture's Youthpower Crisis

When you have an idea that needs to be "shot at," you hesitate to express it. When Al Bull invited such ideas in the January-February 1965 Journal of Soil and Water Conservation, I was thinking about conservation and development of rural youth; however, it was Lauren K. Soth's quoting *Webster's Dictionary* in the Journal's Conservation Viewpoint feature four months later that seemed to justify submitting the idea.

Soth, quoting Webster, said, "Conservation may be the planned use and renewal of renewable resources *so as to maintain a desired level of supply of a product.*" (Italic added by me.)

I am strongly committed by both logic and emotion to conserving soil, water, and other natural resources, but it seems to me that we've done more to conserve soil and water than we have to conserve boys and girls—using the above definition of conservation.

We do not have the desired level of trained youth needed in our attempts to feed the world. We shall need a greatly expanded supply of that product (trained youth) in the immediate future. Two billion of the earth's 3 billion persons now are hungry or starving. With projected population increases and projected food production, 5 billion of the 6 billion persons expected by 2,000 (that's only 35 years away) will be hungry or starving.

Nations with plentiful food supplies cannot continue to dominate the world as their populations become a smaller and smaller percentage of the total.

While efforts to check population increases are made, greater efforts will be made to feed the hungry. If that is true, and I think it is, then persons trained in food production will be needed all over the earth's land surface—and quite possibly much of the sea—in civilization's effort to feed itself and to prevent destroying itself.

Throughout rural America is a great reservoir of youth who should be developed to help supply the needed food production know-how. It will take all of the rural youth who are interested in food production, plus many of their city cousins, to do the job.

Many readers of this journal work in rural areas where the smallest percentage of high school graduates go to college. While doing your jobs of conserving soil, water and other natural resources, you might do an even more important job by conserving boys and girls, by explaining challenges in food production almost sure to confront them, and by urging them to go to college to get the training necessary to do their part.

You won't have data to support the idea of conserving and developing youth to help civilization feed itself, but you have the experience necessary to communicate the idea. Communicating an idea is the way to give it life.

You have taught farmers to conserve now for future increased production. You can teach them the same regarding their children. The youth might be productive at a low level earlier, if they did not go to college, but their full potential is needed. Higher education will increase their potential and thus decrease hunger.

The primary reason fewer rural than urban youth go to college is lack of funds. You already have taught farmers that the government helps in conserving soil, water, and other natural resources. The new educational programs provide similar help to conserve and develop our youth. I hope you learn about scholarships, loans, and other government programs that will help produce the desired level of trained youth—and tell the youth and their parents!

You already have taught farmers that, when necessary, they should borrow money to buy fertilizers to get the full potential from their land. To develop talents of their sons and daughters it may be necessary to borrow money to send them to college.

Persuading a youth to attend college may spread your influence to other countries. Almost any youth now being trained, barring the holocaust of war, is almost certain to have opportunities to work abroad, where he can spread conservation and management.

Dr. O. W. Bidwell, a member of our staff and of your editorial board, says an investment in a college education is as important an investment in the conservation of resources as an investment in terraces and waterways, or as an investment in fertilizer, herbicides, and insecticides for increased yields.

The surplus of crops in America has given us a narrow view of the world food and population picture. Now most knowledgeable people recognize that helping underdeveloped countries feed their people may do more to preserve civilization than any other factor now known. To do it the land-grant colleges will need literally thousands of youth to train for the job.

You, the conservationist, can help in this conservation job. Encourage capable youth to attend their land-grant colleges to prepare to help in the almost insurmountable food production job immediately ahead of us.

Duane C. Acker.

EQUITY FOR FARMERS

Mr. McGOVERN. Mr. President, I am repeatedly grateful for the existence of Washington's great daily newspaper, the Washington Post.

The paper has many fine attributes which cause me to read it regularly—discerning news coverage, excellent interpretative articles, provocative columns, and thoughtful editorials—but it ranks especially high in my estimation for its understanding of the problems of agricultural income, which is rare with urban publications.

The Post on Thursday carried an excellent editorial on food prices, and the farmers' right to an equitable return. I believe thoughtful urban residents will agree with its conclusion that "we cannot safely put the burden of holding down urban costs on underpaid rural workers."

The truth of this is illustrated by the dairy situation today.

Milk production in May was 499 million pounds, or 4.1 percent below May of last year and nearly 650 million pounds below the 1960–64 average production during the month. Milk production in the first 5 months of this year was off 2.6 billion pounds. It may help understand that large figure to recall the old rule of thumb that "a pint is a pound." Dairy herds have been liquidated by the thousands, and are still being liquidated. Unless the rewards for dairying are increased and increased very soon, we can have a very critical milk supply situation in this Nation—a shortage that will send dairy product prices skyrocketing.

The Post is entirely correct in its conclusion that we cannot safely make farmers carry the burden of low urban costs. It will inevitably result in underproduction and spiraling inflation of prices.

Thoughtful producers do not want boom and bust price cycles.

Panic prices for dairy products can be harmful to the long-term welfare of dairying by driving customers to substitutes.

The long-term welfare of both consumers and producers is an equitable price level. Consumers cannot safely expect to compensate producers less, and producers know that they cannot safely ask more.

Mr. President, I ask unanimous consent to place the splendid Washington Post editorial in the Record.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 22, 1966]

FOOD PRICES

No doubt the Government and the consuming public will be much pleased by the fact that food prices in May fell by 0.6 per cent. The rate of rise in living costs generally seems to have stabilized in a gratifying way. And that surely is good thing.

The tendency to make agriculture the goat for rises in living costs has been deplorable, however, and the consuming public must not be allowed to have the notion that it can justly count on the depression of agriculture to keep urban living prices low. The American people are spending a smaller percentage of income on foodstuffs than ever before. And, in future, they probably are going to have to spend more for food if rural America is not to be discriminated against and deprived of a fair share of the rising prosperity and affluence claimed by the rest of our society.

The economic rewards of those engaged in management and labor in rural America, and the social and cultural advantages available to both, must be made commensurate with the rewards of urban workers and managers. If we do not have in the future more success in equalizing these rewards than we have had in the past, the population distribution is going to become even more unbalanced and the problems of the great cities more unmanageable. And if this is to be prevented, those who grow the food and fiber of this country, and those who live in the small rural communities that serve them, are going to have to be better paid. If that pay does not come through the market place, it is going to have to come through public revenue. We cannot safely put the burden of holding down urban costs on underpaid rural workers.

INTERVIEW BY FRENCH FOREIGN MINISTER M. COUVE DE MURVILLE TO CANADIAN BROADCASTING CORP. AND ADDRESS BY CHARLES LUCET, FRENCH AMBASSADOR TO THE UNITED STATES

Mr. FULBRIGHT. Mr. President, on June 23, at my request, there was printed in the RECORD the address of His Excellency Charles Lucet, French Ambassador to the United States, at a luncheon of the National Press Club on June 15. I had also asked unanimous consent that the interview given by the French Foreign Minister, M. Couve de Murville, to the Canadian Broadcasting Corporation on June 5, 1966, be printed in the RECORD.

Ambassador Lucet's address was printed, but the French Foreign Minister's interview was not. I ask unanimous consent that the interview be printed at this point in the RECORD.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

INTERVIEW GIVEN BY M. COUVE DE MURVILLE, FRENCH MINISTER OF FOREIGN AFFAIRS, TO THE CANADIAN BROADCASTING CORP. ON JUNE 5, 1966

Question: Mr. Minister, France has chosen to withdraw from the practical organization of NATO while continuing as a member of the Atlantic Alliance. Isn't French membership without responsibility rather an empty gesture?

Answer: I would like to say first of all that to be a member of an alliance and to be a signatory of the Treaty of Washington of 1949 is not an empty gesture. We do not consider that commitments that we adhere to, that have been ratified by our Parliament and that are very much in force is something which has no significance. I think, too, for us to say that we continue to be a member of the Alliance, and that we will probably continue for a very long time to come, is something that is very important from every point of view.

Question: But, in practical terms, what will French collaboration consist of?

Answer: Well, French collaboration will consist of first of all being a signatory to the Treaty of the Atlantic Alliance; to be committed by what is said in that Treaty, and what is said in that Treaty is that if anything happens against the territory of one of the members of the Alliance, all the members are committed to consider the situation and see what can be done to help the member that is attacked, and it seems to me that it is very important.

Question: Isn't General de Gaulle's policy dangerously isolating France from its major allies, the U.S., Britain and Germany?

Answer: I don't think so. What we are doing is to draw the consequences from the evolution of the situation in the world since the Atlantic Treaty was signed. It is never to be isolated, to be going in the same direction as the general evolution of the world. Maybe what we are doing is a surprise for members who are more conservative, but I think that it will be recognized very soon that we are in the good direction.

Question: Well, NATO's played an important unwritten role in containing Germany, while giving it an honorable place in the Alliance. Surely, any move to weaken NATO threatens to encourage a revival of German nationalism?

Answer: I would not like to put this in the terms that you are using, because I think it isn't very friendly for our German allies. NATO was imagined and built as an instrument of defense against the threat that existed in 1949 and which seemed to be very much menacing the Western countries, that is, the threat of the Soviet Union. At that time Germany was not a member of the Alliance. Germany became a member later when some of our allies, the Americans, British wanted a rearmament of Germany in order for that country to join in the common defense.

Question: Isn't there a danger that France's "go it alone" nationalism might be contagious, that Germany might want to follow the same path?

Answer: Well, I don't know very well what you mean by nationalism. I am sure that it is not something very pleasant. We do not believe that nationalism is what characterizes French policy. We want to be independent. We want to have our policy. we want to be on our own. That is something that we believe is respectable. Nationalism is something different, at least in our language. It is something which has a touch of an aggressiveness and which means that the country that is considered as nationalist has ambitions against other countries. We do not claim anything of anybody. We have no territorial ambitions. We have no desire for hegemony. We have no desire for political expansion. We want to be independent. We want to be at home in our own country, that's all.

Question: Will France make any move to heal the NATO crisis at the ministerial meeting in Brussels?

Answer: We have no desire to have a crisis in NATO, as you say. We have no desire for bad relations to be developed between the member countries. We think it is quite normal that each of the member countries, being an independent state, having its own policy, adapts its policy to the circumstances and to what it deems to be its national interests as long as that doesn't go against the interests of the others, which we believe is what we are doing, so we are quite ready in Brussels to discuss the problems that have arisen, in a very friendly way, in order to try and achieve positive decisions.

Question: Is it likely that France will allow NATO planes to continue using French airspace in return for France continuing to benefit from NATO early warning system?

Answer: Well, that is a technical question that is certainly to be discussed. We are all for cooperation between the allies. We do not like subordination, but we are for cooperation. What you mention there is a form of cooperation, and we have nothing against it, and we are quite willing to discuss that, as long as other problems are solved and as long as nobody wants to impose on us what we are not ready to accept.

Question: You will be accompanying General de Gaulle to Russia later this month. What does France hope to gain by this visit?

Answer: I would not put the question that way, once again. We do not hope to gain something by that visit. The fact which astonishes many people in this world at present is that we try to have a policy. We try to have a policy in Europe as regards, in particular, relations between Western Europe and Eastern Europe. The trip that General de Gaulle is going to make to Moscow is a part of that policy. It is a normal step in the development of what we are trying to do, and we are not gaining anything, we are trying to do reasonable things in the direction that can lead to what we want, and that is a peaceful settlement of European problems.

Question: How seriously does France hope to realize the general idea of a united Europe from the Atlantic to the Urals?

Answer: Well, I said that we have a policy which maybe is not appreciated because maybe it is not good to have a policy, but we believe that we should have one. What we say is that the present division of Europe, the iron curtain, the cold war, and all that, is not an objective of our policy, it is an accident, an unfortunate accident, and that it shouldn't last forever. And, as a matter of fact, things are changing very much, they have not yet come to the point that we can say that there is a general relaxation of tension in Europe, but all the same the direction is that one, and that means that we should all of us in Europe—in the West and in the East—try to normalize and to develop relations with all the other European countries in every field, the economical, cultural, political, and so on. That is what we call the "detente" and that is in our mind the only way to come to a settlement of European problems, and when we say we want Europe to extend from the Atlantic to the Urals, that's what it means. What it means is that there are good relations between everybody.

Question: You yourself have mentioned the need for a breakup of the Soviet bloc? Surely it is unlikely that Russia will allow this process to go too far?

Answer: Well, I don't know—you see, everybody when he speaks seems to be against blocs, either in the East or in the West, and the Soviet Union has often said that the Warsaw Pact is only a reply to the Washington Treaty and that they hope that the blocs—they call them military blocs, we call them ideological blocs, it doesn't make any difference—they have always said that these blocs should disappear in due time. So I don't see why anybody could say that what we are trying to do in our policy should run counter to the policy of either the Soviet Union or the United States or should run counter to the interests of anybody. It seems to us that it is a good thing to do. And then, moreover, as I have already said, it is in the trend of history. It is clear that the blocs are disappearing. If you take the communist bloc, for instance, who can pretend that there is a communist bloc now, with the rift between the Soviet Union and China? So you see, everything is changing.

Question: What about the problem of German reunification? Will that be discussed in Moscow?

Answer: Well the problem of German reunification is always behind any problems of the discussions of Europe. What we think is, I would say, two things. One is that it is an essential problem of Europe, and as long as it is not settled we will not have found a stable settlement for Europe. The second is that this problem can be solved only by peaceful means and that, of course, implies that there is an agreement between all the parties concerned, which means between countries of the East and the countries of the West, and that is exactly why be believe that good relations should be established between these two parts of the world.

Question: You don't see a role for the U.S. here?

Answer: Well, of course, the U.S. is greatly interested in the German problem. Who could imagine that they would not be a part of the final solution?

Mr. FULBRIGHT. Mr. President, I also ask unanimous consent that another fine speech by Ambassador Lucet to the Paris American Club in New York on May 5, 1966, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

FRANCE TODAY

(Address delivered by His Excellency Charles Lucet, French Ambassador to the United States, at a luncheon of the Paris American Club, in New York, on May 5, 1966)

I am very pleased to be the guest today of the Paris American Club of New York. Those are pleasant words and they go well together.

I have been told that your half-French, half-American organization has close ties with the American Club of Paris and that, under your auspices, many Americans who once lived in France have an opportunity to meet again. Thus you are well-acquainted with French things, you have a first-hand knowledge of them. I know, therefore, that I am speaking today to an audience of experts.

Last November, before my departure for the United States, I had occasion to speak before the American Club in Paris. I expressed, in all sincerity, my delight to be returning to a country that I love and where I have already lived for some years. I also predicted—for things were clear even then—that everything would not go smoothly and that, by spring, problems would arise. They have arisen, and we are discussing them. But, at the same time, I affirmed the soundness of the French-American friendship. After four months of experience, I am even more assured of this than before my departure, and I will tell you why. But first—to remain faithful to the title of my remarks—let us see how France appears today to her people, to her friends and to the rest of the world.

The first striking thing is that France—after years of uncertainty and vacillation during which she seemed somewhat adrift—has regained her stability. I am speaking first, of course, of political stability, and yesterday's perpetual ministerial crises are well in the past. But I am also speaking of economic and financial stability, and that is what I would like to stress first for a moment.

The main task that the French leaders have on the domestic level is, at the presnt time, to combat inflation and prevent its return. Because of two wars, colonial campaigns, a policy of facility and abusive recourse to protectionism, inflation was the general rule for half a century. We know only too well, alas, how greatly a country's substance diminishes and grows impoverished under such a system.

As our Premier, M. Pompidou, said recently: "The first principle of our financial and economic policy is to maintain a strong and stable currency, itself linked to the stability of domestic prices."

This search for stability led us, in 1963, as you know, to adopt a plan that imposed certain constraints on our economy in order to prevent an uncontrolled rise in domestic prices. This end was achieved, at least to a large extent. The price rise has remained moderate, the currency stable and the budget balanced. There is no question, even today, of abandoning these golden rules, but the Government—while first preserving what has been accomplished—must also work to encourage the rational and reasonable expansion of our economy, in accordance with the objectives and principles laid down in our Fifth Plan, which covers the period 1965–1970.

In a word, we must renovate and rejuvenate our production apparatus, complete the country's industrialization, plan the nation's development in order to meet the urban pressure that all large countries are experiencing, and, lastly, transform our agriculture, with its still outmoded processes and technology.

These encouragements to expansion can be given only through an investment policy, and that is the original feature of our present practice.

In order for savings not to remain unproductive, there must first be an interest for private capital to look toward regions and enterprises that need investments. Of course, we are living in a system of free economy, and private initiative belongs to everyone. But the State can assist this process, I would almost say encourage and guide it. That is why, a year ago, we took tax-cut measures designed to expand the financial market. A Government bill has been submitted that would create what is known as a "tax concession," that is, credit in the treasury for all persons who use their savings for investments that are considered productive. This is a tool for stimulating the stock market, thereby creating new financial possibilities.

But, at the same time, the State, as such, cannot neglect sectors that do not spontaneously attract private capital. This is true of agriculture, but it is also true of certain industrial sectors that need to be converted and rejuvenated: shipyards and iron mines, for instance. In this area, the State exerts its action through loans and subsidies, research credits, or aid for occupational training. The resources required are furnished by an inevitable, but tolerable rise in public prices.

This combination of public and private effort is beginning to show good results. It is being assisted, moreover, by timely business concentrations, such as the one that just took place in the automobile industry, and by an assist from foreign capital, which we do not discourage if it is reasonable and controlled. Through these new steps, France's economic expansion—which, level by level, has been an accomplished fact for eight years—should continue, improving both the country's equipment and its inhabitants' way of life.

But, of course, this economic expansion must have its counterpart on the social level. The worker must benefit directly from the country's general increase in wealth, and measures have been taken to that end. First as provided in the Fifth Plan, the legal maximum work week will be reduced to 54 hours. This figure is high, but we must consider the fact that—despite our postwar population surge—several years will still pass before a majority of the country's population is of working age.

On the other hand, the worker's minimum wage will be increased, family allowances augmented, and low-cost housing built for the neediest. Parallel to this, town and country planning will, in the years to come, make available to everyone green spaces, sports and recreation areas, new industrial plants in which the concern for esthetics comes first—for, after all, as everyone knows, man does not live on his bank account alone, but also need surroundings that give a place to beauty. I know that you in the United States have the same concern.

In this area, the Government has just again promised, during a recent debate before the National Assembly, to present a bill soon that constitutes a major change in the traditional system under which we are living. This involves—through formulas that have to be clarified and are still under study—ensuring the workers a share in undistributed business profits. Of course, this must be done prudently, so as not to jeopardize business profits or the authority of the management. But the adoption of such a bill would obviously increase the worker's interest in the operation of the business to which he belongs, thus contributing greatly to a solution to the problem of relations between capital and labor.

The French economy, moving ahead in the areas of both expansion and social justice, is therefore in satisfactory shape. Proof of this is the equilibrium in the budget, in the balance of trade and in the balance of payments, and the amount of gold and foreign currency reserves. But, as you know, this prosperous economy is not destined to live behind closed doors, and it will not have made a definitive recovery until it has come face to face with international competition.

This is being done first within the framework of the Europe of the Six, of the Common Market. You have noticed, I am sure, the progress made by this great undertaking—once we were able to overcome the crisis, which was only over principles, that had slowed down its development during the second half of 1965.

Each new meeting of the Ministers now brings advances in areas that are infinitely complex, since we are dealing with problems as delicate as agricultural structures and the conditions for the financial regulation. In these matters, however, we should not be impatient. The Common Market is progressing at a more rapid pace than the one provided in the Rome Treaty in 1957. But there are still many problems to solve. Some had thought that everything could be finished and put into its final shape and order by July 1st, 1967. That was pushing things a little fast, and we will probably have to wait for a more distant date—but prior to 1970, in any case. Considering the large amount of work done, this will already be a fine success.

Moreover, as you know, the Six do not intend to close the door to those who would like to join them. In particular, they are ready to open it wide to the neighboring countries that, for their part, would accept rules and disciplines that have been freely entered into. This applies especially to Great Britain, and we noted with special interest what Her Majesty, Queen Elizabeth, had to say on this subject in her last speech from the throne. A Europe that is first economic, and then extending to questions of a political nature, a Europe including Great Britain and a certain number of other countries fits in with our concepts. It is certain, however, that all this will take time and requires both patience and a broad spirit of conciliation. In any event, it is not our good will that will be found lacking.

I will add, finally, that this Europe—as it already exists today and as it is in the process of building itself—is ready to negotiate, with the United States and other countries that share its concepts, a general cut in tariffs that will permit free competition in a world freed of customs barriers and of an outdated protectionist spirit. The opening of specific conversations on concrete problems within the framework of GATT is desired by us, and this could start this fall, if no snags are encountered. We understand the need for completing this work, or at least for making rapid progress, before the expiration of the special powers given to the President by Congress, that is, before the end of the first half of 1967.

In touching on the problems of international economic policy, I have already moved into the field of France's foreign policy. And it is with this second part, which will perhaps be of special interest to you, that I would like to conclude.

In this domain, what France proposes to do is not, as is said too often, remain inward-looking and ignore what is happening around her. Quite to the contrary, the French Government's first concern is to maintain cordial relations with all the world's countries, whatever their regime. The first task for a country that was formerly a colonial power is to give aid and assistance to the newly independent States and to help them make progress in developing their resources and toward the social well-being to which they are entitled. France devotes nearly one and a half billion dollars—or 1.5% of her gross national product—to this task to human solidarity. I do not think that any other nation in the world does so much. As fitting, most of the resources and credits made available in this way go to the African countries with which, since their independence, we are linked by cooperation agreements. As far as we can, we would also like to extend such relations to countries to which we are attached by a long tradition of political and cultural relations—I mean Latin America. For all these countries, whose resources are great and possibilities of development considerable, we would like to do more than technical assistance, strictly speaking. We would like through the intermediary of the World Economic Conference where we have presented our views, to help them to sell their basic products—on which their entire economy often depends—at sufficiently remunerative prices on world markets. For this, the cooperation of all is required, but France has placed the problem before world opinion.

Secondly, the goal of France's foreign policy is to organize the Western Europe to which we belong, not only economically, but, as I have already said, also politically. In this respect, we attach great value to our relations with Federal Germany and to the continuation of that total French-German reconciliation that was and will remain the major event of the past ten years. We know, on the other hand, that the abnormal situation of Germany, a divided country, cannot go on indefinitely. We desire a reunified Germany, and that cannot be achieved, of course, without the consent of its neighbors in the East. In any case, there could not possibly be other solutions. A reunified Germany is conceivable, moreover, only in the framework of a Europe reunified itself, and as M. Couve de Murville recently said, it is in this way alone that lasting prospects for peace can be re-established in that part of the world which was formerly the center of so many wars and where peace can now flourish again.

As I just said, this consolidation of Western Europe is possible only through a rapprochement with Eastern Europe, a rapprochement of which we already see and discern a number of encouraging signs. In this domain, the task is arduous, and many precautions must still be taken. But things have stirred and are still stirring. There are no longer monolithic blocs, and the rise in living standards has already helped to place in the background ideological divergencies that are still there, but are diminishing. Without lowering our guard, the time has nevertheless come, perhaps, to acknowledge what has happened and to recognize that an at least relative and partial détente is in progress. In visiting Moscow in June, General de Gaulle will have an opportunity to take bearings, and this will not be the smallest interest of a trip that, of course, could in no way imply a change of camps, for we are too much a part of the Western world by interest and by sentiment. But perhaps we can help to dispel a climate of cold war that has weighed on Europe and the world for twenty years. For what French diplomacy is seeking is to ensure peace, a return to peace in Europe and Asia alike, by facing the facts and reaping benefit from circumstances that often correspond to new realities.

I now come, in conclusion, to French-American relations, which continue to be one of the essential points of our policy. In this domain as I have already said, nothing has changed fundamentally or will do so in the future, if it depends on us. We are linked by two hundred years of constant friendship, which has never prevented us from speaking frankly. We are grateful to you for the aid you gave us during the two wars, and we keep the most faithful memory of those of you who fought or fell on our soil. Do not look for false quarrels with us on this subject! We also know that your material aid—although, since we have become more prosperous, we can do without it today—helped us to live through the difficult postwar years. We have forgotton none of this, and ingratitude holds no place in our sentiments.

Nonetheless, the French—knowing fully who their friends are and those whom they will encounter at the hour of danger—are aware that they can now, better than several years ago, conduct their own policy and take a greater share in the responsibility for their own defense. They want to remain members of the Atlantic alliance and have no intention of leaning toward some sort of neutralism.

But, at the same time, they recognize that what was true in 1950—at a time when the cold war could degenerate into real war from one day to the next—no longer appears the same today and should bring about arrangements and revisions in the alliance's Organization. This is the question that arises today, and we are beginning to discuss it in an atmosphere that we hope is, and would like to see, free of heated emotions. It is not our recovered prosperity that leads us to examine our alliance in a new light; it is the world's inevitable evolution, and that should in no way affect French-American relations.

In short, you my compatriots, and you my American friends, who know France, and who meet here frequently to hear my country discussed, you can be sure that the times have not changed. You and I can both, without fear of being disappointed, still consider ourselves as the guardians of a friendship that continues to be the unaltered and cardinal point of our policy.

THE BARRIER TO A WHEAT BRIDGE TO RUSSIA

Mr. McGOVERN. Mr. President, I have another editorial from the New York Times for June 23, 1966, entitled "Bridge of Wheat," commenting on Canada's sale of $800 million of wheat to Russia.

It is an excellent editorial, pointing out that the United States has missed, but should not continue to miss, the opportunity to build a bridge between our Nations because of an unwise export restriction.

The Times then makes a common error, indicating that Congress is responsible for the foolish 50 percent U.S.-flag shipping requirement on wheat sales to Russia. The responsibility is not with Congress, but the Secretary of Commerce.

The Times comments that "greater determination and persuasiveness will have to be shown to win congressional approval" of adjustment of restrictions on wheat sales, adding:

> The chance to build bridges with the Russians should not be fumbled again.

I vigorously agree with the Times' conclusion, but I point out again, as I did last week in reference to a Washington Post editorial, that the Senate Agriculture Committee, the Senate Foreign Relations Committee, and many individual Senators have taken positions against the restriction in question and that the problem lies, not up here in Congress, but down at the Department of Commerce. The restriction was first put into effect by President Kennedy to remove a roadblock to an emergency sale of wheat to Russia. Unfortunately, it has been continued by the executive branch in face of its own avowed disapproval of the restriction, because of the pressure of the maritime unions.

What is needed, Mr. President, is a decision downtown not to let a handful of unions dictate our foreign policy.

I ask unanimous consent, Mr. President, to put the Times editorial of June 23 in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, June 23, 1966]

BRIDGE OF WHEAT

Canada's new big wheat deal with the Soviet Union promises benefits to the entire West. It means continued prosperity for Canada's farmers, her farm equipment makers and her transportation industry. It also will mean higher incomes for American wheat growers, who will be counted on to meet a major part of the rising demand in non-Communist countries. But even more important, Russia's continued dependence on foreign wheat to feed her own population and to meet her commitments elsewhere suggests that she is in no position to reassume aggressive policies. The Russians appear bent on breaking down still further the trade barriers erected in the past.

Agriculture has long been the Kremlin's Achilles' heel. The Soviet Government has launched a new program to expand farm output; but it is undoubtedly haunted by the past record of failure and frustration. So it is making sure that food will be available by purchasing wheat and flour from Canada for another three years. And it has promised to pay in cash, which indicates that the Soviet Union will be interested in "bridge building," expanding trade with Canada and other Western nations in order to increase earnings of foreign exchange.

The Soviet wheat deal represents a real opportunity for the United States to build bridges of its own. This country failed to take full advantage of its chance three years ago, when the Russians first bought wheat from Canada. There may have been an excuse when Russian buying seemed a one-shot, nonrecurring deal. But now Russia's purchases have taken on a semi-permanent character that, combined with the demand from China and the developing countries, calls for adoption of more flexible agricultural and more expansive trade policies.

Rising demand for food that has shrunk the American surplus has forced the Administration to increase the amount of acreage allotted for wheat growing. A modest liberalization in restrictions on trade has also been proposed. But greater determination and persuasiveness will have to be shown to win Congressional approval.

The chance to build bridges with Russians should not be fumbled again.

SWAPPING POTATOES FOR HOT AIR

Mr. CHURCH. Mr. President, there has been much talk recently of diverting water from the Pacific Northwest to the American Southwest. Most of this talk makes little real sense, especially in light of the fact that very little of this water would actually be used for purposes of human consumption. Rather, the intention is to put the water to agricultural uses in the arid lands of the Southwest. And that, Mr. President, is the precise purpose for which we in the Northwest urgently want and need our water.

Bill Hall, editor of the Lewiston, Idaho, Morning Tribune, has written a sensible and thought-provoking editorial on this subject. I ask unanimous consent that the editorial be inserted in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Swapping Potatoes for Hot Air

A Washington State University water specialist asks of those who hope to divert Columbia River water to the Southwest what they would do in years of drouth. It is a valid question. Assuming there is a surplus in an average year, what about those years when there is not enough water for the Northwest, let alone a secondary consumer?

E. Roy Tinney, WSU professor of civil engineering and director of the Washington Water Research Center, discusses the water diversion proposal in *Quest*, the WSU College of Engineering magazine.

Noting that it has been charged that the Northwest wastes 170-million acre-feet of water into the sea each year, Tinney said the flow over Bonneville Dam does *average* that amount each year.

"But how dependable is this flow and how dependable must the supply be for a ditch a thousand miles long costing billions of dollars?" he asked.

The Northeast is another region of the nation with a normally heavy rainfall and adequate water, but it is currently in a drouth of dire proportions.

Tinney says a drouth of the same magnitude in the Pacific Northwest would shrivel the annual runoff at The Dalles to approximately 65-million acre-feet a year.

"This is insufficient to turn the present turbines, and the Pacific Northwest would immediately suffer a large loss of generating capacity. The temperature of the river would rise, the pollution of the estuary would become sickening, the salt would intrude many more miles, and it is doubtful that the salmon run would survive," Tinney said. He adds that "it is from this system that the Southwest plans to divert."

Furthermore, he notes that just because the water is not *consumed* does not mean it is not used beneficially. It is put to a variety of uses "right to its mouth."

In other words, water is used just as much when it turns a turbine, supports a fish run, floats a barge or holds back salt water as it is when piped into a city water system or pumped onto desert land.

More important, if there is a surplus, there is much desert land in the Northwest, to produce food for the Southwest. And it's less expensive to ship corn and potatoes and cabbages to Arizona and California than it is water.

Beyond that, water is one of the natural advantages of the Northwest, one of the assets it has the right to maintain and exploit for its own benefit. Some have compared it with the Arizona and California climates and suggested that it makes about as much sense to transport the Northwest's liquid gold to the south as it would to ship the Southwest's hot air to this region.

Perhaps a better example would be the great deposits of natural gas and oil to be found in the Southwest. That is transported to this region to supply us with the means to make our homes in winter as dry and warm as a southwestern desert.

But we pay for it.

How much does the Southwest plan to pay for our exported resource? To date it has been suggested only that it be taken free. Not only that, but, as federal taxpayers, we will be expected to participate in the cost of diverting our own water.

The Southwest does not want the water to supply thirsty cities. Tinney notes that in Arizona, for instance, about 90 per cent of its water goes for irrigation, and much of it is devoted to the production of cotton, of all things. The Southwest wants the water to open up new farmlands.

Those who are now proposing that vast new tracts of arid land in Idaho, Washington and Oregon be irrigated have the right idea. The Northwest can supply the growing food requirements of the Southwest and at far less cost than diverting part of a major river a thousand miles.

In that way, the Northwest will share its resource with the neighboring region. We will trade them potatoes for natural gas. To date they have been offering us only hot air.

—B.H.

DEATH OF FORMER REPRESENTATIVE LOUIS C. CRAMPTON

Mr. HART. Mr. President, I regret to announce the death today of one of Michigan's distinguished former Members of Congress, Louis C. Crampton.

Judge Crampton represented us in the House of Representatives for nine Congresses, from 1913 to 1931. He returned to the beautiful thumb area of Michigan and his home in Lapeer County but remained active in community service for the balance of his long life. He served as a circuit judge and it was by this title that most of Michigan knows him, but he served also for many years as a member of the State house of representatives.

It was there in the 1950's that he was one of the leaders in the drive to enact State fair employment legislation. This interest in opening wider areas of opportunity for the Negro in our country was reflected in his earlier years in the Congress. Howard University, here in the District of Columbia, was one of his great interests. The magnificent new auditorium on the Howard campus bears his name and is dramatic tribute to his interest in that institution. The George Washington Memorial Parkway leading to Mount Vernon was one of many pieces of conservation legislation which he sponsored in the Congress. Last December he celebrated his 90th birthday and only a few weeks ago I received a letter from him stating his interest in the proposal to acquire the land in Maryland across from Mount Vernon—just another proof of his continuing interest in Washington and conservation.

Politically Judge Crampton was a Republican and he served his party well just as he did his State and Nation. But his friendships and interests were never limited by partisan label and I regret that I must advise the Congress of the death of this fine gentleman whose friendship I shall always value and appreciate.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ORDER OF BUSINESS

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. MANSFIELD. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAFFIC SAFETY ACT OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 3005) to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Traffic Safety Act of 1966".

STATEMENT OF PURPOSE

Sec. 2. The Congress hereby declares that the purpose of this Act is to reduce accidents involving motor vehicles and to reduce the deaths and injuries occurring in such accidents. To this end, the Secretary of Commerce shall have authority to establish motor vehicle safety standards for motor vehicles and motor vehicle equipment in interstate commerce; to undertake and support necessary safety research, development and evaluation; and to encourage and provide financial assistance in developing State traffic safety programs under effective standards for drivers, motor vehicles, postaccident care, and the traffic environment, including highways.

TITLE I—MOTOR VEHICLE SAFETY STANDARDS

Definitions

SEC. 101. As used in this title—

(a) "Motor vehicle safety" means the performance of motor vehicles or motor vehicle equipment in such a manner that the public is protected against unreasonable risk of accidents occurring as a result of the design or construction of motor vehicles and is also protected against unreasonable risk of death or injury to persons in the event accidents do occur, and includes nonoperational safety of such vehicles.

(b) "Motor vehicle safety standard" means a minimum standard for motor vehicle performance, or motor vehicle equipment performance, which is practicable, which meets the need for motor vehicle safety and which provides objective criteria.

(c) "Motor vehicle" means any vehicle driven or drawn by mechanical power primarily for use on the public roads, streets, and highways, other than (1) a vehicle subject to safety regulations under part II of the Interstate Commerce Act, as amended (49 U.S.C. 301 et seq.), or under the Transportation of Explosives Act as amended (18 U.S.C. 831–835), and (2) a vehicle or car operated exclusively on a rail or rails.

(d) "Motor vehicle equipment" means any system, part, or component of a motor vehicle as originally manufactured or any similar part or component manufactured or sold for replacement or improvement of such system, part, or component or as an accessory, or addition to the motor vehicle.

(e) "Manufacturer" means any person engaged in the manufacturing or assembling of motor vehicles or motor vehicle equipment, including any person importing motor vehicles or motor vehicle equipment for resale.

(f) "Distributor" means any person engaged in the sale and distribution of motor vehicles or motor vehicle equipment for resale.

(g) "Dealer" means any person who is engaged in the sale and distribution of new motor vehicles or motor vehicle equipment primarily to purchasers who in good faith purchase any such vehicle or equipment for purposes other than resale.

(h) "State" includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(i) "Interstate commerce" means commerce between any place in a State and any place in another State, or between places in the same State through another State.

(j) "Secretary" means Secretary of Commerce.

(k) "Person" means an individual, partnership, corporation, association, or other form of business enterprise.

(l) "Defect" includes any defect in design, construction, components, or materials in motor vehicles or motor vehicle equipment.

(m) "United States district courts" means the Federal district courts of the United States and the United States courts of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(n) "Vehicle Equipment Safety Commission" means the Commission established pursuant to the joint resolution of the Congress relating to highway traffic safety, approved August 20, 1958 (72 Stat. 635), or as it may be hereafter reconstituted by law.

Interim Federal motor vehicle safety standards

SEC. 102. (a) Subject to the provisions of this section, on or before January 31, 1967, the Secretary shall prescribe, by order, and publish in the Federal Register interim motor vehicle safety standards for motor vehicles and motor vehicle equipment, which shall be based upon existing public and private safety standards.

(b) Interim standards prescribed pursuant to this section shall become effective on a date specified by the Secretary which shall be no sooner than one hundred and eighty days nor later than one year from the date on which such standards are published. Such standards shall remain in effect until new and revised Federal motor vehicle safety standards become effective pursuant to section 103.

(c) In prescribing interim standards under this section, the Secretary shall—

(1) consult with the Vehicle Equipment Safety Commission, with other State and interstate agencies (including legislative committees), with motor vehicle and motor vehicle equipment manufacturers, and with scientific, technical, business, and consumer organizations, as he deems appropriate.

(2) consider, in the light of available technical information, whether any such proposed standard is reasonable, practicable, and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed; and

(3) consider the extent to which such standards will contribute to carrying out the purposes of this Act.

Revised Federal motor vehicle safety standards

SEC. 103. (a) Subject to the provisions of this section, on or before January 31, 1968, the Secretary shall prescribe, by order, in accordance with sections 3, 4, and 6 of the Administrative Procedure Act (5 U.S.C. 1002, 1003, 1005) new and revised motor vehicle safety standards for motor vehicles and motor vehicle equipment.

(b) Standards prescribed pursuant to this section shall become effective on a date specified by the Secretary which shall be no sooner than one hundred eighty days nor later than one year from the date on which such standards are published, except that, for good cause shown, the Secretary may specify a later effective date, and in such event he shall publish his reasons therefor.

(c) In prescribing standards under this section, the Secretary shall—

(1) consider relevant available motor vehicle safety data, including the results of research, development, testing and evaluation activities conducted pursuant to this Act;

(2) consult with the Vehicle Equipment Safety Commission, and such other State or interstate agencies (including legislative committees) as he deems appropriate, which consultation shall include (A) informing the Commission and other agencies of all proposed Federal vehicle safety standards and amendments thereto and (B) affording such Commission and other agencies an opportunity to study and comment on such standards and amendments;

(3) consider whether any such proposed standard is reasonable, practicable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed; and

(4) consider the extent to which such standards will contribute to carrying out the purposes of this Act.

(d) The order prescribing standards pursuant to this section shall include as part of the concise general statement of the basis and purpose of such standards (required by section 4(b) of the Administrative Procedure Act) the following:

(1) A statement of the principal purpose of any such standard, written in language capable of being understood by the general public;

(2) Wherever appropriate to a particular standard, a statement of the range of operating conditions for which such standard is deemed effective; and

(3) A technical statement which sets forth the data necessary to an evaluation of the standard by persons competent in the particular technical area involved.

(e) For the purposes of this section interested persons afforded an opportunity to participate in the rule-making process to prescribe or amend standards under this section shall include manufacturers, distributors, and dealers of motor vehicles and motor vehicle equipment, public and private organizations and individuals engaged to a significant extent in the promotion or study of motor vehicle safety and automobile insurance underwriters.

(f) Nothing in this title or in the Administrative Procedure Act shall be construed to make sections 7 and 8 of such Act applicable to proceedings under this title.

(g) In prescribing standards under this section for any motor vehicle of substantially the same type and specifications as a vehicle subject to safety regulations under part II of the Interstate Commerce Act, as amended (49 U.S.C. 301 et seq.), the Secretary shall not adopt standards which differ in substance from the safety regulations issued pursuant to such Act.

(h) The Secretary shall review the motor vehicle safety standards prescribed pursuant to this section at least once every two years, and may, to the extent necessary to carry out the purposes of this Act, by order, amend, such standards in accordance with the procedural requirements set forth in this section. Each such amendment shall become effective on the date specified by the Secretary which shall be no sooner than one hundred and eighty days nor later than one year from the date on which such amendment is published, except that, for good cause shown, the Secretary may specify a later effective date, and in such event he shall publish his reasons therefor.

Preemption

SEC. 104. No State, or political subdivision thereof, shall establish a safety standard for a motor vehicle or item of motor vehicle equipment in interstate commerce which differs from a motor vehicle safety standard issued in conformance with the provisions of this title with respect to such motor vehicle or item of motor vehicle equipment; and any law, regulation, or ordinance purporting to establish such differing safety standard and providing a penalty or punishment for an act of noncompliance therewith shall be null and void. Nothing in this section shall be construed to prevent a State or political subdivision thereof from establishing requirements more stringent than a Federal motor vehicle safety standard for the exclusive purpose of its own procurement.

Judicial review of orders

SEC. 105. (a) (1) In a case of actual controversy as to the validity of any order under section 102 or section 103, any person who will be adversely affected by such order when it is effective may at any time prior to the sixtieth day after such order is issued file a petition with the United States court of appeals for the circuit wherein such person resides or has his principal place of business, for a judicial review of such order. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based his order, as provided in section 2112 of title 28 of the United States Code.

(2) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, and to be adduced upon the hearing, in such manner and upon such terms and conditions as to the court may seem proper. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

(3) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to review the order in accordance with section 10 of the Administrative Procedure Act (5 U.S.C. 1009) and to grant appropriate relief as provided in such section.

(4) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

(5) Any action instituted under this subsection shall survive notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.

(6) The remedies provided for in this subsection shall be in addition to and not in substitution for any other remedies provided by law.

(b) A certified copy of the transcript of the record and proceedings under this section shall be furnished by the Secretary to any interested party at his request, and on payment of the costs thereof, and shall be admissible in any proceeding arising under or in respect to this title, irrespective of whether proceedings with respect to the order have previously been instituted or become final under subsection (a).

Research, development, testing, and evaluation

SEC. 106. (a) The Secretary, in cooperation with other departments and agencies of the Federal Government, is authorized to undertake appropriate research, development, testing and evaluation for motor vehicle safety and motor vehicle safety standards to accomplish the purposes of this Act and, in exercising this authority, may perform the following functions:

(1) gathering or collecting existing data from any source for the purpose of determining the relationship between motor vehicle or motor vehicle equipment performance characteristics and (A) accidents involving motor vehicles, and (B) the occurrence of death or personal injury resulting from such accidents;

(2) purchasing, notwithstanding any other provision of law, commercially available models of motor vehicles or items of motor vehicle equipment, and contracting for the fabrication of motor vehicle equipment, for research and testing purposes, including the testing of motor vehicles and motor vehicle equipment to accomplish the purposes of this Act even though such tests may damage or destroy the vehicles or equipment being tested;

(3) selling or otherwise disposing of motor vehicles or motor vehicle equipment tested pursuant to subsection (2), notwithstanding any other provision of law, and reimbursing the proceeds of such sale or disposal into the appropriation or fund current and available for the purpose of carrying out this title: *Provided*, That motor vehicles and motor vehicle equipment which have been rendered irreparably unsafe for use on the highways, by testing pursuant to subsection (2), shall be sold or disposed of in a manner insuring that they shall not be used on the highways or on vehicles for use on the highways;

(4) performing or having performed all research development, evaluation and information gathering and disseminating activities necessary and appropriate for motor vehicle safety and motor vehicle safety standards, and purchasing or acquiring equipment and facilities related thereto, or fabricating needed motor vehicle equipment to accomplish the purposes of this title, including—

(A) relating motor vehicle and motor vehicle equipment performance characteristics to motor vehicle safety;

(B) determining the effects of wear and use of motor vehicles and motor vehicle equipment upon motor vehicle safety;

(C) evaluating and developing methods and equipment for testing, inspecting, and determining safety of motor vehicles and motor vehicle equipment;

(D) evaluating and developing methods and equipment for determining adequacy of motor vehicle safety standards, and compliance of motor vehicles with motor vehicle safety standards; and

(E) developing appropriate motor vehicle safety standards; and

(5) awarding grants to State or interstate agencies and nonprofit institutions for performance of activities authorized in this section.

(b) The Secretary may, by means of grant or contract, design, construct and test operational passenger motor vehicles and items of motor vehicle equipment in demonstration quantities, embodying such features as the Secretary determines will assist in carrying out the purposes of this Act. Such vehicles or equipment are to serve as demonstrations for the development of safety features applicable to commercially manufactured motor vehicles or items of motor vehicle equipment, and for the development of Federal motor vehicle safety standards under section 103. Such demonstration vehicles or equipment shall not be sold or leased for private use. Such demonstration vehicles shall not be limited to traditional methods of automobile design, styling, testing, or production.

(c) Whenever the Federal contribution for any research or development activity authorized by this Act encouraging motor vehicle safety is more than minimal, the Secretary shall include in any contract, grant, or other arrangement for such research or development activity, provisions effective to insure that all information, uses, processes, patents, and other developments resulting from that activity will be made freely and fully available to the general public. Nothing herein shall be construed to deprive the owner of any background patent of any right which he may have thereunder.

Cooperation

SEC. 107. In addition to such advisory authority as the Secretary otherwise may exercise, he is authorized to advise, assist, cooperate with, or enter into cooperative agreements with and receive and expend funds made available thereunder by Federal agencies, State or other public agencies, businesses (including manufacturers, distributors, and dealers of motor vehicles and motor vehicle equipment), universities, or other institutions in the planning or development of—

(a) motor vehicle safety standards;

(b) method for inspecting or testing under motor vehicle safety standards;

(c) motor vehicle and motor vehicle equipment test methods and test equipment.

Training

SEC. 108. (a) The Secretary is authorized to train, or establish training programs for, personnel of Federal agencies, State or other public agencies or institutions, private firms and private institutions by grants to or contracts with such agencies, firms, or institutions for the purpose of achieving motor vehicle safety as provided in this title. He may receive and expend funds made available under a cooperative agreement or utilize motor vehicles or motor vehicle equipment furnished thereunder for training purposes. Such training may include—

(1) interpreting and applying motor vehicle safety standards;

(2) using test methods and test equipment;

(3) testing and inspecting motor vehicles and motor vehicle equipment to determine motor vehicle safety; or

(4) such other training as may be necessary to carry out this title.

(b) The Secretary may purchase, use, and dispose of motor vehicles or motor vehicle equipment for use, other than for purposes of transportation, in the training authorized by subsection (a), under the same authority, and subject to the same conditions, as provided in section 106.

Prohibited acts

SEC. 109. (a) No person shall—

(1) manufacture for sale, sell, offer for sale, or introduce or deliver for introduction, in interstate commerce, or import into the United States, any motor vehicle or item of motor vehicle equipment manufactured on or after the date any applicable Federal motor vehicle safety standard takes effect under this title unless it is in conformity with such standard as prescribed or amended by the Secretary pursuant to this title except as provided in subsection (b) of this section;

(2) fail or refuse access to or copying of records, fail to make reports or provide information, or fail or refuse to permit entry or inspection, as required under section 114;

(3) fail or refuse to furnish a certification as required by section 115, or furnish a certification as required by such section 115 which is false; or

(4) fail or refuse to furnish notification as required by section 116.

(b)(1) Paragraph (1) of subsection (a) shall not apply to the sale, the offer for sale, or the introduction or delivery for introduction, in interstate commerce, or importation into the United States, of any motor vehicle or item of motor vehicle equipment after the first purchase of it in good faith for purposes other than resale, or to any person who establishes that he did not know or have reason to know in the exercise of due care that such vehicle or item of motor vehicle equipment was not in conformity with such standard, or to any person who, prior to such first purchase, holds a certificate issued by the manufacturer or importer of such motor vehicle or motor vehicle equipment, to the effect that such vehicle or equipment conforms to all applicable Federal motor vehicle safety standards, unless such person knows that such vehicle or equipment does not so conform. Paragraph (3) of subsection (a) shall not apply to any person who establishes that he did not know or have reason to know in the exercise of due care that such vehicle or item of motor vehicle equipment was not in conformity with such standard.

(2) A motor vehicle or item of motor vehicle equipment offered for importation in violation of paragraph (1) of subsection (a) shall be refused admission into the United States under joint regulations issued by the Secretary of the Treasury and the Secretary; except that the Secretary of the Treasury and the Secretary may, by such regulations, provide for authorizing the importation of such motor vehicle or item of motor vehicle equipment into the United States upon such

terms and conditions (including the furnishing of a bond) as may appear to them appropriate to insure that any such motor vehicle or item of motor vehicle equipment will be brought into conformity with any applicable Federal motor vehicle safety standard prescribed under this title, or will be exported or abandoned to the United States.

(3) The Secretary of the Treasury and the Secretary may, by joint regulations, permit the temporary importation of any motor vehicle or item of motor vehicle equipment, after the first purchase of it in good faith for purposes other than resale, notwithstanding paragraph (2) of this subsection.

(4) Paragraph (1) of subsection (a) shall not apply in the case of a motor vehicle or item of motor vehicle equipment that is intended solely for export, and so labeled or tagged on the vehicle or item itself and on the outside of the container, if any, and is exported.

Civil penalty

SEC. 110. (a) Any person who violates any provision of section 109, or any regulation issued thereunder, shall be subject to a civil penalty which may be recoverable in a civil action brought by the Attorney General in a United States district court in the name of the United States, of not to exceed $1,000 for each such violation except that for each such person the maximum civil penalty shall not exceed $400,000 for any related series of violations. Such violation of a provision of section 109, or such regulations issued thereunder, shall constitute a separate violation with respect to each motor vehicle or item of motor vehicle equipment or with respect to each failure or refusal to allow or perform an act required thereby.

(b) Any such civil penalty may be compromised by the Secretary. In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the person charged and the gravity of the violation shall be considered. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged.

Injunction

SEC. 111. (a) The United States district courts shall have jurisdiction, for cause shown and subject to the provisions of rule 65 (a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this title, or to restrain the sale, offer for sale, or the introduction or delivery for introduction, in interstate commerce, or the importation into the United States, of any motor vehicle or item of motor vehicle equipment which is determined, prior to the first purchase of such vehicle in good faith for purposes other than resale, not to conform to applicable Federal motor vehicle safety standards prescribed pursuant to this title, upon petition by the Attorney General on behalf of the United States. Whenever practicable, the Secretary shall give notice to the contemplated defendant and afford him an opportunity to present his views, and, except in the case of a knowing and willful violation, shall afford him opportunity to achieve compliance. The failure to give such notice and afford such opportunity shall not preclude the granting of appropriate relief.

(b) In any proceeding for criminal contempt for violation of an order, injunction, or restraining order issued under this section, which violation also constitutes a violation of this title, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

Jurisdiction and venue

SEC. 112. (a) Actions under sections 110 (a) and 111(a) may be brought in the district wherein any act or transaction constituting the violation occurred, or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found.

(b) In any action brought under section 110(a) or section 111(a), subpoenas for witnesses who are required to attend a United States district court may run into any other district.

(c) It shall be the duty of every manufacturer offering a motor vehicle or item of motor vehicle equipment for importation into the United States to designate in writing an agent upon whom service of all administrative and judicial processes, notices, orders, decisions and requirements may be made for and on behalf of said importer, and to file such designation with the Secretary, which designation may from time to time be changed by like writing, similarly filed. Service of all administrative and judicial processes, notices, orders, decision and requirements may be made upon said importer by service upon such designated agent at his office or usual place of residence with like effect as if made personally upon said importer, and in default of such designation of such agent, service of process, notice, order, requirement or decision in any proceeding before the Secretary or in any judicial proceeding for enforcement of this title or any standards prescribed pursuant to this title may be made by posting such process, notice, order, requirement or decision in the Office of the Secretary.

Application of antitrust laws

SEC. 113. Nothing contained herein shall be deemed to exempt from the antitrust laws of the United States any conduct that would otherwise be unlawful under such laws, or to prohibit under the antitrust laws of the United States any conduct that would be lawful under such laws.

Inspection and testing for compliance; records and reports

SEC. 114. (a) The Secretary is authorized to conduct such testing, inspection, and investigation as he deems necessary to aid in the enforcement of Federal vehicle safety standards prescribed and in effect under this title and shall furnish the Attorney General and, when appropriate, the Secretary of the Treasury any information obtained and test results indicating noncompliance with such standards, for appropriate enforcement or customs action.

(b) For purposes of enforcement of this title, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (1) to enter, at reasonable times, any factory, warehouse, or establishment in which motor vehicles or items of motor vehicle equipment are manufactured, or held for introduction into interstate commerce or are held for sale after such introduction; and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, or establishment. Each such inspection shall be commenced and completed with reasonable promptness.

(c) Every manufacturer of motor vehicles and motor vehicle equipment shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this title and motor vehicle safety standards prescribed pursuant to this title and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee to inspect appropriate books, papers, records, and documents relevant to determining whether such manufacturer has acted or is acting in compliance with this title and motor vehicle safety standards prescribed pursuant to this title.

(d) All information reported to or otherwise obtained by the Secretary or his representative pursuant to subsection (b) or (c) which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act.

Certification

SEC. 115. Every manufacturer or distributor of motor vehicles or motor vehicle equipment shall furnish to the distributor or dealer at the time of delivery of such vehicle or equipment of such manufacturer or distributor a certification that each such vehicle or item of motor vehicle equipment conforms to all applicable Federal motor vehicle safety standards. Such certification may be in the form of a label or tag on such vehicle or item of equipment or on the outside of a container, if any, in which such items of equipment are delivered.

Notification

SEC. 116. (a) Every manufacturer of motor vehicles shall furnish notification of any defect in any motor vehicle or motor vehicle equipment produced by such manufacturer which he determines, in good faith, relates to motor vehicle safety, to the purchaser (where known to the manufacturer) of such motor vehicle or motor vehicle equipment, within a reasonable time after such manufacturer has discovered such defect.

(b) The notification required by subsection (a) shall be accomplished—

(1) by certified mail to the first purchaser (not including any dealer of such manufacturer) of the motor vehicle or motor vehicle equipment containing a defect; and

(2) by certified mail or other more expeditious means to the dealer or dealers of such manufacturer to whom such motor vehicle or equipment was delivered.

(c) The notification required by subsection (a) shall contain a clear description of the defect, an evaluation of the risk to traffic safety reasonably related to the defect, and a statement of the measures to be taken to repair the defect.

(d) Every manufacturer of motor vehicles shall furnish to the Secretary a true or representative copy of all notices, bulletins, and other communications to the dealers of such manufacturer or purchasers of motor vehicles or motor vehicle equipment of such manufacturer regarding any defect in such vehicle or equipment sold or serviced by such dealer. The Secretary shall disclose so much of the information contained in such notice or other information obtained under subsection 114(a) to the public as he deems will assist in carrying out the purposes of this Act, but he shall not disclose any information which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code unless he determines that it is necessary to carry out the purposes of this Act.

(e) If through testing, inspection, investigation, or research carried out pursuant to this title, or examination of reports pursuant to subsection (d) of this section, or otherwise, the Secretary determines that any motor vehicle or item of motor vehicle equipment—

(1) does not comply with an applicable Federal motor vehicle safety standard prescribed pursuant to sections 102 and 103; or

(2) contains a defect which relates to motor vehicle safety;

then he shall immediately notify the manufacturer of such motor vehicle or item of motor vehicle equipment of such defect or failure to comply. The notice shall contain the findings of the Secretary and shall include all information upon which the findings are based. The Secretary shall afford such manufacturer an opportunity to present his views and evidence in support thereof, to establish that there is no failure of compliance or that the alleged defect does not affect motor vehicle safety. If after such presentation by the manufacturer the Secretary determines that such vehicle or item of equipment does not comply with applicable Federal motor vehicle safety standards, or contains a defect which relates to motor vehicle safety, the Secretary shall direct the manufacturer to furnish the notification specified in subsection (c) of this section to the purchaser of such motor vehicle or item of motor vehicle equipment as provided in subsections (a) and (b) of this section.

Used motor vehicle inspection study

SEC. 117. (a) In order to assure a continuing and effective national traffic safety program, it is the policy of the Congress to encourage and strengthen the enforcement of State inspection of used motor vehicles.

(b) The Secretary shall conduct a thorough study and investigation to determine the adequacy of motor vehicle safety standards and motor vehicle inspection requirements and procedures applicable to used motor vehicles in each State, and the effect of programs authorized by this Act upon such standards, requirements, and procedures for used motor vehicles, and report to the Congress as soon as practicable not later than one year after the enactment of this Act, the results of such study and recommendations for such additional legislation as he deems necessary to carry out the purposes of this Act.

Access to information

SEC. 118. In addition to information made available to the public under section 3(c) of the Administrative Procedure Act, the Secretary shall make available, to any interested person, the record compiled in the proceedings for establishment of a motor vehicle safety standard, including at least (A) the testimony, documentary evidence, and written submissions of data, views or arguments, and (B) to the extent feasible, any nondocumentary evidence, but the Secretary shall not disclose any information which contains or relates to trade secrets.

Obligation for noncomplying motor vehicles and motor vehicle equipment

SEC. 119. (a) If any motor vehicle or item of motor vehicle equipment is determined not to conform to applicable Federal motor vehicle safety standards, or contains a defect which relates to motor vehicle safety, after the sale of such vehicle or item of equipment by a manufacturer or a distributor to a distributor or a dealer and prior to the sale of such vehicle or item of equipment by such distributor or dealer:

(1) The manufacturer or distributor, as the case may be, shall immediately repurchase such vehicle or item of motor vehicle equipment from such distributor or dealer at a price paid by such distributor or dealer, plus all transportation charges involved and an increment of 2 per centum per month of such price paid prorated from the date of notice of such nonconformance to the date of repurchase by the manufacturer or distributor; or

(2) In the case of motor vehicles, the manufacturer or distributor, as the case may be, at his own expense, shall immediately furnish the purchasing distributor or dealer the required conforming part or parts or equipment for installation by the distributor or dealer on or in such vehicle and for the installation involved the manufacturer shall reimburse such distributor or dealer for the reasonable value of such installation plus an increment of 2 per centum per month of the manufacturer's or distributor's selling price prorated from the date of notice of such nonconformance to the date such vehicle is brought into conformance with applicable Federal standards: *Provided, however*, That the distributor or dealer proceeds with reasonable diligence with the installation after the required part, parts or equipment are received.

(b) In the event any manufacturer or distributor shall refuse to comply with the requirements of paragraphs (1) and (2) of subsection (a), then the distributor or dealer, as the case may be, to whom such nonconforming vehicle or equipment has been sold may bring suit against such manufacturer or distributor in any district court of the United States in the district in which said manufacturer or distributor resides, or is found, or has an agent, without respect to the amount in controversy, and shall recover the damage by him sustained, as well as all court costs plus reasonable attorneys' fees. Any action brought pursuant to this section shall be forever barred unless commenced within three years after the cause of action shall have accrued.

(c) The reasonable value of such installations specified in subsection (a)(2) of this section shall be fixed by mutual agreement of the parties, or failing such agreement, by the court pursuant to the provisions of subsection (b) of this section.

Brake fluid and seat belt standards

SEC. 120. (a) Public Law 87-637 (Act of September 5, 1962, 76 Stat. 437, 15 U.S.C. 1301-1303), and Public Law 88-201 (Act of December 13, 1963, 77 Stat. 361, 15 U.S.C. 1321-1323) are hereby repealed.

(b) Whoever, prior to the date of enactment of this section, knowingly and willfully violates any provision of law repealed by subsection (a) of this section, shall be punished in accordance with the provisions of such laws as in effect on the date such violation occurred.

(c) Standards issued pursuant to any law repealed by subsection (a) of this section shall continue in full effect and may be amended as if they had been effectively issued pursuant to this title. Such standards shall, after enactment of this Act, be subject to the enforcement and all other provisions of this title.

(d) All orders, rules, regulations, or privileges made, issued, or granted by any officer or agency in connection with any law repealed by subsection (a) of this section, and in effect at the time of such repeal, shall continue in effect to the same extent as if this section had not been enacted, until modified, superseded, or repealed. No suit, action, or other proceeding lawfully commenced by or against any agency or officer of the United States acting in his official capacity shall abate by reason of any repeal made by this section, but the court, on motion or supplemental petition filed at any time within twelve months after such transfer takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, may allow the same to be maintained.

Avoidance of duplication

SEC. 121. The Secretary, in exercising the authority under this Act, shall utilize the services, research and testing facilities of public agencies to the maximum extent practicable in order to avoid duplication in such facilities and services.

Regulations

SEC. 122. The Secretary is authorized to issue and amend such rules and regulations as he may find necessary or appropriate to carrying out the provisions of this Act.

Reports and recommendations

SEC. 123. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on March 1 of each year a comprehensive report on the administration of this Act for the preceding calendar year. Such report shall include but not be restricted to (1) a thorough statistical compilation of the accidents and injuries occurring in such year; (2) a list of Federal motor vehicle safety standards prescribed or in effect in such year; (3) the degree of observance of applicable Federal motor vehicle standards; (4) a summary of all current research grants and contracts together with a description of the problems to be considered by such grants and contracts; (5) an analysis and evaluation, including relevant policy recommendations, of research activities completed and technological progress achieved during such year; and (6) the extent to which technical information was disseminated to the scientific community and consumer-oriented information was made available to the motoring public.

(b) The report required by subsection (a) of this section shall contain such recommendations for additional legislation as the Secretary deems necessary to promote cooperation among the several States in the improvement of traffic safety and to strengthen the national traffic safety program.

Appropriations authorized

SEC. 124. There is authorized to be appropriated for the purpose of carrying out the provisions of this title, not to exceed $11,000,000 for fiscal year 1967, $17,000,000 for fiscal year 1968, and $23,000,000 for the fiscal year 1969.

TITLE II—TRAFFIC ACCIDENT AND INJURY RESEARCH AND TEST FACILITY

Authorization for research and testing facility

SEC. 201. The Secretary of Commerce is hereby authorized, acting independently or in cooperation with other Federal departments or agencies, to plan, design, construct, acquire, maintain, and operate a facility or facilities, within the District of Columbia or elsewhere, in which to conduct so much of the research, development, testing and evaluation provided for by this Act, and other research, development, and testing in traffic safety authorized by law, as he may deem appropriate and necessary.

Planning appropriations authorized

SEC. 202. There is hereby authorized to be appropriated not to exceed $2,000,000 for the planning of the facility or facilities authorized by section 201 of this Act, including necessary feasibility studies.

Limitations on appropriations for construction

SEC. 203. (a) No appropriation shall be made to construct, acquire, or alter any facility pursuant to section 201 involving an expenditure in excess of $100,000 if such construction, acquisition, or alteration has not been approved by resolutions adopted by the Committee on Commerce of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives, and such approval has not been rescinded as provided in subsection (c) of this section. For the purpose of securing consideration of such approval, the Secretary shall transmit to Congress a prospectus of the proposed project, including (but not limited to)—

(1) a brief description of the building or facility to be constructed, acquired, or altered under this title;

(2) the location of the project, and an estimate of the maximum cost of the project;

(3) statement by the Secretary that suitable space owned by the Government is not available and that suitable facilities are not available for acquisition or on a fee or rental

basis at a price commensurate with that to be afforded through the proposed action; and

(4) a statement by the Secretary of the number of persons expected to be employed at the building or facility and an estimate of its annual operating cost.

(b) The estimated maximum cost of any project approved under this section as set forth in any prospectus may be increased by an amount equal to the percentage increase, if any, as determined by the Secretary in consultation with the Administrator of the General Services Administration, in construction, production, or alteration costs, as the case may be, from the date of transmittal of such prospectus to Congress, but in no event shall the increase authorized by this subsection exceed 10 per centum of such estimated maximum costs.

(c) In the case of any project approved for construction, acquisition, or alteration by the Committee on Commerce of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives, in accordance with subsection (a) of this section, for which an appropriation has not been made within one year after the date of such approval, either the Committee on Commerce of the Senate or the Committee on Interstate and Foreign Commerce of the House of Representatives may rescind, by resolution, its approval of such project at any time thereafter before such an appropriation has been made.

TITLE III—HIGHWAY SAFETY

National driver register

SEC. 301. Title 23, United States Code, is hereby amended by adding at the end thereof a new section:

"§ 321. National driver register service

"(a) The Secretary shall establish and maintain a register containing the name of each individual reported to him by a State, or political subdivision thereof, as an individual with respect to whom such State or political subdivision has denied, terminated, or temporarily withdrawn (except a withdrawal for less than six months based on habitual violation) an individual's license or privilege to operate a motor vehicle. Such register shall also contain such other information as the Secretary may deem appropriate to carry out the purposes of this section.

"(b) The Secretary shall, at the request of any State, or political subdivision thereof, or at the request of any Federal department or agency, furnish such information as may be contained in the register established under subsection (a) with respect to any individual applicant for a motor vehicle operator's license or permit.

"(c) As used in this section, the term 'State' includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone and American Samoa."

Technical amendments

SEC. 302. (a) The Act of July 14, 1960 (74 Stat. 526), as amended by the Act of October 4, 1961 (75 Stat. 779), is hereby repealed.

(b) The analysis of chapter 3 of title 23, United States Code, is amended by adding at the end thereof:

"321. National Driver Register Service."

Mr. MAGNUSON. Mr. President, for the information of the Senate, there are two automobile safety bills. One bill, involving automotive safety proper, is offered by the Senate Commerce Committee. The other bill, which was originally title III, is a bill relating to highway traffic matters, and was handled by the Public Works Committee under the distinguished chairmanship of the Senator from West Virginia [Mr. RANDOLPH].

We have had some discussion today as to how we will handle this matter legislatively.

We have now come to the conclusion that we will bring up the Traffic Safety Act, S. 3005, which is now the pending business, proceed to consider it, and immediately following conclusion of action on that bill, the Senator from West Virginia [Mr. RANDOLPH] will move to bring up the bill reported by his committee, S. 3052.

So I will request the Senators who are present to convey this plan of procedure to Senators as they come into the Chamber.

I wish to thank the Senator from West Virginia, because I know he had several commitments of great importance to him in his home State today. We were hoping to bring up his bill as title III, and consider his bill, so that he might take care of these commitments. However, many of the Senators with whom we discussed the matter thought we should first consider the traffic safety bill, S. 3005, which is the bill reported by the Commerce Committee, to see if we can conclude action on that bill. I do not know how many amendments will be offered to the bill, but there will be some, and there will probably be some rollcalls.

Then, when we are through with that bill, I hope we can proceed with great dispatch to the bill of the Senator from West Virginia [Mr. RANDOLPH], S. 3052, and perhaps finish with it today. If not, there is an informal agreement with the leadership that we will at least try to finish action on S. 3005 today, and if we must go over to Monday on the bill of the Senator from West Virginia, we will get as far as we can proceed today and get some votes on that bill.

Mr. RANDOLPH. Mr. President, will the distinguished Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. RANDOLPH. The statement just made is one with which I am in complete agreement. I think we must realize that the Presidential program, as embodied in the President's message, brought to our attention the need for a coordinated national highway program. That is what we have been faced with in the Senate in the consideration of the overall problem. Not that there was any conflict between committees, but the problem of jurisdiction necessarily brought the matter of titles 1 and 2 to the Committee on Commerce, which the Senator from Washington so ably serves as chairman; but title 3 falls within the jurisdiction of the Committee on Public Works.

It is my hope, Mr. President, that the matters which fall within the jurisdiction of the Committee on Commerce can be disposed of in relatively few hours—perhaps 2 or 3 hours. We want adequate debate. Certainly we want the presentation of differing viewpoints. But I believe perhaps that can be accomplished.

I hope that we can finish both of these proposals today. I have informally talked with the distinguished Senator from Connecticut [Mr. RIBICOFF], and he has indicated that perhaps his amendments—three or possibly two in number—might, from his standpoint of debate, require no more than 30 minutes. So I believe the possibility exists, and I hope that it will become a probability and an actuality, and that both matters can be dealt with today.

Will the Senator yield further for me to make a parliamentary inquiry?

Mr. MAGNUSON. Yes.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. RANDOLPH. I should like to ask just what will be the procedure as we consider titles I and II, and then consider title III.

The PRESIDING OFFICER. The Chair advises the Senator from West Virginia that the language the Senate is considering at present is the committee amendment in the nature of a substitute to the bill, S. 3005. That is to be treated as original text for the purpose of further amendments. If and when the committee amendment is agreed to, no further amendment would be in order unless it is agreed to by unanimous consent with the understanding that it be treated as original text for the purpose of further amendment.

Mr. MAGNUSON. Mr. President, then I ask unanimous consent that the committee amendment in the nature of a substitute to S. 3005, when agreed to, be considered as original text for the purpose of further amendment.

Mr. KUCHEL. Mr. President, reserving the right to object—and I very much doubt that anyone would object to any Senator offering such amendments as he wishes—it seems to me that it might be in the interest of orderly procedure to finish with the legislation now pending, and then to proceed to consider the bill which has come from the Committee on Public Works—S. 3052—as a separate piece of legislation.

Having said that, I shall not quarrel with the right of the Senator to offer such amendments as he wishes, including an attempt to tack on another piece of legislation. I merely wish to say that in my opinion, I say most respectfully, it seems to me that the better procedure would be as my able friend, the Senator from Washington, indicated earlier this morning that we would proceed.

Having made that statement, I have no objection to the request.

Mr. RANDOLPH. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. RANDOLPH. Commenting on the explanation of the situation as he sees it by the distinguished Senator from California, let us have the unanimous-consent agreement, and then if later, during the afternoon, we feel that it is better to proceed with the separation of the bills, we can do that.

I wish to say that we are not in any wise tacking on a bill, as it were, and I do not wish to be understood as tacking on something, because we have three prongs, as it were, of the subject matter, and we have felt that in the interest of the package, so to speak, of the coordinated national highway safety program, the two bills could in a very real sense be brought together, as was proposed in the administration's recommendations to Congress.

So it would be my thought that the request of the Senator from Washington should be agreed to; but if later in the day it is felt, after consultation, that the argument of the Senator from California is valid, I certainly would not object.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. KUCHEL. So that there may be no misunderstanding, I have no objection to the unanimous-consent request, and I apprehend that even without a unanimous-consent agreement for relevancy, the bill on the calendar which the distinguished Senator from West Virginia has brought from his committee—S. 3052—would be relevant to the bill that is pending. It was merely my thought that orderly procedure might impel my fellow Senators to treat the two bills separately.

Mr. RANDOLPH. Yes, we could submit S. 3052, I presume, as an amendment.

Mr. RIBICOFF. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Connecticut will state it.

Mr. RIBICOFF. If the unanimous-consent agreement is agreed to and S. 3052 is then adopted as an amendment to S. 3005, how is S. 3052 to be amended? I have amendments to S. 3052 pending at the desk. I have no amendments to S. 3005, and I certainly do not wish to be in a position of being foreclosed from offering my amendments to S. 3052.

The PRESIDING OFFICER. The Senator would not be precluded from offering his amendments, if the pending unanimous-consent request by the Senator from Washington [Mr. MAGNUSON] were agreed to.

The pending question is on agreeing to the committee amendment in the nature of a substitute for S. 3005, and that the bill as amended to be treated as original text for the purpose of further amendment.

Mr. COTTON. Mr. President, reserving the right to object—and I certainly would not wish to throw any roadblocks in the way of my distinguished committee chairman—it is not quite clear in my mind how this is going to work out.

I think the Senate should bear in mind that even though these two bills—and they are two bills as of the present time—even though they are related to the same subject, and the bill from the Committee on Public Works—S. 3052—could fit in and become a title of the main bill—S. 3005—nevertheless a good deal of confusion and perhaps delay can result if they are not treated as separate bills, which they now are.

In the first place, as I understand it, there are two very plain and simple amendments to be offered to the bill from the Committee on Commerce—S. 3005—which is the automotive safety bill. No one can foresee how long the debate will take, but I would not think it would be too long, because they are perfectly clean-cut issues.

If they are disposed of, then the Senate would be in a position to dispose of the automotive safety bill. If we do not dispose of the matter, and the distinguished Senator from West Virginia [Mr. RANDOLPH] offers his bill as an amendment to the automotive safety bill the distinguished Senator from Connecticut has amendments which he wants to offer.

Senators are human, as is everyone else, and we have been here for a good many years. We know that some Senator can have a brilliant afterthought at any time. There is no place in the world in which there are so many brilliant afterthoughts as there are here. A Senator could then offer an amendment to the automotive safety bill and we would have to begin all over again.

It seems to me that, in the interest of clarity and expedition, the safest and best procedure would be to dispose of the automotive safety bill and get it to third reading so that no one can come in and resurrect a question concerning that legislation. We can then proceed with the bill from the Committee on Public Works.

Mr. MAGNUSON. Mr. President, I withdraw my request.

The PRESIDING OFFICER. The request is withdrawn.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. MANSFIELD. Do I correctly understand the distinguished senior Senator from New Hampshire to say that it would be his wish that the traffic safety bill be considered first, to be followed by the highway safety bill, or, in other words, that the two bills be considered separately?

Mr. COTTON. The Senator is correct.

Mr. MAGNUSON. One would follow the other.

Mr. MANSFIELD. I raise the question because I have received some calls from the distinguished Senator from Wisconsin [Mr. NELSON], who is vitally interested in some amendments which he would like to offer to the auto safety bill. He expressed the hope that the final vote might be put over until Monday. However, as I understand it, under the agreement which has been reached between the chairman and the other Senators, it is the present intention of the Senate to take up the bills in sequence today and dispose of them in that fashion if at all possible.

Mr. COTTON. That was our hope. Perhaps the distinguished majority leader was not present when the Senator from New Hampshire stated that we have two related subjects here, but two separate bills.

Certainly we would all extend every possible courtesy and consideration to the distinguished Senator from Wisconsin. However, if we take up the business now before the Senate and consider the amendment and get the bill to a third reading, we can then take up the bill which comes from the Committee on Public Works.

If we leave the matter hanging in the air, as I said before, there is no place in the world where there are more afterthoughts than there are in the Senate. Any Senator could, under such circumstance offer an amendment to the automotive safety bill at any time, and we might spend much more time on the matter as a result.

Mr. MANSFIELD. I felt that I was honorbound to make this attempt, because we must not lose sight of the fact that the distinguished Senator from Wisconsin is not in the Chamber because he has been directed and ordered by the Senate to undertake an official mission.

Mr. MAGNUSON. Mr. President, if we were to try to accommodate every Senator who cannot be present, we would not get much work done at all. Someone always has something which he must do.

The Senator from West Virginia had some very important engagements. We announced yesterday that we were going to handle this legislation. Everyone is familiar with the procedures of the Senate.

Mr. RANDOLPH. I believe it was announced as early as last Tuesday.

Mr. MAGNUSON. The Senator is correct. It was stated as early as last Tuesday that we would consider this legislation.

I do know that the Senator from Wisconsin is very much interested in the bill. It may be that the Senator will be here before we complete action on the bill.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. Mr. President, what is the pending business?

The PRESIDING OFFICER. S. 3005 is before the Senate.

The committee substitute is open to amendment.

Mr. COTTON. Mr. President, the distinguished Senator from Pennsylvania [Mr. SCOTT], a minority member of the committee, is on his way to the Chamber. He has an amendment to offer.

I ask unanimous consent, having had the consent of the Senator from Pennsylvania, to offer the amendment on his behalf and join with him in offering it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment will be stated.

The legislative clerk read as follows:

On page 42, beginning with line 20, strike out all down through line 5 on page 43.

Mr. MAGNUSON. Mr. President, I shall be very brief.

There is no subject which has been more discussed in and out of the Senate, for the past few months than auto safety.

The committee itself held rather lengthy hearings on the matter. The House, simultaneously with the Senate, is proceeding with the matter and has been for some weeks. After many executive sessions, after going over the bill line by line, paragraph by paragraph, and section by section—because it is a complex and difficult subject to legislate upon—the committee reported a bill unanimously.

Several amendments were submitted in the committee. Some were worked out to the satisfaction of the members who submitted the amendments. Others were voted upon by the committee, and finally, we wrote the bill which is now before the Senate. It is a bill which we think meets the need for automotive safety. It is also a sensible and practical bill.

I am sure that the Senate will agree with the committee action after the debate today.

Mr. President, the legislation which the Commerce Committee unanimously reports today reflects the conviction of the committee that the soaring rate of death and debilitation on the Nation's highways is not inexorable. This legislation also reflects the committee's judgment that the Federal Government has a major responsibility to meet in assuring safer performance of private passenger cars which it has not yet met. Finally, this legislation reflects the faith that the restrained and responsible exercise—and I underline the word "responsible"—exercise of Federal authority can channel the creative energies and vast technology of the automobile industry into a vigorous and competitive—and I underline the word "competitive"—effort to improve the safety of vehicles.

It should not be necessary to call again the grim roll of Americans lost and maimed on the Nation's highways. Yet the compelling need for the strong automobile safety legislation which the Commerce Committee is today reporting lies embodied in those statistics: 1.6 million dead since the coming of the automobile; over 50,000 to die this year. And, unless the accelerating spiral of death is arrested, 100,000 Americans will die as a result of their cars in 1975.

On March 2 of this year President Johnson delivered to Congress his message on transportation and traffic safety, together with the proposed Traffic Safety Act of 1966. In this message, the President urged that the Secretary of Commerce "be given authority to determine the necessary safety performance criteria for all vehicles and their components." In addition, he called for the dynamic expansion of Federal traffic research programs, including the development of a national highway safety research and test center.

It was the committee's task to determine the extent to which Federal automobile safety standards could contribute to the reduction of traffic deaths and injuries on the highways. To that end, the committee held 7 days of hearings, calling upon distinguished witnesses, encompassing the widest range of expertise in the automotive safety field.

The American automotive industry has been for many years one of the most dynamic factors in the entire national economy. One out of every six Americans is employed in the industry or in the provision of automotive components or the service of automotive vehicles. The industry's growth and productivity have been outstanding. And American cars—whatever their present shortcomings—are among the world's safest.

Moreover, the hearings produced evidence that the automobile industry has made commendable progress in many aspects of automotive safety. With respect to such critical components as lights, brakes, and suspension systems, the automobile of 1966 demonstrates marked improvement over its predecessors.

But the committee met with disturbing evidence of the automobile industry's chronic subordination of safe design to promotional styling and of an overriding stress on power, acceleration, speed, and "ride" to the relative neglect of safe performance or collision protection. The committee cannot judge the truth of the conviction that "safety doesn't sell," but it is a conviction widely held in industry which has plainly resulted in the inadequate allocation of resources to safety engineering.

Until the industry had been subjected to the prod of heightened public interest and governmental concern, new models showed little improvement in safe design or in the incorporation of safety devices. Such elemental safe design features as safety door latches made their appearance as standard equipment only a decade after their desirability and feasibility had been established.

As late as 1959, in testimony before a committee of Congress, the chairman of the Automotive Manufacturer's Association's Engineering Advisory Committee was still resisting the suggestion that seat belt fittings be made standard equipment on all automobiles.

The committee hearings also documented past laxity in furnishing adequate notification to car owners of latent defects which had crept into the manufacturing process—defects frequently directly related to safety. Equally disturbing was evidence that the manufacturers have not always taken effective steps to insure the speedy and efficient repair of such defects. Although current industry defect-curing practices now appear to be improved, the committee concluded that Federal oversight of defect notification, and correction is essential.

For too many years, the public's proper concern over the safe driving habits and capacity of the driver—the "nut behind the wheel"—was permitted to overshadow the role of the car itself. The "second collision"—the impact of the individual within the vehicle against the steering wheel, dashboard, windshield, and other parts of the car—has been largely neglected. The committee was greatly impressed by the critical distinction between the causes of the accident itself and causes of the resulting death or injury. Here, the design of the vehicle as well as the public willingness to use safety devices, such as seat belts, are the critical factors. Recessed dashboard instruments and the use of seat belts can mean the difference between a bruised forehead and a fractured skull.

The committee heard compelling testimony that passenger cars can be designed and constructed so as to afford substantial protection against the "second collision" for both driver and passenger; further, that some of these design changes can be achieved at little or no additional manufacturing cost.

Yet the committee was presented with graphic evidence that the interior design of many 1966 model cars reveal interiors bristling with rigid tubes, angles, knobs, sharp instruments, and heavy metal of small radius of curvature. While such objects are sometimes placed and shaped as they are for the convenience of driver and passenger, substantial safety improvement could be achieved without inconvenience to the car occupants.

The committee was likewise made aware of the substantial needless hazards to pedestrians presented by external fins, ornamental protrusions, sharp edges, stylistically angled bumpers.

Finally, motor vehicles can also be a source of injury to people when the vehicle is not in use as a vehicle. Thousands of minor injuries, and some major ones, occur in entering and exiting the vehicle, and during the service and maintenance of the vehicle. Many of these injuries can be avoided or diminished in severity by careful design, such as the common "hand caught in the door" accidents, engine compartment hoods falling, vehicles slipping off jacks, and burns from engine components.

Federal standards for the safety of ships at sea long antedate the Civil War. By the year 1907, the Interstate Commerce Commission was requiring that pullman cars be constructed of steel rather than of wood. Aviation safety regulations were first authorized in the Air Commerce Act of 1926, a year in which domestic airlines carried a total of less than 6,000 passengers.

Yet, with the exception of a handful of State regulations and the Federal seat belt and brake fluid laws, the automobile sold generally in interstate commerce is today subject only to the standards produced by the committees of the Society of Automotive Engineers. These SAE standards are the product of a committee consensus, subject to a single manufacturer's veto, while affording no consumer or user representation: Compliance is voluntary. There exist no procedures to compel their adoption, monitor their use, or evaluate their effectiveness.

While the General Services Administration has the authority—given to it 3 or 4 years ago by the Committee on Commerce—to set the safety standards for the vehicles which the Government purchases, and individual States have begun to explore the possibility of uniform State motor vehicle standards, these efforts are necessarily limited because there exists today no significant alternative source of standards to the SAE.

There is in being no systematic research, testing, development, and evaluation program for safety standards capable of assigning priorities or correlating existing standards with accident and injury prevention.

Out of the committee's hearings, there emerged a clear outline of the basic needs to be served by Federal legislation:

First. The promotion of motor vehicle safety through voluntary standards has largely failed. The unconditional imposition of mandatory standards at the earliest practicable date is the only course commensurate with the highway death and injury toll.

Second. While the contribution of the several States to automobile safety has been significant, and justifies securing to the States a consultative role in the setting of standards, the primary responsibility for regulating the national automotive manufacturing industry must fall squarely upon the Federal Government. This is the only manner in which this course could be pursued legally.

Third. The Federal Government must develop a major independent technical capacity sufficient to perform comprehensive basic research on accident and injury prevention, adequate to test and contribute to the quality of the industry's safety performance; a technical capacity capable of initiating innovation in safety design and engineering and of serving as a yardstick against which the performance of private industry can be measured; and, finally, a technical capacity capable of developing and implementing meaningful standards for automotive safety.

Fourth. While the sharing of safety technology among motor vehicle and motor vehicle equipment manufacturers can facilitate the development of advanced safety design and engineering, vigorous competition in the development and marketing of safety improvements must be maintained.

Fifth. Deficiencies in past industry practices relating to the notification and curing of manufacturing defects necessitate the imposition of mandatory procedures to insure such notification of purchasers and correction of all safety-related defects.

Sixth. The individual in the marketplace, upon whom the free market economy normally relies to choose the superior among competing products, is incapable of evaluating the comparative safety of competing model cars. The public, which has lately become increasingly interested in safety, still has no means of satisfying that interest. Both industry and Government share the responsibility for supplying adequate consumer information of automobile safety.

It is to the credit of the automotive industry that industry leaders have come to recognize the gravity of the problem and have joined in support of a law establishing binding Federal vehicle safety standards.

The committee also recognizes that the broad powers conferred upon the Secretary, while essential to achieve improved traffic safety, could be abused in such a manner as to have serious adverse effects on the automotive manufacturing industry. The committeee is not empowering the Secretary to take over the design and manufacturing functions of private industry. The committee expects that the Secretary will act responsibly and in such a way as to achieve a substantial improvement in the safety characteristics of vehicles.

It is the committee's judgment that enactment of this legislation can further industry efforts to produce motor vehicles which are, in the first instance, not unduly accident prone; and perhaps, even more significantly, vehicles which, when involved in accidents, will prove crashworthy enough to enable their occupants to survive with minimal injuries.

We were faced with the problem of proceeding as rapidly as possible in the hope that we could slow up the carnage on the highways by directing the Secretary to establish interim standards. The committee finally approved of the provision for interim standards to be established by January 31, 1967, and to become effective within 6 months to 1 year thereafter.

It is the hope of the committee, with that provision on interim standards, that the 1968 model cars will comply with these interim safety standards.

We do not tell the Secretary what to do. But it is the committee's hope that he will take into consideration and evaluate the current General Service Administration safety standards for Government purchased vehicles. A copy of these standards is included in the appendix to the report. The list now includes 17 items of safety equipment to be placed on automobiles which the Government buys. There are nine more items that have been proposed by the General Services Administration. The industry needed some time to achieve and work out those nine devices. With the inclusion of the 9 devices, there will be a total of 26 safety devices. They are all included in the appendix to the report.

Mr. President, I ask unanimous consent to have printed in the Record the list of 26 items which appears in the report.

There being no objection, the list was ordered to be printed in the Record, as follows:

[From Federal Register Appendix, Mar. 8, 1966]

GENERAL SERVICES ADMINISTRATION, FEDERAL SUPPLY SERVICE [41 CFR SUBPART 101–29.3] FEDERAL STANDARD NO. 515—STANDARD SAFETY DEVICES FOR AUTOMOTIVE VEHICLES

NOTICE OF PROPOSED REVISION

Notice is hereby given that a revision is proposed in Federal Standard No. 515 which is prescribed in § 101–29.303 of the Federal Property Management Regulations. The revision as finally published will be issued pursuant to Public Law 88–515, approved August 30, 1964 (78 Stat. 696), and the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and will be effective 1 year and 90 days after the date of publication in the Federal Register. Federal Standard No. 515 was published originally in the Federal Register on June 30, 1965 (30 F.R. 8319).

The revision of Federal Standard No. 515 involves the addition of new detailed standards and changes in existing detailed standards and was developed through consultation with the automotive industry, technical societies, trade associations, the medical profession, and Government agencies. Proposed new detailed standards are designated as Federal Standards Nos. 515/18 through 515/26. Proposed changes in existing detailed standards are indicated by the letter "a" following the detailed standard number (e.g., 515/1a indicates the revision of 515/1). The changes in the existing detailed standards are as follows:

No. 515/1a—*Anchorages for Seat Belt Assemblies for Automotive Vehicles.* Made provisions for seat belt anchorages to the seats of school buses. Added anchorages for upper torso restraints for all outboard forward facing seating positions in vehicles other than buses.

No. 515/2a—*Forward Compartment Energy Absorption for Automotive Vehicles.* Title changed from "Padded Instrument Panel and Visors for Automotive Vehicles." Expanded impact area to include extremes of occupant size and to include 45-degree laterals to each side. Also added knee area protection and header and corner post padding.

No. 515/3a—*Recessed Instrument Panel Instruments and Control Devices for Automotive Vehicles.* Expanded impact areas to include extremes of occupant sizes and to include 45-degree laterals to each side. Added requirement that specified essential controls be in reach of upper torso belted operator.

No. 515/4a—*Energy Absorbing Steering Control System for Automotive Vehicles.* Changed title from "Impact Absorbing Steering Wheel and Column Displacement for Automotive Vehicles." This proposal more clearly permits collapsible steering columns, denies clothes-catching hardware on steering wheel and increases barrier collision test to 30 miles per hour.

No. 515/5a—*Safety Door Latches and Hinges for Automotive Vehicles.* Increased door latch load requirements and added a requirement for a positive locking device or handles not operable by accidental side, rearward or forward force.

No. 515/6a—*Anchorage of Seats for Automotive Vehicles.* Added a requirement for locking devices for folding and pedestal type seats.

No. 515/9a—*Hydraulic Service Brake Systems for Automotive Vehicles.* Title changed from "Dual Operation of Brake System for Automotive Vehicles." Brake performance requirements for sedans, carryalls, and station wagons added. Brake fluid system changed to exclude absorption of moisture. Provisions made to more clearly permit other than hydraulic actuation of emergency backup system.

No. 515/12a—*Windshield Wipers and Washers for Automotive Vehicles.* Changed to include a specific area to be wiped.

No. 515/13a—*Glare Reduction Surfaces for Automotive Vehicles.* Expanded requirements to include all interior surfaces in the operator's field of view. Title changed from "Glare Reduction Surfaces—Instrument Panel and Windshield Wipers for Automotive Vehicles."

No. 515/14a—*Control of Air Pollution from Automotive Vehicles.* Title changed from "Exhaust Emission Control System for Automotive Vehicles." Incorporated requirements contained in a new standard proposed by Department of Health, Education, and Welfare.

No. 515/17a—*Rearview Mirror(s) for Automotive Vehicles.* Changed title from "Outside Rearview Mirror(s) for Automotive Vehicles." Added breakaway or detachable requirement for the inside rearview mirror and increased outside mirror minimum size to 5 inches.

Comments and suggestion are welcomed and should be submitted, in duplicate, to the Commissioner, Federal Supply Service, General Services Administration, Washington, D.C. 20405, within the period of 30 calendar days from the date of publication of this notice in the Federal Register.

The text of the changes in and additions to the Federal Standard No. 515 are set forth below.

Dated: March 4, 1966.

LAWSON B. KNOTT, Jr.,
Administrator of General Services.

Section 101–29.303 is amended as follows:

§ 101–29.303 Federal Standard No. 515—Standard Safety Devices for Automotive Vehicles.

(a) This section prescribes Federal Standard No. 515, covering safety devices for automotive vehicles, as required by Public Law 88–515, August 30, 1964 (78 Stat. 696). Automotive vehicles purchased by the Federal Government for use by the Federal Government shall be equipped with safety devices conforming to Federal Standard No. 515. Copies of this standard my be obtained from the Commissioner, Federal Supply Service, General Services Administration, Washington, D.C. 20405. Since Federal Standard No. 515 was originally prescribed (30 F.R. 8319, June 30, 1965), a number of detailed standards therein have been revised and new standards have been added. Where a standard has been revised the letter "a" appears in the number of the standard, e.g., 515/1a. The new detailed standards which have been added include Standards Nos. 515/18 through 515/26. In the introduction entitled Standard Safety Devices for Automotive Vehicles, paragraphs S3 has been revised. As amended Federal Standard No. 515 is composed of detailed standards which include:

"(1) No. 515/1a—Anchorages for Seat Belt Assemblies for Automotive Vehicles.

"(2) No. 515/2a—Forward Compartment Energy Absorption for Automotive Vehicles.

"(3) No. 515/3a—Recessed Instrument Panel Instruments and Control Devices for Automotive Vehicles.

"(4) No. 515/4a—Energy Absorbing Steering Control System for Automotive Vehicles.

"(5) No. 515/5a—Safety Door Latches and Hinges for Automotive Vehicles.

"(6) No. 515/6a—Anchorage of Seats for Automotive Vehicles.

"(7) No. 515/7—Four Way Flasher for Automotive Vehicles.

"(8) No. 515/8—Safety Glazing Materials for Automotive Vehicles.

"(9) No. 515/9a—Hydraulic Service Brake Systems for Automotive Vehicles.

"(10) No. 515/10—Standard Bumper Heights for Automotive Vehicles.

"(11) No. 515/11—Standard Gear Quadrant (PRNDL) for Automotive Vehicles Equipped with Automatic Transmissions.

"(12) No. 515/12a—Windshield Wipers and Washers for Automotive Vehicles.

"(13) No. 515/13a—Glare Reduction Surfaces for Automotive Vehicles.

"(14) No. 515/14a—Control of Air Pollution from Automotive Vehicles.

"(15) No. 515/15—Tires and Safety Rims for Automotive Vehicles.

"(16) No. 515/16—Backup Lights for Automotive Vehicles.

"(17) No. 515/17a—Rearview Mirror(s) for Automotive Vehicles.

"(18) No. 515/18—Window and Door Controls for Automotive Vehicles.

"(19) No. 515/19—Ash Trays and Lighters for Automotive Vehicles.

"(20) No. 515/20—Arm Rests for Automotive Vehicles.

"(21) No. 515/21—Padding for Automotive Seat Backs.

"(22) No. 515/22—Headrests for Automotive Vehicles.

"(23) No. 515/23—Side Marker Devices for Automotive Vehicles.

"(24) No. 515/24—Rear Window Defogger for Automotive Vehicles.

"(25) No. 515/25—Roll Bars for Automotive Vehicles.

"(26) No. 515/26—Fuel Tanks and Tank Filler Pipes for Automotive Vehicles.

(b) The Standard reads as follows:

"[Federal Standard No. 515]

"STANDARD SAFETY DEVICES FOR AUTOMOTIVE VEHICLES

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"S3. *Safety devices*. Safety devices shall be as specified in the detailed standards (see S4). Publications referenced in the detailed standards form a part of this standard, as applicable. The publications referred to are the issues in effect on the date of the publication of this standard in the Federal Register; in the case of changes in Federal Standard No. 515, reference to publications therein are to the issues in effect on the date of the publication of the respective changes in the Federal Register.

"Note: Copies of ASTM Standards may be obtained from the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pa. 19103.

"Note: Copies of SAE publications may be obtained from the Society of Automotive Engineers, Inc., 485 Lexington Aevnue, New York, N.Y. 10017.

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"[Federal Standard No. 515/1a]

"ANCHORAGES FOR SEAT BELT ASSEMBLIES FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes the requirements and test procedures for anchorages for seat belt assemblies for automotive vehicles. This standard does not cover seat belt assemblies.

"S2. *Application.* This standard applies to sedans, station wagons, carryalls, buses (designated as school buses), and to light trucks up to 10,000 pounds G.V.W. Excluded are stand-up, walk-in package delivery vehicles with tilt type drivers' seats. Excluded are folding jump seats that are folded directly behind the front seat.

"S3. *Standard characteristics.*

"S3.1 *Definitions.*

"S3.1.1 *Anchorages.* A seat belt anchorage shall consist of a threaded hole, an eyebolt, or other suitable means of attachment and shall be situated in a suitable structure to receive the seat belt attachments fittings.

"S3.1.2 *Attachment fittings.* Attachment fittings are the parts necessary to attach the seat belt assembly to the vehicle structure.

"S3.1.3 *Seat belt assembly.* A seat belt assembly is any strap, webbing, or similar device designed to secure a person in an automotive vehicle with the intention of mitigating the results of a traffic accident, including all buckles or other fasteners, and all hardware designed for installing the assembly in an automotive vehicle. The seat belt assemblies intended for installation in the anchorages specified hereinafter are described in Fed. Spec. JJ–B–185 and Standards for Seat Belts for Use in Motor Vehicles, 30 F.R. 8432 (July 1, 1965); 15 CFR.

"S3.1.3.1 *Type 1 seat belt assembly.* A type 1 seat belt assembly is a lap belt for pelvic restraint.

"S3.1.3.2 *Type 2 seat belt assembly.* A type 2 seat belt assembly is a combination of pelvic and upper torso restraints.

"S3.1.3.3 *Type 2a seat belt assembly.* A type 2a seat belt assembly is a shoulder belt for upper torso restraint for use only in conjunction with a type 1 lap belt.

"S3.2 *Anchorages.* The SAE Recommended Practice for Motor Vehicle Seat Belt Anchorage, J787, forms a basis, in part, for this Federal Standard.

"S3.2.1 *General.* When eyebolt anchorages are furnished, they shall conform to the applicable requirements of Fed. Spec. JJ–A–530. All threads shall be in accordance with the applicable requirements of the National Bureau of Standards Handbook H28. The location of the anchorages shall be determined with the seat in its rearmost limit of travel.

"S3.2.1.1 *Anchorages for type 1 seat belt assemblies and lap portion of types 2 and 2a seat belt assemblies.* Anchorages for type 1 seat belt assemblies or the lap belt portion of types 2 and 2a seat belt assemblies shall be provided for three sets of seat belts for all bench type seats designed to accommodate three persons. The location of anchorages for type 1 seat belt assemblies or the lap portion of type 2 seat belt assemblies shall be such that a line from the anchorage to the passengers' 'hip' point will make an angle from the horizontal as near as practicable to 45 degrees, as shown in figures 1, 2, and 3. [Not shown in Record.] The hip point is the point on the manikin defined as the 'H' point in SAE Standard, Manikins for Use in Defining Vehicle Seating Accommodations, J826. The location of the hip point shall be determined by following the procedures in SAE J826. Anchorages for belts that will be installed over the seat bottom frame rear bar shall be rearward of a vertical line through the point where the belt will enter the seat, as shown in figure 4. [Not shown in Record.] All anchorages shall be spaced laterally so that the lap portion of the belt essentially forms a U-shaped loop when in use. The same anchorage shall not be used for both ends of a single type 1 seat belt assembly or the lap portion of a single type 2 seat belt assembly. Type 1 seat belt assemblies used in school buses shall utilize the seat for the anchorage attachment points and shall comply with the above, where applicable. Common anchorages may be used for one end of each of two assemblies provided strength requirements are in accordance with S3.2.2.

"S3.2.1.2 *Anchorages for types 2 and 2a seat belt assemblies.* Except for buses and vinyl or canvas top or bolted-on metal enclosure vehicles and utility vehicles of the three-wheel type, automotive vehicles covered by this standard shall be provided with anchorages for a type 2 or 2a seat belt assembly for at least each outboard front seat occupant of carryalls and light trucks. Front and rear seat anchorages shall be provided for each outboard occupant of sedans and station wagons (forward facing seats only) for which the vehicle is designed. For buses, only the drivers' seat need be provided with anchorages for types 2 and 2a seat belt assemblies. At least three anchorages shall be provided for each type 2 or 2a seat belt assembly; two anchorages for the lap portion of a type 2 seat belt assembly and at least one anchorage for the upper torso or shoulder portion of a type 2 or 2a seat belt assembly. The upper end of the upper torso or shoulder portion of the type 2 or 2a seat belt assembly may be fastened to either the seat, side anchorage, rear anchorage, roof or floor provided that the seat or other structure over which the belt passes or to which it is fastened has been designed or reinforced to withstand the resulting load. The lower end may be fastened either to the lap portion of the belt or to the existing inboard anchorage for the lap portion of the seat belt assembly.

"S3.2.1.3 *Anchorages for the upper torso or shoulder portion of seat belt assemblies.* Anchorages for the upper torso or shoulder portion of a type 2 or 2a seat belt assembly shall be provided for at least each outboard front seat occupant of carryalls and light trucks, and both front and rear outboard occupants of sedans and station wagons (front facing seats only) for which the vehicle is designed. With the seat in the rearmost limit of travel and the seat back in the nominal design position, these anchorages shall be longitudinally in line with or rear ward of the torso line of the SAE 3-dimensional manikin described in the SAE Standard 'Manikins for Use in Defining Vehicle Seating Accommodations,' SAE J826. If there is a downward angle of the belt passing from the point of tangency on the shoulder of the SAE manikin to an anchorage or over suitable structure to an anchorage, this angle shall not be more than 40 degrees from the horizontal.

"S3.2.2 *Strength.* The vehicle structure (excluding school buses) shall sustain the simultaneous pull on each seat of seat belt assemblies for each passenger for which the seat is designed. Permanent deformation of any anchorage or surrounding area is acceptable provided there is no rupture or breakage and the anchorage does not pull loose. Each school bus seat may be tested independently, but must sustain established forces for all attached anchorages. The upper end anchorage for upper torso types 2 and 2a belts may be tested independently provided the anchorages are located in structural members in which no lap belt anchorages are located.

"S3.2.2.1 *Anchorages for types 2 and 2a seat belt assemblies.* The outboard anchorage for the lap belt portion of a type 2 seat belt assembly shall sustain a pull of 2,500 pounds. Outboard anchorages for the upper torso or shoulder restraint portion of type 2 or 2a seat belts shall sustain a pull of 1,500 pounds for each anchorage. Common anchorages for the inboard ends of types 1 and 2a seat belt combination or the inboard anchorage of a type 2 seat belt assembly shall sustain a pull of 3,000 pounds. Common anchorages for one end of a center lap belt and either the inboard end of a type 1 seat belt or the lap belt portion of a type 2 seat belt and the inboard end of an upper torso or shoulder restraint shall sustain a pull of 5,500 pounds. A common anchorage for the inboard ends of two outboard lap belts and inboard ends of the upper torso or shoulder restraint portion of the types 2 and 2a seat belt assemblies shall sustain a pull of 6,000 pounds.

"S3.2.2.2 *Anchorages for type 1 seat belt assemblies.* Anchorages for type 1 seat belt assemblies shall sustain a pull of 2,500 pounds for each lap belt end attached.

"S3.2.2.2.1 *Anchorages for type 1 seat belt assemblies for school buses.* Anchorages for type 1 seat belt assemblies shall sustain a pull of 2,500 pounds for each lap belt end attached.

"S3.2.2.3 *Anchorages for seat belt assemblies attached to the seat frame.* The seat structure, the seat adjusters, if applicable, and the attachments, shall sustain the load specified in S3.2.2.1, S3.2.2.2, and S32.2.2.1, as applicable, for each seat belt end attached to the seat plus the seat inertia force. The seat inertia force shall be 20 times the seat weight. Floor and seat deformation is acceptable provided there is no structural failure or release of the seat adjuster mechanism.

"S3.2.3 *Test procedure.* The strength test shall be conducted either with the connection from the body block to the anchorages made in a manner in which the belts are installed or a suitable equivalent method. The load shall be applied to the body block at an angle of 10 degrees plus or minum 5 degrees from the horizontal. As applicable, the doors of the vehicle may be closed during the test.

"S3.2.3.1 *Test for types 2 and 2a seat belt anchorages.* The loads specified in S3.2.2.1 shall be applied using either a body block set up similar to that shown in figure 5 [not shown in RECORD] or a suitable equivalent method. The strength test shall be conducted with the seat in place in the vehicle.

"S3.2.3.2 *Test for type 1 seat belt anchorages.* The load specified in S3.2.2.2 or S3.2.2.2.1, as applicable, shall be applied using either a body block similar to that shown in figure 6 [not shown in the RECORD] or a suitable equivalent method. The strength test shall be conducted either with the seat in place in the vehicle or with the seat installed on an applicable vehice floor pan.

"[Federal Standard No. 515/2a]

"FORWARD COMPARTMENT ENERGY ABSORPTION FOR AUTOMOBILE VEHICLES

"S1. *Purpose and scope.* This standard establishes requirements and test procedures for forward compartment energy absorption for automotive vehicles. The forward compartment includes the areas of the instrument panel, sun visors, header, corner A pillars, and under the instrument panel with construction designed to afford a reasonable degree of protection for the front seat occupants wearing type 1 seat belt assemblies.

"S2. *Application.* This standard applies to sedans, carryalls, station wagons, and to light trucks up to 10,000 pounds G.V.W.

"S3. *Requirements.* Injury potential shall be minimized by constructing or locating forward compartment structures to eliminate impact or to reduce the forces generated by front seat occupants wearing type 1 seat belt assemblies when impacting these structures.

"S3.1 *Impact areas.* The head impact areas shall be established through the use of type 1 seat belt assembly restrained manikins or other test devices based upon the equivalent to 'H' point to top-of-head dimensions of 33 inches and 29 inches. Adjustable seats shall be in the extreme forward position for the indicated 33 inch device and in the extreme rearward position for the indicated 29 inch device. The impact areas shall be that included between the arcs formed by the top-of-head point when each device is swung forward and also 45 degrees to each side of the longitudinal axis through each normal seating position. The knee and leg impact areas shall be established by the use of a type 1 seat belt restrained manikin or equivalent of approximately 95th percentile male dimensions and with the front seat in midposition.

"S3.2 *Location and construction.*

"S3.2.1 The structure of the instrument panel shall be such as to minimize injury to the head of an occupant upon impact or to be outside the established impact area. If within the impact area the panel shall be covered with energy absorbing cushioning material applied over a crushable or collapsible metal backing that will deform and expand the areas of contact. There shall be no protruding or sharp rigid edges in the impact area and/or under the cushioning material in the impact area. Tests shall be in accordance with SAE Recommended Practice for Instrument Panel Laboratory Impact Test Procedure, J921, and the deceleration of the head form when impacting the panel at 22 feet per second shall not exceed an effective maximum value of 80 gs in 60 milliseconds excluding all portions of the deceleration time curve of less than 3 milliseconds duration.

"S.3.2.2 The lower portion of the instrument panel shall contain no sharp or protruding edges within the knee and leg impact areas. The impact area structures shall be constructed of material that will deform and expand areas of contact to absorb and minimize injury when struck by the knees or legs of front seat occupants.

"S.3.2.3 The sun visors shall be constructed of or be covered by energy absorbing cushioning material. The sun visor mounting shall be designed and located to provide a reasonable degree of head protection.

"S3.2.4 The roof header impact areas shall contain no sharp or protruding edges. The impact areas shall be covered with 0.5 inch minimum of energy absorbing cushioning material to reduce the likelihood of injury to the occupant's head upon impact.

"S3.2.5 The right and left front corner posts shall not contain any sharp or protruding edges. The corner posts in the impact areas shall be covered with 0.5 inch minimum of enregy absorbing cushioning material to reduce the likelihood of injury to the occupant's head upon impact. Padding shall be designed and placed so as to minimize loss ov visibility.

"[Federal Standard No. 515/3a]

"RECESSED INSTRUMENT PANEL INSTRUMENTS AND CONTROL DEVICES FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes the location and identification of automotive vehicle instruments and control devices to afford a reasonable degree of protection for front seat occupants wearing type 1 seat belt assemblies in event of a collision.

"S2. *Application.* This standard applies to sedans, carryalls, station wagons and light trucks up to 10,000 pounds G.V.W. Excluded are stand-up walk-in package delivery vehicles with tilt type drivers' seats. Also excluded are utility vehicles of the three-wheel type.

"S3. *Requirements.* Injury potential shall be minimized by constructing, locating, or mounting control devices and instruments bezels in such a manner as to reasonably minimize contact by the heads of occupants wearing type 1 seat belt assemblies. Injury potential shall be minimized by the following means:

"S3.1 *Location, construction, and mounting.*

"S3.1.1 All instrument panel mounted control devices shall be located within reach of the driver wearing a type 2 or 2a seat belt assembly, except controls not essential to controlling a moving vehicle. The essential controls are the steering wheel, transmission selector lever, turn signals lever, ignition switch, headlight switch, and windshield wiper and washer controls. Essential controls shall be readily identified.

"S3.1.2 The impact area shall be established through the use of type 1 seat belt assembly restrained manikins or other test devices having 'H' point to top-of-head dimensions of 33 inches and 29 inches. Adjustable seats shall be in the extreme forward position for the indicated 33 inch device and in the extreme rearward position for the indicated 29 inch device. The impact area shall be that included between the arcs formed by the top-of-head point when each device is swung forward and also 45 degrees to each side of the longitudinal axis through each normal seating position.

"S3.1.3 Control devices and instruments positioned outside the established contact area or which cannot be struck due to steering wheel, column, or shielding are not required to meet the specifications following. All other control devices shall have a contact area of not less than 1.0 square inch of flat surface with an edge radius of not less than 0.125 inch and shall be mounted and constructed of materials which will deflect flush within 0.375 inch of the panel surface or are to be mounted in such a manner as to allow them to be pushed flush with the panel surface or be detached by application of a force not to exceed 90 pounds when struck from any position defined in 3.1.2.

"S3.1.4 Instrument bezels not meeting S3.1.3 and likely to be contacted by the head of a belted occupant shall have an edge radius of not less than 0.125 inch and shall project not more than 0.250 inch above the surface of the panel or shall be so shielded as to reasonably minimize contact by the head of belted occupant.

"S3.1.5 The tranmission selector lever knob end shall have a relative flat area of at least 1.0 square inch when selector lever is mounted on the steering column within the impact area as defined in S3.1.2. There shall be no permissible complete penetration of the knob by the selector shaft, under a head impact of 80 gs.

"[Federal Standard No. 515/4a]

"ENERGY ABSORBING STEERING CONTROL SYSTEM FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes requirements for energy absorbing steering control systems installed on automotive vehicles.

"S2. *Application.* This standard applies to sedans and station wagons.

"S3. *Standard characteristics.* The SAE Recommended Practice for Barrier Collision Tests, J850, forms the basis for section S3.4 of this standard.

"S3.1 *Definition.* The steering control system is defined as the basic steering mechanism in combination with its associated horn actuating mechanism, trim hardware, etc., and includes any portion of the steering column assembly that may contain an energy absorber for the purpose of dissipating energy upon impact.

"S3.2 The steering control assembly shall be constructed so that when it is impacted at a relative velocity of 22 feet per second with a torso shaped body block as shown in figure 1 [not shown in RECORD], weighing 75–80 pounds, and having a spring rate load of 600–800 pounds per inch, the force developed during collapse of the system shall not exceed 2,500 pounds. The spring rate is determined by loading the chest of the torso shaped body block with a 4-inch wide flat contact surface so that it is 90 degrees to the longitudinal axis of the body block, parallel to the backing plate and within 15 to 20 inches from the top of the head form. The load is measured when the flat contact surface has moved down ½ inch, and the spring rate is determined by doubling this load figure.

"S3.2.1 When the steering wheel is the principal energy absorbing element, the load cell recording device shall be equivalent to the type shown in figure 2 and shall be mounted either directly behind the wheel or in the frontal surface of the body block, with its axis of primary sensitivity in the direction of body block travel at the time of impact. The steering wheel shall be mounted to the load cell by means of an appropriate nose piece at the same angle as it is to be installed in the vehicle.

"S3.2.2 When a component or components other than the steering wheel, such as the steering column, is the principal energy absorbing element or contributes substantially to the absorption of energy, the load cell shall be located between the steering wheel and the remainder of the energy absorbing system, preferably immediately under the wheel, or in the forward, impacting surface of the body block.

"S3.3 Other testing methods, such as high capacity acceleration facilities and anthropometric dummies, giving equivalent results, may be utilized in lieu of methods defined in S3.2, S3.2.1, and S3.2.2.

"S3.4 The steering control assembly shall be so designed that when the front structure of the automotive vehicle collapses during the SAE J850 barrier collision test, or equivalent at 30 miles per hour, the upper end of the steering control system shall not be displaced rearward, relative to an undisturbed point to the rear of the steering wheel position, more than 5 inches.

"S3.4.1 The rearward displacement of the steering control assembly shall be determined under dynamic conditions during the barrier collision or equivalent test.

"S3.5 The steering control system shall be so constructed that there shall be no devices or attachments such as horn actuating mechanism, trim hardware, etc., which can catch in the operator's clothing during normal driving maneuvers.

"[Federal Standard No. 515/5a]

"SAFETY DOOR LATCHES AND HINGES FOR AUTOMOBILE VEHICLES

"S1. *Purpose and scope.* This standard establishes uniform test procedures and minimum static load requirements for automotive vehicle side door latches and hinges.

"S2. *Application.* This standard applies to sedans, carryalls, station wagons, and light trucks up to 10,000 pounds G.V.W., except those light trucks with folding or cargo type doors or open body trucks with enclosures made of canvas, aluminum, fiber glass, plastic, and steel. The secondary latch load does not apply to sliding doors.

"S3. *Requirements.* All applicable automotive vehicles shall be equipped with safety door latches and hinges. The hinges shall have ample strength to support the door and to withstand the longitudinal load and transverse load equal to or greater than that specified in S3.1 and S3.2 for the door latch, and striker assembly. All door release handles on each door shall be provided with a single positive locking device not subject to accidental release. Interior or exterior handles need not be locked by this device if not operable by accidental side, rearward or forward force.

"S3.1 *Longitudinal load.* Automotive vehicle door latch and striker assembly, when tested as prescribed under test procedures (S3.3) shall be able to withstand a minimum longitudinal load of 2,500 pounds when in fully latched position, and 1,000 pounds when in the secondary latch position.

"S3.2 *Transverse load.* Automotive vehicle door latch and striker assembly, when tested as prescribed under test procedures (S3.3) must be able to withstand a minimum transverse load of 2,000 pounds when in the fully latched position and 1,000 pounds when in the secondary latched position

"S3.3 *Test procedures.* Test procedures and test fixtures shall be in accordance with section 4 of SAE Recommended Practice for Passenger Car Side Door Latch Systems, J839 and section 4 of SAE Recommended Practice for Vehicle Passenger Door Hinge Systems, J934.

"[Federal Standard No. 515/6a]

"ANCHORAGE OF SEATS FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes strength requirements for anchorage and construction of automobile vehicle seat assemblies.

"S2. *Application.* This standard applies to sedans, buses, carryalls, station wagons, and light trucks up to 10,000 pounds G.V.W.

"S3. *Standard characteristics.* The SAE Recommended Practice for Passenger Car Front Seat and Front Seat Adjuster, J879, forms a basis for that part of this standard which applies to front seats.

"S3.1 *Definitions.*

"S3.1.1 *Automotive vehicle seat.* A structure provided to seat the driver and/or one or more passengers.

"S3.1.2 *Seat frame.* The structural portion of a seat assembly.

"S3.1.3 *Seat back frame upper crossbar.* The uppermost horizontal member of a seat back frame.

"S3.1.4 *Seat adjuster.* A device suitably anchored to the vehicle structure which supports the seat frame assembly and provides for seat adjustments. This includes any track, link, or power actuating assemblies necessary to adjust the position of the seat.

"S3.2 *Requirements, front seats.*

"S3.2.1 *Seat adjusters and seat frame combinations.* Each combination of seat adjuster and seat frame, together with its attachments, shall be constructed and anchored to the vehicle structure which supports it in such a manner as to sustain a horizontal forward and rearward static load equal to a minimum of 20 times the weight of the fully trimmed seat.

"S3.2.2 *Seat cushion and back frame combination.* Each seat cushion and back frame combination, together with its attachments, shall be constructed and anchored to the vehicle structure which supports it in such a manner as to sustain a rearward moment about the rear attachment of the seat frame to the seat adjuster of 4,250 inch-pounds for each passenger for which the seat back is designed. The load required to obtain this moment shall be applied to the seat back upper crossbar location normal to the seat back.

"NOTE: Some energy absorption under impact can be obtained through deflection of the seat back. Therefore, some deflection and permanent set of the seat back consistent with rigidity requirements and normal occupant accommodations is permissible.

"S3.2.3 *Folding seat back frames.* Each seat back frame designed to fold over the seat shall be equipped with a releasable, self-locking, restraining device or devices. The lock release shall be located so as to be readily accessible to the occupant of the seat and, if applicable, to permit egress to rear seat passengers.

"The release shall be so designed and/or located as to minimize accidental release in collision situations. The restraining device or devices shall be constructed with sufficient strength to prevent the seat back frame assembly from folding forward under a horizontal static load equal to a minimum of 20 times the weight of the fully trimmed seat back frame, and with sufficient strength to sustain a moment about the attachment of the seat back frame to the seat frame of 4,250 inch-pounds in a rearward direction. The load required to attain this moment shall be applied at the seat back frame upper crossbar location normal to the seat with the seat back frame in a locked position. Excluded are tilt type drivers' seats installed in special purpose, stand-up, walk-in package delivery vehicles.

"S3.2.4 *Pedestal seats.* Pedestal mounted drivers' seats designed to pivot forward, installed in special purpose, stand-up, walk-in type delivery vehicles shall be equipped with releasable, self-locking, pedestal restraining devices. The restraining device or devices shall be constructed with sufficient strength to prevent the seat assembly from tilting forward under a horizontal static load equal to a minimum of 20 times the weight of the fully trimmed seat components. The load shall be applied with the seat pedestal in a locked position and at the level of the center of gravity of the seat assembly.

"S3.3 *Requirements, rear seats.*

"S3.3.1 *Rear seat backs and seat cushions.* Each rear seat back and seat cushion designed to provide rear passenger seating in sedans shall be constructed and anchored to the vehicle structure which supports it in such a manner as to sustain a horizontal forward static load equal to a minimum of 20 times the weight of the fully trimmed component.

"S3.4 *Requirements, other seats.*

"S3.41.1 *Seat frames.* Seat frame designed to be fastened to the vehicle floor without adjustment in sedans, buses, carryalls, and station wagons shall be constructed and anchored to the vehicle structure which supports them, either permanently or by detachable fittings, in such a manner as to sustain a forward and rearward static load equal to 20 times the weight of the fully trimmed seat.

"S3.4.2 *Seat back frames.*

"S3.4.2.1 Forward facing seat back frames designed to provide backs for intermediate seating in sedans and buses and intermediate and rear seating in carryalls and station wagons shall be constructed and anchored, either permanently or by detachable fittings as specified, to the seat frame in such a manner as to sustain a rearward (in relation to the seat) moment, about the rear attachments of the seat frame to the vehicle structure which supports it, equal to a minimum of 4,250 inch-pounds for each passenger for which the seat is designed. The load required to obtain this moment shall be applied to the seat back upper crossbar location normal to the seat back (see note in S3.2.2).

"S.3.4.2.2 Rearward facing seat back frames designed to provide backs for rear seating in station wagons shall be constructed and anchored, either permanently or by detachable fittings as specified, to the seat frame in such a manner as to sustain a rearward (in relation to the seat) load equal to a minimum of 4,250 inch-pounds for each passenger for which the seat is designed. The load required to obtain this moment shall be applied to the seat back upper crossbar location normal to the seat back (see note in S3.2.2).

"S3.4.2.3 Longitudinally mounted seats in station wagons, and when specified for installation in trucks, shall be constructed and anchored, either permanently or by detachable fittings to the vehicle structure which supports them in such a manner as to sustain a forward and rearward (in relation to the vehicle) static load equal to 20 times the weight of the fully trimmed seat.

"S3.4.3 *Folding seats.* Seats designed to pivot forward on their forward attachment to the vehicle structure shall be equipped with a releasable, self-locking, restraining device. The lock release shall be located so as to be readily accessible to the occupant of the seat or, if applicable, to permit egress to a passenger seated to the rear. The release shall be so designed and/or located as to minimize accidental release in collision situations. The restraining device shall be constructed with sufficient strength to prevent the seat assembly from folding forward under a horizontal static load equal to a minimum of 20 times the weight of the fully trimmed seat assembly.

"S3.4.4 *Folding seat back frames.* Forward facing seat back frames designed to provide backs for intermediate seating in carryalls and station wagons and further designed to fold over the seat shall be equipped with releasable, self-locking, restraining devices. The lock release shall be located so as to be readily accessible to the occupant of the seat or, if applicable, to permit egress to a passenger seated to the rear. The release shall be so located and/or designed as to minimize accidental release in collision situations. The restraining device shall be constructed with sufficient strength to prevent the seat back frame assembly from folding forward under a horizontal static load equal to a minimum of 20 times the weight of the fully trimmed seat back frame, and with sufficient strength to sustain a rearward moment about the attachment of the seat back frame to the seat frame of 4,250 inch-pounds for each passenger for which the seat back is designed. The load required to attain this moment shall be applied to the seat back frame upper crossbar location normal to the seat with the seat back frame in a locked position.

"S3.5 *Seats designed to provide seat belt anchorage.*

"S3.5.1 *Sedans, carryalls, station wagons, and light trucks up to 10,000 pounds G.V.W.* Seat frames and seat back frames designed to provide anchorages for seat belts shall be constructed and anchored to the vehicle structure which supports them in such a manner as to sustain an additional forward static load equal to a minimum of 2,500 pounds for each lap belt end attached or 3,000 pounds for each combination lap and shoulder belt end attached.

"S3.5.2 *Buses.*

"S3.5.2.1 *Driver's seat.* Driver's seat frames and seat back frames designed to provide anchorages for seat belts shall be constructed and anchored to the vehicle structure which supports them in such a manner as to sustain an additional static forward load equal to a minimum of 2,500 pounds for each lap belt end attached, or 3,000 pounds for each combination lap and shoulder belt end attached.

"S3.5.2.2 *Passenger seats.* Passenger seat frames and seat back frames designed to provide anchorages for seat belts shall be constructed and anchored to the vehicle structure which supports them in such a manner as to sustain an additional forward static load equal to a minimum of 2,500 pounds for each type 1 or 1a lap belt end attached.

"S3.6 *Test procedure.* Testing of front seats shall be in accordance with the procedures set forth in SAE Recommended Practice J879. Testing of intermediate and rear seats shall be accomplished by applying similar procedures. Testing of seats designed to provide seat belt anchorage shall be in accordance with applicable procedures set forth in S3.2.3 of Fed. Std. No. 515/1a.

"[Federal Standard No. 515/9a]

"HYDRAULIC SERVICE BRAKE SYSTEMS FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes requierments for hydraulic service brake systems installed on automotive vehicles.

"S2. *Application.* This standard applies to sedans, buses, carryalls, station wagons, and to light trucks up to 10,000 pounds G.V.W.

"S3. *Standard characteristics.* The National Committee on Uniform Traffic Laws and Ordinances, Uniform Vehicle Code; The Society of Automotive Engineers, Inc., Brake System Road Test Code—Passenger Car, SAE J843a and Service Brake System Performance Requirements—Passenger Car, SAE J937, form the bases for this standard.

"S3.1 *Service brake system performance.* The performance ability of the fully operational service brake system for sedans and station wagons, shall be not less than described in section D of SAE J937, tested in accordance with the requirements of SAE J843a. The performance ability of the fully operational service brake system for carryalls, buses and light trucks up to 10,000 pounds G.V.W. shall be not less than described in section 12–302 of the Uniform Vehicle Code.

"S3.1.1 *Design.* The service brake system shall be of such design that rupture or failure of an actuating-pressure component in the system shall not result in complete loss of function of the service brake system. Actuating-pressure components are defined as, the brake master cylinder or master control unit, wheel brake cylinder, brake line, brake hose or equivalent, as applicable. The hydraulic fluid system shall be sealed in such a manner so as to provide protection of the brake fluid from outside contamination.

"S3.1.2 *Partial system performance.* In the event of rupture or failure to an actuating-pressure component to any single brake, the components of the unaffected portion of the system shall continue to function. Mechanical linkage or other means of brake application may be utilized to meet this requirement provided that continuation of the same motion on the same brake pedal used to actuate the normal system applies or actuates the braking force.

"S3.2 *System effectiveness indication.* System effectiveness shall be indicated by means of an electrically operated red light mounted on the instrument panel. The light shall have an area of not less than 0.196 square inch. It shall illuminate before or upon application of the brakes when an actuating-pressure component of the system has sustained a loss of fluid or pressure. The indicator light system shall include a means for the vehicle operator to perform a test to assure the light bulb is operable.

"[Federal Standard No. 515/12a]

"WINDSHIELD WIPERS AND WASHERS FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes minimum requirements for automotive vehicle windshield wiping and washing systems.

"S2. *Application.* This standard applies to sedans, buses, carryalls, station wagons, and light trucks up to 10,000 pounds G.V.W., with windshields of one piece construction of the fixed type. Excluded are utility vehicles of the three-wheel type.

"S3. *Requirements.* The windshield wiper system shall be driven by a motor actuated by a conveniently located control by which the operator of the vehicle may vary the frequency speed of wipers. The windshield wiper system shall be designed to provide two or more frequency speeds and each frequency speed shall be substantially constant regardless of engine load. Windshield wiper systems designed to interrupt at the end of each frequency cycle by means of a timing device will be acceptable if the timing device can be varied to provide continuous operation and two or more frequencies of interrupted operation. All requirements other than those specified herein shall be in accordance with SAE J903, Recommended Practice for Passenger Car Windshield Wiper Systems.

"S3.1 *Wiped area.* The minimum wiped area of the windshield shall include the area of the windshield established by a horizontal dimension, projected as a line from the vertical center line of the eye level of the 95th percentile male with seat in midseat position and extending to within one and one-half inches of each corner post and including the center portion of the windshield. The minimum wiped area shall also include that portion of the windshield measured from the horizontal eye level line in a vertical direction 10 degrees above and 10 degrees below the horizontal eye level line at a point in front of the operator and a point in front of right seat occupant.

"S3.2 *Windshield washers.* The windshield washer system shall be provided with a container with the capacity of at least 48 ounces of fluid. The container shall be made of such material that it will not crack or break in the event the fluid freezes. The fluid shall be applied to the outside of the windshield by vacuum pump or other method. The washer shall be actuated either manually or automatically.

"S3.3 *Tests.* All tests shall be in accordance with SAE Recommended Practice J903.

"[Federal Standard No. 515/13a]

"GLARE REDUCTION SURFACES FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes glare limits for appearance finishes of vehicle components in and adjacent to the operator's field of view to achieve the most practical reduction of distracting reflectance for automotive vehicles.

"S2. *Application.* This standard applies to sedans, buses, carryalls, station wagons, and light trucks up to 10,000 pounds G.V.W.

"S3. *Standard characteristics.* Standard methods, tentative methods, and tentative recommended practices and the American Society for Testing and Materials, ASTM D 307, D 523, D 791, D 1535, E 97, and the SAE Standard J826, form the basis for this Federal Standard.

"S3.1 *Definitions.*

"S3.1.1 *Field of view.* With the operator's seat in its rearmost position, the operator's field of view is defined as that area forward of a line extending to the sides of the vehicle from the point at which the back pan of the SAE J826 three-dimensional manikin makes contact with the operator's seat back.

"S3.1.2 *Glare.* The visual effect of any dilutes or competes with the central attention signal on which attention is being focused.

"S3.1.3 *Specular gloss.* The luminous fractional reflectance of a specimen at the specular direction.

"S3.1.4 *Luminous directional reflectance (Munsell value).* Ratio of flux reflected to that from a perfect diffuse reflector similarly illuminated and viewed.

"S3.1.5 *Saturation (Munsell chroma).* The attribute of color perception that expresses the degree of departure from gray of the same lightness. All grays have zero saturation.

"S3.2 *Instrument panels.* The specular gloss of the surface of the material used for instrument panel top surfaces and appurtenances thereon which can produce glare in the windshield shall not exceed 30 units maximum, measured by the 85-degree method of ASTM D 523, or equivalent.

"S3.3 *Luminous directional reflectance (Munsell value).* The luminous directional reflectance of the surface of the material used for instrument panel top surfaces shall not exceed 30 percent (which is equivalent to a Munsell value less than 6.0/–), when measured as described by ASTM D 307, D 791, D 1535, E 97, or equivalent.

"S3.4 *Saturation (Munsell chroma).* The Munsell chroma of instrument panel top surfaces shall be no more than /6.

"S3.5 *Windshield wiper arms and blades.* The specular gloss of the surface of the material used for windshield wiper arms and wiper blades in the operator's field of view shall not exceed 40 units maximum, measured by the 20-degree method of ASTM D 523, or equivalent.

"S3.6 The specular gloss of the surface of the material used for instrument bezels, windshield molding, control devices, horn ring, rearview mirror mounting hardware, trim hardware, etc., in the operator's field of view shall not exceed 40 units maximum, measured by the 20-degree method of ASTM D 523, or equivalent.

"S3.7 Instruments, control devices, etc., shall be so located so as to present a minimal reflection into the windshield in the operator's field of view under daylight and night driving conditions.

"[Federal Standard No. 515/14a]

"CONTROL OF AIR POLLUTION FROM AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes requirements for the control of emissions from new motor vehicles and new motor vehicle engines which are likely to cause or contribute to air pollution.

"S2. This standard applies to sedans, carryalls, station wagons, and light trucks up to and including ½-ton pickup or equivalent equipped with engines of 50 cubic inch displacement or over.

"S3. *Standard characteristics.* The proposed regulations of the Department of Health, Education, and Welfare, Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines, published in the FEDERAL REGISTER on December 31, 1965 (30 F.R. 17192), form the basis for this standard.

"S3.1 All automotive vehicles and engines covered by this standard shall be equipped with integral or ancillary control systems to provide control of emissions in accordance with the requirements set forth in the regulations cited in S3.

"[Federal Standard No. 515/17a]

"REARVIEW MIRROR(S) FOR AUTOMOTIVE VEHICLE

"S1. *Purpose and scope.* This standard establishes requirements for rearview mirror(s) for automotive vehicles to provide reasonably unobstructed driver vision to the rear.

"S2. *Application.* This standard applies to sedans, buses, carryalls, station wagons, and to light trucks up to 10,000 pounds G.V.W. Vehicles with bodies designed without rear windows and vehicles that require more than one outside mirror and truck-type vehicles with small rear windows are excepted from the requirement for an inside rearview mirror.

"S3. *Requirements.* The rearview mirrors shall provide the driver with a clear, undistorted view of unit magnification under day and night operating conditions.

"S3.1 *Inside rearview mirrors.*

"S3.1.1 *Size.* The rearview mirror shall have a horizontal dimension which will provide the driver a view to the rear of the vehicle with a horizontal angle of no less than 20 degrees. The vertical angle shall be at least sufficient to provide a view of the road surface from a point not greater than 200 feet to the rear of the vehicle, to the horizon under conditions of a level road and with the vehicle occupied by the driver and four passengers in the case of sedans, carryalls, and station wagons or loaded to gross vehicle weight in the case of buses and light trucks where inside mirrors may be applicable.

"S3.1.2 *Location.* The rearview mirror shall be designed and constructed to be mounted on the inside of the vehicle in such a manner as to provide the driver with a stable, readily distinguishable image under normal road conditions. The mirror shall be located as far forward along the longitudinal axis of the vehicle as the windshield, mount, and adjusting device will permit (buses excepted). The mirror and its supporting brackets shall be located above the forward horizontal line of sight, if possible, of a manikin which measures 33 inches from the 'H' point to the top of the head and occupying the driver's seat set in the mid position, with due regard being given to the requirements of the vertical field of view to the rear (see S3.1.1). Extra large bus mirrors designed to serve an additional purpose of passenger surveillance shall be located with due consideration of the preceding requirements.

"S3.1.3 *Mounting.* The mirror shall be mounted in the vehicle by means of a suitable supporting assembly of sufficient strength to provide a stable support for the mirror and shall be of a design which will minimize injury potential to occupants. The mount, if in the impact area shall be designed to break away or collapse upon the application of a force in excess of 90 pounds, in the direction applied by the head of a belted occupant. The head impact area shall be established through the use of type 1 seat belt assembly restrained manikins or other test devices having 'H' point to top-of-head dimensions of 33 inches and 29 inches. Adjustable seats shall be in the extreme forward position for the indicated 33 inch device and in the extreme rearward position for the indicated 29 inch device. The impact area shall be that included between the arcs formed by the top-of-head point when each device is swung forward and also 45 degrees to each side of the longitudinal axis through each normal seating position. Rigid mounts shall break in such a manner as to leave no protruding residuals. The rim of the mirror or its supporting bezel shall have an edge radius of not less than 0.125 inch. The mount shall provide for universal adjustment of the mirror to accommodate any size driver in any available seat position.

"S3.2 *Outside mirrors.*

"S3.2.1 *Size.* The outside mirror reflecting surface shall have a minimum nominal diameter of 5 inches if of circular design. Rectangular mirrors shall have a minimum nominal horizontal dimension of 5 inches and a vertical dimension sufficient to provide the driver a view of the road surface from a distance of not more than 35 feet to the rear from the eye of the driver of the vehicle and to the horizon on a level road under normal load conditions. The 35 feet shall be measured from the position of the eye of the driver to the reflecting surface, then to the roadway to the rear of the vehicle.

"S3.2.2 *Mounting.* The outside rearview mirror shall be designed and constructed to be mounted on the left outside of the vehicle in such a manner as to provide the driver with a stable, readily distinguishable image under normal road conditions and shall be so located as to require not more than 60 degrees combined head and eye movement with driver's seat in forward position. The outside mirror shall provide the operator, with seat in full forward position, a view of the side of the vehicle on which mounted. The mirror shall not be obscured by the unwiped portion of the windshield or by the corner pillar. The mirror shall be readily adjustable to accommodate different size drivers, seat positions, and load conditions. The mirror and mount shall be designed, constructed, located, and mounted so as to minimize pedestrian injury potential.

"S3.2.3 *Additional outside rearview mirror.* Station wagons, carryalls, buses, and trucks shall be provided with an additional outside rearview mirror to provide driver vision to the right rear areas adjacent to the vehicle obscured by vehicle design or load conditions. The visual characteristics of the right outside mirror shall conform to the requirements of the left outside mirror except that the restriction on combined head and eye movement may be relaxed to the extent dictated by vehicle design. Design, construction, location, and mounting of the right outside mirror shall be symmetrical to the left outside mirror except that where necessary, consideration may be given to location and mounting problems dictated by vehicle design.

"S3.2.4 *Wide angle mirror.* When specified, an auxiliary wide angle (convex) mirror may be incorporated in the same mount as the standard mirror to provide an additional close-in field of vision required under certain operating conditions. The auxiliary mirror shall be incorporated in such a manner as not to interfere with the visual field of the standard mirror.

"S3.3 *Mirror construction.* The reflective medium shall be of a material which will resist abrasion and erosion incident to accepted cleaning practices. The surfaces of the material shall be so finished as to provide and maintain a distortion free reflected image. Front or second surface reflectance may be used. The reflectance value of the reflective film employed shall be not less than 50 percent. Inside mirrors may be of the selective position prismatic type, in which case the reflectance value in the night driving, high-glare position shall be not less than 4 percent.

"[Federal Standard No. 515/18]

"WINDOW AND DOOR CONTROLS FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes the requirements for the location and construction of the controls for windows and doors.

"S2. *Application.* This standard applies to sedans, carryalls, station wagons, and light trucks up to 10,000 pounds G.V.W.

"S3. *Requirements.* Injury potential shall be minimized by constructing, locating or mounting of the controls in such a manner as to reduce the likelihood of injury to the head, torso and legs of lap belted occupants of rear and front seats. The occupant protection area shall be established through the use of type 1 seat belt assembly restrained manikins or other test devices based upon the equivalent to 'H' point to top-of-head dimensions of 33 inches and 29 inches. The occupant protection area shall be that included between the arcs formed by the top-of-head point and torso when each device is swung forward and also 90 degrees to each side of the longitudinal axis through each normal seating position and the forward movement of the knees and legs of outside occupants.

"S3.1 The controls shall be located within reach of the seat belted occupant nearest the door. Controls located away from or shielded from the impact area or recessed within the panel or armrest in such a manner to reasonably minimize the likelihood of contact by lap belted occupants shall be considered to provide an acceptable degree of protection.

"S3.2 Door handle controls not meeting S3.1 shall be constructed so that they have a contact area of not less than 2 square inches substantially vertical, with minimum radii of 0.125 inch. Window control knobs not meeting S3.1 shall have a minimum contact area of not less than 1 square inch, with minimum edges radii of 0.125 inch. All controls shall have a maximum extension from the panel of 1 inch.

"S3.3 Controls not meeting S3.1 or S3.2 shall be constructed of material which will deflect within 0.375 inch of the panel or detach by a force of 90 pounds leaving no residual protrusions beyond the panel surface on which mounted.

"[Federal Standard No. 515/19]

"ASH TRAYS AND LIGHTERS FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes the location and construction of ash trays and lighters when installed in automotive vehicles to afford a reasonable degree of protection for front and rear seated occupants wearing type 1 seat belt assemblies.

"S2. *Application.* This standard applies to sedans, carryalls, and station wagons.

"S3. *Requirements.* Injury potential shall be minimized by locating, constructing, or mounting ash trays and lighters in such a manner as to minimize the likelihood of injury to an occupant's head, torso, or leg upon impact. The impact area for both front and rear seats shall be established through the use of type 1 seat belt assembly restrained manikins or other test devices having the equivalent to 'H' point to top-of-head dimensions of 33 inches and 29 inches. The impact area shall be that included between the arcs formed by the top-of-head point and torso when each device is swung forward and also 90 degrees to each side of the longitudinal axis through each normal seating position and the forward movement of the knees and legs of outside occupants. This area to be determined with front seat in all normal positions.

"S3.1 Ash trays and lighters located away from or shielded from the impact area or recessed within the panel or armrest in such a manner to minimize the likelihood of contact of the head, torso or leg of lap belted occupants shall be considered to provide a reasonable degree of protection.

"S3.2 Ash trays not meeting S3.1 shall have a contact area of not less than 2.0 square inches with a minimum edge radius of 0.125 inch. Lighters not meeting S3.1 shall have a contact area of not less than 1.0 square inch with a minimum edge radius of 0.125 inch and maximum extension from the panel of not more than 1 inch.

"S3.3 Ash trays and lighters not meeting S3.1 or S3.2 may be constructed of material which will either deflect flush within not more than 0.375 inch of the panel or be pushed flush with the surface or detach from its mounting by the application of a force not to exceed 60 pounds.

"[Federal Standard No. 515/20]

"ARMRESTS FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes requirements for armrests when installed in automotive vehicles to afford a reasonable degree of protection for front and rear seated occupants wearing type 1 seat belt assemblies.

"S2. *Application.* This standard applies to sedans, carryalls, station wagons, and light trucks up to 10,000 pounds G.V.W.

"S3. *Requirements.* Injury potential shall be minimized by constructing and mounting the arm rests in such a manner as to minimize or spread the area of contact of the body with any rigid elements of the arm rests. Occupant protection area for both lateral and longitudinal impact shall be determined by the use of a type 1 lap belt restrained three dimensional 95th percentile male manikin or other equivalent test device for both rear and front seats with the front seat in all normal positions.

"S3.1 The inside exposed surface of the arm rests shall be substantially vertical. In any normal position of the seat, the substantially vertical surface of the arm rest shall provide an area of broad contact with the pelvic region of not less than 2.0 inches vertically. The top and sides of the arm rests shall be covered with energy absorbing material, if not constructed of such materials. The arm rests shall not have any sharp, narrow, or protruding rigid edges in the contact area exposed or under the energy absorbing material. The top and sides of the mounting bracket shall not have any rigid edges of less than 0.750 inch radius.

"S3.2 Arm rests not meeting S3.1 shall be constructed of flexible material which will deflect toward the panel and provide a resultant contact area of the pelvic region of no less than that specified in the preceding.

"S3.3 Accessories or equipment attached to the arm rests shall meet the safety requirements applicable to such equipment or accessories and shall not nullify the injury reducing intent of any of the preceding.

"[Federal Standard No. 515/21]

"PADDING FOR AUTOMOTIVE SEAT BACKS

"S1. *Purpose and scope.* This standard establishes requirements for seat back frames to be so constructed as to absorb and dissipate energy imparted to top and back by the upper torso, limbs, and head of forward facing passengers restrained by type 1 seat belts seated in rear thereof in the event of collision.

"S2. *Application.* This standard applies to sedans, school buses, carryalls, station wagons, and to light trucks up to 10,000 pounds gross vehicle weight with provisions for forward facing passenger seating within the cab in rear of the front seat. The guardrail behind the driver's seat in school buses shall be considered as a seat back frame for the purpose of this standard.

"S3. *Requirements.*

"S3.1 The top and back of the front seats in sedans, the top of the back of forward facing seats, except the rear-most seat, in carryalls and station wagons, the top and backs of all forward facing seats in school buses, except the driver's seat and the rear-most seats, and the guardrail behind the driver's seat in school buses, shall be so constructed and padded with slow return impact absorbing material as to limit the force buildup on that portion of the human body coming in contact therewith, to a maximum of 80 gs in 60 milliseconds at an impact velocity rate of 22 feet per second, excluding the first 3 milliseconds of the time curve.

"S3.2 The specific areas to be padded shall be determined by the use of type 1 seat belt assembly restrained manikins or other test devices having 'H' point to top-of-head dimensions of 33 inches and 29 inches. These manikins shall be swung through a vertical arc simulating the lap-belted occupant in each seating position, with the front seat in the rear-most position. They shall also be swung through a 45 degree angle to each side of the longitudinal axis of the vehicle. The arc plane so described shall establish the seat top and back areas under consideration in this standard. The headrest shall be considered if applicable. Seat spacing in school buses shall be established at 28 inches for test purposes.

"[Federal Standard No. 515/22]

"HEADRESTS FOR AUTOMOTIVE VEHICLES

"S.1. *Purpose and scope.* This standard establishes the requirements for front seat headrests in passenger carrying vehicles to afford a reasonable degree of protection from neck injuries (whiplash) in the event of a rear-end collision.

"S2. *Application.* This standard applies to sedans and station wagons. (Outside seating positions of front seats.)

"S3. *Standard characteristics.* The Society of Automobile Engineers Inc., Manikins For Use in Defining Vehicle Seating Accommodations, SAE J826, forms a basis in part for this Federal Standard.

"S3.1 *Definition.*

"S3.1.1 *Headrest.* A well padded area provided for head support.

"S3.2 *General.* The headrest may be designed as an extension of the seat back or an attachment to the seat back. The headrest may or may not provide for transversely adjustable mounting. If a transversely adjustable mounting is not provided, the width specifications in S3.3.1 shall apply.

"S3.3 *Requirements.*

"S3.3.1 The minimum width of the headrest shall be 10 inches and the average width shall be at least 12 inches, both based on the forward facing surface that can be contacted by the head of the occupant. The top of the headrest shall be at least 25 inches above the 'H' point of the three dimensional manikin (SAE J826).

"S3.3.2 The headrest, including any supporting structure that can be contacted by the head of an occupant of the vehicle, shall be constructed of or covered with a material of impact-absorbing qualities on all outer surfaces.

"S3.3.3 Structural deflection of the headrest resulting from contact in rear-end collisions is allowable, except that rebound action shall be minimized. The headrest and its supporting structure shall have sufficient strength to withstand a force no less than 200 pounds in either fore or aft direction without structural failure, although a limited amount of permanent distortion is permissible.

"[Federal Standard No. 515/23]

"SIDE MARKER DEVICES FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes requirements for side marker systems to assure notice and recognition of vehicles from lateral positions during darkness and inclement weather.

"S2. *Application.* This standard applies to sedans, carryalls, and station wagons.

"S3. *Requirements.* The side marker systems shall consist of either an independent electrical system or an electrical system, in combination with or utilizing head and/or tail lamps, or a reflective system, or a combination of both electrical and reflective systems. The side marker device housings or mounting plates shall be antitrust material, or sufficiently plated or finish coated to be noncorrosive. As applicable, these requirements shall conform to the Uniform Vehicle Code, Chapter 12. The lateral included angles of visibility of the side markers shall be from the lateral angle toward the front of the vehicle when head lamps are no longer visible, to the lateral angle toward the rear of the vehicle when tail lamps become visible.

"S3.1 *Electrical side marker devices.* The electrical side marker system shall be securely mounted. The system lamps shall be a minimum of one at or near the front and one at or near the rear edges on each side of the vehicle. The mounting height shall be not less than 16 inches measured from the center of such lamp to the level ground upon which the vehicle stands without a load. The electric side marker lamp colors shall be white to amber for the front and red for the rear and they shall be steady burning simultaneously with the head and tail lamps and parking lamps. The electric lamps shall be capable of being distinguished under normal atmospheric conditions and at the time lights are required to provide recognition at all distances between 500 and 50 feet from the lateral sides of the vehicle. Minimum photometric candlepower shall be in accordance with table 1, SAE Standard J592.

"S3.2 *Reflective side marker devices.* The reflective side marker devices shall be securely mounted two on each side, one at or near the front and one at or near the rear edge of the fenders or body of the vehicle, as applicable. The reflective devices shall be mounted at a minimum height of 16 inches measured from the center of the device to the level ground upon which the vehicle stands without load. Reflective devices shall be of such size and have such characteristics as to be readily visible at night time from all distances and at the lateral angles specified within 600 feet to 100 feet from the vehicle when illuminated by the beams of head lamps of the observer's vehicle. Minimum candlepower reflectance measurement shall be in accordance with class A, SAE Standard J594c.

"S3.2.1 *Reflective device colors.* The color of the reflective devices shall be white to amber for the front and red for the rear of the vehicle.

"S3.3 *Electrical and reflective side marker devices.* The electrical and reflective type side marker device, when combined, shall conform to the preceding paragraphs.

"[Federal Standard No. 515/24]

"REAR WINDOW DEFOGGER FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes requirements for rear window defogging, designed to achieve the most practical vision through the rear window.

"S2. *Application.* This standard applies to sedans.

"S3. *Requirements.* The rear window defogger system shall be permanently installed, to provide for the removal of fog from inside the rear window caused by atmospheric conditions and passenger loading conditions, in the vehicle. The system shall be of a capacity to clear a minimum area of 75 percent of the operators viewed area of the rear window as reflected in the rear view mirror.

"S3.1 *Testing.* The defogger system shall remove fogging under any atmospheric condition and with full passenger loading within a 10-minute period.

"[Federal Standard No. 515/25]

"ROLL BARS FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes requirements and test procedures for roll bars installed on specific automotive vehicles to afford a reasonable degree of occupant protection in a rollover.

"S2. *Application.* This standard applies to light trucks up to 10,000 pounds G.V.W. of the utility type with open bodies, and those with enclosures made of canvas, metal, fiber glass, or plastic.

"S3. *Requirements.* The roll bar shall be designed for each manufacturer's product to establish the width, height, clearances, and proper strengths of the structural members required. The roll bar shall be constructed to guard the operator and passenger compartment, or compartments, within a rigidly attached structural bar unit assembly. The strength and size shall be as required for each vehicle type and weight with the specified number of occupants for which the vehicle is designed to be used and for their maximum protection without critical deformation or critical encroachment on the operator or passenger compartments. To the extent practical, the roll bar structure shall be located to preclude contact by the heads of belted occupants. If this is not possible, the roll bars shall be covered with energy absorbing cushioning material. The roll bar structure designs shall not impair the vehicle operator's vision or body movements while operating the vehicle. Unless otherwise specified, vehicle manufacturers may eliminate a fold down windshield on the utility truck and incorporate a new designed fixed windshield strengthened to become part of a roll bar structure.

"S3.1 *Testing.* The testing requirements for the area of critical encroachment shall be measured from the 'H' point of a manikin with 'H' point to top-of-head dimension of 33 inches. Performance requires a manikin, seat belt restrained, for each passenger and operator position in the vehicle and with the vehicle tested to the SAE Recommended Practice of SAE J857. For the hill rollover test, specific speed of 50 miles per hour shall be used.

"[Federal Standard No. 515/26]

"FUEL TANKS AND TANK FILLER PIPES FOR AUTOMOTIVE VEHICLES

"S1. *Purpose and scope.* This standard establishes requirements for the integrity and security of fuel tanks and tank filler pipes for automotive vehicles.

"S2. *Application.* This standard applies to sedans, buses, station wagons, carryalls, and light trucks up to 10,000 pounds G.V.W. Excluded are utility vehicles of the three-wheel type.

"S3. *Standard characteristics.* The SAE Recommended Practice for Barrier Collision Tests, SAE J850 forms the basis for section S3.1 of this standard as modified in S3.1.1.

"S3.1 Fuel tanks and tank filler pipes shall be constructed so that they will not rupture, be totally displaced from installed positions, or discharge fuel from the filler pipe, under any condition of tank capacity loading, when subjected to longitudinal and/or lateral acceleration/deceleration forces developed at their installed position, during the SAE J850 barrier collision test at 30 miles per hour.

"S3.1.1 Other testing methods, such as high capacity acceleration facilities, giving equivalent results, may be utilized in lieu of the SAE J850 barrier collision test."

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Mr. MAGNUSON. I am sure that everyone here, if they do not already know, would be very interested to know what can be done to make a motor vehicle more safe. I presume that the Secretary will rely upon the experience of the Government in setting the interim standards.

On the permanent standards, which will apply to every automobile, we have provided, I believe, a very sensible, fair, and adequate procedure among the manufacturers, the Governors of the States, the highway patrol, people involved in safety, and even appropriate legislative committees in the States that have difficulty in connection with safety standards in their States. There is ample provision for conferences, cooperation, testing, and meetings with the Secretary before he arrives at a decision on a permanent standard over and above these 26 items that would be mandatory once the Secretary issues the standard. It would ordinarily take effect within 6 months to a year after the effective date of the decision.

I believe that all witnesses were unanimous in their agreement that the standard-setting procedures were adequate and fair to everyone concerned.

The committee had to discuss at some length the problem of access to information by the public, manufacturers, subcontractors, and others, to inform them as to what is discovered as we proceed.

A certification procedure is established so that the distributor, dealer, and consumer would know without any doubt that the particular vehicle complied with the standards.

Then, there was the question of notification of defects, which is discussed at some length in the committee report. We also establish research, development, testing, and evaluation facilities to augment the many facilities of the manufacturers and even the States themselves.

We looked into the matter of penalties. A revised bill, as the Senator from Washington [Mr. MAGNUSON] and others wrote it, contained the civil penalty which we think is quite strong. It also contained a criminal penalty. But the criminal penalty was directed only to those who would willfully and knowingly violate the standards set or the rules and regulations of the Secretary.

Right now, I cannot conceive, and believe it would be a rare instance, that someone would willfully and knowingly, after the standards have been set, try to put a car on the highways, or sell it, so that someone might be killed or injured. But we thought we needed this section. The committee discussed it at great length.

There is also a provision which provides for an injunction procedure, so that the Attorney General can go into court to obtain an injunction against a manufacturer for failure to comply with the standards. Of course, if that injunction were violated, the court could hold the persons or the corporation in contempt and could establish a criminal penalty, a civil penalty, or both. But there were three penalties in the bill. There was much argument in the committee—and I guess there will be on the floor, because I understand that an amendment will be offered to restore the criminal penalty section. It is true that we have had few Federal laws which imposed both a civil penalty and a criminal penalty as well.

The question was raised: Why was it put in the bill? Because we are dealing with human lives. We are dealing with the possibility that someone might willfully, knowingly, and deliberately violate the act and should therefore, be subject to criminal penalty. In the past, numerous laws have been passed by Congress which have dealt with safety and standard settings. Most of these laws have provided a criminal penalty for knowing and willful violations. Many of these laws came out of the Committee on Commerce. I am the author of some of them. We provided a criminal penalty in the safety field just 2 or 3 years ago when we passed the bill on the Hazardous Substances Labeling Act, the Truth in Fabric Act, the Drug Amendments of 1962, steam boilers on vessels, interference with navigation, and the brake fluid and seatbelt acts. Thus, there is precedent for criminal penalties. But the committee, after long deliberation on this matter, voted to retain the civil penalty, and take out the criminal penalty for willful and knowing violations, leaving in the injunction, which in itself can result in a criminal penalty. I do not believe that any of us are reluctant about expressing our views on it. I hope the criminal penalty will be put back in. I shall vote to restore it. Other members of the committee will doubtless have good reasons to vote not to do so when the amendment is presented.

The effect on State laws is quite important and is what makes a bill of this kind so difficult. Primarily, in the field of highway traffic safety, the States have important authority and should continue to exercise such authority. They determine the age of drivers, issuing drivers' licenses, inspections, speed laws, those regulations designed to reduce to a minimum the number of bad drivers on the highways.

I guess we will never get rid of bad drivers on the highways, but what we are trying to do here is to insure that, even if a bad or a drunken driver runs into someone who is a good driver, the vehicles themselves will afford some protection for both drivers, and reduce the deaths and the terrible injuries which are inflicted on Americans every day—

even at the very moment than I am speaking.

The States have great responsibility in the field of highway traffic itself. There is no intention by the committee or by anyone associated with the bill, to say to the States that they should not continue to do more in this area.

Some States have more stringent laws than others, but concerning the car itself, we must have uniformity. That is why the bill suggests to States that if we set a minimum standard, a car complying with such standard should be admitted to all States. Otherwise, the manufacturers would have to make at least 30 different models to comply. The centralized, mass production and high volume character of the manufacturing industry requires that the safety standards be not only strong and adequately enforced but, as I say, also uniform. I would suspect that the States, if these provisions are going to be what I think they are going to be, would be thoroughly satisfied with the uniform, mandatory safety standards that would be on the car.

The States would be permitted to set more stringent requirements in matters of their own procurement. In this case, they might set an example such as we set in GSA. Compliance with Federal standards would not necessarily shield any person from broad liability at the common law. The common law on product liability still remains as it was.

What do we do about used cars?

We thought for a while that we might require a used car dealer, or the seller of a used car, to put a stamp on the windshield of the car for the buyer to look at, which would state that the car had complied with State safety regulations at its last inspection, but we found that here we were getting into the complex field of States rights.

We decided that the Secretary should immediately proceed to discuss with the States this matter of used cars, and when they are sold, to see if they cannot come up with some uniform laws, so that the buyer of a used car will at least know that the car, even though it may be older and not so inherently safe as a new one, did comply at least with the stringent laws of the State itself.

I know that some cars are sold that should not be allowed on the highways, but the States must devise means, with the cooperation of the Federal Government, to see to it that once they are on the highway, they do comply.

Then the question of trucks arises—agricultural exempt trucks, common carrier trucks, private carrier trucks, which are now under the ICC. We left the authority for safety standards—which are good in the common carrier field—with the ICC, actually considering the size, weight, and the necessity of the speeds they must make to handle the great transportation system of this country. I guess that, pound for pound, as much as technology can devise, the common carrier is as safe as it can be made.

I know there is no one within the sound of my voice who would not agree with me that probably some of the best drivers on the highways are truckdrivers. They are the most courteous and helpful. They have vehicles which in themselves are great, big, juggernauts which are capable of creating great destruction and hazards; but, technologically, they are as safe as they can be made by the ICC under its standards.

Let me read from the report:

> The act thus covers not only passenger cars but buses, trucks, and motorcycles.
>
> The bill excludes, however, those buses and trucks which are subject to safety regulation by the Interstate Commerce Commission (sec. 101(c)), although it is anticipated that should the proposed new Department be created—

And the proposal provides that—

> safety regulation of all trucks and buses will be transferred to the Secretary of Transportation.

Such regulations would be covered by that Department.

When we come to agriculture-exempt trucks, and private carriers, over which the ICC still has jurisdiction as to minimum standards, there has been some question about the Department's having enough inspectors to do the job which we should like it to do. I doubt if it could be done wholly. But the example will be set by this bill so that manufacturers of trucks will themselves establish minimum standards. They are already doing it. Many trucks are custom built. They are built for a purpose. There would be variations in construction.

The rest of the bill pretty much deals with the effect of the promulgation by the Secretary of standards.

I hope there will be some discussion on the floor as to the application of the antitrust laws to the manufacturers themselves in getting together within proper limits to exchange views and ideas on safety standards, so we can get the best available technological advice and expertise. That question will be discussed on the floor.

All in all, I think the bill is not only long overdue, but that it is a stringent bill. I think conditions call for a stringent measure.

Many newspaper men have asked me in the past week: "Is it true that this bill is a tougher bill than the administration bill?" I said I did not like to interpret the word "tough." The reason the word got into newspaper stories is that the original bill proposed to make these regulations discretionary. We have made it mandatory in the bill and subject to a time limit. So I suppose it can be said that it is a tougher bill.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. RIBICOFF. I say it is a tougher bill and it is a better bill than the administration bill. I cannot be too lavish in my praise of the distinguished Senator from Washington and the Commerce Committee.

It seems to me that the services performed by the Senator from Washington and the committee deserve great credit. I am personally very pleased with the bill. The Senator from Washington and the committee deserve the gratitude of the whole Nation.

In addition, the Senator and the committee are taking world leadership in this field. The legislation will cover foreign cars as well as domestic cars by making it absolutely essential that before any foreign cars can be imported into the United States they must comply with these standards.

The automobile manufacturers in the United States generally manufacture automobiles which are safer than foreign-made cars. There are a few exceptions, but I do not think the people in the rest of the world are going to sit by and see their own manufacturers build cars of higher safety standards for the U.S. market than apply to their own cars.

What the chairman of the committee has done is bring about a public realization of the importance of highway safety.

While the emphasis in the past 6 months has been on the automobile, I think we would be making a great mistake if we forgot the so-called highway safety triangle, which includes the driver and the road, in addition to the car. What has been proposed in title I is revolutionary. But the white heat of publicity has placed the emphasis on the automobile. I think there should be as great an emphasis placed on the other facets of this critical problem, because we shall never take care of this serious problem unless we attack every phase of it.

I think the bill which the Senator has reported is a great bill. I have said publicly, and I say it now on the floor, the Senator and his committee have done a masterful job.

There is no doubt in my mind that this bill will save many lives, prevent untold suffering, and reduce the enormous economic loss incurred through traffic accidents. It will benefit both the motorist and the pedestrian—the driver who earns his living at the wheel and the average citizen.

It will add significantly to our understanding of the dynamics of highway safety, the causes of traffic accidents, and ways to reduce the terrible consequences of those accidents.

It will, in a relatively short span of time, give the motoring public safer motor vehicles—cars that are more roadworthy and more crashworthy.

It will protect the motoring public from the hazards of defective motor vehicles by prescribing procedures for the prompt notification of the public when any safety-related defects are discovered.

It will, for the first time, give statutory recognition to the fact that the motor vehicle constitutes an important social problem in the United States—a social problem that warrants Federal action.

The legislation now before us will provide the authority to establish a comprehensive, meaningful, and effective Federal role in traffic safety. The Senate Commerce Committee has done a superb job in drafting a bill that is stronger than the legislation originally recommended by the administration and which contains none of the weakening amendments proposed in recent weeks.

This is a tough bill, but it is also balanced and reasonable. It directs the

Secretary of Commerce to establish Federal safety standards for all motor vehicles and motor vehicle equipment, foreign as well as domestic, including trucks and buses not already subject to ICC regulation. The authority is mandatory, as it should be—not discretionary.

The Secretary would be ordered to prescribe interim standards, by January 31, 1967, to become effective from 6 months to a year after their publication. These interim standards will bring at least a measure of Federal control to 1968 model cars.

The Secretary is ordered to consult with the Vehicle Equipment Safety Commission, with other State and interstate agencies, including legislative committees, with motor vehicle and motor vehicle equipment manufacturers, as well as with scientific, technical, business, and consumer organizations—before setting these standards. He must also consider whether they are reasonable, practicable, and appropriate for the particular type of vehicle involved.

Safety standards prescribed under the terms of this bill would be intended to protect the American public from unreasonable risk of accidents occurring as a result of motor vehicle design or construction and also from unreasonable risk of death and injury should an accident occur. The Commerce Committee rightly saw fit to extend this definition to nonoperational safety aspects of motor vehicles so that it covers such items as a faulty jack that slips and injures a motorist changing a tire, or an improperly designed hood or trunk lid which falls and injures someone.

The bill would make it illegal to sell any motor vehicle or piece of motor vehicle equipment which did not conform to these Federal safety standards and would provide for stringent civil penalties for any violation. It would also give the Secretary of Commerce authority to carry on whatever testing, inspection, and investigation was required to help in the enforcement of these standards. This would include the on-site inspection of factory and warehouse facilities.

Standards now prescribed for brake fluid and seat belts would continue in effect under the Commerce Committee bill and I am certain that any standards prescribed for tires, along the lines of the bill unanimously adopted by the Senate last March, would likewise be a part of the Federal traffic safety program.

I am particularly pleased that the Commerce Committee saw fit to provide the Secretary with authority to develop prototype safe cars through grants or contracts. Although no funds are specifically authorized for such projects, ample money will be available to develop and test demonstration vehicles that can significantly advance our knowledge of what constitutes safe motor vehicle design.

The Secretary would also be authorized to assist and cooperate with State agencies and other public bodies in the development of safety standards, inspection and testing methods, and testing equipment. In addition, he could undertake a variety of training programs designed to create cadres of professionally qualified experts who are equipped to interpret and apply safety standards. This trained manpower will play a vital role in administering a comprehensive and balanced traffic safety program.

There is ample provision in the committee's bill to insure prompt and effective disclosure of any hazardous defects that might turn up in a motor vehicle or piece of motor vehicle equipment sold to the public. The burden of responsibility for correcting any such safety-related defect or nonconforming condition would rest on the manufacturer rather than the dealer—a powerful inducement for the automakers to maintain the highest standards of quality control.

While rejecting a specific requirement for compulsory safety inspection of used motor vehicles, the committee bill would declare that it is the policy of the Congress to improve and strengthen the enforcement of State inspection of used motor vehicles. It would also order the Secretary of Commerce to study the adequacy and effectiveness of State safety standards and inspection requirements and report back to Congress within 1 year with recommendations for additional Federal legislation in this area.

The committee would authorize the expenditure of $51 million for the first 3 years of this new Federal traffic safety effort—almost three times what the administration had suggested. In addition, the bill would authorize whatever outlays are required to build an up-to-date accident and injury research center.

I repeat, this is a good bill. It includes all of the provisions that I felt were lacking in the administration's bill, including a requirement that the Secretary furnish Congress an annual report giving a comprehensive account of how the act is being administered, including a review of research activities and recommendations for any additional legislation required.

This legislation gives the Federal Government a permanent responsibility in the traffic safety field. It is a responsibility too long neglected. We have Federal programs to insure safe travel with every means of transportation except that which carries and kills the most people—the motor vehicle. When we commute to work on the train—when we fly to a distant city by plane—or when we travel overseas by ship—we know that the train, the plane, or the ship meet certain minimum standards of safety. But when we put our families in a car to drive to the country, we have no such assurance.

For years, the Federal Government has specified the number of handholds for trainmen on freight cars. Is there anything improper in the Federal Goverment specifying the number and kind of lights required on motor vehicles? Can we not insist that car doors stay closed in a 40-mile-an-hour collision? Can we not demand gas tanks that will not rupture in a crash? Can the Federal Government not require the auto industry to build a car with a stronger passenger compartment—with effective padding—and a steering column that will not impale a driver in a collision?

If we are to tame the motor vehicle, we must make a conscious decision to do all those things that are required to make our highways as safe as humanly possible. The automobile is part of our environment—like the jet airplane, atomic energy, pesticides, and a whole host of new life-saving drugs. We have learned to control these technological wonders—just as we will learn to harness the marvelous inventions and discoveries of the future.

The problem of death and injury on our highways is a challenge to man's technical genius and his ability to control his environment. It is a challenge we must now decide to meet and overcome. The first step is to enact the legislation now pending before us.

The carnage on our highways is nothing less than an insult. It insults our humanity and our sense of the value of human life. It insults our sense of pride in the technological achievements of this nation—in our ability to master the complexities of modern life. It insults our confidence in the legislative process—in our ability to protect the health, welfare, and happiness of the American people.

When this legislation is enacted, it will be a landmark of consumer protection legislation.

Every member of this generation and the generations to come will owe a debt of gratitude to the Senator from Washington for the outstanding task he and his committee have performed on this bill, and I cannot help but commend him highly for his performance.

Mr. MAGNUSON. We thank the Senator very much, and we are very grateful for his kind remarks, of course. I had the fine cooperation of the distinguished Senator from New Hampshire, the ranking member of the minority, and all the other members of the committee.

I should like the Senator from Connecticut to respond to this thought. I share his view of the impact that this legislation might have, not only on the United States but worldwide. I failed to mention that we have provided in the bill for foreign cars, that they must comply with the standards; and we have even allowed them to come in under something like a free-port arrangement, where, if they are not in compliance, dealers can bring them up to standard.

The Senator from Connecticut and I have discussed the fact that we have world conferences on safety at sea, world conferences on safety in the air, and world conferences on safety of explosives and hazardous substances, and I mentioned that I hope the day will come soon when we will have a world conference on automobile safety. Millions of lives could be saved if that were done.

Mr. RIBICOFF. There is no question that what the Senator says is absolutely true. I can tell from my mail, as I am sure the Senator can from his mail, the deep concern and the impact that this legislation has had on foreign manufacturers, because they want a portion of the American market, and they know that they will not be able to retain a portion of the American market unless they build safer cars. So unquestionably the work of the Senator and his committee has had a worldwide impact.

Mr. MAGNUSON. I think the Senator from Connecticut should pursue the matter, and undertake the leadership of a worldwide conference on auto safety.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield. I thank the Senator from Connecticut again for his kind remarks.

Mr. LONG of Louisiana. Mr. President, as the junior member of the committee, I wish to commend the distinguished chairman, the Senator from Washington, [Mr. MAGNUSON] for the truly magnificent job he has done in managing this bill in the committee. The Senator was fair to all the committee members; he considered every Senator's point of view; he considered both the needs of the public and the needs of industry. It has never been my experience to serve with or serve under a more fair or conscientious presiding officer than the Senator from Washington in handling this bill. In my judgment, he has brought forth a truly remarkable bill to protect the public interest and to save vast numbers of lives from being lost in traffic accidents. The senior Senator from Washington [Mr. MAGNUSON] has given careful consideration to the needs and the viewpoints of all segments of business, both large and small, to make it possible for them to comply with the bill without injury to their economic interests or future prospects. At the same time, he has brought to the Senate a bill which carefully protects the interests of the public, and assures that deaths on the highway will be greatly reduced as a result of the work of his committee.

It has been a real pleasure to serve with the Senator as chairman of the committee.

Mr. MAGNUSON. I thank the Senator.

Mr. LONG of Louisiana. Every member of the committee is deeply indebted to the chairman for the very thoughtful and kind consideration he gave to each of us in permitting us to express our views, and in reconciling the many divergent viewpoints, to bring forth a bill that represents the best judgment of the committee.

Mr. MAGNUSON. The Senator from Louisiana was very helpful to the Senator from New Hampshire [Mr. COTTON], myself, and all of us in arriving at what we think is a sensible bill—for that is what we feel it is.

As I pointed out earlier, this is an industry that employs, directly or indirectly, one out of every six people employed in the United States. It means a great deal to our economy. But I hope the Senator from Connecticut and other Senators will not be satisfied. I agree with what the Senator has stated on driver education. I cannot think of anything that would be of better use, for the expenditure of a small amount of money, than a worldwide conference on auto safety.

Mr. RIBICOFF. I think the suggestion is a sound one, and I think the Senator will find general agreement from every nation which has large numbers of automobiles. I have been asked to speak in many nations outside the United States on this problem. I hope the chairman will initiate such a conference, and will invite me to attend with him when the conference is held.

Mr. MAGNUSON. I say to the Senator from Connecticut, no one has been more zealous in pursuing this matter over the years than has he. I read the article in the New York Times last weekend. It was not immodest at all about what the Senator has done in this field. I think it woke a lot of people up.

But the very fact that the Senator did not seem to obtain much reaction anywhere except in his own area, working under great odds, points up the necessity for doing what we are doing here.

Mr. RIBICOFF. That is correct. It can be done on a localized basis, but it becomes very obvious that this problem is so vast that the Federal Government must have a role. It is obvious that the 50 States cannot individually set standards for the automobiles that come into those 50 States from a mass production industry.

Mr. MAGNUSON. The State Governors have appointed a committee to cooperate and work out these problems. They had a short meeting here 2 or 3 weeks ago. The chairman is the Governor of Wyoming. Governor Romney of Michigan is on the committee, as is the Governor of West Virginia. They intend to take the matter up at their Governors' conference, which is to be held on the 4th and 5th of July in Los Angeles.

Mr. RIBICOFF. With the passage of such legislation as this, its impact in the States will follow accordingly. Once the States realize that the Federal Government has an interest, and once the news is out that this is a national policy, then the reluctance of many States to take the steps that they must and should take on the question of driver education, the question of licensing, and the question of making sure their roads are proper will disappear, and the matter will become an important State issue. Then the pressure will be on the Governors to do the jobs. My feeling is, having been a Governor——

Mr. MAGNUSON. And the legislatures.

Mr. RIBICOFF. And the legislatures. But the key must be the Governor. The Governor must be the driving force in his State for highway safety. He must take what seemingly is an unpopular tough course. But basically he will be pursuing a popular course, because the American people wish to save their own lives and those of their loved ones.

Now we are making it possible to attack one important facet of the accident triangle so that, to the greatest extent possible, it will be possible to minimize accidents and the seriousness of injuries, and reduce the number of deaths.

Now that congressional attention has been focused on this subject, the Federal Government will have a principal role in promoting highway safety, and we shall find that the States will accelerate their own activities on the local and State levels.

By our action on this bill, we shall be making a distinct contribution to highway safety.

Mr. MAGNUSON. I agree.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD excerpts from the report.

There being no objection, the excerpts from the report (Rept. No. 1301) were ordered to be printed in the RECORD, as follows:

SCOPE OF THE BILL

The critical definitions which delimit the scope of the bill are those of "motor vehicle" and "motor vehicle safety."

"Motor vehicle" for purposes of coverage of the act is defined as "any vehicle driven or drawn by mechanical power primarily for use on the public roads, streets, and highways * * *" (sec. 101(c)). The act thus covers not only passenger cars but buses, trucks, and motorcycles. The bill excludes, however, those buses and trucks which are subject to safety regulation by the Interstate Commerce Commission (sec. 101(c)), although it is anticipated that should the proposed new Department of Transportation be created, safety regulation of all trucks and buses will be transferred to the Secretary of Transportation. In the interim, to avoid the imposition of dual standards on these vehicles, the bill requires that the Secretary not adopt standards which differ in substance from applicable safety regulations issued by the ICC (sec. 103(g)).

"Motor vehicle safety" is defined as "the performance of motor vehicles or motor vehicle equipment in such a manner that the public is protected against unreasonable risk of accident occurring as the result of the design or construction of motor vehicles; and is also protected against unreasonable risk of death or injury to persons in the event accidents do occur, and includes nonoperational safety of such vehicles" (sec. 101(a)).

Thus the bill is intended to reach not only the safety of driver, passenger, and pedestrian, but the safety of those who must work with or otherwise come in contact with the vehicle while it is not operating.

INTERIM AND REVISED STANDARDS

The bill, as amended by the committee, assigns responsibility for the administration of safety standards and research to the Secretary of Commerce (sec. 101(j)). In order that the congressional mandate be made unequivocal and certain and that safety standards be established at the earliest practicable time, the bill directs the Secretary of Commerce to prescribe interim motor vehicle safety standards by January 31, 1967 (sec. 102). These standards are to be effective within 6 months to 1 year thereafter. Such interim standards, which will be promulgated before the Secretary is able to derive substantial benefit from the new research and development activities also authorized by the act, will necessarily be based upon existing public and private standards, evaluated in the light of available technical information.

Thus it is anticipated that in selecting interim standards, the Secretary will consider and evaluate the current GSA safety standards for Government-purchased vehicles (a copy of the current standards is included in the appendix to this report). The Secretary will also be expected to review existing State motor vehicle standards as well as voluntary SAE standards to determine which may appropriately be used as a basis for interim national standards.

Subsequently, on or before January 31, 1968, and thereafter at least once every 2 years, as Federal safety research and development matures, the Secretary is directed to issue new and revised standards (sec. 103 (a)). Unlike the General Services Administration's procurement standards, which are primarily design specifications, both the interim standards and the new and revised standards are expected to be performance standards, specifying the required minimum safe performance of vehicles but not the manner in which the manufacturer is to achieve the specified performance (sec. 101 (b)). Manufacturers and parts suppliers will thus be free to compete in developing and selecting devices and structures that can meet or surpass the performance standard.

The Secretary would thus be concerned with the measurable performance of a braking system, but not its design details. Such standards will be analogous to a building code which specifies the minimum load-carrying characteristics of the structural members of a building wall, but leaves the builder free to choose his own materials and design. Such safe performance standards are thus not intended or likely to stifle innovation in automotive design.

In promulgating any standard, the Secretary is required to consider whether such standard is reasonable, practicable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed, and consider, also, the extent to which such standard would contribute to carrying out the purposes of the act (secs. 102(c) and 103(c)). The Secretary is not expected to issue a standard covering every component and function of a motor vehicle, but only for those vehicle characteristics that have a significant bearing on safety.

The General Counsel of the Commerce Department stated in a letter to the committee: "The tests of reasonableness of cost, feasibility and adequate lead time should be included among those factors which the Secretary could consider in making his total judgment."

The committee intends that safety shall be the overriding consideration in the issuance of standards under this bill. The committee recognizes, as the Commerce Department letter indicates, that the Secretary will necessarily consider reasonableness of cost, feasibility and adequate leadtime.

In determining whether any proposed standards is "appropriate" for the particular type of motor-vehicle equipment or item of motor-vehicle equipment for which it is prescribed, the committee intends that the Secretary will consider the desirability of affording consumers continued wide range of choices in the selection of motor vehicles. Thus it is not intended that standards will be set which will eliminate or necessarily be the same for small cars or such widely accepted models as convertibles and sports cars, so long as all motor vehicles meet basic minimum standards. Such differences, of course, would be based on the type of vehicle rather than its place of origin or any special circumstances of its manufacturer.

The bill provides that the new and revised standards shall become effective on a date specified by the Secretary, which shall be no sooner than 180 days nor later than 1 year from the date the standard is finally issued (secs. 102(b) and 103(b)), except that for good cause shown, the Secretary may specify a later effective date, but must publish his reasons therefor (sec. 103(b)).

The power to specify a later effective date is needed because it may be a practical economic and engineering impossibility, as well as a source of great hardship and unnecessary additional cost, to require that all vehicle changes required by any new safety standard, whatever its scope or subject matter, be accomplished by all manufacturers for all their new vehicles within 1 year. When changes can reasonably be accomplished in 1 year or less, the Secretary can so require. But when manufacturers satisfy the Secretary that a particular change cannot reasonably be accomplished within 1 year, the bill gives him discretion to extend the period, publishing his reasons therefor (sec. 103(b)).

PROCEDURES FOR THE PROMULGATION OF SAFETY STANDARDS

In establishing standards, the Secretary is required to comply with the rulemaking procedures of the Administrative Procedure Act (sec. 103(a)). (The bill contemplates a streamlined rulemaking process for the establishment of interim standards (sec. 102).) The Secretary is not required to comply with sections 7 and 8 of APA requiring formal hearing. The APA (sec. 103 (f)), must maintain a record of the evidence and comments on which he bases the standards (sec. 118).

The Secretary is directed to consult with the Vehicle Equipment Safety Commission, and such other State and interstate agencies, including legislative committees, as he deems appropriate (sec. 103(c)), in order to utilize the experience existing in the States and to encourage them to adopt standards which are identical to the Federal ones (sec. 104). The committee is mindful of the contribution which the States have made toward the development of vehicle safety standards over the years and expects this contribution to continue in a consultative role. The Vehicle Equipment Safety Commission is specifically mentioned because 44 States and the District of Columbia are members of this organization, and it is the major existing agency which has authority to propose uniform vehicle safety standards for the member States to consider for adoption. It is, of course, not intended that such consultation should delay or otherwise impede the Secretary's development and promulgation of standards.

The Secretary would be expected to give public notice of any proposed new or revised safety standards and to notify directly the Vehicle Equipment Safety Commission, and such other State or interstate agencies (including legislative committees) as he deems appropriate, and to set a reasonable time for public comment to give the Commission, and other agencies and interested persons opportunity to study and comment on the proposals (sec. 103(c)(2)).

In addition, the bill expressly includes as persons to be afforded an opportunity to participate in the standard-setting process, manufacturers, distributors and dealers of motor vehicles and motor vehicle equipment, public and private organizations, individuals engaged to a significant extent in the promotion or study of motor vehicle safety, and automobile insurance underwriters (sec. 103(e)).

In issuing each standard, the Secretary is expressly required to publish a statement of basis and purpose which provides a nontechnical explanation sufficient to enable the public to understand the purpose and, where appropriate, the limitations of the standard's coverage together with a technical statement setting forth the data necessary to an evaluation of the standard by competent technical personnel (sec. 103(d)).

Any person who believes himself to be adversely affected by the promulgation of a standard may obtain judicial review, in accordance with section 10 of the Administrative Procedure Act (sec. 105). The Administrative Procedure Act sets forth the long-established criteria for judicial review of agency action and provides that agency findings shall be upheld if supported by substantial evidence on the record considered as a whole. That act also authorizes the reviewing court to stay the agency action pending review to the extent necessary to prevent irreparable injury.

ACCESS TO INFORMATION

In addition to material made available to the public under the Administrative Procedure Act, the Secretary is directed to make publicly available to any interested persons the record compiled in the proceedings for establishment of a motor vehicle safety standard. Such material shall include all testimony, documentary evidence and written submissions of data, views, or arguments and to the extent feasible, any nondocumentary evidence. The Secretary is authorized however, to withhold any data necessary to protect trade secrets (sec. 118.).

CERTIFICATION

Every manufacturer or distributor is required to furnish the person to whom he supplies any vehicles or item of motor vehicle equipment certification that such vehicle or item of equipment "conforms to all applicable Federal motor vehicle safety standards" (sec. 115).

The committee bill provides that the required certification may be in the form of a label or tag on the vehicle or item of equipment or on the outside of the container. The certification may also take some other form in appropriate cases: for example, those involving small items or small containers not suitable for tagging or labelling (sec. 115). In such cases, the certification could be provided in a seller's invoice or in such other form as the Secretary might by regulation authorize (sec. 122).

NOTIFICATION

In order to insure the uniform notification of car owners as to any safety-related defects and to facilitate the prompt curing of such defects, the bill provides that every manufacturer of motor vehicles notify the purchaser of any vehicle which the manufacturer determines, in good faith, contains a safety-related defect (sec. 116).

A "defect" is defined to include any defect in design, construction, components or materials in motor vehicles or motor vehicle equipment (sec. 101(1)). The term "defect" is used in the sense of an error or mistake in design, manufacture or assembly.

Such notification must be accomplished within a reasonable time (sec. 116(a)) after the manufacturer has discovered the defect and formulated the corrective procedure (sec. 116(c)) and must be made by certified mail to the first purchaser and by certified mail or more expeditious means to the manufacturer's dealer (sec. 116(b)). Moreover, the notification must contain a clear disclosure of the defect, an evaluation of the risks to traffic safety reasonably related to the defect and a statement of the measures to be taken to repair the defect (sec. 116(c)).

In addition, every manufacturer is required to furnish the Secretary copies of all communications with his dealers relating to any defect, whether or not safety-related (sec. 116(d)).

The Secretary is directed to notify the manufacturer of any failure to conform to safety standards or any other safety-related defect which he determines to exist on the basis of evidence that comes to his attention through reports from manufacturers, Government research and testing, complaints or other sources, and to require that the manufacturer furnish the purchaser and dealer appropriate notification (sec. 116(e)).

This process would be in addition to and not in place of, nor a condition upon, taking any other enforcement action under the provisions of the act. The Secretary could elect to impose a civil penalty (sec. 110) for a violation and require notification of defects of noncompliance with a safety standard (sec. 116). The Attorney General could also seek an injunction to stop the sale of a noncomplying vehicle (sec. 111). These and all alternative enforcement techniques should be exercised within the administrative discretion of the responsible officials.

The Secretary is also authorized to make public information concerning safety-related defects or noncompliance with standards where necessary for the public safety (sec. 116(d)).

The committee expects that the Secretary would use this power to publish defect information as a last resort. It is the committee's expectation that the Secretary would promptly review the matter with the manufacturer and give the manufacturer an opportunity to accomplish the required notification and correction through the manufacturer's own procedures. Publicity would be invoked only if the Secretary concluded that the manufacturer's own actions would fail or had failed to provide car owners with adequate and prompt notice on the existence and safety significance of the defect and the procedure for correction.

The committee also expects that the Secretary will act with extreme caution to avoid premature publicity of unevaluated reports as to suspected defects, before the suspicions have been evaluated. Premature publicity of this type, of course, can cause undue public alarm, with a damaging and unwarranted effect on vehicle sales even though the suspicions may ultimately prove to be without foundation.

RESEARCH, DEVELOPMENT, TESTING, AND EVALUATION

The Secretary is given broad authority to initiate and conduct research, testing, development, and evaluation in cooperation with other Federal departments and agencies. The bill expressly authorizes data collection, grants to States, interstate agencies, and nonprofit institutions; authorizes the acquisition of equipment and facilities and the fabrication of motor vehicle equipment for research and development purposes (§ 106 (a)).

In particular, the bill authorizes the Secretary to develop, through grant or contract, experimental safety vehicles in limited but sufficient quantities to serve as demonstrations for the testing and development of safety features applicable to commercially manufactured motor vehicles. These demonstration vehicles are not to be limited to traditional methods of automobile design, styling, testing or production (§ 106(b)). Although this authority is discretionary, the committee expects the Secretary to initiate such development and the Department of Commerce has indicated that "work on experimental cars of this nature will start as soon as possible, both on a total systems basis as well as on selected systems components."

While the bill reported by the committee authorizes the Secretary to make grants or award contracts for research in certain cases, a principal aim is to encourage the auto industry itself to engage in greater auto safety and safety-related research. In recent years the firms comprising the industry have spent substantial sums for research, but they are capable of doing more. In the area of auto safety, expenditures have been relatively small.

AVOIDANCE OF DUPLICATION

In avoiding duplication among the facilities and services of other Federal departments and agencies, as required in section 121, the Secretary would be expected to use the existing facilities of the National Bureau of Standards and of the Public Health Service, and Bureau of Public Roads in addition to such facilities as he may establish.

COOPERATION AND TRAINING

The Secretary is authorized to cooperate with and enter into cooperative agreements with other Federal agencies, State or other public agencies, manufacturers of motor vehicles and motor vehicle equipment and other businesses, universities, or other institutions in the planning and development of safety standards, methods for inspecting or testing under safety standards, and methods and equipment for testing motor vehicles and motor vehicle equipment (§ 107).

The Secretary is also authorized to establish training programs for Federal, State, and private personnel for testing, inspection, and other purposes (§ 108).

OBLIGATION FOR NONCOMPLYING MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

If a motor vehicle or item of motor vehicle equipment fails to meet the standards prescribed by the Secretary or contains a safety-related defect, the manufacturer must either repurchase from the dealer the defective vehicle or item of equipment, or if the manufacturer chooses, instead promptly deliver corrective parts to the dealer and reimburse the dealer for making corrections (§ 119(a)). Dealers may bring court actions to recover damages for the breach of this obligation (§ 119(b)).

These obligations apply only between the manufacturer and the dealer or distributor who purchases a vehicle or item of equipment from the manufacturer, and only during the period before such distributor or dealer has sold such vehicle or item of equipment to a customer (§ 119(a)).

PROHIBITED ACTS

The bill makes it a prohibited act to manufacture, sell, or introduce in interstate commerce any motor vehicle or component which fails to conform to applicable Federal safety standards (§ 109(a)(1)). Similarly, the failure to furnish the certification of compliance and the furnishing of a false certification are made prohibited acts (§ 109(a)(3)).

It is also a prohibited act to obstruct enforcement of the act by failing to make reports or refusing access to or copying of records, or entry or inspection, or failing or refusing to furnish notification of defects, as required by other sections of the act (§ 109 (a) (2) and (4)).

The prohibitions against the manufacture, shipment, or sale of substandard vehicles or equipment or issuance of a false certification of compliance do not apply—

(1) To any sale or shipment after the first sale for purposes other than resale; or

(2) To any person who relies upon the certificate of compliance from the manufacturer or distributor and does not actually know of any failure to conform to standards; or

(3) To a manufacturer or other person who establishes that he did not know and did not have reason to know in the exercise of due care that such vehicle or item of motor vehicle equipment was not in conformity with such standards (sec. 109(b)). For example, a manufacturer could be relieved from liability upon a showing that he did not know of the failure to conform and that due care had been exercised in manufacturing, inspecting, and shipping the vehicle or item of equipment, in accordance with the manufacturer's obligation to produce vehicles conforming to the standards.

PENALTIES AND INJUNCTION

The bill imposes a civil penalty not to exceed $1,000 for each prohibited act (sec. 110(a)). The maximum civil penalty is limited to $400,000 for any related series of violations (sec. 110(a)). For example, if a manufacturer produces several thousand substandard vehicles or items of equipment as the result of the same error in design or construction, or the use of the same defective component, the maximum penalty to be imposed upon any one person for those violations would be limited to $400,000.

The Secretary is authorized to compromise any civil penalty and, in determining the amount of the penalty, the Secretary or court is directed to consider the appropriateness of the proposed penalty to the size of the business of the person charged and the gravity of the violation (sec. 110(b)).

The Attorney General is also authorized to seek injunctions against the performance of any prohibited act and to enjoin the sale of any vehicle which fails to conform to applicable standards under the act (sec. 111).

INSPECTION, RECORDS, AND REPORTS

The Secretary is authorized to conduct such testing, inspection, and investigations as he deems necessary to aid in the enforcement of standards prescribed under the act (§ 114(a)). He is given express authority to conduct on-site inspection in factories, warehouses, or sales offices (§ 114(b)). Manufacturers are required to maintain records, make reports, and provide the information reasonably required by the Secretary (§ 114(c)).

The committee bill provides that the records, reports, and information the Secretary may reasonably require shall be limited to those relevant to determining whether the manufacturer has acted or is acting in compliance with title I and motor vehicle safety standards issued thereunder (§ 114(c)). For example, the relevant records, reports, and information would include data relating to design, manufacturing procedures, quality control, and shipping records for currently manufactured vehicles, and would not include such closely held competitive trade secrets as financial, price, or cost data (§ 114(d)).

EFFECT ON STATE LAW

The centralized, mass production, high volume character of the motor vehicle manufacturing industry in the United States requires that motor vehicle safety standards be not only strong and adequately enforced, but that they be uniform throughout the country. At the same time, the committee believes that the States should be free to adopt standards identical to the Federal standards, which apply only to the first sale of a new vehicle, so that the States may play a significant role in the vehicle safety field by applying and enforcing standards over the life of the car. Accordingly, State standards are preempted only if they differ from Federal standards applicable to the particular aspect of the vehicle or item of vehicle equipment (sec. 104).

The States are also permitted to set more stringent requirements for purposes of their own procurement. Moreover, the Federal minimum safety standards need not be interpreted as restricting State common law standards of care. Compliance with such standards would thus not necessarily shield any person from product liability at common law.

USED MOTOR VEHICLE INSPECTION

In recognition of the fact that the setting of new car standards is a partial solution to the problem of motor vehicle safety, the bill expresses a congressional policy "to encourage and strengthen the enforcement of State inspection of used motor vehicles" (sec. 117(a)).

In addition, the Secretary is directed to conduct a thorough study and investigation to determine the adequacy of motor vehicle safety standards and motor vehicle inspection requirements and procedures in each State and the effect of programs authorized by this bill upon such used car standards, requirements, and procedures (sec. 117(b)). The Secretary is directed to report to Congress not later than 1 year after enactment of the bill the results of such study, together with such legislative recommendations as he may deem necessary in the interests of traffic safety (sec. 117(b)).

EXISTING FEDERAL LAWS ON VEHICLE STANDARDS

The bill repeals the Brake Fluid and Seat Belt Standard Acts (Public Laws 87-637 and 88-210), since these subjects are among those covered by the present bill (sec. 120). The Automobile Pollution Control Act (Public Law 89-272) is not repealed, since air pollution devices on automobiles are considered to relate to public health and safety generally.

APPLICATION OF ANTITRUST LAWS

For the reasons set forth below, the committee included a provision in the act providing that "nothing contained herein shall be deemed to exempt from the antitrust laws of the United States any conduct that would otherwise be unlawful under such laws or to prohibit any conduct that would be lawful under such laws" (§ 113).

Although the committee firmly believes that competition among automobile manufacturers in the development of safety improvements is essential for the achievement of rapid progress in automotive safety, the committee is aware that cooperation in research and testing among manufacturers can also play a significant role in safety development. To this end, the bill authorizes the Secretary to advise, assist, and cooperate with manufacturers of motor vehicles and motor vehicle equipment, among others, in the development of motor vehicles safety standards and the testing of motor vehicles and motor vehicle equipment (§ 107).

The committee considered including a provision in the bill to the effect that cooperation among manufacturers in developing safety devices or in exchanging information about safety standards is not illegal per se, but may be justified under the "rule of reason" to the extent consistent with the antitrust laws and without creating any exemption from the antitrust laws.

However, the committee was advised by the Department of Justice that such a provision was unnecessary, since cooperation in the development of safety devices and in exchanging information about safety standards would not be unlawful per se under the antitrust laws but would be permissible under the "rule of reason" where joint efforts seem necessary and constructive and are not accompanied by any unduly restrictive collateral agreements. Since the provision under consideration would have done no more than confirm this interpretation, the committee decided that the amendment was unnecessary.

The committee by this indication of its views in no way intends to change the application of existing antitrust laws with respect to cooperative activities among automobile manufacturers in the field of safety development.

The advice received from the Department of Justice, as summarized above, is contained in a letter from Assistant Attorney General Donald F. Turner to the chairman of the committee dated April 6, 1966, and a further letter from Deputy Attorney General Ramsey Clark to the chairman dated June 2, 1966. An extract from the letter of April 6 follows:

"Nor is there anything persuasive in the general argument that the vagueness of the antitrust laws prevents the formation of any cooperative effort to develop safety devices or to exchange information concerning standards. The antitrust laws do not prohibit such arrangements where joint efforts seem necessary and constuctive and are not accompanied by unduly restrictive collateral agreements. Moreover, clarification of the applicability of the antitrust laws to any particular proposal has always been readily available by consultation with the Department of Justice and submission of a proposal under the Business Review Procedure or for other review. (As an example, the major networks and press associations requested the Division to review a proposal for industrywide cooperative efforts in the compilation of returns in the forthcoming national elections. After consultation and revision, the industry was advised the Division did not intend to take action under the antitrust laws against the arrangement.)"

PATENTS

In order to protect the public investment in research and development activities under the act, the bill provides (§ 106(c)) that when the Federal contribution for any research or development activity authorized by the act is substantial, the Secretary must include in the contract or grant providing for such research or development provisions effective to insure that all information, uses, processes, patents, and other developments resulting from that activity will be made fully and freely available to the general public.

It was the committee's judgment that when the Government finances safety research, the public is entitled to the fruits, including the right to any inventions discovered in the performance of that research. In dealings with their employees and subcontractors private business firms typically retain the right to any inventions discovered, on the understandable ground that the one who has provided financial support is entitled to the resulting product. Such a policy is especially applicable where taxpayer funds are involved and where the research is intimately associated with the public health and safety. On several occasions, running back more than a decade, Congress has provided for public retention of results in inventions made in the course of Government-supported research. This policy is incorporated in the Atomic Energy Act of 1954, the Coal Research and Development Act of 1960, the Saline Water Conversion Act of 1961, the Arms Control and Disarmament Act of 1961, the Water Resources Research Act of 1964, and the Appalachian Regional Development Act of 1965.

Consistent with this approach the committee sought to secure to the public the benefits, accruing from research sponsored by the Secretary in accordance with section 106, that might help reduce accidents involving motor vehicles and reduce accompanying deaths and injuries. As set forth in section 106(c), the bill provides that the Secretary shall include, in any contract, grant, or other arrangement, provisions effective to insure that all resulting information, uses, processes, patents, and other developments will be made freely and fully available to the general public, wherever the Federal contribution to that activity is substantial. Of necessity, this condition must be satisfied on a case-by-case basis; but it deserves emphasis that it is the particular activity from which the information, uses, processes, patents, and other developments "result" which is the basis for the determination whether the Federal contribution is "more than minimal."

Section 106(c), by denying contractors exclusive rights in the performance of research activities where the Federal contribution is "more than minimal," will help curtail unnecessary industry pleas for Government financial support where the companies can do the research themselves. By doing their own research and securing patents on inventions which they discover, the companies in the auto industry can make substantial progress toward increasing auto safety—without having to make substantial use of public funds.

The committee considered a problem presented by automotive manufacturers relating to the dilemma that would be created if the Secretary issued a Federal motor vehicle safety standard that could be met only by using a patented device, structure, or method and if the patent holder unreasonably refused to license the use of his patent or was willing to supply the item or permit its use only on unreasonable terms.

The automotive manufacturers therefore proposed an amendment that would bar patent holders from enjoining the use of any patent that is necessary to meet a Federal motor vehicle safety standard, and would limit the patent holder to a suit for damages in the form of a reasonable royalty.

The committee concluded that any legislative solution presents great complexities, since a balancing of equities as between the manufacturer and the patent holder is bound to vary from one case to another. The committee decided it would therefore be preferable to leave the matter for resolution by the courts on a case-by-case basis. In this connection, it is the committee's understanding that under established patent case law the Federal courts, in performing their traditional role of balancing the equities before issuing an injunction, will decline to enjoin the use of a patent when its use is required in the public interest. (See *City of Milwaukee* v. *Activated Sludge,* 69 F. 2d 577 (7th Cir. 1934).) The committee therefore assumes that the courts are unlikely to enjoin the use of any patent when an automotive manufacturer can show that use is necessary to comply with a Federal motor vehicle safety standard and that the patent holder is refusing to supply the item or otherwise permit such use on reasonable terms. The committee also assumes that the Secretary is not likely to adopt a standard which can be met only by using a single patented device, and that the Secretary would, before doing so, take steps to obtain an understanding from the patent holder that he would supply the item or grant licenses on reasonable terms.

REPORTS AND RECOMMENDATIONS

The Secretary is required to make an annual report on the administration of the act on March 2 of each year. The report shall include, but is not restricted to—

(1) Accident and injury statistics;

(2) A list of Federal standards;

(3) The degree of observance of the standards;

(4) A summary of current research grants and contracts;

(5) A review of research activities completed and technological progress achieved during the year;

(6) The extent to which technical information was disseminated to the scientific community and consumer-oriented information was made available to the motoring public (sec. 123(a)).

In addition, the report shall contain recommendations on additional legislation to promote cooperation among the States and to strengthen the national traffic safety program (sec. 123(b)).

TRAFFIC ACCIDENT AND INJURY RESEARCH AND TEST FACILITY

The Federal Government does not presently have an adequate research capability to meet the responsibilities which it would assume under this act. Its capability is inadequate both with respect to research facilities capable of single types of tests or test on single components, as in the National Bureau of Standards, or Department of Defense test tracks for military purposes, there is no test track where Federal scientists and engineers can make even the most elementary operational tests on vehicles, let alone conduct full-scale research on motor vehicles and the highway from a safety point of view. The Bureau of Public Roads has been forced to resort to testing on sections of highways and airport landing strips before these were open for public use.

In testing automobile odometers recently, the National Bureau of Standards had to use the public highways. There is no Federal facility or laboratory equipped and capable of testing the interaction of the vehicle interior and interior equipment with the occupants or a vehicle in the investigation of the "second collision." the impact of the occupant with the vehicle.

Test facilities in industry are considerable, but are used primarily in connection with product development in which vehicle and passenger safety is only one of the elements considered. Results are proprietary and, for competitive reasons, are not generally available. Furthermore, manufacturers' facilities hardly seem the appropriate place for the Government to conduct its research and testing on vehicle safety performance standards as well as other aspects of highway safety.

Laboratory facilities are needed where the Government itself can conduct systematic scientific research and evaluation of all safety performance characteristics of motor vehicles and motor vehicle components. The facilities must be suitably equipped and staffed to evaluate standards already in effect, as well as proposed deletions, changes, or additions of wholly new standards. Facilities are required to carry out these responsibilities.

In addition to research, development, and testing related to motor vehicle performance standards, these laboratory facilities are needed for studying improved geometric design of highways for increased safety, improved paving material that reduce dangerous skidding especially in winter driving, better traffic control devices that reduce the chance of accident-producing driver errors, improved highway lighting for increasing night visibility, and finally the wide range of problems associated with driver performance and skills. Clearly, proper performance standards for vehicles and design criteria for the highway network can only be realized by taking into account the physical and psychological capabilities of drivers.

In short, some type of Federal facility is needed where the Government can conduct systematic controlled research, development, and test activities related to all aspects of traffic safety. Title II would authorize a study of the needed facility or facilities and the planning, designing, and construction of such facilities. It would authorize appropriations of $3 million from the highway trust fund for planning and feasibility studies, and so much as is needed for construction subject to later congressional approval of appropriations requested.

THE NATIONAL DRIVER REGISTER SERVICE

The proposed section 404 of title 23, United States Code, would codify and amend the National Driver Register legislation. The National Driver Register Service is now maintained in the Department of Commerce as a voluntary driver records exchange program participated in by all States, the District of Columbia, and four territories.

The service permits the States to report to the Secretary on drivers who have had their driving privileges suspended or revoked because of a conviction involving a fatal accident or drunken driving, and to have access to such information centrally filed by all of the States.

This service permits the States to prevent drivers who have lost their licenses in one State from nullifying the effectiveness of a State's laws by securing a license in another State without revealing their driving records.

Since 1961, this State-Federal voluntary driver records exchange program has developed to the point where today, on the average, over 44,000 inquiries are sent to the Register by the States each day. The Register mails positive replies to these inquiries within 24 hours of receipt of the inquiries.

Over 19 million searches have been made of the Register's computer file since 1961. This has resulted in over 111,000 reports of potential problem drivers being sent back to the States.

While the Driver Register Service is now a valuable aid to the States in their efforts to supervise effectively the licensing of drivers, its effectiveness is limited since it covers only summary reports of license suspensions or revocations where there is drunken driving or fatal accident involvement.

The proposed legislation would remove this limitation on the effectiveness of the Driver Register Service by authorizing the filing of reports on license denials as well as withdrawals of licenses, for whatever cause, except for withdrawals of less than 6 months based on accumulation of minor violations.

Section 404 also would make it clear that Federal agencies can participate in the Driver Register Service as part of their employee driver safety programs.

The amendment of the existing Driver Register Service legislation as proposed in section 404 should double the productivity of the driver register program within a short period with negligible, if any, increased costs.

COST

The authorization for programs to be carried out under title I (sec. 124) provides for $11 million for fiscal year 1967, $17 million for fiscal year 1968 and $23 million for fiscal year 1969.

For the traffic accident and injury research and test facility authorized by title II, the committee bill would authorize $2 million for planning, including necessary feasibility studies. Before any appropriation can be made for construction of the facility in excess of $100,000, the Secretary must submit a prospectus of the proposed project to Congress and obtain approving resolution from the Committee on Commerce of the Senate and Committee on Interstate and Foreign Commerce of the House of Representatives.

As the administration of the Traffic Safety Act of 1966, as reported, will require executive talent of a very high caliber, the committee estimates that an allotment of approximately 45 positions in grades GS-16, 17, and 18 of the general schedule of the Classification Act of 1949, as amended, should be reserved to aid in implementing this legislation. The shortage of available professional skills and manpower in combination with the high priority for immediate action concerning traffic safety requires certainty as to the availability of needed management, administrative, scientific, and research positions needed to staff these programs.

Mr. MAGNUSON. Mr. President, I now yield to the distinguished ranking minority member of the committee [Mr. COTTON].

Mr. COTTON. Mr. President, the pending bill, S. 3005, the Traffic Safety Act of 1966, is truly landmark legislation.

For the first time, Congress has the opportunity to enact a comprehensive and coordinated assault on the problems of traffic safety. The Senate will seize that opportunity today, I hope, and approve the bill substantially as reported by the Committee on Commerce.

Clearly, new ways must be found to cope with the rising tide of slaughter and mayhem on our Nation's highways. Since the automobile was first invented, we have had 1,500,000 deaths from automobile accidents. That is three times as many lives as our enemies have been able to take in all our wars. Last year alone nearly 50,000 persons lost their lives in traffic accidents, and 1,800,000 were injured to the extent of being disabled for at least the second day. Experts have put a price tag of $8.5 billion on the economic cost of last year's traffic accidents. These facts leave no room for complacency. They offer no excuses for inaction.

This bill confers new and significant powers on the Secretary of Commerce to prescribe safety standards for new automobiles and to undertake research in order to reduce the deaths and injuries resulting from accidents.

The breadth and scope of the powers given to the Secretary of Commerce carrying extensive authority over the Nation's largest industry would be unthinkable if it were not invoked for public safety and carefully circumscribed for that purpose.

Just what kind of power and duties will the Secretary of Commerce have under the bill, as reported by the Committee on Commerce.

He will first have to issue interim safety standards for new cars, effective in the fall of next year with the 1968 model cars. These standards must be based on existing safety standards and must be developed on the basis of advice and counsel from the States, interstate safety agencies like the Vehicle Equipment Safety Commission, the automobile industry, and others.

A year later, the Secretary must prescribe such new and revised safety standards for new cars as he finds necessary, based on his research and development work and on consultation with State safety agencies. Effective, far-reaching means of enforcement insure that car makers and parts makers will comply with the safety standards. These fundamental provisions of the bill are accompanied by a host of related sections spelling out the details, providing for court reviews and prescribing the relationship between the manufacturer and the dealers in cases where the safety standards are not met.

In addition, the bill requires the manufacturers, or the Secretary of Commerce, to notify car buyers in cases in which defects related to safety are found. The Secretary is also given broad gage powers to carry out the necessary safety research, testing, inspection, and evaluation.

While these powers of the Secretary are enormously broad as they relate to the car manufacturers and the automotive parts industry, they are still narrow as compared to the problems of traffic safety.

First. The safety standards apply only to new cars and not to the 87 million motor vehicles now on the highway. While the committee bill, fortunately, requires a study of the possibilities of better safety inspection of older cars, nothing in the bill directly deals with the safety standards or maintenance of these cars on the road today. Even the 1968 and later models which would be subject to safety standards when built, are beyond the reach of this bill once they leave the showroom floor.

Second. The Senate should be clearly aware of the fact that vehicle failures of all types are a causative factor in only a very limited percentage of all traffic accidents. The best figures I have found, published by the Travelers Insurance Co., of Hartford, Conn., show that 87 percent of accidents which caused highway deaths and injuries were the direct result of driver violations of the rules of the road, excessive speed, driving on the wrong side of the road, failing to yield the right-of-way, reckless driving, and the like. The safety standards prescribed under title I of the bill will do nothing to reduce accidents caused by such factors as these.

However, Mr. President, the bill—and this is one of its major justifications—is designed to help reduce the extent of the injuries, regardless of how the accident itself is caused.

This refers, of course, to the so-called second collision. Regardless of what causes the automobile accident in the first place, it is abundantly clear from extensive safety research that most injuries and deaths are caused when the driver and passengers are either thrown out of the car or thrown against the windshield, instrument panel, or some other feature of the car's interior.

As members of the Senate Commerce Committee, we were convinced by the evidence that, even if accidents could not be prevented by this legislation, the extent of injuries and deaths could be reduced by effective attention to those elements in the passenger compartment which actually cause the deaths and injuries.

Enactment of this legislation will not bring an end to traffic accidents. Not one of us can even be one iota less vigilant as we drive home tonight, and certainly passage of this bill will not cut the carnage expected over the Fourth of July holiday next week. Nevertheless, the bill is significant, farsighted, and solid legislation.

I commend the chairman and the members of the Committee on Commerce on which I serve, as well as the staff, for the long and careful study resulting in this bill, which in my opinion, merits the full support of the Senate.

Mr. President, on behalf of the Senator from Pennsylvania [Mr. Scott], myself, and others, an amendment has been offered which would strike out a provision of the bill in which my friend, the distinguished Senator from Louisiana [Mr. Long], is exceedingly interested, and of which he is the author. We have now reached the point of getting down to cases and discussing the amendment.

If it is satisfactory to the distinguished Senator from Louisiana, I should like to suggest the absence of a quorum, and after a reasonable time, I should like to make a very brief statement on behalf of the amendment, and then the Senator from Louisiana might proceed.

Mr. LONG of Louisiana. Mr. President, I hope that my remarks will be about the same length as those of the Senator. I shall try to tailor my reply to that of the Senator.

As the Senator knows, unless we have a limitation, there is always a feeling on the part of the side that did not have the last say that something has been left unsaid, and they want to say something else.

Mr. COTTON. I was not even suggesting that I make a statement and that the Senator respond and that we vote. I happen to know that the distinguished Senator from Pennsylvania, who is, I believe, at a meeting of the Judiciary Committee now, is coming to the Chamber. He is vitally interested in this matter.

Mr. LONG of Louisiana. Mr. President, I should be pleased to enter into a unanimous consent agreement at such time as the Senator feels it to be appropriate.

Mr. COTTON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). Without objection, it is so ordered.

Mr. COTTON. Mr. President, I am informed that the distinguished Senator from New Jersey [Mr. Case] has a brief amendment to offer and that it is acceptable to the distinguished chairman of the committee as it is to me and to Senators on this side of the Chamber. Therefore, I ask unanimous consent that the Senate be permitted to suspend the consideration of the Scott amendment for a moment, in order to permit the Senator from New Jersey to offer his amendment, and that then the Senate may return to the consideration of the pending amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and it is so ordered.

Mr. CASE. Mr. President, I appreciate deeply the courtesy accorded me by the Senator from New Hampshire and the Senator from Washington.

I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 64, line 14, strike out "six months" and insert "ninety days."

Mr. CASE. Under the bill, the Driver Register Service would be broadened to permit the Register to list the names of additional categories of problem drivers whose licenses have been either revoked or suspended. However, there would be one exception. The exception would exempt from coverage those motorists who are deprived of their driving privileges for 6 months or less because of habitual violation. The bulk of those in this category, I am told, would be individuals whose licenses would be taken away under a State point system.

My amendment is designed to bring more of these bad drivers within the coverage of the Register, and thereby help improve highway safety. It would accomplish this by reducing the 6-month exception in S. 3005 to 90 days.

While I would have preferred a 30-day limitation, and previously introduced a bill to this effect, I believe 90 days—as opposed to 6 months—is a step in the right direction, and will make more effective the new role we are carving out for the National Driver Register Service.

Mr. MAGNUSON. Mr. President, if the Senator from New Hampshire will agree with me, I believe we can accept the amendment.

The committee decided upon a period of 6 months because it felt that that was a proper time. However, the State of New Jersey should be complimented. The State of New Jersey has some good, stringent traffic laws, including a 3-month provision. I do not believe the bill will be harmed by containing a 3-month provision. Such a provision might encourage some States to follow suit.

This is another part of the traffic safety problem that the Committee on Commerce dealt with about 2 years ago. The committee began a driver registration clearinghouse in Washington, D.C.—a sort of traffic FBI for drivers who move from one State to another. The States were asked to take advantage of this, and 50 States did so. At the present time, 40,000 inquiries a day are being received.

The desire is to make the bill more workable, and the 3-month provision will not hurt it at all. It might make the bill better.

I am glad to accept the amendment.

Mr. CASE. I thank the Senator from Washington. He is the parent and I am the coparent of this Driver Registration Service, in a sense; and I believe the joint paternity in this case is working well.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

Mr. COTTON. I join the chairman of the committee, the Senator from Washington, in saying to the Senator from New Jersey, that this amendment makes a distinct improvement to the bill.

Mr. President, other Senators may wish to speak later about the pending patent amendment. However, having offered the amendment on behalf of the Senator from Pennsylvania [Mr. Scott] and other Senators, I should like to make a brief statement.

At the eleventh hour, the committee tacked onto the bill, as section 106(c), a restrictive patent provision which may curtail the safety research that is so vital to the campaign against traffic accidents and injuries.

We opposed this amendment when it was offered in the committee. I am referring to the Senators who signed the minority views—namely, the Senator from New Hampshire [Mr. Cotton], the Senator from Kentucky [Mr. Morton], the Senator from Pennsylvania [Mr. Scott], the Senator from Vermont [Mr. Prouty], the Senator from Kansas [Mr. Pearson], and the Senator from Colorado [Mr. Dominick]. We shall oppose it on the floor, and feel so strongly about it that we have been impelled to file our individual views, despite our overall support of the bill.

The subsection requires that any patent developed with the aid of a Federal contribution must be made freely and fully available to the general public—unless the Federal contribution is minimal—whatever that might mean.

Plausible as this might seem at first glance, its real effect is liable to defeat the main purpose of the bill. Consider, for instance, the position of a firm or an individual with highly promising ideas for a safety development who needs additional research funds to complete his research and development work. Federal assistance might hasten the work and bring the invention to public usefulness sooner. But the developer, who would lose all his rights to the invention under the committee amendment, could hardly afford to accept Federal aid. The public safety will be the clear loser—and no one the gainer—under the amendment.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. COTTON. I yield.

Mr. LONG of Louisiana. Under the approach advocated by the Senator from New Hampshire and his group, would it be possible to ask that public money be spent, then to develop the article with public funds, and then enable the inventor to secure a patent and charge $100 for a better seat belt that would cost only $10 to manufacture, or in some cases deny it to the public entirely?

Mr. COTTON. I certainly do not believe so. The bill not only empowers but also enjoins the Secretary of Commerce—to undertake safety research on his own. It is adequately safeguarded against the situation mentioned.

I should like to finish my reference to the minority views; then I shall respond to the question of the Senator from Louisiana more fully.

The fundamental aim of the bill is safety, yet the amendment throws a new, unforeseen roadblock in the path of safety research.

Furthermore, the provision is another attempt at a patchwork, piecemeal approach to the problem of patent policies and federally supported research.

Twice last year the Senate rejected similar provisions because it felt the problem should be dealt with through comprehensive, general legislation. Such a bill, S. 1809, has now been approved by the Senate Patents Subcommittee and is actively being marked up by the full Judiciary Committee. There is no justification for further complicating the matter by yet another separate amendment.

We believe section 106(c) should be deleted. The Senate should be given the opportunity to consider the comprehensive bill now before the Judiciary Committee. In the meantime, the public interest will be adequately and soundly protected because research authorized by this bill will be subject to the general Government patent policies prescribed by President Kennedy in 1963.

Mr. President, I find a remarkable statement in the report of the committee, which I assume was prepared by the majority staff, with perhaps some suggestions from the minority staff.

I refer to the bottom of page 14, the portion which discusses section 106(c), the section that our amendment seeks to delete:

> Section 106(c), by denying contractors exclusive rights in the performance of research activities where the Federal contribution is "more than minimal," will help curtail unnecessary industry pleas for Government financial support where the companies can do the research themselves. By doing their own research and securing patents on inventions which they discover, the companies in the auto industry can make substantial progress toward increasing auto safety—without having to make substantial use of public funds.

Now, knowing all the bright young men who serve on the staff of the Committee on Commerce, I cannot, for the life of me, imagine which member of the staff could possibly be the author of such an utterly assinine statement as that. Let me explain why I characterize it so strongly.

The Committee on Commerce did not legislate in a vacuum. The Committee on Commerce heard evidence from the automobile industry. They heard evidence from all interested parties. They heard evidence from Mr. Nader. They heard evidence from the representatives of various associations and organizations, State, and National, interested in automobile safety. The committee knows exactly what the position of the industry is on various matters.

There is one thing that is absolutely certain. The automobile industry in this country is one industry that does not and will not seek financial aid, and does not want financial aid or participation from the Government in designing, engineering, researching, and building automobiles.

They are perfectly capable of financing their own engineering and designing, and their own safety devices. They displayed a good deal of feeling that they wanted to be permitted to do it.

Now, instead of this provision protecting the Treasury from being raided by these poor, impoverished automobile manufacturers, the biggest manufacturing industry in this country, and to get the Government to help them make research and to help them engineer their cars, what does this provision do, as a matter of fact?

It does not strike at the industry. It strikes at the Secretary of Commerce or a Secretary of Transportation, whichever may be charged with administering the program of automobile safety under the bill. It strikes at them for this reason: The Government needs the experience, needs the advice, needs the know-how, and needs the facts from the automotive industry on safety devices if the Secretary is to be able and prepared to carry out the admonition in the bill that he shall engage in research and safety in automobile construction.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. COTTON. I yield.

Mr. PASTORE. Does not the Senator feel that way because these are the giants in our industry? Certainly I have no antipathy against the Big Three or Big Four. I am one of those who feels the bill should be passed exactly as reported from committee. I shall go so far as to vote against the restoration of the criminal penalty because I do not think it necessary.

We are trying to promote safety in the public interest. I believe this bill does that—and does it effectively. I do not believe we ought to hit anybody over the head with a club. I do not think we ought to keep hitting them until the Big Four cry out "Uncle"—"Uncle Sam." This should not be a punitive attempt on our part. This should be a crusade to improve the quality character of the automobiles on the highways so that public safety will be promoted.

But I say this to my distinguished friend. It is contemplated here that the Secretary of Commerce shall enter into certain contracts in order to conduct research and in order to promote safety. Public funds are to be expended for that purpose, and certainly those funds are going to be given to these automotive giants.

Does not the Senator think that once industry makes a discovery with public money that it should be shared with all of the giants? It will not do me any good, or the Senator from Washington [Mr. MAGNUSON] any good, or the Senator from New Hampshire [Mr. COTTON] any good, once they make the discovery. But all the discoveries will be available to all automobile manufacturers rather than becoming exclusive to the one concern making a discovery and this is proper because the discovery was with advanced public money. I understand that industry is not opposed to this provision.

Mr. COTTON. If the Senator had waited until I had completed a few more sentences I would have emphasized, as I am emphasizing, that he is 100 percent right. They are not opposed to it.

The automobile industry, I am informed—and I believe every member of the committee, I am informed—do not give a hoot about whether this provision remains in the bill or not because it is their policy and they are well equipped to do their own designing, engineering, and building of cars.

What I was about to emphasize was the fact that when the Secretary, who is administering this safety program, comes around to seek the cooperation—if he has a suggestion, perhaps, on how the structure of an automobile may be strengthened to protect the occupants, or a suggestion as to some device for safety, and he wants to have the expertise of the automotive builders and manufacturers of parts or any others in exploring this possibility, they will not dare to help him. Why? I do not know what the word "minimal" means, but the moment they enter into any program whatsoever with the Secretary of Commerce they must forego any patent rights and whatever they might develop themselves they would have to turn over to the world at large. That is not the way businessmen work when they are putting investments into developing devices.

That is why I say with respect to this particular paragraph in the bill, I am surprised that the Secretary of Commerce has not been lobbying against it because it handicaps him. It is not going to affect the major carmakers at all but it is going to make it infinitely more difficult and more expensive—not less expensive as this statement in the report indicates—more expensive to the Federal Government.

The Federal Government will probably, as a result, not through intentional boycotting by the industry, but as a result of industries' desire to develop their own engineering, spend more funds and not less on research.

(At this point, Mr. PROXMIRE assumed the chair.)

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Is the Senator aware of the fact that we have had testimony from all of these agencies, the Atomic Energy Commission and others, which are not permitted to grant private patents on their research, to the effect that they never had the problem of finding enough contractors to do the research for them? The problem has been that they did not have enough contracts to go around.

Can the Senator explain to me why the Secretary ought to permit under his contract on highway automobile safety a result wherein a contractor would be guaranteed a profit on the research, but could be in a position to charge perhaps $100 for a $15 seat belt, or even deny the public completely the benefit for that which the public paid?

Mr. COTTON. Yes, I can explain that to the distinguished Senator in a very few words. This whole bill, page after page after page, and the President's message—and it is an able message—reflects again and again the aim that there shall be cooperation between the Government and the automobile industry in working out and building safer automobiles. In the bill can be found the carrot method of incentive, and the admonition can also be found. This is the situation. After building up this bill for weeks and weeks and weeks with the devoted attention of the committee on both sides of the aisle and the able staff, all on the theory that we want to put everything possible into the bill which will advance the pooling of knowledge between the industry and the Government, and result in every possible, reasonable, safe improvement in automobiles, at the last minute the committee reversed itself and adopted the provision.

I would be the first to commend my friend from Louisiana who has, with great sincerity and dedication, fought the fight on this patent business between Government and industry through the years. I understand that the problem will be brought to a head in another bill shortly. But this bill is not the place for it. In this bill, under section 106(c) we raise the specter of an industry losing its exclusive rights of patent when it pools its knowledge with the Government. We make it more difficult for the workshop of the Secretary and the workshop of industry to cooperate fully to advance the cause of auto safety. Furthermore, it is pretty hard to see what is minimal and what is not.

I do not care what other companies the Senator refers to, the automotive industry has openly and without arrogance asserted again and again that it is perfectly capable of financing its own research. We are asking them to pool their efforts with the Government, then we write this thing in the bill which injects a serious element of doubt. If they are not entirely sincere in their desires, this gives them an excuse, if we please, to not put their cards on the table working with the Secretary. That is my answer.

Mr. LONG of Louisiana. Will the Senator concede—as I gather from his reply—to strike this provision from the bill if he does not have the support of the automobile manufacturer?

Mr. COTTON. No, I do not believe they are interested in this. I want it stricken from the bill, because I believe it would impair the safety of the bill.

Mr. LONG of Louisiana. Congress has passed many laws. It is the rule rather than the exception that in dealing with public health and safety, as long as I have been a Senator, and even before that, Congress has repeatedly insisted on putting provisions in its bills relating to health and safety to assure that the fruits of research will be freely available to all.

For example, on Department of Agriculture legislation, TVA, the National Science Foundation, the Atomic Energy Commission, NASA, Helium Research Act, the Water Pollution Act, Water Resources Act, Solid Waste Disposal Act, it was the rule rather than the exception that in these areas of health and safety, the committees originating these bills have had a way of saying that the research programs would be made freely available to all.

Even the bill that is being suggested by the majority of the Subcommittee on Patents of the Judiciary Committee, headed by the Senator from Arkansas [Mr. MCCLELLAN], suggests that in this area they should not be private patents, except in exceptional cases. The whole record of legislation in regard to the fruits of Government-financed research has been that committees originating that kind of legislation have suggested what should be done with the fruits of that legislation.

In this instance, the manufacturers feel that this gives them no problem. As a practical matter with their own private research, paid for out of their own funds, the manufacturers make their research freely and fully available to one another, anyway. They take advantage of a situation, in a new model sometimes, on which there will be new devices, or something new to offer. The industry releases all kinds of permits to all competitors who are using the things developed. Thus, to a large extent, what has been developed, even with their private funds, is being made available to all—and I know that the Senator knows that to be the case.

Mr. HICKENLOOPER. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I should like to make one point first. One thing I should like to emphasize and impress upon my good friend from Louisiana is that when he asks, do I have the support of the automobile industry, I should like to inform him that I am not representing the automobile industry in any way, shape, or manner. So far as I knew, the automobile industry did not care about this, whether it stays in the bill or not. Thus, I want to make that crystal clear to the Senator, that if he has any doubt about my being sustained by the automobile industry, I want to dissipate that doubt.

Mr. LONG of Louisiana. I am happy that we can understand that. I went to the trouble of inquiring of the automobile manufacturers concerning the amendment which I believe to be appropriate, and which I believe the majority on the committee believes to be appropriate. "Does this give you any problem?" The answer I got back was "No, it does not."

Mr. COTTON. I think probably that was the correct answer, but it may give the Government problems.

Mr. MAGNUSON. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I am happy to yield to the Senator from Washington.

Mr. MAGNUSON. I was a little bit disturbed that the Senator jumped on some staff people about this language. It is true that the staff inserts the language but they do not always compose it. This language was placed in the bill at the request of two or three Senators on the committee. If the Senator wants me to produce anything further on this, I shall be glad to do so.

Mr. COTTON. I thank the Senator.

Mr. MAGNUSON. Second, this is an amendment which was discussed—the Senator from New Hampshire is right—by the committee toward the end of the session. Finally, we agreed on adopting the amendment as written, and then we agreed that we would put statements on patents in the report, and we agreed to let those vitally interested in the committee at that time submit the language, and the staff did that.

Mr. COTTON. Mr. President, incidentally, let me take this opportunity to ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. HICKENLOOPER. As I understand, this is an automotive bill. As I understand also, and have understood for many years, the policy of the automotive industry or manufacturers has been that if they make a discovery of some kind, they try to use it on the first model, more as an advertising gadget, but that after that, all the rest of the companies may use it. That has been the general practice. So, as I see it, there is not the slightest need for the patent legislation that is proposed in this automotive bill. The practice has become so well established that I doubt whether any automobile company would break it. Therefore, I see no need for including such a proposal in the bill.

Going a step further, I wonder whether the Senator from New Hampshire would agree with me that such a proposal is probably not aimed at the automobile manufacturers, but is aimed at the whole philosophy of the protection of patent rights to the individual who makes something and who happens to have received the right to purchase from the Government some discarded material for some purpose. The Government may not contribute very much, but it will take over the patent and give its benefits to the public—in other words, destroy or strike at the very heart of patent protection in this country. Such an attempt has been made repeatedly in the past. I wonder if this proposal is not merely an attempt to come in by another door for that main, basic purpose.

Mr. COTTON. I thank the Senator from Iowa for his observation regarding cross-licensing in industry. I think it is highly pertinent as to what the amendment in the bill is aimed at.

I have too high a regard for the distinguished Senator from Louisiana [Mr. Long], for whom I have the deepest respect, and for other Senators who may well be interested to try to analyze what they may be aiming at.

I merely wish to say that if this proposal is intended as an entering wedge in advance for the consideration of the bill which I assume and understand will be ultimately presented by the distinguished Senator from Arkansas [Mr. McClellan] in behalf of the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, this is not the place for it.

I do not want to stir up any more debate on this point. I want to give up the floor. The only observation I want to make to my friend from Louisiana is with reference to his remark that in matters of health and safety this system of throwing up patent rights has been the policy. It has been my observation that the opposite is the fact.

When we are dealing with a product, when we are dealing with a commercial situation, it may be one thing, but I have a vivid recollection, and it is contained in our individual views in the report:

> On June 29, 1965, by a vote of 59-to-36, the Senate adopted a Pastore motion to table Long's [Louisiana] amendment on patents developed in connection with the regional heart disease, cancer and stroke programs.

I have a quite clear recollection of that debate, and it is my understanding that it was not tabled necessarily on the merits of the proposal of the distinguished Senator from Louisiana, but was tabled because it was prejudging, launching into a program in advance of a matter that was being thrashed out and which was to be reported by the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, charged with that duty.

It is my understanding that is precisely the situation today. Because of that fact, in the first place, and, in the second place, because, as the Senator from Iowa [Mr. Hickenlooper] has so well said, the policy of the industry makes it unnecessary, and, in the third place, because, if it has any effect at all, it will handicap the Secretary in running his own shop and getting information from suppliers and makers of parts in the various segments of the automobile industry, the provision has no place in the bill and endangers and detracts from the effectiveness of the whole purpose of the bill.

Mr LONG of Louisiana. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. LONG of Louisiana. May I point out to the Senator from New Hampshire and ask him if it is not correct that the record of this Congress and the record of the two previous Congresses with respect to the patent policy has been this: Whenever a committee had brought forth a bill creating research and authorizing a research program, Congress has sustained that committee in what it has recommended in respect to patent rights?

When the Senator from Louisiana has sought to change the law or amend the law to require some agency to be more careful about giving away patent rights, the amendment has been tabled. That was done with respect to the Pastore motion and also the Dodd motion with respect to the National Aeronautics and Space Administration.

It has been true that for the last 18 years the Senate has consistently sustained what the committee said should be done with the fruits of the research authorized by that committee's research program.

Mr. COTTON. I thank the Senator.

Mr. President, I am prepared to yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. Scott].

Mr. MAGNUSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, I appreciate the fact that the distinguished Senator from Arkansas [Mr. McClellan], the distinguished Senator from New Hampshire [Mr. Cotton], the distinguished Senator from Kentucky [Mr. Morton], and the distinguished Senator from Massachusetts [Mr. Saltonstall] have joined me in sponsoring this amendment.

My amendment is to delete a provision from the bill similar to other provisions which have been rejected by the Senate in earlier legislation—the so-called Long amendments on patents. On June 2, 1965, by a vote of 59 to 26, the Senate tabled the Long amendment on patents developed in connection with NASA contracts; and on June 29, 1965, by a vote of 55 to 36, the Senate agreed to a motion to table the Long amendment on patents developed in connection with regional heart disease, cancer, and stroke programs.

I invite the attention of the Senate to the statement in the committee report on S. 3005 by the six Republican members of the committee in opposition to section 106(c) of the bill. This provision was tacked onto the bill at the last minute Tuesday, without previous opportunity for mature consideration, and after much time had been expended in preparing the bill for report under circumstances which would enable us to be unanimous, or as nearly so as possible, in bringing out a very strong motor vehicle safety bill.

My amendment would delete section 106(c), under this provision, the Federal Government would acquire ownership of inventions emerging from the motor vehicle safety research authorized by this bill in all cases where its financial share of the funding of such research is more than minimal.

Mr. President, I am bound to say that none of us know what "minimal" means. It has the usual built-in caveat, for me at least, that an uncertain word which is not necessarily or fully a word of art may be construed by one agency administrator one way and by another another; so that no genuine guideline is really presented.

I think that section 106(c) should be deleted for three reasons:

First, it is ill-timed, since legislation to establish a Government patent policy in the disposition of rights under its research and development contracts is in a stage of advanced consideration by the Senate Judiciary Committee.

I attended a session of the full Committee on the Judiciary this morning. The general overall patents policy bill, S. 1809, was under discussion. All members of the committee desire to dispose of S. 1809 at the earliest practicable moment.

To continue the futile attempt to prescribe Government patent policy in a piecemeal fashion would not only run counter to the intent of those of us on the Judiciary Committee who have been considering this measure over quite a long period of time, but would also essentially run counter in many ways to the Kennedy policy, to which I shall refer later, which is presently the Federal policy absent specific congressional declaration.

Second, this section is unnecessary as an interim measure until such time that patent policy legislation is adopted into law. There is, at present, an equitable, logical, and workable policy currently in effect under the "President's Statement on Government Patent Policy," promulgated in October 1963.

Mr. President, I ask unanimous consent that a memorandum of the late President Kennedy, under date of October 10, 1963, be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SCOTT. The memorandum to which I just referred establishes Government policy pending the enactment of general patent policy legislation.

I read a part of one paragraph:

> This statement of policy seeks to protect the public interest by encouraging the Government to acquire the principal rights to inventions in situations where the nature of the work to be undertaken or the Government's past investment in the field of work favors full public access to resulting inventions. On the other hand, the policy recognizes that the public interest might also be served by according exclusive commercial rights to the contractor in situations where the contractor has an established non-governmental commercial position and where there is greater likelihood that the invention would be worked and put into civilian use

than would be the case if the invention were made more freely available.

My third reason for urging deletion of section 106(c) is that it may serve as a limitation to effective, coordinated research between the Government and private industry with resultant damage to the public welfare.

I believe that this is not the proper time, nor is the bill under consideration the appropriate vehicle for discussing the merits of a suitable patent policy under Government research and development contracts. The Senate has recognized that this subject involves extremely complex considerations which justify detailed analysis prior to the adoption of any Government patent policy. A number of bills have been introduced in the Senate on this subject. They are receiving detailed, careful consideration by the Judiciary Committee. Extensive hearings were held last year. S. 1809, a bill on Government patent policy has been reported out of the Subcommittee on Patents, Trademarks, and Copyrights on which I serve as ranking minority member, to the full Judiciary Committee. It is not only logical but appropriate that the Senate await the advice of this committee. Let us then deal with this subpect in the normal, proper, procedural manner considering Government patent policy in its full context, not in a piecemeal manner such as is the case with section 106(c) of this bill.

I believe that section 106(c) can severely inhibit full and beneficial research activity in behalf of automotive safety. The purpose of this important legislation is to establish a national safety program as well as safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the resultant harm occasioned by such accidents. This purpose should be complemented by the best research facilities and talent available. Any inhibition thereto can serve to obstruct this goal. This being so, I do not believe that this would serve the public welfare.

Notwithstanding this practical limitation to the propriety of section 106(c) its adoption would, in my opinion, be inequitable. The wording of this section, in effect, would deny to a research contractor in virtually all cases, proprietary rights to inventions resulting from work performed in the area of automotive safety.

Section 106(c) is misleading. It appears to qualify the right of the Government under all circumstances to deny proprietary rights to a contractor. This is to occur through inclusion of the word "minimal" as a limitation upon exercise of this right by the Government. The Webster Dictionary definition of the word "minimal" is: "Constituted as a minim; hence, or at least attainable, possible, usual, etc." and the application of the word "minimal" in this case would be "a very minute, a jot." I see that the word "tittle" has been left out, but the next edition of the dictionary will take care of that omission.

It defies my imagination to conceive of a situation thereunder where the contractor's contribution would enable him to obtain proprietary rights under this section.

Adoption of section 106(c) would be a step backward in developing a reasonable and proper approach to the disposition of patent rights under Government research and development contracts. We are asked to return to a piecemeal approach to establish such a policy through the adoption of amendments offered to unrelated legislation. We are asked to ignore the deliberations of the appropriate committee of the Senate which is presently considering such legislation. We are asked to ignore the President's statement on Government patent policy in spite of the extensive study and analysis which led to its promulgation and to its proven value in the negotiation of research and development contracts. To do so is completely unwarranted.

Mr. President, deletion of section 106(c) would be consistent with action taken twice by the Senate last year on similar proposals. Retention of the provision, on the other hand, would greatly complicate the work of the Government itself in solving the problem of what to do if future patent policy contemplated in legislation pending in the Judiciary Committee should differ in major import from the policy established in section 106(c).

For all these reasons, I express the hope that my amendment will meet with the approval of the Senate.

I thank the Senator for yielding.

EXHIBIT 1

MEMORANDUM FROM THE PRESIDENT ADDRESSED TO THE HEADS OF THE EXECUTIVE DEPARTMENTS AND AGENCIES ON GOVERNMENT PATENT POLICY WITH STATEMENT ATTACHED—OCTOBER 10, 1963

Over the years, through Executive and Legislative actions, a variety of practices has developed within the Executive Branch affecting the disposition of rights to inventions made under contracts with outside organizations. It is not feasible to have complete uniformity of practice throughout the Government in view of the differing missions and statutory responsibilities of the several departments and agencies engaged in research and development. Nevertheless, there is need for greater consistency in agency practices in order to further the governmental and public interests in promoting the utilization of Federally financed inventions and to avoid difficulties caused by different approaches by the agencies when dealing with the same class of organizations in comparable patent situations.

From the extensive and fruitful national discussions of government patent practices, significant common ground has come into view. First, a single presumption of ownership does not provide a satisfactory basis for government-wide policy on the allocation of rights to inventions. Another common ground of understanding is that the Government has a responsibility to foster the fullest exploitation of the inventions for the public benefit.

Attached for your guidance is a statement of government patent policy, which I have approved, identifying common objectives and criteria and setting forth the minimum rights that government agencies should acquire with regard to inventions made under their grants and contracts. This statement of policy seeks to protect the public interest by encouraging the Government to acquire the principal rights to inventions in situations where the nature of the work to be undertaken or the Government's past investment in the field of work favors full public access to resulting inventions. On the other hand, the policy recognizes that the public interest might also be served by according exclusive commercial rights to the contractor in situations where the contractor has an established non-governmental commercial position and where there is greater likelihood that the invention would be worked and put into civilian use than would be the case if the invention were made more freely available.

Wherever the contractor retains more than a non-exclusive license, the policy would guard against failure to practice the invention by requiring that the contractor take effective steps within three years after the patent issues to bring the invention to the point of practical application or to make it available for licensing on reasonable terms. The Government would also have the right to insist on the granting of a license to others to the extent that the invention is required for public use by governmental regulations or to fulfill a health need, irrespective of the purpose of the contract.

The attached statement of policy will be reviewed after a reasonable period of trial in the light of the facts and experience accumulated. Accordingly, there should be continuing efforts to monitor, record, and evaluate the practices of the agencies pursuant to the policy guidelines.

This memorandum and the statement of policy shall be published in the Federal Register.

STATEMENT OF GOVERNMENT PATENT POLICY

Basic considerations

A. The government expends large sums for the conduct of research and development which results in a considerable number of inventions and discoveries.

B. The inventions in scientific and technological fields resulting from work performed under government contracts constitute a valuable national resource.

C. The use and practice of these inventions and discoveries should stimulate inventors, meet the needs of the government, recognize the equities of the contractor, and serve the public interest.

D. The public interest in a dynamic and efficient economy requires that efforts be made to encourage the expeditious development and civilian use of these inventions. Both the need for incentives to draw forth private initiatives to this end, and the need to promote healthy competition in industry must be weighed in the disposition of patent rights under government contracts. Where exclusive rights are acquired by the contractor, he remains subject to the provisions of the antitrust laws.

E. The public interest is also served by sharing of benefits of government-financed research and development with foreign countries to a degree consistent with our international programs and with the objectives of U.S. foreign policy.

F. There is growing importance attaching to the acquisition of foreign patent rights in furtherance of the interests of U.S. industry and the government.

G. The prudent administration of government research and development calls for a government-wide policy on the disposition of inventions made under government contracts reflecting common principles and objectives, to the extent consistent with the missions of the respective agencies. The policy must recognize the need for flexibility to accommodate special situations.

Policy

Section 1. The following basic policy is established for all government agencies with respect to inventions or discoveries made in the course of or under any contract of any government agency, subject to specific statutes governing the disposition of patent rights of certain government agencies.

(a) Where—

(1) a principal purpose of the contract is to create, develop or improve products,

processes, or methods which are intended for commercial use (or which are otherwise intended to be made available for use) by the general public at home or abroad, or which will be required for such use by governmental regulations; or

(2) a principal purpose of the contract is for exploration into fields which directly concern the public health or public welfare; or

(3) the contract is in a field of science or technology in which there has been little significant experience outside of work funded by the government, or where the government has been the principal developer of the field, and the acquisition of exclusive rights at the time of contracting might confer on the contractor a preferred or dominant position; or

(4) the services of the contractor are—

(i) for the operation of a government-owned research or production facility; or

(ii) for coordinating and directing the work of others,

the government shall normally acquire or reserve the right to acquire the principal or exclusive rights throughout the world in and to any inventions made in the course of or under the contract. In exceptional circumstances the contractor may acquire greater rights than a non-exclusive license at the time of contracting, where the head of the department or agency certifies that such action will best serve the public interest. Greater rights may also be acquired by the contractor after the invention has been identified, where the invention when made in the course of or under the contract is not a primary object of the contract, *provided* the acquisition of such greater rights is consistent with the intent of this Section 1(a) and is a necessary incentive to call forth private risk capital and expense to bring the invention to the point of practical application.

(b) In other situations, where the purpose of the contract is to build upon existing knowledge or technology to develop information, products, processes, or methods for use by the government, and the work called for by the contract is in a field of technology in which the contractor has acquired technical competence (demonstrated by factors such as know-how, experience, and patent position) directly related to an area in which the contractor has an established non-governmental commercial position, the contractor shall normally acquire the principal or exclusive rights throughout the world in and to any resulting inventions, subject to the government acquiring at least an irrevocable non-exclusive royalty free license throughout the world for governmental purposes.

(c) Where the commercial interests of the contrtactor are not sufficiently established to be covered by the criteria specified in Section 1(b), above, the determination of rights shall be made by the agency after the invention has been identified, in a manner deemed most likely to serve the public interest as expressed in this policy statement, taking particularly into account the intentions of the contractor to bring the invention to the point of commercial application and the guidelines of Section 1(a) hereof, *provided* that the agency may prescribe by regulation special situations where the public interest in the availability of the inventions would best be served by permitting the contractor to acquire at the time of contracting greater rights than a non-exclusive license. In any case the government shall acquire at least a non-exclusive royalty free license throughout the world for governmental purposes.

(d) In the situations specified in Sections 1(b) and 1(c), when two or more potential contractors are judged to have presented proposals of equivalent merit, willingness to grant the government principal or exclusive rights in resulting inventions will be an additional factor in the evaluation of the proposals.

(e) Where the principal or exclusive (except as against the government) rights in an invention remain in the contractor, he should agree to provide written reports at reasonable intervals, when requested by the government, on the commercial use that is being made or is intended to be made of inventions made under government contracts.

(f) Where the principal or exclusive (except as against the government) rights in an invention remain in the contractor, unless the contractor, his licensee, or his assignee has taken effective steps within three years after a patent issues on the invention to bring the invention to the point of practical application or has made the invention available for licensing royalty free or on terms that are reasonable in the circumstances, or can show cause why he should retain the principal or exclusive rights for a further period of time, the government shall have the right to require the granting of a license to an applicant on a non-exclusive royalty free basis.

(g) Where the principal or exclusive (except as against the government) rights to an invention are acquired by the contractor, the government shall have the right to require the granting of a license to an applicant royalty free or on terms that are reasonable in the circumstances to the extent that the invention is required for public use by governmental regulations or as may be necessary to fulfill health needs, or for other public purposes stipulated in the contract.

(h) Where the government may acquire the principal rights and does not elect to secure a patent in a foreign country, the contractor may file and retain the principal or exclusive foreign rights subject to retention by the government of at least a royalty free license for governmental purposes and on behalf of any foreign government pursuant to any existing or future treaty or agreement with the United States.

Section 2. Government-owned patents shall be made available and the technological advances covered thereby brought into being in the shortest time possible through dedication or licensing and shall be listed in official government publications or otherwise.

Section 3. The Federal Council for Science and Technology in consultation with the Department of Justice shall prepare at least annually a report concerning the effectiveness of this policy, including recommendations for revision or modification as necessary in light of the practices and determinations of the agencies in the disposition of patent rights under their contracts. A patent advisory panel is to be established under the Federal Council for Science and Technology to—

(a) develop by mutual consultation and coordination with the agencies common guidelines for the implementation of this policy, consistent with existing statutes, and to provide over-all guidance as to disposition of inventions and patents in which the government has any right or interest; and

(b) encourage the acquisition of data by government agencies on the disposition of patent rights to inventions resulting from federally-financed research and development and on the use and practice of such inventions, to serve as basis for policy review and development; and

(c) make recommendations for advancing the use and exploitation of government-owned domestic and foreign patents.

Section 4. *Definitions:* As used in this policy statement, the stated terms in singular and plural are defined as follows for the purposes hereof:

(a) Government agency—includes any Executive department, independent commission, board, office, agency, administration, authority, or other government establishment of the Executive Branch of the Government of the United States of America.

(b) "Invention" or "Invention or discovery" includes any art, machine, manufacture, design, or composition of matter, or any new and useful improvement thereof, or any variety of plant, which is or may be patentable under the Patent Laws of the United States of America or any foreign country.

(c) Contractor means any individual, partnership, public or private corporation, association, institution, or other entity which is a party to the contract.

(d) Contract means any actual or proposed contract, agreement, grant, or other arrangement, or sub-contract entered into with or for the benefit of the government where a purpose of the contract is the conduct of experimental, developmental, or research work.

(e) "Made" when used in relation to any invention or discovery means the conception or first actual reduction to practice of such invention in the course of or under the contract.

(f) Governmental purpose means the right of the Government of the United States (including any agency thereof, state, or domestic municipal government) to practice and have practiced (made or have made, used or have used, sold or have sold) throughout the world by or on behalf of the Government of the United States.

(g) "To the point of practical application" means to manufacture in the case of a composition or product, to practice in the case of a process, or to operate in the case of a machine and under such conditions as to establish that the invention is being worked and that its benefits are reasonably accessible to the public.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania.

Mr. McCLELLAN. Mr. President, I want to make a very brief statement which is not directed to the merits of the pending amendment.

The Subcommittee on Patents of the Committee on the Judiciary has undertaken to carry out the assurances that I gave the Senate last year when these issues were being considered.

I said then that bills were pending and that we would undertake to process the bills with due deliberation and speed. We have done that.

In that connection, unless one has served on the committee, heard the testimony, and studied the matter, he would most likely not become fully advised and informed as to the complexities involved in trying to write a patent policy and give the subject matter the attention that we have given it.

The subcommittee reported a bill to the Committee on the Judiciary by a divided vote.

The report of the subcommittee was made on April 11 of this year. The subcommittee was trying to get the bill reported so that it could be considered at this session of Congress.

I believe that the measure was scheduled to come before the full committee on four occasions. As I recall, on two occasions there was not a quorum present. However, there was a quorum on two occasions, the last one being today.

The committee discussed the bill. I had hoped that the bill would be reported today, or that a substitute would be reported for the bill if the committee should adopt a substitute in order to get the measure on the calendar in order to make sure that we would act on the bill in this session of Congress.

There were members of the Committee on the Judiciary who felt that they would like to have more time in which to study the issue and would like the matter to go over without a vote today. Their wishes were acceded to.

I want the Record to show that there was no disposition to use any dilatory tactics and none are being used. We have a very complicated and difficult issue that Congress should resolve.

We are trying to present the issues to the Senate in the nature of a bill reported by the Committee on the Judiciary in accord with the due process procedures of the Senate so that the Senate can definitely work its will and determine what the policy shall be.

That is the status of the matter, and none of us desires to delay it unduly.

Mr. HART. Mr. President, the Senator from Arkansas has reported precisely and accurately the evolution of the patent bill, first in the subcommittee, and in the full committee as of today. I have not been present in the Chamber during all the discussion, but I have not heard any suggestion that the chairman of the Patent Subcommittee is responsible for delaying the action by the Committee on the Judiciary in this area.

As one who has served on the subcommittee, and who finds himself in disagreement with the chairman as to the more prudent way to respond to this basic problem, I should like the Record to indicate that the efforts of the Senator from Arkansas throughout have been, first, to develop a record that will permit the Senate to make a sound judgment, and second, to urge, consistent with prudent consideration, the promptest possible action by the subcommittee and then by the full committee.

The Senator from Michigan this morning offered a substitute for the McClellan bill. If any Senator should believe that the failure of the Committee on the Judiciary this morning to report a patent bill on this basic problem is the fault of any member of the committee, the fault would lie with the Senator from Michigan, not with the Senator from Arkansas.

In committee, I supported the Senator from Louisiana on the amendment in the bill, and I hope that Congress will reject the pending amendment. Until the basic question is resolved as to the wisest method of handling discoveries made in connection with research financed by all the people, I believe it should be made very clear in the bill that such discoveries shall be retained for the benefit of the people. That is the reach of the amendment which the committee has added, and which is now sought to be stricken. I hope that the Senate will not strike the amendment, but that it will be retained.

Mr. LONG of Louisiana. Mr. President, I shall make my statement on the pending amendment now, because other Senators have spoken to a relatively small Senate attendance; and I do not wish to take advantage of the situation by waiting for more Senators to come to the Chamber before I state my views on the subject. I hope that the Senate will be able to vote after the quorum call.

There is great doubt about what Congress will do with regard to the proposal for an overall, one-patent policy. When the executive branch attempted to establish a one-patent policy to apply to all agencies that were not bound by law—I believe the majority of them were bound by law, under their patent policies, to give private patents only in isolated circumstances—nevertheless, the policy that evolved would permit private patents in some cases and not in others.

Those were agencies that were not bound by law. I know of no agency that does not grant private patents because of a law that firmly binds it not to grant patents on Government research, which disagrees with the language of the act under which it is operating, and those acts were all proposed by the committees that brought that legislation before the Senate.

An effort to write general legislation on those matters has resulted in a bill sponsored by the Senator from Arkansas [Mr. McClellan] which recognizes that in one area a patent would be appropriate, in another area it would not.

In another area it would ordinarily be appropriate for the Government to take title. But even that could be subject to exception, based on various considerations of economy and equity that might be involved in the particular circumstances.

When this problem is separated from the others, no problem exists, unless someone wishes to read into the bill something that is not there. In other words, in my judgment, the opposition to the committee action and to the judgment of the committee derives from the thought that this might be used as a precedent in some other area.

I inquired of responsible officers of the Ford Motor Co., General Motors Corp., and Chrysler Corp., whether the judgment of the committee in this field causes them any problem. The answer I received was, "No, it does not." They do not oppose what the committee recommends.

Only in instances where the Secretary of Commerce were to employ a contractor to do research in the safety field, where the Government investment would be small compared with that of private industry, or when the Government contribution is not substantial, would it be subject to private patents. That situation would be appropriate for this industry. This industry, perhaps more than any other, does its own private research. When it does that research, each manufacturer makes practically all of his research freely available to the other manufacturers, for use in producing better automobiles. And that will continue to be so.

In preponderant measure, even the private research done by this industry is in effect in the public domain, available to all manufacturers. This makes sense when we consider the Government policy to be that if the Government spends money on something, everyone should be permitted to use it, with no incentive to withhold it.

A parts manufacturer may contemplate manufacturing and charging $100 for a better safety belt that costs $15 to produce. If he wishes to do that, he should do it with his own money. But if the Government wishes to develop something, it should be available for everyone to put on his automobile on a competitive basis.

I asked the Senator from New Hampshire [Mr. Cotton] his opinion about a situation in which someone uses Government money to develop a fine safety device and then, under his patent rights, denies it entirely to the public or charges an outrageous price for it. The Senator from New Hampshire did not respond to the question.

Frankly, the answer is that under the pending bill without the committee amendment such a result could occur. The committee does not wish to see that happen.

Mr. President, reference has been made to the tabling of two amendments which I have offered to existing patent laws or to laws that do not provide what happens to patents, as the case may be. The Senate has been consistent in this respect: So long as I have been a Member of the Senate, for 17 years, and prior to that time, as far back as I have been able to research the matter, the Senate has accepted the judgment of a committee that has initiated a research program as to what should happen to the fruit of that research. That is the way most Senators have voted consistently through the years, and I hope the Senate will accept the judgment of the committee in this instance. I notice that the distinguished chairman himself has voted that way consistently.

Mr. AIKEN. I would like the Senator from Louisiana to interpret the language of paragraph (c), on page 42, which reads as follows:

> (c) Whenever the federal contribution for any research or development activity authorized by this Act encouraging motor vehicle safety is more than minimal, the Secretary shall include in any contract, grant, or other arrangements.

Does the Senator from Louisiana have a definition for "more than minimal"?

Mr. LONG of Louisiana. That language was discussed, and it was agreed that the matter should depend on the circumstances. That is an area in which the Secretary would have latitude in determining what he would regard to be a minimal expenditure and what he would regard as substantial.

Actually, I do not recall at this time precisely who suggested the language. Two phrases were discussed. It was suggested that rather than have a straitjacket amendment, some latitude should be left for the Secretary. The chairman felt that there should be latitude in instances where the Federal Government made a small contribution compared with the contribution which private industry makes. So two terms were discussed. One was the word "minimal"; the other was "substantial."

To me, as a lawyer, "minimal" relates to the Latin phrase "de minimis." If the contribution is minor and of no great consequence, an exception might be made.

So we more or less agreed that we would write into the bill the word "minimal," and would say in the committee report that by "minimal" we meant "not substantial."

That could be perhaps 10 percent or more than 10 percent of the overall investment.

Mr. AIKEN. Or less than 10 percent.

Mr. LONG of Louisiana. That would be discretionary with the Secretary. I wish to say to the Senator that without that the Secretary would be permitted simply to grant the private patent rights in all cases. But he would have this discretion, and I believe that the committee has spelled out what we meant.

The Government expenditure relative to that of industry might go as high as 20 percent, but that is in the judgment of the Secretary.

Mr. AIKEN. The Secretary of Commerce?

Mr. LONG of Louisiana. The Senator is correct.

Mr. AIKEN. I am sure it is the purpose of the amendment that if the Federal Government contributes a very substantial part of the cost, any result therefrom should be made available to the general public.

However, if the Federal Government contributes, for instance, 10 percent of the cost, and the owner of the research establishment contributes the other 90 percent of the cost, I would think——

Mr. LONG of Louisiana. The Secretary could enforce patent rights.

Mr. AIKEN. Whoever contributes the majority of the cost.

Mr. LONG of Louisiana. The Senator is familiar with the problem.

The Secretary can deny making a contract with anybody for any reason. If he is going to make a contract I would be willing to concede now that it would be in his discretion, on a 10-percent contribution, as to whether or not it is substantial.

If he wanted to go beyond that on the circumstances of the case, that would be in his discretion. I believe that is the reason the chairman of the committee did not want us to spell out any particular percentage, but rather permit it to vary. He could, perhaps, negotiate, but the Senator realizes that the contractor must pay for most of the research himself.

The words "minimal" and "substantial" are used in the bill and the report and protect a research organization from inadvertency where someone is using Federal facilities to some extent, although he intended to have patent rights himself and the Federal Government had thereby made an indirect contribution.

Mr. AIKEN. I believe that the discussion of the Senator from Louisiana is very helpful. I understand if this legislation is adopted, including paragraph (c), then in the future arrangements depend on the judgment and integrity of the Secretary.

Mr. LONG of Louisiana. To a very considerable extent.

I am sure the Senator realizes that he could not enter into a contract granting private patent rights where the Government is going to pay 50 percent or even 40 percent of the overall cost and waive the Government's interest in the matter.

Mr. AIKEN. I think it is helpful to mention 40 percent or 10 percent, or whatever the Senator mentioned. He mentioned those various percentages.

Mr. LONG of Louisiana. The Secretary is not bound by that. But this legislative history, I think, will give him some idea as to his general area of discretion.

Mr. AIKEN. If he were to go too far, he would be subject to censure.

Mr. LONG of Louisiana. The Senator is correct.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. COTTON. The Senator indicated that the response by the Senator from New Hampshire to a question he asked was not responsive.

I wish to make it clear that in the contingency to which the Senator refers—and I must say in view of the cross licensing by the automobile companies it is rather remote—the contingency of having someone overcharged for safety devices, we rely on competition to prevent that.

The Senator from New Hampshire thought one of the most discouraging pieces of testimony that the committee heard was when an automobile company executive testified that safety could not be sold to the public; that you could sell speed; that you could sell power; that you could sell style, but that you could not sell safety.

In the first place, I do not agree with that and I hope that that will not prove to be the case. I hope that the splendid work which has been done by the chairman of the committee and the committee and the Congress will make the public safety minded.

I cannot imagine a more favorable situation than to have keen competition between the automobile manufacturers in the field of safety, to have them advertise their brands of safety, and to have them vie with each other.

If there is any harm that the patent feature in the bill could do, it could do the harm of handicapping the kind of competition we desire among automobile manufacturers to show the public that they are the safest and best in the field of safety.

Mr. LONG of Louisiana. One of the best ways to promote automobile safety would be to get all of the automobile companies doing research in the field, making available to one another the information they know, so that we need not waste a great amount of technical talent trying to overcome technical problems which have already been solved in one shop or another.

Insofar as the amendment applies, it would be effective. I am somewhat hopeful.

The time between the discovery and the patent application is about 4 years. That is the period from the time of the discovery until the patent is applied for, because people desire to fence the patent in so that someone cannot get around the patent.

The study by the General Accounting Office indicated that in the Department of Defense and other areas this had become a practice of contractors, holding out information for as long as 5 years, presumably in the hope of obtaining private patents on research they had done.

That incentive to hold out safety information would be removed when the information is freely available to everybody.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. SCOTT].

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the junior Senator from Wisconsin [Mr. NELSON]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Indiana [Mr. BAYH], the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], the Senator from Wyoming [Mr. MCGEE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Maine [Mr. MUSKIE], and the Senator from Wisconsin [Mr. NELSON] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Oklahoma [Mr. HARRIS], the Senator from Alabama [Mr. HILL], the Senator from South Carolina [Mr. RUSSELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Tennessee [Mr. GORE], and the Senator from Illinois [Mr. DOUGLAS] would each vote "nay."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from California [Mr. MURPHY]. If present and voting, the Senator from Connecticut would vote "nay," and the Senator from California would vote "yea."

On this vote, the Senator from Oklahoma [Mr. HARRIS] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Oklahoma would vote "nay," and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Indiana [Mr. HARTKE] is paired with the Senator from Wyoming [Mr. SIMPSON]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Wyoming would vote "yea."

On this vote, the Senator from Wyoming [Mr. MCGEE] is paired with the Senator from Massachusetts [Mr. SALTONSTALL]. If present and voting, the Senator from Wyoming would vote "nay," and the Senator from Massachusetts would vote "yea."

On this vote, the Senator from New Mexico [Mr. MONTOYA] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from New Mexico would vote "nay," and the Senator from Texas would vote "yea."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Curtis], the Senator from California [Mr. Murphy], the Senator from Massachusetts [Mr. Saltonstall], the Senator from Wyoming [Mr. Simpson], and the Senator from Texas [Mr. Tower] are necessarily absent.

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the Senator from Oklahoma [Mr. Harris]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Oklahoma would vote "nay."

On this vote the Senator from California [Mr. Murphy] is paired with the Senator from Connecticut [Mr. Dodd]. If present and voting, the Senator from California would vote "yea," and the Senator from Connecticut would vote "nay."

On this vote, the Senator from Massachusetts [Mr. Saltonstall] is paired with the Senator from Wyoming [Mr. McGee]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Wyoming would vote "nay."

On this vote, the Senator from Wyoming [Mr. Simpson] is paired with the Senator from Indiana [Mr. Hartke]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Indiana would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from New Mexico [Mr. Montoya]. If present and voting, the Senator from Texas would vote "yea," and the Senator from New Mexico would vote "nay."

The result was announced—yeas 35, nays 43, as follows:

[No. 113 Leg.]

YEAS—35

Allott
Bennett
Boggs
Byrd, Va.
Carlson
Case
Cooper
Cotton
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Hickenlooper
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
McClellan
Miller
Morton
Mundt
Pearson
Prouty
Scott
Smith
Thurmond
Williams, N.J.
Williams, Del.
Young, N. Dak.

NAYS—43

Aiken
Anderson
Bartlett
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Ellender
Griffin
Gruening
Hart
Hayden
Holland
Inouye
Jordan, N.C.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
McCarthy
McGovern
McIntyre
Metcalf
Mondale
Monroney
Morse
Moss
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Robertson
Stennis
Symington
Talmadge
Tydings
Yarborough
Young, Ohio

NOT VOTING—22

Bass
Bayh
Curtis
Dodd
Douglas
Gore
Harris
Hartke
Hill
Mansfield
McGee
Montoya
Murphy
Muskie
Nelson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smathers
Sparkman
Tower

So Mr. Scott's amendment was rejected.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendment was defeated.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of 30 minutes on each amendment from now on, 15 minutes to a side, to be under the control of the distinguished manager of the bill, the Senator from Washington, or whomever he may designate, and of the Senator offering the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. LAUSCHE. Mr. President, reserving the right to object, will there be a time limitation on the bill?

Mr. MANSFIELD. One hour on the bill.

Mr. MAGNUSON. That is agreeable.

The PRESIDING OFFICER. Did the Senator from Montana say 30 minutes, 15 minutes on each side?

Mr. MANSFIELD. Yes; and 1 hour on the bill.

Has the unanimous-consent request been agreed to?

The PRESIDING OFFICER. It has not been agreed to. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MAGNUSON. Mr. President, before the time limitation goes into effect, I ask unanimous consent that the Senator from Minnesota [Mr. Mondale] may have such time as he needs for statements on the bill, without regard to the time limitation.

Mr. KUCHEL. Mr. President, reserving the right to object—and there will be no objection—may I ask my friend, the Senator from Minnesota, how long he wishes to speak?

Mr. MONDALE. Fifteen minutes.

Mr. KUCHEL. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Then, Mr. President, I yield 3 minutes on the bill to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, the bill states that the Secretary of Commerce, in fixing standards of safety for the manufacture of automobiles, shall consider "whether any such proposed standard is reasonable, practicable, and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed."

In the committee, an extensive discussion took place concerning the right of the Secretary to consider the costs that would be entailed in promulgating the adoption of certain types of equipment. It was argued by some that the language did not allow the Secretary to consider the cost that would be added to the automobile. Others argued that the language was adequate, and the words that he "shall consider what is practicable" included the right to consider the costs.

It was finally agreed to write into the report a certain understanding which was to be used as a guide in interpreting the language used.

I now ask the manager of the bill, the Senator from Washington [Mr. Magnuson], to point out and read the language in the bill that is intended to aid in the interpretation of what was meant by the committee.

Mr. MAGNUSON. The Senator from Ohio is correct. The committee considered this question at some length. Several members of the committee thought that the reasonableness of cost and feasibility would be included in the words "standards shall be reasonable, practical, and appropriate." So we say in the report, to clear up this question once and for all:

> In promulgating any standard, the Secretary is required to consider whether such standard is reasonable, practicable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed, and consider, also, the extent to which such standard would contribute to carrying out the purposes of the act (secs. 102(c) and 103(c)). The Secretary is not expected to issue a standard covering every component and function of a motor vehicle, but only for those vehicle characteristics that have a significant bearing on safety.
>
> The General Counsel of the Commerce Department stated in a letter to the committee:
>
> "The test of reasonableness of cost, feasibility and adequate lead time"—

Which are important—

> "should be included among those factors which the Secretary could consider in making his total judgment."

Mr. LAUSCHE. There is one more paragraph immediately following what the Senator has read.

Mr. MAGNUSON. Yes.

> The committee intends that safety shall be the overriding consideration in the issuance of standards under this bill. The committee recognizes, as the Commerce Department letter indicates, that the Secretary will necessarily consider reasonableness of cost, feasibility and adequate leadtime.

Mr. LAUSCHE. The language just read by the chairman of the Committee on Commerce is the language which the committee decided to include in the report as an aid in interpreting the language of the bill.

Mr. MAGNUSON. That is correct.

Mr. LAUSCHE. It interprets the words "reasonableness, practicability, and appropriateness."

I thank the Senator from Washington.

Mr. MAGNUSON. Mr. President, as I understand, the distinguished Senator from Minnesota is now to be recognized, but his remarks will not come within the time limitation.

The PRESIDING OFFICER (Mr. Proxmire in the chair). The Senator from Minnesota is recognized for as long as he desires to speak, but his remarks will not come within the time limitation under the unanimous-consent agreement.

Mr. MONDALE. Mr. President, today the Senate has before it one of the most significant pieces of consumer legislation it has ever considered—the proposed Traffic Safety Act of 1966.

This bill will not work miracles. It will not bring back those precious lives and careers that have been lost. It will take 10 years or more before all cars on our highways include the barest minimum safety standards for the protection of the occupants. It will take many more years before the States are able to effect some degree of uniformity on their roads and before most drivers have been educated in how to drive. But we have an obligation to the people we represent to begin immediately the safety programs provided for in the bill.

It has been charged that the bill is unfair to the automobile industry, that it imposes undue restrictions which will stifle inventiveness and innovation, and that the threat of its passage has affected the volume of sales which in turn has influenced the economy.

The fact is that travel in automobiles today causes death and injury in enormous numbers—some 50,000 last year. It is the fourth leading cause of death and injury for the American people. The automobile alone is not the cause. But there is well documented research and evidence showing that it could be so designed and so contructed as to protect the driver and passengers from death and injury in most kinds of accidents. Some scientists and engineers have estimated that with such modifications the number of traffic accident deaths could be reduced by as much as 50 percent even though the number of accidents remains the same.

If this is the case, and experiments and tests indicate that it is, the question remains, why have the manufacturers not so designed and constructed cars? I cannot answer this question. I am told that precedence is given to stylistic innovations which attract customers, the obvious objective of any businessman. Stylistic emphasis is fine for stereophonic consoles and female attire, but the automobile manufacturer has a greater responsibility—a life and death responsibility—to his customers.

If he is not willing to or simply does not accept such responsibility, then the Government has no recourse but to require that he give attention to this facet of his production.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. RIBICOFF. Mr. President, the distinguished Senator from Minnesota has done yeoman work in the entire field of auto safety.

The Senator has been very much aware of the problem. He certainly has been activated in his work by a great desire to save the lives of the people of our country.

I deem his amendments and suggestions to be very valuable.

I consider that the distinguished Senator from Minnesota has made a significant contribution to the entire field of improved traffic safety.

Mr. MONDALE. Mr. President, I am most pleased and flattered by the remarks of the distinguished Senator from Connecticut because the remarks come from a man who, probably more than any other man in the country, has led the fight which has brought us to the day when hopefully we will pass, after long years and unfortunate delay, a meaningful and substantial automobile traffic safety law.

The Nation will always owe an enormous debt to the Senator from Connecticut. When the Senator from Connecticut served as Governor of his State, he was widely regarded as the leading government official in the country in the endeavor to obtain automobile safety legislation. He was responsible for arousing a consciousness on the part of drivers of the need for safe driving and of the consequences of the failure to drive safely.

The Senator has pursued the same objectives during his service in the Senate.

I am flattered by the remarks of the Senator. The Nation will be forever grateful for the magnificent contribution of the Senator from Connecticut in this field.

It is a sad commentary that this must be the case for one of the largest and wealthiest industries in our Nation.

But the automobile industry will not stand alone among large corporations after the passage of this bill. Today there are laws regulating most hazardous economic activities and products including food and drugs, air, rail and ship transportation, construction, cosmetics, and many others. In fact, the automobile industry now stands virtually alone in its complete unilateral control over the design and merchandising of its products.

My only regret in voting for this legislation is that it is necessary, because it was not enacted 40 years—indeed a million deaths—ago.

Forty years ago there were a staggering 23,000 automobile accident deaths annually, ample carnage to arouse public opinion and pressure government to take corrective measures. I am amazed that we—the Congress—the Executive and the public—have failed for so long to act positively to protect ourselves from constant daily exposure to death or permanent crippling disability.

I commend the chairman of the Commerce Committee, Mr. MAGNUSON, and the chairman of the Public Works Committee, Mr. RANDOLPH, for the bill each has reported which when combined will constitute the Traffic Safety Act of 1966.

This will be a balanced bill. Unlike those that have been introduced in previous Congresses, each of which dealt with only one minute part of the traffic safety problem, this bill covers the total traffic accident phenomenon.

There is provision for safety standards to be incorporated in the manufacture of motor vehicles.

There is provision for comprehensive research of vehicles, drivers, the configuration of highways, the uniformity and visibility of signs and signals, the cause of accidents, and to carry out much of this research, there is provision for the construction of a research facility or facilities.

There is provision for setting up or enlarging State traffic safety programs—an absolute necessity and one of the most important parts of this bill. Without action all over the Nation to promote vehicle inspection, driver education, the construction of the safest possible roads, uniformity among State laws and signals so that the driver will not continue to face mass confusion as he travels from State to State, and comprehensive, complete and accurate accident investigation, there is little possibility of reducing the number of traffic accidents—now estimated to number about 12 million a year.

Mr. President, the chairman of the Public Works Committee is to be complimented for the additions made by his committee to the administration's bill.

In recognition of the tremendous traffic problems facing highly populated sections, a new section has been included providing grants for urban and metropolitan areas programs similar to those authorized for the States.

Another addition is a National Traffic Safety Advisory Council. In this relatively untried area of Federal involvement, such a Council can provide the Secretary with objective and farsighted recommendations for improvement of the total traffic safety program.

The Public Works Committee has wisely added a third feature to the bill which directs the Secretary of Commerce, in cooperation with the Governors and State highway safety agencies, to make a detailed estimate of the cost of the grant programs to the States and to furnish this information to the Congress with recommendations by January 10, 1968.

The chairman of the Commerce Committee has done a monumental job with this bill. His personal contribution to the improvement of it is obvious throughout.

A major addition to title I is the provision for interim motor vehicle safety standards which must be incorporated by manufacturers no later than January 31, 1968. Recognizing that the Secretary would not have the time to develop permanent standards that quickly, but also recognizing that the adoption of some safety standards immediately could save many lives, the chairman developed this middle course to resolve two opposing but equally practical problems. This provision is a tribute to his reasonableness and his ability.

A major strengthening of the administration's bill which was an amendment in committee and which also had been proposed separately by several of my colleagues is the requirement for the Secretary to mandatorily set motor vehicle safety standards. The permissiveness of the original bill gave the Secretary no direction by the Congress. The bill places on him enough other burdens without also requiring him to administer a law without positive direction.

An example of the balance in this bill as it has come out of committee is the combination of significantly increased funds for administration coupled with provisions for oversight in the requirement for a detailed annual report to the Congress on March 1 of each year and for approval by the House and Senate Commerce Committees of plans for the construction of research facilities.

I am particularly pleased to see included in this bill the fair warning amendment I proposed several months ago. This provision requires every manufacturer of motor vehicles to notify the purchaser of any defect which the manufacturer determines in good faith relates to safety. The manufacturer would have to furnish such notification within a reasonable time after discovery. No time limit is included in the legislative language because of the probability that such a limit would be unduly restrictive and subject the manufacturer to a civil penalty. My original amendment set a time to furnish notification, and I would hope that the Secretary would attempt to use this as a guideline.

The bill also requires the manufacturer to send the safety defect notification by certified mail to the purchaser and by certified mail or more expeditious means to the dealer or dealers of the vehicle or equipment in which there is a safety defect. The notification must contain a clear description of the defect, an evaluation of the safety risk involved in the defect, and a statement of the measures to be taken to repair the defect.

I have always considered this latter requirement an essential part of any type of fair warning to the consumer, but my resolve on this matter was greatly strengthened the other day when a recent letter addressed to Ralph Nader from a gentleman in Falls Church, Va., came to my attention. Enclosed was a letter from his Buick service manager which I ask unanimous consent to have printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> DEAR BUICK OWNER: It has been called to our attention by Buick Motor Division that a bolt installation on the brake mechanism of your particular Buick LeSabre, Serial or Vehicle No. ———, which we delivered to you might prove to be troublesome some time in the future.
>
> In order to forestall this possibility, it would be appreciated if you would bring your car into our Service Department in the immediate future in order that we may check this installation and make any necessary corrections.
>
> When you bring your Buick in, this matter will receive prompt attention; however, you may prefer to call us at ——— for a definite appointment, which will allow us to give you preferred service.
>
> Very truly yours,
>
> ——— ———.
>
> Please call our Service Department at 534–8500 for appointment. For your convenience we will be open Saturday, June 11th, & 18th, especially for this modification.
>
> Thank you.
>
> BRUCE LEISTER,
> *Service Manager*.

Mr. MONDALE. Mr. President, the recipient of this letter states:

> This letter is unique in that the concern of General Motors, or Buick Motor Division, or the dealer or the somebody who did not sign the undated letter (except as a post script)—this sudden concern over the brake mechanism which "might prove to be troublesome some time in the future"—comes some 18 months and 11,000 miles after the car was delivered in January of 1965!
>
> Fortunately, the braking system, up to now, is one of the things that has not caused trouble or inconvenience. Nonetheless, I am moved to sympathize with those other owners of 1965 LeSabre Convertibles who, belatedly, may have found "a bolt installation . . . troublesome . . ." some time in the past 18 months. One cannot help but wonder about the seriousness of the trouble that may have been experienced by such owners and their families. Also, I am inclined to speculate as to whether or not Buick and/or GM, at this late date, would have incurred the expense involved in the modification of early 1965 models had it not been for the pressure of public opinion generated by your excellent research and tireless determination.

The letter from the Buick service manager, although it suggests corrective action as soon as possible, makes no mention of the fact that the problem may endanger the life and limb of the occupants of the car. On inquiry yesterday, the service manager stated that the problem involved the bolts on the brake locking plate which he said were not self-locking and might work loose. If they did work loose, he said, the wheel could fall off without warning. I do not consider it necessary to speculate whether a wheel falling off without warning is a safety hazard. Obviously, it is. Yet, the letter to the owner did not make clear either the problem or the great risk involved. Rather, it attempted, with clever wording, to conceal the nature of the problem and the danger involved.

It is my view that the fair-warning provision is essential to make sure that the automobile consumer is warned of hazards such as this.

It is only fair, in view of the vast organizations established for the sale and service of these automobiles, to notify the owner in clear and unmistakable terms, once a safety defect is known that a safety hazard is involved, what it is, and what corrective steps can be taken.

I compliment the members of the committee for accepting my fair-warning amendment, so that this long overdue inadequacy in notifying owners can be corrected, as required by the provisions of the bill.

I was pleased that the Commerce Committee adopted other measures concerning defects, such as the requirements that the manufacturer furnish the Secretary with representative copies of all notices, bulletins, and other communications to dealers of any defect, and authority for the Secretary to make public the information contained in such notices. Also, in the same section of the bill is another fine addition. If the Secretary determines, after allowing the manufacturer chance for rebuttal, that a vehicle or item of equipment does not comply with Federal safety standards or contains a safety defect, he must direct the manufacturer to notify the purchaser of this noncompliance or safety defect, as provided in my fair warning amendment.

These provisions, the fair-warning amendment, and other defect amendments which were adopted in committee on the recommendation of several Senators combine to make a neat package which recognizes the consumer's right to know about the hazards of the product he purchases and the manufacturer's obligation to inform him.

Mr. President, I urge the passage of the Traffic Safety Act of 1966 by the Senate. It is a fine bill, one which has been given deep study and serious consideration in hearings, in committee, and by many individual Senators. It deserves the wholehearted support of Congress.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MONRONEY. Mr. President, I send an amendment to the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as follows:

> On page 58, line 17, strike out "reasonable".
>
> On page 58, line 17, insert "and such reasonable reimbursements immediately after "installations".
>
> On page 58, line 18, strike out "(2)".
>
> On page 57, lines 7 and 8, strike out "an increment of 2" and insert in lieu thereof "a reasonable reimbursement of not less than 1".
>
> On page 57, lines 19 and 20, strike out "an increment of 2" and insert in lieu thereof "a reasonable reimbursement of not less than 1".

Mr. MONRONEY. Mr. President, I have a small amendment, which I feel is not controversial. The bill provides that in the event a vehicle shall be found to be not in compliance with applicable safety standards, the manufacturer or distributor shall repair the equipment in order to protect the dealer, who would not be responsible for this condition.

The bill provides that the manufacturer shall reimburse the dealer or distributor all transportation charges, plus an increment of 2 percent a month of such price paid prorated from the date of notice of such nonconformance to the date of repurchase by the manufacturer or distributor. Also, in the event that the automobile is to be repaired and made safe, the manufacturer shall provide the parts, and the dealer shall receive 2 percent per month until the repairs have been made.

We asked the dealers and the manufacturers to check the cost carefully. They have agreed that they should have a reasonable charge of not less than 1 percent. In some instances this will not be sufficient to make the dealer whole. Then they must negotiate the reasonableness of this amount. If that is not possible, my amendment provides that the reasonable value shall be fixed by the courts.

I believe that the committee will accept the amendment, because there is no objection to it on the part of the manufacturers or of the dealers, and it has no effect whatever on the safety features of the bill.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. COTTON. I understand from the remarks of the Senator from Oklahoma that this provision, which deals so intimately with the relation between the manufacturers and the dealers, has been worked out and is reasonably satisfactory to both groups at this time, and it still adequately protects the public.

Mr. MONRONEY. I am informed that the dealers and the manufacturers are satisfied with the provision of not less than 1 percent at the present time. Some doubt exists as to the reasonableness of the 2-percent amount fixed by the committee when the bill was before it, and both groups are willing to agree to this amendment.

Mr. COTTON. I hope the amendment will be accepted.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Is all time yielded back?

Mr. MONRONEY. I yield back the remainder of my time.

Mr. MAGNUSON. I yield back the time under my control.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. HARTKE. Mr. President, I send an amendment to the desk, and ask that it be reported.

The PRESIDING OFFICER. The amendment offered by the Senator from Indiana will be stated.

The legislative clerk read the amendment, as follows:

New Section 111, to follow Section 110, Criminal Penalty, inserted following line 6, page 48, with following sections renumbered accordingly:

"CRIMINAL PENALTY

"SEC. 111. Whoever knowingly and willfully violates any provision of section 109, or any regulation issued thereunder, or whenever any corporation violates any provision of section 109, or any regulation thereunder, any individual director, officer or agent of such corporation who knowingly or willfully authorized, ordered, or performed any of the acts constituting in whole or in part such violation, shall be fined not more than $50,000, or imprisoned not more than one year, or both."

Mr. HARTKE. Mr. President, I ask that I may be yielded 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, my amendment is a simple one. It was offered in the committee, and was rejected by the committee. However, it was in the original bill that I introduced in the Senate, which was cosponsored by a number of Senators, and it was also offered in the House of Representatives by Representative MACKAY of Georgia.

The simple question before us is whether or not we are going to subject a person who knowingly and willfully violates this act to criminal penalties. To ask this question is to answer it. The position that such a person be exempted from criminal penalties is indefensible in law, reason or morality. In this country, a reckless driver, convicted on a manslaughter charge, can be fined and imprisoned. So can a person convicted of stealing a car. Yet we are being asked to pass a bill which exempts persons who knowingly and willfully violate one or more of its provisions from any statutory criminal penalties.

Such violations may involve hazards or defects which can result in the death or injury of innocent people. By comparison, violations involving economic matters, such as antitrust, securities selling or income tax, have long established criminal sanctions attached to them. These sanctions are considered effective deterrents. Now, when human life is at stake, we are asked to restrict this bill to civil penalties. I cannot agree.

This legislation applies not just to the automobile manufacturers but to thousands of parts producers and suppliers. It is basically unfair to raise these companies and their personnel to a privileged pedestal of exemption from criminal penalties for intentional violations. It is a poor precedent to set a policy that smacks of favoritism. Criminal behavior is criminal behavior whether done on a dark road or behind a corporate organization. I see no reason whatever for permitting such unequal penalties under the law.

In the past, there have been numerous laws passed by Congress which have dealt with safety and standards-setting. Most of these laws have provided for criminal penalties for knowing and willful violations. These laws include those dealing with the safety of household refrigerators, labeling of hazardous substances, brake fluids, seat belts, motor carriers under the Interstate Commerce Commission, aircraft—concerning airworthiness certificates, interference with navigation, explosives, and so forth—steam boilers on vessels, coal mines, and food, drugs, and cosmetics. It should be noted that the brake fluid and seat belt acts provide for criminal fines and imprisonment. These acts would be repealed by the present legislation which, in its present form, would render behavior now under the scope of criminal sanctions, exempt from such penalties.

It is argued that no safety statutes include both a civil and criminal penalty. If this is so, I would reply that the inadequacy of the past should never be a blueprint for the future. The administrator of this legislation should be given a broad range of enforcement options from civil to criminal in order to carry out his responsibilities flexibly and justly. Such options are necessary to permit him to tailor the most appropriate enforcement action to the particular gravity of violation. To place before us an "either/or" choice between criminal and civil penalties obscures the necessity and desirability of having both types of provisions in this bill.

The other argument against criminal penalties is that it would be difficult to determine which person is engaging in criminal behavior. It is a bizarre plea, indeed, to say that because the culprit is difficult to identify, we should throw out the criminal provision under which he could be apprehended and brought to justice.

I would not welcome seeing the day when knowing and willful violations of this act, that could result in death and injury, cannot be brought under the rule of criminal law. As long as the possibility of such outrageous behavior can be envisioned on the part of a few of the thousands of persons under the provisions of this bill, the enforcement tools must be there and ready for use. The automotive industry is no sacred cow to escape from legal accountability that is expected of other industries and persons engaged in producing products that could be hazardous to life and limb.

I understand that the chairman of the committee, the Senator from Washington [Mr. MAGNUSON], has expressed himself on this matter. I appreciate the statement which he has made.

I have also discussed with the distinguished Senator from Connecticut [Mr. RIBICOFF] the amendment as well as certain publications which are being circulated indicating that he did not favor criminal sanctions. The Senator from Connecticut [Mr. RIBICOFF] assures me that he intends to support my amendment; that it was not necessarily misleading, but certainly it is not the fact that he intends to oppose the amendment.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. HARTKE. I am happy to yield to the Senator from Connecticut.

Mr. RIBICOFF. I think the difference is that my objection to the original penalties was that they made no distinction between willful acts of violation and simple mistakes. I did not think there should be harsh penalties—even if they were civil—in the absence of willfulness and intentional acts. But to say from that, that I oppose criminal sanctions for willful violation is not correct.

Am I correct in understanding the amendment of the Senator from Indiana [Mr. HARTKE] that it is intended to apply criminal penalties only if there is a willful and intentional violation?

Mr. HARTKE. The Senator is correct, as far as this amendment is concerned and its intention.

It says and does, as is provided in the criminal law where a man willfully and intentionally causes injury to another or performs an act causing injury to another and is subject to a fine.

Mr. RIBICOFF. I wish to say to the distinguished Senator that I am confident there will not be a willful or intentional violation of the act by the automobile manufacturers. I am satisfied that all of them realize their responsibility. I am confident that they are going to comply with the law wholeheartedly and will even voluntarily go beyond it.

The present leaders of the auto industry need not fear these criminal sanctions. My dealings with them convince me of their deep desire to produce safer cars and work within the regulations. But the amendment says to any and all—present and future—that the United States is ready to use its ultimate authority to help insure auto safety to the American people.

Mr. HARTKE. I do not see a situation where any one of the Big Four would willfully and knowingly violate any provision of the act.

This does not cover negligence. There is no criminal penalty for anyone guilty of negligence. It is a simple definition that anyone, who beyond any question of doubt, beyond all doubt, intentionally and willfully does something prohibited in the law, and the result of which would cause injury, according to the act, will be subject to something more than civil penalty.

Mr. RIBICOFF. Mr. President, will the Senator yield further?

Mr. HARTKE. I yield.

Mr. RIBICOFF. I think it should be pointed out—because I had this colloquy with the Senator from Washington [Mr. MAGNUSON] earlier in the discussion of the bill—that the bill does apply to not only automobiles manufactured and distributed in the United States, but also to automobiles from foreign countries which are imported to the United States and distributed.

Basically this penalty would apply to any distributor of a foreign car who willfully violated the law. It could be any of the automobiles that are manufactured abroad, many of which do not have these safety features.

I am sure the distributor of imported cars will try in most instances to make sure all of the requirements of this act are in their automobiles. So we are not only dealing with manufacturers and distributors of American-made automobiles, but automobiles manufactured in every industrial country in the world today and sent to the United States.

Is that correct?

Mr. HARTKE. The Senator is correct. That is the point which should not be lost sight of.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HARTKE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HARTKE. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. Am I correct in understanding that the bill as now written provides a civil penalty for violation of the act in an amount of $1,000 for each violation and a limitation in the aggregate of $400,000 upon the violator?

Mr. HARTKE. That is a civil penalty maximum.

Mr. LAUSCHE. Am I correct in understanding that the bill also provides that any person who has been offended by the acts of a manufacturer has a relief through a court of equity in the obtaining of injunctive relief against the violator?

Mr. HARTKE. The Senator is correct.

Mr. LAUSCHE. The amendment of the Senator from Indiana [Mr. HARTKE], in addition to these two reliefs, would provide a third relief, making it a criminal offense to willfully and knowingly violate the act.

Mr. HARTKE. That is correct.

Mr. LAUSCHE. Does the Senator from Indiana feel that the two remedies here provided will be adequate?

Mr. HARTKE. I do not. If a man adulterates brake fluid, say, puts water in it—half water and half fluid—does this knowingly and willfully and puts it in a car, the net result of which would make the brake fluid ineffective in an automobile going down the highway, does the Senator mean to say that this is not a culpable act and that such a man should not be subject to a criminal penalty? That would be ridiculous.

Mr. LAUSCHE. The Senators who have just spoken destroy their own objective when they state they do not expect that there will be any violations. I believe that the two remedies provided for are adequate.

Mr. HARTKE. Let me say to the Senator from Ohio that I would hope any person would not expect other persons to violate the law but, nonetheless, we do have the situation where there are many criminal laws on the books. We may not expect anyone to violate the law, but we still have criminal laws for those who will not abide by the common and ordinary decencies of man.

Mr. PASTORE. Mr. President, this matter of the insertion of criminal penalties into this bill was discussed and studied exhaustively by the committee. The committee decided to remove them from the statute and I believe it was absolutely correct in doing so. I believe it was a very wise decision.

Mr. President, we are not dealing with mobsters and gangsters. We are dealing with an industry which is the industrial pride of America, the envy of the industrial community of the world. It provides millions and millions of jobs for Americans at respectable pay.

I realize that this safety law is necessary. What we are trying to do is sensibly and realistically to promote safety for the benefit of the public. We are not trying to pass a law that will be punitive. We are not reaching down to eliminate gangsterism by this bill. We are trying to promote safety.

We intend to pass a bill which will accomplish exactly that. We have civil penalties for violations that will go up to $400,000—the greatest ever enacted by Congress. Furthermore, there is injunctive power under the statute.

But this amendment intends to give the industry a third shot over the bow so to speak, and would write in the words "knowingly and willfully."

No one ever said anything about acting "willfully." We realize and the industry admits there has been a slowness in bringing about the reforms necessary to guarantee safety to the American people. We recognize that. Because of the tardiness, this bill is now before the Senate. The law will be complete as written.

I urge upon my colleagues in this Chamber: let us not make this a punitive law then we will be destroying at the outset all the objectives we are trying to accomplish.

Mr. HART. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am happy to yield to the Senator from Michigan.

Mr. HART. Does the Senator believe that insuring compliance with this would be a persuasive reason for providing this heavy civil penalty?

Mr. PASTORE. By treating these people with decency and with respectability, not as so many mobsters—because mobsters they are not. They provide jobs for millions of Americans in this country. Our automobile industry is the envy of the world.

All one has to do is travel throughout the world to find out where the best automobiles are being made. They are being made in America. Yet some Senators stand in this Chamber and assert that the industry should be punished for this and punished for that. All we want the industry to do is carry out the standards which will be promulgated by the Department of Commerce. If they do not do so, then there is power provided under the bill to make them do it. If they will not do it, then they will be held responsible. There are the massive civil penalties.

Let us be fair and frank. Let us be practical. Who will be paying for these safeguards in the end? The consumer, of course.

The industry will not be reluctant to do what needs to be done because, in the final analysis, the cost of compliance will be added to the price of the automobile to the consumer.

Up to now, Americans have involved themselves in the razzle dazzle and glamour of the automobile. Some people like a lot of chrome. Some people like their cars painted pink, others blue. Thus, we have gone into fashion and styling. Now we are saying, let us cut out some of the frills and let us go more into safety. I believe that if we pass this bill as reported by the committee, we will be doing exactly that.

Mr. MONRONEY. The Senator also knows that it is going to be difficult for any person who might violate the provisions of section 109, or any regulations issued thereunder, to be able to prove that he did not have access to knowledge that the action was improper. I think that doubling the civil penalty from $200,000 to $400,000 will have the greatest influence on preventing any such action. A criminal penalty might even freeze the designs to prevent any exporter from possible violation of regulations issued under section 109.

Mr. PASTORE. Absolutely. Mr. President, I am not talking for Studebaker, but I can say for General Motors, for Chrysler, and I can say for the Ford Motor Co., that they are not willfully and deliberately going to refuse to put a safety device on an automobile which device has been decreed by the Secretary of Commerce. They are not going willfully to refuse to do it.

Are we schoolboys, or grown men?

Or have we lived in vain for 59 years?

I do not believe that I have.

That is all I have to say.

Mr. HARTKE. Mr. President, will the Senator from Rhode Island yield for one question?

Mr. PASTORE. I am happy to yield to the Senator from Indiana for two questions if he wishes.

Mr. COTTON. Mr. President, how much time remains to both sides? Who has charge of the time in opposition to this amendment?

Mr. PASTORE. Perhaps the Senator has. I have already used up half of the time.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the proponent of the amendment, the Senator from Indiana [Mr. Hartke], has 4 minutes remaining, and the Senator from Washington [Mr. Magnuson] has 7 minutes remaining.

Mr. MAGNUSON. Mr. President, I delegate my time to the Senator from New Hampshire [Mr. Cotton].

Mr. COTTON. I thank the Senator for giving me such a generous "remnant" of it.

Mr. President, I yield 5 minutes to the distinguished Senator from Michigan [Mr. Griffin].

The PRESIDING OFFICER. The Senator from Michigan is recognized for 5 minutes.

Mr. GRIFFIN. Mr. President, I rise to associate myself with the eloquent statement just made by the distinguished Senator from Rhode Island [Mr. Pastore] and to commend him for his stand on this legislation.

It should be kept in mind that the Congress is plowing new ground. We are plowing new ground in an area which can affect the jobs of one out of every seven Americans now working. This is so because the automobile industry, directly or indirectly, provides work for one out of seven Americans.

I should like to propound a question to the distinguished Senator from Indiana [Mr. Hartke] who is the author of the pending amendment: Is it not true that if the Senator's amendment should be adopted, this would be the first Federal statute in the area of safety or standards setting which would provide for both criminal and civil penalties?

Mr. HARTKE. I do not want to say that that is true, because I have not had an opportunity to research that. I had to fly back to Washington after attending a State convention which is held every 2 years. I had asked for this bill to go over, but I was not given that privilege, and I therefore had to return to Washington and have not had a chance to research that problem.

However, let me say that I do not care, because I think it is important we realize, as a matter of principle, two points: One is neglect, and the other is the culpable act of knowingly and willfully violating the law. I do know this, as a student of the law, that most of the acts adopted by State legislative bodies provide for both civil and criminal penalties.

One can drive an automobile down the highway, and be arrested and sent to jail for as small a violation as making a left-hand turn in the wrong place. The Senator is not going to say that in a situation where a man can install a steel rod in an automobile which he knows will not hold the steering mechanism under certain pressures, and knowingly and willfully installs it against the standards set, and knows the steel rod to be defective yet goes ahead and does it—which could mean that the Senator's family or mine could be killed—that that man would still not have to bear any punishment if caught. I am sure the Senator does not mean to say that all that man would have to do would be to take $400,000 out of the company's profits and be clear.

They were not civil penalty cases. The civil penalties will come out of the pockets of those who do not have to worry about paying $400,000.

Mr. GRIFFIN. If I may propound another question, on which I hope the Senator from Indiana may answer much more briefly, Is it true that the administration, and the Justice Department, have both said they were against the inclusion of criminal penalties?

Mr. HARTKE. No; that is not true.

Mr. GRIFFIN. That is my understanding.

Mr. HARTKE. That may be the Senator's understanding, but it is not true. I happen to have a letter from them. It has been circulated as being the truth; but it is not true.

Mr. GRIFFIN. Has the administration indicated that it is in favor of the Senator's amendment?

Mr. HARTKE. They have said they had no objection to it. I do not know what that means. They have said that so long as civil penalties are adequate, they do not think they are needed, but that they have no objection to criminal penalties in the bill.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. MORTON. As I understand it, the Deputy Attorney General formally advised the committee:

> We would generally not favor imposition of criminal penalties for violation of the Act. Were criminal sanctions created, the statute might have to be narrowed in the respects we have noted, and it would also undoubtedly receive a narrower judicial construction. There would also be some difficulty in determining on which individuals criminal penalties should be imposed. Under the antitrust laws criminal sanctions are imposed on individuals who have been participating in conspiratorial activity. The individuals responsible for noncompliance with safety standards, however, would not be as readily identifiable.

Mr. GRIFFIN. Would the Senator from Kentucky agree with me, in light of statement just read, that if the amendment of the Senator from Indiana were adopted, the scope and breadth of this statute would be narrowed, because it is the practice of the courts, where criminal penalties are involved, to interpret statutes very narrowly; that protection for the public would actually be less than without the provision?

Mr. MORTON. Yes. That was the opinion of the Deputy Attorney General, as I read the language.

Mr. HARTKE. Let me point out that this bill would not be the only bill under which criminal and civil sanctions are provided under Federal law. Is the Senator interested in hearing them?

The PRESIDING OFFICER. Who yields time?

Mr. MAGNUSON. Mr. President, how much time do I have left on the bill?

The PRESIDING OFFICER. The Senator from Washington has 27 minutes remaining on the bill.

Mr. MAGNUSON. How much time has the Senator from Indiana on his amendment?

The PRESIDING OFFICER. Four minutes.

Mr. HARTKE. Let me give examples of statutes incorporating both civil and criminal penalties:

The Civil Rights Act has subsection i (a) and (b), which concern tabulation of votes, and intimidation, threats, or coercion.

Subsection i (c) and (d) impose criminal penalties for false information in registering or voting, providing penalties of fines not more than $10,000, or imprisonment not more than 5 years, or both.

These criminal penalties apply to violations of people's rights to vote. Senators can talk about pink and blue automobiles, but I have not seen anyone who likes blood.

That same subsection provides criminal penalties for falsification or concealment of material facts or giving false statements in matters within the jurisdiction of examiners or hearing officers.

Subsection j(d) concerns civil action by the Attorney General for preventive relief; injunctive and other relief and (a) provides for criminal penalties for violation of (a) or (b) of subsection i.

Under the "bomb hoax" bill, as amended July 7, 1965, subsection a provides civil penalties for importing or conveying false information.

Subsection b provides criminal penalties of up to $5,000 or imprisonment for not more than 5 years, or both, for the same violation, providing such violation is willful and malicious.

The Securities and Exchange Act of 1933 provides both criminal and civil penalties.

The Food and Drug Act provides both civil and criminal penalties.

I think it is rather peculiar to talk about the industry in this way. I agree that I do not think General Motors, Chrysler, American Motors, or Ford will be willful in violating the law, but if they are not going to willfully violate the provisions of the act, why is there such a fuss?

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. PASTORE. Because the very spirit of the amendment is obnoxious.

Mr. HARTKE. Why is it obnoxious?

Mr. PASTORE. Because by inference the Senator is impugning the industry. There is absolutely no need for that provision in the law. The mere fact that it is written in the law, psychologically or otherwise, infers that the Senate is dealing with mobsters. The Senate is not dealing with mobsters. We are dealing with an industry which gives a splendid living to hundreds of thousands of families.

Mr. HARTKE. I know arguments are made and will be made by people who do not want a safety bill. In other words, the argument can be made, why pass criminal laws, because we hope nobody will violate them? But there are thousands of manufacturers, some of them in my State, who I imagine will be unhappy about Congress passing any law in this field. But if any company in my State, or in any other State, knowingly participates in such violations, it is increasing the death toll on the highways, and should go to jail. If they do it intentionally, why should they not go to jail?

People are being put in jail for other criminal violations. We do not impugn anybody by enacting such laws. We enact criminal laws for the unlawful, not for the law abiding.

Mr. COTTON. Mr. President, have I any time left?

The PRESIDING OFFICER. The time of the Senator from Indiana has expired. The Senator from New Hampshire has 2 minutes.

Mr. COTTON. I yield those 2 minutes to the Senator from Oklahoma. Then I shall yield time on the bill to the Senator from Michigan [Mr. Hart].

Mr. MONRONEY. Mr. President, I think we would be making a great mistake to adopt the criminal penalty provisions sought by the Senator from Indiana without trying to define its limitations. There are no limits. It would apply not only to section 109, but to any regulation issued thereunder.

The bill has been carefully written up to this point. Adequate civil penalties have been provided. We feel that to subject the giant automobile industry to any liability for criminal penalties will result in an invitation to the industry to stand still and not move forward with safety standards, because it will be afraid to move. I do not know how many people or companies this provision would affect. Certainly it would affect the manufacturing companies and its officers. I do not know whether it would affect the foremen. There are 30,000 dealers handling automobiles. Whether it affects their salesmen or not we are not clear.

So before we rush into this matter, we might take a page from other legislation. In the Federal Aviation Act, there are no criminal penalties for failure to comply with standards for the manufacture and approval of aircraft. Certainly, a plane that will carry 150 people is a lethal weapon if it is not properly constructed. Yet we have the highest standard of aircraft safety performance of any country in the world.

I believe we have an opportunity here to enact a sensible law that will encourage and win the support of the manufacturing industry. They recognize their past mistakes in not being enthusiastic for safety regulation. They are trying to assist in the passage of decent legislation. I think that to imply that everyone is suspected of violating the Criminal Code will act as a deterrent rather than a help in obtaining the safety standards we so badly need.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COTTON. I yield 4 minutes on the bill to the Senator from Michigan.

Mr. HART. Mr. President, the truth of the matter is that the Senate has before it and I hope is going to pass a strong, effective auto safety bill.

In fact, we probably should have had one years ago—and probably would have if enough had cared. Impressive auto death statistics have been published for more years than many of us can remember but until recently there has been no great public or legislative concern. It was just sort of accepted as one of the inescapable dangers of living in a modern age.

In that sense, we have all been guilty, each of us who has ever read the highway casualty lists and shrugged and put the paper down for another sip of iced tea. Perhaps those of us in positions of leadership have been guiltiest of all.

Now, belatedly and suddenly, the public—and the Congress—is concerned, and there is nothing more forceful than fresh concern and anger.

A cold fact of life is that legislation—like fist fights—develops most quickly in an atmosphere of exaggerated drama, urgency, and anger.

Other men—Michigan's Secretary of State, James Hare, for example—had been concerned about the same problem for years, but voices that are reasonable and balanced often have a way of leaving society unmoved.

The one man who has provided most of the drama and anger—Ralph Nader—might be justifiably criticized for a lack of balance and an overabundance of anger, but no one can deny his very real contribution as a catalytic agent.

His effectiveness was not diminished in those early days by the performance of the auto companies who were slow to size up the situation and then came up with proposals that were clearly not workable answers.

This, coupled with public relations errors, did nothing to generate sympathy for the companies or contribute to an atmosphere of reason and thoughtfulness.

The companies—greatly to their credit—did recover and did and do now agree to stronger, more effective measures.

As I see my role, it has been to see that autos become as safe as possible as soon as possible without allowing the white heat of fresh concern to result in a bill so harsh it would damage the economy.

The bill should allow careful judgment so that no desirable safety feature should be delayed—but also to see that deadlines are not so restrictive and immediate that plant shutdowns become necessary. The bill now pending does this.

I think everyone will agree that Congress should be careful not to legislate unemployment for any period of time. The industry does have lead times that are mechanically impossible to alter and recognition of this is reflected in the bill and our committee's report.

In this business of auto safety, we should also see that new car design is not the only factor. The competence of the driver is important. The design of the highway is important. The quality of law enforcement is important.

But so is the mechanical condition of the car after it has been on the road a few years.

Consequently, there is one strengthening feature of the bill that I have pushed for in committee and am glad is included.

It is the used-car inspection clause. This bill directs the Secretary of Commerce to report to Congress within a year how we can insure that used cars operated and sold are up to safety standards.

Used-car inspection is not something the Federal Government can or should embark on directly. It is a matter best handled by strong State inspection programs.

In the fervent and justifiable drive to gain new car safety design, let us not neglect the fact that safety is also endangered by brakes without linings and tires without tread, by faulty wheel alinements and cracked headlights.

This too, I think, would importantly increase the motorist's chances of survival.

If we are at last ready to concern ourselves with the problems of highway safety, then let us commit ourselves on every front where there is a chance of success.

This is why I have argued that the States and the Vehicle Equipment Safety Commission should be consulted and given a sense of involvement in the setting of standards—not because their involvement would weaken safety proposals, but because it would strengthen them. This the bill does.

Mr. President, to the question of the pending amendment, I was not here when the Senate enacted the SEC Act. I was not here when they enacted the Food and Drug Act. I was here when we enacted the Civil Rights Act about which the Senator from Indiana has just spoken. In that case, there was ample reason to persuade Congress to include criminal sanctions, considering the practices that the record showed had occurred in this country.

But with respect to automotive safety, there is not a line in the record of the hearings of our committee that points to wanton and willful conduct on the part of any manufacturer. Mistakes, surely. And tragically, there will be more to come. But no demonstration of need, for the first time, to point a finger at any major industry and say, "We are going to hit you with both."

The sad thing is that we are either kidding ourselves or the public. Because, as lawyers, I think most of us will agree that we are engaged in a great shadowboxing operation when we talk about proving wanton and willful conduct on an assembly line. Everyone who has been a prosecutor knows he would be wasting the taxpayers' time and money to go to a grand jury with that.

The PRESIDING OFFICER. All time on the amendment has expired. The question is on agreeing to the amendment of the Senator from Indiana. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Indiana [Mr. Bayh], the Senator from Tennessee [Mr. Gore], the Senator from New Mexico [Mr. Montoya], the Senator from Maine [Mr. Muskie], and the Senator from Wisconsin [Mr. Nelson] are absent on official business.

I also announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Oklahoma [Mr. HARRIS], the Senator from Alabama [Mr. HILL], the Senator from South Carolina [Mr. RUSSELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

On this vote, the Senator from Tennessee [Mr. GORE] is paired with the Senator from Oklahoma [Mr. HARRIS]. If present and voting, the Senator from Tennessee would vote "yea" and the Senator from Oklahoma would vote "nay."

I further announce that, if present and voting, the Senator from New Mexico [Mr. MONTOYA] and the Senator from Illinois [Mr. DOUGLAS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS], the Senator from Nebraska [Mr. CURTIS], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Wyoming [Mr. SIMPSON], the Senator from Texas [Mr. TOWER] and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

The Senator from Illinois [Mr. DOUGLAS] is detained on official business and his pair has been previously announced.

If present and voting, the Senator from Delaware [Mr. BOGGS], the Senator from Nebraska [Mr. CURTIS], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Wyoming [Mr. SIMPSON], the Senator from Texas [Mr. TOWER], and the Senator from South Carolina [Mr. THURMOND] would each vote "nay."

Mr. INOUYE (when his name was called). On this vote, I have a pair with the Senator from Wisconsin [Mr. NELSON]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. MANSFIELD (when his name was called). On this vote, I have a pair with the Senator from Illinois [Mr. DIRKSEN]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

The result was announced—yeas 14, nays 62, as follows:

[No. 114 Leg.]

YEAS—14

Brewster
Church
Dodd
Gruening
Hartke
Long, La.
Magnuson
McCarthy
Metcalf
Morse
Neuberger
Ribicoff
Yarborough
Young, Ohio

NAYS—62

Aiken
Allott
Anderson
Bartlett
Bennett
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Griffin
Hart
Hayden
Hickenlooper
Holland
Hruska
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
McClellan
McGee
McGovern
McIntyre
Mondale
Monroney
Morton
Moss
Mundt
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Robertson
Scott
Smith
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.

NOT VOTING—24

Bass
Bayh
Boggs
Curtis
Dirksen
Douglas
Gore
Harris
Hill
Inouye
Mansfield
Miller
Montoya
Murphy
Muskie
Nelson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smathers
Sparkman
Thurmond
Tower

So Mr. HARTKE's amendment was rejected.

Mr. PASTORE. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. SYMINGTON and Mr. COTTON moved to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. COTTON. Mr. President, I yield 4 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 4 minutes.

Mr. JAVITS. Mr. President, I should like to propound an inquiry to the Senator from Washington, the manager of the bill.

There was very important testimony, which I think most Members will recall, to the effect that New York State had worked out, with an appropriation of $100,000 from the State legislature, the plans for the prototype of a safe car.

It will be recalled that witnesses from New York State, led by Senator Edward J. Speno, one of our State senators, testified to the fact that, with an appropriation of $100,000 from the New York State Legislature, the plans for the prototype of a safe car had been worked out with the cooperation of the State authorities and private industry, as represented by Republic Aviation, one of our New York State companies.

I submitted amendment No. 506 to the bill. The amendment proposed that $5 million be authorized on a 50–50 matching basis.

It would be possible with the use of this money to procure a contract for the building of such a prototype under the auspices of the safety plan of the bill.

Pursuant to this display of initiative, much progress has been made. I am delighted to see the Senator from Connecticut [Mr. RIBICOFF] present in the Chamber. He also was greatly impressed with this initiative.

Would the provision contained in the bill, in section 106(a) paragraph 2, relating to "contracting for the fabrication of motor vehicle equipment for research and testing purposes" be sufficient authority for such a contract as I have in mind, or are there any other provisions in the bill concerning which the Senator can key me?

Second, would there be any inhibition against the making of a contract with a State or State agency?

Mr. MAGNUSON. I ask the Senator from New York to turn, please, to page 42, section 106(b). The committee thought it had taken care of this problem.

Before I answer the Senator's question, I may say that the testimony of the New York witnesses was most impressive. What New York State was trying to do was impressive. But obviously one State cannot accomplish the purpose alone. So to get away from the suggestion of the Senator from New York that money be appropriated for a specific purpose, and that it could not be known to which State, if any, the money would be given, because each one seeks to take the lead—in this case, New York has—the committee provided:

> The Secretary may, by means of grant or contract, design, construct and test operational passenger motor vehicles and items of motor vehicle equipment in demonstration quantities, embodying such features as the Secretary determines will assist in carrying out the purposes of this act.

If that had not been made clear, it has been made clear now that this section is intended to cover the situation.

Mr. JAVITS. And to include such possible contractees as the State of New York?

Mr. MAGNUSON. Yes. It may be that a group of States might need to get together to carry out their efforts.

The PRESIDING OFFICER. The time yielded to the Senator from New York has expired.

Mr. MAGNUSON. Mr. President, I ask that the Senator from New York be yielded 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. I submitted amendments on this subject, also. I read this language with great care. There is a question in my mind whether a grant could be made to or a contract made with the State of New York; but I think a grant could be made by the Secretary to Republic Aviation or any other manufacturer in the country, and he would coordinate it with a contract to the State of New York. I think there is a question whether the grant could be made to the State of New York. It is more likely that in procedure a grant would have to be made to Republic Aviation and a matching grant to the State of New York.

Mr. MAGNUSON. I hope there will be no confusion. It is our intention that the Secretary could do either.

Mr. JAVITS. That is correct.

Mr. RIBICOFF. The Senator from Wisconsin [Mr. NELSON] is deeply concerned with this problem. He is not here because he is abroad on official business.

Mr. MAGNUSON. Section 107 emphasizes the necessity of cooperative agreements between States, Federal agencies, and others.

Mr. RIBICOFF. I hope that the Secretary, in his research, would definitely undertake such a contract to continue the work that is being done by the State of New York. I believe the State of New York deserves great credit, because it had the foresight, the imagination, and the courage to proceed when no one else was proceeding. The State of New York has made great advances.

While I believe that the automobile industry should proceed on its own to make its prototypes, either individually or together, I believe it would be a spur to traffic safety if an independent agency were to make its own prototype, in order to determine what can be accomplished in this field.

The senior Senator from New York, the junior Senator from New York, and I have been interested in this matter. Great praise is due the New York legislative authorities and the New York safety group for proceeding as they have.

Mr. JAVITS. I am grateful to the Senator from Connecticut for his comments. The Senator from Connecticut, the junior Senator from New York, and I have discussed this matter.

I am grateful to the manager of the bill.

Mr. KENNEDY of New York. Mr. President, Senator Javits has mentioned the pioneer work of New York State in studying prototype safety car designs and has asked whether under this legislation, Federal support can be provided for the continuation of this work.

As I understand the legislation before the Senate, it permits the Traffic Safety Agency to use research and development funds for projects of the type sponsored by New York State and Republic Aviation.

As Senator Ribicoff has just pointed out, the Traffic Safety Agency will undoubtedly consider the project sponsored by New York State as well as other projects having promise.

I believe that New York State has done an excellent job in its prototype research and I believe that it will receive appropriate Federal recognition.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, I send to the desk two technical amendments. They have been cleared with the Senator from New Hampshire [Mr. Cotton] and other members of the committee.

The PRESIDING OFFICER. The amendments offered by the Senator from Washington will be stated.

The legislative clerk read the amendments, as follows:

> On page 45, line 21, and on page 46, line 6, strike out the word "or" and insert in lieu thereof "and did not."
>
> On page 29, change semicolon to a period and strike out all thereafter on line 19 through the word "highways" on line 22.

The PRESIDING OFFICER. Is all time yielded back on the two amendments?

Mr. MAGNUSON. I yield back the remainder of my time.

Mr. COTTON. I yield back my time.

The PRESIDING OFFICER. All time is yielded back on the amendments offered by the Senator from Washington. The question is on agreeing to the amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment, as amended, was agreed to.

Mr. MAGNUSON. Mr. President, I yield myself 1 minute.

As we complete our consideration of the Traffic Safety Act, I think a word of praise for President Johnson is in order.

On March 2, 1966, the President, in his eloquent and forceful transportation message, told the Congress that an all-out attack on the traffic safety problem must be mounted. In the President's words:

> The people of America deserve an aggressive highway safety program.

The same day, we received the administration's traffic safety bill—the first comprehensive Federal measure in history dealing with all aspects of the safety problem—the driver, the car, the road, and the research needed to probe deeply and systematically into the causes of accidents.

The President wants to give to the American people the very best, thorough, and complete safety legislation that can be devised. As a sign of his deep concern and interest, he asked the White House to work very closely with members of my committee staff in developing the essentials of the excellent measure we are discussing today.

I particularly want to single out Special Assistant to the President Joe Califano who, together with the committee counsel, worked long and hard to shape and refine this legislation, and to resolve the many complex issues involved. That was the kind of partnership that has resulted in the outstanding measure we have before us today.

As the President told me when the bill was reported out of the Commerce Committee—

He wants strict nationwide, mandatory safety standards.

He wants these standards to prevail over any State standards.

He wants these standards to go into effect just as soon as practicable.

Through the support, encouragement, and leadership of the administration, this traffic safety measure will become a reality. There should be no doubt about this in the minds of anyone. It will fulfill the pledge made by President Johnson in his 1966 state of the Union message to give the American people legislation to "arrest the destruction of life and property on our highways."

I ask unanimous consent to include the complete text of the President's remarks before the Governors' Subcommittee on Traffic Safety.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of the President to Highway Subcommittee Members of the Governors' Conference in the Cabinet Room

Governors and ladies and gentlemen, I am very grateful for your taking time out to come here to discuss the highway safety problem with us.

I have given thought to your replies to my letter of last March. There is no doubt in my mind that the real key to solving the problem will finally lie in your hands. The Federal Government can and will be of such help as is possible. We think we can help with national safety standards. We think we can help with some money that may be available. We will try to contribute to research and provide such leadership as we have, but the ultimate responsibility must, should, and will finally rest back home.

We know the statistics on this subject are national statistics. People are getting killed every day on the roads in Texas, Kansas, California, Nebraska, and other States. So you have a legal responsibility.

The Federal Government does not wish to issue the drivers' licenses. You, not the Federal Government, should inspect the vehicles or see that they are inspected. Your able and effective State Troopers enforce the traffic laws. What you do not always have are the essential resources. That is what we in Washington are trying to help you obtain.

We believe that our people throughout the Nation in every State are concerned. We believe that they are aroused. We have been building up to this point for a long time. We realize that the time has come now to try to move forward—to take new and necessary steps.

Since the automobile was first invented, we have had 1,500,000 deaths from automobile accidents. That is three times as many as our enemies have ever been able to kill in all of our wars.

Between 1961 and the end of last year, motor vehicles killed many more times as many of our servicemen as the Viet Cong were able to kill in Vietnam.

Automobile accidents kill or injure more of our children and teenagers than any single disease that we have in this country. We must think of the untold grief and suffering brought to the homes throughout this land by these accidents. We must think of the lost lives and the lost opportunities.

Over the last Memorial Day week end, 540 Americans died. That is the highest toll for any holiday in the history of the United States.

These statistics have become all too commonplace. But complacency must never stand in the way of progress, in the way of safety, or in the way of doing something about this very difficult problem. Indifference must no longer be excused. Anything which touches the lives of so many citizens asks for Government action. The people ask for it. I believe with your help, with your leadership, we are going to get that action.

For the first time in our history we are going to face this traffic safety problem squarely. I believe we will conquer it. The traffic safety legislation that I have sent the Congress will move us out of the age of ignorance. I believe it will establish a program of strict national standards for automobiles. I cannot stress too strongly the need for these standards.

The only alternative is unthinkable—50 standards for 50 different States. I believe that this would be chaotic. The legislation that we have proposed will give us the resources to try to find out what causes the accidents. We are going to take a good, hard look—unemotionally and unsentimentally—at all the factors: the car, the road, the driver.

This legislation will let us apply that knowledge to the manufacture of safer automobiles and the construction of safer highways, and it will give us the necessary tools to develop and implement your own State safety programs.

The time for action has come. The need for standards is here. Every day that we postpone, more lives will be wasted. Every day lost puts us that much further behind.

So I would like to ask you to keep in touch with us through Governor Farris Bryant, as we move this program forward. I believe it will benefit every man, woman, and child in all of your States.

Mr. MAGNUSON. I yield 2 minutes to the Senator from Alaska.

Mr. BARTLETT. Mr. President, since the Senate convened at 10 o'clock this morning, about 5 hours ago, 30 persons have died on our Nation's highways and some 3,000 have been injured. Today, or any day, 140 persons will die in automobile accidents. The death toll for the year will be 50,000—a number larger than the entire population of Newport, R.I., or Anchorage, Alaska—and the number of injuries will be an astounding 5 million—a number greater than the combined population of the States of Oregon, Montana, Alaska, North and South Dakota, and Idaho. The number of lives lost in this country in automobile accidents since the turn of the century—1.6 million—exceeds the number of combat deaths our Nation has suffered in all its wars.

Our reactions to these grim figures—and particularly our reactions as policymakers—have too often been those of resignation and complacency. In our more reflective moments we may have sadly realized that technological progress has been an ambiguous thing, a mixed blessing. Sometimes we have reacted with nostalgia—and who among us has not thought of horses and buggies, of tree-lined carriage paths, or even of Walden Pond as trailer trucks and buses roared past us on both sides.

But a far more appropriate response is one of outrage—that these deaths are not necessary, that something can be done—and of determination, that something shall be done. The investigations conducted by Senator RIBICOFF's subcommittee and by the Senate Commerce Committee have heightened our knowledge of the dimensions of the traffic safety problem, our realization that many aspects of the problems are within our control, and our conviction that we must act now to reduce the magnitude of the annual—and daily—national disaster that takes place on our roads and highways. The Tire Safety Act of 1966, passed by the Senate and now awaiting House consideration, deals with a vital aspect of the problem. And the bill we are now considering, the Traffic Safety Act of 1966, represents another significant step, a step of urgent importance and one long overdue.

Much of S. 3005 is aimed at insuring the inclusion of minimal safety features in new automobiles. It is true that the American automobile industry, particularly since it has been subjected to the prod of heightened governmental and public interest, has shown some concern for safety features. But our Commerce Committee hearings produced alarming evidence of negligence and complacency in the industry. I quote from the committee report:

> The committee met with disturbing evidence of the automobile industry's chronic subordination of safe design to promotional styling, and of an overriding stress on power, acceleration, speed, and "ride" to the relative neglect of safe performance or collision protection. The committee cannot judge the truth of the conviction that "safety doesn't sell," but it is a conviction widely held in industry which has plainly resulted in the inadequate allocation of resources to safety engineering . . .
>
> Such elemental safe design features as safety door latches made their appearance as standard equipment only a decade after their desirability and feasibility had been established . . .
>
> The committee hearings also documented past laxity in furnishing adequate notification to car owners of latent defects which had crept into the manufacturing process—defects frequently directly related to safety. Equally disturbing was evidence that the manufacturers have not always taken effective steps to ensure the speedy and efficient repair of such defects.
>
> The committee was presented with graphic evidence that the interior design of many 1966 model cars reveals interiors bristling with rigid tubes, angles, knobs, sharp instruments, and heavy metal of small radius of curvature . . .
>
> The committee was likewise made aware of the substantial needless hazards to pedestrians presented by external fins, ornamental protrusions, sharp edges, stylistically angled bumpers.

Federal standards for the safety of ships at sea long antedated the Civil War. By 1907 the Interstate Commerce Commission had set safety standards for the construction of pullman cars. Aviation safety regulations were promulgated by Congress as early as 1926. Yet the automobile sold today in interstate commerce is subject only to a scattering of State regulations and to the fragmentary Federal seat belt and brake fluid laws. Standards development by the Society of Automotive Engineers, which a single manufacturer can veto and which are backed by no effective sanctions, have, not surprisingly, proved totally inadequate. That such a situation should continue to threaten the well-being of the majority of the American people is intolerable. Ralph Nader makes the point well:

> The rule of law should extend to the safety of any product that carries such high risks to users and bystanders. . . . The public which bears the impact of the auto industry's safety policy must have a direct role in deciding that policy. The decision as to what an adequate standard of public responsibility in vehicle safety should be ought not to be left to the manufacturers, regardless of their performance. But the extraordinarily low quality of that performance certainly accentuates the urgent need for publicly defined and enforced standards of safety.

Thus do I wholly concur in the committee's conclusion that the system of voluntary standards has largely failed, and that—

> The unconditional imposition of mandatory standards at the earliest practicable date is the only course commensurate with the highway death and injury toll.

S. 3005 provides that the Secretary of Commerce shall issue "interim standards," based on such existing public and private standards as those issued by General Services Administration, the Society of Automotive Engineers, and the various States, in time for them to be included on all 1968 model automobiles. New and revised standards, based largely on the continuing research and development the bill authorizes, would be issued by January 1, 1968, and would be updated every 2 years thereafter. The research program would provide not only for the investigation of vehicle performance standards and for accident and injury research, but also for the study of such related factors as highway design, paving materials, traffic control devices, and driver performance—all as they bear upon highway safety.

Another aspect of this legislation, Mr. President, involves the important matter of driver notification. The hearings indicated that the industry had been seriously remiss in notifying car purchasers of safety defects discovered in certain models after they had been distributed to dealers. One of the many ways in which the committee strengthened the administration's original proposal was through the inclusion of Senator MONDALE's amendment, which I was pleased to cosponsor, which would require car manufacturers promptly to notify the purchaser of any vehicle which has been discovered to contain a safety-related defect.

It should be emphasized, Mr. President, that automobile safety is only one aspect of a larger national problem. S. 3052, the Highway Safety Act, which we shall be considering shortly, would provide Federal assistance to the States for traffic and highway safety programs, including driver education, vehicle inspection, highway design, surface treatment, and traffic control. Also of particular importance is the Tire Safety Act of 1966, which I am hopeful shall soon receive House approval. This bill would provide for the establishment and the enforcement of minimum safe performance standards for both new and newly retreaded tires and would require that tires be safety-labeled.

S. 3005 thus takes its place in what can and should be a concerted and multidimensional national effort to arrest the carnage on our highways. It is high time that such an effort get underway. It is high time that our alarm and our concern find concrete legislative expression. Fifty thousand deaths a year represent a national disaster of mammoth proportions, the tragedy of which is compounded by the fact that such destruction and suffering need not be. The Traffic Safety Act of 1966 promises to reduce the dimensions of this tragedy. It is thus with a sense of urgency and concern that I advocate its passage.

Mr. MAGNUSON. I yield 2 minutes to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I wish to offer my support for Senate bill 3005, the Traffic Safety Act of 1965. This bill directs the Secretary of Commerce to conduct research for greater traffic safety and to establish standards which will improve the protection offered to drivers, passengers, and pedestrians who come in close contact with vehicles.

Of major importance is the recognition which the measure gives to the need for prompt action in this field. In presenting the legislation, the Senate Commerce Committee took note of the tragic statistics which read: 1.6 million persons dead since the coming of the automobile—all through accidents involving vehicles. It is estimated that another 50,000 or more will die this year through accidents, and as the committee stated:

> Unless the accelerating spiral of deaths is arrested, 100,000 Americans will die as a result of their cars in 1975.

In my own State of West Virginia, the National Safety Council reports that auto accidents claimed the lives of 137 persons in the brief period of January through April of this year. Statistics on record at the National Safety Council show another 482 persons were killed in auto crashes in West Virginia in 1965, and 467 in 1964, while another 431 died in this manner in 1963 for a total of 1,517 lives lost in 40 months.

That loss of life equals the total population of many small towns and communities in West Virginia—one of the tragic facts of automobile history in our State.

S. 3005 directs the Secretary of Commerce to establish standards for safety in the performance by automobiles—steering mechanisms, wheel brake systems, and seat belts—by January 31, 1967, so they may be incorporated in the 1968 model automobiles.

Whether the grim toll of lives which has come to scar each holiday weekend of this country can be attributed to the automobile or to the driver will become a matter of direct concern to the Federal Government as a result of this bill.

I believe it will make us more conscious of these deaths and crippling injuries. It will bring forth the best engineering talent of our automotive industry on a long neglected problem.

As the committee stated:

> For too many years, the public's proper concern over the safe driving habits and capacity of the driver was permitted to overshadow the role of the car itself.
>
> The "second collision"—the impact of the individual within the vehicle against the steering wheel, dashboard, windshield—has been largely neglected.

This bill represents a proper beginning to one major area in the field of human safety. It should help to end this daily carnage on our public roads.

Mr. MAGNUSON. Mr. President, I yield 3 minutes to the Senator from Texas.

AUTOMOBILE SAFETY OVERDUE

Mr. YARBOROUGH. Mr. President, the automobile safety legislation we consider today is one of the most vital pieces of legislation we have considered in this historic 89th Congress. We must do something to stop the highway slaughter which has been increasing rapidly all over this land. Many statistics are available to show how serious this slaughter, and the accompanying injury, is. But perhaps the grimmest statistic is that 6,910 servicemen lost their lives in accidents involving privately owned vehicles in this country from January 1, 1961, through December 31, 1965. During the same period, in Vietnam, only 1,365 servicemen were killed in hostile action. In short, in 5 years, we lost more than five times as many servicemen—with their valuable training and experience—to the automobile in America than we did to the Vietcong in Vietnam. While the number of men killed in Vietnam has risen substantially since January 1, 1966, we have still lost more than twice as many servicemen in auto accidents here than in the Vietnam war.

We need the legislation we consider today to stop this slaughter by automobile. And we need it promptly. We enact it none too soon.

Although the administration proposed legislation in this field, the Congress through its Committee on Commerce has worked its will to write a piece of legislation of which it can be truly said that Congress wrote it. I want to express my congratulations to the senior Senator from Washington [Mr. MAGNUSON] for the fine work his committee, on which I had the pleasure of serving for a number of years, has done as creative legislators.

I am glad to have had some small part in the sponsorship of legislation in this field. In the 1st session of the 89th Congress, I cosponsored S. 1251, sponsored by the junior Senator from Wisconsin [Mr. NELSON] that act prescribed safety features for all motor vehicles manufactured for, sold, or shipped in interstate commerce. During this session of Congress, I have been a cosponsor of the amendments of the Senator from Minnesota [Mr. MONDALE] to S. 3005, the basic auto safety bill.

The bill before us is, to quote auto safety critic Ralph Nader, a "significant step forward." It requires the Secretary of Commerce to set standards for vehicles, for both domestic and foreign-built cars. It provides for construction and testing of prototype safety cars. Thus it deals both with the problem of the cars we will be driving in the immediate future and with the longer-range problem of trying to work with the most basic safety problems of automobiles, even if radical reconstruction of automobiles is necessary. And I am glad that the standards which the Secretary of Commerce is to develop will be made effective on a permanent basis in 1969, after interim standards have become effective in 1968.

This is a bill in which we have done a great deal for the consumer—the driving public. We are today helping make driving safer for him—even if he is involved in an accident. As you know, the so-called "second accident," when the traveler strikes the inside of his car after his car has hit or been hit by something, is what actually causes injuries to the traveler in many cases. Safety features which are likely to be included in the Secretary's standards will help deal with this problem.

We are helping the driving public in another way—by assuring that he will be kept informed of faults in his car. Manufacturers will, under this legislation, have to inform the Secretary of safety defects, and, as proposed by Senator MONDALE in the amendment on which I joined him, new-car buyers must be notified by manufacturers of safety defects. The manufacturer is also to be required to repair any new equipment with defects affecting safety.

Mr. President, this legislation has been needed for some time. The facts which have been produced in the course of hearings on the legislation, both here and in the other body, show even more strongly the need for this legislation. The need for mandatory standards has been shown. The need for the requirement that manufacturers notify purchasers of cars of defects has been shown.

We need this legislation. We need its mandatory provisions. The whole country will be thankful to us if we pass this bill.

Mr. MAGNUSON. Mr. President, I yield back the remainder of my time on the bill.

Mr. COTTON. Mr. President, I yield back the remainder of my time on the bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

(At this point Mr. KENNEDY of New York assumed the chair as Presiding Officer.)

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (after having voted in the affirmative). Mr. President, the Senator from Wisconsin [Mr. NELSON], who worked so hard and so long on this bill in committee, is entitled to all the credit possible for its passage. Therefore I must state that had the Senator from Wisconsin been present, he would have voted "yea." Under the circumstances, therefore, I withhold my vote.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Indiana [Mr. BAYH], the Senator from Tennessee [Mr. GORE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Maine [Mr. MUSKIE], and the Senator from Wisconsin [Mr. NELSON] are absent on official business.

I also announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Oklahoma [Mr. HARRIS], the Senator from Alabama [Mr. HILL], the Senator from South Carolina [Mr. RUSSELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. BASS], the Senator from Indiana [Mr. BAYH], the Senator from Illinois [Mr. DOUGLAS], the Senator from Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. HARRIS], the Senator from Alabama [Mr. HILL], the Senator from New Mexico [Mr. MONTOYA], the Senator from Maine [Mr. MUSKIE], the Senator from South Carolina [Mr. RUSSELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Maryland [Mr. TYDINGS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS], the Senator from Nebraska [Mr. CURTIS], the

Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Wyoming [Mr. SIMPSON], the Senator from Texas [Mr. TOWER] and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is detained on official business.

If present and voting, the Senator from Delaware [Mr. BOGGS], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. CURTIS], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Wyoming [Mr. SIMPSON], the Senator from Texas [Mr. TOWER] and the Senator from South Carolina [Mr. THURMOND] would each vote "yea."

The result was announced—yeas 76, nays 0, as follows:

[No. 115 Leg.]

YEAS—76

Aiken
Allott
Anderson
Bartlett
Bennett
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Griffin
Gruening
Hart
Hartke
Hayden
Hickenlooper
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Morse
Morton
Moss
Mundt
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Scott
Smith
Stennis
Symington
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—24

Bass
Bayh
Boggs
Curtis
Dirksen
Douglas
Gore
Harris
Hill
Mansfield
Miller
Montoya
Murphy
Muskie
Nelson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smathers
Sparkman
Thurmond
Tower
Tydings

So the bill (S. 3005) was passed as follows:

S. 3005

An Act to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce accidents involving motor vehicles and to reduce the deaths and injuries occurring in such accidents

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Traffic Safety Act of 1966".

STATEMENT OF PURPOSE

SEC. 2. The Congress hereby declares that the purpose of this Act is to reduce accidents involving motor vehicles and to reduce the deaths and injuries occurring in such accidents. To this end, the Secretary of Commerce shall have authority to establish motor vehicle safety standards for motor vehicles and motor vehicle equipment in interstate commerce; and to undertake and support necessary safety research, development and evaluation.

TITLE I—MOTOR VEHICLE SAFETY STANDARDS

Definitions

SEC. 101. As used in this title—

(a) "Motor vehicle safety" means the performance of motor vehicles or motor vehicle equipment in such a manner that the public is protected against unreasonable risk of accidents occurring as a result of the design or construction of motor vehicles and is also protected against unreasonable risk of death or injury to persons in the event accidents do occur, and includes nonoperational safety of such vehicles.

(b) "Motor vehicle safety standard" means a minimum standard for motor vehicle performance, or motor vehicle equipment performance, which is practicable, which meets the need for motor vehicle safety and which provides objective criteria.

(c) "Motor vehicle" means any vehicle driven or drawn by mechanical power primarily for use on the public roads, streets, and highways, other than (1) a vehicle subject to safety regulations under part II of the Interstate Commerce Act, as amended (49 U.S.C. 301 et seq.), or under the Transportation of Explosives Act as amended (18 U.S.C. 831–835), and (2) a vehicle or car operated exclusively on a rail or rails.

(d) "Motor vehicle equipment" means any system, part, or component of a motor vehicle as originally manufactured or any similar part or component manufactured or sold for replacement or improvement of such system, part, or component or as an accessory, or addition to the motor vehicle.

(e) "Manufacturer" means any person engaged in the manufacturing or assembling of motor vehicles or motor vehicle equipment, including any person importing motor vehicles or motor vehicle equipment for resale.

(f) "Distributor" means any person engaged in the sale and distribution of motor vehicles or motor vehicle equipment for resale.

(g) "Dealer" means any person who is engaged in the sale and distribution of new motor vehicles or motor vehicle equipment primarily to purchasers who in good faith purchase any such vehicle or equipment for purposes other than resale.

(h) "State" includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(i) "Interstate commerce" means commerce between any place in a State and any place in another State, or between places in the same State through another State.

(j) "Secretary" means Secretary of Commerce.

(k) "Person" means an individual, partnership, corporation, association, or other form of business enterprise.

(l) "Defect" includes any defect in design, construction, components, or materials in motor vehicles or motor vehicle equipment.

(m) "United States district courts" means the Federal district courts of the United States and the United States courts of the Commonwealth of Putero Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(n) "Vehicle Equipment Safety Commission" means the Commission established pursuant to the joint resolution of the Congress relating to highway traffic safety, approved August 20, 1958 (72 Stat. 635), or as it may be hereafter reconstituted by law.

Interim Federal motor vehicle safety standards

SEC. 102. (a) Subject to the provisions of this section, on or before January 31, 1967, the Secretary shall prescribe, by order, and publish in the Federal Register interim motor vehicle safety standards for motor vehicles and motor vehicle equipment, which shall be based upon existing public and private safety standards.

(b) Interim standards prescribed pursuant to this section shall become effective on a date specified by the Secretary which shall be no sooner than one hundred and eighty days nor later than one year from the date on which such standards are published. Such standards shall remain in effect until new and revised Federal motor vehicle safety standards become effective pursuant to section 103.

(c) In prescribing interim standards under this section, the Secretary shall—

(1) consult with the Vehicle Equipment Safety Commission, with other State and interstate agencies (including legislative committees), with motor vehicle and motor vehicle equipment manufacturers, and with scientific, technical, business, and consumer organizations, as he deems appropriate.

(2) consider, in the light of available technical information, whether any such proposed standard is reasonable, practicable, and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed; and

(3) consider the extent to which such standards will contribute to carrying out the purposes of this Act.

Revised Federal motor vehicle safety standards

SEC. 103. (a) Subject to the provisions of this section, on or before January 31, 1968, the Secretary shall prescribe, by order, in accordance with sections 3, 4, and 6 of the Administrative Procedure Act (5 U.S.C. 1002, 1003, 1005) new and revised motor vehicle safety standards for motor vehicles and motor vehicle equipment.

(b) Standards prescribed pursuant to this section shall become effective on a date specified by the Secretary which shall be no sooner than one hundred eighty days nor later than one year from the date on which such standards are published, except that, for good cause shown, the Secretary may specify a later effective date, and in such event he shall publish his reasons therefor.

(c) In prescribing standards under this section, the Secretary shall—

(1) consider relevant available motor vehicle safety data, including the results of research, development, testing and evaluation activities conducted pursuant to this Act;

(2) consult with the Vehicle Equipment Safety Commission, and such other State or interstate agencies (including legislative committees) as he deems appropriate, which consultation shall include (A) informing the Commission and other agencies of all proposed Federal vehicle safety standards and amendments thereto and (B) affording such Commission and other agencies an opportunity to study and comment on such standards and amendments;

(3) consider whether any such proposed standard is reasonable, practicable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed; and

(4) consider the extent to which such standards will contribute to carrying out the purposes of this Act.

(d) The order prescribing standards pursuant to this section shall include as part of the concise general statement of the basis and purpose of such standards (required by section 4(b) of the Administrative Procedure Act) the following:

(1) A statement of the principal purpose of any such standard, written in language capable of being understood by the general public;

(2) Wherever appropriate to a particular standard, a statement of the range of operating conditions for which such standard is deemed effective; and

(3) A technical statement which sets forth the data necessary to an evaluation of the standard by persons competent in the particular technical area involved.

(e) For the purposes of this section interested persons afforded an opportunity to participate in the rule-making process to prescribe or amend standards under this section shall include manufacturers, distributors, and dealers of motor vehicles and motor vehicle equipment, public and private organizations and individuals engaged to a significant extent in the promotion or study of motor vehicle safety and automobile insurance underwriters.

(f) Nothing in this title or in the Administrative Procedure Act shall be construed to make sections 7 and 8 of such Act applicable to proceedings under this title.

(g) In prescribing standards under this section for any motor vehicle of substantially the same type and specifications as a vehicle subject to safety regulations under part II of the Interstate Commerce Act, as amended (19 U.S.C. 301 et seq.), the Secretary shall not adopt standards which differ in substance from the safety regulations issued pursuant to such Act.

(h) The Secretary shall review the motor vehicle safety standards prescribed pursuant to this section at least once every two years, and may, to the extent necessary to carry out the purposes of this Act, by order, amend, such standards in accordance with the procedural requirements set forth in this section. Each such amendment shall become effective on the date specified by the Secretary which shall be no sooner than one hundred and eighty days nor later than one year from the date on which such amendment is published, except that, for good cause shown, the Secretary may specify a later effective date, and in such event he shall publish his reasons therefor.

Preemption

SEC. 104. No State, or political subdivision thereof, shall establish a safety standard for a motor vehicle or item of motor vehicle equipment in interstate commerce which differs from a motor vehicle safety standard issued in conformance with the provisions of this title with respect to such motor vehicle or item of motor vehicle equipment; and any law, regulation, or ordinance purporting to establish such differing safety standard and providing a penalty or punishment for an act of noncompliance therewith shall be null and void. Nothing in this section shall be construed to prevent a State or political subdivision thereof from establishing requirements more stringent than a Federal motor vehicle safety standard for the exclusive purpose of its own procurement.

Judicial review of orders

SEC. 105. (a) (1) In a case of actual controversy as to the validity of any order under section 102 or section 103, any person who will be adversely affected by such order when it is effective may at any time prior to the sixtieth day after such order is issued file a petition with the United States court of appeals for the circuit wherein such person resides or has his principal place of business, for a judicial review of such order. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based his order, as provided in section 2112 of title 28 of the United States Code.

(2) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, and to be adduced upon the hearing, in such manner and upon such terms and conditions as to the court may seem proper. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

(3) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to review the order in accordance with section 10 of the Administrative Procedure Act (5 U.S.C. 1009) and to grant appropriate relief as provided in such section.

(4) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

(5) Any action instituted under this subsection shall survive notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.

(6) The remedies provided for in this subsection shall be in addition to and not in substitution for any other remedies provide by law.

(b) A certified copy of the transcript of the record and proceedings under this section shall be furnished by the Secretary to any interested party at his request, and on payment of the costs thereof, and shall be admissible in any proceeding arising under or in respect to this title, irrespective of whether proceedings with respect to the order have previously been instituted or become final under subsection (a).

Research, development, testing and evaluation

SEC. 106. (a) The Secretary, in cooperation with other departments and agencies of the Federal Government, is authorized to undertake appropriate research, development, testing and evaluation for motor vehicle safety and motor vehicle safety standards to accomplish the purposes of this Act and, in exercising this authority, may perform the following functions:

(1) gathering or collecting existing data from any source for the purpose of determining the relationship between motor vehicle or motor vehicle equipment performance characteristics and (A) accidents involving motor vehicles, and (B) the occurrence of death or personal injury resulting from such accidents;

(2) purchasing, notwithstanding any other provision of law, commercially available models of motor vehicles or items of motor vehicle equipment, and contracting for the fabrication of motor vehicle equipment, for research and testing purposes, including the testing of motor vehicles and motor vehicle equipment to accomplish the purposes of this Act even though such tests may damage or destroy the vehicles or equipment being tested;

(3) selling or otherwise disposing of motor vehicles or motor vehicle equipment tested pursuant to subsection (2), notwithstanding any other provision of law, and reimbursing the proceeds of such sale or disposal into the appropriation or fund current and available for the purpose of carrying out this title: *Provided*, That motor vehicles and motor equipment which have been rendered irreparably unsafe for use on the highways, by testing pursuant to subsection (2), shall be sold or disposed of in a manner insuring that they shall not be used on the highways or on vehicles for use on the highways;

(4) performing or having performed all research, development, evaluation and information gathering and disseminating activities necessary and appropriate for motor vehicle safety and motor vehicle safety standards, and purchasing or acquiring equipment and facilities related thereto, or fabricating needed motor vehicle equipment to accomplish the purposes of this title, including—

(A) relating motor vehicle and motor vehicle equipment performance characteristics to motor vehicle safety;

(B) determining the effects of wear and use of motor vehicles and motor vehicle equipment upon motor vehicle safety;

(C) evaluating and developing methods and equipment for testing, inspecting, and determining safety of motor vehicles and motor vehicle equipment;

(D) evaluating and developing methods and equipment for determining adequacy of motor vehicle safety standards, and compliance of motor vehicles with motor vehicle standards; and

(E) developing appropriate motor vehicle safety standards; and

(5) awarding grants to State or interstate agencies and nonprofit institutions for performance of activities authorized in this section.

(b) The Secretary may, by means of grant or contract, design, construct and test operational passenger motor vehicles and items of motor vehicle equipment in demonstration quantities, embodying such features as the Secretary determines will assist in carrying out the purposes of this Act. Such vehicles or equipment are to serve as demonstrations for the development of safety features applicable to commercially manufactured motor vehicles or items of motor vehicle equipment, and for the development of Federal motor vehicle safety standards under section 103. Such demonstration vehicles or equipment shall not be sold or leased for private use. Such demonstration vehicles shall not be limited to traditional methods of automobile design, styling, testing, or production.

(c) Whenever the Federal contribution for any research or development activity authorized by this Act encouraging motor vehicle safety is more than minimal, the Secretary shall include in any contract, grant, or other arrangement for such research or development activity, provisions effective to insure that all information, uses, processes, patents, and other developments resulting from that activity will be made freely and fully available to the general public. Nothing herein shall be construed to deprive the owner of any background patent of any right which he may have thereunder.

Cooperation

SEC. 107. In addition to such advisory authority as the Secretary otherwise may exercise, he is authorized to advise, assist, cooperate with, or enter into cooperative agreements with and receive and expend funds made available thereunder by Federal agencies, State or other public agencies, businesses (including manufacturers, distributors, and dealers of motor vehicles and motor vehicle equipment), universities, or other institutions in the planning or development of—

(a) motor vehicle safety standards;

(b) method for inspecting or testing under motor vehicle safety standards;

(c) motor vehicle and motor vehicle equipment test methods and test equipment.

Training

SEC. 108. (a) The Secretary is authorized to train, or establish training programs for, personnel of Federal agencies, State or other public agencies or institutions, private firms and private institutions by grants to or contracts with such agencies, firms, or institutions for the purpose of achieving motor vehicle safety as provided in this title. He may receive and expend funds made available under a cooperative agreement or utilize motor vehicles or motor vehicle equipment furnished thereunder for training purposes. Such training may include—

(1) interpreting and applying motor vehicle safety standards;

(2) using test methods and test equipment;

(3) testing and inspecting motor vehicles and motor vehicle equipment to determine motor vehicle safety; or

(4) such other training as may be necessary to carry out this title.

(b) The Secretary may purchase, use, and dispose of motor vehicles or motor vehicle equipment for use, other than for purposes of transportation, in the training authorized by subsection (a), under the same authority, and subject to the same conditions, as provided in section 106.

Prohibited acts

SEC. 109. (a) No person shall—

(1) manufacture for sale, sell, offer for sale, or introduce or deliver for introduction, in interstate commerce, or import into the United States, any motor vehicle or item of motor vehicle equipment manufactured on or after the date any applicable Federal motor vehicle safety standard takes effect under this title unless it is in conformity with such standard as prescribed or amended by the Secretary pursuant to this title except as provided in subsection (b) of this section;

(2) fail or refuse access to or copying of records, fail to make reports or provide information, or fail or refuse to permit entry or inspection, as required under section 114;

(3) fail or refuse to furnish a certification as required by section 115, or furnish a certification as required by such section 115 which is false; or

(4) fail or refuse to furnish notification as required by section 116.

(b)(1) Paragraph (1) of subsection (a) shall not apply to the sale, the offer for sale, or the introduction or delivery for introduction, in interstate commerce, or importation into the United States, of any motor vehicle or item of motor vehicle equipment after the first purchase of it in good faith for purposes other than resale, or to any person who establishes that he did not know and did not have reason to know in the exercise of due care that such vehicle or item of motor vehicle equipment was not in conformity with such standard, or to any person, who, prior to such first purchase, holds a certificate issued by the manufacturer or importer of such motor vehicle or motor vehicle equipment, to the effect that such vehicle or equipment conforms to all applicable Federal motor vehicle standards, unless such person knows that such vehicle or equipment does not so conform. Paragraph (3) of subsection (a) shall not apply to any person who establishes that he did not know and did not have reason to know in the exercise of due care that such vehicle or item of motor vehicle equipment was not in conformity with such standard.

(2) A motor vehicle or item of motor vehicle equipment offered for importation in violation of paragraph (1) of subsection (a) shall be refused admission into the United States under joint regulations issued by the Secretary of the Treasury and the Secretary; except that the Secretary of the Treasury and the Secretary may, by such regulations, provide for authorizing the importation of such motor vehicle or item of motor vehicle equipment into the United States upon such terms and conditions (including the furnishing of a bond) as may appear to them appropriate to insure that any such motor vehicle or item of motor vehicle equipment will be brought into conformity with any applicable Federal motor vehicle safety standard prescribed under this title, or will be exported or abandoned to the United States.

(3) The Secretary of the Treasury and the Secretary may, by joint regulations, permit the temporary importation of any motor vehicle or item of motor vehicle equipment, after the first purchase of it in good faith for purposes other than resale, notwithstanding paragraph (2) of this subsection.

(4) Paragraph (1) of subsection (a) shall not apply in the case of a motor vehicle or item of motor vehicle equipment that is intended solely for export, and so labeled or tagged on the vehicle or item itself and on the outside of the container, if any, and is exported.

Civil penalty

SEC. 110. (a) Any person who violates any provision of section 109, or any regulation issued thereunder, shall be subject to a civil penalty which may be recoverable in a civil action brought by the Attorney General in a United States district court in the name of the United States, of not to exceed $1,000 for each such violation except that for each such person the maximum civil penalty shall not exceed $400,000 for any related series of violations. Such violation of a provision of section 109, or such regulations issued thereunder, shall constitute a separate violation with respect to each motor vehicle or item of motor vehicle equipment or with respect to each failure or refusal to allow or perform an act required thereby.

(b) Any such civil penalty may be compromised by the Secretary. In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the person charged and the gravity of the violation shall be considered. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged.

Injunction

SEC. 111. (a) The United States district courts shall have jurisdiction, for cause shown and subject to the provisions of rule 65 (a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this title, or to restrain the sale, offer for sale, or the introduction or delivery for introduction, in interstate commerce, or the importation into the United States, of any motor vehicle or item of motor vehicle equipment which is determined, prior to the first purchase of such vehicle in good faith for purposes other than resale, not to conform to applicable Federal motor vehicle safety standards prescribed pursuant to this title, upon petition by the Attorney General on behalf of the United States. Whenever practicable, the Secretary shall give notice to the contemplated defendant and afford him an opportunity to present his views, and, except in the case of a knowing and willful violation, shall afford him opportunity to achieve compliance. The failure to give such notice and afford such opportunity shall not preclude the granting of appropriate relief.

(b) In any proceeding for criminal contempt for violation of an order, injunction, or restraining order issued under this section, which violation also constitutes a violation of this title, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

Jurisdiction and venue

SEC. 112. (a) Actions under sections 110(a) and 111(a) may be brought in the district wherein any act or transaction constituting the violation occurred, or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found.

(b) In any action brought under section 110(a) or section 111(a), subpoenas for witnesses who are required to attend a United States district court may run into any other district.

(c) It shall be the duty of every manufacturer offering a motor vehicle or item of motor vehicle equipment for importation into the United States to designate in writing an agent upon whom service of all administrative and judicial processes, notices, orders, decisions and requirements may be made for and on behalf of said importer, and to file such designation with the Secretary, which designation may from time to time be changed by like writing, similarly filed. Service of all administrative and judicial processes, notices, orders, decisions and requirements may be made upon said importer by service upon such designated agent at his office or usual place of residence with like effect as if made personally upon said importer, and in default of such designation of such agent, service of process, notice, order, requirement or decision in any proceeding before the Secretary or in any judicial proceeding for enforcement of this title or any standards prescribed pursuant to this title may be made by posting such process, notice, order, requirement or decision in the Office of the Secretary.

Application of antitrust laws

SEC. 113. Nothing contained herein shall be deemed to exempt from the antitrust laws of the United States any conduct that would otherwise be unlawful under such laws, or to prohibit under the antitrust laws of the United States any conduct that would be lawful under such laws.

Inspection and testing for compliance; records and reports

SEC. 114. (a) The Secretary is authorized to conduct such testing, inspection, and investigation as he deems necessary to aid in the enforcement of Federal vehicle safety standards prescribed and in effect under this title and shall furnish the Attorney General and, when appropriate, the Secretary of the Treasury any information obtained and test results indicating noncompliance with such standards, for appropriate enforcement or customs action.

(b) For purposes of enforcement of this title, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (1) to enter, at reasonable times, any factory, warehouse, or establishment in which motor vehicles or items of motor vehicle equipment are manufactured, or held for introduction into interstate commerce or are held for sale after such introduction; and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, or establishment. Each such inspection shall be commenced and completed with reasonable promptness.

(c) Every manufacturer of motor vehicles and motor vehicle equipment shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this title and motor vehicle safety standards prescribed pursuant to this title and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee to inspect appropriate books, papers, records, and documents relevant to determining whether such manufacturer has acted or is acting in compliance with this title and motor vehicle safety standards prescribed pursuant to this title.

(d) All information reported to or otherwise obtained by the Secretary or his representative pursuant to subsection (b) or (c) which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act.

Certification

SEC. 115. Every manufacturer or distributor of motor vehicles or motor vehicle equipment shall furnish to the distributor or dealer at the time of delivery of such vehicle or equipment of such manufacturer or distributor a certification that each such vehicle or item of motor vehicle equipment conforms to all applicable Federal motor vehicle safety standards. Such certification may be in the form of a label or tag on such vehicle or item of equipment or on the outside of a container, if any, in which such items of equipment are delivered.

Notification

SEC. 116. (a) Every manufacturer of motor vehicles shall furnish notification of any defect in any motor vehicle or motor vehicle equipment produced by such manufacturer which he determines, in good faith, relates to motor vehicle safety, to the purchaser (where known to the manufacturer) of such motor vehicle or motor vehicle equipment, within a reasonable time after such manufacturer has discovered such defect.

(b) The notification required by subsection (a) shall be accomplished—

(1) by certified mail to the first purchaser (not including any dealer of such manufacturer) of the motor vehicle or motor vehicle equipment containing a defect; and

(2) by certified mail or other more expeditious means to the dealer or dealers of such manufacturer to whom such motor vehicle or equipment was delivered.

(c) The notification required by subsection (a) shall contain a clear description of the defect, an evaluation of the risk to traffic safety reasonably related to the defect, and a statement of the measures to be taken to repair the defect.

(d) Every manufacturer of motor vehicles shall furnish to the Secretary a true or representative copy of all notices, bulletins, and other communications to the dealers of such manufacturer or purchasers of motor vehicles or motor vehicle equipment of such manufacturer regarding any defect in such vehicle or equipment sold or serviced by such dealer. The Secretary shall disclose so much of the information contained in such notice or other information obtained under subsection 114(a) to the public as he deems will assist in carying out the purposes of this Act, but he shall not disclose any information which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code unless he determines that it is necessary to carry out the purposes of this Act.

(e) If through testing, inspection, investigation, or research carried out pursuant to this title, or examination of reports pursuant to subsection (d) of this section, or otherwise, the Secretary determines that any motor vehicle or item of motor vehicle equipment—

(1) does not comply with an applicable Federal motor vehicle safety standard prescribed pursuant to sections 102 and 103; or

(2) contains a defect which relates to motor vehicle safety;

then he shall immediately notify the manufacturer of such motor vehicle or item of motor vehicle equipment of such defect or failure to comply. The notice shall contain the findings of the Secretary and shall include all information upon which the findings are based. The Secretary shall afford such manufacturer an opportunity to present his views and evidence in suport thereof, to establish that there is no failure of compliance or that the alleged defect does not affect motor vehicle safety. If after such presentation by the manufacturer the Secretary determines that such vehicle or item of equipment does not comply with applicable Federal motor vehicle safety standards, or contains a defect which relates to motor vehicle safety, the Secretary shall direct the manufacturer to furnish the notification specified in subsection (c) of this section to the purchaser of such motor vehicle or item of motor vehicle equipment as provided in subsections (a) and (b) of this section.

Used motor vehicle inspection study

SEC. 117. (a) In order to assure a continuing and effective national traffic safety program, it is the policy of the Congress to encourage and strengthen the enforcement of State inspection of used motor vehicles.

(b) The Secretary shall conduct a thorough study and investigation to determine the adequacy of motor vehicle safety standards and motor vehicle inspection requirements and procedures applicable to used motor vehicles in each State, and the effect of programs authorized by this Act upon such standards, requirements, and procedures for used motor vehicles, and report to the Congress as soon as practicable not later than one year after the enactment of this Act, the results of such study and recommendations for such additional legislation as he deems necessary to carry out the purposes of this Act.

Access to information

SEC. 118. In addition to information made available to the public under section 3(c) of the Administrative Procedure Act, the Secretary shall make available, to any interested person, the record compiled in the proceedings for establishment of a motor vehicle safety standard, including at least (A) the testimony, documentary evidence, and written submissions of data, views or arguments, and (B) to the extent feasible, any nondocumentary evidence, but the Secretary shall not disclose any information which contains or relates to trade secrets.

Obligation for noncomplying motor vehicles and motor vehicle equipment

SEC. 119. (a) If any motor vehicle or item of motor vehicle equipment is determined not to conform to applicable Federal motor vehicle safety standards, or contains a defect which relates to motor vehicle safety, after the sale of such vehicle or item of equipment by a manufacturer or a distributor to a distributor or a dealer and prior to the sale of such vehicle or item of equipment by such distributor or dealer:

(1) The manufacturer or distributor, as the case may be, shall immediately repurchase such vehicle or item of motor vehicle equipment from such distributor or dealer at the price paid by such distributor or dealer, plus all transportation charges involved and a reasonable reimbursement of not less than 1 per centum per month of such price paid prorated from the date of notice of such nonconformance to the date of repurchase by the manufacturer or distributor; or

(2) In the case of motor vehicles, the manufacturer or distributor, as the case may be, at his own expense, shall immediately furnish the purchasing distributor or dealer the required conforming part or parts or equipment for installation by the distributor or dealer on or in such vehicle and for the installation involved the manufacturer shall reimburse such distributor or dealer for the reasonable value of such installation plus a reasonable reimbursement of not less than 1 per centum per month of the manufacturer's or distributor's selling price prorated from the date of notice of such nonconformance to the date such vehicle is brought into conformance with applicable Federal standards: *Provided, however,* That the distributor or dealer proceeds with reasonable diligence with the installation after the required part, parts or equipment are received.

(b) In the event any manufacturer or distributor shall refuse to comply with the requirements of paragraphs (1) and (2) of subsection (a), then the distributor or dealer, as the case may be, to whom such nonconforming vehicle or equipment has been sold may bring suit against such manufacturer or distributor in any district court of the United States in the district in which said manufacturer or distributor resides, or is found, or has an agent, without respect to the amount in controversy, and shall recover the damage by him sustained, as well as all court costs plus reasonable attorneys' fees. Any action brought pursuant to this section shall be forever barred unless commenced within three years after the cause of action shall have accrued.

(c) The value of such installations and such reasonable reimbursements as specified in subsection (a) of this section shall be fixed by mutual agreement of the parties, or failing such agreement, by the court pursuant to the provisions of subsection (b) of this section.

Brake fluid and seat belt standards

SEC. 120. (a) Public Law 87–637 (Act of September 5, 1962, 76 Stat. 437, 15 U.S.C. 1301–1303), and Public Law 88–201 (Act of December 13, 1963, 77 Stat. 361, 15 U.S.C. 1321–1323) are hereby repealed.

(b) Whoever, prior to the date of enactment of this section, knowingly and willfully violates any provision of law repealed by subsection (a) of this section, shall be punished in accordance with the provisions of such laws as in effect on the date such violation occurred.

(c) Standards issued pursuant to any law repealed by subsection (a) of this section shall continue in full effect and may be amended as if they had been effectively issued pursuant to this title. Such standards shall, after enactment of this Act, be subject to the enforcement and all other provisions of this title.

(d) All orders, rules, regulations, or privileges made, issued, or granted by any officer or agency in connection with any law repealed by subsection (a) of this section, and in effect at the time of such repeal, shall continue in effect to the same extent as if this section had not been enacted, until modified, superseded, or repealed. No suit, action, or other proceeding lawfully commenced by or against any agency or officer of the United States acting in his official capacity shall abate by reason of any repeal made by this section, but the court, on motion or supplemental petition filed at any time within twelve months after such transfer takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, may allow the same to be maintained.

Avoidance of duplication

SEC. 121. The Secretary, in exercising the authority under this Act, shall utilize the services, research and testing facilities of public agencies to the maximum extent practicable in order to avoid duplication in such facilities and services.

Regulations

SEC. 122. The Secretary is authorized to issue and amend such rules and regulations as he may find necessary or appropriate to carrying out the provisions of this Act.

Reports and recommendations

SEC. 123. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on March 1 of each year a comprehensive report on the administration of this Act for the preceding calendar year. Such report shall include but not be restricted to (1) a thorough statistical compilation of the accidents and injuries occurring in such year; (2) a list of Federal motor vehicle safety standards prescribed or in effect in such year; (3) the degree of observance of applicable Federal motor vehicle standards; (4) a summary of all current research grants and contracts together with a description of the problems to be considered by such grants and contracts; (5) an analysis and evaluation, including relevant policy recommendations, of research activities completed and technological progress achieved during such year; and (6) the extent to which technical information was disseminated to the scientific community and consumer-oriented information was made available to the motoring public.

(b) The report required by subsection (a) of this section shall contain such recommendations for additional legislation as the Secretary deems necessary to promote cooperation among the several States in the improvement of traffic safety and to strengthen the national traffic safety program.

Appropriations authorized

Sec. 124. There is authorized to be appropriated for the purpose of carrying out the provisions of this title, not to exceed $11,000,000 for fiscal year 1967, $17,000,000 for fiscal year 1968, and $23,000,000 for the fiscal year 1969.

TITLE II—TRAFFIC ACCIDENT AND INJURY RESEARCH AND TEST FACILITY

Authorization for research and testing facility

Sec. 201. The Secretary of Commerce is hereby authorized, acting independently or in cooperation with other Federal departments or agencies, to plan, design, construct, acquire, maintain, and operate a facility or facilities, within the District of Columbia or elsewhere, in which to conduct so much of the research, development, testing and evaluation provided for by this Act, and other research, development, and testing in traffic safety authorized by law, as he may deem appropriate and necessary.

Planning appropriations authorized

Sec. 202. There is hereby authorized to be appropriated not to exceed $2,000,000 for the planning of the facility or facilities authorized by section 201 of this Act, including necessary feasibility studies.

Limitations on appropriations for construction

Sec. 203. (a) No appropriation shall be made to construct, acquire, or alter any facility pursuant to section 201 involving an expenditure in excess of $100,000 if such construction, acquisition, or alteration has not been approved by resolutions adopted by the Committee on Commerce of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives, and such approval has not been rescinded as provided in subsection (c) of this section. For the purpose of securing consideration of such approval, the Secretary shall transmit to Congress a prospectus of the proposed project, including (but not limited to)—

(1) a brief description of the building or facility to be constructed, acquired, or altered under this title;

(2) the location of the project, and an estimate of the maximum cost of the project;

(3) statement by the Secretary that suitable space owned by the Government is not available and that suitable facilities are not available for acquisition or on a fee or rental basis at a price commensurate with that to be afforded through the proposed action; and

(4) a statement by the Secretary of the number of persons expected to be employed at the building or facility and an estimate of its annual operating cost.

(b) The estimated maximum cost of any project approved under this section as set forth in any prospectus may be increased by an amount equal to the percentage increase, if any, as determined by the Secretary in consultation with the Administrator of the General Services Administration, in construction, production, or alteration costs, as the case may be, from the date of transmittal of such prospectus to Congress, but in no event shall the increase authorized by this subsection exceed 10 per centum of such estimated maximum costs.

(c) In the case of any project approved for construction, acquisition, or alteration by the Committee on Commerce of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives, in accordance with subsection (a) of this section, for which an appropriation has not been made within one year after the date of such approval, either the Committee on Commerce of the Senate or the Committee on Interstate and Foreign Commerce of the House of Representatives may rescind, by resolution, its approval of such project at any time thereafter before such an appropriation has been made.

TITLE III—HIGHWAY SAFETY

National driver register

Sec. 301. Title 23, United States Code, is hereby amended by adding at the end thereof a new section:

"§ 321. National driver register service

"(a) The Secretary shall establish and maintain a register containing the name of each individual reported to him by a State, or political subdivision thereof, as an individual with respect to whom such State or political subdivision has denied, terminated, or temporarily withdrawn (except a withdrawal for less than ninety days based on habitual violation) an individual's license or privilege to operate a motor vehicle. Such register shall also contain such other information as the Secretary may deem appropriate to carry out the purposes of this section.

"(b) The Secretary shall, at the request of any State, or political subdivision thereof, or at the request of any Federal department or agency, furnish such information as may be contained in the register established under subsection (a) with respect to any individual applicant for a motor vehicle operator's license or permit.

"(c) As used in this section, the term 'State' includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone and American Samoa."

Technical amendments

Sec. 302. (a) The Act of July 14, 1960 (74 Stat. 526), as amended by the Act of October 4, 1961 (75 Stat. 779), is hereby repealed.

(b) The analysis of chapter 3 of title 23, United States Code, is amended by adding at the end thereof:

"321. National Driver Register Service."

Mr. MANSFIELD. Mr. President, for the second time in 3 short days the Senate unanimously approved a measure handled by the distinguished chairman of the Committee on Commerce [Mr. Magnuson]. Now added to his long record of achievements is the auto safety bill; a proposal which could not have obtained such overwhelming support without his able advocacy. Success of this magnitude, however, serves once again only to establish Senator Magnuson as one of the most effective and highly regarded Members of this body. His many achievements speak better of his great capacities than do any words of praise. We all are deeply grateful. And I speak not only for the membership, but for the entire Nation.

For many years, the junior Senator from Connecticut [Mr. Ribicoff] has been closely identified with this whole field of automobile safety. All of us appreciate his many great contributions. With the success of this measure today he has realized an objective for which he has labored long and hard. Senator Ribicoff may justly be proud of the achievement, but his pride in the accomplishment can be no greater than the esteem of the American people which he has earned and which he so richly deserves.

I also wish to single out for well deserved praise, the outstanding efforts of the junior Senator from Wisconsin [Mr. Nelson] in assuring today's great success. As I said earlier, his absence today was occasioned solely by the Senate's official business abroad which he was directed to perform. I only add that no other Member of this body was more interested in, or supported more vigorously, this legislation. I note that his position on all of its features has been entered in the Record.

It is plain that a unanimous endorsement is achieved only with the strong and articulate support of many Senators. On this measure, there was none stronger nor more articulate than the ranking minority member of the committee, the senior Senator from New Hampshire [Mr. Cotton]. Senator Cotton led the way with his splendid cooperation and highly able support. And equally cooperative were the efforts of the Senators from Pennsylvania [Mr. Scott] and Indiana [Mr. Hartke].

Others too must be commended for assuring this great success by devoting their great talents to its discussion on the floor. I refer to the Senators from Oklahoma [Mr. Monroney], Rhode Island [Mr. Pastore], Michigan [Mr. Hart and Mr. Griffin] and to others who rose to support the measure with their outstanding abilities.

HIGHWAY SAFETY ACT OF 1966

Mr. RANDOLPH. Mr. President, I ask unanmous consent that the Senate proceed to the consideration of Calendar No. 1270, S. 3052.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 3052) to provide for a coordinated national highway safety program through financial assistance to the States to accelerate highway traffic safety programs, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Public Works with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Highway Safety Act of 1966".

SEC. 101. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

"CHAPTER 4—HIGHWAY SAFETY

"401. Authority of the Secretary.
"402. Highway safety programs.
"403. Highway safety research and development.
"405. Community safety programs.
"406. National Traffic Safety Advisory Committee.

"§ 401. Authority of the Secretary

"The Secretary of Commerce, or, in the event of the establishment of a Department of Transportation, the Secretary of Transportation is authorized and directed to assist and cooperate with other Federal departments and agencies, State and local governments, private industry, and other interested parties, to increase highway safety.

"§ 402. Highway safety programs

"(a) The Secretary shall encourage and assist each of the States to establish a highway safety program based upon a comprehensive official statewide plan designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom. Such programs should be in accordance with uniform standards approved by the Secretary which standards shall include, but not be limited to, provisions for an effective accident record system, measures calculated to improve driver education and performance, motor vehicle inspection and administration, highway design, surface treatment and maintenance, traffic control, and surveillance of traffic for detection and correction of high or potentially high accident locations. The Secretary shall be authorized to amend or waive standards on a temporary basis for the purpose of evaluating new or different highway safety programs instituted on an experimental, pilot, or demonstration basis by one or more States, where the Secretary finds that the public interest would be served by such amendment or waiver. The pertinent standards for State highway safety programs shall, to the extent determined appropriate by the Secretary, be applicable to federally administered areas where a Federal department or agency controls the roads or supervises traffic operation.

"(b) Any funds authorized to be appropriated to aid the States to conduct the highway safety programs described in subsection (a) shall be subject to a deduction for the necessary costs of administering the provisions of this section and section 404 of this chapter, and the remainder shall be apportioned among the several States as follows: 75 per centum on the basis of population and 25 per centum as the Secretary in his administrative discretion may deem appropriate. All provisions of chapter 1 of this title that are applicable to Federal-aid primary highway funds (except the apportionment formula) and except the limitation of expenditures of these funds to the Federal-aid systems, including the provisions relating to obligation, period of availability, Federal share payable (50 per centum), and expenditure of such funds, shall govern the administration of the highway safety funds authorized to be appropriated to carry out this section, except as determined by the Secretary to be inconsistent with this section. However, the Secretary shall apportion to the States through the office of the Governor of each of the States or the applicable State highway safety agency designated by the Governor any funds authorized for the purposes of this section, and any funds authorized for the fiscal year ending June 30, 1967, shall be apportioned as soon as they shall be authorized.

"(c) The Secretary may make arrangements with other Federal departments and agencies for assistance in the preparation of uniform standards for the highway safety programs contemplated by subsection (a) and in the administration of such programs. Such departments and agencies are directed to cooperate in such preparation and administration, on a reimbursable basis.

"§ 403. Highway safety research and development

"For the purpose of strengthening the highway safety program of the Federal Government, the Secretary is authorized to expand the highway safety research and development activities under section 307(a) of title 23, United States Code, to cover all aspects of highway safety which shall include, but not be limited to, highway safety systems research and development relating to vehicle, highway, and driver characteristics, accident investigations, communications, emergency medical care, and transportation of the injured. The Secretary may use the funds appropriated for any fiscal year for the purposes of this section, independently or in cooperation with other Federal departments or agencies, for grants to State or local agencies, institutions, and individuals for training or education of highway safety personnel, research fellowships in highway safety, development of improved accident investigation procedures, community emergency medical service plans, demonstration projects, and for related activities which are deemed by the Secretary to be necessary to carry out the purposes of this section.

"§ 405. Community safety programs

"(a) The Secretary, in agreement with the Governor of each State or his designee, shall encourage and assist political subdivisions of the respective States to establish traffic safety programs designed to reduce traffic accidents and deaths, injuries and property damage resulting therefrom. Such programs shall be consistent with the statewide highway safety program approved by the Secretary pursuant to section 402(a); and may include, but not be limited to, study, training, research, demonstration, experimentations and implementation of safety programs; improvement of laws and ordinances; accident recordkeeping; driver education; motor vehicle inspection and administration; police traffic control; traffic courts; public information; citizen support and medical care and transportation for the injured.

"(b) 'Political subdivisions' shall, for the purposes of this Act, mean any city or county, a combined city-county, a multicounty or metropolitan regional governmental unit, which is predominantly within a standard metropolitan statistical area.

"(c) Funds authorized to be appropriated to carry out this section shall be subject to a deduction for the necessary costs of administering the provisions of this section, and the remainder shall be apportioned by the Secretary to the States for distribution by the Governors to eligible political subdivisions to carry out the provisions of subsection (a) and said apportionment to be made on the basis of 75 per centum according to metropolitan population, and 25 per centum as the Secretary in his administrative discretion may deem appropriate, with no State receiving more than 10 per centum in accordance with criteria to be determined by the Secretary, such criteria to include, but not be limited to, consideration of need, the incidence of traffic accidents, and such other factors as the Secretary may deem appropriate. All provisions of chapter 1 of this title that are applicable to Federal-aid primary highway funds (except the apportionment formula and the Federal-aid system limitation in expending funds), including the provisions relating to obligation, period of availability, Federal share payable (50 per centum), and expenditure of Federal-aid primary highway funds, shall govern the administration of the highway safety funds authorized to be appropriated to carry out this section, except as determined by the Secretary to be inconsistent with this section.

"§ 406. National Traffic Safety Advisory Committee

"(a) (1) There is established in the Department of Commerce (Transportation) a National Traffic Safety Advisory Committee, composed of the Secretary or an officer of the Department appointed by him, who shall be chairman, and thirty members appointed by the President, no more than five of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of section 101 of this Act, shall be selected from among representatives of various State and local governments, including State legislatures, of public and private interests contributing to, affected by, or concerned with traffic and highway safety, and of other public and private agencies, organizations, or groups demonstrating an active interest in traffic and highway safety, as well as research scientists and other individuals who are expert in this field.

"(2) (A) Each member appointed by the President shall hold office for a term of three years, except that (i) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (ii) the terms of office of members first taking office after the date of enactment of this section shall expire as follows: ten at the end of one year after such date, ten at the end of two years after such date, and ten at the end of three years after such date, as designated by the President at the time of appointment, and (iii) the term of any member shall be extended until the date on which the successor's appointment is effective. None of the members appointed by the President other than Federal officers or employees shall be eligible for reappointment within one year following the end of his preceding term.

"(B) Members of the Council who are not officers or employees of the United States shall, while attending meetings or conferences of such Council or otherwise engaged in the business of such Council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized in section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(b) The National Traffic Safety Advisory Committee shall advise, consult with, and make recommendations to, the Secretary on matters relating to the activities and functions of the Department in the field of traffic and highway safety. The Committee is authorized (1) to review research projects or programs submitted to or recommended by it in the field of traffic and highway safety and recommend to the Secretary, for prosecution under this Act, any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause and prevention of traffic or highway accidents; and (2) to review, prior to issuance, standards proposed to be issued by order of the Secretary under the provisions of section 402(a) of title 23 of the United States Code as amended hereby, and to make recommendations thereon. Such recommendations shall be published in connection with the Secretary's determination or order."

SEC. 102. (a) Sections 135 and 313 of title 23 of the United States Code are herbey repealed.

(b) (1) The analysis of chapter 1 of title 23, United States Code, is hereby amended by deleting:

"135. Highway safety programs."

(2) The analysis of chapter 3 of title 23, United States Code, is hereby amended by deleting:

"313. Highway Safety Conference."

(3) There is hereby added at the end of the table of chapters at the beginning of title 23, United States Code, the following:

"CHAPTER 4—HIGHWAY SAFETY"

SEC. 103. For the purpose of carrying out section 402 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $40,000,000 for the fiscal year ending June 30, 1967, $60,000,000 for the fiscal year ending June 30, 1968; and $60,000,000 for the fiscal year ending June 30, 1969.

SEC. 104. For the purpose of carrying out section 403 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of $10,000,000 for the fiscal year ending June 30, 1967, $20,000,000 for the fiscal year ending June 30, 1968; and $25,000,000 for the fiscal year ending June 30, 1969. Funds appropriated under the authority of this section shall be available for necessary costs in administering the provisions of section 403, and shall remain available until expended.

SEC. 105. For the purpose of carrying out section 405 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $40,000,000 for the fiscal year ending June 30, 1967, $60,000,000 for the fiscal year ending June 30, 1968; and $60,000,000 for the fiscal year ending June 30, 1969.

SEC. 106. Section 101(a) of title 23, United States Code, is hereby amended by adding the following term at the end thereof: "The term 'State highway safety agency' means those departments, commissions, boards, or officials of any State charged by its laws with the responsibility for administering the State highway safety program, or any part thereof."

SEC. 107. Section 105 of title 23, United States Code, is hereby amended by adding the following subsection at the end thereof:

"(e) In approving programs for projects on the Federal-aid systems pursuant to chapter 1 of this title, the Secretary shall give priority to those projects which incorporate improved standards and features with safety benefits."

SEC. 108. Nothing contained in this Act shall be deemed to supersede the authority under existing law of any Federal department or agency.

SEC. 109. In order to provide the basis for evaluating the continuing programs authorized by this Act, and to furnish the Congress with the information necessary for authorization of appropriations for fiscal years beginning after June 30, 1969, the Secretary, in cooperation with the Governors or the appropriate State highway safety agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act. The Secretary shall submit such detailed estimate and recommendations for Federal, State, and local matching funds to the Congress not later than January 10, 1968.

Mr. KUCHEL. Mr. President, for the information of the Senate, I wonder if my able friend, the Senator from West Virginia [Mr. Randolph], could tell us if he contemplates a rollcall on final passage, or whether he contemplates any dispute over amendments which could result in a rollcall vote.

Mr. RANDOLPH. Mr. President, at this point, as we begin consideration of the measure, I could not give the assurance of no rollcall vote on final passage, or even assurance on amendments that might be offered.

I hope that there would not be a rollcall vote on amendments and that informal agreements which I have had with Senators would suffice. As manager of the bill, I would expect that there would be no rollcall votes on amendments offered, and there may be no need for a rollcall vote on final passage.

Mr. KUCHEL. If my able friend could give us more assurance in connection with final passage Senators would be most grateful.

Mr. COOPER. Mr. President, the Senator from California [Mr. Kuchel] addressed a question to the Senator from West Virginia [Mr. Randolph], which is of interest to everyone here as to whether or not there will be any rollcall votes.

I wish to say that I joined in introducing this bill with the distinguished chairman of the Committee on Public Works [Mr. Randolph]. We have been able to get together on all aspects of the bill except one.

The bill as introduced and proposed by the administration required that its cost be paid from the highway trust fund. The committee struck out that provision and the bill now provides that the cost will be paid from general appropriations.

The cost of this bill will amount to $375 million over a period of 3 years. I understand that an amendment will be offered by the distinguished Senator from Connecticut [Mr. Ribicoff] which would add some costs to the bill. So that the total cost of the bill could be over $400 million.

While I have this opportunity, I wish to state my reasons for offering this amendment. First, I believe that highway safety is an integral part of the construction of highways, and the highway trust fund provides money for the construction of highways.

Certainly, if safety is as important as we think it is, and as has been demonstrated by the unanimous vote on the bill which has just passed, I do not believe that $400 million over a period of 3 years would be too heavy a burden on the highway trust fund. I anticipate that one argument against my amendment will be that there is an actuarial deficit in the highway trust fund.

If no other funds from additional taxes are provided, according to the Federal Highway Administrator, then the completion of the Interstate System will be delayed some 2 years. I ask unanimous consent that the testimony of the Under Secretary of Commerce, Mr. Boyd and the Federal Highway Administrator, Mr. Whitton, on the highway authorization bill before the Subcommittee on Roads on May 11, 1966, relating to this point be inserted in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Senator Gruening. This concludes the questions left by Senator Randolph.

Senator Cooper?

Senator Cooper. Thank you, Mr. Chairman.

First, I would like to say, Mr. Chairman, that I think we are indebted to Under Secretary Boyd and Administrator Whitton for their comprehensive and informative statement. Anyone listening to this statement, in detail of different Federal-aid programs, has to recognize the importance of the vast highway system to which the Federal Government contributes.

I would like to talk about the funding of the program. Am I correct in saying that the recommendations you have made, with particular reference to Interstate highway systems, are based upon the assumption that funds will be provided?

Mr. Boyd. Yes, sir.

Senator Cooper. For the highway trust fund?

Mr. Boyd. Yes, sir.

Senator Cooper. Of about $5 billion in additional funds?

Mr. Boyd. Yes, sir.

Senator Cooper. And even if those funds are provided, you would find that it would take 1 more year to complete the system.

Mr. Boyd. We have asked for an extension——

Senator Cooper. To complete the system, is that correct, 41,000 miles?

Mr. Boyd. We have asked for a 5-month extension.

Senator Cooper. In the event that additional financing should not be provided, but present tax programs continued, after 1971, how long do you anticipate it would take to complete the 41,000-mile Interstate System?

Mr. Boyd. I think that Mr. Whitton can give you a better answer on that than I can, Senator Cooper. My own estimate is about 18 months to 2 years, but I am not qualified, really.

Mr. Whitton. Yes, sir, that is very close, Senator.

Senator Cooper. How many years?

Mr. Whitton. Eighteen months to 2 years.

Senator Cooper. You mean even if this $5 billion is not provided, it would only take 2 years longer to complete the 41,000 miles?

Mr. Whitton. Yes, sir.

Mr. COOPER. Mr. President, the administration, however, proposes increasing taxes so that the Interstate System can be completed in 1972. But, whatever happens, it is my judgment that the $400 million-plus which would be authorized by this bill—and it is possible that that amount may not be appropriated—will not delay completion of the Interstate Highway System by any appreciable amount.

My final argument would be, of course, that we already have a defilt in our national budget and no one knows what it will be by the end of fiscal year 1967. Here we would be merely adding to that deficit.

My chief argument as to why safety is an integral part of the highway system is that a portion of the funds provided for in this bill would be directed toward improved construction and design of highways. I believe this is to be important. I will offer an amendment at the proper time to accomplish my stated purpose.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield without losing his right to the floor?

Mr. RANDOLPH. I am delighted to yield to the Senator from Montana.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, after discussing the situation with the distinguished acting minority leader, the very able chairman of the committee, and the outstanding ranking minority member, I should like to propound a unanimous-consent request that, after the speech of the distinguished chairman of the committee, the Senator from West Virginia, and the speech of the distinguished Senator from Kentucky [Mr. COOPER], there be a time limitation on all amendments thereafter of 10 minutes, with 5 minutes to a side, to be controlled equally by the chairman of the committee and the proposer of the amendment, and that 1 hour of debate be allowed on the bill, with the time equally divided between the majority leader and the minority leader, or whomever either may designate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. RANDOLPH. Mr. President, the Senate is considering S. 3052, as amended and reported from the Committee on Public Works.

The bill is in the nature of a substitute amendment for S. 3052 as it was introduced, striking all after the enacting clause and substituting the committee language.

I shall briefly cover the provisions of the bill in comparison to those of the original bill, which was title III of the measure proposed by the administration and introduced by the distinguished chairman of the Commerce Committee [Mr. MAGNUSON] who has just guided S. 3005 to successful passage.

In connection with the committee bill, let me say at the outset very quickly that I urge its adoption as presented, with perhaps some slight modifications.

S. 3052 provides total authorizations of $375 million for aid to the States in developing comprehensive statewide safety programs, for aid to political subdivisions of populations of 50,000 or in the development of community safety programs which will be consistent with the statewide programs, and for Federal research in the field of traffic and highway safety. The authorizations are for the fiscal years of 1967, 1968, and 1969.

The bill as introduced, provided for 6-year authorizations in the aggregate of $580 million. However, this surface comparison is misleading. The committee has, in effect, doubled the amount of funds avaliable for matching grants over the same period, by the addition of a new section providing for community safety programs which will be funded at the same annual level of authorizations as the statewide comprehensive programs. Section 101 of the bill creates a new chapter—Chapter 4, Highway Safety—to title 23 of the United States Code.

Section 401 of the new chapter authorizes the Secretary of Commerce, or Transportation if that Department is created, to carry out the highway safety program envisaged in the act, and in doing so, to assist and cooperate with other Federal agencies, State, and local governments, private industry and other interested parties.

Section 402(a) is an extension of the Baldwin amendment enacted last year, which is repealed elsewhere in the bill. It Defines the concept of Federal assistance in developing comprehensive statewide programs on all highways and roads—not merely those now on the Federal-aid systems. The uniform standards which will be developed by the Secretary under authority of this section will form the foundation for a cooperative system involving State projects which, under existing law, cannot now be financially assisted by Federal funds—for examples, driver licensing, vehicle inspection, police enforcement and driver-teacher training. The Secretary may waive the uniform standards on a temporary basis to take advantage of experimental or pilot programs.

Section 402(b) provides the conditions for apportioning funds, with 75 percent of the funds to be allocated to the States on the basis of population and 25 percent to be allocated at the discretion of the Secretary. The discretionary authority of the Secretary, with respect to 25 percent of the funds, will allow sufficient flexibility for him to give additional support to particularly significant innovative projects, as well as to States which have a pressing need to improve particular aspects of their total program. All grants will be made on a 50–50 matching basis.

To carry out the provisions of this section, the bill authorizes $40 million for fiscal 1967, $60 million for fiscal 1968, and $60 million for fiscal 1969. I point out that the same amount of authorizations are provided to carry out the provisions of section 405, the community safety program. The Senator from Kentucky has been intensely interested in this portion of the legislation, as have been other members of the Subcommittee on Roads and members of the Public Works Committee itself.

While the members of the Committee on Public Works are aware of the gap between these total authorizations of $320 million in matching funds for a 3-year period, and the annual national need of $958 million estimated by the National Safety Council, it was our conviction that substantially larger sums could not now be effectively spent and yet maintain a balanced and comprehensive program. Neither Federal nor State witnesses were able to provide the committee with specific guidelines or priorities for increased authorizations.

In this regard, I emphasize that our decision to limit the authorizations for section 402, as for the entire bill, to 3 years instead of the 6 years proposed by the administration, does not reflect a lack of concern. On the contrary, the committee has a deep sense of the urgency of the problems of highway safety. The 3-year limitation is based on two considerations:

First. The inadequate knowledge among all authorities which prevents the present establishment of guidelines or assignment of priorities for long-term investment of Federal funds, and,

Second. The conviction of the committee that when such guidelines are established it will be evidence that the Federal responsibility will require Federal funds of a much greater magnitude than the sums proposed by the administration for the fiscal years of 1970, 1971, and 1972. Our action in this regard is, therefore, definitely not to be interpreted as signifying a weakening of congressional intent to provide Federal assistance for a long-term highway safety program. Rather, it signifies the committee's determination to review the program after the Secretary reports to the Congress by January 10, 1968, as required by the bill, and thereby base its future actions on more accurate and complete information that is now available.

Section 403 authorizes the Secretary to expand highway safety research and demonstration activities to cover all aspects of highway safety, including, but not limited to, highway safety systems research and development relating to vehicle, highway, and driver characteristics, accident investigations, communications, emergency medical care, and transportation of the injured.

This section is predicated on the grounds that traffic safety research must be conducted from a total system's point of view. The research program will attack the three basic areas of accident phenomena: Accident prevention, the minimization of their effects after occurrence, and effective emergency services and investigation after the accident. A comprehensive data collection and analysis system and a research correlation system are integral features of the proposed research program to insure a comprehensive approach which will leave no area unexplored.

Section 404 of the draft bill, which would expand the National Driver Register Service, has been deleted from the committee bill and referred to the Committee on Commerce, where the original jurisdiction for this provision lies, with the recommendations of the Committee on Public Works.

Section 405 is a committee amendment which directs the Secretary to assist political subdivisions of the respective States to establish traffic safety programs which will be consistent with the statewide highway safety program approved by the Secretary pursuant to section 402(a). The community programs may include, but not be limited to, study, training, research, demonstration, experimentations, and implementation of safety programs; improvement of laws and ordinances; accident recordkeeping; driver education; motor vehicle inspection and administration; police traffic control; traffic courts; public information; citizen support and medical care and transportation for the injured.

This provision limits the eligible units of local government to those which are predominantly within a standard metropolitan statistical area—that is, a population of 50,000 or more. The amendment is predicated on two principal factors: First, though the loss of life is less in urban accidents than in rural, 80 percent of the property damage resulting from auto accidents occurs in urban areas; and, second, metropolitan governments have in many categories of highway safety a greater degree of responsibility and more highly skilled personnel than do the States. With regard to this latter factor, evidence submitted to the committee indicates that many metropolitan units of government will be able to initiate demonstration programs immediately upon approval of the standards by the Secretary, and thereby save lives early in the program.

Section 406 authorizes the establishment of a National Traffic Safety Advisory Committee, to be comprised of 30 members and the Secretary or his designee as chairman. Traffic safety is a complex and intricate subject matter, involving many variables in the relationship of the vehicle, the driver, the highway, and a constantly shifting environment. It is our recommendation, therefore, that the Secretary should be provided with a continuous structure which will enable him to draw upon the resources of widest range of expertise within government and outside for the purposes of evaluation and decisionmaking.

This section authorizes the advisory committee to review research projects or programs in the field of traffic and highway safety and to review, prior to issuance, the standards proposed to be issued by the Secretary under the provisions of sections 402(a) of title 23, of the United States Code.

Mr. President, the bill which I offer is the product of extensive hearings for 5 days and the result of careful consideration and deliberation by the Subcommittee on Roads and the Committee on Public Works during five meetings in executive session. It is not a perfect bill, but I believe it is a good bill.

Perhaps the most important judgment I have reached as a result of our committee hearings and executive sessions is how infinitely intricate are the problems of highway safety, and how little hard, factual knowledge exists regarding the multiple causes of highway accidents. It is for this reason that the committee has taken what might be viewed by some as a rather tentative approach.

It is most assuredly not due to any lack of a sense of urgency on our part. We have been exposed to the same grim figures of fatalities and property damage that are so frequently quoted when dealing with the problems of highway safety. But we were also exposed to the intricacies and ambiguities of the problem and to the need for guidelines and standards and assigned priorities before substantially larger sums than those authorized can be effectively spent.

I therefore urge the enactment of S. 3052, the committee bill, as amended.

Mr. COOPER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. The Senator from Kentucky [Mr. COOPER] proposes an amendment, on page 17, line 5, after the word "appropriated," to insert the following language: "out of the highway trust fund," and on page 17, line 14, after the word "appropriated," to insert the same language.

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. COOPER. Mr. President, I wish to proceed immediately on my amendment. May I have the attention of the Senator from West Virginia?

Mr. RANDOLPH. Yes, indeed.

Mr. COOPER. As I understood the announcement of the distinguished majority leader after the Senator had concluded his remarks on the bill, it was that I could speak on the bill and then submit the amendment; but I have chosen to submit the amendment now, so that we may move along on the bill.

Mr. RANDOLPH. I appreciate the cooperation of the distinguished Senator, and the manner in which he wishes to proceed is acceptable to me.

Mr. COOPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator ask unanimous consent that the time for the quorum call not be charged to either side?

Mr. COOPER. Yes, I so request.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COOPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Mr. President, I yield myself 10 minutes.

Mr. MANSFIELD. Does the Senator wish to ask for the yeas and nays? There are enough Senators present for a sufficient second, if the Senator wishes.

Mr. COOPER. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COOPER. Mr. President, I have asked for a rollcall vote on this amendment, because I think it is a serious amendment. It has a serious purpose, and I hope that there will be enough Senators present so that I might have an opportunity to discuss it with them.

My amendment is not very difficult to understand. As I noted in my remarks a few minutes ago, the bill as proposed by the administration and accompanied by a message from the President provided that the cost of the proposed Federal-State programs — programs chiefly of education and highway safety—be paid from the highway trust fund. The committee amended the bill, and it now provides that the cost be paid from general appropriations.

I raised this point in the committee, and filed my views upon this issue. My amendment would restore the bill to the form in which it was first presented to the Senate by the distinguished Senator from West Virginia [Mr. RANDOLPH] and myself, and would provide that its cost be paid from the highway trust fund.

The authorizations provided in the bill as submitted by the Committee on Public Works amount to $375 million over a period of 3 years—3 years being the length of the programs proposed in the bill. I understand that amendments will be offered by the distinguished Senator from Connecticut [Mr. RIBICOFF], including in my opinion a very good amendment providing for a program of driver training and driver performance, which would amplify the proposal contained in the bill. I understand that his amendment would authorize an additional $90 million. Therefore, we shall be voting on whether to authorize a total expenditure of $465 million over a period of 3 years.

I shall proceed quickly to state my reasons why I believe it would be proper to pay that amount from the highway trust fund rather than by a general appropriation.

The first reason is obvious. There is expected to be a deficit in the budget for the fiscal year 1966, as originally anticipated, of about $6.4 billion.

Since that time the President has stated that he does not believe this estimate will be borne out. However, with the mounting cost of the war in Vietnam, I feel sure that the deficit will probably be larger than is now anticipated.

My second point—and I think that it is basic—is that the highway safety program, particularly as it is embodied in the bill, is very closely related to the whole Federal aid program of highway construction. That program—for which we provide funds through taxes—embraces the ABC system in which the Federal Government allots 50 percent of the cost and the State 50 percent. There is also the Interstate System, to which the Government provides, through taxes, 90 percent of the cost and the State provides 10 percent.

I want to be as frank and as fair as I can with the Senate. Efforts have been made from time to time to destroy the integrity of the highway trust fund. One such effort was an attempt to provide that this great highway program would be paid in part by appropriations. That effort has always been defeated thus far.

Some Senators consider that if we were to add the cost of any other program to the highway trust fund, such action might also encroach upon the integrity of that fund. That argument will be made in this case. However, I submit that highway safety is closely related in the designing of safety features into that construction.

The pending bill would provide funds for research and a program to improve highway design so that injuries and fatalities occasioned on our roads would be reduced.

The program of educating drivers by initiating programs for driver performance, driver training, and driver licensing is certainly an important program.

I have read some of the evidence that has been adduced in hearings conducted by the distinguished Senator from Connecticut [Mr. RIBICOFF], and while I know that there is conflict as to the impact of the lack of driver training on accidents, I know that there has been testimony that perhaps 90 percent of the fatalities incurred in accidents occur as a result of the lack of driver training. Other witnesses say that the percentage is much lower. However, we know that the lack of training is an important factor. I believe that the question of highway safety is related to the whole program of highway construction.

I should like to make two points before I close. I anticipate, I am sure, two of the arguments of my friend, the distinguished Senator from West Virginia [Mr. RANDOLPH]. One argument will be that the administration is proposing that the Ways and Means Committee of the House will establish a separate trust fund to be called the Highway Safety and Beautification Revenue Act of 1965. It will be said that a certain part of the revenues produced from the auto excise taxes will be set aside for the establishment of this new fund.

I assume the argument will be made that, when the fund is established, the cost of this safety program will then be shifted to the new fund.

My answer to that argument is that the new program has not yet been established. It would have to be proposed by the Ways and Means Committee of the House.

I am not sure of the attitude Congress would take toward removing certain excise taxes from the general revenues.

A second argument has been made to the committee—and I am sure that it will be made and ought to be made here—that the highway trust fund now has a deficit and that the additional charge of more than $465 would increase that deficit.

The deficit in the highway trust fund is an actuarial deficit. I think it ought to be explained. As I have said before, the charges on the highway trust fund come as a cost of the regular ABC highway system and the Interstate System.

If the present taxes providing revenues for the highway trust fund and the present highway authorizations are continued, it is my contention from listening to the testimony at the hearings on another bill—the regular biennial authorization bill for our Federal-Aid Highway System—that there would be no deficit.

In actuality, the deficit has nothing to do with the ABC system but is caused by the increased costs to complete the Interstate System.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. Mr. President, I yield myself 10 additional minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for an additional 10 minutes.

Mr. COOPER. Mr. President, it is intended that the Interstate System will be completed in 1972. However, because of additional costs which have arisen since the program was instituted—and I understand that these additional costs are estimated at approximately $5 billion—it will be impossible to complete the Interstate System by 1972.

The administration is proposing new taxes to secure funds to complete the system on time. But Mr. Whitton, Federal Highway Administrator, has testified that if the Government is not able to secure additional revenues by new taxes levied by Congress, it will take an additional 18 months to 2 years to complete the Interstate System. The impact of my amendment, which authorizes $465 million out of the highway trust fund, would probably delay completion of the Interstate System 3 or 4 months. In my opinion, the solution of the problem of reducing the annual number of 50,000 highway casualties is just as important as a 3- or 4-month delay in the completion of the Interstate System.

Not only do I believe my proposal to be fiscally sound but I think it will give the provisions of the bill more importance with respect to establishment of these safety programs by the States and the Federal Government. The States will know that it is a serious matter to have this cost payable out of the highway trust fund.

I do not know how many votes will be cast in favor of the amendment, but I sincerely hope that Senators will carefully consider the argument and will support it.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. LAUSCHE. In substance, does the Senator from Kentucky subscribe to the general objectives of the bill, but suggest that the financing of the program should be out of the highway trust fund rather than out of the general fund of the U.S. Treasury?

Mr. COOPER. That is correct. I introduced such a bill with the distinguished Senator from Ohio. We worked on the proposal together. I would rather have the system paid for from funds which now exist than have it authorized from general appropriations, from which we do not have the money to pay for it.

Mr. RANDOLPH. Mr. President, I oppose the amendment offered by the distinguished Senator from Kentucky, the ranking minority member of the Subcommittee on Roads and of the Committee on Public Works.

The committee carefully considered this problem, and the committee rejected the amendment that is now pending.

Senators should understand the position of the committee in not endorsing the financing of the safety program from the highway trust fund. First, it must be acknowledged that the trust fund faces an impending deficit in the amount of approximately $7 billion, at the present level of revenues. Unless additional revenue is raised or the construction level of activity is reduced, sufficient funds will not be available to complete the Interstate System by 1972, or for a significant period thereafter. The highway trust fund was established for the primary purpose of construction of the Interstate System.

The committee took a similar position last year in rejecting the proposal to finance the highway beautification program from the highway trust fund. The sole purpose of the trust fund is to finance the construction and the administration of the Federal-aid road systems.

Highway safety is a vital need, and it should be attended to. Senators should address themselves to the subject in the appropriation process, although I doubt whether we shall have to proceed through the usual process of appropriations. I shall indicate the reasons for this position.

Secretary Connor said in his testimony before the committee that it is the intention of the administration not to encroach on highway construction funds.

On page 10 of the hearings, Secretary Connor is quoted as saying:

> In reviewing the financial aspects of the entire highway safety program, it should be noted that the $580 million in expenditures contemplated by S. 3052 would be financed, under the President's proposal, through the highway trust fund. It is the administration's position, however, that this expenditure should in no way encroach on the currently dedicated highway user revenues devoted to the Federal aid highway program.

The financing of safety and the financing of expenditures entailed by the Highway Beautification Act of 1965 would be provided by auto excise taxes, under the proposal advanced earlier by the administration.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. RIBICOFF. The thought occurs to me that the matter of financing, whether applied to the highway trust fund or to the raising of taxes for general revenues, is within the jurisdiction of the Committee on Finance.

The Senator from Louisiana [Mr. LONG], the chairman of the Committee on Finance, had to leave because of the forthcoming wedding of his daughter. The Senator from Louisiana requested me, as a member of the Committee on Finance, to state that he is deeply concerned about this problem, because anything that involves financing should be in the jurisdiction of the Committee on Finance.

The Senator from Louisiana stated further that, as chairman of the Committee on Finance, he certainly would undertake hearings as soon as possible, in an attempt to work out a financing arrangement.

Since the financing of the highway trust fund is within the jurisdiction of the Committee on Finance, the question of the use of excise taxes for this purpose would come within the jurisdiction of that committee. The Senator from Louisiana hopes that the jurisdiction of the Committee on Finance would not be invaded in this way.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The time of the Senator from Connecticut has expired.

Mr. RANDOLPH. I ask unanimous consent that I be permitted to continue for 5 minutes more.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. The Senator from Kentucky [Mr. COOPER] would leave to the committee in charge of the matter the manner of financing these programs.

Mr. RANDOLPH. The Senator from Connecticut has stated one of the compelling reasons why the Committee on Public Works rejected the amendment offered by the distinguished minority member of the committee. This is one of the reasons.

At this time, I wish to refer to colloquy that occurred when Secretary Connor was before our committee and discussed the highway trust fund.

Secretary Connor indicated that if this program were to be carried forward with money from the highway trust fund, the fund would need to be replenished by bringing 1 percent of the excise tax into the highway trust fund.

At that time, I said:

> If I may interject, I think it is important, in behalf of the record, to note that this program, Mr. Secretary, will not take from the trust fund more than is added by the new revenues. This is the declared position of the administration, is it not?

I asked Secretary Connor if that were not true, and he said:

> That is correct, Mr. Chairman, and that is an important point.

Then Senator Fong added:

> So the deficit of the highway trust fund will not be increased?

Secretary Connor emphasized again that that was correct.

In conclusion, Mr. President, while the committee was in executive session on the pending bill, we received assurance from the administration that the Highway Safety and Beautification Revenue Act would soon be introduced; that it would have the endorsement of the Treasury Department and the Bureau of the Budget; and that the act would allocate 1 percent of the auto excise tax for 1967, 2 percent for 1968, and 2 percent for 1969.

The committee rejected the trust fund financing, not only for the reasons I have cited, but also because this aspect of highway legislation would fall within the jurisdiction of the Committee on Finance, as the Senator from Connecticut has said, and as I am sure the Senator from Indiana [Mr. Hartke], a member of that committee, might say.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. HARTKE. I, too, feel that this is a matter which belongs within the jurisdiction of the Committee on Finance. Even so, I believe that the expense of the proposed legislation should not detract from the equally important business of the trust fund—building additional highways. If there is anything we need, it is more money in the highway fund, instead of depleting it. I desire the chairman to know that I intend to support the committee in this action, without intending any disrespect to the distinguished Senator from Kentucky.

Mr. RANDOLPH. What I understand the Senator from Indiana to say is that the problem of safety is important enough to be included in the general appropriations process and in the evaluation of our national priorities. If financed from the general fund, then the safety program would be weighed in relation to other Federal expenditures—such as tobacco subsidies, other crop supports, mass transit subsidies, or grants for public works.

I agree that the subject matter of the pending amendment falls within the jurisdiction of the Committee on Finance. I am grateful for the comment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. LAUSCHE. If the ability of the highway trust fund to meet the obligation of funding this new program is a matter to be determined by the Committee on Finance, why does it not follow that the ability of the general fund to finance the new program is likewise not a function of the Committee on Finance?

It would seem to me that the basic facts underlying both funds deal with the ability to meet the obligation. It is said that the ability of the trust fund to meet the obligation should be decided by the Committee on Finance. I would say if that is correct the next declaration would be that the ability of the general fund is likewise a function that should be decided by the Committee on Finance.

I would like to hear the comment of the Senator in that respect.

Mr. RANDOLPH. I do not believe that it is only a matter of being able to finance the program. The original Revenue Act establishing the trust fund was referred to the Committee on Finance, and it would seem to me that that is where the jurisdiction should reside in this instance.

I do say, and the distinguished Senator from Ohio [Mr. Lausche] will recall, that we debated this matter thoroughly—in fact, for an hour and a half—when the highway beautification was before us. Then, it was the consensus of the Senate that the money should come from the general fund rather than the highway trust fund. The same situation is involved here today.

Mr. COOPER. Mr. President, I wish to ask a question of the Senator from Indiana [Mr. Hartke].

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RANDOLPH. Mr. President, I yield on my time.

Mr. COOPER. Has the administration made any proposal to the Committee on Finance to provide funds for this program by special taxes?

Mr. HARTKE. All of these matters would originate in the House of Representatives, by virtue of the Constitution.

Mr. COOPER. I am aware of that.

Mr. HARTKE. There has been no recommendation by the administration that I know of that it come from the trust fund.

Mr. COOPER. The administration bill introduced by the distinguished Senator and myself provided that it be paid from the trust fund.

Mr. Boyd, the Under Secretary of Commerce, testified at some length on this subject and he described the types of taxes proposed to be levied on automobiles, aviation fuel, and other products, to pay for the cost of not only these safety programs but also the beautification program. However, the decision to fund these programs out of the general fund was made in committee.

Mr. RANDOLPH. With thorough consideration.

Mr. COOPER. The administration's proposal for payment out of the highway trust fund is contained in the stricken language of this bill. The administration has not requested the Committee on Finance to provide funds from the highway trust fund. Our committee was faced with the decision we would make as to how to pay for these programs. The committee proposes to pay for them from general appropriations where there are insufficient funds unless we borrow to pay for it.

I have suggested that we leave this provision in the bill as the administration originally proposed and pay for it from the highway trust fund where there is money, where there is no deficit.

The deficit in the highway trust fund is actuarial in that we cannot complete the Interstate System in time. There will be a delay of 2 years.

I thank the Senator.

Mr. RANDOLPH. As chairman, I wish to say at this point that Secretary Connor made it plain, and I read the testimony, that if it were to come out of the highway trust fund, that the taxes must be raised to replenish the fund. This was explicit in what he said. That is one of the reasons the committee took the position it did. Any action with reference to the trust fund should come through the Ways and Means Committee and the Committee on Finance. There is no doubt about this.

Mr. President, I ask for the rejection of the amendment.

Mr. COOPER. I wish to say in closing that if we pass the pending bill and provide that it be funded out of the highway trust fund, then the Committee on Finance and the Ways and Means Committee can act. There is nothing wrong with that.

The PRESIDING OFFICER. The time on the amendment has expired.

Mr. COOPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COOPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the amendment of the Senator from Kentucky [Mr. Cooper].

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Indiana [Mr. Bayh], the Senator from Tennessee [Mr. Gore], the Senator from Minnesota [Mr. McCarthy], the Senator from New Mexico [Mr. Montoya], the Senator from Maine [Mr. Muskie], the Senator from Wisconsin [Mr. Nelson], and the Senator from Oregon [Mrs. Neuberger] are absent on official business.

I also announce that the Senator from Illinois [Mr. Douglas], the Senator from Oklahoma [Mr. Harris], the Senator from Alabama [Mr. Hill], the Senator from Louisiana [Mr. Long], the Senator from South Dakota [Mr. McGovern], the Senator from New Hampshire [Mr. McIntyre], the Senator from South Carolina [Mr. Russell], the Senator from Georgia [Mr. Russell], the Senator from Alabama [Mr. Sparkman], the Senator from Missouri [Mr. Symington], and the

Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Illinois [Mr. Douglas], the Senator from Tennessee [Mr. Gore], the Senator from Oklahoma [Mr. Harris], the Senator from Louisiana [Mr. Long], the Senator from New Mexico [Mr. Montoya], the Senator from Wisconsin [Mr. Nelson], and the Senator from Maryland [Mr. Tydings] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. Boggs], the Senator from Nebraska [Mr. Curtis], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy], the Senator from Massachusetts [Mr. Saltonstall], the Senator from Wyoming [Mr. Simpson], the Senator from Texas [Mr. Tower], and the Senator from South Carolina [Mr. Thurmond] are necessarily absent.

The Senator from Kansas [Mr. Carlson], and the Senator from Idaho [Mr. Jordan] are detained on official business.

If present and voting, the Senator from Delaware [Mr. Boggs], the Senator from Kansas [Mr. Carlson], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy], the Senator from Wyoming [Mr. Simpson], and the Senator from South Carolina [Mr. Thurmond] would each vote "nay."

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Texas would vote "nay."

The result was announced—yeas 13, nays 58, as follows:

[No. 116 Leg.]

YEAS—13

Aiken
Cooper
Dirksen
Dodd
Gruening
Hruska
Javits
Kuchel
Lausche
McGee
Morton
Williams, Del.
Young, N. Dak.

NAYS—58

Allott
Anderson
Bartlett
Bennett
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cotton
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Griffin
Hart
Hartke
Hayden
Hickenlooper
Holland
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Magnuson
Mansfield
McClellan
Metcalf
Mondale
Monroney
Morse
Moss
Mundt
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Scott
Smathers
Smith
Stennis
Talmadge
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—29

Bass
Bayh
Boggs
Carlson
Curtis
Douglas
Gore
Harris
Hill
Jordan, Idaho
Long, La.
McCarthy
McGovern
McIntyre
Miller
Montoya
Murphy
Muskie
Nelson
Neuberger
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Sparkman
Symington
Thurmond
Tower
Tydings

So Mr. Cooper's amendment was rejected.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. RIBICOFF. Mr. President, I send amendments to the desk.

The PRESIDING OFFICER. The amendments offered by the Senator from Connecticut will be stated.

The legislative clerk proceeded to read the amendments.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with, and that they be printed in the Record.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. Ribicoff's amendments are as follows:

On page 8, after line 16, strike out

"405. Community safety programs.

"406. National Traffic Safety Advisory Committee."

and insert in lieu thereof:

"404. Grants for State motor vehicle inspection programs.

"405. Grants for State driver education and training programs.

"406. Community safety programs.

"407. National Traffic Safety Advisory Committee."

On page 12, between lines 5 and 6, insert the following new sections:

"§ 404. Grants for State motor vehicle inspection programs

"(a) From sums appropriated pursuant to the Highway Safety Act of 1966 to carry out the provisions of this section for the fiscal year ending June 30, 1968, and for the four succeeding fiscal years, the Secretary is authorized to make grants to States to pay up to 20 per centum of the cost for the establishment or improvement of State programs for motor vehicle inspection in accordance with the provisions of this section. The Secretary shall determine the amount of the Federal share of the cost of such programs for each fiscal year based upon the funds appropriated therefor for that fiscal year and the number of participating States.

"(b) Any State desiring to participate in the grant program under this section shall designate or create an appropriate State agency for the purpose of this section, and submit, through such State agency, a State plan which shall—

"(1) set forth a program for establishing, or improving (in the case of a State which already has in operation a State administered motor vehicle inspection program), State supervised motor vehicle inspection at garages or other suitable facilities certified by the State for that purpose;

"(2) agree to accept and apply such minimum standards for highway traffic safety with respect to inspection as the Secretary shall by regulation prescribe;

"(3) provide that the State will pay from *non-Federal sources the cost of such* program in excess of amounts received under this section;

"(4) set forth provisions for the financing of such plan without Federal assistance be*ginning with the fiscal year ending June 30,* 1973;

"(5) contain satisfactory evidence that the State agency will adequately supervise such program;

"(6) provide that the State agency will make such reports, in such form and containing such information as the Secretary may require; and

"(7) provide such fiscal control and fund acounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

"(c) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b).

"§ 405. Grants for State driver education and training programs

"(a) From sums appropriated pursuant to the Highway Safety Act of 1966 to carry out the provisions of this section for the fiscal year ending June 30, 1968, and for the four succeeding fiscal years, the Secretary is authorized to make grants to States to pay up to 50 per centum of the cost of establishing, expanding and improving programs for driver education in accordance with the provisions of this section. The Secretary shall determine the amount of the Federal share of the cost of such programs for each fiscal year based upon the funds appropriated therefor for that fiscal year and the number of participating States.

"(b) Any State desiring to participate in the grant program under this section shall submit through its State educational agency, a State plan which shall—

"(1) provide for the initiation of a State program for driver education or for a significant expansion and improvement of such a program already in existence;

"(2) include provisions for the training of qualified instructors and their certification;

"(3) provide for adequate research, development, and procurement of practice driving facilities, simulators, and other similar teaching aids;

"(4) include provision for financial assistance by the State to institutions of higher education for research in driver education testing, curriculum, and methods of instruction;

"(5) provide that the State will pay from non-Federal sources the cost of such program in excess of amounts received under this section;

"(6) provide adequate State supervision and administration of such driver education;

"(7) provide that the State agency will make such reports, in such form and containing such information as the Secretary may require; and

"(8) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

"(c) Prior to prescribing regulations under this section the Secretary shall consult with the Secretary of Health, Education, and Welfare.

"*(d)* The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b).

"(e) For the purpose of this section, the term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer *or agency, an officer or agency designated* by the Governor or by State law."

On page 12, line 6, strike out "§ 405" and substitute "§ 406".

On page 14, line 1, strike out "§ 406" and *substitute "§ 407"*.

On page 17, between lines 11 and 12, insert the following new sections:

"Sec. 105. For the purpose of carrying out section 404 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $5,000,000 for the fiscal year ending June 30, 1967, and for each of the two succeeding fiscal years.

"Sec. 106. For the purpose of carrying out section 405 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $20,000,000 for the fiscal year ending June 30, 1967, $25,000,000 for the fiscal year ending June 30, 1968, and $30,000,000 for the fiscal year ending June 30, 1969."

"On page 17, line 12, strike out "Sec. 105" and substitute "Sec. 107".

On page 17, line 12, strike out "405" and substitute "406".

On page 17, line 18, strike out "Sec. 106" and substitute "Sec. 108".

On page 18, line 1, strike out "Sec. 107" and substitute "Sec. 109".

On page 18, line 8, strike out "Sec. 108" and substitute "Sec. 110".

On page 18, line 11, strike out "Sec. 109" and substitute "Sec. 111".

Mr. RIBICOFF. Mr. President, now is the time for decision on traffic safety.

Everyone is for traffic safety, but the test is whether we will back up our words with action by providing the money to do the job that needs to be done. Let it be understood—there is no effective, bargain basement traffic safety program.

President Johnson has stated that traffic safety is the second most important problem facing this Nation after Vietnam. We should finance our traffic safety effort accordingly.

My amendment will help do so. It would provide an additional $90 million over a 3-year period beginning in fiscal 1967 for driver education and vehicle inspection. As a group, younger drivers have a poor accident record. Yet they are the group most able to learn proper driving techniques. I propose that we give them the training to reverse the statistics which have made the automobile the No. 1 killer in the 5- to 24-age group. To accomplish this my amendment authorizes $20 million in fiscal year 1967, $25 million in fiscal year 1968, and $30 million in fiscal 1969. I believe this program can be most effectively administered by the State education agency responsible for supervision of primary and secondary education. Accordingly, I have vested authority for carrying out the program in that agency.

The amendment attacks another leading problem in the traffic safety field—the unsafe older car. The average passenger car in the United States today is 6 years old, and is probably in poor condition to meet the demands of modern superhighway driving. Only 20 States and the District of Columbia have taken steps to cope with this problem by requiring periodic inspections. To encourage the other 30 States to adopt inspection programs and those which now have such inspection programs to upgrade them, I would authorize $15 million to be spent over 3 years beginning in fiscal 1967. This "seed money" will get the programs started. They should quickly become self-sustaining on the inspection fees.

Mr. President, all responsible authorities are agreed that we need a balanced traffic safety program. None of the three factors in the equation—the car, the driver, and the road—should be neglected or overemphasized.

It is ironic that after all the controversy over the role of the car in the hearings of my subcommittee and before other committees, that it is now the driver and the road, the two factors everyone said needed a much greater investment of money and effort, which are being slighted. A fair and balanced approach demands that we correct the inadequacies of S. 3052.

Mr. HART. Mr. President, I hope very much that the amendment offered by the able Senator from Connecticut is adopted. It is all to the good that earlier today we passed a strong safety Traffic Safety Act which relates to the design of new cars and the elimination of defects from new cars.

But a car can be perfectly designed and constructed as it leaves Detroit and as it is delivered to the new car buyer from the dealer's showroom. The maintenance of that car, now a used car after it has been purchased from the dealer, also affects vitally traffic safety. After weeks and months of operation are its headlights alined? Is there tread left on the tires? Is there lining on the brakes? In this area State inspection and the role of the State are paramount. And it is to encourage the establishment and the improvement of State motor vehicle inspection that the Senator from Connecticut now proposes we act.

When the auto safety bill was in discussion in our Committee on Commerce I raised the issue of the used car. Indeed, I sought to add to the auto safety bill a requirement that in any State which had an auto inspection law, no used car could be sold unless it was certified as meeting, at or about the time of that used car sale, the requirements of the State inspection. There were practical problems which argued against going that far at this time. But I am glad that the Committee on Commerce did add section 117, my amendment as modified, to the Traffic Safety Act which we passed earlier today.

And the amendment which the Senator from Connecticut is now offering would help enormously in encouraging States to adopt effective motor vehicle inspection laws and to improve those laws and practices in States which now have such requirements. Surely as we commit ourselves to reducing threat to life and limb on the highway we ought attack the problem on every front which gives promise of success and the matter of maintaining a car in operation on the roads in safe condition is an area to which our commitment should be deep and strong. It is an area where the State is the principal source of strength and the Ribicoff amendment will encourage and enable the States to respond to this need.

In the amendment which I offered and was added to section 117 of the Auto Traffic Safety Act we have directed the Secretary of Commerce to study the adequacy of vehicle inspection requirements applicable to used cars in each State and report to Congress not later than 1 year after the enactment of that act the results of his study and such recommendations for additional legislation as he views necessary. I believe that this direction to the Secretary and the encouragement and support which the Ribicoff amendment would provide the States will insure Federal-State cooperation in car inspection programs. The Senator from Connecticut also would have us support State driver education and training programs. This, too, is of great meaning in any effort to reduce traffic accidents. Again, the safety of new car design is only one element.

There must be improvement in streets and byways as well as an extension of the current Interstate Highway System. There must be better driver education devised so that learning drivers will have both day and night driving experience—as well as traffic, highway, and freeway driving time.

There must be stricter examination of all drivers before they get operators licenses. Also, there must be regular, reexamination of all drivers to determine their continued ability to drive carefully.

There must be an improvement in the uniformity of the signage and the regulations which govern the operation of vehicles in our many States. We must also consider and enact vehicle operation laws and speed limits which are in keeping with modern vehicles and modern highway conditions.

At the same time, we must extend periodic vehicle inspection so that it covers all vehicles in all States, and not just the minority one-third which are now subject to inspection.

The Senator from Connecticut, expert in this field, offers constructive amendments and I do hope the Senate will support him.

Mr. RANDOLPH. Mr. President, the modified amendments presented by the able Senator from Connecticut [Mr. Ribicoff] have been discussed by us, and have been discussed with minority members of the Committee on Public Works.

The reduced figures now pending are in keeping with a balanced program, and I accept the amendments as presented.

Mr. President, I yield back my remaining time.

The PRESIDING OFFICER. Does the Senator from Connecticut yield back the time remaining to him?

Mr. RIBICOFF. I yield back the time remaining to me.

The PRESIDING OFFICER. All time on the amendments has been yielded back.

The question is on agreeing en bloc, to the amendments of the Senator from Connecticut.

The amendments were agreed to en bloc.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. MONDALE. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk proceeded to read the amendment.

Mr. MONDALE. Mr. President, I ask unanimous consent to dispense with the reading of the amendment.

Mr. ANDERSON. Mr. President, what is it? I do not know what the amendment is.

Mr. MONDALE. I ask that the clerk read the amendment.

The PRESIDING OFFICER. The amendment will be stated by the clerk.

The legislative clerk read the amendment, as follows:

Amendment to S. 3052, to be inserted between lines 10 and 11, on page 18, the following new section:

"SEC. 109. The Secretary of Commerce shall make a thorough and complete study of the relationship between the consumption of alcohol and its effect upon highway safety and driver of motor vehicles, in consultation with such other government and private agencies as may be necessary. Such study shall cover review and evaluation of State and local laws and enforcement methods and procedures relating to driving under the influence of alcohol, State and local programs for the treatment of alcoholism, and such other aspects of this overall problem as may be useful. The results of this study shall be reported to the Congress by the Secretary on or before July 1, 1967, and shall include recommendations for legislation if warranted."

Renumber existing section 109 as new section 110.

Mr. MONDALE. Mr. President, the amendment would require the Secretary of Commerce, in consultation with other government and private agencies, to undertake a comprehensive study of alcoholism and its relationship to traffic safety.

This study would include, at least, a review and evaluation of State and local laws and enforcement provisions for drivers who drive under the influence of alcohol, and a review of State and local programs for the treatment and rehabilitation of alcoholics and habitual drunkards.

The amendment requires the Secretary to report the results of his study to the Congress by July 1, 1967, and it should include his recommendations, if any, for legislation.

Mr. President, the conflict between alcohol and transportation has been recorded since the beginning of history, and the clash between the two usually has been violent. History is full of examples of disasters attributable to the poor judgment of people under the influence of alcohol.

With the advent of motorized transportation the conflict has heightened. In 1899 the American Railway Association adopted a rule prohibiting drinking on duty. During prohibition, Henry Ford warned:

> If the law (prohibition) were changed, we'd have to shut down our plants. Everything in the United States is keyed up to a new pace. * * * The speed at which we run our motor cars, operate our intricate machinery, and general life would be impossible with liquor.

For more than 33 years we have been living with this impossibility, and its effects on traffic accidents is clear.

Traffic accidents emanate from road conditions, vehicle failure, and driver error—either alone or in combination. And the latter category, the driver error is complicated by the influence of alcohol.

It is well recognized that drinking and driving do not mix, and efforts have been made to educate drivers of the dangers involved and to punish those who fail to heed laws prohibiting operating a motor vehicle under the influence of alcohol.

Nevertheless, little headway has been made to prevent the carnage that results from this deadly combination. It has been estimated that drinking is a contributing factor in as many as one-half of the fatal motor vehicle accidents. A study in California, reported by the National Safety Council, reveals that among drivers responsible for accidents, two-thirds had been drinking, and in one-car accidents, 7 out of 10 of the drivers had been drinking. In contrast, in accidents in which drivers were not responsible for the accidents, less than one out of five had been drinking.

Thus, the problem of driving and drinking is a national problem. And it is a thorny one because it is intricately tied into accepted social behavior. A national problem of such proportions as this one must be attacked, but before that is possible it must be thoroughly studied and understood.

Few deny that there is a relationship between the ability to perceive, react, judge, and execute while driving, and the consumption of alcohol. We do not know, however, the true extent of the problem. The data are scarce and the criteria by which we correlate drinking and driving differ from State to State. In addition, the special social problem of alcoholics who continue, nevertheless, to drive—and this is a common occurrence—requires special study.

Mr. President, I urge the adoption of my amendment for a comprehensive study of alcoholism and its relationship to traffic safety. This problem will not diminish. Before it reaches impossible dimensions, it must be given appropriate attention.

Mr. RANDOLPH. Mr. President, I have discussed the amendment with the distinguished Senator from Minnesota. No money is involved in connection with the study, and it is an area of inquiry that merits inclusion and specific attention in the proposed highway safety program. I therefore accept the amendment.

The **PRESIDING OFFICER.** Do the Senators yield back their time?

Mr. MONDALE. I yield back the remainder of my time.

Mr. RANDOLPH. I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time is yielded back. The questions is on agreeing to the amendment of the Senator from Minnesota.

The amendment was agreed to.

Mr. KENNEDY of New York. Mr. President, I am pleased with the traffic safety bills that have been reported to the Senate by the Commerce and Public Works Committees today. The changes made as a result of the committee hearings and the suggestions of a number of Senators have greatly strengthened this legislation. As it now stands, this legislation can do much to reverse the rising traffic accident death and injury toll.

The establishment of Federal motor vehicle standards, as required by this legislation, is fundamental to our goal of safer highways. There has always been a strong Federal interest in safety and in transportation safety in particular. In adopting this form of regulation we extend to our major means of transportation the standards that we have applied in the past to steamboats, railroads, aviation, trucks, and buses.

I believe that the bill has been strengthened by extending its coverage to trucks. There are now about 2 million trucks on our highways, not a large number in proportion to the 88 million motor vehicles now on the road. But trucks account for a significant portion of the miles traveled on our highways and the safety of their operation is of concern to all of us. All motorists are benefited by extending safety standards and safety research and development to trucking.

This legislation also establishes a program of traffic safety research and development and authorizes the construction of a traffic accident and injury research and test facility. I believe that the money we spend on this research can pay safety dividends that will far exceed our current expectations. This program will make it possible to test new safety ideas and bring successful results to the public's attention. Prototype cars and parts can be built and tested without having to modify production line designs. This research and development can create a public climate of rising expectations in auto safety, a demand for safer cars that I believe can be satisfied by our auto industry.

This legislation also provides money to support research on traffic safety problems of our highways, roads, and streets. Although much of the attention has focused on the safety of the motor vehicle itself, the highway or road itself is a major cause of accidents and cannot be neglected in any comprehensive approach to traffic safety. The provisions in these bills for effective recording of accident statistics and the identification of danger areas on our highways are long overdue.

The additional funds to support driver safety training are also important, for most accidents are caused by the driver. We have a responsibility to prepare drivers so that they can avoid accidents as much as we have a responsibility to protect those involved in an accident.

Some concern has been expressed about the costs of the traffic safety bills now being considered. Although the funds authorized in these bills are in the millions, they are small in comparison to the results they will achieve. This legislation will cost less than $1 a motor vehicle, less than the cost of a tank of gasoline, less than the cost of an insurance policy for an airplane trip, and considerably less than the cost to individuals of an increase in our auto insurance rates. And it also should be remembered that if this legislation results in a significant decrease in our traffic accident rate, the drop in our insurance rates will more than pay its costs.

There are several points relating to this legislation that should be made.

The first concerns the effect of the establishment of Federal motor vehicle safety standards on litigation in the courts. I think it is clear from the definitions included in this bill that Federal safety standards are regarded as a minimum rather than as a maximum standard.

Regardless of whether the lawsuit is against another car owner or is a product liability action or involves the safety of the automobile in some other way, these standards are to be regarded as a floor. For example, the legislative language specifically states that "nothing in this section shall be construed to prevent a State or political subdivision thereof from establishing requirements more stringent than a Federal motor vehicle safety standard for the exclusive purpose of its own procurement."

Second, the bill submitted by the administration included a section restricting the public use of traffic safety information collected by the Federal Government. This section restricted the use of highway accident information by the public both for educational purposes and for use in the courts.

As a result, I offered an amendment that would make traffic safety information generally available and would make factual information, as opposed to opinions, available for use in the courts.

The Public Works Committee considered this amendment in detail and although the amendment was not adopted, the entire section restricting the use of information was removed from the bill reported today. I believe that this is a step in the right direction.

I understand that one of the main reasons for the submission of this section by the administration was a fear that the release of Federal traffic accident reports might unduly burden their investigations and also make it difficult for their investigators to obtain information.

I do not believe that this is a legitimate fear in light of the experiences of two of the principal accident researchers. Dr. Paul Gikas of the University of Michigan and Dr. Alfred Mosely, formerly of Harvard University, have both written to say that they do not believe that the use of accident investigation information would make these investigations more difficult. Dr. Gikas goes on to say that he believes an investigator has an obligation of citizenship to testify in court on such matters when called upon to do so. And he points out that less than 1 percent of his time has been spent in courtrooms testifying on car accidents he has investigated.

I ask unanimous consent that the full text of Dr. Gikas' letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE UNIVERSITY OF MICHIGAN,
Ann Arbor, Mich., May 26, 1966.

Hon. GEORGE FALLON,
Chairman, Public Works Committee,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. FALLON: I testified before the Interstate and Foreign Commerce Committee of the United States House of Representatives on April 28, and the United States Senate Commerce Committee on April 6 concerning the results of our research project at the University of Michigan concerning the investigation of fatal automobile accidents. Our project was sponsored by a United States Public Health Service grant through the University of Michigan from July 1962 until the fall of 1965. The purpose of the project was to determine the mechanism of infliction of fatal injury in automobile accidents and to correlate injury sustained by the victim with design and damage sustained by the vehicle. In order to gather the data the investigation team was called by the local law enforcement agencies to the scene of fatal car accidents in our county, and the victim and vehicle were studied. Much valuable information was obtained as a result of this study concerning the influence of car design and construction on injury production.

The results of this study were reported in my testimony before the Committees mentioned above and I refer you to the records of their Hearings.

There apparently has been some concern in the Congressional Committees considering the various Traffic Safety bills about restricting the use in the courts of information gathered at the scene of an accident as a research endeavor sponsored by federal funds. I would like to report that we have made such information obtained during the course of an accident investigation available to prosecuting and defense attorneys when properly requested. Information is often obtained which could be of great importance in the defense or prosecution of an individual involved in an accident. I believe an investigator has an obligation of citizenship to testify in court on such matters when called upon to do so. Less than 1% of my time so far has been spent in courtrooms testifying on car accidents I have investigated.

There is also some concern that the sources of information dry up if the data is used in court. This most certainly has not been our experience with the University of Michigan Project. As a result of our willingness to appear in court when properly requested, we have gained the respect and full cooperation of the police agencies in the research project. Without such cooperation the project could not have been successfully carried out.

It should be emphasized that Medical Examiners and Coroners are the persons who have the best opportunity to investigate fatal highway accidents. I personally acted as a Deputy Medical Examiner in many of the cases in our research project. Restrictions on the use of accident investigation information by Federal legislation would preclude the participation of Medical Examiners such as myself in these research projects.

In summary, I would like to emphasize that in our experience over the past four years there has been no incompatibility between research sponsored by Federal funds and disclosure in the courts of information obtained therefrom.

I strongly recommend that Section 307 of H.R. 13228 be amended to permit the use of information in courts pertaining to a specific accident investigated as part of a research project sponsored by Federal Funds.

Sincerely,

PAUL W. GIKAS, M.D.,
Assistant Professor of Pathology.

Mr. KENNEDY of New York. Mr. President, I believe that the comments of Dr. Gikas and Dr. Mosely remove the objections to the public use of traffic accident information. Although the legislation as reported does not place any restrictions on the use of information, it appears to be the intent of the bill as reported that all facts contained in Federal traffic accident reports should be available in any civil, criminal, or other judicial proceeding arising from these accidents. That is as it should be.

The committee's action in removing the information restriction would also appear to mean that all Federal traffic safety information and reports will be available to the public for inspection at reasonable times.

Both of these matters are fundamental to the effectiveness of the traffic safety program we are discussing today. Public access to traffic safety information can make the difference between an energetic and effective traffic safety program and a program removed from public view and left to the experts.

I believe that the legislation under consideration today is one of the most important safety measures considered by Congress in recent years. Traffic accidents are a major threat to every citizen. At the present accident rate, every motorist can expect to be in an accident in the next 10 years. There is no comparable threat to the health and welfare of all Americans between the ages of 16 and 29. And only a few diseases claim more victims at all ages. This legislation is but the beginning—it must be administered with imagination and strength and it must be followed by effective action at the State and local community level. The drive for traffic safety has only begun and cannot be relaxed until the accident statistics show us that the job has been done. In acting today, we move on the road to traffic safety. At last we may be on the way to a holiday from the traffic death toll instead of to a traffic death toll on every holiday.

Mr. RANDOLPH. Mr. President, the able Senator from New York has made a pertinent observation regarding the intent of the committee in deleting section 107 of S. 3052 as originally proposed. It was my understanding also that the committee's intent was to eliminate the prohibition on admissibility in evidence of information developed in accident investigations by Federal agencies, and to eliminate unwarranted restrictions on the availability of such material to the public.

For these reasons, as a prospective Senate conferee, when this measure is brought to conference with the House, I would look favorably on the adoption of such a provision, if the other body has so acted.

The PRESIDING OFFICER. The committee amendment is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. RANDOLPH. Mr. President, I ask recognition to speak on the bill for 2 minutes.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 2 minutes.

Mr. RANDOLPH. Mr. President, I call to the attention of the Senate the fact that earlier today, titles I and II of the auto and traffic safety legislation were passed in the bill brought to the Senate by the distinguished chairman of the Committee on Commerce [Mr. MAGNUSON]. On that rollcall, by a vote of 76 to 0, the Senate indicated its sense of a positive approach to an urgent problem.

I see no reason, on title III, for a rollcall, because the three titles, although within the jurisdiction of two committees, are concerned with the general subject matter of safety on the highways of the United States, involving the vehicle, the driver of the automobile, and the highway.

The Senator from Kentucky [Mr. COOPER], the ranking minority member of the Committee on Public Works, has agreed with me as the manager of the bill that the Senate, having given its sense of approval by a unanimous vote within recent hours, should not be called upon to vote by rollcall on this matter.

I commend my good friend from Kentucky for his contributions to this legislation, as well as the other members of the Committee on Public Works, and the staff who have worked diligently to bring responsible and effective legislation to the floor.

This has been a noteworthy day in the Senate, marked first by the enactment of S. 3005 under the highly capable management of the Chairman of the Commerce Committee [Mr. MAGNUSON]. We close now with completion of our work on highway safety, which has been brought to further refinements by the amendments of Senator RIBICOFF and Seantor MONDALE and the suggestions of the junior Senator from New York [Mr. KENNEDY].

Mr. MANSFIELD. Mr. President, I yield 4 minutes to the Senator from Utah.

Mr. MOSS. Mr. President, I support S. 3052 as presented by the Chairman of the Senate Public Works Committee [Mr. RANDOLPH]. We should attack all causes of highway accidents simultaneously. The Commerce Committee reported an admirable bill on automobile safety which we have just adopted. I supported it. But no Federal, State, or other highway safety programs will be fully effective if it does not deal also with the highways and the driver. S. 3052, the bill reported by the Senate Public Works Committee, provides for Federal support in two very important areas—driver training education and vehicle inspection—as well as searching study into the causes of highway accidents.

There is no challenge to State prerogatives in S. 3052. The ultimate and final responsibility for highway safety must continue to rest with the States. It is the States, and not the Federal Government, which licenses drivers, licenses cars, inspects or fails to inspect motor vehicles, and, along with local governments, enforces traffic regulations.

But it has become evident in recent years that the States no longer have the resources needed to keep the highways safe. The surge in prosperity and the surge in population have combined to place millions of more cars on our overcrowded highways than we had 20, or even 10 years ago. The lives and limbs of those who ride over our highways—and who does not?—have been placed increasingly in jeopardy. The death toll and property losses from accidents of our highways soar every year. It is clearly evident that we must do far more than we are doing now. The bill before us recognizes this fact, and authorizes the Federal Government to assist the States in carrying out their traditional role, and to furnish guidance toward uniformity and improvement.

An important provision of the bill would fund community safety programs at the same level as statewide safety programs. The measure calls for an authorization of $40 million for the fiscal year 1967, and $60 million for each of the fiscal years 1968 and 1969 for community safety programs in metropolitan areas having a population of over 50,000 and the same amount for comprehensive statewide programs. Both community and statewide programs will be coordinated through the office of the Governor of each State. The bill would also authorize substantial Federal highway research activities, with support for both State and local programs in this field.

Deputy Under Secretary for Transportation, Mr. Lowell K. Bridwell, recently stated that every aspect of every safety program is starved for funds. The president of the National Safety Council, Mr. Howard Pyle, has estimated that nearly $1 billion a year would be needed to bring all the State, county, and city traffic programs to minimum standards. There is no cheap and easy solution to our highway safety problems, but we must make a start.

I am sure we all recognize that no safety program will be successful if it attempts to cope only with the automobile, or the highway, or the driver. The culprit of an accident may be the vehicle, the highway, or the driver, or a combination of all of them. Very seldom does an automobile run away by itself—rarely is it solely responsible for an accident. Nor is the highway itself often the only cause of a smashup. Most safety features incorporated in automobiles are for the purpose of lessening injuries and damage after the driver has gotten himself in danger; poor driving makes such features necessary.

That is why the Federal support provided in this bill for driver training and education is so important. It is astounding to learn that about half of the people in the United States who should have driver training are not receiving it because of lack of funds. Nor are motor vehicle inspection regulations adequate in all States. The average age of the passenger automobile in the United States is 6 years. However, only 20 States and the District of Columbia require periodic inspection of passenger cars. Think of that—in only 20 States are aged and often unsafe automobiles checked out periodically to see if they should still be on the road, endangering the life not only of their drivers, but of pedestrians and people in other cars. We must take action in this field immediately.

Now, I do not want to create the impression that no one is doing anything about highway safety in the United States. Many dedicated organizations and individuals are devoting their entire attention to it. Safer roads are being built; safer cars are being manufactured; more drivers are being trained; car inspection programs are operating; and traffic enforcement is being improved. But we are not doing nearly enough, and we are not moving nearly fast enough to do more, and that is what S. 3052 is about.

Absolute traffic safety may be an unattainable goal, but it is an ideal toward which we should strive. So long as automobiles are driven over the highways it seems inevitable that there will be some accidents. However, this does not mean that a determined effort should not be made to eliminate all hazards possible and to cut down the number of traffic fatalities. No matter how safe an automobile may be when it leaves the factory, it will become a potential hazard if not properly maintained or if improperly operated upon the highway.

Highway traffic is increasingly interstate in nature which is another reason why the Federal Government must undertake greater responsibility for traffic safety. Real progress cannot be made unless traffic safety programs are coordinated. Passage of this bill will not solve all of our traffic safety problems but it can be instrumental in reversing the upward trend in traffic fatalities of the past few years.

The PRESIDING OFFICER. Does the Senator yield back the remainder of his time?

Mr. RANDOLPH. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is, Shall the bill pass?

The bill (S. 3052) was passed, as follows:

S. 3052

An Act to provide for a coordinated national highway safety program through financial assistance to the States to accelerate highway traffic safety programs, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Highway Safety Act of 1966".

SEC. 101. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

"CHAPTER 4—HIGHWAY SAFETY

"401. Authority of the Secretary.
"402. Highway safety programs.
"403. Highway safety research and development.
"404. Grants for State motor vehicle inspection programs.
"405. Grants for State driver education and training programs.
"406. Community safety programs.
"407. National Traffic Safety Advisory Committee.

"§ 401. Authority of the Secretary

"The Secretary of Commerce, or, in the event of the establishment of a Department of Transportation, the Secretary of Transportation is authorized and directed to assist and cooperate with other Federal departments and agencies, State and local governments, private industry, and other interested parties, to increase highway safety.

"§ 402. Highway safety programs

"(a) The Secretary shall encourage and assist each of the States to establish a highway safety program based upon a comprehensive official statewide plan designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom.

Such programs should be in accordance with uniform standards approved by the Secretary which standards shall include, but not be limited to, provisions for an effective accident record system, measures calculated to improve driver education and performance, motor vehicle inspection and administration, highway design, surface treatment and maintenance, traffic control, and surveillance of traffic for detection and correction of high or potentially high accident locations. The Secretary shall be authorized to amend or waive standards on a temporary basis for the purpose of evaluating new or different highway safety programs instituted on an experimental, pilot, or demonstration basis by one or more States, where the Secretary finds that the public interest would be served by such amendment or waiver. The pertinent standards for State highway safety programs shall, to the extent determined appropriate by the Secretary, be applicable to federally administered areas where a Federal department or agency controls the roads or supervises traffic operation.

"(b) Any funds authorized to be appropriated to aid the States to conduct the highway safety programs described in subsection (a) shall be subject to a deduction for the necessary costs of administering the provisions of this section and section 404 of this chapter, and the remainder shall be apportioned among the several States as follows: 75 per centum on the basis of population and 25 per centum as the Secretary in his administrative discretion may deem appropriate. All provisions of chapter 1 of this title that are applicable to Federal-aid primary highway funds (except the apportionment formula) and except the limitation of expenditures of these funds to the Federal-aid systems, including the provisions relating to obligation, period of availability, Federal share payable (50 per centum), and expenditure of such funds, shall govern the administration of the highway safety funds authorized to be appropriated to carry out this section, except as determined by the Secretary to be inconsistent with this section. However, the Secretary shall apportion to the States through the office of the Governor of each of the States or the applicable State highway safety agency designated by the Governor any funds authorized for the purposes of this section, and any funds authorized for the fiscal year ending June 30, 1967, shall be apportioned as soon as they shall be authorized.

"(c) The Secretary may make arrangements with other Federal departments and agencies for assistance in the preparation of uniform standards for the highway safety programs contemplated by subsection (a) and in the administration of such programs. Such departments and agencies are directed to cooperate in such preparation and administration, on a reimbursable basis.

"§ 403. Highway safety research and development

"For the purpose of strengthening the highway safety program of the Federal Government, the Secretary is authorized to expand the highway safety research and development activities under section 307(a) of title 23, United States Code, to cover all aspects of highway safety which shall include, but not be limited to, highway safety systems research and development relating to vehicle, highway, and driver characteristics, accident investigations, communications, emergency medical care, and transportation of the injured. The Secretary may use the funds appropriated for any fiscal year for the purposes of this section, independently or in cooperation with other Federal departments or agencies, for grants to State or local agencies, institutions, and individuals for training or education of highway safety personnel, research fellowships in highway safety, development of improved accident investigation procedures, community emergency medical service plans, demonstration projects, and for related activities which are deemed by the Secretary to be necessary to carry out the purposes of this section.

"§ 404. Grants for State motor vehicle inspection programs

"(a) From sums appropriated pursuant to the Highway Safety Act of 1966 to carry out the provisions of this section for the fiscal year ending June 30, 1968, and for the four succeeding fiscal years, the Secretary is authorized to make grants to States to pay up to 20 per centum of the cost for the establishment or improvement of State programs for motor vehicle inspection in accordance with the provisions of this section. The Secretary shall determine the amount of the Federal share of the cost of such programs for each fiscal year based upon the funds appropriated therefor for that fiscal year and the number of participating States.

"(b) Any State desiring to participate in the grant program under this section shall designate or create an appropriate State agency for the purpose of this section, and submit, through such State agency, a State plan which shall—

"(1) set forth a program for establishing, or improving (in the case of a State which already has in operation a State administered motor vehicle inspection program), State supervised motor vehicle inspection at garages or other suitable facilities certified by the State for that purpose;

"(2) agree to accept and apply such minimum standards for highway traffic safety with respect to inspection as the Secretary shall by regulation prescribe;

"(3) provide that the State will pay from non-Federal sources the cost of such program in excess of amounts received under this section;

"(4) set forth provisions for the financing of such plan without Federal assistance beginning with the fiscal year ending June 30, 1973;

"(5) contain satisfactory evidence that the State agency will adequately supervise such program;

"(6) provide that the State agency will make such reports, in such form and containing such information as the Secretary may require; and

"(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

"(c) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b).

"§ 405. Grants for State driver education and training programs

"(a) From sums appropriated pursuant to the Highway Safety Act of 1966 to carry out the provisions of this section for the fiscal year ending June 30, 1968, and for the four succeeding fiscal years, the Secretary is authorized to make grants to States to pay up to 50 per centum of the cost of establishing, expanding and improving programs for driver education in accordance with the provisions of this section. The Secretary shall determine the amount of the Federal share of the cost of such programs for each fiscal year based upon the funds appropriated therefor for that fiscal year and the number of participating States.

"(b) Any State desiring to participate in the grant program under this section shall submit through its State educational agency, a State plan which shall—

"(1) provide for the initiation of a State program for driver education or for a significant expansion and improvement of such a program already in existence;

"(2) include provisions for the training of qualified instructors and their certification;

"(3) provide for adequate research, development, and procurement of practice driving facilities, simulators, and other similar teaching aids;

"(4) include provision for financial assistance by the State to institutions of higher education for research in driver education testing, curriculum, and methods of instruction;

"(5) provide that the State will pay from non-Federal sources the cost of such program in excess of amounts received under this section;

"(6) provide adequate State supervision and administration of such driver education;

"(7) provide that the State agency will make such reports, in such form and containing such information as the Secretary may require; and

"(8) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

"(c) Prior to prescribing regulations under this section the Secretary shall consult with the Secretary of Health, Education, and Welfare.

"(d) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b).

"(e) For the purpose of this section, the term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

"§ 406. Community safety programs

"(a) The Secretary, in agreement with the Governor of each State or his designee, shall encourage and assist political subdivisions of the respective States to establish traffic safety programs designed to reduce traffic accidents and deaths, injuries and property damage resulting therefrom. Such programs shall be consistent with the statewide highway safety program approved by the Secretary pursuant to section 402(a); and may include, but not be limited to, study, training, research, demonstration, experimentations and implementation of safety programs; improvement of laws and ordinances; accident recordkeeping; driver education; motor vehicle inspection and administration; police traffic control; traffic courts; public information; citizen support and medical care and transportation for the injured.

"(b) 'Political subdivisions' shall, for the purposes of this Act, mean any city or county, a combined city-county, a multicounty or metropolitan regional governmental unit, which is predominantly within a standard metropolitan statistical area.

"(c) Funds authorized to be appropriated to carry out this section shall be subject to a deduction for the necessary costs of administering the provisions of this section, and the remainder shall be apportioned by the Secretary to the States for distribution by the Governors to eligible political subdivisions to carry out the provisions of subsection (a) and said apportionment to be made on the basis of 75 per centum according to metropolitan population, and 25 per centum as the Secretary in his administrative discretion may deem appropriate, with no State receiving more than 10 per centum in accordance with criteria to be determined by the Secretary, such criteria to include, but not be limited to, consideration of need, the incidence of traffic accidents, and such other factors as the Secretary may deem appropriate. All provisions of chapter 1 of this title that are applicable to Federal-aid primary highway funds (except the apportionment formula and the Federal-aid system limitation in expending funds), including the provisions relating to obligation, period of availability, Federal share payable (50 per centum), and expenditure of Federal-aid primary highway funds, shall govern the administration of the highway safety funds authorized to be appropriated to carry out this section, except as determined by the Secretary to be inconsistent with this section.

"§ 407. National Traffic Safety Advisory Committee

"(a)(1) There is established in the Department of Commerce (Transportation) a National Traffic Safety Advisory Committee, composed of the Secretary or an officer of the Department appointed by him, who shall be chairman, and thirty members appointed by the President, no more than five of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of section 101 of this Act, shall be selected from among representatives of various State and local governments, including State legislatures, of public and private interests contributing to, affected by, or concerned with traffic and highway safety, and of other public and private agencies, organizations, or groups demonstrating an active interest in traffic and highway safety, as well as research scientists and other individuals who are expert in this field.

"(2)(A) Each member appointed by the President shall hold office for a term of three years, except that (i) any member appointed to fill a vacancy occurring prior to the expiration of the terms for which his predecessor was appointed shall be appointed for the remainder of such term, and (ii) the terms of office of members first taking office after the date of enactment of this section shall expire as follows: ten at the end of one year after such date, ten at the end of two years after such date, and ten at the end of three years after such date, as designated by the President at the time of appointment, and (iii) the term of any member shall be extended until the date on which the successor's appointment is effective. None of the members appointed by the President other than Federal officers or employees shall be eligible for reappointment within one year following the end of his preceding term.

"(B) Members of the Council who are not officers or employees of the United States shall, while attending meetings or conferences of such Council or otherwise engaged in the business of such Council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized in section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(b) The National Traffic Safety Advisory Committee shall advise, consult with, and make recommendations to, the Secretary on matters relating to the activities and functions of the Department in the field of traffic and highway safety. The Committee is authorized (1) to review research projects or programs submitted to or recommended by it in the field of traffic and highway safety and recommend to the Secretary, for prosecution under this Act, any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause and prevention of traffic or highway accidents; and (2) to review, prior to issuance, standards proposed to be issued by order of the Secretary under the provisions of section 402(a) of title 23 of the United States Code as amended hereby, and to make recommendations thereon. Such recommendations shall be published in connection with the Secretary's determination or order."

Sec. 102. (a) Sections 135 and 313 of title 23 of the United States Code are hereby repealed.

(b)(1) The analysis of chapter 1 of title 23, United States Code, is hereby amended by deleting:

"135. Highway safety programs."

(2) The analysis of chapter 3 of title 23, United States Code, is hereby amended by deleting:

"313. Highway Safety Conference."

(3) There is hereby added at the end of the table of chapters at the beginning of title 23, United States Code, the following:

"CHAPTER 4—HIGHWAY SAFETY"

Sec. 103. For the purpose of carrying out section 402 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $40,000,000 for the fiscal year ending June 30, 1967, $60,000,000 for the fiscal year ending June 30, 1968; and $60,000,000 for the fiscal year ending June 30, 1969.

Sec. 104. For the purpose of carrying out section 403 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of $10,000,000 for the fiscal year ending June 30, 1967, $20,000,000 for the fiscal year ending June 30, 1968; and $25,000,000 for the fiscal year ending June 30, 1969. Funds appropriated under the authority of this section shall be available for necessary costs in administering the provisions of section 403, and shall remain available until expended.

Sec. 105. For the purpose of carrying out section 404 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $5,000,000 for the fiscal year ending June 30, 1967, and for each of the two succeeding fiscal years.

Sec. 106. For the purpose of carrying out section 405 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $20,000,000 for the fiscal year ending June 30, 1967, $25,000,000 for the fiscal year ending June 30, 1968, and $25,000,000 for the fiscal year ending June 30, 1969.

Sec. 107. For the purpose of carrying out section 406 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $40,000,000 for the fiscal year ending June 30, 1967, $60,000,000 for the fiscal year ending June 30, 1968; and $60,000,000 for the fiscal year ending June 30, 1969.

Sec. 108. Section 101(a) of title 23, United States Code, is hereby amended by adding the following term at the end thereof: "The term 'State highway safety agency' means those departments, commissions, boards, or officials of any State charged by its laws with the responsibility for administering the State highway safety program, or any part thereof."

Sec. 109. Section 105 of title 23, United States Code, is hereby amended by adding the following subsection at the end thereof:

"(e) In approving programs for projects on the Federal-aid systems pursuant to chapter 1 of this title, the Secretary shall give priority to those projects which incorporate improved standards and features with safety benefits."

Sec. 110. Nothing contained in this Act shall be deemed to supersede the authority under existing law of any Federal department or agency.

Sec. 111. The Secretary of Commerce shall make a thorough and complete study of the relationship between the consumption of alcohol and its effect upon highway safety and drivers of motor vehicles, in consultation with such other government and private agencies as may be necessary. Such study shall cover review and evaluation of State and local laws and enforcement methods and procedures relating to driving under the influence of alcohol, State and local programs for the treatment of alcoholism, and such other aspects of this overall problem as may be useful. The results of this study shall be reported to the Congress by the Secretary on or before July 1, 1967, and shall include recommendations for legislation if warranted.

Sec. 112. In order to provide the basis for evaluating the continuing programs authorized by this Act, and to furnish the Congress with the information necessary for authorization of appropriations for fiscal years beginning after June 30, 1969, the Secretary, in cooperation with the Governors or the appropriate State highway safety agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act. The Secretary shall submit such detailed estimate and recommendations for Federal, State, and local matching funds to the Congress not later than January 10, 1968.

Mr. MANSFIELD. Mr. President, the distinguished chairman of the Committee on Public Works [Mr. Randolph] has today earned a high mark for strong and able advocacy with his successful handling of the popularly known highway safety measure—a companion proposal of the automobile safety measure unanimously approved by the Senate a short time ago. Since his ascent to the committee chairmanship earlier in the session, Senator Randolph has demonstrated outstanding leadership ability. In managing this important bill today it was clear that his great talents and wise judgment are highly valued in this body. We are indeed grateful.

Outstanding also was the support of the Senator from Kentucky, the ranking minority member of the committee [Mr. Cooper]. His gracious cooperation is always welcome. Senator Cooper is truly devoted to achieving sound and effective legislation. His outstanding work on this proposal was certainly characteristic.

Again I note the effective support of the Senator from Connecticut [Mr. Ribicoff] who so ably backed both safety measures passed today. And also to be commended is the junior Senator from Minnesota [Mr. Mondale] for his splendid cooperation and assistance.

Finally, to the Senate as a whole I am deeply grateful for another achievement for which we all may be proud.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSENT OF CONGRESS TO MASSACHUSETTS TO BECOME A PARTY TO AGREEMENT RELATING TO BUS TAXATION PRORATION AND RECIPROCITY

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 13935) to give the consent of Congress to the State of Massachusetts to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the act of November 1, 1965 (79 Stat. 1157), and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. DIRKSEN. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. EASTLAND, Mr. MCCLELLAN, Mr. ERVIN, Mr. DIRKSEN, and Mr. HRUSKA conferees on the part of the Senate.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business for action on nominations reported favorably today by the Committee on the Judiciary.

U.S. DISTRICT JUDGE

The legislative clerk read the nomination of W. Arthur Garrity, Jr., of Massachusetts, to be U.S. district judge for the district of Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, it gives me great pleasure to speak on behalf of the nomination of W. Arthur Garrity, Jr., the present U.S. attorney in Massachusetts, for Federal district judge in Massachusetts.

Mr. Garrity is a man whom I have personally known and admired for many years. A cum laude graduate from Holy Cross in 1941, Arthur Garrity served with the U.S. Army in World War II with great distinction. He was decorated with five European Theater Battle Stars and the Bronze Arrowhead, representative of participation in the Normandy invasion.

Following the war he returned to Harvard Law School and received his LL.B. in 1946. Since 1946 he has been devoted to the law and to the administration of justice. His background in the various areas of the law is extensive and his performance has been exemplary. He served as legal secretary to the Honorable Francis J. W. Ford, U.S. district judge. He has had extensive trial experience. At the trial level he has tried cases in the district, superior, and probate courts of Massachusetts, U.S. district court, and the Tax Court. On the appellate level he has argued cases before the Supreme Court of the United States and before appellate courts on both the Federal and State level.

He has also been called upon to perform duties similar to those of judges in acting as a master in Massachusetts and U.S. district court hearings, and as a receiver and trustee in connection with bankruptcy proceedings and corporate reorganizations.

I could go on at great length with regard to Mr. Garrity's legal qualifications. However, as the late Judge Clark, of the Second Circuit Court of Appeals and former dean of the Yale Law School has admonished, there is a danger in overstressing professionalism.

A judge must conduct the proceedings in his court with that special blend of objectivity and compassion known as judicial "temperament." From my personal knowledge of Arthur Garrity I can assure you that his broad experience with the law and with the people involved while handling a great variety of cases has instilled in him a strong sense of fairness and a dedication to the principles of due process.

Both those who have worked with him and those who have faced him in an adversary proceeding have nothing but respect for Arthur Garrity's character, honesty, ability, and his capacity to deal with the problems of the law. A number of bar associations have indicated they consider him well qualified to serve as Federal district judge.

He is a man of standing in his community and among the members of the bar. The measure of the man and his record of achievement in the legal profession speaks for itself and suggests that W. Arthur Garrity, Jr., would serve with distinction as a Federal judge.

I am pleased to support his nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

U.S. CIRCUIT JUDGE

The legislative clerk read the nomination of Harrison L. Winter, of Maryland, to be U.S. circuit judge, fourth circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

ANIMAL RESEARCH AND EXPERIMENTATION

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 13881) to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MANSFIELD. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. MONRONEY, Mrs. NEUBERGER, Mr. BREWSTER, Mr. COTTON, and Mr. SCOTT conferees on the part of the Senate.

REPEAL OF SECTION 6 OF THE SOUTHERN NEVADA PROJECT ACT

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2999) to repeal section 6 of the Southern Nevada Project Act (Act of October 22, 1965 (79 Stat. 1068)), which were to strike out all after the enacting clause and insert:

That section 6 of the Southern Nevada Project Act (Act of October 22, 1965; 79 Stat. 1068) is hereby amended to read as follows:

"SEC. 6. The contract for delivery of water and repayment of reimbursable construction costs of the Southern Nevada Water Project required by section 3 of this Act shall provide that if, within five years from the date of this Act, Basic Management, Inc., and/or the Las Vegas Valley Water District apply for contracts for the storage and delivery of water in accordance with the provisions of section 5 of the Boulder Canyon Project (45 Stat. 1060, as amended; 43 U.S.C. 617d) and the regulations of the Secretary of the Interior heretofore issued pursuant to said Act, the rights of the party contracting pursuant to section 3 of this Act shall be subordinate to those of Basic Management, Inc., and/or the Las Vegas Valley Water District to the extent of 41,266 acre-feet per annum and 15,407 acre-feet per annum, respectively, or so much thereof as in required for beneficial consumptive use by them, their rights to the storage and delivery of the same having been properly maintained in accordance with the terms of their contracts. Nothing contained in this Act shall be construed as affecting the satisfaction of present perfected rights as defined by the decree of the United States Supreme Court in Arizona v. California, 367 U.S. 340."

And to amend the title so as to read: "An Act to amend section 6 of the Southern Nevada Project Act (Act of October 22, 1965; 79 Stat. 1068)."

Mr. BIBLE. Mr. President, I offer several amendments to the House amendment, and ask that they be stated.

The PRESIDING OFFICER. The amendments will be stated.

The legislative clerk read as follows:

On page 1, lines 9 and 10, strike out "and/or the Las Vegas Valley Water District apply" and insert "or its assignees applies"

On page 1, line 10, strike out "contracts" and insert "a contract".

On page 1, line 12, after "Project" insert "Act".

On page 1, line 14, strike out "heretofore".

On page 2, line, strike out "and/or the Las Vegas Valley Water District" and insert "or its assignees".

On page 2, lines 4 and 5, strike "and 15,407 acre-feet per annum, respectively,".

On page 2, line 6, strike out "them, their rights" and insert "it, its right".

On page 2, line 8, strike "their contracts" and insert "its contract".

Mr. BIBLE. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. BIBLE. Mr. President, the purpose of the amendments which I propose to the House amendment to S. 2999, is to delete the references to the Las Vegas Valley Water District as contained in the House-passed amendment to this bill and to make the necessary technical changes.

S. 2999 amends section 6 of the Southern Nevada Project Act—act of October 22, 1965. This act authorizes the Secretary of the Interior to construct, operate and maintain the project in southern Nevada to supply water to meet the need of the Clark County area. All money so advanced will be paid back with interest.

At the time the President signed this act he called attention to the language then contained in section 6 and requested that it be clarified. In his signing statement the President stated in part as follows:

> Although these provisions are couched in general terms, the scant legislative history of the bill indicates that they are intended to be applicable to one company only. While there may be some equities which would justify special consideration for this company, I am advised by the Secretary of the Interior that these provisions might have a much broader sweep. In these circumstances I have asked the Secretary of the Interior to develop legislation which would amend section 6 to limit its effect to that intended by Congress.

Subsequently, the Secretary of the Interior transmitted to the Congress a recommendation that section 6 be repealed for the reason that the State water right of Basic Management, Inc., will be fully protected by a contract which the Secretary is prepared to enter into. Pursuant to this transmittal I introduced S. 2999 which was cosponsored by my colleague, Senator Cannon. This bill, which passed the Senate on April 6, 1966, repealed section 6.

Although the Presidential statement did not specifically request the deletion of section 6, testimony from the Department of the Interior officials before the Water and Power Resources Subcommittee of the Senate Interior and Insular Affairs Committee on March 15, 1966, justified the procedure suggested in the Senate passed bill in the following language:

> The President asked that section 6 be limited to the purposes intended by Congress, which were to protect this one company. It was our considered judgment that he asked for an amendment of section 6 to limit its effect to that intended by Congress. The point I want to suggest to you, Mr. Chairman, is that the course of deciding how to limit the effect of section 6 to the one company that we think Congress intended it to be limited to, our judgment was that the best way of doing it is to commit ourselves by contract, because that is what section 6 says. Section 6 says that in all water supply contracts the Secretary will recognize these rights under state law. Our reasoning was that if we get our contract negotiations to the point where we have done what section 6 tells us to do, then there is no longer any reason to continue it on the books. And rather than attempt to amend it in any way, the simpler thing to do is to repeal it. (Senate Rept. No. 1094, 89th Cong. 2d.)

In its consideration of S. 2999, the House Interior and Insular Affairs Committee in its wisdom amended the bill and rewrote section 6. In its report on S. 2999—House Report No. 1516, May 31, 1966—the House Committee stated in part as follows:

> At the time President Johnson signed the Southern Nevada Project Act he stated his objection to section 6 because of the general terms used and the uncertainty as to the effect of the language. The President asked that legislation be developed which would "amend section 6 to limit its effect to that intended by the Congress." The language which the committee has developed is designed to do this. It recognizes the two entities which the committee believes should be given a priority of water rights over the rights of southern Nevada project water users.
>
> The two entities whose rights to a priority are recognized by the committee are Basic Management, Inc., and the Las Vegas Valley Water District. Basic Management, Inc., holds certificated rights under Nevada State law to 41,266 acre-feet annually. The Las Vegas Valley Water District was issued a permit for the diversion of 43,000 acre-feet annually and has been issued a certificate for 8,757 acre-feet annually. In addition, the district has entered into a contract with Basic Management, Inc., whereby Basic Management has agreed that it will deliver through its facilities for the district as much as 15,407 acre-feet of water annually to the year 1990. The district has paid $3 million for the use of capacity under this agreement.

After the House had passed S. 2999 as amended, we were advised that the Department of the Interior was opposed to the inclusion of the Las Vegas Valley Water District but would accept the inclusion of Basic Management, Inc., in the revised section 6. The reason for the Department's acceptance of the inclusion of Basic Management, Inc., was set forth in the following quotation from the Secretary's letter to the Speaker of the House under date of March 1, 1966, transmitting a draft of legislation re section 6. The Secretary's statement is as follows:

> Basic Management, Inc., the company referred to by the President, acquired certain facilities on the lower Colorado River in 1952. These facilities were built and operated by the United States during World War II as part of the basic Magnesium project of the Defense Plant Corporation, a subsidiary of the Reconstruction Finance Corporation, which had applied for and obtained two State permits for the appropriation of Lake Mead water in 1942. Proof of application for beneficial use was made in 1948 and certificates of appropriation were issued in the same year with priority dates relating back to the permit dates in 1942. One of these certificates is for milling and metallurgical uses and covers 45 cubic feet per second for municipal purposes. These asserted water rights, it must be stressed, were acquired by compliance with State water law procedures. The Defense Plant Corporation never had a contract with the Secretary of the Interior for the use of these waters. After the end of World War II the basic magnesium project facilities were conveyed to the Colorado River Commission of Nevada and were ultimately acquired by Basic Management, Inc., and its subsidiary corporations. Assignments of certain of these asserted water rights have been made to each of the four operating subsidiaries.

However, the Department has stated that the Las Vegas Valley Water District is not a successor in interest of any water right ever owned by a Federal corporation and therefore distinguishable from Basic Management, Inc., as set forth in the quotation above.

The Department has consistently stated that the Las Vegas Valley Water District's rights will be adequately protected in a contract which would be entered into with the district by the Department and which would give the district a priority right to 15,407 acre-feet of water until 1990 when the district's capacity contract with Basic Management, Inc., expires. Thereafter the district would be supplied through the southern Nevada project works.

Mr. President, in further proof that the rights of the Las Vegas Valley Water District will be fully protected, I should like to quote in full at this point in my remarks a letter under date of June 24, 1966, from the Secretary of the Interior to the attorney for the district which reads as follows:

> June 24, 1966.
>
> Northcutt Ely, Esq.,
> *Ely & Duncan,,*
> *Tower Building, Washington, D.C.*
>
> Dear Mr. Ely: Under S. 2999, as amended on May 31, 1966 by the House of Representatives, the Secretary would be required to subordinate the rights of contractors for delivery of water under sec. 3 of the Southern Nevada Project Act (Act of October 22, 1965, 79 Stat. 1068), to that of Basic Management, Inc. and Las Vegas Valley Water District. We have asked that the language in amended S. 2999, referring to Las Vegas Valley Water District, be deleted.
>
> We have assured Chairman Aspinall of the House Committee on Interior and Insular Affairs that, on enactment of S. 2999 so amended, we are prepared, in executing a contract with the District, to recognize a priority in the District for 15,407 acre feet of water annually comparable to that which the District would have obtained under S. 2999, as amended by the House, provided however, that the priority shall terminate in 1990 on the date for termination of the District's present transmission contract with Basic Management, Inc. now provided in that contract.
>
> Sincerely yours,
>
> Stewart L. Udall,
> *Secretary of the Interior.*

Mr. President, so that there will be no doubt in anyone's mind as to whether a contract between the Las Vegas Valley Water District and the Department of the Interior will be consummated, I should like to quote again the second paragraph of the Secretary's letter to Mr. Ely:

> We have assured Chairman Aspinall of the House Committee on Interior and Insular Affairs that, on enactment of S. 2999 so amended, we are prepared, in executing contract with the District, to recognize a priority in the District for 15,407 acre feet of water annually comparable to that which the District would have obtained under S. 2999, as amended by the House, provided however, that the priority shall terminate in 1990 on the date for termination of the District's present transmission contract with Basic Management, Inc. now provided in that contract.

Mr. President, in my opinion, the consummation of a contract between the Las Vegas Valley Water District and the Department of the Interior will accomplish substantially the same purposes as would be achieved if the District were to be included in the language of section 6. Personally, I have no strong feelings either way, as long as the rights of the district are protected. My major interest is to clear up this difficult matter so that work can start on the vital project in my State.

In closing I would be remiss if I did not compliment the distinguished chairman of the House Committee on Interior and Insular Affairs, the Honorable

Wayne Aspinall, for the fine spirit of cooperation that he has evidenced.

With these assurances to Chairman Aspinall and the House committee that the objectives of the House-passed bill will be met and the rights of both Basic Management, Inc. and the Las Vegas Valley Water District will be protected, I am hopeful that the House will accept the amendments to the House amendment to S. 2999, which I have offered.

Mr. President, I have discussed this matter with the Senator from Washington [Mr. Jackson], chairman of the Committee on Interior and Insular Affairs; the Senator from New Mexico [Mr. Anderson], the chairman of the Subcommittee on Water and Power Resources; and with the distinguished ranking member of the minority on the committee, the Senator from California [Mr. Kuchel], and they have indicated that they have no objection to the suggested amendments just offered.

The PRESIDING OFFICER. The question is on agreeing to the amendments to the House amendment offered by the Senator from Nevada.

The amendments to the House amendment were agreed to en bloc.

The PRESIDING OFFICER. The question now recurs on concurring in the House amendment, as amended.

The amendment of the House, as amended, was agreed to.

TO PERMIT CERTAIN TRANSFERS OF POST OFFICE DEPARTMENT APPROPRIATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1253—H.R. 7423. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 7423) to permit certain transfers of Post Office Department appropriations.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER (Mr. Bible in the chair). The Chair recognizes the Senator from Virginia.

ADJOURNMENT UNTIL MONDAY

Mr. BYRD of Virginia. Mr. President, if there is no further business to come before the Senate, I move in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon Monday.

The motion was agreed to; and (at 4 o'clock and 50 minutes p.m.) the Senate adjourned, under the previous order, until Monday, June 27, 1966, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 24, 1966:

Administrator for Economic Development

Ross D. Davis, of New York, to be Administrator for Economic Development.

Department of the Navy

Robert Alan Frosch, of Maryland, to be an Assistant Secretary of the Navy.

Office of Emergency Planning

Myron R. Blee, of Florida, to be Deputy Director of the Office of Emergency Planning.

U.S. Navy

The following-named officers of the Navy for temporary promotion to the grade indicated, in the staff corps indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

To be rear admirals

John S. Cowan
Harry S. Etter
Frank B. Voris

SUPPLY CORPS

Fowler W. Martin
Frederic W. Corle
Joseph L. Howard

CIVIL ENGINEER CORPS

Paul E. Seufer

To be commander

Lt. Comdr. Eugene A. Cernan, U.S. Navy, for permanent appointment to the grade indicated, in the Navy, in accordance with article II—section 2, clause 2, of the Constitution.

In the Air Force

The nominations beginning Wallace E. Fluhr, to be a permanent professor, U.S. Air Force Academy, and ending Allen A. Ziegler, to be captain, which nominations were received by the Senate and appeared in the Congressional Record on June 8, 1966.

Department of Justice

Harrison L. Winter, of Maryland, to be U.S. circuit judge, fourth circuit, to fill a new position created by Public Law 89-372 approved March 18, 1966.

W. Arthur Garrity, Jr., of Massachusetts, to be U.S. district judge for the district of Massachusetts vice a position created by Public Law 87-36 approved May 19, 1961.

EXTENSIONS OF REMARKS

Condemnation of Bigotry—Address by Senator Williams, of New Jersey

EXTENSION OF REMARKS
OF
HON. EUGENE J. McCARTHY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Friday, June 24, 1966

Mr. McCARTHY. Mr. President, last month a meeting was sponsored by religious and civic groups at Bridgeton, N.J., to express community opposition to activities of the Ku Klux Klan. I ask unanimous consent that the message of Senator Harrison A. Williams to the community leaders at the rally be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of Senator Harrison Williams

I am proud to join with you on this occasion. We are here tonight not only to condemn the bitter and divisive doctrines of bigotry and prejudice but also to express our faith in the great principle of America—that every man and woman be treated equally according to their merits. Our basic belief is that the quality of the human spirit is not determined by the color of our skin or by the language in which we pray. This is the fundamental rock of our belief in democracy. As equals in the eyes of God, we must treat each other with honor and with respect. It is this belief which unifies and binds 180 million people of different beliefs, races, and cultures into a common endeavor to build the Great Society in America that must always be the land of opportunity for all. More than automobiles, TV sets, and washing machines, it is this profound belief in the respect we owe the human dignity of our neighbors which is truly the American way of life.

In a sense this is a happy occasion. This gathering to express our faith in the American way will far outnumber the baker's dozen of bigots who will gather tomorrow to warm their cold and bitter spirits in the heat of a fiery cross of folly. These unhappy men will burn their cross, but it is a cross that gives heat but no light. They truly are those who have eyes but see not; who have ears but do not hear. In claiming to defend America, they have turned their backs on it. They have exiled themselves in their own land; in return for its abundance and greatness they give not love but hatred, not peace but violence. To them we offer our pity and our sorrow, because they have twisted the American dream into a paranoiac nightmare.

In the flickering fire of their pathetic cross—itself a perversion of the religious faith this cross symbolizes—they see frightening shapes of self-created fear. Let them frighten themselves. The nightmare visions of hate peddlers will never terrorize the true American—the American who believes in equal justice for all, in equal opportunity for all.

The true American will reject the false prophets of bigotry who are ashamed to face the light of day and who hide their shameful faces under sheets. The true American will join with other Americans of good will to make a reality the dream of American greatness first conceived 190 years ago and still the great hope of our land and of the world. We turn our backs on the darkness of hatred and terror, and walk toward the great light of freedom and equality for all.

Appreciation Dinner for Col. Waldron Leonard

EXTENSION OF REMARKS
OF
HON. HARRY F. BYRD, JR.
OF VIRGINIA
IN THE SENATE OF THE UNITED STATES
Friday, June 24, 1966

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Congressional Record remarks made by the distinguished Senator from Texas [Mr. Yarborough] at an appreciation dinner for Col. Waldron Leonard, sponsored by his friends of the American Legion, Washington, D.C., on Saturday, May 21, 1966.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of Senator Ralph W. Yarborough at Appreciation Dinner for Col. Waldron Leonard, Sponsored by Friends of the American Legion, Washington, D.C., Saturday, May 21, 1966

It gives me great pleasure to be able to join with all of you here to show our appreciation to Col. Waldron E. Leonard. Seldom do we have the opportunity of paying tribute to such an outstanding man, and such an outstanding defender and supporter of veterans. Recognition of Colonel Leonard is shown in the editorial from Stars and Stripes which I placed in the Congressional Record on March 10, 1966, to show what a wonderful job he has done.

The editorial said, in tribute to his many virtues: "To believe that he will not be sincerely missed in his accustomed haunts, that his retirement will go unremarked or will not take some of the individuality, color, interest and human warmth which his longtime sympathetic and humane qualities brought to every veteran's problem which touched their lives, their interests, and the welfare of their loved ones, would be unrealistic and untrue."

Stars and Stripes called Colonel Leonard the Capital's "most outstanding veteran", an appellation all of us will agree is most fitting.

For more than twenty years before his retirement, Colonel Leonard served as the Director of the Department of Veterans Affairs of the District of Columbia. In addition, he has been department service officer for the District of Columbia department of the American Legion and president of the Metropolitan Area Council of Veterans Organizations, representing 22 major veterans groups in the District, Maryland, and Virginia. Waldron Leonard is not one to work in behalf of veterans only during official working hours; his support of veterans, his assistance to them, is an avocation as well as a vocation, and he has devoted his total life to it, and will continue to do so even when officially "retired."

The colonel's efforts in and around this area involve far more than what I have already said. He is an active member in civic, patriotic, and religious organizations in this area; a member of the advisory committee for the USO, both national and local; he has served as the representative of the District of Columbia Commissioners on many matters pertaining to veterans and patriotic affairs; he has worked diligently on veterans' participation in four presidential inaugurals, and has been recognized for this work by both Democratic and Republican national chairmen of the inaugural committees. The distinguished service awards and special citations the colonel has received number well over a hundred and give further testimony to the quality of the work he has done and the wide range of the people who have been helped by him and who recognize his ability.

Before he came to Washington, Colonel Leonard lived in Texas. Unfortunately, I cannot claim him as a native, as he was born in the State of West Virginia. Fortunately for Texas, he went there and left a great mark on the State before he left to come here to the District of Columbia. He had already begun to develop his experience working in behalf of veterans in West Virginia, before he went to Texas.

His involvement in veterans affairs in Texas, something he did in addition to running a business, led to his being named to President Hoover's Central Relief Committee to help eliminate unemployment.

He would put in many hours of his time trying to obtain justice—and getting it—for ex-servicemen who were not getting the service or benefits or treatment they were entitled to. He looked into suspicious situations and battled past stodgy administrators to get to the heart of problems—showing he had a heart and was not just an administrator or well-meaning do-gooder. The same sympathy for the individual serviceman is one of the fine characteristics for which we honor him tonight—and it is a trait he kept throughout the period when he himself became an administrator.

Colonel Leonard started his fine administrative career working with veterans in Texas, where he was State director of the department of veterans affairs for 2 years. It is his continuing work in this area here in the District of Columbia which we are here to honor tonight.

And while he was director of veterans affairs here in the District he worked with me for seven long years to effectively aid in passing the cold war GI bill under which three million discharged veterans will be eligible to go to school next Wednesday, June 1 and two million more by 1970. I am proud to be here tonight to help honor the veterans' veteran.

HOUSE OF REPRESENTATIVES

Monday, June 27, 1966

The House met at 12 o'clock noon.

Rev. Louis H. Zbinden, Jr., minister, Augusta Stone Presbyterian Church, Fort Defiance, Va., offered the following prayer:

Live life, then with a due sense of responsibility, not as men who do not know the meaning and purpose of life but as those who do. Make the best use of your time, despite the difficulties of these days.—Ephesians 5: 15 (Phillips).

Thou, Lord, who openest Thy hand to repentance, to receive transgressors, forget us not this day. Recall in us as we pause that we are Thine and give us grace to live each day with courage and infectious hope.

Though we may differ, Lord, in our strategy and methodology, let our common desire to serve, our fervor for truth, our pursuit of justice, and our concern for the unproductive unify us.

Inspire Thou, this day, those who write what others read, who speak where others listen, who act where others observe. May Thy inspiration guard us against flippancy, sham, and hypocrisy.

Ever keep us conscious, Lord, that in the hollow of Thy open hand are we kept all the day long.

Through Christ Jesus. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 23, 1966, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 13431. An act to extend the Renegotiation Act of 1951; and

H.R. 13822. An act to provide for an additional Assistant Postmaster General to further the research and development and construction engineering programs of the Post Office Department, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2035. An act to provide for cost-of-living adjustments in star route contract prices; and

H.R. 8989. An act to promote health and safety in metal and nonmetallic mineral industries, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 13881) entitled "An act to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Magnuson, Mr. Monroney, Mrs. Neuberger, Mr. Brewster, Mr. Cotton, and Mr. Scott to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 13935) entitled "An act to give the consent of Congress to the State of Massachusetts to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the act of November 1, 1965 (79 Stat. 1157)," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Eastland, Mr. McClellan, Mr. Ervin, Mr. Dirksen, and Mr. Hruska to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to the bill S. 2999 entitled "An act to repeal section 6 of the Southern Nevada Project Act (act of October 22, 1965 (79 Stat. 1068))," with amendments in which concurrence of the House is requested.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 3005. An act to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce accidents involving motor vehicles and to reduce the deaths and injuries occurring in such accidents;

S. 3484. An act to amend the act of June 3, 1966 (Public Law 89–441, 80 Stat. 192), relating to the Great Salt Lake relicted lands; and

S. Con. Res. 98. Concurrent resolution to provide for the printing of additional copies of the pamphlet entitled "Our Capitol."

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ROBERT GERALD PERRY, FRIEND TO ALL MEMBERS OF CONGRESS

Mr. CARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CARTER. Mr. Speaker, about 2 weeks ago, a young man, whom I consider to be a good friend of us all, entered the Bethesda Naval Hospital. I was deeply saddened to learn that he is suffering from cancer.

Mr. Speaker, I am speaking of Robert Gerald Perry, who was born in Beckley, W. Va., on March 17, 1923, and who has, in his capacity as assistant to the attending physician of the Capitol since 1951, served many of us and many Members of Congress before us in a very courteous and efficient manner.

On January 31, 1941, Bob enlisted in the U.S. Navy and served continuously and honorably until his retirement and transfer to the Fleet Reserve on January 30, 1961. During his long naval career, Bob was authorized several decorations and awards, and rose to the rank of chief hospital corpsman.

To Bob, I extend my sincere appreciation for the many kindnesses and courtesies he has extended to us. To his family and loved ones, I extend my sympathy and my hope in this time of his illness.

I know my colleagues here in the House join me in the fervent hope and prayer that Almighty God will heal our stricken comrade.

AMBULANCE SERVICE FOR PUBLIC BEING KILLED BY FEDERAL REGULATION

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I find that throughout my district, ambulance service, which historically has been provided by funeral homes, will terminate on June 20. New Federal regulations have been issued which make the cost of providing such service prohibitive. Apparently this is true throughout much of the Nation. The problem stems from regulations issued by the Department of Labor imposing the provisions of the minimum wage and hours requirements on ambulance service and from staffing requirements by the U.S. Department of Health, Education, and Welfare.

These arbitrary rulings, which apparently were taken without regard for essential service to the public, can result in a very serious problem. Nationwide traffic accidents and the necessity for ambulance services go on, regardless of the rulings of Federal agencies. I am asking that the effective date of these rulings be postponed until further studies can be made at appropriate levels. Otherwise, an emergency situation is certain to result on the eve of the July Fourth holiday weekend when tremendous numbers of Americans take to the highways.

The problem is complicated by the fact that local counties in my State have no authority under law to appropriate funds to provide ambulance service, and it is highly questionable that hospital trustees have any such authority. There simply is no one to assume responsibility for this important service.

Even should Federal or State or county ambulance service be provided, it is deplorable if we find ourselves arbitrarily forcing another segment of the business community into governmental operation and control.

CALL OF THE HOUSE

Mr. SPRINGER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 153]

Abernethy
Addabbo
Andrews,
  Glenn
Ashbrook
Ashmore
Baring
Blatnik
Boland
Callaway
Cederberg
Celler
Clausen,
  Don H.
Clawson, Del
Colmer
Conte
Conyers
Corbett
Cramer
Curtis
Dulski
Evans, Colo.
Farbstein
Farnsley
Flynt
Fogarty
Frelinghuysen
Fulton, Pa.
Gallagher
Gilbert
Goodell
Gray
Gubser
Gurney
Hagan, Ga.
Halpern
Hansen, Iowa
Harsha
Harvey, Ind.
Henderson
Hicks
Hull
Jarman
Johnson, Okla.
Johnson, Pa.
Jones, N.C.
Karth
Keith
Kelly
King, N.Y.
Kluczynski
Kupferman
Langen
Long, La.
Long, Md.
McCarthy
McDowell
Mackay
Mackie
Martin, Mass.
Miller
Morris
Morse
Multer
Murphy, N.Y.
Murray
Nelsen
O'Konski
Pelly
Pepper
Powell
Pucinski
Purcell
Quillen
Reid, N.Y.
Reifel
Resnick
Rhodes, Ariz.
Rodino
Rogers, Tex.
Roncalio
Rooney, N.Y.
St Germain
Scheuer
Shipley
Smith, N.Y.
Stephens
Stratton
Sullivan
Tenzer
Toll
Utt
Waggonner
Weltner
Whitten
Williams
Willis

The SPEAKER. On this rollcall 335 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

REVISING POSTAL RATES ON CERTAIN FOURTH-CLASS MAIL

Mr. MORRISON. Mr. Speaker, pursuant to provisions of clause 22 of rule XI and by direction of the Committee on Post Office and Civil Service, I call up House Resolution 875 providing for the consideration of H.R. 14904, which has been pending before the Committee on Rules for more than 21 calendar days without being reported by the said committee.

The Clerk read the resolution, as follows:

H. Res. 875

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14904) to revise postal rates on certain fourth-class mail, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MORRISON. Mr. Speaker, I yield 30 minutes to the gentleman from Iowa [Mr. GROSS] and pending that I yield myself such time as I may consume.

Mr. Speaker, I ask unanimous consent to extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MORRISON. Mr. Speaker, House Resolution 875 provides for an open rule, with 3 hours of debate, on H.R. 14904, the bill to revise postal rates on certain fourth-class mail, and for other purposes.

I sponsored H.R. 14904 on the basis of an official recommendation of the Postmaster General. It is concerned primarily with parcel post.

The Postal Rates Subcommittee of the Committee on Postal Office and Civil Service held extensive hearings last year, and 19 days of hearings this year, on legislation to solve the critical situation of our parcel post system. No bill ever had this much consideration by our subcommittee or full committee. Even these exhaustive hearings are not the full measure of attention accorded the deteriorating parcel post service in recent years. This present problem is not anything new. Every Postmaster General who has served in the last 18 years has sought corrective measures. Three years ago the Post Office and Civil Service Committee took up an emergency recommendation of former Postmaster General J. Edward Day but, reaching no agreement on his proposal, adopted a temporary expedient which expires 3 days from now, on June 30.

Public Law 199, 83d Congress, effective January 1, 1952, has proved to be an unjustifiable burden on the public and the Nation's economy. That law sharply cut back size and weight limits on packages that may be sent by parcel post. This caused terrific hardship on millions of Americans. Even worse, it is highly discriminatory and has caused wide confusion and chaos for the mailing public because of the hodgepodge of rules it laid down as to who could mail and how much where.

I would like to cite two or three examples to illustrate just how confusing this situation now is.

A man and wife living in my hometown of Hammond, La., wish to mail identical 25-pound Christmas packages to their two sets of parents. All post offices involved are first-class post offices. The husband's parents live in Baton Rouge, less than 150 miles from Hammond, so the 25-pound package can be mailed, as the weight limitation for post offices less than 150 miles is 40 pounds. The wife's parents live in Shreveport, more than 150 miles away. The package cannot be mailed since it is more than the 20-pound limit which applies to first-class post offices more than 150 miles apart.

Lest anyone think that this strange business is confined to my home State only, I would like to give you an example of how the present system works in the case of a business firm in Buffalo, the second largest city in New York, which receives an order from Jersey City, the second largest city in New Jersey. The item ordered weighs 21 pounds. Since the two cities have first-class post offices and are more than 150 miles apart, the item, being over 20 pounds, cannot be mailed.

However, another patron who lives in Wainwright, Alaska, a town of 253 people, above the Arctic Circle and 4,200 miles away, places an order for three of the items that were too heavy for mailing from Buffalo to Jersey City. The combined weight of the three articles being less than the 70 pounds applicable to parcel post mailed to Alaska, permits the articles to be placed in a single carton and mailed to Alaska by parcel post. However, not even one of the articles could be mailed to the neighboring State of New Jersey.

Another example can be used on the basis of a manufacturer who is a constituent of Congressman MORRIS K. UDALL in Tucson, Ariz., who wishes to send an item weighing 70 pounds and measuring 100 inches to a constituent of Congressman OLSEN in Helena, Mont., which has a population of over 20,000. The article may not be mailed because the post offices are first-class post offices where the maximum weight is 20 pounds and the maximum size is 72 inches. However, the same article could be mailed to a more fortunate constituent of Congressman OLSEN, who lives in Silverbow, Mont., a fourth-class post office, where the maximum weight of 70 pounds and the maximum size of 100 inches are applicable.

The examples I have given are by no means unrepresentative for they happen literally millions of times a year in this country and they add immeasurably both to the demands on the time of our postal clerks who have to try to explain the existing provisions of law, and to the demands of our patrons who seem to feel that this is a prime example of how the Government operates when left to its own devices.

An amendment to the Supplemental Appropriation Act, 1951, prohibits withdrawal from the Treasury of appropriated funds for any postal activity, if the variance between parcel post revenues and expenses is greater than 4 percent, unless the Postmaster General initiates action to adjust rates or conditions of mailability—other than sizes and weights—on parcel post, or both, to bring the variance to 4 percent or less. When agreement could not be reached in 1963 on a permanent solution to the parcel post problem, the Congress in Public Law 88-51 granted the 3-year moratorium on the 4-percent requirement. The moratorium will terminate 3 days from now, on June 30, 1966, so that the 4-percent limitation will once more apply.

The Subcommittee on Postal Rates and the full Committee on Post Office and Civil Service voted H.R. 14904 out by overwhelming margins, and the bill was reported to the House on May 18 of this year. The next day, May 19, the chairman of our committee wrote the chairman of the Rules Committee asking a prompt hearing by that committee at which a rule could be requested to bring the bill before the House. The Committee on Rules has taken no action on that request. I introduced House Resolution 875 on June 1 of this year in order to afford the House timely opportunity to consider this urgently needed legislation. On June 22 the Committee on Post Office and Civil Service specifically directed me to seek recognition to call up House Resolution 875 for consideration by the House pursuant to clause 23 of rule XI of the House.

Mr. Speaker, H.R. 14904 will place the parcel post system on a near break-even basis, with a variance between revenues and expenses, if any, of 4 percent or less The bill does this by providing fair and moderate rate increases on parcel post and appropriate revisions in the maximum limitations on the size and weight of parcels. According to the Postmaster General's testimony, these changes will produce approximately $102 million additional net revenue yearly as an offset to the existing deficit of $107 million—in parcel post.

The bill continues the parcel post rate-fixing authority of the Postmaster General, with the approval of the Interstate Commerce Commission. It also continues the present restriction on the use of appropriated funds for postal purposes, should the variance between parcel post revenues and expenses exceed 4 percent, until the Postmaster General initiates action to adjust rates or conditions of mailability—other than size and weight limits—or both, in a manner which will bring the variance to 4 percent or less.

The major difficulties concerning parcel post stem from the two statutes noted earlier. The 4-percent variance limitation imposes an absolute revenue-expense relationship that is impossible of attainment except through frequent and exorbitant rate increases. Such rate increases are pricing the parcel post system out of the market because the system is prohibited by Public Law 199 from accepting profitable large-package business to equalize the unprofitable small-package business it must accept. The size and weight limitations imposed by Public Law 199 have resulted in a sharp and permanent contraction of parcel post volume, most of which has occurred in the more profitable large parcels.

These two statutes preclude the achievement of the break-even goal, or anything approaching it, and have precipitated a crisis in the parcel post service. Parcel post cannot possibly be maintained anywhere near a break-even basis with the present size and weight limits. Thus, we are faced with a choice of only two alternatives—we must either sensibly revise the size and weight limits, as will be done by H.R. 14904, or provide for a highly subsidized parcel post system—at a tremendous cost to the taxpayers.

The adjustments in parcel post rates and size and weight limits provided for in H.R. 14904 are supplemented, in the bill, by certain procedural changes. These procedural changes, with the continued rate-fixing authority of the Postmaster General, will require and permit the parcel post system to give the public necessary parcel service at reasonable rates and on a near break-even basis.

H.R. 14904 is a good bill and one that has been very carefully thought out. It takes into consideration the public convenience and necessity, the needs of people living in both rural and urban areas, the requirements of business and commerce, and the effect on the American taxpayer. It gives full recognition to the principle that parcel post is not a monopoly, and that it does operate, in the public interest, as a supplement to services afforded by private carriers.

The procedures and standards prescribed in this legislation, under which rate adjustments are required to maintain a proper revenue-expense relationship, will preclude the parcel post system from unduly competing with any private carrier of parcels.

Much concern has been expressed over the effect this legislation will have on employees of certain private carriers. Our committee has given this important question extremely careful consideration. We concluded that there should be no major adverse effect.

When H.R. 14904 is read for amendments, I shall offer an amendment which, by law, will require the Postmaster General to employ any person who, on the date of enactment, is employed by a private carrier of parcels and who loses such employment for reasons directly or indirectly attributable to the enactment of this legislation. The appointments will be to positions in the competitive civil service, and the appointees will receive competitive status.

Moreover, the salary of the Federal position in the postal service must be greater than the salary for the position that was lost. In other words, the person will be given the salary step rate for the grade or level of his new position which is next higher than the salary he was receiving with his former employer, the REA Express Co.

To assure all possible protection, my amendment will also give the person credit for all service rendered to the carrier, before his separation from employment by the carrier, for purposes of annual and sick leave, civil service retirement, veterans' preference, group life and health insurance, severance pay, tenure, training, promotion, and civil service status. For purposes of all of these excellent Federal employee benefits, therefore, he will be treated just as though all of his earlier service for the carrier had, in fact, been rendered to the Government. No REA employee laid off will lose anything.

My amendment further stipulates that none of the provisions of the amendment which grant these Government benefits shall be held or considered to reduce any retirement or pension benefit to which the person, is entitled under any other law. For example, if an employee is separated by a carrier such as the REA and is appointed to a Federal postal position, as provided by the amendment, after having completed 10 years of service subject to the Railroad Retirement Act, as amended, he will continue to be eligible for a pension under that act, upon reaching the appropriate age, computed in accordance with section 2 of that act. Should he have completed less than 10 years of service subject to the Railroad Retirement Act, as amended, such service will continue to be treated, as it is now, as "employment" under title II of the Social Security Act, in accordance with section 5(k) of the Railroad Retirement Act, as amended.

My amendment defines a person who is entitled to the protection and the benefits of the amendment as meaning an "employee" as defined in section 1 of the Railway Labor Act, as amended, or as defined in section 2 of the Labor Management Relations Act, 1947. This will cover all employees and minor officials.

Finally, in order to insure against any loss of regular career positions by postal employees, the amendment stipulates that no regular employee in the postal field service shall be reduced to substitute status by reason of the operation of the appointive requirements of the amendment as they relate to persons separated from employment with private carriers of parcels.

Mr. Speaker, I believe that the adoption of my amendment will remove all fears on the part of employees of private carriers that enactment of H.R. 14904 will deprive them of gainful employment. Although our committee has believed any such fears to be groundless—the result of a propaganda campaign instituted by others with the direct intent to create fear and panic among employees—we do not question the entire sincerity of the employees themselves when they express concern about whether or not they will have jobs. It is in their interest—to lay to rest, once and for all, any concern on their part—that I am offering my amendment. I believe the amendment will have the overwhelming endorsement of this House.

Our committee is convinced that the laws which now bind parcel post to a never-ending spiral of rising rates will soon leave the average individual with no reasonably priced parcel service. We sincerely believe that the only possible alternative is to provide, as this legislation does, for certain changes in the present discriminatory size and weight limits and for reasonable rate adjustments. I also have another amendment with the effective date from 90 days after enactment to January 15, 1967.

Mr. Speaker, in the final analysis the issue boils down to this: In voting on House Resolution 875 and on the bill the Members will be making a choice between the preeminent interests of the public—their right to a useful, economical, and sensible parcel post service—on the one hand, and the special interests of individual private carriers for hire on the other hand. In my judgment, there can be but one choice—a vote for the resolution and a vote for the bill.

The SPEAKER. The gentleman from Louisiana has consumed 20 minutes.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Speaker, on this proposed parcel post system reform bill, I wish to say I hope the House will vote to take it up, will consider and debate it and vote favorably on it this afternoon.

Our Postal Rates Subcommittee held 19 days of hearings on the proposal over a period of 2 months.

We were in session and listening to witnesses for 40 hours. We heard 62 separate witnesses before our subcommittee on this bill. Of those 62 who actually testified, 25 submitted supplemental statements in addition to their testimony either in response to requests from the subcommittee or on their own motion. In addition to that, 94 individuals submitted statements which were included in the record and which have been considered by the subcommittee. Beyond that the full committee met and debated this proposal for a number of hours. As a result, the full committee, your own House Committee on Post Office and Civil Service, reported this bill out favorably with an overwhelming majority.

I approached the consideration of this measure not from the standpoint of any private companies and what effect it was going to have on them, although I was concerned with that, and not from the standpoint of the Post Office hierarchy and bureaucracy downtown but from the standpoint, since I am from Kansas, of rural people and smalltown people and the effect of the present system on them and the effect on them of the proposed reforms in the pending bill. From that point of view I can tell you that I became convinced over the course of the hearings that this reform bill was needed and would serve the best interests of the rural people and smalltown people I represent in Kansas. I commend it to you on that basis among others.

Let me give an example. Back in 1950 a 5-pound carton shipped by a farmer via parcel post to a customer 100 miles away cost 21 cents postage. Today the rate is 57 cents. If the proposed reform of the parcel post law fails, then the rate will be raised to 71 cents immediately. This action will further reduce the volume of parcel post business that is done by the Post Office Department and result in even more rate increases, because you know we in Congress require that the parcel post system operate on a break-even basis or nearly so. Parcel post service to rural America is its only real means of package delivery. It is threatened with extinction unless the parcel post laws are reformed, because rural America has no effective parcel delivery system to replace the parcel post system. Under the present parcel post law, which has been in effect since 1952, there has been a large-scale drop in parcel post volume. The great bulk of large parcels shipped between cities of first-class post office areas has shifted away from parcel post and over to other means of transportation, or else it has disappeared from the market entirely because of restrictions in sizes, weights, and distances contained in the law. As a result of this shrinking volume and because of the fact that we require that the parcel post system operate on a nearly break-even basis, the Post Office Department has had continuously and repeatedly to increase rates. That in turn results in further reductions in volume and further rate increases. Unless we change the present law, we will simply continue this spiral of shrinking volume and increasing rates until ultimately the cost of parcel post delivery to rural and smalltown America will become so exorbitant that the service will have to be discontinued, as indeed it has been sharply reduced over the last few years.

The SPEAKER. The time of the gentleman has expired.

Mr. GROSS. Mr. Speaker, I yield the gentleman an additional 3 minutes.

Mr. ELLSWORTH. Mr. Speaker, the bill we have before us this afternoon—and I hope that the House votes to take it up and consider it and vote on it favorably this afternoon—H.R. 14904, will increase volume for the parcel post system, will raise an additional $40 million revenue, and will stop the spiral of mounting rates.

Mr. Speaker, thousands of items in recent years have been removed by mail order houses from the market, because of the increase in costs to rural areas and to small town areas which I have already described.

Mr. Speaker, let me give one example of the manner in which the present confusing system limits the volume of shipments and limits commerce in smalltown areas and in the rural areas of America.

Under the present law a parcel post package mailed between first-class post offices 150 miles away is limited to 40 pounds in weight and a combined total length and girth of 72 inches. Today, a firm in Lawrence, Kans. can mail a 40-

pound parcel to Bartlesville, Okla., or Fairbury, Nebr., but cannot mail the same identical package to Dodge City, Kans. H.R. 14904 would raise the maximum limits to 40 pounds and 100 inches.

Mr. Speaker, the reform proposals contained in H.R. 14904 would standardize and simplify the entire parcel post system. This would benefit the business world, it would benefit consumers, and would benefit my constituents in Kansas, as it would preserve the parcel post system for rural areas and for smalltown areas.

Mr. Speaker, I hope that the House will adopt the pending resolution and will favorably vote on H.R. 14904 later this afternoon.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I might say that there are 3 groups that are for this proposition: One, the large mail order houses, and one in particular, the Post Office Department, and a few misguided souls and individuals.

Mr. Speaker, I listened to the distinguished gentleman from Louisiana [Mr. MORRISON], who says he is going to offer an amendment, and I understand that there might be others, which indicates how poorly this legislation is drawn.

Mr. Speaker, the gentleman from Louisiana [Mr. MORRISON] says, in effect, that the Post Office Department is going to employ and protect the seniority rights, and so forth, of these displaced persons. Well, this is absolutely ridiculous. It cannot be done. They can employ them, but these various workers who are going to be displaced—5,000 union members in REA and 40,000 union members of the railroad brotherhoods—have built up seniority, pension rights, and various other benefits. There is no way in the world by which they can be hired by the Post Office Department and their seniority rights protected. They could pay them a salary but they will lose all of these other benefits. But if even that were possible and if they were taken into the Post Office Department consider a letter carrier or a clerk with 15 years of seniority.

Under Mr. MORRISON's proposal, here comes a member of the railroad brotherhoods or another union member, from the REA, who has seniority. They would bump the dedicated post office workers and believe you me, if that ever would occur, you would really run into a hornet's nest because you know how very sensitive our dedicated postal workers are when it comes to their seniority rights.

I and another Member sent to every Member of this body a list of all of the organizations that are opposed to this. There are 22 railroad brotherhoods and other union members who are violently opposed to this bill. In the hearings when the spokesman for the brotherhoods testified he was no little mouse in his statement; he was raving mad at this legislation.

These union people are so incensed at this proposition that just Thursday or Friday they even picketed the Ben Franklin station down here in protest against this bill. As I said, 22 labor organizations mostly affiliated with the AFL–CIO are violently opposed to this because it means the loss of their jobs.

In addition to those organizations, here I have in my hand one, two, three, nearly four pages, listing the names of other groups and organizations that are violently opposed.

In the last couple of days, and maybe within the last few hours, you may have received some wires. We never heard from these people before. I received about a dozen this morning and they are all identical in their language. I do not know who put the burr under their tail and got them to send these messages, but they really do not know what this is all about. They were told to send a wire or a letter and they had done so. I hope you will not pay too much attention to these various pressure group communications.

The SPEAKER. The time of the gentleman has expired.

Mr. GROSS. Mr. Speaker, I yield 3 additional minutes to the gentleman.

Mr. CUNNINGHAM. Mr. Speaker, 40,000 employees on the railroads will be displaced. Five thousand REA people will be displaced. In fact, it will put the REA out of business. And as I want to repeat and strongly emphasize, these people are not going to be able to be taken in by the Post Office Department and the seniority rights and other benefits retained. It amazes me that under our great late President Kennedy and our President today, both of them sent messages to the Speaker and to the House and to the Senate urging that we have a revision of all of the transportation facilities because they are not in the best shape—and they made particular reference to the railroads. I know this because I am also a member of the Committee on Interstate and Foreign Commerce. The railroads are in a very bad way. So we have the last two Presidents wanting to help railroad employees and another arm of the Government, the Post Office Department destroying this great industry.

There are many Members on both sides of the aisle who are opposed to this. I do not know that I should presume to have the privilege of mentioning two members of the Committee on Rules on the majority side who are opposed to it. No rule was granted because there was so much controversy about this.

So, Mr. Speaker, I want to say this is a very politically sensitive issue. I think all of you received material from the railroad brotherhoods, the REA, the railroad clerks and motor bus operators representing the union employees who are going to lose their jobs and I hope you have had time to pursue your correspondence to find out exactly what serious consequences may result politically for anybody who votes for this legislation. There is a way out of this problem and we think it is a good way out. We are going to propose it. That we shall go into later. This is not an emergency. I have been in Congress for 10 years. I have never received one single complaint because you could not send bigger parcels.

The SPEAKER. The time of the gentleman has expired.

Mr. GROSS. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Speaker, none of us who will speak against this rule can match the great eloquence of the gentleman from Louisiana [Mr. MORRISON] and when that eloquent gentleman took to the floor of the House in his supersensational debating fashion, he obscured anything that any of us might say in following.

However, despite eloquence of that great, distinguished, world-renowned orator [Mr. MORRISON] I take this time to present facts to you rather than oratory.

The gentleman from Louisiana used 20 minutes supposedly to debate the resolution under consideration. Except for an opening comment and closing comment asking for a vote for the resolution, the rest of his commentary was directed entirely to the bill. I think there is such little merit in the bill, I do not see how the gentleman could have used 19 minutes discussing it. But he did.

I would like to point out, some very intriguing developments here this afternoon. For example, I note as I check the record of the debate when the 21-day rule was adopted in January 1965, that the 224 Members who voted in the majority basically cast their votes on this liberalizing development on the argument that the social legislation of the Great Society needed relief from the Rules Committee, and that the 21-day rule would be specially used to promote only administration social legislation.

The bill before us hardly falls into the category of great social legislation. It is actually against the public interest. It is against unions. It is against free enterprise. It is against investors. It is against almost anybody you could think of, including the general public. The 21-day rule is going to be desecrated to bring this bill before the House.

For example, if you want to compare the other bills that were advanced under the 21-day rule, we had the right-to-work repeal; we had the Federal Employees Salary Act, and the Equal Employment Opportunities Act. They were all brought to the floor under the 21-day rule, all administration promoted legislation. How could this bill before us in any way compare to those I have referred to?

This entire procedure, is a farce. The entire procedure is unnecessary. I would suggest to the Members one or two other intriguing points. The distinguished, eloquent, and most convincing gentleman from Louisiana also pointed out that this legislation was immediately needed. On June 30 the Postmaster General is going to be faced with technical requirements of the present law.

However, I would like to remind the Members that the Senate has yet to act on this measure. They have not even held 1 day of hearings. I presume they will have to give a little time to studying this complex subject. But I do not see why there is this drastic emergency on the House side when the other body is involved in more crucial subjects, such as

Vietnam and foreign aid, and has not had time to consider this issue.

I also point out there are alternatives. Many Members are disturbed at being caught in a position of being against the railroad brotherhoods, of being against free enterprise, against the Nation's railroads, and the fear of public irritation when this bill passes.

The gentleman from Nebraska [Mr. CUNNINGHAM] and I have an alternative proposal which would give the Post Office Department needed flexibility, would not penalize the railroad brotherhoods and the railroads, and would be an effective scholarly, progressive answer to this problem.

The most logical course of action would be to vote down the resolution. Then we would be very pleased to work out a practical alternative with the gentleman from Louisiana and others to see that the Post Office Department gets the additional flexibility but in such a way as not to punish the employees of the REA and other railroad employees, and in such a way as not to punish the investors of a free enterprise operation. In other words, we could create a perfect solution, rather than the very troublesome proposal before us this afternoon.

To be scholarly and statesmanlike, we should vote down this resolution and still solve all the problems inherent in this controversy. If we fail, however, in voting down the resolution, we will offer a number of constructive, practical amendments to try to salvage something in this bill.

This bill as it is written must be described as a legislative monstrosity. We are going to try to make it reasonably palatable to the conscience of the House of Representatives. We think we have amendments to do so. The key, Mr. Speaker, is really the attitude of the Members toward the employees of the railroads and the investors in the REA, the railway companies, and the attitude of the House toward the great concept we have of free enterprise.

I do not believe any Member wants to put himself into the position of deliberately penalizing free enterprise in order to expand the operations of the Post Office Department, which is the least efficient of any Federal department or agency.

For those who are interested in the effectiveness of the Post Office Department in handling of parcel post, may I remind the Members that just two Christmases ago there were parcel post packages stacked up in Chicago, destined for points all across the country, which did not move out of the Chicago Post Office until the second week in January—3 weeks after the intended Christmas delivery date.

When, by passage of this legislation, we bankrupt the Railway Express Agency and give the Post Office added volume of parcel post to mishandle the Members will regret their action. I do not believe it is necessary.

If the House will defeat the resolution and then join us at a very expeditious moment, in cooperation with other gentlemen on the committee, in providing practical solutions to this problem—solutions we will have in the form of a substitute bill or any amendment that could be worked out—we believe the House would take a great progressive step.

We need not be too concerned over the pros and cons in the telegrams we have received. Most of these, as the gentleman from Nebraska pointed out, were organized rather than spontaneous or based on understanding of the bill.

We have in the House of Representatives a chance to rise above the unnecessary debate on this bill and develop practical and progressive alternatives, which are available.

I also point out to the membership the emphasis by the spokesman of the committee on the perfecting amendments to protect employees of Railway Express Agency and other railway units, which are very fascinating since, by the very fact that they are of such great concern, prove that this bill will adversely affect employment on the Nation's railroads.

The amendment, which I believe any way it is written will be unmanageable, is clearly an admission of the detrimental effects of this bill.

I also point out to the Members that fundamentally the Post Office operation of parcel post is not intended to be a competitive vehicle to private enterprise. This is exactly what it will become if this bill is passed in its present form. I suggest, therefore, that the Members display their usual interest in the public, and join the gentleman from Nebraska and myself in developing the alternatives which are possible.

I would suggest that the proper answer to the problem is not the bill before us. The proper answer is the alternatives we do have, which we can develop if the resolution is voted down.

We could, therefore, protect the integrity of the 21-day rule and we could solve all of the problems this controversy has developed.

Mr. MORRISON. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this bill was considered very, very carefully by the subcommittee, and it was approved by an overwhelming vote of the subcommittee. In the full committee it was approved by a vote of 17 for the bill with only 3 against.

The gentleman from Nebraska mentioned the various unions which are against the bill. There are many unions. Particularly the gentleman mentioned some who would be affected because jobs would be "bumped." I can assure the Members of this body that no postal employee's job will be "bumped."

The major postal unions, which represent more than 500,000 postal employees, are supporting this bill. In addition to that, aside from postal unions I can mention the Teamsters Union, which has more than 1.8 million members. They are supporting this bill.

It has been alleged, likewise, that there are people who might be laid off, by REA Express, who might not be able to get jobs in the Post Office Department. I explained that any employee of REA or any other parcel carrier who might lose his job because of this bill absolutely can have a postal job. They would not only get the same pay they were getting, but perhaps a little more pay, and they would get all of the fringe benefits. They would get retirement and they would get hospitalization insurance and they would get credit for the time they worked for the carrier.

So far as the railroads are concerned, a lot of the new parcel post business which will accrue to the Post Office Department will be transported on the various railroads. It is not beyond expectation that the railroads might have to take on more employees to handle the mail volume that will be put on the trains—the volume that the Post Office Department will get in additional parcel post.

It has been brought out that June 30 is the deadline.

It is, but I have a letter here from the Postmaster General. I will not read the entire letter, but it says in part:

> We now have determined we can operate normally for as much as 30 days in Fiscal Year 1967 without drawing on the general fund.

I believe if the bill is passed today and goes to the Senate it will become law before the 30-day period expires.

Mr. GROSS. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I wish to say that there have been some wires which have come in recently from postal groups. However, I have talked to several of those who are in my district. They are always sincere, but I do not believe they are overly concerned about this. I have always been on their side, ever since I have been in the Congress.

They have had some differences with Mr. O'Brien, and perhaps this is a little ploy they can put forth to show they are not always at odds with him; I do not know.

Again I will say that there are 22 unions which are vitally opposed to this.

I will say further that the Post Office Department—and every Member of this House should know that—the Post Office Department cannot even handle the parcel post it has today, in the present sizes and weights, without having half of it busted up.

Mr. GROSS. Mr. Speaker, I have no further requests for time.

Mr. MORRISON. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. DANIELS].

Mr. DANIELS. Mr. Speaker, I rise in support of the rule under consideration. This rule brings in order H.R. 14904, which would repeal many confusing and discriminatory provisions which have been caused by Public Law 199 enacted by the 82d Congress 15 years ago.

The legislation was enacted in an attempt to bolster the finances and the employment of the REA, otherwise known as the Railway Express Agency. Let me point out, however, that 2 years after the passage of Public Law 199, REA's volume of business shrunk to a new low. By 1958 REA was losing $35 million a year liquidation plans were formulated. A major reorganization took place and REA began to operate in the black. Thus, it is safe to assume that whatever financial stability REA enjoys must stem from factors other than parcel post size-weight restrictions.

In terms of employment, following passage of this legislation, the number of REA employees shrunk from 46,000 to 32,000. This, Mr. Speaker, is a net loss of 14,000 jobs. It is very obvious that Public Law 199 was no boon to the employees of REA.

Equally alarming is the effect that this legislation has had upon the parcel post system. Since 1952, the parcel post system lost 40 percent of its volume measured in pounds.

Mr. Speaker, after a decade and a half has passed, we find a most unhappy situation. On the one hand, the postal service is precluded by restrictive size-weight limits from fully serving the public's needs; and, on the other hand, REA seems unwilling to provide the desired service.

It is evident to me, Mr. Speaker, that the main thrust of REA promotional efforts are directed toward quantity shipment. I might point out that REA's classed rate business has dropped from 85 percent of total volume to 23 percent.

Mr. Speaker, H.R. 14904 is not a piece of hastily conceived legislation. As all Members know, extended hearings were held on this measure and its overwhelming support by the Postal Rates Subcommittee and the full Committee on Post Office and Civil Service are eloquent testimony as to the reasons why this rule should be granted and why this bill should receive the approval of this House.

I might say last year our subcommittee held 10 days of hearings which were supplemented this year by 19 days of hearings and that almost 200 persons have testified or filed statements for the record. Those who even opposed this bill in committee have come forward and addressed the chairman—and I have heard it with my own ears—and complimented the chairman for his fairness and understanding in giving everybody who desired to testify the opportunity to do so. I think the chairman's fairness in handling this work and his understanding of the problems which will be confronted by the workingman, the REA, the railroads, and everyone else involved is further typified and symbolized by his own expression of interest this morning in support of this rule when he said that he would propose an amendment to take care of anyone who might be displaced in his employment by reason of the enactment of this legislation.

Now, Mr. Speaker, let me go on to say and point out to you some of the quirks in the present law. For example, a parcel mailed by one of my constituents in Jersey City may be 73 inches in dimension if mailed to Mantua, N.J., but the same parcel cannot be mailed to Warren, Pa. A parcel may be mailed from Jersey City to New York City if it weighs 21 pounds. But, the same parcel cannot be sent to Boonville, N.Y.

Mr. Speaker, this situation cries out for correction.

I urge all of my colleagues to support the rule now under consideration.

Mr. MORRISON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the resolution.

The question was taken and the Speaker pro tempore announced that the "ayes" appeared to have it.

Mr. DAVIS of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 222, nays 148, not voting 62, as follows:

[Roll No. 154]

YEAS—222

Adams
Albert
Anderson, Tenn.
Annunzio
Ashbrook
Ashley
Aspinall
Bandstra
Barrett
Bates
Bell
Bingham
Boggs
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Cameron
Carey
Casey
Celler
Chamberlain
Chelf
Clark
Clevenger
Cohelan
Conable
Conte
Cooley
Corman
Craley
Culver
Daddario
Daniels
Dawson
de la Garza
Dent
Denton
Diggs
Dingell
Donohue
Dow
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Edwards, La.
Ellsworth
Evins, Tenn.
Fallon
Farnsley
Farnum
Fascell
Feighan
Fisher
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Gross
Hagen, Calif.
Hamilton
Hanley
Hanna
Hansen, Wash.
Harvey, Mich.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Herlong
Holifield
Holland
Horton
Howard
Hungate
Ichord
Irwin
Jacobs
Joelson
Johnson, Okla.
Jonas
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keogh
King, Calif.
King, Utah
Kirwan
Krebs
Kunkel
Leggett
Love
McFall
McGrath
McVicker
Macdonald
Machen
Madden
Mahon
Mathias
Matsunaga
Meeds
Miller
Mills
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morrison
Mosher
Moss
Murphy, Ill.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
Ottinger
Patman
Pepper
Perkins
Philbin
Pickle
Pike
Pool
Powell
Price
Pucinski
Race
Redlin
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Schisler
Schmidhauser
Secrest
Sickles
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Steed
Stephens
Stubblefield
Sweeney
Teague, Tex.
Tenzer
Thomas
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waldie
Walker, N. Mex.
Watts
White, Idaho
White, Tex.
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Yates
Young
Zablocki

NAYS—148

Abbitt
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ayres
Battin
Beckworth
Belcher
Bennett
Berry
Betts
Bolton
Bow
Bray
Brock
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Carter
Clancy
Cleveland
Collier
Cunningham
Curtin
Dague
Davis, Ga.
Davis, Wis.
Delaney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Dwyer
Edwards, Ala.
Erlenborn
Everett
Findley
Fino
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Grover
Gubser
Gurney
Haley
Hall
Halleck
Hansen, Idaho
Hardy
Hébert
Hosmer
Huot
Hutchinson
Jarman
Jennings
Johnson, Calif.
Jones, Mo.
Keith
King, N.Y.
Kornegay
Laird
Latta
Lennon
Lipscomb
McClory
McCulloch
McDade
McEwen
McMillan
MacGregor
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
Matthews
May
Michel
Minshall
Mize
Moore
Morse
Morton
Murphy, N.Y.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Pelly
Pirnie
Poage
Poff
Quie
Quillen
Randall
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Robison
Roudebush
Rumsfeld
Satterfield
Saylor
Schneebeli
Schweiker
Scott
Selden
Senner
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Waggonner
Walker, Miss.
Watkins
Watson
Weltner
Whalley
Whitener
Widnall
Wydler
Younger

NOT VOTING—62

Abernethy
Addabbo
Ashmore
Baring
Blatnik
Boland
Callaway
Cederberg
Clausen, Don H.
Clawson, Del
Colmer
Conyers
Corbett
Cramer
Curtis
Dulski
Evans, Colo.
Farbstein
Flynt
Fogarty
Fulton, Pa.
Gallagher
Gilbert
Hagan, Ga.
Halpern
Hansen, Iowa
Harsha
Harvey, Ind.
Hicks
Hull
Johnson, Pa.
Jones, N.C.
Kelly
Kluczynski
Kupferman
Landrum
Langen
Long, La.
Long, Md.
McCarthy
McDowell
Mackay
Mackie
Martin, Mass.
Morris
Multer
Murray
Nelsen
O'Konski
Purcell
Rogers, Tex.
Roncalio
Rooney, N.Y.
Scheuer
Shipley
Stratton
Sullivan
Toll
Utt
Whitten
Williams
Willis

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Evans of Colorado with Mr. Callaway.

Mr. Hansen of Iowa with Mr. O'Konski.

Mr. Stratton with Mr. Cramer.

Mr. McDowell with Mr. Utt.

Mr. Boland with Mr. Nelsen.

Mr. Baring with Mr. Cederberg.

Mr. Multer with Mr. Fulton of Pennsylvania.

Mr. Hull with Mr. Don H. Clausen.

Mrs. Kelly with Mr. Martin of Massachusetts.

Mr. Long of Louisiana with Mr. Halpern.

Mr. Dulski with Mr. Corbett.

Mr. Williams with Mr. Langen.

Mr. Conyers with Mr. Kupferman.

Mr. Morris with Mr. Harsha.

Mr. Roncalio with Mr. Harvey of Indiana.

Mr. Scheuer with Mr. Curtis.

Mr. Addabbo with Mr. Johnson of Pennsylvania.

Mr. Colmer with Mr. Del Clawson.

Mr. Abernethy with Mr. Shipley.
Mr. Willis with Mr. Ashmore.
Mr. Farbstein with Mr. Blatnik.
Mr. Hicks with Mr. Rogers of Texas.
Mr. Kluczynski with Mr. Toll.
Mr. Fogarty with Mr. Purcell.
Mr. Flynt with Mr. Murray.
Mr. Landrum with Mr. Mackie.
Mr. Jones of North Carolina with Mr. Mackay.
Mr. Gilbert with Mr. Long of Maryland.
Mr. Gallagher with Mr. Hagan of Georgia.

Messrs. KORNEGAY and TUTEN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA DAY

The **SPEAKER** pro tempore (Mr. BOGGS). This is District is Columbia Day. The Chair recognizes the gentleman from South Carolina [Mr. MCMILLAN], chairman of the Committee on the District of Columbia.

AUTHORIZE 14TH STREET HIGHWAY BRIDGE

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill H.R. 12119 and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

H.R. 12119

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, the Commissioners of the District of Columbia are authorized to reconstruct the existing substructure of the Fourteenth Street or Highway Bridge across the Potomac River, including the removal, repair and modification of existing piers, and the complete reconstruction of the bridge superstructure.

SEC. 2. The Commissioners of the District of Columbia are hereby authorized to construct bridge approaches and roads connecting such bridge and approaches with streets and park roads in the District of Columbia and with roads and park roads on the Virginia side of the Potomac River: *Provided,* That the authorization contained in this section shall not apply to any bridge approaches and connecting roads extending beyond the boundary line between the District of Columbia and the Commonwealth of Virginia, as defined in section 101 of Public Law 208, Seventy-ninth Congress, approved October 31, 1945.

SEC. 3. There are hereby authorized to be appropriated such District of Columbia funds as may be necessary to carry out the provisions of this Act.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

With the following committee amendments:

Page 1, strike out lines 3 through 8 inclusive, and insert in lieu thereof the following:

"That notwithstanding any other provision of law, the Commissioners of the District of Columbia are authorized to remove the existing Fourteenth Street Bridge structure, also known as the Highway Bridge, across the Potomac River, and to construct on the general alignment of such structure a highway bridge of at least six lanes."

Page 2, strike out lines 14 and 15.

The **SPEAKER** pro tempore. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. BROYHILL of Virginia. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I have promised some of the Members of the House that I would take just a moment to attempt to explain this legislation.

Three years ago, during the 1st session of the 88th Congress the former Director of the District of Columbia Department of Highways and Traffic asked me to introduce a bill to authorize the Commissioners of the District of Columbia to reconstruct the substructure and replace the superstructure of the existing highway bridge at 14th Street, across the Potomac River. This gentleman presented this to me as a matter of considerable importance, in view of the plans to widen the four-lane Shirley Highway into an eight-lane artery and for the construction of the Southwest Freeway, with a consequent anticipation of a heavy increase of traffic on the Rochambeau Memorial and George Mason Memorial Bridges now serving the Potomac River crossing at this point.

I complied with this request, and introduced H.R. 6744 on June 3, 1963, to authorize this project and the appropriation of the necessary funds. However, our committee received no report on this bill from the District of Columbia Board of Commissioners, and no further action was taken at that time.

Early this year, it was announced that the District of Columbia Department of Highways and Traffic had received some $300,000 in their appropriation for planning and design of a replacement structure on the general alinement of the old highway bridge.

Upon this evidence of renewed interest in this project, I was pleased to introduce H.R. 12119, identical to my former bill, to provide the necessary authorization.

At a public hearing on this bill, the District of Columbia Engineer Commissioner and officials of the District of Columbia Highway Department informed us that while it had been thought several years ago that reconditioning and reuse of the present bridge piers would be practical, a more thorough inspection of the condition of these piers, including boring and testing, has made it obvious that this is not the case. They cited examples of deterioration in these present piers sufficient to convince us that their complete replacement will be the only practical procedure. For this reason, even though the original language of my bill would probably have permitted this replacement, we amended the bill in accordance with the District of Columbia Commissioners' request, so as to leave no possible question on this point.

The present planning for this bridge has been on the basis of a four-lane span. However, I and my colleagues on the committee took the view that this would almost certainly prove to be inadequate in the not-too-distant future. When it is considered that approximately 130,000 vehicles per day now cross the 2 present bridges at 14th Street, and that this is an increase of nearly 150 percent in the past 9 years, it seems reasonable to doubt that 4 new lanes of crossing will long be adequate for future traffic demands.

Hence, realizing that more lanes in the original construction of this new bridge will be much less costly than adding new lanes in years to come, we amended this bill also to specify that this structure be at least six lanes in width.

In view of the ever-increasing traffic problems in the Washington metropolitan area, particularly with respect to the arteries bearing traffic between the District and the suburbs, I cannot emphasize too strongly the urgent need for approval of this new crossing for the Potomac River.

Mr. Speaker, there was a great deal of question as to whether or not the District of Columbia Commissioners have the authority to construct such a facility, without additional congressional authorization.

The bill was originally opposed by the District Commissioners because they felt that it would establish a precedent wherein in the future any time new river crossings over the Potomac River were constructed, they would have to obtain congressional authorization. And, that was just the reason why the committee felt that this legislation should be approved, in that it would require the District Commissioners to come before the Congress for authority for any new construction of a river crossing.

Mr. Speaker, the Comptroller General supported the committee's view that legislation should be required. The Commissioners ultimately agreed with the committee on this point, and stated that they would await authorizing legislation, but at the same time they wanted the committee to indicate that they felt the Commissioners had the authority to go ahead with freeway and highway construction in the District, without further congressional authorization. It was proposed that the committee indicate its agreement with that theory in the report on this bill.

Language to accomplish this was recommended as follows:

PROPOSED LANGUAGE FOR INCLUSION IN COMMITTEE REPORT ON 14TH STREET BRIDGE BILL

The committee, in the course of its consideration of the bill, inquired into the authority of the Commissioners of the District of Columbia under existing law to undertake highway construction projects, both those essentially of a local nature and those involving the extension of the Interstate Highway System into and through the District of Columbia. As a result of its inquiry, the committee is persuaded that the Commissioners of the District of Columbia presently have authority under existing law to undertake highway projects in that area of the District of Columbia east of the Potomac River. However, the committee is of the view that this authority of the Commissioners is not so broad as to extend to

> the construction of interstate bridges across the Potomac River, between the District of Columbia and the Commonwealth of Virginia. Accordingly, the committee considers it necessary that the Congress enact legislation specifically authorizing the construction by the District of Columbia of any interstate bridge which crosses the Potomac River.

Some members of the committee felt that this legislation was not pertinent to highways and freeways, and that it would be improper to put such a statement in their report on this particular legislation.

However, Mr. Speaker, there was no argument whatsoever made but what the Commissioners do have the authority to go ahead with whatever freeway or highway construction in the District of Columbia they felt was feasible, without having to come to Congress for specific congressional authorization.

Mr. Speaker, as I said before, we do feel that they should have legislative authority before they construct any new crossings over the Potomac River, particularly an interstate facility.

Mr. McMILLAN. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. McMILLAN. I believe the gentleman will recall that we did not make any agreement that would bind any future Congresses concerning the highways in the District of Columbia in connections with authorizing new highways and we did not give them any new authority or bind any new Congress on this subject.

Mr. BROYHILL of Virginia. The gentleman is correct. We are not attempting to bind any future Congress. We had agreed, let me state, that we did not believe that they needed congressional authorization to proceed with highway construction. Whatever a future committee or Congress might do, I would not know.

Mr. SPRINGER. Mr. Speaker, I move to strike out the last word.

I would like to ask the distinguished gentleman from Virginia if he can tell us approximately what this is going to cost.

Mr. BROYHILL of Virginia. $12.4 million.

Mr. SPRINGER. By whom is that to be paid?

Mr. BROYHILL of Virginia. Ninety percent will come out of the interstate highway trust fund because it is a part of the Interstate Highway System. The other 10 percent will come out of the District of Columbia appropriations because it is entirely within the boundaries of the District of Columbia. Incidentally, I might point out to the gentleman that this legislation is not only affirming the necessity for the construction of a new bridge but also establishing the fact that legislative authorization for this construction and similar facilities in the future will be required.

Mr. SPRINGER. May I ask the distinguished gentleman this question? This is not a substitute for the Three Sisters proposed bridge; is it?

Mr. BROYHILL of Virginia. It is not. The Three Sisters proposed bridge will be part of another Interstate Highway System, Route No. 66. Before such a bridge can be built legislation authorizing the construction would have to be approved by the Congress. That is the point I was trying to make in the statement I just made.

Mr. GROSS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the gentleman from Virginia says that the proposed $12,400,000 expenditure for another bridge across the Potomac is to be financed 90 percent by the Federal Government. How much money does the District of Columbia get for interstate highway purposes, if that is where the bridge money is coming from?

Mr. BROYHILL of Virginia. All of the highways constructed in the District of Columbia which are a part of the Interstate Highway System, will receive 90 percent of the cost from the interstate highway fund just as any other State would receive.

Mr. GROSS. My question is directed to the proposition that we seem to be getting shortchanged on interstate highway funds in the State of Iowa. How does it come about that they can with the greatest of ease spend another $12½ million on a bridge over the Potomac River connecting the District of Columbia and the State of Virginia. How much is the State of Virginia going to put into this bridge?

Mr. BROYHILL of Virginia. They will put in their share of all of the approaches to the 14th Street Bridge—that portion of Route No. 95, which is 10 percent, up to Route No. 7, which is 5 percent, and from Route No. 7, on to the 14th Street Bridge. This was provided for by special congressional legislation. They will put in 50 percent of the cost of their secondary roads and approaches that bring the traffic up to the 14th Street Bridge.

Let me point out to the gentleman, actually if this bridge and similar bridges which are part of the interstate highway program are not built we could have Interstate Route 95 coming up to the Potomac River into a bottleneck or becoming a dead end. This, of course, would be ridiculous.

Mr. GROSS. I understand. I travel that road every day. It is true, is it not, that only a comparatively few feet of the expense will be borne by the State of Virginia?

Mr. BROYHILL of Virginia. I do not believe that any of the cost of the bridge itself will be borne by the State of Virginia. Only the approaches on the Virginia side will be paid for by Virginia.

Mr. GROSS. And only a few feet of the approaches will be paid for by the State of Virginia?

Mr. BROYHILL of Virginia. All of the approaches on Virginia soil will be paid for by the State of Virginia except that portion that is paid for out of the interstate highway funds, which is a national program.

Mr. GROSS. Does the gentleman have any idea of the amount of money committed to the District of Columbia for interstate road building purposes?

Mr. BROYHILL of Virginia. I believe there is approximately $300 million allocated as of this date.

Mr. GROSS. My point is that I hope the cost of this bridge is not being taken out of our hides in the State of Iowa because we are now being shortchanged. I hope it is not going to go to the District of Columbia and elsewhere.

Who made the determination, with respect to the present bridge which was carrying traffic up to the time it was abandoned? Who made the determination that it was not capable of continuing to carry traffic—can the gentleman tell me?

Mr. McMILLAN. I should like to state, Mr. Speaker, that the District Commissioners are supposed to make that determination, including the District of Columbia Engineering Commissioner.

Mr. GROSS. Is it not true that the existing bridge that stands there today was carrying 100,000 vehicles a day up to the moment use of it was discontinued?

Mr. McMILLAN. I understand the bridge was carrying 100,000 vehicles each day, and all of a sudden they stopped using it when they opened the new bridge; causing the same bottleneck we have had before the new bridge was opened for traffic use.

Mr. GROSS. I cannot understand why the bridge is not usable today.

Mr. McMILLAN. We made an effort to get that information, and we have learned that some consulting engineers decided that the understructure of the bridge was not safe. I of course, have my own opinion and certainly believe the reason for not continuing to use this bridge is because the Commissioner and Fine Arts Commission want a new, modern bridge to replace the old overloaded steel structure.

Mr. GROSS. I wanted to be sure that the proposed new bridge is not being built simply because of the superstructure of the old bridge. I hope there is justification for the building of a new bridge other than simply because the present structure does not add to the scenic beauty of the polluted Potomac River where 14th Street now crosses it.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. I think the gentleman has made an excellent point. That was the original purpose or objective of this legislation, to explore why the old 14th Street Bridge could not be used. As was stated a moment ago, we were asked to sponsor legislation to permit the Commissioners to restore the old 14th Street Bridge, and the engineers determined that restoration was not economically feasible. The committee has been assured that a most thorough examination by recognized experts has been made and we accept their recommendation that the old bridge should be torn down.

PURPOSE OF THE BILL

Mr. McMILLAN. Mr. Speaker, the purpose of H.R. 12119 is to authorize the replacement of the old Highway Bridge across the Potomac River at 14th Street with a new bridge structure of at least six lanes. Also, the bill will authorize the construction of bridge approaches and roads connecting this bridge with streets, roads, and park roads in the District of Columbia and on the Virginia side of the river.

BACKGROUND

The present old bridge, a 2,234-foot pin constructed span truss structure, was built in 1904 as a replacement for the Old Long Bridge of Civil War time. In 1946, some 52,000 vehicles per day crossed this bridge.

In 1946, Congress authorized construction of two new bridges in the immediate vicinity of the Highway Bridge (Public Law 79-516, approved July 16, 1946, 60 Stat. 566). The first of these to be constructed, the Rochambeau Memorial Bridge, was opened in May 1950, to serve northbound traffic. The second span, the George Mason Memorial Bridge, was completed and opened in January 1962, to serve southbound traffic. Upon the opening of the George Mason Bridge, the old Highway Bridge was closed.

By December 1965, the traffic on these 14th Street bridges had risen to 129,500 vehicles per day, with rates up to approximately 140,000 vehicles per day having been experienced in July 1964 immediately prior to the opening of the outer circumferential highway—Interstate Route 495—and the Anacostia Freeway—Interstate Route 295—both of which have provided a bypass to the Highway Bridge crossing.

At present, Interstate Route 95—Shirley Highway—is being widened from four lanes into an eight-lane facility, to provide for three lanes in each direction plus two reversible lanes, and the opening of portions of the inner loop in the District of Columbia is also currently underway. With the completion of these projects, the anticipated evening peak traffic demands will exceed the capacity of the Rochambeau and George Mason Bridge. Further, when the Southwest Freeway connections now underway are completed, an estimated 9,000 additional vehicles per hour will be funneled into the 14th Street corridor.

HISTORY OF LEGISLATION

In June 1963, at the request of the District of Columbia Highway Department, a bill was introduced (H.R. 6744) to authorize the construction of this third 14th Street span, the future need for which was foreseeable then. At that time, the Highway Department expressed the opinion that the existing piers of the old bridge could be used, necessitating only a new superstructure, the cost of which was estimated at between $3 million and $5 million, at least 90 percent of which was to be provided through Federal funds for interstate highway aid. Your committee referred this bill to the Board of Commissioners of the District of Columbia and to other agencies for report. However, these reports were never received by the committee, and hence no further action was taken at that time.

In fiscal year 1965, the District of Columbia Highway Department received $300,000 in its appropriation for the preparation of plans and specifications for a proposed replacement bridge at 14th Street.

The bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to authorize the Commissioners of the District of Columbia to replace the existing Fourteenth Street Bridge, also known as the Highway Bridge, across the Potomac River, and for other purposes."

SHRINE CONVENTION IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the joint resolution (H.J. Res. 1178) to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the 93d annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in Washington, District of Columbia, in July 1967, to authorize the granting of certain permits to Imperial Shrine Convention, 1967, Inc., on the occasions of such sessions, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this the ordinary resolution that is considered in connection with events of this kind?

Mr. McMILLAN. That is correct. Every time the Shrine, the American Legion, or any other organization of that type desires to hold their convention and a parade in Washington, D.C., a resolution such as this is proposed to give the organization permission and an opportunity to rent concessions, and so forth.

Mr. GROSS. I thank the gentleman, I withdraw my reservation of objection.

PURPOSE OF THE JOINT RESOLUTION

Mr. McMILLAN. Mr. Speaker, the purpose of this joint resolution is to authorize the District of Columbia Commissioners and certain Federal officers to provide for the comfort and protection of all persons within the District of Columbia during the 93d annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America which will convene in the District of Columbia on July 10, 1965, and conclude 3 days later on July 13, 1965.

The committee has been advised that the magnitude of the forthcoming Shrine convention will present special problems, as well as exert a heavy burden on the municipal services of the city. These problems relate to the handling of traffic and large crowds, and the erection of reviewing stands for the Shrine parade. In addition, there is a need for the services of the Police Department and the Department of Public Health to be adequately supplemented in order to protest the personal safety and health of the citizenry of the District and the many visitors who will be here.

The enactment of House Joint Resolution 1178 will in some large measure take care of these related problems and provide the District Commissioners and certain Federal officials with the authority needed to cooperate fully with Shrine officials in implementing a safe and successful Shrine convention in the District of Columbia.

PRECEDENTS

Legislation similar in scope to House Joint Resolution 1178 has been enacted in the past years when conventions and other public gatherings have brought large numbers of people into the District. The most recent enactment is the joint resolution approved May 22, 1965—Public Law 89-25, 79 Stat. 114—relating to the 1966 National Convention of the American Legion.

Similarly, another resolution—Public Law 88-386, 78 Stat. 337—was adopted and approved on July 28, 1964, in connection with the Shrine convention held in Washington in July 1965.

Further, the reported joint resolution is patterned substantially after the Presidential Inaugural Ceremonies Act of 1965—70 Stat. 1049.

WHAT THE JOINT RESOLUTION PROVIDES

The principal provisions of House Joint Resolution 1178 are as follows:

First. The Commissioners are authorized and directed to make regulations to preserve peace and order, specially regulate traffic, and issue special licenses to peddlers and vendors, such regulations to be effective during the period of the meeting, defined by the resolution as a 10-day period beginning July 7, 1967, and ending July 16, 1967, both dates inclusive.

Second. Appropriations are authorized to pay the cost of providing additional municipal services and to pay for other municipal expenses connected with the convention, estimated at $225,000.

Third. The Secretary of the Interior and the Commissioners are authorized to grant permits for the use of public space under their respective jurisdictions, subject to certain limitations imposed by the resolution.

Fourth. The Commissioners are authorized to permit the installation of temporary electrical facilities of all kinds, also subject to certain limitations imposed by the resolution.

Fifth. The Secretary of Defense is authorized to lend certain equipment belonging to the Department of Defense to be used in connection with providing for the well-being of the expected crowds, also subject to limitations imposed by the resolution.

Sixth. The temporary placing of wires along and across the line of any parade for use by electric lighting and communications concerns is authorized.

Seventh. The effective period of the regulations authorized to be adopted and a penalty for their violation are prescribed.

Eighth. The resolution requires the corporation—Imperial Shrine Convention, 1967, Inc.—to indemnify and save harmless the District of Columbia and Federal Government against loss, damage, or liability, and provides that such requirement shall be satisfied by the corporation's submitting to the District of Columbia Commissioners and the Secretary of the Interior an insurance policy or a bond, or both, in such amounts and subject to such terms as these officials may deem adequate to protect the interests of the respective governments.

Ninth. Finally, the resolution specifically exempts from its provisions the U.S. Capitol Buildings and Grounds, and other property under the jurisdiction of the Congress.

Your committee was informed that the Imperial Shrine Convention is held annually in one of the major cities of the United States, Canada, or Mexico, and further, that when the forthcoming 93d annual session is scheduled to convene in the District of Columbia, it is estimated, as in 1965, that over 100,000 Shrine delegates will be in attendance. As is generally the custom, the Shrine during the course of its convention will present two parades, one at night, and the other during the day. It is anticipated that these colorful events will attract more than a million viewers into the downtown area of the city. The committee was also advised that the many Shrine delegates with their families, and the hundreds of thousands of spectators to the Shrine parades and activities may be expected to result in the spending of $15 to $20 million in the District of Columbia during the convening of the convention.

NECESSITY FOR THIS LEGISLATION

The Commissioners of the District of Columbia urge the enactment of the joint resolution for the following reasons:

The resolution authorizes the Commissioners and certain specified Federal officials to deal with the special problems which will arise on the occasion of the convention, and which are expected to exert a heavy burden on the municipal services of the District of Columbia, and, to a certain extent, on the Federal Government. These problems relate principally to the handling of traffic and large crowds, and the erection of reviewing stands for the parade to be held in connection with the convention.

In addition, there is need for increased services by the Metropolitan Police Department and the Department of Public Health to protect the personal safety and health of the citizens of the District and the many visitors who will be present in the District for the occasion.

The Commissioners have been informed that the minimum number of persons associated with the Shrine expected to be present in the District during the convention period has been estimated at approximately 100,000. This number of persons associated with the Shrine, together with the many other persons who may come into the District to witness convention activities, will generate a need for increased activity on the part of the municipal government of the District of Columbia.

The Commissioners, in the belief that the resolution will adequately provide for the safety and well-being of all persons in the District of Columbia during the period of the 93d annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, recommend its approval.

The Commissioners have been advised by the Bureau of the Budget that, from the standpoint of the administration's program, there is no objection to the submission of this legislation to the Congress.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 1178

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the period of the ninety-third annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in the District of Columbia from July 10 to July 13, both dates inclusive, the Commissioners are authorized and directed to make all reasonable regulations necessary to secure the preservation of public order and protection of life, health, and property; to make special regulations respecting the standing, movement, and operation of vehicles of whatever character or kind during said period; and to grant under such conditions as they may impose, special licenses to peddlers and vendors for the privilege of selling goods, wares, and merchandise in such places in the District of Columbia, and to charge such fees for such privilege, as they may deem proper.

SEC. 2. For the purposes of this Act—

(a) The term "Commissioners" means the Commissioners of the District of Columbia or their designated agent or agents;

(b) The term "corporation" means the Imperial Shrine Convention, 1967, Incorporated, or its designated agent or agents;

(c) The term "meeting" means the ninety-first annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in the District of Columbia on July 10, 11, 12, and 13, 1967;

(d) The term "period" or "meeting period" means the ten-day period beginning July 6, 1667, and ending July 15, 1967, both dates inclusive;

(e) The term "Secretary of Defense" means the Secretary of Defense or his designated agent or agents; and

(f) The term "Secretary of the Interior" means the Secretary of the Interior or his designated agent or agents.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, to enable the Commissioners to provide additional municipal services in said District during the meeting period, including employment of personal services without regard to the civil service and classification laws; travel expenses of enforcement personnel, including sanitarians, from other jurisdictions; hire of means of transportation; meals for police, firemen, and other municipal employees; construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths; and other incidental expenses in the discretion of the Commissioners.

SEC. 4. The Secretary of the Interior, with the approval of such officer as may exercise jurisdiction over any of the Federal reservations or grounds in the District of Columbia, is authorized to grant to the corporation permits for the use of such reservations or grounds during the meeting period, including a reasonable time prior and subsequent thereto; and the Commissioners are authorized to grant like permits for the use of public space under their jurisdiction. Each such permit shall be subject to such restrictions, terms, and conditions as may be imposed, by the grantor of such permit. With respect to public space, no reviewing stand, or any stand or structure for the sale of goods, wares, merchandise, food, or drink shall be built on any sidewalk, street, park, reservation, or other public grounds in the District of Columbia, except with the approval of the corporation, and with the approval of the Secretary of the Interior or the Commissioners, as the case may be, depending on the location of such stand or structure. The reservation, ground, or public space occupied by any such stand or structure shall, within ten days after the end of the meeting period, be restored to its previous condition. The corporation shall indemnify and save harmless the District of Columbia and the appropriate agency or agencies of the Federal Government against any loss or damage to such property and against any liability arising from the use of such property, either by the corporation or a licensee of the corporation.

SEC. 5. The Commissioners are authorized to permit the corporation to install suitable overhead conductors and install suitable lighting or other electrical facilities, with adequate supports, for illumination or other purposes. If it should be necessary to place wires for illuminating or other purposes over any park, reservation, or highway in the District of Columbia, such placing of wires and their removal shall be under the supervision of the official in charge of said park, reservation, or highway. Such conductors with their supports shall be removed within five days after the end of the meeting period. The Commissioners, or such other officials as may have jurisdiction in the premises, shall enforce the provisions of this joint resolution, take needful precautions for the protection of the public, and insure that the pavement of any street, sidewalk, avenue, or alley which is disturbed or damaged is restored to its previous condition. No expense or damage from the installation, operation, or removal of said temporary overhead conductors or said illumination or other electrical facilities shall be incurred by the United States or the District of Columbia, and the corporation shall indemnify and save harmless the District of Columbia and the appropriate agency or agencies of the Federal Government against any loss or damage and against any liability whatsoever arising from any act of the corporation or any agent licensee, servant, or employee of the corporation.

SEC. 6. The Secretary of Defense is authorized to lend to the corporation such hospital tents, smaller tents, camp appliances, hospital furniture, ensigns, flags, ambulances, drivers, stretchers, and Red Cross flags and poles (except battle flags) as may be spared without detriment to the public service, and under such conditions as he may prescribe. Such loan shall be returned within five days after the end of the meeting period, the corporation shall indemnify the Government for any loss or damage to any such property, and no expense shall be incurred by the United States Government for the delivery, return, rehabilitation, replacement, or operation of such equipment. The corporation shall give a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

SEC. 7. The Commissioners, the Secretary of the Interior, and the corporation are authorized to permit electric lighting, telegraph telephone, radio broadcasting, and television companies to extend overhead wires to such points along and across the line of any parade as shall be deemed convenient for use in connection with such parade and other meeting purposes. Such wires shall be removed within ten days after the conclusion of the meeting period.

SEC. 8. The regulations and licenses authorized by this Act shall be in full force and effect only during the meeting period, but the expiration of said period shall not prevent the arrest or trial of any person for any violation of such regulations committed during the time they were in force and effect. Such regulations shall be published in one or more of the daily newspapers published in the District of Columbia and no penalty prescribed for the violation of any such regulation shall be enforced until five days after such publication. Any person violating any regulation promulgated by the Commissioners under the authority of this Act shall be fined not more than $100 or imprisoned for not more than thirty days. Each and every day a violation of any such regulation exists shall constitute a separate offense, and the penalty prescribed shall be applicable to each such separate offense.

SEC. 9. Whenever any provision of this Act requires the corporation to indemnify and save harmless the District of Columbia and the Federal Government or any agency thereof against loss, damage, or liability arising out of the acts of the corporation or its licensee, or to give bond to any agency of the Federal Government guaranteeing the safe return of property belonging to such agency the requirements of any such provision shall be deemed satisfied upon the submission by the corporation to the Commissioners of the District of Columbia and the Secretary of the Interior on behalf of the several agencies of the Federal Government, of an insurance policy or bond, or both an insurance policy and bond, in such amount or amounts and subject to such terms and conditions, as the said officials in their discretion approve as being necessary to protect the interests of the respective governments.

SEC. 10. Nothing contained in this Act shall be applicable to the United States Capitol Buildings or Grounds or other properties under the jurisdiction of the Congress or any committee, commission, or officer thereof.

With the following committee amendments:

Page 2, line 1, strike "July 13" and insert "July 13, 1967," in lieu thereof.

Page 2, line 20, strike "ninety-first" and insert "ninety-third" in lieu thereof.

Page 3, lines 1 and 2, strike the dates and in lieu thereof insert "July 7, 1967" and "July 16, 1967", respectively.

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASING ANNUITIES PAYABLE FROM THE DISTRICT OF COLUMBIA TEACHERS' RETIREMENT AND ANNUITY FUND

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11439) with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 7 and 8, strike out "the first day of the third month which begins after the date of enactment of this amendment" and insert "December 1, 1965,".

Page 2, line 1, strike out "such effective date" and insert "December 30, 1965,".

Page 2, lines 6 and 7, strike out "latest published on the date of enactment of this amendment," and insert "of July 1965".

Page 5, after line 2, insert:

"SEC. 3. This Act shall take effect December 1, 1965."

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. SPRINGER. Mr. Speaker, reserving the right to object, may I ask the distinguished chairman if he will explain this? I do not have it on my list.

Mr. McMILLAN. Mr. Speaker, I discussed this bill thoroughly with the gentleman from Minnesota [Mr. NELSEN] and he was agreeable to bringing it up at any time I thought convenient to bring it up.

Mr. SPRINGER. Will the distinguished chairman explain the bill, please?

Mr. McMILLAN. Mr. Speaker, the purpose of H.R. 11439 is to accomplish essentially a twofold objective in amending the District of Columbia Teachers' Retirement Act, as follows:

First. Afford teachers of the District of Columbia public schools the same increase in annuities based upon increases in cost of living which were provided for all civil service retirees in the last session of the Congress, approved September 27, 1965, 79 Stat. 840.

Second. Provide, in addition to the cost-of-living adjustment alluded to in the above paragraph, an additional increase of 6½ percent in the retirement annuity of those teacher retirees whose annuity commenced on or before October 1, 1956, and an additional increase of 1½ percent for those retirees whose annuities commenced after October 1, 1956.

The amended formula, as provided in this bill, will accelerate the cost-of-living adjustments and provide timely adjustments in annuities for teacher retirees similar to those already provided civil service employees. It is anticipated that it will result in all annuitants receiving an increase of 4.6 percent, effective as of December 1, 1965.

The further amendment providing for the annuity increases to be effective as of December 1, 1965, was necessary in order to assure the teacher retirees being accorded the same benefits as those extended civil service employees.

The bill passed the House without objection, and the House Committee on the District of Columbia concurs in the Senate amendments.

Mr. SPRINGER. May I ask the distinguished gentleman if this bill was passed in the Senate, and we are just attempting to agree with the Senate amendments?

Mr. McMILLAN. It passed the House, and the Senate amended our bill. I am agreeing to their amendments.

Mr. SPRINGER. I understand. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on the District bills being considered today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

AMENDING THE DISTRICT OF COLUMBIA PRACTICAL NURSES' LICENSING ACT

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 8337) to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 8337

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the District of Columbia Practical Nurses' Licensing Act (74 Stat. 803; sec. 2-421, D.C. Code) is amended by adding at the end thereof the following new subsection:

"(e) The term 'Washington metropolitan area' means that area comprising the District of Columbia, Montgomery and Prince Georges Counties, Maryland, the counties of Arlington and Fairfax, Virginia, and the cities of Alexandria, Falls Church, and Fairfax, Virginia."

SEC. 2. Section 10 of the District of Columbia Practical Nurses' Licensing Act (sec. 2-429, D.C. Code) is amended—

(1) by inserting the subsection designation "(a)" immediately before the first word of such section;

(2) by amending clause (4) to read as follows:

"(4) has been actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of this Act, or for the year immediately preceding the effective date of this Act has resided in the District of Columbia and been actively engaged in caring for the sick in the Washington metropolitan area;"; and

(3) by adding at the end thereof the following new subsections:

"(b) Any application made by an applicant for a license pursuant to this section which, because of noncompliance with clause (4) of subsection (a) of this section, was not approved prior to the effective date of this section shall, at the written request of such applicant made within the ninety-day period immediately following such date, be reconsidered without additional charge to such applicant other than the repayment to the District of Columbia of any fee or portion thereof which may have been refunded to the applicant by reason of the denial of a license for which application was made, and such applicant may submit, without charge, such additional information in support of such application as she may desire.

"(c) Any person who failed to apply for a license under this section because the period during which she was actively engaged in caring for the sick did not meet the requirement that such experience shall have taken place within the District of Columbia may, within the ninety-day period immediately following the effective date of this subsection, apply for a license under this section: *Provided*, That such experience took place within the Washington metropolitan area."

SEC. 3. This Act shall take effect thirty days after its approval.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That section 2 of the District of Columbia Practical Nurses' Licensing Act (74 Stat. 803; sec. 2-421, D.C. Code) is amended by adding at the end thereof the following new subsection:

"'(e) The term "Washington metropolitan area" means that area comprising the District of Columbia, Montgomery and Prince Georges Counties, Maryland, the counties of Arlington and Fairfax, Virginia, and the cities of Alexandria, Falls Church, and Fairfax, Virginia.'

"SEC. 2. Section 10 of the District of Columbia Practical Nurses' Licensing Act (sec. 2-429, D.C. Code) is amended—

"(1) by inserting '(a)' immediately after 'Sec. 10.'; and

"(2) by adding at the end thereof the following new subsection:

"'(b) (1) Upon receipt of an application, accompanied by the required fee for an original license, the Commissioners shall issue a license to practice as a licensed practical nurse, without written examination, to any person who shall make application therefor prior to the expiration of the ninetieth day immediately following the effective date of this subsection if (A) the Commissioners find that such person (i) is at least twenty-one years of age; (ii) is of good moral character; (iii) is in good physical and mental health as certified by a physician licensed to practice in the District of Columbia; (iv) has resided in the District of Columbia and been actively engaged in caring for the sick in the Washington metropolitan area for the year immediately preceding the effective date of this Act; (v) has had three or more years of experience in the care of the sick prior to the effective date of this Act; and (vi) has submitted evidence satisfactory to the Commissioners that she is competent to practice as a licensed practical nurse, and (B) either the application is endorsed by two physicians licensed to practice in the District of Columbia who have personal knowledge of the applicant's nursing qualifications and by two persons who have employed the applicant in the capacity of practical nurse, or the applicant is listed on a nurses' registry licensed in the District of Columbia.

"'(2) Any person whose application under subsection (a) was not approved because such person did not meet the requirement of clause (4) of such subsection may have such application reconsidered in accordance with the requirements of paragraph (1) of this subsection if, no later than the ninetieth day following the effective date of this subsection, such person makes a written request to the Commissioners for such reconsideration such application shall be reconsidered without additional charge to such person other than the repayment to the District of Columbia of any fee or portion thereof, paid in connection with the submission of such application under subsection (a), which may have been refunded to such person and such person may submit, without charge, such additional information in support of such application as she may desire.' "

"SEC. 3. The amendments made by this Act shall take effect on the thirtieth day following the date of the enactment of this Act."

The committee amendment was agreed to.

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 8337 is to correct an inequity in the District of Columbia Practical Nurses' Licensing Act which has prevented many practical nurses from being licensed in the District without written examination.

NEED FOR LEGISLATION

Section 10 of the Practical Nurses' Licensing Act—74 Stat. 803; section 2-421, District of Columbia Code—approved September 6, 1960, and effective as of July 29, 1961, provided for the licensing of practical nurses in the District, without examination, who applied for such license within 1 year after the effective date of the act (that is prior to July 29, 1962), and who also possessed certain other qualifications, including the stipulation that they must have been "actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of this act."

Even though the Licensing Board decided that they would accept 9 months of practice in the District during the prescribed year as satisfying this requirement for "grandfather clause" licensing, this language has caused a great deal of protest and hardship, because of the large number of practical nurses, many of them living in the District and belonging to the Association of Undergraduate and Practical Nurses of the District of Columbia, who had happened to be assigned to cases in the suburbs during a substantial portion of the year ending July 29, 1961. This situation has created a hardship particularly for those practical nurses who may have been out of school for some years and hence are not able to pass the written theoretical examination for a license, but whose professional competence and ability are unquestionably established by many years of successful experience. Appeals have been made by the above-named association and from many individual nurses as well, for an amendment to the licensing act which would alleviate this problem, and H.R. 8337 was requested by the District of Columbia Board of Commissioners.

HISTORY OF LEGISLATION

A bill—H.R. 5097—was introduced in the 88th Congress to accomplish this purpose, and a public hearing was held on June 6, 1963. Meanwhile, a similar bill—S. 933—was introduced in the Senate. This bill was approved by the Senate on August 28, 1963, but with an amendment which in the opinion of your committee seriously jeopardized its effectiveness. Consequently, the House amended S. 933 by substituting the language of H.R. 5097 with some modifications. However, no further action was taken by the Senate.

H.R. 8337, introduced on May 20, 1965, is identical in its provisions to the above-mentioned bills as originally introduced in the House and the Senate during the 88th Congress.

PROVISIONS OF THE BILL

The bill seeks to correct this inequity, by the following provisions:

First. Defines "Washington metropolitan area" in the usual context for purposes of this act;

Second. Amends the controversial paragraph (4) of section 10 of the Practical Nurses' Licensing Act so as to provide that a practical nurse in the District of Columbia may now qualify for a license without written examination, if, together with possessing the requirements of section 10 of the D.C. Practical Nurses' Licensing Act with the exception of paragraph (4) thereof, she resided in the District and engaged in the care of the sick in the Washington metropolitan area for the year ending July 29, 1961. Further, such practical nurses will have a period of 90 days from the effective date of these amendments in which to apply for such license without written examination. In the case of a practical nurse who may have applied for a license under section 10 of the Licensing Act and whose application was rejected for noncompliance with paragraph (4), her application may be reconsidered without the payment of any new application fee, except such part of the fee which may have been refunded her.

The amendment to this bill is purely technical in nature, for the purpose of achieving greater clarity, and does not alter the substantive nature of the original bill in any way.

It is the opinion of your committee that these amendments to the D.C. Practical Nurses' Licensing Act are overdue, in fairness to the large number of experienced practical nurses in the District of Columbia who have been denied the advantages of licensure. Also, your committee feels strongly that in view of the inadequate supply of competent nurses, the provisions of this proposed legislation will be very much in the public interest.

Following is the letter from the Board of Commissioners of the District of Columbia, under date of May 20, 1956, requesting this legislation.

GOVERNMENT OF THE DISTRICT OF
COLUMBIA, EXECUTIVE OFFICE,
Washington, May 20, 1965.

The Honorable the SPEAKER,
United States House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: The Commissioners of the District of Columbia have the honor to submit herewith a draft bill "To amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes."

The purpose of the bill is to amend the Act to permit the licensing, without written examination, of an applicant otherwise qualified to be a licensed practical nurse who "has been actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of this Act, or for the year immediately preceding the effective date of this Act has resided in the District of Columbia and been actively engaged in caring for the sick in the Washington Metropolitan Area." The bill defines "Washington Metropolitan Area" as comprising the District of Columbia, Montgomery and Prince Georges Counties, Maryland, the Counties of Arlington and Fairfax, Virginia, and the cities of Alexandria, Falls Church and Fairfax, Virginia. Applicants are given ninety days after enactment of this legislation to make application, or reapplication, without additional charge.

The Practical Nurses' Licensing Act presently provides that an applicant for an original license otherwise qualified must "have been actively engaged in caring for the sick *in the District of Columbia* for the year immediately preceding the effective date of this Act." (Emphasis supplied)

The Commissioners recognize the inequity inherent in this provision of the Act which results in the denial of a license to an applicant who has lived in the District of Columbia for many years but has been nursing outside the District during the year immediately preceding the effective date of the Act.

The Commissioners, therefore, recommend that this amendatory legislation be enacted.

Very sincerely yours,

JOHN B. DUNCAN,
Acting President,
Board of Commissioners, D.C.

Mr. SPRINGER. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, may I ask the gentleman from Texas if the sole purpose of this bill is to allow the practical nurses who live now in the District of Columbia and practice in the suburbs to come under the grandfather clause, as far as licensing is concerned?

Mr. DOWDY. That is the only purpose of the bill. That is the entire purpose of the bill.

Mr. SPRINGER. In other words, it is to make eligible for licensing in the District of Columbia those practical nurses who do nothing but nurse outside the District of Columbia?

Mr. DOWDY. No. They have to be in the District of Columbia or in the suburbs as practical nurses. The bill is merely providing that they must be residents in the District of Columbia, and the practice that makes them eligible may be done in the metropolitan area, rather than just in the District of Columbia. Is that clear?

Mr. SPRINGER. Yes. I understand they practice in the District of Columbia and in the suburban area, which will qualify them for a license.

Mr. DOWDY. That is correct. It does not have to be in either place. Part of it can be done in the metropolitan area, and part of it in the suburbs.

Mr. SPRINGER. Mr. Speaker, I have no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, in the 86th Congress, I introduced legislation to authorize licensing of practical nurses in the District of Columbia. This bill was enacted into law on September 6, 1960, as Public Law 86-708, and became effective as of July 29, 1961.

Section 10 of this act provided for the licensing of a practical nurse in the District, without written examination, who applied for such license within 1 year after the effective date of the act—that is, prior to July 29, 1962—and who also, together with certain other qualifications, "had been actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of this act."

Even though the Practical Nurses Licensing Board decided that it would be reasonable to accept 9 months of practice in the District of Columbia during the prescribed year as satisfying this requirement for "grandfather clause" licensing, this provision caused a great deal of protest because of the large number of practical nurses, many of them residents of the District and members of the Association of Undergraduate and Practical Nurses of the District of Columbia, who had happened to accept cases in the suburbs during a substantial portion of the year ending July 29, 1961, and thus could not qualify for District of Columbia licensure without examination in view of this controversial restriction. Appeals were made by the above-named association and by many individual nurses as well, for an amendment to the act which would alleviate this problem.

In the 88th Congress, after consultation with the District of Columbia Practical Nurses Licensing Board and the counsel for the Association of the Undergraduate and Practical Nurses of the District of Columbia, I introduced legislation designed to correct this unfair situation. The language of this bill was approved by the House in the form of amendment to a Senate-passed bill, but failed of further action in the Senate.

Meanwhile, this problem continues to be a source of difficulty to those practical nurses in the District of Columbia who have been out of school for some years and hence are not able to pass the theoretical written examination for licensure, but whose professional competence through years of experience is beyond question, yet who are denied the benefits of licensed status through this inadvertent and unfair technicality. The District of Columbia Board of Commissioners, in recognition of this problem, requested the bill, H.R. 8337, which I was pleased to introduce on May 20, 1965, and on which I now urge favorable action.

Briefly, this bill seeks to correct this situation by amending paragraph (4) of section 10 of the Licensing Act, to provide that a practical nurse may be licensed without written examination, as far as residence is concerned, if she practiced her profession in the District of Columbia for the year ending July 29, 1961, or if she lived in the District and practiced in the Washington metropolitan area for that year. Further, a 90-day period after the effective date of this amendment is provided during which a practical nurse who was formerly ineligible for a license without written examination because of this narrow restriction may apply for such license. In the case of a nurse who may have applied and been rejected for this reason, reapplication will not require the payment of any fee which was formerly charged her, except that part of such fee which may later have been refunded.

Enactment of H.R. 8337 will serve to increase materially the number of licensed practical nurses in the District of Columbia. I urge the support of my colleagues for this measure, to correct an inequity which has existed in the ranks of practical nurses in the District of Columbia since 1960, and also as a worthwhile public service in these times when there is a woeful lack of experienced, capable nurses.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CREDIT INSURANCE WITH RESPECT TO STUDENT LOANS

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 10823) relating to credit life insurance and credit health and accident insurance with respect to student loans, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The **SPEAKER** pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10823

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10(2)(d) of chapter V of the Life Insurance Act (D.C. Code, sec. 35-710(2)(d)) is amended to read as follows:

"(d) The amount of insurance on the life of any debtor shall at no time exceed the lessor of—

"(1) the amount owed by him which is repayable in installments to the creditor, or

"(2) $10,000 plus the amount of any insurance with respect to indebtedness incurred to defray educational costs of a student."

SEC. 2. Section 4 of the Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance (D.C. Code, sec. 35-1604) is amended by adding at the end thereof the following new subsection:

"(c) Notwithstanding subsections (a) and (b), the amount of any credit life insurance or credit accident and health insurance with respect to indebtedness incurred to defray educational costs of a student may include the part of a commitment that has not been advanced by the creditor."

With the following committee amendment:

Page 1, strike out line 6 and all that follows down through the period and quotation marks in line 2 on page 2, and insert in lieu thereof the following:

"(d) The amount of insurance on the life of any debtor shall at no time exceed the amount owed by him which is repayable in installments to the creditor or $25,000, whichever is less. Notwithstanding the immediately preceding provision, the amount of insurance with respect to a loan commitment incurred to defray educational costs of a student may be in an amount not exceeding the fixed amount committed to be loaned under the loan commitment less the amount of any repayments made on the loan."

The committee amendment was agreed to.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of this proposed legislation is to authorize, in the District of Columbia, an increase in the maximum amount of credit life, health, and accident insurance with respect to debtors who have secured loans for educational or other purposes, which loans are to be repaid in installments.

BACKGROUND

In recent years, the use of installment credit loans has become increasingly common throughout the Nation. Such loans furnish a convenient means for small businesses to finance operations and the purchase of equipment and supplies. Many persons use such loans for the purchase of automobiles, major household items, and to finance education costs.

Education loans are commonly made to parents or guardians to defray the costs of educational programs for their children, which at present may vary from nominal amounts to as much as $3,500 per year per child. These loans are not limited to financing higher education but are made to assist from elementary school through graduate courses.

Your committee is informed that about 18 percent of the full-time students at one of the large local universities, or their parents, finance their educational expenses through a tuition payment plan, either with a local bank or through one of the several national plans for such loans. In most such cases, each year's contract is for approximately $2,000, so that in the normal course of 4 years, this amounts to an $8,000 contract. Longer educational programs, such as law, medicine, or other graduate study, may involve costs which can easily reach $20,000.

In view of the constant increase in the costs of tuition, room, board, and miscellaneous expenses incident to higher education, which it is estimated will rise from 15 to 25 percent in the next 5 years, it is reasonable to anticipate that the numbers and amounts of such loans will increase materially.

As these loans for educational and other purposes may represent major financial obligations for the borrowers, the matter of protection for their families in the form of credit life, health, and accident insurance to cover the unpaid amounts, or commitments in the case of educational loans, is of great importance. The group creditor life insurance written by lenders upon the lives of borrowers is usually an option requested by the borrowers as a financial protection to their families who might have to pay part or all of the debt in the event of death.

NEED FOR LEGISLATION

Under existing law—64 Statutes at Large 330; District of Columbia Code, section 37-100—the maximum amount of group credit life insurance which can be issued on the life of a borrower is $5,000, regardless of whether the borrowed funds are for educational purposes or for other purposes. In view of present-day practices and requirements and the maximums applying in many other States, the maximum applying to such insurance in the District of Columbia is wholly inadequate to meet the reasonable needs of the community.

Only five States, in addition to the District of Columbia, have a statutory limit as low as $5,000 for group credit life insurance. One other State, Florida, applies this $5,000 limit only to loans which exceed 1 year's duration, allowing a $100,000 maximum of credit insurance for loans maturing within 1 year. Twenty-one States, including Maryland and Virginia, have a $10,000 statutory limit, and in six others the limit ranges from $15,000 to $25,000. The remaining 17 States either had no statutory ceiling in their group insurance statutes, or no statute at all relating to group life insurance. These limits imposed in the various States are shown in detail in the following exhibit:

STATUTORY MAXIMUM LIMITS FOR GROUP CREDIT LIFE INSURANCE

1. States (7) with $5,000 limit: Arizona, District of Columbia, Florida,[1] Kansas, Hawaii, North Carolina, Washington.
2. States (21) with $10,000 limit: California, Colorado, Connecticut,[2] Idaho, Illinois, Iowa, Maryland, Massachusetts, Michigan (if less than 100 entrants yearly $5,000), Montana, Nebraska, Nevada, New Hampshire, New Jersey, Ohio, Oklahoma, Pennsylvania, Texas, Virginia, West Virginia, Wisconsin.
3. States (2) with $15,000 limit. New York, Maine.
4. States (3) with $20,000 limit: New Mexico, Georgia, Louisiana.
5. States (2) with $25,000 limit: Arkansas, Vermont.
6. States (4) with no ceiling in Group statute: Kentucky, Indiana, Oregon, South Carolina.
7. States (1) with no provision for coverage in Group statute: Utah.
8. States (12) with no Group statute: Alaska, Alabama, Delaware, Minnesota, Mississippi, Missouri, North Daktota, Puerto Rico, Rhode Island, South Dakota, Tennessee, Wyoming.

These statistics make it clear, therefore, that the amount of life insurance which has been demonstrated nationwide as necessary to meet the wishes of borrowers and of lenders, for proper debt protection, is substantially greater than the limit of $5,000 imposed by existing statute in the District of Columbia.

While these group credit insurance policies are issued to cover small business loans and major installment purchases of various types, as well as to defray costs of education, the figures cited earlier in this report indicating the cost of higher education are sufficient to establish the inadequacy of a $5,000 ceiling on such insurance relating to educational costs for students alone.

These facts point up a serious disadvantage to lending institutions in the District of Columbia, such as banks and credit unions, who wish to participate in the field of educational loans. With national finance companies and popular tuition programs offering credit life insurance with coverage up to $10,000, and with the neighboring States of Maryland and Virginia having a statutory limit of $10,000 on such credit insurance, residents of the District of Columbia wishing to finance the educational expenses for their dependents are obtaining these loans from sources outside the District, where adequate group insurance protection for these debts is available to them.

There is a further limitation in the D.C. Life Insurance Act (76 Stat. 581; D.C. Code, sec. 35-1604), wherein credit life insurance is restricted to coverage of moneys actually advanced at the time the insurance is written. The majority of the States permit a contract including coverage for the portion of a commitment for educational purposes which has not yet been advanced. This assures a student the completion of his education whether the parents leave an estate or not. In this important respect also, lending institutions in the District of Columbia are at a competitive disadvantage in the field of loans for educational costs.

These factors make for inconvenience to District residents, and also reduce the revenues to the District of Columbia.

PROVISIONS OF THE BILL

This bill seeks to remedy these two problems. Section 1 amends the group life insurance provision (D.C. Code sec. 35-710(2)(d)) by increasing the maximum limit for group credit life insurance on loans, for other than educational purposes, to $25,000. This insurance shall at no time exceed the amount owed by the debtor, to be repaid in installments.

However, with respect to loans for educational purposes the $25,000 maximum for group credit life insurance would not be applicable. Also, the amount of group credit life insurance, for educational purposes would be limited by the amount committed to be loaned rather than the amount actually owed by the debtor. Such insurance for educational loans may thus include both the full amount already advanced to the borrower and the balance of the commitment not yet advanced, less the amount of any repayments by the borrower.

To illustrate, assume that borrower A secures an installment loan in the amount of $5,000 for business purposes. Group credit life insurance may be issued in the full amount to be reduced by the amount of installment repayments made by A.

Before the repayment of the above loan, A secures an educational installment loan commitment in the amount of $16,000. One year later $4,000 has been advanced to the borrower and $2,000 has been repaid by the borrower. At that point the maximum amount of group credit life insurance allowed would be $14,000. One year later the borrower obtains an additional loan commitment for the purpose of covering the educational expenses of another child, in the amount of $15,000. The commitment to borrower A for educational purposes would thus become $29,000. The total amount of group credit life insurance then available to this borrower would be $29,000 for educational purposes—$14,000 plus $15,000—plus $5,000 less any repayments, on the business loan.

Section 2 similarly amends the credit life accident and health insurance provisions—District of Columbia Code, section 35-1604—to permit such insurance issued in the District of Columbia to provide coverage of indebtedness incurred for education purposes to include, in addition to any amounts actually advanced under a loan commitment, any part of a loan commitment which has not been advanced by the creditor, less any amounts repaid by the borrower.

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[1] Loans not exceeding one year's duration $10,000. Ch. 29856, L. 1955.

[2] In Connecticut $10,000 by department ruling.

HEARING

At a public hearing conducted by Subcommittee No. 4 on June 6, 1966, testimony in favor of this legislation was presented by spokesmen for the Board of Commissioners of the District of Columbia, the District of Columbia Superintendent of Insurance, the District of Columbia Bankers' Association, the CUMA Mutual Insurance Society of Madison, Wis., the Riggs National Bank, the District of Columbia Credit Union League, and by the finance officer of Georgetown University. No opposition was expressed to the enactment of the bill.

Your committee amended the first section of the bill to attain better clarification of language, and also to increase the maximum for group credit insurance for noneducational loans to $25,000 rather than to $10,000 as provided in the original bill. This higher maximum limit was recommended by several witnesses at the hearing on the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA BAIL AGENCY ACT

Mr. WHITENER. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 15860) to establish the District of Columbia Bail Agency, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15860

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Bail Agency Act".

SEC. 2. There is hereby created for the District of Columbia the District of Columbia Bail Agency (hereinafter referred to as the "agency") which shall secure pertinent data and provide for any judicial officer in the District of Columbia reports containing verified information concerning any individual with respect to whom a bail determination is to be made.

SEC. 3. As used in this Act—

(1) the term "judicial officer" means, unless otherwise indicated, the Supreme Court of the United States, the United States Court of Appeals for the District of Columbia Circuit, the District of Columbia Court of Appeals, United States District Court for the District of Columbia, the District of Columbia Court of General Sessions, and the Juvenile Court of the District of Columbia (but only with respect to proceedings under Section 11-1556 of the D.C. Code) or any justice or judge of such courts or a United States Commissioner; and

(2) The term "bail determination" means any order by a judicial officer respecting the terms and conditions of release (including any order setting the amount of bail bond or any other kind of security given to assure appearance in court) of—

(A) any person arrested in the District of Columbia, or

(B) any material witness in any criminal proceeding in a court referred to in paragraph (1),

for trial or sentencing or pending appeal.

SEC. 4. (a) The agency shall, except when practicable, interview any person detained pursuant to law or charged with an offense in the District of Columbia who is to appear before a United States Commissioner or whose case arose in or is before any court named in section 3(a)(1) of this Act. Such interview when requested by a judicial officer shall also be undertaken with respect to any person charged with intoxication or traffic violation. The agency shall seek independent verification of information obtained during the interview, shall secure any such person's prior criminal record which shall be made available by the Metropolitan Police Department, and shall prepare a written report of such information for submission to the appropriate judicial officer. The agency shall present such report with or without a recommendation for release on personal recognizance, personal bond, or other nonfinancial conditions, but with no other recommendation, to the appropriate judicial officer and shall provide copies of such report to the United States Attorney for the District of Columbia, to the Corporation Counsel of the District of Columbia (if pertinent) and to counsel for the person concerning whom the report is made. The report shall include but not be limited to information concerning the person accused, his family, his community ties, residence, employment, prior criminal record if any, and may include such additional verified information as may become available to the agency.

(b) The agency when requested by any appellate court or a judge or justice thereof, or by any other judicial officer, shall furnish a report as provided in section 4(a) respecting any person whose case is pending before any such appellate court or judicial officer or in whose behalf an application for a bail determination shall have been submitted.

(c) Such information as may be contained in the agency's files or presented in its report or which shall be divulged during the course of any hearing shall be used only for the purpose of a bail determination and shall otherwise be confidential except for members of the agency staff, and such members shall not be subject to subpena concerning information in their possession and such information shall not be the subject of court process for use in any other proceeding.

(d) The preparation by the agency and the submission of its report as provided in section 4 shall be accomplished at the earliest practicable opportunity.

(e) A judicial officer in making a bail determination shall consider the agency's report and its accompanying recommendation, if any. The judicial officer may impose such terms and set such conditions upon release as shall appear warranted by the facts presented, except that such judicial officer may not establish any term or condition for release not otherwise authorized by law (including the Bail Reform Act of 1966 (Public Law 89–465)).

SEC. 5. (a) The agency shall function under authority of and be responsible to an executive committee of five members of which three shall constitute a quorum. The executive committee shall be composed of the respective chief judges of the United States Court of Appeals for the District of Columbia Circuit, the United States District Court for the District of Columbia, the District of Columbia Court of Appeals, the District of Columbia Court of General Sessions, or if circumstances may require, the designee of any such chief judge; and a fifth member who shall be selected by such chief judges.

(b) Within thirty days of the date of enactment of this Act, the executive committee shall meet and shall appoint a Director of the agency who shall be a member of the bar of the District of Columbia.

SEC. 6. The Director of the agency shall be responsible for the supervision and execution of the duties of the agency. The Director shall receive such compensation as may be set by the executive committee but not in excess of that amount classified as GS–15 in the Classification Act of 1949, as amended. The Director shall hold office at the pleasure of the executive committee.

SEC. 7. The Director, subject to the approval of the executive committee, shall employ a chief assistant and such assisting and clerical staff and may make assignments of such agency personnel as may be necessary properly to conduct the business of the agency. The staff of the agency, other than clerical, shall be drawn from law students, graduate students, or such other available sources as may be approved by the executive committee. The chief assistant to the Director shall receive compensation as may be set by the executive committee, but in an amount not in excess of that classified as GS–11 in the Classification Act of 1949, as amended, and shall hold office at the pleasure of the executive committee. All other employees of the agency shall receive compensation as set by the executive committee, but in amounts not in excess of that classified as GS–7 in said Classification Act; salaries of clerical personnel shall be set at levels comparable to those allowed in the offices of the Legal Aid Agency and the United States Attorney for the District of Columbia. From time to time, the Director, subject to the approval of the executive committee, may set merit and longevity salary increases.

SEC. 8. The Director shall on June 15 of each year submit to the executive committee a report as to the agency's administration of its responsibilities for the previous period of June 1 through May 31, a copy of which report will be transmitted by the executive committee to the Congress of the United States, and to the Administrative Office of the United States Courts. The Director shall include in his report, to be prepared as directed by the Administrative Office, a statement of financial condition, revenues, and expenses for the past June 1 through May 31 period.

SEC. 9. For the purpose of carrying out the provisions of this Act, there are authorized to be appropriated to the judiciary such sums as may be necessary which shall be disbursed by the Administrative Office of the United States Courts. The Administrative Office so far as is possible will follow its standard fiscal practices. Budget estimates for the agency shall be prepared by the Director and shall be subject to the approval of the executive committee.

SEC. 10. The Bail Reform Act of 1966 shall apply to any person detained pursuant to law or charged with an offense in the District of Columbia.

SEC. 11. (a) Except as provided in subsection (b) hereof, this Act shall take effect on the date of its enactment.

(b) Sections 6, 7, and 8 shall take effect on the date of enactment of the first Act appropriating moneys to carry out the purposes of this Act which is enacted after the date of enactment of this Act, and section 4 shall take effect on the ninetieth day after the date of enactment of said first appropriation Act.

With the following committee amendment:

Page 7, line 11, after the date "1966" insert the following: "(Public Law 89–465)".

The committee amendment was agreed to.

AMENDMENTS OFFERED BY MR. BOW

Mr. BOW. Mr. Speaker, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. Bow: On page 6, line 25, strike out "Administrative Office of the United States Courts.", and insert in lieu thereof "Commissioners of the District of Columbia".

On page 7, lines 2 and 3, strike out "Administrative Office" and insert in lieu thereof "Commissioners of the District of Columbia".

On page 7, strike out lines 7, 8, 9, and through the word "practices." in line 10, and insert in lieu thereof "District of Columbia such sums as may be necessary which shall be disbursed by the Commissioners of the District of Columbia".

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from North Carolina.

Mr. WHITENER. These are the amendments, I believe, which the gentleman discussed with us earlier today.

Mr. BOW. The gentleman is correct.

Mr. WHITENER. As I understand them, the purpose is to confine the financing and the direction of this agency to the District of Columbia Government, rather than to have an appropriation to the Judiciary of the United States.

Mr. BOW. The gentleman is correct.

Mr. WHITENER. And the expenditures are not to be under the direction of the Administrative Office.

Mr. BOW. I am fearful that if we leave it in this way the cost will be much greater, and it would be an appropriation to the Judiciary, to the Administrative Office, from funds of all of the taxpayers, rather than an appropriation by the District of Columbia to handle a District of Columbia matter.

This is a District bill, but the authorization of the appropriation part is in reference to the Treasury, to the Administrative Office. We have found the Administrative Office a rather expensive operation.

I believe that since the bill is a District bill it would be proper to fund it through the District of Columbia rather than through a general appropriation to the courts.

Mr. WHITENER. I say to the gentleman that I appreciate his having discussed this matter with us earlier today. I told the gentleman that at the time we acted upon the bill in the subcommittee after full hearings no discussion of this aspect of the bill was had. At our hearings we heard from the judges in the District of Columbia, the Bar Association, the Justice Department, the U.S. attorney's office, and others interested in the bail reform question.

For that reason, as I told the gentleman earlier, we are willing to agree to the amendment. We would want to do so, however, with the understanding by the gentleman and the other Members of the House that at the hearings in the other body it may be interested parties may have objection to this amendment. We would not want to be bound, if we must go to conference, to fight for the amendment which the gentleman offered even though we are willing to go along with it.

Mr. BOW. Mr. Speaker, I would hope the gentleman would fight for it, because it seems to me, this being a District bill, it should be financed through the District of Columbia appropriations. May I say to the gentleman, with respect to this judges bill which we passed here a few days ago, because of having these new judges, we had a supplemental request made to us now from the Administrative Office for another $100,000 to operate that office. If we pass this, there will be another supplemental request. In this particular setup they have a GS–15, a GS–11, and a number of GS–7's and I think that this money should be paid through the District of Columbia appropriations rather than the appropriations for the entire country for the judiciary.

Mr. Speaker, I appreciate the gentleman's agreeing to the amendment, but I do hope that when he takes this to conference on this specific question the gentleman will see the advantage of its being done through the District of Columbia rather than through the appropriations for the entire United States.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. BOW. I am glad to yield to the gentleman.

Mr. SPRINGER. An additional reason for the gentleman's amendment is that this should be administered by the District of Columbia and not by the Department of Justice.

Mr. BOW. I agree with the gentleman and thank the gentleman for his contribution.

The **SPEAKER.** The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

PURPOSE OF THE BILL

Mr. WHITENER. Mr. Speaker, the purpose of the bill is to alleviate some of the injustices and inequities existing in the present financial bail system in the District of Columbia, by creating an independent fact-gathering-and-reporting Bail Agency to secure data and provide to any judicial officer in the District of Columbia—as defined in the bill—reports containing verified information concerning any individual with respect to whom a bail determination is to be made.

In addition, the fact-finding Bail Agency will also make its services available upon request to the judges of the U.S. Court of Appeals for the District of Columbia Circuit and to any Justice of the Supreme Court, whenever bail pending appeal becomes an issue.

H.R. 15860 has as it basic purpose the establishment of a system whereby worthy defendants in criminal cases, as well as material witnesses in any criminal proceeding, may have an orderly procedure available to them and to the courts for the determination of the preliminary question of bailability, amount of bail, and other relevant factors which are daily passed upon by the judges in the District of Columbia.

It is important to emphasize the clear line which is drawn in the bill between the duty of the Bail Agency and the duty of the court. The Bail Agency, as a part of its prearraignment investigation, will interview defendants, verify facts, and submit reports with or without recommendations to the judicial officers. But, the bail decision remains the exclusive province of the judiciary, who may accept or reject the report and recommendations; only the judicial officer may determine the conditions of release to be imposed on the defendant.

As drafted and as reported by your committee, this proposed legislation is designed to implement the Bail Reform Act of 1966, which was passed by the House on June 7, 1966, and signed by the President on June 22, 1966—Public Law 89-465.

BACKGROUND

Many bail reforms have been proposed throughout the United States, seeking to foster the practice of the release on personal recognizance of an accused person where his ties to the community reasonably assure his presence for trial.

According to information furnished to your committee, more than 50 experimental bail projects are in operation. Among such States where such projects are performing are the following: California, Connecticut, Colorado, Delaware, Florida, Georgia, Iowa, Kentucky, Maryland, Massachusetts, Missouri, New Jersey, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Texas, Utah, West Virginia, Wisconsin.

In 1962, the chief judge of the U.S. Court of Appeals for the District of Columbia Circuit, appointed a committee on bail projects which made a study of the bail system in the District of Columbia. That committee, working in conjunction with the District of Columbia Bar Association, Junior Bar Section, reported that its study showed that, in 1962, between 30 and 40 percent of the District of Columbia jail population was composed of persons either awaiting trial or in the process of trial and sentencing, and that of those awaiting trial, 80 percent were eligible for release on bail.

Translating this burden into financial terms, the bar committee further reported that the cost, in 1962, of maintaining in the District of Columbia jail, defendants who were eligible for bond prior to or upon completion of trial, was almost $500,000.

In the District of Columbia during 1963, 1,640 persons, or 80 percent of all defendants charged with felonies, spent some time in detention between arrest and final disposition of their cases. The median time spent in jail was 75 days. This does not include any time such defendants may have spent undergoing observation at a hospital or mental institution. Many defendants who spent some time in detention were ultimately able to post bond.

Prolonged detention, it was found, was not necessarily due to crowded court calendars, but often resulted from delays attendant to the making and execution of defendant's motions for continuance, severance, and the like.

Among its many recommendations, the bar committee recommended that a pilot project, similar to the pretrial release program conducted by the Vera Foundation in New York City, be established in the District of Columbia.

RESULTS OF DISTRICT OF COLUMBIA BAIL PROJECT

The following information was furnished your committee by the officers of the District of Columbia bail project now in operation, as to its operations to date:

Present project data indicate that as of June 3, 1966, the District of Columbia bail project has made a total of 2,456 recommendations for release on personal bond. The courts have followed approximately 85 percent of these recommendations with the result that 2,084 persons have been released on their word that they would return. Presently, over 97 percent of those released have appeared in court as they promised. It is interesting to note that 47 of the 59 defaulters have been returned to custody and 40 of these were rearrested in the Washington, D.C. area. A further matter of interest is the fact that 50 faced misdemeanor charges at the time of default.

While the criteria utilized by the project for determining whether the defendant would return to court if released were not primarily devised for any other purpose, experience has demonstrated that the criteria are meaningful as well when related to the safety of the community. To illustrate, of the 2,084 releases, 2.5 percent were charged with serious subsequent offenses arising during the period of their releases; 5 percent were charged with less serious subsequent offenses; and 1.6 percent were charged with subsequent municipal code offenses. It should be noted, in this connection, that while 17 percent of these subsequent charges remain pending, 31 percent were dismissed, nolled, ignored, or resulted in acquittals. The remaining 52 percent resulted in the following dispositions: 6 percent convicted and given probationary sentences: 43 percent convicted and incarcerated; 2 percent convicted and forfeited collateral.

The Acting Director of the Office of Criminal Justice, Department of Justice, testified in support of the proposed legislation, and particularly as to the experience of the pilot District of Columbia bail project stated as follows:

> The bail project has proven to be of great value to individuals, courts and the administration of justice generally in the District of Columbia. For the first time in this jurisdiction, it has enabled a large number of persons to be released on personal bond when, without a fact-finding project, they would either have remained in jail or been made to suffer financial hardship to raise a bondsman's fee. A recent report indicated that in its first two years, nearly 75 percent of the project's recommendations for release without money bail were honored by judges in felony cases, and 93 percent in misdemeanor cases. This means that almost 2,100 persons have been released because of information supplied by the project. We understand that the 3 percent default rate in Bail Project cases is less than that in bail bond cases. We also understand that charges of serious criminal conduct during periods of pretrial release have shown a similarly low rate: bail project reports indicate that less than 2.5 percent of persons released on its recommendation have been so charged, and that a majority of the charges disposed of to date have been dismissed.
>
> The project enables many persons to secure their liberty, retain their jobs, prepare their defense and maintain family relationships. Its cost savings to the community from eliminating unnecessary retention in the District of Columbia Jail run to many thousands of dollars. Our court system is able to make more meaningful decisions because they can be based on information not previously available. These results clearly demonstrate the desirability of establishing the project as a permanent independent agency in the District of Columbia.

THE DISTRICT OF COLUMBIA BAIL PROJECT

In May of 1963 the Judicial Conference of the District of Columbia Circuit adopted this recommendation and, through its Committee on Bail Problems, proposed an experimental project designed to cover cases where the bail applicant appears to have a stable connection with the community even in the absence of the posting of security by a bondsman. In such cases, it was proposed, the relevant facts would be summarized, and such information, together with a recommendation of release on personal recognizance, would be made available to the presiding magistrate.

As a result, the Ford Foundation granted funds—$65,000 for each year for 3 years—to the Georgetown University Law Center, which made possible the institution and operation of a 3-year experimental program that is scheduled to terminate in September 1966.

Originally, this experiment covered only felony cases. However, in August 1965, the coverage was extended to misdemeanor cases. Also, in 1964, the experiment's operations were expanded to include fact investigation in cases involving bail pending appeal.

HOW THE BAIL PROJECT WORKS

Under this experiment, accused persons are being interviewed by staff members immediately after being brought before a committing magistrate. The arresting officers are also interviewed at this time. Thereafter, independent verification of the information is sought from the accused's relatives, friends, employers, unions, welfare officials, clergy, and the like. The accused's criminal record, if any, including juvenile court records, is obtained. Finally, a brief staff conference evaluates the case to determine whether a recommendation should be made that the accused be released on personal recognizance.

It should be stressed here that this decision is based on the community ties of the accused, and not on the alleged facts of the offense. The latter are usually not known by the staff unless they were brought out at initial presentment. Neither the accused nor any other contact is asked matters pertaining to the facts of the alleged offense.

The importance of this point is that the chief judge of the District of Columbia court of general sessions, in commenting upon the District of Columbia bail project, said that this experiment has produced some very good results, but voiced the reservation that it is necessary for the judges to reject the recommendations for release upon personal recognizance in some cases because the facts of the offense may make such rejection in the public interest, regardless of the personal data regarding the defendant. In other words, the chief judge is emphasizing what was said at the outset; namely, the judicial officer, in the final analysis, must alone exercise his discretion in determining conditions of release, or whether there shall be release of the accused.

Recommendations for release upon personal recognizance are submitted to the appropriate court or to the U.S. Commissioner. The entire procedure is concluded in periods of time ranging from the same day on which the accused appeared initially to a few days after his initial appearance, depending upon the difficulties encountered in obtaining necessary information from both private and official sources.

Upon release, each defendant is advised by a member of the staff of the penalties for failure to appear for trial. Also, certain followup procedures are used to assure the return of the accused for required court appearances. For example, felony defendants are asked to telephone the office weekly. This is not strictly enforced, however. This serves as a means of notifying defendants of required court appearance. Also, the released defendants and relatives and friends who have agreed to accept notification are notified in advance of required court appearances and reminded of the penalties for failure to appear.

PROVISIONS OF THE BILL

Section 1 names the act.

Section 2 creates the District of Columbia Bail Agency.

Section 3 provides the following definitions: "Judicial officer" is defined as the Supreme Court of the United States, the U.S. Court of Appeals for the District of Columbia Circuit, the District of Columbia Court of Appeals, U.S. District Court for the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia—but only with respect to proceedings under section 11-1566 of the District of Columbia Code—or any justice or judge of such courts or a U.S. Commissioner.

"Bail determination" means any order by a judicial officer respecting the terms and conditions of release—including any order setting the amount of bail bond or any other kind of security given to assure appearance in court—of (A) any person arrested in the District of Columbia, or (B) any material witness in any criminal proceeding in any of the courts referred to above, for trial or sentencing or pending appeal.

Section 4 provides that the Bail Agency established by the bill is required, "except when impracticable," to interview persons detained pursuant to law or charged with offenses in the District of Columbia, who are to appear before a U.S. Commissioner or whose cases arose in or are before any court specified in the bill. The Agency is to independently verify information obtained from such interview, secure the person's prior criminal record from the Metropolitan Police Department, and prepare a written report of such information for submission to the appropriate judicial officer. The Agency is authorized to present such report to the appropriate judicial officer, with or without a recommendation for release on personal recognizance, personal bond, or other nonfinancial condition, but without any other recommendation. It must also provide copies of such reports to the U.S. Attorney, to the Corporation Counsel—if pertinent—and to counsel for the person who is the subject of the report. The report must at least include information concerning the person accused, his family, his community ties, residence, employment, and prior criminal record, if any.

The information contained in the agency's files, presented in its report, or divulged during the course of any hearing, is to be used only for the purpose of a bail determination and is to be otherwise confidential. It cannot be made subject to court process for use in any other proceeding.

Section 5 provides that the agency is to function under the authority and be responsible to a five-member executive committee consisting of the respective chief judges of the United States Court of Appeals for the District of Columbia Circuit, the United States District Court for the District of Columbia, the District of Columbia Court of Appeals, the District of Columbia Court of General Sessions, and a fifth member to be selected by the four chief judges.

Sections 6 and 7 provide for the appointment of a director of the agency selected by the executive committee—whose compensation may not exceed that of a GS-15 employee—and for the employment of agency personnel.

Section 8 of the bill requires the submission to the Congress and to the administrative office of the U.S. courts of a report on the agency's activities.

Section 9 authorizes the appropriation of such sums as may be required for the operation of the agency, to be disbursed by the administrative office of the U.S. courts. Budget estimates for the agency are to be prepared by the director of the agency, and are subject to the approval of the executive committee of the agency.

Section 10 states that the Bail Reform Act of 1966—Public Law 89-465—shall apply to any person detained pursuant to law or charged with an offense in the District of Columbia. Your committee wishes to make clear it is the intent of the Congress that the provisions of the Federal Bail Reform Act, approved June 22, 1966, are fully applicable to any person detained pursuant to law or charged with an offense in the District of Columbia.

Upon the recommendation and request of the chief judge of the Juvenile Court of the District of Columbia, your committee included that court within the terms of H.R. 15860—section 3—but only with respect to criminal nonsupport cases under District of Columbia Code 11-556.

ESTIMATED COSTS OF LEGISLATION

According to testimony before your committee, the estimated annual costs of the operation of the District of Columbia bail agency, based upon the experience to date in the experimental project, will be between $95,000 and $120,000, depending upon the size of the staff ultimately required and the office space and equipment which may be needed.

ESTIMATED SAVINGS FROM THE LEGISLATION

A more obvious benefit of the enactment of this legislation will be to remedy in part one of the many staggering problems confronting the community under the present financial bail system, viz, the tremendous burden placed on the District of Columbia Jail by the pretrial incarceration of defendants and the resulting cost of maintaining the large number of people who must languish in jail prior to trial because they lack the funds for a bond premium. In addition, there are other costs, such as welfare expenses and loss of wages, which may be involved with pretrial incarceration of large numbers who cannot afford bond premiums.

According to testimony before your committee, a comparative study of persons released on bond in 1963 before the project began operations, with persons released on bond in 1965 when the project was at maximum operating capacity, has revealed that as a result of the bail project's operations in 1965 over $60,000 has been saved in jail costs of the District of Columbia jail and in welfare costs. These jail cost savings pertain to the projected number of people who, if not released on personal bond, would have been required to stay in jail for an overall average of 47,157 man-days. The welfare costs pertain to the expenditures that the Welfare Department would have expended in cases where the supporting head of the household would have been incarcerated. In addition, the cost study reveals that the Department of Corrections would have expended over $12,000 in transporting from the jail to the courts and back the persons who were released as a result of bail project operations in 1965 and who, but for this personal bond release, would have been incarcerated.

The preliminary result of the cost of detention study conducted by the District of Columbia bail project reveals that over $72,000 in jail and other related costs were saved by the District of Columbia as a result of the bail project's experimental operation during the year 1965. Projecting the jail costs alone it is estimated that with operation capacity identical to that in 1965, the bail project would save in 1967 a total of over $61,000. The increase, of course, is attributed to the current trend of rising jail costs.

Another aspect of this cost of detention study has been to project on the basis of the present operation of the project the savings which would inure to the District of Columbia Government should this bill, like the Bail Reform Act of 1966—Public Law 89-465—be enacted into law. Assuming that these two statutes would increase the number of personal bond and other nonfinancial conditional releases by at least one-fourth of those still incarcerated who cannot presently qualify under the project's experimental criteria or afford the price of a bond premium, it is estimated that the District of Columbia will save almost $110,000 per year in jail costs alone.

ENDORSEMENT OF LEGISLATION

The President of the United States, in his special message of March 9, 1966, to Congress against crime, in his first-stage recommendations to enhance justice in our courts—calling for immediate action—proposed as follows:

> We must reform our bail system.
>
> The administration of criminal justice must be fair as well as effective.
>
> Whether a person, released after arrest, is likely to flee before trial or endanger society is not determined by the wealth he commands. Yet all too often we imprison men for weeks, months, and even years—before we give them their day in court—solely because they cannot afford bail.
>
> Effective law enforcement does not require such imprisonment.
>
> To correct this injustice, I urge the Congress to complete action on the pending Federal Bail Reform Act and to give favorable consideration to the District of Columbia Bail Agency bill.
>
> These measures will insure fairness. They will provide an enlightened model for those States and communities which have not already undertaken bail reform.

HEARING

A full hearing was held by Subcommittee No. 5 of your committee on H.R. 15065—the original bill—on June 8, 1966, at which time its enactment was urged by all witnesses present. Judge John A. Danaher of the U.S. Court of Appeals for the District of Columbia Circuit, who chaired the Committee on Bail Problems of the Judicial Conference of the District of Columbia Circuit, presented the support of the Judicial Conference which unanimously approved the proposed legislation at its recent annual meeting attended by all the judges of the U.S. Court of Appeals, and of the U.S. District Court for the District of Columbia Circuit.

Favorable recommendations were also presented on behalf of the Chief Judges of the District of Columbia Court of Appeals, of the District of Columbia Court of General Sessions, and of the Juvenile Court, as well as the U.S. Department of Justice, and the President's Commission on Crime in the District of Columbia.

Representatives of the Bar Association of the District of Columbia; the U.S. attorney for the District of Columbia; officers of the District of Columbia bail project; and the Assistant Corporation Counsel of the District of Columbia, all supported the legislation and presented helpful amendments which the committee adopted before introducing the present bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING AN ALTERNATE METHOD FOR ACQUISITION OF A SITE FOR SHAW JUNIOR HIGH SCHOOL

Mr. WHITENER. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill H.R. 15858, to amend section 6 of the District of Columbia Redevelopment Act of 1945, to authorize early land acquisition for the purpose of acquiring a site for the replacement of Shaw Junior High School, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The **SPEAKER.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15858

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the District of Columbia Redevelopment Act of 1945 (District of Columbia Code, sec. 5–705) is amended by adding at the end thereof the following new subsection:

"(e) Prior to the adoption of an urban renewal plan by the Planning Commission and approval by the District Commissioners, the Agency may exercise the powers granted to it by this Act, for the acquisition and disposition of real property, the demolition and removal of buildings or structures, the relocation of site occupants. and the construction of site improvements for the purpose of providing a site for a new facility to replace Shaw Junior High School within the boundaries which may be established for any urban renewal project area: *Provided,* That (1) the District Commissioners, after a public hearing, and the Planning Commission approve the acquisition and disposition of all such property or properties; and (2) the District Commissioners agree to assume the responsibility to bear any loss that may arise as a result of the exercise of authority under this subsection in the event that the property is not used for urban renewal purposes because the urban renewal plan is not approved by all appropriate authorities or because such urban renewal plan, as approved by all appropriate authorities does not include such property or properties or is amended to omit any of the acquired property, or is abandoned for any reason. The District Commissioners and the appropriate agencies operating within the District of Columbia are authorized to do any and all things necessary to secure financial assistance under title I of the Housing Act of 1949, as amended, to acquire and prepare a site for a new facility to replace Shaw Junior High School. The District Commissioners are authorized to assume the responsibilities described in this subsection and, to carry out the purposes of this subsection, the District Commissioners and the Agency are authorized to borrow money pursuant to the early land acquisition provisions of title I of the Housing Act of 1949, as amended, and to issue obligations evidencing such loans and to make such pledges as may be required to secure such loans."

Mr. SPRINGER. Mr. Speaker, I move to strike the last word.

Mr. Speaker, may I say in explanation of this bill that the Shaw Junior High School is in one of the worst neighborhoods of the city of Washington. If any of you have visited it, you have some idea of how bad the conditions are in that neighborhood.

Mr. Speaker, the provisions of this bill would allow them to proceed with urban renewal on the site of the Shaw School only. It is probable in future years a great deal of the neighborhood surrounding it will be under urban renewal of some kind or character, but it is important that something be done on this immediately. This legislation makes provision for allowing the Shaw site to be cleared and a new building built thereon.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I am glad to yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. Mr. Speaker, I would like to ask the responsible members of the Committee on the District of Columbia as to just what is contemplated here with respect to this land that is referred to as the site of the Shaw Junior High School.

I believe all Members of the House are aware that there was a site for the Shaw Junior High School for which the taxpayers had provided money at a previous time. And, that this site was taken away from the Board of Education of the District of Columbia for other purposes, under what was to have been a temporary arrangement. However, when the time came to construct a Shaw Junior High School those who had taken the land away refused to return it to the Board of Education to be used for what purpose.

Are we now to understand that this legislation now seeks to provide for the acquisition, at the cost to the taxpayers, of an alternative site for Shaw Junior High School?

Mr. WHITENER. Mr. Speaker, if the gentleman will yield to me, the purpose of this legislation is to expedite the selection of a new site for a new Shaw Junior High School, within the confines of an area which is already mapped as a proposed Shaw urban renewal area.

Mr. Speaker, it is contemplated that once this site is selected and the new school building is erected upon that site, that they will use the present building, pending the completion of the new school building, and then there can be an exchange of realty between the Urban Renewal Agency—the RLA—and the Board of Education.

Mr. Speaker, it would be hoped that the cost to the taxpayers would be minimal.

I am familiar with the situation to which the gentleman refers, but the old site or the formerly purchased site for the new Shaw Junior High School was not, as the gentleman suggested, taken away from the Board of Education. They made the mistake of giving it away, and it was a mistake and it should not have been done.

But, you have a problem here of one of the most unsatisfactory school facilities to be found in the Nation, so we thought, and it seemed to us that something should be done in order to give the children who must attend that substandard facility an opportunity to have a decent place to go to school, notwithstanding the improvidence of the Board of Education in the past.

Mr. DAVIS of Wisconsin. Is this the site regarding which there was some discussion before the Subcommittee of the Committee on Appropriations for the District of Columbia, where the land—the ownership of the land, I believe—was in the Department of the Interior then or the National Park Service, and that this land could have been available for transfer to the District of Columbia as an alternate site, or is it contemplated that we are going to have to spend new money in order to get this site for the Shaw Junior High School?

Mr. WHITENER. Mr. Speaker, if the gentleman will yield further, I am not familiar with the proceedings that occurred before the Committee on Appropriations. The gentleman from Wisconsin who is a member of that committee and particularly a member of the Subcommittee on the District of Columbia Appropriations I am sure would know better than I about that. But insofar as I know, there is no land in that area owned by the National Park Service or by the Department of the Interior that is available for use as a school site.

Mr. GROSS. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, what happened to the site, if I may ask the gentleman from Wisconsin? Who got it, and what use is made of it, and how is it proposed to get the site back and through what process?

Mr. DAVIS of Wisconsin. As I recall it, I would say to the gentleman from Iowa, this site which had been acquired as the site of a new Shaw Junior High School, was transferred, with the consent of the Board of Education, for what was to have been a temporary purpose, and that purpose was the so-called Kennedy Playground. When the time came that the Board of Education was ready to proceed, as I understand it, the Parks and Recreation Department of the District of Columbia was unwilling to return that land to the Board of Education for the purpose for which it had been acquired.

Mr. GROSS. And, so, it did not serve for the purpose for which it was intended; is that correct?

Mr. DAVIS of Wisconsin. That is quite obviously correct.

Mr. GROSS. It evidently proved to be something in the nature of a flop.

How is it proposed to be gotten back and put to a proper use, that apparently being a new school building?

Mr. DAVIS of Wisconsin. I do not think anyone in a responsible position in the executive department has any intention of ever restoring that site to its intended use. There has been some discussion before our subcommittee of some land now owned by the National Park Service, I believe it was—or at least it was the Department of Interior—that could have been transferred back to the District and which would have made the taxpayers of the District of Columbia whole substantially with respect to this matter. Apparently, this legislation is an alternate proposal, which makes contemplated site No. 3, about which apparently there has been no discussion before our subcommittee—but this is the first notice we have had that it was contemplated that this third site was now to be made available for that purpose and apparently to be made available only if new money is provided for that purpose.

Mr. GROSS. And by right of condemnation?

Mr. DAVIS of Wisconsin. I have not had a chance to read this report so as to know by what means it is to be acquired.

Mr. WHITENER. I will be glad to answer the gentleman if the gentleman will yield.

Mr. GROSS. I yield to the gentleman.

Mr. WHITENER. I will say to the gentleman from Iowa, that I would assume that if there is an urban renewal law in his state, it would be like the urban laws in most States which specifically provide for early acquisition proceedings.

The District of Columbia is a rarity in that the local urban renewal law does not permit early acquisition. May I say this. The gentleman from Wisconsin has mentioned something about making the taxpayers of the District of Columbia whole.

The former site which was turned over to another agency was not turned over to the Federal Government or to the Department of the Interior, as I understand it. It was turned over to the recreation department of the District of Columbia. So, that land has not gone out of the possession of the District of Columbia nor has the District of Columbia lost title to the land. So there is no question of making somebody whole in any way.

May I say to the gentleman from Iowa further that this bill does not require anything. It merely sets up a procedure through which there can be early acquisition of a site within defined boundaries. This may be done under the urban renewal law after full hearings, just as are now required for urban renewal action. But it could not be done for any purpose if this bill becomes law except to provide a site for this school building.

Mr. GROSS. I yield to the gentleman from Wisconsin [Mr. DAVIS] if he cares to respond to that statement.

Mr. DAVIS of Wisconsin. Obviously, this matter will have to be throughly reviewed by our subcommittee at some later date. Because of that opportunity and necessity, I shall not now further take up the time of the House.

The SPEAKER. The time of the gentleman has expired.

Mr. RYAN. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I rise in support of this legislation. I think all of us are aware of the deplorable condition of so many of the schools of the District of Columbia. This school is particularly in need of replacement.

On March 14 I informed the House of a remarkable event which took place on Tuesday, March 8, at Shaw Junior High School. It was Project Push, Pupils United for Superior High Schools. Young people, without the help of teachers or advisers, led a guided tour through Shaw Junior High School—a dilapidated, ill-ventilated, ill-equipped, gloomy, old school building.

So bad were the conditions that the young students took it upon themselves to organize in protest and in request of aid. On that occasion they spoke of "The Shame of Shaw" and said they would come to Congress for help. Today we are called upon to give that help.

I am sure that no one who has heard about the dangerously cracked floors which flood during each rain, the classrooms without desks, and the improvised classes in a draughty gymnasium would think of denying these students what they need.

Mr. Speaker, the children of the Nation's Capital have long been condemned to an inferior education. Today we have the opportunity to take a very small step in correcting this situation. H.R. 15858 authorizes early land acquisition procedures for the purpose of acquiring a site for the replacement of Shaw Junior High School. This means that a site may be acquired without waiting for the completion of an urban renewal plan.

Mr. Speaker, there is no reason for delay. Children in the Capital of the richest nation on earth deserve our support of this legislation. As long as Congress is unwilling to provide home rule for the District, as long as Congress insists on being the local city council, then it has an obligation to act responsibly.

I urge my colleagues to support this bill.

Mr. WHITENER. Mr. Speaker, the purpose of H.R. 15858 is to provide the Commissioners of the District of Columbia with an alternate method for acquiring a site for the new Shaw Junior High School, by authorizing the Commissioners and the Redevelopment Land Agency to use urban renewal early land acquisition procedures.

Under the Housing Act of 1949, as amended, local urban renewal agencies, when authorized to use such procedures, may acquire and clear land for redevelopment after project area boundaries have been established but without waiting for the completion of an urban renewal project plan for such area. Under the terms of this legislation, the Commissioners of the District of Columbia and the Redevelopment Land Agency will be empowered to use early land acquisition procedures to acquire a site for the new Shaw Junior High School building and grounds.

The Board of Education of the District of Columbia has owned for several years, and still owns, a suitable site for the Shaw Junior High School, but this land has been diverted from their use and control to other purposes. As a result, a serious deadlock has developed in connection with the selection of and financing of another site suitable for the construction of the new Shaw Junior High School. With the enactment of this legislation, the Commissioners of the District of Columbia will be able to proceed either under existing authority for the acquisition of a site or, if the public need is better served, they may use the authority provided in this bill.

Prior to the approval of any urban renewal plan for an urban renewal area, which includes a site for the new Shaw Junior High School, land may be acquired for such site, buildings demolished and removed, occupants of the land relocated, and site improvements constructed for the purpose of providing a suitable site. The Board of Commissioners of the District of Columbia, after a public hearing, and the National Capital Planning Commission must approved the acquisition and disposition of all property which is acquired. Further, in the event the land so acquired is not used for urban renewal purposes, because the urban renewal plan is not approved by all appropriate authorities or because it is not included within an urban renewal plan, or is abandoned, the Board of Commissioners must assume the responsibility for any losses which may arise as a result of the use of the advance land acquisition procedures.

The bill authorizes the Commissioners of the District of Columbia and other appropriate agencies to do all things necessary to secure financial assistance under title I of the Housing Act of 1949 for the purposes of acquisition and preparation of a site for the new Shaw Junior High School. Further, the Commissioners of the District of Columbia and the Redevelopment Land Agency, for the purposes of acquisition of a suitable site for the new Shaw Junior High School, are authorized to use the early land acquisition provisions of title I of the Housing Act of 1949, to borrow money, and to issue evidences of indebtedness as may be required to secure such loans.

At public hearings on June 8, 1966, your committee received testimony from the Board of Commissioners of the District of Columbia, the Redevelopment Land Agency, and District of Columbia public school officials in support of the purpose of this bill.

Under urban renewal procedures, a major portion of the cost of acquisition of the real property selected for the school site can be financed with Federal urban renewal funds. The cost of the site to the school board can be reduced, by reason of Federal assistance, to what a vacant site would cost. This would provide additional financial assistance and the use of these procedures will provide for more flexibility in the selection of a proper site for the new school facilities.

The favorable report of the National Capital Planning Commission is as follows:

NATIONAL CAPITAL PLANNING COMMISSION,
Washington, D.C., June 22, 1966.

Congressman BASIL L. WHITENER,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN WHITENER: The National Capital Planning Commission has long recognized the existing physical and crowded conditions of the Shaw Junior High School and has consistently supported the need for a replacement. To aid in improving this situation, we have continually approved the proposed replacement of the Shaw Junior High School contained in the Six-Year Public Works Plans of the District of Columbia.

We believe, with the designation of the area for urban renewal planning by the Planning Commission and District Commissioners, that the enactment of your proposed legislation H.R. 15140, "To amend section 6 of the District of Columbia Redevelopment Act of 1945, to authorize early land acquisition for the purpose of acquiring a site for a replacement of the Shaw Junior High School", is the best way to provide for the new school. This legislation would enable the District of Columbia to acquire the site for the Shaw Junior High School replacement at an early date from the Redevelopment Land Agency and would permit start of construction of the school during the planning period for the urban renewal area.

The National Capital Planning Commission recommends the enactment of the early land acquisition legislation, H.R. 15140.

Sincerely yours,
MRS. JAMES H. ROWE, JR.,
Chairman.

Mr. NELSEN. Mr. Speaker, I introduced H.R. 15859, which is identical in scope to the bill sponsored by the chairman, H.R. 15858.

My basic intent—the intent of the chairman—and the intent of these bills, is to expedite quickly the construction of a new Shaw Junior High School in the disadvantaged Northwest section of our Nation's Capital.

For a variety of reasons—and it is not my intention to blame anyone—the 64-year-old Shaw school is still standing when it should have been replaced years ago. It is still standing—yes; but just. This creaky, crumbly, and vastly overcrowded relic which was built more than half a century ago—for conditions of half a century ago—has, during its later years, been virtually held together with wire and rubber cement.

I fully realize that replacement of this building was set for several years ago, but the ground selected and purchased for that purpose was used instead for the Kennedy playground—without the proper sanctions, perhaps, but we cannot cry over spilled milk. Thankfully, the playground does fill another desperate need for some of the city's poorer youngsters.

Nonetheless, the decrepit Shaw building still stands with its evil sanitation, with its crumbling masonry and plaster, with its obsolete and broken down equipment, with its shabby, depressing interiors, and with its woefully overcrowded classrooms. And it services an area of the city whose population has soared over the years. This is an area of the city whose children should get the very best of facilities and teaching quality in order to provide them with a surer grip on the ladder leading, hopefully, to a life of meaning and productivity instead of disillusionment, hopelessness, and despair. Inasmuch as the Shaw neighborhood is destined for eventual revitalization through the urban renewal process, it is the intent of these bills to allow the acquisition of the land for the construction of a new Shaw school—now—using Federal renewal authority and funds to do so at a much earlier date than would be set for renewal of the entire project area.

Mr. Speaker, I cannot overemphasize the critical need for action on this vital matter—whether through these bills or by some alternative method. There exists a crying need in this one specific instance, and I invite all Members of the Congress to visit Shaw to get the full impact of this need.

Overall, our Nation's Capital has a good school program. There are many up-to-date, functional, and well constructed school buildings in the system. It is guided by the School Superintendent, Dr. Hansen, whom I consider one of the finest school administrators in the Nation. His staff is tremendously motivated and dedicated. Amidst this promise, Shaw school stands out like a sore thumb. It is our responsibility to provide these wonderful people with the proper tools to help them in their invaluable task of educating our children.

I urge my colleague to give this legislation its thoughtful consideration.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT

Mr. WHITENER. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill H.R. 15857, to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and member of the Metropolitan Police force and the Fire Department, and for other purposes, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15857

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SALARY INCREASES FOR DISTRICT OF COLUMBIA POLICEMEN AND FIREMEN

SECTION 101. Section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–823) is amended to read as follows:

"SEC. 101. The annual rates of basic compensation of the officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia shall be fixed in accordance with the following schedule of rates:

"SALARY SCHEDULE

"Salary class and title	Service Step						Longevity Step		
	1	2	3	4	5	6	7	8	9
Class 1:									
Subclass (a)	$6,700	$7,040	$7,380	$7,720	$8,060	$8,400	$8,740	$9,080	$9,420
Fire private.									
Policy [patrolman] *private.*									
Subclass (b)	6,990	7,330	7,670	8,010	8,350	8,690	9,030	9,370	9,710
[Patrolman] *Private* assigned as:									
Technician I.									
Plainclothesman.									
Subclass (c)	7,280	7,620	7,960	8,300	8,640	8,980	9,320	9,660	10,000
[Patrolman] *Private* assigned as:									
Technician II.									
Station clerk.									
Motorcycle officer.									
Class 2:									
Subclass (a)	8,060	8,400	8,740	9,080			9,420	9,760	10,100
Fire inspector.									
Subclass (b)	8,350	9,690	9,030	9,370			9,710	10,050	10,390
Fire inspector assigned as:									
Technician I.									
Subclass (c)	8,640	8,980	9,320	9,660			10,000	10,340	10,680
Fire inspector assigned as:									
Technician II.									
Class 3	8,690	9,030	9,370	9,710			10,050	10,390	10,730
Assistant marine engineer.									
Assistant pilot.									
Detective.									
Class 4:									
Subclass (a)	8,975	9,315	9,655	9,995			10,335	10,675	11,015
Fire sergeant.									
Police sergeant.									
Subclass (b)	9,486	9,825	10,165	10,505			10,845	11,185	11,525
Detective sergeant.									
Subclass (c)	9,555	9,895	10,235	10,575			10,915	11,255	11,595
Police sergeant assigned as:									
Motorcycle officer.									
Class 5	10,710	11,138	11,566	11,994			12,422	12,850	
Fire lieutenant.									
Police lieutenant.									
Detective lieutenant.									
Class 6	11,781	12,209	12,637	13,065			13,493	13,921	
Marine engineer.									
Pilot.									
Class 7	12,852	13,387	13,922	14,457			14,992	15,527	
Fire captain.									
Police captain.									
Detective captain.									

"SALARY SCHEDULE—continued

"Salary class and title	Service Step						Longevity Step		
	1	2	3	4	5	6	7	8	9
Class 8	$14,994	$15,529	$16,064	$16,599			$17,134	$17,669	
Assistant superintendent of machinery.									
Battalion fire chief.									
Deputy fire marshal.									
Police inspector.									
Class 9:									
Subclass (a)	17,671	18,206	18,741	19,276			19,811	20,346	
Deputy fire chief.									
Deputy chief of police.									
Fire marshal.									
Superintendent of machinery.									
Subclass (b)	18,742	19,277	19,812	20,347			20,882	21,417	
Deputy chief assigned as the:									
Assistant fire chief. Police executive officer.									
Commanding officer of the White House Police.									
Commanding officer of the United States Park Police.									
Class 10	22,491	23,026	23,561	24,096			24,631	25,166	
Fire chief.									
Chief of police."									

SEC. 102. The rates of basic compensation of officers and members to whom the amendment made by section 101 of this title applies shall be adjusted in accordance with this section, and on and after the effective date of this title, section 102 of the Act approved September 2, 1964 (D.C. Code, sec. 4-823c), shall not apply to any such officer or member whose rate of basic compensation is so adjusted in accordance with this section. Such rates of basic compensation shall be adjusted as follows:

(1) Except as otherwise provided in paragraph (2), (3), or (4), each officer and member receiving basic compensation immediately prior to the effective date of this title at one of the scheduled service or longevity rates of a class or subclass in the salary schedule in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 shall receive a rate of basic compensation at the corresponding rate in effect on and after the effective date of this title.

(2) Each private in service step 6, longevity step 7, or longevity step 8 in any subclass in class 1, upon completing a minimum of nineteen years of continuous service as a private, including service in the Armed Forces of the United States but excluding any period of time determined not to have been satisfactory service, shall be advanced to longevity step 9 in class 1, and receive the appropriate scheduled rate of basic compensation for such step in the subclass in which he is serving.

(3) Each officer in longevity step 7 in class 5 or 8, upon completing a minimum of fourteen years of continuous service in his respective class, including service in the Armed Forces of the United States but excluding any period of time determined not to have been satisfactory service, shall be advanced to longevity step 8 in his respective class, and receive the appropriate scheduled rate of basic compensation for such step in the class in which he was serving.

(4) Each officer or member of the Metropolitan Police force who is assigned as a dog handler on or after the effective date of this title shall receive in addition to his basic compensation an additional $610 per annum, except that if a police private is classed as technician II in subclass (c) of salary class (1) in the salary schedule in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 solely on account of his duties as a dog handler, such police private shall not be entitled to the additional compensation authorized by this paragraph.

SEC. 103. Section 303 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-829) is amended by adding at the end the following new subsection:

"(e) As used in this Act, the term 'calendar week of active service' includes all periods of leave with pay, and periods of nonpay status which do not cumulatively equal one basic workweek."

SEC. 104. (a) Retroactive compensation or salary shall be paid by reason of this title only in the case of an individual in the service of the District of Columbia government or of the United States (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to an officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, or the White House Police force, who retired during the period beginning on the first day of the first pay period which begins on or after July 1, 1966, and ending on the date of enactment of this Act, for services rendered during such period, and (2) in accordance with the provisions of the Act of August 3, 1950 (5 U.S.C. 61f–61k), for services rendered during the period beginning on the first day of the first pay period which begins on or after July 1, 1966, and ending on the date of enactment of this Act, by an officer or member who dies during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

SEC. 105. For the purpose of determining the amount of insurance for which an officer or member is eligible under the Federal Employees' Group Life Insurance Act of 1954, all changes in rates of compensation or salary which result from the enactment of this title shall be held and considered to be effective as of the date of enactment of this Act.

SEC. 106. This title and the amendments made by this title shall take effect on the first day of the first pay period beginning on or after July 1, 1966.

TITLE II—MISCELLANEOUS

SEC. 201. (a) Each officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, or the United States Secret Service who has been retired under the provisions of the fourth paragraph of section 12 of the Act of September 1, 1916, during the period beginning before October 1, 1956, and continuing through July 1, 1966, on account of a permanent disability resulting from injury received or disease contracted in the line of duty, shall, on and after the first pay period which begins after July 1, 1966, have his retirement benefits computed and paid in accordance with the provisions of subsection (g)(1) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4-527(1)).

(b) Nothing in this section shall be deemed to reduce the relief or retirement compensation any person receives, or is entitled to receive, from the District of Columbia on the date of enactment of this section.

SEC. 202. (a) Subsection (a)(3) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4-521(3)) is amended to read as follows:

"(3) The term 'widow' means the surviving wife of a member or former member if—

"(A) she was married to such member or former member (i) while he was a member, or (ii) for at least two years immediately preceding his death, or

"(B) she is the mother of issue by such marriage."

(b) The amendment made by this section shall apply with respect to any surviving wife of a "member" (as that term is defined in subsection (a)(1) of the Policemen and Firemen's Retirement and Disability Act) or former member irrespective of whether such wife became a "widow" (as that term is defined in such amendment) prior to, on, or after the date of the enactment of this Act, except that no annuity shall be paid by reason of the amendment made by this Act for any period prior to the first day of the first pay period beginning on or after July 1, 1966.

With the following committee amendments:

Page 2, in the Salary Schedule, strike out "patrolman" in the several places where it occurs, and insert in lieu thereof "private".

Page 4, line 13, strike out "assigned as" and insert in lieu thereof "performing the duty of".

Page 7, line 2, insert immediately after "September 1, 1916" the following: "(39 Stat. 718), as in effect prior to October 1, 1956".

Page 7, beginning in line 4, strike out "on account of a permanent disability resulting from" and insert in lieu thereof "and who is receiving maximum disability benefits under such paragraph for".

The committee amendments were agreed to.

Mr. BROYHILL of Virginia. Mr. Speaker, I wish to endorse the bill, H.R. 15857, providing for a realistic increase in salaries for the Metropolitan Police Force and the Fire Department of the District of Columbia, as a matter of vital importance to every resident of and visitor to the Nation's Capital. It was with this feeling that I introduced an identical bill, H.R. 15867.

The salary schedule proposed in this legislation will not only restore the District of Columbia's police and fire departments to a reasonable level of competitiveness with other U.S. major cities and with the surrounding jurisdictions in Maryland and Virginia and provide a salary picture conducive to easier recruitment and retention of high-caliber personnel, but also will adjust pay alinement in several respects consistent with good administration and will correct two major inequities in the retirement program of these forces.

Since the last salary increase for policemen and firemen in the District of Columbia was enacted in 1964, classified employees in the Federal and District Governments have received an increase of 3.6 percent, and a further increase for these employees of approximately 3.2 percent this year appears to be a certainty. Moreover, since 1964 there has been an average increase of approximately 6 percent in policemen's and firemen's salaries in 12 of the 20 other major U.S. cities, and an increase of some 10 percent in such salaries in other communities in the Washington metropolitan area.

The schedule for salaries in this bill will materially improve the relative standing of the District of Columbia with the other major cities which have given salary increases to their policemen and firemen since 1964, and with the other jurisdictions in the metropolitan area. For example, the starting salary for members of the police force will change from 11th to 5th place among the 21 largest cities, and from second to first place in the area. The maximum salary for police privates will be increased from 5th to 5th place among the large cities, and from third to first place in the metropolitan area. As for firemen's salaries, their minimum starting figure will rise from 10th place to 5th among the major cities and will remain first in the area; and finally, the maximum pay for privates in the fire department will remain in fifth place among the largest cities and in first place in the Washington metropolitan area.

These increases, which will afford a starting minimum salary for privates in both forces of $6,700 and a maximum of $9,420 attainable in 19 years of service, are desperately needed as tools to combat a most serious problem of recruitment and retention of capable personnel in both departments.

Despite accelerated recruiting efforts, 218 vacancies existed on the Metropolitan Police force as of May 13 of this year, out of an authorized strength of 3,100 men. As a matter of fact, the force has not operated at full strength since February of 1964. Most disturbing is the fact that a number of promising young men have resigned from the Metropolitan Police force in recent months to accept appointment as policemen in nearby jurisdictions.

With the incidence of major crime in the District of Columbia showing an increase of 11.5 percent in 1965 as compared to 1964, and with the Nation's Capital rapidly acquiring a nationwide reputation of being unsafe for visitors, this shortage of capable policemen simply must be overcome.

While the problem of recruitment and retention of men in the District of Columbia Fire Department may appear less dramatic, it is nevertheless a very serious one. I am informed that the fire department has recently found it necessary to accept recruits who have scored only a mark of 70 on the relatively simple civil service examination required of all applicants, and that this score actually indicates that the applicant could answer correctly only 40 of the 80 questions comprising the test. This is far below the standards formerly imposed for acceptance on the District of Columbia Fire Department, and with firefighting becoming more and more technical, and the Department's in-training program becoming more demanding, this poses a serious problem indeed. It must be remembered that the recruits of today must become the leaders of the District of Columbia Fire Department in years to come, and thus any trend toward lowering of standards for entrance into this Department at this time will inevitably result in a deterioration in the future, in what has been recognized for many years to be one of the finest firefighting organizations in this country.

I realize that salaries alone do not constitute the only cause of this acute problem of recruitment and retention of well-qualified personnel for these forces. However, I am convinced that the salary schedule as proposed in this bill, particularly as weighted in favor of the lower salary classes, will have a highly salutary effect on this situation.

When the Congress enacted a cost-of-living salary increase to classified employees in the Federal and District of Columbia Governments last October first, and time did not permit consideration of an equivalent increase at that time for policemen, firemen, and teachers in the District, I stated that I would exert every effort to provide such an increase for these personnel during this session of the 89th Congress, retroactive to October 1, 1965, in simple fairness. As a matter of fact, I introduced a bill, recommended by the District of Columbia Commissioners, which would have granted the Metropolitan Police Force and the District of Columbia Fire Department two salary increases this year, one of which would have been retroactive to that date. The total of these two increases, however, would have been only 6.7 percent, with the same percentage increase for all salary classes.

Under the provisions of H.R. 15857, there will be a single increase averaging 9.9 percent overall, but weighted to provide an 11.4 percent increase in starting salary for private and a considerably higher increase for all personnel through salary class 4—sergeants—than for the officer personnel. This emphasis upon the lower salary classes is designed to provide a much stronger inducement recruitment into the forces than would the increase of only 6.7 percent as proposed by the Commissioners for all personnel. Our committee decided that in view of the greater percentage of salary increases proposed in this bill, it would be most practical to make the increase effective as of July 1, 1966, rather than to make any part of it retroactive as had formerly been contemplated. Thus, it is my feeling and that of my colleagues on the Committee that in providing a more generous increase in salaries, without any retroactive provision, the Congress will have kept faith with these dedicated public servants.

The two provisions of title II of this bill will correct two unjust situations of long standing. The first of these will provide that officers and members of the police and fire departments who were retired prior to October 1, 1956, for permanent and total disability incurred in line of duty will henceforth receive the same annuity benefits as presently are received by members who retired for this reason after that date. The difference is that a member who retired for total disability before October 1, 1956, receives an annuity of 50 percent of his last annual salary, while a member retiring under identical circumstances after that date enjoys a pension computed at 2 percent of his last annual salary per year of service, with a minimum of 66⅔ percent and a maximum of 70 percent.

For many years, I have felt that this whole system of distinction between retirement benefits contingent upon an arbitrary date of retirement, for men who faced the same dangers and perils, providing protection 24 hours per day for the lives and property of the residents of the city, is inequitable. And certainly in the case of these men who sacrificed their health and physical ability to earn a living, there can be no justification for maintaining a difference of from 16⅔ to 20 percent in their pensions. If there was a difference in their rates of contribution toward the retirement fund, it must be remembered that these contributions were in dollars of vastly different value, so that the older men contributed at least as much in terms of buying power as did the later retirees.

The other of these provisions is that retired members of the Metropolitan Police Force and the District of Columbia Fire Department who marry subsequent to their retirement, will leave their widows with annuity benefits, provided they have been married at least 2 years prior to the member's death. At present, the widow of a retiree who marries after retirement is entitled to no benefits whatever. Correction of this injustice, in my opinion, is long overdue.

The total annual cost of this bill is estimated at approximately $4.9 million. I feel strongly that this represents the minimum which this Congress should contribute to the welfare of these gallant forces in the Nation's Capital, and that the benefits of this legislation will in fact be enjoyed by every resident of and visitor to the District of Columbia for many years to come.

PURPOSES OF THE BILL

Mr. WHITENER. Mr. Speaker, the purposes of H.R. 15857 are to increase the salaries of the officers and members of the Metropolitan Police Force and the Fire Department of the District of Columbia, to correct certain inequities existing in the present salary schedule, and to equalize the pensions of the members of these forces who have been retired for permanent total disability incurred in the line of duty regardless of the date of their retirement.

NEED FOR LEGISLATION

On October 1, 1965, all Federal classified workers and all District of Columbia government employees with the exception of policemen, firemen, and teachers were granted a salary increase of 3.6 percent. In addition, another salary increase for these same government employees this year appears to be a certainty. Simple equity alone demands a substantial increase in salaries at this time for the gallant, dedicated officers and members of these vital forces who daily risk their lives in the protection of the property and lives of the residents of and visitors to the Nation's Capital. In this connection, implicit in the failure of the Congress to include the police and firemen in last year's cost-of-living salary increases was an assurance that this would be rectified with an increase in this session of the Congress which would be retroactive to the date of last year's pay raise to the other Government employees.

In addition, however, there is a very acute problem of recruitment for these forces in the District, and also of retention of the younger men in the ranks, which must be faced and which can be solved in part by realistic salary increases, particularly in the four lowest salary classes.

POLICE

Your committee is informed that the Metropolitan Police force has not been at full authorized strength since February 1964, and that since that time the number of vacancies has increased steadily until on May 13, 1966, there were 218 vacancies on the force with an authorized strength of 3,100 men. In an effort to solve this problem during the past year the number of recruiting teams was increased to 20, which were sent out to a number of cities in 11 of the Eastern and Middle States. The efforts of these teams have resulted in the appointment of 72 new policemen out of a total of 1,043 applicants who were examined. In addition, examination for applicants have been arranged for Saturdays and at night, and advertisements have been placed weekly in many newspapers. Despite these and other efforts, however, the Metropolitan Police force is operating below the authorized strength needed as a minimum to control and prevent crime in the District of Columbia.

During the past fiscal year, 112 men resigned from the Metropolitan Police force for various reasons, some of them to join police departments in other jurisdictions. During this same year, 102 men retired and there were 28 other types of separations.

Recent statistics show that major crime in the District of Columbia increased 11.5 percent in 1965 as compared to 1964. Also, since 1963, the District of Columbia has continued to rank fourth highest in the number of major crime offenses among the 16 cities with a population of 500,000 to 1 million.

In the face of this grave situation, it is incumbent upon the Congress to provide every means within its power to assure adequate and capable manpower to the Metropolitan Police force. In this connection, the President in his budget message on January 25, 1966, for the District of Columbia, stated:

> The Police Department has been encountering great difficulties in recruiting qualified candidates. An increase in the salaries of policemen is necessary to bring the police force to its currently authorized strength. Legislation to accomplish this will be proposed to Congress.

FIREMEN

The Fire Department of the District of Columbia also has a recruitment and retention problem, which may be somewhat less acute than that of the police department but nevertheless poses a dangerous situation for the adequate protection of the city against fire. Your committee is informed that in order to maintain an adequate firefighting force, the District of Columbia Fire Department in recent years has been obliged to accept applicants whose civil service examination scores are in the low seventies. Actually, a mark of 70 on this relatively simple examination is assigned for only 40 correct answers out of 80 questions. In these times when urban firefighting has become a highly technical occupation, demanding an in-training program with a heavy emphasis upon educational accomplishment, to be obliged to accept subpar recruits will inevitably lead to a deterioration in the quality of the force and also of its general morale and esprit de corps. The District of Columbia cannot afford to permit this deterioration to take place in its fire department which for years has been regarded as one of the finest in the United States.

At least a partial solution to the above-cited problems of recruitment and retention in these forces so essential to public safety lies in realistic salary increases, weighted appropriately to present an attractive career opportunity for qualified young men. It is the opinion of your committee that H.R. 15857 embodies a minimum such salary schedule with an average increase of approximately 9.9 percent effective as of July 1, 1966.

At present, only privates in the police force who are assigned as dog handlers are entitled to extra remuneration to compensate them for the expense of housing, feeding, care, and transportation of the dogs. However, since the innovation of the Canine Corps as a part of the Metropolitan Police force, it has been found expedient in some few instances to assign members of higher rank, including sergeants, to this duty of dog handler. Your committee has included a provision in H.R. 15857 to afford the same extra pay for all dog handlers in the force, regardless of rank.

RETIREES INJURED IN LINE OF DUTY

It has come to the attention of your committee that officers and members of the Police and Fire Departments who were retired prior to October 1, 1956, for permanent and total disability due to injury or illness incurred in line of duty, are entitled to a pension of only 50 percent of their last annual salary, while an officer or member retired for this same reason after the above-mentioned date receives an annuity of at least 66⅔ percent and a maximum of 70 percent of his last annual salary. Your committee feels strongly that this is a gross injustice, and that the Equalization Act of 1923 which bases all retirees' pensions upon increased annual salaries whenever there is a salary increase for the forces does not provide truly equitable treatment for these older disabled retirees, who sacrified their health and earning ability in the performance of their hazardous service. For this reason, H.R. 15857 provides that the pensions of these totally disabled retirees shall be computed on the same basis, regardless of the date of retirement.

Officers and members of the Metropolitan Police force, the District of Columbia Fire Department, the U.S. Park Police force, the White House Police force, or the U.S. Secret Service who were retired for permanent total disability prior to October 1, 1956, will receive retirement benefits after July 1, 1966, computed on the basis of the retirement law which went into effect after that date.

Under existing law—39 Statutes at Large 718—an officer or member who was retired for disability incurred in line of duty prior to October 1, 1956, receives a maximum annuity of 50 percent of his last annual salary. No minimum percentage was provided for such retirees, and your committee regards the granting of a 50-percent annuity as indicating total disability on the part of a retiree under that law. Public Law 85-157, however, approved August 21, 1957—71 Statutes at Large 391—provides that officers or members of these forces who are retired subsequent to October 1, 1956, for disability incurred in line of duty shall receive an annuity computed at 2 percent of his last annual salary per year of service, with a minimum of 66⅔ percent and a maximum of 70 percent. Thus, under H.R. 15857, the older retirees for total disability incurred in the performance of duty will have their annuities increased from the present 50 percent to at least 66⅔ percent of their last annual salary and in some cases to as much as 70 percent, depending upon their number of years of service.

Your committee regards this provision as a simple matter of justice to these disabled public servants, who faced the same hazards of service and suffered the same loss of physical ability to earn their living as did those who retired under identical circumstances at a later date, and for this reason, the existing difference of from 16⅔ to 20 percent in the annuities with which they must face the same costs of living should be eliminated.

Your committee is advised that some 748 older retired members will be affected by this provision. No estimate of the annual cost is readily available.

WIDOWS

Under existing law, if a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia marries subsequent to his retirement, upon his death his widow is not entitled to any pension whatever. Your committee is of the opinion that this is an injustice, and hence have provided in this bill, as does the civil service retirement law, that a widow who has been married to and living with a retired member for at least 2 years prior to his death will be entitled to full pension rights.

In the event that a retired officer or member of the District of Columbia Police or Fire Department marries after his retirement, his widow will be entitled to full benefits as provided in subsection (a) (3) of the Policemen and Firemen's Retirement and Disability Act. However, such widow must have been married to the retired officer or member for at least 2 years prior to his death.

Under existing law, a widow in such circumstances would not be entitled to any annuity or benefits whatever. Your committee is of the opinion that this is an inequity and should be corrected. This provision is patterned in general after the similar provisions of civil service law as applied to classified Government retired workers.

PROVISIONS OF THE BILL

Title I amends the District of Columbia Police and Firemen's Salary Act of 1958, as follows:

First. A new salary schedule is provided for officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia.

This new salary schedule will provide an increase of 11.4 percent for beginning privates, and increases for the other categories of privates ranging from 10.4 percent to 10.9 percent. Fire inspectors, who comprise class 2, will receive salary increases ranging from 9.7 percent to 10.5 percent. Members in salary class 3, which includes detectives, will be increased by 10 percent. The various grades of sergeants who comprise salary class 4, will be increased from 9 percent to 9.6 percent, and all officer personnel, who occupy the remaining salary classes 5 through 10, will receive an increase of 7.1 percent.

The average increase in salaries provided by this new salary scale is approximately 9.9 percent. The reason for weighting the increases in favor of the four lowest salary classes, and particularly in the starting salary figure, is that the critical problems of recruitment and retention of personnel in these vital forces are most acute in these areas.

This proposed salary schedule will place the minimum salary for privates in the Police and Fire Departments of the District at $6,700, with a maximum of $9,420 attainable in 19 years of service. These figures will change the relative position of the District of Columbia in respect to these salaries among the jurisdictions of the Washington metropolitan area and among the 21 U.S. cities of population greater than 500,000, as shown in the following table:

	In Washington metropolitan area		Among 21 largest cities	
	Minimum	Maximum	Minimum	Maximum
Police:				
Present	2	3	11	6
Proposed	1	1	5	5
Firemen:				
Present	1	1	10	5
Proposed	1	1	5	5

In the opinion of your committee, this will afford the Metropolitan Police Force and the Fire Department of the District of Columbia an excellent competitive position for the recruitment of qualified new personnel, and will go far toward a solution of this very serious problem.

Second. All privates who at this time are not at the top longevity step, but who have more than 19 years of service as a private, shall be advanced to the top longevity step. Previous legislation reduced the service time requirement from 28 years to 19 years for a private to reach the top longevity step. At present, however, there are a few privates who have more than 19 years of service but who because of previous legislation will have to wait until they have at least 21 years of service before being advanced to the top longevity step. This provision is designed to afford these privates the same benefits as newly appointed privates.

Third. All officers in longevity step 7 of class 5 or 8, with at least 14 years of service, shall be advanced to the top longevity step 8. This is for a reason similar to that described above, for privates.

Fourth. All officers and members of the Police Department assigned to duty as dog handlers shall receive extra pay in the amount of $610 per year, as compensation for their expense of feeding, housing, caring for, and transporting these dogs. This extra compensation has heretofore been extended only to privates who are assigned as dog handlers. At present, however, there are 5 sergeants acting also in this capacity, and it is the feeling of your committee that they should also receive this extra pay.

Fifth. Addition of a subsection to define a "calendar week of active service" as contained in the District of Columbia Police and Firemen's Salary Act of 1958, as amended, for step increase purposes when periods of leave with pay or periods of nonpay status may be involved. This subsection conforms with the nonpay status principle used for step increases for those District employees under the Classification Act of 1949.

Sixth. Certain technical provisions as to the effective date of the salary increases, which is the first day of the first pay period beginning on or after July 1, 1966, service in the Armed Forces of the United States, and redetermination of insurance amounts.

COST OF BILL

The estimated annual cost of this bill, as computed by the District of Columbia Personnel Office, is tabulated as follows:

	Police	Firemen
Salary increases	$2,401,800	$1,112,200
Retirement	556,100	262,200
Overtime	354,800	11,200
Holiday pay	38,600	43,000
District of Columbia share of U.S. Park Police salaries	76,600	
Total	3,437,900	1,428,600
Grand total	$4,866,500	

CONCLUSIONS

There was at least an implied understanding last year, when the imminence of adjournment of the first session of the present Congress left no time for proper consideration of a salary increase for the Metropolitan Police Force and the Fire Department of the District of Columbia equivalent to the cost-of-living increase granted to classified government employees at that time, that members of these forces could expect an increase this year made retroactive to October 1, 1965, to compensate them for this temporary disadvantage. Your committee gave this matter serious consideration, when bills providing for a two-part salary increase, one part of which would be made retroactive to that date, were recommended by the District of Columbia Board of Commissioners. The Committee's conclusion, however, was that H.R. 15857, which provides a single increase somewhat higher in percentage than was included in the Commissioners' bill and effective as of July 1, 1966, would be more desirable from every standpoint.

For example, your committee believes that the somewhat higher percentage increases for the four lowest classes in the salary schedule, as compared with the more modest increases for officers, will prove an invaluable aid to recruitment and retention of well-qualified personnel, to a far greater extent than could any across-the-board increase.

Therefore, your committee feels that this proposed salary schedule, slightly higher in average percentage than was recommended by the District of Columbia Commissioners and effective July 1, 1966, will properly compensate the members of the police and fire departments for having received no salary increase in 1965, and at the same time from the standpoint of all considerations comes reasonably close to the limitations contained in the Commissioners' bill.

Public hearings on this legislation were conducted by Subcommittee No. 5 on May 17 and 23, 1966. All witnesses concurred in the necessity for and desirability of increased compensation to the police and firemen of the District of Columbia.

The President of the United States has requested the assistance of the Congress in making the Nation's Capital a "model city," to which end this committee has earnestly labored through the years.

In his special message to the Congress against crime on March 9, 1966, the

President included in his first-stage recommendations—calling for immediate action—the following:

> I recommend a substantial increase in police salaries to attract and retain the best qualified officers in the District of Columbia.

Your committee believes that H.R. 15857 as reported meets this desire.

Mr. SICKLES. Mr. Speaker, I am glad to lend my support to H.R. 15857, to amend the District of Columbia Police and Firemen's Salary Act. The passage of this legislation is long overdue.

The proposed bill provides for an average increase in salary for police and firemen of 9.9 percent, and sets minimum salary at $6,700 per year and a maximum of $25,166.

The need for this legislation is demonstrated by the fact that all Federal classified workers and all District of Columbia employees, with the exception of police, firemen, and teachers, were granted a salary increase of 3.6 percent on October 1, 1965. Additional salary increases for these groups appear to be a certainty again this year.

The pending legislation, in addition to establishing a more equitable pay scale for all District of Columbia police and firemen, is designed to help alleviate the very acute problem of recruitment for the firefighting and police forces, and the problem of retention of their younger members. It does this by providing the greatest increases—from 10.4 percent to 11.4 percent—in the four lowest salary classes. Other salary increases average 7.1 percent.

The legislation is similar to a measure I introduced earlier this year, H.R. 15039. The principal difference between the pending bill and my proposal is that my bill provided a pay increase retroactive to October 1, 1965, when the classified Federal employees and most District employees received their last pay raise. I am sorry that this provision did not prevail in the committee's deliberation on the pending legislation. However, I note that in many cases the pay provided in the committee's bill is slightly higher than provided in my proposal, thus compensating, at least in part, for the lack of retroactivity, and I lend my wholehearted support to this measure and urge its enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WHITENER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

COMMON-LAW MARRIAGES MAY NOT BE CONTRACTED IN THE DISTRICT OF COLUMBIA

Mr. WHITENER. Mr. Speaker, I call up the bill (H.R. 5426) to provide that common-law marriages may not be contracted in the District of Columbia, and ask for its immediate consideration.

The Clerk read the bill, as follows:

H.R. 5426

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act may be cited as the "Domestic Relations Act of 1965".

SEC. 2. Section 1288 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code § 30–106), is amended by striking out "For the purpose of preserving the evidence of marriages in the District, every" and inserting in lieu thereof the following: "No marriage may be contracted in the District of Columbia after the date of enactment of the Domestic Relations Act of 1965 unless it is celebrated by a person to whom a license to perform such marriage ceremony has been delivered pursuant to section 1290. Every".

With the following committee amendments:

Page 1, line 4, strike out "1965" and insert in lieu thereof "1966".

Page 2, line 1, strike out "1965" and insert in lieu thereof "1966".

The committee amendments were agreed to.

Mr. VANIK. Mr. Speaker, I move to strike the requisite number of words.

The SPEAKER. The gentleman from Ohio is recognized for 5 minutes.

Mr. VANIK. Mr. Speaker, I want to take this opportunity to question the wisdom of this legislation which invalidates common-law marriages in the District of Columbia. Although it is significant that one-half of the States of the Union do not recognize common-law marriages, and although nine other States have already limited the recognition of such marriages, the actions of these States should not necessarily alter or direct the course of our action with respect to the status of common-law marriages in the District of Columbia.

In the report setting forth the need for this legislation it is contended that the common-law marriage delays the determination of eligibility and provides a denial of eligibility of a surviving spouse or a child to the benefits of modern society in matters of inheritance, social security, and other Federal and State programs, including grants under public welfare and assistance programs.

If this legislation were adopted, it would have precisely the opposite effect. It would absolutely deny the benefits of social security, public welfare, and assistance, and the benefits of private insurance to the spouses and children of marital unions not consummated within the provisions of this law. It would restrict and limit these benefits to beneficiaries who are claimants under ceremonial marriage established in compliance with this act. Thousands of children and spouses would be removed from eligibility.

This law will not and cannot be expected to eliminate or deter the establishment of marital relationships within or without the law. It will simply serve to punish the innocent who become deprived of benefits because of the illegitimate status of the union which brought them into the world.

It is also contended that this legislation will avoid complications which occur when partners of a common-law marriage "fall out" and fail to obtain a divorce when they enter into another marriage. But look at what else it does—it legalizes a remarriage of either of the partners without a divorce—making it easier for persons in such a relationship to dissolve that relationship without any further obligation to society.

I cannot condone, forgive, or forget the conditions of social disorder which bring about a marital union without the benefit of ceremony. Yet, while I deplore the circumstances and conditions and the light treatment with which some people proceed into the marital relationship, my concern is directed toward the attack which this legislation will make upon the legitimacy of the issue of such relationships—the children. In my opinion, there are no illegitimate children. There may be and there always will be illegitimate parents. But every child brought into the world is entitled to a respectable, equal place in society—untouched by the wrongs of his parents.

Today we are in the midst of a social revolution in which we are more astutely identifying and firming up the rights of man. The rights of man begin at his birth—when he is first brought into this world. We strive to provide him with equality for at least that moment.

Children of parents who have not complied with the requirements of this bill which we now consider are entitled to all of the rights, privileges, and the immunities which are enjoyed by all other children. The actions of the parents should not be allowed to shadow the future life of such children. They are children of God, standing in equality and with the fullness of right with which every other child is endowed.

Unless and until the rights of these children are protected, I must oppose the bill in its present form.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. VANIK. Mr. Speaker, I am happy to yield to my colleague.

Mr. BURTON of California. Mr. Speaker, I would like to commend the gentleman from Ohio for his most discerning and objective and well-founded statement alerting the Members of the House as to the dangers, explicit as well as implicit, in this legislation. I would like to fully associate myself with the remarks of the distinguished gentleman from Ohio.

Mr. VANIK. I thank the gentleman.

Mr. ROUDEBUSH. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise in very strong support of H.R. 5426.

There is nothing diabolical or mysterious about this legislation. It is more or less a standard repealer that has been passed in many, many States of our Union. It provides that after the enactment of this bill, common-law marriages cannot be entered into in the District of Columbia.

At present common-law marriages are recognized in the District of Columbia. These relationships are established merely by living together and holding themselves to the public as man and wife. Such marriages have exactly equal standing with those contracted in regular form and celebrated by persons authorized to perform marriages. The lack of records established in regard to these marriages causes a great deal of confusion, and certainly there is a lack of permanent marriage records.

Many of our States—and more and more every day—are doing away with the recognition of common-law marriages. As the previous speaker pointed out, now there are 25 States which have outlawed common-law marriages. In addition to that, nine more have recognized common law marriages only from the standpoint of a grandfather clause, but they have prohibited common-law marriages in the future, from the passage of the act. That is a total of 34 States that forbid common-law marriages from this time. Sixteen States do recognize common law marriages as bona fide marriages.

This bill does not invalidate existing marriages, under common-law provisions. If a marriage is recognized through previous arrangements, this bill does not retroactively affect that marriage, but allows it to continue as a legal marriage. It has no retroactive feature. It just places the District of Columbia with the States that no longer recognize the common-law marriages, but do have the grandfather clause.

I think this is good legislation. I was amazed when I became a Member of the District of Columbia Committee to find that such legislation had not been passed many years previous to this time.

Certainly I had one person call my office, after I asked the committee to consider this bill, and the person said "What about the poor people?" I would say—I believe without fear of contradiction—that anyone who cannot spend two or three dollars for a marriage license to get married certainly is in no position financially to enter into the blessings of matrimony.

Mr. Speaker, I strongly support this bill. I hope the House will pass it. I believe it is good legislation, and long overdue.

Mr. BINGHAM. Mr. Speaker, will the gentleman yield?

Mr. ROUDEBUSH. I am happy to yield to the gentleman from New York.

Mr. BINGHAM. Could the gentleman tell us whether there have been any hearings on this bill and whether objections were raised by some of the interested groups in the District of Columbia?

Mr. ROUDEBUSH. To my knowledge there has been no group—nor any individuals—which has registered a protest to this bill.

Mr. BINGHAM. Were these hearings on the bill, and were the various groups, such as social agencies and others, invited to testify?

Mr. ROUDEBUSH. There were no invitations to testify, this I admit, and no formal hearings of the type the gentleman explains. However, the bill was considered at great length in the committee. We went to a great deal of effort to determine what other States had done in this regard, and this information appears in the committee report. The bill is most simple in its purpose. I doubt if witnesses could have offered testimony that would have given the committee more complete understanding as to its provisions.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman from North Carolina.

Mr. WHITENER. I believe the gentleman introduced the bill in February of 1965?

Mr. ROUDEBUSH. The gentleman is correct.

Mr. WHITENER. The committee just reported it. None of the agencies or individuals complained, did they?

Mr. ROUDEBUSH. I have never received a letter individually, nor has the committee received a letter of protest to this legislation.

Mr. VANIK. Mr. Speaker, will the gentleman yield for a question?

Mr. ROUDEBUSH. I yield to the gentleman from Ohio.

Mr. VANIK. After passage of the bill, will the children of future marital unions without a ceremony be legitimate or illegitimate children?

Mr. ROUDEBUSH. This is a provision in many, many States.

Mr. VANIK. I am asking about the effect of it in the District of Columbia, after passage of the bill.

Mr. ROUDEBUSH. Children born out of wedlock would be illegitimate children; the gentleman is correct.

Mr. VANIK. If there were no ceremony?

Mr. ROUDEBUSH. If there were no ceremony.

Mr. Speaker, the purpose of H.R. 5426 which I authored, is to provide that, after the enactment of proposed legislation, a marriage may not be contracted in the District of Columbia unless the parties secure a license and present it to a person authorized to celebrate marriages in the District and who performs such ceremony.

Under present law, common-law marriages may be contracted in the District of Columbia. Such marriages are usually a marriage without ceremony of any sort where a man and a woman live together as man and wife and hold themselves out as such to the world. When the required elements of a common-law marriage are established, such marriages are given equal standing before the law of the District of Columbia as those marriages contracted and celebrated by persons authorized to perform marriages.

PRACTICE IN THE STATES

Because of the increasing number of problems and confusions resulting from the lack of accurate and permanent marriage records, the legislatures of the States of the Union have been amending their marriage laws to prohibit the contracting of common-law marriages. Accurate marriage records provide a basis on which the legal rights, responsibilities, and entitlements of such persons or the issue from any marriage may be determined.

As of 1961, according to the latest statistics furnished your committee, 25, or one-half, the States do not recognize common-law marriages; 9 States have a limited recognition of them; and 16 recognize them without limitation.

They are not recognized in the following States and Territory:

Arizona, Arkansas, California, Delaware, Hawaii, Illinois, Kentucky, Louisiana, Maryland.

Massachusetts, New Hampshire, New Mexico, Nevada, Nebraska, North Carolina, North Dakota, Oregon, Tennessee.

Utah, Virginia, Washington, West Virginia, Wisconsin, Wyoming, Puerto Rico.

They are recognized with limitations in these States:

California if entered into before 1895. Indiana if entered into before January 1, 1958. Michigan if entered into before January 1, 1957. Minnesota if entered into before April 26, 1941. Mississippi if entered into before April 5, 1958. Missouri if entered into before March 31, 1921. New Jersey if entered into before December 1, 1939. New York if entered into before April 29, 1933. South Dakota if entered into before July 1, 1959.

They are recognized without reservation in the following States, Territory, and the District of Columbia:

Alabama, Alaska, Colorado, Connecticut, Florida, Georgia, Idaho, Iowa, Kansas, Montana, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, District of Columbia, Virgin Islands.

NEED FOR THE LEGISLATION

In an increasing number of situations, the establishment of a valid marriage contract becomes of importance to a surviving spouse or to the children resulting from a marriage. Family relationships must be established as a basis for eligibility for many benefits provided in our modern society, such as matters of inheritance; benefits under the Social Security Act for surviving spouses and minor children; benefits under veterans laws; claims under Federal group life insurance; and grants under public welfare and assistance programs.

The lack of accurate and complete marriage records often delays the determination of eligibility of a surviving spouse or a child. In some cases, the payment of benefits or approval of a claim may be denied for lack of records which meet the requirements set by law before payment may be made. In other situations, a person not legally entitled to payments may succeed in presenting suitable color of entitlement and secure an award in absence of the timely presentation of legally sufficient evidence by a person who has a valid claim.

Many persons who contract common-law marriages and thereafter separate for some reason, are not aware of the fact that such common-law marriage can be legally terminated only by the formality of a divorce. Such former husband and wife may later enter into another marriage by common-law cohabitation or by formal ceremony without realizing the invalid nature of the second marriage contract and its effect on the legal rights of the parties and the legitimacy of any children. Knowledge that common-law marriages may not be contracted in the future in the District of Columbia would avoid many complications and disappointments which may now arise.

INTENT OF THE LEGISLATION

The effect of the proposed legislation would be to prohibit common-law marriages in the future in the District of Columbia. The proposed amendment to existing law would not retroactively affect any common-law marriage validly established on the date of enactment of this legislation.

Your committee does not intend by this bill to invalidate marriages presently permitted under section 1288 of the act of March 3, 1901; namely, marriages of members of any church or religious society which does not by its custom require the intervention of a minister for the celebration of marriages, if such marriages are solemnized in the manner prescribed and practiced in any such church or religious society.

Mr. RYAN. Mr. Speaker, I move to strike the requisite number of words.

It is clear from the debate thus far that this bill may have far-reaching consequences for the people of the District of Columbia.

I commend the gentleman from Ohio [Mr. VANIK], for his splendid statement pointing out some of the problems which are inherent in it. I do not believe we should be considering a bill with such ramifications when there have not been full hearings by the committee.

There is no record of any hearings before us. No hearings were held. Certainly none of the interested agencies—governmental or nongovernmental—in the District of Columbia has been invited to appear.

The committee report itself was not available until this morning. It does not matter whether the bill was introduced in 1965 or not; the report was not available to the Members until the morning of the day the bill was brought up.

I should like to ask whether the committee considered the effect of the bill on eligibility for public housing, for instance; whether it considered the effect on eligibility for survivors benefits under social security; whether it considered the effect on public welfare in the District of Columbia?

All of these questions are pertinent to this debate this afternoon. Without hearings and without adequate consideration, the House is asked to pass this bill. I certainly believe that the bill should be recommitted, and the committee should hold full hearings. Agencies in the District which are interested should be given an opportunity to appear before the committee. The committee should determine what the effect of this bill would be on social welfare programs.

When I learned that the bill would be called up, I inquired about the views of the Urban League of Washington, and found out that the Urban League was unaware that this bill was coming up. Representatives of the Urban League pointed out that it could have serious consequences on the poor and deprived people of the District of Columbia. The Urban League and other interested social agencies, which understand the desperate problems of the disadvantaged, should be asked to comment upon this bill.

Mr. ROUDEBUSH. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the author of the bill.

Mr. ROUDEBUSH. I am very happy to respond to the gentleman and to tell him that in every instance that legislation concerning the District of Columbia is introduced it is sent to the interested agencies of the Government of the District of Columbia. Therefore, this bill has been in the hands of the District officials for many, many months.

Mr. RYAN. Does the gentleman state that there were open, public hearings on this bill?

Mr. ROUDEBUSH. No. I made that point clear to the previous speaker.

Mr. RYAN. That is the point. There were not, and the public was not invited to express their views.

Mr. ROUDEBUSH. The committee provided a copy of this report for every Member of the House.

Mr. RYAN. At 10 o'clock this morning the committee report became available, and not before. It was not available last Friday. In fact, I understand it was not yet printed then.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Iowa.

Mr. GROSS. I got a copy in the committee room on either Friday or Saturday. The bill was listed on the whip notice, I say to the gentleman.

Mr. RYAN. The committee report was not available in printed form until this morning.

Mr. GROSS. I know I was able to get a copy of it in the office of the District of Columbia Committee.

Mr. RYAN. I imagine the gentleman from Iowa received special consideration, then.

Mr. GROSS. Thank you.

Mr. WHITENER. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, this bill was introduced by our distinguished colleague, the gentleman from Indiana [Mr. ROUDEBUSH], who, as many of you know, had a distinguished career as the national commander of the Veterans of Foreign Wars. In that work he has faced many of the tragedies which confront the children of men who have worn the uniform of the United States and who have given their lives and shed their blood in defense of our country. He has also been concerned, as have we all, with the problems of their widows and orphans.

Now we hear a great deal about how unfair this bill is. May I point out to my good friend, the gentleman from New York [Mr. RYAN], who is so concerned about this bill, that in his State common-law marriages are not recognized unless they were entered into before April 29, 1933. My good friend, the gentleman from California [Mr. BURTON] is very much upset about this legislation. But you know, if these children he is worried about here in the District of Columbia were living out in California and their parents tried to go into a common-law marriage situation, they would have had to have done that before 1895 or it would have been illegal. Now, what are they complaining about? If it is so bad in Washington, it must be terrible in California.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I will be glad to yield to the gentleman.

Mr. BURTON of California. I hope the gentleman is not criticizing our State because of the compassion we have for our senior citizens.

Mr. WHITENER. I am afraid that the gentleman would be more correct if instead of saying "compassion" he would use the term "admiration."

Since he is worried about children, and the California common-law situation ceased to be legal in 1895, if that is the kind of senior citizen California has, I do not think that they need compassion, but, rather, they need our compliments and no doubt have our envy.

However, this bill is not a serious change. It merely says that if a man and woman want to live together as man and wife in the District of Columbia in the future and have that union recognized as a legal marriage, that they have to go downtown and pay $2 and say "I do" before someone who is authorized to perform a marriage ceremony.

I doubt if there is anybody in this House that did not spend a little more than that when they got married and did not go through a formal ceremony. If the gentleman is worried about children, I can tell him of a situation in the State of my good chairman from South Carolina, which adjoins my State. South Carolina recognizes common-law marriages. North Carolina prohibits common-law marriages. I can tell you of a case that arose not too long ago where a couple lived together in South Carolina in a state of common-law marriage for 25 years. They came to my county in North Carolina, 8 miles across the State line. Someone suggested to them, after they had lived there for 4 or 5 years, that they were living in sin, so to speak. So they went back off to South Carolina and were married. Six months later the husband died. I have been trying every since his death to get a bill through this Congress to get the lady qualified to receive social security benefits. These benefits are denied to her, because she was not legally married for 1 year prior to the death of her husband. She has grown children who are very fine citizens, just as was her late husband.

I think that when we are having so many claims for benefits in social security, veterans' benefits, and other Government programs, it is time that we have evidence of marriage—and a legal marriage—and not have little children dependent upon proof not of record as to whether they are legitimate or not or whether they are entitled to benefits or not.

So, Mr. Speaker, I commend the gentleman from Indiana for his bill. It needs no hearings. Anyone who is familiar with the facts of life knows that it is important that we have a record of marriage.

Mr. Speaker, it is important legislation, primarily for the children of the marriage.

Mr. Speaker, I urge that we approve the bill which has been introduced by the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Indiana.

Mr. ROUDEBUSH. Mr. Speaker, I want to thank the gentleman from North Carolina [Mr. WHITENER] for his kind remarks about my service and would say that the circumstances which inspired this bill was not a desire to hurt anyone, but to establish bona fide records that are so very necessary in the administration of the veterans' benefits programs, and other programs of our Government.

Mr. WHITENER. And, the gentleman from Indiana knows that there are certain types of veterans' benefits where it is necessary to prove that a widow was married to the deceased veteran for a period of 5 years prior to his death.

Mr. ROUDEBUSH. That is correct.

Mr. WHITENER. Suppose she started living with him without the benefit of a celebrated marriage 5 years and 2 months before he passed away? She would have one terrible time establishing to the satisfaction of the Veterans' Administration that she had been legally married to him under the common law marriage concept for a period of 5 years, I would ask the gentleman from Indiana?

Mr. ROUDEBUSH. I would say to the gentleman from North Carolina that she would be in serious trouble.

Mr. WHITENER. But if she could go down to the courthouse and obtain a certified copy of the marriage certificate, the Veterans' Administration would not question it, if the marriage had been celebrated only 5 years and 1 day prior to the death of the veteran.

Mr. ROUDEBUSH. That is correct.

Mr. WHITENER. That is only an example of the reason the bill should pass.

Mr. O'HARA of Illinois. Mr. Speaker, with no reflection upon the able author of H.R. 5426, a past commander in chief of the Veterans of Foreign Wars of the United States, and the able and distinguished members of the committee who are recommending the bill to our favorable consideration, I shall vote to recommit the measure for further hearings.

I was much impressed by the remarks of the gentleman from Ohio [Mr. VANIK]. I think we all must agree with him that the sins of the parents should not be visited upon innocent children.

What effect the enactment of H.R. 5426 will have on the rights of inheritance of children of common-law marriages of the past is undetermined. Whether it would in effect place a stigma upon them also is undetermined.

I do not doubt the good intentions of the author of H.R. 5426 or of the committee members. What doubtless they had in mind was to follow in the wake of many States that have abolished the common law form of marriage that in the earlier years of our Republic was more often the rule rather than the exception. I think it very likely that they did not intend that this bill should place a stigma upon the children of past common-law marriages, common-law marriages that had been entered into in all good faith and that had bound the parties in lasting marital loyalty. But the learned gentleman from Ohio, himself a former judge, has raised a serious question as to just how far this bill goes, where it starts, and where it ends. It would seem to me the course of procedure to send the measure back to committee in order that it might be the subject of exhaustive, informative, and beneficial public hearings on a matter that certainly is not without interest to the American people.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BURTON of California. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman from California opposed to the bill?

Mr. BURTON of California. I am, Mr. Speaker, in its present form.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. BURTON of California moves to recommit the bill H.R. 5426 to the Committee on the District of Columbia.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the "noes" appeared to have it.

Mr. BURTON of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 39, nays 328, not voting 65, as follows:

[Roll No. 155]

YEAS—39

Albert
Ashley
Bandstra
Barrett
Bingham
Bolling
Brown, Calif.
Burton, Calif.
Cohelan
Corman
Craley
Edwards, Calif.
Fraser
Friedel
Gonzalez
Green, Pa.
Hawkins
Kastenmeier
King, Calif.
Krebs
Long, Md.
McVicker
Macdonald
Mink
Moorhead
Nix
O'Hara, Ill.
Patten
Powell
Rees
Reuss
Rosenthal
Roybal
Ryan
Sickles
Smith, Iowa
Stalbaum
Vanik
Yates

NAYS—328

Abbitt
Abernethy
Adair
Adams
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Boggs
Bolton
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Cameron
Carey
Carter
Casey
Chamberlain
Chelf
Clancy
Clark
Cleveland
Clevenger
Collier
Conable
Conte
Cooley
Corbett
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Edwards, La.
Ellsworth
Erlenborn
Everett
Fallon
Farnsley
Farnum
Fascell
Feighan
Findley
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilligan
Goodell
Grabowski
Gray
Green, Oreg.
Greigg
Grider
Griffiths
Gross
Grover
Gubser
Gurney
Hagen, Calif.
Haley
Hall
Halleck
Hamilton
Hanley
Hansen, Idaho
Hansen, Wash.
Hardy
Harvey, Mich.
Hathaway
Hébert
Hechler
Helstoski
Henderson
Holifield
Holland
Horton
Hosmer
Howard
Hungate
Huot
Hutchinson
Ichord
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kee
Keith
Keogh
King, N.Y.
King, Utah
Kirwan
Kornegay
Kunkel
Laird
Landrum
Latta
Leggett
Lennon
Lipscomb
Love
McClory
McCulloch
McDade
McEwen
McFall
McGrath
McMillan
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Meeds
Michel
Miller
Mills
Minish
Minshall
Mize
Moeller
Monagan
Moore
Morgan
Morrison
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
O'Brien
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Passman
Patman
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price
Pucinski
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
Roudebush
Roush
Rumsfeld
Satterfield
St. Onge
Saylor
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Selden
Senner
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stanton
Steed
Stephens
Stubblefield
Sweeney
Talcott
Taylor
Teague, Calif.
Tenzer
Thomas
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vigorito
Vivian
Waggonner
Waldie
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Widnall
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Young
Younger
Zablocki

NOT VOTING—65

Addabbo
Baring
Blatnik
Boland
Callaway
Cederberg
Celler
Clausen, Don H.
Clawson, Del
Colmer
Conyers
Dulski
Evans, Colo.
Evins, Tenn.
Farbstein
Flynt
Fogarty
Fulton, Pa.
Gallagher
Gilbert
Hagan, Ga.
Halpern
Hanna
Hansen, Iowa
Harsha
Harvey, Ind.
Hays
Herlong
Hicks
Hull
Irwin
Johnson, Pa.
Kelly
Kluczynski
Kupferman
Langen
Long, La.
McCarthy
McDowell
Mackay
Mackie
Martin, Mass.
Morris
Multer
Murray
Nelsen
O'Konski
O'Neal, Ga.
Purcell
Resnick
Rogers, Tex.
Roncalio
Rooney, N.Y.
St Germain
Scheuer
Shipley
Stratton
Sullivan
Teague, Tex.
Thompson, N.J.
Toll
Utt
Whitten
Williams
Willis

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Hicks with Mr. Harsha.

Mr. Baring with Mr. Johnson of Pennsylvania.

Mr. O'Neal of Georgia with Mr. Callaway.

Mr. Dulski with Mr. Utt.

Mr. Williams with Mr. Nelsen.

Mr. Colmer with Mr. Don H. Clausen.

Mr. Hays with Mr. Fulton of Pennsylvania.

Mr. Multer with Mr. Halpern.

Mr. Morris with Mr. Del Clawson.

Mr. Stratton with Mr. Kupferman.

Mr. Evins of Tennessee with Mr. Martin of Massachusetts.

Mr. Mackay with Mr. O'Konski.

Mr. Farbstein with Mr. Langen.

Mr. Teague of Texas with Mr. Harvey of Indiana.

Mr. Addabbo with Mr. Cederberg.

Mr. Kluczynski with Mr. Celler.

Mr. Rogers of Texas with Mr. Fogarty.

Mr. Thompson of New Jersey with Mr. Blatnik.

Mr. Whitten with Mr. Roncalio.

Mr. Gallagher with Mr. Conyers.

Mr. Hansen of Iowa with Mr. Shipley.

Mr. Flynt with Mr. St Germain.

Mr. Evans of Colorado with Mr. Long of Louisiana.

Mr. Hull with Mr. Scheuer.

Mr. Purcell with Mr. Willis.

Mr. Herlong with Mr. McDowell.

Mrs. Kelly with Mr. Irwin.

Mr. Boland with Mr. Mackie.

Mr. Gilbert with Mr. Hagan of Georgia.

Mr. McCarthy with Mr. Hanna.

Mr. Murray with Mr. Resnick.

Mr. Rooney of New York with Mr. Toll.

Mr. LONG of Maryland changed his vote from "nay" to "yea".

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

REVISING POSTAL RATES ON CERTAIN FOURTH-CLASS MAIL

Mr. MORRISON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14904) to revise postal rates on certain fourth-class mail, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 14904, with Mr. SIKES in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Louisiana [Mr. MORRISON] will be recognized for 1½ hours and the gentleman from Pennsylvania [Mr. CORBETT] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Louisiana [Mr. MORRISON].

Mr. MORRISON. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I sponsored H.R. 14904 on the basis of the official recommendation of the Postmaster General. Our Subcommittee on Postal Rates held 19 days of hearings on this legislation, starting on March 1, and ending on April 28. We afforded as many witnesses as possible an opportunity to be heard and arranged the subcommittee schedule to meet the conveniences of the witnesses, including the scheduling of hearings on Mondays, Fridays, and even on Saturday. More than 200 statements were presented to the subcommittee or submitted for the record.

Following the hearings, the legislation was thoroughly considered by the subcommittee and ordered reported to the full committee by a vote of 6 to 1. The full committee ordered it reported to the House by a vote of 17 to 3.

Mr. Chairman, the 3-year moratorium granted by Public Law 88-51, on the prohibition on the use of funds appropriated for the postal service, will terminate on June 30, 1966, and the prohibition will be resumed automatically unless this legislation is enacted to place parcel post on a near break-even basis, or other legislation is enacted removing the prohibition.

The major difficulties concerning parcel post stem from two statutes. First, the provisions of the Supplemental Appropriations Act, 1951, approved September 27, 1950, as amended (31 U.S.C. 695), require a break-even operation within 4 percent for fourth-class parcel post and catalogs, with no prior deductions for public service cost. Second, the size and weight limitations (Public Law 82-199) have resulted in a sharp contraction of parcel post volume, mostly in the more profitable parcels.

These two statutes have blocked the attainment of the break-even goal and have precipitated a crisis in parcel post service. Parcel post cannot be maintained on a break-even basis.

Our committee was faced with two alternatives—first, remove the maximum size and weight limitations on parcels mailed between first-class post offices more than two zones apart and increase rates so as to maintain parcel post on a break-even basis or, second, provide for a subsidized parcel post system.

The committee bill, H.R. 14904, will place the parcel post system on a near break-even basis by rate increases and changes in size and weights. Also, procedural changes are provided, which together with the continuation of the rate-fixing authority of the Postmaster General, will require that the parcel post system be continued on a near break-even basis.

The major provisions of H.R. 14904 may be summarized, as follows:

First. Zone-rated parcel post rates are increased 8 cents per piece, rounded off to increments of 5 cents. The increase is expected to yield additional net revenue of $60 million.

Second. Zone-rated catalog rates are increased approximately 12 percent of revenues and are expected to yield $3 million.

Third. Authority is continued for the Postmaster General to submit a request to the Interstate Commerce Commission to reform rates and other conditions of mailability—other than size and weight—with the requirement that the request will be considered as having been approved unless action is taken by the Interstate Commerce Commission within 30 days to reject the request or to order an investigation, with the further requirement that final determination must be made within 180 days. The 30 and 180-day requirements were added by the committee and have been approved by the Postmaster General.

Fourth. The 4 percent cost-revenue certification required by the Postmaster General before the Post Office can spend funds for postal purposes is continued.

Fifth. Postal zone determinations will be based on the 552 sectional centers rather than on the existing 4,000 different geographic area units. This change will greatly simplify stamp dispensing by postal clerks and by automatic equipment. The operating economies from the more simplified operations are expected to more than offset the revenue shrinkage of approximately $1 million.

Sixth. The maximum size is changed from 72 inches to 100 inches for parcels mailed from one first-class post office to another first-class post office, and the maximum weight is changed from 20 to 40 pounds for parcels mailed between first-class post offices which are more than two zones apart—approximately 150 miles. The additional net revenue is expected to be $40 million.

Mr. Chairman, this is a reasonable bill. It takes into consideration the interests of people living in rural and urban areas. There is more than a little irony in that the maximum size and weight limits imposed by Public Law 82-199 have hit the farmer hardest of all. While rural areas were exempt from those restrictions, the parcel post patrons in these areas have not been able to avoid the sharp rise in parcel rates which, in part, was a direct result of Public Law 199.

In 1951, postage for a 5-pound carton shipped by a farmer to a customer 100 miles away was only 21 cents. Today that postage rate is 57 cents, and the bill proposes to raise it again to 65 cents. If parcel size and weight limits are not revised as proposed, the rate would have to be 71 cents.

Since 1952, the general public, particularly farmers and businessmen, have been forced to pay more than one-half billion dollars extra, or about $40 million a year, representing amounts paid for parcel post rates higher than the rates which otherwise would have been required if the volume losses of heavier-weight parcels having a favorable revenue-cost relationship had not occurred because of size and weight limitations.

Of all consumers, the farmer and other occupants of rural areas are hardest hit by the unending rise in parcel post rates. They did not have the wide range of transportation modes available for shipments between urban areas. Our committee expects that the changes in size and weights will reduce the amount of rate increases otherwise required.

The bill takes into consideration the interests of private business. The parcel post system does not have a monopoly. It operates as a supplement to private carriers. For example, one shipper of small parcels handled over 250 million parcels in calendar year 1965, as compared with the parcel post volume of 742.4 million parcels in fiscal year 1965.

I believe this legislation does protect the private business interests of small parcel shippers by requiring parcel post rates to be maintained on a level sufficiently high to continue the parcel post service on a self-sustaining basis. One of the main justifications offered for Public Law 199 was that stringent parcel post size and weight limits were necessary to further free enterprise, but there now is a serious question as to whether our private economy benefited from that law. I recited several instances in my statement on House Resolution 875 of how this law discriminates against first class mail patrons.

Parcel post volume has fallen from a high of 1,046 million in 1952 to 742 million in 1965, during a period when all other mail and business volume in general were increasing.

Parcel post rates were raised four times in the last 15 years, yet deficits existed in every year but one. A 25-percent increase was effective on October 1, 1951, and a 36-percent increase on October 1, 1953. These two increases resulted in a loss of 40 million in the number of pieces of parcel post and a loss of 800 million pounds. A 17-percent increase on February 1, 1960, was followed by a piece loss of 47 million and a pound loss of 456 million. A 13-percent increase on April 1, 1964, was followed by a piece loss of 35 million and a pound loss of 291 million.

Our committee received testimony supporting this legislation from representatives of private business organizations representing many thousands of private shippers. Even the U.S. Chamber of Commerce, which always advances the cause of private enterprise, has not objected to enactment of this legislation.

I am convinced that the increase in the maximum size and weight limitations will stimulate new business in the shipment and sales of small parcels. The more liberal size and weight limits will provide a greatly expanded potential for private shippers heretofore denied economical transportation and delivery service.

One company reported to our committee of having eliminated 11,000 merchandise items from its catalog since 1952, mainly because of the size-weight limits of Public Law 199. Another large mailer indicated about 1,500 items are listed in his catalog, with a stipulation that they are not mailable at first-class post offices. These companies indicated that revision of size and weight limits will permit a relisting of these items for catalog sale and parcel post delivery. In that way, there would be a regeneration of traffic not now moving by any transportation mode.

Mr. Chairman, it is reasonable to expect that there will be some diversion of parcel shipments from private carriers to parcel post, but we believe it will be minimal.

The Post Office Department estimates that the parcel post service will gain about 51 million parcels. On a piece count basis, there will be a partial offsetting shrinkage where split parcels are consolidated into fewer, larger ones. The total net gain to the system is expected to be about 29 million parcels, taking into consideration the consolidation of split parcels.

Part of the volume to be gained from the size-weight revisions will be the result of a broad and thinly diffused diversion from many sources. Much more important, however, is the fact that the removal of the limitations is expected to stimulate business and result in new volume.

I am convinced that on the whole this legislation does not present any undue infringement on private enterprise. I am convinced that the pre-eminence of the public interest in being assured of having a parcel post system which will serve the needs of all the public overrides any sharp reduction in the business of private parcel carriers, which may occur upon enactment of this legislation.

Most important of all, the bill strengthens the financial condition of postal revenues by eliminating most of the subsidy on parcel post. The legislation would increase the efficiency of the parcel post system by simplifying the postal zone structure and the size and weight limitations.

There has been much concern expressed over the effect this legislation will have on employees of certain private carriers. Also, some railroad employees have expressed their misgivings about the bill. Our committee considered all these matters very thoroughly. As I indicated earlier, I will offer an amendment on this matter at the appropriate time.

We also believe that passage of the legislation will increase parcel post volume and result in greater parcel post volume to be transported by the railroads because the major part of parcel post is transported by railroads.

Mr. Chairman, I am convinced that modification of Public Law 199 is a must if we hope to put an end to parcel post deficits. It is a must if you agree that Public Law 199 has failed to further the general interests of the public by depriving 140 million persons of essential shipping service. It has failed, too, because it created a service void which no one has been able to fill.

Rates higher than those proposed in this bill will be no alternative. It would be a delay in action to be followed again by the problem that confronts the Congress and the Department today.

We are not faced with a problem that will find its own solution in a few months, but at the price of extreme rate increases and more attrition in the parcel post service. We have already asked the American public and private enterprise to pay too much because of the restrictive size and weight limits of Public Law 199. We should not expect more from our patrons by perpetrating the full effect of a law which is demonstrably unfair and incapable of achieving a purpose.

Mr. Chairman, I urge favorable consideration of H.R. 14904.

Mr. DERWINSKI. Mr. Chairman, I yield to the gentleman from New York [Mr. FINO] such time as he desires.

Mr. FINO. Mr. Chairman, I rise in support of H.R. 14904, but in opposition to section 3 of the bill, which would put parcel post in unnecessary direct competition with private transportation enterprise.

Frankly, I have always conceived of parcel post as a supplement to our national system of private carriers. I think it is perfectly sensible that only a limited size package be eligible to be sent by parcel post. Let private carriers handle the big bulky packages. I do not think that the Post Office will add to its revenues by handling this new class of package. It could very well be that the opposite will occur. Probably the Post Office will lose more money and the taxpayers will pay so that the large business shippers can have cut-rate freight service through our Government postal service.

I am also a little discouraged to think what the proposed parcel post change would do to postal efficiency. I understand that about half the space of postal facilities taken up by the postal load is now taken up by parcel post. I have figures saying that the change contemplated would push parcel post up to the point where it takes up 70 percent of the space occupied by all mail. The post offices will be bursting at the seams, and in my opinion, they are all too crowded already.

Crowding the post offices with parcels is not going to help mail delivery. It is going to slow it more than the present. I am not going to vote for slow mails so that a few big business shippers can cut their freight costs.

Now all this suggests something to me which I have said before. I do not like the idea of passing legislation to help a few big businessmen who do not like paying their present freight costs. I particularly do not like it when it is going to put a number of companies and tens of thousands of employees out of a job. I am tempted to use a phrase which I have used before. This is a bill for the fat cats in the mail-order business. I wish we be had figures before us on how much money the big shippers are going to save. I imagine the Postmaster General knows. I wonder if they are going to use the money they save to buy Government bonds?

I do not think this bill is a fair one. I urge that it be modified by deletion of section 3.

Mr. DERWINSKI. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, and Members of the Committee, I will more or less repeat what I had to say when we debated the resolution.

There is a very small segment of this population that is in favor of this legislation, and there are a few large mail-order houses and some people in the Post Office Department, and a few misguided organizations and individuals, as evidenced by a few letters and wires which all of us received in the last day and this morning. Mine were in almost identical language, indicating that somebody has told these people to send these wires and letters in.

In contrast, there are all these organizations—four pages, single spaced—opposed to this legislation. There are 22 labor organizations. The railroad brotherhoods are united in opposition. There are many others, and I will not read them, because we sent them around to all the Members.

There are four pages, single spaced, from people who know that this is not wise legislation.

It was testified in our committee by the representatives of the brotherhoods that if this legislation should ever pass it will cost 44,000 jobs among railroad employees. It was also testified that it would cost up to 5,000 jobs among the union members working with REA. So there is an overwhelming amount of opposition to this particular legislation.

I might say this is not a partisan issue. I understand that my dear friend the gentleman from Iowa [Mr. GROSS], who I thought was a great believer in private enterprise, favors this. There have been Members on the majority side in our committee who have been opposed to this legislation.

So I hope that the Members will not look upon this in any partisan way.

I understand two members of the Rules Committee, who represent the majority party, are opposed to this. I presume they will speak in opposition to it.

Mr. Chairman, my dear friend, the gentleman from Louisiana, knowing that there is so much heat on this bill, I am sure, and all of these employees who are going to be displaced, has stated that he is going to offer an amendment.

The gentleman is going to offer an amendment which will, in effect, say that the Post Office Department is going to hire all these approximately 48,000 or 49,000 displaced employees, who are going to retain, according to the amendment, as I understand it, their seniority rights, their pension rights their insurance rights, and all the other rights for which they have worked so many years.

Well, I have been a member of this committee for 10 years, and I can say that this is ridiculous, it is not legal, and it will not work.

But let us say that it will work, and let us say that I am a displaced railroad worker and my dear friend, the gentleman from Maryland [Mr. FRIEDEL], is a postal worker, and that the gentleman from Maryland [Mr. FRIEDEL] has 15 years of seniority, and as a displaced railroad worker I have 17 years of seniority. That would mean if the Post Office Department hired me I would displace the gentleman from Maryland [Mr. FRIEDEL] so far as seniority is concerned. I would "bump" him.

If anything like that ever happened, we know what our dedicated post office workers would do and how they would feel about it.

But I say this cannot be done legally. When a person goes on the civil service roll, he goes in at the bottom, and pension rights cannot be retained, and all the other seniority rights, et cetera, cannot be retained.

I have never before seen these employees so united and angry as they are with respect to this piece of legislation, and the brotherhoods in particular.

I said earlier today they even went so far as to form a picket line around the Ben Franklin Station last Thursday or Friday in protest against this. They are dedicated people.

I said earlier, also, that under two Presidents, President Kennedy and President Johnson, we have been sent messages, in the Congress, that the transportation system should be revised, overhauled, and coordinated, and they paid particular attention to the plight of the railroad industry and the number of jobs being lost by employees in the railroad industry.

So we have seen two Presidents say we ought to do something to help, and yet another agency of the Federal Government, the Post Office Department, wants to pass this legislation which will do just the opposite.

So I say there must be a little confusion down within the Post Office Department, and I believe it ought to be in tune with the late President Kennedy and with President Johnson.

Now I should like to ask the distinguished gentleman from Louisiana to recite to this committee any letter, communication, or report from the Civil Service Commission that the amendment which he proposes to offer, to hire these displaced employees and to continue their seniority and other benefits, is legal. I should like to have the gentleman present that to us.

Mr. MORRISON. I can tell the gentleman that this was taken up carefully with the Postmaster General, with the head of the Civil Service Commission, and with the legislative counsel of our committee and the legislative counsel of Congress; and this was the amendment that they came up with, that they all agreed on, and that it could do just opposite to what the gentleman says it could do, in that it could give them the same pay, could give them their retirement benefits, and could give them whatever rights they had in the way of years of service.

They would all be taken in by the Post Office Department.

Mr. CUNNINGHAM. I know sometimes things are said just to sweep us off of our feet, but I want some evidence and something in the form of writing, which is the usual procedure, from the Civil Service Commission that says this can be done and that it is legal.

Mr. MORRISON (reading:)

> DEAR MR. CHAIRMAN: During the recent hearings of the Subcommittee on Postal Rates, relative to this Department's proposals to reform the parcel post laws, the concern was expressed that the recommended changes in parcel post size and weight limitations would force REA Express to curtail its work force and cause some REA workers to lose their jobs.

Mr. CUNNINGHAM. May I ask the gentleman whose letter that is?

Mr. MORRISON. Just a second. You asked me for some written evidence, and I am giving it to you and, if you will be patient, you will get it.

Mr. CUNNINGHAM. I am wondering who it is from.

Mr. MORRISON. I will tell you that in a minute, as soon as I finish reading it:

> Testimony before the subcommittee has demonstrated that the prospect of such unemployment has been greatly exaggerated. However, to provide all possible assurance to those who may be genuinely concerned, the Post Office Department has declared its willingness to hire any REA employee, or the employee of any other parcel shipment company, who may lose his job for causes in any way traceable to enactment of section 3 of H.R. 14904. Such employees would be given civil service status and permanent jobs as has been agreed to by the Civil Service Commission and reported to the committee.
>
> This letter confirms and underscores that commitment.
>
> Sincerely yours,
>
> LAWRENCE F. O'BRIEN.

Mr. CUNNINGHAM. Would the gentleman read the last three lines again, please?

Mr. MORRISON. Read the last three lines?

Mr. CUNNINGHAM. Yes.

Mr. MORRISON. Again?

Mr. CUNNINGHAM. Yes.

Mr. MORRISON. I would suggest that you pay attention.

Mr. CUNNINGHAM. I'm paying attention as I have the floor but the gentleman reads too fast.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CORBETT. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MORRISON. Do you want me to read that?

Mr. CUNNINGHAM. If you will, please.

Mr. MORRISON (reading:)

> Such employees would be given civil service status and permanent jobs as has been agreed to by the Civil Service Commission and reported to the committee.
>
> This letter confirms and underscores that commitment.
>
> Sincerely yours,
>
> LAWRENCE F. O'BRIEN.

Mr. CUNNINGHAM. This is what Mr. O'Brien said during our hearings up until the last lines. He mentions the Civil Service Commission. Does the gentleman from Louisiana have anything in writing from the Civil Service Commission to that effect?

Mr. MORRISON. Well, this amendment in connection with what the Postmaster General said was taken up with the Civil Service Commissioners and with the people in charge of their legislation, so that this amendment of mine would do exactly what I have said on two occasions today it would do.

Mr. CUNNINGHAM. Then, would the gentleman agree, if I am a railroad worker and the gentleman from Maryland [Mr. Friedel], for example, is a postal worker and I have 17 years of seniority and he has 15, that I bump him?

Mr. MORRISON. There will be no bumping. If you have 17 years of service with the railroad or the express company and you come into the postal service, you will have 17 years in which you will get credit under the Railroad Retirement Act. The required number of years you need to retire with that 17 years will be counted the same as if you were in the Post Office Department the entire time.

Mr. CUNNINGHAM. In other words, then, I would jump ahead of Mr. Friedel so far as my retirement is concerned?

Mr. MORRISON. You would jump ahead not only of a fellow who had been there 15 years but a fellow who had been there 12 years and a fellow who had been there 5 years and a fellow who had been there 1 year, or you would jump ahead of a fellow who was there for only 1 month.

The CHAIRMAN. The time of the gentleman from Nebraska has again expired.

Mr. CORBETT. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. CUNNINGHAM. Mr. Chairman and Members of the Committee, there is no proof in the form of a letter but mere information through, perhaps, a telephone conversation that the Postmaster General had with someone at the Civil Service Commission.

Mr. Chairman, I would like to see something in writing, because I do not see how it can be done. I do not believe it is legal.

Also, Mr. Chairman, I would like to say that I do not believe there is any Member sitting here this afternoon who has not received numerous complaints about the handling of parcel post as of today. I certainly have received such complaints, and I have spoken on this floor of the House about them. They cannot even handle the various parcels that they now have, let alone those that are going to be twice larger in size than the present parcels.

Mr. Chairman, we had testimony from an expert in the business of postal facilities, whose specialty is these conveyor belts, and he said it is impossible for the Post Office Department to handle these larger parcels. He further stated that one of the crying needs today, and the reason the post office service is so poor, is the lack of facilities.

Now, Mr. Chairman, they are going to throw a whole bunch of new parcels into these various post offices around the country, as well as all of the rest of the mail—first-, second-, and third-class mail and this mail is going to suffer.

So, Mr. Chairman, I say this is bad legislation and I certainly hope that the members of the committee will recognize the fact that there are all of these people involved and 22 labor organizations involved which are fighting mad about this proposed legislation.

Mr. Chairman, I hope that this bill will be defeated.

Mr. MORRISON. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. Daniels].

Mr. DANIELS. Mr. Chairman, in the June issue of the Railway Clerk magazine, there is an article concerning parcel post. This article is so full of errors, misrepresentations, and outright falsehoods as to resemble a kind of jungle. There is so much wrong with this article and the cartoon which accompanied it, that it is difficult to know where criticism should begin.

I think perhaps the best answer to these gross misrepresentations is to state the facts concerning H.R. 14904.

Before Public Law 199 was enacted in 1951, the Post Office Department operated a uniform parcel post system. Packages less than 70 pounds and 100 inches could be mailed anywhere in the United States. Then, largely due to the precarious financial position of the Railway Express Agency—REA—Congress acted through Public Law 199 to restrict shipments via parcel post.

Since rural areas were largely outside the REA service areas, and since REA would not have been interested in the largely unprofitable business to those areas in any event, they were permitted to retain 70-pound and 100-inch limits, while shipments between first-class offices were placed in two zones. Those more than 150 miles apart were limited to 20 pounds and 72 inches; those less than 150 miles apart, 40 pounds and 72 inches.

These regulations had six major effects:

First. The Post Office Department was forced to continue high cost business, but could not balance such business with the higher volume, low-cost service.

Second. The 140 million urban patrons were denied good parcel post service and millions have been turned away from mailing windows.

Third. All kinds of anomalous situations arose. For example, a business in my hometown, Jersey City, N.J., can send a 70-pound, 100-inch package to a village in Alaska, but cannot send a 10-pound, 73-inch package across the Hudson River to New York City.

Fourth. Since another provision of the law required the Postmaster General to certify that receipts from parcel post were within 4 percent of costs—otherwise no funds to operate any aspect of the postal service could be secured from the Treasury—the removal of the low-cost service resulted in higher rates. This further depressed volume and again necessitated higher rates. This dual spiral continues.

Fifth. Farmers, who were supposed to be protected by present law, are being hurt by the steeply climbing rates.

Sixth. Small business firms are splitting shipments, mailing from other than first-class offices—a self-defeating operation since increased revenues move second-class post offices to first-class offices—and taking other steps to avoid the present restrictions, with the result that the costs are higher for poorer service.

The parcel post service faces a crisis. Unless steps are taken to reform the law, there will remain but a high-cost service that will require a subsidy.

This legislation is a compromise that would balance the interests of urban and rural patrons, business, and commercial carriers. It would produce $107 million in additional net revenue. And it would restore a service now badly damaged and in danger of disappearing.

Realizing these facts, the mail-order houses and mail users, who are depicted in the cartoon in the Railway Clerk as victims of H.R. 14904, are actually in favor of this legislation, even though rates will be somewhat higher. They are in favor of it because it is fair, because it will increase competition, because it is good for business and good for the consumer.

But, gentlemen, you do not have to take my word for the attitude of mail-order houses and of mail users, they have made it absolutely plain themselves.

Let us take a good look at their testimony before the Subcommittee on Postal Rates:

First. Permit me to quote Warren A. Clohisy, executive secretary of the Mail-Order Association of America. In testimony before the House Subcommittee on Postal Rates on H.R. 12367, which is essentially the same as H.R. 14904, Mr. Clohisy said, in part:

> Let me say that the parcel post legislation being considered is, in the truest sense, consumer legislation. It is the American consumer who will benefit by the simplification and changes in the law, which will be the result of enactment of H.R. 12367.
>
> We support H.R. 12367 as a major step toward correcting the problems caused by the existing postal regulations. At the outset, I would like to state our fullest backing of the total bill. We believe that after almost 3 years of study, the weaknesses in the postal situation that need correction are well defined, and each of the proposed changes are, in our opinion, necessary and vital if the service is to be preserved and improved.
>
> We have another interest in the proposed legislation; namely, we would like to restore to our catalogs the thousands of items which we cannot list because of the existing size and weight regulations. These items represent sales that today no one enjoys because we cannot afford the expense of refusals and returns and the local merchant cannot afford the inventory investment and the risk of low sales.
>
> It must be borne in mind that we too are private enterprise. We employ over 412,000 people directly, and indirectly many more through the 50,000 suppliers with whom we do business * * *. So we would like to restore those items to our catalogs, first to satisfy more customers, second to enjoy the sales, and third to improve our contribution to the growth and development of our economy.

Second. Robert F. DeLay, president of the 2,200-member Direct Mail Advertising Association, testified:

> Despite the proposed rate increase, DMAA supports the bill because it is vital to our members' interests that the parcel post service continue to be a viable and valuable nationwide delivery service. We further recog-

> nize that passage of these compromise reformations of the restrictions will probably cause some loss of business to REA express, but an analysis of the potential loss leads us to believe it will not be as serious as some speculate. In any case, in our expanding economy there is room for various types of delivery services.

Third. Josh S. Weston, president of the Parcel Post Association, stated:

> I want to thank you for this opportunity to present the views of the more than 200 small- and medium-sized businesses, located in 32 States, which comprise the association membership. Many of these requested to be heard today because they are quite outspoken in the way the parcel-post system and the small businessman and the average citizens have had to suffer for the lack of a reasonable medium parcel service at reasonable rates the last 15 years. Out of consideration for your time, we have agreed that I shall speak for all of them.
>
> Parcel Post Association endorses and supports H.R. 1237. We think it will substantially serve the needs of the people in general and of the postal system. While the bill does not go far enough on size-weight reform, we believe the virtues of H.R. 12367 far outnumber the drawbacks. The change proposed in size-weight restrictions to 40 pounds by 100 inches will give postal patrons a much-needed service currently lacking in our larger towns and cities. Also, size-weight reform is the only way to obtain all the revenues needed for full cost recovery in parcel post.

Fourth. Thomas C. Hope, executive director of the National Council on Business Mail, Inc., not only supports this reform legislation, and has given reasons for expressing such support, but he has also eloquently outlined the failure of the present law. Mr. Hope told the subcommittee:

> We should like to state our reasons for being so concerned and dissatisfied with the present status of Parcel Post. We have had 14 full years of unreasonable service and artificially created expenses under Public Law 199.
>
> The effect of Public Law 199 since 1952 has been destructive to service and postal economics.
>
> Discrimination against mailers between first-class post offices has caused many negatives.
>
> It has deprived the Post Office Department of the highest revenue parcels.
>
> Large and small mailers have lost business and have suffered higher expenses because of the artificial and arbitrary limitations, as—
>
> Items were removed from sale to the public.
>
> Unwanted slow and expensive alternative services often were employed.
>
> Costly censorship of orders by additional employees became necessary.
>
> Some mailings were split into two or more packages to comply, increasing postage, labor and material.
>
> Normal mailings were diverted to other than first-class post offices creating increased postal operating costs.
>
> Customary business terms of sale were disrupted and completely interfered with.
>
> The summary effect has been to deprive people residing in first-class post office communities of adequate services, to harm their businesses and to interfere abnormally with their necessities while losing the highest revenue volumes for the Post Office Department.

Many small businesses affected by the present discriminatory laws also testified in favor of reform legislation. Hence, this legislation, far from "hanging" the interests of the mail-order houses and mail users, as the cartoon would make us believe, advances their interests, and is favored by these groups. If I could sum up the essence of this cartoon, I would say that it is a small scale use of the "big lie" technique.

But the midget sized big lie does not stop with the mail-order houses and mail users. Postal employees and REA Express employees are also shown as victims of the Daniels-Morrison hangman's duet.

Let us see how each of these groups would fare under the proposed legislation.

The Postal employees are supposedly being "hung" by the certification provision of H.R. 14904. Well, the certification provision already exists in the present law, so it is nothing new. As a matter of fact, it is a principle that has been embodied in parcel post law since its inception. For a true view of how postal employees feel about this proposed reform legislation, permit me to quote Jerome Keating, president of the 180,000 member National Association of Letter Carriers, and a man who should know.

Mr. Keating testified that:

> The legislation before you—H.R. 12367—will go a very long way toward restoring the image of parcel post, by making it more attractive to the average citizen and more widely available to the average manufacturer and businessman.
>
> Postmaster General O'Brien has estimated that this legislation will attract 20 million new parcel post customers who aren't using any service whatsoever today.
>
> It will greatly simplify the rate structure to terms that the average citizen can readily understand.
>
> It will, in short, go a long way toward making parcel post once again what Congress originally intended it to be, a useful service to all the American people, and a necessary stimulus to the entire economy.
>
> And, by making parcel post more attractive, it will increase volume and revenues sufficiently so the Postmaster General will not be forced to continue the endless process of raising the rates, and thus pricing this useful service out of the market.

The REA Express employees, who are the main target of the combination hogwash and napalm contained in the Railway Clerk article, cannot possibly lose by the size and weight increases proposed in H.R. 14904. For, if the free enterprise economy acts, as it usually does when restrictions are removed, more business will be generated, not only for the Post Office Department, but also for the railroads. And, in the unlikely event that somewhat less business flows through REA Express channels, any employee who is displaced will be hired by the Post Office Department through a thoughtful, generous, and statesmanlike offer of the Postmaster General and the amendment to be offered by the chairman of the Subcommittee on Postal Rates, the gentleman from Louisiana [Mr. MORRISON].

I urge your support of H.R. 14904. In my judgment this bill is in the public interest. The public has the right and is entitled to an economical, efficient, and sensible parcel post service.

Mr. CORBETT. Mr. Chairman, I yield to the gentleman from Illinois [Mr. DERWINSKI], a member of the committee, 15 minutes.

Mr. DERWINSKI. Mr. Chairman, I rise in opposition to the proposed legislation.

We are all painfully aware of the "mail explosion" this Nation has experienced in the last decade. The growth of mail volume has continually exceeded the capacity of the Post Office Department to handle it.

I am sure all my colleagues have, as I have, received numerous complaints from constituents concerning the slow delivery of mail, the loss of mail, or the damage of parcels.

What we are being asked to do today is to increase the number of parcels being transported by the postal service. We are being asked to add to a volume which cannot, even now, be properly handled, and thus to aggravate an already serious problem.

If this legislation is enacted into law, we will be transporting more large parcels, we will be transporting more heavy parcels, and we will be moving these parcels on equipment which is not able to stand the load it already carries, let alone what it would be required to carry under this bill.

One of the leading experts in the field of postal conveyers, Mr. Richard Frodge, testified before the House Post Office and Civil Service Committee regarding the ability of the conveyors presently in our post offices to carry the increased volume they would be required to carry under this bill. Mr. Frodge told the committee:

> I am here today to urge that parcels size and weights not be raised.

It is my belief the proposed changes, if adopted, would seriously disrupt mail service, substantially increase damage, cause employee injury, require sizable site acquisition and construction, and increase rather than decrease postal deficits. Mail service would be disrupted because many of the existing conveyor systems are not designed to handle the revised size and weights.

Mr. Chairman, the statements to which I have just referred demonstrate that if this bill is enacted the House of Representatives will be contributing to, instead of solving, a very serious problem, the proper delivery of our mails.

Mr. Chairman, I urge my colleagues to reject the legislation pending before the House today.

Mr. Chairman, in view of the fact that many Members have reported being swamped with telegrams and communications over this weekend, it is obvious that those letters from their constituents should arouse great interest in this legislation. I can see that is reflected in the attendance on the floor. We have the largest attendance we have had since the President's state of the Union message, which demonstrates that Members are giving special attention to the missives they have received from constituents.

If I were being belligerent in this debate, I would call the arguments in favor of this bill sheer, unadulterated nonsense. But I am not saying that because to do so would sound belligerent. I would call it nonsense because the very title of the bill is misleading. The title is "To revise postal rates on certain fourth-class mail, and for other purposes." If this were an honest title, it would state the facts and state that it is to increase postal rates—not revise, but increase. And what are the "other purposes?" "For other purposes" merely means that it is going to drive a taxpaying entity, the Railway Express Agency, out of business and foist on the poor taxpayers and mail users of this country an inefficient post office method of handling parcels that heretofore have been processed through the REA.

This bill is against the public interest. It cannot be justified on economic grounds, but it is sailing through like "Grant taking Richmond." I guess that is what happens under the great social genius of the Great Society.

Earlier in the debate the gentleman from Louisiana in effect promised the House that by the end of July the other body would complete hearings on the bill and give the Postmaster General the relief he requires from the present law. Yet the majority of the committee—and when I say the majority, I mean of both parties—have kept insisting that the reason their bill is so wonderful is that they put in many, many months, many, many hours—specifically 19 days of hearings over 2 months—to produce this wonderful piece of legislation. Certainly they do not expect the other body to rubberstamp their findings. I would presume they may take 19 days for hearings and 2 or 3 months themselves. We have no evidence whatsoever that this hasty, premature House action this afternoon will be rubberstamped by the other body.

I should also point out to the Members who are on the floor that we are witnessing a very intense debate, with repeated references made to the almost overwhelming support of this bill by members of the committee on both sides. Yet, so far only three members on the committee have spoken in favor of this bill. The others, even those who voted for the bill, are reluctant to stand here in the well and express their opinions. They want to avoid the heat, because they realize they would have to speak for bad legislation.

That is why only three Members of the majority are leading the fight for the bill. The others are remaining discreetly silent.

I should then like to point out to the Members that the main argument being advanced for this bill is that the Post Office Department, by moving into this larger category of package and parcel post, will produce more and more profits in handling this parcel post, and wipe out the present deficit under that operation. The argument, therefore, seems to be that with greater volume we solve all the problems in the Post Office Department.

There is nothing in this bill giving the Post Office Department the mechanization or any other facilities needed to handle this increased volume. One of the problems with the Post Office's handling of parcel post is that they cannot handle the present volume. What are they going to do when this great anticipated volume pours in on them?

I expect a greater snafu. I certainly hope that the Members who are so brave in passing this legislation will turn to their constituents and admit that they were responsible for adding the increased confusion that will come if this bill in its present form becomes law.

I am reminded of the story, in connection with this increased volume and its magic effect, of the street peddler who was hawking neckties and telling all passersby who drifted past that he was selling these neckties at below cost, and, of course, at this bargain, below-cost price, he would make some sales.

One naive couple did stop to ask how he could possibly sell neckties below cost and still make money. The answer was, "I lose a little money on each tie, but I make it up on volume."

That is the argument of the Post Office for this bill. They admit they are losing money on their present operations, yet somehow, in a magic fashion, they will go into volume operations and produce a wonderful profit.

Just the other day I happened to glance at an article from the New York Times.

My eye was attracted by a headline: "O'Brien Orders Mail Speedup as Volume Keeps Rising."

The O'Brien referred to was the Honorable Postmaster General Lawrence O'Brien.

The article says:

> Postmaster General Lawrence O'Brien, who is admired for his knack of making friends, sent his 650,000 employees a message the other day that began, "Shabby postal service will not be tolerated."
>
> The tone of his letter, which was on the first page of the Postal Bulletin, was sometimes harsh, sometimes blunt, rarely optimistic.

So here is poor Mr. O'Brien, admitting now that the Post Office Department is hardly meeting minimum expectations with no answer for this great volume of mail anticipated if this bill is passed.

I might point out that the Post Office Department at the moment suffers from overcrowded postal facilities. Where are they going to handle this greater volume coming in?

Of course, we have not even begun to discuss the loss of income to the Federal Government, and the loss of jobs for railway employees, of the income tax paid by railway companies and Railway Express Agency, the loss to State governments, and the loss to the school boards of local taxes that come from these groups. This has not been discussed at all.

A great part of the time of the subcommittee was spent in very patiently listening to the objections offered to the bill by the Railway Express Agency, and specifically its president, Mr. William J. Taylor.

The Railway Express Agency people gave 2 days of very devastating testimony against this bill, which was never answered either by the Post Office Department or by any member of the committee. If the Members want some interesting reading, they should look at the committee sessions. They will find not a single argument raised by the REA has been refuted, yet the bill is sailing along.

Mr. Chairman, I should like to point out to the Members the brief statement of minority views. In the minority views we thought the best way to call attention to the problems was to direct the attention of Members not only to the minority position but to the majority report, so we asked the Members to read not our views but the majority report, because by its inconsistency it should give Members reasons for turning down this bill.

I should like to point to one specific thing, and that is perhaps some of the problems we are starting to develop under this legislation.

The committee emphasizes the fact that the precedent for this bill is the fact that the Post Office Department should be a break-even operation. The Post Office, of course, will never make a profit. But the Post Office deficit is too great to be poured onto the ever-suffering public, so that Post Office should be as efficient as possible and should be a break-even operation. That is the philosophy embodied in this bill.

I should like to ask the majority Members of this committee, who are putting through this great piece of legislation, if they are going to apply this principle to first-, second- and third-class mail? If they do, they will have to lower the first-class rates, because that is the only segment in the Post Office rate structure which is making money. Of course, they are not going to raise the second- and third-class rates, in order to break even. Think of the lobbyists who would pour down on Washington from all sorts of publications, newspapers and magazines, et cetera, objecting to the philosophy that the second- and third-class mail should be carried on a break-even basis. But that is the philosophy of this bill.

I should like also to point out to the Members the final paragraph of some supplemental views submitted by the distinguished gentleman from New Jersey [Mr. KREBS]. I quote from page 42:

> I want to raise one further question with respect to the inclusion of section 3 in the proposed legislation. It seems wholly inconsistent to me that, while the Congress is called upon to appropriate a billion dollars or more to provide employment opportunities, it should at the same time—based solely on the tenuous expectation of realizing a $40 million savings in the Post Office Department expenditures—endanger the jobs of the 35,000 employees directly involved and the many other thousands of people indirectly affected by the operation of REA Express.

This to me is a very logical, devastating criticism of the bill.

Mr. Chairman, my problem is that I have so much information against the bill I could go on for the remainder of the day, and then, of course, I would be on the verge of conducting a filibuster, which would be unbecoming of this body.

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Texas.

Mr. POOL. During the first part of your remarks I got the impression of criticism of Postmaster General Larry O'Brien. Is that what the gentleman is doing?

Mr. DERWINSKI. I have not reached that point. I will. I did not mean to give that interpretation. I was quoting from a New York Times article about Mr. O'Brien.

Mr. POOL. Then what I should like to say, if the gentleman is going to do that, is that I want to go on record—and I believe the Members of the House will agree with me—as saying that Larry O'Brien is making the finest Postmaster General in the history of the United States. He is not only a statesman and an astute politician, but he is a great businessman. He is doing a tremendous job. He has a staff that is excellent. Within a few years' time we are going to have the greatest Post Office Department ever known in this country. That is what he is trying to do.

That is what this bill is all about.

I wanted to correct the gentleman about that.

I do not think you really meant to be overly critical.

Mr. DERWINSKI. No. I thank the gentleman from Texas for pointing this out. I certainly did not mean to criticize the Postmaster General. As a matter of fact, I would say that the gentleman from Texas is not being polite enough or going far enough when he discusses the Postmaster General. For example, I do not believe Mr. O'Brien is a politician. I think he is one of the greatest statesmen of our generation.

Mr. POOL. I agree with you.

Mr. DERWINSKI. Then I could also say, although I am not a member of the majority party, if I were a Democrat, I would not say that the present Postmaster General is the greatest in the history of our country, but I would say he is a second Jim Farley. I think to a Democrat that is a high compliment.

Mr. POOL. I want to thank the gentleman for his cooperation with the Postmaster General, if that is what you mean now.

Mr. DERWINSKI. I did not say I will cooperate. I merely said I considered him a great statesman and one of the most effective people of our generation in Government. But I still think this bill is 100 percent bad regardless of my personal appreciation for him.

Mr. POOL. The gentleman is going ahead and obstructing. Is that my understanding?

Mr. DERWINSKI. I certainly will say to the gentleman from Texas that the best way we can help our great heroic, struggling, courageous Postmaster General is to defeat this bill and not saddle him with this monstrosity.

Mr. POOL. Then, on June 30 they will not be able to draw any money out of the Treasury, and then where will we be?

Mr. DERWINSKI. The gentleman from Louisiana stated that the Postmaster General told him he had about 30 days leeway.

Mr. POOL. Oh. He does have 30 days leeway?

Mr. DERWINSKI. Yes. I am quoting the gentleman from Louisiana [Mr. MORRISON], now.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. Yes. I will yield to the gentleman.

Mr. JONAS. Mr. Chairman, I was interested in the colloquy between the gentleman in the well and the gentleman from Texas. I suppose you could measure greatness by the extent of the criticism developing because of the slowness of mail and the lack of service. I would be glad to refer the flood of complaints I have been receiving along that line to the gentleman in the well or to the gentleman from Texas and perhaps one of them could pass the complaints along to the Postmaster General in the hope that he might use some of that great ability in correcting the deficiencies which now exist and speeding up the delivery of the mail.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CORBETT. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. JONAS. Mr. Chairman, will the gentleman yield further?

Mr. DERWINSKI. Yes. I yield to the gentleman.

Mr. JONAS. I am moved to raise this question because of a statement made by the gentleman from Illinois in the supplemental views signed by him and the gentleman from Nebraska [Mr. CUNNINGHAM] calling our attention to statements in the main report by the majority of the committee which you state were inconsistent or which actually would support the position now taken by the gentleman from Illinois. In reading that report I am struck by an admission made on page 17 of the report in which the members who are responsible for the report admit that they are unable to determine that the enactment of this bill will not force some private enterprise carriers into bankruptcy. As I understand it, it is the position of the gentleman in the well that that result will probably occur with the enactment of this legislation. I take it from the comment on page 17 that the majority members who are responsible for the committee report are unable to deny that.

Mr. DERWINSKI. That is correct. And I would also like to remind the gentleman from North Carolina that the Interstate Commerce Commission was requested to make a report and the distinguished majority members were compelled by the pressure of time to move ahead and they did not even wait for the Interstate Commerce Commission to inform them as to the possible ill effects of this bill.

Mr. JONAS. Mr. Chairman, will the gentleman yield further?

Mr. DERWINSKI. Yes; I yield further to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, not having the privilege of serving on this committee and listening to the testimony, and having only for consideration what has been said here today and what appears in the committee report and the supplemental views, I find myself worrying about whether I should become a party today to action here by the Government of the United States that will force, or which is likely to force, into bankruptcy, one of the taxpaying free-enterprise businesses of our country.

Since this worries me, I would like some assurance that we are not taking a position here today which all those who heard the testimony either agree on will not deny that this action is likely to force a private enterprise, tax paying enterprise into bankruptcy?

Mr. DERWINSKI. May I advise the gentleman from North Carolina that the gentleman from Nebraska [Mr. CUNNINGHAM] and I have a solution. If the Members of the Committee would note the committee report on pages 2 and 3, the committee summarizes the bill with these nine affirmative points. We agree upon eight of those points. The only point we do not agree with is the increase in weight and the increase in size of parcels. The balance of these adjustments we are perfectly willing to cooperate with and we believe this will be to the advantage of the Post Office Department and to its great Postmaster General.

Also, Mr. Chairman, recognizing that the Members are preoccupied with so many problems in their committees, we were not so egotistical to think that our minority views would receive such tremendous attention.

I would like to summarize these views very briefly.

First of all, Mr. Chairman, we maintain that there is no evidence to support the claim on the part of the opponents of this bill, that it will produce a $40 million improvement in the financial situation of the Post Office Department.

Incidentally, Mr. Chairman, the Post Office Department representatives tell us that they will gross $95 million a day, $40 million net profit. This is ridiculous. There is not a corporation in the United States which operates that effectively. No one in his right mind could say that the Post Office Department of all departments of Government would make $40 million on the $95 million increase in volume.

Also, Mr. Chairman, I would like to point out to the Members of the Committee that there has been very little consideration here of the position of the private carriers. We have had quite a debate here over protecting the job rights of the employees. What about the investors in some of these private carriers? Are they going to be spared bankruptcy by the noble administration?

Mr. Chairman, what about the number of confiscations of private property which is inherent when you take over a profitmaking operation? None of these things have been adequately discussed.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. CORBETT. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. DERWINSKI. Mr. Chairman, that additional time is all I want, because I realize, judging from the expression of the Members on the majority side, they have almost become so convinced by my eloquence and figures that they may very well throw in the towel at this stage.

Mr. Chairman, let me also say that I have a certain amount of sympathy for the gentleman from New Jersey [Mr. DANIELS] who was upset at this cartoon which appeared in the Railway Clerks' magazine. I thought it was a very interesting bit of art work; that is, aside from the subject matter, and it was impressive, even if the artist reached what perhaps he thought was not a proper conclusion.

Mr. Chairman, I do want to emphasize that the key to this matter is that we need not punish free enterprise. We need not go on record as being against free enterprise and as being antiunion by voting for this bill.

Mr. Chairman, we have two alternatives which the gentleman from New York [Mr. DELANEY] will offer in the form of an amendment to strike out section 3 of this bill. If we succeed in striking section 3 of the bill the balance of it is fine.

We should all vote for it, in the way we do for the military authorization bill—by unanimous vote. Failing in that we will offer a motion to recommit—a substitute bill—which will have the same practical effect. It will spare free enterprise, giving the Post Office flexibility—and it will spare the taxpayers and spare the users of the Post Office from the chaos that is about to be created.

We can do all these wonderful things and still give the Postmaster General the flexibility he deserves.

I would say in closing, if I may direct my remarks to the gentleman from Texas [Mr. POOL] who so eloquently rose to the defense of the Postmaster General, certainly the Postmaster General we all recognize is the political arm of the administration. He is going to have an awful lot of work to do this fall trying to save some of the loyal administration members from repudiation at the polls. Why saddle him with these parcel post problems if he is not going to be able to help you politically?

Mr. MORRISON. Mr. Chairman, I yield 5 minutes to the gentleman from Hawaii [Mr. MATSUNAGA].

Mr. MATSUNAGA. Mr. Chairman, in rising to support H.R. 14904, I would like to commend the able chairman of the Postal Rates Subcommittee, the gentleman from Louisiana [Mr. MORRISON], and the members of his subcommittee who sat through a total of 29 days of hearings and received testimony in person or in writing from some 200 witnesses while considering this legislation.

Mr. Chairman, the parcel post system was established in 1912 because a majority of the Congress believed at that time that there was no adequate economical service to fill the needs of farmers, the average family, and small business firms. Commercial shipping rates were then geared to 100-pound lots and the occasional or day-to-day shipper of small packages in limited quantities was forced to pay exorbitant minimum charges. It was intended that in addition to the promotion of public service, the parcel post system should also achieve the second objective of break-even financing.

In 1951, Public Law 199 was enacted, with the Congress believing that the Railway Express Agency could take over a large share of the parcel post city-to-city delivery function without sacrificing the broader public interest. However, events of the past 15 years have shown that commercial carriers could not, or would not, completely take over the responsibilities that were shorn from parcel post in 1951. As a result, the service void that prompted enactment of parcel post statutes early in this century is again an acute problem for millions of small parcel shippers.

REA express—which the Congress expected would take over the parcel post urban service for larger packages—has in recent years changed the basic character of its operations. According to statements by REA officials, diversification has been far reaching and parcel-post-type business is now defined as an "occasional shipment," or as a "convenience" and "accommodation" service.

According to REA's own data, Public Law 199 was enacted when its dependence was mainly on class-rated traffic. But now, REA's interests are largely in bulk-rate volume traffic and in air express. This change in business concentration was confirmed in a recent report by three regulatory agencies, including the Interstate Commerce Commission. These agencies reported that, while express companies over the years have been handlers principally of parcel-size shipments in express service, REA since 1959 has been diversifying into containerized and palletized shipments, at sharp reductions in rates, and into the aggregate and volume areas.

It is especially noteworthy that while REA express has aggressively promoted volume shipments through "sharp reductions in rates," minimum rates for nonvolume shipments—once the bulk of REA shipments—have risen over 300 percent since 1951. In that year these shipments were subject to minimum rates of 95 cents. But now REA quotes minimum rates of $4 for parcels up to 5 pounds and $4.50 in excess of 5 pounds.

Public Law 199 also imposed reductions in parcel size and weight and these limitations in effect hindered the attainment of a break-even operation by our Post Office Department. Since 1952, our parcel post system has had a succession of volume losses and rate increases.

Clearly, these circumstances indicate the need for parcel post reform which ought to include a modification of package regulations and an increase in rates. It is to meet this need that the legislation under discussion is proposed.

Mr. Chairman, the bill on the floor will restore the original public service aspect to our parcel post system and make possible the attainment of the break-even financial basis upon which the system was placed at its inception.

I urge a favorable vote for H.R. 14904.

Mr. MORRISON. Mr. Chairman, I yield to the gentleman from Texas [Mr. PICKLE] as much time as he may desire.

Mr. PICKLE. Mr. Chairman, I support H.R. 14904 because it is right, because it is needed, and because careful study has shown it to be justified.

The arguments for and against this testimony have received what can be described as intensive scrutiny by the Postal Rates Subcommittee and the full House Post Office and Civil Service Committee. The record of their examination of the facts runs to 767 pages.

I can recall no recent instance of comparable careful assessment of the facts. Certainly the members of the committee should be congratulated on the manner in which they carefully and conscientiously performed their duty.

After hearing all sides, after examining all pertinent questions, both a subcommittee and the full committee reported this legislation by overwhelmingly favorable votes.

The facts presented in favor of H.R. 14904, when examined carefully, lead to one overwhelming conclusion: This legislation is in the public interest. I have received hundreds of letters from citizens and businessmen who support this legislation.

Right now the American people are paying more than ever before for less parcel post service than before 1951, when present parcel post law was passed.

This 1951 law sharply reduced the size and weight of parcels that could be shipped between first-class offices.

This law was the equivalent of saying to the Post Office: "We are going to take away all of your first-class mail that is easy to deliver, such as, say, gas bills, electric light bills, for delivery within a single city, and leave you with the first-class mail that must cover a long distance, say between Key West, Fla., and Point Barrow, Alaska. And if you cannot break even under these conditions, you must raise rates."

Well, if the Congress did enact such a law, a law which left the Post Office Department the mail which was expensive to deliver and removed from it the mail which was easy to deliver, then first-class mail, which now more than pays for itself, would soon be in the red, and costs would climb, and continue to climb.

What does not make sense for first-class mail, certainly cannot make sense for fourth-class mail.

I am for injecting both sense and economy into our postal operations and I hope that all who agree with me will join in voting for the passage of H.R. 14904.

Mr. MORRISON. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may revise and extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DULSKI. Mr. Chairman, I agree with my colleagues that the parcel post system raises some of the most complex and controversial issues ever considered by the House Post Office and Civil Service Committee or by this body.

As chairman of the Subcommittee on Postal Operations, I am well aware of the many difficulties the Post Office Department is encountering in its efforts to improve parcel post delivery, particularly their efforts to reduce the damage incurred in handling packages.

Also, as the ranking majority member on the Subcommittee on Postal Rates, which considered this legislation, I took an active part in the extensive hearings that were held both last year and this year.

I want to congratulate our very able chairman of the Subcommittee on Postal Rates, the Honorable JAMES H. MORRISON, for the patience and fairness he has exhibited during these hearings. The representative of one group who are opposed to this legislation went out of his way during the hearings to express his appreciation to the gentleman from Louisiana [Mr. MORRISON] for the fair and unbiased manner in which he conducted the hearings, particularly in his efforts to assure the opponents an opportunity to present their case. These are my sentiments exactly.

My review of the whole situation has convinced me that this legislation goes too far too fast. I am convinced that substantial legislative changes are needed, but I am as equally convinced that those private businesses which will be damaged by enactment of this legislation should be afforded a reasonable time during which they can make any necessary adjustments. I believe the effects of this bill should be spread over a period of years.

Parcel post problems have been with us for the last 60 years, and now we are attempting to solve all the difficulties within 90 days after date of enactment of this bill. The system has lost money every year but one in the last 20 years in spite of positive provision of law requiring the system to be operated on a break-even basis, and we now propose to impose inflexible restrictions to bring about a break-even basis within 90 days.

My primary concern about this legislation rests on the unproven allegations that the increase in the maximum limits of the size and weight of parcels will ruin the REA express agency within 6 months and result in the layoff of thousands of employees of the express company and of the transportation carriers which handle the express business.

I am fully aware that these allegations are denied by the proponents of this legislation, but here again these are unsupported denials. I see no necessity for taking such hasty action as proposed by this bill in the face of the unproven allegations, however remote their predictions may prove to be, without affording the express company and the employees who will be affected adequate time to make whatever adjustments may be necessary should those predictions come about.

Obviously, 90 days after date of enactment, as proposed in this legislation, is not sufficient.

I am of the opinion that the changes in the maximum size and weight limits should be spread over a period of time—3 years would be reasonable. This suggestion, accompanied by a greater increase in rates, I believe, would place the parcel post system on a near break-even basis.

I offered two amendments which were rejected during our committee deliberations of this bill, to carry out these recommendations. I felt that an increase in size from 72 to 85 inches, instead of to 100 inches as proposed by the bill, and an increase in weight from 20 to 30 pounds, instead of to 40 pounds as proposed by the bill, accompanied by a 10-cent increase per package in lieu of the 8 cents proposed by the bill, with further adjustments as may be necessary after a reasonable period of time—say 3 years—would help solve the major problems that have been raised in connection with the consideration of this legislation.

Mr. Chairman, without these amendments, I am opposed to this legislation in its present form.

Mr. MORRISON. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. KEOGH] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. KEOGH. Mr. Chairman, the parcel post reform legislation now before the committee would do many things to improve the service.

It would also save the U.S. Government and the taxpayers $107 million a year.

This bill is designed to end the parcel post deficit.

But it will also end discrimination against the 140 million Americans who live in urban areas, as well as be of enormous benefit to numerous private enterprises, small and large.

It will break a logjam of parcel post restrictions and produce the added revenue—$107 million worth—in the process.

Passage of this bill will permit the Post Office to operate parcel post services in a fiscally responsible manner.

Failure of the Congress to enact this bill will force the Post Office to continue operating parcel post services at an unwarranted loss. The changes made in parcel post regulations in 1951 established restrictive limits on shipment of packages between first-class post offices.

A limit of 20 pounds and 72 inches was set on packages shipped between first-class offices more than 150 miles apart, and 40 pounds and 72 inches was imposed on packages between first-class offices less than 150 miles apart.

The limit on packages shipped from second-, third-, and fourth-class offices remained at the traditional level of 70 pounds and 100 inches.

The restrictions imposed by the 1951 law have had a number of effects, all bad.

The Post Office had been forced to continue providing service on relatively large parcels shipped to and from rural areas. The cost of providing this service is high.

But the Post Office Department has been severely restricted in the parcels it can handle in urban areas.

The Department has lost much of the high volume, low cost service generated in urban areas.

The 140 million Americans living in urban areas are denied adequate parcel post service. Millions have been turned away from post office mailing windows as a result of the limitations. These restrictions have produced confusion and frustration.

The loss of so much of its high volume, low-cost service forced the Post Office to increase rates.

This rate increase caused a further decline in volume and additional rate increases were required. This undesirable spiral continues.

Although farmers and others in rural areas were supposedly not affected by the 1951 law because no change was made in the size of parcel post packages they could mail, they have suffered along with everyone else from the higher rates made inevitable by the restrictions on urban service.

The pending bill is a good one and should be passed.

I urge its favorable consideration.

Mr. MORRISON. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. HANLEY].

Mr. HANLEY. Mr. Chairman, there are more than 2 million small- and medium-size companies engaged in manufacturing, wholesale and retail business throughout the Nation who are affected by this bill. For most of these, a healthy parcel post service is essential to continuing their business. For most of these, parcel post is essential to receiving raw materials and to sending goods to customers. Most of these companies are not big enough, nor centrally situated so they can afford their own truck fleets or services of common carriers providing a limited scope of operations. This is the segment of our economy that was so adversely affected by Public Law 199.

Hampers, rugs, floor polishers, playpens, tape recorders, hassocks, and lamps are just a few of the thousands of items on which Congress declared a legal embargo some 15 years ago. Passage of this bill will once again permit the unrestricted manufacturing and commerce of these and many other items. It is estimated that size and weight reform will generate between 50 to 80 million new parcel shipments not now existing since the passage of Public Law 199.

These new parcel shipments will once again be created as small businessmen find they can ship and receive these medium size parcels at reasonable prices with reliable service.

These new parcels will be generated once the average citizen learns it is possible again to send medium size gifts and other type parcels through the mails at a reasonable price. The public has been forced by Public Law 199 to think small when selecting gifts because of the unreasonable restrictions on size and weight of parcel post. Bulky items which formerly were mailed as a matter of convenience are now handcarried because there is no readily available service for medium-size parcels.

The exasperation experienced by the average citizen when he presents a medium-size parcel at a post office service window only to learn that it exceeds

72 inches or 20-pound limit and, therefore, is nonmailable, has alienated many who formerly relied on the parcel post service. The more realistic size and weight limits incorporated in this legislation will permit the American people to make use of parcel post and parcel post will once again be a reliable means for the shipment of medium-size parcels. And, as I indicated earlier, 50 to 80 million parcels would be new business.

If we are to achieve a parcel post service that is healthy and compatible with the needs of the 2 million small businesses, the American people in general, and small towns and rural areas in particular, passage of this bill is imperative.

Mr. MORRISON. Mr. Chairman, I yield myself 2 minutes.

Gentlemen, to conclude the debate, I point out that in all these hearings the REA express company never made a case that they were going to go out of business. Instead of going out of business, or planning to go out of business if this legislation is enacted, at this time they are planning a huge reorganization to handle more and more parcels of different types than the ones we are considering here today.

During the full committee hearings, our distinguished colleague from Illinois [Mr. DERWINSKI] made a very fine argument, as he has today, but he did not convince many of the members of the full committee, because we voted this bill out 17 to 3.

I do not believe, and I know the majority of the members of the committee do not believe, that all these people of the REA express company, or the railway clerks, will lose many jobs. But if they do lose these jobs, as many as do lose jobs will be taken care of by the amendments that will be offered as soon as the bill is read and open for amendment.

I believe this legislation should be enacted. I believe the committee has gone into it on a solid basis. The Postmaster General and other officials have made a good case. The REA express company made a very poor case, as far as concerns showing they would go out of business. I do not believe the majority of the members of the committee ever believed they would.

Mr. CORBETT. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I recently called—in the last few minutes—the Chairman of the Civil Service Commission, and I spoke to him personally. He was not aware of this provision at the time our conversation was held, and he said he would look into it. I do not know if he will have time to call me back tonight.

I am expecting shortly a legal brief from the Railroad Brotherhoods, in which they will point out that this proposed amendment is entirely unworkable and perhaps illegal. Furthermore, if we would take the figure of 35,000—which is low—of the REA and railroad employees who are going to be displaced and who will be hired by the Post Office Department, this would cost the Post Office Department $245 million. Where in the world will the Post Office Department, all of a sudden, place 35,000 employees, even if it were legal to do so?

Mr. Chairman, this amendment is not workable. I am sure it is not legal. I believe it is something to take the sting out of all the opposition that has been registered against this piece of legislation.

The statement by the council of affected employees follows:

COMMENTS ON EMPLOYEE PROTECTIVE AMENDMENT OFFERED BY MR. MORRISON TO SECTION 3 OF H.R. 14904 BY AFFECTED EMPLOYEES COUNSEL

As effective protection, Mr. MORRISON'S amendment is deficient in the following six categories:

1. The Civil Service Commission is the final arbiter of any dispute as to whether an employee has or has not been affected by the operation of the provisions of Section 3. This is equivalent to permitting one of the parties in interest to judge the outcome of the case.

2. Assuming the CSC could be completely objective in each individual case, its decision that an employee was entitled to government employment could be vitiated by offering him a Post Office job at a distant point thereby requiring him to move to another city. There is no provision for moving expenses or for loss on the sale of a home, etc. Most employees would undoubtedly turn down any such offer thereby eliminating any obligation which the government might have to them under this amendment.

3. There is no restriction as to the type of job which might be offered an employee. For example, a man who had worked at a desk for 20 years might be given a job of a postman, which he physically could not handle.

4. There is no provision for training or retraining and employees could be placed in jobs and then disqualified for incompetence.

5. Subsection (c) of the amendment purports to protect employees against loss of railroad retirement benefits, etc., but is worded so as to be meaningless since the benefits referred to, in many cases, have not vested in the employees who would be affected. Also, the subsection seems to protect against subsection (b) affecting an employee's rights whereas it is subsection (a) which would affect those rights.

6. There is no protection afforded the employees of REA Express or other carriers who will be placed in lower paying jobs or required to move to other points because of the abolishment of their jobs and their subsequent exercise of seniority in order to maintain employment with their respective carriers. The amendment would only protect those employees who ultimately lose employment with REA Express or other carriers and provides nothing for those employees who would remain with their present employers but who would be placed in lower paying jobs or otherwise adversely affected.

Mr. MORRISON. Mr. Chairman, I yield myself 1 additional minute.

Mr. Chairman, I point out that the number of employees the Railway Express Agency stated would lose their jobs was 4,700 employees at the most. The number would not be anywhere near what the gentleman from Nebraska stated it would be.

I believe the majority of the committee felt that even that figure was high. We doubted that even half that many employees would lose their jobs.

As far as the legality of this amendment is concerned, we have checked and verified it with all the people who are in charge of the legal proceedings of the Post Office Department, with the Civil Service Commission experts, with counsel of our committee, and with the Office of the Legislative Counsel of the House.

Mr. CORBETT. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, the gentleman from Louisiana is talking about the 4,700 REA employees. What about the 44,000 brotherhood employees? What are they going to do?

Mr. MORRISON. Nothing is going to happen to them. They will probably need more employees on the railroads, if they keep the passenger trains on, to carry the additional parcels the Post Office Department will have under this bill to give to the railroads.

Mr. CUNNINGHAM. That is not true.

Mr. MORRISON. It is true.

Mr. CUNNINGHAM. They will lose jobs. We have a definite statement to that effect. Other employees, not railroad employees, will be handling those parcels.

Mr. MORRISON. I do not agree that anyone would lose a job, but if anyone does he will be able to be hired by the Post Office Department.

Mr. CUNNINGHAM. Then the gentleman disagrees with Mr. Dennis, the head of the Railroad Brotherhoods, who is a very fine man and who knows his business.

Mr. HENDERSON. Mr. Chairman, on behalf of my constituents in the State of North Carolina, I urge enactment of H.R. 14904, to end the present confusing and discriminatory provisions limiting certain parcel post mailings between first class post offices and to provide other needed revisions in parcel post law.

To illustrate how discriminatory these provisions can be: a resident of Wallace, N.C., may mail a parcel with 73-inch dimensions to Apex, N.C., but he cannot send the same parcel post package to Concord, N.C. He may send a 21-pound parcel to Chapel Hill, N.C., but not to Asheville, N.C.

I submit these provisions, limiting parcels between some offices and not between others—between some citizens and not others—are inequitable and have long needed revisions, as our hearings in the House Post Office and Civil Service Committee have shown so graphically.

I shall vote for approval of this measure, in the interest of my constituents, and in the general public interest, and I urge my colleagues to do so.

Mr. BINGHAM. Mr. Chairman, like many of my colleagues, I originally had serious misgivings about the parcel post bill, H.R. 14904, before us today. Specifically, I was deeply troubled about the potential impact of the bill on many thousands of workers employed by the Railway Express Agency. Although the Postmaster General had stated his intention to hire any REA workers who might be dislocated by the effect of passage of this bill, I did not see how this could be done under existing civil service laws.

The assurances of employment opportunity now to be written into the law pursuant to the amendment proposed by the gentlemen from Louisiana [Mr. Morrison], has set my doubts to rest and I am satisfied that the employees of REA will be adequately protected.

I am therefore supporting the bill, because it offers many advantages for the people I represent in New York City. For example, although the parcel post rates would be increased by about 8 cents a package by this bill, failure to pass it would result in a 14-cent-per-package increase under the terms of existing law.

Second, and equally important, the discrimination against big city residents in terms of the size and weight of parcel post packages would be removed by this bill. Right now, one of my constituents can use parcel post to a major city more than 150 miles away only if the package weighs not more than 20 pounds and the measure of the length plus the girth of the parcel is not more than 72 inches. If either the sender or recipient is served by a second-, third- or fourth-class post office—outside the large cities—the package could weigh up to 40 pounds and the measurements could total up to 100 inches. The result of the discrimination has been to penalize big city residents who were forced to use other means of shipment, such as REA, with minimum charges of $4 per parcel. This discrimination is eliminated by this bill.

Finally, enlargement of the parcel post service which can be rendered by the Post Office will, we are told, actually reduce the cost per package. This should keep down parcel charges and thereby help in the fight against rises in the cost of living which oppress the middle-income people whom I represent. Every effort that can be made to combat the upward trend in the cost of living should be pursued if it does not reduce valuable public services. This bill appears to me to move in the right direction without requiring any group of workers to make a sacrifice.

Mr. PUCINSKI. Mr. Chairman, H.R. 14904, a bill to seriously alter, among other things, the size of packages which can be handled by the Post Office, is one of the most difficult bills to come before this House.

On the one hand we are mindful of efforts to reduce Federal expenditures by helping make the postal service pay its own way as much as possible. The proposal before us today is to permit the Post Office to handle larger size packages. There would appear to be no problem in this decision, except for the fact that we have been told by hundreds of people employed today by the Railway Express that if this bill goes through, they will have to drop many of their employees because of the anticipated drop in volume by REA.

I have no intention of supporting legislation which will drive people from their jobs. I am encouraged, however, Mr. Chairman, by the chairman of the committee reporting this bill that for a 2-year period after enactment of this legislation—if it is indeed approved by the House and the Congress—any employee of REA or any other package delivery company who can show he lost his job as a result of this legislation, will be hired by the postal service in the same grade and rate of pay received from his present employer.

I am further assured, and I make this statement here today for the express purpose of establishing legislative intent, that any displaced employee hired by the postal service will be given full credit for his years of service with his former employer and those years of credit will not only apply to the civil service grade which such employee will assume upon joining the postal service, but furthermore all years of previous employment will be credited toward retirement.

Those people who are now employed by REA and other such services, Mr. Chairman, have a right to expect, on the basis of statements presented here during debate today, that even if there shall be a reduction in force in their present private employment because of this legislation, the individual worker will not suffer any economic hardship or loss.

The only question remaining, Mr. Chairman, is how will we determine that a person has been dislocated from previous employment because of increased competition from the Government postal service?

Again, in order to establish legislative intent, I understand the chairman of this committee and the Government officials involved, including those from the Civil Service Commission, will accept from a private employer a simple certification that he has found it necessary to eliminate an employee or a group of employees because his volume has dropped off as a result of competition from the Government postal service. I stress this, Mr. Chairman, so that the Civil Service Commission will not, subsequent to the passage of this bill, establish a cumbersome and legalistic procedure which will make it impossible for a terminated employee to take full advantage of this legislation and obtain employment in grade in the postal service.

Finally, Mr. Chairman, it is my understanding that when an employee is severed from his present private employment because of competition from the postal service, he will be given an assignment with the Post Office in the same locality or general area where he is now employed. I stress this to establish an intent of Congress that we do not intend to have people offered jobs in the postal service in faraway or remote areas from their present residence.

Mr. Chairman, I hope that the intent of Congress, which I have spelled out here in these remarks today, will help assure those who have expressed deep concern over this legislation that their jobs and means of livelihood will not be adversely affected.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 67 of title 39, United States Code, is amended by adding at the end thereof the following new sections:

"§ 4556. Postage rates on parcel post

"(a) Except as otherwise provided in this section and subject to section 4558 of this title, the rates of postage on fourth-class parcel post are based on the zones described in section 4553 of this title in accordance with the following table:

"CENTS PER PARCEL

"Weight 1 pound and not exceeding (pounds)	Zones							
	Local	1 and 2	3	4	5	6	7	8
2	35	50	50	55	60	65	75	80
3	40	55	55	65	70	80	90	100
4	40	60	65	70	85	95	110	120
5	45	65	70	80	95	110	125	140
6	45	70	75	90	105	125	140	160
7	45	75	85	95	115	135	160	180
8	50	80	90	105	125	150	175	200
9	50	85	95	110	135	160	190	220
10	55	90	100	120	145	175	205	240
11	55	95	110	125	155	185	220	255
12	55	100	115	135	165	200	235	275
13	60	105	120	140	175	210	250	290
14	60	110	125	150	185	220	270	310
15	65	115	130	155	195	235	285	325
16	65	120	140	165	205	245	300	345
17	65	125	145	170	215	255	315	360
18	70	130	150	180	230	270	330	380
19	70	135	155	185	240	280	345	395
20	75	140	160	195	250	295	360	415
21	75	145	165	200	255	305	375	430
22	75	150	170	205	265	315	385	450
23	80	150	175	215	275	325	400	465
24	80	155	180	220	280	335	415	480
25	85	160	185	225	290	350	430	500
26	85	165	190	235	300	360	445	515
27	85	170	195	240	305	370	455	535
28	90	170	200	245	315	380	470	550
29	90	175	205	250	325	390	485	565
30	90	180	210	260	335	405	500	585
31	95	185	215	265	340	415	515	600
32	95	185	220	270	350	425	525	620
33	100	190	225	280	360	435	540	635
34	100	195	230	285	365	445	555	650
35	100	200	235	290	375	460	570	670
36	105	205	240	295	385	470	585	685
37	105	205	240	305	390	480	595	705
38	110	210	245	310	400	490	610	720
39	110	215	250	315	410	500	625	735

"CENTS PER PARCEL—Continued

"Weight 1 pound and not exceeding (pounds)	Zones							
	Local	1 and 2	3	4	5	6	7	8
40	110	220	255	320	420	515	640	755
41	115	220	260	330	425	525	655	770
42	115	225	265	335	435	535	665	785
43	115	230	270	340	445	545	680	800
44	120	235	275	350	450	555	695	820
45	120	240	280	355	460	570	710	835
46	125	240	285	360	470	580	725	850
47	125	245	290	365	475	590	735	865
48	125	250	295	375	485	600	750	880
49	130	255	300	380	495	610	765	900
50	130	255	305	385	505	625	780	915
51	130	260	310	390	510	635	790	930
52	135	265	315	400	520	645	805	945
53	135	265	320	405	525	655	820	960
54	140	270	320	410	535	760	830	980
55	140	275	325	415	545	680	845	995
56	140	275	330	420	550	690	885	1,010
57	145	280	335	430	560	700	870	1,025
58	145	285	340	435	565	710	885	1,040
59	150	285	345	440	575	720	895	1,060
60	150	290	350	445	585	735	910	1,075
61	150	295	355	450	590	745	920	1,090
62	155	295	360	460	600	755	935	1,105
63	155	300	365	465	605	765	950	1,120
64	155	300	370	470	615	775	960	1,140
65	160	305	375	475	625	790	975	1,155
66	160	310	380	480	630	800	985	1,170
67	165	310	385	490	640	810	1,000	1,185
68	165	315	390	495	645	820	1,015	1,200
69	165	320	395	500	655	830	1,025	1,220
70	170	320	395	505	665	845	1,040	1,235

parcels weighing less than ten pounds and measuring more than eighty-four inches but not more than one hundred inches in length and girth combined are subject to a minimum postage rate equal to the postage rate for a ten-pound parcel for the zone to which the parcel is addressed.

"(c) Subject to section 4558 of this title, the postage rate on gold mailed within Alaska or from Alaska to other States and possessions of the United States, including the Canal Zone and the Trust Territory of the Pacific Islands, and the Commonwealth of Puerto Rico is 2 cents for each ounce or fraction thereof regardless of zones.

"§ 4557. Postage rates on catalogs

"(a) Subject to section 4558 of this title, the rates of postage on fourth-class catalogs, having twenty-four or more pages at least twenty-two of which are printed and weighing sixteen ounces or more but not exceeding ten pounds, are based on the zones described in section 4553 of this title in accordance with the following table:

"CATALOGS

"Weight (pounds)	Zones							
	Local	1 and 2	3	4	5	6	7	8
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
1.5	23	29	30	31	33	35	38	41
2	24	30	32	33	36	39	42	46
2.5	25	32	33	36	39	42	46	51
3	26	33	35	38	42	46	51	57
3.5	27	35	37	40	44	49	55	62
4	28	36	39	42	47	53	59	67
4.5	29	38	41	45	50	56	64	72
5	30	39	42	46	53	60	68	77
6	32	42	46	51	59	67	77	88
7	34	45	50	56	64	74	85	98
8	36	48	53	60	70	81	94	109
9	38	51	57	65	76	88	104	119
10	39	54	60	69	81	95	112	129

"(b) Subject to section 4558 of this title, the rates of postage on catalogs conforming to subsection (a) of this section, when mailed in quantities of not less than three hundred individually addressed pieces at one time and when prepared and mailed in accordance with conditions established by the Postmaster General, consist of a piece rate in addition to a bulk rate per pound, based on the zones described in section 4553 of this title, in accordance with the following table:

"Zone	Piece rate	Bulk pound rate
	Cents	*Cents*
Local	17	1.9
1 and 2	21	3.0
3	21	3.6
4	21	4.6
5	21	5.7
6	21	7.1
7	21	8.7
8	22	10.4

"§ 4558. Reformation of conditions of mailability

"(a) Whenever the Postmaster General finds that, as a continuing situation,—

"(1) the acceptance, as fourth-class mail, of mail matter otherwise legally acceptable in the mails is being prevented, or

"(2) the revenue from the fourth-class mail service is less than the cost of such service or that the revenue from such service is greater than the cost thereof, or

"(3) any other condition exists with respect to the fourth-class mail service which is impairing the efficient and economic operation of such service,

by reason of—

"(A) the rates of postage on fourth-class mail (other than the rates prescribed by sections 4422, 4554, and 4651 to 4654, inclusive, of this title), or

"(B) the classification of articles mailable as fourth-class mail, or

"(C) the postal zone structure or the method used in establishing such structure, or

"(D) any other condition of mailability as fourth-class mail (other than size and weight limits),

he shall file with the Interstate Commerce Commission a request to—

"(i) increase or decrease, as he deems advisable, any rate or rates of postage on fourth-class mail (other than the rates prescribed by sections 4422, 4554, and 4651 to 4654, inclusive, of this title), or

"(ii) reform any condition or conditions of mailability within the purview of subparagraphs (B), (C), and (D) of this subsection, or

"(iii) take both such actions.

"(b) The request of the Postmaster General under subsection (a) of this section for an increase or decrease in any rate or rates of postage or for reformation of any other condition or conditions of mailability, or both, shall be deemed approved on the thirtieth day following the date on which the Postmaster General files such request with the Interstate Commerce Commission, and shall become effective in accordance with the terms of the request, unless, prior to the expiration of such thirtieth day—

"(1) such request is rejected by the Commission, or

"(2) the Commission orders an investigation of such request.

If final determination by the Commission, on the basis of such investigation, is not made prior to the expiration of the one hundred and eightieth day after the date of the filing of such request with the Commission, such request shall be deemed approved at the close of such one hundred and eightieth day and shall become effective in accordance with its terms.

"§ 4559. Certification on fourth-class mail revenue-cost relationship

"The Postmaster General shall not withdraw from the general fund of the Treasury any funds appropriated to the Department for any fiscal year, until he has certified in writing to the Secretary of the Treasury that—

"(1) he has reason to believe that the revenues from the rates of postage on fourth-class mail (other than fourth-class mail for which the rates are prescribed by sections 4422, 4554, and 4651 to 4654, inclusive, of this title) will not be greater than the costs thereof by more than 4 per centum and will not be less than the costs thereof by more than 4 per centum; or

"(2) he has filed with the Interstate Commerce Commission a request for the establishment or reformation of rates or other conditions of mailability, or both, in accordance with section 4558 of this title, with the objective that the revenues of such fourth-class mail will not be greater than the costs thereof by more than 4 per centum, or will not be less than the costs thereof by more than 4 per centum.

Certificates required by this subsection shall be based on the volume data published in the most recent Cost Ascertainment Report of the Department.".

(b) The table of contents of such chapter 67 is amended by adding at the end thereof the following:

"4556. Postage rates on parcel post.

"4557. Postage rates on catalogs.

"4558. Reformation of conditions of mailability.

"4559. Certification on fourth-class mail revenue-cost relationship.".

SEC. 2. (a) Section 4553 of title 39, United States Code, is amended by adding at the end thereof the following new subsections:

"(c) The Postmaster General shall use units of area containing postal sectional center facilities as the basis of a postal zone as described in subsection (b) of this section. The zone shall be measured from the center of the unit of area containing the dispatching sectional center facility. A post office of mailing and a post office of delivery shall have the same zone relationship as their respective sectional center facilities, but this sentence shall not cause two post offices to be regarded as within the same local zone.

"(d) In addition to the eight zones described in subsections (b) and (c) of this section, there is a local zone as defined by the Postmaster General from time to time.

"(e) The foregoing provisions of this section are subject to section 4558 of this title.".

(b) Section 4303(d)(1) of title 39, United States Code, is amended by striking out "established for fourth class mail" and inserting in lieu thereof "described in section 4553, or prescribed pursuant to section 4558, of this title".

(c) Section 4359(e)(3) of title 39, United States Code, is amended by striking out "established for fourth class mail" and inserting in lieu thereof "described in section 4553, or prescribed pursuant to section 4558, of this title".

Sec. 3. Section 4552 of title 39, United States Code, is amended to read as follows:

"(a) The maximum size of fourth class mail is one hundred inches in girth and length combined, and the minimum weight is sixteen ounces.

"(b) The maximum weight of fourth class mail is forty pounds, except that the maximum weight is seventy pounds for parcels—

"(1) mailed at, or addressed for delivery at, a second-, third-, fourth-class post office or on a rural or star route;

"(2) containing baby fowl, live plants, trees, shrubs, or agricultural commodities but not the manufactured products of those commodities;

"(3) consisting of books, films, and other materials mailed under section 4554 of this title;

"(4) addressed to or mailed at any Armed Forces post office outside the fifty States;

"(5) addressed to or mailed in the Commonwealth of Puerto Rico, the States of Alaska and Hawaii, or a possession of the United States including the Canal Zone and the Trust Territory of the Pacific Islands; and

"(6) consisting of reproducers of sound reproduction records for the blind or parts thereof, and of braille writers and other appliances for the blind or parts thereof, mailed under section 4654 of this title.".

Sec. 4. (a) The paragraph under the heading "GENERAL PROVISIONS" under the appropriations for the Post Office Department contained in chapter IV of the Supplemental Appropriation Act, 1951 (64 Stat. 1050), as amended by section 213 of the Postal Rate Increase Act, 1958 (72 Stat. 143; 31 U.S.C. 695), is repealed effective as of July 1, 1966.

(b) Section 207(b) of the Act of February 28, 1925 (43 Stat. 1067), as amended by section 7 of the Act of May 29, 1928 (45 Stat. 942), is repealed as of the effective date of the first section of this Act.

Sec. 5. The provisions of the first section and sections 2 and 3 of this Act shall become effective on the first day of the first month which begins at least ninety days after the date of enactment of this Act.

Mr. MORRISON (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, that it be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AMENDMENT OFFERED BY MR. MORRISON

Mr. MORRISON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Morrison: On page 8, line 20, insert "(a)" immediately following "Sec. 3."; and

On page 9, immediately following line 20, insert the following:

"(b) Each person—

"(1) who, on the date of enactment of this Act, is in the employment of a private carrier engaged in the transportation and delivery of parcels other than United States mail,

"(2) who, within two years after the effective date of this subsection, is involuntarily separated from such employment by reason of a reduction in the activities of such carrier which is, in the determination of the United States Civil Service Commission made on the basis of evidence satisfactory to the commission, directly or indirectly attributable to the operation of the provisions of this Act,

shall be entitled, upon his application filed with the Commission at any time after notice is given by such carrier to such person of his prospective or actual involuntary separation but not later than one year after the date of such involuntary separation, to the benefits of the following provisions:

"(A) If the Commission finds that such involuntary separation was directly or indirectly attributable to the operation of the provisions of this Act, the Commission shall notify the Postmaster General to that effect. Pursuant to such notification, the Postmaster General shall appoint such person, with competitive status, to a regular position in the competitive civil service in or under the Post Office Department.

"(B) Such appointment shall be to a position in a salary level of the Postal Field Service Schedule, or in a grade of the General Schedule of the Classification Act of 1949, for which (i) the minimum per annum rate of basic compensation is less than his rate of compensation in effect immediately prior to his involuntary separation and (ii) the maximum per annum rate of basic compensation exceeds his rate of compensation in effect immediately prior to his involuntary separation.

"(C) Each employee so appointed shall be placed in the lowest step of the salary level or grade to which he is appointed for which the rate of basic compensation exceeds his rate of compensation in effect immediately prior to his involuntary separation.

"(D) In the determination of length of service for the purposes of leave, retirement, veterans' preference, group life and health insurance, severance pay, tenure, training, promotion, and status, all service performed by such person in the employment of such carrier shall be included and credited.

"(c) Subsection (b) of this section shall not be held or considered to reduce any retirement benefit or pension benefit to which any person within the purview of such subsection (b) is entitled under any other law.

"(d) A regular employee in the postal field service shall not be reduced to substitute status by reason of the operation of subsection (b) of this section.

"(e) For the purposes of subsections (b) and (c) of this section, the term 'person' means an 'employee' as defined in section 1 of the Railway Labor Act, as amended (45 U.S.C. 151), or as defined in section 2 of the Labor Management Relations Act, 1947 (29 U.S.C. 152)."

Mr. MORRISON. Mr. Chairman, this is the amendment that I spoke about when we were debating the rule on this legislation. It gives any employee on any carrier or the Railway Express Agency who loses his job an opportunity to have a job and he will be given a job with the Post Office Department. The Postmaster General has said that with all of the estimates of those who will lose their jobs given—and even if they have above the estimates given before our committee—the Post Office Department would still be able to employ all of them and even employ an additional number if their estimates were found to be relatively low.

Mr. Chairman, this amendment is something that will give any man who might lose his job a permanent postal job. You certainly have to look at this fact: Since 1952 the Railway Express Agency laid off over 10,000 employees. For not one of those employees did the Railway Express Agency try to save seniority or try to find another job at the same salary that they were making.

That is what this amendment does. It fixes it so that any Railway Express company employee or carrier employee who loses his job because of the bill will have a job with the Post Office Department with status and seniority rights. In addition to that, he will be placed in a position by the Postmaster General at a salary higher than the compensation he was receiving from his private employer. He will be granted full civil service status immediately upon appointment. He will receive credit for service with his former employer for the purpose of leave, retirement, veterans' preference, group life and health insurance, severance pay, tenure training, promotion, status, and all other rights and benefits conferred by law on Government employees. These are substantial benefits which should be equal or greater than those provided in his prior employment.

The amendment will also guarantee that it will not operate to reduce any retirement or pension benefits to which an employee is entitled and will not cause a regular employee in the postal field service to be reduced to a substitute.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from California.

Mr. MILLER. When this law went into effect in 1952 reducing the size of parcel post, it caused some dislocation in the Post Office Department. Did the Railway Express Agency make any effort to pick up the postal employees who lost their jobs and their ratings as a result of turning this business over to the REA?

Mr. MORRISON. No, they did not try to relocate a single one of them.

Mr. Chairman, I will conclude by saying that the gentleman from California is correct in that thousands of post office jobs were lost. The public was inconvenienced tremendously, and the express company was not saved, as they said they would be, because they laid off over 10,000 people. They did not try to place their separated employees in other jobs when they laid them off.

Mr. DANIELS. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. Yes. I yield to the gentleman.

Mr. DANIELS. I might point out when the 1951 law did go into effect it was unnecessary for the Post Office Department to lay off any employees because there is a natural attrition in the Post Office Department of about 60,000 employees each year. This occurs by reason of resignations and by reasons of death or retirement.

Mr. Chairman, I believe if the members of the committee will look at the figures or if they will read the testimony that came before the committee, they will find that there is a natural turnover of 50,000 to 60,000 jobs annually.

Mr. THOMPSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Texas.

Mr. THOMPSON of Texas. Mr. Chairman, I am very much in favor of this legislation. It is my opinion that the Committee on Post Office and Civil Service has done a very fine job in putting it together.

Mr. Chairman, in March of this year the Reader's Digest published a study in depth of what it called the "Crisis in the Post Office." This magazine has a circulation of 26 million—the largest in the world. Its viewpoint is significant. What it has to say to the American people ought to be of interest to the Congress.

And what it has to say about the crisis in the Post Office is summed up in bold red type at the head of the article. It is:

> Postal authorities know just what's wrong with the mail system, and they know how to fix it. The question is: Will they be allowed to?

This is exactly the question confronting the House today. Will the Postmaster General be allowed to remedy the arbitrary nature and insolvent position of the parcel post system or will the powerful pressure groups generally bent on preserving the status quo once again be successful.

The Postmaster General has made his case. He has shown that he knows how to fix it.

His case is that 140 million Americans living in urban areas are being arbitrarily discriminated against with respect to the size and weight of parcels they can mail.

The Postmaster General had documented the fact that tens of thousands of these citizens are turned away at post office windows at Christmastime and at other times when their packages do not meet these artificial size and weight requirements that are not imposed upon other Americans.

He seeks an increase in parcel post and catalog rates to make his parcel post service financially self-sufficient.

He wants to simplify postage computations so that the average citizen can more easily use the parcel post service provided by the Government.

And finally, with this assistance, he will continue to face up to the legal requirement that he certify annually to the President and the Congress that he has taken action to bring revenues into line with costs.

The postal service today is a matter of national concern. The laudable efforts of Postmaster General O'Brien to improve this service was the subject of a front page article in the Sunday New York Times earlier this month. This article makes it clear that he is doing everything possible to improve this service.

But Congress cannot escape part of the responsibility. The time is passed when we can blame it all on the Postmaster General. Specifically, the issue before the House today is whether legislative restrictions shall be lifted so that the postal service may be broadened, improved, and made more solvent.

In another study in depth of the postal service entitled "What's the Matter With the Mails?" published in the Reporter magazine in February 1965, the point is made that to very significant degree the Postmaster General is saddled with the responsibility but does not have the power to meet that responsibility which resides with the Congress.

The Congress decides what prices shall be charged to the postal service and what wages shall be paid to postal workers. And in the issue before the House today it decides what kind of parcel post service will be rendered to America.

I suggest that we decide that that service should and will be improved and that we authorize the Postmaster General to improve it by approving this bill recommended by the overwhelming majority of the Post Office and Civil Service Committee.

Mr. CUNNINGHAM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe the Members should know something about the REA.

Mr. Chairman, the REA was in bad shape, up until about 1957, I believe it was, when a very intelligent young man by the name of Johnson came in to head it up. Since then they have expanded all over the country. They have built new terminals. They have just broken even one might say in the last couple of years, and I believe that now they may be making a little profit and they continue to grow and provide expanding services.

So, Mr. Chairman, let us not go back to the old, old days when the REA was not in good financial condition; for what reasons, I do not know. Today the REA is a vigorous organization and I hate to see it destroyed.

I would say also, Mr. Chairman, as I said before, that this bill has received so much criticism that this amendment, if adopted, is designed to attempt to fool some people and take some people off the hot spot.

Incidentally, Mr. Chairman, this amendment shows how speedily this bill moved. It was never offered in the Committee on Post Office and Civil Service. I do not know why it was not offered in the committee, if it were such a good amendment. It should have been offered there and we could have come in with a clean bill. However, it was not offered. My colleague, the gentleman from New Jersey [Mr. KREBS], offered an amendment along the same vein but not in this exact language. The gentleman's amendment was overwhelmingly shouted down in the committee.

So, Mr. Chairman, I want the Committee to know that this amendment was never considered by the Committee on Post Office and Civil Service.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Chairman, I offer a substitute to the amendment.

The Clerk read the substitute amendment, as follows:

Amendment offered by Mr. DERWINSKI as a substitute for the amendment offered by the gentleman from Louisiana, Mr. MORRISON: On page 10, immediately following line 6, insert the following:

"SEC. 5. Each former employee of a private carrier engaged in the transportation and delivery of parcels, who incurs an involuntary separation from his position with such carrier, at any time after the effective date of this section, as a result of a loss of business in any way traceable, in the judgment of the United States Civil Service Commission, to the operation of this Act shall be entitled, upon application submitted to the Commission within six months after such involuntary separation, to appointment on a competitive status basis to a position in the Post Office Department in the competitive civil service, and shall be entitled to receive special appropriate courses of training which the Postmaster General shall provide. Such appointment shall be at the lowest rate of compensation of the appropriate grade or salary level which is not less than his rate of compensation immediately before his involuntary separation. Service performed by such person for such carrier shall be counted in determining his length of service for purposes of employment rights and benefits of Federal employees, including leave, retirement, severance pay, training, promotion, and status. A regular employee in the postal field service shall not be reduced to substitute status by reason of the provisions hereof."

On page 10, line 7, renumber "SEC. 5." as "SEC. 6.".

On page 10, line 8, strike out "2 and 3" and insert in lieu thereof "2, 3, and 5".

Mr. DERWINSKI. Mr. Chairman, if it were not contrary to the normal practice in the House, I would refer to this amendment as the Derwinski-Morrison substitute. But technically I cannot include the name of the distinguished gentleman from Louisiana in connection with my proposal at this point.

They are very close together. The only difference between the substitute that I have offered and the original amendment of the gentleman from Louisiana is that in the amendment offered by Mr. MORRISON there is a 2-year limit in which the REA and other railroad employees would be hired by the Post Office. My substitute has no limitation whatsoever. So it is more flexible and more practical in that regard.

Then also, as I pointed out to the Members earlier, because of the great regard I have for our great Postmaster General, I have tried to incorporate much of the phraseology of his letter, which has been referred to, into my amendment so that when the gentleman from Louisiana [Mr. MORRISON] uses the language "directly or indirectly attributable to the operations of the provisions of the act," I use the Postmaster's language and say that "any employee whose loss of a job is in any way traceable to this act shall be hired" and that then certain procedures will then take place.

The other difference is that the gentleman from Louisiana allows for 1 year after the date of involuntary separation for someone to be hired by the Post Office. I provide for 6 months because I wish to keep the unemployment period as brief as possible.

The other provisions are the same. We ask in this substitute amendment for a special training program for employees, which is not provided in the original Morrison amendment. Otherwise, it is the same in regard to the employee benefits, the retention of pension rights, and so forth and so on. It protects the Post Office employees—which is the same phrase used by the gentleman from Louisiana.

Now I would like to point out to the Members, however, that these amendments dramatize one interesting thing. The statement has been made repeatedly that any employee of the REA who loses his job as a result of this bill will be hired by the Post Office Department and appropriately protected.

I would ask anyone of the members of the committee if this means that if the president of the REA should lose his position or if that firm should go bankrupt would he be hired at the same salary by the Post Office Department? If so, where could we fit him in the Post Office Department—above or below our great Postmaster General? Because under this amendment by the gentleman from Louisiana [Mr. MORRISON] technically the president of the REA would be entitled to a Post Office position and I imagine at a rather high salary position at that.

Mr. DANIELS. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman.

Mr. DANIELS. Is the gentleman now in the well of the House aware of the salary of the former president of the REA, Mr. Johnson, just prior to his retirement?

Mr. DERWINSKI. No, I am not.

Mr. DANIELS. Would you be alarmed to know that he received a salary of $85,000 per year?

Mr. DERWINSKI. I would not be alarmed—I would like to change places with him.

Mr. DANIELS. Then what would you make him—President of the United States instead of Postmaster General?

Mr. DERWINSKI. This, may I say to the gentleman from New Jersey [Mr. DANIELS] is the problem that you distinguished gentlemen face because you promised to hire these people. I imagine you might make him a roving ambassador to the railroads of the world or other such things of that nature.

The point is, Mr. Chairman, that we would not need this amendment if we did not have section 3 in the bill. All that I am doing by my substitute is to try to put extra language in this fine amendment offered by the gentleman from Louisiana and perhaps expedite this entire proceeding if my substitute were accepted and we could all move along in much more effective fashion.

Mr. MORRISON. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, the gentleman's substitute amendment is not specific. It is very vague. It is inadequate and it just confuses the whole wording of my amendment.

The gentleman has brought up a point about the president of the REA. If the gentleman had listened to my remarks earlier in general debate, he would have heard that I said only employees and minor officials would be included. These are the ones who are described this way in my amendment for the purposes of subsection (b) and (c) of this section, the term person means employee as defined in section 1 of the Railway Labor Act, as amended, or as defined in section 2 of the Labor Management Relations Act of 1947. Nobody higher than minor officials would be included.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman.

Mr. DERWINSKI. Would the gentleman think that some of the skilled talent in the upper echelons of the REA might be effectively used to upgrade the services of the Post Office Department?

Mr. MORRISON. The talent of the Railway Express Agency is in such demand, I understand, that the former president of the Railway Express Agency, Mr. William Johnson, has recently gone to work for the Illinois Central Railroad as president at a good salary. I am sure he richly deserves the salary, as he has always done an outstanding job. Even if he did come under the Railway Retirement Act, which he does not, I do not think he would be interested in going to work for the Post Office Department.

Mr. DERWINSKI. Of course, one of the reasons that he is given such a high salary is that he is required to pay stiff income taxes necessary, in part, to pay for the Post Office deficit.

Mr. MORRISON. The gentleman is against this bill. He voted against it in committee. He spoke against it here. All his substitute would do would be to confuse and hurt my amendment and the bill as well. I urge that the amendment be rejected.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes.

Mr. GROSS. Mr. Chairman, I supported this bill in committee and I support it now, but without either of these amendments. Both of them—the amendment offered by the gentleman from Louisiana [Mr. MORRISON], and certainly the substitute by the gentleman from Illinois—go much too far. I have had differences with Postmaster Generals in the past and I carry no torch as such for the present Postmaster General. But I am willing to rely upon the letter, which he provided the Post Office and Civil Service Committee, asserting he would give jobs to those who might become unemployed and who are qualified to hold positions in the Post Office Department.

Mr. Chairman, just before this bill was reported out of the full committee an amendment of practically the same content as that now pending by the gentleman from Louisiana [Mr. MORRISON] was offered. It was rejected almost out of hand.

I urge you here this afternoon not to set a precedent of guaranteeing employment to those who may lose their jobs. What will be the situation if all other departments and agencies of the Government are forced by law to hire the unemployed of any company or corporation which has had a direct or indirect relationship with the Federal Government? No department or agency should be mandated in this fashion and I ask for the defeat of both the Morrison amendment and the Derwinski substitute.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Illinois [Mr. DERWINSKI] to the amendment offered by the gentleman from Louisiana [Mr. MORRISON].

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. MORRISON].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 48, noes 30.

So the amendment was agreed to.

Mr. MILLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the bill. I believe it will correct an injustice that was done in 1952.

I was then on the Post Office and Civil Service Committee, as were several of the older Members. I remember quite well we were told if we reduced the size of the parcel post and took it out of certain first-class offices, a service equal to that then given to the people of the United States would be provided by the Railway Express Agency.

I will cite the conditions in my own hometown of 70,000 people. We had an agency of the REA in that town. Within a year that office was closed. If I wanted to send a parcel weighing more than 20 pounds, I had to go to Oakland, about 4 miles, to get to an REA office. Three or four years ago the agency downtown in Oakland was closed down, and the only office open in the metropolitan area of Oakland and its three surrounding cities was the railroad station, about 5 miles through traffic from the city in which I live.

It is true the Railway Agency said, "We will offer you a service," but if we had a package to ship by Railway Express we had to call up and ask for a truck to come. Quite frequently, when the truck got there, they would say "We do not have a scale on this truck. We cannot weigh this package. It has to be sent c.o.d."

Many times when we wanted to send personal effects back here, when Congress was about to open, we called the Express Agency and were told "The truck will be out this afternoon." It did not show in the afternoon. That meant someone had to remain home all day, if we did not want to make the trek over to their office.

Surely, if I called up and told them who I was, they would say "Oh, yes, Mr. MILLER. We will have a truck there."

And the truck was there in 30 minutes, with the scale on it.

But how about the man who is not a Member of Congress? How about the man who exercised no influence, just the little guy? Did he get that service? I did not get it if I did not identify myself, and I doubt if he got it.

That is one of the reasons I believe this bill should be adopted, because it will serve the great mass of people in this country and give them a service comparable to that they had before we reduced the size and weight limits of parcel post packages.

I believe the Express Co. had an opportunity to show good faith, and it did not live up to what it implied in promises they made when the bill was enacted into law.

AMENDMENT OFFERED BY MR. MORRISON

Mr. MORRISON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORRISON: On page 10, strike out lines 7 to 10, inclusive, and insert in lieu thereof the following:

"SEC. 5. The provisions of the first section and sections 2 and 3 of this Act shall become effective on Januray 15, 1967."

Mr. MORRISON. Mr. Chairman, all the amendment would do is, instead of having the act go into effect 90 days after enactment, to have it go into effect at a date certain, January 15, 1967.

SUBSTITUTE AMENDMENT OFFERED BY MR. O'NEILL OF MASSACHUSETTS

Mr. O'NEILL of Massachusetts. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Louisiana [Mr. MORRISON].

The Clerk read as follows:

Amendment offered by Mr. O'NEILL of Massachusetts as a substitute for the amendment offered by Mr. MORRISON:

"Strike out section 5, page 10, line 7, and substitute:

"'SEC. 5. The provisions of the first section and sections 2 and 3 of this Act shall become effective on January 15, 1969.'"

Mr. O'NEILL of Massachusetts. Mr. Chairman, I know of no legislation which has been more controversial than the legislation pending today. I, as one Member of Congress, have received more than 1,000 letters on both sides of this issue. There are those who say it has merit. There are those who are opposed to it.

I pledged myself to support this bill earlier in the year.

A neighbor of mine came to my home and said, "I understand that this so-called REA bill is pending before the Congress. I understand that they are making proposals that the employees will be taken care of." He also said, "Take my situation as an example. I have been with REA for 31 years. I have a busted knee and a hernia. How can I pass any civil service examination? How am I going to be protected in this matter? What will happen to my pension rights?"

There were at least 15 or 20 of my neighbors exactly like this man, all of whom came to me. All of them had problems.

We surely want to do something about the deficit. There is no question about that. But we must have some human compassion.

There are all kinds of various bugs in this bill. One side argues one way on sections 1 and 2. The other side argues another way.

I am politically "hep" enough to know that this legislation is going to pass here today, even though I am going to oppose it.

I know that Mr. Lawrence O'Brien, the Postmaster General, who is one of my close personal friends, is one of the most popular men who has ever been on the Hill, the greatest liaison man a President ever had, who is able, talented, and personable. I would hate to have him opposing me on any issue, because he has been so good to so many of us so many times.

But, in order to clear the bugs out of this bill, I believe in fairness we ought to have time, in which they can see if they can take care of the old timer who has 31 years, and all of the other bugs which may come out. So I merely ask that instead of January 15, 1967, upon the enactment of this legislation it be placed in effect January 15, 1969.

I hope my amendment will be adopted.

Mr. MORRISON. Mr. Chairman, I rise in opposition to the substitute amendment.

All the substitute amendment would do is add another 2-year moratorium. We have already had a 3-year moratorium.

Our committee has gone through this legislation step by step, day by day, and week by week.

The Postmaster General said that he needs this $100 million a year of additional revenue for the operation of the parcel post service of the post offices.

What the substitute amendment would do is take out that $100 million of increased revenue, which the Postmaster General says he needs.

Our committee has gone into this fully. We have come up with a good bill. We have come up with a bill which will save the taxpayers of this country millions and millions of dollars a year.

We should face the issue now, instead of putting it off 2 more years from now, which would result in a large cost to the taxpayers, because we would not get the $100 million a year that the bill provides in additional revenue.

I urge that the substitute be voted down.

Mr. JOELSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the gentleman from Massachusetts urged a delay of several years. He said he would like to iron out the bugs first with reference to employment opportunities, but I do not see how you can iron out any bugs until you have the law actually in operation. So I do not see that this offers really much of a solution. I know that Massachusetts is the home of revolution and we have a difference of opinion here.

Mr. O'NEILL of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Massachusetts.

Mr. O'NEILL of Massachusetts. Do you have any precise plan that the Post Office Department is willing to lay before the Congress today that can show in detail what they are going to do in order to protect the jobs of these people? Is there anything from the Civil Service Commission that shows us how these men will definitely be taken care of?

Mr. JOELSON. I am concerned about the REA employees. It is for that reason I withheld judgment to the last minute. I hope that the amendment that has been passed will protect the interests of these employees.

Mr. PEPPER. Mr. Chairman, will the able gentleman yield?

Mr. JOELSON. Yes. I yield to the gentleman from Florida.

Mr. PEPPER. Will the able gentleman, with the assistance of the able chairman of the subcommittee, advise the House as to whether or not his amendment would protect the seniority rights of the employees of the REA who might lose their employment?

Mr. MORRISON. If the gentleman will yield, I will be glad to answer that.

Mr. JOELSON. I yield to the gentleman.

Mr. MORRISON. They will positively protect the seniority rights.

Mr. PEPPER. I was advised, if the gentleman would permit me to say so, by the general counsel of the Post Office Department that that was not correct. As the gentleman carefully stated in his earlier statement, they would in respect to the Government, be given all of the rights of seniority, but in respect to other postal employees they would not have the right to get a preference.

Mr. MORRISON. Let me put it this way: For instance, a man is laid off by the Railway Express Agency and he has 8 years of seniority. All right. He comes into the Post Office Department. Well, that 8 years of seniority, when he retires, is added toward his retirement credit. So if he has 22 more years which he serves in the Post Office Department and he is 55 years old, with this bill (H.R. 14122) which is now before the other body which provides that you can retire after 30 years of service when you are 55, then that 8 years with the Railway Express Agency will count toward his retirement. If he had over 12 years with the Railroad Retirement Board, and let us say he is a railway employee or a railway clerk, then that will be added to his seniority rights when he gets in the Post Office Department.

Mr. PEPPER. If the gentleman will yield further, I am so advised, but the gentleman carefully again distinguished between the rights of the employee with respect to the Government, that is, pension rights and the rights he would have vis-a-vis the Government.

Mr. MORRISON. I am sure the gentleman will agree with me that it would only be fair to let those who have been in the Post Office Department for all these years have the preference as far as jobs assignments are concerned. But the former private carrier employees would have a definite job at the same amount of money that he had with the Railway Express Agency. In all probability he would get more money.

Mr. PEPPER. I thank the gentleman. I thought the House was entitled to the knowledge and the facts that insofar as preferment is concerned, seniority with respect to a postal employee, these employees would not have preferment although they have the same years of service as against the postal employee.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Massachusetts [Mr. O'NEILL].

The question was taken; and on a division (demanded by Mr. O'NEILL of Massachusetts) there were—ayes 44, noes 68.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. MORRISON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DELANEY

Mr. DELANEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DELANEY: On page 8, line 20, strike out all of section 3.

Mr. DELANEY. Mr. Chairman, I believe at this time we should pause just a moment and go back to the enactment of the law that is now on the books.

Mr. Chairman, at that time the then Postmaster General, Postmaster General Donaldson, pleaded to take the Post Office Department out of the freight business, and allow them and permit them to deliver the mail.

Now, Mr. Chairman, I feel that we should keep the Post Office Department out of the freight business and concentrate on delivering our first-class mail.

Mr. Chairman, a great deal has been said here today about taking care of employees who are now employed in the REA. However, by the amendment they admit that there will be layoffs, and numerous ones. I defy anyone in this Congress to tell me how you can freeze men who are working for a private organization into civil service and give to them all of their rights. It just cannot be done. It cannot be operated. It is impractical.

Mr. Chairman, I want to say a few words here about a Railway Express Agency which has some 32,000 employees, and in my Sunnyside Yards in Long Island City, 1,500 of these men are involved. They come to me day in and day out. Some of them have been working for 20 and 30 years handling freight. They ask me, "Are you going to vote to have me lose my job?"

Well, Mr. Chairman, we have an antipoverty program up here. The purpose of the antipoverty program, the job section, is to create jobs.

Mr. Chairman, the other day we had testimony to the effect that at one installation of the Job Corps it cost $28,000 to prepare a person for a job, not knowing whether he will work for a day or a week.

Mr. Chairman, the average cost—and listen to this—throughout the Job Corps is anywhere from $9,000 to $13,000 just to prepare them for a job.

Mr. Chairman, I believe we have an admission, even from the proponents of the bill, that there will be layoffs. Otherwise, it was a futile effort to offer the amendment that was just adopted. That means that men will be laid off and that there will be no jobs for them.

Mr. Chairman, these are our taxpayers. They rear families. The REA has paid its taxes on each of its employees.

Mr. Chairman, will we force these men who are in their fifties and sixties to eventually go on welfare? I am opposed to that.

Mr. Chairman, I think we should have more coordination here between taking jobs away from people, when we will have before the House within a week or two an effort to expend the cost of $13,000 a job in order to provide jobs for individuals.

Now, Mr. Chairman, I want to go on and get to one or two other thoughts.

Mr. Chairman, REA has been struggling for a number of years. It is just now beginning to get on its feet. However, the favored competitive position which this measure that is pending before the House gives to the taxpayer-supported parcel post system would be a disastrous blow to the company.

More importantly, this legislation reflects a callous disregard for the employees of REA, many of whom have been with the company as I said for 30 years. They are in no position to seek employment.

I believe strongly that a subsidized parcel post system is not in the best interests of the Nation, and that the Post Office Department should derive its revenues from the mailers who use it.

In this regard, the 1965 Annual Report of the Postmaster General shows a postal deficit in excess of $792 million—table 102, page 185. Of this deficit, nearly $380 million was attributable to second-class mail—newspapers and periodicals; more than $348 million to third-class mail.

And listen to this—$143,835,981 to fourth class mail which includes parcel post mail.

And this, if you want to check on it, you can find in table 803, page 244 of the Postmaster General's report.

Mr. Chairman, this bill even if it passes, will have no significant impact on this immense overall deficit. It will not at all affect the second- and third-class mail deficit, which is five times greater than that of parcel post. And there is no assurance that even the parcel post deficit will be reduced to the break-even point.

I am sure, Mr. Chairman, all of us are in favor of reductions in Federal expenditures. But, surely, equity and justice are outraged when a token reduction such as this is to be primarily at the expense of one company and its employees. I strongly object to such inequitable legislation.

Mr. Chairman, this bill in my opinion is for the benefit of special interests.

Mr. Chairman, the people who will benefit are the big mail-order houses such as Sears Roebuck and Montgomery Ward just to name a couple.

Let me tell you people from the rural areas who are worried about this—they already enjoy a subsidy on their catalogs, and so forth. This will have a bad effect on the business of the small businessman in your towns who will suffer as a result of the direct mail which will be increased when subsidized rates by the Post Office go into effect.

Mr. Chairman, I ask you to strike out this section. The rest of the bill to provide $60 million additional revenue is satisfactory to me and I know to most of the Members of this Committee.

Mr. MORRISON. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, I wish the gentleman from New York had heard all of the testimony in our hearings because I think then he would not make the argument that he is making here today if he had been in the same position of the members of the committee when we heard all of the testimony on this bill.

Now the one thing that the gentleman did not mention and the one thing that I think is more important than anything else, is the person or the millions of Americans who want to use the parcel post system in the Post Office Department. For example, you could take a 40-pound package to the Post Office Department here in Washington and send it to Richmond, Va. But you cannot send that same 40-pound package to Knoxville, Tenn. What you have to do is chop it in two and fix it so that you ship it in two 20-pound packages. If you cannot chop it in two and make two 20-pound packages out of it, then you cannot ship it by parcel post.

Talk about special interests, I think that the REA express company has been protected so far as their transportation service goes at the expense of the patrons who number over 140 million people who are doing business with the first-class mail in post offices throughout the United States and who are being discriminated against to subsidize the REA express company.

Eighty percent of all parcel post is handled through the first-class post offices and that parcel post is limited to 20 pounds and not 40 pounds when you ship it more than 150 miles.

With this amendment, you go to the heart of the bill and take the heart out of the bill. We might as well not have any bill if we vote for the amendment of the gentleman from New York, because we would take $40 million of revenue from the bill. The Postmaster General has testified. He has made a wonderful and a good case for the need of the Department for the $100 million that this bill will bring in. We might as well not have a bill if we are going to take this gentleman's amendment. I think his amendment should be defeated. It is certainly an amendment which would really destroy and gut the bill.

Mr. DELANEY. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from New York.

Mr. DELANEY. In 1951 and 1952 the gentleman was on the Post Office Committee. The gentleman advocated the law that we have on the statute books at the present time.

Mr. MORRISON. We tried then because the Railway Express Agency said they were going to keep all their employees. We passed the bill, and instead of keeping their employees, they laid off over 10,000 employees, and their business has been going down steadily since. All we did was to hurt the multitude of patrons of the post office. We hurt the Post Office Department, or people; and the Railway Express Agency kept laying off people and the railroads kept taking off passenger and mail trains.

Mr. DELANEY. The gentleman is admitting that he was wrong then.

Mr. MORRISON. I did not say I was wrong in voting for it. I just said it was done in 1951.

Mr. DELANEY. At that time you were one of the proponents of the bill. You were on the committee and you were one of the proponents. You were wrong then and you are wrong now.

Mr. MORRISON. At that time I was way down the line in seniority, and even though I may have voted for it, it did not help REA and it has hurt our people and the Post Office Department.

Mr. Chairman, I urge that the amendment be voted down.

Mr. DERWINSKI. Mr. Chairman, I rise in support of the Delaney amendment.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. DERWINSKI. May I point out to the Members that the gentleman from New York [Mr. DELANEY] has a well-deserved reputation amongst us. He has a well-deserved reputation for having a heart of gold and a heart of compassion, not only for his constituents, but for the people across the country. His amendment is absolutely vital. We could accept the Delaney amendment and still give the Postmaster General practically all that his Department has asked for, because by accepting the amendment we would still give the Post Office Department the increase in rates, which is really what they are after—an increase in revenue.

The Delaney amendment would have the practical effect of providing the Post Office Department with additional revenue and at the same time maintaining the effective service that the public is receiving from the Railway Express Agency.

I would also like to point out to the gentleman from Louisiana that he has repeatedly made the statement that immediately upon the passage of this legislation back in 1951 the REA laid off 10,000 people. That statement is completely without foundation. First, any loss of employees in the Railway Express Agency was basically one of attrition and phase-out, because, if anything, there was an immediate resurgence of the Railway Express Agency. However, if you check the statistics presented to our committee, you will find that the profit margin of the Railway Express Agency is at the point of about 2 days' income, and they have no flexibility. They have no cushion to fall back on. As a result of that, this particular amendment is necessary to keep them functioning. I do not believe the Members want to superimpose the Post Office Department on the taxpaying entity. That is the real issue.

I would also like to point out to the gentleman from Louisiana that he in effect counseled the gentleman from New York against offering any amendments. He stated since the gentleman had not served on the subcommittee, he was not aware of the consideration. If that philosophy is followed, none of us who serve on any committee should ever be allowed to offer any amendment except to bills reported by the committee on which we serve. Certainly the gentleman does not wish to shut off consideration and the offer of amendments by Members who are not serving on committees handling bills.

The gentleman from New York made a completely effective case for his amendment. I believe, as I see it, the gentleman from Louisiana has augmented the argument. The gentleman from Louisiana proves the necessity of the Delaney amendment. I urge its adoption.

Mr. DAVIS of Wisconsin. Mr. Chairman, I rise in support of the Delaney amendment.

Mr. Chairman, there are 100 or so of us here, who were also here at the time we thought we had solved this matter in 1951. At that time, as the gentleman from New York related, the effort was being made to solve this bothersome parcel post deficit problem by getting the Government out of the freight business and reducing the size of parcel post packages across the board.

Many of us thought we were willing to do that. But at the time it was pointed out this would leave some people in the more isolated areas of this country without any adequate package service. That was the basis on which it was decided that, rather than reducing these packages down to the smaller size across the board, that as a compensation to those who would not have any private agency available to them in the more isolated areas, that those larger sizes would remain in some of those isolated areas.

So now we have a similar problem. Once again we find the parcel post service running at a deficit. What is the solution being offered now? It is that we should permit them to go back into the freight business, and to carry those larger packages which they recommended we ought to get rid of as an operation in 1951.

This bill, in other words, seeks to pull us back, to swing the pendulum back, in exactly the opposite direction for the same purpose it was recommended to this Congress in 1951, and in accordance with which the Congress did pass Public Law 199.

Now having decided in 1966 to go this far, members of the committee obviously found their conscience pricking them. They found that a significant segment of private enterprise in this country was to be irretrievably harmed. So we had what I can only describe as a dangerous and ridiculous amendment offered here, and adopted this afternoon, which says in principle if our Government is going by competition to drive the private segment of the economy of this country out of business, we will take those people off the private payroll and put them on the Government payroll.

I defy any agency of this Government, whether it be the Postal Department, or anyone else, to administer the kind of amendment that was written into law here this afternoon. I defy thinking Members of the Committee to look into the situation and see what we have committed ourselves to. What will be next? Next, if through some public enterprise in communications we drive an important segment of the communications industry out of business, are we going to say to the people who are displaced in that private operation, "We are going to take you into the arms of an all-powerful social government, and provide you with jobs"? Are we prepared to take that kind of commitment this afternoon? I am not.

I am prepared to make the commitment, to vote for whatever increases in the parcel post rates are required to keep our basic moral commitment to make this a paying proposition. I would do that. I would feel I am doing it by supporting this bill without section 3, and I support the Delaney amendment.

Mr. CUNNINGHAM. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York.

In the colloquy between the gentleman from Louisiana and the gentleman from New York, the gentleman from Louisiana said he wished the gentleman from New York had been at all the hearings, and heard all the testimony, and if he was then he would not take this position. I was at the hearings—as many as the gentleman from Louisiana—and I heard all the testimony, and I believe in the position of the gentleman from New York. So I do not think that is a very good argument.

But I want to say this: I would say to the big-city Congressmen, and the medium-size city Congressmen, that they certainly ought to support the Delaney amendment, because if it is not adopted there will be a loss of jobs in your cities and to our constituents.

Those in the rural communities may have some concern, but I do not believe their concern is justified. Parcel post was set up in the old days when a farmer did not get into town more than once every 3 or 4 or 5 weeks, so he ordered by catalog. Now the farmer gets into town almost every day, or certainly every other day.

If we allow this bill to pass as is, it would be more convenient for the farmer to order by catalog. Some rural person in Nebraska might order from a big firm in New York or Chicago or some other place. This would be very harmful to the small businessman in the rural communities in Nebraska.

We have talked about rural communities and how we want them to survive.

If the Delaney amendment is not adopted, these small businessmen in all of these towns throughout the country will continue to suffer, and they will not prosper. I say, therefore, to the rural people, when the small businessmen hear that through the passage of such legislation as this they are going to lose business and they will not be happy.

I urge the Members to support the Delaney amendment.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I say to my friend from Nebraska, as a small businessman myself in a rural community, of some 3,500, I have found one facet of this problem quite interesting.

My newspaper, for example, has ordered parts from various places. The other day I was asked to pick them up. They would not deliver to our town. We have to drive 20 miles to get parts, and they come by REA express.

Mr. CUNNINGHAM. Who are "they?"

Mr. ASHBROOK. I wonder how this would hurt the businessmen in a small town, many of whom drive 20 or 30 miles, for things that come by REA express. It would seem the other way around, that this would help the people in the small towns.

Mr. CUNNINGHAM. I say to my dear friend I live here a good deal of the time and I have to drive 15 miles to buy a suit, to a shopping center. With modern transportation it is no hardship, and if the gentleman from Ohio was concerned he would see to it that a small businessman had an opportunity to set up a business in his town and the citizens would not have to drive 20 miles to get parts but could get them in the hometown. Your argument bears no weight whatsoever.

Mr. WATSON. Mr. Chairman, I move to strike the requisite number of words.

I could not resist the opportunity to make one or two comments, to agree with the amendment as has been proposed by the gentleman from New York, and to commend the gentleman from Wisconsin for his very persuasive argument in behalf of that amendment.

Mr. Chairman and my colleagues, I believe if this amendment is carried it will accomplish the objectives the Postmaster General wishes in part—and I believe the major part. That is, it would give increases in parcel post rates so that he might at least eliminate some of the deficit. Second, it would eliminate the possibility of losing one job from the REA and the other private parcel carriers directly resulting from passage of this legislation.

Of course, we have this revolutionary new proposal, whereby we are going to guarantee Government jobs to those who probably will lose their jobs as a result of decreased private business. As already pointed out, it is indeed a revolutionary proposal.

I am sure later on we will consider legislation such as the new safety regulations for automobiles, which might have an adverse effect on automobile production. There very well could be losses of jobs. Are we going to guarantee Government jobs to those who might be displaced?

Most important, if we carry through with this amendment, we are going to eliminate the possibility of any loss of jobs to private carriers, so there will be no necessity for the triggering of this Government guaranteed job provision.

I say in conclusion, frankly, some postal carriers have contacted me and urged my support of this legislation. In confidence I have talked with them about it. I said, "Seriously, you are not telling me, my friend, that you want to carry larger packages of 40 pounds when you are already overworked with the current volumes of parcel post packages and since you will receive no extra pay for the additional work."

They have confided to me to the effect that actually their support of this legislation is based upon instructions or requests from the Department rather than a desire on their part to carry the proposed 40-pound packages instead of the present 20-pound packages. In addition, passage of this amendment will eliminate any possibility of confusing our civil service system by having to introduce these employees with seniority from the private carriers into the civil service system. So it would appear to me that the passage of this amendment would accomplish the objects of the Post Office Department in producing additional revenue, would not impose additional work on postal employees, would protect the jobs of private carriers and would not have an adverse and disruptive effect on the civil service system.

Mr. MORRISON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to correct an impression that the last gentleman speaking gave. One is that the Postmaster General would almost approve this amendment. He is totally against this amendment. You might as well not have a bill today if you have this amendment passed, because this bill would lose more than 50 percent of the revenue and 50 percent of the value of what it is worth if this amendment passes. Not only that, I might add, when they talk about big cities, I think the big city Congressmen should vote against the amendment and for the bill because there are thousands and thousands of people in the big cities who have packages in the post office where they cannot ship a parcel over 20 pounds more than 150 miles. If they have this bill, they are not discriminated against any longer in all first-class post offices and can ship to any of the eight zones no matter how far away they are with a package not 20 pounds, as it is today, but 40 pounds.

There is another thing I would like to correct, which is, that, if you pass this bill and take the heart out of it and the REA lays off some men then we are obligated by the amendment we just passed to take them on. Since the law was passed in 1951 to protect them the Railway Express Agency has lost money, year in and year out and have laid off over 14,000 men. A few minutes ago I said 10,000, but counsel showed me the additional figures. It is over 14,000. And the REA did not try to put one of those 14,000 people in another job. They did not lift a finger to help the employees they laid off. It is certainly true that there is no guarantee that even REA will stay in business, if you do not have this bill, because they have steadily lost money year in and year out and you are trying to protect them with a law that does not work and has not worked, and you are trying to protect them at the expense of the taxpayers plus the fact that the people in the first-class post offices are discriminated against and cannot send a package weighing over 20 pounds more than 150 miles.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Ohio.

Mr. HAYS. The reason why they have lost business over the years, I will tell you frankly, is because they could not care less whether they gave you any service or not. As the gentleman from Ohio [Mr. ASHBROOK] pointed out, half of the towns in Ohio gets no service. You have to drive 15 or 20 miles or farther when you get a notice from them, if they bother to send you a notice, that there is a package waiting there for you. I can tell you my experience. I used to get packages from the South through REA, but I do not buy there any more because I cannot be bothered with the kind of service that they give. They talk about losing money. They could not care less whether they lose customers, and that is why they do so.

Mr. MORRISON. I think this amendment boils down to one thing. If you are against this bill, then vote for the amendment. If you are for this bill, then vote against the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. DELANEY].

The amendment was rejected.

Mr. DERWINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as far as I know there will not be any other amendments offered, and I am really taking this time to explain what will be the motion to recommit. I regret that the amendment that was just offered by the gentleman from New York was rejected. It would have removed any necessity for a motion to recommit. But a motion to recommit will be a bill that the gentleman from Nebraska [Mr. CUNNINGHAM] and I have introduced which does the following:

First. It establishes a nine-member bipartisan temporary Commission on Parcel Post. The Commission will conduct a thorough and complete study on all phases of the parcel post system and report to Congress, through the President, no later than March 1, 1968. The report shall include specific recommendations for a declaration of congressional policy along with recommended legislation. Specific areas of study shall include:

(a) A review of the postal policy of the Congress, as set forth in the Postal Policy Act as applied to the distribution of articles of commerce and industry by the parcel post system.

(b) The extent, if any, to which the parcel post system is a necessary part of the postal service.

(c) A review to determine the areas, if any, served exclusively by the parcel post system and the reasons therefor.

(d) The effect of past changes, and the projected effect of proposed changes, in the size and weight limitations on, and the rates for, parcel post on the distribution of parcels by private parcel carriers and on the national transportation system.

(e) The advisability of expanding, restricting, or eliminating the parcel post system in the interest of expanding, restricting, or eliminating the competition of the parcel post system with private parcel carriers.

(f) The extent, if any, to which the cost of public services should be allocated to the cost of the parcel post system.

(g) Those factors which should be considered in establishing the rates for parcel post and the relative importance of each such factor.

(h) The appropriate authority for fixing rates, sizes, and weights of parcel post, whether by administrative action or by law.

Second. Incorporates administration proposal for increases in rates on zone-rated parcels of 8 cents per piece. Also incorporates administration proposal for increases in rates on zone-rated catalogs of 12 percent.

Third. Proposes no change in size and weight limitations of parcel post.

Fourth. Suspends the authority of the Postmaster General to revise rates of fourth-class mail until June 30, 1969, or until Congress acts.

Fifth. Extends for an additional 3 years until June 30, 1969, the moratorium on the "break-even law." Under this statute the Postmaster General is prohibited from using any funds appropriated for postal operations unless he certifies that he has taken action to bring parcel post costs and revenues within 4 percent of a break-even basis.

Sixth. Incorporates the administration proposal to authorize the use of sectional centers as basing points for the determination of parcel post zone distances.

Mr. Chairman, in other words, this motion to recommit will give the Postmaster General everything he has asked for in this bill, except it will not provide at this moment for the size and weight increase.

Mr. Chairman, this is a very practical motion of recommittal and it is deserving of the support of the Members of the Committee.

Mr. Chairman, I feel it would be a fine conclusion to the stimulating debate which we have had on this legislation to have the motion to recommit adopted.

Mr. MORRISON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I feel that the gentleman in his statement with reference to his recommittal motion is attempting to write an entirely new bill in a recommittal motion and to appoint a committee to make a study and to do this and to do that.

Mr. Chairman, I believe the gentleman defined it clearly: "If you are for this bill, you will vote against the motion to recommit," because I do not think it is possible for a single person in this House to know what he means in his recommittal motion.

Mr. Chairman, we have taken up similar matters in our committee time and time again and voted them down. I feel that we should certainly vote against this recommittal motion and vote for this bill on final passage.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. SIKES, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 14904) to revise postal rates on certain fourth-class mail, and for other purposes, pursuant to House Resolution 875, he reported the bill back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. DERWINSKI. Mr. Speaker, I demand a separate vote on the so-called employee protection amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put the question on the other amendments en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote has been demanded.

The Clerk read as follows:

Page 8, line 20, insert "(a)" immediately following "SEC. 3."; and

On page 9, immediately following line 20, insert the following:

"(b) Each person—

"(1) who, on the date of enactment of this Act, is in the employment of a private carrier engaged in the transportation and delivery of parcels other than United States mail,

"(2) who, within two years after the effective date of this subsection, is involuntarily separated from such employment by reason of a reduction in the activities of such carrier which is, in the determination of the United States Civil Service Commission made on the basis of evidence satisfactory to the commission, directly or indirectly attributable to the operation of the provisions of this Act,

shall be entitled, upon his application filed with the Commission at any time after notice is given by such carrier to such person of his prospective or actual involuntary separation but not later than one year after the date of such involuntary separation, to the benefits of the following provisions:

"(A) If the Commission finds that such involuntary separation was directly or indirectly attributable to the operation of the provisions of this Act, the Commission shall notify the Postmaster General to that effect. Pursuant to such notification, the Postmaster General shall appoint such person, with competitive status, to a regular position in the competitive civil service in or under the Post Office Department.

"(B) Such appointment shall be to a position in a salary level of the Postal Field Service Schedule, or in a grade of the General Schedule of the Classification Act of 1949, for which (i) the minimum per annum rate of basic compensation is less than his rate of compensation in effect immediately prior to his involuntary separation and (ii) the maximum per annum rate of basic compensation exceeds his rate of compensation in effect immediately prior to his involuntary separation.

"(C) Each employee so appointed shall be placed in the lowest step of the salary level or grade to which he is appointed for which the rate of basic compensation exceeds his rate of compensation in effect immediately prior to his involuntary separation.

"(D) In the determination of length of service for the purposes of leave, retirement, veterans' preference, group life and health insurance, severance pay, tenure, training, promotion, and status, all service performed by such person in the employment of such carrier shall be included and credited.

"(c) Subsection (b) of this section shall not be held or considered to reduce any retirement benefit or pension benefit to which any person within the purview of such subsection (b) is entitled under any other law.

"(d) A regular employee in the postal field service shall not be reduced to substitute status by reason of the operation of subsection (b) of this section.

"(e) For the purposes of subsections (b) and (c) of this section, the term 'person' means an 'employee' as defined in section 1 of the Railway Labor Act, as amended (45 U.S.C. 151), or as defined in section 2 of the Labor Management Relations Act, 1947 (29 U.S.C. 152)."

Mr. MORRISON (during the reading of the amendment). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and be printed in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The **SPEAKER**. The question is on the passage of the bill.

Mr. **DERWINSKI**. Mr. Speaker, I offer a motion to recommit.

The **SPEAKER**. Is the gentleman opposed to the bill?

Mr. **DERWINSKI**. I am, Mr. Speaker.

The **SPEAKER**. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DERWINSKI moves to recommit the bill, H.R. 14904, to the Committee on Post Office and Civil Service with instructions to report the bill forthwith with the following amendments, to strike out all after the enacting clause and insert in lieu thereof the following:

"TITLE I—PARCEL POST REVISION

"Increase in postage rates for fourth-class parcels and catalogs; postage rates on other matter

"SEC. 101. (a) Chapter 67 of title 39, United States Code, is amended by adding at the end thereof the following new sections.

"§ 4556. Postage rates on parcel post

"The rates of postage on fourth-class parcel post are based on the zones described in section 4553 of this title in accordance with the following table:

" 'CENTS PER PARCEL

" 'Weight 1 pound and not exceeding (pounds)	Zones							
	Local	1 and 2	3	4	5	6	7	8
2	35	50	50	55	60	65	75	80
3	40	55	55	65	70	80	90	100
4	40	60	65	70	85	95	110	120
5	45	65	70	80	95	110	125	140
6	45	70	75	90	105	125	140	160
7	45	75	85	95	115	135	160	180
8	50	80	90	105	125	150	175	200
9	50	85	95	110	135	160	190	220
10	55	90	100	120	145	175	205	240
11	55	95	110	125	155	185	220	255
12	55	100	115	135	165	200	235	275
13	60	105	120	140	175	210	250	290
14	60	110	125	150	185	220	270	310
15	65	115	130	155	195	235	285	325
16	65	120	140	165	205	245	300	345
17	65	125	145	170	215	255	315	360
18	70	130	150	180	230	270	330	380
19	70	135	155	185	240	280	345	395
20	75	140	160	195	250	295	360	415
21	75	145	165	200	255	305	275	430
22	75	150	170	205	265	315	385	450
23	80	150	175	215	275	325	400	465
24	80	155	180	220	280	335	415	480
25	85	160	185	225	290	350	430	500
26	85	165	190	235	300	360	445	515
27	85	170	195	240	305	370	455	535
28	90	170	200	245	315	380	470	550
29	90	175	205	250	325	390	485	565
30	90	180	210	260	335	405	500	585
31	95	185	215	265	340	415	515	600
32	95	185	220	270	350	425	525	620
33	100	190	225	280	360	435	540	635
34	100	195	230	285	365	445	555	650
35	100	200	235	290	375	460	570	670
36	105	205	240	295	385	470	585	685
37	105	205	240	305	290	480	595	705
38	110	210	245	310	400	490	610	720
39	110	215	250	315	410	500	625	735
40	110	220	255	320	420	515	640	755
41	115	220	260	330	425	525	655	770
42	115	225	265	335	435	535	665	785
43	115	230	270	340	445	545	680	800
44	120	235	275	350	450	555	695	820
45	120	240	280	355	460	570	710	835
46	125	240	285	360	470	580	725	850
47	125	245	290	365	475	590	735	865
48	125	250	295	375	485	600	750	880
49	130	255	300	380	495	610	765	900
50	130	255	305	385	505	625	780	915
51	130	260	310	390	510	635	800	930
52	135	265	315	400	520	645	805	945
53	135	265	320	405	525	655	820	960
54	140	270	320	410	535	670	830	980
55	140	275	325	415	545	680	845	995
56	140	275	330	420	550	690	855	1,010
57	145	280	335	430	560	700	870	1,025
58	145	285	340	435	565	710	885	1,040
59	150	285	345	440	575	720	895	1,060
60	150	290	350	445	585	735	910	1,075
61	150	295	355	450	590	745	920	1,090
62	155	295	360	460	600	755	935	1,105
63	155	300	365	465	605	765	950	1,120
64	155	300	370	470	615	775	960	1,140
65	160	305	375	475	625	790	975	1,155
66	160	310	380	480	630	800	985	1,170
67	165	310	385	490	640	810	1,000	1,185
68	165	315	390	495	645	820	1,015	1,200
69	165	320	395	500	655	830	1,025	1,220
70	170	320	395	505	665	845	1,040	1,235

" '§ 4557. Postage rates on catalogs

" '(a) The rates of postage on fourth-class catalogs, having twenty-four or more pages at least twenty-two of which are printed and weighing sixteen ounces or more but not exceeding ten pounds, are based on the zones described in section 4553 of this title in accordance with the following table:

"CATALOGS

"Weight (pounds)	Zones							
	Local	1 and 2	3	4	5	6	7	8
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
1.5	23	29	30	31	33	35	38	41
2	24	30	32	33	36	39	42	46
2.5	25	32	33	36	39	42	46	51
3	26	33	35	38	42	46	51	57
3.5	27	35	37	40	44	49	55	62
4	28	36	29	42	47	53	59	67
4.5	29	38	41	45	50	56	64	72
5	30	39	42	46	53	60	68	77
6	32	42	46	51	59	67	77	88
7	34	45	50	56	64	74	85	96
8	36	48	53	60	70	81	94	109
9	38	51	57	65	76	88	104	119
10	39	54	60	69	81	95	112	129

" '(b) The rates of postage on catalogs conforming to subsection (a) of this section, when mailed in quantities of not less than three hundred individually addressed pieces at one time and when prepared and mailed in accordance with conditions established by the Postmaster General, consist of a piece rate in addition to a bulk rate per pound, based on the zones described in section 4553 of this title, in accordance with the following table:

"Zone	Piece rate	Bulk pound rate
	Cents	*Cents*
Local	17	1.9
1 and 2	21	3.0
3	21	3.6
4	21	4.6
5	21	5.7
6	21	7.1
7	21	8.7
8	22	10.4

" '§ 4558. Postage rates on other matter

" '(a) Parcels weighing less than ten pounds and measuring more than eighty-four inches but not more than one hundred inches in length and girth combined are subject to a minimum postage rate equal to the postage rate for a ten-pound parcel for the zone to which the parcel is addressed.

" '(b) The postage rate on gold mailed within Alaska or from Alaska to other States, territories, and possessions of the United States and the Commonwealth of Puerto Rico is 2 cents for each ounce or fraction thereof regardless of zones.'.

"(b) The table of contents of chapter 67 of title 39, United States Code, is amended by adding at the end thereof the following:

" '4556. Postage rates on parcel post.

" '4557. Postage rates on catalogs.

" '4558. Postage rates on other matter.'.

"Use of sectional center units of area in postal zone rate determination

"SEC. 102. (a) Section 4553 of title 39, United States Code, is amended by adding at the end thereof the following new subsections:

" '(c) The Postmaster General shall use units of area containing postal sectional center facilities as the basis of a postal zone as described in subsection (b) of this section. The zone shall be measured from the center of the unit of area containing the dispatching sectional center facility. A post office of mailing and a post office of delivery shall have the same zone relationship as their respective sectional center facilities, but this sentence shall not cause two post offices to be regarded as within the same local zone.

"'(d) In addition to the eight zones described in subsections (b) and (c) of this section, there is a local zone as defined by the Postmaster General from time to time.'

"(b) Section 4303(d)(1) of title 39, United States Code, is amended by striking out 'established for fourth class mail' and inserting in lieu thereof 'described in section 4553 of this title'.

"(c) Section 4359(e)(3) of title 39, United States Code, is amended by striking out 'established for fourth-class mail' and inserting in lieu thereof 'described in section 4553 of this title'.

"Additional three-year suspension of certain restrictions on use of postal appropriations

"SEC. 103. The Act entitled 'An Act to provide a three-year suspension of certain restrictions in the Supplemental Appropriation Act, 1951, on the withdrawal from the Treasury of postal appropriations', approved June 29, 1963 (77 Stat. 71; Public Law 88-51), is amended by striking out 'June 30, 1966' and inserting in lieu thereof 'at the close of June 30, 1969'.

"Three-year suspension of authority of postmaster general to reform conditions of mailability of fourth-class mail

"SEC. 104. The last paragraph of section 207 (b) of the Act of February 28, 1925 (43 Stat. 1067), as amended by section 7 of the Act of May 29, 1928 (45 Stat. 942), shall not be in effect during the period beginning on the date of enactment of this Act and ending at the close of June 30, 1969.

"Effective dates

"SEC. 105. This title shall become effective as follows:

"(1) This section and section 104 shall become effective on the date of enactment of this Act.

"(2) Sections 101 and 102 shall become effective on the first day of the first month which begins not earlier than the ninetieth day following the date of enactment of this Act.

"(3) Section 103 shall become effective as of July 1, 1966.

"TITLE II—TEMPORARY COMMISSION ON PARCEL POST

"Establishment and membership of commission

"SEC. 201. (a) There is hereby established a temporary commission, to be known as the 'Commission on Parcel Post', herein referred to as the 'Commission'.

"(b) The Commission shall consist of nine members, as follows:

"(1) five members appointed by the President of the United States, not more than three of whom shall be of the same political party;

"(2) two members appointed by the President of the Senate, who shall not be of the same political party; and

"(3) two members appointed by the Speaker of the House of Representatives, who shall not be of the same political party.

"(c) The President shall appoint a Chairman and a Vice Chairman of the Commission from among the members of the Commission.

"(d) A vacancy in the Commission shall be filled in the same manner as the original appointment.

"(e) No civilian or military officer or employee of the Government of the United States, appointive or elective (except a retired officer or employee), shall be eligible for appointment to the Commission.

"(f) Members of the Commission each shall be entitled to receive $100 per diem when engaged in the actual performance of the powers and duties of the Commission, including travel time, and may receive travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

"Powers and duties

"SEC. 202. (a) The Commission is authorized and directed to conduct a thorough and complete study of the parcel post system of the United States mails. Such study shall include, but shall not be limited to, the following matters:

"(1) A review of the postal policy of the Congress, as set forth in chapter 27 of title 39, United States Code, as applied to the distribution of articles of commerce and industry by the parcel post system.

"(2) The extent, if any, to which the parcel post system is a necessary part of the postal service.

"(3) A review to determine the areas, if any, served exclusively by the parcel post system and the reasons therefor.

"(4) The effect of past changes, and the projected effect of proposed changes, in the size and weight limitations on, and the rates for, parcel post on the distribution of parcels by private parcel carriers and on the national transportation system.

"(5) The advisability of expanding, restricting, or eliminating the parcel post system in the interest of expanding, restricting, or eliminating the competition of the parcel post system with private parcel carriers.

"(6) The effect, if any, to which the cost of public services identified in section 2303, title 39, United States Code, should be allocated to the cost of the parcel post system.

"(7) Those factors which should be considered in establishing the rates for parcel post and the relative importance of each such factor.

"(8) The appropriate authority for fixing rates, sizes, and weights of parcel post, whether by administrative action or by law.

"(b) The Commission is authorized to sit and act at such times and places within the United States, including any Commonwealth or possession thereof, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the Chairman of the Commission or any member of the Commission designated by him, and may be served by any person designated by such Chairman or member.

"Cooperation with Commission by executive agencies

"SEC. 203. (a) The Commission is authorized to request any department, agency, independent establishment, or instrumentality in the executive branch of the Government to furnish suggestions and information to the Commission in carrying out the functions of the Commission under this title. The head of each such department, agency, independent establishment, or instrumentality is authorized to furnish such suggestions and information to the Commission upon request of the Chairman or Vice Chairman.

"(b) Upon request of the Chairman or Vice Chairman of the Commission, the head of each department, agency, independent establishment, or instrumentality in the executive branch of the Government is authorized to detail any officers and employees under his jurisdiction for service with the Commission without reimbursement therefor.

"(c) Upon request of the Chairman or Vice Chairman of the Commission, the head of each department, agency, independent establishment, or instrumentality in the executive branch of the Government shall otherwise cooperate with the Commission in the performance of the functions of the Commission and shall provide the Commission with such additional assistance as may be available.

"Staff of Commission

"SEC. 204. (a) The Commission shall appoint an executive secretary without regard to the civil service laws, prescribe his duties, and fix his compensation at a rate not to exceed the maximum rate payable under the General Schedule of the Classification Act of 1949, as amended (5 U.S.C. 1113(b)).

"(b) The Commission is authorized to appoint, without regard to the civil service laws, and fix the compensation of, in accordance with the Classification Act of 1949, as amended, such personnel as it deems advisable to carry out the purposes of this title.

"(c) The Commission may procure, in accordance with section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a), the temporary or intermittent services of experts and consultants. Individuals so employed shall be paid compensation at a rate to be fixed by the Commission but not in excess of $100 per diem, including travel time, and, while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistance, as authorized by section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

"Report and termination of Commission

"SEC. 205. (a) The Commission shall submit to the President, not later than March 1, 1968, for transmittal to the Congress on such date, a report of the activities of the Commission under this title together with its recommendations, including specific recommendations for a declaration of congressional policy on parcel post and for legislation together with a draft of such recommended legislation.

"(b) From and after the submission of its report under subsection (a) of this section, the Commission shall conduct supplementary studies of the parcel post system and shall submit, not later than March 1, 1969, a supplementary report and recommendations to the President, for transmittal to the Congress on such date.

"(c) The Commission shall cease to exist at the close of June 30, 1969."

And amend the title so as to read as follows: "To revise postal rates on certain fourth-class mail, to suspend for an additional three-year period certain restrictions on the use of postal appropriations, to create a temporary Commission on Parcel Post to study parcel post problems, and for other purposes."

Mr. DERWINSKI (during the reading of the motion to recommit). Mr. Speaker, I ask unanimous consent that the further reading of the motion to recommit be dispensed with and that it be printed in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. DERWINSKI. Mr. Speaker, on that I ask for the yeas and nays.

The SPEAKER. Thirty-four Members having arisen, not a sufficient number.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. CUNNINGHAM. Mr. Speaker, on that I ask for the yeas and nays.

The SPEAKER. Twenty-eight Members having arisen, not a sufficient number.

The yeas and nays were refused.

The question was taken.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MORRISON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

SEATTLE-TACOMA AIRPORT FACILITIES FOR TODAY'S TRAVELING SERVICEMAN

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. Mr. Speaker, it gives me a great deal of pleasure to report that efforts are being made at the Seattle-Tacoma International Airport to handle the problems caused by the increased number of U.S. servicemen traveling to the Orient.

The Federal Government recently approved a grant to the Travelers Aid Society to assist in the relocation of new workers moving to the area, and we hope this will strengthen our local Travelers Aid Society group so that they may devote more of their resources to assisting the servicemen in their travels to the Orient.

I am including copies of two recent articles on this matter from the Seattle Times and Seattle Post-Intelligencer pointing out some of the problems of our servicemen and the attempts being made to find solutions:

[From the Seattle (Wash.) Post-Intelligencer, June 16, 1966]

PORT TO EASE GI WAIT AT SEA-TAC

(By Don Page)

The Seattle Port Commission Tuesday authorized emergency facilities for thousands of servicemen and military dependents flooding through Seattle-Tacoma International Airport.

The Port is cooperating with the military and United Good Neighbors' agencies to serve mushrooming demands at the airport. Airport Manager Don Shay estimates unclassified military travel through the airport now at 12,000 men a month.

Army authorities have warned that by summer's end that one service alone may account for 12,000 to 14,000 servicemen and 4,000 to 6,000 military dependents a month.

In Tuesday's action the Port Commission approved an estimated $60,000 in improvements to remodel second floor space in the airport Administration Bldg. into separate lounges for servicemen and dependents and to set up a service counter for military personnel on the main floor.

The Travelers Aid Society has submitted a plan to the UGN for manning of the lounges on the 24-hour-a-day, seven-day-a-week basis requested by the military.

Services will include such comforts as coffee and cookies, cards, television, reading materials and lounges where the travelers may relax during layovers that may range from a few hours to as much as a day.

Mrs. Virginia Cowling, executive director of the Travelers Aid Society, estimates cost to the UGN of $2,000 a month, not counting volunteer help.

The Pierce County UGN will share in support of the service, and military installations of the Army, Navy and Air Force have been asked to contribute.

The military buildup here stems from movement of servicemen and dependents on rotation or reassignment between here and posts in Okinawa. Most direct Viet Nam travel funnels through San Francisco. The travelers arrive by charter flights or scheduled airlines.

Their layovers here may range from a few hours to as much as a day.

Many are traveling at reduced military fares, space available, and bumping may extend their time here.

Also many are inexperienced at arranging their own transportation. Some need funds. They crowd the Western Union office at the airport, wiring messages home.

In Tuesday's action the Port made 1,800 square feet available for the servicemen's and dependents' lounges.

Dependents' lounge will be located in an old kitchen area at the north end of the second floor. Servicemen's lounge will be at the south end. The Port will install it adjoining a Travel Cinema. Approved by the commission earlier this is a movie sponsored by travel organizations, that should provide additional free entertainment for servicemen and dependents in transit.

The port will furnish the lounges partly with comfortable green leather lounges and chairs that were used in a main airport lounge before that was redecorated.

The Port will build a military service counter to be staffed 24 hours a day by Army personnel to assist with travel orders, ticketing, ground transportation and information.

[From the Seattle (Wash.) Times, June 15, 1966]

SERVICEMEN TO GET LOUNGE AT AIRPORT

A $60,000 expenditure to improve facilities for servicemen and their dependents at Seattle-Tacoma International Airport was approved yesterday by the Seattle Port Commission.

The Commission authorized remodeling of second floor space in the Airport Administration Building into lounges for servicemen and dependents and installation of a service counter for service personnel on the main floor.

Port officials estimated, unclassified military travel through the airport now at about 12,000 men a month.

By the end of the summer, totals from one service alone are expected to run between 12,000 and 14,000 servicemen and 4,000 and 6,000 dependents.

Additions and alterations to Concourse B at Seattle-Tacoma International Airport were authorized by the Port of Seattle Commission yesterday.

The work is expected to cost more than $1.3 million.

Young, Richardson & Carleton, architect, was retained to draw the plans.

In order to obtain space for an air-cargo facility, the commission authorized the sale of homes and business buildings on property which it owns near the airport.

The property is between 24th Avenue South and 26th Avenue South, from South 160th Street to South 170th Street.

The area includes 28 homes, which are rented.

Condemnation of property which the Port is acquiring west of the airport was authorized.

The land, including 186 parcels, is being obtained so a new runway can be built west of the main north-south runway.

More than 12,000 servicemen and dependents go through the airport each month, the commission was told.

To help accommodate them, the commission approved the establishment of a lounge for military personnel and to lease space to the Army for a counter to aid the travelers.

CONGRESSMAN HORTON'S TRIBUTE TO THE FAIRPORT BAPTIST HOME

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, Sunday, June 19, I had the pleasure of attending the dedication of a new wing of the Fairport Baptist Home in Fairport, N.Y. After having viewed the outstanding care being given to the residents of the home, I know that my colleagues will also welcome the opportunity to learn of work being done there.

Under the able administration of Director Ernest G. Mount, the home has been able to provide services and personal care to hundreds of our senior citizens. As a home for senior American Baptists, the Fairport Baptist Home provides an ideal environment in which the residents can enjoy and profit from their elder years. Today, the home continues to serve New York State citizens, especially those from the western portions of the State, in the same outstanding fashion as it has done over the years.

In an age of increased concern for our senior citizens, the Fairport Baptist Home offers an example of dedication to the service of others which can be an inspiration for all of us.

Mr. Speaker, I know that my colleagues will be interested in learning more about the Fairport Baptist Home. Therefore, with your permission, I should like to have included in the RECORD a fact-sheet which has been prepared by the home. I commend this statement to my colleagues because it offers an excellent indication of the many worthy services and activities being undertaken at the Fairport Baptist Home:

INFORMATION ABOUT THE FAIRPORT BAPTIST HOME

The Home, a residence for senior American Baptists, has recently expanded its facilities to serve an increased number of people. The addition includes large, comfortable rooms; a new dining room; a fully equipped modern infirmary; and many other specialized areas designed to meet the needs of older people.

The Home is located on a beautiful 22 acre campus about ten miles southeast of Rochester on the northern edge of suburban Fairport. Public transportation is readily available with Empire State Trailway buses stopping at its front steps. It is only 37 minutes to downtown Rochester by bus; less than 25 minutes by automobile.

Each resident has a private room (except certain infirmary areas) and provides his own furnishings, other than the bed. Familiar objects are a real help in making the adjustment to the new way of life.

ITS ADMISSION POLICY

The Admissions Committee evaluates the applicant's circumstances to see whether the Home can be of service to them. The admission policy requires the applicant be 65 years of age or over, an American Baptist, and able to pay the present monthly charges which vary according to the level of care required by the resident and the type of room desired. Current charges are divided into the three following categories: Level (1) $215 a month/resident and $240 a month/resident (private bathroom), and $460 a month/couple (private bathroom); Level (2) $245 a month/resident (intermediate care); Level (3) $305 a month/resident (infirmary care). The charges include all of the major services offered by the Home. Fees for the services of medical specailists and dentists are in addition to the monthly charges as are costs of hospitalization, laboratory work, glasses and hearing aids, clothing, personal needs, beautician services, etc.

The Home accepts residents to all levels of care as vacancies permit.

ITS AREA OF SERVICE

Through the years, the Home has served Baptists throughout New York State. Generally, its service area is west of a line drawn from the northern section of the State, passing between Utica and Syracuse, to the Pennsylvania border.

AND ITS PROGRAM

The Home provides a place to live with all the necessary services which give security to the persons becoming residents. In addition to providing housing, food (including special diets), and basic laundry (washer and drier available for personal use), the Home provides general medical and nursing care: podiatry; rehabilitative, social, recreational, occupational, and entertainment services.

The Medical and Nursing staff is available day and night. Medical specialists are available as needed to supplement the Home's staff. Residents requiring special care are either cared for in the Home infirmary or transferred to a Rochester hospital. However, the need for transfer is rare.

Every Sunday afternoon in the Home's Chapel, religious services are conducted by Baptist ministers from the area. Transportation to local Baptist churches is also provided. A Bible class is held each Monday morning and a Chapel Service each Wednesday morning.

Fairport Baptist Home.

FAIRPORT, N.Y., *May, 1966.*

ARE CUBAN SHIPS PASSING THROUGH PANAMA CANAL BEARING MATERIALS OF WAR FOR NORTH VIETNAM?

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I am including in the RECORD at this point an article written by Mr. Henry J. Taylor for the Los Angeles Times on June 17, 1966.

I have initiated an inquiry with the Defense Department on the allegation that Cuban ships are passing through the Panama Canal bearing materials of war for North Vietnam.

The article follows:

VIETNAM TRADE

(By Henry J. Taylor)

Without exception, Fidel Castro's vessels sailing from Cuba to North Vietnam pass through the Panama Canal. They are sometimes fully, and always partly, loaded with enemy materials for the war. Yet our American authorities usher them through. Why?

As long ago as last January, Capt. Francisco Daltabuit, commanding Castro's Rio Jabacoa, and later Capt. Ceaser Loredo of Camilo Cienfuegos, both of whom left their ships and sought political asylum in Barcelona, Spain, reported all the facts officially to Washington.

They revealed the routines followed in passing through our Panama Canal; voyage times to North Vietnam; payment procedures in Japan; the names of Japanese suppliers in Yokohama, Osaka, etc.; all details of the loading frequencies and the cargoes in Red China and the delivery at Haiphong and Hanoi.

Meanwhile, we support the British in blockading Rhodesia and say in the same breath that we cannot stop even our allies, to say nothing of iron curtain ships, going to Red Cuba or Haiphong.

Defense Secretary McNamara keeps two sets of books on this trade. So long as he so constantly denies everything, I would like to hear him deny this.

Again and again McNamara . . . has given the Senate Armed Services Committee his figures, by months, on free world vessels entering Cuba and North Vietnam. He likewise gives these to the press.

An individual senator on the committee recently discovered that each month, after supplying them, they had been subsequently revised upward inside McNamara's office without McNamara revealing his second set of figures to the committee.

You are reading here the first published statement about two sets of books Mr. McNamara privately employs, admitted to the senator—when challenged—by Mr. McNamara's own executive colonel in charge of them.

In short, to put a better face on the conduct of the Vietnam war, the Senate Armed Services Committee and the American people alike are being steadily misled in this vital subject. And now you can add to it the hush-hush facts about the Panama Canal.

RUIN FOR THE SOUTHWEST?—AN ANSWER TO THE READER'S DIGEST

Mr. UDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, many of my colleagues have informed me of mail they have received of late generated by an article appearing in the Reader's Digest. That article, entitled "Ruin for the Grand Canyon?" purported to prove that legislation now pending in this Congress would "desecrate" one of this Nation's "most spectacular national sanctuaries."

Mr. Speaker, this article not only contained many serious errors but it painted a picture of devastation and ruin wholly unsupported by the facts. If what the Digest alleges were true, I certainly would not be working for passage of the Colorado River Basin project. Neither would the 36 other Members who have introduced this legislation.

Because this project is so important to my State and to the six other States of the Colorado River Basin I believe it is important that my colleagues have a responsive reply to the charges made by the Reader's Digest. I have prepared such a reply and it is contained in this address which I am making today.

Forty years ago the Boulder Canyon Project Act was opposed bitterly by the citizens of my State. A few years later when work was about to begin on Parker Dam, we actually assembled a kind of Arizona navy to sail the Colorado River and block the work. In spite of our efforts Hoover and Parker Dams were built, and because they were, southern California has been able to meet the water needs of an enormously expanded population.

But California has nearly 20 million residents today, and its share of the Colorado River—especially since its defeat to Arizona 3 years ago in a celebrated water case before the U.S. Supreme Court—would not continue to meet the needs of its population. New water sources must be found. The Colorado, which has been depleted by a treaty with Mexico and a decline in precipitation, must be made whole. Clearly, another Boulder Canyon-type project is needed. An evidence of the changes that adversity can shape is the common effort now being made by California and Arizona to enact such a project. We call it the Colorado River Basin project, so named because it will help solve the water problems of these two States plus Utah, Nevada, New Mexico, Colorado, and Wyoming.

Just as my State was wrong 40 years ago in opposing Hoover Dam, so I believe the Reader's Digest and many so-called conservationists are wrong today in opposing this regional water project. I think time will show that they were wrong, and I am not talking about 40 years from now. I think the case will be made in 10.

In its April 1966 issue the Readers Digest became a part of the campaign to defeat this project. In an article by Richard C. Bradley entitled "Ruin for the Grand Canyon?"—an article planted originally in the Audubon magazine—the Digest made a sweeping attack on the project, putting considerably more emphasis upon emotion than fact. I might say that this is not the first article of that description I have found in that magazine.

Later the Digest invited a large party of eastern press people and a few Congressmen to a seminar at the south rim of the Grand Canyon. I was among those invited to participate, but when I got there I was told that only opponents of the project would be allowed to speak. Not until I threatened to hold a press conference on the spot did the Digest decide that I might be permitted to present our side of the case to the seminar.

I consider this operation indicative of the kind of balanced, reasonable, fair, and objective evaluation the Digest set out to make of our project.

The article itself meets several tests Arthur Brisbane might have applied in the old days of Sunday-supplement journalism:

First. Suggest dark, mysterious dealings—things being hidden from the public.

Second. Create a villain—someone your readers can hate.

Third. Paint a picture of enormous proportions—great and shocking crimes being committed, wreaking "destruction" and "ruin."

Fourth. Steer clear of any facts that do not fit this picture.

Fifth. In selecting illustrations to go with your article choose those with reader appeal, whether or not they tell a true story.

The Digest article meets these tests in a number of ways. For example:

First. It says that plans for Hualapai Dam and Marble Canyon Dam—projects costing $750 million and widely discussed for years—are "hidden in the central Arizona project, which, in turn, is only a small part of the multibillion-dollar Pacific southwest water plan."

Second. It makes a villain of the Bureau of Reclamation, the agency which has made the United States world leader in hydroelectric power capacity. It says the Bureau has plans to "still the music" of the Colorado River as it courses through Grand Canyon. And to accomplish its evil ends the Bureau "has become more and more adept" at justifying projects lacking "economic feasibility."

Third. The picture the article paints is certainly one of large dimensions. The "huge power dams" would "destroy the river ecology of the area; plants, birds, wildlife would disappear." The "major part of the big-horn sheep habitat" would be "wiped out." All of this would be a "desecration of one of our most spectacular national sanctuaries." And, of course, the title itself poses a question of rather large proportions when it asks whether we are going to "ruin" the Grand Canyon.

Fourth. It steers clear of giving us more than a slap-dash smattering of information about power generation, thereby supporting by omission its thesis that "economic feasibility through hydropower may have been sensible 30 years ago, but not today."

Fifth. Illustrating the article are three pictures, two of which would not be affected in the slightest by the proposed dams or their reservoirs. The third shows a deep, narrow gorge about 10 miles below Grand Canyon National Park; while the implication is that the scene would be flooded, the increased water level would be almost imperceptible from this vantage point.

Thus, we see that the Digest article meets well what we might call the Arthur Brisbane test for reader interest. Unfortunately, this kind of approach weakens materially the case conservationists want to make against this project.

Let me say that I do not oppose the cause of conservation or the work of the conservation organizations we have in this country. Many of these groups and their leaders have been allies of mine in past battles, and we will be allies again, I am certain. What separates us in this instance is not a difference in dedication to conservation but a difference in the extent to which we would go in limiting the development of our natural resources for the use of our expanding population.

I do not favor cutting every tree, mining every ounce of coal, or harnessing every drop of falling water in order to meet the needs of our population growth. I think economies must be made, new and more efficient methods found to feed, clothe, and house our people. And I think with wisdom and foresight we can hold back from the maw of "progress" at least some of our natural environment for the enjoyment of ourselves and future generations. For this reason I fought long and hard for the Wilderness Act, and I might say that all, or nearly all, of the sponsors of the Colorado River Basin project did so too. And we will continue to work for the cause of conservation.

But being for conservation does not mean that one can put his head in the sand and ignore the real problems that face us in the use of our natural resources. Development must occur, and what the true conservationist ought to be doing today is striving, not to block development, but to insure that development interferes as little as possible with the world of nature around us. I believe that philosophy has prevailed in the drafting of the Colorado River Basin project.

In its attack on this project the Digest fabricates a whole that is vastly more than the sum of its parts, and many of the parts are defective.

First, let us consider that phrase, "still the music." The Digest says the dams would have this drastic effect on the waters of the Colorado River. The statement, however colorful and dramatic, is false. It implies that nowhere will the river rush freely through the canyon, as it does now. The contention is that construction of Marble Canyon Dam 12.5 miles upstream of Grand Canyon National Park will cause the river flow to be regulated, thereby stifling its natural "song." The trouble with this argument is that Glen Canyon Dam already exists upstream, and it regulates the flow of the river just as much, or as little, as would Marble Canyon Dam a few miles downstream from it.

Also, the Digest neglects to tell us that from Marble Canyon Dam to the point where the first inch of increased river elevation would occur behind Hualapai Dam there would be 104 miles of free-flowing river—through all of the interior of Grand Canyon National Park. Not until the Colorado reaches the west boundary of the park would there be any change, and that would be merely a slight, gradual increase in depth amounting to only 90 feet at the park boundary.

The vastness of Grand Canyon National Park is totally ignored by the Digest article. I doubt that many of its readers realize that the area left absolutely untouched by these two dams and their reservoirs is substantially greater than the entire State of Rhode Island. And except for this remote 13-mile stretch of river along its western boundary Grand Canyon National Park—the area nearly everyone thinks of as "the Grand Canyon"—would be unchanged in any way.

If these dams were built and a Digest reader went to the park today, he would have no way of observing that they even existed. He could stand on the south rim and look in all directions. He could take the famous mule trek down Bright Angel Trail and watch the waters of the Colorado flowing by. He could go on to the north rim and look in all directions. Nowhere would he see any change at all.

In fact, there is no road, trail or overlook anywhere in the park or out of it where he would be able to see either of the dams or reservoirs. There is one exception. He could take a long, bumpy, dusty and circuitous trip up north into Utah, then come down on the west side of the park and proceed to a point called Toroweap Overlook in Grand Canyon National Monument. To get there he would have to stop his car and open about a dozen gates. And once he was there what he would see would be a beautiful strip of blue water in a narrow canyon—essentially the same scene he would see if he made that trip today.

Thus, when the Digest talks about "stilling the music" of the canyon, a totally false picture is presented.

The Digest article makes much of the destruction of the river's ecology—that is, the interrelationship of plants and animals. Of course any reservoir will affect this relationship, but when the Digest goes on to say that the "major part of the bighorn-sheep habitat in Grand Canyon would be wiped out," it is misleading its readers. The Bureau of Sport Fisheries and Wildlife of the Department of the Interior says that if bighorn sheep exist in Marble Canyon, the population would be "very limited." And while there are known populations in the vicinity of what would be the Hualapai Dam reservoir, their numbers are little known because of inaccessibility. In any case, officials of the Bureau say that bighorns have no particular affinity to river bottoms except for watering purposes.

The crushing answer to the Digest's argument, however, is to be found in the record already made at Lake Powell above Glen Canyon Dam and Lake Havasu above Parker Dam. Wildlife officials tell us that in the years since impoundment of these waters the bighorn population—far from being "wiped out"—has actually increased. Apparently these animals are benefiting from the increased availability of water.

In Sunday-supplement journalism you always want to raise as many alarms as possible, whether they are valid or not. And this is what the Digest does when it suggests that with construction of Marble Canyon Dam we will "set the stage for the Kanab Diversion Project, another proposal with gravest consequences for the park."

The Digest tells us that this old plan would divert 90 percent of the flow of the river from Marble Canyon reservoir through a tunnel to the north of the park and then drop it back into the canyon at Kanab Creek, thereby "squeezing out" additional kilowatts of electricity. But what the Digest doesn't tell us is that such a project would rob the turbines at Marble Canyon Dam of 90 percent of their generating capacity. The water cannot go both ways. Construction of a dam at Marble Canyon is the surest way to head off any revival of the Kanab Diversion idea. Once the dam is built this old issue can be put to bed for all time.

Reading the Digest in years past I have a distinct impression that this magazine's editors regard every word of the U.S. Constitution as sacred. No matter how any given word got into that document, no matter what pressures were brought to bear by what States to achieve that precise terminology favorable to them, once the word became part of the Constitution it was as though it had been brought down on stone tablets from Mount Sinai. That's the way the Digest looks at contract language it happens to like.

But how about the language contained in the Grand Canyon Act of 1919? That act, creating Grand Canyon National Park, contains language permitting utilization of areas in the park for a reservoir behind a dam to be built in Bridge Canyon. What is the Digest's opinion of that language? Why, it is a "legal loophole."

By the same principle any of the first 10 amendments to the U.S. Constitution could be called a legal loophole too. Perhaps even the first, covering freedom of the press.

Of course, this clause is no "legal loophole." It is a clause enacted along with the rest of the act by the Congress of the United States and signed by the President. It is just as legal and just as binding as any other part of the act. Without that language there might never have been the support to pass the Grand Canyon Act. It is there, and the Reader's Digest cannot dismiss it by calling it names.

The article also makes the statement that there is nothing in the proclamation establishing Grand Canyon National Monument in 1932 that would permit construction of this reclamation project. What the Digest does not tell us is that reclamation withdrawals for lands involved in the Bridge Canyon reservoir—Hualapai Dam—were made by act of Congress in 1920 and 1933, five powersite reserves and two waterpower designations were made during the period 1914–41, and the proclamation establishing the monument was made subject to all valid existing rights. Thus, it is not true that the monument proclamation made no provision for the dam at Bridge Canyon.

In a recent exchange the author of the Digest article has said that the Federal Power Commission Act of 1935 ruled out all reclamation or power projects from national parks and monuments. This also is in error. That act covered only projects proposed for FPC licensing and had no bearing on Federal reclamation, powersite, and waterpower rights.

Perhaps the most intriguing idea set forth by the Digest article is the thought that plans for Hualapai and Marble Canyon Dams could be hidden in some little old water bill. Remember, these two dams involve $750 million. Both of them have been under discussion for 50 years. One of them, the dam in Bridge Canyon, was approved in legislation passed by the U.S. Senate in 1950 and again in 1951. Both of them have been the subject of project applications before the Federal Power Commission, and a license to build a dam at Marble Canyon would have been issued 2 or 3 years ago if Congress had not passed a moratorium which expires on December 31 of this year.

In addition, I might point out that the dams have taken up a great deal of the public hearings held on this legislation, first in the Senate in April 1964, then in the House in August 1965, and finally in the House again in May 1966. In view of all this publicity I should like to know how the Digest ever got the idea that the dams were being hidden away from public view.

The Digest says the dams are part of a "multibillion-dollar Pacific southwest water plan." Not true. The legislation before Congress is the Colorado River Basin project, and its cost is $1.7 billion. If the Digest wants to include the $3.5 billion in revenues these dams will generate—after paying for themselves—I think this amount belongs in the credit column—not the debit.

Also, I was intrigued by the Digest's use of the adjective "senseless" in speaking of this method of paying for the delivery of water where it is needed. The dams, it says, "will serve no purpose that cannot be served at least as well in a variety of other ways." This "senseless" concept, of course, is the basic principle of reclamation which has guided the policies of this Nation since the days of Theodore Roosevelt.

As in all reclamation projects what is proposed is to use hydroelectric power to pump water to where it must go and then to use any surplus power to create revenues which will pay for aqueducts and other water works. To be sure, there might be a "variety of other ways" to derive such funds. One would be an outright gift from the taxpayers of the Nation, but I do not think this is a likely possibility. Another would be establishment of a chain of federally financed grocery stores; I am afraid a few Members of Congress might not go for this. Or another would be construction of one or more federally financed steam powerplants, perhaps using nuclear reactors for energy. But to suggest that people of these seven States must rewrite Federal reclamation policy—and win the acceptance of our public and private power companies producing the same kind of energy—is to saddle them with a burden they cannot carry. And for what purpose? Denying the use of these dam sites to the Colorado River Basin project will not stop the construction of dams in Bridge and Marble Canyons; it will merely insure their use by State, local, or private applicants.

It may be "senseless" to the Reader's Digest to use federally owned damsites to produce revenues for the delivery of water to the parched fields and cities of the Colorado River Basin, but this idea is neither new nor untested. The argument would apply with about equal force to all reclamation projects now in existence—Grand Coulee, Shasta and Trinity, Theodore Roosevelt and all the rest. And it is this principle that has made possible the growth and development of much of the West.

This brings us to the Digest's fascinating venture into the economics of hydroelectric versus steampower generation. Citing a few quick figures about the cost of producing power here and there, the article poses this dire prospect:

> If the bureau cannot market its power at a profit 30 years hence, it will be unable to pay for the dams or the rest of the central Arizona project. The Nation will have to pick up the tab.

The article tells us that this project is based on selling power from these dams at 6 mills per kilowatt hour, a figure the Digest says will be excessive. In truth, the Bureau of Reclamation proposes to sell the output of these dams for a price of $10 per year per kilowatt and 3 mills per kilowatt hour for energy. This is not 6 mills. Furthermore, it might interest the Digest to know that the State of California Department of Water Resources in its March 1966, report values its hydroelectric peaking power—which these dams will supply—at $17.90 per year per kilowatt and 3 mills per kilowatt hour for energy. And utilities in the area are anxious to make 40- and 50-year contracts for this power, offering substantially more for it than the Bureau's proposed price for Marble and Hualapai Dam power.

A measure of the market for this power—and the soundness of the Bureau's position—will be found in the unanimous support given this legislation by the public and private utilities of the country.

The prospect of hydroelectric dams being unable to market their power is made even more remote in the light of testimony recently from Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, who said that power demands in the years ahead will be so great that, even though we greatly expand our nuclear power capacity, the need for electric power from coal and hydroelectric sources also will be growing, not diminishing.

Leaving the subject of power generation for a moment, the Digest turns its guns on the central Arizona project, the initial water project to be financed by the seven-State basin fund. In fact, there is something interesting about the Digest's tendency to speak only of Arizona and the central Arizona project. It almost would appear that the editors look upon little Arizona, with its three votes in the House of Representatives, as a handy target. The truth, of course, is that this is a regional bill, the heart of which is a basin fund created by revenues from those two dams. After the central Arizona project has been built and pumping of Arizona water paid for, there will be left in that basin fund about $3 billion to help solve the larger water problems of the seven basin States. The prospect is that these funds ultimately will be used to finance desalting plants, import aqueducts, or other works to supplement the depleted waters of the Colorado River system.

Benefiting from this project will be, not just the 1.7 million people of Arizona, but something like 30 million people in the seven basin States. Knock out Hualapai Dam, which the Digest seems to think is a good idea, and the capacity of that basin fund to help make the Colorado River "whole" will wither away. Knock out Marble Canyon Dam and the whole dream shatters. Yet the Digest says these dams "will serve no purpose."

Throughout its article the Digest plays a semantic game. The American people know what they mean by Grand Canyon—they mean the place they visit on vacation, the south rim and the north rim and all of that vast expanse of fantastic color and spectacle that is Grand Canyon National Park. But the Digest does not mean just that. When it speaks of "Grand Canyon," the Digest apparently means all of that stretch of the Colorado River beginning at Lees Ferry and extending down to Lake Mead. If all of that were in the national park, it would be the size of Rhode Island and Delaware. But this is not the "Grand Canyon," and saying it is will not make it so.

After all, it is a little difficult to say these dams would flood the Grand Canyon if you are speaking of the Grand Canyon everyone knows; the extent of that flooding would be a very slight increase in water elevation along one remote edge of the park. But if you can convince your readers that Grand Canyon includes vast areas upstream and downstream that have never been set aside for Federal protection, then your argument will seem convincing. And that is what the Digest has tried to do in this Sunday supplement attack on a sound and reasonable reclamation project.

Even a glance at this article, without reading it, could give a subscriber to the Digest a false impression. For example, the picture on the title page is labeled "Marble Canyon." I know that readers, seeing that picture, thought this was a scene that would be flooded by the reservoir behind Marble Canyon Dam. However, this is not true. The scene is downriver from Nankoweap Creek, several miles below the proposed dam. It would not be affected at all.

Next is a picture of the Colorado in Grand Canyon National Monument. The river appears here as a continuous body of water, almost exactly as it would appear as part of the Hualapai Dam Reservoir. The only difference would be an increase in water elevation almost imperceptible from this vantage point.

And finally the Digest prints a picture of Upper Deer Creek Falls. It is a beautiful scene but quite irrelevant to the story because it would not be altered whatsoever by either of the dams or reservoirs.

And there you have the parts put together by the Digest to constitute what it calls a "desecration of one of our most spectacular national sanctuaries." If the editors had made their case, I would be on the firing line with them. So would all the other 36 sponsors of this legislation. So would all the basin-State Congressmen and Senators who see this legislation as a great help to the water problems of the West. But they have not made their case, and we shall not be joining them in this never-never approach to the great problems of conservation and resource development.

What readers of the Digest should know is that the West cannot survive without additional water. Here is a sound plan to finance its development and, at the same time, repay the Treasury with interest. It is a plan that pays great respect to the Grand Canyon, that will protect it from the prospect of unwise encroachments in the future. And it is a plan that will open Grand Canyon National Monument to the public, really for the first time, because on the surface of the lake in its inner gorge visitors will be able to look up on sheer cliffs a half-mile and more high. In my judgment Hualapai Dam will make of Grand Canyon National Monument one of the greatest visitors' attractions in the West.

The question, then, is not "Ruin for the Grand Canyon?" As I read and reread this Digest piece, I get the impression that what the editors really have in mind is "ruin for the Southwest." And I don't like it.

AMENDMENT TO CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I have today introduced legislation which would amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii. Under existing law, real estate loans available under subtitle A of that act are restricted to farmers who are or will become "owner-operators," thus rendering ineligible farmers who hold less than a fee simple interest in the farmlands involved.

Mr. Speaker, Hawaii has land problems which are quite different from those found in the other States. First of all, there is an acute scarcity of available land, and fee simple land for agricultural use is almost nonexistent. Much of the available land is subject to restraints on alienation and therefore may be obtained for farm purposes only as leaseholds.

The land problems peculiar to Hawaii have virtually made it impossible for Hawaiian farmers to obtain needed financing to carry on their operations. My bill would tend to equalize the status of farmers in the island State with that of farmers in other States by permitting farm improvement loans to be made under subtitle A to "lessee-operators" in Hawaii.

In order to accomplish the purposes for which my bill has been introduced, provisions have been included which would authorize such loans to lessee-operators of farmlands in Hawaii where, first, such lands cannot be acquired in fee simple; second, adequate security is provided for the loan; and third, there is reasonable probability of accomplishing the objectives and repayment of the loan.

This legislation, if enacted in time, would benefit the operators of a large number of family farms which have disappeared as the result of the growing urbanization of the island of Oahu, the principal island of the Hawaiian group. A very desirable farm tract at the easterly fringes of the city of Honolulu has been offered as leaseholds to this group by a private development corporation. The farmers reportedly have been granted a final extension date of September 30, 1966, to come up with their share of the improvement costs, and they are presently unable to make the needed loans to take advantage of the offer. This group of farmers in the past has been able to supply much of the fresh vegetable requirements of the military as well as the civilian population on Oahu.

Mr. Speaker, I do hope that the bill which I have introduced will be considered an emergency measure and be reported out early by the committee to which it is referred, and passed by this House in time to relieve the small farmers of Hawaii.

HORTON BILLS SEEK REFORM OF FEDERAL CRIMINAL LAWS, STRENGTHEN LAWS AGAINST OBSTRUCTING INVESTIGATIONS

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, the incidence of serious crime in the United States has doubled since 1940, and has increased five times faster than our national population since 1958. The prognosis, unfortunately, is that such increases will continue unless significant remedial action is taken promptly.

This alarming development has prompted the President to label crime "a malignant enemy in America's midst," and "a national industry." Such observations justify the further conclusion that the criminal element in our society has declared open and total warfare upon the United States.

The malignant character of the crime rate erodes and corrodes the quality of our citizens' lives. It does so principally through its generation of an atmosphere of fear among the citizenry—a fear, the manifestations of which compel the citizen to arm himself with tear gas, guns, a proficiency in judo, and the like, if he or she is to enjoy, with a modicum of protection, that simple pleasure of strolling the streets and sidewalks of our cities, towns, and villages at night.

Criminals have declared war on the United States. To successfully conclude this war in victory for our citizens, it is vital that, as in all wars, our law-enforcement officials possess the weapons capable of achieving and assuring this victory.

A responsive arousal of the citizenry to their duty to cooperate with enforcement agencies and officials in the communication of information concerning the commission of crimes with respect to which they have a vital and personal awareness is one approach that will contribute some needed weight to this balancing.

To this end, I respectfully submit the following bills for the consideration of my colleagues:

First. A bill which would stimulate citizen cooperation with law-enforcement agencies and officers by providing stiff punishments for the exercise of any threat, intimidation, harassment, and so forth—the methods often employed by the underworld elements—designed to obstruct criminal investigations by means of delaying, preventing, or obstructing the communication of information concerning crimes to law-enforcement officials and agencies of the Federal Government. The penalty upon conviction for any violation under this bill is a $5,000 fine, imprisonment for not more than 5 years, or both.

Second. I am submitting a bill to establish a National Commission on Reform of the Federal Criminal Laws. In light of the crisis-level increases in serious crimes, and in light of the increasing effects of constitutional considerations on law enforcement procedures, I believe that Congress should have the opportunity to reshape the whole of title 18, United States Code to fit the needs of today's urban criminal patterns. I am not advocating new laws that would challenge recent decisions of the Supreme Court relating to the rights of an accused person. I am, however, concerned that new laws and perhaps more modern procedures be found within constitutional limits, so that law enforcement and judicial branches of government will have the tools with which to bring peace and order to the streets and households of this Nation.

We have gone beyond the point where patchwork changes in our criminal code are adequate to meet the problem we face. Under my bill, the Commission would be required to report its findings and recommendations by the end of 1968.

The first bill I am submitting is one which strengthens the criminal law respecting the obstruction of criminal investigations. It is among the patchwork changes which is urgently needed in a particular area of the law. The second bill, I am confident, will enable the Congress to review the whole scope of Federal criminal statutes, with an eye to weaving a more up to date, and more effective legislative shield against crime.

REFORM OF THE PRESENT DRAFT SYSTEM IS VITAL TO EVERY AMERICAN FAMILY

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. ELLSWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, reform of the present unfair and inefficient draft system is vital to every American family. In testimony before the House Armed Services Committee tomorrow I will call for ultimate abolition of selective service and creation of a modern, professional, career-oriented military force.

I am opposed to creation of any system of obligated national service or universal military training, and believe a lottery is no great improvement over what we now have.

I have long been a congressional proponent of reform of the draft. Last March 1, I spoke for 30 Republican House Members who urged a congressional investigation of the draft. Since that time we have released six detailed studies pointing out inequities and inefficiencies, and making recommendations for change in Selective Service. The current congressional hearings were secured as a result of general dissatisfaction with the administration of the draft.

Under leave to extend my remarks I ask that the transcript of my testimony, to be delivered to the Armed Services Committee tomorrow, be inserted in the RECORD.

TESTIMONY OF CONGRESSMAN ROBERT ELLSWORTH BEFORE THE HOUSE ARMED SERVICES COMMITTEE ON SELECTIVE SERVICE REFORM, JUNE 28, 1966

Mr. Chairman, I congratulate you and your colleagues on the Armed Services Committee for your decision to examine the draft. And I appreciate this opportunity to present my views.

In the course of the studies which my colleagues and I have undertaken, I have developed my own personal beliefs as to the directions which reform of the draft should take. They are my own and in expressing them I speak for myself.

The present draft system is inefficient and unfair and must be reformed immediately. None of the reforms I will suggest would require new legislation.

But far more important, and more fundamental, Congress owes this nation a new and better system for providing manpower to our Armed Forces. Obligated National Service is not the answer; universal military training will not do the job; a lottery is no great improvement over what we now have.

Mr. Chairman and members of the Committee, I urge that Congress abolish the draft, and get on with the establishment of a modern, professional, career-oriented, highly paid volunteer military force.

I believe the present Selective Service System is inefficient and unfair. More important, I do not believe that the present system can be made adequate by minor adjustments or tinkering. What is required is to start at the beginning, determine what is needed, and provide it. I do not believe that the crazy quilt of existing law and regulations can be made fair, efficient or logical merely by the addition of a few new patches.

It will, however, take months of intensive study to produce new legislation based on a new concept. In the meantime the existing system can be made more appropriate by specific changes, none of which would require new legislation:

The Defense Department should set equal acceptability standards for all, rather than discriminating as it presently does between high school graduates and high school dropouts.

In view of the emergency in Vietnam the Defense Department's acceptability standards should be lowered, as was the intent of the provisions in the Universal Military Training and Service Act.

Part-time college and university students, who must work in order to continue their education, should be deferred on the same basis as full-time students.

National Selective Service headquarters should provide local draft boards with a specific set of guidelines on how to apply the various criteria for student deferment, rather than impose on the local boards the responsibility of interpretation, thus encouraging different policies in different boards.

Selective Service should provide local boards with a specific order of priority for the reconsideration of presently deferred groups, if the I-A pool must be expanded.

Simple data-processing equipment should be installed for the storage and maintenance of files to facilitate Selective Service's capacity to measure quickly and accurately the composition of the 32 million registration it now must handle.

Necessary as these reforms are—now—they are nonetheless only the means of making the best of a system which should be scrapped altogether. In my judgment we must start with a totally new concept.

There are four basic alternatives to the current system: Obligated National Service; universal military training; a lottery; and abolition of the draft.

The concept of a national service obligation to replace a military service obligation is repulsive. The military draft has occasionally been necessary in our history in order to secure the national defense. But the drafting of men or women for civilian service, no matter how lauditory the cause, is the exact antithesis of everything this nation stands for. It is surely not what immigrants came to our shores to seek; it is in fact what they came to avoid.

There is no more noble pursuit than service in the Peace Corps. VISTA, the Job Corps, a soundly administered and purposeful War on Poverty are all vital programs through which any young man or woman can make an extraordinary contribution to the welfare of our nation. All Americans owe a debt of gratitude to those who have chosen a career in teaching in the public schools. There is a host of jobs here at home that our nation must tackle to make its democracy, its freedom and its prosperity real for our people—all of our people.

We must encourage our young men and women to seek to make these pursuits their life work. This nation cannot truly be great until these jobs are done. It is vitally important that our nation capture the idealism of its young, and channel their energies in these directions. It is vitally important that we, as a people, make the irrevocable decision to eradicate poverty and ignorance and disease in our own land.

But it is a perverse distortion of the American dream to believe that we should do this by drafting our young people to serve all the needs of society. The very thing that has made our nation unique is the dedication of its people—the volunteer spirit with which they approach the problems of society. The Peace Corps has been an outstanding success not because young American men and women were drafted into it but because young American men and women volunteered years of their lives to serve the needs of others. The energies and enthusiasm and idealism of America's youth is our nation's most precious asset—not because we can draft them to work for society but because they are ready and willing to commit themselves freely and voluntarily to shape the future to the image of our dreams.

Every one of us who sits in Congress is a public servant—and most of us have chosen this course so that we can make a maximum contribution to the world in which we live. Our society did not force us into public service. We chose this course on our own initiative. We were free to choose, and we chose to serve. If our society ever reaches the stage that its needs cannot be met through the free commitment of its people, then our society is doomed.

On the other hand, if a national service concept means not the drafting of young men for civilian service, but providing an escape hatch from military service through some kind of government job, I am opposed to that, too. I realize full well that some young men may make a greater contribution to their country through two years in the Peace Corps or in VISTA or in teaching than they might make in the Armed Forces. That is more true, however, if their service in the Peace Corps, in VISTA or in teaching is based on a genuine desire to help people than on a desire to avoid military service.

More importantly, civilian alternatives to military service would in no way remove the basic discrimination inherent in the present draft. A man has to meet certain qualifications to join the Peace Corps, to become a teacher, or to participate in almost any of the significant and valuable government programs to meet social needs. More often than not it is the educated man who will get the job—and the result would be that, even more than now, the poor who cannot afford a college education would carry a disproportionate burden of the draft.

Frankly, I am even opposed to an automatic waiver of military service for those in the Peace Corps. No civilians have made a greater sacrifice for the sake of others than do those in the Corps. But the success of the Peace Corps has largely been a product of that sacrifice. They are received abroad as young men and women who have devoted part of their lives, in an extraordinary display of selflessness, to the needs of others. If there were the suspicion abroad that their motives were merely to avoid military service, their reception and their contribution would be significantly less.

The concept of universal military training is abhorrent. The same reason which has encouraged the proponents of the national service concept to make their proposals, demonstrates just how unnecessary universal military training would be at the present time. There are far more men in the draft age population today than ever before—almost twice as many as 15 years ago—and far more men than would be needed in military service except in the case of another world war.

Some, including General Hershey himself, have argued for UMT in order to use the Armed Forces to compel every young man to raise his educational and training level—quite unrelated to the actual manpower needs of the services. I am unalterably opposed to such a program as undemocratic. The draft is justifiable only for military purposes—and only then when absolutely necessary. Furthermore, the concern over the high rejection rate of today's draft results more from extraordinarily high Defense Department acceptability standards than from any deterioration of U.S. educational standards.

Some advocates of universal military training have argued for a very brief period of training for every student leaving high school—graduates and dropouts. This, it is suggested, could be followed by service in a mammoth reserve force. Such a system, they argue, would remove doubt about the draft from the minds of young people as they plan their higher education or employment. I do not think so. The one doubt would merely be replaced by another—doubt over whether their reserve unit would be activated. The question facing government manpower specialists under UMT would not be which untrained man to draft for active service as it is today; it would be which trained man to draft for active service.

I also oppose a lottery system for the draft. A lottery is the politically easy answer, for it offends no one—or it offends everyone equally. But however illogical the current system may be, there is no justification in replacing it with a totally irrational one.

Those who argue for a lottery point out how well it worked in World Wars I and II. In both cases, however, the need for manpower was massive, the supply was limited and the demand was immediate. Today the need for manpower is relatively small, the supply of manpower is enormous, and the demand, while immediate, can at any time be met through the reserves.

Any system of conscription is inevitably inequitable. It is certainly made no less inequitable if a man is drafted by pulling his name out of a hat than if he is drafted on the basis of defined criteria. If the draft is necessary it is incumbent upon society to make some kind of a rational decision as to who shall be drafted. It is silly to suggest that an unemployed man of twenty and a doctor in a one-doctor town should stand an equal chance of being drafted. It is silly to suggest that a single man on whom no one is dependent and a father on whom a family of six is totally dependent should stand an equal chance of being drafted. Any draft must have exceptions, but once exceptions are granted the lottery system would become very similar to what we have today. A lottery would not make the draft any more fair.

It is the capriciousness of the current draft operations which makes a lottery seem attractive. If the draft is necessary, national selective service must establish far more firm rules for local board procedures. At the present time local boards must exercise so much discretion in the interpretation of vague Selective Service regulations that identical cases are treated entirely differently by neighboring boards. Specific and logical criteria for drafting are preferable to a lottery but only if they are uniform and uniformly applied.

The basic concept which the Congress should accept is that the draft should be abolished. I believe that it can be abolished—not immediately but in a very short time. I realize that the military services will dispute this contention. I recognize that they feel they cannot afford to do away with the draft—that they need a system of conscription at least in order to meet crises.

I do not advocate sudden and total abolition of the draft. What I advocate is that the Congress and the Administration adopt that as their objective. We never will get rid of the draft until the government accepts the goal of building a purely volunteer military establishment. This means increased military pay. It means increased career opportunities. It means a radical departure from existing practice of using uniformed personnel in administrative and supply jobs in the United States which could just as easily be filled by civilians. It means attention to the creation of a more adequate volunteer reserve force which can be activated in crisis time. It means a system of bonuses for enlistment by the reserves for active duty in crises. But most of all it means a determination by the Administration and the Congress to make every effort to undertake the necessary reforms to allow the draft to be ended.

Building a purely volunteer service will cost money. But it is testimony to the inattention which the Defense Department has given this subject that Secretary McNamara has estimated the annual cost at $4 billion on one occasion and at $20 billion ten months later. What the costs are is unknown. It is conceivable that it may be expensive, but we will never know until we thoroughly explore the steps which must be taken to permit abolition of the draft. I am confident that the American people would be willing to endure a meaningful dollar sacrifice to end a government policy which drafts the youth of our nation to risk human sacrifice in combat.

I am surely not recommending that we place a priority on abolition of the draft above that of national defense. I do not advocate a smaller army or smaller armed services. Nor do I advocate immediate abolition of the Selective Service System.

Let me be perfectly clear in stating that we are now in an international crisis—and I do not doubt for one moment that the status of our existing military forces requires the military draft.

But at the same time I am convinced that in peace-time we do not need the draft—and that, furthermore, it is possible to construct a military service which can meet international crises of the future—such as those that we confront in Vietnam today—without resort to conscription.

The ten-year period from March, 1955, through March, 1965, was a period of relative calm in the Cold War, although it surely was not a period devoid of tension or crisis. At no time in that entire ten years did the draft call exceed 25,000 men per month. In only three months did it exceed 20,000—September, October, and November of 1961, as a result of the Berlin crisis. Nearly sixty percent of the time during that ten-year period the monthly draft calls were under 10,000, and the average monthly draft call during the ten-year period was only 9,782.

Today we are told that 150,000 new nineteen-year-olds come into the I-A pool of Selective Service each month. That figure will continue to expand. The size of the armed forces in the United States has remained relatively static over the last 15 years. As the population continues to expand, as the benefits of career military service are expanded, as an adequate reserve program is built, and as civilian employment replaces jobs in the United States now held by uniformed personnel, the need for the draft will be increasingly obscure.

What I am calling for is the determination of the government to take those steps necessary to make the draft unnecessary. It should not and cannot happen suddenly, but unless we plan to make it happen it may not happen at all.

Perhaps what I am urging is the exact opposite of an obligatory national service concept. Our goal should not be to draft all men into national service; it should be to draft no one. Our goal should not be to force public service upon our youth but to encourage them to seek in public service the rewards of personal fulfillment. Thus we should try to make of military service—as we would in the Peace Corps, or in education—an opportunity for young men to serve their country with pride, an opportunity to gain the respect of their fellow men and the gratitude of their country, an opportunity for a satisfying and rewarding career in public service.

All this takes a determination by the Administration and the Congress to make it so. When we are determined to do it, it will be done.

RECONFIRMATION NEEDED FOR FEDERAL JUDICIARY

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Dickinson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DICKINSON. Mr. Speaker, for some time now I have been deeply disturbed by the lack of confidence a vast majority of the American public seems to have in our Federal court system and especially in its judges. The greatest cause for this erosion of what used to be true confidence in the ability of Federal judges would appear to be the lack of any effective means of holding the appointees accountable once they have been confirmed by the Senate.

I believe that all Federal judges should be subject to reconfirmation by the U.S. Senate every 6 years as a step toward restoring the people's faith in the Federal judiciary. I would not propose that renomination occur, as political considerations could become vital factors. However, I do believe that Federal judges should be held more closely accountable as they serve. Everyone else in public life is accountable to someone, why not those nominated to judgeships?

As one who has spent some time on the bench, I have had the opportunity not available to most men to observe the workings of our judicial system. No man who serves as a judge is perfect. None is infallible. Certainly no man should be put in a position of not being really accountable to any one or any group for his action from the date of his appointment until his ultimate retirement or death. I do not suggest that Federal judges should be elected, nor should they ever have to make political decisions in order to hold their jobs. I do say that they should be responsible to someone, and I believe that the bill I have introduced today is the first step in the right direction.

THEY MARCH TO DIFFERENT DRUMMERS

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, there is a considerable number of our young people in this country who are consciously endeavoring to avoid the draft. Everyone must respect the religious sensibilities of individuals who are conscientious objectors. While the country could not remain free if all of us were to be conscientious objectors, nonetheless we are big and tolerant enough that there is a valid position in this Nation for those who think that way.

On the other hand, there is a beatnik fringe which is anti-American, sneer at patriotism, and would do anything to avoid the draft. In some cases we have even heard of courses being given in draft evasion. This is becoming more and more prevalent in many areas and the New York Times has carried an interesting article in its Sunday, June 26 edition. Entitled "They March to Different Drummers," it is very thought-evoking and deserves the study of every Member of this body.

[From the New York Times magazine, June 26, 1966]

They March to Different Drummers

(By Walter Goodman)

Paul Carling is 20 years old, a part-time student who lives at the lower end of Manhattan Island. He is a practicing Roman Catholic. Ben Koenig is 24 years old, plays the guitar, teaches music to young children and resides in the upper reaches of the Bronx. He is a nonpracticing Jew. With the exception of a possible chance encounter on a Vietnam protest march, Paul and Ben have never met. They do have something important in common, however. Both have had their applications for exemption from the draft as conscientious objectors turned down by their local Selective Service boards during the past year.

The two young men are now appealing their boards' decision on religious grounds—the only grounds available under the law—but there the similarity of their positions ends. Paul Carling, who attended Catholic schools for most of his life and studied for a year in a Jesuit seminary, bases his claim to exemption on Scripture, on the Apostles' Creed, on the Vatican schema. He told his draft board: "I believe in a personal God and Father of man and His Son Jesus Christ who by becoming man made brothers of all men."

The number of Catholics seeking recognition as C.O.'s, according to Thomas Cornell, co-chairman of the Catholic Peace Fellowship, has "exploded" in recent months. The Peace Fellowship office is now counseling seven to ten objectors a day on the church's teachings regarding the primacy of conscience, and a number of Catholic C.O.'s have won their appeals.

Paul referred his draft board to the New Testament admonitions about turning the other cheek and answering not evil with evil—but the board was not satisfied. Since Paul is not a member of one of the traditional pacifist churches and since the board had evidently never before encountered a Catholic pacifist, they rejected his claim. "If you were a Quaker," a member told him, "you'd get the exemption right away."

Ben Koenig's claim to exemption rests not on any formal religious training or on regular attendance at synagogue or temple, but on his personal decision that he should not fight in any war. "My belief is wholly my own," he informed his board. "It is my credo and my religion. *I will not kill.*"

Many of the young C.O.'s coming before their boards now not only are "unchurched" like Ben, but are severely critical of organized religion, which they view as an especially hypocritical part of the despised Establishment. Given this legal handicap, it is up to them to make a strong case if they hope to persuade their skeptically inclined boards.

Thus, Ben's draft board was predictably unimpressed with his attitude toward Army life. One member made it known that he had a son in the Army who was *really* religious, and he asked Ben, "Do you think he wants to kill?" (The man who put this question happened to be a Lutheran, but an experienced observer of board behavior has concluded that a Jewish C.O. is generally better off before a board that has no Jews on it and a Catholic C.O. is better off appearing before non-Catholics. It seems that the coreligionists of objectors get annoyed at kids in their teens and early twenties telling *them* what their religion is all about.) Ben's hope for a reversal of his board hinges on last year's Supreme Court decision, which widened the acceptable legal definition of religious belief to include, conceivably, even such unfrocked beliefs as his.

Between Ben Koenig, who never thought of himself as a "believer" in the ordinary usage of the word, and Paul Carling, who never thought of himself as anything else, lies the C.O.'s limbo, into which growing numbers of youths are being impelled by the nature of the war in Vietnam and by the ambiguities of the law created to meet their situation.

Neither Ben nor Paul was astonished at being turned down; it seemed to both of them that their cases had been decided in advance of their brief, *pro forma* hearings. Local boards tend to interpret the law very conservatively. References to the works of Mohandas Gandhi cut little ice with them, and they prefer, as a matter of course, to let matters be decided at the state level. Hence, most men have to appeal their initial classifications in order to win C.O. status.

The reaction of the nation's local board when confronted with a C.O. these days ranges from something like sympathy to something like antagonism, with a good measure of bafflement included. On the one hand, draft-card burners who think better of it on the morning after are readily supplied with new cards by most boards despite a law hastily put together last August that provides a fine and imprisonment for their performance. Nor have the courts been harsh on those who do not repent. The first men indicted under the new law were given suspended sentences and gentle lectures.

The members of Paul Carling's board were so distressed at having to turn him down that they recommended he take one more course at Brooklyn College, where he is studying comparative literature, and so qualify for an exemption on educational grounds—a II–S classification. When he explained that he was unable to carry the required 12 credits because he holds a full-time job with the American Committee on Africa, they took note of how thin he was and suggested hopefully that he might manage a IV–F classification as underweight—but at 5 feet 9 inches and 125 pounds, he made the required weight.

On the other hand, some board members are prone to C.O.-baiting. No sooner did Paul enter the hearing room than one man asked him, "What would you do if somebody was going to shoot your mother?"

A C.O. might reply by quoting Sir Norman Angell, winner of the 1933 Nobel Peace Prize, who pointed out that what is wrong with this sort of question is its assumption that one must choose between two absolutes. "If I have a moral objection," Angell asked, "to tearing off a man's face with a piece of hot metal because his government has disagreed with mine as to whether Austrian or Russian influence shall dominate in the Balkans, must I also stand aside when some drunken savage attacks a child?" (The Yiddish poet and critic Eliezer Greenberg tells of an absolutist advocate of nonviolence who, pressed hard on whether, given the chance, he would not kill Hitler, finally succumbed. "All right," he said, "I'd kill him—but under a pseudonym.")

In its popular "Handbook," the Central Committee for Conscientious Objectors, a Philadelphia-based organization that assists C.O.'s with practical and legal counsel, advises young men to ask themselves the questions they are likely to be asked by their boards and try to decide: "(1) what forms of force you are willing to use, and in what circumstances; (2) how far it is required that you separate yourself from such force as you are not willing to use personally; (3) why you make these distinctions; and (4) what, if any, counterproposals you wish to make in rejecting violence."

Ben Koenig conceded on his application for exemption that even though he is a believer in nonviolence he might use force if it was needed, say, to prevent "an unjust attack on another," and Paul Carling said he would gladly push a man out of the way of a falling object. But their boards did not really seem to care much about the nice points of their philosophies.

"Handbook for Concientious Objectors," more than 60,000 copies of which have been sold since 1952, comforts the objector with the assurance that "he (however unworthy) is with the prophets, and that his inquisitors (however worthy) are speaking for the dead past out of which man is creeping." (The "Handbook" should not be confused with pamphlets like "Brief Notes on the Ways and Means of 'Beating' and Defeating the Draft" that have been circulated of late for the purpose of abetting common draft evasion.)

If, on appeal, either of our young men finally does win C.O. status, two classifications will be open to him. There is I-A-O, which means that if drafted, he will be assigned to noncombat duty in the Army, probably as a medical attendant; about 1,200 I-A-O's are now on active duty, a number of them in Vietnam. (The Medical Corps is jocularly referred to by C.O.'s as the Seventh Day Adventist Corps.) And there is I-O for those, like Paul and Ben, who see no moral distinction between combatant and noncombatant; Ben points out that the authorized role of an Army medic is primarily to get wounded troops back into shape to fight. If a I-O man is drafted, he will be obliged to take a civilian job for two years in a hospital or with an organization like the New York City Welfare Department or the American Friends Service Committee. Slightly more than 20,000 youths out of 31 million now registered with their draft boards are in the I-O category and upwards of 3,000 of them are actually employed at low-paying jobs with nonprofit groups.

Both Paul and Ben would be delighted to serve in some such capacity. "I'm a teacher," says Ben. "There must be some place I'd be useful, some slum neighborhood or ghetto . . ."

The percentage of C.O.'s in our draft population is comparable to that of World War II, but the effects of the heightening of the war in Vietnam are evident in a sharp rise in I-O figures. Whereas about 200 C.O.'s are completing their two-year civilian service each month, twice that number are embarking on it.

The objector who loses his appeal and still declines to enter the armed forces is subject to five years in prison and a fine of $10,000. Fines are almost never levied, however, and the average jail sentence now being handed out by District Courts around the country runs to about 24 months. Despite occasional pummelings of draft-card burners and peace marchers by neighborhood patriots, there has been little disposition in most places to persecute C.O.'s. "I don't sense any vindictiveness," says Arlo Tatum, executive secretary of the Central Committee for Conscientious Objectors. "Selective Service wants to send people to the Army, but it doesn't especially want to send people to jail."

Only about 450 C.O.'s not counting Jehovah's Witnesses, have been convicted of Selective Service violations since 1948. Increased call-ups for Vietnam along with rising tempers (Senator JOHN STENNIS of Mississippi, who views opponents of the war as part of the ubiquitous Communist conspiracy, recently called on the Justice Department to "jerk this movement up by the roots and grind it to bits") could raise the figure substantially in coming months.

Conscientious objectors to war have been with us since the beginnings of the nation, but it was not until World War I that a serious effort was made by Congress to discourage draft-dodging, yet permit some leeway to conscience. It was a narrow leeway. The Conscription Act of 1917 limited exemption from the draft to members of "any well-recognized religious sect" whose creed forbade participation in "war in any form. . . . " The war Department handled about 4,000 C.O.'s assigning those, like Mennonites, who fell under the law's provision to noncombat service or farm work. Courts-martial sent 446 men to prison.

Other C.O.'s of that day, like Roger Baldwin of the American Civil Liberties Union, were convicted by civilian authorities for failing to register. In his address to the court shortly before going off to serve a year in prison, Baldwin stood on absolutist principles not only against "this and all other wars" but against "the principle of conscription of life by the state for any purpose whatever, in time of war or peace."

World War I was an unhappy time for civil liberties in America, and the C.O.'s in prison barracks, the great majority of them religious objectors who did not belong to one of the privileged sects, suffered severely from the passions of the hour. They were shackled, starved, hosed, hanged by their wrists and beaten by both warders and patriotic inmates. Their plight and the excessive sentences meted out to them by the Army—142 were given life imprisonment, but were pardoned in due course—became one of the earliest causes of the organization, led by Baldwin, that developed into the A.C.L.U.

In the disillusioning yet ideologically exhilarating aftermath of World War I it seemed that an entire generation of C.O.'s, of a political rather than a religious bent, was growing up throughout the world. In this country in the nineteen-thirties, hundreds of thousands of students set their names to the Oxford Oath, a pledge first taken by undergraduates at Oxford University, never to fight for king or country. But the onrush of Fascism in Europe put their resolution to an impossible test. In 1937, the year that a half-million students took the oath never to support the Government in any war, Norman Thomas, foremost defender of the C.O.'s of 1917, wrote:

"The pacifism which makes mere abstention from war the supreme command will not deliver mankind from new cycles of war and new dark ages of oppression. It is unrealistic and mad to say that it does not matter who wins in Spain if only the guns are stilled. It matters profoundly not only for Spain but for mankind that the Fascist aggression of which Franco is the nominal and brutal leader be defeated."

When America once again resorted to conscription in 1940, only a handful of the signers of the Oxford Oath elected to go to jail. (The loudest protests against the draft ceased abruptly on the day in June, 1941, that the U.S.S.R. was invaded; the American Peace Mobilization became the American People's Mobilization, and overnight many peacemongers turned positively ferocious.)

The 1940 Selective Service and Training Act allowed exemption to anyone who, "by reason of religious training and belief, is conscientiously opposed to participation in war in any form," a more generous and considerably vaguer standard than that of World War I—though not vague enough to cover the likes of Roger Baldwin. About 13,000 men were granted a I-O status and permitted, if drafted, to serve their time on the home front.

Most observers agree, in the words of an A.C.L.U. official, that "the treatment of C.O.'s in the nineteen-forties was far more civilized than in 1917." The objectors owed their improved lot mainly to a tolerant public opinion. A poll taken during the war found that fewer than 10 per cent of Americans felt that C.O.'s should be imprisoned. The prevailing judicial attitude was exemplified by the judge who sentenced one C.O. to jail, with this farewell: "This is your conscience, and it is your duty to obey it, even if it brings physical pain or death. . . ." In a single gesture a judge might thus indulge both his punitive inclinations and his libertarian sensibilities.

Jail sentences varied considerably, depending on where the C.O. happened to be tried. In Vermont during 1942–43 the average sentence for all Selective Service violators was 1.1 months; in South Dakota, 55.7 months; the average for the nation was 30.6 months. Robert Lowell, soon to be recognized as one of the nation's outstanding poets, was given a year and a day, and was paroled after 4 months. A devout Catholic, he was the only C.O. in his prison who gave as one reason for refusing to join up the fact that the United States was fighting on the side of the Soviet Union.

Most of the 6,000 men who went to prison for violating the draft law during World War II were Jehovah's Witnesses. (In recent years an understanding between the Witnesses and the Justice Department has kept down the Witness population in the Federal prisons, but a hundred or so may still be found behind bars at any given time; they decline to settle for anything less than complete deferment with a IV–D classification, since by their lights they are all ministers of God.) A number of Black Muslims were jailed for refusing to register.

In some prisons the C.O.'s, being better educated and more intelligent than the run of convicts, were entrusted with office jobs. But the politically oriented, like Jim Peck, who served almost three years in the Federal prison at Danbury, Conn., and who now works for the War Resisters League, complicated the lives of prison wardens by going on periodic sit-down and hunger strikes for a shorter work week, better treatment for C.O.'s, a fairer parole system and an end to prison segregation. On the other hand, some of them, including Peck, volunteered to serve as guinea pigs in medical experiments.

The present military conscription law, passed in 1948 and amended in 1951, carried forward the "religious training and belief" provision from the 1940 law. But Congress, unwilling to let vague enough alone, stated further: "Religous training and belief in this connection means an individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation, but does not include essentially political, sociological or philosophical views of a merely personal code."

The practical effect of this ostensible clarification was at first difficult to discern. Arlo Tatum says: "The fellows the Congress apparently had in mind were the completely apolitical religious fundamentalists; the ones who came before their draft boards and announced, 'God told me not to fight.' But in most places they wouldn't have had any trouble anyway. It was the more sophisticated objectors whose claims were being turned down."

The objectors who have getting most attention in recent months do tend to be more sophisticated than their predecessors in the peace churches. Ralph DiGia of the War Resisters League, which assists mainly unchurched C.O.'s, explains: "Most of them have had some college. The poorer kids, the less educated, get confused by all the words and regulations. It takes some education for a young man to get clear in his mind what he believes and also to understand what his rights are under the law. Many of the men who come to us have been active on campus in one cause or another—civil rights, Vietnam. They know what's what. Our problem is how to help the kids who haven't had the middle-class privileges."

Lieut. Gen. Lewis B. Hershey, director of Selective Service, does not doubt the sincerity of nonreligious objectors; indeed he admits to a certain admiration for them: "They wouldn't be dissenters from the mass if they weren't individualists." But he suspects that some objectors, at least, are responding as much to outside commotion as to inner voices. "It's not always easy to tell whether you're truly following the dictates of your conscience or just being carried away by somebody else's eloquence or the excitement of the times. Youngsters are likely to rush out after every new girl in town."

None of the three young men who recently carried the subtleties of their positions up to the Supreme Court—Daniel A. Seeger and Arno S. Jakobson of New York and Forest B. Peter of California—fit into the traditional religious C.O. niche.

Seeger said he believed in "goodness and virtue for their own sakes" and held "a religious faith in a purely ethical creed." Jakobson also expressed a belief in "goodness," which for him was "the ultimate cause for the being of the universe." Peter based his refusal to serve on "our democratic American culture, with its values derived from the Western religious and philosophical tradition." These declarations did not satisfy their respective draft boards. And all three were convicted in district court of refusing to report for military duty after their C.O. claims had been rejected.

Ruling unanimously in favor of the three in March, 1965, the Supreme Court concluded (to the likely astonishment of the Congressmen who had inserted the "Supreme Being" clause under the impression that they were restricting, not inviting, exemptions) that Congress "was merely clarifying the meaning of religious training and belief so as to embrace all religious and to exclude essentially political, sociological or philosophical views."

Justice Tom Clark, with the assistance of references to Paul Tillich, the Bishop of Woolwich and the schema of the Ecumenical Council, stated for the Court that "the test of belief 'in a relation to a Supreme Being' is whether a given belief that is sincere and meaningful occupies a place in the life of its possessor parallel to that filled by the orthodox belief in God of one who clearly qualifies for the exemption. Where such beliefs have parallel positions in the lives of their respective holders we cannot say that one is 'in a relation to a Supreme Being' and the other is not."

The burden of the decision, then, is that one need not believe in God as He is commonly worshiped in the nation's churches to qualify as a conscientious objector. It was in this light that Ben Koenig felt able to reply "yes" to the question on his C.O. form, "Do you believe in a Supreme Being?" If the Court's decision seems to give the Congressmen a very large benefit of theological breadth, it is because not to have done so would have called into doubt the constitutionality of the Supreme Being clause.

Like surgeons trying to save a dubiously functioning organ, the Justices preferred to tamper with it rather than simply cut it out. Justice Douglas set forth the predicament in his concurring opinion: "If I read the statute differently from the Court I would have difficulties. For then those who embraced one religious faith rather than another would be subject to penalties; and that kind of discrimination . . . would violate the free exercise clause of the First Amendment. It would also result in a denial of equal protection by preferring some religions over others—an invidious discrimination that would run afoul of the due process clause of the Fifth Amendment. . . ."

It is already being predicted that the Supreme Court has not heard the last of conscientious-objector cases. Peter and Jakobson, when asked whether they believed in a Supreme Being, gave answers which, while unorthodox, might have been accepted by a draft board inclined to accept them. But Seeger, born a Catholic and now a regular participant at a Quaker Meeting on Morningside Heights, considers himself "a religious agnostic"; he took his stand, remember, on "goodness and virtue for their own sakes." In upholding his claim to exemption, the U.S. Court of Appeals had ruled that the "Supreme Being" requirement violated his rights of due process—a ruling that the Justice Department automatically appealed and the highest Court managed to sidestep with its spacious definition. But how long will the Court be able to avoid facing up to the issue raised?

A definition of belief in a Supreme Being that can encompass someone like Seeger, who would go no further than state that he did not *disavow* a belief "in a relation to a Supreme Being," doubtless frees the draft law from the charge that it discriminates among religions; even persons who leave the knotty question of God open may now be admitted to judicial grace. But unmitigated secularists and outright atheists are still damned. They insist, like Evan Thomas, brother of Norman, who was sentenced to life imprisonment for his refusal to serve in World War I and was again indicted for refusing to register in World War II, that "religion has no monopoly on conscience, the Selective Service Act to the contrary notwithstanding."

The atheist has not yet had his day in court, but if and when he does, he may claim that in favoring religious objectors over nonreligious objectors, the draft law constitutes an establishment of religion by the state, an act clearly prohibited by the Founding Fathers. He may argue that Congress need not exempt anybody from the draft—but if it decides to honor men's consciences, it must not show partiality toward religious consciences.

Another question still to be finally resolved is whether men who object for conscience's sake to killing in a particular war, like the war in Vietnam, should be forced to choose between an Army uniform and a jail uniform. "It's the nature of this war," says Ralph DiGia of the War Resisters League. "We have people coming in who aren't objectors in the usual sense, not pacifists. But they are opposed to this war, and they're thinking along these lines now."

A 24-year-old soldier from New Orleans who was inducted, trained and sent to Vietnam as a rifleman despite his declarations that he could not take a human life—"especially in reference to the war in Vietnam"—has been sentenced to a year's imprisonment by a military court for his refusal to fight. His mother explains, "He is not a conscientious objector, not a pacifist. He just can't kill those people."

Although spokesmen for some of the traditional peace churches deplore what they see as an organized attempt "to subvert the religious principle of conscientious objection for the purpose of draft-dodging," the concept of a "just war," which places moral limits on a war's ends and means, goes back to St. Augustine. (Members of the "New Left," notes Arlo Tatum, are distressed by any interpretation that finds them to be operating in an orthodox manner of any sort.)

During World War II, the Second Circuit Court of Appeals turned down an objector who refused to fight in that particular conflict; his objection, ruled Judge Augustus Hand, was political rather than religious. But now the A.C.L.U. is able to employ the language of the Supreme Court itself as it reminds us that "there are those who, though not objecting to all wars, refuse to serve in a particular war for reasons which have the same place in their lives as that filled by the pacifist conscience of those who are admittedly eligible for the exemption."

This reasoning might, if extended to the uttermost, apply to those who object to the Vietnam war out of affection for the Vietcong or because they'd rather invade South Africa, as well as to men who are repelled by the idea of supporting military dictatorships by dropping napalm on civilians, destroying crops and torturing prisoners. For the time being, however, specific-war objectors and atheists are still beyond the pale. T. Oscar Smith, chief of the Justice Department's Conscientious Objector Section, says that as the law stands, he would have to recommend that Selective Service deny C.O. status to members of both groups.

The Universal Military Service and Training Act will come up for extension again on July 1, 1967, but in view of the commotion in Congress over the Supreme Court's ruling on school prayer, nothing is to be expected from that quarter which might rescue our unorthodox conscientious objectors from their limbo.

General Hershey, who can usually count on getting a laugh when he remarks that some of his best friends are C.O.'s, takes a practical view of the problem: "If the law permitted men to escape the draft because of any kind of philosophical belief, where would we stop? Personally, I can think of some taxes that I wouldn't pay. It seems to me that we've been progressing very fast toward tolerance in treating C.O.'s, but tolerance can be suicidal for the group. I'd say we have reached a pretty good compromise on the matter."

Meanwhile, Paul Carling, Ben Koenig and thousands of other young men await a decision from above. Untraditional though their beliefs may seem to the Congress, they are as old as the state itself, and have often been paid homage, at least in words, even by those obliged to send the believers to jail. For all their political and logical deficiencies and their pretensions to superior virtue, our C.O.'s serve to remind us, today as ever, that our republic strangely finds strength in the tension between the exigencies of government and the imperatives of belief, between the demands of authority and the refusals of exasperating individuals.

SELECTIVE SERVICE CLASSIFICATIONS

I–A—Unconditionally available for service.

I–A–O—C.O. available for noncombatant duty only.

I–O—C.O. opposed to both combatant and noncombatant military duty and available for assignment to civilian work.

I–S—High schol or college student deferred to complete school year.

I–Y—Qualified for service only in time of war or national emergency.

II–A—Deferred because of essential civilian employment.

II–C—Deferred because of essential agricultural employment.

II–S—Deferred for study.

I–D—Member of armed forces reserve or student taking military training.

III–A—Deferred because induction would cause extreme hardship for dependents.

IV–A—Completed military duty; sole surviving son.

IV–B—Officials deferred by law.

IV–C—Aliens not on permanent resident status, who have not been in the U.S. for more than one year.

IV–D—Ministers and full-time students preparing for ministry under direction of a recognized church or religious organization.

IV-F—Not qualified for any service.

V-A—Over age.

I-W—C.O.'s in assigned civilian service. Upon satisfactory completion of 24 months of civilian service or upon earlier release, C.O.'s are classified I-W until past the age of liability for the draft, when they are reclassified V-A.

I-C—Member of the armed forces.

FOOD FOR THOUGHT

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the North American Newspaper Alliance on June 4, 1966, featured an article by former Vice President Richard M. Nixon which warrants serious consideration by anyone concerned with this Nation's problems. Selecting pressing priorities ranging from Vietnam to domestic inflation, Dick Nixon's appraisal of these current issues is based on years of experience in public service, plus a cool and reasoned approach to complex matters. Today, American citizens are looking for specific, workable answers, and in the minds of many, partisan politics is becoming of lesser importance in the face of cruelly realistic issues such as the rising death toll in Vietnam or the declining value of the dollar here at home. It is hoped that more and more citizens will take a tough, show-me position in appraising the various remedies proffered by candidates for public office, and give those of the loyal opposition due attention on the basis of merit only.

With this thought, I offer for insertion in the RECORD the above-mentioned article by Richard Nixon for consideration:

NORTH AMERICAN NEWSPAPER ALLIANCE COLUMN

(By Richard M. Nixon)

Public support for the Johnson Administration has sunk to its lowest point since he took office.

If the present downward trend continues, the presidential coattails that pulled Democratic candidates along to overwhelming victory in 1964 will drag them down to devastating defeat in 1966.

LEADERSHIP GAP

It is the critical leadership gap in Washington which is costing the President support across the country.

He has lost the leadership of the Free World.

He has lost the leadership of his own party.

He has lost the leadership of the economy.

Unless the President can pull an election-year rabbit out of his hat this Fall, he will lose the leadership of the nation in 1968—and the Democratic candidates who clamored to run with him in 1964, will be running away from him in 1966.

The country is reaping the consequences of one-party government—second-rate panaceas for problems that cry out for first-rate solutions.

Unless the leadership gap is closed, we are headed for a major recession in the United States and a major defeat in Southeast Asia.

There is only one way to close the leadership gap.

The deeply divided Democratic Party has demonstrated that it cannot provide the leadership America needs. Only by strengthening the Republican opposition in Congress can the leadership gap be closed.

VIETNAM

In the Vietnam crisis, the President is losing public support, not because the people oppose his policy, but because they simply do not know what that policy is.

The American people are confused about Vietnam, and the indecision in the White House and deep Democratic division in the House and Senate have added to that confusion.

The policy of dissident Democrats is to end the war with appeasement. The Administration's policy is an endless war without appeasement. Both are half wrong and half right. What America needs is a policy which will end the war without appeasement.

The President has not yet learned that you cannot fight a war by consensus. There is no military strategy that will satisfy both those who want to win and those who want to run.

THE ENEMY'S WAR

Today the United States is fighting the kind of war the enemy wants. The enemy wants a land war and a long war; they want to bleed America white.

We must not fall into this trap.

The longer the war goes on, the greater the chances for disintegration in war-weary South Vietnam and the greater the risk of World War III—because of the inevitable growth of China's nuclear capability.

The Johnson Administration has held back from adopting the only strategy which will reduce American casualties and end this war with the least risk of World War III.

We must quarantine the aggressor in North Vietnam, by reducing their war-making capacity through air strikes on all military targets, and by cutting off the flow of supplies from the sea through mining the harbor of Haiphong.

LONELIEST NATION

The crisis in leadership has produced two grim results.

For the first time in history, the President has been unable to unite his own party in time of war. For the first time in history the United States is fighting a war for freedom without the support of our European allies. We are the loneliest nation in the world.

Not only has the Johnson Administration failed to persuade our allies to help us fight the enemy in South Vietnam, it has failed to convince them to stop trading with and aiding the enemy in North Vietnam.

In 1965, the bulk of the cargo to the port of Haiphong was carried in merchant ships of NATO countries.

THE WORLD

Apart from Vietnam, the crisis in American leadership is evident around the world. Respect for the United States is at an all-time low on every continent of the globe.

Item: Eight American fishing vessels have been seized in international waters this year and held for tribute by Panama, Colombia and Peru, and the United States has done nothing.

Item: In January, Cuba declared itself the international clearing house for Communist "wars of liberation" on three continents. America's reaction: silence.

Item: NATO is divided and disintegrating and the Johnson Administration has made no move to rebuild it.

Item: In the five years of this Administration there have been twice as many attacks on U.S. installations and property abroad as occurred in the first 60 years of this century

Hardly a day goes by without news of another American embassy being stoned, a library being burned or another ambassador being humiliated.

THE ECONOMY

While the ship of state drifts toward disaster in Asia—for lack of a firm hand on the tiller—the economy at home wallows in a sea of inflation for the same reason.

Last year, along with other Republicans, I urged the President to declare war on inflation by submitting a responsible budget.

Instead, he submitted an irresponsible one and began waging war on the poor, who must pay for his irresponsibility in higher prices for food, clothing, rent, medical care and other essential items.

The New Economics has become the old economics—war and inflation.

Instead of becoming a pillar of strength in combating the threats to the economy, the Administration had become a troika of confusion—speaking in three voices and pulling in three directions.

The Federal Reserve Board leadership calls for tax hikes and economic restraint; the Treasury sees no need for either, and the White House watches and waits.

RECESSION AHEAD?

The crisis in leadership in Washington has produced a crisis in confidence in the business community. Thus, while prices rise, the stock market flounders; while the economy booms, economists talk of recession.

Unless the Administration assumes a decisive role of leadership and responsibility in economic matters, the dollar will be in deadly jeopardy, and the nation will be headed for a major recession in 1967.

The Administration's economic brinkmanship risks plunging the nation into a War on Prosperity.

POVERTY

The lack of leadership has been evident as well in the massive mismanagement of the poverty program—where we see the ugly spectacle of politicians making a profit out of the poor.

In many communities across the nation, the War on Poverty has become a melancholy mess.

In all these areas of national concern—Vietnam, NATO, Latin America, the economy—Republicans have offered constructive criticism and constructive proposals.

Among the many proposals advanced by Republicans in this session of Congress are:

Proposals to end the war in Vietnam without appeasement.

Proposals to rebuild the NATO alliance.

Proposals to win the war against inflation and halt the war against prosperity.

Proposals to take the politicians out of the poverty program and put the poor into it.

But their criticism has gone unheard and their proposals unheeded because the Republican voice on Capitol Hill is too weak. This weakness is not because of a lack of quality, but because of a lack of quantity—and that voice can be strengthened only by increasing the number of Republicans in the House and Senate.

ONE-PARTY RULE

The country has never been in greater need of great leadership. We need it to stave off disaster in Asia and to stave off recession at home.

But history has shown again that great leadership will never emerge from the stagnation of one-party government.

We need a strong loyal opposition on Capitol Hill to force the White House to act when it would vacillate, to stand firm when it would retreat.

Only a vigorous and loyal opposition, debating the issues and demanding action, can force the President to fill the vacuum of leadership at home and abroad, which has developed during his Administration.

HIGHER EDUCATION IN THE NATION'S CAPITAL

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MATHIAS. Mr. Speaker, in the early days of our Republic, many leading Americans predicted that the new National Capital would become not only the proud seat of the Federal Government, but also the cultural capital of the United States. As we know too well, this prediction has only been partially fulfilled. Today the District of Columbia, rather than leading the Nation in offering educational enrichment, actually lags behind most States and cities of comparable size.

It is regrettable that, in a decade in which Congress and the executive branch are fully committed to spurring the growth of higher education, the District of Columbia still lacks an adequate public college or university. It is especially regrettable that, while declaring that our Capital City should be a national showcase, Congress continues to deny the citizens of Washington the public higher education available to citizens of so many of the States.

To emphasize my support for the extension of higher education in Washington, I am today introducing a bill—H.R. 15966—to establish a Board of Higher Education to plan, establish, organize, and operate a public community college and a public college of arts and sciences in the District of Columbia.

This bill is based on the recommendations in the 1964 report of the distinguished Committee on Public Higher Education in the District of Columbia convened by the President. The legislation has the full support of the President, and was first introduced in the House on April 13, 1965, by the gentleman from New York [Mr. MULTER]. The District Commissioners reported favorably on the bill on June 9, 1965. The recent hearings on similar bills before the Senate District Committee have made clear the breadth and depth of support for this concept among educators, officials, leading citizens, and students of Washington. In short, there is no reason for timidity or delay, and I respectfully request my good friend, the distinguished gentleman from Mississippi [Mr. ABERNETHY], chairman of Subcommittee No. 2 of the House District Committee, to schedule hearings on the subject next month, and to bring a bill before the House this year.

Mr. Speaker, at present all of the 50 States, Puerto Rico, Guam, and the Virgin Islands have public institutions of higher education offering baccalaureate degree programs. Washington alone does not. The District's only public college, District of Columbia Teachers College, is woefully inadequate, and has been denied accreditation by the National Council for Accreditation of Teacher Education since 1962, largely because upper floors of the college's buildings have been condemned. Rather than building a new teachers college, we should incorporate teacher training into a new 4-year college of the arts and sciences. Such an institution would offer prospective teachers a comprehensive liberal arts education, and would also make available undergraduate instruction in other fields.

A comprehensive public community college, or junior college, is also essential to fill the needs for advanced technical training, preparation for continuing undergraduate education, and adult education and retraining. Each of these needs is growing as the demand for skilled employees continues to increase. In 1970, according to informed estimates, 68 percent of all employment opportunities will require education or vocational training beyond that provided in high schools. We have a clear obligation to provide access to such training, both for high school graduates in the District of Columbia, and for the adults of Washington who seek remedial education, retraining, and special skills.

Above all, we must make higher education accessible to Washington high school graduates at a cost they can afford. Today far too many young men and women of the District of Columbia have no chance for higher education, simply because they cannot afford tuition and fees at the private universities in the District, or at public institutions in various States. One survey showed that about one-third of all District public high school graduates could not pay tuition of $500 per year. Students have testified that even $15 application fees, required by many colleges, are burdensome.

At present, District high school graduates must compete for admission to college either with top students from around the Nation, or with residents of the States whose public universities they seek to enter. There is too little opportunity, under these circumstances, for the average District student to gain admission to college, even if he could afford to pay. The establishment of public institutions in the District would fill this gap and would provide District residents with higher educational opportunities equal to those enjoyed by their counterparts in every State.

Mr. Speaker, the need for public higher education in Washington is incontestable. The President's Committee estimated that a public 4-year college in Washington could expect an annual enrollment of about 600 entering students, while a community college could anticipate 1,400 entering students per year. Such public institutions, cooperating with each other and buttressed by the wealth of talent available in the metropolitan area, would enhance our Capital City and enrich the lives of its citizen. As the President's Committee so wisely declared, "The most urgent educational need in the District of Columbia is hope." By acting now, Congress can and should answer that need.

GRAND CANYON PROPERTY OF WHOLE NATION—MARBLE GORGE DAM POSES NEEDLESS THREAT

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CLEVELAND. Mr. Speaker the pressure for the unwarranted construction of two hydroelectric dams in the Grand Canyon on the Colorado River stems in part from outmoded thinking that remains enamored of big dams without reason.

As the New York Times pointed out in an editorial last January 17:

> Many engineers, remembering Grand Coulee, Hoover, Bonneville, and other monuments to their professional skill, have a romantic attachment to huge dams; but the truth is that it is becoming constantly harder to find sound reasons to build larger hydroelectric dams on new sites in the United States. Most of the good sites have already been used. Thermal plants can in many cases do the job cheaper for the immediate future; nuclear energy and solar energy will do it cheaper in the longer future.

These facts have led me on many occasions to oppose the construction of large Federal hydroelectric dams including the proposed dam at Livermore Falls in the Pemigewasset Valley in my own congressional district and the Dickey-Lincoln School District project on the St. John River in Maine.

I certainly oppose the proposed dams at Marble Gorge and Bridge Canyon on the Colorado River. Not only are better means than these available for the generation of electric power, the construction of these dams would seriously threaten the geology and unique character of the Grand Canyon, a precious national asset.

Bridge Canyon fortunately has been deferred. Marble Gorge has yet to be approved. Both should be shelved permanently.

Opposition from conservationists and newspapers across the country continues to grow. Last February 24, Wes Lawrence, columnist for the Cleveland Plain Dealer, rightly pointed out that the Grand Canyon belongs not merely to the people of Arizona but to the entire Nation and to future generations. This is an excellent column and I offer it for the RECORD in the hope that my colleagues will read it and join the efforts to block construction of the Marble Gorge Dam:

EVERYONE'S GRAND CANYON

(By Wes Lawrence)

In his reply to The Plain Dealer's objections to proposals for building two hydro-electric dams in the Grand Canyon of the Colorado, U.S. Reclamation Commissioner Floyd E. Dominy suggested that "the State of Arizona in which Marble Canyon Dam would be located is in a much better position to evaluate any probable damage to the scenery than is The Plain Dealer, and Arizona has not objected but is indeed pressing the proposal for construction."

Mr. Dominy needs to be reminded that the Grand Canyon does not belong to the people of Arizona alone nor to the Reclamation Bureau; it belongs to all the people of the United States. Moreover—and this is a point usually overlooked when men seek to turn natural beauty and grandeur to immediate economic profits—the Grand Canyon doesn't belong to our generation alone, it belongs to all future generations of Americans for whom we are stewards.

Mr. Dominy asserts that "by no stretch of the imagination would the beauty of the Grand Canyon be ruined," and he points out that there has been no objection to the Marble Canyon site from Secretary of the Interior Udall, "than whom there is no more dedicated conservationist."

I must respectfully point out that a half century ago when it was proposed to convert the beautiful Hetch Hetchy Valley in Yosemite National Park to a reservoir for the use of the city of San Francisco, the same promise was made that it would not harm, but would enhance, the natural beauty of the valley. And President Theodore Roosevelt, than whom there were few more dedicated conservationists at the time, allowed himself to believe this promise and gave his approval to the dam. What that reservoir, with its rising and falling level, has done to the beauty of Hetch Hetchy is outrageous.

Like the Hetch Hetchy dam, the Grand Canyon dams are not necessary to the purpose for which they are proposed. It is true that they are intended to help finance the expensive Lower Colorado Basin Project for getting water—not from these dams but from a reservoir already existing—to parched southwestern cities. The Reclamation Bureau is justly proud of its record of making its projects 90% self-liquidating.

But there are other means of producing power for use and for sale—means that would not waste some 10% of the Colorado's water through evaporation, means that would possibly produce even cheaper power in the end.

I feel certain that if the taxpayers of America were asked to share the cost of the water distribution project to save the Grand Canyon in its age-old condition, the taxpayers would agree by an overwhelming majority.

UNETHICAL OPTOMETRY PRACTICES IN THE DISTRICT OF COLUMBIA

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SKUBITZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, in my home State, Kansas, there is a body of fine professional men operating under the optometry statutes of our State. These optometrists have contributed to the State's program for traffic safety; to improvement of our learning processes; and, to the output of manufacturing plants. These practitioners are ethical upstanding leaders who provide vision care in all Kansas communities both rural and urban.

During discussions with my colleagues in this House, I have learned that their experiences with optometrists in their States are similar to mine. The one jurisdiction where everyone appears to agree that improvement is needed is here in the Nation's Capital. Optometrists everywhere say they are disgraced by the unethical practices of optometry within the District of Columbia. These practices are now allowed because of a hopelessly antiquated optometry law for which Members of Congress are responsible. The law was passed by Congress in 1924, 42 years ago, and has never been amended.

Mr. Speaker, today I wish to do something about the unethical and inadequate practice of optometry in the District of Columbia. I am introducing a bill to amend the city's present regulations governing the practice of optometry. My bill is similar to those introduced by my good friend the Honorable ANCHER NELSEN, of Minnesota, and Congressman B. F. SISK, of California. Where my bill differs from the Nelsen and Sisk bills the differences are minor; the purpose of all the bills is the same.

The Supreme Court of Kansas, in *State ex rel. Beck* v. *Goldman Jewelry Co.*, 142 Kan. 881, 51 P 2nd 995, 1001, 102 A.L.R. 334, said:

> It is our judgment that under our statutes, the Legislature, having in mind that protection of eyesight is just as important as the protection of property rights and advice thereon, as the protection of teeth, as the protection against improper and unauthorized methods of healing, by the enactment of statutes with reference to optometry, recognized it as a profession and accordingly regulated it, and an examination of those statutory regulations conclusively shows that the practice of the profession is limited to individuals, and that corporations cannot be chartered to engage therein. Not only is the holding a necessary consequence of our statutes, but it is in accord with the weight of authority.

Mr. Speaker, the main purpose of this bill is to raise the treatment of human vision within the District of Columbia to a strictly professional level. As I see it, there is a need to free the profession, to as great an extent as possible, from the possibility of being exploited by unqualified lay persons who would make a profit from the license granted to a District optometrist.

The public should be assured that a person in the health professions derives his patronage from his skill, ability, and reputation he creates with his patients. Professional responsibility and the public welfare demand that human vision be held sacred and in no sense an object of routine retail commerce. Vision care should be protected from the rule of the marketplace: "Let the buyer beware." It is not reasonable to expect the District of Columbia, after a scientific and studied examination of an applicant, would issue an individual a license to go out and tamper with the human eye as a commodity in the marketplace. The ophthalmic materials which the optometrist prescribes have no retail value other than to the individual for whom they are prescribed. Any child who has tried grandmother's trifocals will attest to this.

Mr. Speaker, the bill I am proposing will eliminate the practice of optometry as the servant of an unlicensed person or retail establishment. It will take the practice of optometry out of the marketplace and put it in its proper professional environment. It will elevate the standards of the quality of optometry as practiced in the District of Columbia and thereby provide both residents and visitors access to better vision care within our Nation's Capital.

Mr. Speaker, I encourage the House District Committee to take early, favorable action on my proposal and request that my colleagues in this House join me in passing this bill during this 89th Congress.

Let us accept our responsibility to update the outdated District optometry law.

WHAT PRICE KIDS?

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SKUBITZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, this morning I received the following letter from a mother who resides in Yates Center, Kans.

> DEAR MR. SKUBITZ: The accompanying article was taken from the June 16 issue of the Yates Center News. It states what we have been feeling for a long time, in so much more effective manner than we could, that we wanted to call your attention to it. It is absolutely ridiculous to allow only a $600 deduction per child. Anyone who has a child in college, or even high school, know $600 is a mere "drop in the bucket" as far as expenses of raising and educating a child in the manner that they must be educated to meet job requirements of today.
>
> We just graduated our third child from Kansas State University and by the time we borrowed money to pay our income tax, we had quite a struggle to find enough money for college expenses. We should be Cuban Refugees!
>
> Please see what influence you can bring to bear on this situation.
>
> Sincerely,
>
> MRS. HENRY H.

Mr. Speaker, Mrs. Horsch is just as right as she can be. Any family man can tell you that the $600 deduction allowed per child is absolutely inadequate. Is it not about time that we granted some relief to the tax-burdened fathers and mothers who are looked upon to foot the bills so that this administration can go blithly on its way, beautifying the highways, providing every conceivable form of relief to the so-called underdeveloped nations, subsidizing refugees from Cuba, and paying dropouts to attend school. I hope the Ways and Means Committee will give serious consideration and come forward with a legislative proposal increasing the deductions per child from $600 to at least $1,000.

Mr. Speaker, I ask unanimous consent to insert, as a part of my remarks, a thought-provoking editorial from the Yates Center newspaper—"What Price Kids?"

WHAT PRICE KIDS?

There's no price tags on the kids at our house. We learned long ago that any parent who thinks he can budget a precise figure for shoes, pants, vacations, doctor bills, church and school activities and the inevitable unforeseen expenses is stark, raving mad, or soon will be. How much food can a teenager consume, for example, in a year?

But Uncle Sam very confidently does set a price tag on our kids. $600. That figure was established by the 1939 Internal Revenue Code. That's what the government allows us for each dependent child, as a deduction on our income tax.

Several million young married couples who were not yet born in 1939 are raising families and paying taxes now under that antiquated $600 deduction per dependent. And while we all struggle, Uncle Sam is establishing new dependency "allowances" everywhere you look.

For example: it costs the government $7,000 a year for each member of its Job Corps. Not $600, mind you, but $7,000.

The cost of maintaining an inmate in a federal prison is $2,300. Social Security pays up to $186 a month to some persons. That is to be compared with the $50 per month deduction we are allowed for each of our kids.

The Aid to Dependent Children program pays more than $800 a year for the upkeep of an illegitimate child. Refugees from Castro's Cuba are allowed a minimum of $1,200 a year by the government with an additional $1,000 a year budgeted for each Cuban child entered in school.

In New York City's Harlem, poverty-war officials have been shoveling out $190 a month to hundreds of teenagers requiring only that the payee stay out of trouble with the police.

In short, when Uncle Sam "adopts" a dependent, that $600 business goes out the window. Believe it or not, last year's budget for the Vista program (Volunteers in Service of America) reflected an expenditure of more than $15,000 per trainee. How would you like to have that much for your college-bound youngster's expenses next year?

That 27-year-old $600 deduction is preposterous by any measuring stick. Making it even more ridiculous is the fact that we have a 42c dollar today as compared with 1939. Realistically the $600 deduction is only $252.00. Help!

BOB PERRY: A FINE WEST VIRGINIAN

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MOORE. Mr. Speaker, I do not believe anybody on Capitol Hill has made as many friends for my native West Virginia as Bob Perry, a big, husky mountaineer, who has been serving for these past several years as administrative assistant to Dr. George Calver.

Bob's big smile and cheery disposition, as much a part of Dr. Calver's office as the pills and medicine dispensed there, have been missed around here because of illness.

He first came on the Hill wearing the uniform of the U.S. Navy and the rank of chief pharmacists mate. He became such a vital part of the Capitol Physician's Office that after retiring with 20 years of service in the Navy, Dr. Calver promptly hired him as administrative assistant.

Dr. Calver, who probably knows him as well as anyone, said:

> People just love Bob Perry. He's done a wonderful job in public relations. There's never been a more loyal helper or anyone who has given more loyal assistance to the Members of the U.S. Congress than Bob Perry.

The members of my staff join me in wishing a speedy recovery for Bob.

WHEAT POLICY

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FINDLEY. Mr. Speaker, improved Government policies in handling wheat could put millions of extra dollars in the U.S. Treasury, ease our balance-of-payments problem and strengthen wheat prices to farmers.

It now appears that the carryover of wheat in the United States July 1, 1967, will be no more than 250 million bushels. We, of course, have heavy export commitments to India and other friendly nations during the months ahead and these must be honored for humanitarian reasons.

The President's decision to increase 1967 wheat acreage allotments by 15 percent—from 55 million acres to 59.3 million acres—will be most helpful in meeting these urgent needs but some further factors in the current wheat situation should be considered.

First. An Associated Press report of June 21, 1966, from Chicago which sets forth details concerning the purchase of some $800 million worth of wheat by the Soviet Union from Canada to be spread over the next 3 years. This news story says:

> The Canadian Wheat Board has been steadily boosting the price of wheat for months despite U.S. reluctance to follow suit. Government officials predicted the latest sale would not only boost this country's (Canada) economy but might persuade the United States to demand higher prices for its wheat exports. Canadian authorities have felt for some time that the U.S., in its role as a major exporter, has placed an unnecessary brake on price rises.

Second. With the short wheat crops experienced this year by such major exporters as Australia and Argentina, the reduction in the prospective U.S. wheat harvest because of frost damage and drought, the uncertainty over the size of the Canadian crop, and the apparent shortage of wheat in the Soviet Union, it would appear that the world wheat supply during the year ahead will be tighter than it has been since the immediate post-World War II period.

Third. The United States is the only nation with the reserve wheat acres and the potential capacity to increase wheat production dramatically in 1967. Therefore, I have urged the President to consider a further increase in the domestic wheat allotment so that farmers may prepare now to expand their plantings of winter wheat this fall.

Fourth. As of June 10, 1966, Commodity Credit Corporation had 279 million bushels of wheat in its noncommitted inventory. It has an additional 65 million bushels on farms under reseal program. This constitutes a major part of the world's uncommitted wheat reserves, if one excludes 1966 production which has already been largely programed for export and domestic use both here and in Canada.

Fifth. Immediately following World War II, wheat prices in the United States rose to more than $3 per bushel and some sales by other countries were made at about $5 per bushel. In terms of 1966 dollars, those prices would be much higher. The point I would make is that the U.S. Government is continuing to price its wheat as though this were a buyer's market, rather than the seller's market which clearly exists.

Sixth. Currently Commodity Credit Corporation is paying as much as 65 cents per bushel in the way of an export subsidy to move wheat abroad. I am informed that such export subsidy payments and price differential payments for the crop year beginning last July 1 through March 31 of this year totaled $233 million. Over the last 15 years, the total cost of the wheat export subsidy program has been tremendous. In view of the current worldwide demand for wheat, I am convinced that the export subsidy could be eliminated completely, with no reduction in U.S. exports. It is unimportant whether the wheat which we, in effect, donate to India and other Public Law 480 recipients carries a price tag of $2 or $3 per bushel. It is important, for budgetary considerations, that CCC attempt to recover as much as it possibly can of its huge investment in wheat as its inventory is being liquidated. Moreover, I believe that if CCC were to increase its wheat resale price, American wheatgrowers would receive substantially more for the 1966 crop which they are just beginning to market—perhaps as much as half a billion dollars more. This would, of course, greatly increase net income of wheat producers now—at a time when they are meeting constantly increasing production costs.

In summary, I urge an increase in the domestic wheat allotment for 1967, elimination of the export subsidy on wheat and a more realistic pricing policy for CCC wheat sales which would require commercial buyers in the hard currency countries to pay as much as our domestic users must pay for U.S. wheat.

UNEMPLOYMENT INSURANCE AMENDMENTS OF 1966

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MORTON. Mr. Speaker, I rise in support of H.R. 15119, the Unemployment Insurance Amendments of 1966. I commend the members of the Ways and Means Committee for reporting a bill which will permit each State to upgrade its unemployment compensation program in a manner which will suit its own needs. It was impossible for me to be here to vote on rollcall No. 150 Wednesday, June 22. Had I been here, I certainly would have supported this legislation.

THE 89TH CONGRESS HAS MET ITS RESPONSIBILITIES

The SPEAKER. Under previous order of the House, the gentleman from Oklahoma is recognized for 60 minutes.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the Members of the 89th Congress in reporting to their constituents can be proud of their stewardship of the Nation's business. They can go home to their people and tell them that this Congress has met its responsibilities and has met them well. No Congress in modern times has faced up more squarely to the major issues before it.

Ours is a government of the people, and I would hope that Members will tell the people that they have every right to be proud of the contributions of all Americans toward America's progress. We shall face the future with confidence—we will meet the challenges that lie ahead.

It has been our destiny since the time of our own Revolution for freedom steadily to expand our role of leadership among free peoples. Our Nation today stands at an alltime peak of prosperity. It is the most affluent nation in the history of the entire world. We have reached this point by applying the principles of free elections, free speech, freedom of religion, and the other guarantees of civil liberties set forth in our Constitution and the Bill of Rights. We have joined with freedom-loving peoples around the world in the defense of freedom and in mutual pacts to oppose aggression. Our sons fight today in Vietnam because our Nation chooses to fulfill the responsibilities of its leadership and to meet its commitments to the people of other free nations. We fight in order that the aggressor who now threatens one small nation and poses an ultimate threat to all free people, shall not succeed. We recall the Manchurias, the Ethiopias, and the Czechoslovakias of the past, when inaction in the face of aggression whetted our enemy's appetite for conquest and served only to broaden the horizons of his ambition. The cost of World War II to the United States was 292,000 American lives. Russia lost 7.5 million men, China lost 1,325,000, Japan 219,000, the British Commonwealth 245,000, France 210,000, and Italy 78,000.

Today we fight in Vietnam to safeguard the future of our own country as well as to keep our commitments to free nations and to prevent the spread of Communist aggression. Our friends know this; our enemies know this, too. Our involvement in Vietnam is right as the incontrovertible facts will most certainly disclose.

Mr. Speaker, here are the facts.

I. BASIC U.S. POSITION

A COMMITMENT AGAINST AGGRESSION

First. We are assuming the people of South Vietnam for the same reason that we assisted the people of Greece and of South Korea—to support a free people in the face of Communist aggression. Our goal is to preserve the freedom of the South Vietnamese people to determine their future as they see fit. Tens of thousands of armed, trained men including tons of armaments and regular units of the North Vietnamese Army have been sent by Hanoi into South Vietnam to impose Hanoi's will by force. We have learned the lessons of the 1930's—Manchuria, Ethiopia, the Rhineland, Czechoslovakia—that aggression must either be met before it has gathered momentum or it will have to be checked later under more adverse conditions.

Second. Three American Presidents have committed us to assist South Vietnam. Many nations whose future may hinge on American support are anxiously watching our actions in South Vietnam to determine the value of solemn American commitments. Their future conduct, as well as that of hostile nations, will be determined by the conclusions that are drawn from our support of South Vietnam.

COUNTERING "WARS OF NATIONAL LIBERATION"

Third. The Chinese Communists have openly stated that South Vietnam is the model of so-called wars of national liberation. If South Vietnam is conquered, we can expect future conflicts not only in Asian nations such as Thailand, which has already been designated as the next target, but also in Africa and Latin America. On the other hand, successful resistance in South Vietnam should help to preserve peace by showing the Communist powers that cheap victories are no longer possible and that the price of aggression is too costly. In time, the Communist powers will hopefully choose to focus their energies on their own vast internal problems.

THE GOAL OF SELF-DETERMINATION

Fourth. Our goals in South Vietnam include neither military bases, economic domination, nor political alliances. We support the right of the people of South Vietnam to elect their government freely and to decide for themselves without outside force and coercion such questions as reunification and neutrality. The United States does not seek the destruction of North Vietnam or its regime. We have stated our preference for using our resources for the economic reconstruction of southeast Asia and are prepared to contribute over $1 billion for that purpose. But despite our desire for peace we are determined to honor our commitments and to take all necessary measures until we and the more than 30 other nations aiding in the struggle successfully assist the people of South Vietnam in preserving their right to determine their own destiny. We must not forget that despite our assistance it is the South Vietnamese people who are still suffering the bulk of the casualties in what remains their struggle for self-determination.

UNCONDITIONAL DISCUSSIONS

Fifth. Our actions and statements over the past year have clearly shown that we are fully prepared to transfer the struggle for South Vietnam's freedom from the battlefield to the conference table. We continue to be ready to discuss a peaceful solution without preconditions. When, either as a result of the gradual lessening of hostilities or of a formal settlement, the people of South Vietnam are relieved from outside coercion, our forces will be withdrawn.

II. U.S. EFFORTS FOR NEGOTIATIONS

RECENT PEACE EFFORTS

First. In December 1965 and January 1966, the United States halted its bombing of military and communications targets in North Vietnam for 37 days. It pursued this course as part of a continuing effort to uncover any signs of North Vietnamese willingness to respond in some constructive way which might signify an interest in a peaceful solution.

Second. The purpose and sincerity of the U.S. action was conveyed on behalf of the President across the globe by Vice President HUMPHREY, Governor Harriman, Under Secretary Mann, Governor Williams, and Ambassador Goldberg. These emissaries met with Pope Paul and over 30 prominent leaders of Asia, Africa, and Latin America as well as several Communist States. In addition, U.S. Ambassadors abroad brought the intent of the U.S. actions directly to the attention of the leaders of over 100 countries. The U.S. message was conveyed both directly and indirectly to Hanoi.

NO MEANINGFUL RESPONSE

Third. There was no favorable response from Hanoi to this or any other U.S. peace effort. The North Vietnamese continue to insist that their agents, the Vietcong, be accepted in advance of any discussions as "the sole genuine representative" of the South Vietnamese people. Hanoi is adamant that the Vietcong be so accepted without any elections or any other indication of the wishes of the people of South Vietnam. In other words, North Vietnam still insists that it be allowed to conquer and control the South before it will even discuss peace.

THE CONTINUING SEARCH

Fourth. This search for an indication from Hanoi of willingness to seek peace was only part of a long series of U.S. efforts toward this end. During 1965 the United States repeatedly through the public and private statements of its leaders expressed its willingness to seek a peaceful solution to the conflict in Vietnam. The basic facts of the situation in Vietnam together with U.S. views on a framework for a just negotiated settlement are brought together in summary form in the attached statement, "The Heart of the Matter in Vietnam."

Fifth. Following are some examples of the continuing search for a peaceful settlement by the U.S. Government during 1965:

We warmly endorsed the repeated efforts by the United Kingdom in February, April, June, July, and December to find such a solution through its individual efforts and through the collective efforts of the Commonwealth.

We welcomed the appeal by 17 nonalined nations in April for a settlement through negotiations without preconditions.

In May we suspended our bombing of North Vietnam and sought some indication of a North Vietnamese willingness to respond. At the same time we attempted to transmit a message directly to the Government of North Vietnam but were rebuffed.

We encouraged the attempt by the Canadian representative on the International Control Commission for Vietnam to discuss the possibilities of peace with representatives of the North Vietnamese Government in Hanoi in June.

In July we sent a message to the Security Council expressing the hope that U.N. members would use their influence to bring all governments to the negotiating table to halt aggression and evolve a peaceful solution.

We encouraged initiatives from world leaders such as President Radhakrishnan of India, former President Nkrumah of Ghana, President Tito of Yugoslavia, President Nasser of the United Arab Republic, Foreign Minister Fanfani of Italy, and the Pope, among others, in seeking means of working toward a peaceful settlement.

III. THE POLITICAL SITUATION

GENERAL SITUATION

First. The present Government of South Vietnam, composed of a directorate as the ruling authority over a combined military-civilian cabinet, served almost 1 year without major alteration. However, the Government has been subjected to constant internal pressures since the dismissal of one of the directorate members, General Thi, in mid-March 1966. On June 6, as a result of these pressures, the directorate of 10 generals was enlarged to include 10 civilians. The Government also announced on June 1 its intentions to establish by June 19 an armed forces/civilian council to serve in an advisory capacity to the Government and that was done.

DEVELOPMENT OF POLITICAL INSTITUTIONS

Second. On April 12, 1966 the Government convened a National Political Congress, members of which were broadly representative of all non-Communist civilian political and religious groupings, to discuss steps to be taken for a return to constitutional government. Prior to the congress, the Government had announced on January 15 its intentions to establish a National Advisory Council to draft a constitution which would have been submitted to a national referendum in October and followed by elections in late 1967. However, accepting the consensus of the congress, Chief of State General Thieu issued a decree April 14 providing for elections for a constituent assembly within 3 to 5 months.

Third. After additional consultations with representative groups, the Government on May 5 convoked a 32-man election law drafting committee, consisting again of representatives of Vietnam's major non-Communist groups, to draw up draft laws pertaining to the conduct of constituent assembly elections, the composition and functions of the constituent assembly, and the rejuvenation of political activity. In early June the committee forwarded its recommended draft laws to the Government, which set the elections for September 11. Meanwhile, the Vietnamese Government has approached Secretary General U Thant inviting United Nations observers to witness the elections.

IV. U.S. ECONOMIC AID

First. Since its formation in 1954, the Republic of Vietnam has received about $3 billion in U.S. economic assistance, including Public Law 480. During the current fiscal year—fiscal year 1966—the commercial import program and Public Law 480 imports will total about $470 million and U.S. assistance for economic and social programs about $160 million. AID plans to continue at about this same level in fiscal year 1967.

Second. Many projects have been greatly expanded to meet new and enlarged needs. For example, more than 930,000 South Vietnamese refugees have sought refuge in government-controlled territory since January 1965, of which nearly 450,000 have been resettled, and over 480,000 are in temporary shelters. The United States has provided food, construction materials, blankets, and other supplies in refugee relief. Major efforts are underway and expanding in the field of health. We are assisting the Vietnamese to enlarge teaching facilities in medical and dental education. A surgical or medical team is planned for each of the provinces by the end of fiscal year 1967. An accelerated program of hospital renovation, begun in fiscal year 1965, will continue.

REVOLUTIONARY DEVELOPMENT PROGRAMS

Third. Economic and social welfare programs supported by the United States play a crucial role in the overall effort to improve the welfare of the rural population and develop their loyalty to the Government of Vietnam. As was clearly stated in the Honolulu declaration, these programs must be closely tied to military and police actions to protect the villagers and political programs to develop local governmental institutions. They cover a broad range from the training of administrators, teachers, doctors, agriculturalists, and other technical personnel to the provision of classrooms and textbooks, wells, medicines, seeds, and fertilizers. A number of activities are aimed specifically at increasing the participation of rural Vietnamese in local development projects which will give added incentive to village self-defense. These self-help projects include roadbuilding, well digging, and school construction, and combine local labor and materials with AID-financed imports of construction commodities.

Fourth. In furtherance of the revolutionary development program, members of the USAID mission are working with Vietnamese in every one of the country's 43 provinces. American advisers are also assisting the Vietnamese in such important fields as resources control—measures to deny economic resources to the Vietcong—"Open Arms" defector program, and the vital task of training of cadre to carry out the entire rural construction program. Since the success of the entire revolutionary development effort also depends upon the ability of the Government to supply and transport personnel and materials to the areas concerned, the United States is vigorously supporting programs to improve transport and logistics. Also assistance to the Vietnamese is being provided in electrifiction, telecommunications, water and urban development projects, which serve both to identify the Government with the people through the provision of these services and to provide the infrastructure necessary for long-term development under peaceful conditions.

THE PROBLEM OF INFLATION

Fifth. The predominant factor in the current Vietnamese economic situation is the ever-accelerating increase in demand for goods and services, stemming mainly from increased Vietnamese and U.S. Government spending for military requirements and the personal spending by the large new U.S. troop contingents. Local supplies have fallen increasingly behind demand, particularly after mid-1965, as localized shortages of manpower and productive capacity developed and became more generalized, and as transportation and distribution disruptions and bottlenecks developed as a result of military activity. Consequently, heavy dependence on imported resources and sharp localized price rises began roughly in mid-1965.

Sixth. Unemployment in Saigon, a political program in 1964, vanished as the military draft, military construction and a spurt in private spending created labor shortages. The shortages of manpower and production capacity, the Vietcong threat to much of the farming area, and Vietcong interdiction of land transportation routes made it impossible to match rising purchasing power with rising domestic production.

Seventh. To cope with the inflationary threat, the United States and GVN have expanded financing of commercial imports and are developing other financial and fiscal measures; this process has been assisted by the work of an IMF mission which visited Vietnam in April and May 1965. Rice prices were largely stabilized by large Public Law 480 and AID—financed imports; crash programs of port, warehousing, and coastal shipping expansion have been launched. The GVN cut its 1966 budget to the bone, rised customs duties, and instituted a freeze on civilian hirings and wages. The United States and GVN have consulted closely on additional measures to keep inflation within tolerable limits.

FREE WORLD SHIPPING TO NORTH VIETNAM

Eighth. The U.S. Government has been making a serious effort during the past year to bring about a removal of free world shipping from the North Vietnam trade through a series of high-level diplomatic approaches to all the nations involved. In carrying out these approaches, we have brought to their attention the recent amendments to the Foreign Assistance Act which provide under certain conditions for a termination of aid to countries whose ships remain in the North Vietnam trade. These efforts have met with considerable success. During the first 5 months of 1966 the average number of calls was down 65 percent from the same period last year, to 10 a month as opposed to 29 a month. Nearly all of the remaining shipping involves small, coastal vessels under charter to Communist countries, most of which are registered in Hong Kong. Their cargoes are nonstrategic. We know of no shipments of arms of free world vessels. Nevertheless, U.S. efforts to achieve a complete cessation of this trade will continue.

V. MILITARY SITUATION

CHRONOLOGICAL REVIEW

First. In late 1961, in response to an appeal by President Diem and following a high-level U.S. study mission which confirmed the serious affects of the Hanoi-directed subversive campaign, President Kennedy agreed to increase significantly the U.S. advisory and logistic effort in South Vietnam. The Hanoi regime had begun in 1959 to infiltrate into South Vietnam former Vietminh cadres who had regrouped in the north after the 1954 Geneva agreements and who had received special training in subversion and sabotage.

Second. By the end of 1962 there was evidence that the GVN had made some military progress against the Vietcong. The Vietcong did achieve a favorable strength increase, considering reported casualties, and there was a noticeable increase in their use of mortars and recoilless rifles.

Third. By the end of 1963 the Vietcong appeared optimistic. They improved their military and political situation throughout the country from the Ap Bac battle in January 1963 to increased terrorism following the overthrow of the Diem regime.

Fourth. Into 1964, the Vietcong objectives appeared to be to destroy or prevent establishment of new life hamlets, to consolidate "liberated" areas, to destroy GVN forces, and to counter efforts to obtain Hoa Hao and Cao Dai support. The Vietcong carried out large-scale operations with relative impunity and achieved some success in their terrorism and propaganda efforts. The continuing infiltration of southern regroupees was augmented by the infiltration of native northerners and, late in the year, of regular troop units of the North Vietnamese Army.

Fifth. During the first half of 1965 the Vietcong continued to maintain initiative and momentum. GVN lines of communication were completely disrupted and the Central Highlands isolated for extended periods. In response to the request of Prime Minister Quat, U.S. ground combat units were sent to Vietnam, beginning in March, to augment the Republic of Vietnam's Armed Forces and thus correct the military imbalance created by the previous introduction of North Vietnamese Army units.

They were later joined by units from Korea, Australia, and New Zealand. Combined GVN/U.S./free world forces blunted this "monsoon offensive." The number of Communist successes declined and there were some important victories over the Vietcong. The tempo of Vietcong activity declined in July; however, in October the number of Vietcong incidents began to increase rapidly through the remainder of the year. In October there were over 3,300 incidents, in November it surpassed 3,600, and in December it reached over 4,000. Each of these was the highest encountered to date in the war. Despite over 40,000 killed or captured and over 9,000 defections, the Vietcong continued to maintain an offensive capability. Their year-end order of battle more than doubled over that at the beginning of 1965.

Sixth Vietcong/NVA military activity continues in 1966 to follow the familiar pattern of terrorism, harassment, sabotage and small-scale attacks with occasional large-scale operations against isolated Government positions. Recent GVN/U.S./free world forces operations and air strikes in critical areas are believed to have generally discouraged large-scale enemy activity and disrupted their plans. The Vietcong/NVA will probably continue their pattern of terrorism, harassment and sabotage and possibly increase the number of small "hit-and-run" attacks. Whenever they can achieve terms of their own choosing and when and where it suits their purpose, as against the Ashau Special Forces Camp in March, they are likely to attack in force.

ENEMY TACTICS

Seventh. Enemy tactics have not changed since the war began, despite the intensity of their attacks and an increase in terrorism, propaganda and sabotage. Their operations are still essentially "hit-and-run," emphasizing ambushing and destroying friendly reaction forces. An example of this was the Plei Mei battle in November 1965, where there was no real effort to overrun and seize the camp, but rather they attempted to ambush the relief columns. In the subsequent action in the Ia Drang Valley, which resulted from the pursuit of the retreating NVA forces by U.S. forces, the Communists attempted to win a victory. When the battle turned against them, the NVA forces broke contact and withdrew.

ORDER OF BATTLE

Eighth. Current strengths:

(a) Government of South Vietnam—GVN: Despite combat and other losses, the South Vietnamese Armed Forces achieved a modest increase in 1965. Their present strengths are: Approximately 316,000 regulars; 270,000 Regional and Popular Forces.

(b) United States: Approximately 260,000.

(c) Third Nation Forces—major contributions: Korea, 24,500 (will increase to approximately 43,000); Australia, 3,900 (will increase to approximately 4,500); New Zealand, Philippines, and Thailand; see section VI.

(d) Vietcong—VC: Approximately 57,000 Main Force, 110,000 irregulars or guerrillas, 40,000 political cadre, 17,500 support.

(e) North Vietnamese Army—NVA: Approximately 30,900.

INFILTRATION

Ninth. Men and supplies continue to enter South Vietnam over established infiltration routes. Although a firm rate has not been established, current estimates give the Communists the capability of several thousand men per month with enough supplies to sustain them until the Vietcong system can provide for them or until integrated into the Vietcong units. From 1958 to 1964 over 40,000 were infiltrated from North to South Vietnam. During 1965, the estimate exceeded 19,000. It is estimated that the 1966 infiltration exceeded 21,000 by the end of May.

CASUALTIES

Ten. Combat deaths since 1961, as of June 4, 1966, with U.S. military deaths until 1965 sustained by advisors only and third nations forces deaths from 1965 only: Vietcong, over 126,000; GVN military, over 36,000; U.S. military, 3,662; Third Nations Forces, Australia/New Zealand, 33; Korea, 247.

B–52 OPERATIONS IN SVN

Eleven. Since June 1965, when they were first initiated, over 300 B–52 strikes have been conducted against VC and NVA bases in South Vietnam. These strikes have provided continual disruption and harassment to the enemy forces located in areas hitherto impregnable to attack. According to prisoner-of-war interviews, the B–52 operations have been a significant factor in lowering Vietcong and North Vietnamese Army morale.

AIR STRIKES AGAINST NORTH VIETNAM

Twelve. Bombing of the North began in February 1965, with a strike on the Dong Hoi Barracks and has gradually expanded, with the targets being military ones associated with infiltration. A pause in the bombing occurred during the period May 13–17, and a second pause, of 37 days, began December 24. The purpose of our air strikes has been to make it as difficult and as costly as possible for North Vietnam to continue effective direction and support of the Vietcong; to convince the North Vietnamese Government that its control, direction, and support of the Communist insurgency in South Vietnam is not worthwhile; and to bolster morale in South Vietnam.

VI. FREE WORLD ASSISTANCE TO SOUTH VIETNAM

First. The main burden of outside support for the Government of South Vietnam has been and will continue to be borne by the United States in the foreseeable future. Substantial contributions of military and civilian assistance are provided by a large number of other countries, however. In response to appeals made on July 15, 1964, by the Government of Vietnam for more international support, free world assistance to South Vietnam increased greatly through additional pledges and new contributions. Prior to the July appeal only 10 nations, including the United States, were providing aid. At the present time, 34 free world countries are providing—and several more have agreed to provide—assistance to South Vietnam. Negotiations are underway between the Government of Vietnam and many of these nations for additional aid.

Second. Significant contributions of armed forces have been made in the past year. A Korean combat division has been in Vietnam since last fall, and a second division is now being deployed. The Australian Government is increasing its military forces in Vietnam from its present 3,900 men to 4,500, and New Zealand has raised its artillery battery from four to six howitzers. The Philippine Congress has approved President Marcos' request for a 2,000-man engineering force with supporting security personnel to be sent to Vietnam, and the Thai Government has announced that it will furnish a landing ship, patrol vessel and two transport aircraft with crews, thereby adding to a previous small military contribution.

In proportion to the population of these countries and that of the United States, these contributions are the equivalent of the following number of American troops:

(a) Korea: 327,000.
(b) Australia: 90,000.
(c) Philippines: 13,000.

Third. Free world personnel, other than American, in Vietnam under governmental arrangements now number over 30,000, the large majority of which are military personnel. However, some of these military personnel are engaged in civic action programs, such as rural reconstruction and medical care. Among these are personnel from Korea, the Philippines, New Zealand, and Australia.

Fourth. Significant economic contributions have been made by the United Kingdom, Japan, West Germany, France, Australia, Canada, and New Zealand in the form of loans, grants, and commercial credits. For example, Germany has made available in loans and grants about $27 million. Australia has provided technical and economic assistance totaling nearly $8 million. Assistance since 1955 from France has totaled more than $111 million, while Japan has provided about $55 million chiefly in the form of reparations.

Fifth. Many nations are giving social and humanitarian assistance to South Vietnam. More than 10 nations are sending medical teams which provide for the medical needs of entire provinces. Others have contributed medicines and supplies for the half million refugees in South Vietnam. Educators and engineers from friendly nations are assisting Vietnam to rebuild.

Sixth. The countries now contributing help to South Vietnam are: Argentina, Australia, Belgium, Brazil, Canada, China, Denmark, Ecuador, France, Germany, Greece, Guatemala, India, Iran, Ireland, Israel, Italy, Japan, Korea, Laos, Luxembourg, Malaysia, Netherlands, New Zealand, Pakistan, Philippines, Spain, Switzerland, Thailand, Turkey, United Kingdom, United States, Uruguay, Venezuela.

THE HEART OF THE MATTER IN VIETNAM

I. THE FACT OF AGGRESSION

The simple fact is that tens of thousands of trained and armed men, including units of the North Vietnamese regular army, have been sent by Hanoi into South Vietnam for the purpose of imposing Hanoi's will on South Vietnam by force. It is this external aggression which is responsible for the presence of U.S. combat forces. Indeed, it was not until the early summer of 1965 that the number of U.S. military personnel in South Vietnam reached the number of those which have been infiltrated by Hanoi. If this aggression from the outside were removed, U.S. combat forces would not be needed.

II. THE U.S. COMMITMENT

The United States has a clear and direct commitment to the security of South Vietnam against external attack. This commitment is based upon bilateral agreements between the United States and South Vietnam, upon the SEATO Treaty—whose obligations are both joint and several—upon annual actions by the Congress in providing aid to South Vietnam, upon the policy expressed in such congressional action as the August 1964 resolution, and upon the solemn declarations of three U.S. Presidents. At stake is not just South Vietnam, nor even southeast Asia: there is also at stake the integrity of a U.S. commitment and the importance of that commitment to the peace right around the globe.

III. INITIATIVES FOR PEACE

A. We are not aware of any initiative which has been taken by Hanoi during the past 5 years to seek peace in southeast Asia. Reports of "peace feelers" have to do with initiatives by third parties. Hanoi has denied that it has ever made any "peace feelers." We, ourselves know of none. During 1965 Hanoi has consistently insisted that its four points must be accepted as the sole basis for peace in Vietnam. The third of these four points as interpreted by Hanoi would require that the Vietcong be accepted as "the sole genuine representative" of the people of South Vietnam, whether the South Vietnamese want it or not.

Second. We would welcome a conference on southeast Asia or on any part thereof;

Third. We would welcome "negotiations without preconditions" as the 17 nations put it;

Fourth. We would welcome unconditional discussions as President Johnson put it;

Fifth. A cessation of hostilities could be the first order of business at a conference or could be the subject of preliminary discussions;

Sixth. Hanoi's four points could be discussed along with other points which others might wish to propose;

Seventh. We want no U.S. base in southeast Asia;

Eighth. We do not desire to retain U.S. troops in South Vietnam after peace is assured;

Ninth. We support free elections in South Vietnam to give the South Vietnamese a government of their own choice;

Tenth. The question of reunification of Vietnam should be determined by the Vietnamese through their own free decision;

Eleventh. The countries of southeast Asia can be nonalined or neutral if that be their option;

Twelfth. We would much prefer to use our resources for the economic reconstruction of southeast Asia than in war. If there is peace, North Vietnam could participate in a regional effort to which we would be prepared to contribute at least $1 billion;

Thirteenth. The President has said:

> The Vietcong would not have difficulty being represented and having their views represented if for a moment Hanoi decided she wanted to cease aggression. I don't think that would be an unsurmountable problem.

B. The initiatives for peace undertaken by our side, and by many other governments, would be hard to count. They began with President Kennedy's talk with Premier Khrushchev in Vienna in June 1961 and have not ceased. The publicly known initiatives have been multiplied many times by private initiatives not yet disclosed. On the public record, however, are the following instances:

First. Kennedy-Khrushchev talks in June 1961;

Second. Geneva Conference on Laos;

Third. U.S. reference of Gulf of Tonkin matter to the U.N. Security Council in August 1964;

Fourth. The Polish proposal to convene the two cochairmen and the three members of the ICC—India, Canada, and Poland—to take up the question of Laos;

Fifth. The call of 17 nonalined nations for negotiations without preconditions;

Sixth. Attempts by U Thant to visit Hanoi and Peiping;

Seventh. President Johnson's call for unconditional discussions;

Eighth. The British Commonwealth Committee on Vietnam;

Ninth. Attempted or actual visits by Patrick Gordon Walker, Mr. Davies—M.P.—and Guinean Delegation.

IV. U.S. CONTRIBUTIONS FOR PEACE

The following statements are on the public record about elements which the United States believes can go into peace in southeast Asia:

> 1. The Geneva Agreements of 1954 and 1962 are an adequate basis for peace in southeast Asia;
>
> 14. We have said publicly and privately that we could stop the bombing of North Vietnam as a step toward peace although there has not been the slightest hint or suggestion from the other side as to what they would do if the bombing stopped.

In other words, we have put everything into a program for peace except the surrender of South Vietnam.

ECONOMIC STRENGTH

This Nation has been capable of vast effort in Vietnam and in assisting other nations of the world because it has demonstrated a tremendous capacity to move forward in expanding its national economy. Since 1961 there has been unprecedented growth in all economic sectors and increased prosperity for virtually all our citizens.

THE STAR PERFORMANCE OF THE ECONOMY

First. The United States has made tremendous economic gains in this decade. Today, we are reaping the benefits of 5 years of continuous economic expansion and of more complete use of our great productive potential. We are earning more. Farm income is higher, and business earnings have risen astronomically. This tremendous prosperity has affected every part of the country.

Average spendable earnings of a factory worker with three dependents in May were $19.62 higher than in January 1961. This is an increase of 25 percent. Translated into dollars of constant purchasing power it is a real gain of 15 percent.

Real income per farm rose by a third between 1960 and 1965.

Corporate profits, after taxes, almost doubled between the first quarter of 1961 and the first quarter of this year. The rate of return on shareholders' equity, in manufacturing, in the first quarter of this year was the highest for any first quarter since 1951.

Data that became available in April show that per capita personal income reached a record high in every State in the Nation last year.

In three States—Massachusetts, Maryland, and Michigan—it crossed the $3,000 mark for the first time, joining Connecticut, New York, New Jersey, Delaware, the District of Columbia, Illinois, Nevada, and Alaska.

For the Nation as a whole and for six States—Rhode Island, Pennsylvania, Ohio, Indiana, Colorado, and Oregon—it topped $2,700 for the first time.

The disadvantaged have also shared in the advance. The proportion of the population in poverty fell from 22 percent in 1960 to 18 percent in 1964. Data to be released this summer will surely show a further decline last year.

Second. The advance in earnings has resulted from gains in employment that have put more people on payrolls and have resulted in steadier work for others. Since January 1961:

Total civilian employment—seasonally corrected—has risen by 6¾ million workers, or 10 percent;

Total unemployment—seasonally corrected—has fallen from 4.8 million to 3 million persons—a decline of more than one-third;

The unemployment rate has fallen from 6.7 percent to 4 percent;

Average weekly hours of work in manufacturing industries—seasonally corrected—has risen from 39.2 to 41.4;

The number of layoffs per 1,000 persons employed in manufacturing—seasonally corrected—has dropped from an average of 27 persons to 10 persons per month.

The latest report on area trends in employment show that 55 of the Nation's 150 major employment areas had unemployment rates below 3 percent in March. This is the largest number since the classification system began in mid-1955. It compares with no areas under 3 percent in March 1961. Five areas—Chicago; Detroit; Gary-Hammond, Lorain-Elyria, Ohio; and Wichita—had just joined this honor list in March.

Third. Record incomes for business, for farmers, and for labor have been possible because total output has soared. Not only are we using more of our resources but we are using them more productively.

Total real output of goods and services for the Nation—gross national product in constant prices—as a whole has risen by almost one-third since the first quarter of 1961.

Industrial production—seasonally corrected—in May was 49-percent higher than at the beginning of 1961.

Fourth. Effective Government policies, together with the skill and initiative of business and labor, have made it possible to achieve these gains.

In 1962, 1964, and 1965 taxes were reduced to boost private purchasing power when the growth in spending was lagging behind the Nation's capacity to produce.

Since the middle of last year, the step-up in military spending necessary to meet our commitments in Vietnam has been providing a fiscal stimulus to the economy. Thus, early this year, Congress responded promptly to the President's request for some offsetting tax measures to prevent the economy from overheating. Excise taxes for automobiles and telephone service were reimposed and payments of individual and corporate income taxes were speeded up, and payroll taxes went up as scheduled. Monetary policy is also more restrictive.

These measures will make it possible to maintain a sound expansion with reasonably stable prices. They siphon off funds that would have been evaporated by higher prices rather than cutting into real purchasing power. Despite Vietnam, households' income and consumption will rise to a new record high this year.

After surging ahead in the first quarter, the pace of advance in production and spending has slowed down recently. This is not cause for alarm.

Spending for most consumer goods other than automobiles is still well above a year ago.

Business capital spending plans call for a continued strong advance.

The Government is armed with measures to assure that monetary restraint does not clamp down too hard on housing.

The economic advance is easing to a more healthy and sustainable pace.

Fifth. The strong expansion has not jeopardized other economic objectives.

From 1961 to 1964, the U.S. price record was a grade A performance. Wholesale prices were almost unchanged and consumer prices edged up by only 1.2 percent per year—no faster than in previous periods of economic slack. The record has been blemished since then. But a large part of the rise reflects higher food prices now. Wholesale food prices have declined since February and food prices at the retail level fell in May.

Progress has also been made toward curing the balance of payments problem. The deficit—liquidity basis—was cut in half last year. And despite some overall deterioration in the first quarter of this year, the programs to reduce capital exports are obviously going well and we still had a very large $6 billion surplus—seasonally adjusted annual rate—on goods and services account for the first quarter.

The United States has had a measure of inflation in the past 5 years but the following figures comparing consumer price indexes of this Nation and other major world powers unquestionably shows the relative stability of the U.S. economy. Our prices have gone up less than all other major nations and much less than most.

Consumer price index

	1960	*1966, 1st quarter*
United States	100	108.2
United Kingdom	100	121.4
France	100	122.2
Italy	100	129.4
Germany	100	117.6
Japan	100	139.6
Canada	100	110.9

MOST SIGNIFICANT EFFORT

Perhaps the most significant long-range undertaking of this Nation and this Congress is the war on poverty—the attempt to rescue from despair and degradation the deprived citizens who struggle in the midst of general prosperity.

The war on poverty, after a little more than a year and a half, is one of the most exciting and successful—as well as one of the most controversial—aspects of the President's Great Society program. It is my belief that the remarkable achievements of the war on poverty have received far less attention than they deserve, and are often overlooked in favor of much repeated charges against the program which have generally proven to be unfair, inaccurate, and occasionally irresponsible. Let me try to set the record straight.

In 20 short months, the war on poverty has been transformed from a blueprint into a great national purpose and has been carried from the drawing board into urban and rural slums from coast to coast. Under the direction of the Office of Economic Opportunity, the war against poverty has:

Reached more than 3 million impoverished Americans directly, with jobs, job training, educational programs, and an amazing variety of other services;

Contributed vitally to the emergence of 2.2 million Americans from poverty in 1965;

Created over three quarters of a million part-time and full-time jobs filled exclusively by poor people;

Enrolled 720,000 preschool children in Headstart projects, with an additional 580,000 to participate this summer, resulting in an average IQ increase of from 8 to 10 points and an average boost of 14 months in intellectual capacity, as well as vastly improved health and remarkable personality development among these youngsters;

Provided useful jobs and earnings for more than half a million disadvantaged teenagers through the Neighborhood Youth Corps;

Approved over 5,680 grants under the community action program to over 950 local antipoverty agencies in all 50 States, and in well over a third of all counties in the United States;

Established over 100 Job Corps centers, where 27,500 of our most terribly disadvantaged teenagers are currently receiving remedial education, job training, counseling, and preparation for useful and productive lives;

Approved 285 VISTA, or Domestic Peace Corps projects in 47 States, the Virgin Islands, and the District of Columbia, in which 2,000 VISTA volunteers from 18 to 80 are serving, with more in training;

Won the involvement of approximately 8,000 residents of impoverished neighborhoods on the governing boards of community action agencies across the country.

Brought forth an absolutely unprecedented outpouring of volunteer effort, including 250,000 Headstart volunteers, approximately 30,000 members of community action boards, 10,000 members of women in community service, and countless doctors, dentists, lawyers, businessmen, religious leaders, and local government officials who are freely and enthusiastically devoting their efforts and skills to the success of the war on poverty.

All across the Nation, exciting and imaginative new programs to help impoverished Americans help themselves have taken hold and are already bearing fruit: This summer, 20,000 promising but economically disadvantaged high school students are participating in Project Upward Bound on the campuses of 200 colleges and universities, beginning a full year of intensive tutoring and special counseling that will enable them to break the cycle of poverty by qualifying for college; 33 foster grandparents projects, which serve the economic needs of low-income elderly persons together with the emotional and psychological needs of the most unfortunate little children in public and private institutions, have won wide acclaim; 105 legal services projects are, for the first time, bringing the majesty of the law into battle on the side of the poor; 63 antipoverty projects for migrant agricultural workers are providing the first avenues of opportunity from the migratory labor streams to the mainstream of American life; and 100 American Indian tribes are vigorously conducting their own wars on poverty as a result of the special attention OEO has given to their problems. In appreciation of this effort, the chairman of the Navajo Tribal Council has called Sargent Shriver "the best friend the Indian has ever had."

In addition, illiterate adults in 45 States are participating in adult basic education programs; work-experience projects are bringing jobs and income to over 100,000 family heads previously on relief; nearly 16,500 antipoverty loans have gone to combat poverty in rural areas; and small business development centers in 46 urban and rural communities have approved approximately $15,650,000 in economic incentive loans to struggling small businesses in poverty neighborhoods.

All this and more has been accomplished in a little over a year and a half under a program that accounts for about 1 cent in each tax dollar, and which is directed by an OEO staff approximating in numbers that which is required by the Air Force to keep a single squadron of B-52's in the air. Our critical friends have spoken of "chaotic administration" in the war on poverty, but I feel that these facts constitute, instead, a tremendous tribute to Sargent Shriver and his staff.

What are some of the other charges opponents of the war on poverty have leveled against it? Let me review the main ones, and comment briefly on each.

JOB CORPS COSTS

The Job Corps has often been attacked as an extravagantly expensive program. Indeed, it is not cheap, but who believes that the ravages of poverty can be cheaply overcome, or that terribly disadvantaged and socially alienated young lives can be transformed at nominal cost? For the fiscal year beginning July 1, it is estimated that 9 months of Job Corps training will cost approximately $5,800 per corpsman, and that 45,000 corpsmen will be enrolled at capacity, including 10,000 young women. The "start-up" costs for many of the Job Corps centers have, during the initial year of operation, been substantially higher than those estimated for the next fiscal year—just as the start-up costs of a college are much higher than in later years. But it is important to keep what we are talking about in perspective. The young men and women in the Job Corps come from the bottom of the barrel, and have had virtually no prior financial investment in their lives. It is estimated that it costs society $100,000 to support an individual on welfare for a lifetime, and $2,000 to $3,000 per year to keep a convicted felon in prison. On the other hand, the value of a high school education may be estimated at $150,000 over a lifetime: If the value of Job Corps education and training is conservatively estimated at $100,000 for a lifetime, the contrast with the price society would eventually have to pay for not investing in the Job Corps comes sharply into focus. Indeed, the average Job Corps graduate, who holds a constructive, permanent job in private industry, can be expected to repay the cost of his training in Federal taxes within a few years of graduation.

JOB CORPS SCREENING AND DISCIPLINE

As might be expected when the most socially alienated and frustrated young people are brought together in a residential program, the Job Corps has experienced a certain degree of anti-social behavior by a minority of corpsmen, and occasionally, serious criminal acts. However, the proportions of most such incidents have been vastly exaggerated or distorted by many critics and certain quarters of the press. The Job Corps is not a finishing school—rather it is a beginning school, for youths who have never before had a fair chance. The remarkable fact is that instances of serious misbehavior have been so few. Job Corps youth fall significantly below national FBI figures for infractions of the law among the 16-21 age group. Statistically, according to the FBI, corpsmen should have had 906 arrests over an 11-month period, but instead had 834; FBI figures warrant the expectation that 80 percent of such offenses would be in serious categories such as assault, larceny, and auto theft, but the Job Corps figure was 50 percent. However you measure it, corpsmen respond better to discipline and public order than many of their more fortunate contemporaries. Most incidents involving corpsmen would get little or no attention if college students or servicemen were involved instead.

But the Job Corps is not taking a lax attitude or slighting its reponsibilities to local peace and order. A great effort is made to maintain discipline—which is often effectively enforced by the corpsmen themselves. The screening of Job Corps enrollees is generally done by local offices of the U.S. Employment Service, and while not every incorrigible youth is weeded out, a very commendable job is being done of selecting young people who can be helped, and who will respond to the opportunity for self-betterment. With every month that passes, this process becomes increasingly effective.

I might say that the faith which American industry obviously has in the Job Corps—as demonstrated by the low-profit Job Corps contracts at major training centers held by such industrial giants as General Electric, IBM, ITT, Westinghouse, and Litton—or their subsidiaries—is a particularly gratifying aspect of the program. These and other great corporations—and their Republican officers and directors—believe the Job Corps to be a success.

PROBLEMS IN THE COMMUNITY ACTION PROGRAM

Critics of the war on poverty often refer to alleged political abuses and scandals in the community action program, but their concerns are largely mythical. In fact, out of more than 950 local antipoverty agencies, most of which have only come into existence since the outset of the war on poverty, only a bare handful have ever been accused of improper use of Federal funds, and less than one-half of 1 percent of antipoverty funds have even come under question, despite the promptest and most thorough system of auditing by OEO in the entire Federal Government. In only one program—that of HARYOU-Act in Harlem—has the misuse of a substantial amount of CAP funds been documented, and that case came to light as a result of an investigation conducted by OEO itself. HARYOU-Act funding was promptly frozen, and will not be restored unless and until OEO is completely satisfied that the conditions which permitted administrative chaos in last summer's crash program have been entirely removed.

As for political abuses, I fear that our Republican friends object to so many Democrats holding local municipal offices more than anything else. For the Economic Opportunity Act makes it clear that whole "communities"—obviously including local community leadership—are to mobilize their resources for local attacks on poverty. Under normal circumstances, participation by elected local officials is indispensable to an effective antipoverty effort, and indeed the Republican Party has long championed the role of local government. The community action program provides a more crucial role for local initiative, responsibility and leadership than any Federal program I can think or, and the local leadership of Congressman FORD's hometown of Grand Rapids has taken advantage of this to help develop and direct one of the most outstanding and promising antipoverty efforts in the entire State of Michigan.

But OEO has been scrupulous in guarding against local political abuses in CAP, and in fact not one single case of improper political interference with or manipulation of this program has been documented in any form to this date. And while Republicans may be quick to cast innuendoes upon Chicago's war on poverty because of Mayor Daley's energetic role there, they remain silent about the vigorous role the Republican mayor of New York now seeks to play in his city. The truth is that both Mayor Daley and Mayor Lindsay are entirely correct in commiting themselves and their administrations to the success of the war on poverty, and I personally wish Mayor Lindsay as much success as Mayor Daley has had.

WAR ON POVERTY SALARIES

Among the most misleading and specious charges leveled at OEO is the one that antipoverty officials are paid exorbitant salaries, and that little money "trickles down" to the poor. The facts are these:

In fiscal year 1967, an average of 2,275 persons will be employed by OEO, including Washington headquarters and seven regional offices. An average of 4,600 persons will be employed by the programs delegated by OEO to other Federal departments, such as the Departments of the Interior and Agriculture, which administer 82 Job Corps conservation centers; Labor, which directs the Neighborhood Youth Corps; and HEW, which administers the work-experience and adult basic education programs. These 6,875 Federal, antipoverty employees will earn an average of $8,192 a year. The OEO personnel, comprising the top directorate of a vast, billion dollar national effort, will earn an average of $9,878. These figures, which represent pay scales established by Congress and budget estimates approved by the Bureau of the Budget, are fully in line with comparable figures for other Federal agencies, and seem quite modest in light of the tremendous responsibilities with which OEO and the delegated programs are charged.

It has been said that many OEO staffers make more than the "base pay" of an Army colonel, and that 25 top OEO officials make more than the "base pay" of General Westmoreland. These statements are both true and meaningless. Military base pay is only a portion of total remuneration, and has no counterpart under the civil service system. An Army colonel who is not a combat officer actually earns over $15,000; about 22 percent of Mr. Shriver's OEO staff will earn $14,600 or over. If the colonel is a combat officer in South Vietnam, he will earn about $17,800. As for General Westmoreland, his total pay comes to $32,775, as a four-star general in a combat area. This is substantially more than any OEO official, including Mr. Shriver, earns, and only Mr. Shriver as the Director of a Federal Agency earns more than a non-combatant general's base pay plus allowances. It should be added, of course, that both civilian and military salaries are established by the Congress. Of the total requested appropriation for fiscal year 1967, 3.2 percent would go for salaries of Federal antipoverty officials: the figure for OEO salaries would be 1.2 percent of the total budget.

As for salaries paid in local antipoverty agencies, about 2.7 percent of all community action agency staff earn in excess of $10,000 and about one-half of 1 percent earn in excess of $15,000.

Maximum salaries approved for any CAA over $10,000 are based on a staff ratio of 1 to 20; salaries for professional staff earning over $15,000 are justified only on a ratio of 1 to 100. This is so despite the fact that the most talented and dedicated leadership is required for an effective local program—which may involve the administration of millions of dollars and hundreds of professional and nonprofessional personnel. Local CAP salaries generally average $3,000 less than comparable private community service posts and substantially less than comparable public offices. About 5 percent of obligated CAP funds go to pay the salaries of local CAA staffs, whereas 24 percent of such funds go directly to pay the salaries of poor people who have been employed in nonprofessional antipoverty jobs.

INVOLVEMENT OF THE POOR

Some critics have made the incredible charge that the poor are not being truly "involved" in the war on poverty, as the act directs. This charge flies in the face of the fact that 25 percent of all positions on the governing boards of antipoverty agencies are filled by the poor—about 8,000 of about 30,000 positions—and that these individuals are making enthusiastic and vital contributions to the growing success of local attacks on poverty. Twenty-eight of the most effective local representatives of the poor serve as members of an active national advisory council to OEO. And tens of thousands of the poor are deeply involved in the lower echelons, such as advisory boards and neighborhood councils. The fact is that the poor are genuinely and profoundly involved in the war on poverty, and deeply committed to its success.

HEADSTART BUREAUCRACY

Despite the overwhelming and amazing success of the Headstart program—which will have immensely benefited an estimated 1,300,000 disadvantaged preschool children—and their parents—by the end of this summer—some critics have been heard to bewail Headstart "bureaucracy" and "red tape." This is a peculiar way to comment upon a program which in a half-year went from nothing to become one of the most popular and successful Federal efforts in history. While a few unfortunate cases of delay and frustration have inevitably occurred among the thousands and thousands of headstart applications filed since the program's inception, it is noteworthy that local school systems, educators, and child psychologists—as well as politicians—predominate among Headstart enthusiasts. And economically and culturally deprived parents of Headstart youngsters are the greatest boosters of all. One of the most striking facts about criticism of the war on poverty has been its obsession with myth and fantasy. Consider the following oft-repeated charges, and how foolish they seem in light of the truth:

First. The charge that antipoverty funds had been awarded to such wealthy communities as Beverly Hills, Calif., and Garden City, N.Y. In fact, OEO has never even considered awarding funds to these communities.

Second. The charge that OEO awarded funds to a Minnesota community for a swimming pool. In fact, OEO promptly rejected, and never considered approving, an application for such a project.

Third. The charge that OEO funds were used to rent tuxedos for poor high school boys in Dos Palos, Calif. In fact, not one dime of OEO funds has ever been used or considered for such a project.

Fourth. The charge that OEO money was paying for ballet lessons for youngsters in a midwestern community. In fact, OEO rejected a request for such funds when it turned up as a small component in an application for a local antipoverty program.

Fifth. The charge that OEO had flown 40 job corpsmen from Hawaii to California so that they could help harvest asparagus. This also was totally false.

Sixth. The charge, just recently made, that OEO had increased its personnel by 10 percent in April and May. In fact, 116 of 205 new employees were hired on a temporary basis to assist in handling the tremendous flood of Headstart applications for this summer's massive program, and all 116 were employed in regional offices rather than OEO headquarters. Not one was hired on a permanent basis. The other 89 new employees were hired to replace former employees or to fill positions approved long ago by the Bureau of the Budget.

Seventh. The charge that nearly 70 percent of an OEO grant to Gum Springs, Va., went for salaries and the rest to the poor. In fact, the vast preponderance of that 70 percent went for salaries to poor residents of Gum Springs who were employed—often for the first time—as nonprofessional staff under that program.

All of these false and frivolous charges and others like them have received great attention—sometimes to the point of sensation—from less responsible press sources and many of our Republican friends, who breathlessly revealed these war on poverty vignettes as shocking scandals.

SPEECH BY HON. ROBERT T. MURPHY TO AMERICAN SOCIETY OF TRAVEL AGENTS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I include an address delivered by the Honorable Robert T. Murphy, Vice Chairman of the Civil Aeronautics Board, at a luncheon of the American Society of Travel Agents, Mayflower Hotel, Washington, D.C., June 23, 1966:

It is a distinct pleasure and privilege to join you, the members of the Board of Directors of the American Society of Travel Agents, and your other distinguished guests in paying tribute to Senator WARREN G. MAGNUSON, the noted Chairman of the Senate Commerce Committee, for his outstanding leadership in encouraging the development of travel and tourism and promoting the welfare of the travel agency industry. Certainly, there is no person in the Congress or in the Country more deserving of this award.

As some of you know, I had the good fortune to work closely with Senator MAGNUSON for some years as a member of the staff of the Senate Commerce Committee prior to my service on the Civil Aeronautics Board. Consequently, I have firsthand knowledge of his constant and ardent support of the development of air transportation as well as some of the many specific contributions which he has made to the establishment and maintenance of a sound national transportation system in all its facets and all its modes, including water, rail and surface, as well as air. One impressive example of his personal achievement in the field of your special interest is the creation of the United States Travel Service which is directly and wholly attributable to Senator MAGNUSON's legislative leadership. Clearly, as a man of vision, he was years ahead of all of us in his insistence upon the beginning of some sound Federal interest in the promotion of travel to the United States with proper emphasis upon the monetary benefits which would result from such an organized promotional effort.

Aviation and the air transport industry in particular, is greatly indebted to him not only for his active aid and assistance on legislative matters lodged in the Senate Commerce Committee, but also for his invaluable help and assiduous support in the Senate Appropriations Committee where the funding of aviation programs must be authorized in order to be effectively implemented.

The scope of the jurisdiction of the Senate Commerce Committee is of such magnitude and the volume of its business so great as to impose a very heavy burden of responsibility upon its Chairman—a responsibility which has been discharged with fidelity to the public interest and with courtesy to all who come before it. As many of you know, the Committee is responsible for the legislative review, not only of the work of all of the transportation agencies and commissions, but also for the functioning of almost all of the Federal regulatory agencies, including the Federal Power Commission, the Federal Communications Commission and the Securities and Exchange Commission, among others. Certainly, no other man in the Country has a more intimate knowledge of this whole wide spectrum of Federal administrative law, including all aspects of transportation law, than your distinguished guest of honor today. Yet, he has always found the time to devote his energies to important work on other committees, including the Appropriations Committee and the Senate Committee on Aeronautical and Space Sciences, without compromising his effective leadership in all matters of prime concern and importance to the many subcommittees of the Senate Commerce Committee. In him we have not only a supervisor, but a friend and loyal supporter as well. I am very happy, indeed, to say that our distinguished Chairman, Charles S. Murphy, and my colleagues, Joe Minetti, Whitney Gillilland and John Adams have asked me to especially convey their very warm and affectionate regards to him as well as our congratulations to the ASTA Board of Directors for their perspicacity in selecting him for this special citation of merit.

I have no intention of indulging in any lengthy speech which might otherwise mar what has been a very pleasant occasion. But I know that some remarks are expected and I assume I would be derelict in accepting your hospitality were I not to make some few brief comments.

It is particularly gratifying for those of us in Government to note that one of the chief purposes of your present meetings here in Washington is in connection with the promotion of the "Visit U.S.A." and "Discover America" programs—programs which are clearly in keeping with the President's desire to alleviate the balance of payments deficiency in the field of travel and tourism. During a period of relatively high disposable income those of us interested in air transportation should devote every effort to making available to more of our foreign friends, as well as our own citizens, the special attractions of natural beauty, culture and climate which are found in such wide variety within the United States. At the present time an appropriately priced and appropriately packaged air transportation product can be sold to an increasing percentage of the tourist market. Stimulating this vacation travel market is particularly within your competence and ability and, clearly, you have a unique role to play with respect to it. All of us commend your efforts in this promotional endeavor and trust that your further concentration on this subject at the forthcoming Annual Meeting in Seattle will be highly productive.

Of course, we are aware of some special problems, the resolution of which would most likely facilitate your promotional efforts in selling America to more and more of your clients. Recently, our able Chairman, Charles Murphy, gave some very direct and interesting comments on these problems during the course of his testimony before the Select Committee on Small Business of the House of Representatives in which he noted the special desire and interest of the Board in assisting in the resolution of them. I am sure that most of you are familiar with the views he expressed regarding the level of commissions in domestic and international travel and the feasibility of working out an accepable system for the allocation of free or reduced rate transportation so that the incentives for travel agency activity in the sale of domestic transportation can be at least as favorable as those which exist for the sale of international transportation. Hopefully, your recently launched and jointly financed study of the role of the travel agent in the merchandising of air travel will provide us with a better understanding and appreciation of how some of these matters can be resolved in the overall public and national interest.

In this connection, let me say that all of us are pleased with the continuing dialogue between the carriers and yourselves and the better rapport which has been achieved during the past few years through these mutual exchanges of views. If the carriers and the agents can achieve a satisfactory ordering of their respective interests, such a result would be preferable to requiring the Board to impose its own judgment in these matters. Naturally, we are ready and willing to exercise the responsibility delegated to us by the Congress in passing upon the Air Traffic Conference and International Air Transport Association agency resolutions, but we are also desirous that you seek to achieve mutually satisfactory agreements with the carriers in the first instance.

As Senator MAGNUSON would say in guiding a bill through Committee, "This may require a little giving as well as taking."

I think it is fair to say that the Board is quite desirous to solicit the good will and the support of this Society and that of the carriers in coordinating every effort to alleviate the balance of payments deficiency in the area our tourism and, thus, implement the President's program along these lines. You may be assured that every consideration will be given to reasoned positions of the travel agents in resolving this important public issue.

Finally, let me say that, in my judgment, this Society has served a very useful function in bringing to bear on carrier-agent problems a degree of statesman-like leadership so that there has been a steady improvement in the past few years in that relationship which is so important to the whole air transportation industry. This has been particularly gratifying to the Civil Aeronautics Board. The Society, also, has intervened in a number of important cases at the Board and we have come to value its views and to accord great weight to its evidence in the record. While we know that there are some pending problems of rather major and intricate proportions, I venture the hope that with your continued good sense and good will these will be resolved without acrimony and in the overall national interest.

I compliment you for your achievements and thank you most sincerely for your kind invitation to participate in this special luncheon honoring Senator MAGNUSON today.

MEETING THE MEDICARE CHALLENGE IN AMERICAN HOSPITALS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OTTINGER. Mr. Speaker, today I am introducing the Emergency Hospital Assistance Act of 1966 to meet the grave challenge facing American hospitals as medicare goes into effect next month.

Hospitals across the Nation are bracing for a surge of patients as senior citizens take advantage of the new Federal provisions to obtain needed medical care and treatment. Many institutions have asked doctors to postpone low-priority admissions for non-emergency treatment; others are crowding additional beds into already overburdened facilities to prepare for the demand.

However, a number of communities throughout the United States are already grappling with a grave crisis due to the lack of adequate hospital bed space and related facilities. For these hospitals, July 1 and medicare threaten disaster and there are no remedies at hand.

The Division of Medical Care Administration of the Public Health Service recently conducted a survey of public and nonprofit private hospitals in the United States. This survey, which I am submitting for the record, reveals that 143 hospitals serving 97 communities in 29 States and Puerto Rico are in the critical category and their situation cannot be remedied by existing State or Federal aid programs.

This is the situation on the eve of medicare:

First. Of the 97 communities facing a critical shortage of hospital facilities, 39 are served by hospitals now maintaining an average annual occupancy rate in excess of 95 percent—of these, 19 average 100-percent occupancy or more. It should be noted that, in order to maintain an annual average of 95 percent, a hospital must have long periods during the year in which occupancy exceeds 100 percent. In fact, one hospital reporting an average annual occupancy rate of 92 percent also notes a number of months when the occupancy rate rose above 120 percent.

Second. There are 58 communities served by 101 hospitals with an average annual occupancy rate of between 90 and 95 percent.

By contrast, the American Hospital Association reports that the national average hospital occupancy rate runs about 76 percent.

The Bureau of Hospital Insurance, which administers the medicare program for the Department of Health, Education, and Welfare, estimates that some 3,820,000 people over age 65 will require hospital care in the first year of the program. This figure does not include an estimated 580,000 additional patients who will be using various outpatient and clinical facilities. As a matter of fact, 160,000 people are already scheduled for hospitalization under medicare and the program is not even in effect yet. In many cases, the greatest demand will occur in the very areas where hospital facilities are already dangerously overcrowded.

The Public Health Service survey indicates that an emergency program of expansion to add approximately 3,000 new beds to the existing facilities of these 143 critical hospitals would permit the treatment of more than 150,000 new patients and would alleviate the immediate threat. Such a program would not provide a long-range answer to the Nation's hospital problem, but it would enable these hospitals to rise above the critical level and offer adequate service to their respective communities.

Existing programs of Federal aid are not geared to meet this kind of emergency situation. Even if Federal funds were available, few of the 143 critical hospitals could use them since they lack the financial resources to raise the required non-Federal portion of the construction costs. Many of the communities have already exhausted their resources in earlier Hill-Burton-assisted hospital construction projects for which they are still paying.

An emergency program of Federal assistance is needed to bring the hospitals above the critical level. To be effective such a program should be direct, in order to reach the threatened hospitals quickly, and flexible, to meet the complex financial problems of the needy communities.

The Emergency Hospital Assistance Act of 1966 would meet this challenge by offering a balanced program of direct grants and loans, administered by the Secretary of Health, Education, and Welfare.

The bill would authorize the Secretary to make grants of up to 66⅔ percent of the cost of expansion or renovation to provide new bed space and related facilities. This grant program is patterned after the successful Hill-Burton formula except that aid would be given directly to the hospital by the Federal Government, instead of being distributed by the States. Also, certain types of renovation projects not covered by Hill-Burton would be permitted. The intent of the legislation is expressly not to supplant the Hill-Burton program, but to correct an emergency situation with a single short-term infusion of Federal assistance and without embarking on a massive continuing new Federal spending program during this time of severe inflationary pressures. A total of $40 million is authorized to be appropriated for grants.

To meet the needs of those hospitals serving communities without adequate financial resources to put up the remaining 33⅓ percent non-Federal portion, the act authorizes the Secretary to make long-term, low-interest loans of up to 90 percent of the non-Federal share of the construction cost. Interest on these loans shall be charged at 2.5 percent and the hospital would have up to 50 years to repay. A total of $18 million is authorized for this part of the program.

These authorizations are adequate for the emergency situation we face today.

The Public Health Service reports that it costs between $10,000 and $30,000 per bed to construct additions to existing hospitals, depending upon the location and the adequacy of supporting facilities such as laboratories, kitchens, operating rooms, and the like. The survey of the needs of the critical hospitals indicates that an average expenditure of $20,000 per bed would meet the immediate need.

Under this combined grant and loan program, a hospital need only raise $667 in order to start construction on a $20,000 project to add one bed. The cost to the community of repaying the $6,000 loan over a 50-year period at 2.5-percent interest is minimal.

It is important to note that the cost of constructing complete new hospitals is substantially greater than the proposed program of expansion and renovation of existing facilities.

The Emergency Hospital Assistance Act will make it possible to avoid disaster but it is not intended to provide a solution to our growing medical facilities crisis.

CRITICAL HOSPITALS IN THE UNITED STATES

A survey of public and nonprofit private hospitals in the United States, prepared by the Division of Medical Care Administration of the Public Health Service showing that 143 hospitals serving 97 communities in 30 States cannot meet the expected demand for hospital beds by medicare recipients, follows:

State and county	Number of hospitals	Number of beds	Average daily census	Percent occupancy	Percent [1] medicare recipients	Rank
Alabama: Shelby	1	55	55	100.00	8.5	18
Arkansas: Ouachita	1	156	156	100.00	9.4	16
Florida:						
Okeechobee	1	25	25	100.00	6.4	15
Washington	1	52	52	100.00	11.0	19
Georgia:						
Bulloch	1	94	93	98.94	8.0	88
Camden	1	25	24	96.00	5.3	46
Cobb	1	280	266	95.00	4.8	59
Gwinnett	3	86	86	100.00	7.1	10
Houston	1	53	53	100.00	3.2	11
Laurens	1	100	97	97.00	8.4	34
Wayne	1	74	73	98.65	5.8	32
Iowa:						
Clarke	1	32	31	96.88	16.8	25
Dallas	1	16	16	100.00	14.6	9
Palo Alto	1	45	43	95.56	11.5	36
Kansas:						
Allen	1	42	42	100.00	17.5	6
Grant	1	37	36	97.30	4.4	82
Marshall	1	36	36	100.00	17.1	12
Kentucky:						
Allen	1	46	45	97.83	14.1	22
Caldwell	1	39	42	107.69	14.8	1
Laurel	1	28	31	110.71	9.8	3
Louisiana:						
Sabine	1	32	31	96.88	11.8	20
St. Tammany	2	104	108	103.85	8.2	2
Terrebonne	1	100	103	103.00	4.9	4
Maryland: Calvert	1	67	64	95.52	7.9	56
Minnesota: Carlton	1	22	22	100.00	10.5	7
Missouri: Dade	1	26	25	96.15	18.2	26
North Dakota: Towner	1	26	25	96.15	9.3	50
Ohio: Adams	1	54	54	100.00	14.3	5
South Carolina: Bamburg	1	55	53	96.36	8.3	40
South Dakota: Bon Homme	1	21	20	95.24	13.5	27
Tennessee:						
Cumberland	1	75	75	100.00	9.2	8
Monroe	1	40	40	100.00	9.2	14
Rutherford	1	111	109	98.20	7.7	21
Sequatchie	1	30	29	96.67	8.7	49
Williamson	1	50	48	96.00	9.5	28
Wilson	1	74	71	95.95	11.5	30
West Virginia:						
Mineral	1	63	63	100.00	9.5	13
Wyoming	1	60	59	98.33	4.7	23
Wisconsin: Pepin	1	35	35	100.00	13.3	17
Alabama:						
Franklin	1	74	67	90.54	10.2	69
Russell	1	128	119	92.97	6.7	66
Tuscaloosa	1	363	327	90.08	7.9	79
California: Siskiyou	2	148	137	92.57	9.4	72
Florida:						
Columbia	2	103	93	90.29	8.7	37
Santa Rosa	1	81	75	92.59	5.5	70
Georgia:						
Glynn	1	162	151	93.21	5.9	84
Muscogee	2	436	395	90.60	4.7	89

See footnotes at end of table.

State and county	Number of hospitals	Number of beds	Average daily census	Percent occupancy	Percent medicare recipients	Rank[1]
Georgia—Continued						
Peach	1	46	42	91.30	7.6	77
Rabun	1	32	29	90.63	9.7	78
Illinois:						
Montgomery	1	68	62	91.18	16.0	35
Rock Island	3	713	660	92.57	10.1	73
Woodford	1	31	29	93.55	11.4	92
Indiana:						
Clark	1	173	157	90.75	7.2	75
Hendricks	1	70	65	92.86	7.9	41
Jefferson	1	70	64	91.43	12.6	52
Monroe	1	120	111	92.50	7.2	53
Orange	1	36	34	94.44	13.2	29
Porter	1	230	207	90.00	7.2	90
Starke	1	31	29	93.55	12.0	31
Tipton	1	79	74	93.67	11.9	65
Iowa: Davis	1	74	68	91.89	14.8	85
Kentucky: Letcher	2	118	107	90.68	6.7	91
Michigan:						
Oakland	3	712	672	94.38	5.5	33
Ogemaw	1	50	46	92.00	13.3	67
Ontonagon	1	37	34	91.89	10.7	63
Mississippi:						
Jasper	1	30	27	90.00	10.0	44
Pontotoc	1	60	56	93.33	12.1	51
Missouri:						
Grundy	1	52	49	94.23	20.2	37
St. Charles	1	175	161	92.00	7.3	76
New Jersey: Ocean	3	371	338	91.11	11.8	60
New York:						
Jefferson	3	444	414	93.24	12.4	64
Putnam	1	51	47	92.16	9.9	38
North Carolina:						
Avery	2	135	122	90.37	8.8	94
Davie	1	35	33	94.29	9.0	39
Ohio:						
Fayette	1	68	63	92.65	12.2	42
Hancock	1	170	155	91.18	11.0	62
Jefferson	3	413	392	94.92	9.3	57
Lucas	8	2,212	2,021	91.37	9.8	81
Summit	4	1,610	1,463	90.87	8.2	74
Trumbull	2	479	442	92.28	7.9	55
Oklahoma:						
Cleveland	1	100	90	90.00	8.6	58
Garvin	1	26	24	92.31	10.9	29
Puerto Rico:[2]						
Ponce	4	796	718	90.20	5.6	-------
San Juan	8	1,482	1,375	92.78	5.0	-------
Tennessee:						
Bradley	1	152	140	92.11	7.3	80
Gibson	3	139	129	92.81	12.4	43
Texas:						
Hopkin	1	65	59	90.77	16.1	48
Webb	1	150	142	94.67	6.5	45
Virginia:						
Fairfax	1	282	258	91.49	2.8	68
Prince George	1	80	72	90.00	2.9	95
Princess Anne	1	50	45	90.00	3.4	47
Roanoke	5	969	919	94.84	7.5	93
Washington: Jefferson	1	57	52	91.23	11.1	86
West Virginia:						
Hancock	1	175	163	93.14	7.1	83
Summers	1	85	79	92.94	11.7	71
Taylor	1	52	47	90.38	13.6	61
Wisconsin: Monroe	2	94	85	90.43	12.5	54

[1] Communities ranked in order of expected difficulty in meeting increased demands for hospital bed space and related facilities based upon the ratio of available beds and the percentage of medicare recipients in the community. All hospitals reported average daily occupancy rates of 90 percent or higher over the past year. Lowest rank—greatest difficulty in meeting increased demand.

[2] Not ranked but listed as critical.

ANOTHER SUCCESSFUL LAUNCH IN THE FAMILY OF ORBITING GEOPHYSICAL OBSERVATORIES

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BOGGS. Mr. Speaker, the period recently past has been a time of high adventure in space for the United States. We have been witness to another successful launch in the family of orbiting geophysical observatories—this one carrying 21 experiments out as far as 76,000 miles from earth to investigate portions of the earth's environment never before studied. We followed the flight of Gemini 9, shared the astronauts' frustrations and their triumphs.

I am sure you were as elated as I with the amazing success of the Titan III launch of our Department of Defense communications satellite system—eight relay stations in space from the power of one rocket—and of the first Surveyor flight. The specialists working on the Surveyor project are reported to have estimated the odds against accomplishing a soft landing on the first attempt at better than 100 to 1. Yet it was achieved and Surveyor's camera has sent back more than 10,000 photos of the moon's surface. The detail of these pictures show objects as small as a twentieth of an inch can be seen. Remarkable as these pictures are, it is perhaps more important that Surveyor has validated the concept that is under development for a manned lunar landing and ends doubt about the adequacy of the bearing strength of the lunar surface for the manned mission.

These dramatic successes confirm me in my belief that the exploration of space is one of the most rewarding and exciting programs ever undertaken by the United States. It has challenged our imagination, developed our resources in manpower and material, and reaped rewards not only to our citizens but to people the world over. It has strengthened our defense and contributed to the peace of the world. And we are still very early in the growing stage. The future is unlimited.

Our space program is certainly one of the most successful of the wide-ranging and constructive undertakings in our history. We cannot jeopardize its future or allow it to falter.

Satellites provide instantaneous communication over vast portions of the globe, promote our defense, and further the cause of understanding between nations. Weather satellites photograph cloud cover all over the world and make the meteorological information available to all nations. Scientific satellites return information about the universe that man has sought throughout history and enlarge our knowledge not only of the sun and stars and planets, but of our own earth and immediate environment. Man himself, in our manned space program, has at last ventured away from his gravity-bound existence.

The space program has provided work for 400,000 men and women working in 20,000 plants across the country.

In my own State of Louisiana, the development of the Saturn facilities at Michoud has proved of the greatest importance to the economy of the State. The plant there that had built boats and other war items during World War II and tank engines during the Korean conflict had largely been idle since 1954. It was acquired for NASA at no cost to the Government, and using it represented great savings in taxpayers' dollars. Today Michoud is a vital part of our program to reach out in space as far as the moon. Not only has it provided work for nearly 10,000 people, but it has attracted the kind of employees that today's economy, oriented to science and technology, requires. It has created thousands of other jobs for all of the service personnel required by this employment—for homebuilders, storekeepers, and schoolteachers. Space agency contracts amounted to more than $355 million in Louisiana in 1965.

All of the Deep South has benefited from the space program—indeed, the area stretching from Houston, Tex., to Cape Kennedy, Fla., has come to be known as the Space Crescent.

Our conquest of space is a tribute to the economic and political system of the United States and the American way of life.

We responded to the challenge of sputnik with Explorer I. We countered Gagarin with Glenn, Leonov with White, and Luna IX with Surveyor.

We have an edge on the Soviet Union in many regards. We have chalked up more man-hours in space. We have had a high degree of success with our planetary probes and scientific satellites. But we have no reason for complacency. Our position as leader of the free world demands that we forge ahead at a pace consistent with our needs and our resources.

President Johnson prepared an austere budget for the space agency. He pared it down from an already tight request prepared at NASA after much painful scrutiny.

The request for funds for fiscal 1967 was $5.012 billion—down $163 million from the $5.175 billion of fiscal 1966.

NASA under this request is being asked to do as much or more than in the past, with less money. Less funds put strong pressures on the core of NASA's effectiveness, its dedicated personnel that man the centers and laboratories and facilities that make our participation in the space age possible.

The program as presented allows no margin for insurance, and no room for error. Surely no businessman would invest tens of thousands of dollars in a locomotive and then allow it to rust in the yards for lack of a $5 part. Neither can we invest tens of billions in a space program and leave it to falter for the lack of funds.

We cannot put important elements of our capability into mothballs. We must use it or see it rust. Retrenchment puts us in the danger of seeing the Soviet program surge past us again as it did in 1957. If we cut back we may not be able to develop the scientific information and advanced technology required for the needs of U.S. industry and Government. Critical reduction in funds will not allow us to continue to energize large segments of the scientific community or bring our resources to bear on the critical problems of the modern world.

It is likely that any major setbacks at this point, or any cut below the present frugal level of funding, would require an assessment of all of our target dates, not only for the lunar mission in manned flight, but for a host of other highly important unmanned projects.

Weather information from space can be increased until it will be possible to program the earth's entire atmosphere on a computer and to make long-range weather forecasts for the entire world.

Some inkling of the importance of weather forecasting can be gathered if you consider that it has been estimated that the construction industry in the United States could save up to $1 billion a year by using the weather information now available. Consider how much more can be saved as our weather-forecasting tools improve.

Multipurpose communications stations can provide TV and radio broadcasting to the entire world. Satellites can serve as control towers in space to handle the increasing speed and volume of traffic on the world's airways. Satellites show promise in such various areas as oceanography, studying water resources, and detecting diseased areas of forests.

I do not believe that anyone can predict or even imagine the uses to which our space program can be put to improve the lot of mankind.

We can move ahead with our space program toward these goals only if we make a prudent investment. And President Johnson's request for funds for 1967 is indeed prudent. The Congress would be shortsighted in the extreme if it failed to meet these minimum needs to carry our space program forward.

FREE ELECTIONS IN SOUTH VIETNAM

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I am today introducing a concurrent resolution identical to that sponsored by my very able colleague, Congressman Robert E. Sweeney, to express the sense of the House of Representatives in support of free elections in South Vietnam and to urge the sponsorship of these elections under an impartial international body.

A critical look at the current situation in Vietnam can only relay to us a feeling of caution regarding the meaningfulness of the election in September. In any nation when leaders are chosen by the electoral process, there needs to be a basic stability, a culture which supports the ideals and mechanisms of representative government. In a time of internal turmoil, in a nation which has a previous history of subverted elections, it is naive to expect an election to be a fair reflection of the desires of the people.

International supervision of the elections in South Vietnam is of utmost import, therefore, as at least a partial balance to other factors jeopardizing this effort to create a more popularly based civilian government. A serious obstacle is evident in the events of recent weeks in Hue, Danang, and Saigon. The suppression and arrests of Buddhist leaders by the Ky government forecasts little likelihood that the dissent which exists will be allowed and expressed. Difficulties exist as well in the South Vietnamese election law. Candidates are denied the right to campaign as an organized slate. In some situations, the same representation would be given districts with 25,000 people as districts with 125,000 people.

Neither is Vietnam's past experience with the electoral process encouraging. Eleven previous time, the people of Vietnam have participated in elections which have been corrupted and manipulated to insure a particular result. To call for elections means nothing if what follows is a hollow mockery of the entire process. The inevitable consequence is a cynical distrust and confusion and, moreover, an understandable refusal to accept the results.

The opportunity lies ahead. Under the circumstances which I have discussed, there is no guarantee that the election will be a fair reflection of Vietnamese thinking. There is no guarantee that it will not. However, the probability of fair elections is enhanced with supervision by an international body such as the United Nations and I urge that we take action to support as a collective body this course of action.

ON THE PASSING OF EDWARD J. REARDON

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Joelson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, I am sorry to have to inform my colleagues that last week Edward J. Reardon passed away. Ed Reardon was for many years a respected member of the House press corps and was a beloved figure in the Capitol. He possessed unusual integrity and was a newspaperman's newspaperman.

The core of Ed Reardon's work was fairness and honesty. He never broke a confidence and he never wielded a poison pen.

Ed reported the news in such a way that the public could always depend on the truth of his reports and on the decency of his motives.

He served the Herald News, which is published in the congressional district which I represent, faithfully, and I am sure that he will be missed by his many friends on the staff of that fine newspaper.

I personally have lost a dear friend whom I shall never forget, and whose memory I will always revere.

INDEPENDENCE DAY—MALAGASY REPUBLIC

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Conyers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CONYERS. Mr. Speaker, the Malagasy Republic celebrates its sixth anniversary today as an independent nation. This day is indeed a proud and an important one in the colorful history of this island country. The people of the United States are proud to join with the many friends of the Malagasy Republic in paying tribute to the Malagasy people and government on the joyous and memorable occasion. To His Excellency, President Philibert Tsirana and His Excellency, Mr. Louis Rakotamalala, Ambassador to the United States, I wish to extend warm congratulations and best wishes for continued progress.

The Malagasy Republic, formerly Madagascar, is not a new country to the people of the United States. Trading first took place between the two countries during the last years of the 18th century when an American buccaneer ship brought the first Malagasy rice to the State of North Carolina. Some 30 years later, our first American "ambassador", Trader Marks conducted a lively trade in Malagasy goods. His small trading operation was to herald the increased commerce between the two countries. In 1881, Malagasy and the United States signed a treaty of commerce and friendship. Today, the United States continues a close trade association with Malagasy. As Malagasy's second best customer, the United States purchases almost 18 percent of her exports.

However, the interest of the United States in the Malagasy Republic is not limited to the area of trade. Although, American investment is not large, substantial amounts of U.S. technical and economic aid demonstrates the strong American concern for this developing country. In agreement with the Malagasy Government, a strategic tracking and data gathering station, part of the American space program, has been built by the United States on Madagascar island.

The island of Madagascar, fourth largest island in the world and four other small islands comprise the Malagasy Republic. They are located in the Indian Ocean 250 miles across the Mozambique Channel from the southeast coast of Africa. More than 6 million people make up the 18 different ethnic groups. The Merina closely resemble the first non-African inhabitants of the island and are thought to have come from the southwest Pacific area several centuries after the birth of Christ. They hold leadership positions in the Government and professions. President Tsirana belongs to the Côtiers, a coastal people who are an admixture of Arab and Negroid blood. In addition, the large number of Indians, Chinese and Indonesians who have settled in Malagasy make this island nation truly "Afro-Asian." The language spoken throughout the republic is of Malayo-Polynesian origin.

The economy of Malagasy is heavily agricultural with such principal crops as sugar, manioc, coffee, tobacco, and vanilla. Several disadvantages such as shortage of skilled technicians and low world market prices for Malagasy have restricted the expansion of the economy. To meet this crucial problem, the Government has initiated a new 5-year plan that emphasizes commercialization of agricultural production in livestock, sugar and coffee, and so forth. The United States in accordance with these goals will provide aid for agricultural expansion, police communications, maintenance of roadbuilding, and ground water development.

The United States is very proud of its long tradition of friendship with the people of Malagasy and we look forward to the continuing growth of friendly relations between our two countries. We are also proud of the steady, deliberate progress that is taking place in Malagasy and again wish the people and leaders of Malagasy continued success and prosperity as they celebrate this historic occasion.

EQUALIZATION OF MILITARY RETIREMENT PAY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. White] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WHITE of Texas. Mr. Speaker, today I am joining a number of my colleagues in introducing legislation to correct a gross inequity in the pay of men and women who served this country bravely and well and have now retired from the military service. My bill would amend title 10, United States Code, to equalize the retirement pay of all members of the uniformed services of equal rank and years of service.

Under present legislation, Mr. Speaker, military personnel who retired prior to 1962 are being deprived of the benefits of three pay raises which have been given to the military since 1962. Certainly the cost-of-living increases which brought about this increase in pay scales have had the same effect upon retired military people as upon those who remained in service, or those who retired later, with higher retirement pay.

The legislation which I have introduced would recompute the pay of military personnel who retired without the benefit of these recent increases. Even though their service may have been as long, and their rank as high, they are now paid considerably less than those who have retired under higher pay scales. Many of the military personnal who will benefit from this legislation are veterans of both World War II and Korea.

Many of them have chosen my west Texas district as the place of their retirement, and I would like to join in urging the approval by this Congress of legislation which will show our appreciation in a most practical manner.

PROGRAM FOR TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the Members of the House that tomorrow the continuing appropriations resolution will be called up, and also the four bills previously announced from the Committee on Armed Services: H.R. 5256, H.R. 14741, H.R. 15005, and H.R. 12615.

LEAVE OF ABSENCE

Mr. de la Garza (at the request of Mr. Albert), for the remainder of the week, on account of death in the family.

Mr. Thompson of New Jersey, for June 28 through June 30, on account of official business.

Mr. O'Neal of Georgia (at the request of Mr. Davis of Georgia), effective today, on account of advice of Capitol physician.

Mr. Nelsen (at the request of Mr. Gerald R. Ford), for today, on account of illness in his family.

Mr. McDowell (at the request of Mr. Boggs), indefinitely, on account of illness.

Mr. Mailliard, for the balance of the week, on account of official business.

Mr. Hicks (at the request of Mr. Adams), for June 27 and 28, on account of official business.

Mr. Hagan of Georgia (at the request of Mr. Albert), for today and tomorrow, on account of official business.

Mr. Fulton of Pennsylvania (at the request of Mr. Gerald R. Ford), on account of legal business in Erie, Pa.

Mr. Flynt (at the request of Mr. Albert), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Roush, for 60 minutes, May 28, 1966.

Mr. Patman, for 60 minutes, May 28, 1966; to revise and extend his remarks and include extraneous matter.

Mr. Albert, for 60 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Sweeney (at the request of Mr. Patten), for 30 minutes, on June 29, and to revise and extend his remarks and to include extraneous matter.

Mr. Schmidhauser (at the request of Mr. Patten), for 30 minutes, on June 28, to revise and extend his remarks and to include extraneous matter.

Mr. Murphy of New York (at the request of Mr. Patten), for 60 minutes, on July 12, to revise and extend his remarks and to include extraneous matter.

Mr. McGrath (at the request of Mr. Patten), for 60 minutes, on July 12, to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Whitener to revise and extend his remarks on H.R. 15858 and to include a letter from the National Capital Planning Commission.

Mr. Cunningham to include extraneous material in remarks made during debate on H.R. 14904.

(The following Members (at the request of Mr. Davis of Wisconsin), and to include extraneous matter:)

Mr. Dole.

Mr. Mathias.

Mr. Cahill.

(The following Members and to include extraneous matter:)

Mr. Craley.

Mr. Callan.

Mr. Boland.

Mr. Bingham.

Mr. Wright.

Mr. Dyal.

Mr. Ullman in two instances.

Mr. Schmidhauser.

Mr. Tenzer.

Mr. Love.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3005. An act to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce accidents involving motor vehicles and to reduce the deaths and injuries occurring in such accidents; to the Committee on Interstate and Foreign Commerce.

S. 3484. An act to amend the act of June 3, 1966 (Public Law 89–441, 80 Stat. 192), relating to the Great Salt Lake relicted lands; to the Committee on Interior and Insular Affairs.

S. Con. Res. 98. Concurrent resolution to provide for the printing of additional copies of the pamphlet entitled "Our Capitol"; to the Committee on House Administration.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3368. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve Banks to purchase United States obligations directly from the Treasury.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 136. An act to amend sections 1, 17a, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act, and for other purposes;

H.R. 13431. An act to extend the Renegotiation Act of 1951; and

H.R. 13822. An act to provide for an additional Assistant Postmaster General to further the research and development and construction engineering programs of the Post Office Department, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1582. An act to remove a restriction on certain real property heretofore conveyed to the State of California;

H.R. 3438. An act to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy;

H.R. 7371. An act to amend the Bank Holding Company Act of 1956;

H.R. 10721. An act to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes; and

H.R. 12270. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the 12th Boy Scouts World Jamboree and 21st Boy Scouts World Conference to be held in the United States of America in 1967, and for other purposes.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 25 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 28, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2514. A letter from the Deputy Secretary of Defense, transmitting reports of violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, pursuant to the provisions of section 3679(i)(2), Revised Statutes; to the Committee on Appropriations.

2515. A letter from the Secretary of State, transmitting a draft of proposed legislation to except real property owned by the Government of New Zealand from the provisions of certain laws regulating the locations of chanceries and other business offices of foreign governments in the District of Columbia; to the Committee on the District of Columbia.

2516. A letter from the Secretary of Health, Education, and Welfare, transmitting the fourth semiannual report on the problem of air pollution caused by motor vehicles, and measures taken toward its alleviation, pursuant to the provisions of Public Law 89–272; to the Committee on Interstate and Foreign Commerce.

2517. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 12, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Rockport Harbor, Mass., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 16, 1958; to the Committee on Public Works.

2518. Acting Secretary, Department of State, transmitting the 14th report to Congress on U.S. contributions to international organizations, pursuant to the provisions of Public Law 81–806 (H. Doc. No. 455); to the Committee on Foreign Affairs and ordered to be printed.

2519. Chairman, National Commission on Food Marketing, transmitting a report on the structure and performance of the Nation's food marketing system, pursuant to the provisions of Public Law 88–354; to the Committee on Agriculture.

2520. Administrator, General Services Administration, transmitting a report on a proposed Presidential archival depository to be known as the John Fitzgerald Kennedy Library, pursuant to the provisions of section 507(f) of the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

2521. Administrator, Veterans' Administration, transmitting a draft of proposed legislation to cancel certain unpaid interest accrued after September 30, 1931, on loans made to World War I veterans upon the security of adjusted-service certificates; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 23, 1966, the following bills were reported on June 24, 1966:

Mr. MAHON: Committee on Appropriations. H.R. 15941. A bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes; without amendment (Rept. No. 1652). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 8337. A bill to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes; with an amendment (Rept. No. 1653). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 10823. A bill relating to credit life insurance and credit health and accident insurance with respect to student loans; with an amendment (Rept. No. 1654). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia: H.R. 12119. A bill to authorize the Commissioners of the District of Columbia to reconstruct the substructure and to replace the superstructure of the existing 14th Street or Highway Bridge across the Potomac River, and for other purposes; with an amendment (Rept. No. 1655). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 15857. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes; with amendments (Rept. No. 1656). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 15858. A bill to amend section 6 of the District of Columbia Redevelopment Act of 1945, to authorize early land acquisition for the purpose of acquiring a site for a replacement of Shaw Junior High School; without amendment (Rept. No. 1657). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 15860. A bill to establish the District of Columbia Bail Agency, and for other purposes; with an amendment (Rept. No. 1658). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. House Joint Resolution 1178. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the 93d annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in Washington, D.C., in July 1967, to authorize the granting of certain permits to Imperial Shrine Convention, 1967, Inc., on the occasions of such sessions, and for other purposes; with amendments (Rept. No. 1659). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 5426. A bill to provide that common-law marriages may not be contracted in the District of Columbia; with amendments (Rept. No. 1660). Referred to the House Calendar.

Under clause 2 of rule XIII, pursuant to the order of the House of June 23, 1966, the following bill was reported on June 25, 1966:

Mr. COOLEY: Committee on Agriculture. S. 2934. An act to provide needed additional means for the residents of rural America to achieve equality of opportunity by authorizing the making of grants for comprehensive planning for public services and development in community development districts approved by the Secretary of Agriculture; with amendments (Rept. No. 1661). Referred to the Committee of the Whole House on the State of the Union.

[Submitted June 27, 1966]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAHON: Committee on Appropriations. H.J. Res. 1180. Joint resolution making continuing appropriations for the fiscal year 1967, and for other purposes; without amendment (Rept. No. 1662). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Report entitled "Coast Guard Examination of Foreign Passenger Vessels," 33d report; without amendment (Rept. No. 1663). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Report entitled "Federal Research and Development Programs: the Decisionmaking Process," 34th report; without amendment (Rept. No. 1664). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee on Interior and Insular Affairs. H.R. 2623. A bill to authorize the establishment of the Pig War National Historical Park in the State of Washington, and for other purposes; with amendments (Rept. No. 1665). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 14875. A bill to amend section 1035 of title 10, United States Code, and other laws, to authorize members of the uniformed services who are on duty outside the United States or its possessions to deposit their savings with a uniformed service, and for other purposes; with an amendment (Rept. No. 1666). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules. House Resolution 895. Resolution providing for the consideration of H.R. 5256, a bill to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; without amendment (Rept. No. 1667). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 896. Resolution providing for the consideration of H.R. 12615, a bill to amend sections 404(d) and 408 of title 37, United States Code, to authorize members of the uniformed services to be reimbursed under certain circumstances for the actual cost of parking fees, ferry fares, and bridge, road, and tunnel tolls; without amendment (Rept. No. 1668). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 897. Resolution providing for the consideration of H.R. 14741, a bill to authorize an increase in the number of Marine Corps officers who may serve in the combined grades of brigadier general and major general; without amendment (Rept. No. 1669). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 898. Resolution providing for the consideration of H.R. 15005, to amend title 10, United States Code, to remove inequities in the active duty promotion opportunities of certain officers; without amendment (Rept. No. 1670). Referred to the House Calendar.

Mr. HÉBERT: Committee on Armed Services. H.R. 13125. A bill to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended; without amendment (Rept. No. 1671). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of June 23, 1966, the following bill was introduced on June 24, 1966:

By Mr. MAHON:

H.R. 15941. A bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

[Submitted June 27, 1966]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 15942. A bill to impose a tax on unrelated debt-financed income of tax exempt organizations; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 15943. A bill to impose a tax on unrelated debt-financed income of tax exempt organizations; to the Committee on Ways and Means.

By Mr. ASPINALL:

H.R. 15944. A bill to amend section 8 of the Revised Organic Act of the Virgin Islands to increase the special revenue bond borrowing authority, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 15945. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Martime Board-Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DOLE:

H.R. 15946. A bill to amend the act of May 28, 1924, to revise existing law relating to the examination, licensure, registration, and regulation of optometrists and the practice of optometry in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. FISHER:

H.R. 15947. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:

H.R. 15948. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 15949. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOSMER:

H.R. 15950. A bill to establish a National Commission on Reform of Federal Criminal Laws; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 15951. A bill to amend the consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests on Hawaii, and for other purposes; to the Committee on Agriculture.

By Mr. MINSHALL:

H.R. 15952. A bill to amend the Public Health Service Act to establish the position of Chief Veterinary Officer of the Service and provide for the rank of Assistant Surgeon General for said position; to the Committee on Interstate and Foreign Commerce.

By Mr. O'BRIEN:

H.R. 15953. A bill to amend section 8 of the Revised Organic Act of the Virgin Islands to increase the special revenue bond borrowing authority, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHISLER:

H.R. 15954. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 15955. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SPRINGER:

H.R. 15956. A bill to authorize the Secretary of the Interior to establish the Lincoln Homestead National Recreation Area; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 15957. A bill to provide for a refund of excise taxes levied on automobiles purchased by certain disabled veterans; to the Committee on Ways and Means.

By Mr. UDALL:

H.R. 15958. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VIGORITO:

H.R. 15959. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries; to the Committee on Agriculture.

H.R. 15960. A bill to provide a temporary program for dairy farmers under which production adjustment payment shall be made to such farmers who voluntarily adjust their marketings of milk and butterfat; to the Committee on Agriculture.

By Mr. WHITE of Texas:

H.R. 15961. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr CORMAN:

H.R. 15962. A bill to amend section 103 of the Internal Revenue Code of 1954, to provide that the interest on certain obligations shall not be tax exempt; to the Committee on Ways and Means.

By Mr. HOLIFIELD:

H.R. 15963. A bill to establish a Department of Transportation, and for other purposes; to the Committee on Government Operations.

By Mr. HORTON:

H.R. 15964. A bill to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States; to the Committee on the Judiciary.

H.R. 15965. A bill to establish a National Commission on Reform of Federal Criminal Laws; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 15966. A bill to establish a Board of Higher Education to plan, establish, organize, and operate a public community college and a public college of arts and sciences in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. NIX:

H.R. 15967. A bill to amend section 336(c) of the Immigration and Nationality Act so as to authorize any petitioner for naturalization to take the oath of allegiance at a final hearing held upon his petition within 30, rather than 60, days preceding a general election; to the Committee on the Judiciary.

H.R. 15968. A bill to amend the Internal Revenue Code of 1954 to provide that pensions paid to retired law enforcement officers shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 15969. A bill to establish an emergency program of direct Federal assistance in the form of grants and loans to certain hospitals in critical need of new beds and related facilities in order to meet the demands for service resulting from new and expanded Federal programs; to the Committee on Interstate and Foreign Commerce.

By Mr. PUCINSKI:

H.R. 15970. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REDLIN:

H.R. 15971. A bill to provide for the issuance by the Secretary of Agriculture of a 25-cent-per-bushel export marketing certificate on wheat for the 1967, 1968, and 1969 crops of wheat; to the Committee on Agriculture.

By Mr. SHIPLEY:

H.R. 15972. A bill to authorize the Secretary of the Interior to establish the Lincoln Homestead National Recreation Area; to the Committee on Interior and Insular Affairs.

By Mr. WHALLEY:

H.R. 15973. A bill to amend the Railroad Retirement Act of 1937 to provide a 7-percent increase in all annuities and pensions payable thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. BOLAND:

H.R. 15974. A bill to include all periods of military service as creditable service for severance pay purposes; to the Committee on Post Office and Civil Service.

By Mr. FASCELL:

H.R. 15975. A bill to amend title III of the National Housing Act to increase the authority of the Federal National Mortgage Association to obtain funds for use in its secondary market operations; to the Committee on Banking and Currency.

By Mr. GRAY:

H.R. 15976. A bill to authorize the granting of oil, gas, and other hydrocarbon substances, and all rights in connection therewith and pertaining thereto, to certain homestead patentees who were wrongfully deprived of such property and rights; to the Committee on Interior and Insular Affairs.

By Mr. McCLORY:

H.R. 15977. A bill to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States; to the Committee on the Judiciary.

H.R. 15978. A bill to establish a National Commission on Reform of Federal Criminal Laws; to the Committee on the Judiciary.

H.R. 15979. A bill to outlaw the Mafia and other organized crime syndicates; to the Committee on the Judiciary.

H.R. 15980. A bill to prohibit wiretapping by persons other than duly authorized law-enforcement officers engaged in the investigation or prevention of specified categories of criminal offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 15981. A bill to provide that the U.S. District Court for the District of Maryland shall hold court at Hyattsville; to the Committee on the Judiciary.

By Mr. SKUBITZ:

H.R. 15982. A bill to amend the act of May 28, 1924, to revise existing law relating to the examination, licensure, registration, and regulation of optometrists and the practice of optometry in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. UTT:

H.R. 15983. A bill to provide for the temporary suspension of duty on stoppers of cork suitable for wine bottles; to the Committee on Ways and Means.

By Mr. MAHON:

H.J. Res. 1180. Joint resolution making continuing appropriations for the fiscal year 1967, and for other purposes; to the Committee on Appropriations.

By Mr. CEDERBERG:

H.J. Res. 1181. Joint resolution to establish an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. DICKINSON:

H.J. Res. 1182. Joint resolution proposing an amendment to the Constitution requiring that Federal judges be reconfirmed by the Senate every 6 years; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.J. Res. 1183. Joint resolution to provide for the establishment of a Commission on National Defense Policy; to the Committee on Armed Services.

By Mr. LAIRD:

H.J. Res. 1184. Joint resolution to provide for the establishment of a Commission on National Defense Policy; to the Committee on Armed Services.

By Mr. MINSHALL:

H.J. Res. 1185. Joint resolution to provide for the establishment of a Commission on National Defense Policy; to the Committee on Armed Services.

By Mr. BOW:

H.J. Res. 1186. Joint resolution to provide for the establishment of a Commission on National Defense Policy; to the Committee on Armed Services.

By Mr. GIBBONS:

H. Con. Res. 799. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

By Mr. HOSMER:

H. Con. Res. 800. Concurrent resolution expressing the sense of the Congress with respect to the prompt and full settlement of the indebtedness of France and other nations to the United States; to the Committee on Ways and Means.

By Mr. ROYBAL:

H. Con. Res. 801. Concurrent resolution expressing the sense of Congress on the holding of elections in South Vietnam; to the Committee on Foreign Affairs.

By Mr. EDWARDS of California:

H. Con. Res. 802. Concurrent resolution expressing the sense of Congress on the holding of elections in South Vietnam; to the Committee on Foreign Affairs.

By Mr. PATMAN:

H. Res. 899. Resolution providing for consideration of House Joint Resolution 1148, a joint resolution providing an emergency limitation on interest rates paid by insured banks; to the Committee on Rules.

By Mr. BURLESON:

H. Res. 900. Resolution authorizing the transfer of funds from the contingent fund to meet committee employee payroll for June 1966; to the Committee on House Administration.

By Mr. FRIEDEL:

H. Res. 901. Resolution relating to telephone, telegraph, and radiotelegraph allowances of Members of the House of Representatives; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

491. By the SPEAKER: Memorial of the Legislature of the State of Mississippi, relative to equalizing the territorial boundaries of all States bordering on an ocean or the Gulf of Mexico; to the Committee on the Judiciary.

492. Also, memorial of the Legislature of the State of New Hampshire, relative to ratification of the proposed amendment relating to succession to the Presidency and Vice Presidency, and to cases where the President is unable to discharge the powers and duties of the office; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 15984. A bill to authorize the interment of Mrs. Mary L. Campbell in the Long Island National Cemetery; to the Committee on Interior and Insular Affairs.

By Mr. ANNUNZIO:

H.R. 15985. A bill for the relief of Sofia Cascarano; to the Committee on the Judiciary.

By Mr. CRAMER (by request):

H.R. 15986. A bill for the relief of Yau Mei Wong; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 15987. A bill for the relief of Natale Grippe; to the Committee on the Judiciary.

H.R. 15988. A bill for the relief of Clara Ordentlich and Julius Ordentlich; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 15989. A bill for the relief of Irene Mercedes; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 15990. A bill to exempt from taxation certain property of the Daughters of the American Revolution in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MORSE:

H.R. 15991. A bill for the relief of Mr. Henry Schierembergg and Mrs. Maria Lucretia Schierembergg; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 15992. A bill for the relief of Manuel Furtado Gabriel; to the Committee on the Judiciary.

H.R. 15993. A bill for the relief of Monica G. Anvoner; to the Committee on the Judiciary.

By Mr. RIVERS of Alaska:

H.R. 15994. A bill for the relief of Robert L. Merrill; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 15995. A bill for the relief of John E. Coplin; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

403. By the SPEAKER: Petition of Henry Stoner, Portland, Oreg., relative to Satchel Paige Day; to the Committee on the Judiciary.

404. Also petition of City Council, Chicago, Ill., relative to proposed increase in toll charges for use of the St. Lawrence Seaway; to the Committee on Public Works.

405. Also, petition of Charleston Freedom Forum, Inc., Charleston, S.C., relative to American servicemen captured by Communist governments; to the Committee on Rules.

SENATE

MONDAY, JUNE 27, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, help of the ages past, hope for the years to come, in the white of Thy holiness we know ourselves for what we are—petty, proud creatures who seek their own wills and whims in spite of the polished courtesies and noble professions with which we come to Thee.

We would yield our flickering torch to the flame of Thy redeeming love. Send us forth as sons of the morning to bring Thy light to every shadowed life we meet.

As every ray of sunshine leads back to the sun, so in this moment of communion with Thee teach our thoughts to travel up the roads of Thy benedictions to Thyself.

For every virtue we possess
And every victory won,
And every thought of holiness
Are Thine alone.

O Thou God of grace, to Thine is the kingdom and the power and the glory. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 24, 1966, was dispensed with.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILL

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on June 22, 1966, the President had approved and signed the act (S. 1357) to revise existing bail practices in courts of the United States, and for other purposes.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 3368. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve Banks to purchase United States obligations directly from the Treasury;

H.R. 136. An act to amend sections 1, 17a, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act, and for other purposes; and

H.R. 13822. An act to provide for an additional Assistant Postmaster General to further the research and development and construction engineering programs of the Post Office Department, and for other purposes.

PETITION

Mr. SCOTT presented a resolution of the House of Representatives of the State of Pennsylvania, which was referred to the Committee on the Judiciary, and, under the rule, ordered to be printed in the RECORD, as follows:

HOUSE RESOLUTION NO. 31

In the House of Representatives, March 28, 1966.

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memoralize the Congress of the United States to support and adopt the necessary measures to request and authorize the President of the United States to issue a proclamation designating April 9, 1967, as Bataan-Corregidor Day in observance of the twenty-fifth anniversary of the Fall of Bataan and Corregidor and as a tribute to the gallant American and Philippine soldiers who fought, suffered and died side by side defending the principles of freedom, and to include within such authorization, authority for the proclamation to call upon the people of the United States to observe such day with a minute of silence at eleven o'clock antemeridian and with other appropriate ceremonies and activities: And be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

This resolution was read over desk and adopted, March 28, 1966.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FONG, from the Committee on the Judiciary, with an amendment:

S. 1803. A bill for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually; (Rept. No. 1332).

By Mr. PASTORE, from the Committee on Commerce, with an amendment:

S. 2825. A bill to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce; (Rept. No. 1334).

MORE EFFECTIVE DEVELOPMENT AND UTILIZATION OF THE NATION'S MANPOWER RESOURCES—REPORT OF A COMMITTEE—SUPPLEMENTAL AND INDIVIDUAL VIEWS (S. REPT. NO. 1333)

Mr. CLARK. Mr. President, on behalf of the Committee on Labor and Public Welfare, I submit a report, together with supplemental and individual views, to accompany S. 2974, a bill to amend the Wagner-Peyser Act to provide more effective development and utilization of the Nation's manpower resources.

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Pennsylvania.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ERVIN:

S. 3556. A bill for the relief of Kyoung-Hi Park Kim; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself and Mr. SALTONSTALL):

S. 3557. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Finance.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. DOMINICK:

S. 3558. A bill to require the publication of the names of the owners of rental property in the District of Columbia which are used for residential purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. DOMINICK when he introduced the above bill, which appear under a separate heading.)

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, all committees were authorized to meet during the session of the Senate today.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. DOUGLAS:

Statement by him relating to the 10th anniversary of the Poznan uprising.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

INCOME TAX TREATMENT OF BUSINESS DEVELOPMENT CORPORATIONS

Mr. SPARKMAN. Mr. President, I send to the desk for the Senator from Massachusetts [Mr. SALTONSTALL] and me, a bill to amend the Internal Revenue Code of 1965 concerning the income tax treatment of business development corporations.

I ask unanimous consent that the summary of the proposed legislation and a statement of the function of the business development corporation be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the summary and statement will be printed in the RECORD.

The bill (S. 3557) to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations, introduced by Mr. SPARKMAN (for himself and Mr. SALTONSTALL), was received, read twice by its title, and referred to the Committee on Finance.

The summary and statement presented by Mr. SPARKMAN are as follows:

SUMMARY OF PROPOSED LEGISLATION REGARDING BAD DEBT RESERVES OF BUSINESS DEVELOPMENT CORPORATIONS FOR FEDERAL INCOME TAX PURPOSES

The attached draft of proposed legislation would amend the Internal Revenue Code to provide that business development corporations ("BDCs") may deduct additions to their bad debt reserves up to an aggregate reserve amount equal to 10% of loans made by such business development corporations which would not be made by banks and which are made for the purposes of promoting, maintaining and assisting the economy or industry in the region or state where the business development corporation is located.

There are now no special provisions in the Internal Revenue Code regarding bad debt reserves of BDCs. These organizations have in practice been allowed by the Internal Revenue Service to accumulate only nominal bad debt reserves of from between 1% to 4%. Since BDCs are by their nature quasi-public organizations which make only loans which would not be made by conventional banking institutions, since the commercial banks have a 2.4% formula by Treasury ruling, and since the losses of BDCs on their loans have been far greater than losses of commercial banks, it is believed that a bad debt reserve of 10% should be accepted as a reasonable bad debt reserve for a BDC by the Internal Revenue Service without question. This is particularly so since the BDC's primary criterion for making loans is not the opportunity to make a profit but rather whether the loan will aid the employment level and the economy generally within the state of the BDC.

Moreover, by Treasury ruling, small business investment corporations are allowed (until 1968) 10% bad debt reserves without being questioned by the Internal Revenue Service. Loans made by BDCs, which are basically quasi-public institutions, are equally risky and probably more risky than loans made by small business investment companies, which are basically profit seeking organizations.

The 10% bad debt reserve provisions are further needed for BDCs in order that they may attract more equity capital (which will not be attracted to a BDC with a nominal or inadequate bad debt reserve), which in turn is necessary as a matter of law in order for the BDCs to increase their loan limits and their loan programs. An expansion of the activities of the BDCs within the several states where they operate is highly desirable in that it will encourage small business within these states by providing small business with financing which could not otherwise be obtained from conventional financing sources. For these reasons, legislation similar to that contained in the attached draft should be enacted.

BUSINESS DEVELOPMENT CORPORATIONS

THE FUNCTION OF THE BUSINESS DEVELOPMENT CORPORATION

The business development corporation is a relatively new type of organization in the American economy. The idea of the business development corporation was conceived in the New England States as an attempt on the part of community leaders to encourage the development of new industry in those states and to counter the deterioration of the older New England industries and their flight from the North.

The earliest of the business development corporations was the Development Credit Corporation of Maine, which was founded in 1949 and commenced business in 1950. Within four years, business development corporations cropped up in New Hampshire, Vermont, Connecticut, Massachusetts and Rhode Island. The idea of the business development corporation has caught on and there has been a steady increase in their number, particularly within the last five years, so that at present it is understood that business development corporations are in operation in eighteen states. It is understood that there are plans in additional states for the creation of business development corporations.

The primary function of business development corporations is to assist in the development and maintenance of industries within the state and to do so by providing financing for smaller companies who are unable to obtain conventional financing through banking institutions and insurance companies by reason of their speculative and uncertain financial condition.

The purpose of the business development corporation is not to make a substantial profit but rather to serve a public and community purpose.

Typically, a single business development corporation covers the entire state where it is located. One exception is RIDC Industrial Development Fund, a Pennsylvania development corporation, which was organized to function primarily in some nine counties in Pennsylvania. Another is the recently formed Industrial Development Corporation of Eastern Washington providing coverage primarily in the eastern half of that state.

In no case has a business development corporation been organized under the general business corporation laws of the state concerned. In nearly all cases, the business development corporation has been incorporated by a special act of the state legislature. In Pennsylvania, by way of exception, the state legislature in 1959 passed the "Business Development Corporation Credit Law" as a general act under which more than one business development corporation might be incorporated.

The corporate purposes of most of the business development corporations of the country are strikingly similar and it appears that in most cases the corporate purposes have been copied from the corporate purposes of earlier models. A typical set of corporate purposes is that of the New York Business Development Corporation which provides:

"The purposes of such corporation shall be to assist, promote, encourage and, through the cooperative efforts of the institutions and corporations which shall, from time to time, become members thereof, develop and advance the business prosperity and economic welfare of the state; to encourage and assist in the location of new business and industry in the state and to rehabilitate existing business and industry; to stimulate and assist in the expansion of all kinds of business activity which will tend to promote the business development and maintain the economic stability of the state, provide maximum opportunities for employment, encourage thrift and improve the standard of living of the citizens of the state; to cooperate and act in conjunction with other organizations, public or private, the objects of which are the promotion and advancement of industrial, commercial, agricultural and recreational developments in the state; to furnish money and credit to approved and deserving applicants, for the promotion, development and conduct of all kinds of business activity in the state, thereby establishing a source of credit not otherwise readily available therefor."

It can be seen from these typical purposes that the business development corporation is a very special type of entity, devoting to enhancing the business prosperity and economic welfare of the particular state, attracting new industry and rehabilitating old industry in the state, providing maximum employment opportunities for the citizens of the state and furnishing money and credit to borrowers for whom credit is not otherwise readily available.

CORPORATE ORGANIZATION OF BUSINESS DEVELOPMENT CORPORATIONS

The typical business development corporation was organized with the support of the leading citizens of the state. For example, the incorporators of the Massachusetts Business Development Corporation included such famous persons as Senator LEVERETT SALTONSTALL, then Senator John F. Kennedy, Professor Sumner H. Slichter of Harvard University, former Secretary of State Christian A. Herter, Carl G. Gilbert of the Gillette Company, and a substantial number of the presidents and chief executive officers of the largest and most prosperous business enterprises located within the Commonwealth of Massachuetts.

The stockholders of the typical business development corporation are again typically the business leaders in the particular state. The New York Business Development Corporation, for example, has fifty-four stockholders, among whom are included Brooklyn Union Gas Company, the Central Hudson Gas & Electric Corporation, the Delaware and Hudson Railroad Corporation Home Life Insurance Company, Long Island Lighting Company, the Mutual Life Insurance Company of New York, the New York Central Railroad Company, New York Telephone Company, a great many other industrial companies and utilities, numerous savings banks located in the State of New York, a number of Chambers of Commerce of New York communities, and a number of citizens deeply concerned with the economic welfare of their state.

In addition to the stockholders of the business development corporations, there are the members of the corporation. These are generally banking organizations, savings and loan associations and insurance companies. The members of the corporation will loan funds to it when called upon, usually at rates of interest slightly above the prime rates. Loans by members to the business deveolpment corporation are usually permitted by reason of the special charter of the business development corporation which exempts the commercial lending institutions from normal lending standards and thereby permits them to loan to the business development corporations.

The operations of the business development corporations are carried on under the direction of boards of directors, usually composed of somewhere between fifteen and twenty-seven members. The members of the board are very largely bankers and, to a lesser extent, representatives of other industries. For example, the board of directors of the Massachusetts Business Development Corporation consists of eighteen members, of whom eleven are representatives of commercial banks, savings banks or trust companies, two are representatives of public utilities, two are representatives of the insurance industry, and the remaining three are a lawyer, a partner in a leading underwriting firm, and a business consultant. In most cases, in addition to the board of directors there is an executive committee whose composition is roughly comparable to that of the board of directors.

The system of calling upon members for loans by the business development corporation is basically a pooling device. It in effect grants to a large number of financial institutions a participation in the loan investments of the business development corporation. Thus, the high risk portfolio of the business development corporation is, in effect financed by private commercial lenders, although such private commercial lenders acting alone would not be in a position to make such loans.

The business development corporations vary somewhat in their administrative methods. By and large, however, most business development corporation investments are approved by a loan committee or by the executive committee, but in some cases loans of over a certain amount are subject to approval by the board of directors.

In four states the special status of the business development corporation as a public service entity has been recognized in the form of exemption from state taxes. This is so in Massachusetts, Maryland, South Carolina and New Hampshire.

INVESTMENTS OF THE BUSINESS DEVELOPMENT CORPORATIONS

The investments of the business development corporations are inherently extremely risky. They are investments which the conventional commercial lenders would not make. It is believed that no business development corporation will make a loan which is a bankable loan. Several business development corporations, before approving any loan, will require written evidence that the loan application has been turned down by the prospective borrower's bank of account. In some cases, two turn-down letters are required before the loan will be approved. In other cases, the business development corporation will itself check with the banks in the area. Finally, in the case of a couple of business development corporations, the decision is made on the basis of the judgment of the directors or members of the executive committee, most of whom are of course themselves bankers. Thus, before a loan is ever made by a business development corporation it is already a high-risk loan.

The maturities of the loans by the business development corporations are varied. In most cases, however, they range between five and fifteen years. The interest rates charged usually range between 6% and 8% and oftentimes the interest rates are determined on the basis of the prime rate in the area. For example, one business development corporation charges interest of 2¼% over the prime rate in the area, another charges 2% over the prime rate, and still another charges 1½% over prime.

Almost all loans by business development corporations are secured. The security amounts to whatever is available, although in many cases the collateral is marginal. The security may be first or second mortgages on real estate or chattels, it may be pledges of inventory or accounts receivable, it may be life insurance or assignments of leases, or it may simply be personal guarantees.

There is rarely an equity participation by the business development corporation. What negligible equity interest there is is represented by stock options or stock warrants.

The borrowers are in almost all cases small business concerns with net worths running from zero to three or four hundred thousand dollars, although there are occasional loans to concerns with greater net worths. In all cases, however, the criteria for the granting of loans are not the criteria employed by conventional lenders. Specifically, the business development corporation will only make a loan in cases where:

(1) The potential borrower cannot get financing from conventional sources;

(2) The potential borrower provides or is hoped to provide substantial employment opportunities;

(3) The potential borrower's obligations are expected to increase the local tax base; or

(4) For other reasons the potential borrower's concern is expected to make a contribution to the economic welfare of the state.

In no case does a business development corporation of any state ever grant a loan to a business operation which is not carried on within that state.

Of course the business development corporation in approving or rejecting a loan application does take into account the ability of the borrower to repay. Many loan applications are, of course, rejected because it is apparent that the investment would be financially unsound. This decision is made, however, not because of any desire on the part of any business development corporation to make a substantial profit, but rather to enable the business development corporation to continue on a going concern basis so that it may continue to make a contribution to its state.

The public function of a business development corporation is illustrated by the dividend records of these companies. Only three, so far as is known, have ever paid any dividends at all. Massachusetts pays a 10¢ dividend on $10.00 par value common stock, which of course amounts to a 1% return. Connecticut yields a 2% return on its capital stock. More recently, North Carolina paid 25¢ in dividends on its $10.00 par value stock for a 2½% return, although it had paid no dividends for the preceding three years. As far as is known, no other business development corporation pays out anything by way of dividends.

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BUSINESS DEVELOPMENT CORPORATIONS

(Listed alphabetically by State)

Arkansas:

*First Arkansas Development Finance Corporation, 416 Pyramid Life Building, Little Rock, Arkansas.

Hill F. Carlson, Executive Vice President, Area Code 501, FR 4–9247.

Connecticut:

*The Connecticut Development Credit Corporation, 43½ Colony Street, P.O. Box 714, Meriden, Connecticut.

W. G. Brooks Thomas, Vice President, Area Code 203, BEveraly 5–3327.

Florida:

*The Industrial Development Corporation of Florida, Suite 287, 1010 Executive Center Drive, Orlando, Florida.

Charles H. Ogilvie, Executive Vice President, Area Code 305, 841–2640.

Kansas:

*Kansas Development Credit Corporation, First National Bank Building, Wichita, Kansas.

Don Steffes, Executive Vice President.

Kentucky:

*Business Development Corporation of Kentucky, Commonwealth Building, Louisville 2, Kentucky.

M. B. Senn, Executive Vice President, Area Code 502, 584–2740.

Maine:

*Development Credit Corporation of Maine, 15 Grove Street, P.O. Box 227, Augusta, Maine.

William S. Coffin, Manager, Area Code 207, MAyfair 2–0771.

Maryland:

Development Credit Corporation of Maryland, 1501 First National Bank Building, Baltimore, Maryland 21202.

Harold R. Fletcher, Executive Secretary, Area Code 301, 685–4344.

Massachusetts:

*Massachusetts Business Development Corporation, 45 Milk Street, Boston 9, Massachusetts.

Robert F. Elliott, Executive Vice President, Area Code 617, HUbbard 2–0540.

Mississippi:

Mississippi Business and Industrial Development Corporation, 1023 Deposit Guaranty Bank Building, P.O. Box 825, Jackson, Mississippi.

Minor C. Sumners, President, Area Code 601, 355–7957.

New Hampshire:

*New Hampshire Business Development Corporation, 3 Capitol Street, Rooms 407–8, Concord, New Hampshire.

Gardner Tilton, Manager, Area Code 603, CApitol 4–1432.

New Jersey:

New Jersey Business Development Corporation, 54 Park Place, Newark 2, New Jersey.

Henry L. Jung, Vice President and Manager, Area Code 201, MA 3–7070.

New York:

*New York Business Development Corporation, 11 North Pearl Street, Rooms 402–7, Albany, New York 12207.

David J. Duggan, Executive Vice President, Area Code 518, HObart 3–2268.

North Carolina:

*The Business Development Corporation of North Carolina, 401 Oberlin Road, P.O. Box 10665, Raleigh, North Carolina.

H. Powell Jenkins, Executive Vice President, Area Code 919, 828–2331.

Pennsylvania:

*Pennsylvania Development Credit Corporation, State Street Building, Third and State Streets, Harrisburg, Pennsylvania.

Allan R. Williams, Executive Vice President (Area Code 717, 234–3241.

*Southeastern Pennsylvania Development Fund, Philadelphia National Bank Building, Philadelphia, Pennsylvania 19107.

Thomas J. Scott, Executive Vice President, Area Code 215, LO 8–4677.

*RIDC Industrial Development Fund, 471 Union Trust Building, Pittsburgh 19, Pennsylvania.

Norman M. Steere, Executive Vice President, Area Code 412, 471–3939.

Rhode Island:

*Business Development Company of Rhode Island, 10 Dorrance Street, Providence, Rhode Island 02903.

Harvey J. Sarles, President, Area Code 401, DExter 1–6663.

South Carolina:

*Business Development Corporation of South Carolina, Palmetto State Life Building, P.O. Box 1606, Columbia, South Carolina.

Price C. Cochran, Executive Vice President, Area Code 803, ALpine 2–3759.

South Dakota:

South Dakota Industrial Development Credit Corporation, P. O. Box 1421, Huron, South Dakota.

Millard G. Scott, Secretary-Treasurer, Area Code 605, 352–8675.

Vermont:

Vermont Development Credit Corporation, 224 North Maine Street, Rutland, Vermont.

Roland Q. Seward, President, Area Code 802.

Virginia:

* Virginian Industrial Development Corporation, 905 State Planters Bank Building, Richmond 19, Virginia.

Robert C. de Rosset, President, Area Code 703, 643–1289.

Washington:

*Industrial Development Corporation of Eastern Washington, 419 Hyde Building, Washington, 99201.

W. L. Thrailkill, Secretary-Treasurer, Area Code 509, TEmple 8–3792.

Wisconsin:

Wisconsin Industrial Development Credit Corporation, 1965 Atwood Avenue, Madison 4, Wisconsin.

John L. Stauber, President, Area Code 608.

Iowa is presently considering the establishment of a business development corporation. The contact in Iowa is Mr. Carroll E. Worlan, Director, Iowa Development Commission, 250 Jewett Building, Des Moines, Iowa.

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*Member of NABDC

MORE EFFECTIVE DEVELOPMENT AND UTILIZATION OF THE NATION'S MANPOWER RESOURCES—AMENDMENTS

AMENDMENTS NOS. 622 THROUGH 631

Mr. PROUTY submitted 10 amendments, intended to be proposed by him, to the bill (S. 2974) to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such Act, at both State and Federal levels, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 632

Mr. DOMINICK submitted an amendment, intended to be proposed by him, to Senate bill 2974, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 633

Mr. PROUTY submitted an amendment, intended to be proposed by him, to Senate bill 2974, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the order of the Senate of June 16, 1966, the following names have been added as additional cosponsors for the following bills:

S. 3514. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health: Mr. Allott, Mr. Bartlett, Mr. Bayh, Mr. Bible, Mr. Brewster, Mr. Burdick, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Carlson, Mr. Clark, Mr. Cooper, Mr. Cotton, Mr. Dirksen, Mr. Dominick, Mr. Douglas, Mr. Eastland, Mr. Ervin, Mr. Fannin, Mr. Fong, Mr. Gruening, Mr. Hart, Mr. Hartke, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Kuchel, Mr. Long of Missouri, Mr. McCarthy, Mr. McGee, Mr. Mondale, Mr. Monroney, Mr. Montoya, Mr. Morse, Mr. Morton, Mr. Murphy, Mr. Muskie, Mrs. Neuberger, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Smathers, Mrs. Smith, Mr. Tower, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of North Dakota.

S. 3522. A bill to require the Secretary of Agriculture to report to the Congress each year certain information relating to the import and export of agricultural commodities: Mr. Bartlett, Mr. Bennett, Mr. Hartke, Mr. Long of Missouri, and Mr. Prouty.

PROPOSED AMENDMENT TO AGREEMENT FOR COOPERATION WITH THE PHILIPPINES—NOTICE OF HEARING

Mr. GORE. Mr. President, I wish to inform the Senate that the Atomic Energy Commission and the Department of State have submitted to the Joint Committee on Atomic Energy a proposed amendment to the civil agreement for cooperation between the United States and the Republic of the Philippines. The amendment was received by the joint committee on June 25, 1966, and, together with two proposed agreements for cooperation with the United Kingdom which I submitted for the Record on an earlier date, will be the subject of a hearing before the Subcommittee on Agreements for Cooperation tomorrow morning at 11 a.m.

The primary purpose of the Philippine agreement is to authorize the transfer to that country of nuclear materials enriched to more than 20 percent when there is a technical need for such material in the Philippine civil research program. Under the present agreement there is a ceiling of 20 percent on such enrichment.

In keeping with the joint committee's practice of publishing civilian agreements for cooperation, I ask unanimous consent that the Philippine amendment and certain supporting correspondence be printed in the Record.

There being no objection, the amendment and correspondence were ordered to be printed in the Record, as follows:

U.S. Atomic Energy Commission,
Washington, D.C., June 24, 1966.

Hon. Chet Holifield,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

Dear Mr. Holifield: Pursuant to Section 123c of the Atomic Energy Act of 1954, as amended, there are submitted with this letter:

a. A proposed "Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Civil Uses of Atomic Energy";

b. A copy of a letter from the Commission to the President recommending approval of the amendment; and

c. A copy of a letter from the President to the Commission containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and approving the amendment and authorizing its execution.

The proposed amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, revises the Agreement for Cooperation between the United States of America and the Philippines which was signed on July 27, 1955, as amended by the agreements signed on June 11, 1960, and August 7, 1963.

The amendment would permit the transfer to the Philippines of material enriched to more than 20% in the isotope U-235 when there is a technical or economic justification for such a transfer. Article II of the proposed amendment reflects the recent changes in the Atomic Energy Act of 1954 permitting private ownership of special nuclear material by enabling private parties in the United States and the Philippines to be parties to arrangements for the transfer of special nuclear material. Previously, such arrangements were confined to governments. Arrangements made directly between private parties under Article II would be undertaken pursuant to applicable laws, regulations, policies, and license requirements of the United States and the Philippines. A similar provision has been incorporated in the agreements with Switzerland and Turkey.

Inasmuch as the transfer of highly enriched fuel would be permitted under the proposed amendment, comprehensive bilateral safeguards have also been included. The Philippine research reactor and fuel obtained from the United States, however, are under the safeguards of the International Atomic Energy Agency, as provided in the trilateral agreement among the United States, the Philippines, and the Agency, which came into effect on September 24, 1965. Accordingly, the bilateral safeguards would be suspended as long as the trilateral safeguards currently applied by the International Atomic Energy Agency remain in force; U.S. safeguards would be resumed, however, if for any reason Agency safeguards should cease to apply.

As a result of providing for the transfer of highly enriched fuel and the consequent comprehensive bilateral safeguards, certain standard provisions have been added in the proposed amendment with respect to reprocessing of any source or special nuclear material acquired from the United States (Article I.B.) and with respect to an option to the United States Government to retain or purchase special nuclear materials produced through the use of U.S.-supplied material (Article I.C.).

The amendment will enter into force on the day on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements to bring the amendment into force.

Cordially,

Glenn T. Seaborg,
Chairman.

Enclosures:

1. Amendment to Agreement for Cooperation with the Government of the Republic of the Philippines (3).
2. Letter from the Commission to the President (3).
3. Letter from the President to the Commission (3).

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Republic of the Philippines,

Desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Civil Uses of Atomic Energy, signed at Washington on July 27, 1955 (hereinafter referred to as the "Agreement for Cooperation"), as amended by the Agreement signed at Washington on June 11, 1960, and the Agreement signed at Washington on August 7, 1963,

Agree as follows:

ARTICLE I

A. Article II, Paragraph B, of the Agreement for Cooperation, as amended, is amended by adding at the end thereof the following new sentence:

"The United States Commission, however, may, upon request, make available all or a portion of the enriched uranium supplied hereunder as material containing more than twenty per cent (20%) by weight of the isotope U-235 when there is a technical or economic justification for such a transfer."

B. Article II, Paragraph C, of the Agreement for Cooperation, as amended, is amended to read as follows:

"C. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel shall not be altered after its removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing."

C. Article II, as amended, is further amended by adding the following new paragraphs E and F:

"E. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Republic of the Philippines and, after reprocessing as provided in paragraph C of this Article, shall be returned to the Government of the Republic of the Philippines, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby granted, to retain, with appropriate credit, based on the prices in the United States of America referred to in paragraph F of this Article, to the Government of the Republic of the Philippines, any such special nuclear material which is in excess of the needs of the Republic of the Philippines for such material in its program for the peaceful uses or atomic energy.

"F. With respect to any special nuclear material not subject to the option referred to in paragraph E of this Article and produced in reactors fueled with materials obtained from the United States of America which is in excess of the need of the Republic of the Philippines for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an Agreement for Cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or group of nations in the event the option to purchase is not exercised."

ARTICLE II

Article IV of the Agreement for Cooperation is amended to read as follows:

"With respect to the subjects of agreed exchange of information referred to in Article I, it is understood that arrangements may be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other for the transfer of materials, including special nuclear material, and equipment and devices, and for the performance of services. Such arrangements shall be subject to:

(1) the limitations applicable to transactions between the Parties under Article II,

(2) Article V, and

(3) applicable laws, regulations, policies, and license requirements of the Parties."

ARTICLE III

Paragraphs A, B, and C of Article VI of the Agreement for Cooperation, as amended, are amended to read as follows:

"A. The Government of the United States of America and the Government of the Republic of the Philippines emphasize their common interest in assuring that any material, equipment, or device made available to the Government of the Republic of the Philippines or any person under its jurisdiction pursuant to this Agreement shall be used solely for civil purposes.

"B. Except to the extent that the safeguards provided for in this Agreement are supplanted, by agreement of the Parties as provided in Article VII(A), by safeguards of the International Atomic Energy Agency, the Government of the United States of America, notwithstanding any other provisions of this Agreement, shall have the following rights:

(1) With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any (a) reactor, and (b) other equipment and devices, the design of which the United States Commission determines to be relevant to the effective application of safeguards, which are, or have been, made available to the Government of the Republic of the Philippines or any person under its jurisdiction under this Agreement, or which are to use, fabricate, or process any of the following materials so made available: source material, special nuclear material, moderator material, or other material designated by the United States Commission;

(2) With respect to any source or special nuclear material made available under this Agreement to the Government of the Republic of the Philippines or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment or devices so made available: (a) source material, special nuclear material, moderator material, or other material designated by the United States Commission, (b) reactors, (c) any other equipment or device designated by the United States Commission as an item to be made available on the condition that the provisions of this subparagraph B(2) will apply.

(i) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in ensuring accountability for such materials; and

(ii) to require that any such material in the custody of the Government of the Republic of the Philippines or any person under its jurisdiction be subject to all of the safeguards provided for in this Article and the guaranties set forth in Article VII;

(3) To require the deposit in storage facilities designated by the United States Commission of any of the special nuclear material referred to in subparagraph B(2) of this Article which is not currently utilized for civil purposes in the Philippines and which is not purchased or retained by the Government of the United States of America pursuant to Article II of this Agreement, transferred pursuant to Article II, paragraph F (b), or otherwise disposed of pursuant to an arrangement mutually acceptable to the Parties;

(4) To designate, after consultation with the Government of the Republic of the Philippines, personnel who, accompanied, if either Party so requests, by personnel designated by the Government of the Republic of the Philippines, shall have access in the Philippines to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph B(2) of this Article, to determine whether there is compliance with this Agreement, and to make such independent measurements as may be deemed necessary;

(5) In the event of non-compliance with the provisions of this Article or the guaranties set forth in Article VII and the failure of the Government of the Republic of the Philippines to carry out the provisions of this Article within a reasonable time, to suspend or terminate this Agreement and to require the return of any materials, equipment, and devices referred to in subparagraph B(2) of this Article;

(6) To consult with the Government of the Republic of the Philippines in the matter of health and safety.

"C. The Government of the Republic of the Philippines undertakes to facilitate the application of the safeguards provided for in this Article."

ARTICLE IV

Article VII, Paragraph B, of the Agreement for Cooperation is amended by adding the words, "or group of nations", following the word, "nation", wherever it appears.

ARTICLE V

Article VII (A) of the Agreement for Cooperation, as amended, is amended by deleting the reference, "paragraph C", and the commas preceding and following such reference.

ARTICLE VI

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as amended.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this ——— day of ———, 1966.

For the Government of the United States of America:

Donovan Q. Zook,
Director, Office of Atomic Energy Affairs, International Scientific and Technological Affairs, Department of State.

Barbara H. Thomas,
Foreign Affairs Officer, Division of International Affairs, Atomic Energy Commission.

For the Government of the Republic of the Philippines:

Dr. Jose F. Imperial,
Charge d'Affaires, Embassy of the Philippines.

Initialled on June 23, 1966.

U.S. Atomic Energy Commission,
Washington, D.C., June 21, 1966.

The President,
The White House

Dear Mr. President: The Atomic Energy Commission recommends that you approve the enclosed proposed "Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Civil Uses of Atomic Energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The proposed amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would revise the Agreement for Cooperation between the United States of America and the Philippines which was signed at Washington on July 27, 1955, as amended by the Agreements signed on June 11, 1960, and August 7, 1963.

The proposed amendment would permit the transfer to the Philippines of material enriched to more than 20% in the isotope U-235 when there is a technical or economic justification for such a transfer. Article II of the proposed amendment reflects the recent changes in the Atomic Energy Act of 1954 permitting private ownership of special nuclear material by enabling private parties in the United States and the Philippines to be parties to arrangements for the transfer of special nuclear material. Previously, such arrangements were confined to governments. Arrangements made directly between private parties under proposed Article II would be undertaken pursuant to applicable laws, regulations, policies, and license requirements of the United States and the Philippines.

Inasmuch as the transfer of highly enriched fuel would be permitted under the proposed amendment, comprehensive bilateral safeguards have also been included. The Philippine research reactor and fuel obtained from the United States, however, are under the safeguards of the International Atomic Energy Agency, as provided in the trilateral agreement among the United States, the Philippines, and the Agency which came into effect on September 24, 1965. Accordingly, the bilateral safeguards in the proposed amendment would be suspended as long as the trilateral safeguards currently applied by the International Atomic Energy Agency remain in force; however, U.S. safeguards would be resumed if for any reason Agency safeguards should cease to apply.

As a result of providing for the transfer of highly enriched fuel and the consequent inclusion of comprehensive bilateral safeguards, the following standard provisions have been added in the proposed amendment:

a. Reprocessing of source or special nuclear material acquired by the Philippines from the United States would be performed at the discretion of the United States Commission in either Commission facilities or facilities acceptable to the Commission (Article I.B.);

b. Regarding U.S.-leased fuel, the United States may retain, after reprocessing, special nuclear material produced in such leased fuel which is in excess of the needs of the Philippines for its program in the peaceful uses of atomic energy (Article I.C.); and

c. Regarding fuel otherwise transferred, the United States may purchase special nuclear material produced in such fuel which is in excess of the Philippines' needs and, if this option to purchase is not exercised, approval by the United States is required for the transfer of such material to another nation or group of nations (Article I.C.).

Articles IV and V of the proposed amendment include minor editorial revisions.

Following your determination, approval, and authorization, the proposed amendment will be formally excuted by appropriate authorities of the Government of the United States of America and the Government of the Republic of the Philippines. In compliance with Section 123c of the Atomic Energy Act of 1954, as amended, it will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

GLENN T. SEABORG,
Chairman.

Enclosure: Proposed "Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of the Philippines."

THE WHITE HOUSE,
Washington, D.C., June 24, 1966.

Hon. GLENN T. SEABORG,
U.S. Atomic Energy Commission,
Washington, D.C.

DEAR DR. SEABORG: In accordance with Section 123a of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me by a letter of June 21, 1966, a proposed "Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Civil Uses of Atomic Energy," and has recommended that I approve the proposed amendment, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution.

Pursuant to the provisions of Section 123b of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I thereby:

a. Approve the proposed amendment and determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security of the United States of America; and

b. Authorize the execution of the proposed amendments on behalf of the Government of the United States of America by appropriate authorities of the Department of State and the Atomic Energy Commission.

Sincerely,

LYNDON B. JOHNSON.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 27, 1966, he presented to the President of the United States the enrolled bill (S. 3368) to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve Banks to purchase U.S. obligations directly from the Treasury.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

PROTOCOLS TO THE INTERNATIONAL CONVENTION FOR THE NORTHWEST ATLANTIC FISHERIES—REMOVAL OF INJUNCTION OF SECRECY

Mr. BARTLETT. Mr. President, I ask unanimous consent that injunction of secrecy be removed from Executive I, 89th Congress, 2d session, a Protocol to the International Convention for the Northwest Atlantic Fisheries, relating to measures of control, and a Protocol to the International Convention for the Northwest Atlantic Fisheries relating to entry into force of proposals adopted by the Commission. I ask unanimous consent that the protocols, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of each of the following two Protocols:

Protocol to the International Convention for the Northwest Atlantic Fisheries, Relating to Measures of Control, and

Protocol to the International Convention for the Northwest Atlantic Fisheries Relating to Entry into Force of Proposals Adopted by the Commission.

The Protocols are dated November 29, 1965 and were open for signature at Washington from November 29, 1965 through December 13, 1965 on behalf of the thirteen Governments parties to the International Convention for the Northwest Atlantic Fisheries signed at Washington under date of February 8, 1949 (1 UST 477; TIAS 2089). During that period they were signed for all thirteen of those Governments, including the United States of America.

I transmit also, for the information of the Senate, the report by the Acting Secretary of State with respect to the two Protocols.

The Protocol on measures of control would amend the convention to expressly permit the International Commission for the Northwest Atlantic Fisheries established thereunder to make proposals related to measures of control to ensure the application of the convention and regulations adopted thereunder. At present, each contracting government is required to enforce the terms of the convention and the regulations adopted thereunder with respect to its own nationals. The Protocol would permit a system of international inspection or enforcement to be adopted under the terms of regulations proposed by the commission and approved by contracting governments. This will permit more efficient and uniform enforcement of Commission regulations designed to conserve the stocks of fish in the Convention area in the Northwest Atlantic, a part of which convention area lies off the coast of the United States.

The Protocol on entry into force of regulations was initiated by the United States, and is designed to expedite the procedure for adoption of regulations proposed by the Commission. Under the present terms of the convention, each Government participating in the panel of the Convention sub-area to which a proposal applies must take affirmative action to signify its approval thereof before a proposal may enter into force. There have been long delays in the entry into force of Commission proposals, apparently in large part because of inertia in taking the required action, particularly on the part of countries whose fishermen are little affected one way or the other by the proposals. The Protocol would substitute a form of approval under which a Government would be deemed to have approved a proposal unless it objected within a specified period. Adequate safeguards are included in the proposal to protect the rights and interests of the contracting governments and their fishermen. The aims of the Convention will be achieved more fully if a more expeditious system of bringing necessary regulations into force is adopted. The new procedure, if adopted, would also apply to the entry into force of regulations relating to measures of control if the first Protocol is also adopted.

I recommend that the Senate give early and favorable consideration to the Protocols submitted herewith and give its advice and consent to ratification.

LYNDON B. JOHNSON.

(Enclosures: 1. Report of the Acting Secretary of State. 2. Certified copies of two Protocols to the International Convention for the Northwest Atlantic Fisheries.)

THE WHITE HOUSE, *June 27, 1966.*

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. RUSSELL of Georgia, from the Committee on Armed Services:

Richard Helms, of the District of Columbia, to be Director of Central Intelligence.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF STATE

The legislative clerk read the nomination of Henry E. Stebbins, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Uganda.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John H. Crimmins, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

FEDERAL COMMUNICATIONS COMMISSION

The legislative clerk read the nomination of Rosel H. Hyde, of Idaho, to be a member of the Federal Communications Commission for the unexpired term of 6 years from July 1, 1962.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Nicholas Johnson, of Iowa, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1966.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF JUSTICE

The legislative clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President. I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consideration of measures on the calendar, beginning with Calendar No. 1269 and the succeeding measures in sequence.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIBERALIZATION OF PROVISIONS FOR PAYMENT TO PARENTS AND CHILDREN OF DEPENDENCY AND INDEMNITY COMPENSATION

The Senate proceeded to consider the bill (H.R. 14347) to liberalize the provisions for payment to parents and children of dependency and indemnity compensation, and for other purposes which had been reported from the Committee on Finance, with amendments, on page 2, line 2, after the word "total", to insert "annual"; at the top of page 4, to strike out:

SEC. 2. Section 415(g)(1), title 38, United States Code, is amended by adding new paragraphs as follows:

And, in lieu thereof, to insert:

SEC. 2. Section 415(g) of title 38, United States Code, is amended—

(1) by striking out "chapter 11" in paragraph (1)(C) and inserting in lieu thereof "chapters 11 and 15";

(2) by striking out the period at the end of clause (E) and inserting in lieu thereof a semicolon;

(3) by adding at the end of paragraph (1) thereof the following new clauses:

On page 5, line 15, after the word "duties". to insert a semicolon and "and"; after line 15, to insert:

(4) by adding a new paragraph as follows:

"(3) Notwithstanding the provisions of paragraph (1) of this subsection, in determining the annual income of any person for any year there shall not be included in such income the amount of any increase in monthly insurance benefits payable to such person for such year under section 202 or 223 of the Social Security Act, if—

"(A) such increase resulted from provisions of law enacted after July 1, 1965, providing increases in the schedule of benefits under either such section with respect to one or more categories of beneficiaries under title II of such Act, and

"(B) for the month (or any portion thereof) in which the Act containing such provisions of law was enacted, such person was entitled to (i) a monthly insurance benefit under section 202 or 223 of the Social Security Act, and (ii) dependency and indemnity compensation under the provisions of this section.'

On page 6, line 17, after the word "discontinuance", to strike out "of payments under chapter 13 of this title" and insert "resulting therefrom"; on page 7, after line 12, to insert a new section, as follows:

SEC. 6. Section 503 of title 38, United States Code, is amended by striking out "In" at the beginning of such section and inserting in lieu thereof "(a) In"; and by adding a new subsection as follows:

"(b) Notwithstanding the provisions of subsection (a) of this section, in determining the annual income of any person for any year there shall not be included in such income the amount of any increase in monthly insurance benefits payable to such person for such year under section 202 or 223 of the Social Security Act, if—

"(1) such increase resulted from provisions of law enacted after July 1, 1965, providing increases in the schedule of benefits under either such section with respect to one or more categories of beneficiaries under title II of such Act, and

"(2) for the month (or any portion thereof) in which the Act containing such provisions of law was enacted, such person was entitled to (A) a monthly insurance benefit under section 202 or 223 of the Social Security Act, and (B) pension under the provisions of this chapter, or under the first sentence of section 9(b) of the Veterans' Pension Act of 1959."

On page 8, after line 10, to insert a new section, as follows:

SEC. 7. (a) Subsection (a) of section 3 of the Act entitled "An Act to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes", approved September 29, 1965 (79 Stat. 886), is amended by striking out the remaining portion of such subsection beginning with "but only if" and inserting in lieu thereof the following: "but only if application is made for such death gratuity within one year after the date of enactment of this Act.".

(b) Paragraph (1) of section 3(c) of such Act is amended to read as follows:

"(1) The death gratuity authorized by this section shall be $5,000 reduced by the aggregate amount of United States Government Life Insurance and National Service Life Insurance paid or payable on account of the death of such veteran."

(c) Paragraph (2) of section 3(c) of such Act is repealed.

(d) Paragraph (3) of section 3(c) of such Act is redesignated as paragraph (2).

(e) Any waiver of future benefits executed by any person under section 3(a) of the Act of September 29, 1965 (79 Stat. 886), as in effect prior to the date of the enactment of this Act, shall be of no effect.

(f) In any case in which the death gratuity paid to any person under section 3 of the Act of September 29, 1965, was reduced pursuant to clause (B) of subsection (c)(1) of such section, as in effect prior to the date of enactment of this Act, the Administrator of Veterans' Affairs shall pay to such person an amount equal to the amount by which such death gratuity was reduced.

(g) Notwithstanding the time limitation prescribed in section 3(a) of the Act of September 29, 1965, any application for death gratuity filed under such section shall be valid if filed within one year after the date of enactment of this Act.

On page 9, at the beginning of line 22, to change the section number from "6" to "8"; in the same line, after the word "Except", to strike out "as otherwise provided herein" and insert "section 7 and as otherwise provided in subsection (b) of this section"; on page 10, line 3, after "(b)", to strike out "Section" and insert "Paragraphs (1), (2), and (3) of section"; in line 6, after the word "by", to insert "paragraph (3) of"; and, after line 10, to insert:

(c) No benefits shall be paid to any person for any period prior to the effective date specified in subsection (a) of this section on account of the amendments made by section 2(4) and section 6 of this Act.

Mr. McGOVERN. Mr. President, I urge Senators to give their overwhelming support to H.R. 14347, a bill to liberalize the provisions for payment to parents and children of dependency and indemnity compensation.

I am particularly pleased that the bill we are considering today contains an amendment added by the Finance Committee which provide that the increases under the Social Security Amendments of 1965 or under future social security legislation will not be counted in determining the annual income of persons entitled to both VA payments and social security benefits for the month in which the legislation authorizing the increase is enacted.

On April 7 of this year I introduced S. 3206, a bill to prevent the loss of veteran pension benefits as the result of 1965 increases in social security benefits. At that time, I said that an intolerable situation had arisen which ought to be corrected immediately by the Congress. I am gratified that my proposal has been included in the bill now before us. We are indebted to the members of the Finance Committee for their action in this matter.

Mr. President, I take this opportunity to read the description of the committee's amendment from page 6 of the report:

The committee, in approving the 7 percent social security increase in 1965 recognized the increased need of beneficiaries due to the changes in wages, prices, and other economic factors since the last general social security increase in 1959. Thus, the benefit increase was designed to provide social security recipients with additional necessary funds to meet everyday needs. It was certainly not designed to deny veterans and their surviving widows and parents from continuing to receive their VA benefits. However, many such persons had their VA payments cut back or terminated as a result of the social security increase. This action has nullified the overall effectiveness and purpose of the increase not only by failing to add to their overall purchasing power but also by cutting back on what they were receiving before the social security increase was enacted. Your committee's amendment prevents this adverse effect on future VA payments as a result of the 1965 increase as well as all future social security increases.

It was precisely for these reasons that I introduced S. 3206.

I hope that the Senate will approve H.R. 14347 with the committee amendment and that the amendment will be retained in the final version of the bill.

The **ACTING PRESIDENT** pro tempore. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1300), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. PURPOSE

H.R. 14347 is designed to liberalize dependency and indemnity compensation (DIC) to the surviving parents and children of a veteran who died as a result of service-connected causes by increasing the monthly dependency and indemnity compensation rates and the applicable annual income limitation provisions, and by providing for certain exclusions from the computation of annual income in the case of dependent parents. The bill also provides that increases in retirement benefits will not decrease or terminate VA benefits until the beginning of the next calendar year following the year in which the increase is received, and that the monthly DIC benefits of a sole surviving parent will not, under certain circumstances, be reduced upon remarriage.

II. SUMMARY OF COMMITTEE AMENDMENTS

The Committee on Finance added five amendments to the House bill, three of which amend the text of the House version. The three amendments to the text of the House bill (1) exclude VA pension payments from DIC annual income; (2) make applicable to the pension program the provision in the House bill which provides that an increase in retirement benefits of a dependent parent under the DIC program will not decrease or terminate DIC benefits until the beginning of the next calendar year; and (3) make a technical correction. The remaining two amendments add new provisions which allow (1) VA beneficiaries, under certain conditions, to receive the 1965 social security increase and all future social security increases without affecting their future VA payment, and (2) payment of $5,000 death gratuity without the beneficiaries waiver of right to death compensation and DIC benefits. These committee amendments are discussed more fully hereinafter.

III. THE HOUSE BILL

A. Dependency and Indemnity Compensation (DIC) benefits increase

The rates of DIC for parents and children of a veteran who died as a result of service-connected causes were established on January 1, 1957, by Public Law 881, 84th Congress. The rates of payment have been increased only one time since that date. On July 1, 1963, Public Law 88-21 authorized an increase of approximately 10 percent in benefits based on a comparable rise in living costs from 1957 to 1963. Subsequent to this initial benefit increase, there has been an increase in the cost of living in excess of 4 percent. The first section and sections 4 and 5 of the bill would increase monthly DIC rates for parents and children about 4 percent, which would be equivalent to the rise in living costs since 1963. (See tables 1–4.)

B. Annual income limitation levels

DIC benefits payable to parents are provided on a sliding scale of annual income levels. The income limitations and rates vary according to whether there are one or two parents, and, in the case of two parents, whether they are living together or apart. Rates and income limitations for a parent who has remarried are governed by the rules applying to two parents living together. In each instance, there are five income levels providing five rates of monthly payments.

Under present law, an only parent may receive a monthly benefit ranging from $17 to $83 a month, depending upon annual income, which may not exceed $1,750 per year. For two parents living together, the monthly rates for each range from $11 to $55 each, depending upon their combined annual income, which may not exceed $2,400. If two parents are living apart, the rates for each range from $11 to $55, with an individual income maximum of $1,750 a year.

Section 1 of the bill would modify the various levels, with new maximums of $1,800 and $3,000 which conform the income limitations for persons receiving DIC to the highest maximum level presently applicable to incomes of persons receiving non-service-connected pensions.

The changes in monthly DIC rates and annual income limitations are shown in the following tables:

Income limitation and DIC rates

TABLE 1. SINGLE PARENT

Present law			H.R. 14347		
Column I		Column II	Column I		Column II
Total annual income			Total annual income		
More than—	but Equal to or less than—		More than—	but Equal to or less than—	
	$750	$83		$800	$87
$750	1,000	66	$800	1,100	69
1,000	1,250	50	1,100	1,300	52
1,250	1,500	33	1,300	1,500	35
1,500	1,750	17	1,500	1,800	18
1,750	----------	No amount payable.	1,800	----------	No amount payable.

TABLE 2. TWO PARENTS (LIVING APART)

Present law			H.R. 14347		
Column I		Column II	Column I		Column II
Total annual income			Total annual income		
More than—	but Equal to or less than—		More than—	but Equal to or less than—	
	$750	$55		$800	$58
$750	1,000	44	$800	1,100	46
1,000	1,250	33	1,100	1,300	35
1,250	1,500	22	1,300	1,500	23
1,500	1,750	11	1,500	1,800	12
1,750	----------	No amount payable.	1,800	----------	No amount payable.

Income limitation and DIC rates—Continued

TABLE 3. TWO PARENTS (LIVING TOGETHER)

Present Law			H.R. 14347		
Column I		Column II	Column I		Column II
Total combined annual income			Total combined annual income		
More than—	but Equal to or less than—		More than—	but Equal to or less than—	
	$1,000	$55		$1,000	$58
$1,000	1,350	44	$1,000	1,500	46
1,350	1,700	33	1,500	2,000	35
1,700	2,050	22	2,000	2,500	23
2,050	2,400	11	2,500	3,000	12
2,400	---------	No amount payable.	3,000	---------	No amount payable.

TABLE 4. CHILDREN

	Number	Monthly DIC rate	
		Present law	H.R. 14347
Regular DIC benefit: Child under 18 (no widow entitled)	1	$77	$80.
	2	$110	$115.
	3	$143	$149.
	More than 3.	$143+$28 for each child in excess of 3.	$149+$29 for each child in excess o 3.
Supplemental DIC benefit:			
Helpless child (no widow)[1]	Each	$28	$29.
Helpless child (widow entitled)	do	$77	$80.
Eligible child under 23 attending school (widow entitled).	do	$39	$41.

[1] Supplemental DIC benefits are payable in addition to regular DIC benefits.

C. Annual income exclusions

In determining the annual income of parents for DIC benefits, all payments of any kind or from any source are considered as income except the following:

1. Payments of 6 months' death gratuity.
2. Donations from public or private welfare or relief organizations.
3. Payments of compensation for disability or death under any law administered by VA.
4. Lump-sum death payments under the Social Security Act.
5. Payments of State bonuses for service in the armed forces.

(The Veterans' Administration also may exclude from income certain unusual medical expenses.)

On the other hand, persons eligible for pensions are not only entitled to exclude similar payments from their annual income, but also exclude 10 percent of income received from public or private retirement, annuities, endowments, or similar plans or programs; income from jury duty; national service life insurance; and amounts paid for expenses of last illness and burial of spouse.

The Committee on Finance agrees with the Veterans' Affairs Committee of the House that exclusions comparable to those which apply for pension purposes should, in equity and for the sake of consistency, also apply in determining parents' annual income for dependency and indemnity compensation programs.

To accomplish this, section 2 would expand the DIC program to provide generally the same exclusions for the determination of income as are now applicable to the income limitations of non-service-connected pension.

The Committee on Finance adopted an amendment to section 2 of the bill at the suggestion of the Veterans' Administration, to provide that payments under the VA pension program would be excluded from the DIC annual income computation.

D. Termination or decrease of DIC benefits

Increases in retirement benefits can at times cause a reduction or termination of DIC benefits for parents. This comes about when retirement increases move a parent from a lower income bracket to a higher one. Under present law, it is necessary to make these adjustments effective the last day of the month in which retirement income is so increased. This present treatment can have harsh results where parents have relied on this additional income to help meet their day-to-day living expenses. The Committee on Finance, like the House Veterans' Affairs Committee, is of the opinion that it would be appropriate to allow these parents a short period of time within which to readjust their living standards to this loss of benefits.

This would be achieved under the bill by providing that increases in public or private retirement plans, such as company pensions over which the parent has no control, shall not serve to reduce benefits during the calendar year in which the increases are received. Instead, adjustments would be made effective the first day of the calendar year following the year in which the increases were received. The Veterans' Administration had suggested in testimony before the House committee that this treatment be afforded to both the DIC and pension programs. However, the House version of the bill failed to contain similar treatment for pensions. For consistency, the Committee on Finance has made this provision equally applicable to the pension program.

E. Remarried parent

Under present law a sole surviving parent who remarries may suffer a reduction in monthly DIC payments even though income remains the same and the new spouse has no income.

For example, a sole surviving father receives DIC of $83 monthly if his annual income does not exceed $750. If he should remarry, the $83 rate would be reduced to $55 (the present rate for a parent living with his spouse) even though his annual income combined with that of his spouse does not exceed the $750 limit.

On the other hand, a sole surviving father with lesser need, whose annual income is $1,000, receives a $17 monthly rate. In the event he should remarry, the $17 monthly rate would be increased to $33 if his annual income, together with that of his spouse, did not exceed $1,700 or to $22 if their combined annual income exceeded $1,700 but did not exceed $2,050.

The foregoing examples illustrate the incongruities which result in the application of the present law. The total combined annual income of the remarried sole surviving parent and that of his new spouse should be counted in determining the monthly rate of, as is done in the case of two parents who are living together.

However, if their total combined annual income is no greater than his income alone or if it is increased so little that it still falls within the same annual income bracket that applies to a single parent, the parent's monthly dependency and indemnity compensation payments should not be reduced merely because of his remarriage.

Section 1 of the bill as passed by the House and approved by the Committee on Finance would permit the sole remarried parent to receive the rate for a single parent or married parent living with his spouse whichever results in the larger benefit.

IV. COMMITTEE AMENDMENTS

In addition to the minor amendments referred to above, the committee added two substantive features, the first of which regards the effect of social security increases on pensions and DIC, and the second which deals with the problem of reduction of death gratuity payments by death compensation and DIC payments.

A. Social security increases

The Committee on Finance added an amendment to the bill (secs. 2(4) and 6) which provides that increases under the Social Security Amendments of 1965 (Public Law 89–97) or under future social security legislation will not be counted in determining the annual income of persons entitled to both VA payments and social security benefits for the month in which the legislation authorizing the increase is enacted. This provision will prevent the continued loss or reduction of dependency and indemnity compensation or pension payment which would otherwise result from the social security increase.

The committee, in approving the 7 percent social security increase in 1965 recognized the increased need of beneficiaries due to the changes in wages, prices, and other economic factors since the last general social security increase in 1959. Thus, the benefit increase was designed to provide social security recipients with additional necessary funds to meet everyday needs. It was certainly not designed to deny veterans and their surviving widows and parents from continuing to receive their VA benefits. However, many such persons had their VA payments cut back or terminated as a result of the social security increase. This action has nullified the overall effectiveness and purpose of the increase not only by failing to add to their overall purchasing power but also by cutting back on what they were receiving before the social security increase was enacted. Your committee's amendment prevents this adverse effect on future VA payments as a result of the 1965 increase as well as all future social security increases.

The provision will not affect the VA beneficiary's right to have 10 percent of the remaining portion of his social security payment excluded from the appropriate annual income determination. In determining annual income, the Administrator will apply the exclusion of social security increases prior to applying the 10-percent exclusion of retirement program payments. This computation method is illustrated as follows:

VA beneficiary received social security benefits of $40 monthly prior to the 1965 social security increase of $4. He now receives $44 monthly.

Computation:

Annual social security payments	$528
Exclude social security increase ($4 × 12) (secs. 2(4) and 6 of the bill)	48
Annual income	480
Exclude 10 percent of retirement income (sec. 2 of the bill and sec. 503 of title 38)	48
Total amount of social security benefits included in annual income	432

(The 10-percent exclusion for parents receiving DIC benefits becomes effective January 1, 1967.)

A person entitled to social security exclusion benefits will, for the purposes of the annual income test, be permitted to exclude the total increase in social security benefits (made by Public Law 89–97) for the entire calendar year 1966. To be eligible for the relief provided for social security increases, a person must, for the month or for some period thereof in which the legislation increasing social security benefits was enacted, be entitled to: (1) a monthly retirement, disability, or other benefit under the social security system, and (2) a pension or dependency and indemnity compensation payment from the Veterans' Administration.

A person meeting these requirements and otherwise eligible would have his VA payment which was either terminated or decreased because of the social security increase of 1965, reinstated for periods commencing the month following the month the bill is enacted. Further, all future social security increases would be excluded from an eligible person's annual income computation for purposes of the pension and DIC programs. Under the DIC program the income limitation provisions are applicable only in the case of dependent parents; no income limitation is applicable in the case of widows and children. Thus, the exclusion provision of section 2(4) of the bill will apply only to dependent parents.

B. Death gratuity

The Committee on Finance added an amendment (sec. 7) which eliminates the requirement that the $5,000 death gratuity available to beneficiaries of certain servicemen who died between January 1, 1957, and September 29, 1965, be reduced for any death compensation or dependency and indemnity compensation already received by them and removes the requirement that they must waive their right to any future compensation payments.

Last year Congress enacted Public Law 89–214 which established a group life insurance program for all active members of the uniformed services. It also provided a death gratuity benefit of $5,000 payable by the Veterans' Administration to the beneficiaries of a serviceman whose death resulted from action of hostile forces; an accident involving a military or naval aircraft; an explosion of an instrumentality of war; or extrahazardous service, if the death occurred from service performed during the period from January 1, 1957, to September 29, 1965 (the effective date of the servicemen's group life insurance program).

While the $5,000 death gratuity is payable to the surviving widow, children, or parents of a deceased serviceman, it is required to be reduced by the amount of any death compensation or dependency and indemnity compensation the beneficiary may already have received and, in addition, the beneficiary must waive his right to any future death compensation or dependency and indemnity payment on account of the serviceman's death. The effect of these conditions is to limit the $5,000 death gratuity to nondependents and to deny it to those who were truly dependent on the deceased serviceman.

Prior to enactment of Public Law 89–214, the Committee on Finance held hearings regarding indemnity insurance coverage for combat soldiers. These hearings demonstrated that commercial insurance coverage was generally unavailable to our servicemen preparing for combat duty. To fill this gap and afford needed insurance protection, the Senate responded by passage of S. 2127 which provided $10,000 free life insurance coverage for Armed Forces personnel serving in combat. This bill was modified in the House to provide a general group life insurance program for all Armed Forces personnel for which a premium would be charged. In addition, it provided a $5,000 death gratuity for survivors of certain servicemen who died prior to the effective date of the servicemen's group life insurance. This gratuity was considered to be a payment in lieu of insurance which was not available to these boys at the time of their deaths. However, under the House version of the bill which was enacted, the gratuity was treated differently than insurance. Whereas the group life insurance proceeds contained in the same law are payable in addition to DIC benefits, this death gratuity was restricted by the House and required surrender of the survivor benefits before payment of any death gratuity proceeds.

In the opinion of the committee, this result cannot be justified and the committee amendment corrects this inequity. It eliminates the reduction for any death compensation or dependency and indemnity compensation already received by the dependent widow, children, or parents of the deceased serviceman and removes the requirement that they must waive their right to any future compensation payments.

By insuring payment of gratuity benefits to dependents and nondependents, your committee's amendment provides equity where there was none.

Further, it would provide that any such waivers already executed or reductions of the death gratuity by prior death compensation or DIC benefits shall be of no effect. Thus, persons who surrendered their DIC rights by waiver and suffered reduction of the death gratuity by prior death compensation or DIC payments, would be restored to the benefit rolls and receive a lump-sum VA payment to replace the amounts that they had lost by accepting the death gratuity in place of DIC benefits.

Since the date for timely applications expires on September 29, 1966, the limiting date for filing application for the gratuity would be extended to a date 1 year after enactment of the bill.

EXTENSION OF THE DEFENSE PRODUCTION ACT

The bill (H.R. 14025) to extend the Defense Production Act of 1950, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1303), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The bill would extend the Defense Production Act of 1950 for 2 years—from the present expiration date, June 30, 1966, to June 30, 1968. The bill would also amend the Defense Production Act by increasing the amount available for appropriations for the Joint Committee on Defense Production from $65,000 to $85,000 in any fiscal year.

GENERAL STATEMENT

The bill would extend for 2 additional years, through June 30, 1968, the remaining powers of the President under the Defense Production Act of 1950. These include power to establish priorities for defense contracts; power to allocate materials for defense purposes; authority to guarantee loans made in connection with defense contracts; authority to make loans and purchases to build up our defense capacity and assure supplies of defense materials and to carry out existing contracts; authority to enable businessmen to cooperate voluntarily in meeting defense needs, with an exemption from the antitrust laws; authority to employ without compensation and when actually employed employees, including advisers and consultants; and provision for the establishment of a reserve of trained executives to fill Government positions in time of mobilization. The act also establishes the Joint Committee on Defense Production.

These powers are now scheduled to expire on June 30, 1966. They must be extended. Some of these powers are needed now to maintain production schedules on missiles and other defense contracts; others are needed for longer range preparedness programs; and other powers must be maintained in readiness for immediate use in possible future emergencies.

Reports on the proposed extension have been received from the Federal Reserve Board, the Departments of Agriculture, Commerce, Defense, Interior, and Justice, the General Service Administration, and the Civil Service Commission. These reports are either favorable or take no objection to the proposal.

Hearings were held at which testimony was received from Mr. G. Lyle Belsly, Director of Economic Affairs Office, Office of Emergency Planning; Mr. Anthony A. Bertsch, Assistant Administrator for Industrial Mobilization, Business and Defense Services Administration, Department of Commerce; Mr. Louis Brooks, Acting Executive Assistant to Assistant Administrator for Finance and Administration, General Services Administration; and Mr. James Romeo, Assistant Commissioner for Program and Technical Management, Defense Materials Service, General Services Administration.

PRIORITIES AND ALLOCATIONS

The priority and allocation powers contained in title I of the Defense Production Act must be continued to assure prompt and orderly performance on contracts for military and other essential procurement programs of the Department of Defense, the Atomic Energy Commission, and the National Aeronautics and Space Administration.

Under this title priority ratings are established which require suppliers and contractors to give preference, over any other orders they may have, to orders placed to carry out these military, atomic energy, and space programs. The suppliers and contractors are thereby protected against claims for breach of the contracts displaced. This power is now being used to make sure that these essential orders are given top priority over all other production.

Title I is also the basis for the defense materials system under which producers of basic forms and shapes of steel, copper, aluminum, and nickel alloys are required to set aside certain percentages of their production to fill identified defense orders.

The defense materials system serves to supply current defense needs. It also provides a framework through which a complete set of controls could be promptly established in the event of emergency.

In addition, under this title the Commerce Department has issued two transportation orders. Transportation Order T–1 prohibits transportation in or discharge from any ship documented under the laws of the United States or any aircraft registered under the laws of the United States of any commodity at the time on the Commerce Department's positive list and certain other specified commodities to certain Soviet bloc destinations or to Hong Kong, Macao, or Cuba. Transportation Order T–2 prohibits the movement of American carriers, both air and sea, and the transportation of goods by such carriers, to Communist China, North Korea, or the Communist-controlled areas of Vietnam.

EXPANSION OF PRODUCTIVE CAPACITY AND SUPPLY

Authorities to facilitate expansion of productive capacity and supply needed for the defense effort are contained in title III of the act.

The loan guarantee provisions contained in section 301 of the act are useful to the procuring agencies in assisting their contractors in securing working capital and additional equipment needed for the performance of defense contracts. Guarantees are provided on loans made by public and private financing institutions. A guarantee fee is charged relating to the percentage of guarantee granted on the loan. This fee is expressed as a percentage of interest charged on the loan.

The Federal Reserve Board advised the committee as follows:

"During the first quarter of calendar year 1966 the guaranteeing agencies approved the issuance of one new guarantee agreement and authorized loans totaling $3,625,000. The cumulative totals from the beginning of the program in, September 1950, are 1,631 in number of loans and $3,506 million in amount. Guaranteed loans outstanding on March 31, 1966, totaled $53 million, of which $41 million, or 77 percent on the average, was guaranteed. On the same date an additional $13 million was available to borrowers under guarantee agreements in force. Amounts advanced during the quarter on guaranteed loans, most of which are revolving credits, totaled $12 million."

Information was presented to the committee that interest ceilings imposed under Federal Reserve Board Regulation V were making it difficult for contractors to obtain loans which might be guaranteed under the program. The Office of Emergency Planning reported that the Federal Reserve Board had recently circulated the guaranteeing agencies to ascertain whether these interest ceilings were having an adverse effect on the program. The Office of Emergency Planning stated that it would advise the committee as to the outcome of this study.

Under sections 302, 303, and 304 of the act, loan guarantees, development contracts, purchase commitments, and plant expansions have been undertaken, helping to increase domestic production capacity, largely of metals and minerals. Continuation of the authorities provided by these sections is needed for two reasons: first, to make possible the completion and termination of existing programs and the distribution of substantial inventories of materials and facilities; and second, to continue available to the Executive the means for quick and decisive action to meet a materials supply problem in a new emergency.

The committee was advised of the new program being undertaken by the General Services Administration to increase the production of copper through the use of incentive contracts. No contracts of this sort have yet been entered into, and the arrangements which may be made have, therefore, not yet become final. The committee expects the staff of the Joint Committee on Defense Production to follow the progress of this program closely in order to insure that the powers in the act are exercised with due care for the interests of the Government. This program, which would be carried out under section 303(a) of the act would, of course, be subject to the requirement now contained in that section that minerals and metals must not be sold at less than the current domestic market price (in the absence of an established ceiling price), and the program would be subject to the requirement contained in section 303(b) that purchases or commitments to purchase involving higher than currently prevailing market prices or anticipated loss on resale could not be made unless it is determined that the supply of the materials could not be effectively increased at lower prices or on terms more favorable to the Government, or that such purchases are necessary to assure the availability to the United States of overseas supplies. The committee noted that these requirements are also applicable to other materials contained in the DPA inventories acquired under section 303(a).

VOLUNTARY AGREEMENTS EXEMPTED FROM THE ANTITRUST LAWS

Section 708 of the act authorizes the approval of voluntary agreements and programs under which the participants are exempted from the antitrust laws. In 1955 the Congress substantially reduced this authority. The only new agreements which could be approved were those "relating solely to the exchange between actual or prospective contractors of technical or other information, production techniques, and patents or patent rights, relating to equipment used primarily by or for the military which is being procured by the Department of Defense or any department thereof, and the exchange of materials, equipment, and personnel to be used in the production of such equipment."

Except for those so-called integration committees, no new voluntary agreements or programs could be approved, and only the three nonmilitary programs in existence in 1955 could be continued. In addition, the Attorney General was specifically required to review each of these agreements and programs and the activities carried on thereunder and to withdraw his approval, if he finds that "the adverse effects of any such agreement or program on the competitive free enterprise system outweigh the benefits of the agreement or program to the national defense."

The Attorney General is required to review the outstanding voluntary agreements and to submit annual reports to the Congress and the President on the status of these agreements and programs, together with his recommendations as to the need for their continuance.

JOINT COMMITTEE ON DEFENSE PRODUCTION

Section 712 established the Joint Committee on Defense Production consisting of 10 members, 5 from the Senate Banking and Currency Committee and 5 from the House Banking and Currency Committee, 3 from the majority and 2 from the minority of each committee, to be appointed by the chairmen of the committees. The joint committee is authorized to hold hearings and make the usual expenditures, and to employ the usual staff. Its expenses are to be paid from the contingent fund of the House of Representatives upon vouchers signed by the chairman or vice chairman.

The committee accepted an amendment added by the House which increased the ceiling on annual appropriations for the Joint Committee on Defense Production from $65,000 to $85,000 in any fiscal year. This increase in authorization, subject to review and approval by the Committees on Appropriations, appears warranted in view of the pay raises and other increases in expenses since 1950.

The joint committee is required to make a continuous study of the programs under the act and to make reports concerning the results of its studies together with any appropriate recommendations. In addition to hearings and special reports, the joint committee has filed 15 annual reports, the most recent (S. Rept. 942, 89th Cong.) covering the year ending June 30, 1965.

BILL PASSED OVER

The bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiments and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrates, was announced as the next in order.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. MANSFIELD. I ask that the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

MISSISSIPPI RIVER BRIDGE, MUSCATINE, IOWA-DRURY, ILL.

The bill (H.R. 3976) to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report No. 1305 explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

H.R. 3976 would amend the act of July 26, 1956, (70 Stat. 669, Public Law 811, 84th Cong.), to which the act of April 27, 1962 (76 Stat. 59, Public Law 87-441), was made applicable, to extend the period of time during which a bridge may be constructed across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill., by the Muscatine Bridge Commission, provided that actual construction of such bridge is commenced within 3 years and completed within 5 years from the date of enactment of H.R. 3976.

GENERAL STATEMENT

The Muscatine Bridge Commission was created by the act approved July 26, 1956 (70 Stat. 669, Public Law 811, 84th Cong.), and authorized to construct, reconstruct, acquire, maintain, and operate a bridge or bridges and approaches thereto across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Rock Island County, Ill. The Commission acquired an old bridge that was originally constructed in 1890 and reconstructed the bridge and reopened it to traffic in 1956. The existing bridge is operated as a toll facility and is located on the Federal-aid primary highway system; however, no Federal funds have been involved in its construction or reconstruction. The present bridge has a width of only 16 feet, 9 inches between curbs, and the load-bearing capacity is far below that necessary to accommodate vehicles that can legally operate in both Illinois and Iowa. There could be failure of this obsolete bridge at any time, and the uncontroverted testimony was that the bridge is in urgent need of replacement.

The Commission plans to replace the present bridge by construction of a new bridge which will be located on the Federal-aid primary highway systems of both the States of Iowa and Illinois. The cost of the new bridge may be defrayed either in its entirety or in part by the issuance and sale of bonds by the Commission, which bonds will be retired from toll revenues. If only a portion of the cost is financed by the sale of bonds, the remaining costs may be financed by funds of the States of Iowa and Illinois, or by Federal-aid highway funds, or by a combination of funds of the States and Federal-aid highway funds.

Section 13 of the act approved July 26, 1956, provides in part as follows:

"Any bridge or bridges constructed, acquired, or reconstructed under authority of this Act shall be constructed, maintained, and operated in accordance with the provisions of the Act entitled 'An Act to regulate the construction of bridges over navigable waters', approved March 23, 1906, as amended or supplemented."

Section 6 of the General Bridge Act of 1906 (the act approved Mar. 23, 1906, 34 Stat. 86) states:

"Whenever Congress shall by law authorize the construction of any bridge over or across any of the navigable waters of the United States, and no time for the commencement and completion of such bridge is named in said Act, the authority thereby granted shall cease and be null and void unless the actual construction of the bridge authorized in such Act be commenced within one year and completed within three years from the date of the passage of such Act."

Under the above provisions of law, the authority of the Muscatine Bridge Commission to commence construction of a bridge expired July 26, 1957, and additional authority, such as that contained in H.R. 3976, is necessary for the Commission to construct a new bridge to replace the existing structure.

COST TO THE UNITED STATES IF LEGISLATION IS ENACTED

Enactment of this legislation will not result in any cost to the Federal Government.

AGENCY COMMENTS

In their official comments on H.R. 8078, an identical bill in the 88th Congress, the Secretary of the Army interposed no objection to the enactment of that legislation. The Secretary of Commerce, through its General Counsel, urged that H.R. 8078 not be favorably considered until every effort was made to secure the objectives by appropriate State action.

COMMITTEE VIEWS

Under the provisions of the General Bridge Act of 1946, and interstate compact procedure, the States have authority to provide for interstate bridges without Federal legislation.

However, since the Muscatine Bridge Commission has been previously established by Federal law, and since the Commission reconstructed the existing bridge approximately 9 years ago and has operated it ever since, and since this bridge is in urgent need of replacement, it is considered desirable to extend the period during which a bridge may be constructed across the Mississippi River by the Muscatine Bridge Commission.

S. 2300, the omnibus rivers and harbors bill of 1965, as passed by the House of Representatives contained a provision amending the act of July 26, 1956 (70 Stat. 669), to provide for construction of a bridge at Muscatine, Iowa, to be undertaken by the Muscatine Bridge Commission within 3 years and completed within 5 years from the passage of the act.

However, this provision was deleted in conference with the understanding that necessary legislation would be considered by the Senate Public Works Committee during the 2d session of the 89th Congress. The action taken by the committee on H.R. 3976 fulfills this commitment.

The committee accordingly recommends early enactment of this bill.

MISSISSIPPI RIVER BRIDGE, CLINTON, IOWA-FULTON, ILL.

The bill (H.R. 3788) to revive and reenact as amended the act entitled "An act creating the city of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill." approved December 21, 1944, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1306), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 3788 is to revive and reenact the act approved December 21, 1944, as amended, to extend the period of time during which a bridge or bridges may be constructed across the Mississippi River, in the vicinity of Clinton, Iowa, and Fulton, Ill., by the City of Clinton Bridge Commission, provided actual construction thereof is commenced within 3 years and completed within 5 years from the date of approval of H.R. 3788. The bill would also authorize the commission to use any available bridge revenues or other funds, or to borrow money and issue its negotiable interest-bearing notes in evidence thereof to defray the cost of designing, engineering, and planning a new bridge or bridges and to acquire lands for the location and approaches thereto.

The bill would further amend existing law, relative to the issuance of bonds, by removing the present limitations that refunding bonds shall mature within 25 years and shall not exceed in principal amount the principal amount of outstanding bonds replaced by such refunding bonds, and by authorizing the commission to issue refunding bonds to pay any indebtedness of the commission and to include as a part of the issue of bonds to finance the cost of a bridge additional bonds to refinance any outstanding bonds and notes. Also, the required weekly publication of advertisement for bids for the sale of bonds would be reduced from 4 to 2 consecutive weeks.

GENERAL STATEMENT

The City of Clinton Bridge Commission was created by the act approved December 21, 1944 (58 Stat. 846), and authorized to construct, reconstruct, acquire maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Clinton, Iowa, and Fulton, Ill. The commission has constructed the Gateway Bridge (south bridge) and has acquired the Lyons-Fulton Bridge (north bridge), both of which are presently operated by the commission as toll bridges. These bridges are, or have been, located on the Federal-aid primary and secondary highway systems, but no Federal-aid funds have been expended on either bridge.

The Lyons-Fulton Bridge is in a state of disrepair, and has been further devasted by fire. The City of Clinton Bridge Commission proposes to construct a new bridge to replace the present Lyons-Fulton bridge, after which the old bridge will be removed. The new bridge will be on the Federal-aid primary highway system.

Construction of the Gateway Bridge was financed by the issuance of bonds scheduled for ultimate retirement in 1979; however, it is anticipated that toll revenues will make possible the retirement of all the present outstanding bonds within the next few years.

The act approved December 21, 1944, as amended, authorizes the combining of bridges for the issuance of bonds and collection of tolls. The commission plans to issue negotiable interest-bearing notes to defray the cost of designing, engineering, and planning the new bridge and to acquire land for construction of the bridge and approaches thereto, and, subsequently, to issue bonds to finance construction of the new bridge and approaches. The bonds, notes, and interest will be paid from toll revenues of both the Gateway Bridge and the proposed new bridge.

NEED FOR LEGISLATION

The act of December 21, 1944, created the City of Clinton Bridge Commission, and authorized such commission to construct, maintain, and operate a bridge, or bridges across the Mississippi River at or near the cities of Clinton, Iowa, and Fulton, Ill. Section 14 of the act provided that any bridge or bridges constructed, acquired, or reconstructed under the authority of this act shall be constructed, maintained, and operated in accordance with the act of Congress approved March 23, 1906, pertaining to the construction of bridges over navigable waters. Section 6 of the General Bridge Act of 1906 states that whenever Congress shall by law authorize the construction of any bridge over or across any of the navigable waters of the United States, and no time for commencement and completion of such bridge is named in said act, the authority thereby granted shall cease and be null and void unless the actual construction of the bridge authorized in such act be commenced within 1 year and completed within 3 years from the date of the passage of such act. The time for commencement and completion of construction of bridges by the City of Clinton Bridge Commission has been extended by Public Law 357, 79th Congress, and Public Law 70, 83d Congress. The last extension for commencement of construction expired June 18, 1955, with the time for completion of construction expiring June 18, 1957. Since the Clinton Bridge Commission now desires to construct a new bridge to replace the present Lyons-Fulton Bridge, enactment of H.R. 3788 would be necessary.

COST TO THE UNITED STATES IF LEGISLATION IS ENACTED

Enactment of this legislation will not result in any cost to the Federal Government.

COMMITTEE VIEWS

Under the provisions of the General Bridge Act of 1946, and interstate compact procedure, the States have authority to provide for interstate bridges without Federal legislation.

However, since the City of Clinton Bridge Commission has been previously established by Federal law, and since the commission has been operating successfully for more than a decade and has considerable outstanding bonded indebtedness resulting from the construction and repair of bridges it now operates, and since one of these bridges is in urgent need of replacement, the committee considers it desirable to revive and reenact the act of December 21, 1944, as provided for in this legislation.

S. 2300, the omnibus rivers and harbors bill of 1965, as passed by the House of Representatives contained a provision which would have revived and reenacted the act of December 21, 1944, relating to the Clinton Bridge Commission, as provided for in this legislation.

However, this provision was deleted in conference with the understanding that necessary legislation would be considered by the Senate Public Works Committee during the 2d session of the 89th Congress. The action taken by the committee on H.R. 3788 fulfills this commitment.

The committee recommends early enactment of this legislation.

JAMES W. ADAMS

The Senate proceeded to consider the bill (S. 231) for the relief of James W. Adams which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That the following employees of the Bureau of Reclamation who received the overpayment of per diem compensation listed opposite their names for the period from July 15, 1963, through August 14, 1963, which overpayment resulted from administrative error in authorizing a retroactive increase in the per diem rate, are hereby relieved of all liability to refund to the United States the amount of such overpayment.

Employees	*Overpayment*
James W. Adams	$176.75
James L. Erickson	192.25
Allen D. Milner	192.25
Ansen L. Phillips	121.25
Donald W. Stackhouse	192.25
James A. Stradley	192.25

(b) In the audit and settlement of the accounts of any certifying or disbursing office of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

(c) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the said employees, the sum of any amount received or withheld from him on account of the payments referred to in the first section of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of James W. Adams and others."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1318), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

STATEMENT

The U.S. Department of the Interior recommends enactment of the bill, as amended, and sets forth the facts and circumstances giving rise to these claims in its report to the committee of October 4, 1965, wherein it states:

"Mr. Adams and several other Bureau of Reclamation employees were detailed on July 15, 1963, from the Kansas River Projects Office to the Cheyenne, Wyo., Projects Office to perform surveys required in the construction of transmission lines, substations, and substation additions. A per diem rate of $8 was initially authorized. It was subsequently determined that the $8 rate was inadequate to meet the employees' living expenses because of the frequency of moves required of them in the performance of their duties. On August 15, 1963, their travel authorizations were amended to provide a higher per diem rate for the remainder of their detail and it was intended to make the higher rate retroactive.

"The Comptroller General later disallowed payment of the higher rate on the ground that even though the rate originally prescribed was inadequate to cover the living expenses of the travelers, that rate was the rate the authorizing official had prescribed in the exercise of his discretion and that there was therefore no lawful basis for effecting a retroactive adjustment increasing the per diem rate. The Department unsuccessfully attempted to have the Comptroller General reverse his decision and on June 17, 1964, the original decision of the Comptroller General was reaffirmed.

This Department has exhausted all known avenues to assist Mr. Adams in obtaining relief from the decision of the Comptroller General.

"As we are without legal authority to provide him and the others with any relief from the reimbursement requirement, we favor a private bill allowing him this relief."

The Department concluded its report with the following recommendation:

"Because the other Bureau of Reclamation employees involved in this case are in a similar status we recommend that this legislation be amended to extend to those employees the same relief which we recommend for Mr. Adams."

The committee has reviewed with approval the report submitted by the Department of the Interior and the recommendations contained therein, as well as such other facts as the committee considers relevant and material to an equitable determination of this claim.

In view of the foregoing the committee concludes that the legislation is meritorious and therefore recommends that the bill, S. 231, as amended, be favorably considered.

LT. CHARLES W. PITTMAN, JR., U.S. NAVY

The bill (H.R. 9302) for the relief of Lt. Charles W. Pittman, Jr., U.S. Navy, was considered, ordered, to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1325), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to relieve the claimant of liability for $3,358.70, the amount of an erroneous overpayment of naval active duty pay from June 6, 1960, through June 30, 1964.

STATEMENT

The Department of the Navy has reported to the Congress that it has no objection to the enactment of the bill.

The Committee on the Judiciary of the House of Representatives in its favorable report on the bill said:

"Lt. Charles W. Pittman, Jr., began his naval career in 1955 when he joined the Naval Reserve as a seaman recruit. During this period, he attended weekly Reserve meetings and served on the 2-week active training duty required of naval reservists. In the winter of that year, Lieutenant Pittman applied for selection in the Naval Reserve Officer Training Corps program. He was selected and entered the University of North Carolina in the fall of 1956 and was appointed a midshipman in the Naval Reserve on September 20, 1956. He graduated from the university in June of 1960 and was commissioned as an ensign in the U.S. Navy.

"After being commissioned, Lieutenant Pittman reported to the Naval Air Base Training Command for instruction as a student pilot. At this time, in the fall of 1960, he received a check for a larger amount than he had theretofore received. He returned the check to the disbursing office at Saufley Field, because he questioned the amount. However, he was informed that the extra amount represented retroactive longevity pay which covered the period from his date of commissioning to the date of the check. The problem was that in crediting him with longevity he was given credit for NROTC service along with his Naval Reserve service. He was paid on this basis for 4 years and was not aware that there was any error. Having questioned the matter at the outset, he assumed that he was properly entitled to the full amount of the longevity pay. When the error was discovered and he was charged with the substantial overpayment as stated in the amended bill, it imposed a hardship upon him. He is married and supports a family, which includes three small children, and is faced with the burdens of family expense, including car payments and a mortgage on a new home.

"In the consideration of this matter, the committee is aware that relief has been extended to a group of 10 Marine Corps officers who were overpaid under similar circumstances. The relief was provided in Private Law 89–162 which was enacted in the last session. It is also relevant to note that Public Law 88–614, which was approved on October 2, 1964, also extended relief to any member or former member of the naval service who received pay computed on the basis of credit for enlisted service as a member of the U.S. Naval Reserve for periods also served as a midshipman. However, the public law related only to persons who served as members of the U.S. Naval Reserve and applied to payments received prior to March 15, 1961. On the basis of the facts outlined in this report and the action taken in the previous Congress, the committee feels that relief should be extended in this case. Accordingly, it is recommended that the bill, amended to provide for relief in the amount stated in the report of the Comptroller General, be considered favorably."

This committee has in the past acted favorably on similar bills to grant relief in such cases where overpayments were made erroneously by the Government, where the claimant received the overpayment in good faith, and where its repayment by the claimant would be a hardship.

The committee believes that the proposed legislation in this case is meritorious and recommends it favorably.

EUGENE J. BENNETT

The bill (H.R. 8793) for the relief of Eugene J. Bennett was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1324), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to relieve the claimant of liability to repay to the United States the amount of a salary overpayment of $1,418.26.

STATEMENT

In its favorable report on the bill the Committee on the Judiciary of the House of Representatives said:

"In its report to the committee on a similar bill, the Department of the Army indicated that it had no objection to relief provided that the bill show the amount of the overpayment as $1,418.26. The bill H.R. 8793 was introduced to show the corrected amount. The Comptroller General in his report on an earlier bill in the 88th Congress made no recommendation as to congressional action.

"On February 5, 1957, Mr. Eugene J. Bennett was employed as a civilian employee of the United States in France as a supervisory ammunition inspector (GS–1876–10), and on that date was detailed to the same position in grade GS-12. But for the fact that a qualification requirement of the Civil Service Commission requiring 1 year of experience in the next lower grade, Mr. Bennett was eligible for promotion to grade GS-12, as there was no grade GS-11 position in the normal line of promotion. The Army report notes that the Civil Service Commission could have waived the experience requirement but the Army failed to make the request for a waiver. The change and promotion of Mr. Bennett was due to the recommendations which resulted from a classification survey of the organizational structure in the office where Mr. Bennett worked. As is noted in the Comptroller General's report, after the reorganization of the office, there was a grade GS-11 position in the new organizational structure. Thereafter, the Whitten amendment exception which permits an employee to be promoted two grades if there is no position in the normal line of promotion one grade below the position to which he is to be promoted, could not apply in Mr. Bennett's case. Since he could only be promoted to the grade of GS-11, the General Accounting Office in 1960 recomputed his entitlement to compensation and the overpayment represents the difference between the compensation for GS-11 and that paid him as a GS-12.

"The Department of the Army in its report to the committee stated that it does not oppose a bill of this nature when a civilian employee has received compensation in good faith for services he performed as was done in this case. The Army states that the overpayment resulted from the failure of administrative personnel to recognize that under the revised organizational structure applicable to Mr. Bennett's case, he should have been promoted only to GS-11. The Army states that its information indicates that he acted in good faith in receiving the erroneous payments. He performed satisfactorily the duties of his office without any knowledge on his part, or for that matter on the part of the appointing authority, that he was serving in the wrong grade. For these reasons the Army indicated that it had no objection to the bill. As is customary in cases of this type, the committee requested and was furnished with information concerning the personal circumstances of the affected employee. The information supplied to the committee indicates that income taxes paid on the income at the increased rate are not now subject to refund because of the running of the 3-year statute of limitations. He had planned to retire in February of 1967 and the imposition of the liability referred to in this bill will have the effect of deferring his retirement plans. Additionally, in February of this year, he suffered a heart attack and as of the last of February was hospitalized. The Army depot where he was employed at the time of the heart attack is to be closed by June 30 of this year and whether his physical condition will permit him to transfer to another position is at this time indefinite. In view of the circumstances of the overpayment and the facts concerning financial hardship and the individual's physical condition, this committee feels that this is an appropriate case for legislative relief. Accordingly, it is recommended that the bill, as amended, be considered favorably."

This committee has in the past acted favorably on similar bills, where an overpayment was made through an error on the part of the Government, where the employee received the overpayment in good faith, and where its repayment by the employee would cause a burdensome hardship.

The committee believes that the bill is meritorious and recommends it favorably.

ARTHUR HILL

The bill (H.R. 6590) for the relief of Arthur Hill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1323), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Arthur Hill of all liability to the United States in the amount of $2,854.70, the aggregate amount of overpayments of his salary as an employee of the Post Office Department for the period December 9, 1961, to January 1, 1965, because of an administrative error.

The bill also directs the Secretary of the Treasury to pay to Mr. Hill an amount equal to the aggregate of the amount paid by him, or withheld from sums otherwise due him.

STATEMENT

The Post Office Department in its report to the Judiciary Committee of the House of Representatives, dated July 16, 1965, recommends enactment of the bill and sets forth the material facts giving rise to this claim as follows:

"Mr. Hill was hired as an automobile mechanic at the Hayward, Calif., post office on December 5, 1961. Since he had previous Federal service as a mechanic at the Mare Island Naval Yard, he was appointed at level 5, step 7 of the postal field service schedule at an hourly rate of $2.76, instead of level 5, step 1 at an hourly rate of $2.28, as required by law.

"The overpayment was clearly an administrative error, since Mr. Hill's position did not come within the permitted category of positions covered by section 3551(a) of title 39, United States Code, which allows the Department to recognize an applicant's highest previous salary received from Federal employment when filling certain scientific or professional positions.

"We favor the enactment of this legislation, because Mr. Hill was not in a position to know that the salary offer made to him by the postmaster was legally improper, and to require from him a refund would impose severe hardship. It is possible that had the correct salary been offered to him, he would not have accepted the appointment.

"The Department considers it unfair to require an employee to make refund of salary overpayments innocently received for periods of time long in the past, where the overpayments were made through administrative error by postal officers, and without fault on the part of the employee."

In view of the foregoing, the committee concurs with the favorable recommendation of House Report No. 916, 89th Congress, 1st session. Accordingly, the committee recommends that the bill be considered favorably.

JOSEPH K. BELLEK

The bill (H.R. 5204) for the relief of Joseph K. Bellek was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1322), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to pay Joseph K. Ballek, of Roselle Park, N.J., $300 in settlement of his claims for reimbursement for the amount he paid in settlement of an action brought against him as the result of an accident involving a post office truck operated by him in the scope of his Government employment.

STATEMENT

The Post Office Department recommends enactment of the bill.

The facts and circumstances giving rise to this claim are set forth in House Report No. 939, 89th Congress, 1st session, wherein it states:

"On January 28, 1958, in Roselle Park, N.J., a mailtruck was involved in an accident with a privately owned vehicle of the Mel Anne Corp. which, at the time of the accident, had been leased to the Childhood Interest Co. At the time of the accident, the mailtruck was being operated by Joseph K. Bellek, who was performing his assigned duties as an employee of the Post Office Department. Instead of bringing an action against the United States under the Federal Tort Claims Act, the owner of the private vehicle filed a suit in the Union County district court, Union County, N.J., against the post office employee. This suit was settled out of court and this fact is referred to in the bill. Under the terms of the settlement, Mr. Bellek was required to pay $300. In accordance with the settlement agreement, he made an initial payment of $200 and agreed to make weekly payments of $10 until the full amount was paid."

"As has been previously observed by this committee in a number of private bill reports had this accident occurred after the effective date of Public Law 87-258, Mr. Bellek would have been protected against individual liability by the terms of that law. The bill, H.R. 2883, which ultimately was enacted as Public Law 87-258, was favorably reported to the House by this committee, because of the occurrence of cases like Mr. Bellek's. Protection is extended under that law only where the employee is determined to have been acting within the scope of his employment and performing duties as an agent of the United States. The Post Office Department in its report to the Committee on the bill has referred to Public Law 87-258 and noted that that law was specifically intended to authorize the Federal Government to assume responsibility for claims for damages against its employees in cases of this kind. This committee would further note that, as a practical matter, this responsibility was originally assumed by the United States with the passage of the Federal Tort Claims Act in 1946. The 87th Congress enactment merely required the claimant to look to the United States for any recovery instead of possibly proceeding against the individual employee.

The Post Office Department also stated that it found that it was unfair that a postal employee should be required to bear this loss, because, had the other party brought this action against the Government, the employee would have been relieved of liability in this case. This is explicitly provided for in section 2676 of title 28 of the United States Code, which is a codified provision of the original Tort Claims Act."

The committee, having thoughtfully considered the findings and recommendations contained in the foregoing House report, as well as such other information as it considers material to a fair and equitable determination of this case, concludes that the claim is meritorious and deserving of legislative relief. Accordingly, the committee recommends that the bill be favorably considered.

HARRY C. ENGLE

The bill (H.R. 1240) for the relief of Harry C. Engle was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1321), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Harry C. Engle, of Springfield, Ohio, of liability to the United States in the amount of $623.56, resulting from an overpayment of salary from December 30, 1962, through June 13, 1964, due to an erroneous step increase at the time of a promotion following a period when he received a retained rate of pay following a change to a lower grade incident to a reduction in force. The bill would further provide for a refund for any amounts withheld from Mr. Engle by reason of this liability.

STATEMENT

The Department of the Air Force advises the committee that it interposes no objection to favorable consideration of the bill.

The facts and circumstances giving rise to this claim are set forth in House Report No. 1060, 89th Congress, 1st session, wherein it states:

"The overpayment referred to in this bill arose from the fact that there was a misunderstanding of the provisions of the pay regulations implementing provisions of the Classification Act directing that an employee who is promoted is to receive basic compensation at the lowest rate of the new grade which exceeds his previous rate of basic compensation by not less than two step increases of the grade from which he is promoted. While Mr. Engle was promoted from grade GS–7 to GS–9, the complicating factor was that he was being paid on the basis of a retained rate of pay. This pay, sometimes referred to as 'saved pay,' was being paid to him because he had been reduced from GS–9 to GS–7 incident to a reduction in force. The law and the regulations made an exception where an employee was receiving saved pay so that his compensation had to have been fixed at a rate two steps above the rate which he would be receiving if he were not granted saved pay or his existing rate of basic compensation if the existing rate is higher. The result of all this was that his rate of pay should have remained unchanged. As is noted in the Air Force report, this error resulted in subsequent salary increases which were also erroneous. Thus, the pay adjustment under Public Law 87–7983 resulted in fixing his salary at $8,410 per year rather than $7,950 per year. Similarly, on March 8, 1964, when he was promoted to GS–11, his salary was fixed at $8,970 per year when it should have been $8,410 per year.

"An examination of this case establishes that the Government through an erroneous application of its pay regulations caused this overpayment. The Air Force investigation disclosed that Mr. Engle acted in good faith in receiving these overpayments and further that repayment would impose a financial hardship on the employee. The committee requested additional information concerning the hardship imposed and it is apparent that there is hardship present in this case. As is obvious from the foregoing analysis of the circumstances of the case, Mr. Engle was led to believe that his income was larger than it actually was over an extended period of time. He, therefore, organized his life and expenditures to the higher rate of pay. When his salary was adjusted at the lower rate of pay, he also became liable for the full amount of the overpayment. The financial information that he submitted to the committee establishes that substantially his obligations approximate his income for each month."

In view of the foregoing, the committee concurs with the recommendation of the aforesaid House report and therefore recommends that the bill be favorably considered.

KERMIT WAGER

The bill (S. 1571) for the relief of Kermit Wager, of Lebanon, S. Dak., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1571

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $258.94, to Kermit Wager, Lebanon, South Dakota, in full settlement of his claims against the United States for reimbursement of the amount of expenses and other losses and damages occurred in resettlement as a result of his displacement in connection with the acquisition of land (tracts L–1259–1–2–3) due to the construction of Oahe Dam and Reservoir project, South Dakota: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1320), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize and direct the Secretary of the Treasury to pay to Kermit Wager, Lebanon, S. Dak., the sum of $258.94 in full settlement of his claim against the United States for reimbursement of expenses, losses, and damages incurred as a result of his displacement in connection with the acquisition of land for the Oahe Dam and Reservoir project, South Dakota.

STATEMENT

The Department of the Army advises the committee that it has no objection to the bill and sets forth the facts and circumstances giving rise to the claim as follows:

"The Chief of Engineers, under the supervision of the Secretary of the Army, constructed the Oahe Dam and Reservoir project on the Missouri River, S. Dak., as a part of the comprehensive plan for flood control in the Missouri River Basin, authorized by the Flood Control Act of December 22, 1944 (58 Stat. 887, 891). In connection with this project, the United States acquired fee title to 24.06 acres of land designated as tracts L–1259–1–2–3 by condemnation proceedings filed in the U.S. district court on July 14, 1958. At the time of acquisition, the property was occupied by Mr. Kermit Wager as a tenant. He vacated the land on January 28, 1959.

"Congress, in recognition of the added calculable expenses of persons dislocated by public works projects of the military departments, by the act of September 28, 1951 (65 Stat. 336, 364) authorized the Secretary of the military department concerned to make limited payments for expenses and losses incurred as the direct result of moving because of the acquisition of land for a project authorized by that act. This measure subsequently amended and codified as section 2680 of title 10, United States Code, provides for payment to owners and tenants, to the extent determined by the Secretary concerned to be fair and reasonable, for costs incurred as a direct result of moving because of that acquisition, limits reimbursements to 25 percent of the value of the land acquired and is conditioned upon submission of an application to the Secretary within 1 year after acquisition or within 1 year after the property is vacated, whichever is later.

"The above-mentioned law does not require notification to claimants. However, it is the policy of the Corps of Engineers, in connection with the acquisition of lands for public works projects, to send written notices to all owners and tenants of their right to apply for reimbursement of moving costs. Included with such notices are application forms together with pertinent instructions. In the instant case, the records of the U.S. Army Engineer District, Omaha, indicate that a notice with application forms was mailed to Mr. Kermit Wager, Gettysburg, S. Dak., on September 6, 1957, and again on April 16, 1958; that he vacated the property on January 27, 1959, but did not submit an application for reimbursement until November 1, 1962, nearly 4 years thereafter. In view of the mandatory 1-year limitation in the law, it was necessary to advise Mr. Wager he was no longer eligible for reimbursement. Had the submission been timely, his claim would have been allowed in the amount of $258.94.

"In explanation of the delay in filing his claim, Mr. Wager stated he was unaware of the statutory limitations and had not received any notices from the Corps of Engineers. Further inquiry disclosed there to be another person named Kermit Wager having the same community mailing address, but whose property was not acquired by the Government. This person recalls receiving the corps notices and thinks they were forwarded to the proper Mr. Wager. While there is no statutory requirement for the acquiring agency to notify the claimants, experience has shown there to be many instances wherein such notices have served to avoid hardships to displaced owners and tenants."

The Department of the Army report concludes as follows:

"The Department of the Army is of the opinion that the unusual circumstances in this case serve to mitigate the lack of statutory compliance and would warrant the equitable consideration of Congress. Accordingly, since the delay did not prejudice the Government in making a proper investigation and the amount of relief provided by the bill is fair and reasonable, this Department interposes no objection to the enactment of S. 1571."

The committee having carefully reviewed those facts and circumstances which it considers material and relevant to an equitable determination of this case, concludes that this is a meritorious claim, justifying legislative relief. Accordingly the committee recommends that the bill S. 1571 be favorably considered.

JOINT RESOLUTIONS PASSED OVER

On request of Mr. KUCHEL, the following measures were passed over:

Calendar No. 1283, Senate Joint Resolution 144.

Calendar No. 1284, Senate Joint Resolution 168.

Calendar No. 1285, Senate Joint Resolution 162.

DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 99) favoring the suspension of deportation of certain aliens was considered, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act, as amended (66 Stat. 204; 8 U.S.C. 1251):

A–4839402, Goldberg, Meyer.
A–6741048, Cassar, Lewis.
A–13696909, Lee, Hing Nom.
A–13525402, Young, Bok Jim.
A–8862836, Pollock, Benjamin.
A—4419302, Estes, Leon Morris.
A–13710436, Gee, Kim, Heung.
A–11425282, Gee, Loy Sun.
A–5433779, Alesi, Anthony Angelo.
A–3977065, Diamond, George.
A–7077231, Mielzynski, Felix Christropher.
A–1465952, Villegas-Arrellano, Fidel.
A–2710178, Chee, Tong.
A–13702123, Ow, Hoy Kee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1330), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE CONCURRENT RESOLUTION

The purpose of the concurrent resolution is to record congressional approval of suspension of deportation in certain cases in which the Attorney General has suspended deportation pursuant to section 244(a)(2) of of the Immigration and Nationality Act, as amended. Under the prescribed procedure, affirmative approval by both the Senate and the House of Representatives is required before the status of the aliens may be adjusted to that of aliens lawfully admitted for permanent residence.

STATEMENT OF FACTS

The concurrent resolution relates to certain cases in which the Attorney General has suspended deportation under the provisions of section 244(a)(2) of the Immigration and Nationality Act, as amended. These cases are submitted to the Congress under the provisions of that section subsequent to its amendment by section 4 of Public Law 87–885. The aliens are deportable as former subversives, criminals, immoral persons, violators of the narcotic laws or violators of the alien registration laws. The discretionary relief may be granted to an alien within these categories upon a showing (1) of 10 years' continuous physical presence in the United States following the commission of an act or the assumption of a status constituting a ground for deportation; (2) that he has not been served with a final order of deportation up to the time of his application for suspension of deportation; (3) that he has been a person of good moral character during the required period of physical presence; and (4) that his deportation would result in exceptional and extremely unusual hardship to himself or to his spouse, parent, or child, who is a citizen or an alien lawfully admitted for permanent residence.

Included in the concurrent resolution are 14 cases which were referred to the Congress between February 1, 1965, and October 1, 1965. One case referred during that period was not approved. In each case included in the concurrent resolution, a careful check has been made to determine whether or not the alien (*a*) has met the requirements of the law; (*b*) is of good moral character; and (*c*) warrants the granting of suspension of deportation.

The committee, after consideration of all the facts in each case referred to in the concurrent resolution, is of the opinion that the concurrent resolution (S. Con. Res. 99) should be agreed to.

DOREEN DELMEGE WILLIS

The bill (S. 2784) for the relief of Doreen Delmege Willis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2784

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Immigration and Nationality Act, the periods of time Doreen Delmege Willis has resided and was physically present in the United States or any State since August 2, 1952, shall be held and considered as compliance with the residence and physical presence requirement of section 316 of said Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1308), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

RAFAEL A. PENALVER

The bill (S. 3083) for the relief of Dr. Rafael A. Penalver was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3083

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rafael A. Penalver shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 9, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1309), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

KIL JA CHUNG

The Senate proceeded to consider the bill (S. 2076) for the relief of Kil Ja Chung which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "fee.", to strike out "Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Kil Ja Chung shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon paying of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1311), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Kil Ja Chung. The bill provides for the payment of the required visa fee. The purpose of the amendment is to remove the quota charge, since the beneficiary was adopted while under the age of 21.

GUISEPPE RUBINO

The Senate proceeded to consider the bill (S. 2295) for the relief of Guiseppe Rubino which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, Guiseppe Rubino may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, and a petition may be filed in his behalf by Mr. and Mrs. Luigi Rubino, citizens of the United States, pursuant to section 204 of the Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1312), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the adopted son of citizens of the United States. The bill has been amended to conform the language with the changes made by enactment of Public Law 89–236 and to reflect the proper name of the adoptive parents.

DR. ALBERT VICTOR MICHAEL FERRIS-PRABUH

The Senate proceeded to consider the bill (S. 2317) for the relief of Dr. Albert Victor Michael Ferris-Prabuh which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 6, after the word "of", to strike out "September 1, 1954, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.", and insert "September 2, 1954."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Albert Victor Michael Ferris-Prabuh shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 2, 1954.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1313), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization.

NORIKO SUSAN DUKE

The Senate proceeded to consider the bill (S. 2997) for the relief of Noriko Susan Duke (Nakano) which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 6, after the word "Act,", to strike out "subject to the proviso to such section,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, as amended, Noriko Susan Duke (Nakano) may be classified as a child within the meaning of section 101(b)(1)(F) of such Act, and a petition may be filed in behalf of the said Noriko Susan Duke (Nakano) by Mr. and Mrs. Benjamin C. Duke, citizens of the United States. pursuant to section 204 of such Act.

SEC. 2. In the administration of the Immigration and Nationality Act, as amended, Noriko Susan Duke (Nakano) shall be held and considered to be within the purview of section 323(c) of such Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1314), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the alien adopted daughter of U.S. citizens to qualify for immediate relative status upon approval of a petition filed in her behalf. A further purpose of the bill is to enable the beneficiary to have a petition for naturalization filed in her behalf. The bill has been amended in accordance with established precedents.

DR. ALONSO PORTUONDO

The Senate proceeded to consider the bill (S. 3189) for the relief of Dr. Alonso Portuondo which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after "October", to insert "26,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Alonso Portuondo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 26, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1315), explaining the purposes of the bill.

There being no objections, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Dr. Alonso Portuondo as of October 26, 1960. The bill does not provide for payment of a visa fee inasmuch as the beneficiary has been lawfully admitted for permanent residence in a nonquota status. The purpose of the amendment is to correct the date of the beneficiary's admission.

SLIP LAWS AND TREATIES

The bill (H.R. 12232) to amend title 1 of the United States Code to provide for the admissibility in evidence of the slip laws and the Treaties and Other International Acts Series, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1310), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to make slip laws and the Treaties and Other International Acts Series (TIAS) competent legal evidence of the several acts of Congress and the treaties and other international agreements contained therein.

STATEMENT

The legislation is recommended by the State Department and the Judicial Conference of the United States. The facts and justification for the passage of the bill are set forth in House Report 1251 on H.R. 12232, as follows:

"Under existing law, Little and Brown's edition of laws and treaties is declared to be competent legal evidence of the several acts of Congress and of the treaties contained therein (title 1, U.S.C., sec. 113). The present bill would extend the statutory declaration to include slip laws (statutes in slip or pamphlet form) issued under the authority of the Administrator of General Services and the Treaties and Other International Acts Series (generally referred to as TIAS) issued under the authority of the Secretary of State.

"Slip laws today are printed by the photographic offset method, thus reducing the possibility of error to an absolute minimum. They have received judicial notice by some courts even without specific statutory sanction. The amendment proposed by this bill, by expressly making slip laws admissible, would eliminate all necessity for certifying or authenticating photostatic copies of originals of laws, and will enhance efficiency and economy.

"The Treaties and Other International Acts Series (cited as TIAS) contains leaflet or pamphlet prints of treaties and other international agreements. The TIAS corresponds to the slip laws of Congress. The TIAS texts, when assembled and printed in volumes called United States Treaties and Other International Agreements (UST), are today legal evidence in the courts under section 112a, title I, United States Code. UST is assembled and repaged from the pamphlets of TIAS. The American Society of International Law supports this proposal and with respect to the need for this legislation has made the following observation:

"'The practicing lawyer finds himself in this ridiculous position: He can take a volume of UST to any court as legal evidence, but if he has the same text in the pamphlet TIAS he cannot use it before the court until it is certified by the Department of State.' (Report of Committee on State Department and United Nations Publications, Proceedings of the American Society of International Law, 1963, at 313.)

"The committee is of the opinion that this bill will serve the interest of economy and efficiency and recommends that it be given favorable consideration."

The committee is in accord with the action of the House of Representatives on this legislation, and recommends that the bill, H.R. 12232, be considered favorably.

CHARLES T. DAVIS, JR.

The bill (H.R. 10994) for the relief of Charles T. Davis, Jr., Sallie M. Davis, and Nora D. White was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1326), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD as follows:

PURPOSE

The purpose of the proposed legislation is to pay the sum of $14,396 to Charles T. Davis, Jr., Sallie M. Davis, and Nora D. White in full settlement of their claims for damage to real property owned by them resulting from the crash of a U.S. Air Force aircraft on January 23, 1961.

STATEMENT

The Department of the Air Force is not opposed to favorable consideration of the legislation. The report of the House of Representatives on H.R. 10994 sets forth the following:

"On January 23, 1961, a B-52G aircraft departed Seymour Johnson Air Force Base N.C., on an authorized combat training mission. Two and one-half hours later, the aircraft broke apart in flight and crashed 12 nautical miles northeast of Seymour Johnson Air Force Base, scattering wreckage over an area of 1½ to 5 miles. The greater portion of the aircraft landed on claimants' property, located 12 miles north of Goldsboro, and 4 miles southeast of Eureka, in Wayne County, N.C., and was buried to a depth of 7 feet.

"Recovery operations were conducted by the Army Engineers, District of Savannah, Ga. Severe damage to claimants' land was caused in these operations because they were performed during inclement weather when the ground was either frozen or extremely soft from heavy rains. Three acres were excavated to a depth of several feet; 9 acres were damaged by excavating and moving heavy equipment over the area; 7 acres, used by the reclamation crew as a storage area for tents and equipment, were covered by debris; and a drainage ditch was closed during the operations.

"Claimants' property consists of 169 acres of which 102 acres are tillable cropland, and 67 acres are woodland, as follows: 44 acres of highly productive and 20 acres of fair grade cropland; 36 acres of 'Johnson loan' cropland; 2 acres of building sites; and 67 acres of cutover swampy woodland. "The farm carries a tobacco allotment of 12.5 acres and a cotton allotment of 6.1 acres. The principal crops grown are tobacco, cotton, small grains, soybeans, and corn. The 44 acres of highly productive cropland are normally rotated with crops of tobacco and cotton, 12.55 acres of tobacco are planted every third year, and 6.1 acres of cotton are planted every 2 or 3 years. On the off years the area is usually planted with soil-building crops.

"Approximately 12 of the 44 acres of highly productive cropland were severely damaged, and it is estimated they will not produce income until 1971 or 1972. Production of crops on the residual area is expected to be impaired, and production costs increased, due to necessity of applying extra fertilizer and treating the soil with chemicals to control nematodes and crop diseases. The 20 acres of fair grade cropland are not well adapted for production of tobacco and cotton, but are adequate for beans, peas, corn, and small grain. The 36 acres of cropland are low land, subject to periodic flooding, and best adapted for production of corn, oats, and hay. The 12-acre area damaged by the crash and excavation has been leveled by filling holes and grading. The farm has no irrigation facilities.

"Six months after the crash, on July 26, 1961, Mr. G. S. Hart, real property appraiser, Army Engineers, District of Savannah, Ga., filed a report evaluating the damages to claimants' property caused by the crash and recovery operations. The evaluation was based on personal inspection of the property, records of the sales of three similar properties in the county on December 8, 1952, January 14, 1957, and October 15, 1958, respectively, and discussions with qualified local tobacco farmers, surveyors, engineers, and the claimants. Mr. Hart estimated the damages as follows:

"12 acres of cropland reduced in value from $750 to $50 per acre (this value for either planting to pines or a much later use for hay production)	$8,400
Damage to 32 adjoining acres of cropland at $100 per acre	3,200
Crop loss on 19 acres at $24 per acre	456
Payment for ditch closure (assessed against 32 adjoining acres at $6 per acre)	192
Total	12,248

"The survey by Mr. Hart was made for the purpose of securing for the United States a perpetual easement on 2½ acres of the property near the center of the crash area. An easement was secured on October 13, 1962, for which claimants were paid $1,000. The easement prohibits the land from being used for anything other than pastureland or growing crops, prohibits excavating to a depth of more than 5 feet, and authorizes agents of the United States to enter upon the easement for the purpose of inspection. Since this easement does not substantially affect the use of the land, some consideration should be given to the price paid for it in assessing damages.

"Mr. Hart believed that, in addition to the 19 acres of cropland discussed above, that suffered tangible damage by the reclamation operations, the remaining cropland was also damaged or reduced in value, because of the irregular shape of the remaining field and the further loss in production of tobacco due to the lack of area for proper crop rotation.

"When the crash site was inspected on January 24, 1964, by an Air Force claims officer, it was evident that the excavating and refilling operations had removed a considerable amount of topsoil and that subsoil had been mixed with the topsoil. It was also apparent that crop production on the area would not be profitable for a considerable time. However, the size of the lespedeza stubble observed from last year's growth indicated some progress toward recovery.

"The committee has examined into the circumstances surrounding the delay in filing the claim which is the only obstacle to payment of the claim for, as is indicated in the Air Force report, had the claim been filed on time, the Air Force would have paid the claim in the amount recommended by the committee. The Air Force advised the committee that when the inspection was made on January 24, 1964, one of the claimants, Mr. Charles T. Davis, Jr., advised Air Force represenatives that he had delayed filing the claim because he did not know how much to claim until he had the opportunity to plant crops and see what the continuing damage to the land might be. Apparently the situation was further complicated by the fact that the owners had been paid for a perpetual restrictive easement on the 2½ acres near the center of the crash area. Further, the information submitted to the committee indicates that the claimants were not aware of the 2-year limitation concerning the filing of claims.

"The interval which has passed since the occurrence of the crash has made it possible to assess with more precision the continuing nature of the damage to the cropland. When the original estimate of damage was made, it was believed that the damaged area would not be out of production for as long as it is now anticipated. Whereas the original estimate was that the 32-acre tract of land could be back in production in 8 to 10 years, 3 years after the crash, it appeared that another 12 to 15 years would be required to put the land back into even partial production. For this reason, the Air Force has now concluded that an additional allowance of $75 for each of the 32 acres is appropriate and the damages should be assessed at $2,500 above the original estimate. This brings the Air Force figure to the amount of $14,648. Reducing this total by 25 percent of the $1,000 price paid by the United States for its easement, that is $250, brings the total loss figure to $14,398. This is done because the easement does not substantially affect the use of the land for crop production."

The committee, after a review of all of the foregoing, concurs in the action of the House of Representatives, and recommends that the bill, H.R. 10994, be considered favorably."

JUDGMENTS FOR COSTS AGAINST THE UNITED STATES

The bill (H.R. 14182) to provide for judgments for costs against the United States was announced as next in order.

Mr. ERVIN. Mr. President, I introduced in the Senate companion bills to this House bill and to House bills 13650, 13651, and 13652. These bills provide for much needed reform in the law.

H.R. 14182 is concerned with judgments for costs against the United States.

There is a substantial inequity in the present law covering the granting of costs in litigation involving the United States. When the United States sues on a claim and wins, it may be awarded costs; when the United States sues and loses, costs may not be awarded against it. When the United States is sued and wins, it may be awarded costs; when the United States is sued and loses, costs may not be awarded against it. Only in rare cases does the law provide for costs to be assessed against the United States when it is the losing party in civil litigation.

I have been interested in this problem for some years and on several occasions have offered amendments to specific bills requiring that the Federal Government accept liability for court costs when it is the unsuccessful litigant. I am most gratified that this administration supports this principle and this bill.

The basic general statute pertaining to costs in litigation involving the United States is section 2412(a) of title 28 of the United States Code. That statute provides that the United States shall be liable for costs only when such liability is expressly provided for by act of Congress, and there are relatively few statutes in which costs against the United States have been expressly provided for.

This measure will amend section 2412 of title 28 to provide that, except as otherwise specifically provided by statute, costs as set out in section 1920 of title 28 may be awarded to the prevailing party in actions brought by or against the United States or any agency or official acting in his official capacity. The amount of costs that may be awarded shall be in accordance with the amounts established by statute or by court rule or order. The bill makes it clear that the fees and expenses of attorneys and expert witnesses may not be taxed against the United States.

I ask unanimous consent to have printed in the RECORD at this point an excerpt from the report (No. 1329) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to amend section 2412 of title 28 of the United States Code to provide that in any action brought by or against the United States or any agency or official of the United States acting in his official capacity costs may be awarded by the court to the prevailing party, so that costs may be awarded either the private litigant or the Government.

STATEMENT

A similar Senate bill, S. 3161, was introduced by Senator SAM J. ERVIN, Jr.

In its favorable report on the bill the Committee on the Judiciary of the House of Representatives said:

"The bill H.R. 14182 was introduced in accordance with the recommendations of an executive communication from the Department of Justice which recommends its enactment. The committee has considered this bill along with the bills H.R. 13650, H.R. 13651, and H.R. 13652 which are intended to improve the procedures for the disposition of claims by and against the Government. These four bills have the common purpose of amending the law to incorporate features which will provide for a more fair and equitable treatment of the private individual or claimant when he must deal with the Government.

"The present law permits a disparity of treatment between private litigants and the United States concerning the allowance of court costs. This bill will correct this disparity by putting the private litigant and the United States on an equal footing as regards the award of court costs to the prevailing party in litigation involving the Government. As things now stand, only in rare cases can costs be awarded against the United States in the event that it is the losing party. On the other hand when it sues on a claim and wins, it can collect full costs. If an action is brought against the Government by a private litigant and he is successful it may be forced to pay costs only when a specific statute authorizes the award of costs. This is presently provided by the tort claims provisions of title 28 (28 U.S.C. 2412(c)), the Suits in Admiralty Act (46 U.S.C. 743) and by implication, the Public Vessels Act (46 U.S.C. 782). The Civil Rights Act of 1964 provides in three of its titles that the United States shall be liable for costs, the same as a private person. It is fundamental that the law should be uniform in its application. This bill will provide for uniformity of treatment in the award of costs. Apparently the present inequality is related to a governmental advantage derived from the principle favoring immunity of the sovereign from suit. Under modern conditions, there is no reason for this advantage when the law provides for suit against the Government.

"At the hearing conducted on the bill on April 6, 1966, the subcommittee members inquired of the Department of Justice witness as to what the cost of this provision might be on the basis of past litigation and by comparison to costs incurred in Government litigation. It was estimated that the cost per year would be about $334,000.

"The costs which are referred to in this bill are listed in section 1920 of title 28, United States Code, and include fees of the clerk and the marshal, necessary transcripts, printing, and docket fees. The amounts of fees which may be awarded are fixed either by statute, rules of court, or by a schedule of the Judicial Conference of the United States. For example, marshals' fees are fixed in section 1921 of title 28, and docket fees and costs of briefs in section 1923 of the same title. Witness fees are governed by section 1821. This is the section which was referred to in the committee's explanation of its amendment relating to witness fees. These fees are intended to compensate the average witness. This section does not make any special provision for expert witnesses so that any additional amounts paid as compensation in connection with the appearance of expert witnesses could not be included under this section as costs. As was noted, the committee therefore deleted the reference to expert witnesses in the bill as surplusage (*Henkel* v. *Chicago, St. Paul, Minneapolis & Omaha, Ry.*, 284 U.S. 44 (1932)). The authority for the fixing of other fees by rules of court is provided in 28 U.S.C. 1911 and section 1913 of title 28 provides for fees fixed by schedule of the Judicial Conference.

"The committee further points out that the bill provides that costs can be awarded in the discretion of the court. The court may award the costs. The bill does not require that costs be taxed for or against the Government, it merely makes it possible for the court, when deemed just, to award costs to whichever side prevails in the case before it.

"On the basis of the recommendation in the executive communication, the testimony presented at the hearing on the bill, and the considerations outlined in this report, it is recommended that the bill, as amended, be considered favorably.

"ANALYSIS OF THE BILL

"*Section 1*

"The first section of the bill, as amended, amends section 2412 of title 28 of the United States Code so as to provide that in any civil action brought by or against the United States or against any agency or official of the United States acting in his official capacity, the court may award a judgment for costs to the prevailing party. The costs referred to in the section do not include fees and expenses of attorneys, and the judgment for costs when taxed against the Government is limited to reimbursing in whole or in part the prevailing party for the costs incurred by him in litigation. Payment of a judgment for costs shall be made as provided in section 2414 of title 28 for the payment against the United States.

"*Section 2*

"This section repeals section 2520(d) of title 28 of the United States Code. Section 2520(d) presently provides for the taxing of the cost of printing the record against the losing party in cases in the Court of Claims "except when judgment is against the United States." This language is of course unnecessary with the addition of the uniform authorization for the taxing of costs provided by this bill. Further, the exception concerning the United States is rendered obsolete by this bill which eliminates this sort of inequality.

"*Section 3*

"This section provides how the provisions of the bill are to take effect upon enactment. The amendments added by the bill are to apply only to judgments entered in actions filed subsequent to the date of enactment. These amendments will not authorize the reopening or modification of judgments entered prior to enactment of the bill into law."

The bill as transmitted to the Congress by the Department of Justice was amended by the Committee on the Judiciary of the House of Representatives. The committee discussed the purpose of the amendments as follows:

"As originally introduced, the bill provided that the fees of expert witnesses were not to be included in a judgment for costs awarded to the prevailing party in an action brought by or against the United States. The committee has recommended that this reference to expert witnesses be deleted, because the courts do not distinguish between witnesses in allowing witness fees. That is, an expert witness is by statute allowed the same fee as other witnesses as far as the taxing of costs is concerned. The statute governing witness fees is section 1821 of title 28 of the United States Code. This means that any additional amounts paid as compensation or fees to expert witnesses cannot be taxed as costs in a Federal court even though they might be allowed by the State in which the court is situated. The Supreme Court case of *Henkel* v. *Chicago, St. Paul, Minneapolis & Omaha Ry.*, 284 U.S. 444 (1932) involved this issue and held that the fees provided in the Federal statute governed the allowance of fees as taxable costs. The court concluded:

" 'The present case is simply one of the amount to be allowed as witness fees, to be included in the taxable costs, and the Federal statute governs.'

"Accordingly the committee concluded that it would not be correct to retain the exception and recommended the deletion.

"The second amendment merely clarifies the intent of the bill in adding the word 'civil' before 'action' in line 8 so that the section will read that costs may be awarded to prevailing parties in civil actions."

The ACTING PRESIDENT pro tempore. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

INCREASED AGENCY CONSIDERATION OF TORT CLAIMS AGAINST THE GOVERNMENT

The bill (H.R. 13650) to amend the Federal Tort Claims Act to authorize increased agency consideration of tort claims against the Government, and for other purposes, was announced as next in order.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. ERVIN. Mr. President, H.R. 13650 is intended "to amend the Federal Tort Claims Act to authorize increased agency consideration of tort claims against the Government, and for other purposes."

The Tort Claims Act, with certain exceptions, makes the United States liable for the negligence, wrongful act, or omission, of a Government employee while he is acting within the scope of his office or employment, under circumstances in which a private person would be liable under the law of the place where the act or omission occurred.

Presently, a person who has a substantial claim arising under the act must bring an action in a Federal district court, and he can seek administrative settlement of his claim only if the claim is for less than $2,500. Experience under the Federal Tort Claims Act has demonstrated that of all awards allowed in cases filed under the act, 80 percent are made prior to trial. Since tort claims against the Government tend to arise in a few agencies, these agencies have considerable experience in settling such claims.

This bill would institute a procedure under which all claims would be brought to the appropriate agency for consideration and possible settlement before court action is instituted. A claim would first be considered by the agency whose employee's activity allegedly caused the damage and which possesses the greatest information concerning that activity. As a result, meritorious claims would be settled more quickly, without the need for expensive and time-consuming litigation or even for filing suit.

In order to provide the agencies with sufficient authority to settle a broad range of claims, the bill would give them authority to consider and settle any claim under the Tort Claims Act, irrespective of amount. Settlement and awards in excess of $25,000 would require the prior approval of the Attorney General. Any settlement of a claim in excess of $100,000 would be brought to the attention of Congress since claims over this amount would require approval through a supplemental appropriations bill.

Finally, in order to encourage claimants and their attorneys to make use of this new administrative procedure, the attorney's fees allowable under the act would be raised from the present 10 percent of the administrative award and 20 percent of the settlement of judgment after filing suit to 20 and 25 percent, respectively.

Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1327), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to provide authority to the heads of Federal agencies for administrative settlement of tort claims against the United States. Settlements for more than $25,000 must have the prior written approval of the Attorney General or his designee. A claim would have to be filed with the agency concerned within 2 years after it accrues and any tort action must be brought within 6 months after final denial of the administrative claim. The bill would increase the limits for attorneys' fees in cases of administrative settlement from 10 to 20 percent and from 20 to 25 percent of amounts paid after suit is begun.

STATEMENT

A similar Senate bill, S. 3162, was introduced by Senator Sam J. Ervin, Jr.

In its favorable report on the bill the Committee on the Judiciary of the House of Representatives said:

"The bill, H.R. 13650, is one of a group of three bills introduced in accordance with the recommendations of an executive communication transmitted to the Congress by the Department of Justice. The committee has considered these bills along with the bill H.R. 14182, providing for the award of costs in litigation involving the Government. These four bills have the common purpose of providing for more fair and equitable treatment of private individuals and claimants when they deal with the Government or are involved in litigation with their Government.

"This bill, H.R. 13650, with the two bills, H.R. 13651 and H.R. 13652, also introduced as recommended by the Department of Justice, are intended to improve the disposition of monetary claims by and against the Government. These are the matters which now comprise the bulk of civil litigation involving the Government. The proposals embodied in H.R. 13650 are intended to ease court congestion and avoid unnecessary litigation, while making it possible for the Government to expedite the fair settlement of tort claims asserted against the United States. In accomplishing these purposes, the more expeditious procedures provided by this bill will have the effect of reducing the number of pending claims which may become stale and long delayed because of the extended time required for their consideration. The committee observes that the improvements contemplated by the bill would not only benefit private litigants, but would also be beneficial to the courts, the agencies, and the Department of Justice itself.

"The Federal Tort Claims Act passed in 1946 made it possible for a person injured through the negligence or wrongful act of a Government employee to file suit against the United States for damages resulting from the injury when the employee was acting within scope of his employment. The codified provisions of that act now contained in title 28 of the United States Code provide for administrative settlement only in cases where the claim is for $2,500 or less. For claims over that amount, the individual has no alternative but to file suit. At a hearing conducted with reference to this bill on April 6, 1966, the Department of Justice presented testimony which included statistics which underscore the need for procedures which will permit early settlement of tort cases. At the hearing, it was noted that thousands of suits have been filed under this act and each year the Government pays out millions of dollars to persons who have brought suit against the United States. At that hearing, it was pointed out that a large number of cases are settled prior to trial. In the fiscal year 1965, the Department of Justice settled 731 tort cases after suit had been instituted. The claims in these cases totaled $24 million, while the cases were settled for a total of $6 million. Where the cases resulted in judgment against the Government, the record for the same year showed that there were 169 judgments which totaled approximately $4 million. The original claims as to these 169 cases totaled almost $24 million. Therefore, it is established that of meritorious claims filed against the Government under the tort claims provisions of title 28, about 80 percent are settled prior to actual trial.

"The committee has been supplied with information which indicates that the same trend is evidenced in connection with private tort litigation. A recent study indicated that each year in New York City an average of 193,000 claimants seek compensation for bodily injuries. Of this number 39,000 settle or abandon their claims without consulting counsel, 77,000 settle or abandon their claims after consulting counsel but without instituting suit. The remaining 77,000 sue. Of this latter class of cases, 7,000 reach trial, of which 2,500 go all the way to verdict. The study thus indicates that in private practice where prelitigation settlements are allowed, only 40 percent of claimants for personal injuries file suit and of these cases, less than 10 percent reach trial and only 3 percent go to verdict.

"The Department of Justice, in recommending this bill referred to its experience under the Federal Tort Claims Act which established that of all cases filed under the act, 80 percent are settled prior to trial. Tort claims against the Government for the most part arise in connection with the activities of a few agencies. These agencies include the Post Office Department, the Defense Department, the Veterans' Administration, the Department of the Interior, and the Federal Aviation Agency. These agencies therefore have a large degree of experience in settling such claims. The Justice Department recommends the procedure embodied in H.R. 13650 requiring all claims to be presented to the appropriate agency for consideration and possible settlement before a court action could be instituted. This procedure would make it possible for the claim first to be considered by the agency whose employee's activity allegedly caused the damage. That agency would have the best information concerning the activity which gave rise to the claim. Since it is the one directly concerned, it can be expected that claims which are found to be meritorious can be settled more quickly without the need for filing suit and possible expensive and time-consuming litigation. The committee observes in this connection that under the present provisions of law, even if the agency finds that it is clearly liable and desires to settle the claim quickly in the interest of justice and fairness, it cannot do so if the claim is for more than $2,500. Rather, a suit must be filed and a settlement negotiated after the action is begun in a U.S. district court.

"The requirement of an administrative claim as a prerequisite to suit has numerous precedents in statutes governing tort claims against municipalities. These laws often provide that a municipality must be given notice of an accident within a fixed time. The purpose of this notice has been summarized as being—

" '* * * to protect the municipality from the expense of needless litigation, give it an opportunity for investigation, and allow it to adjust differences and settle claims without suit (McQuillin, Municipal Corporations (3d ed.), section 53.153).'

"In this connection, it is relevant to note that section 1–923 of the District of Columbia Code includes the following language concerning suits for damages caused by employees driving vehicles—

" '* * * No suit shall be instituted * * * unless the claimant shall have first given notice to the District and shall have presented to the District in writing a claim for money damages in connection therewith, and the District has had 6 months from the date of such filing within which to make final disposition of such claim * * *.'

"Another example of a precedent in State practice is to be found in the laws of the State of Iowa (Laws of the 61st General Assembly, ch. 79 (Mar. 26, 1965)) which provide requirements very similar to those provided in H.R. 13650. This statute provides for tort claims against the State of Iowa and requires that a claim must first be presented to a State appeal board and further includes language providing that no suit is permitted unless the appeal board has made final disposition of the claim.

"This committee in recommending this legislation further points out that it grants the agencies of Government sufficient authority to make the administrative settlements a meaningful thing. The bill would provide the agencies with the authority to make settlement offers which could result in settlement in a large percentage of tort claims cases where under today's conditions the present $2,500 limit means that administrative settlements are limited to property damage claims and relatively minor personal injury claims. There is good reason to believe that even in many of these cases a claimant may decide to file suit because of the present limits upon administrative settlement. This is because as soon as the case is filed, the Government can negotiate a settlement without regard to that limitation. It does not appear that this procedure is conducive to efficient claims administration. The filing of the suit and the consequent expense to the Government in preparing the case would appear to be unnecessarily involved when the case is a proper one for early settlement.

"Another objective of this bill is to reduce unnecessary congestion in the courts. Each year between 1,500 and 2,000 new tort cases are filed in the court against the Government. The information available to this committee indicates that there is little likelihood that there will be any real decrease in the numbers of this type of claim.

"Accordingly, in the light of these considerations the committee has recommended these amendments to the Tort Claims Act to authorize the head of each Federal agency to settle or compromise any tort claim presented to him which arises out of the negligent or wrongful act of an employee of that agency who was acting within the scope of his employment at the time of the act. This authority of the agency head will be exclusive for settlement up to $25,000. Above that amount, the settlement must have the prior written approval of the Attorney General or his designee as well as of the agency head.

"The procedure provided in the bill would require a claimant to file his claim with the agency within 2 years after the claim accrues. The agency will then have 6 months to consider the claim prior to granting or denying it. Final denial in this connection includes instances where partial approval of a claim results in an offer unacceptable to the claimant and rejected by him. Thus the end result would be a denial of the claim. However if the agency fails to act in 6 months, the claimant may at his option elect to regard this inaction as a final denial and proceed to file suit. It is obvious that there will be some difficult tort claims that cannot be processed and evaluated in this 6-month period. The great bulk of them, however, should be ready for decision within this period. In some cases where the agency does not reach a decision in 6 months, the claimant may feel that the agency is sincerely seeking to reach a fair decision. Under such circumstances, the claimant might wish not to break off negotiations and file suit. Therefore even though this 6-month period may prove insufficient in some instances, the committee does not believe that this period ought to be enlarged to attempt to insure time for final decision on all claims. This is the same position stated by the Department of Justice at the hearing.

"The bill will not assign novel tasks to the agencies. They now investigate all accidents involving their employees, prepare litigation reports on all tort cases, suggest Government defenses to claims, and, at the request of the Department of Justice, comment on all settlement offers presented to the Department. The views of the affected agency have always been taken into account by the Department in accepting or rejecting an offer of settlement.

"As has been noted, tort claims against the Government have arisen primarily in a few agencies that have extensive dealings with the public or whose operations require the use of a large number of motor vehicles. For example, as of the end of October 1965, 81 percent of the tort suits then pending against the Government arose out of the activities of only five agencies—Defense, Post Office, Federal Aviation Agency, Interior, and the Veterans' Administration. This concentration of tort claims has led to the development in the agencies of substantial expertise in the problems involved in tort litigation. The Post Office, probably because of its use of more than 80,000 vehicles, has had to pass upon a very large number of tort claims. In 1965, the Post Office processed over 5,000 claims in the dollar range of $100 to $2,500 and allowed 3,800 of them. Postal officials in the field allowed another estimated 5,200 claims for less than $100. In addition, the Post Office employees assisted the Justice Department in connection with the handling of about 900 cases in Federal courts, cases which involved claims against the Government of over $36 million and which involved alleged torts of postal employees. The point is that the Post Office and other agencies are now actually performing investigating and evaluating work on a large volume of tort claims against the Government.

"The procedure set forth in this bill will not become effective until 6 months after the enactment date. In this period of time the agencies can develop procedures and instruct personnel for these new responsibilities. The Civil Division of the Department of Justice will be available for advice and assistance to any agency desiring it and will furnish suggestions as to how the claims procedures should be handled. The committee notes that the Civil Division will undoubtedly continue to provide similar assistance and legal counsel when required concerning tort claims and the legal questions involved.

"The authority to settle claims for up to $25,000 and, above that amount, with the prior written approval of the Attorney General, seems sensible. If a satisfactory arrangement cannot be reached in the matter, the claimant can simply do as he does today—file suit.

"Agency settlement of substantial numbers of tort claims would enable the Civil Division to give greater attention to those cases which involve difficult legal and damage questions in such areas a medical malpractice, drug and other products liability, and aviation accidents. These areas of litigation are expanding at a steady pace.

"The part of attorneys, both Government and private, will be important in effecting settlements as provided in this bill. These tort claims will, as in the past, in many of the cases continue to require an attorney acting on behalf of the claimant. To assure competent representation and reasonable compensation in these matters, the proposed bill authorized increases in the attorneys' fees allowable under successful prosecution of these claims: 20 percent of the agency award and 25 percent of a court award or settlement after the filing of a complaint in court.

"The bill increases the allowable fee in agency proceedings from the present 10 to 20 percent. The committee feels this increase will encourage attorneys to take these claims. In recommending this increase the committee points out that increased work will be required in many of the larger claims. Also, this amendment will bring the fees more nearly in line with those prevailing in private practice. Similarly, allowable fees for claims involving litigation have been raised from 20 to 25 percent.

"CONCLUSION

"In the light of the considerations referred to in the executive communication and outlined in this report, the committee recommends that the bill, as amended, be considered favorably."

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection the bill (H.R. 13650) was considered, ordered to a third reading, was read the third time, and passed.

STATUTE OF LIMITATIONS FOR CERTAIN ACTIONS BROUGHT BY THE GOVERNMENT

The bill (H.R. 13652) to establish a statute of limitations for certain actions brought by the Government was announced as next in order.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. ERVIN. Mr. President, under existing law the Federal Government is not subject to any statute of limitations, unless there is a special statute so providing in specific instances.

H.R. 13652 would establish statutes of limitations for certain types of actions brought by the Government. The rule is that there is no limitation of time against the Government for bringing an action unless it is specifically authorized by statute. There are a few exceptions to this rule. For example, a civil suit brought by the Government on a false claim must be filed within 6 years; suits for penalties or forfeitures under the customs laws must be brought within 5 years; 2 years is the limit within which the Federal Housing Administration must sue to recover an overpayment on a guarantee of a home improvement loan. There are, however, no time bars against the great majority of Government claims.

Additional time limitations are desirable for a number of reasons. Application of statutes of limitation in tort and contract actions would make the position of the Government more nearly equal to that of private litigants. A corollary to this objective is the desirability of encouraging trials at a sufficiently early time so that necessary witnesses and documents are available and memories are still fresh.

Presently the cost of keeping records and detecting and collecting on Government claims after a period of years may exceed any return by way of actual collections. Also, this measure should encourage the agencies to refer their claims promptly to the Department of Justice for collection minimizing collection problems arising with respect to debtors who have died, disappeared, or gone bankrupt.

Accordingly, it is proposed that statutes of limitations be applied to important general areas where none are now in effect. The proposal would impose a 6-year limitation on the assertion of Government claims for money arising out of an express or implied contract or a quasi-contract. This time-bar corresponds to the 6-year limitation on those who sue the Government on similar claims under the Tucker Act.

Suits in tort are to be brought within 3 years, except those based on trespass to Government lands and those brought for the recovery of damages resulting from fire on such lands, and actions for conversion of Government property for which the limitation period will be 6 years.

A 6-year limitation would be imposed upon suits by the Government to recover erroneous overpayments of wages and other benefits made to military and civilian employees of the Government.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. KUCHEL. What effect, if any, does this tort claim have on liability of a citizen under the provisions in the Internal Revenue Code?

Mr. ERVIN. The bill expressly provides that it does not apply to tax claims. Consequently such claims are governed by other statutes of limitations under the Federal Internal Revenue law.

Mr. KUCHEL. Would the Senator say that where there are in the law today specific provisions, that this general law would not apply?

Mr. ERVIN. The Senator is correct. This bill does not cover tax claims. It merely establishes statutes of limitations for claims of the Government based on contracts or quasi-contracts or torts. Tax claims are neither contracts nor torts.

Mr. KUCHEL. I thank the Senator.

Mr. ERVIN. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1328), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to establish statutes of limitations which will apply to contract and tort actions brought by the United States.

STATEMENT

A similar Senate bill, S. 3142, was introduced by Senator SAM J. ERVIN, Jr.

In its favorable report on the bill, the Committee on the Judiciary of the House of Representatives said:

"The bill, H.R. 13652, is one of three bills introduced in accordance with the recommendations of an executive communication from the Department of Justice. These bills, H.R. 13650, H.R. 13651, and H.R. 13652, have the common purpose of improving existing procedures for the disposition of monetary claims by and against the Government. These subjects now comprise the bulk of civil litigation of the Government. The three bills just mentioned, along with H.R. 14182, providing for payment of costs by the United States when judgment is entered against it, are intended to improve claims procedures and to provide a more balanced and fair treatment of litigants in civil actions involving the Government. The committee has considered these bills as a group. Their enactment will reduce unnecessary litigation and court congestion, speed up meritorious settlements and cut down on unproductive paperwork. At the same time, the private litigants can be assured of a more fair and balanced treatment when dealing with the Government.

"The bill H.R. 13652 was the subject of a hearing on April 6, 1966. At that hearing it was noted that the Government litigation covered by the bill arises out of activity which is very similar to commercial activity. Many of the contract and tort claims asserted by the Government are almost indistinguishable from claims made by private individuals against the Government. Therefore it is only right that the law should provide a period of time within which the Government must bring suit on claims just as it now does as to claims of private individuals. The committee agrees that the equality of treatment in this regard provided by this bill is required by modern standards of fairness and equity.

"Statutes of limitation have the salutary effect of requiring litigants to institute suits within a reasonable time of the incident or situation upon which the action is based. In this way the issues presented at the trial can be decided at a time when the necessary witnesses, documents, and other evidence are still available. At the same time, the witnesses are better able to testify concerning the facts involved for their memories have not been dimmed by the passage of time. The committee feels that the prompt resolution of the matters covered by the bill is necessary to an orderly and fair administration of justice. Stale claims can neither be effectively presented or adjudicated in a manner which is fair to the parties involved. Even if the passage of time does not prejudice the effective presentation of a claim, the mere preservation of records on the assumption that they will be required to substantiate a possible claim or an existing claim increases the cost of keeping records. As time passes the collection problems invariably increase. The Government has difficulty in even finding the individuals against whom it may have a claim for they may have died or simply disappeared. These problems have been brought to the attention of the committee previously in connection with other legislation. This bill provides the means to resolve these difficulties.

"CONTRACT ACTIONS—6 YEARS

"Subsection (a) of new section 2415 added by the bill provides for a 6-year limitation which would apply to all Government actions based on contracts whether expressed or implied in law or in fact. This provision would extend to obligations which are based on quasi-contracts. In all such contract matters, the action would be barred unless it were brought by the Government within 6 years after the right of action accrues, or within 1 year after a final decision in a required administrative proceeding, whichever is later. This last provision, which has the effect of tolling the running of the statute of limitations during mandatory administrative proceedings, is necessary because of the great number and variety of such proceedings made possible by current statutes. An administrative proceeding ordinarily consumes a considerable period of time and, as has been noted, the bill would permit the Government a year after the final administrative decision in which to present its case for judicial determination. An example of such an administrative proceeding are those which involve appeals under the 'disputes' clause of Government contracts.

"In a proviso to subsection (a), there is a provision that later partial payment or written acknowledgment of a debt will start the 6-year period running all over again. This provision embodies a familiar principle of law which is embodied in the law of many States. The obligation of a debt will continue where a debtor has acknowledged the debt and indicated his willingness to discharge the obligation.

"TORT ACTIONS—3 YEARS

"Subsection (b) of section 2415 provides that tort actions, that is, actions based on damage or injury from a wrongful or negligent act, must be brought by the United States within 3 years after the right of action first accrues. This 3-year statute applies to all Government tort actions except those that are expressly referred to in this subsection and are governed by a 6-year statute. These specific actions are those which are of a type which might not be immediately brought to the attention of the Government or would only be uncovered after some investigation. Included in this category of actions are those based upon a trespass on lands of the United States, including trusts or restricted Indian lands, and also actions to recover damages resulting from fire to such lands. Similarly, actions to recover for diversion of money paid under a grant program and actions for conversion of property of the United States are subject to a 6-year limitation.

"EXCEPTION AS TO GOVERNMENT ACTIONS AS TO TITLE TO REAL AND PERSONAL PROPERTY

"Subsection (c) makes it clear that no one can acquire title to Government property by adverse possession or other means. This is done by providing that there is no time limit within which the Government must bring actions to establish title to or right of possession of real or personal property of the United States. In other words, there is no statute of limitations applying to Government actions of this type.

"RECOVERY OF ERRONEOUS PAYMENTS

"Subsection (d) provides a 6-year statute of limitations for Government actions to recover money erroneously paid to civilian employees or members of the uniformed services of the United States. While payments of this type might be described as analogous to payments incident to a contract, it was felt that this type of overpayment of compensation should be the subject of a separate provision in the bill. Overpayments of this type usually occur in the process of auditing agency account books. The problems posed by this type of Government claim have been the subject of discussion by this committee on a number of occasions in connection with other legislation. The provisions of this subsection, when joined with the provisions of H.R. 13651 providing for a compromise of Government claims, for the first time provide for an equitable and realistic solution which is in the interest of both the Government and the individual concerned. In connection with the legislation before the committee in the 88th Congress, the Comptroller General expressed the opinion that a 6-year statute of limitations applicable to such collections would be in the interest of the Government. In a report to the committee dated May 3, 1961, the Comptroller General stated that the audit experience of the General Accounting Office supported this conclusion. In this connection he stated:

" 'Viewed in the light of our audit experience and the periods fixed in connection with the records disposal programs of the various departments and agencies, and in line with the periods fixed in the present limiting provisions applicable in the case of suits in the Court of Claims (28 U.S.C. 2501), forged or altered checks (31 U.S.C. 129), and dual compensation (31 U.S.C. 237a), a period of 6 years would appear sufficient to adequately safeguard the Government's interest.'

"The testimony presented in support of this bill at the hearing on April 6, 1966, further supports this conclusion. Whatever the nature or basis of the claim, it seems reasonable to give the Government the 6-year time period for discovering and acting upon these claims.

"RECOMMENCEMENT OF ACTIONS PREVIOUSLY DISMISSED WITHOUT PREJUDICE

"Subsection (e) of section 2415 provides for the situation where an action has been dismissed without prejudice by providing that the Government may recommence the action within 1 year regardless of whether the action would then be barred by this section. As was noted in the analysis of sections, the defendant in such a recommenced action is similarly not barred from interposing any claim which would not have been barred in the original action. The committee observes that this is in line with the underlying purpose of the bill of extending fair treatment to private litigants while providing adequate protection for the interests of the Government. In this connection, the Government is given a reasonable period for the recommencement of an action which it had originally brought in a timely manner and, at the same time, the opposing party is permitted to assert any claim which he might have interposed in the original action. This latter provision insures that the private party will not be placed in a disadvantageous position because the option is given the Government to recommence an action which had previously been dismissed without prejudice.

"OFFSETS AND COUNTERCLAIMS

"Subsection (f) of section 2415 contains carefully drafted provisions permitting the Government to assert its claims by way of offset or counterclaim in actions brought against the United States. Where the United States finds itself involved in litigation, it very often is to the interest of the Government to assert claims by way of counterclaim and the provisions of this subsection represent a very practical implementation and classification of the Government's rights in this regard. It is expressly provided that the limitations provided in the section will not prevent the assertion of a claim by the United States against the opposing party in such an action, or a coparty, or a third party when the claim of the United States arises out of the transaction or occurrence that is the subject matter of the opposing party's claim. This merely gives the Government the right to a full hearing of all aspects of the case arising out of the same transaction or occurrence. When the claim of the United States does not arise out of the transaction or occurrence that is the subject of the opposing party's claim and is time barred, it may only be asserted by the United States to the degree that it offsets the other claim and cannot exceed the amount of the opposing party's recovery.

"The testimony at the hearing on the bill noted the fact that this bill does not affect the authority of each agency to offset on its own books and without resort to court any claim it may have against a person to whom it is about to make a payment based on the same or an unrelated transaction. There is a 10-year statute of limitations which applies to claims against the United States filed with the General Accounting Office. This provision is found in title 31 of the United States Code, sections 71a and 237. This bill therefore does not affect that agency's authority to offset a claim presented within that time period any debt which the same claimant owes to the United States.

"TAX ACTIONS

"In subsection (h) of the new section, it is expressly provided that nothing in the act is to apply to actions brought under the Internal Revenue Code or incidental to the collection of taxes imposed by the United States.

"DATE OF ACCRUAL

"Any right of action subject to the provisions of the section which accrued prior to the date of enactment is by subsection (g) of the section deemed to have accrued on the date of enactment of the bill into law.

"EXCLUSIONS

"Section 2415 establishes statutes of limitation for the general causes of action referred to in that section. Section 2416 added to title 28 by the bill specifies important exclusions of time which will not be applied in computing the limitations period established in section 2415. The provisions of this section provide exclusions which are also generally found in law governing state statutes of limitation. Paragraph (a) excludes the periods when the defendant or the res is outside the United States, its territories and possessions, the District of Columbia, or the Commonwealth of Puerto Rico.

"Paragraph (b) excludes the time during which the defendant is exempt from legal process because of infancy, mental incompetence, diplomatic immunity, or for any other reason.

"Paragraph (c) of section 2416 excludes the time when the facts material to the right of action are not known and reasonably could not be known by an official of the United States charged with responsibility to act in the circumstances. This provision is required because of the difficulties of Government operations due to the size and complexity of the Government. It is not intended that the application of this exclusion will require the knowledge at the highest level of the Government. Responsibility in such matters may extend down into lower managerial levels within an agency. As a general proposition, the responsible official would be the official who is also responsible for the activity out of which the action arose. Such an official is the one likely to know whether the material fact does involve the possibility of a cause of action which may be asserted against the Government. The committee understands that the principal application of this exclusion will probably be in connection with fraud situations. An example would be where the affirmative act of a wrongdoer has served to conceal the fraudulent act. This type of exclusion is to be found in the law of many States in both fraud and tort limitations. The material facts that are not known must go to the very essence of the right of action.

"Paragraph (d) excludes the period during which the United States is in a state of war declared pursuant to article I, section 8, of the Constitution of the United States. In other words, a state of war declared by Congress under the Constitution.

"GENERAL DISCUSSION

"As has been stated this committee has determined that this bill fills a clearly defined need which exists in the law today. In the report filed in behalf of the General Accounting Office on this bill, the Comptroller General stated that as a matter of fairness, persons dealing with the Government should have some protection against an action by the Government when the act occurred many years previously. The emphasis on fairness referred to by the Comptroller General and by the Department of Justice in recommending the legislation is a very important consideration and the principal basis for the bill. The limitation periods fixed in the bill are similar to those fixed by Federal and State law for the same types of actions. While State laws, of course, show a variety of periods, it is possible to generalize and state that many jurisdictions provide a 6-year statute of limitation as to contract action and the limitations for tort proceedings in most cases are from 2 to 3 years. It is readily apparent that the provisions of this bill were drafted in recognition of these facts. This committee further notes that it is significant that the statute of limitations applicable to actions in the Court of Claims is 6 years and similarly the period for barring civic actions against the United States governed by section 2401(a) of title 28 of the United States Code is also fixed at 6 years. The committee is further advised that in a recent report the Government Operations Committee noted the need for the statute of limitations as is provided in this bill. In House Report 1344 of the 89th Congress, on page 16 that committee noted that there was a need for legislation providing for a statute of limitations which would apply to suits by the Government arising out of contracts, and further observed that the objective of that legislation would be to provide a fair procedure which would have the effect of ending the possibility of contracts litigation after a fixed period.

"The bill in referring to actions by the 'United States or an officer or agency thereof' obviously includes the definition of 'agency' as defined and used within title 28. As used in that title, agency includes 'any departments, independent establishment, commission, administration, authority, board, or bureau of the United States, or any corporation in which the United States has a proprietary interest unless the contract shows that such term was intended to be used in a more limited sense' (28 U.S.C. 451). Therefore, the term applies to Federal corporations and the limitations provided by this bill would be exclusive as to the contract and tort actions covered by the bill. It is also clear that the enactment of this bill will not subject an agency of the United States, including a corporation to any State statute of limitations.

"The committee points out that the bill does not affect existing statutes of limitations. For example, section 235 of title 31, United States Code, concerns false claims against the Government and provides that actions on such matters must be brought within 6 years. Suits for the enforcement of civil fines, and penalty of forfeiture must be brought within 5 years (28 U.S.C. 2462); 12 United States Code, section 1703(b) provides a 2-year period applicable to suits by the Federal Housing Authority for the recovery of an overpayment on a guarantee of a home improvement loan. There are other such statutes in the law at the present time. Not all of them are consistent with the limitations proposed in this bill. In view of the specialized nature of the other provisions, the committee has concluded that they would be better dealt with at a subsequent time on an individual basis, if in fact any change would appear to be desirable.

"Suits for injunction and other extraordinary relief are not covered by this bill nor by any existing statute. The testimony presented at the hearing on the bill emphasized that a statute of limitations is inconsistent with injunctive relief where prompt action may be essential to accomplish the purpose of the injunction. An injunction is sought when prompt action is essential to prevent irreparable harm, or is required to forestall a significant change in position. The Government must decide to seek an injunction at once or not at all. It also must be recognized that the Government brings the injunction in order to protect and defend Government activities and programs. It simply is not sensible to diminish the power of the Government to utilize an injunction to accomplish these ends.

"CONCLUSION ,

"In recommending this legislation, the committee feels that it will provide a greater fairness as regards private individuals who deal with the Government while adequately providing for the interests of the Government. The Government will be barred from asserting old and stale claims in the courts and the necessity for the early assertion of claims will require increased efficiency in Government claims proceedings. The committee recommends that the bill, with the corrective amendments, be considered favorably.

"ANALYSIS OF THE BILL

"The bill would amend title 28 of the United States Code by adding two new sections to chapter 161 of that title, a chapter which contains the general provisions applying to the United States as a party in litigation.

"Section 2415 defines the time limitations for the United States to bring actions in the U.S. courts.

"Subsection (a) provides that every civil action brought for money damages by the United States founded upon an express or implied contract will be barred unless the complaint is filed within 6 years after the right of action accrues or within 1 year after a final decision in administrative proceedings applicable to the case or required by contract or law. The subsection contains a proviso which states that a partial payment or written acknowledgement of the debt after the running of the statute will cause the right of action to be deemed to accrue again at the time of each payment or acknowledgment.

"Subsection (b) provides that every action for money damages brought by the United States founded upon a tort shall be barred unless the complaint is filed within 3 years after the right of action first accrues. A proviso to this subsection makes an exception as to specified types of actions and provides that as to those actions, the statute of limitations will be 6 years. These are actions where the Government is entitled to have a longer period of time to determine whether the Government has been damaged and whether it has the right to bring suit. They include actions resulting from a trespass on lands of the United States, including trust or restricted Indian lands; actions to recover damages resulting from fire to such lands; actions to recover for diversion of money paid under a grant program; and actions for conversion of property of the United States.

"Subsection (c) expressly provides that nothing in the new section shall be construed to limit the time in which the Government may bring an action to establish the title to, or right of possession of, real or personal property.

"Subsection (d) provides a 6-year limitation for actions by the Government to recover money erroneously paid to or on behalf of any civilian employee of any agency of the United States or to a member or dependent of a member of the uniformed services of the United States incident to that individual's employment or services. As is the case in subsection (a), a partial payment or written acknowledgement of the debt will have the effect of causing the right of action to accrue again at the time of each payment or acknowledgement.

"Subsection (e) concerns the situation in which a timely action is brought by the United States and is thereafter dismissed without prejudice. In that case, the action may be recommenced within 1 year after such a dismissal regardless of whether the action would otherwise then be barred by this section. When an action is recommenced in this manner, the defendant is likewise not barred from interposing any claim which would not have been barred in the original action.

"Subsection (f) provides that the provisions of section 2415 do not prevent the assertion of any claim of the United States against an opposing party, coparty, or third party, arising out of the transaction or occurrence which is the subject matter of the opposing party's claim embodied in an action against the United States. A claim of the United States that does not arise out of the transaction or occurrence that is the subject matter of the opposing party's claim may if time barred be asserted only by way of offset and may be allowed in an amount not to exceed the amount of the opposing party's recovery.

"Subsection (g) provides that any right of action subject to the provisions of section 2415 which accrues prior to the date of enactment of the bill shall, for the purposes of the section, be deemed to have accrued on the date of the bill's enactment into law.

"Subsection (h) provides that nothing in this act applies to actions brought under the Internal Revenue Code or incident to the collection of taxes imposed by the United States.

"Section 2416

"Section 2416 provides for specified exclusions in the computation of limitation periods fixed by section 2415. The time that the defendant or the res is outside the United States, its territories and possessions, the District of Columbia, or the Commonwealth of Puerto Rico is excluded. Similarly, the time that a defendant is exempt from legal process because of infancy, mental incompetency, diplomatic immunity, or any other reason is also excluded. When the facts material to the Government's right of action are not known and reasonably could not be known by an official of the United States charged with responsibility to act in the circumstances, the statute will not run. There shall be excluded from the limitation period established in section 2415 all periods during which the United States is in a state of war declared pursuant to article I, section 8, of the Constitution of the United States.

"Section 2 of the bill makes the necessary amendment to the table of sections at the head of chapter 161 of title 28, so as to include reference to the two new sections."

The bill as transmitted to the Congress by the Department of Justice was amended in several respects by the Committee on the Judiciary of the House of Representatives. The committee discussed the purpose of the amendments as follows:

"The committee amendment to subsection (d) of section 2415 adds the same proviso as is found in subsection (a) of the section. This language provides that a partial payment or a written acknowledgment of the debt will have the effect of causing the right of action to accrue again at the time of each payment or acknowledgment.

"Subsection (e) is amended in three instances to make corrections in language. The word 'recommended' was used in two instances where the word should have been 'recommenced'. In line 12 of page 3, the words 'this action' should have read 'this section'. The committee amendments make the necessary corrections."

The Department of Justice has advised the committee that it has no objection to the amendments made by the House of Representatives.

The committee believes that the bill is meritorious and recommends it favorably.

The **ACTING PRESIDENT** pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

COLLECTION OF CLAIMS OF THE UNITED STATES

The Senate proceeded to consider the bill (H.R. 13651) to avoid unnecessary litigation by providing for the collection of claims of the United States, and for other purposes which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 15, after the word "that", to strike out "the compromise of which does not exceed $5,000," and insert "do not exceed $20,000,".

Mr. ERVIN. Mr. President, H.R. 13651 seeks to ease court congestion and improve and accelerate the disposition of Government claims.

Each year, tens of thousands of Government claims arise out of the great variety of Government activities. Many of the agencies in which these claims arise have limited authority to take effective collection action with respect to such claims. With few exceptions, the agencies have no authority to negotiate a compromise when the amount of the indebtedness, or even the fact of the indebtedness, is in dispute or where there is a question as to the debtor's financial capacity to pay.

Because of this lack of agency authority, many claims are referred routinely to the General Accounting Office and the Department of Justice for collection when they could be disposed of more satisfactorily at the agency level. The proposed legislation should permit more effective collection efforts by the agencies.

It also should reduce the volume of private relief legislation before Congress each year. A substantial number of these bills involve relieving Government personnel, especially servicemen, from liability to refund erroneous payments they had received. In most cases these errors were entirely the fault of the Government, and the individual is left with no remedy except such legislation. During the first session of this Congress, for instance, 16 percent of all private bills were for this purpose.

This bill would impose upon Government agencies the obligation to seek to collect debts due the United States as a result of their activities, and would afford them the flexibility to compromise claims when compromise is warranted or to suspend collection action on claims when they are found to be uncollectible or inequitable. Agencies would not, however, be authorized to compromise or terminate a collection activity on a claim which exceeds a principal amount of $20,000. Neither could they act upon claims as to which there are indications of fraud or misrepresentation, or which arise out of antitrust violations.

Efforts at collection and compromise would be considered by the agency under regulations prescribed by the agency head and in conformity with such standards as may be promulgated jointly by the Attorney General and the Comptroller General.

It is clear that the legislation will not increase or diminish the existing authority of the head of any agency to litigate claims, nor will it diminish existing authority to settle, compromise, or close claims, nor will it affect the authority of Congress to consider private claim bills.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1331), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation, as amended, is to authorize heads of agencies or their designees to compromise claims that do not exceed $20,000, and are claims for money or property arising out of activities of the agency or are referred to it. Collection action may be terminated or suspended where the individual has no present or prospective financial ability to pay any significant amount or where the cost of collection is likely to exceed the amount of recovery.

STATEMENT

A companion Senate bill, S. 3143, has been introduced by Senator SAM J. ERVIN, JR.

In its favorable report on the bill the Committee on the Judiciary of the House of Representatives said:

"The bill, H.R. 13651, is one of a group of three bills introduced in accordance with the recommendations of an executive communication transmitted to the Congress by the Department of Justice. The committee has considered these bills along with the bill H.R. 14182, providing for the award of costs in litigation involving the Government. These four bills—H.R. 13650, H.R. 13651, H.R. 13652, and H.R. 14182—have the common purpose of providing for a more fair and equitable treatment of private individuals and claimants when they deal with the Government or are involved in litigation with their Government.

"The committee is familiar with many of the problems which prompted the Department of Justice to recommend the legislation, and the committee feels that this bill embodies a practical and well drafted means to deal with those problems. Much of the difficulty derives from the fact that existing law, with a few exceptions, restricts the authority of the agencies to deal adequately and realistically with claims of the United States arising out of their respective activities. If the agency cannot collect the amount it believes due the Government, it can do little more than refer it to the General Accounting Office which in turn must attempt collection on the same basis. Very few of the agencies can compromise such claims; that is, accept a lesser amount in full settlement even if such a settlement would be in the interest of the Government and justified by normal practice in business in the light of the debtor's ability to pay and the risks and costs inherent in litigation. Similarly the agencies cannot terminate or suspend efforts to collect a claim even when the very futility of these efforts serves to add to the cost of government and therefore compound the loss to the United States. It is not until the matter is finally referred to the Department of Justice that it is possible to make a compromise settlement. The committee notes that it is the present inflexibility in the law which has resulted in recurrent appeals to the Congress for relief. Many of the cases which ultimately became the subjects of private relief bills could have been resolved promptly and equitably on the agency level if the provisions of this bill were a part of the law.

"As has been noted, present law does in some instances permit compromise of claims on the agency level. However, those agencies which do have some compromise authority usually have it only with respect to limited types of claims or in a rather small amount. The Administrator of Veterans' Affairs can compromise only claims arising under the Veterans' Administration's loan guarantee program (38 U.S.C. 1820(a)(4)). Only a few agencies like the Small Business Administration have unrestricted prelitigation collection and compromise authority (15 U.S.C. 634 (b)(2)).

"As stated above, where the agency's compromise authority is inadequate or its collection efforts prove fruitless, the agency refers the claim for collection to either the General Accounting Office or the Department of Justice. Yet the Comptroller General has only limited authority to compromise. The general authority given to GAO to settle and adjust all claims by or against the United States (31 U.S.C. 71) was long ago construed by that Office to give it no authority to compromise claims. The committee feels this restriction limits the effectiveness of the GAO in its collection activities. It is doing well with the powers it does have. This bill will give it the legal authority to deal realistically with the problems of collection.

"Still the present limitations of authority have the inevitable effect of forcing the referral to the Justice Department for collection of thousands of claims that could, with a little flexibility in authority, have been compromised by the agency while the claim was fresh, before substantial interest began to accumulate, and at a time when the debtor could pay. In many cases, agency collection efforts before referral will reveal that in numerous cases the debtor, at no time, could have paid the debt. It simply is not good business to send a worthless debt through this collection process and into court simply because no agency has the statutory authority to withhold it from this process. In the consideration of this group of bills, the committee has noted that in Government litigation and claims procedures there are many parallels to private commercial and business practice and procedures. Here it should be observed that it is contrary to normal procedures in private business to refer a debt to a lawyer for court action except as a last resort. This step is normally taken only when a solvent debtor is recalcitrant. This practical consideration also involves another benefit to the Government and particularly the courts for this proposal confers authority upon the agencies which, if properly applied, can be expected to reduce the flow of claims of the Government into the courts.

"The committee has given careful consideration to the provisions of section 3(b) which provide that the procedures under which each agency will carry out its collection responsibilities and its authority to compromise and to terminate or suspend collection efforts are to be stated in regulations issued by the agency head in conformity with such standards as may be promulgated jointly by the Comptroller General and the Attorney General. The Comptroller General's experience in collections and that of the Attorney General in both collections and compromises make the joint efforts of these officials appropriate for the setting of these standards. The 6 months' delay in effectiveness provided by section 5 is intended to permit the development of these standards and regulations prior to the time the provisions of the bill go into effect.

"While section 4 of the bill makes it clear that this new authority will not increase or diminish any existing authority of any agency head to litigate claims nor diminish or affect any existing authority to settle, compromise, or write off claims, nor will it change the statutory basis of such existing authority. The bill of course will have the effect of providing all agencies with authority to compromise claims up to $20,000. Despite this compromise authority the bill will in no way condition or limit the power of an agency to refer a claim to the Department of Justice or of that Department to litigate the claim.

"The committee notes that while an agency head may terminate or suspend collection efforts if (1) no person liable has or is likely to have funds sufficient to make any substantial payment or (2) the cost of collection action is likely to exceed any recovery, if the debt cannot be collected by agency action for other reasons, the agency would still refer the debt, as it does today, to either the GAO or the Department of Justice.

"As is the case under current practice, an agency head will not exercise the authority with respect to any claim in which there is an indication of fraud or the presentation of a false claim. At the subcommittee hearing on this bill on April 6, 1966, the testimony presented in behalf of the Department of Justice established that if an agency head has a claim that he would presently refer to the Justice Department because it is tainted with fraud, under this bill he would continue to do so; he could not exercise his new authority to settle or compromise such a claim.

"As has been noted at the outset in the discussion of the bill's provisions, the authority to compromise does not extend to any claim based in whole or in part on conduct in violation of the antitrust laws. Where the GAO has made an exception in the account of an accountable officer, only the Comptroller General may act upon the claim. This limitation is reasonable because such accounts have usually been referred to that agency for auditing; it seems appropriate that that Office alone should have the authority to settle such debts as it may note in the course of such auditing.

"First, the agencies are already familiar with the types of claims with which this bill is concerned. Under existing practice, preliminary factual and legal research on these claims is often performed by the staffs of these agencies.

"Second, in those limited situations where compromise authority already has been granted by Congress—in some instances for very large amounts, as in 10 U.S.C. 7623, authorizing the Secretary of the Navy to settle or compromise certain types of claims up to $1 million—there has been no indication that the authority has ever been abused.

"The committee feels that it is relevant to note that, in contrast to the relatively limited authority provided in this bill to compromise claims, contracting officers in these same agencies have authority to commit the Government to spend very large sums of money.

"The bill recommended by the Department of Justice was drafted with the agreement of the General Accounting Office. Under the bill the Comptroller General jointly with the Attorney General would be authorized to set the overall standards for agency collection efforts and for compromise and termination or suspension of collection efforts. The committee is satisfied that these safeguards will govern the exercise of compromise authority and assure its proper application.

"The $20,000 figure—the maximum figure for the exercise of the proposed authority—is a reasonable limitation for this new program. Within this figure would be included the great bulk of those claims which ought to be disposed of without court action. The committee feels that claims of the Government over that amount should be dealt with under existing laws and procedures until experience demonstrates a need for amendment.

"This committee feels that the agencies are well equipped and fully capable of exercising the authority provided by the bill. The agencies are familiar with the claims with which this bill is concerned. This is obvious from the description in the bill itself of the claims covered—those for money or property arising out of activities of the agency. It is a most practical conclusion that they should be given the legal authority to deal adequately with those claims. At the hearing on the bill, the Justice Department witness advised the committee that much of the time it is the staffs of those agencies who do the preliminary factual and legal research on the claims.

"The considerations outlined in this report and referred to in the executive communication demonstrate the need for this bill. Clearly the authority set forth in its provisions constitutes a realistic and practical improvement in the law. It is recommended that the bill be considered favorably."

The **ACTING PRESIDENT** pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

LETTER FROM PRESIDENT JOHNSON REGARDING NONPROLIFERATION OF NUCLEAR WEAPONS

Mr. PASTORE. Mr. President, I am very happy to announce to the Senate that under date of June 13, 1966, I have a "Dear John" letter from the President of the United States. I should like to read it into the Record for the reason that there has been some curiosity expressed as to what the official position of the President was with reference to the nonproliferation resolution, so-called, that was adopted by the Senate not too long ago. This was Senate Resolution 179 urging the nonproliferation of nuclear weapons. It was adopted by the Senate by a vote of 80 to 0 on May 17. The letter reads as follows:

> Dear John: During the course of the hearings you conducted before the Joint Committee on Atomic Energy on S. Res. 179, Secretaries Rusk and McNamara, Mr. Foster and Dr. Seaborg all expressed the support of this Administration for what has become known as the "Pastore Nonproliferation Resolution." Although they spoke for me, I would now like to give you my own personal expression of agreement and gratitude.
>
> In my message to the Eighteen-Nation Disarmament Committee at Geneva last January, I noted that your resolution and similar resolutions in the House supporting measures to prevent the spread of nuclear weapons "are an indication of the importance that the people of the United States attribute to such measures."
>
> Now your resolution has been approved by the Senate without one dissenting vote. This overwhelming expression of sentiment is more than an indication of the support of the American people for our unremitting efforts to stop further proliferation of nuclear weapons. It is clear and unequivocal evidence of the depth of our commitment. As such, it is there for the whole world to see. I know it will reinforce Mr. Foster's position at Geneva, where on my instructions he will shortly renew our urgent pursuit of

a treaty to prevent the spread of nuclear weapons.

It is a source of great strength to me to know that, in dealing with this vitally urgent problem, I have the support of the United States Senate.

Sincerely,

LYNDON B. JOHNSON.

Mr. President, I have permission to release this letter, and I believe the release serves a useful purpose. I think the Senate should know, and the American people should know—indeed, the entire world should know—that this administration is committed unequivocally to a nonproliferation policy. I am very happy to confirm that commitment, and I am sure the Senate and the people of the world are happy to have this official assurance.

THE TYONEK STORY

Mr. GRUENING. Mr. President, an excellent summary of the good fortune that has befallen an Indian village in Alaska, and the intelligent way in which its people have utilized it, is found in the current July 1, issue of Time magazine.

The second half of this premise—namely, the wise use of the financial windfall that has come to the people of Tyonek—is due in very large part to one non-Indian individual. He is Stanley J. McCutcheon, Anchorage attorney, former territorial legislator, and speaker of the house of representatives in prestatehood days. As a boy, he played with Tyonek youngsters, had developed a keen affection for these long-disadvantaged aboriginal inhabitants, and later, as an attorney, had given them legal and other advice, free of charge.

When the prospects of oil deposits appeared, McCutcheon moved swiftly to foreclose the inevitable efforts of the Bureau of Indian Affairs to take charge and run the village's affairs which would have spelled the imposition of a wardship that he—and the villagers—considered undesirable and needless restriction on their freedom. It was his legal knowhow that secured for the villagers the best possible terms for their oil potential. His efforts have been ably seconded by village chief Albert Kaloa. The gratifying results of self-rule under the enlightened guidance of a dedicated and competent adviser are visible in the fine new homes, the school and other projects for self-help and community improvement and in the evident hope and happiness in the Tyonek villagers' hearts and minds.

I ask unanimous consent that the article entitled: "Alaska: The Tycoons of Tyonek," be printed at this point in my remarks:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALASKA: THE TYCOONS OF TYONEK

Perched on the rugged shore of Cook Inlet, the remote Alaskan community of Tyonek might well pass for an upper-middle-class Midwestern suburb. Its 60 houses (average price: $25,000), all equipped with modern appliances and television, stand along winding, tree-lined streets. It has a glistening community hall, its own airstrip and guesthouse. Construction is under way on a modern $737,000 schoolhouse; in the works are a power plant, fire station and store. Yet Tyonek's conspicuous prosperity is a remarkable recent phenomenon: until the last year or so, the Athabasca Indians who largely make up the village's population of 270 lived in dismal shacks, barely subsisting by trapping and fishing. Just a decade ago, residents recall vividly, donated food had to be airlifted from Anchorage to save them from starvation.

The sudden transformation was wrought by the prospect of petroleum deposits on the Tyonek Indians' 27,000-acre Moquawkie reservation. Even so, the ill-clothed, disease-ridden villagers needed pluck as well as luck to reap the benefits. They also needed the dedicated help of Attorney Stanley McCutcheon, 48, onetime speaker of Alaska's territorial legislature, who, as a young man, had befriended the Indians on business trips to Tyonek, and was determined to keep them from being exploited.

DOWN FROM KILIMANJARO

The villagers' first intimation of possible underground riches came in the late 1950s; in 1962, oil companies moved onto the Indians' ancestral hunting grounds with rigs and drilling permits from the U.S. Interior Department. The Indians, who had not been consulted, countered by winning a court injunction and $15,000 in fees for the right to drill. But the funds were under the control of the Bureau of Indian Affairs, and when the Tyonek village council tried to tap the account for needed improvements, the bureau was slow to respond. The Tyoneks were even more unhappy when the Interior Department in 1963 began soliciting bids for the long-range leasing of exploration rights on the reservation. Though the proceeds were to be held in escrow pending a decision as to whether the Indians legally owned the rights, Tyonek's elders went to court once again and succeeded in stopping the bids.

At one point in the dispute, Village Chief Albert S. Kaloa dispatched a telegram informing Interior Secretary Stewart Udall: "We are not savages but civilized human beings in need. If we were savages, we would have your bloody scalp in the potlatch immediately." Added Kaloa: "We suggest you come down off Kilimanjaro and attend to the needs of the people of Alaska as we pay you to do." Such badgering had its effect: declaring in 1964 that the Indians were the rightful owners of any mineral deposits, the Interior Department provided federal help in working out an economic-development program for the suddenly wealthy village. The windfall: $11.2 million in exploration rights, plus royalties that could amount to $50 million a year in case of a big strike.

What followed was a spending spree—but one plotted with care. Tyonek Business Manager Seraphim Stephan Sr. took a course in tribal-business administration in New Mexico. An outside accounting firm was hired. Carefully investing their fortune, the Indians bought into the Anchorage construction firm that built their new homes, are acquiring an interest in an air-taxi service whose owner flew countless mercy missions for them before prosperity struck.

TAKING THE HINT

Having won their struggle with the Federal Government with such heady results, the new-found tycoons of Tyonek were ready for other challenges. When their decision to construct a $1,000,000 office building in Anchorage was blocked by the city council, the Indians pointedly went to Seattle to buy $1,500,000 worth of home furnishings. Local merchants took the hint, pressured the authorities in Anchorage into issuing a permit for the building—whose first tenant will be the Bureau of Indian Affairs. Tyonek next outflanked an electrical cooperative that had been pushing for higher rates for serving the village. By a stroke of luck, gas had just been discovered, and the village decided to use it to generate its own electricity. If all goes well, the Tyonek Indians may become Alaska's biggest power producers.

Even more promising is the emphasis that Tyonek elders have put on education and jobs. The village council authorized a $5,000 grant for everybody on the tribal roll, specified that most of it had to be applied toward home construction—except when invested in schooling. Already three Tyonek Indians have enrolled to study oil-rig work in California, another has learned diesel engineering in Chicago. Moreover, every construction contract entered into by the village provides for the hiring of local residents, many of whom are thereby learning to be carpenters, plumbers and electricians.

In fact, the Tyoneks expect to fish and trap only for sport in the future. "We will always work," said Village Council Secretary Emil McCord, 33, as his two sons watched a TV Western last week in their new living room. "Of course, it won't be so hard."

EXTENDING BOMBING IS RISKY

Mr. HARTKE. Mr. President, last Wednesday Marquis Childs, the noted columnist, wrote a most discerning column under the title "Mapping the Risk of Wider Bombing." He spoke of the President's press conference and interpreted its "warning that the war may be enlarged" as meaning increased bombing around Hanoi and Haiphong.

As Mr. Childs notes, the American public has not been told the nature and extent of the risk that has been involved, a risk which has been clearly spelled out by Mr. Childs. He notes the specific geography involved, and shows how the involvement may very well increase our encounters with Chinese planes, with resultant pressure on us to strike their Chinese bases over the border.

Mr. President, I ask unanimous consent that the Childs' article from the June 22 Washington Post may appear in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MAPPING THE RISK OF WIDER BOMBING

(By Marquis Childs)

On the top secret maps in the situation room in the White House are the target areas in North Vietnam. Because the President and the President alone determines the range of the American bombers from day to day, he studies these maps with the intense concentration he brings to every decision large and small.

His press conference warning that the war may be enlarged seemed to mean just one thing: Bombing will strike the industrialized area around Hanoi, the capital, and Haiphong, the port through which military supplies continue to come. This is what the Joint Chiefs of Staff urge with a growing insistence.

But a strike against Hanoi-Haiphong will risk, as has been clearly spelled out in a half-dozen memoranda passing across the President's desk, greatly expanding the war. That risk is one reason the President and Secretary of Defense Robert S. McNamara have until now resisted the pressure of the joint chiefs.

As with so many aspects of this undeclared war, the American public has not been told the nature of that risk. It is clearly spelled out on the maps the President studies with such care. They show three air bases close to Hanoi and three around Haiphong. The largest base, in the Hanoi area, is Phuc Yen, which can handle MIG-21 supersonic aircraft. Phuc Yen is 15 miles north-northwest of Hanoi and 81 miles from the nearest point on Red China's border. That means, at supersonic speeds, that China is only minutes away.

The other two fields are Bae Mai, three miles south of Hanoi, and Gia Lam, two miles south of the capital city. Each has a potential for taking jets, according to intelligence estimates.

Two air fields for the defense of Haiphong are Kien An and Cat Bi. Potentially they can take jets, but it is doubted that either field can handle them at the present time. A third big field, Kep, is in the Hanoi-Haiphong complex, 32 miles northeast of Hanoi along a railroad line. Kep can take jets and probably the advanced MIG-21s. A half-dozen times bridges on the nearby rail line have been hit.

The important fact, however, is that up to now not one of these bases has been hit. Before the oil and other installations in and around Haiphong can be bombed—leaving out Hanoi, with the potential of large civilian casualties—the bases and the related ground-to-air missile sites must in large part be neutralized.

But what happens at the first radar warning of an impending attack on the air bases? The MIGs take off for bases already prepared just across the border in Red China a few minutes away. From there they would have virtually the same capability for attacking American bombers and fighter-bombers. At that point, beyond a doubt, the pressure from the military would be turned on to take out the Chinese bases. And from the viewpoint of military logic, trying to secure the American strike against the Hanoi-Haiphong industrial complex, this pressure would be hard to resist.

That is the warning from those who fear the risk of an enlarged Asian war. They believe that if China received a direct blow, wiping out some of its air bases, it would feel impelled to retaliate with a massive reprisal. What form the reprisal would take they do not presume to say.

The administration line is that discontent over the Vietnam War reflected in the polls comes largely from the "hawk" side, from those demanding expanded bombing on the get-it-over-with-and-get-out theory. This coincides with growing uncertainty over the power struggle inside China. The speculation out of Hong Kong and Tokyo has a familiar ring. Reports of who's up and who's down sound like the theorizing after the death of Stalin as his heirs quarreled over the successorship. Much of that speculation was egregiously wrong.

The thesis of China as a helpless giant may have a factual base. But to act on this assumption would seem to be indulging in dangerous wishful thinking. If a widespread power struggle is underway inside China, it could be resolved in favor of the hard-liners in response to an American attack on Chinese bases.

This is, of course, to say nothing about the reaction of the Soviet Union. The extent to which Soviet personnel man the air bases and the missile sites and train the Vietnamese pilots is an unknown "X," with the intelligence estimates of it a carefully guarded secret.

An end to the war by bombing has a popular appeal, as Republicans, notably Rep. GERALD FORD and Richard Nixon, are demonstrating. President Johnson, studying his maps, can feel the hot breath of the bombers—military and political—on his neck.

DOMINICAN "STITCH IN TIME"

Mr. McGEE. Mr. President, there has been a continuing expression of editorial praise for the action President Johnson took in the Dominican Republic last year.

The latest to come to my attention is in the Wyoming Eagle, which recalls that the President was criticized for sending U.S. troops to protect our citizens and frustrate a Communist takeover in Santo Domingo.

But now the Dominicans have held an orderly election and taken an important step along the road to recovery, the Cheyenne newspaper notes. And this, in the newspaper's opinion, adds up to a major victory for the United States and for the Johnson administration.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Cheyene (Wyo.) Eagle,
June 11, 1966]

STITCH IN TIME

There was a very important election the other day—in the Dominican Republic.

Joaquin Balaguer, a conservative, was elected president of that strife-torn Caribbean island in an election that was described as unusually orderly for Latin America.

His election was seen as an overwhelming rejection of the Communists who have been stirring up trouble in the Dominican Republic for more than a year.

The election was a big step in the direction of political stability.

And it could point toward economic recovery.

Balaguer said his government would concentrate on economic reconstruction to get the nation back to solvency.

Meanwhile, it was announced in the wake of the election that, if all goes well, the 5,700 American peacekeeping troops still serving in the Dominican Republic may be withdrawn by July 1.

The orderly election and the sound rejection of the Communists added up to a major victory for the United States—and for President Johnson's administration.

It will be recalled that President Johnson sent American troops into the Dominican Republic in late April and early May, 1965, to protect U.S. citizens and to prevent the establishment of another Communist regime in the Western Hemisphere.

He declared that what had begun as a "popular democratic revolution" dedicated to democracy and social justice had been taken over "by a band of Communist conspirators."

After arrival of American troops, a cease-fire and "firm truce" were established in the revolt-torn island.

A few days later in May, 1965, the Organization of American States (OAS) voted to send an inter-American peacekeeping force to police the Dominican Republic. Under the resolution, the OAS would be in complete control of the peacekeeping force.

During subsequent months, President Johnson was subjected to considerable criticism for sending American troops into the troubled island.

But his prompt and decisive action did prevent a Communist take-over—and it did point the way toward the day when the citizens of the island, through self-determination, could reestablish a firm government—a non-Communist government.

In effect, President Johnson had given new meaning and new life to the doctrine laid down by President James Monroe on Dec. 2, 1823.

Certainly, no one could say at this point that all of the problems of the Dominican Republic have been solved.

While the election was very encouraging, it by no means guarantees there will be no more turmoil. The Communists may continue to create trouble wherever they can.

And, even if political stability is achieved, there will be a tremendous job of economic reconstruction ahead.

But, as of now, the Dominican Republic is not another Cuba in the Western Hemisphere.

The newly-elected President will be inaugurated on July 1, and it may be possible for the peace-keeping forces to be withdrawn, leaving the new administration with complete sovereignty.

The Dominican Republic has taken an important step along the road to recovery.

And, although there are still the critics, it appears that President Johnson's actions more than a year ago may have been "the stitch in time".

JUDGE RUDOLPH I. MINTZ

Mr. ERVIN. Mr. President, recently one of the outstanding judges in North Carolina received an honorary doctor of laws degree from his alma mater, North Carolina State University. Judge Rudolph I. Mintz is one of the ablest legal craftsmen of the North Carolina bench and bar. He has been honored by his hometown newspaper as the subject of two articles in the Wilmington Morning Star of June 5, 1966.

Mr. President, I ask unanimous consent that these articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wilmington (N.C.) Morning Star,
June 5, 1966]

JUDGE MINTZ: A SELF-MADE MAN

(By Jerry Tillotson, staff writer)

Judge Rudolph I. Mintz, Superior Court Judge of the Fifth Judicial District, is a self-made man, but he doesn't tell you this. Yet, it won him sufficient recognition for his Alma Mater to grant him an honorary degree.

You discover it accidentally through conversation with him, with his law cohorts or by researching his professional development.

In a career that began with his job as Brunswick County register of deeds in Southport, he has built himself a position as a leading state figure in educational and legal issues.

Last week he sat in a favorite chair in the study of his home. The room was notable for its distinctive personality reflected in the pipe-rack, the book-lined walls and a crystal jar of jelly beans on the mantlepiece.

Judge Mintz is a slender man of medium height. His face is a plateau of serene lines and deltas.

He was resting up for what he terms the most difficult aspect of his work: traveling.

"There's nothing glamorous about being a judge. It's drudgery but there is some prestige, influence and professional pride that goes along with the job." The smile he flashed took the bite out of his description.

He remarks on the importance of his work that "it's a sizeable decision to determine whether a man or woman retains a child or whether both parents keep him."

When he first started out as judge his reaction toward the plaintiff would shift. He said: "I wondered why a person did what he did. I had to restrain myself from making suggestions or prompting. This mental state didn't last long."

He came from a large family in Brunswick County, the second son of Harry L. and Minta

Catherine Mintz. His career began when he entered State College in 1925 on a tuition scholarship.

He worked his way through school, holding a number of jobs which limited his time for campus activities.

Upon graduation in 1929 with a B.S. degree in civil engineering, he took a job with Bell Telephone Company of Pennsylvania until 1931.

He returned to Brunswick County to assume the duties of his deceased brother as register of deeds in Southport.

His constant association with lawyers in this job made him think of the possibility of entering law.

"It was in Southport that I got my first taste of law and I like it," the judge said.

He began to study on his own under the guidance of a practitioner and received much professional advice from other lawyers and encouragement from his parents and wife.

He married the former Mary Stuart Cranmer in 1935 and found an understanding ally when it came to talking law. Mrs. Mintz has studied law and has practiced it.

Because of his rigorous studying he successfully passed the Board of Law Examiners in 1939.

"I wouldn't advise anyone else to do it that way," he commented. "It's very, very difficult. A man interested in law today should attend a good school."

He developed his private practice at Southport from 1939 and was admitted to practice in the State Courts of North Carolina.

In 1940 he was admitted to practice in the United States District Court for the Eastern District of North Carolina.

World War II interrupted his career.

As a reserve officer he went on active duty in 1941 to 1946 from first lieutenant to lieutenant colonel. He served as commanding officer on three bases in England with the Troop Carrier Command.

He resumed practice of law in Southport in 1946 and ran unopposed for the State Senate for the Tenth Senatorial District, composed of Brunswick and Columbus counties.

In 1947 he served in the State Senate with major committee assignments being the Appropriations Committee, Public Utilities Committee, Judiciary I Committee.

He was also active in the session which established the four-year medical school and Department of Health Affairs at the University of North Carolina and the initial appropriations for the State Ports Authority, and co-author of the "Truck Act."

He practiced law in Wilmington from 1947 to 1951 with the firm of Stevens, Burgwin and Mintz. From 1951 to 1959 he was senior partner in his own firm.

Governor Luther Hodges appointed him as resident judge of the Fifth Judicial District in 1959.

In 1960 he was nominated and elected without opposition to complete the unexpired term and in 1962 he was nominated and elected for a full eight-year term.

He occasionally hears from some defendant he has sentenced. "Every now and then I receive letters from prisoners who say: 'I've learned my lesson so can you cut my time in half?'"

Whether the men go straight after release depends on the environment, Judge Mintz says. "If they were guilty of felonious assault or a crime of passion the person usually goes straight afterwards; however, the person committing a premeditated act bears close scrutiny after release."

He notices that a basic and outstanding aspect of crime in general is the widespread disrespect toward law and order across the Nation.

Judge Mintz feels that he has many things now which have completed his life's dream. He has seen his children build their own niches successfully in life.

Mary Mintz is living in France with her surgeon husband, Dr. Stephen David Bourgeois of the United States Air Force.

Jean is a head nurse on the surgical floor of the Medical College in Richmond, Va.

Rudolph Jr. is a junior in the medical school of the University of North Carolina at Chapel Hill.

The judge's philosophy has always worked for him and he uses it everyday. "I have always had the desire to work; the harder you work, the better luck you have."

[From the Wilmington (N.C.) Morning Star, June 5, 1966]

Honored by State

Judge Rudolph I. Mintz of Wilmington received an honorary degree of Doctor of Laws from North Carolina State University at Raleigh a week ago.

The Commencement program statement follows:

"Son of North Carolina and of North Carolina State University. Rudolph Ivey Mintz exemplifies those qualities of service and leadership upon which the well-being of the commonwealth depends.

"Leaving his alma mater as an engineer, he quickly turned his interest to politics and the law, in which, although without formal training, he achieved a preeminence acknowledged by his appointment to the Superior Bench.

"For many, this would have sufficed. But to these accomplishments we must add a distinguished military career, service in the General Assembly, and above all continued devotion to the sound health and development of the University.

"Now rounding out his 20th year as a Trustee, in addition to his service on the executive committee, he helped to draft the University's administrative code and participated in the selection both of the President of the University and of the Chancellor of this institution. To one so disposed, activity in alumni and civic affairs comes as a matter of course.

"A University's good name depends mainly upon the service of her alumni. For sons such as Judge Mintz we are grateful and proudly acknowledge our gratitude by conferring upon him the degree of Doctor of Laws Honoris Causa."

STRAIGHT TALK ON LATIN AMERICA

Mr. SMATHERS. Mr. President, the Washington Post editorial section today includes some very cogent commentary on our foreign-aid posture with regard to Latin America. It seems that even among the Committee on Foreign Relations there remain some old myths, as the Post editorial so accurately points out. Because I have studied our Latin American policies for some years, I believe the Washington Post editorialist has correctly separated fact from fantasy, and I commend to my colleagues the editorial which appeared today.

I ask unanimous consent that the editorial entitled "The Arms Reflex," which was published in the Washington Post of June 27, 1966, be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Arms Reflex

In slashing the authorization for arms assistance to Latin-American countries, the Senate Foreign Relations Committee seemingly has been influenced by a series of outmodel clichés about military dictatorships. For some years the United States has been furnishing some $55 million a year in grants of military hardware to Latin America. Sales, mostly light and medium arms and replacements of outmoded equipment, have run to about $25 million more. Now, under an amendment sponsored by Senator Fulbright, the $55 million would become a ceiling that would have to cover all arms sales and military technical assistance as well as grants. The result would be to cut the existing program by more than half.

It is easy to assume that this is a way to discourage military regimes. But the facts indicate otherwise. The major aims of the military assistance program have been, first, to help governments establish internal security and carry out counter-insurgency training (some of the aid for these purposes is in communications equipment); and, second, to provide civic action programs—road building, community development and the like. In some Latin-American countries the military is presently the most effective agency for these civic purposes.

Three democratic governments in Latin America—Colombia, Peru and Venezuela—are coping with active insurgent movements. Another country where a new Social Democratic President is about to be inaugurated, Guatemala, faces a similar threat. In Chile the democratic government of President Eduardo Frei is under opposition fire for failure to provide adequate internal security. Drastically reducing military assistance is hardly the way to assist such countries to maintain order and progress.

American military assistance of one kind or another goes to all the Latin countries except Haiti, although Venezuela and Mexico receive no grant aid. Few heavy arms have been supplied, and the effect of the military assistance has not been to promote an arms race. In the net the aid averages only about 4 per cent of total Latin defense budgets. Latin-American military spending is relatively low in relation to gross national product; and U.S. military aid is only 7 or 8 per cent of the total assistance from this country.

In point of fact the happily brief trend toward military dictatorship in Latin America has been significantly reversed. Haiti, which receives no aid, has the only really ferocious dictatorship, although the durable regime of General Stroessner in Paraguay has dictatorial facets. Bolivia, where a popular military junta has been in control, will have what promises to be a reasonably free election next month. In Ecuador a military junta has yielded to a de facto civilian government. Brazil will have an indirect presidential election this fall that may not be as representative as some would wish, but the worst excesses of military rule so far have been avoided. In Central America there is a heartening trend away from caudillo-type regimes.

In short, the familiar cliches about military governments scarcely pertain to reality in Latin America. There is of course a risk that military aid could be used to prop up a rotten government that deserved to be ousted. There have been instances in which military regimes have upset elected governments and become oppressors. But there also have been instances in which regimes that have come to power by military means have been more progressive and representative than the fictionally "democratic" governments they replaced. It is doubtful in most of these situations that American military aid has been a significant factor in the military overthrow of a government. But military assistance can be a significant factor in enabling elected democratic governments—which now constitute a majority—to protect their countries against external subversion and preserve the internal order that is a necessary prerequisite for public confidence and social and economic development.

A PROPOSAL TO SAVE OUR PARKS AND HISTORIC SITES

Mr. YARBOROUGH. Mr. President, an article by the distinguished architectural critic, Wolf Von Eckardt, in the Sunday, June 26, Washington Post, points out the need for a new policy in highway building which will give adequate consideration to preserving parks and historic sites:

> The highway builders won another important battle a few days ago in New Orleans with the approval of an elevated freeway—

Mr. Von Eckardt writes—

> But even so, there is cause for hope that the monstrous concrete ribbon that will recklessly slash through the city's picturesque Vieux Carre might be the last of its kind.

I hope that we may see the day when architects, city planners, and highway engineers can sit down and develop sensible proposals that will help ease our urban traffic problems without making our cities places which are fine for cars but unfit for people.

Toward that end I have introduced an amendment to the Federal Highway Act which would create a national policy that in building highways under the Federal aid highway program "maximum effort should be made to preserve Federal, State and local government parklands and historic sites and the beauty and historic value of such lands and sites." We need such a national policy now, before more irreplaceable parks have been ground to bits under the engineer's bulldozer.

Already New Orleans, San Francisco, Washington, Philadelphia, Cleveland, Boston, Baltimore, and New York have had cause to regret the loss of parks and historic sites to the onrushing freeways.

I ask unanimous consent that excerpts from Mr. Von Eckardt's article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CITYSCAPE FINDS HOPE: FREEWAYS RUN INTO A BLOCKADE

(By Wolf Von Eckardt)

The highway builders won another important battle a few days ago in New Orleans with the approval of an elevated freeway. But even so, there is cause for hope that the monstrous concrete ribbon that will recklessly slash through the city's picturesque Vieux Carre might be the last of its kind.

There is a revolt against the senseless indignity of urban freeways ruining cities and parks, and on the Federal level, at least, the highway builders are beginning to take it seriously. The revolt started in San Francisco and spread to other cities, notably Washington, New Orleans, Philadelphia, Cleveland, Boston, Baltimore and New York. But what troubles the Bureau of Public Roads is that the revolt is beginning to reach Capitol Hill—the most important place of all to a Federal agency.

Sen. JOSEPH S. CLARK (D. Pa.) told the Senate recently: "It is time that Congress took a look at the highway program because it is presently being operated by barbarians, and we ought to have some civilized understanding of just what we do to spots of historic interest and great beauty by the building of eight-lane highways through the middle of our cities."

New Orleans' Vieux Carre, or French Quarter, is, of course, just such a spot of historic beauty. For years the Louisiana State Highway Department planned an elevated expressway along the length of this charming tourist attraction, cutting it and, even more disastrously, its charming Jackson Square, from the Mississippi River.

As elsewhere, study after highway department-sponsored study "proved" the infallibility of the highway department's decision. As elsewhere, the city planners failed to do any planning and therefore could not propose any alternatives.

It was a long and bitter battle that attracted national interest because of the Vieux Carre's significance as the legacy of French culture in America.

Those concerned with our cultural heritage felt badly betrayed last winter when the Federal Highway Administrator, Rex M. Whitton, approved the destructive expressway. He had just returned from a tour through Europe where, at the invitation of a private foundation, he and other Government officials studied means of historic preservation.

The pressures won out when the New Orleans City Council voted five to two to go ahead with the freeway. No alternatives were considered; no reprieve for further study was granted.

Whitton however, has said that he is "still open to any consideration to enhance the area." Just what that means, nobody knows, but it seems to hold some faint chance that the Vieux Carre can be saved. The Louisiana highway builders have rejected the idea of tunneling the expressway as infeasible and too expensive. As presently conceived, a 20 foot high structure filled with trucks and cars will blight Jackson Square much as the Embarcadero Freeway blights downtown San Francisco or the Whitehurst Freeway blights Georgetown's waterfront. Our children will not thank us for it.

But Whitton and the Bureau of Roads seem to realize that the battle of New Orleans may be their last victory. They agree with Sen. CLARK that "we must find new and more imaginative ways to design urban highways and the necessary dollars to finance them."

A test of the Bureau's true willingness to find such ways is now imminent in Philadelphia. There, too, an elevated freeway was to cut a historic area—Society Hill and nearby Independence Hall—from the waterfront. Whitton seemed to feel that the highway builders had made all the concessions they could to beauty and sentiment when they agreed to some rerouting to save historic buildings and to depressing the freeway. The Philadelphia Planning Commission agreed.

But a committee of Philadelphia architects supported by some 80 organizations and no less than 10,000 individuals felt otherwise. The committee has drawn up a well-studied and documented plan whereby the ten-lane Delaware Expressway would be completely covered for six blocks along Society Hill. Thus city and waterfront would be united and the expressway cover would be turned into a handsome 15-acre park with room for playgrounds and other amenities.

Although he feels that urban freeways should enhance areas through which they run, Whitton is opposed to this much enhancement. He fears the expense and is worried about drivers who might feel unsafe in the tunnel and miss the view.

The committee retorts that on the basis of land acquisition cost, increased land values and tourist spending, the long-range economic advantages of the tunnel far exceed the added $25 million construction cost. As to motorists, the committee asserts that an imaginative tunnel design with improved lighting could be both safe and attractive. It points out that a view from a trench is no prettier than from a tunnel. This is an interstate and commuter freeway and not a scenic recreation facility for motorists.

The question, in short, is whether the highway builders will seriously consider and accept urban freeway design when it is offered. The American Institute of Architects is discouraged on this point. Citing the New Orleans elevated expressway as an example, AIA's president, Morris Ketchum, Jr., charged that Federal policies on the design of highways within cities are producing disastrous results.

He resigned from the National Advisory Committee on Highway Beautification because AIA could not be placed in "a position of tolerating, or even approving, policies of which it disapproves—policies which are also in direct opposition to those of President Lyndon B. Johnson."

Besides the official beautification committee, Whitton has informally asked eight leading city planners, architects and engineers to advise him on route location and urban freeway design. The group includes outstanding landscape architects Michael Rapuano, Lawrence Halprin and John O. Simonds and architect Kevin Roche, an associate of the late Eero Saarinen.

The group is now working on a sort of white paper which will set forth design standards and ideas for a new kind of limited access roads in a city.

The group may also recommend a National Design Review board to assist state highway departments with a more creative approach. This thinking coincides with that of the AIA, which may, at its forthcoming convention, urge creation of an advisory task force on urban freeways. It also coincides with recent proposals in Congress, notably those of Sen. CLARK and Sen. CLIFFORD P. CASE (R.-N.J.).

The Bureau of Roads, meanwhile, is doing some hard new thinking of its own. A part of its $20 million annual investment in highway research is devoted to urban transportation and design problems. Among the emerging new ideas is use of air rights over freeways and the phased redevelopment of entire city blocks in a combination of highway construction and urban renewal to provide housing for those who are displaced.

It is too early to tell, however, just how far and how soon more creative and constructive highway design will come about. Up to now, the state highway departments have largely ignored various missives from Washington urging them to be more responsive to their social and esthetic responsibilities and "to be more considerate of all human values."

Lately, however, the Federal highway builders have been using plainer language. Thomas G. McGarry, Whitton's special assistant, recently told a meeting of public works officials: "We can respond to our responsibilities out of our own initiative and our sincere concern for the public interest, or we can be dragged kicking and screaming to them by legislation."

SAIGON METROPOLITAN WATER PROJECT

Mr. INOUYE. Mr. President, over many months past, the deep concern which each of us shares over the course of events in Vietnam has been expressed in many different ways. While for the most part reports from that area have been anything but cheerful, from time to time a ray of sunshine does come through which is more than just an expression of hope. It is tangible evidence of the greater promise in store not only for South Vietnam, but for all southeast Asia when peace in that area can be secured with honor.

It is my pleasure to call the Senate's attention to the completion of a water treatment plant for the city of Saigon.

On June 18th last, raw water began to be pumped from the Dong Nai River through the new treatment plant which provides the city of Saigon with its first supply of pure, treated water in its history.

This event marks the culmination of many years of planning and construction effort. In 1958 our International Cooperation Agency reviewed a survey and feasibility report covering the need for improvement and expansion of the inadequate and contaminated water supply system of the metropolitan area of the city of Saigon. As a result, on November 2, 1960, the development loan fund loan agreement No. 62 was executed between the Republic of South Vietnam and our International Cooperation Administration, now a part of AID, for the Saigon metropolitan water project. The loan was for $17,500,000 to be furnished by the United States with an additional $10 million to be put up by the Government of South Vietnam.

On April 25, 1963, bids were received for the construction of the intake and treatment complex which was the initial phase of the project in the amount of $11 million, and on September 23, 1963, the contract was awarded to a joint venture known as Hawaiian Dredging-Saigon with headquarters in Honolulu, Hawaii. However, because of a crisis involving a radical change of government prevailing at that time in South Vietnam, AID approval for proceeding with the contract was withheld until late December 1964.

Hawaiian Dredging-Saigon, the joint venture contractor for the project, started work on January 9, 1964. In the intervening 30 months construction period from January 9, 1964, until its completion on June 17, 1966, the work force consisted of 25 American supervisors, 25 nonresident specialists, and 1,100 South Vietnamese workmen of various classifications.

To give you some idea as to the magnitude and significance of the project in terms of benefits to be derived by the residents of Saigon, I will briefly outline a few pertinent statistics. The treatment plant is located 10 miles outside of the city of Saigon adjacent to the main highway running between Saigon and Bien Hoa, which is on the Dong Nai River 17 miles northeast of Saigon. During the period of construction, I might add, this location was not by any means secure from possible infiltration and exposure to Vietcong attack. The intake point at which the water is drawn from the Dong Nai River is approximately 7 miles from the treatment plant, opposite Bien Hoa and adjacent to one of the most impenetrable Vietcong strongholds. The water is pumped from the intake site through a 72-inch diameter pipe to the treatment plant where it is chemically treated, settled, filtered, stored and ultimately pumped 10 miles to Saigon through a 78-inch pipeline by 5 pumps with over 6,000 combined horsepower.

The treatment plant is capable of producing 125 million gallons of pure, treated water per day meeting U.S. standards in all respects, and in an amount sufficient to supply the over 2 million inhabitants living in Metropolitan Saigon—a population equal to about one-third that of Greater Los Angeles.

The difficulties encountered by the contractor were staggering and difficult to imagine viewed from almost any point in the United States. Not only did the joint venture have to contend with long interrupted lines of supply, unskilled labor, intense heat, and monsoons, but in addition, there was political unrest, inflation, escalation of the war effort, and the ever-present threat of Vietcong attack. Notwithstanding these difficulties, the project was successfully completed on June 18, 1966, and safe drinking water is now available to the inhabitants of Saigon.

The completion of this phase of the Saigon metropolitan water project, it seems to me, stands for much more than just the completion of another facility regardless of its importance. It is more than a significant technical achievement bringing the most modern water treatment plant to the Far East. It is not just a monument to U.S. architectural design and building standards, which adds a dramatic touch to the landscape along a major South Vietnam highway. In my opinion this project stands as a symbol of hope amid chaos and an illustration of what could be provided on a far broader scale if the area could only be returned to peaceful pursuits.

It stands as a reminder of the part the United States is capable and willing to play in helping free men everywhere—not just as a part of the U.S. mutual security project. It is an eloquent example of what President Johnson has generally proposed for all southeast Asia in return for a peaceful and just settlement in the area.

I think I may be forgiven for expressing pride in this accomplishment. It is a tribute to America's generosity and constructive helpfulness to a developing new nation as well as to American construction skill and knowledge. The fact that our Government and an American contractor have combined money, men, and equipment in the face of hardship, delay, inflation, and personal danger in order to provide delivery of pure water on schedule to a people long deprived of such a facility, should not go unrecognized.

May this example of what can be done inspire us all to continue our dedicated efforts in the uplifting of mankind everywhere, and may God guide us and bless us in this endeavor.

COMMENCEMENT SPEECH AT THE COLLEGE OF WILLIAM AND MARY BY HENRY H. FOWLER, SECRETARY OF THE TREASURY

Mr. HARTKE. Mr. President, on June 12, 1966, the Honorable Henry H. Fowler, Secretary of the Treasury, addressed the graduating class of the College of William and Mary at Williamsburg, Va.

Secretary Fowler said:

It is no longer possible for any of us to follow Voltaire's advice and, fenced off from the rest of the world, to cultivate our private gardens—to engage in our private pursuits and leave public problems to those who occupy public positions. A bomb that explodes in Watts or Saigon shatters windows in Washington and Williamsburg as well.

No longer can we close ourselves up in our personal ambitions and concerns, our personal interests and endeavors, for at every step of the way we will encounter larger interests and wider concerns to challenge our conscience and to engage our efforts and our energies. In today's world, we are all—in varying degrees—public servants.

I ask unanimous consent for the insertion of Secretary Fowler's speech in the Congressional Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

REMARKS BY THE HONORABLE HENRY H. FOWLER, SECRETARY OF THE TREASURY, AT COMMENCEMENT EXERCISES, WILLIAM AND MARY COLLEGE, WILLIAMSBURG, VA., SUNDAY, JUNE 12, 1966

There are in this country few places whose roots reach farther and deeper back into this nation's beginnings, into the origins of all that as a people we are and try to be, than this city of Williamsburg and this college of William and Mary.

Here, more than two centuries ago, came the young Thomas Jefferson, eager to explore all man had done and dreamed so that he could better understand all that man was and could be.

And today, two centuries later, it is through his voice still, and the vision that he held forth, that we understand most deeply all that America is and can be—a land where every man can find not only infinite promise but abundant opportunity for a full and free life.

And today, two centuries later, it is Jefferson's vision of all America is and can be that still summons forth our best efforts and energies—the vision set forth so eloquently for our time in President Johnson's call to the building of a Great Society in whose abundant life every man could share to the fullest measure of his ability and his desire.

But if the vision is the same—if the dream and the ideals remain unchanged—the world in which we seek to realize them bears little resemblance to the world of Jefferson's day.

We can no longer seek—as a nation or as individuals—to pursue our dreams alone and apart from the world around us. As a nation and as individuals, we are all inescapably caught up in events and changes whose pace and scale seem—in contrast to earlier eras—so much larger than life. No sooner do we begin to become accustomed to one environment, to one situation, to one set of circumstances, than we discover that another has taken its place. The late Professor Norbert Wiener observed of "modern technique" that "every apparatus, every method is obsolete by the time it is used. Techniques are developing so rapidly that we cannot, unless we are going to have a large period of chaos, allow our thinking to lag behind the techniques and the possible modes of development." And what is true of technological events is equally true of human affairs.

It is no longer possible for any of us to follow Voltaire's advice and, fenced off from the rest of the world, to cultivate our private gardens—to engage in our private pursuits and leave public problems to those who occupy public positions. A bomb that explodes in Watts or Saigon shatters windows in Washington and Williamsburg as well. No longer can we close ourselves up in our personal ambitions and concerns, our personal interests and endeavors, for at every step of the way we will encounter larger interests and wider concerns to challenge our conscience and to engage our efforts and our energies. In today's world, we are all—in varying degrees—public servants.

What, then, is the job before us—at home and abroad?

At home, we face first of all the job of sustaining our unprecedented economic prosperity, for it is this prosperity that must underlie our efforts to achieve all our other goals at home and abroad. To sustain that prosperity will require that we continue to follow a policy mix that is inclusive rather than exclusive, that seeks not one economic goal at the expense of all others, but all of our major economic goals at one and the same time—our paramount goals of strong and steady economic growth, of full employment, of reasonable price stability, and of relative equilibrium in our international balance of payments. To sustain that prosperity will require that all segments of our economy—government and business and labor—continue to work together in a growing partnership for prosperity.

But prosperity is not nearly enough. The time has long passed—if, indeed, there ever was a time—when the task of sustaining a high level of economic advance seemed challenge enough to occupy the bulk of our effort and attention. The time has long since passed—if, indeed, there ever was a time—when we could justify a prosperity that meant only more for those who already had enough, that meant only a growing gap between those who share and those who failed to share in its fruits—if it meant continued neglect of needs too long left unmet and of problems whose solution has been too long postponed.

We seek prosperity—we strive to sustain it—because it alone will enable us to better achieve our goals as individuals and as a nation. We seek it because through it alone can we develop a society that deserves to be called great.

That is the task to which President Johnson has awakened us anew—the task to which he has already aroused and engaged so much of our efforts and energies—the task in which already he has led us to such bold beginnings.

We have begun to make real inroads upon the acute social ills too long obscured or ignored in the life of our land—the ills of poverty and prejudice and ignorance. We have begun to make real advances toward the day when ability to learn rather than ability to pay will be the sole standard of educational opportunity in America—toward the day when no American need fear the economic consequences of unemployment, of old age or of ill health—toward the day, in short, when every American can enjoy the opportunity of a full and free life.

I do not suggest that the millennium is at hand. The tasks ahead are staggering. And today, as in times past, the distance between deed and ideal is long and difficult. But while I would not underestimate the difficulties ahead, neither would I underestimate our capacities to overcome them.

Not the least of those difficulties is the fact that we must pursue our goals at home in full awareness and full acceptance of our responsibilities for leadership in a deeply interdependent world.

No longer can it be said of us—as Lloyd George said of us when we rejected our world responsibilities in the aftermath of World War I: "The Americans appeared to assume responsibility for the sole guardianship of the Ten Commandments and for the Sermon on the Mount; yet when it came to a practical question of assistance and responsibility, they absolutely refused to accept it."

For we understand—and our deeds have demonstrated our understanding—that the way in which the United States exercises its international leadership will do much to determine the future for the world and for succeeding generations of Americans.

The challenges before us are many, but surely these are three of the most basic:

First, the challenge posed by the Communist commitment to world conquest—and in particular by the Communists' effort to impose their will and extend their influence by outright aggression and by subversion backed by the threat of aggression.

Second, the challenge posed by the collapse of colonialism and the emergence of new nations—thus far more than fifty in number—coupled with the growing demands of underprivileged peoples everywhere for full and immediate deliverance from the hunger and the disease and the illiteracy and the grinding poverty that had ruled their lives for centuries.

Third, the challenge posed by the spreading outbreak of excessive nationalism—most noticeable and understandable in some of the less developed countries, but highly visible as well in some of the world's more developed nations—that considerably complicates the efforts of nations to work together on a multilateral basis to attack common problems and to achieve common objectives.

These are the overriding challenges that will continue to require our fullest energies and efforts for long, hard years to come. For surely there is not one of us who has not long ago shed—if, indeed, we ever entertained—the illusion that these challenges will surrender to sudden or simple solutions.

And surely we realize as well that our responsibilities in the world are not ours alone either to determine or to bear. For our responsibilities are determined by the realities and events of the world in which we live, realities and events which are often open to our influence but beyond our control. And they are shared by all the other nations of the Free World—by all nations who cherish their freedom and independence as we do and who equally labor to further the cause of peace and justice and freedom and well-being throughout the world.

To meet the great and common challenges before us—the opportunities as well as the dangers—will continue to require of us and our allies the highest qualities of leadership on two major fronts:

First, leadership in standing firm and united against Communist aggression and subversion with sufficient force and power to deter such efforts and to demonstrate beyond any doubt that they are too unrewarding and dangerous to be worth the risk.

Second, leadership in assisting on a multilateral basis the new nations in their struggle to achieve both essential stability and sufficient progress toward meeting the rising needs and demands of their people.

On both of these fronts—over a period of two decades and under the leadership of four Presidents—ours is a record of the most unrelenting effort and the most enduring accomplishment toward the preservation of peace, the protection of freedom and the promotion of human rights and human welfare.

We have helped counter aggression in all its guises—whether open or concealed—on nearly every continent on the globe, in countries great and small—in Greece, in Turkey and in Berlin; in Lebanon, in Iran and in India; in Taiwan, in the Congo, in Laos and now in Vietnam.

We have sought, not to act alone and apart, but to join with other nations in forging effective alliances against aggression—aggression in the Atlantic Community through the North Atlantic Treaty Organization, aggression in Southeast Asia and the Pacific through the Southeast Asia Treaty Organization, aggression in Latin America through the Organization of American States, and aggression anywhere in the world through the United Nations.

We have made the required sacrifices, and we have borne the required costs.

Nor have we been found wanting on the second front—where also we have led the way toward helping assure throughout the Free World the economic development and the social progress that alone will enable men to better their lives. There has been in the decades since World War II no great multilateral organization or effort for peace and for the works of peace whose advent and whose accomplishments do not reflect, in large measure, our leadership and our support—the United Nations, the International Monetary Fund, the World Bank, the Marshall Plan, the Inter-American Development Bank, the Alliance for Progress and most recently the Asian Development Bank—a venture in which we have joined with 31 other nations, including 12 nations outside Asia, and which seeks to open up for the peoples of Asia far fuller opportunities for sharing in the economic abundance and social progress that so much of the rest of the world can take for granted.

Through these multilateral efforts, through bilateral government aid, and through numerous private channels, we have devoted a vast share of our wealth and our resources to the task of helping others increase their share of the world's abundance. In the postwar decades we have contributed a net total of some $100 billion of our national wealth to helping better the lives of others through our major government foreign assistance programs.

Indeed, in meeting the great challenges of our times, we have not been found wanting. Never in the memory of man has any nation done so much and at such great cost, not to gain dominion over the lives or the resources or the territory of others, but to help others gain full and free dominion over their own destinies.

We do not say we have always been right. We do not say we have always been successful.

But no man and no nation can justly deny what history makes manifest: in the hour of need, we have not been found wanting.

And we will not be found wanting now.

We must continue to yield to no nation the patient pursuit of peace and the works of peace—and continue to demonstrate, as we do in Vietnam, that we have the will and the weapons to resist aggression.

We must be willing to bear the burdens and accept the uncertainties and the unpleasantness and the imperfections that come with such a war as Vietnam. For Vietnam is a war of wills as well as a war of weapons. It is a test of our willingness to survive—to surmount—the strain of constant, continual conflict whose end is never clearly in sight.

At the same time we must continue—together with other developed nations of the Free World—to carry our share of the burden of leadership in the common task of helping the developing nations of the world to realize their destiny and enrich the lives of their people in dignity and freedom. And we *are* taking the initiative in these endeavors—seeking assiduously in both quiet and public diplomacy to enlist the cooperation of our allies in bold new efforts to promote free trade, to strengthen the international monetary system, and to make available to needy peoples everywhere the opportunity and the means and the incentives for conquering hunger and disease, and for living under the liberating light of education and knowledge.

For we seek for others no more than we seek for ourselves—the opportunity for a full and free life. Abroad as at home, our efforts reflect our awareness that with might must come maturity, with wealth and riches must come wisdom and responsibility, and with success must come sacrifice.

This, indeed, must be our awareness—not only as a nation but as individuals—in the days ahead. For the challenges before us are too great and the world is too small for any of us to retire into an island of purely private concern—into what one observer has called the "cult of private sunshine and secluded complacency."

I do not share the view, held by some, that these years of academic education you are now completing have been years of isolation from the world, from life and its problems. I know, on the contrary, that they have been, in the profoundest sense, years of entrance into the world, years of real encounter with life and with its problems and its promise—years for deepening and developing in a multitude of ways that understanding that Alfred North Whitehead deemed the most essential end of education—"the understanding of an insistent present." The present, Whitehead rightly declared, "contains all there is. It is holy ground; for it is the past, and it is the future." I know that it is your experience here at William and Mary—and that of others like you at colleges and universities throughout our land—that helps us heed the warning uttered by that same thinker half a century ago: "In the conditions of modern life the rule is absolute, the race which does not value trained intelligence is doomed."

But, as I have tried to suggest in all I have said—as, indeed, all the awesome and awful events of recent decades so unanswerably argue—the "trained intelligence" alone is not nearly enough. For as individuals and as a nation, we can accomplish all we seek to accomplish, and avoid all we seek to avoid, only to the extent that we exhibit in abundance, not only the trained intelligence, but the active and engaged intelligence, the informed and awakened imagination, the aroused concern and the committed conscience.

As one who has known the privilege of spending many of his years in formal public service, I hope very deeply that some of you will seek to know that privilege. I would urge, indeed, that all of you give serious thought to the possibilities of public service, not only on the national level, but on the state and local level as well. Everywhere throughout the country our states and our cities struggle to cope with the most staggering problems, and everywhere those citizens who have most to offer are often the most reluctant to become involved in local and state affairs.

I know that only some of us can—that only some of us should—enter formal public service. But all of us can and all of us must, in the broader sense, accept the obligations and opportunities for public service that in today's world exist in such abundance.

I urge each of you, whatever your career, to interest and involve yourselves—for you have so much to give—in all those issues and affairs that so critically affect our lives but lie beyond the narrow boundaries of our own personal pursuits.

I urge you to do all you can in every way you can to bring to life in your businesses and your professions, in your towns and your communities, in your cities and your states, in your nation and your world, that vision evoked for all time by Thomas Jefferson two centuries ago—and set forth so eloquently for our own time by President Johnson—the vision of an America and a world in which men and men's hopes can not only survive, but flourish.

OUR "GO-IT-ALONE" POLICY

Mr. HARTKE. Mr. President, while it is impossible to capture the full flavor of a political cartoon in words, I should like to note that the Washington Post yesterday reprinted a noteworthy cartoon from the St. Louis Post-Dispatch. It captured and summed up very well the fact that we are standing virtually alone in South Vietnam, that despite the claims of the State Department of support from numerous nations, we have no real support.

The cartoon shows a line of men, rifles to shoulder, stepping off in parade uniform with every boot in lockstep. Over them floats a banner labeled "Western Alliance." But in the foreground, hurrying in the opposite direction, is a familiar figure, battle-uniformed and jungle-helmeted with full equipment, including a shoulder bag labeled "U.S. Position in Vietnam." From the corner of his mouth he is grimly saying:

> I don't think y'all realize it, but everybody's out of step but me!

In a speech on April 19 at Ball State University in Muncie, Ind., I commented on that situation, in which we have produced for ourselves a new isolationism by the rejection of the rest of the world of our policies in Vietnam. Here are some of the facts I noted then, which has not changed.

Our SEATO allies include Great Britain, which has furnished assistance through 11 police instructors, a professor of English, and some technical and construction equipment.

France belongs to SEATO. France has sent 600 educators, medical, and technical personnel.

Of the others among the 39 nations which the State Department says are helping in our struggle, Italy's assistance is a 9-man surgical team and science scholarships. Belgium has contributed some medicines. Pakistan has given some clothing and $10,000 for flood relief. Thailand, like Pakistan a SEATO member, has furnished cement and some assistance of a classified nature. Iran's assistance is a 22-man medical team and 1,000 tons of petroleum. India has given only clothing for flood relief.

So it goes down the list. This is what is meant when the press speaks of "token assistance." And it is this of which Clayton Fritchey spoke recently in his Washington Star column under the caption, "Most Nations Oppose U.S. Asia Role."

Mr. President, I ask unanimous consent that Mr. Fritchey's article of June 13 may appear in the Congressional Record.

There being no objection, the article was orded to be printed in the Record, as follows:

[From the Washington (D.C.) Star, June 13, 1966]

Most Nations Oppose U.S. Asia Role

(By Clayton Fritchey)

Secretary of State Dean Rusk has returned from the Brussels' meeting of the North Atlantic Treaty Organization with little to show for American leadership or general support of U.S. foreign policy. It was the same story at the last two previous meetings of NATO.

Yet just before leaving for Brussels, Rusk made a major speech in which he foolishly and incautiously said, "I have found that the objectives of American foreign policy are widely understood, respected and supported." He added that " a large majority" of the nations of the free world are "sympathetic to our efforts in Southeast Asia . . ."

This statement is so palpably wide of the mark that it is embarrassing. It does disclose, however, the administration's present capacity to deceive itself.

Other nations may be wrong, or misguided, but that is another argument. Rusk's contention is not that they should back the United States, but that they do. The painfully evident fact is, they don't.

The Johnson administration likes to believe that President Charles de Gaulle's opposition is personal and spiteful, and does not reflect French public opinion. Yet the most recent French poll showed (1) strong support for De Gaulle's anti-U.S. policy, and (2) no confidence in U.S. leadership. Our other great European ally, West Germany, has just given the State Department fits by agreeing to finance a large steel plant in Communist China.

In the nonaligned world, it is the same. And Nasser denounces the United States at every opportunity. Tito accuses the United States of "jeopardizing world peace." When Dr. Nurredin Attassi recently became the new Syrian chief of state, he promptly charged that U.S. policy in Viet Nam "springs from nothing but lust to dominate the peoples."

The African nations have demonstrated time and again in the United Nations their lack of confidence in U.S. policy, just as in the Organization of American States most of the important Latin nations have frowned on American interventionism in this hemisphere and elsewhere.

The United States has repeatedly said it is in Asia to protect Asians, but it is an eloquent fact that no large power in that area backs the policy that Rusk says is so "respected" and "supported." Despite an American combination of arm-twisting, vast foreign aid, and cajolery, India, Pakistan, Japan (and now even anti-Communist Indonesia) want no part of our Viet Nam adventure.

India's new prime minister, Indira Gandhi, publicly rebuffed Vice President Hubert Humphrey when he coupled a plea for support in Viet Nam with the announcement of a $100 million dollar loan. President Ayub Khan of Pakistan says, "There is no danger to the subcontinent from China provided no uncalled for provocation is aimed against that country."

The Japanese government like the British government, feels compelled to pay lip service to U.S. policy, but no one pretends this reflects popular feeling in those countries. A poll taken by Asahi, Japan's largest newspaper, showed 75 percent of the people against the Viet Nam war.

To sum up, there are 116 nations in the United Nations but only two (plus our puppet, South Korea) are supporting us with troops in Viet Nam. New Zealand has sent 150 men, and Australia, 1,400. The United States has 300,000 in the theater.

Despite this, the President and Rusk keep telling the American people that over 40 nations are providing assistance to Viet Nam. Actually only 31 nations (mostly under U.S. pressure) have made any contributions, and even they are merely token offerings.

It may be that the United States is a deserving maid, but not even Rusk can make her look like the belle of the international ball. Under the Johnson administration, Miss U.S.A. has all too obviously become a wallflower.

ERIC SEVAREID ON VIETNAM

Mr. GRUENING. Mr. President, that noted and distinguished broadcaster, commentator, and columnist, Eric Sevareid, has just returned from a visit to southeast Asia, the theater of our undeclared war. He has reported his findings and feelings over the CBS television network. His reportage provides much material for study and soul searching.

Why, for instance, must the United States—in addition to its 300,000 men in uniform in Europe—have an additional 669,000 men in the Pacific with major troop installations in 10 Pacific countries and areas?

Why is it, that non-Communist countries much closer to China, such as Japan, are much more unconcerned and relaxed about the possible menace of Chinese aggression than our policymakers?

Mr. Sevareid obviously is doubtful about the administration's contentions that our invasion of Vietnam is the way to stop the advance of Chinese communism. He fears that our policy will involve us in a greater war.

He is clear that it is a civil war which we got ourselves into—which the administration seeks to deny—and he finds little to sustain its justification for its policies and actions. He points out, also, how deceptive are our reports of casualties.

He points out what has been painfully evident to a few of us who have voiced our dissent from our administration's policy for over nearly two and a half years—that "there is not a single leader of countrywide prestige in South Vietnam," and that our attempts "to apply Western logic and experience to this oriental land" are futile.

Mr. Sevareid's views on our military activities in southeast Asia have undergone some modification over the last 2 years. So have those of others—despite the misleading propaganda that comes from the seats of U.S. power. There is a gratifying change of public sentiment as the truth emerges, but thus far it seems not to have registered effectively with those who are responsible for sending our young men to fight and die in a cause that does not correspond to the fictions which are advanced to justify this needless slaughter.

I ask unanimous consent that the CBS news special report entitled "Vietnam: Eric Sevareid's Personal Report," which was broadcast over its television network on Tuesday, June 21, 1966, be printed in the RECORD at this point in my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

"VIETNAM: ERIC SEVAREID'S PERSONAL REPORT," AS BROADCAST OVER THE CBS TELEVISION NETWORK, TUESDAY, JUNE 21, 1966

Good evening. I'm Eric Sevareid. I propose to sit here for the next thirty minutes and talk about America in Asia, about war and about truth. This may set television back a long way. We'll find out.

I am not an authority on Asia. Asia is far too big, changing far too rapidly for many certainties.

I am not an expert on war. There is no such thing as military science. War is a rude art, in which human character, will and faith play at least as great a role as figures and logic.

About truth, I hope I know more. It is a reporter's business to tell appearance from reality, rhetoric from fact. He often fails. In this Vietnam war, he fails unusually often because he is normally a stranger to the land, its language and its people. And because at every level—military, political, economic, psychological—the truth is fragmented in a thousand pieces. At each level it is a jigsaw puzzle that no single man is able to piece together.

We are therefore confronted with an extraordinary condition: no honest man can return a convincing answer to the great and obvious questions that all men ask:

Is our action there insurance against eventual war with China, as the Administration asserts, or is it increasing the risk of such a war? Will the Vietnamese pull themselves together politically, or fall further apart? Are we winning this war? Do we have a clear strategy for winning it? How many years and men will it take?

To each question the official rhetoric of Washington gives the optimistic response. These officials speak from faith, not fact. The total of the known facts does not deny their optimism, but it does not confirm it, either.

Through this fog of uncertainties the reporter must pick his way; he must report out of instinct, experience and impression. He can guess, estimate, and try to project what seem to him the probabilities. And his first task is to break through the crust of his own pre-conceived notions.

I think I was only dimly aware of what the American power in the Pacific world really means. As you fly the great arcs to Alaska and Japan, and down the eastern rim of Asia's land mass, you begin to understand. The vast Pacific and the skies above it belong to American power. America—its men, money and machines—is intermingled with the affairs of governments everywhere, the daily lives of hundreds of millions of people.

Consider the world of the Pacific Ocean and the southern seas in this American era: Alaska, 30,000 military men; Hawaii, 100,000 military men; Guam, 20,000; Okinawa, 25,000; Japan, 39,000; Korea, 55,000; Taiwan, 10,000; the Philippines, 25,000; Vietnam, about 285,000; Thailand, 20,000. Besides, of course, the 7th Fleet itself—60,000 to 70,000 men.

This is the legacy of the defeat of Japan in World War II; of the take-over of China by the Communists; of the collapse of European rule; of the Korean War; and now, of the fighting in Vietnam. It is also the legacy of habit, of the military man's fear of ever giving up any salient, of the idea that Communist China is bent upon military aggression, as were Hitler's Germany and Stalin's Russia.

There is a strange phenomenon that comes into play in the relationship between impressions and reality. It has to do with time and space. For distance lends not only enchantment, but apprehension. So to Americans at home, the Buddhist riots in Saigon mean that all Saigon is in turmoil. But the man sitting in a cafe a block from the riots is relaxed; he knows it is not. So to us at home, China appears a frightening monster, straining at the leash, eager to smash her neighbors.

But some of her neighbors are far more relaxed than we. This is true of the government of Japan, the most powerful non-Communist society of eastern Asia. Their view of China as an aggressive threat is closer to the view of Senator FULBRIGHT than to that of Secretary Rusk. They believe that China is already contained. She is contained by the existence of the nuclear bomb, by the simple knowledge that if she marches over the border of a friendly country that we are able to help, we shall immediately help. She is contained by this gigantic ring of steel built by the United States along her eastern and southern borders and by Russia's ring of steel along four thousand miles of her western border. If she feels encircled, no big power ever had more right to feel that way. She fears what the United States may do more than some of her neighbors fear what she may do.

China can try the methods of subversion in Southeast Asia; she has and she does. But it is doubtful how successful she would be, even without our presence and resistance in Vietnam. Nationalism is basically stronger than any ideology. Most nations are not dominoes that fall over with a click. These nations of Southeast Asia, like Thailand or Burma, are more like sponges. Their edges can become waterlogged with Communist-trained resistance groups, but there are a thousand natural obstacles to the water seeping through the whole organism. One is the historic dislike and distrust of the Chinese throughout these regions.

A crucial question is whether our resistance in Vietnam is preventing the spread of Chinese dominance in other Asian countries through their propaganda, infiltration and subversion. The Administration points to Indonesia, where the powerful Chinese-inspired Communist apparatus was smashed not long ago. That would never have happened, they like to think, were we not there, in Vietnam.

If this is true, all of us would feel very much better about this war in Vietnam. My personal opinion is that it's not true. Indeed, it was the conclusion of Japan's ambassadors to Southeast Asian countries, in recent consultation, that Vietnam had nothing to do with those events in Indonesia; that internal, domestic pressures alone were responsible.

Korea in the north and Thailand in the south are exceptions to this line of thought. The men who rule Thailand have thrown in their lot with the United States and its argument, contrary to Burma on their west and Cambodia on their east. They do fear China and communism in general, and they have given welcome and facilities to American power.

The Thai government tries to keep as much of this secret as it can; and we helped them in this out of diplomatic considerations. But the truth is that we have upwards of 20,000 military men in Thailand, mostly on the great bomber bases from which we hit North Vietnam and the Ho Chi Minh trails. Reporters are not permitted to see these bases. Twenty thousand is more men than we had in Vietnam itself when Mr. Johnson became President.

Our military wanted, at one time, to put ground combat units into Northeast Thailand, where skirmishes go on with Chinese-trained guerrillas. Our diplomats stopped that; but we have more than a few Special Forces and advisory fighting teams in the Northeast. And there one sees how war tends to spread and of why military men must be kept in constant check by political men.

Laos, technically neutral by the Geneva Agreements, is thoroughly engulfed in the war already. The North Vietnamese run their supplies and fresh soldiers through much of Laos; and therefore we bomb it constantly. We admit to no men on the ground in Laos. My information, from people I consider reliable, is that we have several thousand soldiers inside Laos, including spotter groups and Special Forces teams. When an American is killed in or over Laos, his death is officially registered as having occurred in Vietnam.

Cambodia is becoming more and more deeply involved in the fighting. We have bombed and shelled Cambodian territory, more than once, for some time back because we have had to. I believe our front line intelligence reports and our eyewitnesses. When General Larsen, Commander of our Second Corps, whose boundaries lie along the Cambodian line, said there are heavy North Vietnamese troop concentrations inside Cambodia I am inclined to believe him rather than the Pentagon's immediate denial of this. After all, he is on the scene.

This, then, is how war spreads—in spite of all the official proclamations that we shall not allow it to spread.

War has a logic, a momentum, imperatives of its own. And in this process, language is adulterated, reason twisted, policy follows in the wake of actions, instead of the other way around, and the inner sequence of cause and effect is lost to man's comprehension.

And so the Administration argues that unless we stop communism, or China, or both in Vietnam now, other nations will fall, as happened in Europe in the thirties, until the grand confrontation of World War III with China will be forced upon the world.

It seems to me that it is quite as logical to argue that our very presence in Vietnam, with this inevitable osmotic spread of hostilities across other borders, is just as likely to produce war with China, unless we are extremely careful and extremely lucky. And if that happens, it will be like World War I, if not World War II. Men still argue how World War I got started, as actions led to reactions and still further reactions, engulfing nation by nation. If we are sucked into collision with China in these regions, we will never be sure of the precise point in space or time when it happened. How the Vietnam war goes will be the test of all this; Vietnam is the anvil on which our future relations with vast, emerging China are being hammered out, and the sparks fly in all directions.

Until we got into it, the Vietnam war was essentially a civil war; a civil war and a social revolution and a struggle for national identity and freedom from European rule. For legal and diplomatic reasons, Washington must argue that it is not a civil war at all, but an aggression and an invasion by an external power. But when men speaking the same language, living within the same cultural context, raised in the same cities and villages fight one another by the thousands that is civil war. When men of the North (including Prime Minister Ky) are part of the government of the South, and vice versa, it is civil war. Even the Geneva Agreements called the two "zones" of the one country, not sovereign states.

North Vietnam has gone to the Chinese weapons system; their material help from China and Russia is considerable. But no Chinese officer or soldier has ever been found among the enemy's fighting cadres, to my knowledge.

It is the apparent conviction of Washington that if North Vietnam will just stop its infiltration into the South the war could be settled. Not necessarily, not unless Hanoi also ordered a cease-fire all down the line. One of our leading generals there argues strongly that the units from the North need the local guerrillas far more than the guerrillas need them. The guerrillas are home; they need ammuniton but not trucks or oil or great depots of rices.

How many men are coming down from the North? Last fall, Secretary McNamara said it was 4,500 a month; this April we were told in Saigon that it had gone higher and might reach 7,000. The other day the Pentagon again said 4,500. These figures are educated guesses, no more.

How many in all have come down? At the Saigon headquarters you are told there are, at a generous estimate, fifty battalions of North Vietnamese now in the South. Their battalions are far smaller than ours—perhaps four or five hundred men. That means about 25,000 Northerners in their own combat units. That in turn, is only ten per cent of the estimated total of a quarter million organized and semi-organized fighting men that we and the South Vietnamese now face.

On both sides, it is a much bigger war than a year ago, when it was nearly lost and when President Johnson ordered the massive infusions of American troops. Our intelligence people out there believe that the enemy is now better armed, man for man, than our South Vietnamese allies. Far worse armed, of course, than we.

Our fighting men, our weapons and devices, our tactical ingenuity—all are profoundly impressive. We could not fight this war at all were it not our side that enjoys the real "privileged sanctuaries"—the sea and the sky. Both are denied to the enemy.

If our tactics are ingenious, our grand strategy remains a mystery, at least to me. We are fighting what is essentially a war of attrition, the most disagreeable kind of war, counting progress by the number of enemy bodies. The count is accurate when our men can actually go among the bodies; when the Air Force claims so many Vietcong killed from bombing and strafing runs, those are foolish guesses. The claims of enemy killed by the South Vietnamese forces—and the figures on their own casualties—may be approximately right or wildly wrong; none of us can really check.

It might be better if we in the news business reported weekly progress in terms of hamlets restored or re-settled, classrooms built, village chiefs who feel it safe to go back and sleep in their own houses. That, after all, is what the war is about. And in this respect there is progress. It is something to see tough American Marines acting as dedicated social workers; it is a fact worth knowing that of the three thousand Marines who have voluntarily extended their term of duty in Vietnam, most are those men who work daily with the ordinary people. Progress, but painfully slow progress, and against it must be set the great numbers of refugees who come into our secured areas. About a million of them now. Not all of them, by any means, fleeing from Vietcong terror; many fleeing from the terror of our napalm and high explosives which have inescapably killed and maimed hundreds of innocent people.

We are not really conquering territory. Our official statement is that at the end of last year eight and a half per cent of the total land area was considered secure; at the end of February nine and a half per cent; all the rest is in enemy hands or disputed and unsafe, or empty. About eight million people, a bit over half the population, are in secure allied controlled areas.

We are using giant sledgehammers to kill hornets. The Vietcong's National Liberation Front in the South has an annual budget estimated at about ten million dollars. Our annual costs in this war run to about fifteen billion. The enemy needs an estimated eighty-seven tons of supplies each day; the American establishment alone needs about twenty thousand tons a day. In terms of last year's total expenditure for the war, each enemy soldier killed last year cost us well over a million dollars.

What of our human investment and human losses? Of the total American military in-country, say 285,000, only a distinct minority do the real fighting, on the ground and in the air. They alone are the heroes. All the rest, in the enormous support and supply echelons, in the cities and ports, in the countless offices—they may occasionally court danger, but their life is wholly different, usually comfortable, for a great many enjoyable.

We had, when I left, five combat divisions and two brigades in the field, around 85,000 men. Add to that the Special Forces teams and the combat fliers. Of these I would guess, generously, that about 60,000 can be defined as men in frequent combat. Now this is an arbitrary definition, but necessary—some definition's necessary—if we are to think at all about our human investment and losses. And thinking from this rough definition, one feels obliged to say that our casualties are high, not low. They are low in relation to the total number in Vietnam, mostly men who never or rarely ever see the enemy, and low compared to enemy losses. But our losses in combat dead and wounded have mounted rapidly to the current rate of about 30,000 a year. One year is a man's term of service there. On the simple statistical face of it, then, the chances for the individual fighting soldier in an active combat zone avoiding death or wounds in his twelve months are not great, about fifty-fifty. What lengthens his odds is the increasing rotation of more units, not just between home and Vietnam, but between the fighting zones and the rest zones. And if enemy attacks slacken off, that, of course, will improve the odds. For every man admitted to hospital in Vietnam for combat wounds, three times as many are admitted for non-combat injuries and disease. In terms of the combat troops, one is then forced to the conclusion that we lose the equivalent of about a battalion a week; most of them, of course, to return later on. But this is a rather constant process, and the need for more men and more rotation in combat operations would seem obvious.

In this sense, our casualties are high, not low. And by the other relevant measuring rod, the lasting gain from the average combat operation—some Vietcong killed, some rice destroyed, a village cleaned out, much of which the enemy will later replace and recover—by this measure, too, the casualties must be considered high, not low.

Last summer began the big increase in the American fighting force. So this summer, tens of thousands of men will leave Vietnam, but they will be replaced, these veterans, by green troops. However good their training at home, all soldiers are green until they have gone through at least one real battle. And greenness does cost lives. One green company of my acquaintance recently lost 130 men, killed and badly wounded, out of its 170, in one engagement. In the official handout later, the casualties of that action were described as "moderate," presumably because other units were also involved or because the enemy lost even more. The phrase "heavy casualties" I don't think I ever saw in those handout statistics.

I do not believe we are losing this war or will lose it. I am not sure one can call it a stalemate, as some men do. The Vietcong in the South and those units from the North are getting badly hurt. That is why the Vietcong is now recruiting kids as young as thirteen from their homes in the South, taxing the people more heavily and thus losing some of their popular support. That is why some of those Northern units are not at all well-trained; that is why those who desert to the other side are nearly all the enemy fighters, not South Vietnamese or, of course, Americans.

Hanoi may have to call it off, though we see no signs yet that it will. We are not playing chess. Both sides are playing poker, doubling each lost bet. It is a test of political will.

But, like some others, when I try to envisage the process of winning, I am haunted by a spectre. The spectre of this fragmentized, weary Vietnamese society.

It was our official belief and the argument of among many of the so-called Hawks, that as we stopped losing this war—which we've done—and as we started winning it, which we've not quite done—the bitterly conflicting political and social factions in South Vietnam would start to pull together, in their national interest. The trouble is that Vietnam is only a society, not a nation. There is not a single leader of countrywide prestige in South Vietnam. The people have had little experience in responding to general laws and impersonal institutions. They respond to local personalities, cliques, religious groupings, or their own private interest. The resistance and rioting of the most militant Buddhists seems to mean that they hate the central government more than they hate the Communist enemy.

We try to apply Western logic and experience to this Oriental land. So we encourage the elections, envisage a parliament and eventual civilian rule, representing groups and regions. My own guess is that this process of democratizing would produce years of political turmoil before stability is reached. It will probably, though not certainly, open a whole new Pandora's box, all the quarrels in the country bursting into the open. Vietnam, I think myself, is not to be compared with Korea or Greece, where we were successful, in these respects; a strong national sense, strong leaders existed there.

If this proves to be the trend, as we try to democratize government in Vietnam, then the immediate consequence would be a nightmare for us, for we should then have to involve ourselves deeper and deeper into their politics, their economy and more and more of the fighting and dying would be done by Americans and less and less by the Vietnamese.

Ten days ago, Secretary McNamara asserted that Vietnamese politics would not hinder our war effort there. It is part of the duty of national leaders to speak from their faith, not from their fears. But it is part of the duty of the press to examine their faith, to raise the questions that officials never publicly raise.

The hypothetical alternatives in Vietnam remain about what they were: bomb more of North Vietnam's industry and see what happens while nervously watching nervous China; halt the bombing and pull back to our base areas and see what happens; encourage the various third nation efforts to get negotiations started; quit Vietnam entirely; keep the pressure on, as we are doing, and wait for Hanoi's will to break. As of now, the prospect is more pressure—more and heavier war; that is the meaning of the stepped-up draft, the new troop shipments, the longer lanes of cargo vessels plowing the South China Sea, the increasing roar of the airplanes settling on to those ever-increasing airfields.

I should like to mention, before I end this long and not very happy discourse, two matters: a bit cosmic perhaps, but of fundamental consequence for our future affairs.

One is the fantastic size of our military establishment and the fantastic speed by which its cost increases. This can consume our marginal substance. This is what General Eisenhower warned about in his last words as President. He said we must guard against undue power by a military industrial complex. It will take a very convincing peace and a very strong President to put our military genie back in the bottle.

The other thing is this: the deepest, strongest forces motivating the people of Asia are not those we picture as we sit here at home. From here, one has the illusion that Asia is clanking armies, colliding ideologies, aggression and fear, that Asia is politics.

But the deepest forces moving Asian peoples now are not these at all, but the forces of the modern scientific-industrial revolution. Asians have discovered the great secret, so long hidden from their hope: that man is not born to a short life of pain and work and poverty. They see the marvelous evidence, nearly everywhere they look: Japan, a booming economic colossus whose production may soon pass Great Britain's. Korea, prosperous enough to do without direct American aid. Taiwan, where food production has doubled in 15 years and where new hotels, highways, factories open every month. Thailand, whose cities boom and grow. Indonesia, which has stopped its ridiculous war with Malaysia and now wants to join the real procession. Even Communist China, where basic comfort now seems assured for most, and where a new generation of economists, engineers, builders is slowly but surely coming to replace the old men of politics and war as they were replaced in Russia when Stalin died.

In Taiwan I had a Chinese driver, name of Jimmy. A mainlander who had to flee the Chinese Communists and has no love for them at all. But he said to me, "If only American and China can learn to get along—what a wonderful thing for us all."

Jimmy perceives what Asia and life can be. Our government perceives it, as attested by the Johnson plans for Southeast Asia's economic development.

But if this war in Vietnam goes wrong and the great collision does come, all this will be lost, and that would break history's heart.

This reporter, like most, even among those who fear and doubt, still believes that God and the stars will again indulge their notorious weakness for Americans and bring us through this unhappy Vietnamese transaction in safety and peace. There, like the government officials, I speak from faith, not from the facts; knowing, as they know, that faith—even blind faith—can sometimes change the facts.

FEDERAL SUPPORT FOR ADULT EDUCATION

Mr. HARTKE. Mr. President, I should like to call attention to the fact that in its deliberations today and tomorrow, the Education Subcommittee of the Labor and Public Welfare Committee is considering the inclusion of an amendment to the elementary and secondary education bill dealing with adult education. I sincerely hope they will report favorably, and that the Senate will pass such a measure.

Specifically, the proposals under consideration are those contained in my bill S. 3012, on which testimony was received last month and which bears the endorsement of 17 other Senators as cosponsors.

I believe it is high time that we moved forward into the area which is now the neediest in the education field, that of adult education. My bill, which I hope will become a title of the elementary and secondary education proposals, calls for primary use of the public schools as the great existing resource for the upgrading of educational opportunity for adults.

Adult education is considered in these proposals under the two heads of adult basic education and of adult supplemental education. The concept of adult basic education as contemplated at present under the Economic Opportunity Act is enlarged to include instruction and services for adults who do not have a secondary education or its equivalent—in other words, all who have not finished high school. Supplemental adult education is the area which includes, in the language of the bill, such items as citizenship training, parent education, and consumer education.

I have previously, both in the Senate and before the committee, spoken of the advantages of giving support to the expansion of such programs through the public schools. There are other avenues of adult education through which persons may forward their knoweldge and understanding in an organized way. While the schools were providing, according to a survey some 5 years ago, adult education for nearly 2 million people, adult education activities of churches and synagogues reached nearly 3½ million and colleges and universities 3,440,000.

The problems of the college and university in dealing with adult education through extension courses are discussed in a recent Christian Science Monitor article by Wesley Max, writing from Los Angeles. He points to the "economic squeeze" faced by extension courses as State support, pressed hard by the needs for the regular university curriculum, has dwindled. In California, the State budget has declined from 20 to 7 percent of the cost of the courses, and those who often need such study the most are being hard pressed by the need to pay fees averaging $45 per course.

This article, at this time when adult education is under consideration in the committee, is worthy of attention. Mr. President, I ask unanimous consent that it may appear in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

An Economic Squeeze: The Strange Ways of Adult Education

Los Angeles.—Any university that would consider curtailing education in liberal arts and social sciences while retaining courses in Wine I, Chinese Cooking, and Skills in Social Dance—Advanced would generally be considered an educational degenerate. Yet the highly regarded University of California Extension (or adult-education division) finds it faces just such an embarrassing predicament.

This predicament arises from a maxim that has plagued the remarkable growth of adult education at the university level over the nation: Courses must make money in order to make the curriculum. This cost consciousness often also means that the people who need the courses most are least able to pay for them.

At California, Wines I, Chinese Cooking, and Social Dance—Advanced make money; some liberal-arts and social-sciences courses do not. At the same time state support of the extension's budget, now $15,000,000, has dwindled from 20 to 7 per cent in the past several years. One recent legislative report recommends that extension services, normally supported largely by student fees, be supported entirely by them, a proposal that extension officials decry.

It is this economic squeeze that prompted Extension Dean Paul Sheats to warn recently that decreasing state support would "force us increasingly into an elitist type of program." Courses that fail to attract a sufficient and affluent clientele will be dropped. An affluent clientele is necessary because student fees now average $45 per course for the 133,000 students who are enrolled at 175 state-wide extension branches.

KEEPING UP TO SNUFF

Says Dean Sheats: "In general we don't have problems in engineering, science, business, and law because many firms reimburse employes for extension work. They realize it is necessary to keep their people up to snuff." Although they are not reimbursed, teachers, too, are willing to pay the increased fees because they need the courses in order to be promoted. But lower-income groups like social workers, labor personnel, some night students, and municipal employes are often thwarted by the higher fees.

The pressures of the enrollment economy, as it is often called among extension officials, are being felt in other university-extension systems. Many systems enjoy a higher level of state support than the California Extension. Illinois pays 48 per cent of the total cost of extension programs while Pennsylvania pays 33 per cent. But state legislatures, beset with the same rising educational costs that plague California, are beginning to follow the lead of the California Legislature. Wisconsin, which once paid approximately half the state-university extension budget, now pays 32 per cent.

This stress on the academic box office has forced extension officials, at least here in California, into some interesting course manipulations. Large lecture series featuring celebrity lecturers, for example, have become a means of lumping the modest liberal-arts audience into a paying proposition. Confides one extension official, "Lecture series may not be university education but they sure bring in the sheckles."

Courses in what might be termed the leisure arts tend to thrive and are encouraged. A standard favorite is Wines and Wine Making, in which prospective "wine connoisseurs" taste 50 wines in four sessions and learn to detect the presence of undesirable odors. Traveler's French, according to the catalogy, is "designed to give the essential vocabulary necessary for a traveler in France: Phrases useful in shopping, sightseeing, and ordering meals." The sequential course system is a hardy device, too, in helping to prolong enrollment favorites and bring in additional revenue. Thus, Skills in Social Dance ("basic motor movements related to fox trot, bop, shottische") is followed by Skills in Social Dance—Advanced (students develop individual styles).

USING THE HARD SELL

John Diekhoff, a former director of the Center for the Study of Liberal Education for Adults, observes that in some extension divisions, sequence courses are employed in the manner of a magazine serial story, "a device to keep the newsstand buyer coming back week after week, or semester after semester." Strident promotion—"Socrates learned to play the flute at 70"—can also be used to pump up enrollment. A course in adolescence may be billed as The Turbulent Teens to attract interest. At press conferences, mock degrees can be conferred upon persons who have survived untold years of extension classes. After the California extension indulged in this particular rite, one extension official, lecturing on the uses of leisure time, expressed concern over whether such student fidelity should be a cause for rejoicing, particularly if the goal of education is the self-cultivating man.

Contends Dr. A. A. Liveright, Mr. Diekhoff's successor at the center, "The pressure to make money, or to break even, unquestionably has a deleterious effect on adult education in general and on informal and liberal education programs in particular."

At California this pressure has forced extension officials to learn how to package and promote their educational wares with businesslike vigor. Recently Los Angeles residents received an extension brochure with a sketch of a pastor paddling a canoe on one side of a river and his companion, Uncle Sam, paddling on the other side. It advertised "New Dialogs in Religion," a course timed around recent court decisions in church-state relations. It was offered on a holiday week end at the extension's mountain-like retreat. "Combine intellectual adventure with periods of relaxation in beautiful surroundings," invited the brochure. The week-end course cost $80 per couple.

When these student-pleasing courses return excess tuition income as that one did, the excess is used to tide over more scholastic but financially marginal course offerings. "Our Peter-pay-Paul operation," declares Phillip Frandson, assistant extension director. But these devices can only rescue a limited number of courses and they cannot provide the "seed money" that enabled extension, in the days of more bountiful state support, to finance academic experiments, like the extension theater group that makes possible a repertory theater not dependent on the whims of the box office.

Explains Mr. Frandson, "We have wanted to set up courses to develop community leadership in underprivileged areas like Watts, but we can't do this and expect to charge $50 course fees. We are just pricing ourselves out of the market."

To help prevent the pressures of the enrollment economy from dominating goals of education, the California extension has tried to adopt a form of quality control. Courses must be approved by a regular University of California faculty member. After he approves it, however, a non-faculty member will probably teach it. Extension can't match regular professorial salaries or compete against extracurricular business consulting as an outside source of income. As a result only 30 per cent of the Los Angeles extension faculty comes from a regular university faculty. Local colleges and private industry provide the bulk of the instructors, giving rise to the nickname of "swing shift" or "street corner" faculty. Occasionally extension has acquired the services of men like the late Aldous Huxley, but notes one University of California professor, "Higher adult education is not a headquarters, but a camp for transients; a place of temporary business, not an intellectual home."

ON THE FINANCIAL BRINK

The financial problems and the absence of high standing in the academic community don't seem to diminish the usefulness of adult-extension divisions. In California, for example, one out of every 3 lawyers, 6 doctors, 8 engineers, and 12 teachers enroll in extension courses to keep their knowledge from becoming obsolete. Still the dual goals of serving all the public, not just those persons who can afford it, and maintaining a self-supporting status keep extension divisions always on the financial brink.

California's extension is currently setting up a scholarship program, made possible by a charitable fund, to help needy students meet the $45 course fee; it is asking the State Legislature to restore $800,000 in budget cuts to stave off curtailment of programs in social welfare, criminology, industrial relations, and humanities; and it is banking on the support of adult education by educators and the public to influence the Legislature against further budget cuts. But the Legislature, faced with the requirements of additional financial support of the state's regular universities and colleges, may be unmoved by extension's plight.

WESLEY MARX.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FISH PROTEIN CONCENTRATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1273, S. 2720.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiments and demonstration plants practicable and economic means for the production by the commercial fishing industry of fish protein concentrates.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with amendments on page 1, after the enacting clause, to strike out "That the Secretary of the Interior is authorized to conduct, using his existing authorities, and to encourage and to promote research, studies, and experiments by public and private agencies and organizations to develop the best and most economical processes and methods to reduce fish which are in abundant supply and which are not now widely sought after for human food, to a highly nutritious and stable fish protein concentrate," and insert "That the Secretary of the Interior is authorized to conduct, and through grants to and contracts with public and private agencies to promote studies, research, and experiments designed to develop the best and most economical processes and methods to reduce fish which are in abundant supply and which are not now widely sought after for human food to a highly nutritious and stable fish protein concentrate, as well as to conduct food technology and feasibility studies with respect to such products."

On page 3, after line 23, to strike out:

(e) With the approval of the Secretary of the Interior, any fish protein concentrate produced in plants constructed or operated under the provisions of this Act may be sold under title I or IV of Public Law 480, Eighty third Congress.

And, on page 4, after line 12, to insert a new section, as follows:

SEC. 5. The authority of the Secretary under this Act, except the authority to operate and maintain plants theretofore constructed, shall expire at the expiration of five years from the date of enactment of this Act.

So as to make the bill read:

S. 2720

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to conduct, and through grants to and contracts with public and private agencies to promote studies, research, and experiments designed to develop the best and most economical processes and methods to reduce fish which are in abundant supply and which are not now widely sought after for human food to a highly nutritious and stable fish protein concentrate, as well as to conduct food technology and feasibility studies with respect to such products.

SEC. 2. (a) The Secretary is also authorized to provide for the construction, operation, and maintenance of not to exceed five experiment and demonstration plants for the production of a fish protein concentrate. Such plants shall be designed to demonstrate the reliability and practicability and the economic, engineering, and operating potentials of the processes and methods to reduce fish to fish protein concentrate. Such plants shall be located in such geographical areas as the Secretary determines will demonstrate optimum feasibility from the standpoint of operation, maintenance, and economic potential.

(b) The Secretary may enter into a contract or contracts for the construction of the plants authorized by subsection (a) of this section, and he may, to the extent he deems desirable, enter into a separate contract or contracts for the operation and maintenance of such plants. Each operation and maintenance contract shall provide, in addition to such terms and conditions as the Secretary deems desirable, for the compilation by the contractor of complete records with respect to the operation, maintenance, and engineering of the plant or plants. The records so compiled shall be made available to the public and to the Congress by the Secretary at periodic and reasonable intervals. Access by the public to the plants shall be assured during all phases of their operation subject to such reasonable restrictions as to time and place as the Secretary may require or approve.

(c) Each constructed plant and its equipment upon the expiration of a period deemed adequate by the Secretary for experiment and demonstration purposes, but not to exceed ten years from the date of this Act, shall, as promptly as practicable, be disposed of in accordance with the applicable provisions of the Federal Property and Administrative Services Act, as amended.

(d) The Secretary may acquire lands or interests therein, patents, licenses, technical data, inventions, secret processes, supplies, and equipment by purchase, license, lease, or donation to carry out the provisions of this section.

SEC. 3. There are authorized to be appropriated not to exceed $5,000,000 for the construction of the plants authorized by this Act, together with such additional sums as may be necessary for the operation and maintenance of such plants, and for conducting the program authorized by this Act.

SEC. 4. The Secretary shall cooperate with public and private agencies, organizations, institutions, and individuals in carrying out the program authorized by this Act.

SEC. 5. The authority of the Secretary under this Act, except the authority to operate and maintain plants theretofore constructed, shall expire at the expiration of five years from the date of enactment of this Act.

Mr. BARTLETT. Mr. President, the pending bill (S. 2720) was reported by the Committee on Commerce. It proposes an authorization for the construction of five pilot plants for the production of fish protein concentrate. These plants would be built under the direction of the Secretary of the Interior. They would be in furtherance of tests already made by the Bureau of Commercial Fisheries at Beltsville, Md.

The situation regarding fish protein concentrate may be briefly described as follows: These concentrates have been known for many years but no method had been evolved whereby the end product received the approval of the Food and Drug Administration. The Congress made it possible for the Bureau of Commercial Fisheries to engage in experimental work at Beltsville, Md. As a result a product has been arrived at which very shortly is expected to receive Food and Drug Administration approval.

It is our understanding that private industry is prepared to make heavy investments in commercial plants. In the meantime there is an imperative need for an intermediate stage through the use of these proposed pilot plants.

The work heretofore done has been with lean fish, hake from the Atlantic. Different processes may be tried at these different plants with different types of fish ranging up to fatty species. In some instances this program is comparable to what Congress has already done in respect to the saline water plants where experiments have been made to extract fresh water from seawater.

Now, insofar as the fish protein concentrate itself is concerned, its values may be divided into two parts. In the first instance, and the most important, in my view, is the fact that scores of millions of people in many parts of the world suffer from serious protein deficiencies. There is no way that these people can receive the daily minimum protein requirements. As a result, serious malnutrition problems exist in many populations in many countries. People do not readily adapt themselves to new foods no matter how helpful they may be to their health. The fish protein concentrate provides a perfect answer. It is the most highly concentrated protein available anywhere, from any source. The thought is that it can be shipped in powdered form from the United States, or from any other producing country, to those areas where it is particularly needed. In fact, it can be used anywhere in the United States, but there is a particular requirement for it in the areas deficient in protein.

It has been said by many experts in this field that protein concentrate can do more than any other one thing to make the people of the world more healthy. It has a meaning, too, Mr. President, in the production of fish protein concentrate in quantity to the American fishing industry.

At this time, great fleets of foreign vessels range our coasts, the Atlantic and the Pacific particularly, taking the bottom fish and others for which there is no ready market in the United States.

Through the pilot plant demonstration, we expect that there will follow the construction of large industrial plants which will provide a ready and continuing market for bottom fish.

It has been estimated by the Bureau of Commercial Fisheries that this in itself may increase fish production on the part of U.S. producers and fishermen fivefold from the present 5 billion pounds a year to 25 billion pounds a year. The testimony in favor of the bill before the Committee on Commerce was, with one exception, unanimously favorable.

The chairman of the Committee on Commerce, the Senator from Washington [Mr. MAGNUSON], is detained at the moment at the White House or, of course, he would be here supporting and urging passage of the bill. He is one of its sponsors and is very much in favor of early enactment into law. The fact is, he held a hearing on the bill a few weeks ago at Aberdeen, Wash., where adequate testimony was presented as to the effect pilot plant demonstrations, with commercial plants to follow, might have on the U.S. fishing industry and on the reduction of protein deficiencies in so many countries of the world. In my opinion, this is one of the more important bills coming before Congress at this session, because it holds out great hope for so many people in so many places. I hope and trust that the bill will pass the Senate today, and then be favorably considered by the House and signed into law at an early date.

Mr. GRUENING. Will my colleague yield?

Mr. BARTLETT. I am happy to yield to my colleague.

Mr. GRUENING. Is it not a fact that the proposed legislation is the culmination of a longtime effort on my colleague's part, and on the part of the Senator from Washington [Mr. MAGNUSON], to secure attention to the great value of this protein concentrate?

Mr. BARTLETT. As my colleague suggests, this effort has been underway for a good many years. There were, of course, delays. They were delays principally engendered by the need to get a product together which would pass muster insofar as the Food and Drug Administration is concerned. We have practically surmounted that hurdle now. There has been some recent delays as I mentioned. In a matter of days, however, I expect that approval will be given to the process developed at Beltsville, and that means we will be ready to proceed. But if administrative delays continue, more positive action will be required.

Mr. GRUENING. Is it not a fact that the proposed legislation, if enacted into law, will have the double effect of benefiting mankind in general, which is deficient in proper food supplies, and also help very much one important segment of American industry; namely, the fishing industry?

Mr. BARTLETT. Precisely. The American fishing industry has been upset by an invasion of huge foreign fleets equipped to go out into the ocean with factory ships and tenders and to stay there for months at a time taking the bottom fish for which, as I say, there is no ready market in the United States. We do not have any ships comparable to those. More than 90 percent of our entire supply of fish has been taken in our immediate coastal waters. If this bill becomes law, what we will witness in a few years will be the construction of larger and larger U.S. fishing vessels to go out beyond the coastal waters and compete aggressively, actively, and successfully with these huge fleets, particularly from the Soviet Union and Japan.

Mr. GRUENING. If my colleague will yield further, I wish to congratulate him, and the chairman of the Committee on Commerce, the Senator from Washington [Mr. MAGNUSON], and the members of the committee, for bringing this situation to what I believe will be the beginning of a fruitful end to a long effort toward a most desirable objective.

Mr. BARTLETT. I hasten to add that my colleague joined early in this effort, has consistently advocated legislation of this kind, and has given much help in bringing the bill to its present stage.

Mr. GRUENING. I thank my colleague.

Mr. WILLIAMS of Delaware. Mr. President, I agree completely with the purpose of the bill as outlined by the two Senators from Alaska. I think the time has come for the Federal Government to start this pilot plant looking toward further development in the future of this product, so that it may be more properly utilized.

However, in regard to this particular piece of legislation I point out that the Department of the Interior made a recommendation that it be restricted to one pilot plant at this time.

I quote from their letter:

> It is now necessary to determine whether a similar product can be manufactured on a commercial scale within the economic limits required. It is also necessary to produce larger quantities of FPC for testing purposes—to determine and demonstrate where and to what extent it can be used as a supplement with other foodstuffs.
>
> These needs justify the construction and operation of one experiment and demonstration plant by the Federal Government at this time.

Then further:

> It is possible, however, that when the studies on other families of fishes are completed, additional plants may be needed.

I agree completely with that. If this bill were confined to just one pilot plant, as recommended by the Department of the Interior and the Government were then to move ahead on that basis, I would have no objection to the bill as presented. I would have no objection to appropriating additional funds if and when the Government later needed them. But this is strictly an experimental approach, so why start with 5 pilot plants when, as far as the Government is concerned as set out by the Department of the Interior in the report, only one pilot plant is recommended? If any change shows further funds are necessary we can then proceed to provide them.

I strongly support the legislation if it is confined, as recommended and intended by the Department of the Interior, to one pilot plant, at a cost of $1 million. Why increase that request 500 percent when the Department says only one pilot plant is needed and recommends that only one be provided for?

If the sponsors of the bill are willing to make that change I shall support the bill. However, if they are not I shall offer an amendment and ask for a roll call on it.

Mr. President, in these days when we have trouble balancing the budget and the expenses of Government, it looks a little silly to me to pass a bill giving an agency 500 percent more than it has asked for and 500 percent more than it can efficiently use. Based upon the Department's own letter, five pilot plants at this time represent duplication and are completely unnecessary.

The Department is correct in asking for only one pilot plant at this time. After some experience the Department can if necessary ask for more than one pilot plant or we may be able to go immediately to commercial production.

Why build five $1 million plants unless the proponents are advocating Government-control of production under a socialistic formula of Government ownership.

Mr. BARTLETT. Mr. President, my strong inclination is to resist any such amendment. I want to explain why.

The bill authorizes five plants for some definite and good reasons. The Department of the Interior report that has been related by the Senator from Delaware recommends one plant and one plant only.

I suggest that occasionally departmental reports are made under some compulsion in some cases, and that shackles are placed upon those who might want to recommend otherwise.

I should like to explain why it is that we have here a recommendation for five different plants. I think the explanation is a sound one and a justifiable one and one which ought to be adopted by the Congress.

Before going into that, however, I point out that the National Academy of Sciences has been, from the outset, a firm and effective supporter of this program. The National Academy of Sciences takes a view directly contrary to that of the Interior Department and recommends, not one plant, but five plants.

I would further say to the Senator from Delaware that this is an authorization bill. If it passes and is signed into law with a provision for five plants, we are all aware of the fact that the Appropriations Committees are careful, prudent, and exhaustive in their examination of witnesses, and that there will be no opportunity at all to build more than one plant unless adequate justification can be supplied. I am confident that can be done.

The primary, basic, compelling reasons why this bill contains a provision for five plants, instead of the one recommended by the Interior Department, are set forth in the committee report. The Congress is not necessarily bound by the determination of a department of Government. The Congress has a right, I believe, to make an independent recommendation and proposal.

I am glad, at this point in the debate, to see one of the chief sponsors, one of the leading advocates of the bill, enter the Senate Chamber, the chairman of the Commerce Committee, the Senator from Washington [Mr. MAGNUSON].

Mr. President, let me cite here the reasons set forth, and I think so logically, in the committee report, as to why there should be five plants instead of the lesser number. I shall read from the section of the committee report which pertains to this subject, because it offers the best evidence available to us as to the need for the greater number of plants instead of the minimum of one. This explanation is set forth beginning with the last paragraph on page 3 of the report. Let me read this portion of the report, since the issue has been raised:

> The committee can see at this time the possible need for the design of a minimum of five totally different pilot plants. The first is a batch extraction plant utilizing isopropyl alcohol as devised by the Bureau of Commercial Fisheries scientists. The second plant might involve a continuous solvent extraction process possibly using some other solvent, geared principally to the preparation of fish protein concentrate from fatty fish and the collection of the valuable oil that would be obtained. A third approach conceptually new, would be what has been identified as a biological method of manufacturing fish protein concentrate. The biological approach utilizes enzymes to digest the fish into a liquid slurry. Fat and water are later removed by conventional means. Products thus prepared are water soluble and can, depending on processing conditions selected, have varying and highly desirable flavor and odor characteristics. A fourth plant might be the installation of fish protein concentrate processing aboard a fishing vessel. This approach is particularly favorable insofar as economics are concerned. The last approach might employ novel physical methods to eliminate water and fat from fish by such means as the use of high electrical discharges through fish tissues. These physical methods appear to be highly favorable for combining with biological methods.
>
> However, the committee felt—

And, Mr. President, this is important—

> However, the committee felt that the Secretary would not request funds for any demonstration plant until a process had been approved by the Food and Drug Administration.

TO PERMIT CERTAIN TRANSFERS OF POST OFFICE DEPARTMENT APPROPRIATIONS

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of H.R. 7423.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7423) to permit certain transfers of Post Office Department appropriations.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. YARBOROUGH. Mr. President, I send to the desk an amendment by the distinguished Senator from Massachusetts [Mr. SALTONSTALL], who is unavoidably absent from this session, and ask that it be stated on his behalf.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, before the period in line 3, insert a comma and the following: "but no appropriation shall thereby be increased by more than 5 per centum".

Mr. YARBOROUGH. Mr. President, this legislation will provide the Post Office Department with the authority to transfer funds from one appropriation to another, within the Department's whole annual appropriation, not to exceed 5 percent, if authority to permit such transfers is included in annual appropriation acts.

When this bill was reported in the other body from the Committee on Post Office and Civil Service, the requirement that such transfers continue to be authorized in appropriation acts on an annual basis was not included. But the bill was amended on the floor of the House of Representatives to continue that requirement, and the Committee on Post Office and Civil Service in the Senate has made no change in the bill as referred.

The policy of allowing the Post Office Department to transfer funds between appropriations, within certain limitations, is well established. It was first included in the Second Supplemental Appropriation Act of 1948. Since 1954, the transfer authority has been renewed annually.

The nature of the postal operation makes it desirable for the Post Office Department to have the authority to make transfers among appropriations to meet changes in operating conditions. Post Office workload estimates must be prepared more than a year in advance and are subject to fluctuations beyond the Department's control. In 1965 for example, the Post Office Department appropriation for "Operations" was based on an estimated mail volume increase of 2.8 percent. It subsequently developed that the actual mail volume increase was 3.5 percent, or a difference of 0.7 percent. This difference increased the cost of this appropriation by $10 million.

The proposal also requires the Postmaster General to obtain the approval of the Bureau of the Budget before making any transfer and directs him to furnish a copy of his transfer request to the Committees on Appropriations and Post Office and Civil Service of the Senate and the House of Representatives.

I think it is evident that the basic purpose of this bill is to overcome any procedural objections to such annual authority being contained in an appropriation act. I recommend that the Senate act favorably on this bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts.

The amendment was agreed to.

The PRESIDING OFFICER. The bill (H.R. 7423) is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 7423) was read the third time, and passed.

FISH PROTEIN CONCENTRATE

The Senate resumed the consideration of the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiments and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrates.

Mr. BARTLETT. Mr. President, I have cited the reasons why the committee decided to incorporate five plants in the bill. They are good, sound reasons. I hope that no handicaps, no handcuffs, will be placed upon the Department of the Interior in this respect.

It was pointed out in the last sentence I read from the committee report that even if we include 100 plants in this authorization bill, none will be built until the administration asks for funds and until the Appropriations Committees decide that those funds should be granted.

But what we need, what we urge, and what I plead for, is a basic law that will give us flexibility, just as was done, as I previously stated in the case of the plants to extract fresh water from sea water. Here, as there, different processes are involved in different places. That saline water program has worked out magnificently well, and so it will in the case of these plants.

I do not anticipate for a moment that the budget for the fiscal year following the one upon which we shall embark so shortly will call for an appropriation for five plants. Unhappily, I fear that it will provide only enough money for one plant. But leave us with the authorization, so that when the need arises—as I am confident it will arise—the authority will be there.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. BARTLETT. I yield.

Mr. MAGNUSON. Of course, I hope there will not be any suggestion that if we proceed in this manner, it is the intent to start with only one plant. Because we have a situation on the East Coast in which the type of fish similar to hake, the whiting, has not been fully utilized for many, many years. The Russians and the Japanese, and particularly the Russians on the West Coast, are now embarking upon exploitation of hake.

We are working toward an international conference for conservation of fish; and unless we make haste here and show some interest ourselves in utilizing the resources, when we sit at that conference table, we will not have a great deal of standing unless we are able to say we want to use the resource, we know how to use the resource, and it can be used in a feasible manner for protein concentrates all over the world.

From an international standpoint, it is vitally necessary that we have, I believe, a minimum of three plants to begin with immediately, to show our interest and that we intend to utilize this type of fish. If we do not, the question will be propounded to us, "Well, you folks are not doing anything about the resource; why should we enter into any conservation treaty or discuss matters of controlling fishing activity with you, when you are not doing it at all?"

That is why haste on this particular bill is necessary. It takes some time to evaluate these different systems of utilizing those fish.

Mr. BARTLETT. Before the Senator from Washington entered the Chamber, I explained that he had been detained at the White House, and expressed his interest in and leadership on this bill. I related the fact that one of the reasons we are in such a desperate plight now is that foreign vessels are taking all these bottom fish.

Mr. MAGNUSON. All of them.

Mr. BARTLETT. But we do not have the markets. The establishment of a fish protein concentrate industry will give us such markets immediately.

Mr. MAGNUSON. So that, one, we not only would compete with foreign operations, but two, we would be able to say, "Yes, we are trying to utilize our fish potential and fish resources in our coastal waters."

Mr. GRUENING. Is it not possible that the distinguished Senator from Delaware overlooks the fact that we have entirely different fisheries on the Atlantic coast, the Pacific coast, the gulf coast, and Alaska, and that to achieve full utilization of this project, it is necessary that all of these fisheries be exploited, because otherwise his State of Delaware, for example, would be left out completely, if we had only one plant and it were, let us say, placed on the Pacific coast?

Mr. BARTLETT. That is correct. As I have explained heretofore, the experiments by the Bureau of Commercial Fisheries, which have been on a modest scale, have utilized only the lean fish. Now me must proceed to deal with the fatter fish.

HIGHWAY SAFETY ACT OF 1966

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the vote by which the bill (S. 3052) to provide for a coordinated national highway safety program through financial assistance to the States to accelerate highway traffic safety programs, and for other purposes, was passed last Friday, be reconsidered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut? The Chair hears none, and it is so ordered.

Mr. RIBICOFF. Mr. President, due to an inadvertent error last Friday while the Senate was acting on the Highway Safety Act of 1966, my amendments to S. 3052 were not printed in the act, as passed by the Senate, in the form agreed on by the manager of the bill, the senior Senator from West Virginia and myself.

I therefore ask unanimous consent that S. 3052 be amended with the following corrections:

In "Section 404(a)," delete the following: "June 30, 1968, and for the four succeeding fiscal years," and insert in lieu thereof, "June 30, 1967, and for the two succeeding fiscal years,";

In "Section 405(a)," delete the following: "June 30, 1968, and for the four succeeding fiscal years," and insert in lieu thereof, "June 30, 1967, and for the two succeeding fiscal years,";

And in Section 106, delete the following: "$25,000,000 for the fiscal year ending June 30, 1969." and insert in lieu thereof, "$30,000,000 for the fiscal year ending June 30 1969."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut? The Chair hears none, and it is so ordered.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question is, shall the bill pass? (Putting the question.)

The bill (S. 3052) was passed as follows:

S. 3052

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Highway Safety Act of 1966".

SEC. 101. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

"CHAPTER 4—HIGHWAY SAFETY

"401. Authority of the Secretary.
"402. Highway safety programs.
"403. Highway safety research and development.
"404. Grants for State motor vehicle inspection programs.
"405. Grants for State driver education and training programs.
"406. Community safety programs.
"407. National Traffic Safety Advisory Committee.

"§ 401. Authority of the Secretary

"The Secretary of Commerce, or, in the event of the establishment of a Department of Transportation, the Secretary of Transportation is authorized and directed to assist and cooperate with other Federal departments and agencies, State and local governments, private industry, and other interested parties, to increase highway safety.

"§ 402. Highway safety programs

"(a) The Secretary shall encourage and assist each of the States to establish a highway safety program based upon a comprehensive official statewide plan designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom. Such programs should be in accordance with uniform standards approved by the Secretary which standards shall include, but not be limited to, provisions for an effective accident record system, measures calculated to improve driver education and performance, motor vehicle inspection and administration, highway design, surface treatment and maintenance, traffic control, and surveillance of traffic for detection and correction of high or potentially high accident locations. The Secretary shall be authorized to amend or waive standards on a temporary basis for the purpose of evaluating new or different highway safety programs instituted on an experimental, pilot, or demonstration basis by one or more States, where the Secretary finds that the public interest would be served by such amendment or waiver. The pertinent standards for State highway safety programs shall, to the extent determined appropriate by the Secretary, be applicable to federally administered areas where a Federal department or agency controls the roads or supervises traffic operation.

"(b) Any funds authorized to be appropriated to aid the States to conduct the highway safety programs described in subsection (a) shall be subject to a deduction for the necessary costs of administering the provisions of this section and section 404 of this chapter, and the remainder shall be apportioned among the several States as follows: 75 per centum on the basis of population and 25 per centum as the Secretary in his administrative discretion may deem appropriate. All provisions of chapter 1 of this title that are applicable to Federal-aid primary highway funds (except the apportionment formula) and except the limitation of expenditures of these funds to the Federal-aid systems, including the provisions relating to obligation, period of availability, Federal share payable (50 per centum), and expenditure of such funds, shall govern the administration of the highway safety funds authorized to be appropriated to carry out this section, except as determined by the Secretary to be inconsistent with this section. However, the Secretary shall apportion to the States through the office of the Governor of each of the States or the applicable State highway safety agency designated by the Governor any funds authorized for the purposes of this section, and any funds authorized for the fiscal year ending June 30, 1967, shall be apportioned as soon as they shall be authorized.

"(c) The Secretary may make arrangements with other Federal departments and agencies for assistance in the preparation of uniform standards for the highway safety programs contemplated by subsection (a) and in the administration of such programs. Such departments and agencies are directed to cooperate in such preparation and administration, on a reimbursable basis.

"§ 403. Highway safety research and development

"For the purpose of strengthening the highway safety program of the Federal Government, the Secretary is authorized to expand the highway safety research and development activities under section 307(a) of title 23, United States Code, to cover all aspects of highway safety which shall include, but not be limited to, highway safety systems research and development relating to vehicle, highway, and driver characteristics, accident investigations, communications, emergency medical care, and transportation of the injured. The Secretary may use the funds appropriated for any fiscal year for the purposes of this section, independently or in cooperation with other Federal departments or agencies, for grants to State or local agencies, institutions, and individuals for training or education of highway safety personnel, research fellowships in highway safety, development of improved accident investigation procedures, community emergency medical service plans, demonstration projects, and for related activities which are deemed by the Secretary to be necessary to carry out the purposes of this section.

"§ 404. Grants for State motor vehicle inspection programs

"(a) From sums appropriated pursuant to the Highway Saftey Act of 1966 to carry out the provisions of this section for the fiscal year ending June 30, 1967, and for the two succeeding fiscal years, the Secretary is authorized to make grants to States to pay up to 20 per centum of the cost for the establishment or improvement of State programs for motor vehicle inspection in accordance with the provisions of this section. The Secretary shall determine the amount of the Federal share of the cost of such programs for each fiscal year based upon the funds appropriated therefor for that fiscal year and the number of participating States.

"(b) Any State desiring to participate in the grant program under this section shall designate or create an appropriate State agency for the purpose of this section, and submit, through such State agency, a State plan which shall—

"(1) set forth a program for establishing, or improving (in the case of a State which already has in operation a State administered motor vehicle inspection program), State supervised motor vehicle inspection at garages or other suitable facilities certified by the State for that purpose;

"(2) agree to accept and apply such minimum standards for highway traffic safety with respect to inspection as the Secretary shall by regulation prescribe;

"(3) provide that the State will pay from non-Federal sources the cost of such program in excess of amounts received under this section;

"(4) set forth provisions for the financing of such plan without Federal assistance beginning with the fiscal year ending June 30, 1973;

"(5) contain satisfactory evidence that the State agency will adequately supervise such program;

"(6) provide that the State agency will make such reports, in such form and containing such information as the Secretary may require; and

"(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

"(c) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b).

"§ 405. Grants for State driver education and training programs

"(a) From sums appropriated pursuant to the Highway Safety Act of 1966 to carry out the provisions of this section for the fiscal year ending June 30, 1967, and for the two succeeding fiscal years, the Secretary is authorized to make grants to States to pay up to 50 per centum of the cost of establishing, expanding and improving programs for driver education in accordance with the provisions of this section. The Secretary shall determine the amount of the Federal share of the cost of such programs for each fiscal year based upon the funds appropriated therefor for that fiscal year and the number of participating States.

"(b) Any State desiring to participate in the grant program under this section shall submit through its State educational agency, a State plan which shall—

"(1) provide for the initiation of a State program for driver education or for a significant expansion and improvement of such a program already in existence;

"(2) include provisions for the training of qualified instructors and their certification;

"(3) provide for adequate research, development, and procurement of practice driving facilities, simulators, and other similar teaching aids;

"(4) include provision for financial assistance by the State to institutions of higher education for research in driver education testing, curriculum, and methods of instruction;

"(5) provide that the State will pay from non-Federal sources the cost of such program in excess of amounts received under this section;

"(6) provide adequate State supervision and administration of such driver education;

"(7) provide that the State agency will make such reports, in such form and containing such information as the Secretary may require; and

"(8) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

"(c) Prior to prescribing regulations under this section the Secretary shall consult with the Secretary of Health, Education, and Welfare.

"(d) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b).

"(e) For the purpose of this section, the term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

"§ 406. Community safety programs

"(a) The Secretary, in agreement with the Governor of each State or his designee, shall encourage and assist political subdivisions of the respective States to establish traffic safety programs designed to reduce traffic accidents and deaths, injuries and property damage resulting therefrom. Such programs shall be consistent with the statewide highway safety program approved by the Secretary pursuant to section 402(a); and may include, but not be limited to, study, training, research, demonstration, experimentations and implementation of safety programs; improvement of laws and ordinances; accident recordkeeping; driver education; motor vehicle inspection and administration; police traffic control; traffic courts; public information; citizen support and medical care and transportation for the injured.

"(b) 'Political subdivisions' shall, for the purposes of this Act, mean any city or county, a combined city-county, a multicounty or metropolitan regional governmental unit, which is predominantly within a standard metropolitan statistical area.

"(c) Funds authorized to be appropriated to carry out this section shall be subject to a deduction for the necessary costs of administering the provisions of this section, and the remainder shall be apportioned by the Secretary to the States for distribution by the Governors to eligible political subdivisions to carry out the provisions of subsection (a) and said apportionment to be made on the basis of 75 per centum according to metropolitan population, and 25 per centum as the Secretary in his administrative discretion may deem appropriate, with no State receiving more than 10 per centum in accordance with criteria to be determined by the Secretary, such criteria to include, but not be limited to, consideration of need, the incidence of traffic accidents, and such other factors as the Secretary may deem appropriate. All provisions of chapter 1 of this title that are applicable to Federal-aid primary highway funds (except the apportionment formula and the Federal-aid system limitation in expending funds), including the provisions relating to obligation, period of availability, Federal share payable (50 per centum), and expenditure of Federal-aid primary highway funds, shall govern the administration of the highway safety funds authorized to be appropriated to carry out this section, except as determined by the Secretary to be inconsistent with this section.

"§ 407. National Traffic Safety Advisory Committee

"(a)(1) There is established in the Department of Commerce (Transportation) a National Traffic Safety Advisory Committee, composed of the Secretary or an officer of the Department appointed by him, who shall be chairman, and thirty members appointed by the President, no more than five of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of section 101 of this Act, shall be selected from among representatives of various State and local governments, including State legislatures, of public and private interests contributing to, affected by, or concerned with traffic and highway safety, and of other public and private agencies, organizations, or groups demonstrating an active interest in traffic and highway safety, as well as research scientists and other individuals who are expert in this field.

"(2)(A) Each member appointed by the President shall hold office for a term of three years, except that (i) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (ii) the terms of office of members first taking office after the date of enactment of this section shall expire as follows: ten at the end of one year after such date, ten at the end of two years after such date, and ten at the end of three years after such date, as designated by the President at the time of appointment, and (iii) the term of any member shall be extended until the date on which the successor's appointment is effective. None of the members appointed by the President other than Federal officers or employees shall be eligible for reappointment within one year following the end of his preceding term.

"(B) Members of the Council who are not officers or employees of the United States shall, while attending meetings or conferences of such Council or otherwise engaged in the business of such Council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized in section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

"(b) The National Traffic Safety Advisory Committee shall advise, consult with, and make recommendations to, the Secretary on matters relating to the activities and functions of the Department in the field of traffic and highway safety. The Committee is authorized (1) to review research projects or programs submitted to or recommended by it in the field of traffic and highway safety and recommend to the Secretary, for prosecution under this Act, any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause and prevention of traffic or highway accidents; and (2) to review, prior to issuance, standards proposed to be issued by order of the Secretary under the provisions of section 402(a) of title 23 of the United States Code as amended hereby, and to make recommendations thereon. Such recommendations shall be published in connection with the Secretary's determination or order."

SEC. 102. (a) Sections 135 and 313 of title 23 of the United States Code are hereby repealed.

(b)(1) The analysis of chapter 1 of title 23, United States Code, is hereby amended by deleting:

"135. Highway safety programs."

(2) The analysis of chapter 3 of title 23, United States Code, is hereby amended by deleting:

"313. Highway Safety Conference."

(3) There is hereby added at the end of the table of chapters at the beginning of title 23, United States Code, the following:

"CHAPTER 4—HIGHWAY SAFETY"

SEC. 103. For the purpose of carrying out section 402 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $40,000,000 for the fiscal year ending June 30, 1967, $60,000,000 for the fiscal year ending June 30, 1968; and $60,000,000 for the fiscal year ending June 30, 1969.

SEC. 104. For the purpose of carrying out section 403 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of $10,000,000 for the fiscal year ending June 30, 1967, $20,000,000 for the fiscal year ending June 30, 1968; and $25,000,000 for the fiscal year ending June 30, 1969. Funds appropriated under the authority of this section shall be available for necessary costs in administering the provisions of section 403, and shall remain available until expended.

SEC. 105. For the purpose of carrying out section 404 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $5,000,000 for the fiscal year ending June 30, 1967, and for each of the two succeeding fiscal years.

SEC. 106. For the purpose of carrying out section 405 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $20,000,000 for the fiscal year ending June 30, 1967, $25,000,000 for the fiscal year ending June 30, 1968, and $30,000,000 for the fiscal year ending June 30, 1969.

SEC. 107. For the purpose of carrying out section 406 of title 23, United States Code, there is hereby authorized to be appropriated the sum of $40,000,000 for the fiscal year ending June 30, 1967, $60,000,000 for the fiscal year ending June 30, 1968; and $60,000,000 for the fiscal year ending June 30, 1969.

SEC. 108. Section 101(a) of title 23, United States Code, is hereby amended by adding the following term at the end thereof: "The term 'State highway safety agency' means those departments, commissions, boards, or officials of any State charged by its laws with the responsibility for administering the State highway safety program, or any part thereof."

SEC. 109. Section 105 of title 23, United States Code, is hereby amended by adding the following subsection at the end thereof:

"(e) In approving programs for projects on the Federal-aid systems pursuant to chapter 1 of this title, the Secretary shall give priority to those projects which incorporate improved standards and features with safety benefits."

SEC. 110. Nothing contained in this Act shall be deemed to supersede the authority under existing law of any Federal department or agency.

SEC. 111. The Secretary of Commerce shall make a thorough and complete study of the relationship between the consumption of alcohol and its effect upon highway safety and drivers of motor vehicles, in consultation with such other government and private agencies as may be necessary. Such study shall cover review and evaluation of State and local laws and enforcement methods and procedures relating to driving under the influence of alcohol, State and local programs for the treatment of alcoholism, and such other aspects of this overall problem as may be useful. The results of this study shall be reported to the Congress by the Secretary on or before July 1, 1967, and shall include recommendations for legislation if warranted.

SEC. 112. In order to provide the basis for evaluating the continuing programs authorized by this Act, and to furnish the Congress with the information necessary for authorization of appropriations for fiscal years beginning after June 30, 1969, the Secretary, in cooperation with the Governors or the appropriate State highway safety agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act. The Secretary shall submit such detailed estimate and recommendations for Federal, State, and local matching funds to the Congress not later than January 10, 1968.

FISH PROTEIN CONCENTRATE

The Senate resumed the consideration of the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate.

Mr. BARTLETT. Mr. President, during the past few moments we have been contemplating and discussing on this side of the aisle what the bill would do for the American fisherman and the American fishing industry. It is appropriate that this should be done.

I cannot emphasize too strongly the impact that the program will have on the protein hungry world.

I predict that we can get the protein concentrate program underway in a very short time and that soon after the pilot plants have been in operation we can produce, from resources not now utilized, the proteins so urgently needed in so many places. We can then take comfort in the fact that we will help people who are now sick and that we will be affording proper nutrition to those people who cannot now have it.

This humanitarian aspect is predominant in our thinking.

I trust that the Senator from Delaware will not offer his amendment and will not insist upon consideration of it. All we seek to do here is to achieve a basic legislative framework from which we can proceed in an area in which there is great and desperate need for speedy action.

Mr. MAGNUSON. Mr. President, I think this is one of the very finest reports on a subject concerning which there has not been too much said in the Record. I was in hopes that the Senator from Alaska would have the report printed in full in the Record following his remarks.

Mr. BARTLETT. Mr. President, I ask unanimous consent to have the report printed at this point in the Record.

Mr. WILLIAMS of Delaware. Mr. President, do I understand correctly that the committee report on the bill is to be printed in the Record in its entirety?

Mr. MAGNUSON. Mr. President, I refer to from page 1 in the middle of page 4, not the amendments, or the entire report.

Mr. WILLIAMS of Delaware. Mr. President, I think that the whole report should be printed in the Record because the report spells out the entire story. A letter from the Department of the Interior strongly recommends against enactment of the bill.

The PRESIDING OFFICER. The Chair is advised that the Joint Committee on Printing will not allow the report on the bill to be reproduced in its entirety. Certain extracts of the report, as suggested by the Senator from Washington and the Senator from Delaware, may be printed in the Record.

Mr. WILLIAMS of Delaware. Mr. President, lest there be a misunderstanding, the part of the report which I want to be sure is printed is the letter from the Department of the Interior, signed by Harry Anderson, under date of April 22, and the letter from the Excutive Office of the President, the Bureau of the Budget, signed by Mr. Donald F. Hornig, of the Office of Science and Technology, under date of May 13, 1966.

I should like to make certain that those two letters are printed in the Record. They are the heart of the entire argument. In these letters the agencies make a strong recommendation against the economic feasibility of five plants.

There being no objection, the excerpts from the report were ordered to be printed in the Record, as follows:

The Committee on Commerce, to which was referred the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate, having considered the same, reports favorably thereon with amendments and recommends that the bill (as amended) do pass.

PURPOSE AND SUMMARY OF THE LEGISLATION

The purpose of the legislation is to inaugurate an accelerated program of fish protein concentrate research including authority to construct five demonstration plants.

The legislation authorizes the Secretary of Interior to promote research in the development of the most efficient processes to produce fish protein concentrate for human consumption and to study food technology problems related to the introduction of the product into any diet or culture. The Secretary may employ scientists within the Department to carry out the research or may by grant or contract encourage universities and private research agencies and companies to study new processes. The committee has estimated that a minimum of five demonstration plants may be needed over the next 5 years to test the economic and engineering feasibility of the processes developed. Information accumulated will be available to the public to encourage private initiative in the commercial application of the discoveries. Five million dollars is authorized for plant construction during the 5-year program.

BACKGROUND OF THE LEGISLATION

The bill was introduced on October 22, 1965, by Senators E. L. Bartlett and Warren G. Magnuson. The committee held hearings on the bill on April 25, 1966, in Aberdeen, Wash., and on May 16 and 17, 1966, in Washington, D.C.

Earlier hearings on the general subject of fish protein concentrate were held by the Subcommittee on Merchant Marine and Fisheries on August 14, 1964.

The Department of the Interior testified in support of the legislation. The Department recommended, however, that the authorization be limited to one plant at this time because the immediate construction of five plants would be premature. The Department agreed that additional plants may be needed in the future when studies presently underway have been completed.

The Director of the Office of Science and Technology in the Executive Office of the President informed the committee that he supports the objectives of the bill and agrees with its approach.

In testimony before the committee, Dr. Albert H. Moseman, Assistant Administrator for the Agency for International Development, stated that AID was strongly in favor of the proposal as a means of helping meet the growing world food problem, particularly in developing countries.

The Department of Agriculture favored the enactment of the bill with an amendment adopted by the committee deleting reference to selling fish protein concentrate under the food for freedom legislation.

The legislation was supported strongly by all fishery interests from the Atlantic, gulf, and Pacific coasts and from the Great Lakes region, and by representatives from numerous large food and research companies including General Foods Corp., Meals for Millions Foundation, Avco Corp., and Marine Colloids, Inc. The sole opposition came from the National Milk Producers Association.

The committee is of the opinion that there is a substantial domestic and international interest in the development of an inexpensive fish protein concentrate similar to that connected with the development of an inexpensive means of extracting salt from sea water. There is an acknowledged world shortage of fresh water and of a high-grade inexpensive protein to meet the expanding world food needs. Congress recognized the national and international need and implications of an accelerated saline water program in 1952 by the enactment of the Saline Water Act and in 1958 with the passage of Public Law 85–883 which authorized the Secretary of the Interior to construct five demonstration plants. Under the saline water program the Secretary is carrying out an energetic program under which research grants are awarded to universities, private research groups and companies, research contracts are entered into for the development of bench model and pilot plants, and finally demonstration plants are either built by the Government or private industry with private contract operation. The committee believes that this same type of development program should be employed in the search for inexpensive means to produce a fish protein concentrate.

NEED FOR LEGISLATION

It is reliably estimated that by 1980 the world population will increase from 3.4 billion to 4.6 billion and by the year 2030, the world population will reach 14 billion. The world is hungry today with two-thirds of the present population underfed; the world will be hungrier tomorrow unless some inexpensive source of protein can be found for human consumption.

In testimony before the committee, Dr. Albert H. Moseman, Assistant Administrator for the Agency for International Development, stated that the Agency is deeply concerned about the problem of protein malnutrition in many areas of the world. The witness testified that "it is our conviction that the world's protein deficit is of such a magnitude that all feasible approaches and resources necessary to achieve its solution must be perfected and mobilized." In commenting on the importance of fish protein concentrate, Dr. Moseman stated, "The blandness of the product, its apparent freedom from toxic factors, and its high protein biological value are most impressive. It is to be hoped that the projections of costs will prevail up to larger industrial levels of processing. We are hopeful that there may be favorable action by the Food and Drug Administration on this product which not only will permit use of a domestically processed product for food use at home and abroad but also will enable the Agency for International Development to consider more effective programs of technical guidance and related assistance to food-needy countries which have adequate fish resources for establishing local fish protein concentrate industries. * * * Mr. Chairman, the Agency for International Development is deeply interested in the further perfection and utilization of fish protein concentrate materials and we regard the expanded research and development activities that would be made possible under S. 2720 as of direct and positive benefit to our foreign aid efforts."

The purposes of the demonstration-pilot plants are to reduce private investment risk involving new products and engineering concepts, to stimulate the development of markets for fish protein concentrate, to provide adequate quantities of product for food technological research and human feeding studies to be conducted by private food industries and Government agencies.

There is no short cut that would eliminate the pilot plant stage in the development of a fully successful commercial fish protein concentrate.

The committee can see at this time the possible need for the design of a minimum of five totally different pilot plans. The first is a batch extraction plant utilizing isopropyl alcohol as devised by the Bureau of Commercial Fisheries scientists. The second plant might involve a continuous solvent extraction process possibly using some other solvent, geared principally to the preparation of fish protein concentrate from fatty fish and the collection of the valuable oil that would be obtained. A third approach conceptually new, would be what has been identified as a biological method of manufacturing fish protein concentrate. The biological approach utilizes enzymes to digest the fish into a liquid slurry. Fat and water are later removed by conventional means. Products thus prepared are water soluble and can, depending on processing conditions selected, have varying and highly desirable flavor and odor characteristics. A fourth plant might be the installation of fish protein concentrate processing aboard a fishing vessel. This approach is particularly favorable insofar as economics are concerned. The last approach might employ novel physical methods to eliminate water and fat from fish by such means as the use of high electrical discharges through fish tissues. These physical methods appear to be highly favorable for combining with biological methods. However, the committee felt that the Secretary would not request funds for any demonstration plant until a process had been approved by the Food and Drug Administration.

The Department of the Interior testified that the Department would follow the President's patent policy statement of October 13, 1963, in considering any rights to any inventions made under the program and that the Government would therefore normally acquire the principal rights. The Committee was also concerned with this problem and expressed support for the Department's position that the public interest in the process or product developed from the plants be fully and adequately protected.

Primarily, fish protein concentrate may be regarded as a high-quality, low-cost animal protein supplement, suitable for incorporation into a variety of food forms. If, however, fish protein concentrate is to reach the people who need it in a form they want and can use and at a price they can afford, the committee believes feasibility studies must be conducted. The economics for any particular market area can only be defined by studying various aspects of food habits and customs, inherent nutritional problems and marketing and distribution capacities.

Fish protein concentrate can readily be incorporated into a number of existing food products or it may be used in the development of new food products. To attain consumer acceptance, however, techniques and formulations must be developed to determine the optimum levels of incorporation of fish protein concentrate in food products to realize the most economical compromise between nutritional values and acceptability. Fish protein concentrate added to foods must be studied from the viewpoint of effect on nutritive value, color, flavor, texture, and stability during storage.

* * * * *

AGENCY REPORTS

The reports of the agencies and departments follows:

U.S. DEPARTMENT
OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 22, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: Your committee has requested this Department's comments on S. 2720, a bill "To authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate."

We recommend the enactment of the bill with the amendments suggested herein.

S. 2720 authorizes the Secretary of the Interior to increase his present fish protein concentrate research and experimentation program and to build five experiment and demonstration plants to produce this concentrate. The bill authorizes a maximum appropriation of $5 million to construct these plants and additional sums for operation and maintenance and the program itself.

Our amendments and comments thereon are as follows:

1. On page 2, lines 4 and 5, delete the words "not to exceed five experiment and demonstration plants" and insert "one experiment and demonstration plant."

2. Delete the last sentence in subsection 2(a) of the bill.

3. On page 2, lines 6, 15, 18, and on page 3, lines 1, 21, and 24, delete "plants" and insert "plant".

4. On page 2, line 23, delete "or plants".

5. On page 3, line 4, delete "Each constructed" and substitute "The".

These changes reduce the number of authorized plants from five to one. This plant would be an expanded version of the existing model-scale solvent system developed by the Bureau of Commercial Fisheries of this Department. Studies utilizing the currently available model unit have indicated that a highly nutritious fish protein concentrate (FPC) can be produced using solvent extraction procedures.

It is now necessary to determine whether a similar product can be manufactured on a commercial scale within the economic limits required. It is also necessary to produce larger quantities of FPC for testing purposes—to determine and demonstrate where and to what extent it can be used as a supplement with other foodstuffs.

These needs justify the construction and operation of one experiment and demonstration plant by the Federal Government at this time. The safety and wholesomeness of solvent-extracted FPC has, to date, been demonstrated only for hake belonging to the Merlucciidae and Gadidae families, including the silver hake, the white hake, the squirrel or red hake, and Pacific hake. Studies leading to the extension of the solvent process to other families of schooling fishes, notably the menhaden, are now underway, but completion of such studies cannot be anticipated in the very near future. In as much as fishes of the hake family enjoy only a relatively limited geographic distribution in the waters of our east and west coasts, construction, at this time, of five FPC demonstration plants would be premature.

It is possible, however, that when the studies on other families of fishes are completed, additional plants may be needed. At that time, the operation of the single plant proposed herein will permit us to design more efficient solvent-extraction plants, tailored to the specific characteristics of these other families of fishes. In addition, work is underway on two other basic processes for the production of FPC—namely, an enzymatic digestion process and a physical cell disruption process.

It is conceivable that development of either or both of these processes might cause the solvent-extraction process to be relatively uneconomical or even obsolete.

6. We recommend that subsection 2(e) be deleted. Congress is now considering general legislation on the subject of foreign sales and donations of food which would revise the existing Public Law 480 program. We strongly believe the use of fish protein concentrate in international programs should be considered in the context of the general legislation rather than this bill.

7. On page 3, line 21, change "$5,000,000" to "$1,000,000".

We believe that the cost of constructing this single plant will not exceed $1 million. We estimate that about $500,000 will be needed each year to operate and maintain the plant and to conduct onsite quality control and engineering experimentation work.

The President's patent policy statement of October 13, 1963, will govern the disposition of rights to any inventions made by an operating contractor under subsection 2(b) of the bill. That statement provides that since the experimental work will be in the fields affecting public health and welfare and directed to a process or product intended for public use, the Government would normally acquire the principal rights.

We believe enactment of the subject bill, in accordance with the suggested amendments, would provide for the perfection and demonstration of commercial scale processing techniques to produce an economical, highly nutritious, simply stored, and easily transported food substance. Additionally, it would encourage the development of markets for the products produced by these plants. There is widespread interest in the FPC program, as indicated by some 15 major domestic food manufacturers who indicate an interest in testing the feasibility of incorporating high quality fish protein concentrate into their products. These include baked goods, candy, cereals, nondairy baby foods, and dietary foods. In addition, interest in incorporating FPC in the diets of millions of protein-starved peoples in the developing countries throughout the world has been expressed by organizations such as the Agency for International Development, United Nations Children's Fund, World Health Organization, and the Food and Agriculture Organization of the United Nations.

We have considered alternative approaches to that taken in S. 2720, as amended herein. One possible approach is that of contracting with one or two representatives of the commercial fishing industry to carry out the objectives of this bill. We believe, however, that this approach has two major drawbacks, not apparent in the approach taken by this bill.

The first is the cost. We have estimated that the cost of the demonstration plant approach to produce 3,000 tons of fish protein concentrate for 1 year will be about $1.5 million. We believe the contract approach will result in higher costs for the same amount of fish protein concentrate, especially if we require the contractor to perform in a manner that will carry out all the experiments we plan in the demonstration plant approach in developing a product and a process. It should be emphasized that we do not now have a marketable product. Nor do we know whether it can be manufactured on a commercial scale within reasonable economic limits. Furthermore, the contractor has no present-day market for it. The cost of developing all of these items will be substantial to the private investor who must make a return on his investment. The plant constructed by Government, on the other hand, will be operated in a flexible manner, and no profit is required.

The second is the fact that we want to benefit the entire industry, not just that portion of industry which has the most money to risk. One must recognize that the commercial fishing industry is primarily composed of many small entrepreneurs. The contract approach would benefit only the largest entrepreneurs in the industry. We believe that such a result is not in the public interest. In addition, we believe it would take longer to follow the contract approach with uncertain results.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF SCIENCE AND TECHNOLOGY,
Washington, D.C., May 13, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Because of the deep and continuing interest of this office in the development and production of wholesome fish protein concentrate, I am taking the liberty of submitting the following comments on S. 2720 which I understand is under consideration by the Committee on Commerce.

S. 2720 would authorize the Secretary of the Interior to promote research and experiment and to provide for the construction and operation of experimental and demonstration plants for the production of fish protein concentrate.

I am fully in support of the objectives of S. 2720 and agree with its approach. On

> the basis of the experience gained by the Bureau of Commercial Fisheries in developing a promising laboratory process, I believe that there is need for the construction of a single experimental and demonstration pilot plant which would pave the way for the subsequent construction of semicommercial and full-scale production plants.
>
> We now have a fragmented, hand-operated laboratory process. A necessary next step is to construct a relatively small experimental continuous process plant with maximum flexibility for the conduct of engineering research studies under a wide range of conditions. Although the plant might be contractor operated, the design and troubleshooting in the test plant should be carried out with the intimate involvement of those experienced in the laboratory process and having thorough understanding of the desired characteristics of the final products.
>
> The need for an intermediate experimental plant of this character has been underscored by the Committee on Marine Protein Resource Development of the National Academy of Sciences' Food and Nutrition Board in a resolution adopted October 14, 1965.
>
> By providing reliable economic and engineering data and by demonstrating the wholesomeness and acceptability of the product through the production of small quantities of protein needed for nutritional tests and feasibility studies, a Government-financed program can, in my view, most expeditiously develop competitive commercial interest and investment to increase production, reduce costs, and stimulate markets for fish protein concentrate.
>
> I am advised that the Bureau of the Budget has no objection to the presentation of this report from the standpoint of the administration's program, and that the Bureau concurs with the views contained herein.
>
> Sincerely yours,
>
> DONALD F. HORNIG,
> *Director.*

Mr. WILLIAMS of Delaware. Mr. President, as I have stated earlier, I am in complete agreement with the objectives of the bill. The other side has no monopoly on the humanitarian effort involved in this measure; however, the reports of all agencies involved clearly state that they are recommending the approval of only one pilot plant at this time.

I am just as much interested in the objectives of the bill as is any Senator who has spoken heretofore. I am in complete agreement that we should authorize the enactment of one pilot plant; but why increase this request by 500 percent?

I come from the east coast. The east coast has just as much interest in the measure as does the west coast, and one of the largest commercial fishing plants on the east coast is located in my State.

I repeat, I have just as much interest in this measure as does any other Senator. However, it does not make sense to me that the bill should provide for five pilot plants to work on something that can best be done by one.

I read from the letter of the Director of the Budget, signed by Mr. Hornig:

> I am fully in support of the objectives of S. 2720 and agree with its approach. On the basis of the experience gained by the Bureau of Commercial Fisheries in developing a promising laboratory process, I believe that there is need for the construction of a single experimental and demonstration pilot plant which would pave the way for the subsequent construction of semicommercial and full-scale production plants.

The Comptroller General stated that as of October 31, 1965, the Food and Drug Administration had not even approved whole fish protein concentrate for human consumption.

The Comptroller General suggests that we might want to hold up on all pilot plants until we solve this problem. I would not want to go that far.

I think it would be proper to construct one pilot plant at this time, but I see no need to go into the construction of five pilot plants when the Department of the Interior so clearly points out that all they want at this time is the construction of one plant until they can get some of the bugs worked out of this process. They may then find it necessary to construct another pilot plant incorporating the benefit of their experience. They may be successful in the first pilot plant, and then we could move into the commercial production of this protein product.

Both agencies strongly recommend against the enactment of legislation for five pilot plants. Let us stop kidding ourselves. If we authorize this amount now the money will be appropriated. Each of five different areas of the country will want a pilot plant in its respective area. Certainly we would all like to have one in our area, but this would be impracticable.

What difference would it make whether the plant is constructed on the east coast or the west coast? Any discovery leading to the production of this product on a commercial basis would be of just as much benefit to the east coast as it would to the west coast, and vice versa. I do not see that geographic consideration should be involved in this matter at all.

Let us face it this is nothing more than a pork barrel endeavor to get five pilot plants in five different States, all of the plants working on the same project and at a cost of $5 million. The Department of the Interior and the Bureau of the Budget, have said that they do not need but 1 million and want but one pilot plant at this particular time. It would not be feasible to authorize more than one until they have developed more experience.

Mr. President, unless an agreement can be reached limiting the proposal to one pilot plant I shall offer the amendment and shall suggest the absence of a quorum so that we can get enough Senators present to have the yeas and nays ordered. Let the Senate decide whether it wants to increase the appropriation 500 percent over what the administration and every Government agency state is necessary.

Mr. MAGNUSON. Mr. President, I want the RECORD to show that this is not an appropriation. It is an authorization. We are not attempting to increase an appropriation at all.

Mr. WILLIAMS of Delaware. The authorization is for $5 million, not for $1 million, and authorization today means appropriation tomorrow.

Mr. MAGNUSON. The Senator said it was an appropriation.

Mr. WILLIAMS of Delaware. The Senator from Washington is well aware of the fact that the next step would be an appropriation for $5 million. It would ultimately end up with an appropriation.

Mr. MAGNUSON. Mr. President, we hope that we may get one, two, or three plants started. However, we do not know. We do want the RECORD to show that this is not an appropriation, but an authorization.

Mr. WILLIAMS of Delaware. Mr. President, if the Senator from Washington is willing to leave in the bill the authorization for five pilot plants with the proviso that under no circumstances can more than $1 million be appropriated I will have no objection. However, the Senator knows as well as I do that he wants an authorization for $5 million for the construction of five plants and later will be asking for the full appropriation.

I shall offer an amendment in line with what the administration says is the maximum amount needed and the maximum amount that can be utilized at this particular time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. (Mr. RIBICOFF in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FINE ARTS COMMISSION ENGINEERING STUDY SHOWS FEASIBILITY OF RESTORATION OF WEST FRONT WITHOUT EXTENSION

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, notwithstanding the provisions of section 3 of rule 8, relating to germaneness, I may be permitted to speak for 10 minutes.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the request of the Senator from Wisconsin may be granted provided I do not lose my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PROXMIRE. Mr. President, in the controversy over the proposed extension of the west front of the Capitol, the proponents of this $34 million project have had the advantage of engineering estimates and a prepared, detailed justification. The justification seems to many of us to be wholly inadequate. Many are deeply incensed with the proposal.

But the proponents enjoy the great advantage of being armed with a report that contends that the restoration of the west wall of the Capitol, to strengthen and shore it up, is infeasible and costly.

Having disposed of the "shore it up but don't extend it" alternative, which many Members of Congress and the general public would prefer on technical and unrevealed engineering grounds, they swiftly opt for the alternative of a massive expansion of Capitol space.

Fortunately, a competent and responsible engineering firm, Bernard F. Locraft, civil engineers, has made a comprehensive survey of the prospect of restoring the west wall without extending the west front. This interpretative report was made for the Commission of Fine Arts.

In my judgment, the report demonstrates the clear feasibility of repairing and rebuilding the west wall of the Capitol without the puffed-up, bloated extension and without the immense cost to incorporate what the distinguished Senator from Ohio [Mr. YOUNG] has properly called a "king-sized Howard Johnson's" on Capitol Hill.

The recommendations of this report to Congress specifically refer to that cost. I think the report makes sense in its specific detail. The recommendations include:

A. Repair the badly cracked and distorted portions where the safety of structure is in danger. Replacement with new stones may be necessary in some cases.

B. Grout the backup wall and the voids between the facing and backup wall.

C. Waterproof all cracks and joints with the best means obtained through extensive study.

D. Remove the loose paint as much as possible without damaging the stone and repaint the whole building.

The report concludes:

We conclude, based on our study of the report, that the restoration of the existing West Front of the Capitol is not infeasible. Cost, hazard, and interference with occupancy will depend on the extent of restoration undertaken.

Mr. President, I ask unanimous consent that the entire report and a letter from William Waltson, Chairman of the Fine Arts Commission, be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BERNARD F. LOCRAFT,
CIVIL ENGINEERS,
Washington, D.C., February 4, 1966.

The COMMISSION OF FINE ARTS,
Interior Department Building,
Washington, D.C.

GENTLEMEN: We present herewith an interpretation of the "Report on the Structural Condition of the West Central Portion of the United States Capitol," November 1, 1964, prepared by the Thompson & Lightner Co., Inc. of Brookline, Massachusetts, and a discussion of the possible alternates for correcting the deficiencies reported therein. There are altogether five volumes containing reports of visual inspections, photographs, tables, diagrams and sketches. Based on this information, conclusions were drawn and recommendations made in said report as to:

1. Whether the existing wall can be repaired in its present condition.

2. Whether the existing wall can be refaced with marble in its present condition.

3. Whether remedial action requires extension of the West Central Front and its reconstruction in marble or

4. Whether any other means of preservation are deemed feasible and advisable.

First, the summary in the original report is reviewed and interpreted, item by item. Later, recommendations will be discussed based on our study of the report. (Direct quotations from the report are italicized.)

SUMMARY OF THE CONCLUSIONS IN THE REPORT

1. *The workmanship on the sandstone ashlar masonry facing is generally good.* The sandstone ashlar masonry was carefully laid as to alignment and uniformity of thickness of joints. The joints were one-sixteenth to one-eighth-inch thick, with the face and rear bedded, but not a full bed. The stone was laid with alternate courses, keying in two or more inches.

2. *The workmanship on the fieldstone rubble masonry is generally inferior.* The fieldstone rubble masonry were generally used for foundation walls, interior walls and piers and to backup the sandstone ashlar on the exterior walls. The center of the wall generally was poorly laid, containing small stones and many voids. Mortar is lacking in many joints and it was not thoroughly mixed. Keying between the ashlar and the backup wall was poor. Some of the wall interior appeared to have been constructed by dumping stone into scant beds of mortar.

3. *The workmanship on the brick masonry is generally acceptable.* The brick masonry generally was laid with weak mortar, uniform joints, but contained many voids.

4. *The sandstone used for the exterior facing is an inferior material for use in a monumental structure.* The sandstone is white to light brown gray color with the quartz sand grains largely cemented together by silica which is inert relative to the atmosphere. The compressive strength was 5,943 psi. on average, only about two-thirds of that of good sandstone. The modulus of rupture, 1,425 was low compared to good quality sandstone. Absorption, 9.57% was high relative to that of good sandstone. Lower strength and higher absorption normally correspond to lower durability relative to weather.

5. *The fieldstone used for the backup of the sandstone and for foundation walls is generally a good material.* The physical properties of fieldstone were investigated by laboratory tests of specimens cut from the cores. The data show that the compressive strength was 13,700 psi. which was lower than most granite and gneiss, and the range is large. The absorption of 0.34% is low and typical for granite and gneiss.

6. *The brick used for the backup of the sandstone and for interior floor and foundation arches and walls is generally a satisfactory material.* The clay brick was of reasonable uniformity of dimensions and of burning throughout the brick. Laboratory tests showed compressive strength of 4,243 psi. and saturation coefficient of 0.67%. Both are satisfactory.

7. *The mortar used is largely a lime mortar and is generally not a good quality for such mortar.* Laboratory tests showed that the sands from the mortars are all silica sand which have durability and strength. The gradation of the mortar sands was poor. The mortar strength, as determined by ease in breaking and of scratching with the point of a knife blade, ranged from an estimated 100 psi. to 2,000 psi. 30% of the mortar were leaner than good practice would require.

8. *The masonry facings at the terrace level on the west side of both of the Old Senate and Old House Wings, which were not part of the original construction are displaced and require prompt removal and replacement with proper bonding to the backup wall. The bottom course should be of granite.* Voids of varying widths were found behind almost all facing stone and the fieldstone or brick backup, evidencing movement of the two resulting from temperature and moisture, as well as settlement and load adjustment effect. There is no provision for expansion or contraction and as the joint of the facing stone are very small, expansion could cause the poorly backed ashlar to bulge out and contraction would open up the joints causing cracks to appear. Water getting into the cracks and freezing would further open the cracks and cause heaving out of the wall.

9. *The entablature at the front of the Center Wing is displaced and requires prompt removal and replacement.* The architrave part of the entablature has many cracks and open joints, one of which is approximately one inch wide. The architrave has deflected badly. The means of connection between the stones are not known, but probably are keys of metal or stone.

10. *The retaining walls of the terraces at both the Old Senate and Old House Wings require reconstruction of the foundation to provide adequate frost protection.* For example, Drawing No. 11, Vol. II shows the cover over bottom of foundation to be 2'-2" and there is evidence of wall movement and Dwg. No. 22, Vol II shows a cover of 2'-6". Although the District of Columbia Building Code permits 2'-6" cover, 3'-6" would be considered proper for a monumental building of this type at this latitude.

11. *The exterior walls of the West Central Portion of the Capitol are distorted and cracked, and require corrective action for safety and durability.* The conclusion in regard to structural adequacy of the foundation is that generally the bearing values of the soil are acceptable and safe, except for the center wing where they are excessive. The computed stresses in the foundation walls and the exterior building walls would normally be considered acceptable and safe, except for the center wing. Cracking in joints and stones is largely in the area vertically between and around windows and doors. There are dropping of lintels and keystones, settlement of window frames and cracks in columns and plinth blocks. The character of the cracking shows that besides the effect of shrinkage of stones and mortars there must be also differential settlement of the foundations through the years causing cracking of the walls, as investigation of the stresses due to loads does not indicate overloading of the arches or lintels as a cause.

12. *The attic roof slab in the House wing requires corrective action because of the extensive corrosion of the reinforcing steel.*

13. *Drawings should be prepared of the Capitol so that there is readily available information on the structural condition in relation to the many mechanical and electrical and other installations which have resulted in much cutting and patching. The drawings should be kept current so that the safety of structure as affected by changes in installations and usage can be readily checked.*

14. *Level readings of vertical movements and measurements of horizontal movements should be taken annually of all important elements of the Capitol so as to provide data as a basis for corrective action before cracking and failures occur.*

15. *Piezometer readings to check the ground water level should be made on a regular schedule and the data used to assist analysis of the settlement data.*

Measures suggested in the last three articles are essential for the proper maintenance and reparation of the building. This is true regardless of which remedial action is taken for the building.

The above are the conclusions and some of the recommendations of the original report. The essence seems to be that the foundations are adequate (except for the Central Wing and the low retaining wall in the court) and that while the walls suffer from some inferior workmanship and from some settlement and temperature cracks they are adequate to support the loads, but they are not adequately protected from weather and elements. Two locations in particular are mentioned as being in need of immediate repair: the veneer at the west face of the Old Senate and House Wings below the terrace level and the entablature at the top of the West Portico.

SUMMARY OF RECOMMENDATIONS IN THE REPORT AND DISCUSSION

Below are listed the recommendations from the original report, concerning the remedial action for the building. Following each recommendation a brief discussion based on our study of the report is presented. (Direct quotations from the report are italicized.)

1. *Facing of the existing walls as corrective action with durable marble and granite, leaving the sandstone in place, is not recommended because it would require additions to present foundations and there would still remain walls and foundations of structurally inferior construction without preserving the historic architecture.*

According to the report the center wing of the building is already overloaded. To add facing to the existing building would therefore require a stronger foundation. Also it seems highly undesirable to tie the additional facing to the cracked and distorted wall unless the latter is strengthened. This costly operation seems unjustified since it will not preserve the historic architecture.

2. *Removal of the entire wall and foundation and replacement by reinforced concrete with a facing of high quality granite for the course at grade and high quality marble above for the face stone is not recommended because of the hazard, cost and interference with occupancy.*

Technically, replacement with a reinforced concrete frame is entirely feasible. However, there are two major disadvantages: the original wall facing would not be preserved; during construction, occupancy of most of the building would be impossible.

3. *Retention of the wall as an interior wall of an extended building is recommended as the least hazardous and as causing the least interference with the occupancy of the present structure. A properly designed and constructed extension would also provide desirable lateral support for the West Central Portion.*

It is obvious that comparing with the previous two methods this one is the least hazardous causing the least interference with the occupancy since the existing wall will be least disturbed. Changing it into an interior wall will also protect it from the weather. However, the wall facing will probably have to be modified or covered up with new stones to make it look like an interior wall. The historic architecture of the West Central Portion is thus completely lost.

4. *Removal of the sandstone completely and replacement by high quality marble and granite as corrective action is not recommended because it would be a very costly and hazardous operation and there would still remain walls and foundations of structurally inferior construction.*

The technical difficulty lies in the fact that the building is entirely of stone and brick without any frame structures and detailed drawings are lacking. The internal stresses are not only difficult to analyze but, due to the settlement, the cracking and other disfigurations the internal stresses have been redistributed in such an unknown and complicated way that the job of shoring up the structure while the changes are made becomes extremely intricate. It requires a thorough investigation including cutting openings in ceilings and walls and a careful design together with good workmanship to accomplish the job.

After the removal of the face stone the backup masonry can be strengthened by grouting to fill the voids in the wall. In grouting there are two things to be considered. First, in some places the void space might be so great that the additional weight of the grout would be a matter of concern. Second, the inside face of the wall must be sealed sufficiently to hold the grout or the grout might leak through the cracks and ruin the decorations on the walls and floors.

This operation of complete replacement of face stone has two major disadvantages. First, the existing building and hence the historic architecture is only partially preserved since the face stone will be new. Second, some of the badly cracked and disfigured wall will have to be dismantled completely, facing and backup, top to bottom. Interior shoring and exposure to the weather will make occupancy impossible.

5. *Retention and repair of the existing walls as corrective action is not recommended as it would require the hazardous removal of much of the facing so as to allow installation of ties to the backup wall, or the installation of ties through the face joints with resulting disfiguration of the structure. There would still be walls and foundations of structurally inferior construction with the walls requiring continuing protective treatment.*

Although the retention and repair of the existing walls are not recommended by the original report, there is no indication, based on our study of the report, that this method is infeasible. The amount of repair work which directly determines the amount of cost and hazard, depends largely on whether the paint on the face of wall must be removed. The report indicates that there are about thirty-five coats of paint on the wall. Although it has been effective as protection some may think that it has affected the architectural detail and quality and therefore is objectionable. The paint crust is hard while the sandstone behind it has been softened. The removal of the paint would involve the removal of a portion of stone behind, thus changing the texture as well as the dimensions of the stone. Details at the entablature and the trim of doors and windows probably will be distorted. Experiments may be conducted in certain areas to observe the face of wall after the paint has been completely removed by various means. If none of the results is satisfactory it may be necessary to take off all the face stones from the wall, recut their faces and replace them in their original places. The operation is indeed hazardous and costly and the difficulty has been already discussed in the last article.

On the other hand, if a painted facing is tolerable, the amount of work could be reduced tremendously. Assuming this to be the case the work could proceed as follows:

a. Repair the badly cracked and distorted portions where the safety of structure is in danger. Replacement with new stones may be necessary in some cases.

b. Grout the backup wall and the voids between the facing and the backup wall.

c. Waterproof all cracks and joints with the best means obtained through extensive study.

d. Remove the loose paint as much as possible without damaging the stone and repaint the whole building.

We conclude, based on our study of the report, that the restoration of the existing West Front of the Capitol is not infeasible. Cost, hazard and interference with occupancy will depend on the extent of restoration undertaken.

June 22, 1966.

Hon. Hubert H. Humphrey,
Vice President of the United States,
Washington, D.C.

Dear Mr. Vice President: The Commission of Fine Arts has asked me to express to you its grave concern over proposals to alter the West Front of the Capitol. The Commission, established by Congress in 1910 to advise the President and the Congress on matters of art, feels that this is the single most important architectural proposal of the 20th Century. We have therefore studied the matter deeply and come to the conclusion that to erase this great historic facade would be a national tragedy.

The Capitol as a whole is one of the great buildings of the world, comparable in size and shape to St. Peter's in Rome and St. Paul's in London. While it finally cannot rank with either of them in architectural purity, it has a style and a quality that is unique.

It has been developed piece by piece as this Republic grew from a small nation to become the greatest world power. And that history is reflected in the architecture of the West Facade. In the process of growth the Capitol has taken on a patriotic symbolism that scarcely needs to be pointed out. Unquestionably it is the single most important building in our great Republic, expressive of our noble ideals and great achievements. To preserve it, other lesser needs such as those for additional office space, restaurant facilities, and tourist accommodations must be set aside for a larger goal.

The Commission has made a very careful study of the Congressional proposal with special attention to the engineering report by the Thompson and Lichtner Company. On our own we have sought the advice of an independent structural expert with considerable experience in analyzing old buildings. Our report indicates that it is feasible even though difficult, to restore the original walls or partially rebuild them in their present location. We strongly support this view and will be glad to forward the report to you in full.

In the meantime the Commission believes that it is of the greatest importance that no steps be taken which might make inevitable the vandalism of the Capitol's historic and beautiful West Facade.

Respectfully yours,

William Walton,
Chairman.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed at this point in the Record an excellent editorial entitled "Capitol Architect Rides Again," published in the Milwaukee Journal; an editorial entitled "The Capitol," published in the Washington Daily News; and an editorial entitled "West Front Fiasco," broadcast by radio and television stations WTOP and WTOP–TV, of Washington.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Milwaukee Journal]

CAPITOL ARCHITECT RIDES AGAIN

George Stewart, congressional architect, has a plan for spending an estimated $34 million. He wants to extend the west front of the capitol to add about 25% more space. He say that the work is needed to shore up the capitol's crumbling west wall. His addition would provide two large restaurants and a cafeteria, some extra conference rooms, additional rest rooms for tourists and some storage space.

Senator Proxmire (D-Wis.) listened to the proposal being explained and was "appalled." With good reason, if one knows the history of Stewart estimates on building costs and the way he operates. Take the new Rayburn house office building. Proponents said that a $50,000 appropriation to study the need and make initial plans would be adequate. However, the house voted $2 million for planning at the behest of the late Speaker Rayburn. Estimates on the finished building started about $20 million and kept rising. As nearly as anyone can figure out, the final figure came to at least $95 million. An estimate of $34 million could easily turn out to mean a cost of $100 million by such standards.

Something needs to be done about the stone in the west front of the capitol. But $34 million worth of something? At the very least, as Proxmire says, the subject should "have the most searching and critical scrutiny by the appropriations committees and the congress" before anyone lets architect Stewart ride off on his own again.

[From the Washington Daily News]

THE CAPITOL

Today's Guest Editorial is really two editorials on the same subject, namely, the proposal by the Architect of the Capitol to alter the building's West Front. The first involves a letter from William Walton, chairman of the Commission on Fine Arts, to Vice President HUMPHREY and Speaker McCORMACK. It goes like this:

"The Commission of Fine Arts has asked me to express its grave concern over proposals to alter the West Front of the Capitol. The Commission, established by Congress in 1910 to advise the President and the Congress on matters of art, feels that this is the single most important architectural proposal of the 20th Century. We have therefore studied the matter deeply and come to the conclusion that to erase this great historic facade would be a national tragedy.

"The Capitol as a whole is one of the great buildings of the world, comparable in size and shape to St. Peter's in Rome and St. Paul's in London. While it finally cannot rank with either of them in architectural purity, it has a style and a quality that is unique.

"It has been developed piece by piece as this Republic grew from a small nation to become the greatest world power. And that history is reflected in the architecture of the West Facade. In the process of growth the Capitol has taken on a patriotic symbolism that scarcely needs to be pointed out. Unquestionably it is the single most important building in our great Republic, expressive of our noble ideals and great achievements. To preserve it, other lesser needs such as those for additional office space, restaurant facilities, and tourist accommodations must be set aside for a larger goal.

"The Commission has made a very careful study of the Congressional proposal with special attention to the engineering report by the Thompson and Lichtner Co. On our own we have sought the advice of an independent structural expert with considerable experience in analyzing old buildings. Our report indicates that it is feasible even tho difficult, to restore the original walls or partially rebuild them in their present location. We strongly suport this view . . .

"In the meantime the Commission believes that it is of the greatest importance that no steps be taken which might make inevitable the vandalism of the Capitol's historic and beautiful West Facade."

The second statement is from Sen. JOSEPH CLARK (D., Pa.), who said:

"I desire to solicit the interest of Senators in a bill which I am thinking about introducing to designate the U.S. Capitol building as a National Historical Landmark. As I understand it, this would have the effect of making it a Federal offense for anyone to deface, mutilate or in any other way desecrate it. It would apply to all persons, including architects, nonarchitects, and nominal architects.

"I come from the Commonwealth of Pennsylvania where we have many national landmarks. We do not like to see our landmarks 'improved'—we are quite happy with them the way they are. If someone proposed to 'beautify' Independence Hall in Philadelphia with the addition of a modern hot-dog stand—or even a colonial reproduction of a hot-dog stand—we would strenuously object.

"I do not believe we should do less for the U.S. Capitol building. It, too, is a national shrine. It is as much entitled to protection against vandalism—whether from high places or low—as Independence Hall or Old Swedes' Church.

"It is true that we do not have our own Architect at Old Swedes' Church. This is an advantage. Not only does this save us a great deal of money—it has also tended to have a beneficial effect on the state of preservation of this fine old building. This is all the more reason why the U.S. Capitol which does not have this advantage, should be given the protection which the bill which I am contemplating introducing in the Senate would afford."

To all of which we add a fervent "Amen!"

WEST FRONT FIASCO

(This Editorial was broadcast on June 20 and 21, 1966, over WTOP Radio and Television.)

This is a WTOP Editorial.

When Capitol Architect J. George Stewart presented his horrendous plan for extending the West Front of the Capitol, Senator WILLIAM PROXMIRE described it as "an insult to the intelligence of Congress.

That is not a strong enough argument. The Rayburn Building, now squatting in all its architectural hideousness at the foot of Capitol Hill, is also "an insult to the intelligence of Congress"—and a massive insult at that.

Nevertheless, Mr. Stewart continues his stewardship over the Capitol Hill building program and, with the active cooperation of some of the congressional leadership, continues to impose standards of bad taste and inappropriateness on the national capitol.

So something more is needed than pleas for intelligence. What is required is muscle—legislative muscle to prevent the wrecking crews from doing over the Capitol in the tradition of modern mediocrity.

To do what is proposed to the West Front would be like adding a bell tower to the White House. If the West Front walls need shoring, Mr. Stewart should do so. But to use this as a pretext for adding 4½ acres of space to the West Front, changing its shape and character, altering one of the oldest and most beautiful sights of Washington—this is sheer nonsense.

Already friends of the West Front both in Congress and out are promising a fight to the death. If all else fails, we propose a massive picket line to protect the West Front from the wreckers—men who apparently will not be satisfied until they warp Capitol Hill into a new, inferior image.

This was a WTOP Editorial, Jack Jurey speaking for WTOP.

ARCHITECTURAL BLUNDER

(This Editorial was broadcast on June 23 and 24, 1966, over WTOP Radio and Television.)

This is a WTOP Editorial.

The Fine Arts Commission, which ordinarily is not noted for its speed, has hastened into the breach in the battle of the Capitol's West Front.

In a letter to Vice President HUMPHREY and JOHN McCORMACK, Commission chairman William Walton has beseeched the powers that be to spare the West Front from Capitol Architect J. George Stewart.

"The Commission believes," Walton wrote HUMPHREY and McCORMACK, "that it is of the greatest importance that no steps be taken which might make inevitable the vandalism of the Capitol's historic and beautiful West Facade."

Note the use of the word "Vandalism," which is a drastic way to describe Mr. Stewart's plans for the West Front. But drastic words are called for, lest Mr. Stewart and his friends actually go ahead with their plans to convert the west side of the Capitol into Dr. Pepper modern.

The powerful clique responsible for the Rayburn Building cannot, in our judgment, be safely trusted with any architectural project larger than a bird bath.

So the Fine Arts Commission's intervention in the matter of the West Front is welcome. The only objective permitted Mr. Stewart should be to shore up the West Front walls. Mr. Walton says the Commission has been advised by experts that it is possible to do this without changing the structure. And the Fine Arts chairman says of the Capitol, "Unquestionably it is the single most important building in our great Republic, expressive of our noble ideals and great achievements. To preserve it, other lesser needs such as those for additional office space, restaurant facilities and tourist accommodations must be set aside for a larger goal."

Amen!

This was a WTOP Editorial, Jack Jurey speaking for WTOP.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. GRUENING. I confess that I find it difficult to understand the tremendous organized objection to the proposed restoration or extension of the west front of the Capitol. There has been a similar extension of the east front. Protests against that extension were made at the time, but the beauty of the east front was not impaired in any way: it was wholly preserved. In addition, some needed office space was provided.

There is a great shortage of office space on Capitol Hill. We all know that despite the erection of the second Senate Office Building, there is inadequate room for us to carry out our duties as we should.

I think we can fairly assume that there will be no architectural damage and no destruction of beauty if the west front is remodeled; the same thing that was done successfully on the east front will be done on the west front and we will have additional much needed space.

I suggest this in rather tentative fashion. My good friend, the Senator from Wisconsin [Mr. PROXMIRE] feels very definitely on the subject. He is opposed to the west front remodeling. I wonder if there is not another side of the story which has not been emphasized, I have no deep unalterable convictions on this issue but I raise the question and I am interested in the answer of the Senator.

Mr. PROXMIRE. Insofar as beauty of the Capitol is concerned, I believe the answer is in the intelligent and comprehensive statement by the American Institute of Architects. They have gone into this matter in great detail.

There was a substantial article in the AIA publication of April, which I had printed in the RECORD, in which they pointed out how beautiful the west front of the Capitol is, the kind of architectual genius that has gone into it, and how badly this kind of proposal would distort the symmetry, harmony, and beauty of the west front.

I am not an architect. Frankly, I am deeply concerned, as they are, about the destruction of the west front—a vital element of this finest building, in my opinion, in America, and one of the two or three most beautiful buildings in the world.

I am very much concerned about an expenditure of $34 million to get somewhat more space and to provide restaurant facilities. While there would be additional offices, the additional offices are not a real problem. I understand that the east front took care of that. Most of the meeting rooms created at great expense by the east front extension are not in use more than a couple of hours a week. I know of no committee that is inconvenienced, let alone prevented from holding meetings, because of a lack of space.

So far as restaurant facilities are concerned, I understand we have facilities for over 2,000 people at one time. Eight thousand people are fed in the course of a full day in the Senate Office Building, the House Office Building, and the Capitol at the present time. The survey which my staff and I have made indicates the capacity is not seriously crowded, even at the height of the rush period, the luncheon hour, and during this busiest tourist season.

With all of this I do not see any need for this enormous expenditure of money in a way which would, in the judgment of our outstanding architects who are experts in this area, destroy the beauty of this our one great symbolic building.

Mr. GRUENING. Is it not a fact that the change in the east front produced no architectural deterioration; that the old beauty and symmetry were maintained; and that we were able to get additional space? Why is it not logical to assume that the same thing would happen with respect to the west front?

Mr. PROXMIRE. I recognize the argument in connection with the east front. I agree with the Senator from Alaska [Mr. GRUENING] that many people feel the architectural beauty was not seriously damaged there. The cost was great and hard to justify. I understand expenditures were $21 million for the relatively modest amount of space secured.

There are those who contend that there was some loss of architectural beauty in the east front of the Capitol, and many competent people agree.

Mr. GRUENING. I would say that the cost argument was the strongest argument against doing this now. But I have grave doubts whether the architectural beauty would be impaired or distorted, as it was not done in connection with the east front.

Mr. PROXMIRE. I thank the Senator. Among the questions we raised when the Architect of the Capitol came before us was that this west front proposal should be considered by the American Institute of Architects and they should have an opportunity to testify. In October of last year, an executive committee of the AIA went on record unanimously against extending the west front. There was not a single dissenting vote. They were all against it.

The Fine Arts Commission is similarly opposed. I have just put their statement in opposition to this action into the RECORD.

Mr. GRUENING. I thank the Senator.

L.B.J. RESTRAINT ON TAX HIKE LOOKS BETTER EVERY DAY

Mr. PROXMIRE. Mr. President, the Washington Post of today has an article entitled "Tapered Boom Is Forecast." This is an article by J. A. Livingston, based on a survey of 51 economists in Government, labor unions, industrial corporations, universities, research organizations, investment firms, and commercial banking.

The remarkable consensus of these experts is that, with all the talk about inflation these experts now predict the longest boom in our modern history will continue for at least another 18 months, and will do so without major inflation.

Mr. President, future historians will look back on the period as a golden economic age. Indeed, I challenge any one to come up with any 7-year period in our history that can compare to what we are enjoying right now. Mr. Livingston reports:

> The economists are betting that the cost of living will rise only 4 percent during the 18 months. Wholesale prices will go up even less—about 3 percent, or at the annual rate of 2 percent, often regarded as the "toleration level."

While 4 percent over 18 months may not sound impressive, it is less than 3 percent per year and far less than any industrialized country in the world, has enjoyed or is likely to experience.

Mr. President, I ask unanimous consent that the article by Mr. Livingston, which summarizes the conclusions of outstanding economists on our economic situation, reports their predictions on the gross national product, industrial production, new plant and equipment, housing starts, defense spending, prices, unemployment, wages, retail sales, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE KEY IMPONDERABLE: VIETNAM DEVELOPMENTS—TAPERED BOOM IS FORECAST

(By J. A. Livingston)

Is the boom running out of head room?

No, decisively no. The expansion, already 64 months long—and old as expansions go—is expected to continue through this year and next.

That's the consensus of 51 economists in government, labor unions, industrial corporations, universities and research organizations, investment firms and commercial banking who responded to my midyear questionnaire.

True, they expect some tapering off in the rate of gain. But not much, and not enough to suggest any basic fears about the immediate future of prosperity.

The economists are not shaken by the fall in the stock market, the tighter Federal Reserve Board credit policy, the slough off in sales and production of automobiles, or the slide in home construction.

The total output of goods and services—Gross National Product—is expected to rise about 8% through December, 1967—from an estimated annual rate of $725 billion in the second quarter to a $781 billion rate at the end of 1967.

This provides predictive sustenance for President Johnson's recent assertion: "I don't believe there is a manpower shortage in this country today."

AN UNEXPECTED PLUS

The second half increase this year will be 2.8%, followed by an increase of 2.6% in the first half and 2.2% in the second half of 1967. This deceleration in the rate of gain is so slight as to represent a vote of genuine confidence in continued growth.

And here's an unexpected plus. This increase will be achieved without major inflation. The economists are betting that the cost-of-living will rise only 4% during the 18 months. Wholesale prices will go up even less—about 3%, or at the annual rate of 2%, often regarded as the "toleration level."

An expected abundance of crops is calculated to keep farm prices down. No increase is anticipated in prices recived by farmers.

Vietnam will continue to power the boom. The partner of a New York Stock Exchange firm supplemented his statistical predictions with the comment: "This war will assume larger, rather than smaller, proportions." A bank economist wrote: "I'm still counting on precarious prosperity, with Vietnam the key imponderable."

The director of research of a labor union asserted that "developments over the next 18 months will depend much less on predictable economic forces than on completely unpredictable international developments."

MEMBER OF THE MINORITY

A bank economist responded with a chart comparing the course of industrial production from 1956 to 1966 with that from 1919 through the 1929 upswing and the sharp decline into 1930. It was headed "Will Cyclical History Repeat?" and he wrote on it, "Yes."

He belongs to the minority who feel that the Kennedy-Jonhson prosperity is nearing the end of its tether.

Less than 10% of the respondents—five out of 51—expect a decline in the Gross National Product—GNP—during the next 18 months. This is in contrast to the third who expect industrial production to drop.

Why the discrepancy? Usually the GNP gathers price momentum. It keeps moving after production starts sliding.

GOOD NEWS FOR WALL STREET

The economists foresee a rise in the industrial production index from the May level of 154.8 to 162.8 in December, 1967, or about 5%. Increases in plant and equipment outlays of about 9% and national defense expenditures of 12% will more than offset a 5% drop in housing starts between now and midyear 1967. After that, home building is expected to perk up. Inference: Mortgage money will be easier.

Labor will be in a strong bargaining position throughout the period. Unemployment will remain at about present levels—around 4%. And average weekly earnings in manufacturing will tilt 6% higher, advancing from $112 to $119. Corollary: Retail sales will rise 13% from the recent level of $24.4 billion monthly to more than $27 billion.

The optimism carries over, in part, to stock prices. The economists, as a group, figure that industrial shares will advance 3% over the 18-month interval.

One out of six predicts that stocks will drop a minimum of 15% to 20% from current level. These last are the bears.

But three out of five are satisfied that all will be well in Wall Street: Stocks will go up through the rest of 1966 and all of 1967. Can a stock broker or mutual fund salesman asks for more?

PARTICIPATING ECONOMISTS

William J. Abbott Jr., Clayton Brokerage Co., Clayton, Mo.; Adolph G. Abrahamson, SKF Industries, Inc.; Henry B. Arthur, Belmont, Mass.; V. Lewis Bassie, director, Bureau of Economic and Business Research, University of Illinois; Dean O. Bowman, Autonetics, Anaheim, Calif.; William F. Butler, vice president, The Chase Manhattan Bank; Ewan Clague, consultant, U. S. Department of Labor; Carrol L. Coburn, director research dept., U.A.W. International Union; George W. Coleman, economic adviser, American Bankers Assn.; Morris A. Copeland, Cornell University.

James M. Dawson, vice president, National City Bank, Cleveland; R. J. Eggert, international marketing, Ford Motor Co.; Major B.

Einstein, vice president, First National Bank, St. Louis; Philip J. Fitzgerald, Dean Whitter & Co., members of the New York Stock Exchange, San Francisco; Nathaniel Goldfinger, director of research, AFL–CIO, Washington; Douglas Greenwald, McGraw-Hill, Inc.; Walter E. Hoadley, senior vice president and chief economist, Bank of America, N.T. and S.A.; Watrous H. Irons, president, Federal Reserve Bank, Dallas.

Vernon E. Jirikowic, research director, International Association of Machinists; Homer Jones, vice president, Federal Reserve Bank, St. Louis; L. R. Klein, Wharton School, University of Pennsylvania; Richard L. Kozelka, School of Business Administration, University of Minnesota; Edwin Kuh, School of Industrial Management, Massachusetts Institute of Technology; A. Moyer Kulp, senior vice president, Wellington Manager Co.

Richard W. Lambourne, vice president-finance, Insurance Securities, Inc., San Francisco; Werner Lehnberg, Goodbody & Co., members of the New York Stock Exchange; Wesley Lindow, senior vice president, Irving Trust Co., New York; Todd May, Jr., economist, Union Carbide Corp.; Paul W. McCracken, University of Michigan; David C. Melnicroft, vice president, Federal Reserve Bank, Philadelphia; Robert R. Nathan, Robert R. Nathan Associates, Inc., Washington; Reynolds I. Nowell, vice president, The Equitable Life Assurance Society of the United States.

Louis J. Paradiso, assoc., director, Business Economics, U.S. Department of Commerce; Sanford S. Parker, Fortune; Robert W. Paterson, director, School of Business and Public Administration, University of Missouri; Richard S. Peterson, Bank of America, N.T. & S.A.; T. Bruce Robb, Salina, Kansas; Julius Shiskin, chief of Economic Research and Analysis, U.S. Bureau of the Census; Casimir A. Sienkiewicz, chairman, Central-Penn National Bank, Philadelphia; Arthur A. Smith, vice president, First National Bank, Dallas; Beryl W. Sprinkel, vice president, Harris Trust & Savings Bank, Chicago; Lazare Teper, director of research, International Ladies' Garment Workers' Union; Woodlief Thomas, Senate Committee on Banking and Currency; W. W. Tongue, University of Illinois.

M. L. Upchurch, administrator, Economic Research Service, U.S. Department of Agriculture; Arthur R. Upgren, Macalester College; Henry C. Wallich, Yale University; D. S. Warning, director of marketing research, Standard Oil Co. of Indiana; J. P. Werenette, University of Michigan; Simon N. Whitney, Rutgers University; Hans A. Wideman, Clar M. Lobe, Rhoades & Co., members of the New York Stock Exchange.

PREDICTION: PROSPERITY

Optimism persists among 51 leading American economists who forecast continued expansion for the next 18 months. GNP is expected to rise 8 per cent by the end of 1967, as unemployment hovers around 4 per cent.

Indicator	Consensus			
	Latest	December 1966	June 1967	December 1967
Production:				
Gross national product (billions, 1, A)	[1] $725	$745	$764	$781
Industrial production (2, B)	[2] 154.8	157.4	160.6	162.8
New plant and equipment (billions, 1, 3, A)	[3] $61.7	$65.0	$66.5	$67.0
Housing starts (thousands, 1, A)	[4] 1,499	1,391	1,405	1,451
Defense spending (billions, 1, A)	[5] $55.0	$59.3	$60.7	$61.4
Prices:				
Wholesale prices (4, B)	[2] 105.5	106.9	107.6	108.7
Farm prices (5, C)	[2] 263	262	263	263
Cost of living (4, B)	[2] 112.6	114.5	115.9	117.1
Industrial stock prices (6, D)	[6] 93	94	94	96
Unemployment, wages, retail sales:				
Unemployment rate (percent, 4)	[2] 4.0	3.7	3.8	4.0
Weekly wages in manufacturing (4)	[2] $112	$115	$117	$119
Retail trade (billions, 1)	[2] $24.4	$26.0	$26.5	$27.5

[1] 2d quarter estimate.

[2] May.

[3] 3d quarter estimate.

[4] April, but after the questionnaire went out, May data revealed a drop to an annual rate of 1,306,000.

[5] 1st quarter.

[6] June 20.

1. Department of Commerce; 2. Federal Reserve Board; 3. SEC; 4. Department of Labor; 5. Department of Agriculture; 6. Standard & Poor's.

A. Annual rate; B. 1957–59=100; C. 1910–14=100; D. 1941–43=10.

Mr. PROXMIRE. Mr. President, recently in the same connection the Milwaukee Sentinel published an article, written by Hobart Rowen—who is a competent economic writer for the Washington Post, on the basis of a series of interviews with some of the so-called new economists, and he has some interesting and pertinent conclusions to make on the Nation's economy.

Certainly, one man who is highly esteemed in the economic profession is Paul Samuelson of the Massachusetts Institute of Technology. I suppose many people would feel that this former president of the Economic Association is as competent and able an economist as we have.

Mr. Samuelson is one of those who, a few weeks ago, were calling for a tax increase. But now he has reversed his position. I quote from the article:

> Paul Samuelson, Massachusetts Institute of Technology professor, told me frankly that he is now "doubtful" that raising taxes would be a wise policy.

He goes on to say he thinks that during the balance of 1966 a tax increase any time soon would be too strong.

Mr. President, this should be good news for Congress, because many of us have been concerned about the possibility regarding a tax increase, and concerned about what it could do to an economy which is now giving an excellent performance.

Mr. President, I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW ECONOMISTS CHANGE ATTITUDE TOWARD TAX BOOST

(By Howart Rowen)

The once solid phalanx of liberal economists who favored a tax increase to check the threat of inflation is showing some noticeable cracks.

There is still a considerable number of "new economists" who favor restraining fiscal action of one kind or another.

But conversations I have had with key members of their group in the last few days convince me that the fervor of their conviction has been diminished. And to the extent that those who favored a tax hike stick to their guns, their conclusions are based more on an intuition that spending for Vietnam will jump ahead in 1967 than on current performance of the economic, or assured projections for the future.

Paul Samuelson, Massachusetts Institute of Technology professor, told me frankly that he is now "doubtful" that raising taxes would be a wise policy. Back in March, when the Washington Post conducted a poll of economists, Samuelson favored, by mid-1966, higher personal and corporate taxes.

WEAKNESS SIGHTED

Responding to the Post poll, Leon Keyserling was another who said: "I favor prompt increases in federal taxes to combat inflation." But on a television program this week, Keyserling said: "There are enough signs of weakness in the economy so that a tax increase would be destructive."

The pro tax vote in the Post poll included 22 out of 32 academic, business and labor economists. My conclusion after a spot (but not complete) check is that the majority today would be against raising taxes.

Samuelson changed his mind because the economy does not appear to be moving ahead as fast as was expected a few months ago.

For example, well informed Washington officials predict that the gross national product will advance at an annual rate of only 10 to 12 billion dollars in the quarter ending June 30, compared to the 17 billion dollar gain in the first quarter.

Samuelson thinks that since this is likely to be about the pace of the economy for the balance of 1966, tax increase medicine would be too strong. But if Vietnam spending booms ahead next year—which he strongly suspects—then he would be back on the tax increase bandwagon.

BOOST STILL BACKED

Another academic liberal, Yale Prof. James Tobin—a member of the Kennedy council of economic advisers—still thinks that raising taxes "would be the prudent thing to do, because almost surely there will be an increase in Vietnam spending."

And Tobin doesn't think that the slower rate of GNP growth in the second quarter is sufficient reason to change basic views.

But Tobin would now limit restraining action to temporary suspension of the 7% investment credit.

Out in Minneapolis, former Economic Council Chairman Walter W. Heller is keeping close tabs on the situation, too. Like other expert economists, he knows he cannot ignore the recent "lull" in the economy.

But he still sees many potential problems down the road. Thus, he doesn't yet depart from his last public analysis, in a San Francisco speech three weeks ago, that we must be prepared to take stronger action if necessary.

ECONOMY COOLS

In one way or another, these and most other economists recognize that the pace of the economy has cooled off to some degree—and to that degree, the assumptions on which they demanded a tax increase have changed.

To that degree also, the economic facts of life have drifted closer to the political desires of the Johnson administration, which all along has hoped to avoid the messy complications of a preelection tax increase.

It seems fairly clear that if there had been a tougher fiscal policy at the start of the year, the economy would not be suffering now from a crazy quilt, unsettling high interest rate pattern.

On the other hand, candor demands one note that the protax increase group misjudged the actual strength of the economy this year.

VIETNAM THE KEY

A tax increase might have put a real crimp in the economy. Recession? I doubt it, but that "lull" might have been more painful. To be sure, there has instead been an inflation of prices, damaging, but not crippling. This has been the "trade off" for keeping unemployment low.

But what of the future? The only thing that is certain is that Vietnam is the key. If Tobin's hunch is right, then 1967 could see a cost push inflation (wages and prices out of hand) supplementing today's demand pull inflation (too many dollars chasing too few goods).

Then the debate will start all over again, and economic logic, "new" or "old," will again demand a tax boost.

PENTAGON EXPERT STUDIES HOW TO STEM VIETNAM INFLATION

Mr. PROXMIRE. One of the ablest young men with whom I have worked closely in recent years is Leslie Aspin. He comes from Wisconsin and is a graduate of Yale summa cum laude, 1960. He then studied at Oxford and received his master's degree in 1962 in economics. He completed his doctorate study at the Massachusetts Institute of Technology. For some months he has served in the Pentagon as an outstanding economist.

A few days ago, he was sent to Saigon by Secretary McNamara to make a study and report on inflation in Vietnam.

The Aspin report on Vietnam could be extremely significant. We all know how vital it is to win political stability in South Vietnam if we are to have a chance to negotiate peace and self determination. It is vital that we succeed in stemming Vietnam's rampant inflation, if we are to develop the basis for political stability.

The Aspin study will contribute to that vital objective.

I ask unanimous consent to have an article published in the Milwaukee Sentinel, entitled "Shorewood Economist Aids Saigon Fight on Inflation," written by James G. Wieghart, printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Shorewood Economist Aids Saigon Fight on Inflation

(By James G. Wieghart)

Washington, D.C.—A Shorewood economist left for Saigon Thursday to help fight inflation—which next to the Vietcong poses the most serious threat to the South Vietnamese government.

He is Leslie Aspin, 27, of 3935 N. Ridgefield circle, an economic advisor to Defense Secretary McNamara.

Aspin will spend two to three weeks touring South Vietnam to determine if the recent anti-inflationary steps taken by the United States government will be sufficient to save that country's economy.

The South Vietnamese government last Saturday announced a massive devaluation of its piaster currency, which had been depreciating alarmingly under the onslaught of inflation.

As a result of the devaluation, the commercial exchange rate of the piaster to the dollar was raised from 60 to 1 to 118 to 1. The new rates consist of an 80 to 1 exchange plus a 38 piaster tax, for a total of 118 piasters per $1.

Aspin conceded that the American government views the Vietnamese economic crisis just as seriously as it does the political crisis brought on by Buddhist dissidents who have sought to unseat the Saigon government.

He said that the country is undergoing an almost classical wartime inflation brought on by a decline and dislocation in agricultural and industrial production due to the war.

This is aggravated by mounting government defense expenditures and falling revenue caused by decreasing tax collections. On top of all this is the tremendous economic pressure generated by the presence of 260,000 American troops plus the tremendous United States spending for port and other facilities.

Just how serious inflation has become in Vietnam is evidenced by the increase in the money supply from 25 billion piasters in April, 1964, to more than 57 billion now, Aspin said. He said the cost of living has risen 130% since January, 1962.

He pointed out that food prices alone have jumped 84% since the eve of the American buildup in January, 1965, and have risen 15% in the last six weeks.

A recent report from Vietnam lists the price for the most common brand of rice eaten in Saigon at 1,120 piasters for about 200 pounds. In January, the cost of the same quantity was estimated at about 800 piasters. The report said the average Vietnamese family spends about 13% of its budget for rice.

Aspin said that efforts to bring the South Vietnamese economy in line is a joint one between the South Vietnamese government, the international monetary fund and the American government, particularly the defense and state departments.

He said he will check on methods for distributing the defense department's massive spending to avoid disrupting the economy. One way to do this, he said, is for the defense department to buy as much of its supplies as possible from sources outside of South Vietnam.

The American government also is helping to increase the supply of goods by releasing 160 million dollars to the South Vietnamese treasury for imports between now and September.

Aspin has been an economic adviser to McNamara since he received his Ph.D. from the Massachusetts Institute of Technology last February.

He was graduated from Shorewood high school in 1956, and received his bachelor's degree in history from Yale university where he was graduated summa cum laude in 1960.

He received his master's degree in economics, politics and philosophy at Oxford (England) university in 1962.

Aspin also has been active behind the scenes in Wisconsin politics. In the summer of 1960 he worked in the office of Sen. Proxmire (D-Wis.). From February to November, 1964, he was campaign director for Proxmire.

In July, 1965, he directed a fund raising dinner for Proxmire and in August 1965, he was director of a fund raising dinner for Lt. Gov. Patrick J. Lucey.

Aspin also has had experience as an economic consultant. In the summer of 1961, he was economic adviser to the United Africa Co., Freetown, Sierra Leone in western Africa.

In the summer of 1963 he was assistant to Walter Heller, another former Shorewood man who was then chairman of the council of economic advisers in the Kennedy administration.

His mother, Mrs. Leslie Aspin, lives at the Shorewood address.

SCHOOL MILK PROGRAM SHOULD NOT BE MERGED WITH LUNCH PROGRAM

Mr. PROXMIRE. Mr. President, when Secretary of Agriculture Orville Freeman testified before the Senate Agriculture Committee on June 21, he endorsed a permanent special milk program for schoolchildren with no authorization ceiling. Of course, this greatly pleased those of us who have been fighting for a continuation of the program in its present form.

However, it was a matter of some concern to me that in his statement Secretary Freeman alluded to the milk program only once—in a single paragraph. This concerns me, because it indicates that the milk program might be swallowed up in the school lunch program if it is included as a part of that program.

For example, the lunch program requires one-half pint of milk to be served with a school lunch if the Federal Government is to contribute to the cost of that lunch. However, the Federal contribution does not go toward the cost of the milk. On the other hand, the school milk program provides for Federal reimbursement for half-pints of milk consumed at midmorning and midafternoon milk breaks.

It is quite possible that, if these two programs were merged, the school milk program might in the years ahead be used to pay for that half-pint of milk at lunch without a corresponding increase in the funds available. This, of course, would require a cutback in the amount of milk provided in midmorning and midafternoon.

This is just one of the problems that could arise if the programs are merged. It is enough to indicate, however, the dangerous precedent we would be setting. Consequently, I sincerely hope that the Senate Committee on Agriculture and Forestry will take action to insure the integrity of the school milk program at this vital juncture in its history.

FISH PROTEIN CONCENTRATE

The Senate resumed the consideration of the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments en bloc.

The committee amendments were agreed to en bloc.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk two amendments and ask that they be stated.

The PRESIDING OFFICER. The amendments will be stated for the information of the Senate.

The legislative clerk read the amendments, as follows:

On page 2, lines 13 and 14, strike out the words "not to exceed five experimental and demonstration plants" and insert "one experimental and demonstration plant"; and on page 4, line 5, strike out "$5,000,000" and insert in lieu thereof "$1,000,000".

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that these amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the amendments.

The yeas and nays were ordered.

Mr. KUCHEL. Mr. President, will the Senator from Delaware yield on a procedural question?

Mr. WILLIAMS of Delaware. I yield to the Senator from California.

UNANIMOUS-CONSENT AGREEMENT

Mr. KUCHEL. Mr. President, as I suggested informally to my colleagues on the majority side, members of the minority leadership are necessarily absent at an important luncheon downtown. If, however, we were able to agree on a time certain for the yea-and-nay vote which has just been ordered, it would accommodate them. Therefore I ask unanimous consent that the yea-and-nay vote take place at 2:30 p.m.

The PRESIDING OFFICER. Is there objection?

Mr. MAGNUSON. Mr. President, reserving the right to object, this is a bill which, of course, is very important to us in the fishery States but it is a bill that I believe is not of great interest to some Senators. We told the Senate on Friday that the bill would be brought up today and that it would be the only business for today. The Senator from Alaska and I would not mind putting this over until tomorrow, but we found that on tomorrow the calendar of the Senate will be wholly preoccupied with another important, major bill and we probably would not get the opportunity to get our bill through. I do not know whether there is anything else before the Senate between now and 2:30 o'clock. I did not know so many Senators were interested in having a yea-and-nay vote on the amendments of the Senator from Delaware [Mr. WILLIAMS].

There is one other point I would like to make. That is many of us have been very patient with the Food and Drug Administration while they have been considering the proposal from the Bureau of Commercial Fisheries. I hope these apparent recent delays will not become serious and disturb this fine understanding and relationship.

Mr. WILLIAMS of Delaware. I have no objection to——

Mr. KUCHEL. Mr. President, putting the question, has my unanimous-consent request been acted upon?

Mr. MAGNUSON. Mr. President, I am not going to object, but I hope that we can dispose of this matter and get on our way with other important legislation. There is not much more to debate between now and 2:30 o'clock on the Senator's amendments, unless he has something more to say.

Mr. GORE. Mr. President, reserving the right to object, would the able Senator from California [Mr. KUCHEL] indicate on what basis he concludes that this luncheon downtown is important?

Mr. KUCHEL. On the basis that it concerns the revitalization of my political party.

Mr. GORE. Mr. President, I withdraw my objection on that ground. [Laughter.]

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and the yea-and-nay vote will therefore be at 2:30 o'clock p.m.

Mr. KUCHEL. I thank the Chair.

Mr. WILLIAMS of Delaware. Mr. President, I am not going to delay the bill, but I should like to restate the question.

The purpose of the amendments is merely to bring the bill in line with the recommendations of the administration and every agency affected. I see no reason why the bill should provide for five experimental pilot plants when the agency says they cannot efficiently use but one at this time.

I ask unanimous consent to have printed in the RECORD excerpts from the letter of Director Donald F. Horning, from the Office of Science and Technology in the Executive Office of the President, which endorses the legislation in principle, but specifically recommends that one pilot plant be constructed.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> I am fully in support of the objectives of S. 2720 and agree with its approach. On the basis of the experience gained by the Bureau of Commercial Fisheries in developing a promising laboratory process, I believe that there is need for the construction of a single experimental and demonstration pilot plant which would pave the way for the subsequent construction of semicommercial and full-scale production plants.
>
> We now have a fragmented, hand-operated laboratory process. A necessary next step is to construct a relatively small experimental continuous process plant with maximum flexibility for the conduct of engineering research studies under a wide range of conditions.

Mr. WILLIAMS of Delaware. I also ask unanimous consent to have printed in the RECORD excerpts from the letter of the Department of the Interior, and an excerpt from the letter of the Comptroller General.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

INTERIOR COMMENTS

> We recommend the enactment of the bill with the amendments suggested herein.
>
> S. 2720 authorizes the Secretary of the Interior to increase his present fish protein concentrate research and experimentation program and to build five experiment and demonstration plants to produce this concentrate. The bill authorizes a maximum appropriation of $5 million to construct these plants and additional sums for operation and maintenance and the program itself.
>
> Our amendments and comments thereon are as follows:
>
> 1. On page 2, lines 4 and 5, delete the words "not to exceed five experiment and demonstration plants" and insert "one experiment and demonstration plant."
>
> 2. Delete the last sentence in subsection 2(a) of the bill.
>
> 3. On page 2, lines 6, 15, 18, and on page 3, lines 1, 21, and 24 delete "plants" and insert "plant".
>
> 4. On page 2, line 23, delete "or plants".
>
> 5. On page 3, line 4, delete "Each constructed" and substitute "The".
>
> These changes reduce the number of authorized plants from five to one. This plant would be an expanded version of the existing model-scale solvent system developed by the Bureau of Commercial Fisheries of this Department. Studies utilizing the currently available model unit have indicated that a highly nutritions fish protein concentrate (FPC) can be produced using solvent extraction procedures.
>
> It is now necessary to determine whether a similar product can be manufactured on a commercial scale within the economic limits required. It is also necessary to produce larger quantities of FPC for testing purposes—to determine and demonstrate where and to what extent it can be used as a supplement with other food stuffs.
>
> These needs justify the construction and operation of one experiment and demonstration plant by the Federal Government at this time.
>
> It is possible, however, that when the studies on other families of fishes are completed, additional plants may be needed. At that time, the operation of the single plant proposed herein will permit us to design more efficient solvent-extraction plants, tailored to the specific characteristics of these other families of fishes. In addition, work is underway on two other basic processes for the production of FPC—namely, an enzymatic digestion process and a physical cell disruption process.
>
> It should be emphasized that we do not now have a marketable product. Nor do we know whether it can be manufactured on a commercial scale within reasonable economic limits.

COMPTROLLER GENERAL COMMENTS

> It is our understanding that as of October 31, 1965, the Food and Drug Administration has not approved whole fish protein concentrate for human consumption. Accordingly, you may wish to consider amending this section of the bill to provide for deferment of plant construction until such time as the Secretary of the Interior shall ascertain that the Food and Drug Administration will approve a whole fish protein concentrate for human consumption.

Mr. WILLIAMS of Delaware. Mr. President, each of these agencies heartily endorses the principle that we need but one pilot plant at this particular time. They agree that it would be a waste of money to build five pilot plants at this time. I think it would be the height of folly for the Senate to pass this bill authorizing the expenditure of five times as much as the agencies themselves say they need or think they can spend efficiently, particularly at a time when we are already operating on a deficit of several million dollars per day.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALTONSTALL. Mr. President, I am sure that most Members of this body are familiar with fish protein concentrate and the efforts which a number of us have made to have it included in our food-for-peace program when it has been approved by the Food and Drug Administration.

The Congress authorized a study by the Department of the Interior of several methods of preparing fish protein concentrate, and as a result of these studies, I am certain the FDA will shortly announce its approval.

Some of our colleagues from wheat growing States have expressed concern that fish protein concentrate is some sort of fish flour that could replace wheat products. I hope those fears have been put to rest, for fish protein concentrate cannot be baked as a loaf of bread but must be added to flour or rice. Fish protein concentrate is a diet supplement sorely needed in those areas where 50 percent of the world's population is undernourished.

There are billions of pounds of fish in our coastal and inland waters that yearly go unharvested because there is no market for them. I urge the Senate to take favorable action on this bill in order that we may develop and utilize this tremendous resource which would benefit our fishing industry, but more importantly would provide, at a minimal cost, the protein needs of a hungry world.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. PASTORE. What is the pending business?

The **PRESIDING OFFICER.** The amendments of the Senator from Delaware [Mr. WILLIAMS] to S. 2720.

Mr. PASTORE. Mr. President, it is my understanding that the Committee on Commerce, after having held hearings on the bill which was introduced by the Senator from Alaska [Mr. BARTLETT] and the Senator from Washington [Mr. MAGNUSON] recommended that there be established in the United States five experimental plants to explore the whole question of fish protein concentrate for human consumption.

The Chair will recall that the matter that has come before the Senate today is not strange at all. It is a problem that many people in various parts of the country have been concerned with for a long time. I am particularly interested in it because I come from New England, and there we have a large number of commerical fishermen and a sizable part of our economy is derived from the fishing industry, of which we are very proud.

The question of whether or not we can develop fish protein concentrate for human consumption has been a problem in which many Senators have been involved for a long time. As a matter of fact, we have been discussing the problem with the Food and Drug Administration, to find out whether or not they would give it their stamp of approval. That Administration has given some substantial reasons why they could not, at this time, do so.

The fact remains that whether or not this process can be intelligently developed depends entirely upon research and study, and the extent to which such research and study are made feasible. The so-called Williams amendment recognizes the need, because it does not direct itself to the complete rejection of the purposes. It merely says that rather than five plants, we ought to have one.

I suggest, Mr. President, that one would not be satisfactory. First of all, such research must be highly competitive. It must be done in various parts of the country, in each of which the problem is a little different. For instance, the fish in the northern waters of the Pacific are considerably different from those in the northern waters of the Atlantic.

Five million dollars, of course, is a great deal of money; I understand that. But considering the problem that confronts us, and not compared to the fine results which can be achieved, I think it would be penny wise and pound foolish to reduce the authorization from five experimental plants to one, as suggested by the Senator from Delaware.

I do not impugn his sincerity nor his motive; but I feel that the adoption of his amendment, reducing the number of plants from five to one, would be most unwise. I hope that the Senate will leave the bill exactly as it was reported from the Committee on Commerce. I believe that to be very much in the public interest.

In a world where we have such a shortage of food in many places—in a world of 3.5 billion people, where one billion will go to bed hungry tonight—if we can develop this very inexpensive protein, which has a high quality nutrition value, and advance it to a point where people can consume it as food, we will be making a distinct contribution to humanity.

Therefore, I believe that here we can make a fine investment for the future. I hope that the amendment will be defeated, that the bill as reported will pass, and that the 5 so-called research plants will be established in due course.

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, so that Senators may understand, is it correct that at 2:30, by virtue of the previous order, the Senate will vote on the amendments offered by our able friend, the Senator from Delaware [Mr. WILLIAMS]?

The **PRESIDING OFFICER.** The Senator from California is correct. The clerk was in the process of calling the roll for a quorum.

Mr. KUCHEL. Mr. President, I suggest the abesence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER** (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I am deeply interested in this coming vote on the high protein fish concentrate bill. I believe that I was the first Senator or Representative to take an interest in that product and to press for its adoption.

It so happens that a constituent of mine in Illinois, Mr. Ezra Levin, who, as head of the Viobin Corp., long ago developed a sanitary process by which high protein fish concentrate could be extracted from fish. This is a product which is 83 percent pure protein, and could be produced in quantity at a cost of 12 to 14 cents a pound depending upon whether the fish taste was retained or removed.

I investigated this process and became deeply convinced that it was of enormous importance particularly in the high temperature regions of the world—in the tropical zones—where because of the heat, protein in the form of milk, cheese, and meat cannot be preserved. A fish concentrate, therefore, could provide the necessary protein to help cure the dietary deficiencies of the people in these areas.

It has been found that people in the tropical zones tend to have more cartilage in their bones than do those who live in more temporate zones because of the lack of protein. This is their most serious dietary deficiency. By catching the abundant fish in the sea and processing them, we can secure this inexpensive food.

In the beginning, we were opposed by many interests but particularly by the Food and Drug Administration, then under the administration of George P. Larrick. He admitted that the product was sanitary, that it was not toxic in any way, and that the series of water and alcoholic washes, plus the baking which the fish had received produced a clean, pure and wholesome product Mr. Larrick further admitted that it was cheap and that it was needed; but, he said, fish flour or high protein fish concentrate raised unesthetic thoughts in people's minds because it was extracted from the whole fish which included the intestines and head—although, as I said, all impurities had been removed.

Mr. President, I hold in my hand and show all Senators some of this powder. It is not only harmless, but highly beneficial.

As a result of the work which some of us did, the Department of the Interior launched a parallel investigation, at a cost of $1,800,000. The process which they developed is probably somewhat inferior to Levin's process. I personally felt that this field should be left open to private enterprise which had begun the work, but I was perfectly willing to agree to one governmental high protein fish concentrate plant in order that both kinds of approaches could be used.

I found to my surprise that an amendment was being introduced to increase this number to five.

Mr. BARTLETT. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I am happy to yield to the Senator from Alaska.

Mr. BARTLETT. The original bill called for five pilot plants. The bill which was introduced called for five.

Mr. DOUGLAS. Yes, but the Department of Interior itself requested only one.

Mr. President, I ask unanimous consent that the letter from Harry R. Anderson, Assistant Secretary of the Interior to the chairman of the committee which appeared upon page 6 of committee report No. 1304 be inserted in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, now the bill which is before the Senate calls for five pilot plants.

I would be very glad to agree to one, but I believe that five is going a little bit too far, because I think this is a field which should be kept open not merely for public work but also for private work.

I must admit that I have something of a feeling that since Mr. Levin has borne the heat and the burden of opposition to his concentrate, and has spent hundreds of thousands of dollars to promote this product when it was so bitterly opposed by the Food and Drug Administration, that he should not be swamped now by a tremendous flood of Government-financed fish concentrate.

It is my information that thus far the Bureau of Fisheries' product is inferior to the Viobin or Mr. Levin's product. Therefore, it seems to me, this is pushing public enterprise too far and penalizing private enterprise for having borne the heat and the burden of the battle as well as the cost of experimentation.

It is of course heartening to see that now everybody wants a plant whereas only a few months ago, almost no one but Mr. Levin, myself, and a handful of my colleagues, were interested in the process.

It is, therefore, with great regret that I shall vote against having five plants, but shall vote for having one.

Mr. WILLIAMS of Delaware. Mr. President, in response to the question of the Senator from Illinois, I agree that this is a field in which we should do more exploration but, as the Department of the Interior and the Director of the Budget so ably pointed out, it would be a waste of money to start five pilot plants at this time. They should start with one, and then as a result of that experience if they need other pilot plants they might build them. But five plants now would be duplication. Every agency of the Government has recommended strongly, and I have placed their letters in the RECORD, that it be confined to one pilot plant at this time.

Mr. DOUGLAS. That is my feeling very strongly.

Mr. President, I am chiefly interested in high protein fish concentrate. It is marvelous when applied to rice. It will help cure the dietary deficiencies of hundreds of millions of people who now live in tropical portions of the world.

EXHIBIT 1

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 22, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: Your committee has requested this Department's comments on S. 2720, a bill "To authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate."

We recommend the enactment of the bill with the amendments suggested herein.

S. 2720 authorizes the Secretary of the Interior to increase his present fish protein concentrate research and experimentation program and to build five experiment and demonstration plants to produce this concentrate. The bill authorizes a maximum appropriation of $5 million to construct these plants and additional sums for operation and maintenance and the program itself.

Our amendments and comments thereon are as follows:

1. On page 2, lines 4 and 5, delete the words "not to exceed five experiment and demonstration plants" and insert "one experiment and demonstration plant."
2. Delete the last sentence in subsection 2(a) of the bill.
3. On page 2, lines 6, 15, 18, and on page 3, lines 1, 21, and 24, delete "plants" and insert "plant".
4. On page 2, line 23, delete "or plants".
5. On page 3, line 4, delete "Each constructed" and substitute "The".

These changes reduce the number of authorized plants from five to one. This plant would be an expanded version of the existing model-scale solvent system developed by the Bureau of Commercial Fisheries of this Department. Studies utilizing the currently available model unit have indicated that a highly nutritious fish protein concentrate (FPC) can be produced using solvent extraction procedures.

It is now necessary to determine whether a similar product can be manufactured on a commercial scale within the economic limits required. It is also necessary to produce larger quantities of FPC for testing purposes—to determine and demonstrate where and to what extent it can be used as a supplement with other foodstuffs.

These needs justify the construction and operation of one experiment and demonstration plant by the Federal Government at this time. The safety and wholesomeness of solvent-extracted FPC has, to date, been demonstrated only for hake belonging to the Merlucciidae and Gadidae families, including the silver hake, the white hake, the squirrel or red hake, and Pacific hake. Studies leading to the extension of the solvent process to other families of schooling fishes, notably the menhaden, are now underway, but completion of such studies cannot be anticipated in the very near future. In as much as fishes of the hake family enjoy only a relatively limited geographic distribution in the waters of our east and west coasts, construction, at this time, of five FPC demonstration plants would be premature.

It is possible, however, that when the studies on other families of fishes are completed, additional plants may be needed. At that time, the operation of the single plant proposed herein will permit us to design more efficient solvent-extraction plants, tailored to the specific characteristics of the other families of fishes. In addition, work is underway on two other basic processes for the production of FPC—namely, an enzymatic digestion process and a physical cell disruption process. It is conceivable that development of either or both of these processes might cause the solvent-extraction process to be relatively uneconomical or even obsolete.

6. We recommend that subsection 2(e) be deleted. Congress is now considering general legislation on the subject of foreign sales and donations of food which would revise the existing Public Law 480 program. We strongly believe the use of fish protein concentrate in international programs should be considered in the context of the general legislation rather than this bill.

7. On page 3, line 21, change "$5,000,000" to "$1,000,000".

We believe that the cost of constructing this single plant will not exceed $1 million. We estimate that about $500,000 will be needed each year to operate and maintain the plant and to conduct onsite quality control and engineering experimentation work.

The President's patent policy statement of October 13, 1963, will govern the disposition of rights to any inventions made by an operating contractor under subsection 2(b) of the bill. That statement provides that since the experimental work will be in the fields affecting public health and welfare and directed to a process or product intended for public use, the Government would normally acquire the principal rights.

We believe enactment of the subject bill, in accordance with the suggested amendments, would provide for the perfection and demonstration of commercial scale processing techniques to produce an economical, highly nutritious, simply stored, and easily transported food substance. Additionally, it would encourage the development of markets for the products produced by these plants. There is widespread interest in the FPC program, as indicated by some 15 major domestic food manufacturers who indicate an interest in testing the feasibility of incorporating high quality fish protein concentrate into their products. These include baked goods, candy, cereals, nondairy baby foods, and dietary foods. In addition, interest in incorporating FPC in the diets of millions of protein-starved peoples in the developing countries throughout the world has been expressed by organizations such as the Agency for International Development, United Nations Children's Fund, World Health Organization, and the Food and Agriculture Organization of the United Nations.

We have considered alternative approaches to that taken in S. 2720, as amended herein. One possible approach is that of contracting with one or two representatives of the commercial fishing industry to carry out the objectives of this bill. We believe, however, that this approach has two major drawbacks, not apparent in the approach taken by this bill.

The first is the cost. We have estimated that the cost of the demonstration plant approach to produce 3,000 tons of fish protein concentrate for 1 year will be about $1.5 million. We believe the contract approach will result in higher costs for the same amount of fish protein concentrate, especially if we require the contractor to perform in a manner that will carry out all the experiments we plan in the demonstration plant approach in developing a product and a process. It should be emphasized that we do not now have a marketable product. Nor do we know whether it can be manufactured on a commercial scale within reasonable economic limits. Furthermore, the contractor has no present-day market for it. The cost of developing all of these items will be substantial to the private investor who must make a return on his investment. The plant constructed by Government, on the other hand, will be operated in a flexible manner and no profit is required.

The second is the fact that we want to benefit the entire industry, not just that portion of industry which has the most money to risk. One must recognize that the commercial fishing industry is primarily composed of many small entrepreneurs. The contract approach would benefit only the largest entrepreneurs in the industry. We believe that such a result is not in the public interest. In addition, we believe it would take longer to follow the contract approach with uncertain results.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

Harry R. Anderson,
Assistant Secretary of the Interior.

Mr. WILLIAMS of Delaware. Mr. President, unless someone else wishes to speak, I should like to suggest the absence of a quorum, until the hour of 2:30 o'clock shall have arrived.

Mr. BARTLETT. Mr. President, I have nothing further to say on this subject.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

Mr. DOUGLAS. Mr. President, will the Senator from Delaware withhold his request for a moment?

Mr. WILLIAMS of Delaware. Mr. President, I withhold my request for a call of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. What is the pending question now before the Senate?

The PRESIDING OFFICER. The amendments of the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, let me say for the information of the Senate that my amendments now before the Senate now merely strike out the figure "5" where it appears in the bill and inserts the figure "1"; it also strikes out the figure "$5 million," and inserts the figure "$1 million." This brings the bill back into line with the recommendations of the Department of the Interior and the Director of the Budget that there should be but one pilot plant at this particular time. The purpose of my amendments is to carry out the recommendation for one pilot plant, and it is in accord with administration recommendations.

Why should the Senate increase this request by 500 percent?

Mr. BARTLETT. Mr. President, if the Senator from Delaware will yield, I wish to make only one statement before the vote is taken, and that is that the bill calls for five pilot plants as reported by the Committee on Commerce with, as I recall, only one dissenting vote.

The PRESIDING OFFICER. The hour of 2:30 o'clock p.m., having arrived, the Senate, pursuant to previous order, will now proceed to vote on the amendments of the Senator from Delaware [Mr. Williams] to the bill, S. 2720.

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. INOUYE. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Arizona [Mr. Hayden], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Louisiana [Mr. Long], the Senator from Oregon [Mrs. Neuberger], the Senator from Maryland [Mr. Tydings], and the Senator from New Jersey [Mr. Williams] are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster], the Senator from South Dakota [Mr. Burdick], the Senator from Mississippi [Mr. Eastland], the Senator from New York [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from New Hampshire [Mr. McIntyre], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from South Carolina [Mr. Russell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana [Mr. Long], the Senator from Maryland [Mr. Tydings], the Senator from Rhode Island [Mr. Pell], the Senator from New York [Mr. Kennedy], the Senator from Massachusetts [Mr. Kennedy], and the Senator from West Virginia [Mr. Randolph] would each vote "nay."

On this vote, the Senator from Maryland [Mr. Brewster] is paired with the Senator from Arizona [Mr. Fannin]. If present and voting, the Senator from Maryland would vote "nay," and the Senator from Arizona would vote "yea."

On this vote, the Senator from Florida [Mr. Smathers] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Florida would vote "nay," and the Senator from Texas would vote "yea."

On this vote, the Senator from New Jersey [Mr. Williams] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from New Jersey would vote "nay," and the Senator from Iowa would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] is absent on official business.

The Senator from New Hampshire [Mr. Cotton], the Senator from Arizona [Mr. Fannin], the Senator from Michigan [Mr. Griffin], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy], the Senator from New York [Mr. Javits], and the Senator from Texas [Mr. Tower] are necessarily absent.

Also the Senator from Illinois [Mr. Dirksen], and the Senator from Iowa [Mr. Hickenlooper] are necessarily detained.

If present and voting, the Senator from California [Mr. Murphy] would vote "yea."

On this vote, the Senator from Arizona [Mr. Fannin] is paired with the Senator from Maryland [Mr. Brewster]. If present and voting, the Senator from Arizona would vote "yea," and the Senator from Maryland would vote "nay."

On this vote, the Senator from Iowa [Mr. Miller] is paired with the Senator from New Jersey [Mr. Williams]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from New Jersey would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Florida [Mr. Smathers]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Florida would vote "nay."

The result was announced—yeas 23, nays 48, as follows:

[No. 117 Leg.]

YEAS—23

Aiken
Allott
Bennett
Boggs
Byrd, Va.
Curtis
Dominick
Douglas
Fong
Holland
Hruska
Jordan, Idaho
McGovern
Morton
Mundt
Nelson
Pearson
Russell, Ga.
Scott
Simpson
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—48

Anderson
Bartlett
Bayh
Bible
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Dodd
Ellender
Ervin
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hill
Inouye
Jackson
Jordan, N.C.
Kuchel
Magnuson
Mansfield
McCarthy
McClellan
McGee
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Pastore
Prouty
Proxmire
Ribicoff
Robertson
Saltonstall
Smith
Sparkman
Stennis
Symington
Talmadge
Yarborough
Young, Ohio

NOT VOTING—29

Bass
Brewster
Burdick
Carlson
Cotton
Dirksen
Eastland
Fannin
Griffin
Hayden
Hickenlooper
Javits
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
McIntyre
Miller
Murphy
Muskie
Neuberger
Pell
Randolph
Russell, S.C.
Smathers
Tower
Tydings
Williams, N.J.

So the amendments of Mr. Williams of Delaware were rejected.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendments were rejected.

Mr. BARTLETT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2720) was passed.

Mr. BARTLETT. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MAGNUSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MANPOWER SERVICES ACT OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 2974, the Manpower Services Act. I do this so that the bill will be made the pending business, with the understanding that no action will be taken thereon until tomorrow.

The **PRESIDING OFFICER.** The bill will be stated by title.

The **Legislative Clerk.** A bill (S. 2974) to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such act as both State and Federal levels, and for other purposes.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. **DOMINICK.** Mr. President, I submit an amendment which I intend to propose in conjunction with S. 2974, the Manpower Services Act. The amendment is a very simple one. It will remove "recruitment" as a function of the manpower services system. This will insure that the system will concentrate its total efforts upon aiding the disadvantaged and the unemployed, rather than dissipating its efforts by servicing corporations and those who are already employed. I ask unanimous consent that the text of the amendment be printed in the Record at this point.

The **PRESIDING OFFICER.** The amendment will be received and printed, and will lie on the table; and, without objection, it will be printed in the Record.

The amendment, ordered to be printed in the Record, is as follows:

Amendment No. 632

On page 22, line 4, following the words "placement services,", strike out all through page 22, line 8.

WORLD BANK BONDS ASSAILED

Mr. **HARTKE.** Mr. President, one of the most outstanding experts in the Senate today in the field of financial affairs, one who has background and information which makes it possible for him to see problems before they become so severe that no solution seems available, is the distinguished senior Senator from Missouri [Mr. Symington]. As a result of his constant prodding in international financial affairs, many crises have been averted.

He points to one now, however, which, unless some action is quickly taken, will certainly become very serious. That is, that there is a tremendous shortage of money in the United States, and at the same time a constant drain, especially by international organizations and foreign institutions, through utilization of available funds. I think that a very timely article appearing in today's Evening Star, entitled "World Bank Bonds Assailed," by Eliot Janeway, is illustrative of the facts to which I have alluded.

I ask unanimous consent to have printed in the Record at this point the article entitled "World Bank Bonds Assailed," written by Eliot Janeway and published in the Washington Evening Star of Monday, June 27, 1966.

There being no objection, the article was ordered to be printed in the Record, as follows:

World Bank Bonds Assailed

(By Eliot Janeway)

New York—Our Viet Nam operation is in a state of crisis—but not because of how we're doing. The root of the trouble arises from the universal inability to say or see what it is that we're trying to do. Until recently, the angry sense of drift and frustration has been limited to the political and military side of our government's activities abroad. But now the rising call for national purpose in the national interest is being echoed on the financial side as well—symptomatically, by a man who has made important contributions to our national security as an industrialist and government administrator and a legislator.

The administration cannot dismiss Sen. Stuart Symington, D.-Mo., as a dove or a dreamer. Nor can anyone discount his utterances as politically slanted against the administration or personally prejudiced against the President. Along with White House adviser Clark Clifford, his intimacy with Lyndon Johnson goes back to the first days of the Truman administration. For years, Johnson and Symington were collaborators as well as colleagues in the Senate Armed Services Committee.

DELIVERS TIMELY WARNING

The senator has just delivered himself of a timely and penetrating warning against the flood of Washington borrowings that is swamping the money market and sinking the money-using plans of businesses and families no longer able to afford or to find the money they need. What makes his complaint particularly pointed and constructive in the broader perspective of our lack of national purpose in Viet Nam is its target: This time, not the Treasury, but the World Bank for its projected offering of $175 million of 25-year bonds on the New York market.

Noting the World Bank's clearly defensive agreement "initially" to invest the proceeds in government agency obligations and dollar bank deposits "in order to eliminate any immediate effect on our continuing unfavorable balance of payments," Symington asks: "What is the definition of 'initially,' and what is the defination of 'immediate;' and if the money is not to be used to lend to other countries, why are the bonds floated at all—and especially at a time when domestic demand on our capital market are unusually heavy and pushing interests even higher?"

PAINFULLY CLEAR

The double thrust of Symington's questions is painfully clear. The World Bank borrowing is getting in the way of American borrowers in their own money market. Moreover, it will siphon off scarce dollars, enjoying premium demand, and send them abroad to finance profitable industrial expansion, in which American business is no longer free to participate competitively, thanks, as Symington says, to "the restraints on foreign investments currently laid down by our government to American corporations". Symington's deep involvement with our Viet Nam problem has not distracted him from our needs to finance our national security commitments by keeping our economy competitive and our costs—particularly our money costs, which determine all other costs—economic.

On May 2, when the flood of Washington bond dumping was unleashed against the money market, this writer warned that the interest rate on government-backed issues would be forced up to 6 to 6½ per cent, "a peril point rate for the entire economy, beginning with the already suspect stock market." This tell-tale rate has already been pushed up to 5¾ per cent; and all that now stands between the stock market and its next nosedive is the strained faith of Wall street's armchair political strategists in LBJ's vaunted political savvy on the money front. All Wall street hands agree that any further stepup in interest rates will break stock prices wide open—and this time for keeps.

Incredible though it still seems to the financial mind, which expects politicians to make sense as systematically as it expects itself to make money, Washington's borrowing operations are more to make money costs more, and everything else worth less—especially stocks and bonds. Symington's warning explains why. It's not just in Viet Nam that we don't know what we're doing.

TRANSFER OF CERTAIN FUNCTIONS FROM THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

The **PRESIDING OFFICER** (Mr. McGovern in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1611) to transfer certain functions from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions and to certain other agencies of the municipal government of the District of Columbia, and for other purposes, which were, on page 3, line 4, strike out "878(b) and 878 (f)" and insert "878b, and 878f"; on page 10, strike out lines 9 through 13, inclusive, and insert "Sec. 17. (a) Section 6323(a)(3) of the Internal Revenue Code of 1954 is amended to read as follows:"; and on page 10, after line 17, insert:

(b) Section 548a of the Act approved March 3, 1901, as added by the Act of April 27, 1945 (59 Stat. 100), is amended by striking "Sec. 548a." and by inserting in lieu thereof "Sec. 548a. (a)" and by inserting at the end the following new subsection:

"(b) The Recorder of Deeds shall accept for filing any notice of Federal tax lien or any other document affecting such a lien if such notice or document is in the form prescribed by the Secretary of the Treasury or his delegate and could be filed with the clerk of the United States District Court for the District of Columbia. The fee for each such filing with the Recorder of Deeds shall be the same as the fee charged by the Recorder of Deeds for filing a similar document for a private person. The Recorder of Deeds shall bill the District Director of Internal Revenue on a monthly basis for fees for documents filed by such District Director. Any document releasing or affecting any notice of Federal tax lien which has been filed with the clerk of the United States District Court for the District of Columbia prior to the effective date of this Act shall be filed with such clerk."

Mr. **BIBLE.** Mr. President, the House amendments would permit the filing of Federal liens for taxes with the District of Columbia recorder of deeds instead of the present practice of filing such liens with the clerk of the U.S. District Court for the District of Columbia. The amendments would authorize the District of Columbia recorder of deeds to accept such filings and fees for this service.

The amendments were suggested by the Treasury Department and have the approval of the District of Columbia Board of Commissioners.

Actually, the entire bill has as its purpose the transfer of certain local functions from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions and to certain other agencies of the District of Columbia municipal government. In my judgment, the House amendments comport with this endeavor.

Mr. President, the amendments of the House are acceptable. I move that the Senate concur in the House amendments.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

Mr. **MANSFIELD**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **DOMINICK**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

JET TRAFFIC AT NATIONAL AIRPORT

Mr. **DOMINICK**. Mr. President, some time ago—as a matter of fact, back in May—I became concerned over the situation at the National Airport. I watched the advent of jet planes coming into the airport with great interest, being a flier myself—having been a pilot for some 30 years.

I had felt that there was a need for a trial of this service on an experimental basis, at least to see how it would affect traffic in the air, traffic on the ground, the noise problem, and the use of Dulles Airport.

After watching the operation for a while, and being really directly affected by it by virtue of the location of my own house within the area, I wrote to General McKee under date of May 10, outlining four problems that I thought the introduction of jets had created.

One such problem was the excessive traffic created, and the difficulties which I felt the traffic might generate by virtue of danger both in the air and on the ground.

The second was the noise problem. The third was the reduction of the use of Dulles Airport—which in my opinion is one of the best airports in the country—and the fourth was the effect on general aviation.

I had found, prior to this time, that propeller aircraft, including the shuttle services between here and Boston and between here and New York, were suffering a great many delays—in some cases as much as 2 hours—by reason of the traffic in the airways, which made it very difficult to properly space aircraft under instrument conditions.

This letter was dated May 10. On May 23, I received a detailed reply signed by General McKee, as Administrator.

General McKee pointed out in the reply that the air traffic control service had not given priority to jets. I thought that probably might have been done. He also pointed out that there was increased congestion by virtue of the increased number of planes in the air.

He pointed out that it was hoped, because of the advent of jets which carried more passengers more rapidly, that the propeller aircraft traffic would decline and that the congestion would be relieved.

General McKee then stated that every effort was being made to reduce the noise of jet aircraft, but that this would remain a problem. He stated under paragraph 3 that he believed Dulles would continue to grow, and he shared my hopes in that respect. He stated:

> Airlines operating jets at National have agreed to maintain at least the same level of scheduling at Dulles that was in effect last December.

He then went on to say that in doing so, he hoped that Dulles and Friendship would continue to grow at a fairly rapid rate, and that he had every reason to believe this would happen.

In paragraph 4, he referred to the problems of general aviation and expressed the hope that the reopening of the additional facilities at National would be of assistance in that area.

This letter was dated May 23. I received the letter in my office on May 24. Almost immediately thereafter, on May 26, an article published in the Evening Star discussed the fact that additional jet flights were expected in National, and Mr. Saunders, who is the Director of the Agency's Bureau of National Capital Airports, spoke about the congestion in the air and on the ground.

This was about 3 days after the Administrator had written to me indicating that there was no particular need for concern at National Airport because of jet traffic. I would think that when I receive a reply from the administrator of an agency, that I can assume he would be in somewhat close contact with the head of National Airport. My comments dealt with that airport. Apparently, however, the two ends had not yet met.

As a result we have at least a very sharp implied contradiction between the reports of Mr. Saunders and of the Administrator of the FAA.

An article published in the Washington Post on June 4 pointed out that National's total traffic since the advent of jets at National had increased by 16,000 passengers. The article went on, interestingly enough, to point out that Dulles traffic had decreased by 15,000 passengers.

The point of my remarks is that the fears which I expressed in May are apparently being proven true. Traffic is moving out of Dulles and moving into National, National being one of the most congested airports in the country even under former conditions.

I then received a copy of a wire which General McKee had sent to all of the airlines. I think this wire is of real significance.

It is worded in this way:

> In numerous conversations which I have had recently with airline representatives it is rather clear that the crucial situation at Washington National is not appreciated. We have congestion in the air and congestion on the ground, both resulting in significant delays. The congestion in the terminal and the parking areas is intolerable. The FAA and the airlines are being severely criticized, and justifiably so by the press, Members of Congress and the public, all of whom demand that action be taken to correct the situation. It must be clear to you that the severe congestion will remain as long as existing schedules and traffic continue. Prior to April 24, I emphasized to the public, to the press and to the Congress that Washington National would be open to short-haul, repeat short-haul, jet operations with the general idea of replacing existing piston schedules with jets. The FAA is now in the position of having to reduce schedules and traffic at Washington National. To the best of our ability this will be done without bias and without favoritism of any kind. You may be assured also that recommendations from you will be fully considered. I am sending this message to you personally as I wanted you to know the position in which we find ourselves today and to inform you in advance of out taking affirmative action to reduce congestion at Washington National Airport.

Attached to the wire is a list of the presidents of the various airlines operating in this area.

Mr. President, I am as interested as is anyone else, including the FAA, in seeing that the service is adequate, that it is providing the necessary stimulus to air travel—which I think is inevitable as time goes on—to make sure that we have the best possible facilities. However, it strikes me as more than strange that when one sends a letter detailing the various problems at National and receives a letter from the Administrator 2 weeks later in which the Administrator makes a point by point refutation, and then 2 days after the receipt of that letter they say, "You were right, and we are going to do something about it," we have come to a rather interesting situation. Are we to rely on what the Administrator of the Federal Aviation Agency tells us, or are we to rely on what the head of the Washington National Airport tells us? Are we going to be able to continue to rely on what the Administrator says when he denies what has been suggested to him and 2 weeks later in a formal order verifies most of the things which were pointed out in the letter?

There is a problem existing and we know it. I suggest that perhaps one of the things that ought to be reconsidered by the FAA at this point is the possibility of a single traffic tower control or the reopening of Bolling and Anacostia Fields for both the airlines and general aviation. It so happens that Washington National Airport is circumscribed in both its holding areas and landing pattern areas.

This is necessitated by reason of security around the Capitol and the White House, by traffic patterns that are imposed on account of noise, and by a variety of other reasons, including the limited size of the airport.

Severe problems have existed here. And accidents have occurred. God willing, no more accidents will occur. The tower controllers are capable, and in the air traffic control system are some competent and able people. If it were not for that, I would be even more concerned than I am.

However, one of the things that must be done, Mr. President, is to attempt to take some steps to use Dulles as it was intended to be used, not only for international travel, but also for some of the domestic travel, to take the load off Washington National. Obviously, that cannot be done by bringing the jet traffic out of Dulles and into Washington National.

One matter which should be considered is the method by which more people can be encouraged to use Dulles more evenly and more often.

For a considerable period of time, I have had an idea which I have never seen anyone put into operation or even into experimental use. I think the idea is worthy of consideration, and it is this: When a person gets off an airplane, he would get onto a bus which would proceed into the terminal. The person would be in the terminal very briefly, and then would go from there directly to a monorail, which would bring him into the center of town. Sufficient space exists in the right-of-way from the Dulles road in order to accomplish a good deal of this.

Action such as this would not only create more interest in Dulles, but also would encourage more people to use that airport. This method would be helpful in insuring what I believe will inevitably happen in long-term growth, and would do it more rapidly, and at the same time ease the burden at Washington National Airport.

Mr. President, I have at least two suggestions that I wish to make during this speech. One suggestion is that the Administrator should be more candid with Members of Congress who ask questions in connection with matters with which they happen to be fairly knowledgeable. This is a field in which I happen to be fairly knowledgeable because of my long interest and activity.

The second suggestion is that in the next budget which is sent to Congress, the Administrator might consider preparing a request for a study of the possibility of developing a system of transportation directly from an airplane to a downtown terminal, to take care not only of passengers but also of baggage, without the necessity of transshipment from the aircraft to the terminal each time the plane lands or departs. It would speed up traffic, it would ease the problems of the passengers, and in my opinion it would increase air traffic.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point my letter, the Administrator's reply, the Washington Post and the Evening Star articles that I referred to, and the FAA Administrator's telegrams to the airlines.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 10, 1966.

Gen. WILLIAM F. MCKEE,
Administrator,
Federal Aviation Agency,
Washington, D.C.

DEAR GENERAL MCKEE: Speaking as both a private citizen and as a Member of the Senate interested in aviation affairs, I would like to register my concern over the introduction of commercial jet flights into National Airport. I have been watching this with considerable interest as I felt there were many factors involved in your decision and many points which perhaps could not be proven one way or another until the experiment was made. I would cite as objections four main points:

(1) Excessive Traffic—Ever since the jet service was inaugurated we have had some fairly extensive instrument flying conditions. It seems apparent (and probably necessary because of the nature of jets) that jet traffic be given priority landing clearances and, hence, the turbo-prop and prop airplanes remain in holding patterns for unconscionable long periods. In a number of cases that I am personally aware of, the difficulty in getting clearance through ATC has been such that Eastern shuttle flights were delayed over two hours, first by delayed clearances and secondly by delayed landing patterns. The same situation occurred on May 9 on an Electra turbo flight originating in Milwaukee.

It becomes almost self-evident that a private aircraft leaving from the northeast with a destination of Washington should not even attempt this unless they have as much as five to six hours range in order to compensate for holding patterns. A few years ago, prior to jet arrivals, it took me three hours and forty-five minutes from the time of obtaining an instrument clearance over the Hudson River north of New York to the VOR Westminster Station at which point I was vectored out of traffic and sent to Baltimore. On that occasion, one of the causes for delay was an approach radar out of service

The present situation, with all radars working and with jet traffic receiving priority and further congesting the air space, makes travel on prop and turbo prop aircraft difficult in the extreme from a timetable point of view.

(2) Noise—Our home is located at 1801 45th Street, N.W., near the corner of Foxhall and Reservoir Road. Georgetown Reservoir, lying just to the west of us, is the normal visual reference for traffic from the northwest to northeast sector, and heaven knows it was bad enough when restricted as before. At the present time, with jet traffic added, it makes any kind of outdoor conversation completely impossible, and I say this keeping in mind that I had been brought up around airports all my life. It is impossible to sit in our living room and have a discussion with any door or window open and without being interrupted almost every two minutes. It is, of course, particularly bad at the heavy traffic hours from 5:00 to 8:00 p.m., the usual time when people try to get together during the evening. We purchased the house recognizing the problem insofar as previous traffic is concerned, but we had no conception that jets might be added to it.

(3) Depreciation of Dulles—In my opinion, Dulles Airport is one of the best in the country and one of the most forward looking. It could be improved by a system which would permit use of buses which would hitch onto a high-speed monorail and bring passengers to and from the center of town with baggage being subject to pick-up either at the airport or at a central office in town. Nevertheless, there is room for greatly expanded operations. It is designed for a jetfield and over a period of time jet national and international traffic will undoubtedly continue to grow. It is equally apparent to me, as I am sure it is to you, that schedules will sharply decrease out of Dulles as the jet traffic moves into National where it is closer to town.

(4) *General Aviation.*—Until the advent of a large number of jets at National, general aviation facilities were difficult but perfectly usable. In the air and on the ground there was the usual intermix of planes as fast as an Electra and as slow as a single-engine Cessna. These could be and were handled adequately and, in fact, very capably by your Traffic Information Service and your very skillful tower operators. With the advent of jets, a wholly different picture is presented to the general aviation field. Even this would not be so bad if the channels of approach to National were not so circumscribed because of security measures and the relatively small size of the field. Even on the ground it is difficult to get adequate parking and certainly the terminal facilities for general aviation are not worthy of the scope of this activity. Most of the general aviation planes based at National are used for business purposes are well as for pleasure. They are owned by business executives, Members of Congress, professional personnel, governmental employees, and aviation enthusiasts of all descriptions, and there is an enormous amount of transient business in executive-type aircraft. The solution to this problem could probably be found if Bolling Field were reopened either for general aviation or for the airlines, but unless something of this kind is done it seems to me that we will be faced with some very serious accidents before too long, despite the skills of your tower operators.

I have tried to outline the four major categories of problems with some care. It is my hope that the thoughts expressed are helpful rather than destructive. It is equally my hope that you will review this situation again, as I personally feel that it is so serious that there may be need for Congressional review of the policy in the event that executive redirection fails to occur.

Sincerely,

PETER H. DOMINICK,
U.S. Senator.

FEDERAL AVIATION AGENCY,
Washington, D.C., May 23, 1966.

Hon. PETER H. DOMINICK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DOMINICK: I appreciate your comments of May 10 on jet aircraft at Washington National Airport. You may wish to consider the following information on each of the items you described:

1. Air traffic control does not and has never given preference to one type of aircraft or service over another, except for aircraft in an emergency condition. All traffic must be spaced in the traffic pattern around an airport; therefore, what may appear as a delaying tactic is in reality an effort to properly space the aircraft in relation to other aircraft thereby expediting its operation to the airport. The more air traffic around an airport, naturally, results in a more complex problem with a necessity for more maneuvering in the airspace to accomplish a safe, orderly and expeditious operation. The complexity of the problem is not aggravated by the advent of the jet aircraft; in fact, the speed and climb characteristics of these aircraft tend to relieve some of the congestion created by the "prop" aircraft. This is true for both visual flight rule or instrument flight rule operation. The faster an aircraft passes through any given airspace, the sooner it can be assigned to a succeeding aircraft. Equipment outage can cause delay. We note, however, that the radar failure to which you refer occurred prior to the advent of jets and that it would not cause any greater delay were it to recur today. The Agency's records of the first three weeks of jet operations indicate that recent delays have not resulted from the introduction of jets but are similar to those that occur at many other large, heavily used metropolitan airports.

2. Every effort is being made to reduce the noise of jet aircraft in the Washington residential area. New noise abatement procedures provide for departing aircraft to remain above the Potomac River until they

climb to 3,000 feet and to reduce thrust while climbing from 1,500 to 3,000 feet in order to minimize noise. Arriving aircraft are requested to remain over the river and maintain an altitude of at least 2,500 feet as long as they can prior to commencing their final descent. The location of the river has been made a part of the visual display on radar screens, enabling controllers to provide greater assistance to pilots attempting to navigate over the river routes.

We have advised the airlines that failure to adhere to noise abatement procedures will result in denial of access to the airport. We are monitoring jet operations with noise measurement devices and have increased the number of FAA inspectors on jet aircraft using WNA to assist in facilitating compliance with these procedures.

Other improvements are being studied to assist pilots in determining more accurately that their aircraft follow the river.

3. We believe Dulles International Airport will continue to grow and share your hopes in this regard.

Airlines operating jets at National have agreed to maintain at least the same level of scheduling at Dulles that was in effect last December and are doing so. Operations at WA are limited to two- and three-engine jets and a range of 650 miles subject to certain grandfather rights up to 1,000 miles. These limitations are intended to assure that international and long-haul domestic services are provided by Dulles or Friendship. The report prepared for the Agency by the economic consulting firm of Operations Research Incorporated predicts future air traffic volumes for the area that will tax the capacity of all three airports. There is every reason to believe that Dulles and Friendship will continue to grow at a fairly rapid rate despite the admissions of jets to WNA.

4. The Agency has for some time been concerned about the adequacy of facilities available for all users of WNA, including general aviation. In one respect, general aviation has had an advantage in that general aviation jet aircraft have been permitted to use Washington National for several years. The public interest would seem to justify at least an equal opportunity for airline passengers to have jet service.

Further, the intermix of the jets and general aviation aircraft can be accommodated without any adverse effect on safety both on the ground and in the airspace. The jets used at National operate at speeds comparable to propeller air carrier aircrafts, during takeoff and landing, and fit into the existing traffic patterns at National. In this respect, the air carrier jets introduce no factors that were not present during the past several years when general aviation jet operations were permitted.

Modernization of the airport will provide better terminal facilities for general aviation. The agency recently awarded a contract to an architectural and engineering consultant firm to develop plans that will provide adequate facilities for the needs of general aviation as well as air carriers.

Reopening Bolling Field would not be a feasible solution. By 1960, the combined activity at National, Bolling and Anacostia had reached a peak of nearly one-half million landings and takeoffs, and the consequent traffic interference was such that the airfields were approaching the point of incompatibility. Bolling's proximity to National and Andrews caused so much difficulty in use of airspace that it was necessary to close it and Anacostia Naval Air Station in 1962. Reopening it would generate additional traffic and reintroduce the congestion that resulted in its closing in 1962.

If we can supply any more specific information on the points you raised, we will be very happy to do so. Beyond the specifics included in your letter, however, is our feeling that we should observe the Congressional policy to operate Washington National in the most effective and modern manner consistent with the public interest. We believe the Congress expects the Agency to keep pace with technological developments and provide the most modern transportation at all airports serving the metropolitan area.

Jet air carrier service is provided at over 116 airports in the United States. Washington National Airport is the fourth busiest airport in the country. As one of the gateways to the Nation's Capital, it should provide the most modern service available. The transition to jets on the airlines, with the advent of smaller two- and three-engine jets, is well along. It shortly will largely eliminate piston aircraft. The airlines serving Washington National Airport would normally be replacing their piston fleet with jets in the next few years. Adequate service at this very vital airport in the metropolitan area dictated the desirability of admitting jets at this time.

Naturally we will always act consistently with specific policies established by the Congress or any change in the method of operating the airport that the Congress might wish to legislate. For the time being, however, there appears to be substantial if not overwhelming Congressional approval of jet service.

Please be assured that I welcome the opportunity to explore these matters with you and trust that our comments are helpful.

Sincerely,

William F. McKee,
Administrator.

[From the Washington (D.C.) Post, June 16, 1966]

Air Travel Reform

The freeze on new flight schedules at Washington National Airport, agreed to by the commercial airlines last week, must be used to rationalize air transportation in the East.

The Federal Aviation Agency authorized jet flights into Washington National Airport on the understanding that it would be used for short haul flights. The spirit of that agreement has been violated by the airlines and traffic has been increased at National by 16,000 passengers a month. Traffic at Dulles has declined at about the same rate.

The result has been insufferable congestion at National Airport and neglect of the finest airport in the world at Dulles International. The initial understanding must be reinstated and backed up with strict rules that will not permit its violation. The traffic pattern in this area must be so arranged that Washington National Airport becomes the principal short-haul, local, commuting airport while Dulles becomes the transcontinental and trans-Atlantic airport.

This makes sense from every point of view. Such a policy will enable Washington National Airport to serve more effectively and conveniently the rising short-haul commerce which is going to grow beyond the ability of National even if it is devoted exclusively to this purpose. And it will enable those taking transcontinental flights and trans-Atlantic flights to proceed with greater comfort, safety and convenience.

Embarkation on overseas flights from New York no longer makes any sense at all for business originating outside of New York, New Jersey and Pennsylvania. Kennedy International Airport is at the saturation point. Flights are stacked up in a veritable birdcage of holding aircraft waiting to land. While the FAA has managed to devise rules and safety provisions that have minimized risks, no rules or precautions can eliminate the hazards of such congestion.

On the ground, the situation is impossible. Some of the older facilities, still in use, are a disgrace for an international transportation center. Conveniences there are not much better than the sanitary facilities and other accommodations available in the worst airports in remote parts of the world. Movement from one airline embarkation point to another is difficult always and sometimes impossible. Porters are often not available. Pickpockets and other criminal elements prey upon incoming and outgoing passengers in an environment so congested that police protection is woefully inadequate.

To relieve this congestion by another New York metropolitan airport seems not feasible. It would take $400 to $800 million to build it, involve a subsidy of some $200 million of Federal funds and require seven or eight years of construction.

The logical alternative is to move some of the trans-Atlantic business to Dulles where it can be handled efficiently and comfortably. If the airlines can be compelled to originate more flights at Dulles, it will relieve the overseas congestion at Kennedy International Airport and the domestic congestion at Washington National Airport. The FAA as the lessor of Dulles and National can accomplish much of this shift. The Civil Aeronautics Board, which controls authorization and schedules, can further implement the policy.

The airlines have resisted this shift in the past, but they must be persuaded or compelled to increase their transcontinental and trans-Atlantic flights from Dulles. They have resisted the FAA by claiming customer preferences are against Dulles; but the customers have been slow to use Dulles because the service has been too limited. No air passenger in his right mind, if he could embark at Dulles, would voluntarily take a commuter flight at overcrowded National Airport and change to an overseas flight in the confusion, inconvenience and downright hazardous ground arrangements at Kennedy International Airport.

The present freeze on new flights at National must be utilized to re-order the pattern of air transportation on the Eastern seaboard to end congestion at both National and Kennedy International.

[From the Washington (D.C.) Star, May 26, 1966]

New Jet Flight Increase Expected at National

(By Charles Yarbrough)

Despite a Federal Aviation Agency appeal to airlines for "restraint" in jet scheduling at National Airport, a sharp increase is expected within the next 60 days.

Tentative scheduling indicates that the current figure of 102 daily jet takeoffs and landings will jump to 112 next week and climb to 138 daily by July 25.

When the FAA lifted its ban April 24 to allow two and three-engine jetliners, it was expected that total daily operations of all types of airline transports would remain about the same, taking into account the normal early-summer increase.

WARNS ON CONGESTION

This week, Arven H. Saunders, director of the agency's Bureau of National Capital Airports, which operates National and Dulles International, said he was formally asking the airlines to "re-evaluate" the balance of schedules between the two airports.

The jet operations at National are permitted under FAA order which could be modified in any way the agency saw fit.

Saunders said there has been a "near-stampede" in the jet rush to National and warned that increasing passenger congestion and delays would result unless "restraint" is exercised.

Total airline flights at National on April 24 numbered 630, with 102 of them jets.

Traffic climbed to 646 by May 18, with the jet figure remaining at 102.

INCREASE AT DULLES

Projected scheduling indicates that daily traffic will total 654 on June 1, with jet movements accounting for 112. The schedule projection indicates 670 daily operations July 25, with jets totaling 138.

On a background of a 27 percent increase in commercial air traffic over the nation in April, National had a 36 percent gain; Dulles, a record-breaking 40 percent.

On lifting of the jet ban at National, the airlines agreed to maintain the total operations at Dulles that they had on Oct. 1 of last year. This has been done, the FAA says, but some jet schedules which have been operating at Dulles have been moved to National and less-popular service substituted at Dulles to maintain the average.

[From the Washington (D.C.) Post, June 4, 1966]

Airlines at National Ordered To Cut Flights as Jets Overload Facilities

(By William E. Burrows)

National Airport's landlords served notice yesterday on airlines that they will have to cut back the number of flights there.

The Federal Aviation Agency is distressed at the overload of the airport's facilities since April 24 when jets started service there.

Instances of travelers missing planes for lack of place to park, or because of long ticket lines, have since become commonplace at National.

Figures compiled by FAA yesterday showed that National's total traffic increased by 16,000 passengers since the jets arrived, while traffic decreased by 15,000 at Dulles International Airport at Chantilly, Va., also administered by the FAA.

Arven H. Saunders, FAA's director of National Capital Airports, met yesterday with vice presidents of the 13 airlines using National.

He said later that he put the problem of the overload of facilities to them. He added that alternatives were discussed without definite proposals being made. He said he gave the airlines until June 10 to come up with their answer.

By law, FAA can impose its own answers—orders—if it is not satisfied with those the airlines propose.

Saunders stressed it was ground conditions that have caused the problem, saying "there is no issue of safety in the sky."

He indiacted at a press conference later that he was surprised at the sudden upsurge of passenger volume at National. He said FAA officials had felt that allowing jets into National might have reduced flights, because jets have greater passenger capacity.

Instead, the airlines have moved quickly to replace old propeller-driven planes with short and medium-range jets. The number of jet flights per day has increased far more than had been anticipated.

FAA officials have countered the argument that jets at National would take business from Dulles, saying that Dulles is for transcontinental and intercontinental flights, while National jets have been limited to "close-in" (650 nonstop miles) flights.

What has been happening is that the airlines have used National for transcontinental flights by stopping the planes first at cities like St. Louis, then going on to the West Coast with the passengers who had boarded at Washington still aboard.

The airlines have been living within the letter, but not the spirit, of the law.

"We think one-stop flights to California will be stopped," Saunders said, "and flights will terminate at 650 miles."

Meanwhile, the scene at National Airport's ticket counters continues like a mad scene from an old Mack Sennett movie, and the parking lots outside all carry a "Sorry, Lot Full" sign.

Harry Schneider, a parking lot attendant there, said "business is great" as the cars kept going by.

And, 28 miles down the road at Dulles, business is bad.

In numerous conversations which I have had recently with airline representatives it is rather clear that the critical situation at Washington National is not appreciated. We have congestion in the area and congestion on the ground, both resulting in significant delays. The congestion in the terminal and the parking areas is intolerable. The FAA and the airlines are being severely criticized, and justifiably so by the press, Members of Congress, and the public, all of whom demand that action be taken to correct the situation. It must be clear to you that the severe congestion will remain as long as existing schedules and traffic continue. Prior to April 24 I emphasized to the public, to the press and to the Congress that Washington National would be open to short-haul, repeat short-haul, jet operations with the general idea of replacing existing piston schedules with jets. The FAA is now in the position of having to reduce schedules and traffic at Washington National. To the best of our ability this will be done without bias and without favoritism of any kind. You may be assured also that recommendations from you will be fully considered. I am sending this message to you personally as I wanted you to know the position in which we find ourselves today and to inform you in advance of our taking affirmative action to reduce congestion at Washington National Airport.

William F. McKee,
Administrator, Federal Aviation Agency.

Copies to:

Mr. Floyd D. Hall, president and chief executive officer, Eastern Air Lines, Inc., 10 Rockefeller Plaza, New York, N.Y.

Mr. Donald W. Nyrop, president, Northwest Airlines, Minneapolis-St. Paul International Airport, St. Paul 11, Minn.

Mr. George E. Keck, president, United Air Lines, Inc., P.O. Box 8800, O'Hare International Airport, Chicago, Ill.

Mr. Harding L. Lawrence, president, Braniff Airways, Exchange Park, Dallas, Tex.

Mr. L. B. Maytag, Jr., president, National Airlines, Inc., Miami, Fla.

Mr. Charles H. Dolson, president, Delta Airlines, Inc., Atlanta, Ga.

Mr. Charles C. Tillinghast, Jr., president, Trans World Airlines, Inc., 605 3d Avenue, New York, N.Y.

Mr. James W. Austin, president, Northeast Airlines, Inc., Logan International Airport, Boston, Mass.

Mr. C. R. Smith, chairman of the board, American Airlines, 633 3d Avenue, New York, N.Y.

Mr. T. H. Davis, president, Piedmont Aviation, Inc, Smith-Reynolds Airport, Winston-Salem, N.C.

Mr. Lloyd W. Hartman, president, Lake Central Airlines, Inc., Weir Cook Municipal Airport, Indianapolis, Ind.

Mr. Leslie O. Barnes, president, Allegheny Airlines, Inc., Hangar 12, Washington National Airport, Washington, D.C.

Mr. Robert E. Peach, president, Mohawk Airlines, Inc., Oneida County Airport, Utica, N.Y.

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA CODE

Mr. DOMINICK. Mr. President, last Thursday, June 23, Senator Tydings introduced S. 3549 which would amend certain provisions of the District of Columbia Code relating to landlords and tenants. Senator Tydings stated in his remarks when he introduced the bill:

> I want to emphasize that our purpose in introducing this bill is to put before the District of Columbia Committee a number of concrete proposals which responsible members of the community, knowledgeable on housing matters, believe to be useful in meeting some of the housing problems of the District.
>
> The purpose of the bill is not to take sides in the often emotional interaction between landlords and tenants. The purpose of the bill is not to castigate landlords as selfish or tenants as irresponsible. Rather, the purpose of the bill is to provide a vehicle for an in-depth analysis of the extent of substandard housing in the District of Columbia and a study of what legislation might be useful to improve existing housing. Our basic objective is to find practical means of bringing more of our present housing supply up to adequate standards of health and safety.

I have not had an opportunity to study Senator Tydings' bill in detail, but the objectives outlined in the distinguished Senator's remarks are certainly commendable.

Last year I introduced a bill, S. 2419, which also was geared to the improvement of housing in slum areas, though my bill is national in scope. However, it has occurred to me that the philosophy embodied in my original bill is compatible with the goals the Senator from Maryland hopes will be achieved by his bill. As a consequence, I now send to the desk a bill which is designed to accomplish for the District of Columbia what I hope my original bill will accomplish nationwide.

This bill, if adopted, will require that the names of those who own property for rent in the District of Columbia must be published at least once a year in a public newspaper. I believe it is a good bill. It will encourage improvement in slum housing by making public the names of the landlords responsible for these horrible conditions. Up to the present time, the promotion of more effective building codes and code enforcement, as well as various tax reform studies, have been the primary weapons employed against urban blight. I support these measures, but I believe that the fear of widespread public notoriety will provide tremendous further impetus toward the goal of eradication of both urban and rural slum housing conditions.

Many landlords have neglected to meet their responsibilities simply because they know that they are safely hidden from the public's eye. No one would know that the filthy, rat-infested tenement or shack over on the other side of the tracks belongs to one of the pillars of the community, or perhaps to a respected officeholder.

If this bill is adopted, it should, in fact, assist in achieving some of the same results the Senator from Maryland is striving for in his bill.

I have been assured by the Senator from Maryland that this bill will receive an early hearing along with his bill, S. 3549.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3558) to require the publication of the names of the owners of rental property in the District of Columbia which are used for residential purposes, introduced by Mr. DOMINICK, was received, read twice by its title, and referred to the Committee on the District of Columbia.

ADJOURNMENT

Mr. DOMINICK. Mr. President, I move that the Senate stand in adjournment until 12 o'clock tomorrow noon.

The motion was agreed to; and (at 3 o'clock and 5 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, June 28, 1966, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 27, 1966:

DEPARTMENT OF STATE

Henry E. Stebbins, of Massachusetts, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Uganda.

John H. Crimmins, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of American to the Dominican Republic.

FEDERAL COMMUNICATIONS COMMISSION

Rosel H. Hyde, of Idaho, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1962.

Nicholas Johnson, of Iowa, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1966.

DEPARTMENT OF JUSTICE

William W. Justice, of Texas, to be U.S. attorney for the eastern district of Texas for the term of 4 years.

Louis C. LaCour, of Louisiana, to be U.S. attorney for eastern district of Louisiana for the term of 4 years.

Ernest Morgan, of Texas, to be U.S. attorney for the western district of Texas for the term of 4 years.

Marion Mathias Hale, of Texas, to be U.S. marshal for the southern district of Texas for the term of 4 years.

Robert I. Nash, of Texas, to be U.S. marshal for the northern district of Texas for the term of 4 years.

Tully Reynolds, of Texas, to be U.S. marshal for the eastern district of Texas for a term of 4 years.

EXTENSIONS OF REMARKS

The 10th Anniversary of the Poznan Uprising

EXTENSION OF REMARKS
OF
HON. PAUL H. DOUGLAS
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES
Monday, June 27, 1966

Mr. DOUGLAS. Mr. President, on June 28 we commemorate the 10th anniversary of the Poznan uprising. On that day 10 years ago, discontented Poles rushed into the streets and proclaimed that Poland was not a workers' paradise. The revolt was largely unplanned and most of the activity was spontaneous. The goals of the uprising were set forth by the throngs in the streets rhythmically chanting: "Bread and Freedom—Bread and Freedom." And there was no need, in Poznan, for practicing propaganda tactics, for the people knew what the conditions were. They knew that there was hunger in the city, that the church was being suppressed, and that the euphoric pronouncements of the party were false.

The events of June 28, 1956, demonstrated the Polish love for freedom and showed the entire world what a Communist takeover does to a nation. The workers in the huge Poznan locomotive plant protested their lot. And they charged the secret police headquarters—the symbol of their oppression. Thus, they joined the ranks of those heroes throughout all of history who have fought bravely in defense of human liberty. The Poznan uprising was a fresh breeze from a usually stale Communist part of the world, and it will not be forgotten.

The uprising was crushed in 2 days. The tanks fired in the streets, and 54 Polish patriots lost their lives. But the protest was not wasted, for during those 2 days men acknowledged the realities of their daily lives. Their thinking was cleared of the euphemisms of Marxian language, and they said plainly that they owed nothing to Russian communism.

Perhaps one Polish cynic put it best when he observed simply that:

> Communism, which proclaimed itself the most efficient and most popular system, had only two failings—it didn't work and the people didn't like it.

The 34th Anniversary of the Disabled American Veterans

EXTENSION OF REMARKS
OF
HON. JIM WRIGHT
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 27, 1966

Mr. WRIGHT. Mr. Speaker, a few days ago a number of my colleagues here in the House paid tribute to the Disabled American Veterans on the occasion of its 34th anniversary as a congressionally chartered national veterans group.

Because circumstances made it impossible for me to join them on that day, I am offering these remarks today because I believe that the Congress has an opportunity to express its deep indebtedness and that of the entire Nation to the Disabled American Veterans.

In honoring this organization we are really paying a tribute to each man and woman who has suffered in body and mind to defend our freedom. Today must, therefore, be more than a courteous ritual. It must be a true dedication always to remember what the disabled veteran did for us.

The more than 231,000 members of the DAV serve as the voice of our conscience to be sure that we who are free, fortunate, and healthy do not forget that almost 2 million Americans living today have sacrificed some degree of their health in our defense. The DAV thus serves us all—not just the disabled veteran. It has served the Congress by giving us wise counsel on specific problems of our disabled veterans and, most important, it has helped us sympathetically to understand their problems.

The DAV has served us faithfully since its founding in 1920. I am sure that we all hope it will continue to serve the Nation until that time which we all desire when peace will have been so lasting as to permit us to have discharged to the best of our ability our debt to the last sick or injured veterans of our defense.

Commends Iowa's Cultural Achievements

EXTENSION OF REMARKS
OF
HON. JOHN R. SCHMIDHAUSER
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 27, 1966

Mr. SCHMIDHAUSER. Mr. Speaker, I have the honor of bringing to the attention of my colleagues in Congress an outstanding achievement by a young constituent of mine, Mr. James V. Tate, of Iowa City, Iowa. Mr. Tate, a 22-year-old graduate student at the University of Iowa, has received this year's Yale Series of Younger Poets Award for his manuscript, "The Lost Pilot."

The Yale Series Award is a national prize established in 1919 by Clarence Day, the founder of the Yale University Press. In attaining this award, Mr. Tate joins such distinguished American poets as William Dickey, Muriel Rukeyser, and Alan Dugan whose first books were published by the Yale University Press. Mr. Tate's first volume of poetry, "The Lost Pilot," is scheduled to appear this year.

I would like to say that we in Iowa are proud of the achievements of our State in so many varied areas. Mr. Tate's personal achievement is another illustration of Iowa's great contribution to our

Nation's cultural life. I would like to recommend Mr. Tate's book to all of my distinguished colleagues in Congress and extend my heartiest congratulations to this fine young man.

Small Watershed Projects Emphasize Water Management

EXTENSION OF REMARKS

OF

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 1966

Mr. ULLMAN. Mr. Speaker, there is widespread concern throughout our Nation over water and its uses and abuses—about water for the present and water for the future—about too much water or too little. We in Oregon recognize water as a most precious commodity, but we have unique problems in its management.

There is still more to be learned about the many facets of water and its uses. Yet present scientific knowledge, if put to use, has advanced significantly to relieve some of the pressures on this resource. We must always be alert to chances to put it to use.

I have followed closely and with great interest the progress being made by rural people in my congressional district in Oregon.

Floodwater and sediment have frequently damaged agricultural land and irrigation distribution systems as well as roads and bridges. With Federal assistance through local soil and water conservation districts, rural people are doing a remarkable job of installing conservation measures to hold back the flood of water when it is in oversupply, to store excess water for future use, and to make more efficient use of water when it is released. Each of these phases of the management of water is important to agriculture and other uses.

Not all of this work can be done by individuals alone. Nor should it be, for the benefits are widespread, both economically and from the standpoint of our resources.

Prime examples of joint efforts may be seen in the North Powder River and Wolf Creek small watershed projects for which local people are developing plans. The projects—in Baker, Wallowa, and Union Counties—are being carried out with U.S. Department of Agriculture help under the small watershed program. Their objectives are to decrease flooding, reduce erosion and the resulting sediment that is deposited on land and in irrigation systems, and provide supplemental irrigation water to presently irrigated land. Roads and bridges will be protected from floods. More profitable use of land will result from the more efficient management of land and irrigation water.

The projects will also help correct the sediment-laden flood flows that cause considerable damage to fish spawning. In addition, recreation facilities are being planned.

Some of the work will be done by farmers and ranchers at their own expense. Some will be done jointly by the sponsors—the Union, Baker, and First Union Soil Conservation Districts and the Powder Valley Water Control District. Some will be done by the Federal Government. Some of it will be shared.

Most important is that plans are being made and that local people are motivated to make them. These are local projects, being carried out by local people who are grasping the opportunity to use modern techniques to develop the potential of their land and water resources.

I have met with the sponsors of both projects and know of their tireless efforts to get these projects underway. It is undertakings such as these that I take great pleasure in supporting.

Optometry in the District of Columbia

EXTENSION OF REMARKS

OF

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 1966

Mr. DOLE. Mr. Speaker, today I have introduced a bill for the regulation of the practice of optometry in the District of Columbia. Its purpose is to protect the public against ignorance, incapacity, deception and fraud when they obtain vision care.

There has not been a single change in the 42-year-old optometry law of the District since its passage by Congress in 1924. It appears hopelessly out of date.

In the regulation of professions, a State may ban practices and procedures tending to unseemly competition and the lowering of the standards of service. It may eliminate bait advertising and the employment of a professional license by a lay person, such restrictions as proposed in the bill introduced today.

Optometry statutes in the various States have been subject to constant revision in order to keep them up to date with new scientific and practical developments in the service of the vision needs of America's population. One of the most important of these developments has been in the education of the optometrist. By 1921 all of the States with the exception of the District had enacted statutory requirements which typically included high school graduation and 2 years of professional study. This was a transition away from the purely vocationally oriented training in refractive and other ophthalmic skills in favor of the professionally oriented curriculum which included academic studies in the liberal arts and sciences and basic education in visual science courses.

Within another decade four universities offered baccalaureate degrees to optometry graduates, and by 1936 all of the optometry curriculums required 4 years of college level work. After World War II optometry schools began requiring 2 years of liberal arts and sciences at the collegiate level as a prerequisite to admission.

The educational program for optometric students developed until today all schools and colleges of optometry grant a doctorate degree upon graduation. To graduate from optometry school one must have successfully completed 2 years of preoptometric collegiate work and 4 years of professional courses, making a total of at least 6 years in higher education to obtain a degree.

Congress recognized optometry as a profession in 1963 by including it in the Health Professions Educational Assistance Act and subsequently in the 1965 amendments to that act. It recognized the Nation's need for more optometrists when it provided Federal loans to optometry students under H.R. 8546, which passed in 1964. It is therefore a logical extension that Congress this year recognize optometry as a profession in the District of Columbia by updating the antiquated 1924 act and thereby assuring the people of the District that they will receive the same caliber of professional care available in other States of our country, such as my own home State of Kansas.

It is time to adopt changes suggested in this bill. I trust my colleagues will join in urging passage of this, or similar legislation.

Dominion Day in Canada

EXTENSION OF REMARKS

OF

HON. KEN W. DYAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 1966

Mr. DYAL. Mr. Speaker, on Friday, July 1, Americans can pay tribute to our good neighbor to the north, by noting the observance of Dominion Day in Canada.

The First of July in Canada is similar to the Fourth of July in the United States.

On July 1, 1867, Canadians were granted self-government by the British North America Act. This marked one of the most important dates in the history of Canada, because on that date Canada became a united, separate dominion.

Perhaps the wisest thing Great Britain ever did was to give Canada her independence without a war. The Canadians have repaid this gesture many times over by springing to her defense in World Wars I and II.

San Bernardino County has a good reason to celebrate Dominion Day, as there were more than 2,000 Canadian citizens living in our sunny county in 1965—plus uncounted other thousands who have become U.S. citizens.

Dominion Day marks a good occasion to greet our friends from Canada and to praise them for their valuable contribution to the United States.

Public Power Beneficial

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 1966

Mr. CALLAN. Mr. Speaker, in recent hearings of the Committee on Agriculture on legislation to amend the Rural Electrification Act, representatives of investor-owned utilities voiced testimony that painted cooperative power efforts as less than desirable. I believe there is little truth in such contentions.

I would like to call the attention of my fellow Congressmen to the average monthly electric bills across the country. Nebraska, the only State in the Union with 100 percent public power, ranks as high as fifth and no lower than ninth among the 50 States in offering low-cost power to consumers. The State does not have the natural resources to supply such power that many of its sister States do.

Nebraska's average monthly residential electric bills are the lowest in the Nation's midsection. Iowa, its neighbor to the east, has one of the highest average monthly bills. In Nebraska, average monthly residential bills are $5.96 for 250 kilowatt-hours, $8.71 for 500 kilowatt-hours, $12.16 for 750 kilowatt-hours, and $16.18 for 1,000 kilowatt-hours.

These rates for 1965 represent a decrease from 1964 of 30 cents for 250 kilowatt-hours, $2.18 lower for 750 kilowatt-hours, 41 cents for 750 kilowatt-hours, and 41 cents for 1,000 kilowatt-hours. Compared to the national average, Nebraska rates are $1.42 lower for 250 kilowatt-hours, $1.70 lower for 500 kilowatt-hours, $2.18 lower for 750 kilowatt, hours, and $2.41 lower for 1,000 kilowatt-hours.

We in Nebraska particularly cherish the valuable role played by public power in economic development. The State's commercial electric rates are considerably lower than the national average. The average monthly commercial electric bill in the State's larger cities is $4.60 lower than the national average for 750 kilowatt-hours, $9.31 lower for 1,500 kilowatt-hours, $33.63 lower for 6,000 kilowatt-hours, and $45.19 lower for 10,000 kilowatt-hours.

There are indications that power rates will drop again next year. Two puplic power districts recently announced rate reductions effective July 1. One company, the Norris Public Power District, will slash household rates 10 percent.

Power, particularly low-cost power, is one of this Nation's most valuable household and commercial tools. Any moves toward providing additional power service at lower, more economical rates should be commended.

During the recent Committee on Agriculture hearings on amendment of the REA, investor-owned utility representatives spoke harshly of the cooperative power systems that are REA-financed. They particularly pointed to unfair competition in the form of subsidy of REA cooperatives stemming from below-cost interest charges. Either the representatives of the investor-owned utilities have forgotten the subsidy they enjoy or they chose to overlook that subject.

These private companies have been allowed a $1.8 billion tax subsidy through accelerated amortization and liberalized depreciation. The excess of interest cost to the U.S. Treasury over the interest rate charged by the REA in its 27-year history is, according to varied methods of figuring the total, only one-eighth to one-half that amount.

The windfall of tax allowances enjoyed by the private utilities has been passed on to the power companies' stockholders as tax free dividends—neither the U.S. Treasury nor the power companies' customers will ever see these dollars.

Any moves by the REA cooperatives to overstep their service regions and compete directly with private utilities are remote. There have been isolated instances of this, but most States have strict regulations against such action.

Electric cooperatives in States without such regulations have sought similar legislation, but have often been unsuccessful because of the opposition of commercial systems not wanting to have their hands tied in raiding service areas.

The economic status of the electric utility industry is healthy. We are all, I am sure, happy of this fact. I do not wish to accuse the investor-owned utilities of overstepping their boundaries by opposing the REA amendments, but I do wish to point out to them their shortsightedness in assertions that REA-financing is unfair competition because of subsidy.

I particularly wish to emphasize for them that public power is not something less than desirable. The statistics on average monthly electric bills in the State of Nebraska compared to the national average readily disprove any such contentions.

Proclaim York, Pa., Honorary Capital of United States for 1 Day

EXTENSION OF REMARKS

OF

HON. N. NEIMAN CRALEY, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 1966

Mr. CRALEY. Mr. Speaker, I have introduced a resolution to express sense of Congress that the President proclaim York, Pa., as the honorary capital of the United States for 1 day during the period June 24 through July 4, 1966, when the city will be celebrating the 225th anniversary of its founding.

There are profound historic justifications for this resolution. York, Pa., was the seat of the American Government from September 1777 until June 1778, during which time the Articles of Confederation government was demised, the first step toward a permanent union of the American States.

We believe that the history of York, now celebrating its 225th founding anniversary, merits this distinction and designation as honorary capital for 1 day.

Washington National Airport and the FAA

EXTENSION OF REMARKS

OF

HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 1966

Mr. CAHILL. Mr. Speaker, I have been concerned, for some time, with the chaotic conditions and the potential dangers at Washington National Airport.

I have personally been concerned with possible danger because of the tremendous increase in air traffic at this facility. As the result of many personal investigations, I must conclude that part of the problem at Washington National is attributed to the neglect by the FAA of the Dulles International Airport.

It is interesting and illuminating to note that for the year 1965 there was a total of 219,108 commercial aircraft operations at Washington National while during the *same year there were only* 32,588 commercial flights by air carriers at Dulles International. I was more surprised to learn that at Dulles there were 68,140 military flights during 1965 indicating that the military is using Dulles as a "practice field." I am told that Dulles is an airport that the military finds excellent for practicing landings.

Aside from wondering why the military does not use a military base for this type of practice, I find it more difficult to understand why an airport built and needed for private and commercial travel is now a practice field for the military forces. I also find it interesting to observe that there were over 7,000 flights by military aircraft at National Airport during the year 1965. I find it difficult to understand the necessity for these military flights into National when Andrews is so convenient.

It would certainly appear to me, therefore, Mr. Speaker, that those responsible officials of the Federal Aviation Agency should look to the greater utilization of Dulles International Airport.

Dulles has been neglected too long. The time has come for some of the flights to Washington National to use Dulles. This is particularly true of long-haul flights.

Incidentally, I also find it difficult to understand why residents of the Washington area must go to Kennedy Airport in New York to board oversea flights when Dulles has the facilities and is not being utilized to capacity. Certainly the FAA can do something about this.

I also find it difficult to understand why there were 82,744 general aviation flights as distinguished from air carrier flights at Washington National. It would seem to me that many of these flights could be conveniently assigned to Dulles.

As I understand it, Mr. Speaker, the FAA is in charge of both Washington National and Dulles International Airports. One has more business than it can handle with safety and convenience, the other has less business than is necessary to keep it as a profitable operation. Both need examination. Washington National should have less flights; Dulles International should have more flights.

Any of you who use Washington National will fully understand what I mean by chaotic conditions at Washington National. Visit, if you will, this airport any evening around 5 p.m. and see for yourself.

Jets are now arriving and taking off and flights are more crowded than ever before in the history of aviation. More private and military flights are arriving and leaving than ever before. As a matter of fact, a total of 6,951,845 passengers either enplaned or deplaned at Washington National during the year 1965. This is almost 800,000 more than in 1964 and almost 1,500,000 more than in 1963. It is more than 2,300,000 passengers than 1961. At the same time that almost 7 million passengers are flowing through Washington National, less than 1 million are flowing through Dulles International Airport.

I ask you, Mr. Speaker, and the Members of the House, is it not time that the FAA do something to reduce aircraft traffic at Washington National and increase it at Dulles International Airport. I call upon the FAA to take affirmative and immediate remedial action.

Shortage of Mortgage Money

EXTENSION OF REMARKS

OF

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 1966

Mr. ULLMAN. Mr. Speaker, I would like to bring to the attention of my colleagues in the Congress, a statement by Larry Blackmon, president of the National Association of Home Builders, concerning the critical shortage of mortgage money and the effects of this shortage on residential construction.

Mr. Blackmon reports some disturbing statistics: builders are cutting down their operation by 35 percent, home construction will fall 350,000 units short of current requirements, and the cost of materials and labor have driven prices for houses up 5 percent. Savings and loan institutions complain of the scarcity of funds for home-mortgage financing.

I view with grave concern these developments which threaten to stall the unprecedented economic growth of the Nation. Tightening of money and advancing interest rates inevitably lead to fewer home purchases, higher prices for home buyers, unemployment in the construction industry, and general economic slowdown.

Although I do not agree with all of the remedies that Mr. Blackmon suggests, his observations require our careful consideration. Mr. Blackmon recommends an increase from 5¾ to 6 percent in FHA interest rates. Raising the FHA rate may provide short-term relief to the housing industry, but, like other interest rate increases, it too will serve as a depressant to investment and economic growth.

Equally distressing is the announcement last week by the Chase Manhattan Bank of increased interest rates on installment loans. The increase amounts to 50 cents per $100 a year on auto, home improvement, and general installment loans. If decision by this influential bank to hike interest rates establishes a nationwide trend, the problems of the availability of residential housing will become even more severe than they are at present.

The only effective remedy to the much-discussed inflationary trend in our economy is to marshal the forces of government to bring down the spiraling interest rates. If such measures are not adopted in the near future, the consequences to the economy will be grave.

Sertoma International Convention, June 22 to 25, 1966

EXTENSION OF REMARKS

OF

HON. RODNEY M. LOVE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 1966

Mr. LOVE. Mr. Speaker, this week, for the first time in its 54-year history, Sertoma International, the famed service-to-mankind organization, held its annual convention in the Nation's Capital, with headquarters at the Sheraton-Park Hotel. One thousand members of Sertoma and the women's auxiliary, La Sertoma, attended from all over the United States, Canada, Mexico, and Puerto Rico. In addition, 250 children attended the simultaneously held "Kids Konvention."

As a past president of the Dayton Sertoma Club and a past district governor, I looked forward to attending the featured freedom luncheon on Friday, June 24, with three of my House colleagues and fellow Sertomans: The Honorable Joseph W. Martin, of Massachusetts, who helped launch the Washington Sertoma Club in 1954; the Honorable Richard H. Fulton, of Tennessee, a member of the Nashville Sertoma Club, and the Honorable Stanley L. Greigg, of Iowa, who belongs to Sioux City Sertoma Club.

The theme of the 1966 Sertoma Convention was "Freedom," a fitting tribute to all Sertomans who believe in the free way of life. At the breakfast on Saturday, June 25, I delivered an address entitled "One Nation, Indivisible."

Sertomans, through the years, have presented copies of the Declaration of Independence to millions of new citizens, schoolchildren, and others. Sertoma International has won five George Washington Medals from the Freedom Foundation at Valley Forge, while individual Sertoma clubs have been recognized with some 50 foundation awards. Sertoma has been outstanding among service clubs in our country in promoting freedom and service to mankind.

Today, there are 479 Sertoma clubs, having 18,757 members, as compared to 221 clubs and 12,571 members 10 years ago. The Washington Sertoma Club was the convention host and cohosts were the Alexandria, and Vienna, Va., clubs and the Frederick, Md., club.

It is with a deep sense of pride that I take this opportunity to offer my sincere congratulations to all Sertomans for their dedication through the years to those great freedom principles and their many fine achievements. Indeed, it was an honor and a privilege to have been asked to participate in their international convention here in Washington, D.C.

Community Leadership Conference on Neighborhood Preservation and Renewal

EXTENSION OF REMARKS

OF

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 1966

Mr. BINGHAM. Mr. Speaker, last spring I had the honor of cosponsoring with New York University, a conference on neighborhood preservation and renewal in my district.

The response to the conference was excellent, and many of its aspects are, I believe, of general interest.

The following is a part of a report on the conference, including my introduction and the section on the panel on housing.

Senator Robert F. Kennedy's keynote address appeared in the April 6 issue of the Congressional Record; other sections of the report are in process of completion and will appear, pursuant to unanimous consent, in subsequent issues:

COMMUNITY LEADERSHIP CONFERENCE ON NEIGHBORHOOD PRESERVATION AND RENEWAL

INTRODUCTION

On Saturday, April 2, 1966, a Community Leadership Conference on Neighborhood Preservation and Renewal was held at the University Heights Campus of New York University.

New York University, one of several universities located in the 23d Congressional District, was ideally situated to help bring the many community groups together. James Hester, the President of New York University, had offered the facilities of the University as a co-sponsor of the Conference, and a committee of community leaders and members of the University faculty had been organized to plan the Conference and arrange for the speakers.

I want once again to express my appreciation—to New York University for contributing so much to the success of the Conference; to the Conference Committee for their splendid planning and arrangements; to the Plenary Session speakers, the panelists and the chairmen for their significant contributions; to the many person who served as hostesses and ushers and otherwise assisted in the conduct of the Conference itself; to the session "rapporteurs" and to Mr. Martin Frey, Chairman of the Conference Committee, for their invaluable work in the preparation of this report; to the 115 community organizations that participated in the Conference, and most of all to the more than 1,000 Bronx neighbors who attended and took part and thereby demonstrated their active concern for the community.

I

The communities of the 23rd Congressional District, which I represent, share with the other communities of the city the problem of creating and maintaining a wholesome environment for their residents.

Each community, as well as the city, must constantly deal with such basic questions as:

How can we keep sound housing from deteriorating?

What steps can we take to prevent our being overwhelmed by the urban blight that has spread through so many of America's big cities?

How can we encourage construction of additional housing units, particularly at the middle-income level?

How can we add a little greenery and a little open space, so that children will have playgrounds and senior citizens places for rest and recreation?

And, perhaps most important of all, how can we make our communities safer—safer for the children in the playgrounds, safer for wives out visiting with the neighbors, and safer for the senior citizens who wants to sit an extra hour in the part in the evening?

These are the kinds of questions that were posed to me when I first took office, by individuals and groups—from Williamsbridge and Tremont, Pelham Parkway and Fordham, Riverdale and University Heights.

As I studied these problems more closely, several things became clear:

1. Although a Congressman is primarily concerned with Federal matters, and in fact has little real power to solve the local problems of individuals or community groups, the Congressman from this District should play a major role in some of these areas of community activity.

2. There was great confusion and overlapping among community groups active in the Congressional District. Often several groups would be working on the same project independently. (The lack of a daily Bronx newspaper has not made the job of civic-minded groups any easier.)

3. Many people had given up working on civic projects because of the frustration they felt when forced to deal with the City bureaucracy, and others in leadership positions also reported a sense of despair when dealing with the City administration. They felt that decisions affecting their community were made downtown, far beyond their reach, and by people who had little knowledge of the particular neighborhood problems.

How does one make a suggestion or lodge a protest? How can one be sure that his voice will be heard?

The concept of this Conference, therefore, grew out of a hope that, by bringing together those who are active and interested in civic and community work, and by discussing tools and techniques which are available, we could become more effective in our fight for a better city.

By bringing the many active organizations together, along with representatives of government at various levels, I hope that an important dialogue could be begun, out of which some new and fresh ideas would emerge, specially important was the question of the Federal Government's role and how the community could best take advantage of the new tools and programs which the Federal Government has developed for dealing with the problems of big cities.

II

In studying the transcripts of the Plenary Session and the panels that followed, several general observations can be made.

Most of the people who attended were concerned with preservation and growth. This was in marked contrast to the obsession with decay which often prevails at conferences in other parts of the City. We have a series of thriving communities in the 23rd District, and people want to keep them that way.

The participants were concerned with the failure of City services to keep pace with the tremendous expansion and growth of the North Bronx. They were concerned that they were the forgotten people of modern urban America—too high in income to qualify for Federal assistance in maintaining their community plant, but not wealthy enough to provide the needed facilities themselves. They were concerned that, despite the efforts of the City Administration, our City cannot be made safe and secure. They were particularly concerned with the needs of the aged—quite naturally, since one out of every seven persons in the District is over sixty-five.

The balance of this Report consists of a summary of the statements made by the principal participants, together with an appendix that contains the text of Senator KENNEDY's Keynote Address and a list of the participating organizations.

JONATHAN B. BINGHAM.

PANEL ON HOUSING

This panel was chaired by State Senator Harrison J. Goldin. Senator Goldin opened the discussion by pointing out how housing patterns within a city or community often determine the nature and extent of many of the other types of problems that urban centers have to face.

Senator Goldin was followed by the first panelist, Judah Gribetz, a former Commissioner in the New York City Department of Buildings. Mr. Gribetz directed his remarks to the problems of code enforcement and maintenance of sound housing. He pointed out that the mere inspection of hard-core slum buildings, no matter how vigorously enforced, is not enough to control decay or to improve and up-grade neighborhoods. What is required is the demolition of these antiquated structures and their replacement with modern housing. Mr. Gribetz also commented on the present inspection system, noting that the effectiveness of existing City agency programs is limited by the fact that housing problems are usually not attended to by the City unless and until the tenant himself initiates a complaint.

Professor Frank Grad, of the Columbia University Law School, followed with a discussion of the Columbia Report on Code Enforcement which had been prepared for the City. Professor Grad was particularly concerned with developing techniques for making the City inspection process more effective. In the past, he stated, enforcement agencies in the housing field relied on the "criminal process," i.e. bringing negligent landlords into court. All too often this technique failed. The landlords' violations were viewed as non-crime crimes" by the courts, and, although fines were imposed, the buildings were seldom properly repaired or improved. This meant that, in effect, the tenant was the one who obtained no relief.

Professor Grad urged instead that a totally new approach be tried. He suggested that housing violations be treated through the civil process, hoping thereby to involve landlords, tenants and City agencies, in an effort to encourage repairs rather than settle for fining the landlords.

Professor Grad suggested, in addition, that through "in rem" jurisdiction, either by a separate housing court or a separate division of existing courts, it would be possible to proceed directly against the buildings concerned if the landlord could not be found. Professor Grad also favored per diem penalties to be imposed for each day that violations go uncorrected.

I. D. Robbins, former President of the City Club of New York and a prominent builder, discussed the problems of both code enforcement and new construction. He urged passage of new laws, and new methods for the training of building inspectors. He then directed his remarks to the need for additional middle-income housing, and suggested that considerably more building could be undertaken under the provisions of the Mitchell-Lama laws. Mr. Robbins suggested that, in developing plans for new middle-income building, we think in terms of large-scale construction such as 1000-unit developments. He further urged that such construction be limited to 6-story buildings rather than high-rise apartments, since the cost of the lower buildings is 25% less. (If construction is to be kept at 6-story buildings in order to minimize cost, building must obviously be undertaken on vacant or inexpensive land. Many people have suggested the use of underutilized industrial slums for this type of construction.)

Mr. Robbins also spoke in favor of the Federal Government providing funds, at low interest rates, for new construction as well as for rent subsidies.

During the period following the panelists' statements, a suggestion was made from the audience that all public housing have the same facilities, and that occupancy be based upon need without regard to income. The rent scale for such housing would be determined by the income of the particular family.

It was also agreed by the panel that there is no particular advantage in having the City own and attempt to operate the existing slum buildings.

A Review of the Selective Service Act

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 1966

Mr. TENZER. Mr. Speaker, as a result of the increased military callups in recent months, public opinion has focused upon our selective service system and procedures. In response to the concern of our citizens, the House Armed Services Committee is now holding public hearings on the Selective Service Act. First passed in 1940, it has since been extended without significant review for three 4-year periods. It is most imperative that at the present time the Selective Service Act be submitted to a thorough and comprehensive study, to eliminate inequities in the law, in regulations promulgated thereunder, and in the implementation of the act and the regulations.

There are at present over 800,000 men joining our Armed Forces each year. Of this number approximately 25 percent are "draftees." Important, however, is the fact that there are nearly 12 million men between the ages of 18 and 26 who are entitled to know where they stand without the confusion and discrimination which now seems to be the problem in many of the draft boards around the country. Students attending colleges and universities throughout the United States, when they exchange information on the rules and standards applied by their local draft boards, generally find differences which are confusing.

The problem of selection is monumental. At the present time it is accomplished by a system of State quotas, and a complicated system of priorities and deferments, based upon age, marital and educational status, hardship, and occupation.

The increased draft calls resulting from the Vietnam conflict have accented certain inequities produced by the State quota system and have highlighted the uncertainty which faces a young man seeking to plan his future.

Several plans have recently been proposed for reforming the Selective Service Act, two of which have received considerable national attention. The first, proposed by Secretary McNamara, would provide for universal and compulsory 2-year service for all youths, in either a military or social service capacity. I find this proposal impractical and possibly unconstitutional. I have serious reservations as to whether we have the authority under the Constitution to draft men in branches of the Government other than for the military. Besides which the placement of millions of young men in various governmental and social service agencies would be unmanageable. Agencies such as the Peace Corps, whose effectiveness is derived largely from the dedication and motivation of its volunteers might well be adversely affected. The problem of selecting men for military service would still remain. Furthermore, I do not believe that it was the intention of the Congress to establish a precedent for compulsory nonmilitary service.

The second proposal would establish a national lottery plan, under which all young men of age 18 or 19 mentally and physically qualified for the draft would have their names placed into a pool and each would be assigned a lottery number.

Some uniform national guidelines for deferment because of hardship could also be established.

There are approximately 2 million young men who reach the age of 18 or 19 annually. All those who are found to be qualified for the draft following mental and physical examinations, would have their lottery numbers placed into a device suitable for the purpose. From this device would be selected on a national basis, the number of men required to be chosen, for a particular month or for the full year. For example, on January 1 each year the names of those young men who passed their 18th birthday during the previous year would be placed in the pool. On December 31 of the same year, any young man whose name was in the pool but whose number was not drawn from the device to fill the quota is no longer vulnerable and thus all his uncertainty is eliminated.

Although this proposal does not solve all the problems relating to our draft laws, it does provide a basis for discussion and merits further investigation. A determination would have to be made as to whether or not there should be deferments for college students and for what period of time—that is, to the end of the current school year or until graduation. Rules and standards for other exemptions on a uniform national basis would also have to be established. We must insure that a small segment of our society is not called on to carry alone what our late President John F. Kennedy called the burden of freedom.

Strategic Air Command Observes 20th Anniversary: SAC's 8th Air Force Headquarters at Westover Air Force Base, Mass., 11th Anniversary

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 27, 1966

Mr. BOLAND. Mr. Speaker, as Representative of the people of the Second Congressional District of Massachusetts, I wish to call your attention to an important event which has just taken place—the observance of the 11th anniversary of the establishment of 8th Air Forces Headquarters at Westover Air Force Base, near Chicopee Falls.

The 8th Air Force is one of the major subordinate commands of the U.S. Air Force's Strategic Air Command, which this year is celebrating its 20th anniversary as the Nation's primary deterrent to aggression.

I would like to preface my remarks about the Strategic Air Command with the following short quotation by its commander in chief, Gen. John D. Ryan, on the occasion of its 20th anniversary:

> Over the past 20 years Strategic Air Command has improved its effectiveness through the development of its organization, weapons and tactics. This evolution has been stimulated by the Communist threat and the developing role of the United States as a leader of free nations. Most of all it has been paced by the ingenuity and drive of SAC's professional manpower.
>
> The record of the first 20 years of the Strategic Air Command is the proud story of a great achievement. Never before has a military force of such tremendous power been dedicated to preventing war. Historians have claimed for centuries that the worst wars could be prevented if weakness were not such a temptation to an aggressor. In SAC, an attempt is being made to profit from this lesson of history.

Residents of my district take particular pride in the fact that Headquarters of the 8th Air Force has been located within its borders since 1955. Commanded by Lt. Gen. Horace M. Wade, the 8th Air Force has operational control of jet bombers, tankers, and intercontinental ballistic missile units on some 18 bases, generally within the Eastern and Southeastern States, although certain of its units are located in the Midwest as well as Labrador and Puerto Rico. It has 65,000 personnel.

Daily, we in Massachusetts see evidence of SAC's awesome power as its aircraft fly through our skies. This is the visible evidence of the might of the U.S. Air Force and the Strategic Air Command.

Less apparent, even in Massachusetts however, is the SAC force maintained constantly ready in the Westover AFB alert area, as well as in similar areas at all other SAC bomber and missile installations.

In addition to maintaining this powerful force to help deter aggression and prevent the outbreak of an all-out thermonuclear war, SAC B-52 crews are, at this moment, carrying out area saturation bombings of Vietcong targets in Vietnam, denying sanctuary to the enemies of war-torn South Vietnam. In the past month, the giant B-52's completed 1 year of bombing missions in southeast Asia, and one of our 8th Air Force units, the 484th Bombardment Wing at Turner AFB, is now participating in that conflict.

At the same time, KC-135 crews are refueling both SAC bombers and Tactical Air Command fighter and reconnaissance aircraft operating in that theater. SAC is the single manager of all aerial refueling tankers, and its aircraft can be found in all areas of the world, carrying out their vital mission of providing fuel to our aircraft when and where they need it.

For these reasons I wish to commend the officers and men of the 8th Air Force and the Strategic Air Command and recognize their unparalleled contribution to the peace and security of our Nation. For more than 20 years SAC has been a primary military deterrent to nuclear war.

On behalf of my constituents, I wish to extend to SAC and its personnel at Westover Air Force Base and throughout the globe, our best wishes for a second 20 years of continued success in carrying out their mission and preserving their proud motto: "Peace is our Profession."

To Help the People

EXTENSION OF REMARKS
OF
HON. CHARLES McC. MATHIAS, JR.
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, June 27, 1966

Mr. MATHIAS. Mr. Speaker, several days ago I urged the Members of Congress to read an article on the Department of Agriculture which was published in the C. & P. Telephone Co.'s magazine, the Transmitter. Today I would like to include in the Record the sixth in the C. & P. series of articles on the Federal departments. "To Help the People," an informative discussion of the role of the Department of Labor, was written by Secretary Wirtz and merits the attention of the House.

The article follows:

To Help People

FOREWORD

(By W. Willard Wirtz, Secretary of Labor)

This administration is working with unprecedented determination to correct inequities, to breathe reality and hope into programs for finding useful creative work for every citizen. To lift Americans out of poverty, to transform forlorn idleness into constrictive employment, to keep skills attuned to the needs of the economy—all these are essential aspects of our economic and social programs.

These programs are good for America because they fortify the American spirit of fair play and decency. Programs of helping people to help themselves are in our great tradition, and they serve to strengthen without limit the essential economic fabric of our democracy.

What has happened, very simply, is that we are reaffirming the national determination to end poverty in America, to find job opportunities for all people, to prove that the American partnership of free government, free enterprise and free labor can produce a rising standard of living for every citizen.

This article tells what the Department of Labor is doing to help build a greater society in America.

At the turn of the century, when immigrants came to the United States seeking their fortunes, they hardly found the streets paved with gold.

The work they found was backbreaking, the hours long, the money scant. In 1910, for example, just three years before the Department of Labor was created, the average work week in non-farm industries was about 51 hours. In the steel industry, half the steel workers earned less than 18 cents an hour and there was no overtime pay, although two out of every five were laboring 72 hours a week and even longer. Coal mining was a daily battle with death or injury and little thought was given to safety regulations.

One of the men leading the working man's revolution, Philip Murray, who became president of the Congress of Industrial Organizations (CIO), was calling for such seemingly dream-like things as "music in the home, pictures on the walls and carpets on the floor" for the American worker, whose "home" was most likely a squalid room. Such humane conditions had been battled for by dedicated labor leaders since the end of the Civil War. But it wasn't until 1913—when the Department of Labor was created "to foster, promote and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment"—that such ideas took on national scope and meaning.

On the surface, the goals of today's Labor Department are unlike those of half a century ago. Much of the battling has been done and the accomplishments are taken for granted. Child labor laws kept 12-year-olds from working in factories now. Minimum wage laws keep their parents from struggling at pittance pay. Safety regulations guard against the needless killing and maiming that had often been the working man's lot. But today, the struggle is still going on to help the worker and his family. The Department of Labor's challenges are different but its purpose and concern are the same—to help people.

With a background of improved working conditions and pay, the emphasis is now on all groups discriminated against in jobs for various reasons—race, sex, age, lack of education and/or skills, the poverty stricken. These are the people who comprise today's unemployed—and just as distressing—today's underemployed.

Such social consciousness is not new. For example, the phrase "nobody grows old in this youthful age" could have been said by Secretary Wirtz in urging employers to hire the older worker. But is was said 37 years ago by then Secretary of Labor James J. Davis, speaking on the same subject. And although "we must fit the jobless man to the manless job" might well be a slogan for today's program—which seeks to do just that—it was said in the early thirties by then Labor Secretary William N. Doak.

What *is* new is the immense effort to turn such thoughts into actual accomplishments. The Labor Department has waded through the wage and labor problems of two World Wars, depressions, and the emergence of unions as strong forces. Duties and responsibilities changed in accordance with the problem of the particular time.

Today's problem is one, really, of success. Technical prowess and ability have outstripped the skills of many of our people. Into this era came the Manpower Development and Training Act of 1962 and its subsequent amendments, the Vocational Education Act of 1963, the Education Acts of 1964 and 1965, the Executive Orders assuring equal employment opportunity and Title VII of the Civil Rights Act of 1964 and the Economic Opportunity Act of 1964. The Department of Labor is involved in all of these programs.

MDTA programs were designed to upgrade workers' skills for lack of skills and education unite those groups with the highest rate of joblessness. The old man who never learned a trade and the young man who never learned to read are equally unemployable. Under the first years of MDTA programs, administered by the Department of Labor, training programs were designed primarily to increase the skills of hardcore unemployed so they could qualify for existing job vacancies. Secretary Wirtz has said these and other such programs "resulted in approximtaely half of the reduction in unemployment in 1965."

Those aided by these programs were almost exclusively the men and women—especially young people—who would have been least affected, so far as employment was concerned, by the expansion of the economy.

These are pace-setting years in the Nation's economy, with MDTA and other programs leading the way to a 1965 unemployment rate of 4½ percent—the lowest annual rate in seven years. Five years ago, when the jobless rate was almost 7 percent, some 5,705,000 people were looking for work and unable to find it.

Today, previously unemployable people are being trained. They are learning how to be mechanics, chefs, typists, tool and die makers, waitresses. Some are training on the job, earning as they learn. Others are learning such basics as reading, writing and arithmetic in classrooms. There are projects aimed at moving people from economically-depressed areas to where jobs are more available. Experimental projects—probing the lost world of the very hard-core unemployed—attempt the rehabilitation of prisoners, alcoholics, physically and mentally handicapped to bring them into society as productive members.

The initial years of MDTA already show effectiveness. By the end of 1965, the MDTA program enrolled 369,400 trainees, of whom 201,100 completed training. Of those who completed training, 74 percent were employed. Within the on-the-job training phase alone of the MDTA program, during a three-year period ending December 31, 1965, programs covering more than 104,000 people had been approved. Approximately 30,000 persons had completed training, and more than 90 percent of these 30,000 were employed as a direct result of this training.

Through amendments, there has been a broadened scope to MDTA training and increased efforts are now on training people for specific skills in which there may be an increasing shortage. For example, approximately 35 percent of MDTA training in 1966 will be directed specifically toward averting skill shortages, 40 percent to occupational reclamation of the hard-core unemployed and 25 percent to disadvantaged youth.

At the end of 1965, over 78,000 men and women were in MDTA training for future employment. Between 10,000 and 40,000 otherwise unemployed individuals were also involved at some time during the year in helping in Community Action programs at the local levels.

Perhaps nothing can be as devastating to a society as its wasted youth. Through MDTA and other Great Society programs, today's dropout and young slum dweller is being guided into a productive life. At the end of 1965, about 150,000 boys and girls, 16 to 21, were in the Neighborhood Youth Corps, administered by the Department of Labor. The NYC provides work for youths from poor families, not just those out of school but those in school as well, who need part-time jobs to enable them to stay on at their studies. A look at statistics shows how profitable such programs are. The number of unemployed, age 16 to 21, was 175,000 less in December of 1965 than the previous year, although the number of such youths in the labor force was actually greater by 650,000, and countless numbers of potential dropouts stayed in school.

For those who live in areas of decaying work opportunities such as Appalachia, MDTA last year assisted 1,200 workers and their families in moving to areas with manpower shortages. More mobility projects are planned for the future.

Through its Human Resources projects, the Department of Labor is also pushing forward its plans to aid those people with the least ability and the highest unemployment rate. Combined efforts of various bureaus within the Department and a Selected Cities Task Force established by the Department of Labor's Manpower Administration, have moved into slum areas and sought those who have little hope of getting jobs on their own.

For example, the Department's Bureau of Employment Security, special staffs have been assigned to the Watts area, $1.1 million has been granted to open three Youth Opportunity Centers and several on-the-job training programs have been set up.

In an innovational, people-to-people search to fit the unemployed man to the job, the Department of Labor has moved into three slum areas in Chicago to obtain actual lists of those unemployed. Civic, industry, labor and government agencies are cooperating in developing a plan of action to help such people increase their employability. Representatives of the Labor Department have also met with city officials in St. Louis, East St. Louis, Houston and Rochester, New York, to plan similar programs.

Youth Opportunity Centers—now set up in over 100 areas—are equipped with personnel guidance counselors especially trained to help with the problems of youth. They are working primarily with the youth who feels defeated before he really has begun his life, who needs not only a helping hand but a real push to get started in the right direction.

All of these added programs have put an increasing burden of responsibility on the

Department of Labor, the smallest agency represented in the President's cabinet.

The Bureau of Employment Security, for example, must carry out its traditionally defined jobs of administering the public service program and the unemployment security program, as well as helping to counsel, test, service and place many of those who come under MDTA assistance. More and more pressures necessitate that BES become, as Secretary of Labor Wirtz has said, a "comprehensive manpower service agency rather than the 'simple labor exchange' which was called for when it was established 33 years ago."

In addition to administering such new institutions as the Youth Opportunity Center and expanding employment opportunities for the hard-core unemployed, Employment Services have stepped up activities in regard to equal employment of minority groups, under recent civil rights legislation. The Employment Service works closely and actively with other government agencies in helping to assure equal employment opportunity for all.

While there is certainly much to cheer about concerning today's economic and labor picture, the successes, in turn, point up the areas where much work is still to be done. Youth unemployment is four times higher than for adults. Despite new strides in nondiscrimination in job training and opportunities, the current non-white unemployment rate is 7 percent. While this is down from 9 percent of a year ago, it is still twice the white rate. Among teenagers, one of every four nonwhites looking for work is denied a job. And as out-and-out discrimination diminishes, it becomes more apparent that undertraining and inferior education have left many nonwhites without the necessary tools to qualify for jobs. MDTA programs are increasingly directed at making up for years of such disadvantage, but this is but a part of what must be done. The educational system must also move ahead to better prepare those youngsters still in their formative years.

Another concern of the Department of Labor is prospective manpower shortages in defined areas and occupations. Continuing surveys recently instituted by the Department of Labor help plot the course of possible shortages so that such advice can be utilized in steering and training people toward those fields.

For example, through surveys, it has been determined that occupations in shortest supply are engineers, technicians, draftsmen, metalworkers, electricians, plumbers and pipefitters, medical and health workers and some types of mechanics and repairmen.

In general, surveys indicate that while manpower shortages in some areas and occupations are now possible, the shortages will not be drastic. However, the Department of Labor feels they warrant immediate stepping up of the available training facilities and expanded job development activities.

The historic gains of not only the last five years, but of all the 53 years since the Department of Labor's beginning, reveal the tremendous capacity for change and betterment that is within the American people.

And as yesterday's labor problems fade, new ones take their places. The Department of Labor—with its emphasis on the welfare of the individual—will continue to face these problems and make its contribution toward the day when there will be not only carpets on the floors and pictures on the walls, but truly "full employment."

SENATE

Tuesday, June 28, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, into the calm and confidence of Thy presence we would bring our drained and driven souls that the benediction of Thy peace may fall upon our restless lives. May this little shrine of daily devotion, built by our fathers on the high hill of the Nation, open for us vistas of green pastures and still waters where our jaded souls may be restored.

Wilt Thou crown our deliberations with Thy wisdom and with spacious thinking to fit these epic days? Wilt Thou light our eyes with Thy sympathy for all mankind? As we face the questions which confront us and almost confound, save us from living on a small scale in a great day. In this hour of destiny, O be swift our souls to answer Thee, be jubilant our feet.

In Thy name we ask it. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 27, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill H.R. 11439, an act to provide for an increase in the annuities payable from the District of Columbia teachers' retirement and annuity fund, to revise the method of determining the cost-of-living increases in such annuities, and for other purposes.

The message also announced that the House has passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5426. An act to provide that common-law marriages may not be contracted in the District of Columbia;

H.R. 14904. An act to revise postal rates on certain fourth-class mail, and for other purposes;

H.R. 15857. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes;

H.R. 15858. An act to amend section 6 of the District of Columbia Redevelopment Act of 1945, to authorize early land acquisition for the purpose of acquiring a site for a replacement of Shaw Junior High School; and

H.R. 15860. An act to establish the District of Columbia Bail Agency, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1611. An act to transfer certain functions from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions and to certain other agencies of the municipal government of the District of Columbia, and for other purposes;

H.R. 11439. An act to provide for an increase in the annuities payable from the District of Columbia teachers' retirement and annuity fund, to revise the method of determining the cost-of-living increases in such annuities, and for other purposes; and

H.R. 13431. An act to extend the Renegotiation Act of 1951.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 5426. An act to provide that common-law marriages may not be contracted in the District of Columbia;

H.R. 15857. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes;

H.R. 15858. An act to amend section 6 of the District of Columbia Redevelopment Act of 1945, to authorize early land acquisition for the purpose of acquiring a site for a replacement of Shaw Junior High School; and

H.R. 15860. An act to establish the District of Columbia Bail Agency, and for other purposes; to the Committee on the District of Columbia.

H.R. 14904. An act to revise postal rates on certain fourth-class mail, and for other purposes; to the Committee on Post Office and Civil Service.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Reports on Overobligations of Appropriations

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, reports of 10 overobligations of appropriations within that Department (with accompanying papers); to the Committee on Appropriations.

Report on U.S. Contributions to International Organizations

A letter from the Acting Secretary of State, transmitting, pursuant to law, a report on U.S. contributions to international organizations, for the fiscal year 1965 (with an accompanying report); to the Committee on Foreign Relations.

Cancellation of Certain Unpaid Interest on Loans Made to World War I Veterans

A letter from the Administrator of Veterans Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to cancel certain unpaid interest accrued after September 30, 1931, on loans made to World War I veterans upon the security of adjusted-service certificates (with an accompanying paper); to the Committee on Labor and Public Welfare.

Report on Automotive Air Pollution

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on automotive air pollution, dated June 1966 (with an accompanying report); to the Committee on Public Works.

MEMORIAL

The VICE PRESIDENT laid before the Senate a resolution adopted by the City Council of the City of Chicago, remonstrating against a proposed increase in toll charges for use of the St. Lawrence and making recommendation for a congressional review of seaway financing, which was referred to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on Judiciary without amendment:

S. 3106. A bill for the relief of Dr. Alberto L. Martinez (Rept. No. 1338); and

S. 3141. A bill for the relief of Wong Ock Wah (Sheck See Hom) and his wife, Mon Hing Wong (Rept. No. 1336).

By Mr. EASTLAND, from the Committee on the Judiciary with an amendment:

S. 3110. A bill for the relief of Jose R. Cuervo (Rept. No. 1339); and

S. 3222. A bill for the relief of Dusko Doder (Rept. No. 1337).

By Mr. METCALF, from the Committee on Interior and Insular Affairs without amendment:

S. 3186. A bill to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior (Rept. No. 1340).

By Mr. MONTOYA, from the Committee on Agriculture and Forestry with an amendment:

S. 3325. A bill to amend the act of February 28, 1947, as amended, to authorize the Secretary of Agriculture to cooperate in screwworm eradication in Mexico (Rept. No. 1342).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

H.R. 6125. An act to amend Public Law 722 of the 79th Congress and Public Law 85–935, relating to the National Air Museum of the Smithsonian Institution (Rept. No. 1344).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with an amendment:

S. 3093. A bill to amend the acts of March 3, 1931, and October 9, 1962, relating to the furnishing of books and other materials to the blind so as to authorize the furnishing of such books and other materials to other handicapped persons (Rept. No. 1343).

REPORT ENTITLED "CONSTITUTIONAL AMENDMENTS"—REPORT OF A COMMITTEE (S. REPT. NO. 1335)

Mr. BAYH. Mr. President, from the Committee on the Judiciary, I submit a report entitled "Constitutional Amendments" pursuant to Senate Resolution 42, 89th Congress, 1st session, and ask that it be printed.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Indiana.

MODIFICATION OF DUTIES OR OTHER IMPORT RESTRICTIONS—REPORT OF A COMMITTEE (S. REPT. NO. 1341)

Mr. LONG of Louisiana, from the Committee on Finance, reported the following original concurrent resolution (S. Con. Res. 100); which was placed on the calendar:

S. Con. Res. 100

Whereas, since 1934, Congress has delegated to the President authority to reduce tariffs for the purpose of expanding international trade but has reserved to itself the establishment of limitations within which such reductions must be made; and

Whereas the Trade Expansion Act of 1962 provides broad authority for multilateral reciprocal tariff reductions on a most-favored-nation basis; and

Whereas the Committee on Finance has directed the United States Tariff Commission to make a comprehensive investigation of the method of valuation used by the United States and its principal trading partners and to report its conclusions and recommendations not later than February 28, 1967: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that, in the conduct of or in connection with negotiations to carry out the Trade Expansion Act of 1962, no agreement or other arrangement which would necessitate the modification of any duty or other import restriction applicable under the laws of the United States should be entered into except in accordance with legislative authority delegated by the Congress prior to the entering into of such agreement or arrangement.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS:

S. 3559. A bill for the relief of Nachman Bench; to the Committee on the Judiciary; and

S. 3560. A bill for the relief of Christine Anne Block; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself and Mr. Hill):

S. 3561. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. KENNEDY of Massachusetts:

S. 3562. A bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to provide assistance for the specialized training of physical educators and recreation personnel for mentally retarded and other handicapped children, and for research and demonstration projects relating to the physical education and recreation of such children; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Kennedy of Massachusetts when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 3563. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. GRIFFIN:

S. 3564. A bill for the relief of Mary Rose Giannone; to the Committee on the Judiciary.

S. 3565. A bill to amend the Internal Revenue Code of 1954 to provide for deduction of certain education expenses of teachers; to the Committee on Finance.

(See the remarks of Mr. Griffin when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. ANDERSON:

S. 3566. A bill for the relief of Wen Shi Yu; to the Committee on the Judiciary.

By Mr. JAVITS:

S.J. Res. 173. Joint resolution designating the fourth Sunday in September of each year as "Interfaith Day"; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

MODIFICATION OF DUTIES OR OTHER IMPORT RESTRICTIONS

Mr. LONG of Louisiana, from the Committee on Finance, reported an original concurrent resolution (S. Con. Res. 100) to express the sense of Congress with respect to certain agreements which would necessitate the modification of duties or other import restrictions, which was placed on the calendar.

(See the above concurrent resolution printed in full when reported by Mr. Long of Louisiana, which appears under the heading "Reports of Committees.")

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, all committees were authorized to meet during the session of the Senate today.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

AMENDMENT OF MENTAL RETARDATION FACILITIES AND COMMUNITY MENTAL HEALTH CENTERS CONSTRUCTION ACT OF 1963

Mr. KENNEDY of Massachusetts. Mr. President, I send to the desk, for appropriate reference, a bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963. This bill would provide assistance for the specialized training of physical educators and recreation personnel for mentally retarded and other handicapped children, as well as research and demonstration projects relating to the physical education and recreation of such children.

When the basic act was passed in 1963, a major advance was registered in the education of the mentally retarded and other handicapped children. Title III of the act provided Federal financial assistance for the training of teachers in the area of specialized education as well as for research and demonstration projects. That program has been very successfully implemented; an important need in our educational system has begun to receive some real attention.

There is a remaining need to be met, however, in providing for the full education of the exceptional child. Our Nation's educators have long considered physical education and recreation as a significant component in the education of our children. Indeed physical education is a required school subject in every one of our 50 States.

The existence of the President's Council on Physical Fitness attests to the importance we place on health and fitness as a contributory factor in the sound social and emotional development of the child.

It is more than unfortunate—it is plainly a serious national oversight—that we have neglected to emphasize this aspect of education in the case of the mentally retarded and other handicapped children. For what we consider to be a health-building diversion for the fortunate; what we provide as play for the normal child, is an educational necessity for the handicapped child. I hope that during the course of our consideration of this measure it will become clear that while physical education is necessary in the normal school curriculum, it is an even more vital educational factor in the life of the handicapped. And, Mr. President, these activities, which must be provided in well developed and sophisticated programs have not been held out to the handicapped to assist them in their development.

The handicapped child, especially the retarded child, is acutely aware of his inability to master the usual academic activities of his peers. His sense of failure in the classroom must only be reinforced by his inability to participate in the more exuberant activities of youth.

We know that these children not only suffer with their physical shortcomings, but that these physical limitations if unattended can have a draining effect on their overall health—they fall short of other children in strength and endurance, they tire easily when confronted with the usual task, and they are prone to weight deficiencies or excesses. And they realize that their overall physical appearance and lack of physical capacity only further differentiates them from others.

But beyond these important factors that affect their own self-evaluation and thus their drive to overcome the challenges they face, we are beginning to acknowledge that the positive act of learning can be enhanced or held back by the child's physical development. The concept that motor ability and motor skills—simple body coordination—is related to the more abstract learning process is novel only to those who have had the luxury of taking physical performance for granted. Several studies have reported increases in the intelligence quotient level of the retarded, for example, following participation in physical education and recreation programs. We have also found that physical education has significanty improved the ability of the retarded to perform work at those skill levels necessary in sheltered workshops or in industry.

While it is apparent that much is yet to be learned concerning the relationship between the performance of the body and that of the mind, I feel we are sufficiently aware now of the potential in this area to invest in both the future of the handicapped and development of greater knowledge through research.

This bill is a modest beginning. It provides for the training of physical educators and recreational personnel for the retarded and other handicapped children and the establishment of research and demonstration programs in this field. The first year request amounts to only $2 million. But in the first year alone, this could result in the training of over 160 professionals, 100 professional summer traineeships and 20 special study institutes around the Nation, as well as $1 million in research and demonstration activities.

Mr. President, I believe that this addition to the current training assistance that the Government provides in specialized education provides us with a unique opportunity to fill out the educational opportunities of the mentally retarded and other handicapped children, and by so doing move one step closer in our understanding of their needs to truly participate in our society.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3562) to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to provide assistance for the specialized training of physical educators and recreation personnel for mentally retarded and other handicapped children, and for research and demonstration projects relating to the physical education and recreation of such children; to the Committee on Labor and Public Welfare, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

CLARIFICATION OF STATUS OF NATIONAL GUARD TECHNICIANS

Mr. BREWSTER. Mr. President, I introduce, for appropriate reference, a bill which would bring our National Guard technicians under the Civil Service Retirement Act for the purposes of receiving retirement credit and other related benefits.

My bill would clarify the status of these technicians and would provide for their formal recognition by statute.

Although the National Guard technicians are fixed as to number and rate of compensation by the Federal Government, are paid directly from federally appropriated funds on Federal payrolls, and are serving in capacities with duties and functions prescribed by Federal regulations, they are under the immediate supervision of the State and are therefore not qualified for Federal Civil Service Retirement credit or life insurance benefits. Ironically, in the majority of States, these same technicians are also denied the opportunity of receiving State retirement coverage or benefits. This determination is based on the facts already indicated regarding the establishment of rates of compensation, numbers of employees, and source of salaries. You can see that the overlapping circumstances in this matter must be resolved if we are to correct the inequity affecting such employees.

National Guard technicians form the nucleus of the full-time key personnel assigned to the Army and Air National Guards. They are civilians employed for the basic purpose of maintaining the property of the United States for use by the National Guard. Yet, these essential employees are left bereft of any insurance or retirement coverage, and upon retirement at age 65, receive no benefits from their many years of service to the Government.

Mr. President, I feel that it is time we recognize the capabilities and necessity of the National Guard technicians by providing for their recognition as Federal employees, and by putting them on the same level as all other employees of our Government.

My bill would establish such recognition and I urge my colleagues to support its adoption.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3563) to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Armed Services.

TAX TREATMENT OF TEACHERS

Mr. GRIFFIN. I introduce, for appropriate reference, a bill designed to correct certain inequities in rulings by the Internal Revenue Service relating to tax deductions for educational expenses of teachers. I am very pleased that the distinguished Senator from Pennsylvania [Mr. SCOTT] has already joined me in cosponsoring this legislation.

Before explaining the details of this bill, I wish to note that this is one of several measures I plan to introduce in the coming weeks to provide further encouragement and tax recognition for those who invest in education.

Mr. President, I am convinced that the legislation I am introducing today is important and necessary to the teaching profession, and that its enactment would be an important step toward encouraging better qualified teachers to remain within their profession.

At the present time, under regulations promulgated by the Internal Revenue Service, expenditures made for education are deductible only if made for the purpose of, first, maintaining or improving skills required in one's employment, trade, or business, or; second, meeting an expressed requirement of the employer as a condition of retaining one's salary, status, or employment.

In the case of a teacher, this means that educational expenses can be deducted only if the additional education is necessary in order for the teacher to maintain his current position. Accordingly, deductions are allowed now if a teacher is coerced by his supervisor to return to college or if he is threatened with loss of certification. But, if a teacher takes the initiative and returns to college voluntarily for the purpose of becoming a better qualified teacher, the deduction is denied.

A teacher may deduct educational expenses incurred to maintain his current position, but a deduction is denied if the additional education leads to a promotion.

Surely, our existing tax regulations present a strange paradox. At a time when our Nation is becoming increasingly aware of the need for more and better trained teachers, our tax regulations actually penalize the very teachers who are most interested in self-improvement and advancement.

One group which is hit hard by the present tax regulations are those who are preparing for college teaching. In many colleges and universities throughout the country it is common to find part-time teachers who are working toward advanced degrees. Instead of encouraging part-time teachers to make the necessary investment of time, energy, and money to become qualified, full-time professors, the present IRS rulings discourage them.

Of course, the IRS is limited by the present language of the Internal Revenue Code. Within the limits fixed by the law, the IRS has tried to provide fair interpretations; however, there remains an abundance of confusion and controversy. The existing confusion should be cleared away by amending the law so that deductions by teachers for educational expenses can be based directly on the Revenue Code.

If my bill were enacted, teachers would no longer be required to rely upon the IRS interpretations; they could look to precise language in the Revenue Code.

Under my bill, deductible expenses would include: tuition and fees, expense of travel away from home, and up to $100 per year for books and related materials. Such deductions could be claimed by part-time or full-time teachers who undertake academic work in accredited institutions of higher learning.

All deductions now available to teachers under the present regulations would be continued. However, my bill would provide for important improvements in the present tax treatment of teachers.

First. Under my bill, it would no longer be necessary for a teacher to be threatened with the loss of his position in order to qualify for a deduction. A teacher could pursue higher academic study on his own initiative, and he would be allowed to deduct his educational expenses even though the additional education might lead to a promotion.

Second. My bill would extend the allowance of such deductions to part-time teachers. This would be especially helpful to those who teach part-time while pursuing a course of study leading to an advanced degree. The provision would ease the burden on many "apprentice" college teachers.

Third. Under my bill, the deduction allowable for travel would be extended to include travel necessary in connection with a course of study or work on an academic degree. This would help the teacher working on a thesis or dissertation.

Mr. President, I believe that this bill should have the support of all who seek to improve education. Surely, there is no better way of achieving this goal than to encourage teachers to continue their education.

I ask unanimous consent that the text of the bill be printed in the RECORD, and that it lie at the desk until July 11, so that other Senators may have the opportunity to join as sponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from Michigan.

The bill (S. 3565) to amend the Internal Revenue Code of 1954 to provide for deduction of certain education expenses of teachers, introduced by Mr. GRIFFIN, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 162 of the Internal Revenue Code of 1954 (relating to trade or business expenses) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

"(f) CERTAIN EDUCATIONAL EXPENSES OF TEACHERS.—

"(1) IN GENERAL.—The deduction allowed by subsection (a) shall include, in addition to any deduction under the preceding subsections, any eligible education expense paid or incurred by the taxpayer in the taxable year, if the taxpayer was a teacher during such taxable year or during one of the four preceding taxable years.

"(2) ELIGIBLE EDUCATION EXPENSES—For purposes of this section the term 'eligible education expense' means only an expense paid or incurred—

"(A) for—

"(i) tuition and fees,

"(ii) travel away from home, and

"(iii) books and educational materials, required for a course for academic credit at an institution of higher education or for an academic degree at such an institution; or

"(B) for books and educational materials related to the subject of any such course.

The amount deductible by reason of subparagraph (B) shall not exceed $100 in any taxable year.

"(3) OTHER DEFINITIONS.—For purposes of this section—

"(A) The term 'teacher' means a person compensated for full-time or part-time professional services, related to an instructional program, at an institution of higher education, an elementary school, or a secondary school. Such term includes teachers, librarians, guidance counselors, supervisors, and administrators.

"(B) The term 'institution of higher education' has the same meaning as such term has in the first sentence of section 103(b) of the National Defense Education Act of 1958.

"(C) The terms 'elementary school' and 'secondary school' have the same meaning as such terms have in sections 103(g) and 103(h), respectively, of the National Defense Education Act of 1958."

SEC. 2. The amendments made by this Act shall apply only with respect to expenses paid or incurred in taxable years beginning after the date of enactment of this Act.

CONTINUED PROGRESS IN THE NATION'S WAR ON POVERTY—AMENDMENTS

AMENDMENT NO. 634

Mr. NELSON. Mr. President, I submit an amendment, intended to be proposed by me, to S. 3164, a bill to provide for continued progress in the Nation's war on poverty. This amendment would continue for another year the program of pesticide indemnity payments to certain dairy farmers.

The payments are made to dairy farmers who have to stop selling milk because it contains residues of pesticides officially registered and approved for use by the Department of Agriculture. The payments cover market value of the milk involved.

Indemnity payments to dairy farmers were first authorized for a period of 1 year in section 331 of the Economic Opportunity Act of 1964. An extension of the authorization, approved last session, expires on June 30.

This proposal is of vital interest and importance to the Nation's dairy farmers. It is an absolute necessity for those dairy farmers who, through no fault of their own, have milk barred from the market.

Although the threat of residues in milk has been minimized by the extreme care with which dairy farmers use pesticides, there still is a possibility that this can occur.

Some pesticides, such as DDT, remain toxic in soil and water for many years and can be taken up by growing clover and other forage crops cut for hay or silage for dairy cows. Pesticides also can drift into a field from a nearby spraying operation.

Dairy farmers buy hay or feed with assurance that it did not come from fields where DDT and similar USDA-recommended pesticides were applied. But there are occasional slip-ups, making this legislation necessary for the small number of dairy farmers involved.

I ask unanimous consent that the amendment be printed at this point in the RECORD.

The VICE PRESIDENT. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 634) was referred to the Committee on Labor and Public Welfare, as follows:

On page 11, line 1, insert after "LOAN AUTHORITY" the following: "AND INDEMNITY PAYMENTS".

On page 11, line 2, insert "(a)" immediately after "Sec. 6.".

On page 11, between lines 6 and 7, insert the following new subsection:

"(b) Section 331(c) of the Economic Opportunity Act of 1964 is amended by striking out 'June 30, 1966' and inserting in lieu thereof 'June 30, 1967'."

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of June 16, 1966, the names of Mr. HART, Mr. INOUYE, Mr. JAVITS, Mr. MCCARTHY, Mr. MOSS, Mr. SALTONSTALL, and Mr. YARBOROUGH were added as additional cosponsors of the bill (S. 3521) to foster high standards of architectural excellence in the design and decoration of Federal public buildings outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act, introduced by Mr. MUSKIE on June 16, 1966.

ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTION

Mr. HART. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 2922) granting the consent of Congress to a Great Lakes Basin compact, and for other purposes, the name of the Senator from Michigan [Mr. GRIFFIN] be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 3435) to revise the Federal election laws, and for other purposes, the name of the Senator from Rhode Island [Mr. PELL] be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I ask unanimous consent that at the next printing of Senate Concurrent Resolution 6, authorizing the use of the good offices of the United Nations on behalf of the enslaved Baltic States, the name of the junior Senator from Michigan [Mr. GRIFFIN] be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF HEARING ON STATE PROCEDURES FOR THE REMOVAL, RETIREMENT, AND DISCIPLINING OF UNFIT JUDGES

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce a further hearing on State procedures for the removal, retirement, and disciplining of unfit judges. The purpose of this hearing is to study the removal and disciplining procedures in effect in the judicial systems of Illinois, Michigan, Oklahoma, Maryland, and Nebraska, and to ascertain how effective these procedures are and whether they might be adapted for use in the Federal system.

The hearing will be held July 14, 1966, in room 6226 of the New Senate Office Building. Any person who wishes to testify or submit a statement for inclusion in the record of this hearing should communicate with the Subcommittee on Improvements in Judiciary Machinery, room 6306, New Senate Office Building.

NOTICE OF HEARINGS ON SENATE BILL RELATING TO ABOLISHING THE OFFICE OF U.S. COMMISSIONER

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce hearings on S. 3475, a bill to abolish the office of U.S. commissioner, and to establish in place thereof the offices of U.S. magistrate and deputy U.S. magistrate. The hearings will be held July 11, 12, and 13, 1966, in room 6226 of the New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record of these hearings should communicate with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

NOTICE OF HEARING DATES ON HIGHER EDUCATION AMENDMENTS OF 1966

Mr. MORSE. Mr. President, I wish to announce that the Education Subcommittee of the Senate Committee on Labor and Public Welfare will open hearings on S. 3047 and H.R. 14644, the higher education amendments of 1966, on Tuesday, July 12, 1966 at 10 a.m. in the committee hearing room 4232 New Senate Office Building, and will continue to take testimony on July 13 and 14.

All individuals and organizations interested in submitting testimony to the subcommittee are urged to communicate with the Education Subcommittee, telephone number 225-5375, and room number 4230, at their earliest convenience.

It is anticipated that the hearings will take 3 days. The first day will be devoted to the administration witnesses. The second day testimony from higher educational organizations will be heard, and the third day will be devoted to public witnesses and public interest association testimony. Senators will be heard at their convenience.

In view of the limited opportunity for oral presentation of testimony, I wish to assure each interested individual and organization that careful consideration will be given by the subcommittee to the written statements filed with the committee in support of, or in oppostion to, the proposed legislation, and I urge that unless there are compelling reasons to the contrary, that the testimony be submitted in written form for inclusion in the hearings record.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 28, 1966, he presented to the President of the United States the enrolled bill (S. 1611) to transfer certain functions from the U.S. District Court for the District of Columbia to the District of Columbia Court of General Sessions and to certain other agencies of the municipal government of the District of Columbia, and for other purpose.

EXECUTIVE SESSION

On the request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Lawrence J. O'Connor, Jr., of Texas, to be a member of the Federal Power Commission.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nomination on the Executive Calendar.

CENTRAL INTELLIGENCE AGENCY

The legislative clerk read the nomination of Richard Helms, of the District of Columbia, to be Director of Centeral Intelligence.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I am sure I bespeak the feelings of Members of the Senate in bidding Godspeed to a great American and high ranking naval officer, who returned to serve his country again after being retired following a distinguished career in the Navy.

Admiral Raborn merits the respect and esteem of the American people. I bid him Godspeed as he leaves his responsibilities in the Government.

I also wish to extend best wishes to Mr. Richard Helms as he takes up his new duties as Director of the Central Intelligence Agency.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

COTTON RESEARCH AND PROMOTION ACT—CONFERENCE REPORT

Mr. TALMADGE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2; and agree to the same.

HERMAN E. TALMADGE,
JAMES O. EASTLAND,
B. EVERETT JORDAN,
GEORGE D. AIKEN,
MILTON R. YOUNG,
Managers on the Part of the Senate.
HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
HARLAN HAGEN,
PAUL B. DAGUE,
PAGE BELCHER,
CHARLES M. TEAGUE,
Managers on the Part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. TALMADGE. Mr. President, the conferees on H.R. 12322 have recommended that the House recede from its disagreement to the amendments of the Senate and agree to the same. The conferees have, therefore, agreed to the bill in exactly the form that it passed the Senate.

The Senate had amended the bill in two respects. Both Senate amendments had been recommended by the Committee on Agriculture and Forestry after long consideration, and there is no question that they have improved the bill.

The first Senate amendment provided for a flat assessment of $1 per bale, not subject to change in subsequent orders. This provision removed the fear of many farmers that if they voted for the first order, they would find themselves faced with greater assessments in the future.

The second Senate amendment provided that in order to be effective, an order must be approved by at least a majority of the producers, even when it is approved by the producers of two-thirds of the volume of the cotton produced. The Department had indicated that even without this amendment, the Secretary would probably not put into effect any order which had the support of less than a majority of the producers. The position of the Senate has been maintained by the conferees.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield.

Mr. KUCHEL. As a representative of a State deeply interested in cotton legislation, I wish to point out that once again the distinguished Senator from Georgia has performed a public service to agriculture, and most particularly to the cotton farmers of America. I congratulate him for his leadership.

Mr. TALMADGE. I am grateful to the distinguished Senator from California, the minority whip. Whenever the subject of cotton has come before the Senate, the distinguished Senator from California has rendered distinguished service by assisting in the passage of the legislation.

I move the adoption of the conference report.

The report was agreed to.

ARTHUR JEROME OLINGER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1302, S. 1803.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1803) for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with an amendment on page 2, at the beginning of line 1, to strike out "three" and insert "four"; so as to make the bill read:

S. 1803

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any statute of limitations, bars of laches, or lapse of time, or that the claims herein arose in a foreign country, jurisdiction is hereby conferred upon the United States District Court for the District of Hawaii to hear, determine, and render judgment upon the claims of Arthur Jerome Olinger and his father, George Henry Olinger, for compensation for a fractured skull and other injuries sustained by the said Arthur Jerome Olinger at the age of *four*, such injuries having occurred as a result of a fall from the third floor of Government quarters, owned and controlled by the United States, known as Feebren Strasse II, Warner Barracks, in Bamberg, Germany, on September 29, 1962.

SEC. 2. Suit upon any such claims may be instituted at any time within one year after the date of the enactment of this Act. Proceedings for the determination of such claims and review thereof, and payment of any judgment thereon, shall be in accordance with the provisions of law applicable to cases over which the court has jurisdiction under section 1346(b) of title 28 of the United States Code. The application of section 2680(k) of title 28 of the United States Code to the claims herein is waived. Nothing in this Act shall be construed as an inference of liability on the part of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1332), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSES

The purpose of the bill, as amended, is that, notwithstanding any statute of limitations, bars of laches, or lapse of time, or that the claims herein arose in a foreign country, jurisdiction is hereby conferred upon the U.S. District Court for the District of Hawaii to hear, determine, and render judgment upon the claims of Arthur Jerome Olinger and his father, George Henry Olinger, for compensation for a fractured skull and other injuries sustained by the said Arthur Jerome Olinger at the age of four, such injuries having occurred as a result of a fall from the third floor of Government quarters, owned and controlled by the United States, known as Feebren Strasse II, Warner Barracks, Bamberg, Germany, on September 29, 1962.

STATEMENT

The facts of the case are found in the Army report of January 11, 1966, and are as follows:

"On September 29, 1962, at approximately 11:15 a.m., Army Sergeant George Olinger's 4-year-old son, Arthur, fell from his third floor bedroom window in Government quarters at Bamberg, Germany. Mrs. Olinger informed an investigator that she had left her son in his bedroom to pick up some paper. She was in the living room combing her hair when she heard a scream. She ran into the bedroom and saw that the window was open and that the screen had fallen out. When asked how her son was able to get up to the window, she answered that she had a coffee table setting by the window and her son must have climbed upon the table and opened the window. Mrs. Olinger explained why the post engineer had not installed bars over the bedroom window as follows:

"'About 3 months ago I called the engineers and made a request for them to do it because the screen had fallen out on other occasions. They told me that they couldn't do anything unless I came down and signed some papers for the work order. My husband is always in the field and has very little time to go down and with four children it is hard for me to go down to their office.'

"As a result of the fall Arthur Olinger suffered a skull fracture. After being taken to the 188th General Dispensary in Bamberg, Germany, he was evacuated by air, first to the 10th Field Hospital, Wurzburg, Germany, then to the Landstuhl Medical Center. The child was treated at the Landstuhl Medical Center from September 29, 1962, to October 6, 1962. The clinical record of Arthur Olinger shows his medical treatment as follows:

"'The patient was admitted September 29, 1962, at 1630 hours. Shortly thereafter the patient was taken to the operating room where debridement of the skin, right frontal, with removal of loose depressed bone fragment and repair of tear in the wall of sagittal sinus was done. Approximately 30 cc's of brain was debrided. Postoperatively the patient did well and by October 5, 1962, was awake, and alert and eating well. He was up and about the ward and the wound looked good. On October 6, 1962, the sutures were removed and the wound found to be well healed.'

"Congress has provided for an orderly system to compensate individuals for personal injuries caused by one of the Armed Forces. Persons injured in the United States or its territories may file suit under the Federal Tort Claims Act (28 U.S.C. 1346, 2671–2680 (1964)) or seek administrative redress through the appropriate military department under the Federal Tort Claims Act, the Military Claims Act, infra, and other laws. Claimants insured in a foreign country by one of the Armed Forces have no judicial remedy in United States courts but may seek administrative relief under the Military Claims Act (10 U.S.C. 2733 (1964)) or under other laws not pertinent to the present case. The Olingers had 2 years from the date the claim accrued to file a claim against the United States cognizable under the Military Claims Act, supra. Such claims may be administratively settled for an amount not to exceed $5,000 and any amount in excess of $5,000 deemed meritorious is reported to Congress for its consideration. The Olingers have not presented a claim to the Army under this statute and are now barred from doing so by the statute of limitations. The purpose of the bill is to waive any statute of limitations and to permit a cause of action in a U.S. district court for a tort claim expressly barred from judicial consideration under the provisions of the Federal Tort Claims Act as it arose in a foreign country (28 U.S.C. 2680(k) (1964)). Enactment of the proposed legislation would therefore interfere with the systematic procedures provided by Congress for administrative and judicial consideration of such claims against the United States. It could result in the introduction of numerous similar bills. Even if the Olingers were allowed to institute suit in a district court by enactment of the bill, recovery would be improbable as the Government is in no way responsible for the injuries suffered by Arthur Olinger. At the time of his injuries window guards were installed on the windows of children's bedrooms in Government housing at the Bamberg Post only upon written request by either sponsors or dependent wives. Although the post engineers informed Mrs. Olinger 3 months before the incident that window guards could not be installed without a written request, a search of the records at the Bamberg Subdistrict Engineer Office disclosed that the Olingers failed to submit a written request for the installation of window guards."

It is the opinion of the committee that the rights of a minor child should not be extinguished because of a mere inadvertence of the mother. In disagreement with the Army on this point, the committee recommends favorable enactment of S. 1803, as amended.

NATIONAL REDWOOD PARK

Mr. KUCHEL. Mr. President, I wish to extend my thanks to the Senator from Washington [Mr. Jackson], chairman of the Committee on Interior and Insular Affairs, and to the Senator from Nevada [Mr. Bible], chairman of the Parks and Recreation Subcommittee of that committee for the recent successful field hearings on my bill, S. 2962, to create a Redwood National Park in northern California. The hearings evoked a rational discussion of the issues, and the transcript of the testimony should provide the committee and the Senate with a sound foundation on which to base its action. I have received favorable comments on the conduct of the hearings from the proponents of all points of view, and I wish to pass along the appreciation of the people of California to the distinguished chairman of the full committee and to the distinguished chairman of the subcommittee.

I was happy to present a statement to the Parks and Recreation Subcommittee on the occasion of the field hearings, and I ask unanimous consent that it be printed in full at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Thomas H. Kuchel in Support of S. 2962 Before the Parks and Recreation Subcommittee, U.S. Senate Committee on Interior and Insular Affairs, Crescent City, Calif., June 17, 1966

I am happy to appear today before the Parks and Recreation Subcommittee of the Committee on Interior and Insular Affairs to speak in support of S. 2962, a bill which I have introduced to create a Redwood National Park. This bill has the support of its cosponsors: Senators Anderson, Church, Cooper, Javits, Kennedy of Massachusetts, Long of Missouri, McGovern, Moss, Scott and Metcalf; and of President Johnson; Secretary Udall; Governor Brown; the Save the Redwoods League; and many other conservation groups.

I am here because I believe that we must act at once to save the redwoods if we are to save them at all. I am here because I believe that this proposal for a park in the Jedediah Smith-Mill Creek area is the best proposal which has been advanced to date. I am here in support of a proposal which I believe has a reasonable chance of being adopted.

We need a Redwood National Park. Everywhere I go I hear that statement. People from every walk of life have told me they believe a major new national park should be established to preserve a large tract of redwood forest in its primeval state. Most people also believe that it is a crime to destroy trees which have been living since the time of Christ.

I share that conviction. The coast redwoods are unique and precious. They are the last remnants of the gigantic forests which covered much of the earth during the age of dinosaurs. To walk among them is to be awed and inspired. In the words of my distinguished colleague from Oregon, Senator Morse: "You cannot go into the redwoods and not come out a better person for having been there . . . there is no more inspiring cathedral on the face of the earth." A park of sufficient size to accommodate a large number of visitors should be set aside forever so that the people may enjoy it. Moreover, the coast redwoods are a national asset. Their protection should be a national responsibility.

I support the Redwood National Park proposal, also, because it is well-conceived. It is large enough for a fine national park. The entire Mill Creek watershed will be saved, thus protecting the fine stand of redwoods already preserved in the Jedediah Smith Redwoods State Park, from the floods which have wreaked disaster in the Bull Creek area. Most important of all, the real needs and problems of all the affected parties have been anticipated and will be met as fully as possible by my bill.

COOPERATION WITH STATE OF CALIFORNIA

The bill protects the interests of the State of California. California wants to cooperate with the United States to protect this great national asset. To that end, Governor Brown favors action by the State Legislature to transfer two State parks—Jedediah Smith Redwoods State Park and Del Norte Coast Redwoods State Park—to the National Park Service, should the Redwood National Park be authorized by Congress.

But California wishes to continue to serve her own people, as well as the people of the nation. Other redwood park areas need to be available and other recreation lands need to be provided within reasonable driving distance of our cities. Secretary Udall has offered special assistance to the State in acquiring additional lands for the Humboldt Redwoods State Park and the Prairie Creek Redwoods State Park, both in Humboldt County and both closer to the centers of the State's population. S. 2962 also authorizes the Secretary of the Interior to transfer Muir Woods National Monument and 31,000 acres of federally-owned land on the King Range peninsula to the State of California for recreation purposes. Joint studies are now under way by State and Federal authorities looking toward such transfers. Thus, California's interest in serving her citizens will be protected, while at the same time California can make a major contribution to the nation's well-being in contributing land to the Redwood National Park.

OFFSETTING LOSS OF PROPERTY TAX REVENUE

Recognizing that 74 per cent of the land in Del Norte County is already in Federal, State or local government ownership, and that the removal of additional property from the tax rolls will create a reduction in property tax receipts which the County can ill afford to absorb, my bill, S. 2962, provides that the United States make economic adjustment payments to county and local governments to tide them over the period of transition until the increased business generated by a great national park makes up for the loss of property tax revenue to Del Norte.

Arthur D. Little, Inc., in its study of the economic impact of the proposed Redwood National Park upon Del Norte County, using figures derived from the Del Norte County Assessor's office, reports that the direct loss of property tax revenue would run about $252,000 per year, roughly 11.3 per cent of the county's present tax revenue. Because the property tax provides less than one-half of the revenue of the county, school districts, and other units of local government, the tax loss represents only 3 to 4 per cent of the annual total revenues of these governmental bodies. Even 3 or 4 per cent is a substantial loss.

Since the county and school districts would continue present services and provide expanded services to handle rapidly increasing recreation travel to the Redwood National Park, S. 2962 proposes that economic adjustment payments be made to the county equal to three-fifths of one percent of the purchase price of the property removed from the tax rolls. Although estimates of the value of the property vary, the National Park Service estimate of 45 million dollars would yield the county 270 thousand dollars per year, 18 thousand dollars per year more than present tax revenues. Should the purchase price be greater, the county and other units of local government will receive even greater assistance.

The bill proposes that the payments be made for an initial period of five years. At the end of that time the Secretary of the Interior, in cooperation with the officials of Del Norte County, will review the county's condition and recommend to the Congress whether the payments will need to be extended for a further period. I am confident that the county will be well protected. It should be, and I am committed to this end. The United States does not expect the people of Del Norte County alone to carry the financial burden of a park designed to benefit all Americans.

PROTECTION OF LABOR FORCE

The bill also protects the interests of the working people who are now employed in the lumber business. The Miller Redwood Company employs approximately 207 people, 3.4 per cent of the labor force of Del Norte County. Perhaps as many as 28 other jobs depend directly upon the products of the company.

To meet this need for 235 new jobs at once, the National Park Service will concentrate construction of park facilities in the first five years of operation. Construction will create 169 jobs the first year, 229 the second, 362 the third, 301 the fourth, and 253 the fifth, an average of 263 jobs each year—28 more than the number which appears likely to be lost by the change in land use. In addition, the national park will create additional jobs in maintenance and operations: 41 the first year, 60 the second, 70 the third, 75 the fourth, 77 the fifth. These maintenance and operations jobs will be permanent additions to the economy and will accommodate many of the persons now employed in redwood timber operations.

Although there will be a net loss of about 25 jobs in the first year, there will be a net gain of approximately 54 jobs the second year, 187 the third, 141 the fourth, and 95 the fifth, as construction slacks off. The park economy will create additional jobs in retail and service trades. An average of 17 such jobs would be added each year.

New jobs also will be created by increased tourism. Although the Administration's report modestly predicts no increase the first year, it indicates that the county can expect 20 additional jobs the second year, 50 the third, 95 the fourth, and 160 the fifth from a growing tourist trade.

My firm conclusion is that by pushing construction rapidly in the first five years, and through the growth in the tourist industry, which will accompany the establishment of the Redwood National Park, the county will gain in the number of jobs available in every year but the first, and after construction ceases the growth in tourism will provide a steadily increasing number of job opportunities for Del Norte County's citizens.

PROTECTION OF LOCAL BUSINESS

S. 2962 also protects the interests of the business people in this community who have long depended upon the business created by the employees of the lumber industry. The report of Arthur D. Little, Inc. concluded that, in the short run, until about 1974, continued operation of the lumber industry, with its heavy cutting schedule and expansion program, would profit the local economy more than would the immediate establishment of a national park. But, beginning about 1974, the picture changes. From that point on, as tourism grows and lumber production declines, the county will profit more from the national park. Moreover, the park will be a permanent asset which will grow in value through the years. The lumber industry, the Little report shows, will inevitably decline as the primeval forests are cut. Once reduced to a sustained yield cut, the industry can sustain only a greatly reduced economy.

Each year we postpone the establishment of the national park, we delay the coming of permanent and increasing prosperity for Del Norte County. As the lumber industry cuts its old timber, we also reduce the physical possibility of establishing such a national park at all. Thus, we literally are cutting down both our economy and our future by cutting down our trees.

We are not, however, going to rest on projections of economic growth to protect the interests of the local economy. The Federal government, in cooperation with State and local governments, is prepared to make available all its many varied technical, credit and developmental assistance programs to ease the transition.

To indicate the breadth of Federal assistance programs which will be available to Del Norte County, programs, I might add, which will not merely restore this county to its present condition, but which will permanently bolster and enhance the future and economy of the county, I include in my statement at this point an excerpt from Secretary Udall's February 23, 1966, letter to the President of the Senate:

". . . (1) *Economic Development Administration.* Del Norte County is now eligible as a depressed area. Its Overall Economic Development Plan has already been approved. EDA provides a great variety of assistance to the depressed areas including business loans to attract industry and grants to develop facilities. The "facilities" for which grants may be made are not defined; hence, a great variety of projects would be possible.

"(2) *Small Business Administration.* Makes business loans or guarantees business loans, including loans for working capital to tide businesses over periods of economic difficulty. Direct loans are not available pending lifting of moratorium.

"(3) *Manpower Development and Training Program.* There are two elements to this program which are designed to train people for new jobs:

"(a) On-the-job training with private employers. The Government pays the cost of the training under a contract with the employer;

"(b) Institutional (classroom) training run by the USES (Labor) and the vocational school system (HEW). The trainee gets a cash allowance while in school for a maximum of two years. HEW pays for the cost of the training itself. Trainees normally live at home but may be given travel and subsistence over and above the cash allowance.

"MDTA programs in FDA depressed areas are financed separately under more liberal criteria.

"(4) *Neighborhood Youth Corps.* This is a program for school dropouts aged 16 to 21 run through contracts with local public agencies to provide jobs in public and nonprofit institutions. The Federal Government pays 90 percent of the cost, including the wages of the dropouts, for up to 35 hours per week. It might be possible for funds to go to a Federally sponsored activity like developing the Redwoods Park. However, the program is limited by the 16 to 21 age limit, and the fact that these projects must not displace other workers.

"(5) *OEO-Community Action Program.* This program catalyzes many different types of aid. Almost any type of project could be promoted. This program would probably be the most useful of the OEO programs.

"(6) *HEW.* Programs such as the education of the disadvantaged under the Elementary and Secondary Education Act of 1965 and the Vocational Education Program could be pushed by the State in the redwood region. However, the Federal contribution in these programs is on a State formula basis, and the Federal Government would have little control over the level of funds flowing into specific areas.

"(7) *Farmers Home Administration.* FHA programs could finance recreational-related facilities constructed either by private landowners or associations outside the Park for the accommodation of visitors. Possibly, new types of indoor recreation facilities could also be financed. In the past, FHA has financed golf courses (including clubhouses), etc. In addition, water, sewage, and waste treatment facilities may be constructed with grants and loans to communities. (Other agencies also finance water and sewer systems.)

"(8) *Housing and Urban Development—Regular Programs.* The normal HUD programs would be available in this area (urban renewal, sewer and water grants, neighborhood facilities for recreation, health, social services, sciences, and public works planning advances). Under the FHA loan programs, forebearance may be exercised with respect to the terms of individual debts. In addition, two special programs are available in EDA depressed areas: special planning grants and a lower interest rate for public facility loans."

PROTECTION OF THE REDWOOD LUMBER INDUSTRY

Finally, S. 2962 limits the impact of a Redwood National Park upon the redwood lumber industry. By centering acquisition upon the Mill Creek watershed, the bill centers purchase upon one major lumber company, the Miller Redwood Company. It would require the outright purchase of the Miller Company and the termination of Miller logging activities in Del Norte County. But the proposal thereby preserves the sustained yield programs of all the other major redwood lumber companies of California. Let me be specific, because three other companies are involved.

The Simpson Lumber Company, from which approximately 900 acres of virgin redwoods would be acquired, would not be injured. These redwoods lie north of Jedediah Smith State Park in an area Simpson long has pledged for park purposes. Indeed, these trees are even included in the program of redwood park acquisition proposed by the Redwood Park and Recreation Committee, which speaks for the lumber industry. Simpson never has included these virgin redwoods in its cutting program and, with commendable public spirit, has saved them and paid taxes on them for many years, fully expecting that they would someday be added to the Jedediah Smith State Park. All Californians—indeed, all Americans—should appreciate the statesmanlike conduct of the Simpson Lumber Company with respect to this stand of trees.

Likewise, neither the Georgia Pacific Company nor the Arcata Redwood Company will be injured. The Tall Trees Unit of the park includes about 1400 acres of their property in Humboldt County. Both those companies, too, have recognized the unique national importance of the Tall Trees and have indicated they will preserve the Tall Trees until some permanent arrangement can be made. Both companies fully expect that sufficient land will have to be set aside to permit public access to the trees and to provide a protected corridor of trees to that area. S. 2962 provides for the inclusion of the Tall Trees Unit within the Redwood National Park boundaries.

The Miller Company will, of course, receive just compensation for its properties. S. 2962 is even drawn to minimize the adverse tax effect of the sale by allowing Miller to receive payment in installments over a period of ten years.

S. 2962 represents a conscientious effort to meet the public interest in the preservation of a worthy Redwood National Park and, at the same time, to protect to the maximum extent possible the legitimate interests of the State, the County, the working people, the businessmen, and the lumber industry itself.

Some people, of course, would like to see a much larger park, especially in Humboldt County. None of us, I am sure, would dispute the beauty of the area they recommend. However, we have in S. 2962 the opportunity to preserve an entire watershed, long the top priority location of the Save the Redwoods League, for a Redwood National Park. And, quite apart from the aesthetic questions involved, I, for one, cannot see how we can pay for the larger park proposal or how we can mitigate its negative economic impact on the County of Humboldt or the entire northern California area.

I, therefore, appear today on behalf of S. 2962. It is a well-balanced, constructive proposal supported by many of my colleagues in the Senate, President Johnson, Governor Brown and the Save the Redwoods League, which should be enacted as rapidly as possible.

COMPARISON OF REDWOOD PARK PROPOSALS

Mr. KUCHEL. Mr. President, on February 23, 1966, I introduced S. 2962, an administration-backed bill to create a Redwood National Park in Del Norte County, Calif. On May 3, 1966, my friend, the distinguished Senator from Montana [Mr. METCALF], the author of the Sierra Club proposal for a Redwood National Park in Humboldt County, Calif., inserted in the CONGRESSIONAL RECORD at page 9134 a table entitled, "A Comparison of the Suitability of the Redwood Creek and Mill Creek Areas as Locations for a Redwood National Park."

I requested Mr. Edward C. Crafts, the distinguished Director of the Bureau of Outdoor Recreation, Department of the Interior, to comment on Senator METCALF's comparison of the two major park proposals.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point my May 18, 1966, letter to Mr. Crafts and the June 6, 1966, reply of Mr. Crafts, in which he has done an excellent job of fairly and objectively comparing the two park proposals.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS,
May 18, 1966.

Mr. EDWARD C. CRAFTS,
Director, Bureau of Outdoor Recreation, Department of the Interior, Washington, D.C.

DEAR MR. CRAFTS: On February 23, 1966, I introduced S. 2962, an Administration-backed proposal to create a Redwood National Park. On May 3, 1966, Senator METCALF, the author of another proposal sometimes called the "Sierra Club bill" to create a Redwood National Park, introduced into the CONGRESSIONAL RECORD at page 9590 a chart entitled "A Comparison of the Suitability of the Redwood Creek and Mill Creek Areas as Locations for a Redwood National Park."

Senator METCALF's chart, however, which was prepared by proponents of the Metcalf-Sierra Club proposal, makes the proposal embodied in S. 2962 appear to be undesirable by comparison. S. 2962, which I introduced, was cosponsored by Senators ANDERSON, CHURCH, COOPER, JAVITS, KENNEDY (Mass.), LONG (Mo.), MCGOVERN, MOSS, SCOTT and METCALF. It is supported by President Johnson, Governor Brown of California, and by the Save the Redwoods League.

Would you please prepare comments on Senator METCALF's chart which include a chart comparing the two park proposals on a fair and objective basis.

Thank you for your cooperation and for the courteous help which you and your staff have given me in my efforts to preserve California's giant redwoods for future generations.

With kindest regards,
Sincerely yours,
THOMAS H. KUCHEL,
U.S. Senator.

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF OUTDOOR RECREATION,
Washington, D.C., June 6, 1966.

Hon. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: Thank you for your letter of May 18 asking us for comments comparing alternative proposals for a Redwood National Park in California.

First of all, we want to make the general observation that National Parks should be based on *quality* rather than on *quantity*. In our opinion, Jedediah Smith and Del Norte Coast Redwood State Parks contain some of the most magnificent stands of original coastal redwoods (Sequoia Sempervirens) remaining in the world today. The bill you have sponsored, S. 2962, recognizes their stature by making them the nucleus of a National Park. This bill also includes the entire watershed of Mill Creek to assure protection of these magnificent groves and adds the small grove in Redwood Creek containing the world's tallest trees. The bill will establish a Redwood National Park to which Americans and citizens from all over the world can point with pride and to which they can come to admire and enjoy the trees and their coastal environment in the fullest sense.

Secondly, although the desirability of establishing National Parks should *not* be based solely on economic justifications, there are certain economic factors that should not be overlooked. The purchase price should be within the means of the Nation, given its worldwide commitments. The impact on the locality of the conversion of lands from timber production to park use must also be examined in terms of employment, tax losses and business outlook. There is no question in our mind that the Administration's proposal will establish the best Redwood National Park in the most expedient and feasible manner and will have the most favorable impact on the local economy.

We feel that Senator METCALF's chart in the CONGRESSIONAL RECORD places more emphasis on quantity than on quality and it does not recognize the economic realities. In Record Displays (item 4) it overlooks the fact that S. 2962 would also preserve the small grove of the world's tallest trees and access to them along Redwood Creek.

By comparison, we feel that the enclosed chart presents a more realistic approach to problems of establishing a Redwood National Park. In large degree, it points up that sufficient consideration has not been given to the economic impact of the Sierra Club proposal centered primarily in Redwood Creek in Humboldt County, California.

We will be pleased to discuss this matter further at your convenience.

Sincerely yours,
EDWARD C. CRAFTS,
Director.

Enclosure.

A COMPARISON OF THE REDWOOD NATIONAL PARK BILLS

S. 2962, the administration proposal, Mill Creek area; and amendment 487, the Sierra Club proposal, Redwood Creek area.

	S. 2962	AMENDMENT 487
1. Total acreage	44,800.	90,000.
2. Virgin timber, acres	19,065.	42,000.
3. Virgin acres to be acquired from private owners	8,430.	33,760.
4. Cost of land acquisition (estimated)	$56,850,000.	$140,000,000.
5. Lumber companies significantly affected	Miller Redwood Company.	Simpson Timber Co., Georgia-Pacific Co., Arcata Redwood Co.
6. Impact on lumber industry	3.5 percent of production cut.	No analysis made.
7. Economic adjustment payments to counties	Three-fifths of 1 percent of purchase price of property removed from tax rolls.	None provided.
8. Economic impact upon community	Break even on jobs by 1974, 1670 more jobs by 1983 with park.	No analysis made.
9. State Parks included	Jedediah Smith, Del Norte Coast.	Prairie Creek.
10. Record displays	World's tallest trees.	World's tallest trees. World's best example of redwood slope types.
11. Elevation contrast	Slope type redwoods reach average elevation of 1,000 feet.	Slope type redwoods reach average elevation of 2,000 feet.
12. Notable views	Del Norte Coast Redwoods State Park Coastline. View from Bald Hill overlooks virgin redwoods in Mill Creek valley to ocean beach.	Unbroken panorama of last, large valley of virgin redwoods from Bald Hills Road. Gold Bluffs from the beach road. Elk Prairie from Highway 101.
13. Additional Recreational Attractions	Fourteen miles of coastline. Six miles of river frontage along the Smith River with opportunity for year-round float trips. Sixteen miles of scenic highway; thirty miles of display road available. Highest quality water in clarity and color of any North Coast streams. Outstanding steelhead fishing on Smith River; renowned Klamath River fishing. Sites with Indian artifacts at mouth of Klamath River and probable archaeological values along Smith River. Swimming on Smith River. Interesting sites associated with early history of exploration.	Eighteen miles of coastline. Twenty-two miles of river frontage along Redwood Creek with opportunity for spring float trips. Eighteen miles of scenic highway; 76 miles of display roads available. Herds of Roosevelt elk. Fern Canyon. Waterfalls over Gold Bluffs. Lagoons with waterfowl and marsh displays. Renowned Klamath River fishing. Sites with Indian artifacts at mouth of Klamath River and at mouth of Redwood Creek.

A COMPARISON OF THE REDWOOD NATIONAL PARK BILLS—Continued

	S. 2962	AMENDMENT 487
14. Flood protection	One-tenth of Smith River drainage to be acquired, including 3 complete tributaries, Mill Creek, Clarks Creek, and Cedar Creek. Smith flows along northern edge of Park. By shape, soils, and drainage characteristics of Smith River area is judged to be less vulnerable to erosion and flood damage than Redwood Creek drainage. Park would not control cutting on Smith River above Park.	Half of Redwood Creek drainage to be acquired, including 12 complete tributaries including Prairie Creek, May Creek, Lost Man Creek, Little Lost Man Creek, McArthur Creek, Bond Creek, Forty-four Creek, and Tom McDonald Creek. Redwood Creek flows through heart of Park. Flood protection of bottom areas in Redwood Creek would require agreements to control treatment practices of cutover lands above Park.

RECOMMENDATIONS OF LAURANCE S. ROCKEFELLER

Mr. KUCHEL. Mr. President, one of the great American families is the Rockefeller family, and one of the great members of the Rockefeller family is Mr. Laurance S. Rockefeller, who has dedicated much of his time to sound conservation in America.

The citizens of the United States, particularly those concerned with the conservation of our precious natural heritage, are fortunate to have Mr. Laurance S. Rockefeller dedicated to the fight for conservation. Among his many conservation activities, Mr. Rockefeller is president of the American Conservation Association; honorary president of the Izaak Walton League of America; president of the Jackson Hole Preserve, Inc.; and vice president of the New York Zoological Society.

On July 20, 1965, Mr. Rockefeller wrote to President Johnson, setting forth the results of his investigation of the Redwood National Park situation. Mr. Rockefeller appraised all of the various park proposals and concluded that the plan which was later embodied in my bill, S. 2962, was the finest Redwood National Park proposal.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD Mr. Rockefeller's letter to President Johnson.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW YORK, N.Y.,
July 20, 1965.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: While in California to investigate the Woodside-AEC controversy, about which I have already written you, Mr. Smith, Mr. Diamond and I spent two days touring the Redwoods and checking into the Redwoods National Park situation.

Until now, I have taken no position in this matter, in spite of the fact that my family and I have been associated with the preservation of Redwoods for nearly half a century.

My associates and I, however, have followed the project closely from its inception. We reviewed the original Redwoods National Park proposal when it was made public, and subsequently we supported a study by Dean Samuel T. Dana for the American Forestry Association to secure additional facts concerning the quality of various areas in question, and the potential economic impact of establishing a National Park at the expense of the existing Redwoods Industry. We have kept abreast of the plans of the Save-the-Redwoods League, and have met with Sierra Club representatives and listened with an open mind to the proposal for their ambitious program. As a trustee of the National Geographic Society, I have also followed its interest in the Redwoods. We have also had the benefit of the advice of our longtime associate, Horace Albright, former director of the National Park Service. We are current with the state's plans and activities, and I believe we are closely enough in touch with the Redwoods Industry to be able to judge their reactions and to assess realistically the extent and effectiveness of their opposition to the various programs that have been proposed.

Against this background, and having covered on foot and in a car most of the land involved, including all four of the state parks, I should like to take the liberty of giving you my thoughts on this situation in the hope that they might be helpful in the 30-year effort toward a Redwoods National Park.

First, we believe that it is important that a Redwoods National Park be established in the near future. It will give national prestige and recognition and additional protection to an outstanding aspect of our natural heritage and provide facilities for the use and enjoyment of this asset.

We believe a consensus for a national park is possible—not easy, perhaps, but possible. We believe that a national park might be created at this time with a minimum of opposition and perhaps even with considerable local support if a reasonable plan is prepared and put forward in an intelligent and constructive way. But we are confident that to demand more than this is an unrealistic approach which would consolidate all the oppositions and eliminate for all time the possibility of any national park. It might even prevent the realization of the state's relatively modest proposal to add obviously desirable areas to its existing Redwoods parks.

Moreover, the continuing threat that some or all of the forests may be taken by the Federal Government, and uncertainty and fear as to what may eventually be proposed as a park, will step up cutting, thus eliminating the very reason for a great park. This is a natural consequence and has happened before in similar instances.

Therefore, it would seem wise to develop a firm proposal as soon as possible and thus remove some of the uncertainty which unquestionably is creating unnecessary cutting at this time—cutting, incidentally, which is probably economically unsound and as undesirable to the timber companies as to the public interest.

I would suggest, further, that any plan to be submitted to Congress be, in effect, discussed with all the interested parties, and that the decision to proceed in this way be announced beforehand, by the President, to all concerned.

It is unlikely that any effective plan will be welcomed by all; but general acceptance by most and limited opposition by others should be attainable, and this is enough to warrant moving ahead.

The two extremes in this controversy are the Sierra Club and the Industry. It is doubtful whether the Sierra Club will actively support any but an extremely far-reaching plan; but it cannot effectively oppose a National Park that by general consensus represents an important net gain in the preservation of Redwoods. The Industry, on the other hand, is unlikely to be happy about a National Park of any kind; but it has shown a willingness to make concessions. If the proposal does not do unbridled violence to the Industry and to the local economy, its opposition may be more token than telling.

As for the area to be proposed, the situation seems to be about as follows:

1. The Sierra Club's ambitious plan is supported almost exclusively by the Sierra Club and its out-of-state adherents. Serious consideration of so ambitious a plan would consolidate opposition and provide the means of raising substantial amounts of money to oppose the proposal by propaganda, by lobbying, and by recourse to the courts. The Industry would be joined by most local supervisors and other local officials and, of course, businessmen in fear of the effect on the economy. In addition, the state would probably oppose it.

2. The Industry's plan to use private forests for recreation and to make available for preservation several finer stands of old Redwoods is constructive, but does not move in the direction of a major park.

3. While all of the many plans for the improvement of the Redwood park area have wide differences, all of them suggest combining the two northernmost state parks, Jedediah Smith, and Del Norte. The variations in the different proposals on this score are not great.

The Save-the-Redwoods League would recommend substantial acquisition in this area, feeling that it contains the best stand of remaining Redwoods and the best site for a national park—an opinion shared by virtually all experienced Redwoods experts. Mr. Hartzog, I believe, will testify to this consensus, and from our examination, this seems to be the case.

Dean Dana focused upon the Humboldt area as the core of a national park, but he concurs that this proposal is an acceptable alternative. Our reservation about Humboldt as a National Park, even though this is the site of the Rockefeller Forest, arises out of its vulnerability to flooding and erosion. The most recent flood has done irreparable damage.

The state plan for the Jedediah Smith-Del Norte area combines reasonable acquisition with an arrangement for special protection for certain watershed sections, and the total is somewhat less than the projection of the Redwoods League. The original Park Service plans suggested considerable acquisition in this area by the state.

In addition, we believe that effective flood damage protection could be best carried out in the Mill Creek area. This is important not only for the protection of the trees but for recreation use as well.

We believe, therefore, that primary consideration for a national park should center around the Jedediah Smith-Del Norte-Mill Creek area—where, in addition to what appears to be general agreement, there are relatively few people and the impact on the local economy would be minimal.

4. There seems to be general agreement that the famous "Big Trees" discovered by the National Geographic Society should be set aside, and this can be done without major acquisition problems, as a National Monument or in some other way. The Arcata Redwood Company would be a willing seller and will join with the Georgia-Pacific Company in providing access right-of-way to the main highway—a distance of about eight miles—and in making available a large adjoining area for campsite purposes. It appeared to us that the "Big Trees" area is an attractive island surrounded by unpreposing forests of not-very-healthy and not-very-old Redwoods.

5. The Prairie Creek State Park, immediately to the south of Mill Creek, is an excellent scenic and recreation resource. With the recent acquisition of the Gold Bluffs Beach and Fern Canyon and perhaps a few additional areas, it is a fairly complete unit. There seems to be little net gain in simply changing this from a state to a national park.

It is our belief that a logical and appropriate relationship between the state park and any national park would evolve over the years. Perhaps at some future date consideration could be given to consolidation.

To summarize, we recommend that the Park Service develop a viable plan for a park in the Mill Creek area by expanding and joining the present Del Norte and Jedediah Smith State Parks and the preservation of the "Big Trees" area; that this proposal then become the subject of negotiation primarily with the owners and the state, and secondarily with other interested parties (the Save-the-Redwoods League, American Forestry Association, Sierra Club, National Geographic Society, and local groups), and that the result of these negotiations become the subject of proposed legislation for a Redwoods National Park, or perhaps (depending upon discussions with the state) a combination National-State Park under some arrangement that might be peculiarily adaptable in this particular situation.

Sincerely,

LAURANCE S. ROCKEFELLER.

FLOOD CONTROL: WATERSHED PROTECTION

Mr. KUCHEL. Mr. President, in connection with S. 2962, which I introduced to create a Redwood National Park, considerable attention has been focused on the issue of flood control within the proposed park area, whatever area that would be, as found by the Congress.

The bill which the administration has recommended and which some of us, Democrats and Republicans, have introduced, would preserve within the park boundaries the entire Mill Creek watershed, while the so-called Sierra Club proposal, an amendment sponsored by the Senator from Montana [Mr. METCALF] and sundry other Senators, would preserve only a small portion of the Redwood Creek watershed in another county.

The entire matter was discussed by the Save-the-Redwoods League, a very honored and old association of conservationists, which has endorsed the legislation I have been pleased to introduce.

Mr. President, I ask unanimous consent to have printed in the RECORD material presented to the Parks and Recreation Subcommittee by the Save-the-Redwoods League on the question of watershed protection.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Preservation of a complete watershed is essential in planning the boundaries of the Redwood National Park. Senator KUCHEL's S. 2962, embodying the administration project accomplishes this. Following are opinions of experts on this subject.

Discussion of the importance of complete watershed protection is contained in the following two bulletins of the League (1961) "The Tragedy of Bull Creek" and "Crisis on Bull Creek".

SAVE-THE-REDWOODS LEAGUE,
Berkeley, Calif., June 9, 1966.

From the standpoint of administration it is highly important that area boundaries be so located that the administrative agency has a maximum of control over the lands to be dedicated for park purposes and that all lands within these boundaries be acquired. Experience has shown that boundaries so located as to include complete watersheds are most effective from the standpoint of protection against fire, hunting, grazing and other forms of encroachment of civilization inconsistent with the purposes for which the Park is established. Acquisition of the entire watershed eliminates the danger of damage resulting from possible forms of land management within the drainage that are adverse to park management. A complete watershed gives the administrative agency a maximum of control of the landscape so that the areas undamaged by man may be preserved and those that have already felt the impact of civilized man may be moved toward restoration to become a part of the native scene.

Yellowstone National Park is an example of an area where a section of the boundary was changed so that it conforms to the watershed principle.

The importance of the acquisition of all private inholdings within the established boundaries can hardly be over-emphasized. The basic principles of National Parks do not contemplate private inholdings but that all lands be Federally owned and dedicated to the purposes for which the areas are established. From my own experience, I can refer to the problems that have resulted from inholdings such as at Foresta and Wawona in Yosemite, Rocky Mountain, Olympic and Glacier National Parks.

LAWRENCE C. MERRIAM,
Consultant, Save-the-Redwoods League.

NOTE.—Mr. Merriam has retired from the National Park Service and is a former Superintendent of Yosemite National Park, Mid-West Regional Director and Western Regional Director of the National Park Service.

SAN FRANCISCO STATE COLLEGE,
San Francisco, Calif., June 8, 1966.

I wish to emphasize as strongly as I can the importance of considering the ecological integrity of any area being set aside for protection and preservation of natural values. Foremost among such values are those associated with the wildlife species found in these areas. Because of the habits and requirements of many of the wildlife forms, it is advisable to establish Park boundaries in terms of watershed units rather than geographical units as expressed in their usual terms of sections, ranges, etc. One particular case in which watershed units were seen as particularly important was that of our Mule Deer wintering in the Sierra foothills. Leopold and his co-workers found that the deer tended very strongly to return each fall to winter in an ancestral watershed area, regardless of the food conditions there. It seemed apparent that the deer had very strong ties with certain areas whose limits were set by natural, topographic relationships rather than by area, as such. No doubt this same type of phenomenon could be pointed out with other examples.

JOSEPH G. HALL,
Associate Professor of Biology.

ENDORSEMENTS OF S. 2962

Mr. KUCHEL. Mr. President, I also ask unanimous consent to have printed in the RECORD a resolution of the board of directors of the Save-the-Redwoods League, dated May 26, 1966, which supports the enactment of S. 2962; an article printed in the Santa Rosa, Calif., Press Democrat of May 18, 1966, entitled "Redwood Park Gets Izaak Walton Support"; and an excellent editorial from the San Francisco Examiner of March 2, 1966, likewise endorsing the proposal which I have introduced.

There being no objection, the resolution and articles were ordered to be printed in the RECORD, as follows:

REDWOOD NATIONAL PARK RESOLUTION, PASSED UNANIMOUSLY BY THE BOARD OF DIRECTORS OF SAVE-THE-REDWOODS LEAGUE, MAY 26, 1966

Whereas the Save-the-Redwoods League since its beginning 48 years ago has been on record as favoring a Redwood National Park, and

Whereas for the first time after many attempts to enlist Federal support success is in sight because of the strong advocacy of this project by President Lyndon B. Johnson, and

Whereas after study and consultation the National Park Service has outlined a program which has the support of the President, the Secretary of the Interior, the Bureau of Outdoor Recreation, the Governor of the State of California, the California State Recreation Commission, the State Director of Parks and Recreation, the National Geographic Society, and the Save-the-Redwoods League, and

Whereas this approval and support is based on conviction that the Mill Creek Complex as recommended represents an outstanding example of the primeval Coast Redwood forest within logical boundaries as a topographic and ecological unit, together with other important scenic and recreational features, and is fully worthy of national park status, and

Whereas it is our conviction that the Administration plan is not only the best but also has the best prospect of success under present conditions, Now be it therefore:

Resolved, That the Save-the-Redwoods League, by action of its Board of Directors, supports the Administration plan including Mill Creek watershed and urges other conservation organizations to present a united front in its support.

[From the Santa Rosa (Calif.) Press-Democrat, May 18, 1966]

REDWOOD PARK GETS IZAAK WALTON SUPPORT

The Johnson administration backed plan for a northern California Redwood national park has received a boost from the California State Division of the Izaak Walton League of America, Inc.

The state organization, meeting in Santa Rosa over the weekend, endorsed the plan, which calls for the acquisition of between 43,000 and 48,000 acres in Del Norte and Humboldt counties.

A resolution adopted by 108 delegates attending the Santa Rosa convention asks for the establishment of a state park incorporating the present Jedediah Smith State Park in Del Norte County, with the additions as outlined by Secretary of the Interior Stewart Udall, and in the bill being sponsored by California Senator THOMAS KUCHEL.

The Waltonian resolution also includes approval of the acquisition of some 1,400 acres in Humboldt County in which the world's largest trees were recently discovered in a grove along Redwood Creek.

The Waltonian resolution asks that the grove be set aside as a Redwood national monument.

The proposal backed by the Johnson administration and endorsed by Gov. Brown and the State Resources Agency, is a compromise from an earlier plan under which about 90,000 acres would be acquired in Humboldt and Del Norte counties. This plan has the backing of the Sierra Club.

Walton League delegates expressed the feeling that although there is some justification for objections to a national park by industry and citizens in the two counties, revenue from tourism created would offset economic losses suffered by the lumber industry.

Delegates also brought out that the proposal for the smaller park is more realistic than the one for the larger.

Although the park proposal is being considered by Congress, action during this session is considered remote. The Senate Appropriations Committee recently followed earlier action by the House in refusing to recommend any funds for the park's establishment.

[From the San Francisco Examiner, Mar. 2, 1966]

REDWOODS PARK PLAN IS SOUND

Several conservationist organizations have expressed disappointment over the Redwoods National Park proposed in northern California by the Johnson administration. They say it is in the wrong place and too small.

Location is a matter of opinion. As to size, it seems to us that the proposed bill contains all that can be reasonably asked from a Congress that must finance the Vietnam conflict while fighting inflation at home. An uphill struggle will be necessary to pass even this bill.

The bill has impressive backing. Though an administration measure, it is co-authored by Republican Sen. THOMAS KUCHEL. It is supported by Gov. Brown, who described it as "the most that reasonable men can expect to achieve."

Some charge that the measure is no more than a gesture. It calls for an $84 million expenditure over a five-year period. Of that sum, $60.8 million would go for land acquisition. Federal purchases would total 25,000 acres, of which 8,000 would be virgin redwoods. The world's tallest tree would be saved. Two state parks would be expanded. The way would be opened for more acquisitions later. Quite a gesture!

To us a vital feature of the bill is its provision for payments to Del Norte and Humboldt Counties, and to affected school districts, to compensate for lost taxes. Another feature calls for the quick creation of jobs developing the new park to offset jobs lost in the lumbering industry.

Too, the measure wisely calls for acquisition of the complete Mills Creek watershed above Jedediah Smith Redwoods State Park in Del Norte County. Such watershed control is necessary to prevent the kind of tragic destruction that occurred to Rockefeller Grove redwoods a decade ago because the Bull Creek watershed above the redwoods was despoiled.

We still advocate, as a companion to the park bill, the creation of a Redwoods National Parkway. This would be a meandering scenic road, under federal auspices, stringing together the coastal redwood groves like jewels on a necklace from the Big Sur to the Oregon border.

COLORADO RIVER LEGISLATION VITAL TO WEST

Mr. KUCHEL. Mr. President, I come from the semiarid West. There is little question that were it not for the giant Hoover Dam on the Colorado River the level of life and the economy of the southern part of California could not exist today. Water continues to be a serious basic problem for the entire semiarid section of our country.

At long last, a year ago, the people of Arizona and California were able finally to agree that the people of Arizona need repayable Federal reclamation assistance if their economy is to continue to survive and grow; and that unless the people of Arizona and California, and the rest of the Lower Colorado River Basin States, acquired additional water, an iron ceiling would be placed on their capacity to grow.

Indeed, the people in the Upper Colorado River Basin, as well, will have their future growth stunted unless additional water is brought into the lower basin, thus helping all basin States.

That is why some of us in the Senate and in the House of Representatives are interested in legislation to provide for the construction of the central Arizona project and the importation of water into the Lower Colorado River Basin.

I very much regret that some exaggerated and rather emotional charges have been made against the recommended construction of two dams in connection with the project.

The Los Angeles Times of June 21, 1966, printed an excellent editorial entitled "In Defense of Grand Canyon Dams," which demonstrates that the needs of the people for water must be paramount.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial entitled "In Defense of Grand Canyon Dams," which appeared in the Los Angeles Times of June 21, 1966.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Los Angeles (Calif.) Times, June 21, 1966]

IN DEFENSE OF GRAND CANYON DAMS

The Colorado River legislation introduced in Congress this year is essential to the future of the entire West. And an essential part of the legislation is construction of Bridge Canyon and Marble Canyon Dams.

Justification for the reclamation dams is obvious, for by meeting the increased power needs of the area they also will help finance most of the cost of the Colorado River development plan.

The mere suggestion of more dams on the Colorado, however, has sent some organized conservationists into a frenzy.

Grand Canyon will be "ruined," runs the emotional argument of those who apparently have not examined the proposed location of the dams in relation to Grand Canyon National Park or their effect upon the river within the park. To them we commend these facts:

Marble Canyon Dam would be built 13 miles upstream of the eastern border of Grand Canyon National Park and nearly four times that distance from the traditional South Rim observation point.

Bridge Canyon Dam would be built 80.3 miles downstream from the western border of the national park and 149.5 river miles from the South Rim. Even the recreation lake created by the dam would be 55.5 miles from the South Rim.

No dams or lakes would be visible from any public observation point anywhere in the Grand Canyon National Park.

The Colorado River would flow exactly as it does now through the 104 miles of the interior of the Grand Canyon National Park. Only effect would be a lake along 13 miles of the park's western boundary in an area the general public never sees or visits.

The Times respects the views of those conservationists concerned about the Grand Canyon dams—including our cartoonists, Paul Conrad and Frank Interlandi. We, too, are concerned, but we disagree emphatically that the Grand Canyon National Park will be harmed by the projects in question.

Exaggerated charges only tend to muddy the waters in debate on legislation that demands the most thoughtful consideration by Congress.

WHY NOT ANOTHER PAUSE IN OUR BOMBING OF NORTH VIETNAM?

Mr. YOUNG of Ohio. Mr. President, it was shocking to read in a recent issue of the Washington Post that American forces suffered heavy casualties during a battle after our Vietnamese allies, so-called, simply refused to help them. According to the Post many American GI's are becoming disgusted with the disgraceful conduct of those Vietnamese allies who prefer to walk or run the other way when the going gets rough. What possible justification can there be for American boys to continue to fight and die in steaming, malaria-infested jungles alongside allies who frequently turn tail and run for home in the face of enemy fire?

With American casualties exceeding those of our Vietnamese allies during many weeks, it is apparent that the miserable civil war in Vietnam is becoming more and more an American war. If serious attempts are not made to end this conflict it is quite likely that young men of our Nation may be fighting and dying for many years in this war-ravaged country.

No matter how often we profess our intention to defend freedom in Vietnam, the increasing escalation of the war is raising grave doubts throughout Asia and elsewhere in the world as to the wisdom of our policy. Attacks with sophisticated weapons on unsophisticated and illiterate Asians is building a vast reservoir of anti-Americanism and misunderstanding of our country among the masses of people in Asia.

In that part of Vietnam termed South Vietnam, recent demonstrations by Buddhists against the militarist regime of Prime Minister Ky have taken on a definite anti-American tone. Continued American support for the corrupt regime of Ky, who could not remain in power 2 weeks without the support of our Armed Forces and CIA support, appears inconsistent with our alleged commitment to defend the principle of freedom in Vietnam. For how long can administration officials convince the American public that our young men are being killed, wounded, or afflicted with malaria and other jungle ailments to defend freedom in Vietnam when our so-called Vietnamese allies show little interest in defending themselves? Furthermore, why should we have committed nearly half a million of the finest soldiers and sailors in the world in combat in a little country in southeast Asia which is of no importance whatever to the defense of the United States?

It is time, Mr. President, that administration officials opened their minds to the fact that the complexities of the Vietnam problem cannot be smoothed away by committing more men, guns, and bombs to the further destruction of Vietnam. The senseless killing of men, women, and children in Vietnam brings us no closer to a just and honorable peace in that part of the world. Such devastation by American military power only serves to revive all over again terrible memories of the tremendous atomic destruction visited on Asiatics by American military might during World War II. Is it any wonder that except for South Korea, Australia, and New Zealand the heads of state and majority of people of other Asiatic nations are hostile to our intervention in Vietnam?

There is, of course, no simple solution to the Vietnam problem. I have urged in the past, however, and I urge again today, that an attempt be made to return to the Geneva accords of 1954 which provide for a unified Vietnam after national elections. Both President Johnson and Ho Chi Minh have stated their willingness to abide by the Geneva accords. An attempt should be made now to bring all parties, including representatives of the Vietcong, to the negotiating table to end the needless destruction. Delegates representing the Vietcong or National Liberation Front must be seated along with delegates of the Hanoi Government and delegates of the Saigon regime and of the United States.

In the New York Times recently there was a statement:

> We have no choice but to live this tragedy out until a new administration dares explore and espouse some other direction in our international involvement.

I pray that we Americans should not have to live out this tragedy until 1969 or 1973.

Instead of escalating the war in Vietnam let us hope that administration leaders will give continuing topmost priority to making every possible effort to seek a cease-fire and an armistice in Vietnam. We are confronted with the necessity of doing this or probably increasing our Armed Forces in southeast Asia from 400,000, which is our present situation, to 800,000 before next December.

As a first step toward this I propose that our President offer a pause in our bombing of North Vietnam targets for a period of 15 days commencing very soon. Then a definite statement should be made that delegates representing the Vietcong will be met by our delegates across the table at any conference seeking a cease-fire and an armistice. The National Liberation Front is not a government, but it is, however, the political arm of the Vietcong.

If our Commander in Chief is sincere, which I believe he is, in his desire to bring about a cease-fire and peace in Vietnam, he will definitely state that delegates representing the Vietcong or National Liberation Front will be accepted as parties to negotiations to try to work out a settlement. Also, of course, delegates of the Saigon and Hanoi Governments should be required to send delegates to such a conference.

Then we should strive under the auspices of the International Control Commission or the United Nations to neutralize North Vietnam and South Vietnam. Our firepower in recent months has been so tremendous and so many civilians—men, women, and children—have been killed by our bombing in addition to the deaths incurred in the Vietcong combat forces, that now may be an opportune time for us to reinstitute in an aggressive manner, our offer to negotiate a settlement of the war.

Let us reason together and win the respect and admiration of heads of state of the free nations in Asia, Europe, and the Western Hemisphere by offering to withdraw our Armed Forces to our coastal bases if definite moves toward a cease-fire and an armistice in Vietnam are seriously undertaken by officials representing the Hanoi Government. Then, if peace is achieved and Vietnam is neutralized, let us withdraw altogether our Armed Forces in Vietnam and do that as expeditiously as possible.

TRIBUTE TO SENATOR WARREN G. MAGNUSON

Mr. PASTORE. Mr. President, I am sure that it is not necessary here in the Senate to argue that travel—domestic and international—is big business.

As Senators we are directly involved in its problems and largely responsible for its orderly development as an important element of our economy.

Our senatorial responsibility is vested in the Committee on Commerce on which I have the honor to serve. This is an honor magnified—and I mean no play on words—by our chairman, WARREN G. MAGNUSON.

His leadership has been an inspiration and we share in his reflected glory as Senator MAGNUSON is honored by the travel industry for his zeal in establishing the U.S. Travel Service.

Chairman MAGNUSON's devotion in this area was well documented by the Honorable Robert T. Murphy, Vice Chairman of the Civil Aeronautics Board, at a Washington function last Thursday.

This was a luncheon at the Mayflower Hotel given by the Board of Directors of the American Society of Travel Agents in honor of Senator MAGNUSON.

The affair pinpoints our official effort to reach all points of the free world with the hearty message that America wants them to visit us.

By the way, the October meeting of this 35th anniversary of ASTA will be in Seattle in the home State of Senator MAGNUSON.

Vice President HUMPHREY sent a characteristic telegram of congratulation to the gathering. I ask unanimous consent that both this telegram and Mr. Murphy's speech be included in the body of the RECORD at this point in my remarks.

There being no objection, the telegram and the address were ordered to be printed in the RECORD, as follows:

OFFICE OF VICE PRESIDENT,
June 22, 1966.

Mr. IRVIN M. FRANKEL,
President, American Society of Travel Agents,
Room 772, Mayflower Hotel, Washington, D.C.:

The American Society of Travel Agents plays a tremendously important role—not only in our great travel industry but in the American people's enjoyment of the good life. Please convey my warmest congratulations to your fellow officers and directors on ASTA's 35th anniversary. ASTA is to be commended for its devotion to professionalism and ethics.

What a great guest of honor you have. Your citation to Senator WARREN G. MAGNUSON is a well-deserved tribute to one of the finest, ablest Members of the Senate. I am proud to be MAGGIE's friend and to have been his teammate for many good causes. I salute him and appreciate your honoring him.

Best wishes for an outstanding board meeting.

HUBERT H. HUMPHREY.

Remarks by the Honorable Robert T. Murphy, Vice Chairman, Civil Aeronautics Board, at Luncheon of American Society of Travel Agents Honoring Senator Warren G. Magnuson, Mayflower Hotel, Washington, D.C., June 23, 1966

It is a distinct pleasure and privilege to join you, the members of the Board of Directors of the American Society of Travel Agents, and your other distinguished guests in paying tribute to Senator WARREN G. MAGNUSON, the noted Chairman of the Senate Commerce Committee, for his outstanding leadership in encouraging the development of travel and tourism and promoting the welfare of the travel agency industry. Certainly, there is no person in the Congress or in the Country more deserving of this award.

As some of you know, I had the good fortune to work closely with Senator MAGNUSON for some years as a member of the staff of the Senate Commerce Committee prior to my service on the Civil Aeronautics Board. Consequently, I have firsthand knowledge of his constant and ardent support of the development of air transportation as well as some of the many specific contributions which he has made to the establishment and maintenance of a sound national transportation system in all facets and all its modes, including water, rail and surface, as well as air. One impressive example of his personal achievement in the field of your special interest is the creation of the United States Travel Service which is directly and wholly attributable to Senator MAGNUSON's legislative leadership. Clearly, as a man of vision, he was years ahead of all of us in his insistence upon the beginning of some sound Federal interest in the promotion of travel to the United States with proper emphasis upon the monetary benefits which would result from such an organized promotional effort.

Aviation and the air transport industry in particular, is greatly indebteded to him not only for his active aid and assistance on legislative matters lodged in the Senate Commerce Committee, but also for his invaluable help and assiduous support in the Senate Appropriations Committee where the funding of aviation programs must be authorized in order to be effectively implemented.

The scope of the jurisdiction of the Senate Commerce Committee is of such magnitude and the volume of its business so great as to impose a very heavy burden of responsibility upon its Chairman—a responsibility which has been discharged with fidelity to the public interest and with the courtesy to all who come before it. As many of you know, the Committee is responsible for the legislative review, not only of the work of all of the transportation agencies and commissions, but also for the functioning of almost all of the Federal regulatory agencies, including the Federal Power Commission, the Federal Communications Commission and the Securities and Exchange Commission, among others. Certainly, no other man in the country has a more intimate knowledge of this whole wide spectrum of Federal administrative law, including all aspects of transportation law, than your distinguished guest of honor today. Yet, he has always found the time to devote his energies to important work on other committees, including the Appropriations Committee and the Senate Committee on Aeronautical and Space Sciences, without compromising his effective leadership in all matters of prime concern and importance to the many subcommittees of the Senate Commerce Committee. In him we have not only a supervisor, but a friend and loyal supporter as well. I am very happy, indeed, to say that our distinguished Chairman, Charles S. Murphy, and my colleagues, Joe Minetti, Whitney Gillilland and John Adams, have asked me to especially convey their very warm and affectionate regards to him as well as our congratulations to the ASTA Board of Directors for their perspicacity in selecting him for this special citation of merit.

I have no intention of indulging in any lengthy speech which might otherwise mar what has been a very pleasant occasion. But I know that some remarks are expected and I assume I would be derelict in accepting your hospitality were I not to make some few brief comments.

It is particularly gratifying for those of us in Government to note that one of the chief purposes of your present meetings here in Washington is in connection with the promotion of the "Visit U.S.A." and "Discover America" programs—programs which are clearly in keeping with the President's desire to alleviate the balance of payments deficiency in the field of travel and tourism. During a period of relatively high disposable income those of us interested in air transportation should devote every effort to making available to more of our foreign friends, as well as our own citizens, the special attractions of natural beauty, culture and climate which are found in such wide variety within the United States. At the present time an appropriately priced and appropriately packaged air transportation product can be sold to an increasing percentage of the tourist market. Stimulating this vacation travel market is particularly within your competence and ability and, clearly, you have a unique role to play with respect to it. All of us commend your efforts in this promotional endeavor and trust that your further concentration on this subject at the forthcoming Annual Meeting in Seattle will be highly productive.

Of course, we are aware of some special problems, the resolution of which would most likely facilitate your promotional efforts in selling America to more and more of your clients. Recently, our able Chairman, Charles Murphy, gave some very direct and interesting comments on these problems during the course of his testimony before the Select Committee on Small Business of the House of Representatives in which he noted the special desire and interest of the Board in assisting in the resolution of them. I am sure that most of you are familiar with the views he expressed regarding the level of commissions in domestic and international travel and the feasibility of working out an acceptable system for the allocation of free or reduced rate transportation so that the incentives for travel agency activity in the sale of domestic transportation can be at least as favorable as those which exist for the sale of international transportation. Hopefully, your recently launched and jointly financed study of the role of the travel agent in the merchandising of air travel will provide us with a better understanding and appreciation of how some of these matters can be resolved in the overall public and national interest.

In this connection, let me say that all of us are pleased with the continuing dialogue between the carriers and yourselves and the better rapport which has been achieved during the past few years through these mutual exchanges of views. If the carriers and the agents can achieve a satisfactory ordering of their respective interests, such a result would be preferable to requiring the Board to impose its own judgment in these matters. Naturally, we are ready and willing to exercise the responsibility delegated to us by the Congress in passing upon the Air Traffic Conference and International Air Transport Association agency resolutions, but we are also desirous that you seek to achieve mutually satisfactory agreements with the carriers in the first instance.

As Senator MAGNUSON would say in guiding a bill through Committee, "This may require a little giving as well as taking."

I think it is fair to say that the Board is quite desirous to solicit the good will and the support of this society and that of the carriers in coordinating every effort to alleviate the balance of payments deficiency in the area of tourism and, thus, implement the President's program along these lines. You may be assured that every consideration will be given to reasoned positions of the travel agents in resolving this important public issue.

Finally, let me say that, in my judgment, this Society has served a very useful function in bringing to bear on carrier-agent problems a degree of statesman-like leadership so that there has been a steady improvement in the past few years in that relationship which is so important to the whole air transportation industry. This has been particularly gratifying to the Civil Aeronautics Board. The Society, also, has intervened in a number of important cases at the Board and we have come to value its views and to accord great weight to its evidence in the record. While we know that there are some pending problems of rather major and intricate proportions, I venture the hope that with your continued good sense and good will these will be resolved without acrimony and in the overall national interest.

I compliment you for your achievements and thank you most sincerely for your kind invitation to participate in this special luncheon honoring Senator MAGNUSON today.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERFAITH DAY

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a joint resolution to designate the fourth Sunday in September of each year as "Interfaith Day." This joint resolution was first introduced by Senator Keating and myself in the 88th Congress and was introduced in the House last week by Congressman KUPFERMAN, of New York.

The joint resolution is built upon our belief in brotherhood—a belief, after all, upon which this country was founded and upon which we have built our present greatness. Here is an opportunity to act on that belief; an Interfaith Day observed by all Americans, regardless of sect or creed, would encourage mutual understanding between all people of good will.

Indeed, such understanding is necessary to promote brotherhood and bring an end to religious discrimination, which is so divisive and so contrary to American traditions and guarantees of freedom of worship.

This country is moving toward a breaking down of religious barriers, and an end to rigid differences between all religions. This is fitting and proper, and is consistent with the spirit in the Constitution. In the pause granted us by the observance of an Interfaith Day, each individual may participate in the way he deems most appropriate, and at the same time, all Americans will be united by a common bond of religious freedom. Such observance will give us all the opportunity to reiterate and renew our belief in brotherhood and religious freedom, and therefore I urge passage of this resolution.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 173) designating the fourth Sunday in September of each year as "Interfaith Day," introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on the Judiciary.

HEMISPHERIC DECISION NEEDED ON ARGENTINE MILITARY TAKEOVER

Mr. JAVITS. Mr. President, I wish to address myself rather deliberately to an event which has just been reported—as a matter of fact, it has hardly caught up with the press—and that is the military takeover in Argentina last night.

Within the past few weeks I returned from Argentina, where I had the opportunity to confer with leaders of their Congress, with their President, Dr. Illia—who, we are now advised, has been removed by the military—and with many leaders of business and government, cabinet officers, and so forth.

When I was there, the air was full of rumors concerning a military takeover. I have given the matter considerable thought and considerable development in terms of policy, and I should like to lay this question before the Senate at this time.

The military takeover of the constitutional government of President Illia of Argentina last night because of the armed forces' fear of the growing strength shown by the Peronistas at the polls, and fear of possible collusion between Peronist leaders and certain sections of the armed forces is a tragic development for Argentina and the hemisphere. I say this having personally observed conditions in Argentina recently.

It may be argued that this military takeover was necessitated by the ineffectiveness of the present government in dealing with basic economic and political problems of the country. But it may be argued with equal persuasiveness that however transitional may be the entry of the armed forces into the political affairs of Argentina—or any Latin American country for that matter—this coup is a manifestation of political immaturity and instability which has become and will increasingly become damaging to Argentina's development and the development of free institutions in Latin America and should not be favored by the United States.

I urge the administration to delay U.S. recognition of the new regime until satisfied that the government in Argentina will be restored to constitutional civilian authority. I also urge our Government to call for the immediate convening of the OAS Council of Ministers to adopt an appropriate policy for the hemisphere toward Argentina.

We must find some way of showing our disapproval of these military takeovers and we must find a realistic sanction against them. Immediate recognition of the military regime or other forms of approval or acquiescence will only give encouragement to other military groups throughout Latin America that are impatient with constitutional government.

I am very glad to note from the ticker which has just been handed to me that the United States has suspended diplomatic relations with Argentina. I welcome the action of our Government in suspending diplomatic relations with Argentina.

Only by avoiding immediate recognition of this military regime can we escape the negative consequences of the Dominican Republic experience. Our immediate recognition of the junta which overthrew the freely elected government of Juan Bosch further exacerbated our fragile relations with our Latin American neighbors.

There is a juridical basis for this position. Resolution 26 adopted at the Second Special Inter-American Conference in Rio de Janeiro in November 1965 clearly makes a displacement of elected civilian government a matter of inter-American concern. The resolution calls for consultations immediately following the overthrow of a constitutional government. It also established two conditions before recognition should be given to de facto governments: First, an expression by the de facto government of its purpose to hold free elections within a reasonable period; and, second, willingness by that regime to fulfill the international obligations assumed previously by its country, to respect human rights and to comply with the commitments assumed by the signatories of the Declaration of the Peoples of the Americas and the general principles of the Charter of Punta del Este adopted in August 1961.

This takeover in Argentina makes it imperative that the OAS establish a policy of collective consultation and action of a binding character to determine—by a two-thirds or three-fourths vote of the members of the OAS—whether or not the nations of the hemisphere should establish diplomatic relations with a regime brought into power in a member state by the overthrow of a duly elected constitutional democratic government. Resolution 26 is not now mandatory.

Mr. President, I ask unanimous consent that the resolution be printed in the RECORD at this point as a part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

XXVI. INFORMAL PROCEDURE ON THE RECOGNITION OF DE FACTO GOVERNMENTS

Whereas: The various instruments of the inter-American system have established and reiterated the principle that, in order that there may be real harmony and solidarity among the American states, it is essential that the effective practice of representative democracy be exercised in each one of them;

Consequently, the overthrow of a government and its replacement by a de facto government could be dangerous to the peace and solidarity of the hemisphere, and is therefore the subject of concern on the part of all the American states;

Through Resolution XXXVI, the Ninth International Conference of American States charged the Inter-American Council of Jurists with the preparation of a draft statute on the recognition of de facto governments, a task which it has not yet been possible to carry out; and

Until such time as said statute has been drafted, it is desirable that an informal procedure on the recognition of the de facto governments be established,

The Second Special Inter-American Conference resolves:

1. To recommend to the member states that, immediately after the overthrow of a government and its replacement by a de facto government, they begin an exchange of views on the situation, giving due consideration to whether or not the overthrow of the government took place with the complicity and aid of one or more foreign governments, or of their respective officers or agents.

2. To recommend that the governments member states, in the exchange of views provided for in the preceding article, consider the following circumstances:

a. Whether the de facto government proposes to take the necessary measures for the holding of elections within a reasonable period, giving its people the opportunity freely to participate in the consequent electoral process; and

b. Whether the de facto government agrees to fulfill the international obligations assumed previously by its country, to respect the human rights expressed in the American Declaration of the Rights and Duties of Man, and to comply with the commitments assumed by the signatories of the Declaration of the Peoples of the Americas and the general principles of the Charter of Punta del Este.

3. To recommend that, once opinions have been exchanged, each government decide whether it will maintain diplomatic relations with the de facto government.

Mr. JAVITS. Mr. President, I can well understand the concern of Argentinians about the possible return of Peronism as a dominant political force in Argentina's life. But, the patriotic leaders and citizens of Argentina should have insisted and should continue to work for change within Argentine society by building effective political organizations and by developing programs which would provide the Argentine people with a democratic alternative.

Democracy is a very difficult political system, yet it has been proven by history to be the soundest approach to serving the best interests of the people. It is more important to uphold the democratic system than to undermine it through a temporary military solution that can only postpone the time when Argentina's fundamental problems must be met.

I strongly urge the administration now that it suspended diplomatic relations with Argentina not to be hasty in recognizing the new Argentine Government lest through this act we dishearten those elements throughout Latin America who—through great sacrifices—are attempting to meet Latin America's burning problems within a democratic framework.

I strongly urge that the administration use all its prestige and influence to encourage the return of constitutional government to that country.

THE CHRONIC DRUNK

Mr. JAVITS. Mr. President, indicative of the growing awareness throughout the Nation of the problem of alcoholism is the series of four articles by Tom Connolly and Cliff Smith which appeared in the Rochester, N.Y., Times-Union.

The statistics of alcoholism are grim—5 to 6 million alcoholics, the Nation's fourth most serious health problem, shortened life span, and an alcoholic death rate 2½ times that of the normal population, and a cost to business and industry of some $2 billion annually. But incapable of measurement by any statistics is the heavy burden on the family and friends of the afflicted individual. And alcoholism takes a further toll of innocents through high crime and accident rates, especially accidents on the Nation's highways.

Early this year I introduced the Alcoholism Control Act in 1966—S. 2834—to establish a research and Federal grant-in-aid program for the treatment, education and prevention of alcoholism. This measure is presently pending before the Senate Subcommittee on Health, and I am hopeful that consideration may be given to it within the year.

The Rochester Times-Union merits the approbation of the community for its series of articles. It has rendered a public service in an area where greater public understanding can be the means to achieving effective progress.

I ask unanimous consent that the series of four articles may be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Rochester (N.Y.) Times-Union, May 23, 1966]

THE CHRONIC DRUNK: 9 YEARS IN PEN FOR INTOXICATION

(By Tom Connolly)

Nine years in the county penitentiary. Arrested 122 times for public intoxication. One of the heaviest court records on file here.

That's the record of a Rochester man who will be released shortly from the Monroe County Penitentiary just in time for his 48th birthday.

It is a record of a common drunk—an alcoholic. And it is fairly typical in that it serves as an example of the baffling problem facing the courts, police, social workers, and others who deal daily with the alcoholic.

The record on this man began Dec. 16, 1946, a short while before Christmas, and not too long after World War II. He was 28.

He was arrested on Monroe Avenue and charged with public intoxication. At the time, he worked as a grinder in a machine shop.

It was his first arrest. The judge ordered a suspended sentence. His last arrest was April 30 of this year.

Police picked him up at 9:30 p.m. on Howell Street. The arrest blotter stated he had wandered into the path of a car and was grazed, but not hurt.

The judge ordered a 30-day penitentiary sentence.

If the man can stay sober for several days when he gets out, he will observe his birthday next month outside the "pen". But chances are against it, based on his past record.

Since that first arrest, the man has appeared before 12 different City Court Judges.

Each judge has seen him several times.

In that time one judge, John P. Lomenzo, went on to become secretary of state. Another, Henry E. Gillette, became city mayor and councilman. George D. Ogden was elevated to the County Court bench. Other men retired. Some were defeated in election bids. Others are still serving.

In all, they handed down sentences totaling 107 months for the man in question.

Dozens of other times, he forfeited bail of from $5 to $10.

He got suspended sentences many times.

His court file here includes seven "record cards." Each card has 11 spaces to a side for marking an arrest and disposition of the case.

For this man, four of his seven cards are filled on each side. The other three are filled on one side, and partly filled on the back side.

When he was arrested last September he said he was a trucker's helper. In his several arrests since then, he reported he had no job.

Mostly, since he first met with the law in 1946, the man has listed himself as unemployed.

Some of his jobs, when he worked, included: foundry worker, laborer, grinder, and pin setter.

His addresses here have included low-priced downtown hotels, rooming houses, flophouses . . . since torn down . . . the Men's Service Center. Many times when he was picked up he told police he had no home.

His "police blotter profile" reads:

Male. Single. White. Born in Rochester. 5 feet 10, 165 pounds. Black hair. Blue eyes.

It lists no relatives or parents for police to notify.

The man's last overnight address before he began another of his many "pen" terms was:

Cell 57 at Police Headquarters.

[From the Rochester (N.Y.) Times-Union, May 24, 1966]

THE CHRONIC DRUNK: COURT'S TOUGH PROBLEM

(By Tom Connolly)

One of every four cases in City Court involves a public drunk.

In the last 6 years more than 30,000 cases of public intoxication have been handled here.

An estimated 3,000 hard-core, chronic drunks pass through the courts here, according to Edward Tejw, chief complaint clerk for the City Court's Criminal Branch.

"Chronic alcoholics arrested on charges of public intoxication are one of the court's biggest problems," he says.

"Many of the court cases represent several charges against the same person . . . the type we call a repeater."

Last year there were 5,132 cases of public intoxication handled in City Court. The year before there were 4,620. In 1960 there were 6,031.

How are drunks dealt with in court?

"The physical and economic condition of the offender must be taken into careful consideration," says Tejw.

"Those who appear badly affected by alcohol might be hospitalized for several days.

"Penalties can run from a suspended penitentiary term to a 6-month sentence. Thirty days is about average."

Tejw says a prison sentence does little except keep a drunk away from liquor while he's in the pen.

City Court Judge James P. Sheehan termed as "ridiculous" a petition before Supreme Court to declare punishment of a chronic alcoholic unconstitutional.

"Either they are publicly intoxicated or they are not," Sheehan said. "I don't know the answer but the trouble with many of these 'holler than thou' people is they are not exposed to the problem as we are."

Sheehan said he was referring to men "just completing sentences of 30 days, 3 months, 6 months . . . and they are right back in court days after their release."

"Many of them are more than drunks. They become panhandlers and annoy decent citizens on public streets. They don't want to do anything but slip into the easy life of being cared for by someone else."

"Who's going to spend the money to build comfortable homes and institutions for these chronic drunks who don't want to do much to help themselves?"

Alphonse L. Cassetti, City Court judge, is serving on a civic committee studying the needs and purpose of a new penitentiary. He suggested that in the future a chronic alcoholic may be handled in the Civil Branch rather than the Criminal Branch of City Court.

Cassetti said most alcoholics could not be relied upon to check into institutions on their own for treatment. He said it would probably be necessary for a civil commitment.

City Court Judge Emmett L. Doyle does not think prison terms are the answer but adds:

"The court has no choice except to either send them to the penitentiary or back to the streets.

"The repeaters are back in jail a few days after they get out of the pen."

Doyle, agreeing that the chronic alcoholic is apparently unable to help himself, commented:

"Right now there is no sensible place for them to be put. It's one of the toughest problems facing the court."

[From the Rochester (N.Y.) Times-Union, May 25, 1966]

THE CHRONIC DRUNK: A BURDEN ON THE COMMUNITY

(By Cliff Smith)

During his 35 years on Rochester's Skid Row, "Jim" was arrested nearly 400 times for public intoxication. Now he's alcohol-free, reunited with his family and running a successful painting and contracting business.

"He made it," says Robert E. Smith, director of the Health Association's Council on Alcoholism, "because, one, somebody cared whether he lived or died and, two, he stopped blaming his problems on everyone else."

Smith was one of the many alcohol experts who used to think that society had to wait until the drunk was ready before he could be helped.

"This is a myth," he says. "Whether on East Avenue or Skid Row, the alcoholic does not seek help. He must have someone do it for him. He has to be confronted with his problem and forced to change."

Dr. John L. Norris, Kodak Park medical director and nationally known for his work with alcoholics, says the problem of the chronic drunk has been "the ugly duckling of our society."

Only recently have the medical profession and others who come in contact with chronic drunks stopped sweeping the problem under the rug, but Dr. Norris says society's repulsion is understandable.

"Nobody likes to take care of them," he says. "They never tell the truth. The most any ever drink, you know, are two beers."

Chronic drunks never do what they're told, he says. "If given a prescription, they get impatient if they don't get an immediate reaction. Instead of waiting the prescribed time, they take three or four dosages when told to take only one."

And, says Dr. Norris, they've convinced themselves so completely of the excuses they give for being in trouble that they tell a story practically impossible to disbelieve for anyone who doesn't know them.

"But after you've been conned a few times, you get a little tired of it. This is the major reason why physicians, social workers, the caretakers of the community in general are actively disinterested in working with these people."

Although the problem is complicated because it involves the mentally, physically and spiritually sick, Dr. Norris believes it should be more vigorously attacked.

"When upwards of 50 per cent of all the work the police department has to do involves drinking, alcoholism and the chronic drunk—and goodness knows how much of the costs of welfare are related to this—I'd say it's a sizable problem."

Perhaps an indication of how little attention has been paid to the problem is shown by the disagreement over how many public drunks there are in Monroe County.

Smith estimates between 1,000 and 1,500. The Rev. Thomas B. Richards, director of the Men's Service Center, figures no more than 200 under custody at any given time, but doesn't know how many others may be wandering around loose.

However, Dr. William T. Hart, director of the Monroe County Psychiatric Hospital Unit, says only 200 to 300 of the estimated 20,000 alcoholics in the county could be considered Skid Row drunks.

"The chronic drunk is disappearing," he says. "Admissions for public intoxication to the County Penitentiary have declined from 1,800 in 1959 to 880 in 1964.

"But even with 200, it's a big burden on the community. It costs the penitentiary $6.50 a day for every commitment, not to mention 'downtown' services, depreciation on the building and other non-direct expenses."

Dr. Hart says the average inmate spends 90 days a year in the "pen" and if he needs hospitalization those costs run about $45 a day.

Smith estimates that each untreated chronic drunk costs the community from $50,000 to $100,000 and all of them are responsible for doubling the payrolls of the Police Bureau, the courts, County Jail and penitentiary.

The average drunk is not arrested for public intoxication until he's 28 and is not jailed until he's 40, Smith says. So it's usually at least 12 years before he's helped.

"Judges are reluctant to jail a man if he's got a job or a family," Smith says. "But alcoholism is a progressive and fatal disease, so many judges end up sentencing the man as a life-saving measure."

As the disease progresses, he says, the percentage of recovery diminishes. "When you wait until a man is in his 40s, 50s or 60s before getting help to him, the recovery rate drops dramatically."

Most drunks, Smith contends, want help but don't know how to go about getting it.

"They've developed a failure syndrome," he says. "They've been school dropouts, they've failed as a husband, they've failed as an employee and they're failures even as a drinker—they can't handle alcohol."

What would help most, he says, is a change in the public's prejudiced attitude toward the drunk, who is viewed as either no good and not worth helping or too sick to be submitted to any pressure.

The public should understand, he says, that there's no stereotype for the public drunk. "The only thing one has in common with another is his steady drinking."

[From the Rochester (N.Y.) Times-Union, May 26, 1966]

THE CHRONIC DRUNK: HOW TO TREAT ALCOHOLISM?

(By Cliff Smith)

On a recent visit to the Monroe County Penitentiary, Dr. John L. Norris met a 45-year-old inmate who said he's so afraid to talk to people on the streets that he's driven into taverns for security and companionship.

"These are the people we lock up because we're frightened of them," Dr. Norris observes. "I'm not in favor of being soft, but let's not be ridiculous."

Dr. Norris, a nationally recognized authority on alcoholism and chairman of the penitentiary committee of the Health Association's Council on Alcoholism, says the community has a fairly wide range of facilities for helping the chronic drunk.

"The major thing that's lacking is people who are sufficiently knowledgeable about alcoholism to do the work that has to be done," he says.

Because only recently has anyone tried to solve the problem, Rochester needs research and study to develop a sufficient supply of these knowledgeable people, according to Dr. Norris.

He proposes a major research facility in Rochester and is trying to convince the state to establish here the institute on alcoholism it is planning.

Ten counties have been mentioned as a possible site for the "fully developed, comprehensive public-private program to deal with alcoholism."

"It couldn't be done in New York City or Buffalo," Dr. Norris says. "You can't be too big because you've got to know the kind of people you're working with. But you must be big enough to get a good cross-section. Rochester is the ideal size."

Dr. Norris also favors more support in the Police Bureau for work with the chronic drunk. "Only one officer has been assigned, but he's so terribly busy with other duties, he doesn't have time."

He'd like to see a team of psychiatrists, medical doctors and social workers in City Court to help young people whose troubles are related to alcohol.

"Most of the people sent to the penitentiary have been in trouble for years," he says. "If they'd been caught when they were young, we could have done much more to change the pattern of their life's action."

The community today is not reaching this group at all "except by happenstance," he adds.

Dr. Norris also advocates a closer interrelationship among the courts, the Halfway House (which provides rehabilitative services for male alcoholics in a close family setting) and the alcoholic units at the State Hospital and County Infirmary.

Dr. Norris maintains the community has three choices of how and where to provide help for the chronic drunk:

County Penitentiary—Make it therapeutically oriented, beginning with a medical, psychiatric, social and, if needed, a criminal diagnosis for each commitment. Then a treatment plan should be provided.

"You'd need to build a staff and a program to accomplish this. You'd have to build attitudes, too, because a punitive attitude is not likely to help much."

Rochester State Hospital—Ten per cent of all people admitted to state mental institutions are admitted for alcoholism or a mental illness related to alcohol. And alcoholism is the only diagnosis under which people are being admitted in increasing numbers.

"But there aren't enough knowledgeable people on the state hospital staffs to provide enough treatment. And in attempts at making things as voluntary as possible, state hospitals are permitting the alcoholic to leave after he feels a little better, but almost always before he's ready."

Alcoholism can constitute disability for Social Security purposes according to a decision of U.S. District Judge Harold P. Burke this week.

Burke Tuesday overturned a ruling by a Social Security examiner in a case of a 45-year-old man who sought disability benefits as a chronic alcoholic who was unable to support himself because of his affliction.

He is an inmate at Attica Prison on a 1963 burglary and grand larceny conviction in Monroe County Court.

The man, Paul J. Schompert, had submitted evidence that he had been a patient in six mental institutions, two of which he escaped from, had been certified insane twice and diagnosed as psychotic six times, in addition to being arrested 60 times between 1950 and 1959.

When he had worked for brief periods, Schompert testified, he had worked as a laborer on construction and for several factories. Most of his jobs lasted only a few months.

Judge Burke, in his ruling, said the examiner failed to support his contention that Schompert could be cured "by the exercise of self control."

The ruling also will direct the Social Security Administration to pay benefits to Schompert's two daughters, living with their mother, first of his two wives, in Knowlesville, Orleans County. Both women are divorced from Schompert. Mrs. Schompert filed for the benefits for the children shortly after Schompert's application in 1964.

The judge's ruling directs the U.S. attorney to draw up a judgment against the Social Security Administration for final signing.

FACT AND FICTION IN VIETNAM

Mr. JAVITS. Mr. President, an article of vital importance by Charles Mohr appeared in the June 27 edition of the New York Times. Mr. Mohr's appraisal of the present Vietnam situation encompassed two themes—two themes of facts to clear up two fictions about the course of the conflict in Vietnam.

First. Massive U.S. firepower is beginning to produce positive military results, and in the opinion of most observers, there is little danger of our meeting the same fate as the French.

Second. There can be no victory in Vietnam by military means alone or even primarily by military means. The essence of the struggle, as Mr. Mohr describes, is "in the subtle battle to gain the allegience of hostile or indifferent parts of the rural population." As Mr. Mohr indicates, our Government has tried to prove too much by battle statistics and too little by full-scale efforts for socioeconomic and political reform Statistics can be very misleading.

Third. The morale of the U.S. soldier is high and he believes that with continued support here in the United States he can perform his task successfully in Vietnam.

I ask unanimous consent to have Mr. Mohr's article inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 27, 1966]

MANY IN VIETNAM SAY OPINION IN UNITED STATES IS KEY TO VICTORY—G.I.'S TEND TO FEEL THEY CAN WIN THE WAR IF PERMITTED TO REMAIN LONG ENOUGH

(Following is the first of three articles appraising the military situation in South Vietnam by the chief correspondent of the New York Times in Saigon.)

(By Charles Mohr)

SAIGON, SOUTH VIETNAM, June 26.—An American major general was recently questioning a North Vietnamese captain who had deserted. The general was curious about the enemy's policy on rotation of troops.

"American troops can go home after 12 months," said the general. "When do your leaders say you can go home?"

"They say we can go home when we win the war," answered the captain.

"What do you think?" asked the general.

"I think we can go home after you win the war," said the captain.

Who is winning in Vietnam today?

The North Vietnamese officer is one of many people who think the United States, the South Vietnamese and the South Korean, Australian and New Zealand allies are clearly winning.

Hardly anyone in Vietnam argues that the United States is losing or is in danger of a military fiasco like the one the French met at Dienbienphu.

POLITICAL BATTLE NOTED

Yet there is a small body of men who believe that the United States is not losing but is not winning either and will not begin to win until there has been some success in the subtle battle to gain the allegiance of hostile or indifferent parts of the rural population.

The widest feeling of all, however, is that the outcome will be decided by public opinion in the United States. In a real sense, the United States forces in Vietnam are fighting a war while looking over their shoulders toward home.

A battalion commander sitting on a case of C rations and a private picking leeches off his leg on a jungle trail tend to say the same thing: The war can be won if the

American troops are given enough time, but they are not sure they will be granted this time.

"IT'S GOING TO TAKE TIME"

"There's a lot I probably don't know," said a lieutenant colonel recently, "but the one thing I do know after almost a year of fighting here is that it is going to take time.

"I don't personally believe it will take a lot of time, but I'm not sure. That is what it makes it hard to know if the public will put up with it long enough."

Much of America's public-affairs policy regarding the war has been built on an insubstantial foundation of statistics and psychological estimates of the enemy.

Far too little of this policy has been built on more substantial factors—the growing American mastery of the terrain and of guerrilla war tactics and the basic courage, anti-Communism and tenacity of the South Vietnamese.

The most important thing to realize is not that statistics are unreliable but that they are meaningless in themselves. Statistically, the entire Vietcong force in South Vietnam has been destroyed and, presumably, replaced with new troops.

The statistics matter little. The fact that more than 200,000 enemy troops are still fighting matters a great deal.

No discussion of the progress of the war in Vietnam can go far without an examination of statistics, which have become so important for two reasons. One is that in a war without front lines or territorial gains, statistics seem to be the only measuring rod of success. The other reason is that United States officials have made them so important.

HOW THE FIGURES ADD UP

Statistically, the war has been won several times already.

According to official figures, about 57,000 Vietcong guerrillas and North Vietnamese army regulars have been killed in action and counted on the battlefield since Jan. 1, 1965.

Some American officials in Vietnam have grave doubts about the validity of this figure. The gravest qualms result, however, not when the figure is discounted but when it is accepted, even if only for the purpose of argument.

Statistics on the Vietcong wounded are not announced because only a relatively few wounded prisoners are ever seen. But, by the most conservative estimate possible, the Vietcong suffer two wounded for every man killed in action. A more realistic estimate might range from 3 to 1 to 5 to 1.

This would mean that 114,000 more of the Vietcong have been wounded, many of whom would have died in their primitive field hospitals. To this total could be added 20,000 men in the category of "killed but dragged away" and victims of illness such as malaria.

COUNTING OFTEN DIFFICULT

If the original "body count" statistic is accepted, a conservative conclusion is that in less than 18 months the Vietcong have suffered a total of at least 200,000 casualties and other troop losses.

The concept of body-count figures is unrealistic in some circumstances.

After certain battles it is possible to count bodies with some accuracy, although anyone who has watched three platoons of one company move out into the scrub can easily believe that duplications in counting may take place.

At other times it is impossible to count bodies. But the pressure from the top to do so continues.

One morning late last year, when the nine-day siege of the Special Forces camp at Pleiku was being lifted, Maj. Charles Beckwith, a grizzled man in a dirty camouflage "tiger suit," was told by his radio operator that the chief of staff in Saigon wanted an immediate body count for a military briefing.

INFLATED FIGURE USED

"We haven't even been outside the wire yet," snapped the major. "Tell them I'm not going to give any figure until I can count."

In the end Maj. Beckwith and his men counted a little more than 40 bodies on one side of the camp, the only area they could cover that day. But the figure already announced in Saigon was about five times that big.

In a more recent action in the Central Highlands, a company commander who had been under heavy attack in a tight defensive perimeter received a request for a body-count figure. He radioed one of his platoon leaders to ask what the officer could tell him.

"I don't know, Captain," said the lieutenant. "Maybe 3 or 5 or 15. Put me down for 15 and I'll try to find them for you in the morning."

A RAY OF HOPE FOR THE GENEVA DISARMAMENT TALKS

Mr. JAVITS. Mr. President, the Geneva Disarmament Conference has been deadlocked ever since the signing of the nuclear partial test ban treaty. There is, however, a positive side for a breakthrough, as indicated in a story by John Finney in the New York Times of June 27.

Reporting on the results of a private conference on arms control in Canada, Mr. Finney reports that both Soviet and American representatives to this conference seem to support a new proposal. The proposal is to extend the partial test ban to underground tests for a limited trial period, during which a system of "verification by challenge or invitation" would be tried out by the nations concerned.

The trial nature of the approach would be a sensible way to break the present deadlock and to establish the good faith necessary to a future formal agreement.

I urge the governments concerned to give serious consideration to this proposal.

I ask unanimous consent to have Mr. Finney's report inserted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, June 27, 1966]

Trial Suspension of All Atom Tests Backed at Parley—Plan on Underground Blasts Supported Unofficially by U.S. and Soviet Aides—Hope for Accord Seen—Private Groups, Meeting in Canada, Call for System of Checks by Invitation

(By John W. Finney)

Scarborough, Ont., June 26.—With the support of American and Soviet officials, a proposal for an experimental suspension of underground nuclear tests was advanced here today by a nongovernmental conference on the problems of preventing the spread of atomic weapons.

Behind the proposal, which caused considerable excitement and interest among disarmament officials of both Western and Communist nations, was the hope that it might break the East-West impasse on a full ban on atomic tests. The Moscow treaty of 1963 bans all but underground tests.

The proposal calls upon the nuclear powers, the United States and the Soviet Union in particular, to forego all underground testing for a limited "trial period." During that period, a system of "verification by challenge or invitation" would be tried out by the nuclear powers.

PROCEDURE IS PERMISSIVE

Thus, in the event of detection of a suspicious seismic disturbance, the suspecting nation would raise a challenge as to whether the other side had violated the moratorium by conducting an underground test. The accused nation, in turn, could "invite" foreign observers into its territory to establish whether the seismic disturbance had been caused by a nuclear explosion.

The four-day meeting, called the International Assembly on Nuclear Weapons, was sponsored by the Canadian Institute of International Affairs, the Institute for Strategic Studies of London, the Carnegie Endowment for International Peace, and the American Assembly of Columbia University.

The meeting was regarded by veteran diplomats in the disarmament field as one of the most successful, potentially productive private disarmament conferences held in recent years. It brought together some 60 disarmament officials and specialists from 25 countries.

Among the high officials participating in the conference were Adrian A. Fisher, deputy director of the United States Arms Control and Disarmament Agency; Prof. V. S. Emelyanov, chairman of the Soviet Academy of Sciences' Commission on the Scientific Problems of Disarmament, and Lord Chalfont, the British Minister for Disarmament.

PRIVATE NATURE HELPFUL

The officials attended the meeting in a private capacity, a fact that at times permitted them to go beyond the official positions of their governments. The experimental moratorium was proposed by an American official, supported by Soveit participants and then endorsed by representatives to the assembly.

The proposal is designed to get around the eight-year impasse between the Soviet Union and the United States over how to safeguard a ban on underground tests. Because of the difficulty of distinguishing with detection instruments between earthquakes and explosions, the United States has insisted on some on-site inspections.

The Soviet Union has refused to accept any international inspections, asserting that they were technically unnecessary and would be a subterfuge for espionage. Thus the strictures of the 1963 treaty did not include underground explosions.

One veteran disarmament official said the meeting and the proposal it engendered could prove to be "a historic turning point" in resolving East-West differences over inspection. The hope was that the experimental moratorium, if adopted by the United States and the Soviet Union, could demonstrate that the challenge-and-invitation system worked and thus pave the way for a permanent treaty banning all underground tests.

To a certain extent, the proposal is a variation of a suggestion for "inspection by challenge" advanced in the past by Sweden but rejected by the United States. But certain seemingly semantic changes were made to satisfy both the United States and the Soviet Union.

Instead of a moratorium, an approach resisted by the United States, an "experimental suspension" for "a limited trial period" was proposed. To meet Soviet objections, the proposal talks about "verification" rather than inspection. But it was clearly understood that the verification could involve some form of inspection, although not necessarily by an international or American team at the outset.

If the United States is willing to consider the proposal now, it is partly because of advances in seismological detection techniques that are said to have resulted in a tenfold reduction in the number of unidentifiable seismic events that had been expected in the Soviet Union. Furthermore, it is hoped that approval can be won for a "nuclear detection club" proposed by Sweden, in which several nations would collect and exchange seismological data.

POLITICAL PRESSURE CITED

But there are also political pressures on the United States and the Soviet Union.

One of the important themes to emerge from the conference, summed up in the assembly's final public report, is that there is growing impatience among nonnuclear states over the slow progress of the two major powers toward a nonproliferation treaty or a comprehensive test ban. The nonnuclear states are raising their price for acceptance of a nonproliferation treaty that would apply to them.

Throughout the conference and again in the final report, the representatives of the nonnuclear states persistently and forcefully advanced the concept that there should be "equality of obligation." They insist that if they are to give up nuclear weapons the nuclear powers must take some related steps to reduce their arms race.

In a speech before the assembly, Mrs. Alva Myrdal, the Swedish representative to the Geneva Disarmament Conference, even proposed that discussion of a nonproliferation treaty postponed in favor of consideration of agreements to cut off the military production of fissionable materials and a comprehensive test ban.

The political pressure on the United States is coming not only from the nonaligned states but also from such close allies as Canada. In a speech last night before the assembly, Prime Minister Lester B. Pearson declared: "It is unreasonable to expect nonaligned countries to renounce in perpetuity modern methods of defense, if the nuclear powers themselves are not prepared to accept some restraints and parallel obligations, such as the extension of the nuclear test ban to underground testing."

BENEFITS OF FEDERAL EDUCATIONAL PROGRAM IN UTAH

Mr. MOSS. Mr. President, the benefits of a Federal educational program which began in Utah last year are now just beginning to be realized. Last year, when the first grants from the Department of Labor were announced for Manpower Development and Training Act programs in Utah, there seemed to be much skepticism about the possible success of a federally financed program which was designed to train school dropouts in a vocation.

Now, that skepticism about the manpower development program seems to be disappearing, at least in one central Utah community.

I ask unanimous consent that an editorial from the Richfield Reaper be reprinted in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TECH GRADS MARK NEW ERA

The graduation of 18 southern Utah men from Sevier Valley Tech's auto body class could make the beginning of a new era in vocational training in this area.

The class, which began a year ago, is the first to graduate from a single federally-sponsored course since the school was first established.

This particular program was significant, in that 14 of the 18 men had either obtained employment, or had been offered employment in their newly trained field, at the time of graduation.

It has been and is now, our feeling that the less federal dabbling and control in our schools, the better off they are. In this particular instance, however, we feel that the funds—nearly $113,000—will have been well spent, provided the men are able to prove the program did the job it was intended to do.

In areas such as ours, where agriculture is still the mainstay, and the constant threat of drouth and crop failure plagues us, the addition of a program, such as offered by Tech in the various fields of vocational training, has been a boon.

Additional adult classes, such as business practices, cosmetology and others, are also being offered to help put people into positions which will provide them with an opportunity to make a living and remain in the area to get the training, and in many cases, to work after being trained.

The trainees in auto body at Sevier Valley Tech may well be the "pilot" group to determine just how effective the vocational programs can be.

They will prove whether or not federal funds, such as the $113,000 in this program, have been well spent, or spent foolishly as so many millions of federal dollars are, and they may help to determine just how much we can afford to continue to spend in the vocational training of our citizens in the future.

Mr. MOSS. Mr. President, the editorial in this progressive Sevier County paper points up the skeptical attitude of many of the residents of the county at the time that the Labor Department's program was started.

The editorial points out, however, the fact that the successful classes resulted in 14 of the 18 students having jobs or job offers at the time of graduation.

In an area where agriculture has been, for many decades, the mainstay of the economy, the types of jobs which must be filled with trained personnel must be diversified. It is this role in the economy of Utah that is ably filled by the Department of Labor with such beneficial programs as the Manpower Development and Training Act.

RURAL ELECTRIC SYSTEMS AND LOCAL SERVICE AIRLINES WORK TOGETHER TO DEVELOP RURAL AMERICA

Mr. MOSS. Mr. President, I call attention to an informative article which describes how our rural electric systems and local service airlines have worked together to develop rural America. The article appeared in the spring issue of Management Quarterly, and was written by Mr. John Wright Dregge, Office of Congressional and Community Relations, Civil Aeronautics Board.

Senators are familiar with the modernization program of the local service airlines under which small jets are being put into service. We in Utah are fortunate to be served by three local service carriers—Bonanza, Frontier, and West Coast.

I ask unanimous consent that Mr. Dregge's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WORKING TOGETHER TO DEVELOP RURAL AMERICA: YOUR RURAL ELECTRIC SYSTEM—YOUR LOCAL SERVICE AIRLINE

(By John Wright Dregge)

When the Rural Electrification Administration was established in 1935 by Executive Order, an entirely new era for rural America was opened. Electric power was assured not only for the homes and farms of the United States, but also for the smaller cities and villages of our country that had been forgotten by our electric power system in the past.

To assume, however, that this great boon was to benefit only the farming community would be to take much too narrow a view of the potentials offered. It would be comparable to buying a fertile, tillable 250-acre farm, and then utilizing only ten or 15 acres to grow vegetables for home use, ignoring the possibilities offered for production of valuable cash crops on the remaining acreage.

POWER AND TRANSPORTATION ESSENTIAL

With the advent of electric power, the rural communities now had the tools with which to attract industry—the small and large businesses that bolster the economic life of an area and offer a diversification of enterprise not possible before. This opportunity, however, brought into play other ingredients that are essential to attracting such businesses—and one of the foremost of these ingredients is transportation.

Back in the days when the REA was ordered into being, rail transportation was by far the most important mode of passenger inter-city transportation. Since then, however, rail transportation has lost its position of eminence, and has fallen far behind in carriage of passengers. During 1964, customers spent about $2,800-million for intercity air transportation, reflecting a gain of more than 10% over the previous year. In contrast, bus revenues amount to only $671-million and rail passenger revenues to $492-million. It appears that air transportation has reached the position of leadership in passenger carriage that was held by other modes 30 years ago.

It follows, therefore, that if the rural communities, villages and cities receiving the benefits of electric power through the rural electric systems are going to realize the full fruits of such power, they must assure themselves of the availability of air service to their area.

AERONAUTICS BOARD PROVIDES MEANS

Another Federal agency, the Civil Aeronautics Board, has ably provided the means whereby air service is now operating in the smaller communities. Back in 1944, a landmark decision was issued in a case entitled "Investigation of Local, Feeder, and Pickup Air Service." In this decision, the CAB concluded that there was need for local and feeder air service to the smaller communities of the country. They recognized the fact that it was no more logical for the so-called trunk lines to provide local air service than it was for the New York Central Railroad to operate a local transit system.

TEMPORARY CERTIFICATES GRANTED

And so, over the next four or five years, the Board awarded temporary certificates of public convenience and necessity to several new air carriers—local service or feeder carriers. In each certificate awarded to this new class of carrier, the following paragraph was included:

"The services authorized by this certificate were originally established pursuant to a determination of policy by the Civil Aeronauties Board that in the discharge of its obligation to encourage and develop air transportation under the Civil Aeronautics Act, as amended, it is in the public interest to establish certain air carriers who will be primarily engaged in short-haul air transportation as distinguished from the service rendered by trunkline air carriers. In accepting this certificate the holder acknowledges and agrees that the primary purpose of this certificate is to authorize and require it to offer short-haul, local, or feeder air transportation service of the character described above."

CERTIFICATES MADE PERMANENT

By Act of Congress in 1955 the certificates of the local service carriers were made permanent. The local service carriers today are: Allegheny Airlines, Bonanza Air Lines, Central Airlines, Frontier Airlines, Lake Central Airlines, Mohawk Airlines, North Central Airlines, Ozark Air Lines, Pacific Air Lines, Piedmont Airlines, Southern Airways, Trans-Texas Airways, and West Coast Airlines.

In fiscal 1950, the local service carriers transported 802,528 revenue passengers. In fiscal 1965, they carried 11,262,524 revenue passengers. These carriers are subsidized by the Federal government, but the government and the taxpayers are getting better value from this subsidy each year. In fiscal 1950, the ratio of break-even need to commercial revenue for the local service carriers was 1.65; in the fiscal year ended June 30, 1965 this ratio had dropped to 0.22.

The total number of cities served by the local service carriers is 586, of which 186 are served by both trunkline and local service carriers, while 400 are served exclusively by the local service carriers.

TREMENDOUS ADVANCES MADE

Tremendous advances have been made in just the past five years. In 1960 the total local service carrier investment added up to only $57,700,000, and the overall rate of return earned on that investment was only 5.81%. By way of contrast, on June 30, 1965 this investment had grown to $122,300,000 and reported earnings before interest deductions were more than $15,800,000—a rate of 12.97% return on investment.

This has been a healthy development. Among other things, it has enabled the local service carriers to make the necessary investment for improved flight equipment. In 1960, 70% of all local service was performed in that heroic work-horse of the industry—the DC–3; in 1965, 73% of all local service was provided in more modern aircraft. It is safe to say that within the next few years, the DC–3 will be phased completely out of local service operations and small jets will be utilized exclusively by the local service carriers.

SERVICE IMPROVED

The frequency and quality of service has improved and traffic has responded accordingly. In 1962, 79 cities received less than two round trips daily and 120 generated less than five passengers daily. As of June 30, 1965, there were only 58 cities receiving less than two daily round trips and only 60 which generated less than five passengers per day.

This tremendous record that has been achieved by the local service industry in providing air transportation has complemented the accomplishments of the rural electric systems in providing electric power to our rural areas and communities.

BENEFITS TO COMMUNITIES NUMEROUS

The benefits of scheduled air line service to these communities and to the nation are numerous. New industries—which could take advantage of electric power provided by rural electrics, available man power, and choice land without the penalty of being virtually isolated from the world's major trading centers—were established in the smaller communities. Existing industries broadened their markets, diversified their products, expanded their plants and hired more employees. The advent of this modern form of transportation, together with the availability of electric power, has changed the whole atmosphere of the smaller community.

SMALL COMMUNITIES ALSO SERVED

Not all of the smaller communities can support even local service air transportation. But these communities are not necessarily shut out from the advantages of air transportation. The Civil Aeronautics Board has recognized a third class of carrier—the air taxi. Operating through the exemption process permitted by the Federal Aviation Act, air taxi operators are freed from the requirements of obtaining a certificate of public convenience and necessity to operate in air transportation. The main condition required is that they fly aircraft not exceeding 12,500 pounds gross weight; they are permitted to fly on a scheduled basis.

Recently the Board has also given them the authority to carry air mail as well as passengers and cargo. Many smaller communities are now receiving this type of service whereas they could not be served economically, either for the carriers or the Federal government, by the certificated carriers flying larger equipment.

STIMULATE AIR TRAFFIC

In the provision of air service to the smaller communities, there lies a real challenge to these rural areas. If the service is not utilized to the fullest possible extent, there is the possibility of losing this modern form of transportation—air transportation. The rural electric systems should stimulate traffic generation on the local service air carriers for they are essential to the economic life of the area they serve. They also provide the means for attracting and retaining the frosting to your cake—industrial plants that will utilize electric power.

CONCLUSION

Air transportation, therefore, has provided a new opportunity for every community in the United States. Electric power has effectively lighted the way for this opportunity and air transport is ready to do its part in traveling this lighted highway to the smaller communities of our country.

NAACP'S DENVER ENDORSEMENT FOR ATOM SMASHER

Mr. DOMINICK. Mr. President, as my colleagues know, one of the hottest races of the year—and one which deeply affects our national interests—is the competition to win selection as the location for the $375 million bevatron being developed by the Atomic Energy Commission. Much has been said in this Chamber about the merits and drawbacks of all the proposed sites and I am happy to have Denver, Colo., chosen by the AEC to be one of the six finalists. It was extremely encouraging, therefore, to receive the endorsement of Denver, Colo., by Clarence Mitchell, the executive director of the NAACP, the endorsement being based on Colorado's fine record in race relations. This kind of endorsement has wider implications than the project currently in question, for it is also a tribute to Colorado's fine record in promoting legislation to end any discrimination among its citizens. It is also a tribute to the National Association for the Advancement of Colored People, which has so actively contributed to the shaping of this laudatory record.

It was good to see this national organization, which has conscientiously fought for better understanding among all peoples, underscore the need for good community race relations as one criterion in selection of a site for this project of so much national importance. It is essential that the new accelerator be located in an area where working and living conditions are not only excellent physically but are not marred by racial misunderstanding and discrimination. An environment of discrimination would certainly impair the advancements in science expected to accompany the project's operation.

Denver and Colorado have always been highly praised for its effective sense of community among all its citizens, and has been highly recommended in all respects for this project. The many scientific research firms already located in the area attest to its assets in promoting the many breakthroughs needed for continued technological advancement.

I urge strongly that the AEC's selection committee give strong emphasis to the NAACP's recommendations. It is essential that the employees of any Federal project be guaranteed the best possible working and living conditions, regardless of race. It is my opinion that Colorado is best suited to meet this need.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to proceed for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORPS OF ENGINEERS NEW PROCEDURES FOR WATERWAYS GREAT IMPROVEMENTS

Mr. PROXMIRE. Mr. President, in recent months, several Members of Congress have criticized the Corps of Engineers new and improved procedures for estimating the benefits to be derived from waterway projects. As you know, I am no stranger to criticizing the corps, since I have not hesitated to attack the corps in the past for rigging the benefits that can be expected from public works projects in order to insure congressional approval. The corps is under intense pressure from Congress to recommend projects which are primarily intended to inject massive Federal funds into a Congressman's district or State. Often these projects could not be justified unless phony benefit-cost standards were used. For instance, Prof. Robert Haveman of Grinnell College made a study of 147 projects in 10 States between 1947 and 1962 involving some $2,664 million. He applied the techniques of highly qualified economists to these projects. Using these techniques he found that 63 of these 147 projects, representing over a billion dollars in Federal funds or 44.2 percent of the total, should never have been undertaken.

Now that the corps has implemented a system which more accurately measures future benefits it is only natural that it should come under congressional fire from legislators who are threatened with the loss of multimillion-dollar projects. Thus, I believe it is high time someone spoke out in support of the corps efforts to spend our tax dollars wisely, and I shall therefore reply to the recent congressional criticism. I shall show, first, that the corps new procedures for estimating benefits are an improvement because they are more in line with accepted economic practice. Second, I shall respond to the specific points raised by the congressional critics.

I. BENEFITS MUST BE ESTIMATED IN ORDER TO MAKE MAXIMUM USE OF RESOURCES

Mr. President, from the standpoint of society as a whole, the goal of all economic ventures is to obtain the maximum amounts of goods and services at the lowest possible cost of resources. For instance, it would be senseless to build four waterways to do an amount of work that can be done equally well by one waterway: in this situation four water projects vastly increase costs but provide no additional benefit. In the same way, it makes no sense to build even one waterway if alternative modes of transportation can do the job with a smaller expenditure of society's resources. In order that proposed waterways shall conform to this goal of maximum production of goods and services at the least cost in resources, it is necessary to know, first, the amount of traffic that will be carried by the waterway and, second, whether this traffic will be carried more cheaply by water than by alternative modes of transportation. For if we determine both the amount of traffic to be carried and whether it will be carried most cheaply by water, we can determine whether the proposed waterway or an alternative mode of transport will do the work at least cost.

II. THE FORMER PROCEDURES OVERESTIMATED THE AMOUNT OF WATERWAY TRAFFIC

Now it is a certainty that the amount of traffic that will move via water depends in great part on the water rate as compared to the rate charged by competing modes of transportation, such as the railroads, the mode to which I shall refer here. Before altering its procedures, the crops used to estimate the amount of traffic accruing to a potential waterway by comparing the current water rate with the current rail rate. The corps would then calculate the benefit accruing to this waterway traffic by again using the difference between the current water and rail rates. To illustrate these bygone procedures, assume that at current rates shippers pay $2 to move a unit of traffic via water and $3 to ship it via rail. The corps would calculate that the difference in rates would cause a certain amount of traffic to shift to water transportation—let us assume it would be 100 units. Each of these 100 units would save the $1 difference between the water and rail rates, so that the total benefit accruing to the water traffic would be $100.

However, as many observers pointed out, these old procedures were seriously defective for at least two reasons. First, it was erroneous to use current rail and water rates to estimate the traffic that would move by waterway in the future. For both railroads and water carriers are undergoing technological innovations which imply that in future years rates will be lower and that there will be a smaller spread between water rates and rail rates. Moreover, if and when a waterway comes into existence, rail rates will become lower entirely aside from improvements in technology. This is so because railroads charge what the traffic will bear, a method of pricing which, in the absence of competition, creates a very large gap between the railroad's costs and the rates it charges. When a waterway comes into existence, the competition it provides forces the railroad to bring its rates more into line with its costs: for example, the rail rate on petroleum shipments from Portland, Oreg., to Florida fell by 38 percent after a competing portion of the Columbia River became navigable. Thus, since technological improvements and waterway competition insure that future rates will be closer to water rates than is true currently, the former corps practice of using current rates to estimate future waterway traffic resulted in an overestimation of such traffic. In terms of our previous example, where there was a $1 difference between current rail and water rates and where the spread caused 100 units of traffic to move via water, in the future there will be a smaller spread between rail and water rates and, everything else being equal, less than 100 units will move via water.

III. THE FORMER PROCEDURES ALSO OVERESTIMATED THE BENEFIT ACCRUING TO WATERWAY TRAFFIC

In addition to overestimating the amount of traffic which would move via water, the corps old procedures also overestimated the benefit accruing because traffic is carried by water rather than rail. In this connection, it must be understood that real social benefit only arises if the water project provides its service at a lower cost of real social resources. In other words, there is benefit only if less steel, concrete, labor, management skill, and so forth are used up in carrying traffic by water than in carrying traffic via rail. Therefore, the ideal way to measure benefit would be to measure the value of steel, concrete, and other costs required by water transportation and compare this with the value of the steel, concrete, and so forth, required by rail transportation.

However, the plain fact of the matter is that at present there is no satisfactory method for producing a sufficiently exact comparison of real water and rail costs. It is necessary, therefore, to fall back on the best substitute method available: benefit—or the saving in real costs—is computed by comparing water rates with rail rates.

There was, however, a threefold problem with the corps' previous procedure of comparing current water rates with current rail rates to estimate future benefit. First, since the amount of traffic was overestimated, so was the benefit. Second, since, as we have seen, charging what the traffic will bear causes current rail rates to be far above current real rail costs, the amount of future cost saving is exaggerated when the current water rate is subtracted from the bloated current rail rate. Third, since technological progress will, in the future, diminish the spread between real water costs and real rail costs, the amount of future cost saving is even further exaggerated by comparing current water and rail rates to estimate future benefit. In terms of our previous example, where the current water and rail rates were $2 and $2 respectively, the old procedures exaggerated benefit because, first, less than 100 units of traffic will move via water; second, the spread between the current $2 water rate and the bloated current $3 rail rate is greater than the spread between current costs; and third, in the future the spread between real costs will be even less than it is today.

I should now like to briefly recapitulate some of the salient points in the foregoing. Formerly the corps used current water and rail rates to estimate the future traffic and benefits of a proposed waterway. However, because of technological improvements in rail travel as well as competition from the proposed waterway, in the future there will be a smaller spread between rail and water rates. There will also be a smaller spread between real rail costs and real water costs. For these reasons, the use of current rates to make predictions resulted in overestimating both the amount of future traffic, and the amount of future benefit, accruing to waterways.

IV. THE NEW PROCEDURES MORE ACCURATELY ESTIMATE WATERWAY BENEFIT ACCRUING TO THIS TRAFFIC

By its recent change in policy, however, the corps has adopted more accurate and economically appropriate procedures for making estimates. The corps now estimates the amount of traffic that will move on a future waterway by comparing the estimated future water rate with the estimated future rate which railroads will charge to meet the water competition—referred to as the water compelled rail rate. It then measures benefit by the difference between the future water rate and the rail rate that would have been paid in the absence of waterway competition—the nonwater compelled rail rate. In terms of our previous example, one might find that the future water rate will be $1.75, the future water compelled rail rate will be $2 and the future nonwater compelled rail rate will be $2.50. Under these conditions, 50 units of traffic will move by water and each unit will benefit by the difference between the $1.75 future water compelled rate and the $2.50 rail rate that would have been paid in the absence of a waterway. I note parenthetically that the future nonwater compelled rail rate of $2.50 is lower that the current rail rate of $3 because of technological improvement, but higher than the future water compelled rail rate of $2 because of the lack of water competition.

Mr. President, the corps new procedures are far better than its old ones because the present procedures are based on more accurate approximations of future traffic, rates, and costs. We know that rates will not remain static and that current rates therefore do not reflect future ones. This means that a railway charging $3 to move a unit of traffic today would only charge, say, $2 in competition with a waterway, both because of technological advances and competitive pressures. The corps, recognizing this built-in defect, is now using future rate estimates in arriving at both the amount of traffic which will move on a proposed waterway and the benefit to the national economy of the waterway. As a result, estimated waterway traffic, together with estimated benefits from the waterway, are substantially less. The corps new methods insure that, in making its decisions, Congress will have a much better idea of the value to society of its appropriations. Clearly, it is much better to calculate traffic and benefit by using reasonable predictions of future rates, as the corps now does, than to use current rates, as the corps formerly did, and as many congressional critics say they will continue to do.

Mr. President, I shall use the few minutes remaining to answer congressional criticisms.

A. DO THE NEW METHODS CAUSE UNPREDICTABILITY?

One criticism raised in Congress recently is that to estimate future traffic and rates is to introduce highly unpredictable elements. There are two clear answers to this criticism. First, although the projection of future rates and traffic may be subject to some error, the traffic and rate estimates advocated by the congressional critics is predictably inaccurate in the extreme. For the critics would, as the corps formerly did, use current rates to predict future traffic and benefits. Thus, the critics would use figures which are sure to be inaccurate because future rates will, as previously said, be different from current ones. Though the critics would be measuring existent realities, they would simply be measuring the wrong things. Clearly, then, the corps' reasonable predictions of future rates are sure to be more accurate than the critics' methods would be.

The second answer to the criticism is that the existence of difficulties in making estimates is not unique to the projection of rates and traffic. Projections of the future level of production, income, employment, and population all involve difficulties, yet these projections must be made if the Nation is to maximize economic benefit from the development and allocation of its resources. Just as we predict future production, income, and so forth, to make rational decisions in the public interest, so too must we predict future rates and traffic to make rational decisions.

B. CAN RAILROADS DEFEAT WATERWAYS BY TEMPORARILY LOWERING RATES?

Another point made by the critics is that, by temporarily lowering its rates on the carriage of specific goods between specific points, a railroad faced with potential water competition for the carriage could reduce the corps' estimated benefits of the waterway, thus causing the water project to appear uneconomic. The railroad could then rescind its rate reduction after the waterway has been rejected. Here again, however, there are two answers to the critics. First, in projecting future rail rates between two given points, the corps no longer uses the current rail rates between those points. Thus, a reduction in current rail rates between the two points could have no effect on the corps' projections—indeed, it is only under the corps' previous procedures, advocated by congressional critics, that a reduction in current rail rates between the two points could diminish the projected benefits of a waterway. Second, the critics fail to recognize that railroads cannot raise and lower rates at will. For instance, if a railroad could demonstrate to the Interstate Commerce Commission that its costs have been sufficiently decreased to justify a reduction in rates, the road would be hard pressed to later demonstrate that rates must be increased.

C. WILL PROJECTS BE APPROVED?

A third congressional objection to the new procedures is reflected in the claim that no new projects have been approved since November 1964. This criticism is both untrue and irrelevant. Reapproval of the Kasaskia project in 1965 stands as evidence of its untruth. It is irrelevant for several reasons. First, to rest one's case on the proposition that a return to the old method is required because its places the seal of approval on more projects is to deny the wisdom which the Congress displayed some 30 years ago in requiring benefit-cost analysis on public works projects. Indeed, the very purpose of benefit-cost analysis is to eliminate those projects which imply a waste of the society's resources. To plead for a return to an erroneous measurement technique because it yields a greater public works program is, quite frankly, to plead for an increase in uneconomic and wasteful government expenditures. Another reason why the objection is irrelevant is that, to a substantial extent, the lack of other approvals is not due to the new method of computation, but to the fact that the projects currently under study are very large ones requiring lengthy analyses which have not yet been completed. These projects should not be submitted for approval until their analyses are finished. And it is worth noting that one project whose analysis recently was completed—the central Oklahoma project—did not even qualify under the old method of computation.

D. WILL TRAFFIC EXCEED ESTIMATES?

A fourth congressional criticism is that in the past the amount of traffic carried via waterways has far exceeded the most liberal estimates. This criticism is again irrelevant. In the past the corps generally has used a short-term calculation of future traffic. It has used a long-term estimate only in doubtful cases where such an estimate was necessary to more adequately ascertain whether benefits would exceed costs. It is not surprising that in the vast majority of cases the long-term traffic, while it would not have exceeded a long-term estimate made under the old procedures, did exceed short-range estimates under those procedures. Now, however, the corps is using long-term estimates based on long-range projections of factors such as population, production, and income, so that it is very unlikely that actual traffic will consistently exceed estimates.

E. WILL ECONOMIC DEVELOPMENT BE STIFLED?

The final congressional criticism is that the corps' policies are generally shortsighted and that this is yet another instance of such myopia. The development of waterways, so goes this argument, will increase the development of industry and agriculture and will thereby increase the business accruing to alternative means of transportation, including the railroads. Again, this criticism is an erroneous one. First, it is the unusual situation in which industry and agriculture will not develop in the absence of a waterway. Second, and more importantly, it is not only the interests of the region which are at stake here, but rather the interests of the Nation. To the extent that a waterway development stimulates economic activity in one area when such activity would otherwise have developed in another area, the increased activity in the region is not a national benefit. Growth has simply been diverted to the region with the waterway from somewhere else in the country. When one region gains $1 million at the expense of another, the Nation experiences no net gain. Third, the question is not whether one mode of transport will make more money, the question is how to carry traffic at the cheapest cost of social resources. Finally, to the extent that, by generating industry and agriculture, the waterway will carry traffic which would not otherwise develop, this is reflected in the benefit estimate.

SUMMARY

Mr. President, I believe the foregoing amply demonstrates that the corps' new procedures are much better ones, since they are better ways of determining whether society will obtain the maximum in goods and services at the lowest possible cost. This is not to say that the new procedures are perfect. On the contrary, as I previously indicated, the best method for estimating benefits would not be the use of rate comparisons, but the use of direct comparisons between the real costs of water transportation and the real costs required by alternative modes of transport. And I might mention along this line that the corps, in conjunction with the Bureau of the Budget and scholars at Northwestern University, is currently attempting to develop adequate methods of making direct cost comparisons. But though the corps' present procedures are not perfect, it is a mistake to criticize the corps for abandoning former procedures that were clearly erroneous. Rather, the corps should be congratulated for implementing new procedures for the approval of proposed waterway projects which should save the taxpayers billions of dollars. We should be thankful—especially at a time when the Vietnam war is placing great pressures on certain sectors of our economy—for administrative decisions, such as this one, which cut down on pork barrel public works expenditures.

THE HOOVER INSTITUTION ON WAR, REVOLUTION, AND PEACE PUBLISHES "THE POLITICS OF THE CHINESE RED ARMY"

Mr. SIMPSON. Mr. President, for China watchers and students of affairs in the great Communist land between the East China Sea and the mass of Russia a publication of the Hoover Institution recently brought to my attention should be most informative reading. Entitled "The Politics of the Chinese Red Army," the publication, which exceeds 700 pages, is a compilation of reports and published material—much of it classified by China's standards. The State Department termed it "one of the most important caches" of material ever obtained from Communist China.

Edited by J. Chester Cheng, the book contains documents relating to Peking's assessment of its policy on Taiwan, the United Nations, peaceful coexistence, nuclear war, and other key issues. It discloses details of how the regime through the army faced bloody peasant uprisings and militia rebellions during the failure of the great leap forward. It reveals undisguised Government concern over the army's training and combat readiness and militia reliability and morale, and it contains documents published in 30 issues of Kung-Tso T'Ung-Hsun by the Chinese Red Army's senior controlling agency, the General Political Department. These documents were classified "top secret" and were on an "eyes only" basis for cadres at regimental level and above.

In this period of increased interest in developments in China, particularly the purges which are ripping apart the fabric of the Communist intelligentsia, I think the documents contained in "The Politics of the Chinese Red Army" will be both of value and of interest to the American people.

TRIBUTE TO THE LATE DR. CHESTER M. WIGGIN

Mr. COTTON. Mr. President, on May 22, 1966, a distinguished resident of New Hampshire, Dr. Chester M. Wiggin, of Conway, passed away just prior to his 85th birthday.

I have a personal feeling of sorrow for two reasons. I had the pleasure of knowing Dr. Wiggin as a quiet, unassuming, and friendly man, highly respected in his profession, and of enjoying the hospitality of his home. The younger of his two sons, Chester M. Wiggin, Jr., is my administrative assistant and served the late Senator Styles Bridges in the same capacity until the latter's death in 1961. He is well and favorably known by Senators and Senate employees who will share his bereavement as do Mrs. Cotton, myself, and all members of my staff.

Perhaps of greater and more lasting significance is the fact that the death of this physician marks the passing of an era. He was one of the last of the vanishing breed—the oldtime country doctor. And with all our scientific and technical advances, which have done so much for our national health, I wonder occasionally if something has not been lost in this age of efficient, but oftentimes impersonal, specialization in medicine.

In earlier days, by necessity, the country practitioner was skilled in all branches of his profession, from obstetrics to psychiatry. Moreover, he became friend and adviser to the families he served and a leader in civic affairs. Available 7 days of the week at any hour of the day or night, he was untiring in his labors and unrelenting in his dedication to the relief of pain and anguish. Such a man was Dr. Wiggin.

Born in South Thomaston, Maine, of parents in less than moderate circumstances, and left fatherless at an early age, he attained an education by sheer courage and determination. Graduating first from Bowdoin College and then from the University of Vermont Medical School, he completed his medical studies at Harvard University. Excelling in sports, he received scholarship assistance by playing varsity football and baseball for the full 7 years, a practice permitted at the turn of the century, and supplemented his income by whatever employment could be found in the summer months.

Licensed to practice in both Maine and Vermont, he decided to settle instead in the small community of Conway in northeastern New Hampshire, where he practiced for some 55 years, among the residents of that town and surrounding villages. Those years, particularly the early ones, were not easy.

Some of us can remember before the days of mechanized snowplows, when the only means of dealing with heavy snow in our northern New Hampshire winters was to pack it down with enormous horse-drawn rollers. It was under those conditions that Dr. Wiggin would be expected to set out by horse and sleigh to some remote farmhouse, perhaps 20 miles away and in subzero temperatures, to deliver a baby by kerosene lamp. Payment, if at all, might be in potatoes or appreciation. Incidentally, he referred to all those in whose delivery he assisted as his children, and once asked how many there were, he said he had stopped counting after the first thousand. That in itself would be something of a goal for any young general practitioner.

In what is now the specialty of orthopedics, he had the hands of an artist. The stories of smashed kneecaps and other compound fractures which healed perfectly are legion. Unusually skilled in internal medicine and diagnosis, he was blessed by an intuitive sense, coupled with the wisdom which comes from experience. Although he would deny formal knowledge of the subject, like any country doctor he was a practicing psychiatrist, giving warmth and understanding to those in emotional distress, and sugar pills where indicated.

Over a half century, he became a pillar upon whom his patients leaned and depended. When in his declining years he spent a few weeks in Florida during the winter, patients would be waiting on the day of his return, some apparently unwilling to be sick until he could be there to minister to them.

He had an unusual affinity with children and animals. When he was stricken with what proved to be his final illness, a housewife now living in the Midwest was moved to write and remind him of helping her as a child by fixing a splint for her kitten's broken leg; and in the days when his boys were young, he would buy great quantities of fireworks for the Fourth of July, not for family consumption, but in order that all the children of the neighborhood might enjoy the spectable and fun without risk of injury to themselves.

A story was told at the funeral services, which possibly says it all; about the little girl who bore the unfamiliar pain of a hypodermic needle, but then with tears in her eyes, looked up and said, "I love you, Uncle Doc."

A firm believer that sports participation developed qualities of citizenship, he served for the love of it as the local high school's team physician. A partisan rooter for the home team, he treasured until his death a trestle table made and presented to him by manual arts students at the school.

A good neighbor, he took active interest in community problems, at one time giving away a strip of his property in order that easier access could be had to Conway's main street by residents of an area on the other side of Pequawket Pond.

Compassionate to all those who suffered, he would never refuse to go at any hour to the aid of the sick. Before the days of medical insurance, he knew full well who could pay and who could not, but no distinction was made between the two. His compassion, his understanding, and his tolerance were without bounds. One person said of him, "He is the most Christian person I have ever known." Perhaps that is the true embodiment of the Hippocratic oath which he took some 60 years ago.

Mr. President, Dr. Wiggin was fortunate enough to be honored in his own time. He lived to be awarded life membership in the New Hampshire Medical Society and to have his fellow townsmen give him public testimonial for his long years on the staff of North Conway's Memorial Hospital. Now that he is gone, plans are being made to erect a permanent and living memorial in his name. An editorial announcement of these plans appeared in the June 9 issue of the North Conway Reporter, and I ask unanimous consent that the fine observations of the editorial be printed in full at the conclusion of my remarks. It seems to me this editorial delineates in a few lines the spirit of a man who became an institution in his own community. My only reservation is to the description of him as elderly. In chronological years he had far exceeded his Biblical allotment. To those who remember him before his illness, he had the youth, the energy, and the vigor of one half his age.

A humble person in life, it would not occur to him that he would be memorialized in death. But, if so, he would want it to be practical and useful. It is my hope, therefore, that the public-spirited citizens of the Conway area who have initiated this task will be successful in their endeavors.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Plans Now Under Way for Memorial to Dr. Chester M. Wiggin

The many friends who remember with fond affection the late Dr. Chester M. Wiggin, will be interested to learn that plans are now underway to erect a permanent memorial for Conway's beloved doctor at Memorial Hospital, North Conway.

A committee headed by Arthur E. Kenison, Jr., of Conway, met this week with Harald Rotler, hospital administrator, who in turn will consult the trustees to discuss this endeavor. Further announcement will be forthcoming in regard to the nature of the memorial to be inaugurated in honor of Dr. Wiggin.

The elderly physician passed away in Florida recently at the age of 84.

For over a half-century, Dr. Wiggin traveled the rough and rutted roads of this community, as he went about in true "country doctor style" with horse and buggy, administering to the sick and infirm. The howling blizzards of winter and the stifling heat of summer failed to deter him from his chosen calling as a healer in the cause of human suffering.

With a wisdom gained from experience and compassion for his fellowman, the good doctor was often called upon for his sage counsel in private family affairs. He was always ready and willing to offer a helpful suggestion to the problem at hand.

Dr. Chester M. Wiggin will be greatly missed from this area in northern New Hampshire, not only as a dedicated physician who conducted the practice of medicine at its highest level but as a gentleman and friend.

H. J. G.

WHOSE HOUSE IS WHOSE CASTLE?

Mr. ERVIN. Mr. President, one of the wisest commentators upon the passing scene is Alan Newcomb, public affairs director of WBTV, Charlotte, N.C. On June 7, 1966, he telecast an editorial dealing with title IV of the administration's pending civil rights proposals. This editorial is entitled "Whose House Is Whose Castle?"

It points out in eloquent fashion a truth which title IV ignores; namely, that "you cannot extend freedom by taking it away." This editorial merits the thoughtful consideration of every Member of Congress. For this reason, I ask unanimous consent that it be printed at this point in the body of the Record.

There being no objection, the editorial was ordered to be printed, as follows:

Whose House Is Whose Castle?

One of the great problems in extending equal opportunity to all the citizens of America is the discrimination in housing that has created ghetto patterns in the cities of America. One of the most tragic errors and greatest threats to fundamental liberty that the citizens of America have ever faced is the provision of the new civil rights bill that tries to correct this situation by force of law.

The bill, on which Senator Sam Ervin of North Carolina has opened hearings, forbids anyone anywhere who is selling or renting property of any kind to discriminate on account of race, color, religion, or national origin. If an individual or the Attorney General's office cares to bring a charge, anyone owning or leasing property can be hauled into court at their own expense while the government foots the bill for the plaintiff, and will have to prove by some means that he was not discriminating on these grounds.

You might have turned the applicant down because he drinks too much or has more children than you want in your property, or keeps parakeets, or sings loudly in the bathtub, but he can claim it was because he was Negro, Indian, or Irish—Catholic, Protestant or Jew—German, Swedish, or Sudanese. The amount of consideration you would get in a Federal court in this day and age can be pretty well predicted.

The fifth and fourteenth amendments guarantee private property rights, but this is another case where the government lawyers can see only the interstate commerce clause of the Constitution. When Senator Dirksen said, "If you can tell me what interstate commerce is involved in selling or renting a house fixed to the soil, or where there is Federal jurisdiction, I'll go out and eat the chimney off the house," Attorney General Katzenbach solemnly replied that the house materials, furniture, and other items must have moved across a state line at some time, so the whole house is a product of interstate commerce. That far-fetched reasoning was seconded by a Professor Philip Kurland of the University of Chicago, who said that "the time has come to regard the commerce clause as almost plenary in its application."

Well, if the interstate commerce clause supersedes all the other parts of the Constitution and can be used to nullify all limitations on the Federal Government and justify any act, constitutional or otherwise, we no longer have a Constitution or a Bill of Rights—we have only an interstate commerce clause.

In this debate, we are going to hear very often the old bromide, "property rights versus human rights." But these two are inseparable. Property rights *are* a human right. If this bill passes, all the rights that go with ownership of property will be done away with in principle, awaiting only the practice or application of an all-powerful government. And certainly a man's home will no longer be his castle.

You cannot extend freedom by taking it away.

TWELVE AREAS GIVEN LOW-RENT FUNDS

Mr. BYRD of West Virginia. Mr. President, I voted against the controversial rent subsidy bill. I ask unanimous consent that a news story which appeared in the June 19 edition of the Morgantown, W. Va., Dominion-Post, entitled "12 Areas Given Low Rent Funds," be inserted in the Record.

There being no objection, the story was ordered to be printed in the Record, as follows:

Twelve Areas Given Low-Rent Funds

(By Robert B. Semple, Jr.)

Washington.—President Johnson announced yesterday the first 12 recipients of funds under the controversial rent supplement program. One of the 12 is a consortium that is attempting to provide low-income housing in East Harlem.

The rent supplement program is designed to provide housing for the very poor, and today's list, which was chosen after careful deliberation, was designed in part to dramatize that intent. All of the projects that will benefit from the funds are located in neighborhoods of manifest need, and some are in areas of dramatic racial tension and national concern.

Included in the list are three of the country's poorest Negro neighborhoods, including the Watts area of Los Angeles, the Hough district of Cleveland and Roxbury Ghetto in Boston. Watts was the site of a violent and costly riot last fall and the Hough and Roxbury districts, where unemployment is high and the housing is poor, have been described as potentially explosive.

Perhaps the most striking choice of all, however, was Greenville, Miss., where tenant farmers were evicted from their homes several months ago. Nearly 100 of all farmhands—all Negro—came to Washington in early April and camped out in tents across from the White House to protest housing conditions in the Mississippi Delta region.

Shortly afterwards, secretary of housing and urban development Robert C. Weaver dispatched two aides to the area to see what might be done. Under today's grant, the Catholic Diocese of Natchez-Jackson—the sponsor of the project—will build 120 housing units, for which most of the tenant farmers and their families are likely to be eligible.

The New York grant, which amounts to $40,320 in rent supplement payments, will be used to help pay for part of the unusual rehabilitation project being carried out by the U.S. Gypsum Corporation in Harlem. A total of 116 units are being rehabilitated, of which 60 will be made possible by the rent supplement program.

Upon completion, the project will be sold to the Metro North East Harlem Housing Association, a neighborhood-based and neighborhood-run non-profit group consisting of union settlement house.

THE 30TH ANNIVERSARY OF THE MERCHANT MARINE ACT OF 1936

Mr. BREWSTER. Mr. President, this week marks the 30th anniversary of the Merchant Marine Act of 1936. It could have been an occasion for celebration, had the mandate of the act carried out; but, unfortunately, it has not been.

An article on the topic by Helen Delich Bentley, maritime editor of the Baltimore Sun, points out how much ground has been lost by the American fleet during these three decades. In 1939 there were 1,379 American-flag vessels; today, there are only 1,009. Although a substantial portion of our exports and imports moved on our own ships in 1936, today less than 8 percent of our foreign trade is transported in American bottoms—while Norwegian ships carry 17 percent of our trade.

Most significantly of all, as Mrs. Bentley notes, despite the dramatic decline of our merchant marine and the urgent needs of our Vietnam commitment, the Government proposes to spend less money on new ship construction this year than it did 30 years ago. This is a shortsighted policy which quite properly gives concern to Mrs. Bentley. I commend her article to my colleagues, and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Shipping Act's Birthday To Be Celebrated by Few

(By Helen Delich Bentley)

Washington, June 26.—The thirtieth anniversary of the Merchant Marine Act of 1936 will be observed Wednesday.

However, it is doubtful that anyone in the American shipping world will celebrate the occasion because the United States maritime industry is considered to be in its sorriest state since that act was passed by Congress

June 29, 1936. It was signed into law the next day by President Franklin Roosevelt.

Joseph P. Kennedy, father of the late President Kennedy, was named chairman of the first Maritime Commission to implement the new act which clearly delineated the intent of Congress regarding the policy of the United States with respect to an American-flag merchant fleet.

The legislation was enacted, it said, "to further the development and maintenance of an adequate and well-balanced American merchant marine, to promote the commerce of the United States, to aid in the national defense, to repeal certain former legislation and for other purposes."

POLICY QUOTED

Section 101, of Title I—the "Declaration of Policy"—reads:

"It is necessary for the national defense and development of its foreign and domestic commerce that the United States shall have a merchant marine (a) sufficient to carry its domestic water-borne commerce and a substantial portion of the water-borne export and import foreign commerce of the United States and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign water-borne commerce at all times, (b) capable of serving as a naval and military auxiliary in time of war or national emergency, (c) owned and operated under the United States flag by citizens of the United States in so far as may be practicable, and (d) composed of the best-equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizen personnel. It is hereby declared to be the policy of the United States to foster the development and encourage the maintenance of such a merchant marine."

"GOING PLACES"

Chairman Kennedy said shortly after he was appointed that the Administration proposed to build 95 new merchant ships, "which means the United States is going places on the high seas."

"We have no selfish ambition to become queen of the seven seas, but we do want our fair share of commerce and we mean to get it," the Roosevelt appointee declared.

He explained that the Maritime Commission's move to spend $160,000,000 for new construction in its first two years was necessary "because we have to act in a hurry.

"In three years, 90 per cent of our fleet will be obsolete. Considering our planned program, which requires a minimum expenditure of $400,000,000 (for building only) in the next five years, the amount asked for is not abnormal."

The first positive step taken for new construction was an order by the commission—on its own account exclusively—for twelve fast cargo vessels to cost from $1,500,000 to $1,750,000 each. Kennedy's commission said it was the largest individual peacetime order for merchant cargo construction ever placed in this country.

The commission decided to build the first flight of new vessels entirely with Government money rather than to wait to iron out difficulties and delays encountered in its program to rehabilitate the aging merchant fleet by subsidized private construction.

The need for stimulation of lagging industry prompted the decision to proceed immediately with construction of ships which could be sold later to the industry.

FLEETS COMPARED

As of September 1, 1939, the privately owned American-flag merchant fleet consisted of 1,379 vessels, totaling 11,700,000 dead-weight tons.

On April 1, 1966, the active ocean-going United States merchant fleet consisted of 1,009 ships, of which 107 were Government-assigned to Vietnam, and 902 private ships. The total tonnage was 14,000,000.

The cost of a ship in 1937 was about $1,750,000. The cost of building a ship today in the United States averages about $15,000,000, of which the Government is subject to paying up to 55 per cent as the differential between building in the United States and building abroad.

The 1936 Act called for a substantial amount of this country's commerce to move on American-flag ships.

In 1965, only 7.9 per cent of the foreign tonnage was transported by bottoms flying the stars and stripes. But the Norwegians are moving 17 per cent of the United States' foreign commerce!

The Congress of 1936 specified that no ship over twenty years old would qualify for subsidy purposes because it would be uneconomical to operate.

Today 85 per cent of the American merchant marine is of World War II vintage, or more than 21 years old, which means the present merchant fleet already fits into the "bloc obsolescence" category which Joseph Kennedy endeavored so diligently to prevent 29 years ago.

In 1936, the gross national product was $82,500,000,000; in 1939, $90,500,000,000. Total imports-exports in 1938 totaled about 100,000,000 tons at a value of $5,054,868,000.

The estimated gross national product for 1965 is estimated at $665,000,000,000, while that estimated for 1966 is $714,000,000,000, or nearly an 800 per cent increase. The 1965 foreign tonnage was 348,452,000, valued at $32,202,000,000.

APPROPRIATION SMALLER

Yet the United States budget for fiscal 1967 would appropriate only $85,000,000 for new ship construction—an amount smaller than that called for in 1937 when the United States was not involved in a war and when the United States was not almost solely responsible for the freedom of the seas for the Free World—when ships cost $1,750,000 to build, compared to $15,000,000 today.

Again Congress is being asked why it has failed to enforce the implementation of its own edict.

H.R. 1535—HAZARDOUS-DUTY PAY FOR CLASSIFIED EMPLOYEES

Mr. TOWER. Mr. President, the need for legislation to compensate the Classification Act employees for periods of work involving unusually hazardous conditions, which passed the Senate on June 24, was long overdue. Hazardous pay is presently extended to certain military, Public Health Service, and wage board personnel. But, Mr. President, the existing law does not authorize this premium for employees under the Classification Act who may work side by side with those who are now receiving the additional compensation. The proposed bill would seek to correct this inequitable situation by establishing schedules of pay differentials not to exceed a certain percentage of basic compensation, for Classification Act employees for any period in which they are subjected to physical hardship or hazard not usually associated with their jobs. This bill is especially meritorious due to the fact that it will prevent infringement through ambiguity since it contains provisions that limit compensation to those people and jobs whose physical hardship or hazard was not taken into account in classifying the employee's position.

I agree wholeheartedly with the sentiments of Mr. RANDOLPH and the members of his committee that premiums or extra compensations should be authorized in such cases as an engineer or technician in an experimental flight or the trial run of a newly built submarine. Certainly, too, work at extreme heights and under inclement climatic conditions should also be rewarded and thus are included with those who would be covered by the bill.

As a member of the Armed Services Committee, I have supported hazard pay for wage board employees in the Army and Air Force who currently are in conditions very similar to those prescribed in the proposed bill. The Department of the Navy authorizes differentials of 50 percent for flying in connection with testing aircraft. The Army-Air Force wage board has authorized hazard differentials at twice the basic hourly rate for work performed at a height of 100 feet and above.

Obviously, unusual physical hardship or hazards which are inherent in a position, which regularly recur, and which are performed for a substantial part of the working time are best compensated for through the regular position classification process. However, Mr. President, there does not now exist such a means for providing such compensation where regularly assigned duties performed under unusually hazardous conditions at such irregular or intermittent intervals that these conditions cannot be taken into consideration for position classification. It seems logical to me, then, that the Government should offer additional remuneration to the employees asked to make unusual risks not normally associated with his occupation, and for which added compensation is not otherwise provided.

H.R. 1535, as I see it, will fill this void and at the same time would avoid many of the problems normally associated with hazard pay proposals by restricting coverage to the most deserving cases, and by limiting payments to periods of exposure not taken into consideration in the classification of the position. This bill would also preclude the possibility of double payment through both job classification and separate premium, thus forestalling problems often associated with moving employees from premium compensation positions to regular rate positions.

SENATOR McGOVERN MAKES VIETNAM PROPOSAL

Mr. CHURCH. Mr. President, the July 7 issue of the New York Review of Books which is currently on the newsstands contain an excellent article on the subject of Vietnam written by the distinguished junior Senator from South Dakota [Mr. McGOVERN].

Senator McGOVERN has set forth a sound five-point program to achieve a peaceful settlement of the tragic conflict in Vietnam. Believing that his article will be of interest to my colleagues, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM: A PROPOSAL

(By Senator GEORGE MCGOVERN)

Recent developments in Vietnam have drawn public attention away from the battlefield and focussed it on two questions that are not so much military as political and moral:

(1) What are we fighting for in Vietnam?

(2) Can we achieve our objective by a continuing build-up of American forces when our South Vietnamese ally is torn by internal political strife combined with a growing war weariness, if not a growing resentment against the United States? What kind of society are we fighting to preserve, and what sort of an end to our own military commitment are we prepared to accept?

Ordinary warfare has its own military logic geared to a military objective—destruction of the enemy's capacity to fight. This is not the case in Vietnam. The Vietcong has no hope of destroying our capacity to fight, and short of turning North and South Vietnam into a wasteland, we have no chance of destroying their capacity to fight. It is as though an elephant and a hornet were engaged in combat.

In Vietnam, both sides are trying to destroy the opponent's will. This fact tends to result in a vicious circle: Neither side can be physically defeated, but to withdraw from the conflict appears to be a loss of face. We and the Vietcong, as well as Hanoi, have shown every symptom of this phenomenon in the last year. Escalation, for both sides, has a momentum of its own. The only hope of escape from this vicious circle is the recognition by one side or the other of a change in the circumstances which fist drew them into the conflict. I believe that recent events have highlighted a change of this sort for us in South Vietnam.

There are many answers given to the question: "Why are we fighting in Vietnam?" One answer is "to preserve democracy." This answer is paradoxical for two reasons: First, there never has been real democracy in South Vietnam; and second, it is impossible to achieve a democratic society while the fighting ecalates. It might be more reasonable to say: "We are fighting to give democracy a chance." How true is this? The Geneva Accords provided vaguely for "general elections which will bring about the unification of Vietnam" by July 1956. At that time, the only grass-roots political force in the South was the residual presence of the Vietminh, controlled by the Vietnamese Workers Party which had governed North Vietnam since 1951 and which by the time of the Geneva Accords had moved into the first stages of a Communist agrarian revolution. Elections at that stage might very well have extended Communism to the South; so we decided to support a supposedly benevolent nationalist regime instead. This is the commitment that brought us into conflict with the Vietcong, both during the Diem regime and more directly in the chaos which followed. But even to say, "We are fighting to give democracy a chance" is paradoxical when the only way we have been able to avoid a probable Communist dictatorship has been by avoiding the election of 1956, a form of self-determination, and by supporting another kind of dictatorship in Saigon. This is the sort of paradox that feeds Communist propaganda and confuses the American people and our friends. When we become trapped in such a paradoxical commitment, just as when we are caught up in a vicious circle militarily, we should ask: "Are the circumstances still the same?" In other words, "Are we still advancing the cause of self-determination, or are we fighting and bombing in a self-defeating effort to cover the political nakedness of Saigon?"

Circumstances have changed because a considerable evolution has taken place in the political life of South Vietnam since 1954. Twelve years might seem a short time for any significant political development unless we remember that we are dealing with a relatively sophisticated people whose political development was arrested by colonialism. The only political party that could exist under the French was a clandestine revolutionary movement, and this, of course, was taken over by the Communists. That was why political democracy was unlikely in 1954. But since then, a variety of political forces has emerged. In the first place, there was Diem's party (the National Revolutionary Movement) and its subsidiary Civil Servants' League. In name, of course, this group is discredited, but most of its members and organizers are still alive (in the case of the Civil Servants' League (still in the same hierarchical framework) and its ideology it not forgotten. The ideology was unconnected with the oppressive character of the regime, and would still appeal as an anti-Communist, Christian-Democratic program to the 1½ million Catholics in the South who were Diem's principal supporters. In different ways, the Diem regime promoted two further political groupings. A nationalist army inevitably came to demand a voice in the management of the war, and the Buddhists were impelled to political action by the heavy-handed tactics of the Catholic minority. All three of these political forces—the Catholics, the Army, and the Buddhists—are influenced by regionalisms rooted deeply in the history of the area. Regionalism divides the Catholics, it divides the Buddhists, and it divides the Army. And there are, further, the purely regional groups of the million Cao-Dai, the 2 million Hoa-Hao, and the Montagnard tribesmen. In addition to regionalism, the Army, as a political forces is compromised by the Buddhist-Catholic division, the officers being at present about equally divided. Many of these political forces have been seen in operation in the I Corps crisis of the last two months.

All of these forces existed in a sense in 1954, but none of them had any collective identity, none of them had any political self-consciousness; they had no recognized political leaders, no articulated political ambitions. None of them shared the feelings, noble or ignoble, that enable groups to pursue ends within a political framework. That is why elections within the time limits of the Geneva Accords might have been meaningless, and that is an important reason that we did not sign the Accords, though we committed ourselves in principle to elections—without time limit.

Now different competing political forces in South Vietnam are beginning to feel their strength. That is why this year is crucial for the United States. For in every case where one power has taken a very protective or colonial role towards another, there is a moment, just after indigenous political forces become strong enough to survive unprotected, and hopefully, just before they turn impatiently on their protector, when the protecting power has to take the gamble of withdrawal or face the consequences of increasingly unified resentment of its presence. I believe that for us this moment is near in South Vietnam.

What I think we should do about it in practical terms embraces the following five points:

(1) We should try to make credible to all parties our commitment to holding elections as has been promised by Premier Ky. We should make this commitment clear to the Vietnamese military, to the different civilian factions, and to the rest of the world. The greatest danger is that of a new army coup to forestall the elections, or a move by Ky to constrict the elections to such a degree that they lose all appeal to the civilian leaders, and especially the Buddhist groups. We should try to maintain the momentum of Ky's promise, whether or not Ky himself survives or is replaced by a new military coup or by the sort of military-civilian panel contemplated in the last few weeks. Only elections can produce the sort of balance that will reassure jealous factions of a voice in the government and protection against persecution. All significant political groups including the National Liberation Front must be invited to participate in the elections and in the arrangements for the elections.

(2) I suggest no further U.S. military buildup in Vietnam pending elections. I would urge that we end the bombing operations and that we curtail our offensive operations on the ground.

(3) I suggest that we or Saigon seriously attempt to negotiate directly with the National Liberation Front for a ceasefire before the elections. I have always found it difficult to understand the rationality of refusing to negotiate with the NLF. If it is true that NLF as a fighting force is controlled by Hanoi as a subsidiary of the northern Communist Party, then it makes no difference whether we deal with them or with the Hanoi Government. As far as northern elements are concerned, dealing with them admits no more than that they are *in* the South, and as far as southern elements are concerned, dealing with them could not be objectionable unless it amounted to a recognition of their belligerency in a legal sense, which would be quite unnecessary. If, on the other hand, the NLF is, as it claims to be, a fully representative independent southern organization, we must talk with them directly one day. To quibble over the implications of recognizing the existence of the NLF when so many lives are being lost every day in warfare with them is a nightmarish absurdity.

As to the participation of the NLF in the election and the arrangements for such an election, it seems to me that those are the only terms they could accept for a ceasefire. A ceasefire is important to the success of the election process. Furthermore, the objections to NLF participation that were valid ten years ago no longer apply. As previously stated, they are by no means the only organized national political force any longer; their program is no longer without competitors, their leaders' names are unknown to the mass of the people compared with those of other political leaders, and although their control is effective in large areas of the countryside, it is minimal in the population centers; it may very well be that they would get a minor fraction of the vote in an authentic election.

(4) I suggest the introduction of an effective international presence in South Vietnam to help assure the validity and integrity of the electoral process. It should remain during an interim period to help stabilize the political scene. This would rectify to some degree our initial mistake of intervening unilaterally in a complex struggle that calls for action by the international community. It now seems unlikely that the Security Council will undertake this task, but the members of the International Control Commission have given signs of a willingness to do so.

(5) I suggest immediate reaffirmation by the United States Government of its readiness to abide by the results of free elections, readiness to withdraw U.S. military troops and bases from South Vietnam, and readiness to observe the essential provisions of the Geneva Accords, including the possibility of peaceful reunification of North and South Vietnam.

The NLF may reject this proposal. Perhaps the most likely response is a demand for the prior withdrawal of American troops, harking back again to the Geneva Accords. In that case, the demonstrable presence of North Vietnamese formations in the South in the last year or two would give us a bargaining point. We could agree to the withdrawal of our troops in return for the withdrawal of North Vietnamese forces. But whatever the initial reply from the other side, I think that the cessation of our bombing and offensive ground actions combined with a proposal for a ceasefire, open elections, and direct negotiations is the right policy for the United States. It is the right policy if the proposal succeeds. It is the right policy if it starts a dialogue with the enemy, no matter how protracted. And it is the right policy even if the NLF rejects it for a time, because it will show the non-Communist political forces in Vietnam and the rest of the world that the United States desires peace and self-determination for Southeast Asia.

WAR ON POVERTY BEING ESCALATED

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record an editorial which appeared in the Williamson, W. Va., Daily News of June 20 entitled "War on Poverty Being Escalated."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

War on Poverty Being Escalated

For those who are wondering if we can expect victory or at least a negotiated peace in the war on poverty, we can only advise patience. And a strong stomach.

In Fort Lauderdale, Florida, 16 boys were persuaded to defect from the other side of the tracks and wear tuxedoes to a high school function, courtesy of Sargent Shriver's Office of Economic Opportunity, with the taxpayers picking up a $290 tab. However, there may be some subtle symbolism here and hope for the fture. If poor boys can get used to wearing tuxes they may be influenced to become capitalists. In time they may even be able to contribute to $100-a-plate political dinners.

Thanks to OEO, wages are going up. At least in the OEO. A welding instructor worth $3,200 on one payroll became worth $9,780 as a poverty warrior. Teachers are being pirated away from dollar-conscious school districts at Great Society salaries that are usually twice what they had earned.

There's more than money involved, too. Some of Shriver's happy warriors are showing a dedication to duty that is not just outstanding but downright stupefying. An OES official was invited to address a "graduating class" of Head Start scholars, moppets age 5 and 6. The class was located 200 miles away—a trip that would have taken a few hours of the official's valuable time had he elected to travel by bus or car. Conscious of the importance of his mission he chartered a twin-engine plane to get to the kindergarteners about to be graduated in a harsh, extremist world. For such gallantry in action, we trust that Sargent Shriver will award this intrepid traveler the Bobby Kennedy Award, solid brass.

On lower echelons, too, the Poverty Corps is shaping up. Certainly the troops are showing that they are developing the same attitude towards ordinary taxpayers as their bureaucratic superiors. Not long ago a mob of Job Corps enrollees armed with clubs and rocks stormed into New Bedford, Mass., to do battle with teen-agers there. Police action averted serious bloodshed but a request from the townspeople that the camp be closed got this reply from the All-Highest, Sargent Shriver: "Job Corps has no intention of leaving Fort Rodman."

There's one Sargent who'll never retreat.

CALIFORNIA FARMER-CONSUMER INFORMATION COMMITTEE SUPPORTS PROXMIRE MILK BILL

Mr. PROXMIRE. Mr. President, yesterday I received an excellent statement from the California Farmer-Consumer Information Committee in support of my legislation to make the special milk program for schoolchildren permanent. I draw the attention of my colleagues to this statement because it emphasizes an aspect of the program of which we have too often lost sight.

Opponents of the program in the past have stated that it was no longer necessary because milk surpluses in this country are at present nonexistent while the program is intended primarily to help the dairy farmer by disposing of surpluses. This argument overlooks two points.

First, although the program may have initially been intended primarily to assist the dairy farmer, program emphasis has shifted to the importance of providing proper nutrition for schoolchildren.

Second, the program will continue to help dairy farmers by augmenting their present meager income despite the fact that there are no milk surpluses. In the words of the California Farmer-Consumer Information Committee:

> Enactment of the Children's Special Milk Act should stimulate efforts of the U.S. Government, of the states and of the industry, to make sure that dairymen receive a sufficient return for their investment, production costs and labor to continue in business, so that the growing needs of consumers, including our school children and pre-school children may be met.

Of course, this is very important at a time when dairy farmers are leaving the farm twice as fast as 4 years ago—at a time when May milk production hit a 26-year low for that month.

Mr. President, I ask unanimous consent that the entire statement of the committee be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

California Farmer-Consumer Information Committee,
Santa Clara, Calif., June 23, 1966.

Hon. Allen J. Ellender,
Chairman, Senate Committee on Agriculture, and Forestry, Senate Office Building, Washington, D.C.

Dear Mr. Chairman and Members of the Committee on Agriculture and Forestry: Our Committee, the California Farmer-Consumer Information Committee, representing the unanimous action of more than a quarter of a million farmer, cooperative, consumer, labor, professional, and church bodies, reaffirmed at our June 18th annual meeting held at the University of Santa Clara, its support for measures to make permanent the special milk program for children, cited as the "Children's Special Milk Act" and introduced by Senator William Proxmire and over sixty co-sponsors, including Senator George Murphy, California, S. 2921.

Having successfully saved the existing school milk program from obliteration due to proposed disastrous budget cut proposals for the coming school year, a campaign in which the entire state of California, and every Member of the House and Senate in California participated, we must make doubly sure that this basic nutritional policy is secure with no less than the $110,000,000 appropriated in S. 2921 for the fiscal year ending June 30, 1967; "not less than $115,000,000 for the fiscal year ending June 30, 1968; and for the fiscal year ending June 30, 1969 and each succeeding year thereafter, not less than $120,000,000."

It is our understanding that portions of your bill S. 3467 are being considered to be incorporated into S. 2921, or that S. 2921 might be incorporated into S. 3467 for the purpose of expanding coverage to include school breakfasts and certain recipients covered by the Economic Opportunity Act of 1964.

Our Committee welcomes as wide a coverage as possible, provided that participating non-profit schools and institutions operating the projected programs shall be the sole determinants of the cost of such food to participating children and there be no physical segregation or other discrimination against any child because of the inability of his family to pay all or a portion of the cost of food served.

We are not satisfied with the amount of money appropriated in S. 3467. The sum of $100,000,000 for the fiscal year ending June 30, 1966 was quite inadequate. We had requested that the $3 million authorized by the Congress and withheld by the Budget Bureau be replaced because it could not possibly cover needed federal reimbursement to school districts to ensure maximum participation on the part of children eligible for school milk. Actually, the figure requested was $110 million.

S. 2921 authorized this amount for the year ending June 30, 1967. S. 3467 authorizes an amount already found to be inadequate for the past school year.

S. 3467 makes no provision for increased school enrollment or participation for the years ending June 30, 1970. S. 2921, on the other hand, takes a realistic look at child population and increased school enrollment. Increasing the appropriation to $115,000,000 for the school year ending June 30, 1968, it places no cut-off date for the program; increases the appropriation for the school year ending June 30, 1969 to $120,000,000 and stipulates that it shall be no less for each succeeding year thereafter.

An important factor to be considered in legislation of this kind is its effect upon the stability of an industry as vital as that of milk production. It is estimated that 5% of all fluid milk produced in the nation is presently distributed through the existing School Milk and School Lunch Programs.

Under the expanded uses of the "Children's Special Milk Act", much more than 5% will be required.

According to the report of Mr. Whitten to accompany H.R. 14596, which restored the appropriations cut from the Budget for the School Milk and School Lunch Programs, "the supply of dairy products on hand now is at the lowest point in recent years; * * * The supply is expected to reduce further to 3,200 million pounds at the end of the present marketing year, a reduction of 2,100 million pounds. * * * This represents only about a ⅓ month's supply for normal domestic purposes."

May milk production continued its downward spiral, 4% below May of 1965.

Enactment of the "Children's Special Milk Act" should stimulate efforts of the U.S. government, of the states and of the industry, to make sure that dairymen receive a sufficient return for their investment, production costs and labor to continue in business, so that the growing needs of consumers, including our school children and pre-school children may be met.

Thus, it is possible for dairymen to plan how best to meet the demand for fluid milk supplies for our children and an added economic purpose may be achieved in improving returns to the primary producer, the processor and the distributor and increasing thereby the tax base for counties, states and the nation.

At the February 21st meeting of the California State Board of Agriculture, which urged that Congress enact S. 2921, data was submitted by Mr. James M. Hemphill, supervisor, School Lunch Program, on the number of California schools participating in School Lunch and "Special School Milk" programs. While we can find no proposal for any added appropriation for the School Lunch Program in S. 3467, we feel that the experience with consumption of milk in both schools serving Type A Lunches and those not serving Type A Lunches is important. The information, for October 1965, when contracts for both programs were executed by the schools is as follows:

Number of California Schools Reporting, October 1965:

Serving milk with type A lunches	4, 158
Serving milk but not type A lunches	2, 981
Total number of schools serving milk	7, 139

Total milk served, Converted into one-half pints:

	Half pints
In schools serving type A lunches	34, 081, 838
In schools not serving type A lunches	18, 638, 255
Total number of half-pints served	52, 720, 093
Total daily, October 1965	2, 510, 480
Total daily, October 1964	2, 454, 149

Percent Increase, 1965 over 1964, 9.8%.

The continued increase in population in California; the construction of new schools; * * * the nutritional needs of more children; and the increased use of the Special School Milk Program as its advantages become more widely understood, make it imperative that the program be made permanent with adequate appropriations, which is the case for S. 2921, but not the case for S. 3467.

As stated in our opening summary on page 1, our Committee likewise supports extending the opportunity for children where necessary to be served school breakfasts, although we find no authorization for an appropriation for this purpose.

In any consolidation of the provisions of S. 3467 with that of S. 2921, we wish to again state quite clearly that we oppose any separation of children participating in any of the authorized programs based on family economic differences.

It should be made clear that while the primary and immediate impact of the "Children's Special Milk Act" is to assure our future citizens a nutritional foundation improving their general health, their teeth, and their mental alertness; it has the longer value of establishing food habits in childhood through high school, to value food as a body builder, and to overcome pressures constantly exerted through advertising, radio and television which would substitute non-nutritious and often harmful food products for scientifically-established essentials to diet and growth.

As noted on our letterhead, the Consolidated Milk Producers for San Francisco, the Associated Dairymen, and the Western Dairymen's Associates, are affiliates of our Committee, in addition to individual dairymen throughout California, all of them favoring a permanent School Milk Program with an assured annual appropriation large enough to bring the cost of school milk within reach of the maximum number of children and youth.

On behalf of the California Farmer-Consumer Information Committee,

Mrs. Grace McDonald,
Executive Secretary.

REAGAN, ROMNEY, AND REBELLION

Mr. MUNDT. Mr. President, I take this means of calling the attention of the Congress and the country to a most interesting and informative article appearing in today's issue of the Wall Street Journal and ask that it appear in the body of the Record as a part of these remarks.

Vermont Royster, well known political analyst, wrote the following article under, the heading of "Reagan, Romney, and Rebellion."

Had Mr. Royster been less inclined toward alliteration, he might more informatively have headed his article, "The Revival of Constructive Conservatism in the United States." His discussion portends an encouraging trend in American political and economic thought which many other observers have also detected and which is a normal reaction against the obvious political and economic "excesses" which have been foisted upon the unsuspecting citizens these past few years.

Mr. President, "conservativism" is not a naughty word. Neither does it denote an American citizen trying to drive forward by focusing his eyes on the rearview mirror of his automobile. It is not a throwback to the 18th century nor a manifestation of inaction, sterility of thought, or standpatism which believes the present is as good as the country and the world can or ever should be.

Instead, sir, "conservativism" is a frank acknowledgement of the fact that this country did not become the greatest nation in the world in less than 200 years by doing everything dead wrong.

Conservativism denotes a type of American political and economic thinking which recognizes we still have—and will always have—problems which should be solved and which need to be solved but which can and should be solved by utilizing our great American success formula instead of discarding it for untried concepts and all too frequently discarding it for systems and formula which have failed elsewhere in the world or earlier in history whenever they have been tried.

Let the so-called liberals of today who in my opinion more appropriately should be designated as our "20th century Tories" define their own political and economic philosophy which appears to be a bland reliance upon the power and the purse of the Federal Government to solve everything with centralized authority but let us hope genuine conservativism is in fact on the ascendancy since without it the success formula which have solved so many problems in the past will be replaced by a succession of exciting and expensive albeit unproductive experiences which in the end may destroy the very ingredients which have made America strong and kept it great.

There being no objection, the article was ordered to be printed in the Record, as follows:

Thinking Things Over: Reagan, Romney and Rebellion

(By Vermont Royster)

When Al Smith got buried under that avalanche in 1928 not many people would have wagered a plugged nickel on the future of the Democratic Party.

After Landon, Willkie and Dewey had been put aside by the voters—the last on two occasions—few political prophets saw much prospect for a future Republican President.

The two Eisenhower victories over Adlai Stevenson, one of the most personable men ever to run for the White House, gave scant hopes that any Democrat, much less the youthful and then unknown John Kennedy, could take back the prize in 1960.

What actually happened in each instance was enough to put caution in the heart of the boldest political pundit.

Yet almost everybody threw away his caution again after what happened to Barry Goldwater in 1964. With either glee or glum, depending on the point of view, the prophecies were that the "conservative vote" had got its comeuppance, never to be reckoned with again as a serious political force.

Now all of a sudden a Hollywood actor, known to the younger generation mainly through the late, late TV shows, has thrown the political seers into a turmoil.

Not only did Ronald Reagan win the California Republican gubernatorial primary, his defeat of old pro George Christopher, former San Francisco mayor, was devastating. Meanwhile his future Democratic opponent in the general election, incumbent Governor Pat Brown, had a narrower margin in the Democratic primary. Altogether, Reagan got some 400,000 more votes than Governor Brown.

And to add to everybody's astonishment, this Hollywood amateur did it all while running as a straightforward conservative, appealing not to the "kooky" vote but to the broad middle-class of wage-earners, shopkeepers and small businessmen.

Mr. Reagan's good looks and actor's voice, while certainly a factor, were not enough to explain the size of his victory. Louis Harris, the pollster so often relied upon by the Democrats, concluded that the major influence was a resurgence of what can only be called a "conservative" vote.

Hardly any wonder, then, that Mr. Reagan got a call to Eisenhower's Gettysburg retreat and the fascinated attention of the political trend-watchers when he flitted in and out of Washington. Some people, indeed, were already writing off the California election in Reagan's favor before the ballots are counted.

That's always a dangerous practice. Nonetheless, final winner or no, Mr. Reagan's performance in the primary is tangible evidence that what's called the "conservative" vote is, after all, a political factor to be reckoned with.

There are other clues pointing the same way. William Buckley, the gadfly philosopher of pristine conservatism, astounded everybody with the size of his vote as a maverick candidate for mayor of New York.

Then there's the phenomenon of George Romney. He won two victories in Michigan by not only talking conservatively but, as governor, acting conservatively. He got the state a new and thoughtful constitution and rescued its treasury from bankruptcy. He has also managed to make himself a national figure by preaching a sort of evangelical doctrine of virtues right out of McGuffey's Reader, all of which strikes a responsive chord in many solid, middle-class voters.

Former Vice President Nixon has also had a rise in stock by sounding more conservative than he did running against John Kennedy. Governor Hatfield of Oregon, another Republican success and 1968 hopeful, must also be numbered among the "conservatives."

This turnabout from the doldrums of 1964 may be surprising, but as a political phenomenon it is not without precedent.

The Al Smith defeat in 1928 actually set the stage for the 1932 Roosevelt victory. The two main issues that worked against Governor Smith, Catholicism and Prohibition, were crystallized and got out of the way for all time. Four years later F.D.R. profited from the Catholic vote and from the feeling by then that Smith was right all along about Prohibition.

Governor Dewey played much the same role, although the effects were slower, in setting up the Eisenhower victory—he resuscitated the Republican vote in suburbs and small towns—and Adlai Stevenson kept alive dissatisfaction with the calm of the Eisenhower years, which was a help to President Kennedy.

In short, politics is an area in which they also serve who get defeated—if the defeated candidate will risk standing up to be counted.

That is what Barry Goldwater did. Much of what he said seemed outrageous to many people nurtured through a generation on a "liberal" doxology. It opened him up to easy attack that he would repeal the whole of the past three decades; many older people, for instance, were actually convinced that a President Goldwater would abolish the whole Social Security system, or give the Tennessee Valley back to the Indians.

Even so, Barry Goldwater got 27 million votes, a not inconsiderable bloc. More importantly, after the election a lot of people had calmer second thoughts about some of the things he was saying. It's commonplace to joke now about how "if Goldwater were President we'd have a war in Vietnam"; but the joke is symbolic.

The important thing is not to misunderstand the word "conservative," which has here been carefully put in quotes. If it refers only to the John Birch position, or to those who would repeal the three decades, there's probably no such thing as a conservative resurgence; their members are likely as small as ever.

But the evidence grows that there's a growing rebellion against what passes today for "liberalism"—open handed spending, high taxes, a cavalier attitude toward law and the Constitution, debasement of the money, easy acquiescence to pressure groups and much else that's embraced in the "liberal" syndrome.

Much of this feeling, no doubt, is inarticulate and unfocused. Without something to act as a catalyst (military disaster or economic woes) it will hardly be decisive in 1968.

Yet almost certainly it is there, awaiting its time and the articulate political leader who can come forward and give it shape.

GIFT OF PAPERS OF THE LATE SENATOR JOHNSTON TO THE SOUTH CAROLINIANA LIBRARY

Mr. RUSSELL of South Carolina. Mr. President, I take great pleasure in placing in the Congressional Record the remarks of the Honorable Robert W. Hemphill, Federal district judge in South Carolina, regarding the gift of the papers of the late Senator Olin D. Johnston to the University of South Carolina. The papers of the late Senator have been made available for present and future generations of our State, and I feel that the remarks of Judge Hemphill will be of interest not only to the Members of this body but also to the citizens of this country whom Senator Johnston served so well.

I ask unanimous consent that the remarks may be printed in the Record at this point.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of Judge Robert W. Hemphill Before the South Caroliniana Society on Its Expression to Mrs. Olin D. Johnston, Mrs. Vernon R. Scott, and Miss Elizabeth Johnston, for the Gift of the Papers of the Late and Beloved Senator Johnston to the South Caroliniana Library

Mr. President, distinguished guests, members of the South Caroliniana Society:

I am most happy to have a place on your program tonight, especially to take part in doing honor to the family of my late friend. As I took around this room, I find so many faces, personalities, that have been so much a part of my experience, who have so influenced by life that I am especially delighted to be in your good company and join in the great purpose expressed here tonight.

"Lives of great men often remind us
We can make our lives sublime
And on departing leave behind us
Footprints on the sand of time."[1]

The footprints of this great and beloved leader and servant of men, long linger in good works in this, his native state and elsewhere across this land. We feel most fortunate that the University has his papers, which will reflect the politics and statesmanship of the decades in which he gave his utmost for his state and nation. I am confident they will be a source of valuable historical information, and will provide inspiration to generations of the future.

It has been said that Lincoln belongs to the ages; the recent recognition of him in Mexico binds a truth of that expression. The great good, the live Christianity, the humble dedication to service that we knew and loved in Olin Johnston will repeatedly imprint in the hearts, the minds—I may say almost the souls—of all of us who were privileged to have the intimacy of close association. It is our expectation, and prediction, that the impact of his kind of public service, his simple honest love for his fellow man will last through the years, will mushroom in impact, guidance, and inspiration.

No biography of Olin Johnston can be complete without full account of his co-star in the drama. His battles, his hardships nobly endured, his victories could not be fairly treated or given full measure without her. Gladys Johnston was, in truth and in fact, his other half, alter ego, partner, advisor, lover, wife, mother of his children, surest sage in hours of political dilemma or governmental crisis. Hers was, and is, a dedication and love, exceeded, if and only, by that of the great characters of the Book of Life they loved so well.

So may I sum her wed-life by those inspirings from the Book or Ruth:[2]

[16] And Ruth said, intreat me not to leave thee, or to return from following after thee: for whither thou goest, I will go; and where thou lodgest, I will lodge, thy people shall be my people, and thy God my God.

[17] Where thou diest, I will die, and there I will be buried: the Lord do so to me, and more also, if ought but death part me and thee.

This was the romance we knew, and loved. This was the couple, Olin and Gladys.

In these, the after years of happiness in marriage, we reflect with joy in their fellowship, that:

She was with him when he was a State Legislator;

She encouraged him to run for Governor;

She was with him when they knew the ballot-box was aborted to defeat him for Governor.

She was with him in those dark days of privation following his defeat;

She was with him when he staged his come-back—broke! Intimates recall the little box at campaign headquarters where friends dropped a dime, quarter, dollar, to mail out campaign literature.

She was with him when he mounted the bridge of the ship of State and sailed on and on, ever with courage;

So was his chief cook, the State hostess, when a Great President came to call at the Governor's mansion.

Into the Valley of the Shadow she chose her way to bless him with children;

At his side she stood proudly in the presence of peers, national leaders, Kings and Emperors;

With him she walked with crowds where kept their virtue[3]; with him she laughed with Kings and kept the common touch—

For him, and in his memory, she and her daughters gave his papers, that men might learn and women find inspiration, in a good and great life, well lived, of course well run—

I salute her gift. I salute her lovely daughters, Sallie Johnston Scott in absentia, talented Elizabeth here in representation. I make no apology for tribute primarily to the parents. The children can join us all in counting their, our blessings, in the lives of these.

For the University, I salute! For posterity, I express gratitude. For the fortunate decades of his and her life on this earth, I echo the praises of current history, confident in the pattern—more praise in the future—

For, as was written at the direction of the great Master of Time in the lessons to the Preacher.[4]

"[1] To every thing there is a season, and a time to every purpose under heaven"—

For Olin Johnston was a man of deep religious conviction, and, as the preacher—

"[22] Wherefore, I perceive that there is nothing better than that a man should rejoice in his own works * * *."

Mrs. Johnston, Sallie and Liz have accomplished a great, a generous, a magnificent act in this gift. The University is proud to have these papers, proud of its association with Olin's life, proud of his association now with his history. The University speaking tonight its words of gratitude speaks for the entire population of South Carolina, for a grateful State and for a grateful nation. Thank you for what you have done for all of us.

His friends and admirers seek to perpetuate, and will perpetuate his memory and good works in a distinguished professorship, and chair, in Political Science at the University. We continue to seek funds for scholarships. This is the Olin D. Johnston Scholarship Fund. His papers will further the work of this department for generations to come.

At the direction of the Executive Council of the South Caroliniana Society, in the Society's behalf, I am directed, privileged to announce the award of Life Memberships in the Society to his and our Gladys, his and our Sallie and Liz.

We are fortunate to have them; they are fortunate to have us.

If Miss Elizabeth Johnston will come forward please:

Elizabeth: I am pleased to present to you Life Memberships in the South Caroliniana

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[1] Longfellow: "Psalm of Life."

[2] The Book of Ruth, Chapter I, verses 16 and 17.

[3] "If," from Kipling's Fools & Fairies.

[4] Book of Ecclesiastes, Chapter 3.

Society for your beloved Mother, your sister Sallie and you.

Thank you, and God Bless You.

SUPPORT FOR WELFARE PICKETERS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record a news story which appeared in the Washington Star of June 2 entitled "District of Columbia Welfare Picketers Supported."

There being no objection, the story was ordered to be printed in the Record as follows:

District of Columbia Welfare Picketers Supported

Representatives of the poor who advise on Washington's antipoverty program have backed pickets, some on public assistance, who demonstrated in front of the headquarters of the District Welfare Department's investigators last week.

The Metropolitan Citizen's Advisory Council of the United Planning Organization last night approved a resolution supporting the right of citizens to petition peacefully for the redress of grievances. The council also voted support of the poverty war staff for their "good offices" in the effort.

Welfare Director Donald D. Brewer criticized UPO after the antipoverty agency released pictures showing people inside the building at 414 2nd St. SW taking pictures of the pickets. UPO said the picture-taking represented harassment of public assistance recipients who were picketing, and Brewer said UPO was stirring up trouble.

Brewer said the pictures weren't authorized by the Welfare Department, but had been taken on the individual initiative of some employes. He said there would be no reprisals against any recipient who had picketed.

The advisory council also approved a resolution urging that home rule for the District be pressed at the White House Conference to Fulfill These Rights. One council member, Carlos M. Rosario, opposed the resolution, saying "I'm for home rule, but we shouldn't be in politics."

OUR TROOPS IN VIETNAM

Mr. TOWER. Mr. President, the always candid and outspoken editors of the Dallas Morning News have contributed another of their outstanding editorial comments on our Nation's Vietnam commitment. I ask that there be printed in the Record for the information of other Senators a penetrating editorial of June 18, 1966 entitled "What Manner of Men?"

There being no objection, the editorial was ordered to be printed in the Record, as follows:

What Manner of Men?

Americans who read news stories about our troops in Viet Nam may ask, "What manner of men are these?"

American soldiers, Marines, airmen and sailors there are performing feats that would be incredible if they occured in fiction, let alone in real life.

Item: A pilot sees his wingman's plane shot down in enemy territory in the midst of a raging fire-fight. He lands his big attack bomber on the battlefield, retrieves his wingman on the run and takes off again in a hail of VC fire.

Item: The commander of a company of paratroopers surrounded by enemy troops realizes his unit has been overrun. He calls in artillery and air strikes on his own position.

Item: An officer flies to a rear area, seeking volunteers for a relief force to go to the aid of the outnumbered, trapped paratroopers. A contingent of men who have completed their combat tours or been wounded pick up their weapons. Having earned the right to a safe return home, they voluntarily march back into one of the bloodiest jungle battles.

Item: An 18-man reconnaissance team of Marines defends a rocky hilltop against the attacks of 300 Viet Cong. The 18 Marines fight with grenades, bayonets and rocks. The struggle for the hill continues for five hours until the unit is down to two unwounded men and only twelve rounds of ammunition. But they hold the hill.

These are not supermen, nor do they think they are. Americans have come a long way from the days of innocence when they firmly believed that one of "our boys" can automatically rout 20 men of any other nationality on general principle. Regardless of patriotic oratory, the forces of the nation's enemies do not cringe and run at a glimpse of the American flag. They must be defeated the hard way, through superior skill and training—and sacrifice.

The Americans in Viet Nam are not the spearhead of a great, unanimous crusade by a determined people. Too many back home remain confused and divided on the issues behind the stand in Asia. Some here would like to dodge the issues and let the sacrifices and exertions of the past and present go for naught. A few even champion the cause of the aggressor and attack the motives and methods of their own country.

The men we have in Viet Nam are the manner of men who can do what needs to be done and who can do it without striking attitudes, without whining and without looking back.

Objective military analysts have said that the Viet Nam force is the finest this nation has ever sent into war. In one of the most difficult, frustrating and complicated struggles ever waged, the soldiers, Marines, airmen and sailors have carried out their assigned missions with courage, intelligence and enthusiasm. Their leadership has been outstanding; their individual and collective performance of duty, exemplary.

This force is made up of members of the younger generation, by and large—the generation that has been accused of thinking only of itself and its immature pleasures.

John F. Kennedy once said that "when at some future date the high court of history sits in judgment on each one of us . . . our success or failure, in whatever office we may hold, will be measured by the answers to four questions—were we truly men of courage . . . were we truly men of judgment . . . were we truly men of integrity . . . were we truly men of dedication?"

What manner of men? They are the manner of men who, when they face the high court of history, will not be found wanting in any of these qualities.

PORNOGRAPHY AND THE SCHOOLS

Mr. BAYH. Mr. President, a major function of all courts is to settle disputes. At the same time litigation in many instances may also encourage disputes by raising social problems to the level of reasoned public debate.

One such instance is the question of how best to deal with the social problem of pornography. On the whole, Congress has not concerned itself directly with this question, but it has received extensive review by the judiciary. However, social problems cannot be alleviated by legal means alone. The problem of pornography is part of the broader problem of developing literary and esthetic standards in our youth. This is not the job of Congress or the courts, but of our basic institutions: the family, the school, the church, the voluntary community organization, and others.

An editorial by Dr. Stanley Elam, which appeared in the May issue of Phi Delta Kappan, the journal of the national education honorary society, makes this point well. I commend the article to my colleagues and ask that it be printed in full at the end of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Pornography and the Mission of the Schools

The three pornography cases on which the U.S. Supreme Court ruled at the end of March produced split decisions and fourteen different opinions. The cases demonstrate again the great difficulty we have in guarding freedom of speech and press while trying to suppress behavior "affronting contemporary community standards."

No generally satisfactory definition of obscenity is available, of course. Community standards fluctuate by time and place. In fact, no definition is even individually satisfactory—what I would regard as obscenity for my teen-age children may only be funny to me. But the court has ruled that obscenity, whatever it is, cannot be protected by the test barring only those words which carry a "clear and present danger" of inciting antisocial conduct. The 1957 *Roth* ruling tried to distinguish between obscenity and sex—and wound up inviting the latter into the living room. The new rulings, particularly *Ginsburg,* call for examination of the *motives* of the so-called smut-peddlers, a very tricky kind of censorship indeed.

Not many of the justices and still fewer national pundits and commentators support Justice Douglas (a contributor to this Kappan), who holds steadfastly to his opinion that all censorship must be abandoned, on the ground that the First Amendment protects all expression, including obscenity, that does not actually incite antisocial conduct.

We have no desire and little competence for probing the profound questions of public policy raised by government censorship. We should like to suggest, however, that the school has far greater potential than the Supreme Court for dealing constructively with problems posed by the pornographers.

Raised standards of taste can run the smut-peddlers out of business—or at least drastically reduce their income—and raising standards of taste ought to be the stock-in-trade of the schools. If the local theater shows B-grade BB pictures, the school must show why they are grade B, and perhaps show some A pictures as well. If the local disc jockeys stay exclusively with rock-n-roll, the school must be critic, connoisseur, and guide—and perhaps producer too. If *Screaming Flesh* has ousted *The Way of All Flesh* at the newsstand, the schools had better ask themselves why.

No competent humanities teacher can ignore the home and community influences that pull in the opposite direction from his syllabus. If he doesn't spend a good deal of his time and energy examining and keeping abreast of these influences, he might as well live in another world. Overcoming the gap between the generations is hard enough. It is impossible when complicated by ignorance on *both* sides.

By giving as careful attention to curriculum and staffing in English, music, and art as they do in science, mathematics, and languages, school authorities can have an impact on taste at least as great as the corner newsstand, movie house, and drugstore—even if it falls short of TV.

The schools can and ought to be better psychologists than Hollywood producers are, and better merchandisers than Edward Mishkin with his weird little "bondage" book publishing house. The Supreme Court, can't teach us much about psychology and selling, can they?—SME

MISUSE OF UNITED STATES AID TO EGYPT

Mr. BREWSTER. Mr. President, during my years in Congress I have supported our foreign aid programs because they are an effective means of promoting economic progress and insuring stability in underdeveloped countries.

But I am disturbed by the fact that occasionally—perhaps too often—our aid does not filter down to the people who need it most. In fact, our aid may go for purposes which run directly counter to our own national policy.

Now, a Senate subcommittee has discovered that while Egypt has been receiving surplus wheat from the United States, it has been selling its own grain to several Communist countries. Reportedly, the proceeds from these sales are being used to purchase arms for Nasser's announced campaign against our friend and ally—Israel.

The U.S. announced policy is to stabilize tensions in the Middle East. Despite this fact, it appears that our assistance is not only missing its major target—helping to feed hungry Egyptians—it is actually going to subsidize an anti-Israel war buildup.

I believe we cannot continue such double dealings; they are of no real benefit to anyone. Last year I voted against continued assistance to Egypt and I will continue to follow this course until I am convinced that the Government of the United Arab Republic is willing to content itself with an all out war on the problems of starvation and poverty among its own people. Such a war cannot be fought with machineguns, tanks, jet aircraft, or missiles.

Yesterday, Mr. President, the Baltimore News-American carried an appropriately strong editorial on this subject. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Biting the Hand

For years, Egypt has been one of the biggest beneficiaries of the United States' foreign aid program. Now a Senate subcommittee has revealed that Egypt has been abusing this privilege in a flagrantly dishonest manner.

The Senate foreign aid expenditures subcommittee has discovered that Egypt has been selling its home-grown grain to Communist countries, while getting American wheat for nothing.

Egypt has been utilizing this device, reports Hearst Headline Service's Leslie Whitten, to buy war materials from Communist lands.

Egypt's transactions with Communist countries on this basis are open violations of its foreign aid agreements with the United States. Now Senator Ernest Gruening (D.-Alaska), chairman of the subcommittee, has scheduled hearings on the matter.

The hearings come not a moment too soon. The American foreign aid program is without precedent in international generosity. But it must be made clear that the United States cannot be made into a patsy by anyone. This should be borne in mind in future dealings with President Gamal Abdel Nasser's so-called United Arab Republic.

THE CAUSE OF RIOTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record an editorial which appeared in the June 10 edition of the Chicago Tribune entitled "The Cause of Riots."

There being no objection, the editorial was ordered to be printed in the Record as follows:

The Cause of Riots

The usual sentimental drivel is coming forth in an effort to excuse the rioters who for two successive nights engaged in shooting, looting, burning, and fighting with the police on the near northwest side.

One of the lines of apology is that the police were at fault in their efforts to restore order and defend themselves. After the first night of disorder the leaders of the Puerto Rican community asked police to stay out of the area.

"We'll control our people," they said.

The police agreed to keep out of sight. Orders were issued that no identifiable police vehicle should appear in the troubled area. This proved to be a mistake. The police were called back when looting, vandalism, and other disorders were renewed. Before the night was over seven persons had been shot and 37 arrested.

Apologists for the rioters also have been looking for reasons to blame unemployment, interracial friction, and "the ghetto." In fact, unemployment in the community is not serious, according to the head of Archbishop Cody's committee for Spanish-speaking residents. There has been little friction between Puerto Ricans and older residents.

As for the "ghetto" charge, Spanish-speaking people willingly gather together, just as other immigrant groups have done. The near northwest side is an area of older residences, but it is not a disgraceful slum.

The only explanation left for the rioting is that the participants have been encouraged to decide for themselves what laws to obey. The only way to get "justice," they have been taught, is to perform acts of violence.

Last year's rioters in the Watts area of Los Angeles were excused by no less a person than President Johnson, who said similar upheavals could occur in other cities where people "feel they don't get a fair shake." The late President Kennedy warned that unless Congress passed the 1963 civil rights act, the "only remedy is in the street."

Sen. Robert Kennedy of New York said it was pointless to tell Negroes in northern slums to obey the law. To these Negroes, he said, the law is the enemy.

Some of the national magazines have been equally irresponsible. Layouts of pictures of city slums are accompanied by articles warning that 40 or more cities are the "targets" of outbreaks during the "long, hot summer."

There is constant repetition of the charge of police "brutality," even tho the evidence has been overwhelming that the police in northern cities bend over backward to be gentle with members of minority groups.

All these apologies are alien to our Constitution. We have the right of free speech, but not to cry "fire" in a crowded theater. We have the right of assembly, but only so long as the assembly is peaceable. There is no right to riot, to loot, to destroy property, or to attack the police.

If a city's elected officials fail to make these limitations perfectly clear, they can expect endless disorders.

ARRANGEMENTS FOR U.S. PARTICIPATION IN THE VENICE ART SHOW

Mr. PELL. Mrs. President, the Venice biennial art show, which opened June 18, is the oldest and most prestigious of the international exhibitions of painting and sculpture. After James Whistler won a major prize in 1899, the "Venice Biennale" has been news in this country. These shows provide international recognition of what is taking place in the national schools, and indicate the direction of things to come.

Awareness is beginning to dawn in this country that, since World War II, American artists have ascended to a position of acknowledged leadership in the world of art.

Therefore, people abroad want to see our artists, and it is a matter of national pride and pleasure to have their work on exhibit at such shows as the "Biennale."

The Smithsonian Institution has now undertaken responsibility for financing and arranging the American participation at Venice. The international art program of the Smithsonian, and the Metropolitan Museum of Art in the person of its associate curator of American painting and sculpture, Mr. Henry Geldzahler, as well as the vice president and other friends of American art are currently engaged in coordinating these arrangements. They deserve the attention and support of Members of this body, and all thoughtful citizens.

Mr. President, I ask unanimous consent that the statement by Dr. David W. Scott, the Director of the National Collection of Fine Arts, and a presentation by Henry Geldzahler, who has been designated U.S. Commissioner to the "Biennale" be printed in the Record at this point for the information of all who may be interested in this important event.

There being no objection, the material was ordered to be printed in the Record, as follows:

Statement on the Venice Biennale by Dr. David W. Scott, Director, National Collection of Fine Arts, April 6, 1966

At the great international biennials, the developments in American art are examined, praised and debated by a large international public. For the United States to be unrepresented on such occasions, when there is such interest in our art and when all the other great nations are present, would appear to indicate that this country is sadly lacking in concern for cultural matters—that it does not care about its art or artists. This is certainly not the case. Never before, in fact, have so many thousands of Americans been so deeply involved in our art life.

In order to represent and foster this concern for cultural matters, the National Collection of Fine Arts has undertaken to organize and sponsor the American representation at the 1966 Venice Biennale and subsequent major international exhibitions. The National Collection of Fine Arts with the National Gallery of Art, the Freer Gallery of Art, and the National Portrait Gallery are the four bureaus of the Smithsonian Institution concerned with the fine arts. It is the one government gallery with a major emphasis on American and contemporary art. At the heart of its program is the encouragement of American contemporary art by presenting exhibits, here and abroad.

The International Art Program of the National Collection, headed by Lois Bingham, follows the policy established for the exhibits program while it was under the sponsorship of the U.S. Information Agency.

In the overall program, there is a conscious effort to achieve broad representation of the art activity of this country. Grants are given museums to enable them to make selections that reflect independent viewpoints. The last three international biennials were selected by museums from the midwest, east coast and west coast, in turn. The choice of institution has been made on a principle of rotation and on the basis of evinced interest and strength in the field of contemporary American art.

The museums have been given complete freedom of selection, within the limitations of the available budget. The choice of artists (beyond the general assumption that the selections are important and significant in relation to the contemporary scene) again follows the principle of rotation. No proposed list has been rejected or modified because individual artists were considered too extreme or too conservative. There have been no pressures, and no special pleas for any clique or style. The concern of the International Art Program, like that of the National Collection, is for art that represents the scope and strength of American creativity.

The budget imposes definite limitations. When the National Collection accepted the responsibility for the international art program, there was no federal budgetary provision for the Venice Biennale.

Public-spirited individuals in Washington and New York have promised to support our fund-raising campaign so that American representation at the major biennials may continue without interruption. At the same time, we are forced to be moderate in assuming commitments. We have explored a variety of possible ways of selecting the exhibit. Since we came into the program late and museums establish their schedules well in advance, a number of qualified institutions could not help this year; fortunately, the Associate Curator of American Painting and Sculpture of the Metropolitan Museum of Art, Henry Geldzahler, currently on leave of absence, was able to undertake the task.

The nature of the American pavilion imposes severe limitations on the exhibit. The pavilion's location is central, but its size and arrangement effectively restrict the display to four smallish galleries. Given these conditions, and inflexible lighting, Mr. Geldzahler's decision to present four distinctive, colorful painters seems a wise one. The work of Olitski, Frankenthaler, Lichtenstein and Kelly forms a show which combines variety and cohesiveness. It suggests something of the range of contemporary American approaches, and yet adds up to a balanced group of "mid-career" artists.

The long-range pattern of broad representation and rotation, which becomes clear in a backward glance over the program, will be its basis for the future. This does not mean that we should enter into an arbitrary geographic round-robin. In the nature of things, New York will play a leading role. It must be remembered that there are more art museums and more artists there than in any other American city, and artists have gone there from all parts of the country. We intend to adhere to the principle of rotation of artists, but we must not add to this the rotation of dealers. To do so would mean that, after one artist had been chosen from a dealer's gallery, other artists represented by that dealer could not be considered, no matter what their merit.

Americans deserve the chance to exhibit at Venice and Sao Paulo, and we have assumed the responsibility for the exhibition because we believe that our artists should not be deprived of the opportunity, especially at a time when foreign artists are assisted by their governments. We believe that our many museums, with their individual strengths and diversity, reflect the achievements of American art better than any single institution. We also believe that the curators of contemporary and American art who have risen to positions of recognized national leadership are qualified to serve as spokesmen in representing our country.

1966 VENICE BIENNALE

(By Henry Geldzahler, U.S. Commissioner)

The American representations at the last two Biennales, Venice in 1964 and Sao Paolo in 1965, have been the most consistently strong group shows that we have sent to represent us abroad. Single shows, major retrospectives by important artists are impressive, but the embarrassment of riches implied in the sending of work by eight artists to Venice and seven to Sao Paolo is perhaps even more impressive. It was Alan Soloman who picked the excellent 1964 Venice show: Jasper Johns, Robert Rauschenburg, Kenneth Noland, Morris Louis, Frank Stella, John Chamberlain, Claes Oldenburg, and Jim Dine. And the Pasadena Museum's director, Walter Hopps, chose the more recent Sao Paolo Bienal: Barnett Newman, Frank Stella, Larry Poons, Donald Judd, Robert Irwin, Billy Al Bengston and Larry Bell.

It is a testimony to the richness and vitality of recent American painting that even after fourteen of our most inventive and accomplished artists have represented the United States at the last two Biennales, it remains possible to present this year four American painters of the highest quality: Helen Frankenthaler, Ellsworth Kelly, Roy Lichtenstein and Jules Olitski.

America's position in world art has changed radically until we now occupy a place very near the center of the stage. There has been so much pressure just to get a show organized under whatever auspices available that nothing approaching a point of view on sending art abroad has emerged until very recently. Before I turn to the specifics of this year's Biennale, the artists and the work I have chosen, I would like to use this platform to discuss some of the issues that suggest themselves.

The Venice Biennale is the oldest and most prestigious of the international exhibitions of painting and sculpture. Since the last year of the nineteenth century, when Whistler won a major prize, the Venice Biennale has been news in the American art world. However, it is only in the past half dozen years that this awareness has grown to the faint crescendo we call national awareness in American art.

The other great international exhibition staged in odd years (Venice comes in even), a post-war Latin American infant, is the Sao Paolo Biennale which has rapidly gained world stature.

The Biennales have often provided the first international setting for national art movements. It has been proved again and again over the years that art movements of real vitality are more than national; they leap borders and often linger abroad with great effect before and after they are valued at home.

Through the efforts of the museums, especially the Modern Museum, and of the magazines and art history departments, the audience for advanced art in this country is wider than it has ever been, though it cannot yet be called wide, or the art truly popular (dictionary definition: for the people). The American audience now numbers perhaps tens of thousands. Has it ever been wider—in Greece, in Italy, or in France? I doubt it.

This newly grown audience that we call the art world, made up of artists, critics, museum people, dealers, collectors and the many thousands of (just plain) afficianados, has invested the Biennales with importance because it is generally understood that America's recognized world leadership in art (a post World War II phenomenon) has been laid on the line with each recent Biennale. It is an index of the success of the exhibitions we have sent abroad to represent us that painters and sculptors from France, Germany, Japan and England have come to work in New York to see and to experience for themselves the excitement, intelligence and historical ferment of American art as indicated in our last few Biennales. Thus, we can look forward to our every move being closely watched and much discussed. The international audience has come to expect a maintained level of excellence and achievement, and to continue this is the heavy responsibility of each successive commissioner.

Why, then, send recent painting abroad to represent us at an international exhibition, when we could easily send our acknowledged masters who have been tried and passed into history? While a Biennale is more than an exhibition of current art events, it is also not a semi-annual temporary museum of our historical achievement. Retrospective of the work of such generally recognized and excellent artists as Edwin Dickenson, Stuart Davis or Georgia O'Keefe would make exhibitions of which we could be proud. However, in sending them abroad we would not be taking advantage of the forum for new ideas that the Biennales provide. There are countries that send their established veterans, and the work, while honored, is, in the context of contemporary excitement, largely ignored.

Furthermore, we have discovered that advanced painting no longer defies historical appraisal. In the continuous dialog between artists and critics we may modify our opinions in the future, but paintings no longer have to remain in the public eye for years and years before we dare to declare quality.

Whatever gap there once existed between advanced painting ahead of its audience, and generally acknowledge classic contemporary painting, has narrowed to the point where the two are identical. This is true not because painting has become less radical. The artists of the last two Biennales and Frankenthaler, Kelly, Lichtenstein, and Olitski are at the same time advanced and historical because the new audience in large part understands the processes of art history and is willing to accept pictures which are still somewhat impenetrable and verbally elusive. Robert Motherwell in 1960 summed up the attitude, the state of mind of those who remain open to the new experience of advanced art: He was speaking of the artists, but what he wrote also indicates the heavy demands made on the new audience, ". . . I think that it is impossible to be deeply in touch with one's feelings and, looking at the world squarely, not to become revolutionaly, not to want to change—in relation to imagined new possibilities—the areas of which one is aware. To create is not to repeat, but to discover, critically, radically, and freshly." The difficulties and the rewards of an understanding of advanced art are clear.

At the same time I do not believe that the Biennales should be a proving ground for emergent talents. The curious criticism has come from usually conservative quarters that recent Biennale choices are not sufficiently avante-garde. Why rush to send abroad qualities we are not ourselves sufficiently familiar with? It clearly takes more than one or even two exhibitions in our gallery system before an artist can win the respect and confidence necessary for an intelligent evaluation. It is, therefore, the artist in flourishing mid-career who interests me, the artist who has made a personal statement in original formal terms and who shows every indication of continuing possibilities in growth and development. The Biennale, as I conceive of it, is neither a forum for the museum worthy veteran, nor for the season's brightest chick. A Biennale, when operating efficiently, should be an art fair to which artists recognized at home bring their latest findings.

It is in the nature of making exhibitions that the choice be made not by committee or consensus, but by one person. It is to be hoped that more than mere personal taste is at work in the selection of artists. The commissioner's taste must make a coherent and logical point and take into serious account both previous Biennales and the current historical situation, i.e. the total shape of contemporary American art. It is a foregone conclusion that no commissioner's selection can find universal approval. However, the interested public including, and especially, the hostile critics have not taken constructive advantage of the open forum the communications media offer. A resonant dialogue might be opened each year with critics of very stripe and persuasion making known in the public press and the art magazines their own choices and counter-suggestions before and after the commissioners are announced.

The rise of the modern critic dates from the early 19th century, when the newly emergent middle class demanded information and opinion on all cultural matters from the journalistic press. With the loss of a restricted and elegant audience for art, such as the one that existed in France in the 18th century, painting turned in on itself in a process that is perhaps now reversing itself for the first time in one hundred years. It was in this period that art became the bafflement of the public and the exclusive concern of the artist and his immediate coterie.

In every case the important modern critic who has first elucidated difficult art to a not always willing or large audience has been drawn from the coterie of the artists. We may think of Baudelaire, Zola, Apollonaire, and of Clement Greenberg in our own day. All those who have taught us to look at difficult contemporary art and have given us the terms with which to discuss it have honed their perceptions and vocabulary in intimate conversations with the artists from the earliest years of each movement. But the critic who has learned, grown, and spoken for a movement has been rare. The great majority of our key critics are art historians with a vivid understanding of the processes of history. They are more than inspired middlemen; when they are successful, they give coherent form to the seeming chaos, the bewildering range and variety in the art of our period. It is to the men in these categories that the responsibility of choosing an exhibition from an intelligently arrived at and cogent point of view must be given. Only the man who perceives significant unity and contrasts can project his ideas clearly.

It is for this reason that the limitations to critics who also are museum men is dangerously restricting. There are few enough men capable of performing what must obviously be a sensitive historical task. The reason for giving the commissioner-ship to museum men has been that they come fully equipped with a staff and apparatus to put together a professional show. While the burden may seem heavy, I would suggest that now that the Smithsonian's National Collection of Fine Arts has assumed the responsibility for both the Venice and Sao Paolo Biennales that they make available their services and consequently free themselves to range far beyond the confines of the museum to choose the commissioner.

Selection is one of the critics' best mediums. Unaffiliated critics and art historians and those associated with universities should have a greater opportunity to assemble exhibitions, particularly the Biennales.

We have discussed the qualities a Biennale Commissioner should have, but not the way in which he is appointed. In the past the organizing institution, first the Museum of Modern Art, then the USIS, and now the National Collection of Fine Arts of the Smithsonian Institution have suggested the commissioners who are then officially appointed by the department of international conferences of the State Department. The commissioner has always been chosen by the organizing institution. Whoever pays for the exhibition gets to choose the commissioner. This may seem arbitrary, but so does every system one can imagine. Where taste is the criterion matters must at some point become arbitrary, and in the case of the Biennales it might as well be in the choosing of the commissioner.

I might also here insist that our Federal government take on with graciousness and with no conditions of any kind the financing of the American Pavilions at both of these great international exhibitions. The responsibilities for the Biennales have been handed about like so many hot potatoes. It is both undignified and wasteful of energy to condone and even expect fund-raising scrambles every year. Their regularity is alarming and heart-breaking. Countries many times less affluent than ours and with much less to exhibit support their pavilions as a matter of course. What an infinitesimal item in our budget would be the annual expense of these important international art fairs.

The excellent precedent and initiative on the part of the Smithsonian Institution in bringing the 1965 Sao Paolo Biennale to Washington should be followed in the future for both the Sao Paolo and Venice Biennales. The interested American audience should be given the opportunity to view and judge and consequently to learn from these exhibitions we send abroad.

All of us involved with this year's Biennale are hopeful that this may be the last time the present building will be used. When conceiving of this year's exhibition an alternate possibility to the four artists I chose was a David Smith retrospective. His untimely death in mid-career and full working glory was tragic. In the last two years of his life he produced his most memorable and monumental sculpture. A provincial, Vermont, small town, national bank with an unusable domed entrance flanked with lethal symmetry by two arms each in turn divided into two static, identical rooms is far too rigid for the manipulation of space necesary to do justice to Smith's sculpture, or anyone's. What is more, the current building has no current. Obviously the advantage of this is that no kinetic art can be shown. Under the present situation the solution to the problem of no electricity is to close the American Pavilion earlier and earlier each day as the summer progresses and as daylight fades.

The American Government has the right to erect a new building on the lot assigned us. Clearly, the architectural problem is to build a structure so flexible that anything may be accommodated from standard exhibitions of paintings hanging at eye level flush on the wall to electronic, free-wheeling environments in which the audience participates. No museum yet erected in this country or anywhere can meet the requirements for flexibility that the future of our visual arts makes imperative. Perhaps a building constructed of modules like children's building blocks that can be taken apart down to the foundation and put back together again for each Biennale is what we need. American engineering and technology are certainly capable of solving this relatively simple problem. The arts in the United States are moving toward greater interdependence. Painters and sculptors make ballet sets, theatre events, and happenings and more and more they are dancing, making movies and even producing rock 'n' roll extravaganzas. This is a healthy and leavening tendency in the arts and is to be encouraged. It does not spell an end to painting and sculpture as we know it. It is an additional, vivifying aspect of our visual arts.

H.R. 2035—STAR ROUTE CONTRACT EMPLOYEES OF THE POST OFFICE DEPARTMENT

Mr. TOWER. Mr. President, the Senate has now passed H.R. 2035, legislation designed to assist in small measure star route contract employees of the Post Office Department.

This bill, Mr. President, will effect approximately 10,000 contractors holding some 12,000 contracts. These contractors provide exclusive mail service to some 26,000 post offices and supplemental service to most of the remaining offices. Approximately 4,000 star route contractors now provide box delivery and collection service to patrons on their routes. In other words, they provide identical service as rural route deliverers, but for about one-third of the unit cost. Committee reports showed that contractors are not generally treated in the same fairness as given to civil service employees. I believe that this is discriminatory to the many contractors who spend a lifetime transporting mail for the post office.

When routes are curtailed or extended, the annual pay is adjusted accordingly on a pro rata basis, but no consideration is given to expanded schedules, unless the contractor prepares a copy on Post Office Department forms and requests an increase in compensation due to additional time required on the job. It must also be kept in mind that this pay includes depreciation of equipment, vehicle insurance, license tags, gas, oil, and tires, as well as maintenance. Many contractors are required to leave their homes early in the morning and do not return until late in the evening, requiring from 10 to 12 hours on the job, leaving little time for the contractor to look after his personal business and keep accurate records of his cost of operation. Present laws will not permit the Post Office Department to adjust the compensation of contractors unless the contractor requests such, and then his request must be documented in detail.

Enactment of H.R. 2035 will help to relieve this condition, especially for some 50 percent of the contractors who now receive less than $5,000 annually. With the expanded schedule being imposed on contractors, with reduction in pay due to renewed miles of travel, carriers are finding it very difficult to maintain their standards of living for the amount of pay they are receiving.

Mr. President, laborers and employees in most every field or trade expect, and rightly so, to receive an increase in wages when the cost-of-living rises. This is just and reasonable. Likewise employees of the Postal Department operating under a star route contract are most worthy of this legislation. I have supported H.R. 2035 because it does give an equitable compensation to star route mail contractors by providing a wage increase they properly deserve.

THE FIRST CARL M. LOEB, JR., AWARD WINNER

Mr. BAYH. Mr. President, it is my privilege to call to your attention a courageous and intelligent man who symbolizes the concern all law-abiding citizens share in the prevention of crime. In an era when our crime rate is a national burden of shame, we hear much about the reluctance of the average citizen to become involved in any infraction of the law which he may witness. Many horrible crimes—assaults, muggings, shootings, and so forth—have happened while passers-by turned the other way, afraid to become involved. The man about whom I speak, however, did become involved. He did help a policeman who needed assistance. His courage set an example that all of us would find difficult to match.

This man is Guy Ronald Spaulding, of Route 1, Greenwood, Ind. Mr. Spaulding is chief medical technician at the Camp Atterbury Job Corps Training Center Hospital. He has a family, two lovely little daughters. As a private citizen, his only responsibility to become involved in this incident was set by his own sense of public justice.

On October 31, 1965, Mr. Spaulding was driving home from work at 5 a.m. At the same time, an Indiana State policeman was pursuing two offenders near Taylorsville, Ind. The men jumped from their car and were beating the State policeman when Mr. Spaulding drove into view. He could have driven off in the opposite direction. But he did not. He pulled his car to the side of the road behind the abandoned police car, used the police radio to call other troopers to his aid, and took a shotgun from the car—a shotgun he later learned was unloaded. Using the gun, he forced the two men to put their hands in the air, freeing the State policeman. The two men were convicted and are now spending 6 months in a State penal institution.

In reward for his bravery, Mr. Spaulding yesterday received the first Carl M. Loeb, Jr., Award, granted under the auspices of the National Council on Crime and Delinquency. The certificate and $5,000 cash stipend will be awarded annually to an individual who, like Mr. Spaulding, exemplifies the concern of citizens for law enforcement.

In presenting the award, Attorney General Nicholas deB. Katzenbach commented:

> Not only did Mr. Spaulding participate in the active support of our police; we must commend the intelligent way in which he participated.

Mr. President, I, too, would like to commend Mr. Spaulding for his unusual act of courage. I hope his example will be an incentive to other citizens showing them that if we want to prevent crime we must all help, that we cannot leave the job to our policemen alone. Citizen participation, we know, plays a large role in the total network of crime prevention and in obtaining justice. As citizens of a nation that must be free from crime and from the fear of crime, we all must make the effort to become involved when the need arises. We all must decide to practice a little of the courage and concern exhibited so admirably by Mr. Spaulding.

WELFARE TESTS RULED LEGAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a news story from the June 2 edition of the Washington Post entitled "Welfare Tests Ruled Legal."

There being no objection, the story was ordered to be printed in the RECORD as follows:

WELFARE TESTS RULED LEGAL

SAN FRANCISCO, June 1.—Pre-dawn investigations at the homes of women receiving welfare payments are legitimate, the U.S. District Court of Appeals here ruled yesterday. The court upheld the dismissal of an Alameda County social worker, Benny Max Parris, 32, who refused to participate in one.

He was fired for insubordination because he would not make unscheduled visits to families receiving aid to needy children funds, to determine if supposedly absent fathers or unauthorized males were in the houses.

The court said surprise inspections are legal and reasonable exercises of the "county's duty to determine the continuing eligibility of recipients."

SOME INSEPARABLES OF OUR TIME

Mr. RUSSELL of South Carolina. Mr. President, it is with great pleasure that I place in the CONGRESSIONAL RECORD the remarks of the distinguished Chief Justice of the South Carolina Supreme Court, the Honorable Joseph Moss, on the occasion of the commencement exercises of the University of South Carolina. Judge Moss is a distinguished jurist, and his words to the young graduates of the University of South Carolina bear great significance for all of us in a difficult time.

I ask unanimous consent that his remarks may be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SOME INSEPARABLES OF OUR TIME

Mr. President, Governor McNair, members of the board of trustees, distinguished guests, ladies and gentlemen, relatives of the graduates, and you graduates who are hoping I will make a short speech, as a lawyer and judge, I have had many experiences that could be described as pleasurable, and a few that honored me more richly than I deserved. But I submit that one of the greatest pleasures and honors that can befall one is to appear at his Alma Mater in the capacity I have today. (Slight pause.)

One of the advantages of maturity like mine—age, of course, has nothing to do with it—is that along with this maturity you get a telescope. Not a real telescope, but a telescope of the mind that lets you look back on the past and draw it up close, so you can see the smallest details.

It is fortunate for the mature ones so blessed that the lens of this telescope-of-the-mind is rosy colored, tinting all of the old scenes with a perfection that never was there.

But it is unfortunate, for young people like you, that this marvelous device for looking backward too often comes equipped with sound. And there is an automatic repeat device on the sound mechanism that gives you listeners opportunities to return again and again to the rosy-colored view someone else has of his past.

It would be ludicrous for me to pose as a contemporary of today's graduates . . . or even to say I understand all of your dreams. But perhaps we are not so terribly far apart. Why, I remember that when I graduated from the law school here in 1927, fashion was just about at the same point it is today in skirt lengths!

Of course there have been a great many ups and downs in the intervening years, and not only in skirts.

Sometimes, it has seemed that civilization has been about to capsize into a sea of despair, and that Man would drown in the depths of his own inadequacy. And then, a great man would come along, or a great nation would rise to the challenge, and things would be straightened out until the next time.

I have utter faith in man's capacity to survive, no matter how foolish he may be from time to time.

You will have your share of successes; it is more than a little likely that you will make some mistakes. Your successes will give you satisfaction, and some of them will probably make other people a bit better off because you passed this way.

Your little mistakes will irritate you, perhaps sufficiently to make you a better person. Try not to make any big mistakes. There are already enough people making big mistakes to provide plenty of clients for the lawyers and more than enough cases for the courts.

You know, if everyone were kind, courteous, considerate and generous, we would hardly need to have any laws. Yes, if we all really lived the teachings of our religious heritage, there would be few laws needed to keep our society orderly.

But you and I are realists. Since the earliest recorded history of man there has been a need for law, because law brings order out of confusion; law protects the weak from the encroachment of the strong. With law comes justice, and with justice comes a reckoning for the wrongdoer and recompense or relief for the victim.

It is a very human trait that the innocent seek justice and the guilty seek mercy.

But you represent many kinds of accomplishments and many kinds of interests, so I shall talk today about some things other than law and the courts. Before leaving this subject, though, I am compelled to say this: My earnest wish is that you find your vocation, whatever it is, as rewarding and as satisfying as I have found mine. (Slight pause.)

Let us think together for a few minutes about "Some Inseparables of Our Time." Americans don't think together nearly often enough. Perhaps we need someone like Mitch Miller to conduct a national Think-Along. (Slight pause.) Unfortunately, too many Americans are staying off the highways of the mind and leaving the driving to others!

So think along with me first about two of the inseparables of scholarship. One of these is the open mind. Open-mindedness is a key to success in any pursuit. Without it, none of Man's great discoveries would have been possible. Without open minds, we would be creatures primarily of reaction, rather than creatures of adjustment.

And inseparable to the quality of the open mind in scholarship is the quality of intellectual integrity. When the open mind perceives truth, intellectual integrity permits it to be accepted. Mere perception of truth is not enough, for to recognize truth and then ignore its implications could be more damaging than never to have discovered it.

This University where you have pursued scholarship, also has its inseparables. You have studied here in the midst of what are popularly called "explosions"—the "explosion" of knowledge and the "explosion" of population which is sending soaring numbers of young people seeking admission here. Inseparable to these "explosions" is still another, the "explosion" of cost to provide all the facilities and services these rising enrollments demand. It is only one illustration, but because of my work I am keenly aware of the crowded conditions in the School of Law here. This must be remedied, and I know there are other professional schools and departments that are similarly hampered because their facilities are outgrown.

It will not be easy for South Carolina to provide all that is needed. Ours is a small state, with a small tax base. We are trying—probably not hard enough—but we are trying. In a recent report on per capita expenditures for higher education, South Carolina trailed a great many states, but it was ahead of Connecticut, Tennessee, Ohio, New Jersey, Pennsylvania and Massachusetts. In this report for 1962–63 not one of the first 15 states in these expenditures was east of the Mississippi River.

You can do a great deal to sway public opinion in favor of higher education and its needs. I hope you will.

One of the inseparables of Progress is education, and another is opportunity. It is inconceivable that one could exist without the other. What good would education be without opportunity to apply it? How could we grasp opportunity for personal or general advancement without education? To have only one of these would create a vacuum in which Progress would be an empty word, indefinable at worst and unattainable at best.

South Carolina's industrial expansion is providing many opportunities for the educated. At the same time, the expansion is taking place in appreciable measure because education exists here and is growing in a creditable way.

Now that you have the scholarship, consider some inseparables of personal success. Among these are the capacity to perform and the diligence to see that performance through to a conclusion. But these are not all. Hardly anyone works alone; we are all greatly dependent upon others. This is a fortunate circumstance in our personal and collective development because, more often than not, we harvest a great deal more kindness, generosity and encouragement from family, friends and associates than we are ever called upon to sow.

You must contribute something to the people around you. The diploma you will receive today carries with it one important "right"—the right to prove yourself to others.

There is a trap into which too many graduates fall—that is, the idea that everybody loves you because you have a degree.

The Institute for Social Research at the University of Michigan conducted a survey of public attitudes toward higher education. Let's think along together about one of the results.

The researchers learned that 42 per cent of the respondents found something to criticize about people who have been to college. They reported in these words:

"The attributes of former college students which the public finds most objectionable are their superior and condescending attitudes. Two-fifths of the people who saw anything to criticize in college students objected to what they took to be their snobbishness and egotistical manners. There was also a significant concentration of comment regarding their presumed immorality and shallowness."

That quotation should give us a good subject for our "think along."

It seems to me that one thing higher education should certainly give us is the capacity to understand and respect others, regardless of their station in life, regardless of the amount of their education, regardless of their wealth or lack of it.

Of course, compassion is not confined to the educated, but the truly cultured individual has compassion in generous measure. Understanding and respect are basic to compassion.

I simply don't believe that "superior and condescending attitudes", "snobbishness and egotistical manners" and the other traits that drew criticism of college graduates are inseparable from the process of obtaining higher education.

Nor do you, I'm sure.

Remember, the survey was not to learn what you are, but to learn what people generally think you are.

What is important in these survey observations is that your relations with others will affect your entire life, and their opinion of you won't be automatically favorable.

Suppose we think along together now about inseparables in the larger sphere—the inseparables that affect the very survival of our nation, our society and our planet. For survival in this larger sense, there is no way to separate intellectual capacity and leadership. Intellectual capacity gave us nuclear science, with its power to destroy, or to heal, or to turn the machinery of industry. But it is leadership that applies this power to the benefit of man rather than to his destruction.

The intellect makes us aware of international problems. Leadership solves them.

Leadership itself has its inseparables, one of which is knowledge. Leadership without knowledge would be like a rocket without fuel—incapable of getting off the ground.

Of course there have been so-called leaders without knowledge, but we are thinking along now about true leaders, worthwhile leaders, people like Thomas Jefferson who saw democracy in terms of a moral as well as an intellectual heritage.

And this brings us to another inseparable of true leadership, moral responsibility. This University was founded by people who believed that knowledge and moral responsibility are inseparable in the training of leaders. The history of this institution and the achievements of its graduates show the worth of that fundamental concept.

In law we have some inseparables, too. For example, when a defendant pleads innocent by reason of insanity, the test is the mental capacity or the want of it sufficient to distinguish moral or legal right from moral or legal wrong and to recognize the particular act charged as morally or legally wrong.

It might also be said that in society as a whole the same test is valid. If our society becomes one in which its members cannot distinguish between right and wrong or, having done so, cannot adhere to the right, then we are insane to the point that we cannot shape a meaningful destiny.

In this time, there is a great deal of rationalization about fundamental choices such as between right and wrong. Too often such decisions are based upon the question, "Can I get away with it?"

It is true that all the choices we must make are not clear-cut, particularly at first glance. And sometimes, after study and introspection, we find we must put aside short-range advantages of one course of action in favor of more enduring and worthwhile long-term values.

You are making a momentous stride forward today in the realization of your goals. Your intellectual growth, marked by this ceremony, is a very important part of your development.

Another very important part of your development is the strengthening of your moral fiber. This fiber is toughened with use, softened by disuse, shredded and shriveled when it is abused.

The courts would be all but depopulated if our individual and collective moral fiber measured up to the high expectations others have for us. When our moral strength equals our intellectual capacity, we shall no longer have to cast about—sometimes in near-desperation—for leaders, nor be greatly concerned about whether our way of life can survive.

Attainment of such a combination in us as individuals and in our society as a whole is the hope of the world.

Self-interest, greed, status-seeking—these are not new to society, nor will they ever be banished. They are evidence of materialism at its self-seeking worst. And now, when we have achieved the most prosperous, affluent society in history, we seem to be embracing materialism with new affection. Siren that she is, materialism is beckoning us toward rocks that will wreck us morally and spiritually.

The benefits of materialism are transient; the worth of moral responsibility toward the world around you—and to yourself—is enduring.

As you go from here today, we cannot credit the University for all that is good in you any more than we can blame this fine old institution for whatever there is in you that could stand improvement. But we know—you and I—that you have changed during your time here. I trust you have changed for the better. This fine faculty has sought to help you develop qualities which will serve you well throughout your lives—an open mind, integrity of spirit, capacity to perform and diligence to pursue tasks until they are finished, knowledge in general and in particular, and moral responsibility to apply knowledge for ultimate good.

My wish for you is that you will keep your mind orderly, your integrity unshakeable, and your spirit unsinkable.

Godspeed!

TRUTH IN GOVERNMENT

Mr. JORDAN of Idaho. Mr. President, serious doubts have been raised in many quarters relative to the credence which citizens can give to what their Government is telling them. It has been said that the public has suffered a loss of confidence in the word of our Government, that the people are getting information which is neither complete nor totally accurate. In an open society the existence of widespread misgivings over the credibility of the Government is indeed a crisis. The question requires examination. Such examination has been ably made by a respected leader in the Senate, the junior Senator from Pennsylvania. In so doing Senator SCOTT has again demonstrated the responsible judgment and talent for incisive analysis which distinguishes his considerable service to the Senate and to the Nation. He has shown through factual documentation that to speak of a real and alarming credibility gap is not to exaggerate. I ask unanimous consent that the following excerpts from Senator SCOTT's keynote address at the Connecticut Republican State Convention be included in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SENATOR SCOTT URGES TRUTH IN GOVERNMENT TO CLOSE CREDIBILITY GAP

HARTFORD, CONN.—U.S. Senator HUGH SCOTT (R.-Pa.) said last night that electing Republicans would provide "truth in Government" to close the "credibility gap" that exists today.

Senator SCOTT was the keynote speaker at the Connecticut Republican State Convention at Bushnell Auditorium.

A former Republican national chairman, Senator SCOTT said:

"More than at any other time in my memory, there is widespread distrust of the word of the Government of the United States.

"We are faced with a 'credibility gap' of the first magnitude. People are not getting enough information about the affairs of their Government and they don't trust the information they are getting—and with good cause.

"Last July Assistant Secretary of Defense Arthur Sylvester told a press conference: 'Look, if you think any American official is going to tell you the truth, then you're stupid. Did you hear that?—stupid.'

"Many Americans who were skeptical at the time, or thought Mr. Sylvester was indulging in some overdone rhetoric, now believe that he knew precisely the policy of too many segments of our Government.

"As the distinguished newscaster Walter Cronkite pointed out earlier this year, 'The political lie has become a way of bureaucratic life.'

"Examples are plentiful.

"The Administration exhibits great concern over the fact that the always difficult General de Gaulle does not trust us. French distrust increases when the words of Mr. Sylvester and others are buttressed by incidents such as the U.S. spy plane which was detected in an overflight of French atomic installations. Washington denied it until confronted with evidence by the French, and then retracted the denial and apologized.

"In April of this year, House Minority Leader GERALD R. FORD charged that mismanagement at the Pentagon had led to a shortage of bombs for Vietnam. Defense Secretary McNamara fired back with what the New York Times of April 17, 1966, described as 'a mass of statistics showing that inventories and planned production of bombs were more than adequate to meet the growing bombing operations in Vietnam.' But, as the Times of that date also reported, the Defense Department was forced to acknowledge that two years ago the United States had sold bombs to a German firm for $1.70 each and now was repurchasing the bombs at a rate of $21 for each bomb. You don't need a computer to see the contradiction here.

"In Vietnam itself, press briefings by U.S. authorities have been described by one news correspondent as 'the 5 o'clock follies.' The armed forces information setup in Saigon was described by another veteran reporter as the 'worst I have known in any war anywhere.'

"A U.S. guard recently shot a Cuban at Guantanamo naval base—and for a good cause: he was an infiltrator. But the Pentagon hastily denied the report, then several days later had to reverse itself and admit the story was true.

"Lack of information and misinformation, have not been confined to foreign policy and the war in Vietnam. One of the more blatant cases of withholding information occurred last year when the Postmaster General refused to divulge the names of the Post Office Department's summer employees. Too many of them were the children of Democratic politicians and well-to-do Democratic contributors. Sigma Delta Chi, the national journalistic society, described this as 'one of the most unjustified cases of Government secrecy in years.'

"Only after the public protests did the Department grudgingly make available the names of those who are on the public payroll—after it was too late to do anything about it.

"Last month General Services Administrator Lawson B. Knott, when asked the appraised value of two missile fuel plants sold by his agency at an apparent loss of $45 million, replied, 'We just don't let it (such information) out (because) we don't want to make people look stupid.'

"That the American public is rapidly coming to distrust its Government's pronouncements was demonstrated by an Opinion Research Corporation poll, taken for the Columbia Broadcasting System on the truthfulness of U.S. Government statements on Vietnam. Fifteen percent of those polled indicated a belief that Government statements on Vietnam were always truthful. Sixty-seven percent indicated a belief that they were sometimes truthful. Thirteen percent indicated a belief that they were never truthful.

"This poll showed, in effect, that eighty-five percent of the American people believed that their Government was deliberately deceiving them at least part of the time.

" 'What difference does this all make?' you may ask.

"The difference is that the credibility of government—just like the credibility of an individual—suffers when there is a consistent pattern of lack of information and misinformation.

"Assistant Defense Secretary Sylvester holds passionately to the theory that government has an inherent 'right to lie.'

"Only when we are involved in matters of paramount national security is it at times vital not to reveal certain kinds of information. But, as one veteran Washington correspondent asks, 'What ever happened to "no comment"?'

"Moreover, no one—not even the most forked-tongued bureaucrat—is suggesting that paramount national security involves summer jobs in the Post Office, airplane flights over France, repurchasing bombs from Germany, or the sale of GSA plans.

"The fact is that a political party too long in power has the 'inherent right' only to get fat, lazy and arrogant—and then that party tells the public it has the right to lie. 'And anyhow,' say the fat, lazy and arrogant, 'just what do you think you can do about it?'

"That is just the point of what I am getting to tonight. We, the voting Americans, can do something very important about it on November 8th of this year, when every member of the House, one-third of the Senate and many State legislators are up for election.

"We can close the 'credibility gap' with good and sufficient Republicans on the job to get truth in government for the first time in too many years."

FIRST ANNUAL YOUTH OPPORTUNITY FAIR, SAN ANTONIO, TEX.

Mr. TOWER. Mr. President, I would like to draw the attention of the Senate today to the first annual Youth Opportunity Fair which was held in San Antonio, Tex., on May 31 and June 1. I ask unanimous consent that the proceedings of this very worthwhile project be included in the CONGRESSIONAL RECORD.

There being no objection, the account of the proceedings was ordered to be printed in the RECORD, as follows:

YOUTH OPPORTUNITY FAIR—SAN ANTONIO RESPONDS

On May 31st and June 1st, 1966, the first annual Youth Opportunity Fair was held at the Villita Assembly Hall in San Antonio, Texas. What the Youth Opportunity Advisory Council envisioned as an "idea" some four months prior to the Fair, developed into an unbelievable reality during the two days the function was held.

The Youth Opportunity Fair was the brain child of the Youth Opportunity Center's Advisory Council appointed on January 11, 1966. For four months a number of civic-minded individuals worked with the community of San Antonio, other cities and agencies in Texas and representatives in Washington, in order to make the Fair a "giant" career day which would make possible the distribution of educational and occupational information to school drop-outs, high school students, high school graduates and college students—this was done on a mammoth scale.

The magnitude of Youth Opportunity Fair can be envisioned only by making a comparison between the Fair and a regular school career day.

Consider for a moment, the floor space of a large high school gym completely occupied by exhibits depicting the educational and occupational opportunities of some fifteen or twenty industrial, governmental, religious and educational organizations. Manning these exhibits are professional individuals who furnish educational and occupational information requested by the students in attendance.

During the aforementioned career day the school would be offering the student body information on selected and limited educational and occupational areas—that is, the school would not offer information in all phases of education and the world of work. And, moreover, the school drop-out would not be reached.

In considering the Youth Opportunity Fair of 1966, however, one would have found not fifteen exhibits, not twenty exhibits, but some eighty-five exhibits occupying the first and second levels of the Villita Assembly Hall in San Antonio, Texas.

Imagine—under one roof—the following exhibitors offering information, free of charge, on educational and occupational opportunities in San Antonio, in the state of Texas and at the national level:

EXHIBITORS

Business, industry, and labor

Friedrich Refrigerators, Inc.
Southwest Research Institute.
Pepsi-Cola Bottling Co.
Texas Hotel and Motel Assn.
AFL–CIO.
Columbia Industries, Inc.
Wall Colmonoy Corporation.
Coca-Cola Bottling Co.
Urban Renewal Corporation.
United Services Automobile Assn.

Government

San Antonio Air Material Area, Kelly AFB.
Brooke Army Medical Center.
National Aeronautics and Space Admin.
U.S. Army Medical Training Center.
U.S. Army Recruiting Station.
U.S. Navy Recruiting Station.
U.S. Marines Recruiting Station.
U.S. Air Force Recruiting Station.
U.S. Coast Guard Recruiting Station.
U.S. Civil Service Commission.
City Public Service Board.
State Dept. of Public Welfare.
City of San Antonio.
Brooks Air Force Base.

San Antonio River Authority.
Youth Opportunity Center.
Office of Economic Opportunity.
Bureau of Apprenticeship & Training.
Health Careers Committee, San Antonio Chamber of Commerce.
Office, Congressman Henry B. Gonzalez.

Educational & Training Institutions

San Antonio College.
St. Philip's College.
Gary Job Corps Training Center.
Women's Job Corps (WICS).
Durhams Business College.
San Antonio Commercial College.
Community College (Business).
St. Mary's University.
Edgewood High School.
Lanier High School.
Our Lady of the Lake College.
March of Dimes.

Religious

San Antonio Council of Churches.
Catholic Chancery.
Temple Beth-El.
Baptist Missions.

High School Graduates Who Aspire College Attendance

Imagine the impact made by the National Aeronautics Space Administration exhibit covering some 750 square feet of floor space and the information distributed on the infinite opportunities in the field of space technology for the college graduates and skilled technicians.

Consider as well the value of the information given by St. Mary's University, Our Lady of the Lake College, San Antonio College and St. Philip's College on college attendance and information on how and where to obtain scholarships and loans in order to attend college. The values brought about by the Youth Opportunity Fair in these areas are immeasurable.

High School Students

The high school students were amazed and spellbound by the occupational opportunities depicted by the exhibits of the City of San Antonio, City Public Service Board, Urban Renewal Agency, Durham and Community Business Colleges, Kelly Air Force Base, Brooke Medical Center, Santa Rosa Medical District, State Department of Public Welfare, all armed services and many more. If this exposure on such a gigantic level did not encourage students in attendance to stay in school, nothing will keep them from dropping out of school.

School Drop-outs

The school drop-out was not only exposed to exhibits mentioned heretofore, but also to a multitude of exhibits directly related to opportunities available for the drop-out.

The Camp Gary Job Corps had twenty-nine exhibits depicting opportunities available to the drop-out. Edgewood and Lanier high schools had exhibits and their personnel encouraged the drop-out to return to school. The Youth Opportunity Center in San Antonio had its staff available in order to counsel with the drop-out and encouraged him to visit the center at a later date for further counseling, testing, possible placement, retraining, or referral to some work-study program.

It is only appropriate to conclude with the knowledge that the Youth Opportunity Fair was a tremendous success and that some 8,000 youths attended the Fair—they came, they were interested, they were informed about the vast opportunities available to them, and they left at the conclusion of the Fair with a brighter outlook on life and the future in store for them.

The Youth Opportunity Advisory Council should be commended for taking the lead by initiating a yearly program which is geared under the President's national Youth Opportunity Program.

PROUD PARENTS' PROUDEST DAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record a column recently written by Art Buchwald entitled "Proud Parents' Proudest Day." The column is on the lighter side, but it is most apropos of the modern sophisticated beatniks who are being turned out of schools of learning. For one, I hate to pay taxes to support this brand of education.

There being no objection, the column was ordered to be printed in the Record as follows:

Proud Parents' Proudest Day

(By Art Buchwald)

Washington.—A lot of proud parents are showing up this month at university commencement exercises throughout the land. I was sitting next to a beaming couple last week and during the ceremonies I struck up a conversation.

"You must be very happy today," I said to the father.

"Oh, I am. Martha and I have waited all our lives for this moment when Peter would graduate from college."

"Which one up there is Peter?"

"He's not there," the father replied "He walked out when Secretary McNamara started to make the commencement speech."

"That's a shame," I said. "I guess you and your wife are pretty upset."

"Oh, no. He told us he originally planned to lie down across the podium, so we're very grateful he decided on a non-violent protest."

"I'll bet you scrimped and saved to put Peter through college."

"Actually, the tuition wasn't too bad. We had set funds aside for that. But it was pretty hard to get up the bail money every time Peter got arrested. We managed though except for the time he burned his draft card."

"He had to stay in jail for that one?"

"I'm afraid so. It wasn't just burning his draft card that got the administration angry—Peter accidentally burned down the gym with it."

"It must have played heck with the basketball schedule," I said.

"It did. But when Peter got out he started a freedom committee to burn down gymnasiums, and about a fourth of the school signed up."

"What did Peter major in while he was in college."

"He started out majoring in Modern Anarchy, but he found it was too restrictive, so he took a straight liberal arts course with a minor in Nietzsche. Martha wanted him to study law, but Peter said, 'There are no laws.' And that was the end of it."

"Peter sounds like he's got a mind of his own."

"I think you could say that. He's the only one in his class who stopped two troop trains going in opposite directions at the same time on the Atchison, Topeka, and the Santa Fe."

"You have to have convictions to do that," I said.

"You also have to have long legs," the father said. "Peter then walked from Anchorage to Nome, Alaska, because he claimed the Alaskans wouldn't let the Eskimos vote. And he also sat in Gov. Romney's office for two nights as a protest against capital punishment."

"But Michigan doesn't have capital punishment."

"That's what Gov. Romney kept telling him."

"It must have been an interesting four years for you."

"I guess you could say that, particularly during school vacations when Peter found it hard to get LSD."

"Now that Peter's finished college, what does he plan to do?" I asked.

"He's applied for training jobs with IBM, Time-Life Inc., and the Ford Motor Co. He figures there's a much better future with a large corporation than trying to start out on your own."

THE IMPORTANCE OF FAITH IN GOVERNMENT

Mr. JORDAN of Idaho. Mr. President, no government can hope to merit the trust of the people unless the people are able to believe in the word of the government. There are many indications now that popular faith in our Government is being undermined because this minimum standard for trust all too often is not being upheld by Government. There are fears that the management of news has been extended to an unwarranted and dangerous management of truth. Doubts about the accuracy and validity of Government information have given rise to the contention that we are facing what amounts to a crisis in credibility. My respected and distinguished colleague, the senior Senator from Colorado, with his usual thoroughness has assembled considerable factual detail on this question.

In an address to the Veterans of Foreign Wars in Grand Junction, Colo., June 18, Senator Allott presented a clear exposition of the issue. His speech provides ample documentation to support the disturbing conclusion that the manipulation of information by Government is becoming a problem of major dimensions. Senator Allott's address on the subject was I believe a significant public service. So that my colleagues might have the benefit of his analysis, I ask unanimous consent that the speech be included in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Speech by Senator Gordon Allott, Veterans of Foreign Wars, Grand Junction, Colo., June 18, 1966

I am particularly pleased to be here today, in a part of the state where I have always been made to feel most welcome and speaking to a group of which I am both a member and an admirer. And, I might add, that my admiration for this group reached its peak at that time when we were all embarked on an all-out effort to retain the fine Veterans' facility here in Grand Junction. Your contribution to that effort was, in no small measure, directly responsible for the ultimate revocation of the order to close the hospital here and that facility now stands, operates, and grows as a memorial to the dedication of you and all the other Veterans organizations here in this great state. I know how much your help meant because I was right in the thick of that fight myself, and I salute and thank you for all the assistance you gave me.

The word "credible," is defined, by Webster, as "worthy of belief . . . reliable." Now let me ask you a question. How much information are you, as citizens, getting out of Washington today . . . on Viet Nam or any other critical issue . . . that is credible, or "worthy of belief." Or, worse yet, how can you tell . . . in light of recent statements of high-ranking officials . . . just what you *should* believe, or should not believe?

Let me give you an illustration . . . there appeared on the front page of the Wall Street Journal, on April 15, 1966 the following: "A Treasury (Department) memo to Rep. PATMAN (D-Texas) inadvertently carried an internal note that confessed 'you'll note we have purposely not answered the question except in a very indirect way.' "

While not of great significance in itself, the internal note which was most certainly not intended for Congressman PATMAN's eyes is symptomatic of what is coming to be called the "credibility gap." Some, like Congressman GERALD FORD (R-Michigan), have said that the appellation "credibility canyon" is a more accurate description of the bureaucratic approach to the dissemination of information.

The distinguished newscaster, Walter Cronkite, managing editor of "CBS Evening News," was even more explicit when he told the inland Daily Press Association on February 21, 1966: ". . . the political lie has become a way of bureaucratic life. It has been called by the more genteel name of 'news management.' I say here now, let's call it what it is—lying."

What Mr. Cronkite said is not really new, for the practice of lying to the American people was publicly announced . . . and defended . . . and in words that anyone can understand . . . at a press conference in July 1965 by a high-ranking spokesman for an over-zealous bureaucracy . . . Mr. Arthur Sylvester, Assistant Secretary of Defense for Public Affairs. Mr. Sylvester said: "Look, if you think any American official is going to tell you the truth, then you're stupid. Did you hear that?—Stupid."

I submit here that such an attitude on the part of spokesmen in high places in this government is causing a "credibility gap" that is seriously undermining any efforts we might make at peace in Viet Nam. And it undermines any efforts we might make to give reassurance to those nations of the world watching the dangerously inflationary trends so obvious in our domestic economy.

Even Defense Secretary McNamara has finally acknowledged existence of the problem. As reported by the Chicago Sun-Times on December 5, 1965, the Secretary admitted, in a rare example of candor, that the reason the United States is having such difficulty winning friends for this Nation's Vietnamese policy is that "our credibility was destroyed."

In almost every department and bureau of the Federal government there are myriad examples of the manipulation of newsworthy fact. Some are relatively minor, but they are infractions just the same against the people's right to honesty from their government officials.

When the Washington Post reported that there would be an excise tax cut of $4 billion, the word was immediately spread that this was false. George Reedy, then Press Secretary to the President said "that figure bears no relationship to any decision that has been made." A few months later, Mr. Johnson asked Congress to cut excise taxes by $3.964 billion.

When the Washington Star reported that the President would recommend a three percent average pay increase for federal workers, it was claimed this was erroneous. Yet, a short time later, the President proposed a three-percent average pay increase for federal workers.

Six days before the November 1964 election, Labor Secretary W. Willard Wirtz announced that unemployment had reached a three-year low during October and that the number of unemployed had declined by two million since January of 1961. Then, after the election, Wirtz admitted that his statement had contained invalid statistical comparisons because the figures were not seasonally adjusted. More people are always employed in October than in January and, according to seasonally adjusted statistics, the actual decrease in unemployment was not 2,000,000 but 748,000.

Most significantly, no corrections were made until after elections and this is then distortion as its worst because of the difficulty a reporter . . . or the public . . . would have in attempting to learn the correct figures and put any achievements in their proper perspective.

Another blatant case of withholding information came to light in 1965 when the Postmaster General refused to divulge the names of persons who were hired by the Post Office Department as summer employees. Only after repeated and concerted demands by many of us in the Congress did the Postmaster General become convinced that the names of public employees were indeed in the public realm.

Even the General Accounting Office has documented evidence relating to the government information problem. In testimony before a Congressional Committee in 1964, the Comptroller General stated that the GAO had found that reports on the Accelerated Public Works program had "significantly over-stated" the number of jobs estimated to be created by the projects under that program. In this case, I think the use of the word "significant" was a little weak, for the Comptroller General later stated that the estimates were overstated by 128%.

As a sidelight, and whether coincidental or deliberate after such a statement from the Comptroller General, I don't know, but there is now a strong likelihood that the "teeth" will soon be taken out of the GAO. After 45 years as the "watchdog" of the U.S. Treasury, and after countless exposures of extravagance, inefficiency and occasionally fraud in the spending of public funds, it has now been suggested that the GAO reduce both the number and the "harshness" of its future audits. Justifiably, dissents have been filed by Republicans and Democrats alike to the House Government Operations Committee report which has recommended this action. For, such a subversion of the established function of the GAO could easily destroy one of the few avenues the taxpayers has to find out the undiluted facts about the operation of his government.

Now, let's examine some of the international incidents which have led to serious challenges abroad to the veracity of our government . . .

In July of 1965, a U.S. Spy plane was detected in an overflight of French atomic installations. Our government denied that such flights had been made. Later, confronted with evidence, it was forced to retract the denial and apologize to General De Gaulle's government.

In late summer of 1965, the Prime Minister of Singapore, Lee Kuan Yew, charged that some years earlier a CIA agent had offered him a $3.3 million bribe. This brought an immediate denial from the U.S. Ambassador to Malaysia, James D. Bell, followed within hours by an official denial from State Department spokesman, Robert J. McCloskey, who said: "First, we are surprised at these statements attributed to Prime Minister Lee. With respect to the allegations of CIA involvements, we deny that allegation."

Almost immediately, Prime Minister Lee produced a letter of apology from Secretary Rusk . . . dated April 15, 1961 (four and one-half years earlier) which said, in part: "I am deeply distressed to learn that certain officials of the United States government have been found by your Government to have been engaged in improper activities in Singapore. I want you to know how much I regret that this unfortunate incident occurred to mar friendly relations between our two governments."

What kind of impression would you suppose this incident left in the other capitols of the world. Certainly not one of trust in our capacity for truth.

But, this is not all by any means. Two battalions of Marines had been sent to Da Nang and Secretaries Rusk and McNamara said they would be used only for "local close-in security" and, in McNamara's words, would "not tangle with the Viet Cong." Yet, only two months later, a U.S. Military spokesman in Saigon said these troops would "render combat support, which includes, if necessary, fighting."

Rusk and McNamara were simply left out on the end of the limb to find their way back as best they could. And, I might add, I don't think McNamara, particularly, has found his way back yet.

Still another example of the kind of misinformation which is so deteriorating our foreign relations was reported in Look Magazine in November 1965. Eric Sevareid, relating information given him by the late Adlai Stevenson shortly before his death, said Stevenson had told him that during the Presidential campaign of 1964 U.N. Secretary-General U Thant had privately obtained agreement from North Viet Nam that they would send an emissary to talk with an American emissary in Rangoon, Burma.

However, the late Ambassador to the U.N. reportedly told Mr. Sevareid, someone in Washington had insisted that this attempt at negotiation be postponed until after the Presidential elections, and Mr. U Thant reportedly agreed. Then, when the election was over, Thant again pursued the matter because Hanoi was still willing to send its man. But, this time, Defense Secretary McNamara . . . according to Mr. Stevenson . . . flatly opposed the attempt.

The State Department at first denied the Sevareid charge, then again in an about-face, admitted its truthfulness. Remember, all of this took place during a time when the American people were repeatedly being told that this nation had explored every possibility for negotiations without any indication of interest from Hanoi.

During the third week in May of 1966, the U.S. Government belatedly acknowledged, if only implicitly, two serious incidents involving communist countries which the United States public regrettably learned of first from communist sources.

The first was the shooting of a Cuban infiltrator by a U.S. guard at Guantanamo naval base, initially reported by Cuban authorities and immediately denied by the Pentagon. Later in the week, however, the Pentagon changed its mind and came forward with an admission that the shooting had in fact taken place.

The second incident was a Red Chinese claim that U.S. planes had shot down a communist plane over Chinese territory. U.S. authorities in Viet Nam, while confirming the air battle, insisted it had taken place over North Viet Nam. Then, days later, a State Department spokesman, confronted with "authoritative reports" which tended to back up the main Chinese charge, refused to make any denial. This gives the impression to the world that the Chinese claim was true. And, as a result of initial U.S. responses in each of these cases, later in effect retracted, the credibility of the American government has again been called into question both at home and abroad.

Whether the government set out intentionally to lie about these matters is a question that can't be answered. Intentionally or not, however, the plain fact is that by its confused and distorted handling of these incidents the government has managed to enhance their propaganda value to the Communists, while at the same time casting doubt on its own believability.

No one maintains that it is necessary for our government to be the first to publicize every cold war incident. In fact, many things take place which no one ever hears of because neither side chooses to make issues of them. But there are also incidents which, very often predictably, the Communist side will try to use to maximum political advantage. In such cases the U.S. Government should tell its story quickly, accurately, and as fully as possible.

This didn't happen in the Cuban and Chinese incidents. Instead the American people first learned of events involving their nation from communist sources. And when the American government did speak up, its initial response was what the charitable might call misinformation.

By these instances, I have attempted to document for you the problem.

Now, let me give you the reasons why I feel you should be concerned.

First . . . and I should like to make this quite clear . . . any criticisms I have made earlier of the widening credibility gap are not directed at any individual or personality. Rather, they are directed at a constantly growing cynical attitude which is seemingly inherent in all of the Executive Branch of our government. While there are some ameliorating factors there is not enough to give us great hope that there is any awareness of the value and necessity for a basic faith of the people in their government.

Make no mistake, there has developed in Washington such a vast executive establishment, so gigantic and so complex that it is now beyond the power of any one man to comprehend, much less commend or control. Because of this, even the President's role has changed, and consequently his relationship with the American citizen has changed. Now, standing between the President and the people is this ever-growing, and almost impenetrable mass, inflexible in its concepts and seemingly dedicated primarily to simply preserving the powers it has been able to assume as a result of governmental complexities. And, most dangerously, in this critical era of international strife, this behemoth evidences an increasing lack of self-imposed limitation that treats the whole area of public policy and the national interest as its own exclusive playground.

This attitude seems to evolve from an arrogant philosophy that responds to every challenge to its authority with thinly veiled contempt, and at the end, with sheer fury. Or, I must add . . . as documented for you earlier . . . with a cynical manipulation of information, underscored always with pious rationalizations in the name of the popular will and national interest.

I realize that I have painted a black picture. And, by my picture it might seem that there is no hope since this ever-seething mass of bureaucracy is, seems to be even beyond the control or command of the President. But there is hope . . . there is a way. Not an immediate solution, but one tiny crack in their armor that can be widened to permit an open avenue of truth and responsibility to filter through and again put this government in a position to command the respect of its citizens and its neighbors.

Even now there is, before the House of Representatives, a measure known as the Freedom of Information bill. If passed, I predict that history will record its passage as a milestone in an era of increased international tensions . . . when the very foundations of mighty nations trembled as a result of doubts and fears brought on by misinformation and half-truths.

A similar bill to the Freedom of Information measure passed the Senate in 1964, but failed in the House. It was passed again by the Senate in 1965 and has now been reported favorably by the House by its Committee on Government Operations.

It is of fundamental importance to our democracy that this Freedom of Information Bill be promptly enacted into law. Its purpose is to require agencies of the Federal Government to make all records promptly available to any person, and to provide for court action to guarantee this right of access, with the exception of certain specified categories of sensitive government information which would be exempted from the disclosure requirements.

Hearings in the House were completed in April 1965. Every witness who testified supported the legislation, except for every single witness who could be construed as representing the bureaucracy. To a man they opposed the bill. Fortunately however, these objections did not prevail and on April 27, 1965 the Senate-passed bill was reported to the House for floor action. Your support of the bill will help to assure passage of this bill before the close of this session of the Congress. I solicit that support here and now . . . for, while the enactment of the Freedom of Information Bill will not completely close the credibility gap, it is most certainly a step in the right direction.

Your support will help to assure passage of this bill before the close of this session of the Congress and help to asure that the President will sign it if it is passed. I solicit that support here and now . . . for, while the enactment of the Freedom of Information Bill will not completely close the credibility gap, it is most certainly a step in the right direction.

Without such a law of the land, and in view of the attitude which seems to prevail that demands for the truth are "stupid," our nation faces a communication crisis. Our system depends on an informed people. Without government secrecy it is difficult for a citizen to have sufficient information for exercising his citizenship responsibilities thoughtfully. With government secrecy, it is impossible.

In our society, the citizens are the governors, blind citizens mean blind governors, and blind governors always end up being governed.

BAIL REFORM ACT OF 1966—PRESIDENT'S REMARKS UPON SIGNING INTO LAW

Mr. ERVIN. Mr. President, I am most gratified that the Bail Reform Act, S. 1357, has been signed by the President, and is now the law of the land.

It is high time. As the President said:

> This system has endured—archaic, unjust, and virtually unexamined—ever since the Judiciary Act of 1789.

The all but unanimous support for a major reform—in hearings in committee and on the floor in both Houses of Congress—is testimony to the long and careful consideration in researching and drafting this legislation. Special credit is owed to Mr. CELLER, Mr. MCCULLOCH, Mr. WHITENER and their colleagues in the House Judiciary Committee, and to Senators HRUSKA and TYDINGS and my other colleagues on the Senate Judiciary Committee.

To President Johnson, also, is owed the gratitude of all of us for making this legislation a part of his program, for urging its passage and for affording to Congress during its consideration the expert assistance of the Justice Department.

Reform of the administration of criminal justice is, and should be, a slow and painful task: It took 5 years from the start of the study of bail reform by the Senate Subcommittee on Constitutional Rights until its enactment into law. The administration of justice through our criminal laws strikes a fine balance between the rights of the individual and the rights of society. The tension between these two principles is always great, and there is always a temptation to lean to one side or the other. The desire for efficiency and expediency tends to produce demands for quick and summary treatment of "criminals"—that is, those apprehended or suspected of crime. The reaction to this tendency produces a shift to the other extreme—to the notion that all suspects are mishandled, abused, and unjustly treated by law enforcement officials and by the courts, that no man arrested and convicted is guilty of the crime charged—that either he is innocent, or that society itself is guilty.

Both these positions are wrong. Some criminal acts are caused by the failures of society. Some guilty persons are freed by inefficiency. And, unfortunately, some innocent persons are convicted, because the administration of justice must be left to men and men are imperfect. But the goal of perfection of the laws and improvement in the quality of those who administer them must always be our goal. Our efforts should not lead us into repressive measures on the one hand, or excessive counteractions on the other.

In recent years and months we have seen too much precipitate action taken or urged in the field of criminal law. This may be a natural reaction to an increasing crime rate—a rate increasing for crimes of violence and personal greed as well as crimes motivated by race hate. This national problem demands new solutions, but the emotions aroused by the problem also demand that we consider the solutions more carefully than ever. That it took this Congress 5 years to effectuate a simple and largely noncontroversial reform in one area of criminal justice is not an indication that we were lax. On the contrary, it demonstrates the need for careful, objective study of the entire complex structure of law enforcement before changes are made. The easy answer formulas by which the courts now alter the administration of criminal law by judicial decree, and the alterations of the jury system that Congress is asked to enact after a few weeks' consideration are dangerous. Who can say whether these new rules are good or bad—no one has had a chance to study them, to consider their consequences or their alternatives.

The President, in his remarks at the signing of the Bail Reform Act, referred to a "new era in our system of criminal justice." I join him in this hope. I applaud the Administration for the Criminal Justice Act of 1963, and the Law Enforcement Assistance Act of 1965, both of which I lent every ounce of my support. Additional meritorious measures have been proposed this year. I know of no administration in my memory that has done more—both to wage a war against national crime and to protect the rights of individual defendants—than President Johnson with the dedicated assistance of the Attorney General. We need innovation, and we should never turn our backs upon inequities and imperfections in law enforcement; but neither should we rush blindly to embrace all attractive proposals for reform. The Anglo-American system of jurisprudence is hundreds of years old; it and our Constitution stand as the guardian of our most priceless possession—freedom. We should never forget this as we tinker with the system in our efforts to improve it.

Mr. President, I ask unanimous consent that the text of the President's eloquent remarks, delivered at last Wednesday's signing, be inserted at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT ON SIGNING BAIL REFORM BILL, S. 1357—THE EAST ROOM

Senator ERVIN, Chairman CELLER, Mr. Attorney General, distinguished Members of the House and Senate Judiciary Committees, and all of the other good citizens who have worked so hard to finally make it possible for us to have this ceremony this morning, our Nation stands today at the threshold of a new era in our system of criminal justice. Those of you who have come here this morning—and scores of others like you throughout this great land of ours—are the mind and the force of this new era.

Today we join to recognize a major development in our entire system of criminal justice—the reform of the bail system.

This system has endured—archaic, unjust, and virtually unexamined—ever since the Judiciary Act of 1789.

Because of the bail system, the scales of justice have been weighted for almost two centuries not with fact, nor law, nor mercy. They have been weighted with money.

But now, because of the Bail Reform Act of 1966, which an understanding and just Congress has enacted and which I will shortly sign, we can begin to insure that defendants are considered as individuals—and not as dollar signs.

The principal purpose of bail is to insure that an accused person will return for trial, if he is released after arrest.

How is that purpose met under the present system? The defendant with means can afford to pay bail. He can afford to buy his freedom. But the poorer defendant cannot pay the price. He languishes in jail weeks, months, and perhaps years before trial.

He does not stay in jail because he is guilty.

He does not stay in jail because any sentence has been passed.

He does not stay in jail because he is any more likely to flee before trial.

He stays in jail for one reason only—because he is poor.

There are hundreds, perhaps thousands, of illustrations of how the bail system has inflicted arbitrary cruelty:

A man was jailed on a serious charge brought last Christmas Eve. He could not afford bail so he spent 101 days in jail until he could get a hearing. Then the complainant admitted that the charge was false.

A man could not raise $300 for bail. He spent 54 days in jail waiting trial for a traffic offense for which he could have been sentenced to no more than five days.

A man spent two months in jail before being acquitted. In that period, he lost his job, he lost his car, he lost his family. It was split up. He did not find another job, following that, for four months.

In addition to such injustices as I have pointed out, the present bail system has meant very high public costs that the taxpayer must bear for detaining prisoners prior to their trial.

What is most shocking about these costs—to both individuals and to the public—is that they are totally unnecessary.

First proof of that fact came because of really one man's outrage against injustice. I am talking now of Mr. Louis Schweitzer, who pioneered the development of a substitute for the money bail system by establishing the Vera Foundation and the Manhattan Bail Project.

The lesson of that project was simple. If a judge is given adequate information, he, the judge, can determine that many defendants can be released without any need for money bail. They will return faithfully for trial.

So this legislation, for the first time, requires that the decision to release a man prior to the trial be based on facts—like community and family ties and past record, and not on his bank account. In the words of the Act, "A man, regardless of his financial status—shall not needlessly be detained . . . when detention serves neither the ends of Justice nor the public interest."

And it specifies that he be released without money bond whenever that is justified by the facts. Under this Act, judges would—for the first time—be required to use a flexible set of conditions, matching different types of releases to different risks.

These are steps that can be taken, we think, without harming law enforcement in any manner.

This measure does not require that every arrested person be released.

It does not restrict the power of the courts to detain dangerous persons in capital cases or after conviction.

What this measure does do is to eliminate needless, arbitrary cruelty.

What it does do, in my judgment, is to greatly enlarge justice in this land of ours.

So our task is to rise above the debate between the rights of the individual and the rights of the society, by securing and really protecting the rights of both.

I want to personally thank Senator ERVIN, Congressman CELLER, the Attorney General, the members of the Justice Department, and his predecessors who worked on this legislation. I also want to thank the able and distinguished leadership of all Members of the Senate and the House Judiciary Committees, and the other Members of those two bodies, for what I consider very fine work in making this legislation a reality.

I am proud now, as a major step forward, to sign the Bail Reform Act of 1966 into the law of the land.

CORPS GIRLS HURL BOTTLES AT POLICE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a news story which appeared in the June 10 edition of the Charleston, W. Va., Daily Mail. This story was titled "Corps Girls Hurl Bottles at Police."

There being no objection, the story was ordered to be printed in the RECORD as follows:

CORPS GIRLS HURL BOTTLES AT POLICE

Two policemen reported today they were reviled in the "vulgarest, dirtiest, foulest" language and made targets of a barrage of beer and whisky bottles when they answered a call at the Job Corps training center in the Kanawha Hotel last night.

They further charged that officials of the corps on duty in supervisory capacities were abusive and refused cooperation.

Patrolmen Dennis Scragg and George Henderson made a full report of the incident to superior officers and Scragg expressed hope today that municipal officials will take some action.

Police received a call about 11:30 reporting two girls were stranded on a ledge or roof about 14 feet above a delivery alley at the rear of the hotel.

Scragg said when he and Henderson arrived they found the girls there, that both were bleeding from minor injuries and reported they had been pushed from a window.

He said that then windows of rooms filled with screaming, taunting girls of the Job Corps who began assailing them with obscene and profane epithets and hurling bottles and dishes at them.

Scragg today exhibited the neck and jagged, razor-sharp edges of a broken bottle that he said missed striking him in the face by the narrowest of margins.

Powerless to get the girls down from the outside, the officers summoned a fire department company to stand by and went in the building to help get the girls back through a window.

He said that while he was inside "some little man" who represented himself as a Job Corps official berated him and Henderson and told them they had no right to be on the property.

Scragg said he replied he had a perfect right to answer a police summons for help any place. He told the Daily Mail he was not sure of the man's name.

He said that once the girls had been brought through a window from the roof he went to the lobby and requested a woman clerk to summon two girls who had been particularly active in hurling objects. He said the woman refused to summon the girls, although he told her the room they occupied.

"You wouldn't know them anyhow," he quoted her.

The male official told Scragg and Henderson he intended to report them "to your superiors."

The Corps officials sent both girls, who first said they had been pushed from a window, to Charleston Memorial Hospital for treatment. One had a lacerated knee and the other a lacerated elbow. Neither injury required suturing.

The hospital report quoted the girls as saying they fell from a window.

The Job Corps yesterday graduated a class of 36 girls in ceremonies at the Civic Center.

When a Daily Mail reporter asked Chief of Police Dallas Bias his reaction to the incident at the Job Corps center last night he referred to a stack of several reports on his desk. Then he had this to say:

"There was an altercation or disorder at the Job Corps last night which caused police to be called. The report of the officers who responded to the call says they found two girls who claimed to have been shoved from a window to a ledge outside. The officers needed a ladder to get up on the ledge. A fire department truck was called for that purpose. The truck was not used, however.

"While the two officers were trying to get the girls off the ledge they were abused by some girls hanging out the windows and calling them foul names. One girl threw the broken neck of a liquor bottle at the officers. The officers report they could get no cooperation from the person who said she was in charge. This woman identified herself as being the person in charge.

"The circumstances will be turned over to Capt. Nunley of the Detective Bureau to determine whether there has been any improper interference with city policy officers in their proper investigation of alleged felonious assaults."

ON PATRIOTISM

Mr. MUNDT. Mr. President, Adm. Ben Moreell, retired, has recently written an essay on patriotism which deserves to be read by all Americans—young and old alike.

Adm. Ben Moreell is a man whose services as head of the Seabees will be remembered by many; whose successful business career as the head of one of America's great steel corporations will be remembered by others; and whose current activities as the leading official of Americans for Constitutional Action—ACA—are applauded and appreciated by all citizens dedicated to the preservation and promotion of constitutional government in the United States.

Therefore, Mr. President, I ask that this great essay entitled "On Patriotism," as prepared by Admiral Moreell be included in the RECORD at this point as a part of my remarks. Coming from such a distinguished source, I am sure many will want to clip and preserve this essay and I dare to hope it will be reprinted in many American periodicals.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

ON PATRIOTISM

(By Adm. Ben Moreell, CEC, USN, retired)

My dictionary defines patriotism as "love of Country; devotion to the welfare of one's Country." It is a profoundly disturbing sign of our times that such a sentiment is frequently challenged, as are others which formerly were highly regarded, such as honesty, piety, love of family and of neighbor, charity, duty and individual responsibility for honorable conduct!

Our materialistic age has spawned a rapidly expanding belief that only matter and motion are real; that there is significance only in events observable by the senses or measurable by physical instruments; that unless one can see, hear smell, feel or taste a substance, it has no reality!

Based on my experiences, in many lands, with peoples of widely varying characteristics and customs, I reject this secular concept of the nature of the universe, and how it is ordered, and the nature of man and his place in that universe. I hold that those basicly spiritual values, patriotism, piety, honor, love, duty, charity and personal responsibility, which can neither be observed by the senses nor measured by instruments, constitute the most powerful of those forces which, in the years to come, will shape the character of our world and of its peoples!

The materialistic concept was formerly supported by the most eminent scientists of the time. But early in the present century new concepts were advanced by a new generation of scientists. I will quote two which are typical of many.

In 1930, Sir James Jeans, eminent British physicist, said:

"Thirty years ago we thought, or assumed, that we were heading toward an ultimate reality of a mechanical kind. It seemed to consist of a fortuitous jumble of atoms which was destined to perform meaningless dances for a time under the action of blind, purposeless forces and then fall back to form a dead world. Into this wholly mechanical world, through the play of the same blind forces, life had stumbled, by accident.

"Today there is a wide measure of agreement which, on the physical side of science approaches almost to unanimity, that the stream of knowledge is heading toward a nonmechanical reality. The universe begins to look more like a great thought than like a great machine....

"We discover that the universe shows evidence of a designing or controlling power that has something in common with our own individual minds...."

In 1946, Dr. Arthur H. Compton, noted atomic physicist and Nobel Prize winner stated:

". . . In their essence there can be no conflict between science and religion. Science is a reliable method of finding truth. Religion is the search for a satisfying basis for life. . . . Science is growing. Yet a world that has science needs, as never before, the inspiration that religion has to offer. . . . Beyond the nature taught by science is the spirit that gives meaning to life."

Patriotism is a manifestation of love, a nonmechanical spiritual force of great purity and power. Over the ages man has revered it as the epitome of sacrifice, of selflessness, of devotion to high ideals.

During my military career I have seen this force at work under the most oppressive and hazardous conditions and I have observed its tremendous power.

I suspect that, in their zeal to promote internationalism and global interdependence, the advocates of "One World" are attempting to destroy nationalism by attacking patriotism. They never tire of quoting Samuel Johnson's famous aphorism, "Patriotism is the last refuge of a scoundrel." But Dr. Johnson was not attacking patriotism, he was attacking the scoundrel who sought refuge in patriotism because most people believe in it devoutly and thus it becomes a privileged sanctuary! Dr. Johnson himself believed in patriotism, for he wrote, "That man is little to be envied whose patriotism would not gain force upon the plain of Marathon."

Religion, too, has been attacked as a refuge of scoundrels, as have other ethical and spiritual forces. Madame Roland, ardent activist of the French Revolution, on her way to the guillotine exclaimed, "O Liberty! Liberty! What crimes are committed in thy name!" Should we then condemn liberty because it was so abused?

The current frenzied "one-worldism," designed to eradicate national boundaries in order to establish a global Great Society, will not concede that any attempt to integrate wholly unlike peoples or substances will result either in a flaccid concoction without vigor or sparkle, or in a highly explosive and unstable mixture. Only peoples who share a belief in certain fundamental principles of human character and behavior can be integrated successfully. I doubt whether any fair-minded person would hold that the pigmy tribes of Africa could be integrated successfully with the cultured and spiritually motivated communities of our own country!

Furthermore, it would appear that before tackling the massive problems of a world in turmoil, we should acquire needed skills by first resolving our own domestic problems; the riots in Chicago, Watts, Harlem, Rochester and smaller disturbances in a hundred other communities; our rapidly growing crime rates; the many widely publicized breaches of public trust; juvenile delinquency, and other evidences of the growing corruption of our moral standards.

I have long believed that a peaceful, morally motivated world society can evolve only if individuals first establish moral disciplines within themselves, then in the family, the local community, the State and finally in the nation, after which they could join with other nations of like disciplines to form larger communities.

A fair appraisal of the current scene indicates that we have a long hard road to travel before we will have established moral standards of such integrity in our own communities as to justify any attempt to reform the world.

It is characteristic of visionary political planners, who often have great difficulty managing the affairs of their own small households, to demonstrate complete confidence in their competence to plan and direct the orderly functioning of a united world!

Patriotism—love of one's own Country—is no more outmoded than is belief in a just and merciful God. The late General MacArthur, the very acme of patriotism, said:

"Our great strength rests in those high-minded and patriotic Americans whose faith in God and love of country transcends all selfish and self-serving instincts. We must command their maximum effort toward a restoration to public and private relationships of our age-old standards of morality and ethics—a return to the religious fervor which animated our leadership of former years to chart a course of humility and integrity as best to serve the public interest."

And the late Adlai Stevenson, twice Democratic candidate for the Presidency and later U.S. Ambassador to the United Nations, a friend with whom I worked during World War II, said:

"What do we mean by patriotism in the context of our times? . . . A patriotism that puts country ahead of self; a patriotism which is not short, frenzied outbursts of emotion, but the tranquil and steady dedication of a lifetime. These are words that are easy to utter, but this is a mighty assignment. For it is often easier to fight for principles than to live up to them.

"When an American says that he loves this Country he means not only that he loves the New England hills, the prairies glistening in the sun, the wide and rising plains, the great mountains, and the sea. He means that he loves an inner air, an inner light in which freedom lives and in which a man can draw the breath of self-respect."

One of the most inspiring expositions of what patriotism can mean to men and women is contained in Edward Everett Hale's classic story, "The Man Without A Country." It is a fictional tale of a Lieutenant Nolan, an ambitious young army officer who had been enticed into conspiracy by Aaron Burr. When catastrophe came, young Nolan was among those who were court-martialed.

At the close of his trial the President of the Court asked him whether he had anything to say in his defense. He cried out in a rage, "Damn the United States! I wish I may never hear of the United States again!"

The sentence of the Court was then pronounced in these words:

"Prisoner, hear the Sentence of the Court. The Court decides, subject to the approval of the President, that you never hear the name of the United States again."

The President approved the awful sentence. Until his death, fifty-five years and eight months later, Nolan lived aboard ships of the United States Navy, but never in sight of the mainland of the United States, never permitted to hear or read anything which concerned our country, not even the mention of its name! He was a man without a Country!

The young naval officer who recounts the story met Nolan twenty years after his long penance began. Their ship had overhauled and captured a slave-trader. Nolan, who had acquired a knowledge of Portuguese, was the only one on board who could communicate with the black captives. The American Captain offered to transport them to a large port nearby but they would have none of it! They wanted only one thing—to go home, home to family, to friends, to their native land! And they cried and begged until the Captain agreed to take them there.

On the way back to their own ship, Nolan said to the young officer, "Youngster, let that show you what it is to be without a family, without a home, and without a Country. And if you are ever tempted to say a word or to do a thing that shall put a bar between you and your family, your home and your Country, pray God in His mercy to take you that instant home to His own heaven . . . And for your Country, boy, and for that flag, never dream a dream but of serving her as she bids you, though the service carry you through a thousand hells. . . . Never let a night pass but you pray God to bless that flag. Remember, boy, that behind all those men you have to do with, behind officers and government and people, even, there is the Country Herself, your Country, and that you belong to her as you belong to your own Mother. Stand by Her, boy, as you would stand by your Mother if those devils there had got hold of her today."

There is no more fitting ending to this discourse than these lines from Sir Walter Scott's beautiful poem, "The Lay of the Last Minstrel":

Breathes there the man, with soul so dead,
Who never to himself hath said,
  This is my own, my native land?
Whose heart hath ne'er within him burned,
As home his footsteps he hath turned
  From wandering on a foreign strand?
If such there breathe, go, mark him well;
For him no minstrel raptures swell;
High though his titles, proud his name,
Boundless his wealth as wish can claim—
Despite those titles, power, and pelf,
The wretch, concentred all in self,
Living, shall forfeit fair renown,
And, doubly dying, shall go down.
To the vile dust from whence he sprung,
Unwept, unhonoured, and unsung.

OFFICIAL COACHES YOUTH ON POLICE JOB CLEARANCE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record a news story which appeared in the May 8 edition of the Washington Post, stating that a United Planning Organization official had advised youths with juvenile delinquency records not to mention their backgrounds when obtaining police clearances for their employers.

There being no objection, the story was ordered to be printed in the Record, as follows:

Official Coaches Youths On Police Job Clearance

A United Planning Organization official advised youths with juvenile delinquency records yesterday not to mention their backgrounds when obtaining police clearances for employers.

Ruby W. Evans, coordinator of girls' services in the Juvenile Delinquency and Crime Control Program, said at a public meeting that by law police clearances can list previous arrests only if the youths mention their records when they apply for them at police headquarters.

With a clearance that shows no offenses, Mrs. Evans said, youths can tell their employers they have never been arrested. "It's a legal lie. You can deny anything on your record and still be protected."

Most employers demand police clearances before they will hire youths referred to them by UPO, Mrs. Evans said. She added that an employer cannot by law check on the police record of a potential employe, but must rely on the clearance the youth himself has obtained.

UPO job counselors have been advised of these legal technicalities, she told a meeting of civic and church workers at the Phyllis Wheatley Branch of the YWCA. She said that some counselors are informing the youths about the procedure for obtaining a blank clearance.

Although not herself a job counselor, Mrs. Evans said she has given similar advice.

The same law restricts civil service job applicants, which ask for listing of arrests from the age of 16 although youths are protected by District law until they are 18, Mrs. Evans stated. She added that the Form 57s are now being revised to substitute the higher age.

Instead of trying to keep juvenile records from employers, however, UPO is putting its main emphasis on getting jobs for youths regardless of their previous offenses or poor educations, Mrs. Evans said.

"About 90 per cent of our young people have arrest records," she stated. "We're trying to sell the employer on a kid with a record. Some buy it and some don't."

She emphasized her belief that many slum residents have juvenile police records "not because they are bad or criminally inclined, but because of the casualness by which police officers arrest them." She said that UPO is also working with the police to try to prevent arrests for minor reasons.

DISTRICT OF COLUMBIA TENANTS LOSE THEIR FEARS AND LEARN TO MOBILIZE FOR ACTION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record a news story which appeared in the Washington Post on May 29 entitled "District of Columbia Tenants Lose Their Fears and Learn To Mobilize for Action."

There being no objection, the story was ordered to be printed in the Record, as follows:

District of Columbia Tenants Lose Their Fears and Learn To Mobilize for Action

(By Dorothy Gilliam)

The rumblings started early. It was back last summer, and needy-citizens' organizations started popping up in offices downtown.

They told Washington's appointed officialdom that things weren't all right.

The Capital has no city hall, but it does have the District Building, and somehow, from somewhere, citizens who had been silent for years and years came forth with their problems.

This activity sprang from a nebulous, sometimes terrifying (to public officials), exciting (to the citizens) concept that has evolved in the war on poverty. The poverty people call it community action.

And it is happening, often, because of the dollars pumped into the community by the Federal Government's antipoverty arm, the Office of Economic Opportunity.

Poor citizens in Washington have been awakening, joining hands and voices to try to make an impact and get things changed.

Nine days ago, tenants of the Barry Farm Public Housing Project in Southeast Washington noticed a car that had been parked outside their homes for a long time.

They suspected its occupant was a welfare investgiator, a symbol of official harassment and a source of fear to many in public housing projects.

They got together, went into the street and barricaded the man's car and asked the police to arrest him.

Later, these same citizens started picketing the Welfare Department's Investigations and Collections Office in protest against "harassment" by investigators.

Now, they picket almost daily the Alexandria home of William R. Galvin, head of the Office.

And yesterday, they asked whether the Welfare Department is using "a new form of terror" against them. They charged that one picket, Shirley Jones of 1302 Stevens rd. se., has been told she owes the Department $99 because her husband allegedly stayed away from work six years ago.

"We will fight for her," the group said in a statement. And they asked City officials once again: "Which side are you on?"

A PUBLIC DEBATE

Their actions have raised eyebrows and brought on healthy public debate from District offices to Capitol Hill. Sen. Robert C. Byrd (D-W. Va.) has complained that the welfare recipients are harassing the welfare workers and has called on the District Commissioners to protect the employes.

Welfare Director Donald Brewer has had to declare that no picket will be punished but has charged that the United Planning Organization is stirring up trouble. The UPO has retorted that it is simply encouraging the Barry Farm residents to voice their complaints.

These tenants are not the only ones who are getting organized.

Eleven days ago, another group of citizens, these at the Neighborhood Development Center at 3308 14th st nw., pleaded with presidential adviser Charles A. Horsky to do something about the city's welfare rules.

On May 10, a group of Cardozo area citizens attacked the UPO, the city's antipoverty coordinator, for failing to name a Negro to head its Manpower Division.

On Feb. 26, a group of young adults and teenagers from Anacostia sat in at the UPO's main office and, in effect, forced the UPO to sponsor a demonstration project with young people as community organizers.

On Nov. 29, representatives of Lower Cardozo block clubs organized a pep rally to spur the UPO to appoint Samuel Harris director of operations.

On Nov. 1, 80 pickets, organized by UPO workers, marched in front of a tenement house where two families were evicted.

SANCTIONED PROTESTS

Times have changed, and in many areas it is UPO and OEO money that is doing the changing.

All through this, some public officials have been bitterly critical of the UPO, just as, nationwide, some city officials have been critical of the OEO. They say the citizens' noisy demonstrations have not been spontaneous—that they have been "put up to it" by Government-financed organizers.

The thing is, the officials are right.

The poor citizens have been chided into action by paid organizers, but many of these organizers are poor citizens themselves. And the other poor citizens have welcomed the impetus.

The poverty program has put poor people on the payroll and has taught them and others how to make noise and make it effectively. This is what community action money was for in the first place.

In Southeast Neighborhood House, for instance, 50 per cent of the paid neighborhood workers are tenants of public housing. They are men and women who earn $80 a week.

THE WORKER'S ROLE

The big question is, when does a man picket officialdom as an antipoverty worker and when as an aggrieved citizen?

Ralph Fertig, director of Southeast House, draws a line this way: Staffers can demonstrate only on their own time. He discourages them from speaking out at meetings of the Neighborhood Advisory Board.

"This dual role thing is a real problem," says Joan Cole, head of the UPO's housing division. "Sometimes they get their roles as neighborhood workers confused with that of tenant, and we do have more educating to do here."

The next problem is whether the paid staff is forcing the citizenry further than the citizens really want to go—whether it is more militant.

Say the professional poverty workers:

Poor people do not have book learning, but they have a kind of savvy that has somehow permitted them to exist in a hostile society. It is doubtful that they would blindly follow organizers if they were not convinced of their cause.

Joan Cole says the idea that the paid organizers are more radical than the people is "nonsense. Poor people have both the intelligence and the guts to decide what they want to do," she says.

George Holland, in charge of all ten UPO neighborhood centers, agrees with Mrs. Cole.

Many tenants still refuse to go along, but most feel they are not being dictated to.

Maria Lefwitch, a Barry Farm tenant, says the organizers "have a little influence over the group, but not that much. They couldn't make us do anything we didn't want to do."

BARRY FARM CLOSEUP

A close look at what is happening at Barry Farm, one of the most changed areas of Washington, illuminates the whole poverty program.

Barry Farm is a dilapidated, isolated housing development in Anacostia. It is between Summer and Wade Roads and Firth Sterling Avenue. Its 2600 tenants live in 442 units, set down in a valley.

The buildings are of dirty white brick and have black slate roofs. The project looks like a concentration camp.

Barry Farm has no public bus transportation, no traffic lights, no laundromats, no supermarkets. Yet it has those 2600 tenants, enough people to fill a small city.

Those people, just five or six months ago, reflected their surroundings.

"The best way to get along here is to mind your own business," one resident told a reporter last year. "People will rat on you in a minute if they know anything about you."

"I hate this place," a teenager said, spitting on the grassless ground. "They named it right. That's just what this place is—a farm!"

The transformation of Barry Farm began after the UPO gave $162,000 to Southeast Neighborhood House in January, 1965. Southeast House is an old, established welfare agency that is funded partly by the United Giver's fund.

The people who ran Southeast Neighborhood House quickly realized that, while $162,000 was a lot of money, it wasn't enough to solve many problems. Staffers were troubled that nothing permanent was being accomplished.

So they started to pick some targets, with Barry Farm a principal one.

ORGANIZERS PICKED

First, six "community organizers" were carefully selected. They were to be called the Southeast Target Team (SETT). Chosen to head it was Pharnal Longus, a young man who grew up in Washington's slums and who, at the time, was working for another welfare agency, the United Givers Fund-supported Family and Child Services.

On Jan. 3, 1966, SETT set to work, one street at a time, in Barry Farm.

The six found alienation, anger, complacency, lethargy. Nearly two of every three residents were getting public assistance,

The tenants were afraid of welfare investigators, of their neighbors, of the National Capital Housing Authority, the manager of the city's 40 public housing projects.

The six organizers started knocking on doors. At first, they were just telling residents about the poverty program.

They quickly learned there was plenty of reason for lethargy—many of the residents had not even heard of the poverty program. Many did not have a television set or a radio and did not get newspapers.

They found, too, that some of the people had lived in Barry Farm for five or ten years, but had never spoken to a neighbor, any neighbor.

So the workers started "organizing." They asked questions, like what community problems affect you, what changes would you make in Barry Farm, how would you go about changing things?

They contacted about half the 2,600 residents.

Most of all, they found tenants feeling powerless to do anything. They did have complaints, though.

THE GRIEVANCES

Lack of upkeep of the project was the complaint most often made.

While the team talked to adults, Southeast staffer Leroy Washington spent two months organizing the young people—the idle, hostile jobless teenagers and young adults.

He started with 12 young men who he knew "hung together."

They were suspicious, but he kept talking. Finally they started talking too: about their problems—no jobs, no money, no recreation, no hope.

From these two months of organizing came a 250-member youth group now called Rebels With a Cause.

That the youth of Barry Farm had become organized became very, very clear when Southeast House signed a new contract last January with UPO. The contract omitted one item—pay for young neighborhood workers, like the Rebels With a Cause.

The Rebels first tried to get some results from their elders, the advisers to Southeast Neighborhood House. No luck.

So the youths marched on UPO headquarters. First the UPO's trustees again rejected them. But the Rebels persisted.

Finally, on April 6, they were granted $15,000 for a trial run of 90 days.

Back home at Barry Farm people were stunned.

If the youngsters could do it, some of the older people reasoned, maybe we can, too.

With the SETT survey completed, meetings were called. At one, 20 or 30 scared, skeptical people showed up.

Many of them shifted uneasily on the hard, wooden seats of the basement meeting room as the target team encouraged them to think of solutions to their problems.

At one point, the SETT staffers suggested they could even buy Barry Farm from the housing authority, and run it themselves.

But the tenants weren't that far along, yet. They didn't want to swallow a whole loaf, they wanted a bite: They wanted to improve what they had.

They wanted, eventually, a supermarket, a laundromat, bus transportation.

But first they wanted better maintenance, they wanted rodents and bugs controlled, they wanted outdoor lighting.

So, with strength in their numbers and in the Southeast Neighborhood House staff, they set out to tackle officialdom.

They first discussed the need for lighting with two aides of Walter Washington, executive director of the National Capital Housing Authority.

Court lights had been installed several years before, but youngsters had broken the bulbs so many times that the management stopped replacing them.

An aide insulted the tenants by saying: "Barry Farm was without lights for almost 20 years. Why should they be important now?"

AN INITIAL SUCCESS

So the people went over the aide's head to Washington himself.

Washington had new bulbs burning in two days, simply by supplying the tenants nearest the lights with bulbs and asking them to replace broken ones. And light bulbs aren't broken so often any more.

With the success, the tenants of Barry Farm, who now were calling themselves the Band of Angels, were really ready to move.

When Washington announced that $385,000 would be spent on an improvement project for Barry Farm, they didn't accept it gratefully.

They were worried that the money would be spent for the outside, and they wanted interior repairs.

Lillian Wright, chairman of the Band of Angels, complained that the renovations had been projected without consulting the tenants' "needs, wants or opinions."

Mrs. Wright's efforts to see Washington in his office were rebuffed by a NCHA secretary, she said.

What to do? The tenants already know, from the light bulb incident, that the only way to get things done was at the top.

Longus's team told them they could do one of three things: call a press conference and tell the whole city how they felt; try Walter Washington again, or forget the whole thing.

They called a press conference Feb. 26. To their surprise, four newspapers sent representatives, and all four published stories.

When Washington was called by a reporter to get his side of the story, he moved in quickly.

He said he had never heard of the Band of Angels, but he would be "delighted to meet with them" and right away.

That Sunday, he showed up at the Farm with his top staff.

But the Angels thought they smelled a rat and picketed the meeting. They were resentful of the secretary's rudeness and said they wanted to see Washington downtown.

The incident split the community. "Publicity seekers," some tenants spat at the Band of Angels.

So the target team suggested that the Tenant Council, defunct for years, be reactivated, with the Band of Angels a part of it.

From this grew the recently formed citywide Tenant Association. Twenty of the city's 40 housing projects are represented.

The Association has held two heated meetings with Washington, at which members issued demands, booed and catcalled.

Residents of public housing insist that their target is not Walter Washington, but rather bad public housing. "He responded real nice to us," one resident explained. "I don't think he knew a lot of things were going on."

Washington has stressed new and more buildings since he has headed the public housing program, and his awareness of the need for services can be seen at Garfield Terrace, where he hired a full-time social worker.

But Barry Farm was in disrepair and the responsibility was Washington's.

Partly in response to what he felt were just demands, he hired a special consultant, a skilled, veteran community organizer who now is making the rounds of the apartments, organizing tenants along less militant lines.

REACTION DIFFERS

Some tenants have applauded the hiring of an organizer by the official agency; others say the action has divided the tenants, pitting neighbor against neighbor.

Washington's organizer insists that any improvements must be a joint affair between tenants and agency. He says members of the tenants' union have tried to break up his meetings and opposed his program of fixing up the project.

"We're after the same thing—a better community," says Longus, the poverty program organizer. "We are attacking the causes and encouraging the poor people to change things themselves. This new move by management is trying to attack the symptoms."

In all of this, Barry Farm is growing; it has become a vital, concerned community. Its people are learning how to get things done, from getting some light bulbs replaced to getting an organizer assigned to them by officials.

One case made clear their growing readiness to confront authority.

The tenants picketed the Welfare Department's inspections office and intentionally blocked the door. The police arrested one community organizer, Phil Perkins.

The whole group decided to be arrested. But Southeast Neighborhood House Director Ralph Fertig, renowned as a militant, walked up and advised them that it didn't make sense for them to get arrested "just to go to the precinct and pay $10."

Later, Maria Lefwich, by now an official of the Tenant Council, said, "Ralph's saying not to, was all it took for some people to back out."

Tenants claimed Fertig's moderating influence split the group.

FERTIG HAS DOUBTS

Fertig, who has been arrested in civil rights demonstrations in the South, says he emerged from the incident as a "ratfink."

"Maybe it was bad advice," he says now. "Maybe they needed just the experience of getting arrested for a cause they believed in."

The irony of the incident is that these were the same people who, just months ago, were afraid to even speak to their neighbors, too reluctant to attend a community action meeting.

Now they were beginning to be more radical than their mentors.

Barry Farm is still a slum. It still has no buses, no traffic lights, no laundromats and no supermarkets. But it does have light bulbs.

And for the first time residents have a say in the decision-making that concerns their daily lives. They have an avenue through which to act in their own behalf.

And it feels good, they say.

"I just felt wonderful walking in front of Galvin's house," a Barry Farm tenant said of her first picketing experience. "It was like . . . like you was full up. It was like nothing I've felt before. For once in my life I wasn't just throwing up my hands. I was saying, 'This is wrong.'"

Barry Farm will never be the same.

ADDRESS OF LORD GARDINER AT AMERICAN LAW INSTITUTE

Mr. SCOTT. Mr. President, I invite the attention of the Senate to the address by the Right Honorable Lord Gardiner at the annual dinner of the American Law Institute in Philadelphia on May 20, 1966. Lord Gardiner is the Lord Chancellor of Great Britain and was formerly chairman of the General Council of the Bar, which is the American Bar Association of British barristers. His address is a most interesting and entertaining speech endowed with that special grace and felicity of phrase which illumines the leaders of Great Britain's bench and bar. Lord Gardiner's speech should be of interest to all Americans as he addresses himself to problems in criminal law which concern us all. I therefore ask unanimous consent that Lord Gardiner's speech and the comments on that speech made by Norris Darrell, president of the American Law Institute, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF THE RIGHT HONORABLE LORD GARDINER, LORD CHANCELLOR OF GREAT BRITAIN, TO THE AMERICAN LAW INSTITUTE, FRIDAY, MAY 30, 1966

President DARRELL. We are greatly honored that, despite his heavy duties at home, our guest speaker has taken the trouble to cross the ocean on a quick trip to be with us, to address us tonight.

His career is an impressive one. It has been one of steady upward progress in leadership. He was educated at Harrow School and Magdalen College, Oxford. His varied interests were evidenced, among other things, by his service as President of the Oxford Union and the Oxford University Dramatic Society.

He was called to the bar after leaving Oxford, and in due course he became Queen's Counsel and held for a time the high office of Master of the Bench of his Inn, the Inner Temple.

Then, in 1958 and 1959, he was Chairman of the General Council of the Bar, which in England is the equivalent for British barristers of our American Bar Association. In 1964 he assumed his present high office.

Now, it is singularly fitting that he should address us, for he has long been interested in law reform. Indeed, throughout his legal career he has been an outstanding leader in its promotion in Great Britain. For years he served on the Committee on Supreme Court Practice and Procedure and on the Lord Chancellor's Law Reform Committee, and in his present powerful office he is a still stronger force in this great endeavor.

It is my pleasant duty, sir, by authority of the Council to inform you that at the Council meeting held earlier this week you were unanimously elected an Honorary Member of the American Law Institute. [Applause.] We trust that you will accept this, our highest award, which carries with it our admiration and respect, our delight in your presence here, our hope that you will come to us again, and no other burdens.

Ladies and gentlemen, I present to you The Right Hon. Lord Gardiner, Lord Chancellor of Great Britain.

[The meeting rose and applauded.]

The Right Honorable Lord GARDINER. Mr. President, Your Excellency, Ladies and Gentlemen: I feel indeed greatly honored to be invited to address you tonight at the conclusion of your Annual Meeting and, I need hardly say, still more honored to have been elected an Honorary Member.

Th reputation of the Law Institute in England is such that for the first time since assuming office I have succeeded in leaving England while Parliament is sitting. I feel rather like a boy playing truant from school. Indeed, I think they don't really like letting the boys out during term time, so I have had to obtain the permission of the Queen to come, and of the Prime Minister, and leave from the House of Lords to be absent from the Woolsack last night, and also the Foreign Secretary. I suppose that's in case I say anything which absolutely staggers Anglo-American relations. [Laughter.]

Whether I shall ever get away again while Parliament is sitting I don't know, but here I am, and I am very glad to be here.

Now, to all English-speaking people who are concerned that our law should be more nearly in accord with modern needs, the Law Institute has been for many years the beacon to show us the way. I say "for many years." Of course, this year you are celebrating your forty-third anniversary, and I come from rather an anniversary-conscious country. This year we have been celebrating the 750th anniversary [laughter] of Magna Carta, and I think you have too. [Applause.]

And in a few weeks you will be celebrating your 190th anniversary of the Declaration of Independence [laughter] and 1776. I wonder what was happening on the 20th of May in 1776.

I suppose that by now a majority of the delegates to the Second Continental Congress had already decided to come out for independence, and by the 20th of May and, I suppose, at this hour of the evening Thomas Jefferson may have already been burning some midnight oil in the room and the parlor on the second floor which he had rented for the duration of the Congress, working away on a piece of prose composition which was to change the course of history.

I wish I could tell you that on that night my predecessor in England was doing anything so epoch making. I'm sorry to say that the then Lord Chancellor, Lord Bathurst, was one of the most nondescript Lord Chancellors we have ever had [laughter], and that that monumental word, Lord Campbell's *Lives of the Lord Chancellors* records very little about him, and nothing to his credit.

I think that on the 20th of May, 1776, he was probably quite unaware of the feverish activities which were taking place in Philadelphia, and was really just resting on his laurels, because he had recently taken part in one of the only two cases of any interest in which he ever played a part [laughter], and this was a bit of a case, because it was the trial of no less a person than the Duchess of Kingston for the not very common crime of bigamy. [Laughter.]

It was known that she intended to plead the benefit of peerage, which meant that even if convicted, no punishment could be imposed upon her. It would, of course, occur to you that there was a bit of a flaw apparent in this argument, because if she had committed bigamy, her second mariage would be a nullity, and therefore she couldn't be a peeress. [Laughter and appaluse.]

As a matter of fact, if you thought that, you would be wrong, [laughter] because the lady had taken the precaution of never marrying anybody who wasn't a peer. [Loud laughter.]

History records that Westminster Hall was fitted up for the occasion with as much grandeur as when Charles I was tried there, and from the speech of the Lord Chancellor, acting as Lord High Steward, addressed to her at the opening of the proceedings I take this extract:

"Madam, you stand indicted for having maried a second husband, your first husband being living: a crime so destructive of the peace and and happiness of private families, and so injurious in its consequences to the welfare and good order of society, that by the statute law of this kingdom it was for many years (in your sex) punishable with death; the lenity, however, of later times has substituted a milder punishment in its stead. This consideration must necessarily tend to lessen the perturbation of your spirits upon such an awful occasion." [Laughter.]

This is how it began; [laughter] and it was then proved "by the clearest evidence" that the Duchess had in fact committed bigamy, and their Lordships did so find; but they found also that the Duchess, "having prayed the privilege of the peerage, to be exempt from punishment, she was entitled to it". Whereupon Lord Bathurst brought the proceedings to an end with the following graceful speech:

"Madam, the Lords have considered of the prayer you have made and the Lords allow it. But, Madam, let me add, that although very little punishment, or none, can now be inflicted, the feelings of your own conscience will supply that defect. And let me give you this information, likewise—that you can never have the like benefit a second time, but another offense of the same kind will be capital. Madam, you are discharged, paying your fees."

And he proceeded to break his white wand and dissolve the Commission.

Apparently Lord Bathurst was not answerable for any of the imprudent measures taken by Lord North's administration in the course of the American War of Independence, except perhaps by assenting to them; but he probably took no active part in the discussions in Council respecting the choice between conciliation and coercion. Indeed, it was he who brought in "a Bill to suspend the Habeas Corpus Act with respect to His Majesty's subjects taken fighting against him in America"—whereby power was given to detain them in custody without bringing them to trial; and in the face of strong opposition he got the Bill passed and thereby contributed to the saving of many lives on either side.

Only two more things can be said about him. First, he was a strong supporter of capital punishment; and, second, when he left office it was his proud boast that he left English law exactly as he found it [laughter], having successfully resisted all attempts to change it in any way at all.

Now, for tactical reasons which one can understand, Campbell's "Lives of the Chancellors" is not kept up to date. [Laughter.] The last volume published comes up to the end of 1940, so I am likely never to know my fate; but having done a great deal of work in my time—and successfully, at last—in abolishing capital punishment [applause], and devoted the rest of my spare time to law reform, I would hope that in these two respects at least my biography might be a little different from his.

Now, at my age, when one is beginning to come to the end, one is entitled to look back and wonder whether one was right in spending one's time as one did. Having devoted most of my spare time to law reform, I am bound to say that I have no regrets. My primary motive has not been that of a lawyer interested in the law, though, of course, that has been part of it. My primary motive has been a hatred of injustice. I can't bear to see anomalies which cause injustice in our law, and have wanted to put them right.

I think most adolescents have a very natural and vivid sense of what is just and what is unjust, and many seem to lose this. If this makes me a case of arrested development, well, there it is.

Now, I think our problems in the field of law reform are different from yours. In 1923 the parent committee of the Law Institute reported that the two chief defects in American law are its uncertainty and complexity. We in the United Kingdom have used much the same language, but in our particular situation the phrase "uncertainty and complexity" carries rather a different meaning.

In the United States in 1923 the word "uncertainty" related, if I understand the position rightly, to the fact that a lawyer working on a case had to find, read, and digest the relevant decisions, past and present, of all the courts in his own state, and if he found no firm precedent for the proposition he wanted to urge, then he had to research the law of all the other states, and, of course, so far as relevant, the law as declared by the federal courts, and even after all this work he might not have found a clear-cut authority.

The Institute's answer to this type of uncertainty was, and is, that monumental enterprise, the Restatement.

Our situation is different. We already have a Restatement, as far as the law of England is concerned, and we have had it quite a long time. It will be one hundred years next November since a Commission was first established, "to inquire into the exposition of a digest of the law and the best means of accomplishing the object, and other ways of exhibiting in a compendious and classical form the law as embodied in judicial decisions."

Admittedly, the scheme recommended in the first report of that Commission, in May, 1867, was not carried out until the beginning of this century, but when at least the first edition of that great work, Halsbury's "Laws of England," was completed and published, it was nothing less than a complete statement of the laws of England—statute law, case law, and all.

Since then we have had a second edition, and a third as well.

Admittedly, the authority of Halsbury is not the same as the authority of the American Restatement. No English court has ever said of Halsbury what the Supreme Court of Pennsylvania has positively stated with reference to a particular section of the American Restatement of Tort; namely, that past cases, in so far as they are in conflict with the view expressed in that section, are no longer authoritative. [Laughter.]

In America cases of first impression have more than once been decided on the authority of the Restatement. Halsbury has never been used in this way in England, nor has any English court ever purported, in reliance upon Halsbury, to change what had previously been declared to be the common law. Yet as Counsel I have more than once used the Restatement before the House of Lords to good effect.

That much has to be said, and a great deal more could be said by way of tribute to the phenomenal success of the American Restatement, but none of this detracts from the validity of the proposition that we cannot complain of the uncertainty of English law in that particular sense which a Restatement can answer. Our particular kind of uncertainty calls for a different answer.

Nor, not being a federation of states, have we a multiplicity of legislatures or those conflicts of jurisdiction with which you are so much concerned. What, then, is our problem?

Well, in the first place, it's the hopeless state of the form of our law, consisting, as it does, of 350,000 reported cases and between 3,000 and 4,000 statutes going back to the year 1235, so that you may have—and you do have—sixty different statutes, all dealing with the same subject, amending and reamending one another.

I remember a dinner—not a grand dinner like this, but a small dinner over twenty years ago—which was the annual dinner of a Society of Labour Lawyers. There weren't many Labour Lawyers in those days, and I had, as chairman, to propose the health of Lord Jowitt, the then Lord Chancellor, and I referred then to the hopeless state of our statute books. I pointed out that if one took some simple subject, like the law of getting married—very much simpler than the law of getting unmarried—and if one asked: Where do I find the statute law on the law of getting married?—the answer was that you found it in:

The Marriages Contracts and Consanguinity Act, 1540; the Marriages Pre-Contract Act, 1548; the Marriages Confirmation Act, 1804; the Marriages Confirmation Act, 1808; the Marriage Act, 1823; the Marriage Act, 1824; the Marriages Confirmation Act, 1825; the Marriage Confirmation Act, 1830; the Marriage Act, 1835; the Marriage Act, 1836; the Marriage Act, 1840; the Marriage (Society of Friends) Act, 1860; the Marriage Confirmation Act, 1860; the Marriage (Society of Friends) Act, 1872; the Marriages Validity Act, 1886; the Marriage Act, 1886; the Foreign Marriages Act, 1892; the Marriage Act, 1898; the Marriages Validity Act, 1899; the Marriages Legislation Act, 1901; the Marriages Legislation Act, 1903; the Provisional Order (Marriages) Act, 1905; the Marriage with Foreigners Act, 1906; the Deceased Wife's Sister's Marriage Act, 1907; the Naval Marriages Act, 1908; the Marriages in Japan (Validity) Act, 1912; the Marriage of British Subjects (Facilities) Act, 1915; and then, typically, the Marriage of British Subjects Facilities (Amendment) Act, 1916; and the Deceased Brother's Widow's Marriage Act, 1921; and the Marriages Validity (Provisional Orders) Act, 1924; the Age of Marriage Act, 1929; the Marriage Measure, 1930; the Marriage (Prohibited Degrees of Relationship) Act, 1931; the Marriage (Naval, Military and Air Force Chapels) Act, 1932; the Marriage (Extension of Hours) Act, 1934; the Banns of Marriages Measure, 1934; the Marriage Act, 1939; the Marriages Validity Act, 1939; the Marriages (Members of His Majesty's Forces) Act, 1941; the Matrimonial Causes (War Marriages) Act, 1944. [Laughter.]

And I asked how long this nonsense was to go on. [Laughter.]

I don't know, on reflection, whether that was quite the right way for a junior counsel to talk to a lord chancellor, but that was what I said, and Lord Jowitt said it was a question of Parliamentary time. However, he went away and soon after introduced a bill the effect of which was that a number of Acts could be put together into one Act, and provided it was certified that no material change in the law was made, these Acts were dealt with by a committee of both Houses of Parliament, and it took up no time at all on the floor of the House, and I daresay I regarded it as a compliment when the first bill which was passed under that Act was the Marriage Act of 1949. [Laughter.]

This has made the position slightly better than it would now be. We have had a certain number of consolidating statutes, but it hasn't been done at the pace at which it ought to have been done and, of course, in any case, the first thing you do when you put a number of acts like that together is that you want to make changes in them.

Now, there has been in recent years a considerable change in the climate of opinion in England. Until a fairly short time ago there was no general demand for law reform, and it was, generally speaking, unpopular among lawyers. I always remember what Mr. Justice Frankfurter said once when he was in England:

"Nothing is more true of my profession than that the most eminent among them for 100 years have testified with complete confidence that something is impossible which, once it is introduced, is found to be very easy of administration. The history of legal procedure is the history of rejection of reasonable and civilised standards in the administration of the law by most eminent judges and leading practitioners. That is true of civil and criminal law. The reason is a very simple one and was given by one of the great lawyers of my country. He said in effect, 'Of course we oppose reform. We grew up under the old system; and look at us as proof of its efficiency.'

"Consider the whole history of civil procedure, consider the whole business of common law pleading. Look at everything that happened in this country prior to 1873. Every effort to effect improving changes is resisted on the assumption that man's ultimate wisdom is to be found in the legal system as at the date at which you try to make a change."

Well, this was true with us until a short time ago, but it isn't so today. Today law reform is popular even among lawyers. It's part of this process on which we are now engaged, the modernization of Britain.

The principal lack in England has always been that it's nobody's business to see that the law is kept up to date and in good working order. Theoretically it is a responsibility which is shared between the Lord Chancellor and the Home Secretary, but they have no time to do it themselves, nor have they the staff to do it.

If every nationally popular newspaper makes a fuss on some particular point, well, then, the point is referred to a Law Reform Committee of scholars, judges, and lawyers, and after a couple of years they produce a report, and after a few more years legislation is introduced to deal with it; but, as I have said, it is really nobody's business to be submitting the whole of our law to a systematic or continuous review.

Well, to this humble student of the great Cardozo, and particularly of the speeches which he made before the establishment of the New York Law Commission, the answers seem clear; and the first Act, therefore, which I invited Parliament to pass after I became Lord Chancellor was the Law Commissions Act, establishing a Law Commission for England and Wales and a smaller one for Scotland.

And before I forget it, may I say how very grateful the Law Commission has been for the great generosity with which the Law Institute has sent not only a preliminary copy of the Restatement, but, I think, of all their publications to date.

The Law Commission is an independent, statutory, whole-time body of Commissioners with a sufficient legal staff of their own and their own Parliamentary draftsmen; and, as the Act says:

"It shall be the duty of each of the Commissions to take and keep under review all the law with which they are respectively concerned with a view to its systematic development and reform, including in particular the codification of such law, the elimination of anomalies, the repeal of obsolete and unnecessary enactments, the reduction of the number of separate enactments and generally the simplification and modernization of the law . . ." and they are specifically required "to obtain such information as to the legal systems of other countries as appear to the Commissioners likely to facilitate the performance of any of their functions."

Now, they have got quite a lot of thinking to do about comparative law, and may I conclude by saying quite a bit, if I may, about the value which I attach to comparative law.

And I said they had to think, and there was a little girl who was in fact the daughter of a well-known English philosopher, and she was told that when friends came to lunch she mustn't talk so much; she must listen, and then she must think. And she asked what has always seemed to me the $64,000 question: "But how do I know what I think until I hear what I say?" [Laughter.]

Now, on comparative law, you may remember that a long time ago a lot of our interlocutory law came from the American states which had made vast improvements in the interlocutory law which they had taken from England. Today we take our inspiration from the example set us by the Law Institute, and perhaps even more revelant to our own circumstances, the inspiration of Cardozo and the practical experience of the New York Law Commission.

My proposition is that the tendency of evolution is toward unity, and that laws should be as uniform as possible. To the outsider it seems odd, if you will permit me to say so, that there should be one modern country where there are fifty-one different systems of law.

If I take next the Commonwealth Common Law countries, it's an extraordinary thing, isn't it, when you think of the size of the populations of China and Russia, that more than a third of the whole of the population of the world should be ruled by the law which came from the small island which I left last night?

In August I went to one of our quinquennial Commonwealth Law Conferences, this time in Sydney. There for more than a week eighteen hundred Commonwealth lawyers from all over the world—from Canada and India, Trinidad and Ceylon, Nigeria and Hong Kong, New Zealand and Pakistan, and many more—met to discuss our common problems, because everywhere our problems are, I think, much the same—juvenile delinquency, the consequences of the increases in that thing, the motor car, how to control administrative tribunals, whether our legal professions are ogranized in the way to make them of greatest help to the community—and then we had an added weekend at Canberra with separate conferences for Chief Justices and for Law Ministers.

The movement toward law reform seems to me to be expanding greatly everywhere. They have just had a change of government in New South Wales, and the first thing the new Government had done was to set up a Law Commission.

A fortnight ago I had to take the chair at a meeting before the ministers of twenty-two independent Commonwealth countries in London, where we were seeing whether we could agree; and we did agree all to pass the same legislation in the field of extradition, a common form Fugitive Offenders Act, and a common form of certain types of judgments. And as we still felt insufficiently familiar with one another's legislation and case law, we decided to establish a legal section of the new Commonwealth Secretariat.

I find it difficult to see how any of us can know too much about one another's law, and very largely the advantages of comparative law are practical. For example, some time ago we passed an Act under which tribunals can be set up to inquire into some matter of great public importance. A good deal of the dissatisfaction with its working has been expressed largely because inquiries under the Act are inquisitorial rather than accusatorial; so the Government set up a small Royal Commission to enquire into its working.

This Commission had nearly completed their task before they discovered quite accidentally that India had had followed us with a similar Act, they found it unsatisfactorily, their Law Commission had conducted an inquiry into it, and had published a long report about it.

Or, if I may take another field, we are not happy about our pretrial procedure in criminal cases, and I have, of course, read and greatly profited by your Model Code of Prearraignment Procedure. We have just the same difficulties about police questioning. But we are rather more concerned at the moment with the part which you have not yet drafted; that is to say, the general court procedure.

In all indictable cases all the prosecution's evidence is called before the magistrate to see that there is a case for trial, and we feel that there is a good deal of wasted time about this. I think the answer to this may come from the Republic of Ireland, which, though not part of the Commonwealth, is, of course, a common law country.

Irish law interests are being extremely active over the whole field of law reform, and we are glad to see a rapprochement between the Northern Republic and the Free States.

Indeed, the lawyers of Northern Ireland, including the Chief Justice, recently attended a law reform meeting in Dublin. The Chief Justice told me he went down to Dublin by car, and he said on the way he came to a railway level crossing where there was one gate shut and one gate open, so he had to stop and get out and find the gateman, and he said to the gateman, "What's all this? Why is one gate open and one gate shut?"

"Well, you see," said the gateman, "we're half expecting a train." [Laughter.]

Well, as I said, the Republic of Ireland is in the process of passing an Act making just the same sort of amendments in their trial procedures that we are likely to make.

Now each Law Commission—and this is only another Commission—each Law Commission when they started—that is to say, the English one and the Scottish one—decided quite independently that one of the first things they wanted to do was to codify; that is to say, both in relation to statute law and case law, to codify the whole of the law of contract. Well, then, after discussing it together—of course, Scotland is a civil law country, whose lawyers are very different from ours—but it seemed to both the Law Commissions very silly to have two laws of contract in a small country like ours, depending on whether you live in the south or live in the north, and therefore they are proposing to assimilate the two codifications of the law of contract as much as they can, and if it's possible to assimilate the law of a common law country and a civil law country in one field, one would think that it might be possible to do it in others, and we will start assimilating the laws generally of common law countries and civil law countries.

We expect before long to ratify the two international conventions on the international sale of goods signed in The Hague in July of 1964, and I'm now beginning to think about what changes would be necessary in our law and procedure if we join the European Economic Community.

Great Britain is a member of the Council of Europe, a regional organization comprising eighteen states in northern, western, southern and southeastern Europe. The Council is an important forum of cooperation in the economic, social, cultural, scientific and administrative fields, and it is also in the legal field. There its first great achievement was the European Convention on Human Rights, a great advance toward the effective protection of fundamental freedoms.

The word "effective" is not, I think, an exaggeration, because we now have within the framework of this Convention the investigation through international organs—that is to say the European Commission of Human Rights and the European Court of Human Rights—of complaints made by individuals against their own governments.

But apart from that the legal program has been expanding steadily. It now includes an impressive number of projects, ranging from detailed measures concerned with cooperation in the administration of justice to far-reaching programs for the harmonization of the laws of member states in many branches of the law. Indeed, in some fields I look forward to making in the not-too-distant future real strides toward the unification of the law.

It is part of our thought that in countries which have attained identical or comparable standards of economic prosperity and social maturity the answers given by law to the multifarious problems arising from economic and social realities should also be comparable.

The tendency toward harmonization and unification of laws is but one aspect, I think, of that general tendency toward law reform which at the present time is at work throughout Europe, and it is no exaggeration to say that all legal systems, and not only those of the United Kingdom, have been overtaken in varying degrees by the rapid technological and social changes of this century.

And that explains why next week when the Ministers of Justice of eighteen different countries will be meeting in Berlin, the British delegation will urge the consideration and further strengthening of the existing framework of international cooperation in the legal field, so that in each country the agency of law reform may be kept abreast of what is happening in other countries, and perhaps even of that which is not yet happening but is in contemplation. There is so much to be done everywhere that we must each of us strive to avoid overlapping efforts and the taking of divergent courses in the reform of our respective national laws.

In fact, we hope to go a step further. We feel, and are are not afraid of saying it, that the United Kingdom as a whole is a bridge between the legal systems of that large region, the Commonwealth, and that other great region, Europe. The cross-fertilization of ideas within the Commonwealth is a good thing, and has been proved to be practicable. Regional cooperation within Europe is equally a good thing, and practicable, but interregional exchange of information and ideas between the Commonwealth and Europe would be, so we think, an even better thing, and far from being impracticable.

We do not know what the response to this idea is going to be, but if it should be positive, either now or later, we would not only seek to contribute to this wide interregional cooperation the whole of our own experience, but, just as we have been, of all countries in Europe, the greatest beneficiaries of the vast experience of the United States, we would also seek to act to the best of our ability as interpreters of all those American ideas and achievements from which we have drawn so much inspiration in years gone by and from which we hope to draw more and more inspiration in the years to come.

In my country those concerned with the law already know, and many more will learn, of the great services rendered to the American people by this Institute. My very presence here this evening in my capacity as head of our judiciary is perhaps in some sense a testimony to the admiration and respect with which we in England regard your activities, and to our acknowledgment of the inspiration which you give us in the constant search for improvement in the form and content of the law.

With your help and with steadfast purpose on both sides of the Atlantic, I am confident of success in the long haul we have in front of us.

[The meeting rose and applauded.]

President Darrell. Lord Gardiner, the close attention with which your address was received and the exceptionally warm and enthusiastic demonstration given you upon its close indicate, I think, better than any words available to me the interest of this audience in what you have had to say to us and the pleasure it has been to all of us to have you with us tonight.

We are most grateful to you for coming here. We are absolutely interested in and devoted to the things which you are trying to do. It seems so fitting and proper that you should be our speaker tonight, because what you are trying to do in your country is the same thing we are trying to do here, and one of the things which we in America care greatly about is that the friendship and relationship between the British and the Americans—and I think it's particularly true of those who are concerned with the law—should remain close and friendly. It makes no difference whether we speak the same language. It is that we care about the same things. [Applause.]

And so we thank you from the bottom of our hearts for coming here and giving us this excellent address.

ANDERSON ACTS ARE HELPING MEET OUR WATER PROBLEMS

Mr. McGOVERN. Mr. President, a fortnight ago, I became curious about the extent to which our new water resources research centers at the State land grant schools were tackling the major water problems that face the Nation.

The Federal Council on Science and Technology, in a 10-year program for Federal water resources research, has identified water resource planning and pollution, or water quality management, as top priority problem areas.

On June 15 I wrote to Dr. Roland Renne, Director of the Office Water Resources Research, asking how research undertaken by the State water resources research centers was fitting into the national needs, and especially the extent to which it was directed at high priority problems.

I now have Dr. Renne's reply, showing that a little more than half of all the work underway at the 51 State centers is directed at the two top priority items in the Federal Council's 10-year program, planning, and water quality management. The reply includes a listing by States of projects which have been undertaken in the two areas.

The information I have elicited will, I am sure, be of interest to Members of Congress from each of the States. I therefore ask unanimous consent, Mr. President, that Dr. Renne's reply to my letter of inquiry be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McGOVERN. It seems to me that the response of our State universities and other schools associated in the State centers to the practical problems confronting their States and the Nation is excellent and that it proves the farsightedness of the principal author of the Water Resources Research Act, the senior Senator from New Mexico [Mr. Anderson].

We continuously have reason to be grateful to our distinguished colleague for pioneering natural resources programs. His River Basin Planning Act is proving equally effective. For more than half a century we have been trying to get comprehensive river basin planning started across the Nation. Thanks to the patience and persistence of the Senator from New Mexico, State and Federal Governments were brought into agreement on a procedure for such planning through Public Law 89–80, signed by the President July 22, 1965.

Although less than a year has elapsed, I am advised that six New England States are united in setting up a commission under the act. The eight Great Lakes States and five Pacific Northwest States have likewise joined together to seek a commission. The Federal Council has been contacted by some of the States in the Missouri Basin, the Ohio Basin, Red River of the North, and the Arkansas-Red-White Basin, about the procedures to be followed. There is every evidence that the Anderson River Basin Planning Act is going to end many decades of delay and of State-Federal contention over their respective powers in the field of water resources, and get comprehensive river basin planning underway on a basis of equality between the Federal Government on one hand, and the States on the other.

Exhibit 1

U.S. Department of the Interior,
Office of Water Resources
Research,
Washington, D.C., June 24, 1966.

Hon. George McGovern,
U.S. Senate,
Washington, D.C.

Dear Senator McGovern: Your June 15, 1966, letter requests information on how the program administered by the Office of Water Resources Research is responding to the high priority research needs identified in the Federal Council on Science and Technology report "A Ten-Year Program for Federal Water Resources Research." As cogently identified in your letter, the Federal Council on Science and Technology report gives high priority to research related to (a) methodology and criteria for water resources planning, and (b) research in water quality management.

Although by no means considering that present research effort is commensurate with the urgency and complexity of water resources problems, we are, nevertheless, much encouraged by progress in these research areas since authorization of the program in July 1964. Of the approximately $13.1 million available from appropriations for the fiscal years 1965, 1966, and 1967 for support of the research programs of the 51 State Water Resources Research Centers, 50.5 percent has been committed to research related to water resources planning and water quality management. This includes over $2.9 million of Federal funds for support of 139 research projects related to water resources planning, and over $3.6 million for 192 water quality research projects. Additionally, substantial non-Federal support is contributed to this research.

Attached are lists, by States, of the individual research projects related to water resources planning and water quality.

As stated earlier, although encouraging progress has been made in the two years since initiation of the program authorized by the Water Resources Research Act, the need for enlarged effort is demonstrated by the more than threefold increase in these two areas of research set as 1971 goals in the tabulation on page 32 of the Ten-Year Program.

The figures quoted above are clear evidence that universities, through the State Water Resources Research Centers, are responding actively to high-priority research needs. As pointed out in your letter, Congressional action this year strengthening the Title II authorization provides the means for extending this effective program by support of non-Federal water resources research wherever research competence exists. We are confident that when appropriations are available to fund Title II research projects, there will be comparable progress throughout the academic and non-academic research community including research institutions, private firms and individuals, and others.

Inasmuch as the procedures of the Office of Water Resources Research for evaluation of research proposals and their selection for support recognize that a significant (although not the only) guide is the Federal Council on Science and Technology report referred to in your letter, water quality and water resources planning research are expected to be a significant component of the Title II as well as of the Title I program.

This, we trust that you agree, is in furtherance of President Johnson's "search for bold, new ideas."

We greatly appreciate your continuing interest in this program. We are pleased to furnish this information and to respond to further inquiries from you.

Sincerely yours,
Roland R. Renne,
Director.

(Enclosure.)

Office of Water Resources Research—Water Quality Research Projects Supported From Fiscal Year 1965, Fiscal Year 1966, and Fiscal Year 1967 Appropriations, as of June 17, 1966

ALABAMA

A–001–ALA: Evaluation of earthy materials for use in decontamination of water—Dixon

A-002-ALA: Biological and chemical oxidation of selected organic pesticides—Leigh

A-004-ALA: Water nematology—Cairns

A-006-ALA: Studies on the interactions of bacteria and aquatic nematodes—Wilt

ALASKA

A-002-ALAS: Dissolved organics in Interior Alaska ground water—Birkholz

A-004-ALAS: Inherent and maximum microbiological activity in Smith Lake—Burton

A-007-ALAS: Kinetics of vitamin-limited microbiological activity—Button

A-010-ALAS: Effects of water quality and quantity on the the fauna of nonglacial Alaskan Rivers—Morrow

A-014-ALAS: Biological degradation of wastes under psychrophilic environments—Murphy

A-015-ALAS: Foam fractionation treatment of low quality waters—Murphy

ARIZONA

A-004-ARIZ: Development of methods for making potable water from paved catchment runoff water—Fogel

A-007-ARIZ: Limnology of impounded intermittent surface runoff—McConnell

B-001-ARIZ: Trace and tracer elements in ground water—Phase I—Dutt & Maier

B-002-ARIZ: Trace and tracer elements in ground water—Phase II—Dutt

ARKANSAS

A-004-ARK: Interaction of inorganic and organic fertilizer materials with pesticides as related to water quality in soils—Brown

A-005-ARK: Virus movement in groundwater systems—Drewey

CALIFORNIA

A-001-CAL: Vacuum cup emission spectrography as a routine method for quantitative water quality determinations for trace elements—Bush

A-004-CAL: The management of surface water hydrologic system for water quality control—Orlob

A-013-CAL: The persistence of residues and the fate of herbicides in rice fields and rice field effluents—Seaman

A-017-CAL: Reducing the pollutional burden of food plant wastewaters—Hart

COLORADO

A-001-COLO: Changes in the physical and biological characteristics of ground water reservoirs and adjacent surface waters—Morrison

CONNECTICUT

A-001-CONN: Individual waste disposal systems—Wheeler

A-003-CONN: Response of fish to controlled pollution—Whitworth

A-011-CONN: Reduction of river heat pollution by turbulence stimulation—Scottron

DELAWARE

A-001-DEL: Increased gas transfer in biological reactors of interest to waste water reclamation—Shane

A-005-DEL: Mass transfer rates in structured media wih emphasis on systems of interest in water conservation and reuse—Metzner

FLORIDA

A-002-FLA: Factors affecting accelerated eutrophication of Florida lakes—Putnam

GEORGIA

A-003-GA: Method for predicting the effects of pollutants on the dynamic oxygen balance of a water—Gates

B-008-GA: Radiotracer studies on rapid sand filtration—Eichholz

B-012-GA: Determination, evaluation and abatement of color in textile plant effluents—Flege

HAWAII

A-00-HI: Pollution effects on ground water recharge in Hawaii—Lau

IDAHO

A-003-IDA: Effects of stream sedimentary deposits on the distribution and metabolic activity of the bottom fauna in Coeur d'Alene Lake, Idaho—Ferguson

A-013-IDA: A lethal index for classifying chemicals which affect water quality for aquatic life—MacPhee

ILLINOIS

A-001-ILL: Influence of turbulence on surface reaeration—Holley

A-010-ILL: Basic study of jet flow patterns related to stream and reservoir behavior—Maxwell

A-014-ILL: Spectrophotometric determination of nitrate in water using 2 nitroso—1 naphthol—4 sulfonic acid—Caskey

A-015-ILL: The use of endocommensal molluscon ciliated pollution as indicators of water quality and pollution in Illinois—Waters

A-016-ILL: Co-oxidation of Organic molecules by methane-oxidizing bacteria growing at the expense of methane—Kallio

B-001-ILL: Distribution of drift organisms in relation to pollution and the impoundment of the Kaskaskia River—Larimore

B-006-ILL: Probabilistic analysis of wastewater treatment and disposal system—Ewing

INDIANA

A-005-IND: Effect of pesticide residues and other organo-toxicants on the quality of surface and ground water resources—Monke

IOWA

A-007-IA: To collect, characterize, and study the biodegradability and the chemical oxidation of carbon-adsorbed materials from effluents from sewage plants—Sletten

A-013-IA: Properties of tile drainage water—Willrich

A-016-IA: Reoxygenation of Iowa streams—Smith

KANSAS

A-001-KAN: Evaluation of an index for viral pollution—Loehr

A-008-KAN: Pollution from animal feedlots—Larson

A-010-KAN: Chemical removal of nitrate from potable water supplies—O'Brien

A-011-KAN: Water quality changes in confined hog waste treatment—McKinney

B-001-KAN: Optimal aeration systems—Erickson

B-007-KAN: Relationships between pesticidal application and water contamination under irrigation in the Great Plains—Knutson

KENTUCKY

A-002-KY: A study of the persistence of pesticides in impounded waters—Lauderdale

A-007-KY: An ecological study of the effects of strip mining on the microbiology of streams—Weaver

A-008-KY: Chemistry of the oxidant, ferrate, its interaction with specific organics found in waste water—Williams

LOUISIANA

A-003-LA: The effect of selected herbicides upon the growth of planktonic freshwater algae and their persistence in surface waters—Wasmer

MAINE

A-002-ME: Disposal of agricultural product wastes through the soil—Rourke

A-003-ME: Effect of nitrification of organic wastes on waters in the natural environment—Keshaven

A-004-ME: Removal of viruses from water—Sproul

A-006-ME: Chemical contaminants found in surface and subsurface water as related to soil and climatic conditions—Rourke

A-007-ME: The effect of salts applied to highways on the infiltration and percolation of water through the soil banding the highways—Hutchinson

A-009-ME: Water quality degradation by wood bark pollutants—Sproul

B-001-ME: Feasibility study of a river system as a chemical reactor—Bobalek

MARYLAND

A-002-MD: Effects of thermal pollution on productivity and stability of estuarine communities—Mishursky

A-004-MD: Disposal of waste from swine feeding floors to minimize or eliminate stream pollution—Green

A-005-MD: Treatment of liquid waste from food processing plants—Kramer

A-006-MD: Comparison of various forages for agricultural waste water disposal—Kresge

A-007-MD: Improvement of quality of water resources by a three-fold attack: adsorption, sedimentation and mixing—Wockenfuss

B-001-MD: Enhancement of recreational uses of estaurine waters through study of potential control methods for stinging nettles—Phase I—Cargo

B-002-MD: Enhancement of recreational uses of estuarine waters through study of potential control methods for stinging nettles—Phase II—Cargo

MASSACHUSETTS

A-004-MASS: Pilot study of the occurrence and characteristics of shallow-aquifer contamination in Massachusetts—Motts

A-007-MASS: The ecological significance of cellulolytic bacteria in Quabbin Reservoir—Reynolds

A-008-MASS: Absorption of pesticides on earth materials—Baker

A-009-MASS: Closed systems for animal sewage treatment—Clayton

A-010-MASS: Pesticide occurrence, concentration and degradation in free water systems—Gunner

A-011-MASS: Effects of organic deposits on water quality in impoundments—Feng

A-013-MASS: The effects of climate upon the work capacity and cardiac and opercular cycles in fresh-water fish—Roberts

MICHIGAN

A-007-MICH: Biological recovery of waste water—Schulze

A-008-MICH: Toxic action of water soluble pollutants on fresh-water fish—Fromm

A-010-MICH: Biotic response to pollution reduction in a river—Lauff

A-012-MICH: Relationship of sewage handling practice to pesticide residue levels and invertebrate ecology—Zabik

A-013-MICH: Fluidized exchange systems for removal of nitrogen and phosphorous from wastewater—Weber

MINNESOTA

A-007-MINN: Studies on the use of planktonic desmids as indicators of the trophic status and water quality in freshwater lakes—Brook

A-008-MINN: Water quality, organic productivity and the distribution of organisms in Minnesota lakes—Wright

A-011-MINN: Study of the open water distribution and abundance of netplankton as an index of eutrophication in Lake Superior—Olson

B-001-MINN: Diatoms and Zooplankton in Minnesota Lakes—Wright

MISSISSIPPI

A-003-MISS: Factors affecting the removal of iron and manganese from ground water—Robinson

A-004-MISS: Decontamination of low-level radioactive wastes with Yazoo and Zilpha clays—Middlebrooks

A-007-MISS: The effect of a new high temperature sewage stabilization process on enteric pathogens and viruses—Brown

A-012-MISS: Decontamination of low-level radioactive wastes with Yazoo and Zilpha clays—Phase II—Middlebrooks

MISSOURI

A-004-MO: Water quality alternation through acid and heat pollution in a 1500 acre reservoir—Campbell

A-005-MO: Biochemical capabilities of surface film and benthic bacteria in fresh-water systems—Barnekow

A-007-MO: The role of heterotrophic biotic populations in reducing organic contaminants added to natural waters—King

B-001-MO: The effects of heated water, acid mine drainage and alkaline ash drainage on water quality and community metabolism of a 1500 acre reservoir—Campbell

B-015-MO: Effect of surfactant micelles on metal ion removal by flotation from metallurgical wastewater—Venable

MONTANA

A-005-MONT: Water quality in Montana—Taylor

B-009-MONT: Industrial organic micropollutants and protozoa—Rowan

NEBRASKA

A-007-NEB: Brackish water purification by biological fuel cell powered electrodialysis—Scheller

NEVADA

A-008-NEV: An engineering-economic model for waste water reclamation and reuse—Orcutt

NEW HAMPSHIRE

A-003-NH: Atomic fluorescence spectroscopy—a potential tool for trace analysis—Ellis

A-004-NH: Impact of copper sulfate treatment on some of the limnological characteristics of Winninquam Lake, Belknap County, N.H.—Sawyer

A-005-NH: Nitrogen content of drainage water, litter and soils in the vicinity of alder and white pine sites—Peterson

A-007-NH: Numbers and types of microorganisms in stabilization pond effluents—Slanetz

A-009-NH: The analysis of aromatic constituents in water using Fluorescence and Phosphorescence—Ellis

A-010-NH: A study of algae populations associated with different levels of water quality in New Hampshire—Mathieson

NEW JERSEY

A-003-NJ: An investigation of analog computer simulation of stream pollution dispersion models with chemical reactions—Davidson

A-004-NJ: Water conservation through filtration of gelantinous sludges in industrial waste treatment—Dittman

A-012-NJ: Evaluation of phenol water quality—Faust

B-005-NJ: Artificial mixing of density-stratified fluids—Brush

NEW MEXICO

A-002-NMEX: Gas chromatographic evaluation of bacterial stream pollution—Garner

A-010-NMEX: A comparison of the aquatic beetles in the five major watersheds of New Mexico with special emphasis on the family Dytiscidae—Zimmerman

NEW YORK

A-007-NY: Eutrophication of water resources in New York State—Barlow

NORTH CAROLINA

A-002-NC: A multi-stage research program on the relationships between aquatic algae and fungi and water quality—Bell

A-006-NC: Recoverable warp sizes—a feasibility study—Jennings

A-010-NC: The effect of different low-flow hydrologic regimes on water quality management—Sherwani

A-015-NC: A preliminary study of bacterial heterotrophy in the Pamlico River—Hobbie

A-016-NC: Recovery of Warp Sizes—Phase 2 of A-006-NC—Jennings

B-003-NC: Exchange of phosphorus species between living and nonliving systems in fresh water environments—Weiss

B-004-NC: Changes during eutrophication of an estuary—Horton

NORTH DAKOTA

A-001-NDAK: Closed circuit water systems for livestock production—Pratt

A-002-NDAK: Treatment of lye peel potato wastes by coagulation—Fossum

A-003-NDAK: Microbiology of sewage-lagoons—Role of purple-sulfur bacteria in stabilization of industrial wastes—Vennes

A-004-NDAK: Water quality in relation to productivity of Lake Ashtabula Reservoir in Southeastern North Dakota—Whitman

A-007-NDAK: Mussels and pollution in the Red River drainage, North Dakota and Minnesota—Cvancara

OHIO

A-001-OHIO: Development of a "natural" laboratory for study of acid mine drainage—Smith

A-002-OHIO: A study of the microbial flora of acid waters—Dugan

A-003-OHIO: A biological survey of acid mine waters—Dambach

A-004-OHIO: A study of groundwater contamination due to saline waste water disposal in Morrow County oil fields—Lehr

B-002-OHIO: Strip mining and water quality—Vimmerstedt, Struther, and Finney

OKLAHOMA

A-002-OKLA: Chemical and thermal characteristics of Keystone Reservoir—Dorris

A-003-OKLA: Development of design criteria for individual domestic water supplies from surface impoundments—Daniel

A-007-OKLA: Enzymes and catalysts for purification of industrial waste water—Fulton

A-008-OKLA: Oxygen diffusion in semiquiescent waters—Gaudy

A-010-OKLA: An evaluation of recent approaches for the design of biological wastes treatment—Graves

A-011-OKLA: Nutritional pollution—Reid

B-004-OKLA: Critical review of the Oklahoma State water resources quality criteria—Reid

B-005-OKLA:Carbon sources in algal populations and algal community structure—Dorris

OREGON

B-004-OREG: Effects of pulp mill effluents on the growth and production of fish—Warren

PENNSYLVANIA

A-001-PA: Sewage oxidation rates in neutralized acid mine water stream—Kountz

A-002-PA: Crushed limestone barriers for neutralization of acid stream—Kountz

A-003-PA: The effects of nutrients additions and stream dynamics on stream eutrophication—McDonnell

A-004-PA: Removal of both metal and detergent contaminants in streams by foam fractionation—McLean

A-008-PA: An evaluation of the significances of escherichia in sewage effluent and water supplies—Glantz

A-010-PA: Tracing pollution in water by means of escherichia coli serotypes—Glantz

A-011-PA: Foam fractionation of mixed streams of acid mine water and sewage effluent—McLean

B-001-PA: Renovation of waste water through application to agricultural cropland and forestland—Kardos, Sopper and Myers

B-003-PA: Thermodynamics of reactions in acid mine drainage—Barnes and Romberger

B-004-PA: Treatment of coal mine drainage waters with coal products—Lavell

B-008-PA: Removal of phosphate from water by aluminum and iron—Hsu

PUERTO RICO

A-001-PR: Determination of safe levels of pollution in Puerto Rico—Santiago-Vazquez

A-007-PR: A study of self-purification rates of polluted streams in Puerto Rico—Munoz-Candelario

RHODE ISLAND

A-002-RI: Structural chemistry of yellow organic matter in fresh water—Felbeck

A-003-RI: Movement of manganese into ground water supplies—Deluise

A-004-RI: Analysis of the effluent from a nuclear fuel recovery plant—Blecharczyk

A-007-RI: The effect of obstructions on the reaeration of flowing streams—Hagist

A-011-RI: Analysis of natural radioelements in raw water—Rose

A-013-RI: An investigation of the interrelationship of organic matter and trace elements in fresh water—Corless

A-014-RI: Development of methods for controlling the copper content in water—Mairs

A-015-RI: Oxygen transfer in aeration process—Poon

B-001-RI: Structural chemistry of yellow organic matter in fresh water (Phase II of A-002-RI—1965)—Felbeck

B-003-RI: Role of nematodes and related Meiofauna affecting fresh water quality in Rhode Island—Stessel

SOUTH CAROLINA

A-001-SC: Effect of pesticides on the ecology of fresh water organisms—Reed

A-007-SC: Water quality and waste assimilation capacity studies of an impoundment of recent origin—Wallace

SOUTH DAKOTA

A-002-SDAK: Water quality and primary production of S. D. Lakes—Schoenthal

A-003-SDAK: Investigation of the influence of waste disposal practices on ground water qualities—Anderson

TENNESSEE

A-004-TENN: An investigation of surfactant removal—Whatley

A-005-TENN: A study of the survival of bacterial indicators of pollution in natural waters—Womack

A-006-TENN: An investigation of the effect of controlled releases on the physical, chemical, and bacteriological characteristics of Fort Loundon Reservoir—Larson

TEXAS

A-003-TEX: Influence of fatty alcohols and acids on the clarity and biota of impounded reservoirs—Davis

UTAH

A-003-UTAH: A study of the biological, chemical and physical nature of water quality factors under Utah conditions—Neuhold

VERMONT

A-004-VT: Physiology and ecology of nematode fauna of Lake Champlain—Fisher

VIRGINIA

A-001-VA: Concentration of phosphate sludges—Parsons

A-005-VA: Evaluation of the effects of trace elements on the activity of microorganisms with special emphasis on the lactic streptococci—Benoit

A-010-VA: Water quality in relation to aquatic plants and their control—Evrard

WASHINGTON

A-008-WASH: Evaluation of factors affecting stream self-purification—Proctor

A-011-WASH: Distribution and ecology of nematodes in irrigation water—Faulkner

A-016-WASH: Improvements in treatment design for enhancing waste water quality—Carlson

A-018-WASH: Ecology of selected aquatic bacteria in the Snake River—Drake

B-005-WASH: Investigation of the techniques to provide advance warning of ground water pollution hazards, with special reference to aquifers in glacial outwash—Crosby

B-018-WASH: Ecology of nematode in irrigation water—Faulkner

WEST VIRGINIA

A-001-WVA: Ecological and physiological relationships of Monongahela River fish populations to acid mine pollution—Benson

A-002-WVA: Acid Mine drainage microbiological studies—Wilson

A-005-WVA: An investigation of the distribution and abundance of vascular aquatic plants in the Monongahela River basin above Point Marion, Pa., with special reference of the influence of water quality on these plants—Clarkson

A-007-WVA: Algal relationships to the recovery of acid mine streams—Bennett

A-010-WVA: Chemical characteristics of waters in flooded bituminous coal mineshafts—Corbett

WISCONSIN

A-001-WIS: Use of lake sediment cores to estimate the rate of eutrophication of lakes—Lee

A-002-WIS: Biological aspects of eutrophication on Lake Mendota, Crystall and Trout Lake, Wisconsin—Hasler

A-003-WIS: Methods for harvesting or control aquatic plants—Grant

A-006-WIS: An investigation of the relationship between the filtering properties of particulates in water and the filter medium as applied in water reuse system—Polkowski

A-009-WIS: Water quality management on the Wisconsin River, a model study of the technical, economic, legal, financial and administrative aspects—Beuscher

A-011-WIS: Diatom productivity in a shallow, highly eutrophic lake—Blum

B-004-WIS: The nitrogen cycle in surface and sub-surface waters—Witzel

B-008-WIS: Insecticide adsorption by lake sediments as a factor controlling insecticide accumulation in lakes—Chester

B-013-WIS: Manipulation of reservoir water for improved quality and fish population response—Wirth

Office of Water Resources Research—Water Resources Planning Research Projects Supported From Fiscal Year 1965, Fiscal Year 1966, and Fiscal Year 1967 Appropriations, as of June 17

ALASKA

A-003-ALAS: Factors affecting the development of the water recreation potential in Alaska—Kearns

A-006-ALAS: Evaluation of water resources research needs in Alaska—Behlke

B-003-ALAS: An analysis of the demands for water from the private sector in a sub-Arctic area—Haring

ARIZONA

A-009-ARIZ: Economic analysis of multiple-product use of water on the originating watersheds in Central Arizona—Martin

B-003-ARIZ: Economic implications of water policy in Arizona—Kelso

ARKANSAS

A-001-ARK: Environmental changes produced by cold-water outlets from three Arkansas reservoirs—Strawn

A-006-ARK: Water resources research needs in Arkansas—Sparks

B-001-ARK: Water resources planning studies—Arkansas and Oklahoma—Heiple

CALIFORNIA

A-002-CAL: The impact of water export on the area of origin: A case study in the Owens and Mono Basins—Parsons

A-003-CAL: Systems analysis for groundwater basin management—Todd

A-014-CAL: The municipality as a water policy determining entity—Crouch

A-018-CAL: Policy developments in the Pacific Southwest water plan in relation to the strategy of western regional water development—Engelbert

A-019-CAL: Application of optimization techniques to problems in water resources development—Hall

B-001-CAL: Optimization of water resources development—Oliver

B-008-CAL: On-farm irrigation water supplies and costs in relation to cropping systems and production adjustments in the Sacramento Valley—Hedges

B-009-CAL: The development of water resources in California in relationship to plans and programs for Western regional water development—Engelbert

B-013-CAL: A case study of demographic and electoral correlates of Los Angeles County water bond support, 1965—Marvick

B-017-CAL: A dynamic input-output and mathematical programming analysis of western regional water resources—McGaughey

COLORADO

A-003-COLO: Water storage management—Yevdjevich

A-005-COLO: The economics of administration of water resources—Barkley

B-006-COLO: An exploration of components affecting and limiting policymaking options in local water agencies—Hill

B-007-COLO: Economics of ground water development in the High Plains of Colorado—Barkley

CONNECTICUT

A-006-CONN: The role of regional planning in the public management of water resources: The case of the Farmington River Basin—Kasperson

A-012-CONN: Integration of Connecticut water rights laws and pollution control laws—Leonard

DELAWARE

A-003-DEL: Investigation of the economic, governmental, and other social aspects of water resources development in Delaware—Overman

B-001-DEL: Economic and engineering aspects of water in Delaware's agri-business industry—Smith

FLORIDA

A-001-FLA: A comprehensive study of Florida water law—Maloney

GEORGIA

B-007-GA: A study of the energy flow through selected components of a small aquatic ecosystem—Scott

B-009-GA: Interrelations between river basin developments and metropolitan areas—Kelnhofer

B-011-GA: The demand and price structures for water in a humid area—North

B-013-GA: Water Law of Georgia—Collins

HAWAII

A-012-HI: Methods for determining the economic productivity of irrigation water for the production of sugar in Hawaii—Davidson

IDAHO

A-002-IDA: High-lift pumping and the impact upon development of desert land—Floz

A-010-IDA: A critical study of the Idaho Code and Laws together with various agencies and their functions in the field of water resources—Walenta

A-014-IDA: Characteristics of major forest and range experiment stations in Idaho—Tisdale

A-017-IDA: Economic value of water in different uses within agriculture—Folz

ILLINOIS

A-007-ILL: Meteorological drought and its social impact in Illinois—Booth

A-008-ILL: Economic evaluation of pricing water supply in Illinois—Bassie

A-011-ILL: Development of drainage assessment procedures based on physical features in Illinois—Jones

B-009-ILL: Intergovernmental relationships in the administration of water resources—Krausz

INDIANA

A-002-IND: Statistical analysis of ground water use and replenishments—Johnson

IOWA

A-001-IA: Economic factors in the establishment of water quality stream standards—Dougal

A-002-IA: Evaluation of flood damage to corn from controlled depth and frequency of flooding—Beer

A-005-IA: Competitive recreational uses of selected Iowa lakes—Haugen

A-009-IA: Preimpoundment survey of vegetation of Saylorville Dam Impoundment area—Landers

B-001-IA: Study of operation of the Iowa water permit system—Hines

B-006-IA: Structure of forest bordering the Saylorville impoundment—Landers

KANSAS

A-006-KAN: Financing water resource facilities—Daicoff

A-007-KAN: Value of water for irrigation in the Kansas River Valley—Pine

A-012-KAN: Ecological relationships of organic matter and bacteria in Tuttle Creek Reservoir—Harris

A-013-KAN: Trace element chemistry of a small pond in relation to productivity—Armitage

KENTUCKY

A-001-KY: Economic analysis of alternative flood control measures—James

A-006-KY: The economic impact of flood control reservoirs—James

LOUISIANA

A-001-LA: Study of measures to be taken to accomplish protection of the ground water supply of the Baton Rouge areas from degradation due to the intrusion of saline water into area of offtake—Legal aspects—Phase I—Hardy

MARYLAND

A-008-MD: An investigation of factors affecting the intensity of use of water recreation facilities—Volk

MASSACHUSETTS

A-001-MASS: A survey and evaluation of small artificial recreational ponds in central Massachusetts—McCann

A-002-MASS: The ecology of the young fishes of the Weweantic River Estuary—Cole

MICHIGAN

A-005-MICH: Application of systems and optimization analysis to water quality problems in Michigan—Milstein

MISSISSIPPI

A-002-MISS: Water resources characteristics of the Town Creek watershed as an attraction for industrial users—Peden

A-008-MISS: Local action and acceptance of watershed development—Wilkinson

A-006-MISS: Law of water resources of the State of Mississippi: a multifactoral, policy-oriented study of legal prescriptions relating to water use and control—Vinson

A-011-MISS: The availability of water for industrial uses in selected small communities in Mississippi—Peden

A-014-MISS: The law of water pollution control—Williams

A-015-MISS: Sociological factors in watershed development—Wilkinson

MISSOURI

A-002-MO: Systems approach to river basin development—Ray

B-011-MO: Economic aspects of supplemental irrigation in Missouri—Burt

MONTANA

A-002-MONT: Problems and opportunities of water resources utilization in the Upper Columbia and Missouri Basins—Huffman

B-004-MONT: Administrative arrangement for water resources development—Sheridan and Holje

NEBRASKA

A-004-NEB: Input-output analysis of water use for Nebraska industries—Epp

A-008-NEB: A legal-economic analysis of administrative and market procedures used in the transfer of water rights—Yeutter

A-009-NEB: Eminent domain—Harnsberger

NEVADA

A-004-NEV: Demand for water based recreational activities in Nevada—Wyckoff

A-015-NEV: The effort of quality factors on the demand for water-based recreation—Myles

B-005-NEV: Analog computer for hydrologic research—Maxey & Domenic

NEW HAMPSHIRE

A-008-NH: An economic analysis of water supply and demand in the Pascataqua River Watershed—Forste

NEW JERSEY

A-001-NJ: Water law of New Jersey—Morreale

A-010-NJ: Industrial water and waste disposal requirements in New Jersey—Granstrom

A-014-NJ: Economic basis for water resources analysis—Whipple

B-001-NJ: Changing technology and industrial water requirements—Granstrom

B-002-NJ: Urbanization and its effect on water resources—Marcus

B-007-NJ: Flood hazard perception in the Paulins Kill Valley, Warren County, New Jersey—Beyer

NEW MEXICO

A-007-NMEX: Inventory of irrigation areas and determination of consumptive uses by areas—Henderson

A-009-NMEX: Economics of alternative pricing systems to allocate scarce water supplies—Long

B-001-NMEX: Recreational values of water in the major reservoirs of New Mexico—Gray

B-006-NMEX: A comprehensive water resources analysis of a typical overdrawn basin in an irrigated semiarid area—Pecos River Basin, New Mexico—Stucky, Jacobs, Wollman, and Hernandez

NEW YORK

A-001-NY: Water supply demand—Allee

A-002-NY: Determining optimal policies for operating water resources systems—Lynn

A-003-NY: Water and related land resources law and political institutions I—Farnham

A-005-NY: The defense-involved company's role in the expansion of non-defense government programs in water resource development, mass transportation, and urban development—Lall

B-002-NY: The impact of water based recreation—Burgess

B-003-NY: Investigation of water rights and water law and the effects of these on the development and utilization of water resources of New York—Farnham

NORTH CAROLINA

A-004-NC: A comparison of State water pollution control laws and programs—Heath

A-011-NC: Criteria for evaluating the quality of water based recreation facilities—Stott

NORTH DAKOTA

B-002-NDAK: Economic impacts of water resource development—Hertsgaard

B-003-NDAK: Effects of irrigation development on trade patterns and income generation—Hertsgaard

OHIO

A-005-OHIO: Alternative economic responses to the acid mine drainage problem in Southeastern Ohio—Tybout

OKLAHOMA

B-006-OKLA: Water resources planning studies—Oklahoma and Arkansas—Gaudy

OREGON

A-002-ORE: Appraisal of water management institutions—Clark

PENNSYLVANIA

A-007-PA: An economic analysis of water utilization in Pennsylvania—Blood

A-009-PA: A water-supply demand analysis in Clinton County, Pennsylvania—Study in economic hydrology—Raphael

PUERTO RICO

A-003-PR: Quantitative analysis of water use patterns in Puerto Rico—Santiago-Vazquez

RHODE ISLAND

A-005-RI: Impact and incidence of taxation on water utilities in Rhode Island—Pitterman

A-010-RI: Variations in water consumption based on economic and social characteristics of the household—Spaulding

SOUTH CAROLINA

A-002-SC: Study of relationships between pollution and industrial development in South Carolina—Stepp

A-008-SC: The use of taxes to effect an improved allocation of water resources: a case study, the Textile Industry—Macaulay

SOUTH DAKOTA

A-001-SDAK: Economic potentials for water resources development on South Dakota—Helfinstine

TEXAS

A-001-TEX: Future agricultural water requirements—Smerdon

A-004-TEX: Development of optimization-system analysis techniques for Texas water resources—Hann

A-007-TEX: A study of selected chemical and biological conditions of the Lower Trinity River and Upper Trinity Bay—Baldauf

B-001-TEX: The economic impact of water impoundment: A comparative projection model—Pearson

B-003-TEX: Condemnation of water rights—Johnson

B-005-TEX: Evaluation of resources use and economic effects due to irrigation water availability in Texas—Schmer

UTAH

A-001-UTAH: Cultural, social organizational, social psychological factors associated with proposed changes in water usage patterns—Bylund

B-003-UTAH: Secondary economic impact from water resources development—Waley

B-004-UTAH: Economic effects of water allocation among alternative industrial (nonagricultural) uses—Harline

B-005-UTAH: Application of electronic analog device to solution of hydrologic and river basin planning problems—Chadwich and Bagley

B-008-UTAH: Recreation value of water in mutually exclusive setting—Whaley

B-009-UTAH: The value of water in complementary industry complexes—Roberts

B-011-UTAH: Application of electronic analog device to solution of hydrologic and river-basin planning problems-Phase II of B-005-UTAH—Bagley

B-013-UTAH: Optimizing conjunctive use of surface and groundwater—Clyde

VERMONT

A-006-VT: Influence of parasitism on the desmid phytoplankton of Lake Champlain—Cook

VIRGINIA

A-006-VA: Flood damage abatement study for Virginia—Walker

A-007-VA: Queueing model for pollution transport in streams—McJunkin

A-008-VA: Study of water resources laws for Virginia—Walker

A-011-VA: Prediction models for investment in urban drainage systems—Knapp

A-012-VA: Effect of pumped-storage reservoir operation on biological productivity and water quality—Neff

WASHINGTON

A-002-WASH: Defects in the water law in the State of Washington—Johnson

A-003-WASH: Simulation of a water resource system—Bevan

A-005-WASH: Some effects of water impoundments on waterfowl populations and reproduction on the Snake River, Washington—Buss

A-010-WASH: Distribution of planktonic fish eggs—Saunders

A-012-WASH: Effect of dam construction on downstream water temperature—Nece

A-013-WASH: The role of industrial process changes in affecting water requirements—Iulo

A-015-WASH: Selection of the optimum method of estimating the demand for nonmarket water resources with incomplete information—Brown

A-017-WASH: Computer generation of stochastic streamflow—Campbell

B-004-WASH: Water quality as related to the survival of salmon eggs and larvae—Bevan

WISCONSIN

A-007-WIS: A model to estimate the economic effects water-based recreation projects on local political subdivisions—Lord

A-008-WIS: Legal-economic analysis of irrigation in Wisconsin—Rose

B-002-WIS: Physical techniques and institutional mechanisms for integrated adjustment within flood plain hazard zones through the use of the detailed soil survey—Yanggen

WYOMING

A-001-WYO: Water resource operations study—Bellamy.

QUESTIONING OF THE DRAFT FOR AN UNDECLARED WAR

Mr. GRUENING. Mr. President, more and more, throughout the length and breadth of this country, questions are being raised as to the use of the draft to raise military manpower to fight in Vietnam in a war which many hold to be an immoral and illegal military engagement—one which is a war in fact, even though undeclared in accordance with the manner specifically prescribed by the Constitution.

For many with religious scruples against fighting in any war—declared or undeclared—the present law provides adequate safeguards.

But there are growing numbers of draft-called, or about to be called, young men in this country who face a serious dilemma because they are willing to fight and die in defense of our country but believe not only that the defense of our country is definitely not involved in the fighting in Vietnam, but also that U.S. actions there are immoral, unjustified, and illegal.

In other words, these young men are willing to fight in defense of their country in any war except the undeclared war in Vietnam.

For this group the draft law as interpreted by the Supreme Court up until now seems to afford no relief. It may be—and I hope it will be—that the Supreme Court, as the law is tested in an ever-growing number of cases, will afford relief to this group of young men. Otherwise, I think the law should be appropriately amended.

For the one unique factor that exists with respect to the involvement of the United States in the fighting now going on in Vietnam is that we are involved without the slightest "color of title." The people's elected representatives—the Congress—have not in this military action passed on our involvement there by declaring war. The United States is not fighting in Vietnam in response to a call to carry out our commitments under the United Nations Charter, as we did in the Korean engagement.

The United States is fighting an undeclared war in Vietnam on its own.

Is it any wonder that more and more young men are questioning whether—in responding to the call to arms—they can justify their involvement to their own consciences.

An excellent article entitled "They March to Different Drummers," by Walter Goodman appeared in the New York Times magazine for June 26, 1966.

Mr. Goodman concludes his article with the following timely observation:

> For all their political and logical deficiencies and their pretensions to superior virtue, our C.O.'s serve to remind us, today as ever, that our republic strangely finds strength in the tension between the exigencies of government and the imperatives of belief, between the demands of authority and the refusals of exasperating individuals.

I ask unanimous consent that the entire article be published in full at the conclusion of my remarks together with a copy of section 6(j) of the Universal Military and Service Act (50 U.S.C. App. sec. 456(j) (1958 ed.)) and a copy of the Supreme Court's decision in *United States* v. *Seeger*, 380 U.S. 163 (1965).

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times magazine, June 26, 1966]

THEY MARCH TO DIFFERENT DRUMMERS

(By Walter Goodman)

Paul Carling is 20 years old, a part-time student who lives at the lower end of Manhattan Island. He is a practicing Roman Catholic. Ben Koenig is 24 years old, plays the guitar, teaches music to young children and resides in the upper reaches of the Bronx. He is a nonpracticing Jew. With the exception of a possible chance encounter on a Vietnam protest march, Paul and Ben have never met. They do have something important in common, however. Both have had their applications for exemption from the draft as conscientious objectors turned down by their local Selective Service boards during the past year.

The two young men are now appealing their boards' decision on religious grounds—the only grounds available under the law—but there the similarity of their positions ends. Paul Carling, who attended Catholic schools for most of his life and studied for a year in a Jesuit seminary, bases his claim to exemption on Scripture, on the Apostles' Creed, on the Vatican schema. He told his draft board: "I believe in a personal God and Father of man and His Son Jesus Christ who by becoming man made brothers of all men."

The number of Catholics seeking recognition as C.O.'s, according to Thomas Cornell, co-chairman of the Catholic Peace Fellowship, has "exploded" in recent months. The Peace Fellowship office is now counseling seven to ten objectors a day on the church's teachings regarding the primacy of conscience, and a number of Catholic C.O.'s have won their appeals.

Paul referred his draft board to the New Testament admonitions about turning the other cheek and answering not evil with evil—but the board was not satisfied. Since Paul is not a member of one of the traditional pacifist churches and since the board had evidently never before encountered a Catholic pacifist, they rejected his claim. "If you were a Quaker," a member told him, "you'd get the exemption right away."

Ben Koenig's claim to exemption rests not on any formal religious training or on regular attendance at synagogue or temple, but on his personal decision that he should not fight in any war. "My belief is wholly my own," he informed his board. "It is my credo and my religion. *I will not kill.*"

Many of the young C.O.'s coming before their boards now not only are "unchurched" like Ben, but are severely critical of organized religion, which they view as an especially hypocritical part of the despised Establishment. Given this legal handicap, it is up to them to make a strong case if they hope to persuade their skeptically inclined boards.

Thus, Ben's draft board was predictably unimpressed with his attitude toward Army life. One member made it known that he had a son in the Army who was *really* religious, and he asked Ben. "Do you think he wants to kill?" (The man who put this question happened to be a Lutheran, but an experienced observer of board behavior has concluded that a Jewish C.O. is generally better off before a board that has no Jews on it and a Catholic C.O. is better off appearing before non-Catholics. It seems that the co-religionists of objectors get annoyed at kids in their teens and early twenties telling *them* what their religion is all about.) Ben's hope for a reversal of his board hinges on last year's Supreme Court decision, which widened the acceptable legal definition of religious belief to include, conceivably, even such unfrocked beliefs as his.

Between Ben Koenig, who never thought of himself as a "believer" in the ordinary usage of the word, and Paul Carling, who never thought of himself as anything else, lies the C.O.'s limbo, into which growing numbers of youths are being impelled by the nature of the war in Vietnam and by the ambiguities of the law created to meet their situation.

Neither Ben nor Paul was astonished at being turned down; it seemed to both of them that their cases had been decided in advance of their brief, *pro forma* hearings. Local boards tend to interpret the law very conservatively. References to the works of Mohandas Gandhi cut little ice with them, and they prefer, as a matter of course, to let matters be decided at the state level. Hence, most men have to appeal their initial classifications in order to win C.O. status.

The reaction of the nation's local boards when confronted with a C.O. these days ranges from something like sympathy to something like antagonism, with a good measure of bafflement included. On the one hand, draft-card burners who think better of it on the morning after are readily supplied with new cards by most boards despite a law hastily put together last August that provides a fine and imprisonment for their performance. Nor have the courts been harsh on those who do not repent. The first men indicted under the new law were given suspended sentences and gentle lectures.

The members of Paul Carling's board were so distressed at having to turn him down that they recommended he take one more course at Brooklyn College, where he is studying comparative literature, and so qualify for an exemption on educational grounds—a II-S classification. When he explained that he was unable to carry the required 12 credits because he holds a full-time job with the American Committee on Africa, they took note of how thin he was and suggested hopefully that he might manage a IV-F classification as underweight—but at 5 feet 9 inches and 125 pounds, he made the required weight.

On the other hand, some board members are prone to C.O.-baiting. No sooner did Paul enter the hearing room than one man asked him, "What would you do if somebody was going to shoot your mother?"

A C.O. might reply by quoting Sir Norman Angell, winner of the 1933 Nobel Peace Prize, who pointed out that what is wrong with this sort of question is its assumption that one must choose between two absolutes. "If I have a moral objection," Angell asked, "to tearing off a man's face with a piece of hot metal because his government has disagreed with mine as to whether Austrian or Russian influence shall dominate in the Balkans, must I also stand aside when some drunken savage attacks a child?" (The Yiddish poet and critic Eliezer Greenberg tells of an absolutist advocate of nonviolence who, pressed hard on whether, given the chance, he would not kill Hitler, finally succumbed. "All right," he said, "I'd kill him—but under a pseudonym.")

In its popular "Handbook," the Central Committee for Conscientious Objectors, a Philadelphia-based organization that assists C.O.'s with practical and legal counsel, advises young men to ask themselves the questions they are likely to be asked by their boards and try to decide: "(1) what forms of force you are willing to use, and in what circumstances; (2) how far it is required that you separate yourself from such force as you are not willing to use personally; (3) why you make these distinctions; and (4) what if any, counterproposals you wish to make in rejecting violence."

Ben Koenig conceded on his application for exemption that even though he is a believer in nonviolence he might use force if it was needed, say, to prevent "an unjust attack on another," and Paul Carling said he would gladly push a man out of the way of a falling object. But their boards did not really seem to care much about the nice points of their philosophies.

"Handbook for Conscientious Objectors," more than 60,000 copies of which have been sold since 1952, comforts the objector with the assurance that "he (however unworthy) is with the prophets, and that his inquisitors (however worthy) are speaking for the dead past out of which man is creeping." (The "Handbook" should not be confused with pamphlets like "Brief Notes on the Ways and Means of 'Beating' and Defeating the Draft" that have been circulated of late for the purpose of abetting common draft evasion.)

If, on appeal, either of our young men finally does win C.O. status, two classifications will be open to him. There is I-A-O, which means that if drafted, he will be assigned to noncombat duty in the Army, probably as a medical attendant; about 1,200 I-A-O's are now on active duty, a number of them in Vietnam. (The Medical Corps is jocularly referred to by C.O.'s as the Seventh Day Adventist Corps.) And there is I-O for those, like Paul and Ben, who see no moral distinction between combatant and noncombatant; Ben points out that the authorized role of an Army medic is primarily to get wounded troops back into shape to fight. If a I-O man is drafted, he will be obliged to take a civilian job for two years in a hospital or with an organization like the New York City Welfare Department or the American Friends Service Committee. Slightly more than 20,000 youths out of the 31 million now registered with their draft boards are in the I-O category and upwards of 3,000 of them are actually employed at low-paying jobs with nonprofit groups.

Both Paul and Ben would be delighted to serve in some such capacity. "I'm a teacher," says Ben. "There must be some place I'd be useful, some slum neighborhood or ghetto . . ."

The percentage of C.O.'s in our draft population is comparable to that of World War II, but the effects of the heightening of the war in Vietnam are evident in a sharp rise in I-O figures. Whereas about 200 C.O.'s are completing their two-year civilian service each month, twice that number are embarking on it.

The objector who loses his appeal and still declines to enter the armed forces is subject to five years in prison and a fine of $10,000. Fines are almost never levied, however, and the average jail sentence now being handed out by District Courts around the country runs to about 24 months. Despite occasional pummelings of draft-card burners and peace marchers by neighborhood patriots, there has been little disposition in most places to persecute C.O.'s. "I don't sense any vindictiveness," says Arlo Tatum, executive secretary of the Central Committee for Conscientious Objectors. "Selective Service wants to send people to the Army, but it doesn't especially want to send people to jail."

Only about 450 C.O.'s, not counting Jehovah's Witnesses, have been convicted of Selective Service violations since 1948. Increased call-ups for Vietnam along with rising tempers (Senator JOHN STENNIS of Mississippi, who views opponents of the war as part of the ubiquitous Communist conspiracy, recently called on the Justice Department to "jerk this movement up by the roots and grind it to bits") could raise the figure substantially in coming months.

Conscientious objectors to war have been with us since the beginnings of the nation, but it was not until World War I that a serious effort was made by Congress to discourage draft-dodging, yet permit some leeway to conscience. It was a narrow leeway. The Conscription Act of 1917 limited exemption from the draft to members of "any well-recognized religious sect" whose creed forbade participation in "war in any form. . . ." The War Department handled about 4,000 C.O.'s, assigning those, like Mennonites, who fell under the law's provision to noncombat service or farm work. Courts-martial sent 446 men to prison.

Other C.O.'s of that day, like Roger Baldwin of the American Civil Liberties Union, were convicted by civilian authorities for failing to register. In his address to the court shortly before going off to serve a year in prison, Baldwin stood on absolutist principles not only against "this and all other wars" but against "the principle of conscription of life by the state for any purpose whatever, in time of war or peace."

World War I was an unhappy time for civil liberties in America, and the C.O.'s in prison barracks, the great majority of them religious objectors who did not belong to one of the privileged sects, suffered severely from the passions of the hour. They were shackled, starved, hosed, hanged by their wrists and beaten by both warders and patriotic inmates. Their plight and the excessive sentences meted out to them by the Army—142 were given life imprisonment, but were pardoned in due course—became one of the earliest causes of the organization, led by Baldwin, that developed into the A.C.L.U.

In the disillusioning yet ideologically exhilarating aftermath of World War I it seemed that an entire generation of C.O.'s, of a political rather than a religious bent, was growing up throughout the world. In this country in the nineteen-thirties, hundreds of thousands of students set their names to the Oxford Oath, a pledge first taken by undergraduates at Oxford University, never to fight for king or country. But the onrush of Fascism in Europe put their resolution to an impossible test. In 1937, the year that a half-million students took the oath never to support the Government in any war, Norman Thomas, foremost defender of the C.O.'s of 1917, wrote:

"The pacifism which makes mere abstention from war the supreme command will not deliver mankind from new cycles of war and new dark ages of oppression. It is unrealistic and mad to say that it does not matter who wins in Spain if only the guns are stilled. It matters profoundly not only for Spain but for mankind that the Fascist aggression of which Franco is the nominal and brutal leader to be defeated."

When America once again resorted to conscription in 1940, only a handful of the signers of the Oxford Oath elected to go to jail. (The loudest protests against the draft ceased abruptly on the day in June, 1941, that the U.S.S.R. was invaded; the American Peace Mobilization became the American People's Mobilization, and overnight many peacemongers turned positively ferocious.)

The 1940 Selective Service and Training Act allowed exemption to anyone who, "by reason of religious training and belief, is conscientiously opposed to participation in war in any form," a more generous and consideraby vaguer standard than that of World War I—though not vague enough to cover the likes of Roger Baldwin. About 13,000 men were granted a I–O status and permitted, if drafted, to serve their time on the home front.

Most observers agree, in the words of an A.C.L.U. official, that "the treatment of C.O.'s in the nineteen-forties was far more civilized than in 1917." The objectors owed their improved lot mainly to a tolerant public opinion. A poll taken during the war found that fewer than 10 per cent of Americans felt that C.O.'s should be imprisoned. The prevailing judicial attitude was exemplified by the judge who sentenced one C.O. to jail, with this farewell: "This is your conscience, and it is your duty to obey it, even if it brings physical pain or death. . . ." In a single gesture a judge might thus indulge both his punitive inclinations and his libertarian sensibilities.

Jail sentences varied considerably, depending on where the C.O. happened to be tried. In Vermont during 1942–43 the average sentence for all Selective Service violators was 1.1 months; in South Dakota, 55.7 months; the average for the nation was 30.6 months. Robert Lowell, soon to be recognized as one of the nation's outstanding poets, was given a year and a day, and was paroled after four months. A devout Catholic, he was the only C.O. in his prison who gave as one reason for refusing to join up the fact that the United States was fighting on the side of the Soviet Union.

Most of the 6,000 men who went to prison for violating the draft law during World War II were Jehovah's Witnesses. (In recent years an understanding between the Witnesses and the Justice Department has kept down the Witness population in the Federal prisons, but a hundred or so may still be found behind bars at any given time; they decline to settle for anything less than complete deferment with a IV–D classification, since by their lights they are all ministers of God.) A number of Black Muslims were jailed for refusing to register.

In some prisons the C.O.'s, being better educated and more intelligent than the run of convicts, were entrusted with office jobs. But the politically oriented, like Jim Peck, who served almost three years in the Federal prison at Danbury, Conn., and who now works for the War Resisters League, complicated the lives of prison wardens by going on periodic sit-down and hunger strikes for a shorter work week, better treatment for C.O.'s, a fairer parole system and an end to prison segregation. On the other hand, some of them, including Peck, volunteered to serve as guinea pigs in medical experiments.

The present military conscription law, passed in 1948 and amended in 1951, carried forward the "religious training and belief" provision from the 1940 law. But Congress, unwilling to let vague enough alone, stated further: "Religious training and belief in this connection means an individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation, but does not include essentially political, sociological or philosophical views of a merely personal code."

The practical effect of this ostensible clarification was at first difficult to discern. Arlo Tatum says: "The fellows the Congress apparently had in mind were the completely apolitical religious fundamentalists, the ones who came before their draft boards and announced, 'God told me not to fight.' But in most places they wouldn't have had any trouble anyway. It was the more sophisticated objectors whose claims were being turned down."

The objectors who have been getting most attention in recent months do tend to be more sophisticated than their predecessors in the peace churches. Ralph DiGia of the War Resisters League, which assists mainly unchurched C.O.'s, explains: "Most of them have had some college. The poorer kids, the less educated, get confused by all the words and regulations. It takes some education for a young man to get clear in his mind what he believes and also to understand what his rights are under the law. Many of the men who come to us have been active on campus in one cause or another—civil rights, Vietnam. They know what's what. Our problem is how to help the kids who haven't had the middle-class privileges."

Lieut. Gen. Lewis B. Hershey, director of Selective Service, does not doubt the sincerity of nonreligious objectors; indeed he admits to a certain admiration for them: "They wouldn't be dissenters from the mass if they weren't individualists." But he suspects that some objectors, at least, are responding as much to outside commotion as to inner voices. "It's not always easy to tell whether you're truly following the dictates of your conscience or just being carried away by somebody else's eloquence or the excitement of the times. Youngsters are likely to rush out after every new girl in town."

None of the three young men who recently carried the subtleties of their positions up to the Supreme Court—Daniel A. Seeger and Arno S. Jakobson of New York and Forest B. Peter of California—fit into the traditional religious C.O. niche.

Seeger said he believed in "goodness and virtue for their own sakes" and held "a religious faith in a purely ethical creed." Jakobson also expressed a belief in "goodness," which for him was "the ultimate cause for the being of the universe." Peter based his refusal to serve on "our democratic American culture, with its values derived from the Western religious and philosophical tradition." These declarations did not satisfy their respective draft boards. And all three were convicted in district court of refusing to report for military duty after their C.O. claims had been rejected.

Ruling unanimously in favor of the three in March, 1965, the Supreme Court concluded (to the likely astonishment of the Congressman who had inserted the "Supreme Being" clause under the impression that they were restricting, not inviting, exemptions) that Congress "was merely clarifying the meaning of religious training and belief so as to embrace all religions and to exclude essentially political, sociological or philosophical views."

Justice Tom Clark, with the assistance of references to Paul Tillich, the Bishop of Woolwich and the schema of the Ecumenical Council, stated for the Court that "the test of belief 'in a relation to a Supreme Being' is whether a given belief that is sincere and meaningful occupies a place in the life of its possessor parallel to that filled by the orthodox belief in God of one who clearly qualifies for the exemption. Where such beliefs have parallel positions in the lives of their respective holders we cannot say that one is 'in a relation to a Supreme Being' and the other is not."

The burden of the decision, then, is that one need not believe in God as He is commonly worshiped in the nation's churches to qualify as a conscientious objector. It was in this light that Ben Koenig felt able to reply "yes" to the question on his C.O. form, "Do you believe in a Supreme Being?" If the Court's decision seems to give the Congressmen a very large benefit of theological breadth, it is because not to have done so would have called into doubt the constitutionality of the Supreme Being clause.

Like surgeons trying to save a dubiously functioning organ, the Justices preferred to tamper with it rather than simply cut it out. Justice Douglas set forth the predicament in his concurring opinion: "If I read the statute differently from the Court I would have difficulties. For then those who embraced one religious faith rather than another would be subject to penalties; and that kind of discrimination . . . would violate the free exercise clause of the First Amendment. It would also result in a denial of equal protection by preferring some religions over others—an invidious discrimination that would run afoul of the due process clause of the Fifth Amendment. . . ."

It is already being predicted that the Supreme Court has not heard the last of conscientious-objector cases. Peter and Jakobson, when asked whether they believed in a Supreme Being, gave answers which, while unorthodox, might have been accepted by a draft board inclined to accept them. But Seeger, born a Catholic and now a regular participant at a Quaker Meeting on Morningside Heights, considers himself "a religious agnostic"; he took his stand, remember, on "goodness and virtue for their own sakes." In upholding his claim to exemption, the U.S. Court of Appeals had ruled that the "Supreme Being" requirement violated his rights of due process—a ruling that the Justice Department automatically appealed and the highest Court managed to sidestep with its spacious definition. But how long will the Court be able to avoid facing up to the issue raised?

A definition of belief in a Supreme Being that can encompass someone like Seeger, who would go no further than state that he did not disavow a belief "in a relation to a Supreme Being," doubtless frees the draft law from the charge that it discriminates among religions; even persons who leave the knotty question of God open may now be admitted to judicial grace. But unmitigated secularists and outright atheists are still damned. They insist, like Evan Thomas, brother of Norman, who was sentenced to life imprisonment for his refusal to serve in World War I and was again indicted for refusing to register in World War II, that "religion has no monopoly on conscience, the Selective Service Act to the contrary notwithstanding."

The atheist has not yet had his day in court, but if and when he does, he may claim that in favoring religious objectors over nonreligious objectors, the draft law constitutes an establishment of religion by the state, an act clearly prohibited by the Founding Fathers. He may argue that Congress need not exempt anybody from the draft—but if it decides to honor men's consciences, it must not show partiality toward religious consciences.

Another question still to be finally resolved is whether men who object for conscience's sake to killing in a particular war, like the war in Vietnam, should be forced to choose between an Army uniform and a jail uniform. "It's the nature of this war," says Ralph DiGia of the War Resisters League. "We have people coming in who aren't objectors in the usual sense, not pacifists. But they are opposed to this war, and they're thinking along these lines now."

A 24-year-old soldier from New Orleans who was inducted, trained and sent to Vietnam as a rifleman despite his declarations that he could not take a human life—"especially in reference to the war in Vietnam"—has been sentenced to a year's imprisonment by a military court for his refusal to fight. His mother explains, "He is not a conscientious objector, not a pacifist. He just can't kill those people."

Although spokesmen for some of the traditional peace churches deplore what they see as an organized attempt "to subvert the religious principle of conscientious objection for the purpose of draft-dodging," the concept of a "just war," which places moral limits on a war's ends and means, goes back to St. Augustine. (Members of the "New Left," notes Arlo Tatum, are distressed by any interpretation that finds them to be operating in an orthodox manner of any sort.)

During World War II, the Second Circuit Court of Appeals turned down an objector who refused to fight in that particular conflict; his objection, ruled Judge Augustus Hand, was political rather than religious. But now the A.C.L.U. is able to employ the language of the Supreme Court itself as it reminds us that "there are those who, though not objecting to all wars, refuse to serve in a particular war for reasons which have the same place in their lives as that filled by the pacifist conscience of those who are admittedly eligible for the exemption."

This reasoning might, if extended to the uttermost, apply to those who object to the Vietnam war out of affection for the Vietcong or because they'd rather invade South Africa, as well as to men who are repelled by the idea of supporting military dictatorships by dropping napalm on civilians, destroying crops and torturing prisoners. For the time being, however, specific-war objectors and atheists are still beyond the pale. T. Oscar Smith, chief of the Justice Department's Conscientious Objector Section, says that as the law stands, he would have to recommend that Selective Service deny C.O. status to members of both groups.

The Universal Military Service and Training Act will come up for extension again on July 1, 1967, but in view of the commotion in Congress over the Supreme Court's ruling on school prayer, nothing is to be expected from that quarter which might rescue our unorthodox conscientious objectors from their limbo.

General Hershey, who can usually count on getting a laugh when he remarks that some of his best friends are C.O.'s takes a practical view of the problem: "If the law permitted men to escape the draft because of any kind of philosophical belief, where would we stop? Personally, I can think of some taxes that I wouldn't pay. It seems to me that we've been progressing very fast toward tolerance in treating C.O.'s, but tolerance can be suicidal for the group. I'd say we have reached a pretty good compromise on the matter."

Meanwhile, Paul Carling, Ben Koenig and thousands of other young men await a decision from above. Untraditional though their beliefs may seem to the Congress, they are as old as the state itself, and have often been paid homage, at least in words, even by those obliged to send the believers to jail. For all their political and logical deficiencies and their pretensions to superior virtue, our C.O.'s serve to remind us, today as ever, that our republic strangely finds strength in the tension between the exigencies of government and the imperatives of belief, between the demands of authority and the refusals of exasperating individuals.

SELECTIVE SERVICE CLASSIFICATIONS

I-A—Unconditionally available for service.

I-A-O—C.O. available for noncombatant duty only.

I-O—C.O. opposed to both combatant and noncombatant military duty and available for assignment to civilian work.

I-S—High school or college student deferred to complete school year.

I-Y—Qualified for service only in time of war or national emergency.

II-A—Deferred because of essential civilian employment.

II-C—Deferred because of essential agricultural employment.

II-S—Deferred for study.

I-D—Member of armed forces reserve or student taking military training.

III-A—Deferred because induction would cause extreme hardship for dependents.

IV-A—Completed military duty; sole surviving son.

IV-B—Officials deferred by law.

IV-C—Aliens not on permanent resident status, who have not been in the U.S. for more than one year.

IV-D—Ministers and full-time students preparing for ministry under direction of a recognized church or religious organization.

IV-F—Not qualified for any service.

V-A—Over age.

I-W—C.O.'s in assigned civilian service. Upon satisfactory completion of 24 months of civilian service or upon earlier release, C.O.'s are classified I-W until past the age of liability for the draft, when they are reclassified V-A.

I-C—Member of the armed forces.

(j) *Conscientious objectors.*—Nothing contained in this title shall be construed to require any person to be subject to combatant training and service in the armed forces of the United States who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form. Religious training and belief in this connections means an individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation, but does not include essentially political, sociological, or philosophical views or a merely personal moral code.

Syllabus.

UNITED STATES *v.* SEEGER

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

(No. 50. Argued November 16-17, 1964.—Decided March 8, 1965*)

These three cases involve the exemption claims under § 6(j) of the Universal Military Training and Service Act of conscientious objectors who did not belong to an orthodox religious sect. Section 6(j) excepts from combatant service in the armed forces those

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*Together with No. 51, *United States* v. *Jakobson*, on certiorari to the same court, and No. 29, *Peter* v. *United States*, on certiorari to the United States Court of Appeals for the Ninth Circuit.

who are conscientiously opposed to participation in war by reason of their "religious training and belief," *i.e.*, belief in an individual's relation to a Supreme Being involving duties beyond a human relationship but not essentially political, sociological, or philosophical views or a merely personal moral code. In all the cases convictions were obtained in the District Courts for refusal to submit to induction in the armed forces; in Nos. 50 and 51 the Court of Appeals reversed and in No. 29 the conviction was affirmed. *Held:*

1. The test of religious belief within the meaning of the exemption in § 6(j) is whether it is a sincere and meaningful belief occupying in the life of its possessor a place parallel to that filled by the God of those admittedly qualified for the exemption. Pp. 173–180.

(a) The exemption does not cover those who oppose war from a merely personal moral code nor those who decide that war is wrong on the basis of essentially political, sociological or economic considerations rather than religious belief. P. 173.

(b) There is no issue here or atheistic beliefs and accordingly the decision does not deal with that question. Pp. 173–174.

(c) This test accords with long-established legislative policy of equal treatment for those whose objection to military service is based on religious beliefs. Pp. 177–180.

2. Local boards and courts are to decide whether the objector's beliefs are sincerely held and whether they are, in his own scheme of things, religious; they are not to require proof of the religious doctrines nor are they to reject beliefs because they are not comprehensible. Pp. 184–185.

3. Under the broad construction applicable to § 6(j) the applications involved in these cases, none of which was based on merely personal moral codes, qualified for exemption. Pp. 185–188.

326 F. 2d 846 and 325 F. 2d 409, affirmed; 324 F. 2d 173, reversed.

Solicitor General Cox argued the cause for the United States in all cases. *Assistant Attorney General Miller* was with him on the briefs in all cases. *Ralph S. Spritzer* was with him on the briefs in Nos. 50 and 51, and *Marshall Tamor Golding* was with him on the briefs in No. 50.

Duane B. Beeson argued the cause and filed a brief for petitioner in No. 29.

Kenneth W. Greenawalt argued the cause and filed a brief for respondent in No. 50.

Herman Adlerstein argued the cause and filed a brief for respondent in No. 51.

Briefs of *amici curiae*, urging affirmance in Nos. 50 and 51 and reversal in No. 29, were filed by *Alfred Lawrence Toombs* and *Melvin L. Wulf* for the American Civil Liberties Union, and by *Leo Pfeffer, Shad Polier, Will Maslow* and *Joseph B. Robison* for the American Jewish Congress. Briefs of *amici curiae*, urging affirmance in No. 50, were filed by *Herbert A. Wolff, Leo Rosen, Nanette Dembitz*, and *Nancy F. Wechsler* for the American Ethical Union, and by *Tolbert H. McCarroll, Lester Forest* and *Paul Blanshard* for the American Humanist Association.

Mr. Justice Clark delivered the opinion of the Court.

These cases involve claims of conscientious objectors under § 6(j) of the Universal Military Training and Service Act, 50 U.S.C. App. § 456(j) (1958 ed.), which exempts from combatant training and service in the armed forces of the United States those persons who by reason of their religious training and belief are conscientiously opposed to participation in war in any form. The cases were consolidated for argument and we considered them together although each involves different facts and circumstances. The parties raise the basic question of the constitutionality of the section which defines the term "religious training and belief," as used in the Act, as "an individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation, but (not including) essentially political, sociological, or philosophical views or a merely personal moral code." The constitutional attack is launched under the First Amendment's Establishment and Free Exercise Clauses and is twofold: (1) The section does not exempt nonreligious conscientious objectors; and (2) it discriminates between different forms of religious expression in violation of the Due Process Clause of the Fifth Amendment. Jakobson (No. 51) and Peter (No. 29) also claim that their beliefs come within the meaning of the section. Jakobson claims that he meets the standards of § 6(j) because his opposition to war is based on belief in a Supreme Reality and is therefore an obligation superior to one resulting from man's relationship to his fellow man. Peter contends that his opposition to war derives from his acceptance of the existence of a universal power beyond that of man and that this acceptance in fact constitutes belief in a Supreme Being, qualifying him for exemption. We granted certiorari in each of the cases because of their importance in the administration of the Act. 377 U.S. 922.

We have concluded that Congress, in using the expression "Supreme Being" rather than the designation "God," was merely clarifying the meaning of religious training and belief so as to embrace all religions and to exclude essentially political, sociological, or philosophical views. We believe that under this construction, the test of belief "in a relation to a Supreme Being" is whether a given belief that is sincere and meaningful occupies a place in the life of its possessor parallel to that filled by the orthodox belief in God of one who clearly qualifies for the exemption. Where such beliefs have parallel positions in the lives of their respective holders we cannot say that one is "in a relation to a Supreme Being" and the other is not. We have concluded that the beliefs of the objectors in these cases meet these criteria, and, accordingly, we affirm the judgments in Nos. 50 and 51 and reverse the judgment in No. 29.

THE FACTS IN THE CASES

No. 50: Seeger was convicted in the District Court for the Southern District of New York of having refused to submit to induction in the armed forces. He was originally classified 1–A in 1953 by his local board, but this classification was changed in 1955 to 2–S (student) and he remained in this status until 1958 when he was reclassified 1–A. He first claimed exemption as a conscientious objector in 1957 after successive annual renewals of his student classification. Although he did not adopt verbatim the printed Selective Service System form, he declared that he was conscientiously opposed to participation in war in any form by reason of his "religious" belief; that he preferred to leave the question as to his belief in a Supreme Being open, "rather than answer 'yes' or 'no' "; that his "skepticism or disbelief in the existence of God" did "not necessarily mean lack of faith in anything whatsoever"; that his was a "belief in and devotion to goodness and virtue for their own sakes, and a religious faith in a purely ethical creed." R. 69–70, 73. He cited such personages as Plato, Aristotle and Spinoza for support of his ethical belief in intellectual and moral integrity "without belief in God, except in the remotest sense." R. 73. His belief was found to be sincere, honest, and made in good faith; and his conscientious objection to be based upon individual training and belief, both of which included research in religious and cultural fields. Seeger's claim, however, was denied solely because it was not based upon a "belief in a relation to a Supreme Being" as required by § 6(j) of the Act. At trial Seeger's counsel admitted that Seeger's belief was not in relation to a Supreme Being as commonly understood, but contended that he was entitled to the exemption because "under the present law Mr. Seeger's position would also include definitions of religion which have been stated more recently," R. 49, and could be "accommodated" under the definition of religious training and belief in the Act, R. 53. He was convicted and the Court of Appeals reversed, holding that the Supreme Being requirement of the section distinguished "between internally derived and externally compelled beliefs" and was, therefore, an "impermissible classification" under the Due Process Clause of the Fifth Amendment. 326 F. 2d 846.

No. 51: Jakobson was also convicted in the Southern District of New York on a charge of refusing to submit to induction. On his appeal the Court of Appeals reversed on the ground that rejection of his claim may have rested on the factual finding, erroneously made, that he did not believe in a Supreme Being as required by § 6(j). 325 F. 2d 409.

Jakobson was originally classified 1–A in 1953 and intermittently enjoyed a student classification until 1956. It was not until April 1958 that he made claim to noncombatant classification (1–A–O) as a conscientious objector. He stated on the Selective Service System form that he believed in a "Supreme Being" who was "Creator of Man" in the sense of being "ultimately responsible for the existence of" man and who was "the Supreme Reality" of which "the existence of man is the *result*." R. 44. (Emphasis in the original.) He explained that his religious and social thinking had developed after much meditation and thought. He had concluded that man must be "partly spiritual" and, therefore, "partly skin to the Supreme Reality"; and that his "most important religious law" was that "no man ought ever to wilfully sacrifice another man's life as a means to any other end. . . ." R. 45–46. In December 1958 he requested a 1–O classification since he felt that participation in any form of military service would involve him in "too many situations and relationships that would be a strain on [his] conscience that [he felt he] must avoid." R. 70. He submitted a long memorandum of "notes on religion" in which he defined religion as the *"sum and essence of one's basic attitudes to the fundamental problems of human existence,"* R. 72 (emphasis in the original); he said that he believed in "Godness" which was "the Ultimate Cause for the fact of the Being of the Universe"; that to deny its existence would but deny the existence of the universe because "anything that Is, has an Ultimate Cause for its Being." R. 73. There was a relationship to Godness, he stated, in two directions, *i.e.*, "vertically, towards Godness directly," and "horizontally, towards Godness through Mankind and the World." R. 74. He accepted the latter one. The Board classified him 1–A–O and Jakobson appealed. The hearing officer found that the claim was based upon a personal moral code and that he was not sincere in his claim. The Appeal Board classified him 1–A. It did not indicate upon what ground it based its decision, *i. e.*, insincerity or a conclusion that his belief was only a personal moral code. The Court of Appeals reversed, finding that his claim came within the requirements of § 6(j). Because it could not determine whether the Appeal Board had found that Jakobson's beliefs failed to come within the statutory definition, or whether it had concluded that he lacked sincerity, it directed dismissal of the indictment.

No. 29: Forest Britt Peter was convicted in the Northern District of California on a charge of refusing to submit to induction. In his Selective Service System form he stated that he was not a member of a religious sect or organization; he failed to execute section VII of the questionnaire but attached to it a quotation expressing opposition to war, in which he stated that he concurred. In a later form he hedged the question as to his belief in a Supreme Being by saying that it depended on the definition and he appended a statement that he felt it a violation of his moral code to take human life and that he considered this belief superior to his obligation to the state. As to whether his conviction was religious, he quoted with approval Reverend John Haynes Holmes' definition of religion as "the consciousness of some power manifest in nature which helps man in the ordering of his life in harmony with its demands . . . [; it] is the supreme expression of human nature; it is man thinking his highest, feeling his deepest, and living his best." R. 27. The source of his conviction he attributed to reading and meditation "in our democratic American culture, with its values derived from the western religious and philosophical tradition." *Ibid.* As to his belief in a Supreme Being, Peter stated that he supposed "you could call that a belief in the Supreme Being or God. These just do not happen to be the words I use." R. 11. In 1959 he was classified 1–A, although there was no evidence in the record that he was not sincere in his beliefs. After his conviction for failure to report for induction the Court of Appeals, assuming *arguendo* that he was sincere, affirmed, 324 F. 2d 173.

BACKGROUND OF § 6(j)

Chief Justice Hughes, in his opinion in *United States* v. *Macintosh,* 283 U.S. 605 (1931), enunciated the rationale behind the long recognition of conscientious objection to participation in war accorded by Congress in our various conscription laws when he declared that "in the forum of conscience, duty to a moral power higher than the State has always been maintained." At 633 (dissenting opinion). In a similar vein Harlan Fiske Stone, later Chief Justice, drew from the Nation's past when he declared that "both morals and sound policy require that the state should not violate the conscience of the individual. All our history gives confirmation to the view that liberty of conscience has a moral and social value which makes it worthy of preservation at the hands of the state. So deep in its significance and vital, indeed, is it to the integrity of man's moral and spiritual nature that nothing short of the self-preservation of the state should warrant its violation; and it may well be questioned whether the state which preserves its life by a settled policy of violation of the conscience of the individual will not in fact ultimately lose it by the process." Stone, The Conscientious Objector, 21 Col. Univ. Q. 253, 269 (1919).

Governmental recognition of the moral dilemma posed for persons of certain religious faiths by the call to arms came early in the history of this country. Various methods of ameliorating their difficulty were adopted by the Colonies, and were later perpetuated in state statutes and constitutions. Thus by the time of the Civil War there existed a state pattern of exempting conscientious objectors on religious grounds. In the Federal Militia Act of 1862 control of conscription was left primarily in the States. However, General Order No. 99, issued by the Adjutant General pursuant to that Act, provided for striking from the conscription list those who were exempted by the States; it also established a commutation or substitution system fashioned from earlier state enactments. With the Federal Conscription Act of 1863, which enacted the commutation and substitution provisions of General Order No. 99, the Federal Government occupied the field entirely, and in the 1864 Draft Act, 13 Stat. 9, it extended exemptions to those conscientious objectors who were members of religious denominations opposed to the bearing of arms and who were prohibited from doing so by the articles of faith of their denominations. Selective Service System Monograph No. 11, Conscientious Objection 40–41 (1950). In that same year the Confederacy exempted certain pacifist sects from military duty. *Id.,* at 46.

The need for conscription did not again arise until World War I. The Draft Act of 1917, 40 Stat. 76, 78, afforded exemptions to conscientious objectors who were affiliated with a "well-recognized religious sect or organization [then] organized and existing and whose existing creed or principles [forbade] its members to participate in war in any form. . . ." The Act required that all persons be inducted into the armed services, but allowed the conscientious objectors to perform noncombatant service in capacities designated by the President of the United States. Although the 1917 Act excused religious objectors only, in December 1917, the Secretary of War instructed that "personal scruples against war" be considered as constituting "conscientious objection." Selective Service System Monograph No. 11, Conscientious Objection 54–55 (1950). This Act, including its conscientious objector provisions, was upheld against constitutional attack in the *Selective Draft Law Cases,* 245 U.S. 366, 389–390 (1918).

In adopting the 1940 Selective Training and Service Act Congress broadened the exemption afforded in the 1917 Act by making it unnecessary to belong to a pacifist religious sect if the claimant's own opposition to war was based on "religious training and belief." 54 Stat. 889. Those found to be within the exemption were not inducted into the armed services but were assigned to noncombatant service under the supervision of the Selective Service System. The Congress recognized that one might be religious without belonging to an organized church just as surely as minority members of a faith not opposed to war might through religious reading reach a conviction against participation in war. Congress Looks at the Conscientious Objector (National Service Board for Religious Objectors, 1943) 71, 79, 83, 87, 88, 89. Indeed, the consensus of the witnesses appearing before the congressional committees was that individual belief—rather than membership in a church or sect—determined the duties that God imposed upon a person in his everyday conduct; and that "there is a higher loyalty than loyalty to this country, loyalty to God." *Id.,* at 29–31. See also the proposals which were made to the House Military Affairs Committee but rejected. *Id.,* at 21–23, 82–83, 85. Thus, while shifting the test from membership in such a church to one's individual belief the Congress nevertheless continued its historic practice of excusing from armed service those who believed that they owed an obligation, superior to that due the state, of not participating in war in any form.

Between 1940 and 1948 two courts of appeals[1] held that the phrase "religious training and belief" did not include philosophical, social or political policy. Then in 1948 the Congress amended the language of the statute and declared that "religious training and belief" was to be defined as "an individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation, but [not including] essentially political, sociological, or philosophical views or a merely personal moral code." The only significant mention of this change in the provision appears in the report of the Senate Armed Services Committee recommending adoption. It said simply this: "This section reenacts substantially the same provisions as were found in subsection 5(g) of the 1940 act. Exemption extends to anyone who, because of religious training and belief in his relation to a Supreme Being, is conscientiously opposed to combatant military service or to both combatant and noncombatant military service. (See *United States* v. *Berman* [sic], 156 F. (2d) 377, certiorari denied, 329 U.S. 795)" S. Rep. No. 1268, 80th Cong., 2d Sess., 14.

INTERPRETATION OF § 6(j).

1. The crux of the problem lies in the phrase "religious training and belief" which Congress has defined as "belief in a relation to a Supreme Being involving duties superior to those arising from any human relation." In assigning meaning to this statutory language we may narrow the inquiry by noting briefly those scruples expressly excepted from the definition. The section excludes those persons who, disavowing religious belief, decide on the basis of essentially political, sociological or economic considerations that war is wrong and that they will have no part of it. These judgments have historically been reserved for the Government, and in matters which can be said to fall within these areas the conviction of the individual has never been permitted to override that of the state. *United States* v. *Macintosh, supra* (dissenting opinion). The statute further excludes those whose opposition to war stems from a "merely personal moral code," a phrase to which we shall have occasion to turn later in discussing the application of § 6(j) to these cases. We also pause to take note of what is not involved in this litigation. No party claims to be an atheist or attacks the statute on this ground. The question is not, therefore, one between theistic and atheistic beliefs. We do not deal with or intimate any decision on that situation in these cases. Nor do the parties claim the monotheistic belief there is but one God; what they claim (with the possible exception of Seeger who bases his position here not on factual but on purely constitutional grounds) is that they adhere to theism, which is the "Belief in the existence of a god or gods; . . . Belief in superhuman powers or spiritual agencies in one or many gods," as opposed to atheism.[3] Our question, therefore, is the narrow one: Does the term "Supreme Being" as used in § 6(j) mean the orthodox God or the broader concept of a power or being, or a faith, "to which all else is subordinate or upon which all else is ultimately dependent"? Webster's New International Dictionary (Second Edition). In considering this question we resolve it soley in relation to the language of § 6(j) and not otherwise.

2. Few would quarrel, we think, with the proposition that in no field of human endeavor has the tool of language proved so inadequate in the communication of ideas as it has in dealing with the fundamental questions of man's predicament in life, in death or in final judgment and retribution. This fact makes the task of discerning the intent of Congress in using the phrase "Supreme Being" a complex one. Nor is it made the easier by the richness and variety of spiritual life in our country. Over 250 sects inhabit our land. Some believe in a purely personal God, some in a supernatural deity; others think of religion as a way of life envisioning as its ultimate goal the day when all men can live together in perfect understanding and peace. There are those who think of God as the depth of our being; others, such as the Buddhists, strive for a state of lasting rest through self-denial and inner purification; in Hindu philosophy, the Supreme Being is the transcendental reality which is truth, knowledge and bliss. Even those religious groups which have traditionally opposed war in every form have

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[1] See *United States* v. *Kauten,* 133 F. 2d 703 (C. A. 2d Cir. 1943) *Berman* v. *United States,* 156 F. 2d 377 (C.A. 9th Cir. 1946).

[3] See Webster's New International Dictionary (Second Edition) Webster's New Collegiate Dictionary (1949).

splintered into various denominations: from 1940 to 1947 there were four denominations using the name "Friends," Selective Service System Monograph No. 11, Conscientious Objection 13 (1950); the "Church of the Brethren" was the official name of the oldest and largest church body of four denominations composed of those commonly called Brethren, *id.*, at 11; and the "Mennonite Church" was the largest of 17 denominations, including the Amish and Hutterites, grouped as "Mennonite bodies" in the 1936 report on the Census of Religious Bodies, *id.*, at 9. This vast panoply of beliefs reveals the magnitude of the problem which faced the Congress when it set about providing an exemption from armed service. It also emphasizes the care that Congress realized was necessary in the fashioning of an exemption which would be in keeping with its long-established policy of not picking and choosing among religious beliefs.

In spite of the elusive nature of the inquiry, we are not without certain guidelines. In amending the 1940 Act, Congress adopted almost intact the language of Chief Justice Hughes in *United States* v. *Macintosh, supra:* "The essence of religion is belief in a relation to *God* involving duties superior to those arising from any human relation." At 633–634. (Emphasis supplied.)

By comparing the statutory definition with those words, however, it becomes readily apparent that the Congress deliberately broadened them by substituting the phrase "Supreme Being" for the appellation "God." And in so doing it is also significant that Congress did not elaborate on the form or nature of this higher authority which it chose to designate as "Supreme Being." By so refraining it must have had in mind the admonitions of the Chief Justice when he said in the same opinion that even the word "God" had myriad meanings for men of faith: "[P]utting aside dogmas with their particular conceptions of deity, freedom of conscience itself implies respect for an innate conviction of paramount duty. The battle for religious liberty has been fought and won with respect to religious beliefs and practices, which are not in conflict with good order, upon the very ground of the supremacy of conscience within its proper field." At 634.

Moreover, the Senate Report on the bill specifically states that § 6(j) was intended to re-enact "substantially the same provisions as were found" in the 1940 Act. That statute, of course, refers to "religious training and belief" without more. Admittedly, all of the parties here purport to base their objection on religious belief. It appears, therefore, that we need only look to this clear statement of congressional intent as set out in the report. Under the 1940 Act it was necessary only to have a conviction based upon religious training and belief; we believe that is all that is required here. Within that phrase would come all sincere religious beliefs which are based upon a power or being, or upon a faith, to which all else is subordinate or upon which all else is ultimately dependent. The test might be stated in these words: A sincere and meaningful belief which occupies in the life of its possessor a place parallel to that filled by the God of those admittedly qualifying for the exemption comes within the statutory definition. This construction avoids imputing to Congress an intent to classify different religious beliefs, exempting some and excluding others, and is in accord with the well-established congressional policy of equal treatment for those whose opposition to service is grounded in their religious tenets.

3. The Government takes the position that since *Berman* v. *United States, supra,* was cited in the Senate Report on the 1948 Act, Congress must have desired to adopt the *Berman* interpretation of what constitutes "religious belief." Such a claim, however, will not bear scrutiny. First, we think it clear that an explicit statement of congressional intent deserves more weight than the parenthetical citation of a case which might stand for a number of things. Congress specifically stated that it intended to re-enact substantially the same provisions as were found in the 1940 Act. Moreover, the history of that Act reveals no evidence of a desire to restrict the concept of religious belief. On the contrary the Chairman of the House Military Affairs Committee which reported out the 1940 exemption provisions stated: "We heard the conscientious objectors and all of their representatives that we could possibly hear, and, summing it all up, their whole objection to the bill, aside from their objection to compulsory military training, was based upon the right of conscientious objection and in most instances to the right of the ministerial students to continue in their studies, and we have provided ample protection for those classes and those groups." 86 Congressional Record 11368 (1940).

During the House debate on the bill, Mr. Faddis of Pennsylvania made the following statement: "We have made provision to take care of conscientious objectors. I am sure the committee has had all the sympathy in the world with those who appeared claiming to have religious scruples against rendering military service in its various degrees. Some appeared who had conscientious scruples against handling lethal weapons, but who had no scruples against performing other duties which did not actually bring them into combat. Others appeared who claimed to have conscientious scruples against participating in any of the activities that would go along with the Army. The committee took all of these into consideration and has written a bill which, I believe, will take care of all the reasonable objections of this class of people." 86 Congressional Record 11418 (1940).

Thus the history of the Act belies the notion that it was to be restrictive in application and available only to those believing in a traditional God.

As for the citation to *Berman,* it might mean a number of things. But we think that Congress' action in citing it must be construed in such a way as to make it consistent with its express statement that it meant substantially to re-enact the 1940 provision. As far as we can find, there is not one word to indicate congressional concern over any conflict between *Kauten* and *Berman.* Surely, if it thought that two clashing interpretations as to what amounted to "religious belief" had to be resolved, it would have said so somewhere in its deliberations. Thus, we think that rather than citing *Berman* for what it said "religious belief" was, Congress cited it for what it said "religious belief" was not. For both *Kauten* and *Berman* hold in common the conclusion that exemption must be denied to those whose beliefs are political, social or philosophical in nature, rather than religious. Both, in fact, denied exemption on that very ground. It seems more likely, therefore, that it was this point which led Congress to cite *Berman.* The first part of the § 6(j) definition—belief in a relation to a Supreme Being—was indeed set out in *Berman,* with the exception that the court used the word "God" rather than "Supreme Being." However, as the Government recognizes, *Berman* took that language word for word from *Macintosh.* Far from requiring a conclusion contrary to the one we reach here, Chief Justice Hughes' opinion, as we have pointed out, supports our interpretation.

Admittedly, the second half of the statutory definition—the rejection of sociological and moral views—was taken directly from *Berman.* But, as we have noted, this same view was adhered to in *United States* v. *Kauten, supra.* Indeed the Selective Service System has stated its view of the cases' significance in these terms: "The *United States* v. *Kauten* and *Herman Berman* v. *United States* cases ruled that a valid conscientious objector claim to exemption must be based solely on 'religious training and belief' and not on philosophical, political, social, or other grounds. . . ." Selective Service System Monograph No. 11, Conscientious Objection 337 (1950). See *id.*, at 278. That the conclusions of the Selective Service System are not to be taken lightly is evidenced in this statement by Senator Gurney, Chairman of the Senate Armed Services Committee and sponsor of the Senate bill containing the present version of § 6(j): "The bill which is now pending follows the 1940 act, with very few technical amendments, worked out by those in Selective Service who had charge of the conscientious-objector problem during the war." 94 Congressional Record 7305 (1948).

Thus we conclude that in enacting § 6(j) Congress simply made explicit what the courts of appeals had correctly found implicit in the 1940 Act. Moreover, it is perfectly reasonable that Congress should have selected *Berman* for its citation, since this Court denied certiorari in that case, a circumstance not present in *Kauten.*

Section 6(j), then, is no more than a clarification of the 1940 provision involving only certain "technical amendments," to use the words of Senator Gurney. As such it continues the congressional policy of providing exemption from military service for those whose opposition is based on grounds that can fairly be said to be "religious."[3] To hold otherwise would not only fly in the face of Congress' entire action in the past; it would ignore the historic position of our country on this issue since its founding.

4. Moreover, we believe this construction embraces the ever-broadening understanding of the modern religious community. The eminent Protestant theologian, Dr. Paul Tillich, whose views the Government concedes would come within the statute, identifies God not a projection "out there" or beyond the skies but as the ground of our very being. The Court of Appeals stated in No. 51 that Jakobson's views "parallel [those of] this eminent theologian rather strikingly." 325 F. 2d, at 415–416. In his book, Systematic Theology, Dr. Tillich says: "I have written of the God above the God of theism . . . . In such a state [of self-affirmation] the God of both religious and theological language disappears. But something remains, namely, the seriousness of that doubt in which meaning within meaninglessness is affirmed. The source of this affirmation of meaning within meaninglessness, of certitude within doubt, is not the God of traditional theism but the 'God above God,' the power of being, which works through those who have no name for it, not even the name God.'" II Systematic Theology 12 (1957).

Another eminent cleric, the Bishop of Woolwich, John A. T. Robinson, in his book, Honest To God (1963), states:

"The Bible speaks of a God 'up there.' No doubt its picture of a three-decker universe,

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[3] A definition of "religious training and belief" identical to that in § 6 (j) is found in § 337 of the Immigration and Nationality Act, 66 Stat. 258, 8 U. S. C. § 1448 (a) (1958 ed.). It is noteworthy that in connection with this Act, the Senate Special Subcommittee to Investigate Immigration and Naturalization stated: "The subcommittee realizes and respects the fact that the question of whether or not a person must bear arms in defense of his country may be one which invades the province of religion and personal conscience." Thus, it recommended that an alien not be required to vow to bear arms when he asserted "his opposition to participation in war in any form because of his personal religious training and belief." S. Rep. No. 1515, 81st Cong., 2d Sess., 742, 746.

> of 'the heaven above, the earth beneath and the waters under the earth,' was once taken quite literally. . . ." At 11. "[Later] *in place of a God who is literally or physically 'up there' we have accepted, as part of our mental furniture, a God who is spiritually or metaphysically 'out there.'* . . . But now it seems there is no room for him, not merely in the inn, but in the entire universe: for there are no vacant places left. In reality, of course, our new view of the universe has made not the slightest difference. . . ." At 13–14.
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> "But the idea of a God spiritually or metaphysically 'out there' dies very much harder. Indeed, most people would be seriously disturbed by the thought that it should need to die at all. For it *is* their God, and they have nothing to put in its place. . . . Every one of us lives with some mental picture of a God 'out there,' a God who 'exists' above and beyond the world he made, a God 'to' whom we pray and to whom we 'go' when we die." At 14.
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> "But the signs are that we are reaching the point at which the whole conception of a God 'out there,' which has served us so well since the collapse of the three-decker universe, is itself becoming more of a hindrance than a help." At 15–16. (Emphasis in original.)

The Schema of the recent Ecumenical Council included a most significant declaration on religion: [4]

> "The community of all peoples is one. One is their origin, for God made the entire human race live on all the face of the earth. One, too, is their ultimate end, God. Men expect from the various religions answers to the riddles of the human condition: What is man? What is the meaning and purpose of our lives? What is the moral good and what is sin? What are death, judgment, and retribution after death?
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> "Ever since primordial days, numerous peoples have had a certain perception of that hidden power which hovers over the course of things and over the events that make up the lives of men; some have even come to know of a Supreme Being and Father. Religions in an advanced culture have been able to use more refined concepts and a more developed language in their struggle for an answer to man's religious questions.
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> "Nothing that is true and holy in these religions is scorned by the Catholic Church. Ceaselessly the Church proclaims Christ, 'the Way, the Truth, and the Life,' in whom God reconciled all things to Himself. The Church regards with sincere reverence those ways of action and of life, precepts and teachings which, although they differ from the ones she sets forth, reflect nonetheless a ray of that Truth which enlightens all men."

Dr. David Saville Muzzey, a leader in the Ethical Culture Movement, states in his book, Ethics As a Religion (1951), that "[e]verybody except the avowed atheists (and they are comparatively few) believes in some kind of God," and that "The proper question to ask, therefore, is not the futile one, Do you believe in God? but rather, What *kind* of God do you believe in?" *Id.*, at 86–87. Dr. Muzzey attempts to answer that question:

> "Instead of positing a personal God, whose existence man can neither prove nor disprove, the ethical concept is founded on human experience. It is anthropocentric, not theocentric. Religion, for all the various definitions that have been given of it, must surely mean the devotion of man to the highest ideal that he can conceive. And that ideal is a community of spirits in which the latent moral potentialities of men shall have been elicited by their reciprocal endeavors to cultivate the best in their fellow men. What ultimate reality is we do not know; but we have the faith that it expresses itself in the human world as the power which inspires in men moral purpose." At 95.
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> "Thus the 'God' that we love is not the figure on the great white throne, but the perfect pattern, envisioned by faith, of humanity as it should be, purged of the evil elements which retard its progress toward 'the knowledge, love and practice of the right.' " At 98.

These are but a few of the views that comprise the broad spectrum of religious beliefs found among us. But they demonstrate very clearly the diverse manners in which beliefs, equally paramount in the lives of their possessors, may be articulated. They further reveal the difficulties inherent in placing too narrow a construction on the provisions of § 6(j) and thereby lend conclusive support to the construction which we today find that Congress intended.

5. We recognize the difficulties that have always faced the trier of fact in these cases. We hope that the test that we lay down proves less onerous. The examiner is furnished a standard that permits consideration of criteria with which he has had considerable experience. While the applicant's words may differ, the test is simple of application. It is essentially an objective one, namely, does the claimed belief occupy the same place in the life of the objector as an orthodox belief in God holds in the life of one clearly qualified for exemption?

Moreover, it must be remembered that in resolving these exemption problems one deals with the beliefs of different individuals who will articulate them in a multitude of ways. In such an intensely personal area, of course, the claim of the registrant that his belief is an essential part of a religious faith must be given great weight. Recognition of this was implicit in this language, cited by the *Berman* court from *State* v. *Amana Society,* 132 Iowa 304, 109 N. W. 894 (1906):

> "Surely a scheme of life designed to obviate [man's inhumanity to man], and by removing temptations, and all the allurements of ambition and avarice, to nurture the virtues of unselfishness, patience, love, and service, ought not to be denounced as not pertaining to religion *when its devotees regard it as an essential tenet of their religious faith.*" 132 Iowa, at 315, 109 N. W., at 898, cited in *Berman* v. *United States,* 156 F. 2d 377, 381. (Emphasis by the Court of Appeals.)

The validity of what he believes cannot be questioned. Some theologians, and indeed some examiners, might be tempted to question the existence of the registrant's "Supreme Being" or the truth of his concepts. But these are inquiries foreclosed to Government. As Mr. JUSTICE DOUGLAS stated in *United States* v. *Ballard*, 322 U.S. 78, 86 (1944): "Men may believe what they cannot prove. They may not be put to the proof of their religious doctrines or beliefs. Religious experiences which are as real as life to some may be incomprehensible to others." Local boards and courts in this sense are not free to reject beliefs because they consider them "incomprehensible." Their task is to decide whether the beliefs professed by a registrant are sincerely held and whether they are, in his own scheme of things, religious.

But we hasten to emphasize that while the "truth" of a belief is not open to question, there remains the significant question whether it is "truly held." This is the threshold question of sincerity which must be resolved in every case. It is, of course, a question of fact—a prime consideration to the validity of every claim for exemption as a conscientious objector. The Act provides a comprehensive scheme for assisting the Appeal Boards in making this determination, placing at their service the facilities of the Department of Justice, including the Federal Bureau of Investigation and hearing officers. Finally, we would point out that in *Esten* v. *United States*, 327 U. S. 114 (1946), this Court held that: "The provision making the decisions of the local boards 'final' means to us that Congress chose not to give administrative action under this Act the customary scope of judicial review which obtains under other statutes. It means that the courts are not to weigh the evidence to determine whether the classification made by the local boards was justified. The decisions of the local boards made in conformity with the regulations are final even though they may be erroneous. The question of jurisdiction of the local board is reached only if there is no basis in fact for the classification which it gave the registrant." At 122–123.

APPLICATION OF § 6(j) TO THE INSTANT CASES

As we noted earlier, the statutory definition excepts those registrants whose beliefs are based on a "merely personal moral code." The records in these cases, however, show that at no time did any one of the applicants suggest that his objection was based on a "merely personal moral code." Indeed at the outset each of them claimed in his application that his objection was based on a religious belief. We have construed the statutory definition broadly and it follows that any exception to it must be interpreted narrowly. The use by Congress of the words "merely personal" seems to us to restrict the exception to a moral code which is not only personal but which is the sole basis for the registrant's belief and is in no way related to a Supreme Being. It follows, therefore, that if the claimed religious beliefs of the respective registrants in these cases meet the test that we lay down then their objections cannot be based on a "merely personal" moral code.

In *Seeger*, No. 50, the Court of Appeals failed to find sufficient "externally compelled beliefs." However, it did find that "it would seem impossible to say with assurance that [Seeger] is not bowing to 'external commands' in virtually the same sense as is the objector who defers to the will of a supernatural power." 326 F. 2d, at 853. It found little distinction between Jakobson's devotion to a mystical force of "Godness" and Seeger's compulsion to "goodness." Of course, as we have said, the statute does not distinguish between externally and internally derived belief. Such a determination would, as the Court of Appeals observed, prove impossible as a practical matter, and we have found that Congress intended no such distinction.

The Court of Appeals also found that there was no question of the applicant's sincerity. He was a product of a devout Roman Catholic home; he was a close student of Quaker beliefs from which he said "much of [his] thought is derived"; he approved of their opposition to war in any form; he devoted his spare hours to the American Friends Service Committee and was assigned to hospital duty.

In summary, Seeger professed "religious belief" and "religious faith." He did not disavow any belief "in a relation to a Supreme Being"; indeed he stated that "the cosmic order does, perhaps, suggest a creative intelligence." He decried the tremendous "spiritual" price man must pay for his willingness to destroy human life. In light of his beliefs and the unquestioned sincerity with which he held them, we think the Board, had it applied the test we propose today, would have granted him the exemption. We think it clear that the beliefs which prompted his objection occupy the same place in his life as the belief in a traditional diety holds in the lives of his friends, the Quakers. We are reminded once more of Dr. Tillich's thoughts: "And if that word [God] has not much meaning for you, translate it, and speak of the depths of your life, of the source of your being, of your ultimate concern, *of what you take seriously without any reservation*. Perhaps, in order to do so, you must forget everything traditional that you have learned about God . . . ." Tillich, The Shaking of the Foundations 57 (1948). (Emphasis supplied.)

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[4] Draft declaration on the Church's relations with non-Christians, Council Daybook, Vatican II, 3d Sess., p. 282, N. C. W. C., Washington, D. C., 1965.

It may be that Seeger did not clearly demonstrate what his beliefs were with regard to the usual understanding of the term "Supreme Being." But as we have said Congress did not intend that to be the test. We therefore affirm the judgment in No. 50.

In *Jakobson*, No. 51, the Court of Appeals found that the registrant demonstrated that his belief as to opposition to war was related to a Supreme Being. We agree and affirm that judgment.

We reach a like conclusion in No. 29. It will be remembered that Peter acknowledged "some power manifest in nature . . . the supreme expression" that helps man in ordering his life. As to whether he would call that belief in a Supreme Being, he replied, "you could call that a belief in the Supreme Being or God. These just do not happen to be the words I use." We think that under the test we establish here the Board would grant the exemption to Peter and we therefore reverse the judgment in No. 29.

It is so ordered.

Mr. JUSTICE DOUGLAS, concurring.

If I read the statute differently from the Court, I would have difficulties. For then those who embraced one religious faith rather than another would be subject to penalties; and that kind of discrimination, as we held in *Sherbert* v. *Verner*, 374 U.S. 398, would violate the Free Exercise Clause of the First Amendment. It would also result in a denial of equal protection by preferring some religions over others—an invidious discrimination that would run afoul of the Due Process Clause of the Fifth Amendment. See *Bolling* v. *Sharpe*, 347 U.S. 497.

The legislative history of this Act leaves much in the dark. But it is, in my opinion, not a *tour de force* if we construe the words "Supreme Being" to include the cosmos, as well as an anthropomorphic entity. If it is a *tour de force* so to hold, it is no more so than other instances where we have gone to extremes to construe an Act of Congress to save it from demise on constitutional grounds. In a more extreme case than the present one we said that the words of a statute may be strained "in the candid service of avoiding a serious constitutional doubt." *United States* v. *Rumely*, 345 U.S. 41, 47.[5]

The words "a Supreme Being" have no narrow technical meaning in the field of religion. Long before the birth of our Judeo-Christian civilization the idea of God had taken hold in many forms. Mention of only two—Hinduism and Buddhism—illustrates the fluidity and evanescent scope of the concept. In the Hindu *religion* the Supreme Being is conceived in the forms of several cult Deities. The chief of these, which stand for the Hindu Triad, are Brahma, Vishnu and Siva. Another Deity, and the one most widely worshipped, is Sakti, the Mother Goddess, conceived as power, both destructive and creative. Though Hindu religion encompasses the worship of many Deities, it believes in only one single God, the eternally existent One Being with his manifold attributes and manifestations. This idea is expressed in Rigveda, the earliest sacred text of the Hindus, in verse 46 of a hymn attributed to the mythical seer Dirghatamas (Rigveda, I, 164):

"They call it Indra, Mitra, Varuna and Agni
And also heavenly beautiful Garutman:
The Real is One, though sages name it
variously—
They call it Agni, Yama, Matarisvan."

See Smart, Reasons and Faiths, p. 35, n. 1 (1958); 32 Harvard Oriental Series, pp. 434–435 (Lanman ed. 1925). See generally 31 and 32 *id.;* Editors of Life Magazine. The World's Great Religions, Vol. 1, pp. 17–48 (1963).

Indian philosophy, which comprises several schools of thought, has advanced different theories of the nature of the Supreme Being. According to the Upanisads, Hindu sacred texts, the Supreme Being is described as the power which creates and sustains everything, and to which the created things return upon dissolution. The word which is commonly used in the Upanisads to indicate the Supreme Being is Brahman. Philosophically, the Supreme Being is the transcendental Reality which is Truth, Knowledge, and Bliss. It is the source of the entire universe. In this aspect Brahman is Isvara, a personal Lord and Creator of the universe, an object of worship. But, in the view of one school of thought, that of Sankara, even this is an imperfect and limited conception of Brahman which must be transcended: to think of Brahman as the Creator of the material world is necessarily to form a concept infected with illusion, or maya—which is what the world really is, in highest truth. Ultimately, mystically, Brahman must be understood as without attributes, as neti neti (not this, not that). See Smart, op. cit., Supra, p. 133.

Buddhism—whose advent marked the reform of Hinduism—continued somewhat the same concept. As stated by Nancy Wilson Ross, "God—if I may borrow that word for a moment—the universe, and man are one indissoluble existence, one total whole. Only THIS—capital THIS—is. Anything and everything and everything that appears to us as an individual entity or phenomenon, whether it be a planet or an atom, a mouse or a man, is but a temporary manifestation of THIS in form; every activity that takes place, whether it be birth or death, loving or eating breakfast, is but a temporary manifestation of THIS in activity. When we look at things this way, naturally we cannot believe that each individual person has been endowed with a special and individual soul or self. Each one of us is but a cell, as it were, in the body of the Great Self, a cell that comes into being, performs its functions, and passes away, transformed into another manifestation. Though we have temporary individuality, that temporary, limited individuality is not either a true self or our true self. Our true self is the Great Self; our true body is the Body of Reality, or the Dharmakaya, to give it its technical Buddhist name." The World of Zen, p. 18 (1960).

Does a Buddhist believe in "God" or a "Supreme Being"? That, of course, depends on how one defines "God," as one eminent student of Buddhism has explained: "It has often been suggested that Buddhism is an atheistic system of thought, and this assumption has given rise to quite a number of discussions. Some have claimed that since Buddhism knew no God, it could not be a religion; others that since Buddhism obviously was a religion which knew no God, the belief in God was not essential to religion. These discussions assume that God is an unambiguous term, which is by no means the case." Conze, Buddhism, pp. 38–39 (1959).

Dr. Conze then says that if "God" is taken to mean a personal Creator of the universe, then the Buddhist has no interest in the concept, Id., p. 39. But if "God" means something like the state of oneness with God as described by some Christian mystics, then the Buddhist surely believes in "God," since this state is almost indistiguishable from the Buddhist concept of Nirvana, "the Supreme Reality; . . . the eternal, hidden and incomprehensible Peace." Id., pp. 39–40. And finally, if "God" means one of the many Deities in at least superfically polytheistic religion like Hinduism, then Buddhism tolerates a belief in many Gods: "the Buddhists believe that a Faith can be kept alive only if it can be adapted to the mental habits of the average person. In consequence, we find that, in the earlier Scriptures, the deities of Brahmanism are taken for granted and that, later on, the Buddhists adopted the local Gods of any district to which they came." Id., p. 42.

When the present Act was adopted in 1948 we were a nation of Buddhists, Confucianists, and Taoists, as well as Christians. Hawaii then a Territory, was indeed filled with Buddhists, Buddhism being "probably the major faith, if Protestantism and Roman Catholicism are deemed different faiths." Stokes and Pfeffer, Church and State in the United States, p. 560 (1964). Organized Buddhism first came to Hawaii in 1887 when Japanese laborers were brought to work on the plantations. There are now numerous Buddhists sects in Hawaii, and the temple of the Shin sect in Honolulu is said to have the largest congregation of any religious organization in the city. See Mulholand, religion in Hawaii, pp. 44–50 (1961).

In the continental United States Buddhism is found "in real strength" in Utah, Arizona, Washington, Oregon, and California. "Most of the Buddhists in the United States are Japanese or Japanese-Americans; however, there are "English" departments in San Francisco, Los Angeles, and Tacoma." Mead, Handbook of Denominations, p. 61 (1961). The Buddhist Churches of North America, organized in 1914 as the Buddhist Mission of North America and incorporated under the present name in 1942, represent the Jodo Shinshu Sect of Buddhism in this country. This sect is the only Buddhist group reporting information to the annual Yearbook of American Churches. In 1961, the latest year for which figures are available, this group alone had 55 churches and an inclusive membership of 60,000; it maintained 89 church schools with a total enrollment of 11,150. Yearbook of American churches, p. 30 (1965). According to one source, the total number of Buddhists of all sects in North America is 171,000. See World Almanac, p. 636 (1965).

When the Congress spoke in the vague general terms of a Supreme Being I cannot, therefore, assume that it was so parochial as to use the words in the narrow sense urged on us. I would attribute tolerance and sophistication to the Congress, commensurate with the religious complexion of our communities. In sum, I agree with the Court that any person opposed to war on the basis of a sincere belief, which in his life fills the same place as a belief in God fills in the life of an orthodox religionist, is entitled to exemption under the statute. None comes to us an avowedly irreligious person or as an atheist;[6] one, as a sincere believer in "goodness and virtue for their own sakes." His questions and doubts on theological issues, and his wonder, are no more alien to the statutory standard than are the awe-inspired questions of a devout Buddhist.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

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[5] And see *Crowell* v. *Benson*, 285 U. S. 22, 62; *Ullman* v. *United States*, 350 U. S. 422, 433; *Ashwander* v. *TVA*, 297 U. S. 288, 341, 348 (concurring opinion).

[6] If he were an atheist, quite different problems would be presented. Cf. *Torcaso* v. *Watkins*, 367 U. S. 488.

MANPOWER SERVICES ACT OF 1966

Mr. HART. Mr. President, I move that the Senate proceed to the consideration of S. 2974, the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2974) to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such act at both State and Federal levels, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to, and the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Public Welfare, with an amendment to strike out all after the enacting clause and insert:

That, in order to strengthen and improve the Federal-State Employment Service system established under the Act of June 6, 1933, as amended (48 Stat. 113), such Act is amended to read as follows:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Manpower Services Act of 1966'.

"DECLARATION OF PURPOSE

"SEC. 2. The Congress has undertaken in a series of enactments to stimulate the development of long-term manpower goals and active manpower policies to implement these goals. The Congress finds that implementation of legislation designed to encourage an active manpower policy is only as effective, at the State and local levels, as the institutions operating at these levels. The existing Federal-State Employment Service, with its present network of almost two thousand local employment service offices, has been the frontline agency assigned the task of translating manpower and employment policy into reality.

"The Congress further finds that effective coordination of manpower services at the Federal, State, and local levels, and between public and private organizations and agencies, is essential to the implementation of congressional legislation; and that some users and potential users are dissatisfied with the present operations of the existing Federal-State Employment Service.

"The Congress declares that a strong and modern manpower services system which operates not merely as a labor exchange bringing job seekers and employers together but as a comprehensive manpower services agency is essential. Therefore, this Act provides the authority to improve the services provided through the Federal-State employment service, and to transform that service into the comprehensive manpower services system which this Nation demands in order to deal effectively with its complex economic and employment problems.

"DEFINITIONS

"SEC. 3. As used in this Act—

"(1) the term 'Secretary' means the Secretary of Labor;

"(2) the term 'job services center' means an office established and maintained by a State for the purpose of carrying out, pursuant to a State plan approved under section 12, programs and activities referred to in this Act, and includes any job services center established under section 8(3) for the District of Columbia;

"(3) the term 'State manpower service' means the agency designated in a State plan approved under section 12 as the agency responsible for the establishment and operation of job services centers within such State;

"(4) the term 'State' means the several States, Puerto Rico, Guam, and the Virgin Islands.

"GENERAL FUNCTIONS

"SEC. 4. (a) The Secretary shall develop, in cooperation with the States and in accordance with this Act, a nationwide manpower services system which shall provide services essential for effective development and utilization of the Nation's manpower resources. Such services shall include but not be limited to—

"(1) the furnishing of placement services, including recruitment (provided, however, that recruitment to fill job openings shall be for the principal purpose of providing jobs for the unemployed or underemployed, or providing manpower for national security needs), occupational and related testing and counseling, selection and referral to training, and the furnishing of information concerning employment and training opportunities to all individuals and employers seeking such services;

"(2) the development, in cooperation with employers, of employment opportunities;

"(3) the furnishing of special services, including opportunities for public service employment, for the purpose of developing the employability of and employment opportunities for individuals so disadvantaged in the labor market that they are, or are likely to become, chronically unemployed.

"(4) the development and carrying out of inter-area and interstate placement services;

"(5) the provision of adequate facilities and services to assure that all unemployed individuals claiming unemployment insurance benefits are registered for and referred to employment;

"(6) the collection, classification, analysis, exchange and dissemination of manpower and employment information;

"(7) the conduct of research and experimentation and demonstration projects designed to increase knowledge with respect to matters related to the functions of the nationwide manpower services system with a view to maximizing the efficiency of such system in carrying out the purposes and objectives of this Act;

"(8) the training of specialized personnel necessary to provide for the efficient operation of the nationwide manpower services system.

"(b) The services authorized by this Act shall be made available with respect to all occupations and types of positions and, without distinction because of race, creed, color, national origin, sex, age, or current employment status, to all persons seeking such services.

"(c) In providing the services authorized by this Act the Secretary shall cooperate with employers, labor organizations, educational institutions, private employment agencies, and other public or private agencies or organizations and shall take appropriate steps to promote and encourage the use by such employers, organizations, agencies, or institutions of such services.

"SERVICES TO THE DISADVANTAGED

"SEC. 5. With respect to persons or groups of persons who are so disadvantaged in the labor market that they are, or are likely to become, chronically unemployed, the services to be made available shall include—

"(1) the identification of and reaching out to such persons or groups, including the use of mobile units, and providing them with special counseling services in order to determine their needs;

"(2) the development of plans for manpower services commensurate with individual needs, such as referral for remedial education, institutional training, or on-the-job training, rehabilitation, medical examination, and medical care;

"(3) the development of employment opportunities, including opportunities for public service employment, commensurate with the capabilities of such persons; and

"(4) the providing of job counseling and selective placement services for handicapped persons, including the designation of at least one person in each job services center whose duties shall include such functions, and in those States where a State board, department, or agency exists which is charged with the administration of State laws for vocational rehabilitation of handicapped persons, the job services centers shall cooperate with such board, department, or agency;

"(5) the providing of supportive on-the-job and other followup services.

"INTERAREA AND INTERSTATE PLACEMENT SERVICES

"SEC. 6. (a) In carrying out functions relating to interstate placement and recruitment services the Secretary shall—

"(1) require, with respect to all occupations and all types of positions for which there is a regional or national labor market, that job services centers obtain and furnish information with respect to job openings and applicants;

"(2) provide for the effective and prompt distribution among appropriate job services centers of such information;

"(3) establish, operate or otherwise provide multijob market interstate clearance centers for facilitating placement across State boundaries of such applicants, which centers shall provide information and assistance with respect to the availability of relocation assistance, housing, transportation, and other community services and facilities.

"(b) In carrying out the functions relating to interarea placement services between labor markets that do not extend across State boundaries the Secretary shall provide for multijob market clearance through the State job services centers and shall coordinate their activities with the multijob market interstate clearance centers.

"MANPOWER AND EMPLOYMENT INFORMATION

"SEC. 7. (a) In carrying out functions relating to the development and dissemination of information, the Secretary shall—

"(1) collect, analyze, and store all labor market and manpower information necessary or appropriate in carrying out the purposes of this Act;

"(2) disseminate such information among employers, labor organizations, educational institutions, private employment agencies, and other public or private agencies or organizations, and among other departments and agencies of the Government engaged in carrying out Federal programs concerning manpower development and utilization;

"(3) coordinate the collection of labor market and manpower information by the bureaus and agencies under his jurisdiction to assure efficiency and avoid duplication of efforts.

"(b) In order to carry out his responsibilities under this section, and to assure the most effective administration of interarea and interstate recruitment and placement programs authorized by section 6, the Secretary shall provide for modern and efficient communications systems, automatic data processing equipment, and collection, storage, analysis, and retrieval of information. For these purposes the Secretary shall, to the maximum extent feasible, make use of appropriate information and equipment available to the Bureau of Labor Statistics and other bureaus and agencies.

"(c) The Secretary shall conduct studies and undertake demonstration projects to further the use of automatic data processing systems in the nationwide manpower services system. Such demonstration projects shall include, but not be limited to, the establishment, in one or more job services centers, of a model labor market information system, on referred to in subsection (a)(2) of this section."

a State or interstate basis, that will provide specific employment information on both employment opportunities and skills available in the labor market to interested applicants seeking placement, and to individuals, organizations, or institutions

"(d) The Secretary is authorized, either directly or by way of grant, contract, or other agreement with public and private agencies and institutions, to carry out research and experimentation and demonstration projects designed to strengthen the operation of the nationwide manpower services system, with particular emphasis upon the structure of labor markets, the skills, aptitudes, and motivation of persons in the labor market, the demand for new skills and new training requirements, and the use of automatic data processing systems.

"VETERANS AND FARM PLACEMENT SERVICES; DISTRICT OF COLUMBIA

"SEC. 8. The Secretary shall maintain—

"(1) a veterans' employment service to be devoted to securing employment for veterans, and to carry out the functions provided under this Act and under chapter 41 of title 38, United States Code. In the case of appointments for noncleriçal positions in the veterans' employment service, the Secretary shall appoint only persons who are veterans of any war, or have served in the active military, naval, or air service since January 31, 1955, and who have been discharged or released therefrom under conditions other than dishonorable.

"(2) a farm labor service, which shall provide placement services for agricultural workers and employers; and

"(3) one or more job services centers for the District of Columbia.

"COORDINATION OF GOVERNMENT TRAINING PROGRAMS

"SEC. 9. (a) The Secretary shall have responsibility for coordinating the programs and activities of agencies within the Department of Labor and all other departments and agencies of the Government relating to the training of individuals for the purpose of improving or restoring employability.

"(b) The Secretary through the national manpower services system shall—

"(1) recruit, counsel and refer to the appropriate office or agency individuals who are in need of and eligible for training under the Manpower Development and Training Act of 1962 (42 U.S.C. 2571–2620), for the Job Corps, the Neighborhood Youth Corps, Work Training, or work experience programs under the Economic Opportunity Act of 1964 (42 U.S.C. 2701–2981), or for any other training program designed to improve or restore the employability of individuals financed in whole or in part with Federal funds and shall be reimbursed therefor by the Federal agency responsible for the training program; and

"(2) obtain from the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Director of the Office of Economic Opportunity, and the head of any other Federal agency administering a training program, such employment information as he determines will facilitate the placement of individuals being trained.

"In order to facilitate the furnishing of coordinated manpower services to such individuals, the Secretary shall make such arrangements as he deems practical to have representatives of any program referred to in paragraph (1) located in close proximity (in the same building, if possible) with the relevant job services center.

"(c) All other departments and agencies of the Government shall cooperate with the Secretary to the extent necessary to enable him effectively to carry out responsibilities referred to in this section and section 10(c)(1).

"PLANNING AND PROGRAMS FOR EMPLOYMENT DISLOCATIONS AND MANPOWER SHORTAGES

"SEC. 10. (a) The Secretary shall develop plans and procedures for—

"(1) identifying impending and long-range shifts and dislocations in employment, both technological and economic, including those related to reductions or changes in defense activities, and employment needs arising therefrom;

"(2) identifying employment needs arising from chronic unemployment and related problems;

"(3) assuring that job services centers provide such services as may be necessary to meet the situations and needs so identified and to avoid or relieve any adverse impact of such conditions upon workers, including measures which will stimulate occupational readjustment and geographical mobility of the affected workers.

"(b) The Secretary shall develop plans and procedures for dealing with manpower shortage problems. In carrying out such functions, the job services centers may assist employers in (1) preventing, alleviating, and resolving skill shortages and undesirable turnover; (2) making job modifications to permit the use of available labor supply; and (3) identifying entry jobs and training needs.

"(c) The Secretary shall make appropriate arrangements under which—

"(1) departments and agencies of the Federal Government shall list with appropriate job services centers job openings occurring in such departments and agencies and shall, to the maximum extent feasible, conduct recruiting through these centers, and

"(2) private employers will be encouraged to list with such centers any job openings of such employers.

"IMPROVEMENT OF PERSONNEL

"SEC. 11. (a) The Secretary after consultation with the States is authorized to prescribe minimum qualifications for professional occupations in the State manpower services, and job services centers, such as occupational counseling, interviewing, occupational analysis, occupational testing, and labor market analysis.

"(b) The Secretary shall require that each State establish and maintain for personnel employed in its State manpower service and job services centers a merit system of personnel administration under such standards as the Secretary prescribes, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and promotion of any individual employed in accordance with such methods.

"(c) The Secretary shall require that each State develop a salary schedule adequate to attract and retain qualified personnel for its State manpower service and job services centers. Such schedule shall give due consideration to the rates paid in such State for similar work in both public and private employment.

"(d) The Secretary is authorized to establish training programs for persons occupying or preparing to occupy positions referred to in subsection (a), or similar positions in the Department of Labor. Such programs may include—

"(1) orientation and in-service programs;

"(2) grants to individuals for financing education and training in educational institutions or training centers;

"(3) grants to educational or other institutions to finance the development of appropriate curriculums and training materials, and for the establishment of training centers; and

"(4) technical assistance to State manpower services to aid them in the institution or improvement of State or local training programs.

The Secretary, where he deems it appropriate, may make the training programs available to employees of private employment agencies on a reimbursable basis.

"(e)(1) The Secretary with the concurrence of the State may detail Federal employees to State manpower services or job services centers and the States may, with the concurrence of the Secretary, detail State employees to the Department of Labor for temporary periods for training or other purposes, and the provisions of section 507 of the Elementary and Secondary Education Act of 1965 (79 Stat. 27) shall apply to any such assignment.

"(2) The Secretary is authorized to appoint noncompetitively to a Federal position in the Department of Labor any person employed in a State agency, or instrumentality thereof, who is serving in a program financed in whole or in part by Federal grants under this Act. However, no person shall be so appointed unless he—

"(A) has permanent status in a federally approved State or local merit system;

"(B) received his appointment to the State or local merit system on the basis of competitive examination;

"(C) meets appropriate qualification and suitability standards for the Federal position; and

"(D) passes a noncompetitive examination prescribed by the United States Civil Service Commission.

A person receiving a Federal appointment under this subsection shall complete a one-year probationary period before he acquires a competitive status, and he shall not be eligible on the basis of such competitive status for transfer to any other Federal agency for three years from date of such appointment. The United States Civil Service Commission shall prescribe such regulations as are necessary to carry out the purposes of this subsection.

"(3) The Secretary shall encourage the making of arrangements between States under which employees of one State agency or center may be granted leaves of absence to enable them to become employed for temporary periods by such agency or center in another State.

"STATE PLANS

"SEC. 12. (a)(1) Any State desiring to receive the benefits of this Act shall, through its State manpower service, submit to the Secretary a State plan, annual supplements thereto, or modifications thereof, under which such State shall operate within the State a system of job services centers to carry out such of the duties and functions under this Act as are prescribed by the Secretary.

"(2) Any State plan shall provide that—

"(A) the State shall establish or designate a State manpower service to serve as the single State agency to administer or supervise the administration of all such job services centers within the State: *Provided, however,* That the State shall not be precluded from placing the State manpower service under the overall organizational and administrative control of a State agency responsible for manpower services and the unemployment compensation programs;

"(B) the State will, in the operation of such centers, employ such methods of administration as are found by the Secretary to be necessary for the proper and efficient operation of such centers;

"(C) the State manpower service will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports;

"(3) In addition to the provisions required under paragraph (2) to be contained in any State plan under this subsection, there shall be included in any such plan such other provisions as the Secretary may deem necessary or appropriate so as to maximize the utilization of job services centers in assisting him to carry out his duties under this Act.

"(4) Any State plan under this subsection shall specifically provide that the job services centers established and operated pursuant thereto shall to the maximum extent practicable be separate from the offices administering any unemployment compensation law within such State.

"(5) Any State plan under this subsection shall include provision for placement and other manpower services to be rendered to veterans.

"(b) The Secretary will pay to the State amounts equal to the amounts expended or to be expended by the State in the proper and efficient administration of such centers as determined by the Secretary.

"(c) If the Secretary, after not less than thirty days notice and opportunity for a hearing to the State manpower service of a State finds that, in the operation of job services centers in the State, there is a failure on the part of the State to comply substantially with any provision of such plan, the Secretary shall notify such State agency that further payments under this section will be limited to categories under or parts of the operations of such centers not affected by such failure (or in his discretion, that further payments will not be made to the State) until the Secretary is satisfied that there will no longer be any such failure to comply. Until he is so satisfied he shall limit payments under this section to categories under or parts of the operations of such centers not affected by such failure (or make no further payments to such State under this section).

"ADMINISTRATION

"SEC. 13. (a) The functions of the Secretary under section 6(b) and, to the maximum extent practicable, under section 4(a) (1), (2), (3), and (5), and section 5 of this Act shall be carried out through State manpower services and job services centers.

"(b) The Secretary may utilize the services of State manpower services and job services centers in carrying out any other functions under the Act.

"(c) If the Secretary after not less than thirty days notice and opportunity for a hearing, makes a determination that it is impractical to carry out through a job services center or centers all or any part of any function under section 13(a) and which, except for such determination would be carried out through such center or centers, he may enter into a contract as authorized by subsection (d) for the carrying out of such functions or part thereof by a private employment agency or other public or private agency or institution.

"(d) The Secretary after consultation with the States, and the State manpower services when authorized by the Secretary, may enter into contracts with individuals or with public or private educational or other appropriate agencies or institutions, including employment agencies, for the provision of specialized or other services when necessary to carry out this Act: *Provided, however,* That no such contract shall be entered into under which a fee or other charge is made to any individual.

"(e) No person shall be referred to a position the filling of which will aid directly or indirectly in filling a job which (a) is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or (b) the filling of which is an issue in a labor dispute, or (c) is offered by an employer who is involved in a labor dispute, if the nature of the employment offered is such that it is excluded from coverage under the National Labor Relations Act by reason of the provisions of Section 3(3) of such Act. With respect to positions not covered by (a), (b), or (c) of this subsection, any individual may be referred to a place of employment in which a labor dispute exists, provided he is given written notice of such dispute prior to or at the time of his referral.

"FEDERAL AND STATE ADVISORY COUNCIL

"SEC. 14. (a) The Secretary shall establish a manpower services and unemployment insurance advisory council which shall be composed of men and women representing employers and employees in equal numbers, the public, and experts in the field for the purpose of formulating policies and advising the Secretary on problems relating to the manpower services and the unemployment insurance program and insuring impartiality, neutrality, and freedom from political influence in the solution of such problems. The Secretary shall establish at least two subcommittees with like representations, one for the manpower services and one for the unemployment insurance program.

"(b) The members of the council shall be selected from time to time without regard to the Civil Service Act in such manner and for such period as the Secretary shall prescribe and shall serve without compensation, but when attending meetings of the council, they shall be allowed necessary travel expenses. including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73-b(2)) for persons in the Government service employed intermittently.

"(c) The council and each subcommittee thereof shall have access to all appropriate files and records, and shall be furnished necessary personnel including adequate secretarial and clerical assistance.

"(d) The Secretary may require the organization of similar State advisory councils, and subcommittees composed of men and women representing employers and employees in equal numbers, the public, and experts in the field.

"ANNUAL REPORT

"SEC. 15. The Secretary shall include in his annual report to the Congress a full and complete statement and account of the programs and activities carried out under this Act, together with such comments and recommendations with respect to the improvement thereof as he deems appropriate.

"APPROPRIATIONS

"SEC. 16. There is authorized to be appropriated, in addition to such funds as are made available for expenditure from the employment security administration account established under the Social Security Act, out of any money in the Treasury not otherwise appropriated, the sum of $40,000,000 for the fiscal year ending June 30, 1967, the sum of $70,000,000 for the fiscal year ending June 30, 1968, and the sum of $90,000,000 for the fiscal year ending June 30, 1969, and for succeeding fiscal years, such sums as the Congress may hereinafter authorize by law for carrying out the purposes of this Act.

"RULES AND REGULATIONS

"SEC. 17. The Secretary is authorized to issue such rules and regulations as may be necessary to carry out the provisions of this Act.

"JUDICIAL REVIEW

"SEC. 18. A State agency dissatisfied with a final action of the Secretary under section 12(c) of this Act may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. Any judicial proceeding under this section shall be entitled to, and, upon the request of the Secretary or the State, shall receive a preference and shall be heard and determined as expeditiously as possible. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action. In the event the Secretary's determination is not challenged by the State then the Secretary may enter into a contract with a public or private agency or institution for the carrying out of such operations, or parts thereof as are the subject of his determination. In the event that the Secretary's determination is challenged and is affirmed by the court, then the Secretary may enter into a contract for the carrying out of such operations or parts thereof as are affirmed by the court.

"AMENDMENTS TO MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

"SEC. 19. (a) Section 104 of the Manpower Development and Training Act is hereby amended by inserting the following new subsection (a).

"'SEC. 104. (a)(1) The Secretary of Labor shall develop and carry out a program to increase the mobility of unemployed individuals by providing them assistance to relocate and meet their relocation expenses. The Secretary may provide such assistance only to involuntarily unemployed individuals who cannot reasonably be expected to secure suitable full-time employment in the community in which they reside, have bona fide offers of employment (other than temporary or seasonal employment), are deemed qualified to perform the work for which they are being employed, and cannot otherwise reasonably be expected to defray the cost of relocation.

"'(2) The Secretary may provide such assistance in the form of loans, which shall be subject to such terms and conditions as the Secretary shall prescribe with the following limitations:

"'(A) the credit is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs;

"'(B) the amount of the loan, together with other funds available, is adequate to assure achievement of the purposes for which the loan is made;

"'(C) the loan is repayable within not more than ten years, or under such other terms as the Secretary may find necessary in individual cases.

"'(3) Assistance provided under this subsection may, to the extent deemed necessary by the Secretary, include temporary financial assistance to meet needs and emergencies occurring immediately before and after relocation, counseling and related supportive services needed by the individuals and their families who are relocated to aid them in establishing themselves in the new job and the community, and such other assistance as may be required to carry out the purposes of this subsection.

"'(4) For the purpose of carrying out this subsection, there are hereby authorized to be appropriated not in excess of $10,000,000 for the fiscal year ending June 30, 1967, not in excess of $15,000,000 for the fiscal year ending June 30, 1968, and for each year thereafter such amounts as may be necessary.'

"(b) Section 104 is amended by redesignating subsection '(a),' '(b),' and '(c)' as subsections '(b),' '(c),' and '(d),' respectively."

EFFECTIVE DATE

SEC. 20. The amendment made by sections 1 through 18 of this Act shall take effect one hundred and eighty days after the enactment of this Act, except that no State shall be subject to any requirement imposed by or pursuant to such amendment, compliance with which will require a change in the laws of such State, until the expiration of one hundred and eighty days following the first meeting of the legislature thereof which occurs after the date of enactment of this Act. The amendments made by section 19 of this Act shall take effect on enactment of this Act.

Mr. CLARK. Mr. President, the pending legislation is a bill to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such act at both State and Federal levels, and for other purposes.

Since a number of Senators who serve on the Committee on Labor and Public Welfare have asked to be notified when debate commences on the legislation, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I send to the desk a technical amendment which is necessitated by a printer's error, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 27, insert between lines 18 and 19 the language contained on line 14.

Mr. CLARK. Mr. President, I move the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CLARK. Mr. President, the proposed legislation results from identical bills offered in the House and in the Senate by Representative ELMER HOLLAND, of Pennsylvania, and myself, and has behind it a long history of dissatisfaction with the operation of the Federal-State employment services system. That system was initiated in 1933 by the passage of the Wagner-Peyser Act, and no significant amendment of that act has occurred during the last 33 years.

Hearings were held several years ago by the House, and comprehensive hearings were conducted by the Subcommittee on Manpower Employment and Poverty of the Committee on Labor and Public Welfare, of which subcommittee I have the honor to be the chairman, on the general subject of manpower and employment and the need for a comprehensive national manpower policy. As a result of the hearings, it was concluded that legislation of the general character of that presented by the pending bill was desirable.

Efforts were made both by the House and the Senate to persuade the administration to take the lead in this regard, but for various reasons it was reluctant. Therefore, Representative HOLLAND introduced H.R. 13037 in the House, and I introduced the identical bill, S. 2974, with the cosponsorship of the Senator from New York [Mr. KENNEDY] in the Senate. Shortly thereafter, prodded to some extent by our legislative initiative, the administration submitted its own bills, H.R. 13362 and S. 3032. The two subcommittees of the House and Senate held joint hearings on the proposed legislation, a procedure I commend to Senators as being useful in enabling legislators to share views at an early date in the consideration of legislation, and also a procedure which is less onerous for administration witnesses and witnesses outside the Government, who need appear only once before a joint committee.

The hearings were quite extensive, as evidenced by the 640 pages of the printed report.

As is usual when legislation is carefully considered, it became obvious that neither of the bills which had been introduced was entirely adequate to meet the need. Accordingly, the Subcommittee on Manpower, Employment, and Poverty now reports, with the unanimous concurrence of the full Committee on Labor and Public Welfare, a clean bill in the nature of a substitute for S. 2974.

I shall discuss briefly the principal provisions of the bill, but first I shall discuss its purpose.

Major changes have occurred in the Nation's economy and its labor market operation in the more than three decades since passage of the Wagner-Peyser Act, the charter under which the Federal-State employment service system was established in 1933. During this period, the employment service has become not merely a labor exchange for bringing jobs and people together but the frontline agency for translating manpower policy and legislation into operational reality.

Within the past 5 years, Congress has enacted more far-reaching and comprehensive employment and manpower development legislation than in any similar period in history. This legislation has been responsive to the widespread public concern and interest in the optimum development and utilization of our Nation's human resources.

This committee can take pride in its pioneering role in much of this legislation. Yet we cannot help but agree with President Johnson that, "We have been thinking small, instead of thinking big, about the use of our human resources. This has been one of the most serious of our failures at social policy."

While the Wagner-Peyser Act is broad enough to permit the employment service to perform many necessary functions, it does not explicitly state the full range of activities expected of a modern manpower services system. In recent years, the employment service, with its 2,000 local offices reaching into the core of every city and rural area, has had many new responsibilities thrust upon it by legislation, Executive order, and interagency agreements. The time has come to fully recognize the vital role which has been assigned to the Federal-State employment service in implementing our employment and manpower policy.

S. 2974 is designed to provide a comprehensive and unmistakably clear statement by the Congress of the major role and functions expected of the public manpower services. It is expected also to establish a more adequate basis for funding of the system.

It should be noted that as of today, while the administration of the system is largely, if not entirely, in the hands of the 50 separate State employment services, the Federal Government picks up the entire tab. Since the Federal Government pays 100 percent of the cost of the State employment services, it has a legitimate interest in how they function and how they are administered.

The bill affirms in law a blueprint for a comprehensive nationwide manpower services system equipped with the modern, up-to-date tools and services needed to deal effectively with the urgent employment and human resources development problems facing the Nation. It provides for a creative dynamic Federal-State partnership which is necessary to assure the most effective implementation of an active manpower policy at the local level. Such implementation requires linking a national perspective with sensitivity to distinctive local problems and a keen awareness by each party of the problems, needs, and potentials of all other parties.

In drafting the bill, the committee has attempted to steer between the Scylla of a completely State-dominated employment service, or a series of 50 completely State-dominated services, and the Charybdis of a federalization of the whole employment service problem. Essentially, we have left the State employment services with the primary initiative, the primary responsibility for administration. But we have given the Secretary of Labor somewhat more power, to assure that each of the 50 State agencies is conducting its affairs with due regard to the standards and principles set forth not only in this bill, but also in the original Wagner-Peyser Act.

Although the manpower services system must focus on the total development, allocation, and utilization of the Nation's manpower, this should not overshadow what must clearly be the major focus of the system—the disadvantaged, the unemployed, the underemployed, and those entering, or desiring to enter, the labor market.

In this connection, the bill, in my judgment, will be useful in carrying on the war against poverty.

In fact, since it is clear that one of the best ways to overcome poverty is by providing jobs for individuals who do not have them, the pending legislation should make it considerably easier for the unemployed, who are in the poverty status, and disadvantaged to obtain useful employment and to lift themselves out of the poverty category.

It is also anticipated that passage of the legislation will build a strengthened manpower services system which will be able to render more effective service in finding jobs for individuals being served through the poverty program. In order to meet the needs of these individuals most effectively, the manpower services system must develop, cultivate, and maintain good relationships with public and private agencies including employers, labor organizations, and educational institutions, and provide effective coordination of placement and other manpower services at the Federal, State, and local levels and between all public and private agencies and organizations.

The legislation is designed to foster the development of more progressive relationships and better coordination between all organizations providing manpower services so vitally needed by this Nation.

I should like to stress that it is not intended by the bill to diminish the role or the important work which is done and will of necessity continue to be done by these organizations. Of special note is the relationship between the manpower services system and private employment agencies. For too long there has been friction between these groups which has not benefited the Nation's manpower. During the course of action on this legislation and with the encouragement of the subcommittee, representatives of private employment agencies and the Department of Labor have been meeting to develop an understanding on problems of mutual interest. It is our hope that such discussions will continue and that future efforts will minimize the friction between the Federal-State service and the private agencies. The unmet manpower needs of the Nation upon which the manpower services system can focus are so large that public resources and energies should not be diverted to duplicate services or to meet needs now being adequately met.

I should also like to point out that the legislation, to a very substantial extent, implements the national manpower policy which was created under title I of the Manpower, Development and Training Act, and which is reported on each year in the Manpower Reports to the Congress made by the President and by the Secretary of Labor.

In other words, this is an essential link in the chain of manpower policy, which includes not only finding jobs for those who are drawing unemployment compensation but would implement the comprehensive and carefully planned manpower policy, and also tie in with the poverty program.

I shall briefly summarize the bill and then I will be happy to yield to Senators who wish to ask questions.

SUMMARY OF BILL

The act provides guidelines and a mandate to improve and expand the services provided through the present Federal-State employment service system. The major services authorized by the bill include:

First. The furnishing of placement services, including recruitment, occupational and related testing and counseling, selection and referral to training, and employment and training information to all individuals and employers seeking such services;

Second. The development of employment opportunities;

Third. The furnishing of special services for improving the employability and employment opportunities for the disadvantaged;

Fourth. The development of interarea and interstate placement services;

Fifth. The collection, classification, analysis, exchange, and dissemination of manpower and employment information through the use of modern communications systems and automatic data processing;

Sixth. The conduct of research, experimental, and demonstration projects; and

Seventh. The planning of programs for dealing with employment dislocation and manpower shortages.

The bill further provides for the separation of local job service centers and unemployment compensation offices where practical; for the contracting for services with public and private organizations under specific conditions; the tools for improving and strengthening staff training and for providing adequate salaries to attract qualified professional staff; for the withholding funds on an item basis when States fail to substantially comply and for judicial review of such action; and for advisory councils at the National and State levels. The bill also amends the Manpower, Development, and Training Act to provide for a permanent loan program to encourage labor mobility for those requiring such assistance.

Mr. President, the pending legislation could not have come to the floor of the Senate in its present form, which I believe is a good and satisfactory form, had it not been for the wonderful cooperation which the minority members of the subcommittee, Senators JAVITS, PROUTY, and MURPHY, rendered in the course of considering the legislation.

The supplemental views of the senior Senator from New York [Mr. JAVITS], which appear on pages 27 and 28 of the committee report, set forth in detail the changes in legislation which the subcommittee made as a result of the very skillful and helpful suggestions by members of the minority.

I am happy to pay tribute to the Republican members of the subcommittee who, as usual, in connection with the consideration of legislation by the subcommittee, have been most cooperative and helpful.

Mr. President, at this time I yield to the Senator from Wisconsin.

Mr. NELSON. Mr. President, I commend the distinguished Senator from Pennsylvania [Mr. CLARK], the chairman of the subcommittee, for what I consider to have been a superb job in preparing the pending bill, conducting hearings, and giving every individual and every group in the country a fair opportunity to have its viewpoint considered in an orderly and complete fashion.

I also join the chairman of the committee in his tribute to the minority members of the committee for their constructive contribution. I have not participated in hearings on any bill that were better handled than these hearings. I am sure that my viewpoint represents the viewpoint of the full committee.

I wish to make a brief statement and then address a question to the manager of the bill for clarification in the RECORD of two matters which we have discussed at great length in the committee, and on which the chairman and the committee ended up in agreement.

The first question I raise is concerned with section 14(d) of the act on page 39. The section reads:

> (d) The Secretary may require the organization of similar State advisory councils, and subcommittees composed of men and women representing employers and employees in equal numbers, the public, and experts in the field.

The word "similar" refers back to section 14(a) which requires the establishment of a National Advisory Council.

This provision originally read: "The Secretary shall require." As the chairman of the committee will recall, I raised the question that as to my State this section would drastically alter the composition of the Wisconsin Advisory Committee on Unemployment Compensation, which is the oldest one in the Nation and which is composed exclusively of employers and employees; and that to require that they add to it public members and others would upset the composition of our committee which has been, I believe, as successful, if not the most successful one in the United States. This advisory committee has never come to the legislature with a recommendation except when it was unanimous. Under this procedure, we now pay the highest unemployment compensation of any State in the Nation, equalled by only two others. We also pay the longest basic benefits of any State in the Nation. It would therefore concern me greatly if we were required to change our Advisory Committee in any fundamental way.

Therefore, I raised the question with the Senator from Pennsylvania, and he agreed that this raised a proper issue, and further agreed that we should change the word "shall" to "may."

In the committee report, on page 6, under section 14, I should like to read into the RECORD what the report provides:

> *Section 14.*—The advisory council provisions have been modified so as to improve the current structure of these councils. In providing for similar, but not necessarily identical, State advisory councils, it is not the intent of the committee to unnecessarily

> modify the operation of those State councils which have successfully carried out their functions, but rather to provide necessary guidelines for the development and improvement of manpower and unemployment compensation advisory councils. In considering whether or not modifications are necessary, the Secretary is directed to use discretion and restraint and to carefully consider the past operation of the State advisory groups.

Do I correctly understand from the Senator from Pennsylvania that in a circumstance, for example, such as the successful operation of the Wisconsin Advisory Committee on Unemployment Compensation, it is not the intent of the bill to direct or even encourage the Secretary to change the composition of the advisory committee in Wisconsin or any other place where it is working so successfully?

Mr. CLARK. The Senator is quite correct. As a result of the able intervention of the junior Senator from Wisconsin, we did make the change in the legislation which he has just outlined.

Mr. NELSON. I should like to ask another question of the Senator from Pennsylvania. There was another point which I raised with him concerning the name of State offices and the name of local offices. As the Senator knows, Wisconsin has a special question because of a national, private organization with its headquarters in Wisconsin called Manpower, Inc., which supplies employees for employers.

There is concern that if the name "manpower" were used by the State government in advertising at the local level, there would be confusion between the private organization and its functions and the State organization and its functions. It is agreed, I think, that it would not be helpful to the State or to the private organization if such confusion developed regarding their respective functions. Manpower, Inc., had no objection to the bill itself but wanted to be sure that they did not get into this confusing situation.

Section 3 of the committee report provides that the name of the local office be changed to "Job Services Center" in order to avoid confusion with the word "manpower." It is the legislative interest that the States will, in turn, take the necessary action, such as in advertising, to avoid confusion at the local level.

The kind of advertising that is confusing is advertising on a door which identifies a place of business, or advertising in the yellow pages of the telephone directory, or in signs.

I take it that it is clearly the intent of the bill to avoid that kind of confusion in advertising the use of the word "manpower," in identifying the local job services center; is that not correct?

Mr. CLARK. The Senator is quite correct. This matter was raised not only by the junior Senator from Wisconsin [Mr. NELSON], but also by the present occupant of the Chair, the senior Senator from Wisconsin [Mr. PROXMIRE]. We made the necessary changes to eliminate confusion and to give a free run for their money—to a private company which the two Senators from Wisconsin feel is doing a good job in their State.

Mr. NELSON. I thank the Senator from Pennsylvania for this clarification.

Mr. CLARK. Mr. President, I yield the floor.

Mr. KENNEDY of New York. Mr. President——

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. KENNEDY of New York. Mr. President, I speak in full support of S. 2974, and of the remarks which have been made by the Senator from Pennsylvania [Mr. CLARK] in connection with the bill.

I think that this proposed legislation, which the Senator from Pennsylvania piloted through the committee, is of great importance and great significance, and I congratulate him for the leadership he has given on this matter.

This legislation would revitalize and update the U.S. Employment Service to enable it to meet the new manpower problems that have arisen to confront the Nation since the Wagner-Peyser Act was originally enacted.

In our country, where mobility is becoming synonymous with progress, the interarea recruitment system thus far developed by the Employment Service has fallen short of the mark. With the new authority granted by section 6 of this legislation, the Secretary of Labor and the States will be able substantially to improve this interarea placement service and use the most modern data processing equipment to speed information on employment opportunities to all parts of the country.

Thus, if one area of the United States has a shortage of workers and another has an abundance of workers, the two areas can work together, taking advantage of modern computer technology, to solve their respective problems. That has not occurred sufficiently under existing law. If the proposed legislation is enacted into law, it will take that major and important step forward—a step forward which is long overdue. Present day unemployment is often caused by skill shortages in one area and surplus in another. The proposed legislation will enable us to match need and availability scientifically. The regional unemployment problems of our day can now be solved at least in some measure by the increased use of modern data processing equipment in order to supply workers from surplus areas to shortage areas. That is one of the major purposes of this legislation.

Closely tied to this is the general improvement in the collection, analysis, and dissemination of information made possible by the increased use of modern equipment. Properly used technology should not displace workers, but should speed them on their way to new jobs more quickly.

The proposed legislation makes very specific the role that the manpower services system must play in meeting the needs of the economically disadvantaged. Existing public employment services have not reached adequately into the ghetto. This bill would direct the U.S. Employment Service to reach out to the poor and let them know of job opportunities and job training programs. That is an extremely important purpose of S. 2974.

Finally, the proposed legislation recognizes that if the manpower services system is to attract and retain the caliber of people who can combine a sensitivity to important local problems with a feeling of nationwide need, it must improve its salaries, training, and opportunity for mobility and challenge.

This legislation should be viewed as opening the door to modern technology so that the manpower services system may rapidly adapt to modern challenges.

Once again, let me say how strongly I support the proposed legislation. I want to congratulate the Senator from Pennsylvania again for all that he has done to make this legislation possible, and to see to it that hearings were held and committee action was taken. The fact that he has gone into this matter so deeply and thoroughly has given the Senate great confidence that the legislation will meet the needs of the people of this country.

Mr. PROUTY. I am sure I speak for all members of the minority on the subcommittee in expressing appreciation to the distinguished Senator from Pennsylvania for the courtesies he has extended to us and the cooperation which we have received from him.

Mr. President, I have a series of amendments to offer concerning the relationship between the Secretary of Labor and the State employment agencies with respect to the administration of employment services under the Wagner-Peyser Act.

Before calling up any of these amendments, I wish to make several general observations which are applicable to all of them.

I am deeply disturbed by certain implications in this legislation indicative of an intent to eventually eliminate the State employment service agencies, and to place the complete administration of employment services in the U.S. Employment Services under the direction of the Secretary of Labor.

Certain remarks from the majority side of the committee lead me to conclude that an open effort to federalize the State employment agencies, with such added features as the compulsory listing of job vacancies by all sectors of our private economy, would be sought now if it were felt that this type of legislation could possibly be enacted by the present Congress.

My concern appears to be shared by Secretary of Labor Wirtz, and finds support in his testimony at the joint hearings held on this and other bills designed to amend the Wagner-Peyser Act. In commenting on S. 2974 and H.R. 13037—the companion bill introduced in the other body—Secretary Wirtz stated at page 79 of the hearings:

> S. 2974 and H.R. 13037 provide the opportunity for a quite different Federal-State relationship from that of the present Wagner-Peyser Act, by permitting greater federal control over the public employment service system. The provisions of these bills do not seem to fully recognize the division of authority between the Federal Government and the States which is needed in a Federal-State

> partnership. Rather, they give almost complete authority to the Secretary, who can in turn utilize State agencies as his agents in carrying out his authority.

Secretary Wirtz then proceeded to give several examples under provisions of S. 2974 supporting this point, including the Secretary's authority to contract with private employment agencies or other agencies or institutions for performing manpower services whenever he determined it to be impracticable to do so through the State centers. Secretary Wirtz then continued at pages 79–80 of the hearings:

> By contrast, under the Wagner-Peyser Act . . ., the Federal law sets out the functions of an employment service system, and provides that if a State employment service system meets the general standards and requirements, it may be admitted into a partnership. In return for meeting the Federal requirements, the Federal Government will provide administrative grants. The Federal Government does not, however, provide the basic services—except for the District of Columbia. Federal authority to make contracts with agencies or institutions other than the State employment service is limited to training, and to research, experimental, and demonstration projects.

Secretary Wirtz, of course, was not testifying against a Manpower Services Act of 1966. He was testifying, however, in favor of administration bills and in opposition to S. 2974.

The language in some of the provisions mentioned by the Secretary of Labor has been modified in the bill reported to the Senate by the committee. I am fearful, however, that these changes—and the further balm of certain language in the committee report—do not greatly change the substance of these provisions. I am apprehensive that these provisions, together with others in S. 2974 not specifically referred to by Secretary Wirtz, will lead, as he forecast, to the conversion of State employment agencies to acting "as agents of the Federal Government to carry out a Federal program."

The misgivings of Secretary Wirtz are shared by those officials of State employment service agencies who have contacted me, including those where the State administration is controlled by the majority party. In their opinion, there is no necessity for several provisions of S. 2974 unless it is sought to so separate the unemployment compensation and employment services programs that the unemployment compensation trust fund will not stand in the way of the complete federalization of the present State—Federal employment services system.

One example of such provisions is the proposed separation of the employment services and unemployment compensation functions. Another is the provisions for interchange between State employment service employees and employees of the U.S. Employment Service. On its face, this latter proposal appears to be a general training program designed to improve employment services. On the other hand, it is not too difficult to see it as a plan to develop State employment service employees in Federal procedures and to indoctrinate them with the concept of a central government administration, for the purpose of providing the manpower reserves which the Department of Labor would require to expedite the transition to a completely federalized employment services operation at the appropriate time.

State officials are also fearful that the Department of Labor, after using its increased authority to control the activities of State agencies under this bill in combination with the vastly increased authorizations for implementing employment services' programs, will come back to a future Congress and cite its performance in these areas as proof that the complete federalization of State agencies is necessary for the most efficient operation of the employment services system.

The States resent and strongly disagree with the creation of such a strawman. They take the position that their main problem is lack of funds, and maintain that if additional moneys were made available to them under the Wagner-Peyser Act—with no strings attached—they could do a superior job in upgrading standards and salaries for employment service employees and in administering presently existing and newly developed programs for assisting the unemployed, the underemployed, and the disadvantaged.

I believe that it is essential to permit the States to retain some discretion in determining the standards for State merit systems and the salaries to be paid State employment service employees. Under the bill reported by the committee, these matter are left within the discretion of the Secretary of Labor. Secretary Wirtz was candid enough in his testimony to concede that his goal would be to raise State standards and salary schedules to the Federal levels.

This is clearly a commendable objective. In seeking to attain it, however, we must carefully consider the effect, upon the overall operation of the State's merit system, of raising salaries for employees of one State agency.

I doubt if any State would object to paying higher salaries in order to obtain more capable civil servants if it had the funds available for this purpose. However, the dangers and the problems involved in raising the salaries of employees in but one State agency—here the employment services agency—are obvious. The better qualified employees in other State agencies will gravitate to the employment services agency and the morale of other State employees—whose salaries cannot be raised because of the unavailability of Federal funds—will disintegrate.

At the very least, therefore, I conclude that the Secretary of Labor must be required to consider the overall effect of higher salaries for State employment service employees upon a State's merit system before requiring a State to institute such higher schedules.

Another provision in this bill which I believe will engender friction and lower morale among State employees involves the Secretary of Labor's assignment of higher pay nonresident Federal employees, in States such as Vermont, to work for the State employment service agency. In answering my questions on this point Secretary Wirtz stated:

> It is contemplated that given good will and proper preparation . . . the assignment . . . can be accomplished with a minimum of difficulty . . . It is equally important that . . . it is made clear that he [the Federal employee] is not there to do their/[the State employees] jobs or in any way to be in competition with them.

These are nice phrases, but they do not answer the question. What will be the reaction of a State employee working side by side with a Federal employee in the State agency performing the same work under the same supervision, where the Federal employee has been assigned from Washington and is receiving a substantially higher Federal salary?

Several wise administrators have said that the best morale booster is a pay raise. To look at the other side of the coin, it would seem that the most effective way to lower the morale of State employees would be to put them to work in the foregoing circumstances.

I do not know what solution is possible in this type of situation, unless it is to delete the entire section providing for interchange of Federal and State employees. The bill originally considered by the Manpower Subcommittee gave the Secretary of Labor complete authority in making these assignments. I strenuously opposed this provision. The reported bill, however, requires the concurrence of the State agencies before such assignments can be made. I have no present intention of offering an amendment on this particular section, but I bring this problem to the attention of my colleagues for their consideration.

I shall offer certain amendments designed to increase the authority and discretion of State employment agencies in the new Federal-State relationship envisioned by this bill. The purpose of these amendments will be to restore the States to a full partnership with the Federal Government in providing employment services rather than, as feared by Secretary Wirtz, of leaving the States in a position of being merely agents of the Department of Labor in administering a Federal program.

I agree with others who have expressed concern that the Federal Government's takeover of program after program is threatening to destroy the concept of self-government divided between the States and the Federal Government contemplated by our Constitution. On June 23, 1966, the distinguished senior Senator from Ohio [Mr. LAUSCHE] made the following statement on this floor:

> Week after week more bills will be encroaching, on the part of the Federal government, upon those rights which legitimately belong to the States.

I agree with the remarks of the Senator from Ohio. I believe that this is an example of the kind of further legislation that he anticipated, and that a line must be drawn to preserve the integrity of our State governments.

My amendments are simple and easily understood. It is essential that my colleagues fully consider all the implications in this bill. A State must be protected from having its employment services operation decimated in whole or in part by an arbitrary decision cutting off or withdrawing funds prior to judicial review. Furthermore, States, particularly small States such as mine, must retain some administrative discretion as to the degree of separability of employment services and unemployment compensation offices. In addition, of course, there are the matters which I have already discussed concerning the retention of some discretion by the States in determining merit system standards and salary schedules for State employment service employees.

The suggestion has been made with respect to several of these points, and other matters which were considered in committee, that specific amendments are not necessary because language can be included in the committee reports and the legislative history indicating Congress intent as to the meaning of certain provisions.

I have the highest regard and warmest personal feelings toward Secretary Wirtz and most of his top level administrators in the Department of Labor.

I have no illusions, however, about the value of language in a committee report. Time after time departments and administrative agencies have disregarded the intent of Congress as expressed in committee and conference reports and in debates on the floor of the House and Senate in establishing rules and regulations in the administration of various statutes. Indeed, I discuss below an instance where the Department of Labor completely disregarded the language of a specific section of the Wagner-Peyser Act in promulgating a regulation.

Accordingly, I must disassociate myself from the position that this bill does not need amendments on the ground that the debate and the reports will clearly establish what Congress intends the Department of Labor to do or not to do.

Some of these amendments will require more consultation with the States by the Secretary of Labor, and will preclude the Secretary from bypassing the State agencies by entering into private contracts without first giving adequate notice and an opportunity for formal hearing to the State involved.

Another will permit a State to obtain judicial review in a U.S. court of appeals of a decision by the Secretary of Labor to enter into private contracts for the performance of functions normally handled by State employment service agencies.

Another will provide an automatic stay of an order by the Secretary of Labor cutting off funds to a State employmeny agency, in whole or in part, until the Secretary's determination has been upheld by a U.S. court of appeals in all instances where a State files a timely request for judicial review of the Secretary's decision.

Failure to adopt this amendment will leave the door open to decimation of a State agency by arbitrary administrative decisions, even though the State eventually prevails upon judicial review, as the withdrawal or withholding of funds will result in irreparable damage, in whole or in part, to a State in effectuating its employment service programs.

My other amendments will reserve to the States the final authority to determine first, the maximum extent to which the State employment services and unemployment compensation offices shall be separate; second, the minimum qualifications for professional occupations in State employment service agencies; third, the standards to be applied under State merit systems and for the establishment of salary schedules adequate to attract and retain qualified employees for State employment service agencies; and, fourth, whether to adopt methods of administration for its State employment services agency recommended by the Secretary of Labor.

There will be those who say my amendments are designed to weaken this bill. If they mean my amendments are intended to preserve a certain amount of autonomy in State governments rather than in concentrating all power in a centralized administrative body, then they are correct. In my judgment, however, my amendments will strengthen this legislation by requiring that the division of authority and responsibility between local and central governments be maintained in proper balance and perspective.

In certain areas, primarily those involving civil rights, it has been necessary for the Federal Government to preempt State governments. The pattern that is emerging, however, shows that regardless of necessity, the trend of this administration is to federalize as many programs as possible as quickly as possible.

It may be said that my amendments show that I am opposed to giving assistance to the unemployed, the underemployed and the disadvantaged.

I am tired of seeing Senators who oppose different pieces of legislation being tarred with the stigma of being against legislation which is allegedly in the public interest.

As my good friend, the senior Senator from New Hampshire [Mr. COTTON] said on the floor of the Senate recently, what Member of this body is opposed to health or safety or education? Yet the people will be informed by organized pressure groups that a vote against a health bill is a vote against improving the health of the general public; that a vote against a safety bill is a vote against adequately protecting the working man; that a vote against an education bill is a vote in favor of keeping our citizens uneducated and illiterate; and that a vote against this bill is a vote against providing assistance to the unemployed, underemployed and disadvantaged among us.

I do not need to say that I am in sympathy with all legislation which will help the unemployed, underemployed and disadvantaged individuals in our country. My colleagues well know my position and prior efforts on such matters as health, education, poverty, manpower and social security measures.

I believe the amendment which I shall introduce will retain for the States a greater measure of responsibility, but will not in any significant sense conflict with the overall objectives of S. 2974.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I thank the Senator from Pennsylvania. I shall ask for a rollcall vote on my amendment. I may have to ask for a quorum call in order to get enough Senators present to have the yeas and nays ordered.

AMENDMENT NO. 632

At this time I call up amendment No. 632.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 22, line 4, following the words "placement services,", strike out all through page 22, line 8.

Mr. DOMINICK. Mr. President, the bill which we are considering today—the Manpower Services Act of 1966—is an exceptionally important one. It will affect every employer, every worker, and every taxpayer in the Nation.

Because of its widespread ramifications, I think we should take a long look at this bill and see if it is going to do exactly what we want it to do.

The bill directs the U.S. Employment Service of the Department of Labor to find jobs for the unemployed and to direct disadvantaged citizens to governmental and private organizations offering training and other services needed to enhance their employability or to relieve their plight. I very happily support these worthwhile objectives, as being an important part of our attempt to reduce and eventually eliminate poverty and unemployment.

This bill, however, goes far beyond aid to the unemployed and disadvantaged; as a matter of fact, it hinders the attempt to aid such needy people. Section 4(a)(1) of the bill includes "recruitment" among the functions of the U.S. Employment Service, thus mandating an almost unlimited and unnecessary power in the field of employment.

Is this type of activity really in the best interest of the Nation? I am firmly convinced that it is not. In our effort to improve the public employment service and to make it more effective, let us not lose sight of the fact that this bill authorizes unlimited recruiting for companies—and this means advertising. The State employment office knows who the unemployed are. Advertising is an aggressive effort to attract those who already have jobs. Let us make no mistake on this point—the recruiting authorization, if allowed to stay in the bill, will hurt the disadvantaged, the underprivileged, and the unemployed by authorizing the diversion of money and time from people who need help to corporations and individuals who need no help. I see very little justification for serving corporations. I see, at the present time, no need to authorize the public employment service to negotiate a new position of $15,000 for an applicant who is already employed at a salary of $12,000. The end result will be to force the needy citizen to compete with more prosperous individuals and corporations for the attention and services of the employment system.

Let me say now for the record that when a bill authorizes a Government agency to make it more difficult for an unemployed man or woman to get a job offer, I will not go along without objecting; I will oppose it, and I will oppose it with all the vigor that I have.

In addition to its harmful effects upon the disadvantaged, the "recruitment" provision will have a side effect of encouraging the public employment service to recruit on behalf of one corporation at the expense of another—"pirating" is the word usually applied to such an operation. Yet, the cost of this "pirating" will be underwritten by both corporations and the general public. I find it impossible to accept such an activity as being truly in the public interest.

Should the bill be enacted into law with its present provision, and the public employment service begin to work for private corporations and companies, it would be only a matter of time until many thousands of private employment agencies would have too few customers to remain solvent. For how many companies, trying to keep costs down in order to remain competitive, are going to pay for the services of private agencies when they can have them paid for by the taxpayers. Slowly, but surely the independent agencies will pass out of the picture and with their disappearance, manpower control would automatically go to the public employment service. We would then have a monopoly in the job market—the ultimate power in a government bureau.

I will oppose any job monopoly. The concentration of such power in one area, unchecked by vigorous competition from private companies, would certainly reduce the effectiveness and efficiency of the public employment service below its present level. Such is the nature of any monopoly.

Multiplicity of employment channels should continue to exist and the people of our country should be free to choose where they will be employed, the circumstances of their employment and the channels through which they will find their life's work. By "multiplicity of employment channels" I refer to the 6,000 specialized and general employment services, to the many hundreds of executive search firms, to the college placement offices to the union halls, to the churches, trade associations, fraternal and social organizations that help people find jobs. These various channels must each be strengthened, if we are to have a truly effective national manpower system. But they will be weakened unless my amendment is adopted.

The Wagner-Peyser Act makes no provision for many current public employment service activities although the committee reports and the congressional debate preceding its enactment in 1933 leave no doubt that Congress intended the Bureau to solve the unemployment problem of those times. Obviously, it never contemplated the public employment service's becoming the comprehensive operation that it is today, nor the gigantic powerful manpower bureau that some now desire it to become. It is in the past few years that we have witnessed this accelerated growth of the public employment agencies throughout the country. The question arises whether this growth will prove worth while by its being utilized to help the needy or whether it will be wasted by duplicating services which can, and necessarily should, be performed by agencies not financed by the taxpayers.

I have heard it said by some who oppose the entire bill that the public employment service has been an inefficient operation and that it has been ineffective in providing jobs. To what extent this might be true, it is difficult to say. However, I do not think that it would be stretching the truth too far to say that the overall system could stand some improvement. That is why I am supporting the basic premise of this bill. But, to me, it makes no sense to try to improve the present system—to increase its effectiveness in aiding the unemployed, while at the same time, dissipating its efforts, by expanding its programs to serve corporations and those already employed. This would only diminish its present effectiveness.

What are some of the present inadequacies of the public employment service? I am compelled to draw the attention of the Senate to the following:

First. The number of people that the public employment service claims it has placed may be a yardstick for comparative purposes, but these figures include temporary placements. I am told that temporary placements in the Department may be as high as 50 percent. To my knowledge no audit of placements has ever been made. To illustrate how figures are inflated, some public employment services pay the salaries of employees in university placement offices. In return, the university agrees to give the state employment department credit for all temporary placements made by the university, and no job openings are supplied by the State employment department. A second example of misleading figures is revealed in the fact that State employees are often sent to resort areas in the summer to help college boys find jobs in resort hotels and it is claimed that as many as 300 placements per month are made by a single public employment service man. This would seem to indicate that the Public Employment Service today is not even as effective in finding jobs for the unemployed as we would like to think.

In Ohio, in October of 1963, the State employment department clerks reported in court, under oath, that they had received instructions from their supervisors to falsify figures concerning the number of placements made, and some offices had inflated their figures as much as 50 percent.

Some State employment departments send so-called vocational counselors into the 9th to 12th grades, and the testing given children is often done with tests designed for adults and are often interpreted by amateurs.

Despite the fact that the total testing time is short, followed by a counseling interview of 5 to 15 minutes, some State employment departments think they know the abilities and potential of students better than any other person or agency, with perhaps the exception of the students' parents.

The Senator from Pennsylvania might be entertained by this incident. In one of the places where the State employment office put vocational counselors in the school, the testing was done; and a lawyer recently remarked that his daughter was advised to go into the sale of plumbing supplies. I have not investigated this further, to learn whether she has done so, but I gather that the lawyer was not pleased with the advice.

A junior high school teacher has reported complaints from parents, such as one whose ninth grade son was told that he would make a good arc welder, but that he should not try acetylene welding. The parents said—I presume with a touch of irony—that he is planning to complete college first, before he makes a decision.

Although these examples are entertaining, it is not amusing to contemplate the effect that this type of amateurism could have on a child whose parents are not sufficiently sophisticated to counteract this situation.

These examples indicate that the present program is not yet doing a completely good job. Much room exists for improvement in the attempt of the program to aid the disadvantaged and the unemployed.

In my opinion, it is wrong to neutralize the efforts to improve the present system by burdening it with a completely new and unnecessary job.

The adoption of the amendment I have offered will make known the desire of Congress that: the public employment service must serve people—individuals; full employment opportunity is proper and practicable, and should be a priority rationale objective; the underlying rationale for a public, tax-supported employment service is that it can contribute to a reduction of unemployment by offering a host of specialized services to those who are in need of them; the employment service must supplement rather than supplant the role and activities of the job-finding channels; the employment service must not be operated so as to absorb normal recruiting costs of employers at the expense of other employers; and that the employment service must not be operated in such a way as to force its disadvantaged applicants to compete with the advantaged.

Mr. President, I concur in many aspects of the bill, particularly in the sections which authorize the encouragement of the employment service to become an effective instrument in the alleviation of the plight of the disadvantaged and the placement of the unemployed. Should the amendment I have offered be adopted and this policy be strengthened, then I believe the probability of the proposed legislation achieving its objective would be enhanced, and the ultimate interest of the public, the taxpayer, the businessman, and the needy citizen would be better served.

While the distinguished Senator from Ohio [Mr. LAUSCHE] is in the Chamber, I desire to call his attention to the fact that I mentioned his State as one of those in which there is the problem of determining what type of job the employment service is presently doing. For the information of the Senator, what I said was this:

> In October of 1963, in Ohio, the clerks of the State employment department reported in court, under oath, that they had received instructions from their supervisors to falsify figures concerning the number of placements which had been made, and some offices inflated their figures as much as 50 percent. This is a part of the problem that we have in trying to analyze the bill.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. I recall the incident very clearly. I believe that at that time I made a statement about it. My recollection is that each worker was supposed to produce a certain quantum of work, and that some of them did not. So in order to bring themselves up to the level of production, they were told to falsify their records and to make it appear that they did perform the work, which in truth they did not.

Mr. DOMINICK. I thank the Senator from Ohio.

The problem, of course, with this type of activity—I am sure it is not restricted to Ohio, although I have no other specific cases in mind—is that an analysis of the type of job that has in fact been done by the U.S. Employment Service is difficult to achieve.

In my supporting comments on the amendment that I have offered, I refer to the fact that a number of the placements claimed are temporary placements. By no means are they permanent jobs. They are interim jobs, for a period time over Christmas or during the summer at resort hotels, and jobs of that type.

I cannot understand why Senators should expand the role of the U.S. Employment Service so as to give that service the ability to pirate executives, supervisors or the well-paid people from one corporation to another, under the guise of creating jobs. The Service is not creating any jobs by doing that.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. CLARK. In connection with what the Senator from Colorado has just said, I invite his attention to the statement on page 4 of the report, which reads as follows:

> However, the committee would not condone recruitment activities whose primary purpose was to facilitate pirating of employees without substantial benefit.

I do not believe the intention of the bill is to encourage, to condone, or to permit the practice of pirating an employee from one firm in order to serve the needs of another firm. I would be happy to make legislative history right now in connection with the bill by saying that this type of activity is not to be engaged in.

Mr. DOMINICK. I am happy to hear the Senator from Pennsylvania say that for the record. Inasmuch as he feels this way, I am hopeful that he will accept the amendment.

In my opinion, it is not sensible to leave the words and the power and the privilege in the proposed legislation, and then say they shall not be exercised.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. CLARK. The Senator goes too far.

Mr. DOMINICK. I was afraid the Senator from Pennsylvania would say that.

I cannot understand why the words "including recruitment" were inserted. Preceding those words are the words "such services shall include but not be limited to." The bill does not contain the words "may include." The bill provides a mandatory program, whereby the employment service shall include recruitment for particular jobs in the corporate field or any other field.

If this does not involve pirating, I do not know what does.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield.

Mr. LAUSCHE. Does the Senator's amendment contemplate striking from the bill the language:

> (*Provided, however,* That recruitment to fill job openings shall be for the principal purpose of providing jobs for the unemployed or underemployed, or providing manpower for national security needs)?

Mr. DOMINICK. Yes, it does.

Mr. LAUSCHE. Is it the view of the Senator from Colorado that when an agency supposedly begins to attempt to transfer a person who it thinks is underemployed to a position where he will be adequately employed, it will be indulging in pirating?

Mr. DOMINICK. That is completely my position. I feel certain that among the Members of the U.S. Senate there are a number who feel that they would be more adequately employed if they were President of the United States and that, therefore, the U.S. Employment Service ought to be helping them to become more adequately employed by assisting them to become President. This situation could be carried to any extreme one wishes, but I cite that as one example.

Mr. LAUSCHE. That is, initially when the employment service bill was passed, it was contemplated for the State to render a service in finding employment for the unemployed.

Mr. DOMINICK. That was my theory of the entire service from the very beginning. It seems to me that we are going far beyond that in connection with the pending bill.

Mr. LAUSCHE. It is now proposed that they will not only find work for those who have no work, but they will also find new jobs for those who have jobs, allegedly on the grounds that they will give them jobs or adequate employment while they have jobs now of underemployment.

Mr. DOMINICK. The Senator is correct. A typical example, I think, in the wording of the bill, would be as follows. Let us assume there is a corporation, which we shall call corporation X. It has a job opening for a treasurer. It goes to the U.S. Employment Service and it says, "Find me a treasurer. We will pay him $18,000 a year."

The U.S. Employment Office goes through its centralized system and finds a fellow in Pennsylvania who did not want to remain as a treasurer in company Z in Pennsylvania. So he leaves and goes to the $18,000-a-year job in Colorado.

I do not see why the taxpayer should have to pay for that service. If corporations want to pirate from each other, they should do it on their own money and not on the money of taxpayers, who are supporting the job employment service.

Mr. LAUSCHE. If the amendment of the Senator from Colorado is adopted, the subparagraph marked (1) would require that the services rendered by the employment service shall be the furnishing of placement services, including recruitment. That means they would be fully empowered to find employment for the unemployed.

Mr. DOMINICK. My amendment would not include the words "including recruitment." It would read "furnishing replacement services," and then skip to "occupational and related testing and counseling," and so forth. We would strike the words "including recruitment" and all parenthetical clauses.

Mr. LAUSCHE. My understanding was that the Senator was striking all of the parenthetical clause, but the amendment of the Senator strikes out the words "including recruitment" on lines 4 and 5.

Mr. DOMINICK. The Senator is correct. The purpose is to eliminate the matter of recruitment. It does not seem to me that they should be recruiting in this manner. They should be placing people who are unemployed, but not recruiting other people.

Mr. LAUSCHE. It is my recollection that I engaged in a similar discussion with the Senator from Colorado [Mr. DOMINICK] a year or two ago on the matter of giving employment services the right to go out and land better jobs for those who already have jobs.

Mr. DOMINICK. The Senator is correct and I appreciated the support of the Senator from Ohio [Mr. LAUSCHE] at that time, and I do at the present time.

I had hoped that the distinguished manager of the bill, the Senator from Pennsylvania [Mr. CLARK], in view of his comments on the need for emphasis in connection with pirating, would accept my amendment. It appears that he will not accept it at the present time.

There is not a sufficient number of Senators present to request the yeas and nays.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. JAVITS. It is our intention to request a quorum so that the Senator may ask for the yeas and nays.

Mr. DOMINICK. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, I do not intend to speak further in connection with my amendment at the present time. After the Senator from Pennsylvania [Mr. CLARK] has finished, I shall request a live quorum so that Senators may understand my amendment.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. CLARK. The Senator is well within his rights in following that course, but I suggest that we get a live quorum now so that Senators may have the benefit of the remarks in opposition to the amendment of the Senator, and discussion by the Senator from New York [Mr. JAVITS] and myself.

Mr. DOMINICK. Mr. President, I have had the privilege of discussing my amendment with the Senator from Pennsylvania [Mr. CLARK] and with four or five other Senators.

The Senator is privileged to request a live quorum if he wishes, but I am happy to listen to him.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 14050) to extend and amend the Library Services and Construction Act.

The message also announced that the House had passed a joint resolution (H.J. Res. 1180) making continuing appropriations for the fiscal year 1967, and for other purposes, in which it requested the concurrence of the Senate.

Mr. CLARK. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside so that the Senator from Georgia [Mr. RUSSELL] may present an urgent matter.

The PRESIDING OFFICER (Mr. CANNON in the chair). Without objection, it is so ordered.

JOINT RESOLUTION MAKING CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 1967, AND FOR OTHER PURPOSES

Mr. RUSSELL of Georgia. Mr. President, I ask unanimous consent that the Chair lay before the Senate a joint resolution coming from the House, House Joint Resolution 1180.

The PRESIDING OFFICER laid before the Senate House Joint Resolution 1180, a joint resolution making continuing appropriations for the fiscal year 1967, and for other purposes, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider it.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUSSELL of Georgia. Mr. President, the pending joint resolution is the usual type of resolution which comes before the Senate each year about this time from the House and is necessary to continue projects and activities of the Government until the appropriations bills are enacted into law.

All authority under this resolution expires August 31, 1966. Section 101(a) of the resolution deals with appropriation bills which have been passed by the House.

Section 101(b) of the resolution deals with functions which will be contained in appropriation bills to be reported to the House in the future.

With reference to bills passed by the two Houses, the resolution provides funds for the pertinent project or activity under the lesser amount of the Senate or House bill; however, in those instances where an item is included in only one version of an act passed by both Houses, or whenever an act has been passed by only one House, the project or activity shall be continued under the authority granted by the one House but at a rate not exceeding the current rate or the rate permitted by the one House, whichever is lower.

In those instances where an appropriation bill has not passed either body, the resolution continues projects or activities which were conducted in fiscal year 1966 at a rate not in excess of the current rate or the rate provided for in the budget estimates, whichever is lower. An activity such as the Office of Economic Opportunity is authorized to continue under this language. The resolution provides authority to the Veterans' Administration to carry out the provisions of the Veterans' Readjustment Benefits Act of 1966 and for amounts in the 1967 budget estimates for the Senate.

All expenditures made pursuant to the resolution shall be charged to the applicable appropriation bill when it is enacted into law.

Two appropriation bills for fiscal year 1967 have cleared the Congress—the Interior and the Treasury-Post Office-Executive Office appropriation bills. The Senate committee has four appropriation bills—the Agriculture bill, which was marked up in subcommittee this morning, Independent Offices, Labor-Health, Education, and Welfare, and the legislative appropriation bills, upon which hearings have been concluded, and which should be reported to the Senate shortly after the Fourth of July recess.

Mr. President, the adoption of this joint resolution is essential to the operation of the Government of the United States, and I urge that it be approved.

The PRESIDING OFFICER. The joint resolution is before the Senate and open to amendment.

If there be no amendment to be proposed, the question is on third reading and passage of the joint resolution.

The joint resolution was read the third time, and passed.

Mr. RUSSELL of Georgia. Mr. President, I thank the Chair.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 8337. An act to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes;

H.R. 10823. An act relating to credit life insurance and credit health and accident insurance with respect to student loans;

H.R. 12119. An act to authorize the Commissioners of the District of Columbia to replace the existing 14th Street Bridge, also known as the Highway Bridge, across the Potomac River, and for other purposes; and

H.J. Res. 1178. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the 93d annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in Washington, D.C., in July 1967, to authorize the granting of certain permits to Imperial Shrine Convention, 1967, Inc., on the occasion of such sessions, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 8337. An act to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes;

H.R. 10823. An act relating to credit life insurance and credit health and accident insurance with respect to student loans;

H.R. 12119. An act to authorize the Commissioners of the District of Columbia to replace the existing 14th Street Bridge, also known as the Highway Bridge, across the Potomac River, and for other purposes; and

H.J. Res. 1178. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the 93d annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in Washington, D.C., in July 1967, to authorize the granting of certain permits to Imperial Shrine Convention, 1967, Inc., on the occasion of such sessions, and for other purposes.

MANPOWER SERVICES ACT OF 1966

The Senate resumed the consideration of the bill (S. 2974) to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such act at both State and Federal levels, and for other purposes.

Mr. CLARK. Mr. President, it is with deep regret that I cannot accept the amendment offered by the Senator from Colorado. The question of recruitment was considered at great length in the markup sessions of the subcommittee, and the full committee. This is a controversial matter, and I believe that the language which appears on lines 4 through 8 on page 22 represents a fair compromise of the conflicting views of a number of different, vested interests. Without further comment, I will have to oppose the amendment.

The PRESIDING OFFICER. The question is on adoption of the amendment of the Senator from Colorado. On this question the yeas and nays have been ordered.

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum, and should like to make it clear that this will be a live quorum, so that we can wind up this matter and proceed to a vote.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 118 Leg.]

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Harris
Hart
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], and the Senator from Oregon [Mrs. NEUBERGER], are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK]; the Senator from Connecticut [Mr. DODD]; the Senator from Indiana [Mr. HARTKE]; the Senator from New Hampshire [Mr. MCINTYRE]; and the Senator from Maine [Mr. MUSKIE], are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Wyoming [Mr. SIMPSON] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment of the Senator from Colorado (No. 632). The yeas and nays have been ordered, and the clerk will call the roll.

Mr. JAVITS. Mr. President, I did not understand that we were through with the debate on this amendment. I think the Senator from Colorado wishes to be heard. I know I wish to be heard.

Does the Senator from Colorado wish to be heard now?

Mr. DOMINICK. Mr. President, I wish to reserve 2 minutes to speak on the amendment after the Senator from New York has completed his statement.

Mr. CLARK. Mr. President, I ask unanimous consent that the Senate reconsider the action just taken, in order that the Senators from Colorado and New York may be heard.

The PRESIDING OFFICER. The Chair informs the Senator that no action has been taken, and there is no time limitation in effect.

Mr. JAVITS. Mr. President, I am thoroughly acquainted with the reason for the Senator from Colorado's proposal. With a complete understanding of his position—and I do not wish to be taken as being violently opposed to it or anything like that because it does not deserve it—I believe this is a very close question, which was settled in the committee, and I think the settlement was a reasonable one. That is the only thing to which I wish to speak. I shall vote to sustain the settlement. If the matter had not been settled, I would be voting with the Senator from Colorado.

I think that, in raising the question, the Senator serves us all, because at the very least, even if he is not successful, it will sharpen the understanding of the agreement which was entered into and to which we may refer in the future.

Mr. President, when the bill was first considered by the committee, it contained a flat authority, which had not been in the law before—and that is a very important point; it had not been in the law before—giving the manpower services, as they are now to be called, the clear authority to recruit.

Inclusion of the word "recruitment" was violently objected to by the private employment agencies, which more and more are engaged in recruitment of people in place A for jobs which are available in place B, of people wishing to change employers, for whatever good reasons they may have—better wages, better opportunities, a better place of work, and so on—and the private agencies saw this as an effort of the public agencies to raid everything along that line which the private agencies were already doing.

The subcommittee which originally considered this matter was much impressed with this issue, and from the very moment that the matter began to be debated—and it was debated for hours—it was clear that we had to do something about refining the word "recruitment." We made a strong effort to specify our terms, and we finally arrived at the formula contained in the proviso in Section 4(a)(1)

I am satisfied that that is a reasonable compromise, for these reasons:

First, there is a legitimate area—though a narrow one—for recruitment of employed persons on the part of a Federal-State Employment Service; and that is primarily to upgrade those who are underemployed. For example—and I shall state an extreme case, because the point is important—if a Negro who has a Ph. D. has to take a job as a floor sweeper in a factory, because there are not any opportunities available for Negro Ph. D.'s—and that is by no means a rare case, Mr. President, as we gradually break out into greater opportunities for minority groups—then I believe the Federal-State Employment Service should do its best to obtain a job for such a person more compatible with his training; and to that extent, recruitment becomes desirable.

In addition, where we are dealing with national security needs, where our Government, for strategic reasons, has established factories in parts of the country which are hard to get to, or which are underpopulated, there, again, there exists an area for recruitment by a Government employment service.

On the other hand, to induce a technician or an engineer or a similar reasonably high-salaried employee to leave the Boeing Aircraft Corp. and come east to Republic Aviation is certainly no proper function of the Federal-State Employment Service, but is strictly the business of private employment agencies.

I think when we couple the provisions of the bill, which limit the meaning of the word "recruitment" very sharply, with the directives which the committee has embodied in the report, the legislative intent becomes quite clear. The most important of those directives is found at page 4, in the last paragraph under the explanation of this section of the bill, where we specifically say:

> However, the committee would not condone recruitment activities whose primary purpose was to facilitate pirating of employees without substantial benefit. In addition, the committee wishes to note that certain current advertising practices were open to question. In the future, the manpower services system should refrain from advertising, or participating in advertising, which links the name of the manpower services system with the name of a specific employer or employers.

Those are very sharp limitations, and they were written to clarify the use of the words "principal purpose," which are found in the bill on page 22, line 6, in the proviso defining "recruitment" in section 4(a)(1).

Personally, I should have liked the bill better if the committee had stricken out those words and defined recruitment specifically, without using the words "principal purpose," because those words arouse the fear that the Secretary has some latitude, some discretion as to just exactly how tightly he will apply this definition.

But when the definition in the bill, which is restrictive, is considered together with the statements of policy contained in the committee report, with the continuing legislative oversight which we shall have in this matter, and this debate which the Senator from Colorado [Mr. DOMINICK] has, I think quite properly, brought on, and which will rivet into the bill our intent as set forth in the report, then I think we have achieved a reasonable settlement of this very difficult controversy, which induces me to feel that while I value what is being done, and I think it is necessary, I shall vote to sustain the compromise as the committee arrived at it.

The two points which I stress to the Senate are, first, the fact that the language in the bill is a compromise arrived at after very ardent negotiation on both sides of the aisle, and, second, that it is clarified and riveted into the bill by the legislative intention which we now display on the floor of the Senate as the basis for the imminent vote upon the pending amendment.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I ask the Senator if he believes, if the Dominick amendment is agreed to, that the language at lines 10, 11, 12, and 13 on page 22 meets the objectives to which he has directed this attention. The language to which I refer is as follows:

> The furnishing of information concerning employment and training opportunities to all individuals and employers seeking such services.

Mr. JAVITS. I think an agile Secretary of Labor could, by giving information, engage in recruitment. We do not wish to encourage that sort of thing. We might just as well face the issue, and I think we are facing it when we say that he shall have the opportunity to recruit within a very limited compass. The important thing, in my judgment, is to keep the authority limited.

Mr. COOPER. But as I understand it, the amendment suggested by the Senator from Colorado [Mr. DOMINICK] would leave in this subsection the language which I have just read. In the Senator's judgment, with this language left in, would that meet those particular situations to which the Senator has referred, and which he thinks should be covered?

Mr. JAVITS. As I say, I think a Secretary willing to run the risk of stretching the law could probably recruit under the guise of furnishing information; but for myself, I would not want to write legislation where I know in advance that to meet what I feel the Secretary has a right to do, he has to stretch the words of the law. I would rather give him the authority and limit that authority both by the legislative intent and by the language of the bill; and that is what I feel we are doing now.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Vermont.

Mr. AIKEN. I address my question to anybody who can answer it: Is this bill intended as a war measure?

Mr. JAVITS. No; it is very definitely not.

Mr. AIKEN. Does it not give war plants preference?

Mr. JAVITS. It is not a preference; it is only authority that is given the Secretary in case he needs it, to recruit, if necessary, for national security needs, and that would obtain in peacetime as well as in wartime.

Mr. AIKEN. But at present, the war plants have no preference; is that correct?

Mr. JAVITS. No; they do not.

Mr. AIKEN. This would give them preference?

Mr. JAVITS. It does not.

Mr. AIKEN. It would give them preference if the Secretary saw fit to use it; would it not?

Mr. JAVITS. No; it does not. This is just authority to exercise his authority as a service agency for national security needs.

Mr. AIKEN. But it says "providing manpower for national security needs."

Mr. JAVITS. But the only thing he can do, as to that, is to seek to recruit manpower for a particular place or a particular job.

Mr. AIKEN. But to recruit them for plants considered essential to national security.

Mr. JAVITS. In the event that that is required. But that does not give him any power to make that job a priority job, or a national security job.

Mr. AIKEN. Then it is a potential wartime measure?

Mr. JAVITS. Well, it would undoubtedly be used more in the present Vietnam situation than tomorrow, when we are through with Vietnam.

Mr. AIKEN. Yes.

Mr. JAVITS. But it does not give a preference.

Mr. AIKEN. I appreciate the Senator's optimism even in thinking of getting through with Vietnam, but it looks to me as though this might be the first of a long series of wartime controls and wartime measures.

Mr. JAVITS. I think, with all due respect to the Senator, it does not give a preference and it does not afford a control. It gives authority to the Secretary to use his function for a certain purpose, and that purpose only.

Mr. AIKEN. It still sounds like a wartime measure.

[Several Senators addressed the Chair.]

Mr. CLARK. Mr. President, will the Senator yield to me as manager of the bill?

Mr. JAVITS. Of course.

Mr. CLARK. As the manager of the bill, I would be happy to respond to these questions.

Mr. JAVITS. I am happy to yield to the Senator.

Mr. CLARK. I yield to the Senator from Nebraska.

Mr. CURTIS. Mr. President, a private concern that provides skills for potential employers has a title that is somewhat similar to the title of this bill.

I believe they call themselves Manpower, Inc., and this is the Manpower Services Act of 1966. Has that problem been taken up by the committee?

Mr. CLARK. Yes, it has been taken up. I had a colloquy with the Senator from Wisconsin, who raised that point. There are provisions in the report of the bill which we believe are adequate to protect that company. We did change the name of the local offices to job service centers instead of manpower service centers in order to meet what I think was a legitimate objection.

Mr. CURTIS. Page 21 of the bill, beginning on line 21, reads:

> The Secretary shall develop, in cooperation with the States and in accordance with this act, a nationwide manpower services system which shall provide service essential for effective development and utilization of the Nation's manpower resources.

Who is to decide what is the effective utilization of an individual's services?

Mr. CLARK. I think that the decision has to be a cooperative decision between the 50 State employment services and the Secretary of Labor under the standards laid down in section 4 of the act which, as the Senator can see, covers several pages.

Mr. CURTIS. The act is very broad. It plainly states that it does not deal with the narrow subject of bringing employer and employee together.

Mr. CLARK. The Senator is correct.

Mr. CURTIS. It seems to me that that may contain the power to manage our economy and to have Government decide what is the effective development and utilization of manpower resources.

Manpower resources are human beings. Employers are ofttimes private individuals, but would they be private individuals or a corporate firm?

I wonder whether the bill gives authority for the Government to decide who is going to be employed and where.

Mr. CLARK. I would not think the fears of the Senator had any overall validity. The act is the product of over 600 pages of hearings and is a compromise between a great many different interests involved. I believe it tends to substantially strengthen the manpower services which are made available through the 50 States and are paid for by the Federal Government.

I do not personally believe—and it is a matter of judgment on which the Senator might disagree with me—that the interpretation he places on the bill is justified.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. LAUSCHE. Mr. President, section 4 of the bill, on page 22, would give the Secretary the right to engage in recruitment. I call the attention of the Senator from Pennsylvania to page 37, section 13.

Section 13 provides:

> The functions of the Secretary under section 6(b) and, to the maximum extent practicable, under section 4(a) (1), (2), (3), and (5), and section 5 of this Act shall be carried out through State manpower services and job services centers.

That means that the Secretary is told in the first paragraph that he must carry out these services in conjunction with State manpower agencies and job service centers.

Subparagraph (b) provides:

> (b) The Secretary may utilize the services of State manpower services and job services centers in carrying out any other functions under the Act.

I now come to the pertinent part of my inquiry. Subparagraphs (c) and (d) state that the Secretary may enter into contracts with private agencies when he deems it advisable and may separate the State centers from the performance of functions which it has performed in the past, and which basically this bill contemplates that he shall perform.

Why do we propose to give the Secretary the right to bypass the State employment agency and allow him to engage in contracts with private agencies?

Mr. CLARK. I do not think that the statement of the Senator is quite correct when he states that the provision is a bypassing arrangement.

The purpose of the provision is to enable the Secretary to carry out the functions given to him under the act through contract, if he finds after 30 days' notice of and opportunity for a hearing, that the State service is not willing to do what it is supposed to do under the terms of the act.

Mr. LAUSCHE. He would give 30 days' notice to the State and after notice and an opportunity of hearing has been given, he could then—let us say bypass is not the correct term, but I still insist on using it—bypass the Governor and engage private agencies to do the job.

Mr. CLARK. Mr. President, I point out that there is a provision for a hearing.

Mr. LAUSCHE. If a group were to get together in a particular neighborhood and form a nonprofit corporation to provide job service, would the Secretary have authority to enter into a contract with that group to provide the job service after he had complied with the statute?

Mr. CLARK. The Senator is correct, but only to the extent that the Secretary makes a determination that the State agency is not performing the duty required under the act.

Mr. LAUSCHE. The ultimate judgment, however—subject to judicial review—would be in the Secretary.

Mr. CLARK. The Senator is correct if it involves withholding of funds.

Mr. LAUSCHE. Why do we adopt a policy that has not been in existence in the past in order to allow private agencies to perform these functions?

Mr. CLARK. That is done because of widespread dissatisfaction with the way some State employment services have been functioning.

Mr. LAUSCHE. Does the provision follow the same pattern as does the Poverty Act, which deals with community groups administering the money of the taxpayers?

Mr. CLARK. I do not think the analogy is very exact. It is true that in the poverty program the States are to a certain extent bypassed. However, that analogy is more in accord with urban renewal and housing than it is with the employment service situation here, the fundamental concept is that the States under somewhat loose standards laid down by the Secretary shall have administrative responsibility. We do not believe there will be many instances in which there will be bypassing of State agencies.

Mr. LAUSCHE. The situation will exist, however, that the Secretary of Labor can send his delegation to the Governor of the State and that delegation can tell the Governor, "Unless you do A, B, C, D, and E, we will separate you from the right to administer the act."

Mr. CLARK. The Senator is correct, and they may go to the private sector, whether profit or nonprofit, and have them do the job.

Mr. LAUSCHE. I think the discussion has clarified my point.

(At this point Mr. COTTON assumed the chair as the Presiding Officer.)

Mr. DOMINICK. Mr. President, I shall only take a few more minutes, and I hope that then the Senate will proceed to vote.

I desire to point out what my amendment would do. The report indicates that the intention of the Senate is not to condone recruitment activities whose primary purpose is to facilitate pirating of employees, without substantial benefit. In other words, even the report admits that employees will be pirated.

Reardless of the statements in the report, the bill would specifically require services to be established for recruitment, including recruitment for the purpose of curing underemployment.

As I said earlier, in colloquy with the Senator from Ohio [Mr. LAUSCHE], I presume that some Senators are of the opinion that they are underemployed, and that they might like to be President.

The questions are, what is underemployment, who is going to determine it, and why should the taxpayers pay into a general fund for the establishment of a service in order to attempt to upgrade corporate officers whose income is high? That does not make sense to me.

If my amendment is adopted, the provisions pertaining to the furnishing of placement services will be left in. Then would come line 9, including occupation and related testing and counseling selection and referral training, and the furnishing of information concerning unemployment and training opportunities.

The purpose of the proposed amendment is to prevent this agency, which is supposed to take care of the disadvantaged and the unemployed, from being put into the process of recruitment of job opportunities.

Mr. CLARK. Mr. President, on behalf of the committee, I hope that this amendment will be defeated. It is opposed by the Department of Labor, by the administration, by the AFL–CIO, and by the Interstate Conference of Employment Security Directors.

I have in my hand a telegram from the Director of the Bureau of Employment Security in the State of Pennsylvania. I understand that similar telegrams have been sent to most, if not all, Senators from their State employment services.

I quote in part:

> Any restrictions on recruitment would seriously impair the ability of the public employment service to adequately discharge its responsibilities to workers and employers.

The State employment services want to retain the word "recruitment" and to eliminate the provisions within the parentheses. Therefore, they take a stronger position than that of the committee.

Generally speaking, the compromise language does not place stringent limits on recruitment, but it does direct that it focus primarily on "providing jobs for the unemployed or underemployed or providing manpower for national security needs." Recruitment has been an important and necessary function of the employment service for many years, and is one of the major means by which the service has matched men and jobs. Without the ability to recruit, the service would be reduced to passively sitting on its hands, waiting for people or jobs to come to it. The serious employment and manpower problems which exist demand a more active service which can reach out to both jobseekers and employers.

The language under consideration is the result of a compromise between what the private employment agencies desire, which is to strike out recruitment, and what the other interests in connection with the bill desire—the administration, the labor movement, and the State employment services—which is to have recruitment, with no modifying language.

Therefore, I hope the Senate will accept the compromise and that the amendment will be defeated.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. JAVITS. As the manager of the bill, will the Senator from Pennsylvania affirm to us the serious intention of the subcommittee to follow through, in terms of legislative oversight, against pirating of employees, which is what the private employment agencies properly complained about, against current advertising practices which link the name of the manpower services system with the name of a specific employer or employers, or generally try to proselytize people who are not unemployed or underemployed?

Mr. CLARK. Yes.

Mr. JAVITS. I think that is important in this matter.

Mr. KENNEDY of Massachusetts. Mr. President, the amendments to the Wagner-Peyser Act that we are considering today will go a long way toward strengthening the U.S. Employment Service. The Employment Service was established not only as a device to insure the unemployed that they will have the needed information and assistance to once again find productive employment, but of equal importance was the need to have a Federal-State structure that would work to bring the greatest amount of information and mobility to our most precious national resource—our Nation's manpower. By strengthening this system today we will in effect be strengthening one of the most important weapons in our national effort to maintain a stable and growing economy. In periods of unemployment it is, of course, necessary that there be full information within the economy about job possibilities. But of equal importance in a period of relative manpower scarcity, such as we are currently facing, information in the labor market is our best device in eliminating possible manpower bottlenecks that can add inflationary tendencies to an already tight economic situation.

A major question before the Senate today is whether or not we shall write into law what we currently have in practice—namely, that the Employment Service can actively recruit people to fill job openings. When this question came before our committee, the views of the private employment agencies in this country were not only received but were heeded in our deliberations. As a result, the word "recruitment" in the bill has been qualified so that there can be no mistake of our intentions. The language now reads that one of the general functions of our renewed nationwide manpower services system will be to provide a recruitment service "provided, however, that recruitment to fill job openings shall be for the principal purpose of providing jobs for the unemployed or underemployed, or providing manpower for national security needs."

This qualification was placed in the bill because we did recognize that in certain skill levels private employment agencies in this country are performing a service, and performing it very well. It was not our intention, therefore, that where private employment agencies are performing, the public employment agency should intrude itself, for we recognize that the public employment agency, if it is doing its job, will be busy enough handling the needs of the more disadvantaged in our economy.

The committee report is very clear as to our intention, and even the minority views of Senator JAVITS, one of the leading spokesmen of the private agencies on the committee, states that the language that appears in the bill is satisfactory. In fact, he says that the wording of the bill could be regarded "as a constructive compromise."

I would also bring to the attention of the Senate that a study completed last year by some of the leading labor economists in this country on the employment service—a study which to a large extent determined the outlines of the bill today—recognized the recruitment issue that we faced in committee. That study stated:

> Normally, the employment service should direct most of its resources to jobseekers who are unemployed or who have special handicaps in the labor market. Also, in some cases, it will withdraw from certain areas where its objectives have been realized or where it is determined that another public or private agency can do a more effective job. The contraction or expansion of the operations of the employment service, therefore, should arise not from narrow bureaucratic considerations, but from an appreciation of its basic mission in a changing labor market and economy.

Mr. President, after days of hard deliberation on this matter in committee and after hours of negotiation with the private employment agencies, I feel that it would be a drastic mistake now to strike any reference to recruitment from the bill. Not only would that be harmful to the efforts that the Labor Department feels it could constructively carry on under the bill, because of the negative implications that would flow from the congressional history, but we would also be denying the unemployed and the underemployed the opportunity to experience a well organized and dedicated employment service working in their behalf in an active, rather than passive, way.

Mr. KENNEDY of New York. Mr. President, I rise in opposition to the amendment offered by the Senator from Colorado.

One of the important purposes of this legislation is to reach, as public employment services have not reached in the past, into the ghetto, into the neighborhoods where knowledge of job openings and job training programs has been seriously limited. The recruitment authority which the Senator from Colorado would strike from the bill will assure that the unemployed and the underemployed will receive the concentrated attention of the public employment services.

It is true that private employment service firms around the country were concerned about the recruitment authority in the bill, which, as introduced, did not contain the proviso in lines 5 through 8 of page 22.

I met with a group of New York members of this industry and heard of their concern. I assured them that it is not the intent of S. 2974 to destroy or injure the private employment service industry, and that I would be glad to work to see that their concern was met by adoption of appropriate language. Negotiations took place, and the result was the proviso on page 22. This makes it clear that the principal purpose of the recruitment authority is to reach out to aid unemployed persons in obtaining jobs and underemployed persons in improving their skills.

I believe that this proviso goes far toward meeting any concern that the public employment service would now undertake wholesale recruitment for private firms and hereby cut into the legitimate business of private employment agencies.

I would urge the Senate, therefore, to respect the accommodation which the committee reached on this matter, and to reject the attempt of the Senator from Colorado to eliminate the recruitment authority from the bill. I emphasize again that the purpose of the recruitment language is to enable the public employment service to reach into the ghetto to help people who have not been aware of the services available to them, and to bring jobs and job training programs to people who have sometimes not known where to turn simply because of a lack of information. This purpose would be totally thwarted by the amendment of the Senator from Colorado. I urge the Senate to reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Indiana [Mr. HARTKE], the Senator from New Hampshire [Mr. MCINTYRE], and the Senator from Maine [Mr. MUSKIE] are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Indiana [Mr. HARTKE], the Senator from Missouri [Mr. LONG], and the Senator from Oregon [Mrs. NEUBERGER] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Wyoming [Mr. SIMPSON] is necessarily absent, and, if present and voting, would vote "yea."

The result was announced—yeas 31, nays 58, as follows:

[No. 119 Leg.]

YEAS—31

Aiken
Allott
Bennett
Byrd, Va.
Cooper
Cotton
Curtis
Dirksen
Dominick
Fannin
Griffin
Hickenlooper
Hruska
Jordan, Idaho
Kuchel
Lausche
McClellan
Miller
Morton
Mundt
Murphy
Pearson
Prouty
Robertson
Russell, Ga.
Saltonstall
Smith
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—58

Anderson
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Byrd, W. Va.
Cannon
Case
Church
Clark
Douglas
Eastland
Ellender
Ervin
Fong
Fulbright
Gore
Gruening
Harris
Hart
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Russell, S.C.
Scott
Smathers
Sparkman
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—11

Burdick
Carlson
Dodd
Hartke
Hayden
Long, Mo.
McGee
McIntyre
Muskie
Neuberger
Simpson

So Mr. DOMINICK's amendment was rejected.

Mr. MURPHY. Mr. President, I want to call the attention of my colleagues in the Senate to a peculiar, confusing and, in my opinion, highly unfortunate situation which has arisen in California in connection with farmworkers and the efforts of certain unions and individuals to represent them.

As is well known, since last September labor organizations and individuals, principally the Agriculture Workers Organizational Committee of the AFL-CIO, International Brotherhood of Teamsters, and the National Farm Workers Association headed by Mr. Cesar Chavez, have been active in attempting to organize and in claiming to represent California farmworkers principally those on the grape fields of the San Joaquin Valley.

There has been a great deal of dissension and civic disturbance caused in particular by Mr. Chavez's activity in the area of Delano, Calif., which attracted much attention and was the main reason the Senate Subcommittee on Migratory Labor had hearings in Delano last March. At those hearings, Mr. Chavez, who himself is not a member of any recognized union, as well as representatives of the AFL–CIO, were very outspoken in asserting that the farmworkers should have an opportunity to decide if they wished to be represented by a union.

In recent weeks, the Di Giorgio Corp., one of the area's principal farm employers, has been engaged in an effort to give those workers just that opportunity—to vote and decide for themselves if they wished to be represented by a union and, if so, by what union. Mr. Di Giorgio has stated his desire that his workers be represented by a union if they so wish, and he enlisted the assistance of the California State Conciliation Service to arrange a representation election by his workers. Mr. Chavez has refused to enter into these negotiations and has disrupted them continually on various excuses, giving much evidence to indicate that when it got right down to it, Mr. Chavez did not want an election but simply wanted to be named arbitrarily as the representative of the farmworkers. This is exactly what happened, I believe unfortunately, in the case of the Schenley Corp., also a Delano grower, as a result of pressure caused by a boycott imposed on Schenley Corp. by the United Auto Workers. Schenley executives in the east agreed to bargain with Chavez as the representative of their workers, giving their workers absolutely no choice in the matter. After Chavez' continual balking at negotiations, the Catholic bishop from Fresno, Bishop Willinger, who is very close to the workers involved, stepped in and approved a plan by which the Di Giorgios would hold an election on two of their farms—those in Delano and Borrego, near San Diego.

After further efforts by Mr. Chavez' group to prevent such an election, an election was held in Delano and Borrego last Friday, June 24. I regret to report that at the Delano polling places there was an organized effort to prevent the Di Giorgio workers from voting. Furthermore, the home of Reverend Moore, a highly respected Negro minister of Delano who was a referee in the election, was picketed during the night preceding the election.

Following is a summary of the vote as certified by Touche, Ross, Bailey & Smart, certified public accountants:

Eligible voters	732
Total votes cast	385
For union representation	284
Against union representation	60
For affiliation with:	
Agricultural Workers Organizing Committee	3
National Farm Workers Association	9
International Brotherhood of Teamsters	281
Others	5

It seems to me important for the workers on the Di Giorgio farms, for the Di Giorgio company, for the citizens of Delano who have, for too long, been subjected to civic disturbances and for the future of agriculture across the country that the results of the election just held be accepted in an orderly manner.

Because of the confusion and distortions which have come from Delano, I believe it important that an impartial and thorough investigation be made of Mr. Chavez' activities there surrounding the Di Giorgio election as well as organizing activity on other farms. I strongly urge that the Senate Migratory Labor Subcommittee make such investigation in order to separate fact from fiction in the circumstances surrounding this entire matter.

Mr. DOMINICK. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read the amendment, as follows:

On page 22, line 7, strike the words "or underemployed".

Mr. DOMINICK. Mr. President, I am not sure that every Senator understood what I was trying to do in my last amendment. If I may have the attention of Senators, I shall take about 2 minutes in order to explain what I am trying to do.

The pending amendment would strike from the parenthetical phrase, on page 22 of the bill, the words, "or underemployed," so that the recruitment will say that the primary source can provide jobs for the unemployed and manpower for national security needs. It would still retain the power of recruitment when it says it shall not recruit, in this connection if the principal purpose is the underemployed. If those words, "or underemployed," are left in, it will mean that the Secretary can determine who is employed properly and who is not, and then he can determine what they will do by way of recruitment for new jobs, which will mean that the Secretary will be given power beyond anything he has ever enjoyed before. This does not restrict it in any way to specifying the main purpose, which is to try to help unemployment and the disadvantaged. So I ask the Senate to support my amendment.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, I would hope the amendment will be defeated. Striking the words "or underemployed" out of the parenthetical part on line 7, page 22 of the bill, would cripple a substantial amount of the recruiting which we hope the State employment services will engage in.

One of today's big problems is to upgrade the employment level of those underemployed. This is of particular importance in the poverty program where we try to give unskilled workers enough training to help them get a better job at better pay. If the words "or underemployed" are stricken, this would not be possible. I, therefore, hope that the amendment will be defeated.

Mr. DOMINICK. One last word. I want to say that this is the pirating provision in the bill. If we leave in the words "or underemployed" we shall not prevent pirating from one company to another.

Mr. CLARK. I happen to differ with my good friend the Senator from Colorado on that point. There is nothing in the bill which will encourage pirating. We have a strong provision in the report against pirating. As a matter of legislative history, we have made it clear that pirating by State employment services is not condoned.

Mr. DOMINICK. How could it possibly be prohibited when we would require—if I may say so—the Secretary to provide services to find new jobs for people, and he will determine whether they are unemployed or not. This is left to the Secretary of Labor, at his own discretion. Then he can go ahead and say that if a company wants a treasurer over here, we can take one from Pennsylvania and put him in Ohio.

Mr. CLARK. On page 4 of the report, it states that, "the committee would not condone recruitment activities whose primary purpose was to facilitate pirating of employees without substantial benefit."

Mr. DOMINICK. The trouble with that is that the report is not law. The law says he has to.

Mr. LAUSCHE. Mr. President, the bill provides that the Secretary may recruit if he believes that a man is underemployed. That language is plain and simple. At his discretion, he can decide whether "x" is unemployed, and he will go out and solicit him to find a job that will measure up to his capacities. The language is clear. The efforts to distort the language are also clear.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Arizona [Mr. Hayden], the Senator from Missouri [Mr. Long], the Senator from Wyoming [Mr. McGee] and the Senator from Oregon [Mrs. Neuberger] are absent on official business.

I also announce that the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Indiana [Mr. Hartke], the Senator from New Hampshire [Mr. McIntyre], the Senator from Maine [Mr. Muskie], and the Senator from Virginia [Mr. Robertson] are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Indiana [Mr. Hartke], the Senator from Missouri [Mr. Long], and the Senator from Oregon [Mrs. Neuberger] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] is absent on official business.

The Senator from Wyoming [Mr. SIMPSON] is necessarily absent, and if present and voting, would vote "yea."

The result was announced—yeas 28, nays 60, as follows:

[No. 120 Leg.]

YEAS—28

Aiken
Bennett
Boggs
Byrd, Va.
Cotton
Curtis
Dirksen
Dominick
Ellender
Fannin
Griffin
Hickenlooper
Holland
Hruska
Jordan, Idaho
Kuchel
Lausche
McClellan
Morton
Mundt
Murphy
Prouty
Saltonstall
Scott
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—60

Allott
Anderson
Bartlett
Bass
Bayh
Bible
Brewster
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Douglas
Eastland
Ervin
Fong
Fulbright
Gore
Gruening
Harris
Hart
Hill
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Moss
Nelson
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—12

Burdick
Carlson
Dodd
Hartke
Hayden
Long, Mo.
McGee
McIntyre
Muskie
Neuberger
Robertson
Simpson

So Mr. DOMINICK's amendment was rejected.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. LAUSCHE. Mr. President, I have sent an amendment to the desk, and ask that it be read.

The PRESIDING OFFICER. The amendments offered by the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 37, to strike out lines 14 through 23, and on line 24 to change "(d)" to "(c)", and on page 38, line 8, to change "(e)" to "(d)".

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, in the bill, under the heading of "General Functions," it is stated:

> The Secretary shall develop, in cooperation with the States—

Certain objectives and functions.

On page 37 of the bill, in section 13, it is further stated:

> The functions of the Secretary . . . and, to the maximum extent practicable, . . . of this Act shall be carried out through State manpower services and job services centers.

I shall not take more than 5 minutes in the presentation of my argument, if I may respectfully have the attention of Members of the Senate.

The PRESIDING OFFICER. The Senate will be in order.

Mr. LAUSCHE. Throughout the bill there is the declaration that the Secretary of Labor shall deal with the States. It is intended by the bill basically that the functions of finding employment shall be exercised by the States through some department of a State.

On page 37, in subparagraph (c), it is stated that if the Secretary of Labor, after giving 30 days' notice, is of the opinion that it would be better to give to a private agency the administration of the bill than to have it in the State government, he may enter into a contract with the private agency to perform the function.

Basically, Mr. President, I believe that when taxpayers' money is spent in the performance of a basically governmental service, it should be spent through a governmental unit. I cannot see the justification for saying, "We will sweep aside the Government and enter into a contract with a private agency to perform a function that is generally labeled as governmental."

I have stated my case. In Ohio, the State government has performed the functions of finding jobs for the unemployed. The State government has performed the function of administering unemployment compensation. By the language in this bill, we tell the government of Ohio, "You will bow to our will, and unless you do, we will take from you the power of administering this service to the unemployed and the underemployed."

I have been through this. I have had fourth-rate government employees come into the Governor's office and sit there before me like accusers looking upon a criminal. They brought their stenographer with them.

I had 87 counties in the State that were ready to conform to the Federal Government's requirement on certain eleemosynary functions. One county refused to do it. It said, "We are sovereign in our county. The Federal Government will not tell us what to do."

They sat there before me, and there laid down the rule, "Unless you get that county to act, we will keep away from you the money that has been provided by Congress as an aid in the performance of a specific service."

I could not get Harrison County to act. I got 87 of them to act. Harrison County insisted, "It is our sovereign power to deal with this matter."

Mr. President, in all my experience in 10 years in the governorship, I never was so humiliated as I was with these Government agents standing before me, telling me, "You are going to bow or you will lose the Federal money."

Well, we finally got it worked out. We only got it worked out through the filing of a suit for a declaratory judgment, in which the court declared that I did not have the power to dictate what the county should do.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. LAUSCHE. I yield.

Mr. PASTORE. We would be very much interested to know what the former Governor of Ohio had to say to these Federal agents.

Mr. LAUSCHE. Well, I tried to cajole them. I tried to coerce them. But they had on dark-rimmed glasses just like mine, and they looked like overly intellectual individuals, and as though they thought I as Governor did not know what I was doing.

I did not succeed. I tried. Maybe Governor PASTORE went through the same thing. I am quite sure that other Governors have gone through it.

Now, getting back to my proposition: Let us keep the execution of these services in governmental hands. When you put the execution in private hands, there is no responsibility to anyone. When it is in the hands of the county commissioner or a Governor, at the voting polls they will be called upon to answer.

That is my case. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, I hope this amendment will be defeated. Let me read the portion of the bill which the Senator from Ohio wishes to strike:

> If the Secretary after not less than thirty days notice and opportunity for a hearing, makes a determination that it is impractical to carry out through a job services center or centers all or any part of any function under section 13(a) and which, except for such determination, would be carried out through such center or centers, he may enter into a contract as authorized by subsection (d) for the carrying out of such functions or part thereof by a private employment agency or other public or private agency or institution.

I am somewhat surprised that the Senator from Ohio would offer such an amendment, because this part of the bill is what might be called the free enterprise portion of the bill. This is the part of the bill under which, if a bureaucratic State agency is unable or unwilling to carry out the duties which it is required to perform under this act, we can go to free enterprise and ask them to do it. We can go to "a private employment agency or other public or private agency or institution." I would hope that we will not take away the flexibility given to the Secretary to enable him to carry out his duties if the State agency is unwilling to act.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. PASTORE. How does the Senator answer the situation just presented by the distinguished former Governor of Ohio, when he was told flatly that unless he was able to do an impossible task or perform an impossible chore, he would be deprived of all that money?

Mr. CLARK. I say to my friend, the Senator from Rhode Island, that was a controversy between the Governor of Ohio and some other governmental bureau.

Mr. PASTORE. No, it was not.

Mr. CLARK. This is a controversy between free enterprise and a State agency. This is what might be called a fall-back clause, all this says is that if the Secretary cannot get the job done by the State agency which is supposed to do it, then he can go out to other public agencies or to private industry, to get the job done. And there is an opportunity for hearing and a section providing for judicial review if money is withheld from the State.

Mr. LAUSCHE. Mr. President, just one further word. The Senator from

Pennsylvania read from a telegram which he received from the administrator of the employment services of Pennsylvania in connection with the amendment of the Senator from Colorado.

In that same telegram, it is stated:

> No provision should grant authority to the Secretary of Labor to contract with other public or private agencies for carrying out the essential functions of State service.

Mr. President, I am ready to vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. LAUSCHE]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Indiana [Mr. HARTKE], the Senator from New Hampshire [Mr. McINTYRE], the Senator from Maine [Mr. MUSKIE], and the Senator from Virginia [Mr. ROBERTSON] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], and the Senator from Indiana [Mr. HARTKE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Wyoming [Mr. SIMPSON] is necessarily absent, and, if present and voting would vote "yea."

The result was announced—yeas 50, nays 38, as follows:

[No. 121 Leg.]

YEAS—50

Aiken
Allott
Bennett
Boggs
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Harris
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
McClellan
McGovern
Miller
Morton
Mundt
Murphy
Pastore
Pearson
Prouty
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—38

Anderson
Bartlett
Bass
Bayh
Bible
Brewster
Case
Clark
Douglas
Fong
Fulbright
Gore
Griffin
Gruening
Hart
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
Magnuson
Mansfield
McCarthy
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Nelson
Pell
Proxmire
Randolph
Ribicoff
Tydings
Williams, N.J.
Yarborough

NOT VOTING—12

Burdick
Carlson
Dodd
Hartke
Hayden
Long, Mo.
McGee
McIntyre
Muskie
Neuberger
Robertson
Simpson

So Mr. LAUSCHE'S amendment was agreed to.

Mr. FANNIN. Mr. President, I have received many communications from representatives of national, professional, educational, and other associations and representatives of large and small business concerning this legislation which we are taking up today. I would like to summarize some of the specific points of criticism of or questions raised about this bill. It seems to me that the points raised are valid ones and will be helpful to the Senators in evaluating the merits of this legislation.

First. The major role of the USES should be to serve the disadvantaged, unemployed, or underemployed. The language of the bill is not restrictive enough in these areas to which the public employment service is to direct its efforts. All sections of the bill relating to services to be provided should be clarified to give direction to the Secretary of Labor to preclude extension of the public service into areas which are not intended.

Second. The sections setting forth plans and procedures to deal with manpower shortages and services which may be offered to employers extend far beyond the normal placement function. As presently written the language suggests activities which intrude seriously into management activities, and determinations to the degree that the public employment service could in effect see itself as a management consultant service.

Third. The legislation is written in such general language that it does not clearly define limitations on the Secretary of Labor in the many now existing private sectors of manpower development and placement.

Fourth. An effort appears to have been made to assure that the Employment Service effectively carry out its responsibilities in the unemployment compensation area. However, the language providing for separation of the offices derogates the unemployment insurance aspect of these interrelated activities. All provisions relating to the separation of the services will add incalcuably to the cost of administration and should be subject to review to determine if they, in fact, will accomplish the purposes.

Fifth. There are frequent phrases implying that employers at some time could be forced to give information on future job openings or layoffs. If this is indeed not the intent there should be no objection to the addition of language which would declare that no infringements, at either the Federal, State, or local levels, upon proprietary information is intended.

Sixth. The authority of the Secretary of Labor to issue rules and regulations is in no way restricted by the present language unless it is to be assumed that the judicial review provided for in section 18 will also apply as a restrainer on the Secretary's authority. If judicial review of future rules and regulations of the Secretary are not to be the subject of judicial review then nothing under this section precludes the Secretary from writing a new law through this authority.

Seventh. It was recognized that coordination of training activities is necessary to effectively utilize local, State, and Federal resources. And no objection is raised to the Secretary of Labor coordinating these training activities. He should not, however, have any authority to alter these training programs, either directly or indirectly. The language should be extended to stipulate that the agencies responsible for training have sole responsibility for the policies and the administration of such programs.

The training institution should have final determination of whether individuals who were recruited, counseled, tested, and referred could profit by training.

Traditionally, training institutions such as vocational, technical institutions have assumed responsibility for placement of their graduates. This bill would duplicate these efforts. If vocational technical institutes do not provide placement they are deprived of essential contact with business and industry and such contact is imperative to keep training programs in step with needs.

Eighth. An overall review of all provisions affecting the existing Federal-State relationship is necessary to further assure the inclusion of language that preserves the present State flexibility. The avowed purpose of improving and modernizing the service can be achieved without subjugating the States to the Federal authority.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The bill is open to further amendment.

Mr. CLARK. Mr. President, I ask unanimous consent that members of the staff of the Committe on Labor and Public Welfare be permitted to have floor privileges during the additional debate. I understand that they have been refused admission.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none and the request is granted.

Mr. PROUTY. Mr. President, for the benefit of Senators who are in the Chamber, I call attention to the fact that I intend to call up two amendments, one of which I believe is acceptable to the floor manager of the bill. The second one also may be acceptable. Not much time will be required for discussion of those amendments. After that, I shall ask for a live quorum, because I believe the third amendment I shall offer is of great importance, and I hope that Senators will be in the Chamber to listen to the debate. As far as I am concerned, the discussion will not be long, but other Senators may desire to be heard. I hope Senators will make an effort to be here for discussion of the third amendment, which is of concern to farmers and agricultural workers.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. LAUSCHE. Mr. President, I move that the Senate reconsider the vote by which the last amendment was agreed to.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. PROUTY. Mr. President, I call up my amendment No. 629, and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The legislative clerk read as follows:

> On page 25, line 17, enter immediately prior to the word "establish" the following phrase: "after consultation with the States comprising the particular multijob market involved".

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. CLARK. The Senator from Vermont and I have already discussed the proposed amendment, and I am willing to accept it and take it to conference, if a conference is required.

Mr. PASTORE. Mr. President, I ask that the Senator from Vermont explain the purpose of the amendment.

Mr. PROUTY. Section 6(a)(3) provides that the Secretary of Labor shall establish, operate, or otherwise provide multijob market interstate clearance centers for facilitating the placement of applicants for employment across State boundaries, including providing information and assistance to job applicants with respect to the availability of relocation assistance, housing, transportation, and other community services and facilities.

The bill now before the Senate does not require that the Secretary of Labor reach agreement with a State or even consult with it prior to the establishment of such interstate clearance centers.

I had originally intended to offer an amendment requiring that the Secretary of Labor reach agreement with a State before establishing a multijob market interstate clearance center in such State. Upon reflection, however, and particularly in view of the fact that regional and national labor markets will cut across State lines, I have concluded that such a requirement might make the plan for interarea and interstate placement services unworkable. This would result where the Secretary of Labor reached agreements with some States but not with others included in the same regional labor market.

Nevertheless, I feel strongly that the States should have some say in the establishment, maintenance, and administration of these multijob market interstate clearance centers.

The proposed amendment, therefore, would require the Secretary of Labor to consult with officials of the State employment service agencies concerning the operation of such centers. By consultation I mean good-faith discussions with the State administrator, with the objective of providing a true accommodation of any conflicting State and Federal ideas.

Mr. PASTORE. I thank the Senator from Vermont. I believe it is a good amendment, and I shall vote for it.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment offered by the Senator from Vermont.

The amendment was agreed to.

The **PRESIDING OFFICER.** The bill is open to further amendment.

Mr. PROUTY. Mr. President, I call up my amendment No. 628, and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The legislative clerk read as follows:

> On page 37, line 24, insert a comma after the word "Secretary", strike the phrase "after consultation with the States", and insert in lieu thereof the following: "after not less than thirty days notice and opportunity for hearing to the State".

Mr. PROUTY. Mr. President, the proposed amendment modifies section 13(d), which authorizes the Secretary of Labor to enter into contracts with individuals or with public or private educational or other appropriate agencies or institutions, including employment agencies, for the provision of specialized or other necessary services.

Section 13(b) merely requires the Secretary to consult with the States before entering into private contracts for the provision of specialized or other services.

The proposed amendment specifically provides that a State would be given 30 days' notice and would be given an opportunity for a hearing before the Secretary of Labor could enter into a contract under section 13(b).

The **PRESIDING OFFICER.** The question is on agreeing to the amendment offered by the Senator from Vermont.

Mr. CLARK. Mr. President, I ask the Senator from Vermont whether the net effect of his amendment is to insert a provision for 30 days' notice to the State manpower service involved, and an opportunity for a hearing, before the Secretary is permitted to enter into a contract with individuals or private educational or other agencies.

Mr. PROUTY. That is what it does.

Mr. CLARK. I have no objection to the amendment, and I am prepared to take it to conference.

Mr. PROUTY. I thank the Senator.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment offered by the Senator from Vermont.

The amendment was agreed to.

Mr. PROUTY. Mr. President, I now suggest the absence of a quorum. For the benefit of Senators in the Chamber, I point out that this will be a live quorum, before I take up the next amendment, which I believe is of major importance.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 122 Leg.]

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Harris
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The **PRESIDING OFFICER.** A quorum is present.

AMENDMENT NO. 622

Mr. PROUTY. Mr. President, I send to the desk an amendment and ask that it be stated.

The legislative clerk read as follows:

> On page 38, lines 11 through 21, strike subsection (e) of section 13 in its entirety and insert in lieu thereof the following:
>
> "(e) No person shall be referred to a position (i) if the position to be filled is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or (ii) the filling of which is an issue in a labor dispute over which the National Labor Relations Board has jurisdiction. In all other instances, any individual referred to a place of employment where a labor dispute exists shall be given notice of such dispute prior to or at the time of his referral."

Mr. PROUTY. Mr. President, I modify my amendment by substituting "line 8" for "line 11," so that the amendment will apply to page 38 beginning at line 8.

The **PRESIDING OFFICER.** The amendment will be so modified.

Mr. PROUTY. Mr. President, this amendment deals with referrals by employment service agencies to employers involved in "labor disputes." My amendment prohibits referrals where job vacancies exist as the result of strikes or lockouts. This provision protects the legitimate rights of organized labor where they are entitled to be lawfully recognized as the bargaining representative of the employer and employees.

My amendment will continue to permit referrals where any other kind of labor dispute exists. In most of these situations a labor dispute may be artificially created where the labor organization involved does not represent the employers and employees and where there is no lawful obligation on the part of the employer to recognize or deal with the union.

The original Wagner-Peyser Act of 1933 contained the following language in section 11(b):

> In carrying out the provisions of this Act, the director is authorized and directed to provide for the giving of notice of strikes or lockouts to applicants before they are referred for employment.

This language has remained the same from 1933 to the present time.

I am not a lawyer, but the meaning and congressional intent of this section of the Wagner-Peyser Act seems perfectly clear to me.

This portion of the statute states that the employment service agencies will refer job applicants to employers where a strike or lockout exists, provided that notice of such strike or lockout is given the applicant for employment before the referral is made.

Implicit in the notice giving requirement of the statute, to me, is that, first, referrals will be made with notice; but that, two, the employment service may not insist that the unemployed take a job where a strike or lockout is in progress if the individual does not desire to seek employment with an employer where such a labor dispute exists.

From 1933 to 1939, the regulations issued by the Secretary of Labor were consistent with the statutory language. In 1939, however, acting pursuant to his rulemaking authority under the Wagner-Peyser Act, the Secretary of Labor promulgated the following regulation:

> No person shall be referred to a position the filling of which will aid directly or indirectly in filling a job which (1) is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or (2) the filling of which is an issue in a labor dispute. With respect to positions not covered by (1) or (2) of this section, any individual may be referred to a place of employment in which a labor dispute exists, provided that he is given written notice of such dispute prior to or at the time of his referral.

This is the language of the regulation under which the State employment service agencies are operating today.

This is the language submitted by the Department of Labor which was adopted as section 13(e) of the Manpower Services Act of 1966 reported to the full committee from the Manpower Subcommittee.

To understand fully the meaning of this regulation—and that portion of S. 2974 now under consideration—we must be aware of the definition of "labor dispute" used by the Department of Labor. For purposes of administering the Wagner-Peyser Act, the Department of Labor has adopted the definition of "labor dispute" contained in section 2(a) of the National Labor Relations Act. This section defines a labor dispute as follows:

> Any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

The key phrase, of course, is the last one—that is, "regardless of whether the disputants stand in the proximate relation of employer and employee."

Thus, a labor dispute exists where a union has not been able to organize any employees of an employer but demands recognition. A labor dispute exists where a union does not represent a majority of an employer's employees and it would be unlawful for the employer to recognize and bargain with the union but where the union demands a contract.

A labor dispute also exists where a union does not represent an employer's employees and cannot induce them to engage in a strike but where the union puts one or more stranger pickets outside an employer's place of business.

An employer subjected to the foregoing type of picketing has no recourse, although he is under no lawful obligation to recognize the union and probably would be committing an unfair labor practice if he did so.

The reported bill contains an amendment which was offered by Senator WILLIAMS of New Jersey before the full committee. The Williams amendment deletes authority to refer with notice to places of employment where labor disputes exist which do not involve strikes, lockouts or positions the filling of which are issues in a labor dispute. The Williams amendment also prohibits referrals to employers involved in any labor dispute if the nature of employment offered is such that it is excluded from coverage under section 2(3) of the National Labor Relations Act.

Technically, the employees excluded from coverage under this last provision include supervisors, domestic employees, independent contractors, individuals employed by their parent or spouse and employees subject to the Railroad Labor Act. However, it is clear that the primary purpose of this provision is to prevent referrals of agricultural employees wherever any type of labor dispute exists.

It should be noted that subparagraph (c) of section 13(e) does not contain the limitations of the current regulation of the Department of Labor, which was included in the bill reported by the Manpower Subcommittee and thus precludes all referrals where any labor dispute exists.

I refer again to the definition of "labor dispute" used by the Department of Labor with particular reference to the last phrase which reads: "regardless of whether the disputants stand in the proximate relation of employer and employee," and to my previous examples of what constitutes a "labor dispute."

Under S. 2974 as it is now before the Senate, a union may place one stranger picket at a farm entrance, where none of the workers on the farm are members of the union, and the employment service will be precluded from referring job applicants to that farm.

Under S. 2974 as it now is before the Senate, a union may place one stranger picket in front of a farm where none of the workers are dissatisfied with their terms and conditions of employment, and the employment service will be precluded from sending applicants for employment to that farm.

Under S. 2974, a union may place one stranger picket at a farm with a sign stating that the farmer does not employ union members, or does not pay union wages, or fails to conform to area standards, and the employment service will be precluded from referring workers to that farmer regardless of the fact that no strike or lockout is in process and regardless of the fact that the union has not signed up a single person working on that farm.

Mr. President, I had originally intended to offer an amendment similar to that which I offered in committee, but which was never voted upon. This was because I felt—and I still feel—that the regulation followed by the Department of Labor since 1939 is completely contrary to the specific intent expressed in the language of section 11(b) of the Wagner-Peyser Act.

Upon reflection, however, I decided to modify the provisions of the amendment which I am now offering. In part, this is due to recognition of the longstanding policy of the Department of Labor in this area, however much I might feel that this policy has been a perversion of the intent of Congress.

In part, it is because I can see a certain object in refraining from referring employees to an employer involved in a strike or a lockout in situations where a union is involved in an economic dispute with an employer and is the lawful bargaining representative for the employees who are not working.

My amendment now before the Senate prohibits referrals in all situations where the employer is involved in a strike or a lockout.

This differs from the existing regulations of the Department of Labor only in that it does not prohibit referrals where the filling of a job is the issue which creates the labor dispute.

This type of situation usually involves an allegation of unlawful discharge. A majority of these cases lack merit. However, where the unlawful discharge allocation is sustained and the National Labor Relations Board orders an employee rehired or reinstated the right of such individual to his job becomes paramount even though the employer must discharge another employee to take him back.

My amendment permits referrals to employers involved in all other types of labor disputes. As I have already indicated I believe that this is a good amendment and hope that it will be adopted.

In fact, this amendment is similar to the one which was found in the administration bill which was offered within the committee. The Secretary of Labor indicated his approval of it. The subcommittee accepted that approach, but it was changed in the full committee. What it says, in effect, is that when there is a strike or lockout, no referrals can be made by the employment service. When there is a labor dispute, however, if notice is given to the unemployed person seeking a job, he can be referred, and it is within his discretion to determine whether he wants to accept the employment or not.

Mr. CURTIS. Mr. President, will the Senator yield for a question?

Mr. PROUTY. I yield.

Mr. CURTIS. Referring to the language in the bill itself, does it provide that the employment services cannot refer a person seeking employment to an employer where there is any kind of labor dispute?

Mr. PROUTY. If there is a strike or lockout, they cannot refer him.

Mr. CURTIS. I am talking about the bill itself, not the Senator's amendment. Can they be referred if there is a labor dispute?

Mr. PROUTY. In the case of an agricultural problem, no. The services cannot enter into that service, as the bill is written at the present time.

Mr. CURTIS. How about a labor dispute in a nonagricultural situation?

Mr. PROUTY. As long as there is not a strike or lockout, the services can refer him, with notice.

Mr. CURTIS. Why the discrimination? Why is there one rule for agriculture and another rule for nonagricultural employment?

Mr. PROUTY. It seems to me an agency of this kind should be strictly neutral. Obviously, as far as agriculture is concerned, there is no neutrality, under the terms of the bill as it is written.

Mr. CURTIS. The right to strike also carries with it the right to work; does it not?

Mr. PROUTY. That is correct.

Mr. CURTIS. Should not an individual have the right to work while other men are on strike?

Mr. PROUTY. That is correct. It has been suggested that this is so because agricultural workers do not come under the National Labor Relations Act. Whether that is right or wrong is debatable. However, it seems to me that if we want to discuss this issue, it should be done in a separate bill and be given thorough consideration. As it is now, one man can parade in a picket line, and that, under the language of the bill as it is presently written, would constitute a labor dispute, and no referral of a worker could be made to that location.

Mr. CURTIS. In other words, now under the bill one individual, by such action, could prevent the employment service from referring a worker to employment by an agriculturist who might need his services?

Mr. PROUTY. That is true, under the bill as it is now written, and the person engaging in that action could be a complete stranger.

Mr. CURTIS. He would not be put to the proof of his claim or position that resulted in the finding of a technical labor dispute?

Mr. PROUTY. That is absolutely correct.

Mr. CURTIS. I thank the Senator.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. JAVITS. What is the Senator's version of the practice under the present law and regulations of the Labor Department? What would the Senator say is happening now?

Mr. PROUTY. Under the existing regulations established by the Labor Department in 1939, which have been in effect since that time, a worker could not be referred to an industry where a strike or lockout existed or where differences of labor are an issue in a labor dispute. In all other instances now, persons can be referred.

Mr. JAVITS. What is the practice now where the matter is regulated in regard to farmworkers?

Mr. PROUTY. As I understand it, the workers may be referred to a farmer.

Mr. JAVITS. If the Senator will yield so I may ask the Senator from New Jersey [Mr. WILLIAMS], who is the author of the provision, about this question, and get his interpretation of what he is trying to do under the provision, I would like to do so.

Mr. PROUTY. I yield for that purpose.

Mr. WILLIAMS of New Jersey. The purpose of the amendment is to eliminate confusion in agriculture, an area where the National Labor Act does not apply. Therefore, where the National Labor Relations Board does not have jurisdiction, it was the position of the committee and the intention of the bill before us that the U.S. Employment Service should not inject itself by referring workers where there was a labor dispute. It is as simple as that.

We have already seen the anarchy which can exist in agriculture because the National Labor Relations Act does not apply. I think the Senator from California [Mr. MURPHY] will in his remarks refer to the confusion which has taken place in California.

What we are saying is that the taxpayers' money should not be spent where there is a legitimate labor dispute. The definition of "labor dispute" is in the National Labor Relations Act.

I have made inquiries. I do not think it can be said that a labor dispute exists when only one individual sets up a picket line. That would not be an issue involving a labor dispute.

Mr. JAVITS. Is the Senator from New Jersey trying to change the existing practice in this area? In other words, under the regulation can the employment service refer workers to farmers when an effort is being made to organize the workers? Are workers being referred to farmers where there is an effort to organize, and is it the Senator's intention to stop that practice?

Mr. WILLIAMS of New Jersey. The fact is that they are. Current law does not require them to refrain from referrals where there is a labor dispute involving agricultural workers.

Mr. JAVITS. As the Senator from New Jersey defines "labor dispute," would he define it to mean also a dispute where there was a question of jurisdiction as between two unions? That would also be a labor dispute, would it not, within the Senator's amendment?

Mr. WILLIAMS of New Jersey. I believe the Senator is correct.

Mr. JAVITS. And also as to an organizing effort, where the union may represent a minority of the employees, but not enough to obtain representation, that would be true. So the Senator is adding—without trying to pass now on whether it is good or bad, but we all wish to understand it—the Senator is adding a new category not now covered by the law or regulations, to wit, an agricultural hirer or employer, where there is a "labor dispute" as that concept is used under the National Labor Relations Act, even though the NLRA does not apply?

Mr. WILLIAMS of New Jersey. Exactly.

Mr. JAVITS. But within the definition of the NLRA, under such circumstances, the Senator does not want referrals to that employer?

Mr. WILLIAMS of New Jersey. Exactly.

Mr. JAVITS. Then this is, for all practical purposes, an aid to the unionization of farmworkers, is it not? Is not that really the thrust of what the Senator would do?

Mr. WILLIAMS of New Jersey. It is broader than that. That would be a result; however, it also goes to the basic fiscal morality of the people of this country who are involved where there is a labor dispute, by their tax money going to referral of workers.

Mr. JAVITS. One further point, if the Senator from Vermont will permit me, because I believe we are actually crystallizing the issue.

As I understand the situation, the practice is not uniform throughout the States. In the State of California, for example, under their regulations, they follow the practice which the Senator is seeking to stop, to wit, they refer workers to a farm employer where an effort is being made to organize his farm. But in other States that is not so. In other States the Service will not make referrals in such a situation.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of New Jersey. Well, that is true. It is the U.S. Employment Service, but it comes down to local administration; and many Government representatives at the local level have been aiding in recruitment under these circumstances. Of course, we have had votes on whether we should be recruiting.

Mr. JAVITS. Yes.

Mr. WILLIAMS of New Jersey. And on the referral of workers in those areas.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. AIKEN. I simply wish to state that from the explanation of the Senator from New Jersey, it would appear that the purpose of this proviso is to force the unionization of farm labor. I would like to know, does that apply to all farm labor, does it apply to farm labor hired for a week?

I suppose it applies particularly to the harvesters of perishable crops, because certainly an effort to organize the labor on a farm producing perishable crops, if the owner resisted, would be a labor dispute. Therefore, he could get no help through his State agency.

Mr. WILLIAMS of New Jersey. That is correct. But again——

Mr. AIKEN. If he was organized, he would simply have to pay a wage agreed on with the union.

Mr. WILLIAMS of New Jersey. I say to the Senator, we do not expect consistency very frequently around here, but I say that the greatest inconsistency by the opponents of the bill is on this provision. I have sought for 5 years to give the U.S. Employment Service authority that would make their referrals more efficient, and those who are arguing for this amendment are those who argued against providing for more efficient referrals.

Mr. AIKEN. Let me ask another question.

Mr. WILLIAMS of New Jersey. I will say one further thing on that point to the Senator from Vermont: This amendment would just put the U.S. Government—the people of this country—in a neutral position where it is found that there is a legitimate labor dispute. The grower, the farmer, can go out and recruit workers. There is no limitation on his enterprise in finding his own workers.

And that is what he wants. I have been through this before, in connection with our improved employment service bill. All of the representatives of the growers tell me that they want to find their own workers.

Mr. AIKEN. But suppose, when the crop is ready to harvest, we will say that an alien political party decides it wishes to cripple the economy of the United States as much as possible, and places 1,000 pickets at the front gates of 1,000 of the biggest farms to prevent the State employment agency from referring labor to those farmers, and the State employment agency cannot refer labor to those farmers. Is there any way of getting around such a situation?

Mr. WILLIAMS of New Jersey. The National Labor Relations Board——

Mr. AIKEN. Is there any way that could be prevented from happening, if this proviso is adopted? Could it not be used for political purposes, and antidemocratic political purposes?

Mr. WILLIAMS of New Jersey. As long as the members of the National Labor Relations Board, whom we pass on here in the Senate, sit, they make the judgment and the finding of whether there is a labor dispute. It is not imaginable to me that they would not honor the spirit of the law, and would not find such situations as the Senator suggests to be fraudulent situations and not labor disputes.

Mr. AIKEN. Unless the Senator's proviso is adopted, what jurisdiction would the National Labor Relations Board have?

Mr. WILLIAMS of New Jersey. To define a labor dispute.

Mr. AIKEN. Whether they had any jurisdiction or not?

Mr. WILLIAMS of New Jersey. Under the bill before us.

Mr. AIKEN. It seems to me this is a most undemocratic proposal.

Mr. WILLIAMS of New Jersey. I do not understand it that way at all.

Mr. MURPHY. Mr. President, will the Senator yield on a point of clarification?

The PRESIDING OFFICER. The Senator from Vermont [Mr. PROUTY] has the floor.

Mr. PROUTY. I yield to the Senator from California.

Mr. WILLIAMS of New Jersey. I would say to the Senator that the National Labor Relations Board obviously is the overall jurisdictional board, but the finding of a labor dispute is made by the State employment service. It is made on the scene. The people of the Senator's own State, in the case of Vermont, would determine whether or not it is an honest-to-goodness labor dispute.

Mr. AIKEN. I thought the Senator said the National Labor Relations Board has no jurisdiction at present.

Mr. WILLIAMS of New Jersey. That is correct. And under this amendment, the employment service in the State of Vermont would have jurisdiction to find——

Mr. AIKEN. It strikes me that if this bill passes, our State employment bureau will have very little jurisdiction over anything. If I ever saw any legislation the purpose of which was to destroy the State authority, it is right in this bill.

Mr. WILLIAMS of New Jersey. They make the determination.

Mr. AIKEN. Not if this bill passes. They do not make any determinations.

Mr. WILLIAMS of New Jersey. Of whether there is a labor dispute.

Mr. AIKEN. The Secretary of Labor can take them all out of there and put in his own help, whomever he wishes, into our State manpower offices and destroy the State agencies. That is all there is to it. I would not be a party to abetting such a practice.

Mr. WILLIAMS of New Jersey. I do not think any of us would sanction the destruction of our own State employment services, nor tolerate whimsical findings that there was a labor dispute when there was not an honest labor dispute.

Mr. MURPHY. Mr. President, I should like to point out——

Mr. AIKEN. Let me ask just this one further question. How does the Senator from New Jersey explain this section defining a labor dispute, the last part of it, regardless of the relation of employer and employee?

Mr. WILLIAMS of New Jersey. That is present law.

Mr. AIKEN. That is at present?

Mr. WILLIAMS of New Jersey. That is the law as it now exists.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Vermont has the floor. Does the Senator from Vermont yield to the Senator from California?

Mr. MURPHY. I think the Senator from Vermont has yielded to me.

Mr. PROUTY. I yielded to the distinguished Senator from California.

Mr. MURPHY. I wish to say, if the Senator from New Jersey will listen, the main point at issue is not a question of determining whether or not there is a proper labor dispute. The protection is needed in the event of illegal labor disputes, and I state an example with which I have had great experience. As a matter of fact, I should like the RECORD to show that I have been a member of labor unions for 40 years, and have had long experience in the application of these rules.

I am very familiar with the famous Sorelle strike in Hollywood which tied up the entire motion picture industry. It was declared to be a wildcat strike by all the local organizations and labor organizations. In spite of the fact that it was declared to be an illegal wildcat strike, it tied up industry for a long period of time and did irreparable harm. This was a "labor dispute."

In the farm situation, a one-man picket constitutes a labor dispute. It is not a legitimate dispute. Whenever a legitimate labor question is involved, I agree with the Senator from New Jersey; but whenever there is an attempt to coerce and to use this power, the amendment offered by the Senator from Vermont [Mr. PROUTY], and which the Senator from Arizona [Mr. FANNIN] will speak to in my behalf, provides a protection that I hope will be written into the bill.

Mr. KENNEDY of New York. Mr. President, will the Senator from Vermont yield?

Mr. PROUTY. I yield.

Mr. KENNEDY of New York. As I understand this particular section of the bill, it is the State which still must determine whether a labor dispute exists. It is not merely a question of a picket standing outside a farm and closing down the farm. The State must make the determination. While the State is considering the problem and before it makes its determination, the State agency and the U.S. Employment Agency still may refer workers to the farm.

Mr. MURPHY. The Senator is quite correct.

Mr. KENNEDY of New York. Workers may be referred to the farm during the entire period of time until it is determined that there is a farm labor dispute. As I understood the Senator from California, he is in favor, in the case of a legitimate labor dispute, of not allowing referrals of workers to continue.

Mr. MURPHY. The Senator will see from my statement, which the Senator from Arizona [Mr. FANNIN] will make on my behalf, the evidence which I submitted at the migratory labor hearings, in the form of a letter from the State commission.

That letter contradicts the impression that there was a labor dispute. A strike had been called against a farmer who had never been notified, and whose employees, in fact, refused to go on strike.

This is an attempt to protect the farmer against oppressive, wildcat, illegal strikes. This does not have to do with a bona fide labor organization.

Mr. WILLIAMS of New Jersey. Mr. President, can the Senator clarify the term "wildcat strike"? I thought that a wildcat strike is a strike that is called, notwithstanding an existing labor-management contract, to seek something beyond the terms of the contract within the contract period Is that a wildcat strike?

Mr. MURPHY. That could be.

Mr. WILLIAMS of New Jersey. I do not believe that would be considered to be a legitimate labor dispute.

Mr. MURPHY. Mr. President, will the Senator permit me to answer the question? A jurisdictional strike should not be covered under the term "labor dispute."

No good purpose is accomplished by such provision, particularly in agriculture when a man's entire perishable crop can be lost if he is exposed to a jurisdictional strike, which has happened recently. There have been many instances. Instances have taken place within the last 3 years in spite of existing contracts.

That is what I am trying to protect against. I think that Senators from the farm States will agree with me that there is no intention for the Government to supply strike protection. That impression should not be given.

But the industry is entitled to protection from people who attempt to use unprincipled and destructive methods to prove their point.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. KENNEDY of New York. Mr. President, there appears to be two separate points. One point was raised by the Senator from Vermont and a somewhat different point was raised by the Senator from California.

We should understand first that it is the State which would make a determination and judgment as to whether there is a legitimate labor dispute. Until they make that judgment—and both parties have a right to appear and to be notified—the employment agency can send workers to the particular farm.

The second point, if I understand it correctly, is as to the definition of labor dispute.

The Senator from California feels that a jurisdictional dispute should not be considered a labor dispute. We should clarify the point. A determination or judgment as to whether it is a labor dispute should not be made because of the mere fact, for example, that pickets sent out by the Nazi Party appeared at a farm. But we can be sure that will not happen. The State agency would make a judgment as to whether the dispute is a legitimate labor dispute. And it would do so in accordance with one definition of a labor dispute under the National Labor Relations Act. That is a well-established practice in the case of the IAW. The State would hear both sides and make a judgment.

Mr. AIKEN. How long would it take them to make that determination?

Mr. KENNEDY of New York. Until they do make the determination, the State employment agency could send workers there. If the matter were pending for 3 weeks, the farmer would be supplied with labor during that period of time.

Mr. AIKEN. That makes it sound more tolerable.

Mr. MURPHY. It certainly does.

Mr. AIKEN. I have not read the bill too carefully. I did read the bill enough to become a little indignant over it. It appeared to me that it would virtually emasculate the authority of the State employment agency.

Mr. KENNEDY of New York. I think that the author of the bill might make a statement to clarify the matter. However, from my reading of the bill and the study that I have made of it, I think it is quite clear that until the State agency makes a judgment and determination that it is a labor dispute, the employment agency would continue to supply workers.

If the dispute involved an apple orchard and the entire picking season extended only a 2-week period it would not be possible for somebody to stick a picket line outside of the applegrower's orchard and try to force the grower to deal with him.

Mr. AIKEN. The burden of proof would rest with those who were attempting to unionize the farm or to prevent the harvesting of the crop?

Mr. KENNEDY of New York. The Senator is correct.

Mr. WILLIAMS of New Jersey. The one who would benefit would have to prove that it was an honest-to-goodness labor dispute.

Mr. AIKEN. From my first reading of the bill, I concluded that it was not a good bill. From discussions with some of those who are more familiar to a degree with the application of the law, I came to the conclusion that they were not happy, either.

Mr. KENNEDY of New York. Mr. President, may I make a statement in connection with this subject? This statement indicates the way the Labor Department understands what would occur under section 13(e), and is, I think, indicative of the committee's intent regarding section 13(e).

The PRESIDING OFFICER. To whom does the junior Senator from Vermont yield?

Mr. PROUTY. I yield to the distinguished junior Senator from New York.

Mr. KENNEDY of New York. Mr. President, the determination of whether there is a bona fide labor dispute is made by the State employment security agency. The State agency is normally notified by the labor organization involved that a dispute is in progress. It may, however, receive its information from other sources.

Upon receipt of such advice the State agency undertakes an investigation to determine first, whether there is a bona fide labor dispute and second, to develop all facts relevant to a determination of how the labor dispute referral policy should be applied. For the purposes of administering this policy, the definition of "labor dispute" contained in the National Labor Relations Act is followed.

Referrals are not discontinued until and unless a determination is made that the labor disputes referral policy would require such action. Until a decision is made in the matter, referrals are made but notice is given to the job applicant that there is an alleged labor dispute in progress. The parties to the dispute are then notified of the decision.

I ask unanimous consent that a pertinent provision of the Labor Department's Employment Security Manual dealing with this subject be inserted in the RECORD at this point.

There being no objection, the provision was ordered to be printed in the RECORD, as follows:

EMPLOYMENT SECURITY MANUAL—PART II, EMPLOYMENT SERVICE PROGRAM, 1650–1654

1000–2999—Placement Process, R–8/31/61.

1650–1659—*Special Referral Situations.*

1650—*Referrals on Orders Containing Discriminatory Specifications.* No referral shall be made on orders containing discriminatory specification(s) with regard to race, creed, color, or national origin. (See section 1294.)

1653—*Withholding of Referrals in Case of Labor Dispute.* The local office makes no referral which will aid directly or indirectly in filling a job (a) which is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or (b) the filling of which is an issue in a labor dispute.

1654—*Notification of a Labor Dispute.* In order that the policy concerning labor disputes may be applied (see section 1005–I), each local office maintains information concerning the existence of labor disputes in the area served by the office. The local manager arranges with local labor organizations for prompt notification of any local labor dispute.

The local manager requires that notification of the existence of a labor dispute originate either with a responsible representative of the workers involved or with the employer. He requires that the notification be in writing and contain:

A. A statement of the cause of, or basis for, the dispute;

B. A list of the specific positions, crafts, trades, or jobs affected by the dispute,

C. The name of the government agency (State or Federal), if any, concerned with the adjustment of the dispute.

Upon receipt of this notification, the local manager verifies the continued existence of the dispute by contact with the employer and the workers' representative. If they disagree as to the existence of a dispute, the local manager consults with the government agency which is concerned with the adjustment of the dispute, and he is guided by the statement of that agency.

Whenever the local manager determines that a dispute exists, the local office refrains from making referrals to jobs which are vacant for the reasons defined above, and the local office manager informs the employer that referrals are suspended on orders for workers to fill such jobs, pending termination of the dispute. The local office continues to make referrals to jobs that are not vacant for the reasons defined above, even though the employer may be involved in a dispute concerning specific jobs to which no referrals may be made. (See section 1005 I.)

In any situation where more than one local employment office serves the same geographic area, each local manager who receives information concerning the existence of a labor dispute reports the information to the supervisory level having jurisdiction over all offices in the area. The supervisory office then determines the existence of a labor dispute and notifies all offices serving the establishment in which the dispute exists. In States in which a specially designated agency is responsible for receiving notices of labor disputes, the employment security administrative office may wish to supplement this procedure by arranging with that agency for prompt notification in writing of all disputes which come to its attention.

Where foreign seasonal agricultural workers are employed in an establishment where there may be a labor dispute, or when such an establishment is seeking to obtain foreign seasonal agricultural workers, the above procedure does not apply. Notice of the dispute or the alleged dispute is given to the Bureau as described in section 1605 E.

1655—*Connection Between a Job Opening and a Labor Dispute.* When a local employment office receives an order from an employer in whose establishment a labor dispute is reported to exist, it determines whether the job is vacant because a former incumbent is on strike or has been locked out or whether the filling of the opening is an issue in the labor dispute.

Mr. KENNEDY of New York. Mr. President, the statement which I just read concerning labor dispute referral policy and the procedure followed in determination of labor disputes is not just my understanding of the way in which section 13(e) of the bill would work, but is that of the Labor Department as well.

Both the practice of State agency determination of whether a labor dispute exists in this area and the practice of using the NLRA definition of "labor dispute" are long established. The provisions of section 13(e) are, as I understand it, intended to fit into these established practices. Thus we can expect that a uniform national definition of "labor dispute" will be used by the various State agencies under section 13(e). This has been established by a pattern of action of many years standing.

Mr. PROUTY. Mr. President, I should like to read again the definition of the National Labor Relations Board concerning what a labor dispute is. The definition reads:

> Any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

The Department of Labor has adopted that definition. It seems to me that the control and power given to the Secretary of Labor under the proposed legislation means in effect that the Secretary of Labor is going to make this determination, and the State will have little, if any, voice in it. The States will have to follow the guidelines obviously.

Mr. WILLIAMS of New Jersey. That has not been adopted by the National Labor Relations Board. That was adopted by the Congress of the United States. That is the law. I do not think that we should tamper with the entire body of law that has been built up around labor disputes by the agencies concerned. The National Labor Relations Board and the State employment services are the agencies concerned. Perhaps the law should be changed, but certainly the decision should not be made on the floor of the Senate without a good deal of prior consideration in committee.

Mr. PROUTY. Mr. President, I might represent to my distinguished friend, the Senator from New Jersey, that if they do not stand in approximate relationship of employer and employee, they do not have a case, but under the provision which the Senator was successful in having incorporated in the committee, that would be true.

Mr. WILLIAMS of New Jersey. Is that not the present law?

Mr. PROUTY. Not with respect to agricultural work.

Mr. WILLIAMS of New Jersey. No, but as to all other workers who are covered. That is one of the points. The agricultural workers do not have the civilizing influence of being under the procedures of the National Labor Relations Board. That is why a little anarchy is appearing in California at present. The pending bill does not apply to that. The bill applies only to the situation that where a labor dispute is found to exist under present law, the Federal Government has no business to become the recruiter and referral agency of workers.

Mr. PROUTY. If there is a labor dispute, notice of that fact would be required to be given to any applicant.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. MURPHY. I read from a telegram sent by the director of the Department of Employment of the State of California:

> A labor dispute within the meaning of section 602.2(b) title 20, Code of Federal Regulations and section 1262 of the California Unemployment Insurance Code exists between AWOC, Delano and Stockton, Calif., and grower, D. M. Steele and Son, Inc., Delano, Calif. This dispute began September 21, 1965.
>
> No evidence has been presented to this Department to support a finding that there has been a leaving of work by employees of this grower because of this labor dispute.

My point is that the AWOC Committee has been attempting to organize migratory workers for years in California, and, if the Senator will forgive me, I have known about this for the last 20 years.

One of the reasons I believe that migratory labor and farm labor have not made more progress in being able to enjoy the benefits of collective bargaining, along with the rest of labor, lies in some of the bad practices that have existed, such as the signing up of one, two, or three men and calling it a strike. That is an illegitimate strike, a synthetic strike; it really should have no standing. The purpose is not to refer anybody in a situation in which a legitimate strike is concerned.

The telegram I have read is signed by Al Tieburg. This situation has occurred and continues to occur. I hope that when the labor problem in that area is settled, it will not occur again.

I oppose the provision in the bill, and favor the amendment offered by the Senator from Vermont.

Mr. KENNEDY of New York. Do I correctly understand that the Senator from California is opposed to the language of the bill at present?

Mr. MURPHY. The language is "labor dispute," and anything may be construed as a labor dispute.

Mr. KENNEDY of New York. Does the Senator agree that the judgment as to what is a labor dispute is to be made by the State agency under section 13(e)?

Mr. MURPHY. I would rather protect the economy of my State than leave it to a judgment of this kind, which has just happened.

Mr. KENNEDY of New York. But it is up to the State to determine, and the determination will be made in accordance with the definition of "labor dispute" in the National Labor Relations Act. Does the Senator accept that point?

Mr. MURPHY. I would rather protect the economy of my State, without adding this provision to the language of the bill.

Mr. KENNEDY of New York. My understanding is that the Senator from California is in favor of permitting the farmworkers to organize if there is a labor dispute, and he is in favor of cutting off the referral of workers from the employment agency if there is a labor dispute.

Mr. MURPHY. If there is a proper labor dispute.

Mr. KENNEDY of New York. The question of whether there is a proper labor dispute is determined by the State agency.

Mr. MURPHY. That is usually so.

Mr. KENNEDY of New York. I understand that the Senator might disagree with the finding of the State agency in California, but the State agency would make that judgment and determination.

Mr. MURPHY. Because of bad practices, I would rather leave this language out of the bill, until the situation can be made final with our farmworkers.

Mr. KENNEDY of New York. If the Senator agrees that in a proper labor dispute, employees should not be referred from the U.S. Employment Agency, that is what the bill does. It does not go beyond that. The bill contemplates that the State shall make that determination. The State would make the judgment in the State of California, and the State of Vermont would make its judgment. If the Senator is saying that he favors not having the U.S. Employment Agency refer workers in a proper labor dispute, it seems to me that the Senator should support the bill.

Mr. MURPHY. I am not happy with the term "proper" and with the way the term "proper" has been applied. Therefore, I objected in committee, and I continue to object, because I think this language lends strength to the unfortunate practice that has occurred in the State of California.

Mr. KENNEDY of New York. It is not really, then, the wording of the proposed legislation so much as it is what may be deemed a labor dispute.

Mr. MURPHY. I am a very practical person, of long experience. I have been sent to Congress to help to represent the 19 million people of California.

Mr. KENNEDY of New York. And very ably.

Mr. MURPHY. The law as written should be written as clearly and distinctly as possible, so that there can be no misunderstanding and no evasion. This is what disturbs me.

Mr. KENNEDY of New York. I gathered from the hearings held in California that the Senator was also disturbed because many migrant workers and farmworkers have not gained in the economy to the extent that industrial workers have. The bill is an attempt to rectify an unfortunate and unpleasant situation for many hundreds of thousands of our fellow citizens.

Mr. MURPHY. I say to the Senator from New York that not only was I pleased to go to the hearings, but also, he will be happy to know that the horrible exhibit of housing that he was shown, which is owned by the county and not by any of the growers, is in the process of being torn down, thanks to the efforts of the Senator from California. Decent housing is now in the process of being built. So not only am I concerned, I took action.

Mr. KENNEDY of New York. I understand that, and I observed that the Senator was concerned when the hearings were conducted.

The fact that was made evident in California, and the fact that the Senator from New Jersey [Mr. WILLIAMS] has proved time and again, is that the migrant workers and other farmworkers need protection and help. The bill is a beginning step in the direction of giving them that assistance. It supplies to the farmworkers some of the law that now exists for industrial workers in the United States. This is not revolutionary legislation.

Mr. MURPHY. From my experience of more than 20 years with farmworkers, the bill would unfortunately permit damage to the economy because of the practice of illegitimate strikes. If the Senator from New York desires that I put the blame on the State, in this case I do.

I referred to a situation where not one worker went on strike, yet a strike was declared. One of the unions involved, about which we have spoken, is not even a union, but has received national publicity as a union. Elections have taken place in California, elections which I hope the committee will investigate shortly, so that all the facts can be brought forth. All the right and all the wrong is not on one side.

It is that particular phase of the bill which disturbs me, as I have told the Senator from New York in committee, and I shall oppose it.

Mr. KENNEDY of New York. I point out to the Senator that the average farmworker across the country is paid $1.09 an hour, and the average industrial worker is paid over $2.60.

Mr. MURPHY. The average pay for farmworkers in California is $1.50 an hour.

Mr. KENNEDY of New York. Senators are charged with the responsibility for legislation which will affect every State.

Mr. MURPHY. I agree.

Mr. KENNEDY of New York. And farmworkers have not moved along with the rest of the economy.

Mr. PROUTY. Mr. President, I am enjoying the colloquy, but I hope it will not be extended too long, because I know other Senators wish to be heard.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. AIKEN. I merely desire to say to the Senator from New York that the State farmworker has not moved along with the rest of our economy, for the reason that the Government insists on holding down farm prices, so he cannot move along. One need only consider the milk situation, to know what I mean.

Mr. KENNEDY of New York. I represent, in part, the second biggest milk State in the Union, so I am concerned about the matter.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. PROUTY. First, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. PROUTY. I yield to the Senator from New Jersey.

Mr. WILLIAMS of New Jersey. I believe all Senators would agree that "labor dispute" does not mean, to use the words of the junior Senator from California, an illegitimate dispute or a synthetic labor dispute. It has to be an honest finding, and that will be made at the State level.

Mr. PROUTY. I do not believe the Senator from New Jersey is correct, under the definition.

Mr. President, I wish to read from the testimony of Secretary Wirtz when he appeared in support of the administration bill before the subcommittee.

The PRESIDING OFFICER. Before the Senator proceeds, the Chair is going to ask that attachés be seated. The Chair will not proceed until attachés in the Chamber are seated. Those who do not have business in the Chamber will please retire from the Chamber. The Senate will be in order.

Mr. PROUTY. Mr. President, referring to section 15, the explanation of the administration bill by the Secretary of Labor, Mr. Wirtz, was as follows:

> Section 15 continues the requirements imposed by the regulations issued under section 11(b) of the present Wagner-Peyser Act under which the employment service is prohibited from referring applicants to a job the filling of which will aid directly or indirectly in filling a job which is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or the filling of which is an issue in a labor dispute. With respect to other positions, any individual may be referred to a place of employment in which a labor dispute exists, provided he is given written notice of such dispute prior to or at the time of his referral.

The foregoing explanation was in connection with the administration bill and the subcommittee reported it essentially to the full committee.

My proposed amendment is very closely allied to this proposal in the administration bill. It seems to me that this is no time to determine whether or not we wish to bring farmers or farm employees under the jurisdiction of the National Labor Relations Board.

As I said earlier, perhaps that should be done, but it should be given a great deal more consideration than simply during the debate on the pending bill.

The Senator from Arizona [Mr. FANNIN] obtained the floor.

Mr. FANNIN. Mr. President, the distinguished junior Senator from California [Mr. MURPHY] is suffering from a very troublesome case of laryngitis. Consequently, I ask unanimous consent that I may be permitted to read his statement into the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

STATEMENT BY SENATOR MURPHY READ BY SENATOR FANNIN

Mr. MURPHY. Mr. President, as originally introduced, the Clark-Holland bill, S. 2974, incorporated the language of the present Wagner-Peyser Act. It directed the Secretary of Labor to provide for the giving of notice of strikes or walkouts to employment applicants before referral.

The administration bill, S. 3032, also introduced by Senator CLARK, incorporated the regulations issued by the Secretary of Labor in administering the Wagner-Peyser Act. Under these existing regulations, the employment service will not refer applicants where the job is vacant because of, first, a strike or lockout; or second, the existence of a "labor dispute."

My amendment adopts the language of the original act, together with the regulations that have been issued by the Secretary of Labor pursuant thereto. The committee, however, went even further than the original act plus the regulations, by adopting the amendment offered by the junior Senator of New Jersey. Senator WILLIAMS' amendment would prohibit referrals by the employment service to agriculture employers involved in a "labor dispute."

It should be reemphasized that the Williams amendment was not in either the original Clark-Holland bill, or the administration bill. There was no opportunity for witnesses to testify on the Williams amendment.

Mr. Andrew J. Biemiller, director of legislation for the AFL-CIO, appeared before the committee on March 17, and testified as follows:

> We are unqualifiedly opposed to having the public employment service aid employers to break strikes or reinforce their lockouts. We oppose, therefore, any procedure which would permit the service to refer applicants to employers whose workers are on strike, and we also oppose the approval of training programs for openings which exist because the regular workers are on strike. We believe the policy of the public employment service ought to be clear and airtight on this issue.
>
> We do not believe the Clark-Holland bill covers the problem adequately and, therefore, we support the general language of the administration bill. As a matter of fact, as we read it, the language in the administration bill is nothing more than present policy as expressed in existing regulations.

The AFL-CIO, then, supported the administration's language regarding the referral of workers where there is a strike, lockout or labor dispute. This, I would point out, is the exact language that my amendment would reinstate.

While at a first glance, this provision might have a certain superficial appeal, a closer examination reveals that this amendment, if enacted into law, would have what we deem to be a highly pernicious effect, for it would grant to labor organizations the right to cut off the supply of agricultural labor even though no genuine labor dispute exists at all.

If an antistrikebreaker provision were all that is involved in this amendment, we would not oppose it. Surely the Federal Government, representing all the people and using tax moneys paid by all the people, ought not to be in the business of providing "strikebreakers."

But Senators should understand very clearly that the words "labor dispute" can be interpreted—and have been interpreted—to include not only real labor disputes but also anything which remotely looks like a labor dispute. Thus, a union may solicit membership from among an employer's employees without any success at all, and still create a "labor dispute." Let us suppose that the employees flatly reject the union. And further suppose that the union nevertheless demands recognition by the employer, but the employer refuses—as he rightly should—because he is unwilling to impose on his employees a union which the employees have rejected. And finally, suppose this "stranger union" throws up a picket line, but not a single employee walks off the job and not a single employee is dissatisfied with his employment. At this point, there is not the slightest doubt that, under the committee amendment, there is a "labor dispute" and the employment service would be prohibited by law from referring any employee to the employer, even if the employee is given notice that a so-called labor dispute is in existence, and even if the employee is willing, nevertheless, to apply for the job.

There are a number of cases which illustrate this point. The well-publicized "grape strike" in Delano, Calif., is an excellent example, as the record of the recent hearings held there by the Senate Migratory Labor Subcommittee amply proves. By this we do not mean to suggest that there is no true "labor dispute" in Delano, nor do we mean to suggest that none of the growers have been struck.

But it is clear beyond question that some of the growers were not struck, and it is equally clear that, with respect to some of the growers, none of the several competing labor organizations involved had majority support.

We will cite one instance. Early in September 1965, a grower named Steele received from two different unions—the NFWA and AWOC—demands for recognition and collective bargaining. Steele refused, claiming that the majority of his employees did not wish to be represented by either union—surely they could not each have had a majority, without counting at least 101 percent of the employees. Shortly thereafter, the unions called a "strike" against Steele and all other growers in Delano. The California Department of Employment, which is subject to the Wagner-Peyser Act, was notified of the existence of a "labor dispute." The department investigated, and on September 27, 1965, Steele received the following telegram, which is identical to the telegrams received by 14 other growers:

> Following is the determination I have made and authorized for release relating to the labor dispute between AWOC, Stockton and Delano, Calif., and the grower, D. M. Steele and Son, Inc., Delano, Calif.:
>
> "1. A labor dispute within the meaning of section 602.2(b) title 20, code of Federal regulations and section 1262 of the California Unemployment Insurance Code exists between AWOC, Delano and Stockton, Calif., and grower, D. M. Steele and Son, Inc., Delano, Calif. This dispute began September 21, 1965.
>
> "2. No evidence has been presented to this department to support a finding that there has been a leaving of work by employees of this grower because of this labor dispute.
>
> "3. For this reason, referral of workers is not prohibited provided written notice is given such workers that a labor dispute between AWOC and this grower exists. A statement of facts will be released later."
>
> Albert B. Tieburg,
> *Director, Department of Employment.*

There are several important points revealed by this telegram. First, the department, following Federal regulations, found the existence of a "labor dispute" as that term is used in administering the Wagner-Peyser Act. Second, although a "labor dispute" was found to exist, not a single employee left work in support of the so-called strike—certainly substantial indication that the union, which called the strike in the first place, did not have much support, if any. And third, despite the existence of this so-called labor dispute, the department was permitted, under existing law, to refer workers provided the workers were given written notice of the existence of the "labor dispute."

Let it be perfectly clear that persons referred under these circumstances are not strikebreakers, for there is no strike going on in the first place—no one has left work.

It might be argued, however, that even though the strike is 100 percent ineffective, a bona fide "labor dispute" might nevertheless exist, in the sense that a majority of the employees might support the union and be members of it, but might nevertheless be too poor or too weak to walk out in support of their demands. But the committee amendment, it should be noted, says not a word about requiring majority support of a union as a precondition of having a bona fide labor dispute.

The result is that any union—even one representing absolutely nobody—can throw up a picket line around an employer with picket signs reading simply "unfair," and thereby cut off referrals from the employment service.

Indeed, the amendment is so broad that an employer might be subject to it even if his employees were already working under a union contract with another union, and a stranger union showed up with picket signs reading "Unfair to Our Union."

This language would permit the finding of a labor dispute and therefore a denial of the opportunity for the referral of workers to a farmer through the employment service, even though he had not yet employed any workers.

We believe—as we are sure our colleagues in the majority believe—that Federal funds should not be used to break a strike.

We equally believe—as we hope a majority of our colleagues will come to believe—that Federal funds ought not to be used as ammunition in support of a strike.

And we believe even more strongly that Federal funds ought not to be used in support of a "strike" which is not a real strike at all, and which is opposed by a majority of the employees affected.

We call these matters to the attention of our colleagues with the hope that they will not be misled by the term "labor dispute" in the committee amendment to the section 13(e), and that they will see this amendment for what it really is—an abuse of Federal power and a perversion of the purposes which the Wagner-Peyser Act was designed to achieve.

Mr. FANNIN. Mr. President, I suggest the absence of a quorum.

Mr. CLARK. Mr. President, would the Senator from Arizona withhold that request?

The PRESIDING OFFICER. Does the Senator from Arizona withhold his request for the call of a quorum?

Mr. FANNIN. Mr. President, I suggest the absence of a quorum.

Mr. JAVITS. If the Senator from Arizona would withhold his request a moment, I should like to be heard.

Mr. FANNIN. Mr. President, I withhold my request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. I thank the Senator from Arizona.

Mr. President, I should like to be heard on this point. It is not an easy problem, as the Senate already knows, of course; but there is equity on both sides. Let me explain the equity on the side of the proponents of the amendment. It is a fact that some of the 50 States in the Union have no labor relations agencies at all and it is up to a commissioner of labor, if there is one, to make an arbitrary decision on what is a "labor dispute." Of course, the proponents stated the most extreme case, but it is legitimate. Some States could decide that one man carrying a poster saying "Unfair" constitutes a labor dispute. Perhaps not in States with large labor forces, but, nonetheless, it could be done. I must say that the words "labor dispute," stated alone, raise that possibility among 50 States.

Unfortunately, I was not able to be present in the committee room when the amendment was voted on.

It is my judgment, as I see the situation, that the Prouty amendment could open the door to pressing the situation a good deal further than it has been pressed up to now in the agricultural field. I am told that it is hard to define the difference in a ragged labor situation, as exists in agriculture, between an actual strike and a "labor dispute." A few persons may go out on strike and others may not—with such large numbers of people involved it could be pretty hard to determine.

It is my judgment that we can do something with this section. I do not in any way wish to weight the situation against the Senator from Vermont. I believe that he has raised—as he so often does—a key weakness in the provision, but I am not prepared to go along with his solution. I shall therefore vote "nay" on his amendment. I do not want to suggest any alternative language at the moment because I think he has raised an acute and proper point, and he should therefore have a fair "shot" at it and have it voted up or down.

We must bear in mind that this provision, even if the amendment is adopted, will go to the other body, which has not passed on this bill yet, and they will have another look at the same situation. But, if the Prouty amendment should be rejected, I will undertake, if I can, within the limited compass of time, to make a suggestion to the Senate to endeavor to refine this concept, which begs for a definition, in an effort to resolve the controversy.

Mr. CLARK. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. I am interested in what the Senator has just said. I hope that he will make an earnest effort to coordinate his proposed amendment with the Senator from New Jersey [Mr. WILLIAMS], for if the two able Senators from New York and New Jersey—should agree on an amendment, then I think that we can all go home happy. If the Senators from New York and New Jersey, however, are unable to agree, then I predict a rather long debate.

Mr. JAVITS. I thank my colleague.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont [Mr. PROUTY].

Mr. ALLOTT. Mr. President, I have listened to this debate with considerable interest and, also, more recently, to the remarks of the junior Senator from California and the Senator from New York. I am quite concerned about this whole matter. With all deference to the Senators from New York and New Jersey, I am sure the distinguished Senator from New Jersey is looking basically at trying to get at the kind of corporation farming in which he thinks the situation needs changing and helping very badly; yet, on the other hand, the Senator from New York is looking at it from a completely different kind of agriculture than exists in most other parts of the country.

I am thinking particularly of dairying where in many parts of the Midwest we have a small amount of dairy farming. The excuse given by the junior Senator from New York awhile ago in this Chamber was, of course, that the agricultural workers are the lowest paid people in the field. Well, this is not a minimum wage bill and no attempt should be made here to legislate minimum wages indirectly.

I am reminded of the remark made by the distinguished Senator from Vermont that if the farmers in this country earned more money from selling their farm produce, they would be able to pay higher wages to their workers. The fact is—and I believe I am correct in this figure—that the parity ratio is now somewhere around 76 percent. It was as low as 74 percent. To the Senator from Iowa, my colleague, the Senator from Arizona, and to the Senator from Idaho, I do not have to explain what happened last spring in the month of March when the Secretary of Agriculture, the Vice President and others made statements about the rollback on prices of beef and pork, both successively, and thereby broke the price of that commodity.

I pointed out, in a speech to the Colorado Cattlemen's Association just about 3 weeks ago that, as a result of this—and it is going to happen just as surely as we are here—in late 1967 there will be a sharp rise in the cost of the beef on the market, because the result of the words of the Secretary of Agriculture and others in their efforts to roll back the price of beef has been and will be to have all kinds of cattle go on the market before they should be marketed. So there will be a shortage next year.

If parity were increased by 25 percent, I suppose the farmers could raise wages by 25 percent. I do not think that the Senator from New York can talk about agriculture in Colorado, however, any more than I could talk about agriculture in New York. I doubt if there is anyone who is capable of talking about agriculture generally except the eminent Senator from Vermont [Mr. AIKEN], who is present on the floor.

When I consider some of our agricultural products in Colorado, I think particularly about our peach crop, for example, on the western slope. Those peaches are of the finest quality in the Nation. Georgians will quarrel with that estimate of the quality, but they are of a very fine quality. It takes very little adverse weather to ruin a peach crop, as happened earlier this year, which all but eliminated the crop.

What happens during those critical days if someone wants to utilize the definition of what is euphemistically called a labor dispute on page 38, section 13(e) of the bill? I do not know what one could say to those farmers. They are perfectly willing to pay the going rate and pay as much as they can, but to have anyone throw up a phony or bogus picket line outside of their property would be a real hardship on them.

The Federal employment services were set up many, many years ago. I do not remember the exact year. Through the course of years, we started to receive the kind of farm labor that come to the farmers through the Federal-State system. I know this is true in our State. As a result, it seems to me we have gotten into a pattern where the farmer can go to only one place, the Federal-State employment office, and say, "Look, I have to have five farm laborers to pick my peaches, or work in the beetfields, or somewhere else." It is no satisfaction to him, if his crop is going to waste, if there is, as will be true in many instances, a phony labor dispute.

So I am concerned about this provision. If the Senator from New York can arrive at language which satisfies me, I shall vote for his amendment. I do not know whether he can do it. I certainly, in all seriousness, and with a sense of responsibility to the agricultural people of Colorado, could not go along with subparagraph (e) as it is written.

I can only see it as creating a further hardship.

I see on the floor the Senator from New Jersey [Mr. WILLIAMS], who was successful in killing the Bracero Act. I can only tell him that we in Colorado today are begging and begging and begging for laborers to get out our vegetable crop. Some of our canners are buying vegetables in Mexico and bringing them into Colorado, because they can do it cheaper that way than by raising them in Colorado.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. WILLIAMS of New Jersey. I cannot take the credit the Senator has so generously given me almost in toto for killing the Bracero Act.

Mr. ALLOTT. Then I will not give him all the credit.

Mr. WILLIAMS of New Jersey. It was under the jurisdiction of the Agriculture and Forestry Committee, of which I am not a member, but, of course, I was interested in it. As a matter of fact, American employment in agriculture has matched the loss of Mexican employment in American agriculture.

Mr. ALLOTT. I am sure the Senator is speaking as a result of listening to people who are not very well informed. A trip through the Midwest and the Mountain States will convince the Senator it is not true.

Mr. WILLIAMS of New Jersey. That trip will be made within 10 days.

Mr. ALLOTT. The production of many vegetables was cut back as much as 50 percent in order to comply with the availability of labor.

There are many facets to this amendment that are unclear to me at this time.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. AIKEN. I have no difficulty at all in agreeing with what the Senator from New Jersey [Mr. WILLIAMS] and the Senator from New York [Mr. JAVITS] have said, that the wages of farm laborers have not kept pace with wages paid in other industries. There are many reasons for it. When I speak of farmers, I am not speaking of farmers who employ hundreds of people. I am speaking of the 2 or 3 million farmers who are lucky to employ one person besides themselves.

Mr. ALLOTT. Mr. President, will the Senator allow me to interrupt?

Mr. AIKEN. Yes.

Mr. ALLOTT. I think this is one of the difficulties. Many of our colleagues are prone to aim this type of legislation at farm operations that employ hundreds of farmers, when the vast majority of the farmers employ only one or two laborers.

Mr. AIKEN. I suppose there are 100,000 farmers in this country who employ many workers, but we have between 2½ and 3 million farmers who are lucky to get one or two people to help them on their farms.

Further than that, I do not know how the farmer is going to pay to the available help the minimum wage proposed to be applied during the next 2 or 3 years. The farmer has difficulty paying his help when the cost of producing milk in my area has increased by a bit over 70 percent over the last 20 years.

The price of that milk is almost identically the same as it was then. The price of beef has gone up. That has encouraged the farmers to sell their dairy cows, until the reduction in production over the last year has been greater than it was during World War II.

Furthermore, the Federal Government, besides undertaking to hold down prices to the farmer in the interest of the consumer—so it says—makes contracts with war industries which provide for such wages and such profits as to enable the industries to hire all the help off the farms. At the present time, the farmer cannot compete with industry that pays $3 or $4 an hour, when the farmer is perhaps working for 50 cents an hour himself.

The situation on the farms today is similar to what it was in World War II. Not only is there less production of wheat and milk; but we will find, unless remedial steps are taken, that there will be reductions in the production of other food commodities in this country. Then the consumer, and eventually the country itself, will be the final loser.

Until the Government recognizes that the farmer cannot pay his labor and have an income for himself, conditions will not be much better. I am speaking of the 2 to 3 million farmers who do their own work with the aid of their families.

So far as leaving decisions to the State agency is concerned, I shall be glad to leave the decisions to the Vermont Department of Employment Security at any time, because it has been well managed for some years. We have absolute confidence in that agency, and I do not want to see it disrupted. I do not want to see the better part of it moved to Washington. I do not want Washington to have the right to dominate every move that is made in the State of Vermont by our presently well-managed labor agency.

Mr. ALLOTT. I thank the distinguished Senator from Vermont. I agree wholeheartedly with him.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. WILLIAMS of New Jersey. I thought the junior Senator from New York [Mr. KENNEDY] had made it crystal clear that the Vermont Employment Service would continue to make the determinations under the bill now before us.

Mr. AIKEN. That is something that I should like to be assured of. I am not so sure of that, because as I read the provisions of the bill, the Vermont employment agency will make the decisions as they are determined in Washington, if the bill passes as it is written.

Mr. ALLOTT. I agree with the conclusion of the Senator from Vermont. We in Colorado are proud of our employment service. We have an outstanding director, and have had for many years—Bernard Teets. So I would be reluctant to put the control of the State agency in the hands of the bureaucrats in Washington, D.C. But upon the point which the Senator from Vermont discusses—the welfare of the farmers—I wish to point out, Mr. President, that one of the big mistakes that has been made in this country in the last year has been to array the consumer against the producer. I say again for the RECORD—I am not afraid of what I am saying, for I am confident it will come true—that the arraying of the consumer against the producer last spring by members of this administration is going to cost the consumer money next year. When the shortage in the cattle market, which was created by this very bird that the administration kicked up comes home to roost, the price of beef in the market will go up. That is what will happen next fall.

Mr. President, I cannot support this particular section of the bill. I shall support the amendment of the distinguished junior Senator from Vermont, and I sincerely hope that every Senator will take a hard look at the matter, and realize what he is doing to the agricultural people of this country.

Mr. WILLIAMS of New Jersey. Mr. President, section 13(e)(c) of S. 2974, amendments to the Wagner-Peyser Act, for the first time prevents the Federal-State Employment Service from acting as a strikebreaker by referring workers where a labor dispute exists.

Under present law, the Federal-State Employment Service will not refer workers where the job is vacant, because first, either the former occupant is on strike or is being locked out in the course of a labor dispute; or, second, the filling of the job is an issue in a labor dispute. Where labor disputes are in progress and workers have not left their jobs, referrals with notice are permitted under present law.

In industries not covered by the National Labor Relations Act, the present law has a highly pernicious effect on employees attempting to organize and negotiate with their employers. Agricultural employees have been especially disadvantaged.

Currently, the Federal-State Employment Service is required to supply workers, both intrastate and interstate, to an employer, even though he is involved in a labor dispute as determined by a State agency. The only current limitation is that the Employment Service may not refer a worker to a job vacancy caused directly by a labor dispute.

Lacking coverage under Federal collective-bargaining laws, farm employees have no way to bring about negotiations of the dispute, nor can they take it to the National Labor Relations Board for resolution. Federal-State referrals of workers, in this context, is tantamount to Government strikebreaking activity at the taxpayers' expense.

Section 13(e)(c) of S. 2974 corrects this inequitable condition by providing that referral of workers shall cease promptly upon the determination by the State agency that a labor dispute does in fact exist. The bill does not alter, or affect in any way, the employer's right to recruit workers in his own way and at his own expense. It merely says that the taxpayers will not pay the bill.

Highly seasonal industries such as agriculture employ large numbers of workers for short periods of time. Under present law, an employer may have workers referred by the Federal-State Employment Service while refusing to hire workers who are union members. An employer, prior to hiring his peak seasonal labor force, may refuse to negotiate with workers concerning wages, working conditions, or union representation. In both situations, since no workers have been hired and therefore have not walked off the job, an employer can go to the Federal-State Employment Service and place orders for the referral of workers. As an example of such a situation, I ask unanimous consent to insert in the RECORD a letter dated March 2, 1966, from the Department of Employment for the State of California. This letter shows that in the Delano grape strike, 15 different employers received referrals from the Federal-State Employment Service while a labor dispute was in progress.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF EMPLOYMENT,
Sacramento, Calif., March 2, 1966.

JOSEPH BROSMER,
846 Divisadero Street,
Fresno, Calif.

DEAR MR. BROSMER: This refers to our recent telephone conversation during which you requested a list and the present status of the agricultural labor disputes which are still active in the vineyards in the Delano area.

We are sending you three lists:

1. Those cases in which our investigation showed existence of a labor dispute and a leaving of that work and for these reasons referrals may not be made to these employers to agricultural jobs left vacant by reason of the labor dispute.

2. Those cases in which it was determined that labor disputes were in existence but that there was no evidence of a leaving of work. Referrals are permitted to these employers provided due written notice that a labor dispute exists is given to each person referred.

3. Those cases which were investigated but in which we found that there was no labor dispute.

We hope that this is the information you needed. If you have any questions, please feel free to call us.

Sincerely,

PAUL W. LITTLE,
Assistant Director—Manpower.

NO. 1. LABOR DISPUTE NO REFERRALS

J. D. Martin.
Marko Zaninovich.
M. Caratan.
A & N Zaninovich.
Jack Radovich.
Anton Caratan & Sons
Frank Lucich.
Ciumarra Vineyard.
Bruno Dispoto.
Vincent Zaninovich & Sons.
Jake Cesare.
Louis Caric & Sons.
Sandrini Brothers.
Schenley Industries.
DiGiorgio Fruit Corporation.

NO. 2. LABOR DISPUTES REFERRALS PERMITTED WITH NOTICE

W. B. Camp, Jr.
California Grape Products.
Tudor & Sons.
D. M. Steele.
John Pagliarulo.
George A. Lucas & Sons.
George Zaninovich.
Vincent M. Zaninovich.
Al Missakian.
Pandol & Sons.
Gene Radovich & Sons.
Marion Zaninovich.
Patti-Bono.
P. J. Divisich Fruit Co.
Frank Gallo.

NO. 3. NO LABOR DISPUTE

Irving Goldberg.
John Dulcich & Sons.
Setrakian & Co.

Mr. WILLIAMS of New Jersey. Mr. President, the Federal-State Employment Service operates under a direct Federal subsidy. In fiscal 1964, $424 million went directly to the States for this purpose. In 1965, $436.15 million were spent. For the current fiscal year, $502.1 million has been appropriated and for fiscal 1967, $531.95 million is requested. It is from these funds that the Farm Placement Service is supported and, therefore, Federal money is currently being used to subsidize State referrals of workers where a labor dispute exists.

S. 2974 does not change existing law regarding the definition of a labor dispute or the method of determining whether a labor dispute in fact exists.

State authorities now use and will continue to use under S. 2974 the National Labor Relations Act definition of a labor dispute in determining whether or not a dispute exists. A labor dispute as defined by the National Labor Relations Act "includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee."

Some people have claimed that under S. 2974 one picket around a farm will be interpreted as a labor dispute—automatically halting the referral of workers by the Federal-State Employment Service. Nothing could be further from the truth.

S. 2974 does not change existing law regarding the determination of whether or not a labor dispute exists. This determination will still be made by State employment security agencies. As under present law, there must first be a bona fide presentation of demands to the employer and a refusal to meet these demands before a labor dispute can exist. The State agency in these instances is usually notified by one of the parties involved that a dispute is in progress. However, it may also receive this information from other sources. Upon receipt of notice the State agency will undertake an investigation to determine whether there is a bona fide labor dispute—this is also the procedure under current law.

Referrals by the Federal-State Employment Service will not be discontinued until and unless a determination is made that there is a bona fide labor dispute in existence. Until such a decision is made, referrals continue, but notice is given to the job applicant that there is an alleged labor dispute in progress. Upon the making of the decision that a bona fide labor dispute does in fact exist the parties to the dispute are notified as to the decision. I might add that one picket around a farm has never been found to constitute a labor dispute.

The scope of section 13(e)(c) of S. 2974 is limited to industries not covered by the National Labor Relations Act; its sole purpose is to stop worker referrals by the Federal-State Employment Service upon determination by the States that a labor dispute exists.

Industries not covered by the National Labor Relations Act have no orderly legal procedures to bring about employer-employee negotiations when a labor dispute is in progress. For example, in the labor dispute between the National Farm Workers Association and the Di Giorgio Corp. in Delano, Calif., there is a dispute as to the conditions governing elections to determine union representation.

Despite the protests of the National Farm Workers Association, the Di Giorgio Corp. has just concluded an election on its own terms and conditions. And, even though the parties are clearly involved in a labor dispute, the matter cannot be taken to the National Labor Relations Board for a decision. But worse still, where workers have not walked off the job, the present law requires the Employment Service to refer workers in such situations. This places the Federal and State Government in the posture of directly taking sides in a labor dispute.

Section 13(e)(c) does not affect in any way whatever the right of the employer himself to recruit, hire and transport workers even though a labor dispute exists on his farm.

S. 2974 merely puts the Federal-State Employment Service in a neutral position—in contrast to the present position in which referrals are stopped only in the case of vacancies actually caused by labor disputes. In all other cases the Federal-State Employment Service is required to make referrals so long as notice is given to the worker that a labor dispute exists.

The reforms which would be enacted by the passage of S. 2974 are long overdue and go a long way in bringing the same protections to our Nation's farmworkers as are enjoyed by the rest of our Nation's work force.

Mr. CLARK. Mr. President, the majority members of the committee are opposed to the pending amendment. The colloquy and the discussion have, I think, brought out clearly the issue. The matter is controversial. To me, the argument made by the junior Senator from New Jersey [Mr. WILLIAMS] is entirely convincing.

The administration is opposed to the amendment. I shall read a very short letter from the Assistant Secretary of Labor and the Manpower Administrator, Mr. Stanley Ruttenberg, in which he says:

> You have asked for my views on the referral policy contained in clause (c) of Section 13(e) of S. 2974.
>
> This clause prohibits any referral to employments excluded from coverage under the National Labor Relations Act by reason of Section 2(3) of that Act if the employer is involved in a labor dispute.
>
> This referral policy for employment not subject to the National Labor Relations Act seems entirely appropriate. Where the Government does not provide procedures for the resolution of disputes, either through mediation, the supervision of elections for collective bargaining representatives or regulation of the bargaining relationship between employers and employees, it should also not intervene in a dispute by the referral of workers. By Section 2(3) of the Labor Relations Act, the Government maintains a completely "hands-off" policy in certain disputes and that "hands-off" policy should also be extended to the referral of workers in these disputes.
>
> For these reasons, the Department of Labor favors this declaration of referral policy by the Congress.

They favor the Williams amendment which is incorporated in this bill, which the Prouty amendment seeks to strike.

Mr. President, I ask unanimous consent that the letter from the Assistant Secretary of Labor from which I have just read be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> U.S. DEPARTMENT OF LABOR,
> OFFICE OF THE ASSISTANT SECRETARY,
> *Washington, June 28, 1966.*
>
> Hon. JOSEPH S. CLARK,
> *Chairman, Senate Subcommittee on Employment, Manpower and Poverty, U.S. Senate, Washington, D.C.*
>
> DEAR SENATOR CLARK: You have asked for my views on the referral policy contained in clause (c) of Section 13(e) of S. 2974.
>
> This clause prohibits any referral to employments excluded from coverage under the National Labor Relations Act by reason of Section 2(3) of that Act if the employer is involved in a labor dispute.
>
> This referral policy for employment not subject to the National Labor Relations Act seems entirely appropriate. Where the Government does not provide procedures for the resolution of disputes, either through mediation, the supervision of elections for collective bargaining representatives or regulation of the bargaining relationship between employers and employees, it should also not intervene in a dispute by the referral of workers. By Section 2(3) of the Labor Relations Act, the Government maintains a completely "hands-off" policy in certain disputes and that "hands-off" policy should also be extended to the referral of workers in these disputes.
>
> For these reasons, the Department of Labor favors this declaration of referral policy by the Congress.
>
> Sincerely,
> STANLEY H. RUTTENBERG,
> *Assistant Secretary and Manpower Administrator.*

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I send to the desk a proposed unanimous-consent agreement which I believe has been cleared by all interested parties, and ask that it be read.

The PRESIDING OFFICER. The clerk will read the unanimous-consent agreement proposed by the Senator from Montana.

The legislative clerk read as follows:

Ordered, That, effective on Wednesday, June 29, 1966, at the conclusion of routine morning business, during the further consideration of the bill (S. 2974) to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such Act at both State and Federal levels, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Pennsylvania [Mr. CLARK]: *Provided,* That in the event the Senator from Pennsylvania [Mr. CLARK] is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. CLARK. Mr. President, reserving the right to object—and I shall not object—I wonder if the majority leader would be willing to dispense with the morning hour tomorrow, so that we could go right to this bill at 10 o'clock.

Mr. MANSFIELD. That is agreeable with me.

Mr. CLARK. I ask unanimous consent that the proposed unanimous-consent agreement be amended so as to provide that we shall take up the bill immediately upon the convening of the Senate tomorrow morning.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, reserving the right to object, the language does not make clear that the 2 hours on the bill may be utilized at any time during debate on amendments to the bill.

Mr. MANSFIELD. That is the usual procedure.

Mr. CLARK. Mr. President, I shall not object. I think this is a constructive move. I hope that all Senators will exercise restraint with respect to the amendments which they intend to offer tomorrow. I know some are more important than others. But I would hope we could complete work on this by 1 o'clock.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request, as amended? The Chair hears none, and it is so ordered.

The unanimous-consent request, as reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Wednesday, June 29, 1966, after the prayer, during the further consideration of the bill (S. 2974) to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such Act at both State and Federal levels, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Pennsylvania [Mr. CLARK]: *Provided,* That in the event the Senator from Pennsylvania [Mr. CLARK] is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to two hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. PROUTY. Mr. President, I point out, in closing, that the amendment I propose is almost identical with a provision in the bill the administration sent to Congress. That provision was approved by the subcommittee, and changed in the full committee.

I think we should all recognize what we are doing to the farmers of this country, unless my amendment prevails. They will be faced with a terrible situation, and I hope very much that the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the junior Senator from Vermont [Mr. PROUTY]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Michigan [Mr. HART], the Senator from Arizona [Mr. HAYDEN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Indiana [Mr. HARTKE], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Maine [Mr. MUSKIE], and the Senator from Virginia [Mr. ROBERTSON] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD] and the Senator from Massachusetts [Mr. KENNEDY] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Wyoming [Mr. SIMPSON] is necessarily absent, and, if present and voting, would vote "yea."

The result was announced—yeas 46, nays 39, as follows:

[No. 123 Leg.]

YEAS—46

Aiken
Allott
Bennett
Bible
Boggs
Byrd, Va.
Cannon
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fulbright
Griffin
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
McClellan
Miller
Morton
Mundt
Murphy
Pearson
Prouty
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—39

Anderson
Bartlett
Bass
Bayh
Brewster
Byrd, W. Va.
Case
Church
Clark
Douglas
Fong
Gore
Gruening
Harris
Inouye
Jackson
Javits
Kennedy, N.Y.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—15

Burdick
Carlson
Dodd
Hart
Hartke
Hayden
Kennedy, Mass.
Long, Mo.
McGee
McIntyre
Muskie
Neuberger
Robertson
Simpson
Talmadge

So Mr. PROUTY's amendment, as modified, was agreed to.

Mr. PROUTY. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. ALLOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMITTEE MEETINGS DURING SENATE SESSIONS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow, with the exception of the Committee on Labor and Public Welfare.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of Senate Joint Resolution 162.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution (S.J. Res. 162) to establish the American Revolution Bicentennial Commission, and for other purposes, which had been reported from the Committee on Judiciary, with amendments, on page 2, line 21, after the word "Institution", to insert "the Archivist of the United States,"; on page 3, after line 20, to strike out:

(d) The Commission shall convene, at a place of meeting generally convenient, not later than one year after the date of enactment of this Act, a national assembly to consider and make recommendations to the Commission for the most fitting and appropriate activities to commemorate the bicentennial. The Governors of each of the several States and territories of the United States shall be invited to appoint representatives to the assembly. Appropriate Federal departments and agencies, State and local public bodies, learned societies, and historical, patriotic, philanthropic, civic, professional, and related organizations shall also be invited to appoint representatives. When this assembly shall have made its recommendations, it shall be adjourned subject to the call of the Commission.

On page 4, at the beginning of line 10, to strike out "(c)" and insert "(d)"; on page 5, at the beginning of line 9, to strike out "(f)" and insert "(e)"; on page 6, after line 17, to insert:

(c) The Chairman of the Federal Council on the Arts and the Humanities, the Chairman of the National Endowment for the Arts, and the Chairman of the National Endowment for the Humanities are authorized and requested to cooperate with the Commission, especially in the encouragement and coordination of scholarly works and presentations focusing on the history, culture, and political thought of the Revolutionary War period.

At the top of page 7, to insert:

(d) The Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States are authorized and requested to cooperate with the Commission, especially in the development and display of exhibits and collections, and in the development of bibliographies, catalogs, and other materials relevant to the period of the Revolutionary War.

After line 7, to insert:

(e) Each of the officers listed in subsections (c) and (d) of this section shall submit recommendations to the Commission in time to afford the Commission an opportunity to review them, and to incorporate such of the recommendations as the Commission may deem appropriate in the report provided for in section 3(d).

In line 22, after the word "Institution", to insert "the Archivist of the United States,"; on page 8, line 12, after the word "exceed", to strike out "$100" and insert "$75" and, on page 9, after line 15, to strike out:

Sec. 7. (a) There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, except that there is authorized to be appropriated not to exceed $200,000 for the twenty-four-month period beginning on the date of the enactment of this Act.

(b) The Commission shall terminate on December 31, 1983.

And, in lieu thereof, to insert:

Sec. 7. (a) All expenditures of the Commission shall be made from donated funds only.

(b) An annual report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress. A final report shall be made to the Congress no later than December 31, 1983, upon which date the Commission shall terminate.

So as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, as this Nation approaches the bicentennial of its birth and the historic events preceding and associated with the American Revolution which are of such major significance in the development of our national heritage of individual liberty, representative government, and the attainment of equal and inalienable rights and which have also had so profound an influence throughout the world, it is appropriate and desirable to provide for the observation and commemoration of this anniversary and these events through local, State, National, and international activities planned, encouraged, developed, and coordinated by a national commission representative of appropriate public and private authorities and organizations.

Sec. 2. (a) There is hereby established a commission to be known as the American Revolution Bicentennial Commission (hereinafter referred to as the "Commission") to plan, encourage, develop, and coordinate the commemoration of the American Revolution bicentennial.

(b) The Commission shall be composed of the following members:

(1) Four Members of the Senate to be appointed by the President of the Senate;

(2) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives;

(3) The Secretary of State, the Attorney General, the Secretary of the Interior, the Secretary of Defense, the Secretary of Health, Education, and Welfare, the Librarian of Congress, the Secretary of the Smithsonian Institution, the Archivist of the United States, and the Chairman of the Federal Council on the Arts and the Humanities, all of whom shall be ex officio members of the Commission;

(4) Seventeen members from private life to be appointed by the President, one of whom shall be designated as the Chairman by the President.

(c) Vacancies shall be filled in the same manner in which the original appointments were made.

Sec. 3. (a) It shall be the duty of the Commission to prepare an overall program for commemorating the bicentennial of the American Revolution, and to plan, encourage, develop, and coordinate observances and activities commemorating the historic events that preceded, and are associated with, the American Revolution.

(b) In preparing its plans and program, the Commission shall give due consideration to any related plans and programs developed by State, local, and private groups, and it may designate special committees with representatives from such bodies to plan, develop, and coordinate specific activities.

(c) In all planning, the Commission shall give special emphasis to the ideas associated with the Revolution which have been so important in the development of the United States, in world affairs and in mankind's quest for freedom.

(d) Not later than two years after the date of the enactment of this Act, the Commission shall submit to the President a comprehensive report incorporating its specific recommendations for the commemoration of the bicentennial and related events. This report may recommend activities such as, but not limited to, the following:

(1) the production, publication, and distribution of books, pamphlets, films, and other educational materials focusing on the history, culture, and political thought of the period of the American Revolution;

(2) bibliographical and documentary projects and publications;

(3) conferences, convocations, lectures, seminars, and other programs;

(4) the development of libraries, museums, historic sites, and exhibits, including mobile exhibits:

(5) ceremonies and celebrations commemorating specific events;

(6) programs and activities focusing on the national and international significance of the American Revolution, and its implications for present and future generations;

(7) the issuance of commemorative coins, medals, certificates of recognition, and stamps.

(e) The report of the Commission shall include recommendations for the allocation of financial and administrative responsibility among the public and private authorities and organizations recommended for participation by the Commission. The report shall also include proposals for such legislative enactments and administrative actions as the Commission considers necessary to carry out its recommendations. The President shall transmit the Commission's report to the Congress together with such comments and recommendations for legislation and such report of administrative actions taken by him as he deems appropriate.

Sec. 4. (a) In fulfilling its responsibilities, the Commission is authorized and directed to consult, cooperate with, and seek advice and assistance from appropriate Federal departments and agencies, State and local public bodies, learned societies, and historical, patriotic, philanthropic, civic, professional, and related organizations. Such Federal departments and agencies are authorized and requested to cooperate with the Commission in planning, encouraging, developing, and coordinating appropriate commemorative activities.

(b) The Secretary of the Interior is authorized and requested to undertake a study of appropriate actions which might be taken to further preserve and develop Revolutionary War historic sites and battlefields, at such time and in such manner as will insure that fitting observances and exhibits may be held at appropriate sites and battlefields during the bicentennial celebration. The Secretary shall submit the results of his study to the Commission, together with his recommendations, in time to afford the Commission an opportunity to review his study, and to incorporate such of its findings and recommendations as the Commission may deem appropriate in the report provided for in section 3(d).

(c) The Chairman of the Federal Council on the Arts and the Humanities, the Chairman of the National Endowment for the Arts, and the Chairman of the National Endowment for the Humanities are authorized and requested to cooperate with the Commission, especially in the encouragement and coordination of scholarly works and presentations focusing on the history, culture, and political thought of the Revolutionary War period.

(d) The Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States are authorized and requested to cooperate with the Commission, especially in the development and display of exhibits and collections, and in the development of bibliographies, catalogs, and other materials relevant to the period of the Revolutionary War.

(e) Each of the officers listed in subsections (c) and (d) of this section shall submit recommendations to the Commission in time to afford the Commission an opportunity to review them, and to incorporate such of the recommendations as the Commission may deem appropriate in the report provided for in section 3(d).

Sec. 5. (a) The Commission is authorized to accept donations of money, property, or personal services.

(b) All books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other materials relating to the Revolutionary War period and donated to the Commission may be deposited for preservation in National, State, or local libraries or museums or be otherwise disposed of by the Commission in consultation with the Librarian of Congress, the Secretary of the Smithsonian Institute, the Archivist of the United States, and the Administrator of General Services.

Sec. 6. (a) The members of the Commission shall receive no compensation for their services as such. Members from the legislative and executive branches shall be allowed necessary travel expenses as authorized under law for official travel. Those appointed from private life shall be allowed necessary travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2).

(b) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable and to appoint such advisory committees as it deems necessary.

(c) The Commission may procure services as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed $75 per diem for individuals.

(d) The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property; make contracts; expend in furtherance of this Act funds appropriated, donated, or received in pursuance of contracts hereunder; and exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this Act.

(e) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the Department of the Interior, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Secretary of the Interior: *Provided,* That the regulations of the Department of the Interior for the collection of the indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further,* That the Commission shall not be required to prescribe such regulations.

(f) Any property acquired by the Commission remaining upon its termination may be used by the Secretary of the Interior for purposes of the National Park Service, or may be disposed of as excess or surplus property.

SEC. 7. (a) All expenditures of the Commission shall be made from donated funds only.

(b) An annual report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress. A final report shall be made to the Congress no later than December 31, 1983, upon which date the Commission shall terminate.

Mr. MANSFIELD. Mr. President, I yield to the distinguished Senator from Illinois, the minority leader, whose committee offers the resolution.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that excerpts from the committee report be inserted in the RECORD at this point, to illustrate the purpose of the Commission and the job it has to perform.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the joint resolution, as amended, is to establish the American Revolution Bicentennial Commission.

STATEMENT

This joint resolution, pursuant to an executive communication from the President of the United States, would create an American Revolution Bicentennial Commission, to commemorate the great struggle for freedom which occurred nearly 200 years ago when the American colonies, at great personal sacrifice, fought the Revolutionary War, and separated themselves from England, thus creating the United States as we know it today.

The American Revolution Bicentennial Commission would commemorate the events surrounding the American Revolution and the battles that commenced from the year 1766. The Commission would be composed of Members of Congress and the executive branch, and distinguished and outstanding Americans appointed by the President.

The Commission would (1) provide a creative and helping hand to State, local, and private groups in their commemorations; (2) increase our knowledge and appreciation of the American Revolution through our schools and universities and our historians and scholars; (3) plan for celebrations at the national level; (4) recall to America and to the world the majestic significance of the Revolution.

Originally the executive communication requested that the expenses of the Commission would be appropriated from the Federal funds of the Treasury at not to exceed $200,000 for the 24-month period beginning on the date of the enactment of this proposal. Because of the great interest of all Americans, the committee is of the opinion that the Commission should be privately financed by public donations, and accordingly, the resolution have been amended to carry out that effect.

As President Johnson stated in his letter of recommendation to the President of the Senate:

"For we must never forget Thomas Jefferson's proud and confident declaration of the meaning of the American Revolution in the whole long sweep of human history: 'I shall not die without a hope that light and liberty are on steady advance * * * The flames kindled on the 4th of July 1776 have spread over too much of the globe to be extinguished by the feeble engines of despotism. On the contrary, they will consume these engines, and all who work them'."

The committee is of the opinion that the creation of a Commission to commemorate the bicentennial of the American Revolution has a most meritorious purpose, and accordingly, recommends favorable consideration of Senate Joint Resolution 162, as amended.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendments.

The amendments were agreed to.

The joint resolution (S.J. Res. 162) was ordered to be engrossed for a third reading, was read the third time, and passed.

EXPROPRIATION OF AMERICAN COMPANY BY IRANIAN GOVERNMENT

Mr. DIRKSEN. Mr. President, last year, when the appropriation bill for the foreign aid was passed, inserted in the report was a request that our State Department use its best efforts to bring about broad and equitable settlement by the Iranian Government to the Fairhurst Technical Services International Co., an American company that was expropriated by the Iranian Government on January 20, 1964.

To this date, a satisfactory offer to compensate for this expropriation action has not been made by the Iranian Government. When the foreign aid authorization legislation is before the Senate, I shall discuss this problem along the lines of the statement, which I ask unanimous consent to have inserted in the RECORD today.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

There is presently pending before the Foreign Relations Committee of the United States Senate another Aid for International Development Bill, commonly referred to as foreign aid. This is one in a series which goes back to the declaration of Secretary Marshall in his address at Harvard University in the year 1940.

Since that time—and I have verified the figures—we have made available to foreign countries in every part of the Earth in the form of loans, or grants, or economic, or monetary appropriations, the sum of 116 billion dollars. The grants are outright gifts. The loans are so long termed, with so long a grace period before interest is paid, that for practical purposes they can be regarded as concealed grants.

The American people have generally supported this program in the interest of a peaceful and stable world and have expected only that other countries who have been recipients of our largess would be appreciative of our kindness, our compassion, and our generosity.

There have, however, been instances where there was no hint of appreciation, and in fact it would appear that they fairly snarled at the hand which fed them. Over a period of years it has been my disagreeable duty to pursue a number of these where private capital and private investment was involved in order to secure justice and equity for the Ameircan enterpriser and taxpayer. I say it is a disagreeable duty because one does not like to pursue the nationals of a foreign country, or for that matter a foreign government itself, in order to remind it of its duty to do justice to our own people.

The latest of the incidents to come to my attention is the case of a California corporation which on the invitation of the government of Iran made a substantial investment and conducted a substantial and successful operation in the form of a sawmill.

The State Department is fully informed with the experiences of Fairhurst Technical Services International, of San Francisco, California. From October 1962 until May 4, 1964 the State Department aided Fairhurst in finalizing a 20-year "Management Training and Profit Participation Agreement" with the Iranian Ministry of Agriculture.

Fairhurst in concurrence with the problem presented by United States AID officials in Tehran and relying on the integrity of the Government of Iran and the full backing and protection of our Government, proceeded under the terms of the agreement which included:

a. Transportation and salaries of American technical personnel;

b. Transportation of their families and household furnishings;

c. Purchase and transportation of sawmill and logging supplies and equipment from the United States;

d. Purchase of supplies and equipment in Iran;

e. Investment in housing construction for sawmill and logging employees;

f. Advances of other sums of money for the performance of the Contract and for the assurance of the continuity of the business.

After completing construction of the sawmill and profitably operating the sawmill and logging operations for six months, the Government of Iran on January 20, 1965, without notice, warning or provocation denied Fairhurst access to the operations and unilaterally expropriated the agreement by placing soldiers, armed with rifles, fixed bayonets and bandoliers with live ammunition to exclude Fairhurst from the timber, logging and sawmill operations and depriving Fairhurst access to the properties and the pursuit of their endeavors.

From January 20, 1965 until August 7, 1965 neither the State Department, the Embassy, United States A.I.D. officials, nor officials of the Fairhurst Company received official recognition from the Government of Iran although the matter had been brought to the attention of his Imperial Majesty, the Prime Minister, the Foreign Minister, and other Iranian Ministers by such people in the United States Government as Secretary of State Rusk, Ambassador Armin H. Meyer, and other high State Department and United States A.I.D. officials.

To date after exhaustive months of time, energy and expense, neither the State Department, the United States Embassy in Tehran, nor the Agency for International Development have been able to inspire the Iranians to make a fair and equitable settlement. Fairhurst negotiations with Iranian officials from the beginning of August through December of 1965 were not successful. The State Department, its agencies and Fairhurst have been unsuccessful in obtaining the Iranians consent to arbitrate. On the contrary, the Iranians have filed suit against the Fairhurst Company and its President, personally, on the grounds of misrepresentation. The case must be defended by the Fairhurst Company, at great expense, on Saturday, April 16th in the Iranian Court of First Instance in Tehran, Iran.

Mr. Jack Fairhurst, President of the Fairhurst Company, appeared before the Senate Appropriations Committee on September 10, 1965, and his testimony was incorporated in Senate Report No. 708—Calendar No. 693—Foreign Association and Related Agencies Appropriations Bill—1966, which reads in part: "this incident has disturbed the Committee. The rights and interests of American nationals are being prejudiced. The Committee is determined that these rights of American citizens dealing abroad must be respected. The Committee expects the State Department vigorously to pursue this matter and to secure a prompt and equitable settlement." To date no equitable offer has been made.

It appears that there is only one course to pursue to remind foreign governments that we fully expect to do justice and to receive justice and where that fails we have no choice except to undertake to deny to such a country any aid of any kind whatsoever. It becomes necessary, Mr. President, to go even further. It becomes our duty to notify the President of the International Development Bank, the Secretary of State, the officials of A.I.D. and any other institution which loans money to foreign countries in which the United States has subscribed to the capital stock, to advise all its members of the equities involved in the matter and not only to respectfully suggest, but to urge and to insist, that no further grants or loans of any kind be made available to such countries unless, and until, this account has been adjusted in a manner satisfactory to the American operators. There is no other course to pursue. We cannot take them into an American court of record and sue for recovery. Obviously we cannot send troops in the hope to compel restitution to be made, therefore, we should let the wide world know that such country no longer finds favor with the American Government and with the American people, and that insofar as it can be contrived all aid and support of any kind whatsoever will not only be withheld, but will be absolutely denied.

The vehicle for this purpose is at hand and will soon be coming to the Floor of the Senate in the form of the Foreign Aid Bill. It is no pleasant thing to take another country and its nationals by surprise. I for one believe in giving them fair warning as to what we propose to do if the Senate will support such action, and that is to offer an amendment to the Foreign Aid Bill setting forth very explicitly that aid in all of the categories heretofore mentioned, and from the various institutions mentioned, will be completely and unequivocally terminated.

Mr. MURPHY. Mr. President, I desire to associate myself with the remarks of the distinguished minority leader. I have known of this situation for a long time, and have spent much time attempting to have it ameliorated. Unquestionably, the claim of this company is valid. I shall join with the distinguished minority leader in doing everything possible to protect American industry overseas.

MANPOWER SERVICES ACT OF 1966

The Senate resumed the consideration of the bill (S. 2974) to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such act at both State and Federal levels, and for other purposes.

Mr. PROUTY. Mr. President, I call up my amendment No. 626, and ask that it be stated.

The **PRESIDING OFFICER.** The amendment offered by the Senator from Vermont will be stated.

The legislative clerk read as follows:

On page 42, strike out all that appears on line 10 beginning with the word "not" through the word "court".

(At this point Mr. MURPHY assumed the chair as Presiding Officer.)

OPPOSITION TO TITLE IV OF S. 3296, THE CIVIL RIGHTS ACT OF 1966

Mr. BYRD of West Virginia. Mr. President, I voted for the 1957 Civil Rights Act, the 1960 Civil Rights Act, and the 1962 resolution providing for a constitutional amendment to abolish the poll tax as a prerequisite for voting in Federal elections.

I voted against the 1964 Civil Rights Act because, among other things, it constituted, in my judgment, a serious and unconstitutional invasion of property rights and opened the way, through the "blackjack" title VI of that act, for the ruthless withholding of Federal funds from States which are reluctant to bow to the whims of Federal bureaucrats.

I voted against the so-called Voting Rights Act of 1965, not because I would deny the constitutional rights of any qualified elector to vote, but because of my belief that article I, section 2, of the Federal Constitution, and article II, section, 1 of the Federal Constitution, and the 17th amendment to the Federal Constitution clearly empower the States to determine the qualifications of electors and, therefore, the Federal Congress lacks the power under the Constitution to enact laws which have the effect of qualifying persons to vote who are not otherwise qualified, under State laws, to vote.

I have never doubted for one moment, and I have often so stated, that the Supreme Court of the United States, as presently constituted, would uphold both the 1964 act and the 1965 act, but this did not, and it does not now, change my opinion of the basic unconstitutionality of both acts.

THE CIVIL RIGHTS ACT OF 1966

The Congress has now been asked by the President to enact the Civil Rights Act of 1966, and it has been introduced in the Senate as S. 3296.

Title I of this act deals with the selection and assignment of jurors; title II deals with discrimination in the selection of grand and petit juries in State courts; title III is designed to further facilitate forced integration in the schools and other public facilities; title IV is designed to eliminate discrimination in housing; title V provides new and strengthened criminal penalties to protect Negroes and civil rights workers; and title VI authorizes the necessary appropriations to implement the provisions of the bill.

As I have said on previous occasions, it is difficult to vote against a bill carrying a civil rights title. We are all in favor of equal civil rights under the Constitution, and a civil rights title carries with it an aura of respect and humanitarianism that immediately, and almost automatically and unequivocally, commands veneration and support. But the title of "Civil Rights" may be misleading insofar as the substantive provisions of a legislative measure are concerned. This was especially true in the case of the 1964 Civil Rights Act.

The so-called Civil Rights Act of 1966 is another example of a legislative "wolf in sheep's clothing." I refer to the measure as a so-called civil rights act for the simple reason that it is not truly a civil rights act at all. It purports to insure and protect the civil rights of some people, but it would violate the constitutional and civil rights of others. As a matter of fact, it would violate the property rights of all property owners, whatever the owners' race.

I make particular reference to title IV of the act, which some people like to call the "open housing" section but which can be more accurately labeled the "forced housing" section. If ever there were a disturbing example of attempted governmental interference with property rights in the United States of America, this section of the bill is, by any standard, such an example. It is so monstrously shocking to the concept of true civil rights as to be outright deceptive when it carries a civil rights label. This section does violence to every principle upon which the constitutional, legal, and natural rights of property are based.

HUMAN RIGHTS VS. PROPERTY RIGHTS

Now, there are those who argue that human rights are above property rights, but the two are, in fact, inseparable. The right to own, use, manage, and dispose of real property is a profoundly basic human right. This is a human right which existed long before the Constitution. The natural and inherent property rights of man were acknowledged by the eighth commandment in the Decalogue, propounded on Mount Sinai: "Thou shalt not steal."

Gottfried Dietze, professor of political science at the Johns Hopkins University, in his book, "In Defense of Property," says that:

> The freedom of men consists of particular, specific rights or liberties. These rights can be classified into two major categories, namely, the liberal rights to be free from coercion and the democratic rights to participate in government. Property rights, constituting a prominent part of the first group, are superior to the rights of the latter group.

Jean Bodin, in the 16th century, referred to the opponents of private property as foolhardy dreamers:

> In taking away these words of Mine and Thine, they ruine the foundation of all Commonweales, the which were chiefly established to yield unto every man that which is his own.

St. Augustine had this to say about property:

> Whence does each possess what he does possess? Is it not human right? For by divine right "the earth is the Lord's and the fullness thereof": poor and rich are supported by one and the same earth. But it is by human right he saith, "This estate is mine, this house is mine, this slave is mine."

Sir John Fortescue maintained that property existed prior to human law—a popular theory convenient for limiting the claims of government.

Fortescue defended the rights of inheritance by reference to the divine edict:

> In the sweat of thy face shalt thou eat bread, till thou return unto the ground.

He maintained that man was thus granted a property in the things he should acquire by his labor, for since the bread which a man gained by labor was his own, and no man could eat bread without the sweat of his own brow, every man who toiled not was prohibited from eating the bread which another man had acquired by his own sweat; property in the bread so gained accrued only to the man who labored for it, and in this way property capable of descent first originated.

John Locke, who lived in the latter part of the 18th century, believed that property was one of the sacred trinity of natural rights. Locke maintained that private property is an institution of nature rather than an institution of men. He maintained that Adam and his posterity were born with property rights but that political rights evolved from agreements among men.

Sir William Blackstone, in the 18th century, wrote thusly.

> There is nothing which so generally strikes the imagination, and engages the affections of mankind, as the right of property; or that sole and despotic dominion which one man claims and exercises over the external things of the world, in total exclusion of the right of any other individual in the universe.

The Encyclopedia Britannica of 1778–83 specified that every Briton was endowed from birth with the "three great and primary rights of personal security, personal liberty, and private property."

Edmund Burke, in his "Reflections on the Revolution in France," published in 1790, wrote:

> I should therefore suspend my congratulations on the new liberty of France until I was informed how it had been combined with government * * * with solidity and property, with peace and order * * *. All these (in their way) are good things, too; and without them liberty is not a benefit whilst it lasts, and is not likely to continue long.

James Madison's reference in the 10th Federalist Paper to "the diversity in the faculties of men, from which the rights of property originate," and to the "different and unequal faculties of acquiring property" from which "the possession of different degrees and kinds of property immediately results," are clearly Lockean.

In the first half of the 19th century, property rights usually received protection under the contract clause. As early as 1787, John Marshall wrote to Joseph Story, his future colleague on the Bench, that he considered the clause that no State shall pass any law impairing the obligation of contracts to be of "high value." As Chief Justice, by employing a far broader conception of contract than had been prevalent in 1787, and by combining this conception with the principles of the 18th century natural law, he was able to make of the contract clause a mightly instrument for the protection of the rights of private property. It has been suggested that he did so in order to promote national power. It is probably more correct that the great disciple of Hamilton believed that the protection of property was of primary concern. Like Hamilton, Marshall considered a more perfect Union as a means for securing the rights of the individual, among which those of property figured prominently. He never altered his opinion. Toward the end of his career, Marshall was a "supreme conservative" rather than a nationalist, a man who wanted protection of property more than anything else.

In the American Democrat, 1838, James Fenimore Cooper spoke of property as "the base of all civilization," and of the rights of ownership as created by labor, human or animal, he said:

> The food obtained by his toil, cannot be taken from the mouth of man, or beast, without doing violence to one of the first of our natural rights.

In the Supreme Court, Joseph Story had been a stanch supporter of John Marshall, and made statements that were as good as any that were made in defense of property. In 1821, he wrote Marshall on the situation in his home State of Massachusetts:

> Considering the popular cant and popular prejudices, I have some fears that we shall not have wisdom enough to maintain ourselves upon the present decided basis that protects property.

In his remarks on the contract clause, Story quotes with approval the 44th essay of the Federalist Papers with its strong denunciation of legislative activities that are inimical to property rights, and gives a broad interpretation of the clause. Having praised the provision that no person shall be deprived of his property without due process of law, he writes on the concluding clause of the fifth amendment which provides that private property shall not be taken for public use without due process of law:

> This is an affirmance of a great doctrine established by the common law for the protection of private property. It is founded in natural equity, and is laid down by jurists as a principle of universal law. Indeed, in a free government, almost all other rights would become utterly worthless, if the government possessed an uncontrollable power over the private fortune of every citizen. One of the fundamental objects of every good government must be the due administration of justice; and how vain it would be to speak of such an administration, when all property is subject to the will or caprice of the legislature, and the rulers.

Life, liberty, and property had been equally entitled to the protection of the English sovereign since King John attached his signature to the great charter "in the meadow which is called Runnymede, between Windsor and Staines, on the 15th day of June, in the 17th year of our reign," and life, liberty, and property were, by the constitutions of the recently established governments equally entitled to the protection of those governments. Man's life and his liberty could only be taken, if the public good demanded it, after trial by jury. Likewise, a man could be shorn of his property or his property rights only after proper trial and just compensation. These three cardinal rights were coequal and not one was subordinate to another.

Our constitutional forebears had great respect for property and the rights of property owners, and the Constitution is replete with provisions securing the rights which attach to property. The same can be said with regard to the Bill of Rights, and in these first 10 amendments we find again that our forebears sought to protect not only personal rights, but property rights as well.

In the 14th amendment, insofar as the supreme law of the land, as written, was concerned, property rights were on a parity with personal rights. Property rights as well as personal rights were protected by due process. Unlawful seizure of either property or person were prohibited. Litigants over property were entitled to trial by jury as when the life or liberty of the litigants was involved.

Of course, the law balances the right of the individual to the free and untrammeled use of his property against the interests of society. This is why the doctrine of nuisances evolved. A man is free to use his property as he desires only to the extent that he does not injure others in doing so.

The power of the Government to tax property or the profits thereof is itself a recognition of the right of the Government to limit the profits of property for public purposes.

The concept of eminent domain should also be mentioned here. This doctrine of the right of the sovereign to take the property of an individual was recognized by the courts subject to two stringent restrictions. The taking must be for a public use, and the owner must be paid just compensation.

Take away this basic human right—the right to own, use, manage, and dispose of one's own property—and what will happen to American free enterprise? What will happen to the individual American's incentive to labor and save and build for himself and his children? What will happen to that basic concept of freedom, that one has a moral and legal and natural right to enjoy the fruits of his own just labors and the product of his own honest sweat? What will have become of the priceless concept, so clearly enunciated by Sir Edward Coke, English jurist and political philosopher, "For a man's house is his castle"? The concept had appeared earlier in various Latin maxims, and the third and fourth amendments to the Federal Constitution are concerned with this idea.

And if the Federal Government may interfere with the constitutional, legal, and natural rights of the owner in the sale, lease or rental of real property, what will hinder an all-powerful Federal Government from arrogating to itself the power, at some future time, to control the terms of sale or the price of the rental? What will hinder the Federal Government from arrogating to itself the power, at some future time, to control the use and disposal of the household furnishings and other personal property of an owner? Farfetched? Not at all, if one may judge by recent experience.

The gradual erosion of property rights which we have seen taking place, unnoticed to some people, but at the advocacy of others, will receive a massive impetus if title IV of this bill is enacted.

WHAT DOES TITLE IV PROVIDE?

Title IV makes it unlawful for the owner of any building or land used for residential purposes to refuse to sell, rent, or lease such dwelling or land to any person if such refusal constitutes discrimination. It will be unlawful for the owner to publish any notice or advertisement, with respect to the sale, rental, or lease of a dwelling, that indicates any preference or discrimination based on race, color, religion, or national origin. It will also be unlawful for any bank, insurance company or other lending institution to deny loans to persons applying therefor for the purpose of purchasing dwellings if such denial constitutes discrimination.

Of course, instances of discrimination in the rental or sale of property based on religion or national origin are relatively rare, but these terms have been included to make the legislation more palatable. Why the legislation does not make it unlawful for property owners to discriminate against elderly people or against parents with children has not been explained, but one may conjecture that it is perhaps because the elderly folks and the large families have not yet taken to the picket lines and have been noticeably absent from the sit-ins and, thus far, have not threatened to riot.

Any plaintiff, under this section of the bill, may bring a civil action in a U.S. court, and the court may appoint an attorney for the plaintiff and authorize commencement of the action without payment of fees, cost, or security.

Moreover, the U.S. Attorney General may intervene for, or in the name of, the United States if he certifies that the action is of general public importance, with the United States being entitled to the same relief as if it had instituted the action. The defendant property owner, of course, will have to furnish his own attorney and pit his own resources, be they great or small, against the all-powerful Federal Department of Justice and its lawyers whose salaries his own taxes help to pay.

The court may grant such relief as it deems appropriate including a temporary or permanent injunction, restraining order or other order, and it may award damages to the plaintiff including damages for humiliation and mental pain and suffering, and up to $500 punitive damages. The court may also allow a prevailing plaintiff a reasonable attorney's fee as part of the costs. No provision is made, however, for allowing a prevailing defendant an attorney's fee as part of the costs of successfully defending his case against an unjust charge. This is inequitable, because if it is fair for the prevailing plaintiff to be allowed an attorney's fee, it should be fair for the prevailing defendant to be allowed an attorney's fees, and there is ample precedent.

I submit that this legislation is unconstitutional in that it is weighted against the property owner, denying him the equal protection of the law, and insofar as it constitutes governmental interference with his ownership, use, management and freedom to dispose of his property, it deprives him of property without due process and thus contravenes the fifth amendment to the Federal Constitution.

I have not reached any decision as to the other sections of this bill, but my study of the "forced housing" section convinces me that it is an invasion of property rights, whether the property owner is white or nonwhite, and is thus unfair and unconstitutional.

I recognize that every man has a right to buy or rent property, but, by the same token, the owner of property has an equal right to refuse to sell or rent if he so chooses, and, in my judgment, he is not duty bound to explain his reasons. Christ admonished us to "love thy neighbor as thyself," but he did not deny one's right to choose his associate or his neighbor. In this regard, it may also profit one to reflect upon Christ's parable of the laborers hired for the vineyard, in which parable the householder, in reference to his property, answered his critics by saying,

> Is it not lawful for me to do what I will with mine own?

If a man, white or Negro, of his own volition, wishes to sell or rent to a party of another color, that, in my judgment, is his prerogative, and he cannot legally be prevented from so doing. But I do not believe that he should be under compulsion to do so, against his own free will, by virtue of governmental constraints of any sort.

I realize that one who opposes this so-called civil rights proposal runs the risk of being labeled a bigot by the antibigot bigots, but I feel that my position is constitutionally sound. It is a position that protects property rights, a basic human right, of both Negro and white property owners, against governmental invasion.

DOES CONGRESS HAVE POWER TO PROHIBIT RACIAL DISCRIMINATION IN THE RENTAL, SALE, USE, AND OCCUPANCY OF PRIVATE HOUSING?

The administration's spokesmen have no doubt that constitutional bases for title IV are to be found in the 14th amendment and the commerce clause. There are others, however, who have pronounced doubts about the efficacy of the one or the other of these constitutional provisions as a basis for Federal legislation restricting rights which have heretofore been considered so personal and transactions which have been considered so local that no power of Congress could reach them.

Of course, the ultimate resolution of the constitutional issues raised by title IV must await action by the Supreme Court if Congress indeed enacts title IV. The Congress, however, has an obligation to make its own initial determination.

THE POWER OF CONGRESS UNDER THE 14TH AMENDMENT

From 1883, when it decided the *Civil Rights Cases*, 109 U.S. 3 (1883) through March 28, 1966, when it decided *United States* v. *Price*, 383 U.S. 787, and *United States* v. *Guest*, 383, U.S. 745, the Supreme Court has consistently held that the 14th amendment protects the individual against State action, not against wrongs done by individuals. As it stated in *Shelley* v. *Kramer*, 334 U.S. 1, 13 (1948):

> . . . the action inhibited by the First Section of the Fourteenth Amendment is only such action as may fairly be said to be that of the States. That Amendment erects no shield against merely private conduct, however discriminatory or wrongful.

Most recently, in *United States* v. *Guest*, *supra* (decided March 28, 1966, slip opinion, p. 9) the Court said:

> It is a commonplace that rights under the Equal Protection Clause itself arise only where there has been involvement of the State or of one acting under the color of its authority. The Equal Protection Clause "does not . . . add anything to the rights which one citizen has under the Constitution against another." *United States* v. *Cruikshank*, 92 U.S. 542, 554–555. As Mr. Justice Douglas more recently put it, "The Fourteenth Amendment protects the individual against *state action*, not against wrongs done by individuals." *United States* v. *Williams*, 341 U.S. 70, 92 (dissenting opinion). This has been the view of the Court from the beginning. *United States* v. *Cruikshank, supra*, *United States* v. *Harris*, 106 U.S. 629; *Civil Rights Cases*, 109 U.S. 3; *Hodges* v. *United States*, 203 U.S. 1; *United States* v. *Powell*, 212 U.S. 564. It remains the

> Court's view today. See e.g. *Evans* v. *Newton*, 382 U.S. 296 (1966); *United States* v. *Price, supra.*

In the Civil Rights Cases, supra, the Court did more than hold that the 14th amendment itself did not reach an individual's acts of discrimination; it held that Congress, in the exercise of its power to enforce the 14th amendment, could not reach an individual's acts of discrimination. It held unconstitutional sections 1 and 2 of the Civil Rights Act of 1875 (c. 114 §§ 1 and 2, 18 Stat. 335, 336) which guaranteed all persons the right to equal enjoyment of the accommodations and privileges of inns, public conveyances on land and water, theaters, and other places of public amusement without regard to race or color, and punished violations of those rights. Although this case has not been overruled, that aspect of it which would deny to Congress the power to punish individuals for interfering with rights guaranteed by the 14th amendment may well be overruled as soon as the Court is presented with a case in which such a holding would be appropriate.

In considering the cases in which discrimination in housing has been dealt with by the Supreme Court, the issue of judicial enforcement of racially restrictive covenants was reached in Shelley against Kraemer, supra. Covenants restricting occupancy to members of the Caucasian race had been enforced by State court orders which enjoined Negro purchasers from continuing to occupy the properties. The Supreme Court held that judicial enforcement of racially restrictive covenants was State action prohibited by the 14th amendment. In an opinion to which there was no dissent, though three Justices did not participate, Mr. Chief Justice Vinson noted, however, that the 14th amendment "erects no shield against merely private conduct, however discriminatory or wrongful" and stated:

> We conclude, therefore, that the restrictive agreements standing alone cannot be regarded as violative of any rights guaranteed to petitioners by the Fourteenth Amendment. So long as the purposes of those agreements are effectuated by voluntary adherence to their terms, it would appear clear that there has been no action by the State and the provisions of the Amendment have not been violated. *Id.* at 13.

On the same day, the Court considered arguments that enforcement of such covenants by courts in the District of Columbia violated the due process clause of the fifth amendment. In *Hurd* v. *Hodge*, 334 U.S. 24 (1948), the Court found it unnecessary to decide that constitutional question, holding instead that enforcement by District of Columbia courts violated a statute derived from section 1 of Civil Rights Act of 1866. The statute provides:

> All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property. (Now found at 42 U.S.C. § 1982 (1964))

Of that statute, the Court said:

> We may start with the proposition that the statute does not invalidate private restrictive agreements so long as the purposes of these agreements are achieved by the parties through voluntary adherence to the terms. The action toward which the provisions of the statute under consideration is directed is governmental action. *Id.* at 31.

The Court also stated, however, that, even in the absence of the statute, the District of Columbia courts could not have enforced such restrictive covenants because it would have been contrary to the public policy of the United States to permit them "to exercise general equitable powers to compel action denied the State courts where such State action has been held to be violative of the equal protection of the laws."

It was in *Barrows* v. *Jackson*, 346 U.S. 249 (1953), that the Court held that judicial enforcement of such covenants by assessment of damages was prohibited. But again in Barrows, the Court cited with approval the language of Shelly indicating that racially restrictive covenants were not prohibited by the 14th amendments. Id. at 253.

There stands the matter of racially restrictive covenants. They are not enforceable but they are not void.

The more recent decisions, though they do not deal with residences, do deal with privately owned facilities or private acts of one kind or another. The rationale the Court has used to find in them violations of the 14th amendment is to find in them links with the State which convert them from individual action to "State action". Thus, in *Terry* v. *Adams*, 345 U.S. 461 (1953), the Court prohibited the Jaybird Party in Texas, a private club, from excluding Negroes because the function it performed was an integral part of the election process even though not formally recognized by State law. The function the club performed was so much a public one that its private act of discrimination constituted "State action" prohibited by the 14th amendment.

In *Peterson* v. *Greenville*, 373 U.S. 244 (1963), the link was found in a city ordinance requiring separation of the races in restaurants. In *Lombard* v. *Louisiana*, 373 U.S. 267 (1963), there was neither a State statute nor a city ordinance requiring separation of the races. In reversing convictions for violation of a trespass statute, the Court did not hold the statute invalid or even inapplicable to enforce refusals of service because of race, but simply unenforceable in these particular cases because there had been statements by the mayor and the superintendent of police to the effect that the city of New Orleans would not permit Negroes to seek desegregated service in restaurants. The statements of these officials linked the discrimination to the State.

In Peterson, the Court said:

> It cannot be disputed that under our decisions "private conduct abridging individual rights does no violence to the Equal Protection Clause unless to some significant extent the State in any of its manifestations has been found to have become involved in it." (Citations omitted) 373 U.S. 244, 247 (1963).

And in his concurring opinion, Mr. Justice Harlan stated:

> The ultimate substantive question is whether there has been "State action of a particular character" (*Civil Rights Cases, supra* (109 U.S. at 11))—whether the character of the State's involvement in an arbitrary discrimination is such that it should be held *responsible* for the discrimination. This limitation on the scope of the prohibitions of the Fourteenth Amendment serves several vital functions in our system. Underlying the cases involving an alleged denial of equal protection by ostensibly private action is a clash of competing constitutional claims of a higher order: liberty and equality. Freedom of the individual to choose his associates or his neighbors, to use and dispose of his property as he sees fit, to be irrational, arbitrary, capricious, even unjust in his personal relations are things all entitled to a large measure of protection from governmental interference. This liberty would be overridden in the name of equality, if the strictures of the Amendment were applied to governmental and private action without distinction. Also inherent in the concept of state action are values of federalism, a recognition that there are areas of private rights upon which federal power should not lay a heavy hand and which should properly be left to the more precise instruments of local authority. *Id.* at 249–50.

In the Lombard case, supra, in which the link with the State was found in the statements of the mayor and chief of police, Mr. Justice Douglas, though he joined in the Court's opinion, wrote a separate concurring opinion in which he stated his view that even in the absence of any exhortations by governmental officers, the convictions could not stand. He would have extended the rule of *Marsh* v. *Alabama*, 326 U.S. 501 (1946), and held that the 14th amendment prohibited discrimination in all privately-owned public restaurants just as Marsh prohibited discrimination in a privately-owned company town. He drew a careful distinction, however, between a restaurant business and a home:

> If this were an intrusion of a man's home or yard or farm or garden, the property owner could seek and obtain the aid of the State against the intruder. For the Bill of Rights, as applied to the States through the Due Process Clause of the Fourteenth Amendment, casts its weight on the side of the privacy of homes. The Third Amendment with its ban on the quartering of soldiers in private homes radiates that philosophy. The Fourth Amendment, while concerned with official invasions of privacy through searches and seizures, is eloquent testimony of the sanctity of private premises. For even when the police enter private precincts they must, with rare exceptions, come armed with a warrant issued by a magistrate. A private person has no standing to obtain even limited access. The principle that a man's home is his castle is basic to our system of jurisprudence. 373 U.S. 267, 274–75.

Mr. Justice Goldberg, in his opinion in *Bell* v. *Maryland*, 378 U.S. 226 (1964), was careful to draw a distinction between the protection afforded a man's private and his public choices, between civil rights and social rights:

> . . . Prejudice and bigotry in any form are regrettable, but it is the constitutional right of every person to close his home or club to any person or to choose his social intimates and business partners solely on the basis of personal prejudices including race. These and other rights pertaining to privacy and private association are themselves constitutionally protected liberties.
>
> Indeed, the constitutional protection extended to privacy and private association assures against the imposition of social equal-

ity. As noted before, the Congress that enacted the Fourteenth Amendment was particularly conscious that the "civil" rights of man should be distinguished from his "social" rights.

CONCLUSIONS ON THE 14TH AMENDMENT AS A BASIS FOR A FEDERAL FAIR HOUSING LAW

The Supreme Court has not yet held that the 14th amendment in any way limits an owner's right to refuse to sell or lease a home or apartment on racial grounds. It has not yet held that where a State or political subdivision exercises no element of coercion upon a homeowner to discriminate, the homeowner is not free to discriminate without violating the provisions of the 14th amendment. The Court has not even been able to muster a majority to hold that the 14th amendment prohibits the owner of a restaurant or other place of public accommodation from discriminating among customers on account of race, which is a much easier conclusion to support. See *Bell* v. *Maryland* 378 U.S. 226 (1964).

To conclude that the 14th amendment, itself, does not prohibit the homeowner from discriminating on account of race is not necessarily to conclude that, in the exercise of its power to enforce the 14th amendment, the Congress could not prohibit such discrimination. However, the Court has held, in the Civil Rights Cases, supra, that the 14th amendment does not empower the Congress to prohibit owners of inns, carriers, and places of amusement from discriminating on account of race. Although Congress, in 1964, enacted new legislation prohibiting owners of certain inns, restaurants, and places of amusement affecting commerce from discriminating on account of race, basing the act in part on its power to enforce the 14th amendment, the Court has held the legislation constitutional on the basis of the commerce power. Two of the Justices would have upheld the law on the basis of section 5 of the 14th amendment. *Heart of Atlanta Motel* v. *United States*, 379 U.S. 241 (1964); *Katzenbach* v. *McClung*, 379 U.S. 294 (1964).

To the extent that the civil rights cases, supra, would confine the power of the Congress under section 5 of the 14th amendment to the adoption of "appropriate legislation for correcting the effects of, prohibited State laws and State acts, and thus to render them effectually null, void, and innocuous," three justices have indicated a readiness to overrule it. United States against Guest, supra, opinion of Mr. Justice Brennan, joined by the Chief Justice and Mr. Justice Douglas, concurring in part and dissenting in part, slip opinion at 9. To the extent that the civil rights cases would be inconsistent with the conclusion that "the specific language of section 5 empowers the Congress to enact laws punishing all conspiracies—with or without State action—that interfere with 14th amendment rights" three additional justices have indicated a willingness to overrule it without specifically naming it. Id., concurring opinion of Mr. Justice Clark, joined by Mr. Justice Black and Mr. Justice Fortas, slip opinion at 2. Can these three and three be put together to add up to a majority that would hold title IV to be a valid exercise of congressional power under section 5? Not necessarily.

Let us assume for a moment what would seem to be, or at least about to become, a completely valid assumption, that section 5 does empower Congress to enact laws punishing all conspiracies—with or without State action—that interfere with 14th amendment rights. Is the right of a prospective home buyer not to have his purchase offer refused on account of his race such a right? It has never been held to be, and the combined opinions in Guest, supra, would not seem to compel such a conclusion.

In measuring the breadth of Federal power to be inferred from the dictum, in Guest, that section 5 of the 14th amendment "empowers the Congress to enact laws punishing all conspiracies—with or without State action—that interfere with 14th amendment rights," it should be noted that the acts with which the Court was there concerned, were conspiracies carried out in part "by shooting Negroes; by beating Negroes; by killing Negroes." They were acts clearly criminal and the only question was whether the United States had made them punishable or had the power to make them punishable by Federal law. To the extent that title IV prohibits the intimidation or coercion of a mob attempting to prevent a Negro family from moving into a neighborhood, the dicta in Guest would seem to indicate that the 14th amendment is a sound constitutional basis for title IV. The acts reached are clearly criminal and the only question is whether the Congress has a concurrent jurisdiction with the States to punish them. To the extent that title IV forbids an individual homeowner to refuse to sell his home, or rent an apartment or room in it because of the race of a prospective purchaser, there would seem to be a leap beyond the dicta in Guest. Nothing in the 14th amendment makes the discriminatory act of the homeowner in refusing to sell or rent on account of race unlawful. Nothing in the 14th amendment, as it has been construed until now, requires the State to make such discriminatory act unlawful. What 14th amendment right would Congress be enforcing?

Attorney General Katzenbach argues persuasively that Federal prohibition of discrimination in the sale or rental of housing is an appropriate exercise of the power of Congress to enforce the 14th amendment:

> Segregated housing is deeply corrosive both for the individual and for his community. It isolates racial minorities from the public life of the community. It means inferior public education, recreation, health, sanitation and transportation services and facilities. It means denial of access to training and employment and business opportunities. It prevents the inhabitants of ghettos from liberating themselves, and it prevents the federal, state and local governments and private groups and institutions from fulfilling their responsibility and desire to help this liberation.
>
> I have pointed out already how segregated living is both a source and an enforcer of involuntary second-class citizenship. To the extent that this blight on our democracy impedes states and localities from carrying out their obligations under the Fourteenth Amendment to promote equal access and equal opportunity in all public aspects of community life, the Fourteenth Amendment authorizes removal of this impediment.

It may be Mr. Justice Harlan, in his concurring opinion in Peterson against Greenville, supra, and I think it worth repeating, who has given the most eloquent answer to this argument:

> Underlying the cases involving an alleged denial of equal protection by ostensibly private action is a clash of competing constitutional claims of a high order: liberty and equality. Freedom of the individual to choose his associates or his neighbors, to use and dispose of his property as he sees fit, to be arbitrary, capricious, even unjust in his personal relations are things entitled to a large measure of protection from governmental interference. This liberty would be overridden, in the name of equality, if the strictures of the (Fourteenth) Amendment were applied to governmental and private action without distinction. Also inherent in the concept of state action are values of federalism, a recognition that there are areas of private rights upon which federal power should not lay a heavy hand and which should more properly be left to the more precise instruments of local authority.

There is not much doubt that title IV lays a heavy Federal hand on areas of rights which had heretofore been considered private. It admits no exceptions to its restrictions. The private religious home which rents accommodations to the elderly of its faith would no longer be able to exclude members of other faiths. The Swedish Old Folks Home would be required to open its doors to the elderly of other ancestries. The owner of a home who has fallen upon hard times and decides to rent a few rooms to tide him over would have his choice of tenants circumscribed.

If the Federal power can reach this far into individual private lives, is there anything to prevent it from reaching into private associations—private clubs, private schools, private organizations of any kind?

There would seem to be little doubt, now, that the constitutionality of legislation to enforce the 14th amendment will be measured by the test formulated by Mr. Justice Marshall in *McCulloch* v. *Maryland*, 4 Wheat. 316, 420 (1819):

> Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the constitution, are constitutional.

The question to be answered by the Court, should title IV be enacted, would seem to be "Is this law prohibited?" By the first amendment prohibition against denials of the right to freedom of association? By the fifth amendment prohibition against deprivations of property without due process of law or against the taking of property for public use without just compensation? By the ninth amendment's recognition of the existence of rights retained by the people, with the classical expression of one such right perhaps being that "a man's home is his castle"? Or by the 10th amendment, which is more than a States rights amendment, reserving as it does those "powers not delegated to the

United States by the Constitution, nor prohibited by it to the States, to the States respectively, or to the people"?

Both precedent and reason would seem to answer a resounding "Yes" to the question: "Is this law prohibitive?"

CONCLUSIONS ON THE COMMERCE CLAUSE AS A BASIS FOR A FEDERAL FAIR HOUSING LAW

It is clear that, under its commerce power, the Congress can prohibit certain aspects of racial discrimination. It is also clear that under the commerce power the Congress can regulate intrastate activities if they have a substantial effect upon commerce. The cases hold that the commerce power can reach retailers whose sales are wholly intrastate and only one-ninth of whose purchases are made out of State. *Meat Cutters* v. *Fairlawn Meats*, 353 U.S. 20 (1957). The cases hold that Congress can reach a farmer who grows wheat on his own farm for his own consumption even though the amount he grows may be trivial. *Wickard* v. *Filburn*, 317 U.S. 111 (1942).

Is there really any activity which can be considered so local that Congress cannot regulate it? Are the limitations on the commerce power real or only theoretical?

It is not too difficult to find some limits within the Constitution itself. In *Mabee* v. *White Plains Publishing Co.*, 327 U.S. 178 (1946), it was shown that even a daily newspaper, whose out-of-State circulation was only about one-half of 1 percent of its sales, could be reached under the commerce power by way of the Fair Labor Standards Act. Suppose, however, that instead of trying to regulate the wages and hours of the newspaper's employees, Congress tried to regulate its editorial policy. Suppose, for instance, that there had been so much editorializing on automobile safety that people stopped buying automobiles which, in turn, caused plant shutdowns and threatened the entire economy of the Nation. Suppose that Congress, after extensive hearings linking the economic depression to safety editorials, decided that the only way to relieve unemployment and get the Nation back on its wheels was to prohibit editorials on automobile safety. Could this be a valid exercise of the commerce power?

In addition to the question whether the rental of a room or the sale of a house by its owner is a transaction so strictly local that the Congress cannot reach it under the commerce power, title IV, as presently framed, presents questions akin to that posed by an attempt to reach a newspaper's editorial policy under the commerce power. Does title IV, by prohibiting a religious home from discriminating on account of race or religion in the disposition of its rooms, infringe upon the first amendment right to free exercise of religion?

Does title IV, by permitting a court to order a man to sell his home, on which he has invited bids, to a person whose bid was rejected on account of race, religion, or national origin, interfere with any of the homeowner's constitutional liberties?

Does title IV infringe on any constitutional liberty of a racial, religious, or national group by prohibiting it from subdividing an island or other tract of land for homesites to be sold or leased only by approval of the group?

Does title IV infringe any constitutional liberties of a man who rents a room or two in the house in which he lives by requiring him not to discriminate among prospective tenants on account of race, religion, or national origin?

Whatever determination the Congress makes with respect to these threshold questions will be entitled to great weight in the Supreme Court's deliberations in the event of title IV's enactment. It is the Court, however, which will have the final word, since the Court is the ultimate arbiter of the meaning of the Constitution. Although the commerce power of the Congress may be plenary, it is the Court which will determine whether the activity reached is truly commerce as well as whether the method by which Congress has chosen to regulate it is prohibited by some other provision of the Constitution. Perhaps the fairest generalization which may be made is that the closer Congress comes to restricting the purely private prejudices of the individual homeowner, the more likely will the Court be to find that the Congress has exceeded its power.

I, as a U.S. Senator, believe that Congress will have once again exceeded its power if it enacts title IV and I, therefore, am opposed to title IV, the "open occupancy" section of S. 3296.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 29 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, June 29, 1966, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 28, 1966:

U.S. MARSHAL

Jesse L. Dobbs, of Texas, to be U.S. marshal for the western district of Texas for the term of 4 years. (Reappointment.)

THE JUDICIARY

Joseph P. Kinneary, of Ohio, to be U.S. district judge for the southern district of Ohio, vice Mell G. Underwood, retired.

U.S. MARSHAL

Jackie V. Robertson, of Oklahoma, to be U.S. marshal for the eastern district of Oklahoma for the term of 4 years, vice William M. Broadrick, resigned.

IN THE AIR FORCE

Lt. Gen. Maurice A. Preston, FR1337 (major general, Regular Air Force), U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of general, under the provisions of section 8066, title 10 of the United States Code.

NATIONAL ENDOWMENT FOR THE HUMANITIES

Barnaby C. Keaney, of Rhode Island, to be Chairman of the National Endowment for the Humanities for a term of 4 years, vice Henry Allen Moe.

THE JUDICIARY

Woodrow B. Seals, of Texas, to be U.S. district judge for the southern district of Texas to fill a new position created by Public Law 89–372 approved March 18, 1966.

Ernest Guinn, of Texas, to be U.S. district judge for the western district of Texas to fill a new position created by Public Law 89–372 approved March 18, 1966.

Irving L. Goldberg, of Texas, to be U.S. circuit judge, Fifth Circuit to fill a new position created by Public Law 89–372 approved March 18, 1966.

Robert A. Ainsworth, Jr., of Louisiana, to be U.S. circuit judge, Fifth Circuit to fill a new position created by Public Law 89–372 approved March 18, 1966.

John C, Godbold, of Alabama, to be U.S. circuit judge, Fifth Circuit vice Richard T. Rives, retired.

C. Clyde Atkins, of Florida, to be U.S. district judge for the southern district of Florida to fill a new position created by Public Law 89–372 approved March 18, 1966.

William M. Taylor, Jr., of Texas, to be U.S. district judge for the northern district of Texas vice T. Whitfield Davidson, retired.

Jack Roberts, of Texas, to be U.S. district judge for the western district of Texas vice Homer Thornberry, elevated.

John V. Singleton, Jr., of Texas, to be U.S. district judge for the southern district of Texas to fill a new position created by Public Law 89–372 approved March 18, 1966.

CONFIRMATION

Executive nomination confirmed by the Senate June 28, 1966:

CENTRAL INTELLIGENCE AGENCY

Richard Helms, of the District of Columbia, to be Director of Central Intelligence.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 28, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Thou art my God, and I will praise Thee: Thou art my God, I will exalt Thee.—Psalm 118: 28.

Our Heavenly Father, in whom we live and move and have our being, so fill us with Thy spirit that we may not yield to temptation but be strengthened with inward power for outward tasks. May we meet our obligations with honor, our duties with faith, and our responsibilities with a high regard for the good of all.

Stimulate us with those deep and abiding convictions which keep our country strong, which make our churches vital, and fill our homes with love and joy and peace. May noble virtues live nobly in us and may we give them hands and feet in our day and for this hour in which we live—through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1240. An act for the relief of Harry C. Engle;

H.R. 3788. An act to revive and reenact as amended the act entitled "An act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill.," approved December 21, 1944;

H.R. 3976. An act to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.;

H.R. 5204. An act for the relief of Joseph K. Bellek;

H.R. 6590. An act for the relief of Arthur Hill;

H.R. 8793. An act for the relief of Eugene J. Bennett;

H.R. 9302. An act for the relief of Lt. Charles W. Pittman, Jr., U.S. Navy;

H.R. 10994. An act for the relief of Charles T. Davis, Jr., Sallie M. Davis, and Nora D. White;

H.R. 12232. An act to amend title 1 of the United States Code to provide for the admissibility in evidence of the slip laws and the Treaties and Other International Acts Series, and for other purposes;

H.R. 13650. An act to amend the Federal Tort Claims Act to authorize increased agency consideration of tort claims against the Government, and for other purposes;

H.R. 13652. An act to establish a statute of limitations for certain actions brought by the Government;

H.R. 14025. An act to extend the Defense Production Act of 1950, and for other purposes; and

H.R. 14182. An act to provide for judgments for costs against the United States.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1535. An act to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases;

H.R. 7423. An act to permit certain transfers of Post Office Department appropriations;

H.R. 13651. An act to avoid unnecessary litigation by providing for the collection of claims of the United States, and for other purposes; and

H.R. 14347. An act to liberalize the provisions for payment to parents and children of dependency and indemnity compensation, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1611. An act to transfer certain functions from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions and to certain other agencies of the municipal government of the District of Columbia, and for other purposes.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 231. An act for the relief of James W. Adams and others;

S. 1571. An act for the relief of Kermit Wager, of Lebanon, S. Dak.;

S. 2076. An act for the relief of Kil Ja Chung;

S. 2295. An act for the relief of Guiseppe Rubino;

S. 2317. An act for the relief of Dr. Albert Victor Michael Ferris-Prabuh;

S. 2720. An act to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate;

S. 2784. An act for the relief of Doreen Delmege Willis;

S. 2997. An act for the relief of Noriko Susan Duke (Nakano);

S. 3052. An act to provide for a coordinated national highway safety program through financial assistance to the States to accelerate highway traffic safety programs, and for other purposes;

S. 3083. An act for the relief of Dr. Rafael A. Penalver;

S. 3189. An act for the relief of Dr. Alonso Portuondo; and

S. Con. Res. 99. Concurrent resolution favoring the suspension of deportation of certain aliens.

THE LATE HONORABLE LOUIS CONVERS CRAMTON, FORMER MEMBER OF CONGRESS, FROM THE STATE OF MICHIGAN

Mr. MACKIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MACKIE. Mr. Speaker, it is my sad duty to announce the death of our esteemed friend, the former Congressman from Michigan, Louis Convers Cramton, Thursday, June 23.

Memorial services for Congressman Cramton were at 3:30 p.m. Saturday in the First Presbyterian Church, Lapeer, with burial in Mount Hope Cemetery there.

It was Abraham Lincoln, Mr. Speaker, who said:

> Die when I may, I want it said of me by those who knew me best that I always plucked a thistle and planted a flower where I thought a flower would grow.

Louis Convers Cramton, Representative in Congress from the Seventh District of Michigan for 18 years, passed away on Thursday last. It was my honor to know this man, Mr. Speaker, and I stand today to say that he plucked a thistle and planted a flower where he thought a flower would grow.

While one may chronicle the broad career of this great individual, none can recapture his crusading spirit nor dissect his tender love of humanity. These were Louis Cramton's qualities of greatness. It was this spirit and this love which motivated his efforts, as chairman of the Appropriations Subcommittee for the Interior, to improve the lot of the American Indian. It was Representative Cramton who worked so tirelessly to develop and stabilize the higher educational institutions for Negroes, including Howard University in our Capital City. It was Louis Cramton, son of a Union soldier, who managed his own legislation to restore the Lee Mansion in Arlington National Cemetery, and who fathered the act to establish and develop the George Washington Memorial Parkway.

Louis Cramton was a unique man, Mr. Speaker. He was not at all hesitant to do the unpopular if he thought that it would stir the soil and allow a flower to grow. Michigan was proud to call him son, and I was proud to call him friend.

I feel a distinct personal loss in his passing and all of America will miss this courageous, creative and resourceful man who by his skill as well as his high integrity was a credit to the people he served.

Mr. CEDERBERG. Mr. Speaker, if the words "Well done, thou good and faithful servant" ever applied to a public official it applied to the Honorable Louis C. Cramton, a former Member of Congress from Michigan, who passed away a few days ago. I want to join my colleagues today in paying tribute to this highly respected and esteemed man.

Long before coming to Congress, I had known of the fine qualities of Louis Cramton. Whether serving a term as an elected official or as an appointed officer, Judge Cramton directed his almost limitless energies for the achievement of goals he was convinced were best for his State and for his country.

Few Members of Congress have ever had as broad a range of public life as Judge Cramton. Lawyer, newspaper publisher, railroad commissioner, assistant to a member of the President's Cabinet, Congressman, jurist, and State legislator—these are some of the fields in which Judge Cramton demonstrated his leadership.

For 18 years he very ably served the Thumb District of Michigan in this House. He was a brilliant man whose opinions were sought and respected. Little wonder then, that he was selected many times for important positions of trust in government. His elective political career began in 1909 when the voters selected him for his first term in the State legislature. His elective political career did not end until December 31, 1960, when he retired as a member of the Michigan Legislature at the age of 85.

Much credit for the establishment of the system of national parks goes to Judge Cramton who was a leading advocate of the park system during his years here in Congress. In the Michigan Legislature he was the architect of the State's fair employment practices law.

To his son, Louis K. Cramton, who lives in Midland, Mich., in the district I represent, and to his daughter, Mrs. Charles R. Murray of Saginaw, Mich., I want to express my sympathy.

Mr. O'HARA of Michigan. Mr. Speaker, this is indeed a sad occasion for me.

Over the past several years, I had come to know Louis Cramton quite well and had become very fond of him. For a number of those years, he was my constituent until the boundaries of my district were altered by the Michigan Legislature.

But Louis Cramton was more—much more—than a constituent. He was an adviser, a teacher, an inspiration. Most of all, he was a good friend, a kind and gentle man.

Although he and I were of different political persuasions, to my knowledge we seldom disagreed. I think this is because he accentuated the positive—he sought out points of agreement and then carried on a dialog in that context.

Louis Cramton served in the U.S. House of Representatives from March 4, 1913, to March 3, 1931, then was a distinguished special assistant to the Secretary of the Interior. He was a Michigan circuit court judge until 1941, when he returned to the practice of law.

Then, at an age when most men are already in retirement, Louis Cramton successfully ran in 1948 for the Michigan State House of Representatives, in which he had served a term almost four decades earlier. He was reelected to the Michigan House of Representatives in 1950, 1952, 1954, 1956, and 1958.

Louis Cramton's life was dedicated to public service—to the improvement of conditions for his fellow man. His accomplishments were many, and they will live on and on even though he is no longer with us.

I recall especially his work in behalf of our national park system. In recognition of his enduring contributions, he is known as the "godfather of the national parks."

He was an early and consistent supporter for equal opportunities, the author of Michigan's fair employment practices law and one of those responsible for the development of Howard University as a great educational institution.

Mr. Speaker, there are not many of of whom it can truly be said that our country is a better place because they lived and worked in it. Louis Cramton is one of that select group.

With his death, Michigan has lost one of its most distinguished elder statesmen.

Mr. VIVIAN. Mr. Speaker, as the gentleman from Michigan [Mr. MACKIE] has just informed this body, the Honorable Louis C. Cramton, a Member of this House from 1912 to 1931, died this past weekend.

Lou Cramton was a public servant of whom the public was justly proud. He had foresight—foresight to support and fight for national parks a half century ago, long before the need became so acutely evident as it is today. He had courage—courage to press for civil rights and fair employment practices in the years the Ku Klux Klan was riding high, even in the North. He had compassion—compassion to vote for and personally give funds for underprivileged kids who needed help to attend college. These and many other fine qualities served him well, and served this Nation well, not only in his years in Congress, but also as circuit judge, member of the State legislature, and attorney for the Federal Government.

But Mr. Speaker, Lou Cramton was not only an able official, he was also an idol to many a boy and girl, and mother and dad, in his community. For years he lived in Lapeer, Mich., a small city in a farm area. One of his nearby neighbors was a girl named Anne Biggs, now my wife. Her mother, now Mrs. Lynna Snowman, would point to their neighbor Lou Cramton and say to Anne and her brother Bob, "That Lou Cramton is one of the finest men in government that I know of. I wish all the rest were as sensible and honest as he is."

Mr. Speaker, Lou Cramton inspired that kind of admiration in many persons. Another so inspired was another young neighbor, Alice Grant, now Mrs. Alice Bingner, who published an editorial earlier this year, in the Livingston County Argus Dispatch, of Brighton, Mich., a part of which reads as follows:

> I think there is something more important than voting for a man who thinks my way.
>
> I prefer the man I can trust to vote the way he truly believes is right for his constituents.
>
> I knew a politician who did. Louis C. Cramton (R) of Lapeer County. At ninety-one he is retired due to ill health. Had I been active when he introduced prohibition to the United States, I would have said "I disagree. This won't work". And Cramton's idea did fail. But Cramton didn't. He was—is—a great man. He played a vital part in preserving national parks; he was instrumental in organization of the first college for Negroes. He worked hard in Congress and the Michigan House of Representatives and as a Circuit Judge and has received honorable recognition for it. I am sure he made other boo-boos in his various capacities. But I am sure he never made a mistake that wasn't honest. He did what he felt was right and proper. What more can any of us do?

Mr. Speaker, Lou Cramton accomplished much in his 90 years. Perhaps his finest accomplishment, however, was to demonstrate to many a young man and woman that the people who lead a democracy can be as proud an asset as democratic government itself.

Mr. Speaker, I include at this point an obituary for Louis C. Cramton, published June 25 in the Detroit Free Press:

LOUIS CRAMTON, PUBLIC SERVANT

Services for Louis C. Cramton, who spent more than half a century in public service as a Michigan congressman, judge and state representative, will be at 3:30 p.m. Saturday in the First Presbyterian Church, Lapeer.

The 90-year-old lawmaker died Thursday in the Saginaw Rehabilitation Center, which he entered five weeks ago for surgery. The nature of his illness was not disclosed.

Cramton, often called the "godfather of national parks," had retired in 1960. Born Dec. 2, 1875, in Lapeer County, he studied law at the University of Michigan, where he received his degree in 1899.

He was elected a state representative in 1909, and two years later was elected to Congress from the 7th District. He served in Congress until 1931, when he was defeated, largely because of his strong support for Prohibition.

During his years in Congress, he wrote legislation establishing Isle Royale National Park in Lake Superior and the George Washington Memorial Parkway in Maryland and Virginia. He also was instrumental in restoring national monuments in Williamsburg, Yorktown and Jamestown, Va.

From 1931 to 1932 he was a special attorney for the U.S. secretary of the Interior. He returned to Michigan and was elected a Lapeer County circuit judge, a post he held until 1941.

In 1948, at the age of 73, he was returned to the Legislature, where he remained until failing health forced him to retire from public life in 1960.

Cramton was author of Michigan's Fair Employment Practices Act and an early supporter of Howard University in Washington, D.C., a school of predominantly Negro enrollment. In 1961 the university dedicated a school on its campus to him.

His last years were not free from want. Despite his many years in public service, his only income after retirement was from Social Security and a small pension which he received from the Legislature.

Surviving are a son, Louis K., of Midland; a daughter, Mrs. Charles R. Murray, of Saginaw, and three grandchildren.

The body will be in the Baird-Newton Funeral Home in Lapeer until noon Saturday.

GENERAL LEAVE TO EXTEND

Mr. MACKIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life and service of the late Honorable Louis Convers Cramton.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONTINUING APPROPRIATIONS, 1967

Mr. MAHON. Mr. Speaker, pursuant to the order of the House on Wednesday last, I call up the joint resolution (H.J. Res. 1180) making continuing appropriations for the fiscal year 1967, and for other purposes, and ask unanimous consent that the joint resolution be considered in the House as in the Committee of the Whole.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present for the consideration of this vital legislation.

The SPEAKER. The gentleman from Missouri makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 156]

Addabbo
Arends
Ashley
Ayres
Baring
Bates
Bingham
Blatnik
Callaway
Cederberg
Celler
Clausen,
Don H.
Clawson, Del
Colmer
Conte
Conyers
Craley
de la Garza
Diggs
Dorn
Dulski
Ellsworth
Everett
Farbstein
Fogarty
Ford,
Gerald R.
Gallagher
Giaimo
Gilbert
Goodell
Green, Oreg.
Hagan, Ga.
Harsha
Harvey, Ind.
Herlong
Hicks

Hull
Kelly
King, N.Y.
McCarthy
McEwen
Mackay
Mailliard
Martin, Mass.
Moeller
Morris
Morrison
Morton
Multer
Murphy, N.Y.
Murray
Nelsen
O'Neal, Ga.
Pool
Powell
Resnick
Roncalio
Rooney, N.Y.
Scheuer
Smith, N.Y.
Stephens
Teague, Tex.
Thompson, N.J.
Toll
Tupper
Utt
Whitten
Williams
Willis

The SPEAKER. On this rollcall 364 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONTINUING APPROPRIATIONS, 1967

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. MAHON], that the joint resolution (H.J. Res. 1180) be considered in the House as in the Committee of the Whole?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 1180

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1967, namely:

SEC. 101. (a) (1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1966 and for which appropriations, funds, or other authority would be available in the following appropriation Acts for the fiscal year 1967:

Legislative Branch Appropriation Act;

Departments of Labor and Health, Education, and Welfare Appropriation Act;

Department of Agriculture and Related Agencies Appropriation Act;

Independent Offices Appropriation Act; and

Department of Defense Appropriation Act.

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act.

(3) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this subsection as passed by the House is different from that which would be available or granted under such Act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an Act listed in this subsection has been passed by only one House or where an item is included in only one version of an Act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower: *Provided*, That no provision which is included in an appropriation Act enumerated in this subsection but which was not included in the applicable appropriation Act for the fiscal year 1966, and which by its terms is applicable to more than one appropriation, fund, or authority, shall be applicable to any appropriation, fund, or authority provided in this joint resolution unless such provision shall have been included in identical form in such bill as enacted by both the House and Senate.

(b) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1966 and are listed in this subsection at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority:

Activities for which provision was made in the District of Columbia Appropriation Act, 1966;

Activities for which provision was made in the Departments of State, Justice, and Commerce, the Judiciary and Related Agencies Appropriation Act, 1966;

Activities for which provision was made in the Public Works Appropriation Act 1966;

Activities for which provision was made in the Military Construction Appropriation Act, 1966;

Activities for which provision was made in the Foreign Assistance and Related Agencies Appropriation Act, 1966;

Activities of the Office of Economic Opportunity;

Activities of the President's Commissions on Law Enforcement and the Administration of Justice and on Crime in the District of Columbia;

Department of Justice: Activities of law enforcement assistance; and

Department of Health, Education, and Welfare;

Elementary and secondary educational activities;

Higher education facilities construction;

Grants for public libraries; and

Activities under title III and part B of title V of the Higher Education Act of 1965.

(c) Such amounts as may be necessary to enable the Veterans Administration to carry out the provisions of the Veterans Readjustment Benefits Act of 1966 (Public Law 89-358).

(d) Such amounts as may be necessary for continuing projects or activities for which disbursements are made by the Secretary of the Senate, the Senate items under the Architect of the Capitol, and the item for salaries and expenses of the Library of Congress, all to the extent and in the manner which would be provided for in the budget estimates for the fiscal year 1967.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity, or (c) August 31, 1966, whichever first occurs.

SEC. 103. Appropriations and funds made available or authority granted pursuant to this joint resolution may be used without regard to the time limitations set forth in subsection (d)(2) of section 3679 of the Revised Statutes, as amended, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, funds, or authorization is contained is enacted into law.

SEC. 104. No appropriation or fund made available or authority granted pursuant to this joint resolution shall be used to initiate or resume any project or activity which was not being conducted during the fiscal year 1966. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

Mr. MAHON (interrupting the reading). Mr. Speaker, I ask unanimous consent that further reading of the joint resolution be dispensed with, and that the joint resolution be printed in the RECORD and be open for amendment at any point.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, I move to strike the last word.

Mr. Speaker, it is known to all that the whip notice announced that probably the defense appropriation bill would be considered today. But the situation is such that I must say that it will not be considered today and will not be considered this week. This clarifies the situation, probably, with regard to plans of some of the Members.

What we are now considering is a continuing resolution for the new fiscal year 1967, which begins this coming Friday, July 1, 3 days hence.

For the next fiscal year which begins on Friday, Congress has not appropriated any money to run the Department of Defense.

For the fiscal year which begins on Friday, Congress has not appropriated any money for military construction in Vietnam or elsewhere.

For the fiscal year which begins on Friday, Congress has not appropriated any money for foreign assistance.

For the fiscal year which begins on Friday, Congress has not appropriated any money for public works activities, such as dams, reservoirs, harbor improvements, reclamation projects, power agencies, and so forth.

For the fiscal year which begins on Friday, Congress has not appropriated any money for the antipoverty program—the darling of some, but which is not supported so warmly by others.

For the fiscal year which begins on Friday, Congress has not appropriated any money for elementary and secondary education. Of course, our school people keep clamoring for advanced action by the Congress in order that they can make their plans, but we have appropriated no money for elementary or secondary education assistance; nor for the higher education assistance program for the forthcoming fiscal year. Nor have we appropriated any money for grants to library services for construction.

For the fiscal year which begins on Friday, Congress has not appropriated any money to run the District of Columbia government.

Appropriations for all of these purposes are pending in the Committee on Appropriations, or, in the case of the Defense bill, pending here in the House. They lack authorization of law which, as all Members are aware, must be enacted before it is in order under the rules for the Committee on Appropriations to bring in the necessary appropriations.

Of course, the bills I have enumerated are in addition to several other bills for the new fiscal year which are still pending. Four of those bills are pending in the other body—Agriculture; Labor-Health, Education, and Welfare; independent offices; and the legislative bill. And the State, Justice, Commerce, and judiciary bill is still pending in the committee.

Now, this situation may seem a little inexplicable, especially since this is the 28th day of the 6th month of the session. Congress tends to move with deliberate speed in dealing with public matters, and this is not the first time this sort of situation has arisen.

But there is a remedy for the situation, and it is being proposed by the Committee on Appropriations in this resolution; namely, that for the next 60 days—that is, for July and August—the Federal Government can pay its bills and operate on a minimum basis until the regular bills are disposed of. Because only two regular bills for 1967 have been enacted, the pending resolution is very far reaching in nature. The pay of Government employees, the pay of the military, and the pay of those who are fighting in Vietnam, for examples, could not be met except by the enactment of this resolution by the Congress. The pending resolution is the customary remedy brought before the House for a good many years past on the eve of the new fiscal year for the explicit purpose of avoiding interruptions of continuing governmental functions. It is rather fully explained in the committee report which is available at the desk.

RÉSUMÉ OF THE APPROPRIATIONS BUSINESS OF THE SESSION

With the reporting of the defense appropriation bill for fiscal 1967, now pending in the House, the Committee on Appropriations has disposed of roughly 87 percent of the amounts involved in budget estimates of appropriations likely to be considered in appropriation bills this session.

Under the original plan announced by the Committee on Appropriations on March 15, all of the appropriation bills for 1967—not counting the customary closing supplemental—were to be reported to the House by June 16. But delays occasioned largely by failure of several of the related annual authorization bills to move more expeditiously have substantially disrupted the schedule, with the result that five bills—again not counting the closing supplemental for 1967—are still pending in the committee. These are the State-Justice-Commerce-judiciary bill; the public works bill; the foreign assistance bill; the military construction bill; and the District of Columbia bill. Hearings are completed. The committee is marking time.

The following table reflects that situation:

The regular annual appropriation bills for fiscal year 1967 as of June 28, 1966

Bill	Reporting schedule, Mar. 15, 1966	Reported to House	Passed House	Passed Senate	Final congressional action	Notes
Interior	Mar. 31	Mar. 31	Apr. 6	May 12	May 19	
Treasury-Post Office	Apr. 4	Apr. 4	Apr. 6	May 23	June 15	
Agriculture	Apr. 21	Apr. 22	Apr. 26			
Labor-HEW	Apr. 28	Apr. 28	May 5			Bill omitted provision for 4 going programs, involving budget estimates for 1967 of $3,903,000,000, due to lack of authorization bills, as follows: Antipoverty; elementary and secondary education; higher education amendments; and grants for library services and construction. Will be considered in a supplemental.
Independent offices	May 5	May 5	May 10			NASA authorization bill passed House (H.R. 14324) but not Senate at time of reporting the appropriation bill.
District of Columbia	May 12					Awaiting conference disposition of District of Columbia revenue bill, H R. 11487, which bears on budget requests pending for 1967.
State, Justice, Commerce, and judiciary	May 19					
Defense	May 26	June 24	(1)			Defense authorization bill delay (S. 2950).
Public works	June 2					Awaiting certain authorization action.
Legislative	June 2	June 3	June 7			
Foreign assistance	June 9					Awaiting authorization bills for foreign assistance and the Peace Corps.
Military construction	June 16					Awaiting military construction authorization bill.

[1] Scheduled for House floor action June 28 but subsequently deferred to later consideration.

NOTE.—Supplemental bill, for which no reporting date was set, is not listed.

Mr. Speaker, supplementing my remarks, 9 appropriation bills have been brought to the House this year—2 supplementals for the fiscal 1966 and 7 of the 12 regular bills for the fiscal 1967 which begins 3 days hence. In those nine bills—again, including the pending defense bill—we considered budget requests of $113.8 billion and appropriated or proposed to appropriate $114.5 billion, a net increase above the budget, overall, of $667 million. Very broadly, it is useful to divide these into two categories—defense and nondefense.

The pending defense appropriation bill for 1967 carries $58.6 billion, a net addition of $946 million to budget requests of $57.7 billion. And this is in addition to the requested $13.1 billion defense supplemental enacted without amendment earlier in the session. So that these two bills for the Defense Department this year involve $70.8 billion of the budget requests and at the moment, $71.7 billion in appropriations. The military construction bill for 1967, involving $1.1 billion or so, is yet to come.

The principal item causing the Defense bill to be above the budget estimates considered in connection with it relates to pay of military personnel in uniform. When the budget was made up, the Defense Department estimated pay and allowances for a certain military strength as of June 30, 1966. It has developed, however, that there will be about 108,000 more military personnel on board at that date than had been budgeted. The Committee felt that sufficient funds to pay them should therefore be included in the bill, and has added $569 million for that object.

In the other seven—nondefense bills—of the session, the House made a net reduction of $280 million from budget appropriation requests of about $43 billion, allowing $42.7 billion; in the fiscal 1967 nondefense bills only, the grand total for the six bills as initially passed by the House is just a shade under the budget requests. While the Labor-Health, Education, and Welfare bill for 1967 was about $490 million above the budget requests, the other five bills, as shown on the table I will include after my remarks, reflected cuts from the budget that slightly more than offset that.

Four of these bills—two for fiscal 1967 and the two supplementals for 1966—have cleared the Senate and final congressional action has been had on them. They involved budget requests for appropriations of about $24.7 billion from which the net aggregate cut was $301 million.

The bills for 1967 still pending in the committee presently involve budget requests of $15,762 million:

[In millions]

State, Justice, Commerce, and Judiciary	$2,598
Public works bill	4,169
Foreign assistance bill	3,924
Military construction bill	1,115
District of Columbia bill (in Federal funds)	53
Antipoverty, elementary and secondary education, higher education, and library services and construction (items that were left out of the Labor-HEW bill because authorizations for them were not through the House)	3,903

To these amounts there would have to be added whatever supplementary requests may be submitted later in the session for the closing bill. All told, the bills yet to be reported will probably account for something like 13 percent of the appropriation bills for the session. This assumes no further multibillion

Vietnam supplemental this session—nothing beyond the more or less customary closing supplemental tentatively in the range of $1.5 billion or so.

Prospectively, then, budget requests for appropriations for action in this session will aggregate in the order of $131 billion. None of these figures include the so-called permanent appropriations, estimated in the January budget at about $13.8 billion for fiscal 1967—mainly interest on the public debt—that recur automatically under earlier law without annual action by the Congress. It now looks like the grand total appropriations this year, including these permanents, will approximate $144 or $145 billion. That would compare with approximately $119.3 billion of appropriations in the first session of this Congress—an increase of some $25 billion. Because of the distorting effect of large war supplements, a session-to-session comparison is far more reliable and instructive than the fiscal year basis.

It was only a little over a year ago that much was heard about breaking the so-called $100 billion budget barrier, which of course referred to the administrative expenditure or disbursement budget rather than the appropriations budget. Appropriations are the necessary forerunners of expenditures, and that the latter will follow from the former is a budgeting truism. Appropriations are accurate barometers of expenditure trends. Thus it is clear that the Congress, in the present circumstances, is well on the way toward the second 100 billion mark.

I should say further that while not all of the budget is processed through the appropriation bills, most of the spending side of it is handled through them. I am including a table summarizing the totals on the bills. While the House has shown a slight reduction, in total, below the President's budget requests in the nondefense bills, thus at least holding the line in that respect, it has taken action in connection with several of the authorization bills that substantially exceed the applicable provisions made for those bills in the President's budget, and that would result in expenditures in excess of those estimated and contemplated in the President's budget. Counting those actions, at this point the House is well above the President's recommendations with respect to fiscal 1967.

Here are the tabulations:

The appropriation business of the session as of June 28, 1966

[In millions of dollars]

	Budget estimates	Passed	Difference
1. House action (including Defense bill as reported):			
(a) 2 supplementals for 1966	15,949	15,701	[1] −248
(b) 7 regular bills for 1967	97,840	98,755	+915
9 bills of the session (about 87 percent of total likely to be considered)	113,789	114,456	[1] +667
2. Bills for 1967 still in committee:			
(a) State-Justice-Commerce-Judiciary	2,598		
(b) Public works	4,169		
(c) Foreign assistance	3,924		
(d) Military construction	1,115		
(e) District of Columbia	53		
(f) Deferred HEW items (antipoverty; elementary and secondary education; higher education; and library services and construction)	3,903		
Subtotal, budget requests now pending in committee	15,762	(?)	(?)
3. Closing supplemental budget requests yet to come (wholly arbitrary amount, assumed for purposes of this tabulation)	1,500(?)	(?)	(?)
Total for remaining bills to be reported—on basis stated (about 13 percent of total likely to be considered)	17,262(?)	(?)	(?)
4. Grand total likely to be considered in bills of the session	131,051	(?)	(?)
5. Permanent appropriations that recur without annual action by Congress, mainly interest on debt (tentative estimate from January budget)	13,800	(?)	(?)
6. Grand total for the session (tentative, subject to some refinement)	[2] 144,851	(?)	(?)
Bills enacted by Congress:			
2 supplementals for 1966	16,156	15,924	[1] −232
2 regular bills for 1967	8,587	8,518	−69
Total for bills enacted	24,743	24,442	[1] −301

[1] Includes $242,000,000 cut from a repayable advance (from the general fund) to the social security medicare trust fund.

[2] Would compare with approximately $119,310,000,000 in the last session—an increase roughly, of $25,000,000,000.

Summary of action on budget estimates in appropriation bills, 89th Cong., 2d sess., as of June 28, 1966

	Budget estimates to House	Passed House	Budget estimates to Senate	Passed Senate	Enacted	Change at latest stage of action
1. Bills for fiscal 1967:						
Interior	$1,329,960,500	$1,295,169,500	$1,340,260,500	$1,329,755,000	$1,321,615,800	−$18,644,700
Borrowing authority	(26,000,000)	(26,000,000)	(26,000,000)	(26,000,000)	(26,000,000)	
Treasury-Post Office	7,246,720,000	7,210,177,135	7,246,720,000	7,210,049,135	7,196,429,135	−50,290,865
Agriculture	7,022,638,000	6,876,027,000				−146,611,000
Borrowing authority	(702,100,000)	(852,000,000)				(+149,900,000)
Labor-Health, Education, and Welfare	10,083,184,500	10,573,272,500				+490,088,000
Independent Offices	14,319,611,291	14,017,299,000				−302,312,291
Legislative	173,793,578	172,146,333				−1,647,245
Defense (reported)	57,664,353,000	[1] 58,611,045,000				[1] +946,692,000
2. Supplementals for fiscal 1966:						
Defense supplemental (Vietnam)	13,135,719,000	13,135,719,000	13,135,719,000	13,135,719,000	13,135,719,000	
2d supplemental	2,813,552,168	2,564,872,568	3,020,810,903	2,801,226,003	2,788,143,303	[2] −232,667,600
3. Cumulative totals for the session:						
House	113,789,532,037	114,455,728,086				[2] +666,195,909
Senate			24,743,510,403	24,476,749,138		[2] −266,761,265
Enacted			24,743,510,403		24,441,907,238	[2] −301,603,165

[1] Reported.

[2] Includes $242,000,000 cut from a repayable advance (from the general fund) to the social security medicare trust fund.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. MAHON. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to my friend, the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS of Tennessee. Mr. Speaker, the resolution which the chairman of the Committee on Appropriations is now presenting is the customary type of continuing resolution which has been passed from time to time in years past, I would suggest, with possibly one exception. We are starting the new GI bill with payments under this continuing resolution.

Mr. Speaker, legislation has been passed by this body and approved and signed into law by the President of the United States, but the Bureau of the Budget has not fixed a budget for the new GI bill.

Mr. Speaker, these men are being released daily into civilian life and they need funds.

Mr. Speaker, if this joint resolution is approved, it will permit the Veterans' Administration to make rehabilitation payments and readjustment payments, until the final bill is enacted; is that not correct?

Mr. MAHON. The gentleman from Tennessee [Mr. EVINS] is the chairman of our subcommittee which initially considers appropriations for the Veterans' Administration. While it would have been desirable that the Bureau of the Budget submit that request, the gentleman from Tennessee has joined with the rest of us in approving the availability of funds for the forthcoming 2 months for the purpose of carrying on the new GI educational benefits program. We voted for it and we must fund it, and I commend the gentleman for calling attention to this matter.

Mr. EVINS of Tennessee. Mr. Speaker, if the gentleman will yield further, I want to stress that this is the customary continuing resolution, with this one possible exception of funding a portion of the new GI bill?

Mr. MAHON. The gentleman is correct.

Mr. LAIRD. Mr. Speaker, will the gentleman from Texas yield to me?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, there has been a great deal of interest in the National Defense Education Act student loan program.

I have had many calls to my office—and I am sure that the clerk of our committee has been contacted also—regarding the funding of the student loan program during the months of July and August.

Mr. Speaker, these are the 2 months in which the funds are most needed to make loans to students for the next school year.

For 1966 there was appropriated $180 million for that purpose. In the bill for fiscal year 1967 that passed the House May 5, $190 million was appropriated for that purpose. In the budget that was submitted to the Congress, only $34 million was recommended for the fiscal year 1967.

So that all of the Members will understand the terms that are in this continuing resolution, I think it should be pointed out that it will permit the Department of Health, Education, and Welfare and the Office of Education to make the allocations not on the basis of the 1967 budget estimate but on the basis of the 1966 appropriation level. Some people have incorrectly put out the information that it will have to be a $34 million allocation base. The base will truly be $180 million. The allocations for the months of August and July, which are so important in the starting of a new school year as far as colleges and universities are concerned will be on the basis of the larger amount.

Mr. MAHON. It is correct to say that the funds for the student loan program will be available at the rate of the current fiscal year, fiscal 1966, which will not be quite as high as is recommended in the bill which passed the House, but will be much higher than the budget estimate. The gentleman is correct.

Mr. Speaker, as to the several appropriation bills still to be reported, may I just say that when the related authorization bills have been approved by the Congress, then we can bring in the military construction, public works, foreign aid, District of Columbia, and we can take up the defense bill, and others and move, I hope, rather swiftly toward an adjournment date.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for an additional 3 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. If we concur in this 2-month extension, it would bring the continuing resolution to the first of September. What assurance does the gentleman have or does anyone else have that by the first of September we will be prepared to adjourn and get out of Washington to do some necessary work in our districts.

Can the gentleman give us any assurance that, after adopting this continuing resolution, the leadership will give us a sine die adjournment date?

Mr. MAHON. I have no assurance—not even a whisper—as to when the House may adjourn. The Congress can adjourn when the authorization bills are approved and when the appropriations are made. I would hope with the gentleman that we could adjourn rather soon, by the expiration of this 60-day period. But I have no assurance and I do not think anyone is in a position to give any assurance.

Mr. GROSS. The gentleman is one of the most persuasive Members of the House and I would hope that he can somehow impress upon the leadership on his side of the aisle the fact that it would be most welcome and advantageous to get out of here by the first of September, if not before.

Mr. MAHON. I think September 1 would be a good target date. I thank the gentleman.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. While this subject is under discussion, I think it should be pointed out that there is nothing in this continuing resolution that will require the Congress to stay here until September 1. If we complete our work on the appropriation bills that will preempt the matter and the continuing resolution will expire.

Mr. MAHON. The gentleman is correct.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman.

Mr. LAIRD. During the consideration of this continuing resolution in the full Committee on Appropriations, I brought out the fact that under the terms of this resolution the Teacher Corps can be continued at the same level that the supplemental appropriation bill, which passed the House earlier this year funded it for the fiscal year 1966. It was my intention and hope that the committee in its report would include language saying that contracts could not be entered into with teachers or any school districts in the country for purposes of starting the teaching phase of the program until the regular 1967 appropriation bill is enacted with funds in it for this purpose. This is particularly needed in view of the fact that the House of Representatives did not appropriate any funds for the Teacher Corps for the fiscal year 1967.

If funds should be added by the other body, this will be a matter that will have to be resolved in a House-Senate conference. I have had a conference with the people responsible for the program in the Department of Health, Education, and Welfare, and it is agreeable with them not to use this continuing resolution language to go forward on teaching contracts, but merely to use it to continue their training contracts and their training activity.

Does the gentleman from Texas share that point of view as far as the use of these funds is concerned?

Mr. MAHON. I have a letter which I would like to present that is directly on this point.

The letter is as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., June 27, 1966.

HON. GEORGE H. MAHON,
Chairman, Appropriations Committee,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: At your request we have reviewed the current status of the Teacher Corps program and endeavored to identify the activities which will be conducted during July and August under the proposed continuing resolution pending enactment of the regular 1966 Appropriation Act.

It might be helpful to review briefly the plan of operation for the program in order that the funding arrangements and the plans for this summer can be seen in proper context.

The Office of Education recruits corpsmen on a national basis by requesting applications for service in the Corps. Applications are reviewed and selection made of the most promising candidates. The Office of Education assigns the selected applicants to training institutions (universities and colleges) throughout the country. These institutions conduct training programs designed to prepare these people to teach in local school districts with heavy concentration of educationally deprived children. In conjunction with OE, the training institutions will identify the trainees who have successfully completed their training and who can properly function in their teaching assignments.

Upon completion of the training period, estimated at approximately three months, these teacher corps members will be assigned to the local districts requesting them and which have been approved by the State educational agencies. During the school year, the Teacher Corps members will be provided instruction leading toward the award of an advanced degree.

The Congress appropriated a supplemental appropriation of $9.5 million to initiate the program in 1966. It was originally contemplated that we would recruit and train from these 1966 funds 3,750 members of the Teacher Corps. The lateness of the supplemental appropriation and the circumstances which surrounded the appropriation action caused us to reduce our plans to the recruitment of 1,600 members of the Teachers Corps. This change means that we will use only $4.5 million of the 1966 funds. The $4.5 million in obligations from 1966 funds will cover the cost associated with recruitment, travel to training institutions, summer training, and the provision of the academic inservice training provided by the institution. Contracts are being executed with 42 institutions selected to carry out this program. This plan is consistent with the forward funding arrangements of all Department fellowship and training programs, including the fellowships and institute training programs conducted by the Office of Education under the National Defense Education Act.

The 1967 activities to be conducted during July and August will consist of direction and supervision of the program financed under Salaries and Expenses, Office of Education, and payment of limited amount for travel of Teacher Corps members to other training institutions when classes begin after July 1, 1966. This travel cost is not expected to exceed $25,000.

Negotiations will be under way this summer with local school districts desiring to participate in the program. There are, however, no plans to execute contracts with education agencies until the regular appropriations bill is enacted. If the regular bill were not enacted before September 1, which seems to be only a remote possibility, we would then have to develop and inform you of the plans for September under a continuing resolution.

I hope this is fully responsive to your inquiry. If there is any additional information needed, please let me know.

Sincerely yours,

JAMES F. KELLY,
Comptroller.

This letter from the Comptroller of the Department of Health, Education, and Welfare states that no contracts will be made with any school for teachers under the language of this resolution.

This resolution will carry on the training programs but will not start any new programs or a program of contracting with schools for teachers. This letter makes it abundantly clear that the Teacher Corps will be carried on at the minimum level.

Mr. LAIRD. I thank the gentleman from Texas, and I would certainly support the resolution with that understanding. I think it is wiser for us not to obligate ourselves to teaching contracts under present circumstances.

Mr. MAHON. Mr. Speaker, I might add here that also I understand that some question has arisen as to whether or not the Bureau of Reclamation could continue to make feasibility studies after July 1. In this regard, I would say that it is the intention of this resolution to permit going activities to be continued into the fiscal year 1967. I am aware of the language in section 8 of Public Law 89-72 but regardless of that section, the continuing resolution that we are now considering will, when enacted, be the latest law on the subject and would carry out our intention to continue going activities.

AMENDMENT OFFERED BY MR. DUNCAN OF OREGON

Mr. DUNCAN of Oregon. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DUNCAN of Oregon:

On page 4, line 18, strike out the period and insert, "*Provided*, That after June 30, 1966, and prior to the enactment into law of H.R. 14745, no new contractual arrangements shall be entered into in connection with the National Teachers Corps nor shall any commitments of any kind be made with respect to the assignment of any teacher to teach in any school under that program."

The SPEAKER. The gentleman from Oregon is recognized for 5 minutes.

Mr. DUNCAN of Oregon. Mr. Speaker, we have just had on the floor of the House a colloquy on this precise subject between the gentleman from Wisconsin [Mr. LAIRD] and the gentleman from Texas [Mr. MAHON]. In the recent committee meeting, at which the Committee on Appropriations considered this continuing resolution, a suggestion was made by the gentleman from Wisconsin similar to this amendment, in connection with an amendment which I then offered to strike entirely any reference in the continuing resolution to the National Teachers Corps.

My own feeling is that this program ought to be eliminated. It should be deleted. If that were done, it would be consistent with the philosophy of the continuing resolution, which, as reported on page 1 of the Committee report, indicates that we will fund existing programs at the lower one of three possible figures: The amount recommended in the President's budget, the amount appropriated in the preceding fiscal year, or the amount contained in an appropriation bill which has passed one but not both Houses of the Congress of the United States.

In this particular instance the Teacher Corps has had a very stormy record. In this instance an appropriation bill has already passed one body of this Congress containing no funds, and if we would follow precisely the philosophy mentioned in the third paragraph on page 1 of the report, we would strike the Teacher Corps out entirely.

There are Members of this body who have expressed some reluctance to terminating a program through the means of a continuing resolution, and I therefore have prepared an amendment along the lines suggested, both in committee and today, by the gentleman from Wisconsin, and which is also in line with the letter submitted by the Department of Health, Education, and Welfare to the chairman, and which has just now been made a part of the record. This would in effect impose a limitation upon spending so that the Department of Health, Education, and Welfare could enter into no new contracts for the Teachers Corps until the passage of the regular HEW appropriation bill.

I would think that the letter alone might be enough, if it were not for the record of the Department of Health, Education, and Welfare on this particular subject. The Teachers Corps was authorized last year but no funds were appropriated for it. Funds were contained in the supplemental appropriation bill, which passed the Senate on April 27 of this year. On April 28 the House Appropriations Committee deleted any funds in the 1967 budget for this particular operation. On April 28 the Department of Health, Education, and Welfare halted the efforts which, in my judgment, they had prematurely made to implement this Teachers Corps program. Why they ever started it and where they got the money to start it at that point is beyond me. They went ahead, and on May 6 they notified certain colleges they were approving their applications for contracts, whereas the supplemental appropriation bill which furnishes the funds was not signed by the President and did not become law until May 13.

All the amendment to the resolution would do would be to put into the law what these people say they intend to do anyway. In view of the record which the Department of Education has made in connection with this item, I believe it should be written into the law, and we should not rely on a colloquy on the floor of the House to establish this.

I hope the committee will accept this. I yield back the balance of my time.

Mr. MAHON. Mr. Speaker, I move to strike the last word.

I believe it is abundantly clear that this amendment is not necessary. It simply clarifies what I believe the resolution provides. And it is in complete agreement with a letter which has been placed in the RECORD in regard to this matter.

So, while I consider this amendment to be surplusage, I see no harm in placing it in the resolution, and I have no objection to it.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Ohio.

Mr. BOW. Mr. Speaker, in reading this amendment offered by the gentleman from Oregon, I find it is identical language to that which the gentleman from Wisconsin [Mr. LAIRD] suggested we put in the report. It carries out the suggestion he made at that time.

I have no objection at all to the amendment being accepted.

The SPEAKER. The question is on the amendment offered by the gentleman from Oregon.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAHON: On page 2, in line 9, change the semicolon to a period and strike out the remainder of line 9 and all of line 10; and

On page 3, after line 24, insert: "Activities for which provision was made in the Department of Defense Appropriation Act, 1966, and the Supplemental Defense Appropriation Act, 1966;".

The SPEAKER. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The SPEAKER. Has the gentleman from Texas any further amendment?

Mr. MAHON. Mr. Speaker, I have no further amendment.

DEPARTMENT OF DEFENSE APPROPRIATIONS AND NEED TO ESTABLISH A BLUE RIBBON COMMISSION

Mr. LAIRD. Mr. Speaker, I rise in support of this resolution. The resolution is necessary now. I hope we will not have to use this practice of continuing resolutions after August 31.

Mr. Speaker, originally the House schedule for today called for the consideration of the Department of Defense appropriation bill for 1967. The decision was made within the hour to postpone consideration of this bill for at least 2 weeks and finance the Department of Defense during July and August by use of the amendment just adopted to the continuing resolution.

Mr. Speaker, I rise in support of the "Additional Views" contained in House Report No. 1652, and in particular, in support of the establishment of a Blue Ribbon Commission to evaluate and assess the defense posture of this country now and for the future.

My remarks, Mr. Speaker, are extensive and they are submitted as background in an attempt to point up how vitally needed is the establishment of such a Commission.

They are not designed necessarily to set forth the recommendations of myself or my party. They are designed to demonstrate the crucial concern that is felt by many responsible officials of both parties with respect to the future defense posture of this country.

They are also designed to point up some of the major areas, which in my view, and in the view of others, deserve the most careful attention of such a Blue Ribbon Commission.

Quite obviously, these views are my own. They reflect in part my own assessment of the potential threat and my own analysis of this administration's response to that threat.

The administration's view is primarily contained in the voluminous testimony of the Secretary of Defense before our committee. It is for this reason that, in most cases, my differences with administration policy and administration defense plans will appear to be at personal variance with Secretary McNamara.

Such is not my intention. It is merely that the Secretary of Defense has presented us with the most comprehensive and detailed analysis of administration foreign and defense policy that it is most convenient to focus on his statements and his rationale as the basis for my own discussion.

Obviously, if the Secretary of Defense did not accurately and adequately personify administration thinking in this vital area, he would not be Secretary of Defense.

ADDITIONAL VIEWS

Mr. Speaker, in the "Additional Views" contained in House Report No. 1652, signed by all members of the Defense Appropriation Subcommittee, the gentleman from California [Mr. Lipscomb], the gentleman from Ohio [Mr. Minshall], and me, we said:

> We the undersigned representing all minority members of the Defense Appropriations Subcommittee strongly support a superior defense posture in order to maintain peace and insure the safety and integrity of our nation now and in the future.
>
> We are concerned, as are many of our fellow citizens, about this nation's *future* ability to preserve such a posture.
>
> These additional views are submitted as an expression of that concern.
>
> The undersigned intend, as in the past, to support the Department of Defense Appropriation Bill for fiscal year 1967 though we do not agree with several aspects of its make-up.
>
> Where we disagree, we believe that the current bill is inadequate for fiscal year 1967, especially with regard to our worldwide commitments, to future preparedness, and Southeast Asia.
>
> What could be more penny-wise and pound-foolish than to save a few cents on defense today only to lose the peace tomorrow? The most expensive weapon is one that is not good enough for its intended purpose or not available when needed.
>
> Only the strength of this nation can keep what peace there is in the world and prevent what war there is from spreading.
>
> It is false economy and false security to let that strength dwindle over the long run just to make the books look good in the short run.
>
> We do not oppose or propose a bill of any particular number of dollars or guns or bullets. We say that America can afford to pay for the best defense in the world—today and tomorrow. We say that we cannot afford to pay for less.
>
> We are concerned. Other Committees of Congress in both Houses have made clear a similar concern. Nor are we unmindful that reasonable men may differ, nonetheless, about the validity of this assessment. There is, after all, no foolproof method by which fallible men can precisely determine what will be required in the future to assure our own security and our nation's ability to meet worldwide commitments.
>
> It is for these reasons—and because only an objective third party can impartially arbitrate such a grave matter—that the undersigned propose enactment of a Joint Resolution calling for the establishment of a Blue Ribbon Commission, made up of the highest calibre experts from both the civilian and military communities, to conduct an independent and objective evaluation of the projected defense posture of this country.
>
> This resolution would authorize the Congress to appoint members of the Commission and stipulates that the selection board shall be made up of the Speaker and Minority Leader of the House, the President pro tempore and Minority Leader of the Senate, and the Chairman and Ranking Minority Members of the Armed Services and Appropriations Committees of both Houses of Congress.
>
> The additional views that follow are submitted in support of the need for such an impartial review.
>
> We are concerned, in particular, about the time frame of the 1970's and beyond. We feel that the Defense policies and projected programs of the past five years have not adequately taken into account the defense needs which the capabilities of our adversaries, real and potential, indicate will be required in the future. This concern encompasses our future preparedness in Inner Space (notably undersea technology and nuclear propulsion), Outer Space (military applications), Missile Technology (offensive and defensive), Manned Strategic Systems, as well as a wide range of concerns regarding limited warfare.
>
> What follows will touch upon the highlights of these concerns in the hope that the Congress and the American people will come to agree with the undersigned that there is a legitimate and critical need for the early establishment of such a Commission.
>
> ### BACKGROUND
>
> The defense structure of any nation is determined by that nation's foreign policy.
>
> The Secretary of Defense has said that the development of our defense structure should be guided by United States Foreign Policy.
>
> With this principle there is no disagreement.
>
> Yet, we do disagree with much that is being done in the Defense establishment today especially in those areas that directly affect our present ability (Vietnam) and our long-range ability to deter potential aggressors.
>
> It follows, then, that our basic disagreements derive in part from basic foreign policy assumptions of the current Administration and in part from the assumptions the Secretary of Defense uses to justify his force structure projections.
>
> ### SUMMARY AND RECOMMENDATIONS
>
> It is the belief of the undersigned that certain basic changes have taken place in the defense policy of the United States since 1961. These changes need immediate evaluation by this impartial Blue Ribbon Commission. Among the changes we would list the following as particularly significant:
>
> (1) a changed attitude toward the cold war and, as a result, a different assessment of the potential and current threat;
>
> (2) a changed attitude toward the desirability or necessity of pursuing advanced weapons development as vigorously as possible; and
>
> (3) a changed attitude toward those areas of defense and defense planning which should receive priority.
>
> In the intervening five years, we have had an opportunity to observe the consequences of these and the other changes that have been introduced. Based, therefore, upon actual experiences and not merely upon theoretical musings, there is, in our view, substantial reason to question both the correctness and the effectiveness of the new approach.
>
> In foreign policy, the basic assumptions upon which this Administration appears to base its defense strategy include the following:
>
> (1) that there has been in recent years a reduction in tensions between the free world and the Communist bloc (except China) and that further accommodations in the future can be anticipated and should be encouraged;
>
> (2) that our military force structure should be related primarily to the "visible" threat posed by potential adversaries;
>
> (3) that nuclear war is as unthinkable to the Communists as it is to the United States and the free world and that therefore, the balance that has been achieved between the Soviet Union and the United States with regard to strategic forces should not be upset;
>
> (4) that the United States should continue to assume a posture of response both in the area of "crisis control" such as Vietnam and in the area of weapons development; and
>
> (5) that the threat from World Communism has, in fact, eased during the course of recent years and, therefore, any attempt to maintain a decisive superiority in the years ahead would reverse this trend.
>
> In Defense policy, the basic assumptions would include:
>
> (1) that the aggressive pursuit of advanced weapons development such as the Antiballistic Missile System (ABM) or the Advanced Manned Strategic Aircraft (AMSA) would lead to a "reaction" on the part of the Communists that would accelerate the "arms race" and that, therefore whenever, possible, such decisions should be stretched out, studied to death, or postponed.
>
> (2) that the level of effort in new weapons systems should be tied, predominantly, to what the potential enemy is doing and that the determination of what "the other side is doing" must be based on "visible" information; and

(3) that the defense establishment must be prepared to execute and implement a strategy of "flexible response," one that permits the United States to gradually escalate any conflict and that will not force us into the dilemma of "humiliating retreat or nuclear war."

It is the belief of the undersigned that many of these assumptions that guide our foreign and defense policy are largely unrealistic and incorrect and that the experience of the past five years bears out this contention. The importance of a complete evaluation of these assumptions cannot be underestimated.

We believe that there has not been a reduction in tensions but rather a reduction in our desire to recognize Communist actions for what they are.

We believe that our military force structure should not be related to the "visible" threat but rather to the capabilities of the Communists and to the fulfillment of our own national objectives.

We believe that nuclear war should be "unthinkable" to the Communists but that this country should not base its plans on that illusive hope.

We believe that the strategy of response both with regard to crisis situations and with respect to weapons development should give way to a strategy of initiative. We would define a "strategy of response" as one in which this nation permits a situation to become so serious that it must take extraordinary steps even to return to the status quo, and a "strategy of initiative" as one in which this nation, when it first sees the possibility of a situation developing, will take steps to prevent its becoming a crisis situation either with respect to potential conflicts or to new advances in weapons development.

We believe that the threat from World Communism has not eased and that, therefore, it is of the utmost importance that this nation maintain a *decisive superiority* in offensive and defensive weapons.

We believe that the Soviet Union is not "leveling off" its effort in advanced weapons development and that it is, as a matter of fact, aggressively pursuing new developments both in outer space and inner space.

Finally, we believe that under the policies of the past five years, rather than escape the dilemma of "humiliating retreat or nuclear war," we have actually enlarged that possibility by, in effect, adopting policies that have reduced rather than increased our options.

To reverse this situation, four basic requirements are necessary:

(1) A more objective and realistic assessment of the threat coupled with a thorough re-evaluation of our foreign policy;

(2) A return to greater participation by and acceptance of military judgment in what are predominantly military affairs;

(3) A more aggressive pursuit of research and development especially in the area of advanced weapons; and

(4) A reassessment by the Congress of its own role in the area of national security.

There is, in our judgment, little possibility that these requirements can or will be fulfilled unless the initiative comes from the Congress. It is for this reason that the undersigned have called for and strongly support the establishment of a Blue Ribbon Commission of military and civilian leaders to reassess and reevaluate the defense posture of this nation now and for the future.

Only in this way can the American people be reassured that this nation is buying the very best defense consistent with the long-term best interests of the United States.

EXECUTIVE-CONGRESSIONAL RELATIONS

The Constitution provides that the "Congress shall have Power To . . . provide for the common Defense . . . to raise and support Armies . . . to provide and maintain a Navy; to make rules for the Government and Regulation of the land and naval Forces . . ."

In today's complicated age of sophisticated weaponry and continual tension, Congress can only discharge its duties under the Constitution when it enjoys confidence and candor from the Executive Branch.

Recent reports of various Committees of the Congress in both Houses have raised serious questions about the Executive's willingness to present the full facts to the Congress concerning our defense establishment.

Without cooperation, candor and the realization that both branches of our government should be working for the same worthy goals, it is not possible for the Congress to assure itself that its actions will, in fact, provide the maximum insurance for the security of this nation now and in the future.

The 1966 fiscal year budget

That relations between the Executive and Congress are breaking down and that, as a result, the best interests of the United States suffer accordingly, can be seen in the experience of the fiscal year 1966 Defense Budget.

That budget as originally submitted to the Congress was grossly inadequate. It appears a truism to make that statement today. Yet, a brief review of last year's experience will demonstrate that the dominant tendency in the Executive Branch appears aimed at misleading rather than fully informing the Congress about Defense matters.

In Additional Views submitted by the undersigned to the fiscal year 1966 regular defense appropriation bill, we said:

"It is our judgment, based on the testimony before this Committee, that the fiscal year 1966 budget request reflects inadequate funding for the Vietnamese effort." (H. Rept. 528, 89th Cong., 1st sess.)

We then went on to recommend that—

"* * * the President should immediately revise this fiscal year 1966 defense budget with a view toward requesting the Congress to provide for the unplanned and unprogramed expenditures which have resulted from his decision to assume a greater role in Southeast Asia."

This the President and the Secretary of Defense refused to do. Instead, elaborate attempts were made to leave Congress with the impression that all the funds needed for fiscal year 1966 were contained in the original budget submission. The Secretary of Defense, in a letter to the Chairman of the Appropriations Committee which was read into the CONGRESSIONAL RECORD June 23, 1965 during debate on the bill, stated in part:

"* * * the fiscal year 1966 defense budget request now before the Congress would provide *all the funds we need* at this time to continue the strengthening of our overall military posture and to carry out whatever combat operations our forces are called upon to perform during the next 12 months." [Emphasis added.]

The fallacy of that prediction in both of its main elements has long since become apparent not only to the American people but to our adversaries as well.

Within two months after that letter was written, the Administration submitted to the Senate an amendment to the Defense Appropriation bill requesting an additional $1.7 billion for Southeast Asia activities.

Just five months later, in January 1966, another supplemental request totalling some *$12.3 billion* was submitted to the Congress for Southeast Asia activities. This came after an extended pause in the bombing of North Vietnam had been well underway. Such a "pause" should have reduced rather than increased our anticipated needs if the Secretary's assertion that the 1966 original budget contained "all the funds we need at this time . . . to carry out whatever combat operations our forces are called upon to perform during the next 12 months" was a valid one.

In still another supplemental for fiscal 1966, an additional $900 million to finance the military pay increases enacted the year before was submitted.

In short, the original 1966 defense budget was underestimated by some *$15 billion*—hardly an error that could legitimately be attributed to bookkeeping mistakes or to a drastic change in the requirements that was unforeseen six months before.

The second fallacy in the Secretary's letter was his assertion that the 1966 defense budget as originally submitted contained "all the funds we need at this time to continue the strengthening of our overall military posture."

In our Additional Views last June, we cautioned very strongly that equipment and material priorities for Vietnam must not be permitted to so deplete active force inventories as to impair the readiness of our forces not committed to Vietnam.

It has since become public knowledge that our ability to sustain combat operations in the Vietnamese theatre over the past 18 months was in part at the expense (both in material and trained men) of other forces not committed to Vietnam.

Rather than strengthening our overall military posture, the untimely delay in requesting needed funds for Vietnam in fiscal years 1965 and especially 1966 has resulted in a substantial weakening of our overall military posture.

The Secretary of Defense himself—after repeated indications to the contrary—reluctantly admitted in a press conference on March 31st that four Army Divisions here in the United States, the 4th Infantry Division, the 5th Infantry Division (Mechanized), and the 1st and 2nd Armored Divisions, are currently being used as training divisions and that they are not in fact "combat-ready." (Transcript, Department of Defense news briefing by Sec. McNamara, March 31, 1966.)

In addition, Committee reports, newspaper accounts, statements by Defense Department officials and testimony during our own Committee hearings, bear out the contention that our readiness to meet other contingencies should they arise has been impaired, among other reasons, by the Executive's reluctance to make hard and politically unpalatable decisions regarding the full funding of our defense establishment in a timely manner.

The undersigned believe, as they did last year, that the Defense budget for fiscal 1967 is also underfunded by a substantial amount and that supplemental requests will be forthcoming in late Fall or early in the next Session of the Congress.

Indeed, during mark-up of the present bill, it was necessary to add to the regular appropriation request for personnel alone some $569 million to cover deficiencies in the 1967 budget. If the Defense Appropriations Subcommittee cannot believe the President's budget on personnel needs, this certainly casts a cloud over what estimates and contentions are believeable in the rest of the budget.

Mr. Speaker, I believe most Members of Congress would agree that the present Secretary of Defense is a brilliant administrator. It has, in fact, occurred to me on more than one occasion that some thought should be given to the establishment of a new, separate office within the Executive Office of the President for overseeing the administrative practices of all Government departments and agencies. The first Director of such an office could, in my judgment, be the eminently qualified current Secretary of Defense.

With regard, however, to establishing the defense policy of this country and to planning for the future maintenance of a decisive superiority in order to insure peace and deter aggression, the present Secretary of Defense has not demonstrated a similar brilliance.

AN UNEQUALED RECORD OF MISTAKES

As a matter of fact, Mr. Speaker, the two fallacies we point out in our "Additional Views" which are contained in Secretary McNamara's letter to the chairman of the Appropriations Committee are by no means isolated instances of statements or predictions which later events have shown to be ill founded.

It is an unfortunate fact but an indisputable one that the Secretary of Defense has amassed an astonishing record of gross mistakes in his public assessments of the threat we face, his predictions of events to come and his assertions of our defense capabilities.

The brief compilation of such mistakes that follows is deemed necessary not out of any desire to publicly embarrass the Secretary of Defense but because it is essential that the American people understand that the present occupant of the Office of Secretary of Defense is indeed fallible and that, therefore, there is legitimate basis for discussing and debating the merits of his proposals for insuring the future security and integrity of this Nation. It is in this spirit that the following examples are offered:

On October 2, 1963, the Defense Secretary predicted that the major part of the U.S. military task could, in his judgment be completed by the end of 1965 "although there may be a continuing requirement for a limited number of U.S. training personnel." At that time, the United States had some 16,000 "advisers" in Vietnam. Today, that figure has risen to well over 260,000 and is still growing.

On January 27, 1964, Secretary McNamara told the Nation that the successor to the Diem government "has considerably more popular support than its predecessor." Two days later, that government was overthrown.

On his return from each of several trips to Vietnam in the past 2 years, Mr. McNamara gave glowing, optimistic reports of the situation which left the American people tragically unprepared for the bitter realities of the present situation. In many cases, his own later statements as well as those of other administration officials contradicted the earlier optimistic reports.

Mr. McNamara has repeatedly told our committee and other committees of Congress that we had 16 Active Army divisions, fully equipped and ready for sustained combat. The hollowness of these statements has since become apparent from the Army's struggle to maintain and support what amounts to less than four divisions in the field in Vietnam, not to mention the fact that the four divisions referred to earlier have been relegated to the status of training divisions and are not, in fact, combat ready.

After repeated assurances that the combat readiness of U.S. forces was extremely high and that the United States was capable of conducting a stepped-up war in Vietnam without seriously interfering with the readiness of the strategic reserve, Mr. McNamara has seriously impaired the readiness of combat forces within the United States, and now as an example, must withdraw at least 15,000 highly skilled and/or experienced troops from Europe both to train what supposedly were combat ready troops in the United States and to bolster our forces in Vietnam.

Mr. McNamara overrode the recommendations of the Chief of Staff of the Air Force, the Chief of Naval Operations, and four source selection boards on the question of the TFX award. Apart from the conflict of interest questions that have been raised regarding this award, there are now serious doubts that the aircraft can meet the needs of both the Air Force and the Navy at the same time and there is substantial evidence that the cost of the aircraft will greatly exceed the original estimates.

The Secretary's continual refusal to push ahead with development of a follow-on strategic bomber to replace the aging B-52's and B-58's which are being phased out has compelled him to place first reliance on a bomber version of the F-111—TFX. Most military experts who testified on this subject saw the FB-111 as, at best, an interim, stopgap bomber.

The Secretary's delay in acceding to the Navy's requirements for nuclear-powered ships such as the aircraft carrier and the guided missile frigate (DLGN) has made it impossible for the Navy to develop and deploy the type of surface ships it has considered essential. Two years ago he sought and obtained authorization to construct a conventional carrier, the *John F. Kennedy*. His present request for three nuclear-powered aircraft carriers to come into the inventory at a later date indicates that he has belatedly recognized the correctness of the Navy approach; however, the decision was overdue and means that the Navy will be given a capability several years later than was deemed necessary, not to mention the fact that the United States is saddled with a second-best, conventional carrier.

With regard to air and sealift capabilities, the Secretary was quick to criticize what was available when he took office and has since claimed that he effected a 100-percent increase in airlift capacity but is notably silent on what increases, if any, have occurred in amphibious Marine Corps or general sealift capacity. Unfortunately—considering the demands of Vietnam and the potential of other contingencies—the real increase in airlift capability lies in the future, notably the C5A and the remainder of the C-141's while the sealift capability remains unsatisfactory.

In the fiscal year 1966 budget, the Secretary denied that the important C-141 cargo aircraft was underfunded—yet within months he reprogramed additional funds for the C-141.

Mr. Speaker, a most disturbing feature of these mistakes is that they are all onesided. They are dominated by reductions in our military capability, by a downgrading of military expertise which leads to low morale, and by the imposition of civilian judgment and power.

In testimony before this committee on the fiscal year 1966 defense bill, the Secretary assured our committee that—

> While our fiscal year 1966 budget request does not include all of the forces or force modernizations recommended by the military departments and individual Service chiefs, the Joint Chiefs of Staff agree that the program supported by this budget *will increase our overall combat effectiveness* and will provide effective forces in a high state of readiness for the defense of the vital interests of the United States.[1]

Many of the foregoing points refute this statement.

Mr. Speaker, in our "Additional Views" we also pointed out that—

> It is certainly true that the fiscal year 1966 regular and supplemental budget requests contained more bullets, more aircraft, more *quantities* of material in certain categories than the previous budget. The same is obviously true of the fiscal year 1967 budget.
>
> What needs to be determined in assessing a defense budget is not "how many more numerically" but whether the budget accounts for an increase in our *ability* and our *preparedness as they relate to the needs of the day and the needs of the future.*
>
> In the light of the foregoing, what assurance can be placed on the validity of the Secretary's present statement defending the fiscal year 1967 requirements especially when the military is instructed to support the Secretary's position rather than giving its own views of the requirements.
>
> Admiral Rickover, in testimony before this Committee on May 11, 1966, had this comment to make:
>
> "Once again, the military who should have been the very first to request good weapons—the latest and best ones—sat here complacently and told you it was not necessary for these ships to be nuclear powered. They sat and followed the party line.
>
> "Mr. FLOOD. I don't know how complacent they were, but they sat here.
>
> "Admiral RICKOVER. If a man sits here and tells you something, you have to assume that is what he believes. You cannot enter his mind.
>
> "Mr. FLOOD. I did. They didn't believe it.
>
> "Admiral RICKOVER. You may try to enter his mind, but *if he has been instructed how to testify, he will do it according to instructions.*" (Department of Defense Appropriations Hearings for 1967, Pt. 6, P. 70.)
>
> Later on, in the same hearing, Admiral Rickover made the following comment:
>
> "This is the difficulty of working in a large organization. This is why it is so important that Congressional Committees ask people to express their own opinions. Otherwise, predigested information—a party line—is presented. The theory is that "mother knows best": that Government departments are best able to judge issues, setting up a party line, and telling Congressional committee: "This is it. We know the story, and there is no use going into it."
>
> "The witnesses you call before your committee must then talk in accordance with the party line. That makes it very difficult for Congressional committees to get the full story, except by backdoor methods, and nearly all of these loopholes have now been plugged. You will find that it will become

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[1] Hearings, Department of Defense Appropriations for 1966 before the House Defense Appropriations Subcommittee, Part 3, Page 5-6.

increasingly difficult to uncover the real pros and cons that are considered—or not considered—in arriving at the decisions presented to you for ratification. In other words, Congress is merely to listen to the official position. This is tantamount to saying that the Department is capable, but Members of Congress are not capable, of judging the issue; that the Department must do Congress' thinking for it; that the Department can make a better decision than Congress is able to. Now, most Members of Congress are lawyers or experienced professional and business people. I am sure you have enough wit and intelligence to judge things for yourselves."

And, then again, in answer to a question, Admiral Rickover testified:

"Isn't it essential if Congress is to do its job properly that you have presented to you all the relevant information? You may not choose to use all this information, but should it not be possible for you, at any time, to obtain the free opinion of any government servant? Unless you maintain this right by exercising it, it will be lost—and I am afraid it is being lost. I am sure you are aware of the decline of parliamentary systems all over the world. I hope our Congress will take steps to prevent such a decline in the United States. We were the first to establish *representative* democracy in modern times; let us be the last to permit its decline."

Under the classification "For Official Use Only," Deputy Secretary of Defense Cyrus Vance issued a memorandum dated January 11, 1965 which illustrates the kind of restrictions imposed on Defense Department witnesses appearing before Congressional Committees. It is reproduced below in its entirety.

FOR OFFICIAL USE ONLY

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., January 11, 1965.

Memorandum for:

The Secretaries of the Military Departments.
The Director of Defense Research and Engineering.
The Chairman, Joint Chiefs of Staff.
The Assistant Secretaries of Defense.
The General Counsel.
The Assistants to the Secretary of Defense.
The Directors, Defense Agencies.

Subject: Congressional Appearances by Department of Defense Witnesses.

I have been asked by prospective witnesses to provide guidance for the benefit of personnel of the Department who, in the course of Congressional hearings, are required to give their personal opinions on matters concerning which a Department of Defense position has been established by the Secretary of Defense with the approval of the President. If pressed for his personal opinion, the witness should make clear:

1. that his personal views were expressed (if such be the fact) to appropriate authorities within the Defense Department before the departmental position was established;
2. where his views are not in accord with the departmental decision, that, notwithstanding his personal views, he has accepted and will abide by the departmental position; and
3. the considerations or factors which support the decision; in other words, the pros and cons on the issue involved.

(Signed) CYRUS VANCE.

This memorandum is just one of several instances which illustrate the Executive branch's obvious reluctance to present a full and frank picture to Congress. It is just one more indication of the continuing breakdown in relations between the Executive and Legislative branches of our government.

It is no longer possible for Committees of the Congress dealing with defense matters to rely on the testimony of any Executive branch witnesses knowing that "unless pressed" these witnesses are constrained to voice not their own considered opinions but those which have been officially established at the highest level in the Department of Defense.

Such a procedure calls into serious question under present circumstances the utility of having any witnesses other than the Secretary of Defense appear before Committees of Congress on the budget and programs of the Department of Defense.

The guarantee of the development of good programs for the defense of this country has always lodged in the free exercise by responsible and knowledgeable men of rational debate and frank discussion of these programs. Subsequent to such a confrontation of ideas has come the consensus on which course to follow.

Enforced consensus—which is nothing more nor less than conformity—represents a step backward that is dangerous for the security and future well-being of this country in these troubled times.

As Admiral Rickover told the Committee, "* * * if you believe everyone in the Defense Department who has a valid opinion and the requisite knowledge on a given subject is heard before a 'consensus' is reached, you are mistaken. * * * If you are working on the basis that a decision of the Department of Defense is truly a *consensus*, then you are not right. * * * Bureaucracies do not make decisions on the basis of consensus. They decide them at top levels. In some cases, decisions appear to have been made ahead of time and subsequently justified."

REPROGRAMING ACTIONS

A further example of the growing disregard evidenced on the part of the Executive branch toward Congress and especially toward the appropriations process is the whole area of reprogramming actions. As we said in our Additional Views to the Report on the Supplemental Defense Appropriation Bill, 1966,

"A reprogramming action, in essence, is a procedure which bypasses the Congress. The reprogramming process is recognized by the undersigned to be a useful and necessary procedure for meeting emergencies and unusual unforeseen situations. What is of concern is the tendency on the part of the Defense Department to use what is essentially an emergency tool on a more regular and frequent basis than the situations warrant.

"It is in fact becoming altogether too frequent a practice for the Defense Department to come to this Committee with reprogramming requests that were not anticipated during the regular hearings on the Defense budget."

There is no evidence that the Defense Department, since the submission of those views, has altered its frequent practice of using the Emergency Fund as a reprogramming tool rather than for its intended purpose—emergencies.

The growing frequency of the use of reprogramming requests on the part of the Department of Defense to, in effect, bypass Congress makes a mockery of the appropriations process and represents a significantly greater erosion of Congress' responsibility and authority over the defense establishment of this country.

Mr. Speaker, what follows is an attempt to explore in detail some of the major assumptions which, in my view, underlie this administration's foreign and defense policies.

BASIC ASSUMPTIONS—FOREIGN POLICY

As we stated in our "Additional Views," the defense posture of a nation is largely determined by the foreign policy of that nation. Secretary McNamara has been very free to admit this in testimony before our committee.

No one would question the validity of the President's instructions to Mr. McNamara to "Develop the military force structure necessary to support our foreign policy without regard to arbitrary budget ceilings" and to "procure and operate this force at the lowest possible cost."[2]

Two questions need to be examined regarding the President's instructions. What basic assumptions with regard to foreign policy appear to govern the thinking of Mr. McNamara in his assessment of the force structure necessary for the security of the United States; and has he, in fact, adhered to the President's guidelines?

In his testimony on the fiscal year 1967 program, Secretary McNamara insisted that in carrying out the President's instructions "our military strategy and plans should be related to the threat, that the forces to be acquired and maintained should be related to the strategy and the plans, and that the forces should be adequately supported, not only with men, equipment, and facilities needed in peacetime, but with war reserve stocks as well, so that they could engage in combat for sustained periods of time."[3]

Mr. Speaker, these are commendable objectives as far as they go. They were not created by Mr. McNamara, but are a part of the traditional philosophy of the Department of Defense and have been supported historically by the Congress of the United States.

The weakness of Mr. McNamara's statement is contained in what he omitted; not what he said.

ASSESSMENT OF THREAT

In relating strategy and plans primarily to the threat as he views that threat and not to the fulfillment of national objectives, Mr. McNamara has committed himself and the United States as well to an essentially defensive and reactive philosophy.

American purposes thereby become secondary and American strategic posture depends primarily upon what Mr. McNamara actually sees the enemy is prepared to do against the United States rather than what that enemy is capable of doing.

This procedure is fraught with hazards. The Soviet Union—and for that matter, Communist China—are closed societies and take elaborate steps to prevent outside observation of what is being developed.

A. INTELLIGENCE

In discussing intelligence activities as they relate to the defense posture of this Nation, it would be well at this point to express my deep concern over the growing centralization of intelligence activities that has been fostered by the Secretary of Defense during the past 5 years. This centralization has taken three main forms:

First. The reduction of responsibility and authority of the separate intelligence groups under the direction of the services and their virtual integration into a single unit, the Defense Intelligence Agency—DIA—under the direction of the Office of the Secretary of Defense.

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[2] Hearings, ibid. (1967), Part 1, P. 8.

[3] Ibid.

An obvious effect of this centralization has been to reduce dissent and rational debate within the Department and increase the incidence of conformity with, in some cases, preconceived or predetermined conclusions.

Second. The large numerical increase in the number of personnel, primarily civilian, in the Office of the Secretary of Defense.

Third. The growing practice at the highest levels of a situation in which the Joint Chiefs of Staff are less in evidence at policy conferences with the Commander in Chief on highly sensitive issues. In effect, the Chief's recommendations more and more often are filtered up to the Chief Executive via the Secretary of Defense.

With these factors in mind, it is of particular interest that Secretary McNamara appears consistently to have taken the position that the intelligence information upon which we should base our defense planning must be in the form of "hard" or "visible" information.

There are two basic pitfalls in this posture.

On the one hand, the "visibility curve" on hard intelligence is a fluctuating factor. Like any other scientists in any country, Soviet scientists are prone to publish their findings and theories in scientific journals. These indications of Soviet future potential capabilities are "visible" to U.S. intelligence analysts.

However, after a decision is taken to go into the more advanced research and development phase in the Soviet Union or any other "closed" Communist society, an "iron curtain" descends over such activity and is not lifted in most instances until after the system reaches the hardware stage, when it may be displayed to the world during, for example, May Day celebrations or tests.

If at that stage, the system in question was not anticipated or "seen" by U.S. intelligence analysts and acted upon by the proper officials, the United States could find itself years behind in the development of a system to counter the Soviet system.

Such could well be the case with respect to the antiballistic missile, a follow-on strategic bomber, military systems for use in outer space, and quantum advances in the uses of inner space such as undersea technology.

B. SUBJECTIVE POLITICAL ANALYSIS

The other pitfall is the tendency on the part of Secretary McNamara and other high administration officials to "mix" hard intelligence analysis with subjective political analysis.

The assessment by high administration officials during the Cuban missile crisis of 1962 is a case in point. At that time, for several weeks prior to the official announcement by President Kennedy that there were indeed missiles being placed in Cuba, intelligence information was received and analyzed which indicated the very definite probability that missile components were being shipped into Cuba.

The political judgment of the highest administration officials was apparently interjected for a period of time to the effect that the Soviets would not, during this era of reduced tensions, be engaged in the introduction of such missiles into Cuba.

In short, intelligence estimates often appear to be developed with a view toward supporting predetermined conclusions and policies.

U.S. OBJECTIVES SHOULD GOVERN

By relating the development of our country's strategies and plans primarily to the "visible" threat, and not to the capabilities of the potential aggressors in accord with the fulfillment of national objectives, Mr. McNamara, as has been said, has committed himself and the United States to an essentially defensive and reactive philosophy.

In this sense, Mr. McNamara has given away the initiative and has in effect permitted the Communist world to occupy the driver's seat.

America's interests and those of our free world allies should be the guiding force behind the development and maintenance of our military posture. This does not mean the adoption of a policy of militancy and aggressiveness. It would, however, indicate that the United States has legitimate interests and intends to use its military power in the defense of those interests whenever they are endangered.

The evaluation of the threat; that is, the military capabilities of potential enemies to thwart achievement of national objectives, is certainly an integral part of the determination of military needs but not the whole of it as Mr. McNamara's statements and actions would seem to indicate.

A reorientation of strategy would place the potential aggressor on the defensive, would limit his freedom of movement and initiative, would inhibit his willingness to take risks, and would restore the initiative to the United States and free world interests.

U.S. PREPAREDNESS TODAY

The Secretary of Defense in his testimony before our committee, hurls a charge against the defense posture of earlier years that much more aptly describes the situation facing the United States today after 5 years of allegedly correcting these deficiencies:

> For many years our military plans far exceeded the forces available to support them, and even the forces available were not in proper balance with one another. There was not enough tactical air power to support the existing number of Army divisions. In addition, although the concept of a mobile central Reserve had been generally accepted, the airlift required to move these forces was completely inadequate, and there was not enough amphibious lift to move the Marine Corps forces. Although a great deal of attention had been paid to nuclear weapons, stocks of ammunition and other combat consumables required for non-nuclear war were grossly deficient in many categories.[4]

What is relevant here is that the exigencies of an actual conflict situation have put Mr. McNamara's theories to the test and they have been found wanting in several major respects. For example, our airlift capacity is strained heavily at the present time. Air Reserve and National Guard aircraft are being utilized. Virtually every bit of commercial aircraft presently available to the Department of Defense has been contracted for to increase our capability. All of this was necessary to sustain what is really a relatively small conflict—Vietnam—to which we have committed so far the equivalent of less than 4 of the 16 standing Army divisions.

As to stocks of ammunition and other combat consumables, the picture is clear and disconcerting. What is of particular concern to the Congress in addition to the temporary shortages that have arisen and will arise in Vietnam is the serious drawdown of our worldwide inventory which would be crucially needed if 1 of our more than 42 other commitments around the world should require American military assistance in a conflict situation.

The relevant question is whether Mr. McNamara's "new" military posture is adequate to support U.S. objectives and to stay ahead of the Communist efforts to nullify those objectives.

A more fundamental question—whether Mr. McNamara is really qualified to act as the final arbiter of U.S. military strategy, using the much-celebrated technique of cost-effectiveness as the criterion—must also be asked and answered. A corollary of this is whether and to what extent Mr. McNamara has used the cost-effectiveness argument as a means of misleading Congress and American opinion on the true reason for some of his decisions. A possible example would be his decision 2 years ago to buy a conventional rather than a nuclear powered aircraft carrier.

Admiral Rickover phrased it very well in his dicussion of the advantages of a nuclear powered surface ship over conventionally powered ones:

> The cost analysts do not see that a nuclear surface warship is not the same as an ordinary surface warship. Members of this Committee can see it, the public can see it, but the cost analysts cannot see it because they only deal in things that can be put in numerical form. They only consider those features they can quantify. . . .
>
> In every cost-effectiveness study I have seen, far more effort is spent on studying the cost than is devoted to determining the true military effectiveness.[5]

Should cost-effectiveness determine strategy, or should cost-effectiveness be the servant of strategy? Are there elements of the situation which Mr. McNamara is overlooking, deliberately or otherwise, and if so what are the risks that the United States is therefore taking?

These are legitimate questions for a Blue Ribbon Commission to appraise objectively, thoughtfully, and deeply.

CHINESE: GREATER THREAT?

Though Mr. McNamara does not make any comprehensive comparison between the Chinese and Soviet threat, his view by implication at least is that the Chinese and Asian Communists impose a greater threat than the Soviet Union.[6] The reasons for this assessment can be found in his opinion that the Chinese are more militantly carrying out the Communist doctrine of "wars of national liberation" and secondly, the Chinese are aggressively seeking a nuclear weapons capability.

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[4] Ibid.

[5] Quoted in House Report No. 1536, 89th Congress, 2nd Session, P. 49.

Both actions stem from a complex set of circumstances intimately involved with the newness of the Chinese revolu- with the Soviet Union for leadership in tionary success and its need to compete the Communist world. While no one would accuse Mr. McNamara of denying that the Soviet Union constitutes a major continuing threat, it is obvious that to him the Soviet threat now is growing less and less immediate. He believes that—

> The Soviet leaders appear to share with us a desire to avoid wars which might lead to a direct U.S.-U.S.S.R. military confrontation.[7]

Moreover, with respect to the United States and the Soviet Union, "the threat of nuclear war, and even of large-scale conventional wars, has become more latent."[8]

In effect, Mr. McNamara claims that U.S. posture vis-a-vis the Soviet Union is relatively satisfactory in that the United States is deterring the Soviet Union. At the same time, he implies that the U.S. posture vis-a-vis the Chinese Communists has not yet reached a satisfactory state, since the Chinese have embarked upon a policy of expansion in southeast Asia in particular, but not limited to that area.

The tendency on the part of Mr. McNamara to "play down" the Soviet threat has led to policy and program decisions that could have dire consequences if his assessment proved at some point in the future to have been incorrect. This is particularly serious since the Secretary's assessment seems to be based upon a subjective interpretation of intentions rather than an objective assessment of capabilities.

For example, even in the face of a growing Soviet capability in submarine warfare, Mr. McNamara has decided to retire the straight-decked aircraft carrier, the *Lake Champlain* from the Atlantic and to pull one other angle-decked carrier out of the Atlantic. This has severely reduced our ASW capability in the Atlantic and coupled with other actions in the ASW field displays a complacency on the part of the Secretary of Defense regarding the need for a superior ASW capability.

If his assessment of the Soviet threat is valid, his actions could certainly be justified; if wrong, they may prove to be irretrievable mistakes.

COMMUNIST OBJECTIVES

Mr. McNamara's point of view seems to assume that the Soviet and Chinese objectives are not sufficiently related in any real sense. More fundamentally, it assumes that the Soviets and the Chinese are pursuing different objectives and will continue to do so. For him the two Communist powers are engaged in internecine competition and hostility in which the Soviet Union has found itself unable to work cooperatively with the Chinese in the question of support of revolutionary wars in southeast Asia at the same time it was attempting to improve relations with the West.

WARS OF NATIONAL LIBERATION

Moreover, in the United States-Communist confrontation, Mr. McNamara prefers to emphasize the Chinese commitment to "wars of national liberation." As a result, in his view, the war in South Vietnam has become "a test case of the Chinese Communist version of the so-called wars of national liberation, one of a series of conflicts the Chinese hope will sweep the world,"[9] in which the Soviet Union is playing a secondary role and in which Soviet involvement has been limited to demonstrating "that Peiping's charges of Soviet 'capitulationism' and 'connivance with U.S. imperialism are false' "[10]

Because of this secondary involvement, the United States must "expect a harsh anti-American tone in Soviet policy pronouncements"[11] and in the absence of any statements to the contrary, no direct support of the Soviets to the non-Chinese Communists in Vietnam and elsewhere in the Far East.

Were it not for the Chinese Communsts' "wars of national liberation," one might conclude from Mr. McNamara's statement that communism would not constitute a major problem for the United States or the free world. Only Chinese-Soviet competition for primacy in the world Communist movement forces the Soviet Union to engage in any such wars, for it is "the pressure of competition from the Chinese Communists (that) drives the Soviet leaders toward a cold war approach to foreign policy questions, leads them to give high priority to military programs, and, thus, to compound further their chronic economic problems."[12]

B. SINO-SOVIET IDEOLOGICAL GOALS

Mr. McNamara's view of Soviet-Chinese relations fails to give proper appreciation to the overall identity of Soviet and Chinese ideological goals and concentrates upon tactical differences which have arisen in the Soviet and Chinese choices of the paths which best lead to the ideological goals. He fails to take into account the special relationships which would exist between the Soviet and the Chinese in the event of nuclear war between the United States and the Soviet Union, or between the United States and China. Such an interpretation enables the Secretary of Defense to decide against developing a posture which would or could save millions of casualties in a nuclear exchange between the United States and the Soviet Union, were this to occur, and on the other hand to consider favorably for future deployment a less costly system which would protect against estimated Chinese capabilities in the 1970's. This decision is defended in terms of cost-effectiveness language, but the under- of a defensive system above the proba- lying assumption appears to be that the Chinese threat is more likely to materialize; for Mr. McNamara the Soviets are more rational than the Chinese. Otherwise, one would be forced to conclude that Mr. McNamara is placing the cost bility of saving U.S. lives.

C. NUCLEAR WAR UNTHINKABLE

A corollary of this appears to be Mr. McNamara's assumption that nuclear war is as unthinkable to the Soviet Union as it is to the United States and the free world. Thus, because the Soviet Union, unlike the Chinese, is "rational," it has a common interest with the United States in seeing to the prevention of a nuclear exchange.

We can certainly hope that this is the case but wishing it so will not necessarily make it so if the Soviet Union finds itself one day in a decisively superior strategic position to the United States. To base defense structure decisions for the future on such a "hope" would be dangerous in the extreme. And though the Secretary of Defense will deny that the U.S. force structure of the 1970's and beyond has been planned with this unverified "hope" in mind, the evidence, in my view, is heavily weighted in that direction.

PRINCIPAL ASSUMPTIONS: FOREIGN POLICY

As we point out in our "Additional Views," the principal foreign policy assumptions upon which defense policy seems largely to be guided are as follows:

> (1) That there has been in recent years a reduction in tensions between the free world and the Communist bloc (except China) and that further accommodations in the future can be anticipated and should be encouraged;
>
> (2) That our military force structure should be related primarily to the "visible" threat posed by potential adversaries;
>
> (3) That nuclear war is as unthinkable to the Communists as it is to the United States and the free world and that therefore, the balance that has been achieved between the Soviet Union and the United States with regard to strategic forces should not be upset;
>
> (4) That the United States should continue to assume a posture of response both in the area of "crisis control" such as Vietnam and in the area of weapons development; and
>
> (5) That the threat from World Communism has, in fact, eased during the course of recent years and, therefore, any attempt to maintain a decisive defense superiority in the years ahead would reverse this trend.

If these premises are valid, then the defense posture of the United States today, and more especially as envisaged for the future, contains all the necessary elements for insuring the safety and integrity of this country and the free world.

If invalid, a series of Soviet or Chinese Communist technological "surprises" in the years ahead would place the United

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[6] Hearings, op. cit., Part 1, P. 12–15.

[7] Ibid., P. 38.

[8] Ibid.

[9] Ibid., P. 12.

[10] Ibid., P. 17.

[11] Ibid.

[12] Ibid.

States in an untenable position from which it is doubtful it could recover.

BASIC ASSUMPTIONS—DEFENSE STRATEGY

In all areas of potential conflict—whether of a general or limited war nature—there is cause for concern.

In this complicated technological age, a nation's ability to sustain its preparedness depends in large measure on that nation's commitment to continued advanced developments in the areas of weapons systems and their potential uses.

It should be clear that there is no substitute for military superiority as the best insurance against aggression or the possibility of a nuclear exchange. To build our future defenses on the imagined good will of the potential adversary or on the belief that he shares a common interest with the free world in avoiding a nuclear exchange at all costs is, it seems to me, a grave mistake that gambles with the future security of the United States.

It is, of course, possible that such reasoning is valid. But the mere possibility that it is not demands that our future force structure not be governed by such a rationale.

Nevertheless, it seems clear that the present leadership in the Department of Defense bases many of its decisions on just such a rationale.

NATO

The crisis that envelops NATO at the present time and the deterioration of that alliance which has been obvious and growing for several years is very directly related to any consideration of a Defense appropriation bill.

Many feel that the public statements and often surprise actions of the Secretary of Defense in the past 5 years have been a significant contributory factor to NATO's deterioration and to the recent unfortunate decisions on the part of the De Gaulle regime.

As the Secretary pointed out in his statement, concerning NATO, "in the military area, the principal issues revolve around nuclear policy and the future organizational structure of the Alliance."[13]

One of the primary roles of a Blue Ribbon Commission studying the Defense Posture of the United States would be a thoroughgoing review of how and to what extent the changed strategy on the part of the United States with regard to our commitment to NATO has contributed to or exacerbated the crisis in that Alliance today.

NATO is of paramount importance to the future security of the free world and I hope to see the problems of NATO given major attention by the Blue Ribbon Commission.

THE PROBLEM OF GENERAL WAR

The McNamara concept of general war breaks down into two basic requirements or strategies for the United States; deterrence of a nuclear attack upon the United States and its allies by possessing the ability under all circumstances of inflicting an unacceptable degree of damage upon the attacker; and secondly, in the event of an attack, to limit damage to the population and industrial capacity of the United States.[14]

In McNamara's view the level of the Soviet threat is such that—

> It will be virtually impossible for us to be able to insure anything approaching complete protection for our population, no matter how large the general nuclear war forces we were to provide including even the hypothetical possibility of striking first.[15]

Any one of the Soviet offensive systems in itself can inflict severe damage on the United States; thus a defense against only one type of weapon system is of limited value. Further:

> The Soviets have the technical and economic capability to prevent us from achieving a posture which could keep our fatalities below some tens of millions; they can increase their first strike capabilities at an extra cost to them substantially less than the extra cost to us of any additional damage limiting measures we might take.[16]

From an economic standpoint, Mr. McNamara believes that the greater the attempt to improve our damage limiting posture, given a certain level, the less effective and therefore more costly is each successive addition to the posture.

Under the circumstances existing between the United States and the Soviet Union, the McNamara strategy has been to develop a strike force which would be able to absorb a first strike from the Soviet Union and still respond with unacceptable damage to the Soviet Union. In McNamara's opinion:

> Even if the Soviets in the 1970 period were to assign their entire available missile force to attacks on our strategic forces (reserving only refire missiles and bomber-delivered weapons for urban targets) * * * a very large proportion of our alert forces would still survive.[17]

Even then, "one-fifth of the surviving weapons on Soviet cities would destroy about one-third of the total population and half of the industrial capacity of the Soviet Union." McNamara does not indicate what destruction use of all the United States' remaining capability would bring upon the Soviet Union, however, he admits that—

> Our strategic offensive forces are far more than adequate to inflict unacceptable damage on the Soviet Union * * * Indeed it appears that even a relatively small portion of these forces would furnish us with a completely adequate deterrent to a deliberate Soviet nuclear attack on the United States or its allies.[18]

Mr. McNamara's criticism of U.S. military posture at the time of his assumption of the Office of Secretary of Defense was that U.S. forces available were not sufficient to meet planned requirements and that the forces available were not in proper balance with one another.

Yet, Mr. McNamara claims that the strategic offensive forces for assured destruction today far exceed what is needed even under the most austere circumstances—that of a surprise attack by the Soviet Union—a view that we can perhaps accept as it pertains to U.S. capabilities in the immediate future. That many of us are concerned about our continued capability for the longer-term future has already been made abundantly clear.

MISSILE TECHNOLOGY

Both in offensive and defensive missile systems, it is my belief that the Secretary of Defense has, in his more recent budgets, determined that the level of effort in missile technology should not be pushed much above a subsistence level.

A. ASSURED DESTRUCTION CAPABILITY

The Secretary of Defense claims a substantial buildup of forces particularly in the area of nuclear warheads for the "assured destruction mission," of U.S. forces. However, primary reliance is now placed upon ICBM's, the actual reliability of which fortunately have not been fully tested under conditions of combat. It is certainly possible that the increase in nuclear warheads under Mr. McNamara's term of office does not represent as large an increase in assured destruction as he anticipates, especially if the Soviets proceed with an effective antimissile defense system. Intelligence on the Soviet antimissile system points to some deployment of the system, and if there is validity to the indications, a continuous improvement and deployment of the Soviet system over the next 5 years could degrade the United States assured destruction capability considerably, if not to the point that the Soviets would consider the damage acceptable, then at least to the point where they might feel that their society might ultimately be able to be revived. In such a situation they could feel that should a general war occur their relative chances of survival after an attack would be better than those of the United States.

B. NEED FOR A "MIX" IN STRATEGIC SYSTEMS

Those who argue for placing primary reliance in the strategic field on our missile capability rather than a "mix" of manned and unmanned strategic systems would do well to recall the early experience of the Sidewinder air-to-air missile in its first combat tests in Vietnam.

After several initial "failures" in encounters with Soviet Migs, it was reported in the press that the Air Force had launched an investigation to determine the reason for Sidewinder's apparent failure in combat operations. Fortunately, there was both time and alternative systems available to accomplish our operational requirements in Vietnam.

In the context of a nuclear exchange at some possible future date, there will be no time for an investigation, should one prove necessary, of the "failure" of our ICBM's to operate effectively and reliably.

It seems to me that the offensive missile systems developed and deployed by the United States will, in the unhappy event it becomes necessary, prove both reliable and effective and that they will accomplish their programed objectives based upon available evidence.

At the same time, it should be apparent, I believe, that to rely solely or predominantly on one particular type of system for such a crucial mission is to gamble recklessly with the future security of this country.

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[13] Ibid., P. 34.

[14] Ibid., P. 41.

[15] Ibid., P. 42.

[16] Ibid.

[17] Ibid., P. 44.

[18] Ibid.

C. AMSA

The Secretary of Defense has consistently held that the manned bomber has now become a supplementary capability in the assured destruction mission and because of this "large expenditures on the development and production of a new advanced strategic aircraft (AMSA) do not appear to be warranted at this time." [19] Instead he proposes to procure "a force of 210 (U.E.) FB-111A's configured as closely as possible to the fighter version so that it would, indeed, be a dual purpose aircraft—strategic and tactical—and this is what we propose to do at a total investment cost of about $1.9 billion." [20] He fails to point out that what he is proposing is an interim, stopgap bomber, a combination of the F-111A and B, that his early cost estimates turned out to be quite wrong, that the overall TFX program requires additional funds, and that precisely because he cannot foresee with assurance the Soviet threat to the future, the development of a supersonic heavy strategic bomber should be accelerated.

D. DAMAGE LIMITING CAPABILITY

The damage limiting capability of the United States includes that portion of the strategic offensive forces which are not used to perform the assured destruction mission, the U.S. area defense forces, terminal defense forces, and passive defense. The role of the strategic offensive forces is to "contribute to the damage limiting objective by attacking enemy delivery vehicles on their bases or launch sites, provided that our forces can reach them before the vehicles are launched at our cities." [21]

According to McNamara the area defense forces—composed of manned interceptors, longer range anti-ballistic-missile missiles, and antisubmarine warfare forces—and the terminal defense forces—antibomber surface-to-air missiles and shorter range anti-ballistic-missile missles—would be unable to protect the United States against a determined attack, since the United States now has "no defense against the major threat of Soviet ICBM's and our antibomber defenses alone would contribute very little to our damage limiting objective and their residual effectiveness after a major ICBM attack is highly problematical." [22]

One might add that the antisubmarine warfare forces are underdeveloped and would not in all probability prevent the Soviet Union from delivering SLBM's—submarine-launched ballistic missiles—against the United States.

In spite of Mr. McNamara's somewhat esoteric references to "assured destruction" and "damage limitation," he is talking about the offensive capabilities of the United States to destroy the Soviet Union and the defensive capabilities of the United States to lessen casualties and damage to the United States in the event the Soviet Union attacks. What he has said is that the United States now must rely almost entirely for its defense on the hope that the United States will deter the Soviet Union from attacking because it possesses the capability of massive retaliation. Under the posture developed by McNamara if the Soviet Union should attack, the United States now has no alternative than to suffer tens of millions of casualties and to destroy the Soviet Union in return.

E. NUCLEAR DETERRENCE

When first enunciated, the doctrine of nuclear deterrence of the United States was a workable strategy, primarily because the Soviet Union had only a limited nuclear capability against the United States. In addition the Soviet delivery system consisted primarily of aircraft against which the United States had deployed an extensive air defense system. The strategy recognized that the air defense system would not be able to insure anything like complete protection of our population. But it did insure considerable protection and made the Soviet problem of attack doubly difficult. The Soviets could not guarantee that they could strike a telling blow against the United States with the forces they had available to penetrate our defenses, and, secondly, they could not protect themselves with their own defense system against the forces the United States had available.

The Soviet deployment of an ICBM system against the United States and IRBM's against Europe radically changed the balance and gave the Soviets a much stronger position. To counter the ICBM's the United States under McNamara has deployed a much larger ICBM system against the Soviet Union. However, it was not lost upon major European allies that the IRBM threat to Western Europe was not countered directly, but that total reliance was placed upon the U.S. capability to deter the Soviets.

F. MISSILE DEFENSE

An additional flaw in the present American strategy is the lack of aggressiveness in the development of an antiballistic missile defense system—ABM—to counter Soviet ballistic missiles and lessen the number of casualties the United States might suffer—the ultimate reason for having a defense system. At present and for the foreseeable future the military posture adopted by Mr. McNamara relies almost completely upon offensive strategic missiles to deter a missile attack launched by the Soviet Union. The development and deployment of an antimissile defense system remains a matter for the future, in spite of the fact that recent gains in ballistic missile defense capabilities have made the deployment of such a system technically feasible. It is for this reason that the Defense Appropriations Committee included additional funds in the bill for preproduction activities for the antiballistic missile system, the Nike X. Utilization of these funds would shorten by at least a year the time necessary for deployment of the system once that decision is reached.

In Mr. McNamara's discussions about the deployment of the ABM, he points out that the possibility of developing an area missile defense has been enhanced. However, his considerations about the development and deployment of such a system are primarily in terms of meeting a potential Chinese Communist attack, rather than gearing the defense to the present and probably continuing major threat, the Soviet Union. Mr. McNamara's decision not to request deployment of an ABM system rests on uncertainties about a complete defense—uncertainties that stem in part from the anticipated Soviet reaction to an American all-out damage limiting effort, in part again from the technical and cost problems of such a development. Yet, the question at issue should not be the Soviet reaction nor the cost involved in terms of dollars, but the fact that even a modest capability in ballistic missile defense could save millions of American lives. The additional fact that significant developments have resulted from a limited effort to solve the problem is overlooked. These developments should be taken as an indication that very great improvements could be made were a major effort put into the program.

Mr. McNamara's decision to continue funding the development of the ABM at a relatively low level insures that rapid progress will not be made. Funding at a much higher level could materially limit damage to the United States and were a workable system deployed, it could be used also for the defense of Europe, where the credibility of American intentions to defend both Europe and the United States is being seriously questioned. If his concern is primarily China—which it should not be in this time frame—even then his posture is questionable, for early deployment of the ABM against China could convince the Chinese that the development of an ICBM capability against the United States was not worthwhile, because of the added difficulty in penetrating American defenses.

Secretary McNamara has made clear his belief that even though recent developments have made deployment of such a system feasible and even though there are indications the Soviets have begun deployment of such a system in Russia, this country will not press forward at this time with deployment of the ABM system. Indeed, in testimony before our committee, the Secretary of Defense insisted:

> With respect to the antiballistic missile system, I would not recommend deployment of such a system directed against the Soviet threat even if the Congress were to approve a full fallout shelter program.

Mr. LIPSCOMB then commented:

> I do not believe people understand if we can save millions of American lives, why we do not go ahead with a system that would accomplish this. They believe we are just not doing it because of the costs involved.
>
> Secretary MCNAMARA. We are not doing it for the two reasons I gave. Regardless of cost, whether low or high, to us, the Soviets can offset the additional protection we buy,

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[19] Ibid., P. 53.

[20] Ibid.

[21] Ibid., P. 42.

[22] Ibid., P. 58.

> whatever it may be, at but a small percentage of the cost of that protection to us * * *.
>
> The second reason I would recommend against it is not simply that it is costly, although it is, but rather that, *after having expended the funds we would still face the prospect of some 50 million or more fatalities.*[33]

On the question of fatalities, the Secretary in his prepared statement gave the following assessment of what the Soviet Union could do to the United States in a nuclear exchange:

> The ranges of fatalities estimated in the table reflect some of the possible variations in Soviet targeting doctrine * * *. The higher end of the ranges of fatalities shown for each case represents the full damage potential (a well-planned, well-coordinated attack to maximize fatalities) under the assumed conditions. The lower end of the ranges of estimates represents possible degradations in execution and targeting.
>
> The first line on the table shows the Soviet damage potential against the currently approved U.S. program in 1970.. It illustrates the projected performance of the currently approved bomber defenses, the civil defense program and the strategic offensive forces. Without these programs, the damage potential could be 160 million or more U.S. fatalities in a mixed Soviet attack on military and civilian targets * * *.
>
> As shown on the second line of the table, the situation is not substantially changed by the assumed Soviet build-up (Threat I) between 1970 and 1975. A full fallout shelter program, at a cost to the Government of about $3.4 billion, would reduce fatalities by about 15 to 20 million in both cases. Damage-limiting posture A (cost $22.5 billion) might reduce fatalities to somewhere between 80 and 95 million and posture B (cost $30.1 billion) to between 50 and 80 million in an early urban attack. But the benefits of these damage-limiting programs could be substantially offset, especially in the case of a Soviet first strike, if the Soviets were to increase their offensive forces to the levels assumed in Threat II.[34]

It seems clear from Secretary McNamara's statement that the deployment of an effective ABM system would probably result in the saving of tens of millions of American lives in the event of a nuclear attack.

It would seem that the potential saving of such a vast number of American lives in the event of a nuclear attack would warrant pushing ahead with development and deployment of the ABM system. The fact that our committee and the Armed Services Committee of the House included additional funds for preproduction items would seem to bear out the strong feeling of Congress in this respect.

MILITARY USES OF SPACE

In our "Additional Views" last year we said:

> Testimony on the military use of space revealed a lack of positive direction. The Committee was told that military applications of space were being pursued, but at the same time it was said that many of the military requirements in space had not been established. As a result, there was considerable evidence of delays in programs, a hesitation to start others, and an overall reluctance to pursue this new field vigorously.
>
> * * * * *
>
> As an expression of concern that the military uses of space are not proceeding at an expeditious pace, the Committee placed a limitation on the funds for the Manned Orbital Laboratory Program. This limitation provided that the funds would not be utilized for any other program. *Far too many delays have already been incurred in getting this program started, particularly considering that it is the only major program directed toward utilizing the military man in space.*
>
> The overriding concern in the space field should be to overcome the military lag in space technology.[35]

When the President announced to the world on August 25, 1965, just 2 months after these additional views were submitted, that he had authorized the Department of Defense to proceed with development of the MOL, he indicated his awareness of its importance. In assigning MOL to the Air Force, he said:

> We fight Communism by maintaining superiority in every field of science and technology which does or can affect the security of our Nation. This applies to the exploration of outer space. We dare not leave this area of our universe to become a monopoly in the hands of those who would destroy freedom. We must therefore obtain and maintain a leadership for the free world in outer space and we are trying to do that.[36]

Unfortunately, the President's words went unheeded by the Secretary of Defense, for the funds allocated for MOL in fiscal 1966 went largely unutilized.

One can only deplore the complacency with which the leadership in the Department of Defense appears to view the necessity for making significant strides in the military applications of space.

ANTISUBMARINE WARFARE (ASW)

As was the case last year, witnesses this year again told the committee that the ASW budget was very tight and that the emphasis once again has been very much at the operational level.

Rear Adm. E. W. Dobie, from the Office of the Deputy Chief of Naval Operations—Development—was asked the following question by Mr. Lipscomb:

> Is this $355.4 million budget a tight budget for ASW?
>
> Admiral Dobie. It is very tight.[37]

It is a recognized fact that one of the most critical and difficult areas that faces this country in the years ahead is antisubmarine warfare both offensively and defensively.

As we said last year:

> We . . . have a situation where, in one of the most difficult and critical areas, the Research and Development budget is both "tight" and emphasizes primarily operational improvements. Although we do need improvements on existing operational systems, an evaluation of the threat clearly shows our needs become even more crucial in the late 60s and early 70s, for which we need new concepts and new systems. A "tight" approach does not permit the flexibility to explore potential concepts that might provide some of the solutions being sought. We are not implying that money should be wasted on projects that are not needed, but when faced with problems in an area that is both crucial and extremely complex, new ideas and new programs cannot be straitjacketed by either a lack of funds or a lack of encouragement to explore new avenues.[38]

Our views have not changed since last year's report. In fact, concern has been increasing; for another year has, in effect, been lost in a period when the Soviet Union is clearly placing great emphasis on developments in the ASW field.

In addition, there should be some concern about the reduced ASW capability that has arisen in the Atlantic as pointed up by the following colloquy:

> Mr. Lipscomb. What is happening to our ASW capability? We are taking this straight deck (Carrier, *Lake Champlain*) out of the service, and we have also transferred another one of our ASW angle deck ships (Carrier, *Intrepid*) to another area. What happens to our ASW capability?
>
> Admiral McDonald (Chief of Naval Operations). Our ASW capability as far as the hunter-killer force in the Atlantic is concerned, *is reduced by two-fifths.*[39]

There is a clear and growing threat posed to this country in the area of antisubmarine warfare capabilities. Certainly, a much greater level of effort in the research and development aspects of ASW must be pursued if this country is to sustain its ability to fulfill in the future the five basic purposes for U.S. antisubmarine warfare forces that were defined for this committee by the Chief of Naval Operations, Adm. David L. McDonald:

> To defeat enemy submarines.
>
> To reduce the direct threat to the United States from enemy missile-launching submarines.
>
> To prevent isolation of the United States or its possessions from vital overseas resources.
>
> To allow U.S. Forces to operate freely on the seas in support of U.S. policies.
>
> To maintain inviolable our Nation's ability to supply all military forces deployed overseas, and to support our allies in accordance with treaty obligations.
>
> This involves the transport of vast quantities of material overseas by ship. Over 98 percent of the equipment and provisions required by our forces in Vietnam has gone by sea.

As Admiral McDonald said:

> The Soviet Union has a total force of about 400 submarines, more than half of which are modern, long-range types, including a steady increasing percentage of nuclear powered units. The Chinese Communists have over 30 available submarines, the vast majority being diesel submarines of the older W type.
>
> * * * * *
>
> The only available counter to the submarine threat, in any of its forms, is our ASW forces.
>
> Russian submarines have begun deploying in ever increasing numbers throughout the world. Worldwide "unidentified" submarine contacts, that is, out-of-area type contacts, have more than doubled in the past 2 years.[40]

Clearly, the United States cannot afford to be complacent about the growing threat from the sea. Only by placing high priority emphasis on new programs and new ideas in the area of ASW can the United States hope to maintain its superiority in this critical area of our country's defense.

NUCLEAR CARRIERS

The Secretary of Defense discusses Navy attack carrier forces under the general purpose forces without bringing to the fore the role such forces would have in the strategic offensive mission. In fact he removed carriers from the strategic mission category. He has been opposed for some time to the development of additional nuclear-powered aircraft carriers on the basis of their additional cost. Yet the Navy has shown that the dollar cost of nuclear-powered carriers is more than compensated by the additional mobility and operational characteristics such carriers possess. In the present program, Mr. McNamara has requested authorization of one such carrier with two more follow on carriers later. Mr. McNamara's failure to understand Navy strategic requirements has delayed the building and deployment of this system unduly.

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[33] Ibid., P. 114–15.

[34] Ibid., P. 48.

[35] House Report No. 528, op. cit., P. 64.

[36] Quoted in House Report No. 1536, op. cit., P. 20.

[37] Hearings, op. cit. (1967), Part 5, P. 342.

[38] House Report No. 528, op. cit., P. 64.

[39] Hearings, op. cit. Part I, P. 675.

[40] Ibid., P. 595.

SOVIET FUTURE CAPABILITIES

Mr. McNamara's treatment of the general war problem assumes that the Soviet Union will remain relatively static in its posture. He makes no adequate provision for the possibility that the Soviets are pressing for a breakthrough, or even that the Soviets will radically improve their present ballistic missile capabilities. His reliance is entirely on the credibility of the American nuclear deterrent with respect to the Soviet Union.

U.S. POSTURE TOMORROW

The future of the American posture as projected by McNamara will consist in technical refinements of the present missile systems—development of decoys, better penetration aids, more reliable command and control structure, perhaps better intelligence though this is not stressed. The posture follows more or less a gradual improvement curve without anticipating any unusual developments. Implicit in his considerations is that the United States and the Soviet Union have reached a technological plateau in which no unforeseen changes will change the balance as has happened with extreme regularity during the past 25 years.

Much of the confidence which Mr. McNamara has in the American posture stems from his feeling that the Soviet Union has reached a point of being a satisfied nation and that therefore the possibility of general war has become more remote.

Given these assumptions, Mr. McNamara is willing to gamble in areas where the United States possesses relatively little information—the future long-range development plans of the Soviet Union. To do so however entails high risk, for war always contains the elements of surprise and uncertainty, just as Mr. McNamara has most recently been finding out in Vietnam where "material is being used in ways and quantities which were never anticipated." [31]

In all of these areas—missiles technology, strategic bombers, military uses of space, surface, and undersea technology—it seems to me clear that the present leadership of the Department of Defense has curtailed rather than encouraged a level of effort that would insure the maintenance of U.S. superiority in the years ahead.

It is my further belief that much of the motivating factor which lies behind this situation stems largely from the basic assumptions I have attempted to explore in these remarks both as regards foreign policy and defense strategy.

Rather than relying upon his own intuition and the slide rule to determine how much his posture will cost, Mr. McNamara could well afford to be guided by the experience of his military advisers who have learned from hard experience how expensive surprise can be. If he were to do this, he would place a very high priority on the antiballistic missile system, accelerate the AMSA program, and devote considerably more energy to and support for the research and development program.

THE PROBLEM OF LIMITED WAR

Mr. Speaker, in this section, it is merely my intention to raise certain basic questions with regard to the administration's assumptions concerning limited war. It is particularly important, in my view, that the Blue Ribbon Commission study very carefully the apparently different attitude of this administration toward deterring the Soviet Union on the one hand and Red China on the other. The importance of clearly establishing what our posture and our policies are toward these two Communist nations cannot, in my judgment, be overstressed.

Mr. McNamara quite correctly points out that—

> The distinction between general nuclear war forces and limited war forces is somewhat arbitrary in that all of our forces would be employed in a general war, and certain elements of our strategic offensive-defensive forces could be employed in a limited war.[32]

One can agree with Mr. McNamara that the requirements for limited war demand the creation and maintenance of highly mobile forces and that "the ability to concentrate our military power rapidly in a threatened area can make a great difference in the size of the force ultimately required and, in some cases, can serve to halt aggression before it really gets started." [33]

DETERRING THE SOVIET UNION

Mr. McNamara evidently believes that American and European posture with respect to the Soviet Union is sufficient to deter the Soviets from initiating limited war using either their own forces or those of other countries, or some combination of them. He believes also that with respect to the Far East "our present nuclear predominance combined with a strong conventional defense posture in the area is now and should continue to be fully adequate to deter deliberate Soviet aggression, nuclear or nonnuclear." [34]

DETERRING CHINESE COMMUNISM

But American capabilities to deter the Chinese Communists presents an entirely different picture for him:

> The full implications of this new threat in the Far East are as yet far from clear, and the question of what our theater nuclear posture in the Far East should be in the future will require continuing study. In this connection, there is one lesson that we can draw from our experience in Europe, and that is to avoid a strategy which relies almost wholly on the use of tactical nuclear weapons to cope with the enemy's "massive" ground forces.[35]

Mr. Speaker, the comparison of the situation in Europe and in the Far East given by Mr. McNamara is grossly misleading. In other places Mr. McNamara has made it quite clear that American and European posture in the NATO area depends upon a combination of forces: strategic nuclear, tactical nuclear, and conventional. This combination has effectively deterred the Soviet Union so far from initiating limited wars in the European area, and Soviet realization that limited wars in that area would incur a very high risk to the Soviet heartland may well have been the primary consideration for the Soviet caution in applying active military pressure against the United States and Euorpe. Soviet moves in Europe have been consistently below the level of actual military engagement with NATO forces because of the level of risk such military engagements involve.

The same situation does not pertain in the Far East. According to Mr. McNamara, Soviet actions in the Far East would incur the same penalties, but the formula has not and still does not apply to Chinese or Chinese-sponsored wars of national liberation in the Far East. Where the United States with regard to Europe has given the impression it is willing to impose severe penalties upon the Soviet Union for aggression, it has not given that same impression with regard to the Chinese Communists. It is little wonder then that the Chinese Communists have found the formula, "despise the enemy strategically, respect him tactically," successful in their Far Eastern military policy.

The conduct of the war in Vietnam so far has not been designed to impress the Chinese and the Vietnamese Communists that so-called wars of national liberation can be taken only at high risk. In no case over the past 25 years has Red China been made to suffer militarily for aggressive military actions. In the present situation in Vietnam, the worst event that the Chinese can expect by an American victory is that they suffer a temporary setback in their plans for wars of national liberation; the question of direct military punishment for supporting such wars is not part of their problem. To a large measure the same type of risk confronts the North Vietnamese. In neither case is the prospective amount of gain proportionate to the risk, simply because the United States has failed to confront them with high risk.

In spite of the fact that the "U.S. Government had made it known for many years that it would view with the greatest concern any Communist attempt to seize the territory of South Vietnam by force of arms," [36] U.S. response to that attempt has been piecemeal. From 1960 to 1964 Mr. McNamara underestimated both the number of forces and the time that it would take to restore order in South Vietnam. Although the South

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[31] Ibid., P. 9–10.

[32] Ibid., P. 130.

[33] Ibid., P. 131.

[34] Ibid., P. 132.

[35] Ibid.

[36] Ibid., P. 12.

Vietnamese consistently lost ground during that period, the level of American assistance was never great enough for the South Vietnamese to gain the initiative. Even though it was recognized that the Vietcong could not conduct a war without North Vietnamese and ultimately Chinese and Soviet assistance, American military action was not addressed to the latter forces.

American intercession on a greater scale did not occur until it became overwhelmingly clear that the Vietcong were on the verge of success and that further delay would allow South Vietnam to slip into the hands of the Communists Heavy deployment of U.S. forces at a much earlier period could have checked the Vietcong at a lower level of success and could have precluded or substantially reduced the present need for expanded deployment. The tactic of a "pause" at the time the United States and the South Vietnamese had regained the initiative permitted the North Vietnamese to beef up logistics and reinforce the Vietcong at quite a high rate, and at the same time did not make manifest to the Communists that there would be any additional penalty for refusing to accept opportunity to negotiate which the pause offered.

If "Vietnam is also a test case of the Chinese Communist version of the so-called wars of national liberation, one of a series of conflicts the Chinese hope will sweep the world," will U.S. willingness to accept negotiations with the Communists at a point short of their military defeat, convince the Chinese in particular that wars of national liberation are not a successful path for expanding communism? It hardly seems so.

Furthermore, will not American willingness to negotiate a settlement with the Vietnamese Communists before it is made abundantly clear that their behavior is punishable and that the United States has the means and the will to inflict heavy penalties for such behavior, act as an incentive for the Soviet Union to become much more active in its support of revolutionary war? If the Chinese can get away with it there is no valid reason why the same rules should not apply also to the Soviet Union. In fact, perhaps more so, because the risk of Soviet involvement appears already to have been the governing factor behind U.S. reluctance to quarantine Haiphong or to attack Soviet-manned SAM sites at an earlier date.

In such a circumstance, American defense policymakers must ask themselves whether American conventional forces, no matter how mobile and how large, will in the end be sufficient to meet the variety of threats the Soviet and Chinese Communist doctrine of "wars of national liberation" can create. It should not be forgotten that at the recent tricontinental Communist conference in Cuba, the highest priority was placed upon fomenting additional "wars of national liberation" around the globe.

ASSUMPTIONS

In Mr. McNamara's presentation of the case of Communist aggression in South Vietnam several assumptions are implicit. From his testimony one is led to believe that only the Chinese Communists and their helpers, the North Vietnamese, are supporting the Vietcong to any meaningful extent. Conversely, the impression is given that the Soviet Union's assistance is limited and unwillingly given. Yet Soviet assistance there, granting the truthfulness of Soviet statements, is on the order of a billion and a half dollars or more.

The further impression is given that stopping communism in South Vietnam will have a reverse domino effect, that is, by halting a war of national liberation in one state, the Chinese Communists will be shown that they cannot be successful in others. While this is a possibility, it is based on the assumption, perhaps erroneous, that Chinese and Soviet plans require that South Vietnam be made totally Communist, without entertaining the possibility that simply forcing the United States to come to an accommodation is in itself a victory in Vietnam just as it was in Laos and that the stopping of American forces short of victory will be a stimulus and an encouragement for national movements to take the initiative elsewhere, not to mention the heavy drain on U.S. resources that such wars impose.

The assumption is made that communism is a permanent phenomenon in the Far East, that once it is introduced into an area it will remain. The possibility that defeat in Vietnam would create other reversals is not part of McNamara's estimate of the situation; on the contrary, the assumption is implicit that a Vietcong defeat in South Vietnam which also brought down the Viet Minh in North Vietnam would bring the United States into full military conflict with China. As a corollary, the assumption is that the United States would be involved in a "ground" war in China and that in this case, the war would either be excessively costly in terms of manpower and physical resources or would escalate into nuclear war involving the Soviet Union. Neither of these assumptions is necessarily true.

Acceptance of such assumptions effectively limits the conduct of U.S. operations in the Far East, but allows the Chinese, in particular, a freedom of action which is denied to the United States. It also increases substantially the risk of future wars. In the meantime building resources in terms of high percentage increases of tactical nuclear weapons which do not serve as deterrents, and deliberately restricting United States initiatives which prohibit the United States from inflicting heavy penalties on North Vietnam, is hardly good military policy or effective cost control.

TEST OF U.S. CAPABILITY

The war in South Vietnam is not only a test case of the Communist doctrine of wars of national liberation, it is more particularly a test case of the U.S. capability of preventing them from occurring and of defeating them decisively should they occur. To date the American experience in Vietnam has revealed that the defense posture adopted by Mr. McNamara is inadequate in both respects. Moreover, since the expansion of the American commitment to South Vietnam has given that conflict the character of a limited conventional war, it is also a test of the U.S. capability to engage in one limited war and to maintain at the same time sufficient reserve strength to engage in others should the need arise. In this latter situation, the indications are that American defense posture suffers from serious deficiencies. It is evident that the number of trained units available for deployment is insufficient, that the rates of consumption of ordnance were misjudged, and air and sealift necessary to support the forces abroad are inadequate.

Mr. McNamara has repeatedly assured the Nation that the U.S. commitment to Vietnam had not extended U.S. conventional capabilities, that the readiness of the forces in the United States had not been impaired, that the forces in Europe were at a high degree of readiness, and after having done this, subsequently admitted that American forces in the United States required more training before they could be committed. Whereas the forces in the United States were claimed to possess a higher experience factor because of the return of troops having been in combat in Vietnam, the actual state of affairs was that the depletion of ZI units to meet Vietnam requirements reduced their combat effectiveness to the point where they could not be deployed without further training and additional material. Not only did the Vietnamese returnees not satisfy the training requirements, it was found necessary to bring back from Europe thousands of troops with experience or specialized skills both to train unskilled recruits and to deploy to Vietnam. While such a move may satisfy immediate needs in the United States, it robs the European theater and creates a shortage there.

Such a situation is destabilizing apart from the lack of confidence it has created in Mr. McNamara's statements to the press. The potential impact on European trust of American intentions is much more serious, since the move was made without prior consultation, and gives further credence to French charges that American commitments to the Far East outweigh American responsibilities to Europe.

The combat ready forces in the United States at the time of the expanded commitment did not include sufficient engineer and port battalions to construct, maintain, and manage the port facilities necessary to support the deployment. While South Vietnam may have presented an unusual problem of logistic support, the United States has been active in the area for several years and should have been aware of the difficulties a larger commitment would cause. Given this situation, elementary prior planning for a larger commitment required increased engineer and port troops in the U.S. force, or a callup of selected Reserve units which specialize in this type of activity. Failure to preplan either of these alternatives delayed the full impact of American power in South Vietnam and may have made a larger commitment of force impossible while at the same time, it may have contributed to a longer, drawnout war than would otherwise have been necessary.

While Mr. McNamara has told the Congress that he has adjusted a supposed imbalance in the force structure by adding to the conventional strength of the services, this additional strength which he has developed is itself out of balance, particularly in the amount of conventional ordnance available to it. The excuse that the forces have used more ordnance than he had expected is not sufficient: the failure was a lack of understanding of conventional warfare in a given tactical situation. This failure has put the United States in the embarrassing situation of having to buy and borrow back ordnance which it had either sold or committed to its allies. Not only is it an embarrassment to the United States, it was a costly error in terms of dollars, and costly again in that the ordance taken from Europe and other areas limits the combat readiness of the troops in those areas. The net result is that shortages of conventional ordnance now exist overall.

AIR AND SEALIFT

In the matter of air and sealift Mr. McNamara said in 1961 and repeated again in this year's testimony that the airlift capability when he assumed office was completely inadequate and there was not enough amphibious lift to move the Marine Corps forces. He then noted that he has since brought about a 100-percent increase in the airlift capacity.[37] Significantly he did not mention any increase either in amphibious Marine Corps or general airlift capacity. However, the real increase in airlift capability still lies in the future, notably the C5A and the remainder of the C–141's, while the sealift capability has remained unsatisfactory. The fact that it has remained so lies in part in Mr. McNamara's decision to opt for a very fast reaction time which airlift can give and in part in his lack of understanding of the very heavy transport requirements that limited war can bring. This conclusion has certainly been borne out by the Vietnam experience where, according to the Chief of Naval Operations, Admiral McDonald, "over 98 percent of the equipment and provisions required by our forces in Vietnam have gone by sea." [38]

The escalation in Vietnam caught the United States in the position of being short both in air and sealift capacity. Mr. McNamara's decision that the United States had all the merchant marine lift necessary for any foreseeable military emergency has meant that no real modernization of the merchant fleet has taken place, and the United States has been forced to break out well over 100 ships from the World War II fleet. Even though Mr. McNamara has claimed that these are adeqate for the situation, the United States has been forced to use non-American carriers as well as overage carriers which have not been properly refitted. And, in addition to the ships themselves, the problem is compounded by the lack of experienced personnel.

miscalculation is that sealift rather than

The net result of Mr. McNamara's airlift has been the preponderant carrier of troops and supplies to Vietnam, and secondly, the United States has been unable to pick up cargo from U.S. ports to deliver it to Vietnam in the quantities and with the speed necessary. Furthermore, the lack of trained port and logistic personnel in Vietnam has compounded his mistake, since the offloading of cargo and equipment that does arrive has been unduly delayed.

CONCLUSION

The test of Mr. McNamara's program by the trial of combat confirms the doubts Congress has had about his ability both to develop the strategic concepts necessary to support a firm American policy and then to integrate the forces and equipment necessary to carry out those concepts.

The evidence seems clearly to support this conclusion especially with regard to the problems of limited war for they have been put to the test of combat in that context and have been found wanting.

It is certainly my devout hope that this test will never be made with regard to the problems of general war. The best way to insure that that test will never come is to return the United States to a full commitment behind the maintenance of a decisively superior defense posture.

That Congress has had continuing doubts about the defense posture being developed for the future security of the United States, is in my view, no longer subject to serious question. Virtually every major committee dealing with defense matters and a large cross-section of individual Members of Congress, during the past 5 years, have expressed concern about one phase or another of our defense policy.

Consider:

The unanimous report of the Joint Committee on Atomic Energy in December 1963 with regard to nuclear propulsion for naval vessels, stated:

> The committee concludes that the decision announced by the Secretary of Defense on October 25, 1963, against the utilization of nuclear propulsion in the next aircraft carrier, CVA–67, was incorrect. If this carrier, with a life expectancy of up to 30 years, is built with conventional power, it will reduce its capabilities from now until the 21st century. . . . It is fundamentally illogical and wasteful to fit our new first line warships with power plants that are, perhaps, already obsolete.[39]

The report of the House Armed Services Committee's Subcommittee No. 2 concerning the bomber version of the TFX:

> Regrettably, the statistics used by the Secretary of Defense to illustrate the claimed superiority of the FB-111A over the B–52 C to F series and B–58 aircraft were based upon markedly different nuclear bomb loadings which had the net effect of significantly misrepresenting the comparative capability of these aircraft.[40]

Representative H. R. Gross, of Iowa, quoted Adm. Arleigh Burke, former Chief of Naval Operations, on the TFX contract. Speaking on the floor of the House Mr. Gross called attention "to the warning by Arleigh Burke that the TFX warplane contract investigation discloses practices that could result in the 'destruction or political perversion' of our entire military procurement system." [41]

Report of the Senate Preparedness Subcommittee, concerning the award of the X–22 V/STOL research and development contract. Under "Summary of Major Findings," the report contained the following:

> We conclude from the evidence that:
>
> (a) Convincing and compelling reasons did not exist for overturning the source selection recommendation in the X–22 case.
>
> (b) Secretary Gilpatric (Deputy Secretary of Defense), in making the ultimate decision, acted prematurely and at a time when he was not in possession of all material, pertinent and important information.
>
> (c) In this case there was a reversal of the source selection recommendation without full, thorough, and adequate consultation and without knowledge by the decisionmaker of all material and important facts. Reversals under such circumstances threaten and jeopardize the integrity of the source selection system.[42]

The 1961 report of the Defense Appropriations Subcommittee of the House was critical of general practices in the Defense Establishment:

> The Committee, as it has reviewed defense operations over the years, has become increasingly concerned with trends in management, organization, and procedures toward more and more centralization of authority for decision making on minute details. This tendency has slowed up decision making, established an intermediate layer of paper shuffling, and otherwise resulted in delays, which it is believed are seriously endangering many of our vital defense programs.[43]

In regard to the "Muzzling of the Military" controversy in 1961, a member of the Senate Armed Services Committee, Senator Strom Thurmond, of South Carolina, said on the Senate floor:

> Mr. President, my review of the speeches submitted by the Department of Defense has substantiated the fact that penetrating statements about communism, particularly communist ideology and methods, are either deleted or softened. I have noted sufficient of the censorship actions in these speeches to substantiate this beyond equivocation.[44]

Senator Stennis, in commenting upon the instruction by the Defense Secretary to a subordinate not to reveal the names of those who actually censored the speeches, reportedly said:

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[37] Ibid., P. 8.

[38] Ibid., P. 595.

[39] Report, Nuclear Propulsion for Naval Vessels, Joint Committee on Atomic Energy, 88th Congress, 1st Session, Dec., 1963, P. 3.

[40] Report No. 60, 89th Congress, 2nd Session, P. 6557.

[41] Congressional Record, vol. 109, pt. 10, p. 13855.

[42] Report, Preparedness Investigating Subcommittee of Senate Armed Services Committee, Jan. 31, 1964.

[43] House Report No. 574, 87th Congress, 1st Session.

[44] Congressional Record, vol. 107, pt. 15, p. 19983.

> I do not think an executive officer, even a member of the Cabinet, can stop a legislative inquiry merely by saying he takes full responsibility.

Senator SALTONSTALL, ranking minority member of the Senate Armed Services and Senate Appropriations Committees, was reported to have said that Mr. McNamara's move "extends executive privilege way beyond what I thought it was." [45]

Senator RUSSELL, chairman of the Senate Armed Services Committee during debate on the Defense appropriation bill for fiscal 1963, said:

> My only regret in this matter is that I fear that the Department (of Defense) will not spend the money. We appropriated the money last year, and they did not spend it. I regret very much that they did not spend it.
>
> I told the distinguished Secretary of Defense, for whom I have great and unbounded admiration, that no man has yet been born of woman who cannot make some error of judgment. I think an error has been made in regard to the decision not to prosecute development of this manned bomber.[46]

The House Armed Services Committee has raised several serious questions regarding the future posture of this country with particular reference to AMSA, a nuclear Navy, and the ABM. The committee commented:

> Too often, it is feared, the almost obsessional dedication to cost effectiveness raises the specter of a decisionmaker who, as it has been said, knows the price of everything and the value of nothing. In a matter of such great moment as our military posture, the very key to our survival, the Congress must not be a who-body: something halfway between a nobody and a somebody. It must call the shots as it sees them.[47]

The House Armed Services Committee's Subcommittee No. 2 reporting on the "Department of Defense Decision To Reduce the Number and Types of Manned Bombers in the Strategic Air Command" was sharply critical of this decision and urged that "plans for the phaseout of the B-58 bomber be immediately abandoned." [48]

Senator GORDON ALLOTT, of Colorado, in discussing Vietnam on the Senate floor, July 25, 1962, said:

> Mr. President, yesterday, Secretary of Defense Robert S. McNamara returned from yet another Pacific conference, and said he is encouraged over progress of affairs in South Vietnam. Mr. President, I wonder just what Mr. McNamara means by progress.[49]

On November 6, 1963, Representative MELVIN PRICE, of Illinois, was reported as saying that development and research programs have been marked by a lack of meaningful objectives, poor estimates of costs, and ill-defined management responsibilities. In the New York Times account, PRICE cited the Defense Department and its refusal, "despite overwhelming weight of evidence" to equip the next aircraft carrier with nuclear power. "To me," he said, "this is like the board of directors of Union Pacific Railroad deciding to purchase a steam engine despite the proven experience with diesels." [50]

On February 5, 1963, Representative F. EDWARD HÉBERT, of Louisiana, was reported in the New York Times in reference to the manner in which Secretary McNamara overrode a majority of the Joint Chiefs of Staff on the Skybolt missile and the RS-70 bomber, as saying he fears Congress has given the Secretary of Defense too much power to override generals and admirals and might have to take back some of this authority.[51]

The Military Operations Subcommittee of the House Government Operations Committee, in a 1964 report, called McNamara "too timid and uncertain" in exploiting satellite technology for military communications.[52]

In remarks on the House floor on June 14, 1966, Representative WILLIAM BATES, of Massachusetts, said:

> Despite the constitutional power of the Congress "to provide and maintain a Navy," the Department of Defense has refused to consider the positions which the Congress has set into law. In our opinion, this is a serious matter.[53]

Admiral Rickover, in testimony before the House Defense Appropriations Subcommittee on May 11, 1966, commented regarding a nuclear surface Navy:

> Our country is rich, and can afford it, if the errors we make are merely in wasting money. But when an error in our national defense is made, money cannot undo it. There is then a period of years during which the mistake cannot be corrected by merely appropriating money.[54]

The Joint Committee on Atomic Energy, following their hearings on nuclear propulsion in surface ships, issued a special report in December 1963 in which they recommended:

> That the United States adopt the policy of utilizing nuclear propulsion in all future major surface warships.[55]

In its hearings on January 26, 1966 on naval nuclear propulsion program, the Joint Committee on Atomic Energy pointed out:

> If the two conventional aircraft carriers and the nine conventional frigates authorized since 1960 had been provided nuclear propulsion, the United States would now have in being or under construction three nuclear-powered carrier task groups instead of only one. These nuclear-powered task groups would have given the United States a much stronger Navy with which to face the uncertain and perilous future that lies ahead.[56]

The Preparedness Investigating Subcommittee of the Senate Armed Services Committee reported on the combat readiness of certain Army divisions.

In his letter of transmittal, the chairman of the Preparedness Subcommittee, Senator JOHN STENNIS, of Mississippi, said:

> I would like to take this occasion to express a few personal thoughts with respect to the problems which have confronted us and will confront us with respect to the war in Vietnam and the demands which it has imposed upon our military Armed Forces.
>
> First, I am convinced that time has worked for us and been a saving factor in this matter. As pointed out in the subcommittee report on Army readiness, dated July 27, 1965, there were then serious deficiencies and inadequacies in Army readiness which could be corrected only by increased funding and additive procurement.
>
> Fortunately, we have had the time to do this. During the interim, even though our fighting men have been called upon to engage in sharp and bloody fighting, and have responded magnificently, the fact is that the nature of this war is such that we have not been faced with large scale and sustained ground combat as was encountered in past land wars such as World War II and Korea. Thus, we have had the time to gear up our production facilities, let contracts and obtain deliveries of vitally needed equipment, repair parts, and supplies, and to acquire and train additional manpower. *We might have been in grave difficulty if this time had not been available.*
>
> *Second, I believe there is a lesson to be learned from our commitments in South Vietnam. The requirements of Vietnam have shown how delicately we are balanced between military strength and weakness in the light of our worldwide commitments.*
>
> The fact that a relatively small and underdeveloped country such as North Vietnam has been able to tie us down and make necessary such a substantial commitment of our military resources should show us what we can and must expect if similar wars of aggression against small and helpless nations should occur at other points around the world . . .[57]

The committee report itself states that "the four divisions covered by this report are not combat ready today," and reiterates the difficulty committees of Congress have experienced in "obtaining requested material." [58]

Senator STENNIS, in a speech on March 30, 1966, made the following comments:

> While the present unsatisfactory combat readiness condition of the only four full divisions that would be available for commitment in other emergencies was brought about, at least in part, by the decision not to call selected reserve units, nevertheless the Congress and the public were repeatedly reassured that these divisions were combat ready.
>
> On August 4, 1965, the Secretary of Defense assured the Senate Subcommittee on Defense Appropriations that "all divisions are ready to go to combat. We have 16."
>
> The four divisions now in question are part of the 16.

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[45] New York Times, Feb. 2, 1962.

[46] CONGRESSIONAL RECORD, vol. 108, pt. 8, p. 10377.

[47] House Report No. 1536, 89th Congress, 2nd Session, P. 9.

[48] Report No. 60, op. cit., P. 6588.

[49] CONGRESSIONAL RECORD, vol. 108, pt. 11, p. 14696.

[50] New York Times, Nov. 6, 1963.

[51] New York Times, Feb. 5, 1963.

[52] "Satellite Communications," Military Operations Subcommittee of the House Committee on Government Operations, 89th Congress, 2nd Session, October, 1964, P. 105-6.

[53] CONGRESSIONAL RECORD, 89th Congress, 2nd Session, June 14, 1966, P. 13060.

[54] Hearings, op. cit., Part 6, P. 83.

[55] Report, Joint Committee on Atomic Energy, op. cit., P. 5.

[56] Hearings, Joint Committee on Atomic Energy, 89th Congress, 2d Session, on "Naval Nuclear Propulsion Program," Jan. 26, 1966, P. V.

[57] Report on the "Combat Readiness of the
I. 4th Infantry Division, Fort Lewis, Wash.
II. 5th Infantry Division (Mechanized) Fort Carson, Colo.
III. 1st Armored Division, Fort Hood, Texas.
IV. 2nd Armored Division, Fort Hood, Texas."
89th Congress, 1st Session, P. 111.

[58] Ibid., P. 2.

He was further asked if the divisions "have all they need." His answer was "Yes, Sir; without any qualification whatsoever."

The investigation conducted by the Preparedness Investigating Subcommittee showed that at the time that statement was made one of the four U.S. divisions was at barely 55% authorized strength and another was barely more than 70% of authorized strength. I am certain that the Secretary had not been advised of the actual condition of these divisions when he made the statements quoted above.[59]

The report of the Senate Preparedness Subcommittee of the Senate Armed Services Committee "on the personnel, training, equipment, and readiness status of Army Reserve components" stated, among other "findings and recommendations" that:

One available solution to the problem of the untrained REP (Reserve Enlistment Program) backlog would be the calling of the USAR training divisions to active duty. Calling such training divisions to active duty would not only assist in eliminating the REP training backlog (some 127,400 on June 30, 1966), but would reduce the overload upon the *Active Army training centers and relieve the Active Army combat divisions from their current basic training missions.*

The action by the Secretary of Defense in disestablishing, in defiance of the resolution unanimously adopted by the Senate Committee on Armed Services, approximately 750 USAR units, including all six USAR combat divisions, has resulted *in a needless loss of trained manpower from a paid drill status,* has resulted in an excessive assignment of displaced personnel to other units as overstrength, and has made it difficult, if not impossible, for the USAR to achieve the congressionally mandated strength of 270,000 at the end of fiscal year 1966 in a meaningful and realistic manner. (Emphasis added.)[60]

The House Armed Services Committee in discussing civil defense fallout shelters in 1965, commented:

The committee was faced during its hearings with somewhat of an anomaly with respect to civil defense fallout shelters. Repeatedly throughout the testimony of Secretary of Defense McNamara, the Chairman of the Joint Chiefs of Staff, General Wheeler, and Deputy Secretary of Defense Vance, references were made to fallout shelters as being a top priority program. On the other hand, the program being presented to the Congress this year cuts down radically from last year the amount of funds being requested for this purpose. Indeed, no specific legislation such as was submitted in the 88th Congress for fallout shelters is even being proposed this year. So we are faced with a "top priority" fallout shelter program with neither budget requests nor other legislation to support it.[61]

The House Armed Services Committee discussing strategic bombers for the future, commented in 1964:

Suffice it to say that our bomber force will be very substantially reduced in the not very distant future.

It should be borne in mind also that the last deliveries of the B-52 and B-58 bombers were in October of 1962. No new bomber has been designed, much less in the process of production, and it is a simple and easily understood fact that we will have no bombers if we do not start on the road toward bomber production at this time.

The B-52's and the B-58's will fly for some time to come but common sense tells us that they will wear out. This is inevitable.

There is a strange anomaly in this situation. Although there are no definite plans for a new bomber, Mr. McNamara in his statement before the committee said:

"We plan to continue a mixed force of missiles and manned bombers throughout the entire planning period, fiscal years 1965-69. Although most of the aiming points in the Soviet target system can be best attacked by missiles, *the long-range bombers will continue to be used in the followup attack, particularly against hard missile sites and against the targets which need not be attacked within minutes,* for example, weapon storage sites."

The committee is constrained to ask what the plan will be should war not occur during the life of the B-52 and B-58 bombers. What, then, will be used, under present planning, to attack hard missile sites and weapons storage sites?[62]

Representative F. EDWARD HÉBERT, of Louisiana, commenting on the need for development of AMSA:

Secretary McNamara has carefully attempted to leave the impression that the Joint Chiefs of Staff, including the Chief of Staff of the Army, the Chief of Naval Operations, the Commandant of the Marine Corps, and the Chairman of the Joint Chiefs of Staff, are part of the "we" who today "still cannot see a clear need for a new strategic bomber." That impression is not only misleading but completely untrue.

The American public has a right to know what recommendations have now been made by the Joint Chiefs of Staff on this vital question—the Secretary of Defense has himself raised this issue—let him therefore resolve it by releasing to the American public the precise language used by the Joint Chiefs of Staff in expressing their current position on this controversial question.

If the Secretary refuses to accept my challenge to release the present position of the Joint Chiefs on the question of the advanced manned bomber, then the American public will know who has distorted the facts.[63]

Report of House Armed Services Committee discussed the authorization for a nuclear frigate—DLGN:

Although the Congress last year authorized a nuclear-powered, guided-missile frigate and appropriated $20 million for this frigate as one escort ship for one of the nuclear-powered carriers, and although the Navy requested permission to proceed with this ship, the Department of Defense has never released the funds for this frigate. Nor would the Department of Defense permit the Navy to request any new nuclear-powered frigate this year.

Responsibility for this loss of time and experience must rest solely with the Secretary of Defense.[64]

Representative HÉBERT, commenting on the difficulty of getting complete information:

Never in the course or history of my service have I found it so difficult to get full and complete answers as I have since you have been Secretary of Defense.[65]

Newspaper comment on congressional reaction to Army Reserve reorganization:

Congressional leaders are furious with Mr. McNamara for defying their wishes on the Army Reserve reorganization. In the face of their specific rejection of his plan to merge the Army National Guard and Reserve, he went ahead with a plan that accomplished much of his purpose.[66]

Senator A. WILLIS ROBERTSON, of Virginia, commenting on the Secretary's refusal to spend appropriated money:

Mr. President, the computers used by our brilliant Secretary of Defense in arriving at military decisions do not give the National Guard, the Army Reserve, or the ROTC units a high rating. He, therefore, desired to curtail all of those activities in a major way. Congress, however, was not willing to put all of its defense eggs in the one professional military basket and, therefore, continued to appropriate sums for the full continued operation of all three activities. But the Secretary of Defense in his rapid climb to power learned some years ago, in refusing to carry out the congressional mandate to continue the production of long-range bombers, that he could strangle and gradually kill any particular program merely by refusing to spend what the Congress had appropriated for its operation. He has applied that technique to the ROTC units in preparatory schools or junior colleges.[67]

Remarks of Representative THOMAS PELLY, of Washington:

Of course the Secretary of Defense has done more to confuse the American people as to the true situation in Vietnam than almost seems possible.[68]

Remarks of Representative DURWARD HALL, of Missouri:

There is not better testimony to the Secretary's success in the Public Relations field, than the fact that the image still has credibility, in spite of the overwhelming evidence to the contrary. If any military commander—serving under Mr. McNamara—had been proved so wrong, so often, by so far, he would long since have been kicked upstairs, or put out to pasture.[69]

Statement of Representative HÉBERT:

I am gratified that the Secretary of Defense, at his press conference on May 12th, conceded that the confusion in the public's mind over the Joint Chiefs of Staff's position on a future manned bomber was caused by misleading documents emanating from his office.

It is clear now that there was no "shockingly distorted" picture given to the public by my subcommittee's report. I take the Secretary's statement on May 12th as a willingness to admit he was wrong. I excuse his earlier excess of language.[70]

Additional views of minority members of House Defense Appropriations Committee, 1965:

In light of the President's decision to escalate the war in Vietnam in recent months, the Defense Appropriations Committee interrogated witnesses on the adequacy of the fiscal year 1966 budget request. The questions were primarily directed at the effect of the Vietnam situation on the budget request

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[59] Statement issued by Senator STENNIS, March 30, 1966.

[60] Report of Preparedness Investigating Subcommittee of the Senate Armed Services Committee, May 12, 1966, PP, 2, 3.

[61] House Report No. 271, 89th Congress, 1st Session, April 29, 1965, P. 60.

[62] House Report No. 1138, 88th Congress, 2nd Session, Feb. 16, 1964, P. 6.

[63] Quoted in House Report No. 1536, op. cit., P. 21.

[64] Ibid., P. 31.

[65] Hearings, Military Posture and H.R. 4016, House Committee on Armed Services, 89th Congress, 1st Session, P. 279.

[66] New York Times, Nov. 22, 1965, P. 12 (Column by Jack Raymond).

[67] CONGRESSIONAL RECORD, vol. 111, pt. 7, p. 10021.

[68] CONGRESSIONAL RECORD, Jan. 17, 1966, p. 466.

[69] CONGRESSIONAL RECORD, Jan. 27, 1966, p. 1392.

[70] Ibid., P. 12461.

> for such items as Procurement, Operations and Maintenance, Personnel, and other areas.
>
> Subcommittee questions, in one form or another, sought to determine *whether or not the fiscal year 1966 budget request was adequate in view of the escalated activities in Vietnam.* In response after response from principal witnesses, the devastating point was made that the budget was inadequate, that it did not take into consideration the increased activities in Vietnam, and that no budgetary adjustments occurred after the escalation began. This means that while our international prestige and thousands of American servicemen were committed in this area of the world, the fiscal requirements to back them up were not forthcoming.[71]
>
> ADVANCED DEVELOPMENTS
>
> Of particular concern in our defense posture is the level of effort in advanced developments. Military effectiveness is largely determined by the state of scientific and technological advancements. New weapons systems must be aggressively pursued, based upon both the assessment of the threat and the pace of technology. Testimony during the course of the hearings reflect an approach falling far short of what we believe must be done in this vital area.[72]

In the same report, the following comment was voiced:

> Secretary McNamara's policy produces a minimum force structure and a less vigorously pursued research and development effort in the area of advanced weapons developments. Under this approach, there is a greater risk that we will face future challenges without adequate means to deter aggression or prevail in any conflict that might develop.[73]

The following was contained in the House Armed Services Committee report for fiscal year 1967:

> Whether in the enumerated field of base closures, deferral of construction, nuclear propulsion, or an aircraft such as AMSA, the committee asks whether there are not instances in which what are called military decisions are actually judgments colored by a certain intransigence, an intransigence which holds that a decision made cannot be changed; a stubbornness which refuses to concede the possibility of error. This naturally raises the question as to whether the strong hand at the helm is also a deft hand. Does it hold a course in the trough of the waves when a change of a few degrees would give greater assurance of the ship's safe passage? These are questions that the committee intends to ask again and again until it has received satisfactory answers.[74]

The committee also said:

> The committee is disturbed because the manner of the Department of Defense's presentations indicated startlingly that the program is not properly related to the future needs of the Defense Establishment and the support of defense systems for the long haul.[75]

In debate on the defense authorization bill for fiscal year 1965, Senator John Tower, of Texas, had this to say:

> The facts of the case are that the current administration has apparently decided to depend entirely upon missiles to protect America. It has embraced a "uni-weapon" concept that totally departs from all the lessons of military history. It acts as if Americans should accept such a radical plunge with obedience and with silence. Everyone with the audacity to challenge the administration's dependence on missiles alone has been duly chastised in public.
>
> But the administration cannot expect silence from concerned Americans. The administration wants to depend solely upon missiles, and we have a right to question the wisdom of that dependency. We have a right to question it before our manned air force is completely phased out.[76]

Representative Chet Holifield, in discussing nuclear propulsion for naval vessels, commented:

> The Department of Defense has vacillated and procrastinated, studied and restudied nuclear power for surface warships in what appears to me and to many of my fellow Members of Congress to be an attempt to kill nuclear power for the Navy by studying it to death.[77]

Senator Stuart Symington, commenting on the effectiveness of limited bombings in North Vietnam:

> There is a consensus of opinion all over South Vietnam today, in all the military forces, not just the Air Force, or naval air or Marine air, everywhere, and also in the civilian setup, that if we don't eliminate this target limitation, it isn't right to send these men (air crews) out to risk their lives in an expensive airplane, to bomb just an empty barracks or a bus.[78]

Representative Leslie C. Arends, of Illinois:

> Of course, no law will be satisfactory unless it is administered in accordance with the intent of Congress. I am not at all sure the present Secretary of Defense cares what Congress intends. He and his civilian aids presume to know all the answers, military as well as economic.[79]

Hearings on U.S. Army combat readiness, May 1966. Senator Stennis, in commenting on these hearings, said:

> 1. General Johnson confirmed that the Joint Chiefs of Staff on three occasions unanimously recommended calling certain segments of the Army Reserve and Army National Guard forces to active duty as the escalation of U.S. forces in South Vietnam increased and the pinch on U.S. forces at home became more acute. The Joint Chiefs made such recommendations in the spring of 1965, in the fall of 1965, and early in 1966. As a result of the failure to call the reserves, the active Army in the United States suffered substantial turbulence in order to provide General Westmoreland with the necessary combat forces and the logistic, combat support, and service support units to back them up and support them in the field.
>
> 2. The testimony established that the active Army alone did not have 16 combat divisions which were capable of sustained combat, even though the Congress had been frequently so advised in the past without any qualifications being put upon it. The statements that there were 16 combat ready divisions, General Johnson said were based on certain assumptions, including the time of deployment, the availability of shipping, and, more importantly, a declaration of emergency and an extension of terms of service of personnel. . . .
>
> 3. Testimony by General Johnson revealed that the Army may be encountering shortage of funds despite the $12.7 billion supplemental appropriation for fiscal year 1966 approved by the Congress earlier this year. The record shows that the Army has estimated an additional requirement from $900 million to $1 billion to carry on its operations for FY 1966. At the present time the Army and the Department of Defense are currently reviewing this matter.[80]

The above are but examples of the deep concern expressed by individual Members or by the committees of Congress charged with the responsibility of authorizing, appropriating, and overseeing the continued maintenance of a defense posture equal to the obligations and requirements of this country now and for the future.

The Congress, through one forum or another has consistently warned the Nation that Mr. McNamara's programs could lead to trouble. The heart of the trouble lies in Mr. McNamara's basic foreign policy assumptions, his disregard of the professional military advice available to him and in his reliance upon his own judgment reinforced by the recommendations of his cost-effectiveness-oriented civilian advisers.

Some obvious results of Mr. McNamara's program are serious deficiencies in personnel and equipment: up until just recently nearly all Regular Army units were unprepared for combat and are, in effect, training units; few of the National Guard or Reserve units are ready for combat; serious shortages in supplies and equipment have developed; some equipment cannot be used because trained maintenance personnel are missing; sortie rates of combat aircraft are cut because aircraft lack suitable ordnance; deployment of troops and equipment has become unbalanced in Alaska, Europe, and elsewhere. Similar deficiencies in both the Navy and the Air Force might well be uncovered should the Congress turn its attention to these forces as well as to the Army situation.

The steps taken by Mr. McNamara have not been sufficient to maintain a strong and strategic Ready Reserve. U.S. military posture has suffered both at home and abroad. Recognition that the United States will respond piecemeal without punishing the sources of external aggression has encouraged dissidents to take the initiative for they know they do not suffer the risk of grave losses. The show of weakness rather than strength has undermined the confidence of the allies, and forced them to consider alternatives unpalatable to the United States and eventually contrary to their own best interests.

Mr. McNamara has had well over 5 years to learn that the economics of war differ in many significant respects from the economics of industry. Perhaps the lessons of Vietnam and of NATO will have their effect: the cost of his education is still too high.

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[71] House Report No. 528, 89th Congress, 1st Session, June 17, 1965, P. 60.

[72] Ibid., P. 63.

[73] Ibid., P. 66.

[74] House Report No. 1536, op. cit., P. 14.

[75] Ibid., P. 60.

[76] Congressional Record, vol. 110, pt. 3, p. 3834.

[77] Remarks by Congressman Chet Holifield, at keel ceremony for USS Narwhal SS(N) 671, January 17, 1966.

[78] Hearings before Subcommittee on Department of Defense and Committee on Armed Services on Appropriations on S. 2791, 89th Congress, 2nd Session, P. 151.

[79] Congressional Record, vol. 109, pt. 7, p. 9615.

[80] Senator John Stennis, News Release, June 20, 1966.

As we said in our "Additional Views":

> We believe there is no question about the need for the immediate establishment of an impartial, objective Blue Ribbon Commission to review and evaluate the defense structure of this country both as to its effectiveness and capability today but far more importantly, as we face the future in an uncertain and troubled world.
>
> In our Additional Views last year, we said:
>
> "On the basis of the information and the testimony generated during the hearings, we have serious doubts about the premise that changes in policy, capability or defense efforts have taken place in the Communist bloc (that) would warrant reductions or a general leveling of our defense effort.
>
> "Available evidence strongly indicates that the Soviet Union and the Communist bloc as a whole are not reducing their efforts.
>
> "We must cease, therefore, viewing conditions in the world as we would like them to be, and view them as they are.
>
> "We must view the world realistically, recognizing that an aggressor does exist, who seeks to dominate the world, and is building up a capability to do so. This recognition demands an approach which dictates superiority—military, economic, technological and political.
>
> "To do less, based upon the progress of events in the world, would be to invite disaster rather than assure peace.
>
> "Our primary concern at this time involves the late 1960s and early 1970s. It is during that time period and beyond that the effects of today's decisions will be felt. It is up to our leaders today—in foreign and defense policy—to make realistic assessments of the needs of tomorrow. It is up to Congress to see that they do."

Mr. Speaker, there is obviously a clear need for the immediate establishment of a blue ribbon commission. Its importance at this critical juncture cannot be overstressed. I therefore commend it to the urgent attention of my colleagues.

Mr. RIVERS of South Carolina. Mr. Speaker, I move to strike the last word.

Mr. Speaker, having been elected chairman of the Committee on Armed Services by the House, and having 2 weeks ago received the most resounding endorsement of this body on our conduct in running the Armed Services Committee, I think I can make the record straight on an article appearing in the Washington Post this morning. A lot of people just read headlines who did not have time to read the entire article. Here is the headline which says: "RIVERS Drops Fight for A-Power Frigate."

Nothing could be further from the truth. Nothing on earth could be further from the truth. RIVERS has not dropped anything. RIVERS never drops anything when he is ahead, and, believe you me, in this controversy he is ahead.

It says further that:

> RIVERS has raised a flag of truce to force the Johnson Administration to speed up construction of a nuclear-powered surface Navy.

RIVERS has not done any such thing. I submit the article:

> RIVERS DROPS FIGHT FOR A-POWER FRIGATE
>
> (By John G. Norris)
>
> Rep. L. MENDEL RIVERS, (D-S.C.) has raised a flag of truce in his battle to force the Johnson Administration to speed up construction of a nuclear-powered surface Navy.
>
> The South Carolinian, chairman of the House Armed Services Committee, said yesterday he and other House conferees on the $17 billion-plus defense authorization bill have agreed to drop an amendment he sponsored ordering the Pentagon to build two atomic-powered frigates.
>
> Senate members of the joint conference committee objected on the grounds that issuing such a mandate to the Executive Branch of the Government may be unconstitutional and would invite a Presidential veto.
>
> RIVERS said he hoped the joint conference committee could agree on substitute language which would forcefully express Congressional intent on building nuclear rather than conventionally propelled warships, without raising constitutional questions.
>
> He said he was trying to arrange another meeting of the conferees on Wednesday to complete action on the measure. The dispute on language authorizing the A-frigates has delayed final passage of the authorizing bill and may postpone consideration of the defense appropriation bill, scheduled in the House today, until after the July 4th recess.
>
> The conference committee has agreed on almost every other disputed proviso of the authorization bill. Senate conferences, RIVERS said, have accepted a House amendment voting extra funds for starting development of an advanced long-range manned bomber.
>
> Defense Secretary Robert S. McNamara has opposed such a bomber decision, as well as objecting to construction of nuclear-powered escort ships for an atomic-propelled aircraft carrier he asked for this year.
>
> McNamara's cost-effectiveness studies convince him that an A-carrier is worth the extra costs, but not A-frigates or A-destroyers to escort it. Congressional leaders back the Navy's view that the increased combat performance of nuclear ships is well worth the additional cost.
>
> The Administration recommended funds this year for two conventionally powered destroyers and has refused to spend funds voted last year by Congress to build a nuclear frigate. The Senate in May voted to reauthorize such an A-frigate, and the House, at RIVER's instigation, voted for two with mandatory language saying that McNamara and the Navy "shall" lay down such craft.
>
> Congressmen expect that an agreement, when reached, will call for the construction of the two frigates, unless President Johnson notifies Congress otherwise. The conferees already have agreed on compromise language of a House amendment requiring the Secretary of Defense to notify Congress 90 days before he orders the phaseout of a "major weapons system" like the B-58. Under the compromise, the Secretary must notify Congress but no time limit was provided.
>
> The Senate accepted a House amendment providing for a 3.2 per cent pay increase for servicemen beginning July 1, and the House dropped amendments voting for additional aircraft for medical evacuation and TV broadcasts in Vietnam.

I recognize the facts of life. The copy desk was instructed to take this story that John Norris wrote. John Norris called me and asked me if we had come to an agreement.

I said, "Substantially."

He asked, "What is the agreement?"

I said, "I am not at liberty to tell you, but we are rewriting my proposal to my satisfaction."

That is what I *told John Norris. I told* him we had already agreed to increase the pay for the GI's, and we had agreed to one or two other things.

If Members will read the story, they will find it is loaded with inaccuracies.

They wrote another headline on the inside. They were not satisfied to misrepresent on the first page. It says, "Bill's Wording Sinks RIVERS Frigate Hopes."

Nothing could be further from the truth. I understand that when a paper opposes a man because of the area he represents and opposes a committee because this man happens to be the head of it, the headline writers are instructed to make him and his committee look bad. This is what happened.

I will stay in that conference until hell freezes over, until I get the two nuclear frigates, believe you me.

I am raising no white flag. Where I come from people do not raise white flags. We were in a war at one time. We have never raised that white flag, and we are not going to raise a white flag on this, and I do not care what a newspaper writes.

I am not letting the House down. The conferees know what I am talking about. Ask PHIL PHILBIN, MEL PRICE, EDDIE HÉBERT, BILL BATES, LES ARENDS, and AL O'KONSKI. We are going to come back with what we sought, the two nuclear frigates, or the conference will be in session until there is frost on the pumpkin.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution (H.J. Res. 1180) was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may sit while the House is in session today during general debate.

Mr. WAGGONNER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

LIBRARY SERVICES AND CONSTRUCTION ACT

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 14050) to extend and amend the Library Services and Construction Act, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

> Page 5, line 14, strike out all after "share" down to and including "plan)" in line 18 and insert "which for the fiscal year ending June 30, 1967, shall be 100 per centum of the total sums expended under such plan (including costs of administering such plan), and for any fiscal year thereafter shall be 50 per centum of such sums".
>
> Page 14, strike out lines 4 to 11, inclusive.
>
> Page 14, *line 12, strike out "(f)" and insert* "(e)".
>
> Page 14, strike out lines 15 to 18 inclusive.
>
> Page 14, line 19, strike out "SEC. 12. (a)" and insert "SEC. 11".
>
> Page 14, strike out all after line 21 over to and including line 2 on page 15.
>
> Page 15, line 3, strike out "SEC. 13." and insert "SEC. 12."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TRANSFER OF SPECIAL ORDER

Mr. ROUSH. Mr. Speaker, I have a special order for today for 1 hour. I ask unanimous consent that the special order for today be vacated, and that it be made in order for tomorrow instead.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

MEDICARE WILL BE KEPT UNDER CONTINUOUS REVIEW BY THE WAYS AND MEANS COMMITTEE

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, on this Friday, July 1, 1966, the first phase of medicare becomes effective. This is a bold new venture into the field of human welfare. As one of the cosponsors of the law authorizing this program, I have long been convinced of its need. In my opinion it is long overdue.

Through medicare we have established a national policy which states clearly that our senior citizens are entitled to medical assistance under conditions which will not wipe out their life savings because of unavoidable illness and hospital expenses. That policy also lifts the heavy burden of medical bills for the elderly from the shoulders of their children and grandchildren.

These policy objectives will not be accomplished by waving the law like a magic wand. It will take the capable cooperation of the entire medical profession, hospital administrators and personnel.

There have been early rumblings and claims that serious problems, such as shortages of hospital beds and nursing personnel, may develop very quickly. No doubt there will be problems after the program gets underway.

For these reasons, I have recommended to the able chairman of the Ways and Means Committee, our colleague from Arkansas, that steps be taken to keep developments in the medicare program under constant scrutiny. Our colleague has informed me that the members and the staff of his committee will undertake this work. Through this means Members of Congress will be kept abreast of the facts and advised on the need for remedial action to meet any serious problems that may develop.

I am confident this development will serve well the public interest and I thank the chairman for his initiative and cooperation.

CREDITING INACTIVE RESERVE SERVICE FOR ENLISTED PERSONNEL

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 895 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 895

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5256) to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except on motion to recommit.

The SPEAKER. The gentleman from California [Mr. SISK] is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. LATTA] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 895 provides an open rule with 1 hour of general debate for consideration of H.R. 5256, a bill to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps.

The purpose of H.R. 5256 is to authorize career enlisted personnel to credit non-Active Reserve service for retired pay and retainer pay purposes to the extent such service would be creditable under section 1333 of title 10. This section provides credit on a point basis in computing service for retired pay for non-active-duty Reserve service.

The bill would allow enlisted men to credit their Inactive Reserve service, regardless when accrued, in the same manner that officers can count such service accrued since June 1, 1958.

The personnel who will benefit from enactment of the legislation must first qualify for retirement. The service creditable under the bill may not be used to qualify for retirement, but only in determining service creditable for the retired pay multiplier. Enlisted personnel who retire for length of service, must for practical purposes have a minimum of 20 years' active duty in order to qualify for retirement.

The estimated cost for the first fiscal year following enactment is $1,687,025.

Mr. Speaker, I urge that House Resolution 895 be adopted.

COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. SISK. I am glad to yield to the majority leader.

Mr. ALBERT. Mr. Speaker, I renew my unanimous-consent request that the Committee on the Judiciary may sit while the House is in general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CREDITING INACTIVE RESERVE SERVICE FOR ENLISTED PERSONNEL

Mr. LATTA. Mr. Speaker, the purpose of the bill is to authorize career enlisted personnel to credit non-Active Reserve service for retired pay and retainer pay purposes. Currently only commissioned officers are entitled to do so, while enlisted men are limited to "active service in the Armed Forces" in determining their retirement pay multiplier.

The bill will permit enlisted men to count in their service time all time credited to them under the provisions of this bill from June 1, 1958, on, the same date which this right was granted to commissioned officers.

The bill does not permit time in the non-Active Reserves to be used to qualify for retirement benefits, but if an enlisted man qualifies, such time can be used to determine how much his retirement pay shall be. Twenty years of active duty is still the minimum requirement for one to receive any retirement pay.

The estimated cost for the first fiscal year is: Air Force, $350,000; Army, $860,000; Navy, $455,425; and Marines, $21,600.

The committee supports the bill unanimously. The DOD and the Bureau of the Budget support the bill.

Mr. SISK. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia, the distinguished chairman of the Committee on Rules.

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to proceed out of order, to revise and extend my remarks, and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I was disturbed a couple of days ago when I read the headlines and the articles that appeared in all of the daily papers which proclaimed that the American Communist Party has revived itself and has held a meeting in the city of New York. They reorganized the party boldly in the face of the laws that we have in this country and have elected two well-known active and working old

Communists who head the new American Communist Party. I assumed that the Department of Justice or somebody would say something about that, but I have not heard a whisper.

Now let us stop, look, and listen for a minute. The Communist Party is dedicated to the destruction of this country by force and violence and always has been and always will be, and you know it. Why are we fighting Communists in Asia and permitting that same conspiracy dedicated to the destruction of democracy boldly and openly to reorganize their party and start this conspiracy all over again?

I just wonder, have we gone completely asleep? Do we not know that the great menace to this country now is due to the fact that Russian spies in America stole the secret of the atomic bomb which we alone possessed? One of them was found guilty and executed.

Mr. Speaker, I know that we are busy here and that we have a lot of things on our minds. However, I cut this article out of the paper and I want to refer to it. I shall place it in the RECORD in its entirety.

Mr. Speaker, in 1940, you know, we passed, over the strenuous opposition of 80-odd Members of this House, the so-called Smith Act of which I was the author, under which Communists were prosecuted in a long trial in New York at which 11 of them were convicted. They appealed the case to the Supreme Court of the United States on the question of its constitutionality.

Mr. Speaker, that great Chief Justice at that time, Justice Fred Vinson, after much deliberation, affirmed the constitutionality of that act and those people served their prison sentences.

Now, Mr. Speaker, this Communist convention in New York elected two well-known Communists, Gus Hall and Henry Winston as chairman and secretary, both of whom have been convicted and have served time under our laws, for their Communist activities.

Mr. Speaker, this chairman of the American Communist Party which was reorganized in New York last week was prosecuted under the Smith Act and served 11 years in the penitentiary for his conspiracy to overthrow the U.S. Government by force and violence. His sentence was commuted on account of his health and all of a sudden as soon as it was commuted, he took off for Russia. His name is Henry Winston.

Mr. Speaker, this Gus Hall—everyone who has followed the Communist conspiracy in this country knows about Gus Hall. He was elected an officer in this conspiracy that went on in New York in broad daylight.

Mr. Speaker, Gus Hall was imprisoned under the Internal Security Act, which was passed by this Congress and, yet, they have revived the Communist Party and they are operating openly in this country.

Now, Mr. Speaker, are we going to sit silent and let them build up this conspiracy, or will our agencies that are supposed to do something about it wake up and do something about it?

Mr. Speaker, if not, is Congress going to do something about it? What will become of the Smith Act under which these people were prosecuted in times when we were not so lenient about these things?

Mr. Speaker, what has become of the Internal Security Act passed later under which this Gus Hall ran out of the country to avoid prosecution?

The SPEAKER. The time of the gentleman from Virginia has expired. The gentleman is recognized for 3 additional minutes.

Mr. SMITH of Virginia. It is about time that we wake up before this conspiracy gets going in full bloom again as it did at one time in this country, as you all know, when it became necessary to pass laws to deal with this problem.

What has become of the Smith Act? Has the Supreme Court repealed the Smith Act completely? What has become of the Internal Security Act? Has the Supreme Court repealed that act too?

What has become of the Department of Justice which is charged with the duty to prosecute these violations and this treason?

Mr. Speaker, the following is the newspaper article to which I referred:

OLD-LINE COMMUNISTS ELECTED BY U.S. PARTY

(By Myron Feinsilber)

NEW YORK, June 26 (UPI).—Gus Hall and Henry Winston, two old-line Communists who once served prison terms, were elected the top leaders of the American Communist Party Sunday and called upon the American people to "defend our right to function."

Titles were restored to the leaders of the Party for the first time since it went into a shadow existence in 1961 in order to avoid prosecution under the Internal Security Act. The move today could open the way for federal prosecution of Hall and Winston as agents of the Soviet Union.

But Hall announced at a news conference afterward: "I do not anticipate arrest."

Hall, 55, was named general secretary of the Communist Party, USA. Winston, 42, a blind Negro, was elected national chairman.

Hall's title was his old one, but he had dropped it and became known merely as "Party spokesman" to avoid prosecution.

Winston, who delivered a speech with tears in his eyes at the convention's start Wednesday, was convicted under the Smith Act in 1949 and received a presidential commutation in 1961 after refusing to undergo surgery for a brain tumor while in prison.

After his release, an operation left him nearly blind and he toured the Soviet Union depicting his blindness as the result of police brutality.

He is fond of repeating the line he used when he left prison: "I have lost my sight but not my vision."

Hall, a native of Cherry, Minn., is the son of a Communist. He joined the Party in 1927, he attended the Lenin School in Moscow in 1931 and once declared he would take up arms against the U.S. government "when the time comes."

Hall fled to Mexico to escape imprisonment for conspiracy but was captured there in 1951 and imprisoned at Leavenworth until 1957.

Hall said today: "We are going to push for Communist candidates." But he called again for an independent leftist—but not necessarily Communist—candidate to oppose President Johnson and the Republican candidate in the 1968 presidential election.

He would not name the 80 newly chosen members of the Party's National Committee. He said it would meet in a few months to elect an Executive Committee, which would then elect a Secretariat.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, I want to commend the distinguished gentleman from Virginia for the statement he has just made and say to him that apparently the Department of Justice is too busy rummaging through its files to find evidence that the telephone lines of Bobby Baker or Fred Black were bugged—digging up this information to defeat the Government's case later on with respect to the prosecution of this scandalous Baker character. Apparently, as the gentleman suggests, they are too busy with this and similar activities to do the job that they ought to be doing in connection with the Communists.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I, too, want to express my appreciation to the distinguished gentleman from Virginia for bringing this matter to the attention of the House today, especially in view of the editorial contained in this morning's Washington Post wherein this editorial writer had much to say about the fact that the Communist Party U.S.A. posed no threat to this country and that they were only annoying the people of the United States of America as they reorganized. Any group which is dedicated to the overthrow of our Government poses a threat, in my opinion.

I disagree, as usual, with the Washington Post and as usual agree with the gentleman from Virginia.

Mr. SMITH of Virginia. I thank the gentleman for his contribution.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. SISK. Mr. Speaker, I wish to join with our other colleagues in commending the distinguished chairman of our committee for his statement regarding the threats and dangers of communism.

Mr. SMITH of Virginia. I thank the gentleman.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING REIMBURSEMENT FOR COSTS INCURRED UNDER CERTAIN CIRCUMSTANCES FOR THE COST OF PARKING FEES, FERRY FARES, AND BRIDGE, ROAD, AND TUNNEL TOLLS

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 896 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 896

Resolved, That upon the adoption of this resolution it shall be in order to move that that House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12615) to amend sections 404(d) and 408 of title 37, United States Code, to authorize members of the uniformed services to be reimbursed under certain circumstances for the actual cost of parking fees, ferry fares, and bridge, road, and tunnel tolls. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Ohio [Mr. LATTA], pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 896 provides an open rule with 1 hour of general debate for consideration of H.R. 12615, a bill to amend sections 404(d) and 408 of title 37, United States Code, to authorize members of the uniformed services to be reimbursed under certain circumstances for the actual cost of parking fees, ferry fares, and bridge, road, and tunnel tolls.

The purpose of H.R. 12615 is to bring up to date, basic statutes covering reimbursement for expenses incurred by a member of the uniformed services for travel performed while conducting official business and for other authorized travel. The bill will equalize entitlement in this area between civilian and military personnel by authorizing members of the uniformed services to be reimbursed under certain circumstances for the actual cost of parking fees, and so forth.

The estimated cost of the legislation is $5,291,000 annually.

The legislation is recommended by the Bureau of the Budget and the Department of Defense.

Mr. Speaker, I urge the adoption of House Resolution 896 in order that H.R. 12615 may be considered.

The SPEAKER pro tempore (Mr. ALBERT). The Chair recognizes the gentleman from Ohio [Mr. LATTA].

Mr. LATTA. Mr. Speaker, I agree with the statement just made by my colleague, the gentleman from Texas, relative to House Resolution 896.

House Resolution 896 makes in order the consideration of H.R. 12615 under an open rule with 1 hour of general debate.

The purpose of the bill is to bring up to date, the basic law covering reimbursement of travel expenses by a member of the uniformed services who is traveling on official business.

Under current law, civilian Government employees are reimbursed for general travel expenses incurred on official business trips. Military personnel are similarly reimbursed. However, military personnel are not reimbursed for such items as tolls on roads, bridges and tunnels, fees on ferries, and for parking.

Enactment of this bill will provide that such travel expenses will be reimbursable for servicemen as well as civilian Government employees.

The estimated cost of the legislation is $5,291,000 annually. The DOD and the Bureau of the Budget both support the bill, which was reported unanimously by the Committee on Armed Services. I know of no objection to the rule, and urge its adoption.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MARINE CORPS GENERAL OFFICERS

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 897 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 897

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14741) to authorize an increase in the number of Marine Corps officers who may serve in the combined grades of brigadier general and major general. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Ohio [Mr. LATTA], and myself such time as I shall consume.

Mr. Speaker, House Resolution 897 provides an open rule with 1 hour of general debate for consideration of H.R. 14741, a bill to authorize an increase in the number of Marine Corps officers who may serve in the combined grades of brigadier general and major general.

The purpose of H.R. 14741 is to increase general officer grade limitations presently applicable to the Marine Corps in order to meet increasing requirements for general officers in that service. These increases have stemmed in part, from the increasing complexities involved in the duties and responsibilities of officers in the field, on joint staffs, and in Headquarters, U.S. Marine Corps. This situation has become more acute with the commitment of Marine Corps combat forces in Vietnam.

The bill involves a reduction in the proposed table of authorization for general officers as recommended by the Department of Defense and would substitute a new table of authorization for general officers for that contained in present law. This new table would authorize a total of 79 general officers for the Marine Corps during fiscal year 1967 based upon anticipated officer strength.

Mr. Speaker, in view of the magnificent record of this dedicated and courageous branch of our armed services, the Marine Corps, I certainly think all of us will agree that we should consider the bill H.R. 14741. I hope the rule will therefore be adopted.

I yield to the able gentleman from Ohio.

Mr. LATTA. Mr. Speaker, I agree with the statement just made by the able gentleman from Florida.

House Resolution 897 makes in order the consideration of H.R. 14741, which authorizes the increase in the number of general grade officers for the Marine Corps from the current 60 to 79. It provides for an open rule with 1 hour of general debate.

In the DOD, the overall ratio of general grade officers to men is 4.8 to 10,000; in the marines it is 3 to 10,000. The situation could become serious, particularly in view of the expanding war effort in Vietnam.

The original request was for 94 general grade officers. The Committee on Armed Services found that all were justified either for necessary future expansion or to meet enlarged current needs. The committee cut the total from 94 to 79, but made clear before rules that the original request was a true projection of current and future needs. The bill as reported completely provides for current requirements but leaves the question of future needs open.

The projected cost of the legislation on an annual basis is $199 million.

The Committee on Armed Services recommends the bill unanimously. I know of no objection to the rule, and urge its adoption.

Mr. PEPPER. Mr. Speaker, I have no further requests for time. I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVING INEQUITIES IN THE ACTIVE DUTY PROMOTION OPPORTUNITIES OF CERTAIN AIR FORCE OFFICERS

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 898 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 898

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15005) to amend title 10, United States Code, to remove inequities in the active duty promotion opportunities of certain officers. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Ohio [Mr. LATTA], and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 898 provides an open rule with 1 hour general debate for consideration of H.R. 15005, a bill to amend title 10, United States Code, to remove inequities in the active duty promotion opportunities of certain officers.

H.R. 15005 would provide for a permanent change in the grade tables which specify the number of Air Force officers on active duty in the grade of lieutenant colonel and colonel, and would also provide temporary authority for additional numbers of officers in the grades of major and lieutenant colonel for a 6-year period.

The effect of the bill will be to allow the Air Force to carry out a long-term promotion program enabling their officers to be promoted at approximately the same time in service as members of the other branches of the Armed Forces.

Enactment of this legislation is estimated to result in an increased cost of $17,600,000 in fiscal year 1967, which cost is not included in the fiscal year 1967 budget; however, the Bureau of the Budget has no objection to the bill.

Mr. Speaker, I believe we should accede to this request of this splendid branch of our Armed Forces. I urge the adoption of the rule, House Resolution 898, so that H.R. 15005 may be appropriately considered and I hope enacted by the House.

Mr. Speaker, I yield to the able gentleman from Ohio [Mr. LATTA].

Mr. LATTA. Mr. Speaker, House Resolution 898 makes in order the consideration of H.R. 15005, providing for the promotion of certain active duty Air Force officers. The rule is an open one, providing 1 hour of general debate.

H.R. 15005 makes a permanent change in the number of Air Force officers on active duty in the grades of lieutenant colonel and colonel. It also provides, for a period of 6 years, a temporary additional increase in the grades of major and lieutenant colonel.

The bill will enable the Air Force to conduct a long-term officer promotion program, permitting it to promote its officers at approximately the same service time as do the other armed services. In some grades the Air Force is promoting its men as much as 4 years behind other branches of the military. The currently authorized strengths of some Air Force grades are not large enough to promote all qualified personnel. The aim of the bill is to ease over a temporary bottleneck during the next 6 years, and to provide a long-term solution both as to the number of officers in various grades, and their promotion at approximately the same rate as is now the practice in other branches of the military.

The cost of the legislation is estimated at $17,600,000 for fiscal 1967. This is not in the budget, but the Bureau of the Budget has not objected. The DOD supports the bill, which was reported unanimously by the Committee on Armed Services. I know of no objection to the rule and urge its adoption.

Mr. PEPPER. Mr. Speaker, I have no further requests for time.

I move the previous question.

The SPEAKER pro tempore. The previous question is ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING PROVISIONS OF TITLE III OF THE FEDERAL CIVIL DEFENSE ACT OF 1950, AS AMENDED

Mr. HÉBERT. Mr. Speaker, by direction of the Committee on Armed Services, I ask unanimous consent for the immediate consideration of the bill (H.R. 13125) to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Lousiana?

There was no objection.

The Clerk read the bill as follows:

H.R. 13125

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 307 of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2297), is further amended by striking out the date "June 30, 1966" and inserting in lieu thereof the date "June 30, 1970".

Mr. HÉBERT. Mr. Speaker, the purpose of H.R. 13125 is to provide for the continuation of the President's current standby authority to deal with the effects on an enemy attack upon the Nation.

Under section 307 of the Federal Civil Defense Act of 1950, as amended, these emergency powers would terminate on June 30, 1966. Each 4 years since 1950 the Congress has extended the President's power for another 4-year period.

Briefly stated, the powers which the President has under this law is to direct that any Federal Department provide personnel, materials, and facilities to the Director of Civil Defense, for the aid of the States, to build emergency shelters, arrange for clearing debris and wreckage, repair utilities, hospitals, transportation facilities, and all other activities of this general nature which would be necessary in the event of an imminent or actual attack on this country.

I will point out that the committee report includes all of title III of the Federal Civil Defense Act of 1950, as amended. All of the powers of the President during a civil defense emergency situation are set out in detail in the law itself.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CREDITING INACTIVE RESERVE SERVICE FOR ENLISTED PERSONNEL

Mr. HÉBERT. Mr. Speaker, by direction of the Committee on Armed Services I call up the bill (H.R. 5256) to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

H.R. 5256

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3925(a) of title 10, United States Code, is amended to read as follows:

"(a) For the purpose of determining whether a regular enlisted member of the Army may be retired under section 3914 or 3917 of this title, his years of service are computed by adding all active service in the armed forces and service computed under section 3683 of this title. For the purpose of computing his retired pay under section 3991 of this title, his years of service are computed by adding—

"(1) his years of active service in the armed forces;

"(2) his years of service computed under section 3683 of this title; and

"(3) the years of service, not included in clause (1) or (2), with which he would be entitled to be credited under section 1333 of this title, if he were entitled to retired pay under section 1331 of this title."

SEC. 2. Section 6330 of title 10, United States Code, is amended—

(1) by striking out the words "the number of years of active service in the armed forces" in the first sentence of subsection (c) and inserting the following in place thereof:

"the total of—

"(1) his years of active service in the armed forces; and

"(2) the years of service, not included in clause (1), with which he would be entitled to be credited under section 1333 of this title, if he were entitled to retired pay under section 1331 of this title";

(2) by striking out the words "purposes of subsections (b) and (c)" in subsection (d) and inserting the words "purpose of subsection (b)" in place thereof; and

(3) by inserting the following new sentence after the first sentence of subsection (d):

"For the purpose of computing total years of service under subsection (c), after years creditable under clauses (1) and (2) have been added together, a part of a year that is six months or more is counted as a whole year and a part of a year that is less than six months is disregarded."

SEC. 3. Section 8925(a) of title 10, United States Code, is amended to read as follows:

"(a) For the purpose of determining whether a regular enlisted member of the Air Force may be retired under section 8914 or 8917 of this title, his years of service are computed by adding all active service in the armed forces and service computed under section 8683 of this title. For the purpose of computing his retired pay under section 8991 of this title, his years of service are computed by adding—

"(1) his years of active service in the armed forces;

"(2) his years of service computed under section 8683 of this title; and

"(3) the years of service, not included in clause (1) or (2), with which he would be entitled to be credited under section 1333 of this title, if he were entitled to retired pay under section 1331 of this title."

SEC. 4. No person is entitled to an increase in retired pay, retainer pay, or retirement pay, because of this Act for any period before its enactment.

With the following committee amendments:

On page 4 delete lines 3 through 5, and insert in lieu thereof the following:

"SEC. 4. This Act is applicable to enlisted members heretofore or hereafter retired or granted retainer pay. However, no person retired or granted retainer pay before the effective date of this Act is entitled to a retroactive increase in retired pay or retainer pay because of this Act."

Add a new section 5 as follows:

"SEC. 5. To accrue rights under this Act, a person who is entitled to retired or retainer pay on the effective date of this Act must file an application with the Secretary of the military department concerned."

The committee amendments were agreed to.

Mr. HÉBERT. Mr. Speaker, H.R. 5256 would allow career enlisted men who have completed 20 years' active duty to receive credit in computing their retired pay for any time they might have spent in nonactive Reserve duty status. That is all it does. It affects only career enlisted men.

The bill was passed by the House in the 88th Congress, but received no action in the Senate. The bill was unanimously approved by our committee. I know of no opposition to it.

Enlisted men now receive no credit in their retirement multiplier for inactive Reserve service. Officers do receive credit for such service and this has created a morale problem with enlisted personnel.

Officers who have completed 20 years receive full credit in their retirement multiplier for pre-1958 Reserve service. That is, they receive 2½ percent per year for each year Active or Reserve. In 1958, Congress changed this to say such officers could only receive credit according to the point system normally used for those citizen-soldiers who achieve Reserve retirement at age 60.

H.R. 5256 gives to enlisted men credit according to this point system for any nonactive Reserve duty time.

We did not try to give enlisted men the full credit for prior 1958 service that officers get because the administration refuses to support such a bill. We proceeded in the belief that one-sixth of a loaf is better than none.

There are two minor amendments suggested by the Defense Department. One rewords section 4 to make sure there are no retroactive payments, while at the same time assuring retired men that they will get credit for past Reserve service following enactment of the bill. The other amendment requires those already retired to make application to have their Reserve time credited to save Defense the administrative costs of screening all retiree records.

H.R. 5256 would normally work to give a man about one-sixth of the credit for his Reserve time as he gets for his active duty time, depending on the points that he had earned during his Reserve service.

H.R. 5256 would extend this point system to nonactive Reserve service of enlisted men by letting them credit such service under section 1333 of title 10.

It should be kept in mind that the personnel who will benefit from this legislation must first qualify for retirement. The service creditable under H.R. 5256 may not be used to qualify for retirement, but only in determining service creditable for the retired pay multiplier.

Now, what happens when he has qualified for retirement? To illustrate, let us take a man who has 20 years active duty and who had 5 years nonactive Reserve service. He gets 2½ percent retired pay for each year of active service. So that is 50 percent. In figuring his Reserve service, he gets 15 points for being a member of the Reserve; he receives 1 point for each drill attended up to a combined total of 60 points. In addition, he gets one point or 1 day of credit for each day of active service during those inactive Reserve years. Now, let us say he has 15 days active duty a year. That would give him a total of 75 points. Now, he adds his total number of points—if he had 75 points a year for 5 years, his total is 375. He then divides by 360. This gives him 1 year and 15 days.

While he uses section 1333 in determining service creditable for retirement, his actual retired pay is still computed under the active duty retirement laws. So he does not get fraction of credit for Reserve service. He uses the active duty computation provision which says that any service of less than 6 months is disregarded and any service of more than 6 months is counted as a full year.

In the case of our example here, the extra 15 days would be discarded and the man would get 1 year additional credit in his retired pay multiplier.

So instead of multiplying 20 times 2½ he would multiply 21 times 2½ and his retired pay would be 52½ percent of the basic pay of a man of his grade with 25 years of service for pay purposes at the time of retirement.

Notice I said 21 years for pay purposes and not 20. The enlisted man already gets credit for his Reserve service for pay purposes.

It is estimated that the bill will cost $1,687,025 per year.

There would be no retroactive payments as result of the legislation. But those now retired who have a sufficient number of points to earn additional credit in their multiplier would have their retired pay adjusted upward in the future.

I would like to point out that in computing points under section 1333, a man is assumed to have 50 points for each year of nonactive Reserve service prior to July 1, 1949. This credit was gratuitously given by the Congress to everybody who was in the Reserve prior to July 1, 1949, although the great majority of those in the Reserve at that time would not have participated sufficiently to earn 50 points.

The Department of Defense has taken the position that the present bill is as much as can be given to enlisted men because the Congress eliminated the idea of full credit for Reserve service in 1958. Officers with Reserve time since 1958 have received credit according to the point system I have just described. Officers with Reserve time prior to 1958 continue to receive full credit for such time because the Congress in 1958 did not want to retroactively take away something they had been led to expect. The committee has received numerous communications from enlisted personnel pointing out that the present legislation does not give them full equality with officers and that if officers receive full credit for Reserve service prior to 1958, then enlisted men should as well. I can only point out that they are sending their letters to the wrong place. This committee has passed this legislation in prior Congresses. It has received no action in the Senate. The present bill is absolutely as much as the administration will support. In the face of this opposition, the committee, as I mentioned, has taken the approach that one-sixth of the loaf is better than none.

Mr. BOB WILSON. Mr. Speaker, this bill, H.R. 5256, is an attempt to give enlisted men some credit for their inactive Reserve service in computing their retirement. We have an unfortunate and unfair situation in the Armed Forces where officers get credit for their Reserve time and enlisted men do not. It is grossly unfair to the enlisted man.

The law says an enlisted man can only include "active service in the Armed Forces" in his retired pay multiplier. Officers, however, are allowed credit for their inactive Reserve service.

For service before May 31, 1958, officers are allowed full credit—because back in 1946 a line was put in the law which said officers could count "all service for pay purposes." That meant that up until 1958, an officer who completed 20 years active service and qualified for active duty retirement could then get an additional 2½ percent retired pay for every year of inactive Reserve service. This was true even if he was not participating in drills, even if he was merely on the rolls as a Reserve officer.

In 1958, the Congress said that was too much credit for such service and that henceforth Reserve time for active duty retirees could only be credited in the same way it is credited for nonactive duty Reserve retirees—that is, according to the point system of section 1333 of title 10. This is the point system for computing retirement for those reservists who are essentially civilians, but who contribute enough Reserve service to earn some retirement pay at age 60.

Congress, however, could not be in a position of eliminating retroactively a benefit officers had been led to expect by law. So officers continue to receive full retirement credit at 2½ percent per year for inactive Reserve service prior to May 31, 1958. For inactive Reserve service since May 31, 1958, such officers get credit according to the point system of section 1333 of title 10.

It should be pointed out that officers so retired begin to get the retired pay their points have earned them as soon as they retire, regardless of age. They do not have to wait until age 60 as the nonactive duty reservist does. The same would be true of enlisted men if H.R. 5256 passes—he would get the credit as soon as he retires regardless of age.

It should also be pointed out that both officers and enlisted men can now credit their Reserve service for pay purposes. The disparity comes in crediting service for retirement.

To illustrate the situation graphically, I would like to place at this point in the RECORD examples of the different way inactive Reserve service is credited by personnel who have earned retirement after 20 years of active duty.

Let us take individuals who have 20 years of active duty and 5 years in the Reserve.

First, an officer with 5 years Reserve service prior to June 1, 1958: He credits his Reserve time the same as active time in his multiplier; thus, he multiplies 25 times 2½, or 62½. So his retired pay is 62½ percent of the base pay of an officer of his grade with 25 years of service for pay purposes.

Second, an officer with 5 years Reserve service subsequent to June 1, 1958: Assume that he has earned 60 points a year as a reservist 15 free points and 45 points for attending drills. He adds all of his points and gets 300—5 times 60. He then divides by 360. This gives him less than 1 year's credit, but more than 6 months. Since everything less than 6 months is disregarded and everything more than 6 months counts as a full year, he adds 1 year to his retirement multiplier. Thus, he multiplies 21 times 2½, or 52½. So his retired pay is 52½ percent of the base pay of an officer of his grade with 25 years of service for pay purposes.

Third, an enlisted man at present: He receives no credit for Reserve service in his multiplier. So he multiplies 20 times 2½, or 50. Therefore, his retired pay is 50 percent of the base pay of an enlisted man of his grade with 25 years of service for pay purposes.

Fourth, an enlisted man under the bill with 5 years Reserve service at any time: Computed in the same way as the officer in the second above, his retired pay would be 52½ percent of the base pay of an enlisted man of his grade with 25 years of service for pay purposes.

In most cases under the bill, the extra retired credit earned would be the equivalent of 1 or possibly 2 years additional retired pay. It would be rare for a man to be able to earn more than that.

For the average enlisted man affected, the bill would mean about a $10 a month increase in his retired pay. For example, an enlisted man with 20 years active duty and 5 years Reserve service, that is, 25 years of service for pay purposes, who retired as an E7—master sergeant or chief petty officer—after 20 years active duty now receives $227.50 a month in retirement pay. If he got 1 year's additional credit under this bill, it would be a $11.37 a month increase in his retirement pay—up to $238.98 a month. If he got 2 years additional credit under this bill, it would be a $22.75 a month increase in retirement pay. E7 is the grade in which most enlisted men retire. For those who make E8 or E9, the increase would be slightly higher and for those who retire as E5 or E6, the increase would be slightly less.

For the average retired enlisted man, an additional $10 a month in retired pay is a big difference and it is only fair and equitable to give him credit for service where officers receive credit.

The bill is the same as legislation passed by the House in the 88th Congress except for two minor amendments added at the suggestion of the Department of Defense. The first is merely a clarifying amendment to make sure there will be no retroactive payments as result of the legislation, but that those already retired will get credit for their past Reserve service in their future retirement checks.

The other amendment requires those already retired who have service creditable under the bill to make application in order to have their service credited to their pay account. The purpose of this is merely to preclude the necessity for costly processing of all retirees' records by the military departments.

Finally, I want to emphasize once again that the committee reported this bill because it felt it was the most we could get for the enlisted man. I originally introduced legislation some years ago to provide exactly the same credit for enlisted men as officers receive. But we found the Defense Department was adamantly opposed to such a proposal and we found that in the last Congress the Senate would not even act on a proposal as modest as the present legislation. Therefore, we have approved a compromise bill with the hope that this much equity for the enlisted man at least will gain approval in the Senate and have the support of the administration. If I thought there was a chance of getting full credit for enlisted men for their prior 1958 service as officers get, I would fight for such a bill. But I would rather get something for our enlisted men by using the present approach than to make a grand gesture and see them get nothing.

I hope all Members of the House will support the legislation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARINE CORPS GENERAL OFFICERS

Mr. HÉBERT. Mr. Speaker, by direction of the Committee on Armed Services I call up the bill (H.R. 14741) to authorize an increase in the number of Marine Corps officers who may serve in the combined grades of brigadier general and major general, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

H.R. 14741

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5443(a), title 10, United States Code, is amended by deleting in the table contained therein all tabulated numbers under the heading "Brigadier general and major general" and substituting in place thereof the following numbers:

"69
73
77
81
85
90
92
94
96
98
100".

SEC. 2. Section 2 of the Act of August 3, 1961, Public Law 87–123 (75 Stat. 263), is repealed so far as it applies to the readjustment of authorized numbers of brigadier generals and major generals in the Marine Corps.

With the following committee amendment:

Strike out all after the enacting clause and substitute the following:

"That section 5443(a), title 10, United States Code, is amended by deleting in the table contained therein all tabulated numbers under the heading 'Brigadier general and major general' and substituting in place thereof the following numbers:

" '58
62
69
72
75
79
82
84
85
87
89.'

"SEC. 2. Section 2 of the Act of August 3, 1961, Public Law 87–123 (75 Stat. 263), is repealed so far as it applies to the readjustment of authorized numbers of brigadier generals and major generals in the Marine Corps.

"SEC. 3. Section 5902(c) of title 10, United States Code, is amended to read as follows:

" '(c) An officer of the Marine Corps Reserve whose name is on a promotion list established under this chapter is eligible for promotion to the grade for which selected when the officer who is to be his running mate in the higher grade becomes eligible for promotion under chapter 545 of this title. When promoted, he shall be given the same date of rank as that given to his running mate in the grade to which promoted.'

"SEC. 4. Section 5902(d) is repealed.

"SEC. 5. Section 5902(e) is redesignated 5902(d)."

The committee amendment was agreed to.

Mr. HÉBERT. Mr. Speaker, H.R. 14741 would, if enacted into law, authorize an increase in general officers in the Marine Corps by the end of fiscal year 1967 to 79.

JUSTIFICATION

The Marine Corps has been faced with a steady increase in its requirements for general officers but has found it impossible to satisfy these requirements primarily due to statutory limitations in existing law.

Under existing law, section 5443(a) of title 10, United States Code, the Marine Corps has a total present authorization for 62 general officers. By virtue of the planned increase in Marine Corps strength, this statutory authorization for general officers will increase to 64 by June 30, 1967. This latter increase is predicated upon a planned increase in Marine Corps strength by June 30, 1967, to 287,000 personnel, including 24,067 officers. However, due to an administrative ceiling established by the other body, the Marine Corps presently is limited to 60 general officers.

Notwithstanding the slight increase in statutory authorization in general officer strength, which would occur as a result of an overall strength increase, the Commandant of the Marine Corps has advised the Committee on Armed Services that there will exist, by June 30, 1967, a genuine requirement for 94 general officers in the Marine Corps. The Marine Corps with the blessing of the Department of Defense and the administration had, therefore, requested the enactment of H.R. 14741 as originally recommended by the Marine Corps. This legislation would have provided an increase in Marine Corps general officers to the estimated 94 required by the end of fiscal year 1967.

BACKGROUND

The Committee on Armed Services, after a thorough hearing on this proposal and after its subsequent analysis in executive session, concurred in the necessity for an increase in the authorized number of general officers in the Marine Corps. However, the committee believed that the request, as submitted by the Department, could with justification be adjusted downward.

The committee reviewed each of the general officer billets included in the 94 identified by the Commandant. This analysis revealed that of the additional 34 generals required by the Marine Corps only 19 represented an immediate requirement. The remaining 15 billets represented possible future anticipated requirements.

The Commandant of the Marine Corps acknowledged that an increase in general officer strength to 79 by the end of fiscal year 1967 would fully meet the immediate requirements of the Marine Corps.

As a consequence of the foregoing information and study, the committee was reluctant to approve the higher authorization figure recommended by the Department and therefore recommended a new amended authorization which would completely satisfy immediate Marine Corps requirements. The committee points out that in the event future circumstances justify a further increase in Marine Corps general officer strength above that included in the amended committee table, the Congress will be in business in years to come, and the committee will then be able to take such corrective action as is indicated.

The Commandant of the Marine Corps has advised the Committee on Armed Services that the amended table as recommended by the committee is completely satisfactory to meet Marine Corps requirements through fiscal year 1967. Consequently, the committee recommended enactment of the legislation with an amended table which would authorize 79 Marine Corps general officers rather than 94 at the end of June 1967.

The cost of the legislation is very slight since it involves only the increased pay differential for 15 officers. This pay differential is estimated to amount to a total of $45,000 for the first full year for all the officers affected.

The increased authorization as requested by the Marine Corps and as amended and approved by the committee is completely and thoroughly justified. The House, I am sure, agrees with the committee's recommendation and will pass this legislation without a dissenting vote.

Mr. BRAY. Mr. Speaker, I rise in support of H.R. 14741, as amended, and strongly recommend favorable action by the House.

This bill as amended by the Committee on Armed Services would authorize a relatively modest increase in general officers strength in the Marine Corps. The hearings on this legislative proposal and the report clearly justify the proposed increase.

Prior to the Vietnam buildup—June 30, 1965—the Marine Corps ratios of generals to total officers and to total strength—based on 60 generals—were 1 to 261 and 1 to 3,170, respectively, while the overall DOD ratios were 1 to 257 and 1 to 2,124.

In fiscal year 1967 the ratios of generals to total officers and total strength—based on an authorization of 64 generals—will be 1 to 348 and 1 to 4,347, respectively, while the projected overall DOD ratios will be 1 to 272 and 1 to 2,326.

If the revised H.R. 14741 is enacted, the ratios of generals to total officers and total officers and total strength in fiscal year 1967—based on 79 generals authorized—will be 1 to 281 and 1 to 3,521, respectively, compared with the projected overall DOD ratios of 1 to 272 and 1 to 2,326.

Stated another way, despite this proposed increase in general officer strength, the Marine Corps will continue to have an overall ratio of general officer strength lower than that projected for the Department of Defense.

The Marine Corps is in every sense of the word a combat organization. If it needs these additional general officer billets, and the Committee on Armed Services believes it does, I am sure the Congress will, without the slightest hesitation, give its unanimous stamp of approval.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMOVING INEQUITIES IN THE ACTIVE DUTY PROMOTION OPPORTUNITIES OF CERTAIN AIR FORCE OFFICERS

Mr. HÉBERT. Mr. Speaker, by direction of the Committee on Armed Services, I call up the bill (H.R. 15005) to amend title 10, United States Code, to remove inequities in the active duty promotion opportunities of certain officers, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8202 of title 10, United States Code, is amended by amending the columns headed "For colonels" and "For lieutenant colonels" of the table in subsection (a) to read as follows:

"For colonels	For lieutenant colonels
3, 500	6, 500
3, 859	7, 706
4, 218	8, 911
4, 577	10, 116
4, 936	11, 321
5, 295	12, 527
5, 654	13, 732
6, 013	14, 937
6, 372	16, 142
6, 730	17, 348
7, 089	18, 533
7, 449	19, 758
7, 807	20, 963
8, 166	22, 169".

SEC. 2. For a period of six years after the effective date of this Act, the authorized strengths prescribed by section 8202 of title 10, United States Code, may be exceeded (1) by 1,000 for the grade of lieutenant colonel; and (2) by the following numbers for the grade of major:

Fiscal years following enactment:	*Number to exceed authorized strength*
First	9, 500
Second	7, 917
Third	6, 334
Fourth	4, 751
Fifth	3, 168
Sixth	1, 585

Mr. HÉBERT. Mr. Speaker, H.R. 15005 is a bill whose fundamental objective is the elimination of existing inequities in the active duty promotion opportunities of officers in the Air Force.

Every Member of the Congress has undoubtedly received many letters from his constituents in the Air Force who, by virtue of existing restrictions on promotion opportunity, have been unable to achieve the same relative promotion opportunity as their contemporaries in their sister services.

Since 1959 the Congress has recognized that the provisions of the Officer Grade Limitations Act—Public Law 349, 84th Congress—have been too restricted. As a consequence, the Congress has periodically extended to the Air Force temporary authority to exceed the statutory grade limitations provided in the Officer Grade Limitations Act. This authority was last given in 1966 with the enactment of Public Law 89-157 which provided temporary authority until June 30, 1966, to exceed these statutory limitations.

The failure of the Congress to take positive action in this area will therefore preclude any promotion program in the Air Force for commissioned officers during the coming fiscal year. In short, congressional action is urgently required.

JUSTIFICATION

The proposed legislation has two major objectives:

First, to provide a permanent increase in the number of Air Force officers authorized on active duty in the grades of lieutenant colonel and colonel.

This objective is embodied in section I of the bill which would permanently increase the numbers of lieutenant colonels and colonels authorized based upon assigned officer strength. The number of authorized majors would remain unchanged.

Second, to provide temporary authority for additional numbers in the grades of major and lieutenant colonel for the initial adjustment of Air Force officer promotion service points.

This temporary authority would permit the Air Force to exceed the permanent limitations on numbers for officers in these grades for a period of 6 years.

Section 2, therefore, provides a blanket increase of 1,000 for the grade of lieutenant colonel during the 6-year period and an increase in authorized strength in the first year of 9,500 officers in the grade of major with a gradual reduction thereafter to the sixth year when such authorized numbers in the grade of major can only be exceeded by 1,585 officers. The temporary authority provided in section 2 for extra majors will permit the promotion of 85 percent of the 12,000—approximate—Air Force captains with over 10 years of active commissioned service for the foreseeable future, and at the same time permit establishment of desired promotion service points to the other commissioned grades.

The proposed legislative changes would, according to the Department of the Air Force, enable the Department of Defense to promote qualified officers at the following service points:

Colonel: 22d year; Navy 21st year; Army, 22d year.

Lieutenant colonel: 17th year; Navy, 15th year; Army, 16th year.

Major: 11th year; Navy, 9th year; Army, 9th year.

At the present time, the promotion opportunity and promotion service points of the Air Force as compared with the other Departments are as follows:

Fiscal year 1966

Grade	Promotion opportunity (in percent)			Promotion service points (by year of service)		
	Army	Navy	Air Force	Army	Navy	Air Force
Colonel or captain	49	44	45	22d	21st	22d.
Lieutenant colonel or commander	88	75	75	16th	15th	17th and 18th.
Major or lieutenant commander	93	90	85	9th	9th	12th and 13th.

NOTE.—Opportunity is presented by dividing selections by 1st time eligibles. The promotion service point is the year of promotion list service or active commissioned service in which the mode of officers in each category was promoted.

EFFECT OF THE BILL

The effect of this legislation will be to enable the Air Force to conduct a long-term officer promotion program which eventually will enable officers in the Air Force to be promoted at approximately the same promotion service points as their contemporaries in the other military Departments. Similarly, this legislation will also provide Air Force officers, both Regulars and Reserves alike, with approximately the same promotion opportunities as are available to their colleagues in the sister services.

ADEQUACY OF NUMBERS AUTHORIZED

The present permanent officer limitations applying to the Army, Navy, and Air Force in the grades of colonel, lieutenant colonel, and major are shown in the following table:

[In percent]

	Army	Navy	Air Force
Colonel or captain	4.8	5.5	4.1
Lieutenant colonel or commander	12.0	10.8	8.3
Major or lieutenant commander	16.6	18.4	18.3

Enactment of this legislation would increase Air Force permanent limitations applying to the grades of colonel and lieutenant colonel. The permanent limitations applying to major would not be changed. The following table reflects the increases in percentages which would obtain:

[In percent]

Colonel	4.9
Lieutenant Colonel	12.4

As indicated in the preceding table, the new percentage distribution authority for officers in the grade of colonel and lieutenant colonel in the Air Force would compare very favorably with that presently authorized for officers in the other services. Therefore, enactment of this legislation will not serve to provide the Air Force with advantages in promotion opportunity that are not now already available in the other services.

CONSEQUENCES OF FAILURE TO ENACT THIS LEGISLATION

If no legislative relief is provided the following consequences will ensue:

First. There will be no active duty—temporary—promotion program for officers to the grades of major, lieutenant colonel, and colonel during the coming fiscal year.

Second. Air Force commissioned officer strength in the grade of lieutenant colonel will be required to be reduced by over 5,000 during fiscal year 1967.

Third. Air Force commissioned officer strength in the grade of colonel will be reduced by 1,000 during this same period.

Fourth. This reduction must be effected by either demotion or forced separation.

Fifth. The unfavorable disparity in officer promotion opportunity which exists between the Air Force and the other Armed Forces will grow. The Air Force promotes its officers from 2 to 4 years later than other Armed Forces in certain grades under current programs.

Sixth. No Reserve officers can be promoted to the active duty grades of major, lieutenant colonel, and colonel in the foreseeable future.

Seventh. The Air Force will be unable to plan or carry out an orderly officer career management program until legislative relief is obtained.

COST

Representatives of the Department of the Air Force have advised the committee that enactment of this legislation resulting in the promotion of officers to higher grades in the Air Force will result in an increase in cost of approximately $17,600,000 in fiscal year 1967. Although this cost is not insignificant, it should not be viewed so much as an increase cost but rather as an equitable adjustment in pay scales long overdue these Air Force officers who have not had the promotion opportunity accorded their colleagues in the other services.

SUMMARY

This legislation, if enacted into law, will permanently correct the promotion problem for commissioned officers in the Department of the Air Force. It will preclude the necessity for the extension of temporary authority of this kind on a year-to-year basis. The legislation is strongly supported by the Department of Defense, and is in fact a Department of Defense legislative proposal.

The Bureau of the Budget has advised the committee that this legislative proposal is in accordance with the program of the President.

I have touched very lightly on some of the important elements of this legislation. However, for those Members who wish to inquire further into this matter, I would be delighted to respond to any questions. Also, I strongly recommend to the Members that they study the committee report which I believe will satisfactorily resolve any of the questions they may have on this important legislative item.

Mr. Speaker, I therefore trust that the House will approve this legislation without a dissenting vote.

Mr. BRAY. Mr. Speaker, I rise in support of H.R. 15005 and strongly recommend its approval by this body.

This legislation was thoroughly explained by the gentleman from Louisiana [Mr. HÉBERT], who, as Chairman of Subcommittee No. 2, presided over the hearings on this important legislation.

Therefore, I will not attempt to repeat the information already provided the Members of this body. However, I consider it important to emphasize that this bill was reported out by both the subcommittee and the full committee without a dissenting vote from either the majority or the minority.

The Congress must act on this legislation with a genuine degree of urgency since failure to act positively on this question would force the demotion or elimination from active duty of thousands of field grade officers, and would terminate the Air Force temporary promotion program in the grades of major, lieutenant colonel, and colonel.

As Members of this body are aware, the Department of Defense has submitted to the Congress a comprehensive legislative proposal embodying the so-called BOLTE recommendations which have as their general purpose a complete overhaul of the laws governing the procurement, retention, promotion, separation, and retirement of commissioned officers in all the services. Since the Committee on Armed Services has not had an opportunity to take action on this very complicated and comprehensive legislative proposal, the question naturally arises, will this legislation conflict with the provisions of BOLTE when and if it is later acted upon by the Congress.

The committee inquired into this matter and was advised by the representatives of the Department of Defense that the grade authorizations embodied in H.R. 15005 are for practical purposes, identical with those recommended by the BOLTE board. Therefore, enactment of this legislation will in no way complicate or contradict any future action the Congress may take in respect to the overall BOLTE recommendations.

In view of these circumstances, I join my colleague, the gentleman from Louisiana [Mr. HÉBERT], in strongly recommending the unanimous approval by this body of this legislation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in connection with the four bills just passed by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AUTHORIZING REIMBURSEMENT FOR COSTS INCURRED UNDER CERTAIN CIRCUMSTANCES FOR THE COST OF PARKING FEES, FERRY FARES, AND BRIDGE, ROAD, AND TUNNEL TOLLS

Mr. FISHER. Mr. Speaker, by direction of the Committee on Armed Services, I call up the bill (H.R. 12615) to amend sections 404(d) and 408 of title 37, United States Code, to authorize members of the uniformed services to be reimbursed under certain circumstances for the actual cost of parking fees, ferry fares, and bridge, road, and tunnel tolls, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 12615

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 404(d) of title 37, United States Code, is amended by adding the following flush sentence: "In addition to the allowances authorized by this section, reimbursement may be allowed for the actual cost of parking fees, ferry fares, and bridge, road, and tunnel tolls."

SEC. 2. Section 408 of title 37, United States Code, is amended by adding the following sentence: "In addition to the fixed rate a mile authorized by this section for the use of privately owned vehicles, reimbursement may be allowed for the actual cost of parking fees, ferry fares, and bridge, road, and tunnel tolls."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

U.S. REDS TO MAKE BID TO DEMOCRATS

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, on June 22 of this year I inserted in the Record extensive remarks concerning Communist subversion in the United States. It was pointed out that an excellent guideline for determining the sincerity or treachery of the Soviets was their violations of U.S. espionage statutes and the number of Soviet officials declared persona non grata in recent years. However, the issue of Soviet espionage must seem far removed from the everyday experiences of the normal American citizen. Much closer to reality for the majority of citizens is the arena of politics, with its periodic elections and involving issues which directly affect all of us. Consequently, when a member of the Communist Party, U.S.A., reportedly goes on record indicating party interest and plans for political action, this should be news to the voters of the Nation.

The New York Times of June 26, 1966, carried an article by Peter Kihss entitled "U.S. Reds To Make Bid to Democrats," which should alert voters of all political parties as to their plans in the field of political action. Forewarned is forearmed, and for this purpose I insert the above-mentioned article in the Record at this point:

[From the New York Times, June 26, 1966]

U.S. Reds To Make Bid to Democrats—Convention Told of Revolt Against Johnson Policies

(By Peter Kihss)

Communist leaders laid down a line here yesterday giving first stress to the need for political action "at present in and around the orbit of the Democratic party." A report at the 18th national convention of the Communist Party, U.S.A., said there was "an unprecedented revolt" in Democratic ranks against the Johnson Administration on foreign policy and inflation.

Mrs. Dorothy Healey, Southern California leader of the party, reported a political panel had told the convention "the ultra-right was able to consolidate its hold on the Republican party in many states" with the Presidential nomination of Senator Barry Goldwater in 1964.

Even though the Communists call for "breaking the lily-white character of the United States Senate," she said Edward Brooke, a candidate for the Republican nomination in Massachusetts and a Negro, "supports the Administration's position on the war in Vietnam and is therefore not acceptable to the advanced peace and freedom fighters."

The convention, in its fourth day at Webster Hall, 119 East 11th Street, announced it had adopted a highly critical report on the Communist party's own organization.

This called for "the increased public presence" of many more Communist spokesmen. The report complained that "our situation with respect to Negro and women cadre is especially weak above the club level." It decried "conservatism" and doubt about the advisability of recruiting and asserted that able comrades refrained from taking up full-time party work.

It found "a lack of initiative in mass struggles, a tendency to view the job of a Communist in mass organization as being exclusively support to existing programs."

It cited a tendency "to withdraw in the face of Red-baiting," and "a rather negative approach to left youth as being flighty and lacking in a working-class approach, not worthy of full trust, 'here today, gone tomorrow,' etc."

NEW LEFT MEMBER

But the organization report found improving attitudes toward the party. It said "a Communist speaker on campus can outdraw all other speakers." It also reported that "over 1-million pieces of Communist literature have been gobbled up in the last 18 months" and "Communist spokesmen participate in the National Coordinating Committee to End the War in Vietnam."

"Not so long ago," the report asserted, "most in the 'New Left' considered the Communist party irrelevant, but more recently large numbers of youth from this background have joined the party."

The report said the Communists proposed to concentrate cadre, literature and finances on Illinois, Michigan, Ohio and western Pennsylvania; on steel, auto and transportation industries; and on Negro areas in Harlem, south side of Chicago and the South.

BEHIND CLOSED DOORS

The convention remained behind closed doors, but Mrs. Healey told newsmen of the political panel report she presented. A petite, smiling figure in white-dotted green, with a twist necklace, Mrs. Healey is 51. She said she had been a Communist since she was 14. She polled 87,000 votes—6 percent of the total—for Los Angeles county tax assessor June 7.

As to working through Democratic party channels, she said the laws of many states made it difficult for independent or third-party candidates. The Communists, she said, consider that there might be a challenge to President Johnson's renomination even "within the Democratic establishment" in 1968, although she noted there "could also be an independent campaign."

The party's political action resolution said that "in Mississippi and one county in Alabama, the Negro people have developed political instruments independent of the two major political parties," which could be forerunners of a wider breakaway.

SYMBOL QUESTIONED

Nevertheless, James E. Jackson, a leading Negro Communist and president of the company that publishes The Worker, told newsmen he wished the Alabama group had chosen "a better symbol than the black panther." He said he would have preferred "an American eagle with black and white feathers."

In convention discussion on the Communist Party's draft program, Mr. Jackson said there had been a view that "the so-called 'black power' concept" currently put forward by the Student Nonviolent Coordinating Committee "seems in effect to challenge Negro-white unity."

Such statements, Mr. Jackson said, might be misunderstood.

Mr. Jackson said the convention had voted unanimously for a resolution hailing the draft program, but suggesting redrafting and looking to a special national conference on this problem.

He disclosed the draft program published last February had been "prepared by a small committee headed by Gus Hall, chairman of the party de facto." Those participating in its editing, he said, included Dr. Hyman Lumer, Carl Winter, Gilbert Green and himself, with Al Richmond, editor of People's World on the West Coast, as "finally chief editor."

THE UNIVERSITY OF CALIFORNIA: AMERICA'S GREATEST

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. HANNA] is recognized for 1 hour.

GENERAL LEAVE TO EXTEND

Mr. HANNA. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have the privilege of revising and extending their remarks on this subject immediately after the remarks which I shall make.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, I take the floor this afternoon to pay tribute to one of the world's greatest, most distinguished institutions of higher learning, the University of California. Sadly, I speak at a time when the university is under savage attack by extremists from both the right and the left who apparently seek to discredit it in the eyes of the public. For too many months now the university has been maligned and cursed as a subversive, destructive force within our society. Attempts have been made to focus the attention of the public exclusively on the political activities of a very small minority of students and nonstudents. Represented as typical of the campus scene, these activities have been submitted as evidence of the decline and fall of the University of California. References are made to the "once great" University of California. Insinuations are spread that the university no longer ranks as a distinguished institution of learning, that the quality of the university—its students, its faculty, and its standards of instruction—has somehow drastically deteriorated.

These are the charges. They have been as a matter of fact inculcated into certain of the political aspects of campaigning for the governorship in the State of California. Now let us ask the critical question: Are they supported by the facts? Has the University of California somehow fallen from a position of eminence? Is it a destructive force within our society? On the evidence, Mr. Speaker, the answer must be a resounding "no." Directly to the contrary, the evidence clearly shows that the University of California today ranks with the world's greatest universities holding a position of distinction which cannot be seriously challenged. The accomplishments of the university, its faculty and its students are of international renown. Its leadership in many fields of education and research is unquestioned. Far from being destructive of our society, the university is one of its greatest sources of strength and progress. The university performs countless invaluable services for the people of California, the Nation, and the world. Its achievements as a great center for research and cultural activities, as a school for the education of our people—both young and old—and as a forum for the free exchange, expression, and development of ideas have been instrumental in making California the first State in the Nation and the United States of America the world's greatest nation.

This, then, is the true picture of the University of California, an institution of outstanding eminence in education, in research, in public service. Now, what is the picture that has been developed by recent activities on the campus. I suggest to you that these merely reflect the activities of what we have already stated to be a small minority of the students. Many of them have the best of intentions. Some of them reflect some of the most active, inquisitive minds that have come to the institution, but on the other hand there have been others that are not so well intentioned; they do not represent such a high quality of thinking. I suggest to you that a university, if it is to fulfill its role in society, is not going to be a haven against controversy. As a matter of fact, the great universities of the world have spawned much of the controversy of history and have been centers of conflict for centuries. And, Mr. Speaker, it is important that the university continue this role.

Certainly, Mr. Speaker, in a society that claims to have an open society, we must encourage freedom of speech. It is a great concept of our democracy and should be encouraged among our young people.

But, Mr. Speaker, this is not the whole story.

Mr. Speaker, it seems to me that history will show that wherever there has been history of conflict, of confrontation, whether of a violent or nonviolent nature, there is a certain element within that society and in all societies who become so engrossed with conflict that they cannot find satisfaction with the ordinary course of life.

Mr. Speaker, these are the kind of people who became the crusaders when religion was the center of conflict. These were the kind of people who became the professional soldiers, mercenaries, when the proponents of nationalism held the world scene. These are the kind of people who will come forward this day in the great demonstrations that we will see, of both a violent and nonviolent nature. They are different and fall into the category of those who are committed to the life of conflict and who very unfortunately lose the sense of values to which they are dedicated.

Mr. Speaker, there is another aspect of this which I believe needs very critical thinking on the part of the young people who become involved therein.

Mr. Speaker, I have often turned for insight into the dynamics of history to Edmund Burke, who was one of the great legislators in the history of our Anglo-American tradition.

Mr. Speaker, I have recently reviewed the "Reflections on the Revolution in France" and the part of Edmund Burke in that period. In the introduction to that volume, he tells us this story:

That the great French revolutionaries thought they would find in Edmund Burke a great leader to storm the bastions of the English establishment, tear it out by its roots and bring in the new era. A great liberal, brilliant and courageous, Burke was a man who was incorruptible in private and public life, and who never had been properly rewarded by his own party let alone by the English Crown for his energy and his scholarship.

It seemed, therefore, to many of the leaders of liberal opinion in revolutionary France, that Burke, more than any other English political leader, was admirably calculated to head in Britain a radical movement of reform on French principles.

But, Mr. Speaker, the French liberals reckoned without their man. The spirit of the age of reason summoned forth Burke's indignation and contempt. Endowed with a prophet's genius, he clearly foresaw the whole tragic course of events which would follow upon the French attempt to reconstruct society after an abstract pattern. The Revolution, after careening fiercely through a series of stages of hysterical violence, would end in despotism; but by that time, it would have brought down in ruin most that was lovely and noble in traditional society. Burke resolved that England should not share in France's folly, and that the whole of the civilized world must be awakened to the menace of these abstractions of impractical speculators, which would expose mankind to the terrible cruelty of the boot that lurks beneath our fallen human nature, instead of conjuring up the noble savage of romantic literature.

Mr. Speaker, he knew that all the advantages of civil social existence are the product of intricate human experience over many centuries, not to be amended overnight by some coffeehouse philosopher.

Now, Mr. Speaker, that is what we have in the expression of much of the foment that we have seen on the University of California campus. We have seen the existentialist philosophy of the coffeehouse clique who have very little real sympathy for the continuity of society and for that which serves mankind in the established order of things.

And if they in their youth or in their inexperience and their naivete see in this only a barrier to what they would hope to have as their quick, expeditious realization of their aspirations, then they fail to know society for what it is and they fail to give worthiness and that kind of value which every society must want, for that which is the cement of society and which enables men to progress. Certainly, the activities of the few who hold these radical opinions should not be the measure of the university in its activity. It is to the credit of the university that it is able to encompass the opinions of many including those of the troublesome few and still maintain its fine service through our times and to continue the great concept of a seat of philosophy and at the same time that of a place of great learning.

Now, I would turn the attention of the people of the United States in general and the people of California in particular to the positive aspects of this great institution, the University of California, and how it has really been serving their needs, in the true tradition of the best of American universities.

Earlier this year, the prestigious American Council on Education released the report of its now well-known study assessing the quality of graduate education among the Nation's universities entitled appropriately enough, "An Assessment of Quality in Graduate Education." In the foreword to the report, American Council on Education president, Logan Wilson observes that "excellence, by definition, is a state only the few rather than the many can attain." Mr. Speaker, the findings of this famous study conclusively show that the University of California has clearly achieved its place among the few, nay the very few. Indeed the study indicates that the university is virtually unequaled in the excellence of its overall graduate program.

Specifically the American Council on Education study sought to evaluate the quality of the departments of 106 of the Nation's largest universities in 29 major fields of study. The actual rating was done by distinguished senior and junior scholars from each of the universities awarding degrees in the particular field in which that department was evaluated. These scholars were asked two basic questions:

A. Which of the terms below best describes your judgment of the quality of the graduate faculty in your field at each of the institutions listed? Consider only the scholarly competence and achievements of the present faculty.

1. Distinguished.
2. Strong.
3. Good.
4. Adequate.
5. Marginal.
6. Not sufficient to provide acceptable doctoral training.

B. How would you rate the institutions below if you were selecting a graduate school to work for a doctorate in your field *today?* Take into account the accessibility of faculty and their scholarly competence, curricula, educational and research facilities, the quality of graduate students, and other factors which contribute to the effectiveness of the doctoral program.

1. Extremely attractive.
2. Attractive.
3. Acceptable.
4. Not attractive.

Thus, departments were rated on two points—first, the quality of their faculty; and second, the quality and effectiveness of their graduate programs.

Mr. Speaker, the results of this study clearly and loudly bespeak the greatness of the University of California. In 23 of the 29 fields, the faculty of the departments of the university awarding degrees in those fields rated as "distinguished," the highest possible rating. Those fields are English, German, Spanish anthropology, economics, geography, history, political science, sociology, bacteriology/microbiology, biochemistry, botany, entomology, psychology, zoology, astronomy, chemistry, geology, mathematics, physics, chemical engineering, civil engineering, and electrical engineering. In 26 out of the 29 fields, the university's graduate programs were rated as "extremely attractive," again the highest rating possible. Those fields are the classics, English, French, German, Spanish, economics, geography, history, political science, sociology, bacteriology microbiology, biochemistry, botany, entomology, physiology, psychology, zoology, astronomy, chemistry, geology, mathematics, physics, chemical engineering, civil engineering, electrical engineering, and mechanical engineering.

The American Council on Education also rated universities on the quality of their faculty in each of the five general divisions of graduate study: humanities, social sciences, biological sciences, physical sciences, and engineering. Mr. Speaker, only the University of California, Berkeley, rated as "distinguished" in all five divisions, a finding which, as the author of the report observes, "supports the claim that it is the best balanced distinguished university in the country."

The last of the indicia of quality measured by the American Council on Education were the resources of the libraries of the universities. The University of California at Berkeley rated second in this category and UCLA fourth.

Mr. Speaker, this truly remarkable study, the most comprehensive of its kind ever attempted, graphically portrays the preeminent position of greatness held by the University of California among the Nation's institutions of higher education. Let those who would challenge this contention remember that the results of this study represent the combined, considered of hundreds of the Nation's best, most distinguished scholars. To me that amounts to a pretty compelling body of expert opinion.

The study stands as one persuasive indicator of the university's greatness today. There are many others. I need mention only a few.

The University of California is staffed by one of the world's most honored faculties. It leads all other institutions in the number of Nobel laureates on its staff. There are also more members of the National Academy of Sciences on its faculty than any other university.

The university's contributions to the world in education and research have been massive and far-reaching. Among its greatest contributions have been the alumni. Since its founding, the university has awarded well over a quarter million degrees. The number of alumni still living is estimated to exceed 225,000. These include leaders of national and international stature in all walks of life. In the area of research, the University has given to the world such famous scientific achievements as the invention of the first atom smashing cyclotron, discovery of all the artificial elements heavier than uranium, and the first isolation of the human polio virus. Instruction and research at the eight branches of the University today spans virtually every field of human knowledge.

The University of California has made outstanding contributions to international understanding and cooperation. One or another of its eight campuses offers instruction about almost every nation in the world and about most aspects of international relations.

The university's language-teaching program is extensive both in breadth and depth. Some 125 languages and major dialectical variations are taught either directly by the university or through special arrangements with the Defense Language Institute at Monterey, Calif.—thus making by a very large margin the richest such series of offering at any American University. Berkeley presently offers 24 Asiatic languages and Los Angeles offers 29 African languages. In 1962 the university established an education abroad program under which university students may now attend university centers at Bordeaux, Padua, Goettingen, Madrid, or Tokyo for a year's study.

Conversely, more foreign students enroll at the University of California than at any other university in the United States. In 1959 the Institute of International Education conferred its Distinguished Service Award on the university's foreign student program for "the most significant contribution to international understanding through support of educational exchange."

The University of California has served the people of California not only by educating their children but their adults beyond the formal classroom as well, enabling them to keep pace with the times by transmitting new knowledge through a highly developed extension service. Extension programs are now offered in 249 locations throughout the State and through correspondence courses, films, television, and other media. The worldwide leadership of California agriculture owes a great debt to the extensive agricultural knowledge developed by the university and to the Agricultural Extension Service which transmits that knowledge through home and farm adviser offices in 56 counties who make approximately 3 million contacts with California families, farms, and industries each year.

Mr. Speaker, evidence of the greatness of the University of California would fill many volumes. Although my remarks have touched only on a few of the chapter headings, I believe the point has been firmly made. But I would like to discuss an aspect of the university's greatness which perhaps is one of its most remarkable; namely the remarkable ability which it has displayed in adapting to the almost continual state of change which California has undergone in the 98 years of the university's existence. Perhaps the secret of the university's spectacular success in this regard lies in the fact that it has always been future oriented. While dealing with the problems of the present it has also planned for for those of the future. As California has grown so has its fabulous university struggling not only to keep pace with the present but the future as well. At the time of its founding, the university's "tiny bank of scholars" numbered 10 faculty with 38 students. Today the university has grown to an institution with 8 campuses with 7,245 full-time teachers and 75,672 full-time students. The Nation and the world are well familiar with the university's branches at Berkeley and Los Angeles. Now, I want to focus my remarks on a new branch of the university, a campus that is truly of the future, a campus that is assured of greatness in its own right, the University of California at Irvine.

June 20, 1964, will be a day the residents of Orange County, Calif., will long remember. On that day President Johnson officially dedicated the newest campus of the University of California.

It was a great honor for me to share the platform with the President that day. As former chairman of California's State Assembly Committee on Education I had long been acquainted with the importance of locating a branch of the university in populous Orange County. Careful and considered planning had gone into the selection of the site. Initial surveys began as early as 1958. This newest campus of the university was eventually to serve a population of more than 4 million residents in the Orange County-southeastern Los Angeles area.

After considering 23 alternative sites the regents selected a 1,000-acre section of the beautiful Irvine Ranch. The board of directors of the ranch voted the 1,000 acres as a gift to the university, and on July 22, 1960, the University of California at Irvine became a reality.

The next few years were excitingly busy ones. A master plan, both for the academic program, the physical plant had to be prepared. In 1961, 510 additional acres were added to the campus program. Daniel Aldrich, a renowned scientist with 20 years of experience with the operation of the University of California, was selected as UCI's first chancellor.

It was during these initial years that UCI was developing into more than a great institution of higher learning. Men with vision saw this latest addition to the University of California as an opportunity to create an integral college community. The recognition of the interdependence of "town and gown" encouraged the innovators to plan not just classrooms, laboratories, and libraries, but the foundations for a whole new city.

The idea of master planning a new center of learning with its own urban environment sparked the creative imagination of talented people throughout the Nation, and around the world. The pioneering University of California was about to embark upon another adventure. University of California once again was to lead the way in educational planning.

The program that has since developed has been titled the "inclusion plan." Envisioned is a community that will eventually service a student population of 27,500 and a city that will exceed 100,000 residents by the turn of the century. A large proportion of residents will be students, faculty, and staff. The facilities of the city will be designed to service the needs of the academic community.

Science oriented firms and craft industry will be encouraged to develop. Envisioned is the welding together of the university with industries that thrive and grow in an intellectually stimulating environment.

This new and exciting environment will eventually occupy 10,000 acres. Adjacent to the university core will be 2,000 acres of the central section of the university community. Some 660 acres will be devoted to neighborhood type living areas. Housing for students, faculty, and staff will be developed within this area.

As a focal point for social, civic, cultural, and commercial activity a town center of 105 acres is contemplated. The concept for the town center is patterned after the antique towns of Europe and America where shops, offices, civic facilities, and housing are closely organized in pedestrian scale. The town will be entirely oriented toward the campus facilitating strong physical ties.

Additional acreage for recreation facilities, commercial enterprise, high-density housing, residential housing, and fraternity housing are included in the plan.

The uniqueness of Irvine's physical environment reflects the campus' intellectual environment while the physical campus and related community are designed to put the modern scholar in perspective with the times. The academic program seeks to provide the intellectual tools necessary to put modern times in perspective.

A statement of principle reflecting a consensus of UCI's faculty begins:

> The University of California at Irvine is a university for the modern man. It confronts the prospects of the next century with enthusiasm. It regards the past with respect, but without nostalgia. It is unashamed of modern society; unintimidated by modern problems; stimulated by modern opportunities.

The challenge of the present, the provocative discoveries still in the future, and attention to the foundations of the past will be the environment of UCI. To charge and stimulate this environment a faculty of the highest quality is being carefully recruited.

Dr. Frederick Reiner, internationally renowned physicist, has been appointed dean of physical sciences. Dr. Reiner is principally noted for the discovery of the neutrino, the most elusive of elementary atomic particles.

Arnold Binder, professor of psychology, is a recognized authority on statistical and mathematical analysis of problem solving behavior, learning, and group leadership. From Trinity College, Oxford, England, comes the philosophy professor, Edward J. Lemmon. Professor Lemmon has been a consulting editor for the Journal of Symbolic Logic since 1958.

These men, and the many other prominent members of UCI's new faculty are not content with tired and stale methods of teaching. Their objective in developing the self-reliant, analytical, involved man, requires a special attitude toward the university by a special kind of faculty, organized into units promoting community, and using a variety of educational instruments.

Continuing, Dr. J. W. Peltson, in articulating the views of the UCI faculty writes:

> We seek scholars and artists who view teaching and involvement in the life of an educational institution as means to support scholarship and creative activity rather than diversions from it. We reject the notion that those who have no interest in or capacity for scholarship are good teachers; and on the other hand, we reject the notion that a list of publications is all that one needs in order to evaluate their scholarship or suitability for membership in the Irvine academic community.

Irvine's embryonic faculty of 118 are determined to set patterns of standards that will influence the future character of the UCI community:

> We imply a faculty, a student body and a state of mind that is not afraid to try.

To the 1,509 people who now compose the first student body the faculty has said:

> Education wherever it is successful . . . requires that the student participate with the instructor in the essentially self-correcting applications of intelligence and thereby achieving self-reliance and wisdom in dealing with new problems . . . We shall provide opportunities for students to demonstrate their abilities, and will give academic credits for knowledge however it is acquired.

And the opportunities are being provided. The involved people of Irvine wasted no time in concerning themselves with the problems of their local environment. More than 130 students have volunteered their services to the Orange County neighborhood tutorial program for disadvantaged students. These volunteers have been active in Santa Ana, Fullerton, and Placentia.

Eighteen UCI students are engaged in dealing with the practical problems of rapid urban growth. Working with officials of Tustin, Calif., and under the supervision of Dr. Gordon Fielding, of UCI's Geography Department, the students are analyzing the economic, cultural, and political factors influencing land use choices. Contemplated future studies will deal with transportation and sanitation systems, commercial structures of shopping centers, and variations in residential land use.

This cooperative practical learning laboratory is already proving to be of substantial value to the local communities of Orange County as well as providing students with a unique and lasting educational experience. The impact that UCI will have on the future development of Orange County will be enormous. UCI is quickly becoming one of Orange County's most important resources.

The day the university was dedicated is still vivid in my memory. The excitement of a Presidential visit, the thousands of gaily expectant people who had come to hear their President and see the new campus. Some, I imagine were disappointed when they arrived at the university site only to find gently rolling hills overlooking the headwaters of Newport Bay. Construction on the first buildings had just begun, and except for a few hastily constructed temporary facilities, the reality of a great center of learning-to-be was hardly evident.

I remember looking out over the heads of the crowds to the empty acres where cattle were still allowed to graze trying to visualize the changes that 20 years would make. A great library of more than 500,000 volumes. Creative architecture housing classrooms and laboratories, academic facilities homogeneously clustered, housing enough to accommodate 50 percent of the student population; an exciting town center with bookstores and small shops; developing industry and residential housing; and a stimulating, intellectually paced populace pursuing knowledge and progress.

One year after the dedication Irvine was accommodating its first students, its first lectures and experiments. Last Saturday Irvine held its first commencement exercises. In all there were 13 graduates, 10 bachelors, and 3 masters. A humble beginning perhaps, but no less humble than the University of California's first graduating class of three. Ninety-six years after the university's first commencement exercises, UCI, the seventh campus in the system, awarded degrees to 13 students.

Look magazine recently described the silent revolution taking place in California. The magazine described California as a "turned on" people whose new rules were challenging the frontiers of the intellect much in the same manner that our forefathers challenged America's western frontier. The University of California is the great pioneer on this "new frontier" of the intellect.

Perhaps one of the best explanations of the university's role in meeting the challenge of the intellectual frontier was included in the statement on behalf of the faculty of UCI:

> We view the activities within the university as a continuum and the educational experiences as a seamless encounter with knowledge, human vitality, and vision. We care desperately about the individual student who cares desperately about making sense out of his life. We want to communicate the sense that one is constantly becoming, that no one arrives, and that the university experience is being and becoming, not watching and waiting.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. HANNA. I yield to the gentleman from California.

Mr. COHELAN. Mr. Speaker, I wish to take this opportunity to compliment my colleague on the very fine statement he has made. I certainly want to associate myself with his remarks.

Mr. Speaker, I am delighted to join my colleagues today in commenting upon one of the great institutions of learning of all time, the University of California.

As you know, during the past few months I have been particularly aware—and on occasion painfully so—of the vast diversity that exists within the university. May I say, Mr. Speaker, that while some have looked askance on recent events in Berkeley it is this excitement and stimulation that makes for greatness in a university. I am proud not only to include the oldest of the nine campuses of the University of California in my district, but also proud to be one of its graduates and a member of its community. To those who exhibit concern over the future of the university let me say that I think it will be bright indeed.

Much has been written during the past 2 years about the Berkeley campus of the university. Unfortunately the vast bulk of this material has been directed in such a way as to emphasize only the conflict and confrontation, the beat and the bizarre, the violent and the vulgar. Today I should like to add to the effort of setting that record straight.

Before turning to the accomplishments of the university I should like to say a few words about one of the real educational statesmen of this generation. Many of my following remarks will, in fact, reflect the leadership that Clark Kerr has exhibited first as chancellor of the Berkeley campus, and since 1958, as president of the University of California. In the face of vast criticism from both the left and the right, Clark Kerr has directed the university to unparalleled heights during a period of incredible growth and expansion. With vision and determination he has moved to accommodate the demands of size without sacrificing the achievement of academic excellence. Those of us who have been privileged to work with him during this period were justly proud when, in a recent report, the American Council of Education noted that Berkeley today has "the best balanced, distinguished graduate school in the country."

Joining President Kerr is the new chancellor at Berkeley, Dr. Roger Heyns, who in a relatively short period of time has exhibited a deep sense of commitment to the academic community and to the maintenance of Berkeley's outstanding position in American higher education.

There is a tendency to oversimplify and make a caricature of Berkeley. Of almost comic proportions, for example, is the recent issue of Look magazine which cited as a "classic Berkeley coed" a Chicago-born, beauty contest winner who smokes cigars and marches in VDC parades. This was an extraordinarily charming girl but, I hasten to add, hardly typical.

The vast bulk of Berkeley undergraduates are Californians. Although beautiful, the majority of our coeds have not won a beauty contest, possibly because there are not enough contests. There were only a relatively small number of student marchers. Finally, while I do not think a survey has been taken, my impression is that most of the women at Berkeley do not smoke cigars.

Far more balanced and perceptive, Mr. Speaker, is the penetrating study made by A. H. Raskin, of the New York Times, that appeared in the Time magazine for January 30, 1966. I should like to insert this article by Mr. Raskin, entitled "I'm Just Here To Study," at this point in the RECORD:

"I'M JUST HERE TO STUDY"

(By A. H. Raskin)

The voice was earnest; it was also loud as it trumpeted through the loudspeakers. "There is a vacuum on this campus that must be filled," a stocky youth shouted into the microphone. But the vacuum was mostly of audience. Hundreds of students walked unconcernedly past, seemingly oblivious to the hortatory cascade. The only listeners were three other young men awaiting their turns at the microphone.

That was Berkeley's much-converted open forum one sun-splashed noon hour recently in the plaza outside Sproul Hall, the administration building, which student rebels at the University of California had converted into a cradle of liberty in a tumultuous sit-in a year ago. The evangels of unrestricted free speech had won agreement from the administration to allow any campus organization to invite speakers and broadcast its messages, no matter how anti-Establishment, over the amplifying system so long as advance arrangements were made.

A year-long parade of remake-the-world types, from every shade of the political spectrum, has left ears so bent that the orators now drown in their own unheard exhortations. The day after the un-rally, the microphone stood in the only island of silence on the buzzing, swinging plaza. No group had even bothered to apply for its use.

A visitor returning to Berkeley 12 months after "the seizure of the Winter Palace"—the faintly mocking descriptive that faculty sophisticates have borrowed from the uprising against Russia's Czar in 1917—finds a degree of serenity that puzzles the students themselves. So captive have they become to their own public image—battlers against a computerized educational system in a Jello society dominated by the military-industrial complex—that the almost invariable initial response to my questions about how they thought things stood on the campus now was: "You don't want to talk to me; I'm just here to study."

It took a while to persuade them that, old-fashioned as the idea might seem, there were still people who thought that studying was what universities were for and that their thoughts might be no less newsworthy than those of students who blared theirs through the campus sound system. A highly unscientific sampling indicated that the "I'm just here to study" crowd outnumbered the activists by 32 to 3.

There is little direct carry-over of the old Free Speech Movement, the vanguard force that kept the campus on a sputtering fuse for three months last winter through adroit management of the student anger aroused by a series of administration blunders. (The first and worst of these was the shutting off of the Bancroft Strip, which had served as the sole on-campus escape valve for releasing political energies through recruitment for civil-rights picket lines or off-campus partisan rallies. Canceled almost at once, this order left a residue of disciplinary issues that provided the ammunition for most of the subsequent upheavals. The climax came with the Sproul Hall sit-in and the carting off to jail of 800 demonstrators, among them scores of the university's brightest students. The F.S.M. strategy through the whole improbable chain of events was built on the application to alma mater of the principles of civil disobedience the student rebels had learned in battling for Negro rights in Mississippi and Alabama.)

Mario Savio, the charismatic sophomore who became the best-known of all the F.S.M.'s crusaders against "the knowledge factory," has gone off to Oxford with the wife he learned to love on the student picket line. His friends say he wanted a quieter environment in which to rethink some of his ideas on life and politics; the quiet may be interrupted by the fact that a son arrived a few days before the Dec. 2 anniversary of the Berkeley sit-in. A more serious interruption may come when the appeals courts in California hand down a final ruling on the prison sentences both Savios were given for their part in the demonstration—120 days for him and 45 for her. In the meantime, he is majoring in physics and Mrs. Savio hopes to complete a doctoral dissertation in philosophy.

Many of their old associates in the F.S.M. steering committee have also left Berkeley or have gone back to study as a relatively full-time campus endeavor. A few have switched to positions of leadership in the Vietnam Day Committee—an amorphous group dedicated to getting the United States out of Vietnam—but others are on the sidelines even when the V.D.C. stages its mass demonstrations. One who upped anchor is Albert Litewka, holder of a master's degree in English, whose last major task on campus was to raise $400,000 in bail for the Sproul Hall defendants. He left in October to take a job with a New York book publisher, rather than embark on a life career as a "rebel youth." His departure implied no belief, however, that the F.S.M. had failed to achieve beneficial results in shaking frozen thought patterns on the campus, in the Bay area and in the nation at large. "Our aim was to promote debate, not to preach certainties; and we believe we did succeed at all levels in making people aware of trends that bothered us in our society," Litewka says.

My wanderings around Berkeley indicated that, whatever the impact on thought processes in the outside world, the jolt supplied by the F.S.M. had given a large part of the student body a more sophisticated concern with politics. There has been a considerable revulsion against the hyperbolic involvement of a year ago, and particularly against such juvenile forms of protest as the Filthy Speech Movement that erupted last spring. That aberrational exercise involved the parading of four-letter words as evidence of liberation from the constraints of bourgeois morality. Today many students appear to have tuned up, not out, in the quality of their political interest. This is no dull, dead campus in which devotion to studies implies total detachment from temporal affairs.

Listen to Barry Kingman, an economics senior and president of the Inter-Fraternity Council, whose blond hair, pink cheeks and regular features make him a prototype of the all-American young man; Kingman is the antithesis of everything the F.S.M. ever believed in, yet it is plain that he has not been untouched by its efforts to break the "idiot pattern" of traditional multiversity thought: "The heart and guts of this university have been strengthened by the turmoil of the last year. The outside press and the politicians have contorted it into something dirty, but the historic function of a minority group in any democracy is to make the majority analyze and defend its views. When you have a society that allows dissident groups like the F.S.M. free expression, you know you're not in a closed society; the only limit there is on improving that society is how imaginative you are in making proposals for change. One thing you can't say about this university is that it is stagnant. Ideas run free because people aren't afraid of ideas."

As one device in their war of ideas with the Vietnam Day Committee, Kingman and the Greek-letter societies sponsored a Thanksgiving blood drive for the American troops in Vietnam to coincide with a "bring-the-boys-home" march put on by the committee. The yield was 835 pints of blood. Last month the fraternities and sororities invited 200 fliers and sailors from the carrier Midway to dinner and a basketball game. Now Kingman is trying to persuade people ranging from Vice President HUMPHREY to Ronald Reagan to speak at Spring Week ceremonies on the campus in March.

But his operation is puny by contrast with the professionalism I found a few blocks off campus in the dingy frame house where the V.D.C. has its headquarters. Not long ago the committee distributed leaflets to members of the armed forces urging them to do as little fighting as they had to do in Vietnam and preferably to do none at all, even if it meant court martial. This counsel, coupled with the staging of widely publicized protest marches against U.S. involvement in Vietnam, brought from wounded troops in the combat zone denunciations so bitter that they made Berkeley sound like a suburb of Hanoi or Peking.

Mike O'Hanlon, who was bounced out of the Cardinal Hayes High School in New York eight years ago and has been kicking around the country ever since, introduced himself as the V.D.C. editor. He filled my arms with leaflets, including the one that has been causing all the clamor about telling G.I.'s not to fight. He also cheerfully displayed a basketful of condemnatory mail. "Burn, you dirty animalistic Commies, burn," one letter said. Another enclosed a razor blade with a suggestion that the beatniks on the committee use it to save or to "slash the wrists if life gets to be too much for you."

The committee has a dozen full-time workers, each of whom gets $100 a month and none of whom is currently a student. A blond 2-year-old wanders around the headquarters and there are bottomless bags of cookies for staff and volunteers, but no inefficiency goes with the informality. It is a very purposeful place. The day I stopped in, the committee's co-chairman had gone to jail for a demonstration denouncing Gen. Maxwell D. Taylor as a "war criminal"; three other V.D.C. leaders were scheduled to follow him behind bars. Everybody seemed to be taking it philosophically. "You can't work up much feeling about going to jail around here; it's sort of commonplace," said a girl the police had decided not to book.

One of the paid workers is Robert Hurwitt of Scarsdale, who was graduated Phi Beta Kappa from the New York University in 1964 and got his master's degree in English at Berkeley last June. He decided to interrupt his doctoral studies in September so he could speak out more vigorously for peace talks with the Vietcong.

Another paid worker, Anita Frankel of Teaneck, N.J., went to Antioch for a year and then spent three semesters at Berkeley before deciding that it was absurd to keep studying 12th-century Chinese history when there was "such a psychotic attitude in this country toward China."

She thinks the United States should just get out of Vietnam. "What right do we have to demand negotiations when we are in there illegally?" she asks. A disciple of Sartre and Camus, she speaks in great emotional throbs. The "very beautiful and rewarding three months" she has spent with the V.D.C. have persuaded her that she ought to go back to school next month and concentrate on communication and political argumentation.

Hurwitt and others will probably resume their studies, too, and the committee contemplates "a major reorganization." Some suspect it may be reorganized out of existence, but that is denied.

Back on campus I find myself in conversation with a student who has remained serenely disengaged from all the turmoil over F.S.M. and V.D.C. He is Neil Keane, a thin, languid senior, who came from Dublin four years ago to study physics at Berkeley. "Political activity bores me," he say, his back turned to the row of little tables on the plaza at which student proselytizers seek to enlist converts for causes ranging from legalizing abortions to recognizing Red China. "It is all an abstraction. People interest me, not mob behavior. From an academic standpoint this is a brilliant institution, but in terms of the human condition it is far from brilliant. The pointlessness of it all; it is much too big."

This echo of the old rebel charge that the "multiversity" degrades its undergraduates to the insignificance of I.B.M. numbers gets no support from Sandy Reidenbach, a sophomore, who has lived in Berkeley all her life, but who spent her freshman year at Cal's Santa Barbara campus. Sandy finds Berkeley a "much more stimulating" institution in every respect, even though its 27,000 students make it three times as big as Santa Barbara. Her enthusiasm is undisturbed by the criticisms of her father, who got his own medical degree at Berkeley and is now back for graduate courses in public health. He shares the F.S.M. view of the university as a factory and a breeder of alienation.

Mitsuru Ikuta, a freshman from San José, is as out of sympathy as Sandy with such complaints. "You are lost only if you allow yourself to become lost," he says. "If you have your own interests, there is plenty to keep you alive here and you never have to worry about being able to listen to another point of view on practically anything." What with his studies in the biological sciences and daily practice for the wrestling team (he is in the 115-pound class), Ikuta finds it "really a hassle—but tremendously exciting."

From the president of the official student government—Jerry Goldstein of Los Angeles, a senior in food chemistry—comes the flat statement that Berkeley is a vastly better place to go to school now than it was before all the shooting began. His opinion is of some importance because he successfully challenged SLATE, the left-oriented political party that has long dominated Berkeley student elections, to win the presidency by a 2-to-1 margin last June. He campaigned on the platform that changes were needed at Berkeley, but that they need not be brought about through direct conflict.

Goldstein's optimism that Berkeley will become a nationwide model in educational reform and constructive intrauniversity relations has not been shaken by the fact that inheritors of the F.S.M.'s militant tradition scored a sweeping comeback in November elections for a constitutional convention to get rid of "Mickey Mouse undergraduate government" and give students a more assertive voice in campus affairs.

Nor does he find anything either strange or upsetting in the fact that the highest vote in an undergraduate election to choose for student members of an advisory committee on revising campus political rules went to 21-year-old Bettina Aptheker, a junior who not only admits but boasts that she is a Communist. Her designation has been denounced by conservative legislators of both parties as evidence of galloping subversion on the Cal campus. "Maybe a course in democracy for all university students is in order," intoned State Treasurer Bert A. Betts, a Democrat. And he added a warning that the state's credit rating would suffer—the last of all arguments to impress a Berkeley student of any political persuasion.

Goldstein, as the voice of middle-roadism, believes that part of the explanation for the Aptheker victory lies in the students' weariness of repeated votes on virtually everything. In the complicated November balloting, only a little over one-quarter of the 16,600 undergraduates bothered to go to the polls. In two more recent elections, the ratio has been smaller still. But more important than apathy in giving the daughter of Herbert Aptheker, the chief theoretician of American Communism, her big vote was that in the tangled ultraleftism of Berkeley's avant garde an orthodox Communist is a relative conservative. In the F.S.M. the political in-fighting got so tough last year that even pro-Peking activists found themselves stigmatized as "marshmallow Maoists."

Miss Aptheker has been at pains to earn recognition in the protest movement as a moderate, rather than an extremist. "She is one of our most responsible radicals," says Goldstein. "A lot of our students feel she need not necessarily be a subversive to be a Communist. They think of her as a 'good Joe' who has tried to discourage far-out activities."

Her anxiety to keep from being branded as a blind follower of the Moscow party line found expression just before the Christmas holiday in a letter she wrote to The Daily Californian, the student newspaper. It was an indirect answer to a communication from a graduate student chiding her father for falling back on charges of "Fascism" and "cold-war propaganda" when challenged to rebuke the Soviet Union for jailing such literacy critics as Andrei Sinyavsky. Miss Aptheker wrote that she found "inexcusable" the official Sovet silence on the charges against Sinyavsky and that she opposed unequivocally "the arrest of an author for what he writes." Commented one faculty observer: "Bettina makes sure that her liberal flank is never turned."

With so safe-and-sane a leftist—especially one who had ostentatiously announced just before the balloting that she had been a Communist so long that she was liable to $12-million in fines and 5,000 years in prison for failing to register with the Government—what better way for an emancipated student body to demonstrate its rejection of the "hypocritcal" standards of the adult community than by putting her on the committee to help write new regulations governing campus politics?

Hypocrisy is the big focus of the students' grievance against society these days. The most popular placards at the V.D.C. are those labeling President Johnson a "hypocrite" on the Vietnamese war, and few speeches are made outside Sproul Hall in which the word does not turn up at least a dozen times in condemnation of some phase of American life. "The vital center of student politics is the gap between what society say its values are and how it acts," is the way Chancellor Roger W. Heyns sees it as he rounds out his first semester.

Heyns, a post-revolution import from the University of Michigan, has put together an administrative staff that seeks to combat this cynical undergraduate estimate of contemporary morality through what amounts to a three-way stretch. His aim is to protect the right to dissent, the intellectual quality of the university and the public order of the Berkeley community.

By way of demonstrating that he is no Iron Chancellor in the Bismarck mold, Heyns maintains liaison with student organizations through John Searle, a philosophy professor, who was one of the F.S.M.'s most ardent faculty boosters in the days of the great rebellion. His switch to quarterback on the administration team has caused little perceptible change in Searle's appearance or viewpoint.

A short, intense man, little older than the students he confers with, Searle paces up and down in his tiny office with the energy of a caged tiger. His tie is askew, and a black pullover sweater takes the place of a jacket. "We had a revolution on this campus," he says, "and our task this year is to consolidate the various fruits of that revolution. There are two big obstacles. One is the outside pressure from forces in the Legislature or politicians generally; the other is the danger of more infantile extremism on campus such as the obscenity issue we had last spring."

Searle believes that "the whole place woke up last year." All his colleagues on the Chancellor's staff agree, but most seem happy that a lot of the ebullience has finally drained out of the awakening. The current task as Heyns sees it, is to analyze the extent to which some students may become educational casualties as a result of over-involvement in politics. He has been able to raise such ticklish questions without stirring new fears that the university is trying to clamp down or to appease its external critics. But there is still enough disquiet to cause Heyns to call himself "the commander of an outpost where most of the shooting is between our sentries and our own patrols; we can't seem to hold our fire until we really locate the enemy, or find out if there is one."

Where political activities have transgressed the minimal rules that now apply, the rules have been enforced—decisively but without a riot call. Thus, when the V.D.C. put a huge easel in the middle of the plaza in defiance of a regulation limiting displays to poster size, the administration did not retreat from a challenge to "take it down if you think you can." There was no dramatic confrontation, just a call from the Chancellor's office to campus janitors to haul away the sign. They did.

The really basic changes, however, are not in such tests of will but in attempts at educational innovation. Berkeley is trying to use its bigness as an asset in enriching the learning process for freshmen and sophomores, the great unwashed in the F.S.M. uprising. In many ways, the rebellion's central point was to force a reassessment of the faculty conceit that students are an irrelevant obstruction in a great research institution concerned with pushing out the boundaries of knowledge.

One approach to reform is being made through a special school for 150 freshmen in an old Tudor fraternity house on the edge of the campus. In an atmosphere reminiscent of the Experimental College run at Wisconsin in the thirties by Alexander Meiklejohn, the students spent last semester learning about the Age of Pericles. This semester they turn to Cromwell's England in a routineless system of learning that abandons the whole concept of the course or even of formal instruction.

Joseph Tussman, a professor of philosophy, has recruited a mathematician, a poet, a lawyer and a political scientist to serve on the faculty with him, and things couldn't be more different from the old F.S.M. nightmare of a "computerized conveyor belt." A half-dozen boys and girls discuss the Peloponnesian War before a big fireplace. They sit on two battered lounges salvaged from the Law School; one boy is stretched out on the floor. Samuel Schaaf, a professor of aerodynamics and also chairman of Berkeley's public-school board, argues amiably with two students in an alcove. "So you don't think much of my interpretation," he says. When they confirm their dissent, he doesn't stomp into the office and demand that they be booted out for insubordination. "I'm having a ball," he tells me later. "I'm reading this stuff for the first time, just as they are. It's amazing, the depths of their perception."

The students take no examinations and get no punitive grades; the decision on whether they pass or fail is based on periodic papers they turn in on themes that interest them. Tussman insists that they are getting more individual attention than any other freshmen at Berkeley. "One of the things our students feel most at final exam time is guilt about enjoying themselves so much when their friends are working so hard and feeling so miserable," he declares. Some professors outside the program view it with less enthusiasm. They feel Tussman's students will be lost when they complete their two experimental years and move back into the regular curriculum to qualify for their degrees. Tussman himself acknowledges that he may find it hard to get five more professors to teach in a second round of the experiment.

A much larger attempt to reorganize teaching methods is being made by a select committee of the Academic Senate headed by Charles Muscatine, a professor of English. "We hope to come up in February with answers to what we believe is a worldwide crisis in education and in the relations between education and society," he says. A lot of the focus will be on trying to apply to the multiversity techniques that have long been used in small liberal-arts colleges like Sarah Lawrence.

Muscatine describes the lengths to which the faculty committee has gone to solicit student ideas—paid ads in The Daily Cal, questionnaires to 2,000 undergraduates, 10 open meetings and the enrollment of 15 students as members of its staff. As he talks, a graduate student in the Bob Dylan mold strays in—blue denims, high brown boots, curly hair and a giant Coke bottle in his hand. He volunteers an idea or two, then disappears as casually as he arrived.

The real resistance to the prospective reforms is likely to come from the faculty. "No one can be more conservative than a professor when it comes to educational reform," says Muscatine. The indications of faculty holdbacks are already so widespread that the next battle of Berkeley may present the ironic spectacle of an undergraduate push to preserve the report of an Academic Senate committee against repudiation by the Senate itself.

The basic problem is still the old one of "publish or perish," with its heavy primacy for research over teaching. Listen in on this colloquy between two economics professors and the head of the union that represents 362 graduate students who serve as teaching assistants at Berkeley. Sidney Ingerman, the union head, who used to be an auto worker in Buffalo and is now studying for a Ph. D., says that the F.S.M. revolt has caused teaching to come up at least a little in the faculty's eyes. "Professors used to consider it beneath contempt to have to do any teaching," he declares. "Now it has elevated itself as a yardstick for promotion."

Lloyd Ulman, director of the Institute of Industrial Relations, and Walter Galenson, author of a dozen studies on international labor, dissent. "Teaching is a nebulous criterion to use in evaluating faculty members," Ulman says. "It is too hard to pin down quality." Galenson, recalling his five years as a professor at Harvard, says he is convinced that teaching is valued more highly at Berkeley, then adds: "We emphasize teaching, but we promote on the basis of research."

Ingerman hammers away at the need for student pressure to keep the professors from downgrading teaching. Galenson ends it: "The way to ruin this university is to increase the teaching load. You'd have faculty desertions *en masse* unless all universities did the same."

Feuds born of the F.S.M. battle still keep some professors from talking to one another, even in line of duty. A few faculty members have moved to other institutions, and a few more are likely to say good-by in June. Says one of the prospective D.P.'s: "The faculty has been driven into the worst kind of fellow-travelerism. They fear to say anything critical of student pressure groups lest they find themselves blacklisted. The students go around boasting that they're the boss."

But such sentiments seem narrowly confined. Most who hold them are of Social Democratic background, and their political antennae vibrate at every rumbling from the New Left. Among conservatives on the faculty, apprehension about a student *putsch* has abated sharply. One oddly helpful factor in rebuilding faculty unity has been the sheepishness engendered among many professors by a sense that they demonstrated little courage or leadership at some crucial stages of the earlier conflict. This year's meetings of the Academic Senate have been quieter and much smaller, but the spirit of constructive accomplishment has been stronger.

How does it all look to the man who is Big Daddy to all 79,000 students on the University of California's nine campuses—its president, Clark Kerr, around whom much of the fighting swirled a year ago? The one thing he is sure of is that a university is "a surprisingly resilient institution." But his ideas don't stop there. As head of an educational Moloch whose total outlays this year will come to nearly $700-million, he recognizes—and this is no new discovery for him—that the undergraduate in the giant univerisities has far too long been neglected.

"Academic reform on his behalf was desirable; it is now also imperative," he says in his measured way. He sees the "politicalization" of the university accelerating and the students moving to new types of political Bohemianism. How they can get much more Bohemian than some of Berkeley's farthest-outers, he does not reveal. As for the faculty, it gets progressively more cosmopolitan, with more and more off-campus ties to industry, government and foundations.

The changes in university rules to keep abreast of this transition have not come fast enough, nor gone far enough, as Berkeley discovered via the explosion route. Kerr, the administrator-philosopher, wonders now whether a new sense of responsibility will match the new freedom. It is one thing to give free rein to lawful political activities, but what happens when the campus is used as a staging ground for activities that cease being legal after they leave the campus or when outsiders exploit campus freedoms for their own purposes?

These worries beset Kerr as he sits in his lovely glass-walled home on a terraced slope high above San Francisco Bay. But there is no defeatism in his total estimate. He recognizes that Cal's very nature makes it at once a casaulty of social stress and a healer of it. In the next academic year 7,100 more students will be on the university's rolls, and the upward movement is so rapid that the long-range projections made in 1960 already have been thrown away as ludicrously inadequate. By the year 2000 the student roster will be at least 273,000.

In this period when technical knowledge is outrunning social intelligence, Berkeley is a precious national asset. The reforms and reappraisals spurred by the student rebellion are making it a better institution of learning. They are also making it a more creative force in a democracy seeking to keep the individual from suffocating in an environment of bigness. Torn a year ago with conflict so determinedly destructive that it often degenerated into nihilism, this campus throbs these days with a search for helpful new answers to the problems of identity and individual purpose.

Yet, paradoxically, these indications of expanded vitality are accompanied by a disturbing sense that Berkeley may be in greater peril of academic decline and political assault than at the seething height of the revolt. For millions in California and the nation, its name has become a synonym for student anarchy; and, even though that image never had much validity and is now principally a product of cultural lag, Berkeley could pay a high price in legislative harassment and in reluctance of outstanding professors from other institutions to join its faculty.

"The essence of a great university," says Cal's credo, "is an atmosphere of freedom. Originality and creativity cannot long breathe any other air." If the infantile extremists on its own campus and the off-campus forces of repression do not combine to obliterate that atmosphere of freedom, Berkeley will remain the great source of new ideas and new skills to serve all men that it has been for nearly a century. It may even become a greater one.

The tendency to focus exclusively on the immediate movements and problems at Berkeley has too often obscured the real Berkeley story—a story of intellectual excellence combined with a commitment to the advancement of knowledge that can benefit all mankind.

Buried, for example, in the tumult and the shouting is the unmatched Berkeley record of service in the Peace Corps. In the 5 years of the Peace Corps' existence, the Berkeley campus has provided almost twice as many applicants as any other college or university in the country. It alone accounts for roughly 10 percent of the acceptances for Peace Corps service. Berkeley students are serving in 37 countries around the world. This year Berkeley became the first university to sign up more than 1,000 students in a single year for the Peace Corps entrance examination.

Here at home where the problems are closer and perhaps even more complex, these students have been equally willing to help. Well over a thousand of them are involved in projects around the bay aimed mainly at raising the education level of minority and underprivileged groups. These include more than 300 students who have worked without pay each week in the Berkeley schools as tutors, teacher aids and playground directors.

Other students teach high school in San Quentin Prison, teach classes for illiterate, non-English-speaking families in southern Alameda County, counsel potential juvenile delinquents in the big cities, and serve as guides and big brothers for programs which seek to raise the horizons of young people. The many hours spent each week in person to person relationships create a more vivid and realistic understanding of the problems of human despair, ignorance and poverty than can ever be learned or appreciated in the classroom.

Let me emphasize that the sit-in and the picket are simple assignments by comparison with the hour after hour, week after week jobs being done by these hundreds of students.

Training these intellectually exciting students is one of the most distinguished faculties to be found in the world; a faculty which includes nine winners of the world's most coveted award, the Nobel Prize. One cannot, as a matter of fact, think of any area of inquiry—whether in science, social science or the humanities—in which Berkeley scholars are not in the vanguard of probing at the very frontiers of knowledge.

Since the pioneering days of Ernest Lawrence, Emilio Serge, Glenn Seaborg, and others, Berkeley has been the world's center of high energy physics. Today, the Lawrence Radiation Laboratory is pressing forward on a dozen fronts to expand our knowledge on the basic substance of matter.

Scientists in the Hormone Research Laboratory discovered the complete chemical structure of the human growth hormone—a rare and exceedingly important substance they first isolated 10 years ago. From this work there is now a strong hope that human growth hormone can be synthesized and even tailor-made in new forms to treat problems of human dwarfism and other diseases.

Cell physiologists made significant new steps in understanding the process of photosynthesis—which is the basis of all life on earth. Radio astronomers detected a strange new energy phenomenon they call "mysterium" in far reaches of the galaxy. Virologists isolated for the first time the infectious genetic substance from influenza virus particles. Nutritionists conducted fascinating and vital experiments to develop the foods that our astronauts will eat on long-term space voyages. Engineers completed massive tests in a giant fog chamber to aid the development of safer runways and landing techniques for commercial airlines.

Berkeley's pioneering work in understanding the chemistry of human intelligence became the most talked-about topic at the annual meeting of the American Association for the Advancement of Science—an event that drew more than 7,000 scientists to the campus and made Berkeley the world's scientific capital for a week in December of last year.

But Berkeley's excellence has not been limited to the physical sciences. The publication this last year of the sweeping and incisive study of the root causes and forms of anti-Semitism in American Society is only an example of the contributions that have been made here.

In the arts and humanities, in law and social welfare, in economics, political science, and many other schools, colleges, and departments, this great and diverse university has been a leader in teaching and research. Its record stands for itself as a proud monument to what has been achieved and a beacon for the constant search into new paths of learning.

Mr. Speaker, in closing I would like to include an article which appeared in the New York Times on June 21 of this year, entitled "The Students' Protest." It is a pointed warning that a Communist does not lurk under every bush of student discontent and that dissent is both the voice of an awakened generation and a path to even higher achievement in higher education:

THE STUDENTS' PROTEST

In characterizing the student protest movement as the creature of the Communist party, the Senate Internal Security Subcommittee has impugned the idealism and seriousness of purpose of many young Americans.

Inevitably, Communists and their fellow-travelers have tried to exploit undergraduate dissatisfaction, just as they have attempted to make capital out of legitimate efforts to do battle against social or economic injustices in the past. But the fact is that, after years of apathy, many of the brightest and best young men and women on college campuses have begun to show deep concern over questions of war and peace, civil rights and the quality of the education they seek.

In calling the students' campus grievances "either fraudulent, created, stimulated or exaggerated as a catalytic means of setting off mob explosions," the committee overlooked the fact that conservative and highly respected educators had previously warned that undergraduates on many campuses were becoming the forgotten men. The distinguished American Council on Education last year devoted its annual meeting to what it considered the just grievances of the nation's undergraduates. Moreover, even the violent explosion at Berkeley brought in its wake important educational reforms which promise to improve higher education on campuses across the country.

If objections to present draft procedures may have put student rebels in the same corner with some Communists, they are also in the company of Defense Secretary McNamara and a number of Senators. This fact should remind the committee once again of the dangers of guilt by association—a lesson it never seems to learn.

Mr. HANNA. I thank the gentleman for his contribution.

Mr. Speaker, I yield now to the gentleman from California [Mr. BELL].

Mr. BELL. Mr. Speaker, I wish to thank Congressman HANNA for his dedication to this cause, and for his kindness in providing me this opportunity to speak on this matter.

Mr. Speaker, today the role of our Nation's universities is more vital than ever, and their place in American society more firmly established.

For education is not, and cannot be, for the intellectual improvement of the individual alone.

Education must now more than ever be oriented toward the solution of community, State, and National problems.

A university that imparts a high quality of education for individual improvement and satisfaction, and at the same time instills in its students a sense of mission in the practical and complex affairs of man, and orients them toward fulfilling that mission—such a university is one to be encouraged and praised.

The University of California admirably fulfills the two interrelated goals of improving the individual intellectually and preparing him to utilize his fullest potential for a better world. All campuses in the university system share these goals.

Those of us from the Los Angeles area have special regard and respect for the Los Angeles campus of the University of California.

As the fastest-growing major university in the country, it reflects the vitality that characterizes the southern California environment.

Sharing the entire University of California mantle of academic excellence and sense of purpose, UCLA has, in an incredibly short period of time, developed into a first-rate distinguished university in its own right.

UCLA began in 1919, as a 2-year teachers' college.

In less than half a century, attendance has grown from 250 students to more than 26,000.

The campus has expanded from 25 to 411 acres.

A handful of old buildings has been replaced by 63 modern, well-equipped classroom and laboratory structures.

And the faculty has increased from 30 to 2,200.

The growth has been in quality as well as in quantity, for on the faculty are two Nobel Prize laureates, more than 20 members of the National Academy of Sciences, and scores of Guggenheim, Fulbright, and Bancroft Award winners.

This high academic quality reflects the total commitment to public education that has characterized California since statehood.

The people and the officials of the State have consistently supported this commitment.

They have supported the essential role of education as a cornerstone for a Democratic society.

Today, we take great pride in the fact that from kindergarten through advanced post-doctoral training, the State of California offers tuition-free education for those who can profit from it.

At UCLA, this commitment has been translated into a totally integrated major university composed of 14 schools and colleges, 75 departments, and 30 special research institutes and centers.

The new Health Sciences Center has already become world-famous in the field of medical education and research.

In the arts, the campus has become a major cultural center for the entire Los Angeles metropolitan area.

Its Department of Theater Arts, among the most outstanding in the Nation, has won innumerable awards.

The recent addition of the world-famous Wellcome collection of primitive art to the already extensive UCLA collection has created one of the great national resources that assist us in understanding cultures other than our own.

In the final analysis, however, laboratories, classrooms, and art collections cannot make a school great.

There must be leadership.

An institution must thoroughly understand its mission and be thoroughly committed to its goals and to its purpose in society.

Chancellor Franklin Murphy has given UCLA this kind of leadership, and has repeatedly shown his awareness of the essential purpose of a university.

His recent remarks to the departing graduates at the June 9 commencement summarize his own beliefs and establish this dual course for the university.

I should like to end my own remarks with several statements from Chancellor Murphy's speech. These statements emphasize his feeling of commitment to community and national responsibility:

Over the past century, while our universities were directly applying their talent to society's problems, there has been an enormous quantitative, as well as qualitative, development of scholarship in its purest, nonapplied form in these same institutions.

The genius of the American university is that it has shown beyond doubt that it can, at the same time, house and support theory as well as practice, without violence to either, often for the mutual enrichment of both and always to the advantage of the whole society.

We must be in the library, but we must be in Watts.

We must be in the laboratory, but we must also be on the moon.

We will be in the lecture rooms, but we will also be in the operating rooms.

Without apology, indeed with undisturbed and I hope growing commitment, we will serve the world of pure scholarship and the world of man and his problems, and both with distinction.

We can have every confidence that the university will increasingly become the vigorous beating heart of the society and will never be in danger of becoming its irrelevant and vestigial appendix.

Mr. HANNA. Mr. Speaker, I thank the gentleman. I yield to the gentleman from California [Mr. TUNNEY].

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I would like to join my colleagues from California in honoring a great educational system, the University of California.

There is a campus of the University of California in my district. The UCR campus was established in Riverside in 1907 as an experiment station in citrus agriculture. The station moved to the present site in 1917. In 1954 the college of letters and science opened with 127 students; and the graduate division and college of agriculture were instituted in 1960 and 1961 respectively, following the designation of UCR as a general campus of the university in 1959.

Today more than 3,100 students attend UCR majoring in a variety of academic fields complete through the Ph. D. degree. UCR expects an enrollment of at least 10,000 by 1970. The citrus research center and agricultural experiment station in its more than 50 years of operation has become a world center for research in its special fields.

UCR now includes the college of letters and science, college of agriculture, graduate division, citrus research center, and agricultural experiment station of southern California regional headquarters of the agricultural extension service, university extension regional office, air pollution research center, Phillip L. Boyd Desert Research Center, and Dry Lands Research Institute.

Research carried on here is proving invaluable to the solution of various problems affecting the local community, the State, and the Nation.

The University of California is one of the finest educational systems in the world and continues to be responsible for great strides in educational progress.

The chancellor of the University of California, Riverside, Mr. Ivan Hinderaker, has demonstrated in the past 2 years that he is capable of meeting the challenges of university education for the future.

There are now at the University of California, Riverside, 834 graduate students in 16 Ph. D. and 23 M.A. programs.

It is really quite an outstanding example of what can be done.

I submit for the Record a statement and various articles concerning the University of California, Riverside:

UNIVERSITY OF CALIFORNIA, RIVERSIDE

Among the general campuses of the University of California, Riverside, along with Davis and Santa Barbara, might be called second generation.

Berkeley and Los Angeles, then, are first generation, with both at or near an enrollment of 27,500 students, and with both already highly developed in graduate and professional schools and a broad range of research institutes as well as in undergraduate instruction.

The third generation would include the Irvine and Santa Cruz campuses which opened in 1965, and San Diego, which began operation as a general campus the same year.

University of California, Riverside, admitted its first students in 1954. In that year there were 130 undergraduates; in the fall of 1965, there were 2,700.

Graduate Division offerings date from 1960, with 20 graduate students that year. In 1965, there were 834 graduate students in 16 Ph. D. and 23 M.A. programs.

The College of Agriculture began functioning in 1961, developing out of the Agricultural Experiment Station which was established in Riverside in 1907 and which has been located on the site of the UCR campus since 1917.

Professional schools will include a School of Engineering, and a Graduate School of Administration, both to begin operation in 1967.

Principal research institutes relate to the study of land, air, and water resources and their inter-relationships in the environment. UCR is the headquarters for the university-wide and interdisciplinary Dry Lands Research Institute and the Air Pollution Research Center.

Out of its agriculture component, UCR has gained worldwide recognition for its comprehensive research on all aspects of the production of citrus and avocados.

UCR's second mark of distinction is a level of quality in undergraduate instruction which has earned for this campus a ranking with the best of undergraduate educational opportunities in the country.

UNDERGRADUATE EDUCATION

Throughout the planning for the College of Letters and Science at Riverside and during the first years of operation, the concept of the instructional program was exclusively undergraduate liberal arts. In addition to the undergraduate liberal arts focus, the plan called also for a relatively small number of students—a "Swarthmore-type" of institution within the University of California. Members of the faculty were recruited not just as faculty members, but because each had a deep sense of commitment to the undergraduate student, to creating an environment where faculty and students might work closely together, to academic excellence, and to remaining a small liberal arts college.

In 1959, The Regents designated UCR a general campus of the University. Although the original limited-purpose campus plan has been changed, faculty concern about the undergraduate mission and academic excellence has continued as one of the most important characteristics of UCR. These faculty attitudes, in turn, have produced a similar kind of commitment to academic excellence in the general student body. And out of the interaction between this kind of faculty and this kind of undergraduate students has come such comparative evidences of outstanding results as the following:

Some 55 percent of UCR graduates go on to graduate or professional schools.

In a recent report of the American Council on Education ranking colleges and universities in the percentage of national graduate fellowship winners among those who earned bachelors' degrees in the years 1960 through 1963, UCR was in 12th position along with Pomona and Wesleyan. Among public institutions, UCR was second after Queens College; among institutions classified as "major recipients of federal science research funds," it was third after Caltech and M.I.T. On the Pacific Coast, UCR and Pomona were ranked together after Caltech and Reed College.

In another study, covering the past 20 years, the Woodrow Wilson National Fellowship Foundation ranks UCR fifth among California institutions in the total number of Woodrow Wilson Fellowships won (after University of California, Berkeley, Stanford, UCLA and Pomona). Although the implications are broader than undergraduate education, it is in point to cite here also the 1966 Guggenheim Foundation announcement of faculty fellowships. The Foundation lists the institutions in the order of number of fellowships awarded on each campus. UCR had six, ranking 12th nationally after Berkeley with 27; Columbia, 15; Pennsylvania, 13; UCLA and Yale, 11 each; Harvard, 10; Princeton, 9; Cornell and Chicago, 8 each; and Illinois and Minnesota, 7 each.

Such data as these represent only crude indices of something as difficult to measure as quality of undergraduate education. The data, however, do reinforce conclusions reached some time ago by UCR undergraduate students and faculty. Both groups, in fact, tend to take a "marine corps" type of pride in what they, together, have had a part in creating on the Riverside campus.

As UCR's enrollment increases and as general campus functions continue to broaden, much is being done to insure a continuing high quality of undergraduate instruction. With the aid of a grant from The Regents, an Educational Evaluation Committee of the faculty has recently completed an 18 months study which suggests future academic directions for the campus. Its twenty-five major recommendations are now being considered for action by the faculty and administration.

The recommendations are too detailed and too wide-ranging in subject matter to be summarized meaningfully here. But several of the proposals in one area, Experimental Undergraduate Programs, might be cited as illustrative of the approach of the Committee.

1. Undergraduate Houses—These Houses would provide a physical center where relatively small numbers of students could study and live together, creating an atmosphere in which learning becomes an integral part of a total way of life shared by all. Several Houses would offer quite diverse curricula and different styles of instruction, but all would be administrative sub-units of the College of Letters and Science.

2. Freshman Tutorials—The tutorial technique can be profitably adapted for use at the entering freshman level, particularly in the student's intended major or field of general interest. The Report suggests: "During his first, critical quarter each freshman . . . would have a responsible member of the faculty, whom he really knew, naturally and conveniently available to him in case of need. The tutor meanwhile could watch the progress of his group through the quarter and be in a position to help its members cope with their problems before they reached a magnitude to be overwhelming. This argument for the freshman tutorial will, we believe, become increasingly cogent as the campus increases in size."

3. Intensive Single Area Course (ISAC)—The ISAC program would create groups of entering freshmen, from 100 to 150 students each, with each group dedicating its attention to one single academic area for one quarter. The group would then reorganize for the study of another single area (usually interdisciplinary) for the next quarter. There might be four ISAC quarters—two in the humanities and one each in the social and natural sciences. The Report comments: "After the same group of people have met together repeatedly they know something of each other's ideas, capabilities, and interests; hence they can carry on discussion at a higher and more productive level than if they were new to each other."

4. The Structured Minor—This would be an alternative to general College of Letters and Science breadth requirements. The student could pursue intensive work in an area well removed from his major. A carefully selected number and pattern of courses, cutting across department and divisional lines, would constitute the minor. "The Committee recommends this as an alternative in the belief that the liberally educated man need not be simply the one who, in addition to a preparation for professional training, has had an introduction to Letters, Arts, and Sciences, but may also be the one who demonstrates a genuine depth of understanding of a subject of his interest outside his professional bailiwick."

Several experimental adaptations of these and other Educational Evaluation Committee recommendations for undergraduate education are underway. All of them aim toward the introduction of greater flexibility in the undergraduate program—flexibility to better enable each individual student to develop as closely as possible up to his own level of potential.

Undergraduate instruction in the College of Letters and Science is organized in the several departments of the humanities and fine arts, social sciences, life sciences, physical sciences. There are undergraduate majors in 29 fields, all leading to the A.B. degree. Course work is provided for elementary and secondary teaching credentials, although there is no major in education or physical education. Pre-professional work in the College of Letters and Science is available for most professional fields.

Undergraduate instruction in the College of Agriculture began in 1961 with a curriculum representing a wide departure from traditional patterns of agricultural education in the United States. At Riverside, the emphasis is placed on providing a broad general undergraduate education, with good breadth in the humanities and social sciences, as well as solid training in the basic biological and physical sciences. Under the single agricultural science curriculum, students may elect fields of interest from agronomy, biochemistry, entomology (including biological control), horticultural science, nematology, plant pathology, soils and plant nutrition, and vegetable crops. The breadth of the program provides for students going on to graduate school a flexibility in selecting their fields of study at the graduate level to a degree generally not possible for those from highly specialized undergraduate programs.

Other features of student life at UCR include opportunities for original undergraduate research in such laboratory sciences as biology and chemistry or, more generally, in departments which offer the senior thesis. The opportunities also include programs offered by undergraduate language houses for French, German, and Spanish. These houses provide a rich variety of academically oriented extracurricular activities in addition to promoting oral facility in the languages.

GRADUATE EDUCATION

Limited graduate study opportunities in agriculture were available on the Riverside campus for many years before 1960 through off-campus degree programs under which graduate students who had completed all formal course work and preliminary degree requirements on another University of California campus were permitted to pursue research problems at Riverside. In such cases, however, the degrees were awarded, upon completion of requirements, by the campus of origin.

Following the designation of the Riverside campus as a general campus of the University, plans were formulated to undertake graduate instruction as an integral part of the total campus curriculum. By the fall semester of 1960, a program leading to M.A. and Ph. D degrees in chemistry was initiated, with 17 students enrolled. In the spring of 1961, additional programs leading to the M.A. degree in physics and the general elementary and general secondary teaching credentials were undertaken, with an additional 19 students. In the fall of 1961, M.S. and Ph. D work was available in entomology, plant biochemistry, plant pathology and soil science. Since then, growth has been rapid.

In 1965, there were 834 graduate students of whom 648 were enrolled in departments in the College of Letters and Science and 186 in the College of Agriculture. There were Ph. D. programs in anthropolgy, biochemistry, biology, chemistry, comparative literature, economics, English, entomology, French, geological sciences, history, mathematics, physics, plant pathology, plant science, political science, psychology, soil science, and Spanish. M.A. or M.S. programs could be selected in these Ph. D fields and, in addition, in geography, German, music, philosophy, and sociology.

Programs beyond the baccalaureate degree leading to teaching credentials with specialization in elementary, secondary, and junior college teaching and for the teaching of exceptional children are also administered through the Graduate Division.

UCR's first Ph.D. was granted in January 1963. In the spring of 1966, 40 Ph.D. degrees were conferred: 14 in agriculture fields, 11 in physics, 8 in chemistry, 4 in mathematics, 2 in zoology, and 1 in history. M.A. and M.S. degrees totaled 88.

CONTINUING EDUCATION

University of California Extension, Riverside, has responsibility for continuing education programs in Riverside and San Bernardino Counties. Over 12,000 students enroll annually in approximately 450 courses in 25 communities. Special programs are scheduled in the population centers of Riverside, San Bernardino and Ontario, and in more distant and somewhat isolated communities as Barstow, Needles and Blythe. Increase in enrollment is 20 percent annually.

About 60 percent of Extension students hold undergraduate degrees, and an additional 20 percent hold such advanced degrees as LL.B., M.A., Ed.D., and M.D. Except for 3 percent, the remainder have done some work in a college or university.

Teachers comprise the largest portion of Extension student population, some 50 percent. Students electing work in business, engineering, and technical subjects make up about 25 percent. Government employees studying social welfare, probation, environmental problems, and resource utilization account for another 10 percent of the enrollment. The balance are interested citizens (physicians, attorneys, community leaders, housewives) who register in a variety of courses, lecture series, one-day conferences, and discussion groups. These programs consider community, state, national, and international issues, cultural and social problems, and other subjects which the participants see as contributing to their intellectual and personal development.

Interdisciplinary lecture series presented in recent years include: Politics of Urban Upheaval, The Urban Environment, The Renaissance and Twentieth Century Man, California Water Resources, Recent Developments in the Social Sciences, The Development of Creative Abilities, Education of Gifted Children, Controversial Issues in the Classroom, Communism in Theory and Practice, and The Negro in American Society.

One-fourth of the programs of University Extension are specially designed to refresh and extend the professional and civil knowledge of adults by presenting the most recent results of research and other scholarship. The programs utilize community leaders and specialists as well as academic staff as teachers. Various formats including courses, conferences, lecture series are used in presenting these programs.

AGRICULTURAL EXPERIMENT STATION

The Agricultural Experiment Station conducts research on a broad spectrum of subjects ranging from fundamental problems of cellular and molecular biology, plant and invertebrate animal ecology, basic aspects of breeding and culture and protection of plants to the application of such information to the applied problems of agriculture. The work is being done on 550 acres of campus land in Riverside, on an 840 acre tract in nearby Moreno Valley, and at field stations in Tulare, Orange, Imperial, Los Angeles, and Ventura counties; and with cooperating growers throughout the central and southern portions of California.

At the 50th anniversary of the Agricultural Experiment Station in 1957, a citrus industry leader said that accomplishments by scientists at the Station "have frequently been the difference between the life and death of certain of our agricultural industries." What have the Riverside scientists accomplished in more than half a century?

When the Experiment Station was established in 1907, there was little scientific knowledge about citrus growing. Today there is no other fruit—except possibly the apple—about which more is known. This is true because of projects such as the rootstock studies started in 1913. Horticulturists found that the vigor of the scion, or top, could make up for a less vigorous rootstock. One of the most valuable rootstocks the citrus industry now possesses is the Troyer citrange. Resistant to tristeza, hardier in cold weather, fast-growing in old citrus soil, Troyer rootstocks are used on about two-thirds of the two million citrus trees propagated yearly in California.

The discovery and control of brown rot gummosis laid the foundation for research by others that developed virus-free and virus-resistant citrus strains. University of California scientists found that tristeza—a worldwide "killer" disease of citrus—is caused by a virus.

One of the most far-reaching contributions to scientific knowledge was the work on black alkali soils in the 1920's. This provided the first complete explanation of the origin and nature of black alkali soils, which led to the reclamation of many thousands of acres throughout the world.

An early and serious affliction of the citrus industry was mottle leaf which causes leaves to lose chlorophyll, leaving only ribs and veins of green, and decreasing the size of fruit, its quality and yield. Studies pinpointed the cause of mottle leaf as a zinc deficiency which could be overcome by zinc sprays.

Another Experiment Station accomplishment enabled growers to make a profitable shift in marketing navel oranges and to increase the size of the fruit. Horticulturists discovered that spraying navel orange trees with 2.4-D held the fruit on the trees. This achievement gave new life also to the state's grapefruit industry by making it possible to keep fruit on trees until it could reach maximum quality and be sold at the best price.

The first commercially successful synthetic organic acaracide—a dinitrophenol compound—was developed in the late 1930's. For many years this was the walnut and citrus growers' chief weapon against red spider mites.

One Experiment Station project alone eliminated a large economic loss to California citrus growers. The citrophilus mealybug, which appeared in 1913, spread rapidly, and by the mid-1920's was affecting more than 100,000 acres of citrus. In 1927 an entomologist went to Australia to seek a natural enemy of the mealybug. Two of the parasites he found thrived when released in California. Within a year the mealybug ceased to be an economic threat.

Members of the citrus industry generally consider the Experiment Station's work with parathion, malathion and other new pesticides to be among its foremost contributions. Shortly after the organochlorine and organic phosphrous compounds appeared during World War II, Station entomologists found DDT and parathion to be highly effective in controlling citrus pests. Within a few years these and other new compounds replaced cyanide fumigation and partially replaced oil sprays.

Riverside entomologists not only pioneered in developing new insecticides, but also played a leading role in determining how insects are able to resist once-lethal chemicals after a few years of exposure to them. These scientists were instrumental, too, in devising ever more sensitive methods of detecting the residues of chemicals applied for insect control. From this research came a complete methodology for finding and measuring residues.

"Plants that bite back" is a phrase frequently used to describe crops treated with systemic insecticides. Fed to the plant by spraying on leaves, through irrigation water or by direct injection, these compounds enter the sap system, and insects feeding on the plant are killed. Riverside entomologists devised a way of applying a systemics to cotton plants. Whole infestations of mites and aphids could then be wiped out.

Teamwork has characterized University investigations of agricultural problems, and nowhere is this better illustrated than in control of the spotted alfalfa aphid. Alfalfa growers lost several million dollars each year from 1954 to 1957 in extra control costs and unmarketable alfalfa because of the aphid. By 1958 a University-wide team reduced the aphid to the status of a minor pest by developing better chemical controls, by spreading beneficial insects imported from the Middle East and by introducing aphid-resistant types of alfalfa.

Riverside biological control experts have fought successful campaigns against three other pests: the walnut aphid, the pea aphid, and the green peach aphid. Imported wasps colonized and distributed in infested fields brought these pests under control.

In 1953 the khapra beetle became a serious pest of stored grain in California, Arizona, and New Mexico. By using University tested chemicals, state and federal officials initiated a program which achieved complete eradication of the insect.

Nematologists found a way to fumigate nematode-infested soil so that new trees could safely be planted. Safe methods were found for treating soil around growing trees in mature orchards. In general, these treatments have increased yields by from one to three boxes of fruit per tree a year. Similar increases have been obtained by treating land planted to vegetables.

Weed control by chemicals is an important phase of Riverside's work. Plant Physiologists have established safe and effective methods of using new chemicals that often have cut weed control costs in half.

DRY LANDS RESEARCH INSTITUTE

The Dry Lands Research Institute was created by The Regents in November 1963. In announcing its establishment, President Kerr noted the importance of dry land regions of the earth to the existing population, the vital need to learn how to use them for the benefit of the vastly increased numbers of people foreseen in the future, and the opportunity which exists to aid in this through significant, long-range research programs and related training activities in agricultural, biological, physical, and social sciences.

The objectives of the Institute are: to create a major center for interdisciplinary research on significant problems relating to man's use of the dry regions of the earth; to institute training programs to develop experts who can manage such dry land areas; and to serve as a vehicle for the extension of university research and instruction into important dry land areas abroad. Headquartered at Riverside, the Institute is a University-wide organization. Principal support for the Institute has come from the Rockefeller Foundation.

AIR POLLUTION RESEARCH CENTER

The Air Pollution Research Center was established on the Riverside campus in 1961 as an organized research unit to further University-wide faculty research and teaching in the various phases of air pollution. The objectives of the Center include: identification of pollutants and a study of their effects upon man, and biological and physical systems; studies of the fundamental chemical and physical reactions of pollutants in the atmosphere and their impact upon air quality; evaluation of community, industrial, and agricultural sources of pollution, and meteorological factors involved in the pollution of man's air environment; assessment of the effects of air pollution and control measures on the economic, social, and political life of the state; and development of the concept of air resource use and management for man's domestic, industrial, and recreational needs.

The Center serves as a central agency to stimulate, solicit, and support statewide faculty participation in research areas requiring investigation, bolster research in critical areas, encourage and arrange for postdoctoral visitor participation in the statewide program, and sponsor graduate student participation in departmental activities organized under the aegis of the Center. In addition to facilitating cooperation among the all-campus faculty participants, the Center collects and distributes timely information among scientific workers and conducts intracampus seminars and conferences in all fields relating to air pollution.

[From the UCR Highlander, Nov. 17, 1965]

CHANCELLOR'S COLUMN—EDUCATIONAL OPPORTUNITY SCHOLARSHIPS SUPPORTED

(By Ivan Hinderaker)

This column is in support of ASUCR's Fall Drive for the Educational Opportunity Scholarship Program.

Five students this year hold such scholarships. All were scouted for UCR, and sold on UCR, by Life Science Professor Eugene H. Cota-Robles through his work in the Mexican-American Movement.

This organization has worked in area high schools, attempting to counsel Mexican-American students. It has provided stimulus to students for continuing their education, and has sought scholarship funds for individuals of high promise.

The five Educational Opportunity Scholars have that kind of promise. The story of each is different, but all share in the desire to make a special contribution to the advancement of the Mexican-American community within the setting of our U.S. society.

Two want to become secondary school teachers; two seek careers in medicine; one, in journalism or law.

Next year it is our hope to double the program and to include students from other groups. From what has been a one-to-one matching arrangement, the Regents recently agreed to match five-to-one funds raised by students, faculty, and staff, and by others locally.

The returns to UCR in general, and to students in particular for our individual efforts in this drive will be great. I invite your generous contributions.

There is news elsewhere in this issue about the Cal-Club coordinated bake sale, International Club Dinner auctions on Sunday, movie concessions on Friday and Saturday and opportunities to contribute at the Political Union debate on Viet Nam on Friday and the UCR-Cal Lutheran football game on Saturday.

To this should be added the chance to send checks made out to The Regents (for UCR Educational Opportunity Scholarships) to Ralph Allison, Chairman of the Fall Drive Committee, ASUCR. If you should forget Mr. Allison's name or address, the Chancellor's Office will be happy to receive and transmit your contribution.

Although we can't always live up to the ideal, one of the great things about American society is the opportunity for anyone to advance, provided he has the ability and is willing to put out the effort. Often it is education which opens the door. Increasingly is education a necessity.

All men are not born equal. That is something which cannot be.

Something which can be, however, is an environment in which, for all men, there is an equal opportunity—never perfect, perhaps, but nonetheless an equal opportunity.

That is what the Educational Opportunity Scholarship Program is all about. That is what leads me to hope that soon we can go far beyond scholarships, working with other public and private segments of education in the Inland Empire toward a massive attack on the problem of development of human potential.

[From the Regents' meeting, May 22, 1964]

THE CITRUS RESEARCH CENTER AND AGRICULTURAL EXPERIMENT STATION

The year 1907 was full of exciting new developments. Marconi began operating his transatlantic wireless telegraph. The U.S. Army called for the first bids on a practical airplane, and Army engineers took over work on the Panama Canal. It was a year when you could buy a Cadillac for $800 or a Success Automobile for $250, with rubber tires optional. William Jennings Bryan was nominated for the Presidency—San Francisco was already rebuilding on its ruins—and the University of California founded the Citrus Experiment Station at Riverside.

It was a good year for citrus crops and yields worth $5,000 an acre were by no means exceptional—yet Southern California growers had called for scientific help.

Competitors were springing up in Florida, northern California, Puerto Rico and South Africa. Since 1873, when the first navel orange trees arrived in Riverside, local growers had fought to establish their industry against obstacles consisting of plant disease, irrigation problems, nutritional deficiencies, occasional frosts and inevitable insect pests. These were the problems citrus men wanted the Station to solve.

Yet the first head of the Citrus Experiment Station, Professor Ralph E. Smith, prophetically told growers at a citrus institute held in Riverside in 1907: "This . . . is not necessarily an exclusively citrus experiment station. . . . While its greatest efforts must naturally be in this direction . . . there are problems relating to other fruits and products. . . . Such matters will receive the proper consideration."

At its founding, the Citrus Experiment Station consisted of two small cottages and a stable on the eastern slope of Mt. Rubidoux, about four miles west of the present Riverside campus. Its two-man staff conducted fertilizer experiments but performed little other research.

EARLY DEVELOPMENT

Professor Smith was succeeded by Professor J. Eliot Coit, who served as Superintendent of the Station from 1911 to 1912. He was followed in 1913 by Professor Herbert John Webber, the first man to hold the title of Director of the Citrus Experiment Station.

In 1914, CES had a total staff of 18 and an annual budget of $60,000. Its 11 research men were busy turning out information on fertilizers, rootstocks, new varieties of citrus, orchard heating, citrus diseases, packing-house problems, and nematodes—the insidious soil worms that had just been found in almost every section of California.

In 1917 Professor Webber and his staff moved into a newly constructed building three miles east of downtown Riverside. The three-story Spanish-type building, with a south wing, sat in isolation on the lower slopes of the Box Springs Mountains. Photographs taken by Professor Webber show a treeless sweep of rock-strewn hills, with a smogless view extending to the mountains north of San Bernardino. In 1931 a second wing was added to the main CES building and grass, hedges, flowers and trees lent beauty to the masonry.

Following Professor Webber as Director was the late Professor Leon D. Batchelor who, like his predecessor, was a former Cornell University staff member. He became Director in 1929 and served 22 years in that capacity. The Station continued to expand in staff, reflecting the rapid growth of California agriculture. During his 38 years on the CES staff (1915–53), Professor Batchelor saw the Station's land area grow from 30 to almost 1,000 acres, and in staff from 265 members.

One of the first agriculturists to realize the value of statistics and experimental plot design, Professor Batchelor initiated many of the long-term fertilizer experiments at Riverside. He helped the walnut industry solve problems involving diseases, processing and shipping. For the citrus industry he initiated the development of better rootstocks and varieties needed to combat disease and improve fruit quality. As administrator, he continued and strengthened Professor Webber's policy of hiring capable people and letting them work, free and uninterrupted.

The Station continued to expand in physical facilities, personnel and research activities under Dr. Alfred M. Boyce, who became its Director in 1952. CES scientists occupied most of a large new building, Webber Hall, in 1954. A cluster of structures appeared around the main entomology building between 1958 and 1961, the last being the U.S. Department of Agriculture's Boyden Entomological Laboratory. Greenhouses and other smaller structures stretched out like rows of dominoes. Agricultural land was increased to 1,100 acres as scientists' needs increased.

A vegetable crops group from Davis was added in 1955 and agronomists from Davis began operations at UCR in 1961. In the near future, it is expected that agricultural engineers from Davis and Los Angeles, ornamental and subtropical fruit horticulturists from Los Angeles, and perhaps agricultural economists from Berkeley will be transferred to Riverside.

CES: A MISNOMER

As the Station broadened its studies, the name Citrus Experiment Station became more and more of a misnomer. In 1961, therefore, the Regents renamed it the Citrus Research Center and Agricultural Experiment Station. This action recognized the changes wrought in 56 years; the Station had reached into areas far removed from citrus, yet it also remained the "world headquarters" for citrus research.

Since agricultural research requires large acreages, the campus in 1962 acquired 840 acres in nearby Moreno Valley, principally for field and vegetable crop studies. Riverside scientists and Extension specialists also use land at University field stations in Imperial, Orange, Los Angeles, Fresno and Tulare counties. Equally important to their work are the hundreds of acres lent to them by cooperating growers for use as test plots.

Currently CRC's staff consists of 350 academic and non-academic personnel. Its researchers have established international reputations in irrigation, soils and plant nutrition, insect control through chemical and biological methods, plant breeding, plant diseases, nematology, horticulture, vegetable crops and the biochemistry of citrus and avocado fruits. For studies of air pollution as it affects agriculture, Riverside is indisputably the nation's research headquarters. UCR became the University's focal point for smog investigations when the Air Pollution Research Center was established in 1961.

COLLEGE OF AGRICULTURE FORMED

Following closely upon their awarding of general campus status to UCR, The Regents in 1960 authorized formation of a College of Agriculture, with Dr. Boyce as its Dean. In developing the curriculum, faculty members of the new college decided to throw out old approaches that no longer seemed appropriate. Courses were designed to supply modern agriculture's need for more broadly educated men and women with a firm foundation in the fundamental sciences and the liberal arts. The aim was—and is—to give students a broad knowledge of the natural science; an acquaintance with the whole science of agriculture; a good knowledge of the humanities and social sciences; and a limited amount of specialization.

The College of Agriculture, although drawing upon the time and resources of research people, does not divert them from turning out information needed by agriculture's advancing technology. Moreover, graduate students conduct fundamental research on many problems of concern to the over-all agricultural research program.

The reputation of the Experiment Station in studies of problems in arid and subtropical agriculture has attracted graduate students from all parts of California, many other states and more than a dozen foreign countries. About 20 percent of UCR's total enrollment in the Graduate Division—more than 500 in the fall of 1963—consists of candidates for higher degrees in the agricultural sciences.

AGRICULTURAL EXTENSION SOUTHERN HEADQUARTERS

To aid in the extension of research information to farmers, UCR in 1954 was made headquarters for the southern region of the U.S. Agricultural Extension Service, with Assistant Director Harold W. Schwalm supervising the work of 20 Extension specialists and 75 farm and home advisers. Extension people work with the Citrus Research Center and Agricultural Experiment Station in bringing research findings to growers in San Diego, Imperial, Riverside, San Bernardino, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Kern, Fresno, Tulare, Madera, Inyo and Mono counties.

Farmers in this area produce fruits, nuts, livestock, field and vegetable crops with an annual market value of about $1.7 billion, or half of California's total farm production.

ACCOMPLISHMENTS OF UCR SCIENTISTS

What have the Riverside scientists accomplished in more than half a century of work with soil auger, sweep net, test tube and microscope?

The late Professor Howard Fawcett is credited with one of the greatest contributions to world citrus production: the finding that brown rot gummosis, which decays lemons and infects the bark of lemon, orange, and grapefruit trees, can be controlled by copper sprays. Professor Fawcett also showed that infected bark could be removed to save the tree from dying. The control of many other fungus diseases followed from his research. He and Professor Leo J. Klotz were the first to identify psorosis, the earliest virus disease known in citrus. This discovery laid the foundation for research by others that developed virus-free and virus-resistant citrus strains. Professor Fawcett and Plant Pathologist J. M. Wallace showed that tristeza—a worldwide "killer" disease of citrus—is caused by a virus. Today tristeza can be overcome through the use of resistant rootstocks.

As has been noted, walnut growers were among the first beneficiaries of research by the Citrus Experiment Station. (Until the mid-1930's, the state's walnut industry was centered in Southern California.) Professor Batchelor, seeking a way to prevent losses that occurred when whole crops had moldy, discolored kernels, found a simple solution: irrigate late in the season. This promoted the cracking of husks, making nuts drop clean and speeding the harvest. He also promoted artificial dehydration to further hasten processing, which allowed early merchandising to take advantage of the Christmas season trade.

One of the most far-reaching contributions to scientific knowledge was Professor Emeritus W. P. Kelley's work on black alkali soils in the 1920's. He provided the first complete explanation of the origin and nature of black alkali soils, which led to the reclamation of many thousands of acres throughout the world.

An early and serious affliction of the citrus industry was mottle leaf which causes leaves to lose chlorophyll, leaving only ribs and veins of green, and decreasing the size of fruit, its quality and yield. Studies by Professor W. H. Chandler, D. R. Hoagland, Agriculturalist J. C. Johnston and Professor E. R. Parker of Riverside, plus work by Florida researchers, pinpointed the cause of mottle leaf as a zinc deficiency which could be overcome by zinc sprays.

When the Riverside Experiment Station was established in 1907, there was little scientific knowledge about citrus growing. Today there is no other fruit—except possibly the apple—about which more is known. This is true because of projects such as the rootstock studies started by Professor Webber soon after his arrival in 1913. In 1929 this work was intensified by Professor Batchelor. Horticulturists found that the vigor of the scion, or top, could make up for a less vigorous rootstock. One of the most valuable rootstocks the citrus industry now possesses is the Troyer citrange. Resistant to tristeza, hardier in cold weather, fast-growing in old citrus soil, Troyer rootstocks are used on about two-thirds of the two million California citrus trees propagated yearly.

Another CES accomplishment enabled growers to make a profitable shift in marketing navel oranges and to increase the size of the fruit. Horticulturist William Stewart discovered that spraying navel orange trees with 2,4–D held the fruit on the trees until the beginning of the main Valencia orange season (June-July). Before 2,4–D, the fruit had to be picked by March, which hindered the controlled marketing of the fruit. Mr. Stewart's work also gave new life to the state's grapefruit industry by making it possible to keep fruit on trees until it could reach maximum quality and be sold at the best price. All packinghouses now treat lemons with 2,4–D to prevent black bottom fungus. This work by Mr. Stewart, in collaboration with Plant Physiologist Louis Erickson, removed what had been a very serious processing problem for the lemon industry.

The first commercially successful synthetic organic acaracide—a dinitro-phenol compound—was developed largely by Dean Boyce in the late 1930's. For many years this was the walnut and citrus growers' chief weapon against red spider mites, important pests affecting these industries. Dean Boyce's experiments with antimony compounds led to the use of tarter emetic for control of citrus thrips. He was also involved in pioneering work with DDT and several other new compounds for controlling walnut and citrus pests.

One CRC project alone has eliminated a large economic loss to California citrus growers. The citrophilus mealybug, which appeared in 1913, spread rapidly and by the mid-1920's was affecting more than 100,000 acres of citrus. It not only reduced the size of the crop but forced growers to pick fruit before it could be marketed profitably—otherwise the fruit would drop to the ground. In 1927 Professor Harry Scott Smith, founder and head of the University's unique Department of Biological Control, sent Biological Control Specialist Harold Compere to Australia to seek a natural enemy of the mealybug. Two of the parasites Mr. Compere found thrived when released in California. Within a year the mealybug ceased to be of economic importance. By allowing proper marketing of lemons and oranges, this success has added substantially to the value of each box of citrus fruit the state sells (current production: 30 million boxes yearly).

Shortly after the organochlorine and organic phosphorus compounds appeared during World War II, Station entomologists found DDT and parathion to be highly effective in controlling citrus pests. Within a few years these and other new compounds replaced cyanide fumigation and partially replaced oil sprays. Members of the citrus industry generally consider CRC's work with parathion, malathion and other new pesticides to be among its foremost contributions.

Riverside entomologists not only pioneered in developing new insecticides (especially the widely used carbamates), but also played a leading role in determining how insects are able to resist once-lethal chemicals after a few years of exposure to them. These scientists were instrumental, too, in devising ever more sensitive methods of detecting the residues of chemicals applied for insect control. From this research has come a complete methodology for finding and measuring residues. The techniques have been widely used in obtaining federal approval for the safe use of commercial insecticides.

"Plants that bite back" is a phrase frequently used to describe crops treated with systemic insecticides. Fed to the plant by spraying on leaves through irrigation water or by direct injection, these compounds enter the sap system, and insects feeding on the plant are killed. Riverside entomologists, headed by Professor Robert L. Metcalf, devised a way of applying a systemic to cotton plants. Whole infestations of mites and aphids could then be wiped out, eliminating troubles in picking, ginning and spinning that were caused by the sticky substance given off by the aphids.

Teamwork has always characterized University investigations of agricultural problems, and nowhere is this better illustrated than by U.C. response to the Sherman-like march of the spotted alfalfa aphid through California from 1954 to 1957. Alfalfa growers lost several million dollars each year in extra control costs and unmarketable alfalfa. By 1958 a University-wide team including biological control specialists, insect pathologists, entomologists and agronomists reduced the aphid to the status of a minor pest by developing better chemical controls, by spreading beneficial insects (imported from the Middle East) throughout the state and by introducing aphid-resistant types of alfalfa. Riverside entomologists played a major role in this victory over the spotted alfalfa aphid. Among these, the principal investigators were Associate Entomologist Robert van den Bosch, Associate Professors E. I. Schlinger and I. M. Hall, and Professor Robert Dickson.

Recently Riverside biological control experts have fought successful campaigns against three other pests: the walnut aphid, the pea aphid and the green peach aphid. Imported wasps colonized and distributed in infested fields by Mr. Schlinger and Mr. van den Bosch brought these pests under control. And there are strong indications that red scale—a pest that once cost citrus growers $10 million a year—has greatly diminished under the combined attack of effective chemicals and University-imported wasps from Asia, the latter program being headed by Professor Paul De Bach.

In 1953 the khapra beetle became a serious pest of stored grain in limited areas of California, Arizona and New Mexico. Entomologist David L. Lindgren led a Riverside effort to find chemicals that would stamp it out. Methyl bromide and malathion turned out to be the answer, and by using these chemicals, state and federal officials initiated a program which achieved complete eradication of the insect in 1962.

About 95 percent of California's 230,000 acres of citrus land (and of all other farmland, for that matter) is infested with nematodes. These tiny subterranean worms attack plant roots, causing production losses of 10 to 30 per cent. Nematologist R. C. Baines, in cooperation with Fred Foote of the Limoneira Co., Santa Paula, found a way to fumigate infested soil so that new trees could safely be planted. Recently Baines found safe methods of treating soil around growing trees in mature orchards. In general, these treatments have increased yields by from one to three boxes of fruit (lemons and oranges) per tree a year. Similar increases have been obtained by Nematologist I. J. Thomason by treating land planted to vegetables.

Weed control by chemicals is an important phase of Riverside's work. Plant Physiologist Boysie Day's weed control group has established safe and effective methods of using new chemicals such as simazine and monuron, working out accurate dosages for many crops growing in many kinds of soil. Often weed control costs have been cut in half through use of these chemicals.

BETTER IRRIGATION

The widespread adoption of tensiometers by growers of citrus, avocados and vegetables can be attributed to UCR studies by Professor Sterling Richards and his colleagues as well as to the "missionary" work of Agricultural Extension personnel in showing farmers how to use these soil moisture-measuring instruments. Better irrigation almost invariably results from their use, with consequent increases in yield and sometimes a saving of water.

Improvement of citrus varieties—a top-priority program in the California citrus industry—was made possible by the work of Howard Frost, Associate Plant Breeder, who in the 1920's investigated the invigorating qualities of nucellar seedlings. Since nucellars originate from seed, and virus diseases are not usually transmitted by seed, nucellars do not contain virus diseases; hence they produce better fruit. The use of nucellar seedlings thus provides the key to constant improvement of California citrus fruit quality.

MECHANIZED PICKING?

A Riverside horticultural project is speeding the mechanization of the citrus harvest. Early tests of a tree-working machine showed great promise and an improved version is under construction. Related to this project is industry's widespread adoption in the last three years of the "rapid pack" system of citrus packing, brainchild of the same UCR scientist, Professor Roy J. Smith. The system cuts packing costs by 25 per cent.

Improvement of quality also is being sought through the introduction of better varieties of citrus from foreign lands. Cooperating with the United States and California Departments of Agriculture, Riverside horticulturists and plant pathologists have planned and implemented a program of importing budwood, which is then carefully checked for five years for freedom from disease. As a result of this program, led by Professor Walter Reuther, Chairman of CRC's Department of Horticultural Science nurserymen and growers will eventually be able to obtain budding material from registered trees of known origin and varietal name, free of certain known virus diseases.

MIRACLE HORMONE

Lemon growers stand to benefit from a recent Riverside study involving the use of the so-called "miracle hormone," gibberellic acid. Horticultural Scientists Charles Coggins and Henry Hield found that applications of the material retard fruit maturation and tree flowering. This permits a shift in harvest to a time when demand is highest, and increases the proportion of first-grade fruit produced.

How well-fed is a citrus tree? This is a question growers would like to answer with certitude, because the nutritional condition of the tree, just as its freedom from disease, determines the quality and quantity of its production. The work of Professors H. D. Chapman and W. W. Jones, Horticultural Scientist T. W. Embleton and others at Riverside brought about diagnostic techniques for using visual symptoms, leaf analysis and soil analysis to determine the tree's state of nutrition. These methods are a tremendous advance over old rule-of-thumb ways of determining how much and what kind of fertilizers to use in an orchard.

CONTROL OF DECAY

Riverside Plant Pathologists Joseph Eckert and Martin Kolbezen have discovered and turned over to industry for development a compound they found highly effective in preventing post-harvest decay of citrus fruit. Such decay costs California and Arizona citrus fruit shippers at least $2.5 million a year. The chemical prevents decay in a wide variety of perishables: oranges, lemons, apples, peaches, pears, bananas, cut flowers and bulbs.

Potatoes, California's most important vegetable crop, have doubled their yield in many fields where potassium fertilization was increased. This was a result of nutritional experiments by UCR's Department of Vegetable Crops under the direction of Professor Oscar Lorenz. The study revealed a definite need for phosphorus fertilization in most parts of Southern California, and it determined the best nitrogen application rates for high yield.

BATTLE AGAINST SMOG

The Air Pollution Research Center at Riverside is the outgrowth of Southern California's long post-World War II battle with smog. It was 19 years ago (1944) that a young Riverside plant pathologist, John T. Middleton, discovered the first evidences of air pollution injury to certain vegetable crops in Los Angeles county. Since then smog has spread to 28 California counties; our farmers lose $8–11 million a year from injury to crops such as flowers and succulent vegetables. Growers of salad greens, spinach and lettuce, have been forced to move from populated southern areas either inland or north to Monterey, Santa Barbara and Ventura counties.

Smog damage to crops is not always spectacular. Often, only trained agriculturists can detect the various symptoms. But whether detectable or not, damage by air pollutants costs the farmer money. Because crops in polluted air take longer to mature, the farmer may have to use more water. His harvest yield is lower and its quality is poorer.

Riverside smog research has had three objectives: to learn what elements of smog are doing what kinds of damage; to seek methods of preventing crop injury; and to obtain basic information about smog that is needed in setting up countermeasures.

Professor Middleton and his colleagues, Plant Pathologists Ellis Darley and Robert Brewer and Horticultural Scientists O. Clifton Taylor found that vegetables, field crops, citrus, ornamentals and even pine trees on mountain slopes far from cities are damaged by pollutants in the air. Oxidants and ozone in smog cause brown blotches on leaves, reduce plant growth and usually cut crop yield.

Susceptibility to smog was found in citrus, grapes, cotton, alfalfa, oats, sudan grass, sugar beets, beans, beets, celery, endive, lettuce, onions, tomatoes, parsley, parsnips, spinach, Swiss chard, turnips, chrysanthemums, orchids, petunias, snapdragons, larkspur and rye grasses. Walnuts, prunes, peaches, apricots and plums are also victims of smog. In all, UCR surveys showed more than 300 plant species affected by air pollutants.

Prevention of injury by smog was shown by UCR researchers to be possible through use of chemicals such as zineb and vitamin C, but commercial application of these methods has not proved practical.

PAN ISOLATED

The first pure component of smog that causes both eye irritation and plant damage—PAN—was discovered and isolated in 1961 by Research Chemist Edgar R. Stephens at UCR. Subsequently he purified other compounds with the same characteristics: PPN and PBN.

Another study at Riverside seeks to learn whether brush burning and burning of farm wastes such as orchard prunings, barley, and rice straw contribute significantly to California's total air pollution.

Currently the Air Pollution Research Center is getting ready to consolidate its rather spread-out activities by moving into an Environmental Pollution Control building. Headed by Professor Middleton, the APRC will continue present projects and work in new areas involving more testing of the effects of smog on animals and people.

APRC research is substantially aided by grants from industry and governmental agencies (county, state and federal), totaling almost $700,000 a year.

A decade of painstaking investigation has shown California what smog is doing to its food supply; has helped set state standards for air purity in connection with abatement programs; and has determined that the only effective way of protecting people, crops and animals from injury by smog is to get rid of the main source—the exhaust emissions of automobiles.

LIFE AND DEATH

The true significance of Riverside's total agricultural research program may have been stated best by Mr. T. Allen Lombard, a citrus industry leader. At the Experiment Station's 50th anniversary celebration in 1957 he praised it for its worldwide influence and for accomplishments which "have frequently been the difference between the life and death of certain of our agricultural industries. . . ."

At another point Mr. Lombard said: "As an industry we are indeed fortunate to have had the leadership and farsighted thinking, not only of the men who directly lead this institution but also of the Board of Regents which through the years has enabled us to obtain sufficient funds and the brainpower needed to build this world-renowned institution, the Riverside Citrus Experiment Station. I think that this is probably a misnomer . . and feel from all the information I have that it should be called the World Citrus Experiment Station."

[From the UCR Highlander, Dec. 1, 1965]

CHANCELLOR'S COLUMN—LIBERAL ARTS EDUCATION NECESSARY IN FUTURE WORLD

(By Ivan Hinderaker)

Occasionally one reads something which, for him, has a special impact. The reaction is beyond just thinking the idea and style in which it is written are good. Rather, it is something like a loud "amen."

My latest experience of this came from reading an argument for liberal arts education by 38 year old Bell and Howell President Peter G. Peterson, writing in the Christian Science Monitor.

In two short decades, the world has been plunged into the atomic, computer, and space ages. The most descriptive word about what is going on around us is "change." Our problem, then, is how to help educate men so they are best equipped to cope with change.

After noting several kinds of managerial skills which undoubtedly will be necessary in any future, Mr. Peterson observes that information, however important, is not enough.

"It is far easier to get people to absorb new knowledge than it is to get them to alter their conclusions. Most of us have an incredible talent in processing new facts in such a way that our prior conclusions remain intact.

"The new world demands, perhaps above all things, emotional flexibility and freedom. In this new world, rigidity may actually be a greater barrier to progress than ignorance.

"The late Paul Tillich said we must learn to be comfortable with ambiguity. Put another way, this world of ours is rapidly becoming a more unpredictable, ambiguous, and uncertain place, and we must come to terms with it.

"Can your educational environment, in fact, help provide the emotional security which enables you to recognize that life is indeed filled with risks and ambiguities, and that the great human achievement is to deal with them creatively and joyfully rather than be blind to change, or, even worse, fearful of change?"

Amen. For me, the impact came in three dimensions.

First, in politics, one of the greatest dangers flows from the far left and far right's crusade for the simple solution. In this complex world, any political problem worth calling a problem, however, isn't simple. More likely than not, neither is there an answer.

Second, in management, to anything not mentioned in the rule book or altering a little the comfortable routine of bureaucracy, without even an examination of the alternatives, too often the response is "no." That is not good. In large part, the quality of an institution is determined by what it is striving for, and by the vitality of the process of striving.

Third, in education, as important as what is taught is the manner in which it is taught. In liberal education there must be an open mind—questioning, weighing alternatives, making decisions, questioning. In addition to intellectual breadth, there must be emotional balance. This is no place for intellectual authoritarians.

It is my hope that students can gain from interaction with faculty the qualities of emotional flexibility and a passion for constructive change; that students can come to terms with ambiguity and unpredictability. It is my hope that we in the administration, older and perhaps more in need, can do no less.

[From the UCR Highlander, Apr. 13, 1966]

CHANCELLOR'S COLUMN—GUGGENHEIM AWARD WINNERS SHOW EXCELLENCE OF UCR

(By Ivan Hinderaker)

Last week the Guggenheim Foundation announced the winners of its 1966–67 faculty fellowships. Six were from UCR: professors George Buelow of music, Albert Page of soil science, Robert Peters of English, Evert Schlinger of entomology, Irwin Sherman of zoology, and Peter Tsao of plant pathology.

The first purpose of this column is to congratulate these individuals.

Only 11 universities won more Guggenheim fellowships than this campus. Those 11 were: Berkeley, Columbia, UCLA, Harvard, Yale, Pennsylvania, Princeton, Chicago, Cornell, Illinois, and Minnesota. In proportion to enrollment, UCR was exceeded only by Princeton and Brandeis.

My second purpose is to suggest that UCR's high ranking in total 1966–67 Guggenheim fellowship awards is just one of several indications that something very important is happening here.

Standing alone, these elections testify to the honor to which six members of the faculty are entitled. I think, though, that more may be read into these awards since they do not stand alone, but are part of increasing recognition for the entire campus, faculty and students alike.

I have frequently cited other kinds of recognition, and I will here point to some of those items again because they take on an added importance in relation to the 1966–67 Guggenheim awards.

In a recent report of the American Council on Education ranking American colleges and universities in the percentage of national graduate fellowship winners among those who earned bachelors' degrees in the years 1960 through 1963, UCR was in 12th position along with Pomona and Wesleyan. Among institutions classified as "major recipients of Federal science research funds," UCR was third after Cal Tech and M.I.T. On the west coast, UCR and Pomona were third, after Caltech and Reed College.

In another study, covering the past 20 years, the Woodrow Wilson National Fellowship Foundation ranks UCR fifth among California institutions in the number of Woodrow Wilson Fellowships won, even though UCR students have been eligible for only half the period. (The College of Letters and Science opened in the spring of 1954.) UCR was surpassed only by Berkeley Stanford, UCLA, and Pomona.

Last spring, a Phi Beta Kappa chapter was installed at UCR—the third chapter in the University of California, after Berkeley and UCLA.

Three years ago, this was preceded by Sigma Xi, national honorary science society. Installation of chapters of Sigma Xi is based on the extent and excellence of scientific research carried on by the faculty.

The Guggenheim fellowships say something about UCR's faculty. The American Council for Education and the Woodrow Wilson data say something about UCR's students, faculty and facilities, as do also the Phi Beta Kappa and Sigma Xi chapters.

These data suggest that UCR, in one decade, has earned a ranking with the best of undergraduate educational opportunities in the country. The data suggest, also, in a period of six years, that UCR has made significant progress toward a comparable level of quality in several areas of graduate instruction.

UCR has always placed great emphasis on recruitment of faculty members of exceptional teaching capability and deep interest in original, creative research. It has placed the same kind of emphasis on academic excellence.

In some respects UCR has already earned the ranking of "great." It will, in other respects, in the future.

Mr. TEAGUE of California. Mr. Speaker, the Santa Barbara campus is a branch of the University of California, one of the Nation's most distinguished universities. Situated by the shore of the Pacific Ocean, its location and expansive beach are particularly attractive to students.

The university is presently in the process of expanding and developing its intellectual resources, and its faculty, in order to provide for the educational needs of many qualified young people who plan to enter this college. While retaining its traditional interest in undergraduate teaching and the liberal arts, it is increasing its graduate studies and professional schools, thereby becoming a "general" university campus. The present 24 fields of the master of arts degree, the master of fine arts degree, and the master of science in electrical engineering degree are to be further expanded, as are many other fields.

The enrollment is rapidly growing with an expected 11,000 students for the fall of 1966. Twenty-seven permanent buildings with equipment have now been completed which are both attractive and functional. These include a library of approximately 400,000 volumes and a student-oriented university center for extracurricular activities.

This growth in the physical attributes of the college is paralleled by a growth in its quality. The undergraduate students are better prepared before enrollment. The undergraduate courses are being extensively reorganized, while the graduate courses are improving due to the attraction of a great number of excellent students and scholars to the campus. The entire revision of the college's academic plan should be finished by this fall. Included are a School of Management, a School of Law, a School of Area Planning, and others for professional programs. An experimental College of Creative Studies is also being planned which will be small and shall investigate several new approaches to education.

Being situated near Santa Barbara, a city which has maintained a continual concern for culture, UCSB follows in this tradition. It provides the public with a wide variety of cultural activities including concerts, dramatical programs, and lectures by world-renowned scholars. Programs which are of interest to the entire university travel to different campuses through the Inter-campus Cultural Exchange Committee. In addition, the Santa Barbara campus has become the administrative center for the University of California's education abroad program. In 1966, 350 students from various UC campuses spent the year at study centers in Europe, Asia, and Latin America, including such countries as Japan, China, and Colombia.

Mr. CORMAN. Mr. Speaker, it is a pleasure to join my colleagues today in remarks dealing with the University of California. In less than a century, the people of California through their elected representatives and under an outstanding series of educational statesmen, have demonstrated their total commitment to the most permanent foundation a democratic society can build—a superb system of public higher education combining the needs of quantity with the imperatives of quality. That structure with the University of California at its apex, stands today as the greatest educational system in the world. With nine major campuses stretching from Davis in the north to San Diego on the Mexican border, the University stands ready to offer all those who qualify, a post-high school education ranging from the bachelor's degree to the most advanced post-doctorate training. Whether we talk about the outer reaches of space, the new frontiers of the ocean depths, or the infinitesimal structure of sub-atomic matter, U of C scientists are pushing at the very boundaries of established knowledge in their never-ending search for new truths.

As an alumnus of UCLA, the Los Angeles branch of the university, I am justly proud of these accomplishments. The University of California, Los Angeles is only 46 years old. Decpite high entrance requirements, enrollment has grown to over 26,000 full-time students plus 25,000 extension students. Chancellor Franklin D. Murphy heads a faculty of over 2,200 and directs 71 departments in 14 schools and colleges.

My colleague the gentleman from California [Mr. BELL], has already talked about the general outlines of UCLA. I should like to devote my time to some of the recent special projects of the Los Angeles campus. I want to emphasize that these programs serve not only the traditional functions a university is expected to perform, but they also provide valuable new services in much broader areas as well.

For example, UCLA is one of the few universities providing a psychological clinic for outpatient service to the general public dealing with various adjustment problems. A $4 million rehabilitation center was completed in 1965 to house teaching and research programs on means of returning the handicapped to a useful role in society. The Neuropsychiatric institute provides hospital and clinical facilities as well as research programs in the field of mental health. Presently under construction are new facilities for the school of dentistry as well as the Jules Stein Eye Institute to study diseases of the eye.

On an international scale there is Project Brazil. Launched in 1961 this project proposed the building of small manufacturing plants in Brazil to be financed and staffed by local citizens with technical help from UCLA and Brazilian students and professors. This project not only introduced grassroot capitalism in a region where the old choice was between feudalism and communism, but it also brought numerous academic benefits to UCLA as a teaching institution and to the individual students who participated.

Closer to home, the UCLA tutorial project is a student effort to help schoolchildren in economically depressed areas who are potential or actual school dropouts. It provides personal academic tutoring for those young people who could not otherwise afford it. The project began in 1963 with 80 tutors. This fall approximtaely 600 UCLA students will participate in the program.

Probably America's fastest growing university, UCLA is part of a university system of which, not only Californians, but all Americans should be proud. A living example of America's dedication to higher education, I am proud to join my colleagues in honoring the University of California.

Mr. EDWARDS of California. Mr. Speaker, as a representative from the State of California. I have a special concern and pride for the University of California. The university has been the subject of a great deal of criticism and controversy during the past few years and this is a fine opportunity to consider the criticism and to deliberate upon what we regard as the role of a State university.

The University of California is a uniquely large and diverse public institution enrolling 75,000 students on nine campuses. They are in order of their founding since 1868: Berkeley, San Francisco, Davis, Riverside, San Diego, Los Angeles, Santa Barbara, Santa Cruz, and Irvine. Each campus cherishes its own brand of academic specialization, public service, and collegiate atmosphere. By the year 2000, when the population of the State is expected to reach 45 million, the university will enroll as many as 330,000 students.

The university is big. It is at the same time one of the best. The distinguished British scientist and writer Lord Snow has said:

> By all the criteria * * * the University of California is one of the greatest in the world. That is, its record of original research stands comparison with any university—and that may be an understatement. Its top rank of students equally stands comparison with any.

This opinion can be confirmed in any number of ways.

The university's Berkeley campus students lead those of all other colleges in volunteering for the Peace Corps. Their ratio of acceptance is 1 to every 2 who apply, compared with a national average of 1 to 3½. Since World War II, UC has provided more Foreign Service officers than any other school except Harvard and in the last 5 years, there have been 52 from California to Harvard's 49.

The Nation's top high school graduates—National Merit Scholarship winners—named California first choice among all State-supported institutions. Similarly, among State and land-grant institutions Cal is the first choice of outstanding college graduates who have won Woodrow Wilson fellowships.

Twelve Nobel Prize winners are university faculty members—more than at any other American university. Achievements by California researchers are among the most significant of our time; they include development of the cyclotron and the bevatron and discovery of carbon 14, antimatter, plutonium, and the chemistry of photosynthesis.

The university is first among American universities in faculty representation in the National Academy of Sciences; second only to Harvard in elections to the American Academy of Arts and Sciences; first by far in Guggenheim Awards for faculty study in sciences, arts, and social sciences; first in National Science Foundation grants for basic research; and in American Council of Learned Societies postdoctoral grants in humanities and social sciences.

California leads 82 public institutions in expenditures for all kinds of research, according to Industrial Research magazine. Berkeley, Los Angeles, and San Diego ranked among the 10 schools in the Nation receiving Federal grant aid. Last spring its international relations scholars received the largest Ford Foundation grant ever given to a State university. Financial support from the State of California, the Federal Government, and private foundations support Cal professors as they grapple with the toughest problems of our times—from smog to poverty and from NATO to Vietnam.

Only last month, the American Council on Education cited the graduate school at the University of California at Berkeley as the "best balanced distinguished university in the country." This conclusion is the result of the most exhaustive assessment yet made of quality in individual disciplines of graduate education. The study, known as the Cartter report, was financed by the American Council on Education, the U.S. Office of Education, the National Science Foundation, and the National Institutes of Health. Ratings were made on the basis of more than 4,000 questionnaires to faculty members at 106 universities across the country. The report also ranked university programs by "effectiveness" and here again Berkeley comes out on top; 20 of its departments rate among the top 3 in the Nation. Harvard is a close second with 19 departments in these categories.

The quality of the university is unquestioned and I recite these honors only as a prelude to the discussion this afternoon. We might now turn to the question of "how" and "why."

Basic to the development of our system of higher education in California is the massive financial commitment on the part of the people of the State. As Governor Brown has said:

> California long ago rejected the notions that only a select few should be eligible for post-secondary education and that the quality of our colleges and universities would be diluted when they became available to all.

Between the years 1959 and 1964 alone, the State of California has invested $8.5 billion for educational purposes. Money alone can insure quantity of education, but not quality. To have and maintain excellence requires at least two related factors. First, independence and second, freedom to speak and write freely.

Independence is guaranteed by the State constitution of California which declares the university to be autonomous. The board of regents are solely responsible for the organization and the administration of the university and their appointment is nonpartisan for a term of 16 years.

The board and President Clark Kerr have felt deeply their responsibility toward protecting the liberty of the students and the faculty. They have felt just as deeply their responsibility to the State to prevent the exploitation of the university by any political group. This policy was enunciated by President Kerr at the Charter Day Exercises at Berkeley in March 1961.

> As in all the affairs of men, freedom must be matched by responsibility if freedom is not to die. And the University has the responsibility to insure that the search for truth will never be subverted internally. For this precise reason, the University of California has refused to employ persons whose commitments or obligations to the Communist Party, or to any other organization, prejudice impartial scholarship and the free pursuit of truth. That has been the policy of the Regents and the Academic Senate for many years. That is our policy today. That will continue to be our policy.

What is there about freedom of expression that is so essential to the growth of a great university? Most importantly, the magnetic effect of attracting top people, both students and faculty, people who are above average in their thinking ability, their dedication to knowledge, and their sensitivity, whether in literature, chemistry or physics, anthropology, art, or the social sciences. Evidence the new Santa Cruz campus—just begun this year, it is widely regarded as one of the most exciting developments in higher education. It has planned a cluster of 20 small liberal arts colleges and men from such schools as Harvard, Yale, and Princeton have come to staff this brand-new endeavor.

Assuming the kind of effort—bright students, a free-thinking faculty, a well-financed school headed by an independent board—there is bound to be criticism and controversy. The words of Robert Hutchins express this well:

> The claim of academic freedom is based on the high and serious calling of the academic profession. That calling is to think. A university is a center of independent thought. Since it is a center of thought and of independent thought it is also a center of criticism. . . . A university that is not controversial is not a university. A civilization in which there is not a continuous controversy about important issues, speculative, and practical is on its way to totalitarianism, and death.

It is easy to affirm a policy of free expression in a society without uncertainty. Unfortunately we cannot look forward to such a situation. Today's world is one which is conducive to insecurity—the individual is a very small part of a highly mobile, urban, and organizational society. The frustrations of the cold war intensify already-existing fears and the sad consequence is too often an emotional, irrational reaction against any outspoken group or individual. The situation becomes still more critical when words are followed by action—a boycott of classes, the immobilization of a police car, a sit-in in an administration building, and all this on the campus of a State university.

As the free speech movement at Berkeley took hold and grew more explosive many persons were outraged and the charges and criticism ranged from objections to the often offensive statements or actions of the students to the belief that Communist elements were primarily responsible for the troubles at Berkeley.

The main document which declares communism to be the cause of student unrest is the 13th report of the Senate Factfinding Subcommittee on Un-American Activities to the 1965 California Legislature issued by the Subcommittee Chairman Senator Hugh M. Burns on June 13, 1965. This report was very critical of President Clark Kerr and his policies both before and during the free speech movement.

The report is a classic example of the techniques of innuendo, guilt by association, distortion, half truth, and telescoping of time to connect unrelated events. It was written without holding any public hearings and without any witnesses from the university. There was no contact whatsoever with President Kerr, the man the committee charged was responsible for "a tolerance of the radical student groups, the opening of the campus to Communist officials, the reluctance to curb the activities of the most brash and defiant student rebels, and the obvious distaste for adequate security precautions."

It is replete with inaccuracies—both about situations and about persons. Dr. Kerr issued, last October 5, a detailed answer to the charges in this report, showing where, over and over again, the errors lay and thereby making a sham of the charges. As our Governor, Pat Brown, said the next day, President Kerr has done "a masterful job of documenting the fact that the Burns report was not factual." State Senator Stephen P. Teale, Democrat, of West Point, refused to sign the report even though he was a member of the Subcommittee. Teale said:

> Most anyone who reads the report could see why I didn't sign it. It took 200 pages to say what could have been said in six pages, so far as factual material was concerned. The balance is just drivel of old Communist stuff—quotes from old newspapers and from old reports of the same committee. The impression I got was that simply by association, interspersing paragraphs about recent troubles at the University with totally unrelated activities of the last 20 years, we are trying to imply that all recent campus action was a Communist plot. Had there been any concrete evidence of this I would have gone along with the report. But I didn't see any such evidence.

The free speech movement was not a result of Communist infiltration and administrative laxity toward security. Neither were the students involved Communist dupes. Rather than being unwitting pawns of a Communist operation, they were among the brightest and most alert members of the student body. This is well documented by a survey by Prof. Robert H. Somers of the department of sociology at Berkeley in November 1964. From a sample representing the entire student body, Somers found a strong correlation between academic achievement and support for the FSM. Of all those students with a B-plus average or better, 45 percent supported both the goals and the tactics of the FSM and 10 percent opposed it. In contrast, over one-third of those with a B-minus average or less opposed the FSM and 15 percent supported it. When only the 800 demonstrators who were arrested are studied, this correlation is even more striking.

Over one-half of these undergraduates have a B average or above. Of the graduate students arrested, the achievement level was even higher. Twenty students were members of Phi Beta Kappa; eight held Woodrow Wilson fellowships.

We cannot dismiss the just grievances and the deeply felt concern of many of today's students. This point was emphasized by the New York Times on June 21, 1966, in response to the recent Senate Internal Security Subcommittee report, and I would like to insert this editorial in the CONGRESSIONAL RECORD at this point:

THE STUDENTS' PROTEST

In characterizing the student protest movement as the creature of the Communist party, the Senate Internal Security subcommittee has impugned the idealism and seriousness of purpose of many young Americans.

Inevitably, Communists and their fellow-travelers have tried to exploit undergraduate dissatisfaction, just as they have attempted to make capital out of legitimate efforts to do battle against social or economic injustices

> in the past. But the fact is that, after years of apathy, many of the brightest and best young men and women on college campuses have begun to show deep concern over questions of war and peace, civil rights and the quality of the education they seek.
>
> In calling the students' campus grievances "either fraudulent, created, stimulated or exaggerated as a catalytic means of setting off mob explosions," the committee overlooked the fact that conservative and highly respected educators had previously warned that undergraduates on many campuses were becoming the forgotten men. The distinguished American Council on Education last year devoted its annual meeting to what it considered the just grievances of the nation's undergraduates. Moreover, even the violent explosion at Berkeley brought in its wake important educational reforms which promise to improve higher education on campuses across the country.
>
> If objections to present draft procedures may have put student rebels in the same corner with some Communists, they are also in the company of Defense Secretary McNamara and a number of Senators. This fact should remind the committee once again of the dangers of guilt by association—a lesson it never seems to learn.

Mr. Speaker, other universities have gone through similar periods of stress and criticism because of the political activities of students and faculty. In the early fifties, Senator McCarthy referred to Harvard College as a sanctuary for Communists and a "smelly mess" because it refused to dismiss a professor who had claimed the fifth amendment to the Constitution. The University of Wisconsin—long known for its tradition of political liberalism—has fervently maintained the guarantees of freedom on their campus. In the midst, even, of the McCarthy era, Wisconsin saw the appearances of men who had been publicly denounced by their own senior Senator. Both of these great American universities have survived vicious attacks and gone on to maintain the level of attainment for which they are noted. It is unfortunate that other schools without the tradition and support needed, have bowed to threats of investigation, and weakened the spirit of free and independent enquiry so vital to a great university.

The University of California has serious problems in administration, in achieving that precious balance between liberty and order, and in insuring quality along with quantity. These are the problems the regents must deal with and it is my belief that we must not be diverted from these very real issues by the outrageous charges or irrational responses exemplified by the Burns report. Nor should we countenance the suggestion that the university needs to be "investigated."

As Governor Brown has written:

> Great schools have survived without large sums of money, and even without a high degree of public interest and enthusiasm. But they cannot survive dictation from outside their own ranks concerning what the teacher can teach and what he cannot. Nor what the student may hear and what he may not, or which fields of enquiry are open and which are closed. Education today is being challenged by those who would clamp the lid on intellectual enquiry, but we in California are determined to counter such efforts with all the force we can muster.

Mr. HANNA. Mr. Speaker, if I may conclude, I wish to thank all of my colleagues who have joined me in this presentation.

What we have attempted to do this afternoon is to put into perspective two aspects of the University of California.

The first is its students; both those who are involved in some of these questionable activities, and those who are not. For those who are, we want it to be clear that in our judgment young people should be encouraged to get involved; they should be a part of controversy. It is the nature of youth to challenge, to question, to seek other answers, and to be different.

But when they do so they must also recognize the tolerance levels of the society of which they are a part and they must also stand ready to be questioned and to be graded on the basis of their conduct. To be a part of controversy just to be in conflict for the sake of conflict, to be different just to be different is hardly to be justified. To attack everything that comprises the established order on the basis of an abstract right may very well be sapping the substance of society without which it cannot survive. The young people that have not yet gotten to the point of realizing this are in trouble, and we must point that out to them. On the other hand, we cannot criticize a university that allows this kind of activity to be carried on within the environs of the university and attack it with sweeping generalizations which would destroy the whole because of a small part. This creates an injustice to that great institution which is itself a constructive servant of the people. So when we see this in its correct perspective and grade it on the basis of critical judgment, we will have done justice to what is going on and see more rightly where the interest of the people lies.

Mr. BURTON of California. Mr. Speaker, I join my colleagues today in saluting the University of California.

My district, the Fifth Congressional in San Francisco, is justifiably proud of its campus—the University of California's San Francisco Medical Center. Not only is it the second oldest campus of the University of California system and the only one devoted exclusively to the health sciences and their relationship to man and his environment, but it also has the distinction of being one of the world's distinguished medical centers of health education. It is one of the few health centers in the Nation incorporating schools of dentistry, medicine, nursing and pharmacy and in 1961 a separate division of graduate academic study was established.

The task of training our young men and women for careers in medicine and the other health sciences is now more complicated than at any other time in history. The explosion in knowledge has been especially heavy in the biological sciences; there is more that must be taught than ever before. Consequently, for medical students for example, the amount of ground that must be covered from anatomical microscopy to X-ray cineangiography, is greater than can probably be assimilated in 4 years, if indeed it can in a single lifetime.

Combining the much publicized population explosion with the simple fact that more people are demanding a better quality of care than was previously available to anyone, whatever his means, makes it imperative to raise the standards of education in medicine and the other health sciences while at the same time increasing the number of people trained.

Moreover, medical and health science education must contend with a changing sociological structure in which people will no longer accept being treated merely as a physical embodiment of symptoms. The challenge to the faculty and staff at San Francisco for the future is to train physicians and other health scientists capable of dealing with the patient as a complete human being in a total environment. This may well be the most difficult task facing all the fields of medical and health science education today and I am confident that my campus—the University of California Medical Center—will be among the leaders in finding a suitable solution.

A large number of exciting events occur at the medical center each day of the year and they add up to many advantages for all of us in California and the Nation. For example, the school of dentistry must teach new scientific knowledge and technical innovations, such as the use of very high speed drills and new restorative materials to its more than 358 undergraduate dental students. Dental students therefore, literally must master a new order of subtle skills. To administer the great number of drugs available, and to cope with the many new advances in dental therapy ranging from psychological aspects of treatment to improved techniques of orthodenture, requires a deeper understanding of pharmacy, pharmaceutical usage, psychology, and so forth.

The school of pharmacy is the second oldest school at the medical center. Scientific advances have affected pharmaceutical training as deeply as the other medical professions. Today's student of pharmacy must be thoroughly trained in the basic sciences such as biochemistry and microbiology as well as in traditional pharmaceutical techniques. The school also prepares students for careers in research and teaching, as well as for the necessary role of neighborhood pharmacist. Today's pharmacy student therefore may specialize in training for a number of important careers such as general pharmacy, phamaceutical technology, hospital pharmacy or pharmaceutical chemistry. The school also conducts an active graduate program for students who wish to pursue careers in academic pharmacy.

The school of nursing with an enrollment of 347 undergraduate and graduate students is the newest of the professional schools. Today's registered nurse must be trained in new skills and techniques which range from administration to development of new ways to exercise greater judgment in dealing with psychological needs of patients. In addition to increased technical training, nurses must also be conversant with other fields, such as economics, psychology, public health, sociology, and statistics. The university's school of nursing makes a significant contribution to nursing education for California and the Nation which is particularly important at a time when there is such an acute shortage of registered nurses in the Nation.

A major goal of the new graduate division, which was established in 1961, is to foster the increase of basic knowledge which is necessary to advance the clinical sciences and their associated technologies. The graduate division makes it possible to accomplish this goal through formal training and by research in the four major schools, clinical research in the hospitals, and in the major research institutes on the campus. This new division adds a new dimension to the teaching, research, and public service aspect of the university's San Francisco campus program.

The program is continuing education for medicine and the health sciences is an essential one today to insure that the physician and health scientist is provided with a disciplined system for keeping informed. The nature of the medical and health sciences is changing so rapidly today that it has been estimated, for example, that a medical school graduate of 1955 may have difficulty understanding journal articles even in his own field. It is, therefore, absolutely essential to the day-to-day care of patients that every effort be made to keep physicians and health scientists abreast of developing techniques and discoveries. This is a prime objective of the continuing education program for the medical and health sciences which the university now operates at its San Francisco Medical Center campus.

The University of California also operates five training programs for paramedical personnel in: exfoliative cytology—cellular study and analysis; medical illustration—for teaching and communication; medical technology—to perform hospital service tests; orthoptic technique—technicians for ophthalmologists; and physical therapy. These training programs are essential for assuring an adequate number of well-trained supporting technical staff needed to provide the best in health care.

The vast majority of our citizens are aware that research has played an important role in the many scientific advances and technological breakthroughs which have occurred at an unprecedented rate since the end of World War II. Many citizens are also aware that our universities have contributed enormously to these breakthroughs. We must all, therefore, continue to be concerned about the need for continuing and strengthening this effort.

In medicine and the health sciences it cannot be disputed that the primary and legitimate functions of a medical campus are teaching and research. Both activities are essential to the educational process and to the fulfillment of a moral obligation to provide the public with the best possible medical care. Far from being in conflict, teaching and research are in fact complementary, because today's student must practice the medicine and health care of tomorrow and not of today.

All of the University of California Medical Center's research accomplishments cannot be discussed here today, because time would not permit it. However, a few unique and outstanding contributions should be mentioned. For example, work in nutrition at the medical center was of such importance that a faculty member, Dr. A. E. Taylor, was asked to join the Hoover Commission to direct the program to combat starvation after World War I. Some of the very first antihistamines were discovered and introduced by pharmacologists at University of California's Medical Center. New anesthetics were developed here and work on the mechanisms of pain and its control continues today.

In clinical medicine and surgery the contributions have been of the first importance. Dr. George Whipple, working at the medical center, shared with Minat and Murphy the Nobel Prize in 1934 for research on blood and the conquest of pernicious anemia. In orthopedic surgery, leg-lengthening and leg-shortening methods were developed at the medical center. Researchers in dentistry have uncovered the pathology and mechanisms causing dental caries. The recent isolation of the virus causing trachoma, the leading cause of blindness in the world, presents the possibility of its total eradication.

Investigations on botulism saved the canning industry in California. Great progress has been made in the study of bubonic plague, always a potential threat to the entire Western United States. The only plague laboratory in the country is at the medical center and has been called upon repeatedly by the Armed Forces for assistance and by almost all Americans for a supply of plague vaccines.

Work on psittacosis, a virus disease carried by birds, protected the State's turkey industry when its flocks were threatened by extermination. A recent breakthrough has been made in the parasitic disease, shistosomiosis, a terribly debilitating and often fatal disease affecting an estimated 200 million people in the world. If successful work continues, one of the last great parasitic diseases to defy man could be controlled. This would be an accomplishment to rank with the conquest of malaria.

Inasmuch as teaching and research are both necessary for better medicine and health care, a balanced commitment to each activity must be made. The university's commitment to research has grown with its accelerating importance to medicine and health care.

The expanding nature of medical science requires that research be conducted on an interdisciplinary basis. To accomplish this essential goal, various research institutes have been established on campus whose staffs are composed of specialists in all fields of medicine and the health sciences. These institutes include the biomechanics laboratory, cancer research institute, cardiovascular institute, Hooper Foundation, hormone research laboratory, metabolic research unit, and the Proctor Foundation.

I have attempted to give you some insight into the extent of the University of California's involvement in medicine and the health sciences at its San Francisco campus; the order of magnitude is beyond what most of us are able to comprehend. You may be sure, however, that the able and dedicated faculty, staff and students of the University of California Medical Center at San Francisco will continue through their efforts in teaching, research, patient care, and public service to have a profound and beneficial effect on the lives of Californians, indeed on all people throughout the world.

In paying honor to the University of California today, I would like to close my statement with these important words of its president, Clark Kerr:

> Knowledge has certainly never before in history been so central to the conduct of an entire society. What the railroads did for the second half of the last century and the automobile for the first half of this century, may be done for the second half of this century by the knowledge industry: that is to serve as a focal point for national growth. The university is at the center of the knowledge process.

Mr. VAN DEERLIN. Mr. Speaker, the University of California's long and distinguished list of honors and major contributions on behalf of the people of California and the Nation in virtually every discipline and field of knowledge known to man is well known to scholars, leaders, and thinking people of our State and the Nation. In the recent past some incidents involving student activities at Berkeley have received national publicity on a scale greatly out of proportion to the hundreds and perhaps thousands of other significant University accomplishments which were occurring simultaneously. I am taking this opportunity therefore to say a few words today for inclusion in the RECORD about this great institution of the State of California and in particular about the University of California San Diego campus of which we in the 37th Congressional District of California are so justly proud.

In less than a century, the University of California has become one of the world's largest and most distinguished universities. When it was first established in 1868 as a land-grant institution, it consisted of 10 faculty, 38 students, and a temporary campus. Today, its nine campuses reach from Davis in the northern part of the State to San Diego in the south. There are more than 7,200 full-time teachers and 75,000 full-time students, of whom more than 51,000 are undergraduates and 24,000 graduate students. University planners are busy preparing for an anticipated increase in enrollment by 1980 to 179,725 full-time students.

Many citizens continue to think of the University of California as being limited to Berkeley alone because it was first located on only the one campus at Berkeley. Today there are eight additional University of California campuses in operation—Davis, Irvine, Los Angeles, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz. These nine campuses are only part of a vast educational and research complex. The University also operates research stations, field stations, and extension centers in more than 80 locations throughout California.

Since its founding more than a quarter of a million degrees have been granted by the university. The University of California leads all institutions in the world in the number of Nobel laureates on its staff and also has on its staff more members of the National Academy of Sciences than any other university. I have enumerated only a few of the significants facts and distinguished honors which have been earned by our great University in California; many more have been achieved in teaching, research and various public services, and, I believe, along with the University's President Clark Kerr and the regents, that we have only begun to see and benefit from the outstanding work of the University's dedicated faculty, staff and students.

My district, the 37th Congressional District of California, is proud of its new University of California campus. It is situated near the northern limits of the city of San Diego, occupying more than 1,000 acres. The campus site spreads from the seafront, where the Scripps Institute of Oceanography is located, across a large portion of the adjacent Torrey Pines Mesa high above the Pacific Ocean. Much of the land is wooded; to the east and north lie mountains, to the west, the sea.

San Diego is California's oldest and third largest city, with a metropolitan area population of slightly more than 1 million. The city's and surrounding area's attractions are many and varied for the students and faculty: theater, museums, art, music, sports—all are available in San Diego.

The University of California San Diego campus had its origin in the closing years of the 19th century. In 1912 the university established the Scripps Institution for Biological Research at La Jolla which was changed in 1925 to the now famous Scripps Institution of Oceanography. Incidentally, Mr. Speaker, it is more than an interesting statistic to note that the Scripps Institution of Oceanography maintains and operates the 13th largest navy in the world. In 1959 the University of California at San Diego was established as a general campus. Today it has an enrollment of nearly 1,500 full-time students, including more than 550 graduate students and expects a full-time student enrollment of 27,500 students by 1995.

Outstanding scientific contributions have already been made by the Scripps Institution of Oceanography, which is recognized as one of the most important facilities in the world for marine science research, as well as two other renowned activities located on our campus—the Institute of Marine Resources and the Institute of Geographic and Planetary Physics.

I firmly believe that the future will bring a spate of new laurels to the university and its new San Diego campus in a variety of disciplines and fields—some of which perhaps may not yet even be within either man's present knowledge or capability. I am also convinced that these future achievements will be of enormous benefit to the people of California, the Nation, and hopefully to all of mankind.

I am especially grateful for, and proud of, the university's new school of medicine which plans to enroll its first class at the San Diego campus in September 1966. Present plans call for a progressive increase to an entering class size of 96 students so that within a relatively short span of time the University of California's San Diego campus will be graduating nearly 100 new physicians each year. This contribution to the critically short medical manpower pool of California and the Nation is all the more important today in the light of increased demands for physicians' services which have resulted from the many new and beneficial categorical medical service programs implemented during the past year.

The citizens of California and the Nation have benefited enormously as a result of the tireless efforts and outstanding achievements of the University of California, its faculty, staff, and students.

Mr. Speaker, the June issue of San Diego magazine carried an enlightening article on UCSD's development and community acceptance, written by editorial consultant Mary Harrington Hall. I include Mrs. Hall's article in the RECORD.

U.C.—IS IT RED CHINA OR GENERAL MOTORS?

(By Mary Harrington Hall)

The University of California is the star of a new film which has been widely and furtively shown for at least a month in San Diego and throughout the state. In the 27-minute production, actually a meld of stills, a portrait of Lenin flashes against a brilliant red background; later, a photograph of UC President Clark Kerr appears against the same red, while the sound track booms the same theme music. The film is based largely on the 1965 report of the State Senate Subcommittee on Un-American Activities, and it relates UC—mainly mighty Berkeley—to draftcard burnings in New York, peace marches in Washington, drugs on the campus, and sex, which apparently bothers the John Birch Society and some legislators an inordinate amount of the time. The film is distributed by a Whittier, California, *citizens'* group.

This sadly effective propaganda film undoubtedly will be updated to include lunacy and lasciviousness from the 153-page "supplemental" report released last month by State Senate President Pro Tem Hugh M. Burns (Democrat, Fresno). He is chairman of the subcommittee which might well change its name to read *Un-American and Un-Conventional*. The new report will make for a sexier film. It will also make political hay during an election year in a state where the extreme right wing is fighting for its life with every weapon, even with the good name of a great university. (In a spine-tingling coincidence, one of the Senators who signed the report is named McCarthy.)

The current film is carefully done so it never quite crosses the line of libel. For instance, Kerr is described as a man who did government work during World War II, and then the viewer is told that "war agencies were infiltrated by Communists and Communist sympathizers." The Senate subcommittee report on which the film is based, as well as last month's scurrilous supplement, certainly are libelous.. But the University and its president are helpless. All the charges are wrapped in the safe cloak of immunity.

In a way, Kerr asked for the new charges. Last year's report assaulted him, insisting he was soft on Communists at UC and had made Berkeley a haven for Reds. In his reply, Kerr demanded that the subcommittee waive its immunity from libel. (There are many who say Kerr should never have answered the asinine report in the first place; but then there are always those who believe that, if you keep very quiet and do not look at the face of evil, it will go away.)

Naturally, Burns now says the subcommittee can't possibly waive immunity, and much of the new attack is a rehash: "In the name of free speech, civil liberties and academic freedom, the campus at Berkeley has been harboring radicals . . . the abdication of responsibility for maintaining order and discipline at Berkeley appears to be the confession of a weak administration . . ." Demanding that three Cal professors be fired as Communists, the new report explains: "It is Kerr's continued insistence on 'proof of Communist membership' that reduces to empty words the substance of the policy (against the employment of Communists.)" It is a pity that the professors cannot sue; their research projects undoubtedly would benefit from the tremendous sums any court would award them.

The lewd and lascivious portions of last month's report, however, are new and might even make for a successful stag movie. The subcommittee verbally ogled a dance sponsored at Cal on March 25 by the Viet Nam Day Committee: "The dance was billed as featuring 'hallucinogenic sounds, projections and lights.' The movies and lights provided the only illumination and the pictures were color sequences of liquids spreading across the screen with occasional views of nude torsos of men and women which were exhibited in a sensual and provocative manner . . . *According to reports* (italics ours), the sweet, acrid odor of marijuana pervaded the area, many of the dancers were obviously intoxicated, and there was evidence of nausea in the lavatories . . ."

The report was tricky in grabbing headlines about homosexuality, which everyone knows is un-American or at least front-page copy. The subcommittee *quoted* an article in the Berkeley student newspaper which *quoted* a man who *quoted* Kinsey statistics that ten per cent of any male population is homosexual and therefore there probably are 2700 homosexuals on the Berkeley campus (or might be if the entire student body was male). The subcommittee's alleged purpose in this lengthy section of its report: the student newspaper was wrong to print such an article, and any decent university administration would have disciplined the editors. Functioning also in the role of drama critic, the un-American activities subcommittee blasted the UC administration for permitting performances on campus by a San Francisco theatrical troupe whose show "should never have been allowed on campus and was in total bad taste." Berkeley Chancellor Roger Heyns commented that "no one from the subcommittee has ever spoken to me about these charges." He didn't sound as though he had missed an illuminating experience.

The subcommittee justified its spicy report by explaining that "these deluges of filth" all happened at Cal after the Free Speech Movement of 1964; FSM leaders now have control of the Viet Nam Day Committee, the report explained, and anti-Viet Nam demonstrations in the San Francisco area are all Communist-controlled.

There is much righteous public indignation from the political right and considerable genuine confusion all around. Politicians who see the subcommittee report as a tool are demanding a full-dress public Regents' investigation. Actually, the University Board of Regents has been absolutely correct and is following normal procedure. Board Chairman Edward W. Carter has appointed a Regents' committee to study the subcommittee charges and report back; DeWitt Higgs, the San Diego attorney who has just been appointed a Regent, is on the committee. It will be interesting to see if they keep right on studying through the Primary Elections. Cal's officials are naive if they think they'll get strong, fighting support from either Regents or the Governor during an election year. Whatever the outcome, there has been damage: there is an educational bond issue on the ballot, and the voters have been misinformed; the Legislature still is considering the University budget, and the legislators have been misinformed. If there is any winner in such a sad situation, it is Clark Kerr, hardly the type one would cast as a hero nor one who, under normal circumstances, inspires intense admiration or much personal loyalty. Our estimate is that he now commands the real support of only 50 per cent of UC's Regents, with 25 per cent somewhat undecided and 25 per cent dead set against him. However, as that political scholar, the late James J. Walker, explained: "Politics makes strange bedfellows." Unless the Regents stick with Clark Kerr, they are damning the University of California, because the attacks on his administration are not personal; they would not be so dangerous if they were.

The Regents, legislators and electorate might learn far more from the newly-released two-year study of graduate education by the American Council on Education, the country's principal educational coordinating agency. This study shows that UC-Berkeley is "the best-balanced, most distinguished university in the country." More than 4,000 scholars working in 29 fields at 106 universities cooperated in this study by evaluating their own departments and stating where they would most like to take Ph.D. work if they had it to do again. Berkeley, followed closely by Harvard, led the list. The study showed that "good education is costly education . . . there is a close relationship between faculty salaries and quality of the graduate faculty."

Last month in Los Angeles, just after the un-American group's report was released, the presidents of 227 colleges and universities and an audience of some 1,000 distinguished educators and laymen applauded Clark Kerr almost to the point of a standing ovation. He knew that wasn't personal, either. Kerr is not considered a visionary educator, and he knows it.

The applause came during a fascinating three-day convocation on "The University in America," sponsored by the Center for the Study of Democratic Institutions, that provocative Santa Barbara think-factory originally set up with Ford Foundation money and dedicated to the preservation of the dialogue on vital subjects affecting a free society.

The meeting was an attempt to sort out the problems of higher education, and almost every speaker ended up illustrating every problem—and every hope and fear—by using as an example The University of California. UC was the star and the target. The roster of speakers and panelists was impressive, composed of men like Supreme Court Justice William O. Douglas; Senator J. William Fulbright; Center President Robert M. Hutchins; Walter Lippmann; Sir Eric Ashby, Master of Clare College, Cambridge University; and Jacques Barzun.

Kerr cut loose after one critic from the Santa Barbara Center termed UC "the educational General Motors . . . so big that the system must be broken up before it extracts a terrible human cost."

"It would be disaster to split up the University and compete in Sacramento for funds," Kerr said in an interview, which was an expansion of the one in our April issue. "Ideally, the University should be out of the political area, and that is apparently impossible just now. Think of the competition politically if the University were split. In addition, the only chance today for experiment and diversity in public institutions is within the large university. If we were small, we would only try that which we *know* has worked; we wouldn't dare anything new in education."

He was franker than usual about his own position: "I live in a very real world, in the arena where sometimes the gladiator is forced to drink the hemlock," he said. "I certainly don't live on Eucalyptus Hill (a reference to the Santa Barbara Center's cloistered position) but in a university trying to serve a large urban society and with the task of making life meaningful within this society." He defined his role as UC president. "In terms of function, the major job is just to hold the place together," he said, "not solely the faculty and students, but within the faculty to bring cohesion from all points of view. Second is the effort for progress. Universities tend to be internally pretty conservative institutions. The president must encourage new approaches. Educational reform is harder than the first task because any institution tends to hold together, but change is difficult; you must have a view of where the place ought to be going.

"Then, you fight some battles," he observed mildly. "You defend the institution and its essential character against attacks. The loyalty-oath controversy was an example of that, a threat to academic freedom, which I hope now is ended. The fact that the University is so public, and so big, and the nature of our state, have meant I have been involved in controversy more than any other university president in the country. There are some inconsistencies in my roles; coherence is inconsistent with progress in program; and in fighting the external battles you come to be controversial. Yet when you handle progress, you want as little controversy as possible."

Kerr was angry about his starring role in the John Birch Society's film, but he had—for the record—only calm rebuttal for the subcommittee report. "There is a widespread desire for the elusive tranquility of the past," he said. "But the record of the past reveals no time when the spirit of inquiry was secure against attacks from reactionary forces, and no time of which man can be proud in which he did not use his power to increase understanding. I see both hope and growth in change; there is only atrophy of spirit in the security of the outworn past."

The two major points on which all participants in the Los Angeles meeting agreed were society's need for better general education, with more generalists in this age of science and specialization; and that student unrest is universal and caused by a lack within the educational structure today, a vague lack which I do not believe the experts were able to define any better than the distressed student, the worried parent or the concerned society. Many of the educators, including Kerr, suggested that "dropping in and out" of college might give young men and women the combination of action and intellectual life they need.

Hutchins was as provocative as when he was the young president of The University of Chicago, but he was hardly encouraging about higher education (nor particularly realistic); his solution to the problem of the university—give up trying to improve on what we have and start all over again with a new beginning, a model college, small—3,000 students—and perfect in every way. Other scholars obviously felt the university should give up educating large numbers of students and concentrate on an elite band of the future leaders. Kerr suggested that the university could either withdraw from the crisis area—the teaching of undergraduates—or it can improve within the existing structure, which he believes UC is doing in its new cluster concept at Santa Cruz and UCSD.

It is unfortunate that UCSD's Chancellor John S. Galbraith was not on the program. For one thing, he and Kerr are always interesting when they get together. More importantly, however, UCSD really represents—far, far better than Santa Cruz—perhaps the best hope for combining the research and graduate program (the University's task under California's Master Plan for Higher Education) and the cluster-college approach to teaching undergraduates without the impersonal and inadequate system which first students and now educators admit and decry.

"We don't see any necessary contradiction between high graduate standards and research and a commitment to teaching," Galbraith says. "I've had a lot of student complaints, but never about the dedication of the instructor."

UCSD has felt—as yet, at least—no loss of community support because of the Burns report, nor has the new film brought problems. Some San Diegans, who might otherwise be sniping, support UCSD for the wrong reason—not from real understanding of the importance of education and research, but from keen awareness that UCSD gets $20 million each year in Federal research grants and is embarked on a steady growth program which will make the University here big business and attract important research-oriented businesses to help the economy. In addition, it is Berkeley at which most of the criticism is aimed.

In the Los Angeles convocation, Walter Lippmann's speech was almost a prayer that universities can fill the void mankind feels in the modern world with its old standards outmoded. He called for universities to be "sanctuaries for excellence . . . the last best hope for mankind." And in San Diego last week, there was an inspiring example of what such sanctuaries can produce. At UCSD, *Harold and Frieda Urey Hall* was formally dedicated. An honored guest was Urey's old Berkeley professor, the teacher whose example in research had inspired the great Nobel Prize chemist who himself still carries on the tradition of greatness. That's what a university is about.

Mr. LEGGETT. Mr. Speaker, I am pleased to join the gentleman from California, Dick Hanna, and my other California colleagues in extolling the virtues of our educational system.

In 1965 California was in the process of educating 14½ percent of all the college students in the country, or 866,000 students out of a total number in the country of 5.9 million.

In 1957 California had 444,000 college students; this year we had 940,000 and next year we will have over 1 million students enrolled in our colleges and universities, an increase in the space of 10 years of 125 percent.

Berkeley, say what you will, is rated the No. 1 graduate school in the United States over Harvard, Yale, MIT, Wisconsin, and other fine universities, with Stanford running a close second in many schools.

Since 1958 California has founded three new university campuses and six new State colleges with four planned for the near future.

The eminence of California's higher education complex is but a reflection of California's number one standing in population, State gross national product, water development, personal income, and human rights.

Next year our colleges and universities will confer over 40,000 bachelor degrees, 2½ times the 1957 rate; and 3,000 doctorates, 3 times the 1957 rate; and many of them will be at the Davis campus of the University of California in—I am proud to say—the Fourth Congressional District.

The Davis campus of the University of California is known throughout the world for its eminence in agriculture—for both teaching and research. Nations in all parts of the world seek advice from Davis agricultural researchers, and students from all corners of the world come to Davis to study.

Since 1959, when Davis was declared a general campus of the university, the arts, humanities, social sciences, physical sciences, and engineering have expanded rapidly and are fast gaining even greater stature for the campus. The first law class is being admitted this fall, and a medical school is now being developed at Davis. Because of the campus' great strength in the agricultural sciences and veterinary medicine, Davis is particularly strong in biology. The strength in these sciences is evident in the recent American Council on Education nationwide evaluation of graduate education in which UCD ranked 5th in botany, 8th in entomology, 11th in bacteriology-microbiology, and 19th in biochemistry. Davis has far more biologists per faculty size than on any campus of comparable size. Our campus was a logical choice for the university's newest medical school. And it made Davis the choice for the federally-supported National Center for Primate Biology, now in its new quarters on the campus.

Throughout its more than half a century of existence, the Davis campus has built a reputation for service—first to the farmers and the farm youth of California and later to the Nation and the world. More recently, this role has expanded to serve other areas and students with other interests, as Davis develops toward a general campus of the University of California.

Since this campus opened in the early days of the century, it has developed into one of the great agricultural teaching and research centers of the world. During the past 7 years the Davis campus has been developing as a general campus of the University—and it has been striving to build other areas equally as eminent as the one built in agriculture. These areas include letters and science and engineering, and will soon include law and medicine.

This campus was built to service one of California's major industries—agriculture. In serving this basic industry it has served the State, the Nation, and the world. Out of our research labs, test plots and field trials—have come new varieties of fruits, vegetables, and grains, new ways to grow them, and new ways to harvest and process them. And more recently, we have seen even new foods and new food products which were unknown only a decade or two ago.

This work, this vast research activity, has been to a large extent made possible through the contributions and cooperation of the farmers, manufacturers, and processors in California.

I would like to cite a few examples of some of our achievements in agriculture, indeed a few.

New varieties of grapes for the table and for wine. New varieties of fruits, such as peaches, and cherries. New methods of canning peaches and pears, which have developed a product with more of that fresh-fruit flavor, at a lower cost and increased case yield. We have freeze-dried food products, many based on research in our labs. And, of course, one of our greatest success stories in recent years, has been in the area of mechanical harvesting.

You are no doubt aware of the tomato harvester, which is so terribly important to the economy in this State where farm labor is short and expensive. This tomato harvester has meant that a new tomato had to be developed, and this was done by our plant breeding specialists here at Davis.

Among the other new harvesters are: a lettuce harvester that can feel the heads tenderly for maturity and cut the ripe ones and leave the others—it is an intelligent machine. We have improved machines for harvesting prunes and one about to be born that will harvest melons. Then again there is the grape harvester—awaiting a new long stem grape—and too, machines for beets, onions, corn, etc., and even more recently, an asparagus harvester, which was initially developed some years ago, but not considered seriously by growers until the past 2 years because there was ample labor.

Our water scientists in the department of water science and engineering are working closely with California water plan engineers by testing dam and canal models in the laboratory before they are built.

Another extensive study is being carried on by agricultural economists on land values and agricultural costs. They are scientifically analyzing the economics of land development, agricultural production and marketing, to get a truer and more accurate picture of our agricultural situation in California.

Our today looks very bright, but our tomorrow looks even brighter. With our law school opening this fall for its first students, we expect to see some interesting developments in research areas having to do with land and water problems. Our closeness to Sacramento will also be helpful to our law faculty and, we hope, it to the Government. And we will be able to train young lawyers to work in areas not possible on the other campuses of the university, water, agriculture, biology, medicine.

Our medical dean is working hard to gather a faculty and planning to accept the first students in the fall of 1968. This will make a tremendous change in our campus and greatly enlarge our areas of research and service to the people of California.

Our new National Center for Primate Biology, funded entirely from Federal grants, is now in its permanent quarters, and the staff members are actively engaged in research on control for tuberculosis, malaria, and too are studying cancer, pain, and so forth.

Some of you may wonder about studying malaria, but on a worldwide basis it is still one of the major diseases facing mankind, and it is certainly a disease of major concern to our Armed Forces in southeast Asia.

Our new 76-inch cyclotron puts us right into the nuclear age, with tremendous potential for research and teaching in the area of nuclear physics. And our physics faculty, as well as those in other disciplines, are very much interested in the possibility of locating the large AEC reactor east of Sacramento.

Our institute of governmental affairs, which is fairly new, is concerned primarily with studies on problems relating to State and local governments. Already several important studies have been completed and published and many more are underway.

One of the strengths of this campus is the cooperation of scientists in many different fields and disciplines to solve common and overlaying problems. I mentioned the tomato breeders working with the engineers to develop a tomato harvester. Food technologists microbiologists, plant nutrition experts, entomologists, and others are also involved in this project.

We have people in veterinary medicine working with people in human medicine in solving diseases of man, so-called zoonotic diseases which also affect both man and animals. This field of diseases common to both man and other animals is one of the most challenging facing us today. Another interesting example of such hybridization occurs in our food protection and toxicology center, where scientists from many fields are tackling important problems facing the food industry today. One of the newest developments in this center is a study of packaging, all aspects and particularly safety, and I am glad to say financed by grants from the industry. We like to promote scientific hybridization as we call it, or in other words, this bringing together of people from different disciplines to work on a single problem.

Our new college of engineering is fast gaining national prominence for its research in many areas. One of the most exciting of these is bioengineering where the engineering principles are applied to solving biological problems. Again, an excellent example of the cross-fertilization of ideas among our faculty members.

And we must not forget that members of our faculty are also actively engaged in research in the humanities and social sciences, as well as creative activity in the arts. For these areas also serve society. Our musicians, painters, and writers, all contribute much to our culture. Our social scientists, sociologists, and our anthropologists offer new insights to many problems facing us in society today.

And we must not forget that the greatest service this or any campus can offer to its citizens is that of education itself. This year our enrollment was slightly under 8,000. This coming fall it will be about 9,200. We are planning to reach a maximum enrollment of about 15,000 by 1975–80 with an additional 3,500 in the professional schools—law, medicine, veterinary medicine, and perhaps others. Our great Gov. Pat Brown has submitted a 5-year construction program for Davis calling for a capital outlay of approximately $70 million.

Indicative of the pioneering spirit of service at the Davis campus is the proposed international service faculty comprised of professors dedicated to a career of service in international development. The ultimate objective is to create a faculty constructed around the problems of development in the poor countries of the world. The faculty would emphasize research, development, and application in agriculture, but it would embrace all academic disciplines which can help solve or ameliorate the urgent problems of economic growth and contribute to improvements in living conditions for man in the less developed countries of our world.

The concept of an international service faculty is based upon the following assumptions:

That improved economic growth in the developing countries will serve the U.S. national interest and purpose.

That improvement in the agricultural sectors of the developing countries is essential to their economic growth.

That improved technology, which becomes an integral part of the systems of agricultural producing, processing, and distributing in the several countries, will provide a condition essential to economic growth.

That improved technology will be developed and applied by professionals who are educated not only in the principles of science but also in their application to their immediate problems.

That until the less developed countries can develop their own colleges and universities, the United States must help fill the gap.

To that end, the University of California at Davis will gather a faculty of dedicated scholars from all disciplines, but primarily agriculture, as feeding the hungry of the world is the most crucial problem of our times. These outstanding men will divide their time between actual work in a developing country implementing new methods and research at the Davis campus. For example, Dr. Clinton Chichester has been in Chile working on a project to develop a feasible means of preparing meals from fish; Dr. Sherman Leonard, on loan from the Davis campus, was the first director of the Food Research Institute at Campinas, Brazil, where significant work was done in both citrus fruits and the preservation of various dairy products.

All these men reflect the long tradition of service to the State of California, the Nation, and the world found at the great and always improving University of California.

THE IDEA OF AN INTERNATIONAL SERVICE FACULTY

At the University of California, Davis campus, we have developed a proposal for an International Service Faculty—ISF. Initially, the faculty would emphasize agriculture, but it would embrace all academic disciplines which can help solve or ameliorate the urgent problems of economic growth and contribute to improvements in living conditions for man in the less-developed countries—LDC's.

The idea of the ISF emerged from intensive discussions with the faculty and administration at Davis, including seminar-type meetings with nine faculties as well as with the Committee on International Agricultural Development. A proposal for initial financial support has been formulated but is omitted from the present paper in order to concentrate on the central ideas: the underlying assumptions, the nature of the ISF, how it would be geared into the university, how the ISF would be set in motion, and priorities in programs and areas.

UNDERLYING ASSUMPTIONS

First. Improved economic growth in the developing countries will serve the U.S. national interest and purpose. Orderly economic growth would nourish stability and peace within and among nations and will also fulfill the national purpose to share whatever genius this country possesses in the productive arts and sciences to the improvement of the human condition throughout the world.

Second. Improvement in the agricultural sectors of the developing countries is essential to their economic growth. Everywhere that agriculture forms the largest part of their economies, enormous efforts are necessary to bring population growth into line with possible economic development and more food will be needed for more people for as long as we can see into the future. While imports of food from outside may help, the poor countries must rely for their food supplies chiefly on their own efforts. India currently imports only 6 percent of her food consumption. Again, if improved efficiency is a main goal in the poor countries, improvements in the largest sector—agriculture—should be stressed. Finally, developing countries desperately need foreign exchange, most of which they must earn through exports. With few exceptions, agriculture provides most of what they have to sell.

Third. Improved technology, which becomes an integral part of the systems of agricultural producing, processing, and distributing in the several countries, will provide a condition essential to economic growth. In the United States, farm production increased at 1.1 percent a year from 1920 through 1940; in 1955 through 1963, the annual rate of increase more than doubled and, in the absence of acreage diversion programs, would have more than tripled. Four factors are primarily responsible for the increased crop production per acre: increased farm power and better instruments; higher yielding crop varieties; more effective chemical control of pests and diseases; and increased use of improved fertilizers. All these factors result from long-term investments in research, education, and extension. In Japan, the return in agriculture from investment in rural education, research, development, and extension has been estimated at 35 percent per year for the period 1880 to 1938.

Fourth. Improved technology will be developed and applied by professionals who are educated not only in the principles of science but also in their application to their immediate problems. We recognize that the mere provision of trained and skilled people may not be enough. The developing countries need adequate farms; suppliers of seeds of improved crop varieties, fertilizers and other essential inputs; suppliers of suitable farm equipment including shop facilities, processing plants; laboratories; distribution systems; cooperatives; extension services; financial institutions; governmental agencies; and other organizations which can and will make use of people with applied science training. Much of this may require changes in public policies as, for example, to increase incentives for entrepreneurs in and out of agriculture. More profoundly, these developments may require changes in attitudes. But all such changes will be of no avail unless the educated and trained people are there to be used. To illustrate, in 1963 to 1964, the United States, with 190 million population of whom some 7,500,000 are classified as rural farm, graduated 7,050 with B.S. degrees in agriculture and closely related disciplines, 1,859 with M.S. degress, and 569 with Ph. D. degrees. Colombia, a country of only 17 million but also with a rural farm population of 7 to 8 million, has annually graduated 80-odd ingenieros agronomos, whose degrees are comparable to our bachelors.

Fifth. Until the LDC's can develop their own colleges and universities, the United States must help fill the gap. As rapidly as possible, developing countries need to provide themselves adequately with schools, colleges, universities, and programs of research and extension. But the growing of institutions takes time, however intensive the encouragement. Meanwhile, students from developing countries will be coming to the United States in large numbers.

In 1957 some 30,000 aliens came to the United States on student visas, in 1962, some 41,000. Compared to proportions of U.S. students who select agriculture as a profession, a large share of the influx of foreign students enroll in colleges of agriculture.

By good fortune, the United States is now in a position to respond to this increased demand and increased need for training foreign students in agricultural technology. In the United States the technological needs of agriculture remain great and are by no means static so that more jobs await agricultural graduates than there are graduates to fill them. Nevertheless, our colleges of agriculture, by judicious expansion and by allocation of resources, can accommodate a larger flow of foreign students.

Sixth. For the United States to help fill this gap in the numbers of trained people, it must project its applied sciences into the developing world as never before. It is one thing to enroll foreign students in courses in applied science, but it is quite another to train each student appropriately for useful careers in their home countries. While the principles of science are the same everywhere, their application differs with the environment.

The genius of agricultural education in the United States has been in bridging the gap between the laboratory and the field. Much of the effectiveness of applied science in farming, processing, and distributing systems in the United States has accrued because professors have had well-established roots in their local environments. This is true whether we consider research, teaching, or extension. In the proposal here advanced, the environment shifts to the developing countries. This proposal is designed to ameliorate a major flaw, long recognized by numerous commentators, as to the relevance of applied science education in agriculture to be had in the United States for realities of environment in the developing countries.

Although large numbers of United States professors have gone overseas on leave to work on the agricultural and related problems of development in the poorer countries while on temporary leave, they have done so only rarely as projections of their university. Upon their return, nearly all of these professors have felt impelled to lay aside and even to forget their foreign experience and to concentrate upon teaching and research at home in order to recoup "time lost." They have been so impelled by their sense of duty to their colleagues, to their colleges, and to their families, and also by normal aspirations to realize their fullest possibilities in their professions. Colleagues and colleges, generally have not been prone to accept service abroad as pertinent experience for purposes of promotion and merit recognition in their home institutions.

Seventh. If we are to achieve the above goals by an effective projection of the university into overseas development, we need drastic revisions in our conceptions of what is necessary in our commitment of resources and in our procedures. To achieve these objectives we propose to establish an International Service Faculty. We venture to hope that our proposal may prove suggestive to other universities and that the central idea may become one of the guidelines for legislation by the Federal Government to provide continuous support for expanded participation by land-grant universities in the development of the less-developed countries.

THE INTERNATIONAL SERVICE FACULTY

The ultimate objective is to create a faculty constructed around the problems of development in the poorer countries.

Initially, the faculty would emphasize agriculture in its broadest and most comprehensive sense. From the start we would stress the economics and the institutional aspects of development as well as the relevant natural sciences. In time we should expect the faculties to change as the developmental problems of host countries change.

The core of this faculty would be professors dedicated to a career service in international development; this is the essential idea of this proposal. This faculty would be built not only on the conception of the need, already described, but also on the belief of the willingness of many highly qualified academic people to commit themselves to long terms and even to careers of overseas service if they can be assured of opportunities reasonably comparable to those they would enjoy if they remained at home. They should enjoy equality in academic standing and in professional advancement as well as in remuneration and sabbatical privileges. Their talents and performance must come to be rewarded equitably with those of their colleagues in their own departments and in their professional disciplines, including their professional societies which, we assume, will increasingly recognize scholarly performance in the developing countries.

The work of the International Service Faculty would be in the national interest, hence the faculty should be supported by the Nation rather than by the State government. Actually, the State has already made—and will continue to make—very large contributions to the ISF. The strength of the ISF will generate from its roots in the university—in its scientific manpower, its academic organization, its libraries, and its laboratories—which the State will continue essentially to support. But all the additional costs of the ISF should come from outside funds.

We expect national support to be authorized by the passage of the McGovern bill—S. 1212, 89th Congress, 1st session. This bill proposes to finance a substantial part of AID's technical assistance program by means of a permanent authorization in the form of Federal grants-in-aid to colleges and universities which develop qualifying overseas programs aimed at improving the developing countries. The McGovern bill results from a growing sense both of the urgency of the need for improvement in the LDC's and also of the inadequacy of past approaches to meet the need.

Among the landmarks in the emergence of the McGovern bill are John W. Gardner, "AID and the Universities"—New York: Education & World Affairs, 522 Fifth Avenue, New York, N.Y., 10036, 1964—the White House Conference on International Rural Development, July 27 and 28, 1965. Jointly sponsored by AID and NASUL-GC, see "Proceedings"—and "Policies for Promoting International Development," report of a conference on productivity and innovation in agriculture in the underdeveloped countries, MIT, 1964—the Millikan report.

We hope and believe that the McGovern bill will become law and will rival the Morrill Act of 1862 in historical significance.

Careers of academicians who become members of the International Service Faculty, while varying, will have in common an apportionment of time between the home campuses and the field which will make for excellent contributions in both. One type of career might be patterned on that of a distinguished private overseas agricultural research and development program. Members would serve overseas for long periods but with extended home assignments at least in alternate years. Home assignments, including vacations, would be for no less than 4 months and would normally include one academic quarter during which the returnee would give at least one course or seminar in his specialty and would be available for work with advanced students. Many other divisions of time between overseas and home service would be possible.

We anticipate that enough returned faculty members would be present each year so that the programs of foreign students would include courses by professors who, while presenting the principles of their disciplines, would include applications fitting the environments of developing countries.

As the name "International Service" implies, however, we would expect the chief contributions of the ISF to be overseas. Unless universities in the Western World take drastic measures to facilitate the flow of members of their faculties into these new institutions; that is, universities in the new and developing countries, over the next critical decade, the latter will either be stillborn or will emerge as caricatures of the great universities they should have become.

Report of Study Committee No. 1, chaired by Prof. James S. Coleman, 17th All-University Faculty Conference, April 1962, at Santa Barbara. See page 12. The report of this committee, the summary of discussion of the report, and the resolutions adopted on the subject—all these document the considered commitment of the university to international service.

Projected service by members of the proposed International Service Faculty would be heavily weighted in favor of periods overseas. We expect this faculty: First, to contribute to human knowledge through their own research in overseas areas; second, to play vital roles in the development of colleges, universities and other institutions which will give proper attention to problem-solving in teaching and research; third, to facilitate the application of science which will lead to quicker improvements in productive and distributive processes; and fourth, to aid in increasing the effectiveness of governmental research agencies whose policies often determine the success of innovations essential to substantial economic development. We wish to stress also the extension function, often sorely needed overseas.

We shall expect the ISF to help build strong extension services abroad. In developing countries where research results respecting improved varieties, tillage methods, and controls may still be unusually tentative, extension will need especially close integration with research.

EFFECT OF THE INTERNATIONAL SERVICE FACULTY ON THE ORGANIZATION OF THE UNIVERSITY

Foremost is the point that this faculty would be an integral part of the university, college by college, and department by department. It is essential that the intention of the proposed program be clearly stated, thoroughly understood, and widely accepted. The intention is to project the university into the developing-country world. Often, at present, a professor undertaking a foreign assignment is only loosely identified with the university; under this proposal, he would be the university. What he does in the foreign field would then be as much a part of his departmental program, his college's program, and his university's program as anything performed by his colleagues who remain at home.

The intention is not only to project the university but to project its best. Professors will go overseas to realize careers dedicated in whole or in some significant part to overseas service. They will go in the belief that they can apply their science better abroad if they become steeped in the foreign environment—in knowledge of its institutions, its culture, its religions. But it is still their science that they apply, and science is organized by disciplines which are institutionalized in departments. Hence, it is better by far to insist that the present organization of scientific disciplines by departments be maintained, with international service being added as rapidly as feasible in all relevant departments, rather than vesting separate departments specializing in activities abroad. Departmental chairmen will be in strategic positions to share in the definition of the university's overseas program and to communicate to others the intention of projecting the university abroad. Inasmuch as the university, by nature, magnifies the independence of its academic staff, the aims of international service will be fully realized only through widespread acceptance and support of the program by professors, whether or not they themselves are actively engaged in the enterprise.

Nothing less than complete acceptance by key university people of the idea and the ideal of international service will assure participants that their rewards, professional and otherwise, for such service will be comparable to rewards at home. Given this assurance, we believe that a number of motivations will encourage academicians, who rank among the best, to enter international service. Names come readily to mind—names of outstanding academicians who, despite the substantial professional and academic risks which must now be faced, have already commited themselves significantly to such work. Spectacular as individual contributions have been, however, they must be multiplied, extended, and systematized. Commitments that go beyond individuals—commitments of universities—are required.

In terms of organization, then, we contemplate a university with a formal structure much as it is now, but with its administration, its schools and colleges, its departments, its libraries, its committees, and its councils all informed by the commitment to an additional purpose. There will, of course, need to be an identifiable office to take responsibility for certain aspects of international programs.

Its name is not important except that the title should reflect the need, initially, to stress the role of agriculture in development. As noted previously, however, the program would be broader than agriculture from the beginning, and, as developing-country needs change, the name of the center might eventually be changed.

The new administration organization should provide the chief, although not the exclusive, point of contact for outside agencies seeking to draw university resources into specific programs. The organization would have a coordinating function for activities which cross disciplinary lines or which involve cooperation with other universities. The organization would provide a clearinghouse of information on international service activities carried on by other universities, agencies, and organizations. The organization should assist individuals, faculties, and teams of workers in the search for funds to broaden or extend their international service activities. The organization should be prepared to assist appropriate offices of the university in the acquisition of library and laboratory materials, in making available information about international services of the university to the university community itself and to the public, and in the reception of foreign visitors.

Finally, any university which engages heavily in international service will find itself involved in negotiating certain nonacademic details of agreements with granting agencies, with other universities and with agencies and universities in foreign countries. The systematic movement of academic personnel laboratory equipment, household furnishings, and transport equipment requires an efficient administrative organization. Professors and their families going abroad, as well as foreigners coming to the university campus for study and research, require assistance in finding housing and establishing households.

Assistance may be required in immigration and emigration as well as in complying with other kinds of governmental regulations. So far as the movement of personnel and equipment abroad is concerned, the university would expect to rely essentially, and probably wholly, upon the services and good offices of contracting agencies—government agencies, foundations, and private businesses—which are already experienced in these operations. There will, however, be an administrative burden for the university in negotiating for such services with contracting agencies. There will also be a responsibility to assume for assisting the movement of scholars, fellows, and students to the United States. Both these latter obligations could well be assumed for the university by this organization.

HOW THE ISF WILL BE SET IN MOTION

Through its appropriate channels, such as the deans of agriculture, of letters and science, and of veterinary medicine, the university will announce the availability of funds—once these have been provided—for professorships in international service and invite interested faculties in agriculture, in the social sciences, and in veterinary medicine to consider whether they wish to participate. It is anticipated that interested departments will address themselves to the proposal either under the leadership of their chairmen or through a professor whom he designates as the department's representatives.

Departments wishing to participate will be asked to formulate statements of what they conceive to be their contributions to international service. Thus the departments might appraise present course offerings and indicate additional courses which international service professors might teach in order to increase the relevancy of the curriculum to the needs of LDC students.

They might also suggest the kinds of research or research-and-training programs which the overseas experience within departments shows would best fulfill the aims of the university abroad. They should give attention to preferential locations of overseas work. Where two or more departments are complementary, they may wish to develop joint statements on parts of their overseas programs. Departments wishing to participate will also be asked to nominate candidates for international professorships.

Programs and appointments will be approved through the normal channels of the university in accordance with normal procedures. However, the administration organization will have a special responsibility to review proposals for programs, personnel, and locations of work in order to advise appropriate authorities of the university concerning those undertakings which it deems will both expedite the development of a teaching program well designed for the needs of the LDC's and also make for a sound and defensible general program abroad.

We contemplate that initial appointments will be full professorships. The university thus shows its intention to appoint only ranking scholars in the field of international service. Confident that a number of its most eminent people will elect this service if it is available, the university is convinced that leadership from the very beginning must be drawn from the ranks of the most eminent.

What of those interested faculty members who have not yet attained their full professorships? Let us remember that we are here discussing only the first steps in the process of establishing a pattern of excellence in future expanded programs that will develop with funds from the McGovern bill, when passed, as well as from other sources. Later on, we expect the ISF to include all ranks. However, we believe that it is essential for the initial core of the faculty to be persons who, so far as possible, have proven eminence and who, in turn, will be discriminating in their evaluation and recommendations of personnel to fill out the program. We also believe that by beginning with ranking professorial appointments, this program will encourage younger members of the faculty who aspire to these positions—they will be encouraged to believe that their performance in international service, if it measures up, will enable them to advance to the higher professorial ranks in due time.

By the same token, senior staff officers will feel much easier about encouraging younger academicians who want to try foreign work to undertake assignments: the heavy present risks of foreign assignments to the careers of young staff members, risks to which the senior members feel the juniors should be alerted, would be greatly diminished—and eventually equalized by the ISF. Meanwhile, with the present cooperative program between the University of Chile and the University of California as well as in other prospective international activities we anticipate no lack of opportunities for aspirants at lower ranks than professorships to enter international service. Indeed, we believe that the problem will be, as it should be, one of selection from among numerous able candidates.

WHAT PROPORTION OF PROFESSIONAL TIME DO WE CONTEMPLATE WILL BE SERVED OVERSEAS?

Addition of the international service aspect or dimension to the regular research-educational functions of the university will require the commitment of individual professors to overseas careers. As already indicated, we believe that some professors would be willing to make a long-term and virtually full-time commitment, although at the minimum each would return for a month each year and for long enough every other year to teach a course in his field. Other professors may wish to divide their commitments and their energies between overseas and domestic commitments. No doubt differences among the disciplines will influence choices of professors. An anthropologist or a political scientist might wish to make his career essentially overseas, at least, for long periods of time. So might an agronomist or an economist specializing in marketing. A general economist, a soil scientist, or an entomologist might divide his time more equally.

We envisage that each department, in its proposal to participate will arrive at a policy respecting full-time and part-time service. Like other departmental proposals, this policy will have to be approved, and perhaps negotiated in the process, through the channels already described. The primary guiding principle will be the provision for sufficient allotment of time to insure that participating professors will be able to develop long-term commitments. There will be considerable individual flexibility, of course, and over their career spans, many ISF professors will find themselves spending considerable periods stateside. Normally, however, we would expect the bulk of ISF professors who enter the program to contemplate spending most of their time overseas for the next 8 to 10 years. Normally, half time in international service will be considered a minimum commitment.

PRIORITIES IN PROGRAMS AND AREAS

We now turn to absorbing questions: What kind of programs will be approved? What criteria will be used in evaluating proposed programs in selecting alternatives? In what geographic areas will the university's International Service Faculty concentrate? As will be shown, the answers to these questions are related.

First, what kind of programs will be approved? What criteria will be used? In accordance with the assumptions with which we opened, we consider that the university will be strongly impelled to develop procedures and criteria which will emphasize expected contributions to economic growth. Initially, the focus will be on increases both in the efficiency and volume of food production, processing, preservation, and distribution, with due attention given to nutritional qualities and also to the acceptance of different kinds of food in consideration of native habits and customs. Further the stress will be upon food, fibers, and other agricultural products both for domestic use and for export.

Other criteria are involved, however. A major question is one of comparative advantage. Within a given country, is there a good prima facie case, at least, for the argument that the proposed development will represent a good use of the country's resources compared to alternative, available uses? The same questions apply to overseas trade—can the country profitably enter the world market with a surplus or, conversely, is the world price low enough to bring into question the country's stressing this line of production?

Then, too, there are institutional factors in judging whether a given proposal for overseas work is feasible. Perhaps first among these is the question whether a promising local institution—usually a university or a department within a university—is available, is anxious to cooperate, and has the present and prospective quality and size to provide reasonable assurance that the contributions of the U.S. university will take indigenous roots.

There are other institutional factors, of course, and all these considerations argue for the designation of the administrative organization as a review committee—with the power to co-opt members freely—for proposed projects.

On proposals for the improvement of food and feed grains the judgments of geneticists, pathologists, and agronomists would predominate; on proposals for reducing the deterioration of soils through salinity, soil and water scientists and engineers would figure more prominently. On virtually all questions economists would be required. Economic talent will be especially necessary in light of the growing recognition of public policy as an important limiting or facilitating factor in development. Often such policies lie outside agriculture; for example, fiscal and monentary policy and foreign exchange control. But policies such as taxation and discrimination in exchange control may have a most direct effect upon agriculture. Policies on farm prices, on requisitioning farm produce, on rationing of farm producers' goods—any and all of these may be of prime importance.

This stress upon the expected economic effects of the proposed programs and especially the significance of public policy suggest some answers to the second nagging question: On what geographic areas will the programs concentrate? Clearly, growth problems occur country by country. Insofar as the idea of stimulating growth is accepted, the stress will increasingly be in countries as countries—in extremely large countries like India and especially in federal systems, the stress may be more on the provincial than on the federal area. With allowance for important exceptions, we should expect the university to concentrate in a relatively few countries at any one time. We assume long-range programs: in one decade, the university may be working intensively in three countries and less intensively in three or four other countries; 10 years later, for example, one or two countries may have been dropped from the intensive list and two or three others may have been added.

At the same time, we should expect the university to be operating, often through individuals, in a number of other developing countries which may not be listed as countries of primary or even of secondary concentration. By nature, the university will include scientists whose interests and curiosities will range beyond and overleap efforts to provide a focus. In its International Service Faculty the university will encourage professional entrepreneurship especially in the greatly talented. We hope that ways can be found for our Mark Hopkinses to sit on their logs with foreign students with whom they may, indeed, return overseas. In promoting development in the poorer countries the individual approach should have a place along with the schematic.

To conclude the discussion of priorities and areal concentration; We posit that the focus will be rather heavily upon those activities which hold promise of immediate contributions to growth and that this focus will be compatible with considerable concentration in certain areas and, indeed, in certain countries. At the same time, we recognize that the searching, inquisitive nature of the faculty will often go off in unpredictable directions. Further, we believe that this inquisitiveness is closely related to the need for fundamental research which must not be overlooked in the search for immediate results. Acceptance of a need for urgency must not give way to a kind of opportunism which disregards the essential claims of science.

NEW EDUCATIONAL CONCEPT AT SANTA CRUZ

Mr. TALCOTT. Mr. Speaker, I am quite dissatisfied with the leadership and administration of the board of regents and a small portion of the faculty at the University of California at Berkeley.

The failure of the regents and the dean of the university at Berkeley to provide leadership and direction of the faculty and student body during the past

THE UNIVERSITY OF MICHIGAN LIBRARY

years has greatly prejudiced the whole of the University of California.

As only one example, one class was unable to meet 11 times during the semester of the Berkeley demonstrations. Such conduct deprived some students of classroom instruction and learning to which they were entitled. Such conduct is not excusable in a university.

Dr. Wallace Sterling, a great president of Stanford University, my alma mater, recently said:

> But—universities stand, or should stand, at the pinnacle of any educational system. They are the institutions which combine the quest for new knowledge with teaching and training at undergraduate and graduate levels, a very few at the graduate level only. Their involvement with public issues and problems has long since torn the ivy from their towers and transformed their once cloistered ways. Yet, in my view, they will serve society best if they can retain an identity and an internal cohesion which somehow sets them apart from the commercial, industrial, social and governmental institutions which society has created; if they can retain, in John Gardner's phrase, "an inner city" which is calmer and more contemplative than the storms which swirl about it, where the value of discussion is measured not by volume but by information and knowledge and where the enterprise of learning is given primacy. Here is a moral commitment that is worthy of any university and any of its members. . . . For today's learning will go far to govern tomorrow's action. I do not know of any university—certainly in the United States—which is not beset by multiple problems. Nor do I know of any which is trembling on the brink of disaster.

Universities should serve primarily the student.

A public university has higher obligations to the student, its citizens and taxpayers than was displayed by the University of California at Berkeley in recent months.

I trust that somehow and soon, a new leadership, a new commitment, a new competence can be found and introduced at the University of California at Berkeley.

One of the major problems facing higher education today relates to the proper setting for undergraduate teaching—the whole relationship between student and faculty, the organization of undergraduate curriculum, the development of new methods and new organizational patterns. For these reasons, the entire higher education community has given a great deal of attention to the newest campus of the University of California located at Santa Cruz in my congressional district. While final answers may be years in the offing, the experimental nature of this new campus and the hopeful start already made under the superlative direction of Chancellor Dean McHenry and his staff guarantees an exciting and stimulating educational experience.

Although it opened its doors to students only last September, Santa Cruz has already created an extraordinary interest among students and educators alike. Having followed the development of this unique campus from its inception, I am hopeful that some of the approaches to undergraduate education being undertaken there will succeed and influence developments in higher education throughout the country. The regents and administration of the University of California are to be commended for devoting some of its talent and resources to such a far-reaching project in undergraduate education. So much of our attention has been focused upon the advanced research findings that flow from the laboratories and libraries of our major universities that it is invigorating to find not only thought but resources as well being devoted to the problems involved with training undergraduates.

We, in the 12th Congressional District, are pleased that this newest campus of the university has been located in our area. The impact of the university and the community upon each other has already been manifested and the continued interaction between town and gown is certainly mutually advantageous. Located on 2,000 rolling acres of the historic Cowell Ranch, the University of California at Santa Cruz offers, in a setting of incredible beauty, a bold and adventurous approach to one of the major problems facing higher education.

The Santa Cruz concept has, I believe, great relevance to education in mid-20th-century America, and I trust my colleagues will be interested in this concept of higher education.

THE SANTA CRUZ CONCEPT

The Santa Cruz plan for a collegiate university has stirred the imagination of men everywhere who are concerned about the quality of undergraduate education. And it is widely regarded as a most exciting and promising innovation in higher education.

The Santa Cruz concept is a synthesis. Its intent is to combine in a single institution the best of the small college and the best of a large university—all within the framework and strength of a great State university system.

With the acceptance of the first class of 652 students in the fall of 1965, Santa Cruz consisted of a single undergraduate coeducational college, Cowell College. By 1995, it will have grown into a university of 25,000 or more.

But not as a monolith.

Santa Cruz will develop as a collegiate university, a cluster of small residential colleges on a single campus. It will add a college almost every year until there are some 20, averaging about 600 members each. Each will be a liberal arts college, but each will approach a liberal arts education from a different perspective. Cowell will emphasize the humanities, Adlai E. Stevenson College the modern social sciences, Crown College the natural sciences and mathematics. Subsequent colleges include ones with interests in international affairs, the arts, urban life, and other affairs of man.

Each will be headed by a provost, who, by his interests and personality, will put a distinctive stamp on his college. Campuswide guidelines will specify broad fields to be covered for the A.B. degree, but each college will determine how best to implement them in keeping with its identity and personality.

After early concentration on high-quality undergraduate education, Santa Cruz will begin to launch the additional enterprises of a general university: graduate instruction, professional schools, and research institutions. Growth will be in a mode that preserves the integrity of the various units within the university. It will seek always the way to seem small as it grows large.

EACH COLLEGE WILL BE A WELL-ROUNDED COMMUNITY

Within the university, each college will be a relatively self-contained, semiautonomous educational entity, with its own residence halls, classrooms, dining hall large enough to accommodate college gatherings, student common rooms, library-reading lounge, and faculty studies. Each college will include quarters for its provost and his family, apartments for 12 or so of its faculty fellows and preceptors, and guest suites for visiting scholars and lecturers and other distinguished visitors. Social and athletic events also will center in the colleges.

In these respects, Santa Cruz will retain and strengthen the best features of the small liberal arts college, but with an important difference.

For these small residential colleges will be clustered within the leavening and broadening influence of a large university. Interchange between the colleges, great scholars, excellent libraries and laboratories, and superior cultural events will provide a sophisticated setting that will counterbalance the parochialism which tends to develop in small communities, however excellent they may be.

BALANCE WILL BE BUILT IN

College membership will be assigned to achieve a balanced diversity of background, ability, and interests among the student members of each college.

Fellows and preceptors in each college will strike a similar balance, giving representation to the principle disciplines in the arts and sciences, but with a weighting toward the emphasis of the college.

Membership in a particular college will not impose on a student a particular major or field of specialization. Any student in any college can major—when he makes his decision—in any discipline he wishes. To further the principle of breadth, and to encourage the stimulation that results from exchanging different points of view, not more than half the student members of a college will major in its area of emphasis.

Students in each college will have access to the offerings in every other; and in the central campus for those subjects requiring facilities not available in a college—a laboratory course in biology, for example. This cross-fertilization through substantial exposure to courses in other colleges with different orientations is a further broadening influence the university provides.

THE COLLEGE AND WHOLENESS OF EXPERIENCE

Much attention has been given at Santa Cruz to the wholeness of the undergraduate experience.

It is a stale complaint in large universities that the student's life outside the classroom is ill-connected to the curricular enterprise and that major portions of his experience, therefore are educationally wasted. Or more charitably, that the educations which take place outside and in the classroom fail, by their lack of connection, to strengthen each other as they might.

The reasons for the lack of connection are clear. Students see little of faculty outside the classroom; students see little outside the classroom of the students they are involved with in class; the schedule of classes and requirements often defeats any inclination the student has to regard his experience of college as a coherent process.

The attempt at Santa Cruz to restore wholeness begins with the undergraduate college. The collegiate system is not new—what is new at Santa Cruz is simply our arrangement of its components and the fact that it is to be tried wholeheartedly in a public university.

The colleges at Santa Cruz are semiautonomous. Each provides residence for a majority of its student members. Each provost has a major role in recruitment and promotion of faculty for his college. The faculty fellows have significant freedom in design of educational program, and much of the program is carried on within the college's facilities, although minimum requirements in each discipline are established by campuswide boards of studies.

Where an undergraduate college has no voice in the selection of faculty, and no power to reward faculty for excellence of teaching, it falls often to a "soft core" of sacrificial faculty to give meaning to the institution's commitment to teaching. Where, at the other extreme, that commitment has been embodied in a separate undergraduate faculty, the resulting distinction between inquiry and teaching has again, directly and indirectly, weakened undergraduate education. Hence the importance attached, at Santa Cruz, to the college as a center of political power within the university.

Virtually every member of the faculty at Santa Cruz will be a member of a college. Most of his undergraduate teaching will be carried on there, his office or study may be located there, he will participate there in the determination of educational policy, and his salary, typically, will come in part from the budget of the college.

At the same time, however, he will normally be involved also in graduate teaching and research. He will have available research facilities appropriate to a university; and the nature of the undergraduate program—including heavy emphasis on independent work—will give him ample time to pursue his research interests.

The college at Santa Cruz has responsibility for educational policy in two areas:

First. General education, primarily but not entirely at the freshman and sophomore level.

Second. In advance areas that are beyond the basic campuswide requirements of the disciplines—here responsibility will be shared with the faculty in each discipline, campuswide.

In the realm between, where it is decided what will constitute appropriate basic work for a major in a field, the college is subject to the decisions of the discipline's board of studies.

IN SUMMATION

Higher education in the United States is fated to be massive. And an ever-increasing number and proportion of the total undergraduate body will be found in public institutions.

Santa Cruz is dedicated to the proposition that an educational offering to a large number of students need be neither impersonal nor ponderous.

Perhaps it is the most promising method by which the virtues of the small liberal arts residential college can be preserved and enhanced for future generations.

Perhaps its real significance is that it will make available to a substantial number of students—drawn from all sorts of cultural and economic backgrounds, and from a relatively broad spectrum of intellectual attainment—the sort of close instruction and enriched educational experience found for the most part only in exclusive private educational institutions.

Perhaps it can persuade others to break the lockstep of crowded classrooms, detached dormitories and impersonal instruction—and to adapt to their own circumstances the principles that guide us here.

Mr. BROWN of California. Mr. Speaker, as a graduate of the University of California at Los Angeles, I want to join my colleagues today in paying tribute to that fine establishment.

Several of my colleagues have already talked about specific campuses of the university. I would like to speak more generally.

The university has changed in many ways since I was there. The enrollment has increased by thousands of students, and the physical plant has grown to include several more campuses. The system has changed from the semester system to the quarter system, but the important things have remained the same. The university has not sacrificed quality to quantity. It has not lowered its standards for either faculty or students.

The University of California is one of the most distinguished in the United States on the basis of quality of faculty and facilities for instruction and research. It leads all institutions in the number of Nobel laureates on its staff, has the largest number of faculty members who have won Guggenheim fellowships. The library of the university has been ranked third best in the Nation—following only the Library of Congress and Harvard Library—and the university recently won nationwide acclaim for the quality of its graduate school.

Equally important, the university has not sacrificed principle to controversy. The outstanding president of the University of California, Clark Kerr, once stated that the purpose of the university was not to make ideas safe for students but to make students safe for ideas, and the university has lived up to that ideal—although not without extensive criticism. To the shock of many people, the university agreed to allow Communists to speak on campus. As a result of the free speech movement, the officials of the university agreed to compromise with the students and grant their request for the use of the campus for what had until that time been considered off-campus activities. The university has wisely accepted dissent as a valuable part of the educational process.

As a Californian, I am proud of the outstanding educational system of that State and am thankful for the generous support the people of that State have given to our entire public school system—which has at the pinnacle the University of California—and I am thankful for the provident government that the university has received from its regents and its presidents. I am grateful, too, for the valuable classes offered by the university extension service, which maintains adult education programs in some 200 California communities.

As an alumnus, I am grateful for the high quality education I received at UCLA—both in actual classes and in the enlightening atmosphere of the university. As a politician, I am grateful for the awakening I received in my years at the university. At the school which has the largest enrollment of foreign students in the United States, one is stimulated to look beyond his immediate world of books and exams.

As a husband, I am grateful for a wife who is also a graduate of the university—Berkeley campus—which undoubtedly helps to explain her tolerance for another graduate of the same institution.

As the university has expanded from its original size of 40 students, in 1869, to its present size of nearly 100,000—not including the over 200,000 part-time students in extension—it has grown from a good university to the great university that it is today.

Mr. DYAL. Mr. Speaker, I wish to compliment my distinguished colleague who serves the district next door to my own in California. The gentleman from California [Mr. HANNA] is doing our State and the cause of education a great service by taking these special orders today.

My district is fortunate in having a new California State College at San Bernardino. Furthermore, it is evident that the majority of our students are among those who prefer to raise brains instead of beards.

I quote from a recent letter received from Dr. Joseph K. Thomas, dean of the college:

> After eighteen years experience in California educational circles which were divided between secondary education, higher education, and college administration, in my opinion the University of California at Berkeley has without a doubt been the leader of higher education in California. Unfortunately, a few malcontents have tarnished some of the glitter in the last two years. It is also a disgrace that a few politicians in California are taking advantage of the situation in order to "feather their own nest".
>
> Dr. Allan Cartter, Vice-President of the American Council on Education, states in a very recent assessment of graduate education in the United States that the University of California at Berkeley is ". . . the best

balanced distinguished university in the country." Please refer to the May 27, 1966 issue of Time Magazine for further details on this study.

Fortunately, the distinguished faculty at Berkeley are confident that corrective measures are being taken in order to improve the undergraduate teaching concept. This is evident by the fact that very few faculty members are leaving the Berkeley campus.

I am confident that the parent campus of the University of California will resolve their undeserved criticism and once again return to its position of eminence. We in the California State Colleges are solidly behind them.

Mr. Speaker, many of the students living in my district attend the University of California at Riverside. Our students there, as in San Bernardino, are in fine educators' hands. Listen to the following from the Chancellor's Column a regular means Dr. Ivan Hinderaker uses in talking to the undergraduates:

Occasionally one reads something which, for him, has a special impact. The reaction is beyond just thinking the idea and style in which it is written are good. Rather, it is something like a loud "amen."

My latest experience of this came from reading an argument for liberal arts education by 38 year old Bell and Howell President Peter G. Peterson, writing in The Christian Science Monitor.

In two short decades, the world has been plunged in to the atomic, computer, and space ages. The most descriptive word about what is going on around us is "change." Our problem, then, is how to help educate men so they are best equipped to cope with change.

After noting several kinds of managerial skills which undoubtedly will be necessary in any future, Mr. Peterson observes that information, however important, is not enough.

"It is far easier to get people to absorb new knowledge then it is to get them to alter their conclusions. Most of us have an incredible talent in processing new facts in such a way that our prior conclusions remain intact.

"The new world demands, perhaps above all things, emotional flexibility and freedom. In this new world, rigidity may actually be a greater barrier to progress than ignorance.

"The late Paul Tillich said we must learn to be comfortable with ambiguity. Put another way, this world of ours is rapidly becoming a more unpredictable, ambiguous, and uncertain place, and we must come to terms with it.

"Can your educational environment, in fact, help provide the emotional security which enables you to recognize that life is indeed filled with risks and ambiguities, and that the great human achievement is to deal with them creatively and joyfully rather than be blind to change, or, even worse, fearful of change?"

Amen. For me, the impact came in three dimensions.

First, in politics, one of the greatest dangers flows from the far left and far right's crusade for the simple solution. In this complex world, any political problem worth calling a problem, however, isn't simple. More likely than not, neither is there an answer.

Second, in management, to anything not mentioned in the rule book or altering a little the comfortable routine of bureaucracy, without even an examination of the alternatives, too often the response is "no." That is not good. In large part, the quality of an institution is determined by what it is striving for, and by the vitality of the process of striving.

Third, in education, as important as what is taught is the manner in which it is taught. In liberal education there must be an open mind—questioning, weighing alternatives, making decisions, questioning. In addition to intellectual breadth, there must be emotional balance. This is no place for intellectual authoritarians.

It is my hope that students can gain from interaction with faculty the qualities of emotional flexibility and a passion for constructive change; that students can come to terms with ambiguity and unpredictability. It is my hope that we in the administration, older and perhaps more in need, can do no less.

And also:

In my first Chancellor's Column a year ago, I issued a challenge which I want to repeat now at the start of 1965–66.

"This should be a place never afraid of a steady flow of creative ideas, not only in matters academic but also in ways of doing things on the campus. Without such ideas, forward movement cannot begin.

"It should be a place of pressure, with departments and other units constantly pressing both sideways and up—to accomplish objectives they regard as important. Without such pressures nothing is likely to happen, even if ideas are good.

"It should be a place of challenge, with everyone stirred up enough about life and things to try to achieve always a higher level of performance. Without that stirring up, we can't be a university worthy of the name, and in addition, we won't have any fun."

That was the challenge. This is in part what followed.

A student developed the idea, suggested the place, lobbied with anyone who would listen, and can today claim parenthood of the new fine arts workshop nearing completion near The Barn.

The same student saw an unmet need in campus social life. So started the popular Friday night cabarets.

A student in search of a place which students interested in politics (liberals, moderates, conservatives) might call their own, set in motion some thoughts which produced the new political union next door to the new arts workshop.

A group of students interested in debate wondered why UCR didn't have a debate team. Organized debate got underway last semester. This fall the team will have its own office in the political union.

A group of students have carried a short-range campus FM radio station project (KUCR) to the point of being nearly ready to go on the air from their Canyon Crest apartment studio near Aberdeen-Inverness Residence Halls. The route for this project led from the campus through The Board of Regents and pending now is an application for a Federal Communications Commission license. We expect that KUCR will be in operation this fall.

The 150 students engaged in last year's tutorial project needed to make no argument in behalf of their hope for an office and lounge where they might interact. Space has been provided in the arts workshop building.

A student's question was a catalytic agent in a sequence of events which led to experimental language houses in French and Spanish last spring. German follows this fall.

A student inquired why the patios around the Library needed to be locked. They didn't need to be. One has been available for several months and, as soon as access walks can go in, the other two will be open.

If you haven't guessed it yet, we are searching, always for ideas, big or little, on how to improve this campus. We have only begun.

FIFTH ANNIVERSARY OF FIRST USE OF NUCLEAR POWER IN SPACE

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, tomorrow is the fifth anniversary of the launching of the first atomic powered electrical generator into space. This atomic generator was launched from Cape Kennedy on June 29, 1961, in a Navy experimental navigational satellite. The atomic power supply is still supplying power to the satellite.

The launching of this atomic power supply 5 years ago was the world's first application of nuclear power in space. It was the vanguard of many applications of nuclear power in space which must follow if our Nation intends to be first in space.

I think it is most appropriate at this time to bring out some facts concerning the part played by Congressman CHET HOLIFIELD, the chairman of the Joint Committee on Atomic Energy, in assuring that the United States had this first in space. The Atomic Energy Commission had developed a nuclear power supply for use in space in 1959. Unfortunately, this development laid on a shelf because it was argued in some quarters of Government that a test or use of this device in space may have international repercussions in the event of an accident which would cause it to fall on the territory of an unfriendly nation. Chairman HOLIFIELD, recognizing the potential benefits of such an application argued for its use in space. He went directly to the Chairman of the Space Council who was then Vice President Lyndon B. Johnson, and laid out his thoughts concerning the importance of this test. He laid out the pros and cons and put the safety and international implication arguments in proper perspective. Fortunately, through the efforts of President Johnson, when he was Chairman of the Space Council, and Chairman HOLIFIELD of the Joint Committee on Atomic Energy, the United States achieved a "first" in space over 4 years ahead of the U.S.S.R. Although we had no knowledge at the time, the Russians, of course, were also working on such a device. Their device was not launched until September 1965.

Mr. Speaker, I believe it would be appropriate and I ask unanimous consent to include in the RECORD following my remarks a copy of Chairman CHET HOLIFIELD's May 17, 1961, letter to the Vice President recommending the space test at a time when it was in danger of being delayed and even possible canceled. I also ask unanimous consent to include in the RECORD a news release published today by the Atomic Energy Commission entitled "First Nuclear Power Generator in Space to Mark Fifth Anniversary June 29, 1966."

Congress of the United States,
Joint Committee on Atomic Energy,
Washington, D.C., May 17, 1961.

The Vice President,
U.S. Senate.

Dear Mr. Vice President: We have been informed by the Atomic Energy Commission of its request to the Space Council for approval of a space test for a small nuclear powered electrical generator (the SNAP-3 device). The AEC has also furnished us with a copy of their May 10, 1961, letter to you explaining the detailed safety reviews which were made and the limited conditions imposed upon the test for safety reasons.

We want to add our endorsement of the Atomic Energy Commission's statement concerning the importance of this test. The United States is a pioneer in the development of nuclear power supplies for space use. If we are to obtain the very practical benefits and great international prestige which will flow from being first in this field, then it is imperative that we follow through with necessary tests and actual applications of this development.

We believe further that a delay in carrying out this proposed experiment will ultimately have an adverse effect on other plans for the use of nuclear energy in space. This device has been subject to rigorous safety checks and, more important from a safety standpoint, its radioactivity content is insignificant. Any delay in this test would, in the long run, adversely affect the development of more exotic devices which may contain a great deal more radioactivity.

We understand that some quarters argue for a delay in testing this device on the basis of possible international repercussions in the event of an accident causing the device to fall on the territory of an unfriendly nation. We cannot challenge the validity of this consideration—we can, however, ask that it be put in its proper perspective. In addition to this negative aspect of international consideration, there is also a positive side in terms of the international prestige that the United States can realize from being first in the field of nuclear applications in space.

In summary, Mr. Vice President, one must balance risks against benefits. In view of the information we have obtained concerning the safety aspects of this test which have been extensively studied, we submit that the risks are slight and that there is reasonable assurance that this test can be conducted safely. On the other hand, the benefits this Nation can realize are perhaps immeasurable. In the net, these considerations argue for proceeding with this test now. Accordingly, we strongly recommend early and favorable consideration of the proposed test of the SNAP-3 device.

Sincerely yours,

Chet Holifield,
Chairman.

[A U.S. Atomic Energy News Release, June 27, 1966]

First Nuclear Power Generator in Space to Mark Fifth Anniversary June 29

The first nuclear power generator in space will mark its fifth anniversary on June 29. This historic generator, developed by the Atomic Energy Commission, has traveled about 724,000,000 miles (over 25,000 times around the earth) and continues to provide power aboard the Navy's experimental navigational satellite 4-A.

The grapefruit-sized five-pound, three-watt nuclear generator was installed to supplement solar power on the 175-pound drum-shaped satellite which is still signaling intermittently to tracking stations around the world.

The satellite was launched June 29, 1961, from Cape Canaveral. It became the oldest operating U.S. satellite in May 1964.

The Martin Co., Baltimore was the prime AEC contractor for the generator. The satellite was designed and developed for the Bureau of Naval Weapons by the Johns Hopkins University Applied Physics Laboratory, Howard County, Md.

A second, similar Navy satellite with the same type of nuclear generator was launched in November 1961 and operated until July 1962. Two Navy navigational satellites were launched in 1963 from Vandenberg Air Force Base, California, with larger nuclear generators developed by the Atomic Energy Commission. These generators provided all the power to the satellites during their operating life.

All four generators were developed under the Atomic Energy Commission's SNAP (Systems for Nuclear Auxiliary Power) program. The aim of the program is the development of compact lightweight, reliable nuclear electric devices for unattended operation in all environments. A variety of radioisotopes may be used as the fuel for generators of this type. The heat generated from the radioactive decay of the fuel is converted directly into electricity through thermocouples which surround the fuel. A thermocouple is composed of two dissimilar metals joined together at both ends, producing a loop in which an electric current will flow when there is a difference in temperature between the two junctions.

Other SNAP generators are operating in the sea. One is supplying electrical energy for a Navy acoustic beacon located at the bottom of the Atlantic Ocean. The first nuclear powered Navy deep-sea floating weather station has completed over two years of operation in the Gulf of Mexico, and it still fully functioning despite encounters with two hurricanes.

To increase the applicability of these nuclear generators, the Atomic Energy Commission is developing more efficient and more compact versions. These advanced types of generators are designed to be economically competitive with conventional power sources in many instances. They are expected to see widespread use as power sources for space communications systems, instrument packages on the moon, weather satellites, navigational aids and remote weather and seismological stations.

PATMAN CHARGES REPUBLICANS WITH HYPOCRISY ON INTEREST RATES

The SPEAKER pro tempore (Mr. Rostenkowski). Under previous order of the House, the gentleman from Texas [Mr. Patman] is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, once again, our Republican colleagues are launching their desperate election year search for issues.

Now, after all of their years of support for the high interest, tight money policies of the Federal Reserve Board, our colleagues are attempting to convince the people that they really believe in low interest rates.

Mr. Speaker, I predict that this blatant election year hypocrisy will backfire on our Republican friends.

The people of this country know that it is the Republican Party that has protected, defended, and encouraged the Federal Reserve Board in its long campaign to give the big banks higher and higher interest rates at the expense of the public. They will not fool the people by this last-minute, election-year lip service to the cause of low interest rates.

My distinguished colleague, the gentleman from Missouri, Tom Curtis, the leading Republican spokesman on monetary affairs, rose on the floor last Thursday to accuse the Democratic Party of supporting high interest. Yet, my good friend, the gentleman from Missouri [Mr. Curtis], has opposed every move which would have brought reform to the Federal Reserve System and justice for the people on interest rates and monetary policy.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Will you wait for just a moment?

Mr. DAVIS of Wisconsin. I wanted to inquire at this point because I wondered whether the gentleman from Texas notified the gentleman from Missouri [Mr. Curtis] that he planned to make this kind of an attack on him today.

Mr. PATMAN. Yes, I did. I discussed it with him and showed him my speech earlier in the afternoon. We agreed that we will have a discussion of this on the 11th of July if I can have unanimous consent for the special orders. I will ask for this privilege for myself and for him on July 11. The gentleman from Missouri is fully acquainted with what I am saying. We are good friends although we have different views on the Federal Reserve. We are both on this Joint Economic Committee where the subject comes up often.

The gentleman from Missouri [Mr. Curtis] and his Republican colleagues never mention the fact that it was their President, who, in 1953, let the Federal Reserve Board seize its independence. This independence, of course, is a fake. This so-called independence which President Eisenhower let the Federal Reserve take is the reason we have high interest rates today.

This seized independence is the result of a Republican administration. It has never been agreed to by any Democratic administration, including the Johnson administration. It is the Republicans—and not the Democrats—who let the Federal Reserve run away from the law and operate independently from the people and their elected representatives.

It is now absurd for the Republicans to loose a torrent of crocodile tears over high interest rates. They created them in the first place.

Mr. Speaker, I urge my Republican friends, if they are really serious in their concern about interest rates, to join me in efforts to reform the Federal Reserve Board and return control of monetary affairs to the people of the United States.

TENTH ANNIVERSARY OF THE POZNAN UPRISING

The SPEAKER pro tempore. Under previous order of the House the gentleman from Illinois [Mr. Pucinski] is recognized for 15 minutes.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, today marks the 10th anniversary of the Poznan uprising.

It was 10 years ago today, June 28, 1956, that the heroic people of Poland staged their determined uprising against Stalinist oppression in Poznan.

Mr. Speaker, this great uprising could have succeeded and the people of Poland could have carved for themselves a place among the free nations of the world, except for the fact that the Poles, badly outnumbered and using only clubs and their bare hands to fight for their freedom, were overwhelmed by Soviet tanks which were rushed into Poznan after 2 days of fighting.

Mr. Speaker, this uprising demonstrated the indomitable spirit of the Poles and it certainly gave the Communists a great deal about which to think. There were some concessions made after this 2-day uprising which cost the lives of 54 Polish patriots fighting for their freedom and the freedom of their country.

Mr. Speaker, this uprising took a great deal of courage, for these people well knew the odds against them.

These brave Poles have written a magnificent record for the world to follow. In this heroic uprising they demonstrated to the Soviets that the Poles owe nothing to Soviet communism.

Mr. Speaker, this uprising served notice on all Communists that indeed you cannot destroy human dignity and expect to carry on.

It is rather significant that today 10 years after this uprising, storm signals are up again in Poland. Demonstrations are being waged against any curtailment of Cardinal Wyszynski by the Polish police in his efforts to try and carry on his mission of religious freedom.

I say, Mr. Speaker, that the present conflict between church and state in Poland bodes no good for the present regime.

Poland is celebrating its 1,000 anniversary this year. During those 1,000 years the Poles have suffered much oppression. They have paid a heavy price for retaining freedom and human dignity.

This 1,000 years marks the beginning of Christianity in Poland. This 1,000 years is a constant reminder that various efforts have been made to separate the Poles from their church—and all of these efforts have failed.

I think it is safe to predict that any effort today by the present regime in Poland to try to restrict the freedoms won in the Poznan uprising of 10 years ago; namely, the liberation of Cardinal Wyszynski and the freedom for him to carry on his spiritual mission to the people of Poland will fail. Those freedoms must continue.

It would be my hope that the present regime in Poland would understand that to try to curtail these religious freedoms will only produce still greater courage among the indomitable Poles.

The Poles are intelligent people. They know that the odds are overwhelmingly against them. But it is too much to ask people to restrain themselves after having won these concessions 10 years ago.

I would say, Mr. Speaker, that the whole world is watching what is going on in Poland today on this 10th anniversary of the Poznan uprising and it is fitting that we look to see what is happening in Poland today. The present Polish regime restored some degree of privileges to the Poles in 1956 after the Poznan uprising. It would be a catastrophic error in my judgment for this regime to try to take those freedoms away, particularly the privileges of Cardinal Wyszynski to carry on his spiritual mission.

We need only to look over the 1,000 years of Polish history to see the futility of any effort to destroy the spirit of Poland.

These people, Mr. Speaker, this year are observing their 1,000th anniversary. They know well the wealth and richness of their past, for indeed it is the glorious and heroic past of a people who have symbolized for mankind throughout the world the determination to be free.

I sincerely hope that this 10th anniversary of the Poznan uprising will serve to remind those who would try to drive a wedge between the Polish people and their church and who would deny the Poles their human dignity that they are only courting disaster, which would make Poznan but another plateau in Poland's uncompromising struggle for liberty and social justice.

THE RED CHINA LOBBY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, the mere mention of the word "China" these days brings bursting onto the political and public stage a strange troupe of intellectuals, scholars, educators, labor officials, writers, newspaper editorialists, politicians, church leaders, and journalists—all of whom I would describe collectively as the Red China lobby.

Curiously enough, there are many old Communist-fronters and the usual Communist-satellites who advocate the Red China cause. They are a part of the Red China lobby but they are not the men, publication and organization to which I refer. The men, publications and organizations I mention in this address are not Chinese, nor are they "Red." They are loyal Americans, not part of any Communist apparatus working to subvert the Government of the United States. In their speeches, statements and writings, these lobbyists express no revolutionary desire to violently overthrow our Government. They may not even think they are part of a lobby. However, they do say that our Government should change the successful policy it has followed for 15 years in combating one of the most revolutionary and violent dictatorships the world has ever known—the Communist government on the mainland of China.

Since the late 1940's when the Communist guerrillas of Mao Tse-tung forced the war-torn and weakened troops of Chiang Kai-shek's Nationalist Government to the shores of the South China Sea and across the straits to Formosa, we have sought to keep the Chinese Communists from achieving their aggressive expansionist goals. We fought them in Korea in the 1950's and in Vietnam today we are fighting not only their conspiratorial influence but their direct logistic, tactical, and military support of the blatant aggression from the north. As a result of our vigilance and firm policy, the Chinese Communists have been held generally within their borders. Only when we relaxed our guard, as in Laos in 1962, or when it was geographically and politically unfeasible to move against the Red Chinese, as in Tibet in 1961, has the Mao government been able to extend its sphere of influence. Even in countries far from the Chinese perimeter where Peking has tried to gain a foothold, our policies have had their effect. Can anyone honestly doubt that our continued opposition to Red China was not at least partially responsible for the recent defeats suffered by Peking in Ghana and Indonesia?

OUR 15-YEAR POLICY A SUCCESS

Yes, I believe that every indication points to the continuing success of our policy toward Red China and now, as a result, the Maoist government is in serious trouble. It has just suffered two devastating political setbacks in Indonesia and Ghana. The Red Chinese-supported Vietcong are being constantly frustrated in their attempts to overthrow South Vietnam. Internally, Red China is being smothered by overpopulation, its food distribution is erratic, and its industry is greatly overworked and creaking at the seams. Red China has been dealt a series of damaging blows, but in the United States a dedicated band of propagandists want the administration to make an alteration in our China policy which would give Peking a chance to catch its breath. This is a breather which would probably undo all the accomplishments which our policy has achieved over the past 15 years. Communism still has its treacherous hold on more than 700 million Chinese so any accomplishment might seem minor. Yet, there are many positive and tangible benefits which have come from our nonrecognition policy. Everywhere in the world, Red China is considered as being outside of the respectable community of nations. Let us be realistic, Mr. Speaker. The United States is the leading Nation in the world. Any nation which does not have diplomatic relations with the United States is without the precise aura of respectability that the Red China lobby now wishes to bestow on this enemy.

These propagandists in the Red China lobby are an active, diligent coterie engaged in influencing American public opinion toward a softer posture on Red

China. Once this public opinion is altered, the lobby reasons, the State Department will surely follow. Indeed, there is little doubt that there is a sizable group within the State Department which for a number of years has been seeking to soften our policy vis-a-vis Red China. They would gladly retreat to a well prepared position. As one honorary member of the lobby has explained this strategy:

> On any foreign or domestic issue there must be a long-term process of public education, leading to the public acceptance that is needed for effective Government policy * * *. Public interest and concern with China is great enough today for the American people to listen tolerantly to new approaches and realistic ideas."[1]

Now, we might well ask, "Who are these men, publications and organizations which compose the backbone of the Red China lobby" and are conducting this "process of public education." Ironically enough, most of them are usually described as "intellectuals," men preoccupied with ideas and abstract concepts. I say "ironically" because the government which they argue should be freely accepted into the community of nations and treated with kindness is infamous for its dedicated persecution of intellectuals who differ—to the slightest degree—with its policies.

It is known that since 1964 the Peking regime has incarcerated over 160,000 writers and scholars[2] who have dared criticize and question Mao Tse-tung's leadership. These men have been sent to labor camps for reform and ideological instruction; for many of them, this has meant illness and death from overwork and starvation.[3] We know from press reports that just this year several prominent intellectuals, notably Tien Han, composer of the Red Chinese national anthem, have been severely reprimanded and censored by Peking, and that officials of Peking's municipal Communist party, including the city's scholarly ex-Mayor Wu Han, have been purged and ostracized by the Red dictators.[4]

While it would seem ironic enough that these American intellectuals are seeking a more congenial relationship with an anti-intellectual regime, it is even more bewildering that many of the American scholars in the Red China lobby vehemently protested when the Soviet Union sentenced the Russian writers Sinyasky and Daniel to hard labor in Siberia this past April. But now these same protestors wish the United States to be more gentle with Red China where the persecution of intellectuals is pursued on a much broader and more inclusive scale.

THE RED CHINA LOBBY

When I refer to the Red China lobby, I mean specifically lecturers and journalists like Felix Greene and Edgar Snow, two leaders of what might be called the "let us not be beastly to Mao" school of journalism.

Mr. Greene is a British subject who has traveled widely—and freely—inside Communist China and has returned to this country to lecture and write about how "misunderstood" and "persecuted" the Chinese Communists really are. His most notorious literary effort was his 1961 book, published here by Doubleday, called "Awakened China," which was praised by the Communist Daily Worker as a "rare combination of excellent reporting—objective yet human."

Mr. Greene's latest propaganda effort on behalf of the Peking cause—aside, that is, from his active participation in anti-Vietnam demonstrations—is his 65-minute film, "China." This film was made under the watchful eye of the official Chinese Communist government film company during Greene's visit to Red China in 1963, and is now being shown in movie theaters across the United States where it is advertised as an "objective" look at a "misunderstood" nation.

It should be noted that in making this film Greene spent a reported $1,500 buying Red Chinese film clips, which would seem to be a violation of the U.S. law forbidding trade with Peking; yet, the State and Treasury Departments did not prosecute Greene for this violation and gave him a permit to distribute his pro-Red China film in this country. I would also like to add that Greene and the film's distributors hope to make this piece of blatant propaganda available for U.S. high school showings in the near future.[5]

Edgar Snow is a journalist who has been around much longer than Greene and was spouting the "be nice to Mao" line back in the 1940's. Snow was one of the few reporters of a nation to visit the Communist guerrillas when they occupied only a small section of northern China while Chiang Kai-shek's government held the rest of the country and fought the Japanese. After visits with Mao and his revolutionaries, Snow returned to this country to write, as he did in 1944, that the section of China which Mao then controlled "constitutes the closest approach to political, economic and social democracy that the Chinese have ever known." This statement must have surprised the thousands of Nationalists the Communists were assassinating at that time and those millions they would slaughter later. The brutal Communist masters liquidated an estimated 20 million of their countrymen when later they consolidated their dictatorial hold on the mainland.[6]

The theory propounded by Snow and others in the 1940's that the Communists were really only innocent agrarian reformers was to a great degree the cause for a shift in Sino-American policy in the late forties. The Red China lobby succeeded in persuading our Government to withdraw its support of Chiang Kai-shek and attempt to persuade Chiang to join the Communists in a coalition government. Chiang refused to join with enemies sworn to overthrow him and was forced to retreat to Formosa when the U.S. State Department abandoned him. After the Communist takeover of China and the Red Chinese invasion of Korea, our Government belatedly reaffirmed its support of Chiang's Nationalist government and swore opposition to the Red Chinese. Now Edgar Snow would like us to change our policy again, just as he helped accomplish in the 1940's.

Second, when I refer to the Red China lobby I mean scholars like Doak Barnett, of Columbia; John King Fairbank, of Harvard; and Hans Morgenthau, of the University of Chicago, otherwise intelligent men who, I believe, fail to grasp the full intentions of the Red Chinese monolith.

CONTAINMENT WITHOUT ISOLATION

All three of these gentlemen testified before the Senate Foreign Relations Committee during its hearings on our China policy last March. All three scholars echoed the view that U.S. policy toward China should be one of military containment, but not diplomatic, cultural and commercial isolation. Since this testimony, the cry "containment without isolation," has become the favorite slogan of the Red China lobby.

Professor Barnett was the first witness before the Foreign Relations Committee and the first to urge a policy of "containment without isolation." Toward this end he proposed a series of policy steps which would supposedly end our "isolation" of Red China: First, get Red China into the United Nations; second, begin trade with Peking and also send scholars, businessmen, and doctors to China; third, "work toward eventual establishment of normal diplomatic relations" with the Mao government; last, continue to ally with Chiang Kai-shek, but without quite as much enthusiasm as before.

I will not attempt here to refute Dr. Barnett point-by-point. But, I feel it should be noted that Red China now has diplomatic relations with over 40 non-Communist nations; 70 percent of its trade is with non-Communist states, and the United States has made countless offers to Peking to trade scholars, send in journalists and negotiate military disputes. In spite of this nonisolation policy by other Western governments and American efforts to establish communications with Peking, the Mao government has continued its belligerent and revolutionary course. If Red China is isolated today, it has isolated itself. To change our policy now will only diminish the United States in the eyes of our allies and make Peking all the more aggressive.

Professor Fairbank advanced another theory often used by the Red China lobby when he said that, after we stop isolating Peking, "we may expect the Chinese revolution to mellow" and that "it would not be illogical for them to adopt a somewhat milder policy." To me these statements and others I have heard constitute an incredibly risky and foolhardy approach to foreign policy. While I realize that risks are sometimes necessary in diplomatic relations, I do not believe that our policy toward a nation as aggressive as Red China should be based on gambles that it "may mellow" or on what or what not might be illogical. The fate of millions of southeast Asians depends on our policy toward Red China and I believe that this policy should be based on cold facts rather than "iffy" gambles.

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[1] From speech by Sen. EDWARD KENNEDY on the Senate floor, May 3, 1966; quoted from CONGRESSIONAL RECORD.

[2,3] From testimony of Dr. David N. Rowe, Yale University, before Senate Foreign Relations Committee, March 28, 1966; quoted from official hearings transcript.

[4] "Red China: Frustrated and Alone," *Time* magazine, February 25, 1966.

[5] All information on Felix Greene and his film taken from American Security Council's *Washington Report*, April 4, 1966.

[6] All information on Edgar Snow taken from his book, *People on Our Side*, published in 1944.

Dr. Morganthau went even further in his testimony when he said we should end our policy of military containment as well as isolation. After advocating withdrawal from Vietnam he stated that "the policy of military containment ought to be gradually liquidated. This policy is not only irrelevant to the interests of the United States but actually runs counter to them." To date, few of the other members of the Red China lobby have urged such a move, which would open the gates for Red Chinese control of all of southeast Asia.

The one and only thing stopping such a chorus of retreat is the present conflict in Vietnam. If the Red China lobby were to call for a pullout from Vietnam, it is quite probable that all their proposals would be discredited by the public. So, the lobby has apparently adopted a strategy of, first, urging an end to isolation, and then, after the Vietnam conflict has been somehow settled, calling for an end to containment of Red China as well.

Behind the Red China lobby scholars are the so-called academic organizations. These groups are composed of educators—of varying degrees of status—who may not be as prominent as those mentioned, above, but who share the same ideas and espouse the same proposals concerning our China policy.

I speak here of organizations like the Asia Society, the Association for Asian Studies, the Americans for a Review of Far Eastern Policy, and other organizations which conduct seminars and debates with the clear intention of criticizing and degrading our present China policy.

In recent months there has been a volcanic eruption of the seminars at which our China policy has been discussed. As Prof. David Rowe explained in his testimony before the Senate Foreign Relations Committee, the individuals who speak against U.S. China policy at these gatherings are described as "objective scholars" from the academic world, while those defending our policy are officials of either the U.S. Government or of Nationalist China. The defenders are thus downgraded beforehand as official spokesmen, leaving the academic experts to speak for the public, or so they claim. This tactic has been used, according to Dr. Rowe, at seminars from Portland to Pennsylvania.

I should also like to mention that the guest speaker at the Harvard University conference on China policy was none other than Owen Lattimore, the discredited but still influential former China expert for the State Department in the 1940's. He was found by a Senate committee to have been instrumental in paving the way for Mao's takeover of China by inducing the State Department to withdraw its support of Chiang Kai-shek. Mr. Lattimore, now a professor in England, obviously never gives up on his propaganda efforts on behalf of the Red Chinese. You will recall that early in the Kennedy administration he surfaced after years of oblivion and immediately championed the diplomatic recognition of Outer Mongolia.

Many of these seminars, Dr. Rowe reports, are sponsored by the Americans for a Review of Far Eastern Policy, an infant organization recently spawned by students and faculty members at Yale University. Among this group's other activities are circulating petitions, placing newspaper advertisements, supplying speakers and holding debates. All these activities, says Dr. Rowe, are "well calculated to advance the aims, purposes and interests of Communist China" and "at times, is heavily in derogation of our ally, the Republic of China, President and Madame Chiang Kai-shek, and so forth."

An organization older than the ARFEP, but equally pro-China, is the Association for Asian Studies. This group was formerly known as the Far Eastern Association, which was, in turn, a successor to the Institute of Pacific Relations, a Communist-infiltrated organization which heavily influenced our policy in the 1940's in favor of Mao Tse-tung.[7]

The Association for Asian Studies was most recently in the headlines for something a handful of its members did under the guise of speaking for the entire organization. I refer, of course, to the statement released on March 21 advocating a softer line on Red China and signed by 198 so-called China experts in the Association for Asian Studies.

Upon investigation it was found that the statement was circulated among only a small percentage of the association's 3,375 members and of the 300 or so who responded to the statement, only 198 signed it. Second, the statement, although signed by members of the association, had no official connection with the organization, as the statement's authors attempted to imply. The statement, which urged diplomatic recognition of Peking, U.N. admission and an end to our trade embargo, was drawn up by two members of the association and circulated with the assistance of three organizations outside the association. These three groups, all members in good standing of the Red China lobby, were the National Research Council on Peace Strategy, the Turn Toward Peace group, and the Council for a Liveable World, a pro-unilateral disarmament group.

THE INCREDIBLE NEW YORK TIMES

When the authors and circulators of this statement tried to pass it off as an objective study by alleged China experts in the Association for Asian Studies, most newspapers recognized it for what it was—a piece of pro-Peking propaganda. Most newspapers, that is, except the most influential of all, the New York Times, ran its story of the statement on page 1 and gave a full inside page to the text of the statement.

The first sentence of the Times story began:

> A large group of scholars on Asian affairs declared today—

And inside the newspaper reported that—

> all the signers * * * were members of the Association of Asian Studies.

What the Times did not report was that several of the China experts were high school teachers and librarians. The liberal Reporter magazine, usually a good friend of the Red China lobby, later revealed the origins of the statement and charged the Times with "irresponsible journalism."

Why did the New York Times, one of the world's most prestigious newspapers, engage in such shoddy journalism? That question was answered 2 days later when the Times ran an editorial supporting the statement's concessionary proposals, and saying:

> The statement . . . shows where the weight of informed opinion lies.

This use of distorted journalism to make an editorial point is one example of why I place the New York Times in the forefront of the publications serving as a mouthpiece for the Red China lobby. In its editorials it calls for Red Chinese "membership in the United Nations and peaceful trade with the United States as well as disarmament talks."[8] And in its news stories, the Times plays up the statements of its fellow lobbyists and all but ignores the arguments of those who favor present U.S. China policy.

An excellent example of the Times tactic of ignoring those who disagree with it occurred one month before it gave so much attention to the misleading statement of the so-called Asian scholars. In February, 1966, two U.S. Senators wrote a letter to the editor of the Times taking exception to an editorial which had favored Chinese admission to the U.N. The Times declined to print the letter without explanation. But the obvious reason for the newspaper's refusal was that the two Senators had written as members of the Steering Committee of the Committee of 1 Million Against the Admission of Communist China to the United Nations, a 1 million-member organization which favors present U.S. policy toward Red China. While the Times refuses to publicize the views of two U.S. Senators who represent the views of 1 million people, it gives full page coverage to propaganda representing the opinion of 198 so-called Asian experts.

A further example of the Times irresponsible journalism, also involving the Committee of One Million, occurred last January. At that time the committee published a statement of "Declaration in Opposition to Any Concessions to Communist China." This statement was signed by 330 persons, not 198. And every one of these 330 was a Member of the U.S. Congress, the elected representatives of millions of American citizens. But, again, the coverage the Times gave to this statement was minuscule when compared to the full-page treatment given the Asian scholars.

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[7] From testimony of Dr. David Rowe, op. cit.

[8] "China's Nuclear Test," *New York Times* editorial, May 12, 1966.

The New York Times is certainly not alone in the publications arm of the Red China lobby. Other daily newspapers such as the New York Post and the Washington Post, regularly run editorials favorable to the lobby's positions, while magazines such as the New Republic and Saturday Review run articles echoing the propaganda of the Red China lobby members.

Allied with these scholars, academic groups and publications are organizations in two areas of special interest: religion and organized labor. I refer specifically, in the field of religion to the National Council of Churches, the Quaker's American Friends Service Committee, and the Unitarian Universalists Association. In labor, I wish to mention particularly two unions, the Amalgamated Clothing Workers and Walter Reuther's United Auto Workers.

First, let us examine the lobbying activities of the three church-affiliated groups:

The Unitarian Universalist Association, which claims to represent 250,000 members, held a convention in mid-May at which a resolution was passed calling for a negotiated settlement in Vietnam and, concerning our China policy, proposed U.S. recognition of the Peking dictatorship, U.N. admission, and end to our trade embargo of Red China, and inclusion of the Mao government in future disarmament talks.

The American Friends Service Committee conducted a conference in Washington during the first week of May at which were present some of the familiar scholar-members of the Red China lobby, notably Dr. Fairbank, of Harvard, and at which the usual denunciations of U.S. China policy were heard. Again, the only defenders of current U.S. policy were "official Government spokesmen."

> The U.S. policy of containment by isolation can never be successful—

Proclaimed one speaker in the face of 15 years of successful containment. The Service Committee itself put out a report, entitled "A New China Policy," which restated another Red China lobby theme that despite the informed dedication of many U.S. officials, governmental policy has tended to become the prisoner of public ignorance and prejudice.

The General Board of the National Council of Churches in February passed a resolution calling for U.S. recognition of Red China, U.N. admission and free trade. In connection with this resolution it is important to note that the general board does not represent the 40 million persons in the 30 churches affiliated with the national council. The board itself says, in a mild disclaimer, that it is only "broadly representative of its member church bodies," although this fact is often forgotten when the board issues one of its pronouncements. Another factor concerning this particular resolution is that only 93 members of the 275-member general board were present when the resolution was voted on; the other 182 had no say at all. Such is the way the National Council of Churches frequently operates in making its policy decision.

Of the two labor unions mentioned, the Amalgamated Clothing Workers takes a softer and more subtle line in urging a change in our policy, ACW President Jacob Potofsky has said that "the time is coming when we must reexamine our policy toward Red China."[9]

This type of innuendo is a favorite tactic of the Red China lobby. They like nothing better than to portray their ideology opponents as reactionary types who are opposed to any and all change. They always speak of their concessions to Peking as "new realities," and "modern ideas," with the inference that anyone who does not hold these views still lives in the Stone Age.

The second union is a much more open member of the Red China lobby. At its annual convention in May, the United Auto Workers passed a resolution calling for U.S. recognition of Communist China and UAW President Walter Reuther struck the familiar theme that recognition would only mean that this country recognized Mao Tse-tung's control over the country.[10]

Recognition, of course, means a great deal more than this and Reuther knows it. It would mean that some of our smaller allies, notably Thailand and the Philippines, would have to recognize Peking, and thus open themselves up to widespread subversion. It would give tacit legitimacy to one of the most terroristic military dictatorships the world has known. Mr. Reuther is aware of these consequences and has deceived his fellow UAW members when he stated recognition would mean only facing up to what he termed the "realities of the situation."

It is important to note here that the position on Red China taken by these two unions are counter to the foreign policy resolutions of the AFL–CIO. This federation, under the leadership of the strongly anti-Communist George Meany, has consistently opposed any concessions to Peking. Now, however, it appears that this once firm position is being undermined not only by individual unions affiliated with the federation, but by members of the AFL–CIO executive council itself.

The liberal bloc on this 29-member council, headed by Reuther and including Mr. Potofsky among others, is steadily gaining in strength. At the 1965 AFL–CIO convention several of the newly elected council members immediately lined up with the Reuther bloc. In addition, when President Meany retires, Walter Reuther is expected to replace him. Thus it appears only a matter of time before the Red China lobby will control the policymaking apparatus of the entire AFL–CIO.

The last segment of the Red China lobby I would like to mention are those Members of the U.S. Congress who support changes in our policy.

Before the recent Senate hearings on Red China began, the chairman of the Foreign Relations Committee, Senator FULBRIGHT, stated that one purpose was "to provide a forum for recognized experts and scholars in the field of China." Senator FULBRIGHT then proceeded to bring to the stand a steady stream of Red China lobbyists, such as the aforementioned Barnett, Fairbank, and Morganthau.

At the beginning of these hearings the only rebuttals the public heard were press statements by "official administration spokesmen." Again the Red China lobby had successfully conveyed the impression that it was the informed opinion, as represented by so-called experts and scholars, who opposed present policy while only official spokesmen favored containing Peking. It was not until 20 days after these hearings had opened, and after continued demands by Republican members of the committee, that Senator FULBRIGHT invited experts to testify in favor of our present policy. Even then, there were only three of these propolicy witnesses, while the Red China lobby was represented by 11 experts.

Shortly after the hearings had ended, one of the most prestigious names in the U.S. Senate was added to the list of those urging consideration of changes in our China policy. In early May, Senator EDWARD KENNEDY proposed the creation of a special Presidential commission to study our China policy. In his speech, Senator KENNEDY also stated that a softening of policy would be a "new direction," implying it would be desirable simply because it would be "new."

> The time has come—

He said—

> for the American Government and the American people to make a major reassessment of our policy toward China.

Another popular theme of the Red China lobby voiced by Senator KENNEDY was that even though Peking would probably refuse every conciliatory initiative of the United States, such refusals "will demonstrate to our friends throughout the world the true nature of Communist China's isolation." However, Peking has already demonstrated time and again the true nature of its isolation; every initiative we have taken in the past—invitations to disarmament talks, offers of scholar exchange, visits by journalists—have been summarily refused by Red China. Just how many concessions must we make and how many refusals must Peking make before Senator KENNEDY and others will be satisfied?

Following Senator KENNEDY was Senator GEORGE MCGOVERN with a speech much more conciliatory and remarkable in its tolerant attitude toward Peking. Early in his remarks, Senator MCGOVERN stated that in the 1940's Mao Tse-tung's guerillas were simply "revolutionary forces aimed at throwing off outside control and securing a better life for the people." And further on in his speech,

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[9] *New York Times*, May 24, 1966.

[10] *Washington Post*, May 22, 1966.

Senator McGovern argued that Red China has a right to fight "U.S. military power in Asia" and "establish a Monroe Doctrine that would give her the kind of role in Asia which we proclaimed for ourselves in the Western Hemisphere."

It is difficult to ascertain in this last statement whether or not the Senator was trying to justify Red China's aggression in Tibet, Laos, India, and South Vietnam, as being simply acts to keep outside influence out of Asia. This would seem very difficult to defend in view of the fact that the United States did not become involved in this area until after China made her move.

Another statement made by the Senator was:

> While we do not approve of their (Red China's) system of government for ourselves, we could wish them continued progress in their efforts to organize and develop their vast country and conquer its staggering problems.

I would take exception to this remark and say that I, for one, am not about to wish continued progress to a regime that persecutes, executes, and enslaves the people under its tyrannical rule.

Senator McGovern then goes on to make proposals for conciliation with Red China, all of them to be found in the Red China lobby's lexicon. The Senator, however, goes further than his colleagues in his suggestions as to what policy we should take toward Chiang Kai-shek's government on Formosa. While most of the lobbyists believe we should continue to support Chiang, while recognizing Peking, Senator McGovern discusses abandoning our all-out backing of Taiwan. "We cannot lightly turn Formosa over to Peking" he says, but he does seriously consider the possibility. Senator McGovern's principal criticism of the Nationalist government is that it is not a perfect democracy, but he says absolutely nothing about the status of democracy on the mainland under Mao Tse-tung.

CONCLUSIONS

These are the major components of the Red China lobby in America today. These are the men, organizations and publications that are attempting to alter our foreign policy toward Peking and to give Mao Tse-tung's government an opportunity to further strengthen its hold over the people of China. The barrage of progaganda from the lobby has increased in volume and intensity over the past few months and has begun to have its effect on the administration and the general public.

One subtle indication of a change in the administration was pointed out by Professor Rowe in his testimony before the Senate Foreign Relations Committee. During the President's speech on South Vietnam at Freedom House in New York City in February, Professor Rowe notes, Mr. Johnson used the words "Red" and "Communist" only once each. This indicated, says Dr. Rowe, that the anti-anti-Communist Red China lobby forces "seem to have forced the administration to speak as though communism by and large was not involved in the Vietnamese war, thus robbing us of one of the chief psychological supports and chief political bases of the war in Vietnam and the whole war against Communist aggression everywhere."

There are other, more obvious indications of a change in attitude of the administration as a result of the propaganda activities of the Red China lobby.

In May, the highly reputable Columnists Evans and Novak reported that President Johnson had ordered "a secret top-level study" of our China policy.

> The President—

The columnists wrote—

> is tapping the opinions of China experts in the universities and in all the United States embassies in Asia and Communist-bloc countries.[11]

The outcome of this study is not yet known, but, if the report is true, it is obvious the administration is at least considering abandoning our successful policy of 15 years.

One final example I will mention shows the immediate influence of the testimony by the Red China lobbyists before the Senate Foreign Relations Committee. Two days after the first of the scholar-lobbyists had testified, the administration announced it would authorize travel by American scholars to Red China and would invite Peking scholars to come to this country. While it is possible the move was planned before the hearings began, it is significant that the administration felt it necessary at that particular time to show the Red China lobby it was not really being beastly to Mao. The proposal was quickly and predictably rejected by Peking and once again our Far Eastern allies had cause to wonder just how firm our Red China policy is.

The effect of the Red China lobby on the general public is more difficult to document but there have been indications in recent public opinion polls that some shifts have occurred. It appears that a portion of the public is accepting the Red China lobby's line that our continued opposition to Peking is a lost cause, that we have little foreign support for our containment policy and that we had better change our policy to keep up with the times.

Nothing, of course, could be further from the truth. Far from being a lost cause and lacking foreign support, our present China policy is clearly gaining the backing of people in other nations. Recent events in Ghana and Indonesia show this; the support of our stand in Vietnam by Far Eastern nations such as Japan, Australia, and Thailand shows this; the fact that Red China is currently faced with a number of internal crises—food shortages, intellectual dissent, and overworked industry among them—shows that our containment policy has put the Peking regime under great strain.

The public should not and must not be deluded into thinking there is widespread popular support in the well-informed academy for an alteration of our China policy. They must understand that the individuals who propose such changes and more American initiatives are only a small minority skillful in the use of propaganda. If it is time for anyone to change, it is Communist China who must change; change its warlike aggressions in southeast Asia and elsewhere, change its belligerent anti-Americanism and, if it hopes to become a respected member of the community of nations, Peking must now take the initiative toward becoming a true peace-loving and law-abiding nation.

But, the Red China lobby refuses to urge Peking to make any such changes and continues its campaign to deluge the American public with propaganda calling for an alteration in U.S. policy. Using a variety of tactics, slogans, and themes, the Red China lobby is attempting to delude the public—and through it, the administration—into thinking our China policy is outdated, misinformed, and harmful to our image.

These lobbyists speak of realities, but they themselves dwell in fantasy. They propose an East-West dialog, but engage in doubletalk. They ask for a new look in our China policy while theirs is the most dangerous vision of all, a myopic dream nurtured by naivete and lack of understanding of the nature of communism.

These men, organizations, and publications in the Red China lobby may be innocent, well-meaning, and loyal Americans, but their lobbying is aiding and abetting one of the most murderous and dictatorial governments the world has seen. Their counsel must not be allowed to replace a policy which has worked, is working, and will continue to work as long as the United States supports it with the vigor and determination it has earned over the years.

DISABLED AMERICAN VETERANS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PEPPER. Mr. Speaker, one of the great organizations of America is the Disabled American Veterans. The members of this organization, composed entirely of Americans who have become disabled in the noble service of their country, have exhibited the fine quality of their patriotism by offering their lives and the giving of something of their bodies in the service of their country and all that it stands for. The purity of the patriotism of its members, their dedication to the cause of freedom and the high ideals of America, afford America the quality of leadership which does so much to keep it strong and free.

I was privileged to address the 39th annual convention banquet of the Disabled American Veterans, Department of Florida, at Miami Beach, Fla., June 18, 1966. That to me was an inspiring occasion. And especially so since I was privileged to hear the outstanding address of the Honorable Claude L. Callegary, national commander of the Disabled American Veterans.

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[11] *Washington Post*, May 8, 1966.

National Commander Callegary and his wife delighted all who were privileged to be with them on this occasion and the national commander stirred his audience with the inspiration of his address.

National Commander Callegary in the finest sense typifies America and Americanism. He is a man who has fought his way up the ladder of life to a position of leadership, confidence, admiration, and respect. It is such men who have made America great; such men will keep America great.

I insert at this point in my remarks an article about National Commander Callegary by Robert Blake upon his selection as Maryland's Veteran of the Year. This article appeared in the October 12, 1965, issue of the Baltimore Evening Sun.

SELF-EDUCATED LAWYER: DROPOUT AT 13, NOW VETERAN OF THE YEAR

(By Robert Blake)

A school dropout at the age of 13, who later returned to classes and became a successful lawyer and national commander of the Disabled American Veterans, has been named Maryland's Veteran of the Year.

Claude L. Callegary was the unanimous choice of the Veterans Brotherhood Committee composed of representatives of the American Legion, DAV, Veterans of Foreign Wars, Catholic War Veterans, Jewish War Veterans the Veterans of World War I.

The award is the highest one that the veterans' organizations of Maryland can bestow.

TO SUPPORT FAMILY

At the age of 13, after completing the seventh grade at Cathedral Elementary School, Mr. Callegary was forced to drop out of school completely to help support his family. He worked at the Mount Vernon Cotton Mills and then moved on, holding such jobs as a stock boy, plumber's helper and truck driver.

He entered the Army in March of 1941 and served in the Aleutian Islands during the Japanese attacks.

Mr. Callegary later served in the South Pacific and was also assigned to Biak in the Netherlands East Indies with an airborne signal unit.

PLANE CRASHED IN BIAK

While involved in the latter campaign, his plane crashed on Biak.

He was one of three survivors of the 14 men aboard the plane and was unconscious 14 days.

After hospitalization in areas that were under constant air attack, he was returned to St. Petersburg, Fla., for treatment of severe burns and other injuries.

The crash changed his entire life.

He took the Army's general education development test and, because of his extensive reading and studying since he was a "forced" dropout, he received unusually high grades.

Mr. Callegary was one of the first students admitted to the University of Maryland without having finished grade school or without having attended a high school.

After 2 years at College Park he transferred to the law school in Baltimore where after being in attendance only two years, he took the Maryland State Bar examination and passed it in the top ten of his class, again without benefit of grade school, high school or a college degree.

He opened his law practice in January 1950, but continued in law school to obtain his law degree in June 1950.

In the meantime, he married the former Catherine Briggs, of Oklahoma, and the couple now has six children—three girls and three boys.

JOINED BY BROTHER

Upon being admitted to the bar he began his own law practice and a year later was joined by his brother, Ray.

He has served in many civic and Bar Association activities.

In 1962, he assumed a national office with the DAV which culminated in his being elected national commander of that organization in its annual convention in New Orleans this year.

He was nominated by Senator BREWSTER, a law school classmate.

JOHNSON'S GUEST

In the course of his activities with the DAV, he has traveled the 50 States, been President Johnson's guest at the White House and at the President's Texas ranch.

He is frequently called into conference by Government leaders to discuss programs pertaining to veterans.

Despite this fame and good fortune, returning to school and becoming a lawyer are his proudest achievements.

Mr. Speaker, I am pleased to insert the able address of National Commander Callegary in the body of the RECORD.

SPEECH BY CLAUDE L. CALLEGARY, NATIONAL COMMANDER OF THE DISABLED AMERICAN VETERANS, GIVEN AT THE 39TH ANNUAL CONVENTION BANQUET OF THE DISABLED AMERICAN VETERANS, DEPARTMENT OF FLORIDA, MIAMI BEACH, FLA., JUNE 18, 1966

My friends in the DAV and friends of the DAV, it was very beautiful to hear the Star Spangled Banner sung as we opened the dinner tonight. The Star Spangled Banner was written in Baltimore by Francis Scott Key and his home is about two blocks from my office. I want to present to you and Commander Decker a small token of my esteem, an exact copy of the Star Spangled Banner, which is one of Maryland's most treasured possessions.

I want to thank you for the wonderful hospitality you have shown my wife and me here at the 39th Annual Convention of the DAV, Department of Florida, and I especially want to commend the Department of Florida State Commander Clarence J. Decker and his officers for the work they have done during the past year, both in the membership area, where you have exceeded your national quota and the activities of the Department on behalf of the many disabled veterans living in this state.

Senator CLAUDE PEPPER has done us a great honor by attending the convention, and, Senator PEPPER I want to give you my personal thanks for your activities on behalf of disabled veterans in the Congress of the United States. We know that we can always call on you to help us and we are deeply grateful for your assistance.

To my friends and members here I bring greetings from the Department of Texas. I just spoke at their convention in Austin, the state capital, which is located roughly in the center of Texas. The beautiful Colorado River runs through it and it is surrounded by lakes. It is easy to see why Austin was picked as the capital of this beautiful state.

As your National Commander I have been privileged to travel to most of the states of the Union and many foreign countries. You have heard many speakers talk about what the DAV has been doing. You have heard from our National Service Officers, you have heard from some National Officers, you have a very fine Past National Commander here who spoke to you—Howard Watts—and you have one of my Junior Vice-Commanders here, Bob Gonzales, who has done a fine job, and of course you know that as a result of our combined activities our membership is at an all time high of almost one quarter of a million members.

The primary obligation of the DAV is in three areas. Of course the first is the care of the wounded and their dependents. We do this through our National Service Officers.

The second is to seek out the problem areas that can be corrected by legislation either on a federal or state level and try to pass legislation that will help the wartime disabled veteran and his dependents. We do this through our Washington staff and you do it through your local representatives. Again, here I must commend Senator PEPPER; we know we can always call on him for help in these matters. From the simple statistics, we have roughly two and a half million disabled veterans.

The third area we get into is the area of public opinion. For example, while in Houston several months ago, my wife, Catherine and I spent an hour and a half on the radio with four young college students discussing and debating the war in Viet Nam, and then we answered questions for another thirty minutes or so. Many listeners called in to express interest in our views on the war in Viet Nam and to ask us questions.

You all know that I visited Viet Nam and that I traveled through the Orient, starting in Hawaii, up to Japan, Taiwan, Hong Kong, the Philippines, then by plane to Saigon and Viet Nam, and then by helicopter and plane I visited many of the wounded in the hospitals in all the battle areas.

There are two things I would like to tell you about Viet Nam in its relationship to us. I never realized it was roughly only 700 air miles from Manila to Saigon, and I know there are many of you in this audience who were in the Philippines in World War II. I fought in the South Pacific in World War II as a sergeant. At that time I am sure most of us had never heard of Saigon or Viet Nam.

The one thing we did determine, my wife and I, as we traveled through the far eastern countries, is that China is creating a huge war machine. It reminds me of Germany before World War II. Frankly, the people we talked to in the bordering countries of China—and they are all very close to China geographically—are very much afraid of this war machine.

While I was in Hawaii I visited the battleship *Arizona*, which still contains the bodies of its crew (and will for time immemorial) and visited the great national cemeteries in Hawaii, the Garden of the Missing and the Punch Bowl, and those in the Philippines. While speaking to our members and friends in the Philippines I reminded them that we have more than 20 million veterans of the wars in the United States who have fought for the liberty of people in other parts of the world and that we have four million men wounded in the wars. After the banquet many of those present thanked me and said, "We need to be reminded of the physical suffering of the American people in wartime; sometimes we forget."

I also traveled to Central America not too long ago, from Guantanamo Bay to Mexico, to Guatemala, Nicaragua, San Salvadore, and finally Panama.

The central thought that comes to my mind after visiting these parts of the world where people are still living in primitive conditions and wondering where their next meal is going to come from, not worried about two cars in the family but just wondering how long the next child will live—after visiting these countries you suddenly realize what these 20 million Americans fought for and what these millions were wounded and died for.

The United States is like an oasis in the middle of the world. It reminds me of when I fly over the desert en route to California. Suddenly I see an area with water; it is green and beautiful. We are living a life in the United States that is totally different from countries which are just a few hours away from us by jet. We have been given every blessing possible and we should never forget it.

While visiting these many countries I saw the Peace Corps workers and the projects carried out by the Alliance for Progress—the building of schools, homes and hospitals—and was impressed by the many other aid programs going on around the world, unselfishly paid for by the people of the United States. I tried to think of a word I can use to describe our country's activities in the world. Lawyers many times use the word "reasonable," and my friends here, I want to tell you tonight that I believe with deep sincerity that in view of our many commitments to peace in the world, the United States under President Johnson has adopted a *reasonable* course of action to try to insure peace in the world. If the United States' only foreign commitment was to war in Viet Nam I could not say this, but Viet Nam is just a small part of our policy. It is not as dramatic as the building of schools and hospitals, or supplying food for some country that needs it *so badly*.

So, I ask you tonight, when you are thinking about the third area of the DAV's responsibility, be assured that I feel the President's policy is a *reasonable* and *responsible* policy. We do not hesitate to arrest a dangerous criminal, even if we have to use force to stop his activities. The United States is trying to arrest China's aggressive activities in the world. We would be considered irresponsible if we did not do so.

Disabled veterans, more than any other group, know what war is all about. Many of you in the audience have sons or friends who are in Viet Nam tonight. The world would be a poorer place without the vitality and strength of the United States. That strength and vitality is in part a tribute to you who have fought to keep our country a vital and responsible force in the world.

While I was in Sterling, Colorado, speaking at the State Convention of the DAV last year, the State Commander, severely disabled, was in a wheel chair and there was a little nine-year-old shoe-shine boy in the hotel and he could tell that the State Commander was somebody important—and he knew I was somebody important because I had a red cap on. He was a cute nine-year-old who was helping to support his family and he had two shines—one for 20¢ and one for 25¢. With the 25¢ shine he spit on your shoes before he polished them! I knew the second day that he wanted to say something to me; he was looking around at the men with legs and arms off, and finally on the last day he looked up at me as he was giving me the 25¢ shine, and with his nine-year-old seriousness he said, "Gee, Mister, I hope I never have to go to war." I know we all hope with this nine-year-old that he never has to go to war, but I know and you know that if he does have to go to war and he is one of those wounded, the DAV will be there to understand him, help him and to be with him.

Thank you and God bless you.

URBAN RENEWAL AND METRO DADE COUNTY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PEPPER. Mr. Speaker, I share with my colleague, Congressman Fascell, the honor of representing the first governmental structure established to represent a metropolitanwide area; namely, Dade County, Fla. This body, known as Metro, has encountered many obstacles in its desire to serve the areawide needs of its population, but it has successfully met the challenge and is making great strides in this connection. One of *Metro's far-reaching programs has been* a countywide urban renewal program which has recently taken off with great momentum. This ambitious program has received recognition by an article in the "American County Government," published by the National Association of *Counties, in its June issue of this year.*

I would like to bring to the attention of the Members of Congress this most interesting article concerning Metro's urban renewal program and request that it be inserted in the Record at this point:

Urban Renewal and Metro Dade

(*By Paul Einstein, a reporter for the Miami News*)

A $55 million urban renewal program—*one of the nation's first countywide redevelopment plans*—has been initiated in Miami, Fla., by the Dade County Metro government.

Aimed at wiping out 800 acres of downtown Miami slums, the giant program officially got underway Nov. 20, 1965, when the first parcel of property was acquired. Subsequently, the purchase of another $1 million in land was approved by the Metro Urban Renewal Agency.

Four separate projects are involved in the renewal program. The first project consists of 147 acres and requires the relocation of 1,660 families, mostly Negro.

Basically a residentially-oriented renewal program, the Metro project features plans for the accelerated rehabilitation of sixty-seven existing apartment buildings with 950 dwelling units in the first project area.

"Instead of waiting eight to ten years for voluntary rehabilitation," Myron Leff, executive director of the Urban Renewal Agency, said, "we are going to acquire all sixty-seven structures and cut down the time to about 3½ years."

The buildings, he explained, will be acquired from the present owners and resold to individuals or corporations who agree to bring them up to a minimum housing standard set by the Urban Renewal Agency and the Federal Housing Administration.

"We will write down the value of the building by the amount of the estimated cost of rehabilitation," Leff said. "Then we will offer it to anyone willing to buy it for that amount and rehabilitate it."

For example, an apartment building may cost $3,500 per unit to acquire. After rehabilitation standards have been established, it may be determined that rehabilitation costs will total $1,200 per unit. The Urban Renewal Agency will mark the value of the apartment building down to $2,300 per unit and sell it for that price on condition that the new owner make the needed improvements, Leff said.

There is no restriction on the methods of financing the improvements, he continued. "If it is done by conventional methods, there is no limit on the rent that may be charged by the owner except the market."

FHA FINANCING SEEN

But Leff and the Urban Renewal Agency expect that most of the rehabilitation work will be handled through FHA 221–D–3 loans. With this type of financing, the charges cannot exceed moderate income rentals. Those limits have not been set yet.

The 3 per cent or below market interest rates that will be available on 221–D–3 loans to non-profit, religious or charitable organizations and limited dividend corporations are expected to bring those groups into the project area, Leff said.

Most of the 950 units in the rehabilitated structures will be efficiencies and one-bedroom units. Plans call for construction of 550 new dwelling units in the first project area, which will consist primarily of three-, four-, and five-bedroom units.

The new apartments will be erected on cleared lands that are now the sites of slum units.

All land in the project area will be sold at a fixed price to developers, Leff said. Proposals will be invited from all developers interested in the project area.

"The proposals will be evaluated, since there is no question on land price, on the basis of architectural design, site layout, economic and social return to the community and the experience and financial qualifications of the developers," Leff explained.

Part of the economic return to the community will be a requirement that all property sold to private developers pay full ad valorem taxes.

Designed by Eric Hill and Associates of Atlanta, the project plans feature the elimination of existing grid-iron street patterns. Winding and dead-end roads to impede through traffic will be constructed.

Other features: Perimeter parking lots to keep automobiles from parking adjacent to the dwelling units and planned parks and gardens throughout the housing developments.

Dade County is only the second area in Florida to get an urban renewal project underway. Until urban renewal got a green light from the Florida Supreme Court, a Tampa project was the state's lone effort in the field. The county got its authority to establish urban renewal projects when the Metro Home Rule Charter was adopted May 21, 1957. The charter provision was later interpreted by then-County Attorney Darrey A. Davis to give the county exclusive jurisdiction in the field.

But it wasn't until Feb. 9, 1960, after the Supreme Court had "legalized" urban renewal in Florida and the City of Miami was attempting to inaugurate a slum clearance project, that Metro adopted its urban renewal ordinance. The County Commission promptly established a Metro Urban Renewal Agency and delegated to it the powers to make administrative decisions in all approved urban renewal projects. The commission retained the right to approve all projects, land acquisitions, final disposition of land and personnel changes.

EXPRESSWAY CLAIMED ACRES

Planning for the first urban renewal program, which will ultimately uproot 42,000 persons, has been slow but thorough. Along the way, several problems have interfered with the original timetable.

Working with Miami Housing Authority officials, the Metro Urban Renewal Agency was making plans for the orderly relocation of 1,660 families in the first project area when the State Road Department decided to accelerate construction of the Interstate Expressway and a giant interchange in the urban renewal area. Efforts of urban renewal officials had to be diverted to handle the immediate relocation needs of 274 families residing in the path of the expressway. The expressway is claiming 51 of the 147 acres in the first project area. For most of the families, eligible for public housing, new homes have been found in cooperation with the Miami Housing Authority.

The first $1 million earmarked for land acquisition by the Urban Renewal Agency will go to purchase 6.69 acres in a corner of the project. Plans call for turning 4 acres over to an elementary school for playground expansion with a pilot development of 35 dwelling units to be constructed on the rest of the land.

Completion date for the first of the four projects has been set for July 30, 1970, with the second project scheduled to begin about 1968. A tentative completion date for all four projects has been set for the middle of 1976.

COOPERATIVE FINANCING

The cost of the first project in the $55 million program is $17.5 million, Leff said. Sale of land is expected to bring in $3.4 million for a net project cost of $14.1 million. The federal government will pay $9,390,000 of the cost, Leff continued, with local agencies pledged to pay for the remaining $4,695,000.

Local participation is a cooperative matter between Metro, the Dade County School Board and the City of Miami, where the project is located. Metro will pay $1,852,000 in cash plus $7,000 credit for traffic facilities to be installed. A credit of $1,182,000 has *been approved for schools, including* construction of a new $1,036,500 facility out of the urban renewal area to serve children from the project. Miami accounts for $1,244,000 in credits, including new streets and water and sewer lines, $788,000; supporting facilities such as parking, playgrounds and community center, $433,500, and the removal of utility lines, $13,000.

Relocation costs of $750,000 are being borne entirely by a federal grant.

Leff, who came to Miami from the Redevelopment Authority of Allegheny County, Pa., said:

"I was impressed with the idea that this was the first urban renewal project of a substantial size that was not a Negro removal project. The whole design is for residential occupancy."

DESIGNED FOR PRESENT RESIDENTS

The project, he continued, wipes out bars, honky-tonks, marginal businesses and slum conditions. The tallest building will be a two-story structure for garden-type apartments.

"It is designed to accommodate the same economic class of people that live in the area now," Leff said, "who can afford moderate income rentals."

The first project will thereby be able to serve as a housing source for the people who will be displaced in the second project area.

Leff sees none of the problems of resale that have plagued many other urban renewal projects throughout the country. "Based on inquiries, I don't think there will be any difficulty in selling the land," he said. "One reason why it is not a big problem in greater Miami is that this is a glamour area and developers know they will get fine exposure here."

Many other metropolitan areas, the urban renewal official added, are stable or declining in population "while Dade County is expanding in population."

The Central Miami Redevelopment Area isn't the only urban renewal project that will be undertaken by Metro on a countywide basis. With its authority embracing all twenty-seven municipalities in the county as well as the unincorporated areas, the Urban Renewal Agency is now studying other sites in Hialeah, Miami Beach, Coral Gables, Miami and the unincorporated areas.

CIVIL RIGHTS OF THE INDIVIDUAL HOMEOWNER

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Dowdy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DOWDY. Mr. Speaker, in connection with title IV of the administration's proposed Civil Rights Act of 1966, I must state that such legislation is totally destructive to the civil rights of the individual homeowner. Title IV is *contrary to traditional rules of evidence, for it shifts the burden of proof to the* homeowner who must *show that he has* not acted in a discriminatory manner.

A more distressing aspect of title IV, though, is its design to prohibit a man from doing with his property as he chooses. Destruction of that freedom is disguised in this legislation which purports to give some people equal opportunity. Title IV is intended to provide equal opportunity in housing. Whether *it would accomplish this is questionable,* but to attempt equal opportunity in housing by depriving the homeowner of the free and unimpaired right to contract for sale or lease of his house as he sees fit is an injustice to every individual.

I would call attention to an editorial from the Athens, Tex., Review of May 26, 1966, entitled "Is There Another Way?" which I recommend to the Members of the House, for it reflects ample justification for rejecting title IV.

I include this editorial as a part of my remarks:

[From the Athens (Tex.) Review, May 26, 1966]

Is There Another Way?

Owners of rent property are very much concerned with at least one phase of President Johnson's civil rights proposals.

This is the federal ban on housing discrimination which many who own property and many who handle real estate feel could have a most harmful effect on the long-recognized rights of property owners.

One of the main issues at stake is whether a person has the right to determine whether he will sell a piece of property, and if so, to whom he will sell it. There is the problem, too, of whether he will retain any right to determine who he will rent to, and in fact whether he will have to rent vacant property that he does not wish to rent.

Hearings have been underway this week before the House judiciary subcommittee that is considering the President's civil rights proposals.

Speaking before the subcommittee was Alan L. Emlen of Philadelphia. He represents the National Association of Real Estate Brokers. Among the statements he made was this:

"We are here to raise our voices against the injection of the element of legal compulsion—of the police expedient—in the relations of a homeowner or any other residential property owner and the one who seeks to buy or rent his property."

"We insist that nothing in the federal Constitution gives to one citizen the right to acquire property from another citizen who does not wish to sell to him, regardless of the reason."

"Compelling the homeowner or rental owner of real estate to enter into a contract with one not of his choice is an affront to the American tradition of freedom of contract, the very underpinnings of which rest on the proposition no American, without his consent, need become an unwilling contractor with any other person."

As presently being discussed, the bill would require a property owner who has property to rent or sell to do so without discrimination as to race, creed, color, etc. This sounds like a fine thing, but it leaves all of the burden of proof upon the property owner to defend his reasons for not selling or renting to any person who might find out he has unoccupied property.

That person could say, "I want to rent or buy your property." If the owner refused to do either, the man can take him to *court,* and the government would pay to prosecute. The property owner pays to defend.

There are houses in Athens today that are vacant and they are that way because the property owner wants them vacant. He doesn't want to sell them, either. Wouldn't it be something if a man could tell the owner, "I want to rent that house. If you won't rent, I want to buy and if you won't do either, I'll take you to court."

If you own your own home and have it furnished and should have to go away for a period of time, you might choose to rent it. Would you rent it to just anyone? If you did, you'd be a fool. You would be discriminating as all get out if you had good sense. You'd pick a person who would look after it at least as well as you do.

There are people in Athens today who own property who have it for sale. They detest their neighbor who wants it or they don't *care too much for some other person who is* chomping at the bit to buy it. They won't sell it to them, and what's more, there shouldn't be any *law that says differently.*

There may be some people in a residential area who enjoy their gay parties. One decides to sell but refuses to sell to a minister or teetotaler so his neighbors can continue to enjoy their favorite pastime. How about the elderly couple who has a sick sister next door? The couple has to move to another town. They are not going to sell to a noisy person or just anyone who might even be quiet. They will use discrimination in selecting a neighbor for sister. They may want one who will look after her. And this is as it should be.

People should have the right to do with their property as they choose and it is wrong for the federal government to adopt laws that would prohibit this. The law that the President wants is supposed to correct the problems that face Negroes when they find they cannot buy a house in a white section or cannot rent an apartment that has been all-white. It may partially correct this, but in doing so it will deprive every person who owns property of the right to rent to whom they wish or sell to whom they wish . . . or keep vacant the property they wish to keep vacant.

More would be lost to the American public by such a law than could be gained.

The right to decide with whom you will do business, with whom you will associate, with whom you will contract . . . these are things that are basic in a free country and should not be victims to legislation that is aimed at correcting another problem.

TRUTH IN PACKAGING

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, today I am proud to add my name to the list of our colleagues who have introduced "truth in packaging" legislation. The bill I am offering today—H.R. 16002—is identical to H.R. 15440, introduced on June 2, 1966, by the distinguished chairman of the Committee on Interstate and Foreign Commerce, the gentleman from West Virginia [Mr. STAGGERS].

I am particularly pleased, Mr. Speaker, to join in sponsoring this legislation, which is similar to the bill for which the distingushed and very able senior Senator from Michigan [Mr. HART] has worked so long and hard. I am optimistic that Congress will take final action on truth in packaging before the end of the 1966 session and when it does, it will be a great day for the consumers of America and for Senator HART who has led the battle for this legislation.

When the Senate approved its truth-in-packaging bill a couple of weeks ago, it was the culmination of a 4-year campaign by Senator HART and others for Senate approval of the bill. I hope now that the House will follow suit and approve this legislation.

President Johnson has called the truth-in-packaging bill one of the most important pieces of legislation before the Congress this year. I agree.

This bill, designed to prevent deceptive and misleading packaging and labeling, is important to every consumer in the United States.

Recent sessions of Congress have been variously described as the "education Congress," the "human rights Congress," the "health Congress," the "conservation Congress." If the 2d session of the 89th Congress should approve the truth-in-packaging legislation, it will win for itself the title of "consumer Congress."

Mr. Speaker, I urge our colleagues to support the distinguished chairman of the Committee on Interstate and Foreign Commerce in his efforts to secure House approval of the truth-in-packaging bill.

STOP RACIAL HOSTILITY MAIL

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, this and past Congresses have enacted many measures to assure the populace of the United States their civil rights, but have we gone far enough to curb the dissemination of material which tends to arouse the public toward racial hostility?

Present postal laws prohibit the mailing of defamatory, scurrilous, and libelous material, but only when it relates to identifiable individuals. As a result, one can put the most outrageous statements into a letter, brochure, circular, or book and mail it to many segments of our society without the fear of being prosecuted for this act, so long as no individual is named in this distribution of hate mail.

I fear that the lack of prohibition enables many fanatics, hate groups, and bigots to abuse ethnic groups, religious groups, and races through the spread of false propaganda and to fan the fires of intolerance. The U.S. mail should not be the tool of the spread of this hatred and intolerance.

This bill would plug this gap in our postal laws. Under its provisions, the Postmaster General would prescribe such regulations as he may deem proper to withdraw such mail from being conveyed from the sender to the recipient.

Penalties are prescribed against those who knowingly deposit for mailing or delivering any communication declared to be nonmailable, or who knowingly takes any communication from the mails for the purpose of circulating it among the public.

Outward demonstrations are a common occurrence, some due to the dissemination of such hate material. We can curb the spread of hatred by barring this type of propaganda from the mails. Congress in delaying action on this type of legislation can be called a party to the spread of hate among the citizens of our great Nation. Early action on my proposed legislation will signify our intention to disassociate ourselves from the laws which permit, or in other words, do not bar the spread of this matter.

Unless we take immediate positive action to prevent the use of the mails for this purpose, we can look forward that the Post Office Department will be used more and more to get this hate matter to the public. I am aware of the fact that it will be a problem to determine just what is hate mail and what is not. But, in the long run, I am sure that the Post Office can set up the guidelines and can be a great factor in keeping our mails free of racist, ethnic and religious bigoted communications.

This legislation is urgently needed in these days of turmoil and antagonism toward our fellow man. I hope that the Congress will take action on it before the end of the current session.

STREET LIGHTING AND CRIME

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, the rapid growth of crime and juvenile delinquency has become a subject of increasing concern to us all in recent years.

I have long believed there was a definite correlation between street lighting and crime and that adequate lighting in our cities and towns would do much to combat this problem.

For the past year I have been distributing to public officials and civic leaders in our largest cities copies of a report that was prepared at my request by the Library of Congress which confirms the effective use of brighter lights as a crime deterrent, as well as an important factor in reducing traffic accidents.

The response to this distribution has been most gratifying. I have received a great deal of general informational material on the benefits of lighting as well at data on how various communities have acted to promote better lighting programs in their cities.

I would like to share the information I have received with my colleagues and plan to place some of the most interesting and informative letters in the CONGRESSIONAL RECORD from time to time.

Among the most helpful responses were those from law enforcement officers, and I would like to include one of these in the RECORD today. Following is a letter and article written by Mr. Joseph H. Farrand, chief of police, Lewiston, Maine:

POLICE DEPARTMENT,
City of Lewiston, Maine.

Hon. CHARLES P. FARNSLEY,
House of Representatives,
Washington, D.C.

DEAR SIR: I received your correspondence relative to lighting and could not help to be a bit amused at the parallel of our thinking.

This past month, I was contacted by the president of the Maine Chiefs of Police Association who requested that I submit an article for release in "The Maine Townsman" upon some subject related to the field of law enforcement.

I chose for the topic of my subject, "Lighting as it relates to the Incidence of Crime" and I am enclosing a copy of this for your information.

I have long been a proponent of better lighting and have seen its effects in many areas during my twenty-seven years in the field of law enforcement.

The City of Lewiston has a population of 43,000 people and its sister city, Auburn, a population of about 21,000 and it serves a conglomerate population of surrounding cities and town of an additional 40,000 people. I point this out to make you aware of the type of area with which we deal as a law enforcement unit.

The city in the past ten years has sprawled along the arterial routes in the form of shopping plazas, etc. Consequently, the extending of coverage along these arterials has made it imperative that mobile equipment be applied in the most judicious manner, so that security can be given to the persons and property existing there.

Good lighting along these routes has made our law enforcement job that much easier and is, in my opinion, one of the greatest deterrents to crime that exists.

I am enclosing a copy of the article I prepared for "The Maine Townsman" and I believe you will find it self explanatory and of some use in your pursuit of this subject.

Sincerely,

JOHN H. FARRAND,
Chief of Police.

LIGHTING AS IT RELATES TO THE INCIDENCE OF CRIME

For many years, I have had the opportunity to evaluate situations from a community standpoint, where inadequate lighting of areas has been the primary cause of pilferage from motor vehicles, breaks into business houses, and crimes against persons.

The incidence of these types of crimes usually has the common ingredient of "cover of darkness". It is obvious that this factor is considered by the perpretrator of the crime to protect his identity and afford him greater concealment so that his act will go undetected.

Streets, alleys and warehouses are often the targets of crimes against property and are often located in the railroad yards and adjacent areas, where there is very little population, so that the criminal can complete his act without danger of being observed thus making his position more secure against apprehension.

Today's society is composed of television watchers, to a great degree and neighborhood checks are less likely to turn up witnesses that might identify a suspect with the occurance that is being investigated and this makes the follow up investigation a great deal more difficult.

Consequently, Police Departments are forced to rely on intensified patrol of these areas and the normal security measures of building inspection in the form of checking points of egress into the buildings that they are obliged to protect in the method used.

The individual officer relies to some degree on a hand light to check out these places of business, but this type of an aid does not nearly eliminate the darkened areas, in which a person with an intent to commit a crime, might lurk in waiting till the officer has passed through the particular area in which he has chosen to do his deed.

In looking over these conditions with the thought in mind of eliminating potential, criminally attractive, darkened areas it seems obvious that one of the greatest tools of law enforcement is light. Recommendations, to those whose property is attacked, that they install lighting devices to brighten up these areas, I believe, will do a great deal to eliminate the problem.

This will also afford Police Officers assigned to motor and foot patrols a better opportunity to fulfill their obligations in the protection of persons and property against attack.

Observation is one of the principle functions of the law enforcement officers and certainly all of the assistance that can be made available in making him a more valuable instrument in serving this end should be afforded him. Adequate lighting will surely be of great aid in securing this end result.

ALMOST A WHOLE LOAF FOR LABOR

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, the minimum wage bill passed by the House has obtained a recommendation by the Louisville Times.

Neither the administration nor organized labor received everything originally sought in the measure, the newspaper comments. At the same time, the Times says in an editorial that the delayed scheduling of the second round wage increase seems insignificant when compared with the extension of coverage to more than 7 million additional workers.

All in all, the Times says, organized labor apparently has gained ground in the bill sent to the Senate. And it adds the belief that the country's interests have been served.

Since it discusses a subject of considerable interest, I offer this editorial from the Louisville Times of May 28, 1966, for the RECORD:

[From the Louisville Times, May 28, 1966]

ALMOST A WHOLE LOAF FOR LABOR

Neither the administration nor organized labor received quite all they wanted in the House-approved minimum wage bill. But what they got was far more than what they were denied.

The House bill puts the wage floor, now $1.25, at $1.40 starting Feb. 1, with an increase to $1.60 on Feb. 1, 1969. The labor-administration plan had called for the second increase to take effect Feb. 1, 1968.

That year's delay, however, seems insignificant when compared with what the bill provides in the way of additional coverage: more than seven million more workers, which would bring the total covered by the Fair Labor Standards Act to nearly 37 million. For the first time, coverage would be extended to employes of larger farms, laundries, hotels, motels, restaurants, hospitals, transit systems, and other hirers of labor, including the federal government.

The bill now goes to the Senate, where prospects of its passage, perhaps with even more liberal terms, are believed to be good. So organized labor, which has not had much to sing victory songs about at this session of Congress, apparently has a winner at last. And on this issue, we believe the country's interests, too, have been served by the House.

IF THE CITIES CANNOT OR WILL NOT ACT

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, the Louisville Times is commendatory of President Johnson's proposal to make slum districts in otherwise healthy cities eligible for aid from the Economic Development Administration.

EDA was established to stimulate business development in areas of low income and high unemployment. But the newspaper notes that there are gaps in the scope of its activities. For instance, pockets of severe depression exist in some cities in which the overall level of income and employment is high.

These are the gaps which the President proposes to fill.

Some may deplore the growing influence of the Federal Government, the Times says in an editorial. But it appropriately adds that here is an example of the Federal Government's effort to do what local governments either cannot or will not do for themselves.

I submit this editorial from the Louisville Times of May 26, 1966, for the RECORD:

[From the Louisville Times, May 26, 1966]

IF THE CITIES CANNOT OR WILL NOT ACT

The Economic Development Administration was set up late last year as a replacement for the none-too-successful Area Redevelopment Administration. Its purpose: to assist, through loans and grants, business development in areas of low income and high unemployment.

An example of the kind of work EDA gets into is the $18,000 grant it approved last February to complete a project started by Spindletop Research of Lexington for the state of Kentucky and the American Restaurant China Council. The goal is to produce chinaware much stronger than that now available. If the project is successful, EDA said at the time of the grant, it should be a boon for the clay mining industry in Western Kentucky.

Last November, shortly after EDA had been set up, the agency announced a list of 1,280 areas (counties, high unemployment districts, sections with severe population losses, and Indian reservations) it had found eligible to seek assistance. They included a total population of some 50 million, and every state had at least one qualifying area. Between 75 and 80 Kentucky counties were included. Since then the list has been extended.

That provides an extraordinarily wide scope for EDA's activities, but there are some obvious gaps. For example, in some cities in which the overall income and employment level is high, pockets of severe depression might exist. As a matter of cold fact, they do exist in almost every large city, no matter how prosperous its average citizen is.

Los Angeles, New York City, Chicago—these are the most obvious studies in contrast. Each has within its city limits both great wealth and at least a relative degree of poverty. Moreover, as more and more of the middle class flee the cities for the suburbs, as they are doing in New York, Los Angeles, and Chicago, each city's ability to care for its own poor is to that degree diminished.

It is this gap which President Johnson this week proposed to fill. He asked Congress to make slum districts in otherwise economically healthy cities eligible for EDA assistance. Under the proposal, "urban development areas" having a population of 150,000 or more might become eligible. Thirty-four areas in 32 cities are likely candidates for this aid if Congress approves the plan.

This is, of course, another example of the growing influence of the federal government on local matters, and some may deplore it on philosophic grounds. But by the same token it also is another example of the federal government's effort to do what local governments either cannot or will not do for themselves. Those who deplore have some obligation to propose an alternative.

RED LIGHT ON THE TRACK FOR GELDZAHLER & CO.

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MONAGAN. Mr. Speaker, when the arts and humanities legislation passed the House on September 15, 1965, I supported that bill. At the same time, I pointed out that there were disquieting problems which might arise from improper implementation of this legislation. I said:

> It does represent government intervention in a delicate and sensitive area. It does involve the expenditure of money and the creation of jobs on the basis of individual taste and private opinion. It represents a change in the manner in which the arts and humanities have been sponsored, supported and developed in the past.
>
> Those who have studied the history of the U.S.S.R. and even that of modern France are aware of the frustrations and deficiencies

which inhere in bureaucratic administration of the arts. Now I am not suggesting that this would be the object of the excutors of this legislation or even the necessary result, but we must be aware of and guard against this danger which may come from operation by committees and boards with public financing. Unsatisfactory and even brutal, mercenary and rapacious as our present system may be, nevertheless it has the harsh benefits of a sort of jungle competition and has produced freshness and growth and dazzling beauty along with the tasteless, tawdry and vulgar that come inevitably from the freedom of expression that is part of our present system.

If, however, we have Government assistance, but not intervention; if we have support but not control; if we have stimulation but not participation, then we shall have constructive action in the best interests of the Nation.

I am sorry to say that from news stories it appears that a recent foray by Henry Geldzahler at the Venice Biennale has underlined the dangers involved in ill-considered government support of individual artists or particular movements. Since Mr. Geldzahler is consultant on the visual arts of the National Endowment for the Arts and was the U.S. Commissioner at the Biennale, his actions carried far more weight and significance than those of a private citizen or even an individual agent. They also have disquieting implications for the future if continued.

An article by Hilton Kramer which appeared in the New York Times on June 16, 1966, set forth these "machinations" in detail.

Certainly the State Department policy should not be flaunted in a case of this sort nor the opinion of the Smithsonian.

Perhaps it is just as well that this sort of happening has taken place early in the history of Federal support of the arts since it will provide an object lesson for the future.

The article by Mr. Kramer follows:

ART: VENICE MACHINATIONS—DENUNCIATION OF BIENNALE'S JURY SYSTEM THOUGHT PART OF LICHTENSTEIN BOOM

(By Hilton Kramer)

VENICE, ITALY, June 15.—Those who look to the Venice Biennale for a large admixture of controversy, politics and sheer gossip to go with the unending exhibitions of painting and sculpture have not been disappointed by this year's proceedings. At the center of the controversy are the American representatives who are repeating their feat of two years ago by stirring up a maximum of political as well as artistic excitement.

Henry Geldzahler, a curator at the Metropolitan Museum of Art in New York and the United States commissioner at the Biennale who selected the works of the four American artists showing here—Helen Frankenthaler, Ellsworth Kelly, Roy Lichtenstein and Jules Olitski—took the occasion of a press reception at the American Pavilion yesterday to denounce the whole system of juries and prizes that turns the opening days of the exposition into a political carnival.

In a statement that visibly discomforted officials from the National Collection of Fine Arts of the Smithsonian Institution, when this year is sponsoring the American Pavilion under its international art program, Mr. Geldzahler declared that "No committee or jury no matter how constituted can proclaim aesthetic quality. The prize and jury system must be abandoned."

Behind Mr. Geldzahler's denunciation of "the mechanics and politics of prizes" at the Biennale lay what looks to many observers here like a steamroller movement to capture the first prize for Mr. Lichtenstein, the only American pop artist represented in the Biennale. Mr. Geldzahler, who has been closely associated with pop art as a patron, critic and evangelist of the movement in New York, is apparently concerned with disavowing any personal role in this effort to win first place for Mr. Lichtenstein, insisting that the four American artists he selected for Venice are all equally "serious, weighty and worthy of international exposure.

Mr. Geldzahler issued his statement, in an apparent attempt to counteract the impression that the American show was designed simply as a set-up for the one pop artist in the group. All but Mr. Lichtenstein are abstract painters.

Certainly the campaign for Mr. Lichtenstein seems well organized. The bookshops here are prominently displaying a bright and hastily produced illustrated multilingual paperback anthology of critical writings on Mr. Lichtenstein's work by enthusiasts on both sides of the Atlantic. It is the only work on an American artist to be found on display. Three international art journals featuring Mr. Lichtenstein on their covers, Art Artforum (American), Art and Artists (English), and Metro (Italian), are very much in evidence, as is a fourth, Art International by an American. The last contains an article on Mr. Lichtenstein by Otto Hahn, the French critic, and has nothing about the other Americans showing here.

At yesterday's press reception the only man acting as a host in the American Pavilion was Leo Castelli, Mr. Lichtenstein's New York dealer and the man generally credited with "arranging" the prize for Robert Rauschenberg two years ago. Holding forth in the room devoted to Mr. Lichtenstein's paintings, with cameras clicking and questions coming in a half-dozen languages, Mr. Castelli was clearly a master of the situation. Compared to the crowd straining for a glimpse of the Lichtensteins or a word with Mr. Castelli, the rooms devoted to Miss Frankenthaler, Mr. Kelly and Mr. Olitski were islands of peace and quiet. At the end of the morning's hectic activity Mr. Castelli declared himself "very pleased" with the way things were going.

A good deal less pleased were the American officials who could be heard actively trying to dissuade Mr. Geldzahler from releasing his attack on the Biennale jury system. Originally, Mr. Geldzahler had planned to read his prepared statement to the assembly of journalists, artists, dealers and visiting dignitaries, but he was discouraged from doing this by various Smithsonian officials and State Department representatives. He simply handed out mimeographed copies of his statement. Later Mr. Geldzahler read his statement before the British Broadcasting Corporation television cameras and in response to a question from this reporter acknowledged that he was acting in response to the visible campaign building up on Mr. Lichtenstein's behalf.

Both the Smithsonian and State Department representatives appear to be embarrassed by what they regard as Mr. Geldzahler's breach of diplomatic courtesy. One also has the impression that the Smithsonian officials would not in the least mind bringing home a first prize from Venice so long as they are themselves not directly involved in the machinations of prizegiving.

Despite the machinations on Mr. Lichenstein's behalf, however, the feeling here is that no American will be allowed to capture a top award this year. Resentment over the award to Mr. Rauschenber two years ago still runs high and it seems unlikely that the jury, on which the United States is not represented this year, will want to risk another scandal.

Rumor persists that the first prize is likely to go either to Lucio Fontana, the Italian artist who exhibited at the Walker Art Center in Minneapolis last winter, or to the French sculptor Etienne Martin. One also hears some mention of the French pop artist Martial Raysse, whose exhibition in the French pavilion includes a pop portrait of Mr. Geldzahler and of Oyvind Fahlstronm, the Swedish pop artist. The prizes will be announced Saturday.

CREATION OF A DEPARTMENT OF TRANSPORTATION

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mrs. MINK. Mr. Speaker, for some time now, I have made it my special concern to inquire into the law and regulations by which the Federal Government oversees the operation of air transportation to and from the State of Hawaii.

Hawaii is an island State. It imports virtually every necessity of life by sea and air. Without the free and most economic and inexpensive air transportation, its position as a rapidly growing and economically strong segment of our Nation would be precarious in the extreme.

Our fastest growing and strongest private industry, tourism, is wholly dependent on fast and inexpensive air transportation to maintain its vigor. The new research and development industries that have been moving into Hawaii have relied to a large extent on the fact that air transport provides ready and relatively inexpensive service between Hawaii and the rest of the Nation.

Hawaii's very prospects for continued growth—both in population and living standards—rest mainly on the same fact. Indeed, the mundane matter of transportation between the mainland and Hawaii has become of vital importance in such decisions as whether Hawaii students should travel to other parts of the country for their education and whether students from other States should partake of the ever-increasing offerings of our own University of Hawaii.

As air technology has advanced, Hawaii has been in the forefront of development of air cargo and passenger service innovations. These in turn have led to development of new patterns of economic growth, both between the State's islands and between those islands and the mainland. I need only cite the recent spectacular growth of tourism as a major economic endeavor of Hawaii's neighbor islands to point up the revolutionary changes that improved techniques of air travel have brought to my State.

Scientists who only a few years ago considered Hawaii too distant from the great centers of learning in the older sections of the country now have no hesitation in locating themselves in Hawaii, secure in the knowledge that the intellectual refreshment they desire and need is but a few hours away.

Working people to whom a vacation in Hawaii was but a wistful dream a few years ago now plan routinely to spend their annual rest periods in our islands.

Tropical fruits that once were expensive rarities in the cities of the northern mainland now are flown routinely to supermarkets everywhere, for sale at prices far below what they once required to make their shipment profitable.

Ideas that once had to travel slowly across our mother continent now are cross-fertilized almost instantly by intercontinental contact and the fresh, young point of view that we in the Pacific offer our fellow Americans.

A vigorous and lively Hawaiian clothing industry now outfits the cities of the east with sportswear. The great cultural organizations of the east now bring to the islands the finest in dance, art and theater, receiving in return the gaiety and innovative charm of Hawaii and its multiracial heritage.

Because of all this, it is essential that Hawaii share equitably in our national transportation policies. Only if Hawaii can come on equal terms to the agencies that regulate and underlie our national transportation systems can it continue to build on these so-promising beginnings.

I have been concerned for some time, as I say, with an investigation into the framework of transportation policy that regulates how Hawaii fares under this Federal regulation, specifically as regards air transportation policy.

I have searched the law and studied the regulations of the Civil Aeronautics Board.

My concern grew as I discovered that in some ways Hawaii apparently did not receive what would be regarded as equitable treatment.

When half-fare plans for youngsters were put into effect by some trans-national air carriers, for example, I was distressed to find that flights between Hawaii and the west coast were not included. It was only after considerable urging that carriers were persuaded to end this discrimination.

I have given considerable thought to possible remedies to this intolerable situation.

Among those that I considered was a drastic revision of the Federal law governing the CAB.

I also gave intensive scrutiny to the possibility of taking these matters directly to the CAB.

I found, however, that the corpus of law and quasi-legal regulation that has grown up through the years now affects so many interests—legitimate interests, I hasten to add—that only the most searching and delicate and time-consuming action by the Congress could fairly and equitably redirect its thrust.

And the necessary status of the CAB as an independent regulatory agency is such that one cannot with propriety intervene in its proceedings because virtually every matter before it bears directly on the activities of private concerns.

The breadth of the problem and its complexity are made readily apparent when we note that for two decades the Nation and its Government have been concerned with development of strong, coordinated and equitable national transportation policy.

Yet, I have become heartened in recent weeks by the appearance of new hope that our national transportation program will grow into an integrated and equitable system under which Hawaii can live and grow in contentment.

President Johnson has proposed the establishment of a new Federal Department of Transportation.

This Department would draw under one guiding agency the functions of the Bureau of Roads, the Federal Aviation Agency, the Coast Guard, and the Maritime Administration, as well as several minor transportation agencies. It would take over the scattered promotional functions of several regulatory agencies. It would be responsible for the safety functions now administered by the Civil Aeronautics Board and the Interstate Commerce Commission.

It would set up a new independent National Transportation Safety Board.

All of this would go far toward carrying out the stated intent of the Department to implement national transportation policies conducive to fast, safe, and efficient transportation at low cost and in the public interest.

There is also, in the proposal as set forth in the President's message, a way of moving toward solution of the problems I have stressed.

While the CAB would retain its airline subsidy program, the Secretary of Transportation would be given the duty of developing principles and criteria for the CAB to consider in making its decisions.

In other words, there would be available a tribunal, not preoccupied with the day-to-day adjudication of individual cases and the safeguarding of individual interests, to which the State of Hawaii or any other State could apply for redress of any inequities.

The promise inherent in this proposal is buttressed by the contemplated duty of the department to develop national transportation policies and programs and to make recommendations for their implementation. And it is reinforced by the proposed departmental function of setting standards and criteria for the formulation and economic evaluation of proposals for the investment of Federal funds in transportation facilities or equipment.

Legislation embodying this far-reaching and much-needed concept has been introduced in both Houses of the Congress, has been the subject of hearings and is under consideration by the appropriate committees.

I am most confident that, should it be enacted, the proposed Federal Department of Transportation would be truly a key to the solution of those problems of equity in the administration of transportation policy to which I have applied myself.

And I am most hopeful that the Congress, in its wisdom, will give its approval to this legislation in a comprehensive, reasonable and workable form.

From this beginning can come a truly national program of transportation policy that is fair to every sector of our economy, every section of our geography, and every interest in our Nation.

From it also can come the great strides in technical achievement, in safety, in economy and in efficiency that we as a Nation—and Hawaii as a State—must have to continue to grow and prosper.

I am determined to continue my efforts to assure Hawaii the most equitable treatment available under Federal transportation policy and regulation as it exists today.

At the same time, I shall work unceasingly to bring to reality this new concept of a nationally based, integrated framework within which such policy can be applied with equal force and effect on all our country at the same time as the entire national effort is directed toward refining and improving our total transportation structure.

NEED FOR MORTGAGE MONEY AVAILABILITY TO PREVENT HOUSING SLUMP

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FASCELL. Mr. Speaker, the housing industry is one of such fundamental importance to the economy of the country that everything possible must be done to assure its continued vitality.

There have been indications that the tight money period through which we are passing has had an adverse effect on the industry. In fact, the Commerce Department recently reported that housing starts last month fell to their lowest point in nearly 3½ years. I believe that the steps that are necessary to reverse that condition and to prevent it from becoming a long-pull trend must be taken as soon as possible. What is obviously needed is to rapidly inject more resources into the mortgage money market.

I have, therefore, joined in cosponsorship of a bill to remedy this situation and am urging the leadership in the Congress to speed floor action on the original measure, H.R. 15639, which was reported out of the House Banking and Currency Committee last Wednesday. That bill increases the authority of the Federal National Mortgage Association to make an additional $2 billion available to the mortgage money market. Access to such funds would alleviate the tight money condition which results in reduced construction and the consequent curtailment of housing availability to prospective homeowners.

I realize that this legislation may be more of a pallitive than a cure-all—but if it will keep the housing patient well or bring it through a crisis, that is precisely what we should presently seek.

And this action which is advocated by both the Federal Reserve Board and the National Association of Home Builders should be taken now without awaiting ultimate action on the related tight money problems, including the interest rate wars between different types of lending institutions and money media, which are receiving active attention from the Congress, the Federal Reserve System, and other agencies of the Government.

H.R. 16018

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Whitener] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WHITENER. Mr. Speaker, on June 24, 1966, the distinguished senior Senator from North Carolina, Sam J. Ervin, Jr., introduced S. 3555. I am today introducing an identical bill with the hope that more expeditious action in the House of Representatives can be had. With my bill pending in the House, it is my hope that the Judiciary Committee can have prompt hearings simultaneously with the hearings which I am advised will be held by the Senate Judiciary Committee.

This legislation will make it a Federal offense for a parent or husband to move or travel in interstate or foreign commerce with the intent of evading his or her legal obligation to support a wife and children.

Legislation of this type is very greatly needed in order to meet a national problem which cannot be met under existing law. We are advised that in 1961 a study revealed that two-thirds of the families receiving aid for dependent children welfare money were those in which the father was absent from the home and not providing support for his wife and children. This great expense to the taxpayers can be greatly reduced if the bill which I have introduced today is enacted into law. At the present, it is estimated that dependent children aid is being paid to about 761,000 families, with 2,286,209 children in cases where the father was not present and furnishing support.

Various Federal agencies, such as the Veterans' Administration and the Social Security Administration are reluctant to provide information as to the whereabouts of fleeing parents under present conditions. It is believed that the enactment of my bill will remove that reluctance.

Efforts to meet this problem by State action have been unavailing. We have seen the adoption of the uniform reciprocal enforcement of support legislation in every State in our Nation. Many of us advocated that approach with the hope that it would result in a solution to the problem of the fleeing parent. The results have been disappointing.

Prior to my election to the House of Representatives, I had an opportunity as district prosecuting attorney to deal with this problem quite extensively. I can say to you that the results were most unsatisfactory whether we were approaching the problem with a criminal prosecution of a father who had fled or whether we were proceeding civilly under the Uniform Act.

Mr. Speaker, I urge prompt consideration of this proposal in the interest of meeting a national need which is evident to all.

LIBRARY AND CONSTRUCTION ACT AMENDMENTS OF 1966

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Pucinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I am very pleased with the final adoption today of H.R. 14050, the Library Services and Construction Act Amendments of 1966, so that this important legislation can go to the White House for the President's signature.

In accepting the Senate amendments to the House-passed bill, the members of my subcommittee felt that since the Senate amendments did not make substantive changes in the House bill, and particularly since the Senate kept in the bill the two new titles—III, Interlibrary Cooperation and IV, Specialized Library Services—we should not delay final passage. These titles provide a beginning on desirable new programs and will open new fields of activities and a new concept in our efforts to provide good library service to all of our citizens. In providing for the establishment and maintenance of local, regional, State, or interstate cooperative networks of libraries, the maximum effective use of funds in providing services to all library users will be possible. It is this title which provides the greatest assurance that all funds, State, local, and Federal, will be invested in the most productive manner possible. And, when an interlibrary system is completed within a State or a region, scholars and researchers will have at their fingertips all the knowledge available in libraries within that system to assist them in completing their studies or research.

The new title IV provides funds for State institutional library services to persons in State correctional, health, aged, blind, and orphanage institutions and for services to handicapped persons outside of institutions. This will mean that persons confined to such institutions will be able to use regular community library facilities, a service long neglected because of inadequate funds and one that is greatly needed by those individuals who will benefit from the establishment and improvement of library services available to them. Also provided will be improved library service to the blind and other physically handicapped persons.

Because of the cost of such service, and because the program heretofore has been limited exclusively to the blind thousands of our physically handicapped citizens have virtually no library service available. This provision will complement the present Library of Congress national-books-for-the-blind program and assist in meeting an urgent need of our other handicapped citizens who are not able to handle conventional library material.

Another important feature of this legislation is the specific authorization of funds for each of the 5 years authorized by the act so that State governments and local communities can make long-range plans for orderly library development. Through such long-range planning not only orderly development will be achieved, but also economy in operation.

It is my belief, Mr. Speaker, that all of the titles of this act will result in the development of imaginative new programs and the creative use of existing materials. With our expanding population and with the number of educated people in this country increasing at a greater rate than the population generally, greater and greater burdens are being placed upon our Nation's libraries. The enactment of this legislation will do much to ease that burden and stimulate new innovations in improving public library service.

I am proud to have been the sponsor of this important legislation and am most grateful to my colleagues both in the House and in the other body for their support.

TUNNEY ASKS FOR ADEQUATE PROTECTION OF THE CONSUMER

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Tunney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I favor the enactment of legislation designed to provide adequate protection for consumers with regard to labeling and packaging.

Today's consumer spends one quarter of his total expenditures on the purchase of food. The amount spent on packaged products alone equals that spent by Americans for private medical care and exceeds the amount expended on the U.S. public schools.

Packaging has made many beneficial and time-saving products easily accessible to the consumer—notably frozen food and detergents—but it has also been used to deny the consumer the opportunity to examine the product itself or ask a seller about it. Rows of plastic containers, cardboard boxes, and cans have replaced the live salesman. The consumer is thus forced to depend on a container and a label to help him select the best product for the best price. Often the container is designed to hide the product's true worth and utility under misleading adjectives or chemical names for food additives and preservatives. At times illustrations do not accurately portray the content of the package and frequently there is confusing language describing the net weight of the product.

Today's consumer is faced with having to choose from among approximately 8,000 items which are stocked by supermarkets. This is a figure more than five times larger than the number of items stocked less than 20 years ago.

Confusing, uninformative containers make comparing the relative worth and value of different items almost impossible.

The phenomenon of slow shrinkage in the size of "standard commodities"—from the 20-ounce can to the 16-ounce can to the 15-ounce can—while the price remains the same is gradually eroding more and more of the shopper's budget. He continues to pay the same price but gets less and less for his money.

Deceptive packaging must be eliminated, not to the point of monotonous conformity but, since the package must sell itself, it must be informative—simple, direct, and accurate—a policy in the best interest of consumer, retailer, and producer.

"PEACEFUL" TRADE A MOCKERY

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, repeatedly we hear claims that it is to our advantage to deal in what is proclaimed to be "peaceful" trade with the Soviet Union and other Communist countries as a means of "building bridges" to Communist countries. The term "peaceful goods," it turns out, is often used to embrace practically anything that cannot be labeled as weapons.

To see what a mockery the Soviets can make of so-called peaceful trade let us look into an example of an export license that was issued authorizing shipment of certain automotive parts to the U.S.S.R., and examine the possible significance of a sale such as this in the light of subsequent developments.

On May 25, 1966, the Department of Commerce issued an export license authorizing shipment to Soviet Russia of 20,016 sealed beam headlights for installation in Soviet manufactured automobiles. These parts were authorized for shipment to Moscow.

In response to my inquiry, the Department of Commerce said that its conclusion is that—

> Export of the subject automotive parts would not make a significant contribution to the economic or military potential of the Soviet Union which would be detrimental to the national security and welfare of the United States.
>
> Additionally—

The Department states—

> the Department of Commerce considers that sending the subject parts to the U.S.S.R. is consistent with President Johnson's desire to "build bridges" to Eastern Europe by encouraging trade in peaceful goods.

Only about 2 weeks later, on June 6, a press report came out of Moscow that the Soviet Union will raffle off more than 4,000 new automobiles.

And what are the proceeds of the raffle to be used for? To finance military training?

According to the report, by Vincent J. Burke, Moscow correspondent for the Los Angeles Times, the money will be used to "finance a Kremlin decision to intensify military training for civilians." The lottery is to be operated by DOSAAF, a military training society for civilians which has millions of members.

The DOSAAF is known formally as the Voluntary Society for Aid to the Army, Air Force & Navy and provides training to Soviet youth in rifle shooting, motorcycling, parachute jumping and flying.

A Government-Communist Party decree dated May 19, the report states, directed the DOSAAF to take immediate steps "for strengthening the military defense capability of the Nation, for increasing the vigilance of all Soviet people and training them in constant readiness to defend their homeland." The announcement said that the lottery proceeds would be used to improve mass defense proceeds with the populace, build new training and sports facilities, and develop sports which have military application.

This is a good example of how the Kremlin planners callously and ruthlessly can and do manipulate their resources to advance Kremlin goals. Consumer type goods are being brazenly exploited to benefit Soviet military preparations.

In closed, totalitarian countries such as the U.S.S.R. and other Communist bloc nations the possibility and probability always exist that this type of manipulation occurs.

It indicates the extreme caution that must constantly be exercised in any selling to the Communist bloc and the potential danger involved in attempts to open up the gates on trading with the Communists on the basis that we should send them "peaceful goods."

BILL TO CREATE A NATIONAL COMMISSION ON REFORM OF FEDERAL CRIMINAL LAWS

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SMITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of New York. Mr. Speaker, last July the President established a Commission on Law Enforcement and Administration of Justice. The Executive order creating the Commission charged it with inquiring into the causes of crime and the adequacy of the existing system of law enforcement, criminal justice and corrections. Following these inquiries, the Commission must report to the President by January 1967, on how Federal, State, and local governments can make law enforcement and the administration of justice more fair and effective.

Conspicuously absent from the mandate of the President's Crime Commission is the requirement to recommend legislation. Accordingly, I have joined several of my colleagues in introducing a bill which will establish a National Commission on Reform of the Federal Criminal Laws. This Commission is the next logical effort to follow from the work of the President's Crime Commission.

The National Commission on Reform of the Federal Criminal Law is ideally constituted to reduce to statutory realities the findings and recommendations of the President's Crime Commission. The Commission I am proposing is made up of six Members of Congress—three each from the House and Senate—three Federal judges, and three private citizens. Assisting the Commission will be a 15-member advisory committee made up of lawyers, U.S. attorneys, and others who are daily involved in the processes of Federal criminal justice. I believe that the forum of this National Commission on Reform of the Federal Criminal Law will provide an anvil upon which to forge the recommendations of the President's Commission into law.

It must be noted that the proposed Commission will do more than merely reduce existing reform suggestions into legislative proposals. It will also carry forward the work of revising the existing laws. The Commission will be authorized to study the entire spectrum of the Federal criminal laws and within that context it will suggest appropriate revisions of and additions to the Federal Criminal Code. It has been 18 years since the criminal laws were last revised and the men who undertook the 1948 revision may have been unduly confined in their authority to truly improve upon the law.

This proposed Commission will not be restrained to merely restating the existing law, which was the scope of the 1948 revision, but rather its mandate will permit it to expand and improve those provisions—or all provisions—of the criminal code which it deems desirable.

LOUIS C. CRAMTON

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HUTCHINSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. HUTCHINSON. Mr. Speaker, I join my colleague, the gentleman from Michigan [Mr. MACKIE] in tribute to the life and career of my friend, Louis C. Cramton.

He had finished his long career in this House and had served a 6-year term as one of our State circuit judges before I first became acquainted with him.

It was in 1949 that he came to the Michigan Legislature, representing his home county of Lapeer and it was my privilege to serve with him there until he left the Michigan House and I left the Michigan Senate at the end of 1960.

It is not often that a former Member of Congress offers himself for service again in his State legislature, but Lou did so, and with enthusiasm. He represented the people of Lapeer County ably and effectively, and with the calm firmness born of experience.

He was a Republican progressive and even in his later years continued to look ahead with the courage to accept change. He believed with all his heart in the principles of political equality constitutionally guaranteed to all Americans, regardless of their race or religious convictions, and fought successfully in the Michigan Legislature for a State FEPC and other civil rights measures.

Allow me one further recollection. It was during Judge Cramton's second term in the Michigan house. We had before us a State constitutional amendment to provide for annual rather than biennial sessions of the legislature. After serving in Congress for 18 years, where bills introduced have lives concurrent with the duration of the Congress, former Congressman Cramton was determined in one thing. Even though the State legislature was to meet annually, he wanted to make certain that bills introduced into a legislative session would not survive that session. He did not want the congressional practice implanted in Michigan's legislature. He offered an amendment on the floor to make that plain. And he won the day. Not until the present legislature did Michigan experience legislative bills with 2 years of life, and that came about as a provision of the new State constitution, written after Lou Cramton had retired as an active participant on the political scene.

Mr. Speaker, lengthy as it was, Lou Cramton's legislative career was a reverse of the norm. He began with a single term in our State house of representatives, back in 1909 and 1910. He was elected to Congress in 1912 and served here 18 years before being defeated in a Republican primary battle in which the issue was prohibition.

He then served with distinction as a State circuit judge and, subsequently, began a long and productive career in our State legislature. He was a public servant in the truest sense of the term and he will long be remembered by the people of Michigan and especially of Lapeer County in whose service he devoted his long political career.

BILL TO AMEND INTERNAL REVENUE CODE TO EXCLUDE CERTAIN REIMBURSED MOVING EXPENSES

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, this House has acted to help the productive member of society who is pulling his weight and it must do more to help him if he is to survive as a self-sustaining, taxpaying member of the Nation.

This spendthrift Congress has concentrated upon various forms of charity and dole. Fortunately, it has acted a little, too, to help the millions of individual Americans who must support this effort, and there is simply no doubt it must go much farther on this.

Unanimously, for instance, the House recently passed a bill to double the tax exemption for the many self-employed persons setting up retirement plans for themselves. This measure would permit the small businessman and woman to deduct three-quarters of their payments to retirement instead of one-half.

Frankly, I believe that the small businessman needs more relief and assistance. But then, so too does the much maligned taxpayer in the gray flannel suit—the corporation man—who is moved hither and yon about the country, along with technicians with special skills, to keep production rolling for our huge and expanding American industrial complex. We are particularly aware of this in fast-growing California into which thousands upon thousands of new workers and hopefuls move each year.

Accordingly, I am today introducing a bill which will amend the Internal Revenue Code in such a way as to exclude from income certain reimbursed moving expenses.

THE PEOPLE OF THE SEVENTH DISTRICT OF ALABAMA EXPRESS THEMSELVES ON THE ISSUES WE FACE

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. MARTIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, recently I sent 131,000 questionnaires to the people of the Seventh District of Alabama seeking their views on some of the more vital questions facing our State and Nation. I want to take this opportunity to share with my colleagues the thinking of the fine people of Alabama it is my privilege to represent in Congress. At the same time I would like to pay tribute to these same people for their vigorous interest in government and the problems of this day in history.

The unusually high percentage of returns to my questionnaire and the care with which the questions have been answered, together with the additional comments offered by many of my constituents, is a tribute to the intelligence and wisdom of these folks from my beloved State and the district.

The results of the questionnaire follow:

Questionnaire—Congressman Jim Martin, 7th District, Alabama

	Percent		
	Yes	No	Undecided
NATIONAL ECONOMY			
1. Do you favor setting aside a small percentage of Federal revenue each year to reduce the national debt?	95.0	3.0	2.0
2. Do you favor Federal control and regulation of agriculture?	7.6	86.8	5.6
3. Do you favor a reduction in Federal spending to produce a balanced Federal budget?	96.0	2.0	2.0
4. Do you believe the Federal antipoverty program will reduce poverty in this country?	2.0	95.5	2.5
5. Do you favor income tax credits for parents paying expenses of children in college?	76.0	17.0	7.0
6. Do you favor Federal control of prices and wages?	7.1	84.7	8.2
7. Do you favor the administration bill for the Federal Government to pay part of the rent for those qualifying and who prefer better housing?	4.4	91.7	3.9
Are you better off or worse, financially, than you were a year ago?			
Percent			
Better 21.6			
Worse 61.6			
Same 16.8			
CONSTITUTION AND BALANCE OF POWER			
9. Do you favor Federal aid to education?	43.2	47.0	9.8
(a) Higher education?	50.3	39.5	10.2
(b) Elementary?	51.1	43.2	5.7
10. Do you think the people of each State have the right to determine their own kind of legislation?	97.5	1.0	1.5
11. Should the Federal Government prohibit State right-to-work laws?	1.0	95.0	4.0
12. Do you think the Federal Government should order an increase in minimum wages?	8.0	86.5	5.5
13. Do you favor a Federal law to control selection of juries as is now proposed by President Johnson?	2.5	95.5	2.0

Questionnaire—Congressman Jim Martin, 7th District, Alabama—Continued

	Percent		
	Yes	No	Undecided
FOREIGN AFFAIRS			
14. Do you think the United States should be fighting in Vietnam?	32.7	43.6	23.7
15. Are you satisified with the way the President is conducting the war?	3.1	89.5	7.4
16. In fighting the war in Vietnam do you favor—			
(a) Increasing our land forces with more and more American boys to fight a jungle war?	4.2	85.6	10.2
(b) Increasing the use of our airpower in strategic bombing of military targets in North Vietnam?	90.8	3.9	5.3
17. Do you favor trade with Soviet Russia and other Communist nations?	10.2	85.2	4.6
18. Do you favor our present foreign aid program?	2.7	91.2	6.1
(a) Should we increase it?	2.3	93.1	4.6
(b) Should we decrease it?	86.4	8.9	4.7
(c) Should we give aid to Communist nations?	0	98.3	1.7
19. Do you favor admitting Communist China to the United Nations?	10.0	81.0	9.0
20. Are you in favor of the Johnson policy toward Communist Cuba?	3.9	82.3	13.8
(a) Should we make a deal with Castro?	2.8	94.4	2.8
(b) Should we take action to get the Communists out of Cuba?	74.3	10.9	14.8

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PUCINSKI, for 15 minutes, today.

Mr. PATMAN, for 1 hour, on July 11; to revise and extend his remarks and include extraneous matter.

Mr. CURTIS (at the request of Mr. PATMAN), for 1 hour, on July 11, 1966, following the special order of Mr. PATMAN; to revise and extend his remarks and to include extraneous matter.

Mr. GONZALEZ (at the request of Mr. PATMAN), for 1 hour, on July 11, 1966, following the special order of Mr. CURTIS; to revise and extend his remarks and to include extraneous matter.

Mr. ASHBROOK (at the request of Mr. DAVIS of Wisconsin), for 30 minutes, today; and to revise and extend his remarks and include extraneous material.

Mr. ASHBROOK (at the request of Mr. DAVIS of Wisconsin), for 30 minutes, on Monday, July 11; and to revise and extend his remarks and include extraneous material.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. RIVERS of South Carolina to include extraneous matter in the remarks he made during consideration of House Joint Resolution 1180.

Mr. MAHON to revise and extend his remarks on House Joint Resolution 1180, and to include certain tables and tabular information.

Mr. LAIRD to revise and extend his remarks on House Joint Resolution 1180, and to include excerpts from the committee record, tables and other extraneous material.

Mr. STANTON.

(The following Member (at the request of Mr. DAVIS of Wisconsin) and to include extraneous matter:)

Mr. MCCLORY in two instances.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mr. EVINS of Tennessee.

Mr. MCVICKER.

Mr. MOORHEAD.

SENATE BILLS AND A CONCURRENT RESOLUTION REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 231. An act for the relief of James W. Adams and others; to the Committee on the Judiciary.

S. 1571. An act for the relief of Kermit Wager, of Lebanon, S. Dak.; to the Committee on the Judiciary.

S. 2076. An act for the relief of Kil Ja Chung; to the Committee on the Judiciary.

S. 2295. An act for the relief of Guiseppe Rubino; to the Committee on the Judiciary.

S. 2317. An act for the relief of Dr. Albert Victor Michael Ferris-Prabuh; to the Committee on the Judiciary.

S. 2720. An act to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate; to the Committee on Merchant Marine and Fisheries.

S. 2784. An act for the relief of Doreen Delmege Willis; to the Committee on the Judiciary.

S. 2997. An act for the relief of Noriko Susan Duke (Nakano); to the Committee on the Judiciary.

S. 3083. An act for the relief of Dr. Rafael A. Penalver; to the Committee on the Judiciary.

S. 3189. An act for the relief of Dr. Alonso Portuondo; to the Committee on the Judiciary.

S. Con. Res. 99. Concurrent resolution favoring the suspension of deportation of certain aliens; to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1611. An act to transfer certain functions from the U.S. District Court for the District of Columbia to the District of Columbia Court of General Sessions and to certain other agencies of the municipal government of the District of Columbia, and for other purposes.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 11439. An act to provide for an increase in the annuities payable from the District of Columbia teachers' retirement and annuity fund, to revise the method of determining the cost-of-living increases in such annuities, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 27, 1966 present to the President, for his approval, bills of the House of the following titles:

H.R. 136. An act to amend sections 1, 17a, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act, and for other purposes; and

H.R. 13822. An act to provide for an additional Assistant Postmaster General to further the research and development and construction engineering programs of the Post Office Department, and for other purposes.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 21 minutes p.m.) the House adjourned until tomorrow, Wednesday, June 29, 1966, at 12 o'clock noon.

OATH OF OFFICE

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

"I A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 89th Congress, pursuant to Public Law 412 of the 80th Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U.S.C., title 2, sec. 25), approved February 18, 1948: JEROME R. WALDIE, 14th District, California.

EXECUTIVE COMMUNICATIONS, ETC.

2522. Under clause 2 of rule XXIV, a letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for U.S. standards and a uniform national inspection system for grain, and for other purposes, was taken from the Speaker's table and referred to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Colorado: Committee on the Judiciary. H.J. Res. 903. Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes; with amendment (Rept. No. 1672). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL (by request):

H.R. 15996. A bill to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

By Mr. DYAL:

H.R. 15997. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 15998. A bill to strengthen and improve programs of assistance for our elementary and secondary schools; to the Committee on Education and Labor.

By Mr. HANLEY:

H.R. 15999. A bill to amend section 203 of the Manpower Development and Training Act of 1962, as amended; to the Committee on Education and Labor.

By Mr. RIVERS of South Carolina:

H.R. 16000. A bill to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Air Force, and Marine Corps, and for other purposes; to the Committee on Armed Services.

By Mr. O'BRIEN (by request):

H.R. 16001. A bill to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

By Mr. O'HARA of Michigan:

H.R. 16002. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PHILBIN:

H.R. 16003. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of community programs for patients with kidney disease and for conduct of training related to such programs, and other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 16004. A bill to amend title 38 of the United States Code to provide that any 5-year level premium term plan policy of national service life insurance shall be deemed paid when premiums paid in, less dividends, equal the amount of the policy; to the Committee on Veterans' Affairs.

By Mr. SLACK:

H.R. 16005. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. SMITH of New York:

H.R. 16006. A bill to establish a National Commission on Reform of Federal Criminal Laws; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 16007. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 16008. A bill to provide for the establishment of a study commission to consider methods for conserving, protecting, and developing the Long Island Wetlands Conservation Area; to the Committee on Merchant Marine and Fisheries.

By Mr. YOUNGER:

H.R. 16009. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. BURTON of California:

H.R. 16010. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 16011. A bill to amend title 18 of the United States Code to prohibit the transmission through the mails of matter calculated to arouse racial hostility; to the Committee on the Judiciary.

By Mr. McVICKER:

H.R. 16012. A bill to amend the Higher Education Act of 1965 and the National Vocational Student Loan Insurance Act of 1965 to raise the family income limitation with respect to Federal payments to reduce interest costs on insured student loans; to the Committee on Education and Labor.

By Mr. MOORE:

H.R. 16013. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MOORHEAD:

H.R. 16014. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RONCALIO:

H.R. 16015. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. TALCOTT:

H.R. 16016. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 16017. A bill to authorize the Secretary of the Interior to approve an agreement entered into by the Soboba Band Mission Indians releasing a claim against the Metropolitan Water District of Southern California and Eastern Municipal Water District, California, and to provide for construction of a water distribution system and a water supply for the Soboba Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mr. WHITENER:

H.R. 16018. A bill to amend title 18, United States Code, to make misdemeanor the flight, in interstate or foreign commerce, by any person who is the parent of a minor child or who is a married man, if such person so flees with the intent of evading his legal responsibilities with respect to the support or maintenance of his minor child or of his wife; to the Committee on the Judiciary.

By Mr. FARNSLEY:

H.J. Res. 1187. Joint resolution designating February of each year as American History Month; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H. Con. Res. 803. Concurrent resolution expressing the sense of Congress on the holding of elections in South Vietnam; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 16019. A bill for the relief of Mahry Khavidi Mafee; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 16020. A bill for the relief of Myrtle Dyer; to the Committee on the Judiciary.

H.R. 16021. A bill for the relief of Victor Rodriguez; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 16022. A bill for the relief of Henry Huai-Tseng Mu and his wife, Lee Jun-Chin; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.R. 16023. A bill for the relief of Andreas Nikolaos Kanaloupitis; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Reports on Vietnam Encouraging as Independence Day Approaches

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 1966

Mr. EVINS of Tennessee. Mr. Speaker, reports from Vietnam have taken on an encouraging tone of late which gives rise to cautious optimism regarding the outlook for a conclusion to this conflict.

In this connection, my recent newsletter, Capitol Comments, discusses these reports and their significance. I have unanimous consent that Capitol Comments be reprinted in the CONGRESSIONAL RECORD, believing it to be of interest to my colleagues and to the Nation generally.

The newsletter follows:

CAPITOL COMMENTS—REPORTS ON VIETNAM ENCOURAGING AS INDEPENDENCE DAY APPROACHES

(By JOE L. EVINS)

As we approach Independence Day 1966, it is heartening to hear reports that the tide is running in our favor in South Vietnam.

There is a growing feeling in Washington—supported by substantial commentary and comment by officials, informed observers and journalists—that the corner has been turned and that the time may be approaching when North Vietnam will no longer be able to sustain the rate of losses in manpower and equipment that it has been taking for some months.

This is certainly good news for freedom and for our troops fighting in Vietnam. We all hope and pray that long before the next Independence Day arrives, peace will have been attained and the Vietnamese conflict will have become a part of history.

President Johnson's policy is to stand strong with a sword in one hand and an olive branch in the other. He warned North Vietnam again recently that this nation will increase its forces in South Vietnam—but, in the same breath, he said that a peaceful and honorable settlement will be to the best interests of all concerned.

Because of the great buildup in Vietnam the courage, ability and gallant fighting qualities of the American fighting man, there is a growing belief in Washington that the initiative now resides with our forces. At the present time, our troops are hammering at Vietcong concentrations to destroy them before the so-called "'monsoon offensive" can be launched. Our forces are taking a heavy toll of Communists. Since January, the Communists have lost an estimated 23,000 men—more than ten times the United States' losses.

President Johnson recently emphasized this comparison of losses with the implication that North Vietnam cannot continue to sustain this rate of casualties. Therein lies the hope for peace. The President also emphasized that the Communists are not depending upon their military power to achieve victory. He said they are depending upon political division and dissension in the United States and Saigon forcing United States withdrawal. That, said the President, is the factor that gives the Communists hope for victory.

President Johnson and the Congress, however, have made it clear that the United States intends to remain in South Vietnam until an honorable settlement is reached and democratic self-government established in that nation. There are also strong indications that the government in Saigon has successfully withstood its major internal challenge—and can now devote its full time to winning its war for freedom. This is added grounds for hope and optimism.

As we remember the Americans who fought and died to secure and preserve freedom since the Declaration of Independence was signed almost 200 years ago, we must remember and honor our servicemen who are now fighting in Vietnam. They are freedom's heroes of this generation.

American Can Co. Achievement Benefits Consumers

EXTENSION OF REMARKS

OF

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 1966

Mr. McCLORY. Mr. Speaker, the lifeblood of American industry is new products, methods, and processes created to meet the constantly changing needs of the dynamic, growing economy of this country.

I would like to call to the attention of my colleagues just such a revolutionary new process—the MiraSeam process for making tin-free steel cans, developed by the American Can Co. Not only does the MiraSeam tin-free steel can represent a major breakthrough in the metal container industry, it eventually will free the industry from dependence on tenuous, foreign supply lines of tin. You are all aware of the problems our country encountered in this respect in past international conflicts.

I am extremely proud to say that the MiraSeam process was developed by the American Can Co. in its Barrington, Ill., research laboratory which is located in my own 12th District. The MiraSeam process was the culmination of more than 10 years of research and the expenditure of millions of dollars. It is another outstanding example of the benefits of our competitive enterprise system.

I believe it is of further major significance that the MiraSeam system, which is the only commercial method for making tin-free cans, also is applicable to the manufacture of aluminum containers. The process embodies an all-new concept in canmaking, the use of an organic cement to bond the overlapped sides of a tin-free steel can. It also eliminates the old soldered side seam process of canmaking and consequently allows wraparound lithography on cans—a highly important factor in today's extremely competitive marketplace.

In addition, the MiraSeam container differs from the old tin plate can in that it is specially treated and then coated on both sides with an enamel developed by American Can. This special enamel is compatible both with tin-free steel and with the organic cement that binds the seam.

The company's research team also has reported that laboratory evaluation indicates that the MiraSeam manufacturing technique may be readily adapted to a variety of other metals, including chrome treated steel.

Mr. William F. May, chairman of the American Can Co., disclosed recently that the MiraSeam tin-free can has other assets as well. He said that the new can costs $2 a thousand less than comparable tinplate cans. Both Mr. May and Mr. E. T. Klassen, president of the company, have indicated that they believe the metal container of the future will be tin free.

Mr. Speaker, the American Can Co.'s 48,000 employees today manufacture more than 1,700 different products in three major areas—container and packaging products, industrial and consumer paper products, and chemical products. The company is to be commended for its continuing, major contribution to the economic development of our country. Needless to say, I am proud to have this fine organization in my district.

Student Loans

EXTENSION OF REMARKS

OF

HON. ROY H. McVICKER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 1966

Mr. McVICKER. Mr. Speaker, in the interest of furthering education and promoting equity in our country the Higher Education and National Vocational Student Loan Insurance Acts of 1965 ought to be amended. The ceiling on family incomes under which the Federal Government can aid students by paying part of the interest costs on insured student loans should be raised from $15,000 to $25,000 a year.

In 1965 Congress recognized the obligation of our Government to assist those who could not afford further education to attain vital skills, both vocational and academic. This obligation stems, on the one hand, from a need to develop to the fullest intellectual and manpower resources of the Nation. On the other hand, a person's income level should not preclude him from being able to pursue benefits of higher education.

Amendment of the 1965 legislation is necessary to prevent an unfair burden from being shouldered by middle-income families. Cost of seeing one child through college or technical school today is immense. The cost of educating several is often impossible to meet for an average family. Education cannot, however, be pushed to one side by any family. The Nation and its employers are increasingly taking for granted the need for skills. The unskilled have less of a chance each year. Since our Nation needs trained, educated people, it is not for benefit of these individuals alone that the Government should assume some of the burden of their education costs, when they are in no position to cover all costs themselves.

It is also true that middle-income families ought to reap some benefit from Federal education legislation, since they are assuming so much of the tax burden supporting such legislation.

Raising the family income limitation for the Government's educational aid programs is advisable, then, because it will help fulfill the country's need for educated people; it will enable more families to take full advantage of this legislation; and the higher level represents a more equitable, realistic recognition of this problem of educating the country's youth.

House of Lords To Televise Sessions

EXTENSION OF REMARKS

OF

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 1966

Mr. McCLORY. Mr. Speaker, I think it is important to note that the people of Great Britain have now been given the privilege of witnessing important sessions on the floor of the House of Lords. The venerable House of Lords of the British Parliament on June 14, by the decisive margin of 56 to 31, approved the televising of various of its sessions. Only once before have television cameras been allowed—on April 21, when the House of Commons recorded the summoning of its Members to hear a speech given by Her Majesty Queen Elizabeth II in the adjoining House of Lords.

Some weeks ago, I introduced House Resolution 644, which would authorize the televising of important and historic sessions of this House of Representatives, subject to approval by you, Mr. Speaker, and by the minority leader. This resolution and other similar measures are pending before the Committee of the Whole.

Mr. Speaker, I am hopeful that the measure may be favorably acted upon within a very short time, with the result that the people of America, and for that matter the freedom-loving people throughout the world, might witness various of the great debates that occur in this historic Chamber.

The action taken by the House of Lords should encourage early action in this body for similar authority to televise sessions of the House of Representatives.

Consumer Credit

EXTENSION OF REMARKS

OF

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 1966

Mr. STANTON. Mr. Speaker, recently the subject of consumer credit controls was under consideration before the House. This proposal was defeated by a vote of 73 to 225.

The Banking and Currency Committee heard testimony on this subject from Mr. William McChesney Martin, Jr., Chairman of the Board of Governors of the Federal Reserve System. During this testimony, I submitted four questions to Mr. Martin concerning the problems of credit controls, consumer debt, and liquidity. I believe his answers will be of great interest to all the Members of Congress and the general public. Therefore, I am placing my letter of inquiry, along with Chairman Martin's replies, in the CONGRESSIONAL RECORD:

JUNE 10, 1966.

Mr. WILLIAM MCCHESNEY MARTIN, Jr.,
Chairman, Board of Governors of the Federal Reserve System, Federal Reserve Building, Washington, D.C.

DEAR MR. MARTIN: I wish to express my thanks to you for your appearance before our Banking & Currency Committee. I further appreciated the opportunity to speak to you for a moment immediately after the meeting. Confirming our verbal conversation, I wonder if you could furnish me with your thoughts on the following questions:

1. Do you think that consumer credit controls are necessary at this time?

2. Do you see the possibility of public misinterpretation and panic-buying as the result of favorable Congressional action on consumer controls?

3. Is it not a fact that while consumer credit is up the truly great increases in outstanding debts have been in the governmental fields (federal, state and local)?

4. Do you say that consumers generally are in a very liquid position in that personal savings and personal assets are still many times the size of consumer debts?

Any exact details that you can give me on this would be appreciated.

Thank you again for your cooperation. An immediate reply would be greatly appreciated.

Sincerely yours,

WILLIAM STANTON.

BOARD OF GOVERNORS
OF THE FEDERAL RESERVE SYSTEM,
Washington, D.C., June 16, 1966.

The Honorable WILLIAM STANTON,
House of Representatives,
Washington, D.C.

DEAR MR. STANTON: As further time will be required to get together the figures needed for some of the questions asked in your letter of June 10, I am replying now to your other questions (repeated below) in order to comply with your request for prompt response.

1. Do you think that consumer credit controls are necessary at this time?

I do not believe consumer credit controls are necessary at this time, as was indicated by my comment in testimony before the House Banking and Currency Committee on June 8: "If we had the authority, if the President had this authority, and had delegated it to the Board, I do not believe the Board would utilize the authority at the moment."

2. Do you see the possibility of public misinterpretation and panic-buying as the result of favorable Congressional action on consumer controls?

If the public interpreted Congressional action favoring standby consumer credit controls as presenting likelihood that controls would be imposed soon, in a period when we already are engaged in armed conflict in Viet Nam, it is entirely possible that rush-buying would result. Its extent, or even its materialization, cannot of course be stated with certainty in advance of the event.

Sincerely yours,

WM. MCC. MARTIN, Jr.

BOARD OF GOVERNORS
OF THE FEDERAL RESERVE SYSTEM,
Washington, D.C., June 23, 1966.

The Honorable WILLIAM STANTON,
House of Representatives,
Washington, D.C.

DEAR MR. STANTON: This is in further reply to your letter of June 10, in which you asked four questions relating to consumer credit. Answers to the first two questions were given in my letter of June 16.

Your third and fourth questions were:

3. Is it not a fact that while consumer credit is up the truly great increases in outstanding debts have been in the governmental fields (federal, state and local)?

4. Do you say that consumers generally are in a very liquid position in that personal savings and personal assets are still many times the size of consumer debts?

The Board's flow of funds estimates shed considerable light on questions 3 and 4, and I am enclosing two tables from a summary prepared last month by our Division of Research and Statistics. Table 6 shows in broad outline the debt structure of the nation. Note line 4, for example, which shows the level of United States Government debt over the past twenty years. (The flow of funds accounts exclude Federal agency holdings but include nonguaranteed issues of Federal agencies.) You can see that the United States Government debt has grown less rapidly than State and local debt, shown in line 17 of the same table, and has been a steadily diminishing part of total debt.

The movement in State and local debt since World War II more closely parallels that in consumer debt. This is revealed by the chart on page 67 of the Board's Historical Chart Book. Consumer debt, as used here, includes 1- to 4-family mortgage debt, security credit, short- and intermediate-term credit (installment and noninstallment), and policy loans on life insurance and other miscellaneous loans. End-of-year figures on consumer debt, as we usually conceive of it in the flow of funds accounts, may be obtained by adding lines 22, 24, 26, and 27 in Table 8 (enclosed) showing the household sector of the accounts.

This same table sheds other light on consumer liquidity matters. You will note that line 1 shows total financial assets of the household sector. Some analysts find it useful to relate these asset holdings to the various types of consumer debt or to their total, as a measure of the ability of consumers to pay their indebtedness. We do not know, however, whether the people who own the assets are the same as those who owe the debt. Statistical evidence in this area is fragmentary but it seems likely that many of those in debt do not in fact own significant amounts of financial assets.

In this general connection, one of the statistical measures watched by many analysts is the so-called repayments ratio, viz., the ratio of repayments on instalment debt to disposable personal income. The ratio has moved up in most years since World War II, and this, of course, has important implications for the continued ability and willingness of consumers to incur more debt. At the same time, there appears to be a number of valid reasons for the increase, the most obvious being that more and more people have been using instalment credit for more and more purposes. Moreover, they are buying goods and services nowadays that formerly would have been purchased for cash. They are, in effect, substituting the ownership of various physical assets for expenditures previously made on transportation, recreation, and other services. For example, they are buying cars instead of using public transportation and they are purchasing television sets instead of going to the movies. Such purchases frequently give rise to the use of instalment credit.

The leading article in the Federal Reserve Bulletin for June will be on consumer credit developments, and I commend it to your attention when it comes out at the end of this month. The repayments ratio is discussed in this article, as are the various growth factors underlying the rise in consumer credit. Recent developments in instalment credit are also brought out in the discussion.

I trust these materials and comments will be helpful in your consideration of the problems of consumer debt and liquidity. This is an area of great importance to the Board, and I can well appreciate your own interest.

Sincerely yours,

WM. MCC. MARTIN, JR.

Increases over the last decade in the net debt of Federal and State and local governments and of consumers are shown in the table below:

Outstanding debt (selected sectors)

[Dollars in billions]

Sector	Dec. 31, 1955	Dec. 31, 1965	Percentage increase	Dollar increase
Federal Government [1]	$231.5	$269.8	16.5	$38.3
State and local government	38.4	92.3	140.4	53.9
Consumer [2]	38.8	87.9	126.5	49.1

[1] Net Federal debt is defined as the gross debt outstanding less Federal Government securities held by Federal agencies and trust funds, and Federal agency securities held by the U.S. Treasury and other Federal agencies.

[2] Includes short- and intermediate-term credit only.

Total financial assets of households have more than doubled in the same 10-year period, as the table below shows:

Financial assets held by households

[Dollars in billions]

Type	Dec. 31, 1955	Dec. 31, 1965	Percentage increase	Dollar increase
Total financial assets	$684.0	$1,447.5	111.6	$763.5
Demand deposits and currency	63.8	93.5	46.6	29.7
Savings accounts	105.5	277.7	163.2	172.2
Life insurance reserves	69.3	105.2	51.8	35.9
Pension fund reserves	49.7	152.0	205.8	103.3
Credit and equity market instruments [1]	384.4	801.9	108.6	417.5
Miscellaneous	11.3	17.2	52.2	5.9

[1] Includes holdings of U.S. Government securities, State and local obligations, corporate bonds and stocks, and mortgages.

Secretary McNamara on "The Age of Protest"

EXTENSION OF REMARKS

OF

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 1966

Mr. MOORHEAD. Mr. Speaker, commencement exercises this year at Chatham College in my district were particularly significant for a distinguished member of the President's Cabinet.

The talented daughter of Secretary of Defense Robert McNamara was graduated with the class of 1966. Secretary McNamara was awarded an honorary doctor of laws degree and he delivered the commencement address.

That address, as you know, has been widely quoted and discussed. In the hope that other Members of the Congress will find its full text as stimulating and informative as I did, I include it at this point in the RECORD:

THE AGE OF PROTEST

(By Robert S. McNamara, Secretary of Defense of the United States, at the Chatham College Commencement, May 22, 1966)

President Eddy, Members of the Faculty, Ladies and Gentlemen—and Graduates of the Class of 1966: The era is in which we live has been called the Age of Protest.

Judging from the pickets out on the sidewalk, that does not seem an altogether inappropriate title.

However, if one peruses the many millions of words written on the subject, it is not entirely clear who is doing the most protesting: the young poeple against their elders . . . or the elders against their children.

Here, for example, is one view from the elders:

Children, today, are just too soft; they have bad manners, contempt for authority, disrespect for their elders; talk too much, and work too little. Rather than helping out around the house, they give everybody orders. They haven't even the courtesy to stand up when their elders enter the room. They contradict their parents, monopolize the conversation in front of guests, have miserable table manners, a slouchy posture, and they tyrannize their teachers.

Now, I must confess I didn't read that particular view in the newspaper. It was written by Plato in the 5th Century, B.C.

If it seems an unduly pessimistic view, one can take some small measure of consolation in the thought that by Plato's time things seemed to have been getting somewhat better.

More than 2000 years *before* Plato—on an Assyrian stone table—one disgruntled parent had inscribed the following:

Our earth is degenerate in these latter days. There are signs that the world is speedily coming to an end. Bribery and corruption are common. Children no longer obey their parents. Every man wants to write a book, and the end of the world is evidently approaching.

There are, then, some grounds for believing that the 1960's are not the first time the older generation has protested against the young.

But what about the younger generation—and especially the college students? What about *their* protests?

Well, it would appear that campus complaints are just about as old as campuses themselves. It is enlightening, for example, to read the letters that students in the Middle Ages wrote home from the great universities of Europe. Even for most modern parents, these letters have a certain familiar ring.

One weary medieval parent summed it up with the sentence:

"Prímum Cármen scloárium est petítio expensárum, nec úmquam érit epístola quae non requírit argéntum."

"A student's first song is a demand for money, and there will never be a letter which does not ask for cash."

In fact, so common was the practice of students writing home for more money, that whole collections of "model letters" were published by the professors to aid the students in this subtle task. They amounted to a kind of medieval *College Outline Series* on How to Put the Touch on Dear Old Dad.

Here is a typical 13th century letter from Oxford:

This is to inform you that I am studying at Oxford with the greatest diligence, but the matter of money stands greatly in the way of my getting ahead—as it is now two months since I spent the last of what you sent me. Wherefore, I respectfully beg your paternity, by the promptings of divine pity, that you assist me, so that I may be able to complete what I have well begun. For you must know that without Ceres and Bacchus, Apollo grows cold.

The medieval professors drew up a long list of ploys that the students might use in prying open the paternal purse. They suggested that they write home, saying that the cost of living was exceptionally high due to the hard winter; or due to a failure of the crops; or to a threatened siege of the city; or that the last messenger bringing the money from home had been robbed; or—even better—that he had absconded with the money himself; or that the poor student couldn't borrow any more from his roommates, and had run out of credit at the money-lenders; or that it was simply so excruciatingly cold that he could no longer study.

One student writes home, complaining that the cold is so intense that he is blowing on his frosty fingers, while he writes; and that it has been two whole years since he has tasted wine, washed his face, or trimmed his beard.

But being fair and non-partisan, the professors in the Middle Ages also published collections of model letters for parents to write back to their children, away at college. These letters usually enclosed the requested money, but frequently included strong advice on how not to spend it. The general theme was that the student was lazy and extravagant; and should be thinking about supporting his loving parents, rather than forever trying to extort money from them.

One indignant father in Besançon writes to his son, studying at Orleans:

I have recently discovered that you live dissolutely and slothfully, preferring license to restraint, and play to work—and strumming a guitar while others are at their studies. Whence it happens that you have read but one volume of law, while your more industrious companions have read several.

Now, I would hope that all of this does not sound too familiar to you, but I think you would agree that complaints—both from and about the campus—are not really so very new.

For those worried parents who believe that campus problems began with Berkeley in 1964, it is instructive to read of the riots at the University of Paris in 1228, and at the University of Oxford in 1355.

It is true that they were not so much teach-ins, as they were drink-ins; since the trouble usually began in a tavern. But they did involve the relationship of the civil authority and the university's autonomy, and they make the events at Berkeley look pretty tame by comparison.

As a matter of fact, in a recent survey of more than 700 college presidents—on the subject of student protests—it was revealed that contrary to popular belief, most student demonstrations today do not involve the war in Vietnam, or civil rights, or political issues at all.

Most of the protests, it turns out, are about the food; or about allowing the students more say in policy-making; or about the various housing regulations.

Now here at Chatham—judging from the delicious lunch we have just had—it would seem highly unlikely that anyone would want to complain about the food.

As for allowing the students more say in policy-making, it is rather remarkable that the girls here at Chatham changed their student government to a community government on the premise that if anyone really had anything serious to discuss with the administration and faculty, the right doors were always open.

As for the housing regulations, you here at Chatham have the very practical—and very sensible—*Chatham College Handbook*.

Now, there were similar handbooks for students in the 13th century. Usually they were written in Latin verse, but they contained a great many helpful hints. They seemed to be particularly concerned about Gracious Living.

One of these handbooks had the following practical advice:

Wash your hands in the morning; and, if there is time, your face. Eat with three fingers only. Don't criticize the food. Don't pick your teeth with your knife. Don't butter your bread with your finger. Scrape bones with your knife, but don't gnaw on them. When you finished with your bones, put them in the bowl, or on the floor.

Of course, there *is* a serious dimension to the protest among some students today.

But whatever comfort some of the extremist protest may be giving our enemies—and it is clear from Hanoi's own statements that it is—let us be perfectly clear about our principles and our priorities. This is a nation in which the freedom of dissent is absolutely fundamental.

There is no more classic statement of this belief than that of Judge Learned Hand, who in the midst of the impassioned controversy over Senator McCarthy's charges in the early 1950's, said boldly and bluntly:

"I believe that community is already in process of dissolution where each man begins to eye his neighbor as a possible enemy, where non-conformity with the accepted creed, political as well as religious, is a mark of disaffection, where denunciation, without specification or backing, takes the place of evidence; where orthodoxy chokes freedom of dissent; where faith in the eventual supremacy of reason has become so timid that we dare not enter our convictions in the open lists, to win or lose. Such fears as these are a solvent which can eat out the cement that binds the stones together; they may in the end subject us to a despotism as evil as any that we dread; and they can be allayed only insofar as we refuse to proceed on suspicion, and trust one another until we have tangible ground for misgiving. The mutual confidence on which all else depends can be maintained only by an open mind and a brave reliance upon free discussion."

However much we may disagree with some aspects of it, we can be genuinely proud that free discussion is so vigorous on the American campus today.

But beneath its specific protests, there runs a generalized theme in most of the serious student discussion. It is the vague fear that somehow society—all society, both East and West—has fallen victim to bureaucratic tyranny of technology and autocracy that is gradually depersonalizing and alienating modern man himself.

In its roots, this may be a nameless fear; but it is clearly not altogether a new one.

Man has always trembled a bit before his tools, and there has always been an intrinsic ambivalence in technology.

The cave man, for example, discovered that a stone ax was a decided improvement over a pointed stick in dispatching the disgruntled wild animals in the neighborhood. But he also discovered to his dismay that it was a fairly fearful instrument in the hands of a disgruntled neighbor, who—in a sudden burst of unneighborliness—might wish to dispatch him as well.

The enterprising visionary who first invented the wheel found to his delight, no doubt, that he could ride a lot more comfortably than he could run. But if he was anything like our contemporaries, he probably also discovered that the wheel could not only run faster than a pedestrian, but that it could also run over him.

Today our tools are more complex, but they are no less ambivalent in their moral applicability. We can use thermonuclear power to dig a new Panama Canal. Or we can use it to dig a new mass grave for humanity.

At Berkeley, students carried signs reading: "I am a human being; do not fold, bend, or mutilate."

It is a sentiment we can all emphatically agree with. I very much wish that college students in Peking and Hanoi were allowed to carry the same signs on their campuses.

But in America, for many students the computer has become the primordial symbol of mass impersonalization. It is ironical that this should be so, considering the immense quantum of human drudgery—both mental and manual—that the computer has eliminated.

It has been the American practice from the beginning to take work loads off the backs of men, and put them onto the backs of machines. We have done that—not so much because we have valued machines in themselves—but in a much more profound sense because we have valued man.

In any event, it seems a little premature to worry that the computer is on the verge of replacing the human brain. Quite apart from everything else, that brain is an utterly incredible computer itself: probably the most magnificent bit of miniaturization in the entire universe. Though it weighs only about three pounds, it contains some 10 billion nerve cells, each of which has some 25 thousand possible interconnections with other nerve cells. It has been calculated that to build an electronic computer large enough to have that range of choice would require an area equal to the entire surface of the earth.

As St. Augustine observed: man looks about the universe in awe at its wonders—and forgets that he himself is the greatest wonder of all.

But it is also true that the ambivalence of technology grows with its own complexity, and *Homo Faber*—man the maker—is wise to continually question whether it is he, or his tools, who are in charge.

Goethe, Blake, and Kierkegaard, each in their own way, asked that question searchingly in the last century. Kafka, Huxley, and Orwell have asked it eloquently in our own. Paul Goodman, Jacques Ellul, and many others are asking it today.

There is as yet no definitive answer to the question; but there is a definitive need to keep asking it. The real question, clearly, is not whether we should have tools. But only whether we are becoming tools.

It is not really the computer that is in question; it is whether or not Dr. Strangelove is sitting at the computer's console.

It is too simplistic an answer to reply that technology is itself morally neutral, and that man must simply take care to retain his human control. The more profound question is whether or not complex technology narrows or widens the alternatives available for human control.

It is clear enough that man conditions his technology. What is less clear is the extent to which technology conditions man.

The degree and moral quality of that conditioning is a dilemma we must face. But we must *face* it,—and solve it—and not merely fall into an escapist and emotional romanticism that cloaks itself in a self-agonizing, *Angst*. Nothing is to be gained from that.

One of the most refreshing qualities of the campus ferment today is its intense "inner-directedness," and its frankly philosophical bent. One student observed: "We don't automatically accept the value of institutions." And another added flatly: "Our quarrel is with Aristotle; we say man is *not* a social animal."

As much as one might be tempted to disagree with those sentiments, it is absolutely marvelous to hear university students seriously quarreling with Aristotle again. It may even symbolize the renaissance of metaphysics from the swampland of semanticism in which it has been bogged for so long.

Now it is understandable that the tendency of contemporary man, standing in awe of his own technology, should look back to a simpler and more secure pattern of society, in which the individual could more fully assert his own independence. That is a strong tendency in our own Jeffersonian tradition, which quite rightly puts such decisive emphasis on man's independence.

But the irony, of course, is that Jefferson himself was a brilliant technological innovator—as anyone who has explored Monticello would agree. And it is unlikely that Jefferson today would personally fret much about being folded, bent, or multilated by the computer.

It is somewhat more likely that he would invent a better one.

The fact is that an honest inspection of history reveals not so much a nostalgic series of Golden Ages in which men led the good life; but, on the contrary, a rather dismal series of Golden Opportunities which men foolishly passed up, that might have accomplished precisely that.

All of this is, of course, intimately related to man's education.

But is modern education really relevant to the human condition?

No age in history has ever had a more thorny bout with relevancy than ours.

The reason is clear: We are caught up in a new dimension of explosive change that has no precedent in the 40,000 years of *Homo Sapiens'* experience.

If you had been educated in 3rd century Athens, B.C.; or in 4th century Byzantium; or in 14th century Bologna, you could have reasonably assumed that the education you received as a child would still be meaningful in your old age.

Change took place, of course, even in the ancient and medieval world. But the rate of change—relative to man's life-span—was slow enough to guarantee that the quantum of knowledge, acquired in youth, would remain valid even into old age.

What has happened today is that the progression of technological and social change is no longer merely arithmetical or geometric with respect to man's life-span. It is explosively exponential.

The engineer, for example, graduating this summer will find ten short years from now that fully half his expensively-acquired engineering education is already obsolete. And the other 50%, which he will then require to remain relevant in his field, has not yet even been discovered.

But this galloping ratio of radical change is a problem not merely for the engineer. It is a problem for anyone—the poet, the philosopher, the pedagogue, or the parent—who wishes to remain relevant in his own society.

We—none of us—fully understand all the inner dynamics of this calculus of relevancy.

More often than not, we are content simply to state the problem—rather than to think hard enough about the answers.

It is easy enough to wring one's hands over the complicated issues of meaning and value that an era of radical change involve.

It is much tougher to tackle these issues honestly and humbly, and work tirelessly toward wise solutions.

We sometimes do not even state the problem in a wholly realistic way.

We fear that organization in modern society is growing too big and too complex—and that we are establishing management controls that are too massive.

We describe complex organization as a depersonalized bureaucracy, and brand it as an Orwellian nightmare.

But it is possible that exactly the reverse is the case.

It is possible that some of our gravest problems in society arise not out of over-management; but precisely out of under-management.

It is possible that democracy can become non-participatory precisely to the degree that organic and hierarchial management breaks down.

Exploding urbanization, to take a cogent example, has been a fact in the western world for more than two hundred years. It has brought in its wake massive social turbulence and tension. Now it is sweeping the entire world like a blight.

But there is no evidence whatsoever that man has over-managed this problem. There is every evidence that he has under-managed it.

As all the forms of social, economic, political, and even religious organizations grow larger and more complex in our era, we might do well to ponder the fate of the Brontosaurus. He was the most magnificent of all the dinosaurs. He grew to be 80 feet long and was the most massive anatomical specimen of antiquity. But he was a classic case of under-management. For though he weighed an incredible 40 tons, he had only a golf ball-sized brain of 3 ounces. He could not accommodate to change. He could not remain relevant to his environment. And as magnificent as he was, he disappeared.

The observable fact is that most forms of social organization are growing more complex; but complexity in itself is not necessarily inferior to simplicity. And simple arrangements—by the mere fact of their simplicity—are not invariably more democratic.

In the Judeo-Christian dispensation, the first human organization was a very simple one: one man and one woman. One Adam and one Eve.

The organization was simple. But they managed to get one another into an extraordinary amount of difficulty.

Even the first fraternal organization we read about was ideally simple. There were two brothers. One Cain and one Abel.

The arrangement was very unbureaucratic; but the outcome was classically undemocratic.

Now, since I have mentioned Eve, I should like to say a word about the modern American woman.

I recognize that there are very great hazards in this, since generally speaking the least authoritative expert on the American woman is the American man. On the whole, this is a topic in which the interest of the American male is surpassed only by his bewilderment.

But this *is* a women's college. And since after today I will have run out of undergraduate daughters, it seems unlikely that I will ever be invited again to give a commencement address to young ladies.

So if I have anything to say—I had better say it now.

Men have been saying things about women for a very long time. Their earliest recorded remarks, however, are not very complimentary.

"A women without ability is normal," snapped one ancient Chinese sage.

The early Hindu writers were not much kinder. They noted that "infidelity, violence, deceit, envy, extreme avarice, and a total want of good qualities" were the natural faults of women.

Plato appears to have believed that women represented a stage of transition between wild beasts and man, though he did concede that some women were capable of becoming philosophers—and actually admitted a few to his Academy.

By the time we get to the 4th century of the Christian era, we find St. Jerome—one of the great Fathers of the Church—observing rather tersely that "Conversation with women is the road to the Devil."

St. John Chrysostom, the great 4th century patriarch of Constantinople, was so eloquent an orator that he often had to chide his congregation for applauding in church. Even his name in Greek means the "Golden-Mouthed One." But some of his golden words on women are a little disconcerting:

"O Evil!" he cried, "A wicked woman is worse than any evil! Deadly are dragons and poisonous snakes, but the deadliness of a woman is deadlier than the poison of serpents. The wicked woman is never chastened: treat her sternly and she rageth, mildly and she runneth wild. Easier it is to melt iron than to tame a woman."

It is interesting to speculate which half of the congregation applauded that particular sermon—the ladies, or the gentlemen.

The trouble is that in the earlier centuries, we never seem to hear any rebuttal to all this from the ladies themselves. It is somewhat hard to believe that the ladies—being ladies—were completely silent on the subject. But in any event, by the time we get to the American Revolution, there is no longer any reticence from the distaff direction.

Abigail Adams, who was herself to be First Lady of the land, after Martha Washington, wrote to her husband John while he was a delegate to the Continental Congress—just before the Declaration of Independence:

"I long to hear," she wrote, "that you have declared an independency; and, by the way, in the new code of laws, which I suppose it will be necessary for you to make, I desire you would remember the ladies and be more generous and favorable to them than were your ancestors. Do not put such unlimited power in the hands of husbands. Remember all men would be tyrants if they could. If particular care and attention are not paid to the ladies, we are determined to foment a rebellion and will not hold ourselves bound to obey any laws in which we have no voice or representation."

Happily for the male half of the nation, this All Ladies Guerrilla War never came off; though there were, of course, some fairly fierce insurgent skirmishes during the Feminist Movement.

G. K. Chesterton once remarked, of that movement, that 10,000 women stood up and shouted defiantly: "We will no longer be dictated to by men!" And then immediately marched out and became secretaries; and spent their entire career being dictated to by men.

Today American women are the subject of a growing avalanche of sociological analysis—much of it written by themselves. There is a feeling of restiveness and unfulfillment.

Now that it is no longer a question of battling for their rights, American women seem increasingly uncertain about defining their role.

They want to be fully relevant in modern society. But what should that relevancy consist in? Their having been victims of social and legal inequality for centuries, it is not surprising that their assertion of *equality* should sometimes become confused with an assertion of *sameness*.

Simone de Beauvoir and others have so condemned the "mystique" of femininity, that feminine dissimilarity in itself has become suspect. Thus, what began as liberation in the feminist movement could conceivably end as a new and more subtle form of impoverishment.

Women's contribution to society is clearly not to become more and more masculine, but rather to bring to what is traditionally an androcentric society those insights and instincts that only women can.

It is a society in need of that contribution.

Ortega y Gasset has underscored the same sensitive insight:

"The more of a man one is, the more he is filled to brim with rationality. Everything he does and achieves, he does and achieves for a reason, especially for a practical reason. A woman's love . . . is perhaps the only thing that is not achieved by reasoning. The core of the feminine mind, no matter how intelligent the woman may be, is occupied by a trans-rational power. If the male is the rational being, the woman is the trans-rational being."

Now all of this is immensely relevant to that generalized uneasiness today that we are all being drawn into a Kafka-esque world in which science and technology encroach dangerously on the realm of the spirit. As Karl Stern has put it: "The universal appeal of Kafka and Huxley and Orwell is precisely this: while you and I stand in awe of unheard-of machinery, we are suddenly seized by the eerie feeling that we might be part of the machinery ourselves, part of something, some *thing* that can be run."

If there is a danger of repersonalization in our society, then it is *you* who are best endowed to save us from that threat. For the gift of womanhood is precisely the gift of being able to *personalize*: to relate to the *individual*, rather than to the mass; to the *specific* rather than to the generic; to the *existential*, rather than to the abstract.

It is the gift of womanhood to love. It is your special gift. And it is the world's special need.

"Two roads diverged in a wood," wrote Robert Frost in one of his most pensive moods, "and I—I took the one less traveled by, And that has made all the difference."

All of life, really, is full of forked roads in a wood. And all of life, ultimately, is choosing one road over the other.

The most important choices are sometimes in a wood so dense and tangled that we can not clearly see the end of either road. But choose we must. And as wisely as we can.

The diploma you receive today is unfortunately not a detailed road map.

It is a passport into a dense wood, filled with forked roads.

For your committed generation, many of those roads will be the ones less traveled by.

If you choose wisely, it will be an exciting journey indeed. It will be much more than a journey; it will be a discovery. And what you will discover is what we all seek to know: *who we are* . . . and *Whose wood this is in which we all walk.*

"We shall not cease from exploration," wrote T. S. Eliot in the Third Quartet, "And the end of all exploring Will be to arrive where we started And know the place for the first time."

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 29, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is my light and my salvation; whom shall I fear?—Psalm 27: 1.

Eternal God and Father of men, facing responsibilities that tower above us like threatening waves beyond our power to meet adequately—we bow in Thy presence, praying for the strengthening uplift of Thy Holy Spirit. In quiet confidence we come with humble and contrite hearts, acknowledging with the Psalmist—*The Lord is the strength of my life, my light, and my salvation.*

As we face the tasks of this day help us to be conscious of Thy presence, and eager to do Thy will and to work for the good of our Nation.

We pray for those in our Armed Forces, who are fighting for freedom, and sacrificing their lives that the spirit of liberty may be kept alive in our world. In this time of tumult, through these days of danger, give us a steadiness of purpose, a devotion to duty, and a determination to complete the work we are called upon to do. We pray in the Master's name. Amen.

THE JOURNAL

The Journal of the proceedings of Tuesday, June 28, 1966, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 1160. Joint resolution making continuing appropriations for the fiscal year 1967, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12322) entitled "An act to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton."

The message also announced that the Senate had passed a bill and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1803. An act for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually; and

S.J. Res. 162. Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes.

ADJOURNMENT FROM THURSDAY, JUNE 30, TO MONDAY, JULY 11, 1966

Mr. ALBERT. Mr. Speaker, I offer a concurrent resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. CON. RES. 804

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, June 30, 1966, it stand adjourned until 12 o'clock noon on Monday, July 11, 1966.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SIGNING ENROLLED BILLS AND JOINT RESOLUTIONS DURING THE ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I offer a concurrent resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. CON. RES. 805

Resolved by the House of Representatives (the Senate concurring), That notwithstanding any adjournment of the two Houses until July 11, 1966, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RECEIVING MESSAGES FROM THE SENATE DURING ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until July 11, 1966, the Clerk be authorized to receive messages from the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TO REPEAL SECTION 6 OF THE SOUTHERN NEVADA PROJECT ACT

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 2999) to repeal section 6 of the Southern Nevada Project Act—Act of October 22, 1965 (79 Stat. 1068)—and concur in the Senate amendments to the House amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 9 and 10, of the House engrossed amendments, strike out "and/or the Las Vegas Valley Water District apply" and insert "or its assignees applies".

Page 1, line 10, of the House engrossed amendments, strike out "contracts" and insert "a contract".

Page 1, line 12, of the House engrossed amendments, after "Project" insert "Act".

Page 1, line 14 of the House engrossed amendments, strike out "heretofore".

Page 2, line 3, of the House engrossed amendments, strike out "and/or the Las Vegas Valley Water District" and insert "or its assignees".

Page 2, lines 4 and 5, of the House engrossed amendments, strike out "and 15,407 acre-feet per annum, respectively".

Page 2, line 6, of the House engrossed amendments, strike out "them, their rights" and insert "it, its right".

Page 2, line 8, of the House engrossed amendments, strike out "their contracts" and insert "its contract."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume, from the reading of the amendments, that they are all germane to the bill.

Would the gentleman from Colorado give us a brief explanation?

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point and include pertinent material and tables.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I shall be glad to reply to the gentleman from Iowa. The amendments of the Senate to the House amendment are germane.

Mr. Speaker, I am pleased to advise the House that the amendments of the Senate to the House amendment to S. 2999 are acceptable to the Committee on Interior and Insular Affairs and to recommend their approval. The Department of the Interior has agreed to include in this legislation recognition of a water right for Basic Management, Inc., and has assured the committee and the Las Vegas Valley Water District that the district's contract right will be recognized. Thus, the priority rights of the two entities that were given recognition in the House amendment to S. 2999 have been recognized and the purpose of the House amendment has been accomplished.

Mr. Speaker, when the President signed the Southern Nevada Project Act, he stated his objection to section 6 because of the general terms used and the uncertainty as to the effect of the language. He asked that legislation be developed which would "amend section 6 to limit its effect to that intended by the Congress."

To meet the President's objection to section 6, the Department of the Interior recommended that section 6 in its entirety be repealed, and this was the way S. 2999 passed the Senate. My committee felt that Basic Management, Inc., and the Las Vegas Valley Water District should be given a priority of water rights over the rights of the Southern Nevada Project water users and that the legislation should so provide. Accordingly, the committee developed language to amend section 6 of the act which was subsequently approved by the House.

Mr. Speaker, on June 14, Secretary Udall advised the committee that statutory recognition of the water right of Basic Management, Inc., was acceptable to the Department because BMI is a successor in interest to the Defense Plant Corporation, a Federal corporation, which had obtained a State water right; however, Secretary Udall indicated that the Department still is opposed to the inclusion of a similar provision in the legislation for the Las Vegas Valley Water District. He pointed out that the district's rights, which the committee wanted to recognize, were based, not on a State water right, but rather on the district's capacity contract with BMI for use of that company's water transmission system. Secretary Udall stated that while, the Department objects to inclusion of the district in the legislation, it nevertheless would give full recognition to the district's contract right. The last two sentences of Secretary Udall's letter on June 14 read as follows:

> Accordingly, we are prepared to execute a contract with the District upon enactment of S. 2999, restricted to BMI, recognizing a priority right in the District for 15,407 acre-feet of water, the right to terminate in 1990 with the termination of the present contract between BMI and the District. Such a contract would accomplish substantially the same purposes as would be achieved if the House-passed bill were to become law, but would avoid the problem of passing virtually special relief legislation for the District, based on dissimilar facts from those justifying relief for BMI.

Thus, the objectives of the House amendment are assured and, with the legislative history we are making today and the legislative history made in the Senate on June 24, I am pleased to recommend approval by the House of the Senate amendments to the House amendment to S. 2999.

Mr. Speaker, this matter has been cleared with the gentleman from Pennsylvania [Mr. SAYLOR] and other members of the committee.

I am including as part of these remarks the entire text of the June 14, 1966, letter from Secretary Udall, along with another letter and attachment I have received from Assistant Secretary Holum regarding the Nevada law on abandonment of water rights and a memorandum with attachments showing the historic use of water through the BMI pipeline.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 14, 1966.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C. 20515.

DEAR MR. ASPINALL: In your letter of June 3, 1966, you asked whether we would want to suggest other language than that used by the Committee in its amendment of S. 2999 which might be preferable from our point of view, but which would nevertheless accomplish the Committee's purposes as stated in its report on the bill (H. Rept. 1561).

While the amended bill does generally what we understand the Committee wants to do, it goes beyond our understanding of the intent and effect of the original act in that it extends to the Las Vegas Valley Water District a recognition of water rights which we think should be limited to Basic Management, Inc. The rationale for recognition of a water right in BMI does not extend to the District. BMI is a successor in interest to the Defense Plant Corporation, which had obtained a State water right. Accordingly, the attorneys for that company have argued that BMI was in a special position and that its water right should be given special Federal recognition. The legislative history of the Project Act indicates that this argument was persuasive to your Committee last year. Accordingly, we have agreed to contract with BMI to the full extent of its claimed water right.

The Las Vegas Valley Water District is not a successor in interest of any water right ever owned by a Federal corporation. Your Committee report indicates the fact that the creation of a Federal water right in the amount of 15,407 acre-feet is based not on a State water right, but rather on the District's capacity contract with BMI for use of that company's transmission system. We regard the inclusion of the District in the Committee amendment as going beyond anything contemplated last year at the time of the President's statement in connection with his signing of the Project Act. Regretfully, we must continue to oppose the inclusion of the District in the amendment.

The District's contract right, of course, expires with the termination of the transmission contract in 1990. We expect to write a contract with the District which would allow the District to take Colorado River water for delivery through the BMI transmission system to the District. We always have contemplated that the District would use the BMI transmission system to the extent possible and as long as possible and would thereafter take delivery of the Colorado River water through the more expensive project works. Accordingly, we are prepared to execute a contract with the District upon enactment of S. 2999, restricted to BMI, recognizing a priority right in the District for 15,407 acre-feet of water, the right to terminate in 1990 with the termination of the present contract between BMI and the District. Such a contract would accomplish substantially the same purposes as would be achieved if the House-passed bill were to become law, but would avoid the problem of passing virtually special relief legislation for the District, based on dissimilar facts from those justifying relief for BMI.

Sincerely yours,
STEWART L. UDALL,
Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 22, 1966.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C. 20515.

DEAR MR. ASPINALL: During the course of a hearing on S. 2999, held before the House Interior Committee on Irrigation and Reclamation on May 4, 1966, Congressman SAYLOR requested information on abandonment of water rights under Nevada law. (See Transcript at page 122.)

Enclosed is a copy of a letter dated May 24, 1966, from Elmo J. DeRicco, Director of the Department of Conservation and Natural Resources of the State of Nevada, addressed to Deputy Solicitor Weinberg, setting forth the Nevada law of abandonment of water rights.

Sincerely yours,
KENNETH HOLUM,
Assistant Secretary of the Interior.

STATE OF NEVADA, DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES,
Carson City, Nev., 89701, May 24, 1966.

Hon. EDWARD WEINBERG,
Deputy Solicitor, Department of the Interior, Washington, D.C. 20006.

DEAR MR. WEINBERG: In regard to the abandonment of water rights in the State of Nevada, NRS Statute 533.060 states:

1. "Rights to the use of water shall be limited and restricted to so much thereof as may be necessary, when reasonably and economically used for irrigation and other beneficial purposes.

2. "In case the owner or owners of any such ditch, canal, reservoir, or any other means of diverting any of the public water shall fail to use the water therefrom or thereby for beneficial purposes for which the right of use exists during any 5 successive years, the right to so use shall be deemed as having been abandoned, and any such owner or owners shall thereupon forfeit all water rights, easements and privileges appurtenant thereto theretofore acquired, and all the water so formerly appropriated by such owner or owners and their predecessors in interest may be again appropriated for beneficial use the same as if such ditch, canal, reservoir, or other means of diversion had never been constructed, and any qualified person may appropriate any such water for beneficial use."

In the State of Nevada, the question of an abandonment is somewhat tricky. In the case of "In re: Manse Spring and Tributaries" (60 NEV 280) the Supreme Court stated that an abandonment is a voluntary matter, a question of intent. The question of intent can be evidenced by overt acts, but mere lapse of time does not, of itself, constitute an abandonment.

The Nevada Supreme Court and other state courts have made mention of the fact that in determining the question of intent to abandon a water right, the courts may take an unuse of water and other pertinent circumstances into consideration. Abandonment is a matter of intent. That means an intent to desert or forsake a water right with no, then, intent to repossess or use it. All that we can learn from the various Supreme Court cases on the subject is that a court will not declare an abandonment without the necessary intent inferred, or otherwise. It is highly questionable in this State at the present time, that the intent to abandon can be established if the holder of the right contests the matter.

The State Engineer, the Colorado River Commission, or any interested person could start legal procedures to have a right declared abandoned.

Very truly yours,

ELMO J. DERICCO,
Director.

MEMORANDUM ACCOMPANYING STATEMENT OF NORTHCUTT ELY—MAXIMUM HISTORICAL USE OF BMI PIPELINE

The annexed tables show the non-simultaneous peak use of the BMI pipe line, in cubic feet per second (Table 1), and in acre-feet per year (Table 2), by each water user served. Table 3 compares these peaks with the water rights of the users.

What these figures show is that:

(1) The deliveries to the City of Henderson under BMI certificate 3119 exceeded both the 8.05 c.f.s. which is the aggregate of the capacity contracted for by Henderson and the National Park Service, and the 12 c.f.s. covered by certificate 3119. These excesses were furnished out of BMI certificate 3118.

(2) The uses by Las Vegas Valley Water District under its contracts with BMI exceeded the 28.78 c.f.s. to which the District is entitled under those contracts, and this excess was also met out of BMI's diversions under certificate 3118.

(3) BMI had capacity in its pipe line to meet these excesses only because the peak uses of the BMI group of companies served under certificate 3118 were not simultaneous. There was sufficient diversity in their demands to make possible the use of the pipe line's capacity to meet the demands of Henderson and Las Vegas Valley Water District in excess of the capacity to which their contracts with BMI entitled them.

(4) Fortunately, the peak demands of all users, in cubic feet per second, were not simultaneous. If they had been simultaneous, the total would have exceeded the capacity of the pipe line. If they had been simultaneous, the total of the peak daily rates of flow would have been 85.595 c.f.s., and the total of the "instantaneous" peaks (the highest rates of flow in any day) would have been still higher or 114.406 c.f.s. For comparison, the capacity of the pipe line is about 80.5 c.f.s., and the pumping equipment will "push" somewhat less than this through the line, on a continuous basis.

(5) Naturally the total quantity of water transported during the year, which is measured in acre-feet, is not as great as the maximum rate of flow in cubic feet per second (which is BMI's entitlement under its Nevada certificates) multiplied by the number of seconds in a year.

The annual quantity in acre-feet moved through any aqueduct gradually grows to the full capacity of the line, but if it equaled the full capacity from the beginning, then that pipe line would have been under-designed in two respects: (1) without margins for growth of load, and (2) without margins for peak demands.

(6) In conclusion: BMI has used its pipe line to the total capacity in cubic feet per second covered by its two certificates (45 plus 12 or 57 c.f.s.) but has not yet used the full number of acre-feet per year which it would have a right to use if the capacity stated in those certificates were utilized 100% of the time. It is not required to do so, in order to be entitled to the full 57 c.f.s. whenever it has need for that peak capacity. In like manner, Las Vegas Valley Water District has utilized (and more) the capacity, about 28 c.f.s., which it has leased in the BMI pipe line, but has not yet used all that capacity on a year round basis. It is not required to do so, in order to be entitled to full protection of the $3,000,000 it has invested to put that leased capacity to work.

NORTHCUTT ELY.

TABLE 1.—*Noncoincidental peaks, in cubic feet per second*

User	Date	Peak daily rate	Instantaneous peak
(1) BMI	August 1959	2.720	2.720
American Potash	November 1964	2.399	
Do	December 1962		31.210
Flintkote	July 1965	.509	.509
National Lead	April 1964	14.675	14.675
Stauffer	May 1963	19.27	19.27
Subtotal		39.573	68.384
(2) Henderson	August 1963	14.706	14.706
Rose de Lima Hospital	do	.155	.155
Subtotal		14.861	14.861
(3) Las Vegas Valley Water District	July 1963	30.960	30.960
National Park Service	July 1965	.201	.201
Subtotal		31.161	31.161
Total		85.595	114.406

TABLE 2.—*Maximum annual use in acre-feet*

User	Year	Quantity
(1) BMI	1959	424.9
American Potash	1962	1,928.0
Flintkote	1965	176.8
National Lead	1956	7,153.3
Stauffer	1963	7,947.0
Subtotal		17,630.0
(2) Henderson	1964	5,230.9
Rose de Lima Hospital	1963	84.4
Subtotal		5,315.3
(3) Las Vegas Valley Water District	1963	6,406.9
National Park Service	1965	66.2
Subtotal		6,473.1
Total		29,418.4

TABLE 3.—*Nonsimultaneous peak rates of uses, in comparison with maximum water rights*

Water user	Maximum use, cubic feet per second	Water right, in cubic feet per second
(1) BMI and associated companies, industrial uses (total of nonsimultaneous instantaneous peaks).	114.41	45 cubic feet per second (certificate 3118).
(2) Henderson and Rose de Lima Hospital, and National Park Service, municipal and domestic uses.	14.88	12 cubic feet per second (maximum BMI right under certificate 3119; rights of these 3 users under their contracts with BMI total 8.05 cubic feet per second).
(3) Las Vegas Valley Water District	30.96	28.78 cubic feet per second (maximum stated in contracts with BMI; these include 21.285 cubic feet per second until 1990, plus 6.5 cubic feet second until Sept. 30, 1966).

The amendments settle a longstanding difficulty between the executive department and the House in regard to this legislation. They are in order. The House has a complete explanation in my remarks.

Mr. GROSS. Mr. Speaker, I trust the dispute and the controversy were settled in favor of the House of Representatives.

Mr. ASPINALL. I would say that we received our share from the controversy, if the gentleman will permit.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TO PERMIT CERTAIN TRANSFERS OF POST OFFICE DEPARTMENT APPROPRIATIONS

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 7423) to permit certain transfers of Post Office Department appropriations, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 4, after "year" insert ", but no appropriation shall thereby be increased by more than 5 per centum".

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

Mr. **GROSS.** Mr. Speaker, reserving the right to object, may we have a brief explanation of the restriction which was placed in this bill by the other body.

Mr. **DULSKI.** Mr. Speaker, will the gentleman yield?

Mr. **GROSS.** I yield to the gentleman from New York.

Mr. **DULSKI.** The bill, H.R. 7423, as passed by the House, authorizes the Postmaster General to transfer appropriated funds from one appropriation to another provided the appropriation act involved authorizes such transfers. The House-passed bill limited the transfers to amounts not exceeding 5 percent of the appropriation from which transferred.

The Senate amendment adds a further limitation providing that no appropriation shall be increased by more than 5 percent by reason of the transfers. I believe this is a reasonable restriction.

Mr. **GROSS.** Would the gentleman go one step further? The Senate amendment provides that no appropriation can be increased more than 5 percent?

Mr. **DULSKI.** In total.

Mr. **GROSS.** In total?

Mr. **DULSKI.** In total, yes.

Mr. **GROSS.** And that is for each specific appropriation; is that correct?

Mr. **DULSKI.** That is correct.

Mr. **GROSS.** Not 5 percent on the lump sum appropriation?

Mr. **DULSKI.** No. There are four different appropriations. They are still permitted only 5 percent.

Mr. **GROSS.** I thank the gentleman. Mr. Speaker, I withdraw my reservation.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

TO PROVIDE FOR COST-OF-LIVING ADJUSTMENTS IN STAR ROUTE CONTRACT PRICES

Mr. **DULSKI.** Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2035) to provide for cost-of-living adjustments in star route contract prices, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1 line 5, strike out "subsection:" and insert "subsections:".

Page 1, line 6, strike out "1965," and insert "1966,".

Page 1, line 10, strike out "1963" and insert "1964".

Page 2, line 6, strike out "1965," and insert "1966,".

Page 2, line 7, strike out "1963 to 1964" and insert "1964 to 1965".

Page 2, line 10, strike out "1964," and insert "1965,".

Page 2, line 17, strike out "any year other than 1965" and insert "each year after 1966,".

Page 3, line 7, strike out "centum." " and insert "centum."

Page 3, after line 7, insert:

"(d) The increases authorized by subsection (c) of this section shall not apply in the case of any contractor who operates more than one star route contract or to any contract which has been increased pursuant to subsection (a) of this section within the twelve months next preceding the date on which an adjustment in such contract would otherwise be authorized under subsection (c) of this section."

Mr. **DULSKI.** Mr. Speaker, H.R. 2035 passed the House on July 12, 1965, and provided the procedure for an automatic cost-of-living adjustment in the contract price of certain star route contracts whenever the Consumer Price Index reflects an increase of at least 1 percent in 1 year.

Under the House-passed bill, the Postmaster General, after January 1, 1965, was required to make the initial determination of any change in the annual average of the Consumer Price Index from 1963. On the basis of such determination, the star route contracts were to be adjusted effective July 1, 1965, if the Postmaster General determined that the annual average from 1963 to 1964 was equal to a rise of at least 1 percent.

The Senate amendments, 1 through 8, are technical amendments inserting more current dates in the bill so that the first contract adjustment will be effective July 1, 1966, rather than July 1, 1965, as provided in the House bill.

Senate Amendment No. 9 adds a new subsection (d) to confine the adjustments to contractors who operate not more than one contract, and to preclude any increase if, within the 12 months preceding the date of the cost-of-living adjustments, the contract has been increased by action of the Post Office Department under 39 U.S.C. 6423(a).

This latter section authorizes the Postmaster General to adjust the contract price to reflect certain increases or decreases in the cost of operation of the star route contracts.

I believe the Senate amendment is a reasonable amendment as there would be no justification for any particular star route contractors to be entitled to two adjustments during any particular 12-month period.

I have been advised that the representatives of the star route contractors support this amendment.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

COTTON RESEARCH AND PROMOTION

Mr. **HAGEN** of California submitted a conference report and statement on the bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position, and to expand markets for, cotton.

HAZARDOUS DUTY PAY

Mr. **DANIELS.** Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 1535) to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 10, strike out "and".

Page 2, after line 10, insert:

"(3) shall be paid for such minimum periods as the Commission may determine to be appropriate; and".

Page 2, line 11, strike out "(3)" and insert "(4)".

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PRESERVATION OF THE ARCHITECTURAL INTEGRITY OF THE CAPITOL

Mr. **SCHEUER.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **SCHEUER.** Mr. Speaker, the historic beauty and architectural integrity of our Nation's Capitol is in jeopardy. This magnificent monument, symbol to all the world of the grandeur of our land, our people, our history, and traditions, now faces despoliation.

This desecration will result from the extension of the west wing of the Capitol. In justifying the need for this construction, the assistant Architect of the Capitol noted that 10,000 square feet of additional space was required to store in the Capitol pre-Civil War records which are now housed in the National Archives. What an unbelievable suggestion—to deface our Capitol in order to house century-old records which are now properly in the National Achives—a building constructed for the sole purpose of housing such documents.

Mr. Speaker, I am not opposed to the construction of needed additional tourist facilities, restaurants, or storage space. Indeed, I heartily favor providing all needed and appropriate conveniences for Members of Congress. What I am opposed to is the nonplanned, reckless manner in which these facilities are being planned.

Every major city in the Nation must now have a master plan in order to receive Federal moneys for urban renewal.

THE UNIVERSITY OF MICHIGAN LIBRARIES

Why should the 131 acres comprising the Capitol Grounds, with their majestic and historic monuments, be the only major urban area in the United States to lack a master plan?

Construction of new facilities in the Capitol should not take place before we undertake a comprehensive survey of present resources in relation to the present and future needs. There should first be a management survey of the long-term needs of the Congress, office space, restaurants, storage space, recreational facilities, libraries, and parking space. The Congress should then develop a comprehensive physical plan for the phasing in of construction to meet these needs.

The Congress of the United States, in its wisdom, demanded the faithful restoration and preservation of the historic spirit of the White House. Justification for the expense of the restoration of the White House was made on the grounds that it "occupied an important and valued place in the affection of the American people."

Does not the Capitol belong in this category? Is not this building also more than bricks and mortar? Is it not the embodiment of the American spirit still resonant with echoes from the soaring prose of the American giants, Adams, Webster, Calhoun, Douglas, and Clay. What could be more worth preserving in this country than the very symbol of its growth and the reflection of its greatness?

In order to protect our Capitol I am today introducing two measures in Congress.

The first is a resolution which prohibits any change, other than restoration, in the location or design of the west front of the Capitol.

The second measure, which I have introduced would establish a Commission on Architecture and Planning for the Capitol. This Commission would be composed of nine experts in the field of architecture and planning. Seven would be appointed by the President of the United States, one by the Speaker of the House of Representatives, and one by the President pro tempore of the Senate.

This Commission would have as its major responsibility the task of protecting and enhancing the beauty of the Capitol of the United States. It would guard against slipshod planning, banal architecture and mutilation of this country's great monuments.

Several major cities throughout the world have taken action to protect their buildings of great artistic and historic worth. In my own city of New York, we had no problem restoring our city hall, which in terms of structural material and state of disrepair was comparable to the west front of the Capitol. Likewise an aroused public together with a concerned Governor and mayor acting in constructive, bipartisan fashion, have assured the reconstruction and preservation of the famed Metropolitan Opera House. In both of these efforts, we had our doubters, our critics and skeptics. But New York did not sacrifice the venerable structures to the wrecking ball. In New York, a high regard for modernity did not obviate a respect for tradition, a love of beauty and the patience to reproduce with fidelity and precision the pure design of treasured and symbolic ancient buildings.

The renaissance of the old town of Warsaw is another case in point. Leveled by bombers in World War II, it was rebuilt by the Poles as a visible symbol of the indestructibility of their history. All it took in Poland, as in New York City, was determination, pride, and purpose.

Have Buckingham Palace, the British Houses of Parliament, and the great Wren Churches of England met with the same treatment we contemplate inflicting on our Capitol? Of course not. The British have too great a respect for tradition and the symbols of their greatness to deny to future generations the pride and pleasure of their glorious past.

Indeed, while witnessing the repair of the Houses of Parliament, also leveled by the bombers and rockets of World War II, Sir Winston Churchill remarked that he was happy that he was alive to see that every single stone was put back in its proper place.

I believe that the people of this country, from the northern reaches of Oregon and Washington to the southern Florida keys, the people who every year make pilgrimages to see the living monuments of this Capital City, will not condone the wanton and irreparable destruction which imminently threatens the Capitol.

How gratuitously and flagrantly it would outrage the sensibility of all those who cherish our past and view the Capitol Building as part of a living shrine—uniquely associated with American greatness, and political history and traditions.

The record of the Senate hearings on legislative branch appropriations for 1967 should be required reading for all those interested in Capitol Hill construction.

The Capitol Architect testified, at the Senate hearings, that the west front of the Capitol has already been shored up. He stated that this would benefit the building for at least 5 years. The Capitol Architect then stated that he planned to obtain construction funds for the extension of the west side of the Capitol in a supplemental appropriations bill, without the benefit of full hearings.

Mr. Speaker, I confess that I do not understand these contradictory remarks. If the temporary shoring job will last for 5 years why is Congress now being rushed, pell mell, into approving the expenditure for the Capitol extension? Why have we dispensed with the usual procedure of open hearings? Why must the regular appropriation process be circumvented?

In other branches of the Federal Government, enlightened leadership and thoughtful care is now given to the development of first rate, well-planned and well-designed structures. Both the General Services Administration and the Department of Housing and Urban Development have effective procedures for the selection of architects of noted accomplishment and proven talent for major Government buildings projects.

Precedents for good planning and attention to architectural excellence exist right here in the District of Columbia. One of the world's greatest architects, Mies Van der Rohe, has been commissioned to design the new public library in the District. The Franklin Delano Roosevelt Memorial Commission, under the splendid leadership of Congressman EUGENE KEOGH, of Brooklyn, N.Y., cooperated with the American Institute of Architects in selecting the renowned Marcel Breuer to design this country's memorial to the late President Roosevelt.

In the last century William Hickling Prescott said:

> The surest test of the civilization of a people is to be found in their architecture, which presents so noble a field for the display of the grand and the beautiful.

Mr. Speaker, let not the 89th Congress make its place in history by presiding over the ruination of our magnificent Capitol. If it is restaurants we need, let us build restaurants; if it is storage space, let us have more storage space. But let us build with order, logic and imagination. Let us not destroy our heritage by the helter-skelter, mindless, ad hoc, renovation which now threatens the west front of the Capitol.

IMPROVEMENTS TO THE WEST FRONT OF THE CAPITOL

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article from Time magazine of this week.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I would commend to the gentleman from New York [Mr. SCHEUER], who just spoke, the reading of the article from Time magazine, which points out the fact that the Capitol of the United States is a place for business.

Mr. Speaker, I never heard of as many amateur architects in my life.

Mr. Speaker, every time we try to repair the Capitol and to clean the rust off the steel beams to keep the roof from falling in, we hear these complaints. And, when they are repaired, there are those who think we ought to leave these steel beams.

Mr. Speaker, no one is talking about destroying the Capitol.

Mr. Speaker, I do not know whether the gentleman from New York [Mr. SCHEUER] knows the history of the Capitol or not, but the sandstone that is contained within the structure of the Capitol was quarried on the farm of George Washington and this was used at that time because it was cheaper than marble and, as the gentleman said, it has crumbled like cake.

Mr. Speaker, another thing, the gentleman was a party, I believe, to destroying some very lovely old houses down here in Southeast Washington and replacing them with an architecture which I do not really fancy but against which I have not made any objection.

Mr. Speaker, I believe there was a profit involved, and I am glad of it. I hope the gentleman makes a mint out of it.

But, Mr. Speaker, if we find the need is such that the congressional members of the Commission find it necessary to repair the Capitol and to enlarge it, this will not be the first time it has been done.

Mr. Speaker, this Chamber which we now occupy was not the original Capitol.

WEST FRONT OF THE CAPITOL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I am informed that the Society of American Registered Architects has appointed a committee of nine architects to evaluate the controversy regarding the proposed extension of the west front of the Capitol. The letter so informing me, together with a copy of the unanimous resolution of this committee, is as follows:

SOCIETY OF AMERICAN REGISTERED ARCHITECTS,
Washington, D.C., June 28, 1966.

The Honorable JOHN W. McCORMACK,
Chairman, Commission for Extension of the United States Capitol, House of Representatives, Capitol Building, Washington, D.C.

DEAR MR. CHAIRMAN: The Society of American Registered Architects has appointed a committee of nine architects to evaluate the controversy regarding the proposed extension of the West Front of the Capitol.

There is enclosed a copy of the unanimous resolution of this committee.

For the Committee,

FRANCIS L. KOENIG,
A.R.A., Chairman.

RESOLUTION OF THE WESTERN FRONT OF THE CAPITOL COMMITTEE OF THE SOCIETY OF AMERICAN REGISTERED ARCHITECTS

Whereas: members of this committee have visited the United States Capitol Building, have seen the tragic deterioration and dangerous conditions existing, have talked with the Architect of the Capitol and architect members of his staff and have been given for study and examination, plans, engineering reports and wall samples and

Whereas: the urgent need of additional centrally located space at the Capitol was convincingly demonstrated by the Capitol Architects staff and

Whereas: engineering reports by nationally recognized firms, after exhaustive investigation of every conceivable manner of correcting the structural deficiencies now threatening the entire west front of the building, recommend an addition to the building as the only feasible solution and

Whereas: the design of the proposed addition is in the hands of capable and dedicated registered staff architects, five associate architects and three advisory architects whose qualifications are nationally recognized and

Whereas: a physical inspection by committee members of marble replicas on the once controversial East Front, of the original deteriorated sandstone carvings with their fifty coats of gray paint, leaves no doubt concerning the improved appearance of these priceless details and

Whereas: after a review of the plans the committee is of the opinion that the 246,000 square feet of additional space to be provided fills needs expressed by the Congress and aids substantially in circulation now hampered by throngs of visitors and

Whereas: a review of the exterior design of the proposed facade with its new pediment and rearrangement of exterior stairways leads the committee to the conclusion that the proposed alteration is a distinct design improvement over the existing elevation.

Now therefore be it resolved, that this committee endorses without hesitation the proposal of the Architect of the Capitol and the associate and advisory architects to correct the condition of a crumbling Capitol by extending the West Front as proposed, accomplishing at the same time the addition of needed space and the preservation for posterity in marble, the architectural details that are now lost in crumbling sandstone and paint and

Be it further resolved, that this resolution be brought to the attention of the members of the Society with the suggestion that any member who can, would do well to accept the invitation of the Architect of the Capitol to personally visit the staff, see the problems and examine in depth, the proposed solution.

For the Committee,

FRANCIS L. KOENIG, A.R.A.,
Chairman.

John D. Zekan, Arlington, Virginia, Member.

Marion J. Varner, Vice-President, Pasadena, California, Member.

Matt E. Howard, Past President, Houston, Texas, Member.

Thurston W. Munson, Past President, Springfield, Mass., Member.

Wilfred J. Gregson, Past President, Atlanta, Georgia, Member.

Walter H. Simon, President, Denver, Colorado, Member.

Robert W. Stickle, Past President, Cleveland, Ohio, Member.

T. E. Samuelson, Past President, Chicago, Illinois, Member.

WEST FRONT EXTENSION

Mr. TODD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TODD. Mr. Speaker, the $34 million proposal to extend the west front of the Capitol is one that should be given the closest scrutiny by both the Congress and by the American people. For the Capitol is a building of profound significance for our country. It is the focal point of the Nation, the home of the Congress, and the symbol of our Union. Its architecture is deeply intermixed with our history, and although architecture alone is not a substitute for restraint and balance in the minds of men, it does much to remind us of the greatness which has preceded us and the progress which will follow us.

Tampering with such a building ought to be done only after the most careful consideration. For it is not just another building, which can easily be remodeled. It is the Capitol, and it ought not to be changed in stealth or as the result of obscure proceedings accomplished by a small group of men.

It is clear, Mr. Speaker, that the west front of the Capitol is crumbling. The engineering firm which studied the situation recommended that temporary steps to shore up the wall immediately be taken. This has been done. Now the question is how to best prevent the west front from falling down, while at the same time preserving the architectural balance and richness that has characterized this original part of the building since its construction.

It has now been proposed that $34 million be spent to extend the west front, providing 4.4 acres of increased space in the Capitol itself. The proposal was made by the Commission for Extension of the Capitol. The Commission believes that it has sufficient authority to make such a decision, on its own, although the Congress will have to pass an appropriations bill to provide the money.

I do not agree either with the substance of this proposal or with the procedures which were followed in making it.

I cannot entirely understand why it is necessary just to shore up the west front of the Capitol, to build a fancy new addition, which may spoil the architectural integrity of the Capitol and which will cost at least $34 million. If additional facilities are needed, they should be provided near the Capitol, but not at the expense of the building itself.

The contention of the Architect of the Capitol was that the $34 million plan is the most economical way to do the job. Senator PROXMIRE characterized this as "an insult to the intelligence of the Congress."

The Architect's staff experts admitted that selecting this plan might be controversial. But no consideration was given to alternative methods of preserving, protecting, or replacing the west wall. In testimony, neither the Architect nor his experts could make any estimates of alternative costs for achieving this objective. This suggests to me that alternative methods were simply not considered, and that a set plan has been presented to the Congress with no opportunity for substantive debate. Outside opinion of competent, disinterested authorities has evidently not been requested, and the judgment of a qualified engineering firm that the wall can easily and cheaply be repaired without the extension has been ignored.

What about the costs involved? Thirty-four million dollars is a lot of money to spend at any time, but it is particularly difficult to justify spending it during our present period of inflationary pressure—for a project that may well not be necessary.

And we should realize that the $34 million is just a preliminary estimate. The Architect originally estimated that the Rayburn House Office Building would cost $63 million. So far, it has cost at least $89 million—nearly 1½ times the original estimate—and not all the figures are in yet. On this basis, the $34 million estimated for the cost of the Capitol addition would come out at a final cost of $51 million, which seems a large sum for a project so obscurely conceived and so dubiously debated.

Accepting the Architect's $34 million estimate, the 4.4-acre addition to the available Capitol space works out to a cost of nearly $178 per square foot. Forty dollars per square foot is a high estimate for top quality commercial office space, and the John F. Kennedy Federal Building in Boston was built for $23.83 per square foot. Even accepting the contention that renovations, and particularly renovations to a building such as the Capitol, are more expensive than new construction, a figure of $178 per square foot seems absurdly expensive.

I am also worried by the procedures by which this decision was made. The architects who will do much of the work on the expansion are the same ones who were involved in making the decision to go ahead. This seems like a strange procedure to me. Impartial advice was not asked, and the Congress is not being given an opportunity to debate the issue except on a take it or leave it basis.

As a result of these worries, Mr. Speaker, I am today introducing two joint resolutions. These would have the effect of, first, requiring that no Capitol construction or restoration shall occur unless it preserves the building's present rich and distinguished architectural design; second, establishing a Commission on Architecture and Planning for the Capitol, to render impartial counsel to Congress regarding Capitol Hill construction projects and to approve such projects. The Commission will be composed of nine professionals, seven appointed by the President, one appointed by the President pro tempore of the Senate.

I believe that such legislation will both serve as a vehicle by which the proposal to extend the west front of the Capitol may be fully debated and as a means to insure that the unfortunate history of this proposal may not be repeated.

DAVID E. BELL

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, it is a pleasure for me to pay tribute today to a distinguished public servant—David Elliott Bell—who has announced his resignation as Administrator for the Agency for International Development.

President Johnson's description of him as "one of the most imaginative, distinctive and effective Administrators" that foreign aid has had is an apt one, for Mr. Bell's record as Chief of our foreign aid program is truly outstanding. He is in large part responsible for the most noteworthy improvements of the aid program, such as increased emphasis on greater selectivity and choice of recipients, self-help measures and eradication of the root causes of proverty, such as hunger, disease, and ignorance.

Mr. Bell was born in Jamestown, N. Dak., on January 20, 1919. He was graduated, with highest honors, and a Phi Beta Kappa key, from Pomona College in Claremont, Calif. In 1939, he went on to Harvard University to earn a master's degree in 1941 and he passed the general examination for his Ph. D. that same year.

During World War II, Mr. Bell began his career in Government service as a member of the War Organization Section of the Budget Bureau, leaving in 1943 to become an officer in the Marine Corps.

From 1945 to 1947, Mr. Bell held the position of Associate Examiner of the Budget Bureau's Estimates Division.

In 1948, he held the position of White House Assistant and then became Assistant Chief of the Fiscal Division of the Bureau of the Budget.

In 1949, Mr. Bell was made a White House aid and President Truman appointed him as one of his administrative assistants in 1952.

During the 1950's, Mr. Bell served in Pakistan as an adviser to that country's government on economic development. He returned to this country in 1957 to become a lecturer in economics and director of the graduate school of public administration at Harvard University.

In 1961, President Kennedy made him the Director of the Bureau of the Budget and, in 1962, he was appointed Administrator of the Agency for International Development, a post he has held longer than any former Administrator.

In this position, which certainly must be one of the most difficult jobs in government, Mr. Bell has made an outstanding record. I salute his abilities, imagination, and his dedication to public service.

I include the following articles:

[From the New York Times, June 29, 1966]

Mr. Bell's Contribution

The Johnson administration loses one of its ablest and hardest working executives with the resignation of David E. Bell. A veteran of the Kennedy-Johnson administrations, Mr. Bell has served with distinction in two most critical posts. He proved an effective director of the Bureau of the Budget. He was even more effective and forceful in running the Nation's foreign-aid program as head of the Agency for International Development.

Administering foreign aid was almost an unmanageable task for most of Mr. Bell's many predecessors. But he gained control over it—and defended it against outside attack. To be sure, the foreign-aid program has been reduced to minimal proportions, but under his direction the smaller amount of funds has been expended more efficiently and less wastefully than ever before. By staying at his post for three and a half years—a record for the job—he also succeeded in building up an extremely competent and dedicated staff, assuring a continuity to foreign-aid operation that it never before enjoyed.

Mr. Bell hopes that this year's foreign-aid bill will become law before he joins the Ford Foundation to supervise its international operations. But his resignation will not mean a weakening in the direction of foreign aid because his successor, William S. Gaud, has worked closely with him as AID's deputy administrator. The choice of Mr. Gaud, an experienced and aggressive authority on development aid, not only implies a smooth transition in administration, it also is a measure of Mr. Bell's contribution in assuring stability and permanence to the foreign-aid program.

[From the New York Times, June 29, 1966]

Bell Quits Post as Aid Director—Will Join Ford Foundation—Gaud To Be Successor

(By Felix Belair, Jr.)

Washington, June 28.—President Johnson announced today the resignation of David E. Bell as head of the Agency for International Development and his intention to nominate William S. Gaud, deputy administrator, to succeed Mr. Bell.

Mr. Bell will leave the agency July 31 to become vice president of the Ford Foundation.

Mr. Gaud has been the agency's deputy administrator since 1964, when Mr. Bell promoted him from the post of assistant administrator in charge of Near East and South Asia economic aid programs. He took on that assignment in 1961 when he came to Washington from a New York City law firm at the behest of Secretary of State Dean Rusk and Robert F. Kennedy, then Attorney General.

Mr. Bell's intention to leave Federal service has been an open secret since last April, when he discussed his plans with President Johnson and agreed to remain until the Administration's $3.4-billion foreign-aid request had been authorized by the House and Senate. It was the President's estimate at the time that the legislation would be disposed of by July 31.

That is still the prospect, although the differences between the measurers recommended by the two legislative committees may require protracted conference negotiations between the Senate and House that could extend past the effective date of Mr. Bell's resignation.

"Bushed and broke but pleased with the contribution made by AID toward economic progress of the underdeveloped countries," was Mr. Bell's comment as he looked forward to his new post with Ford foundation.

He was especially pleased that President Johnson had adopted his recommendation on a successor. So was everyone else in the AID agency who knew Mr. Gaud personally or by reputation. He is esteemed by agency workers high and low.

"Bill's much better at administration than I'll ever be," Mr. Bell said of his successor. "His nomination by the President assures an orderly transition at the top and bulwarks the agency's morale all down the line. It also makes for continuity of policy as set by the President in the framework of our foreign policy."

A lean six-footer with sandy hair and gray-blue eyes, Mr. Gaud looks and acts younger than his 58 years. He usually puts in a 10- or 11-hour working day, Saturdays sometimes included.

Once in a while he will "sneak off" for three days to sail his boat down the Potomac with Mrs. Gaud as the only other member of the crew.

HAS HOME IN GREENWICH

After serving as an instructor on the faculty of Yale Law School, where he received his degree in 1931, and practicing law in New York City, Mr. Gaud was assistant corporation counsel in the administration of Mayor Fiorello H. La Guardia. He was one of several younger civil servants named by Mr. La Guardia as qualified to be Mayor of New York.

Although born in New York, Mr. Gaud maintains his permanent residence at Greenwich, Conn. This caused a 48-hour furor among some Democratic politicians when President Harry S. Truman sought to appoint him United States Attorney for the Southern District of New York. Mr. Gaud asked that his name be withdrawn from consideration.

During World War II, Mr. Gaud served on the staff of Maj. Gen. Joseph W. Stilwell in the China-Burma-India theater, being responsible for military assistance to the three countries.

He was twice decorated with the Legion of Merit and was awarded the Order of the British Empire. At war's end he had attained the rank of colonel.

From the end of the war until 1961, Mr. Gaud was a member of the New York law firm of Carter, Ledyard & Milburn except for a brief period as special assistant to the Secretary of War.

Mr. Gaud is married to the former Eleanor Smith and they have one daughter, Anne Timothy.

Mr. Bell, 43, is a native of Jamestown, N.D., a graduate of Pomona College and received a Master of Arts degree in economics from Harvard in 1941. He joined the staff of the Budget Bureau after receiving his Harvard degree and returned to that agency after serving as a Marine from 1942 to 1945.

After serving President Truman as an assistant in 1949–52, Mr. Bell returned to Harvard as a Rockefeller public service fellow, and in 1954 he was sent to Pakistan by Harvard's Littauer School of Public Administration. After 1957, he was secretary of the Littauer School and a lecturer in economics until 1961, when he was picked by President Kennedy to serve as Director of the Budget and in 1962 to head the AID agency.

Mr. Bell is married to the former Mary Barry. They have two children.

CHAIRMAN FEIGHAN RECEIVES FOUNDERS AWARD FROM ASSOCIATION OF IMMIGRATION AND NATIONALITY LAWYERS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, our colleague and distinguished chairman of the House Subcommittee on Immigration and Nationality, the Honorable MICHAEL A. FEIGHAN, has been honored by the Association of Immigration and Nationality Lawyers with its Founders Award. This award has been made on six previous occasions during the past 20 years. It is given in recognition of outstanding achievement in the field of immigration.

The award was made on June 4, at the 20th anniversary dinner of the Association in New York City.

On that occasion our colleague delivered an informative and forward-looking address, outlining the unfinished business of keeping our immigration laws in tune with the needs of our Nation and our people. The information in that address will be useful to members and to others interested in our immigration laws. The text of Chairman FEIGHAN's address follows:

ADDRESS OF THE HONORABLE MICHAEL A. FEIGHAN

I am deeply honored by this singular Founder's award.

It is all the more meaningful to me because of the distinguished company of former recipients with whom I am herewith associated. I am most grateful.

I congratulate this Association on its 20th birthday.

It is not surprising that in 1946 dedicated attorneys decided to found this Association and to apply their knowledge and experience in the field of immigration law for the promotion of public good.

This is the common basis on which all Bar Associations stand.

In this brief span of 20 years you have attained stature and recognition on all federal and local levels.

Your Association has enjoyed liaison for many years with the Department of State, the Central Office of the Immigration and Naturalization Service, and more recently with the Department of Labor.

I now invite your National Liaison Committee to take immediate steps to establish the same liaison procedures with Subcommittee No. 1 of the House Judiciary Committee.

I have already assured your able president, John Barry, that this initiative will be welcomed by me as Chairman of the Subcommittee.

It is by application and exchange of ideas on the problems common to both of us that sound solutions will be found.

The solutions will never be found by directing criticism to please any particular group, or to make the news.

Your Association also can look with pride to the Bar Bulletin which finds its way to our Subcommittee. It is a fine, informative piece of legal journalism.

I would like to make several comments about the 1965 Immigration Law and some of the remaining, major problems requiring attention.

In fact, I think you would be disappointed if I did not say a few words about the 1965 Immigration Law.

It seems that many people are saying or writing something about it—with varying degrees of accuracy.

When Presidents Kennedy and Johnson submitted their proposals to amend the Immigration Laws of the United States, they proposed that we have an immigration policy which would reunite separated families; bring to our Country needed skills; and make the manner of our selection in no way based on an immigrant's place of birth.

Unfortunately, the bills that they submitted with their statements did not quite accomplish these laudable purposes and carried a number of other distinct disadvantages.

However, after almost interminable hearings and executive sessions, the Immigration Subcommittee reported out a bill which did exactly what had been proposed.

Most of the bill is taken from H. R. 8662, which I had introduced in the House on June 1, 1965. I will have more to say about the differences later.

The bill was reported out by the House Committee on the Judiciary without a single change and was accepted by the Senate with very little change, the major one being the creation of a Select Commission to Study Western Hemisphere Immigration.

You will recall that when President Johnson signed the bill at the foot of the Statue of Liberty, in New York Harbor, he said:

"This bill says simply that from this day forth those wishing to immigrate to America shall be admitted on the basis of their skills and their close relationship to those already here.

"This is a simple test, and it is a fair test. Those who can contribute most to this country—to its growth, to its strength, to its spirit—will be the first that are admitted to this land."

Wednesday past we observed the sixth month anniversary of the date the Immigration Act of 1965 went into effect.

What were its announced purposes have been accomplished.

No longer does a husband or wife of a resident alien, or the married daughter of a citizen have to wait to come to the United States simply because they were born in a country with a small or heavily oversubscribed quota.

No longer are urgently needed scientists and technicians barred from entry because of the built-in rigidities and inequities of the national origins quota system.

You and I know what the law was intended to do and what it has done.

You and I also know, and others should know, what it was not intended to bring about.

It was not a mandate to bring in 170,000 aliens to this Country each year, regardless of their relationship, their skills, or their refugee status.

No one who testified before our Committee advocated unlimited immigration to the United States. No one who testified alleged that we had a need for immigrants as such.

The day of unlimited immigration and the day of a need for people to fill up our open spaces and furnish their strong backs to dig our canals, build our roads, and lay our rails has passed.

There was general agreement that we could accept a reasonable number of the nonpreference immigrants after the preference visa demands were met.

The total number of immigrants authorized (170,000) was deliberately made larger than could ever foreseeably be needed to satisfy the preference demands. Those not required for that purpose were to be made available for the nonpreference classes.

In my bill, I had proposed that Section 212(a) (14) remain virtually unchanged, but urged its use in every case to which it was applicable, and not merely for Mexicans.

I had not thought it necessary to change the language of 212(a) (14) and I saw no reason to make it applicable to what later became the third and sixth preference classes.

In any event, in my bill and in the more strongly worded language which the Congress eventually adopted, the basic purpose was protection of the hard-won gains of American labor.

For that I offer no apology.

However, if it now appears that through misinterpretation of our language or intent, or through over-complicated regulations and forms, the subsection is becoming a basis for the imposition of quantitative standards for admission; or is being used arbitrarily to reduce the total number of immigrants; then the will of the Congress is being ignored.

I intend to examine the statistics on visa issuance and Labor Department certifications most carefully, as soon as they become available after the end of the fiscal year on June 30.

I hope that by that time we can be assured that all such concerns are groundless and that a new machinery and new personnel will be working smoothly to accomplish the intended purposes of the law.

At this point, I advert to another feature of the new law which differs from the bill which I introduced.

The Administration proposal had provided for a five-year transition period between the national origins quota system and the proposed new system of admissions.

The Subcommittee, based on statistics and projections supplied by the Department of State, provided for a two and one half year transition period during which the old system would continue and unused visa numbers would go into a pool, available for preference cases only, the following year.

I had proposed the immediate and total abolition of national origins and the immediate and total creation of a new international system.

With the additional advantage of hindsight, I believe that the transition period may not have been necessary.

Now that the backlog of preference cases has been wiped out, with the exception of the fifth preference in Italy, newly approved preference petitions may not fully consume the larger pool expected next year and the year thereafter. Since these pool numbers may not be used for other than preference cases, some of these numbers may be irrevocably lost.

In any case, I believe there is much reason to rejoice over the unexpected speed with which the new system has resolved the problem of separated families.

Other provisions of my bill which were subsequently modified were the advancement of the registry date to December 24, 1952 (the final bill cut it back to 1948); the eligibility for suspension of deportation of any alien regardless of the manner of his entry or the place from which he came (the final bill continued ineligibility for exchange aliens and natives of contiguous territory and adjacent islands); and the eligibility for Section 245 adjustment for those who entered as crewmen (the final bill barred crewmen, including potential 203(a)(7) refugees, from that privilege).

None of us believes that, with the repeal of the national origins quota system or even with a system of labor controls that would satisfy everyone, we now have a perfect immigration law or a perfect immigration system.

There are other aspects of our immigration policy which will bear further scrutiny.

There is one about which I offer particular comment.

I still believe that discrimination continued in a law which permitted immigrants from one hemisphere to come here in unlimited numbers, and placed a ceiling of 170,000 on the other and considerably larger and more populous hemisphere.

A separate 120,000 ceiling is proposed to be put into effect for the Western Hemisphere on July 1, 1968, unless the Select Commission on the Western Hemisphere recommends something else.

I am not certain that this is the best solution.

One alternative proposal that has much to commend it is as follows:

First, the two figures could be combined and slightly increased so that we would have a worldwide authorized annual immigration figure of 300,000.

This, of course, would be over and above visas issued to members of the immediate family of United States citizens as currently defined.

Second, the same system of preferences would apply to this total international immigration ceiling as are now applicable to the rest of the world, outside the Western Hemisphere.

The exemption from the applicability of the labor clearances in Section 212(a)(14) would be the same for all immigrants regardless of birthplace.

The ceiling of immigration from a single country could be raised to ten percent of the total, or 30,000, rather than the 20,000 now authorized.

Third, since all immigrants would be either within the ceiling or members of an immediate family there should be no reason to continue provisions excluding natives of the Western Hemisphere from the benefits of Sections 244 or 245.

In other words, the native of Brazil or the Argentine would be entitled to the same benefits, and be subject to the same limitations and restrictions, under the Immigration Laws of the United States, operated within or without this Country, as are enjoyed by the native of England or Germany, or, since December 1, 1965, by the native of Japan or India.

Because it was fundamentally important to repeal the quota system and to replace it with a new selective system of admissions, many other matters requiring legislative action had to be deferred.

Had our Subcommittee attempted to resolve all of the problems there would have been no Public Law 89-236.

Much of the unfinished business is controversial.

Soon and certainly not later than the next Congress, I anticipate my Subcommittee will be considering, among others, the following matters:

1. A possible relaxation of the literacy requirements for naturalization petitioners over the age of fifty, and resident in the United States for twenty years at the time of petitioning, rather than on December 24, 1952.

I have previously endorsed such a proposal.

2. A re-examination of the provisions relating to the acquisition and retention of citizenship, either at birth outside the United States or derivatively through the naturalization of a parent.

3. Appellate practices and procedures within the State, Justice, and Labor Departments are proper subjects for further scrutiny, including proposals to create separate statutory review boards within these agencies or even to create a single supra-agency, independent administrative review board for all immigration matters.

4. The still vexing question of a need for a statute of limitations, notwithstanding the liberalized sections 244, 245, and 249, should again be considered.

5. The hardship cases which have developed in connection with our exchange program and for which no suitable remedy has yet been applied.

I favor and have advocated adoption of the criteria of hardship now applied by the Immigration Commissioner to suspension of deportation cases as a reasonable administrative remedy to this obvious human problem in the exchange program. The Department of State will, of course, be required to recommend the waiver.

6. A systematic review of all the provisions of Title III of the Act, which, as you know, relates to Nationality and Naturalization.

We have not had such a systematic review since 1940 and the many proposals made or pending for revision in this area underscore the need for a complete review.

I think this outline of topics on which there is a respectable body of opinion, pro and con, indicates that there is still a fertile field for legislative study in the general area of immigration and citizenship.

Again, Ladies and Gentlemen, I wish to express my grateful appreciation for the honor which you have given me this evening.

I appreciate and have enjoyed the opportunity you have given me to express my views on immigration policies.

I hope, with your help, out of the wealth of your experience with the Immigration Laws, we will be able to remove any of the kinks that remain in them.

Mr. Speaker, the Association of Immigration and Nationality Lawyers was founded 20 years ago. This bar association is comprised of attorneys who specialize in the complex field of immigration law. Over two decades the association has made noteworthy contributions in advancing the administrative science of law, advocating reforms and in bringing about an elevation of standards in this specialized field of practice.

A short history of the association has been prepared which highlights its purposes, activities and contributions to the field of immigration and nationality laws.

Under leave granted, I include that short history:

THE HISTORY OF ASSOCIATION OF IMMIGRATION AND NATIONALITY LAWYERS

In the spring of the year 1946 a group of attorneys who were specializing in the practice of immigration and nationality law in the City of New York met with a group of attorneys who had recently left the employ of the Immigration and Naturalization Service, due to a reduction in the work force of that agency. They had as their mutual aim, the formation of a bar association which would seek to elevate, promote and uphold the high standards of the legal profession, and to seek a wholesome cooperation with the authorities charged with the enforcement of the immigration and nationality laws, so as to render a substantial contribution to the advancement and the administration of the law in that specialized field.

Subcommittees of that group met throughout the six months that followed and studied the various problems involved. Finally, on November 22, 1946, a certificate of incorporation as a bar association under the laws of the State of New York was approved by a Justice of the Supreme Court of that State, on application of 20 charter members.

One of the avowed purposes for which the bar association was formed was "to advance the science of the administration of law pertaining to immigration, nationality and naturalization, promoting reforms in the law with regard thereto; facilitating the administration of justice therein, and elevating the standard of integrity, honor and courtesy of those appearing in a representative capacity in immigration, nationality and naturalization matters."

An interesting sidelight to the formation of this bar association was the selection of its name. The Honorable Ugo Carusi, then the Commissioner of Immigration and Naturalization, who was keenly interested in seeing such a group of attorneys incorporated for such worthwhile purposes, suggested the name which it now so proudly bears.

From a handful of 20 incorporators, the Association has grown over the past 20 years to approximately 300 attorneys throughout the United States who specialize in this field of the law. The Association has active Chapters in New York City, Newark, New Jersey, Philadelphia, Pennsylvania, Washington, D.C., Los Angeles, California, and now, most recently, in San Francisco, California. Chapters in Chicago, Illinois, and Boston, Massachusetts, may be formed in the near future. Other areas of the country have members-at-large. The leading immigration and nationality lawyers in the country are proud members of this most active bar association.

In 1948, while still an infant, the Association presented testimony before the Congress with regard to contemplated changes in the immigration and nationality laws. In the ensuing years, its representatives have testified before the Congress whenever witnesses were heard at public hearings on changes in those laws.

Members of the Association have always been available to the courts throughout the country for aid to indigent aliens, and without charge.

Liaison with the Immigration and Naturalization Service and the Department of State has been maintained over the 20 years of its existence. Lately, liaison with the Department of Labor has been established. These meetings have brought about changes which have well served the needs of the public and the government.

The Association holds one or more seminars a year on topics of extreme importance to the government and the immigration practitioners. These seminars are open to the Bar at large and have always been received most favorably. Participating have been high government officials, as well as prominent members of the Association.

In December, 1947, the Association started the publication of its Immigration Bar Bulletin, and has continued such publication for the ensuing 19 years. All reported cases in the courts in the field of immigration and nationality are digested and reported. Timely and instructive articles and news are also included. The publication has no paid subscribers. It is distributed without charge to the members, a number of interested government agencies and officials, law schools, law libraries, foreign consulates, and a number of other related groups. It is highly regarded as an accurate, informative and reliable journal.

In its 20 years of life, the Association has presented its Founders Award on seven occasions for outstanding achievement in the field of immigration. The recipients of this award have been: 1950, Honorable Ugo Carusi, Honorable Edward M. O'Connor, and Honorable Harry N. Rosenfield, as members of the United States Displaced Persons Commission; 1952, President Harry S. Truman; 1960, Very Reverend Francis B. Sayre, Dean, Washington Cathedral; 1961, Honorable August R. Lindt, United Nations High Commissioner for Refugees during 1958–1960; 1962, His Excellency, Edward E. Swanstrom, D.D., Auxiliary Bishop of New York; 1965, Honorable Thomas G. Finucane, Chairman, and Robert E. Ludwig, Louisa Wilson, Thomas J. Griffin, and Allen R. Cozier, members, constituting the Board of Immigration Appeals; 1966, Honorable Michael A. Feighan, Member of Congress from the State of Ohio and Chairman of Subcommittee No. 1 (Immigration and Nationality) of the Committee on the Judiciary of the House of Representatives.

In the two decades of its life, the Association has grown in numbers, stature and reputation. Its life expectancy is long, and it is confident that it will be able to serve the bar, the public and the government in the highest standards of the profession in the years to come.

National officers of the Association: John J. Barry, president; Isidore Ostroff, first vice president; Elmer Fried, second vice president; John S. Manos, secretary; and Leon Wildes, treasurer.

U.S. PEACE AGENCY NEEDED TO STOP HEAD-ON COLLISION WITH RED CHINA

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, a few years ago the United States was heading on a direct collision course with Russia. Chairman Khrushchev promised to "bury us." In recent years we have been encouraged to believe that what Mr. Khrushchev meant is that the Soviets would bury us economically, thus demonstrating faith in communism as opposed to free enterprise. Instead of moving closer toward a nuclear holocaust we see Russia using more and more the ideas of capitalism and that the United States and Russia have agreed on a test ban treaty, a hot-line telephone, and many other peace directed ideas. The war in Vietnam complicates our relations with Russia today, but we are not now headed toward an inevitable all-out war.

Instead, our Nation seems now headed on a direct collision course with Red China, which represents today much more of a dangerous threat to the peace of the world than did our relations with Russia a half decade ago. Although China does not now pose an immediate awesome threat, if the statements of its leaders persist as national policy and if its adventures in atomic development continue, China can be a real threat in a decade or less.

Russia has no need to start a war; they are competing in the marketplace, in the space race, and in world trade. And they are making progress in all of these things in direct competition with the United States. On the other hand, Red China seems to feel a need to be aggressive in its action with the United States to prove its potential as a world power.

This is what we are faced with today; Red China, with a belligerent leadership heading for a showdown with the United States.

What can we do about it? What can we do to give us further tools for peace with China and all other nations?

Mr. Speaker, I believe the United States needs a dramatic and fresh approach to peace, while we maintain our great military strength as a deterrent to any warlike nation.

I believe we should establish a U.S. Agency for World Peace. This is something I have supported and introduced legislation to establish for over a decade.

Today, I am reintroducing my legislation to establish a U.S. Agency for World Peace with certain strengthening and modifying points to make it a bulwark in our struggle for peace.

It will be the purpose of the Peace Agency to act as an independent agency within the Department of State and its sole function will be peace research. It will work in the examination of the economic, political, and sociological causes of war and the development of techniques for the elimination or reduction of their causes. The objective of the agency would be to research peace, in the same way that "war gaming" is conducted for the military.

Some of our peace efforts seem to have failed to be realistic and have not kept up with changing times. Our practice is to assist existing governments. Perhaps in some cases it should be instead direct assistance to the peoples of the country, for example: A modern hospital, a program against pellagra, a program for the building of a school, a dam or a canal.

Sometimes our foreign aid has apparently assisted and made possible the very thing we seek to stop: war itself.

Sometimes our aid has made it possible for a Communist government to survive. Our aid program has been essentially the simple handout. It is time that we reevaluate our efforts and tailor them to each case. The agency proposed could do this.

As a member of the House Armed Services Committee, I am fully aware of the need for a strong national defense. I believe we have that military power, with a few exceptions which I hope will be remedied in the near future, including an adequate antimissile system and civilian defense shelter program, an advanced strategic manned bomber, a strengthened Reserve force and a nuclear Navy.

I am hopeful for favorable departmental reports and an early hearing on my legislation, reintroduced today, to establish a U.S. Agency for World Peace, which I believe will be a fresh and dramatic approach to the problem of preserving peace.

The establishment of this agency could mean the difference between world progress and world oblivion.

Our whole country and the vast majority of our citizens are dedicated to peace, not war. This agency can help us in this, our major challenge. By establishing this agency we will also be creating a symbol of our faith and aspirations for peace, which the peoples of the world will understand.

We must be strong, but we must never be blind to any opportunity to prevent needless war. It is worth the effort and it is our destiny to complete the task.

A copy of the bill follows:

H.R. 16038

A bill to establish the United States Agency for World Peace within the Department of State

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "World Peace Agency Act."

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to establish an independent agency within the Department of State which will not establish policy but will do research on problems related to achieving peace, including an examination of the economic, political and sociological causes of war and the development of techniques for the elimination or reduction of these causes.

CREATION AND FUNCTIONS OF THE UNITED STATES AGENCY FOR WORLD PEACE

SEC. 3. There is hereby established within the Department of State the United States Agency For World Peace (hereinafter in this Act referred to as the "Agency"). The Agency shall, under the direction of the Secretary of State, undertake programs to carry out the purpose of this Act, including, among others, programs—

(1) for development and application of communications and advanced computer techniques for analyzing the economic, political, and sociological problems of nation states as they bear upon world tensions and tensions among states which might possibly result in conflict,

(2) for development of new analytic organizations to—

(A) apply the techniques of operations research to peace problems in the same way that "war gaming" is conducted for the military problems,

(B) conduct studies on alternative methods of achieving world peace,

(3) for support of studies and research on projects such as—

(A) legal aspects of national sovereignty extended to the space domain and freedom of the seas, insofar as they contribute to the possibility of war.

(B) analyses of the effects of world peace upon national economies, and

(C) analyses of economic, political, and sociological problems which contribute to the possibility of war,

(D) analyses of the effects of military and economic aid programs on the attainment and retention of world peace,

(4) for research on educational techniques aimed at rendering underdeveloped nations less technologically dependent, insofar as their dependence contributes to the possibility of war,

(5) for research and development on problems of underdeveloped nations, insofar as they contribute to the possibility of war, in such areas as food production, conservation of mineral and water resources (including desalination of sea and brackish water), practical power-generating systems, and medicine and health,

(6) for research in meeting adequately the tensions created by overconcentration of population in some areas and inadequate population in other areas of the world,

(7) for research into the effect of present foreign policies of the United States upon world tensions and alternative courses or policies which might promote peace or tend to diminish the possibility of both long-range and short-range tensions and conflicts, and

(8) for research into long-range goals of United States foreign policy which would promote the interests of the United States and world peace.

LABORATORY FOR PEACE

SEC. 4. The Director of the Agency shall establish in the Agency a Laboratory for Peace through which the Agency shall develop and administer its research and study programs. In carrying on such programs the Agency shall enter into contracts with educational and research institutions within the United States and abroad with a view to obtaining the benefits of scientific and intellectual resources, wherever located in the world.

POLICY FORMULATION

SEC. 5. The Director is authorized and directed to prepare for the President, the Secretary of State, and the heads of such other Government agencies, as the President may determine, recommendations concerning United States efforts for peace: *Provided, however,* That this Agency's powers are restricted solely to research and no action shall be taken by this Agency under this or any other law that will obligate the United States to undertake any policy or commitment, except pursuant to the treatymaking power of the President under the Constitution or unless authorized by further affirmative legislation by the Congress of the United States.

RELATIONSHIP WITH OTHER AGENCIES

SEC. 6. The Secretary of State shall establish procedures designed to insure that the Agency will carry out its functions in close collaboration with the other agencies of the Federal Government, but without duplicating the efforts of any such agency or other agencies within the Federal Government. Such procedures shall also provide that information available to other agencies will be made available to the Agency, and shall prescribe other means by which other agencies of the Government may support the efforts of the Agency.

DIRECTOR AND DEPUTY DIRECTOR OF THE AGENCY

SEC. 7. (a) The Agency shall be headed by a Director, who shall be appointed by the President by and with the advice and consent of the Senate, and shall receive compensation at the rate of $22,500 per annum. Under the supervision and direction of the Secretary of State, the Director shall be responsible for the exercise of all powers and the discharge of all duties of the Agency, and shall have authority and control over all personnel and activities thereof.

(b) There shall be in the Agency a Deputy Director, who shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the rate of $21,500 per annum, and shall perform such duties and exercise such powers as the Director may prescribe. The Deputy Director shall act for, and exercise the powers of, the Director during his absence or disability.

ADMINISTRATION

SEC. 8. (a) In the performance of its functions, the Agency shall have the following powers:

(1) To make, promulgate, issue, rescind, and amend rules and regulations governing the manner of its operations and the exercise of the powers vested in it by law.

(2) To appoint and fix the compensation of such officers and employees as may be necessary to carry out such functions. Such officers and employees shall be appointed in accordance with the civil-service laws and their compensation fixed in accordance with the Classification Act of 1949.

(3) To accept unconditional gifts or donations of services, money, or property, real, personal, or mixed, tangible or intangible.

(4) Without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of its work and on such terms as it may deem appropriate, with any agency or instrumentality of the United States, or with any state, territory, or possession, or with any political subdivision thereof, or with any person, firm, association, corporation, or educational institution. To the maximum extent practicable and consistent with the accomplishment of the purpose of this Act, such contracts, leases, agreements, and other transactions shall be allocated by the Director in a manner which will enable small-business concerns to participate equitably and proportionately in the conduct of the work of the Agency.

(5) To use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, and facilities. Each department and agency of the Federal Government shall cooperate fully with the Agency in making its services, equipment, personnel, and facilities available to the Agency, and any such department or agency is authorized, notwithstanding any other provision of law, to transfer to or to receive from the Agency, without reimbursement, supplies and equipment other than administrative supplies or equipment.

(6) To appoint such advisory committees as may be appropriate for purposes of consultation and advice to the Agency in the performance of its functions.

(7) To establish within the Agency such offices and procedures as may be appropriate to provide for the greatest possible coordination of its activities under this Act with related activities being carried on by other public and private agencies and organizations.

(8) When determined by the Director to be necessary, and subject to such security investigations as he may determine to be appropriate, to employ aliens without regard to statutory provisions prohibiting payment of compensation to aliens.

INFORMATION AND SECURITY

SEC. 9. (a) In order to promote the free flow and exchange of new ideas and concepts in the new technology of peace research and development, the Agency shall, so far as possible, have all research efforts of the Agency performed in subject matter not requiring classification for security purposes. Nothing in this Act shall be deemed to change or modify security procedures or to exempt personnel of the Agency from being required to obtain security clearance before obtaining classified information.

(b) The Director shall establish such security and loyalty requirements, restrictions, and safeguards as he deems necessary in the interest of the national security and to carry out the provisions of this Act. The Director shall arrange with the Civil Service Commission for the conduct of fullfield background security and loyalty investigations of all the Agency's officers, employees, consultants, persons detailed from other Government agencies, members of advisory boards, contractors, and subcontractors, and their officers and employees, actual or prospective. In the event the investigation discloses information indicating that the person investigated may be or may become a security risk, or may be of doubtful loyalty, the report of the investigation shall be turned over to the Federal Bureau of Investigation for a fullfield investigation. The final results of all such investigations shall be turned over to the Director for final determination. No person shall be permitted to enter on duty as such an officer, employee, consultant, or member of advisory committee or board, or pursuant to any such detail, and no contractor or subcontractor, or officer or employee thereof shall be permitted to have access to any classified information, until he shall have been investigated in accordance with this subsection and the report of such investigations made to the Director, and the Director shall have determined that such person is not a security risk or of doubtful loyalty. Standards applicable with respect to the security clearance of persons within any category referred to in this subsection shall not be less stringent, and the investigation of such persons for such purposes shall not be less intensive or complete, than in the case of such clearance of persons in a corresponding category under the security procedures of the Government agency or agencies having the highest security restrictions with respect to persons in such category.

EROSION OF INFLUENCE AND AUTHORITY OF OUR LOCAL UNITS OF GOVERNMENT

Mr. TODD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TODD. Mr. Speaker, I am increasingly concerned with the erosion of influence and authority of our local units of government. The complexity of the problems they face has grown with the diversity and prosperity of our society. But in most instances they have neither the money nor the administrative structure which enables them to do the job their citizens want done. Consequently, those jobs are often sent to Washington for both money and program. This trend is accelerating, not diminishing. In some measure, nearly all of us dislike it. How can we turn it around?

In the first place, it should be understood that no one is interested in turning back on progress. We want our communities to be increasingly cleaner, more attractive, safer, more convenient, and wholesome places in which to raise our families and live out our lives. We want them to blend industry, job opportunities, and economic growth with educational opportunities, recreational facilities, parks, cultural facilities, and all the other amenities which contribute to the fullness of life in our United States. And we want our communities to provide these opportunities for each of its citizens as an important part of a full life.

The problem is—How? Should minimum reliance be placed on the Federal Government, and maximum on the local? Should decisionmaking be as decentralized as possible? I believe the answer is "Yes" to both questions.

Then what courses of action are open to us? In the first place, moneys now going into the Federal Treasury have to be made available to local communities. Local government units simply cannot provide for additional services by increasing poverty taxes again and again. I have suggested one way of doing this—tax sharing. This concept is nonpartisan, for it was put forward by President Kennedy's Chairman of the Council of Economic Advisers, Dr. Walter Heller, and has just recently been endorsed by the Republican leadership of the House and Senate. There are other suggestions. We should debate these alternatives now, so that action can be taken promptly once the Vietnam conflict has ended, and the strains on the Federal budget are reduced.

In the second place, we must realize that part of the problem is often the inability of the governmental structure of the local community to formulate, analyze, and implement necessary programs in a systematic and efficient manner. In major metropolitan areas, there may be many separate jurisdictions—water, sewage, park, port, and transportation authorities, to mention but a few. These authorities tend to develop their own political base, their own patronage systems, and their in-grown ways of doing things. They are as much interested in preserving their structure as in integrating their functions with those provided by the other authorities. Efficiency and sound programing are impossible. A piecemeal, unscientific, and highly inefficient and expensive system is the result.

In many of the younger, growing areas of the country the problem is not yet so acute. But as these communities—these newer metropolitan areas—grow in size, they begin to encounter the same problems.

And so, because they cannot resolve their needs, their programs, or their goals among their various jurisdictions, they often are tempted to look to a Federal agency to help them. The agency can say: Prepare a more coordinated program to meet sewer needs, or water needs, or transportation needs, or recreation needs, or you will not qualify for Federal money. And so the local government gives up its initiative.

We cannot properly, Mr. Speaker, express our feelings about specific situations. But we can emphasize that this Congress is concerned that the structure of government in urban or metropolitan areas leaves much to be desired. It is inefficient in looking forward to the needs of tomorrow, or even in providing for the needs of today. And because we in Congress are also elected from these areas, we feel pressures to provide solutions to their problems, and we attempt to do so.

But I for one wish Congress had fewer pressures in this regard. This will happen if and when the governmental structures of our urban areas are able to coordinate the efficiency and effectiveness with which they can attack their problems. For regardless of arbitrary jurisdictions or boundary lines, people who live in one urban area are mutually interdependent. Their problems and needs are mutual, and an unmet problem for one is a potential difficulty for all the others. So let us, in our attitudes toward legislation before this Congress, recognize that rationalizing and increasing the efficiency of urban governments will be required if we are to prevent the further transfer of responsibility to Washington. For a metropolitan area is one community, and should be capable of making its own decisions, and evaluating and meeting its own needs.

THE MERCHANT MARINE ACT ANNIVERSARY

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, 30 years ago today, June 29, 1936, the Merchant Marine Act was approved. By this act, the Congress declared it to be U.S. policy to foster the development and encourage the maintenance of a U.S.-flag merchant marine to carry a substantial portion of the country's waterborne commerce, capable of serving as a naval and military auxiliary in time of war or national emergency, composed of the best-equipped, safest, and most suitable types of vessels, manned by trained and efficient citizen personnel, and privately owned and operated. This act is still the basic legislation for implementing our national maritime policy, although it has been amended many times for the purpose of improving its effectiveness.

An anniversary is a time to take stock of past accomplishments and to look forward to the future. Unfortunately, however, on this anniversary a crisis confronts the American merchant marine. Ignoring the intent of the Merchant Marine Act and the policy established by Congress the administration refuses to implement the act. The President has long promised a new policy of his own but in the face of conflicting recommendations has failed to offer any program. Meanwhile, he has drastically cut his maritime budget and urged that the Maritime Administration be buried in a new Department of Transportation.

In desperation on this very day the maritime unions are holding a "Save Our Ships" conference here in Washington, D.C., and in this connection 500 delegates from all over the Nation are gathered to protest the failure of the Johnson administration to implement the Merchant Marine Act.

Mr. Speaker, not only has the active fleet fallen to sixth place among the merchant fleets of the world in size, but most of our merchant marine vessels are obsolete or nearly so. Vessel replacement under the plan to modernize the merchant fleet is behind schedule by more than 90 ships. Of the 900 vessels which made up the merchant marine as of 1965, the majority, 724 vessels, were not capable of speeds in excess of 15 knots. This hardly sounds like a merchant marine capable of supplying the needs of our commerce and adequate for logistic support of our worldwide military commitments.

Commerce alone is sufficient reason for a strong merchant marine; trade is the key factor in the struggle between the free world and communism. In addition, the current emergency, which has required chartering of foreign-flag vessels for our national needs and support for forces in Vietnam, points up the necessity for more effective support of the U.S.-flag merchant marine.

Looking ahead on this anniversary of the Merchant Marine Act, I urge, Mr. Speaker, that the purposes and policy set forth in this legislation be fully implemented, to the end that we will again have a merchant marine second to none in the world.

RENT SUBSIDY

Mr. GLENN ANDREWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GLENN ANDREWS. Mr. Speaker, the attempt by the apologists of "rent subsidy" all over America to justify this insidious legislation as an instrument of private enterprise is a sorry chapter in the annals of American politics. Lining the pockets of landlords with a 40-year Government dole to build houses for sociological purposes is anything but private enterprise. The promise to these same landlords that they will retain private enterprise management over these federally financed properties in the light of section VI of the Civil Rights Act is a hoax and camouflage that cries out for exposure. Washington bureaucrats will manage "rent subsidy" properties even though landlords retain title to these properties.

From the time that man emerged from the caves to build his lean-to's and adobe huts, man's house has been his modest private enterprise masterpiece. Even a few years back our Government under FHA seemed favorably inclined to home ownership. Increasingly, however, Government has extended its mantle of public responsibility over housing and diluted the value and incentives of home ownership. Those who would undermine or destroy the most widely held and most cherished of private property by subjecting it to increasing public management are, in fact, enemies of private enterprise. Federal control is threatening the private sector of housing and the wolf "rent subsidy" is running around in the sheeps clothing of private enterprise.

ESCALATION OF THE WAR IN VIETNAM

Mr. ROBISON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROBISON. Mr. Speaker, for some time now it has been obvious that whatever "consensus" the President has enjoyed in support of his military-political policy in Vietnam was in danger of dissolving. But Mr. Johnson has done nothing whatsoever—nor said anything—to keep the "all-out-war" attitude of the right or the "get-out-of-the-war" attitude of the left from feeding on the dwindling, moderate center of public opinion concerning our future in Vietnam.

The result has been a steady decline in the President's "popularity"—if such public opinion polls mean anything at all—with consequent embarrassment to the numerous Democratic Congressmen who must stand for reelection this November, many of whom reportedly have been considering divorcing their campaigns from the administration.

Quite clearly, the pressure was on the President to take some dramatic action in Vietnam to bolster his position, and there has been speculation here for several weeks that his eventual decision would be one involving a further escalation of the military side of our effort. That action has now been taken.

Few of us here in Congress are military "experts"; I certainly am not and it is, therefore, difficult for me to assess the need for or the wisdom of bombing such installations near Hanoi and Haiphong as were hit by our planes this morning. This step has, reportedly, long been urged by General Westmoreland and other military professionals but, until now, it has been repeatedly rejected by the President as, apparently, "too risky" from both a military and political standpoint. That situation may now have changed sufficiently, in Mr. Johnson's judgment, to justify what has been done, and the validity of his new assessment will only be established by the future course of events.

As for the Congress, I assume it will again "support" the President's action. There is little else it can do for this whole affair only serves, once again, to point up the fact that military strategy in a "war" of whatever kind is for the President, as Commander in Chief of our Armed Forces, to determine.

I would express the hope, however, that this decision to so escalate the war rests on sound military necessity and that Mr. Johnson—who, almost alone, is in possession of the full intelligence reports—is convinced that it will lead to an earlier resolution of this difficult and dangerous war; conversely, I would also express the hope that the President's decision was not based, in any way, on his assessment of the domestic political "necessities," whatever they may be.

In the meantime, skeptics to the contrary, I continue to believe that, in the long run, the outcome of the elections projected for September 11 in South Vietnam—if those elections can somehow be made wholly free and the integrity of their result insured through some sort of international supervision—will be as important a factor in bringing about an early and honorable resolution of the conflict as whatever new military action we may take on the ground or in the air.

POSTAL SERVICE DETERIORATING

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, it is no secret that our postal service has been deteriorating in recent years. In fact, I have taken the floor on several occasions to discuss the deterioration in service, the reasons for it, and some possible steps which we might take to correct this problem which touches every person in the country. Clearly, there is no segment of our society that does not in some way rely on the postal service. I do not believe it is enough simply to criticize the service, to point out instances of poor service, poor policy, poor administration. To criticize is not difficult, to offer avenues of solution is somewhat more difficult.

But, there appear to be several basic problems which are repeatedly mentioned by the Post Office Department when complaints are forwarded and solutions are sought. One seems to be inadequate funds to attract qualified people—and enough of them—into the postal service. Because of this, I submitted a statement to the Appropriations Committee earlier this year urging that adequate funds be appropriated to relieve this complaint. Another problem stems from a lack of incentives necessary to retain those qualified people who do enter the service.

To my mind, the long standing practice of using postmasterships as political patronage severely weakens the postal system at a time when the postal service needs every form of support and assistance it can get. In my testimony before the Joint Committee on the Organization of Congress last year, I recommended that steps be taken to remove postmaster appointments from political interference. Because of my strong feeling on this point, on March 10 of this year, I introduced a bill H.R. 13586, to remove the appointment of postmasters from politics. I strongly believe that postmasters and rural letter carriers as well, ought to be selected on the basis of their abilities rather than on the basis of their political connections. A merit system covering these postal employees ought to be adopted immediately.

Apparently, I am not alone in my thinking on this matter. The Evening Star of June 24 reported on an article written by Donald Ledbetter, National Association of Postal Supervisors, in the association's magazine, in which he blames politics in postal supervisory and managerial appointments "as one of the major reasons for inadequate mail service."

According to the article by Joseph Young:

> Mr. Ledbetter "charged that politics instead of merit motivates the promotions of many employees elevated to supervisory jobs . . . and criticized the appointment of postmasters on a patronage basis."

Mr. Ledbetter, it is reported states further:

> If we could stop all the talk about merit promotions and really have merit promotions the mail service would improve.

Apparently, Mr. Ledbetter and I have arrived at the same conclusion. There is not a Member of the House, I am sure, who has not experienced and recognized deteriorating mail service.

I urge the Members of the House to join with me in supporting H.R 13586 as a step in helping to restore the postal service to the respected, reliable institution it once was.

BOMBING IN HAIPHONG-HANOI AREA

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, I want to commend the President and the Secretary of Defense on the recent move in Vietnam to bomb oil dumps in the Haiphong-Hanoi area.

I feel sure we all understand the pressing necessity for these moves. For too long we have waited for the administration to take the necessary steps to back up our fighting men and to close the open sources of supply in Haiphong.

We have now taken an important and vital step. We have reduced one source of enemy supply, and thereby reduced by that much the enemy's effectiveness against our boys. For this we are all thankful.

I feel, however, it is ironic that our administration felt it necessary to consult the British before making this decision. Britain has over the years led the free world parade of nations shipping supplies into Haiphong. How do we know that the very oil destroyed was not brought in by British ships?

I see no reason to get permission from Britain for any action we may take in Vietnam until such time as Great Britain sees fit to cease its aid to our enemies.

EQUITABLE GEOGRAPHICAL DISTRIBUTION OF FEDERAL RESEARCH AND DEVELOPMENT FUNDS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I have today introduced a resolution calling for drafting of a plan to insure equitable geographical distribution of Federal research and development funds.

This bill would require the National Science Foundation to formulate recommendations to Congress for changes in the laws under which research and development funds are granted, loaned, or otherwise made available by Federal agencies to higher education institutions; and achieve a better geographical distribution of such funds.

There is no doubt in my mind that more equitable distribution of the almost $16 billion for research and development by the several Federal agencies can and must be made.

In the Subcommittee on Research and Development of the Armed Services Committee, on which it is my privilege to serve from its inception, I have come to know the importance of many of these research activities. No one challenges the need for intensive programs of science, research, and technology. There are vast frontiers yet to conquer. What is of merited concern, is direct or indirect control by the Federal Government, of over 80 percent of all research scientists and technicians.

No State, nor region of the country has a corner on the ability to produce brainpower. We must take steps to insure a more equitable distribution of the Federal funds for research and development, which have become an integral part of maintaining academic excellence.

There is substantial evidence that a large percentage of the research grants awarded by several Federal agencies have gone to higher educational institutions in the East, Northeast, and west coast.

CALL OF THE HOUSE

Mr. CURTIS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 157]

Abbitt
Addabbo
Arends
Baring
Barrett
Bates
Belcher
Bell
Bolton
Bray
Brock
Carey
Clausen,
  Don H.
Clawson, Del
Colmer
Conyers
de la Garza
Dyal
Ellsworth
Everett
Evins, Tenn.
Farbstein
Farnum
Flood
Fogarty
Frelinghuysen
Fulton, Tenn.
Giaimo
Gibbons
Gilbert
Gurney
Hagen, Calif.
Hanna
Harsha
Harvey, Ind.
Hébert
Herlong
Jarman
Jennings
Jones, Ala.
Karth
Kelly
King, N.Y.
Kluczynski
Lennon
Long, La.
Long, Md.
McDowell
McEwen
McVicker
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Meeds
Mink
Mize
Morris
Murray
Nix
O'Neal, Ga.
Pepper
Pike
Poage
Pool
Powell
Reid, N.Y.
Reifel
Resnick
Reuss
Rivers, Alaska
Rogers, Fla.
Roncalio
Rooney, N.Y.
Scott
Shipley
Sickles
Sweeney
Taylor
Thompson, N.J.
Toll
Udall
Utt
Vanik
Watkins
Williams
Willis
Wilson, Bob
Wilson,
  Charles H.
Wright
Yates

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall, 339 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may sit today during general debate.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, it is so ordered.

There was no objection.

DECISION TO BOMB HANOI AND HAIPHONG

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, the bombing of the installation at Haiphong, and the port facilities and military installations in and around Hanoi, comes as a welcome development. Those of us who have been asking for this should now applaud the President for having made the decision. The Joint Chiefs have recommended it, and the President has acceded to their request.

Moreover, General Westmoreland, our great South Carolinian, has requested it. It is a welcome development.

From all accounts nearly 50 planes were involved in the raid, and the two installations were hit simultaneously. My report is that smoke went up many, many thousands of feet in the air. The objective was to knock out the POL about which we have been complaining, containing some 550,000 barrels of petroleum, and covering approximately a 150-acre tract of land waiting for someone to hit it. The oil in these areas was indispensable to the conduct of the war from the North Vietnamese standpoint.

Indeed, all of their mobility, logistics, and infiltration into South Vietnam were dependent on this petroleum.

The President made a wise decision. I requested it a year ago. I requested it in November. I requested it in January. Now I do not think I should say it is long overdue. Of course, it is overdue. But it has come, and now that it has come, we must back the President in whatever eventualities the action may bring forth.

Frankly, I do not think the Chinese can afford to come in. Their logistic problems would be bad. They would be sitting ducks for us, if we mean business, and I take it that we do. In addition, they have their own troubles in China.

But the GI's have been dying. We have left a lot of bones, blood, and bodies in the paddies of South Vietnam. This action will help the morale of those boys who are fighting there. There have been over 24,000 casualties, 4,000 of which are dead, and they want this action. They deserve it. They now have it. Let us, the American people, give the President the backing to which he is entitled.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I am happy to yield to the distinguished majority leader, the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I compliment the distinguished gentleman, the chairman of the Committee on Armed Services, on the statement which he has made. I join him in supporting the President in his decision, which was necessary and indispensable. The escalation of the war on the part of the North Vietnamese and of the Vietcong is something which must be made expensive for them and not for American boys.

Mr. RIVERS of South Carolina. I thank the gentleman from Oklahoma. This is a fact of life that the Vietcong can see. They have seen some of the installations in Hanoi hit. They have a very large reservoir which, if we bomb, will result in flooding them out.

They want business, and I think we ought to accommodate them. They want our compliments; this is the best way I know to give it to them.

Some people have called me a hawk. No one has ever called me a dove. When I send someone to fight for me, I would rather have a hawk fighting for me than a dove. So let us get on with this business. Let us win this war. We have the enemy on the ropes. This could be the knockout blow.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman for yielding. I compliment him for his statement and for bringing to the attention of the House the action of the President in extending our activities in

Vietnam. I simply want to add my "amen."

Mr. RIVERS of South Carolina. I thank the gentleman very much.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Georgia.

Mr. FLYNT. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from South Carolina, the distinguished chairman of the Committee on Armed Services. I think the statement that he has made is indeed typical of the attitude which he has exemplified and has expressed for some considerable period of time. While, of course, none of us look forward to anything that could extend or escalate a war, there are times when decisions, such as the one that the gentleman reported to the House, must be made, and I think that this is a welcome report and one which will receive the enthusiastic support of the American people. I thank the gentleman.

Mr. RIVERS of South Carolina. I thank the gentleman from Georgia.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, the bombing of petroleum storage facilities near Hanoi and Haiphong by South Vietnamese and U.S. forces must be seen in light of the fact that these were military targets in every sense of the word. As such, the bombing is therefore a further expression of the firmness of our commitment in Vietnam. Hopefully, the increased clarity of that intention may hasten the willingness of Hanoi and Peking to discuss an honorable negotiated settlement.

In my opinion, there is no relationship between the timing of these raids and the current visit to Peking of North Vietnam's President Ho Chi Minh. Actually, it should be noted that the bombing came only after the repeated rejections by Hanoi of numerous peace-seeking overtures, many of which were made by several nations including Eastern European countries and even the Soviet Union itself.

I believe that President Johnson had no alternative but to order that such military targets be bombed, particularly since the POL stored in these facilities is vital to the Vietcong's military effort in South Vietnam. Certainly to the extent that the bombing was in keeping with President Johnson's determination to pursue our goals in Vietnam with prudent restraint it was justified. The added assurance that civilian casualties were kept to a minimum also supports the soundness of this decision.

PRESIDENTIAL PAIRINGS

Mr. WILLIAM D. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, I note the emergence on the American scene of two new public opinion pollsters. They are amateurs, but I fear they may be with us for some time or at least until November 8.

The first poll is the Bliss poll. Its creator is the national chairman of the Republican Party. His first intelligence is a report that President Johnson's popularity has decreased even below the 46 percent figure of a recent Gallup poll. This communique was published in the Washington Post of June 21, 1966.

But the very next day the Gallup poll reported that President Johnson's popularity rating was 50 percent, and that the 6-month slide in his rating had been halted.

Thus, of the GOP chairman's sally into polling it might be said, "in ignorance there is Bliss," or vice versa.

The other amateur pollster is none other than Gov. George Romney, of Michigan. The Romney poll appeared in the same issue of the Washington Post as the ill-fated Bliss poll. Governor Romney's poll is much more global. He disdains figures and percentages. He just deals with the U.S. image and the world.

According to Governor Romney, the world now views the United States as a nation "no longer dedicated to peace."

The dispatch does not state how many interviewers the Romney poll sent out. It does not state how many people throughout the world they questioned. It does not state what question they asked, nor how, nor when. Nevertheless, Mr. Speaker, the Romney poll says flatly that the United States "has too largely become, in the eyes of the world, the practical successor of 19th century white colonialism."

This amateur Romney poll may be contrasted with some professional polls taken in various States around the country. In these polls, people were asked how they would vote for President if elections were held this year.

Mr. Speaker, here is a rundown on how voters answered this important question:

In Paterson, N.J.:	Percent
Johnson	68
Romney	32

In Maine:	Percent
Johnson	55
Romney	45
Johnson	55
Nixon	45
Johnson	65
Goldwater	35

In Virginia:	Percent
Johnson	51
Nixon	49
Johnson	52
Goldwater	48
Johnson	54
Romney	46

In Tennessee:	Percent
Johnson	66
Nixon	34
Johnson	72
Goldwater	28
Johnson	75
Romney	25

In West Virginia:	Percent
Johnson	59
Romney	41
Johnson	61
Nixon	39

In North Carolina—Guilford County:	Percent
Johnson	66
Romney	34
Johnson	73
Nixon	27

In New Jersey:	Percent
Johnson	66
Nixon	34
Johnson	67
Scranton	33

In Pennsylvania:	Percent
Johnson	55
Scranton	45
Johnson	59
Nixon	41

In New York:	Percent
Johnson	67
Nixon	33
Johnson	67
Romney	33
Johnson	82
Rockefeller	18

Mr. Speaker, the voters' preference for President Johnson is even seen in the Wolverine State, of which George Romney is Governor, for in Michigan the voters' choice is as follows:

	Percent
Johnson	51
Romney	49

Mr. Speaker, my intention in speaking has been to demonstrate that politics is one thing and polling another. More especially, it is to protect the professional polling fraternity of Lou Harris, George Gallup, and others, from the incursions of amateurs like George Romney and Ray Bliss.

INSURING WATERSIDE BEAUTIFICATION

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, I rise today to introduce legislation with my distinguished colleague from Ohio [Mr. VANIK] for the purpose of insuring waterside beautification. Although this legislation is not far reaching and although it does not involve a multimillion dollar appropriation; I think it still merits the attention of my distinguished colleagues on both sides of the aisle.

The last few years have seen a spate of legislation in reference to both our rivers and harbors as well as to beautification of highways and urban areas.

This is all well and good; for too long we have allowed both our streets and our waterways to remain in states of disrepair and dilapidation. It is a credit to both the executive departments involved and to the Congress that these black marks on modern America are now well on the way to solution.

Urban areas and highways are being cleaned up and beautified as never before. Also, our harbors and our rivers are being cleaned and purified; such natural enemies as beach erosion, flooding and noxious materials are being slowly but surely eliminated—after many, many years of hard work.

It is all the more sad, then, that our waterways are still infested with a certain kind of hazard which is as dangerous as it is esthetically displeasing. I am referring to old and abandoned ships, hulls and pilings, found on many of our Nation's most beautiful and serviceable rivers, bays, inlets and channels. The legislation which my colleague from Ohio and I have cosponsored today would authorize the Army Corps of Engineers to remove these rusting and dangerous eyesores from our waters.

Under title 33 of the United States Code and under Public Law 89-298, the Rivers and Harbors Act of 1965, the Corps of Engineers has certain and diverse powers it may perform. It dredges rivers; it studies noxious weeds; it prepares flood control projects; it administers programs to eradicate water growths. Now, if H.R. 16064 becomes enacted, it will have the power and authority to remove abandoned and rotting discarded boats from our waters.

Last week, my colleague from Ohio wrote to the District Commissioners:

> I am shocked at the absence of Federal and state laws concerning the disposition of navigational wrecks abandoned in public waters.

I, too, am shocked and I hope that this legislation will change past history.

Of course, there is another reason besides esthetics why this problem cries out for solution. Besides being a blight on our landscape, these vessels are demonstrably dangerous. It is common knowledge that loose pilings and parts of ships adrift in rivers in the past few months have been responsible for extensive damage to many moving crafts.

Last year, measures were enacted to clean New York Bay and the Kill Von Kull of debris and other similar matters. The results were happily amazing—the figure of a half million cubic feet of driftwood which Army-operated drift-collecting boats had collected through 1961 was drastically cut. Pleasure boat operators found that they could operate their vessels with less worry than before.

I represent the district from New Jersey which includes the Raritan Bay—all the boatowners in our area are well aware of the need to remove the dangerous pilings, boats and parts of boats from the bay area. This matter has been neglected far too long.

In October of 1965, our distinguished colleague the gentleman from Maryland [Mr. SICKLES] introduced a bill—H.R. 11537—calling for the Secretary of the Army to remove certain abandoned ships from the Potomac River—no action has been taken on this bill. We in New Jersey as well as our friends in Maryland, Ohio, and all other States with waterways recognize that this is a problem which must be faced and solved as soon as possible. It cries for immediate solution.

We have embarked upon a comprehensive program of beautification as well as a program of waterway improvement. It is a shame that both of these will be, in a sense, atrophied and debilitated if we allow abandoned ships to monopolize the Nation's waterways.

Mr. Speaker, I urge immediate consideration of this legislation.

AMPUTEES AND BLINDED VETERANS OF THE WAR IN VIETNAM ENTITLED TO RECEIVE FULL BENEFITS

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, the most deserving of our veterans returning from Vietnam—those courageous men who, in the defense of our country have suffered the loss of either hands, feet or eyesight—are, under existing law, being denied some of the same benefits accorded to those brave men who served in World War II and the Korean conflict.

The time is long since past when action should have been taken to correct this deficiency.

I am, therefore, today introducing legislation which would amend the current law, title 38, United States Code, chapter 39, paragraphs 1901(a) and 1905.

Under the present law, veterans who suffered the loss or permanent loss of use of one or both feet; loss or permanent loss of use of one or both hands; and/or permanent impairment of vision of both eyes during World War II or the Korean conflict are entitled to receive up to $1,600 toward the purchase of an automobile or other conveyance.

This legislation would amend the law to read "during World War II or the Korean conflict or after January 31, 1955." This would enable those veterans of the conflict in Vietnam and others who receive the aforementioned disabilities in military activity to receive the same benefits as the amputees and blinded veterans who served their country in earlier wars.

Furthermore, Mr. Speaker, the legislation which I am introducing would eliminate the time limitations for applications for these funds which, under the current law, stipulates that the veteran must apply for the money within 5 years of his discharge or release from military service. In addition, this legislation goes one step further and becomes retroactive to World War II, enabling those disabled veterans who qualify to apply for this benefit even though they have been separated from the service for as long as 25 years.

Mr. Speaker, I was a cosponsor of the Veterans Readjustment Act of 1966, also known as the cold war GI bill, which provided for guaranteed and direct home loans, medical care, preference in Federal employment, burial flags, job counseling and job placement assistance and soldiers and sailors' civil relief. The legislation I am proposing today is in keeping with the provisions of that bill which recognizes the sacrifices being made today by our men in uniform. I now urge my colleagues to take swift action to guarantee and immediately provide these benefits to those men who in combat situations have suffered the loss of sight, limb, or both.

FREEDOM FOSTERS CHANGE

Mr. KING of Utah. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. KING of Utah. Mr. Speaker, the junior Senator from the State of Utah, the Honorable FRANK E. MOSS, presented an address on June 25, 1966, at the Youth Conference of the Church of Jesus Christ of Latter-day Saints in Philadelphia. I found his words to be especially stimulating and worthy of study in these times of seeming peril and uncertainty. Because of the inspirational, timely, and patriotic message it contains, I include this address in my remarks today:

FREEDOM FOSTERS CHANGE

(Speech of Senator FRANK E. MOSS, LDS Youth Conference, Philadelphia, Pa., June 25, 1966)

In a scant ten years we shall celebrate the 200th anniversary of the Declaration of Independence—July 4, 1776.

In just twenty years we shall be commemorating the bicentenary of our Constitutional convention which opened in November, 1786.

Out of these two events came our nationhood. Both of them occured here in Philadelphia.

You sit today in the city of brotherly love, in Philadelphia the cradle of our liberty. The symbols of our great patriotic and spiritual heritage are all around you.

What better time or place to ponder the tremendous events which bequeathed to us our freedom and the framework of our Government, and to draw from them a sense of continuity and a sense of purpose.

July 4, 1776 we are told, was a surprisingly cool day in Philadelphia. Thomas Jefferson reports than on July 3rd he bought a new thermometer for $19, and on July 4th he recorded the following readings: 6 a.m. 68 degrees; 9 a.m. 72½ degrees; 1 p.m. 76 degrees; 9 p.m. 73½ degrees.

But the beruffled and bewigged men from the Thirteen American Colonies inside the state house were hardly aware of the delightful weather outside. They were warmed by verbal fireworks. It was the third day of debate on a document which was to become immortal.

For years the citizens of the Thirteen Colonies in the new world had hoped for reasonable treatment from the English King across the ocean. They had petitioned and argued; they had offered to compromise and to conciliate. But George III refused to listen. He had little understanding of the problems of a people struggling in a raw, new world; he had less understanding of the spirit and courage and will which moved them. The miscalculation which he made was one of the greatest in history. It divided the two branches of the same family—a great nation and its colony—into hostile camps. A son in rebellion against his father.

The cry of "no taxation without representation" became a rallying point for men of like minds from Maine to Georgia. Fifty-six of them rode or walked to Philadelphia to draw up a declaration to free themselves from tyranny.

It was a youthful group who gathered here for that historic meeting. Three of them were in their twenties. Seventeen were in their thirties, and nineteen in their forties. Only sixteen were fifty or over, and just one, Ben Franklin, had turned seventy. Jefferson was thirty-three.

On that cool July 4th they were ready to act. Jefferson's magnificent draft had been read and reread. Word by word, phrase by phrase, it had been fought over, argued over. Voices became hoarse, brows were mopped, canes were pounded into the floor and fists smashed on the desks. One-fourth of the document was completely thrown out—four hundred and sixty words. About twenty-four other words were altered in the remainder, and two small additions were made.

Then came the final reading, in the sonorous tones of Benjamin Harrison, and the glorious words came forth:

"When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation."

There was nothing very unusual in this opening sentence, but the second sentence had the impact of a cannon ball:

"We hold these truths to be self-evident, that all men are created equal, and that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

Life, liberty and the pursuit of happiness?

This was pure heresy in the world of the 18th century. Who ever heard of the right of the common man to be happy or to be free? He was lucky to be alive. As for deciding his own destiny—that was nonsense. His peers knew what was good for him, and they would see that he got what he deserved and no more.

But the men in Philadelphia who had hewn a new life out of a wilderness had a vision of a new structure for society in which the worth of the human being was of first importance, and where every individual would be given the opportunity to make of himself what he could. So they signed the radical new document, and the bells rang out to "proclaim liberty throughout the land unto all the inhabitants thereof."

To promote liberty was part of the commandments of Moses. In signing the Declaration of Independence the colonists of the new world were, in effect, working with God and Moses to improve the lot of the common man, and to assure him the free agency which had been so long denied him.

As Latter-day Saints we particularly appreciate what the right of free agency means. We have the freedom to become what we wish, and not what others would make of us, and it is our creed that we must use our free agency to the fullest extent. We can sell ourselves into slavery—slavery to bad habits, slavery to laziness, slavery to selfishness and greed, slavery to false doctrines, to bigotry, to hatred, and to envy. Or we can free ourselves of all of these and can make of ourselves a person who is a credit to his family, to his nation, and to God.

To teach the LDS gospel is to proclaim liberty.

We Latter-day Saints therefore had a special stake in the events at Philadelphia almost two hundred years ago. They assured us of the freedom of conscience and worship which we now enjoy, the freedom to believe as we wish, to follow our own beliefs, and to teach them to others.

After the Declaration of Independence came the long, hard years of the American Revolution. Without the final victory at Yorktown, of course, the declaration at Philadelphia would have gone down in history as a mere gesture of defiance, high-minded and all that, but ineffectual. And even with the triumph at Yorktown to buttress it, the declaration alone would not have sufficed to create a real nation.

Take George Washington's word for it!

"No morn ever dawned more favorable than ours did, and no day was ever more clouded than the present," he wrote gloomily in November 1786.

You see, only a "league of friendship" banded the Colonies together in the revolution. Historians have described the bond of this league as a "rope of sand." After victory, the stresses on the bond became greater, more diverse, with State rivalries and selfish interests making "friendship" an empty euphemism. What is more, the league was heavily in debt—it had raised some $20 million in loans at home and abroad—and the league's titular officials lacked the authority to arrange a systematic repayment program, then to enforce it.

By the time Washington penned the lugubrious comment I quoted a moment ago, the handwriting was on the wall. The current state of affairs could not continue many years without irreparable damage to the common good of all members of the "friendship league."

A realistic fact of life, all this while, was that France, Spain and the Netherlands, had advanced many of the unpaid revolutionary war loans, and they possessed colonial beachheads in the western hemisphere. Compared with the directionless "league of friendship," these nations possessed strong forces and could use their beachheads for mounting punitive actions to enforce settlement in money or in land on the debts and unpaid interest which already had accrued into the millions.

I think it is regretable that the hard facts on the State of our land between Yorktown and the second historic convocation in Philadelphia received such slight treatment in most of the American histories now used in the elementary and secondary schools attended by most of the Nation's children.

The second historical gathering in Philadelphia was, of course, the constitutional convention to which we owe the inspired instrument which shortly gave us true nationhood and has sustained it ever since, in fair weather and foul.

Again, it was a group of comparatively young men who met to draft this Great American Document. Of a total of thirty-nine delegates at the constitutional convention, three were in their twenties, eleven in their thirties, thirteen in their forties, seven in their fifties, four in their sixties, and one—the venerable Benjamin Franklin, was now in his eighties.

Though these delegates had sharply different views on contemporary matters, they were not men of closed minds, indifferent to logical argument. Moreover, they seem to have been conscious of a sense of mission: they were seeking to plan not for a few years or a few decades but to serve a future whose duration was inscrutable.

The document born of their long deliberations would win the highest acclaim from that celebrated British statesman, William Gladstone, who on its centennial acclaimed it as "the most remarkable work . . . to have been produced by human intellect at a single stroke, in its application to political affairs."

We Latter-day Saints know that the document was divinely inspired, even though the men who hammered it out were mere mortals.

When after weeks of deliberation the Convention was deadlocked, and it seemed impossible to frame a government to meet the Nation's needs, Benjamin Franklin rose and made the following motion:

"Mr. President: the small progress we have made after four or five weeks of close attention and continual reasoning with each other is, methinks, a melancholy proof of the imperfection of human understanding. In the situation of this assembly in the dark to find it when presented to us, how has it happened, sire, that we have not hitherto thought of humbly applying to the Father of Lights to illumine our understanding? I have lived, sir, a long time, and the longer I live the more convincing proofs I see of the truth that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?

"We have been assured, sir, in the sacred writings that 'except the Lord build the house, they labor in vain who build it.' I firmly believe this, and I also believe that without his concurring aid we shall succeed in the political building no better than the builders of Babel. We shall be divided by our little, partial, local interests, our projects will be confounded and we ourselves shall become a reproach and a byword down through the future ages."

Although further arguments in the convention kept this motion from being carried in a formal sense, this speech, a prayer in itself, led the members of the convention to adopt a more prayerful attitude. It is a fact of history that from this day on the delegates were conciliatory and shortly after it was made, the Constitution was drafted in final form.

Since our Constitution was ratified, the world has been swept by change. Empires have fallen. Thrones have been overthrown. Virtually no other country or any continent is governed now as it was governed then. Yet the oath which Lyndon Johnson took as the 36th President of the United States is the same oath as was taken by the First President of the United States, General George Washington.

One of the main reasons our form of government has been so soundly based is that the framers of our Constitution did not draft an inflexible instrument—they had the foresight to realize that adjustments would have to be made in a changing world. So they provided that the Constitution could be amended. Almost before the ink was dry, they found that some of the things they had taken for granted had to be spelled out, and they added the first 10 amendments—or the Bill of Rights.

Over the years we have amended the Constitution 24 times, and a 25th is now before the States for ratification. Only once did an amendment prove misguided—an amendment for compulsory national prohibition.

But the really interesting statistics, I think, are those which show that of the thousands of acts passed by the Congress since this Nation was founded, only 74 have been held unconstitutional in whole or in part, and of the hundreds of thousands of laws passed by State legislatures and ordinances passed by city councils, and tested in the Supreme Court, only about 700 have been found unconstitutional.

What better proof of how flexible a document the Constitution really was—and still is—how sturdy it was—and still is.

Under it we have been able to convert America from a small underdeveloped country, remote, isolated, considered by Europe simply as a radical experiment which could not last, into the most successful democracy the world has ever known, and the most powerful nation on the globe. Why would anyone feel we could not meet the needs of the mid-twentieth century within this same framework?

Yet, I sense a feeling of uneasiness out across America today—a swelling of frustration. I find this feeling among some of the members of our church. I get the impression that they believe the proposals being offered to meet America's problems of the 1960's rob us of our freedoms and do violence to our constitutional rights.

I cannot agree. As I see it, life in the United States is more abundant today than it has ever been, and for more people. We are freer, and there is more opportunity for all. More men and women are free to exercise their own initiative under an incentive system which rewards the successful. More men and women are exercising their free agency to make of themselves what they will. More workers have jobs, and more young people are getting a good education. Our standard of living is higher than it has ever been. I do not see in any of this a loss of constitutional America.

I believe that the men and women who are far to the right in their thinking about our social and economic programs—men and women in our own church and elsewhere—are people who can't face up to change. They believe sincerely and honestly that the "old ways" are always the right ways, and that the "old days" were the best days.

They fear that any change will bring a loss of position and a way of life to which they are accustomed.

And yet our Founding Fathers were not afraid of change—they had no hesitation in establishing a new structure for society in which the common man was given rights and privileges which no other government in the world had ever dared to give him before.

What I hope that you young people—you young Latter-Day Saints—will realize and recognize is this:

Change is our American heritage. Change, per se, is not necessarily bad. Change need not rob us of our rights and freedoms if we work together with open minds, as our forefathers did, to achieve a sound and workable democracy in context with the times in which we live.

It will not be easy. But America needs young, dedicated people like you who value the spiritual as well as the practical aspects of life, and who, because of the special training you have been given through the Gospel, are better equipped than others for this job.

I am sure you all realize that the ferment which is at work in America today is part of world ferment, and we no more can escape it than we can escape the winds which blow in from our oceans or the waves which beat upon our shores.

There are three violent forces loose all around the globe. It is no exaggeration, I think, to say that what America does about them could turn the course of man's existence upon this planet.

The first force is communism. It is a force only for evil—with it there can be no compromise. Its daily impact on our lives and fortunes here in America is a blockbuster in size. We can take some pride, I think, in the fact that the danger of communism within our borders has somewhat lessened since the thirties and forties. But we still feel its chilling fingers and its military threat which is sending American boys halfway around the world to fight in steaming Asian jungles.

The second compelling force loose in the world is atomic energy—the most momentous development since the creation. Its power to bring good and evil to mankind is almost beyond comprehension. At the present moment in history, its power for evil overshadows its power for good because its mighty secret is shared by the Communist world as well as the democratic world.

Will mankind use the atom to enrich the world or to destroy it? At least part of that answer lies in the leadership America provides.

The third force is the social revolution taking place in almost a third of the world. The people of color—whether in Asia, Africa, or the United States—have stood up suddenly and have demanded an end to ignorance and to poverty and to oppression.

This revolution can also be a force for good and evil. The people of the new nations now being liberated—and there have been 26 in Africa alone in the past 6 years—can join the democratic world, or they can go down into the shadows of communism. Which turn they take—which way they go—rests, to a great extent, on how well we make democracy work in this most shining example of all democratic governments, and what help we give these newly independent people to ease their birth pangs, and what guidance we offer as they take their first, faltering steps as a nation.

What we are witnessing in the world today is the end of absolute domination by a select few. What we are seeing is the beginning of a new chapter in world affairs. The winds of change have ignited sparks all around the world at almost the same time. Great masses of people, who for centuries slept under the watchful eyes of their dominators, have been seized with a common, insatiable thirst for human dignity.

If we could reduce the world to a village of one hundred, the white people would number 31 and the non-whites 69. There would be 33 Christians (23 Catholics and 10 Protestants). The remaining 67 residents would be Jews, Moslems, Buddhist, Hindus, Shintoists, and other non-Christians. In this village of 100, there would also be 8 Communists and 37 other residents under the domination of Communists.

Future relationships in our village will depend on the ability of those in power to accommodate themselves to swift, ceaseless change. The people of color are putting harsh judgments on the stated beliefs of the white man, and time and distance no longer separate us. They are demanding their rightful place among the peoples of the world. They are making these demands on moral, legal, political and personal levels. The nations which still preach and practice racial superiority are becoming a threat to world harmony—in short this planet is being shaken as it has never been shaken before.

At the Constitutional Convention in 1787 the question of slavery rose again. A great many delegates were opposed to human bondage on moral grounds; others saw it as an economic liability, still others regarded it as a grave impediment to national unity. But nothing was done. It was the pious prayer of many that slavery would wither on the vine.

We had two chances to expunge this cancerous blight, but, as a result of our double failure to take action, we were forced to fight a bitter, bloody internecine war to abolish slavery. To implement the victory, we passed legislation, but we paid scant heed as to how the law was respected. We gave even less heed to ending a social pattern which continued to discriminate against the legally freed slaves, and still less to their education, to their opportunity for advancement, and to their respect as human beings.

If there is a lesson to be drawn from America's civil rights agony, it is this:

As a nation, based on the promise of justice, freedom and human dignity for all, we cannot, and we must not, put off action which will make the promise of these priceless treasures a reality for all.

As a nation which has become the most powerful in the world, and which has had thrust upon it the responsibilities which come with power, I think we must go one step further. I think we must not turn our back upon injustice and tyranny and human degredation wherever it may be found.

This does not mean that we should give up what we have and accept without question what is being thrust upon us. But I think we should recognize that the best way to meet change is not just to oppose it but to try to guide its direction and control the forces of change to assure the best possible future. We must move ahead to meet every effort to hold these mechanisms within the framework of our Constitution.

To do this we need a constant flow of new ideas. We also need respect from the people for such new ideas—a willingness to consider them fairly and without prejudice. Our Nation has endured well into the twentieth century not because of our rhetoric or our wealth, not because we have the longest cars or the whitest iceboxes, or the first color TV, but because our ideas of free agency and freedom of enterprise have been more penetrating, more workable and more lasting.

There is no point in defending the "old" state of affairs—because it no longer exists. A new world is being remade violently before our eyes.

Our forefathers gave us here in Philadelphia a blueprint almost two hundred years ago, for guiding our destinies. One of the best descriptions of that blueprint comes from the prophet Joseph Smith.

"The Constitution of the United States is a glorious standard; it is founded in the wisdom of God. It is a heavenly banner, it is all those who are privileged with the sweets of liberty like the cooling shades and refreshing waters of a great rock in a thirsty and weary land. It is like a great tree under whose branches men from every clime can be shielded from the burning rays of the sun."

Let us pause here today, in this historic city where the Constitution was drafted, to thank God for this inspired document which has made our Nation and our people the envy of the world. Let us dedicate ourselves to preserving and strengthening this divine instrument. But let us also seek the courage to make the changes necessary—within the framework of that Constitution—which the common good of American society demands.

May God give us the spirit and the strength to measure up to the problems of our times and of the years rushing toward us.

AIRCRAFT NOISE ABATEMENT: A PROPOSAL

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, today I have introduced a new bill which is designed to help alleviate the tremendous problems which aircraft noise is causing for millions of our American citizens.

As I said in a speech on the House floor May 3, there is a dire need for Federal research and regulation in this area.

Many of my constituents in the Fourth District of Wisconsin attest to the problems which are caused by aircraft noise. Particularly those who live in the vicinity of General Mitchell Field, the Milwaukee municipal airport are most seriously affected.

Many anguished letters have come to me from these residents whose homes have been shaken, dishes smashed, sleep interrupted and nerves drawn to the breaking point. At this point I would like to insert for the RECORD a recent news story from the South Times Star of Milwaukee which describes the problem of aircraft niose in greater detail:

RESIDENTS AIRBORNE OVER JET NOISE

(By Carol B. Kanz)

A proposal by Cong. CLEMENT J. ZABLOCKI to allocate federal funds to study ways of reducing jet airplane noise was defeated in congress recently, much to the dismay and concern of residents living in the vicinity of General Mitchell field.

Areas to the west, north and northeast of the airport have borne the brunt of the problems created with the advent of jet airliners, particularly the area to the west and just south of Grange Avenue.

ONE HUNDRED FAMILIES

There are approximately 100 families in this area which is adjacent to the new runway extension which was built specifically to accommodate jets.

Because of the intensity of their problems, property owners here have formed a group, headed by Gus Exner, 5622 S. 5th St., to investigate possible solutions.

Exner says, "I often take my family out for a ride on weekends just to get away from it all. We're frequently aroused from our sleep at night and cracks are developing everywhere in my house from the vibration. Something has to be done."

ANTICIPATE NOISE

Other residents in the area also report the same problems. Mrs. A. Goetz, 5574 S. 4th St., whose husband is an employe of the Air National Guard, said, "We are thoroughly familiar with airplanes and the noise generated by them. When we moved into our home we fully anticipated a certain amount of noise and were prepared to cope with it.

"What we didn't forsee was the building of the runway extension and all the problems that came with it. The planes wait for take off at the end of the runway less than 300 feet away, racing their engines and saturating the air with exhaust fumes and even causing oil flecks on the windows.

NERVES ARE TAUT

"We bought an air conditioner for our home so that we could keep the windows closed but it has been of little help. It's impossible to sit outside in the summer and the noise still reverberates through the house. All the neighbors' nerves are taut. We're ready to jump at the slightest provocation. The din is driving us all nearly crazy. It's almost soothing in comparison to be away at work."

Mrs. Andrew Kamoske, 5632 S. 4th St., reports the same experiences. "Sometimes the smaller planes will be waiting as long as 15 minutes before taking off. During this time the dishes are clattering on the shelves and the noise is unbearable. The children become irritable and they sometimes cry because their activities have to be curtailed during this time.

ACTIVITIES LIMITED

"The air outside is dirty and fumes make usual warm weather enjoyment impossible. You just can't entertain any guests outdoors in the summer. We have to pack our gear in the car and drive elsewhere to enjoy a relaxing bar-b-que."

Some of the people have sold their homes and moved to other areas but this also has posed a problem. Because of the noise conditions, finding a buyer has been difficult. It also has been difficult for the home owners to get their investment back from their homes when selling. Buyers also have found it is not easy to get financing for purchase of homes in that area.

SIMILAR COMPLAINTS

To the north of the airport, in the vicinity of E. Layton Avenue, residents express similar complaints. If they happen to live in a home under a flight pattern, the low-flying planes render ordinary conversation inaudible and generally disturb normal activity.

Says Mrs. T. Wanta, 634 E. Cudahy Ave., "We are gradually getting used to the noise but it is very bad. When a plane flys overhead you just can't hear a thing, not even on the telephone."

ADJUSTED TO NOISE

The Marvin Behners, 4479 S. Lenox Ave., 18-year residents of the area, say they have adjusted to the noise. "It's not too bad," says Mrs. Behner, "You simply get used to the fact that when it starts getting noisy you have to stop talking and wait until it subsides."

Some Bay View residents find themselves with a similar problem because of the flight patterns.

Mrs. Robert Conners, who recently moved from the 2700 block of S. Superior Street, said, "The noise was very irritating and made conversation impossible." Mrs. R. Kohlbeck, 2719 S. Superior St., reported, "Planes fly very low over my home. The shrill screeching jet noise wakes the children from their naps and drowns out conversation."

MET WITH OFFICIALS

In an effort to see what can be done about the problem, Exner has met with officials at various levels locally and with representatives from the regional Federal Aviation Agency but has met with little success.

There are, however, two bills pending in Congress to amend the FAA act to provide money to research the noise problems and to reimburse local governments for the acquisition of land adjacent to airfields.

Not only is it clear that something must be done to remedy this situation in the areas adjacent to our airports; it is apparent that effective action can be taken in this situation.

This is the thinking of the Jet Aircraft Noise Panel of the Office of Science and Technology in its report, issued last March, on the "Alleviation of Jet Aircraft Noise Near Airports."

This group of experts came to a number of important conclusions which are pertinent to our discussion today:

First. As larger, higher performance and potentially noisier aircraft enter airline fleets in future years, the already difficult noise problems will be further complicated.

Second. The initiative for solving problems of jet aircraft noise can only come from a source which is not compromised by economic interests and which can be effective. Only the Federal Government meets those criteria.

Third. There is a need for a Government program of research into technical, economic, and legal recommendations for ameliorating the noise problem which will explore in a quantitative way the implications of these recommendations throughout the entire system of Government and private activities affecting commercial aviation.

In addition to these general findings, the Jet Aircraft Noise Panel has made some specific recommendations of problem areas which need further study and research by agencies of the Federal Government. Many of these concern the Federal Aviation Agency, the Government instrumentality which has responsibility for aircraft certification, air traffic control, operational flight control, and airport development.

My proposal aims to authorize the FAA to carry out necessary research programs, including those recommended by the expert group.

I believe the FAA should look into noise suppression devices on the aircraft themselves, ground baffle systems, preferential runway systems, and administrative procedures for aircraft noise abatement through local zoning regulations, airport site selection and encouragement of appropriate land use.

These are but a few potential methods in the multi-faceted approach which will be necessary if the aircraft noise problem is to be conquered.

The proposal does not stop at research, however. It goes further to require the FAA Administrator to take necessary action in prescribing and amending rules and regulations in order to effect noise abatement.

The proposal gives the Administrator the power to issue, suspend, modify, amend or revoke any certificate he is empowered to give in order to carry out his mandate.

Further, the bill contains a preamble that expresses the finding of the Congress that the impact of aircraft noise is indeed a serious problem of our modern society and affirms the right of our citizens to live without undue aircraft noise and to pursue happiness in the quietude of home, neighborhood and community.

Mr. Speaker, it is my hope that the Congress will act soon to enact new laws protecting these rights. We owe this responsibility to the millions of Americans whose homes are shaking from aircraft vibration and noise at this very moment.

The text of the bill follows:

H.R. 16024

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the finding of Congress that the impact of aircraft-generated noise upon millions of persons beneath or near the flight paths of such aircraft interrupts and disturbs the peace and quietude of homelife, interferes with public assemblies, and, in general, seriously disrupts the community life, all of which the citizens have a right to enjoy; that the extensive operation of jet-powered aircraft is creating a hazard to the health and welfare of the public; and that the operation of aircraft and airports is the cause of various nuisances to nearby residents.

The Federal Aviation Act of 1958, as amended (49 U.S.C. 1301), is further amended by adding a new section 611 as follows:

"AIRCRAFT NOISE CONTROL AND ABATEMENT"

"(a) The Administrator shall develop a comprehensive body of knowledge concerning methods and devices for aircraft noise abatement, including but not limited to, mechanical devices such as noise suppression devices for aircraft engines and ground baffle systems, procedural techniques applied through air traffic control systems such as preferential runway systems and greater ascent and descent angles for aircraft, and administrative procedures for aircraft noise abatement through local zoning regulations, airport site selection, and encouragement of appropriate land use by both Government and private persons in areas near airports and along present and proposed flight lines.

"(b) The Administrator shall prescribe and amend standards for the measurement of aircraft noise and prescribe and amend rules and regulations necessary to provide for the control and abatement of aircraft noise, including the application of such standards, rules, and regulations in the issuance, amendment, modification, suspension or revocation of any certificate authorized by this title.

"(c) In any action to amend, modify, suspend, or revoke a certificate wherein violation of aircraft noise standards, rules or regulations is at issue the certificate holder shall have the same notice and appeal rights as are contained in section 609, and in any appeal to the Civil Aeronautics Board, the Board shall consider the aircraft noise violation issues in addition to the safety and public interest issues as provided in section 609."

RACE BIAS BY FCC IN DECIDING ON BROADCAST LICENSES

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I believe the Federal Communications Commission is using broadcast license criteria that contain segregationist standards. I offer as evidence a recent public notice indicating the FCC's intention to evaluate evidence of programing proposals from competing applicants for a radio station license in terms of service to the "Negro population of Washington, D.C., and its environs."

It is inconceivable that a Federal agency would regard racial reasons in deciding the merits of a radio station application. Yet, the FCC clearly applies a bias on the basis of race.

To suggest the radio-listening likes of Negroes are any different from those of other American men, women, or children is patently patronizing. That a Federal policy should support a stereotype so false and misleading is obviously offensive. It amounts to refined intolerance.

The FCC notice referred to an agency finding that "program service proposed by" an applicant for a Washington station "does not appear to be similarly specialized" with respect to serving the "Negro population." It was published in the Wednesday, June 22, Federal Register—page 8650.

I have no interest in nor even knowledge of the parties or their problems. However, I am asking that appropriate action be taken to bar any further application of such race bias by the FCC in this matter. To that end, I intend to share my sentiments with the President, FCC Chairman Hyde, and Interstate and Foreign Commerce Committee Chairman STAGGERS.

AUTHORIZING THE TRANSFER OF FUNDS FROM THE CONTINGENT FUND TO MEET COMMITTEE EMPLOYEE PAYROLL FOR JUNE 1966

Mr. BURLESON. Mr. Speaker, I call up House Resolution 900, authorizing the transfer of funds from the contingent fund to meet committee employee payroll for June 1966, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 900

Resolved, That the Clerk of the House be and is hereby directed to pay such sum as may be necessary, from the contingent fund of the House of Representatives, to meet the June 1966 payroll of committee employees.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. BURLESON. Mr. Speaker, I yield 10 minutes to the distinguished chairman of the Armed Services Committee, the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that I may speak out of order.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, I am proud of the fact that this House elected me as chairman of your Armed Services Committee. On your behalf, I want to inform this body that while the House is in recess this coming week, I have asked members of the Armed Services Committee who could possibly make themselves available, to go to France for the purpose of making an on-site inspection of American military and NATO bases which President de Gaulle has ordered us to vacate by July 1, 1967.

I am happy to say that six members of my committee have agreed to forgo a much-needed rest and have agreed to make such an inspection of these installations.

Let me assure you this is a working trip, as are all trips undertaken by members of the House Armed Services Committee. Following their return, they will make a comprehensive report for the use not only of our committee but for all Members of Congress.

Since the days following World War II, the United States has invested a total of over $550 million in facilites in 189 different military installations in France. But that is only one side of the coin, even from a financial standpoint. The other half relates to military construction in France built under usership and cost-sharing agreements of the approved NATO infrastructure in France.

Under the arrangements of the treaty, NATO has invested a total of $747 million. Of this construction cost, France has contributed $112 million.

Stated another way, the other 14 members of the NATO organization have contributed $635 million and of this amount, the United States has contributed approximately 39.7 percent or a total of $296,600,000.

In all, then, since the end of World War II, the United States has invested, in military facilities in France, over $846 million.

This, of course, is in addition to gifts and credits totaling $11 billion, including outright grants of $4 billion partly in Marshall plan aid to double or triple the pre-World War II industrial capacity of France.

Congress is faced with important policy questions on which it is essential to secure all available information. Over and above pure military considerations, it appears to me there are three important areas in which we must concern ourselves.

First, what should we do with the U.S. military facilities in France that we are being required to vacate?

Second, what type of replacement facilities will be required and where should they be located?

Third, what are the alternatives available to our Government and the governments of the other 13 members remaining under the NATO agreement to recover the cost for the NATO facilities that we are being required to abandon?

I am not clairvoyant, and, frankly, I do not possess the answers. But after our subcommittee inspects these installations, talks to the local commanders, and discusses our mutual problems with NATO representatives from other nations, I am positive the report of this subcommittee will give to us facts which will help enable us to make sound decisions.

Yet even at a time when I do not know the answers to the questions we will be facing, my personal feeling is that it would be a tragic mistake to welcome President de Gaulle home from his mission to Moscow by presenting him with a gift of nearly $1 billion of military facilities, in return for his ingratitude.

I do not question the right of this transitory French leader to demand the withdrawal of all foreign military troops from French soil. But I seriously question his wisdom and judgment in making such a demand.

Certainly it is the prerogative of the French Government to revive French nationalism but, in so doing, their action undoubtedly has and will weaken the entire NATO structure and, thus, the free world.

For all of our assistance, Americans have asked nothing in return except a willingness among the people of Western Europe to cooperate in trying to build a unified defensive force that in the future could do more to protect itself.

Frankly, I for one am growing sick and tired of rewarding this kind of ingratitude. I hope there are not any among us here who would recommend the complete abandonment of our installations in France, and meekly turning them over to the French Government.

Some have suggested the leveling of whatever facilities we leave behind so as to make them unavailable for French use, unless we are recompensed for our outlays according to current market values. I do not laugh at such a suggestion. In fact, leaving them unleveled may one day prove to be a serious error.

President de Gaulle has done everything he can to upset the alliance, to hamper our efforts in South Vietnam, to undermine the American dollar, and to block American efforts to find some other more flexible way to settle accounts in the world trade than through sole dependence on gold.

It has not been many years ago and at a period following our massive aid to assist French recovery from World War II when our balance of payments was in a deficit position, when President de Gaulle demanded gold for all French credits in the United States.

What did we do? We succumbed once again to his demands, rather than attempting to collect the more than $6.7 billion which France still owes to us.

I, for one, thought that it was a mistake to give them gold for these credits. Instead, we should have used these credits as a part of balancing the debt which France owes the people of the United States.

For nearly 50 years the United States has done more for France and the French people than any nation has ever done for another.

Twice within the last 50 years the United States has come to the rescue of France in major wars at a terrible toll of lives and dollars.

Sixty thousand of those young American men who gave their lives defending France's freedom are still buried on French soil. And not only did we assist in military operations to preserve French freedom: we also underwrote the rebuilding of the French economy after World Wars I and II.

But now that nationalism seems to be the watchword of France under De Gaulle's leadership, I am inclined to think that we should not contribute to that nationalism by abandonment of our facilities there.

After De Gaulle's mission to Moscow, I am not even convinced that in the unhappy event of a future holocaust, France, under her present leadership, would be a part of our allies.

I am reminded of the sale by us of scrap iron to the Japanese shortly before World War II, only to have that scrap iron used against us, to destroy our men and our forces.

Downtown there is a building on which is carved the message: "What is past is prologue." Is it not about time that the United States learned something from the lessons of history?

Weakness earns only contempt—and contemptuous De Gaulle will be—unless we make our demands—not our requests—but our demands known now.

Mr. Speaker, I fully realize that the ultra-liberal—give till it destroys—press of this Nation will attack my comments.

I will not—and do not—apologize for being an American.

To quote Alan McIntosh, who, in an editorial entitled "A Tired American Speaks Out," said:

> I am a tired American. I am tired of being called the ugly American. I'm tired of having the world panhandlers use my country as a whipping boy 365 days a year.
>
> I am a tired American—weary of having American embassies and information centers stoned, burned, and sacked by mobs operating under orders from dictators who preach peace and breed conflict.
>
> I am a tired American—weary of being lectured by General de Gaulle (who never won a battle) who poses as a second Jehovah in righteousness and wisdom.

Mr. Speaker, this is the reason the Committee on Armed Services is going to France and those representatives of that committee are going to work and I am sure their report will meet with your approval.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. Yes, I yield to the gentleman from Minnesota, if I have any time left.

Mr. BURLESON. Mr. Speaker, I yield the gentleman from South Carolina 1 additional minute.

Mr. NELSEN. Mr. Speaker, I want to thank the gentleman from South Carolina for his reference to the "Tired American" that was included in his remarks.

This was written, as I recall, by a little country editor in the congressional district which I have the honor to represent. I placed it in the RECORD many, many months ago and it has gone all over the United States.

Mr. Speaker, I am glad that it now finds its way into the comments of the gentleman from South Carolina on the floor of the House and I thank the gentleman from South Carolina for so including it.

Mr. RIVERS of South Carolina. Mr. Speaker, I will say to the gentleman from Minnesota that I may have plagiarized upon the gentleman's efforts and I apologize, but the CONGRESSIONAL RECORD is a fine place for this to be. It is a most worthy editorial.

Mr. KUPFERMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. RIVERS of South Carolina. Yes, I yield to the gentleman from New York.

Mr. KUPFERMAN. May I ask the gentleman from South Carolina if the gentleman is seriously suggesting that the French might use the installations we leave against us, those specific installations against us?

Mr. RIVERS of South Carolina. Stranger things than this have happened, I will say to my friend the gentleman from New York.

Mr. BURLESON. Mr. Speaker, I move the previous question.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE EMPLOYMENT OF ADDITIONAL CAPITOL POLICE FOR DUTY UNDER THE HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up House Resolution 796 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 796

Resolved, That, in addition to the number of officers and members of the Capitol Police and of personnel detailed to the Capitol Police from the Metropolitan Police of the District of Columbia existing on the date of adoption of this resolution, there are hereby authorized to be established sixty-nine positions of private and three positions of sergeant on the Capitol Police for duty under the House of Representatives. Appointments to such additional positions shall be made by the Capitol Police Board, subject to the approval of the Committee on House Administration, without regard to political affiliation and solely on the basis of fitness to perform the duties of the positions. The compensation for such additional positions shall be paid out of the contingent fund of the House of Representatives until otherwise provided by law.

With the following committee amendment:

Page 1, line 9, before "approval" insert "prior".

The committee amendment was agreed to.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I would be very happy to yield to my distinguished colleague, the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I appreciate the distinguished chairman of the Subcommittee on Accounts yielding to me at this point.

Mr. Speaker, I would like to know how many personnel we have assigned to the Capitol Police now by direct appointment and how many are detailed for duty with the Capitol Police from the Metropolitan Police Force?

Mr. FRIEDEL. At the present time we have 131 privates, 6 sergeants, and 5 lieutenants. We have 10 regularly detailed from the Metropolitan Police during the daytime on the House side; that is only for the House side.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I appreciate the promptness and the fullness of the answer of the gentleman from Maryland.

Mr. Speaker, I understand that the complement of 69 positions of private and 3 positions of sergeant may come from either those detailed to duty from the Metropolitan Police or direct appointment, subject to the approval of the Committee on House Administration; is that correct?

Mr. FRIEDEL. Well, I will say to the gentleman from Missouri that that is partly correct. This is a 3-shift operation. There would be 23 for each 24-hour shift. But they will not be taken over by the Patronage Committee or by any political operation of significance. Their selection will be based upon their fitness and qualifications and they will be appointed by the Capitol Police Board.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I would like to know if the compensation provided in line 12, page 1, is the same as for those presently appointed and who serve on the Capitol Police force?

Mr. FRIEDEL. Yes, the gentleman is correct, they would receive the same salary.

Mr. HALL. I am not too impressed about this question of no patronage or not coming through the patronage committee. I would certainly prefer that the Committee on House Administration or a duly appointed committee of this House of Representatives handled this directly. But I wonder if the distinguished chairman of the subcommittee realizes that the committee on the reorganization of the Congress is marking up at this time, as indeed as I advised him recently when the question of hiring the additional legislative assistants under the clerk hire allowance of the House was holding forth, there is no operational jurisdiction but just an administrative resolution which we hope, both the Committee on Rules and the Committee on Rules and Procedures of the other body will allow us to consider under an omnibus bill, recommending or making various recommendations, of which I have the galley proof in my hand, concerning the Capitol Police force.

The gentleman from Maryland was most kind last time saying if and when this committee did bring forth and have passed in the Congress such clerk hire an additional connotation that the Committee on House Administration would do its best to plant into being, if I may use that term, those regulations. It is not quite that easy, Mr. Speaker, because actually the Joint Committee on the Reorganization of the Congress passed unanimously by both Houses has had to write separate regulations as far as the legislative assistants in the Senate and the House are concerned.

So I am just wondering if we might come to the same position as to these additional police by jumping the gun so to speak, hiring them by this privileged motion rather than waiting for a complete report to come out—which will be out within next 2 weeks, I am sure.

Mr. FRIEDEL. The point is that we need them now. But I can assure the gentleman, once your report is in, we will review it and probably adopt some of your recommendations and perhaps not others. But we will review your report and maybe we can fit it in, as I promise you we will try to do.

But we need these men now.

Mr. HALL. Mr. Speaker, I have two further questions.

If indeed the Congress passes an omnibus bill from the Joint Committee on the Reorganization of the Congress, it would not be a question of review. It would be a question of which was before the fact and which was after the fact.

I appreciate the gentleman's willingness to review the situation. But would you, for example, consider such a statement, as I am going to read from the galley proof that I hold in my hand on page 41, item 2, which comes under the heading of the general consideration of congressional administration and housekeeping functions of the Capitol.

I read as follows:

> 2. The Capitol Police force shall be removed from patronage. It shall be a professional force operating as a division of the Metropolitan Police Department under such special regulations applicable to the Capitol as may be determined by the Capitol Police Board. While professional police are being recruited and trained, existing police shall be given such additional instruction and training as the Capitol Police Board may believe necessary to improve the quality of their performance. All vacancies of existing Capitol Police shall be filled by professional police to the extent that such police are available from the Metropolitan Police Department.

Mr. FRIEDEL. Mr. Speaker, I will state to the gentleman that our distinguished chairman of the full Committee on House Administration, the gentleman from Texas [Mr. BURLESON], has introduced a bill to take this matter away from the patronage committee and so provide for a professional police force. I can assure the gentleman that will be considered in due time.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to my distinguished chairman.

Mr. BURLESON. With reference to the language the gentleman from Missouri has just read, as I understood the general substance of it—and I must say I do not recall having read this or having heard of it before—I think I can definitely assure the gentleman that there is no inconsistency between what we intend in this resolution and the practice that exists at the present time and under which we are operating. We have legislation pending, introduced some time ago, which would do this very same thing. I cannot see any conflict. This is a matter of the police personnel of the Capitol with the idea that we have a career police force, to be set up with all the benefits including decent salaries, sick leave, retirement benefits, and so on in order to insure our having a really efficient police force.

I do not know whether the gentleman knows this—the subject may have come before his joint committee—but we have a turnover of about 80 percent of the personnel each year, and nothing can be run efficiently under those circumstances.

I have been told that on one evening not long ago only five policemen showed up for duty. That is absolutely absurd. There are going to be occurrences here some day that we shall all regret if we do not meet the problem head on and get away from this patronage business and get away from the idea that, as well intended as it is, we can have school boys running the police force on Capitol Hill.

That is not a disparaging remark. But we should have the most elite police force in the whole United States here on the Capitol Hill, not only for the protection of life and property, but with a sense of public relations. We should be able to accommodate people who come here, people who own the place. It is a crying need. I know, as you do, that change comes slowly here, but this is a thing which I think every Member of this House should take a very personal interest in trying to do something about.

Mr. HALL. Mr. Speaker, will the gentleman yield further?

Mr. FRIEDEL. I yield further to the gentleman from Missouri.

Mr. HALL. I could not agree more, and the words of the chairman of the committee are most reassuring. In turn, I wish to reassure him, the gentleman from Maryland, and all Members on the floor that the Joint Committee on the Reorganization of the Congress has gone into the subject in detail. Staff has visited with staff. We do know about this turnover. Of course, it will continue that way as long as it is based on patronage. I am not sure that I personally understood about the immediacy of the need, or that there might be as few as five men on the entire Capitol Grounds in the evening. I know I speak to, even call by name—and every one of them is a good man—the seven men that I meet in the short 1½-block walk I make from the Coronet Apartment at Second and C, Southeast, to the southeast door of the Longworth Building each morning as I come to work. There are two on every corner and two at every door. There is one at every parking lot. But I shall accept the gentleman's statement that there is an immediate need, and I would certainly hope that these people can be people who stand up and speak out and look well dressed and are properly trained and experienced in riot control as well as the use of arms, if necessary, so that the people's Capitol can have the best police force in the world.

This is just one of five divisions of police in the capital area. There are the Metropolitan, the Park, the Capitol, the White House, and so forth, here in the District of Columbia. Certainly ours should be among the best.

These are my last two questions, if the gentleman will yield further——

Mr. FRIEDEL. I am happy to yield to the gentleman from Missouri.

Mr. HALL. Does the gentleman anticipate that we will have trouble in recruiting? I understand that the Metropolitan Police cannot recruit enough for their own precinct requirements, let alone furnishing or detailing to duty at the Capitol those that we might need in addition.

Mr. FRIEDEL. We have been assured by Chief Powell that he can recruit some ex-servicemen and others who would be fully qualified and who could fulfill the duties required.

Mr. BURLESON. Mr. Speaker, will the gentleman yield further?

Mr. FRIEDEL. I yield to the gentleman from Texas.

Mr. BURLESON. In that connection I think the gentleman has made a legitimate point. The recruitment of 69 new employees, of course, could not be done overnight. The measure is an authorization. It is not expected that the employees would be recruited tomorrow, next week, or next month. It will take time. But the Chief and Police Board would have ample time to plan and to try to recruit and employ qualified men from the standpoint of education, training, and experience, and finding those who would be available to train professionally. It may take a long period of time, but they can plan in that direction. It is not anticipated that the men would be hired indiscriminately right away. That takes into consideration, too, the matter of numbers. There will be attrition into the school year. At the beginning of next year there will be an attrition. If we do not go back to hiring temporary policemen, there will not be applicants for work anyway, and by that time we will have these people whom we hope will be career people.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I say again that this is most reassuring.

I would like to be reassured that the three sergeants at least who are appointed on detail to duty by the Metropolitan Police Force are experienced men who can help in training the other recruits as well as those we have on the job, so we will have a polished brass button and spit and polish appearance that we need around here in handling the public day in and day out.

Mr. FRIEDEL. I am sure we will have men selected for their experience and ability to do a good job.

Mr. HALL. Mr. Speaker, in view of the way the bill is worded, does the gentleman believe these men will be appointed on a basis, as the committees are appointed in the House, so there will be a fair representation of Republican policemen? I understand some of them make excellent officers.

Mr. FRIEDEL. Mr. Speaker, it will be up to the Capitol Police Board, but they must be qualified. They are to be appointed without regard to political affiliation.

Mr. HALL. It is up to the board?

Mr. FRIEDEL. The reason that is done is to be sure they have qualified men.

Mr. HALL. If we have qualified men, a large portion of them will be Republicans.

Finally, does the gentleman feel we are getting the cart before the horse? It seems to me, until such time as the judiciary starts backing up the constabulary, and the United States as a whole, and this community and Capitol Hill in particular, that recruiting will be difficult. Certainly, in view of the recent ruling, a week ago Wednesday, of the Supreme Court, we may have a functionalist police force at best, regardless of recruiting and training procedures and efforts.

Mr. FRIEDEL. Mr. Speaker, I believe the police sergeants selected will be qualified men. We hope to fill the positions as soon as possible. It will take time, as Mr. BURLESON said. They have to be qualified.

Mr. HALL. Mr. Speaker, in view of the statements made and the promises made here—and although I regret this action has to be taken because of expediency for Members and their staffs, prior to completion of hearings over 2 years and the reorganization of Congress—I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. Yes, I yield to my distinguished colleague from Iowa.

Mr. GROSS. Mr. Speaker, in view of the statement of the Chief Justice of the Supreme Court that women employees are not safe leaving that building after dark, and in view of the decision mentioned by the gentleman from Missouri, that was handed down only a couple of weeks ago, making it most difficult for law enforcement officers, both the police and prosecutors, to do their job, to curb crime, will any of the 72 new officers be detailed for duty at the Supreme Court?

Mr. FRIEDEL. As far as I know, none of these new men will be assigned to the Supreme Court.

Mr. GROSS. I hope it is not contemplated that a single one of them will be detailed to duty there.

Mr. FRIEDEL. This is only for the House grounds, Mr. Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Jones, one of his secretaries.

TELEPHONE, TELEGRAPH, AND RADIO-TELEGRAPH ALLOWANCES OF MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 901, relating to telephone, telegraph, and radio-telegraph allowances of Members of the House of Representatives, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 901

Resolved, That (a) there shall be paid out of the contingent fund of the House of Representatives, for the remainder of the Eighty-ninth Congress, in accordance with regulations prescribed by the Committee on House Administration, such amounts as may be necessary to pay—

(1) toll charges on strictly official long-distance telephone calls, and

(2) charges on strictly official telegrams, cablegrams, and radiograms,

made or sent by or on behalf of each Member of the House of Representatives (including the Resident Commissioner from Puerto Rico), other than the Speaker, the majority leader, the minority leader, the majority whip, and the minority whip, aggregating not to exceed forty thousand units, in addition to the number of units to which such Member or Resident Commissioner otherwise may be entitled during a term in the Eighty-ninth Congress, except that, if a Member or Resident Commissioner is elected for a portion of a term in the Eighty-ninth Congress, the aggregate number of additional units to which he is entitled for such portion of a term under this subsection shall be a number which is the same percentage of forty thousand as the number of days of his service in such portion of a term is of the total number of days in a full term.

For the purposes of this subsection, the word "unit" shall have the meaning given such word by section 2 of the Act of June 23, 1949 (2 U.S.C. 46g), except that in the case of a night letter one word of such night letter shall be one-half unit; and the word "term" shall have the meaning given such word by section 2 of the Act of June 23, 1949 (2 U.S.C. 46g).

(b) Until otherwise provided by law, there shall be paid out of the contingent fund of the House of Representatives, in accordance with regulations prescribed by the Committee on House Administration, such amounts as many be necessary to pay—

(1) toll charges on strictly official long-distance telephone calls, and

(2) charges on strictly official telegrams, cablegrams, and radiograms,

made or sent by or on behalf of each Member of the House of Representatives (including the Resident Commissioner from Puerto Rico), other than the Speaker, the majority leader, the minority leader, the majority whip, and the minority whip, aggregating not to exceed seventy thousand units for each session of the House of Representatives, except that, if a Member or Resident Commissioner is elected for a portion of a term, the aggregate number of units to which he is entitled under this subsection for each portion of a session served by him which is less than a full session shall be a number which is the same percentage of seventy thousand as the number of days of his service in such session less than a full session is of the total number of days of the full session. Such units (including any units less than one hundred and forty thousand to the credit of a Member or Resident Commissioner at the close of the Eighty-ninth Congress) shall accumulate and be available for use by each such Member and Resident Commissioner, from session to session and from term to term (if sessions and terms are consecutive), until the aggregate number of such units to the credit of each such Member or Resident Commissioner at the close of each session is not more than one hundred and forty thousand units; but all units in excess of one hundred and forty thousand at such time shall be forfeited and unavailable for use by such Member or Resident Commissioner. For the purposes of this subsection—

(A) one minute of a long-distance telephone call shall be four units,

(B) one word of a telegram, cablegram, or radiogram shall be one unit, except that one word of a night letter shall be one-half unit,

(C) the word "session" means the period beginning at noon on January 3 of each calendar year and ending at noon on January 3 of the immediately following calendar year, and

(D) the word "term" means the period beginning at noon on January 3 of each odd-numbered calendar year and ending at noon on January 3 of the next succeeding odd-number calendar year.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Missouri.

Mr. HALL. I wonder if the gentleman would explain this request for the benefit of the Members on the floor, as to the temporary action of the additional 40,000 units of telephone and telegraph usage for the remainder of this Congress and then the permanent legislation, starting on page 2, line 20, with paragraph (b).

Mr. FRIEDEL. Under the present law each Member is allowed 100,000 units during each Congress. Those can be used either for telephone or telegraph. One minute over the telephone is four units, and one word of a telegram is one unit. When night letter service is used each word of a telegram would be one-half unit.

There are a number of Members who are overdrawn on their accounts, who have to dig into their own pockets. Last year 97 Members used more than allowed, and had to pay the difference out of their pockets for official business.

We are merely trying to help these Members who are regularly overdrawn. I, for one, do not go over the amount allowed.

I will explain the section (b).

Starting in the 90th Congress the allotment will be 70,000 units for each year, each session, but if any Member is elected during the session for an unfinished term the amount would be prorated, so far as the units are concerned. It is that simple.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I appreciate his explanation. I do understand that the permanent legislation in paragraph (b) would make it 140,000 units for the 90th Congress.

Mr. FRIEDEL. For the 89th Congress, too. In other words, 140,000 units will be for this Congress, the 89th Congress, and then in the 90th Congress there will be 70,000 units for each session.

Mr. HALL. This is the 89th.

Mr. FRIEDEL. And for this Congress it will be 140,000 units.

Mr. HALL. And 140,000 in the 90th Congress, or 70,000 per session.

Mr. FRIEDEL. Yes, and it will carry over from one session to the other, but never accumulate more than 140,000 units.

Mr. HALL. I understand that, and I understand the proration.

Mr. Speaker, like the gentleman from Maryland, the distinguished chairman of the subcommittee, I think I never used half of my unit requirements to my home, and I keep two district offices open. My district is half way across the United States. I appreciate that it costs just as many units to talk from here to Baltimore, the home of the gentleman from Maryland, by telephone, as it does to talk to the Ozarks in Missouri, or to the west coast.

I would like to ask, has a study been made of the inequities of this way of rating units, and can the gentleman tell me what is the demand in percentage terms of overage of the Members?

Mr. FRIEDEL. It is 97 Members. I would say about 23 percent of the membership have to dig into their own pockets to pay for more units than they were allowed. This will help to straighten things out.

Mr. HALL. Mr. Speaker, the second part of my question was: Has the Committee on House Administration considered placing on other than a unit basis this allocation? In other words, the same way as toll rates for the telephone, or on some other basis? I am speaking of an allocation of units for the Members.

Mr. FRIEDEL. We have considered it in the past, and found that the unit system is the most equitable. In other words, if I called the city of Baltimore it might be 30 cents toll. Another Member who is calling Seattle, Wash., will be charged more. We could not work it out from the standpoint of dollars and cents, so we did it by units, or words. That is the best way to do it that we can find. Now, unless there is some other suggestion, which we would be glad to consider, that would be better than this, we will have to do it this way. However, we do not know of any.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's yielding to me, and I appreciate his recommendation. The last thing in the world that I want to do is to penalize Members who are using more than their unit allowance. Therefore I shall withdraw my reservation, but I am certainly consumed with curiosity as to the type of telegrams, letters, and telephone messages being used by the Members, as long as we continue to add unit after unit with, first, 20,000 units, and now 40,000 units added for all Members, regardless of where they may live.

I think a little administration of the personnel in the individual offices, and a little telephone discipline might help in this matter, because by simple arithmetic there must be some person on the long-distance phone every hour of the day for two shifts in order to consume the unit allowances now granted the individual Members of Congress.

It is not this Member's place, certainly, to criticize or make any such suggestions. Nor, I guess, is it the position of the Committee on House Administration. But certainly it requires excessive usage of these modern means of communication in order to require this additional allowance.

Mr. Speaker, I withdraw my reservation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from Missouri [Mr. HALL] said that he uses less than half, or approximately half of his telephone and telegraph allowance. I know I return that much or more to the Government each year. However, I would point out to my good friend from Missouri that he does not have a project to announce in his district every day costing the taxpayers some more money, so that may be one of the reasons why his allowance is not depleted.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ESTABLISHMENT OF THE AMERICAN REVOLUTION BICENTENNIAL COMMISSION

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 162, to establish the American Revolution Bicentennial Commission, and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution, as follows:

S.J. RES. 162

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, as this Nation approaches the bicentennial of its birth and the historic events preceding and associated with the American Revolution which are of such major significance in the development of our national heritage of individual liberty, representative government, and the attainment of equal and inalienable rights and which have also had so profound an influence throughout the world, it is appropriate and desirable to provide for the observation and commemoration of this anniversary and these events through local, State, National, and international activities planned, encouraged, developed, and coordinated by a national commission representative of appropriate public and private authorities and organizations.

SEC. 2. (a) There is hereby established a commission to be known as the American Revolution Bicentennial Commission (hereinafter referred to as the "Commission") to plan, encourage, develop, and coordinate the commemoration of the American Revolution bicentennial.

(b) The Commission shall be composed of the following members:

(1) Four Members of the Senate to be appointed by the President of the Senate;

(2) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives;

(3) The Secretary of State, the Attorney General, the Secretary of the Interior, the Secretary of Defense, the Secretary of Health, Education, and Welfare, the Librarian of Congress, the Secretary of the Smithsonian Institution, the Archivist of the United States, and the Chairman of the Federal Council on the Arts and the Humanities, all of whom shall be ex officio members of the Commission;

(4) Seventeen members from private life to be appointed by the President, one of whom shall be designated as the Chairman by the President.

(c) Vacancies shall be filled in the same manner in which the original appointments were made.

SEC. 3. (a) It shall be the duty of the Commission to prepare an overall program for commemorating the bicentennial of the American Revolution, and to plan, encourage, develop, and coordinate observances and activities commemorating the historic events that preceded, and are associated with, the American Resolution.

(b) In preparing its plans and program, the Commission shall give due consideration to any related plans and programs developed by State, local, and private groups, and it may designate special committees with representatives from such bodies to plan, develop, and coordinate specific activities.

(c) In all planning, the Commission shall give special emphasis to the ideas associated with the Revolution which have been so important in the development of the United States, in world affairs and in mankind's quest for freedom.

(d) Not later than two years after the date of the enactment of this Act, the Commission shall submit to the President a comprehensive report incorporating its specific recommendations for the commemoration of the bicentennial and related events. This report may recommend activities such as, but not limited to, the following:

(1) the production, publication, and distribution of books, pamphlets, films, and other educational materials focusing on the history, culture, and political thought of the period of the American Revolution;

(2) bibliographical and documentary projects and publications;

(3) conferences, convocations, lectures, seminars, and other programs;

(4) the development of libraries, museums, historic sites, and exhibits, including mobile exhibits;

(5) ceremonies and celebrations commemorating specific events;

(6) programs and activities focusing on the national and international significance of the American Revolution, and its implications for present and future generations;

(7) the issuance of commemorative coins, medals, certificates of recognition, and stamps.

(e) The report of the Commission shall include recommendations for the allocation of financial and administrative responsibility among the public and private authorities and organizations recommended for participation by the Commission. The report shall also include proposals for such legislative enactments and administrative actions as the Commission considers necessary to carry out its recommendations. The President shall transmit the Commission's report to the Congress together with such comments and recommendations for legislation and such report of administrative actions taken by him as he deems appropriate.

SEC. 4. (a) In fulfilling its responsibilities, the Commission is authorized and directed to consult, cooperate with, and seek advice and assistance from appropriate Federal departments and agencies, State and local public bodies, learned societies, and historical, patriotic, philanthropic, civic, professional, and related organizations. Such Federal departments and agencies are authorized and requested to cooperate with the Commission in planning, encouraging, developing, and coordinating appropriate commemorative activities.

(b) The Secretary of the Interior is authorized and requested to undertake a study of appropriate actions which might be taken to further preserve and develop Revolutionary War historic sites and battlefields, at such time and in such manner as will insure that fitting observances and exhibits may be held at appropriate sites and battlefields during the bicentennial celebration. The Secretary shall submit the results of his study to the Commission, together with his recommendations, in time to afford the Commission an opportunity to review his study, and to incorporate such of its findings and recommendations as the Commission may deem appropriate in the report provided for in section 3(d).

(c) The Chairman of the Federal Council on the Arts and the Humanities, the Chairman of the National Endowment for the Arts, and the Chairman of the National Endowment for the Humanities are authorized and requested to cooperate with the Commission, especially in the encouragement and coordination of scholarly works and presentations focusing on the history, culture, and political thought of the Revolutionary War period.

(d) The Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States are authorized and requested to cooperate with the Commission, especially in the development and display of exhibits and collections, and in the development of bibliographies, catalogs, and other materials relevant to the period of the Revolutionary War.

(e) Each of the officers listed in subsections (c) and (d) of this section shall submit recommendations to the Commission in time to afford the Commission an opportunity to review them, and to incorporate such of the recommendations as the Commission may deem appropriate in the report provided for in section 3(d).

SEC. 5. (a) The Commission is authorized to accept donations of money, property, or personal services.

(b) All books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other materials relating to the Revolutionary War period and donated to the Commission may be deposited for preservation in National, State, or local libraries or museums or be otherwise disposed of by the Commission in consultation with the Librarian of Congress, the Secretary of the Smithsonian Institution, the Archivist of the United States, and the Administrator of General Services.

SEC. 6. (a) The members of the Commission shall receive no compensation for their services as such. Members from the legislative and executive branches shall be allowed necessary travel expenses as authorized under law for official travel. Those appointed from private life shall be allowed necessary travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2).

(b) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable and to appoint such advisory committees as it deems necessary.

(c) The Commission may procure services as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed $75 per diem for individuals.

(d) The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property; make contracts; expend in furtherance of this Act funds appropriated, donated, or received in pursuance of contracts hereunder; and exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this Act.

(e) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the Department of the Interior, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further*, That the Commission shall not be required to prescribe such regulations.

(f) Any property acquired by the Commission remaining upon its termination may be used by the Secretary of the Interior for purposes of the National Park Service, or may be disposed of as excess or surplus property.

SEC. 7. (a) All expenditures of the Commission shall be made from donated funds only.

(b) An annual report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress. A final report shall be made to the Congress no later than December 31, 1983, upon which date the Commission shall terminate.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution was laid on the table.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, Senate Joint Resolution 162, as amended, which has just passed, is identical to House Joint Resolution 903, as amended, and has been favorably reported to the House by the Committee on the Judiciary.

This joint resolution would establish an American Resolution Bicentennial Commission composed of 4 Senators, appointed by the President of the Senate; 4 Members of the House of Representatives appointed by the Speaker; the Librarian of Congress and 8 specified executive officers, and, finally, 17 distinguished and outstanding Americans in private life to be appointed by the President.

This joint resolution requires that the Commission shall submit to the President a comprehensive report of specific recommendations for the commemoration of the bicentennial and related activities within 2 years of the date of enactment. Committee amendments to the resolution placed special emphasis on the development of scholarly undertakings which will focus on the history, culture, and political thought of the Revolutionary War period.

The Commission's report shall contain recommendations for the allocation of financial and administrative responsibility among public and private authorities and proposals for necessary legislative enactments and administrative actions.

It is my hope that the Commission will consult, cooperate with, and seek advice and assistance from the U.S. Information Agency concerning the dissemination abroad of information regarding the commemoration of the bicentennial.

The joint resolution further provides that the President shall transmit the Commission's report to the Congress together with such comments and recommendations as he deems appropriate.

The joint resolution also contains various housekeeping provisions on financial and administrative matters. However, by committee amendment authorization for the appropriation of funds was deleted and in its place the committee authorized that the Commission receive its support by donated funds only.

Mr. Speaker, the Committee on the Judiciary, in reporting this measure with amendments to the House, believes that the proposal to establish a commission to commemorate the American Revolution Bicentennial has merit.

It is appropriate, Mr. Speaker, to note that the proposal to establish a commission to commemorate the bicentennial of the American Revolution has gained the support of the following Members who have introduced legislation on the subject: Mr. MARSH, Mr. HARVEY of Indiana, Mr. MORSE, Mr. MATHIAS, Mr. SAYLOR, Mr. WELTNER, Mr. DOWNING, Mr. CORMAN, Mr. DERWINSKI, and Mr. TALCOTT, as well as Mr. CELLER, author of House Joint Resolution 903.

I believe that the establishment of this commission will greatly aid this Nation to commemorate the American Revolution with all the dignity and spirit that it deserves.

Mr. MATHIAS. Mr. Speaker, I am very pleased that the Congress has acted with dispatch to establish an American Revolution Bicentennial Commission to plan, encourage, develop, and coordinate activities commemorating the two hundredth anniversary of American independence and of the ideals of individual liberty and equality upon which our Nation is founded.

The resolution passed today is very similar in most respects to the bills (H.R. 12252, and H.R. 12260) introduced on January 24 by the gentleman from Massachusetts [Mr. MORSE] and myself. As we have previously declared, Mr. MORSE and I are most gratified that the President, in submitting his own proposals to Congress on March 10, endorsed the Commission concept and planning procedures which were central to our bills.

As sent to Congress, the President's draft resolution omitted subsections 4(c) and 4(d) of the Morse-Mathias bill. The Congress has acted wisely in restoring this language, thus reemphasizing our intent that the Commission's work should focus on the historical, cultural, and intellectual significance of the Revolutionary period. With the full cooperation of the Federal Council on the Arts and the Humanities, the Library of Congress, the Smithsonian Institution, and the National Archives, the Commission will be able to encourage and coordinate publications, studies, and presentations of outstanding scholarship and lasting importance. Subsections 4(c) and 4(d) have been applauded by many of our most eminent American historians, and I am glad that they have been included in this act.

The President's original proposal paralleled the Morse-Mathias bills in authorizing expenditures of up to $200,000 for the first 24 months of the Commission's work, the period in which the Commission is directed to prepare and submit to the President comprehensive recommendations for the bicentennial. The House and Senate Judiciary Committees, in their wisdom, have eliminated this authorization, and have decreed that the Commission's expenditures shall be made solely from donated funds. I hope, of course, that the committees' expectations will be fulfilled, and that substantial support from many private sources will be offered immediately, so that the Commission can begin its work with the active backing of many organizations and groups throughout the Nation. If, however, any potentially damaging or delaying problems should arise, I stand ready to offer and fight for amendments to this act to provide appropriate Federal assistance.

Mr. Speaker, as the gentleman from Massachusetts [Mr. MORSE] notes today, this legislation has the full support of many of our most learned and perceptive scholars and historians, including men and women with deep knowledge of the American Revolution, and abiding interest in expanding our understanding of its high significance for this Nation and the world. It is my hope that these eminent individuals, and the organizations they represent, will be encouraged to contribute, as members or associates, to the great task of the American Revolution Bicentennial Commission.

Under unanimous consent I include in the RECORD at this point some of the communications which I have received from distinguished individuals throughout the Nation and in my own State of Maryland:

HENRY E. HUNTINGTON,
LIBRARY AND ART GALLERY,
San Marino, Calif., April 18, 1966.

Hon. CHARLES MCC MATHIAS, JR.,
House Office Building,
Washington, D.C.

DEAR MR. MATHIAS: Thank you for sending me the bill that you are sponsoring for the creation of a National Commission to direct the commemoration of the American Revolution. It seems to me thoroughly commendable.

Sometime I hope I may have the pleasure of meeting you in Washington. Your interest in history warms my heart.

Cordially yours,
ALLAN NEVINS.

AMHERST COLLEGE,
Amherst, Mass., April 9, 1966.

DEAR MR. MATHIAS: I am delighted that you and Representative MORSE are planning an American Revolution Bicentennial program this far ahead. Experience with the Civil War Centennial made clear that program of this kind take a great deal of planning. Your bill is drawn with great foresight and wisdom; you make possible important scholarly enterprises as well as public celebrations. I am sure that you will find enthusiastic support among historians generally for your proposal.

As you doubtless know there are a number of projects already under way which probably should be coordinated with your own proposal: thus the various undertakings for the publication of the writings of the Fathers; thus the program for editing the debates on the ratification of the Constitution; thus the program for editing material on the history of the Bill of Rights, and so forth.

Much of my own work has been in this field—the two volume Spirit of Seventy Six, probably the most comprehensive collection of source material available; a collection of material on the Bill of Rights, and so forth. I would be happy to cooperate in any way with the work of the Commission.

Sincerely yours,
HENRY STEELE COMMAGER.

U.S. CAPITOL HISTORICAL SOCIETY,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., April 21, 1966.

Hon. CHARLES MCC. MATHIAS, JR.,
Cannon Building,
Washington, D.C.

HELLO MAC: Received your good letter of the 8th and thank you for sending me a copy of your bill on calling for the commemoration of the American Revolution Bicentennial Commission.

Based upon my experience with the Lincoln reenactment and the Civil War Centennial Commission I can testify that if this is handled properly with the proper leadership it can again make a great contribution to the better understanding of our history and heritage. When you decide to have hearings let me know and I will make it my business to go there to testify, or be here to testify before your committee and give you the benefit of our experience and be available for any questions that the committee members may have.

Sincerely yours,
FRED SCHWENGEL,
President, Capitol Historical Society.

INSTITUTE OF EARLY
AMERICAN HISTORY AND CULTURE,
Williamsburg, Va., March 29, 1966.

Hon. CHARLES MCC. MATHIAS, JR.,
House of Representatives of the United States, Washington, D.C.

DEAR CONGRESSMAN MATHIAS: I greatly appreciate your joint letter with Congressman MORSE of 17 March with its enclosures. As chairman of the American Historical Association's Committee on the Commemoration of the American Revolution Bicentennial I want to thank you for sending to each member of the Committee a copy of your bill, a copy of the President's message to Congress incorporating a proposed joint resolution, and the comparison of your legislation with that recommended by the President.

I note that there are no substantial differences between your bill and the president's joint resolution in providing for "the production, publication, and distribution of books, pamphlets, films, and other educational material . . ." (Sec. 3. c. 1) and for "bibliographical and documentary projects and publications" (Sec. 3. c. 2).

However, in Sec. 4. c. I feel that in addition to the chairman of each of the three federal agencies listed, the Archivist of the United States representing the National Historical Publications Commission should be included. The NHPC plays an important role in promoting and supporting documentary publication throughout the United States, including the well known editorial projects concerned with the Papers of Jefferson, Madison, Franklin, Hamilton, and the Adamses, and it ought to have an influential part in planning scholarly works of the Revolutionary period.

Furthermore, I believe, for the same reason, that the Archivist of the United States ought to be a member of the Bicentennial Commission (Sec. 2. b. 4). Also, among the "fifteen members from private life" (Sec. 2. b. 5) should be a representative of the American Historical Association and of the Organization of American Historians, the two national bodies of professional historians. Their inclusion would further assure projects and publication of high quality and enduring value.

I hope that hearings will be held and that you will call on my Committee of the AHA for support.

Faithfully yours,
LESTER J. CAPPON,
Director.

AMERICAN PHILOSOPHICAL SOCIETY,
Philadelphia, Pa., March 25, 1966.

Hon. CHARLES MCC. MATHIAS, JR.,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MATHIAS: As a member of the American Historical Association's Committee on the Commemoration of the Bicentennial of the American Revolution, and of a committee of the Society (founded by Benjamin Franklin in 1743) to observe the two hundredth anniversary of the Declaration of Independence, I am especially interested in the texts of the Morse-Mathias Bill and of the proposed Joint Resolution which are now before Congress; and am grateful to you for sending them to me.

You and Mr. MORSE deserve the warm thanks not only of professional historians but of all persons interested in our national history for taking a lead in this matter. The bill you propose, on which it appears the Joint Resolution may in some particulars be modeled, contains several significantly constructive provisions. I should like briefly to comment on two.

The provision that the proposed Commission may recommend the publication of "materials" and "bibliographical projects" is excellent. Without minimizing the importance of celebrations, special exhibits, commemorative stamps and the like, I am certain that the publication of significant source materials and bibliographical tools for the history of the Revolution will be the most lasting contribution the Commission can make. Thirty years ago the George Washington Bicentennial Commission put a handsome reproduction of Gilbert Stuart's Washington into every school room in the land (or so Congressman Bloom claimed); it also sponsored John C. Fitzpatrick's 39-volume edition of Washington's *Writings*, and this work has been the indispensable source for scores of books and articles on the early Republic, and the Commission's permanent, continuing contribution.

I am pleased to see that your bill puts the Librarian of Congress, the Secretary of the Smithsonian Institution, and the Chairman of the Arts and Humanities Council on the Commission. This is a recognition of the historical and scholarly character of the Commission and its work. There is another officer of the Federal Government who, in my opinion, should also be included; he is the Archivist of the United States. As custodian of the official records of the Federal Government, including the papers of the Continental Congress, the Declaration of Independence, and the Constitution, the Archivist should, in my opinion, serve on every historical commission appointed by the Congress, however, limited. Furthermore, as Chairman of the National Historical Publications Commission, the Archivist is deeply involved in planning, advising, and even administering a number of historical enterprises, some of them intimately associated with the Revolution.

As one formerly on the staff of *The Papers of Benjamin Franklin*, now being published by this Society and Yale University, I can testify personally to the indispensable assistance the Archivist and the National Historical Publications Commission gave that project, especially in searching for materials of the Revolutionary period, and similar aid has been received by the editors of the papers of Jefferson, Adams, Hamilton, and Madison. Not to include the Archivist of the United States on the American Revolution Bicentennial Commission is, it seems to me, to deprive the Commission of the knowledge, experience, counsel of the man who preserves the most precious and basic records of the events the Commission will commemorate.

May I again express my appreciation of what you and Mr. MORSE have done and will do to see that the events of 1775–83 are commemorated in an intelligent, dignified, and memorable way. I will be grateful to receive information about the progress of the bill and proposed resolution through committee and Congress; and if ever you believe I can be of assistance in promoting our common cause, you have only to suggest it.

Faithfully yours,

WHITFIED J. BELL, Jr.,
Librarian.

COLONIAL WILLIAMSBURG,
Williamsburg, Va., March 8, 1966.

Hon. CHARLES McC. MATHIAS, Jr.,
House of Representatives,
Washington, D.C.

DEAR MR. MATHIAS: I appreciate very much your sending me House Resolution 12260, which you have introduced to establish the American Revolution Bicentennial Commission. I read your bill and certainly agree with you in its concept of appropriate commemoration of the Revolution. We have been working along these same lines in Virginia and I am enclosing for your information a report of the Virginia Advisory Legislative Council, which, I believe, parallels your own thinking on the subject.

Accept my very best wishes.

Sincerely,

CARLISLE H. HUMELSINE.

GENERAL SERVICES ADMINISTRATION,
NATIONAL HISTORICAL PUBLICATIONS COMMISSION,
Washington, D.C., March 23, 1966.

Hon. CHARLES McC. MATHIAS, Jr.,
House of Representatives,
Washington, D.C.

DEAR MR. MATHIAS: Thank you very much for copies of both your bill (H.R. 12260) and the President's draft joint resolution for the establishment of an American Revolution Bicentennial Commission and also for the very helpful extract comparing the two from the CONGRESSIONAL RECORD. I shall study these carefully both in my capacity as Executive Director of the National Historical Publications Commission (which hopes to plan and promote a program of publishing the most important contemporary documentation) and as a member of the American Historical Association's Committee on the Commemoration of the American Revolution Bicentennial. Any views I may have should perhaps be made known only after consultation with my colleagues and through these organizational channels.

I should like now, however, to commend you for the initiative you have taken. I hope there can be action in this session to establish at least a planning Commission for the Centennial. It is time to get started if published materials are to be ready and not an afterthought as in the case of the Civil War Centennial Commission. I would not suppose extensive hearings would be necessary, but I hope the House Judiciary Committee will take time to listen to the views of professional historians.

Sincerely yours,

OLIVER W. HOLMES,
Executive Director, National Historical Publications Commission.

NATIONAL FOUNDATION ON THE
ARTS AND THE HUMANITIES,
Washington, D.C., March 17, 1966.

Honorable F. BRADFORD MORSE,
Honorable CHARLES McC. MATHIAS, Jr.,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMEN MORSE AND MATHIAS: It is an honor to be consulted by you concerning your bill to establish the American Revolution Bicentennial Commission.

I have read it with care and have only one suggestion to make, a matter of detail: in reference to page 2, lines 19–21, I call your attention to the fact that, at the present time, the Secretary of the Smithsonian Institution and the Chairman of the Federal Council on the Arts and the Humanities are one and the same person, Dr. S. Dillon Ripley.

In my capacity as President of the American Philosophical Society, I have had a part in developing plans for the Society's "Congress of Liberty" to be held in 1976. Enclosed is a general statement of our plans: copies of it were sent, last November, to learned societies and universities throughout the free world.

The American Philosophical Society will provide financing, out of our own resources, for our plans for 1976. Our headquarters, called Philosophical Hall, is located in Independence Square, Philadelphia, a few steps away from Independence Hall. Obviously, considering the close connections both in our membership and in our location with the Declaration of Independence, and considering the fact that ours is a learned society, our Congress of Liberty will have a special character not possible to any other group.

I beg to assure you that the American Philosophical Society will be pleased to be kept in touch with developments in relation to the legislation you have proposed.

With respect, I am,

Sincerely yours,

HENRY ALLEN MOE,
Chairman.

THE LIBRARY OF CONGRESS,
Washington, D.C., March 8, 1966.

Hon. CHARLES McC. MATHIAS, Jr.,
Cannon House Office Building,
Washington, D.C.

DEAR MR. MATHIAS: You and Mr. MORSE were very kind to send me a copy of H.R. 12260, which is now pending before the House Judiciary Committee. I have read the text with interest and have nothing in the way of revision to suggest. I am writing this to Mr. MORSE also.

It will be a pleasure to give whatever assistance we can when the American Revolution Bicentennial Commission is established. I know you are aware that the Library's manuscript collections, and its collections in general, are very rich for this period of our history.

Faithfully yours,

DAVID C. MEARNS,
Chief, Manuscript Division.

BALTIMORE, MD.,
March 23, 1966.

DEAR MR. MATHIAS: Thank you very much for sending me a copy of H.R. 12260, January 24, 1966 to establish the American Revolution Bicentennial Commission. Judge Barnes and I read the bill with appreciation and approbation. I am sure that the National and State Societies will be much interested in the development of plans to implement your bill. Meanwhile, we are very much involved with the celebration of our National Diamond Jubilee.

Very sincerely,

ELIZABETH CHESNUT BARNES.

BALTIMORE, MD.,
April 5, 1966.

DEAR MR. MATHIAS: Regarding your letter and enclosure of February 28th. I appreciate your inclusion of me as a recipient of a copy of your bill, H.R. 12260, and congratulate you on introducing such a bill.

If I come up with any worthwhile suggestions I'll pass them along gladly.

Good luck with your plans.

Sincerely,

ESTHER M. HAGEE.

BALTIMORE, MD.,
May 6, 1966.

Hon. CHARLES McC. MATHIAS, Jr.,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE MATHIAS: The bill to establish the American Revolution Bicentennial Commission is an excellent one in every respect.

The organization is so comprehensive that I can envision the entire nation, states, towns, cities and villages participating in this celebration.

It is a wonderful opportunity for the American people to rededicate themselves to the principles found in the Declaration of Independence.

My one comment is "Bravo for a job well done."

Please accept my apologies for the delay in answering your letter concerning Bill

H.R. 12260 and also my appreciation for initiating this project.

Sincerely yours,

Annette L. Jurgens,
Historian, Maryland State Society, DAR.

The Maryland Society of the
Sons of the American Revolution,
Baltimore, Md., March 28, 1966.

Hon. McC. Mathias, Jr.,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Sir: Congratulations for the information contained in your letter of February 28th, regarding the celebration of the bicentennial of the American Revolution and the two hundredth anniversary of our national commitment to liberty and independence.

Thank you for your interest in the hereditary privileges bestowed upon the descendants of our revolutionary forefathers.

Sincerely,

Joseph X. Harris.

The Maryland Society of the
Sons of the American Revolution,
Baltimore, Md., March 15, 1966.

Hon. Charles McCurdy Mathias, Jr.,
U.S. Representative from Maryland,
House of Representatives,
Washington, D.C.

Dear Mac: Thank you for your letter of February 28th enclosing a copy of H.R. 12260 introduced by you and referred to the Committee on the Judiciary.

I think it very appropriate that you should take the lead in looking forward to some celebration commemorating the 200th anniversary of the American Revolution.

As far as I can see the Bill is all inclusive and should produce the desired results.

Naturally, the Maryland Society of the Sons of the American Revolution is most interested in having such a Bill passed by the U.S. Congress, and I would appreciate your keeping me advised of its progress and what our members can do to help with its passage.

Very best regards.

Sincerely yours,

George S. Robertson.

Mr. MORSE. Mr. Speaker, yesterday the Senate passed Senate Joint Resolution 162, which provides for the establishment of an American Revolution Bicentennial Commission to commemorate the approaching 200th anniversary of the American Revolution.

This resolution closely follows the outlines of legislation introduced on January 24 by my distinguished colleague from Maryland, Mr. Mathias and myself. In addition, the resolution incorporates a number of amendments proposed in Subcommittee No. 4 of the House Committee on the Judiciary by Mr. Mathias on our behalf.

Since January, we have corresponded with a number of the most distinguished historians and officials of historical societies concerning this legislation. The response of these outstanding experts in the field has been most gratifying. A number of suggestions they have made have been incorporated in this amended resolution, proposed by President Johnson in his message of March 10. In fact Mr. Mathias and I noted on March 14 the wide areas of agreement between the administration approach and the one we proposed in January.

After a planning period during which the Commission will have an opportunity to consult with the many individuals and groups who are interested in insuring an appropriate and meaningful commemoration of this historic period, the Commission will prepare a program that might include the production, publication, and distribution of books, pamphlets, and films focusing on the history, culture, and political thought of the period of the American Revolution; bibliographical and documentary projects and publications; conferences; convocations; lectures; seminars and other programs; the development of libraries, museums, historical sites, and exhibits, including mobile exhibits; ceremonies and celebrations commemorating specific events; programs focusing on the international significance of the American Revolution; and the issuance of commemorative coins, medals, and stamps.

A number of groups are already preparing for this 200th anniversary. On the strength of earlier statements by the White House, a Boston group, known as Freedom 75, is already beginning work on a World's Fair that might take place in Boston to commemorate the historic contributions of the area to American freedom. I would hope that the Commission would take this effort into consideration and try to relate its activities to those proposed by the Boston group.

I am delighted that such prompt action has been possible on this important resolution. I urge the House to adopt it unanimously today so that the vital planning process can begin at once. I include several of the letters I have received from distinguished historians and interested individuals commenting on the resolution in the Record following my remarks.

The Adams Papers,
Boston, Mass., March 24, 1966.

Hon. F. Bradford Morse,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Morse: I warmly appreciate your letter enclosing texts of your bill to establish an American Revolution Bicentennial Commission (H.R. 12260), of the White House's proposed joint resolution for the same purpose, and the comparison of them printed in the Congressional Record of March 14, 1966.

As a member of the American Historical Association's Committee on the Commemoration of the American Revolution Bicentennial, and for other good reasons, I of course welcome the action contemplated by these proposals, and I wish to congratulate you and Mr. Mathias on the thought and care with which your bill is drawn.

As the comparison shows, the proposals differ from each other in only a few respects, and most of these are minor. Both aim at and, it seems to me, have the fairest chance to fulfill the chief purpose which the historians of the country are most concerned to see fulfilled, namely dignified and truly instructive observance of the approaching anniversaries, with emphasis on the enduring meaning of the American Revolution both in our own history as a people and in world history. If there is any single lesson borne home by studying past commemorations of this sort, it is that speeches, pageantry, and souvenirs soon fade away and are forgotten, while what remains is the contributions to understanding and knowledge made through publications on both popular and scholarly levels.

At this time I do not wish to take a position on any particular differences between the two proposals, although I will say that the Morse-Mathias bill appears to me to be a little more inclusive, particularly its Section 4, which has no exact counterpart in the Administration text. If asked to state a preference, I would therefore favor the bill over the joint resolution. And I decidedly agree with you that public hearings ought to be held. I would dislike extremely seeing Congress act on so far-reaching a measure without gathering in the best thought that can be contributed. If called on, I would consider it a privilege to testify in favor of this legislation.

Both proposals, it seems to me (and I am sure will seem to all thoughtful historians), have some deficiencies in the make-up and means of designating the membership of the proposed Commission. Let me point these out as I see them.

First, in the designation of the members from private life, it would be much better to follow the language of the American Historical Association's first resolution, which guarantees that at least one member will actually represent that Association on the Commission, and that another will similarly represent the Organization of American Historians, these being the two leading and nationwide bodies that speak for the entire profession.

Second and still more important, the Archivist of the United States should *of course* be a member, by law, of the Commission. It is, in fact, a little preposterous to think of his not being a member, since he is officially charged with the care of the engrossed and signed text of the Declaration of Independence, the original signed manuscript of the Articles of Confederation, and the Papers of the Continental Congress, that magnificent body of the Nation's records for the period 1774–1789 which are the greatest of all existing sources for the study of the American Revolution. On this ground alone his claim to membership is at least equal to those of all but the chief officers of National Government. They are named, I take it, *pro forma*, while the Archivist is bound to be a truly functioning member.

The Archivist has, besides, another very strong claim to statutory membership. He serves, by law, as Chairman of the National Historical Publications Commission. This is the board, with members drawn alike from within and outside the Government, which promotes and helps to plan and support documentary publications throughout the country, including, among many others, the Jefferson, Franklin, Hamilton, Madison, and Adams Papers editorial enterprises now in progress.

Because of its experience and noteworthy accomplishments in this field, the National Historical Publications Commission ought to be expressly named in the proposed legislation. For this purpose the Morse-Mathias bill is more adaptable than the Administration's joint resolution. I would like, therefore, to urge that Section 4(c) of your bill be amended by the insertion, after the word "Humanities" at page 6, line 6, of the words: "and the Archivist of the United States as Chairman of the National Historical Publications Commission."

I thank you for the opportunity to make these suggestions, and I shall be most grateful if I can be kept informed of the progress of this important legislation.

Sincerely yours,

L. H. Butterfield.

Massachusetts Historical Society,
Boston, Mass., February 23, 1966.

Hon. F. Bradford Morse,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Mr. Morse: Thank you very much for sending me a copy of your bill to create a bicentennial commission to remember the American Revolution. I am turning your bill over to the professional historians connected with the Massachusetts Historical Society for study and comment. If you have any questions concerning the American

Revolution which you cannot readily answer by consulting libraries, I hope you will call on us.

With reference to the battles of Lexington and Concord, I believe you could not do better than to consult with our member, David Little, who is quite an expert on the subject. He is resident in Concord.

Sincerely,

Thomas B. Adams,
President.

Massachusetts Historical Society,
Boston, March 1, 1966.

Mr. F. Bradford Morse,
House of Representatives,
Congress of the United States,
Washington, D.C.

Dear Congressman Morse: I am very much interested in your proposed bill to create an American Revolution Bicentennial Commission to plan activities to commemorate the founding of our country. I have read the bill carefully and like very much the points made in it. I particularly like the emphasis on publications. Good documentary publications coming out of a celebration of this kind are extremely useful and are lasting contributions to scholarship.

This Society has a great deal of basic material that would be necessary in any commemoration of the Revolution. We shall be most happy to cooperate with the Commission in any way we can. I shall be ready personally to help whenever you call on me.

On page 4, lines 19 and 20, you stress the development of libraries, museums, historic sites, etc. I should like very much to have more information on this section. I must say that after thirty years in this business, I am constantly amazed at the lack of interest by the federal government in supporting historical societies who preserve records of the past. Although this Society is purely a research society and devotes all of its time to helping scholars, I am told that we would not qualify under the Education Act to receive a grant to enable us to build an addition to our library which we badly need in order to keep on preserving such records. Frankly, we need a champion to help us go on doing the kind of work which seems to me of such importance to all future Americans. When one considers that of one hundred twelve eminent Americans, from earliest to recent times and in every field of endeavor, whose papers the National Historical Publications Commission has recommended for publication, almost one-third are represented in the Massachusetts Historical Society by either the principal collection of their surviving papers or by significant bodies of correspondence, one really wonders why some federal aid should not come to this Society and its sister societies. I make this point for I feel that you will be really interested in it.

Let me repeat that I think your bill is a good one and that I shall be glad to help you in any way I can.

With kindest regards.

Sincerely yours,

Stephen T. Riley.

The Papers of Thomas Jefferson,
Princeton, N.J., April 5, 1966.

Hon. F. Bradford Morse,
The House of Representatives,
Washington, D.C.

Dear Congressman Morse: I am very grateful for your letter of March 17 addressed to me as a member of the American Historical Association's Committee on the Commemoration of the American Revolution Bicentennial. I appreciate your sending me copies of the bills introduced by you and Congressman Mathias and also a comparison between your legislation and that recommended by the President.

I am deeply interested in the proposed legislation and I join many of my colleagues in the historical profession in urging that two important amendments be made, since neither the joint resolution nor H.R. 12260 makes provision for what I conceive to be imperative requirements. The first is that the Archivist of the United States, as Chairman of the National Historical Publications Commission and as custodian of the most significant body of source materials on which all of our knowledge of the Revolution rests, should not only be a member of the Commission but should have a position of central importance in the formulation of its plans and policies.

Further, the two national professional organizations of the teachers and writers of history, the American Historical Association and the Organization of American Historians, should be represented on the Commission. My own feeling, as indicated in the enclosed letter that I have written to the Chairman of the House Judiciary Committee, is that *at least three* members from each of these organizations should be designated as members of the Commission.

With assurances of my respect and genuine concern for this proposed legislation, I am,

Cordially yours,

Julian P. Boyd.

Harvard University, Charles
Warren Center for Studies in
American History,
Cambridge, Mass., April 26, 1966.

Hon. F. Bradford Morse,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Sir: Many thank for your letter of April 6 and for your kindness in sending on the copy of the Morse-Mathias bill, which I read with much interest.

If I can be of any service in situating enactment of this legislation, do feel free to call upon me.

Yours truly,

Oscar Handlin,
Charles Warren, Professor of American History.

American Heritage
Publishing Co., Inc.,
New York, N.Y., April 11, 1966.

Hon. F. Bradford Morse, and Hon. Charles McC. Mathias, Jr.,
House of Representatives,
Washington, D.C.

Gentlemen: Thank you for letting me see your bills regarding the establishment of an American Revolution Bicentennial Commission. In the main I think they are excellent, and I particularly like the emphasis on close cooperation with various learned societies, and on the development of scholarly works.

In any venture of this kind a great deal would depend on the makeup of the Commission itself, and on the capacity of the individual who is chosen to be the principal executive officer. In any case, I am glad that the project is being approached this early, and you are to be commended for your efforts.

Sincerely,

Bruce Catton.

Northwestern University,
College of Arts and Sciences,
Evanston, Ill., March 28, 1966.

Hon. F. Bradford Morse,
House of Representatives,
Washington, D.C.

Dear Congressman Morse: I greatly appreciate the information forwarded to me on the Commission to Commemorate the Bicentennial of the American Revolution. As a scholar with a lifetime commitment to the study of the American Revolution, I strongly support your program to get the bill enacted, and I hope to participate actively in the work of the Commission when it is established.

Sincerely yours,

Clarence L. Ver Steeg,
Professor of History.

University of Pennsylvania,
Philadelphia, April 5, 1966.

Hon. F. Bradford Morse,
Hon. Charles McC. Mathias, Jr.,
House of Representatives, Congress of the United States, Washington, D.C.

Gentlemen: I appreciate very much your letter of March 18 and its enclosures addressed to me as President of the American Historical Association. We of that Association are very keenly interested in a proper celebration of the bicentennial of the American Revolution. I hope that the legislation proposed by you will be given a speedy passage into law. May I commend you for your interest and influence in this important matter.

Sincerely yours,

Roy F. Nichols,
Vice Provost and Dean, President, American Historical Association.

National Foundation on the
Arts and the Humanities,
Washington, D.C., March 22, 1966.

Hon. F. Bradford Morse,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Morse: Thank you so much for giving me the opportunity of reviewing your bill, H.R. 12260 to establish "The American Revolution Bicentennial Commission."

We are in favor of the concepts of this legislation and have only a few minor thoughts to offer:

(1) on page 2, line 21 the word "the" should be inserted before "Humanities"

(2) on page 6, section 5, you might wish to insert language to specify that gifts made to the Commission have a tax-free status, i.e., "to or for the use of the United States." This phrasing appears in section 10(8) of the National Foundation on the Arts and the Humanities Act of 1965.

Should H.R. 12260 be enacted, I wish to assure you that my staff and I stand ready to assist the Commission in any way we can, pursuant to section 4(c) of the bill.

With my best regards.

Sincerely,

Roger L. Stevens,
Chairman.

Harvard College Library,
Cambridge, Mass., April 12, 1966.

Hon. F. Bradford Morse,
House of Representatives,
Washington, D.C.

Dear Mr. Morse: Thanks for sending me the copy of the bill for the American Revolution Bicentennial Commission. I have only a few suggestions to make:

1. Referring to page 3, line 15, I would suggest that you make the limiting date 1775 instead of 1773 so that you will avoid getting into disputes between local patriotic societies about "who fired the first gun," etc.

2. Referring to page 4, lines 11, 12 "the production, publication, and distribution of books, pamphlets." etc., it is a great way to waste money. The Civil War Commission spent thousands of dollars printing pamphlets that were no good and for the most part were simply thrown away. So did the George Washington Bicentennial Commission of 1932. There is an ample amount of literature on the American Revolution available in printed form, and there is no reason for the Commission to go into the publishing business.

The same applies to Line 15, "bibliographical and documentary projects."

3. One useful thing the Commission might do is to establish an information center about the facts of the Revolution. The Civil War Commission was supposed to do that, but when I wrote to them asking some simple question like who commanded the Confederates at the Battle of Silver Spring, they

went into a tizzy and referred me to the Library of Congress.

It would be useful to local societies if you could procure on salary a scholar on the American Revolution who could answer questions or know where to find the answers.

If you are contemplating putting me on the Commission, I wish to decline in advance; my commitments at the age of 78 are so many and onerous that I could not take the time.

Sincerely yours,

SAMUEL E. MORISON.

COLUMBIA UNIVERSITY
IN THE CITY OF NEW YORK,
New York, N.Y., April 13, 1966.

Hon. F. BRADFORD MORSE,
House of Representatives,
Washington, D.C.

DEAR MR. MORSE: Thank you for sending me a copy of the Morse-Mathias bill. I am delighted to see that the planning and coordinating features of your bill and the Administration's proposal are very similar, as I have been in consultation with some of the White House aides in connection with the draft resolution. I had assumed that the administration measure would authorize the Commission to conduct as well as to develop commemorative activities, and my feeling is that this is implied, but perhaps should be spelled out in more detail.

May I add that I think it would be both more dignified and more practical for the Chairman of the Commission to be appointed by the President in accordance with the draft resolution. Election by the Commission would, in my opinion, introduce a political note which should be absent in a national celebration which should transcend all partisanship.

As a specialist in the American Revolutionary period and the author of the recent book *The Peacemakers: The Great Powers and American Independence,* I should be happy to offer such further advice and assistance as you may require. Meantime, every good wish for the enactment of a suitable Bicentennial bill.

Sincerely yours,

RICHARD B. MORRIS.

YALE UNIVERSITY,
New Haven, Conn., March 30, 1966.

Hon. F. BRADFORD MORSE,
Member of Congress,
House of Representatives,
Washington, D.C.

DEAR MR. MORSE: Thank you very much for your letter of March 18 concerning the Morse-Mathias Bill which has my thorough approval and applause. I think the Bill does very well what is needed. The only thing that I would like to see would be the inclusion of the Archivist of the United States included in the first Commission. I think he belongs there as much as the Librarian of Congress—since the Commission should be informed of the historical material held by the National Archives which will provide as much significant material as the Library of Congress.

Personally, being a scholar in European history, I would very much hope that a good deal will be done to familiarize foreign countries with the aims of the American Revolution, and maybe, for this reason, the Director of the United States Information Agency should be brought into the deliberations.

I appreciate very much the information you gave me on the Bill, and I will be ready at any moment to help you with further advice if that should be needed.

With best regards,

Yours sincerely,

HAJO HOLBORN.

Mr. MARSH. I welcome the opportunity to support legislation to recognize the bicentennial of the American Revolution, because we are passing through the bicentennial period that has frequently been called the "golden age" of the American Revolution by historians. This period, from 1763 when the Treaty of Paris ended the Seven Years' War on the continent and the French and Indian War in the Americas to 1775 when the shot was fired at Concord Bridge, brackets the idea years of the American Revolution when its great causes were being defined and debated. I had hoped in the House that distinguished historians and representatives of patriotic organizations might have been able to give us the benefit of their views in hearings—both as to the composition of the proposed Commission and as to the scope of the observance.

In two Congresses, I have urged a recognition of the fact that we were in the bicentennial period of the American Revolution, based on the fact that this movement began more than a decade in advance of the firing at Concord Bridge. My concern has been with the matter of redirecting public attention—particularly among our young people—to the principles which motivated our American revolutionary movement—a movement unique in its time.

The idea of the individual as a free being, subject only to restraints which protected his fellow citizens from harassment or oppression, continues to be a valid principle, even though there have been efforts to subvert it.

While I have no objection to historical pageantry, it would be my hope that the observance of the bicentennial of the American Revolution would concentrate on the principles involved—on a projection to our young people of the ideas which motivated the patriots of the formative years of this Republic.

To this end, I introduced House Joint Resolution 15 last year as a successor to a similar resolution I offered in the 88th Congress. This year following a message to the Congress from the President, and in order to get his proposals before the Committee on the Judiciary of this House, I introduced House Joint Resolution 893.

I have no pride of authorship in any of the resolutions I have offered on this subject, and I am glad to find that this House, finally, is being given opportunity to consider a resolution whereby we might observe not only this great event in our Nation's past, but one of such significance in world history—an event I might add that has great meaning to the cause of freedom in the world of today when we see it challenged by totalitarianism.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the joint resolution just passed and to include extraneous matter.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Colorado?

There was no objection.

TO AUTHORIZE THE ATTORNEY GENERAL TO TRANSFER TO THE SMITHSONIAN INSTITUTION THE TITLE TO CERTAIN OBJECTS OF ART

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2266) to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2266

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is authorized and directed to transfer to the Smithsonian Institution title to the jade, stone, and bronze objects of art consisting of forty-four pieces which were vested in or transferred to the Attorney General pursuant to the provisions of vesting order 18344, dated August 21, 1951.

SEC. 2. After the transfer of title by the Attorney General, the Smithsonian Institution shall have complete discretion to retain, exchange, sell, or otherwise dispose of the objects of art referred to in section 1 in promotion of the purposes for which that Institution was founded.

The Senate bill was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

REORGANIZATION PLAN NO. 5 OF 1966—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 456)

The SPEAKER pro tempore (Mr. ALBERT) laid before the House the following message from the President of the United States which was read, as follows:

To the Congress of the United States:

I am transmitting Reorganization Plan No. 5 of 1966, prepared in accordance with the Reorganization Act of 1949, as amended.

The time has come to recognize the readiness of local governments in the Washington Area to undertake a role which is properly and rightfully theirs. To that end, I am submitting a reorganization plan to abolish the National Capital Regional Planning Council.

Comprehensive regional planning is vital to the orderly development of our metropolitan areas. Nowhere is it more important than in the National Capital Region.

To be most effective, regional planning must be a responsibility of the area's State and local governments acting together to solve mutual problems of growth and change. It should not be a Federal function, although the Federal Government should support and advance it.

The need for cooperative planning was recognized years ago in the National Capital Region. The establishment of the National Capital Regional Planning

Council in 1952 to prepare a comprehensive development plan was a major step in meeting that need.

However, the Council was designed for conditions which no longer exist. It was established by Federal law as a Federal agency financed by Federal funds because the various local jurisdictions then felt they were not in a position to provide the financing necessary for area-wide comprehensive planning.

The situation that existed in 1952 has been changed by two major developments:

The founding of the Metropolitan Washington Council of Governments; and

The inauguration of a nationwide urban planning assistance program, commonly referred to as the "701 Program."

The Metropolitan Washington Council of Governments, established in 1957, is a voluntary association of elected officials of local governments in the area. It has a competent professional staff and has done constructive work on area-wide development matters. It had a budget of nearly a quarter of a million dollars for fiscal year 1965, mostly derived from local government contributions, and has developed to the point where it can fully carry out the State and local aspects of regional planning.

The urban planning assistance program provides for Federal financing of two-thirds of the cost of metropolitan planning. The National Capital Regional Planning Council, as a Federal agency, is not eligible for assistance under this program. The Metropolitan Washington Council of Governments, however, became eligible for that assistance under the terms of the Housing and Urban Development Act of 1965. Accordingly, the elected local governments of the National Capital Region have declared their intention of undertaking the responsibility for area-wide comprehensive planning through the Council of Governments.

The reorganization plan will not alter the basic responsibilities of the National Capital Planning Commission. That Commission will continue to represent the Federal interest in the planning and development of the Region. Indeed, its work should increase as comprehensive regional planning by the Council of Governments is accelerated. In accord with the reorganization plan, the Commission will work closely with the Council of Governments in regional planning. The Commission will also deal directly with the suburban jurisdictions and assume the liaison functions now exercised by the National Capital Regional Planning Council.

The reorganization plan will improve existing organizational arrangements of and promote more effective and efficient planning for the National Capital Region.

It will also result in long-range savings to the Federal Government. The regional planning effort of the Council of Governments is supported in part by local contributions. The same work done by the National Capital Regional Planning Council has been supported totally with Federal funds. The plan will eliminate this overlapping effort.

Annual savings of at least $25,000 should result from the reorganization plan.

The functions to be abolished by the reorganization plan are provided for in sections 2(e), 3, 4, 5(d) and 6(b) of the Act approved June 6, 1924, entitled "An Act providing for a comprehensive development of the park and playground system of the National Capital" (43 Stat. 463), as amended (66 Stat. 783, 40 U.S.C. 71a(e), 71b, 71c, 71d(d), and 71E(b)).

I have found, after investigation, that each reorganization included in the accompanying reorganization plan is necessary to accomplish one or more of the purposes set forth in Section 2(a) of the Reorganization Act of 1949, as amended.

I recommend that the Congress allow the reorganization plan to become effective.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 29, 1966*.

The SPEAKER pro tempore. Without objection, the message, together with the accompanying papers, is referred to the Committee on Government Operations and ordered to be printed.

There was no objection.

THE LATERAL SEPARATION PROCEDURE FOR AIRPLANES ON TRANSATLANTIC FLIGHTS

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from New York [Mr. KUPFERMAN] is recognized for 30 minutes.

Mr. KUPFERMAN. Mr. Speaker, I take this opportunity to raise the question in this body of the current dispute concerning the reduction from 120 to 90 nautical miles in the width of air corridors assigned to airplanes flying above 29,000 feet. This 90-mile separation pattern of spacing jets for transatlantic traffic was directed by the Federal Aviation Agency on January 13, 1966.

The purpose of reducing the width of the airlanes from 120 to 90 nautical miles was to permit the lanes to handle more traffic at peak hours on the world's busiest international air route.

The Federal Aviation Agency informs me that this reduction was agreed to at a special North Atlantic meeting of the International Civil Aviation Organization. The meeting, which began on February 23, 1965, and ended March 20, 1965, was held in Montreal, Canada.

The proposal was based on a 4-year study called Project Accordion. It consisted of data obtained from aircraft flight logs, pilot reports, and radar sightings covering approximately 5,000 flights undertaken by airplanes from 14 airlines.

The following countries and international organizations attended the special North Atlantic meeting and subscribed to the 90-mile lateral separation proposal: Australia, Belgium, Canada, Cuba, Czechoslovakia, Denmark, France, Germany, Iceland, Ireland, Israel, Italy, Japan, Mexico, Netherlands, Nicaragua, Norway, Portugal, Spain, Sweden, Switzerland, United Kingdom, and the United States.

International organizations were:

European Organization for the Safety of Air Navigation—Eurocontrol.

International Airline Navigators Council—IANC.

International Aircraft Owners and Pilots Association—IAOPA.

International Air Transport Association—IATA.

International Federation of Air Line Pilots' Association—IFALPA.

International Telecommunications Union—ITU.

World Meteorological Organziation—WMO.

International Radio Air Safety Association—IRASA.

The nature and content of the 90-mile lateral separation agreement reached at the meeting of the International Civil Aviation Organization and subscribed to by the above parties was recorded under item 6, sections 6i–1.3.12 and 6iii–1.1.12 in the 1965 Special North Atlantic Conference Report.

The provisions of the agreement are set forth below:

LATERAL SEPARATION BETWEEN TURBOJET AIRCRAFT

6i–1.3.12 Following a number of statements by delegates and a brief discussion, the Committee by a majority decision agreed that in the CTAs Gander Oceanic, Lisboa Oceanic, New York Oceanic, Reykjavik, Chanwick Oceanic and Sondrestrom (south of 70° N) 90 NM lateral separation should be applied between turbo-jet aircraft operating on parallel tracks. This decision was based on views that observations of the accuracy with which aircraft navigate in the North Atlantic area demonstrated a constant improvement in the performance of the navigation function throughout each successive recent year. On this basis it was considered reasonable to assume that the nagivational capability feasible today was sufficient to permit an immediate reduction of lateral separation to 90 NM. The Committee was informed, however, that it was the opinion of Ireland and the United Kingdom that although the results of the observations were encouraging and that, with the application of improved navigational techniques, a reduction to 90 NM might prove to be acceptable, the feasibility of such a reduced minimum had so far not been conclusively demonstrated. It was their considered opinion that until the practicability of this reduced standard was demonstrated, it would be unsafe to reduce below the current 120 NM standard. It was therefore agreed that operators would make a concerted effort, between the end of this meeting and the time the new lateral separation standard can be applied in accordance with established procedures, to make available to Ireland and the United Kingdom such additional data as to make it possible for them to confirm the feasibility of the recommended separation.

6iii–1.1.12 The Committee was informed that the objections previously expressed had been withdrawn in the light of actual operational experience. It was agreed, therefore, that only minor changes needed to be made to the proposed amendment to reflect conclusions reached under Agenda Items 6i) and 6ii) regarding the use of 90 nautical miles lateral separation south of 70°N and the need to clearly define boundaries and ATS routes either as great circles or rhumb lines.

The FAA stated that it gave its approval to the 90-mile lateral separation procedures only "after determining that the present state of the navigational art permitted the reduction without any effect on safety."

Strong opposition to the new 90-mile lateral spacing was voiced by the International Federation of Airline Pilots. The Federation has undertaken to represent the opinion of 26,000 pilots in 46 countries. I refer to their paid advertisement in the February 25, 1966, edition of the New York Times, which follows:

> Attention Airline Passengers—A Recent Drastic Change in Airplane Separation Procedures Over the Atlantic Ocean Exposes the Flying Public to a Serious Risk of Midair Collision—Here Are the Facts
>
> Basically, there is a problem of congested airlanes during peak traffic periods over the ocean. The Federal Aviation Agency's and the airlines' answer to this problem is to space planes closer together.
>
> The airline pilots strongly object to this. Their experience clearly indicates that present navigational devices are totally inadequate to safely reduce the lateral separation of airliners while operating over the ocean. Flight safety is the only issue here. We, the pilots, cannot accept lower safety standards to solve a problem.
>
> We have exhausted all avenues to resolve this problem. This notice, paid for by the airline pilots, is for the purpose of obtaining your help to avoid a possible disaster. This position is strongly supported by the International Federation of Airline Pilots Associations. We request that you write or wire your Senator or Congressman now and urge the following:
>
> (1) An immediate suspension of the described separation order until such time that the problem can be solved without increasing the risk of a mid-air collision.
>
> (2) An immediate investigation of the Federal Aviation Agency's arbitrary reduction of lateral separation on the Atlantic.
>
> Air Line Pilots Association.
>
> 9131 Queens Blvd., New York, N.Y.

Both the FAA and the Airline Pilots Association claim the sole issue in the dispute over the reduced lateral separation procedures, is the question of the safety margin produced by the reduced airlanes of traffic.

The Pilots Association has attacked Project Accordion as being basically unreliable. They maintain that: First, the compiled data was taken from navigational log books and was not always consistent with radar sightings taken from the ground. Second, the crews were aware that their reports were to be analyzed hence causing optimistic evaluations; and third, that not all airlines and no military flights were studied.

The Pilots Association, upon the completion of their own study, concluded that the 25-percent reduction in the width of the airlanes "removes the safety cushion and that there is considerable evidence that it will appreciably increase the possibilities of midair collisions."

Mr. Speaker, the technical statistics presented by both sides in this controversy have become the foundation upon which both the FAA and Airline Pilots Association support their position on the question of assurance of safety to the public. Open hearings before the FAA on this matter began on April 18, 1966, and ended on June 10, 1966. The result of the hearings was the reinstatement of the 120 nautical mile spacing pattern.

The FAA announced that the return to 120 miles was prompted by technical reasons and that their ruling could be changed any time in the near future.

I am happy that the dispute has been settled, even if only on a temporary basis, but I feel the end result must be a separation procedure that will assure the public there is a guarantee of safety, which can support and maintain their confidence in air travel over the Atlantic.

I understand that a plan was considered during the hearings which would employ a diamond pattern spacing of the jets. Under this proposal the narrower airlanes were to be retained, but flights would be staggered in adjacent lanes so that the angular distance between them—based on the points of the diamond—would be much greater than 90 nautical miles.

In light of the FAA's decision to return to the 120-mile spacing pattern, this diamond shape pattern suggestion has been rendered moot at the present time. However, as the number of flights over the Atlantic steadily increase, the FAA may be forced once again to give this proposal their serious consideration.

We all share a desire for safety which demands that we give these developments our close attention. The public must be thoroughly informed in this matter.

Our prime objective must be to prevent them from being cast in a shadow of insecurity, with their confidence in our air system impaired.

At least in the interim, continuation of the old pattern eliminates safety doubts, all doubts as to course of action must be resolved in favor of safety.

FEDERAL DISASTER RELIEF

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. Roush] is recognized for 1 hour.

Mr. ROUSH. Mr. Speaker, I rise to bring to the attention of the House my deep concern about a critical problem which has not been corrected by Federal legislation. This is the problem of Federal disaster relief and the availability of that relief to areas of the United States designated as major disaster areas by the President.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. ROUSH. I am happy to yield to my colleague.

Mr. BRADEMAS. I want to commend my colleague, the gentleman from Indiana for having taken this special order to enable us to address our colleagues in the House with reference to this most pressing problem that affects our own State of Indiana as well as other parts of the country.

I remember very well the Palm Sunday tornado that struck the State of Indiana particularly because it hit the northern part of the State which I have the honor to represent. Indeed, the tornado was so damaging in its effect that the President of the United States himself, together with a number of officials from the executive department of the Government, as well as Members of Congress from our own State of Indiana and other States which were damaged by the tornado, all personally visited the area.

Mr. ROUSH. I thank my colleague for his contribution to the discussion of this very important problem.

I want to emphasize that natural disasters show no preference for certain parts of our Nation. Statistics indicate that since January 1, 1964, over 55 regions in the country have been declared "national disaster areas" by the President. This can be translated into a total of 207 different congressional districts which have suffered from severe weather conditions.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. ROUSH. I yield to the gentleman.

Mr. BRADEMAS. Can the gentleman give us some specific examples that would make more concrete some of the impressive statistics that he has just cited?

Mr. ROUSH. Let me cite a few examples to demonstrate the extent of disaster damage: March 17, 1964, severe flooding in the 1st District, Vermont; March 24, 1964, severe storms and flooding 2d District, Arkansas; April 22, 1965, flooding in 5th District, Iowa; September 10, 1965, Hurricane Betsy, 7th District, Louisiana; December 7, 1965, heavy rains and flooding, 33d District, California; April 14, 1965, tornadoes and severe storms, 13th District, Ohio.

Mr. Speaker, these are only a few examples of major disasters, declared since 1964, and I respectfully request permission to insert the entire list into the Record at the end of my remarks.

There is, of course, no assurance, that the remaining congressional districts will escape a natural disaster in the future and, indeed, disasters in all 435 congressional districts are within the realm of possibility.

Mr. BRADEMAS. I would like to note at this point that the problem to which we are addressing ourselves is that we in this Congress should not simply be put in the position of voting legislation to meet the needs of each national disaster as it is declared. In other words, the question is how we can update our entire Federal disaster relief program. Widespread concern for needed revision of present programs is indicated by the large number of our colleagues who have introduced legislation on Federal disaster relief. Thirty-five Members on both sides of the aisle have submitted bills.

In the case of Indiana, the gentleman in the well [Mr. Roush], and I have both endeavored to take a long-range view of the problem and have, therefore, introduced bills which would authorize an omnibus disaster relief plan on a permanent basis for the Nation as distinguished from ad hoc special bills.

Mr. ROUSH. The gentleman is correct. We are taking this opportunity to demonstrate for our colleagues the advantages of such an omnibus disaster relief bill. It is our purpose here today to show how bills such as S. 1861, originally introduced by Indiana's junior Senator Birch Bayh, and cosponsored by 40 other Senators, H.R. 11027, submitted by our esteemed Democratic Whip [Mr. Boggs]; H.R. 9885, sponsored by the distinguished chairman of the Interior and Insular Affairs Committee [Mr. Aspinall] and our respective bills, H.R. 7964 [Mr. Roush] and H.R. 8069 [Mr. Brademas] would greatly improve the system of aid for disaster victims.

These bills are now pending in the Public Works Committee. In order to avoid using all the numbers assigned to this omnibus disaster relief bill, we will be discussing provisions included in S. 1861 as it was reported out of the Senate Public Works Committee, passed by the Senate, and submitted to the House on July 26 of 1965. Specifically, we want to explain what is new in the disaster relief authorization of S. 1861.

Mr. BRADEMAS. I wish to stress the importance of the gentleman's point that this is an omnibus bill. The frequent natural disasters of the past 2 years have clearly demonstrated the need for a comprehensive approach to disaster relief. These natural disasters have largely been met by stopgap measures, created either by Executive order or piecemeal emergency legislation. There is, therefore, a very pressing need for some kind of permanent governmental machinery for aiding the victims of disasters.

I might say in this connection legislation is particularly needed for aid to private individuals as distinguished from public or governmental units.

Mr. ROUSH. I would like to point out to my colleagues that section 2 of S. 1861 would authorize standby authority for Federal aid to national disaster areas. This authority would be automatically activited as soon as the President designated any part of the country a major disaster area.

It should be emphasized that all of the provisions of S. 1861 would go into effect only after the President had made such a designation. At present the basis of Federal disaster relief programs is Public Law 875, which has proven to be wholly inadequate.

This has been made clear by the fact that special legislation must still be introduced each time disaster strikes a particular part of the Nation. Taking such a limited bill through the legislative process does, of course, create a very serious time lag in making aid available. All too often, as with justice, disaster aid delayed is disaster aid denied.

Furthermore, these special bills are restricted to one particular disaster in one particular area. No provisions are made in case disaster should strike in the same area again or in another area of the country.

Mr. BRADEMAS. Mr. Speaker, I should like now to join my colleague in explaining some of the major features of S. 1861.

First, I wish to say a word about section 3.

The purpose of this section is to provide relief to individuals, groups, or businesses, having loans made by the Rural Electrification Administration, the Housing and Home Finance Agency, and the Veterans' Administration. Under the proposed bill, the relief would be provided through refinancing or readjustment of principal and interest payment schedules, and extensions of maturity dates to allow relief for the economic sufferings of extreme financial hardship which would result from impairment of economic feasibility in the absence of such relief. My colleague and I would now like to explain the purposes of the various sections.

Mr. ROUSH. Section 3(a) of S. 1861 would authorize readjustments in the individual loans granted by the Rural Electrification Administration. The REA would be able to readjust loans by extending the maturity date "not beyond 40 years from the dates of such loans."

In addition, S. 1861, under section 3(a) would add authority for the REA to make loan adjustments when the "economic feasibility" of a system that is financed by REA is damaged. For example, although the basic physical facilities of a farm co-op organization might not be damaged by a tornado, the property of co-op customers might be destroyed. Therefore, although the co-op itself might escape physical damage, its ability to repay an REA loan would be greatly decreased, and, under the present legislation, it could not secure a loan readjustment. Under section 3(a), however, the co-op would be able to secure a loan readjustment because its capacity for economic growth had been damaged.

Mr. Speaker, let me reiterate that a comparison of the authority granted to REA in S. 1861 with authority presently granted indicates two important changes. First, REA can presently extend loan maturity only to 30 years. S. 1861, section 3(a) would increase this time limit to 40 years. Secondly, the provision for loan readjustment in case of damage to the economic feasibility of a system, gives entirely new authority to REA.

Mr. BRADEMAS. The next Federal agency which would receive new authority under S. 1861 is the Housing and Home Finance Agency of the Housing and Urban Development Department. In section 3(b) of S. 1861, the HHFA is authorized to refinance loans held by individuals affected by a major disaster. At present, HHFA can refinance loans to individuals after disasters strike. However, HHFA cannot currently grant a moratorium; that is, a suspension of payment on such loans. Under S. 1861, section 3(b), the HHFA could extend the maturity of the loans from 30 to 40 years, and declare moratoriums of up to 5 years.

S. 1861, section 3(c) would authorize the Veterans' Administration to refinance loans by granting new authority with regard to loan conditions. At present, the Veterans' Administration cannot grant a moratorium on loan repayments. But in section 3(c), of S. 1861, a moratorium of up to 5 years could be granted "to avoid severe financial hardship." Again, as in the case of the Housing and Home Finance Agency, regulations such as reducing the refinancing rate to not lower than 3 percent per annum, and providing a maturity of up to 10 years are specified rather than left to the discretion of the agency.

I may say in this connection that very often some of the agencies do feel they have authority to make some of these modifications of loans, but their latitude is so great in determining after each disaster whether or not individuals qualify for such loans, that it is the feeling of the authors of this bill that the rules and regulations should be more clearly spelled out in advance.

Mr. ROUSH. I would like also to say that the conditions for refinancing loans which would be authorized in sections 3(a), 3(b), and 3(c) of S. 1861 are applicable for those individuals who have taken a loan with a Government agency before they suffer property loss during a disaster. Refinancing such loans after a disaster is important because individuals find themselves burdened with great debts in addition to those they already have.

The other parts of section 3 of S. 1861 are designed to make loans available to individuals only after they suffer property damage and hardship due to a "natural disaster." Two agencies are involved in this aspect of loan programs. They are the Small Business Administration and the Farmers Home Administration. Both sections 3(d) and 3(e) carry the important stipulation that loans can be granted "without regard to whether required financial assistance is otherwise available from private sources." This means that a person does not have to prove to the agency that he might be a poor credit risk for private financing. The agencies claim that they often waive this requirement even now. But S. 1861 would spell out this waiver to protect the individual.

I wonder if my colleague would care to comment on the SBA loan provision?

Mr. BRADEMAS. Yes. The Small Business Administration, under section 3(d) of S. 1861 would be authorized to make loans under this program of up to $30,000 for a homeowner or $100,000 in the case of a business concern.

Mr. ROUSH. I thank my colleague.

Section 3(e) of S. 1861 would authorize a new provision wherein farmers could obtain from the Farmers Home Administration an emergency loan of up to $30,000 to repair farm homes or damaged buildings. This is a new authority for FHA. It is necessary because of past experience of farmers who were caught in a disaster area. After the April 1965 tornadoes in Indiana, many Hoosier farmers applying for FHA disaster loans found they were ineligible for such loans unless they could demonstrate that their credit needs could not be met by another type of FHA loan or a private loan. Many families were forced to take private loans at interest rates as high as 5 percent to rebuild their facilities. All too often, no aid has been available to individual homeowners and small farmers who lose everything except their debts in such a disaster. S. 1861 would remedy this injustice.

Mr. BRADEMAS. Mr. Speaker, I should now like to comment on section 4 of the bill, which provides grants to States for assistance to homeowners and businesses.

Section 4 of S. 1861 introduces a new approach to disaster relief aid. It establishes a program by which the Federal Government, the State government, and the individual homeowner or business owner all share the costs of restoring or replacing real property destroyed or damaged in a natural disaster. Under this cost sharing plan, the Federal Government provides up to 50 percent of the cost, and the State government and the individual each contribute 25 percent.

There are two steps to establishing this grant program. Section 4(B)(1) authorizes the Office of Emergency Planning to make grants to any State in an amount not to exceed 50 percent of the cost of developing a State program of disaster relief. A ceiling of $250,000 is set on the Federal contribution for the developing of such a program in any one State. Then, section 4(B)(2) authorizes the Office of Emergency Planning to make grants to any State, on the basis of an approved State plan, in an amount not to exceed 50 percent of the cost of carrying out such a plan. No ceiling is set upon the Federal contribution for carrying out such plans.

It is quite possible that some States will not develop approved disaster plans before a disaster strikes. Under the provisions of section 4, however, a State is still eligible to participate in the grant program if it develops such a plan at any time during the period that a disaster is declared. It should be noted that such declarations are frequently extended by the President beyond the normal 1-year limit.

Individual homeowners and owners of business concerns must have real property damage in excess of 5 percent of the total value of their property or in excess of $100 to qualify for a grant. They must agree to match the 25-percent State contribution as well. The maximum amount of loss to be covered by such grants is set by section 4(C)(4) of S. 1861 at $30,000 in the case of a homeowner and $100,000 in the case of a business concern.

Section 4(E) sets limitations on eligibility for receiving grants. No grant may be made for any loss for which private insurance is available and collectible in a State at reasonable rates. "Collectible" is used to describe the insurance benefits because in a disaster area frequently a small insurance company is unable to meet the many claims upon it. In such a case, insurance is available at reasonable rates, but is not "collectible." Such a homeowner or businessman could still qualify for a grant under the provisions of this section.

Section 4(E) also provides that no grant shall be made to any public agency or organization for property losses. Further, no grant may be made for any loss in a State which does not have approved flood-plain zoning controls or other similar preventive measures in force. "Flood-plain zoning controls" is a general term applied to the full range of codes, ordinances, and other regulations designed to control land use and construction within channel and flood-plain areas. The term encompasses zoning ordinances, subdivision regulations, building and housing codes, encroachment line statutes, open area regulation, and other similar methods of control affecting the use and development of such area. S. 1861 would thus have the desirable feature of encouraging States to minimize future disaster losses by adopting such preventive measures. For example, in the special Alaskan relief bill, measures had to be included to prevent the reconstruction of improvements in areas obviously subject to further sliding and earthquake damage.

The cost sharing plan is a venture in "creative federalism" for it is up to the States to develop and administer comprehensive disaster relief programs. It is not simply a Federal handout but a program for emergency relief through which the cost of disaster is shared by the Federal Government, the State government, and the individual.

Mr. ROUSH. Another very important section of the bill deals with shelter for disaster victims. This is section 5.

By this provision of the bill, the President, through the Office of Emergency Planning, is authorized to provide dwelling accommodations for any individual or family. These accommodations may be acquired by lease or by purchase of real estate if necessary. Rents may be adjusted for up to 12 months. In no case will an individual pay more than 25 percent of his monthly income for rent.

Mr. BRADEMAS. Mr. Speaker, section 6 of the bill deals with FHA-insured disaster loans.

This section amends the National Housing Act so that disaster victims qualify for the same assistance now available to low and moderate income families and to those families displaced from urban renewal areas as a result of governmental action.

Mr. ROUSH. Mr. Speaker, another section again dealing with problems of the farmer is section 7.

The purpose of this section is to authorize grants, made available by the Secretary of Agriculture, to farmers for the purpose of clearing debris, restoring land to cultivation, or restoring livestock destroyed in a disaster. The grants are not to exceed two-thirds of the loss with a maximum of $10,000 allowed in the case of any farmer. The experience of the Indiana farmers last spring demonstrates the great need for more adequate farm rehabilitation programs. At the present time grants for private property damages are available only for clearing debris which constitutes a "public health hazard." In Indiana, this meant that the farmers were left with the difficult burden of rebuilding fences, clearing their fields of debris, and replacing livestock damaged by the tornadoes.

Mr. BRADEMAS. Mr. Speaker, section 8 of the bill deals with disaster warnings.

This section authorizes the Secretary of Defense to use the facilities of the civil defense communications system for warning local communities endangered by imminent natural disasters. Although some States now have a working relationship with civil defense officials, this section provides official authorization to develop a uniform and readily understood warning system.

Mr. ROUSH. Mr. Speaker, section 9 deals with assistance to unincorporated communities. I believe there are many States which have small communities which for one reason or another have not incorporated.

S. 1861 would also amend the Federal Disaster Act to make such unincorporated communities eligible for assistance. Currently, only "public bodies" come under that act. S. 1861 would enable public or quasi-public groups to qualify for loans or 50-percent grants for the development of waste disposal systems and other such facilities.

Mr. BRADEMAS. Mr. Speaker, I just want to say a word about section 10 of the bill, which has to do with elementary and secondary school assistance in disaster areas.

At the time this bill was first introduced, there was a need for legislation in this area. It has taken so long to take action on this bill, however, that the provisions of this section have in the meantime been included in another bill which was enacted into Public Law 89-313. There is no reason, then, to include this section in the final bill.

Now, Mr. Speaker, I want to address myself to a very important portion of this bill, sections 11 and 13(b), which deal with highway assistance in disaster areas.

S. 1861 would bring needed changes to the existing arrangements for Federal disaster relief to highways and other public works. Section 11 would increase the Federal share of the cost of repair or reconstruction of Federal-aid highways damaged in a disaster. In the 12 Western States and Alaska, the Federal share of damage costs to Federal-aid highways is determined by a sliding scale, that is, by a variable rate based on the area of non-taxable Indian lands and certain federally owned lands within the State. In the remaining 37 States, the Federal contribution to the cost of disaster repair is 50 percent. The Federal Government is now authorized to provide 100 percent of the cost of disaster repairs only in the case of damage to forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads. In many disasters, such as the eastern Colorado floods of last spring, Federal, State, county and local roads have been destroyed or damaged. The revenue of many communities has been severely taxed to repair the highways for which they have full local responsibility. Because of these obligations, it has been extremely difficult for these communities to then meet their matching share of the cost or reconstruction of Federal-aid highways. S. 1861 would help to alleviate this burden.

This section also specifies that funds allocated in this section are to come from the general fund of the U.S. Treasury, and are not to exceed $50 million a year. This means that disaster funds are not to be taken out of the highway trust fund, as has happened in the past. No longer will disaster relief deplete the source for new highway construction.

In section 13(B), the Federal Government is further authorized to contribute such sums as may be necessary to repair, restore, or reconstruct any public roads or bridges which are not qualified to receive aid under existing programs; that is, those which are not Federal-aid highways. The Director of the OEP may authorize expenditures of up to 100 percent of the cost of such repairs. This provision will enable those communities devastated by disasters to repair those local roads and bridges which are not federally aided.

Mr. ROUSH. Mr. Speaker, I would like to comment very briefly upon authorizations for public works expenditures.

Funds are authorized in this section to repair, restore and reconstruct any project complete or under construction for flood control, navigation, irrigation, reclamation, public power, sewage treatment, water treatment, watershed development or airport construction which has been damaged as the result of a major disaster, and which has been specifically authorized by act of Congress.

Now that we have covered the major provision of S. 1861, we want to emphasize the importance of making relief immediately available to disaster victims. Although no one expects to have a major disaster occur in his own district, we must be prepared for that possibility.

And, I might say when one does occur in your district you are shocked by it. You immediately seek ways and means of relieving the distress of those people who are affected.

Since October of 1965 alone, there have been nine major disaster areas designated by the President in such States as California, Georgia, Minnesota, North Dakota, Arizona, Texas, and most recently, Kansas. Each area soon realized that additional legislation was needed to bring in enough assistance. Unfortunately this meant that each time it was necessary to study past legislation, formulate a new bill, hold special hearings, and bring the bill to both Houses of Congress. My distinguished colleague from Colorado [Mr. ASPINALL], testified before the Public Works Committee of the House that by using such special legislation as a model in formulating an omnibus disaster bill, "we can eliminate the time-consuming need for individual action each time a disaster occurs."

A permanent plan, applicable whenever a disaster area is declared, would make relief immediately available.

Mr. BRADEMAS. Mr. Speaker, as the gentleman from Indiana [Mr. ROUSH] has suggested in his remarks, in the past there have been long delays between the time disaster struck and relief became available. Mr. E. Lee Feller, president of Alliance Associates and resident of Coldwater, Mich., reported last October to the House Subcommittee on Flood Control:

> Despite the expressions of sympathy of President Johnson and the declaration of the area as a disaster area, very little practical relief actually has yet been received by individual victims of this disaster. Considerable county debris clearance was finally done by the OEP after almost 3 months delay, and then only after considerable congressional intercession.

This is the very situation we seek to avoid in S. 1861.

I might add that our distinguished colleague from California, Congressman HAROLD JOHNSON, said that after California had suffered severe storms and flooding in December 1964, it took from January 4 until late in June of 1965 to pass needed additional legislation. When a person's entire home or business has been destroyed, clearly such delays become unbearable.

Mr. ROUSH. Mr. Speaker, I am sure my colleague will join with me in emphasizing that this bill is not a general extension of Federal aid to States or individuals. Rather, S. 1861 authorizes assistance which becomes available only on designation by the President of a major disaster area. When a tornado or flood devastates a community, no one wants to wait months for critically needed legislation. And often, in the rush, such legislation is too hastily formulated or applies only on a short-term basis. S. 1861 would make Federal disaster relief available immediately and to those who suffer most. It allows for extensive "creative federalism" under the grant or cost-sharing programs. It gives us an opportunity to construct the most effective program of emergency relief by planning now for the entire Nation rather than having to rush through a hastily written law for a particular area.

Mr. BRADEMAS. I think it is appropriate here, Mr. Speaker, to observe that the frustration caused by lengthy protraction of the legislative process is demonstrated by S. 1861 itself. When it was introduced in the Senate in the spring of 1965, sponsors felt a "retroactive" clause would not be necessary. However, over a year has passed, and although the President can extend the length of time an area is considered a "disaster" area, we feel that a retroactive section would greatly strengthen the bill. Specifically, the bill, we suggest, should apply retroactively to October 3, 1964, the last legislative day of the 88th Congress. This date was recommended by the Bureau of the Budget in order to cover the period from that date until the start of the present 89th Congress.

Mr. ROUSH. Mr. Speaker, I want to thank my colleague, the gentleman from Indiana [Mr. BRADEMAS], for joining in discussion of this very important legislation. His interest in the legislation has been constant since the time of the devastating tornadoes in Indiana. I am very grateful for his contribution to the legislation and to the effect that this contribution has had and will have on our districts.

We hope that our colleagues will realize the importance of this bill, will realize how many people it may affect in the future, as it could have helped in recent months, and will realize the need to bring such disaster relief legislation into effect as soon as possible.

Mr. BRADEMAS. Mr. Speaker, I want to express my own appreciation to the gentleman from Indiana [Mr. ROUSH] and to voice the gratitude of the citizens of my area who have suffered from the disaster that afflicted northern Indiana.

We want to make very clear to the gentleman from Indiana that we are all grateful for the splendid leadership that he has shown in urging speedy legislative action on this very important measure.

Natural disasters declared by the President, Mar. 17, 1964, to June 29, 1966

Contract No.	Date of declaration	Type	State	Congressional districts
	1964			
162	Mar. 17	Severe storms and flooding	Indiana	7th. 8th. 9th.
163	do	do	Kentucky	1st. 2d. 3d. 4th. 5th. 6th. 7th.
164	do	Flooding	Vermont	1st.
165	Mar. 20	Severe storms and flooding	West Virginia	1st. 4th.
166	Mar. 24	do	Arkansas	1st. 2d. 3d. 4th.
167	do	do	Ohio	1st. 2d. 3d. 4th. 5th. 6th. 7th. 8th. 9th. 10th. 11th. 12th.
	1964			
167	Mar. 24	Severe storms and flooding	Ohio	13th. 14th. 15th. 16th. 17th. 18th. 19th. 20th. 21st. 22d. 23d.
168	Mar. 28	Earthquake	Alaska	At large.
169	Apr. 1	Seismic sea waves	California	1st.
170	May 26	Drought	Puerto Rico	
171	June 8	do	Virgin Islands	
172	June 9	Excessive rainfall and flooding	Montana	1st. 2d.
173	July 8	Severe storms and flooding	Missouri	4th. 5th. 6th. 7th. 8th. 9th. 10th.
174	July 20	do	Nebraska	1st. 2d. 3d.

Natural disasters declared by the President, Mar. 17, 1964, to June 29, 1966—Continued

Contract No.	Date of declaration	Type	State	Congressional districts
175	*1964* Sept. 8	Hurricane Cleo	Florida	3d. 4th. 5th. 6th. 7th. 11th.
176	Sept. 10	Hurricane Dora	do	2d. 5th. 8th. 9th. 11th.
177	do	do	Georgia	1st. 2d.
178	Oct. 3	Hurricane Hilda	Louisiana	1st. 2d. 3d. 6th.
179	Oct. 13	Severe storms and flooding	North Carolina	1st. 2d. 3d. 4th. 10th. 11th.
180	Nov. 4	Flooding	Georgia	9th.
181	Dec. 10	Typhoon Louise	Trust Territory of the Pacific.	
182	Dec. 18	Severe winter storm	Montana	2d.
183	Dec. 24	Severe storms, heavy rains and flooding.	California	1st. 2d. 3d. 4th. 15th.
184	do	do	Oregon	1st. 2d. 3d. 4th.
185	Dec. 29	do	Washington	3d. 4th. 5th. 6th.
186	Dec. 31	do	Idaho	1st.
187	*1965* Jan. 18	do	Nevada	1st.
188	Apr. 11	Storms and flooding	Minnesota	1st. 2d. 3d. 4th. 5th. 6th. 7th. 8th.
189	Apr. 14	Tornadoes and severe storms	Indiana	2d. 3d. 4th. 5th. 6th.
190	do	do	Michigan	2d. 3d. 4th. 5th. 7th. 8th.
191	do	do	Ohio	4th. 5th. 6th. 8th. 9th. 13th. 14th. 18th. 20th. 21st. 22d. 23d.
192	Apr. 21	do	Wisconsin	1st. 2d. 3d. 6th. 7th. 9th. 10th.
193	Apr. 22	Flooding	Iowa	1st. 2d. 3d. 4th. 5th. 6th. 7th.
194	Apr. 24	Tornadoes, severe storms and flooding.	Illinois	12th. 16th. 19th. 20th.
195	May 10	Flooding	North Dakota	1st.
196	May 11	Earthquake	Washington	1st. 2d. 3d. 6th. 7th.
197	May 26	Flooding	South Dakota	2d.
198	June 14	do	Missouri	9th.
199	June 19	Tornadoes and flooding	Texas	3d. 6th. 16th. 19th.
200	do	Tornadoes, severe storms and flooding.	Colorado	1st. 2d. 3d. 4th.
201	*1965* June 23	Flooding	Kansas	1st. 4th. 5th.
202	July 1	Severe storms and flooding	New Mexico	1st. 2d.
203	July 27	do	Missouri	4th. 5th. 6th. 8th.
204	Aug. 18	Water shortage	New York	1st. 2d. 3d. 4th. 5th. 6th. 7th. 8th. 9th. 10th. 11th. 12th. 13th. 14th. 15th. 16th. 17th. 18th. 19th. 20th. 21st. 22d. 23d. 24th. 25th. 26th. 27th. 28th.
205	do	do	New Jersey	1st. 2d. 3d. 4th. 5th. 6th. 7th. 8th. 9th. 10th. 11th. 12th. 13th. 14th. 15th.
206	do	do	Pennsylvania	1st. 2d. 3d. 4th. 5th. 6th. 7th. 8th. 9th. 10th. 15th.
207	do	do	Delaware	
208	Sept. 10	Hurricane Betsy	Louisiana	1st. 2d. 3d. 5th. 6th. 7th. 8th.
209	Sept. 14	do	Florida	3d. 4th. 6th. 11th.
210	Sept. 25	do	Mississippi	3d. 5th.
211	Dec. 7	Heavy rains and flooding	California	13th. 33d. 34th. 35th. 36th. 37th. 38th.
212	*1966* Jan. 22	Severe storms and flooding	do	1st.
213	Feb. 10	Typhoon	American Samoa	
214	Mar. 14	Flooding	Georgia	1st. 2d. 3d. 7th. 9th. 10th.
215	Mar. 22	do	Minnesota	6th. 7th. 8th.
216	Mar. 23	do	North Dakota	1st.
217	Apr. 30	do	Arizona	1st. 2d. 3d.
218	May 12	Storms and flooding	Texas	1st. 3d. 4th. 5th. 6th. 7th.
219	June 10	Tornadoes	Kansas	2d.

MAURICE SALTZMAN WINS NATIONAL HUMAN RELATIONS AWARD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, the National Conference of Christians and Jews conferred its National Human Relations Award on Maurice Saltzman at a memorable ceremony in Cleveland, Ohio, on June 20, 1966. Mr. Saltzman, a native of Cleveland, has become one of its most famous sons. Over 2,000 leading citizens of Cleveland, of Ohio, and of the Nation gathered to pay him a well deserved tribute.

Thomas Vail, editor of the Cleveland Plain Dealer, served as toastmaster and presented an impressive array of speakers, including Dr. Sterling W. Brown, president of the National Conference of Christians and Jews, and Gov. George W. Romney.

Among those participating in the award dinner were prominent leaders of religious life in Ohio, Most Rev. Clarence G. Issenmann, coadjutor bishop of the Catholic Diocese of Cleveland, Rev. O. M. Hoover, minister of Olivet Institutional Baptist Church, and Rabbi Alan S. Green, of Temple Emanu El in University Heights. It was my privilege to be present at the national award dinner.

Francis A. Coy, served as general chairman, and Abe M. Luntz as arrangements chairman, in making this an outstanding success.

Some warm insights on the life and character of Maurice Saltzman were included in the printed program and signed by three initials that are legendary in Cleveland, L.B.S.—Louis B. Seltzer, retired editor of the Cleveland Press.

I include Mr. Seltzer's tribute at this point in my remarks:

> Being rich doesn't mean the same to Maurice Saltzman as it may to most of us. . . .
>
> His parents died before he was five. He had to be sequestered in an orphanage—Bellefaire—where he remained until he graduated from Cleveland Heights High School, with excellent grades.
>
> How he started in the garment business, learned the ropes, launched his own company at the age of 21 with only $2000 and built the fabulous, more than $100,000,000 Bobbie Brooks empire are chapters of the Maury Saltzman story that are known to all.
>
> So is the fact that he took into his organization other Bellefaire orphans and saw Bobbie Brooks thrive all the more because of their skill and devotion.
>
> So Maury Saltzman, still in his 40's has become by any standard a very wealthy man.
>
> But money is only the materially measurable part of his wealth. He is far richer than many realized because he learned as a young man that the richest part of life is sharing with, working for, putting an arm of friendship around the shoulders of others.
>
> Over his busy years Maury has injected the same zest with which he made a success of business into all manner of civic and welfare work.
>
> He has already in his youthful life been chairman of tremendously successful Jewish welfare fund-raising campaigns. . . . He has lent his skillful guidance to the United Appeal. . . . He has been a wise and valued counselor in his own Temple Emanu El. . . . He and his wife Shirley have placed Mount Sinai Hospital on the threshold of greatness through a $1,000,000 gift. . . . He has donated generously to such institutions as Harvard University . . . Brandeis . . . Notre Dame . . . Case Tech . . . Western Reserve. . . . He has established Bobbie Brooks scholarships to young women for college educations. . . . These and many other things.
>
> With it all, Maury Saltzman, slight in stature though he may be, has been a towering force for good in the work of the National Conference of Christians and Jews. He has toured the nation in behalf of brotherhood but, more important than that, he has lived his own daily life in the spirit of Brotherhood of Man under the Fatherhood of God to the measureless spiritual as well as material benefit of others.
>
> Thus the distinguished name of Maurice Saltzman is inextricably linked with the distinguished National Human Relations Award tonight, and becomes a member of the select company of its proud and humble possessors.
>
> —L. B. S.

Mr. Speaker, the response of Maurice Saltzman following presentation of the award stands as a challenge to purposeful action by all who care about the welfare and the future of our Nation.

The text of his remarks follows:

ACCEPTANCE REMARKS BY MR. SALTZMAN

> Mr. Chairman, sometimes a man's feelings run so deep that there is no way for him to express them fully. Tonight is one of those times.
>
> I appreciate more than I can say the honor that is being paid to me. I am keenly aware of how distinguished have been those who received the award in previous years, and I am thrilled to join their company.
>
> I have been involved in the affairs of this Conference for many years and I am, of course, delighted that it should have chosen me to symbolize the dedication of its volunteer workers. And I am grateful to all of you who have come here tonight to rededicate yourselves to the work of the Conference and to share with me this wonderful experience.
>
> But none of these expressions of gratitude can begin to convey how much this evening means to me. I have, therefore, come to the conclusion that the only satisfactory way to show appreciation for all the blessings we receive in this blessed land is not through words, but through acts.
>
> And that is my theme for the few remarks I wish to make tonight . . . That all of us, individuals and organizations alike, will be judged, not by what we say, but by what we do.
>
> For we are truly living in a revolutionary age. Some people and some organizations find that condition extremely uncomfortable. I have no doubt there were thousands of Americans at the time of the Revolutionary War who wished that they were not living in a time of political revolution. Some of them went away to Canada to spare themselves the turmoil of wrestling with the great military and political problems of their day. But those we remember and honor are those who stayed and became involved in solving the day by day problems the country faced.
>
> I have no doubt there were millions of people all over the world at the time of the Industrial Revolution who wished they had not been born in that revolutionary age. They were dismayed by all the technical changes and yearned for "the good old days" when, they thought, there were no problems. But those we remember and honor are those who became deeply involved in all the problems resulting from industrial progress . . . who worked to create better methods of production and better conditions for working people.
>
> Well, we, too, are in an age of change and upheaval—greater than any the world has ever experienced. Our revolution is essentially a social revolution . . . a revolution in relationships that is making the way we conducted our affairs in the past completely dead.
>
> And there are those who are dismayed. They see the protests and the marches and the unrest on the campus and they wish it would all go away.
>
> But it will not go away. The upheaval and the turmoil are symptoms of real and profound problems, and they will go away only when those problems have been solved . . . by the efforts of individuals and organizations that have the vision to see beyond the symptoms to the underlying causes.
>
> I do not, of course, mean to say that there is not danger and violence and at times plain stupidity in some of the protest and demonstration that seem so popular these days.
>
> Every period of change brings out those elements. But the task of those of us who choose sounder methods for solving social problems is to devote ourselves with equal dedication to the noble task of making this a better place to live.
>
> For if we are to be honored by the generations that come after us, both as individuals and as organizations, we must see beyond the turmoil and rioting. Our objective is social justice and a better world for all. And we will not achieve it by standing pat or by sighing after the good old days that really weren't that good. Our thoughts and our actions should be concerned with the tough and earthy problems of a changing present and an exciting future . . . and not with recapturing of the past.
>
> I welcome the challenge of our day. I am tremendously hopeful. Catholics, Protestants and Jews are talking together and working together as never before in history.
>
> Negroes are moving into posts of responsibility as never before. We are beginning to address ourselves to the great problems of poverty as never before.
>
> Of course the dangers ahead are great. Only a fool would deny that we are living at a time when the whole world may smash up. But only a fool would fail to recognize that we are also living in an age when, for the first time, we have a chance to create a really magnificent world for all men . . . if we are imaginative enough and flexible enough and courageous enough to bring it into being. And if we work through not only our words but through our acts.
>
> In these dramatic days, words of good will are no longer enough. What good is an expression of friendship between two friends if they cannot break bread together because of practices that have no place in the modern world? How can there be real friendship . . . not a friendship of words . . . if our practice is so unfriendly.
>
> Some of us do not approve of demonstrations, in the sense that the word is used these days. But if we don't, we had better do our own type of demonstrating . . . demonstrating that this city is a model city in human relations . . . that it is prepared to face up to the tough, concrete everyday problems of getting rid of every vestige of racial and religious discrimination.
>
> We shall be judged by our acts, not by our words . . .
>
> And so, Mr. Chairman, I accept this award by dedicating myself and my energies to the same task as this Conference is dedicated to: to make the Fatherhood of God and the Brotherhood of Man not just glittering empty phrases but the profound, living commitments that will reshape the daily life of all our people.

BOMBING IN HAIPHONG-HANOI AREA

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, the report which I have just read on the wire that the United States has actually carried out its much rumored plan to bomb the oil depots located near the population centers of Hanoi and Haiphong, is a matter of deep concern.

Our objective in Vietnam should not be to further escalate the war but to bring it to the conference table. I fail to see how this new bombing, which makes a new level in the war's intensity, can help us to achieve this objective.

Certainly previous increases in troop commitments and bombing attacks have not brought us any closer to negotiations, or a peace conference or a ceasefire. They have only increased the war to a more dangerous level of conflict, or at best to new and higher levels of stalemate.

The bombing of oil storage depots today is a dangerous policy. It will probably slow the rate of infiltration from the north, but the record shows that it certainly will not stop or finally deter it. More important, it raises the serious question of whether Communist China will not now provide air cover to protect what she considers to be a vital resource, and, if she does, whether the United States will not in turn bomb the bases used by her planes. This could lead us directly to the far larger war which would destroy far more than it would accomplish. It would lead to the larger war which we should be striving to avoid.

Mr. Speaker, I want to make it clear that I support our commitment to enable the South Vietnamese people to determine their own future, free from the outside interference of those who would determine it for them.

But to meet this commitment, I believe we should concentrate our efforts in South Vietnam. In particular, I believe that we should utilize every resource at our command—including the withholding of further military support, if this should prove necessary—to insure that free elections are held soon and that an early transition is made to a popularly based civilian government.

This should be the objective of our efforts, not further military escalation in the North.

OBSERVANCE OF WEEK OF JULY FOURTH AS NATIONAL SAFE BOATING WEEK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. CHAMBERLAIN] is recognized for 30 minutes.

Mr. CHAMBERLAIN. Mr. Speaker, once again it is nearing that time of the year for all Americans to place special effort in the observance of the week of July Fourth as National Safe Boating Week. That week is expressly dedicated to the safety of those Americans who spend much of their leisure time using the waterways of this great Nation.

The cause of National Safe Boating Week is worthy enough that the President of the United States issued the following proclamation in accordance with Public Law 85-445, which I sponsored in the 85th Congress:

> The family boating trip has now become almost as common in American life as the family picnic. It is a profound testimony to the strength of our American system and the scope of our prosperity that the recreation of boating, once the pastime of a privileged few, is now enjoyed by millions of families from all walks of life.
>
> With the steadily increasing traffic of our waterways, however, it is vital that no efforts be spared to keep boating safe as well as stimulating. The knowledge and practice of safe boating principles can make hours spent upon the water measurably safer and more pleasurable.
>
> Since 1958, when the Congress first requested the President to annually proclaim National Safe Boating Week, the rise in boating accidents has been largely checked. This record can be maintained—and improved—only if the nation's boating organizations, Federal and State agencies, and the boating industry continue their efforts to inform the public of the importance of safe boating practices.
>
> Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby designate the week beginning July 3, 1966 as National Safe Boating Week.
>
> I urge every American who uses our waterways to re-examine his boating habits during this Week and decide what he can do, individually and together with his countrymen, to reduce accidents and prevent the needless waste of lives on the water.
>
> I also invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States of America to join in this observance and ask them to exert their influence in the cause of safe boating during this Week and throughout the entire year.
>
> In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.
>
> Done at the City of Washington this 19th day of January in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.
>
> LYNDON B. JOHNSON.

This proclamation is clearly indicative of the importance that the President attaches to recreational boating safety and National Safe Boating Week.

INCREASE IN RECREATIONAL BOATING

To make the ideals of safe boating interesting as well as vital to the entire boating industry and the boating public, the U.S. Coast Guard enlists the continual assistance and cooperation of organizations such as the Coast Guard Auxiliary, the U.S. Power Squadrons, the National Safety Council, as well as boatmen everywhere.

Safe boating is an enormously big project when it is considered there will be over 40 million Americans in more than 7½ million boats of all kinds plying the waters from the far reaches of Guam in the Pacific to the Virgin Islands in the Atlantic, and from Alaska across the Continent to Puerto Rico. Every river, lake, inlet, and bay where navigation by any kind of craft is possible will note the presence of the American boatman.

The boating industry reports that overall recreational expenditures have risen nearly 50 percent since 1956, and net sales of boats have increased well over 50 percent during the same period. Dollar shipments of marine products other than boats and motors posted another all-time high monthly average for 1965. For the fourth year in a row, Americans increased their retail spending on boats and boating equipment. The 1965 estimate—a new record—was over $2¾ billion. This huge amount of money was spent for new and used boats, motors, accessories, safety equipment, fuel, insurance, docking fees, maintenance, club dues, storage, repairs, and club memberships.

The Coast Guard released its annual Recreational Boating Statistics Report, as required by the Federal Boating Act of 1958, on May 2d of this year. The Federal Boating Act of 1958, provides for a standardized system for the numbering and identification of undocumented vessels, including the pleasure boats of more than 10 horsepower, and also for participation in this program by the several States. Since the effective day of this legislation, April 1, 1960, 47 States have enacted into law numbering systems which have been approved by the U.S. Coast Guard, as meeting the standards set forth in this act.

The safety aspect of the tremendous explosive growth in recreational boating is of increasing concern to the Coast Guard. Compare 1965's 4,138,000 registered boats with the 16,000 in 1905, or even the 2¼ million in 1945, and the need for boating safety as a full-time operation is quite apparent. More boats plus more people logically add up to more chances for boating accidents. Although the number of boats is constantly increasing, the number of accidents this past year decreased. We hope this decline is due to boating safety efforts. On the other hand, fatalities increased in 1965 and even the rate of fatalities went up. A total of 1,360 persons died. Improvement is very necessary. This is why the need for boating safety has reached the attention of the Congress, the legislature of every State, the press, as well as the boating industry and right down to the individual who constitutes one part of the entire boating public. The most effective safety efforts lie with the individual boatman.

ACCIDENT RATE DECLINED

In its annual report, the Coast Guard revealed that 41 percent, or 563 of the 1,360 deaths due to boating accidents last year, were from vessels outside the numbering provisions of this act. The 563 deaths from vessels not required to be numbered, including rowboats, canoes, sailboats, rafts, and other small craft, are 14 more than occurred in 1964. Overall, 168 more people died in boating accidents in 1965 than in 1964. During the same period, 1965, the numbering of boats in all States and territorial possessions of the United States rose to an all time high of over 4 million. This is an increase of more than one quarter of a million boats over the previous year.

Capsizings, as in past years, still remain as the largest type of casualty in the recorded deaths. In 1965, capsizings took 40 percent of the total number of lives lost in boating accidents. This figure is only slightly less than the 1964 percentage. Injuries decreased while boat numbering rose 10 percent. Of the 2,144 persons in peril because of boating accidents, drowning accounted for 1,310 victims, and 1,212 of the drowned were found with no life saving devices, although in most cases they were required by law.

Last year a total of 4,792 vessels were involved in 3,752 reported boating accidents, where there was at least $100 property damage, or injury, or death. This figure shows that 44 fewer vessels were involved in 1965 than the previous year; 1,099 of these vessels were involved in fatal accidents, while 812 were in accidents resulting in injuries; 2,867 of the total number of boats involved in accidents received only property damage. Speaking in millions, the amount of property damage approached the $5 million mark.

The Recreational Boating Statistics Report offers evidence that Coast Guard and Coast Guard Auxiliary efforts to educate the public and promote recreational boating safety are paying great dividends. The total number of accidents is shown as reduced and the report reflects the growing acceptance of the role the public itself plays in making the Nation's waterways an ever safer area to enjoy recreational boating activities. However, the jump in the number of boating deaths calls for increased vigilance and efforts from all associated with recreational boating.

COAST GUARD BOATING SAFETY ACTIVITIES

Coast Guard Boarding Officers from each District are receiving additional training, the revised Boarding Manual has proved most useful and penalty procedures are effective and standardized.

In order to have really safe boating in American waters, the Coast Guard and assisting organizations must get directly to the basic problem. They must reach the individuals comprising the millions that are the boating public. In an attempt to reach these boatmen, the Coast Guard is continuing its newly inaugurated education and persuasion program. Through boating films, safety publications, auxiliary programs and utilization of the personnel assigned to the peripatetic mobile boarding detachments in public education activities, the Coast Guard takes advantage of every opportunity to stress the practical aspects of boating safety. The Coast Guard also has close coordination with the boating industry, the National Safety Council, and other such vital organizations. The Safety Patrol concept in recreational boating was a new idea last year and will be stressed on all water fronts this year. Using the mobile boarding detachments, the Coast Guard will have an on-the-move safety patrol which will make unpublished stops at every possible navigable lake, river or other water front where boating activities are conducted. The Safety Patrol is a roving waterborne patrol of boating areas for the purpose of deterring, detecting, and reporting unsafe practices. At the present time, there are 36 mobile boarding detachments which form the backbone of the Safety Patrol. More are planned. These units are effective because of their mobility, thus preserving flexibility so that a broader impact is obtained. The primary mission of these units is to minimize unsafe practices such as speed, overloading, improper loading, operating while under the influence of liquor, operating in swimming areas, operating in posted dangerous waters, and heading out into stormy conditions when they should be heading for shelter. Again this year, the Coast Guard's goal is to be seen by at least half of the boating public. The effectiveness of the Mobile units is not to be measured in the number of boardings reported. The measurement of their effectiveness will be whether or not our waterways will be made any safer; whether the boating public is better educated in safe boating procedures by the apprehension of the careless and negligent operator; and finally whether the accident rate decreases. The Coast Guard will educate, persuade, and if necessary, enforce the law. The boating accident fatality rate must be cut down, as well as the number of other accidents.

BOATING SAFETY A JOINT EFFORT

The Coast Guard Auxiliary is also extremely active in the education of the boating public as to safe boating practices. As a voluntary, nonmilitary organization, the auxiliarists' purpose is to promote safety in recreational boating. Its more than 22,000 members are experienced boatmen, amateur radio operators; or licensed aircraft pilots. The three basic programs carried out by the auxiliary are the courtesy motorboat examination, public instruction, and operations; 163,552 persons were instructed in three safe boating courses last year; 185,674 courtesy motorboat examinations were performed.

As a regulatory and enforcement agency of the U.S. Government, the Coast Guard encourages State activity in law enforcement procedures. Sometimes when the positive approach of education and persuasion fails, the negative or punitive approach gets the message across. Up to this year the Coast Guard has tried to enforce the equipment rules for boats as required by Federal law. A stronger approach was needed, resulting in the new policies. The number of boardings will be reduced in number, but those people found in violation will come under more careful scrutiny. The penalties are to correct the ways of the individual and to influence the behavior of the group. A table of suggested penalties has been set up but the actual penalty assessed will be up to each Coast Guard district commander.

During 1965, the Coast Guard in conjunction with its law enforcement duties, boarded 66,656 vessels for equipment and safety examinations. Of this total, almost 29,000 of the boardings were performed by mobile detachments. Nearly half of the vessels boarded by mobile units were found to be in violation. This high percentage is due to selective boardings. In actual figures, 49.9 percent of the total number of boats boarded by mobile units were found deficient in some manner. A total of nearly 70,000 man-hours were expended by the Coast Guard mobile boarding detachments in recreational boating safety during 1965, in safety patrols and public information activities.

NATIONAL SAFE BOATING WEEK

National Safe Boating Week—focusing attention upon the need of pleasure boatmen to know and comply with safe boating practices and regulations—will begin July 3 this year as stated in the proclamation. Its objective is to urge the more than 40 million people constituting the boating public to help "keep boating safe"—to teach important fundamentals of safe boating to the newcomers, and to remind experienced skippers to practice commonsense and courtesy afloat. The basic theme for this year's observance of the week is "Play Safe."

National Safe Boating Week also pays tribute to the many persons and organizations who have contributed toward maintaining boating's fine safety record. This year more than 761 Coast Guard Auxiliary flotillas, 356 U.S. power squadrons, 350 boating clubs, and scores of other boating and safety organizations will participate in National Safe Boating Week observances in communities throughout the country.

This year the National Safe Boating Week Committee has done an excellent job of promoting and coordinating this event. This committee includes representatives from the U.S. Coast Guard, the U.S. Coast Guard Auxiliary, the American Boat and Yacht Council, the American National Red Cross, the American Power Boat Association, the American Water Ski Association, the Boy Scouts of America, the Corps of Engineers, Department of the Army, the Girl Scouts of the United States of America, the National Association of Engine and Boat Manufacturers, the National Association of State Boating Law Administrators, the National Safe Boating Association, the National Safety Council, the Outboard Boating Club of America, the U.S. Power Squadrons, the Yacht Safety Bureau, and the Young Men's Christian Association. To all of these organizations safety in pleasure boating is as important as it is to the individual and his family.

To all of those national and local committees actively participating in National Safe Boating Week, I extend my congratulations. I urge all others interested in boating safety to join in making this an even more effective National Safe Boating Week than the successful ones in the past. Let us continue the good practices of National Safe Boating Week throughout the year.

DRAFT BOARDS AND DRAFT LAWS

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, the concern today over the inequities of the Selective Service System is being manifest not only in the committee room of the Armed Services Committee but throughout the country. I wish to share with my colleagues some worthy evidence of the meaningful and rational consideration repeatedly exhibited by the citizens of Michigan on this issue.

For this purpose, I include in the RECORD two editorials from the Jackson Citizen Patriot dated June 20 and June 23, 1966:

DRAFT BOARDS HAVE AN IMPOSSIBLE JOB

Dr. William R. Keast, president of Wayne State University created something of a stir in Michigan last week by announcing that his school would no longer cooperate with Selective Service boards by furnishing them information about any student's standing in his class. The reports will be made for the final quarter of the 1965–66 school year but with the opening of the fall term the grades will be labelled "Top Secret."

Dr. Keast's action is not unprecedented. Other educators have complained about the "inequities" of the draft system and have argued that the grades lack real meaning. We take this to mean that a "C" in one college, or one course, may be the equivalent of a "B" in another school or class.

Defending Dr. Keast's thesis, the Detroit Free Press points out that a "microscopic percentage" in the differences in the grade standings of Students John Doe and Richard Roe may mean that John will go to Viet Nam while Richard goes on to complete his schooling to the bachelor's degree, the master's, the doctor's, or whatever.

The Free Press also argues that the old standard for deferment granted the continuing civilian status to those who were making "satisfactory progress" in their education.

"The new criteria," the Detroit newspaper says, "places those working their way through college at a disadvantage and at Wayne State some 75 percent of the students are employed. It further perverts the academic nothing that nothing counts but the grade." It's a good point.

Dr. Keast's pronouncement has not escaped the attention of the Selective Service System. Col. Arthur A. Holmes, Michigan's Selective Service director, stated it plainly when he said that if students couldn't come up with "adequate information" to back up their deferments "they'll go into the Army." He seemed to be saying that colleges and universities which refuse to supply to the draft boards; at the young man's request, information on his class standing may, in effect, be validating his ticket to Viet Nam.

The burden of proof, as the saying goes, is on the young man. If he can't show that he should be draft-proof inducted. His class standing may help him. It may not. An arbitrary decision by the administration of his school not to supply this information to his draft board could work to his disadvantage.

All of which does not alter the fact that draft boards have a disagreeable and impossible job to do.

They are charged by their government with the responsibility of selecting the men who will take up arms in defense of the country.

That task never has been easy. It is even more difficult now as America becomes involved in a war with limited manpower demands.

The job was relatively simple during World War II when national security demanded that every man who did not have a job absolutely essential to pressing the war on the home front was tagged for induction into the armed forces.

Draft boards of today still are trying to follow the rules which were laid down in that era of global conflict. Strangely enough, many men who were making the decisions in the early 1940s still are serving on draft boards. Here is one area of government service in which dedication is all-important; and where charges of hanky-panky are almost unknown.

They follow orders, which is all they can do.

They get the word from on high that "X" number of men must be inducted from Jackson County on such-and-such a date.

They go through their files. They review the regulations, which often are confusing.

They weigh the evidence for and against the induction of the available men. They consider many factors, not the least of these is how the young man is doing in school. If there are gaps in the information, there is little the draft board members can do.

They finally have to pull out so many names and send "greetings."

Controversy rages around their choices. They satisfy no one. Educators criticize their standards and threaten to withhold information on students' class standings. They are accused of discriminating against the youth who is learning a valuable trade by inducting him while a college student whose eventual contribution to society may be nil even though he maintains a straight "A" average in school today, continues to enjoy civilian status.

The selective service system is accused of discriminating against the poor; against students whose parents can't afford to keep them in school.

But the United States is in a war; one which is demanding more and more manpower.

Argue, if you will, that it shouldn't be involved in Southeast Asia. Argue that no more young men should be sent there. That won't change the fact that three Presidents, with the "advice and consent" of the Senate, have seen fit to make a stand against communism in South Viet Nam.

Wars cannot be fought without manpower.

And so it remains the job of Selective Service to decide who shall go and who shall not. No other plan for selecting them to do the fighting is available.

The draft boards have to do the best they can, in the face of opposition from all sides.

DRAFT LAW NEEDS CHANGING

The current hearings on the United States' draft system by the House Armed Services Committee is one that is long overdue, and which may well lead to revisions.

Apparently no one is really satisfied with the way the Selective Service System is set up and operated, with the criticism shifting from one point to another.

A number of college presidents have blasted the draft system as inequitable, notable among them Wayne State University's Dr. William R. Keast and Yale's Kingman Brewster, Jr. Many colleges and universities are refusing to aid Selective Service by revealing the grades and class standings of students.

Dr. Keast calls class standings unreliable in measuring abilities, with grading practices varying widely within individual schools as well as between them.

"It may be possible to determine the very best and very poorest students," Dr. Keast said, "but to make the fine distinctions in the middle range—the fine line between upper and lower halves, for example—leads to absurdity."

Class rankings, Keast says, operate to the disadvantage of students who are employed.

For his part, Yela's Brewster says, draft regulations "encourage a cynical avoidance of service, a corruption of the aims of education, and a tarnishing of the national spirit."

Dr. Keast suggests a national draft lottery to replace the present system for everyone.

Lt. Gen. Lewis B. Hershey, Selective Service director for the past 26 years, says it was tried during World War II and didn't work, and won't work now.

Many persons complain that the draft discriminates against poorer youths who cannot afford to attend college by giving students deferments.

For their part, students complain that the constant threat of being drafted if their grades slip is a painful cross to bear. If they drop below class average, they're "draft bait," and if they flunk a course or drop one for whatever reason, they face an interrupted education. Always, they say, there is the constant threat whether or not it materializes, and this tends to make them try so hard they cannot do their best.

The students would like to see a ruling that makes them either eligible for the draft or school, but not both.

Backers of the lottery plan would like to see no college deferments except possibly in the field of medicine or a "critical" science.

The lottery undoubtedly would eliminate the injustices of the present system, placing everyone on the same level without regard to individual abilities, education or plans for the future.

By the same token, it has some built-in problems, too. First and foremost is the fact it keeps the entire group of eligible persons completely off balance for whatever number of years they remain eligible. The wheel of fortune can turn up any individual's number at any time, thus dislocating lives and plans greatly.

For his part, Gen. Hershey feels the present system allows the best judgment of who can be best utilized at a given time.

Detractors of the current system note that there is wide variance in applying the rules between different draft boards, and between different areas of the country. They feel there is no real uniformity.

Congress soon faces the task of doing something specific about the situation, for the present authority to induct persons expires in a year, and it seems obvious that this nation cannot do without some sort of conscription law for the forseeable future, as unpopular as the prospect may be.

Rep. WILLIAM E. MINSHALL, R-Ohio, summed it up rather neatly when he said:

"We will never devise a draft law which will gladden the heart of the young man who receives his induction notice, but we can write a law which will assure him that his country is treating him justly, without discrimination and with his best interests in mind during this period of national emergency."

The present draft law has been proven a poor one in many respects over a period of years. Hopefully, the present hearings in the House will lead to an improved instrument with which today's youth can more easily live.

It seems little to ask that a draft law be as equitable as possible for the youth who are being, and who will be in the future, called upon to provide our first line of defense.

CONGRESSMAN CURTIS ANALYZES THE STEEL IMPORT PROBLEM

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the question of steel imports into the United

States and their effect on our balance-of-payments position, and their meaning for GATT trade negotiations now being carried on in Geneva are problems which receive less than their share of attention by the Congress. It is fortunate, therefore, that our colleague, the gentleman from Missouri, Congressman THOMAS B. CURTIS, has devoted so much of his time and expertise in this area.

In a recent issue of American Metal Market, Congressman CURTIS, upon his return from Geneva where he is an official delegate to the GATT negotiations, discussed the problems of steel imports. With the steel industry playing such a large role in our economic position, I believe that our colleague's cogent and to the point remarks deserve as wide an audience as possible. At this point, then, I would like to include the article from the edition of American Metal Market of June 2, 1966, covering the interview with Congressman CURTIS as well as an editorial from the publication touching upon the same subject.

The articles follow:

[From the American Metal Market, June 2, 1966]

REPORT BY GATT DELEGATE: CURTIS URGES TARIFF COMMISSION TO PROBE FLOOD OF STEEL IMPORTS

(By Freeman Bishop)

WASHINGTON.—A high-ranking member of both the House Ways and Means and Joint Economic Committee has urged an investigation of rising steel imports by the Tariff Commission.

This appeal is contained in a report released by Rep. TOM CURTIS (R-Mo.) who has recently returned from Geneva where he served as an official delegate to the GATT negotiations.

Rep. CURTIS' bid differs from legislation sponsord by Sen. VANCE HARTKE (D.-Ind), which calls for a Commerce Department study.

The Senate Finance Committee, with Sen. HARTKE serving as chairman, will open hearings this morning into the proposed steel import study.

WILLINGNESS

Mr. CURTIS' review of recent GATT negotiations indicated there is more willingness to meet with mutual reciprocity than in the last few years when the negotiations have been stalled.

In his summary of the United States' high balance of steel imports against decreasing steel exports, Rep. CURTIS said the Tariff Commission could act under authority it already holds.

"We must determine," he continued "whether steel imports are entering the United States in greater quantity because of unfair foreign practices (dumping of surplus production at unfair prices) and whether in fact there is a serious impairment of U.S. competitive ability in steel."

Steel sector talks were held early in May at Geneva. Taking part were the U.S., the U.K., Japan, Sweden, Austria and the six European Economic Community nations who were represented by delegates from both the European Coal and Steel Community (ECSC) and the European Economic Community (EEC).

FOUR DELEGATES

Since the Benelux members—Belgium, the Netherlands and Luxembourg—have a common tariff, in effect only four delegates spoke for the European steel producers. ECSC has jurisdiction over unmanufactured products, the bulk of the trade among these nations, and EEC has jurisdiction over mostly manufactured products. These two negotiated as a team.

EEC/ECSC wanted to establish a common external tariff, setting uniform rates for each steel product among themselves, but setting a different rate for U.S. and third nation products. The U.S. remains adamant in this area of negotiation, Mr. CURTIS told Metal Market.

He explained the bargaining this way:

"The ECSC/EEC strategy has been to choose as the base from which to bargain an average level of tariff rates of about 14 percent, and to offer a cut in this average rate, which would at best be about seven percent. The 14-percent average rate chosen by ECSC/EEC was legally in effect in January 1964 but its actual effective average rate was about seven percent.

"RATE HIKE

"In February 1964, however, the EEC unilaterally and 'temporarily' increased the effective rate from seven percent to nine percent, where it remains.

"The U.S. and others insist on the January 1964 actual rate of seven percent as the proper average rate from which to cut, because the trade negotiations were well under way by January 1964. Other sector partners take the same position.

"The EEC is therefore offering at best a questionable concession, in effect a cut from a 14 percent average level of rates. This concession, if held to, can yield little trade benefit to the U.S. because it would cut the present effective nine percent ECSC/EEC average rate to at best seven percent, the previously existing rate. The U.S. has rejected this reasoning, as have the other negotiating countries. We have accordingly treated ECSC/EEC'S 'offers' as part of the EEC'S exceptions list."

DIFFERENT METHOD

Another factor that must be considered in negotiations for more equitable tariffs on steel products is the different U.S. and EEC/ECSC customs valuation methods.

Mr. CURTIS outlined these differences:

"The U.S. uses as the base on which to assess duties on most imports the price in the country of manufacture for which a product is freely offered for sale as an export to the U.S.

"Technically, this valuation method is called 'export value,' and is provided for in Sec. 402 of the Tariff Act of 1930. Popularly, however, it is considered that the U.S. uses the f.o.b. (free on board) valuation method, and thus the U.S. Customs valuation system is usually referred to as an f.o.b. system.

"The EEC, and most other countries, use the basis of customs valuation the price of an import plus the cost of insurance and freight (the c.i.f. method). The c.i.f. method is analogous to the so-called 'Brussels definition' of value for customs purposes which was formulated in 1950 and has become a general standard for most nations, even though as formulated it has certain deficiencies.

"The result is that an EEC rate of duty of 20 percent yields a higher amount of duty than a U.S. rate of duty of 20 percent on a product of the same price. The differential between the two customs valuation systems is commonly estimated at 10 percent, the percentage used by the International Monetary Fund in its statistical reports even though its accuracy is often contested."

STUDYING

The Tariff Commission presently is studying these U.S. and foreign valuation systems to clarify terms so that more equitable agreements may be reached by nations using different systems.

For most steel products, the cost of insurance and freight in ocean shipping is substantially higher than for other products—possibly 25 percent above the f.o.b. price of the product.

As a result, the ECSC/EEC rates of duty likely have a much greater trade effect than normal because they are assessed on a higher base.

This added impact of the C.I.F. valuation method on steel products must be taken into account in any steel import negotiations.

U.S. export-import data clearly indicates the U.S. negotiators on steel products have bent over backwards to reach understanding.

The White House appears at times to have fostered steel imports as a means of dampening down inflation by satisfying demand.

FUEL TO FIRE

But the effect of this encouragement has added fuel to the nation's growing imbalance of payments, Mr. CURTIS said.

Background of this shifting of export-import balance for U.S. steel products indicates the switch started in 1959, year of the prolonged steel strike that was only settled under threats of a congressional settlement. The balance of imports to exports has been growing steadily since that year.

In 1958, for instance, U.S. steel exports totaled $564 million against $192 million in imports. In 1965, U.S. exports totaled $508 million against imports of $1.1 billion, 10.3 percent of estimated U.S. consumption, Mr. CURTIS said.

U.S. producers argue that imports are continuing to take a bigger slice of domestic business, partly as a result of over-capacity abroad and cut-rate pricing and partly because of increased U.S. costs.

In rolling back U.S. steel price increases, the President on three occasions has dwelt at length on encouragement of more imports to drive down U.S. steel prices.

[From American Metal Market, June 2, 1966]

IT'S A PUZZLEMENT

One of the leading Japanese representatives attending the annual meeting of the American Iron & Steel Institute was puzzled.

"All the steel industries are losing money—Japan, Belgium, France, England—all except the United States. Yet it is the U.S. steel industry that complains most bitterly about imports and dumping. Why?"

Not a bad question, eh? This was our answer:

Isn't it possible that United States producers of steel, efficient as any in the world, have learned that you cannot sell products below cost and make a profit? Volume will not compensate for inadequate pricing. We urge all foreign steel makers to study not just the U.S. market but also our industrial marketing practices and our philosophy that reasonable profits are the special ingredient of our Free Enterprise system. They will even find that our industries welcome competition on equal terms.

THE BATTLE OF KOSSOVO

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I would like to remind the Members of the House this afternoon of the tragic event in the history of the Serbian people which occurred on June 28, 1389, the battle of Kossovo. This great battle ended with the destruction of the Serbian forces by the Turks and resulted in the Serbian people suffering for five long centuries under Turkish bondage.

Although the Serbs did gain their independence from Turkish rule, they are now among the victims of Soviet imperialism and long for the day when they will once again regain their freedom from Communist oppression. I certainly join all those who share the Serbian people's aspirations for self-rule in paying tribute to them on the anniversary of this tragic event which befell them almost 600 years ago. The Serbians now are forced to submit to the dictatorship of Tito, but the day will certainly come when they will achieve the freedom they deserve.

Mr. Speaker, I would like to take this opportunity to urge again that the Special House Committee on the Captive Nations, which other Members and I have long proposed, be approved by the House Rules Committee. My resolution providing for the establishment of this committee lists Yugoslavia along with the peoples of the Soviet Union and the other Communist-controlled nations of Eastern Europe as a captive nation because of the denial of freedom to the Serbs and the other peoples of Yugoslavia by the Tito dictatorship.

The Serbian-Americans are among the most active groups in the country who the working to preserve the spirit of freedom in their homeland and to impress upon Congress the importance of establishing a Captive Nations Committee to expose the nature of the Communist tyranny in the countries now suffering under their rule.

TIME TO PROTECT THE SMALL BROADCASTER

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Gurney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. GURNEY. Mr. Speaker, I am today introducing a resolution into the House of Representatives to express the sense of this House that the Federal Communications Commission should adopt no rulings permitting any radio station broadcasting in the standard band to operate with power in excess of 50,000 watts.

The FCC has under consideration eight applications from class 1–A clear-channel stations to increase their broadcast power from the present 50,000 watts output to 500,000 and 750,000 watts.

There are several compelling reasons why the FCC should not allow this tremendous increase in the power capacities of these stations, but to me, one issue stands far above the rest. That issue is another sort of power. For when the broadcast power of these few stations is increased, so is their power and control over the communications industry.

Economic control of the entire industry by a few broadcasters would have serious implications for the entire Nation. For one thing, these superstations would be in a position to pirate advertising revenues from the smaller stations, rendering them weaker and weaker until they dropped one by one from competition. As this happened, the superpower stations would be in an even more dominant role in the medium of radio communications. They would have virtual control over the news, viewpoints, and information sent out to the listening public.

Mr. Speaker, much of the strength and greatness of all forms of our communications media has been in its diversity. The small local station has provided a valuable and unique public service almost since the first days of radio.

Back in 1938, the Senate passed a resolution stating that:

> Power in excess of 50 kilowatts is definitely against the public interest, in that such operation would tend to concentrate political, social, and economic power and influence in the hands of a very small group.

We have only to look to many of the other nations in the world whose governments have been overthrown by the simple takeover of the communications systems to see what the centralization of power in the communications industry can mean politically.

The Senate resolution further stated that:

> Such operation has been demonstrated to have adverse and injurious effect on other stations operating with less power in limiting the ability of such stations in adequately or efficiently serving the social, religious, educational, civic, and other like organizations or institutions in the community.

Mr. Speaker, there is little to add to that analysis today. The same dangers still face us and the same results would follow.

The Florida Association of Broadcasters has joined with many other groups in the industry to oppose this reach for more power by the already large stations. I am hopeful that my colleagues here in the House of Representatives will endorse this resolution representing the views of countless small broadcasters and their listening public. It is time that we made clear our position that the radio communications of this Nation must be protected.

EFFECTIVE LEADERSHIP BY CONGRESSMAN RUMSFELD

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FINDLEY. Mr. Speaker, as the editor for 17 years of a country weekly newspaper, a former staff member of a monthly magazine, and during college days a staff member of a daily newspaper, I have been deeply impressed by the effective work in behalf of "freedom of information" rendered by my able colleague, Representative Donald Rumsfeld, of Illinois.

He deserves much of the credit for the success of the measure now a public law, which gives the public access to Federal Government records.

An excellent review of Mr. Rumsfeld's able leadership was carried in the June 11 issue of Editor and Publisher magazine. I place the text of it below:

(By Rick Friedman)

The challenge to the Press was issued this week by Congressman Donald Rumsfeld (R-Ill.), one of the supporters of S. 1160 in the House of Representatives.

In an interview with E&P, Rumsfeld said: "Too few newspapers and magazines have communicated to readers their desire to have S. 1160 passed. Too few have made this desire known through press associations and to their congressman."

S. 1160, if it became law, would require every agency of the Federal Government to make all its records available to any person upon request; and provide for court action in cases of unjustified secrecy. It would exempt from the disclosure provision only certain categories of sensitive government information involving national security and other matters. If passed, it would become effective one year after the date of enactment, giving the Federal Government time to make information available.

SOON TO HOUSE

S. 1160 passed the Senate Oct. 13, 1965. It was then referred to the House Committee on Government Operations and its Subcommittee on Foreign Operations and Government Information. The latter, better known as the Moss Subcommittee, approved S. 1160 on March 30; the Committee on Government Operations passed on it April 27. It's expected to go before the House June 20.

Congressman Rumsfeld, a member of the Moss Committee, called S. 1160 "one of the most important measures to be considered by Congress in 20 years." He said the Committee's action in approving it brought S. 1160 within sight of passage this year and was "a history-making step closer to the goal of a more fully informed citizenry."

Rumsfeld was confident that once the bill got to the floor of the House, it would be hard for a Congressman to vote against it. And once it was signed into law by the President, it would be up to the Press to see that its provisions were effective.

"S. 1160 places the responsibility on the Federal agencies to prove they don't have to make the requested disclosures," he pointed out. "If it passes, they can be taken into court and asked to prove they did not violate the statute. The burden of proof is on them.

"This bill really goes to the heart of news management. If information is being denied, the press can go into Federal Court in the district where it is being denied and demand the agency produce the records.

"If S. 1160 passes, the Press can't sit on its new-won rights. Vigorous, intelligent, well-informed reporters will have to ask the right questions. Newspaper and magazine publishers will have to have the guts, the backbone, the time and energy, the willingness to put up the expense to test S. 1160 in Federal court.

"S. 1160 attacks a particular communications problem: government becoming so complex that it is difficult for the public to stay informed. When government secrecy enters this picture, staying informed becomes impossible."

POST OFFICE CASE

The Illinois Congressman pointed to the case of the Post Office Department and summer employes last year as an example of what happens when the fabric of government gets a tear in it because of bureaucratic secrecy.

The secrecy issue arose after the Washington bureau of the *Des Moines* (Iowa) *Register and Tribune* and *Minneapolis* (Minn.) *Star and Tribune* revealed that the Post Office Department was distributing as Congressional patronage thousands of jobs that were supposed to go to economically and educationally disadvantaged youths.

The Department used Regulation 744.44—which states that the names, salaries and other information about postal employes should not be given to any individual, commercial firm, or other non-Federal agency—as the basis for refusing to divulge the names of appointees to the Press, four Congressmen, or the Moss Committee, all of whom challenged the secrecy regulations.

The then-Postmaster General John Gronouski finally did reluctantly make the names available to the committees of Congress having jurisdiction over his department. And in September the Post Office Department authorized local postmasters to release the names of youths hired in their cities. But the Post Office Department still refused to change the basic regulation.

PUBLIC INEXPERIENCED

"Seeking public information is one area where the great bulk of the public doesn't have too much experience," RUMSFELD pointed out. "It's somewhat of a complicated procedure. But if S. 1160 is passed, there are federal agencies all over the country which will be affected by it."

In February, RUMSFELD put this message before the Inland Daily Press Association, meeting in Chicago. He cited numerous examples of government secrecy which have come to light in recent months and he claimed: "There is no way to wrap it up and put a ribbon on it. It is a day-in-and-day-out problem involving at various times withholding, manipulation and/or news misinformation."

In this speech, the Congressman claimed the solution was in the legislation before Congress.

"It was drafted," he said, "because it became increasingly obvious to all of us that there was no way the Subcommittee could fully solve the problem by attempting to deal with these matters on an item-by-item basis. There is just too much government today involved in so many aspects of everyone's life for one subcommittee to police it without some basic statutory provisions to assist in this role.

"On Feb. 17 of last year, this effort started with about 20 members of the House and Senate. Today there are over 40 members who have sponsored this legislation, H.R. 5012, S. 1160, and identical bills." (The current number is now over 50.)

RUMSFELD urged the Inland members to help develop public awareness and Congressional support for such legislation. (Shortly thereafter, the *Kewanee Star-Courier*, used his speech as the basis for an editorial which urged public support in his campaign.)

RUMSFELD was also among nine Republican members of Congress who wrote to the American Newspaper Publishers Association in April, seeking its support for passage of S. 1160.

SPECIAL PROJECT

If S. 1160 does become law, much of the credit must go to Representative JOHN E. MOSS (D-Calif.) who has been fighting the battle of free access to public information since he became chairman of the House Subcommittee on Foreign Operations and Government Information 11 years ago. But a share of the credit must also go to Congressman RUMSFELD, who has made it one of his special projects.

RUMSFELD, at 33 the youngest GOP member of Congress and the second ranking minority member on the Moss Committee, dated his interest in combating government secrecy back to 1958 when he was an administrative assistant to then-Congressman Robert P. Griffin of Michigan, who was recently appointed a Senator. GRIFFIN passed his interest in combating secrecy on to RUMSFELD.

Since his first term in Congress (1962), RUMSFELD has been pushing for more availability of government information. In June, 1965, he urged that the Joint Committee on Organization of the Congress consider recommendations that legislative hearings, and, particularly, appropriations hearings, be held in open sessions, except when executive sessions were necessary for reasons such as national security.

PEOPLE LOSE INTEREST

RUMSFELD was assigned, on his own request, to the Committee on Government Operations in January, 1965. In February, 1965, he sponsored H.R. 5017, one of the House bills similar to S. 1160.

"Since I've been in Washington," he told E&P, "I've been concerned over the tendency of the government to make information available from the political standpoint. Our whole system of representative government is based on involvement by the people. But the people lose interest through lack of information.

"Under our present laws," he said, "any bureaucrat can deny requests for information by calling up section 3 of the Administrative Procedure Act, passed in 1946. To get information under this act, a person has to show *good cause* and there are numerous different reasons under the Act which a Federal agency can use to claim the person is not properly or directly concerned. Most of the reasons are loose catch phrases."

In his view the Johnson Administration is "particularly skillful and imaginative in its use of secrecy and news manipulation as a protective device." Increased government secrecy, he believes, has resulted in marked loss of confidence by the people in the government.

"Nobody wants to release information that would give aid and comfort to the enemy," RUMSFELD went on. "But neither does the public want to be spoon-fed political medicine."

He blamed the Johnson Administration for the fact a public information bill hasn't been passed yet. "During our subcommittee hearings on the bill back in March and April, 1965," he related, "the only people who opposed it were those testifying for the Administration. The Johnson forces later tried to have the concept of executive privilege made into law by incorporating it into the public records bill."

In a speech on the floor of the House Oct. 21, 1965, RUMSFELD charged that a "Freedom of Information" bill (H.R. 5012) had been bottled up in the House Government Operations Committee because of "well-known and well-publicized White House opposition."

He asserted that attempts were made in May, 1965, to redraft the earlier public records bill so that it would contain "an almost total concession to the Executive Branch by codifying Congressional support for Executive secrecy under the concept of Executive Privilege."

Because of the scope of the revision, he said, the Subcommittee meeting ended without any agreement having been reached. "The redrafted bill would do more harm than good," he declared. "Fortunately, it has now died a quiet death. But one thing is clear. The Executive Branch is opposed to the bill. At best, the legislation they (federal agencies) favor would be a farce by merely preserving the status quo. At worst, it would further circumscribe the public's right to know and put into law the broadest possible concept of Executive Privilege."

WOLF AND SHEEP

RUMSFELD said the House bill was redrafted with the Justice Department coordinating the Executive Branch work with the Committee Staff. He remarked:

"It is not difficult to figure out why it was a bad bill. Asking representatives of the Justice Department to assist in the drafting of a Freedom of Information bill is like asking the wolf to guard the sheep.

"Their redraft version of the bill would write into law a provision whereby any information, regardless of its nature, could be withheld from the public 'by direction of the President.' There was no provision to protect against circumvention by delay. Legal remedy would not be available until a determination be made by the bureaucrat who withheld information and no time limit was specified."

RUMSFELD told E&P that the country has 150,000 governing units, school boards, conservation districts, municipalities, states, the nation, etc. And that it is operated by some 1,000,000 elected officials, ranging from mosquito district trustee to President of the United States, and by some 6,000,000 full-time employes.

"Our government is so large and so complicated that few understand it well and others barely understand it at all. Yet we must understand it to make it function better," he commented.

"Under S. 1160, the Press is the public's contact point for seeking any withheld information from such government agencies. It has the special experience and knowledge to seek the right information, to make the right requests, and, if the requests are denied, to take the offending agency to court so that records will be made public.

"If S. 1160 becomes law, it will keep Federal agencies operating in a fishbowl."

NEW HAMPSHIRE'S MEL DUNBAR HAILED AS NEW PRESIDENT OF U.S. OPTOMETRISTS

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, last week in Boston, Mass., the American Optometric Association held its 69th annual congress. One of its duties was to select the optometrist who would serve as president of the association until its next annual congress, which meets in Portland, Oreg., in June of 1967. The association has approximately 14,000 members who are licensed to practice in 1 or more of the 50 States and the District of Columbia.

You are well aware of the importance of vision in this day of supersonic speeds, and of computers that not only compute, but print words at unbelievable rates of speed. Our national defense, industry, education, the war on poverty, from Project Headstart to the welfare of our older citizens, is dependent upon comfortable and efficient vision. There are more than 400 commissioned optometrists in the armed services, and many more are needed.

The man who was chosen president to head up the work of this great organization was Melvin Dunbar, of Lebanon, N.H., a close personal friend of mine. He has served his profession in many capacities, among others, as secretary-treasurer of the association and a member of its board of trustees for many years. His elevation to the presidency was a well-earned recognition of his devotion to the visual welfare of his fellow men.

He is an outstanding leader in his community whose enthusiasm, ability, and experience, will advance the work of the association.

Congress, in recent years, has recognized the need for more optometrists and has included the members of this profession and their schools and colleges in much of the health legislation which we have enacted. But, there are other areas where optometry should be included in Federal legislation; and I am sure that when Dr. Dunbar turns over the gavel to his successor next June he will be able to look back upon a year of great achievement, not only for the members of his profession, but for the welfare of all of our citizens.

We of New Hampshire are proud of Mel Dunbar, and I feel confident that my colleagues in the House will support him whenever possible in his administration of this important office.

CONGRESSMAN CLEVELAND PRAISES TESTIMONY OF HON. ROBERT W. RHODES, COMMISSIONER, DEPARTMENT OF SAFETY, STATE OF NEW HAMPSHIRE, BEFORE THE HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE ON HIGHWAY SAFETY PROGRAMS

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, during the past several months, there has been mounting congressional concern for more effective highway and traffic safety programs throughout the Nation. No less that five congressional committees have recently held hearings on the various aspects of highway and traffic safety programs with a view toward the enactment of revised Federal legislation to insure the safety of America's motoring millions.

The first significant step toward expanded highway safety programs in the several States was taken last session with the enactment of Public Law 89-139 which emanated from Senate Joint Resolution 81. This law contains a provision offered by our late Republican colleague from California, John F. Baldwin, to provide for State highway safety programs designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom on the highways on the Federal-aid highway system. Under the provisions of the farsighted Baldwin amendment, after December 31, 1967, each State should have a highway safety program, approved by the Secretary of Commerce.

Provisions for an effective accident records system and measures calculated to improve driver performance, vehicle safety, highway design and maintenance, traffic control, and surveillance of traffic for detection and correction of high or potentially high accident locations are among the aspects of highway safety to be included in uniform standards to be approved by the Secretary of Commerce. The highway safety programs envisioned in the Baldwin amendment would have to be in accordance with those uniform standards.

COMMITTEE BILL

Mr. Speaker, the House Committee on Public Works, on which I have had the privilege of serving for 4 years, has ordered reported H.R. 13290, with amendments, which would amend title 23 of the United States Code to provide for highway safety research and development, certain highway safety programs, a national driver register, and a highway accident research and test facility.

The provisions of this legislation, as ordered reported, are in keeping with the longstanding Federal-State partnership approach to the Federal-aid highway programs. Under the provisions of the bill, the Federal departments and agencies, State and local governments, private industry, and other interested parties are to cooperate to increase highway safety.

Highway safety programs will be designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom, as initiated by the Baldwin amendment. Various safety research programs will be carried out under the direction of the Secretary of Commerce.

The Secretary may use these highway safety research funds, either independently or in cooperation with other Federal departments or agencies, for grants to State or local agencies, institutions, and individuals for training or education of highway safety personnel; research fellowships in highway safety; development of improved accident investigation procedures; emergency service plans; demonstration projects; and related activities with are deemed by the Secretary to be necessary to carry out the purposes of that section of the bill.

LISTING OF VIOLATORS

The legislation, as ordered reported, would also amend present law to provide that the Secretary shall establish and maintain a register identifying each individual reported to him by a State, or political subdivision thereof, as an individual with respect to whom such State or political subdivision has denied, terminated, or temporarily withdrawn, except for a withdrawal for less than 6 months based on a series of nonmoving violations, an individual's license or privilege to operate a motor vehicle. The names of these people will be protected against improper use.

The bill, as ordered reported, also provides for the establishment in the Department of Commerce of a National Highway Safety Advisory Council composed of the Secretary, who shall be Chairman, the Federal Highway Administrator, and 29 other members appointed by the President which members are to constitute a representative cross-section of concerned parties.

The bill, as ordered reported, would authorize the Secretary of Commerce to make a complete investigation and study of the need for a facility or facilities to conduct research, development, and testing in highway safety authorized by law, and research, development, and testing relating to the safety of agricultural machinery used on highways or in connection with the maintenance of highways, with particular emphasis on tractor safety. The Secretary shall report the results of his investigation and study to Congress not later than January 10, 1967.

This legislation, as ordered to be reported by the Committee on Public Works, is a sound approach to the problems of safety on our Nation's highways. It is a realistic approach to a critical situation in which 50,000 Americans are robbed of their lives every year, and injures tens of thousands more, many permanently.

COMMISSIONER RHODES TESTIFIES

Mr. Speaker, on Tuesday, May 10, 1966, the distinguished commissioner of the Department of Safety of the State of New Hampshire, Robert W. Rhodes, appeared before the House Committee on Interstate and Foreign Commerce on the highway safety legislation pending before that committee. The commissioner demonstrated his acute awareness of and experience with the real problems of highway safety, the problems with which the bill, H.R. 13290, as ordered reported, is concerned. The commissioner's concentration on particular areas of highway and traffic safety were very similar to what has been included in the bill ordered reported by the Committee on Public Works.

As a Member of Congress from New Hampshire and as a former member of the State Senate of New Hampshire, I have been much concerned about highway safety. I have been very pleased with the work of the department of safety of the Granite State, and I am very proud of its contributions to safety on the highways of New Hampshire and the Nation.

The commissioner's outstanding testimony is indeed worthy of consideration by all Members of Congress and by all organizations and individuals interested in improving the highway safety programs of this Nation. Mr. Speaker, at this point I include in the RECORD the statement of Commissioner Rhodes before the House Committee on Interstate and Foreign Commerce. I commend it to the attention of all Members of Congress and to all concerned Americans.

THE HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE HIGHWAY SAFETY ACT OF 1966

(Statement by Robert W. Rhodes, commissioner, Department of Safety, Concord, N.H., May 10, 1966)

Mr. Chairman, Members of the Committee. My name is Robert W. Rhodes. I am Commissioner of the Department of Safety for the

State of New Hampshire. The Department of Safety is made up of three Divisions, Division of Motor Vehicles, Division of State Police and Division of Safety Services. My office is at the New State Office Building, Concord, New Hampshire and I am here today in a dual role. First to represent John W. King, Governor of New Hampshire and also in my capacity as Commissioner of Safety. We at the State level heartily endorse this new interest on the part of the President and Congress—in Highway Safety.

Here in the Granite State we are convinced that the new interest in Traffic Safety on the part of the President and the Congress will lead to more effective programs of traffic accident prevention.

As the distinguished members of this Committee know, the States long have engaged in efforts to bring constant improvement to the safety picture. Personally, I feel that these efforts have met with a large measure of success, particularly during the past 25 years, as the fatality rates per 100 million miles of travel have been cut from 12 in 1941 to 5.6 last year, while the number of vehicles, drivers and miles driven has multiplied several times.

Consider, if you will, that the number of facilities last year would have been more than 100,000 if these gains had not been made. Unfortunately, despite accomplishing these reductions, the "law of diminishing return" does exist and to make further improvement, our efforts must be doubled and redoubled.

While the States bear the primary responsibility for traffic safety promotion, it is the duty of every level of government, every public and private organization and every citizen to contribute what they can toward better solutions to this problem.

Increased federal participation in the Traffic Safety field is long overdue, and we firmly believe that provisions in the proposed Legislation, which will increase aid to the States in order that they may do a better and more effective job in traffic safety will bear substantial returns.

The experience of our State with regard to increases in automobile fatalities and accidents in recent years has been similar to that of many others. For example: in 1961, we had 100 automobile fatalities, in 1962 it increased to 111, in 1963, 142 deaths at the rate of 4.4 persons killed for every 100 million miles traveled, and in 1964 the figure soared to 158 deaths at the rate of 4.7 persons killed per 100 million miles of motor vehicle travel. Obviously, something had to be done to arrest this upward trend of carnage on our highways. Therefore, in the summer of 1964, Governor John W. King appointed a Governor's Traffic Safety Committee, made up of 15 individuals who were leaders in the field of highway safety in our State. These included representatives of the Department of Safety, heads of statewide organizations, concerned with the problem and individual citizens knowledgeable in the field.

The Committee immediately set to work analysing the highway accident problem in New Hampshire to try to determine where the greatest weaknesses existed and what approach we should use in solving the problem. After considerable deliberation, a line of attack was developed. Since the State Legislature would be meeting in 1965, it was recommended that this be presented to the Legislature as a Highway Safety Legislative Program. Governor John W. King gave endorsement to the program and presented it in a special message to our Legislature, outlining the various points it contained.

We were favored with a very safety conscious Legislature in 1965 and succeeded in obtaining many measures which we felt were vital to the Motor Vehicle Law Enforcement and to Traffic Safety. This was reflected by our Governor John W. King, the State Senate and the House of Representatives in their joint actions to bring the State of New Hampshire into closer conformity to the recommendations of the Uniform Vehicle Code and with those of the American Association of Motor Vehicle Administrators. After a review of a number of these Laws, you will note that among them are some that are considered somewhat controversial and have been pigeon-holed by many States for future action. This was not the thinking in New Hampshire and for this reason I do not hestitate to state that with the leadership of Governor John W. King, several objectives were accomplished. These included:

(1) The establishment of a permanent Traffic Safety Commission with a $25,000 a year appropriation. This made possible the employment of an Executive Director and the initiation of a public support program patterned after that recommended in the "President's Highway Safety Action Program".

(2) Implied Consent Law. Our analysis of the causes of automobile accidents, particularly fatalities, showed that in a majority of cases excessive use of liquor was at the root of the problem. Four previous Legislatures had considered such Legislation but had not enacted it into law. However, based on the recommendations of the Traffic Safety Commission, the Legislation was adopted and is now in effect.

(3) Realistic or Absolute Speed Law. It had been years since our State had attempted any modernization of its speed control laws. Observation of posted speed limits were and still are not realistic. This resulted in disrespect for the law. Based upon the recommendation of our Commission, which in turn were taken from the Uniform Vehicle Code, our Legislature enacted a new speed control law. Among other things, it provides for the establishment of realistic speed limits following a joint survey of our highways by our State Highway Department and our Department of Safety. When this survey is completed within the next two years, necessary new speed limits will be posted and our Enforcement Officers will see that they are observed by motorists.

(4) Driver Education. This Legislation required that no person under the age of 18 years may be licensed in the State of New Hampshire until such time as he has completed a course of instruction either in a High School or through a private licensed instructor. The law also requires that private schools provide classroom training and that all instruction meets the standards of the curriculum established by the Commissioner of Safety and the Commissioner of Education.

(5) Minor Possessing or Drinking Intoxicating Beverages. This Legislation allows for a ninety days suspension of license for any person under the age of 21 who is found to be in possession or drinking alcoholic beverages. Alcoholic beverages can only be transported if the parents or legal guardian are in the car with the youth. It further provides for a ninety day period suspension where it is found the operator shows .05 percent alcohol in his blood.

The New Hampshire Department of Safety, Division of Safety Services has undergone a major "belt-tightening" in its driver licensing program. Several new programs have been implemented during the past two years which have produced highly satisfactory results.

The main purpose of this effort was to place more emphasis on the improvement of driver attitude and general qualification for motor vehicle operation. This included special attention to the basic requirements such as applicant's knowledge of motor vehicle laws and improved procedures for road testing.

Numerous administrative changes have been put into effect which provide for greater control over license issue to assure that only those who meet the strictest requirements are issued licenses to operate in this State. Full use of the One License Concept and the interchange of information with other States has been helpful in eliminating those who attempt to obtain license by false statement. This, we consider, is a must if we are to assure ourselves that new drivers in this State do not hold previous conviction records for which they are under revocation or suspension in another State.

In addition to the programs of the Governor's Traffic Safety Commission, it was recommended to the 1965 Legislature for authorization and financial support for the increase of personnel within the uniformed branch of the Division of State Police. It was also recommended the establishment of an auxiliary State Police force which could be called into action to supplement the regular State Police, particularly during summer and holiday weekends when the traffic is particularly heavy. Both of these recommendations were approved by our Legislature.

Meantime, Legislative authorization had been given in two previous Sessions and continued in the 1965 Session for a special Interim Committee on Uniform Traffic Laws and Ordinances. This consisted of representatives of the Senate and House and five citizens appointed by the Governor. The Committee made a comparison of our State's motor vehicle laws and comparable sections of the motor vehicle code and followed up these comparisons by recommending Legislation needed to bring our State's traffic laws into substantial conformity with the Uniform Vehicle Code.

As a result, during the past four years, Legislation has been enacted in our State bringing our laws into conformity with the following sections of the Code. Rules of the road and driver licensing. The latter includes the reexamination of drivers of 75 years of age or older. The Committee authorized by the last Legislature are currently completing the job of comparison of our laws and the Code. It is anticipated that this Committee will recommend to the next Legislature, legislation pertaining to other sections of the Uniform Vehicle Code.

We have some most startling statistics over the past three years in the Granite State and that is of the single car fatal accidents. In 1963 there were 120 fatal accidents. Of these fatal accidents, 100 were single car crashes, or 82 percent. In 1964 there were 138 fatal accidents and 95 were single car accidents or 68 percent. In 1965 there were 132 fatal accidents with 98 being single car mishaps, or 74 percent. Thus far in 1966 we have had 31 fatal accidents, 23 being single car accidents, or 74 percent.

We are all aware there is a definite reason for every highway fatality and at this time in New Hampshire a highway fatality investigation school is being conducted for members of the Division of State Police under the direction of Dr. Alfred Mosely of the Trauma Research Corporation of Cambridge, Massachusetts.

The Department of Public Works and Highways in New Hampshire has placed particular emphasis on the improvement of our highways. The Granite State now stands fifth among the States in the percentage of completed miles of the Interstate System opened to traffic. Also, our State Highway Department has been working closely with the Department of Safety in the improvement of highway locations known to constitute traffic hazards.

Following the same approach we are giving much attention to the safety of the vehicle itself through out periodic motor vehicle inspection program. This biennial inspection program has been in effect for many years. Recently it has been updated. I would like to submit for your study a copy of our new

Inspection Manual, issued last year, which gives specific instructions to over 1300 privately-owned State authorized inspection stations on how to do a thorough job of inspecting the vehicle. We work very closely with the inspection stations in this activity including the conducting of training schools for inspectors and checking of the inspection establishments themselves.

I could go on telling you more about our highway safety activities in New Hampshire but time does not permit. We like to feel, however, that our activities had a part in the reduction of automobile fatalities from 158 in 1964 to 146 deaths in 1965 or a reduction in the number of persons killed per 100 million miles from 4.7 in 1964 to 4.0 in 1965. We feel that a still greater reduction could be brought about if additional funds and assistance were available. That is why we are particularly pleased to endorse increased Federal participation in the traffic field as it provides for additional research by the Federal Government on the causes of automobile accidents and for support of stepped-up highway safety programs in the States.

We feel in our State that with this additional help we could increase our activity in several fields such as the following:

(1) Studies of accidents. While we have made many studies of the causes of accidents we know that much more needs to be done, particularly as it relates to the driver and one-car fatal accidents.

(2) Accident Reporting. We need to improve our accident reporting system so that we can prepare better case histories of our problem drivers.

(3) Review of Overall Safety Establishmnt. A study of the interrelationship of highway safety activities of our several State departments and local subdivisions of Government might point out where additional improvements are needed.

(4) Review of Court Procedures. Obviously enforcement of traffic laws will be effective only if our law enforcement is backed up by our courts. More attention to the handling of traffic cases in our courts along with a review of our penalties systems would be more helpful.

(5) Stepped-up Program of Public Education. This is a part of the program which could go forward with great effectiveness if it were not for the limitation of funds. Federal assistance in this area would be welcome. Additional Federal funds would make possible more driver education courses in our schools; the carrying out of intensive public educational program on highway safety with newspapers, radio, television, handouts at strategic points along our highway systems such as toll stations and safety exhibits at public gatherings such as fairs.

Earlier I mentioned the work which our Division of Safety Services is doing with the inspection of vehicles. We feel that it is important to inspect all cars in use as well as those that are sold for the first time. After all, there are about six times as many used cars on the road as there are new automobiles. Over the many years that our State has been involved in the inspection program it has been necessary for us to establish certain standards of performance. This is true of many other States with similar inspection programs. Since their are specialists in our Motor Vehicle Division in this particular activity we feel that they could be of great assistance to the Secretary of Commerce in your administration of Title I of the Bill Congress is currently considering.

In the final analysis, the Secretary of Commerce will have to rely on the States to enforce the safety standards which you may prescribe for new motor vehicles. We feel that you will want the initial participation of the States in arriving at the standards. We subscribe, therefore, to the suggestion that the Vehicle Equipment Safety Commission already in existence and of which New Hampshire is a member should be brought into Title I in at least an Advisory manner. Arrangements could be made whereby the Vehicle Equipment Safety Commission could suggest to the Secretary of Commerce which standards it feels should be adopted. The Secretary could or could not adopt these standards as he desires. We feel this is important if the true objectives set forth in Title I are to be attained.

We also feel that Title I should be amended so that the States will be permitted to adopt safety standards as prescribed by the Federal Government for other than new vehicles. This would conform with New Hampshire's vehicle inspection program.

In closing, may I reiterate our support of the Legislation now before you. We feel that this should enhance a Federal-State partnership in the solution of the highway accident problem. We submit to you that the program can be successful only if the States are permitted to participate in the program all the way, including recommending safety standards for motor vehicles. Thank you.

DEATH OF FORMER REPRESENTATIVE LOUIS C. CRAMTON

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, death has ended the long and distinguished career of former Representative Louis C. Cramton of Lapeer and Saginaw, Mich. This is cause for mourning not only in Michigan but in the Nation's Capital because Mr. Cramton was a most unusual man. He was a man held in deep respect and affection by all who knew him, regardless of their own personal political loyalties.

Congressman, judge, State legislator, newspaper publisher, attorney, Republican—Louis Cramton was all of these. But he was much more. He was a champion of the Negro before the term "civil rights" was ever coined. He was prominent in the development of Howard University in Washington, D.C., and the auditorium there bears his name. As Congressman from the old Michigan Seventh Congressional District from 1913 to 1931, Mr. Cramton also earned the title of "godfather of American national parks."

The name of Louis Cramton lives in Washington as well as Michigan, a monument to all those who serve their nation and their fellow man with selfless devotion. The country has lost a rare individual, a splendid human being.

CHAMBERLAIN RECORD SPEAKS FOR ITSELF

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, last week our good friend and colleague, the gentleman from Michigan, Charles Chamberlain, commented on the syndicated newspaper column which challenged the integrity of certain Members of this House, including the gentleman from Michigan. He explained beyond a doubt that the allegations against him were wholly unfounded.

Under leave to extend my remarks, I include an editorial from Mr. Chamberlain's hometown paper, the Lansing State Journal, entitled, "Chamberlain Record Speaks for Itself." As I said last week, all of us admire our colleague's integrity, forthrightness, and diligence. It is good, therefore, to note the support and encouragement which he has received from the folks at home.

The editorial follows:

[From the State Journal, Lansing—East Lansing, June 24, 1966]

Chamberlain Record Speaks for Itself

It was easy for Rep. Charles E. Chamberlain, R-Lansing, to refute the charges in a syndicated Washington column that he quietly served the interests of two clients of his law firm in legislation he sponsored in Congress.

The column, produced by Drew Pearson and Jack Anderson, said:

"Three years ago, Rep. Chamberlain introduced a bill, H.R. 458, to repeal the manufacturers' excise tax on passenger cars and trucks.

"When the congressman introduced the bill, he did not tell his congressional colleagues or the voters back home that his law firm represented the United Trucking Service and the Detroit Automobile Interinsurance Exchange, both interested in having the taxes on cars and trucks removed."

In his statement to the House, Chamberlain said:

"To charge that I pushed for repeal of the 10 per cent automobile excise tax because my law firm had two clients favoring such action or to imply personal financial consideration to me is absolutely ridiculous, irresponsible and false.

"It was because of the auto-oriented complexion of my congressional district that I proposed auto excise repeal from the very first day I came to Congress in January, 1957—and for no other reason. I would have been derelict in my duty to my constituents if I had not done so."

Asserting that Pearson and Anderson had never checked with his office or the law firm in question concerning statements made in the column, Chamberlain listed what he called a number of errors in fact.

He said he did not introduce the excise tax repeal bill three years ago, as the column said, but on January 16, 1957—thirteen days after he took his seat in the House of Representatives, after having campaigned on the same issue the previous summer.

Thus, Chamberlain said, his connection with the legislation preceded his connection with the law firm of which he was a member for two years from 1962 to 1964 and from which he resigned because he said his duties in Washington prevented him from making any contribution to the firm's work.

Further, Chamberlain stated that when he formed his connection with the firm the existing partners reached this agreement with him:

"You will perform no services for the firm, nor shall you share in any income received by the firm from services performed by it, involving matters with or before the United States, its departments, bureaus, services or facilities; it being the clear intention and purpose of all of us to scrupulously and completely avoid any possible conflict of interest or even the appearance thereof between your services to the United States as a congressman, on the one hand, and as a consulting lawyer to this firm, on the other hand."

Whatever the attitude of the United Trucking Service and the Detroit Automobile Interinsurance Exchange toward auto excise tax repeal advocated by CHAMBERLAIN may have been, such repeal was in the legitimate interest of the Sixth District he represents and of Michigan as a whole.

In his long compaign for the auto excise tax repeal, CHAMBERLAIN sought to benefit the purchasers of automobiles, the employes of the industry that produces them and the industry itself.

By pointing out the serious discrepancies between the column and the facts pertaining to his introduction of the legislation and his connection with the law firm, CHAMBERLAIN appears to have effectively spiked the specific charges made against him.

Up to this point there has been nothing to support the charge, or the innuendo or the implications. Hence there doesn't appear to be any need for anyone to add anything to CHAMBERLAIN'S own prompt defense of his role in behalf of legislation that obviously is in the best interests of not only his own constituents and the people of Michigan, but, indeed, the people of the nation as well.

A CHEER FOR THE TIRED LIBERAL

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, when a seasoned member of the liberal community cautions against magic overnight panaceas in combating our social ills, his admonitions should be accorded added consideration. When such an effort seeks to further future progress by profiting from past mistakes, his objectivity is to be commended. The Wall Street Journal, certainly no citadel of liberalism, recently applauded the efforts of John Fischer of Harpers in recommending "very hard work over a long period of time" to effect true progress in our time. Present attempts to eliminate social shortcomings of long standing by flourishing the Federal checkbook should be reevaluated in the light of past recent history.

I join with the Wall Street Journal in commending Mr. Fischer for laying it on the line, and I place the editorial, "A Cheer for the Tired Liberal," in the RECORD at this point:

A CHEER FOR THE TIRED LIBERAL

A small but heartening sign on today's intellectual horizon is the budding pragmatism among certain old-time liberals. The current issue of Harper's magazine includes a particularly interesting analysis of this phenomenon, which has a lesson for most everyone regardless of political persuasion.

Harper's editor-in-chief, John Fischer, has written a "Letter to a New Leftist from a Tired Liberal." He finds much to admire in the zeal and devotion of the New Left, as manifest in civil rights and peace movements. Even when he says "so far as I can see, no radical movement since the Luddites has been so incoherent about its aims," it is merely to warn that imprecise purposes may sap the energy with which the New Left challenges today's orthodoxy:

Mr. Fischer does complain, however, that the New Left is overly intolerant of the "tired liberal," who lacks its outrage and urgency about the blots on our social order. One reason middle-aged liberals are tired, he notes, is that they can remember when society was far more tarnished. A more important reason, he continues, is that they have too often suffered disillusionment at the results of their own prescriptions.

In the 1930s, he recalls, most liberals thought strong labor unions, under intellectual leadership, would cure all of society's ills from war to anemic arts. But "instead of becoming the shock troops of liberalism, the unions (with a very few exceptions) quickly petrified into lumps of reaction and privilege." They seldom have any grasp of higher purpose, he observes, and "at their worst, as in the case of the Transport Workers Union of New York, they have turned pirate, using their monopoly power to torture millions of people (most of them workers) into paying ransom."

A second irony of the New Deal, Mr. Fischer continues, was its farm program. Intended to help the impoverished farmer, it actually helped the wealthy and displaced the poor. "The end product you can see now: A river of refugees, streaming into the cities in search of unskilled jobs or relief handouts—and sometimes, as in Watts and Harlem, exploding into a bewildered and pointless fury."

Many middle-aged liberals are wary, the writer explains, simply because they "have just gone astray so often on the road to the New Jerusalem that they want to make very sure of the road map before embarking on another march. . . . Still believing in progress, they have come to suspect that it can be achieved only by very hard work over a long period of time."

Mr. Fischer's homely lesson about the necessity of cut-and-fit progress is certainly apt for the New Left, and may apply almost as well to the New Right. Today's young conservatives often seem to copy their liberal adversaries in believing social ills can be cured by miracle drugs; they argue only that the drug is not the New Deal but its repeal. Thus they cast aside the core of pragmatism which was a mainstay of conservation from Burke through Taft.

We think the audience most in need of this lesson is not youth of either right or left but—though Mr. Fischer may not agree—liberals of his own generation too insensitive to share his weariness. The strain of common-sense pragmatism he shows is by no means limited to Harper's within the liberal community, but it has yet to have much evident impact on the liberals who now dominate our governmental councils.

To them it apparently still seems simple: What a Great Society needs to do is tidy up the odds and ends of the New Deal. Unions remain sacrosanct despite their abuses. The New Economics is the latest miracle drug, although it has yet to meet the critical test of turning expansionary policies, when necessary, into more cautious ones: If urban renewal has failed, keep that and add rent subsidies too. If there is poverty, declare war on it.

Unlike Mr. Fischer, for better or worse, those who vote such programs owe their jobs to popular election. It may yet prove the ultimate irony of the New Deal that, while it failed to find the New Jerusalem, it taught powerful political lessons about group vote-buying.

Still, we can hope that intellectual currents today become political currents tomorrow. On that chance, let's give a cheer for the tired liberal. And pardon us for observing that whatever he calls himself, he often sounds as much like Burke as like anyone else.

CELEBRATING THE FOURTH OF JULY

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mrs. DWYER. Mr. Speaker, in just a few days, we shall be celebrating the Fourth of July, and in doing so we shall be commemorating the courage and vision of the men who signed the Declaration of Independence in Philadelphia 190 years ago and struck this first decisive blow for American freedom.

As heirs and beneficiaries of their bravery, however, it is important that we go beyond the point of considering this great historic event simply as completed history. The Declaration of Independence has always been a uniquely living document, phrased in language that seems permanently contemporary, and possessed of the power to inspire people everywhere to the pursuit of personal liberty and national independence.

Nearly two centuries later, it is still our task to make of the Declaration the truly revolutionary statement it was meant to be, to make its enduring principles come alive again in our own day, to carry forward the spirit of freedom that infuses it. It has never been more important for all Americans to understand what freedom means, to appreciate the blessings that freedom has brought us, to face together the dangers which freedom confronts, and to accept the obligations which freedom imposes on all of us.

It belongs to every generation and to each person to keep freedom alive and growing—in our individual lives, in our institutions, and in the law of the land. Even here in our own country—proud as we rightfully are of how freedom has flourished among us—freedom is still our unfinished business and continues to demand our best efforts. Beyond our borders, the situation is even more challenging.

These are some of the things, some of the ideas, that free Americans do well to reflect upon frequently, but most suitably on the occasion of the anniversary of the Declaration of Independence, the Fourth of July. To stimulate such reflection, we are fortunate to have two great and impressive symbols of our freedom, the American flag and the ringing of bells—the sight and the sound, as it were, of our freedom.

Our colleagues will recall, Mr. Speaker, that in 1963 the House and Senate adopted a concurrent resolution which provided that the national holiday of the Fourth of July should be observed each year by the ringing of bells throughout the United States at the hour of 2 o'clock in the afternoon, eastern daylight time.

As an early sponsor of such a resolution, it seems especially appropriate to call the attention of our colleagues at this time to the action of the Congress just 3 years ago, and to express the hope that civic and community leaders across our land will utilize this most fitting and effective means of summoning our people to a renewed appreciation of our heritage.

As I have for the past several years, I shall take part in what has come to be a richly rewarding and deeply meaningful bell-ringing ceremony on July 4th in Fanwood, N.J. It was here that a young lady in the sixth grade of a local elementary school first wrote to me suggesting a wider observance of the ringing of bells on Independence Day thus crystallizing what had seemed to me an unfortunate dying-out of an old and valuable tradition.

Congress has acted to help revive this tradition, but it can only live and thrive if the people themselves respond.

Much the same is true of the display of the American flag, Mr. Speaker. One year ago tomorrow, I introduced a concurrent resolution which requested the President to prescribe a uniform rule for the display of the flag from Federal buildings. Although the Flag Code already provides that the flag should be flown daily from every public institution, this Code carries with it no enforcement provisions, and it is a regrettable fact that even Federal institutions do not always conform to its very reasonable and appropriate instruction.

As we all recognize, the flag is the principal symbol of the unity of the United States of America, just as the Federal Government is the institutional reality of that unity. Like the ringing of bells, the display of the flag provides an opportunity for our people to remember what it was that the signers of the Declaration of Independence and the framers of the Constitution brought into being and to ponder its significance for our time.

We belong to the fortunate few of this world in the richness and the longevity of our bequest of freedom. But if we would preserve and strengthen it, we must think about it and relate it to the time in which we live.

WHO'S KIDDING WHOM; OR JOB CORPS FIZZLE

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. QUIE. Mr. Speaker, the following is an editorial that appeared in the Modern Grocer magazine of May 27, 1966:

> A few months back Modern Grocer received a "hot" telephone call from Washington. Someone at the Job Corps headquarters asked for help in placing young men trained for supermarket work. "Fine," was the reply. "Give us the facts and we'll do a story."
>
> The facts came soon enough; a New York regional office was designated to which to apply and Modern Grocer editors hurried and wrote the story. We did more. We called up some key people whom we knew needed personnel and referred them to the Job Corps. We sat back then, waiting to see doors swing wide open and Job Corps graduates pour through.
>
> The doors did open. Key people in the stores phoned in, wrote; there were even personal calls. With what results? To date not a single candidate for a job has been supplied by the Job Corps. Calls to the New York office, letters, have turned up zero. In a word, they don't have people ready yet.
>
> Is this the way the Government does things? Is the Government playing some sort of game in which big expectations are raised but nothing happens? We think this matter of jobs and of stores needing people badly, who are not available, directly affects our entire economy and we ask, "What's with the Job Corps? Who's kidding whom with the people's money?"

All of this is indeed strange when you consider that OEO claims 6,013 graduates of the Job Corps to date, of whom only 2,526 have jobs, have gone into the armed services, or back to school. Where are the 3,487 Job Corps graduates who have supposedly been prepared for employment?

FISH PROTEIN CONCENTRATE PLANTS

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEITH. Mr. Speaker, on Monday the Senate passed a bill to authorize construction and operation of pilot plants to produce fish protein concentrate. I applaud this action and hope that we here in the House will soon do the same.

This legislation is urgently needed. Without it many years may pass before this country has an economical fish protein concentrate in large-scale production. But, with this legislation, we may soon find that we can provide this cheap, versatile protein which is so desperately needed by hungry millions all over the world.

At the same time, we would be giving a boost to our neglected fishing industry. The fish which can be used as the basis for this protein concentrate are largely unexploited by American fishermen because they do not have a market for them. Meanwhile, the Soviets and other foreign fishermen are rapidly depleting our other fish resources by taking a larger percentage of the total catch every year in waters traditionally fished by U.S. fishermen.

The Food and Drug Administration has in the past refused to approve this food concentrate on esthetic rather than scientific grounds. As a result, private development of the technology has been largely discouraged, and in the last 6 years we have made comparatively little progress in finding ways to develop FPC economically. The Bureau of Commercial Fisheries has done careful and complete studies over the past 2 years on a chemical process for producing FPC.

The National Academy of Sciences has stated that the product is safe and nutritious as well as urgently needed. Reports have reached me that FPC will shortly receive the official approval of the Food and Drug Administration. I can only say that I hope these reports are correct and that at last the Bureau's petition for approval of their process is to be extricated from the redtape.

Meanwhile I hope that we will proceed with consideration of the bill with the aim of sending legislation to the White House before the summer is over. The world already has waited too long for fish protein concentrate. Now is the time for action.

THE 30TH ANNIVERSARY OF THE MERCHANT MARINE ACT OF 1936

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, today marks the 30th anniversary of the Merchant Marine Act of 1936. This is the legislation which is supposed to provide the foundation for a U.S. merchant fleet adequate not only for normal peacetime operations but to stand ready for national service in a time of defense emergency.

On this day we are confronted with a situation which ridicules that legislation. Less than 9 percent of U.S. foreign trade today is carried in U.S. ships.

In 1939 there were 1,379 American-flag vessels on the high seas. Today there are 1,009. The Government proposes to spend less on new ship construction this year than it did 30 years ago.

The Maritime Administration has no head to replace the Administrator who left his position a few days ago following a stormy term of office. Though the White House has promised some kind of merchant marine policy on several occasions over the past 6 years, we still have no workable plan to give this country the kind of merchant fleet strength which is called for in the 1936 legislation.

As we call on foreign ships for the purpose of transporting vital cargoes to Vietnam in support of our military operations there, perhaps this 30th anniversary of the Merchant Marine Act of 1936 does not call for celebration.

Instead, we should have a measure of leadership from the White House in providing the administrative actions which could go a long way toward implementation of the 1936 legislation.

EDITORIALS BY THE DETROIT FREE PRESS AND PUBLISHER JOHN KNIGHT ON THE WAR IN VIETNAM

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Conyers] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CONYERS. Mr. Speaker, the Detroit morning newspaper, the Detroit Free Press, one of the leading newspapers in the country, has long been an articulate and perceptive critic of American policy in Vietnam. Its editorial pages have consistently provided forceful, thoughtful, and quite literate discussion of the background and effects of our current military involvement in Vietnam.

I have compiled all of the editorials from the Free Press on Vietnam for the 8-week period from May 1 to June 24 which I ask permission to insert in the Congressional Record immediately following my remarks. In reading these editorials I think my colleagues will find not only informed and perceptive discussion and criticisms of some of the causes and effects of the war but also suggestions of very appropriate alternatives to our current policy.

I also want to include in the Record some signed editorials on Vietnam by John Knight, the publisher of the Free Press and various other outstanding newspapers throughout the country. Since 1954 when the French left Vietnam, John Knight has been asking the hard and pertinent questions about America's steadily growing involvement in that country.

I am proud to be a representative of any area which is served by a newspaper which not only provides comprehensive reporting of the news but also informed and perceptive comment on the major foreign problem facing our country today.

The editorials follow:

[From the Detroit Free Press, May 3, 1966]

Fatal Presumptions

"I would like to talk with you tonight about the fallout effects of the Vietnamese war," said Sen. William Fulbright in a major foreign policy speech the other evening. And he did.

He spoke of the risks of escalation and a wider war, of the strains which the struggle is putting on East-West relations, of the alienation of allies, and of the impossibility of pursuing an open-ended war in Southeast Asia and a poverty war at home. He called this pursuit "a kind of madness."

But he spoke of more than effects, as important as they are; he spoke also of causes.

"America is showing some signs of that fatal presumption, that overextension of power and mission, which brought ruin to ancient Athens, to Napoleonic France and to Nazi Germany," he said. "The process has hardly begun, but the war which we are now fighting can only accelerate it."

And the speech holds a number of values for this nation at this time.

The senator spoke as a critic of policies which presidential opinion polls indicate much of the nation presently supports, and there's always reason for the nation to cheer a responsible public figure willing to buck a consensus. For a consensus might be wrong and there is a desperate need in a democracy for articulate dissent.

There's value, too, in the detached view of this nation which Sen. Fulbright took, looking at America as others in far-away places might look at America. For wrapped in our own pursuits there is the risk of losing objectivity, of adopting a manifest destiny for the globe, of spreading with an evangelical zeal the good as we know it whether others share our view of good or not. Proof of this can be seen in this nation's fumbling attempts to erect instant democracy along with an embassy in other lands.

And because some politicians tend to look only from one election to the next and some men in public life in these troubled times only from one crisis to another, it is valuable to have someone identify the threads of history in the fabric of present day life, to look back and to look ahead.

That "fatal presumption, that overextension of power and mission" of which Sen. Fulbright spoke is ancient to history. But it is relatively new to the U.S. and it is important for the U.S. to look at history now and profit from its lessons.

[From the Detroit Free Press, May 8, 1966]

The Editor's Notebook; Johnson Fails To Lead United States When He Asks What To Do

(By John S. Knight)

Lyndon Baines Johnson is said to be a strong President but he has an irritating habit of saying, "What would you do?" when he gets into trouble.

The war in Vietnam is one example of the President's utter frustration. Another is found in his recent remarks to a top-level labor-management panel currently assessing various ways to combat inflation.

On this occasion, the President said: "I ask you to look at this problem not from the standpoint of labor or business. I want you to ask yourselves: If you were President, what would you do?"

One can be sympathetic with the President's plight. The problems he encounters both at home and abroad are staggering in number and magnitude. They defy easy, simplistic solutions. Nevertheless, many of them are creations of this administration. Others could have been bypassed as having low priority in essentiality.

It seems to this observer that our war policies lack insight, skillful direction and total purpose. There can be no criticism either of our men in the field or of the military command. They have performed magnificently under the most trying conditions. The nation can be proud of their dedication and courage.

The changing emphasis from Washington produces confusion and uncertainty at home. First, it was said that the U.S. is in Vietnam by invitation of the government. Next, we were told that we must resist aggression everywhere. Quite an undertaking, that.

A third explanation suggests that the United States is acting in its national interest which, according to Vice President Hubert Humphrey, includes the "containment without isolation" of Red China.

And now it appears that Washington welcomes "free elections" in Vietnam which, if held, could result in our being asked to leave the country.

But not, I assure you, before the departure is conditioned on promises of vast assistance and the financing of an Asian Great Society.

So the question, "What would you do?" flows from such an intricate and complex background of gradual and unnecessary step-by-step involvement that it must be answered by the architects of these policies.

In fact, this means that only the President can decide. The voices of protest against the insanity of Vietnam have gone unheeded through the years. No one would listen.

Mr. Johnson, though an inheritor of the Vietnam mess, has undertaken to enlarge the conflict while talking of his hopes for peace. He bears the responsibility. He must therefore answer his own question and provide direction for the future.

[From the Detroit Free Press, Monday, May 9, 1966]

As We See It: Fulbright Acts Properly As a Responsible Critic

Barry Goldwater, the spokesman of "a choice, not an echo," is unhappy with some of the choices we've been getting lately.

Specifically, he's lashing out at the choices offered by Sen. J. W. Fulbright and is demanding that he resign as chairman of the influential Senate Foreign Relations Committee.

What vexed Goldwater was watching the committee's hearings on Vietnam and China and hearing Fulbright ask questions and raise issues that weren't wreathed in Goldwater's brand of patriotism.

Questions such as: What are we really trying to accomplish in Vietnam? What is our national interest there? Does the United States have the power to be the policeman of the globe? Are we really facing gallantly the challenge of communism, or are we enmeshed in someone else's civil war? Are we in danger of misinterpreting our awesome power into a universal mission that isn't shared or wanted by the remainder of the world?

These *are* vexing questions. They are vexing because they strike at the heart of our foreign policy. They are painful, as a nation, to face. They arouse passion, protests, disagreement.

And for these very reasons, we are better off as a nation for their being raised.

For these questions will be answered either as an outgrowth of vexations debate, or silently by an administration and State Department that drifts into new and expanding crises.

What is our purpose? This simple, direct question is raised by Sen. Fulbright. By raising it, he restored to the Senate some of its basic responsibility to advise the President on foreign affairs.

But Goldwater, the ex-senator and ex-GOP candidate for the presidency, can't see this. He also dissents from the Johnson administration's policies in Vietnam, but on the other side, the side of toughness.

He would close the North Vietnamese port of Haiphong and bomb targets "that really count."

He sees his dissent as patriotic, but says "no American has the right" to dissent in the manner of Fulbright.

And his criticisms were echoed in Michigan last week in a St. Clair speech by Thomas E. Dewey, the ex-New York governor and ex-GOP presidential candidate.

If there seem to be several "ex's" among those making these criticisms, there may be a reason.

Americans are increasingly able to distinguish between that brand of patriotism that says merely, "Charge!" and that which blends loyalty with responsible criticism. In

Fulbright we have the second and more valuable kind of patriot.

[From the Detroit Free Press, May 10, 1966]

Ky and Lodge Don't Help

Ambassador Henry Cabot Lodge is in Washington this week for a round of consultations with administration officials, and Premier Nguyen Cao Ky is in Saigon. Both in recent days have made statements about elections which are bound to raise fresh concern in South Vietnam and in this country.

"I expect to stay in power for at least another year," said Ky, "perhaps until the middle of next year. There is no doubt about that." And if the elections don't turn out the way he wants them to turn out, Ky added: "I and my friends will fight it."

What these statements do, of course, is to undermine the agreement worked out with Buddhist and other elements in Vietnam for free elections and a return to civilian rule. They risk sparking renewed street demonstrations. Secretary of State Rusk has tried to minimize their impact, explaining that "some interpretations may have been overdrawn."

Obviously, the issue needs clarification.

Ambassador Lodge, however, has provided only more confusion. He is quoted as having explained that the Vietnamese, in setting up elections, are embarking upon "an untrod path." He said: "They've never had elections on a national basis and a national question. It's never happened in their whole history."

But it has, as international relations Professor Bernard Fall of Howard University sets forth in a letter to the New York Times.

He reports that a "half-dozen or so nationwide elections" have been held in Vietnam, beginning with the pan-Vietnamese election on Jan. 8, 1946. He ticks off others.

"How well the Vietnamese people are aware, in spite of all the mythology to the contrary, of the issues involved is best shown by their attitude during Diem's reelection as president in 1961, when he had lost most of his prestige," says Fall. "In spite of the population increase, he lost one million votes from 1955 to 1961. And in Saigon, where foreign journalists could watch the polls, Diem got 354,000 votes out of a total of 732,000, while he had gotten 600,000 in 1955."

Professor Fall makes this telling point: "In other words, what has been lacking in Vietnam—both South and North—is not an acquaintance with the election process itself, or with its political meaning, but rather an effective and honest translation of the election mechanism into an unfettered expression of the popular will."

In short, the elections have been phony.

The statements by Ambassador Lodge, now in Washington, and Premier Ky, back in Saigon, don't deny that honest elections might be possible, but neither do they encourage the prospect. The American misreads history and reviews obstacles while the Vietnamese hints additional delay.

With the political base on which the U.S. continues its military operations so manifestly shaky, it is important for the Buddhists, the Roman Catholics, the Hao Hao and Cao Dai religious sects and other Vietnamese elements to receive firm assurances that recent pledges of free elections and civilian rule will be kept.

If not, that shaky political base will become untenable, and the United States will either be forced to withdraw or to admit frankly that we, and not the Vietnamese, are running their country.

[From the Detroit Free Press, May 12, 1966]

Shock Wave Out of China

The device which Red China exploded the other day containing "thermonuclear materials" may or may not have been a hydrogen bomb. And if it was a hydrogen bomb, it may have been a dud, as some speculation now suggests. Information still being gathered, including atmospheric samplings, can be expected to determine these things.

But what is clear now is that the weapon will have its fallout. The Japanese, in particular, and other neighboring Asian nations are now filing protests. What is also clear is that the weapon will have its shock value, and coming as it does with an escalating war in Vietnam it should cause this nation to re-examine its policies there.

For increasingly in recent weeks administration spokesmen have attempted to justify the U.S. role in Vietnam as essential to the containment of Red China. Yet there is considerable feeling among experts that the effect of our Vietnam policy could prove to be the exact reverse.

In its current number, Commentary magazine presents a round-table discussion on the topic of containing China. Those participating included Bernard B. Fall, professor of international relations at Howard University and author of two books on Vietnam; Richard N. Goodwin, former special assistant to both Presidents Kennedy and Johnson; Sen. George McGovern of South Dakota, and John P. Roche, professor of history and politics at Brandeis University and former national chairman of Americans for Democratic Action.

All, to a greater or lesser degree, criticized aspects of present U.S. policy in Vietnam and Southeast Asia.

Prof. Fall noted the increasing references to the Chinese threat in speeches by administration officials and found it "rather curious" that the speeches also often repeated "the well known fact that the Nort Vietnamese hate the Chinese." He said that he felt "only in the worst of circumstances—circumstances . . . that can only be created by our military pressure on North Vietnam—will the Chinese come in; and if they ever should come in, the North Vietnamese will receive them with the greatest misgivings."

This is what Prof. Fall and others call the "inherent contradiction," in the American approach to China and in its role in Vietnam.

Speaking at another point in the discussion of Ho Chi Minh, Fall, who has visited both North and South Vietnam, said he didn't know whether the North Vietnamese leader would have become another Tito with American encouragement, "but what I do know," he said, "is that he has been anti-Chinese ever since the Chinese arrested him in 1941 and kept him in the stocks for 18 months."

The views expressed by Prof. Fall are views held by others participating in the roundtable discussion and by many Asian students puzzled by the course of American involvement in Vietnam. For the best way to contain Red China would be to help erect independent states along her border and the best prospects for this in Vietnam have always lain, in the view of many observers, not with any puppet leader hand-picked by the United States, but with the popular leader who drove out the French colonists, the man whom the U.S. now opposes, Ho Chi Minh.

Red China's explosion of another nuclear device—this is its third—holds no immediate threat to the United States. It does, however, raise some fundamental questions which need thorough review.

[From the Detroit Free Press, May 12, 1966]

Tell the State Department

"The aims for which we struggle," said President Johnson at Princeton University Tuesday, "are aims which, in the ordinary course of affairs, men of the intellectual world applaud and serve: the principle of choice over coercion, the defense of the weak against the strong and aggressive, the right of a young and frail nation to develop free from the interference of her neighbors, the ability of a people—however inexperienced, however different; however diverse—to fashion a society consistent with their own traditions and values and aspirations."

It was a noble sentiment, and we join the intellectual community in applauding. But nagging questions keep coming back: Why don't we practice these principles? And why isn't the State Department told that these are our policies?

Sen. J. William Fulbright was a lot closer to the truth when he spoke of our "arrogance of power." Instead of giving the frail the right to develop free of interference, to fashion their own society, we seem determined to save them from themselves—even if we crush and coerce them in the process.

[From the Detroit Free Press, May 17, 1966]

As We See It: Ky's Clandestine Strike May Offer U.S. an Out

Premier Nguyen Cao Ky quietly loaded units of his troops into planes and flew into Da Nang the other night to take dissident military elements in that northern city utterly by surprise. Ky took American officials utterly by surprise also.

Americans who were asked to board the planes with Ky's men say they were kept wholly in the dark about the purpose of the mission. Rather than advisers, they were hostages and when they found themselves at Da Nang they didn't respectfully request permission to drop out; they just headed over the hill and around the corner for the nearest U.S. post.

There is other evidence that Ky acted strictly on his own without consulting American leaders. He struck at a time when Ambassador Lodge is in Washington for consultations and when General Westmoreland is in Hawaii for a brief visit with his family there.

If Ky did act alone and clandestinely, as he clearly appears to have done, then it puts the U.S. in a completely different position in the South Vietnamese struggle. It is both an impossible position and at the same time a promising one.

Not only do we lack the support of much of the civilian population—the recruits still being assembled by the Vietcong from among the South Vietnamese peasants proves this—but also we now can't even rely on the military regime we have installed in power. Helping the South Vietnamese fight one war to the front, we risk being caught in a withering cross-fire from warring elements of the South Vietnamese army to the rear.

Because this would be an absolutely impossible position to be caught in, it offers Washington fresh reason for seeking new ways out of the worsening situation. Buddhist leaders, looking forward to the elections which Ky has openly threatened to postpone and ignore, now charge him with "treachery." It is a strong word, perhaps too strong to apply to our own situation.

But the fact that Ky cut the U.S. out of a major maneuver, which carries palpably dangerous consequences, frees the U.S. from some of its responsibility to him. Now, if not before, the U.S. ought to round up all the support it can get from among the other nations of the world to have the UN intervene in Vietnam to supervise elections. While member nations could not justify any UN military intervention earlier, which left the U.S. virtually alone there, these same nations might try to bring an end to hostilities and prevent the opening of still more fighting on another front.

Many Americans have wondered for some time how the U.S. might extricate itself from the Vietnam morass which has gripped our military establishment like jungle quicksand. However many troops we have sent, there has seemed an open-ended requirement for more. There has been an escalation in weapons used and an expansion in kinds of targets hit. Many have wondered how the U.S. could get out with some degree of grace.

Premier Ky may now have offered a way out and, if so, Washington ought to seize it.

[From the Detroit Free Press, May 20, 1966]

AS WE SEE IT: THE ORIENTAL MIND ISN'T WHAT MOST PUZZLES U.S.

The greatest obstacle to Americans understanding what's really going on in Vietnam is not the difficulty we have in understanding the Oriental mind, although this presents its obvious problems. For example, when Premier Ky launched his crackdown on the Buddhists in Da Nang, some of them retaliated by stacking kindling and threatening to immolate themselves.

But as odd as this may seem to Americans, other aspects of the Vietnamese war and the desperate current political crisis are more puzzling still.

The proportion of U.S. casualties to South Vietnamese casualties in the war has been rising steadily as, progressively, the war has become more and more our war. Among the South Vietnamese units desertion is high, recruitment low and to fill the breach more Americans clamp on helmets and slog out into the jungles and more fail to return.

At the same time, demands for political reforms and general elections have revealed the government in Saigon to be only a reed and not an oak, without supporting roots among a cross-section of the people. And what the new crisis exposes more clearly than ever before is that Ky not only lacks the cooperation of the Buddhists but also the allegiance of portions of the South Vietnamese army.

The administration was "surprised and dismayed" by Ky's thrust into Da Nang and simultaneously convinced that Ky's faction of the South Vietnamese army was the most promising unifying force in that fragmented and beleaguered land. It did not rebuke Ky publicly nor, we are told, did it do so privately.

This has caused some to suggest that the administration may not actually have been surprised or dismayed by Ky's maneuver at all and that it recalled Ambassador Lodge from Saigon so Ky would have a clear field to do what he had to do. Removed from the scene, Lodge could more plausibly shrug his shoulders and plead innocence.

This fits with other bits and pieces of information, although the fit may be pure coincidence and without any real substance in fact. Ambassador Lodge is reported as at best lukewarm toward the prospect of elections, fearing that Ky would be toppled in any popular balloting. The timing was considered bad, according to these reports, and at least some within the administration saw value in delay.

However this may be, the U.S. is caught now in a cross-fire between elements of the South Vietnamese army as it fights a bitter two-front war. Our planes have been ferrying around Ky's lieutenants and our troops riding shotgun for them. We have taken a disputed bridge in the Da Nang area. Amid wild cheering, one of our planes buzzing a Buddhist pagoda was shot down by dissident South Vietnamese army units lodged there who may or may not have mistaken it for a South Vietnamese plane which earlier dropped pro-Ky leaflets.

So the mystery lingers: Did Washington know the thrust into Da Nang was coming or didn't it? Was Lodge removed to permit the thrust or wasn't he? What, precisely, was Washington's role in the whole affair and where do we go from here?

All of this is what forms the greatest obstacle to Americans trying to make sense out of the scrambled events in Vietnam. It's not so much that we can't probe the Oriental mind as that we simply can't figure out what our own administration may be up to.

[From the Detroit Free Press, May 24, 1966]

A PROMISE IS A PROMISE

Vastly outnumbered, their rifles no match for the tanks arrayed against them, rebel troops holed up in Da Nang pagodas have surrendered. The threat that dissident military elements posed for the Ky regime has diminished.

But other threats remain. The Buddhists continue to oppose the Ky regime and South Vietnam continues to be a nation torn in many directions by many factions. Words spoken by President Johnson during the height of the crisis continue, therefore, to hold profound meaniing, not only for the Vietnamese but for our nation as well.

"We believe everything possible should be done," he said over the weekend, "to bring the various factions to an understanding of the need for unity while the constitutional process is moving forward."

For the Buddhists and others outside the Ky government this means cooperation that looks toward elections. For the Ky government it means no welching on promises to hold these elections.

For the United States doing "everything possible" may mean taking some dramatic new steps to assure holding honest elections. It could mean a direct appeal to the United Nations to interest the international organization in intervention in Vietnam, not to support our military effort there, which would find little favor, but simply to supervise the holding of elections which would look toward the ending of civil hostilities and, ultimately, toward the settlement of differences with the Vietcong and with Hanoi.

Several reasons recommend such a course for the Johnson administration.

The tanks which ringed the rebel dissidents were U.S. tanks and the planes which buzzed the pagodas were U.S. planes. In the eyes of the Buddhists this nation is tied so closely to the Ky government that elections supervised by the Ky government or by our government would be suspect.

At the same time, the sudden and independent actions taken by the Ky regime to subdue the dissidents in Da Nang have given the Johnson administration more room to maneuver. The responsibility we owe the Ky government, which we established, is not quite so large as it was.

There is, moreover, a growing disquiet among Americans at this nation's ever deepening role in Vietnam, and disquiet suggests a highly practical political reason for the President to make an appeal to the UN.

Elections approach in this country whether they actually approach in Vietnam.

[From the Detroit Free Press, May 25, 1966]

DEFENDING THE INDEFENSIBLE

Assistant Secretary of State for Far Eastern affairs William P. Bundy complained good-naturedly that it often seemed to fall his lot to try to explain administration policy at a time "when the situation is less than clear."

Such a time was Monday as he stood before the Detroit Economic Club to talk about Vietnam.

As he spoke, some units of the South Vietnamese army remained arrayed against other units and beyond this immediate confrontation lay the long-term Buddhist opposition to the Ky regime. Out in the bush, in the war against the Vietcong and against Hanoi, U.S. troops continued to sustain heavier battle casualties than South Vietnamese troops, which have been increasingly occupied with internal political difficulties.

Under these circumstances Bundy did an excellent job of defending an indefensible basic policy. But the points he may have piled up during the course of his prepared speech were more than wiped out, in our view, in the question and answer session which followed.

If our position is so noble in Vietnam, someone wanted to know, why aren't we getting any help from our allies?

Bundy ticked off the help which this nation is getting—it didn't take long—and then said that unfortunately our allies aren't supporting our position in Vietnam because they don't have the same sense of responsibility for defending freedom.

It was a remarkable statement, raising as it did a serious charge. For, put in different words, a high American official accused our allies of irresponsibility in the defense of freedom.

These allies include the British, the French, the Canadians, traditional allies who have joined this nation in two great world wars as well as the Korean war. Having fought so well for freedom before, are these nations now irresponsibly shirking a duty to fight some more in Vietnam?

If this is what Bundy would have us believe, then he will have to answer to London, Paris and Ottawa, as well as to informed public opinion here. The hard truth is that our allies simply don't see the Vietnam conflict in the same terms as the administration does, nor, it might be added, do all Americans. Refusing to support our position in Vietnam, many of our friends and allies trade with North Vietnam.

Japan, which certainly can be assumed to have a considerable stake in the outcome of the Vietnam war, and France, which was a colonial power there and certainly knows something about the country, were North Vietnam's chief non-Communist suppliers in 1964, the most recent year for which figures are available. Other major suppliers included Great Britain, West Germany, Italy, New Zealand, Malaysia and the Netherlands.

Many things, as Bundy himself admits, may be fuzzy and temporarily unclear about the situation in Vietnam, but the position of our allies is not among them. Are all these nations wrong and irresponsible and the United States, alone, in the right?

This is the proposition which Bundy left with his Detroit audience and it is a proposition which neither Detroit nor other sections of the United States is very likely to buy.

[From the Detroit Free Press, May 27, 1966]

A ROLE FOR THE UN

To U Thant, Secretary General of the United Nations, the war in Vietnam is "a tragic situation for all the peoples and governments involved." In a major speech the other day at Atlantic City, he spelled out why.

"As the war worsens," he said, "its justification in terms of a confrontation of ideologies is becoming more and more misleading. For democratic principles which both sides consider to be at stake in Vietnam are already falling victim to the war itself." He called on the parties directly involved, once more, to try to resolve differences through negotiations.

But this raises other elements of tragedy. Past attempts at negotiation have failed and there are no good prospects for successful attempts now.

As U Thant spoke at Atlantic City, Secretary of State Rusk spoke at New York. Rusk said that he remained "prepared to go to Geneva immediately whenever there is anybody with whom to negotiate." North Vietnam, earlier expressing a willingness to negotiate, at the same time insisted on this nation recognizing North Vietnam's so-called four points, which included the withdrawal of U.S. troops and dismantling of U.S. bases.

This impasse persists. There is little prospect of resolving it. And while it persists, as U Thant said, the war worsens.

Add to this the evidence of continued political instability in South Vietnam, and the obligation on the Johnson administration to try something new becomes all the heavier. Viet students in rebel-held Hue sack and burn the U.S. Information Service library and our Don Oberdorfer reports from Saigon citizen sentiment is rising against the government's crackdown on dissidents.

We can stay in South Vietnam—of course, we can. Given enough men and enough bombs, we could probably occupy and defend the cities and much of the countryside. But questions of cost intrude. And questions of purpose as well.

If what this nation seeks for South Vietnam—and for all Vietnam—is the opportunity for its people freely to choose their own government and to go their own way, then another course of action would surely offer better prospects. For too long this nation has been waging a war virtually alone in South Vietnam, without the support of the rest of the free world, without the support even of those nations which are our closest allies. Walter Lippmann in a column elsewhere on today's page suggests that President Johnson reassess the situation, admit a mistake and begin gradual withdrawal. If this is too much to expect, there is something short of this which the President even more certainly ought to try.

It is time for the United States to approach the UN with an appeal for that international organization to assume the responsibility for assuring the elections which both sides seem so earnestly to seek.

The UN may have been unwilling to intervene in Vietnam to support our military role—the Soviet Union for one would surely have blocked such action—but would it be unwilling to serve as the honest broker for elections there?

The alternative to some such peaceful resolution of the conflict looms painfully clear. It is more fighting and escalated fighting which would risk the towering tragedy of a far wider war. The UN has a responsibility for preventing such a catastrophe and the United States, if not North Vietnam, has a responsibility for requesting it to do so.

[From the Detroit Free Press, May 31, 1966]

TOUGH QUESTION

Even some supporters of Senator FULBRIGHT and the intensive hearings he has been holding on this nation's involvement in Vietnam may suspect that he has now gone too far with his questioning of psychology and psychiatry experts.

But certainly at least one of the answers he solicited makes considerable sense.

"Do you really think a human being is a rational being," Senator FULBRIGHT asked Dr. Jerome Frank, professor of psychiatry at Johns Hopkins University.

"That's hard to answer in a hurry," replied Dr. Frank.

It is.

Isn't the most cursory look at recorded history enough to give any man pause?

[From the Detroit Free Press, June 1, 1966]

AS WE SEE IT: THE U.S. MUST REASSESS ITS PLACE IN VIETNAM

They stood before solemn crowds at about the same time in history half a world away, the President of the United States at Arlington Cemetery and a slim, youthful monk at the center of a pagoda in Saigon.

"The conflict in South Vietnam is confusing to many of our people," said President Johnson amid the simple white headstones that stretched in all directions.

Inside the pagoda the drum pounded an eerie quick-time. His face in absolute repose, Thich Giac Tri put his left hand on the wooden drum. With his right hand he raised a meat cleaver and hacked off his little finger at the second joint.

Later he explained the purpose of his act to our Don Oberdorfer.

"I hope that with this sacrifice, Buddha can help Nguyen Cao Ky to think and change his ideas," he said.

The American people are confused about the war in Vietnam, as they have never been confused about an American war before, and they are beginning to question this nation's deepening commitment to that remote land. The sacrifice of the young monk comes in a wave of Buddhist sacrifices, including horrible self-immolations, and exposes the profoundly deep religious and political differences which afflict South Vietnam.

Ky's military crackdown on several areas of discontent hasn't removed this discontent.

Standing amid the rolling hills of green grass and white headstones, President Johnson once more repeated what he has said so many times before, that "we must persevere" in South Vietnam. But the nation—a majority of the nation if recent opinion polls can be believed—asks: Why? At what price, for what purpose?

The United States fights in Vietnam virtually without allies. This might be managed. It fights now, however, virtually without a nation to save. Secretary General U Thant spoke to this point in a major address at Atlantic City only a few days ago, saying that the war in Vietnam had lost all ideological meaning for the South Vietnamese and that "the passion for national identity, perhaps one should say national survival, is the only ideology that may be left to a growing number of Vietnamese."

The U.S. has based its presence in South Vietnam on preserving that nation from communism and protecting the government there. But U Thant suggests that the people may not wish to be preserved from communism, not at the risk of annihilation; they'd rather be Red than dead.

And the government in South Vietnam has been no more than a military dictatorship for some time, hardly a noticeable improvement over communism.

These new doubts about the American role in South Vietnam come, of course, on top of a host of old ones which strike to the strategic value of Vietnam and the realistic chances of setting up a pro-Western government in that badly fragmented land on China's edge. Together they argue for a major reappraisal of U.S. policy.

Rather than talk of committing more and more U.S. troops, there ought to be plans laid for withdrawing those already there, caught as they are in an intolerable situation, fighting an enemy to the front and to the rear without any adequate base of support among the people they're supposed to be defending. Instead of raising the military budget because of Vietnam, we ought to begin trimming it.

For the plain truth is that the situation is South Vietnam has so deteriorated that the U.S. presence there becomes a presence by pretense, not a presence with a basis in principle.

[From the Detroit Free Press, June 5, 1966]

THE EDITOR'S NOTEBOOK: CASUALTY LISTS REMIND UNITED STATES WE CAN'T POLICE THE WORLD

"We are alarmingly close to another frustrating fringe war, following the same pattern of gradual involvement that we have seen before. I warn again that military victories alone will not resolve the situation in Southeast Asia."—From The Editor's Notebook of April 25, 1954.

Today—12 years later—the United States is wholly committed to the salvation of South Vietnam.

It seemed so simple at first. A few technicians and military advisers would be needed to show the South Vietnamese how to repulse the Vietcong guerrillas.

No American soldiers, mind you. Just advice and experts for training the Saigon military forces. In fact, Defense Secretary Charles Wilson said in 1954 that he saw no possibility that U.S. troops would have to fight in the jungles of Southeast Asia. In his blunt way, Mr. Wilson announced that "no such plan is even under study."

How wrong he was. For even then, President Eisenhower and Secretary of State John Foster Dulles were taking steps which could lead only to a larger involvement.

When President John F. Kennedy came to power, he conceded frankly that he was dismayed by the extent of our pledges. Mr. Kennedy felt privately that the U.S. had been overcommitted and he saw this development as holding great peril for our country.

Yet the pressures from the military, the CIA and the State Department moved inexorably in the direction of armed conflict. At Kennedy's death, President Johnson assured the nation that "we seek no wider war" but it was then that the real escalation began.

The ensuing years saw a sharp buildup of American forces and the construction of permanent harbors and airfields on Vietnam soil. It was to be an "easy" war in which the sheer might of U.S. military capabilities would soon overwhelm the hungry, poorly equipped guerillas of Ho Chi Minh.

But, as the French had discovered to their sorrow, the guerillas are excellent fighters, completely dedicated to a cause in which they believe. Progress was anything but easy, despite assurances from Gen. Maxwell Taylor and Defense Secretary McNamara that victory was just around the corner.

In 1963, following one of Mr. McNamara's inspection tours, he and Gen. Taylor announced officially "their judgment that the major part of the (American) military task can be completed by the end of 1965."

That was nearly three years ago. My comment at the time was that such proclamations were not worth reading "since there is not a word of truth in them." Yet the American people did give them credence because of the high authority of those who made them.

The record is replete with similar predictions of a victory which has proved to be elusive and difficult to come by. One Saigon regime after another has failed to build confidence throughout the countryside. South Vietnamese desertions have totalled some 90,000 in the past year.

Gen. Ky, the present head of the Saigon government, is but one of a number of warlords—all vying for power and prestige. He controls no united nation but rules for the time being because of superior firepower.

And yet Vice President Hubert Humphrey solemnly assured a television audience following the Honolulu conference that it resembled the Churchill-Roosevelt meeting at which the Atlantic Charter was born. As the St. Louis Post-Dispatch has said: "Not even the unctuously thoughtful visage put on by the Vice President can bring us to think of Marshal Ky and Winston Churchill in the same terms, and no matter how hard we try we can't quite bring the Declaration of Honolulu into focus with the Four Freedoms."

At this moment, additional American troops are being rushed into action to fill the void caused by the removal of South Vietnamese forces to cope with Buddhist uprisings. South Vietnamese are shooting at one another to the delight of old Ho Chi Minh who is undoubtedly ready to take advantage of this tragic internal struggle during the monsoon season.

As the New York Times says, "It is paradoxical that as the situation in South Vietnam deteriorates, the American commitment in troops and every other respect escalates." So a reappraisal is in order if the contending factions do not stop fighting each other and hold the promised elections.

Premier Ky can no more win a purely military victory over the Buddhists than the United States can crush communism with force of arms. It is a sorry predicament and no man can foretell the outcome when civil strife outranks in importance the fight against the Vietcong.

"The situation is tragic," says the Observer of London. "In effect, the Americans are caught in a trap. They have increased their commitments in order to strengthen their negotiating position, but by increasing their share in the fighting they have also demonstrated the growing inability and unwillingness of the South Vietnamese to carry on the battle."

Despite his nagging problems, President Johnson continues to exude confidence that "the South Vietnamese are moving forward step by step—and the direction is sound." He dismisses criticism with the oblique observation that "nothing is as dead as yesterday's newspapers."

Yet a study of "yesterday's newspapers" provides a disenchanting compendium of rosy progress reports on Vietnam and the uneasy impression that Johnson is merely feeling his way and waiting for the breaks.

He will need them if a satisfactory solution is to be found.

Without disparaging the good intentions of our President, the indubitable fact is that we blundered into the Vietnam mess and have thus far been unable either to win or to extricate ourselves with honor.

Johnson, of course, is not solely responsible for the unhappy course of events in South Vietnam. The pattern was set long before he assumed office. But one cannot forget that, as Vice President, he once hailed the late, unlamented dictator Ngo Dinh Diem as the "Winston Churchill of Asia."

One day the people will rebel against wars which do not directly involve our national interest. The cost in blood and treasure is appallingly high when measured against the non-achievement of the unattainable objectives.

But even now, President Johnson is giving strong support to the British blockade of Rhodesia though Britain sells her goods and supplies to our enemies in both Cuba and North Vietnam. And the Republic of South Africa may be next on our list as we seek to "reform" the peoples of other lands even as we fail to cope successfully with our major social and economic problems at home.

It is a simple matter to blunder into a trap as we have done in Vietnam; quite another to free ourselves without being severely lacerated.

Our mounting casualty lists are a grim reminder that no matter how noble our motivations may be, the United States is—as Sec. McNamara said recently at Montreal—in no position to police the world and reshape it in our image.

—John S. Knight.

[From the Detroit Free Press, June 14, 1966]

As We See It: Romney's Urge To Escalate Reflects U.S. Frustration

George Romney, speaking to a national television audience over the weekend, and Jacob Javits, speaking at commencement exercises at Hofstra University, discussed Vietnam and took basically opposite views on what this nation ought to do there now.

To Michigan's governor, our lack of success so far clearly points to the need to escalate the fighting—to bomb the fuel depots in the Haiphong area and to increase our troop commitments so the Vietcong would know they could not win.

To New York's Senator, this same lack of success indicates some fundamental weakness in our policy. Rather than more escalation, he favors de-escalation, saying the U.S. should stop sending additional troops to South Vietnam in exchange for a pledge from North Vietnam to discontinue its infiltration, and that bombing raids on the north ought to be curtailed to get North Vietnam and the National Liberation Front to the conference table.

"The cessation of bombing in the north should provide Hanoi with some face-saving reason for agreeing to talk," explains the Senator. "It would also create a calmer atmosphere for the talks."

Conflicting views on Vietnam are not new among politicians, of course, even among politicians of the same political party. The thing that makes the conflict between Romney and Javits of special interest is that they are being mentioned as GOP nominees for President and Vice President respectively.

Previously, Romney and Javits disagreed on whether there ought to be some compulsory system of universal military training, with Romney tending to favor a voluntary program of service in various agencies and Javits tending to favor compulsory service. Their differences on this issue can probably be ironed out relatively easily. But can a presidential and vice presidential candidate disagree so completely on what course of action their administration would follow in Vietnam?

We don't think so and, for our part, we prefer the Javits view. It has the support of an overwhelming number of Asian experts, among them former U.S. Ambassador to India John Kenneth Galbraith, who writes on Vietnam in the current number of Commentary magazine.

Galbraith thinks that this nation ought to go to a holding type of operation looking toward a negotiated settlement. He flatly opposes sending additional U.S. troops to Vietnam and escalating the fighting and the bombing.

"We must first of all escape from the entrapment of our own propaganda," he advises. "Vietnam is not important to us. Nor is it a bastion of freedom. Nor is it a testing place for democracy. It is none of these things."

And anticipating the frustrations of such men as Romney, as reflected in Sunday's Harris poll of opinion, he wrote:

"Some will certainly suggest covering their disappointments in the south with more muscular action elsewhere. The purpose of this, like the demand for manpower to pacify the whole country, is now, however subjectively, to bail out the reputations of those who for so long have been committed to this ill-starred enterprise."

[From the Detroit Free Press, June 17, 1966]

Self-Determination for Whom?

The more Premier Nguyen Cao Ky talks about the coming elections in Vietnam, the more pertinent becomes the question: What are we fighting for?

The Johnson administration has offered a score of different answers, depending on the circumstances, but one is always included in the package. We are there to guarantee self-determination for the South Vietnamese, the right to choose their own form of government.

Aside from the fact that Vietnam made its choice in 1954, when it drove the French colonialists out, and aside from the question of whether we can be policeman to the world, Johnson's answer isn't a bad one. At least it has the merit of nobility.

But Premier Ky sounds as if he'd never heard of it, just as all his predecessors in Saigon had never heard of it.

Ky's 20-man, hand-picked junta declared Wednesday that it will stay in power until at least the middle of next year. The role of the constituent assembly, to be elected Sept. 11, will be limited to writing a new constitution, the junta said. It will have no legislative powers.

This overruled the junta's own electoral commission, which proposed letting the assembly live on as a legislative body.

Further, the junta said, there will be only 123 seats in the assembly, instead of the 159 the commission had proposed. And each delegate will represent approximately 50,000 people, or a total of 6.15 million out of South Vietnam's estimated 15 million people.

This means, already, that the election and the new constitution are rigged. Forty percent of the people will elect 100 percent of the delegates, and the junta will tell the delegates how much power they have.

Members of the Vietcong, who are South Vietnam citizens, will not be allowed to vote. Nor will civilians in areas occupied by the Vietcong.

No wonder American officials say we will abide by the results. If we lose a rigged election like this, even the most hawklike supporter would have to concede we're not wanted.

And if we win, it will hardly be a fair test of self-determination. This kind of democracy the people could have had without us.

[From the Detroit Free Press, June 24, 1966]

As We See It: United States Could Lose a War by Winning the Battle

Whether the supposed American peace offer to Hanoi was made in good faith or in an attempt to regain the propaganda leadership is a question which cannot be answered. What is clear, though, is Hanoi's rejection. It left no doubt that the North Vietnamese leaders think they are winning and can win.

Before any move is made to the bargaining table, Hanoi said, the United States must stop bombing North Vietnam. It must also signify its willingness, as UN Secretary General Thant proposed, to talk to all those who are "actually fighting," including the Vietcong.

Then Hanoi may be willing to think about it.

This firm answer means that North Vietnam President Ho Chi Minh is confident he is dealing from strength, and from this side of the battleground it looks as if he's right.

Ho has seen South Vietnamese troops withdrawn from battle to fight each other. He has seen the Saigon military junta kept in power only with United States support. And Ho has shown us that every escalation on our part can be and is matched by an equal escalation on his part.

In the process, Ho has actually strengthened his military position. He seems to have patched up his differences with Red China so that he is getting more support in money and materiel from Peking than before.

This last fact alone should give the United States serious pause. Our best hope is to keep Southeast Asia out of Red China's hands, to try to establish there an independent, even if communist, nation. If we push Hanoi into the protective embrace of Peking, we might possibly win the battle, but we would certainly lose the war.

How slight is President Johnson's grasp of these facts was shown by his speech to legislative leaders in Washington the other day. We are in Vietnam, he said, to defend our own position as the No. 1 world power and the No. 1 "have" nation against international "gangsterism and aggression."

This can only mean he thinks Red China is the aggressor in South Vietnam, which is flatly not true, or he thinks we must destroy Red China, which he is not seeking to do and would be incredibly reckless to try.

The unemotional fact, as historian J. H. Plumb writes in the new Saturday Review, is that "Sooner or later America must get out of Vietnam, win or lose, and what then will be the meaning of this bloody drain of men and treasure? China will still be there, still communist, and much stronger. And China will have to be lived with."

The sooner the President can absorb these realities, the greater the chances of salvaging something at the bargaining table. To escalate further would only be to seal the doom of Vietnam, and waste the lives of more Americans.

WALL STREET JOURNAL WARNS OF ECONOMIC DOWNTURN TRIGGERED BY HIGH INTEREST RATES

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATMAN. Mr. Speaker, as many Members are well aware, each Monday the Wall Street Journal carries on its front page a column by Mr. George Shea entitled "Appraisal of Current Trends in Business and Finance."

This column is always interesting, but yesterday's piece was particularly impressive to me in view of my constant concern over such questions as full employment, inflation, interest rates and especially the grave problem of recurring recessions.

The article starts out by warning readers that the economic indicators for May 1966 which tend to foreshadow business trends as well as reflect current trends "are both telling a somewhat less optimistic story than they did a month ago." It concludes by stating that late last year short-term interest rates on business loans began to rise sharply and that "this upturn reflects a growing shortage of funds for lending, a situation that classically warns of, and indeed precipitates, downturns in business."

Mr. Shea is merely confirming what I have maintained for years—that high interest and tight money cause recessions, unemployment, and poverty and suffering. Members recall that these chronic tight money binges of the Wall Street-influenced Federal Reserve Board caused three such recessions in just 8 years during the Republican administration under Mr. Eisenhower.

With unanimous consent, I will insert at this point in the RECORD the article which appeared on page 1 of the Wall Street Journal of June 27, 1966:

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

With most of the important economic statistics for May now at hand, the so-called leading indicators, which tend to foreshadow future business trends, and the coincident indicators, which reflect current trends, are both telling a somewhat less optimistic story than they did a month ago.

The leading indicators include such figures as totals of new orders for durable goods, which obviously influence future production and sales, and figures on the starting of construction on new housing units, which are naturally followed by further spending on the construction itself and on what goes into the new homes. The coincident indicators are those that measure the most recent state of business, and include, for instance, industrial production and the unemployment rate.

One of the latest changes in trends of the leading indicators resulted from the May figure on private nonfarm housing starts. These fell to an annual rate below 1.3 million for the first time since January 1963. In late 1963 and early 1964 they had been above 1.6 million yearly for several months, after which they leveled off at about 1.5 million yearly, holding that rate in April. The sudden drop in May seems to change the trend of this statistic from level to down.

Another possible changed trend is that of orders for durables. From a new high in March of $24.9 billion, they've slipped to $24.2 billion in April and $24.1 billion in May. Still, the May figure is above that of any month prior to March; and in the past there have been two-month downturns that were followed by renewed uptrends. At worst, this trend has changed to level from up.

Two other indicators likewise seem to have turned to level trends from upward ones. They are the accession rate among workers in manufacturing and the monthly index of net formation of businesses. The latter shows a two-month downturn, and the accession rate, while down only for one month from its high, has fallen in that month below the levels of four other preceding months.

Still in favorable trends on the basis of latest figures are the monthly layoff rate in manufacturing, the monthly figure for construction awards on commercial and industrial buildings, and the quarterly rate of corporate profits. Unchanged in level trends are the monthly average work-week in manufacturing, the monthly figure on current liabilities of business failures, and the quarterly rate of change in business inventories for all industries. And unchanged in downtrends are stock prices and the Government's index of sensitive industrial raw material prices.

This brings the count among the 12 most closely watched leading indicators to three unquestionably favorable against six favorable a month ago; three perhaps still up but possibly level, and three definitely level, compared with a total of four level a month ago; and three pointing unfavorably, against two unfavorable a month earlier.

Among the nine coincident indicators most closely watched, all were still pointing favorably a month ago—as they had been for several months. But now three seem to have leveled off. One that has leveled off is the unemployment rate, which in May jumped back to the January level of 4% of the labor force, after having fluctuated between 3.7% and 3.8% for three months.

Another is bank debits outside New York City, which has had a two-month downturn. And another is retail sales, which likewise has shown a two-month downturn, to a level lower than for any month since last October.

Still sturdily in upward trends are nonfarm employment, industrial production, gross national product measured in both current dollars and constant 1958 dollars, nationwide personal income, and the overall index of wholesale prices.

The significance of all this is that the indicators are giving cautionary signs. This is the way they have acted in the past when general business has been about to turn from an expansion phase to one of hesitation or recession. The difficulty is that when the turn is on the way there is no clear message of just which the indicators are foreshadowing.

Early in 1962 they acted much as they are acting now, and the outcome was merely that business leveled off for six months and then resumed its uptrend. However, the indicators also did somewhat the same thing late in 1959 and early in 1960, just before the 1960–61 recession. The point is not that the indicators are meaningless, but that the seriousness of what they are foreshadowing cannot be gauged in advance.

Another set of indicators, the so-called lagging ones, are also giving a cautionary message. The fact that they are laggers doesn't detract from their usefulness. Their tendency is to be slow to turn up in the early stages of business expansions, but to rise sharply in the late and dangerous stages.

For instance, the average rate of interest charged by banks on short-term business loans held stable at or slightly below 5% during most of the expansion years 1961 through 1965. But late last year and early this year the rate rose sharply to above 5½%. This upturn reflects a growing shortage of funds for lending, a situation that classically warns of, and indeed precipitates, downturns in business.

But another lagger that has similar characteristics is giving no cautionary signal. It is the index of labor cost per unit of output in manufacturing. Except for a one-month jump in October 1964, to 101.2% of the 1957–59 average, it has held for three years in a very narrow range between about 98% and 100%. It was still there, at 99.9%, in April and May. Its significance is that when labor costs rise too fast and threaten profits, businessmen tend to draw in their horns.

The other lagging indicators are showing the strength that is normal in the late stages of a boom, but the steadiness of labor costs through the latest month is reassuring.

GEORGE SHEA.

INTERNATIONAL UNION RESOLUTION CONDEMNS SEIZED INDEPENDENCE OF FEDERAL RESERVE BOARD

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATMAN. Mr. Speaker, many consumer-minded groups across the country are becoming aroused about the serious problems created by high interest rates and tight money.

Many of these organizations are contacting members of the administration and the Congress, asking for action to reform the Federal Reserve System.

I place in the Record an excellent letter from Mr. Walter L. Mitchell to the President of the United States, outlining the need for action now.

Mr. Mitchell is president of the International Chemical Workers Union of Akron, Ohio. His union represents 80,000 workers. I hope the Members of this body will give careful consideration to the views expressed by this letter:

International Chemical
Workers Union,
Akron, Ohio, June 21, 1966.

The President,
The White House,
Washington, D.C.

Dear Mr. President: The Full Employment Act of 1946 charged the President of the United States with the responsibility to: coordinate and utilize all the Government's plans, functions, and resources * * * to promote maximum employment, production, and purchasing power. To successfully discharge this responsibility, the incumbent administration must achieve a degree of control over monetary policy which is equal to the control which it exercises over fiscal policy.

Therefore, speaking for the eighty-thousand United States members of the International Chemical Workers Union, I strongly urge you to work for the enactment of legislation to reform the present direction and operation of the Federal Reserve System. The majority recommendations of the Domestic Financial Subcommittee of the House Banking and Currency Committee, first reported to the House of Representatives on August 3, 1964, should serve as the basis for new legislation.

Particular attention should be given to the most important of those recommendations, namely that:

1. The term of the Chairman of the Board of Governors of the Federal Reserve Board be coterminous with that of the President of the United States.
2. The number of Governors of the Federal Reserve Board be reduced to five.
3. We reduce the terms of office to five years and allow for reappointments.
4. Instead of continuing the appointment of bankers, the requirements would state only that the Governors be men of integrity, devoted to the public interest.
5. The President be required to set forth in his periodic Economic Reports, recommendations concerning monetary policy, domestic and foreign, including the growth of the money supply necessary to attain the goals of maximum employment and production and purchasing power.

The time for action is now. The nation cannot afford the postponement of reforming an institution, which as presently constituted, would hinder the government's response to a severe economic crisis by leaving the President of the United States powerless to coordinate monetary policy with fiscal policy.

Respectfully yours,
Walter L. Mitchell,
President.

SAVINGS AND LOAN ASSOCIATION LOSES FUNDS TO COMMERCIAL BANK SAVINGS CERTIFICATES

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATMAN. Mr. Speaker, since December 1965 the savings and loan industry has lost and continues to lose the savings inflow needed to feed the mortgage market. This industry finances over 40 percent of the home mortgages made and the resulting inability for them to make mortgage commitments has had disastrous effects on the home building industry, causing a decline of 35 percent in home building. It is now virtually impossible for the expectant homeowner to obtain funds to finance his new home.

The Mansfield Building & Loan Association of Mansfield, Ohio, has sent me two letters detailing the flow of its withdrawn savings funds, and in it we see that 57 percent of its withdrawn funds in January went into commercial banks' time savings certificates. These two letters are representative of what many savings and loan associations are experiencing, thanks to the actions of the Federal Reserve Board.

The two letters from the Mansfield Building & Loan Association follow:

Mansfield Building &
Loan Association,
Mansfield, Ohio, June 24, 1966.

Chairman Wright Patman,
House Banking and Currency Committee,
Washington, D.C.

Dear Mr. Chairman: In the Wall Street Journal of June 17th, one of the paragraphs begins: "In objecting to the major proposals the committee has under consideration, Mr. Martin denied the premise of the panel that a "rate war" is under way between banks and savings & loan associations".

From our own records we are presenting proof that such a war is under way, and some of its repercussions:

As a result of higher rate of interest offered on Time Savings Certificates by the local commercial banks, withdrawals from savings increased sharply; of these withdrawals $126,213 went to Commercial bank "a"; $59,582 went to Commercial bank "b"; $144,325 went to Commercial bank "c" in January 1966. Total $330,121 to the three commercial banks.

For the year 1964 our pass book savings accounts amounted to $15,145,616 as of December 31st—a gain of $2,283,453 over the date at the end of 1963; for the year 1965 this gain was cut to $1,459,375 and for the first 5 months of 1966 the gain amounted to only $217,601. . . . as a direct result of the competition from commercial banks on Time Savings Certificates.

Of course the reduced gain in pass book savings is reflected in the new mortgage loans on homes; here is the comparison between the first 5 months of 1965 and 1966:

	1965	1966	Change
January	$336, 365	$258, 860	−$77, 505
February	292, 500	187, 650	−104, 850
March	377, 584	363, 640	−13, 944
April	341, 231	346, 410	+5, 179
May	806, 805	390, 800	−416, 005
Total	2, 154, 485	1, 547, 360	[1]−607, 125

[1] 28 percent.

At the close of business, 1965 December 31st, Times Savings Certificates of the largest commercial bank in Mansfield totaled $22,943,000—up $7,800,000 over the preceding year; as of May 31st 1966 they stood at $24,906,700.

We might add that many of our new mortgages are on newly built homes; we do business with about 25 local contractor-home builders—make construction loans to many of them.

Hoping the above factual data will help you and your committee members.

Very truly yours,
Mansfield Building &
Loan Association,
H. Kenneth Dirlam,
Secretary.

Mansfield Building &
Loan Association,
Mansfield, Ohio, June 24, 1966.

Chairman Wright Patman,
House Banking and Currency Committee,
Washington, D.C.

Dear Mr. Chairman: In Sylvia Porter's column in yesterday's Cleveland Plain Dealer she states that (according to a study made by the Bowery Savings Bank of New York) 19.1% of the savings withdrawn for the 5 banking days (March 29–April 4) went into commercial bank time savings certificates.

According to our own Association's records, fifty-seven per cent of the January 1966 withdrawals from pass book savings accounts went into commercial bank time savings certificates. The total withdrawals for the month of January 1966 were $580,162. Of this $330,121 went into commercial bank time savings certificates . . . $126,213 to bank (a), $59,582 to bank (b), and $144,325 to bank (c) in Mansfield.

Of the January 1966 withdrawals, only 3 accounts, totaling $11,331, went into Wall Street—representing only about one-fiftieth of the total withdrawals.

Of the total withdrawals in January 1966 ($580,162) $33,811 represented interest—many savings account customers draw their interest only in January and July.

For further clarification of the above data, we enclose photostatic copies of the withdrawals in January—showing in each case the amount withdrawn—and its destination. Also enclosed is the Sylvia Porter column in question.

Hoping the above statistics may be helpful to you and your committee.

Very truly yours,
Mansfield Building &
Loan Association,
H. Kenneth Dirlam,
Secretary.

Withdrawals of $2,000 or more in January 1966 (Mansfield Building & Loan Association)

Account	Name	Amount	Where canceled
D 5541	R. H. Jordan	$6,105.25	First National, Florida.
D 6634	Ruth Bechtel	4,013.86	Inter City Bank, Florida.
D 3308	Frank or Clara Flietchen	10,212.50	First Federal, Florida.
D 5561	Roxie Barnes	6,254.81	First Federal, Toledo.
D 5510	Mary C. Blue	2,000.00	Corn City Bank, Deshler, Ohio (checking account—deposited).
D 1771	John J Fisher, Jr.	13,000.00	Farmers Bank.
D 2364	Don C. Gardner	2,500.00	Do.
D 5834	John A. Moch, Administrator	5,000.00	Richland Trust.
D 5084	Jones Memorial, Inc.	2,106.25	Do.
D 7086	Jacob P. Folmer	26,236.88	Do.
D 7253	Elizabeth Walbert	10,000.00	Farmers Bank.
D 4264	Ira S. Kochheiser	4,976.85	Richland Trust.
D 6767	George W. Hall	7,076.97	Farmers Bank.
D 7090	Clarence J. Welsh, executor	10,212.50	Richland Trust.
D 257	Merle Swaney Smart, executor	10,541.29	First National Bank.
D 5858	Mary Jameson	4,627.24	Farmers Bank.
D 4648	H. D. Landis	2,750.00	First National Bank.
D 6237	Louis Lamoreux	5,000.00	Manufacturers Life Insurance Co.
D 6955	Donald R. Bair	4,202.57	First National Bank.
D 6061	Bruce D. Goldman	3,000.00	Richland Trust.
D 6471	Paul D. Rorick	12,211.71	Do.
D 5515	Russell A. Smith	4,000.00	Do.
D 68	Emma G. Norton, administrator	3,000.00	Mrs. John Schweitzer (settling estate).
D 68	do	3,000.00	Marie Bush (settling estate), redeposited in savings account No. 5180.
D 68	do	3,280.00	Emma Norton (settling estate), redeposited in savings account No. 7860.
D 3364	William Barth	6,000.00	Investors Stock Fund, Inc.
D 6707	Richard Sautter	3,000.00	Farmers Bank.
D 7382	Miriam Ferrell	15,000.00	Richland Trust.
D 6255	The Miller Block Realty	2,500.00	First National Bank.
D 1035	Milton W. Hess	7,377.95	Farmers Bank.
D 7058	B. L. Pugh	2,000.00	Empire Reeves Credit Union.
D 4852	Louis Dearman	2,000.00	Swisher Cadillac Co.
D 4753	Marie Schenk	2,000.00	Mechanics Building & Loan.
D 3178	Joseph Praker, Jr.	2,000.00	Hayden Miller & Co., Cleveland.
D 5449	The Cemetery Association	9,706.25	Richland Trust.
D 374	Elizabeth B. Gray	2,000.00	Farmers Bank.
D 6170	Mrs. Robert Cruickshank	5,000.00	First National Bank.
D 6092	Forest Pfeifer	12,000.00	Richland Trust.
D 6373	William J. Skelly	5,025.00	To association, P. B. loan No. 172.
D 6744	Stanley R. Day	2,016.70	To association, P. B. loan No. 169.
D 2982	Marie Schenk	3,000.00	First National Bank.
D 6472	Raymond A. Rowlands	5,046.52	City National Bank, Columbus.
D 4786	Clara Knapp (2 checks)	5,106.25	$758.25, Mechanics; $4,348, First National Bank.
D 7767	Donald McCutchan	10,000.00	Farmers Bank.
D 6208	Mary Margaret Dodson, executrix for estate of Ida Whisler.	9,306.13	First National Bank.
D 754	Helen P. Ford	10,000.00	First National Bank (applied to loan No. 4567).
D 4258, D 4155, D 4166.	Mrs. Arthur Alleshouse	2,000.00	Bank of America, Los Angeles, Calif.
D 7416	Paul John Rosbough	5,000.00	Union Commerce Bank, Cleveland.
T.C. 1073	Robert J. Maurer	10,225.00	Richland Trust.
D 1069	George C. Smith	8,886.95	Home Savings & Loan, Kenton, Ohio.
D 5576	United Community Service	10,000.00	Richland Trust.
D 7091	Willard Conn	2,100.00	Gem Boat Service, Port Clinton, Ohio.
D 6924	Frank Klohs	10,000.00	First National Bank.
D 6489	Charles L. Pifer	2,000.00	Do.
D 7151	Mildred Parker	2,650.00	Richland Trust.
D 1168	Walter Oswalt	2,175.45	First Federal Savings & Loan of Delray Beach, Fla.
D 6653	Dorothy Dann	3,331.74	Vercoe Co.
D 4070	Chester P. Eisenberger	5,000.00	First National Bank.
D 3882	Clarence Yohn	2,831.00	To Harold J. Read, contractor (building home in Florida).
D 7044	Kenneth or Eileen Hoehn	3,000.00	Richland Trust.
D 6795	Kathryn M. Algrie, estate	5,325.54	To Dean Eckert and Florence Cramer, credited to estate at First National.
D 6121	Glenn O. Cornell	2,000.00	First National Bank.
D 6749	Carol or Stanley Day	14,000.00	Richland Trust.
D 7566	Albert A. Deppe	2,500.00	Cleveland Trust Co.
D 6802	Mrs. J. L. Leppert	5,000.00	First National Bank.
D 345	Leslie K. Wagner, executor	5,394.05	Do.
D 6651	Joseph Wagenhals	2,480.30	Mansfield Motors.
D 7545, D 6700	Mrs. Marion Bowers	3,171.66	First National Bank.
T.C. 1566, T.C. 1568	O. C. Ridenour	7,500.00	Do.
D 3651	Margaret Alger	6,976.79	Mechanics Savings & Loan.
D 6881	Jerome O. Hanley	10,000.00	First National Bank.
D 7814	Dorothy Howell	24,500.00	Do.
	Total	443,441.96	
	Interest withdrawn (estimate, less than $500 each)	50,000.00	
	Withdrawals ($500 to $2,000)	86,719.25	
	Total	580,161.21	
	First National Bank	126,213.70	
	Farmers Bank	59,582.16	
	Richland Trust	144,325.44	
	Total to 3 commercial banks (in Mansfield)	330,121.30	

NOTE.—To Wall Street: 3 accounts, $11,331—1/51 of total withdrawals.

HOMEBUILDING INDUSTRY DEVASTATED BY FEDERAL RESERVE BOARD TIGHT MONEY POLICY

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATMAN. Mr. Speaker, most Members are well aware, I am certain, that the homebuilding industry is suffering one of its most serious declines in 30 years. From every section of the country we have heard from homebuilders that their new starts have declined almost 50 percent, and homeowners find it impossible to obtain mortgages.

Savings and loan associations, which have made over 40 percent of home mortgages since World War II, have been removed from the mortgage market due to the concerted high interest rate policy of the Federal Reserve Board. We can trace all the ills being experienced by the homebuilding industry and thrift industry to the action of last December 5, 1965. It is a serious situation we find when the Fed has consistently looked upon the homebuilding industry as the stepchild of our dynamic economy. Homeownership is the great American dream that most of our citizens strive to obtain, and to thwart this dream as often as the Fed has done is a tragic disservice to the American public. I would like to call to the attention of my colleagues just a few of the many telegrams that I have received in the past few days from homebuilders all over the country. Homebuilders from Maryland, North Carolina, California, and Oregon in these telegrams are clamoring for action by Congress:

BALTIMORE, MD.,
June 29, 1966.

Hon. WRIGHT PATMAN,
Chairman, House Banking and Currency Committee, U.S. House of Representatives, Washington, D.C.:

At a time when the Baltimore metropolitan area was experiencing its most active construction year, the advent of "tight money" has seriously curtailed home building in our area. Home building is the third largest industry in the State. Since the advent of the tight money policy, our association has surveyed our builder members as to the impact. This survey shows a 35 percent decrease in projected 1966 homebuilding operations. We urge that the following measure be taken. The first 3 measures require congressional action and the 4th may be handled administratively.

1. Broaden the purchasing power of FNMA so that it can better perform its obligation to come to the aid of the private sector of homebuilding in time of crisis.

2. Place a 4½-percent ceiling on the lower priced individually-purchased certificate of deposit.

3. Empower the Federal Reserve Board to purchase obligations of the Federal Home Loan Bank Board and FNMA.

4. Increase the FHA interest rate from 5¾ percent to 6 percent and effective "market rate" yield on the 5¾ percent interest rate is obtained by the lender only by charging high discounts. A 6 percent rate would bring that yield more realistically in line with the market while helping to reduce discounts.

MORTON J. MACKS,
President,
Home Builders Association of Maryland.

KINSTON, N.C.,
June 28, 1966.

Congressman WRIGHT PATMAN,
Chairman of the House Banking and Currency Committee, Washington, D.C.:

Help. Help us save the home building industry. The tight money situation is putting us out of business and depriving thousands of citizens of decent housing—especially the low income group.

C. P. ROBINSON,
President, North Carolina Home Builders Association.

SAN FRANCISCO, CALIF.,
June 29, 1966.

Hon. WRIGHT PATMAN,
Chairman, House Banking and Currency Committee, House Office Building, Washington, D.C.:

On behalf of the members of this association, we urge you to act favorably, as soon as possible, on legislation to tighten requirements on certificates of deposits for commercial banks. Home building in this area is down almost 50 percent. Every day more and more builders are forced to cease operations and lay off craftsmen because of lack of mortgage money. Unless some positive action is taken immediately this industry will face a complete shutdown.

CARL S. BROWN,
Executive Vice President, Associated Home Builders Inc. (San Francisco, Marin, Napa, and Sonoma).

EUGENE, OREG.,
June 29, 1966.

Congressman WRIGHT PATMAN,
Chairman, House Banking and Currency Committee, House Office Building, Washington, D.C.:

We request your consideration and action to help alleviate the distressed home buying market. The enactment of our tight money policy is causing great hardships on a group of small business people, who in turn combined together from one of our larger industries in the country. Your support and help would be greatly appreciated.

HOMEBUILDERS ASSOCIATION OF EUGENE-SPRINGFIELD,
JOHN F. BREEDEN, *President.*

DISCLOSURE OF PERSONAL FINANCIAL STATUS

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I was honored earlier this month by receiving my party's renomination for election to Congress from the 37th District of California. I feel that the people of my community are entitled to know that I am free of financial ties which might influence my actions as their Representative. As I have twice done in the past, I therefore submit for the RECORD a full disclosure of my personal financial status.

Under California's community property law, my wife and I jointly own a mortgaged residential rental property on 3 acres, zoned commercial, in Poway, Calif.; equity in a family home which is currently rented to tenants in San Diego; equity in our present residence in Washington, D.C., and a commercial lot in Imperial County, Calif.

We own no corporate stocks or bonds. My salary as a Member of Congress represents more than 90 percent of our total income.

My personal income tax returns are available for scrutiny, if requested, by the press or any other responsible body.

THE PRESENT DESIGN OF THE WEST FRONT SHOULD BE PRESERVED

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REUSS. Mr. Speaker, I am today introducing House Joint Resolution 1196 to prohibit any change in the location or design of the west front of the Capitol and H.R. 16033 to establish a Commission on Architecture and Planning for the Capitol.

Together with the other sponsors of this legislation, I am convinced that the proposed 44- to 88-foot extension of the west front of the Capitol would be a national tragedy.

The Capitol is the Nation's most historic and best loved building. It is acknowledged to be one of the world's great architectural achievements. The best thing we can do is to refrain from tampering with its beautiful and familiar design.

Extension of the west front is so completely without justification that it must be stopped finally and completely through legislation. At the very least, extension of the west front should be considered thoroughly in public hearings, debated thoughtfully on the floor of Congress, and be deliberately voted up or down.

As it is now, the destruction of the last remaining section of the Capitol showing the work of the great early architects, Thornton, Latrobe, and Bulfinch, is only one step away from reality. All that is needed is an appropriation, and the work will commence.

The appropriations stage is not the ideal time for consideration of the policy issues involved in an extension of the Capitol, although in the absence of other opportunities for consideration I hope the Appropriations Committees will hold public hearings.

One might have thought, however, that the issues involved would have been considered when this extension was authorized—if indeed it ever was.

In fact, the putative authorization for the extension of the west front came into the law surreptitiously without the mind or attention of Congress ever being focused on the issues involved.

The current authorization for the extension of the Capitol, the Legislative Appropriations Act of 1956—Public Law 84–242—can trace its ancestry to the recommendation made by Capitol Architect Thomas U. Walter more than a century ago. Due to the completion of the new dome, Walter recommended an extension of the east front of the Capitol.

His recommendation led, in 1904 to a study by the architectural firm of Carrière & Hastings under the direction of a Joint Commission of the Senate and House for the Extension and Completion of the U.S. Capitol Building. The Commission, on receipt of the report, recommended an eastward extension of the Capitol and the refacing of the west front in marble in its present location.

In answer to charges of inadequate congressional consideration of the east front extension, the present Architect of the Capitol cited Senate hearings and floor consideration in 1935 and 1937 and House hearings in 1935. Although there was consideration and argument at that time about the propriety of extending the east front, the west front was hardly mentioned. The legislation provided, as the Senate was assured in floor debate, that the west front should only be refaced in marble and otherwise be left undisturbed. It twice passed the Senate but was never acted on in the House.

A statement by Dr. Leicester B. Holland, Chief of the Division of Fine Arts of the Library of Congress, to the Senate Committee on Public Buildings and

Grounds in 1935 accurately summarizes the status of the west front at that time:

> All that anyone has thought of doing to the western side is to change the burned sandstone of the Capitol, of Thornton's walls, to marble.

In 1955, the Capitol extension project was revived when the House Administration Committee reported and the House passed after a minute or two of consideration House Resolution 218 which declared that:

> In order to increase and improve the restaurant facilities in the Capitol Building for Members and employees of Congress, the Committee on House Administration recommends that the Architect of the Capitol be authorized to take necessary steps to extend and complete the east central front of the Capital as recommended in S. 1170, 75th Congress . . .

The consideration of this privileged motion, which as sometimes happens apparently occurred without advance notice, appears in the RECORD under the heading "Capital Restaurant Facilities."

Subsequently, citing the consideration given by the Senate in 1935 and 1937 and House Resolution 218, the Architect of the Capitol went before the House Subcommittee on Legislation Appropriations to seek authorization and an appropriation for the extension of the Capitol.

The language of the authorization reported and ultimately adopted as part of the Legislative Appropriations Act of 1956 provided that:

> The Architect of the Capitol is hereby authorized, under the direction of a Commission for Extension of the United States Capitol, . . . to provide for the extension, reconstruction, and replacement of the central portion of the United States Capitol in substantial accordance with scheme B of the architectural plan submitted by a joint commission of Congress and reported to Congress on March 3, 1905 (House Document 385, 58th Congress), but with such modifications and additions, including provisions for restaurant facilities, and such other facilities in the Capitol Grounds, together with utilities, equipment, approaches, and other appurtenant or necessary items, as may be approved by said Commission, . . .

Now scheme B recommended the reconstruction of the west front in marble in its present location. The west front was not considered or mentioned except incidentally in the hearings, reports, or debates in either body on the Legislation Appropriations Act.

In exposition of the phrase "such modifications and additions as may be approved by said Commission," the Architect of the Capitol pointed out to the Subcommittee on Legislative Appropriations that the language "also provides for the construction of such other additions and facilities in the Capitol Grounds as may be approved by such Commission—such as an underground garage, security vaults, and underground transportation system."

Later, the Architect said that "such modifications and additions as may be approved by said Commission" included an extension of the west front as well as garages, vaults, and transit systems.

Thus did the authorization for the extension of the west front of the Capitol, the most important single building in America, become law.

In its report on the legislative appropriations bill of 1964, the Senate Appropriations Committee report stated:

> The committee does not believe that there was any intention on the part of the Congress to proceed with the west front project when the Congress voted the authority and funds for the extension of the east-central part of the Capitol.

This is no way to legislate on an important matter such as a radical change in the architecture of the Capitol.

Not only is the extension of the west front of the Capitol without conscious authorization by Congress. It is without justification.

The Architect of the Capitol is possessed by the idea that it is necessary to increase the useable space in the Capitol building by about 50 percent.

This quest for room lay behind the choice of scheme B to extend the east front 32 feet 6 inches—which was originally outlined by Carriere and Hastings in 1904 "partly to illustrate our contention that the building should not be projected farther eastward than absolutely necessary to give an apparent show of support to the dome"—rather than scheme A for a 12-foot-10-inch extension or leaving the wall where it was.

John F. Harbeson, representing the adviser and consulting architects on the extension of the Capitol, let the cat out of the bag in testimony to the Senate Public Works Committee in 1958.

> A thorough study of the needs of the Congress and of the offices in the Capitol indicates that in order to function efficiently, they require approximately 140,000 square feet additional, net space, . . . It is our opinion, our considered opinion, that there must be building on both sides of the Capitol."

And in a letter to the Senate Public Works Committee on February 13, 1958, the Architect of the Capitol said:

> Should it happen that the same hue and cry which has been raised over the extension of the east front should occur if the extension of the west front were attempted, the Congress would really be in a sorry plight for adequate space in which to do its work.

Thus the east front was extended 32 feet 6 inches and the west front is to be moved out 44 to 88 feet.

Congress needs more space, to be sure. It has almost daily since this Nation was founded and began growing. But it would be costly, inefficient, and unnecessary to attempt to provide that space in the Capitol.

Normally no one would contemplate tearing down a great stone wall hundreds of feet in length and building a similar wall a few feet away for the narrow slice of space that would provide.

Moreover, the 163,000 square feet of space provided is a relative drop in the bucket compared to the total congressional space. The Capitol is not a museum, it is true; it is still to be used. But Congress also possesses two Senate office buildings and three House office buildings, where the bulk of congressional business is conducted. We can continue to provide needed space outside the Capitol as we have done in the past for the expanding work of Congress.

The determination to create more space within the Capitol dictates the radical change of architecture envisioned under the present plan. The architects were told not to appraise what was needed to assure the beauty, structural soundness, and safety of the Capitol but to plan an extension. As the Architect told the House Subcommittee on Legislative Appropriations this year:

> Of necessity, you are bound to have a change (in the architecture), if Congress needs the extra space. But not to the extent that it will not be very attractive and be architecturally strengthened.

This, I think, is the first we have heard of any need to "strengthen" the architecture of Thornton, Latrobe, Bulfinch, Walter & Olmsted. Certainly, there is no widespread architectural and artistic opinion that there is an architectural defect to be corrected on the west front as was the case on the east front. In the latter case, many knowledgeable persons felt the necessity to provide apparent support for the dome and even the preservationist-minded Carriere & Hastings had recommended a modest extension for this purpose. But on the west front, the overwhelming opinion of experts and laymen alike is that it looks good as it is.

Finally, there is the matter of structural soundness. It is not arguable that the west front is in need of repair and reconstruction. But not even the engineering consultants of the Architect of the Capitol claim that the wall cannot be repaired or reconstructed on the spot.

Repair or reconstruction on the spot might have drawbacks in terms of cost, hazard, and interference with use of the building, as the Architect's engineers claim. But they must be weighed against the costs of destroying the historic, familiar west front.

INCORPORATION OF THE ASSOCIATION OF AMERICAN LAW SCHOOLS

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I am today introducing a bill providing for the incorporation of the Association of American Law Schools, whose members are 111 of the Nation's schools of law. The president of the association for this year is my own highly respected former teacher at the Yale Law School, Prof. Myres S. McDougal. I am pleased to be able to take this action for the association that he leads and whose sole purpose is "the improvement of the legal profession through legal education."

The Association of American Law Schools was established in 1900 by a group of leading law schools in the United States, and has operated as an unincorporated association since that time.

As a consequence of a significant expansion of activities, made possible chiefly by foundation grants, the officers of the association, with the advice of a special committee of experts, have decided that it would be advisable for the association to become incorporated in order to insulate the member law schools, their parent universities, and the officers of the association—members of its executive committee—from possible liability and personal responsibility for negligence claims, libel suits, and contract disputes. This, of course, is the normal reason for incorporation. The association does not expect and is not seeking, any special benefits from incorporation in the field of taxes, prestige, money raising, and so forth. From the point of view of the public, however, incorporation by the association would greatly facilitate the pressing of any claims that might arise out of dealings with the association.

Incorporation by act of Congress is sought because incorporation through the regular statutory procedures established in the States or the District of Columbia presents technical difficulties that might cast doubt on the effectiveness of the action. The members of the association are law schools rather than individuals or independent entities such as universities, and incorporation statutes normally call for action by "persons." Furthermore, the member law schools are in practically all the States of the Union. It would be inappropriate to subject the association to the regulation and control of the corporations bureau of one particular State. Furthermore, a search for a State statute that would permit incorporation by action of a group of law schools might end in a State far from the Washington headquarters of the association or in a State like Delaware, which is one of the few States that has no law school at all. Accordingly, an act of Congress appears to be the only appropriate means for an association with institutional membership of nationwide scope, such as the Association of American Law Schools, to obtain incorporation.

The Association of American Law Schools has always been exempt from the Federal income tax under section 501(c)(3) and from certain Federal excise and transportation taxes as a "nonprofit educational organization." Section 12 of the proposed bill would make no change in this status.

The bill that I am introducing has been drafted with the foregoing considerations in mind, and in the light of consultations held among representatives of the association and of the Department of Justice and the Bureau of the Budget. The provisions follow guidelines suggested by technical specialists familiar with previous legislation favorably considered by the House and Senate Judiciary Committees.

A companion bill, S. 3375, has been introduced in the other body by the chairman of the Senate Judiciary Committee.

NATIONAL COVERAGE OF GEMINI 9 SPACE SHOT BY WLBW-TV, CHANNEL 10, MIAMI, REMOTE CREW ABOARD U.S.S. "WASP"

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PEPPER. Mr. Speaker, all Americans are extremely proud of the recent courageous flight of the Gemini 9 astronauts. I am especially proud of this heroic effort by our young men in space because an outstanding team of television engineers from my district made it possible for the American people to see, for the first time, the actual reentry and "splashdown" of one of our manned space vehicles.

A crew of 12 engineers from Miami's WLBW-TV, channel 10, made the origination of the coverage on the Gemini 9 shot aboard the carrier U.S.S. *Wasp* for all three American networks, the CBC, and Eurovision. WLBW-TV, the Miami station supplementing the ABC-TV network with engineering equipment and crews, was selected because of the station's experience and outstanding record of performance in originating other programs and remote telecasts for the network.

Channel 10 engineers participating in Gemini 9 coverage: Ed Azevedo, Ed Ziemak, Dick Gumb, John Faso, Bob Schulz, Charles Needs, Ed Temmel, Bob Clark, Francis Flynn, Glenn Carpenter, Charles Nawroth, and Fred Rohrer.

WLBW-TV equipment used for the carrier origination included one mobile unit, three RCA camera chains, a videotape machine, a projection system, and three monitors. In addition, since the shipboard power is direct current and television equipment uses alternating current, the WLBW-TV equipment also included a 25-kilowatt generator to supply the necessary alternating current power. Supervising the loading of the engineering equipment was WLBW-TV chief engineer, Bill Latham.

Recognition should be given to the fact that WLBW-TV engineers were able to sight the space capsule 6,600 feet in the air, capture the picture on a highly sensitive camera, and remain with it until splashdown, just 3.6 miles from the U.S.S. *Wasp*. This was the first time that viewing audiences all over North America and Europe, via Early Bird Satellite, were able to see the actual splashdown and recovery of a Gemini capsule at sea.

NEW ENGLAND CONSUMER CONFERENCE

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, at this time, I would like to call the attention of my colleagues to my bill to establish a Department of Consumers. The bill is H.R. 7179, and it is currently pending before the Committee on Government Operations. Two hearings on the legislation have been held by the Subcommittee on Executive and Legislative Reorganization, one in Washington on April 19, and the other in New York on April 29. We hope to hold additional hearings in other parts of the country at a future date.

In the meantime, however, the bill has generated some interest among consumer groups throughout the country, one of those being the Massachusetts Consumer Association, which on June 4, at its spring conference, adopted a resolution recording its support of the aforementioned H.R. 7179.

To give you a little background on the Massachusetts Consumer Association, it actually traces its development to two different organizations, each of which came into being in 1958. One was the New England Consumer Conference, which held meetings in 1958 and 1959; and the other was the Advisory Consumer Council to Attorney General Edward McCormack, which was inaugurated in 1958 and continued throughout his administration. In 1960 the New England Consumer Conference became the Massachusetts Consumer Conference, and was active under that name during the years 1960 and 1962. At the 1962 meeting of the conference, resolutions were adopted which activated the Massachusetts Consumer Association later that same year.

Membership in the association includes representatives from consumer groups, labor unions, credit unions, cooperatives, law, mass media and educational institutions. Membership is open to any individuals and groups concerned with the consumer's interests. Currently the Massachusetts Consumer Association is responsible for several statewide consumer conferences each year directed toward examination of current consumer issues such as truth in credit transactions, standardization and truth-in-packaging, utility rates, selling practices, misrepresentation of food and drugs, consumer safety and protection. It is involved in the development of publications concerned with legislation and administrative rulings of interest to consumers, as well as programs and highlights in consumer protection and education and resources.

The purpose of the association is to provide research information and educational services to consumers, to develop areas of agreement among them, to offer them assistance and consultation, and to encourage, sponsor and promote sound legislation and its enforcement in the interest of the consumer.

The association provides a most worthwhile service to the citizens of Massachusetts, and I would like to set forth herewith in the CONGRESSIONAL RECORD the resolution adopted in support of my bill, H.R. 7179. I am most grateful for their action in particular, and for their overall interest in consumer problems.

MASSACHUSETTS CONSUMER ASSOCIATION

At its conference held at Northeastern University, Burlington, Mass., on June 4, 1966, by vote of its members and conferees, the Massachusetts Consumer Association—

Resolved: To Record to its Support for H.R. 7179, a Bill in the United States House of Representatives, sponsored by Representative BENJAMIN S. ROSENTHAL of New York, to establish a Department of Consumers in the Federal Government to secure full, continuous, and effective representation of the economic interests of consumers, and to make known this support of the Association by notifying all members of the Massachusetts Congressional Delegation of this Resolution.

THE RIGHT TO HEALTH

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, New York State is currently afflicted by a controversy which should be put to rest forthwith. The proposed medical assistance programs now awaiting approval by the Department of Health, Education, and Welfare has been the subject for the same grandiose accusations of "creeping socialism" and "fiscal irresponsibility" that normally accompany any forward step in social welfare. The arguments against the program then are as familiar as they are irrelevant. And while much needs to be said about New York State's medical needs and resources, the so-called title XIX controversy has hardly been an exercise in creative public dialog.

Instead, opponents of the program have raised pointless theoretical arguments and misguided statistical projections. What really are the facts in this case?

The principal issue is the right to health which an enlightened State, as affluent as ours, should be prepared to guarantee as inalienable. Many find this proposition revolutionary. Yet, as early as 1929, New York State instituted by statute a program of tax-paid medical care for all the indigent. Opponents of the new program may, if they wish, seek to resurrect arguments which were settled close to 40 years ago. Let them merely be aware that they are in dialog with ghosts over issues long resolved.

The simple fact is that medical costs have been rising disproportionately to the capacities of poor people. Once again, this point has already been settled. When the Congress passed the Social Security Amendments of 1965, title XIX was a response to the increased health needs of our less fortunate citizens. Careful study was made of current health costs. And such study was supplemented by research in New York State prior to the preparation of its own program.

It was from such study that projections regarding cost and eligibility were reached. Here, too, debate has been off the point. Hence, from responsible public leaders have come the fantastic claims that the New York program will cost $1 billion a year. This is scare talk which contributes nothing to sober assessment. It is more motivated by basic philosophic objections than by any heightened sense of fiscal responsibility. In point of fact, the New York State Department of Social Welfare has estimated that the 1966–67 cost of the new program will run somewhere around $150 million. The New York AFL–CIO has, in fact, estimated that the State share of costs will be about $1 million less than it was in 1965–66.

What benefits can we expect from such new arrangements? Again, the Department of Social Welfare projects that 2 million people will receive service in 1966–67, at a cost of $532 million, compared with 1.5 million in 1965–66 at a cost of $449 million.

We are talking now quite literally of saving lives, of doing for the people what they clearly cannot do for themselves. No society has ever secured greater welfare by panicked anxiety over what it thought could not be done. We grow, on the contrary, by responding to what must be done. And responsible experts have argued that we simply must extend medical aid coverage to the needy in New York State. These needy, according to State officials, now total about 2.3 million more than the presently eligible 5.7 million. All too often, proponents of the program have played games with statistics—talking of the eligibles as if all would need assistance in the same year.

Yet another source of controversy has been the eligibility standard—presently set as a $6,000 annual income for a four-member family. The present figure is $5,200. Yet last year, independent of projected title XIX aid, the State already felt the level had to be raised by $500 to $5,700. The new figure, therefore, is based on the anticipated new revenues from the Federal Government. And it is well below the $6,700 figure originally estimated as necessary by the Democratic majority leader of the State assembly.

To some, the figure of $6,000 seems impossibly high. But let us remind ourselves of what that figure really means—in human terms.

The Social Security Administration defines the $6,000 figure as constituting a moderate income for a family of four. This means a take-home pay of about $107 a week, allowing $1.25 per person for food. Out of this, absolutely nothing is set aside for medical contingency needs. And we are not talking about sneezes and coughs. We are talking about serious accidents and unforeseen diseases which can leave a person in a hospital for weeks. And suddenly the entire viability of a family is threatened by circumstances altogether out of its control.

I think the question is very simple. Does New York State, with its wealth and it wealthy, want to save lives with resources available to it? Or does it wish to retreat in the face of anachronistic prejudices and statistical science fiction? We are quibbling about figures when we should be worrying about people. HEW officials have rightly argued that no statistical projections can constitute guarantees—when disease and accident govern circumstances. Yet enough responsible legislators and experts believe the proposed program falls within the State's capacities—given title XIX assistance. Because we seem to have the resources and because the nature and the extent of the need are so compelling, I believe New York State can afford to be progressive and bold. It has been a long time, after all, since New York has led this country in social innovation. That the projected health program should be far more liberal than that of any other State should be a source of unaccustomed pride rather than an occasion for familiar squeamishness. The program is sound. It should be approved by the Department of Health, Education, and Welfare and implemented without modification.

FRANK E. SULLIVAN OF SOUTH BEND, IND., ELECTED PRESIDENT OF 1967 MILLION DOLLAR ROUND TABLE

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, last month, on May 18, 1966, I inserted in the CONGRESSIONAL RECORD an address by the president of the University of Notre Dame, the Reverend Theodore M. Hesburgh, C.S.C., which Father Hesburgh delivered at the annual meeting of the Young Presidents' Organization earlier this year in Phoenix, Ariz.

In his address, which was delivered to a group of some of the most successful young business and professional leaders in the United States, Father Hesburgh urged these young men not to live by good balance sheets alone but to harness their intelligence and energy and imagination to help meet some of the pressing problems which affect the people of our own country and abroad, especially the poor and disadvantaged.

I believe that one of the best examples of the kind of responsible, dedicated business leadership of which Father Hesburgh was speaking is another constituent of mine, himself a graduate of the University of Notre Dame, Frank E. Sullivan, of South Bend, Ind.

Last week Frank Sullivan, at the age of 42, was elected president of the 1967 Million Dollar Round Table, the life insurance industry's international organization of top salesmen.

Mr. Sullivan is the youngest man to be elected president in the 40-year history of the Million Dollar Round Table. He is a general agent of the American United Life Insurance Co. of Indianapolis, Ind.

Frank Sullivan is not only a remarkably successful leader in the insurance business, he is one of the outstanding community leaders in the United States.

For example, Mr. Sullivan has been actively involved in top leadership assignments in fund-raising projects that have raised more than $12 million for his local community, his church, and the University of Notre Dame. He is a past general chairman of the United Fund Campaign, past president of the United Community Services, and honorary chairman of the board of the United Community Services. He received the National Conference of Christians and Jews Brotherhood Award in 1962. In addition, he serves as a director of the St. Joseph Bank & Trust Co. of South Bend.

Mr. Sullivan takes office as president on November 1, 1966, to preside for 1 year, and to conduct the annual meeting which will be held in Lucerne, Switzerland, in June of 1967. If the present growth rate of the MDRT membership continues, it should exceed 6,000 by the time Mr. Sullivan takes office. Currently he is first vice president of the MDRT, and a member of its five-man governing executive committee.

In this regard, his sales achievements rank Mr. Sullivan among the all-time leaders of his company, and in the top 5 percent of Million Dollar Round Table members.

In addition to his activity in the Million Dollar Round Table, Mr. Sullivan has served as president of the South Bend Life Underwriters Association, as chairman of the board of editors of the CLU Journal, as a participating panelist for the Practising Law Institute, as a guest faculty member at Purdue, and University of Illinois, and as a lecturer on insurance subjects and estate planning matters throughout the country. In addition, he has authored the book entitled "Selling Life Insurance for Deferred Compensation."

Election to the presidency of the Million Dollar Round Table will add another milestone of the highest significance and prestige to an already distinguished career. Membership in the Round Table is the goal of every career life insurance man, and heading the group is considered to be one of the highest achievements that a life insurance man can experience.

The organization provides a meeting ground for top life insurance men who are determined to further improve their knowledge and ability to serve the insuring public. To belong, a member must have written $1 million of new life insurance, paid for in 1965 in accordance with the strict rules of the organization, although life members may have earned the honor by fulfilling previous qualifications.

Mr. Speaker, Frank Sullivan was born and raised in Lowell, Mass., and enlisted in the Navy after 1 year in Boston University. After 4 years of naval service he enrolled at Notre Dame in 1946 and graduated in 1949. During that time and through 1952 he served as secretary to Frank Leahy, head football coach at Notre Dame. He entered the life insurance business with American United in 1953. He has qualified for the Million Dollar Round Table for the last 12 consecutive years. He lives with his wife, Colette, and their four children, in South Bend, Ind.

Mr. Sullivan operates on a philosophy that a successful businessman has a continuing threefold obligation: to be a material success in the work which he has chosen; to make major contributions to the industry in which he earns his livelihood; and to make continuing contributions of consequence to the community in which he lives and raises his family.

Mr. Speaker, Frank Sullivan, in my the kind of young businessman of whom Father Hesburgh was speaking in the adjudgment, is an outstanding example of dress to which I have referred. Mr. Sullivan represents a combination of success in his chosen career and willingness to give leadership to the community of which he is a part. We in Indiana, and especially those of us who live in South Bend, take great pride in his achievements.

A CONSTITUENT'S VIEWPOINT

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. FARNUM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FARNUM. Mr. Speaker, in a time when pessimism and negative thinking seem to be in the vogue, it is refreshing to hear some words of optimism. Such is eminently the case with a very thoughtful letter I recently received from a constituent of mine, Mrs. Laura Griffus, of Waterford Township, Mich., and I want to share her letter with my colleagues.

Mrs. Griffus wrote me in reply to a questionnaire I sent out to all my constituents. Among the questions on this form were some concerning programs in health and education and our course in Vietnam. These were the questions Mrs. Griffus decided to elaborate on in a letter she attached to her questionnaire.

Although the final tabulations on the questionnaire are not yet available, I was struck with Mrs. Griffus' letter as I was reading over the 16,000 questionnaires we have received from my district. While I said in the questionnaire that replies would be kept confidential, Mrs. Griffus indicated:

> I would just as soon have more people know what I think and feel * * * for my views of my country and my government, along with everyone else's, should be known.

Mr. Speaker, I agree. And because I think my colleagues will also be interested in reading her refreshing and forthright viewpoint, I ask that her letter be printed in the RECORD:

APRIL 6, 1966.

DEAR MR. FARNUM: This is to let you know that we appreciate your sending out these pamphlets.

The questions were answered by my husband and I. I am only 20 but have always had a great interest in our Government, as everyone should. My husband is 26 and he also shares my interest.

In a way it disappoints me to see others protest against Vietnam. Yet, if they weren't able to express themselves, where would our freedom of speech be? So, other governments cannot say we're a fraud, or how long would the protests last?

I and my husband are very much in favor of our present Vietnam policies and hope the President and our representatives keep doing the sensible thing. Some must not realize that if we quit we will not only lose Vietnam but also our respect. The others will feel that they can do the same everywhere because we won't back up an agreement which the others broke. If we declare war, I doubt if we'll ever have to worry about anything anymore!

On the programs for health and education, I am in favor of doing more. The way children are pushed from one grade to another shocks me. Many children and today's high school people are having trouble with reading and writing because of a teacher who just wanted the money or the half-hearted ones who have no business teaching. There should be more aid to schools and better salaries offered to teachers. People here in Waterford just vetoed a bill for a new school because it would mean more taxes. I think I would rather have my purse hurt a little, than harm my child's chances to learn. These schools are overcrowded and the teenagers have nothing to do except get into trouble. In a school with more room, they would be able to learn because the teacher can spend more time with their students. The recreation facilities would bring quite a few boys off the street and give them something to do that is good for them. I wanted to teach but did not have the money I would have needed for my schooling. I hate to say this, but I am dreading the thought of my children having to go to these schools. We are thinking strongly of putting them in private schools and I'll have to go and get more work to do it but it is worth it to us to make sure our children have a chance in what will be a college-specialty world when they have grown.

As far as this letter being confidential, I would just as soon have more people know what I think and feel. Also, I would like to know their feelings. If anyone is interested in reading this please let them for my views of my country and government, along with everyone else's, should be known. How do they expect to get what they want if no one knows it? As far as I am concerned people had better start voting for their choices, instead of getting mad and not voting. They won't get something for nothing but they will have a stronger government and a better world if they pay attention to what is going on and try to help.

If there was some way for even the President to read this I think I would do it because I want him to know I trust him and our government with our freedom and our country. Also, that I support the course of action in Vietnam and the way he is spending the money.

Well, I guess I better close my short novel for now. I guess I got carried away but it's all true.

If you could would you please send this on to President Johnson, if not, thank you anyway.

So, thank you for reading this and thank you for all you've done.

God bless and keep you.

Sincerely,

MRS. LAURA GRIFFUS.

GUATEMALA'S NEW PRESIDENT

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Farnum] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FARNUM. Mr. Speaker, on Friday, July 1, Guatemala will inaugurate Julio Cesar Mendez-Montenegro as its new president. Mr. Mendez' inauguration marks the first time in his country's history that an opposition presidential candidate has been elected, and hence it is a highly significant day for democracy in Guatemala.

As Mr. Mendez himself said in an interview in May:

> Democracy in Guatemala is definitely getting stronger. The past presidential election marks the first time the people have decided the race for themselves rather than having a choice imposed on them by the government in power.

He added that the U.S. support for free elections "helped insure they were indeed free."

Guatemala faces many problems, among them a deficit in its balance of payments and a high illiteracy rate. Operations by Communist guerrillas—a subject of considerable interest here in the United States—are sporadic but have increased in recent months.

Thus Mr. Mendez assumes office on Friday with a difficult course ahead. In view of our present interest in working with Guatemala under the Alliance for Progress to develop a stable democracy and a viable economy, the situation warrants renewed effort. We must always prove ready to act with alacrity to demonstrate by both symbolic and practical deeds our interest in and support for Guatemalan democracy. In the last analysis only the Guatemalans themselves can solve their problems. But we should, if they desire it, provide assistance and work with them to that end.

President Johnson, in a timely and thoughtful message to Mr. Mendez in May, congratulated him on "your election as President of Guatemala in a free and peaceful electoral process of which Guatemala is rightfully proud." He added:

> The Government of the United States looks forward to cordial and constructive relations with your administration, based upon mutual respect between our two sovereign nations, upon the special ties that unite my country to its close neighbors in Central America, and upon the goals of the Alliance for Progress to which both our countries are dedicated.

I would like to add my own expression of goodwill and to give my best wishes to Mr. Mendez for un gran exito—a most successful administration.

ANNIVERSARY OF THE FOUNDING IN 1741 OF YORK, PA.

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Craley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRALEY. Mr. Speaker, throughout the past week York, Pa., has been celebrating the anniversary of its foundation in 1741 when the town of York was laid off by Thomas Cookson at the direction of William Penn's sons.

I have included in the Record this week accounts of the activities that have taken place at the instigation of a community which is intensely proud of its heritage. The newspapers have given full attention to the activities of the week. They published, and I have introduced into the Record, calendars of the days' events. Included were: parades and fireworks, dances, historical tours, a nightly dramatic presentation of the city's history, notices of special cookbooks, announcement of the adoption of colonial attire by many during the week.

The schedule of events was carefully thought out and organized so as to appeal to citizens of all ages, occupations and interests. The activities were intended to remind all of the community of York's past, to acquaint them with the story of the city's progress, and to inspire the citizenry to increased efforts on York's behalf, efforts which redound to their own credit and interest.

Mr. Speaker, I should like at this time to sincerely and enthusiastically congratulate all those who were associated with the week's festivities and events. On the basis of my own firsthand knowledge of the varied activities I can assure you that they were thoroughly successful in their goals.

Now I would like to suggest another celebration, since this one has been so eminently successful as well as enjoyable and informative. Just 11 years from now will be the 200th anniversary of the year the Continental Congress, the governing body for the 13 newly independent colonies, was forced by the British to vacate Philadelphia and move the seat of Government west to Lancaster, Pa., for 1 day, and from there to York where it sat for 9 months, from September 30, 1777, to June 27, 1778. During that period, York was the capital, the working headquarters, of the American people, of the early American Union.

Our city is proud to have standing today, in beautifully restored condition, two important buildings connected with our revolutionary past. One is the Golden Plough Tavern. Probably the oldest surviving structure in York, dating back to about 1741, this building is a rare example in the United States of medieval half-timber construction. It stood before and after the Congress held its sessions in York.

Next door to the tavern stands the Gates House. Built in the early 1750's, this was the home of General Gates when he, as the hero of Saratoga, stayed in York. Here, too, the Marquis de Lafayette is said to have destroyed the plot to replace Washington as commander in chief of the Armed Forces when he pledged, in a toast, continued loyalty and devotion to the victim of Valley Forge.

There is a building which did not survive with these, one of commanding importance, and that is the courthouse in which the Continental Congress sat during its residency in York. Colonial Courthouse in the Center Square was built in 1756 and continued to stand for a century thereafter. At present the doorway to the original structure can be found in the Historical Society of York County.

I should like to challenge the York community to plan now for another celebration: the 200th anniversary of York's role as the capital of the American Nation. It seems to me that a most appropriate and valuable memorial to that significant anniversary would be the organization of a civic effort to reproduce, reconstruct that historic capitol in which the Founding Fathers drafted the Articles of Confederation, the first formal union of the newly independent colonies; issued money and published reports; received word of the successful negotiation of treaties with France guaranteeing money and men for the American cause. This building, although lost to us for a time, should be revived for future generations for whom those important events of our national past should be cherished and preserved as a part of a distinctive heritage.

REPRESENTATIVE LEONOR K. SULLIVAN—AN ABLE AND DEDICATED MEMBER OF THE U.S. HOUSE OF REPRESENTATIVES

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, one of the most diligent, able, and popular Members of this body is our greatly beloved and respected colleague, Representative Leonor K. Sullivan, of St. Louis, Mo. She has been a Member since she was elected on November 4, 1952, by an overwhelming majority, and has continued as a Member by reelection ever since.

Mrs. Sullivan is the first woman to be elected to the Congress from the State of Missouri. By her tact, diplomacy, forthrightness, and informed labors, she has come to the front as one of the most valuable Members of the Congress and has proven herself in efficiency, wisdom, courage, and achievement. She is a member of the House Committee on Merchant Marine and Fisheries and chairman of the Subcommittee on the Panama Canal. She is also a member of another outstanding House committee—that of Banking and Currency and chairman on the Subcommittee on Consumer Affairs.

She is now sponsoring a bill designed to protect the consumers by putting into the Food, Drug, and Cosmetic Act provisions for vitality and adequate enforcement.

In the Courier-Journal of Louisville, Ky., on Sunday, June 12, 1966, was published a news story on the subject of Mrs. SULLIVAN's activities on behalf of the indicated measure. I believe that because of its interest to the public, it merits a place in the proceedings of this body. The indicated news story follows:

[From the Courier-Journal, Louisville, (Ky.) Sunday June 12, 1966]

WHAT CONGRESS NEEDS ARE WOMEN DRIVERS

(By Marguerite Davis)

WASHINGTON.—A woman who should know says, "Congress is like the accelerator of your car—very sensitive to pressure."

She added this advice to the nation's woman:

"You make it go by putting your foot down."

Author of these remarks is Rep. LEONOR K. SULLIVAN, D-Mo., chairman of a House subcommittee on consumer affairs. She is sponsoring a 45-page bill to protect consumers by putting more enforcement teeth in the Food, Drug and Cosmetic act.

Though she thinks it's a good idea, Mrs. SULLIVAN is lukewarm to President Johnson's proposal to achieve that purpose legislatively by creating a cabinet department of consumers.

It might work, she said, but she fears a single secretary or administrator would be under such a constant barrage from self-seeking groups that his agency would be ineffective.

"I think we must make the laws stronger first, before turning to some department to work miracles for the consumers," the congresswoman said.

This is were she would enlist support of women in all walks of life—to turn the heat on their congressmen for legislative correction of what she considerd a long-neglected and vital consumer front.

Mrs. SULLIVAN has been trying for six years to make "the weak" Food, Drug & Cosmetic Act a law to be feared. Her bill is as usual, before the House Commerce Committee which, as usual has scheduled no hearing on it.

She thinks this would be remedied if enough women became insistent.

Mrs. SULLIVAN said that cosmetic makers are not required to pre-test their products for safety, aside from the coloring ingredients, and that medical devices of all sorts can be marketed without safety clearance.

She said such products can be ordered off the market only if the government proves them dangerous or fraudulent—a time-consuming process.

The congresswoman said her bill "covers everything you eat, all the medicines you use, anything rubbed, poured, sprinkled or sprayed on . . . the human body (cosmetics) . . . therapeutic devices, fake cancer cures, worthless ingredients in special dietary foods, over-the-counter drugs, etc."

One of the most controversial provisions would outlaw sweetened aspirin for children. Mrs. SULLIVAN said this drug causes 125 to 150 deaths each year among young children who believe it to be candy. She contends that parents could easily crush a regular aspirin, then sweeten it with sugar.

Other provisions of her bill would:

Require easy-to-read labels which give all pertinent information (as in the "truth in packaging" passed last week by the Senate), including ingredients and, when indicated, instructions for first aid treatment.

"Cosmetics are frequently swallowed by children, and doctors just have to guess what's in the products," Mrs. SULLIVAN said.

Require that packages of butter, cheese, ice cream reveal any presence of artificial coloring.

"Every other food must do this . . . the beautiful yellow color which butter claims as its own is often put there with a chemical."

Extend to veterinary antibiotics the Food & Drug Administration certification now required for those used by man.

"When these powerful, and often unstable, drugs are used on meat animals, we should be certain they are from certified batches, tested and approved by Uncle Sam."

Require cosmetic manufacturers to prove their products, including hair dyes and soap, are safe to use and do not contain ingredients which could cause cancer in man or animal.

"Soap manufacturers are subject to nothing more now than their own consciences and the risk of possible damage suits for what they might include among ingredients of a soap."

Arm the Food and Drug Administration (FDA) with stronger inspection powers, including the right to subpoena when developing information needed to establish food standards.

Require foreign manufacturers who export substantial quantities of foods, drugs, or cosmetics into the U.S. to permit FDA inspection of their plants overseas.

GATHERING OF THE AMERICAN COMMUNIST PARTY IN NEW YORK

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANLEY. Mr. Speaker, this past week marked a black period in the history of the United States. The American people were treated to one of the most absurd, blatant shows of unpatriotic blather ever produced on the domestic scene. I refer to the gathering of the American Communist Party, Inc., in New York City.

I feel obligated to respond to the brazen claim of the American Communist leaders that they represent either peaceful or democratic ideals. Nothing could be more to the contrary. While our boys are fighting to protect free people from Communist enslavement, these scoundrels have the gall to proclaim they are fostering liberty.

As a citizen, as a father, as a member of the Veterans' Committee, I am appalled at the open assault these people are making on the rich traditions of America.

The Communists have called for an open alliance with the demonstrators, peacenuts, and thugs; they have denied for all the world to see that theirs is an independent movement; they have openly shown both their affiliation with their fealty to the international Communist conspiracy. I implore the Justice Department and the courts to take cognizance of these facts and to react accordingly.

Mr. Speaker, the news stories covering the Communist convention, indicate that we may expect further intensified political activities from this element. There is reason to believe that they will attempt to infiltrate established political parties in order to undermine our electoral process, and to confuse the overriding vital issues of the day. I call upon all political, civic, and business leaders around the country to repudiate this attempt.

This band of punks decries our measures in southeast Asia, yet they were silent during the murders in Poznan and East Berlin. They express concern over the welfare of the Vietnamese, yet never opened their collective mouths during the pogroms in Russia or the viscious slaughter of citizens during the Greek civil war. And where were these "peace lovers" during the rape of Budapest and the Communist overrunning of Tibet.

Domestically, Mr. Speaker, the American Communists confess an affinity for the so-called peace candidates, and intimate support for them in the forthcoming elections. A short time ago, two of this Nation's most respected journalists, Roland Evans and Robert Novack, commented on the congressional race in my district. They indicated that I happen to be an anti-Communist—"a fatal fault in the opinion of the new left." Without questioning the integrity of anyone, I am wondering out loud, Mr. Speaker, whether or not the Communists will join the new left in seeking my defeat. I welcome the challenge.

THE ISSUANCE OF SUBPENAS

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHLEY. Mr. Speaker, it is generally acknowledged that the issuance of subpenas, commanding a person to appear or to produce documents, is a matter of some seriousness. This is equally true, of course, when subpenas are issued in the name of the House of Representatives of the U.S. Congress.

The courts on several occasions have found it necessary to reject contempt citations of the Congress for the failure to answer subpenas because a committee, a subcommittee, or a chairman failed to act in accordance with due process, including the rules of the House of Representatives, in the issuance of subpenas.

In light of these observations, and because a noted Washington columnist has directed considerable attention to the subject, I wish to discuss recent proceedings of the House Committee on Banking and Currency.

Over the period of several recent weeks, a number of attempts were made by me and other members of the House Banking and Currency Committee, without success, to ascertain the authority of the committee chairman in issuing almost 100 subpenas throughout the country, compelling production of documents and information in connection with a study of the beneficial ownership of commercial bank stock.

Because neither the chairman nor anyone else was able to document the authority for issuance of these subpenas, 12 members of the committee respectfully petitioned the chairman on Thursday, May 26, for a meeting of the committee to consider this matter.

Upon the failure of the chairman to respond to this petition, 17 members of the House Banking and Currency Committee, constituting a majority, filed a formal call for a meeting of the full committee on June 9 to consider the propriety and legality of the subpenas issued by the chairman. The call for the meeting was in accordance with clause 25 of rule XI of the rules of the House.

On June 18 Mr. Drew Pearson devoted the larger part of his column to a discussion of this meeting. Mr. Pearson states that the fact that the June 9 meeting was held in public "prevented a probe of large banking institutions from being scuttled last week." He said:

> Had 17 members of the Banking and Currency Committee been able to force a vote behind closed doors, the probe would have been killed.

The implication of secrecy and furtiveness on the part of the majority of the committee is hardly sustainable. There was no secret about our intentions. In fact, I even issued a press release on June 7 announcing exactly what we hoped to do, and, in fact, what the committee actually succeeded in doing.

Normally, of course, executive sessions of the committee are not held in public in accordance with the rules of the committee and the practice of every committee in the House.

When this particular meeting opened, the chairman proceeded to read a prepared statement questioning the motives of a majority of his committee. At this point I made the point of order that the chairman was "reading a statement in open session at a time when the committee should be in executive session"—quoting from the transcript, page 2. My purpose in making this point was to object to the accusatory remarks of the chairman being made in public without assurance of an opportunity to reply to them in public. Mr. WIDNALL then made the statement:

> If you read your statement at this time in Open Session, I believe the entire matter should be considered in Open Session from this point on. (Transcript, p. 3.)

When it was made clear that the entire matter would be considered in open session, neither I nor any other member raised any objection. Contrary to what Mr. Pearson says, I did not insist "that the vote taken on his—my—motion be taken behind closed doors." In fact, the conclusion reached by the committee was entirely in accord with my viewpoint and was agreed to unanimously—transcript, page 94.

Although Mr. Pearson says we, that is, the 17 members who called for the meeting, "were ready to toss in the sponge rather than operate in a glare of publicity," the fact is that the committee reached unanimous agreement on every point raised, fully vindicating the 17 members who called for the meeting.

Far from "scuttling" the investigation of the Subcommittee on Domestic Finance, as Mr. Pearson alleges, the June 9 meeting, which 17 members insisted upon, served to put it on a proper legal basis and avoided almost certain future embarrassment of the committee and the House of Representatives with respect to the issuance of almost 100 subpenas which were declared invalid at the very meeting on June 9 which Mr. Pearson purports to describe in his column.

Four days after our meeting on June 9, the Supreme Court on June 13 in Gojack against United States dealt with the principles governing congressional investigations. There the Court reversed a conviction for contempt of Congress on two basic grounds: First, the House Un-American Activities Committee had not specifically authorized the investigation in question; and, second, it had not specifically delegated authority for carrying it out to the subcommittee before which the witness appeared. A unanimous opinion held that these requirements are essential to a valid congressional investigation.

These are precisely the principles that the 17 members of the House Banking and Currency Committee asked the committee to apply in the Banking and Currency's present investigation of the beneficial ownership of commercial bank stock. There has never been, so far as I know, any objection to this investigation as such by any committee member. The only objection has been to the arbitrary and unauthorized way in which it was begun and carried on, up until the meeting of the full committee held on June 9 on the demand of a majority of the members.

The parallel is almost exact between the Gojack situation and what had happened before the end of May in our banking investigation. Let me illustrate by quoting from the Gojack case:

> Rule I of the Rules of Procedure of the House Committee on Un-American Activities provides that "No major investigation shall be initiated without approval of a majority of the Committee." Rule XI, par. 26, of the Rules of the House of Representatives requires each Committee of the House to keep a record of all committee actions. There is no resolution, minute or record of the Committee authorizing the inquiry with which we are concerned.

Rule I of the HUAC corresponds to the provision of Banking and Currency Committee rule 9, which says:

> After specific authorization by the Committee, the Chairman is authorized to undertake inquiries necessary to carry out the Committee's responsibilities, subject always to an appeal to the Committee.

Rule XI, paragraph 26 of the House requiring minutes of meetings is, of course, applicable to all committees.

Prior to May 26 there was no resolution, minute, or record of the Banking and Currency Committee or any of its subcommittees authorizing the banking investigation. And yet between March 25 and May 26 nearly 4,000 questionnaires and nearly 100 subpenas were issued on the purported authority of the Domestic Finance Subcommittee over the signature of its chairman.

Quoting further from Gojack:

> Indeed, the present case illustrates the wisdom of the Committee's Rule requiring specific authorization of a major investigation. Here, in the absence of official authorization of a specific inquiry, statements were made as to the subject and purpose of the inquiry which, to say the least, might have caused confusion as to the subject of the investigation . . .

In the banking investigation, between March 25 and the June 9 meeting, in the absence of official authorization of a specific inquiry, a number of differing statements of purpose were made by the chairman from time to time, both in letters to committee members and otherwise.

Quoting again from Gojack:

> There is in this case another fatal defect . . . We do not question the authority of the Committee appropriately to delegate functions to a subcommittee of its members, nor do we doubt the availability of Sec. 192 [of Title 2, USCA] for punishment of contempt before such a subcommittee in proper cases. But here, not only did the Committee fail to authorize its own investigation, but it also failed to specify the subject of inquiry that the Subcommittee was to undertake.
>
> * * * * *
>
> It is the investigatory power of the House that is vindicated by Sec. 192. The legislative history of Sec. 192 makes plain that a clear chain of authority from the House to the questioning body is an essential element of the offense. If the contempt occurs before a subcommittee, the line of authority from the House to the Committee and then to the subcommittee must plainly and explicitly appear, and it must appear in terms of a delegation with respect to a particular, specific matter. * * *

Prior to June 9, there had been no consideration whatever of the banking investigation by the full Banking and Currency Committee, let alone the subcommittee delegation with respect to a particular, specific subject matter required by Gojack.

As a result of the meeting on June 9, and a subsequent meeting of the subcommittee, the scope of the investigation has now been defined, questionnaires have been revised to remove the impossibly burdensome and almost punitive original requirements without in the least hampering the essential features of the investigation, and, of course, the nearly 100 subpenas issued without proper authority were invalidated.

Mr. Speaker, I have made it abundantly clear from the outset that I support the objectives of the study of the beneficial ownership of commercial bank stock. My criticism and effort has been directed solely to the arbitrary and unauthorized manner in which the study has been conducted, a manner which I felt reflected discredit on both our committee and the House. The Gojack decision vindicates the principles and convictions of those members of the committee who joined me in challenging these wrongful procedures.

TRIBUTE TO HON. DAVID E. BELL

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, it is impossible for me to express the thanks that the United States owes to David E. Bell. His contributions to U.S. foreign policy and his expert, efficient, and smooth administration of our foreign aid program for the last 5 years are reflected in the high esteem in which our projects are held throughout the world. He has certainly been the most influential force in foreign aid since George Catlett Marshall. His directions, reforms, and ideals will be felt for many years to come.

Dave Bell has a rare combination of maximum efficiency and the full measure of compassion. It is this combination that should be the goal of all who labor in their Nation's interest. For we must be more than large and efficient, we must care. Dave Bell cared, and while we wish him well, he will be greatly missed.

It is my pleasure to welcome to the critical job of Administrator of AID, its former Deputy Administrator, William S. Gaud. Mr. Gaud is imminently qualified to take over the administration of foreign aid efforts. He has important qualifications in the areas of southeast Asia and China. As a former Assistant Administrator of AID for the Near East and south Asia and having served in the China-Burma-India theater during World War II, Bill Gaud is considered an expert in the affairs of these areas. His intimate knowledge and feeling for these sections certainly stand him in good stead with the increasing emphasis on those parts of the world.

Again, I wish Dave Bell the best of success with the Ford Foundation and I hope he will successfully weather the quips about his passing from public to private philanthropy. I salute him for an outstanding tenure and welcome Bill Gaud with the confidence that he will carry on in the same fashion.

THE CENTRAL INTELLIGENCE AGENCY

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the Central Intelligence Agency was established not quite 20 years ago. For more than half of its existence, key members of the Senate and House Committees on Armed Services and Appropriations have exercised oversight responsibilities. This has been done on an informal basis, with the chairman and principal majority and minority Members serving in such capacity.

From time to time there have been demands for creation of a formal congressional committee for this purpose. The latest of these efforts has been the attempt in the Senate to add members of the Foreign Relations Committee to the existing informal group, or to create a special committee with members of that committee included.

As of this moment, it does not appear very likely that the Senate will approve this change. Certainly, the elder statesmen who head these informal groups have earned the confidence and respect reposed in them, and if the present proposal is not accepted it will be due in great part to the trust inspired by men like Senators Russell, Hayden, Stennis, Symington, Saltonstall, Milton R. Young, and Margaret Chase Smith, as well as Representatives Mahon, Rivers, Bow, Arends, Bates, and the other Members who comprise the House groups. It is also a tribute to the CIA which has done an outstanding service for our country under very difficult conditions.

I am not one of those who wishes to initiate a change at this time. As a member of the Foreign Affairs Committee I have had no difficulty in receiving needed and helpful information from the CIA and other branches of the intelligence community. A good case, however, can be made for inclusion of the congressional foreign policy committees in any oversight group to watch and check the CIA. The CIA's Organic Act was approved 19 years ago by the Armed Services Committees. The foreign affairs role of the United States has so evolved in the interim that if the CIA were created today, it is more than likely that the originating bill would be referred to the Foreign Affairs rather than the Armed Services Committees.

I have only commendation and praise for the fine work done by Chairmen Mahon and Rivers and their distinguished counterparts in the Senate. I have full confidence that they and their colleagues are doing a good job of legislative oversight with regard to the CIA. But, if there should be any change as currently proposed in the Senate, I would have to immediately advocate equal considerations and status for our own Committee on Foreign Affairs.

THE CAPITOL

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Weltner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WELTNER. Mr. Speaker, Daniel Webster in 1851, at the ceremony for the laying of the northwest cornerstone of the Capitol said:

> If, therefore, it shall hereafter be the will of God that this structure shall fall from its base, that its foundation be upturned and this deposit brought to the eyes of men, be it known that on this day the Union of the United States of America stands firm.

The edifice of which Webster spoke has now been declared unfirm by Capitol Architect, J. George Stewart. Mr. Stewart says:

> The real danger is in a tremor of some sort that would cause a shift of some of the stones that are in key position.

The real danger is exactly that—that a stone of key position should be displaced, through the remodeling and redesigning of the west front of the Capitol.

There is only one good reason to renovate the west front—to make it structurally sound. This is a valid reason; its redesigning is not valid.

I am unconvinced by the arguments to redesign the Capitol for more space, or for "esthetic" improvement. George Washington wrote of the Capitol's "grandeur, simplicity, and convenience." The grandeur and simplicity should not be sacrificed for slightly more convenience. The $32 million designated for its reconstruction can well remain unspent during a year of heavy budget demands.

The American Institute of Architects issued a statement concluding that the Capitol of the United States is a vitally important symbol of our Nation's Government. The power of the Congress to decide the fate of the Capitol is just as important. It is for this reason that I declare my vigorous opposition to the planned destruction of the west front of the Capitol.

SELECTIVE SERVICE

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FRASER. Mr. Speaker, Congress has now begun hearings on legislation to extend and modify the Selective Service System. The following letter from Mr. Roy H. Bjorkman, of Minneapolis, clearly and forcefully poses the problem of the draft's inequity.

The present Selective Service System inequitably affects young men of different economic levels. Furthermore, lack of uniformity in local draft board policy results in the application of different standards of men in similar situations.

The Selective Service System, as Mr. Bjorkman points out, must be carefully reevaluated. His letter follows:

June 8, 1966.

Hon. Donald Fraser,
House of Representatives,
Washington, D.C.

Dear Donald: At this time of year, to thousands of young men, the month of June does not mean Weddings? Graduation? Vacation? It means coming to grips with military service. At this time a shooting war adds to the grimness, but the same thing has been happening for decades now—through cold war, hot war, truce, and crisis. As the school year ends, young men must take stock.

They stew over whether to volunteer or wait to be drafted. They puzzle over dozens of different programs of training and service with which the armed forces woo recruits. Decisions on education, family, and career have to be filtered through the latest draft rules, local board policies, and reserve obligations.

Meanwhile, Selective Service displays its own built in oddities. A teen-age hood builds a police record and is rejected, while the hard working kid next door is popped into uniform. Some young men avoid service with endless graduate study, but some local boards would as soon draft a graduate student as look at him.

After all these years doesn't it begin to seem like senseless wheel-spinning? In theory, we say that this perilous age requires that every young man take his turn in the defense of the nation. In practice, we pussyfoot. Instead of presenting a straight forward responsibility, we tangle kids in a web of bureaucracy, uncertainty, inequity, and confusion.

When do we get the practice in line with the theory? Is it maybe time to think again about basic training for all as routine a thing as high school? The whole idea isn't pleasant, I know, but facing facts rarely is.

My three sons spent four and five years in uniform. All saw action in Europe. They are better citizens, more patriotic. They understand what America is and what it stands for. We would have less delinquency, more respect for law and order, and know what America is and what its strategy is. Think it over. Let's build Roman citizens like the Romans did at their zenith; or some of the qualities of the Spartans at their peak in our American youth. They are capable and they are worthy. Let them prove it.

Respectfully yours,

ROY H. BJORKMAN.

OUR PURPOSE IS NOT TO DESTROY A NATION IT IS TO PERMIT A PEOPLE TO BUILD A NATION

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WOLFF. Mr. Speaker, it is easy to destroy. Our capability goes much further that the destruction of oil dumps. We can destroy all of Vietnam and much more if we so desire. However, our purpose is not to destroy a nation, but to permit a people the opportunity to build a nation. This is a more difficult task.

The consequences of our recent action only await time. We have taken a big chance. I would have preferred our giving one more try for a bilateral ceasefire. Since there are none of the "king's men" around, we can't put back that which has fallen. I hope this is not a prelude to one-upmanship that would bring us into an expanded war instead of the intended peace. People who have nothing to lose become desperate people. Desperate people do desperate things.

BROADCAST OF DEFAMATORY PROGRAMS NOT IN THE PUBLIC INTEREST

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GIAIMO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GIAIMO. Mr. Speaker, I have recently read the decision of the Federal Communications Commission in the matter of complaint of Anti-Defamation League of B'nai B'rith against Station KTYM, Inglewood, Calif., a case which concerned that station's application for renewal of license decided June 17, 1966.

The Commission held, Commissioner Cox dissenting, that because of the first amendment's guarantee of freedom of speech, the fact that the station allowed a series of programs which had overtones of anti-Semitism to be aired on its facilities, was no grounds for disallowing the application for renewal.

The programs in question were part of a series presented by "Richard Cotten's Conservative Viewpoint." In these programs, Mr. Speaker, Richard Cotten attempted by logic which at best was an exercise in sophistry, to equate Judaism with communism. He quotes the words of various individual Jews who have advocated socialism, and by stressing at all times the individual's religious and ethnic background, implies that to be Jewish is to be a Communist. In short, Mr. Speaker, the programs were not only patently offensive to a large segment of our society, but in my judgment, and in the judgment of the dissenting Commissioner, defamatory.

Mr. Speaker, there is no one who is more cognizant than I that if the first amendment guarantees are to be meaningful, they must apply fully to all viewpoints, whether they be personally distasteful or not, but this case did not concern the traditional arenas of speech; it concerns the public airwaves. Radio broadcasts are not like speeches on a street corner or editorials in a newspaper. The Federal Communications Act specifies that the licensee must act in a manner consistent with the public interest. I, for one, do not think that a licensee who permits the broadcast of a series of anti-Semitic and defamatory programs is operating in the public interest. The Government has a responsibility to the people, Mr. Speaker, to insure that the airwaves are not used to convey offensive material of this nature. I realize that the word "offensive" is ambiguous. For example, the views of a Republican may be offensive to a Democrat, but the presentation of Republican views by a radio station does serve the public interest. Can this be said about anti-Semitism? I think not. If Mr. Richard Cotten wishes to disseminate his distorted views on Judaism let him hire a hall, write a book, or stand in the middle of Central Park and shout to the heavens above, but do not let him use the public and federally regulated airwaves.

I suggest that the Federal Communications Commission misinterpreted the commands of the first amendment as they apply to the use of radio stations and should reevaluate its decisions. KTYM has abused its public trust and, therefore, has forfeited its right to continue to hold a license.

PADEREWSKI: A TRIBUTE TO A GREAT POLISH ARTIST AND PATRIOT

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, we can recall many famous men in contemporary history who had both artistic and patriotic inclinations. There have been the artists with deep sympathies for patriotic causes, men such as William Butler Yeats and G. K. Chesterton; and many great statesmen have diverted themselves with artistic pursuits. Winston Churchill, for example, painted in some of his few spare moments, and Dag Hammarskjold expressed his private thoughts in verse.

There is one figure of our age, however, who lived both his artistic and his patriotic life in the public domain. This man was Igance Jan Paderewski, both head of state and immortal pianist. Today we Americans commemorate the aniversary of his death 25 years ago.

We honor his memory because he shared with us the sound of piano playing which was rivaled before him only by Franz Liszt and Anton Rubenstein, and he showed personal devotion to Poland, his great fatherland, which has never been equaled. We remember him vividly and warmly because he loved Americans and spent many years of his exile from embattled Poland here in our country. He died here, in New York City, and is buried in Arlington National Cemetery until the day when Poland is once again free.

The music of Poland tells the story of the Polish spirit with rare force and clarity. It tells of a passionate, volatile temperament and of lofty dreams and aspirations. It also reflects the deep, restless, brooding sense of tragedy that must pervade a people who have stood great in their liberty and seen it brutally snatched from them time and time again. The soul of Polish music expressed the soul of Paderewski, and his life was a tapestry of the same recurring themes of tragedy, hope, and action.

Paderewski was undaunted by personal or national tragedy, although it circumscribed his life from his earliest days. The Poland to which he was born was a Russian possession, and both of his parents were deported to Siberia for their nationalistic activities. His early studies in music met with grave discouragements, and he was stunned by the death of his young wife in 1879 after less than a year of marriage.

But sorrows and discouragement only elicted fiercer determination from the young musician. He went to Berlin at the age of 20 to study under the master

Theodor Leschetizky, who told him that only by changing his whole style of playing would he ever be a concert pianist. For 7 years, therefore, he totally immersed himself in his studies. It was during this time that he vowed that whatever abilities he might be able to develop would be used for the benefit of Poland if he were ever given the opportunity.

Paderewski did not have to search for a cause, or for the means to champion it. He followed his chosen path, and his mission revealed itself to him in due time. As he went from his Berlin studies to worldwide fame and success, the condition of the great powers of Europe grew ever more inflammatory. In 1915, as the storm clouds of war spread over two hemispheres, Paderewski appeared before his American friends in the familiar setting of the concert hall, but he had more on his mind than music. He had begun his campaign to aid the fighting men and the suffering people of Poland. He would begin:

> I have to speak to you about a country which is not yours, in a language that is not mine.

Then he would play, and as he played he communicated the age-old spirit of Poland in a way that surpassed anything that words could express. Like his countryman, Chopin, whose works he admired above all others, Paderewski brought to life the glory of Poland every time he touched the keyboard.

He donated almost all of his own personal fortune to the war effort in the interest of Poland. This included a great estate on Lake Geneva in addition to the unprecedented sums that accrued from his concert tours. One of his projects resulted in a Polish army of 100,000 troops which was raised and trained in America and fought with the Allies in France.

But more than donations was asked of Paderewski. As the war drew to an end, Poland looked to him to lead it away from German captivity to independence and dignity. This task could not be accomplished in the concert hall; it required that the musician turn statesman and enter the national capitol and the international conference hall. With a heavy heart he closed his piano for what he knew might be the last time, then he risked his very life to return to Poland under cover of night.

In Warsaw he found that innumerable factions were competing for the controlling voice in setting up a new government. The chief parties were the Socialist, Jewish, Conservative, and National Democrats, and by force of his considerable persuasive powers Paderewski managed to combine them into a functional coalition government. On January 26, 1919, he accepted the posts of Premier and Foreign Minister at the head of this government, and it was accorded the vote of confidence of immediate diplomatic recognition by the United States.

The next task was to represent the claims of Poland for territorial awards at the treaty conference at Versailles. Paderewski joined with the other great delegates, Lloyd George of England, Clemenceau of France, and Woodrow Wilson at those negotiations, where he argued the cause of Wilson's 14 points, especially the 13th point, which demanded "an independent Polish state which would include the territories inhabited by indisputedly Polish populations."

After the signing of the Versailles Treaty, which established the Polish corridor to the vital seaport of Danzig, Paderewski returned home to find that in his absence the political situation had slipped out of his grasp. Now the struggle had to be waged to determine what kind of government the Polish people would ultimately choose, and its Premier realized that no coalition or compromise would suffice. He therefore stepped aside as unifier of the coalition government so that it could get on with the inevitable conflict. He resigned on November 21, 1919, and left Poland for a rest in Switzerland, expressing his deep hope that Poland would be able to find the kind of government that she needed and wanted.

After several years Paderewski returned to the world as the pianist, and his glory and acclaim were greater than ever before. He was lionized on the Continent and in the States, and as he traveled on his tours he inspired admiration for Poland as much as for himself personally. He never abandoned his efforts to aid all of his countrymen, whether in Poland or displaced abroad.

But if the star of Paderewski's fortunes was soaring, that of his country was shining ever dimmer. In September of 1939 Hitler's troops invaded Poland, and plunged it into yet another agony of strife. Paderewski worked tirelessly in England, France, and America. He accepted the Presidency of the Polish Parliament in Exile which operated in Anger, France; he made radio broadcasts; he donated money and obtained huge contributions from many sources. Through this tragedy, as through all the others, both personal and national, he responded with emotion, but emotion which gave rise to renewed hopes, and to vigorous action.

When he died on June 29, 1941, a world at war paused to remember the greatness of this artist-patriot. Rarely had it seen one who had accomplished so much, suffered so deeply, or loved so largely. He was noble, yet he was humble, and he sustained the aspirations of the people of Poland throughout his life by his example and by his assistance. On this 25th anniversary of the death of Ignace Jan Paderewski we Americans can repeat once again how proud we are that we have known such a man. He truly honored us when he gave us his unrestrained trust and friendship.

Speaking for President Franklin Roosevelt, upon Paderewski's death, Acting Secretary of State Sumner Wells, expressed America's deep sorrow and profound respect in these words.

> The spirit of Mr. Paderewski which illuminated his whole life is by no means extinguished; the influence of his personality, character and genius must persist. It will continue to inspire for many years to come those who are struggling for the highest ideals of humanity.

On May 9, 1963, a marker was dedicated to identify the grave of Paderewski in Arlington National Cemetery. On that occasion President Kennedy said:

> I was particularly anxious to come here today to join with all of you in marking the grave of a man whose distinguished service made his grave well marked, but who deserved to have his history and his country brought to the attention of those who come to this cemetery to honor our heroes.

President Kennedy concluded his remarks with this statement:

> We are proud to have him here.

PRESIDENTIAL JOB RATING

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, if we have any faith in democracy, we must have faith in people.

And if we have faith in people, we must have faith in public opinion.

But first, we must know the opinion of the public.

Mr. Speaker, I submit that we are not being given the facts about the state of public opinion regarding the President of the United States. I submit that the American people are being confused, misled, and confounded about public opinion polls and what they mean.

Mr. Speaker, I read just the other day—first with puzzlement, later with astonishment, and now with impatience—of a pollster's report to the Republican National Committee.

The President's popularity, according to a Republican National Committee spokesman "has dropped and is continuing to drop."

But when questioned by reporters, this political party official would not reveal the specific figures in the poll.

Mr. Speaker, I wonder why he was so reluctant? It may well mark the first time a politician refused to take clear advantage of an opponent.

Or it may mean that there are figures in his poll that he would rather not make public? Figures that could not be used against the President because they show favorable public opinion?

Mr. Speaker, let's be perfectly frank. I do not believe that the President can lead this great Nation through history in these crucial times and at the same time maintain a so-called high-popularity rating. Wars have never been popular with the American people, Mr. Speaker. That goes for world wars, civil wars, limited wars, and guerrilla wars. And pray God they may never be. But we have fought them when we had to—and we have won them. Wars are unpopular to Americans—but defeat is intolerable.

Nevertheless, when a leading official of the Republican Party states that the President's rating is off he must be corrected in terms of the facts of public opinion.

Mr. Speaker, I have public opinion poll figures on President Johnson's "job rating." Unlike others, I have no fear of making public these specific figures. They reflect a consensus of support for the President from a diversity of Americans. I think all Americans are entitled to know about this support.

Mr. Speaker, here is a roster of public opinion—a rollcall of a few of the States whose citizens are in favor of the job that President Johnson is doing.

In Maine, 57 percent say they approve of the way Lyndon Johnson is handling his job as President.

In neighboring New Hampshire, 54 percent of the Granite State approve of the way Lyndon Johnson is handling his job as President.

In heavily populated New York State, 67 percent favor the President's job performance.

In the industrial community of Paterson, N.J., just across the Hudson River from New York City, 62 percent say they approve of the way Lyndon Johnson is handling his job as President.

In the State of New Jersey as a whole, the President's job rating is considered to be favorable by 76 percent of the people.

In Pennsylvania, 63 percent say they approve of the way President Johnson is handling his job.

In West Virginia, a border State whose motto, "Montani Semper Liberi," proclaims her citizens' dedication to freedom, the President's job performance is rated as favorable by 62 percent.

In Tennessee, 61 percent say they approve of the way Lyndon Johnson is handling his job as President.

In the Old Dominion, 53 percent of the Virginians approve of the way the President is handling his job.

In Guilford County, N.C., farther south, 56 percent endorse President Johnson's handling of his job.

In the great State of Michigan—to swing to the industrial Midwest—we find that 62 percent of the Wolverine State approve of the way Lyndon Johnson is handling his job as President.

Mr. Speaker, I would like to add to this State-by-State public opinion rollcall the findings of a recent nationwide Gallup survey. It reveals that 50 percent say they approve of the way Lyndon Johnson is handling his job as President. This survey, Mr. Speaker, marks a turning point. It marks the first upward turn of a 6-month slide in what Gallup calls "President Johnson's Popularity Rating."

Strangely enough, Mr. Speaker, I have not been able to find anything in the press from the Republican Party on this upturn in the President's popularity. Nor have I been able to find anything from that quarter on another Gallup survey of college students across the Nation.

Mr. Speaker, it should be noted that this Gallup poll was taken at the same time when the President's rating was at this lowest point—and the Republican Party official talking about it. Gallup's poll revealed that college students are more inclined to approve of the way President Johnson is handling his job than is the general public. Mr. Speaker, Mr. Gallup tells us that 55 percent of the college students gave President Johnson a vote of confidence—9 percentage points higher than his rating among the general public at that time. But Mr. Speaker, there is silence from the Republican Party about this measure of public opinion. They are mute on this evidence of the support given President Johnson by our young people in college campus after college campus across this land of ours.

This, too, Mr. Speaker, is public opinion. It must be contrasted with the campus anti-Vietnam demonstrations which have received such widespread publicity.

Mr. Speaker, we hear so much talk about public image that we may lose sight of public reality. We become like the proud father of a baby boy. When an admiring friend looked at the youngster and said, "What a beautiful boy." The proud father replied, "That is nothing. You should see his pictures."

Mr. Speaker, I am proud of President Johnson's performance. But unlike the proud parent, I am prouder of his performance than of his public image as reflected in the public opinion polls. Nevertheless, I am happy and proud that both image and reality, both public opinion and actual performance, bear such close correspondence to each other.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Pepper (at the request of Mr. Albert), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Feighan, for 10 minutes, today.

Mr. Feighan, for 10 minutes, on June 30, 1966; to revise and extend his remarks and include extraneous matter.

Mr. Chamberlain (at the request of Mr. Davis of Wisconsin), for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Vigorito.

Mr. Reinecke.

Mr. Pucinski.

(The following Members (at the request of Mr. Davis of Wisconsin) and to include extraneous matter:)

Mr. Fulton of Pennsylvania.

Mr. Collier.

Mr. Latta.

Mr. Cahill.

(The following Members (at the request of Mr. Waldie) and to include extraneous matter:)

Mr. Powell in four instances.

Mr. Annunzio.

Mrs. Griffiths.

Mr. Roncalio.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred, as follows:

S. 1803. An act for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1240. An act for the relief of Harry C. Engle;

H.R. 3788. An act to revive and reenact as amended the act entitled "An act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill.," approved December 21, 1944;

H.R. 3976. An act to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.;

H.R. 5204. An act for the relief of Joseph K. Bellek;

H.R. 6590. An act for the relief of Arthur Hill;

H.R. 8793. An act for the relief of Eugene J. Bennett;

H.R. 9302. An act for the relief of Lt. Charles W. Pittman, Jr., U.S. Navy;

H.R. 10994. An act for the relief of Charles T. Davis, Jr., Sallie M. Davis, and Nora D. White;

H.R. 12232. An act to amend title 1 of the United States Code to provide for the admissibility in evidence of the slip laws and the Treaties and Other International Acts Series, and for other purposes;

H.R. 13650. An act to amend the Federal Tort Claims Act to authorize increased agency consideration of tort claims against the Government, and for other purposes;

H.R. 13652. An act to establish a statute of limitations for certain actions brought by the Government;

H.R. 14025. An act to extend the Defense Production Act of 1950, and for other purposes;

H.R. 14182. An act to provide for judgments for costs against the United States; and

H.J. Res. 1180. Joint Resolution making continuing appropriations for the fiscal year 1967, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 28, 1966, present to the President, for his approval, bills of the House of the following titles:

H.R. 11439. An act to provide for an increase in the annuities payable from the District of Columbia teachers' retirement and annuity fund, to revise the method of determining the cost-of-living increases in such annuities, and for other purposes; and

H.R. 13431. An act to extend the Renegotiation Act of 1951.

ADJOURNMENT

Mr. WALDIE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 28 minutes p.m.) the House adjourned until tomorrow, Thursday, June 30, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2523. A letter from the Comptroller General of the United States, transmitting a report of review of certain aspects of the supply and maintenance support provided Honest John missile battalions in Korea, Department of the Army; to the Committee on Government Operations.

2524. A letter from the Comptroller General of the United States, transmitting a report of savings that can be attained by rebuilding used motor vehicle tires, Department of the Air Force; to the Committee on Government Operations.

2525. A letter from the Comptroller General of the United States, transmitting a report of review of selection and use of training facilities in Chicago, Ill., for manpower training authorized by the Manpower Development and Training Act of 1962, Department of Labor and Department of Health, Education, and Welfare; to the Committee on Government Operations.

2526. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee of conference. H.R. 12322. An act to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for cotton (Rept. No. 1673). Ordered to be printed.

Mr. BURLESON: Committee on House Administration. House Resolution 900. Resolution authorizing the transfer of funds from the contingent fund to meet committee employee payroll for June 1966; (Rept. No. 1674). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 796. Resolution authorizing the employment of additional Capitol Police for duty under the House of Representatives; with amendment (Rept. No. 1675). Ordered to be printed.

Mr. MACDONALD: Committee on Interstate and Foreign Commerce. S. 2266. An act to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art; (Rept. No. 1676). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRIEDEL: Committee on House Administration. House Resolution 901. Resolution relating to telephone, telegraph, and radio-telegraph allowances of Members of the House of Representatives; (Rept. No. 1677). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ZABLOCKI:

H.R. 16024. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement research and regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHEUER:

H.R. 16025. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. SICKLES:

H.R. 16026. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. CORMAN:

H.R. 16027. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. O'HARA of Michigan:

H.R. 16028. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. ASHLEY:

H.R. 16029. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. CLEVELAND:

H.R. 16030. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. SCHMIDHAUSER:

H.R. 16031. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. TODD:

H.R. 16032. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. REUSS:

H.R. 16033. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. HALPERN:

H.R. 16034. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. RODINO:

H.R. 16035. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. HELSTOSKI:

H.R. 16036. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. ANNUNZIO:

H.R. 16037. A bill to repeal the prohibition against mint marks on coins of the United States; to the Committee on Banking and Currency.

By Mr. BENNETT:

H.R. 16038. A bill to establish the U.S. Agency for World Peace within the Department of State; to the Committee on Foreign Affairs.

By Mr. BINGHAM:

H.R. 16039. A bill to incorporate the Association of American Law Schools; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 16040. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 16041. A bill to limit the quantity of baseball and softball gloves and mitts which may be imported into the United States; to the Committee on Ways and Means.

By Mr. CONABLE:

H.R. 16042. A bill to establish a National Commission on Reform of Federal Criminal Laws; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 16043. A bill providing for jury selection in Federal and State courts, prosecution and removal to Federal courts, civil preventive relief, civil indemnification, and for other purposes; to the Committee on the Judiciary.

By Mr. CRALEY:

H.R. 16044. A bill relating to rates of postage on airmail parcel post mailed to or by members of the Armed Forces in overseas combat areas; to the Committee on Post Office and Civil Service.

By Mr. FASCELL:

H.R. 16045. A bill to liberalize the provisions of title 38, United States Code, relating to automobiles for disabled veterans; to the Committee on Veterans' Affairs.

By Mr. FLOOD:

H.R. 16046. A bill to amend the Public Works and Economic Development Act of 1965 to extend for an additional year the eligibility of certain areas; to the Committee on Public Works.

By Mr. WILLIAM D. FORD:

H.R. 16047. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:

H.R. 16048. A bill to amend title 39, United States Code, to extend to neighborhood improvement organizations or associations the special third-class bulk mail rates for nonprofit organizations; to the Committee on Post Office and Civil Service.

By Mr. FRIEDEL:

H.R. 16049. A bill to amend the Railroad Retirement Act of 1937 to provide that a retired annuitant may elect to be subject to a system of deductions from his annuity on account of outside earnings instead of being subject to the prohibition against returning to the service of his last employer; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 16050. A bill to amend title VI of the Public Health Service Act to establish a program under which assistance may be furnished for the construction of standby electrical systems in existing or proposed hospitals; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Tennessee:

H.R. 16051. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. GIAIMO:

H.R. 16052. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 16053. A bill to amend title XIX of the Social Security Act; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 16054. A bill to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950, and for other purposes; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 16055. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 16056. A bill to amend the Vessel Exchange Act by eliminating the trade-in requirement in certain cases where national defense purposes require; to the Committee on Merchant Marine and Fisheries.

By Mr. OLSEN of Montana:

H.R. 16057. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PUCINSKI:

H.R. 16058. A bill to incorporate Mothers of World War II, Inc.; to the Committee on the Judiciary.

By Mr. SCHMIDHAUSER:

H.R. 16059. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16060. A bill to amend the Federal-Aid Highway Act to permit the participation of interstate funds in retiring bonds on toll bridges, tunnels, or roads on the Interstate System; to the Committee on Public Works.

H.R. 16061. A bill to require Members of Congress and their spouses, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities; to the Committee on Rules.

By Mr. SECREST:

H.R. 16062. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 16063. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 16064. A bill to amend the act of March 3, 1899, to authorize the Secretary of the Army to remove certain abandoned vessels and abandoned pilings from the navigable waters of the United States; to the Committee on Public Works.

By Mr. VANIK:

H.R. 16065. A bill to amend the act of March 3, 1899, to authorize the Secretary of the Army to remove certain abandoned vessels and abandoned pilings from the navigable waters of the United States; to the Committee on Public Works.

By Mr. SCHEUER:

H.J. Res. 1188. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. SICKLES:

H.J. Res. 1189. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. CORMAN:

H.J. Res. 1190. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. O'HARA of Michigan:

H.J. Res. 1191. Joint resolution to prohibit any change in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. ASHLEY:

H.J. Res. 1192. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. CLEVELAND:

H.J. Res. 1193. Joint resolution to prohibit any change in the location or design except for restoration of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. SCHMIDHAUSER:

H.J. Res. 1194. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. TODD:

H.J. Res. 1195. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. REUSS:

H.J. Res. 1196. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. HALPERN:

H.J. Res. 1197. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. RODINO:

H.J. Res. 1198. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. HELSTOSKI:

H.J. Res. 1199. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

H.J. Res. 1200. Joint resolution to provide for the creation of a captive nations freedom series of postage stamps in honor of national heroes of freedom, commencing with a Taras Shevchenko freedom stamp; to the Committee on Post Office and Civil Service.

H. Con. Res. 806. Concurrent resolution expressing the sense of Congress on the holding of elections in South Vietnam; to the Committee on Foreign Affairs.

By Mr. KING of Utah:

H. Con. Res. 807. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. TENZER:

H. Con. Res. 808. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

By Mr. BERRY:

H. Res. 902. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. GURNEY:

H. Res. 903. Resolution to limit the size of clear-channel broadcasters; to the Committee on Interstate and Foreign Commerce.

By Mr. HALL:

H. Res. 904. Resolution relating to the distribution among the States of research and development funds made available by Government agencies; to the Committee on Science and Astronautics.

By Mr. FRIEDEL:

H. Res. 905. Resolution relating to the compensation of certain personnel of the House Press Gallery; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 16066. A bill for the relief of Shek Chi Ng; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 16067. A bill for the relief of Miss Yolanda Bolling; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 16068. A bill for the relief of Yoshio Okada, Masako Okada, and Keikichi Okada; to the Committee on the Judiciary.

By Mr. MOELLER:

H.R. 16069. A bill to provide for the free entry of one mass spectrometer for the use of Ohio University; to the Committee on Ways and Means.

By Mr. MORSE:

H.R. 16070. A bill for the relief of Mr. Herculano Osorio and Mrs. Genobeba Osorio; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 16071. A bill for the relief of Georgios Demetrius Papageorgiou; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 16072. A bill for the relief of Irvia DiFiore; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JUNE 29, 1966

The Senate met at 10 o'clock a.m., and was called to order by Hon. DANIEL B. BREWSTER, a Senator from the State of Maryland.

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

O Thou God of our fathers and our God: We lift our prayer for Thy servants in this Chamber who now must bear the heat and burden of yet another demanding day. Be Thou their strength and sure defense.

In such an hour, Lord, grant unto Thy servants a sense of Thy sustaining presence. Give strength of body and clarity of mind. Bless with a sense of true perspective, with a freshened sensitivity to human values, an appreciation of what is really important, a devotion to what is right in Thy sight.

When the sun is hot and the day so long, when the duties are many and the tasks so heavy, when demands seem beyond reason and burdens beyond endurance, when minds grow weary and tempers are tested; then man needs renewal of strength and spirit to run and not be weary, to walk and not faint.

Thus refresh and renew Thy servants standing before Thee, and empower them this day, we pray, for the faithful discharge of their high duty before men and history and divine judgment.

In the name of Christ, our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 29, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. DANIEL B. BREWSTER, a Senator from the State of Maryland, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. BREWSTER thereupon took the chair as Acting President pro tempore.

MANPOWER SERVICES ACT OF 1966

The ACTING PRESIDENT pro tempore. Under the unanimous-consent agreement entered into yesterday the

Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 2974) to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such act at both State and Federal levels, and for other purposes.

The Senate resumed the consideration of the bill.

Mr. CLARK. Mr. President, I yield to the Senator from Montana from the time on the bill as much time as he may desire.

OBSCENE OR HARASSING TELEPHONE CALLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business may be temporarily set aside, and that the Senate proceed to the consideration of Calendar No. 1303, S. 2825.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2825) to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce, with an amendment, on page 1, after line 5, to strike out:

SEC. 223. OBSCENE OR HARASSING TELEPHONE CALLS IN INTERSTATE OR FOREIGN COMMERCE.—Whoever by means of telephone communication in interstate or foreign commerce—

(i) makes any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent; or

(ii) anonymously makes a call or calls in a manner reasonably to be expected to annoy, abuse, torment, threaten, harass, or embarrass one or more persons; or

(iii) makes repeated calls with intent to annoy, abuse, torment, threaten, harass, or embarrass one or more persons; or

(iv) knowingly permits any telephone under his control to be used for any purpose prohibited by this section—

shall be fined not more than $1,000 or imprisoned not more than one year, or both. Each such telephone call or use shall constitute a separate offense.

And, in lieu thereof, to insert:

SEC. 223. OBSCENE OR HARASSING TELEPHONE CALLS IN THE DISTRICT OF COLUMBIA OR IN INTERSTATE OR FOREIGN COMMERCE.—Whoever by means of telephone communication in the District of Columbia or in interstate or foreign commerce—

(a) makes any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent; or

(b) makes a telephone call, whether or not conversation ensues, without disclosing his identity and with intent to annoy, abuse, threaten, or harass any person at the called number; or

(c) makes or causes the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number; or

(d) makes repeated telephone calls, during which conversation ensues, solely to harass any person at the called number; or

Whoever knowingly permits any telephone under his control to be used for any purpose prohibited by this section—

Shall be fined not more than $500 or imprisoned not more than six months, or both.

So as to make the bill read:

S. 2825

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Communications Act of 1934, as amended, is further amended by adding at the end thereof the following new section:

"SEC. 223. OBSCENE OR HARASSING TELEPHONE CALLS IN THE DISTRICT OF COLUMBIA OR IN INTERSTATE OR FOREIGN COMMERCE.—Whoever by means of telephone communication in the District of Columbia or in interstate or foreign commerce—

"(a) makes any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent; or

"(b) makes a telephone call, whether or not conversation ensues, without disclosing his identity and with intent to annoy, abuse, threaten, or harass any person at the called number; or

"(c) makes or causes the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number; or

"(d) makes repeated telephone calls, during which conversation ensues, solely to harass any person at the called number; or

Whoever knowingly permits any telephone under his control to be used for any purpose prohibited by this section—

"Shall be fined not more than $500 or imprisoned not more than six months, or both."

Mr. MANSFIELD. Mr. President, I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, obscene and harassing telephone calls have become a matter of serious concern. The telephone, despite its many benefits in our daily business and personal lives, unfortunately provides a ready cloak of anonymity to the sort of person who can somehow derive satisfaction or pleasure from frightening other people. This cloak has been availed of by such people in various ways. The telephone may ring at any hour of the day or night, to produce only a dead line when answered. Sometimes the caller will merely breathe heavily and then hang up. Sometimes he will utter obscenities.

Recently, a new and most offensive form of harassment has been devised. Families of servicemen are called and given false reports of death or injury, or even, difficult as it is to believe, are gloatingly reminded of the death of a son or husband in service.

The dimensions of the problem are large and apparently growing. While the Bell Telephone system, which provides more than 80 percent of the Nation's telephone service, has only recently begun to compile statistics concerning the number of calls as to which it receives complaints, it estimates that it receives approximately 375,000 complaints a year concerning abusive telephone calls that threaten or harass the recipients. It received some 46,000 complaints of such calls in March 1966.

Mr. President, I ask unanimous consent that a detailed breakdown of such calls be made a part of the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Abusive calling summary

	Number of abusive calls, March	Number of accounts	Statutes	Complaints per 1,000,000 accounts
Alabama	354	626,761	Yes	565
Alaska			Yes	
Arizona	230	382,098	Yes	602
Arkansas	117	294,865	Yes	397
California	4,751	5,037,317	Yes	943
Colorado	422	593,733	Yes	711
Connecticut	1,277	903,148	Yes	1,414
Delaware	94	152,516	Yes	616
District of Columbia	796	294,375		2,704
Florida	460	1,129,187	Yes	407
Georgia	181	873,875	Yes	207
Hawaii			Yes	
Idaho	56	130,622	Yes	429
Illinois	3,513	[1] 2,770,063	Yes	1,268
Indiana	749	748,220	Yes	1,001
Iowa	0	550,759	No	(2)
Kansas	205	526,159	No	390
Kentucky	261	461,629	Yes	565
Louisiana	226	821,797	Yes	275
Maine	163	240,398	Yes	678
Maryland	987	1,005,152	Yes	982
Massachusetts	2,327	1,755,840	Yes	1,325
Michigan	0	2,197,124	Yes	(2)
Minnesota	0	815,831	Yes	(2)
Mississippi	58	380,852	Yes	152
Missouri	1,863	[3] 1,143,331	No	1,629
Montana	100	162,690	No	615
Nebraska	0	237,346	No	(2)
Nevada	130	49,842	No	2,608
New Hampshire	121	193,234	No	626
New Jersey	3,631	2,088,996	Yes	1,738
New Mexico	159	191,252	Yes	831
New York	5,960	5,356,327	Yes	1,113
North Carolina	182	550,058	Yes	331
North Dakota	0	124,884	Yes	(2)
Ohio	2,526	[4] 2,337,365	Yes	1,081
Oklahoma	173	612,139	Yes	283
Oregon	278	468,353	No	594
Pennsylvania	3,203	2,882,227	Yes	1,111
Rhode Island	465	286,776	Yes	1,621
South Carolina	338	365,966	Yes	924
South Dakota	0	141,234	Yes	(2)
Tennessee	476	805,176	Yes	591
Texas	2,677	2,154,945	Yes	1,242
Utah	165	265,153	No	622
Vermont	37	100,380	No	369
Virginia	835	825,168	Yes	1,012
Washington	348	[5] 752,262	No	463
West Virginia	378	375,824	Yes	1,006
Wisconsin	619	883,044	Yes	701
Wyoming	54	89,310	No	605

[1] Includes part of Indiana.

[2] No report.

[3] Includes piece of Illinois.

[4] Includes Cincinnati.

[5] Includes piece of Idaho.

Mr. PASTORE. Mr. President, a telephone company witness testified that most of the calls are probably intrastate, but indicated that only after an investigation of a complaint has been successfully completed is the telephone company able to classify offending calls as intrastate or interstate. It should not be overlooked that these figures deal with complaints actually received by the telephone companies. It is to be assumed that many such calls are made which never become the subject of such a complaint.

Some remedies do exist at the present time. Thirty-eight States have statutes, varying somewhat in content, but generally prohibiting the making of various types of obscene, harassing, or annoying telephone calls. These specific laws, many of which are of recent origin, appear to be helping. The telephone companies' right to discontinue service where the making of such calls violates company tariffs is probably also of some value. And it is to be hoped that recent telephone company publicity given to the problem, and how they will serve customers who receive such calls, will have a beneficial effect on the problem. But no Federal law deals with the problem, and the witnesses before the committee agreed that Federal legislation directed to such abusive calls in interstate commerce is desirable to close the "interstate gap." This is a logical approach in view of the fact that the Federal Government has undertaken, under the Communications Act of 1934, to establish a comprehensive scheme of regulation of the telephone system. Federal legislation dealing with interstate abusive calls should also simplify prosecutions of interstate calls by permitting them to take place where it may be convenient for the witnesses. In this regard, title 18 United States Code, section 3237, would permit prosecution of such offenses in any district in which the offense was begun, is continued, or is completed.

The Committee on Commerce carefully considered the language of the bill in light of all testimony. A number of witnesses expressed a preference for S. 2825, which limits the Federal legislation to the District of Columbia and to calls in interstate and foreign commerce. The committee heard testimony that the State laws in this area are working well and that cooperation received by the telephone companies from local authorities is excellent. Moreover, it was pointed out that even in the 12 States having no specific statute directed toward obscene and harassing calls, convictions are sometimes obtained for such offenses under general laws dealing with breaches of the peace, and so forth.

Therefore, the bill as reported by the committee now affords full protection to the legitimate telephone users as well as complete protection of free speech. The enactment of this legislation will aid in dealing with obscene and harassing telephone calls generally; and will provide an appropriate remedy to reach those calls made within the District of Columbia or in interstate or foreign commerce.

Mr. President, the bill was reported unanimously by the Committee on Commerce. I understand there is no controversy about it. If there are any questions, I shall be happy to answer them.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. SALTONSTALL. I have one question. Do I correctly understand that the bill simply makes such an interstate call a Federal crime?

Mr. PASTORE. The Senator is correct. The bill has the unanimous approbation of the committee.

Mr. SALTONSTALL. I thank the Senator.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. KUCHEL. I believe everybody favors what, apparently, the bill provides, but I do not quite understand its limitations. If I should telephone the Senator and use foul or abusive language against him, in the nature of a criminal libel, would that constitute a criminally actionable offense under the bill?

Mr. PASTORE. It certainly would, within the purview of the bill.

Mr. KUCHEL. If it were in interstate commerce?

Mr. PASTORE. The Senator is correct.

Mr. KUCHEL. Why could it not be at any place along a line that serves more than one State?

Mr. PASTORE. It could be, but 38 States already have intrastate laws, and there was no desire on the part of the committee to usurp the jurisdiction or authority of the States. That question was argued at length. What the Senator from California suggests was the intent of a bill introduced by the distinguished Senator from Missouri [Mr. LONG]. He would have made such intrastate and interstate calls Federal offenses. The subject was debated at length, and objection was voiced to making the bill all-inclusive. For that reason, it was made to apply to interstate calls, the States being allowed to conduct their own affairs.

Mr. KUCHEL. The Senator from Rhode Island is a good lawyer, and he is my friend. I am for the bill, but had I been a member of the committee, I would have approved the other broader approach.

Mr. PASTORE. So would I, and it would have been within the purview of the Constitution. That could have been done, and done well, but there was objection to it.

Mr. President, Senator HARTKE has raised the question of the meaning of the language in the committee report on page 6 of this bill and whether it is designed to create an apparent exemption of calls made for legitimate business. For example, a call made by a bill collector. This language was inserted in an effort to clarify the fact that a legitimate call can be made even though it might harass the person called.

Repeated calls by a bill collector or the use of obscene language even by someone in business or trying to collect the bill is still prohibited by this legislation. Anyone pursuing legitimate business by telephone may do so, so long as he adheres to the letter and intent of this act. The language of the report in no way should be construed to give special license to bill collectors, creditors, or anyone else even though his purpose be legitimate business.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill (S. 2825) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. CLARK. Mr. President, I yield 8 minutes on the bill to the Senator from Missouri [Mr. SYMINGTON].

THE WORLD BANK AND ITS SOFT LOAN WINDOW

Mr. SYMINGTON. Mr. President, with respect to the offering of $175 million of bonds of the International Bank for Reconstruction and Development—World Bank—in the United States, and its effect upon the balance-of-payments problem of this country, apparently the World Bank did not think much of our apprehensions.

In this connection, despite the Bank believing that this money could not be borrowed abroad, the Inter-American Development Bank has just announced that it has borrowed $10 million in Japan alone.

The Wall Street Journal of June 14 states:

> George D. Woods, president, told a press conference that, in planning the offering, the international agency had agreed with the U.S. Treasury to initially invest the proceeds in the U.S. Government agency obligations and U.S. bank deposits to eliminate any immediate effect on the U.S. balance-of-payments deficit . . .

In a statement before this body on June 16, however, I raised the question: Why is it necessary to issue these bonds if they are not going to be used for the purpose for which the World Bank is organized, namely, for making loans to other countries?

The bonds have behind them the guarantee of the callable capital subscribed to by the United States; and in the past World Bank bonds have been rated "triple A."

Why is it necessary to now offer more of them for sale through the "investment fraternity," when credit is already so tight in the United States, and at a time when American corporations are being asked to curtail their investment programs, in this country as well as abroad.

My overriding concern is the effect of such World Bank financing on the U.S. balance of payments. Although, in this particular issue, the World Bank said they would not use the proceeds for loans until the end of 1967, at the same time they stated they expected to go back to the U.S. money market with new bond issues every fiscal year. The Bank has also left the door open to come back to the U.S. market any time before 1967.

Last year the Bank sold $200 million in the U.S. market. It is true some of the bonds were sold abroad, but it is fair to assume that most of them find their way into U.S. investment portfolios.

What the World Bank is creating by these annual security issues is a continual flow of dollar funds which, of course, they intend to loan to other countries; and the annual report of the Bank for the fiscal year 1965, page 14, indicates that the commitments and disbursements of the Bank have been increasing by leaps and bounds.

Disbursements have increased from an average of approximately $500 million a year between fiscal year 1959 and fiscal year 1961 to $600 million in fiscal year 1965; but commitments have increased from approximately $625 million a year in the fiscal year, 1959–61 period to over $1 billion in 1965.

Admittedly, the Bank is going to need money to meet these commitments; and this brings us to the question of what will happen to the U.S. balance of payments as these disbursements are made. The record shows that identifiable procurement in the United States under World Bank loans in recent years is between 20 and 30 cents out of every dollar disbursed. The rest adds to our balance-of-payments imbalance by going to other countries.

It is clear that the World Bank is laying the groundwork now, for continual dollar outflow in the future, and unless this program is at least cut down to size, we will have that much more difficulty in finding our way out of the quagmire of international deficits.

Last year the distinguished Senator from Illinois, the minority leader, offered an amendment to the Foreign Aid Act which directed the Secretary of the Treasury, or his designated representative, "to refuse to permit the flotation in the United States of new security issues of the World Bank and the Inter-American Development Bank, and to refuse to permit the proceeds of dollar borrowing of either of these two institutions from U.S. financial institutions to be exchanged for the currency of any other country until the United States had experienced a surplus in its balance of payments for four consecutive quarters."

After assurance was given the Senate by the Secretary of the Treasury that the balance-of-payments effects of these security issues would be considered in any new proposals, the minority leader did not press his amendment.

I hope he will offer it again this year. He should have our full support, because it would seem more necessary than ever to have congressional expression on this question.

What are the influences in the United States that are so strong as to achieve this continuance of a policy of "business as usual," a policy which in turn continues to erode the stability of the dollar and its purchasing power?

And there is more to all this than the above. As of March 31 of this year, the World Bank had $2,158 million as an undisbursed balance of effective loans. At the same time the Bank held loans in the total amount of $6,272 million.

Most of these loans—and one would presume commitments—are to a number of countries.

Outstanding loans to India for example total $707 million, to Japan $656 million, to Mexico $507 million, to the Philippines $100 million, to Brazil $223 million, to Colombia $331 million.

Now one of the principal arguments being made for the currently requested foreign aid program, and for such soft loan windows as the International Development Association—soft loan window of the World Bank—is the debt burden of aid-receiving countries.

In the Foreign Affairs magazine—January 1966, volume 44, No. 2—the President of the World Bank summed it all up when he said:

> The solution of the debt problem is within the power and the means of the developed countries. They can ease their own terms, and they can dispense finance through other channels. One of the latter is the Bank's affiliate, IDA, the major international institution for transferring capital to the low-income countries on concessional terms. IDA's clients so far comprise 29 of the poorest nations; its credits are extended free of interest (although there is a small service charge) and for a term of 50 years.

There has been little delay in implementing these plans, as evidenced by an article of June 22 in the New York Times which starts off:

> George D. Woods, president of the International Bank for Reconstruction and Development (World Bank), said today he would begin a campaign early next month to win increased funds for the International Development Association, the soft-loan arm of the World Bank.
>
> Mr. Woods predicted difficulty in winning Senate approval for the appropriation, but said it was essential if the I.D.A. was to continue operations beyond the end of this year.
>
> "We have about run out of funds," he said.

It is all getting to be quite interesting. The World Bank continues to make hard loans from borrowings in the U.S. market, which borrowings add to the dollar drain. Then later the World Bank comes out for soft loans from their soft loan window in order to help many of these borrowers repay their World Bank obligations on what we the people had presumed was a sound hard loan. This further adds to the dollar drain.

Let us note the interesting comment:

> We have about run out of funds.

As the fiscal and monetary problems of the United States continue to increase, are we in turn to continue, forever, at the American taxpayers' expense, heavy 50-year, no-interest rate loans to other countries, at the same time domestic credit is steadily tightening in this country.

Where is all this going to end unless we take a stand against these continuing policies and programs which can only further undermine the dollar—that basic pillar of all free world monetary responsibility and physical defense.

I ask unanimous consent that this article from the June 22 New York Times be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, June 22, 1966]

Aid Rise Sought for Poor Lands—World Bank's Chief Warns Funds Are Depleted

(By Albert L. Kraus)

Washington, June 21.—George D. Woods, president of the International Bank for Reconstruction and Development (World Bank), said today he would begin a campaign early next month to win increased funds for the International Development Association, the soft-loan arm of the World Bank.

Mr. Woods predicted difficulty in winning Senate approval for the appropriation, but said it was essential if the I.D.A. was to continue operations beyond the end of this year.

"We have about run out of funds," he said.

The I.D.A. makes interest-free development loans on 50-year terms to countries that do not qualify for regular World Bank credit.

Mr. Woods said there was no question that the United States and the six other countries that provided the bulk of support for I.D.A.—Britain, Germany, France, Italy, Japan and Canada—would continue their support. "The only question is how much," he declared.

Mr. Woods made his remarks in a review of the bank's activities to a group of newsmen at an annual briefing session at the bank's headquarters here.

Earlier, Irving S. Friedman, his economic adviser, estimated that the less-developed nations could use $3-billion to $4-billion more in development aid, largely on I.D.A.-type terms. He said this assessment resulted from a country-by-country review made a year ago and that the need was even greater now.

Mr. Woods said greater cooperation between the World Bank and the International Monetary Fund was developing in handling the problems of countries than ran into debt-rescheduling difficulties. He suggested that the problems were likely to increase.

The World Bank president said he was hopeful that he would be able to announce the final signature and ratification of the international agreement creating a Conciliation and Arbitration Service under World Bank auspices by the end of September, the date of the institution's annual meeting.

He said that 20 nations had to approve the agreement, which for the first time provides machinery for settling disputes between governments and private concerns. So far, he said, 37 nations have signed the agreement and six have ratified it. He added that if ratification was not accomplished by this year's annual meeting, "it certainly would be by next year."

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am happy to yield, if I have time remaining.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. CLARK. Mr. President, I yield 1 minute to the Senator from Massachusetts [Mr. Saltonstall] to continue the colloquy.

I wish to point out that the rule of germaneness is technically in effect. Many Senators are most anxious to complete action on the pending bill. They have important engagements. While I do not wish to be discourteous to any Senator, I must hold down the amount of time taken for ordinary morning hour business.

Mr. President, I yield 1 minute to the Senator from Massachusetts [Mr. SALTONSTALL] for colloquy with the Senator from Missouri [Mr. SYMINGTON].

Mr. SALTONSTALL. I thank the Senator from Pennsylvania.

The point that the Senator from Missouri [Mr. SYMINGTON] is making is that where these other nations today have capital, the sale of the World Bank bonds, and so on, should be made and bought in those countries rather than sold in the United States. That is fundamental.

Mr. SYMINGTON. The able Senator is correct. That is one of the points made.

Why go to the New York market for money when money is already so tight here in the United States, and when bonds could be sold abroad if a real effort was made? This money is ultimately for loans abroad.

Secondly, it is unfortunate that now when some hard loans, of the World Bank, come due, apparently the only way they can be paid out is by tapping the soft loan window of that Bank. This shows it actually was not a hard loan at all.

The plan now being developed can only work further against our very serious balance-of-payments problem; and of course against the best interest of the American taxpayer.

Mr. SALTONSTALL. I thank the Senator.

Mr. KUCHEL. Mr. President, I yield myself 1 minute.

I was most impressed by the perceptive observation which my friend, the Senator from Missouri [Mr. SYMINGTON] makes.

I recall with him the eloquence with which the minority leader [Mr. DIRKSEN] offered his proposal a year ago. That proposal will be before us again, together with the entire problem, in a couple of weeks.

I thank the Senator from Missouri [Mr. SYMINGTON] for the perceptive comments he has made.

Mr. SYMINGTON. I deeply appreciate the comments of the senior Senator from Massachusetts [Mr. SALTONSTALL] and the distinguished assistant minority leader [Mr. KUCHEL], and I am gratified to note their interest in this important matter.

ORDER OF BUSINESS

Mr. CLARK. Mr. President, will the Senator from California [Mr. KUCHEL], as manager of the minority, yield to the Senator from Massachusetts [Mr. SALTONSTALL] time on the bill?

Mr. KUCHEL. Mr. President, I yield 4 minutes to the distinguished Senator from Massachusetts [Mr. SALTONSTALL].

Mr. President, I ask unanimous consent that after the Senator from Massachusetts [Mr. SALTONSTALL] has concluded, that the absence of a quorum be suggested without impinging on the time under the control of either side.

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

Mr. JAVITS. If the Senator will withhold his request for a moment, let me ask whether this is under the unanimous-consent request that the time will not be charged to the bill?

The ACTING PRESIDENT pro tempore. The Senator is correct.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MORSE. Mr. President, will the Senator from Pennsylvania yield me 2 minutes on the bill?

Mr. CLARK. Mr. President, reserving my rights under the rule of germaneness, which I may have to invoke, I am happy to yield 2 minutes on the bill to the Senator from Oregon.

Mr. MORSE. I thank the Senator from Pennsylvania. Mr. President, I regret to interrupt a unanimous-consent agreement on the pending legislation, but after all, I think a brief discussion of our war policy should come first.

THE BOMBING OF NORTH VIETNAM

Mr. MORSE. Mr. President, We have all received the tragic news over the wire services of the bombing by American planes within 3 miles of the heart of Hanoi, as well as the news of the bombing by American planes of docks in Haiphong Harbor.

Those of us who, from the beginning, have opposed the immorality and illegality of the U.S. war in southeast Asia are shocked and saddened by this inexcusable escalating of the war by the Johnson administration. In the very brief period I shall take, I wish to say that in my judgment this shocking international outlawry on the part of the Johnson administration in southeast Asia should, at least symbolically, lower to half mast every American flag everywhere in the world.

This course of warmaking by our country in an undeclared war has demonstrated to the world that the greatest threat to the peace of the world is now the United States. We can no longer, out of nationalistic smugness, take the position that our undeclared war does not endanger the lives of thousands of innocent civilians—men, women, and children in the population center of Hanoi.

This is the course of action that a General Ridgway, a General Gavin, and a George Kennan warned the American people months ago would be our country's course of action if we did not stop escalating the war.

As one opposed to this war from the beginning, let me say to the American people, "Your Government is conducting a shocking act of outlawry which will redound to the historic discredit of our country for generations to come."

Mr. President, I continue to plead that we return to the framework of our idealism and our Constitution. The American people should demand that the President of the United States stop this shocking bombing in North Vietnam by announcing to the world that we will dispense with further bombing in North Vietnam and call upon the other nations who are members of the United Nations to join us in enforcing a peace in southeast Asia.

The United Nations cannot justify its failure to order a cease-fire in southeast Asia and proceed to enforce it. The United States has a solemn obligation to history to support a cease-fire order.

I ask unanimous consent that a clipping from the Capital Times of Madison, Wis., dated June 27, 1966, be printed at this place in the RECORD, and that it be followed by an article "The Crime of Silence" from the June 17, 1966, issue of the Commonweal. The author, Gordon Zahn, is professor of sociology at Loyola University in Chicago.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Capital Times (Madison, Wis.) June 27, 1966]

LAIRD SHEDS 'HAWK' FEATHERS

Representative MELVIN LAIRD, Republican of Marshfield, emphatically disputes those Wisconsin Democrats who paint him as an arch-warhawk uging expansion of the Viet Nam war.

"I am keeping the Republicans quiet on the issue. It is ridiculous to talk about military victory in Southeast Asia. I favor peace by negotiations."

LAIRD says President Johnson is the "hardest of the hard liners" and is determined to spare no resources in an effort to win the war.

At the same time, according to LAIRD, Johnson seeks to pose as a moderate, "by pointing to MORSE and FULBRIGHT on one hand and by trying to find some Republicans he can point to on the other."

"But as long as I am chairman of the House minority conference he's not going to be able to drive down that middle course."

"I have cautioned my people not to attack FULBRIGHT and FULBRIGHT has told me he appreciated what I was doing."

LAIRD feels the administration made a grave blunder in Viet Nam by sending in ground troops rather than "using the power we had in areas where we are supreme"—namely air power and a "Kennedy-type" blockade of Haiphong.

Before the massive increase of U.S. infantry forces, LAIRD says he told President Johnson "person to person," that LBJ would never succeed in pressuring the Reds to the bargaining table through land warfare.

"But that advice was rejected, because Johnson—no matter what he told the public—decided to go for victory and not for negotiations."

Now LAIRD feels it is too late to reverse the strategy because the troop outflow is "programmed for the next seven months."

LAIRD predicts there will be more than 400,000 American servicemen in Viet Nam shortly, with no end in sight—either to the demands on manpower or to the fighting.

[From the Commonweal, June 17, 1966]

THE CRIME OF SILENCE—ARE WE ACCOMPLICES IN MASS MURDER IN VIETNAM?

(By Gorden C. Zahn, author of "German Catholics and Hitler's Wars")

My thesis simply stated is this: our government is making murderers of us all. This is not to be passed off as a "shock opening," a rhetorical device to win the attention of the reader. On the contrary, it is a deliberate and saddening conclusion to which I have been forced by my personal interpretation of current events. As each day passes with its new quota of injustice and atrocity, one thing becomes ever clearer. We are accomplices, before and after the fact, some of us by direct participation, the rest of us by our silent acquiescence.

This is not just a personal judgment reached by me and the rest of the dissident few in our midst who are trying to register some effective protest. My observation and discussions in England and elsewhere in Europe have revealed it as a widespread opinion and one that is gaining in intensity with each new escalation of the conflict in Vietnam. We cannot ignore it when a prominent German liberal writer demands publicly that American politicians and generals be brought before a new international tribunal to face charges of violating the standards we ourselves proclaimed at Nuremberg. Nor should we be took quick to pass this off as some fanatically extreme (or even "Communist-inspired") opinion. There *are* war criminals in our midst, and what is far worse, we know of them and their deeds—and close our eyes to them.

For example, some of these criminals were shown on Chicago television not too long ago in a film documentary prepared by the Canadian Broadcasting System. One memorable sequence concerned an act that, to say the least, was a clear violation of the Geneva conventions. A Vietcong captive was stretched out on the ground with one of his captors kneeling on his groin while another poured hatfuls of water down the victim's nostrils. When the unfortunate captive finally died—still "on camera," mind you—his body was unceremoniously kicked aside into a ditch. It is hard to decide which was worse: the disgusting deed itself or the picture of the others who stood around (Americans included, needless to say) looking quite pleased, even entertained, by the gruesome proceedings.

The same program went on to feature an American pilot filmed in the process of completing a "successful" bombing mission. One had to see and hear this to catch the excitement and jubilation in the pilot's voice as he described the splendor of the hits and the panic of the villagers scurrying for their lives while he looked down on them from above. It took me back to the Thirties for a moment, recollecting the horrified gasp with which most Americans greeted that Italian pilot who spoke of the "beauty" he found in the mixture of bombs, blood and flame that reminded him of "flowers" bursting into bloom as he ran his missions against the helpless Ethiopians. (One might even say the Italian must be given the better of the comparison: his was an ecstasy born of aesthetic appreciation; our countryman's delight stressed the technical perfection and sheer efficiency of his operation.)

The case does not rest on a single television documentary, however. Our national press has provided detailed descriptions of innumerable other instances of similar behavior—served to us, replete with photographs in many cases—with our breakfast coffee. Sometimes the atrocities are committed by our own men; more often by the allies for whose actions we must take full responsibility, since it is our support and encouragement that makes those actions possible. If, as it has been charged, Oradour and Lidice are today villages in Vietnam, these crimes against humanity must be on our consciences; and we should insist that those immediately responsible for them must someday be brought to judgment.

In a special sense, all of this involves us not only as Americans but as Christians and Catholics. In view of all the writing I have done about the failure of German Catholics to effectively [illegible] the intrinsically evil policies and programs of the Nazi regime, it would be neither possible nor permissible for me to ignore the inescapable parallels which find American Catholics and their spiritual leaders remaining silent before the fact of the misdeeds being committed today by our nation and its allies. Indeed, not only is it a matter of failure to speak the word of protest that is so desperately needed; Catholic opinion, where it is registered, seems to favor an extension of those same policies which have led to the crimes described.

We have, for instance, the recent report of the shocking (but not at all surprising!) results of a national poll in which more than 60 percent of the Catholic respondents favored the use of "whatever added force is necessary to win." Read that carefully: *whatever added force is necessary!* I would like to think that these Catholics really did not mean what they said (nuclear bombing, perhaps? a "Final Solution" exterminating all suspected of Vietcong sympathies?). Unfortunately, I am pessimistic enough to believe they did, and my pessimism is not at all lessensed by the appeal by one of our leading Catholic "experts" in international affairs that we revise our traditional moral teaching on war to permit the intentional killing of innocents!

Catholics today are appalled by the flagrant nationalism in the statements of Military Bishop Rarkowski during the Nazi period. But what are we to make of the statements of our own military bishop who seems to have gone beyond even those extremes? At least Bishop Rarkowski couched his enthusiasm for Nazi Germany's war effort in his apparently sincere, however deluded we might think it to be, conviction that Hitler's wars were just wars. Cardinal Spellman, however, has reportedly embraced Decatur's dictum that, right *or wrong*, the nation's cause is to be supported. (And what is perhaps more scandalous than the Cardinal's statement is the fact that our more distinguished journals of Catholic opinion have let it pass without comment.)

THE WAY THE WAR IS FOUGHT

The justice or injustice of the war in Vietnam is not the central issue in this article, however. I have made it sufficiently clear elsewhere—and will undoubtedly find other occasions for doing so—that I do consider this a patently unjust war. But I am concerned here with something quite different: the acts and policies associated with the prosecution of the war which ought to be condemned by every Christian, even those—*especially* those—who do not share my overall rejection of the war itself.

Nor can this be read as justifying or "forgiving" the crimes committed by those on the other side. Murder and terrorism are to be condemned outright and unequivocally, irrespective of who may be employing them or for what purpose. It is quite irrelevant, too, whether the National Liberation Front assassinations of village officials be numbered in the tens, the hundreds, or the thousands—just as irrelevant as that senseless debate as to whether the Nazis exterminated six million Jews or "only" one million. The willful murder of even one man (whether by Nazi, Vietcong, South Vietnamese, or American "advisor") is a crime and deserves unhesitating condemnation as such. But of course, *our* primary responsibility is still the crimes committed by *our* men and *our* allies, and it is with these that this article is concerned.

Unless and until a massive Christian protest is voiced, that responsibility will not be met. There is little hope that improvement will originate with the national Administration. President Johnson shows little or no concern that his most consistent and enthusiastic support is coming from those very persons and groups who opposed him at the last election. In fact, he seems to rejoice in this as a manifestation of some kind of national "consensus," conveniently overlooking the fact that he has lost the support of many who helped elect him. There is much justice to the cynical observation that, as long as we have the Goldwater policy, we might just as well have taken the man. If nothing else, that policy would have been presented in the blunt candor that distinguishes its author's public posture and not smothered, as each new escalation has been, in the sickening syrup of pietistic self-righteousness.

One might hope that more of our Catholics in the national legislature would be exerting their influence to assure a fuller recognition of, and respect for, the essential demands of morality; but, here again, the pattern seems to be that of an uncritical acceptance of whatever policy the State Department and the generals present as "necessary." We can take great pride in the outstanding exceptions to this, men like Senators KENNEDY and McCARTHY to mention only two, but the sad fact remains that the more consistent and certainly the most outspoken opposition to the Nation's involvement in Vietnam have come from men who are not of our faith.

Perhaps we cannot be too critical of our Catholic politicians on this score. The same pattern of unconcern and disregard has marked the actions (or, to be more accurate, the *absence* of any action) on the part of the hierarchy itself. Pope Paul (and John XXIII before him) might as well have been speaking as a Moslem leader if we are to judge by the echo his consistent appeals of peace and peace action have received from the spiritual spokesmen for the American Catholic flock. That scandalous eagerness on the part of those *Register* Catholics to embrace "whatever added force is needed to win" can be traced in large part to the failure of our bishops to provide any moral guidance or direction on this crucial moral issue. *Refusal* is probably a more accurate word than "failure" in this context, as the editors of *Continuum* and *the National Catholic Reporter* discovered in their futile effort to get the bishops to take a stand, or even to express an opinion, on some of the more pressing moral aspects of the war. One watches with great interest to see how Dr. O'Brien's comments on the question of intentional killing of innocents will be greeted by bishops who so recently participated in the quite contrary decision reached by the Fathers of Vatican II.

No one is insisting upon an official condemnation of the war or formal anathemas directed against those who take part in it. This would not, and should not, be the role of the bishop in this era of the emergent layman. Protest in the bishop's own name would be enough; less than that, however, is a scandal. When murder and torture become an everyday item in the newspapers and when they are done in fulfillment of a national policy or even only "excused" in the light of that policy, silence is worse than a scandal. It becomes a crime.

One can understand the hesitancy on the part of a bishop who finds it difficult to suggest to the men of his flock who have been called into service (and to the families they left behind!) that perhaps they should not be there, that they should certainly not be doing what they are doing there. We can also make allowance for the fact that our bishops, like the rest of us, are susceptible to considerations of national pride and patriotic attachment that make it difficult to take the true measure of our Nation's acts.

But to recognize these factors is not to justify the silence, any more than these same factors can be used to justify the support given by German bishops to Hitler's war effort. When whole villages, inhabitants and all, are covered with a blanket of napalm merely because there is a suspicion that they may harbor the Vietcong, there can no longer be any comfortable shelter for the Christian under the principle of the double effect or any of the other loopholes we so conveniently read into the traditional "just war" morality. The weapons we are using in Vietnam and the targets we have chosen (not to mention those additional targets already being discussed as the next stage of escalation!), and all the other "irregularities" that occur with diabolical regularity—these have stripped off the disguises and nullified the qualifications so that murder stands revealed as murder.

It should not be left to a small, but happily growing, minority of Catholic priests and laymen to try to redeem the day for the Church in America in much the same manner as that even smaller handful of German Catholics who dared to resist the Nazi power. Our spiritual leaders have far less to justify their silence: no Gestapo is likely to be pounding on their doors or dragging their priests off to concentration camps. At least not yet.

There will be some to say that I have too much stress on the German parallels, and perhaps I have. In quantity and essential quality, the American atrocities in Vietnam fall far short of the crimes perpetrated by the Third Reich. But the parallels are there, and they are growing more insistent. Note, if you will, the developing "cult of the green beret" (with its equivalent of the Horst Wessel song and all!). I would suggest that there are great similarities here to the adulation lavished upon the S.S. and S.A. "elite" corps in their day, to say nothing of the similarity in the "special services" they performed.

The parallels should be recognized for what they are, and this recognition should force all of us to re-examine and re-evaluate the nation's policies and our inescapable share of the responsibility for those policies and their consequences. The blood of innocents is already upon our hands. The longer we tolerate these things in silence, the greater will be the blot upon our national honor and the burden of sin upon our individual souls.

PROMISE OF MEDICARE TARNISHED BY SEGREGATION AND BY SHORTAGES BORN OF ADMINISTRATION BUDGET SYNDROME

Mr. JAVITS. Mr. President, I yield myself 5 minutes on the bill and ask unanimous consent that I may proceed out of order.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, the remarks I wish to make this morning relate to the fact that the medicare program for the aged will take effect on Friday, July 1. I invite the attention of the Senate to the fact that we are not ready for it, that there is bound to be great difficuly because we are not ready for it and that the reason we are not ready for it must be laid heavily at the door of the administration.

Unfortunately, however, the shining promise of this program to provide medical care for our older citizens is beclouded. On the eve of beginning this new program we find that:

First. Two years after title VI of the Civil Rights Act of 1964 was enacted, a large number of hospitals in some States remain segregated meaning that they will not provide equal facilities for older citizens of all races under medicare; and

Second. The administration has shortsightedly failed to request adequate funds for ongoing, and authorized hospital training and health care programs to meet the acknowledged needs occasioned by medicare, population growth and the advancement of medical science. In addition, it has neglected to propose new programs to meet these easily anticipated needs.

In enacting medicare, the Congress and the Federal Government have, however, assumed a considerable responsibility. We have entered into a compact with 17 million of our citizens to provide effective insurance against crushing health care bills in their old age. We have exacted an individual premium for this protection and also we have directly taxed our working men and women, and our businesses under the social security system to pay for it. Beginning Friday, we must be ready to deliver.

In the year since the Social Security Amendments Act of 1965 became law, the Federal Government has been taking a long, hard look at the facilities which we have available for health care. The picture has not been reassuring. We find that we have an acute shortage of hospitals, of nursing homes and of doctors, nurses, technicians, and other health personnel. We also find that a large number of hospitals in some States remain segregated. While I applaud the efforts of many in the Federal Government to remedy these situations, I view with alarm and a sense of imminent crisis the inauguration of the new program.

Only last week, the White House announced that 80 percent of all hospitals in the country have been accredited for medicare and will be ready, at the end of the week to offer benefits and services to older citizens. This hopeful figure, however, is a national one, and obscures the core of the problem—the shocking shortage of accredited hospitals in Southern States. In Mississippi, for example, only 21.2 percent of all hospitals have complied with Federal regulations and are ready to serve all older citizens with equality on July 1. In Alabama 56.2 percent of the hospitals have qualified; in Georgia, 49.1 percent; Louisiana, 45.7 percent; and South Carolina, 50.5 percent. The reason certification has been withheld is the persistent, willful and illegal refusal of hospitals in these States to admit and treat patients without regard to race.

This is not a new or unexpected demand by the Federal Government. This is not a roadblock thrown up to hinder the implementation of medicare or to deny large numbers of older citizens the right to benefits. The impasse is the direct result of the violation of a law signed 2 years ago this weekend. For a full 24 months, despite the efforts of the Department of Health, Education and Welfare, certain hospitals have been stalling on implementing desegregation plans. Most of them were built with 80 percent Federal funds; many perform research under Federal grants, provide Federal assistance to their nursing students and receive Federal payments for their welfare patients. Yet they have persistently refused to admit and treat Negro patients, equally with whites. Now they expect continued and expanded Federal participation—through the medicare program—but refuse to conform to Federal law. Their spokesmen would conjure up the image of the Federal Government refusing to provide treatment to sick older people, when they are willing to offer that treatment—on their own terms. They refuse to acknowledge the plight of the sick and old Negro patient who is denied admission or offered second-class treatment. It is this picture—shamefully before our eyes for 100 years—which we sought to erase in 1964, but which persists. And it is this picture which should be in the minds of every American who seeks a just resolution of the dilemma.

We passed the medicare bill for all Americans—not just the ones whose skin color matches that of the hospital administrator. We taxed all Americans for this program and we did not provide lower rates for those forced to enter the hospital by the back door.

This is a difficult question, I grant you, and one which apparently presents a choice between a smooth start for medicare and a giant step toward equal equality. But I believe we do not have to choose between these two desirable goals. I believe that a strong stand for civil rights in hospital care at this time will greatly accelerate and make permanent the provision of good medical and hospital care to all our citizens. Conversely, if we back down now, if we are blackmailed into accepting vague promises of compliance with the law at some distant date, we will have retreated to a position far worse than that before 1964, for we will have conceded to the hard-core segregationists that even with a strong civil rights law on the books, the Federal Government will not keep its word.

On June 15 the President made a strong statement to 250 health leaders, expressing his determination to enforce title VI and to withhold certification from segregated hospitals. I commend that statement, and urge him to keep that pledge on Friday. This is an eyeball-to-eyeball situation with each side holding out until the last possible moment. Just as the hospitals are certain that the Federal regulations will be relaxed in the nick of time, the Federal Government is determined to obtain compliance. This is not the time for Washington to blink.

The statistics on the shortages of doctors, nurses, and other health personnel, both professional and nonprofessional, as well as the dearth of adequate modern hospital and nursing home facilities are well known and have been highly advertised over the years. It is perhaps the one subject that has been studied and restudied more than home rule for the District of Columbia. President Truman's Commission on the Health Needs of the Nation reported in 1952. In 1959, under President Eisenhower, the Surgeon General's consultant group on medical education issued its report on "Physicians for a Growing America" and President

Johnson has appointed a National Advisory Commission on Health Manpower.

DERELICTION OF ADMINISTRATION

But what has not been aired has been the dereliction of the administration in utilizing the tools it has to meet the medicare crisis and its disinclination to push for new, needed measures. This applies not only to the dearth of hospital facilities but also to the continued shortages of medical personnel and the necessity for continued research to make possible the conquest of disease and the improvement of medical techniques so that the health profession may serve more people more effectively.

Where the administration has failed to act, the Congress must now fulfill its responsibility. It is the responsibility of the Congress to see that adequate funds are provided for programs already authorized and to enact new programs where they are needed.

What are some of the facts on what can be done under present programs?

MEDICAL SCHOOL CONSTRUCTION FUNDS

First, let us consider the amendments to the Health Professions Education Assistance Act written into law last year. Indicative of the support for this program is the fact that this legislation passed the Senate unanimously last September. This new law authorizes $480 million for fiscal year 1967 through fiscal year 1969, inclusive, for the construction of medical, dental, and other health professions schools. This authorization averages out to $160 million annually. Such an amount was actually requested by the Public Health Service to the White House, but the administration, in submitting its budget to the Congress, cut this down to $135 million.

There are at present some $170 million in Federal health professions school construction fund requests now pending. This would result in between $600 to $700 million in total construction. In addition another $612 million in health professions school construction fund requests has been indicated to be forthcoming.

Obviously the appropriation request is insufficient. It is incumbent upon the Congress to fully fund this program.

MEDICAL SCHOOLS

Let us now look at another phase of the Federal program to upgrade and enlarge the Nation's medical schooling to meet well-advertised professional shortages. The Health Professions Education Assistance Act authorized $40 million for the next fiscal year for education improvement grants. A system of basic and special improvement grants is provided for schools of medicine, dentistry, osteopathy, and optometry. The Public Health Service requested of the White House the full $40 million authorized. But the administration asked for only $30 million, 75 percent of the authorization. This cut means that while the basic grants for all health professions schools eligible under the law will be fulfilled completely, no funding is available for the special improvement grants going to the schools with the greatest needs. The purpose of these special improvement grants is to "help to insure adequate preparation of all future physicians and dentists, thereby increasing the quality of medical care available to the people." Clearly the appropriation request is insufficient. It is incumbent upon the Congress to fully fund this program.

MEDICAL PERSONNEL

Not only has the administration refrained from requesting adequate funding for ongoing programs to meet the shortage of doctors, but it has neglected to ask the Congress to expand these programs to meet needs it knows full well exist.

We are currently short some 50,000 physicians. By 1970, we will have increased our output of medical school graduates by about 1,200 per year from 8,000 to 9,200. In addition, we are "importing" some 1,600 foreign medical school graduates each year, contributing to the medical talent drain abroad, especially in underdeveloped nations. This is somewhat ironic in the light of the administration's proposal for an international health program through which American medical talent would be used to help health manpower needs in developing nations.

However, even with this small increase in the number of medical graduates and our imports of doctors, the physician shortage in 1970 is estimated to be about 50,000, the same as it is today. In the face of this how can the administration in good conscience ask the Congress to appropriate less money than is authorized for medical education programs?

It is my intention, to seek to amend administration bills presently pending before the Subcommittee on Health of the Senate Committee on Labor and Public Welfare, so that these health professions needs can begin to be met. A young man entering medical school in 1966 will not emerge with his medical degree until 1970—and then he must undergo a period of internship and residency. With the advancement of science, we find there are some 30 different specialties for the physicians ranging from the general practitioner to the open heart surgeon. Increased medical knowledge will make further demands upon the profession.

The high cost of a medical or dental education—$20,000 for doctors and $15,000 for dentists—bars many talented young people of limited means from entering these fields. Yet little more than half of all medical students come from families with income of less than $10,000 annually. About one out of every four medical students must borrow to pay his tuition. There is $15.4 million authorized for medical student loans for fiscal year 1967; the administration asked $12.5 million which is less than the $15.4 million appropriated last year and still less than the $27.2 million requested by the schools. Are we to believe that needs are decreasing?

NURSES

Now about the shortage of nurses? As Surgeon General William H. Stewart once succinctly put it: "Our nurses are undermanned."

In this connection, the private sector has a responsibility to pay adequate salaries to nurses. Sufficient compensation is needed to attract new recruits to nursing, to retain those already in the profession and to help bring back the some 230,000 qualified nurses not presently practicing.

What has been the administration's reaction to the need to attract young women to our nursing schools? A student loan program of $16.8 million is authorized for the next fiscal year. The administration asked half that amount, $8.4 million. Fortunately, the House has approved the full authorization, rather than the budget figure.

HOSPITAL FACILITIES

What about the inadequacy of hospital facilities? The President, in his March 1 message to the Congress on health stated:

> General hospitals containing 260,000 beds—one-third of our nation's—are now in obsolete condition.

Little embellishment on that statement is needed here; the press has laid out some sordid facts to buttress this contention. Illustrative of this is the story which appeared in the New York Times of Monday, June 27, "Serious Troubles Plague City Hospitals as Medicare Approaches."

The administration, to its credit, did submit a $10 billion, 10-year hospital modernization program to the Congress. It has an outstanding flaw. In his desire to ease the impact of this program upon the budget, the President did not ask for any construction money for fiscal year 1967; only planning funds were requested. If we are to have the up-to-date hospital plant the Nation requires to meet medicare needs, this bill must be changed to permit construction to begin before June 30, 1967. I shall move to do this.

As for additional hospital beds, the outlook seems brighter. The next fiscal year there will be added some 29,000 new beds to the Nation's count—16,000 constructed under Hill-Burton and 13,000 outside the program. The same number is anticipated for fiscal year 1968. With a projected 66,083 new hospital beds needed by 1970, it would seem that this added construction is keeping pace. These estimates merit continued analysis so that if it is indicated that beds beyond these estimates are required, they can be supplied.

MEDICAL RESEARCH

As for what effect the administration's budget syndrome would have on medical research programs, one needs only to refer to the comments of the House Committee on Appropriations in its report on the Labor-HEW appropriation bill—House report No. 1464. A few excerpts will suffice:

The committee stated:

> Not only does the budget make no allowance for initiating or accelerating research in specific areas where there is both a clear national need and a reasonable promise of success, but a close examination reveals that in critical items for the grant-support of research it does not even make adequate provision for sustaining the mo-

mentum of already existing programs. The only significant increases in the budget are for activities which relate primarily to improving medical service rather than to stimulating medical research—and these increases are more than off-set by a drastic and crippling reduction in support for the construction of health research facilities.

Fortunately, the House has restored tens of millions of needed dollars for research in heart disease, cancer, tuberculosis and other afflictions. I sincerely hope that the Senate retains these restorations, for once the forward momentum is lost it will take years to regain. Actually, research progress is measured not in years but in human lives. How many uncounted Americans will literally owe their lives to the budget victory of the Congress over the administration on medical research?

SUMMARY

To sum up, the administration has shortsightedly failed to request adequate funds for current programs and it has neglected, too, to propose new programs to meet these needs.

Two solutions present themselves, solutions which I will move to effect and solutions which I deeply feel demand the support of the Congress and the public.

First. Ongoing programs must be fully funded where required. This includes medical education, hospital modernization and construction, and research programs.

Second. Where needed—and I have indicated some of these needs—these programs should be expanded. I intend to seek to amend pending bills to achieve this goal rather than to delay until the administration sends down its own programs. I not only intend to do this with respect to some of the areas I have outlined here, but am proceeding to do it in other areas of need—for example, my amendment to S. 3008 for mental retardation staffing, an urgent program need recognized by HEW but rejected by the Budget Bureau.

Should the increased expenditures necessary to safeguard the Nation's health—and the health of your family and my family and the families of constituents to whom we are responsible—require additional taxation, I shall support it. We cannot hide from curable illness behind the thickness of the national budget.

MANPOWER SERVICES ACT OF 1966

The Senate resumed the consideration of the bill (S. 2974) to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such act at both State and Federal levels, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, I have an amendment to the pending bill. I understand that the manager of the bill is willing to agree to this amendment.

I ask unanimous consent that the pending amendment be temporarily laid aside, and that I may offer my amendment.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

The amendment of the Senator from Delaware to the committee amendment will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 44, to strike out lines 13 and 14.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 5 minutes.

The purpose of this amendment is to strike out that portion of this section which would make an open-end authorization after the year 1968, and it would stop the program at the end of 3 years.

I understand the manager of the bill is willing to take the amendment. If so, I am willing to yield back the remainder of my time and ask for a vote on the amendment.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CLARK. I was under the impression that the Senator from Delaware wished to strike out the open-end authorization from the entire bill, whereas he moved to strike out only that portion of the authorization which deals with subsection (C) of section 19.

I call the Senator's attention to the part of the bill which contains the major overall authorization, which is on page 40, in section 16. I suggest that perhaps he would like to amend the bill in both places.

Mr. WILLIAMS of Delaware. The Senator is correct. I thank him for calling that to my attention.

Mr. President, I modify my amendment beginning on line 17, page 40, after "1969," to strike out the following language on that line and lines 18 and 19, as well as the previous language I referred to.

Mr. CLARK. As well as eliminating the language on lines 13 and 14 on page 44?

Mr. WILLIAMS of Delaware. That is correct.

The ACTING PRESIDENT pro tempore. The amendment will be so modified.

Mr. CLARK. Mr. President, I yield myself 1 minute to say I have discussed the amendment with the Senator from Delaware. The net effect of the amendment is to make this a 3-year program, until the year 1969. That is, in effect, what it is anyway, because the Department of Labor would have to come before the committees for an appropriation for fiscal year 1970.

Mr. JAVITS. Mr. President, may we understand what the amendment does? We are proceeding rather rapidly here.

Mr. CLARK. Mr. President, will the Senator yield so the Senator from Delaware may reply?

Mr. JAVITS. Mr. President, may we have an explanation of the amendment?

Mr. WILLIAMS of Delaware. Mr. President, in reply to the question of the Senator from New York, the purpose of the amendment is to strike out the open end authorization after the year 1969.

Mr. JAVITS. What page does the Senator refer to?

Mr. WILLIAMS of Delaware. Page 40, line 17, after "June 30, 1969," insert a period, and strike out the remainder of the line and lines 18 and 19; and on page 44 strike out lines 13 and 14 and insert a period after "1968" on line 12.

Mr. JAVITS. I was going to ask the Senator, would it not be necessary, under those circumstances, to insert, on page 44, a provision for another year? Otherwise, there would be the inconsistency of having 2 years in one part of the bill and 3 years in another.

Mr. WILLIAMS of Delaware. That could be. If so, I would have no objection. If necessary, I would be willing to adopt an amendment to that effect. If it is found to be necessary, I would be willing to change "1968" to "1969."

Mr. CLARK. I suggest it provide $15 million for 1969 on page 44.

Mr. JAVITS. Mr. President, may I make a suggestion to the Senator from Delaware? Will he trust me to withhold his amendment as it affects page 44, as I have an agreement with the Senator from Vermont [Mr. PROUTY] on reducing that amount, as well? Then we can reduce it by whatever amount is necessary. Will the Senator have his amendment apply only to page 40 at this time?

Mr. CLARK. That is the major authorization.

Mr. WILLIAMS of Delaware. Yes; if the Senator wishes, I will withdraw the later part of the amendment as it relates to page 44 and have it apply to the open-end authorization on page 40.

The amendment to the other section can be called up later.

Mr. JAVITS. Perhaps I could save the Senator even that trouble by asking for separate votes on the two parts of the amendment, as they are separable. Then the Senator could have his vote on the first part and withhold the second until we could discuss the matter.

Mr. WILLIAMS of Delaware. All right.

Mr. CLARK. For the time being, why does the Senator not withhold the second part of his amendment?

Mr. WILLIAMS of Delaware. I think that would be best. I withdraw that part of the amendment dealing with language on page 44, and submit only, for the moment, that part of the amendment which deals with the open-end authorization on page 40.

Mr. CLARK. So the RECORD will be clear, will the Chair state precisely what the vote is on?

Mr. WILLIAMS of Delaware. I shall ask the clerk to state it, but what we are intending to do is, on page 40, line 17, after the date June 30, 1969, to insert a period and strike out the remainder of that line and lines 18 and 19. That would be the amendment.

The ACTING PRESIDENT pro tempore. Does the Senator wish the clerk to state the amendment as so modified?

Mr. WILLIAMS of Delaware. I ask that the amendment be stated.

The LEGISLATIVE CLERK. On page 40, line 17, strike the language commencing with the comma after the numeral "1969" down to and including the end of line 19, and insert a period.

The ACTING PRESIDENT pro tempore. Is all time yielded back on the amendment as modified?

Mr. WILLIAMS of Delaware. I yield back the remainder of my time.

Mr. CLARK. I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Delaware, as modified.

The amendment of Mr. WILLIAMS of Delaware, as modified, was agreed to.

Mr. PROUTY. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. PROUTY. Is the next pending amendment my amendment No. 626?

The ACTING PRESIDENT pro tempore. The pending amendment is the amendment of the Senator from Vermont, No. 626.

Mr. PROUTY. I thank the Presiding Officer. I yield myself 5 minutes.

Mr. President, this amendment also modifies the judicial review provisions contained in section 18 of the reported bill.

Section 18 currently provides that the commencement of court proceedings by a State to obtain judicial review of a determination by the Secretary of Labor to withhold funds in whole or in part from a State agency will not operate to stay the Secretary's decision unless specifically ordered by the court.

This amendment will result in the Secretary's decision to withdraw or withhold funds from a State agency being automatically stayed pending the court's decision on review upon the timely filing of a request for judicial review by a State agency.

A State employment service agency could be decimated, in whole or in part, by the arbitrary withdrawal of Federal funds by the Secretary. This result would probably be the same even should the State eventually prevail in having the Secretary's determination set aside by an appropriate U.S. court of appeal.

Most State employment agencies have been in existence more than 30 years, and it is not equitable to place the burden upon a State pending a reviewing court's decision as to the appropriateness of a determination by the Secretary denying funds to a State.

In this context I do not believe that it is unreasonable to require the Secretary to continue funding a State agency's operations pending approval by a reviewing court of his actions in discontinuing such funds.

Mr. President, I shall ask for the yeas and nays on this amendment. I reserve the remainder of my time.

Mr. CLARK. Mr. President, I yield myself 3 minutes on the amendment, which I oppose.

To me, the present language on page 42, lines 9, 10 and 11, is entirely fair in accordance with normal judicial procedure, and should not be changed by striking out the words which the Senator from Vermont suggests. Let me read that language as it now exists in the bill:

> The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

If, as the Senator from Vermont wishes, we should strike out the words "not, unless so specifically ordered by the court," we would have a situation where the commencement of proceedings would operate as a stay of the Secretary's action. To me, that would merely result in bogging down the administration of the act and the powers of the Secretary. It would very definitely curtail the necessary authority given the Secretary, all through the bill, to take certain action, after notice and after hearing—which protects the rights of both the State employment offices and the general public. This is orderly judicial procedure.

We have gone even farther than that. We have given to the court the right to order a stay in a case where the court thinks a stay is desirable. To go further and require that the Secretary's action shall be stayed without regard to whether the court thinks it is just or not until an appeal is carried through the Federal courts, possibly to the Supreme Court of the United States, is not only unwise but unjust. Therefore, I hope the amendment will be rejected.

Mr. President, I ask for a vote on the amendment.

The ACTING PRESIDENT pro tempore. Is all time yielded back?

Mr. PROUTY. No, Mr. President, I do not yield back my time. I yield myself 2 minutes.

With respect to what my distinguished friend, the Senator from Pennsylvania, has just said, it seems to me grossly unfair and unreasonable to permit any Secretary of Labor to deny funds to any agency in any State until a court has ruled that the Secretary's position in the matter is justified. So I think the question of States' rights here is uppermost.

I believe we are giving the Secretary of Labor entirely too much power in this bill—though I intend to support it. But to say that the Secretary of Labor can put a State agency out of business if he wishes prior to a decision following review by a court of appeals, seems to me ridiculous on its face, and I do not believe the majority of the Senators wish that sort of thing to take place.

Mr. President, I see there are not enough Senators on the floor for a sufficient second to a request for a rollcall vote, so I suggest the absence of a quorum. I ask unanimous consent that the time for the quorum call not be charged to either side.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROUTY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PROUTY. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, I am prepared to yield back the remainder of my time if the Senator from Vermont will do likewise.

Mr. JAVITS. Mr. President, I should like to ask the Senator from Vermont a question. As a lawyer, I am disquieted about this amendment. The Senator from Vermont knows me well enough to know that I am more than anxious to be persuaded of the incorrectness of any position I take.

It appears to me, from the argument that the Senator has made, that he does not feel a court would in a proper case—perhaps the Senator feels that there is no such case—actually order a stay itself, under the provision in the bill. Would the Senator tell me why he would not be willing to rely on the normal equity processes of the court?

Mr. PROUTY. That is not in my province. I am not a lawyer, in the first place, as the Senator well knows.

I am concerned about the authority given to the Secretary in this respect. We are dealing with a State agency administered by State officials. It seems to me that it would be wholly unreasonable of the Secretary of Labor to withhold funds from the State agency until a court has justified the position of the Secretary of Labor if it finds that necessary and desirable. To me it is as simple as that.

Mr. JAVITS. Mr. President, I thank my colleague.

Mr. CLARK. Mr. President, I yield back the remainder of my time.

Mr. PROUTY. Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Vermont. On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. Mr. President, I announce that the Senator from Tennessee [Mr. BASS], the Senator from Indiana [Mr. BAYH], the Senator from Arizona [Mr. HAYDEN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], and the Senator from Wyoming [Mr. MCGEE] are absent on official business.

I also announce that the Senator from New York [Mr. KENNEDY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Maine [Mr. MUSKIE], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

On this vote, the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Massachusetts would vote "nay" and the Senator from Florida would vote "yea."

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from New York [Mr. KENNEDY], and the Senator from Missouri [Mr. LONG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Wyoming [Mr. SIMPSON] is necessarily absent.

The Senator from New Jersey [Mr. Case] is detained on official business.

On this vote, the Senator from New Jersey [Mr. Case] is paired with the Senator from Wyoming [Mr. Simpson]. If present and voting, the Senator from New Jersey would vote "nay" and the Senator from Wyoming would vote "yea."

The result was announced—yeas 42, nays 45, as follows:

[No. 124 Leg.]

YEAS—42

Aiken
Allott
Bennett
Boggs
Byrd, Va.
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fulbright
Griffin
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Miller
Morton
Mundt
Murphy
Pearson
Prouty
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smith
Sparkman
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—45

Anderson
Bartlett
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Dodd
Douglas
Fong
Gore
Gruening
Harris
Hart
Hartke
Inouye
Jackson
Javits
Kuchel
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Symington
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—13

Bass
Bayh
Carlson
Case
Hayden
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McGee
McIntyre
Muskie
Simpson
Smathers

So Mr. Prouty's amendment was rejected.

Mr. CLARK. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. RANDOLPH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. CLARK. Mr. President, is it in order presently to move to reconsider the votes by which the first two amendments were rejected yesterday?

The ACTING PRESIDENT pro tempore. The Chair advises the Senator that it would take unanimous consent.

The committee amendment is open to further amendment. Who yields time?

Mr. MILLER. Mr. President, I send to the desk an amendment and ask that it be stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk read as follows:

On page 38, line 23, insert the word "nonpartisan" following the word "a".

Mr. MILLER. Mr. President, I yield myself 1 minute.

The ACTING PRESIDENT pro tempore. The Senator from Iowa is recognized for 1 minute.

Mr. MILLER. Mr. President, this particular section of the bill would provide for the establishment of a Manpower Services and Unemployment Insurance Advisory Council. It also states that there shall be freedom from political influence in the solution of the problems covered.

My amendment would make clear that this would be a nonpartisan council. I have discussed the amendment with the manager of the bill, the Senator from Pennsylvania [Mr. Clark]. I understand that he has no objection to the amendment.

Mr. CLARK. Mr. President, I yield myself 1 minute.

I request that the Senator from Iowa [Mr. Miller] repeat for me at what point on page 38 the insertion would be made.

Mr. MILLER. The insertion would be on page 38, line 23, following the word "a" so that it would read:

"Sec. 14. (a) The Secretary shall establish a nonpartisan manpower services and unemployment insurance advisory council"——

Mr. CLARK. I think it is implicit in the act without the amendment that is what is desired, but in order to indulge my good friend, the Senator from Iowa [Mr. Miller], I am prepared to accept the amendment and take it to conference.

The ACTING PRESIDENT pro tempore. Is all time yielded back?

Mr. MILLER. Mr. President, I yield back the remainder of my time.

Mr. CLARK. Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. All time has been yielded back.

The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. Miller].

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The committee amendment is open to further amendment.

AMENDMENT NO. 625

Mr. PROUTY. Mr. President, I call up my amendment No. 625.

The ACTING PRESIDENT pro tempore. The amendment offered by the Senator from Vermont [Mr. Prouty] will be stated.

The legislative clerk read as follows:

On page 32, strike everything from line 1 through line 13.

On page 32, line 14, change "(d)" to "(b)".

On page 33, line 7, change "(e)" to "(c)".

Mr. PROUTY. Mr. President, I ask for the yeas and nays of the amendment.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is not a sufficient second.

Mr. CLARK. Mr. President, I again ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROUTY. Mr. President, I yield myself 3 minutes.

Section 11(b) of the reported bill would require that each State establish and maintain a merit system of personnel administration under such standards as the Secretary of Labor may prescribe.

Section 11(c) of the reported bill provides that the Secretary shall require each State agency to develop a salary schedule adequate to attract and retain qualified personnel, giving due consideration to the rates paid in each State for similar work in both public and private employment.

The amendment would strike sections 11 (b) and (c) from the bill.

If the amendment is adopted, the result would be to leave the State employment service agency with the authority to determine their own merit system standards and their own salary schedules.

The remainder of the amendment merely renumbers the remaining paragraphs of section 11.

Mr. DOMINICK. Mr. President, may we have order? I cannot hear the Senator.

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. PROUTY. Mr. President, it seems to me that this is a right which must be reserved to the States. Certainly all of us favor higher salaries for State employees but if one particular agency can be required by the Secretary of Labor to establish higher salary levels than are being maintained in other State agencies, I think little vision is required to understand the morale problems which would be created.

It seems to me that this is a function that must be reserved exclusively to State agencies and the government employing these people.

The amendment is simple and it would provide, in effect, that the Secretary of Labor shall not determine what salaries are to be paid to State employees.

Mr. President, I reserve the balance of my time.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. CLARK. Mr. President, I yield myself 3 minutes.

Speaking for a majority of the committee, we oppose the amendment. This is one of the most important provisions in the bill and is intended to raise the level of administration and the salaries within the 50 State employment services. It would not take away from the States their present authority to run their own show, but provides for standards set by the Secretary of Labor.

The provisions in the bill which the Senator from Vermont seeks to strike would require each State to establish a merit system of personnel administration—in other words, a civil service system remote from a political, partisan controlled, patronage system which plagues so many States, including my own of Pennsylvania. The Secretary would be given authority to set merit system standards but, under careful restriction, he may not deal with the selection, tenure of office, or promotion of any individual employed in accordance with these methods. These important matters of selection, tenure, and promotion, which are the heart of any merit system, would be left to the States to administer pursuant only to the over-all merit system standards laid down by the Secretary.

Mr. DOMINICK. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. Mr. President, I am happy to yield to the Senator from Colorado, and, Mr. President, yield myself such time as may be necessary to respond to the Senator from Colorado.

Mr. DOMINICK. I wonder whether we could have a little order in the Chamber, Mr. President, because I believe this is one of the most important amendments the Senate has before it, and I am not sure how many Senators are really listening.

Do I correctly understand, I ask of the Senator from Pennsylvania, that as the bill is now written, the Secretary would be entitled to tell each of the 50 States that they have to put in——

Mr. CLARK. A merit system.

Mr. DOMINICK. A merit system of personnel administration?

Mr. CLARK. The Senator is correct. Let me say in reply to the Senator from Colorado that such a merit system is required in practically every program presently in existence which is paid for in part, or in whole, by the Federal Government. This program has, for years, been paid for, 100 cents on the dollar, by the Federal Government. For years a merit system has been required as a prerequisite for receiving Federal funds.

Mr. DOMINICK. This will require State legislation, will it not?

Mr. CLARK. It may require legislation in a few States—not too many—to create a merit system in accordance with the standards of the Secretary. Most States already have merit systems in effect which would meet most of the requirements and need only be amplified by executive order of the Governor.

Mr. DOMINICK. Will the Senator from Pennsylvania yield for one more question?

Mr. CLARK. Yes, indeed.

Mr. DOMINICK. Under what constitutional power can we give to an appointive agent of the Secretary of Labor the required power to make every State legislature act as he would demand?

Mr. CLARK. Well, let me say to my good friend the Senator from Colorado that I think every lawyer in this body knows there is no constitutional problem with this provision. This is merely extending provisions which have been in existence for years, in many cases for decades, in connection with Federal programs.

I am no longer an erudite constitutional lawyer who can cite cases which may or may not have been raised on this question, but I can assure my able friend the Senator from Colorado that there is absolutely no serious constitutional question involved here.

Mr. DOMINICK. Mr. President, will the Senator from Vermont yield me 2 minutes on the bill?

Mr. CLARK. Mr. President, if the Senator from Colorado would permit me to finish my argument, I will be glad to yield.

Mr. DOMINICK. Of course.

Mr. CLARK. Mr. President, to return to the reasons why this provision should not be stricken from the bill in good conscience. I have indicated the reasons why, under section (b) it would be most unwise to take away from the Secretary the authority to require the States to upgrade their personnel standards in such areas where they are not now in existence. The second subsection of the bill which the amendment would strike would authorize the Secretary to require that each State develop a salary schedule adequate to attract and retain qualified personnel for its State manpower service and job services center. Such a schedule—and this is very important—would give due consideration to the rates paid in such State for similar work in both public and private employment. In other words, the working out of a schedule is the responsibility of the State and not the Federal Government.

The only thing that this bill would do is to nudge behind the salutary and worth-while efforts not only of the Federal Government but also of those States which want to improve salaries in order to attract qualified personnel by paying salaries commensurate with the salaries paid for work of a similar nature in that State.

Mr. President, it is an open and notorious fact that in too many States, State employment service employees are so badly paid and have such unfortunate employment practices to live with, that it is utterly impossible to recruit the competent staff that are essential to carry on the important provisions of this bill.

Let me point out, in addition, that title III of the Social Security Act, which is the unemployment compensation law, requires a merit system provision. The Prouty amendment, therefore, would require a total separation of the employment service from the unemployment compensation office of the administration.

Let me point out further that under the unemployment compensation provisions, the merit system and the salary provisions are now in effect. In most States, the unemployment compensation office and the employment service office are in the same building and are under the same jurisdiction.

If the Prouty amendment were to be adopted, we would be creating a Berlin Wall between the State employment service merit system qualifications and salaries, those which apply to the fellow who works nearby, probably in the same building, in unemployment compensation.

Therefore, Mr. President, I hope very much that the amendment will be defeated.

I am prepared to yield back the remainder of my time, if my friend the Senator from Vermont is also willing to yield back his.

Mr. PROUTY. Mr. President, I yield 2 minutes to the distinguished Senator from Colorado.

Mr. DOMINICK. Mr. President, this debate is an example of why it is unfortunate that more Senators are not in the Chamber. The debate in which we are engaged involves a principle which goes way beyond the import that most Senators would consider in merely reading the amendment itself.

No matter how the Senator from Pennsylvania may argue, no matter how he may try to get around the point, the bill as it is now written makes every State legislature subject to the dictates of the Secretary of Labor so far as the establishment of a merit system is concerned. It makes every Governor subject to the dictates of the Secretary of Labor so far as the salaries that are to be paid to the people who are supposed to be State employment office personnel are concerned.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. DOMINICK. I am happy to yield.

Mr. ERVIN. I ask the Senator if subsections (b) and (c) of section 11 of the bill do not provide, in effect, that the Secretary may require the States to employ persons who meet the requirements of the Secretary of Labor, and that the States must establish, in effect, salary schedules prescribed by the Secretary.

Mr. DOMINICK. That is exactly what the bill provides and is exactly what we are trying to eliminate from it.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. SALTONSTALL. As one who was a Governor during World War II, I can say that one of the great difficulties I experienced was with the very question raised by the amendment. If certain groups of civil servants in a State are subject to Federal oversight, it affects every civil service employee in the State government.

The ACTING PRESIDENT pro tempore. The time yielded to the Senator from Colorado has expired.

Mr. PROUTY. Mr. President, I should like to read from the hearings a statement by Mr. K. Brantley Watson, who is a member of the Maryland State Salary Advisory Board. His statement appears on page 378 of the hearings.

> We, too, are interested in upgrading our State employees and paying salaries that will attract competent people, but we recognize that several different types of activities, both public and private, are competing for the same kind of personnel.

Mr. Watson further stated:

> I only suggest there is a hazard if we pick out one State agency and say it is more important that people be paid at a certain level in this agency than in other equally deserving agencies—such as social service agencies seeking similar personnel—we create a problem internally that would affect morale most disadvantageously.

I think that that is so true. I, too, am sorry that more Senators are not in the Chamber, because I believe this is a subject of vitally important consideration.

Mr. President, I reserve the remainder of my time, but I ask unanimous consent that there be a call for a quorum, the time for the quorum call to be charged to neither side.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CLARK. Mr. President, I am sorry I did not hear the request of the Senator from Vermont.

Mr. PROUTY. I should like to have a quorum call, so that I may explain my amendment when more Senators are in the Chamber.

Mr. CLARK. Mr. President, I ask unanimous consent that there be a quorum call, the time for the quorum call to be charged to neither side.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names.

[No. 125 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Harris
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The ACTING PRESIDENT pro tempore. A quorum is present.

Who yields time?

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. KUCHEL. What is the pending business?

The ACTING PRESIDENT pro tempore. Amendment No. 625, offered by the Senator from Vermont [Mr. PROUTY], is the pending business.

Mr. PROUTY. Mr. President, this is a very simple issue, but one of vital importance if we are to preserve our Federal-State system.

I quote from page 32 of the bill the language my amendment would strike out:

> The Secretary shall require that each State establish and maintain for personnel employed in its State manpower service and job services centers a merit system of personnel administration under such standards as the Secretary prescribes,

Then it continues:

> The Secretary shall require that each State develop a salary schedule adequate to attract and retain qualified personnel for its State manpower service and job services centers.

I have no objection whatsoever to each State being required to establish and maintain a merit system, nor do I object to the States being required to develop salary schedules which are adequate, in their judgment, to fulfill the purposes of this act. But I am violently opposed to giving this power to the Secretary of Labor, an appointed official who has, in my judgment, no right to intervene in a matter which is purely a State function.

The issue is very simple, but how we decide this question is of major importance, as I suggested earlier, if we are to maintain the present state of Federal-State relationships.

I yield to the distinguished Senator from Colorado.

Mr. DOMINICK. I congratulate the distinguished Senator from Vermont for bringing to the attention of the Senate this important point.

I ask my fellow Senators, Do you wish to give power to the Secretary of Labor over each of the State legislatures in each of the 50 States? Do you wish to give power to the Secretary of Labor over the salary schedules of people who will be working for and employed in the States?

I do not believe we want to do that. The issue is very simple. We can avoid that result by agreeing to the amendment.

Mr. PROUTY. Mr. President, how much time have I remaining?

The ACTING PRESIDENT pro tempore. The Senator from Vermont has 6 minutes remaining.

Mr. PROUTY. Mr. President, I yield myself 3 minutes, and I ask for the attention of the Senator from Pennsylvania.

In the event my amendment No. 625 is approved, I shall offer another one, which will, I think, take care of some of the concern which the Senator from Pennsylvania has expressed. The amendment will read as follows:

> On page 32, insert the following:
>
> "(b) Each State shall establish and maintain for personnel employed in its State manpower service and job services centers a merit system of personnel administration.
>
> "(c) Each State shall develop a salary schedule which in its judgment is adequate to attract and retain qualified personnel for its State manpower service and job services centers."

It seems to me that would take care of the problem. It would leave the power and the responsibility where it should be, in the hands of the State and its agents.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. PROUTY. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Do I understand the Senator to mean he is not striking out the entire old section, but inserting this amendment in place of it?

Mr. PROUTY. My amendment No. 625 would strike out that portion of the bill. If I prevail in that, then I shall offer the amendment I have just read.

Mr. SALTONSTALL. I ask the Senator, would it not be helpful, from a voting standpoint, to offer this latter amendment as a substitute for the language in the bill, rather than have two votes?

I am in hearty sympathy with what the Senator is trying to do. However, as I told the Senator from Colorado, the question of Federal-State relations was one of the most difficult subjects during World War II.

Mr. PROUTY. Mr. President, I modify my amendment.

The ACTING PRESIDENT pro tempore. The Chair advises the Senator that a modification of his amendment would require a unanimous-consent agreement inasmuch as the yeas and nays have been ordered.

Mr. CLARK. Mr. President, I suggest that the Senator from Vermont bring the matter up later and that we vote on the amendment as it is.

Mr. KUCHEL. Mr. President, I ask my able friend what he seeks to do with reference to modifying the pending amendment.

Mr. PROUTY. My modification would seek to require the States to have their merit systems and establish their own salaries.

Mr. CLARK. Mr. President, if the Prouty amendment is defeated, which I hope it will be, I shall then be prepared to accept the next amendment which the Senator is to offer. However, I should like this amendment to remain the way it is.

Mr. PROUTY. Mr. President, I yield back the remainder of my time.

Mr. CLARK. Mr. President, I yield myself 2 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. CLARK. Mr. President, I hope that the Prouty amendment will be defeated. I think it is important to improve salaries and this will be hindered by the Prouty amendment.

I point out for the benefit of some Senators who may be in doubt that the provision in the bill would be favored by an overwhelming majority of the 50 State employment services.

This is not a situation in which the State employment services by and large support the amendment.

Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Vermont. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. McGEE], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from New Hampshire [Mr. McINTYRE], the Senator from Maine [Mr. MUSKIE], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

On this vote, the Senator from Missouri [Mr. LONG] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Florida would vote "aye," and the Senator from Missouri would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Wyoming [Mr. SIMPSON] is necessarily absent.

The Senator from New York [Mr. JAVITS] is detained on official business.

On this vote, the Senator from Wyoming [Mr. SIMPSON] is paired with the Senator from New York [Mr. JAVITS]. If present and voting, the Senator from

Wyoming would vote "yea" and the Senator from New York would vote "nay."

The result was announced—yeas 47, nays 42, as follows:

[No. 126 Leg.]

YEAS—47

Aiken
Allott
Bennett
Bible
Boggs
Byrd, Va.
Cannon
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fulbright
Griffin
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
McClellan
Miller
Morton
Mundt
Murphy
Pearson
Prouty
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—42

Anderson
Bartlett
Bayh
Brewster
Burdick
Byrd, W. Va.
Case
Church
Clark
Douglas
Fong
Gore
Gruening
Harris
Hart
Hartke
Inouye
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—11

Bass
Carlson
Hayden
Javits
Long, Mo.
McGee
McIntyre
Muskie
Neuberger
Simpson
Smathers

So Mr. Prouty's amendment was agreed to.

Mr. PROUTY. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment.

Mr. PROUTY. Mr. President, I send to the desk another amendment, and ask that it be stated.

The ACTING PRESIDENT pro tempore. The amendment offered by the Senator from Vermont will be stated.

The legislative clerk read the amendment, as follows:

On page 32, insert the following:

"Strike lines 1 through 13 and insert in lieu thereof the following:

" '(b) Each State shall establish and maintain for personnel employed in its State Manpower Service and job service centers a merit system of personnel administration.

" '(c) Each State shall develop a salary schedule which in its judgment is adequate to attract and retain qualified personnel for its State Manpower Service and job services center',".

Mr. PROUTY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PROUTY. Mr. President, I ask that my amendment be stated again.

The ACTING PRESIDENT pro tempore. The amendment will be stated again.

The legislative clerk read as follows:

On page 31, after line 25, insert:

"(b) Each State shall establish and maintain for personnel employed in its State Manpower Service and job service centers a merit system of personnel administration.

"(c) Each State shall develop a salary schedule which in its judgment is adequate to attract and retain qualified personnel for its State Manpower Service and job services center,".

Mr. PROUTY. Mr. President, I yield myself 2 minutes.

The amendment simply provides that the States rather than the Secretary of Labor will establish their own merit system and salary levels. That is all there is to it.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. CURTIS. Is it the opinion of the Senator from Vermont [Mr. Prouty] that the amendment is necessary? Without the amendment would not the States have that right?

Mr. PROUTY. I think that is true, but the amendment adds something to it. I think that the States should have that.

Mr. CURTIS. It is the intention of the amendment to clearly fix it as the State's responsibility and not the Federal responsibility?

Mr. PROUTY. The Senator is correct. The States would have sole responsibility in this regard.

Mr. CLARK. Mr. President, I yield myself 1 minute.

Because of what to me is the unfortunate result of the last vote, the very unfortunate result, the present amendment of the Senator from Vermont at least pays lipservice to decent salaries and merit systems. I think this is a pious expression on the part of the Senate, but I will nonetheless endorse it and will accept the amendment of the Senator from Vermont [Mr. Prouty].

The ACTING PRESIDENT pro tempore. Do the Senators yield back the remainder of their time?

Mr. CLARK. Mr. President, I yield back the remainder of my time.

Mr. PROUTY. Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Vermont [Mr. Prouty].

The amendment was agreed to.

The PRESIDING OFFICER (Mr. Talmadge in the chair). The committee amendment is open to further amendment. Who yields time?

Mr. PROUTY. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 36, beginning on line 5, strike out the words "shall to the maximum extent practicable", and insert in lieu thereof "in municipalities of more than 50,000 population shall to the maximum extent practicable within the administrative discretion of the State manpower services agency".

Mr. PROUTY. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 5 minutes.

Mr. PROUTY. Section 12(a)(4) of the reported bill provides that employment services offices and the unemployment compensation offices shall be separated to the maximum extent possible.

I realize the policy considerations behind this provision and understand that the Secretary of Labor has already instituted separate administration of these 2 programs in cities of 50,000 or more under existing law.

The amendment does not change the policy of the Secretary of Labor in municipalities of 50,000 or more.

In small States such as mine, I believe that writing this provision into law unnecessarily restricts a State employment services agency in exercising its administrative discretion as to the wisdom of separate offices for employment services and unemployment compensation purposes.

It is clear that the unemployment compensation and jobseeking functions are irrefutably and directly related. There are those in State agencies who believe that there is no necessity for such a provision as is in the reported bill unless it is sought to so separate the two programs that the unemployment compensation trust fund system will not stand in the way of the complete federalization of the present State-Federal employment service system.

My amendment leaves the present provision in the bill but gives the States authority to make the final determination as to the amount of separateness of the two programs.

This is an amendment which I think has appeal particularly for the smaller States because it is not always wise and not necessary to separate these offices in a small community when one office can serve the same purpose. They could have two offices in the same building under the amendment.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. PROUTY. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Do I understand the purpose of the Senator from Vermont to be that in cities where the population is more than 50,000 they shall have their own civil service system, subject to the ultimate control of the State? Is that the purpose?

Mr. PROUTY. No. The Secretary will have authority, as he now does, in cities of 50,000 or more, to require that there be separate offices. I do not seek to take that authority from the Secretary. But in communities of less than 50,000 the States will have the right to determine whether or not they shall have one or two offices.

Mr. CLARK. Mr. President, will the Senator now yield to me?

Mr. PROUTY. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. I would like to be sure that we understand each other because, if possible, I would like to accept the amendment. There is only one copy of the amendment in the Chamber. I hold it in my hand. I want to be certain that we agree on the text because there is a pencil insertion which has been made, but I am not sure of what it is.

Am I correct that the Senator proposes on page 36, beginning on line 5, to strike out the words "shall to the maximum extent practicable", and having done that, would insert in lieu thereof, on the same line 5, "in municipalities of more than 50,000 population shall to the maximum extent practicable within the administrative discretion of the State manpower services agency" be separate from the offices administering any unemployment compensation law within such State?

Mr. PROUTY. The Senator is correct.

Mr. CLARK. I thank the Senator.

I wish to ask the Senator from Vermont whether the impact of the amendment is to leave the situation in cities of more than 50,000 population exactly where it was, under the bill as it came to the floor, so that in every city of more than 50,000 population, the plan shall provide that the job services centers, established and operated pursuant thereto shall to the maximum extent practicable be separate from the offices administering any unemployment compensation law within such State.

Mr. PROUTY. The Senator is correct.

Mr. CLARK. So that we now go to the cities of 50,000 or less, and there, as I understand it, the problem of whether the State unemployment compensation office should be separated from the State employment office is left entirely to the State service without any authority being given to the Secretary of Labor, either to encourage or discourage separation.

Mr. PROUTY. The Senator is correct.

Mr. CLARK. Now, may I ask the Senator from Vermont [Mr. PROUTY] whether he would agree, as a matter of legislative history, despite his amendment, which I would like to take to conference, that there is no reason why the Secretary of Labor, acting informally, and within the course of his normal duties, should not encourage the separation of these offices in the smaller cities where he thinks it is desirable, even though he has no authority under the act to do more than that.

Mr. PROUTY. As long as he does not have the power or authority to require it, I would expect the Secretary would make recommendations of this nature.

Mr. CLARK. On the basis of the colloquy just engaged in, which I hope will be read by the 50 State employment services as part of the legislative history of this bill, I hope they will welcome the Secretary of Labor and his representatives for friendly conferences on this matter, during the course of which the Secretary of Labor can point out the reasons why he thinks it desirable in a community for the State to separate the offices.

Mr. PROUTY. I hope very much that the views of the Secretary of Labor will be given serious consideration by the State authorities.

Mr. CLARK. I thank my friend. Under those circumstances, I am prepared to accept the amendment.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield back the remainder of his time?

Mr. CLARK. I do.

The PRESIDING OFFICER. Does the Senator from Vermont yield back the remainder of his time?

Mr. PROUTY. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. Who yields time?

Mr. PROUTY. Mr. President, I suggest the absence of a quorum.

Mr. JAVITS. Mr. President, I ask unanimous consent that the call for the quorum which has just been suggested be conducted without charging the time to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROUTY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROUTY. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read the amendment, as follows:

On page 44, line 10, strike out "$10,000,000" and insert in lieu thereof "$5,000,000".

On page 44, line 12, strike out "$15,000,000" and insert in lieu thereof "$10,000,000".

On page 44, strike out all of lines 13 and 14 and insert in lieu thereof the following: "and not in excess of $10,000,000 for the fiscal year ending June 30, 1969."

The PRESIDING OFFICER. Does the Senator from Vermont desire these amendments to be considered en bloc?

Mr. PROUTY. Yes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. How much times does the Senator from Vermont yield himself?

Mr. PROUTY. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 5 minutes.

Mr. PROUTY. Mr. President, this amendment is offered on behalf of myself and the Senator from Delaware [Mr. WILLIAMS]. It seeks to modify the section of this bill which relates to relocation payments to increase mobility of the unemployed.

This new section of Manpower Development and Training Act is an extension of the pilot projects section which was added to the law last year. The amendment last year authorized $5 million to provide grants or loans to be made available only to involuntarily unemployed individuals to permit them to move to a location where employment for which they are qualified would be more readily available.

It is my understanding from the Department of Labor that the entire amount of that $5 million authorization was appropriated, and the Department informs me that it will have obligated a total of $4,850,000 by July 1st. It is also my understanding that the House has appropriated $5 million for fiscal 1967, but that the Senate has not yet marked up that bill.

The language of the bill before the Senate now, extends this program beyond the limited geographical areas of last year's pilot projects program. I think that is good and wise, because assistance to the unemployed should be universal of application throughout our country.

The pending bill authorizes $10 million for fiscal 1967, and $15 million for fiscal 1968.

With the continuation of the pilot projects program carrying a $5 million authorization, we are actually authorizing a total of $15 million for fiscal 1967 and $15 million for fiscal 1968. Since the Department of Labor has advised me that it will not use the total amount appropriated for the current fiscal year, it seems to me unwise to triple the amount authorized for fiscal 1967.

In this bill, however, we have broadened the application of this program beyond the geographically limited areas of the pilot project. We therefore, must take into consideration the added cost resulting from that. On the other hand, since the program is still admittedly experimental, we should proceed with a certain caution.

My amendment, therefore, authorizes to be appropriated for this relocation assistance a total of $5 million for fiscal 1967 and $10 million each for fiscal years 1968 and 1969. Adding to this the presently authorized $5 million for fiscal 1967 under the pilot project program enacted last year my amendment would then provide $10 million for each of the fiscal years 1967, 1968, and 1969. This contrasts with the total of $15 million for each of these 2 fiscal years under the present language of the bill.

Mr. JAVITS. Mr. President, will the Senator from Vermont yield?

Mr. PROUTY. I am happy to yield to the Senator from New York.

Mr. JAVITS. Mr. President, first, let me express to the Senator my pleasure in collaborating with him on this matter, and to explain to Senators on the Republican side of the aisle that in addition to the fair number of amendments which the Senator from Vermont has offered on the floor, a large number of amendments offered by the minority were already incorporated in the bill as reported to the Senate. My supplemental views, set forth in the committee report, cataloged a whole list of amendments which the minority succeeded in adding to the bill in committee. The amendments of the Senator from Vermont, the Senator from California [Mr. MURPHY], the Senator from Arizona [Mr. FANNIN], the Senator from Colorado [Mr. DOMINICK], and myself, or combinations of us, have had a major impact on the bill. I ask unanimous consent that my supplemental views be printed in the RECORD at this point in my remarks.

There being no objection, the views were ordered to be printed in the RECORD, as follows:

During the extensive committee consideration of this bill, which marks an important updating of the basic charter of the Employment Service, the minority members of the committee made substantial contributions to improvement of the measure.

One of the most important controversies over the bill concerned the definition of the "recruitment" function granted to the manpower services system in section 4(a)(1). There was strong opposition from private employment agencies to the practice which this authority, it was claimed would encourage, on the ground that this is a traditional function of private employment agencies. The minority took up this issue vigorously, and a provision defining "recruitment," which I regard as a constructive compromise, emerged. Other minority amendments which were adopted include the following:

(1) A requirement, in section 9(b), that all federally assisted manpower training programs be coordinated around the national manpower services system. This provision is designed to remedy a basic deficiency in the war on poverty, the fragmentation and duplication of recruitment, counseling and reference of individuals under such training programs as the Manpower Development and Training Act, the Job Corps, the Neighborhood Youth Corps, work training and work experience programs, and various vocational education programs. In far too few communities a local agency, such as a community action agency funded under the Economic Opportunity Act, has undertaken to link these programs together and, with the assistance of the Employment Service, to track individuals through various levels of basic education and job training to placement in a job. The amendment is designed to encourage such local efforts and to require that, where the local agencies fail to do so, the manpower services system undertake this vitally needed coordination function by physically drawing together representatives of all such training programs (in the same building as the job services center, if possible) and by requiring the coordination of Federal agency information about employment opportunities in the job services center.

(2) Amendment, in section 19, of the Manpower Development and Training Act to create a permanent relocation assistance program to increase the mobility of unemployed individuals. The program authorizes loans to those who are involuntarily unemployed and cannot otherwise defray the expense of moving from a place where employment is not available to them, to a place where it is available. The program is based upon a pilot program authorized under the Manpower Amendments of 1965 and emphasizes the provision of counseling and other supportive services which the pilot study indicates is also important in helping individuals and their families to relocate.

(3) Provision, in sections 12 and 18, for 30 days' notice, opportunity for a hearing and judicial review, when the Secretary of Labor determines, under section 12(c), to withhold funds under this act from a State for failure to comply substantially with any part of its State plan.

(4) Requirement of 30 days' notice and opportunity for a hearing prior to a determination by the Secretary under section 13(c) to contract out functions of job services centers to private employment agencies or other public or private agencies.

(5) A requirement, in section 7(b), that in establishing the automatic data processing systems which the bill calls for, the Secretary shall, to the maximum extent feasible, make use of appropriate information and equipment already available to the Bureau of Labor Statistics and other bureaus and agencies.

(6) Inclusion, on a reimbursable basis, of employees of private employment agencies in training programs for manpower services and job services center personnel under section 11.

(7) Inclusion of experts from the private sector in the Federal and State advisory councils established under section 14.

(8) Provision for mobile manpower services units in the identification of and reaching out to disadvantaged persons or groups.

(9) Definition of the recruitment function of the manpower services system so that recruitment to fill job openings shall be for the principal purpose of providing jobs for the unemployed or underemployed, or providing manpower for national security needs, rather than the transfer generally of employed persons from one job to another.

In addition the minority was responsible for the insertion of the following legislative history in the majority report:

(1) Emphasizing that the principal emphasis of the manpower services system shall be upon disadvantaged or unemployed individuals.

(2) Clarifying that section 11(e)(2), relating to noncompetitive appointment of State agency personnel to the Labor Department, shall be administered in accordance with veterans' preference.

(3) Insuring that, in the administration of section 7, requiring coordination of information about manpower development and utilization, the Secretary will work with the Equal Employment Opportunity Commission so that information developed by the Commission concerning manpower and employment opportunities is made available to the relevant job services centers.

(4) Clarifying that section 11(b), which defines the authority of the Secretary over standards for personnel of State manpower service and job services centers, in no way derogates from the authority of the Secretary under title VI of the Civil Rights Act of 1964 to withhold Federal funds from any State or local activity which discriminates on account of race, creed, or color.

Mr. JAVITS. The success which the Senator from Vermont has had with a number of his amendments on the floor has further made an impression on the bill on behalf of the minority's views. I think this is salutary, although I may not have agreed with some of the amendments, which is irrelevant to the point.

The pending amendment relates to a provision in which we made a creative improvement. We took a pilot program for relocation of the really needy unemployed, who could not get a job where they were, and experimented a little bit, and did not wait for the end of the experiment, by which time quite a few of the "patients" might have been "dead," but built upon the experience and tried to project the program effectively for a reasonable future.

I have no pride of authorship about the amounts involved. I am prepared to coincide with the views of the Senator on the reductions, which still leave, in my judgment, an effective extension of a program which can be helpful and which has made a real contribution by being included in this bill. The amendment also meets the views of the Senator from Delaware [Mr. WILLIAMS] in deleting the open end authorization and limiting the program to the period of fiscal years 1967, 1968, and 1969. The amendment is acceptable to me, and I hope very much that the Senator in charge of the bill will accept it, and the Senate as a whole.

Mr. CLARK. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 3 minutes.

Mr. CLARK. Mr. President, this reduction in authorization does not seem too serious, I think the Department of Labor can live with it. Since it will give great satisfaction to my friendly colleagues who are always in favor of economy in Government, and since it will not do the program real harm, I should like to indulge my colleagues on both sides of the aisle who know the value of a dollar, and shall accept the amendment.

Mr. COOPER. Will the Senator yield?

Mr. CLARK. I yield 2 minutes to the Senator from Kentucky.

Mr. COOPER. I note that the manager of the bill, the distinguished Senator from Pennsylvania [Mr. CLARK] has accepted the Prouty-Williams amendment. I know that Senator JAVITS worked to include this section 19 in the bill in the committee, and I am glad that the Senate will vote this provision for demonstration projects, with loans to individuals who want to relocate in jobs in areas away from their own distressed communities.

I believe that this amendment to the existing provisions of the Manpower Development and Training Act can be helpful to many individuals who want to work, and who cannot secure any employment because of the economic conditions in their own communities. In 1959-60, when I served as a member of the Labor and Public Welfare Committee, and was also appointed to the Special Senate Committee on Unemployment, I offered a similar proposal at the conclusion by the study made by the Special Senate Committee.

For this reason, I was glad that a Manpower Development and Training Act amendment of last year resulted in a pilot project getting underway, which Secretary Wirtz reported to the committee had already helped to relocate some 1,200 unemployed workers and their families in its first few months of operation in 1965. This amendment before the Senate today would allow for other unemployed individuals, with bona fide offers of employment away from their present homes, to receive loans for both relocation and reestablishment in new jobs and new communities, and I think it can offer encouragement in different parts of my own State of Kentucky and in other areas across the country.

I thank the Senator.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield back the remainder of his time?

Mr. CLARK. I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Vermont yield back the remainder of his time?

Mr. PROUTY. Mr. President, first I want to express my appreciation to both the distinguished senior Senator from New York [Mr. JAVITS] and the distinguished senior Senator from Pennsylvania [Mr. CLARK]. I am very grateful.

The PRESIDING OFFICER. All time on the amendments having been yielded back, the question arises on agreeing to the amendments of the Senator from Vermont [Mr. PROUTY] to the committee amendment.

The amendments were agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. CLARK. Mr. President, I hope very much, because of a very important engagement at the White House by a number of Members of the Senate, Senators will not feel the public interest requires them to present any more controversial amendments and that we may get to the third reading of the bill.

The PRESIDING OFFICER. The committee amendment is open to further amendment. If there be no further amendment——

Mr. MILLER. Mr. President, I send to the desk an amendment, and ask that it be read.

The PRESIDING OFFICER. The amendment offered by the Senator from Iowa will be stated.

The LEGISLATIVE CLERK. It is proposed on page 22, line 8, to insert the following after the word "needs": "and shall not be conducted in such a way as to substantially compete with private employment agencies or with partiality between or among employers."

The PRESIDING OFFICER. How much time does the Senator from Iowa yield himself?

Mr. MILLER. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 minutes.

Mr. MILLER. Mr. President, my purpose in offering the amendment is that there have been complaints of and concern has been expressed on the part of private employment agencies of unfair Government competition which could arise—it has arisen in the past, incidentally—under the bill as we have it before us.

On page 22 of the bill, it is stated that:

> Such services shall include but not be limited to—(1) the furnishing of placement services, including recruitment . . . .

Then there is a proviso that such recruitment to fill jobs shall be for the principal purpose of providing jobs for the unemployed or underemployed.

To the degree that the recruitment of unemployed shall exist, the purpose of the amendment is that there shall not be substantial competition with private employment agencies.

I know the committee was concerned about this point. The language of the report indicates this concern, as expressed near the bottom of page 4 of the report, which I read:

> However, the committee would not condone recruitment activities whose primary purpose was to facilitate pirating of employees without substantial benefit. In addition, the committee wishes to note that certain current advertising practices were open to question. In the future, the manpower services system should refrain from advertising, or participating in advertising, which links the name of the manpower services system with the name of a specific employer or employers.

So far so good, but there is much more to advertising than linking the name of the United States or State employment services with specific employers.

All my amendment is designed to do is to make sure that in the operation of the program there shall not be substantial competition with private employment agencies.

There is another part to the amendment, and that is that in carrying on these employment services there shall not be partiality as between employers.

I am convinced that the committee intends that no partiality shall exist by the Federal or State employment services as to employers, but that they shall be treated fairly and impartially. However, the language of the bill does not specifically state it.

With respect to the first part of my amendment, which relates to competition with private employment agencies, I find it difficult to believe there should be any intention of competition with private employment agencies, which pay taxes to support the Federal Government in its operations, and to have their business substantially interfered with. On the other hand, I do not see that too much should be done if there is an overlapping which is in the nature of the operation. That is the reason for placing the word "substantially" in the language of the amendment.

I should like to ask the manager of the bill, the distinguished Senator from Pennsylvania, to what extent the committee went into this question and whether there was any provision to safeguard against it.

The PRESIDING OFFICER. The 5 minutes which the Senator from Iowa yielded himself have expired.

Mr. MILLER. I yield to the Senator from Pennsylvania such time as he may require to answer my question.

Mr. CLARK. Mr. President, may I say to my friend from Iowa that this subject was exhaustively discussed in the committee.

It was made very clear on both sides of the table, Republican and Democratic alike, that there was not the slightest intention of having State employment services or the Secretary of Labor and his agents compete with private employment agencies in areas where private employment agencies were doing a good job.

So far as competition is concerned, there is a statement in the report, beginning at the bottom of page 42, on this point. I read from the report:

> The legislation is designed to foster the development of more progressive relationships and better coordination between all organizations providing manpower services so vitally needed by this Nation. It is not intended to diminish the role or the important work which is done and will of necessity continue to be done by these organizations. Of special note is the relationship between the manpower services system and private employment agencies. For too long there has been friction between these groups which has not benefited the Nation's manpower. During the course of action on this legislation and with the encouragement of the subcommittee, representatives of private employment agencies and the Department of Labor have been meeting to develop an understanding on problems of mutual interest. It is our hope that such discussions will continue and that future efforts will minimize the friction between the Federal-State service and the private agencies. The unmet manpower needs of the Nation upon which the manpower services system can focus are so large that public resources and energies should not be diverted to duplicate services or to meet needs now being adequately met.

There is no intention in the proposed act to foster competition between the Federal-State and private employment agencies. However, in State after State there are wide areas where there are no private employment agencies capable of providing service in this field.

With respect to partiality as between employers, there is an expression in the report banning pirating—and it is pirating at which the Senator's amendment is aimed——

Mr. MILLER. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MILLER. Pirating is one facet of the problem. I am thinking of two employers trying to get machinists, for example. They go to the employment service. The employment service may furnish machinists to one employer perhaps to a greater extent than to the other, or perhaps to an earlier extent than the other. That would, in my judgment, be a form of partiality.

Mr. CLARK. I sympathize with the Senator's objective. I do not think there is substantial ground for his fears.

I wonder if, in view of this colloquy and the statement on my part, as a matter of legislative history, making it clear that the committee—and I hope the Senate—urged the Secretary of Labor and the 50 State employment agencies not to exercise partiality between employers, and that they are condemned if they do, the Senator would be willing to withdraw his amendment.

Mr. MILLER. I say to the Senator from Pennsylvania, I believe his statement is very helpful.

I ask a further question: What do we do if when the Senate comes back next year, several Senators have received questions from private employment agencies, indicating that they feel that their volume of business has been diminished because of competition resulting from the organizations established by this act? What is to be done if complaints are received by employers that there has been partiality shown some competitor by the local employment service? What do we do about that situation?

Mr. CLARK. So far as the Subcommittee on Employment, Manpower, and Poverty is concerned, as its chairman, I would urge the ranking minority member [Mr. JAVITS] to join me in promptly calling a hearing to investigate the matter and determine whether any additional legislation is necessary.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MILLER. I have the floor, and I am happy to yield to the Senator from New York.

Mr. JAVITS. I concur with what the Senator from Pennsylvania has stated. I say to the Senator from Iowa, we on the committee thought we had arrived at a happy settlement of this recruitment problem—and we know it is a problem. The settlement is contained not only in the language of the bill, but also in the report.

I should certainly join with Senator CLARK and the other members of the committee in demanding fidelity of the Department and the State agencies, not only to the statute but also to the policy and intent which we have set forth in the report.

Mr. MILLER. And which has been amplified by the discussion on the floor, to wit, that these activities should not be carried on in a way which will compete with private employment agencies, and will not be carried on in a manner which would show partiality between or among employers.

Mr. CLARK. That is correct.

Mr. JAVITS. May I state one further caveat to the Senator?

We took the situation as we found it. The thing that worried me about the competition factor is that there is nothing to prevent a public employment agency from trying to do much more than it did in the past, creating a competitive situation we could not have contemplated in writing this bill.

But leaving that aside, taking the situation as we found it, I feel we have dealt fairly with the question of competition. With that understanding, that we have taken the situation as we find it, I join with the Senator from Pennsylvania in the statements which he has made as to our holding the Department and the States to fidelity to this settlement—which is really what it was—in the committee.

Mr. MILLER. Mr. President, I appreciate very much the expressions by the Senator from Pennsylvania and the Senator from New York. I realize that legislative history on the floor of the Senate is not quite, let us say, as dominant as language written into the act. But because of their positions on the subcommittee, and its good working relationship with the Department, I am sure that if anything happens which is untoward or contrary to the intention that has now been expressed here on the floor, and is expressed to some extent in the committee report, they will take prompt action to remedy it. I therefore withdraw my amendment.

Mr. CLARK. I thank the Senator from Iowa.

The **PRESIDING OFFICER.** The amendment is withdrawn. The bill is open to further amendment.

Mr. PROUTY. Mr. President, I offer my amendment No. 623, and ask that it be stated.

The **PRESIDING OFFICER.** The Senate will be in order.

The amendment will be stated.

The **LEGISLATIVE CLERK.** The Senator from Vermont [Mr. PROUTY] proposes amendment No. 623, as follows:

> On page 31, line 21, strike out the word "prescribe" and insert in lieu thereof the word "recommend".

Mr. PROUTY. Mr. President, I yield myself 3 minutes.

The **PRESIDING OFFICER.** The Senator from Vermont is recognized for 3 minutes.

Mr. PROUTY. Mr. President, I am happy to inform my distinguished friend, the Senator from Pennsylvania, that this will be my last amendment, and a rollcall vote will not be necessary.

Section 11(a) of the reported bill authorizes the Secretary of Labor, after consultation with the States, to prescribe minimum qualifications for professional occupations in the State manpower services and job services centers. These professional occupations include occupational counseling, interviewing, occupational analysis, occupational testing, and labor market analysis.

This amendment would delete the word "prescribe" and insert the word "recommend."

If this amendment is adopted the Secretary's authority will be limited to recommending minimum qualifications for professional occupations in the State employment service agencies with the final decision as to whether the Secretary's standards should be adopted in whole or in part in the hands of the State agency.

This seems to be completely consistent with the action taken with respect to subsections (b) and (c) on page 32, my amendments to which the Senator from Pennsylvania accepted.

Mr. CLARK. Mr. President, I yield myself as much time as may be necessary.

The **PRESIDING OFFICER.** The Senator from Pennsylvania is recognized.

Mr. CLARK. I ask my friend the Senator from Vermont to look at page 31, line 21, as I state how it would read with his amendment in it:

> The Secretary after consultation with the States is authorized to recommend minimum qualifications.

Would the Senator be willing to add at that point the three words "and salary levels," so that we cover the whole waterfront? If the Senator will agree to that modification, in return for his concession to me, I am willing to make the concession to him of changing the word "prescribe" to "recommend."

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. PROUTY. Let me make very certain that I understand what the Senator has in mind.

I believe the Senator simply wishes to give the Secretary authority to recommend levels.

Mr. CLARK. That is correct.

Mr. PROUTY. Mr. President, will the Senator from Pennsylvania state his proposed modification?

Mr. CLARK. Mr. President, I ask to modify the amendment of the Senator from Vermont so as to add at the end of line 21, after the word "qualifications," the words "and salary levels."

I understand the Senator from Vermont is agreeable to accepting that modification. If he does, I shall be happy to accept the amendment.

The **PRESIDING OFFICER.** Does the Senator from Vermont so modify his amendment?

Mr. PROUTY. I so modify the amendment.

The **PRESIDING OFFICER.** The Senator having modified his own amendment, a vote on the modification is not necessary.

Does the Senator from Pennsylvania yield back the remainder of his time?

Mr. CLARK. I yield back the remainder of my time.

Mr. PROUTY. I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time having been yielded back, the question is on agreeing to the amendment of the Senator from Vermont, as modified.

Mr. PROUTY's amendment No. 623, as modified, was agreed to.

Mr. WILLIAMS of New Jersey. Mr. President, section 13(e) of the pending bill, as reported by the committee, would have placed the tax supported Federal-State farm placement system in a "hands off"—"neutral" position in a labor dispute as determined by the State employment agency. The language of the recommended committee bill merely provided that where such a dispute has been determined by the State agency, the governmental placement service would not refer workers to the employer involved.

I think the Senate should be aware, Mr. President, that the approval yesterday of the Prouty amendment not only eliminated this "hands off" policy—this rule of simple justice—but expressly and positively puts these governmental agencies into the business of strikebreaking.

Item (2) in the Prouty amendment bars referral by the agencies respecting a job "the filling of which is an issue in a labor dispute over which the National Labor Relations Board had jurisdiction."

This is a happy enough result for workers in industries covered by the National Labor Relations Act. But the next sentence of the Prouty amendment refers to workers in industries not covered by the National Labor Relations Act; namely, agriculture.

In respect to these jobs, the Government is required by the Prouty amendment to refer workers to a job even though "the filling of" that job is an issue in the labor dispute as determined by the State agency.

The migrant farmworkers, already the least protected, most exploited workers in the country, are my special concern.

Under the present regulations, they are at a severe disadvantage because, by the very nature of the industry, they are not employees and therefore cannot, technically, be on strike or locked out until the growing or harvest season begins. That, of course, is when hiring begins and that is when labor disputes occur.

Under the amendment adopted yesterday, even the minimum protection they are presently afforded will be removed because the farm industry is not under the National Labor Relations Act.

Mr. President, if this body has the intention of putting taxpayers' money in the business of strikebreaking, and intends to put Federal and State employment agencies in the active role of strikebreaking—then the Prouty amendment most effectively carries out that intention. By approving the Prouty amendment, the Senate has in a single stroke turned the clock back more than three decades and placed agriculture in the same status it was before the original Wagner-Peyser Act.

For my part, I firmly believed that the Senate would never vote to put the Government in the strikebreaking business. I still have grave doubts that the Senate really intended to achieve such a result. Strikebreaking, however—paid for by taxpayers' money and carried out by the Government agencies—is exactly what the Senate voted to do yesterday.

The **PRESIDING OFFICER**. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The **PRESIDING OFFICER**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. **JAVITS**. Mr. President, I yield myself 3 minutes on the bill. I further state, for the information of the Senate, that I intend to confine myself to the 3 minutes. I believe that the Senator from Vermont also has a brief statement on the bill.

Mr. President, I think this bill has been brought into admirable balance in respect to its purpose, which is to upgrade, improve, and better coordinate the Federal-State employment services, and to extend somewhat the labor mobility program.

I believe that whatever unhappiness may exist with respect to some of the amendments—and I know that such unhappiness does exist—the fundamental thrust of the bill has been changed primarily only in the direction of giving the States a greater degree of authority. I think a Secretary of Labor as able as Mr. Wirtz can very well live with this bill as it leaves the Senate.

I hope very much that the Department of Labor will pay as strict attention to the words of the committee report and the legislative intent expressed on the floor as it does to the language of the legislation itself. The commitment which we have undertaken in terms of legislative oversight was one of the things which has kept the legislation in balance. The Department should very clearly understand that.

In addition, without regard to whether I agree with any particular amendment or not, I express my satisfaction with the role of the minority which, in my opinion, has been most constructive and has made the pending legislation a much better bill in many respects. It has given the bill greater amplitude and an opportunity to function more effectively.

I compliment the Senator from Pennsylvania [Mr. CLARK] for his leadership. It has been a hard job to bring the bill to its present stage. The Senator has done admirably well.

I think we all have every reason to be satisfied with the end product.

Mr. President, I yield 4 minutes to the Senator from Vermont.

The **PRESIDING OFFICER**. The Senator from Vermont is recognized for 4 minutes.

Mr. **PROUTY**. Mr. President, I would like to take a moment or two to discuss the organization at the Federal level which would have responsibility for this program. S. 2974, as reported by the committee, vests complete authority in this area in the Secretary of Labor. The committee report on page 6 points out, however, that the Secretary of Labor has indicated that no change is contemplated in the current organization whereby the manpower services and the unemployment compensation program are operated under an umbrella agency.

I had intended to submit an amendment to clarify the organization at the Federal level for this program, but if I understand correctly the statement of intent by the Secretary that there will be no change in the present Federal structure and that the umbrella Bureau in the Department to which he refers is and would continue to be the Bureau of Employment Security, then my amendment is unnecessary.

I am sure the Secretary's statement will also allay the fears and suspicions that he might attempt to revive through the means of this legislation his 1965 proposal to reorganize the manpower function within the Department which brought such a storm of protest from the States and their representatives in this Congress that it was subsequently abandoned.

That proposal as I recall would have eliminated the Bureau of Employment Security which for many years has successfully administered the employment service and the unemployment insurance program at the Federal level. It would have disbursed the authority and responsibilities of this Bureau to untried hands in a newly created manpower bureaucracy of the Department. It was the overwhelming consensus of most of the States that had this reorganization succeeded, it would have done irreparable damage to the highly successful Federal-State partnership which has characterized this program from the beginning and would have seriously damaged the ability of the total system to carry out its responsibilities.

As my colleague, Senator AIKEN, pointed out yesterday, this bill gives much new authority to the Secretary of Labor. Substantial safeguards have been provided as a result of amendments adopted during the debate on S. 2974. Many of us are still concerned about the effect of the increased Federal role on our own State employment services, particularly in light of the experience I have just mentioned.

I hope that my understanding of the intentions of the Secretary, as expressed in the report, is correct, and I know that this sentiment is shared by many of my colleagues and certainly by the State employment service agencies.

Mr. **CLARK**. Mr. President, I yield myself 4 minutes on the bill.

The **PRESIDING OFFICER**. The Senator from Pennsylvania is recognized for 4 minutes.

Mr. **CLARK**. Mr. President, as we approach passage of the bill, my opinion is that the bill does reflect the consensus of thinking of all Senators.

I regret, of course, that the Senate agreed to certain amendments which I was forced to oppose. These amendments were proposed by the Johnson administration, but were opposed by a good many interests sincerely interested in a stronger Federal-State employment service partnership. These amendments were all agreed to by rather close votes.

On the other hand, we held in by very close votes the parts of the bill, including the portion dealing with recruitment, which were really essential to viable and meaningful legislation.

I do not believe that the amendments which were agreed to largely because the State employment services are concerned about the Federal encroachment are seriously damaging to the bill. We may have another chance to remedy some of those matters in conference with the House. So, I am content with what the Senate has done.

I again express my appreciation to the minority members of the Subcommittee on Employment and Manpower and of the full Committee on Labor and Public Welfare for the courtesy, cooperation, and assistance they gave all through the course of the consideration of this legislation.

Our relationships have remained friendly. Those Senators have been very helpful. They have made a very great contribution to the final legislative product.

I also thank my colleagues on the Democratic side for their strong support of amendments which I, as floor manager of the bill, felt were important. I also thank the Senators form New York, Massachusetts, West Virginia, New Jersey, Wisconsin, and Texas whose assistance as committee members was so important in helping to bring the bill to a conclusion.

Mr. President, I have decided not to ask for a rollcall vote on passage of the bill. After conferring with my colleagues on both sides of the aisle, conservatives and liberals, supporters, and opponents of the legislation, I am convinced that a rollcall vote would be a futile gesture. In my judgment, if the roll were called on final passage, the bill would pass almost unanimously, if not entirely so.

I make this statement as a matter of legislative history so that it may be in the record when we go to conference with the House.

Mr. President, if there are no further remarks, I hope that a voice vote may be taken.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. COTTON. The Senator from New Hampshire, knowing that many Senators are leaving, assures the Senator that he will not ask for a rollcall. However, the remark of the Senator from Pennsylvania to the effect that if a rollcall vote were had the bill would pass unanimously is an unwarranted assumption. Certainly the Senator's opinion is not a part of the legislative history of the bill.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. CLARK. I think the remarks of the Senator are well taken. I wonder if he would permit me to express my own profound conviction that if a rollcall were had the bill would pass by a very substantial majority.

Mr. COTTON. The Senator from New Hampshire agrees. Otherwise he would try to insist on a record vote. I only object to the Senator from Pennsylvania's attempting to substitute his opinion for a vote.

The bill is a very real step—in spite of some of the amendments—along the road of complete Federal domination of State agencies. The Senator from New Hampshire is not happy about the bill, but he agrees that it will undoubtedly pass. He believes there are other Senators who have misgivings.

I object to the statement that a record vote would be unanimous or nearly unanimous.

Mr. CANNON. Mr. President, will the Senator yield?

The **PRESIDING OFFICER.** Who yields time?

Mr. CANNON. Mr. President, may I propound an inquiry? If there is any question about it, why does not the Senator from Pennsylvania have a rollcall?

Mr. CLARK. Because I have made commitments to Senators who have important engagements, and I have made a commitment to the majority leader that I would not ask for a rollcall.

The **PRESIDING OFFICER.** Does the Senator from Pennsylvania yield back the remainder of his time?

Mr. CLARK. I do.

The **PRESIDING OFFICER.** Does the Senator from New York yield back the remainder of his time?

Mr. JAVITS. I do.

The **PRESIDING OFFICER.** All time has been yielded back.

The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2974) was passed, as follows:

S. 2974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to strengthen and improve the Federal-State Employment Service system established under the Act of June 6, 1933, as amended (48 Stat. 113), such Act is amended to read as follows:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Manpower Services Act of 1966'.

"DECLARATION OF PURPOSE

"SEC. 2. The Congress has undertaken in a series of enactments to stimulate the development of long-term manpower goals and active manpower policies to implement these goals. The Congress finds that implementation of legislation designed to encourage an active manpower policy is only as effective, at the State and local levels, as the institutions operating at these levels. The existing Federal-State Employment Service, with its present network of almost two thousand local employment service offices, has been the frontline agency assigned the task of translating manpower and employment policy into reality.

"The Congress further finds that effective coordination of manpower services at the Federal, State, and local levels, and between public and private organizations and agencies, is essential to the implementation of congressional legislation; and a that some users and potential users are dissatisfied with the present operations of the existing Federal-State Employment Service.

"The Congress declares that a strong and modern manpower services system which operates not merely as a labor exchange bringing job seekers and employers together but as a comprehensive manpower services agency is essential. Therefore, this Act provides the authority to improve the services provided through the Federal-State employment service, and to transform that service into the comprehensive manpower services system which this National demands in order to deal effectively with its complex economic and employment problems.

"DEFINITIONS

"SEC. 3. As used in this Act—

"(1) the term 'Secretary' means the Secretary of Labor;

"(2) the term 'job services center' means an office established and maintained by a State for the purpose of carrying out, pursuant to a State plan approved under section 12, programs and activities referred to in this Act, and includes any job services center established under section 8(3) for the District of Columbia;

"(3) the term 'State manpower service' means the agency designated in a State plan approved under section 12 as the agency responsible for the establishment and operation of job services centers within such State;

"(4) the term 'State' means the several States, Puerto Rico, Guam, and the Virgin Islands.

"GENERAL FUNCTIONS

"SEC. 4. (a) The Secretary shall develop, in cooperation with the States and in accordance with this Act, a nationwide manpower services system which shall provide services essential for effective development and utilization of the Nation's manpower resources. Such services shall include but not be limited to—

"(1) the furnishing of placement services, including recruitment (provided, however, that recruitment to fill job openings shall be for the principal purpose of providing jobs for the unemployed or underemployed, or providing manpower for national security needs), occupational and related testing and counseling, selection and referral to training, and the furnishing of information concerning employment and training opportunities to all individuals and employers seeking such services;

"(2) the development, in cooperation with employers, of employment opportunities;

"(3) the furnishing of special services, including opportunities for public service employment, for the purpose of developing the employability of and employment opportunities for individuals so disadvantaged in the labor market that they are, or are likely to become, chronically unemployed;

"(4) the development and carrying out of inter-area and interstate placement services;

"(5) the provision of adequate facilities and services to assure that all unemployed individuals claiming unemployment insurance benefits are registered for and referred to employment;

"(6) the collection, classification, analysis, exchange and dissemination of manpower and employment information;

"(7) the conduct of research and experimentation and demonstration projects designed to increase knowledge with respect to matters related to the functions of the nationwide manpower services system with a view to maximizing the efficiency of such system in carrying out the purposes and objectives of this Act;

"(8) the training of specialized personnel necessary to provide for the efficient operation of the nationwide manpower services system.

"(b) The services authorized by this Act shall be made available with respect to all occupations and types of positions and, without distinction because of race, creed, color, national origin, sex, age, or current employment status, to all persons seeking such services.

"(c) In providing the services authorized by this Act the Secretary shall cooperate with employers, labor organizations, educational institutions, private employment agencies, and other public or private agencies or organizations and shall take appropriate steps to promote and encourage the use by such employers, organizations, agencies, or institutions of such services.

"SERVICES TO THE DISADVANTAGED

"SEC. 5. With respect to persons or groups of persons who are disadvantaged in the labor market that they are, or are likely to become, chronically unemployed, the services to be made available shall include—

"(1) the identification of and reaching out to such persons or groups, including the use of mobile units, and providing them with special counseling services in order to determine their needs;

"(2) the development of plans for manpower services commensurate with individual needs, such as referral for remedial education, institutional training, or on-the-job training, rehabilitation, medical examination, and medical care;

"(3) the development of employment opportunities, including opportunities for public service employment, commensurate with the capabilities of such persons; and

"(4) the providing of job counseling and selective placement services for handicapped persons, including the designation of at least one person in each job services center whose duties shall include such functions, and in those States where a State board, department, or agency exists which is charged with the administration of State laws for vocational rehabilitation of handicapped persons, the job services centers shall cooperate with such board, department, or agency;

"(5) the providing of supportive on-the-job and other followup services.

"INTERAREA AND INTERSTATE PLACEMENT SERVICES

"SEC. 6. (a) In carrying out functions relating to interstate placement and recruitment services the Secretary shall—

"(1) require, with respect to all occupations and all types of positions for which there is a regional or national labor market, that job services centers obtain and furnish information with respect to job openings and applicants;

"(2) provide for the effective and prompt distribution among appropriate job services centers of such information;

"(3) after consultation with the States comprising the particular multijob market involved establish, operate or otherwise provide multijob market interstate clearance centers for facilitating placement across State boundaries of such applicants, which centers shall provide information and assistance with respect to the availability of relocation assistance, housing, transportation, and other community services and facilities.

"(b) In carrying out the functions relating to interarea placement services between labor markets that do not extend across State boundaries the Secretary shall provide for multijob market clearance through the State job services centers and shall coordinate their activities with the multijob market interstate clearance centers.

"MANPOWER AND EMPLOYMENT INFORMATION

"SEC. 7. (a) In carrying out functions relating to the development and dissemination of information, the Secretary shall—

"(1) collect, analyze, and store all labor market and manpower information necessary or appropriate in carrying out the purposes of this Act;

"(2) disseminate such information among employers, labor organizations, educational institutions, private employment agencies, and other public or private agencies or organizations, and among other departments and agencies of the Government engaged in carrying out Federal programs concerning manpower development and utilization;

"(3) coordinate the collection of labor market and manpower information by the bureaus and agencies under his jurisdiction to assure efficiency and avoid duplication of efforts.

"(b) In order to carry out his responsibilities under this section, and to assure the most effective administration of interarea and interstate recruitment and placement programs authorized by section 6, the Secretary shall provide for modern and efficient communications systems, automatic data processing equipment, and collection, storage, analysis, and retrieval of information. For these purposes the Secretary shall, to the maximum extent feasible, make use of appropriate information and equipment available to the Bureau of Labor Statistics and other bureaus and agencies.

"(c) The Secretary shall conduct studies and undertake demonstration projects to further the use of automatic data processing systems in the nationwide manpower services system. Such demonstration projects shall include, but not be limited to, the establishment, in one or more job services centers, of a model labor market information system, on a State or interstate basis, that will provide specific employment information on both employment opportunities and skills available in the labor market to interested applicants seeking placement, and to individuals, organizations, or institutions referred to in subsection (a)(2) of this section."

"(d) The Secretary is authorized, either directly or by way of grant, contract, or other agreement with public and private agencies and institutions, to carry out research and experimentation and demonstration projects designed to strengthen the operation of the nationwide manpower services system, with particular emphasis upon the structure of labor markets, the skills, aptitudes, and motivation of persons in the labor market, the demand for new skills and new training requirements, and the use of automatic data processing systems.

"VETERANS AND FARM PLACEMENT SERVICES; DISTRICT OF COLUMBIA

"SEC. 8. The Secretary shall maintain—

"(1) a veterans' employment service to be devoted to securing employment for veterans, and to carry out the functions provided under this Act and under chapter 41 of title 38, United States Code. In the case of appointments for nonclerical positions in the veterans' employment service, the Secretary shall appoint only persons who are veterans of any war, or have served in the active military, naval, or air service since January 31, 1955, and who have been discharged or released therefrom under conditions other than dishonorable.

"(2) a farm labor service, which shall provide placement services for agricultural workers and employers; and

"(3) one or more job services centers for the District of Columbia.

"COORDINATION OF GOVERNMENT TRAINING PROGRAMS

"SEC. 9. (a) The Secretary shall have responsibility for coordinating the programs and activities of agencies within the Department of Labor and all other departments and agencies of the Government relating to the training of individuals for the purpose of improving or restoring employability.

"(b) The Secretary through the national manpower services system shall—

"(1) recruit, counsel and refer to the appropriate office or agency individuals who are in need of and eligible for training under the Manpower Development and Training Act of 1962 (42 U.S.C. 2571–2620), for the Job Corps, the Neighborhood Youth Corps, Work Training, or work experience programs under the Economic Opportunity Act of 1964 (42 U.S.C. 2701–2981), or for any other training program designed to improve or restore the employability of individuals financed in whole or in part with Federal funds and shall be reimbursed therefor by the Federal agency responsible for the training; and

"(2) obtain from the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Director of the Office of Economic Opportunity, and the head of any other Federal agency administering a training program, such employment information as he determines will facilitate the placement of individuals being trained.

In order to facilitate the furnishing of coordinated manpower services to such individuals, the Secretary shall make such arrangements as he deems practical to have representatives of any program referred to in paragraph (1) located in close proximity (in the same building, if possible) with the relevant job services center.

"(c) All other departments and agencies of the Government shall cooperate with the Secretary to the extent necessary to enable him effectively to carry out responsibilities referred to in this section and section 10(c)(1).

"PLANNING AND PROGRAMS FOR EMPLOYMENT DISLOCATIONS AND MANPOWER SHORTAGES

"SEC. 10. (a) The Secretary shall develop plans and procedures for—

"(1) identifying impending and long-range shifts and dislocations in employment, both technological and economic, including those related to reductions or changes in defense activities, and employment needs arising therefrom;

"(2) identifying employment needs arising from chronic unemployment and related problems;

"(3) assuring that job services centers provide such services as may be necessary to meet the situations and needs so identified and to avoid or relieve any adverse impact of such conditions upon workers, including measures which will stimulate occupational readjustment and geographical mobility of the affected workers.

"(b) The Secretary shall develop plans and procedures for dealing with manpower shortage problems. In carrying out such functions, the job services centers may assist employers in (1) preventing, alleviating, and resolving skill shortages and undesirable turnover; (2) making job modifications to permit the use of available labor supply; and (3) identifying entry jobs and training needs.

"(c) The Secretary shall make appropriate arrangements under which—

"(1) departments and agencies of the Federal Government shall list with appropriate job services centers job openings occurring in such departments and agencies and shall, to the maximum extent feasible, conduct recruiting through these centers, and

"(2) private employers will be encouraged to list with such centers any job openings of such employers.

"IMPROVEMENT OF PERSONNEL

"SEC. 11. (a) The Secretary after consultation with the States is authorized to recommend minimum qualifications and salary levels for professional occupations in the State manpower services, and job services centers, such as occupational counseling, interviewing, occupational analysis, occupational testing, and labor market analysis.

"(b) Each State shall establish and maintain for personnel employed in its State manpower service and job service centers a merit system of personnel administration.

"(c) Each State shall develop a salary schedule which in its judgment is adequate to attract and retain qualified personnel for its State manpower service and job services center.

"(d) The Secretary is authorized to establish training programs for persons occupying or preparing to occupy positions referred to in subsection (a), or similar positions in the Department of Labor. Such programs may include—

"(1) orientation and in-service programs;

"(2) grants to individuals for financing education and training in educational institutions or training centers;

"(3) grants to educational or other institutions to finance the development of appropriate curriculums and training materials, and for the establishment of training centers; and

"(4) technical assistance to State manpower services to aid them in the institution or improvement of State or local training programs.

The Secretary, where he deems it appropriate, may make the training programs available to employees of private employment agencies on a reimbursable basis.

"(e)(1) The Secretary with the concurrence of the State may detail Federal employees to State manpower services or job services centers and the States may, with the concurrence of the Secretary, detail State employees to the Department of Labor for temporary periods for training or other purposes, and the provisions of section 507 of the Elementary and Secondary Education Act of 1965 (79 Stat. 27) shall apply to any such assignment.

"(2) The Secretary is authorized to appoint noncompetitively to a Federal position in the Department of Labor any person employed in a State agency, or instrumentality thereof, who is serving in a program financed in whole or in part by Federal grants under this Act. However, no person shall be so appointed unless he—

"(A) has permanent status in a federally approved State or local merit system;

"(B) received his appointment to the State or local merit system on the basis of competitive examination;

"(C) meets appropriate qualification and suitability standards for the Federal position; and

"(D) passes a noncompetitive examination prescribed by the United States Civil Service Commission.

A person receiving a Federal appointment under this subsection shall complete a one-year probationary period before he acquires a competitive status, and he shall not be eligible on the basis of such competitive status for transfer to any other Federal agency for three years from date of such appointment. The United States Civil Service Commission shall prescribe such regulations as are necessary to carry out the purposes of this subsection.

"(3) The Secretary shall encourage the making of arrangements between States under which employees of one State agency or center may be granted leaves of absence to enable them to become employed for temporary periods by such agency or center in another State.

"STATE PLANS

"SEC. 12. (a) (1) Any State desiring to receive the benefits of this Act shall, through its State manpower service, submit to the Secretary a State plan, annual supplements thereto, or modifications thereof, under which such State shall operate within the State a system of job services centers to carry out such of the duties and functions under this Act as are prescribed by the Secretary.

"(2) Any State plan shall provide that—

"(A) the State shall establish or designate a State manpower service to serve as the single State agency to administer or supervise the administration of all such job services centers within the State: *Provided however*, That the State shall not be precluded from placing the State manpower service under the overall organizational and administrative control of a State agency responsible for manpower services and the unemployment compensation programs;

"(B) the State will, in the operation of such centers, employ such methods of administration as are found by the Secretary to be necessary for the proper and efficient operation of such centers;

"(C) the State manpower service will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports;

"(3) In addition to the provisions required under paragraph (2) to be contained in any State plan under this subsection, there shall be included in any such plan such other provisions as the Secretary may deem necessary or appropriate so as to maximize the utilization of job services centers in assisting him to carry out his duties under this Act.

"(4) Any State plan under this subsection shall specifically provide that the job services centers established and operated pursuant thereto in municipalities of more than 50,000 population shall to the maximum extent practicable within the administrative discretion of the State manpower services agency be separate from the offices administering any unemployment compensation law within such State.

"(5) Any State plan under this subsection shall include provision for placement and other manpower services to be rendered to veterans.

"(b) The Secretary will pay to the State amounts equal to the amounts expended or to be expended by the State in the proper and efficient administration of such centers as determined by the Secretary.

"(c) If the Secretary, after not less than thirty days notice and opportunity for a hearing to the State manpower service of a State finds that, in the operation of job services centers in the State, there is a failure on the part of the State to compy substantially with any provision of such plan, the Secretary shall notify such State agency that further payments under this section will be limited to categories under or parts of the operations of such centers not affected by such failure (or in his discretion, that further payments will not be made to the State) until the Secretary is satisfied that there will no longer be any such failure to comply. Until he is so satisfied he shall limit payments under this section to categories under or parts of the operations of such centers not affected by such failure (or make no further payments to such State under this section).

"ADMINISTRATION

"SEC. 13. (a) The functions of the Secretary under section 6(b) and, to the maximum extent practicable, under section 4(a) (1), (2), (3), and (5), and section 5 of this Act shall be carried out through State manpower services and job services centers.

"(b) The Secretary may utilize the services of State manpower services and job services centers in carrying out any other functions under the Act.

"(c) The Secretary, after not less than thirty days notice and opportunity for hearing to the State, and the State manpower services when authorized by the Secretary, may enter into contracts with individuals or with public or private educational or other appropriate agencies or institutions, including employment agencies, for the provision of specialized or other services when necessary to carry out this Act: *Provided, however*, That no such contract shall be entered into under which a fee or other charge is made to any individual.

"(d) No person shall be referred to a position (i) if the position to be filled is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or (ii) the filling of which is an issue in a labor dispute over which the National Labor Relations Board has jurisdiction. In all other instances, any individual referred to a place of employment where a labor dispute exists shall be given notice of such dispute prior to or at the time of his referral.

"FEDERAL AND STATE ADVISORY COUNCIL

"SEC. 14. (a) The Secretary shall establish a nonpartisan manpower services and unemployment insurance advisory council which shall be composed of men and women representing employers and employees in equal numbers, the public, and experts in the field for the purpose of formulating policies and advising the Secretary on problems relating to the manpower services and the unemployment insurance program and insuring impartiality, neutrality, and freedom from political influence in the solution of such problems. The Secretary shall establish at least two subcommittees with like representations, one for the manpower services and one for the unemployment insurance program.

"(b) The members of the council shall be selected from time to time without regard to the Civil Service Act in such manner and for such period as the Secretary shall prescribe and shall serve without compensation, but when attending meetings of the council, they shall be allowed necessary travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73–b(2)) for persons in the Government service employed intermittently.

"(c) The council and each subcommittee thereof shall have access to all appropriate files and records, and shall be furnished necessary personnel including adequate secretarial and clerical assistance.

"(d) The Secretary may require the organization of similar State advisory councils, and subcommittees composed of men and women representing employers and employees in equal numbers, the public, and experts in the field.

"ANNUAL REPORT

"SEC. 15. The Secretary shall include in his annual report to the Congress a full and complete statement and account of the programs and activities carried out under this Act, together with such comments and recommendations with respect to the improvement thereof as he deems appropriate.

"APPROPRIATIONS

"SEC. 16. There is authorized to be appropriated, in addition to such funds as are made available for expenditure from the employment security administration account established under the Social Security Act, out of any money in the Treasury not otherwise appropriated, the sum of $40,000,000 for the fiscal year ending June 30, 1967, the sum of $70,000,000 for the fiscal year ending June 30, 1968, and the sum of $90,000,000 for the fiscal year ending June 30, 1969.

"RULES AND REGULATIONS

"SEC. 17. The Secretary is authorized to issue such rules and regulations as may be necessary to carry out the provisions of this Act.

"JUDICIAL REVIEW

"SEC. 18. A State agency dissatisfied with a final action of the Secretary under section 12(c) of this Act may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. Any judicial proceeding under this section shall be entitled to, and, upon the request of the Secretary or the State, shall receive a preference and shall be heard and determined as expeditiously as possible. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action. In the event the Secretary's determination is not challenged by the State then the Secretary may enter into a contract with a public or private agency or institution for the carrying out of such operations, or parts thereof as are the subject of his determination. In the event that the Secretary's determination is challenged and is affirmed by the court, then the Secretary may enter into a contract for the carrying out of such operations or parts thereof as are affirmed by the court.

"AMENDMENTS TO MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

"SEC. 19. (a) Section 104 of the Manpower Development and Training Act is hereby amended by inserting the following new subsection (a).

"'SEC. 104. (a) (1) The Secretary of Labor shall develop and carry out a program to increase the mobility of unemployed individuals by providing them assistance to relocate and meet their relocation expenses. The Secretary may provide such assistance only to involuntarily unemployed individuals who cannot reasonably be expected to secure suitable full-time employment in the community in which they reside, have bona fide offers of employment (other than temporary or seasonal employment), are deemed qualified to perform the work for which they are being employed, and cannot otherwise reasonably be expected to defray the cost of relocation.

"'(2) The Secretary may provide such assistance in the form of loans, which shall be subject to such terms and conditions as the Secretary shall prescribe with the following limitations:

"'(A) the credit is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs;

"'(B) the amount of the loan, together with other funds available, is adequate to assure achievement of the purposes for which the loan is made;

"'(C) the loan is repayable within not more than ten years, or under such other terms as the Secretary may find necessary in individual cases.

"'(3) Assistance provided under this subsection may, to the extent deemed necessary by the Secretary, include temporary financial assistance to meet needs and emergencies occurring immediately before and after relocation, counseling and related supportive services needed by the individuals and their families who are relocated to aid them in establishing themselves in the new job and the community, and such other assistance as may be required to carry out the purposes of this subsection.

"'(4) For the purpose of carrying out this subsection, there are hereby authorized to be appropriated not in excess of $5,000,000 for the fiscal year ending June 30, 1967, not in excess of $10,000,000 for the fiscal year ending June 30, 1968, and not in excess of $10,000,000 for the fiscal year ending June 30, 1969.'

"(b) Section 104 is amended by redesignating subsection '(a),' '(b),' and '(c)' as subsection '(b),' '(c),' and '(d),' respectively."

EFFECTIVE DATE

"SEC. 20. The amendment made by sections 1 through 18 of this Act shall take effect one hundred and eighty days after the enactment of this Act, except that no State shall be subject to any requirement imposed by or pursuant to such amendment, compliance with which will require a change in the laws of such State, until the expiration of one hundred and eighty days following the first meeting of the legislature thereof which occurs after the date of enactment of this Act. The amendments made by section 19 of this Act shall take effect on enactment of this Act.

Mr. JAVITS. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. CLARK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, as chairman of the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare, the distinguished senior Senator from Pennsylvania [Mr. CLARK] has consistently been a strong and articulate advocate on behalf of effective legislation for the Nation's vital labor force. His handling of the Manpower Services Act during the past 2 days was exemplary. Its passage adds another great achievement to Senator CLARK's already abundant record of outstanding accomplishments.

The senior Senator from New York [Mr. JAVITS] is to share in today's success. His vigorous efforts and cooperative support on this measure were indispensable to its endorsement by the Senate. We are grateful.

Others too are to be commended for their gracious cooperation and deserve high praise for assuring orderly action on this measure. Particularly noteworthy, were the efforts of the junior Senator from Vermont [Mr. PROUTY] who, along with the junior Senator from Colorado [Mr. DOMINICK], urged his own sincere views on various features of the proposal but in no way sought to impede its disposition. The splendid cooperation of these two Senators is always welcome and we are grateful.

Also to the Senators from New York [Mr. KENNEDY] and New Jersey [Mr. WILLIAMS] goes high commendation for offering their clear views. The able support of these two Senators helped to assure swift and successful action.

The Senate may again be proud of an achievement obtained with the orderly and efficient action which has characterized so many of its accomplishments this session. The cooperation displayed on this as on other proposals is truly a credit to the entire body.

THE JOURNAL

On request of Mr. KUCHEL, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 28, 1966, was dispensed with.

REORGANIZATION PLAN NO. 5 OF 1966—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 456)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the President on Reorganization Plan No. 5 of 1966. Without objection, the message will be printed in the RECORD without being read, and will be appropriately referred.

The message, together with the Reorganization Plan No. 5, was referred to the Committee on Government Operations, as follows:

To the Congress of the United States:

I am transmitting Reorganization Plan No. 5 of 1966, prepared in accordance with the Reorganization Act of 1949, as amended.

The time has come to recognize the readiness of local governments in the Washington Area to undertake a role which is properly and rightfully theirs. To that end, I am submitting a reorganization plan to abolish the National Capital Regional Planning Council.

Comprehensive regional planning is vital to the orderly development of our metropolitan areas. Nowhere is it more important than in the National Capital Region.

To be most effective, regional planning must be a responsibility of the area's State and local governments acting together to solve mutual problems of growth and change. It should not be a Federal function, although the Federal Government should support and advance it.

The need for cooperative planning was recognized years ago in the National Capital Region. The establishment of the National Capital Regional Planning Council in 1952 to prepare a comprehensive development plan was a major step in meeting that need.

However, the Council was designed for conditions which no longer exist. It was established by Federal law as a Federal agency financed by Federal funds because the various local jurisdictions then felt they were not in a position to provide the financing necessary for area-wide comprehensive planning.

The situation that existed in 1952 has been changed by two major developments:

The founding of the Metropolitan Washington Council of Governments, and the inauguration of a nationwide urban planning assistance program, commonly referred to as the "701 Program."

The Metropolitan Washington Council of Governments, established in 1957, is a voluntary association of elected officials of local governments in the area. It has a competent professional staff and has done constructive work on areawide development matters. It had a budget of nearly a quarter of a million dollars for fiscal year 1965, mostly derived from local government contributions, and has developed to the point where it can fully carry out the State and local aspects of regional planning.

The urban planning assistance program provides for Federal financing of two-thirds of the cost of metropolitan planning. The National Capital Regional Planning Council, as a Federal agency, is not eligible for assistance under this program. The Metropolitan Washington Council of Governments, however, became eligible for that assistance under the terms of the Housing and Urban Development Act of 1965. Accordingly, the elected local governments of the National Capital Region have declared their intention of undertaking the responsibility for areawide comprehensive planning through the Council of Governments.

The reorganization plan will not alter the basic responsibilities of the National Capital Planning Commission. That Commission will continue to represent the Federal interest in the planning and development of the region. Indeed, its work should increase as comprehensive regional planning by the Council of Governments is accelerated. In accord with the reorganization plan, the Commission will work closely with the Council of Governments in regional planning. The Commission will also deal directly with the suburban jurisdictions and assume the liaison functions now exercised by the National Capital Regional Planning Council.

The reorganization plan will improve existing organizational arrangements of and promote more effective and efficient planning for the National Capital Region.

It will also result in long-range savings to the Federal Government. The regional planning effort of the Council of Governments is supported in part by local contributions. The same work done by the National Capital Regional Planning Council has been supported totally with Federal funds. The plan will eliminate this overlapping effort.

Annual savings of at least $25,000 should result from the reorganization plan.

The functions to be abolished by the reorganization plan are provided for in sections 2(e), 3, 4, 5(d), and 6(b) of the Act approved June 6, 1924, entitled "An Act providing for a comprehensive development of the park and playground system of the National Capital" (43 Stat. 463), as amended (66 Stat. 783, 40 U.S.C. 71a(e), 71b, 71c, 71d(d), and 71E(b)).

I have found, after investigation, that each reorganization included in the accompanying reorganization plan is necessary to accomplish one or more of the purposes set forth in Section 2(a) of the Reorganization Act of 1949, as amended.

I recommend that the Congress allow the reorganization plan to become effective.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 29, 1966.*

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Uniform National Inspection System for Grain

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for U.S. standards and a uniform national inspection system for grain, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

Report on Proposed John Fitzgerald Kennedy Library

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on a proposed Presidential archival depository to be known as the John Fitzgerald Kennedy Library (with an accompanying report); to the Committee on Government Operations.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements of the Bureau of Engraving and Printing Fund, Treasury Department, fiscal years 1964–65, dated June 1966 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of New Hampshire; to the Committee on the Judiciary:

"Concurrent resolution ratifying a proposed amendment to the Constitution of the United States of America

"Whereas, both houses of the Eighty-ninth Congress of the United States of America, by a constitutional majority of two-thirds thereof have made the following proposition to amend the Constitution of the United States of America, in the following words, to wit:

"'Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office

"'*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"'ARTICLE

"'SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"'SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"'SEC. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

"'SEC. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"'Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.'

"*Therefore, be it resolved*, by the House of Representatives of the State of New Hampshire, the Senate concurring: That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby ratified by the legislature of the State of New Hampshire.

"*Further resolved*, that certified copies of this preamble and concurrent resolution be forwarded by His Excellency the Governor to the Secretary of State at Washington, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

"June 13, 1966.

"WALTER R. PETERSON, JR.,
"*Speaker of the House of Representatives.*

"June 13, 1966.

"STEWART LAMPREY,
[SEAL] *President of the Senate.*"

The memorial of Joe Hauge, of New York, New York, remonstrating against the enactment of House bill 14765 and Senate bill 3296, relating to the sale or rental of property; to the Committee on the Judiciary.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SALTONSTALL:

S. 3567. A bill to amend the Social Security Act to eliminate the requirement that individuals insured for benefits under title XVIII of such act must first have been hospitalized in order to receive benefits under part A of such title with respect to home health services; to the Committee on Finance.

(See the remarks of Mr. SALTONSTALL, when he introduced the above bill, which appear under a separate heading.)

By Mr. SALTONSTALL (for himself and Mr. KENNEDY of Massachusetts):

S. 3568. A bill to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. SALTONSTALL, when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 3569. A bill for the relief of Maria A. De Lilla; to the Committee on the Judiciary.

By Mrs. SMITH:

S. 3570. A bill to authorize an exchange of lands at Acadia National Park, Maine; to the Committee on Interior and Insular Affairs.

(See the remarks of Mrs. SMITH when she introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 3571. A bill to provide relief for certain homeowners whose properties are situated at or near Federal installations which have been ordered to be closed, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. TOWER when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

STUDY BY COMMITTEE ON ARMED SERVICES RELATING TO CERTAIN HOUSING NEEDS OF MEMBERS OF THE ARMED FORCES

Mr. TOWER submitted a resolution (S. Res. 280) to authorize a study by the Committee on Armed Services with respect to certain housing needs and problems of members of the Armed Forces, which was referred to the Committee on Armed Services.

(See the above resolution printed in full when submitted by Mr. Tower, which appears under a separate heading.)

AMENDMENT OF SOCIAL SECURITY ACT, RELATING TO HOME HEALTH SERVICES

Mr. SALTONSTALL. Mr. President, I introduce, for appropriate reference, a bill to amend the Social Security Act to eliminate the requirement that individuals insured for benefits under title XVIII of that act must first have been hospitalized in order to receive benefits under part A with respect to home health services.

The law passed last year requires that 3 days be spent in a hospital before a person can get home nursing care or nursinghome care. Recently I introduced a measure which would eliminate the 3-day requirement in connection with nursing homes. This bill eliminates the 3-day requirement with respect to home nursing care. It would permit payments to be made for visiting nurse and related health services when furnished in accordance with a plan established and reviewed periodically by a physician.

The proposed payments would be made only for patients who are under the care of a physician and confined to their own home, except when they are taken elsewhere to receive services which cannot readily be supplied at home. The nature and extent of the care patients would receive would be planned by their doctors, thus assuring medical supervision of the home health services provided by para medical personnel such as nurses or physical therapists.

Last year I proposed this measure as an amendment when the Senate debated the medicare bill, and it was passed by the Senate. Unfortunately, however, it was dropped in the Senate-House conference. I think it is a desirable ingredient of an effective medicare package, and I am, therefore, reintroducing it at this time in the hope that it can be enacted in this session of the Congress.

During the floor discussion of this matter in 1965, I was pleased to have the support of the distinguished majority whip and present chairman of the Finance Committee, Senator Long of Louisiana. At that time, the Senator said in commenting on my measure:

> The Senator's proposal would save money and provide for a better program insofar as a person does not really require hospital care but only home care. It is perhaps desirable—and the Department estimates that it will save money under the program—to make sure that people are receiving money for home care who are not properly entitled to hospitalization and who are not sick enough to require that they be provided hospital care.

We know how important health services are to the welfare of our older people. We want to give special attention to the health needs of that age group and to make sure that the bill that is on the books accomplishes what it should accomplish. There is no question that home health services are extremely important. It seems equally clear to me that present provisions in law relating to this subject could be improved by enactment of this proposal. The 3-day requirement is an arbitrary one which, while it has a desirable purpose, does not serve that purpose well and also tends to prevent certain individuals who would be helped by home health services from getting them. It may also lead to the hospitalization of people who do not really need to be hospitalized, thus increasing even further the already heavy pressures on available hospital beds. This restriction also imposes a financial burden on an aged person by requiring him to pay a $40 deductible for his hospital care, when, in fact, such care is unnecessary.

My bill provides a constructive alternative to existing provisions in law. I hope it will pass.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3567) to amend the Social Security Act to eliminate the requirement that individuals insured for benefits under title XVIII of such act must first have been hospitalized in order to receive benefits under part A of such title with respect to home health services, introduced by Mr. Saltonstall, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF ACT ESTABLISHING THE CAPE COD NATIONAL SEASHORE

Mr. SALTONSTALL. Mr. President, on behalf of myself and my colleague, the junior Senator from Massachusetts [Mr. Kennedy], I introduce, for appropriate reference, a bill to amend the act of August 7, 1961, providing for the establishment of the Cape Cod National Seashore.

This bill increases the original authorization from $16 to $28 million in order that the National Park Service may complete land acquisition within the boundary established for the seashore. Land prices in all seashore areas have increased substantially since the time when we first considered this legislation, and land acquisition has progressed more rapidly than anticipated.

When Senator John Kennedy, Congressman Keith and I introduced the original bill, there was considerable opposition to it on Cape Cod, and the National Park Service working with the advisory commission has done a splendid job in planning and administering the 14,000 acres already controlled by the Federal Government.

When I visited the seashore for its dedication on Memorial Day, I was impressed by the cordiality with which this project is now greeted by Cape Codders.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3568) to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore, introduced by Mr. Saltonstall (for himself and Mr. Kennedy of Massachusetts), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXCHANGE OF LANDS AT ACADIA NATIONAL PARK, MAINE

Mrs. SMITH. Mr. President, I introduce, for appropriate reference, a bill to authorize an exchange of lands at Acadia National Park, Maine. This proposed legislation would authorize an exchange of certain lands between the Federal Government and the Jackson Laboratory of Bar Harbor, Maine, a nonprofit corporation engaged in medical research. The lands are located in and near Acadia National Park in the State of Maine.

The land to be conveyed by the Federal Government consists of 4.632 acres comprising a 16-foot road right-of-way leading off from State Highway No. 3 and bisecting holdings of the Jackson Laboratory, and of approximately 1,500 feet of right-of-way of the old road formerly serving the Bear Brook Campground at Acadia National Park. Both roads are used solely to service holdings of the Jackson Laboratory. Transfer of these roads and the land they occupy has been requested by the Jackson Laboratory, but special legislation is necessary to permit the transfer.

The Jackson Laboratory would, in exchange therefore, convey to the United States a 4.828-acre strip of land adjacent to the Bear Valley Picnic Area at Acadia National Park. The laboratory has delivered to the National Park Service a preliminary deed to the property. The proposed legislation will authorize the United States to accept title to such land.

The lands to be exchanged are considered to be approximately equal in value.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3570) to authorize an exchange of lands at Acadia National Park, Maine, introduced by Mrs. Smith, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

RELIEF FOR CERTAIN HOMEOWNERS WHOSE PROPERTIES ARE SITUATED NEAR FEDERAL INSTALLATIONS

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a measure designed to assist those homeowners in areas where Federal institutions are being closed and/or are being phased out. I ask that the text of the bill appear at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3571) to provide relief for certain homeowners whose properties are situated at or near Federal installations which have been ordered to be closed, and for other purposes, introduced by Mr. TOWER, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 3571

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Homeowners Relief Act of 1966".

TITLE I—ACQUISITION OF RESIDENTIAL PROPERTIES AT OR NEAR CERTAIN MILITARY BASES

SEC. 101. Notwithstanding any other provision of law, the Secretary of Defense (hereinafter in this title referred to as the "Secretary") is authorized to acquire title to, hold, manage and dispose of, or, in lieu thereof, to reimburse for certain losses upon private sale of, or foreclosure against, any property improved with a one- or two-family dwelling, which is situated at or near a military base or installation which the Department of Defense has, subsequent to November 1, 1964, ordered to be closed in whole or in part, if he determines—

(1) that the owner of such property is, or has been, a Federal employee employed at or in connection with such base or installation (other than a temporary employee serving under a time limitation) or a serviceman assigned thereto;

(2) that the closing of such base or installation, in whole or in part, has required or will require the termination of such owner's employment or service at or in connection with such base or installation; and

(3) that as the result of the actual or pending closing of such base or installation, in whole or in part, there is no present market for the sale of such property upon reasonable terms and conditions.

SEC. 102. The benefits of this title shall be available only to an employee or serviceman referred to in paragraph (1) of section 101 who—

(1) (A) is or was assigned to or employed at or in connection with a base or installation described in section 101 at the time of public announcement of the closure action; or

(B) was transferred from such base or installation (or from an activity in connection therewith), or was terminated as an employee at or in connection with such base or installation as a result of reduction-in-force, within six months prior to such public announcement; or

(C) was transferred from such base or installation (or from an activity in connection therewith) on an overseas tour, unaccompanied by dependents, within fifteen months prior to such public announcement; and

(2) at the time of such public announcement, or at the time of transfer or termination as set forth above—

(A) was the owner-occupant of the dwelling for which compensation is sought; or

(B) had vacated such dwelling as a result of being ordered into on-post housing during the six-month period prior to such public announcement; and

(3) as a consequence of such closure action—

(A) is or was required to relocate because of military transfer or acceptance of employment beyond a normal commuting distance from the dwelling for which compensation is sought; or

(B) is unemployed, not as a matter of personal choice, and is able to demonstrate such financial hardship as to be unable to meet mortgage payments on such dwelling or other payments related thereto.

SEC. 103. Any person determined by the Secretary to be eligible, under the criteria hereinabove set forth, for the benefits of this title may elect—

(1) to receive a cash payment with respect to the property as to which he is entitled to such benefits in an amount not to exceed 5 per centum of the fair market value of such property prior to public announcement of the closure action, as determined by the Secretary, as partial compensation for losses which may be sustained by him as a result of the private sale of such property; or

(2) to receive as the purchase price of such property (A) an amount not to exceed 90 per centum of its fair market value prior to public announcement of the closure action, as determined by the Secretary, (B) the principal amount of the mortgage or mortgages which are then outstanding on such property, or (C) such lesser amount as the Secretary determines, prior to an election hereunder by such person, to be reasonable.

In the event foreclosure action is commenced, prior to the expiration of one hundred and twenty days after the date of enactment of this Act, against any such property held by any such person, the Secretary may pay on behalf of such person, or cause reimbursement to be made to such person for, the direct costs of such foreclosure action, and the amount of any deficiency judgment, imposed in connection therewith by a court of competent jurisdiction.

SEC. 104. Any property acquired under this title shall be conveyed to, and acquired in the name of, the United States. The Secretary shall have the power to deal with, rent, renovate, and dispose of, by sale for cash or credit or otherwise, any property so acquired. No such acquisition, or contract for such acquisition, shall be deemed (1) to constitute an acquisition of, or contract for, housing units in support of military installations or activities for purposes of section 406(a) of the Act of August 30, 1957, as amended (42 U.S.C. 1594i), or (2) a transaction within the meaning of section 2662 of title 10, United States Code.

SEC. 105. (a) There shall be in the Treasury a fund which shall be available to the Secretary for the purpose of extending financial assistance under this title. The capital of such fund shall consist of such sums as may from time to time be appropriated thereto, and shall consist also of receipts from the management, rental, or sale of properties acquired under this title. Such receipts shall be credited to the fund and shall be available, together with funds appropriated therefor, for purchase or reimbursement purposes as provided in this title, as well as to defray expenses arising in connecion with the acquisition, management, and disposal of such properties, including the payment of principal, interest, and other expenses arising in connection with mortgages or other indebtedness on such properties, and including the cost of staff or contract services, and insurance or other indemnity costs. Any part of such receipts not required for such expenses shall be covered into the Treasury as miscellaneous receipts.

(b) Payments from the fund created by this section may be made in lieu of taxes to any State, or political subdivision thereof, with respect to any real property acquired and held under this title. The amount so paid for any year upon such property shall not exceed the taxes which would be paid to such State or subdivision, as the case may be, upon such property if it were not exempt from taxation, and shall reflect such allowance as may be considered appropriate for expenditures, if any, by the Government for streets, utilities, or other public services to serve such property.

SEC. 106. The title to any property acquired under this title, the eligibility for, and the amounts of, cash payable, and the administration of this title shall conform to such requirements, and shall be administered under such conditions and regulations, as the Secretary may prescribe. Such regulations shall also prescribe the terms and conditions under which payments may be made, and instruments accepted, under this title, and all the determinations and decisions made pursuant to such regulations by the Secretary regarding such payments and conveyances and the terms and conditions under which the same are approved or disapproved, shall be final and conclusive and shall not be subject to judicial review.

SEC. 107. The Secretary is authorized to enter into such agreement with the Secretary of Housing and Urban Development as may be appropriate for the purposes of economy and efficiency of administration of this title. Such agreement may provide authority to the Secretary of Housing and Urban Development, or his designee, to make any or all of the determinations and take any or all of the actions which the Secretary of Defense is authorized to undertake pursuant to this title. Any such determinations shall be entitled to finality to the same extent as if made by the Secretary of Defense, and, in the event the Secretary of Defense and the Secretary of Housing and Urban Development so elect, the fund established pursuant to section 105 shall be available to the Secretary of Housing and Urban Development to carry out the purposes thereof.

SEC. 108. Paragraph (8) of section 223(a) of the National Housing Act is amended to read as follows:

"(8) executed in connection with the sale by the Government of any housing acquired pursuant to title I of the Homeowners Relief Act of 1966."

SEC. 109. No funds shall be appropriated for the acquisition of any property under authority of this title unless such funds have been specifically authorized for such purposes in an annual military construction authorization Act, and no moneys in the fund created pursuant to section 105 shall be expended for any such purpose unless specifically authorized in an annual military construction authorization Act.

SEC. 110. Section 108 of the Housing and Urban Development Act of 1965 is hereby repealed.

TITLE II—MORTGAGE RELIEF FOR CERTAIN HOMEOWNERS

SEC. 202. Section 107 of the Housing and Urban Development Act of 1965 is amended—

(1) by striking out the section heading and inserting in lieu thereof the following: "Mortgage Relief For Certain Homeowners";

(2) by striking out "Federal Housing Commissioner" each place it appears and inserting in lieu thereof "Secretary of Housing and Urban Development";

(3) by striking out paragraph (3) of subsection (a) and inserting in lieu thereof the following:

"(3) The term 'distressed mortgagor' means an individual—

"(A) whose employment at a Federal installation was terminated subsequent to November 1, 1964, as the result of the closing, in whole or in part, of such installation, and

"(B) who is the owner-occupant of a dwelling situated at or near such installation and upon which there is a mortgage securing a loan which is in default because of the inability of such individual to make payments of principal and/or interest under such mortgage.";

(4) by striking out paragraph (4) of subsection (b) and inserting in lieu thereof the following:

"(4) Any certificate of moratorium issued under this subsection shall expire on whichever of the following dates is the earliest—

"(A) two years from the date on which such certificate is issued;

"(B) thirty days after the date on which the mortgagor gives notice in writing to the Federal mortgage agency that he is able to resume his obligation to make payments of principal and/or interest under his mortgage; or

"(C) the date on which such mortgagor becomes in default with respect to any condition or covenant in his mortgage other than that requiring the payment by him of installments of principal and/or interest under the mortgage."; (5) by inserting after subsection (c) a new subsection as follows:

"(d) Each Federal mortgage agency, upon the request of any individual (1) who is the owner-occupant of a dwelling which is situated at or near a Federal installation and upon which there is a mortgage insured or guaranteed by such agency, and (2) whose employment at such installation was terminated subsequent to November 1, 1964, as the result of the closing, in whole or in part, of such installation, shall provide technical assistance to such individual in effecting a sale of such dwelling."; and

(6) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g).

Mr. TOWER. Mr. President, the first section of the bill incorporates the Department of Defense's own recommendations to share losses with homeowners forced to sell homes at inactive bases.

I ask that an article from the Journal of the Armed Forces of May 21, 1966, explaining in some detail this proposal, be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The article, presented by Mr. TOWER, is as follows:

DOD WILL SHARE LOSSES WITH FAMILIES FORCED TO SELL HOMES AT INACTIVE BASES

Military families and DoD civilian employees who own homes at installations ordered deactivated by the Defense Department are being offered a $78-million program to help ease the economic hardship of selling their former residences.

The plan, drafted by the Pentagon and submitted to Congress for action, affects approximately 203,000 families who have been forced or will be forced to sell their homes as a result of DoD base-closures ordered since 1 November 1964.

The proposal has a retroactive feature to aid those who already have suffered losses in the sale of their property.

Deputy Secretary of Defense Cyrus Vance, who sent the plan to the House and Senate for action, said the estimated $78-million cost of the program would cover property affected by base-closures announced from November 1964 through December 1965.

The legislation would replace authority enacted by Congress last year (but never implemented for the Armed Forces) under which DoD was granted permission to acquire title to one-family and two-family dwellings in the vicinity of, and owned by personnel employed at, a military base or installation ordered to be closed after 1 November '64.

Congress told DoD it could purchase the homes at a price determined to be the average value of similar property as of a representative period prior to announcement of the intention to close the activity. After DoD purchase, the properties would have been turned over to FHA for disposal.

Funds were not appropriated for the purchases, however, and DoD now says that although it supported the "principle and intent" of the legislation, the 1965 law would pose administrative difficulties and create a "potentially inequitable burden" on the Government by requiring the Department to "underwrite possible significant profits" for the homeowners.

To replace the present law, DoD has recommended a plan which would offer the homeowners "relief on a loss-sharing basis."

Secretary Vance said the Government's contribution under the new plan "would be limited to payment of a substantial portion of the out-of-pocket losses sustained by its personnel (as homeowners) in direct consequence of base closings."

This loss-sharing concept, he said, "follows the generally accepted principle that individuals ought to bear the reasonable risks inherent in property ownership without, however, subjecting them to substantial adverse results which base closing may have on the particular market."

Secretary Vance told Congress that the Government's responsibility in this connection "should be to assume not more of an individual's loss than he could be expected reasonably to absorb when the loss is not proximately caused by the Government's action." He said the concept is similar to that frequently contained in casualty insurance, coupled with the deductible principle typically found in auto collision insurance policies.

In addition to decreasing "the administrative burden and cost" of processing dwelling acquisitions and disposals under the present law, "and at the same time to stimulate efforts by affected personnel to market their own properties," the Secretary said the new plan offers a "cash incentive payment" for eligible homeowners who elect to accept "such contribution toward their loss on private sale in sums not to exceed 5% of the fair market value of each property."

He said calculation of value "would be made as of the time immediately prior to public announcement of the intention to close all or part of the particular military installation or activity involved."

As an alternative to the "cash incentive payment," the proposal would give the Secretary of Defense authority "to pay in lieu of such contribution to those who sell their own properties, a sum not to exceed 90% of such prior value and to acquire the property thus purchased"

If Congress enacts the legislation, Secretary Vance said DoD will administratively provide that eligible personnel can convey their properties to the Government on the basis of one of three considerations along the lines of the following alternatives:

90% of prior fair market value less 25% of the decline in value subsequent to the base closure announcement; or

90% of prior fair market value less 1.5% of prior value for each year of occupancy, with a minimum "use" charge of 3%; or

The amount of the outstanding mortgage in the case of FHA-insured or VA-guaranteed mortgages, or the amount of the outstanding conventional mortgage not to exceed 90% of prior market value.

Owners who had already sold their homes at a loss prior to the implementation of the proposed new program "would be eligible," Secretary Vance said, "for the applicable cash sales incentive or the difference between their chosen formula option and their actual net sales proceeds, whichever is greater."

The program would be limited to military personnel assigned to an affected activity (and to Federal civilian employees who were employed at or in connection with such an activity) and who were owner-occupants of a dwelling in the impacted area at the time of the closure announcement.

This would seem to bar from eligibility any military homeowner who had been transferred to another base and was renting his property at the installation being closed.

Secretary Vance said enactment of the plan would permit DoD "to accomplish an equitable and realistic program to minimize the economic hardships suffered by individuals as the incidental result of maintaining an up-to-date and efficient establishment."

Mr. TOWER. Mr. President, title II of my bill provides that homeowners, who had been employed at closed or curtailed Federal installations, can secure from the appropriate Federal agency a moratorium on mortgage payments for periods up to 2 years.

In other words, a homeowner who meets the bill's criteria can defer his monthly mortgage payments for periods up to 2 years.

Also, under this title, the appropriate Federal Government agency will be required to assist the subject homeowner in effecting a sale of his home, if he so desires.

I do wish to point out that measures similar to these were incorporated into the Housing Act of 1965 with bipartisan support. Unfortunately, and primarily because the Department of Defense requested no funds, relief to the distressed homeowner was not forthcoming.

With a part of this proposal I am introducing today coming from the Department of Defense itself, hopefully favorable action can at last be forthcoming.

STUDY BY COMMITTEE ON ARMED SERVICES RELATING TO CERTAIN HOUSING NEEDS OF MEMBERS OF THE ARMED FORCES

Mr. TOWER. Mr. President, as the ranking minority member of the Housing Subcommittee of the Banking and Currency Committee, and as a member of the Armed Services Committee, it has been a concern of mine whether or not our servicemen and their families were being adequately housed. Also, whether or not, in the closing of base areas, servicemen and their families were suffering hardship in trying to sell their homes.

I therefore submit a resolution for a committee study of this situation. I now ask consent that the text of this resolution be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 280) was referred to the Committee on Armed Services, as follows:

S. RES. 280

Resolved, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under section 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule

XXV of the Standing Rules of the Senate, to make a full and complete study to determine—

(1) whether the need for family housing by members of the armed forces is being adequately provided for under existing programs; and

(2) the effectiveness of existing legislation in minimizing economic hardship on the part of members of the armed forces owning homes at or near military bases or installations which have been ordered to be closed in whole or in part.

SEC. 2. For the purposes of this resolution, the committee, through January 31, 1967, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1967.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $100,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL COSPONSORS

Mr. KUCHEL. Mr. President, on behalf of the majority leader [Mr. MANSFIELD] I ask unanimous consent that the names of additional Senators may be added as cosponsors of the bill (S. 3035) prior to filing of the report thereon.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Joseph T. Ploszaj, of Connecticut, to be U.S. marshal, district of Connecticut, term of 4 years. (Reappointment.)

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Wednesday, July 6, 1966, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

SPRING GARDEN PLANTING WEEK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1284, Senate Joint Resolution 168.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (S.J. Res. 168) to authorize the President to issue annually a proclamation designating the 7-day period beginning October 2 and ending October 8 of each year as "Spring Garden Planting Week."

The PRESIDING OFFICER. Is there objection to the consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue annually a proclamation designating the seven-day period comprising the first full week in October of each year as "Spring Garden Planting Week", and inviting the governments of the States and communities and the people of the United States to join in the observance of such week with appropriate ceremonies and activities.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1319), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the joint resolution is to authorize and request the President of the United States to issue annually a proclamation designating the 7-day period comprising the first full week in October in each year as "Spring Garden Planting Week."

STATEMENT

The national beautification program is one in which all of us must play a role if it is to succeed on a national level. This was realized when President Johnson summoned the memorable White House Conference on Natural Beauty in May of 1965. Leaders in all areas of national life concerned with beautification came to Washington to talk about the many problems of beautifying our townscapes and countrysides, our highways, and the parks and streams of the Nation. Many wise and practical solutions were offered, and much valuable work has been done by the delegates to this meeting. Generations hence, this conference may well rank as one of the most lasting accomplishments of this administration.

It remains for this Congress, however, to take the step that will enable every citizen to have a personal part in this program, the part that is most natural for him—beautification of his own home. People who want to live in beautiful surroundings at home will be people who care about beauty in their public buildings and parks, their towns, and their roadsides.

Mrs. Lyndon B. Johnson, who has given so much of her time and effort to beautify America, expressed this thought in a recent report on the program she leads to beautify our Nation's Capital. She also said "It is, most of all, a citizenry that cares, that believes beautiful surroundings to be both necessary and possible" that will make beautification work. Another way of saying this, to which all would agree, is that beauty begins at our own homes.

The committee is of the opinion that this resolution has a meritorious purpose and will accord with the objectives of the President's beautification program now in progress. Accordingly, the committee recommends favorable consideration of Senate Joint Resolution 168, without amendment.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1304 and that the remainder of the calendar be considered in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

WONG OCK WAH AND HIS WIFE MON HING WONG

The Senate proceeded to consider the bill (S. 3141) for the relief of Wong Ock Wah (Sheck See Hom) and his wife Mon Hing Wong which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 4, after the word "Act,", to strike out "Wong Ock Way (Sheck See Hom) and his wife, Mon Hing Wong" and insert "Hom Sheck See and his wife, Hom Mon Hing"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Hom Sheck See and his wife, Hom Mon Hing shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Hom Sheck See and his wife, Hom Mon Hing."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1336), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Hom Sheck See and his wife Hom Mon Hing. The bill provides for appropriate quota deductions and for the payment of the required visa fees. The bill has been amended in accordance with the suggestion of the Commissioner of Immigration and Naturalization to reflect the proper names of the beneficiaries.

DUSKO DODER

The Senate proceeded to consider the bill (S. 3222) for the relief of Dusko Doder which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of", to strike out "January 31, 1960" and insert "February 1, 1960"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dusko Doder shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 1, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1337), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The purpose of the amendment is to reflect the true entry date of the beneficiary.

DR. ALBERTO L. MARTINEZ

The bill (S. 3106) for the relief of Dr. Alberto L. Martinez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Alberto L. Martinez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1338), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Alberto L. Martinez as of October 30, 1960, in order that he may file a petition for naturalization.

JOSE R. CUERVO

The Senate proceeded to consider the bill (S. 3110) for the relief of Jose R. Cuervo which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of", to strike out "October 23, 1962" and insert "July 23, 1960"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Jose R. Cuervo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 23, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1339), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Jose R. Cuervo as of July 23, 1960, in order that he may file a petition for naturalization. The purpose of the amendment is to correct the beneficiary's original date of admission.

BILL PASSED OVER

The bill (S. 3186) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior was announced as next in order.

Mr. MANSFIELD. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

TO FURNISH BOOKS AND OTHER MATERIALS TO HANDICAPPED PERSONS OTHER THAN THE BLIND

The Senate proceeded to consider the bill (S. 3093) to amend the acts of March 3, 1931, and October 9, 1962, relating to the furnishing of books and other materials to the blind so as to authorize the furnishing of such books and other materials to other handicapped persons which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 10, after the word "competent", to strike out "medical"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931, as amended (2 U.S.C. 135a, 135b), is amended to read as follows:

"That there is authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, such sums for expenditure under the direction of the Librarian of Congress as may be necessary to provide books published either in raised characters, on sound-reproduction recordings or in any other form, and for purchase, maintenance, and replacement of reproducers for such sound-reproduction recordings, for the use of the blind and for other physically handicapped residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia, all of which books, recordings, and reproducers will remain the property of the Library of Congress but will be loaned to blind and to other physically handicapped readers certified by competent authority as unable to read normal printed material as a result of physical limitations, under regulations prescribed by the Librarian of Congress for this service. In the purchase of books in either raised characters or in sound-reproduction recordings the Librarian of Congress, without reference to the provisions of section 3709 of the Revised Statutes of the United States (41 U.S.C. 5), shall give preference to nonprofitmaking institutions or agencies whose activities are primarily concerned with the blind and with other physically handicapped persons, in all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable.

"SEC. 2. (a) The Librarian of Congress may contract or otherwise arrange with such public or other nonprofit libraries, agencies, or organizations as he may deem appropriate to serve as local or regional centers for the circulation of (1) books, recordings, and reproducers referred to in the first section of this Act, and (2) musical scores, instructional texts, and other specialized materials referred to in the Act of October 9, 1962, as amended (2 U.S.C. 135a–1), under such conditions and regulations as he may prescribe. In the lending of such books, recordings, reproducers, musical scores, instructional texts, and other specialized materials, preference shall at all times be given to the needs of the blind and of the other physically handicapped persons who have been honorably discharged from the Armed Forces of the United States.

"(b) There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this section."

SEC. 2. The Act entitled "An Act to establish in the Library of Congress a library of musical scores and other instructional materials to further educational, vocational, and cultural opportunities in the field of music for blind persons", approved October 9, 1962 (2 U.S.C. 135a–1), is amended to read as follows:

"That (a) the Librarian of Congress shall establish and maintain a library of musical scores, instructional texts, and other specialized materials for the use of the blind and for other physically handicapped residents of the United States and its possessions in furthering their educational, vocational, and cultural opportunities in the field of music. Such scores, texts, and materials shall be made available on a loan basis under regulations developed by the Librarian or his designee in consultation with persons, organizations, and agencies engaged in work for the blind and for other physically handicapped persons.

"(b) There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1343), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

S. 3093 would amend the acts of March 3, 1931, and October 9, 1962, relating to the furnishing of books and other materials to the blind so as to authorize the furnishing of such books and other materials to other handicapped persons. The national books-for-the-blind program, established by act of Congress in 1931, is administered at the Division for the Blind in the Library of Congress. It provides reading materials for the blind of the United States, its territories, and insular possessions, specifically books in raised characters (braille) and talking books (books in recorded form on disks or on magnetic tape), together with machines that can play these disks. The books are distributed to 32 cooperating libraries throughout the country, designated as "regional libraries," which assume responsibility for the custody and circulation of the materials to the individual readers within specific geographic areas.

Similarly, the machines are distributed to qualified blind readers by 54 State agencies for the blind. These reading materials are available for loan without charge (including free mailing privileges) to residents of the United States, its territories, and insular possessions, who have been certified as legally blind, according to regulations issued by the Librarian of Congress. The machines are also lent without charge.

It has been evident for some time that the reading needs of other physically handicapped persons who cannot read or use conventional printed books are not being met. It is estimated that there are almost 2 million persons in this country who cannot read ordinary printed material (including 400,000 blind persons) because of impaired eyesight or other physical factors which make them unable physically to manipulate these materials. S. 3093 would authorize the extension of the present benefits to this larger group of handicapped persons.

COMMITTEE AMENDMENT

The Committee on Rules and Administration has amended S. 3093 as follows:

On page 2, lines 10 and 11, strike out "medical".

S. 3093 as introduced would provide that its benefits be extended to the blind and to other physically handicapped persons certified by competent medical authority as unable to read normal printed material as a result of physical limitations.

The American Optometric Association has pointed out that the above provision could be construed to exclude certification by optometrists, although the Library of Congress accepts such certification under the present program. The committee amendment (striking the word "medical") would permit the Library, under regulations issued by the Librarian of Congress and published in the Code of Federal Regulations, to continue to accept certification by optometrists under the expanded program.

S. 3093 COMPLEMENTED BY H.R. 14050, TO AMEND AND EXTEND THE LIBRARY SERVICES AND CONSTRUCTION ACT

The committee has noted that the bill to amend and extend the Library Services and Construction Act, H.R. 14050, which was passed by the Senate on June 22, 1966, contains a provision in part B of title 4 for library services to the physically handicapped. A total of $25 million over a 5-year period is authorized to be appropriated for grants to the States on a national basis. This provision would make it possible for the States to have additional funds to support the present regional centers which distribute the talking books and books in braille and thus enable them to service the expanded program contemplated by S. 3093. It is estimated that approximately $1,500,000 in State and local funds is currently being expended to service blind readers with the reading materials being provided by the Library of Congress. Thus this provision in H.R. 14050 would complement the provisions of S. 3093. Not only would it insure that the current service to the Nation's blind readers would not suffer by extending the program to other physically handicapped individuals but actually it would strengthen that service. (See also excerpt from House report, below.)

EXCERPT FROM HOUSE REPORT ON COMPANION BILL

Additional pertinent information, on the background and cost of the expanded program proposed by S. 3093, excerpted from the report by the Committee on House Administration on H.R. 13783, a companion bill (H. Rept. 1600, 89th Cong.), is as follows:

"General background

"A hearing on this subject was recently conducted by the Subcommittee on Library and Memorials of the Committee on House Administration. Favorable testimony was received from a number of interested Members of Congress, the Librarian of Congress, representatives of the major national organizations for the blind, and interested organizations for the physically handicapped. It was the unanimous opinion of each of the witnesses that the Library's books-for-the-blind program should be extended and expanded to include those citizens of the United States who heretofore have been denied the privilege of reading books and magazines because of physical disability.

"The committee under no circumstances intends for the present library service to those blind individuals who are currently receiving books in braille and talking books to be diluted in any way because of the expansion of this program. The Librarian of Congress during the hearings stated: 'I would like to assure our blind friends that the Library of Congress, which started the national service to blind readers, does not intend that their interests shall suffer by extending the program to include other physically handicapped persons. On the contrary, as is the case when a public library serves a larger clientele, a broader spectrum of reading materials would be available, and with more groups concerned in the program, there should also be a broader base of support.'

"In regard to the provisions in the bill to give the Librarian of Congress authority to contract with certain libraries and agencies to serve as regional or local centers for the distribution of books and raised type and talking books, it was noted by the Librarian of Congress and other witnesses that some of the bills that are before the House and the Senate to extend the Library Services and Construction Act contain provision for grants on a matching basis to the States to provide for library services to the physically handicapped. It is the opinion of the committee that these provisions would complement H.R. 13783 and would, in no way, change the warm relationship that now exists between the regional centers for the distribution of books for the blind and the Library of Congress. The effect would be to improve existing centers and to establish new ones to distribute the materials provided by the Library of Congress to physically handicapped persons. In the event that a State plan for library service to the handicapped should prove deficient, the Librarian of Congress would have authority under H.R. 13783 to contract for or otherwise arrange with such libraries or other organizations as he may deem appropriate to serve as local or regional centers for the circulation of reading materials for the handicapped.

"Cost

"If the experience of the Library with the books-for-the-blind program is applicable, and it seems reasonable to assume that it would be, the number of participants in the books-for-the-handicapped program will increase gradually. All individuals who are eligible will not by any means enroll during the first year. It is estimated that for the first full year of operation some 20,000 might seek the service and that an increase of $1,500,000 over the current budget of $2,675,000 for the books-for-the-blind program would be necessary."

AMENDMENT TO PUBLIC LAW 85–935—NATIONAL AIR MUSEUM OF THE SMITHSONIAN INSTITUTION

The bill (H.R. 6125) to amend Public Law 722 of the Seventy-ninth Congress and Public Law 85–935, relating to the National Air Museum of the Smithsonian Institution was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1344), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF H.R. 6125

H.R. 6125 would change the name of the National Air Museum of the Smithsonian Institution to the National Air and Space Museum, would grant the Smithsonian Institution the same functions with respect to space objects as it presently has with regard to aviation objects, and would authorize the construction of a National Air and Space Museum building.

In addition to the above purposes, provisions are included dealing with (1) increased membership on the museum's Advisory Board; (2) reimbursement of travel expenses of Board members; (3) increasing the quorum requirement for Board meetings; (4) application of the Classification Act to the salary of the Director of the museum; (5) permissive transfer of construction funds to the General Services Administration; and (6) availability of construction funds without fiscal year limitation.

EXCERPT FROM HOUSE REPORT

Additional pertinent information relative to the background and purpose of H.R. 6125, excerpted from the accompanying House report (H. Rept. 1042, 89th Cong.), follows:

"The enactment of legislation authorizing the construction of a suitable building to house the Nation's air and space collections has been a long-awaited event. The act of August 12, 1946, establishing the National Air Museum, included provisions for a method of selecting a site for a National Air Museum building to be located in the Nation's Capital. More recently, the act of September 6, 1958, designated the site for a building to be on the Mall from Fourth to Seventh Streets, Independence Avenue to Jefferson Drive SW. Planning appropriations in the amount of $511,000 and $1,364,000 were made available to the Institution by the Interior and Related Agencies Appropriation Acts for the fiscal years 1964 and 1965, respectively. The planning contract has been awarded to the architectural firm of Hellmuth, Obata & Kassabaum. Planning for the proposed museum building is well underway and will be completed within this fiscal year. * * *

"This museum will make possible for the first time a comprehensive presentation to the public of the notable exhibits comprising the Nation's air and space collections. It will also present the mathematics, physics, fuel chemistry, metallurgy, and broad engineering bases of aeronautics and space exploration. The educational and inspirational character of these exhibits will find a response in the interest and enthusiasm of American youth in air and space science. Only by the display of original aircraft and spacecraft from the national collections can the millions of visitors each year relive notable events in our national history, and gain an understanding of the underlying principles of science and technology which have made possible our achievements in this field.

"This great national historical museum will be one of the Nation's most important assets for the inspiration and education of the youth of America, and the prestige of the United States throughout the world. The proposed building is well designed for the exhibition of many of our most significant air and spacecraft, historic and scientific "firsts," together with a comprehensive array of engines, instrumentations, models, and reference publications and drawings. Exhibitions will be changed periodically, and a series of timely, special presentations will continually be on display. The design feature provides excellent flexibility, and there will be no need for expansion in the future.

"The building as designed is of impressive proportions, as well it must be to accommodate the great number of tourists who visit the Capital City each year. It is confidently expected that over 50 million of our citizens from every State in the Union will visit this museum in the next decade. Attendance in the new Museum of History and Technology demonstrates that this figure is, in fact, a conservative estimate.

"* * * * *

"Sponsorship by Board of Regents and Approval by Interested Government Agencies

"H.R. 6125 is sponsored by the Board of Regents of the Smithsonian Institution, which includes in its membership Senators Clinton P. Anderson, J. William Fulbright, and Leverett Saltonstall, and Representatives George H. Mahon, Michael J. Kirwan, and Frank T. Bow.

In addition to the sponsorship of the Board of Regents, this legislation has the approval of the National Air Museum Advisory Board (composed of Maj. Gen. Brooke E. Allen, Vice Adm. William A. Schoech, Gen. James H. Doolittle, and Mr. Grover Loening), the National Capital Planning Commission, the Commission of Fine Arts, the Bureau of the Budget, the Department of Defense, the Federal Aviation Agency, and the National Aeronautics and Space Administration."

LETTER FROM SECRETARY OF THE SMITHSONIAN INSTITUTION

A letter in support of H.R. 6125 addressed to Senator B. Everett Jordan, chairman of the Senate Committee on Rules and Administration, by S. Dillon Ripley, Secretary of the Smithsonian Institution, is as follows:

"Smithsonian Institution,
"Washington, D.C., February 9, 1966.

"Hon. B. Everett Jordan,
"Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

"Dear Senator Jordan: The Smithsonian Institution fully endorses the provisions of H.R. 6125, to amend Public Law 722 of the 79th Congress and Public Law 85–935, relating to the National Air Museum of the Smithsonian Institution, and recommends that this legislation be approved by the Senate. H.R. 6125 passed the House, without amendment, on February 7, 1966, and was referred to the Committee on Rules and Administration on February 8. This legislation, except for minor changes in punctuation, is identical to S. 94, introduced by Senator Anderson on behalf of the Smithsonian Board of Regents on January 6, 1965. The Smithsonian's favorable report on S. 94 was transmitted to Senator Pell, chairman of the Subcommittee on the Smithsonian Institution, of your committee, on March 11, 1965.

"If your committee should decide to approve this legislation on the basis of its findings during the 88th Congress, as expressed in Senate Report 1232 of July 22, 1964, the Smithsonian would be indeed gratified. You will recall that the Senate passed a virtually identical bill to H.R. 6125 (S. 2602 of the 88th Cong.) on July 23, 1964.

"We shall be pleased to furnish additional information on this legislation should you feel that this would be necessary.

"The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

"Your continuing interest in the Smithsonian Institution is deeply appreciated.

"Sincerely yours,

"S. Dillon Ripley,
"Secretary."

ESTIMATED CONSTRUCTION COST

The total estimated construction cost of the proposed National Air and Space Museum which would result from the enactment of H.R. 6125 is $40,045,000. By letter dated May 13, 1965, addressed to Senator B. Everett Jordan, chairman of the Committee on Rules and Administration, S. Dillon Ripley, Secretary of the Smithsonian Institution, gave assurances that the Institution would not seek appropriations for construction in the current session of the 89th Congress, but would defer consideration of this phase of the project until next year. The text of Secretary Ripley's letter follows:

"Smithsonian Institution,
"Washington, D.C., May 13, 1966.

"Hon. B. Everett Jordan,
"Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

"Dear Mr. Chairman: I am most grateful for your careful consideration of the bill (H.R. 6125) which would authorize construction of the National Air and Space Museum of the Smithsonian Institution, now pending before the Committee on Rules and Administration.

"On behalf of the Smithsonian Institution, I am writing to confirm my earlier assurances to you that we would not request the Congress during this session to consider appropriating funds to begin construction.

"Should the project be authorized by Congress during this session, the question of requesting an appropriation to begin construction will be held over for consideration next year, in the 90th Congress.

"Sincerely yours,

"S. Dillon Ripley,
"Secretary."

In reporting favorably on H.R. 6125, the Committee on Rules and Administration noted with satisfaction the letter of May 13, 1966, from Secretary Ripley, giving assurances that funds would not be requested in this session of Congress pursuant to the authorization in H.R. 6125. The committee expressly recommends that funding for the National Air and Space Museum should be deferred even further, if need be, and that appropriations should not be requested pursuant to H.R. 6125 unless and until there is a substantial reduction in our military expenditures in Vietnam.

SECTION-BY-SECTION ANALYSIS OF H.R. 6125

Section 1. Cites the act as "the National Air Museum Amendments Act of 1965."

Amendments to Public Law 722, 79th Congress

Section 2. Changes the name of the National Air Museum to the National Air and Space Museum. Increases the membership of the Museum Board. As increased, the membership of the Board consists of the Chief of Staff of the Air Force, Chief of Naval Operations, Chief of Staff of the Army, Commandant of the Marine Corps, Commandant of the Coast Guard, Administrator of the National Aeronautics and Space Administration, Administrator of the Federal Aviation Agency, Secretary of the Smithsonian Institution, and three citizens appointed by the President.

Provides that members of the Board shall serve without compensation, but will be reimbursed for official travel expenses.

Section 3. Would change reference from National Air Museum to National Air and Space Museum.

Provides that the Secretary of the Smithsonian Institution, with the advice of the Board, may appoint and fix the compensation and duties of the head of the museum and such appointment shall not be subject to the civil service laws.

Section 4. Would amend section 2 of Public Law 722 to include in the stated purpose of the museum, reference to space and to space flights in addition to purely aeronautical pursuits, equipment, data, and so forth.

Section 5. Would repeal section 3 of Public Law 722 which pertains to a museum site.

Section 6. Would amend section 4(a) of Public Law 722 to establish that six members of the Board shall constitute a quorum.

Section 7. Would amend section 4(b) of Public Law 722 by changing "National Air Museum" to "National Air and Space Museum." Under section 4(b) it is provided that a statement of operations of the museum, including all public and private moneys received and disbursed shall be included in the annual report of the Smithsonian Institution.

Section 8. Amends Public Law 722 to embrace the loan or transfer of spacecraft and related equipment in addition to aircraft and aeronautical equipment. Extends authority of this section to include independent agencies as well as executive departments.

Section 9. Would amend section 5(b) of Public Law 722 by changing "National Air Museum" to "National Air and Space Museum." Under section 5(b) the Secretary of the Smithsonian Institution is authorized to accept as a gift a statue of Brig. Gen. William L. Mitchell, and, without expense to the United States, cause the statue to be placed on museum grounds.

Section 10. Would amend section 6 of Public Law 722 by changing "National Air Museum" to "National Air and Space Museum." This section authorizes the appropriations of such sums as may be necessary to maintain and administer the museum, including salaries.

Section 11. Provides that payments of compensation heretofore made to the head of the National Air Museum at rates fixed by the Secretary of the Smithsonian Institution without regard to the Classification Act of 1949, as amended, are hereby ratified and confirmed. (See detailed explanation of sec. 11, below.)

Amendment to Public Law 85–935

Section 12. Would amend section 1 of Public Law 935 to grant the Regents of the Smithsonian Institution specific authorization to construct a suitable building for the museum on a site bounded by Fourth Street SW., on the east, Seventh Street SW., on the west, Independence Avenue, on the south, and Jefferson Drive, on the north.

Section 13. Would amend section 4 of Public Law 935 to provide that appropriations for the purposes of that act may, rather than shall, be transferred to the General Services Administration for the performance of the work.

Would add the following provision to section 4:

"When so specified in the pertinent appropriation act, amounts appropriated under this authorization are available without fiscal year limitation."

DETAILED EXPLANATION OF SECTION 11

A detailed explanation of section 11 of H.R. 6125, excerpted from the accompanying House report (H. Rept. 1042, 89th Cong.), is as follows:

"This section, providing that payments of compensation made to the Director of the National Air Museum without regard to the Classification Act of 1949 are ratified and affirmed, is needed due to a ruling of the Civil Service Commission that the Smithsonian Institution lacked authority to compensate the former Director beyond the highest level of pay authorized for a grade GS–15.

"Section 1(b) of Public Law 722 of the 79th Congress, establishing the National Air Museum, provided that:

"'The Secretary of the Smithsonian Institution with the advice of the board may appoint and fix the compensation and duties of the head of a national air museum whose appointment and salary shall not be subject to the civil service laws or the Classification Act of 1923, as amended.'

"As carried in the United States Code this provision currently reads as follows:

"'The Secretary of the Smithsonian Institution with the advice of the board may appoint and fix the compensation and duties of the head of a national air museum whose appointment shall not be subject to the civil service laws.'

"The Smithsonian Institution, relying on the current statutory language authorizing it to appoint a Director of the National Air Museum without regard to the civil service laws, fixed the salary of the former Director of the National Air Museum at the grade GS–18 level during 1963 and 1964. The Civil Service Commission has since ruled that the Smithsonian Institution's authority to appoint the Director without regard to the civil service laws does not include authority to fix the salary of this position without regard to the Classification Act of 1949. It is the view of the Civil Service Commission that the passage of the Classification Act of 1949 modified section 1(b) of Public Law 722 of the 79th Congress to this extent. According to the Commission the Classification Act of 1949, by not specifically exempting the position of Director of the National Air Museum from its coverage, repealed those portions of section 1(b) authorizing the Smithsonian Institution to fix the salary of the Director without regard to the Classification Act. By subjecting this position to the Classification Act, the Smithsonian Institution is without authority to fix the salary of the position beyond the top step of a grade GS–15. The Civil Service Commission, however, is authorized to place Classification Act positions in the supergrades GS–16, 17, and 18 levels. The Commission shortly after its ruling classified this position at the grade GS–17 level.

"Informal advice from the Comptroller General is that statutory language ratifying payments to the former Director of the National Air Museum in excess of the top step of a grade GS–15 would be most desirable in view of the ruling of the Civil Service Commission that the position is subject to the Classification Act of 1949. This will obviate any possible claims against the retired Director for salary payments made in 1963–64 at the GS–18 level. These payments were made by the Smithsonian Institution in good faith in reliance on the current language of the United States Code, which it considered to be sufficient authority to compensate the former incumbent of this position at that salary level."

MODIFICATION OF DUTIES OR OTHER IMPORT RESTRICTIONS

The concurrent resolution (S. Con. Res. 100) to express the sense of Congress with respect to certain agreements which would necessitate the modification of duties or other import restrictions was announced as next in order.

Mr. JAVITS. Mr. President, I desire to enter a protest against this measure. I realize that it was reported unanimously by the committee. I also realize that it would be a vain act to attempt to block the adoption of the concurrent resolution and to require a full-dress debate on the subject.

However, I have been watching these trade matters for a considerable period of time. I have fought in the Senate against efforts to engage in activities of a legislative character which would hobble the opportunity for freeing international trade. I cannot let the resolution go by, notwithstanding that it is on the Consent Calendar and that I shall not require a full-dress debate on it, without recording myself in the negative, which I shall do when the vote is called for.

Mr. President, we attempt to do a monumental job in the Kennedy round of tariff negotiations. I was recently in Geneva and conferred with the chief American negotiators, I had luncheon with the heads of many of the delegations with whom we are negotiating.

In my opinion, it is a mistake on our part to inhibit our negotiators from even discussing or negotiating what could be a very important aspect of total trade negotiations and which would result in the bringing of more benefits to the United States in expanded international trade than we would lose in the event that we should—because we thought the deal was a very good one—decide that we would yield on the American selling price idea which we seek to preserve absolutely in the pending concurrent resolution.

Mr. President, I do not believe that sense resolutions of Congress are light matters, to be tossed aside, and to which we need pay no attention. I believe Congress is entitled to the most august regard from the executive department. If the pending sense of Congress resolution should be agreed to by both Houses of Congress—it is a concurrent resolution—I would expect our negotiators, even if I were opposed to it, to pay strict and serious attention to it, because I believe that more important than the merits of the proposition is the dignity of Congress.

Notwithstanding that the Trade Expansion Act now may not cover this kind of negotiation, I believe it is a great mistake to hobble our negotiators, who have an opportunity for striking a great blow for freer world trade, trade which is of inestimable benefit to us in every sphere, both as to our domestic economy and as to our foreign policy. It is a mistake to inhibit them in this way and to serve notice to the other negotiators that we are inhibiting them.

Therefore, Mr. President, I desire to protest the pending measure. I believe it is unwise. We are unnecessarily hobbling the Kennedy round.

The 5-minute rule is in effect during the consideration of this measure; otherwise I would not be speaking at all, so I shall take my 5 minutes. I shall vote "no" on the concurrent resolution. The measure would be counterproductive, and would only be a note of discouragement in the GATT negotiations, which are already thick with discouragements.

I hope that in the other body the concurrent resolution may have consideration perhaps of a different character, even by those who may believe, in the first instance, that what is proposed is a wise and desirable thing to do. From viewing the situation on the ground, I do not believe we are acting in a way that is conducive to our own best interests by limiting our negotiators in this kind of public notice, for we are putting a limit upon their capability to negotiate freely.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

Mr. WILLIAMS of Delaware. Mr. President, Senate Concurrent Resolution 100 is virtually identical to Senate Concurrent Resolution 83, which I cosponsored on March 21 of this year. This resolution urges the President not to exceed the authority Congress delegated to him in the Trade Expansion Act of 1962 in his dealings with other countries during the current trade negotiations.

It is unfortunate that a resolution of this sort has become necessary. For more than 30 years it has been our policy to give the President whatever trade negotiating authority he has needed and to support him generally in trade matters. Recently, indications have come to us that the President may abandon the rules and offer concessions where he has no prior delegated authority. Our negotiators in Geneva right now are talking about eliminating the American selling price method of valuation. Governor Herter, who is our chief negotiator, knows there is no authority under the Trade Expansion Act to do this, yet they are doing it anyway. Antidumping is another area where negotiations without authority may be undertaken.

The Constitution confers upon Congress the power to lay duties. If the President succeeds in negotiating first and then insisting on the legislation necessary to carry out his tariff concessions, the Constitution will become meaningless. Congress has a responsibility to look after its own interests and to protect its constitutional prerogatives. Senate Concurrent Resolution 100 is an expression of our intent to do just that.

Mr. JAVITS. Is it not fair to say that the pending measure does more than that?

I know that it will be agreed to, and I have recorded my "No" on it. But is it not fair to say that it expresses the sense of Congress that we are against that kind of negotiation? If the law does not allow it, it can still be negotiated as a treaty or trade agreement, and it can be brought to Congress for approval. But by agreeing to the concurrent resolution, the Senate is declaring itself against that kind of negotiation. That is my point, and it is something to which I do not wish to be a party.

In this connection I wish to call attention to a memorandum prepared by the Office of the Special Representative for Trade Negotiations explaining the position of that office regarding the issue of the American selling price. That memorandum makes clear that no decision has yet been made to offer the modification of American selling price in the Kennedy round, that the President has existing authority to negotiate on this subject but not to modify American selling price and that if an agreement should be negotiated on American selling price Congress will not be presented with a fait accompli.

I ask unanimous consent to insert in the RECORD a copy of that memorandum which was prepared at the request of the Senator from Illinois [Mr. DOUGLAS].

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Position of the Office of the Special Representative for Trade Negotiations Regarding the Issue of the American Selling Price System

1. ASP IS A SPECIAL BASIS OF CUSTOMS VALUATION

Section 402 of the Tariff Act of 1930 provides three alternative methods of customs valuation for purposes of computing ad valorem rates of duty on most imported products. The preferred method of valuation is known as "export value", i.e., the wholesale price of the imported product offered in arm's-length transactions in the country of origin. If "export value" cannot be determined, the next method of valuation is "U.S. value", i.e., the wholesale price of the imported product in the United States, less such elements as profit, duty, and transportation costs, in order to approximate "export value". If "U.S. value" cannot be determined, the final method of valuation is "constructed value", i.e., an estimate of what "export value" would be based upon the cost of the product in the country of origin.

These three normal methods of valuation do not apply to four groups of imported products: benzenoid chemicals, rubber-soled footwear (such as sneakers), canned clams, and certain wool-knit gloves.

With respect to benzenoid chemicals, since the early 1920's the tariff law has provided that any imported benzenoid chemical which is competitive with a similar domestic product shall be valued on the basis of the American selling price (ASP), i.e., the wholesale price, of the domestic product. If the imported benzenoid chemical is not competitive, it is to be valued, first, on the basis of U.S. value and, if this cannot be determined, then export value or constructed value.

With respect to rubber-soled footwear, canned clams, and wool-knit gloves, Presidential proclamations issued in the 1930's on the basis of Tariff Commission reports provide that any such imported product which is similar to a domestic product shall be valued on the basis of the ASP of the domestic product. If the imported product is not similar to any domestic product, it is to be valued on the basis of the normal methods of valuation.

Of the four categories of products subject to the ASP system, only the first two are significant in trade terms, with imports of competitive benzenoid chemicals valued at approximately $25 million per year and imports of competitive rubber-soled footwear valued at somewhat less per year.

2. ASP IS AN IMPORTANT ISSUE INTERNATIONALLY AND ESPECIALLY IN THE KENNEDY ROUND

The use of the ASP system has long been criticized by other countries, primarily on the following grounds. First, the ASP system is inconsistent with the customs practice of all our trading partners with respect to non-agricultural goods. Second, the ASP system would be in violation of the standards of customs valuation laid down by the General Agreement on Tariffs and Trade (GATT) but for the fact that the use of the ASP system antedated U.S. adherence to the GATT and was made permissible under a "grandfather" clause in the GATT. Third, the ASP system permits the domestic manufacturer to adjust the protection afforded by the rate of duty by adjusting the price of his product. Fourth, an exporter of a product potentially subject to the ASP system cannot, at the time of exportation, know whether that product will be subject to ASP nor what the ASP will be until it has passed through customs.

In the Kennedy Round, the other participants regard the ASP system as one of the most serious import restrictions maintained by the United States and they are pressing the United States to modify the ASP system. Both the EEC and the U.K. have made modification of the ASP system as it affects benzenoid chemicals a precondition for concessions in their own tariffs on chemical products. Moreover, Japan has laid special stress upon the need to modify the ASP system as it relates to rubber-soled footwear.

3. NO DECISION HAS BEEN MADE TO OFFER THE MODIFICATION OF ASP IN THE KENNEDY ROUND

On March 12, 1966, in Italy and again on March 16, 1966, in West Germany Ambassador Blumenthal stated that "the United States is prepared to negotiate on ASP in the Kennedy Round". Ambassador Blumenthal's statement has unfortunately been misinterpreted as an indication that the United States has decided to offer the modification of the ASP system in the Kennedy Round. This is not the case. Ambassador Blumenthal's statement said no more than the United States has been saying since the Kennedy Round began. This is that the United States is prepared to consider and talk about any trade issue which our negotiating partners wish to raise with respect to either industrial or agricultural products, and we expect them to do the same. In this context, the word "negotiate" is in fact synonymous with the word "discuss".

Only the President can decide whether or not the United States should offer a concession on the ASP system in the Kennedy Round. The President will not make such a decision until exploratory discussions in Geneva afford some basis for determining what kinds of reciprocal concessions the United States might obtain from the other countries, and until the domestic industries concerned, as well as all other interested persons, have had a full opportunity to express their views on both the accuracy and the economic impact of a conversion of the present rates of duty based on ASP.

4. THE PRESIDENT HAS EXISTING AUTHORITY TO NEGOTIATE BUT NOT TO MODIFY ASP

Two separate issues are involved in any consideration of the President's negotiating authority regarding the ASP system.

The first issue is whether the President now has the authority to modify the ASP system pursuant to a trade agreement. The President could not do so without a statutory delegation of Congressional authority, and no such authority is presently available to the President, either under the Trade Expansion Act of 1962 or any other existing legislation. Thus, a comprehensive conversion of ASP rates, whether or not pursuant to a trade agreement, could be accomplished only by Congressional action.

The second issue is whether the President can enter into a trade agreement providing for the modification of the ASP system, subject to a subsequent grant of Congressional authority to permit the agreement to be implemented. Under the Constitution, the President's authority regarding the conduct of foreign relations clearly permits him to negotiate and conclude such an agreement.

In this regard, Senate Concurrent Resolution 83 is to be regretted, because it seeks to cast doubt on the President's clear Constitutional authority to negotiate and conclude an agreement subject to subsequent action by the Congress. Senate Concurrent Resolution 83 therefore raises a false issue and by doing so in no way assists the United States in the Kennedy Round but only serves to obscure an already complex problem.

5. CONGRESS WILL BEST BE ABLE TO ASSESS THE MERITS OF ANY AGREEMENT MODIFYING ASP AFTER, RATHER THAN BEFORE, IT IS NEGOTIATED

It has been suggested that, if there is any likelihood of an agreement providing for the modification of the ASP system in the Kennedy Round, the President should seek authority to implement such an agreement before it is negotiated. In our view, Congress will best be able to assess the merits of any agreement modifying the ASP system, after, rather than before, it is negotiated.

If any agreement is finally concluded, the Congress will be able to assess with considerable certainty the impact of the agreement on the domestic industries concerned, since the proposed modification of the ASP system, including any tariff reductions, will be set out in such agreement. But if the President were to request authority from the Congress to modify the ASP system before any agreement were concluded, he would need flexible authority to carry out effective bargaining. The Congress, in considering such a Presidential request, could not gauge the impact on the domestic industries as clearly or as concretely as if an agreement had been concluded.

Moreover, prior to the conclusion of any agreement, there would be no firm indication of what counterconcessions other countries would be prepared to offer in return for a concession on the ASP system. As a result, if the Congress were to consider legislation providing for the conversion of the ASP system in this session, it could do so only in terms of abstract issues, with no meaningful information concerning particular offers of counterconcessions.

In short, if any agreement providing for the modification of the ASP system is concluded in the Kennedy Round, the Congress would be in a position to explore in detail all aspects of the agreement and to assess its merits comprehensively. In the first place, it would have before it a final set of converted rates and therefore be able to judge their adequacy in terms of specific products and their impact on the domestic industries concerned. In the second place, the agreement would contain a precise statement of the counterconcessions on particular products which other countries were prepared to grant. The Congress could then inquire into and appraise the agreement not as an abstract issue but in terms of the trade interests of the United States.

6. IF AN AGREEMENT SHOULD BE NEGOTIATED ON ASP, CONGRESS WILL NOT BE PRESENTED WITH A FAIT ACCOMPLI

In contemplating the possibility that an agreement involving a concession on the ASP system is concluded in the Kennedy Round, the important question is whether the Congress would be presented with a *fait accompli* and would have no choice but to enact the necessary implementing legislation. This should not be the case for the following reasons.

First, the Congress would be kept fully informed at every step. Before a decision is made whether or not to offer a modification of the ASP system, two public hearings will be held. This will permit the Congress as well as interested private parties to consider the issues regarding any possible modification of the ASP system. Moreover, before a decision is made, the Congressional Delegates to the Kennedy Round will be able to observe the progress of the exploratory discussions in Geneva, as one of the Congressional Delegates did at the first meeting early in May. In addition, the Congressional Delegates will also have an opportunity to follow the conduct of any negotiation concerning ASP.

Second, the Congress would be free to accept or to reject any agreement concerning the ASP system on the basis of its individual merits. The United States has already made it abundantly clear and will continue to emphasize that the Congress would, in effect, have to approve any agreement involving the ASP system, and that it would do so only if such an agreement provided mutual and equivalent benefits. Moreover, it is clearly understood that any such agreement will be separate and distinct from the overall Kennedy Round agreement. Therefore, in considering whether to enact the necessary implementing legislation, the Congress would be able to appraise any agreement on its individual merits, without getting enmeshed in the rest of the Kennedy Round.

For these reasons, if an agreement involving the ASP system were negotiated and concluded in the Kennedy Round, at every step of the way the Congress would be fully informed and would be able to consider implementing legislation without being faced with a choice of either approving or disapproving the overall trade agreement emerging from the Kennedy Round.

7. TWO PUBLIC HEARINGS WILL BE HELD SO THAT ALL ASPECTS OF ANY CONCESSION ON ASP MAY BE PUBLICLY AIRED

On June 8, 1966, the Tariff Commission will hold a public hearing on the basis of the preliminary converted rates which it published on May 2, 1966. This will permit the domestic industries concerned, as well as importers and others, to comment on the accuracy of these preliminary conversions and to probe all the technical problems which such conversions entail.

Some time in September a second public hearing will be held on the basis of the final converted rates proposed by the Tariff Commission. The purpose of this second public hearing will be to permit all interested persons to speak to the economic impact of substituting the new converted rates for the present ASP rates and of a possible 50% reduction in such new rates. In the winter of 1963–1964, the Tariff Commission and the Trade Information Committee held hearings at which the domestic industries concerned with ASP spoke to the economic impact of reducing the present ASP rates by 50%. Prior to any offer concerning the ASP system, the domestic industries, in particular, should obviously be given an opportunity to speak to the economic impact of eliminating the ASP system as a system and reducing the new rates by 50%.

By virtue of these two hearings, the domestic industries and all other interested persons will have a full and fair opportunity to present their views on the important aspects of any possible concession on the ASP system. The President will make no decision to negotiate on this matter until such hearings have been completed and the results have been fully analyzed.

8. A MERGER OF THE TWO TARIFF COMMISSION STUDIES INVOLVING ASP IS NEITHER DESIRABLE NOR POSSIBLE

The Tariff Commission is presently conducting two investigations which involve the ASP system. First, pursuant to the President's request which was transmitted by this Office on December 23, 1965, the Tariff Commission is preparing a conversion of existing rates based upon the ASP system to new rates based on normal methods of valuation which will yield approximately the same amount of duty. On May 2, 1966, it published a list of preliminary converted rates and, after a public hearing, is expected to submit the final list of converted rates to the President in the latter part of July. Second, pursuant to a request of the Senate Finance Committee made on February 9, 1966, the Tariff Commission is studying all methods of valuation, including the ASP system, used by the United States and by the principal trading partners of the United States. It is to submit a preliminary report on June 30, 1966, and a final report on February 28, 1967.

It has been suggested that no action should be taken on ASP in the Kennedy Round until the Tariff Commission has not only completed the study requested by the President but has also finished the investigation requested by the Senate Finance Committee. This suggestion is unsound for two reasons.

First, it does not appear that anything would be gained by a merger of the two studies. The ASP system is quite separate and distinct within the overall U.S. system of customs valuation. It is restricted by law to only four categories of products—benzenoid chemicals, rubber-soled footwear, canned clams, and certain wool-knit gloves. Together, these products account for a well-defined and relatively small proportion of total imports into the United States. In addition, the general characteristics of the ASP system are well known and have been the subject of proposals by the Executive Branch and groups outside the U.S. Government for a number of years. Moreover, it is certainly feasible for the Tariff Commission to convert rates of duty based on ASP without in any way being required to make a general investigation of U.S. methods of customs valuation or those of other countries. Finally, it is not clear that the overall study requested by the Senate Finance Committee would be at all improved by including within it the narrow and special task of converting ASP rates.

Second, and perhaps more importantly, if there is to be any negotiation on the ASP system, it will certainly have to take place well before February of 1967, when the Tariff Commission must submit its final report to the Senate Finance Committee. Given the present time schedule of the Kennedy Round, which is becoming increasingly tight, the President must be in a position to decide whether or not to negotiate on the ASP system no later than early fall. Indeed, if the Kennedy Round is to be concluded within the time presently allowed by the Trade Expansion Act of 1962, the multilateral trade agreement must be substantially worked out by February of 1967, in order to allow the necessary time in which to record the numerous and complex concessions and to permit all the countries concerned to obtain final approval from their governments. Thus, simply as a matter of timing, it would be out of the question to postpone any possible negotiation until after the completion of the study requested by the Senate Finance Committee.

9. THE DISCUSSIONS IN GENEVA ON ASP ARE PURELY EXPLORATORY AND IN NO WAY CONSTITUTE NEGOTIATIONS

In Geneva on May 3, 1966, in a special group dealing with chemicals, the United States began to discuss the ASP system as it relates to benzenoid chemicals, and to explore the possibility of offering a concession on the ASP system which would take the form of a conversion of rates based on ASP to equivalent rates based on normal methods of valuation.

These discussions were begun because it was concluded that, by beginning an exploratory discussion of the possibility of converting ASP rates, the United States can achieve two significant objectives. First, the United States can demonstrate that it is indeed prepared to discuss in considerable detail what some regard as a significant trade barrier, thereby strengthening its ability to ask the same of other countries. Second, and more importantly, the United States can succeed in shifting the debate on ASP and ask other countries what they would be prepared to offer as counterconcessions for any such concession on the ASP system. This should reveal how significant the ASP system really is to the Europeans, insofar as it relates to benzenoid chemicals.

At the same time, these discussions will not prejudice in any way a final decision on the ASP system with respect to benzenoid chemicals or any other product. At the meeting in Geneva which began on May 3, 1966, Ambassador Blumenthal made a number of points in this regard. He stated to our negotiating partners that any discussions at this stage are purely an exploration of what might be feasible. He made it clear that they are in no way to be taken as constituting a formal offer on the part of the United States, or even a commitment to make such an offer at some future date. He also emphasized that the conversions under discussion are wholly tentative and subject to change, and that any comments on the accuracy of such conversions should be addressed solely to the Tariff Commission. Moreover, he stressed the fact that the technique of converting ASP rates is the exclusive task of the Tariff Commission and is not to be the subject of negotiation in Geneva. Finally, Ambassador Blumenthal stated that any comprehensive conversion of the ASP system would have to be submitted to the Congress for its approval, and that our trading partners must be willing to specify significant offers before the United States will decide whether or not to offer a concession on ASP.

10. IN ANY NEGOTIATION ON ASP THE UNITED STATES WOULD SEEK CONCESSIONS OF BENEFIT TO THE DOMESTIC INDUSTRIES DIRECTLY CONCERNED

If the United States should offer a concession on the ASP system in the Kennedy Round, it will seek reciprocal concessions of benefit to the domestic industries directly concerned with ASP. This has already been made clear to all countries with respect to benzenoid chemicals. Ambassador Blumenthal has emphasized that, if the United States were to negotiate on the ASP system, the Europeans in particular would have to make significant offers of concessions with respect to chemicals.

With respect to rubber-soled footwear, on the other hand, the domestic industry apparently does not believe that any concessions granted to the United States on such products would be of any value to it. This does not mean, however, that for this reason alone the United States should refrain from negotiating on the ASP system as it affects rubber-soled footwear. It is not and has never been U.S. policy in any trade negotiation to exchange tariff concessions only on identical items. The purpose of the Kennedy Rounds, like all the trade negotiations which preceded it, is to achieve a significant liberalization of world trade, on the ground that this serves the national interest. Any negotiation which was based on a principle of article-for-article reciprocity would yield very meager results. Thus, it is possible that the United States might negotiate a concession on the ASP system as it relates to rubber-soled footwear in exchange for concessions which would benefit other industries which markets in the foreign country or countries concerned.

It should be emphasized, however, that a decision whether or not to offer a concession on the ASP system as it relates to rubber-soled footwear, or any other product, would be made only after the most careful analysis of the economic impact of such a concession. In particular, it is clear that the recent decision of the Department of the Treasury concerning the determination of ASP as it relates to rubber-soled footwear constitutes a unilateral tariff reduction. Special consideration would be given to this factor before any final decision was made with respect to rubber-soled footwear in the Kennedy Round.

11. THE BASIC QUESTION WITH RESPECT TO ASP IS NOT ASP ITSELF BUT THE PROTECTION IT AFFORDS

In our view, the ASP system should be considered in terms of its protective effect and the needs of the domestic industries concerned, and not in terms of the alleged sanctity of the system as such.

Accordingly, the Tariff Commission has been asked to devise new rates of duty based on normal methods of valuation which will yield an amount of duty approximately equivalent to that provided by the present rates of duty based on ASP. Following publication of the final rates proposed by the Commission, a public hearing will be held with respect to the economic impact on the domestic industries of such a modification of the ASP system and the possible reduction of the new rates by 50%.

This procedure is designed to achieve the widest possible exploration of the basic issue regarding the ASP system—its protective impact and the needs of the domestic industries. Such exploration will, we believe, dispel much of the rhetoric regarding the ASP system and permit reasoned consideration of the trade interests of the United States.

Mr. WILLIAMS of Delaware. The report of the Senate Finance Committee outlines very clearly the reasons why it is so important that this resolution be adopted. For the information of the Senate I read from that report:

Reasons for the resolution.—The Committee on Finance has been pleased with the operation over the years of Congress partnership with the President in foreign trade matters. Long experience convinces us that arming the President in advance with tariff-cutting authority is the most effective means of achieving fair and equitable expansion of trade in the free world. Under this historical procedure, Congress, which is constitutionally vested with sole power to lay duties (art. 1, sec. 8), may weigh the merits of tariff reductions and the extent of contemplated concessions uninhibited by the international implications of a failure to implement obediently a trade agreement already negotiated by the President. It may similarly consider the circumstances under which adjustment assistance is appropriate.

The Committee on Finance has been disturbed over reports that the current Kennedy round of tariff negotiations may be broadened to include U.S. offers of concessions with respect to matters for which there is no existing delegated authority. In the committee's view, this would violate the principles which have made our reciprocal trade program so successful for more than three decades.

It has been reported that one area in which our negotiators may offer concessions concerns the American selling price method of valuation, which is part of the tariff determination process with respect to canned clams, and certain knit gloves, and more importantly, rubber-soled footwear (principally of the sneaker type) and benzenoid chemicals, the so-called coal tar products. Our negotiators concede that no delegation of authority exists, either under the Trade Expansion Act of 1962 or any other existing legislation, to modify the American selling price system pursuant to a trade agreement.

Another area may involve the treatment of "dumped" goods by the country in which the dumping occurs. This problem concerns unfair trade practices in a domestic economy and it is difficult for us to understand why Congress should be bypassed at the crucial policymaking stages, and permitted to participate only after policy has been frozen in an international trade agreement.

Congress has been no less forward-looking than the executive branch in trade matters and any action by our negotiators which tends to subordinate and degrade the important congressional role should not be condoned and will be resisted. The committee recognizes that our Constitution empowers the President alone to enter into international agreements and treaties. We do not question the legality of an agreement involving a trade matter for which no prior authority has been delegated. Our concern is that the experience gained over more than 30 years of a working partnership between the Congress and the Chief Executive may be set aside. It is this concern that moves us to protect the congressional role. We hope our negotiators will understand the great wisdom of confining their activities to those areas in which they have been authorized by Congress to proceed.

Mr. RIBICOFF. Mr. President, the issue before us is a simple one. That issue is the role of Congress in setting trade and tariff policy.

The genius of our constitutional system is that it separates executive and legislative power and provides for two coequal branches of Government. This is a great strength of our Nation and it should not be diminished. However, if the system is to work effectively, both branches must fully exercise their constitutionally assigned functions.

The establishment and review of our national trade policy is a basic responsibility of the Congress. The raising or lowering of tariffs is a legislative function, just as the imposition of other taxes is a legislative function.

The national policy of the United States since 1934 has been a continued expansion of international trade by the application of the most-favored-nation principle. The enactment by the Congress of the Trade Agreements Act of 1934 specifically provided for the extension of unconditional most-favored-nation treatment which has presumably been a cornerstone of our trade policy ever since. It is this legislation which put this country on a trade policy which led directly to the Trade Expansion Act of 1962 and our participation in the Kennedy round of the GATT negotiations at Geneva.

The Trade Expansion Act of 1962 illustrates the excellence of the cooperative system evolved by the legislative and executive branches. The Congress in advance delegates broad authority to the President to reduce tariffs for the purpose of expanding trade. In debating the amount of authority to be delegated and the areas covered by the delegation of authority, the Congress can fully explore and consider the issues involved. It can give full consideration and debate the effect of possible changes on the American economy, American industry, and American jobs. It can fulfill its role as representatives of the American people.

On the other hand, the executive branch is also better able to fulfill its responsibilities. With authority delegated in advance, it can operate freely in its negotiations. It can negotiate with full assurance that it has congressional approval. It can negotiate responsibly and with confidence that it can fulfill its commitments.

This has been our trade policy since 1934. It has adapted itself well to the changing world. It has reduced tariff barriers, expanding world trade. It has led directly to the Kennedy round. This resolution endorses this policy and has my full support.

I emphasize that there is no constitutional issue involved here. This resolution in no way infringes upon any power with the President. It simply endorses the principles upon which the Kennedy round is based.

To abandon these principles, I strongly believe would be most unwise. If our policy were to change so that negotiations were carried forward without prior legislative authority, benefits to both branches of the Government would be lost. Our negotiators would carry on discussions seriously affecting domestic affairs without congressional guidance. Further, the Senate, and the Congress as a whole, would be foreclosed from any objective consideration of the issues on their own merits. It would be placed in the position of either rubberstamping the agreement reached or repudiating the President. Independent, responsible consideration by the Congress would be foreclosed. Our negotiators at Geneva have already unwisely embarked on such a course. The Trade Expansion Act of 1962 gives broad authority for across-the-board tariff cuts of 50 percent. In some cases it provides authority for the complete elimination of tariffs.

It does not, however, give authority to negotiate methods of valuation. Ability to change methods of valuation would completely undercut the 50-percent limitation. Still, in the first week of May of this year, our representatives in Geneva opened negotiations on the American selling price method of valuation. In so doing they further diminished the role of Congress and precluded the responsible debate and consideration of this controversial issue. They also circumvent the safeguards to American industry which Congress wrote into the Trade Expansion Act.

The Office of the Special Representative for Trade Negotiations had every opportunity to ask legislative authority to open up this new area to Kennedy round discussions. In fact, when the tariff bill was being considered in the Senate last August, that office asked me to sponsor an amendment to the bill removing the American selling price method of valuation from protective rubber footwear. On behalf of myself and the senior Senator from Indiana [Mr. HARTKE], I sponsored such an amendment, and the American selling price method of valuation was removed from protective rubber footwear by the legislative process.

Authority to negotiate ASP could well have been requested at that time and considered by the Congress. Instead, on December 28, 1965, that office requested the Tariff Commission to derive a set of converted rates for ASP items, chemicals, canned clams, knit gloves, and certain rubber soled footwear, namely "sneakers." The Commission was to convert existing tariffs of ASP method of valuation to the export value method of valuation. The purpose of the study as stated in the request, was to assist that office to determine what its policy should be with regard to ASP.

Long before the Tariff Commission completed its initial findings, however, Governor Herter's office announced the willingness of the United States to negotiate on American selling price in the Kennedy round. Neither Congress nor the American people were informed in advance or at the time of this important decision. The Senate delegates to the Kennedy round, appointed under the provision of the Trade Expansion Act of 1962, first learned of this decision from European reports of a speech made by the Deputy Special Representative for Trade Negotiations in Rome, Italy, March 12, 1966.

Thus, the policy decision was obviously made without benefit either of the Tariff Commission study or congressional consideration.

The Finance Committee recognizes that problems exist in the area of valuation of imports for duty purposes. The American selling price is obviously one such problem, but only one. A report from the Bureau of Customs in December 1964 recommended that the definition of export value and foreign value in the Tariff Act be amended to provide that all valuation be f.o.b., port of shipment value.

I ask unanimous consent that the Treasury Department recommendation be printed in the RECORD at this point.

There being no objection, the recommendation was ordered to be printed in the RECORD, as follows:

3. *Ex-factory Price Versus f.o.b. Price.* Under existing value provisions merchandise can be appraised at either of two prices, depending on how it is sold in the principal markets of the country of exportation. If the buyer has the option of buying either at the factory price (ex-factory) or at the price including shipping and handling charges to the port of shipment (f.o.b.), the merchandise is appraised at the ex-factory price. In such a case, inland charges are not part of the dutiable value.

On the other hand, if the buyer can only buy at a price including delivery to the port of shipment, the merchandise is appraised at the f.o.b. price, and inland charges become a part of dutiable value.

The appraiser in making his appraisement must determine, therefore, which of these conditions exist. If should be noted that inland charges are a factor only when the basis of appraisement is foreign or export value. The importance of the problem becomes apparent, however, since as already pointed out, export value is the basis of appraisement in over 96 percent of the invoices appraised under section 402 (new law).

To establish whether to appraise at ex-factory or f.o.b. price when appraising on the basis of foreign or export value, is often time-consuming; sometimes requires a foreign inquiry; causes numerous differences of opinion among appraisers, which require resolving by the Bureau; causes administrative difficulties; and adds considerable delay and uncertainty to appraisement.

Under the present system, a manufacturer need only furnish an affidavit that he sells, or offers to sell, at an ex-factory price, together with a confirmation of an order to this effect, for his merchandise to be appraised at ex-factory prices. That this can lead to fraudulent practices is obvious; to prove so is in most cases difficult, if not impossible. In Japan alone, approximately 4,000 manufacturers have submitted affidavits that they sell at an ex-factory price. Because of this, most of the merchandise coming out of Japan is appraised on an ex-factory basis. Yet those who profess to know claim that 95 percent of merchandise imported from Japan is sold on an f.o.b. basis. Most shipments from Canada are appraised on an ex-factory basis, whereas appraisement of shipments from the rest of the world are fairly evenly divided between ex-factory and f.o.b. basis.

The solution to the problem appears to be to establish a practice of appraising all merchandise on either an ex-factory or f.o.b. basis. To do so would require statutory changes in Section 402 and 402a of the Tariff Act.

It is recognized that the overall amount of duty involved in this issue is significant, even though the amount of duty per entry is relatively small. Ordinarily, inland charges are about 3 to 5 percent of the total invoice value of a given entry. This would mean a difference in duty of less than 1 percent of the total invoice value. Using 15 percent as an average rate of duty and $16.5 billion as the value of current imports per year, about 20 percent of which are subject to ad valorem rates of duty, the amount of the duty involved in this issue is $14.9 million to $24.8 million. This, of course, represents the total amount of duty involved in ex-factory and f.o.b. appraisements. A change to either basis would result in a gain or loss of about half the duty, or 7.5 million to 12.4 million. This is, of course, a rough estimate only.

Most appraisers favor appraising at the f.o.b. price as being easier to establish and more reliable than the ex-factory price. This would mean a gain in revenue to the Government, but it would mean an increase in costs to the importers. Conversely, appraisement at the ex-factory price would mean a loss of revenue to the Government and decreased costs to the importer. Eventually, of course, under either method of appraisement, all importers would be on an equal competitive basis.

RECOMMENDATION VI–20

a. It is recommended that legislation be introduced to amend the definitions of export value and foreign value in Section 402 and 402a of the Tariff Act to provide that in all cases the value of merchandise appraised under these definition would be the f.o.b. port of shipment value.

b. In conjunction with this recommendation and recommendation VI–18 (elimination of section 402a), a thorough study of section 402 should be made for the purpose of further simplification to help speed up appraisement.

Mr. RIBICOFF. Mr. President, many other problems exist. For this reason the Finance Committee on February 9, adopted my resolution to investigate the methods of valuation used by the United States and their principle trading partners. A preliminary report describing the methods of valuation and a comparative analysis of their differences and the results they produced will be submitted to the Finance Committee tomorrow. The final report of the Tariff Commission will include suggestions and recommendations for improvement of the valuation laws including the feasibility and desirability of adopting the Brussels definition of valuation used by all our major trading partners. All interested parties will be given an opportunity to appear and be heard.

The Finance Committee has thus moved ahead in a responsible way to make basic data and information available to all Senators on these very difficult problems. The Senate will thus be in a position to consider and weigh the solutions responsibly. This is a basic role of the Senate and one which should not be abdicated.

Mr. TALMADGE. Mr. President, I rise in support of Senate Concurrent Resolution 100, which expresses the sense of Congress that no agreement for the reduction of duties be entered into by the executive branch unless authorized under present law without the prior approval of Congress.

Explicit in the Constitution is the responsibility of Congress to establish and regulate a national trade policy through the raising and lowering of tariffs. Equally clear is the responsibility of the executive branch to promote trade and expand our markets abroad by treaty and agreement.

Beginning with the Trade Agreements Act of 1934, the Congress, in cooperation with the executive branch, embarked upon a policy of broad delegation of authority to the executive branch for the purpose of conducting trade negotiations and concluding multilateral trade agreements. The genius of this method is that it enables each branch to completely fulfill its constitutionally assigned duties while avoiding embarrasing and awkward situations that are inevitable when one branch must review the accomplishments of the other and simply approve or disapprove. It truly makes the conduct of trade affairs a shared responsibility, as was intended by the framers of the Constitution.

It was this trade policy which led directly to the Trade Expansion Act of 1962, and our participation in the Kennedy round of the GATT negotiations at Geneva. Thus, after 31 years of careful observance and constant application, it was thought to be deeply rooted in our trade policy. Recent indications, however, signal what can only be interpreted as a clear and deliberate intention on the part of the executive branch to depart from this proven procedure. In introducing this resolution, it was sincerely hoped that this great precedent in our Nation's trade policy could be preserved.

Let me emphasize that Senate Concurrent Resolution 100 does not raise a constitutional issue. Nor is it a false issue. It seeks merely to redefine what has been accepted as our national trade policy since 1934. There is not one single word or phrase contained in the resolution that attempts to deny the President his constitutionally assigned authority. It actually strengthens and makes more viable his constitutional authority. It asks only for a rededication to the "hand-in-hand" policy of congressional and Executive cooperation in trade matters. In this sense it is more aptly described as an issue of good faith.

I would point out that in passing the Trade Expansion Act of 1962, the Congress delegated to the executive branch the broadest authority ever delegated for tariff reductions.

If the executive branch is determined to free itself of the long-standing and time-honored commitment to receive prior approval from Congress before acting in the trade field, then it is idle for the Congress to go through the empty gesturing of deliberating long and conscientiously on legislative grants such as the Trade Expansion Act of 1962. Either we openly and deliberately abandon this course, or insist on future compliance by the executive.

Senate Concurrent Resolution 100 determines upon the latter course.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1341), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE RESOLUTION

This resolution expresses the sense of Congress that in the conduct of or in connection with negotiations to carry out the Trade Expansion Act of 1962, no agreement or other arrangement which would necessitate the modification of any duty or other import restriction applicable under the laws of the United States should be entered into except in accordance with legislative authority delegated by the Congress prior to the entering into of such agreement or arrangement.

GENERAL STATEMENT

Background.—Until 1934, delegated authority to cut U.S. tariffs on imported articles was limited to determinations under the so-called flexible tariff provision which permitted tariff charges based upon comparative costs of production in order to equalize the costs of production here and abroad. With this exception ratemaking was primarily a function of Congress. Beginning in that year, however, this Nation embarked upon a new course in foreign trade policy. For the first time Congress delegated broad tariff-cutting authority to the President empowering him to offer reductions in U.S. tariffs on articles imported from abroad in return for concessions from foreign countries reducing barriers to U.S. exports. In 1945, 1955, and 1958, Congress delegated authority to the President to cut our tariff rates by additional amounts.

Each of these grants of authority provided for tariff reductions to apply equally to products of any nation. Under this delegated authority, articles coming from any country would be treated no less favorably than those from another country that did not discriminate against our commerce. Most-favored-nation treatment since the early 1950's has not been accorded products of Communist countries, and such products remain subject to the higher statutory rates of duty without regard to our tariff concessions.

This reciprocal trade policy has worked well within the framework of a constitutional system of checks and balances which vests in Congress the sole authority to change tariffs and confers on the President the sole authority over international negotiations. In this area where neither Congress nor the President has sufficient power to act independently of the other, the two branches since 1934 have joined their strengths to overcome their weaknesses. Thus, Congress delegated tariff-cutting authority in advance and the President entered into reciprocal trade agreements providing for tariff reductions pursuant to that authority. Historically, it has not been the practice under our trade policy to first enter into a tariff-cutting agreement and then seek its implementation.

Trade Expansion Act of 1962.—Because of the success of the reciprocal trade policy and because the existing tariff cutting authority had been exhausted, Congress approved the continuation of this policy in the bold new provisions enacted in the Trade Expansion Act of 1962. It not only continued the authority for the President to reduce our tariffs in return for concessions from foreign nations, but also for the first time authorized the complete elimination of some duties. Another important innovation in U.S. trade policy made by that act was the concept of adjustment assistance for workers and firms. This assistance, though still unused, was designed to relieve distressed workers and firms hard hit by import competition resulting from tariff concessions extended under authority delegated by Congress.

The basic negotiating authority under the Trade Expansion Act empowers the President to proclaim such modification or continuance of any existing duty or other import restriction as he deems appropriate to carry out any trade agreement entered into under that act, except that he may not cut any rate of duty to a rate below 50 percent of the rate existing on July 1, 1962. The President is further empowered to negotiate the complete elimination of duties where the rate in question is not more than 5 percent ad valorem or its equivalent, or where more than 80 percent of the world export value of an article is accounted for by the United States and the countries of the European Economic Community. Similarly, he may eliminate duties on certain agricultural commodities and on tropical commodities.

Authority to enter into trade agreements under the Trade Expansion Act expires June 30, 1967.

Reasons for the resolution.—The Committee on Finance has been pleased with the operation over the years of Congress partnership with the President in foreign trade matters. Long experience convinces us that arming the President in advance with tariff-cutting authority is the most effective means of achieving fair and equitable expansion of trade in the free world. Under this historical procedure, Congress, which is constitutionally vested with sole power to lay duties (art. 1, sec. 8), may weigh the merits of tariff reductions and the extent of contemplated concessions uninhibited by the international implications of a failure to implement obediently a trade agreement already negotiated by the President. It may similarly consider the circumstances under which adjustment assistance is appropriate.

The Committee on Finance has been disturbed over reports that the current Kennedy round of tariff negotiations may be broadened to include U.S. offers of concessions with respect to matters for which there is no existing delegated authority. In the committee's view, this would violate the principles which have made our reciprocal trade program so successful for more than three decades.

It has been reported that one area in which our negotiators may offer concessions concerns the American selling price method of valuation, which is part of the tariff determination process with respect to canned clams, and certain knit gloves, and more importantly, rubber-soled footwear (principally of the sneaker type) and benzenoid chemicals, the so-called coal tar products. Our negotiators concede that no delegation of authority exists, either under the Trade Expansion Act of 1962 or any other existing legislation, to modify the American selling price system pursuant to a trade agreement.

Another area may involve the treatment of "dumped" goods by the country in which the dumping occurs. This problem concerns unfair trade practices in a domestic economy and it is difficult for us to understand why Congress should be bypassed at the crucial policymaking stages, and permitted to participate only after policy has been frozen in an international trade agreement.

Congress has been no less forward-looking than the executive branch in trade matters and any action by our negotiators which tends to subordinate and degrade the important congressional role should not be condoned and will be resisted. The committee recognizes that our Constitution empowers the President alone to enter into international agreements and treaties. We do not question the legality of an agreement involving a trade matter for which no prior authority has been delegated. Our concern is that the experience gained over more than 30 years of a working partnership between the Congress and the Chief Executive may be set aside. It is this concern that moves us to protect the congressional role. We hope our negotiators will understand the great wisdom of confining their activities to those areas in which they have been authorized by Congress to proceed.

SUMMARY

For the reasons stated above, the Committee on Finance reports this resolution to express the sense of Congress that our trade negotiators in Geneva should not enter into any agreement or other arrangement which would require the modification of a U.S. duty or other import restriction except in accordance with clear legislative authority delegated by Congress prior to the negotiation.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution (S. Con. Res. 100). [Putting the question.]

Mr. JAVITS. I vote "No."

The PRESIDING OFFICER. The "ayes" have it.

The concurrent resolution (S. Con. Res. 100) was agreed to, as follows:

S. CON. RES. 100

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that, in the conduct of or in connection with negotiations to carry out the Trade Expansion Act of 1962, no agreement or other arrangement which would necessitate the modification of any duty or other import restriction applicable under the laws of the United States should be entered into except in accordance with legislative authority delegated by the Congress prior to the entering into of such agreement or arrangement.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the concurrent resolution was agreed to.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I am opposed. I say "No."

The PRESIDING OFFICER. The Senator from New York is so recorded.

COOPERATION RELATING TO SCREW-WORM ERADICATION IN MEXICO

The Senate proceeded to consider the bill (S. 3325) to amend the act of February 28, 1947, as amended, to authorize the Secretary of Agriculture to cooperate in screw-worm eradication in Mexico which had been reported from the Committee on Agriculture and Forestry, with an amendment, on page 1, line 7, after "Sec. 2.", to strike out "Section 2 of such Act is" and insert "Such Act is further"; so as to make the bill read:

S. 3325

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of February 28, 1947 (61 Stat. 7) is amended by striking out in the first sentence "or rinderpest", and inserting in lieu thereof a comma and the following: "rinderpest, or screw-worm".

Sec. 2. Such Act is further amended by adding a new section as follows:

"Sec. 5. In carrying out this Act the Secretary of Agriculture is further authorized to cooperate with other public and private organizations and individuals."

Mr. MONTOYA. Mr. President, it is my privilege today to speak briefly in support of S. 3325, a bill which will permit this country to join with Mexico in a cooperative program for the control of screw-worms.

This bill, which I introduced on May 9, was reported out unanimously by the Senate Committee on Agriculture and Forestry yesterday after receiving careful consideration and study. One clarifying amendment was made, but did not change the substance of the bill in any way.

S. 3325 will amend the act of February 28, 1947, as amended, under which the Congress authorized the Department of Agriculture to undertake a cooperative program with Mexico for the elimination of foot-and-mouth disease. This highly successful control program was carried out in Mexico, in cooperation with the Mexican Government, so that today foot-and-mouth disease no longer threatens either the U.S. cattle industry or the Mexican cattle industry.

S. 3325 will permit the Department of Agriculture to utilize this valuable precedent and valuable experience in carrying out a similar international control program against screw-worm.

Screw-worm is a serious cattle pest which is endemic in much of Mexico. Until recently, it was also a serious problem in the Southeastern and the Southwestern United States.

Department of Agriculture specialists have devised an effective method of control which involves the installation and maintenance of "barriers" of sterile screw-worm flies.

Once the pest is eliminated, as in the Southeastern States in 1960 and the Southwestern States including New Mexico by 1964, it can be kept out of a region so long as this barrier is maintained.

At present, the United States is maintaining such a barrier along the 2,000 mile border that we share with Mexico at an annual combined Federal-State cost estimated at $5.2 million.

The same protection could be obtained at far less cost by moving this barrier southward to the narrow waist of central Mexico. The barrier there would be only 150 to 200 miles long, and would be much easier to maintain as well as less expensive to maintain.

At present, the Department of Agriculture lacks the authority for a cooperative eradication program in Mexico. S. 3325 will provide that authority.

Mr. President, I urge the Senate's favorable consideration of S. 3325.

Mr. YARBOROUGH. Mr. President, yesterday the Senate Agriculture Committee reported S. 3325, a bill to authorize the Secretary of Agriculture to cooperate with Mexico in a screw-worm eradication program in that country. This legislation, introduced by the distinguished junior Senator from New Mexico [Mr. Montoya] is vital to the livestock producers of this country. I am honored to be a cosponsor.

In the past, livestock producers in the southern half of the United States suffered an annual loss of $100 million due to the destructive screw-worm. With new scientific methods, eradication of native screw-worm populations has been accomplished in the Southeast and Southwest States, and most recently in Arizona and California. A barrier zone of sterile screw-worm flies extends from the Gulf of Mexico to the Pacific Ocean along the Mexican border, preventing the entry of screw-worms from Mexico into areas of the United States which have been freed from this pest.

Near Mission, Tex., production of sterile screw-worm flies has been perfected to the point that every operation is at least partially automated, permitting an output of more than 150 million flies per week. At Texas A. & M. University research is being conducted on the technical feasibility and economic practicality of applying electronic data processing to screw-worm eradication. By charting patterns of fly distribution and tracing the routes the insects would follow in moving outward from the peaks of concentration, the system could predict future outbreaks and employ preventive measures to control probable danger areas. It is estimated that for every dollar spent on the eradication program the livestock industry has saved $15.

The bill before us now would greatly reduce the cost of this program while insuring the security of our own animals. At the present time 1,850 miles of barrier are maintained to halt the introduction of Mexican screw-worms into the United States. A survey is being conducted in Mexico to study eradication of the screw-worm there. Indications are that an effective barrier could be maintained across the narrow part of Mexico, the Isthmus of Tehauntepec, for a fraction of the expense of the existing barrier. Coordination and cooperation between Mexico and the United States is essential to the success of this program.

S. 3325 amends the act of February 28, 1947, as amended, and authorizes the Secretary of Agriculture to cooperate with the Mexican Government in screw-worm eradication. An open-ended authorization is provided; funds must be appropriated by Congress through the regular appropriations process.

I strongly urge passage of this bill to protect the livestock industry of this country by extending southward the barrier zone of sterile screw-worm flies. The expense of the existing program will be reduced while the scope of protection is increased. I hope my fellow Senators will join in passing S. 3325 as reported.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1342), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

S. 3325 authorizes the Secretary of Agriculture to cooperate with the Mexican Government in screw-worm eradication in Mexico. Currently the United States is assuming the total burden of conducting an eradication program along our entire border with Mexico which runs some 2,000 miles. A successful eradication program in Mexico could eventually mean the establishment of a much shorter and, therefore, less costly barrier across Mexico, probably at the Isthmus of Tehauntepec.

The legislation is further explained in the attached favorable report from the Department of Agriculture. Also attached is the report from the Department of State recommending enactment of the bill. A companion bill, H.R. 14888, passed the House June 6, 1966. The committee amendment is technical.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Subsequently, the Senate took the following action:

Mr. KUCHEL. I ask unanimous consent that the vote by which the bill was passed be reconsidered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of a companion bill, H.R. 14888.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 14888.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 14888) to amend the act of February 28, 1947, as amended, to authorize the Secretary of Agriculture to cooperate in screw-worm eradication in Mexico.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

The Chair hears none, and it is so ordered.

Mr. KUCHEL. Mr. President, I ask unanimous consent that all after the enacting clause be stricken, and that the text of S. 3325, the bill passed by the Senate, be inserted in lieu thereof.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time, and passed.

Mr. KUCHEL. I ask unanimous consent that the Senate bill, S. 3325, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, for the information of the Senate, this request was made by the Senate staff to clear up an inadvertent error, which has now been corrected.

TO INCREASE THE AUTHORIZATION FOR APPROPRIATION FOR CONTINUING WORK IN THE MISSOURI RIVER BASIN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1308, Senate 3186. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The LEGISLATIVE CLERK. A bill (S. 3186) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments to the Senate to the amendments of the House to the bill (S. 2999) to repeal section 6 of the Southern Nevada Project Act (Act of October 22, 1965 (79 Stat. 1068))."

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 7423) to permit certain transfers of Post Office Department appropriations.

The message further announced that the House had agreed to the amendments of the Senate to the following bills of the House:

H.R. 1535. An act to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases; and

H.R. 2035. An act to provide for cost-of-living adjustments in star route contract prices.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 804. Concurrent resolution providing that when the House adjourns on June 30, 1966, it stand adjourned until 12 o'clock meridian, July 11, 1966; and

H. Con. Res. 805. Concurrent resolution providing that the Speaker of the House of Representatives and the President of the Senate be authorized to sign enrolled bills and joint resolutions duly passed and found truly enrolled.

DEDICATION OF THE ESTES KEFAUVER MEMORIAL LIBRARY—REMARKS BY SENATOR JACKSON OF WASHINGTON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a statement by the Senator from Tennessee [Mr. BASS] on the dedication of the Estes Kefauver Memorial Library, and the remarks made by the Senator from Washington [Mr. JACKSON] on that occasion be printed in the RECORD.

There being no objection, the statement and speech were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BASS

The Estes Kefauver Memorial Library, in honor of the distinguished Senator, was dedicated last Saturday, June 25, 1966, in ceremonies at the University of Tennessee in Knoxville at which my good friend and our distinguished colleague Senator HENRY M. JACKSON of Washington delivered the major address. Senator JACKSON, a close personal friend of the late Senator Kefauver, well expressed the feelings of devotion that I, many of my fellow Tennesseans, and many throughout the nation feel toward this remarkable man. As I was bedridden by an inhospitable case of the flu, my wife, Avanell, was kind enough to represent me at the dedication ceremonies and to express at that time our love and admiration for Senator Kefauver. I would like to take this further opportunity to recognize the outstanding contribution that he has made to the people of Tennessee and the nation alike.

It is difficult to imagine a more fitting tribute to his achievements than the Estes Kefauver Memorial Library which will house the documents that chronicle his life. It will serve as a permanent, vital monument to a great man. The spectacular success of the fund-raising campaign for the Estes Kefauver Memorial Foundation is testimony itself to the high regard in which Senator Kefauver is held throughout the nation. In less than three years the Foundation has raised more than $925,000, exceeding its goal by more than $150,000. Some $400,000 of these funds will be used as an endowment to provide Estes Kefauver Scholarships at the University of Tennessee. Another endowment of $105,000 has been created in his name at Wilberforce University, the oldest Negro university in Ohio, and a Kefauver scholarship fund of $5,000 has been established at Knoxville College. In addition, an Estes Kefauver lecture series has been founded at Southwestern University in Memphis to offer annually programs about the federation of democracies into a Union of the Free. Edward Meeman, editor emeritus of the Memphis Press-Scimitar, has donated $50,000 to provide an annual award to promote the cause of Atlantic Union, a cause that Senator Kefauver himself consistently championed.

In his address Senator JACKSON discussed the Atlantic Community, an expression often used to refer to the Atlantic Union, and he commended Kefauver for his firm commitment to the Union. He also paid homage to the courage and statesmanship which characterized Senator Kefauver's career.

REMARKS BY SENATOR HENRY M. JACKSON AT THE DEDICATION OF THE ESTES KEFAUVER MEMORIAL LIBRARY, UNIVERSITY OF TENNESSEE, JUNE 25, 1966

I am honored to be a participant in this dedication in memory of a distinguished son of Tennessee, an outstanding statesman of our country, and my long-time close personal friend, Senator Estes Kefauver. I am pleased that Nancy Kefauver and her wonderful children, Diane, Gail, Linda, and David are with us, as well as his faithful and loyal sisters, Nancy Fooshee and Nora Kefauver.

I well remember Monday, August 12, 1963, the day set aside by Estes Kefauver's colleagues in the House and Senate to pay their tributes to a departed friend. One man after another rose to speak of his courage, his integrity, his friendliness, the tirelessness of his service. Two phrases came to many minds that day as we recalled his work among us: He was a man—and he was a man of the people.

Estes was a man—independent, fearless, sometimes a loner, following his own lights, a pioneer in a coonskin cap blazing a path to a better life through the trackless wilderness of Washington. On more than one occasion, when the time came to cast his vote on a controversial issue, Estes would say: "Well, here goes. I'm not sure the folks in Tennessee will be sending me back, for this isn't popular in my country, but it's the right thing to do, and I'm going to vote for it."

When we pay tribute to Estes, therefore, we are also paying tribute to the people of his beloved Tennessee, who did send him back, over and over again. They knew he was a man, they respected him for it, and they preferred a man who knew his own mind to one who would try to be all things to all men.

Estes was also a man of the people—deeply conscious of the public interest and determined to use the great powers of the Federal Government to advance the welfare of the people. It brought him into conflict again and again with the "special interests"; you might say that Estes made himself the spokesman of the special interests of the people.

You here in Tennessee knew it, and many other Americans intuitively recognized it. Estes won 14 of the 17 primaries he entered in his campaign for his party's Presidential nomination in 1952—a remarkable tribute to a man who had not endeared himself to the political pros in his own party.

It is a good thing you are doing here to create working memorials to a working man. The collection of his papers is of historical importance, and provides rich materials for scholarly research into an important period of our national life.

There is nothing that would please Estes more than the knowledge that young men will be helped to prepare themselves for useful careers by scholarships in his name.

In a time when young men and women in this great university, as elsewhere around the country, face what it is fashionable to call "a crisis of identity," I think it is a good thing to hold Estes before them as a man worth emulating. That is what you accomplish by the Estes Kefauver Human Dignity and Free Economy Awards.

Many of you and probably most of other Americans usually think of Estes in terms of domestic problems, issues, and concerns, such as his support of TVA and public power, his battles with trusts and monopolies, his fight against organized crime, and his firm stand for progress in the field of civil rights.

On this occasion, however, I want to recall his persistent and vigorous support of cooperation among the free nations as the surest road to a peaceful world. As Estes said in July 1962:

"Two 'hot' wars and the 'cold' one . . . have sharpened our awareness of our common roots, our common interests, our common ideals, and our common enemy. Out of this awareness has come concerted action, both military and economic; 'united or perish' has been our watchword. We united in the execution of the Marshall Plan . . . in NATO . . . in the . . . Organization for Economic Cooperation and Development . . . Some of these things we have done and are doing together because of the Soviet threat. But they are things that, regardless of the Soviet threat, we should do together because they are right."

Estes was in the forefront in his support of the Marshall Plan, economic cooperation, and the reduction of trade barriers—and in his support of realistic programs to strengthen and develop the Atlantic Community.

The first task of the Atlantic Alliance is to insure the security of its members by linking their talents and resources in such a way that any potential aggressor cannot hope to take on one at a time. NATO has provided this vital insurance for seventeen years and will continue to do so.

But an alliance can also serve to advance some of the other positive goals of its members. The strength and unity of the Atlantic area so carefully developed over the years is a major factor in creating the necessary political conditions for moving toward settlement of the troubling issues left over from World War II.

Estes always stressed the necessity of political solidarity among the western allies in order to move toward the kind of world we all seek. He was never a worshipper of the status quo anywhere. He would have welcomed the current efforts of the Fourteen allies to surmount the crisis precipitated by De Gaulle's eviction notice, to streamline the alliance and to make better use of its great potential in dealing with the outstanding issues of the day.

The North Atlantic Alliance, of course, has unfinished business—which is to reach a genuine, stable European settlement with the Soviet Union—to create conditions in which people can speak meaningfully of Europe instead of Western Europe and Eastern Europe, and to build a Europe which will strengthen the prospects for world peace and contribute to peaceful progress in Asia, Africa, and Latin America.

The Fourteen allies believe that Western unity and strength are the foundation stones of a genuine settlement. President de Gaulle apparently does not.

A genuine settlement will involve, among other things, a reduction of Soviet forces in Eastern Europe and their return to the Soviet Union. The Fourteen allies believe that the Soviet rulers are more likely to consider favorably such a move if the West remains strong than if Western power and resolve diminish. The Fourteen do not understand how they can improve their bargaining by weakening it.

There is the issue—and it is one on which we in the United States need to be clear. Some Americans are already asking why we should keep American boys in Europe if France is not going to play her full part in the defense of Western Europe. The answer is that it would be folly to unilaterally cut our forces in Europe and throw away the bargaining position we have worked long and hard to build. We should not cut our combat capability in Europe without corresponding concessions from the Soviet Union—especially so when the concession we ask are but contributions to a peaceful future for all of Europe, East and West. We could look forward to the reduction and redeployment of U.S. and NATO forces if the Soviets make effective arrangements for an equivalent reduction and redeployment of their forces.

The strength and progress of the Atlantic Community have been the product of allied cooperation, and cooperation has been the product of a readiness to subordinate lesser national interests to the overriding national interest in a security obtainable only by joint action with allies.

The processes of give-and-take and mutual accommodation are at the heart of joint ventures. Estes Kefauver knew this very well. He did vital work in the service of the Atlantic nations as a prime mover and leading participant in the NATO Parliamentarians' Conference. Estes was at his very best in the give-and-take with allied leaders, the frank talk and the listening, necessary to effective collaboration and action.

Estes Kefauver, like all statesmen, knew that the course of politics is not always straight and smooth. One suffers reverses and setbacks. He also knew the importance of persistence when one is on the right road.

A main purpose of the Estes Kefauver Memorial Foundation is to perpetuate the ideals Estes worked for during his long but all-too-short public career. No ideal was more important to him than the unity of free men on which our hopes for peace and progress depend. Nothing will do greater honor to his memory than to keep that ideal clearly before us as a light to guide by when the going gets rough.

PRESS REACTION TO TITLE IV

Mr. ERVIN. Mr. President, as Congress continues to deliberate title IV of the proposed Civil Rights Act of 1966, the people and the press in the country have become more aroused. My mail shows that the very great majority of the American people do not want to see their rights to sell or rent their property destroyed by act of Congress.

One of the more eloquent and cogent editorials on this subject was contained in the Charlotte News of Friday, June 17, 1966. This editorial is the embodiment of the best tradition in objective and scholarly editorial writing.

Mr. President, I ask unanimous consent that the editorial, together with excerpts from title IV quoted by the writer, be printed at this point in the Record.

There being no objection, the editorial and excerpts were ordered to be printed in the Record, as follows:

[From the Charlotte News, June 17, 1966]

Title IV Must Go

It is a sad truth that the worst law often issues from noble impulses. If it is a noble impulse to wish to provide a broader range of opportunity in housing for Americans who have been disadvantaged because of their race, that does relieve laws to this end of the need to be rational and to work good for all.

The salient features of Title IV—the so-called Open Housing title—of the administration's civil rights bill—are excerpted in the box accompanying this editorial. It is easy enough to determine what the bill sets out to accomplish. It sets out to banish race, color, or creed as considerations in the rental or sale of private property. It sets out to force the landlord, real estate agent, or home owner under the law to treat Negroes and whites identically.

And right away, at its central purpose, it is in trouble. For it tempts the assumption that it simply extends to the Negro rights previously held by whites. Nothing could be further from the truth. A homeowner's right to rent to one man for no better reason than that he has black hair or to refuse to rent to another for no better reason than that he has red hair is deeply rooted in the law. So liberal a man as Supreme Court Justice William O. Douglas is one authority out of many on this point. He wrote, in *Lombard* v. *Louisiana*: "For the Bill of Rights, as applied to the States through the Due Process clause of the Fourteenth Amendment, casts its weight on the side of the privacy of homes. A private person has no standing to obtain even limited access. The principle that a man's home is his castle is basic to our system of jurisprudence."

In other words, the private individual, whatever his color, never has had rights involving such access to private property. Suddenly, now, it is proposed that he does indeed have such rights, and that the property owner's rights must bow to them.

It is difficult to grasp the full meaning of such an assertion. Nothing like it resides in the record of constitutional interpretation, which insists upon the basic distinction between private and public property. The Supreme Court in *Shelley* v. *Kramer* put it very well: "The principle has become firmly embedded in our constitutional law that the action inhibited by the first section of the Fourteenth Amendment is only such action as may fairly be said to be that of the State." *That amendment erects no shield against merely private conduct, however, discriminatory or wrongful.*

We have emphasized this last phrase because it is basic to understand the issue here and in so many other areas of disputed interpretation of the Constitution. The Constitution is not a document intended to right all wrongs. It is a legal framework within which government and the individual can subsist in a meaningful but not coercive relationship with each other. Much of the good that Americans see to do can be done only by persuasion, not by coercion, and certainly not by passing new and more encompassing law.

Indeed, much ill can be done in the name of good and by exactly such means. It's possible to offer one simple example of the kind of wrong that could ensue from passage of Title IV.

Let's suppose that a man decides to offer his house for sale and advertises it. A prospective buyer looks at the house and makes an offer. The homeowner takes it under consideration but in time decides, for one reason or another, to remain in the house himself and not to sell. He so informs the prospective buyer.

It is entirely possible that if the prospective buyer happened to be a Negro that the homeowner would find himself haled into court and forced to prove that his decision not to sell was not based on the prospective buyer's race, color, or creed. That might be hard to prove. In the end, the homeowner might find himself judged guilty of discrimination, subject to a stiff fine.

All of this goes, as we have noted, without consideration of the rights of the homeowners, well established in constitutional interpretation. The basic right not to be deprived of liberty or property without due process of law—the only right expressly mentioned in both the 14th Amendment and the Bill of Rights—would be sacrificed by Title IV of a new, so-called right of "open occupancy."

Can such a law be constitutional? We do not believe it, if the Constitution still has meanings that are not to be set on their head. The administration is trying to qualify Title IV under the Constitution's Commerce clause, which reads simply: "The Congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes." But if Title IV can be stuffed into this clause in utter defiance of long-established interpretations of other sections, the Constitution has been shorn of valued principles that cannot be replaced.

Senator Dirksen rose yesterday to state that, in his judgment, Congress cannot be sold Title IV. Let us hope not. Let us hope that Congress has the good sense to defeat a proposal that, in the name of a good end, would employ such clearly unconstitutional means.

[From the Charlotte News, June 17, 1966]

Title IV

Below are pertinent excerpts from Title IV of the administration's proposed civil rights bill of 1966:

> Sec. 403. It shall be unlawful for the owner, lessee, sublessee, assignee, or manager of, or other persons having the authority to sell, rent, lease, or manage, a dwelling, or for any person who is a real estate broker or salesman, or employee or agent of a real estate broker or salesman—
>
> a. To refuse to sell, rent or lease, refuse to negotiate for the sale, rental or lease of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, or national origin. . . .
>
> c. To print or publish or cause to be printed or published any notice, statement, or advertisement, with respect to the sale, rental, or lease of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, or national origin. . . .
>
> Sec. 406.
>
> a. The rights granted by sections 403–405 may be enforced by civil actions in appropriate United States district courts. . . .
>
> c. The court may grant such relief as it deems appropriate, including a permanent or temporary injunction, restraining order, or other order, and may award damages to the plaintiff, including damages for humiliation and mental pain and suffering, and up to $500 punitive damages.

THE NEGRO AND THE INDIAN: A COMPARISON OF THEIR CONSTITUTIONAL RIGHTS

Mr. ERVIN. Mr. President, in the spring 1966, edition of the Arizona Law Review, Albert E. Kane has made an excellent contribution to our understanding of the constitutional rights of the American Indian.

Mr. Kane, who has been admitted to practice before the Supreme Court and in the State of New York, is presently a member of the Bureau of Indian Affairs. In his article, entitled "The Negro and the Indian: A Comparison of Their Constitutional Rights," he describes the situation in this way:

> Off the reservation the Indian enjoys the same rights of other citizens; but on the reservation, in the absence of federal legislation, he has only the rights conferred on him by the tribal governing body, because the constitutional guarantees do not restrict tribal action.

The reading of this article should arouse the concern of all Senators for insuring to the American Indian the basic rights which all Americans enjoy. For this reason, Mr. President, I ask unanimous consent that Mr. Kane's article be reprinted in full at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Arizona Law Review, Spring 1966]

The Negro and the Indian: A Comparison of Their Constitutional Rights

(By Albert E. Kane [*])

In view of the recent legislation attempting to render effective the voting rights of the American Negro,[1] it may be interesting to compare briefly the treatment of some of his constitutional rights with those of the American Indian.

Negroes first arrived in this country in 1619, but they did not all become citizens until after the enactment of the Civil Rights Act of 1866,[2] and the 14th Amendment. It was not until 58 years thereafter, under the Citizenship Act of June 2, 1924,[3] that all Indians were recognized as citizens of the United States and of the States of their residence.[4]

Some indication of the difference in magnitude of the problems involved can be gleaned from examination of the 1960 population figures of the states of Alabama and Arizona. According to these, in the State of Alabama, there were 2,283,609 whites and 980,271 Negroes, a ratio of 2.3 to 1. In Arizona, where there are congregated 19 tribal groups and more Indians than in any other State, there were 1,302,161 whites and 83,387 Indians, a ratio of almost 15 to 1.[5]

The Right to Vote

While Alabama voting laws did not expressly deny the vote to Negroes, the discriminatory application of these laws made Negro voting really impossible. As the President said: "Every device of which human ingenuity is capable has been used to deny this right . . . He [the Negro] may be asked to recite the entire Constitution or explain the most complex provision of State law. . . . The only way to pass these barriers is to show a white skin." [6]

Prior to the voting rights legislation and notwithstanding the Civil Rights Act of 1964, a Negro often had to stand all day in line to register and then perhaps be refused; economic reprisals were threatened against those attempting to vote; bullets were fired into passing automobiles having Negro occupants; Civil Rights workers, both white and colored, were slain; the Ku Klux Klan was riding again to intimidate the black voter; and it became necessary for Negro vigilantes to stand guard over Negro neighborhoods.[7]

Unlike Alabama, Arizona voting laws seemed *expressly* discriminatory with respect to Indians. Article 7 of the state constitution, concerning "Qualifications of Voters," provided in part:

> No *person under guardianship*, non compos mentis or insane shall be qualified to vote at any election, nor shall any person convicted of treason or felony, be qualified to vote at any election unless restored to civil rights. (*Italics* mine).

Pursuant thereto, the 1928 Arizona statute provided that "* * * persons under guardianship * * * shall not be qualified to register for any election." [8]

In the 1928 case of *Porter v. Hall*,[9] it was decided that Arizona Indians did not have the right to vote because they were within the specific provisions of this law denying suffrage to "persons under guardianship":

> * * * so long as the federal government insists that, notwithstanding their citizenship, their responsibility under our law differs from that of the ordinary citizen, and that they are, or may be, regulated by that government, by virtue of its guardianship, in any manner different from that which may be used in the regulation of white citizens, they are, within the meaning of our constitutional provision, "persons under guardianship," and not entitled to vote.[10]

In 1948, however, the *Porter* case was expressly overruled in the case of *Harrison v. Laveen*,[11] thus allowing the Indians the right to vote in Arizona.

Many other state laws contained voting provisions which expressly discriminated against Indians. Some allowed the vote only to those Indians who were determined to have adopted the language, customs and habits of civilization, or who had severed their tribal relations; others denied the elective franchise to "Indians not taxed" or declared that reservation residents were not residents of the state. However, the vast majority of these had been repealed by legislation or overruled by case decisions by 1960.[12] In any event, this discrimination was not brought about through physical coercion or economic threat, nor, for the most part, has any Federal measure been necessary in recent years to insure the Indians' voting rights.[13]

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[*] A.B. 1921, Columbia College; LL.B. 1923, Columbia Law School; A.M. 1923, Ph. D. 1938, Columbia Graduate School; admitted to practice before Supreme Court of the United States; member State Bar of New York. The author is presently a member of the Bureau of Indian Affairs. The views expressed herein are those of the author and do not necessarily reflect the views of the Bureau of Indian Affairs or the Department of the Interior.

[1] 79 Stat. 437 (1965).

[2] 14 Stat. 27 (1866).

[3] 43 Stat. 253 (1924).

[4] Deere v. New York, 22 F.2d 851 (1927).

[5] The tribes represented in Arizona are the Apaches, Chemehuevis, Cocopahs, Havasupais, Hopis, Hualapais, Maricopas, Mohaves, Navajos, Paiutes, Papagos, Pimas, Yavapais, and Yumas.

[6] Washington Post, March 16, 1965, sec. A, p. 14, col. 5.

[7] No authority can be cited which completely describes the events which transpired during the Summer of 1965. See generally Newsweek Magazine, vol LXVI, no. 8 (Aug 23, 1965).

[8] Arizona Laws (1928), ch. 62, § 1.

[9] 34 Ariz. 308, 271 Pac. 411 (1928).

[10] *Id.* at 331 271 Pac. at 419.

[11] 67 Ariz. 337, 196 P.2d 456 (1948).

[12] For provisions relating to the Indian voting problem in other states, see, *e.g.*, Opsahl v. Johnson, 138 Minn. 42, 163 N.W. 988 (1917), N.D. Const, art. V, §§ 121, 127; Swift v. Leach, 178 N.W. 437 (N.D. 1920); 1953 Utah Code Ann. § 20–2–14(11); Allen v. Merill, 6 Utah 2d 32, 305 P.2d 490 (1956), *remanded*, 353 U.S. 932 (1957); Rothfels v. Southworth, 11 Utah 2d 169, 356 P.2d 612 (1960).

[13] As recently as 1962 the Indian right to vote was vainly challenged by the unsuccessful candidate for Lieutenant Governor of New Mexico, who would have been the victor by 63 votes out of 300,000 cast if the Indian votes had been thrown out. The contention was that, since the State had no jurisdiction over the reservation, the polling places should not have been allowed thereon because of the difficulties that might have arisen in the event of a violation of the New Mexico Election Code occurring on the reservation. In rejecting this contention the Supreme Court of New Mexico stated:

"The fact that a person living on a reservation may not be subject to the process of the courts or the direction of State or county officials is of serious moment but so is the refusal of the right to vote. . . . The anomalous situation here existing places the

THE RIGHT TO FREEDOM OF WORSHIP

Negroes enjoy the Federal guarantee of freedom of worship in theory as well as in practice, as do Indians living off the reservation. However, Indians living on the reservation, while usually enjoying this right in practice, could, in theory, be denied it, since only 117 of the 247 formally organized tribes have Bill of Rights provisions in their tribal constitutions.[14] Absent a showing of clear and present danger to the public health, welfare or morals, neither the state nor Federal governments will interfere with churches or church practices.[15] However, it has been held that a tribal court can deny a reservation Indian the free practice of his religion since the First Amendment to the United States Constitution is not applicable to Indian nations, so that the deprivation of religious liberty by a tribal government could not be enjoined.[16] In *Toledo v. Pueblo de Jemez*,[17] the plaintiffs complained that the Pueblo refused them the right to bury their dead in the community cemetery, to build a church on pueblo land or to use their homes for church purposes, and refused to allow Protestant ministers freely to enter the Pueblo at reasonable times. They also alleged that they were threatened with the loss of their homes and personal property unless they accepted the Catholic religion, and that all this was done despite the adoption of a Pueblo ordinance recognizing each member's right to freedom of worship and to be unmolested in his person or property on account of his mode of religious worship. The court, however, refused to intervene, stating that the Pueblo derived its powers neither from New Mexico nor the United States, although it was subject to the paramount authority of Congress, and that, since no State law was involved, there was no violation of the Civil Rights Act.[18]

THE RIGHT TO EQUAL PROTECTION OF THE LAWS

No citation of authority is necessary to establish that, prior to the Civil Rights Act of 1964 [19] and the cases decided under it,[20] the Negro was judicially denied the equal protection of the laws of Alabama with respect to public accommodations. In contrast, as early as 1939 the Arizona court, in upsetting a discriminatory game law, decided that tribal Indians were entitled to the equal protection of the laws of Arizona:

> "The Indian is responsible to the state courts, under our criminal law, for acts committed when he is off the reservation in the same manner as any other citizen. . . . His property, if he may have any which is not on the reservation, is subject to the jurisdiction of the state courts in the same manner as that of other citizens under guardianship, and his contracts in regard to said property are subject to the same rules as the contracts of others who are not *sui juris*. . . . We think the only difference between petitioner and other citizens not *sui juris*, to-wit: that he is of the Indian race and that while on the reservation he is not subject to the laws of the state in the same manner as other wards, is not a difference which in any manner can, or does, affect the successful operation of the game laws and their object, to-wit: the protection and preservation of game." [21]

THE RIGHT TO DUE PROCESS OF LAW

Together, the Fifth and Fourteenth Amendments of the Constitution of the United States prevent the deprivation of life, liberty, or property without due process of law. These amendments thus limit legislative action by the state and federal Governments, but they do not apply to Indian tribes, which are considered "domestic dependent nations" and not "states,"[22] although politically they function in a similar manner. While in practice racial discrimination may prevent the Negro from achieving his full rights to due process, legally he is protected by these amendments. Conversely the tribal Indian is often protected in the exercise of these rights in practice, but not legally. He lives for the most part on reservations in areas away from the white community and, while he may resent its attitude toward him and feel keenly the lash of discrimination, yet he is not too often subject to this type of humiliation because his contacts with white people are less frequent than those of the Negro. Furthermore, Indian tribes seldom violate the "constitutional" rights of their own members. They do not ordinarily have illegal searches and seizures, police brutality, nor extensive detention before arraignment. Nevertheless, legally, the tribe may deprive its people of their liberty and property without what the U.S. Supreme Court describes as "due process of law," and the Indian will have no redress.[23] Off the reservation, with respect to federal and state governments, the Indian citizen has all the constitutional rights of other citizens, but on the reservation, in the absence of federal legislation, he has only the rights conferred on him by the tribal governing body, as the constitutional guarantees do not restrict tribal action.[24] One mode of redress specifically guaranteed to citizens of the United States, the writ of Habeas Corpus, was not available to the reservation Indian until 1965.[25]

THE RIGHT TO A FAIR TRIAL

For his offenses, the Negro will be tried in local, state and federal courts; but, except for eleven major crimes, the reservation Indian who commits a crime on the reservation is subject solely to the tribal court system.[26] This system is now composed of 12 Courts of Indian Offenses, established by the Secretary of the Interior for those tribes which are not fully organized, 53 tribal courts, established by the tribes themselves but modeled after the Court of Indian Offenses, and 19 traditional courts, mainly in the New Mexico pueblos, using unwritten codes.[27] These courts have often been described as extralegal, since Congress has never gone further in recognizing them than to authorize a small salary for their judges.[28] Although their decrees have been recognized in state courts,[29] they have been described as mere educational and disciplinary instrumentalities. They are not constitutional courts within the purview of section 1 of article 3 of the United States Constitution which vests the judicial power of the United States in one Supreme Court and in such inferior courts as Congress may from time to time ordain and establish.

Except in some cases before local Justices of the Peace, a Negro will be tried in a court where the presiding judge has had legal training and is a reputable member of the state or federal bar. The only qualification for the selection of a judge in the Court of Indian Offenses is that he be a member of the tribe and not have been convicted of a felony; or, within 1 year then last past, a misdemeanor.[30] The judge may actually have been selected just because in the past he has felt the sting of the law, and therefore, will be presumed to act in a compassionate manner toward those brought before him. A few Indian judges may have had some college training and even studied law, and in courts other than the Courts of Indian Offenses, some professional attorneys or even retired State court judges have been employed to preside,[31] but quite often Indian judges are woefully incompetent, without any knowledge of legal procedure and without any legal training. Furthermore, if the judges are appointed by the tribal governing body, an Indian litigant politically opposed to that body may not always get fair treatment.[32] Compounding the problem of inexperience, spectators are few in Indian courts and there is seldom a reporter to record an unjust decision, thus defeating the power of the press to bring about a reversal.

When the Negro is brought to court and charged with a crime, he may demand a jury trial pursuant to the 6th Amendment to the Constitution.[33] Of course, such a trial may be of little benefit to him if he secures only a prejudiced white jury, unless he succeeds in having his conviction set aside on the basis of systematic exclusion of Negroes from the jury panel.[34]

In Courts of Indian Offenses the accused may also demand a jury trial, but only after it is determined by the court that a substantial question of fact has been raised.[35] However, because of fear of alienating the judges, or through ignorance or habit, trial by jury is seldom requested.

THE RIGHT TO COUNSEL

The Negro's right to be represented by counsel is also protected by the 6th and 14th

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Navajo in a more favored position than other legal residents of the State. They have the right to participate in the choice of officials but, under many circumstances, cannot be governed by or be subject to the control of the officials so elected. Whether this should be allowed to continue is a matter to be determined by the legislature, after it has considered all the facts including the wishes of the Indians involved."

Montoya v. Bolack, 70 N.M. 196, 372 P. 2d 387 (1962).

[14] *Hearings Before Senate Committee on Judiciary—Constitutional Rights of American Indians*—87th Congress, 1st Session, p. 121 (1961).

[15] Cantwell v. Connecticut, 310 U.S. 296 (1940).

[16] Native American Church v. Navajo Tribal Council, 272 F. 2d 131 (10th Cir. 1959).

[17] 119 F. Supp. 429 (D. N.M. 1954).

[18] 8 U.S.C.A. § 43 (now 42 U.S.C.A. § 1983 (1964)).

[19] 78 Stat. 241, 42 U.S.C.A. 2000a (1964).

[20] Heart of Atlanta Motel v. United States, 379 U.S. 241 (1964); Katzenbach v. McClung, 379 U.S. 294 (1964).

[21] Begay v. Sawtelle, 53 Ariz. 304, 88 P. 2d 999 (1939).

[22] Talton v. Mayes, 163 U.S. 376 (1896); Cherokee Nation v. Georgia, 5 Pet. 1 (1831); Native American Church v. Navajo Tribal Council, 272 F. 2d 131 (10th Cir. 1959); Barta v. Oglala Sioux Tribe, 259 F. 2d 553 (8th Cir. 1958).

[23] Glover v. U.S., 219 F. Supp. 19 (D. Mont. 1963).

[24] *Op. cit. supra* note 14, at 3; State of Arizona v. Hobby, 221 F. 2d 498 (D. D.C. 1954).

[25] Colliflower v. Garland, 342 F. 2d 369, 379 (9th Cir. 1965).

[26] See Kane, Jurisdiction Over Indians and Indian Reservations, 6 Ariz. L. Rev. 237 (1965).

[27] *Op. cit. supra* note 14, at 141.

[28] Rice, *Position of American Indian in Law of U.S.*, 16 J. COMP. LEG. & INTL. L. SER. 307 (1934).

[29] See, *e.g.*, Iron Crow v. Oglala Sioux Tribe, 231 F.2d 89 (8th Cir. 1956); U.S. v. Clapox, 35 Fed. 575 (1888); Application of Denetclaw, 83 Ariz. 299, 320 P.2d 697 (1958); Begay v. Miller, 70 Ariz. 380, 222 P.2d 624 (1950); Patterson v. Seneca Nation, 245 N.Y. 433 (1927).

[30] 25 C.F.R. § 11.3(d); *Op. cit. supra* note 14, at 159.

[31] *Op. cit. supra* note 14, at 138.

[32] *Op. cit. supra* note 14, at 89.

[33] While the 6th Amendment does not bind the states to provide juries in criminal proceedings, Lane v. Warden Md. Penitentiary, 320 F. 2d 179 (1963), most state constitutions so provide. See, *e.g.*, ARIZ. CONST. art. 2, § 23.

[34] See, *e.g.*, Norris v. Alabama, 294 U.S. 587 (1934).

[35] 25 C.F.R. § 11.7a (1961).

Amendments. In fact, if he has no lawyer, and cannot afford to hire one, the courts will appoint one for him.[36] On the other hand, most tribal courts do not permit professional lawyers to practice in their courts, providing instead that either a member of the tribe may appear in an Indian's behalf or the court may appoint a representative for him.[37] This was also true in the Courts of Indian Offenses until 1961, when the regulations were changed to permit the appearance of professional attorneys.[38] However, since there is very little, if any, citation of case law in Indian courts, the aid of professional counsel is of doubtful importance.

THE RIGHT NOT TO TESTIFY AGAINST ONESELF

Under the U.S. Constitution, a Negro charged with a crime need not testify against himself. Conversely, in more than 60 Indian tribes, because there are no written codes or ordinances,[39] and the Indian is dependent on "customary" government, he has no guarantee against self-incrimination.[40]

CONCLUSION

Whatever faults there may be in the Indian system, many Indians prefer it, believing that, as with the Negro, they might be subjected to prejudice and discrimination in some state courts.[41] Pursuant to Public Law 280,[42] states may, without tribal consent, extend their criminal and civil jurisdiction to encompass Indian reservations, thereby insuring a fair trial, but, mainly because of the added costs involved, few have exhibited any desire to do so,[43] and the majority of Indian people have expressed opposition to such an extension of state court jurisdiction.[44]

Off the reservation the Indian enjoys the same rights of other citizens; but on the reservation, in the absence of federal legislation, he has only the rights conferred on him by the tribal governing body, because the constitutional guarantees do not restrict tribal action. Senator ERVIN of North Carolina, has introduced bills in Congress to protect the constitutional rights of American Indians which would authorize the Attorney General to investigate Indian complaints regarding deprivation of their constitutional rights and grant the right of appeal in such cases from Indian courts to the United States District Court.[45] Perhaps this signals an arousing of concern toward problems of the American Indian commensurate with that recently directed toward the American Negro.

THE RIGHTS OF OWNERSHIP

Mr. ERVIN. Mr. President, in 1889 the greatest historian of English law, Maitland, said of Oliver Wendell Holmes' "Common Law" that—

> For a long time to come [it] will leave its mark wide and deep on all the best thoughts of Americans and Englishmen about the history of their common law.

Today, we make inquiry into questions of law, and freedom, and particularly of the rights of ownership as they are involved with law and freedom. Holmes also asked these questions and quite beautifully answered some of them in his masterpiece on the common law. He wrote:

But what are the rights of ownership? They are substantially the same as those incident to possession. Within the limits prescribed by policy, the owner is allowed to exercise his natural powers over the subject-matter uninterfered with, and is more or less protected in excluding other people from such interference. The owner is allowed to exclude all, and is accountable to no one.

Oliver Wendell Holmes spoke not only for his generation but as Maitland predicted "for a long time to come." The Subcommittee on Constitutional Rights has been privileged, however, to receive the benefits of the experience and thoughts of a more current authority on the law of real property. I refer, Mr. President, to the testimony of Bertel M. Sparks, professor of law at New York University.

Professor Sparks was invited to testify as one well qualified to speak on title IV of S. 3296, the housing section of the administration's proposed "Civil Rights Act of 1966." Having earned law degrees at the University of Kentucky and the University of Michigan, Professor Sparks has been a lecturing professor in the following special areas of property law: sales, real property, future interests, vendor-purchaser, trusts and estates, wills, and personal property. He was editor of the Kentucky Law Journal and is author of "Contracts To Make Wills" and "Cases on Trusts and Estates."

In his testimony before the subcommittee, Professor Sparks expressed the concern of many of us that—

> In the minds of some men even now, freedom [has] become deeply involved in semantics.

He clearly illustrated that—

> It is the right of an individual to deal with the fruits of his own labors in the way that seems most pleasing to him. And if he is not free to sell that which he acquires, he will be much less interested in acquiring it.

Mr. President, I submit that this statement is an accurate prediction if title IV is enacted. It goes to the very heart of the American economy. All Senators and all Americans should read Professor Sparks' statement with interest and reflection.

Mr. President, I ask unanimous consent that the full text of Professor Sparks' statement be printed in full at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MEMORANDUM—TITLE IV, S. 3296, 89TH CONGRESS, 2D SESSION

(By Bertel M. Sparks, professor of law, New York University)

A person might be against a proposed piece of legislation because he does not approve of the objectives sought or he might approve of the objectives but still be against the particular statute because he does not consider it a proper means of achieving the desired goals. It is assumed that the objectives of Title IV of Senate Bill 3296 are to provide additional means for enforcing the constitutional provision for equal protection of the laws and to give to Negroes, and possibly others, a better opportunity to obtain more desirable housing. These are worthy goals indeed and it is doubtful if anyone can be found who will disagree with either of them. But in spite of the good intentions, inquiry must be made into the actual results Title IV is likely to produce in the market place. For I believe that Daniel Webster spoke the truth when he said the "Constitution was made to guard the people against the dangers of good intentions."

In the popular press, the bill is being referred to as a "Civil Rights Bill." But the experienced legislator can never be content with labels alone. He must ask himself, what rights, to whom are they being given, and who is giving them? Upon these questions Title IV is extremely ambiguous. It purports to give a right to everyone to purchase or lease real estate without regard to his "race, color, religion or national origin." But that right already exists in every instance where the prospective buyer locates the desired housing and offers the price for which a willing seller is prepared to sell. That brings us more directly to the question as to how Title IV proposes to improve the buyer's position. A reading of the bill, especially section 403, makes it quite clear that its purpose is to improve the buyer's position by providing for him a willing seller in circumstances where such might not otherwise be available. There are a number of rather extensive enforcement provisions concerning the bringing of lawsuits, payment of attorney's fees, and the regulation of real estate brokers and financial institutions. Many of these are of highly questionable viability within themselves. But they are all designed to support or supplement what purports to be the one basic right extended to the buyer. It is that central basic provision that I wish to discuss. And it will be my position that if the bill is enacted, its principal effects will be (1) to reduce the total amount of housing available by discouraging building, and (2) to put Negroes and other groups the legislation is intended to help at an increasing disadvantage in their efforts to buy what is available.

The bill attempts to provide a willing seller by denying to every property owner the right to consider "race, color, religion, or national origin" as influencing factors in the selection of a tenant or customer. But that provision raises two further questions of primary importance: (1) What personal right does this take from every home owner in the land? and (2) What effect will this have upon the ability of Negroes and other minority groups to obtain better housing?

The constitutional prohibition as well as the long standing legal tradition against the taking of property without due process of law brings us down to bedrock as to the meaning of the word "property" and what constitutes a "taking." The question is an important one, not only because of the provision in the Constitution, but also because of its significance in every aspect of human affairs. I am afraid that my discussion on this point will appear excessively esoteric to some and excessively simple and unnecessary to others. Whichever group you happen to be in, I beg you to bear with me because I believe a careful analysis of the nature of the property being taken is essential to an understanding of the effect the taking is likely to have in the market place.

In its legal sense, the word property does not refer to material things such as houses and lands, articles of clothing, tools, machinery, or other things capable of being owned. But rather property has reference to an individual's legal rights with respect to those things. There is the right to use, the right to exclude others, the right to sell, the right to devise, and others. A person's property in a given object then consists of the total bundle of rights he has in that object. Those different rights are all separate items of property but they are not all of equal importance. It is possible that one or more of them may be taken away while the others are left undisturbed. One of the dangers inherent in this possibility is that we might consent to having them taken away one by one until there is scarcely anything left in the bundle. Another danger is that we might let one slip away thinking that we can hold on to all the others and then discover too late that we have surrendered the one upon which the very existence of all the others depends.

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[36] Gideon v. Wainwright, 372 U.S. 335 (1963).

[37] *Op. cit. supra* note 14, at 88.

[38] 25 C.F.R. § 11.9 (1961); Glover v. U.S., 219 F. Supp. 19 (19 D. Mont. 1963).

[39] *Op. cit. supra* note 14, at 73, 141.

[40] *Op. cit. supra* note 14, at 26.

[41] *Op. cit. supra* note 14, at 12, 13.

[42] 18 U.S.C.A. 1162; 28 U.S.C.A. 1360.

[43] *Op. cit. supra* note 14, at 88.

[44] *Op. cit. supra* note 14, at 15.

[45] CONGRESSIONAL RECORD, vol. 111 pt. 2, p. 1799. Previously, the only appeal was to a panel of judges who normally had no more training in the law than the trial judge, *Op. cit. supra* note 14, at 146. See 25 C.F.R. § 11.6 and § 11.6c (1961).

The particular right involved in Title IV is the right to sell. And here I am using the word "sell" to include the right to transfer for a term, that is to say, the right to rent or lease. In an effort to evaluate the importance of that particular right it might be well to begin by reminding ourselves briefly of a bit of history that all of us have been taught but which we might have a tendency to forget in this age when we are more concerned with the enjoyment of the fruits of freedom than we are with the sacrifices necessary to achieve it. And if I seem to dwell too long on what appears to be history of a bygone age, my purpose is to call attention to the fact that the right to sell, the right that is under attack in Title IV, is the very right which supports and sustains most of the civil and political rights held sacred by all Americans. While we might overlook that fact in our day, the founding fathers certainly did not forget it in theirs.

From the very foundation of our Republic, and in English jurisprudence even before that, down to the present time, our legal system has considered the right to sell as an essential feature of any free society. Some of our state constitutions have provisions declaring the right of property to be "before and higher than any constitutional sanction." [Ark. Const. art. 2, sec. 7.] And more recently it has been declared that, "In organized societies the degree of liberty among human beings is measured by the right to own and manage property, to buy and sell it, to contract." [Garber, Of Men and Not of Law 34 (1966).]

Now one certainly is justified in asking whether all these assertions are mere examples of holiday rhetoric or whether they actually do epitomize the lifeblood of freedom and the building blocks of a free society and economic stability. A close examination will reveal that it was the right to sell, to give away, or even to dissipate one's interest in property that enabled the serfs and villains of the feudal period to emerge from their servile status to the status of freemen. The men who occupied the land and tilled the soil were referred to as freemen even in the feudal period, but then, as is true in the minds of some men even now, freedom had become deeply involved in semantics. A freeman could not transfer his holdings, which in practical experience meant he could not cash in on the fruit of his own labor without the consent of his lord, his lord representing an ascending political hierarchy with the crown, in other words the state, as the ultimate authority. Of course the lord was under a similar burden so far as his efforts to transfer his own holdings were concerned. But his position was different in that his holdings were larger and of a higher order. He was economically secure and had a comfortable income. It was the fellow who had the least that was under the heaviest burden for until the man higher up let loose, there was nothing available for the man on the bottom to acquire. And whether a clog on the right to sell is labeled a medieval doctrine of feudal tenure or a Civil Rights Act of 1966, its effect in the market place will be the same and the man at the bottom will still be the loser. Of course it must be recognized that during the feudal period there were restrictions upon the right of inheritance, use, and other incidents of property ownership as well as upon the right to transfer. But the point to be made here is that the right to sell was the particular right that held the center of the stage, and until that right was achieved, political freedom and the whole gamut of civil rights lay dormant. And that right to sell, that economic mobility, or in the jargon of the profession that freedom of alienation, soon became the chief factor in the development of individual freedom of all kinds and it stimulated the economic use of property. When the occupant of land became free to sell at a price agreeable to him without seeking the consent of his lord and without paying a fine to his lord for having done so, he began to take on the coloration of a free man in the true sense of that word. Ownership took on new meaning. It included a power to cash in as well as a power to use. And when that freedom was achieved men no longer remained serfs, they no longer remained slaves, and the economy no longer remained static. It is no mystery that the real beneficiaries of this political and economic transition were those who possessed the least, it was the "have nots" rather than the "haves." With free economic mobility the fellow at the very bottom of the heap could exchange his services for a share in what was held by the man near the top. In this system of free exchange, not only was there no necessity for serfs or slaves but there ceased to be any place for parasites. Property tended to shift to those who put it to the most economic use. And there emerged the day of plenty which, although it is unique in the history of the world and is to this day confined to a comparatively small part of the earth's surface, it is so taken for granted in this country that we tend to forget its source.

But this personal liberty to deal in, dispose of, and profit from ownership of property did not come at a single stroke nor will it be lost at a single stroke. Its coming was a step-by-step process in which each step was characterized by a bitter struggle. Those who are already wealthy, who are already entrenched, who "have it made," are more likely to be interested in preserving their holdings than they are in searching for easier means of transferring it. But unless that right to transfer is recognized and is readily available, the "have not" fellow has little opportunity to improve his lot. The legal history from the feudal period into the industrial economy of our present era can be quite accurately described as a struggle for an expansion of the rights of property ownership available to the individual and it can be asserted with a high degree of confidence that if we retreat back into a lethargic age of tyranny, it will be a step-by-step surrender of those same personal rights. And let no one forget that it is a personal right that we are dealing with in Title IV. It is the right of an individual to deal with the fruits of his own labors in the way that seems most pleasing to him. And if he is not free to sell that which he acquires, he will be much less interested in acquiring it. If the restrictions imposed by Title IV are imposed upon the ownership of property, it is inevitable that there will be less incentive to acquire, build, and develop. This means that there will be less housing and you will not improve the housing of Negroes or anyone else by reducing the total amount of housing available.

But you might point out that Title IV does not take away the right to sell, that it takes only a limited part of that right, that is to say, the right to select one's own customers. And that is true. But how much have you withdrawn from the rights of a prospective seller when you have withdrawn or even restricted his power to select the persons with whom he deals? A 1965 decision in the Supreme Court of North Dakota [Holien v. Trydahl, 134 N.W. 2d 851 (N.D. 1965)] held that freedom to select one's own customers was such an inherent part of ownership that an arrangement entered into by the voluntary act of private parties requiring an owner to offer his property to a particular person before being permitted to sell to any one else was void. In the North Dakota case the restriction was not imposed by the state and no principles of constitutional law were involved. Nevertheless, the North Dakota Supreme Court considered even such a mild restriction on the power to select one's own customers a state of ownership not to be tolerated in a free society even when the parties so desired. It is doubtful if very many courts will go quite that far but it does illustrate the importance some judges have attached to the doctrine of economic mobility. Title IV proposes, not only to permit a much greater restriction on the freedom to select customers, but to impose that restriction without regard to the wishes of the parties.

To say that a provision such as Title IV will discourage building and thereby make less housing available is no idle guess either. Any kind of building, whether it be individual homes or apartment houses, calls for a substantial investment. It requires the assumption of substantial responsibility. There will always be some who will prefer the relative calm of remaining a tenant to the responsibility and uncertainty involved in ownership. And the tenant-by-preference group will necessarily be enlarged by anything that increases the risks of ownership without offering commensurate hope of reward.

A number of states already have laws similar to Title IV although I do not know of any that is quite so broad in the extent of its coverage. I have not heard or read anything to indicate that housing is any more readily available to minority groups in these states than elsewhere. Nor should anyone be surprised at this. The so-called ghettos where members of a particular racial or religious group are congregated in large numbers were not brought about by the refusal of landowners in other areas to sell to the members of such racial or religious groups. The thing that prompts a free man to sell is his own self interest and the price he receives is far more important in the market place than is the racial characteristics of the person from whom that price is obtained.

Some of the high concentrations of a particular racial or religious group have developed because the members of that particular group chose to live near each other. Others have developed because the members of conflicting racial or religious groups have moved away. This tendency to move away until the minority becomes the majority is probably the biggest single factor in the development of what is popularly known as "ghettos" or "ghetto" areas. I believe that each one of you can confirm this within your own experience if you will take a serious look at the Negro sections in the cities with which you are familiar. I dare say that you will find very few, if any, that have developed because of a refusal of persons outside the area to sell to Negro customers. What you are more likely to find is that a once thriving White population has moved away. This is what is happening in New York, especially Manhattan, at the present time. And New York City was one of the first, if not the first, locality in the country to have a so-called fair housing law. There is no evidence that the statute has had any effect on the continued tendency of Negroes and Puerto Ricans to become concentrated in particular areas. Title IV makes no provision for preventing Whites from moving away from these areas. And yet this tendency to move away, not any tendency to keep others from buying, appears to have been the principal factor in the development of the existing ghettos.

But even if the freedom to select one's own customers should be considered less important than I have indicated and even if it did not have any depressing effect upon the economy and did not curtail the total housing available, the question still remains as to whether or not Title IV will make it easier for a Negro or member of some other minority group to purchase appropriate quarters. I should like to reduce that to very simple terms and discuss it from the point of view of a homeowner who is ready to sell his house and has listed it with a real estate broker for that purpose. When a prospective buyer presents himself there are many factors to be considered and many reasons might arise as to why the seller does not wish to deal with that particular buyer. The most important of these is usually the buyer's financial responsibility. Concerning that one item, doubts and uncertainties might arise that cannot be objectively demonstrated but which are sufficient to discourage the seller who will then choose not to deal. Or on purely subjective grounds but for reasons sufficient to himself the seller might suspect that the buyer has such a personality that he will be difficult to deal with on the matter of transfer of possession, condition of the premises at time of transfer, or some other relevant circumstances. For any one of these reasons or for no reason at all the seller might elect not to do business with the particular buyer who has presented himself.

If Title IV becomes law, a potential seller will be in precisely the same position as indicated above except for one thing. In his mind, all prospective buyers are now divided into two groups. In the usual situation, for here is the main target of the legislation, one group will be Whites and the other will be Negroes. The seller is unconcerned as to the race of the buyer but he is still interested in the various subjective factors previously mentioned. Title IV tells him that if he rejects a White buyer for whatever reason, no explanation will be called for; but if he rejects a Negro buyer, he will subject himself to possible litigation and the necessity of proving that the Negro was not rejected because of his race. What kind of proof can he present? As already indicated, many of the usual reasons for refusing to deal with a customer are subjective and not susceptible to judicial proof. But even if our seller succeeds in his proof, he will have been subjected to troublesome, embarrassing, and expensive litigation in which no good citizen desires to become involved. Faced with this situation, what is the seller most likely to do? If he is at all prudent, he will avoid seeing any colored buyers. I realize that the proposed law prohibits this but such a provision is somewhat analogous to a law prohibiting a man from kissing his wife at home after dark. Anyone who knows anything about buying and selling real estate knows how easy it is to avoid receiving any such offers. One method that I am told is currently a common practice in some areas where state laws similar to Title IV are already in effect is that of managing not to be at home when the broker brings a Negro buyer out to look at the house. There are many ways that this can be done and still be immune from detection even by extremely skilled investigators. But this is only one method of never receiving the unwanted offer and while it has some practical shortcomings, there are lots of other ways and no broker's office need be confined to any one scheme.

The important thing here is what Title IV has done to the Negro. The seller in our illustration had no objection to selling to Negroes. In the absence of Title IV, he would have had no objection to seeing them or in selling to any one of them who otherwise met with his approval. But now the danger of litigation forces him into searching for devious ways to avoid ever receiving the offers that he would have been happy to accept had it not been for Title IV.

Or to take another illustration, there is the university professor who takes a year's leave of absence in order to accept a temporary appointment at another institution as a visiting professor. He plans to move his family to the new location for the year. He would like to rent his house and he would have no objection to renting it to a Negro. But he wants to be reasonably sure he can trust the tenant to take good care of his furniture. He also knows that if he rejects any prospective tenant who is also a Negro he might be called upon for the same kind of proof that was demanded of the seller in the previous illustration. But here the real reasons are likely to be even more subjective and less susceptible of proof than if a sale were involved. As a result the professor is likely to employ some scheme similar to that used by the seller, or he might decide to avoid the difficulty by leaving his house vacant for the year. If he chooses the former, a prospective Negro tenant has been deprived of the opportunity to bid on an accommodation that was actually on the market. If he chooses the latter, there will be one less housing unit available in that city that year than would otherwise have been the case. In one instance Negro tenants are the losers and in the other all tenants, both Negro and White, are losers.

Someone might ask, "What about the seller who refuses to sell for no reason other than the race of the buyer?" We must assume that some sellers of this type do exist but any estimate of their number is likely to be based more on emotion than on fact. It should be pointed out, however, that in order for them to exist at all there has to be a seller who is more concerned about the race of the buyer than he is about the price he receives. It is doubtful if very many sellers are that oblivious to the power of the dollar. But even if they exist in large quantities, they will always have available to them all the devious subtilities employed by the non-prejudiced sellers who are merely trying to avoid exposure to litigation. Their apprehension will be next to impossible.

If Title IV becomes law it will have two significant effects: (1) It will discourage building, and (2) It will deprive the members of minority groups of opportunity to compete for what housing remains. The entire bill should be rejected.

THE PRESIDENT CONFERS WITH AUSTRALIAN PRIME MINISTER HOLT

Mr. SPARKMAN. Mr. President, the Washington Post of this morning published an interesting article written by Carroll Kilpatrick, a very able reporter of that paper, entitled "Hopes High as President Sees Premier Holt Today."

Mr. President, I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOPES HIGH AS PRESIDENT SEES PREMIER HOLT TODAY

(By Carroll Kilpatrick)

President Johnson will confer with Australian Prime Minister Harold E. Holt today at a time when the President and his advisers are more hopeful about developments in Asia, including Vietnam, than at any other recent time.

While top Administration officials will not go so far as to say that the Allies are winning the war in Vietnam, they see signs of hope and encouragement that have not existed in the past, informed sources said.

Some Asian leaders reportedly have told Washington that the Allies are winning the Vietnam war. Their estimates have encouraged the President, who continues to maintain military pressure against the Communists in the hope of hastening an end of the conflict.

The pace of the bombing of North Vietnam has increased from about 4000 sorties a month before Christmas to almost 10,000 a month now.

Official sources report that Mr. Johnson is elated over a series of Asian and Pacific developments, particularly the development of regional bodies such as the Asian Development Bank, the Mekong River project and the meeting earlier this month in Seoul that brought together nearly all the non-Communist Asian leaders.

Officials are particularly watching signs that Prince Noradom Sihanouk, the Prime Minister of Cambodia, is beginning to hedge his earlier bets on a Communist victory in neighboring Vietnam. They detect some signs of a shift on his part.

The new optimism about Vietnam is said to be based on these facts: the heavy casualty rate being inflicted on Communist forces; the fact that the regime of South Vietnam Premier Nguyen Cao has survived the demonstrations against it and has reestablished a degree of order, and the increasing defections from the Communist ranks amid signs of defeatism among the Vietcong and North Vietnamese.

FACTORS ARE CITED

In explaining the President's confidence about Asia generally, officials cite a number of factors:

Three years ago Communist China was regarded as the most powerful and rapidly developing country in Asia. Now it is torn by a serious power struggle and has lost support in a large number of capitals. In neither industry nor agriculture has its claimed magic borne fruit.

Three years ago, Japan and South Korea were unable to agree on anything. Now they have worked out their differences and signed a treaty of friendship.

The Communists in Indonesia have suffered a severe setback.

The economic growth rate in 1965 was 8 per cent in South Korea, 7 per cent in Taiwan, 5½ per cent in Malaysia and 6 per cent in Thailand.

The Philippines and Malaysia have restored diplomatic relations.

Australia and New Zealand have worked more closely than in the past with Asians, and have been relieved by the end of Indonesia's attack on Malaysia.

Burma shows signs of emerging from its isolationism, and Burma's Premier, Ne Win, has accepted an invitation to visit Washington.

RECEPTION PLANNED

The President will discuss all these matters with Holt. The Prime Minister, who arrived in Washington last night, will drive to the White House today for a 12:15 p.m. reception with full military honors.

After a conference in the President's office, there will be a stag luncheon for Holt at the White House.

BEHIND THOSE POLICE BRUTALITY CHARGES

Mr. DIRKSEN. Mr. President, the Reader's Digest for July 1966, contains an article entitled "Behind Those 'Police

Brutality' Charges," written by Fred E. Inbau. This is a revealing article, and it should be given wide currency and should be read by everybody.

The author makes the point that effective police protection of our homes and our lives is in danger unless law enforcement officers are protected against unjust charges.

I ask unanimous consent that the entire article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Behind Those "Police Brutality" Charges

(By Fred E. Inbau)

(Note.—Fred E. Inbau is a professor of law at Northwestern University and a member of the Chicago Crime Commission. He is a former director of the Chicago Police Scientific Crime Detection Laboratory, a widely recognized authority on criminal-law procedures, and author of several books, including a standard law text, *Cases and Comments on Criminal Justice*.)

Patrolling his beat in Rochester, N.Y., on a Sunday night in May 1965, policeman Mike Rotolo spotted a hoodlum in a group of teenage boys smashing a lighted sign. "Hey, you in the white shirt, you're under arrest!" he yelled, chasing the fleeing youths behind a building. All at once he was alone, facing the gang.

"Keep your hands off him, white man," growled a voice. A glint of metal flashed. As 160-pound Rotolo cautiously approached, the burly vandal charged. The policeman grabbed him, managed to snap one handcuff on a wrist, but the youth yanked loose and swung the dangling cuff at Rotolo. The patrolman fought back with his nightstick. Seconds later, more police arrived and took the young man away, charging him with malicious mischief, assault and resisting arrest.

Within 48 hours a militant civil-rights group called FIGHT held a mass meeting on "police brutality," and a spokesman demanded that "racial bigots" be purged from the police force. The next day a superior told Mike Rotolo that he was suspended. The youth's parents had charged him with "brutality." Suddenly, publicity caused the officer's wife to be snubbed, and their three-year-old boy ran home crying that he could no longer play at a friend's house.

Eventually, Rotolo was cleared, but the ugly smear continues to haunt him. Recently a young man he arrested during a street disorder recognized his name and filed a "brutality" charge as a gimmick to dodge prosecution. Another time, after Rotolo hauled a drunken and belligerent husband out of a home, the wife tearfully thanked him for rescuing her. But two days later she charged Rotolo with "brutality." Both claims were investigated and adjudged false. Nevertheless, Rotolo's superiors have moved him to work where he won't "get involved." Is it any surprise that he says, "Too many policemen today feel that the only way to get ahead is to do nothing"?

ALWAYS THE SECOND GUESS

The attacks on Mike Rotolo typify an avalanche of irresponsible "brutality" charges piling up on policemen across the nation. When local police and Internal Revenue agents raided Boston bookies recently, hoodlums ignited an egg-and-tomato-throwing riot simply by running through the neighborhood shouting, "Police brutality! Police brutality!" Phony cries of "police brutality" helped to touch off the bloody explosion in the Watts area of Los Angeles last August. Again last March a high-school dropout hurled a rock through a teacher's car window, and as officers led the boy away, he screamed, "Police brutality! Riot! Riot!"—sparking another Watts outburst. Toll from the two riots: 36 dead, hundreds hurt.

With a "long, hot summer" ahead and some extremists openly threatening riots, the public can expect to hear a rising tumult of "police brutality" accusations. For today this phrase has exploded into a major national issue, supercharged with emotion, riddled with legal and social complexities.

The police have not been faultless. They will inevitably make future mistakes. But their job has become enormously more difficult in this age of "protest" as they face continuing waves of demonstrations, riots, and sit-ins. At times a lack of training, plus anger and frustration, have resulted in the use of unnecessary force. Cases of Negro-hating sheriffs using cattle prods are obviously intolerable. But the greatest obstacle to police departments' efforts everywhere to improve community-police relations has been a militant, unreasoning campaign, promoted by subversives, criminals, and professional protesters, to discredit *all* police with the stamp of the *few* offenders.

The consequences are staggering. Numerous police executives have confided to me that more and more officers are shying away from action that might singe them with the "brutality" brand. "The rank-and-file patrolman," former New York City police commissioner Michael J. Murphy laments, "is now apprehensive about doing *anything* in these situations because of always being second-guessed. If I were on a beat today, I would share his apprehension."

COLLECT YOUR CHECK

Although reluctant to admit publicly that they would ever fail to carry out their duty, dozens of policemen in a number of cities have quietly admitted to me that many laws are not enforced because of possible repercussions. Just a few weeks ago, an order was issued in New York City which requires that any policeman who fires his gun for any reason whatsoever, and injures someone, must be "benched" until the matter is thoroughly investigated.

Nothing, however, has so shaken policemen as what happened to two Chicago patrolmen. Responding to a call for help one night in October 1964, they tried to disarm two men who were terrorizing a neighborhood with a broken bottle. Told to "come and get it," the officers subdued the men only after one of the patrolmen was given a slash across the face that later required 27 stitches.

At the trial, police testimony was undisputed. Nevertheless, a newly elected judge freed the men, explaining that the slashing had been justified because the officers had "no business to pull a gun and attack a citizen."

Understandably, Chicago policemen were outraged. Both officers involved in the incident complain that it is constantly being thrown in their faces by criminals. Another policeman commented, "It's better just to shy away from trouble when you run across it." Still another said, "A lot of us have decided that we're just going to collect our paychecks from now on."

DESPITE ALL CLAIMS

State and federal laws carefully restrict police use of excessive force and prescribe penalties for officers who misuse it. Typically, states authorize a policeman to "use any force he *reasonably* believes to be necessary" to make an arrest or to subdue an attacker, but what is "reasonable" and "necessary" must be determined case by case. Moreover, authorities severely penalize police misconduct. In Arlington, Va., a 24-year veteran lost his temper one day and kicked and slapped a handcuffed woman. Police Chief William Fawver promptly investigated and dismissed him from the force. In Blackfoot, Idaho, a few years ago, a policeman arrested a man in a barroom brawl, took him to the city limits and beat him unconscious. A federal court convicted the officer for violating the 1870 civil-rights law.

Proved "brutality" complaints, however, are infrequent, despite all the claims. The Civil Rights Division of the Justice Department received 1778 complaints of criminal violations against police during fiscal 1965. Of this number, only 45 contained enough validity to be presented to a grand jury. In the 33 cases terminated, only *five* policemen were found guilty of the charges.

Washington, D.C., mustered only 11 formal complaints of police misconduct in 1964 (the latest year for which figures are available). The police department's own review board heard the cases, handed down guilty verdicts in seven and dealt firmly with the offenders. In New York City, complaints against the police of excessive use of force and unlawful exercise of authority totaled 324 in 1965, a year in which 203,303 arrests were made. In Philadelphia, a model city for police critics because of its civilian board to review citizen charges against the police, only 31 "brutality" complaints were received during 1964 (the most recent year of record). Of these, only five were upheld, and in nine cases the complainants didn't even show up at the hearings.

THE FAKE ACCUSATION

Today, however, the "brutality" outcry goes far beyond genuine cases of police misbehavior. All too frequently it is automatically attached to *any* physical action by police, however justified. These faked accusations fall into four major patterns:

1. Offenders who fake charges against police to evade the law. This ploy is increasingly used by criminals, and junior offenders have caught on to the same trick. One night, two St. Louis policemen pulled over a carload of rambunctious teen-agers and arrested two boys for a liquor-law violation. The boys and their girl friends worked out an elaborate story, then filed formal charges accusing the officers of vicious acts. Finally, realizing the seriousness of their hoax, the youngsters confessed that their story was completely false. Their admitted motive: to seek sympathy for themselves and to "get even" with the arresting officers.

2. Professional protesters who set up the police as hate targets. On the day after Harlem's 1964 riots broke out, James Farmer, then national director of the Congress of Racial Equality (CORE), appeared on WABC–TV's "Page One" show and told viewers in the tense city that police had conducted a "blood orgy." "I saw with my own eyes a woman who walked up to the police and asked for their assistance in getting a taxicab so that she might go home. This woman was shot in the groin, and she is now in Harlem Hospital." This charge, construed as a shocking accusation of the police, helped to inflame the already explosive situation. Later, however, the charge was carefully checked, and no police attack was ever proved. Moreover, no conclusive evidence has been found that Farmer personally witnessed any such incident.

3. People involved in disorderly conduct who find police easier to blame than themselves. Near downtown Detroit, a woman, drunk to the point of incoherence, stumbled up to a house at 4:30 a.m., shouted, "Let me in!" and pounded on the door. As frightened occupants called the police, the woman smashed the door in an explosion of splinters. A man in the house knocked her down, and she lay sprawled in the doorway when the police arrived. She was taken to a precinct station, booked, then hospitalized.

Shortly after, she made a formal complaint that she was walking along, minding her own business, when the police stopped her, accused her of breaking and entering, then beat her. "The brutal treatment I received was a violation of my civil rights!" she shrilled. Her charges were dismissed.

4. Communists who exploit the "brutality" slogan to undermine law and order. Known communists and their sympathizers have engaged in police-baiting and brutality smear operations in such diverse areas as the Philadelphia and Harlem riots of 1964, the Watts riot of 1965 and the current wave of anti-Vietnamese-war demonstrations. The FBI considers the tactic so insidious that it has issued special instructions to its agents, explaining that the communist aims are "to arouse the passions of the people against law enforcement; to mislead the public; to smear, discredit and weaken law enforcement everywhere; and to divide, confuse and reduce seriously the strength of the opposition to communism."

Blaming all "police brutality" charges on the communists would be as incorrect as dismissing entirely the Red role in false anti-police propaganda. However, says Dr. Stefan T. Possony of Stanford University, an authority on Red psychological warfare: "It doesn't matter whether the propagandist's motive is outright subversion or simply extremist irresponsibility. The potential results of deliberate faking of accusations are the same: the communists want general public acceptance of the 'police brutality' slogan so they can achieve police disarmament."

MAN IN THE MIDDLE

Today's police officer is truly a man in the middle. Sociologists agree that slum dwellers often turn on police as symbols of the "power structure" that they blame for their plight. Policemen are expected to be social workers, judges, doctors and priests when they go on duty; yet often they do not get the official support they need. The former police chief of a major city privately told me, "Some politicians seem to regard gaining the political support of minority groups as more important than treating their accusations against police with fairness and objectivity."

The police role has been made still harder by instances of unbelievable judicial leniency toward criminals.* Take the case of the three young men with police records who made a vicious and unprovoked attack on Chicago police officer Frank Perry in 1963. The attackers pleaded guilty. Astonishingly, Cook County Judge Leslie E. Salter called Officer Perry a "crybaby" and turned his assailants loose on mere probation.

Compare with this the treatment of two who punched and kicked two Liverpool, England, policemen in 1962. They were sentenced to 18 months in jail, promptly appealed the judge's harshness, only to have the Court of Criminal Appeals *double* their jail term. "There must be deterrent sentences to ensure that police officers in Liverpool can safely carry out their duties," the court declared.

Attacks on police have become so frequent that the American Law Institute has recommended that states pass a model law clearly emphasizing the duty of every citizen to come quietly when arrested by a badge-displaying officer. Any questions of mistaken arrest would then be settled in court rather than in the street. The New York *Times*, urging the state legislature to pass such a law, declared, "In these days of increasing hoodlumism and street crime, the community rightly expects the police to assume risks, but in return it owes them reasonable protection. Policemen forced to make instantaneous decisions under trying circumstances should not become fair game for a mob."

The well-publicized vilification of America's policemen is hiding the fact that the police themselves are becoming the victims of brutality. The FBI's *Uniform Crime Reports* shows that one out of every ten policemen was assaulted in 1964 (the most recent year of record). In five years 225 officers were killed, and most of them left wives and children. In 1964 alone, felons killed 57 policemen.

THE STAKES

The harsh fact is that our nation is besieged by crime. During an average week, one city of 1,600,000 has 566 burglaries, 114 robberies, 15 rapes and about four killings. The situation is just as grim in suburban and rural areas, where nearly one third of all serious crimes occur among only one fifth of the population.

Statistics, however appalling, fail to tell the private horror of those attacked. A Los Angeles man going about his daily business is shot to death near his truck. A U.S. Congressman working late in his Capitol Hill office is knifed and robbed. A woman kneeling in prayer is dragged to a confessional and raped.

Anyone who has ever called for help in such danger knows the feeling of terror, and what it can mean to have police officers who do not hesitate to respond *instantly* and *forcefully*. Protecting the police from unjust "brutality" smears is actually protecting yourself. The stakes could be your home—or your life.

AWARD TO STROM THURMOND

Mr. HRUSKA. Mr. President, last Saturday, June 25, our colleague, STROM THURMOND, was honored by the Department of South Carolina American Legion. In recognition of his outstanding contributions to his community, State, and Nation, he was awarded the Distinguished Service Award.

Today I add my congratulations to Senator THURMOND for this well-earned recognition and to the South Carolina American Legion for its worthy selection.

STROM THURMOND has had a long and distinguished career both locally and nationally. He served in the legislative, judicial, and executive branches of his State's government before his election to this body 12 years ago. He was a practicing attorney and farmer.

His varied experience makes his counsel of great value. His military record and service was outstanding and his counsel concerning military preparedness has thus acquired added persuasiveness. His active role in State government gives urgency to his advocacy of the position that in many areas the States can simply do the better job.

He has a practical, commonsense approach to problems. And this approach is bottomed on a philosophy of government developed after long involvement with the intricacies of public affairs, civil and military; a deep love for our Constitution and respect for and trust in the people and their ability to govern themselves.

Senator THURMOND's varied career has brought honor to his name. And well it should, for he deserves the honors he receives.

Mr. President, I join the South Carolina American Legion in recognizing his contributions. I, too, salute this valuable and devoted service on behalf of his State and Nation.

THE CIVIL WAR WITHIN THE CIVIL WAR IN VIETNAM

Mr. GRUENING. Mr. President, while the administration is escalating the undeclared war in southeast Asia, apparently in the belief that it can bomb our folly to some successful conclusion, the political prospects which should have been kept paramount are declining. It could scarcely be otherwise in view of the character of the self-imposed junta of 10 generals, whom the United States is supporting.

Its Premier, Nguyen Cao Ky, whose one hero, by his own declarations, is Adolf Hitler, is using the weapons and materiel supplied by the United States to suppress the inevitable revolt in South Vietnam—the civil war within the civil war—which arises from his declared determination that the promised elections will be participated in only by those he and his fellow-generals approve. What a farce. We are supposedly and allegedly supporting freedom and democracy.

It is pertinent that 9 of the 10 generals composing the junta fought on the side of the French to reimpose its colonial rule on the people of Indochina. Obviously, a people long fighting for their independence, cannot be expected to be happy about the self-imposition of generals who opposed that independence.

This and much else is clearly brought out in a news dispatch in this morning's New York Times by its veteran correspondent, Charles Mohr, entitled: "U.S. Forces Frustrated in Political Aspects of Vietnamese War."

The obvious conclusion of his story would seem to be that we should not have been in southeast Asia militarily in the first place and should not be there now.

I ask unanimous consent that the aforementioned article be printed at this point in my remarks:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 29, 1966]

U.S. FORCES FRUSTRATED IN POLITICAL ASPECTS OF VIETNAMESE WAR

(By Charles Mohr)

SAIGON, SOUTH VIETNAM, June 28—There is wide recognition that ultimate success or victory in the war in Vietnam will depend on political as well as military action.

The necessary political action, however, is difficult to implement.

It is difficult to bring the impressive weight of United States power to bear in rural South Vietnam without killing and maiming civilians as well as the guerrilla enemy.

It is difficult to find the manpower, administrative skill and determination in South Vietnam to carry out all of the desirable social, economic and political programs.

It is even difficult to give South Vietnam assistance without also causing inflation and subsequent public discontent about living costs.

On the purely military side, undeniable progress has been made.

REBELS' LOSSES HIGH

The Vietcong guerrillas still control almost as much territory and population as they did when full-scale United States intervention began last year, but the Vietcong's momentum toward victory has been stopped.

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* See "Take the Handcuffs off our Police!" The Reader's Digest, September '64.

Whether statistics are accurate or not, punishing losses are being inflicted on the Vietcong and the North Vietnamese regulars.

Some persons assume that the enemy cannot sustain such losses much longer. This is, however, only an assumption. As of mid-1966, the guerrillas in South Vietnam remain a formidable force, larger than a year ago.

"One of the encouraging trends is the difficulty we are having in getting them to fight recently," said an American general, explaining that this could mean that the effect of United States firepower was denying the enemy any prudent way to employ his troops.

American or South Vietnamese troops increasingly move into enemy base areas and stumble upon surprised guerrillas who, almost instinctively, stand and fight for as long as they can.

This is a complete reversal of the usual situation in guerrilla warfare.

Instead of picking their battleground, the guerrillas are finding it difficult to arrange profitable encounters and are obliged to fight in their own backyard.

VIETCONG HARD TO FIND

However, as the general also noted, the difficulty in engaging the enemy is a discouraging as well as an encouraging trend. Since the main thrust of the American military effort is to find and destroy enemy military units, any impediment to this process is unwelcome.

Progress is less evident on the political side of the war, and problems are abundant.

The United States military commander, Gen. William C. Westmoreland, has given special attention to the problem of civilian casualties and has admonished his troops that they must accept severe restraints on the battlefield.

But the high level of military activity and the need to save American lives are not always compatible with this policy. There are no statistics on civilian casualties, but a visit to any provincial hospital reveals many cases of victims of United States air and artillery power.

The Buddhist crisis in South Vietnam has had some effect on military progress. For many weeks the Government had more of its elite forces tied up on political duty, and lost control over at least one army division.

The Government of Nguyen Cao Ky has survived these difficulties. But Premier Ky's ability to stay in power through the use of police force poses a question that observers here are reluctant to answer.

Despite United States endorsement of the Premier, few Americans here would contend that he is an ideal instrument with which to wage a guerrilla war.

Enormous attention has been given to the question "Whom do the political Buddhists represent?" but whom, some observers ask, does Premier Ky represent?

In a way, the army. But even this is an oversimplification. The real answer is that South Vietnam does not have a Government closely identified with the mass of the population.

The most promising development of the year has been the rural pacification program. About 80 teams have begun to work in selected villages to root out Vietcong political workers, satisfy village complaints, provide some security and improve the standard of life. Other teams are in training.

TWO KEY FACTORS SEEN

This is only a minuscule beginning in a nation with 15,000 villages. Some Americans see serious flaws in the program and one of them thinks it has no more than 50-percent chance of success. But they find even such a prospect reason for good cheer.

The final outcome of the war will probably be decided by two factors.

One will be the pacification program. By common consensus the United States forces cannot be driven from South Vietnam by any means the North Vietnamese choose to throw against it. But the alien Americans probably cannot drive the Vietcong from the field, either, until the rural population joins in the effort.

The second factor is the determination of the enemy and his allies.

Until now, North Vietnamese infiltration into the South and local recruitment have roughly kept pace with losses suffered.

How long this equilibrium will continue may depend less on United States bombing than on North Vietnamese will power versus American will power. The North Vietnamese still have at their command large reserves to commit in the South. At the extreme, there is the threat of Chinese intervention.

"We've got a winning hand," said one American officer, "but we've got to bet it. I don't think you can bluff these people out of the game."

ORGANIZATION OF THE NATIONAL OCEANOGRAPHY ASSOCIATION

Mr. FONG. Mr. President, over the weekend an announcement was made in Washington concerning the formal organization of the National Oceanography Association. The organization was formed—in the words of a spokesman—to meet the "need for an organization through which thousands of members of the general public could express their interest and lend support for a greatly increased national effort in oceanography."

This is a most welcome development, as there is a growing recognition of the need to accelerate the tempo of this Nation's oceanographic efforts. We have lagged in this field in the past, and we still do. It is my hope that through the activities of groups like the National Oceanography Association, we will be able to make up for lost time and to strengthen, enlarge, and improve our current capabilities in marine science and technology.

The formation of the National Oceanography Association comes at a time when this Congress is making a good record in supporting oceanographic activities.

The Marine Resources and Engineering Development Act, approved by this Congress, was signed into law on June 10.

S. 2439, to establish sea grant colleges, has been reported by the Senate Labor and Public Welfare Committee. Hearings on a similar bill have been held in the House.

As a cosponsor of both the Marine Resources Act and the sea grant college bill, I am hopeful that the National Oceanography Association will help to promote public interest and support for the legislation during its implementation.

On this occasion I extend my warmest congratulations and wish for the National Oceanography Association many years of fruitful and rewarding activities in the advancement of oceanography.

I ask unanimous consent to have printed in the RECORD a press release describing the purposes and plans of the National Oceanography Association and listing the directors of the Association.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C., June 26.—A group of the top people in oceanography, including representatives of major companies, scientists and educators, are meeting in Washington today to formally organize the National Oceanography Association.

With the stated purpose of mobilizing public support for a "high priority, full-scale national oceanography program, making use of all necessary resources of industry, backed up by the U.S. Government", NOA is expected to be a powerful force in speeding developments in oceanography.

Those meeting here today are members of the first Board of Directors of the National Oceanography Association. The Board represents a broad cross section, including such well-known people as J. Louis Reynolds, Chairman of Reynolds International, Inc.; Admiral Arthur W. Radford, U.S.N. (Ret.) Former Chairman of the Joint Chiefs of Staff; Walter Cronkite, News Editor of the Columbia Broadcasting System; and Dr. William A. Nierenberg, atomic scientist and Director of the Scripps Institution of Oceanography. National officers will be elected at the meeting.

Plans are being made by NOA's blue ribbon board for a campaign of public information and education to stimulate nationwide interest and support for accelerating the research and exploration of the ocean, and making possible new uses of the ocean and its resources.

A statement issued by the organizing group in advance of the meeting said:

"Although important advances have been made in the field of oceanography in recent years, at the current rate of development of scientific knowledge and engineering skills, it will be many years before the United States can begin to capitalize fully on ocean resources. In the meantime, other nations (principally Russia and Japan) have been pushing ahead in what is clearly a race for control of these resources.

"So vast and complex are the problems of oceanography that their early solution requires broad public support for a high-priority, full scale national oceanography program in which all necessary resources of the U.S. Government shall be used to supplement those of industry. Such support is necessary to accelerate research, exploration and development of the ocean and thereby help to assure our nation's security and economic development.

"If the United States does not act quickly to develop the capability of possessing and controlling its marine environment, we may find ourselves in the same situation as when the first Sputnik was launched in outer space. Furthermore, in "inner space"—the ocean—there are great opportunities which are not being realized because of the slow pace of ocean development. The purpose of NOA is to help take advantage of the opportunities—for national advancement, for profit, for pleasure, and for meeting basic human needs—which lie just across the threshold of the ocean."

The first meeting of the Board of NOA culminates more than a year of organizational work involving discussions with many of the leaders in the field of oceanography. A spokesman for the organizing group said that it became apparent months ago that there was a need for an organization through which thousands of members of the general public could express their interest and lend support for a greatly increased national effort in oceanography. NOA was formed to meet that need.

BOARD OF DIRECTORS OF THE NATIONAL OCEANOGRAPHY ASSOCIATION

Vincent R. Bailey, Vice President & General Manager, Perry Submarine Builders, Inc., West Palm Beach, Florida.

Max Banzhaf, Staff Vice President, Armstrong Cork Company, Inc., Lancaster, Pennsylvania.

Dr. Thomas D. Barrow, Director, Humble Oil & Refining Company, Houston, Texas.

Dr. William T. Burke, College of Law, Ohio State University, Columbus, Ohio.

Dr. W. M. Chapman, Director, Division of Resources, Van Camp Sea Food Company, San Diego, California.

John H. Clotworthy, Vice President, Westinghouse Defense & Space Center, General Manager, Underseas Division, Westinghouse Electric Corporation, Baltimore, Maryland.

Walter Cronkite, News Editor, Columbia Broadcasting System, New York, New York.

Kenneth H. Drummond, Washington Representative, Texas Instruments, Inc., Dallas, Texas.

Harmon L. Elder, Vice President, Wilson E. Hamilton & Associates, Inc., Washington, D.C.

J. W. Guilfoyle, Group Vice President, Defense and Space Division, International Telephone & Telegraph Company, New York, New York.

Theodore W. Nelson, Senior Vice President, Exploration and Production, Mobil Oil Company, New York, New York.

Dr. William A. Nierenberg, Director, Scripps Institution of Oceanography, La Jolla, California.

Gordon Pehrson, Executive Vice President, International Minerals & Chemicals Corp., Skokie, Illinois.

Dr. David S. Potter, Head, Sea Operations Department, General Motors Defense Laboratories, Santa Barbara, California.

Admiral Arthur W. Radford, U.S.N. (Retired), Former Chairman Joint Chiefs of Staff, Washington, D.C.

J. Louis Reynolds, Chairman of the Board, Reynolds International, Inc., Richmond, Virginia.

Dr. Milner B. Schaefer, Director, Institute of Marine Resources, University of California, La Jolla, California.

Dr. Athelstan Spilhaus, Dean, Institute of Technology, University of Minnesota, Minneapolis, Minnesota.

Richard C. Vetter, Vice President, Marine Technology Society, Washington, D.C.

LAW OF THE LAND

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a thoughtful column written by David Lawrence entitled "'Law of the Land' in Simple Form." The column appeared in the Washington Star of June 23.

There being no objection, the column was ordered to be printed in the RECORD as follows:

LAW OF THE LAND IN SIMPLE FORM

One wonders, sometimes, how people generally can learn what "the law of the land" is today on many subjects. There is, for instance, such a constant flow of opinions by the Supreme Court of the United States—often involving complex phrases and technicalities—that it is hard for the average person to know what's considered lawful or unlawful.

There is a glimmer of hope, however, in an opinion of the Supreme Court this week which puts in simple form "the law of the land" with respect to disorders and improper conduct, especially in connection with "civil rights" demonstrations. The Supreme Court says:

"First, no federal law confers an absolute right on private citizens—on civil rights advocates, on Negroes, or on anybody else—to obstruct a public street, to contribute to the delinquency of a minor, to drive an automobile without a license, or to bite a policeman. Second, no federal law confers immunity from state prosecution on such charges."

The issue arose because of the efforts of various defendants in "civil rights" cases to remove their trials from state to federal courts in the belief that they would get better treatment in the latter.

But Associate Justice Potter Stewart, who delivered the latest opinion of the majority of the court, says that merely alleging that the charges are false or that the defendant was prosecuted for reasons of color or race and may be unable to obtain a fair trial in a particular state court is not enough to remove a case from a state court to a federal court. The justice adds:

"The motives of the officers bringing the charges may be corrupt, but that does not show that the state trial court will find the defendant guilty if he is innocent, or that in any other manner the defendant will be 'denied or cannot enforce in the courts' of the state any right under a federal law providing for equal civil rights. The civil rights removal statute does not require and does not permit the judges of the federal courts to put their brethren of the state judiciary on trial."

There are cases which can be readily transferred from state to federal courts when there is an explicit provision of federal law which specifies the conditions for such a removal at the start of proceedings. Congress, of course, has the constitutional power to provide that federal issues shall be tried in federal courts or that jurisdiction should be shared, and in many instances appeals can be made to the U.S. Supreme Court from state court decisions. But "the law of the land" today, as pronounced by the majority of the court, reiterates, in effect, that no one can find legal justification for "civil disobedience."

Inevitably, as demonstrations increase in intensity and provoke more and more violence, the country will demand that Congress seriously consider the enactment of a law defining "incitement to violence."

It seems incredible that in free America—where auditoriums and stadiums and other facilities for speakers to address large crowds are available—it should be necessary nevertheless to engage in marches on the streets of big cities or on the highways. Many people are beginning to believe that the marches are deliberately undertaken with the idea of provoking violence so as to get more and more publicity and sympathy.

But this form of extremism is not likely to be effective in the long run because sooner or later, as prejudice increases, the law-enforcement authorities will have to begin denying permits. They may base their action on a belief that incitement to violence is involved or on the conclusion that measures of protection could not be made effective. It will then be necessary for the courts to decide whether the nature of the demonstration was provocative and whether ample protection could have been given.

An opinion of the Supreme Court of the United States once declared—and it is still, presumably, "the law of the land"—that free speech does not include the right to cry "fire!" in a crowded theater, thereby producing panic. Similarly, the right of "free assembly" can hardly include a right to obstruct traffic and carry on provocative demonstrations.

THE SELECT COMMITTEE ON STANDARDS AND CONDUCT—THE ETHICS COMMITTEE

Mr. MOSS. Mr. President, I rise to express my confidence in the integrity, impartiality, and sympathetic consideration given by the members of the Senate Ethics Committee to the problems presented to this group of Senators. Their assignment is not an enviable one. I am sure that no Senator would like to be cast in the role of sitting in judgment on any of his peers. The Senate has often been called a "club," and it is, in the sense that each of us has the deepest respect for the integrity of fellow Senators. But also, I think that each of us feels a deep obligation to the Senate as an institution, and certainly, an overriding obligation to our constituents and to the people of the United States to preserve, protect, and defend this great land of ours, and to protect and defend its institutions, one of the most important of which is the U.S. Senate.

Therefore, when I read that allegations of partiality or of prejudgment are leveled against one of the Senators, I feel it is my duty to rise and express my point of view. The Senator who is charged with having prejudged the case that is presently before the Ethics Committee is my colleague from Utah. In my opinion, such a charge is wholly unwarranted and should never have been made. It is apparent to all, from following the voting record, that my colleague and I very often differ in our approach to legislative matters, our political philosophy is quite different, and yet never in my experience has there been any reason for me to question the integrity, the honesty, or the good faith of the senior Senator from Utah. He is a man of honor, and of sound judgment. In my opinion, the other members of the committee are men of integrity, honor, and judgment.

Consequently, I rise to express myself now, that I have full confidence in their integrity and ability to perform the difficult task that has fallen to them. I am sure it will be done in fairness, both to the Senator who is appearing before the Ethics Committee, and in fairness to the Senate as an institution, and to the people of the United States. The chairman of the Ethics Committee is a jurist of long experience, rare judgment, and a gentleman in every sense of the word. My confidence in him is unbounded.

FIRST APPROPRIATION FOR COLD WAR VETERANS READJUSTMENT BENEFITS

Mr. YARBOROUGH. Mr. President, I regret that other Senate business kept me from being on the floor yesterday when the Senate passed House Joint Resolution 1180 making continuing appropriations for the fiscal year 1967.

The House and Senate Appropriations Committees are to be commended for including in the bill a special continuing appropriation for veterans receiving benefits under the cold war GI bill. This is the first appropriation which Congress has made for veterans benefits under the cold war GI bill, an earlier appropriation having been made for administrative expenses involved in getting the program underway. I have worked toward this moment for a long time.

As one who worked for 7 long years to get for cold war veterans the readjustment they have earned, I am grateful to our Appropriations Committees for including this item in the continuing appropriation.

THE FAIR HOUSING PROVISION OF THE CIVIL RIGHTS ACT OF 1966

Mr. HART. Mr. President, as you know, the current hearings on the proposed Civil Rights Act of 1966 have revealed a wide divergency of views regarding title IV, the fair housing provision.

It is always interesting and useful to learn the views of persons whose work would be affected by the particular type of legislation under consideration. Therefore, it was gratifying and refreshing to receive a copy of a press release supporting the fair housing provision by the Detroit Real Estate Brokers Association, Inc. In spite of the fact that several real estate brokers associations have indicated their opposition to the proposal, this association has reached the laudable conclusion that equal housing opportunities should be enjoyed by all Americans.

I therefore ask unanimous consent that this press release be printed at this point in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

[A Detroit Real Estate Brokers Association, Inc., press release, Jan. 24, 1966]

The Detroit Real Estate Brokers Association believes in "Democracy in Housing." That equal access to housing is a fundamental right of every American citizen. We further believe that every American citizen should have the same right and the same privilege to rent, lease, mortgage, buy and sell the home of his choice in the neighborhood of his choice based only upon his economic ability.

Artificial restrictions upon the rights of certain Americans, and particularly Negroes, and other members of minority groups, have no bases of right, under any fundamental law of man or God.

The Detroit Real Estate Brokers Association wholeheartedly supports the proposed Civil Rights Act of 1966 and especially Section 4 thereof, in respect to equal housing opportunities.

Our Association deems it most regretable that all persons and organizations in our Country do not believe these rights extend to all Americans. That legislation is still needed to implement the basic law and one of the fundamental propositions upon which our Country was founded that "ALL MEN ARE CREATED EQUAL" is a sad commentary, indeed, while America is assuming a position of world leadership, and is endeavoring to instill in the world community of nations the principle that basic human rights are to be enjoyed by all men in a free society.

DETROIT REAL ESTATE BROKERS ASSOCIATION
CLARENCE HUDSON, *President.*
By JOHN S. HUMPHREY,
Chairman, Legislative Committee.

THE LIBRARY SERVICES AND CONSTRUCTION ACT

Mr. TOWER. Mr. President, it was my good fortune to be present on the floor last week at the time of passage of the Library Services and Construction Act. I merely want to take a minute or so now to commend the bill, which passed by a voice vote.

This legislation extends and broadens the provisions of the Library Services and Construction Act passed in 1964 but which would have expired on June 30, which is tomorrow.

I have always been concerned with the possibility that Federal involvement in programs of this sort will usurp the responsibility of local and State authorities, and I believe there is valid reason for this concern. Certainly we are all aware that frequently we see a lessening of State responsibility and authority in the same case where Federal power increases when so-called cooperative programs are embarked upon.

Happily, though, this has not been the case with the program of Federal assistance for local library services and for library construction. I do not believe that in this case Federal involvement has resulted in a loss of local responsibility and initiative in any significant degree.

Library officials and local officials in my State have indicated their support of the program and their hope that it will be extended. Rather than simply extending the program, we have seen fit to broaden its scope so that those 12 million people in this country who have no access to libraries may soon receive these benefits.

The history of this Federal-State program has proved its worth; the objectives of the program are worthy, and I am happy that the program was extended.

RESOLUTIONS ADOPTED BY UAW ON INTERNATIONAL AFFAIRS

Mr. MONDALE. Mr. President, the recent convention of the United Auto Workers in Long Beach, Calif., adopted a series of bold and thoughtful resolutions proposing a variety of ways to ease world tensions. The UAW's foreign policy resolutions are a valuable source of information to those in the United States who are looking for new pathways to peace.

We all know that there are no simple answers to the troubles on our globe. I do not necessarily agree with everything the UAW proposes here, but I believe that these resolutions are worthy of our most careful attention. We must keep exploring new avenues toward peace, and toward the economic development which will permit the world's peoples to live in dignity as well as harmony.

The UAW's foreign policy resolutions are not blind to the hostile challenges of Communist nations which frustrate our search for peace. But the UAW, like most Americans, realizes that there are many changes taking place inside the Communist world which wise policymakers cannot ignore.

Mr. President, I believe that the UAW's resolutions adopted on May 21 of this year in California represent a fine example of practical idealism among American trade unionists, and I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS COMMITTEE RESOLUTIONS

INTERNATIONAL AFFAIRS

All the hopes of the people throughout the world hang upon the fundamental question of war and peace in an age which has developed both weapons of total destruction and the tools for creating universal abundance and well-being.

The great challenge before the human family, which transcends every other question, is: how will man use his creative genius? To what purpose will he harness the power of the 20th Century Technological Revolution? Will he continue to forge the weapons of over-kill and total self-destruction? Or will he apply the tools of science and technology to the rewarding purposes of peace—to the affirmative tasks of winning the wars against poverty, disease and ignorance, and building a rational and responsible world community in which all men whatever their differences and diversity, can live in peace.

The crisis in our world takes many forms: economic, political, military. Yet fundamentally it is not essentially military, political or economic in character. The crisis in the world is essentially a moral crisis, and only a moral commitment will check our drift toward war and disaster. All the military power, all the political know-how, all the economic wealth of the planet, will not save us from catastrophe unless governments and peoples decide in favor of the moral alternative to war—the task of building a rational world community.

All the nations of the world are prisoners of the arms race. It is estimated that this year they will spend in excess of $200 billion for armaments as the means of strengthening national security. And yet, after this fantastic sum has been expended for new and more destructive weapons, the world will be less secure. The stalemate of terror will merely have been raised to a higher and more dangerous level.

If man is to survive, then he must heed the words of President John F. Kennedy in his historic speech to the United Nations General Assembly:

"Today, every inhabitant of this planet must contemplate the day when this planet may no longer be habitable. Every man, woman and child lives under a nuclear sword of Damocles, hanging by the slenderest of threads, capable of being cut at any moment by accident or miscalculation or by madness. The weapons of war must be abolished before they abolish us."

The long suffering peoples of the have-not nations of the world in Africa, Asia and Latin America sense the possibilities of the technological revolution and with their still inadequate tools are struggling impatiently to attain a standard of living and education and health which they know is possible. And out of their knowledge and yearnings and impatience, they have created the Revolution of Rising Expectations.

The struggle of these have not peoples to catch up with the material well-being of the advanced industrial nations is intimately related to the overriding problem of world peace, and in this nuclear age where peace is a condition of human survival.

Humanity stands at a fateful crossroads. We must grasp every opportunity to shift the world struggle away from a negative nuclear arms race that nobody can win, toward a positive contest between different social systems—one totalitarian, the other committed to freedom and personal dignity—a contest which will reveal to all people everywhere which system can better provide for man's material and spiritual needs. We need have no fear of the outcome of such a contest.

To win it we must forge a grand alliance of the free nations for the waging of the peace, and we must commit massive resources to that purpose as unsparingly and unhesitatingly as we have committed them when we were at war. We must make centuries of economic and social progress in the next generation in Asia, Latin America and Africa—if we are to succeed in making both peace and freedom secure.

Vietnam

We are all deeply concerned about Vietnam, and President Johnson has our prayers and our moral support as he wrestles with the agonizing problem of finding the way to transfer the conflict from the battlefield to the conference table.

The instability of the political situation in South Vietnam has intensified efforts on the part of those who, on the one hand, naively believe that this tragic confrontation can be settled by unilateral withdrawal of U.S. forces which would create a vacuum which the communists would fill, and those who, on the other hand, urge a further escalation of the war, which could trigger either a nuclear holocaust or our direct involvement in a struggle with Red Chinese troops.

The UAW has repeatedly rejected these unacceptable alternatives. Those who encourage either a spirit of defeatism or stimulate an emotional and unreasoning climate for a wider war undermine the continued hopes of our nation and the peoples of Asia, for a peaceful settlement with international guarantees against aggression. While rejecting these unacceptable alternatives, we must continue to explore and give serious consideration to other possible alternatives to finding the way to peace in Vietnam.

There is no easy answer to the Vietnamese dilemma. The tragic lessons of history have taught us that appeasement of aggression invites further aggression. On the other hand, our nation must be careful to avoid taking actions in the cause of resisting aggression that will increase the danger of the larger war the President and all of us want to avoid.

It has been clear from the outset that there can be no purely military solution to the Vietnam problem and that the parties to the conflict must be brought to the conference table. On April 7, 1965, President Johnson in his historic speech at Johns Hopkins University made an offer to enter into "unconditional negotiations" aimed toward a peaceful settlement. This and subsequent initiatives by the President for peace discussions have been summarily rejected by Hanoi and Peking. Efforts on the part of other world leaders have been equally rebuffed:

A formal appeal by 17 nonaligned nations;

The proposal by the British government to send Patrick Gordon Walker to Hanoi and Peking;

Initiatives by UN Secretary-General U Thant;

A cease-fire proposal by Indian President Radhakrishanan;

The peace conference proposal by Canadian International Control Commission member J. Blair Seaborn;

The suggestion by British Commonwealth Prime Ministers that Prime Minister Wilson undertake a mission to Vietnam, China and Russia;

The speech by U.S. Senate Majority Leader **Mansfield** enlarging on the U.S. proposal for unconditional negotiations, including a "cease-fire and standfast" at present military positions during negotiations;

Repeated efforts by Pope Paul climaxed by his historic appeal at the U.N.

Tragically, all these efforts directed toward peace negotiations were rejected by Hanoi and Peking. And even the extended cessation of bombing last December and January coupled with an intense United States peace offensive was without avail.

Despite the frustrations and disappointments encountered in specific peace efforts, there is no cause for despair nor justification for reckless actions or escalation. Our goal must continue to be an end to aggression and a viable peace through negotiations. The Vietnam crisis is as much a test of our will to press forward in the search for a just and viable peace as it is to resist aggression.

The clear and present danger is that those who advocate escalation of the war in Vietnam, who would unleash the full wrath of our destructive power to knock out all resistance, might overwhelm those with clearer sight who realize that this war is not to be won but to be settled, if we are not to hazard world-wide conflict in the age of the thermonuclear bomb. We must reject the advocates of brinkmanship who in the false name of nationalism and under the slogan of total victory would drive us into a war of mutual annihilation.

The UAW is encouraged by the growing popular pressure in South Vietnam for the election of a civilian government which could enjoy wider support among various religious groups, students, workers and peasants. The will of the South Vietnamese people to bear the continued burdens of the struggle against aggression must be strengthened by the election of a government which enjoys popular support and affirmatively promotes urgently needed economic and social reforms. The U.S. should continue by every means available to encourage the earliest possible scheduling of democratic elections directed toward the establishment of a representative civilian government and, as President Johnson has asserted, must be prepared to "honor their result". We should support efforts to have U.N. observers present in the period immediately before and during the election to insure that the will of the people is expressed free of interference or intimidation.

The UAW urges continued unremitting efforts to achieve a negotiated peace. The ultimate solution to the Vietnam crisis cannot be found except in the joint effort of the world community to bring peace to that troubled and war-torn area. The nations of the world must continue to press for negotiations to end the conflict and employ every possible means to attain this objective. The United States should not lose heart by reason of the many previous rebuffs by Peking and Hanoi but rather should continue, through its own diplomatic channels and through the U.N., to pursue every possible initiative which can facilitate bringing the conflict to the negotiating table.

The ultimate goal is not victory over a human enemy but rather victory over the scourges of poverty, hunger, ignorance and disease which afflict the people of Southeast Asia. President Johnson has committed vast resources to the economic and social development of Southeast Asia—to the tasks of peace which alone can insure social and economic progress as the bases for understanding and a just and stable peace. Such a program, once set in motion, will permit the people of this tragic, war-torn area at long last to turn their attentions and energies to the reconstruction of their own country and their own lives and will simultaneously permit the people of the United States to devote a greater measure of their energies and resources to the tasks of building a greater society here at home.

Red China

Looming beyond Vietnam is the broader question of the relationship of the free world with Communist China, with its 700 million people organized as a militant state. The Senate Foreign Relations Committee performed a valuable service in focusing public attention on this little-known but important country which has become so virulently hostile to the United States and has deliberately isolated itself from the vast majority of the nations of the world.

Red China's belligerence is symbolized by dictum of Mao Tse-Tung that "all political power grows out of the barrel of a gun." Red China's constant saber-rattling and defiant hostility keep the world on edge; yet, however enigmatic and belligerent Red China may be, the U.S. must reappraise its position toward that vast country. The isolation of Mainland China has been in major part the result of deliberate choice by its communist rulers. Their isolationist policy is made easier, however, as are their efforts to increase the suspiciousness and stimulate the aggressiveness of the Chinese people, when other countries cut themselves off from all contact with Red China. Continued isolation of Red China aggravates the danger to world peace.

The United States needs to re-evaluate its policy and develop a more realistic attitude toward Red China. Vice President **Humphrey** has called for a rational new approach to the problem of Red China; containment but not isolation. Red China's 700 million people must be brought into the family of nations where their government will find it necessary to rely increasingly upon the force of politics rather than upon the politics of force.

Knowledgeable U.N. spokesmen advise it is virtually certain that Red China will be offered membership in the United Nations in the near future. But, unless the leadership of Red China is willing to accept the spirit of the U.N. Charter and ceases to demand unacceptable conditions as a basis for admission into the U.N., Red China, as a matter of its own choice, will continue to remain in isolation outside the family of nations. The United States should revise its position to avoid the continuing impression in the world that Red China remains outside the United Nations only because of United States opposition to its admission.

The UAW concurs with the National Council of Churches that the time has come to "develop a new policy of support to the seating of the Peoples Republic of China in the United Nations." This in no way implies approval of Red China's policies. But if Red China does meet the conditions of the UN Charter and accepts membership, it would inevitably become more sensitive to the restraining influence of world opinion. It is reasonable to hope that this would reduce Red China's truculence in world affairs.

Meanwhile, moreover, we and the other Western nations have every interest in moving by stages toward normalizing relations with Red China—including encouragement of a greater flow of people, information and trade—in an effort to "defuse" its militant belligerency.

Our primary objectives in international affairs

Primary among our immediate international objectives are (1) mounting a massive attack on poverty in the underdeveloped world; (2) taking vigorous steps to support the democratic, reform-minded forces in Latin America; (3) rebuilding a viable North Atlantic Community in which we emphasize a positive peace-building role; and (4) encouraging and further developing peaceful relations with the Soviet Union and Eastern European nations.

The Soviet World

In the Soviet Union and the communist-dominated states of Eastern Europe, the winds of change have been blowing strongly for a decade. The significance of this is enormous for the entire world. Ever since Khrushchev toppled the grim edifice of Stalinism, the people in the Soviet Union are reaching out for more freedom from rigid control and are pressing for a larger share of the national product to raise their living standards. As the New York Times stated after the recent 23rd Soviet Party Congress:

"... the Communist leadership seems determined to keep the Soviet Union out of war ... (and) to concentrate its energies and attentions on itself, the betterment of its own society and people."

The UAW urges the United States government to take steps to further encourage and broaden peaceful relations with the Soviet Union and Eastern European countries, including programs of expanded trade and cultural exchange. We support President Johnson's proposal that he be empowered to extend most-favored-nation treatment to exports from those countries.

NATO and the Atlantic Community

At the end of World War II, only the United States among the technologically advanced countries of the West had its economic strength intact. The growth of its productive potential was stimulated by the conflict, while its cities and countryside were spared from destruction. Western Europe was devastated and its people weary. They were insecure and mistrustful of communist intentions, and fearful of the massed troops of the Red Army at their borders. The first priority was the reconstruction of Western Europe's shattered economic and social structure—to reestablish living standards and to provide the strength to resist aggression from the East. The Marshall Plan stimulated the recovery and reconstruction of war-torn Western Europe. Mutual suspicion between the Eastern and Western blocs of nations did not abate, however. Under the shadow of fear of communist aggression, the North Atlantic Treaty was signed in 1949, and NATO was organized in 1950 to deter the Soviet Union, which appeared bent on the conquest of all Europe.

The swift recovery of Western Europe was an almost incredible achievement. But as economic prosperity and social reconstruction restored the strength of Western European nations, and as the threat of aggression receded, NATO began to lose its sense of purpose and to come apart at the seams because the reason which fostered its creation no longer existed. NATO today needs an entirely new direction and a new sense of historic purpose. General de Gaulle's divisive role dramatizes the need for developing a cohesive influence in the Western community of nations based not on the negative fear of war but on the affirmative hopes for peace and assistance to the needy nations. Thus, Europe today, must be ready for a new role and a new challenge.

Nowhere in the world can the revolutionary American tradition and the soaring idealism of our people be applied so creatively to the problems of so many people as in this hemisphere. The hopes of all, except a small minority of the quarter of a billion Americans from the Rio Grande to Cape Horn soared when the announcement of the Alliance for Progress sounded its signal for lifting the burdens of poverty and building a better life for all in this hemisphere.

President Johnson, only last month in Mexico City, again affirmed what must be the central purpose of our nation's policy in this, the American half of the world: our unqualified commitment to democratic social reform from the Arctic to the Antarctic, from the Atlantic to the Pacific in all the languages we speak.

In the world political arena where the fate of democracy is at stake, we must seek to tie our prestige and our reputation with the forces which strive for democratic social reform—forces whose aim is not to oppress the workers and the peasants with military dictatorship, but to lift them to a life in which they will enjoy peace, bread and freedom.

The new challenge—the third world of poverty

The new challenge is clearly and dramatically present. It is there both for Europe and the United States to see. The challenge is this: while Europe and the United States are enjoying unprecedented prosperity, two-thirds of the world is engaged in a desperate struggle to escape from the most wretched and agonizing poverty.

For the balance of this century, second only to keeping the peace, the United States and Western powers face no greater challenge than that of helping the poor nations climb the steep slope to a decent life. Both for reasons of the most elementary concern for our fellow human beings, and also because our own self-interest and security require it, the U.S. and other industrial nations must now make it their central strategy to mount a massive program of economic aid and technical assistance to the poor countries on a scale which they have never before even contemplated. What is needed is a sense of priorities and urgency such as characterized the Marshall Plan, and a scale of aid commensurate both with our vast resources and with the great and importunate need in the poor countries.

It is very difficult even for compassionate Americans to understand fully what it means for 500,000,000 Indians to live on a yearly income of $90 per person. We Americans are 38 times better off than the Indians. Yet it is not just the Indians who live in deep poverty. Today, it is shocking but true that 54 percent of the world's people live in 39 countries where the per capita income is less than $125 a year. They make up more than half of the world's population, but they have less than 10 percent of the world's income. Meanwhile, the most prosperous third of the world's population, living mostly in Europe and North America, enjoys 87 percent of the world's income.

Even more alarming than this lopsided distribution is the fact that the huge gap between the rich and poor nations is widening every year. While Europeans and Americans grow wealthier at a rapid pace, the poor countries are running very fast to stand nearly still. Even while working hard, the average Asian, African and Latin American managed to add only $1 to $2 per person to their miserable national incomes, last year, while their cousins in Europe and North America jumped their per capita income—which was already comfortable—to an impressive new high. In the United States, per capita income rose by $190 during 1965; this is more than the total per capita income of three-quarters of the world.

The widening of the gap between rich and poor nations is accentuated by the tendency of population growth in the latter to nearly match, and in some cases, actually to outpace the growth of production. The developing countries have had to struggle and sacrifice to raise production in order barely to hold their own in terms of living standards.

The solution to this problem, although not easy to apply, is nevertheless clear. The emerging nations must be encouraged and helped to develop and implement effective programs of population planning suited to their respective cultures and traditions. We call upon the governments of the United States and Canada and upon the United Nations to give this problem the attention it urgently requires and to mobilize and provide the necessary intellectual and material resources without delay.

No real peace can be possible so long as the rich become ever richer, while the poor appear to be condemned to a vicious circle of poverty, disease and hopelessness. No amount of military force can contain the violent upheavals which misery and despair can, and probably will, unleash. No one can or should expect that two-thirds of the world will accept indefinitely to live in the relentless hell of extreme poverty while they see others enjoying the riches and comforts of the world.

The challenge is great, and so is the danger if we ignore it. If the gap between the rich and poor nations continues to widen at the present rate, the U.S. could easily find itself faced with a dozen Vietnams—violent explosions of desperate men in Asia, Africa and even Latin America which would be far more costly to contain militarily than to prevent by economic action now.

The need for economic assistance in the underdeveloped countries is so great that it seems to overwhelm many people with a sense of hopelessness by its sheer immensity. However, it is by no means beyond the capacity of the industrialized nations to mount a program adequate to the needs of economic and social development in these poor countries without excessive sacrifices. At the present time, the United States foreign economic aid program costs only one-third of one percent of our huge Gross National Product.

The level of U.S. aid today contrasts sharply with the fact that, under the Marshall Plan, the American people, faced with another great challenge, committed two percent of their Gross National Product to foreign aid.

The UAW believes that there is no more urgent need than for the American people and their government to face up to the immense challenge and danger which lies in the huge and growing gap between the rich and poor nations, and to rapidly mount a plan of action on a scale sufficiently large to deal with it. This is no moment for timid souls or shortsighted thinkers. We will need to mobilize important resources in our own nations. The industrialized nations must be prepared to allocate economic resources and provide technological aid equal to the dimensions of the problems. The United States must be prepared to make a contribution to such a joint effort equal to 2 to 3 percent of its Gross National Product per year for the next 25 years.

If this seems a great deal of money—and it is—we must ask ourselves how much more costly it will be if dozens of impoverished countries erupt into other Vietnams. The economic cost would be greater and the troops cost in human life is beyond measurement. We must also ask ourselves how we can sleep at night if, in our growing prosperity, we are unwilling to contribute an adequate though small fraction of our wealth to help our fellow men escape from the grimmest kind of poverty.

We applaud President Johnson's quick and deeply human response to the danger of famine in India, and hope that this will only be the prelude to a far-reaching revision of the foreign aid program on a vastly greater scale. We urge that the President personally take the lead to see that this growing and urgent challenge receives the highest possible priority in our government's planning and action.

Our economic aid programs and policies must always be guided by the principle that the purpose of aid is to help the poorer nations help themselves—not to perpetuate economic dependency but to enable them to free themselves from dependency so that they may stand on their own feet as masters of their own fate.

We also support the view that U.S. aid be put on a multilateral basis. We agree that economic aid should be channeled through international organizations specially equipped for the task, like the World Bank and the International Development Association. Being without political ties, and not subject to political pressure, these organizations can far more easily offer the kind of advice which insures most effective use of aid funds without unfortunate political repercussions.

The true vocation of the United States in the world is its own democratic revolutionary one. Its true role is to rally its own people and to help rally the people of other prosperous nations to extend a helping hand to those billions of human beings who live in terrible hunger, indignity and despair. Its true goal is peace with justice and dignity for all men. We need not to be ashamed of being idealistic in this regard, for idealism in our time is the highest form of realism. And idealism is America's sharpest sword.

In this world's quest for peace and justice, the UAW believes that the United Nations can play, and must play, a far larger role than has been accorded it in the past. It has long been buffeted by the strains of the Cold War, and has experienced growing pains in absorbing many countries newly grown to nationhood. It has also known severe financial difficulties which have restricted its scope. But despite these problems, the United Nations is the only organization in which all countries can get a hearing, and it provides the best possible forum for talking and working out the many problems involved in building a solid peace.

The need now is to strengthen this world body so that it can play an ever broader role with greater confidence and effectiveness. It needs more tools and funds for its technical agencies like the Food and Agricultural Organization and the UN Development Fund. It also needs to have adequate machinery and funds to establish a permanent UN peace force which can be available to meet crises wherever they may occur. Most of all, perhaps, it needs the understanding of the people of the world that if the UN fails, or its role is constricted, we all fail and the family of man is doomed to self destruction.

This is the hour for the building of universal understanding and human solidarity so that we can harness the Twentieth Century technological revolution to the rewarding purposes of peace, freedom and social justice.

FREE WORLD LABOR DEFENSE FUND

Whereas: The lessons of history have taught us that the struggle for peace, freedom and social justice are inseparably bound together and that we can make these values secure only as we make them universal.

As the 20th Century technological revolution makes the world smaller, the people of the world are more and more becoming neighbors, and the threat to peace in any part of the world threatens the peace everywhere in the world. Likewise, we have learned that a denial of economic and social justice and the subjection of people to oppression, poverty, ignorance and disease creates social unrest and political turmoil which in turn threaten the peace of the world.

We in the UAW have sought to play an increasingly active role in the continuing struggle for economic and social justice for the building of a better life in a better world. The 18th Constitutional Convention of the UAW in 1962 created the UAW International Free World Labor Defense Fund to enable us to more effectively support the workers in Asia, Africa and Latin America to build free trade unions and to achieve a fuller measure of economic and social justice. In the ensuing years our efforts have been dramatically successful and we have given meaningful support to the efforts of workers in these other countries. It has become increasingly evident, however, that, if we falter in our efforts to realize democracy's promise here at home, we can hardly hope to maintain leadership among those nations which seek a better life for their people within the framework of democratic freedom and democratic values.

The persistence of poverty and deprivation in our own land, the denial of civil rights to millions of our citizens, the ugliness and decay of our cities, the inadequacy of our educational system and health facilities and other unmet needs diminish the authenticity of our credentials as leaders when we seek to help our neighbors in underdeveloped nations to end their poverty and to achieve for themselves a greater measure of economic and social justice. The fundamental struggles in the world is moral, economic, social and political. It is unrealistic to believe that we can provide effective leadership in that struggle and turn the tide toward democracy on other continents if we lack the social vision and boldness to build a Great Society for ourselves.

The efforts we are making beyond our borders through the UAW International Free World Labor Defense Fund, effective as they are, could be made much more effective if the image fostered abroad were not tarnished by the persistence of the ills within our own society. We must recognize that the efforts we have already made in the world arena through use of the International Free World Labor Defense Fund, and those we shall continue to make in the years ahead, must be reinforced by greater efforts on the home front to create the kind of society whose credentials for world leadership are beyond all reasonable dispute.

The inter-relationship between the national and the world struggles for peace, bread and freedom makes it only natural that the purposes for which the International Free World Labor Defense Fund was originally established should be applicable both on the home front and the world front. Therefore, be it

Resolved: That this Convention authorizes the International Executive Board to release monies from the International Free World Labor Defense Fund for domestic as well as world actions designed to further the broad and sweeping aims of the solidarity program; authorization for the use of these monies should be directed toward providing increased support and leadership in the war against poverty at home, the defense of Constitutional rights and the opening up of equal opportunities for all our people, the improvement of the quality of our society in our cities and rural areas, and for other similarly broad and essential purposes which will have the effect of strengthening us at home and rendering more credible and effective our world leadership in the global struggle for peace, freedom and justice.

VATICAN'S BIRTH-CONTROL STUDY PROGRESSES

Mr. GRUENING. Mr. President, Pope Paul VI has received the final report of his commission to study family planning. The study has not been done in haste. It has required nearly 3 years, and it has been done by outstanding, well-qualified laymen and clergymen.

It is gratifying news that the Vatican Council is moving.

According to a news story by Mr. Robert C. Doty, which appeared in the New York Times this morning, datelined Rome, June 28, the report was delivered to the Holy Father by Julius Cardinal Dopfner, archbishop of Munich, a vice president of the commission.

There is speculation that the report contains a majority view that the Roman Catholic Church "could authorize certain family-planning techniques, notably the use of a pill to regulate the female menstrual cycle, without violence to basic theological and doctrinal principles." Some commission members, according to the news story, felt that other methods of contraception, even mechanical, were in keeping with the definition of "responsible parenthood."

But it must be remembered that the final decision of the Roman Catholic Church will be made by Pope Paul VI. He has received a voluminous and carefully compiled document to study. His study will require sufficient time to read and examine the material.

The decision of the Holy Father will be his and for him during this time of deliberation we offer our prayers.

I ask unanimous consent that the full text of the New York Times news story to which I have referred appear in the Record at the close of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, June 29, 1966]

Birth-Curb Panel Gives Final Report to Pope for Study

(By Robert C. Doty)

Rome, June 28.—Pope Paul VI today received the final report of his commission to study family problems and spent an hour with a cardinal who is a member of the commission and who is reported to favor liberalization of the church ban on artificial contraception.

Julius Cardinal Dopfner, Archbishop of Munich and a vice president of the commission, delivered the report, which was completed Saturday after nearly three years of study by 60 experts, both laymen and clergymen.

A majority of the commission is reported to have supported the view that the Roman Catholic Church could authorize certain family-planning techniques, notably the use of a pill to regulate the female menstrual cycle, without violence to basic theological and doctrinal principles.

A substantial body of opinion was said to have argued for acceptance of even mechanical contraceptive devices to permit Catholic couples to exercise the "responsible parenthood" endorsed by the Ecumenical Council.

POPE HAS FINAL SAY

These opinions of the majority, together with those of a minority urging maintenance of the ban on any form of birth control except the "rhythm" method based on the woman's fertility cycle have only an advisory quality. Pope Paul will make his own decision.

There was speculation why Cardinal Dopfner, one of two vice presidents of the commission, delivered the report instead of Alfredo Cardinal Ottaviani, Pro prefect of the Congregation for the Doctrine of the Faith, who is the commission president. He is an arch-conservative. No official explanation was obtainable.

Whatever the reason, the Pontiff received the report from the hands of one who has been a leader in the progressive movement in the church.

THE 34TH ANNIVERSARY OF THE CHARTERING OF THE DISABLED AMERICAN VETERANS

Mr. PELL. Mr. President, I am happy to note the 34th anniversary of Disabled American Veterans as a congressionally chartered national organization.

Founded December 25, 1919, in Cincinnati, Ohio, as a single-purpose organization to promote improvement of inadequate government services to disabled American veterans, the meritorious purposes of the DAV were given congressional recognition with the passage of Public Act by the 72d Congress in 1932. As a result, the DAV became a Federal, nonprofit organization.

As the official voice of disabled veterans, the DAV employs 150 professionally trained disabled veterans as an officer corps. These officers have provided for free assistance to disabled veterans and their families in obtaining medical aid, rehabilitation, and employment.

I hope that Americans will become increasingly aware of the outstanding services of the DAV. I hope, also, that Americans realize that expenditures for disabled veterans' benefits are not government welfare payments. They are part of the cost of war, for which responsibility must be taken.

DAV serves disabled veterans of Vietnam just as it has served disabled veterans of other military efforts in the protection of the United States.

As a U.S. Senator from Rhode Island, I am most appreciative of the service performed by the DAV in my State. Those people of Rhode Island so tragically affected by the devastation of war are having an important need answered by the DAV.

Today DAV continues to serve disabled veterans throughout the Nation through 1,834 local chapters with a total membership of 231,000. There are 21 local chapters in Rhode Island with total membership of 1,606.

It is a privilege to honor an organization so dedicated to a important, continuing need in our country today.

NATIONAL MILK PRODUCERS SUPPORT SEPARATE SCHOOL MILK PROGRAM

Mr. PROXMIRE. Mr. President, on Tuesday, June 21, the National Milk Producers Federation testified on Senator Ellender's bill to amend the School Lunch Act as well as the special milk program for schoolchildren. At that time the organization's spokesman, Patrick B. Healy, brought out very clearly the dangers of consolidating the milk and lunch programs in one piece of legislation.

In the words of the Federation:

> It is our judgment * * * that the program can best be administered and provide the most good for the greatest number of children if it remains separate from the National School Lunch Act.

Mr. Healy went on to say:

> We are fearful that the closer we bring the school milk program and school programs of other kinds together, the more certain we are that they eventually will be combined, and, then, there will be less milk and less other foods made available to children.

This morning the Senate Agriculture Committee is meeting on the Ellender bill as well as my legislation to make the school milk program permanent. I am very hopeful that the committee will take action to reaffirm the separate character of the school milk program—both for the benefit of the Nation's farmers and on behalf of the Nation's schoolchildren.

CRIME DOES PAY, SO COURTS SAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record an editorial which appeared in the Wheeling, W. Va., News-Register of June 15 entitled "Crime Does Pay, So Courts Say."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Crime Does Pay, So Courts Say

It is no surprise that this country's law enforcement and prosecuting authorities have expressed serious concern over the latest ruling of the U.S. Supreme Court which places sweeping limitations on the power of the police to question suspects in their custody.

The majority opinion, delivered by Chief Justice Earl Warren declared that the 5th Amendment's privilege against self-incrimination comes into play as soon as a person is within police custody.

Consequently, the prosecution cannot make use at a trial of any admissions or confessions made by the suspect while in custody unless it first proves that the police complied with a detailed list of safeguards to protect the suspect's right against self-incrimination.

The suspect must have been clearly told that he may remain silent, that anything he says may be held against him, and that he has a right to have a lawyer present during an interrogation.

If the suspect desires a lawyer but cannot afford one, he cannot be questioned unless a court-appointed lawyer is present.

The Justices split 5-4 on the ruling with stinging dissents from the minority denouncing the decision as one that helps criminals go free to repeat their crimes. Justice John M. Harlan said the decision was a "dangerous experimentation" at a time of a "high crime rate that is a matter of growing concern."

Justice Byron R. White said, "In some unknown number of cases the court's rule will return a killer, a rapist or other criminal to the streets and to the environment which produced him, to repeat his crime whenever it pleases him. As a consequence, there will not be a gain, but a loss, in human dignity."

This trend by the courts in giving criminals the upper hand over society has been going on now for several years. And there is a possibility that we haven't seen the end of this dangerous practice. In fact the Supreme Court next Monday will determine whether the rules announced Monday will be applied retroactively to void old convictions, or applied prospectively to void cases that have not reached the final appeal stage. If such becomes the case we can look for the prison gates and jail doors to swing open wide once more to turn loose hundreds and hundreds of hardened criminals through a legal technicality.

Recent court decisions which allow prisoners to win their freedom after claiming they were denied their constitutional rights during their original trials already has cut our prison population almost half of what it was five years ago in West Virginia. Litigation, plus paroles and probation have caused the wholesale release of criminals, thus compounding the problems of the already overworked law enforcement agencies.

Meanwhile the crime rate soars and in many of our larger cities women and men fear for their safety when going out on the public streets after dark. The police feel helpless when after lengthy investigation arrests are made but the guilty are set free because of fancy legal maneuvering.

We are at a loss to understand why we can send young men into Viet Nam who have committed no crime and who would be prosecuted if they failed to go, and they go to their deaths as a matter of supposedly securing our lives and property. Then we take some man who has committed a fiendish crime upon some defenseless child or woman, and we suddenly become terribly sympathetic with him and decide he's not such a bad fellow after all. What inconsistency. We certainly are making a shambles of the old saying, "Crime Doesn't Pay."

PROBLEMS OF A LARGE CITY SURROUNDED BY MOSTLY ALL WHITE SUBURBS

Mr. BREWSTER. Mr. President, recently a conference of mayors was held in Dallas, Tex. At this conference, the distinguished mayor of Baltimore, the Honorable Theodore R. McKeldin, delivered a paper entitled, "The Problems of a Large City Surrounded by Nearly All White Suburbs."

This thoughtful dissertation discusses the related problems of keeping the central city economically healthy and eliminating racial discrimination from all phases of urban life.

Referring to the complexity of the latter problem, Mayor McKeldin says, quite correctly, I think:

> I am not rash enough to claim that in Baltimore we have established justice under law, but I do believe we have gone far enough toward that goal to prove that the remedy is not in law alone. The power of legal authorities is negative. They can, and they must, prevent overt acts of discrimination, but they cannot create the attitude, the spirit of fair play that alone can assure to any minority enjoyment of its right to the pursuit of happiness.

Mr. President, I am sure that anyone who is interested in urban affairs will find Mayor McKeldin's talk in Dallas extremely edifying. For this reason, I ask unanimous consent of my colleagues to have it printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

The Problems of a Large City Surrounded by Nearly All White Suburbs

(Address by Theodore R. McKeldin, mayor of Baltimore, Md., U.S. Conference of Mayors, Dallas, Tex., June 14, 1966)

Some of the best minds of our time have been wrestling for decades with the problems of the large city surrounded by nearly all-white suburbs. I don't think any of them has found real answers. I am not sure that answers can be found where they have been sought—in strictly logical plans implemented by strictly technical means on a strictly scientific basis.

I do not mean to detract from the brilliance of many of the analyses that have been advanced. The ingenuity, resourcefulness and energy with which they have attacked technical problems deserve the highest praise. They have achieved great success in giving us the necessary know-how, but we are far less adequately equipped with the know-what. Yet, no rational man will deny that it is desirable to know what you want to do before turning your attention to how to do it.

Take, for example, the suggestion recently advanced by Bernard Weissbourd and published by the Center for the Study of Democratic Institutions under the title of "Segregation, Subsidies and Megalopolis." Mr. Weissbourd is no mere theorist. A lordly office-building, several fine apartment houses and the rising Hilton Hotel in Baltimore are proof, not in words, but in concrete, steel and glass, that when it comes to the problem of reconstruction of a city, he is a master.

His basic proposal, if I understand him, is to break up the presently largely residential character of the suburbs by introducing industry enough to create a ring of economically self-sustaining cities around the hub of an inner city in which would be concentrated cultural, recreational and educational facilities serving the whole metropolitan area. It is the more logical because so many new industries created by recent advances in technology require light and air as well as floor-space, all of which are more easily available in the suburbs than in the central city.

But a point to which I think he has paid insufficient attention is that these same new industries, requiring large amounts of light and air, do not require many men, considering the size of their output. They are nearly all highly automated industries. High automation calls for high skill in relatively few operatives. The bulk of the gainfully employed today are not in industry, but in the service trades—transportation, distribution, maintenance and personal service. Taking industry to the suburbs, then, would not involve taking the bulk of the population there.

I have had enough experience as Governor of Maryland and Mayor of Baltimore to know the scope and range of these problems. They are immense, and complicated in Baltimore, as in all other large cities, by an increasing racial imbalance in the inner city. Between 1950 and 1960, the white population of Baltimore declined by 113,000 persons, while the non-white population increased by 102,000, an almost one-for-one replacement. In the same census period the five counties of the Baltimore area had substantial population increases only in the white segment. In Baltimore County, almost surrounding the city, the white population increased 88% in this decade, while the non-white actually decreased, both in percentage and in absolute numbers.

This is not an engineering problem. It is sociological and political, and such problems are not to be solved on the drawing-board or by the aid of electronic computers. They are human, involving the third of the inalienable rights listed in the Declaration of Independence, the right to the pursuit of happiness. The first two, life and liberty, can be reasonably well safeguarded by purely political action, but not the pursuit of happiness. Men can be, and are, deprived of that by forces unknown to the Constitution and the statutes and largely beyond the reach of the executive power.

Recently we had in Baltimore a conference of experts from 15 major cities, organized as the Hub Council for the consideration of problems of the "hub" cities and growing out of the "stay in the city movement," initiated by Baltimore's Economic Director. To him Secretary Robert C. Weaver of the Federal Department of Housing and Urban Development, wrote:

"The health and vitality of our urban way of life depends, in very large degree, upon our ability to keep our central cities economically healthy. This does not mean, simply, keeping a certain 'share' of jobs, but it connotes retaining within, and bringing to, the central city those kinds of economic activities that the central city is best equipped to accommodate. . . . Perhaps the group ought to consider not just industrial employment, but all kinds of employment, e.g., service, retail, and professional as well."

Mr. Weaver, I think, was getting warm. So was Charles Abrams, the Urban Planning Chairman at Columbia University, and a distinguished authority. He says:

"The fact is that many Negroes do live in slums and some do not . . . Despite this, the housing problem persists for most Negro families, and in many places it is becoming worse. The physical condition of the Negro's homes, however, is only one aspect of the Negro's housing conditions. The neighborhoods are run-down; officialdom is less concerned with their maintenance, and their general atmosphere is demoralizing; the schools are segregated and inferior, and so are the recreational, hospital and social facilities; there are also fewer new buildings erected in Negro areas, even for those who can afford them. Above all, the Negro is discriminated against in almost every aspect of housing and neighborhood life, and he feels it."

As Mayor of Baltimore, I feel like saying to Mr. Abrams, "Are you telling me?" The political administration of Baltimore City is divided, but on one thing a Republican Mayor and a Democratic City Council have seen eye to eye and, until recently, have worked together in harmony. This was in abolishing every form of legal discrimination against any minority, whether in schools, stores, theaters, restaurants, hotels or anywhere else. If there is one provision in the city code that discriminates against any man on account of race, religion, or color, it is there because it is so obscure that it has been overlooked.

Nor have we stopped with statute law. Powerfully assisted by many groups of enlightened citizens we have urged upon private business a policy of non-discrimination in employment, with considerable success, especially as regards banks, department stores and fiduciary institutions, with the result that they are now using non-whites in many positions above the level of janitors and messengers.

Nevertheless, the city received a blast of unfavorable publicity not long ago when the leadership of CORE announced its choice as a target area for an intensive drive against discrimination because, it was alleged, Baltimore is the worst city outside the South in that respect.

Our first reaction was perfectly genuine bewilderment, but brief consideration was enough to bring the realization that here we are dealing with something beyond the purview of law. Discrimination can exist without support by the statutes and without enforcement by the police.

When we clearly understand that, with all its implications, we may be on the way to find some answers. Basically, the problems of the large city surrounded by nearly all-white suburbs are problems of human dignity—or the lack of it. Of course, that is an over-simplification and a cliche. It also happens to be the truth.

A mother, deprived of a mother's relationship with children, husband, home, and family must have small respect for herself as a mother.

A father without a decent job or hope of ever getting one, without the function or authority of husband, parent, or provider, must have small respect for himself as a person.

And those who have little respect for themselves cannot command much respect from others. So the desperation festers and feeds on itself.

But the remedy is not in law. True, equal justice under law is the first step toward a remedy, but it is only the first step. I am not rash enough to claim that in Baltimore we have established equal justice under law, but I do believe that we have gone far enough toward that goal to prove that the remedy is not in law alone. The power of the legal authorities is negative. They can, and they must, prevent overt acts of discrimination, but they cannot create the attitude, the spirit of fair play, that alone can assure to any minority enjoyment of its right to the pursuit of happiness.

Sympathy is not enough. We need that rarer quality, empathy, the ability to put one's self in another's place and to see the situation as he sees it. Sympathy leads to good deeds, but good deeds are only a palliative, not a cure. Empathy leads to understanding of another's point of view and so to knowledge to why he reacts as he does. If formal justice is the first step, understanding is the next step toward a cure for the evils that beset us.

I repeat, "that beset us," for anyone who thinks that this is solely, or mainly, a problem of minorities, and specifically of the Negro minority, is self-deceived, and it could be, fatally deceived. For if America cannot master this problem, it will never make democratic self government a living reality instead of a distant ideal.

"A house divided against itself cannot stand." The prophetic words of Lincoln are as worthy of our attention today as they were in 1858. At that time the nation was legally half slave and half free, and it almost fell. It survived only because it became legally all free. But for a hundred years it has remained morally divided and when one is reminded of Los Angeles' Watts, New York's Harlem, and the blood spattered on the streets of half a dozen other Northern cities, it takes an optimist to assert that even half of it is morally free.

I am not one of those who talks of another civil war, or of anything resembling a race war. But I do assert flatly that just laws are not enough, even when administered by just judges and enforced by just police power. It is justice, not in the courts, but in the hearts of men that alone can effect a cure. And I do assert that extra-legal discrimination based on racial prejudice is a malignant growth that, if it is not eradicated, will slowly but surely destroy the moral character of this nation and leave it but a shell. It may be an iron shell and a menace to the rest of the world, but it will no longer be "a beacon to mankind," much less "the last, best hope of earth."

It may not be a swift process. Things may very well last beyond our generation, beyond our century. But unless we cut out the cancer, the end is sure. "The mills of God grind slowly, but they grind exceeding small."

Furthermore, it is precisely in a community of the oppressed and downtrodden ringed by a community of the privileged and free that the first acute symptoms of the malady are certain to appear. Witness the community of Watts in the heart of Los Angeles. Therefore I submit that every other problem of our great cities is overshadowed by the problem of preventing a massive concentration of the hopeless and despairing. Any means contributing to that end I approve. The "stay in the city" movement is one. The dispersal of industry is one. Urban renewal is one and so are low-cost housing, better education, vocational training and recreational facilities. I have supported all of them in Baltimore, and I shall continue to support them because every one has done some good. But I do not flatter myself that any of them, or all of them together, are going to get at the root of the trouble, for the root is beyond the reach of laws, law-makers, and administers of laws. The root is a public opinion that tolerates any form of discrimination not based on the anti-social conduct of the individual.

A public official is in an advantageous position to influence public opinion, and it is unfortunately true that some have used their positions to darken, rather than enlighten it. We have a name for such an official. He is a demagogue, and he is a worse threat to American liberty than would be Stalin, Hitler and Mussolini all rolled into one. But we may dismiss him from consideration, for a nation that runs after demagogues is hopeless anyhow. What gives me more concern is the man in public life who, sometimes from fear but often from plain lack of understanding, does nothing to lead the people toward a truer comprehension of their own interest.

But leadership is all that public figures can accomplish, and all that they should attempt. The rest is in the hands, not of Whitman's "elected persons," but in those of plain old John Q. Public.

For my part, I have faith to believe that they are safe hands.

MEDICAL CARE FOR MILITARY DEPENDENTS

Mr. TOWER. Mr. President, in recent years we have seen a multitude of health benefit programs enacted. These programs have covered many American citizens of all ages and have provided them with extensive medical aid. But we have ignored one group of deserving citizens, a group all too often overlooked when the cannons of battle are silent. I speak, of course, of the men and women and their families who serve this country in the armed services.

While some effort to provide medical care for our military dependents has been made, it has been far too limited both in the extent of coverage offered and in the number of people covered. The present military medical coverage plan, the Dependents Medical Care Act of 1956, is deficient in three main areas—inpatient and outpatient care for active duty dependents, and coverage of retired reservists.

Under present procedure, outpatient care is provided for military dependents who happen to live on or near a base with adequate medical facilities but denied to those who live far away from any military medical center. These people are forced to pay their own medical expenses.

All too often, these dependents are wives and children of fighting men sent to Vietnam by our Government. Dependents who, rather than wait out a Vietnam tour of duty at a domestic military base, return to their parents' homes to await the return of the family head from battle. Many times, they find themselves living too far from military medical facilities to take advantage of their services and are forced instead to rely upon local nonmilitary clinics and physicians for treatment. It is grossly unfair and completely unnecessary for these families of our fighting men to have to pay for their illnesses from their own pockets while their civilian contemporaries, unseparated from their fathers and husbands, are able to take advantage of legitimate Government help in meeting medical expenses. Mr. President, it is time to halt this unfairness. Practical requirements of morale and personnel retention as well as the moral requirement to fully back our fighting men dictate prompt and unequivocal support for the passage of H.R. 14088.

I am pleased to be a member of the special subcommittee considering this important legislation. One of the most important provisions of this bill would enable military dependents to use civilian facilities for treatment when geography prevents the use of military hospitals.

When seeking normal inpatient or outpatient care, military dependents would have exactly the same standing as their civilian neighbors, getting no preferential treatment but having full rights to the use of public facilities.

Under the section of this bill dealing with care and treatment of handicapped children, military families may waive their tax immunity under the Soldiers and Sailors Civil Relief Act and thus accept equal financial responsibility with State residents. In return, they would be granted equal treatment in State facilities for mentally retarded or handicapped children without having to fulfill stringent residence requirements.

That care which military dependents are able to obtain under the present program is severely limited even when it is available. The 1956 legislation limits care in military facilities to diagnosis, treatment of contagious diseases, immunization, maternity and infant care, and care in special and unusual cases for nervous disorders or chronic diseases. No provision is made for normal physical checkups or for common but painful illnesses and injuries. If approved, the Medical Benefits Act of 1966 would eliminate this specific listing of medical services allowed to dependents. This bill offers, instead, a more flexible plan which would allow the degree and type of care to be determined by the needs of patients and the availability of facilities.

The Department of Defense would have the authority to contract for care subject only to the limitation that benefits provided could not exceed the high option of the most popular Government-wide civilian program. The increased flexibility provided by H.R. 14088 enables the doctor-patient relationship in the armed services to more closely resemble that found in civilian life.

The second major deficiency of the present military medical health plan is its failure to provide adequate coverage to retired personnel and their dependents. These people were excluded from coverage under the 1956 legislation because this body felt that experience in operating a medical benefit plan was needed before full expansion of the program could be effected. That reason is no longer valid. A decade of medical care has fully acquainted the military with the problems of administering a health benefit program.

Futhermore, there are compelling reasons for the inclusion of retired servicemen and their dependents under the new Medical Benefits Act. A special subcommittee chaired by the Honorable L. MENDEL RIVERS, of South Carolina, concluded after an extensive study of military hospital policy in 1964, that the Government has a clear moral obligation to provide medical care to retired personnel and their dependents. That subcommittee found such care had been assured by custom and tradition throughout most of the life of the Republic.

That subcommittee also found numerous examples of recruitment and retention literature which pledged that the Government would provide medical care for the man and his family following retirement.

The legislation now under consideration will enable us to fulfill our clear obligation to those who have served a lifetime in our armed services. The bill provides that some of the inpatient needs of retired personnel shall be met by requiring the Department of Defense to program not less than 5 percent of the beds in new and replacement military hospitals for the care of retired servicemen and their dependents. While it is no longer feasible to provide full medical care for all retired military personnel in military hospitals, the lower cost of on-base treatment more than justifies the programing of as much space as possible for this purpose.

This legislation also provides help for retirees and their dependents who are unable to make use of military hospitals for geographical reasons by subsidizing their medical expenses in nonmilitary hospitals. By blanketing retirees and their dependents under the dependents medical care program provided for civilian Government employees, this legislation makes the Dependents Medical Care Act uniform for all military personnel so that the flat charge of $25 or $1.75 per day, whichever is greater, applies equally to active duty dependents, retired members, and dependents of retired members.

Finally, this bill assures retirees that they will not suffer a loss of medical care when they transfer to social security coverage at age 65 by allowing them to remain eligible for inpatient and outpatient care in uniformed service medical facilities.

The final major deficiency of the Dependents Medical Care Act of 1956 is its failure to include the so-called title III retirees under its coverage. These retirees are citizen-soldiers who have completed not less than 20 years of satisfactory Federal service for purposes of Reserve retirement. Under present law, these retirees are denied coverage for medical expenses unless their 20 years of service includes 8 years of active duty. This discriminatory provision serves no useful purpose whatever. On the other hand, it does serve to lessen the prestige and attractiveness of our Reserve program. It has been utilized by the military services to deny to these reservists the rights and privileges accorded to every other retired member of the uniformed services.

Mr. President, it is time to end this unwarranted discrimination against the dedicated men who serve in our Reserve forces. Last year, this body unequivocally rejected a proposal to merge the Army Reserve and the National Guard because we felt then that such a program would act to hinder the effectiveness of those units.

It is time to reassert our justifiable confidence in the ability and dedication of the members of the Reserve by providing them with the same medical benefits as the members of the active services. H.R. 14088 extends the benefits of medical aid to the retired reservists of our Nation. It is a long overdue extension; one which can be delayed no longer.

In fact, no part of this legislation can be delayed any longer. If we are to ask that the dedicated and courageous performance of our fighting men in Vietnam and elsewhere around the world to continue, we must give them our fullest support here at home. There is no better way to demonstrate this support than to provide for the health and well-being of their loved cnes wherever they may be.

THE NIGHT THE LIGHTS CAME ON, BY BOB CONSIDINE

Mr. YARBOROUGH. Mr. President, when the Rural Electrification Administration was set up in 1935, only 11 percent of the Nation's rural families had electricity. Today 99 percent of them have access to the invisible power which lights their homes and eases the burden of their work.

It is difficult for city people to realize the difference which the coming of electric power has made to rural America. Most among us have had it all our lives and so do not know what it is like to do without.

> The night the lights came on is still hailed in many rural regions as an occasion ranking with the stature of such feast days as Christmas and Thanksgiving—

Bob Considine writes in a recent column in the Bryan, Tex., Daily Eagle—

> Electrical power changed millions of lives instantaneously, ended lonely isolation, provided leisure time that reflected itself in better education, improved public health, cut deep into farm accidents, provided a tremendous shot in the arm for the American economy, made us the breadbasket of the world, won a war, sealed a peace.

The rural electrification program is one of the most successful governmental programs we have ever had. I ask unanimous consent that the article "Farmers Like Electricity" by Bob Considine, printed in the June 20, 1966, Bryan Daily Eagle, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Farmers Like Electricity

(By Bob Considine)

Colman, S.D.—Ten thousand residents of this virile part of the United States gathered here this week to celebrate a miracle a majority of Americans, who are city slickers, accept as their just due.

What was celebrated here under a vast tent was the still stupendous fact that after centuries of darkness America's farms were given electricity. This was the annual meeting of the Sioux Valley Empire Association, one of the big and lively cooperatives that electrified rural America when the big utility companies wouldn't or couldn't, and when even some of the farmers and ranchers themselves fought against the burial of the kerosene lamp of yore.

Pretty second-generation farm wives shopped glittering appliance booths for the latest word in time-saving, labor-saving and even status-giving gee-gaws that come to life when plugged into the now endless miles of power lines that stitch remote areas to urban centers. While they stopped, some of their still-living mothers and grandmothers remembered when an iron was actually made of iron, a six-pound slab of it that had to be heated on a wood stove. And when an evening's entertainment was derived from well-thumbed stereopticon slides, not color-TV, radio and home movies.

Farmers, ranchers and other users of electric power studied over new ways to put the incredible, invisible slave to work—make it pump water to barren lands, automate cow barns, lift, tote. bale, pull, push, and permit one man to keep 25,000 chicks happy without giving vent to a single cluck.

Hard to believe that when the Rural Electrification Administration was set up in 1935, as part of President Roosevelt's revolution, only 11 per cent of U.S. farms had electricity. Today the figure is 99 per cent. When REA started, the public utilities people were charging as much as $3,000 a mile to stretch a line to a customer's acreage.

Cooperatives, put together by people who in some cases were so poor they could pay only $2 of the $5 membership fee, and give a note for the remainder, soon were able to borrow money from REA on easy long-term plans, and the face of America changed more radically in a short time than ever before in her history.

"The night the lights came on" is still hailed in many rural regions as an occasion ranking with the stature of such feast days as Christmas and Thanksgiving. Electrical power changed millions of lives instantaneously, ended lonely isolation, provided leisure time that reflected itself in better education, improved public health, cut deep into farm accidents, provided a tremendous shot in the arm for the American economy, made us the breadbasket of the world, won a war, sealed a peace.

A Kentuckian recalls: "It was late on a November afternoon, just before dark. All we had was wires hanging down from the ceiling in every room, with bare bulbs on the end. Dad turned on the one in the kitchen first, and he just stood there, holding onto the pull-chain. He said to me, 'Carl, come here and hang onto this so I can turn on the light in the sitting room.'"

One dear old farm lady set her alarm clock to awaken her every three hours during the night, so that she could empty the ice from her electric refrigerator's freezing compartment and fill the trays again. She was afraid it would keep making ice and inundate her.

Other farmers put covers over unused wall sockets, to keep the electricity from "leaking." Some new users donned gloves before turning on any switch.

REA people fanned out from Washington, followed by appliance dealers, the first to show the farmers what they could do with the new tool, the second to re-do every kitchen and barn in the land.

It's still happening in places like Colman, S.D., where people remain grateful for electricity, proud of having worked to get it for themselves and their families, and eager to know more uses for it. They make a fellow ashamed he beefed over that little blackout we had in New York last year.

A FOOTNOTE TO HISTORY: THE PRESS AND NATIONAL SECURITY

Mr. GRUENING. Mr. President, we have for some time been hearing of "managed news" and of late of "credibility gaps." The relations of the Government and the press in times of crisis and stress are interestingly set forth in an address by Clifton Daniel, managing editor of the New York Times, which he made at the World Press Institute, held at Macalester College, St. Paul, Minn., on June 1. He entitled it: "A Footnote to History: The Press and National Security."

It is a valuable contribution to recent history and reveals out of recent events what some of the pressures on the press are and what are its resulting problems and responsibilities.

I ask unanimous consent that his address be printed at this point in my remarks:

There being no objection, the address was ordered to be printed in the Record, as follows:

A Footnote to History: The Press and National Security

(An address by Clifton Daniel, Managing editor of the New York Times, at the World Press Institute, Macalester College, St. Paul, Minn., June 1, 1966)

This morning I am going to tell you a story—one that has never been told before—the inside story of The New York Times and the Bay of Pigs, something of a mystery story.

In its issue of Nov. 19, 1960, The Nation published an editorial under the heading, "Are We Training Cuban Guerrillas?"

I had never seen this editorial and had never heard it mentioned until a reader of The New York Times sent in a letter to the editor. He asked whether the allegations in the editorial were true, and, if so, why hadn't they been reported by The New York Times, whose resources for gathering information were much greater than those of a little magazine like The Nation.

The Nation said:

"Fidel Castro may have a sounder basis for his expressed fears of a U.S.-financed 'Guatemala-type' invasion than most of us realize. On a recent visit to Guatemala, Dr. Ronald Hilton, Director of the Institute of Hispanic-American Studies at Stanford University, was told:

"1. The United States Central Intelligence Agency has acquired a large tract of land, at an outlay in excess of $1-million, which is stoutly fenced and heavily guarded. . . . It is 'common knowledge' in Guatemala that the tract is being used as a training ground for Cuban counter-revolutionaries, who are preparing for an eventual landing in Cuba. . . . United States personnel and equipment are being used at the base. . . .

"2. Substantially all of the above was reported by a well-known Guatemalan journalist . . . in La Hora, a Guatemalan newspaper . . .

"3. More recently, the President of Guatemala, forced to take cognizance of the persistent reports concerning the base, went on TV and admitted its existence, but refused to discuss its purpose or any other facts about it.

". . . We believe the reports merit publication: they can, and should, be checked immediately by all U.S. news media with correspondents in Guatemala."

OFF TO GUATEMALA

With that last paragraph, The New York Times readily agreed. Paul Kennedy, our correspondent in Central America, was soon on his way to Guatemala.

He reported that intensive daily air training was taking place there on a partly hidden airfield. In the mountains, commando-like forces were being drilled in guerrilla warfare tactics by foreign personnel, mostly from the United States.

Guatemalan authorities insisted that the training operation was designed to meet an assault from Cuba. Opponents of the government said the preparations were for an offensive against the Cuban regime of Premier Fidel Castro. Mr. Kennedy actually penetrated two miles into the training area.

His article was published in The New York Times on Jan. 10, 1961.

The Nation also printed another article in its issue of Jan. 7, 1961, by Don Dwiggins, aviation editor of The Los Angeles Mirror.

And now Arthur M. Schlesinger, Jr. takes up the story in "A Thousand Days," his account of John F. Kennedy's years in the White House.

"On March 31," Mr. Schlesinger says, "Howard Handleman of U.S. News and World Report, returning from 10 days in Florida, said to me that the exiles were telling everyone that they would receive United States recognition as soon as they landed in Cuba, to be followed by the overt provision of arms and supplies.

"A few days later Gilbert Harrison of the New Republic sent over the galleys of a pseudonymous piece called 'Our Men in Miami,' asking whether there was any reason why it should not be published. It was a careful, accurate and devastating account of C.I.A. activities among the refugees, written, I learned later, by Karl Meyer. Obviously its publication in a responsible magazine would cause trouble, but could the Government properly ask an editor to suppress the truth? Defeated by the moral issue, I handed the article to the President, who instantly read it and expressed the hope that it could be stopped. Harrison accepted the suggestion and without questions—a patriotic act which left me oddly uncomfortable.

"About the same time Tad Szulc filed a story to The New York Times from Miami describing the recruitment drive and reporting that a landing on Cuba was imminent. Turner Catledge, the managing editor, called James Reston, who was in his weekend retreat in Virginia, to ask his advice. Reston counseled against publication: either the story would alert Castro, in which case The Times would be responsible for casualties on the beach, or else the expedition would be canceled, in which case The Times would be responsible for grave interference with national policy. This was another patriotic act; but in retrospect I have wondered whether, if the press had behaved irresponsibly, it would not have spared the country a disaster."

ARTICLE WAS NOT SUPPRESSED

As recently as last November, Mr. Schlesinger was still telling the same story. In an appearance on "Meet the Press," he was asked about the article in The New York Times in which he was quoted as saying that he had lied to The Times in April, 1961, about the nature and size of the landing in the Bay of Pigs.

Mr. Schlesinger replied that, a few days before he misinformed The Times, the newspaper had suppressed a story by Tad Szulc from Miami, giving a fairly accurate account of the invasion plans.

"If," he said "I was reprehensible in misleading The Times by repeating the official cover story, The Times conceivably was just as reprehensible in misleading the American people by suppressing the Tad Szulc story from Miami. I, at least, had the excuse that I was working for the Government."

"I prefer to think," he said, "that both The Times and I was actuated by the same motives: that is, a sense, mistaken or not, that [it] was in the national interest to do so."

Mr. Schlesinger was mistaken, both in his book and in his appearance on "Meet the Press." The Times did not suppress the Tad Szulc article. We printed it, and here it is, on Page 1 (under a one-column headline) of the issue of Friday, April 7, 1961.

What actually happened is, at this date, somewhat difficult to say.

None of those who took part in the incident described in Mr. Schlesinger's book kept records of what was said and done. That is unfortunate, and it should teach us a lesson. The Bay of Pigs was not only important in the history of United States relations with Latin America, the Soviet Union and world Communism; it was also important in the history of relations between the American press and the United States Government.

We owe a debt to history. We should try to reconstruct the event, and that is what I am attempting to do today.

Late in March and early in April, 1961, we were hearing rumors that the anti-Castro forces were organizing for an invasion. For example, the editor of The Miami Herald, Don Shoemaker, told me at lunch in New York one day, "They're drilling on the beaches all over southern Florida."

Tad Szulc, a veteran correspondent in Latin America with a well-deserved reputation for sniffing out plots and revolutions, came upon the Miami story quite accidentally. He was being transferred from Rio de Janeiro to Washington and happened to stop in Miami to visit friends on his way north. He quickly discovered that an invasion force was indeed forming and that it was very largely financed and directed by the C.I.A. He asked for permission to come to New York to discuss the situation and was promptly assigned to cover the story.

His first article from Miami—the one I have just shown to you—began as follows:

"For nearly nine months Cuban exile military forces dedicated to the overthrow of Premier Fidel Castro have been in training in the United States as well as in Central America.

"An army of 5,000 to 6,000 men constitutes the external fighting arm of the anti-Castro Revolutionary Council, which was formed in the United States last month. Its purpose is the liberation of Cuba from what it describes as the Communist rule of the Castro regime."

His article, which was more than two columns long and very detailed, was scheduled to appear in the paper of Friday, April 7, 1961. It was dummied for Page 1 under a four-column head, leading the paper.

While the front-page dummy was being drawn up by the assistant managing editor, the news editor and the assistant news editor, Orvil Dryfoos, then the publisher of The New York Times, came down from the 14th floor to the office of Turner Catledge, the managing editor.

He was gravely troubled by the security implications of Szulc's story. He could envision failure for the invasion, and he could see The New York Times being blamed for a bloody fiasco.

RECOLLECTIONS CONFLICT

He and the managing editor solicited the advice of Scotty Reston, who was then the Washington correspondent of The New York Times and is now an associate editor.

At this point, the record becomes unclear. Mr. Reston distinctly recalls that Mr. Catledge's telephone call came on a Sunday, and that he was spending the weekend at his retreat in the Virginia mountains, as described by Arthur Schlesinger. As there was no telephone in his cabin, Mr. Reston had to return the call from a gas station in Marshall, Va. Mr. Catledge and others recall, with equal certainty, that the incident took place on Thursday and that Mr. Reston was reached in his office in Washington.

Whichever was the case, the managing editor told Mr. Reston about the Szulc dispatch, which said that a landing on Cuba was imminent.

Mr. Reston was asked what should be done with the dispatch.

"I told them not to run it," Mr. Reston says.

He did not advise against printing information about the forces gathering in Florida; that was already well known. He merely cautioned against printing any dispatch that would pinpoint the time of the landing.

Others agree that Szulc's dispatch did contain some phraseology to the effect that an invasion was imminent, and those words were eliminated.

Tad Szulc's own recollection, cabled to me from Madrid the other day, is that "in several instances the stories were considerably toned down, including the elimination of statements about the 'immenence' of an invasion.

"Specifically," Mr. Szulc said, "a decision was made in New York not to mention the C.I.A.'s part in the invasion preparations, not to use the date of the invasion, and, on April 15, not to give away in detail the fact that the first air strike on Cuba was carried out from Guatemala."

After the dummy for the front page of The Times for Friday, April 7, 1961, was changed, Ted Bernstein, who was the assistant managing editor on night duty at The Times, and Lew Jordan, the news editor, sat in Mr. Bernstein's office fretting about it. They believed a colossal mistake was being made, and together they went into Mr. Catledge's office to appeal for reconsideration.

Mr. Catledge recalls that Mr. Jordan's face was dead white, and he was quivering with emotion. He and Mr. Bernstein told the managing editor that never before had the front-page play in The New York Times been changed for reasons of policy. They said they would like to hear from the publisher himself the reasons for the change.

ANGRY AT INTERVENTION

Lew Jordan later recalled that Mr. Catledge was "flaming mad" at this intervention. However, he turned around in his big swivel chair, picked up the telephone, and asked Mr. Dryfoos to come downstairs. By the time he arrived, Mr. Bernstein had gone to dinner, but Mr. Dryfoos spent 10 minutes patiently explaining to Mr. Jordan his reasons for wanting the story played down.

His reasons were those of national security, national interest and, above all, concern for the safety of the men who were preparing to offer their lives on the beaches of Cuba. He repeated the explanation in somewhat greater length to Mr. Bernstein the next day.

I describe the mood and behavior of the publisher and editors of The New York Times only to show how seriously and with what intensity of emotion they made their fateful decisions.

Mr. Bernstein and Mr. Jordan now say, five years later, that the change in play, not eliminating the reference to the imminence of the invasion, was the important thing done that night.

"It was important because a multi-column head in this paper means so much," Mr. Jordan told me the other day.

Mr. Reston, however, felt that the basic issue was the elimination of the statement that an invasion was imminent.

Ironically, although that fact was eliminated from our own dispatch, virtually the same information was printed in a shirttail on Tad Szulc's report. That was a report from the Columbia Broadcasting System. It said that plans for the invasion of Cuba were in their final stages. Ships and planes were carrying invasion units from Florida to their staging bases in preparation for the assault.

When the invasion actually took place 10 days later, the American Society of Newspaper Editors happened to be in session in Washington, and President Kennedy addressed the society. He devoted his speech entirely to the Cuban crisis. He said nothing at that time about press disclosures of invasion plans.

APPEAL BY PRESIDENT

However, a week later in New York, appearing before the Bureau of Advertising of the American Newspaper Publishers Association, the President asked members of the newspaper profession "to re-examine their own responsibilities."

He suggested that the circumstances of the cold war required newspapermen to show some of the same restraint they would exercise in a shooting war.

He went on to say, "Every newspaper now asks itself with respect to every story, 'Is it news?' All I suggest is that you add the question: 'Is it in the interest of national security?' "

If the press should recommend voluntary measures to prevent the publication of material endangering the national security in peacetime, the President said, "the Government would cooperate wholeheartedly."

Turner Catledge, who was the retiring president of the A.S.N.E., Felix McKnight of The Dallas Times-Herald, the incoming president, and Lee Hills, executive editor of the Knight newspapers, took the President's statement as an invitation to talk.

Within two weeks, a delegation of editors, publishers and news agency executives was at the White House. They told President Kennedy they saw no need at that time for machinery to help prevent the disclosure of vital security information. They agreed that there should be another meeting in a few months. However, no further meeting was ever held.

That day in the White House, President Kennedy ran down a list of what he called premature disclosures of security information. His examples were mainly drawn from The New York Times.

He mentioned for example, Paul Kennedy's story about the training of anti-Castro forces in Guatemala. Mr. Catledge pointed out that this information had been published in La Hora in Guatemala and in The Nation in this country before it was ever published in The New York Times.

"But it was not news until it appeared in The Times," the President replied.

While he scolded The New York Times, the President said in an aside to Mr. Catledge, "If you had printed more about the operation you would have saved us from a a collossal mistake."

"SORRY YOU DIDN'T TELL IT"

More than a year later, President Kennedy was still talking the same way. In a conversation with Orvil Dryfoos in the White House on Sept. 13, 1962, he said, "I wish you had run everything on Cuba. . . . I am just sorry you didn't tell it at the time."

Those words were echoed by Arthur Schlesinger when he wrote, "I have wondered whether, if the press had behaved irresponsibly, it would not have spared the country a disaster."

They are still echoing down the corridors of history. Just the other day in Washington, Senator RUSSELL of Georgia confessed that, although he was chairman of the Senate Armed Forces Committee, he didn't know the timing of the Bay of Pigs operation.

"I only wish I had been consulted," he said in a speech to the Senate, "because I would have strongly advised against this kind of operation if I had been."

It is not so easy, it seems, even for Presidents, their most intimate advisors and distinguished United States Senators to know always what is really in the national interest. One is tempted to say that sometimes—sometimes—even a mere newspaperman knows better.

My own view is that the Bay of Pigs operation might well have been canceled and the country would have been saved enormous embarrassment if the New York Times and other newspapers had been more diligent in the performance of their duty—their duty to keep the public informed on matters vitally affecting our national honor and prestige, not to mention our national security.

Perhaps, as Mr. Reston believes, it was too late to stop the operation by the time we printed Tad Szulc's story on April 7.

"If I had it to do over, I would do exactly what we did at the time," Mr. Reston says. "It is ridiculous to think that publishing the fact that the invasion was imminent would have avoided this disaster. I am quite sure the operation would have gone forward.

"The thing had been cranked up too far. The C.I.A. would have to disarm the anti-Castro forces physically. Jack Kennedy was in no mood to do anything like that."

PRELUDE TO GRAVER CRISIS

The Bay of Pigs, as it turned out, was the prelude to an even graver crisis—the Cuban missile crisis of 1962.

In Arthur Schlesinger's opinion, failure in 1961 contributed to success in 1962. President Kennedy had learned from experience, and once again the New York Times was involved.

On May 28, 1963, the President sat at his desk in the White House and with his own hand wrote a letter to Mrs. Orvil Dryfoos, whose husband had just died at the age of 50. The letter was on White House stationery, and the President used both sides of the paper.

The existence of this letter has never been mentioned publicly before. I have the permission of Mr. Dryfoos's widow, now Mrs. Andrew Heiskell, to read it to you today:

"Dear Marian:

"I want you to know how sorry I was to hear the sad news of Orvil's untimely death.

"I had known him for a number of years and two experiences I had with him in the last two years gave me a clear insight into his unusual qualities of mind and heart. One involved a matter of national security—the other his decision to refrain from printing on October 21st the news, which only the man for The Times possessed, on the presence of Russian missiles in Cuba, upon my informing him that we needed twenty-four hours more to complete our preparations.

"This decision of his made far more effective our later actions and thereby contributed greatly to our national safety.

"All this means very little now, but I did want you to know that a good many people some distance away, had the same regard for Orvil's character as did those who knew him best.

"I know what a blow this is to you, and I hope you will accept Jackie's and my deepest sympathy.

"Sincerely, John F. Kennedy."

In the Cuban missile crisis, things were handled somewhat differently than in the previous year. The President telephoned directly to the publisher of The New York Times.

He had virtually been invited to do so in their conversation in the White House barely a month before.

That conversation had been on the subject of security leaks in the press and how to prevent them, and Mr. Dryfoos had told the President that what was needed was prior information and prior consultation. He said that, when there was danger of security information getting into print, the thing to do was to call in the publishers and explain matters to them.

In the missile crisis, President Kennedy did exactly that.

Ten minutes before I was due on this platform this morning Mr. Reston telephoned me from Washington to give me further details of what happened that day.

"The President called me," Mr. Reston said. "He understood that I had been talking to Mac Bundy and he knew from the line of questioning that we knew the critical fact—that Russian missiles had indeed been emplaced in Cuba.

"The President told me," Mr. Reston continued, "that he was going on television on Monday evening to report to the American people. He said that if we published the news about the missiles Khrushchev could actually give him an ultimatum before he went on the air. Those were Kennedy's exact words.

"I told him I understood," Mr. Reston said this morning, "but I also told him I could not do anything about it. And this is an important thought that you should convey to those young reporters in your audience.

"I told the President I would report to my office in New York and if my advice were asked I would recommend that we not publish. It was not my duty to decide. My job was the same as that of an ambassador—to report to my superiors.

"I recommended to the President that he call New York. He did so."

That was the sequence of events as Mr. Reston recalled them this morning. The President telephoned the publisher of The New York Times; Mr. Dryfoos in turn put the issue up to Mr. Reston and his staff.

And the news that the Soviet Union had atomic missiles in Cuba only 90 miles from the coast of Florida was withheld until the Government announced it.

What conclusion do I reach from all these facts? What moral do I draw from my story?

My conclusion is this: Information is essential to people who propose to govern themselves. It is the responsibility of serious journalists to supply that information—whether in this country or in the countries from which our foreign colleagues come.

Still, the primary responsibility for safeguarding our national interest must rest always with our Government, as it did with President Kennedy in the two Cuban crises.

Up until the time we are actually at war or on the verge of war, it is not only permissible—it is our duty as journalists and citizens to be constantly questioning our leaders and our policy, and to be constantly informing the people, who are the masters of us all—both the press and the politicians.

RELOCATION OF HOUSING FOR FAMILIES DISPLACED BY FEDERAL OR FEDERALLY ASSISTED PROGRAMS

Mr. HART. Mr. President, a problem which is becoming increasingly difficult in the area of housing is that of relocating families, individuals, and businesses displaced by Federal or federally assisted programs.

The difficulties in this area have been aggravated by three basic factors: First, most of the displacements affect low or moderate income persons for whom forced moves are a very difficult experience, which problem is in turn aggravated for the elderly, large families, minorities and small businesses which rely rather heavily on established neighborhood patronage for their success; Second, the unavailability of an adequate supply of standard housing; Third, the inconsistencies and inadequacies among the various Federal programs which provide relocation assistance.

With regard to this latter point, although the Federal aid highway program is second only to urban renewal in its impact on relocation problems, the relocation assistance provided for highway displacees is far less comprehensive. This is especially evident with regard to relocation advisory assistance since State officials are merely required to give satisfactory assurance to highway displacees that relocation advisory assistance shall be provided. They are not required to provide assurance of a feasible method of relocating families or that an adequate supply of standard housing within the displacee's means is available. The limited nature of this assistance makes it especially difficult for the majority of displacees to cope with these forced moves since these people require the most intensive type of advisory assistance.

With regard to certain State and local aspects of this problem, I ask unanimous consent that the attached and powerful statement of the Catholic Bishops of Michigan, the editorial from the May 20, 1966, edition of the Washington Post and an article appearing in the Post on May 29, be printed at this point in the RECORD.

There being no objection, the statement, article, and editorial were ordered to be printed in the RECORD, as follows:

STATEMENT OF CATHOLIC BISHOPS OF MICHIGAN ON EQUAL HOUSING OPPORTUNITIES

(Adopted by Board of Directors, Michigan Catholic Conference, March 18, 1966.)

Michigan has made significant strides in guaranteeing by law the equal rights of all citizens. But laws alone are not sufficient to give to each person his natural right to be treated in dignity as a person created by God.

In our 1964 policy statement on civil rights, we said: "The faithful are urged to give active support to programs promoting freedom of housing opportunities for all persons. No Catholic, in good conscience, can sign petitions or support laws or ordinances that deny minorities a full and equal opportunity to secure decent homes on a non-discriminatory basis."

The problem of housing discrimination has not been solved and needs special attention.

The right to private property has been strenuously defended by the Church as a basic human right, but not as an absolute right without limitation. It is equally well established in our moral and legal tradition that the use of private property be governed by considerations demanded by the common good of the community, such as the right of eminent domain, health and welfare, zoning regulations, etc. In general, property must be used in such a way that it does not harm either individuals or the common good.

This qualification of the right to private property the Church has emphasized by teaching that ownership is a stewardship that involves social responsibility. The property owner who wishes to sell in the open market, and yet wishes to exclude members of a certain race, religion, or national origin from the opportunity to buy, is using his property to the detriment of society.

Human dignity and equality demand the right to change of residence and opportunity to buy according to the same reasonable standards for all. Color or creed is not a reasonable standard for discrimination or exclusion.

Sometimes justice crawls—sometimes it leaps. In the field of housing equality we are crawling. The people of Michigan should be proud of the progress made in other areas of civil rights—but not satisfied. The problem of housing discrimination is a serious social problem that needs the immediate attention of responsible political, civic and religious leaders throughout our state. Likewise, those who make their livelihood in buying and selling real estate have a special obligation in law and in conscience to refuse to act as agents of discrimination in housing based on race, religion or national origin.

Stable communities consist of something more than paved streets, proper lighting and well trimmed lawns. It is people that make a community. A good community is an open community where all the goods, services and facilities of the community are available on an equal basis to all residents. The open community is also marked by strong civic leadership that is ever alert to possibilities of promoting good will and harmony among residents of the community.

Urban renewal and new highway construction are important elements of community progress. But too often the most disadvantaged members of a community are required to shoulder the full burden of suffering for a project which benefits the whole community.

Therefore, all government officials—federal, state and local—have the responsibility of developing formal procedures guaranteeing by law that adequate housing is available for all persons whose homes may be destroyed as the result of an urban renewal or highway construction project.

We urge all Catholics in Michigan that they be especially mindful that personal salvation is based upon love of God and love of neighbor. One cannot be practiced without the other. We best show our love for God through love of neighbor. Love is the basic law through which men and communities alike grow, prosper and live in unity and peace.

FREEWAYS IN THE CITY

Highways must be built into cities, but they must not be built at the expense of housing and parks. The most substantial opposition to the urban freeways is grounded precisely in their threat to homes where housing is already in urgent shortage, and to open space in neighborhoods where grass is already very scarce. As a necessary and legitimate cost of bringing highways downtown, the American cities will have to learn to build them in combined projects that create more than they destroy. The means to this purpose are already available to the cities. But its accomplishment will require new habits on the part of road builders and city planners.

The District Commissioners now have an obligation to promulgate a precise and rigid rule: Highway projects will be permitted to raze housing only where the same projects provide, home for home, for the same kinds of families at the same income levels; and highways will be permitted to take park space only where the same projects provide new space, square yard for square yard, in the same neighborhoods.

The rule will be difficult to follow, and it will mean slow progress. But the city of Washington has already learned that, without it, there will be very little progress of any kind. If it means building roads a block at a time, instead of a mile at a time, then that is a reasonable pace for major surgery at the heart of a great and crowded city.

Some highway officials will protest, no doubt, that the Federal Highway Act is to expire in 1972. They will cry that the whole apparatus of taxes and subsidies, like Cinderella's coach, will be turned into a pumpkin when the clock strikes 12. That outcome is, of course, utterly unlikely. The 1972 cut-off is a myth, useful only to ram bad designs through panicked local governments. We are going to need highways after 1972 just as we need them now. When the moment comes, the cut-off will be averted by precisely the same alliance of construction industries and local highway authorities that upholds it now.

Future freeway construction in Washington, as in other cities, ought to be designed to take advantage of the full range of Federal aid: not only highway aid but housing aid, open spaces aid, urban renewal and public transit grants. Urban renewal areas do not have to be square; they can be shaped like shoestrings surrounding and encasing highway routes. Public housing and playgrounds can be built over highways. The Commissioners are currently considering some of these ideas. But the city requires more; it requires a flat commitment to them. Many people in this city fear that new highways will hollow out and devastate Washington, at the greatest cost to those families least able to find new homes. If the city government (and, for that matter, the Federal Government) intend to win this argument, they will have to prove their intentions with new blocks of homes, new playgrounds and new community centers. These contributions are the price of bringing the freeways into the city. It is a fair price.

[From the Washington (D.C.) Post, May 29, 1966]

HIGHWAY AGREEMENT IGNORES SOCIAL IMPACT—ENHANCES CITY'S BEAUTY AT EXPENSE OF DISPLACED FAMILIES

(By Wolf Von Eckardt)

The sudden agreement by the Freeway Policy Advisory Committee to proceed with most of Washington's long-planned Federal highway system advances the effort to enhance the beauty of the Capital's monumental heart.

But it leaves the social impact of the proposed freeways on the rest of the city still an open question.

On March 31, PAC promised that necessary freeways "will be located and constructed in ways that reflect all significant community needs and values."

Yet the decision to proceed with freeways that will run through residential areas, parkland and the scenic Potomac palisades and that may compete with rapid transit, has been made without demonstrating or even really studying how "community needs and values" are to be reflected in their design.

PAC's reversal was due mainly to fears on the part of the highway builders that their program might lose the 90 percent Federal aid unless it is completed when the Federal Highway Act is due to expire in 1972. In part it was due also to congressional impatience with the long controversy. And in part it was due to pressure from Washington's business community, notably the Federal City Council, which considers freeways essential to downtown prosperity.

The reversal was made possible by a switch in the vote of the head of the National Park Service, George B. Hartzog Jr.

Hartzog, reflecting the view of his superior, Interior Secretary Stewart Udall, had been opposed to the Three Sisters Bridge which, for complex reasons, is particularly close to the highway builders' heart.

But Hartzog wants the South Leg of the Inner Loop tunneled so it won't irrevocably mar the beauty of the Mall and the Tidal

Basin. He also wants the Highway Department to help realize architect Nathaniel Owings' grand plan by putting cross streets under the Mall, and Constitution Avenue under Pennsylvania Avenue when they cross, and by building the E Street expressway.

Under the new agreement, he got what he wanted in exchange for yielding on Three Sisters. The problem here is not the bridge, which could be a thing of beauty. It is how to construct the access ramps so they will not turn the Potomac banks into masses of concrete spaghetti. There is no agreement on how this might be done.

Nor are there any plans to show how many families would be displaced by the North Central Freeway or the East Leg of the Inner Loop or where, in the face of a desperate low-cost housing shortage, the displaced people are to go.

The highway builders' announced intention to build new housing over sunken freeways is of little immediate help. It will obviously take years before these new buildings are ready to replace the old. Where do people go meanwhile?

PAC says that park lands used for freeways should be replaced or paid for and the East Leg will take considerable chunks. But where are the new parks to be located? Will they alleviate or aggravate the acute recreation crisis in our ghetto that some think led to the recent teen-age flare-up at Glen Echo?

The people in Washington's restless ghetto are sure to raise these questions. And they will note that the only concession PAC has made in its new agreement is to omit the North Leg freeway from the highways plans. That was the freeway that would have run smack through ritzy Embassy Row west of DuPont Circle.

Other unresolved planning problems involve the question of just where we are to get on and off the North Central and Center Leg freeways. The answer can make or break the idea of a visitor's center at Union Station, for instance. It will vitally affect plans now being made to revitalize downtown.

Too many access ramps will consume valuable land, and displace more people and businesses. Too few could seriously impede all efforts to revitalize the city's center.

And how will the North Central freeway, which is planned only because more powerful political interests turned down a Wisconsin Avenue corridor, affect the fare box of the subway? It runs exactly parallel to the proposed rapid transit line to Silver Spring. Is there not a grave danger that commuters, rather than park their cars at the subway station, will drive all the way downtown on the new freeway?

In short, the problem is not, as the rejected consultant report by Arthur D. Little has pointed out, whether to build freeways. It is how and where they are built. That, and only that, answers the question whether urban freeways are an asset or a liability.

It is nice to know that the Fine Arts Commission will exercise its able control over the design of these freeways and that, reportedly, Nathaniel Owings will design the North Central ribbon.

It is also nice to know that the grand plan for the Mall and Pennsylvania Avenue now have the highway builders' support.

But it still remains to be seen whether "The Other Washington" will get the same kind of consideration.

WRONG OBJECTIVE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an editorial entitled "Wrong Objective," which appeared in the June 15 edition of the Bluefield, W. Va., Sunset News-Observer.

There being no objection, the editorial was ordered to be printed in the RECORD as follows:

WRONG OBJECTIVE

The Supreme Court seems to us to be dealing more with theory than with practicality in its far-reaching ruling on police interrogation in criminal cases. The rights of the individual in our society must surely be protected. But society as a whole must be protected, too.

The U.S. crime rate has been shooting up. Stricter law enforcement and swift and sure punishment for criminal violators is needed, not court decisions that make necessary police work more difficult. The new guidelines for police procedures laid down by the court will unquestionably make it harder to combat crime.

When there are no witnesses, the confession is the basic thing upon which prosecution most often rests. The accuser's now over-emphasized right to silence and the new difficulties placed in the way of questioning him in the future virtually preclude any confessions at all.

It is significant to note the decision was 5 to 4. One man's opinion, presumably that of Chief Justice Earl Warren, prevailed. That opinion can adversely affect the course of law enforcement and the safety of U.S. society from cross-roads hamlet to megalopolis.

The old "third degree," outlawed nearly everywhere, ought to have been done away with. Better police work, more humane treatment of suspects ought to be demanded. But few criminal suspects can now be expected to admit anything. Many who are actually guilty may have to be turned loose to commit new crimes because of lack of evidence.

"The social costs of crime are too great to call the new rules anything but hazardous experimentation," Justice John M. Harlan said in dissent, and we agree. The provision in the Bill of Rights against self-incrimination was aimed at preventing the type of abuses against individuals that often accompanied criminal accusation in authoritarian regimes at the time the Constitution was adopted more than a century and a half ago.

But the rack and the wheel have long since disappeared in enlightened countries, and it seems to us that the Court has gone beyond what the Constitution intended or requires.

It said, for example, that if an accused person does not have a lawyer one must be provided for him free before questioning begins. This one stipulation poses a host of new problems for states and municipalities, especially as it relates to lesser violations.

It said that a confession can stand up in court only if it is made "knowingly and intelligently." This can be the basis for appeal of every conviction in which a confession figures.

It said a suspect can shut off questions at any time after they have started—that is any time he doesn't like them. How frustrating that will be for enforcement officials!

Admittedly the rights of some individuals sometimes may be infringed upon in criminal actions. The line at which the interests of society begin and the rights of the individual end is a fine one.

But in this era of the decay of the old codes of behavior, of widening moral laxity, of mounting violence and defiance of law, a too-liberal Court, it seems to us, has swung its weight behind the wrong objective.

NEED TO CONTROL SALE OF AUTO MASTER KEYS

Mr. RIBICOFF. Mr. President, auto theft is a growing problem throughout the Nation. It results in significant economic loss and preoccupies the attention of our overworked law enforcement officials. Apart from the problem of car theft for profit, stealing automobiles for high-speed joyriding has long been common among delinquent teenagers and poses a serious highway safety problem.

The use of master keys, purchased through the mails, is becoming a frequent factor in auto thefts. In order to curb this alarming practice, I have introduced, for myself and for the senior Senator from New York [Mr. JAVITS] and the junior Senator from New York [Mr. KENNEDY], S. 3176, a bill to prohibit the sale, manufacture or advertisement of sale of master auto keys except to those with a legitimate need for them. The bill would also authorize the Postmaster General to establish regulations for the mailing of these keys.

As another indication of the need for this legislation I cite an article in the June 29 issue of the New York Times and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAR THIEVES USING MAIL-ORDER KEYS—POLICE BEGIN PILOT PROJECT IN BROOKLYN TO COMBAT PROBLEM AS CRIMES RISE

(By Bernard Weinraub)

The Police Department is worried about the increasing use of mail-order keys to steal cars.

Auto thefts are rising and the police are citing the easy accessibility of auto keys through mail-order houses as a major reason.

"The ads for auto keys are all over the mechanics' trade journals," Sgt. Allen Gore, commanding officer of the automobile squad, said yesterday. "An ad will say, 'Be the first in your neighborhood to have a lost key business. With our keys you can open up 90 per cent of most automobiles.'

"The keys are generally available for $20 in a 64-key set. It's a growing problem. The keys are available and make stealing cars so simple."

The 38-year-old sergeant made his remarks as the Police Department began a pilot program on auto thefts in an area of Brooklyn where the incidence of stolen cars is very high.

The 12-precinct area—in which 19.6 per cent of the city's car thefts occur—extends from Bay Ridge to East New York. The area is generally residential and uncongested.

TO STUDY THEFT PATTERNS

In seeking to curb the thefts, the Police Department's Crime Analysis Bureau will provide special forms for officers who recover missing autos in the area. The detailed forms, covering such items as the length of time between the theft and recovery and as the method used for starting the stolen vehicle, will be studied by the bureau.

"Our aim is to study the pattern of auto theft to see if there's a single discernible method in how they started," said a police spokesman.

According to Sergeant Gore, a total of 32,897 cars were stolen in the city in 1964, while last year the figure reached 34,766. At least 75 percent of the cars are recovered, the Sergeant said.

USED BEER CAN OPENERS

"The availability of keys through mail-order houses has become prominent only in the last few years," said Sergeant Gore. "Before then, they used any gadget to open cars—a beer can opener to lift the vent window or a coat hanger to raise the handle."

"All this stuff now is getting passe. The thief now has available to him a source of master keys."

SENATE CONCURRENT RESOLUTION 94—THE PRINTING OF THE HISTORY OF THE SENATE

Mr. TOWER. Mr. President, I wish to rise today in support of Senate Concurrent Resolution 94 providing for the printing of a history of the Senate, similar to a resolution that I have previously introduced. Such an undertaking would be of great value to those students of government who would like to know just what the Senate is all about. We have many traditions in this august body that play a great role in our everyday workings. Without an understanding of these traditions, it is very difficult indeed to understand just how the Senate functions.

A working knowledge of how the Senate works and why is of great importance in this modern world. Daily we make decisions that will affect the lives of millions of people, not only in this country but throughout the world. It is necessary that the students of our form of government have all the facts available when they are considering our system and certainly no one is more capable of presenting these than the Senate itself.

Mr. President, in my original resolution, I called attention to the necessity of including a comprehensive discussion and explanation of the rules which govern the Senate. Without a thorough knowledge and understanding of these rules, it would be very difficult to grasp the methods by which the Senate works.

I ask, therefore, that special attention be paid to this problem when compiling this work.

I urge the Senate to give this measure swift approval. It would certainly be another step forward in our process of the conservation of history. It is certainly my hope that this work will become a standard in the field of analyzing deliberative bodies.

ADDRESS DELIVERED BY SENATOR STENNIS BEFORE THE GRADUATION EXERCISES OF THE MARINE CORPS COMMAND AND STAFF SCHOOL

Mr. JACKSON. Mr. President, I take pleasure in placing in the RECORD the address of Senator JOHN STENNIS at the graduation exercises of the Marine Corps Command and Staff School on June 3.

As my colleagues know, Senator STENNIS is performing a notable public service in his chairmanship of the Preparedness Subcommittee of the Senate Armed Services Committee. In that capacity, he is one of the best informed Members of the Congress across the whole front of defense questions. The investigations and studies by the Preparedness Committee, under his guidance, are in the best tradition of congressional monitoring and review of Executive programs and projects.

I ask unanimous consent that the text of the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD as follows:

ADDRESS OF SENATOR JOHN STENNIS AT THE GRADUATION EXERCISES, MARINE CORPS COMMAND AND STAFF SCHOOL, QUANTICO, VA., FRIDAY, JUNE 3, 1966

It is a special pleasure, both personal and official, to be with you today because it provides me the opportunity to speak to and in the presence of men who command the fighting units that come face to face with our enemy.

My remarks on this occasion are not directed to you in the usual custom of a graduation speaker who praises the achievements of the graduates and challenges them to further and higher goals. You have already proven yourselves. I am proud of your record and I know you will put what you have learned here to good use.

Also, my message is not to you alone but to all the people of the nation. This occasion provides me the opportunity of delivering it in your presence and in the presence of your families, and thus, symbolically in the presence of every military man who, as you, must stand ready to defend with their lives, if necessary, the freedom and liberty every single citizen enjoys.

We are at war. American casualties continue to mount. Our forces committed to mortal combat constantly rise and will increase by many thousands. Our industrial capacity strains and struggles under the burden of producing tools of war. Our military forces are thinly spread around the world as they guard against aggression. At this moment we find ourselves pinned down by a small third-rate nation in a contest that may determine whether all the people of Asia will live under Communism. We are engaged in a military action which we must win decisively. A stalemate will be a defeat for us, and a victory for our Communist enemies.

This is the hour for a national decision and for personal dedication. The time has passed when it was useful to argue whether, and to what extent, we should have become involved in Vietnam. We are there. Let us begin where we are. More than three thousand of our finest men have made the supreme sacrifice while bravely supporting the battle flag of their country. Another seventeen thousand have been wounded—some of them marked for life by the scars of the conflict. To these 17,000 men, this has not been a "limited war."

Having committed American military men to battle, the American government and every citizen of the United States is irrevocably committed to their full support. First and foremost, that makes it necessary, if an honorable negotiated peace is not possible, that our government adopt a policy and a course of action designed and calculated to win a decisive military victory as quickly as possible.

Secondly, it is essential that every person, who benefits from or enjoys the freedom and liberty provided by this nation, dedicate himself to its preservation.

The time has come when we must forego some of the luxuries of peace and plenty. The idea of carrying on every normal and fringe benefit functions, and adding to government benefit every day, is ridiculous. Instead we must recognize the necessity for and, if necessary, make whatever sacrifices are required by this time of crisis and challenge.

The men we send to war deserve nothing less. The obligation to perpetuate our heritage demands that we respond quickly, completely and effectively as a nation and as individuals.

The most urgent requirement now is national unity. Carping criticism and divisive arguments that tear down our national spirit have no place in the constructive discussion of our problem. The right of protest does not give license to engage in campaigns and demonstrations that lend aid and comfort to the very enemy who today is killing and maiming our fighting men in steaming and reeking jungles half way around the world. It is inconceivable that we should tolerate or excuse such activity, much less encourage or defend it.

In time of war or national crisis, it is the duty of all Americans to give full and complete support to the national purpose and objectives. The highest duty to do so falls upon the government, religious, educational and social leaders at every level—national, state and local. There is no substitute for a national will to win.

We cannot with consistency condemn demonstrations in Vietnam that impede the war effort, unless we move swiftly to denounce and eliminate in our own country draft card burnings, interference with shipment of war goods, sit-ins at draft board offices, and institutions where tests are administered, and other protests that aid and comfort our enemy. I condemn such actions with all the vigor of my being; they have no place in our American life. They actually aid and encourage our enemies and are secretly applauded by them.

Interference with and inconvenience to personal plans and ambitions afford no excuse for an individual to shirk or avoid his high personal obligation and duty to his country. The battlefields of Bunker Hill, New Orleans, Gettysburg, Iwo Jima, and Pork Chop Hill, as well as the ramparts at Fort McHenry and the fields of Flanders, are littered with the crushed hopes and unrealized aspirations of gallant Americans who answered their country's call to duty.

The Legislative and Executive branches of our government must also face up to the fact that we have to pay for an expensive and expanding war. The hard, brutal fact is that the price of victory cannot be avoided. Drastic curtailment of domestic expenditures, including those for the so-called Great Society program, is essential. If the war continues a tax increase is necessary and should be enacted. We cannot convince either our friends or our foes that we are serious about winning this war as long as we operate on a normal peacetime "business as usual" or "pleasures compounded" basis.

In brief, the time for half measures has passed.

Americans everywhere should now close ranks and give our fighting men in the field the support and backing they need and deserve. Earnest debate on our present and future policies should not be stopped but it should be constructive, positive, and affirmative. Negative arguments which suggest that we are a belligerent, arrogant power or an outlaw nation divided and working at cross purposes lead only to defeat.

Those who condemn our present course do not offer to accept responsibility for any other action; nor do they offer feasible alternatives. Continued criticism will only cause the world to mistake our national purpose and lead to more casulaties and less peace.

No one desires more devoutly than I an end to the fighting, an end to the sacrifice of precious American lives, and a just and honorable peace in South Vietnam. However, history of the Communist movement should teach us that we are likely to achieve these objectives through strength rather than weakness. The Asiatic Communists have, I firmly believe, decided to draw the line in Vietnam and make this a test of both our military power and our strength of national purpose and determination. They will bleed us as long and as much as they can.

History also teaches us that in dealing with Communist leaders such as we face in Asia, we are not dealing with kindly men filled with benevolent good will for their fellow men. They are openly committed to the destruction of free and democratic societies. They are convinced that a long, bitter and grinding war on the ground, with its attendant blood and sacrifice, will drain our will and our capabilities to the point that we will either withdraw or consent to peace on their terms. I do not believe that they will be convinced to the contrary unless and until they come face-to-face with either the clear and certain prospect, or the actuality, of military defeat.

Therefore, if an honorable diplomatic peace is unattainable, the ending of this war by military victory and the stopping of bloodshed should and must be our first order of business. This is the best and surest way to shorten the war and save American lives. This, I believe, is our only true road to peace.

Further, we must not isolate or separate our current problems in Southeast Asia from the rest of our worldwide problems and commitments. It would be a serious mistake to assume that Communist aggression will be confined to the Asian theater. It is probably that we will go through years if not decades of widespread testing, outbreaks, infiltration and subversion all around the world. This makes it imperative that we measure our military strength and preparedness against the possible demands which we may face in view of our worldwide commitments.

We can win this war and I believe we will, but I warn that there is no basis for belief there will be a quick and easy solution.

It is necessary that we make not only a reappraisal of individual and personal responsibilities under our form of government, but a rededication to these principles.

I do not need to remind Marines and other American fighting men of the sacrifices and dedication required to preserve freedom and perpetuate democracy. The discipline of the Corps has implanted firmly on your minds the legend of your predecessors in heroic performances at Belleau Woods in World War I and Wake Island and Bataan, Corregidor and Guam and Iwo Jima in World War II. Many of you know first-hand the misery and suffering of Korea and Vietnam. Your response in these and other actions has been outstanding. Throughout the years you have proved over and over again that a well-trained American is the finest fighting man the world has ever known.

In times of crisis the United States Marines have borne the pain, the loneliness, the fear and hardship of war bravely and with highest honor. The nation has been moved to new strength by your display of courage, valor and skill in the face of overwhelming odds.

In this time of challenge let every citizen in every town, in every countryside take heart and strength from your example and in this time of crisis unite and move shoulder-to-shoulder toward whatever task is necessary to gain victory.

Each of you has attained a position of true leadership and broad responsibility; your authority and leadership extends to both officers and enlisted men. Let me doubly emphasize that you will never do a finer day's work than when you are teaching these men the basic qualities in life that are essential to true citizenship. This is done both by precept and example.

After all is said, by far the most important part of any military organization is the men—the men—the men. Teach them that honor does count; that quality and character are essential; that thrift and prudence are necessary; that a will to work and a will to excel are a part of worthiness; and that by all means, individual effort and individual responsibility is the only road to attainment and self-respect.

These qualities must be found in individuals and in nations; without them we grow weak and with weakness comes decay.

It is true we live in a time of peril but let us remember we are a powerful nation. We have great and untapped reserves of moral and spiritual strength. We live in perilous times but let us stand our ground, thankful for the opportunity to serve.

I like the spirit of the dying soldier on the battlefield in World War I who, mortally wounded—and he knew it himself—said to the medics as they kneeled down and asked what they could do to help him, "You can't help me. I'm already too far gone. Move forward on the field of battle and help those who have a chance. As for me, I thank God that He matched me with this fine hour."

As benefactors of a great heritage, and a wonderful spirit of liberty and freedom that has been given to us—and is alive yet—let us face whatever the future holds with dedication and thank God that He matched us with this hour of challenge and peril.

HIGHER DIVIDEND RATES ON THE WEST COAST

Mr. HARTKE. Mr. President, I wish to praise the action of Chairman John Horne of the Federal Home Loan Bank Board for cautioning west coast savings and loan associations about raising their dividend rates about 0.5 percent.

I ask unanimous consent that an article on Chairman Horne's action reported in the Washington Sunday Star, be printed in the Congressional Record at this point. The danger of a rate war in the West would have repercussions throughout the country. All of us should be concerned and take steps to see that the dividend-interest cycle is not accentuated.

I commend this article to my colleagues' attention.

There being no objection, the article was ordered to be printed in the Record, as follows:

Horne Issues Stern Warning as Two Savings and Loans Plan To Pay 5¼ Percent—Danger of Overreaching Ability Stressed in West Coast Action

(By Donald B. Hadley)

A decision by two large California savings and loan associations to raise dividend rates to 5¼ percent on regular passbook savings and to 5¾ percent on 36-month savings certificates brought a stern warning from Chairman John Horne of the Federal Home Loan Bank Board at the weekend.

After the dividend increases by Home Savings and Loan Association and Lytton Financial Corp., Horne called them "unfortunate" and warned other West Coast associations not to follow.

"The board regrets the decision and is studying the matter further," he said. "Any association in determining whether or not to follow this unfortunate action should be aware that it may very well be overreaching its ability to achieve its objectives at the higher rate and could therefore encounter difficulty further down the road."

The FHLBB which regulates savings and loans, imposes borrowing penalities on associations which exceed its suggested interest ceiling, now 5 percent. But some associations do not depend heavily on such borrowings.

BOARD MEETINGS CALLED

A survey of major savings and loans in southern California disclosed most of them are calling board meetings this weekend or soon to consider whether to follow the increases of Home Savings and Lytton. Home Savings is the Nation's largest S&L and Lytton controls two associations.

None of the other associations contacted in the survey indicated any decision to raise rates.

The California Savings and Loan League reported many of its member associations will be reluctant to follow the lead of the two other associations to higher dividends and will not act in a hurry.

Members generally are unhappy about the breakthrough because they feel that 5 percent passbook rates and 5½ percent bonus rates will attract as much money as higher rates at less cost, the league reported.

Frank Hardinge, executive vice president of the league, said it would be a mathematical necessity for S&Ls that go to 5¼ percent to raise their charges on real estate loans to as high as 8 percent "which is most unfortunate."

Lytton Savings and Loan Association, a subsidiary of Lytton Financial, said its four Los Angeles area offices will begin paying 5¼ percent on passbook accounts and 5¾ percent on special bonus accounts, effective July 1. "We may pay more," said Bart Lytton, president and chairman. Home Savings announced Thursday it would begin paying the same rates on July 1.

Lytton currently pays 4.85 percent passbook accounts and 5.35 percent on a variety of bonus accounts on minimums of $5,000 for 36 months.

READY FOR RATE WAR

"If this be a rate war, we are big, strong and ready," said Lytton. "Our attitude is that since Congress failed to put a ceiling on interest rates, we kind of look at the thing as though we're in a rate war."

Lytton said he was referring to the House Banking Committee's decision not to put limits on banks' certificates of deposits. Lytton considers the S&L's main competition for savings has been the small-denomination CDs issued by banks, particularly in southern California.

Lytton Financial has not decided whether to change rates of its other subsidiary, Lytton Savings and Loan Association of Northern California.

In the meantime reports came in of additional increases in rates paid by commercial banks and mutual savings banks for certificates of deposit.

DIME SAVINGS ACT

Dime Savings Bank of Brooklyn, second largest mutual in the country, said it will pay 5 percent on regular savings in the quarter starting July 1, compared with a previous rate of 4½ percent.

Board Chairman Gordon S. Braislin emphasized that the ½ percent point increase may be temporary. The rate will be reviewed each quarter and will be determined by conditions in the money market, he said.

Earlier in the week, the New York Bank for Savings, announced it will pay 4.6 percent on regular savings and 5 percent on term accounts, beginning July 1. Most mutuals in New York are paying 4½ percent for regular savings.

In Pittsburgh, Mellon National Bank announced it will offer a 5 percent savings certificates with two-year maturities.

They will be issued in minimum amounts of $1,000 and additional multiples of $100. The bank currently offers six months' CDs paying 4¼ percent and 12 months' CDs paying 4½ percent.

The rate war in the West Coast was far removed from the rate situation of savings and loans and banks in this area.

Washington area banks have steered clear of top rates on certificates of deposit and there has been little pressure on savings and loans to push up rates. Because usury laws in both Maryland-Virginia limit home mortgage rates to 6 percent, very few area associations can afford to pay even as much as 4¾ percent to attract savings for relending purposes.

POLICE BRUTALITY AND CRIME

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD three letters to the editor which appeared in the Washington Star on June 21. The letters deal with police brutality and crime.

There being no objection the letters were ordered to be printed in the RECORD as follows:

SIR: Although this comes a bit late, I still want to commend you for your editorial, "Police Brutality," which appeared April 30. I thought it was excellent.

Our local police have a tough and thankless job to do. They could undoubtedly perform their vital services even better than they do if more people would support them in their efforts to make our streets and cities safe for walking and living. According to official government figures, the charges of "police brutality" we hear so much about tend to be phony in over 99 percent of the cases. Good citizens should deplore the many attempts which are made to tear down the image and morale of local law enforcement.

I think newspapers could help greatly in this area by being a little more fair and unbiased in the pictures many of them carry regarding law enforcement. As Quinn Tamm, executive director of the International Association of Chiefs of Police, put it a year ago: ". . . it seems that photographers always come up with a dramatic picture of a policeman slugging some demonstrator. But we have hundreds of policemen injured, and not once have I seen a picture of a policeman being attacked. . . . It is hard to put into a picture the circumstances which made the use of the night stick necessary, and the only thing the public sees is the policeman beating someone."

Let's support our local police, and give them the encouragement they need to do their best job. They are, after all, the best friends law-abiding citizens have.

ROBERT W. LEE.

SIR: Recently I attended a party comprising a gathering of old friends. Yes, a few cocktails were served.

Two of the men who had reached a high level of success in the business world became engaged in a jovial, bantering conversation. One of them said, "John, what are your plans for those two wonderful sons of yours?"

"Well," said John, "I am seriously thinking of placing one of them in the hands of a baseball coach, the other with a football man. I might make a couple of bonus boys out of them. In this way, they can start out as rich men from the beginning. And in another category, I have been toying with the idea of placing them in the hands of a professional criminal. You know, as things go these days, there is a great future for a young man in a career of crime."

There was uproarious laughter in this last statement. But another fellow joined in and said, "We are all laughing, but we are doing it with tears in our eyes."

So in mental reflection of all this, I am compelled to admit that what was said in light jest actually portrays life in our present generation.

Ironically or not, here we are in the midst of one of the most deplorable periods of crime in the life of our country. And with all this solid knowledge, our Supreme Court has just rendered another verdict in favor of the criminal.

In conclusion, I wonder just what the future holds for our police officers, our defenders. I wonder if most of them don't have strong leanings of chucking the whole thing. What public encouragement is there left to sustain them?

EARL B. COYLE.

SIR: At the June board of directors meeting of the Central Business Association, we discussed thoroughly the current situation in connection with charges made of "police brutality."

A great many of these charges are false and unfounded but investigation, we realize, is necessary in all cases. We feel that the citizens of the District of Columbia should show more clearly their respect for law and order and the job our policemen are trying to do and that anyone filing a false complaint of "police brutality" should be prosecuted.

A great deal of our policemen's time as well as our tax money would be saved by this action.

A. ALAN OLSHINE,
President, Central Business Association.

OFFICE OF PESTICIDES SHOULD NOT BE ABOLISHED

Mr. RIBICOFF. Mr. President, I am concerned by reports that the Public Health Service is disbanding its special unit dealing with pesticides.

Until a Senate subcommittee held public hearings on the interagency coordination of environmental hazards, concentrating on pesticides and public policy, the Public Health Service had no separate pesticide unit. Such vital activities as pesticide sampling and analysis in our air, water and total environment were widely scattered around the United States among divisions responsible for water pollution, air pollution, and various research facilities.

After the hearings were concluded, we began to see some progress in the effective consolidation and coordination of these activities. The creation of a special pesticide unit, with its own staff and laboratory facilities, was a hopeful indication that the important problem of pesticides as an environmental hazard was to receive the attention it so urgently deserved in the Public Health Service.

If this unit is now abolished, it would be a step backward. It would be similar in its unfortunate consequences to the abolition, in January 1965, of the Traffic Safety Branch of the Division of Accident Prevention. And it would be one more disturbing indication that the status of environmental health is being downgraded in the Public Health Service.

I hope that the Surgeon General and the Secretary of Health, Education, and Welfare will give this situation most serious consideration. The success of programs depends often on their status and prestige in an organizational framework. Abolishing the Office of Pesticides in the Public Health Service will relegate this function to the same organizational setup that existed before the publication of Rachel Carson's book, "Silent Spring," and our subcommittee hearings.

RECENT DEVELOPMENT IN NAWAPA AND CONTINENTAL WATER PLANNING

Mr. MOSS. Mr. President, earlier this month it was my good fortune to address the Royal Society of Canada—the senior learned society of the Dominion—on continental water policy.

I assume the invitation came to me because as chairman of the Western Water Subcommittee of the Senate Public Works Committee I have initiated some investigation of the North American Water and Power Alliance, better known as NAWAPA. For the past 3 years I have been encouraging discussion of it and of other North American water plans, on both sides of the Canadian-American border.

NAWAPA, as my colleagues in the Senate all know, is a continentwide plan for the collection, redistribution, and efficient utilization of Alaskan and northern Canadian waters which are now running off to the seas totally unused or only partially used.

The plan, which was adopted, expanded and developed by the Ralph M. Parsons Co. of Los Angeles, would collect from 15 to 18 percent of the excess runoff in these areas and would divert the water south and east through a continent-serving system of tunnels, canals, and improved natural channels linking chains of reservoirs. The controlled distribution of these unused waters from the north would be pooled with waters from producing areas of both Canada and the United States to the great benefit of 1 territory and 7 provinces in Canada, of 35 of the States in the United States, and 3 states in Mexico. All are now suffering from water shortages or some other water problem.

Under the direction of the Western Water Subcommittee an inventory was made of water resource projects being built or planned by U.S. Federal agencies in Western, Midwestern, or Southwestern parts of the United States, and the effects of these projects were compared with the NAWAPA concept. It was found that for about 25 percent greater cost, NAWAPA could deliver twice as much water.

This inventory has become a best seller—so much in demand that it has to be reprinted, and it has been widely distributed both in the United States and Canada.

Most of the comments which have been heard within the United States about the NAWAPA concept are favorable. But for months after the concept was catapulted into the limelight through subcommittee activities, the only sounds which came out of Canada were disapproving.

About a year ago, however, a voice was heard here and there in Canada, saying in effect:

> This idea of exporting water to the United States is at least worth looking into. It might be a very good deal financially for us. Let us see what our water supplies are, what our harvesting capabilities are, and then analyze what our needs are, or will be in the future, and decide what we should do.

An extended Dominion debate ensued, which was heightened when water import became an issue in the campaign for the prime-ministership last fall.

This debate whetted the interest and curiosity of some of the Nation's most erudite scholars and distinguished citizens who compose the Royal Society, and they decided they wanted to hear both sides—both the American and Canadian arguments in full. They chose as the Canadian representative the man who is probably the most outspoken and unbending opponent of water export—Gen. A. G. L. McNaughton, former Chairman of the Canadian Section of the International Joint Commission. I was asked to present the case for the United States.

The confrontation, if it could be called that, occurred at the University of Sherbrooke, in the province of Quebec on June 6. Both speeches received wide coverage in the Canadian press. The Financial Post, which might be called the Canadian counterpart to the Wall Street Journal, devoted its front page on June 18 to extensive quotations from both speeches under the provocative headline: "Canada's Big Water Fight With U.S. Now Getting Needle Sharp."

General McNaughton said frankly that the NAWAPA proposals were "quite unacceptable," even though they were similar to "schemes" being proposed by a Canadian, Thomas Kierans of Sudbury.

The rivers in question, he said were "national" and not "international," and "Canada would be foolish indeed to recognize or permit any international character to be ascribed to those national waters, and they would assume just such a character if they were subjected to any international study."

No American, as far as I know, is suggesting an international study, but only that Canada assess her water resources in her own way, and then come to her own conclusion as to what she wants to do with them.

I made this clear again and again in my speech. In one place I said:

> In order that there be no misunderstanding in this area, let me state my position clearly. After you in Canada have measured your water and projected your own ultimate requirements, it is my hope that you will find that you have water for export—over and above your own foreseeable need.

And later on:

> The people of the United States cannot expect the people of Canada to consider entering any arrangement unless it is demonstrably and unquestionably for Canada's long-term interest, and so found by Canadians."

To the members of the Royal Society, I said:

> The thrust of my message is a plea to support the long-range studies, the surveys and the appraisals, and the planning which would provide, without unnecessary delay, a sound basis for the effective management of your water resources.

And in closing, I made this appeal:

> Commonsense and prudence dictate that both countries keep an eye on a possible continental system as each of us design national water projects. Let us make sure that while we are making up our minds about the value of a continental approach that we do nothing to make it unworkable.

General McNaughton based much of his presentation on the fact that the rivers which would be involved in the NAWAPA plan are part of "the Canadian cordillera which provide a great series of prime power sites—rivers which form the basis of one of the world's greatest concentrations of the forest product industry."

> There are definite plans—

He said—

> on Canadian drawing boards; there are projects under construction to harness these flows.

I recognize that this is true. Canada is moving to use her great resources to promote industry, and improve life for her people. America could not approve more heartily. But Canada has stored away in its lake one-fourth of the world's total supply of fresh, cool water. The question is whether some of this water will not be surplus after the Dominion has used all it needs now, and projected all its future needs. I stressed again and again that the United States was only interested in surplus water.

Following our formal presentations, both General McNaughton and I submitted to questions from the audience. The question period extended well over an hour. I found deep interest, alert thinking and cordiality in the questions which came my way. I left Canada feeling that the dialog at Sherbrooke had cleared the air of many misunderstandings, and that it would be followed by even more lively discussion of the NAWAPA concept out across the width and breadth of the country.

Shortly before the Royal Society discussion took place, a most interesting speech on water was made at the annual meeting of the Canadian Water System Manufacturers Association by Jack Davis, a member of Parliament, and Parliamentary Secretary to the Minister of Mines and Technical Surveys.

Mr. Davis is far from ready to accept the NAWAPA concept—he warned that it was a "vast export proposal," and suggested that Canada "should never sell any of our resources at cost," but only at a price "which is close to all that the traffic will bear."

He did not, however, close the door on NAWAPA.

> Let me make myself clear—

He stated—

> I believe in discussion. I also believe in cooperation. I believe in the exchange of water especially on rivers which cut across or run along the border between Canada and the United States. But the wholesale diversion of water from rivers which are internal to Canada is something else again. We will have to look at this suggestion very carefully before we even begin to discuss it with our friends in the United States.

This is, of course, exactly what America is advising Canada to do at this time.

Mr. Davis' speech contains two other paragraphs, which bear repeating:

> I must say that I am a Canadian nationalist. Sometimes it is in our national interest, however, to take the broader view. Our resources, and their effective exploitation, must be viewed in international terms. Only when they are seen in this context do they take on their true, long-term value. But this does not mean that we must give them away. Far from it! Having a better idea of what they are worth we may keep them entirely to ourselves—either that or sell part of the resource sparingly for a price which is thoroughly competitive in the best possible market in the world.
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> * * * *
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> Thank goodness we are being alerted in time to get all the facts before critical shortages begin to develop in the United States. With more facts we will be able to make better decisions. And, in this period of grace, we will also be able to hammer out certain fundamental principles—principles upon which cooperative action with the United States can be based. The international boundary line cuts across a number of river basins. Nearly a third of our water is affected in this way. However Canada and the United States have a long history of fair dealing and because fair dealing is fundamental in the case of water, we have every reason to expect that our future discussions will be both fair and well informed.

And, finally, Mr. Davis said something else which was most interesting to me.

> Distinguished Members of Congress have introduced resolutions and distributed policy papers asking the U.S. Government to approach Canada at an official level. So far as I know we have yet to receive a direct inquiry from Washington.

It seems to me this indicates that an official inquiry would not be unwelcome, to say the least.

Thus the continental water debate proceeds—swinging from General McNaughton's comment that it is "madness to believe Canada has surplus water in an area earmarked for major development," to the more moderate attitude of Mr. Davis that "discussion is in order."

The NAWAPA concept is without question intensely in the discussion stage, which is a prelude to the investigation and perhaps to action.

For the information of my colleagues of the Congress, I ask unanimous consent that the two articles to which I referred be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Financial Post, June 18, 1966]

CANADA'S BIG WATER FIGHT WITH UNITED STATES NOW GETTING NEEDLE-SHARP

"It is madness to believe Canada has surplus water in an area . . . earmarked for major redevelopment"—McNaughton.

"You will find a profitable market for it (export water) south of the border in both the United States and Mexico"—Senator Moss.

(Here are digests of their speeches at the meeting of the Royal Society of Canada held at Sherbrooke, Que.)

"CANADA'S FUTURE IGNORED IN SWEEPING U.S. PROJECT"

(By A. G. L. McNaughton)

(General McNaughton is former chairman, Canadian Section, International Joint Commission, and a strong proponent of firmly keeping control of Canada's water resources in Canadian hands.)

Vital and important questions are raised concerning Canada's future by propositions such as that currently being touted under the somewhat pretentious name of the North American Water & Power Alliance (NAWAPA). Of course, this proposal is not an alliance at all; it is nothing more than an attempt by Ralph M. Parsons Co., Los Angeles, a private engineering firm, to drum up business for itself.

These proposals are quite unacceptable. Despite some temporizing pronouncements which have been issued by distracted politicians, I believe this position represents the view being taken by our best informed technical and administrative officers and by responsible members of our engineering profession who are best qualified to judge the merits and demerits of any physical arrangement.

There are similar, and indeed possibly associated schemes, being put forward in Canada by such people as Thomas Kierans, Sudbury, whose GRAND canal scheme would divert rivers flowing into James Bay, and more recently by Professor Edward Kuiper, University of Manitoba, who would reverse the flow of a large part of the Nelson and Churchill Rivers flowing into Hudson Bay.

With one exception (the Red River) these rivers are all national rivers of Canada—that is, they flow entirely within Canada, from source to mouth, and therefore the benefits which accrue from them belong wholly to Canada. Over national waters, there can be no question that jurisdiction of the nation in which they are situated is supreme.

Canada would be foolish indeed to recognize or permit any international character to be ascribed to these national waters, and they would assume just such a character if they were to be subjected to any international study.

British Columbia, Alberta, and Saskatchewan have made the clearest declarations against the sale of Canadian waters; and Quebec is too well informed and too intimately concerned over water for the public welfare to be drawn into export, especially for compensation in the form of a silly project like a canal to Knob Lake, which forms part of the Parsons scheme.

An example of the position taken by provincial governments is that of Premier W. A. C. Bennett, who said B.C. "will sell the U.S. hydro electric power but not water. Even to talk about selling it is ridiculous. You do not sell your heritage."

NAWAPA propagandists love to talk of great quantities of water spilling unused into the Arctic Ocean. But the major sources for the scheme are hundreds of miles from the Arctic Ocean.

They are, in fact, the rivers of the Canadian cordillera which provide a great series of prime power sites—rivers which form the basis of one of the world's great concentrations of the forest product industry, rivers which provide some of the finest salmon runs in the world.

There are detailed plans on the Canadian drawing boards; there are projects under construction to harness these flows. The associated mineral and forest resources are already staked out, and the required human and financial resources are being attracted to the region.

NAWAPA promoters would move all of this out of Canada—the people, the industry, the water. It can only be described as madness to believe Canada has surplus water in an area that is so obviously earmarked for major resource development, and where so much is already taking place.

NAWAPA, of course, has nothing to do with maximum development of these rivers or resources in Canada. Its purpose is to flood the valley in Canada, and to drain off the water in regulated flow for beneficial use in the U.S. But the valleys themselves are of vital importance to B.C., because they contain the level land which is so vitally needed for roads and railways, for industries, for people and for agriculture.

This scheme ignores all the plans which have been made in Canada for the use of the waters and the lands of the Rocky Mountain Trench. For example, it ignores Canadian plans to capture the waters of the Yukon by backing them into the Atlin Lakes and thence through a head of something more than 2,000 ft. for power in Taku inlet.

It ignores the fact the Peace River is now being harnessed for power; it ignores the development plans which exist for the Fraser and Thompson Rivers.

It seems to ignore developments under construction on the Columbia River, from which the U.S. will receive about 50 million acre-ft. of Canadian water in the form of regulated flow, at a cost to the U.S. which is less than the cost to Canada of constructing the dams. Surely this is enough pillage in the appropriation of our waters, without further extension into the national domain.

If, in the course of development of B.C. waters, there is water left over, the Rocky Mountain Trench is the natural reservoir for it, and the Canadian West—not the U.S. Northwest, or Southwest or Midwest—is the logical beneficiary.

The Canadian Prairie region can look forward to maximum development of its agricultural potential made possible by water for irrigation. It can also look forward to major developments in mineral, fossil and forest resources. The logical consequence of such development will be a major petrochemical industry, metal producing industries, pulp and paper industries—and these all call for large supplies from the annual flow available.

It is evident the NAWAPA proposal contemplates that complete jurisdiction and control will rest with a corporation which, although it might be nominally international, would in reality be dominated by Americans who would thereby acquire a formidable vested interest in the national waters of Canada.

With this mammoth inroad into Canada's lawful rights and interests, the corporation inevitably would, in the nature of things, have to assume quasi-sovereign power to administer large areas of Canada at the expense of Canadian sovereignty.

"CANADA SHOULD CO-OPERATE WITH U.S. ON WATER POLICY"

(By Senator FRANK E. MOSS)

(FRANK E. MOSS, a U.S. Senator from Utah, makes a strong plea for serious consideration of an ambitious plan to export surplus Canadian water to the United States.)

Time may be crowding Canadians less, but the challenge of preserving your water resources is clear and near. The challenge looms larger and closer for us in the U.S.

We are already feeling the sharp pinch of necessity. Our demands are quantitatively greater than yours, and the pattern of population growth and industrial development in the U.S. is putting tremendous pressure on us.

The thrust of my message is a plea to support the long-range studies, the surveys, the appraisals, and the planning which will provide without unnecessary delay, a sound basis for effective management of your vast water resources.

In order that there be no misunderstanding in this area, let me state my position clearly. After you in Canada have measured your water and projected your own ultimate requirements, it is my hope that you will find that you have water for export—over and above your own foreseeable needs.

I assure you that you will find a profitable market for it south of the border in both the U.S. and Mexico.

Preliminary studies indicate it is technically feasible and economically sound to collect, store, and redistribute unused runoff water from the northern reaches of the continent. Unlike oil and uranium, water can be marketed on a sustained yield basis.

But first, you must answer the basic question as to whether it is clearly to your advantage to export water. This question cannot be answered definitively until Canada's water-harvesting capabilities are fully and accurately measured.

If we want to continue to live in constructive peace on this richly endowed continent of North America, and to grow, as St. Luke said, "in wisdom and stature," then we must cooperate in taking care of it.

A certain amount of Canadian skepticism is a normal reaction to the widespread discussion in the U.S. on continental water planning, and particularly to the great attention which has been given to the North American Water and Power Alliance—or Nawapa concept. It is a concept that relates to a continent-wide water system, and not to continental water.

It is a continent-wide plan for collection, redistribution, and efficient utilization of waters now running off to the seas totally unused or only partially used. It would collect about 15%–18% of the excess runoff from the high-precipitation, medium-elevation areas of Alaska and Western and northern Canada.

It is important to keep in mind that the concept deals with surplus water. By proper diversion and storage, optimal flows can be maintained downstream and flood peaks leveled.

This collected, surplus water would be diverted south and east through a continent-serving system of tunnels, canals and improved natural channels linking chains of reservoirs.

Such controlled distribution of the waters from the north, pooled with waters from the interconnected producing areas of both countries, would benefit one territory and seven provinces of Canada, 35 states of the U.S., and three states of Mexico.

Nawapa would create a vast power generation system across Canada, pivoted in the west on the Peace River project. It would supply new industrial and agricultural water and would provide low cost water transportation to the Prairie provinces. It would stabilize flows in both the Columbia and St. Lawrence—with protection for the port of Montreal—and permit stabilization of the levels of the Great Lakes with living new water from both the northwest and from the James Bay watershed.

In the U.S., Nawapa would permit increased flow in the Upper Missouri and Upper Mississippi during low flow periods. It would provide ample supplies of clean water for all of the arid states of the west including supplies for restoration of groundwater where it has been depleted.

Nawapa would also provide new high-quality water for Mexico in amounts many times greater than that the Egyptians will garner from the Aswan high dam.

A determination of real precision—one in which the public can have confidence—must be made, and it must demonstrate clearly that Canada does, in fact, have sufficient water harvesting capability to consider export to her neighbors to the south.

It would make little sense for us to debate further at this time any of the details of the continental planning concept, or even the question of whether it is a good idea for either country. But it makes a lot of sense to go after the facts on which to base definitive judgments.

The Nawapa concept has a price tag, obviously very loosely attached, of $100 billion for a 25–30 year construction program. Parsons engineers estimate that about 48% of the Nawapa investment would be in Canada, slightly less in the U.S., and about 5% in Mexico.

The total revenues from Nawapa activities and services, from the sale of water and electric power, and from other charges for use of facilities, are estimated at about $4 billion a year. Annual operating expenses are estimated at less than $1 billion, leaving $3 billion for capital financing. This makes the scheme quite practical for amortization within the usual time for water projects in my country.

Most of the water revenues will come from the U.S. While more than half of the power available would be generated in Canada, the U.S. would in the normal course of events, provide a market.

British Columbia would have the greatest Nawapa investment, in storage, power and navigation facilities. The town of Prince George would be the centre of a complex of waterworks unrivaled anywhere in the world.

The province would be the site also of what might be the single most controversial feature of the initial Nawapa concept. This is the proposal to make a huge lake out of the natural defile known as the Rocky Mountain Trench, along the west side of the Canadian Rockies.

Studies must be made, of course, to determine the ecological impact of such a man-made, inland, fresh water sea. If this project were judged to be too costly in terms of real estate and wilderness impact, other routes for the transfer of water could doubtless be found, but the values of such a great, useful, spectacular new lake should also be considered.

Both the U.S. and Canada must determine what we should do—and determine it fairly soon. To help make such a determination, I introduced a resolution last summer to provide for the use of the mechanism of the International Joint Commission to investigate the Nawapa proposal.

I chose IJC because it is an existing and qualified agency through which both countries can work. I am now beginning to have some reservations, however, about using IJC—not because of principle—but because of timing and the scope of the job.

The task is broader than the charter of the IJC, and there are several years of U.S. and Canadian homework to be done merely to develop instructions for an international agency. Besides, IJC studies of pollution and control of lake levels must be speeded because of the pressing importance of corrective action on the Great Lakes.

The lessons to be learned in working out joint programs for the improvement of this shared water resource should point the way to broader programs involving transfer and export of more distant waters.

Commonsense and prudence dictate that both countries keep an eye on a possible continental system as each of us design national water resources projects. Let's make sure that while we are making up our minds about the value of a continental approach that we do nothing to make it unworkable.

ANOTHER LANDMARK CASE AND ITS SEQUEL

Mr. TALMADGE. Mr. President, last week in the Washington Evening Star, there appeared an excellent satirical column by James J. Kilpatrick concerning the recent decision by the U.S. Supreme Court on police interrogation of criminal suspects.

Although done in an extremely humorous vein Mr. Kilpatrick's column dealt with a very serious and pressing problem confronting law enforcement agencies today. The Court's decision, as has been widely reported and criticized, laid down strict guidelines which in all probability will have the effect of destroying police interrogation and undoubtedly will make confessions a thing of the past.

Last night in the Evening Star, there appeared another column by Mr. Kilpatrick providing a sequel to the exploits of the imaginary criminal, Joseph Doakes, which were chronicled in his first piece.

These two columns pointed out very forcefully the absurd extremes to which the courts can go in an alleged effort to protect the constitutional rights of criminal suspects, at the expense of the safety and security of our law-abiding citizens.

Mr. President, I ask unanimous consent that Mr. Kilpatrick's latest column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ANOTHER LANDMARK CASE AND ITS SEQUEL

(By James J. Kilpatrick)

A letter is at hand from a certain judge of long acquaintance, a gentleman whose eminence is exceeded only by his sense of sound discretion. He wishes not to be quoted by name, but his scholarly contribution to the developing law of criminal rights ought not to be suppressed.

The letter is dated June 23, 1971.

"I read with some interest," writes my learned friend, "your recent column on Doakes v. Illinois, 586 U.S. 417, decided June 20, 1969, but regret that space prevented you from a fuller treatment of this milestone of the law. You hit the high points, but you wholly neglected the follow-up case—the spectacular second Doakes case—which is reported as 594 U.S. 311.

"In the first case, as you recalled, the Supreme Court reversed and dismissed the conviction of Joseph Doakes for the murder in Chicago of one Dollee Mame. The evidence indicated that Lieutenant Blackstone and Sergeant Wigmore had forced their way, without a warrant, into the room where the body and the pistol were found. By a natural extension of Mapp v. Ohio, the body itself was declared inadmissible evidence.

"Evidence as to the pistol also was barred, though not on Fourth Amendment grounds. Here it was shown that the fingerprints on the gun matched Doakes' fingerprints, but it also was clear that the police had printed the defendant against his will. It was held that he thus had been compelled to be a witness against himself, in violation of the Fifth Amendment. The court reversed its holdings of June 20, 1966, in Schmerber v. California, the blood-sample case, and ruled that mandatory fingerprinting now must be regarded as an impermissible violation of the dignity and integrity of the person.

"But the high court went even further, and this you failed to make clear. The evidence of Joe Doakes himself was ruled inadmissible. You will recall that some of the neighbors in the tenement house were summoned as prosecution witnesses. They looked at Joe in the court room and identified him as the man seen entering Dollee's room earlier in the evening. This was held not to be evidence secured by the state's 'independent labors,' for without Joe's compelled presence there would have been no identification. That evidence also went out.

"So much for the first Doakes case. It produced, as you will recall, a brief wave of public indignation. Senator DIRKSEN introduced 12 constitutional amendments to undo the decision, and Senator THURMOND offered 46 more. Even the New York Times felt the decision had gone 'a mite too far.' But not surprisingly, these protests availed nothing against the view that ours is a government of law, not of men; the Supreme Court must be respected; and it was an insult to disagree with the Doakes opinion. The resolutions for constitutional amendment died.

"Then Joe shot Dollee's twin sister, Lily May, and came on once more for trial. This led to the second Doakes opinion, which you ignored altogether. As you know, this conviction also was reversed.

"The high court concluded, in its 1970 opinion, that the police had failed to demonstrate any good reasons for arresting Joe; his seizure was therefore unreasonable and invalid under the Fourth. The court further concluded that the shooting of Lily May, while not exactly the same offense as the shooting of Dollee, was in essence the same offense. It was therefore a matter of double jeopardy, and the prosecution could not be sustained under the Fifth.

"But the principal teaching of the second Doakes case had to do with the Sixth Amendment. The publicity attendant upon the first trial, it was held, had made an impartial jury impossible of selection. So the jury itself was held impermissible. More than this, the court imparted new gloss to the provision that every accused is entitled 'to have the assistance of counsel for his defense.'

"The court's remarkable finding was that the right to counsel henceforth must attach at the moment a crime is committed. There was no evidence that Joe's lawyer was with him when he shot Lily May. His right to have a lawyer at this time had not been explained to him, nor had it been waived voluntarily. 'We do not hesitate to assert,' said the majority opinion, 'that the necessity for legal assistance begins not in court, not at the station house, but in the moment of the criminal act. Here the friendless and oppressed defendant stands in direst need of legal advice. The Constitution gives him this right. We can do no less than to make it secure.' The decision was made retroactive.

"Justices Harlan, Stewart, White and Clark, to be sure, dissented at the top of their lungs at the freeing of 'a vicious and ruthless criminal.' A week later Joe came to Washington and shot all four of them. It was indeed a landmark case."

SENATE JOINT RESOLUTION 162—THE AMERICAN REVOLUTION BICENTENNIAL COMMISSION

Mr. TOWER. Mr. President, Senate Joint Resolution 162, a joint resolution to establish the American Revolution Bicentennial Commission, is indeed a worthwhile measure.

I endorse very heartily the proposal as submitted from the committee, and as passed here yesterday.

A decade from now we will be celebrating the singularly most important event in the history of our great Nation: the American Revolution. No stretch of the imagination is called for to realize, also, that this is probably the most important single political happening in the history of mankind. The events of 1776, and the history and the times surrounding this fateful year and associated with our Nation's struggle for freedom, constitute a high water mark of enlightened political thought and action.

The American Revolution was the realization in action of the intellectual revolution begun at the time of the renaissance. Its slogan and cry was sounded on March 20, 1775, at Richmond, Va.: "Give me liberty or give me death."

Liberty, personal freedom, was the watchword of the American Revolution. Its aims were consistent. There would be other revolutions later in the history of mankind when the aims would not be so pure, nor so consistent. And the cry would be "freedom, bread and jobs." But for the people of colonial America the aim was freedom to achieve in their own sturdy way. It was the intellectual high water mark of mankind.

One-hundred and ninety years ago this month, on June 7, 1776, Richard Henry Lee of Virginia rose in the Continental Congress and introduced a resolution for independence. His remarks were seconded by John Adams, of Massachusetts. And 3 days later on June 10, 1776, the Continental Congress appointed a committee to prepare a declaration of independence, in preparation for a final vote on July 2.

Mr. President, I believe that we are in a good position to utilize this occasion, so important to us, to explain the meaning of the American Revolution to the peoples of Communist countries. Much is said about cultural exchanges between the Communist and the free world to promote better understanding between us. The American Revolution, a key event in our development, and of the meaning of the Revolution, is necessary to understanding our great Nation. We must do all we can to promote our own ideals abroad—to do less is to betray the courageous men so responsible for our freedom and for our well-being.

LIBERALS BACKSLIDE ON TAX HIKE

Mr. HARTKE. Mr. President, Sunday's Washington Post carried an interesting column by Hobart Rowen on the shift in the "liberal" economists' predilection toward a tax hike.

A spot check of 22 economists who favored a tax rise in early 1966, indicated that the majority now believe a tax rise would not be in the national interest in mid-1966. I hesitate to make too much of this appraisal; the merits of any tax change, according to most of these economists, depends on a number of factors—the most important of which will be Vietnam expenditures.

Mr. President, I believe as I did in January that a tax increase would be a negative factor to the continued growth and prosperity of this Nation. The various economic indicators which point to a slowing down in the economy—in spite of new Vietnam spending and commitments—substantiate this thesis.

Mr. President, I ask unanimous consent that the Washington Post article be printed in the CONGRESSIONAL RECORD for the benefit of my colleagues. It should be a reminder to all of us to move with prudent judgment and speed with any wholesale attempt to readjust upward the tax role.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ECONOMIC IMPACT: LIBERALS CHANGE MINDS ON TAX HIKE

(By Hobart Rowen)

The once solid phalanx of liberal economists who favored a tax increase to check the threat of inflation is showing some noticeable cracks.

There is still a considerable number of "new economists" who favor restraining fiscal action of one kind or another.

But conversations I have had with key members of their group in the past few days convince me that the fervor of their conviction has been diminished. And to the extent that those who favored a tax hike stick to their guns, their conclusions are based more on an intuition that spending for Vietnam will jump ahead in 1967 than on current performance of the economic, or assured projections for the future.

M.I.T. Professor Paul Samuelson told me frankly that he is now "doubtful" that raising taxes would be a wise policy. Back in March, when the Washington Post conducted a poll of economists, Samuelson favored, by mid-1966, higher personal and corporate taxes.

Responding to the Post poll, Leon Keyserling was another who said: "I favor prompt increases in Federal taxes to combat inflation." But on a television program last week, Keyserling said "there are enough signs of weakness in the economy so that a tax increase would be destructive."

The pro-tax vote in the Post poll included 22 out of 32 academic, business and labor economists. My conclusion after a spot (but not complete) check is that the majority today would be against raising taxes.

Samuelson has changed his mind because the economy does not appear to be moving ahead as fast as was expected a few months ago.

For example, well-informed Washington officials predict that the Gross National Product will advance at an annual rate of only $10 to $12 billion in the quarter ending June 30, compared to the $17 billion gain in the first quarter.

Samuelson thinks that since this is likely to be about the pace of the economy for the balance of 1966, tax increase medicine would be too strong. But if Vietnam spending booms ahead next year—which he strongly suspects—then he would be back on the tax increase bandwagon.

Another academic liberal, Yale Professor James Tobin—a member of the Kennedy Council of Economic Advisers—still thinks that raising taxes "would be the prudent thing to do, because almost surely, there will be an increase in Vietnam spending."

But Tobin would now limit restraining action to temporary suspension of the 7 per cent investment credit.

And Tobin doesn't think that the slower rate of GNP growth in the 2nd quarter is sufficient reason to change basic views.

Out in Minneapolis, former Economic Council Chairman Walter W. Heller is keeping close tabs on the situation too. Like other expert economists, he knows he cannot ignore the recent "lull" in the economy.

But he still sees many potential problems down the road. Thus, he doesn't yet depart from his last public analysis, in a San Francisco speech three weeks ago, that we must be prepared to take stronger action if necessary.

In one way or another these and most other economists recognize that the pace of the economy has cooled off to some degree—and to that degree, the assumptions on which they demanded a tax increase have changed.

To that degree also, the economic facts of life have drifted closer to the political desires of the Johnson Administration, which all along has hoped to avoid the messy complications of a pre-election tax increase.

It seems fairly clear that if there had been a tougher fiscal policy at the start of this year, the economy would not be suffering now from a crazy-quilt, unsettling high interest rate pattern.

On the other hand, candor demands one note that the pro-tax increase group misjudged the actual strength of the economy this year. A tax increase might have put a real crimp in the economy. Recession? I doubt it, but that "lull" might have been more painful.

To be sure, there has instead been an inflation of prices, damaging but not crippling. This has been the "trade-off" for keeping unemployment low.

But what of the future? The only thing that is certain is that Vietnam is the key. If Tobin's hunch is right, then 1967 could see a cost-push inflation (wages and prices out of hand) supplementing today's demand-pull inflation (too many dollars chasing too few goods).

Then the debate will start all over again, and economic logic, "new" or "old" will again demand a tax boost.

LIMITATIONS ON POLICE INTERROGATION OF SUSPECTS

Mr. HART. Mr. President, the Supreme Court's recent decision in the Miranda case, defining limitations on police interrogation of a person suspected of a crime, was greeted in some quarters as a further preference for the criminal and a setback to the law abiding in our society.

Basic in our concept of justice is the presumption that a man is innocent until he is proven guilty. This principle obligates the government to prove the case against the accused rather than have the accused prove it against himself.

The procedures for conducting the interrogation which the opinion prescribes are neither new nor revolutionary. The FBI has been following these procedures for some time.

Of course, it is understandable in light of the recent FBI report of a 6-percent increase in the volume of crime during the first 3 months of 1966 over that of the first 3 months of 1965, that commentators and the public would be reluctant to accept what has been described by its critics as another and unwarranted restriction on law enforcement. But the Detroit News of June 15, 1966, in a very objective and concise analysis of this decision and its possible implications, makes clear the soundness of the Miranda decision and the need for public understanding of the issue involved here.

I ask unanimous consent that this editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POLICE, COURTS AND CONSTITUTION: DO NEW RULES SPUR CRIME?

If the Fifth Amendment privilege against self-incrimination is to mean much, the U.S. Supreme Court's new decisions on police interrogation practices were inevitable.

The rules are simple enough: A suspect in custody must be told he has a right to remain silent. He must be warned that anything he says may be used against him. He must be told he has the right to consult an attorney before answering questions. He must be told that an attorney will be provided if he can't afford one. With or without an attorney, he can stop answering questions at any time.

The fundamental concept underlying these rules is hardly revolutionary. On the contrary, it is as old as the Bill of Rights. It is the belief that no citizen should be required to convict himself out of his own mouth, not by force, not by trick, not by ignorance of his constitutional rights.

It is a concept born of centuries of experience with injustice prior to this nation's founding. It requires that our system of justice prove the case against the accused, not force him to prove it against himself.

What is new is the determination of the Supreme Court to make it apply, not only in court, where the safeguards may come too late, but in the nation's police stations, where convictions are born and where—until the 1964 landmark Escobedo case—the Bill of Rights was deemed not to reach.

There is no shortage of law enforcement officials across the nation ready to decry these rules, sometimes in grossly exaggerated and inflammatory terms. They claim to be all but put out of business; they profess to see crime running rampant if they cannot do as they please for as long as they please in the station-house.

Without doubt the work of the police would be easier were there no curbs at all on their freedom of action. If they could lock up anyone about whose guilt they were satisfied there would be less crime. For that matter there would be none at all were we all put in jail.

But the price for this greater security would be injustice to some about whom they were wrong. The aim of our system of laws is not convictions, but justice. And so we set up rules which try to insure that no innocent person is deprived of his freedom. The price for this greater degree of justice is a lesser degree of security.

Those who have lived under a police state will testify that the trade is worthwhile.

Nor is it by any means established that adherence to constitutional rules inevitably means crime running riot. Confessions are seductively easy as crime-solvers; where they are too easily obtained, other investigative tools are neglected; where hard to get, extrinsic evidence is more sedulously pursued.

The relative lack of flak in Michigan over Monday's high court decisions is significant. Since Escobedo, most Michigan law enforcement agencies have largely followed these rules. We doubt that Michigan's crime picture is worse than that in states which chose to slight them, and now feel themselves walloped.

Nor should the FBI's experience be ignored: it has long followed such rules, without being "handcuffed." Progressive law enforcement people all over the nation say simply, "This isn't so earthshaking."

It may prove to be earthshaking, though, in a long-range sense. Chief Justice Warren insists that confessions have not been outlawed, but this may be the practical effect of the new rules. And who can predict with confidence that an explicit ban on confessions may not come down in a future case?

Justice Arthur Goldberg spoke profound words in Escobedo, well worth pondering: "If the exercise of constitutional rights will thwart the effectiveness of a system of law enforcement, then there is something very wrong with that system."

But worth pondering, too, are the words Justice John Marshall Harlan quoted in dissent this week: "This court is forever adding new stories to the temples of the constitutional law, and the temples have a way of collapsing when one story too many is added."

It is not beyond possibility that popular discontent with decisions thought to "handcuff the police" or "coddle criminals" could bring about the destruction of parts of our Bill of Rights.

MUST THE POLAR BEAR BECOME EXTINCT?

Mr. GRUENING. Mr. President, on previous occasions my able colleague from Alaska [Mr. BARTLETT] has called to the attention of the Senate and to all interested the problems concerned with the preservation of the polar bear. His work in this important field is outstanding. He has effectively called to public attention the fact that a unique species of value can be depleted before our eyes if we are not vigilant.

In a recent column by Morris Siegel of the Washington Star entitled "Polar Bear Population Down to Mere 8,000," he quoted from statistics supplied to him by the National Rifle Association which estimated that some 8,000 polar bears remain and that about 1,350 of the species are taken annually. I have checked these figures with the appropriate Department of Interior officials and have learned that no one really knows how many polar bears there are nor precisely how many are taken each year. Perhaps as many as 20,000 are living, but that figure cannot be validated.

The census work to determine the number of living polar bears has not been done.

We do not know if polar bears are uniformly distributed.

Experts seem to agree that their number is not increasing, but no one knows why.

There is some evidence that the polar icecap is retreating and that this might be the cause of a polar bear migration.

The Boone and Crockett club and the National Rifle Association are concerned. They no longer offer honors to sportsmen bagging polar bear. Both of the internationally famous sports clubs have taken this stand on their own initiative.

The polar bear is a true international creature. Free and wild, he has the run of the polar cap and can move from Norway to Denmark's Greenland, to Canada, to the United States and to Soviet Siberia as well as European Russia without a passport.

Now what can we do to help protect this animal so that future generations may know him?

In our own country we can learn more about the species. We should initiate long-overdue research with Federal funds to begin a bear census and to trace their migration habits. The cost would not be great, and I have written to Secretary of the Interior Udall for specific information.

These unique and valuable animals are confined to a northern polar region. While obviously not exclusively a resource of the United States, it is appropriate that we assume our share of responsibility for their preservation lest they become extinct. We should explore the need for international agreements such as we have for certain of our other land and water resources. Only last September the first International Conference on the Polar Bear was held in Fairbanks, Alaska. It was called by the United States and those present agreed to pool resources and to meet again. Senator BARTLETT was responsible for the Conference. His interest and publicly expressed concern brought it about.

Mr. President, I ask unanimous consent that the full text of Mr. Siegel's column be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLAR BEAR POPULATION DOWN TO MERE 8,000

(By Morris Siegel)

It's Alaska, not the Chesapeake Bay, which is really the land of pleasant living.

Where else except in that iceberg which was merged into the U.S. several years ago can one hunt polar bear the year around?

This additional bonus which accrues only to taxpaying Alaskans was uncovered by ye old snooper during the course of some instant research on polar bears.

Actually, there was nothing premeditated about my curiosity concerning U. Maritimus, but with the Senators being customarily fouled up, there was little alternative.

Whooping cranes are always being dealt with—not here—at length, so I was seized by an impulse to do something about the polar bear gap.

The National Rifle Association initiated the idea in an announcement that polar bear hunters would go unrewarded this year. No more lapel pins for those who knock off the symbol of Zlotnick the furrier.

Like ready cash, the polar bears are disappearing, so the NRA, which is a kind of polar bear board of trade, is withdrawing its bounty for polar bear hunters.

Tomorrow's polar bear hunter will go unrecognized. Boone and Crockett, a clubby club which keeps tab on all the big game clouted in North America, is henceforth withholding identification of successful polar bear hunters until mamma and papa polar bear produce a population explosion.

Nobody in his right mind would venture to go out and count how many polar bears there are, of course, but the people down at the National Rifle Association estimate there are only 8,000 of the critters left.

"But don't quote me on that figure," one of the cautious NRA's pleaded.

Since nobody is foolish enough to make a nose-by-nose count of the polar bear situation, one wondered how NRA arrived at an estimate of 8,000?

"By sightings," the man at NRA answered. He admitted this system is not foolproof. There is always the possibility the bears no longer cared for wherever it was they gathered and simply decided to move on to an ice pack that swings more.

But the NRA's unofficial census taker seemed inclined to think this would be a rare exception.

Six months ago there was a conference in Alaska, polar bear headquarters for this continent, among conservationists involved in worldwide offshore hunting problems.

Polar bears, or the lack of same, topped the agenda. This was no gathering of odd balls, but representatives of the U.S., Norway, Sweden, Denmark and Russia generally interested in the dwindling polar bear population.

About 1,350 polar bears are taken annually. "Again this is only an estimate, so please don't quote me," the man in charge of polar bear information at NRA asked.

This 1,350 includes polar bears taken live as well as those who have been plunked dead. Who takes a polar bear live?

Russia does. They take the young to study their reproduction rate, dentation and diseases and make other biological studies.

In polar bear circles, this is a big achievement for the Soviets, a sputnik in big game huntery, as it were.

The Russians have found, for example, that counting teeth is not the best way to determine a polar bear's age. It is assumed they count the teeth of dead polar bear only.

"They have found a new way. It's something to do with the growth of their claws," the whiz kid of the NRA's polar bear department said knowingly.

One reason for the gradual disappearance of polar bears might be that polar bear hunting ain't what it used to be.

Today hunters use airplanes, a 20th century contraption the polar bears obviously have been unable to defense successfully.

Here in Washington, in the 3000 block of Connecticut Avenue, there is the largest polar bear concentration south of Philadelphia. Three are domiciled at the Zoo.

"We've had three as far back as 1959," the lady at the Zoo answered, expressing surprise that there was a shortage of polar bears.

Two of the Connecticut Avenue bears are from Alaska, the other from Spitzbergen. The Zoo's polar bear population has been constant for almost seven years.

"But we are hoping to coax them into a blessed event," the lady added cheerfully.

Wonder if the NRA ever thought of that?

Mr. GRUENING. Mr. President, meanwhile the space age and other recent scientific discoveries are coming to the aid of the polar bears. An article by Oscar Godboute in the Wood, Field and Stream column of the New York Times for June 29 discussed the use of satellites to observe the bears and the equipping of bears with radio collars. Jules Verne, the great pioneer of science fiction, is being surpassed in reality. I ask unanimous consent that Godboute's article be printed at this point of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WOOD, FIELD AND STREAM—SCIENTISTS TO STUDY POLAR BEARS VIA TRANSMITTERS IN ORBITING SATELLITE

(By Oscar Godboute)

In this kind of weather with its beating heat, there are several things one can do to get his mind off the torrid temperature. For example, he can turn to the CONGRESSIONAL RECORD.

Stirring stories are not usually found there, but Vol. 112 No. 101 for June 21, has one of the coolest tales to be found. It's about polar bears on the Arctic ice. The very thought drops the temperature several degrees.

Senator E. L. (BOB) BARTLETT, Democrat of Alaska, inserted a summary of efforts made on behalf of the great bears. Included was a report of the first International Scientific Meeting on the Polar Bear held in Fairbanks, Alaska, last year.

He had reprinted a paper called Capturing and Marking Polar Bears by Vagn Flyger of the National Resources Institute of Maryland.

Flyger set out to shoot bears using a rifle that fired tranquilizing darts so that he could mark the bears with dye and attach ear tags.

In theory, the bears revive, after science has finished, and depart. The last expedition, four months ago, saw Flyger cruising with two planes. He chased 38 bears.

After finding a bear, one plane would land. Then the real job began, for polar bears are not notably hospitable.

Said Flyger: "We discovered that the extreme cold (minus 30 degrees to minus 40 degrees) reduced the maximum range of the gun to 40 yards. This meant that in order to capture a bear we had to get within 40 yards to fire the syringe. This is a little close for comfort."

"Seven bears were actually shot and of these the drug failed to knock down two; four died and one was marked and released.

"While it appears that we were unsuccessful, actually we learned a great deal from these bears. First, we learned that this is very risky work and that the odds are not all in our favor. Several of the bears attacked, but luckily changed their minds at the last moment. One bear was actually shot with a syringe from a distance of 20 yards."

The scientists had backup men carrying powerful rifles using bullets.

"At these close distances the backup man does not always have a clear shot at an attacking bear because of the jumbled ice of the pressure ridge between him and the bear," said Flyger.

The scientists learned that collars should be attached to the neck of the huge animals. There now is a plan to attach 25-pound radio transmitters to the collars. Hopefully, this will be reduced in size by 1969 to four or five pounds. With this, a bear's movements can be precisely tracked.

"We now hope," Flyger said, "to develop a radio telemetry program for polar bears with the help of the National Aeronautics and Space Administration. Hopefully we will be able to fit about 50 bears in 1968 or 1969 with radio-equipped collars.

"These transceivers will send signals to a polar orbiting Nimbus satellite, and for a period of six months we would obtain the location of each of these 50 bears every two hours."

THE CHAPLAINS OF THE CONGRESS OF THE UNITED STATES

Mr. YARBOROUGH. Mr. President, the value of chaplains in the Congress of the United States as well as in the Armed Forces of this country is beyond human estimate.

Their spiritual inspiration and comfort has been—and continues to be—a source of strength for the representatives of the people of this Nation, and those who serve in uniform its cause of freedom.

I think it well to note that since the first Congress in 1789, Chaplains have served in both the House of Representatives and the Senate. There have been 10 different known Christian denominations represented by the Senate Chaplains over those years, including one Chaplain whose religion was not known.

In the House, during the days from 1855–1861, a regular Chaplain was not elected. But during this period a number of different members of the District of Columbia clergy took turns in opening the daily session with a prayer and then preaching Sunday sermons.

Mr. President, I ask unanimous consent to enter into the record the lists of the regularly elected Chaplains of Congress since 1789.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Chaplains of the U.S. House of Representatives

Chaplains	Denomination	Date service began [1]
Rev. William Lynn	Presbyterian	Mar. 4, 1789
Rev. Samuel Blair	do	Jan. 4, 1790
Rev. Ashbel Green	do	Nov. 5, 1792
Rev. Thomas Lyell	Methodist	Nov. 17, 1800
Rev. W. Parkinson	Baptist	Dec. 7, 1801
Rev. James Laurie	Presbyterian	Nov. 5, 1804
Rev. R. Elliott	do	Dec. 1, 1806
Rev. O. B. Brown	Baptist	Oct. 26, 1807
Rev. Jesse Lee	Methodist	May 22, 1809
Rev. N. Sneathen	do	Nov. 4, 1811
Rev. Jesse Lee	do	Nov. 2, 1812
Rev. O. B. Brown	Baptist	Sept. 19, 1814
Rev. S. H. Cone	do	Dec. 4, 1815
Rev. B. Allison	do	Dec. 2, 1816
Rev. J. N. Campbell	Presbyterian	Nov. 18, 1820
Rev. Jared Sparks	Unitarian	Dec. 3, 1821
Rev. J. Brackenridge	Presbyterian	Dec. 2, 1822
Rev. H. B. Bascom	Methodist	Dec. 1, 1823
Rev. Reuben Post	Presbyterian	Dec. 6, 1824
Rev. Ralph Gurley	do	Dec. 6, 1830
Rev. Reuben Post	do	Dec. 5, 1831
Rev. William Hammett	Methodist	Dec. 3, 1832
Rev. Thomas H. Stockton	do	Dec. 2, 1833
Rev. Edward D. Smith	Presbyterian	Dec. 1, 1834
Rev. Thomas H. Stockton	Methodist	Dec. 7, 1835
Rev. Oliver C. Comstock	Baptist	Dec. 5, 1836
Rev. Septimus Tustan	Presbyterian	Sept. 4, 1837
Rev. Levi R. Reese	Methodist	Dec. 4, 1837
Rev. Joshua Bates	Congregationalist	Dec. 2, 1839
Rev. T. W. Braxton	Baptist	Dec. 7, 1840
Rev. J. W. French	Episcopalian	May 31, 1841
Rev. John N. Maffit	Methodist	Dec. 6, 1841
Rev. J. S. Tiffany	Episcopalian	Dec. 5, 1842
Rev. J. S. Tinsley	Baptist	Dec. 4, 1843
Rev. William M. Daily	Methodist	Dec. 4, 1844
Rev. William H. Milburn	do	Dec. 1, 1845
Rev. W. S. S. Sprole	Presbyterian	Dec. 7, 1846
Rev. R. R. Gurley	do	Dec. 6, 1847
Rev. L. F. Morgan	Methodist	Dec. 1, 1851
Rev. James Gallagher	Presbyterian	Dec. 6, 1852
Rev. W. H. Milburn	Methodist	Dec. 5, 1853
Rev. T. H. Stockton	do	July 4, 1861
Rev. W. H. Channing	Unitarian	Dec. 7, 1863
Rev. Charles B. Boynton	Congregationalist	Dec. 4, 1865
Rev. J. G. Butler	Presbyterian	Mar. 4, 1869
Rev. S. L. Townsend	Episcopilian	Dec. 6, 1875
Rev. John Poise	Methodist	Oct. 15, 1877
Rev. W. P. Harrison	do	Dec. 3, 1877
Rev. Frederick D. Power	Christian	Dec. 5, 1881
Rev. John S. Lindsay	Episcopalian	Dec. 3, 1883
Rev. W. H. Milburn	Methodist	Dec. 7, 1885
Rev. Samuel W. Haddaway	do	Aug. 7, 1893
Rev. Edward B. Bagby	Christian	Dec. 4, 1893
Rev. Henry N. Couden	Universalist	Dec. 2, 1895
Rev. James Shera Montgomery	Methodist	Apr. 11, 1921
Rev. Bernard Braskamp	Presbyterian	Jan. 3, 1950

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[1] Date of beginning of session of Congress in which each Chaplain first served. Not necessarily the date of his appointment.

NOTE.—From 1855 until 1861 the House of Representatives did not elect regular chaplains. Instead, the different members of the District of Columbia clergy took turns in opening each daily session with a prayer and in preaching on Sundays. The 37th Cong., meeting in 1861, returned to former practice of choosing a chaplain.

THE METHOD OF DISPENSING FEDERAL AID TO EDUCATION

Mr. TOWER. Mr. President, the Board of Education of the Dallas Independent School District, in Texas, has passed a resolution concerning the method of dispensing Federal aid to education. In my opinion, this resolution contains many excellent points, and I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution

During the last two and one-half years the Federal Government has instituted many financial programs for education. There has been no uniformity in method of distributing the funds or in establishing criteria for the instituting of such programs. Numerous federal offices, in addition to the United States Office of Education, administer the funds. In each instance, categorical purposes are spelled out in the language of the statute and, in most instances, are further restricted as to purpose and operation through the particular office or agency in Washington that administers the distribution of the funds. Consequently, the local school districts are circumscribed in their use of available federal funds, making it impossible for the local Board of Education and School Administration always to establish programs in keeping with their conception of community needs: Therefore, be it

Resolved by the Board of Education of the Dallas Independent School District, That the Congress of the United States be petitioned to replace categorical aid to education by general aid, all of which would be administered through the State Education Agency. These funds should emanate from Washington through the United States Office of Education; be it further

Resolved, That the present high state of public education in the United States has resulted from the grass roots' interest in and inventions for education in the local communities, and that it is imperative for such programming of public education to continue if the public schools are to maintain and improve their high level of efficiency, and retain the support of their communities; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, to the United States Senators from Texas, and to the Members of Congress from Texas.

Adopted and approved this 22nd day of June, 1966.

Attest:

Lee A. McShan, Jr.,
President, Board of Education, Dallas Independent School District.
H. D. Pearson,
Secretary, Board of Education, Dallas Independent School District.

THE LAW AND THE LAWLESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record letters to the editor appearing in the Washington Star of June 19. The letters deal with the recent Supreme Court decision on the questioning of criminal suspects.

There being no objection, the letters were ordered to be printed in the Record, as follows:

The Law and the Lawless

Sir: Perhaps the Supreme Court's rule on questioning of criminal suspects will prove to be a blessing in disguise, because it will speed the day when the government—executive, legislative and judiciary—must reexamine its behavior during the last few years and arrive at some workable means of controlling crime. The entire range of cause and effect will have to be studied, analyzed and debated; from prayer in schools to handling of suspects.

The same newspaper announcing the court's decision carried an article captioned "Crime Up 13 Percent, Solutions Lag."

Justice White, in dissenting, voiced the feeling of Americans that "the most basic function of any government is to provide protection for the security of the individual and of his property." The ruling will lessen the effectiveness of police in enforcing law and preserving order.

Law enforcement, necessity for increased respect of police authority, quick disposition of cases and effective punishment of violators will demand exhaustive study and proper remedial action. Questions are forthcoming and answers must be given.

Estes Brand.

Sir: Your editorial "Green Light for Criminals" offers persuasive points against the Supreme Court decree stipulating that a lawyer chosen by a suspect must be present and allowed to participate during an examination.

Rather like the swinging of a pendulum, excesses of one sort tend to encourage excesses of quite the opposite kind. Confessions achieved by illegal means—prolonged interrogation accompanied by unwarranted physical discomfort and attendant overfatigue—have now yielded that which long was feared. Our law-enforcement units having abused their prerogatives now face the prospect of having their hands virtually tied.

Whether the new ruling will result in complete paralysis of organized efforts at controlling crime, time alone will reveal. The test of any measure, in the long run, is whether it can be made to operate with a reasonable degree of effectiveness.

Thomas G. Morgansen.
Jackson Heights, N.Y.

Sir: Do those five big, black-robed men, sitting in theoretical Olympian splendor on Capitol Hill, who handed down the latest decision to make the streets safer for thugs, muggers and rapists, ever answer questions put to them by reporters?

I should like to see a reporter ask one of them how he would feel if his home were broken into by a Halloween-masked brute of a man, he were tied down and made to watch while his women-folk were violated, and then pistol whipped if he so much as whimpered a protest. Then, if the police captured a suspect, how polite would he wish the policeman to be to that suspect? Would he like the man let free because he couldn't be asked questions which would trip him into a confession?

Another question to be asked another of them: Suppose a daughter of his were a widow trying to support small children and her job kept her out in the middle of the night and the only transportation she could afford was infrequent bus service. Suppose, while waiting for a bus, she was forced into a car at gunpoint and given a wild ride and raped and beaten and left at the side of the road. How would Mr. Justice like a suspect to that crime treated—remember that it is his own daughter who was so treated, not someone who is just a faceless woman in the paper?

Of course, this is never going to happen to the justice's women-folk because the taxpayers pay them enough to hire chauffeur-driven limousines for any evening affairs they wish to go to. They repay us poorly when they make it impossible for our police officers to protect us on our streets and in our homes.

Janet M. James.

Sir: Regarding the Supreme Court decision in interrogation: (1) A person guilty of a crime has no right to escape punishment for that crime. (2) An innocent person has nothing to worry about when being questioned by police.

John P. Molineaux.

Sir: Concerning the latest ruling of the Supreme Court on police interrogation procedure, I admonish those assenting justices with the words of the 9th Amendment to the Constitution: "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people."

When will our supreme judiciary interpret for the rights of the victimized, as well as the rights of the accused, thus giving full credence to Chief Justice Warren's contention that in all constitutional interpretations, the court's decisions must be fair?

W. H. Loren.

Sir: The Supreme Court has again demonstrated that it is unwilling to limit itself to the judicial function of deciding the cases before it on the basis of the Constitution and statutes as written by the people and Congress. It insists on usurping the power to make national policy. It does not hesitate to rewrite the Constitution and laws to suit the current social, economic and political philosophy of a majority of its members.

If the court is determined to be a policy-making body, its members should be elected in the same manner as other policy-makers are. They should not be appointed for life to create a judicial oligarchy. They should be elected by popular vote and should return to the people at regular intervals to be re-elected or repudiated on the basis of the records they have made.

It is one of the first principles of a democracy that its policy-makers should be responsible to the people. Freedom of the policy-makers from responsibility to the public is a symbol of dictatorship; not of democracy.

Ex-Professor of Public Law.

Sir: How gratifying that The Star realizes the damage which the liberal element in our Supreme Court is doing to our Constitution and the law enforcement agencies. Its recent decision denies the welfare and happiness of the law-abiding citizen and gives aid and comfort to the criminal.

Paul Chiera.

Sir: Your editorial "Green Light for Criminals" was very interesting. Thank God that at least one important paper will lay the facts on the line and call a spade a spade as to the decision of the Supreme Court on law enforcement.

George J. Burger.

ANOTHER BLOCK TO WORLD MONETARY REFORM

Mr. HARTKE. Mr. President, I am vitally concerned about press reports that the world's 10 leading financial powers again have failed to agree on a course of action to remake the world's monetary system. The Group of Ten includes the United States, Britain, Canada, Japan, Sweden, France, Germany, Italy, Belgium, and the Netherlands. Switzerland, while not a member, participates as an observer.

On June 24, after 3 prolonged days of meetings, the representatives could not even agree to the wording of the normal summary issued after a conference of this type. Differences in ways of approach to creating some new form of international monetary reserve made a joint communique impossible.

Mr. President, these discussions have been drawn out long enough. We need to act with dispatch to correct a problem which is becoming more acute with every passing year. The dangers to world prosperity continue as long as uncontrolled variables determine international money supply. We must make some headway in managing the world's money supply; it is no more sancrosanct than domestic money and credit which nations have managed for a long time.

There has been no reform in the international monetary system since 1930. By fortuitous circumstance, but through no planned effort, the system functioned in the post-World War II years. Total world money reserves grew at about $2 billion a year. Nations added to their reserves while trade grew at a fantastic pace.

Today the growth in world reserves is almost nil, and in 1965, world money reserves grew very little. Sources of growth are not as promising as in earlier years. A new international money to add to a nation's reserve is needed to complement the existing reserve base.

In the past a major source of reserve growth has been the chronic deficit in the U.S. balance of payments. Much of the deficit ends up as another nation's reserve. Dollars remain a key source of reserve, since they can be redeemed for gold at any time.

Recently this is exactly what has happened. Nations have redeemed their dollars to the tune of about $8 billion in the last 8 years, reducing our gold stock to $13.8 billion. Action must be taken to correct this outflow before the value of the dollar as a reserve currency is destroyed.

Allegedly, it is on the basis of the U.S. balance-of-payments difficulty that the current deadlock of the 10 powers hinges. The prospect of an even larger deficit in the U.S. balance of payments this year is a principal cause for concern of the other 9 members of the group.

In spite of this deadlock, I urge that we must move ahead in the field of international monetary reform. I recommend that any change in the structure of reserve components and any new base can and should be incorporated in the International Monetary Fund. It provides the framework for effective and efficient modification of the reserve system without any undue hardship.

Moreover, I think the United States must take the lead and, therefore, I recommend it call a high level forum to accelerate the IMF reform. World financial authorities would meet and discuss approaches for reform. It is my hope that such a meeting would produce concrete suggestions which the United States and others should implement.

Mr. President, let us not allow this much needed change to be stymied by the obdurate and obstinate policies of others.

FISH PROTEIN CONCENTRATE

Mr. PELL. Mr. President, because of a longstanding commitment, I was not present in the Senate on Monday, June 27, when favorable action was taken on S. 2720 authorizing a demonstration program for producing fish protein concentrate. I was speaking that day at the Law of the Sea Conference at the University of Rhode Island. However, I was in favor of this legislation and, in fact, had myself recorded against an amendment which would have reduced the scope of S. 2720.

Mr. President, I have been deeply involved in the fish protein concentrate subject since I was elected to the Senate. I remember conversing with Mr. Ezra Levin of Monticello, Ill., about whom Senator DOUGLAS spoke on the floor Monday. Mr. Levin, a brilliant and articulate gentleman, is one of the original developers of a sanitary process by which fish protein concentrate could be produced from raw fish. I recall my attempts in 1961 with my other colleagues to try to get the Food and Drug Administration to change their position in regard to the fish protein concentrate controversy.

I spoke on the Senate floor on this matter on September 25, 1961, and at that time inserted into the RECORD statements of Senator Smith, of Masachusetts, and Dr. E. R. Pariser of the Bureau of Commercial Fisheries in regard to fish protein concentrate.

Again, on May 24, 1962, I spoke here in the Senate in regard to the fish protein concentrate controversy. I should like to ask unanimous consent at this time to insert in the RECORD comments by food scientists and others in various parts of the world in support of fish protein concentrate, including an article by Dr. Wilbert McLeod Chapman entitled "Ploughing the Watery Deep for Proteins."

Mr. President, during 1964 and 1965, Congress appropriated several million dollars for the development of a sample fish protein concentrate product in a small scale model plant capable of producing 100 pounds daily. This work has been performed by the Bureau of Commercial Fisheries and has resulted in producing a product acceptable to the Food and Drug Administration.

After introduction of Senator BARTLETT's bill S. 2720, I asked members of my staff to explore the possibility of locating an experimental and demonstration fish protein concentrate plant in Rhode Island with officials of the Bureau of Commercial Fisheries. After an informal discussion, they determined that it was not only possible but desirable. I then wrote to Dean John A. Knauss of the Graduate School of Oceanography at the University of Rhode Island in December of 1965 and proposed this to him and suggested that a meeting be held at the University of Rhode Island in order to stimulate this proposal.

In January of 1966, this meeting was held, at which representatives of the University of Rhode Island College of Agriculture, the Point Judith Fishermen's Cooperative, Inc., the University of Rhode Island Graduate School of Oceanography, and of the Bureau of Commercial Fisheries participated along with myself. As an outgrowth of this meeting, a brief prospectus concerning reasons why the fish protein concentrate plant should be established at Point Judith, R.I., was prepared. Mr. President, I would like to ask unanimous consent at this time to insert this prospectus into the RECORD.

Finally, Mr. President, I hope that the Secretary of the Interior will give very serious consideration to these cogent reasons for locating a fish protein concentrate plant at Point Judith, R.I.

I congratulate Senator BARTLETT on securing passage of this very vital legislation. I do hope that it will receive favorable action in the House and will be enacted into law soon.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMENTS BY FOOD SCIENTISTS AND OTHERS IN VARIOUS PARTS OF THE WORLD IN SUPPORT OF WHOLE FISH FLOUR

Dr. Federico Gomez, an eminent Mexican pediatrician made the following statement concerning the efficacy of fish flour:

"It may be advanced on a basis of medical, biological, and social evidence that after 10-15 years of supplementing the daily Mexican diet of corn, beans and hot pepper with 30-40 grams of animal protein in the form of fish flour, the people will change physically, mentally and emotionally."

Mr. William J. Green, Acting Commissioner, Joint Commission on Rural Reconstruction, Taipei, Taiwan:

"The regular diet of the orphanage was adequate. Yet the children (2 to 3 years) getting the fish flour supplement gained 40 percent in weight during the 60 days compared to the control group. All the infants like the fish flour. They prefer it above nonfat milk powder as one of the ingredients in their customary soup."

In Vietnam, Dr. William H. Boynton, Chief, Public Health Division:

"Our doctors found that they get good results with fish flour in benign cases of hypoproteinemia."

Dr. Roy M. Harris, Chief, Public Health Service Division, Djakarta, Indonesia:

"The fish flour has been tested with selected cases of kwashiorkor in order to determine taste acceptability, and whether it appeared to be well tolerated, with what vehicle it should be mixed, and how these cases responded in comparison with other standard procedures now being used. The flour passed all tests with flying colors. It was well accepted and tolerated by the several children treated, response was excellent; as good or better than previous treatment, which mostly consisted of fortified milk products. The deodorized and natural fish flours were equally useful. Preliminary tests indicates that fish flour is a very effective agent in the hospital therapy of severe protein malnutrition. There have been no major problems in the area of toleration of this high protein product or in difficulty in making suitable mixtures with water, milk, or other readily available liquids for ease of feeding to the children involved."

D. W. Harrison, M.D., Korle Bu Hospital, Accra, Ghana:

"Please send us as much fish flour as you possibly can. Eventually we will pay for it. The measles cases on fish flour have been recovering very rapidly without any complications. Measles is very dangerous and common here."

George G. Graham, M.D., Lima, Peru reported at the International Conference on Fish in Nutrition:

"For practical field use on a large scale, wheat flour enriched with 5 percent fish flour will be quite adequate to overcome malnutrition. The high biologic value of the fish flour makes it possible to give it in relatively small amounts."

Dr. Aldo Muggia, Quito, Ecuador:

"The product is stable in our climate, the fish flour is received with liking by the children both in the milk and in other foods, its tolerance is very good, no allergic nor toxic manifestations were observed. Consequently, I consider that the fish flour is a product which has splendid qualities of use for children with lack of protein nourishment and it may be widely used due to the above properties and its low price."

Dr. William A. McQuary, Servicio Cooperativo Interamericano de Salud Publica, La Paz, Bolivia:

"Because there was no opportunity for carrying out a controlled experiment, the 100 pounds was distributed to 100 persons in the form of 1-pound bags. The acceptability was excellent. It was used in spaghetti sauce, pea soup, meatballs, and even puddings."

Joseph S. Somer, M.D. Universidad de El Savador, San Salvador has carried out nutritional research studies for several years. A summary from a paper he has published follows:

"Inexpensive, high quality, stable, and deodorized fish flour, derived from whole fish, was evaluated as a nutritional supplement in the treatment and prevention of protein malnutrition with human subjects in El Salvador.

"Results from four different studies showed the daily supplementation with 30 grams of fish flour markedly increased the rate of weight and height gains in preschool children exhibiting various degrees of malnutrition. The fish flour tended to increase the resistance of the subjects against illnesses and intercurrent infections. The fish flour, mixed with other foods, was well accepted in all cases.

"Fish flour supplementation was shown to have a significant value in the treatment of children suffering from kwashiorkor and marasmus, by accelerating the rate of recovery under hospital confinement.

"The positive growth response due to fish flour supplementation was observed in studies conducted in two nurseries, with children from families of good and poor economic levels. The most striking improvement produced by fish flour was made in the field study conducted in a slum area. The beneficial effects of fish flour was consistently demonstrated as compared to 'control' dietary regimes, varying in their nutritional properties from deficient to apparently adequate diets.

"Fish flour supplementation presents a very practical solution to the problem of protein malnutrition in tropical and subtropical areas."

Lutheran World Relief, Inc., New York, N.Y., stated that one hundred pounds of fish flour was sent to each of four areas—Taiwan, Korea, India, and Jordan. Mr. Carl E. Hult in Korea reported:

"We found the fish flour makes a valuable addition to soups and other Korean dishes which are either boiled or steamed."

Dr. George Farah, Jordan:

"Used fish flour in the children's ward in the Augusta Victoria Hospital:

"Pediatricians state that the children like the commodity and accepted it willingly. We shall look forward to receiving more of this commodity if and when you can obtain it."

Dr. Eugene Stransky, Philippine General Hospital, Manila, has this summary in a published article:

"Fish flour is a cheap and concentrated source of protein of biologic value. It is much cheaper and more concentrated than any milk powder, soybean powder, or any other vegetable protein. In protein deficiency, we can, as observed in the serum protein determinations and with charts, improve the deficiency radically."

Dr. E. R. Pariser, Research Chemist, Bureau of Commercial Fisheries Technological Laboratory, College Park, Md.:

"Fish protein concentrate represents the beginning of an entirely new fishing industry; it will develop as explosively as the growth of world population; it will rank foremost in importance with but a few other industries, capable of producing a cheap, high-quality food, available to everyone, everywhere. We feel so confident about this trend that we consider it to be our duty to make a most vigorous effort for the United States to be in the vanguard of this advance."

Paul G. Hoffman, Managing Director, Special Fund, United Nations:

"While in Peru quite recently I inquired as to the status of the fishmeal experiments. Reports I received were most encouraging. On the basis of these reports, I am perfectly willing to write to the Food and Drug Administration, advising them of my personal interest in the production of low-cost, high-quality protein."

H. M. Scott, Professor, Animal Science, University of Illinois:

"If the idea of consuming whole fish flour disturbs the esthetic sense of some people this by itself should not deny others the right to use this material if they choose to do so. There is ample experimental evidence to indicate . . . that whole fish flour is superior to the pattern of any single fraction of the fish. . . . The issue should be resolved on a nutritional basis."

Margaret A. Ohlson, Director, Department of Nutrition, State University of Iowa:

"I can visualize many uses for the product * * * including use in our society in the event of a major disaster which would limit our normal food supplies."

Dr. H. E. Schendel, Research Associate in Nutrition, University of Illinois:

"The availability of fish flour for enrichment of dietary protein now requires the immediate attention of statesmen. The persistence of protein malnutrition in the years to come will be a judgment which the shoulders of statesmen, rather than nutritionists, will have to bear. * * * The evaluation of a product so vital to the survival of millions over the world should be made on the basis, not of esthetic objections, but of more objective criterion; i.e., nutritional value."

Agnes Fay Morgan, Department of Nutrition, University of California:

"If the only objection is an esthetic one, let this be plainly stated and let the prospective beneficiaries make their own decisions, both here and abroad."

Harry G. Day, Chairman, Department of Chemistry, Indiana University:

"Fish flour can be of great value in meeting the nutritional needs of people in all parts of the world, including the United States. There is a great difference between fish flour and foods that are contaminated with filth."

R. Adams Dutcher, Professor Emeritus, Pennsylvania State University and Fellow, American Institute of Nutrition:

"Protein deficiency is the most important nutritional problem facing the world today. * * * It is my considered opinion that so-called fish flour most nearly meets all the most desirable specifications for a protein-rich food concentrate."

Lucien A. Bavatta, Professor of Nutrition, University of Southern California:

"This is a high-quality protein which has been shown repeatedly to greatly augment the biological value of the more abundant but less nutritionally balanced plant proteins."

J. A. Anderson, Ph.D., Professor, Utah State University:

"Fish protein should be one of the most effective proteins available to supplement man's diet."

Johnson-Metta-Schendel study, "The Nutritive Value of Fish Flour", University of Illinois:

"An odorless, defatted fish flour evaluated for its protein quality by the Mitchell method, was found to have a biological value of 88 percent. At the 10 percent protein level in diet, its protein efficiency ratio (gram per gram protein consumed) was 3.24 as compared to 2.85 for skim milk and 3.15 for beef. . . . When fed as the sole source of protein, fish flour proved as adequate as casein for the reproduction and general performance of rats through four generations. . . . All our data support the view that a good fish flour could be of real significance in helping to supply the protein needs of the world."

FAO International Conference on Fish in Nutrition, 1961. Washington, D.C., report of the U.S. delegation:

"The papers presented at the Conference . . . indicate that a 'fish flour' can be prepared so that it will retain high nutritional values, as shown in both annual and human experiments. . . . The U.S. delegation introduced a recommendation that FAO should develop minimum standards for fish flour . . . and adopt measures to encourage the production and consumption."

Anthony A. Albanese, Ph.D., Director, Nutrition and Metabolic Research Division, Burke Foundation Rehabilitation Center, New York:

"Some of the tolerances which the FDA will accept in foods serves to emphasize their complete lack of understanding with regard to 'fish flour'. I wonder how many of our citizens realize that cow manure is a permitted tolerance in milk. . . . Actually, the preparation of fish flour is a far cleaner process than is the preparation of gelatin from carcass residues of farm animals."

Dr. Frederick J. Stare, Chairman, Department of Nutrition, Harvard University:

"On the protein score, you cannot improve on or surpass the quality of fish protein. . . . Fish should be included in the diet at least four times per week."

Thomas H. Jukes, Director of Biochemistry, Agricultural Division, American Cyanamid Co., and visiting senior research biochemist, Princeton University:

"While I was on the faculty of the University of California, my colleagues and I were asked to carry out nutritional studies with sardine meal. I have not studied fish flour, but I have studied fish meal, especially sardine meal, which is made by cooking whole sardines, removing the oil, and drying and grinding the entire heads and bodies of the fish. Our nutritional experiments were carried out by feeding animals. We found consistently and repeatedly that sardine meal and other fishmeals were outstandingly nutritious; superior to all other protein concentrates of this general type such as meat scrap, and that fish meals supplied other valuable nutrients in addition to protein. Fish flour is at least as good as fish meal in my opinion.

"In one experiment, we fed a diet high in fish meal to young turkeys to see if it would make the turkey meat taste fishy. The birds developed so rapidly that they started laying eggs in December, although we did not expect this until the following spring. In other experiments, we found that fish meal contained a vitamin that was not present in any food of vegetable origin. This nutrient turned out to be vitamin B12. Many other examples of the high nutritional value of fishmeal and fish flour can be documented from the scientific literature."

Dr. Hugh Leavell, School of Public Health, Harvard University, Cambridge, Massachusetts:

"I happen to have just come back from a trip to . . . the developing countries of the world, where nutrition is such a serious problem and I have seen these children in hospitals and in the villages, the children with kwashiorkor, the children whose resistance has been lowered. Measles, for example, in our country is not a serious thing. It is almost a fatal disease in West Africa because of the malnutrition which these children have that has reduced their resistance to such a degree. They live on rice and different kinds of carbohydrates . . . . The importance of adding this protein supplement to the diet has been admirably demonstrated by people who understand the bio-chemical aspects."

Dr. A. E. Harper, Professor in Nutrition, Dr. S. A. Miller, Assistant Professor in Nutrition, and Dr. G. N. Wogan, Assistant Professor in Food Toxicology, Massachusetts Institute of Technology, Cambridge, Massachusetts:

"There is little doubt that protein malnutrition represents one of the major health problems in the world today. With a geometrically expanding population, current sources of good quality protein will have to be distributed among more and more people. It is therefore apparent that new sources of good quality protein are essential. Fish protein represents a potential source which hitherto has been largely unexploited. Modern methods of technology have made possible the production of fish protein supplements. In addition, there is, in our opinion, adequate evidence, derived from properly controlled studies, to support the contention that many fish protein supplements are of high nutritional quality and could play an important role in alleviating human protein malnutrition.

"However, the use of processed fish protein supplements for human feeding programs must be governed by several considerations. In addition to the maintenance of high nutritional quality, it is important that these products be free from any toxic substance derived from the fish itself or from the process; that cost of production be kept as low as possible; that no significant deleterious changes in flavor occur as a result of the process."

Ploughing the Watery Deep for Proteins

(By Dr. Wilbert McLeod Chapman, director, Division of Resources, Van Camp Sea Food Co.)

The fishing industry is a series of paradoxes. Possessing the capacity to relieve the worst nutritional problem of man on a worldwide basis, its most rapidly growing sector produces nutritionally balanced food for chickens. Carried in the public eye as a weathered old man in slickers rowing a dory to catch his fish by hook and line, the modern efficient tuna fisherman in the United States actually spends a million dollars for a new boat, and in other countries an investment of twice or three times that for a large freezer-trawler is not exceptional. In the United States the fishing industry has long been considered a depressed sector of business; on a worldwide basis catches are doubling at intervals of a little better than every ten years. Ocean research is only now beginning the basic revolution of a business that is as old as man.

The food shortage of the world is not in calories. More carbohydrates than the present world population needs can be grown rather easily. The important world food shortage is in protein, and the most important aspect of this is animal protein. The reason for this is that animal proteins have the balance of amino-acids required for full human nutritional needs, whereas most vegetable seeds (grains, beans, etc.) do not. As the wag said, the reason why fish protein is better for folks than bean protein is that a man is built more like a fish than a bean. On average, 20 per cent of a fish's weight is animal protein, well-balanced for human nutritional needs. This applies to all fish, whether tasty tuna or lowly anchovy.

There are considerable sections of heavily populated land in the world where human protein malnutrition problems are extremely severe and where raising animal protein on land sufficient for human need is impractical. In West and Central Africa, for instance, endemic livestock diseases are a severe problem. In Southeast Asia, as another case, arable land is needed for rice and other plant foods and cannot be spared for raising livestock. In large areas of the world the cost of raising meat is just too high for poor folks to be able to afford it.

Ocean research has now shown us that the ocean is *naturally* producing animal protein in sizes and forms practical for capture and use by man at a rate more rapid than required to feed a human population ten times the size that now inhabits the world. The trouble is that the great bulk of this dies a natural death and decays back into the vast web of life in the ocean, unused by man. The trick is to get this natural production out of the ocean to consumers who need it, in a form they will accept, at a price they can pay.

THE NUTRITION GAP

In reaction to the enormous world demand for animal protein, the world fish catch has been increasing much more rapidly than has the world population. In 1850, it was about two million tons; in 1950, 20.2 million tons; in 1960, 38.2 million tons; in 1962, 44.7 million tons; and in 1964 (the latest year for which the UN's Food and Agricultural Organization figures are available), 51.6 million tons. Recent careful studies show conclusively that the sustainable world fish catch can rise to 200-250 million tons on the basis of the kinds of resources now used and the technologies presently available. By harvesting types of fish not now used, but fully as nutritious, even that harvest can be greatly increased. In a world where at least 500 million people suffer critical protein deficiency, in which twice again that many do not have enough protein to meet minimal health needs, and in which protein malnutrition is the greatest killer of children, these statements are significant.

One of the prime paradoxes in all of this is that the great recent increases in fish consumption have not been in the developing countries where the need is great, but in the industrialized countries where protein in many forms is adequately, or abundantly, available. As people become more prosperous they eat more protein and less carbohydrates. This is as true in Eastern Europe as in Western Europe, North America or Japan. A case in point is Russia which has become the third largest fish producer in the world and operates on a worldwide basis. Her fish catch in 1946 was 1.4 million tons and in 1965, 5.6 million tons. It is scheduled to reach 10 million tons in 1970. Poland, Rumania and Bulgaria are also now rapidly becoming high-seas fishing countries.

A second paradox is that a great part of the increase in fish production in the world has not gone to the direct feeding of humans, but has, instead, come to humans indirectly through chicken. A few per cent of fishmeal in chicken diets produces such marked improvements in growth, health, egg-production and efficiency in use of other feed that this practice has revolutionized poultry production in the last generation. If the world's human population were as scientifically nourished as the chickens in a modern egg factory the world would be a different place in which to live. World production of fishmeals and solubles, mostly used for livestock feeding, increased from about 590 thousand tons in 1948 to 3,500,000 tons in 1964. In terms of round weight fish, the latter figure represented about 40 per cent of total world fish production in that year—a sizable proportion.

A third pardox is that great increases in fish production have occurred in the developing world. Peru and Chile are prime examples of this. These two countries were scarcely classed as fishing countries in 1950. Yet in 1964 they produced nearly 20 per cent of the total world fish catch, and Peru was the largest fish-producing country in the world. Ghana, Ivory Coast, Mexico, Ecuador, Panama and other countries in the developing world have also been rapidly increasing their fish catches. On the other hand, in the United States, the epitome of an industrialized country, fish catches have held approximately constant for thirty years.

Great efforts are afoot to erase some of these paradoxes. The Special Fund of the United States is, through the Food and Agriculture Organization of the United Nations, vastly increasing the effort to develop fisheries through projects paid for on a matching fund basis by the recipient country. FAO, to meet this challenge, has just completely reorganized its fishery function, raising it from divisional to departmental status in the organization, and is planning to double its size over the next six years. The International Oceanographic Commission of UNESCO is furthering broad-scale ocean exploration on a worldwide basis, such as the International Indian Ocean Expedition, the International Cooperative Investigations of the Tropical Atlantic, and the Cooperative Survey of the Kuroshio. The World Bank is now studying plans to aid with capital the establishment of fisheries in the developing world. The effect of these activities is already great and will increase sharply as projects now being initiated take hold.

The great dream of nutritionists for the past fifteen years has been to create a cheap, stable, dehydrated and de-fatted fish protein concentrate. This would have great virtue for the relief of protein malnutrition in the world. Since all fish have approximately the same protein composition, such a concentrate made from anchovy, hake, deep-sea smelts, and many other kinds of very abundant and quite cheap fishes (not much used now for direct human consumption because of processing or other cost problems) would be just as useful as would be a concentrate made from very expensive fish such as salmon or sole. It could be stored and transported easily and cheaply. As an additive to cereal products, only a few per cent would produce a food well-balanced for human nutritional need. It would mix well with flour in tortillas, gruels, breads, pastas, etc.

FISHMEAL FOR HUMANS

Fish protein concentrate essentially is fishmeal for humans. Since fishmeal is made on such a large scale, so successfully in so many parts of the world, and fills precisely this nutritional need for livestock, one would think that the transition to a fish protein concentrate for human consumption would be an easy technological trick. This has not been the case.

A problem is the oils of fish. Unlike those of land animals, they are polyunsaturated. This means, practically, that they take up oxygen readily and when they do they become rancid. Rancid fish oils not only smell bad but can be unhealthy for humans to eat. They do not bother chickens and a small per cent of residual oil in fishmeal even has some nutritional benefits for chickens. For human use, almost all of the oil must be removed or shielded with anti-oxidants. Both remedies have presented technical problems.

Another difficulty is hygiene. Chickens are not fussy this way; humans are. It is a practical impossibility to fix up a fishmeal plant of the traditional kind so that it will produce fish protein concentrate to human hygiene standards. A wholly new process had to be developed.

A third difficulty stems from a decision rendered by the Food and Drug Administration a few years ago that fish protein concentrate made from whole fish was "filthy" within the meaning of the food and drug laws and aesthetically repulsive and could not be sold for human consumption in the United States for this reason. This ruling upset activities in this field by the international agencies in the developing world. The health authorities in those countries took the rather rational view that what was not good enough for Americans was not good enough for their peoples either.

Out of the fuss this decision raised has come much good. The Congress provided the U.S. Bureau of Commercial Fisheries with research funds to produce a fish protein concentrate from whole fish suitable for human consumption. The Department of the Interior asked the National Academy of Sciences to appoint a committee of competent scientists to watch over the Bureau's research on this subject. After three years of very diligent research one method has been developed to do this and Interior Secretary Stewart L. Udall has asked the FDA to certify the newly developed fish protein concentrate "safe, nutritious, wholesome and fit for human consumption."

Research continues with the aim of developing other methods that also show promise. The Congress now has under consideration legislation to provide pilot plant-scale production of fish protein concentrate from whole fish by the first method developed by the Bureau of Commercial Fisheries. Thus a new process for getting fish protein to those who need it in very cheap form is on the verge of practicality.

While great emphasis is being put on the development of a wholesome fish protein concentrate, work is at an advanced stage on two other new means of processing fish which hold great promise as well. These are the irradiation of fresh fish to extend their shelf-life as fresh fish by stopping temporarily bacterial and enzymatic deterioration, and freeze-drying which yields a product that stores and ships well and can be reconstituted almost to its original freshness by the very simple process of adding water.

Although any one of these three new processing methods will revolutionize the fish business when they become practical realities, other modern scientific and technological advances have already been doing this. The process of canning is under steady improvement, and canned tuna, as well as some other kinds of fish, have become staple foods. Vessels equipped to freeze fish at sea are now the common thing. As a result, sea-fresh fish is now available in the interior of countries far removed from the sea. Even in the jungle interior of West Africa frozen fish is becoming a staple. This is a development of just the last few years.

U.S. CONSUMPTION OUTSTRIPPING CATCH

A prime paradox in all of this has been that the fish catch of the United States has stayed approximately level for the past thirty years. It has varied during that period from 2.0 to 2.7 million tons. The average figure for recent years has been about 2.3 million tons.

This has not been because of lack of demand. The consumption of fish in the United States has been increasing at a rate much more rapid than population increase, just as it has in the rest of the world. In 1948, the consumption of fish in the United States, in terms of round weight, was 2.8 million tons and in 1964 it was 6.0 million tons. Thus the annual per-capita consumption of fish in the United States had increased from 38 to 63 pounds in that period of time. As in the rest of the world, the great consumption increase was in the use of fishmeal for poultry production. But that has been the reason why chickens and eggs have been so abundant, and remained so cheap, in the United States.

The slow development of the domestic fisheries has not been a result of lack of supply. Ocean research off the coast of the United States over the past ten years has revealed very large unused resources. For instance, off Southern California alone there are now known to be under-utilized stocks of anchovy, hake and mackerel large enough to support sustainable new fisheries which could double the total fish catch of the United States in this one area alone. It is a matter of record that foreign fishermen (chiefly Russian and Japanese) have been developing the fisheries off our coast in recent years to the point where they catch more fish off Alaska and New England than our fishermen do. Rough preliminary estimates of the Bureau of Commercial Fisheries suggest that the fishery resources adjacent to the coast of the United States can support sustainable fisheries that would yield 10 to 11 million tons per year.

Thus, there is this paradox, that the United States uses twice as much fish as it catches and has the resources available in its coastal waters to produce nearly twice as much as it uses.

The Congress has moved to stimulate U.S. fishing operations in the last few years, first with the Fishing Vessel Loan Act to give the fishermen access to credit, and more recently with a Vessel Subsidy Act designed to balance the cost of fishing vessels constructed in American shipyards with those constructed abroad. The Loan Act has already had a most beneficial effect and the Vessel Subsidy Act, which is just in the process of being implemented, gives every promise of being equally successful.

Another kind of serious problem faced by the fishing industry has been the discovery that once ocean research had disclosed these large offshore resources a welter of outmoded state laws impeded their harvest. In the American system of government, the regulation of fisheries is handled at the state government level. The great bulk of ocean research, however, has been done at the Federal level over the past ten years. There has been no good mechanism to transmit the new knowledge and understanding of the ocean and its resources from the Federal and academic level to the state administrative and legislative level. The states came to this situation with codes of laws and regulations left over from past generations and unsuited to the use of new knowledge.

This problem is now being tackled in pragmatic and successful ways. The Congress has recently passed legislation designed to permit the states to build up their ocean-resource research capabilities so that they will have the local competence to translate this vast fund of new knowledge and understanding to the increased harvest of the local seas. The states are responding to this approach in a most heartening way.

U.S. INDUSTRY'S FUTURE LOOKS BRIGHTER

The governors of several of the maritime states have come to realize the wealth that lies off their shores and the need to refurbish their means of government to take advantage of it. In California, Washington, Alaska, Hawaii, Florida, and Maryland, the Governors have convened conferences of experts on ocean-resource development and appointed continuing committees to advise them on what should be done. The response on the local level has been gratifying.

Two more general things have also happened. The demand for fish on a worldwide basis is now beginning to catch up with the great surge in fishery development that took place in Europe and Japan directly after the war, so that those countries are increasingly using their own catches instead of sending them to the United Sates to earn dollars. This is relieving pressure on the United States market. Additionally, the enormous surge forward in general interest in ocean matters has been greatly stimulated by the results of large ocean research projects over the past several years. More people and firms have become interested in the ocean and its harvest.

The result of all this appears to be that we are on the edge of a major revival in the domestic fisheries of the United States. The tuna and shrimp fisheries are prosperous and expanding, and are increasingly becoming integrated with overseas ventures so that they draw extensively on world resources. The king crab fishery of Alaska is growing by leaps and bounds and there is sufficient resource available so that it can double again. California has relaxed its regulations to permit 75,000 tons of anchovy to be taken for reduction each year, thus starting a new fishery this fall which may well grow to produce a million tons or more per year. There is great stirring all along the West Coast leading to the development of major hake fisheries in Oregon, Washington and California. The ocean perch resources of the West Coast, so heavily used now by Russia and Japan in the Gulf of Alaska, are beginning to give rise to expanded fishing out of American ports. A similar rejuvenation looks possible in the near future out of New England ports.

In 1965, the gross income of American fishermen was $60 million greater than it was in 1964. It is too early to tell whether this is the start of the steady uptrend that has been worked toward, but it is certainly a step in the right direction.

The Potential of the Point Judith, R.I., Area as a Site for a Fish Protein Concentrate Demonstration Plant

(Note.—This prospectus was prepared by Dr. James W. Cobble, dean of the University of Rhode Island College of Agriculture; Jacob J. Dykstra, president of the Point Judith (R.I.) Fishermen's Cooperative, Inc.; and Dr. John A. Knauss, dean of the University of Rhode Island Graduate School of Oceanography.)

INTRODUCTION

It is our belief that Point Judith, Rhode Island would be a most desirable site for the operation of a demonstration plant to produce fish protein concentrate. This site has at least four favorable characteristics which would contribute to the success of such a complex operation. These characteristics may not be duplicated anywhere else in the country.

First, the port produces an abundant supply of fish at all times of the year. Secondly, there is a good harbor and adjacent land available for a plant. Thirdly, there is a pool of qualified University of Rhode Island research personnel nearby who are already engaged in solving problems in fisheries and the marine sciences. Finally, and most important we believe, the many fishing and University personnel who would be involved have demonstrated over a period of years the ability to work together. This cooperative relationship has been strengthened in recent years as the University has undertaken new programs in the marine sciences.

THE COOPERATIVE RELATIONSHIP WITH FISHING INTEREST

It would appear that the successsful operation of a protein fish concentrate plant would require a high degree of cooperation, not only among the scientists in various disciplines, but also between scientists and fishermen at Point Judith. In the case of Point Judith, it would not be necessary to try and evolve such a relationship. The University and the Point Judith Fishermen's Cooperative have had a long and cordial working relationship, resulting in:

*Joint sponsorship—over the past six years—of a one-day "Fishermen's Forum," designed to provide working fishermen with information about new techniques and developments;

*Establishment of a fishermen's committee, with the University's assistance, to help obtain legislation for creation of a port authority;

*The solution of quality problems in fish processing by University bacteriologists.

In addition, faculty members have served in an advisory capacity to help develop cost and other data for the construction of a new plant. Another professor is writing the project proposal that would allow local fishermen to develop mid-water trawl methods and gear which would be suitable for their vessels.

The previous examples are just a few of the types of projects that are continually underway. If anything, these cooperative activities will intensify in the future. At the moment, for instance, there is serious consideration being given to the establishment of a two-year college-level program for the training of fishermen.

THE POINT JUDITH AREA IS THE CENTER OF A GROWING MARINE COMPLEX

Point Judith is in the center of a growing marine complex that stretches from New London, Connecticut on the west to Woods Hole, Massachusetts on the east. In this 75 mile span are several other fishing ports including Newport, Rhode Island, New Bedford, Massachusetts and Stonington, Connecticut.

A little more than 10 road miles from Pt. Judith is the Narragansett Bay Campus of the University of Rhode Island. In addition to the Narragansett Marine Laboratory, this 88-acre site includes the U.S. Public Health Service's Northeast Shellfish Sanitation Research Center and the R.I. Nuclear Science Center (built around a one-megawatt research reactor). Under construction and expected to be completed by the summer of 1966 is the U.S. Fish and Wildlife Service's sports fishing research laboratory. The U.S. Public Health Service already has budgeted funds for a $1,750,000 National water quality standards laboratory on the campus. Other planned facilities include a library-data processing center which would serve the entire complex and a laboratory-office building for the University. Total budget for the latter two projects is $1,325,000.

Within a few short years, it is expected that over 400 scientists will be working on the Bay Campus—possibly more if additional federal or industry-oriented research laboratories locate there.

THE UNIVERSITY'S INTEREST IN THE MARINE SCIENCES

The University has a graduate School of Oceanography with 16 faculty members enrolling over 50 students in master's and doctoral degree programs.

The University's Narranganset Marine Laboratory has a long history dating back to 1937 when a small laboratory was established at the mouth of Narragansett Bay, primarily to undertake research in biological oceanography. Since that time, the facilities and staff have been considerably expanded so that research and study is also now underway in physical, chemical, and geological oceanography.

Today the University is one of only six in the country that trains scientists in all aspects of oceanography.

Available for educational and research purposes are three University research vessels, including the 180-foot "Trident." These vessels are berthed at the Narragansett Bay Campus which is six miles to the east of the University's major campus in Kingston, Rhode Island. Both campuses are close to major transportation facilities. The New York, New Haven, and Hartford Railroad has a station less than a mile from the Kingston campus. New Interstate Route 95 passes to the west of Kingston, taking travelers south and west to New York and Washington or north to Boston. The T. F. Green (providence) Airport is less than 20 miles away.

In addition, for the past 5½ years the University has had a Marine Resources Program, designed to mobilize a large segment of other University talent for work in this area. With the encouragement of the University's president and other top administrative officers, faculty members have undertaken research in waterfront development, shore stabilization, sand dune control, fishery marketing, the production of pharmaceuticals from marine organisms, fishery populations and management, pollution, and radiactive contamination—to name just a few areas.

In the College of Agriculture, the Department of Food and Resource Economics is devoting a major share of its time and effort to study and research in the economics of fisheries and other marine-oriented activities. Some recent papers and publications by members of this department suggest the scope of their activities: "The New England Fishing Industry: Functional Markets for Finned Food Fish," "The Economics of Quahog Depuration," "A Preliminary Study of Interaction of Two Fish Populations and Their Markets," "The Revenue Implications of Changes in Selected Variables Examined in the Context of a Model of the Haddock Market," "The Economic Impact of Marine Industries," and "The Economics of Small Trawlers."

In the academic year 1964–1965, one of the nation's first advanced degree programs in ocean engineering was initiated at the University. M.S. and Ph.D. degrees are being offered by the Departments of Chemical, Civil, Electrical, Industrial, and Mechanical Engineering in cooperation with the Graduate School of Oceongraphy. This was another step in the expansion of URI's graduate curriculums which now enroll over 1,000 students as compared to 187 students in 1956.

Finally, the University's oceanographic program is part of the cooperative compact of the New England Board of Higher Education (consisting of the state universities of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and R. I.) The University of Rhode Island's graduate program in oceanography is the program for the six New England states and students from any of these states who are admitted to the program pay the same tuition as does a native Rhode Islander.

THE SUPPLY OF FISH AT POINT JUDITH

The supply of industrial fish at Point Judith is large and stable. A substantial part of the catch has been red hake. Some statistics, concerning the Point Judith operation should be noted:

*Point Judith fishermen produced more industrial fish than any other port in three recent years, 1962, 1963, 1964;

*Point Judith produced 51.2 per cent of all New England industrial fish in 1962, 41.2 per cent in 1963, and 51.4 per cent in 1964;

*In only three months of 1964 did Point Judith land less than two million pounds of industrial fish;

*Since September 1965 landings have been greater than 3.3 million pounds each month with a December high of 5 million pounds.

The ceiling on landings has been fixed by plant demand, not by any anticipated limit in the resource.

HARBOR, SHORE SPACE, AND OTHER FACILITIES

Facing south toward Block Island Sound and the open Atlantic, the harbor at Point Judith is protected by a mile-long breakwater that admits vessels to a channel and salt pond. The existing turning basin of the port is to be enlarged and the channels deepened under a Navigation, Beach Erosion, and Hurricane Plan provisionally approved by the U.S. Army Corps of Engineers and local citizens.

Meanwhile, the director of the R.I. Department of Natural Resources has provisionally endorsed making land available to a fish protein concentrate facility. The state owns most of the land in the area around the Point Judith Fishermen's Cooperative.

The Cooperative is currently operating wholesale fish, fish processing, and fishmeal plants, as well as a supply store. Some 150 fishermen, as well as owners, belong to the cooperative which is run by a seven-member board of directors.

There are at present over 40 fishing vessels in the Point Judith fleet, ranging from 35 to 85 feet in length. These vessels are in excellent condition and the men working on them earn substantial salaries. For instance, a recent study disclosed that the average crew share for deck hands was $8,383, while the average earnings for a captain in the Point Judith fleet was close to $12,000.

ADDITIONAL UNIVERSITY CAPABILITIES

The University of Rhode Island is composed of 11 schools and colleges, enrolling over 6,000 full-time and 5,000 part-time students during the regular academic year. While not all of these academic units would have faculty members who would be involved in a fish protein concentrate demonstration project, there are additional personnel and resources available which have not been mentioned previously. Briefly then, we will outline these capabilities.

Many of the departments who would be concerned have already demonstrated the ability to undertake first-rate research. Evidence to this effect is available from the University's budget which last academic year (1964–1965) included expenditures of $3,140,587 for sponsored research projects. This was up nearly $500,000 over the previous 12 months. Comparable increases have also been experienced in other years.

The Department of Agricultural Chemistry, with a faculty of four plus assistants and technicians, have been concerned with plant and food biochemistry and the chemistry of pesticides. In addition the department tests soils, feeds and fertilizers and has tested the fish concentrate products from the Point Judith Fishermen's Cooperative Association for a number of years. Thus considerable experience has been gained in the analysis of these products for protein, fat, fiber, ash, salt and acid content. The Department would be able to assist in the quality control of the fish protein concentrate plant through its experience and equipment and its proximity to the proposed site at Point Judith.

Much of the existing information on fish protein concentrate has been obtained with the use of a fish of relatively low lipid content. However, to obtain reliable information on the process, studies would have to include year-round mixed catches of a variety of fish. The existing or slightly expanded structure of the Department could cope with assisting in the quality control of such a study.

Basic studies would be required on the volatile flavor constituents of the fish protein concentrate as well as its color and amino acid ratios. The department has current projects, supported by state and federal funds, on the biosynthesis of food pigments and the recovery of the pesticide residues added to foods.

A very important aspect of the production of fish protein concentrate would be the utilization of the by-products of the operation. In this respect the Agricultural Chemistry Department is actively engaged on a study on the biosynthesis of seed oils and a program could be established to study the quality of the fish oil extracts as well. Finally, through such a testing program, the feasibility of using the fish residues for animal feed or fertilizer could be determined.

The animal science department has two main areas of research which could aid in the development of a fish protein concentrate (FPC), food biochemistry and animal nutrition. Research programs in progress are concerned with development of new dairy foods, studies with food enzymes and food proteins, and the nutritional value of feeds for large animals and chickens.

Basic information will be required on the properties of the protein in FPC; particularly properties which will allow effective incorporation of this product into a variety of foods, methods for rapid analysis of the essential amino acid content, and determination of the levels of essential amino acids over an extended period of time under production conditions with varieties of fish. Work will be needed on the development of new foods with good keeping-quality utilizing FPC. An example might be the development of a high protein cheese-type product combining FPC and skim milk. Nutritional value of FPC could be determined, utilizing the animal nutrition facilities, with chickens or rats as assay animals.

The College of Engineering and Division of Engineering Research and Development has the capability, staff, and interest to participate in the design and development of a plant to produce fish protein concentrate. There are 50 full-time Engineering faculty. There are 92 students enrolled full-time and 67 part-time in graduate programs leading to the M.S. and Ph. D. degrees, including students in the ocean engineering program.

The Engineering faculty would be involved in the design and evaluation of a plant building to include a complete layout for optimum utilization of space. Space determination to encompass sufficient work areas for the processing equipment as well as permanent and temporary storage requirements. Storage space requirements to be determined by patterns and quantity of product flow. Proper equipment and also facilities to meet pre-determined quantity and quality levels of production would have to be designed and selected. In addition adequate instrumentation in the processing system would be needed. The selection and design of the materials handling systems would be important. Equipment should endure through maximum production and require the minimum of maintenance. Studies would also probably be required to describe the plant activities in relation to the process in order that the correct skill level can be sought, and the jobs evaluated so that proper wage rates can be established. Essentially the same procedure for managerial and clerical requirements would be followed.

The Department of Food and Nutrition has six faculty members interested in such products as fish protein concentrate from the point of view of nutritional value (i.e., the contribution to the diet in vitamins and minerals as well as protein), uses to supplement a low protein diet, uses to improve the existing quality of protein in a diet, incorporating the concentrates into foods, and formulation of new recipes.

Protein deficiency is by far the most serious and prevalent nutritional problem in developing countries. To correct this by increased consumption of the protective foods such as meats, fish, milk and eggs is difficult because these are not readily available where the deficiencies occur. A low-cost fish protein concentrate could do much toward alleviating the dietary protein deficiency existing in these countries. The concentrate would be especially beneficial where cereal provides a large part of the diet since the amino acids which are low in the cereal are high in the fish and vice versa. FPC would likely also improve the calcium, thiamine, riboflavin and niacin levels in deficient diets.

Studies could be planned using different levels of fish protein concentrate to supplement diets of wheat, rice or maize to determine at what level supplementation was most effective.

Other balance studies might be designed to test the utilization of fish protein concentrate versus animal protein or cereal protein supplements to a similar amino acid pattern of crystalline amino acids.

SUMMARY

The Point Judith, Rhode Island area has advantages of location, facilities, and skilled personnel which will make the successful operation of an FPC plant practicable. Involvement of University of Rhode Island faculty members in the undertaking will also result in the generation of detailed and reliable information—including cost data—which can be used by federal officials for evaluation and comparison purposes.

Because of its interest in the marine sciences, such an activity would be welcomed by the University of Rhode Island.

We endorse the concepts spelled out in the proposed bill S. 2720 (To Authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate.) and urge that such a plant be located in the Point Judith, Rhode Island area.

LOOSE LENDING PRACTICES OF FHA

Mr. WILLIAMS of Delaware. Mr. President, in recent weeks I have been citing specific examples wherein the FHA, through its loose lending practices, was approving mortgages in excess of 100 percent of total construction and land costs with the result that builders were reaping quick windfall profits and then allowing the projects promptly to go broke with little or no payments ever being made on either the principal or the interest. These windfall profits resulted from inflated land and building cost allowances far in excess of actual expenditures.

The FHA does not keep a master file of its credit experience with these fly-by-night promoters, with the result that the same group of promoters operate in various areas over the country under different corporate names.

Today I outline for the information of the Senate a few statistics to show just how costly this loose procedure is and will continue to be unless corrected. The home buyers, through increased insurance costs, are partially underwriting these losses, and the American taxpayers will ultimately be shouldering the burden.

As of December 31, 1965, the total amount of outstanding mortgages which were insured by the FHA, both homes and multifamily projects, was over $50 billion—$50,085,910,481.

On December 31, 1965, the FHA inventory of bankrupt properties and notes which had been taken over where valued in excess of $1 billion. These repossessions of bankrupt projects are broken down, as follows:

	Number	Units	Amount
Multifamily	585	63, 114	$589, 024, 995. 86
Homes	44, 580	46, 416	512, 516, 244. 03
Total	45, 165	109, 530	1, 101, 541, 239. 89

In reselling these repossessed projects the FHA is taking a terrific loss, far greater than they are admitting publicly. For example, during the first 6 months of the current fiscal year, June 30 to December 31, 1965, the loss ratio of 51 multifamily bankrupt projects that were resold showed the agency taking a 45-percent loss on its actual investment. The records show that the agency had a total cost in these 51 repossessed multifamily projects—4,491 units—of $33,149,457.83. These 51 properties were sold for $18,199,678.01, thus sustaining a loss of $14,949,779.82, and the 45-percent loss ratio that the FHA is now sustaining in its resale of these multifamily projects is about 16 percent higher than its overall average for prior years.

I ask unanimous consent that a more detailed report of these transactions be printed at this point.

There being no objection, the report was ordered to be printed in the Record, as follows:

Fiscal year 1966 to Dec. 31, 1965		Number	Units	Sales price [1]	Total cost	Net profit or loss (−) to fund
Fund	Section					
General insurance	207	6	844	$2,634,698.91	$5,476,670.42	−$2,841,971.51
Do	213	3	191	3,547,211.41	3,843,438.53	−296,227.12
Do	231	2	399	3,254,500.00	5,275,083.87	−2,020,583.87
Do	220	1	14	47,000.00	76,991.70	−29,991.70
Do	221				−13,721.48	13,721.48
Do	608	29	2,514	6,327,591.58	14,517,604.25	−8,190,012.67
Do	803	2	91	380,567.11	657,011.39	−276,444.28
Do	908	8	438	2,008,109.00	3,316,379.15	−1,308,270.15
Total, multifamily		51	4,491	18,199,678.01	33,149,457.83	−14,949,779.82

[1] Sales price includes proceeds of notes liquidated.

Note.—Average loss per unit, $3,328.83.

Mr. WILLIAMS of Delaware. In addition the FHA is in most instances refinancing the second sale of these multifamily projects with very little downpayment. The ultimate loss may even be greater than that reported here.

For example, I cite the FHA's experience with an Arizona multifamily project that was repossessed and then resold: Tarleton Park Apartments, Project No. 139-38002-PM, Tucson, Ariz.

The FHA made its final endorsement on a $1,693,000 mortgage covering this project on October 19, 1962. The sponsors were: David M. Berman, 1459 East Glenn, Tucson, Ariz.; Norman E. Green, 7420 Ellison Drive, Tucson, Ariz.; Michael Berman, 275 Linden Boulevard, Brooklyn, N.Y.

Eight months later, on June 20, 1963, this mortgage was in default and assigned to the FHA with total mortgage insurance settlement of $1,664,483.64. Title to this property was acquired by the FHA on November 15, 1963, at an additional cost of $244,104.70. This brought the FHA repossession cost to $1,908,588.34. The property was then sold to the Campus Associates for $740,000; terms, cash payment of $22,000 and purchase money mortgage of $718,000.

Thus in this instance the FHA sustained a loss of $1,168,588.34. This represents a loss of over 60 percent.

This particular project should never have been approved in the first place since the FHA records show that its own underwriters had warned that it was poorly located and lacking in architectural appeal. I quote from the FHA records the comments of one of its own underwriters:

> Tarleton Park, Section 231 PM. Located North of Grant near Alvernon in Tucson. 180 units completed 6 months—115 vacant. Poorly conceived 5 story project lacking in architectural appeal in a borderline location. Exterior and interior are cold, severe and institutional in appearance. Lack of diversification (all 180 units are similar one bedroom apartments) further restricts marketability.

During the same 6-month period, June 30, 1965, to December 31, 1965, the FHA resold 23,656 homes which had been taken over by the agency under defaulted mortgages. On the resale of these homes the FHA sustained a loss of $68,824,837.33. This is a loss ratio of 21 percent or an average loss of $2,909.40 per home.

The loss ratio on the resale of private homes in fiscal 1966 has been averaging $500 per home higher than losses sustained in prior years. These 23,656 homes were repossessed by the FHA at a total cost of $317,000,295.83 and sold for $248,175,458.50, representing a loss of $68,824,837.33.

I ask unanimous consent that a more detailed report of these transactions be printed at this point.

There being no objection, the report was ordered to be printed in the Record, as follows:

Fiscal year 1966 to Dec. 31, 1965		Number	Units	Sales price	Total cost	Net profit or loss (−) to fund
Fund	Section					
MMI	203	19,135	19,346	$206,672,156.96	$260,839,347.86	−$54,167,190.90
General insurance	2			500.00	1,224.21	−724.21
Do	8	75	75	443,024.00	515,532.37	−72,508.37
Do	213	311	311	3,640,777.50	4,851,591.21	−1,210,813.71
Do	220	8	8	101,750.00	125,558.00	−23,808.00
Do	221	1,769	1,778	15,860,134.33	21,529,037.12	−5,668,902.79
Do	222	1,399	1,399	15,585,380.75	19,346,771.24	−3,761,390.49
Do	603	42	62	240,350.00	376,313.99	−135,963.99
Do	[1] 609					
Do	611					
Do	809	34	34	431,350.00	531,329.14	−99,979.14
Do	903	883	1,060	5,200,034.96	8,883,590.69	−3,683,555.73
Total, homes		23,656	24,073	248,175,458.50	317,000,295.83	−68,824,837.33

[1] Purchase notes.

Note.—Average loss per case, $2,900.40.

Mr. WILLIAMS of Delaware. As in the case of the multifamily projects the second sale of these repossessed home is refinanced by the FHA with the result that ofttimes the above loss figures only represent the initial loss.

As an example I cite one transaction in Orlando, Fla., which far too often is typical of the procedure.

I refer to mortgage No. 09-608425. This was an individual home located at 6027 West Robinson Avenue, Orlando, Fla. This new home was sold on October 30, 1961, for $16,000. The FHA insured the mortgage for $15,300. Payments were made through October 1963, reducing the principal balance to $14,894.09. No further payments were made, and on January 15, 1964, foreclosure proceedings were instituted with the FHA taking title to the property on May 8, 1964, at which time the FHA paid the mortgagee $15,174.49. Between May and October 1964 the FHA, as owner of the property, paid $11 per month broker fees and maintenance charges, bringing the total FHA investment as of that date to $15,229.49 plus accrued interest.

On October 26, 1964, the FHA sold the property on an "as is" condition for $11,150, at which time they estimated the cost of the necessary repairs to enable its sale at $840. This would bring the buyer's investment in this property to $11,990.

After making these repairs this property was sold for $13,500 on November 18, 1964; terms, $100 downpayment and the FHA insuring the remaining mortgage of $13,400. This represented a profit to the intermediate broker of $1,510 with the FHA assuming the responsibility for the payment.

Five payments were made by the second buyer as follows:

Jan. 4, 1965	$60.80
Jan. 7, 1965	24.64
Feb. 8, 1965	92.00
Apr. 17, 1965	98.04
Apr. 17, 1965	93.84

After April 1965 no further payments were made, and at this time the principal balance due on the mortgage was $13,337.70.

On September 20, 1965, the FHA instituted foreclosure proceedings—again the reason, defaulted mortgage. As of January 1966 the FHA still held title to this same property, and it is now offering it for sale at $13,000.

Summarizing the transactions involving this particular property, we find that the FHA on the two occasions in redeeming its mortgage guarantees paid the mortgagees a total of $28,512.19—first payment, $15,174.49; second payment, $13,337.70. The FHA received from the resale of the property after its first repossession $11,150. Subtracting the $11,150 from the $28,512.19 paid out shows that the FHA investment in this house as of January 1966 stood at $17,362.19. This does not include the carrying charges during the periods in which the property was in its possession. Thus, the FHA has an investment of $17,362.19 in this home which the FHA itself sold for $11,150 less than 2 years ago.

At this point I ask unanimous consent to have incorporated in the Record a letter signed by Commissioner Brownstein dated May 9, 1965, in which the details of this particular project are outlined.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT, FEDERAL
HOUSING ADMINISTRATION
Washington, D.C. May 9, 1966.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: I am replying further to your letter of April 13, 1966, concerning the bulk sale of acquired properties in Florida.

A list of groups of houses sold in Florida under the Public Package Offering plan is attached. The sales included 1,956 individual houses. The list shows the group sales number, the number of properties in each group, the price received by the FHA at the sale and its expenditure at the time of acquisition.

The item shown as FHA expenditure is not a true acquisition cost. It includes reimbursement to the mortgagee for taxes, insurance, and FHA mortgage insurance premiums which it paid out of its own funds, as well as unpaid principal balance, accrued interest, taxes on deeds and two-thirds of the foreclosure costs. Reimbursement for unearned insurance and taxes accrues to the benefit of the government and if these items remain unearned at the time of resale they are included in the resale settlement.

These properties are sold on a competitive bid basis following advertisement in newspapers having a substantial circulation in the area where the property is located. The offering is also circularized to all persons or organizations who are known to be interested in transactions of this nature. Properties are not made a part of a package offering until they have been listed for individual sale for at least 30 days. The advertisement and circular notice states a minimum bid price for each property which is computed by the Property Management Section of the field office.

The successful bidder is required to purchase the homes regardless of his ability to sell them to third parties. He is required to execute a contract by which he agrees to repair, maintain and sell the properties within six months. If a sale is made to a third party purchaser within six months, FHA conveys title directly to the purchaser. If a sale is not made within six months, the successful bidder is obligated to take title in his own name. In this event FHA will accept a purchase money mortgage in an amount up to the declared minimum bid price.

FHA does not recondition these homes prior to sale in the package program. This is a part of the package purchaser's responsibility under the Sales Contract.

FHA does not finance the sale of houses to third party purchasers under this program. Financing must be arranged with private lending institutions but FHA will insure mortgages presented by approved mortgagees as in other transactions.

The following is a resume of all transactions involving the house located at 6027 West Robinson Avenue, Orlando, Florida:

The house was built by Vetter Line Construction Company of Orlando, Florida. The original mortgagors were Ralph R. and Mary L. McNatt who purchased the property on October 30, 1961, for $16,100. FHA insured the mortgage for $15,300 under Case Number 09-608425. The first mortgage payment of $104 was made on December 1, 1961, and was credited $16.78 to principal, $70.12 to interest, and $17.10 to escrow. Regular monthly payments were made through October 1963 reducing the principal balance to $14,894.09. The mortgagor made no further payments and the mortgagee instituted foreclosure proceedings on January 15, 1964. Title was conveyed to FHA on May 8, 1964.

The mortgagee was paid $15,174.49. This amount was computed in accordance with Section 204(a) of the National Housing Act, as follows:

Unpaid balance of mortgage	$14,894.09
Payments made by mortgagee:	
Mortgage insurance premium	74.97
Taxes	75.39
Hazard insurance premium	53.50
Taxes on deeds	64.40
⅔ of foreclosure costs actually paid by mortgagee	246.61
Total	15,408.96
Less:	
Escrow funds	215.57
Hazard insurance refund	18.90
Total	234.47
Total	15,174.49

FHA listed this property for sale on the open market in July 1964 and during the period of its ownership paid approximately $3 per month management broker fees and approximately $8 per month maintenance costs.

On October 26, 1964, the property was sold to Sharpe Building Corporation in an "as is" condition for $11,150 as a part of Group No. 132 which consisted of ten properties. This house required substantial repairs, including exterior and interior painting, replacing broken doors, windows, caulking, and kitchen and bathroom fixtures. FHA estimated the cost of repairs to be $840.

After making all the necessary repairs, Sharpe Building Corporation sold the property on November 18, 1964, to Harrell J. and Jay I. Sims for $13,500. FHA issued a commitment on November 30, 1964, to insure a mortgage for $13,400. The mortgage was signed on December 17, 1964, and was insured on December 28, 1964, under FHA Case Number 093-023984-203.

The maximum insurable mortgage on resale by a bidder under the Public Package Offering plan is computed by adding to the minimum bid price the estimated cost of repairs, the estimated sales and closing costs, and the estimated cost of taxes, maintenance, utilities, management fees, hazard insurance, and administrative overhead for a six month period. These are expenses which the bidder must pay if six months elapse before sale and for which he is entitled to reimbursement.

I am informed by the Tampa insuring office that in 1961 when this house was built the market was good, but since that time there has been a substantial decrease in demand in the area of this subdivision. This condition is reflected in the difference between the original sale price of $16,100 and the price paid by Mr. and Mrs. Sims. FHA has sold 71 properties in this subdivision and still has 35 in its inventory.

Mr. and Mrs. Sims made payments on account of principal, interest, and escrow as follows:

	Payment	Interest	Principal	Escrow	Late charge
Jan. 4, 1965	$60.80	$27.43	$15.47	$17.90	
Jan. 7, 1965	24.64			24.64	
Feb. 8, 1965	92.00	58.56	15.54	17.90	
Apr. 17, 1965	98.04	58.49	15.61	17.90	$1.84
Do	93.84	58.42	15.68	17.90	1.84

The last payment was made in April 1965 leaving a principal balance of $13,337.70. The mortgagee instituted foreclosure proceedings on September 20, 1965. The reason given by the mortgagors for default was illness and loss of work.

The property was conveyed to FHA on January 27, 1966, and we are now offering it for sale at $13,000.

Sincerely yours,
P. N. BROWNSTEIN,
Assistant Secretary-Commissioner.

Mr. WILLIAMS of Delaware. The foreclosures of over $1 billion as outlined in this report do not include the millions represented in mortgages upon which modification agreements have been entered into wherein either payments on principal or interest are deferred.

What makes this situation even more serious is the fact that the rate of repossessions on the multifamily projects is showing an alarming increase. It is now running at a rate of over 10 percent—10.19 percent on December 31, 1965—as compared to 9.89 percent on August 31, 1965, and 9.33 percent on November 30, 1964. Each 1-percent increase in the default rate represents millions in foreclosures.

AN $800,000 SHORTAGE IN HARYOU-ACT IN NEW YORK CITY

Mr. WILLIAMS of Delware. Mr. President, I ask unanimous consent to have printed in the RECORD an article appearing in the New York World Telegram of February 3, 1966, by M. David Levin entitled "HARYOU Report Ignores 800G Deficit"; my letter to Sargent Shriver, Director of the Office of Economic Opportunity, dated February 9, 1966, requesting information on this alleged shortage; and his reply dated March 23, 1966, in which he promises to submit the facts after the audit has been completed.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York World Telegram, Feb. 3, 1966]

HARYOU REPORT IGNORES 800G DEFICIT

(By M. David Levin)

An unexpected and voluminous report on financially plagued HARYOU-ACT was released today by Livingston L. Wingate, the suspended executive director—but nowhere did Mr. Wingate mention where all the money went.

The $25,000-a-year executive was relieved of his day-to-day responsibilities on Dec. 6 to give all his time to unraveling the mysteries of the antipoverty agency's books, in which an independent audit could not account for about $800,000.

But the Wingate report today still leaves the $800,000 in the realm of speculation.

"EXCELLENT PROGRAM"

Mr. Wingate was unavailable today for comment.

But his report recapitulates last year's activities and says "there is nowhere in the nation a program, such as ours, that can match our accomplishments."

Commenting on the report in Washington, James F. Kelleher, deputy director of Sargent

Shriver's Office of Economic Opportunity under which HARYOU-ACT acts, said:

"The Summer program was excellent and we would like to see the financial and accounting practices raised to the same degree."

Mr. Kelleher said he understands that Mr. Wingate, 49, is expected to issue a financial report on the multi-million dollar city agency on Monday. Until the report is studied the Federal government will not comment further, he said.

The new report also projects current and planned activities through this year and calls for an increase in funds for the $13-million program. Employment training programs for Harlem youth is stressed.

Mr. Wingate also noted that unions and industry have cooperated in the agency's programs and might be interested in further cooperation.

Expansion of the Neighborhood Youth Corps was urged as the quickest way to provide 1,000 jobs "needed to head off the present job crisis among Harlem youth. The plan would employ Harlem youth * * * as apprentices to various city agencies, beginning with hospitals and buildings. The Transit Authority would be included."

February 9, 1966.

Mr. Sargent Shriver,
Director, Office of Economic Opportunity, Washington, D.C.

Dear Mr. Shriver: On February 3, 1966, there appeared in the Journal-American an article alleging that there is a shortage of approximately $800,000 in the accounts of HARYOU-ACT in New York City.

Please advise me whether or not there is a shortage of accounts in this particular program. If so I would appreciate the following information:

1. How much is the shortage?

2. A complete report of whatever information you may have in connection with the manner in which these funds have been handled as well as an explanation of the missing money.

3. Who were the officials in charge of this program at the time the shortage took place?

(a) If any of these officials are still on the payroll, a list with addresses, salaries at the beginning of the program, and present salaries.

Yours sincerely,

John J. Williams.

Office of Economic Opportunity,
Washington, D.C., March 23, 1966.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: Sargent Shriver asked me to thank you for your letter of February 9 in which you request information regarding the Journal-American article alleging that there was a shortage of approximately $800,000 in the accounts of HARYOU-ACT.

A team of auditors representing the city of New York, the Department of Labor, the Office of Economic Opportunity, and the Department of Health, Education, and Welfare, each of which is financing part of HARYOU-ACT's activities, are in the process of completely reconstructing the books and records of that agency. They are being assisted in this endeavor by Livingston Wingate, HARYOU's Executive Director. The reconstruction should be completed within the next few weeks. Until that time there is no way to say with certainty that a shortage actually exists, although HARYOU's preliminary report on this matter indicates that it does not. As you know HARYOU has been the subject of recent testimony before the House Committee on Education and Labor. Since the problems of last summer, the agency has taken significant steps to insure that the chaotic conditions of its previous program do not reoccur.

You may be assured that as the facts are developed regarding the books and records they will be fully disclosed.

We appreciate knowing of your interest.

Sincerely,

William G. Phillips,
Assistant Director for Congressional Relations.

Mr. WILLIAMS of Delaware. Mr. President, I understand from the press that this report has been completed, but a cloak of secrecy seems to have fallen over it. Under date of June 8, 1966, I wrote Mr. Shriver again, requesting a copy of the audit report. As yet I have not received any reply to this last request.

In view of the fact that an allegation has been made that there has been a shortage of approximately $800,000 in the expenditures of this Government's money, I think it is time that Mr. Shriver submit this report to Congress.

I ask unanimous consent to have my letter of June 8 to Sargent Shriver printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

June 8, 1966.

Mr. Sargent Shriver,
Director, Office of Economic Opportunity, Washington, D.C.

Dear Mr. Shriver: Sometime ago I requested information in connection with alleged shortages of funds in HARYOU-ACT, and under date of March 23, 1966, you advised that your auditors were examining the accounts of this agency.

According to the press this investigation has been completed, and I would appreciate receiving a copy of the report.

Yours sincerely,

John J. Williams.

EXECUTIVE SESSION

On request of Mr. Kuchel, and by unanimous consent, the Senate proceeded to the consideration of executive nominations reported today.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

William P. Gray, of California, to be U.S. district judge for the southern district of California;

A. Andrew Hauk, of California, to be U.S. district judge for the southern district of California;

Raymond J. Pettine, of Rhode Island, to be U.S. district judge for the district of Rhode Island; and

Virgil Pittman, of Alabama, to be U.S. district judge for the middle and southern districts of Alabama.

By Mr. JAVITS, from the Committee on the Judiciary:

Walter R. Mansfield, of New York, to be U.S. district judge for the southern district of New York.

By Mr. ERVIN, from the Committee on the Judiciary:

James Braxton Craven, Jr., of North Carolina, to be U.S. circuit judge, fourth circuit.

The PRESIDING OFFICER. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

U.S. DISTRICT JUDGES

The legislative clerk read the nomination of Raymond J. Pettine, of Rhode Island, to be U.S. district judge for the district of Rhode Island to fill a new position created by Public Law 89-372 approved March 18, 1966.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Virgil Pittman, of Alabama, to be U.S. district judge for the middle and southern districts of Alabama to fill a new position created by Public Law 89-372 approved March 18, 1966.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of A. Andrew Hauk, of California, to be U.S. district judge for the southern district of California vice William M. Byrne, retiring.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William P. Gray, of California, to be U.S. district judge for the southern district of California vice Harry C. Westover, retired.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. KUCHEL. Mr. President, I am delighted that the Senate today is confirming two distinguished Californians for judicial service on the Federal district court in Los Angeles. Judge Hauk, a present superior judge in California is a Democrat, and William Gray, a distinguished lawyer, is a Republican. Both of these men are eminently qualified to give excellent service to the Republic.

The legislative clerk read the nomination of James Braxton Craven, Jr., of North Carolina, to be U.S. circuit judge, fourth circuit, to fill a new position created by Public Law 89-372, approved March 18, 1966.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Walter R. Mansfield, of New York, to be U.S. district judge for the southern district of New York vice John M. Cashin, retired.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JAVITS. Mr. President, I express my satisfaction at the confirmation by the Senate of the nomination of Walter Mansfield, of New York, to be a U.S. district judge.

He is a friend of very long standing, one of New York's most distinguished lawyers, and will be a real ornament to the Federal judiciary.

FEDERAL POWER COMMISSION

The PRESIDING OFFICER. The nomination on the Executive Calendar will be stated.

The legislative clerk read the nomination of Lawrence J. O'Connor, Jr., of Texas, to be a member of the Federal Power Commission for the term of 5 years expiring June 22, 1971.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. KUCHEL. Mr. President, I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. KUCHEL, and by unanimous consent, the Senate resumed the consideration of legislative business.

AUTHORITY TO SIGN BILLS, RECEIVE MESSAGES, AND FILE REPORTS

Mr. KUCHEL. Mr. President, I ask unanimous consent that during the adjournment of the Senate from the close of business today until noon tomorrow, the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives; the Vice President and the President pro tempore be authorized to sign enrolled bills; and committees to file reports.

The PRESIDING OFFICER. Without objection it is so ordered.

ARGENTINA—MILITARY TAKEOVER

Mr. JAVITS. Mr. President, the military overthrow of the Argentine Government Monday night represents an important setback to Argentina's economic and political development and it is therefore important that the United States make its position abundantly clear on the question of military takeovers.

In this connection I want to call to the attention of the Senate the outstanding editorial which appeared in this morning's New York Times on this question. It underscores the point I made in my statement yesterday that the coup cannot solve Argentina's problems—it can only postpone them.

I commend the administration for suspending diplomatic relations with Argentina and I urge that the United States withhold recognition from the new regime until, as a minimum, it meets the standards of resolution 26 adopted at the Second Special Inter-American Conference last November. This is essential so that the new regime in Argentina does not interpret our current position as "window dressing" in view of the support we have given to the Brazilian Government of President Castello Branco.

I ask unanimous consent to have the editorial from the New York Times, entitled "Once More, in Argentina" printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 29, 1966]

ONCE MORE, IN ARGENTINA

The military coup against President Illia gives no promise of solving any of Argentina's serious problems. The Johnson Administration is right to go through the motions—undoubtedly temporary—of suspending diplomatic relations with the new military junta. Washington's sharply worded statement puts a finger on the really dismaying feature: "The United States regrets the break in continuity of democratic constitutional government in Argentina."

All modern history teaches that it is only too easy to destroy the laborious process of democratization in a country, and only too difficult to bring a whole people back to the spontaneous, unified, tolerant structure of popular government. No nation on earth has been proving the sad truth of this lesson in politics more vividly than Argentina in recent times.

The present chaos began with the military revolt of 1930. Argentina had had a traditional structure for some eighty years before that. There was much fault to be found with it, but there were also many old-fashioned virtues of patriotism, probity, social stability, a growing democracy, a rich culture, a flourishing economy. After 1930, the whole fabric of Argentine society began to disintegrate. Perón, whose career started then, destroyed what was left of the ruling caste and the existing social system.

In President Johnson's words there has been no national consensus since then. It is as if Argentina had been fighting a bloodless War of the Roses which permitted breathing spells of truce but no peace.

Essentially, Argentina is a nation in a state of anarchy. The industrial and agricultural workers will be against the new junta, for it is aimed against their Perónism. The political parties and Congress have been dissolved. The Ongania junta cannot even hope to reproduce a Brazilian-type military government because it will not have popular support, although General Ongania is at least the best man available.

The coup d'état was a deplorable act. The junta will no doubt now try the impossible task of crushing Perónism. But Argentina will know no peace until the military, the politicians and the workers compose their differences and re-create a nation out of what is now a congeries of hostile factions.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SMALL BUSINESS INVESTMENT CORPORATIONS

Mr. McCLELLAN. Mr. President, the Senate Permanent Subcommittee on Investigations, of which I am chairman, has been conducting for the past several months a preliminary investigation into the operations of certain small business investment corporations and into the administration and supervision of these corporations by the Small Business Administration. There are about 700 of these corporations in the country, which are licensed to operate under provisions of the Small Business Investment Act of 1958.

The law enables the owners of the investment corporations to borrow from the Federal Government, through the Small Business Administration, funds totaling twice the amount of private capital they have invested themselves. These corporations are organized for the ostensible purpose of providing financing to small business concerns.

Mr. President, the investigation has reached a point where the subcommittee considers it advisable to conduct hearings. We hope to start them within the next 4 to 6 weeks. The testimony will relate to allegations of improprieties, misconduct, and misapplication of funds among the small business investment companies, and we will examine reports of inadequate supervision and administration of the program by the Small Business Administration.

Several events of interest have occurred since the subcommittee's decision to hold hearings on these matters. On June 3, 1966, the Deputy Administrator of the Small Business Administration, Richard E. Kelley, who has been the official in charge of the investment program since February of 1964, made a speech in San Francisco in which he commented at length upon the many serious problems faced by the small business investment industry and by his agency. On June 10, 1966, Mr. Kelley announced that he intended to resign from his position. At a convention in New York State on June 14, 1966, Mr. Kelley repeated the speech he had given previously in San Francisco. The appointment of his successor as Deputy Administrator, Howard Greenberg, was announced on June 23.

In his address to the small business investment industry, Mr. Kelley gave some indications of the alarming conditions which have been found during our investigation to be somewhat widespread in the industry. He remarked on certain "dubious practices" which will be closely examined in the subcommittee's hearings, and he sounded a warning that the Small Business Administration is likely to lose about $18 million of the $300 million it has loaned to small business investment corporations mainly because of "the wrong people who operated SBIC's." Our information indicates, Mr. President, that his estimate of the loss may turn out to be a rather conservative guess.

Mr. Kelley also reported some startling figures on the number of problem companies in the industry. He stated that 232 of the 700 small business investment companies under his supervision were included on the SBA's "problem" list as of April 30, 1966. In his remarks, he divided the 232 firms into two groups of 102 and 130 companies, and categorized them as follows:

First. Among the group of 102 companies, 60 are inactive or are in the process of surrendering their license, and 42 are capitally impaired, with 50 percent or more of the private capital lost.

Second. Among the group of 130 companies, 70 are in litigation or under investigation; 13 are capitally impaired and the SBA has no confidence in their management; 47 have significant violations of SBA regulations, and, "accordingly, must be closely watched."

Mr. President, it is quite disturbing when we consider that fully one-third of all the companies in this investment program are considered to be serious problems.

Many of the other matters discussed by Mr. Kelley relating to the serious problems that have developed during the 8-year licensing program for small business investment corporations will be subjects upon which testimony will be taken during our hearings. However, our inquiry will not be limited only to the disclosures he made.

The summary of Mr. Kelley's speech which was published by the Wall Street Journal on June 15 is informative and relatively brief, and I ask unanimous consent, Mr. President, that it be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 15, 1966]

SBIC CHIEF CALLS 232 OF THE 700 COMPANIES "PROBLEM" FIRMS, WARNS OF $18 MILLION LOSS

KIAMESHA LAKE, N.Y.—The man who supervises the nation's 700 small business investment companies said 232 of them are "problem companies," including 47 with "significant violations" of the Small Business Administration's regulations and another 70 that are "in litigation or under investigation" by the SBA.

He also warned that the SBA is "likely" to lose about $18 million of the $300 million it has loaned to SBIC's, mainly because of "the wrong people who operated SBICs."

But Richard E. Kelley, outgoing deputy administrator of the SBA, said he still is "bullish" on the eight-year-old SBIC program because "the industry today does indeed look much better" than when he joined the SBA in February 1964. The industry "is filling a needed niche in our society and our economy," Mr. Kelley asserted.

His remarks, prepared for delivery to a meeting of SBIC executives here, marked the first time an SBA official has publicly commented on the scope of the industry's problems. Mr. Kelley, who last week announced he was resigning this summer from the SBA to return to private business, said yesterday that it was "appropriate" that his speech be made with "complete frankness."

FUNCTION OF PROGRAM

SBICs, which were authorized by a 1958 Federal law, are designed to provide financing to small industrial and other concerns. The law provides that each SBIC's owners must put up some of their own funds to finance their SBIC, and can borrow the rest from the SBA.

Mr. Kelley said that one of the widespread "dubious practices" he discovered when he joined the SBA was SBIC owners who had got around the requirement that they put up some of their own money. He said these owners would borrow their funds from a bank, pledging their SBIC shares, and then repay the bank loan with part of the funds they received from the SBA.

Another problem, he said, was "self deals"—SBICs lending money to concerns controlled by the SBICs' owners.

He attributed these problems to "lax" licensing standards, adding that of 732 SBICs licensed by Jan. 31, 1964, "only 174" had been examined by the SBA.

INTERNAL AGENCY PROBLEMS NOTED

Mr. Kelley also said that when he joined the SBA there were "serious internal problems within the Government" over regulation of SBICs. For one thing, he said, the SBA's investment division and the SBA's office of general counsel each had its own set of lawyers and these sets "could never agree" on plans for investigating SBICs that were in trouble. Even when the lawyers "finally managed to get together with much blood, sweat and tears," any case involving possible fraud had to be referred to the Justice Department. "At times, as much as a year would pass before the department would decide to move or not move," he added.

These internal problems have since been ironed out, Mr. Kelley said, so that legal proceedings against SBICs are "expected to proceed much more swiftly."

He also noted that licensing standards and certain other regulations have been stiffened and examinations stepped up the past two years in an effort to get "the bad companies out of the program." But he said there was still 232 "problem companies" at the end of April.

Of the 232, he said, 60 "are inactive or in the process of surrendering their license," 42 have lost more than half their private capital "but we believe the present managements can bail them out," 13 have lost more than half their capital and "we have no confidence in their management," 70 are in litigation or under investigation and 47 have "significant violations" of SBA rules. "We have made giant strides in moving to clean this situation up, but our problems were so massive . . . that we haven't done well enough," he said.

Mr. Kelley said he nonetheless saw a number of "significant positive factors working for the industry," including rising earnings for those companies that aren't in trouble and the increased experience of their executives.

WEST FRONT OF THE CAPITOL

Mr. PROXMIRE. Mr. President, I had intended to introduce today a resolution to stop the proposed $34 million desecration of the west front of the Capitol.

The resolution would have prohibited any change in architectural design or location of the west front other than the restoration needed for the existing structure.

I am happy to report, however, that the need for this resolution's introduction no longer exists. The Subcommittee on Public Buildings and Grounds of the Senate Committee on Public Works this morning reported to the full committee a resolution and amendment which would serve exactly the purpose I had in mind.

The resolution, Senate Joint Resolution 76, sponsored by the esteemed Senator from West Virginia [Mr. RANDOLPH], would initiate a comprehensive, long-range land-use study for Capitol Hill.

The amendment would prohibit any changes in the west front of the Capitol except restoration.

This is what I wanted to achieve and I congratulate the Senator from West Virginia for his foresight and wisdom. I am assured that his resolution will be reported from committee as soon after the Independence Day recess as possible so that all Senators will have an early chance to exercise their judgment on this vital issue.

I also understand that a number of resolutions aimed at the same goal will be introduced today in the House. Thus, as you can see, Members of Congress are not willing to let the Architect of the Capitol ruin—under the guise of acquiring additional restaurant and conference room space—the last original external portion of our Capitol still visible.

Laudable as these resolutions are, they do not complete the course of action so badly needed to meet the problem of how to correct the deterioration of the west front.

I intend to introduce at the earliest possible date a bill designed to give us intelligent information on which we can base our ultimate decision.

This bill would require an independent survey—and by all means independent of the Architect of the Capitol—of the west front.

It would provide some estimate of costs to restore the existing structure—something the Architect of the Capitol's engineering friends deemed too lightly to consider.

It also would give us an independent estimate of the cost to extend the west front. We then would have something by which to measure the $34 million which the Architect of the Capitol wants for his pet project.

This bill also would direct the firm selected to do the survey to develop any third alternative that appears feasible.

With this information, we then would be in a position to decide what is best to preserve our Capitol and what costs we could expect to be incurred.

Then, exhaustive public hearings would be held so that opinions—private, official, and professional—could be heard. In this way, the people of our country could have some voice in the fate of their Capitol.

We can do no less. Certainly we cannot accept the proposal put forth 2 weeks ago without hearings, without consideration for the people or the Capitol, or without some alternate estimates of the costs involved.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am delighted to yield to the Senator from Mississippi.

Mr. STENNIS. I was fortunate enough to hear the latter part of the Senator's statement. I wish to associate myself with his remarks. I think the Senator is to be congratulated, and I encourage him to move forward along the lines on which he has thus far met with such evident success.

I consider this a highly important matter—not just a passing thing, not an addition to a building in the ordinary sense, but a proposal to deface one of our most beautiful and important monuments. That is my point of view.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Mississippi, who is so highly esteemed by all Senators, for his very gracious remarks.

I must say that he emphasized something which I neglected to mention in my statement—that this is a beautiful and stunning building, the most revered and most loved building in America. Architects tell us it is one of the most beautiful buildings in the entire world. It certainly deserves the most thoughtful, careful, and prayerful consideration before we permit action to be taken that would, in the judgment of many expert architects, deface it.

There is no Senator whom I would rather have associated with me on this matter than the Senator from Mississippi, and I thank him for his remarks.

Mr. President, I yield the floor.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5256. An act to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps;

H.R. 12615. An act to amend sections 404(d) and 408 of title 37, United States Code, to authorize members of the uniformed services to be reimbursed under certain circumstances for the actual cost of parking fees, ferry fares, and bridge, road, and tunnel tolls;

H.R. 13125. An act to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended;

H.R. 14741. An act to authorize an increase in the number of Marine Corps officers who may serve in the combined grades of brigadier general and major general; and

H.R. 15005. An act to amend title 10, United States Code, to remove inequities in the active duty promotion opportunities of certain officers.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

H.R. 1240. An act for the relief of Harry C. Engle;

H.R. 3788. An act to revive and reenact as amended the act entitled "An act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill.," approved December 21, 1944;

H.R. 3976. An act to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.;

H.R. 5204. An act for the relief of Joseph K. Bellek;

H.R. 6590. An act for the relief of Arthur Hill;

H.R. 8793. An act for the relief of Eugene J. Bennett;

H.R. 9302. An act for the relief of Lt. Charles W. Pittman, Jr., U.S. Navy;

H.R. 10994. An act for the relief of Charles T. Davis, Jr., Sallie M. Davis, and Nora D. White;

H.R. 12232. An act to amend title 1 of the United States Code to provide for the admissibility in evidence of the slip laws and the Treaties and Other International Acts Series, and for other purposes;

H.R. 13650. An act to amend the Federal Tort Claims Act to authorize increased agency consideration of tort claims against the Government, and for other purposes;

H.R. 13652. An act to establish a statute of limitations for certain actions brought by the Government;

H.R. 14025. An act to extend the Defense Production Act of 1950, and for other purposes;

H.R. 14182. An act to provide for judgments for costs against the United States; and

H.J. Res. 1180. Joint resolution making continuing appropriations for the fiscal year 1967, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Armed Services:

H.R. 5256. An act to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps;

H.R. 12615. An act to amend sections 404(d) and 408 of title 37, United States Code, to authorize members of the uniformed services to be reimbursed under certain circumstances for the actual cost of parking fees, ferry fares, and bridge, road, and tunnel tolls;

H.R. 14741. An act to authorize an increase in the number of Marine Corps officers who may serve in the combined grades of brigadier general and major general; and

H.R. 15005. An act to amend title 10, United States Code, to remove inequities in the active duty promotion opportunities of certain officers.

AMENDMENT OF TITLE III OF THE FEDERAL CIVIL DEFENSE ACT OF 1950, AS AMENDED

Mr. INOUYE. Mr. President, in compliance with a request from the chairman of the Committee on Armed Services and with the concurrence of the majority leader and the minority leader, I ask unanimous consent that the Chair lay before the Senate a bill coming over from the House.

The PRESIDING OFFICER laid before the Senate H.R. 13125, to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. INOUYE. Mr. President, the bill would extend from June 30, 1966, to June 30, 1970, the authority under the Federal Civil Defense Act to declare a national emergency for civil defense purposes and to vest emergency powers in the President during such an emergency. The bill was passed by the House yesterday and because of the imminent expiration of the authority the bill would extend, approval has been secured to request Senate action without reference to the Committee on Armed Services.

The authority this bill would extend was originally enacted in 1950 as a part of the Federal Civil Defense Act of 1950. It has been extended for 4-year terms on three previous occasions without controversy.

Under the authority the existence of an emergency can be proclaimed by the President or by concurrent resolution of the Congress if either finds that an attack upon the United States has occurred or is anticipated and that the national safety requires an invocation of the emergency authority. Any such emergency is terminable by proclamation of the President or by a concurrent resolution of the Congress.

The emergency powers conferred include those of using Federal personnel and facilities, providing emergency shelter, repairing or restoring of Federal utilities and facilities, broad Federal procurement and utilization authority over property, reimbursement of States for assistance given to other States, streamlined authority for the temporary employment of additional personnel without regard to the civil service laws, financial assistance for temporary relief of civilians injured during an attack, and the incurring of such obligations on behalf of the United States as are required to meet the conditions created by the attack.

During the period of any such emergency, quarterly reports covering all action pursuant to the emergency powers are required to be submitted to the Congress.

Constitutional safeguards regarding just compensation for nongovernmental property acquired are preserved, and the immunity of the Federal Government from suits while performing emergency functions is reserved.

Extension of this authority is requested by the executive branch and so far as I know, there is no opposition to it. I urge approval of the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

ADJOURNMENT

Mr. INOUYE. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand adjourned until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 52 minutes p.m.) the Senate adjourned until Thursday, June 30, 1966, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 29, 1966:

FEDERAL POWER COMMISSION

Lawrence J. O'Connor, Jr., of Texas, to be a member of the Federal Power Commission for the term of 5 years, expiring June 22, 1971.

THE JUDICIARY

James Braxton Craven, Jr., of North Carolina, to be U.S. circuit judge, fourth circuit, to fill a new position created by Public Law 89–372 approved March 18, 1966.

William P. Gray, of California, to be U.S. district judge for the southern district of California.

A. Andrew Hauk, of California, to be U.S. district judge for the southern district of California.

Raymond J. Pettine, of Rhode Island, to be U.S. district judge for the district of Rhode Island to fill a new position created by Public Law 89–372 approved March 18, 1966.

Walter R. Mansfield, of New York, to be U.S. district judge for the southern district of New York.

Virgil Pittman, of Alabama, to be U.S. district judge for the middle and southern districts of Alabama to fill a new position created by Public Law 89–372 approved March 18, 1966.

EXTENSIONS OF REMARKS

Sixth Anniversary of the Independence of the Congo: A Nation of Forward-Looking Change

EXTENSION OF REMARKS
OF

HON. ADAM C. POWELL

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 29, 1966

Mr. POWELL. Mr. Speaker, June 30 will mark the sixth anniversary of the day of African colonial territory of the Belgian Congo emerged as a free and independent nation. This is a memorable occasion, and we wish to extend warmest felicitations to His Excellency Lt. Gen. Joseph D. Mobutu, President of the Democratic Republic of the Congo; and to the Honorable Joseph U. Nzeza, Minister Plenipotentiary, Chargé d'Affaires to the United States from the Congo.

The Congo's independence was precipitated by the burning passion of the Congolese to assume the privilege and the responsibility of determining their own course in history. These 6 years have been trying ones in every sense, but if they were trying years, by the same token they were proving years. The Congo has been moving toward the day of national unity, economic prosperity, and political maturity.

The Congo is exceedingly rich in natural resources, and has always been among the leaders in African economic development. She controls over 8 percent of the world's copper production and most of the world's supply of cobalt and industrial diamonds. In 1957 the Congolese had the highest literacy rate and the highest wages of any people in tropical Africa, and in spite of severe internal conflicts they have begun to operate effectively the advanced economic system that they inherited with their independence.

Expansion of manufacturing has proceeded rapidly in response to increased consumer demand. In contrast to the industrial development of many economies, no artificial prodding was necessary. As the people have indicated their demands, private investors have moved to supply them, thereby enlarging Congolese industrial capabilities and output.

National spirit is gaining more unified expression as the Congo advances. Thus, the distinctly African identity of her people has been emphasized by the recent conversion of some of the European-given city names to African names. Leopoldville is now Kinshasa, Elizabethville is Lubumbashi, and Stanleyville is to be called Kisangani. Although cartographers may have some adjustment difficulties, the new nomenclature is a strong and immediate symbol that the Congo belongs to the Congolese.

I salute the progress they have made in the long struggle for security and independence. My interest in the Congolese people, sustained throughout these 6 years of emancipation, will continue as they continue to face the challenges of our modern age.

After 30 Years: The U.S. Merchant Marine Is Still Sick

EXTENSION OF REMARKS
OF

HON. ED REINECKE

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 29, 1966

Mr. REINECKE. Mr. Speaker, under previous permission to extend my remarks I wish to call to the attention of the House a timely article in the July 1966 issue of the American Legion magazine dealing with the "U.S. Wartime Shipping Sickness" by Robert Angus. The article is quite lengthy, and therefore I shall not insert it into the RECORD at this point. However, each House Member does receive this magazine, and should study this article carefully.

The article is timely, Mr. Speaker, because yesterday, June 28, 1966, marks the 30th anniversary of the Merchant Marine Act of 1936. This anniversary passed unnoticed by this administration. At least so far they have ignored the legal obligations of the U.S. Government under this law, to promote the development of an adequate merchant marine to meet both the commercial needs of this country, and the emergency needs which face this Nation. And after 30 years of this law we find our merchant marine marooned on the rocks of indecision. After 30 years of this law we find our merchant marine in sixth-rate position in the maritime world. And after 30 years of this law we find that this administration still has not given to the Nation the long-lost, anxiously awaited "national maritime policy" which it promised 18 months ago.

Mr. Speaker, yesterday, June 28, the 30th anniversary of the Merchant Marine Act of 1936, would have been an excellent and appropriate time to announce the national maritime policy. In fact it would have been a politically dramatic time to do so. And political dramatics are important to this administration. But there was nothing but silence. A silence, Mr. Speaker, like the gray stillness of a dark, foggy night at sea. The kind of dark, still, foggy silence which would strike apprehension into the hearts of mariners. Without the beacon of leadership from this administration our merchant marine will sink into the night of chaos and neglect.

The 25th Anniversary of the Death of Paderewski

EXTENSION OF REMARKS
OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 29, 1966

Mr. PUCINSKI. Mr. Speaker, today, June 29, marks the 25th anniversary of the death of one of the world's cultural giants.

Ignacy Jan Paderewski was a man of genius. He gave the world some of its greatest moments of music. He inspired countless thousands of people to strive, as he had, for greater human liberty, greater independence of thought, greater dignity for all men.

Paderewski was born on November 6, 1860 at Kurylowka, Poland. When still a child he started his musical studies.

At the age of 12 he entered the Warsaw Conservatory and afterward continued his studies in Berlin and Vienna. Paderewski's career as a virtuoso began with his great concert in Paris on March 3, 1888. After that concert he was given the nickname, the "Lion of Paris." Following his successes in London he arrived in the United States where he gave concerts all over the country and the American press of 1891 was full of enthusiastic reports on his concerts. He was acclaimed by the American public as the "King of Pianists."

In the next few years, Paderewski toured almost the whole world and was acknowledged as an artist of the highest degree. He was also recognized as a very talented composer and his opera "Manru," playing at the Metropolitan Opera House in New York, was a success.

At the beginning of the First World War, I. J. Paderewski gave up his artistic vocation in order to take part in political activities for the cause of his beloved Poland. Under his influence, as well as that of his friend, Col. House, President Woodrow Wilson in 1917 made known his statement on the independence of Poland and a year later, in his famous 14 points, President Wilson dedicated one of these points to Poland for which he claimed liberty and independence.

In 1919, I. J. Paderewski became Prime Minister of the Polish Government and he was the first Polish delegate to the peace conference at Versailles. Together with Roman Dmowski, he signed the peace treaty by which Poland regained her independence.

In 1922 he went back to his artistic vocation and again as a virtuoso he astonished the world, especially as a performer of compositions of another great Pole—Chopin. During many years he gave an opportunity to millions of listeners almost everywhere on the globe to admire his music. He made friends everywhere, especially in the United States where he had many friends among outstanding Americans.

When the Second World War started Paderewski once more devoted all his time to the cause of Poland as President of the Polish National Council. As in the case during the First World War he made an extensive propaganda effort in order to form a Polish Army. This necessitated numerous trips and speeches. On one of his propaganda tours he became gravely ill and died in New York. By special order of the President of the United States, Paderewski is buried in Arlington Cemetery in Washington, D.C.

Paderewski was admired by the whole world as a great artist, fluent linguist and an ardent patriot. He was one of the most outstanding men of the epoch. Much literature has been written about Paderewski, numerous articles and many poems.

Sumner Welles, the Secretary of State at that time, writing on Paderewski said that the spirit of Paderewski remained and that his influence, character and genius will live forever as an inspiration for all those who struggle for the highest ideals of humanity, that the American Nation is proud to have him among their friends, that great Pole, who among his other merits was instrumental for better understanding between the Polish and American people, and for strengthening the links of friendship between the nations.

Ignacy Jan Paderewski is one of those of whom memory will never die.

Sixth Anniversary of Somalia's Independence

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 1966

Mr. POWELL. Mr. Speaker, it is with great pleasure that I rise to salute the anniversary of Somalia's independence on this forthcoming July 1. I wish to take this opportunity to extend warmest felicitations to His Excellency Aden Abdullah Osman, President of the Somalia Republic; and to His Excellency Ahmed Mohamed Adan, Somalia's Ambassador to the United States.

Six years ago, on July 1, 1960, this young country was created by the union of the former Italian and British Somaliland territories. In spite of the handicaps of two different colonial systems, with separate development patterns in economics, administration, and education, Somalia has given the world abundant proof of its strength and vitality.

Its preparations for independence during the decade prior to 1960 gradually introduced the country to the responsibilities of self-government. The United Nations, through the agency of Italy as the trustee power, set the pace in economic and political development. The transition to independence was smooth and without violence—a feature which augured well for the remarkable political stability which Somalia has enjoyed since independence.

Such political stability and commitment to democratic ideals has deep roots in the history and tradition of the people of Somalia. From an early age, a sense of political awareness and responsibility is built into the Somali character. So strong is this commitment that the political crisis of 1964—of a nature which would have imperiled the government in any country—was successfully overcome.

Alongside this record of magnificent achievement in the political sphere, great strides have been made in dealing with the problems of economic development. In the current 5-year plan, the emphasis has been laid on a broad policy of agricultural diversification to introduce new cash crops and improve the production of staples.

Industry, however, has been by no means neglected. A fishing fleet, tuna-processing plant, sugar refinery and improved port facilities are some of the many development schemes which are underway in different parts of the country. Somalia's leaders have decided that economic advance should be on a balanced front, eschewing the short-term sensationalist development. The wisdom of their choice has been amply vindicated by the substantial economic aid made available by both East and West, without prejudice to Somalia's rigid policy of nonalinement.

In her commitment to political democracy and balanced approach to economic development, Somalia stands as an example to the new countries of Africa. It is to be sincerely hoped that her differences with her near neighbors can be amicably settled. Set at the very junction of Africa and Asia in the historic Horn of Africa, she has much to offer to these areas and the world.

I trust my colleagues will join with me in extending our congratulations and best wishes to Somalia for the future.

Bellwood Pays Tribute to Space-Walking Astronaut in Gala Homecoming Celebration

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 1966

Mr. COLLIER. Mr. Speaker, this past weekend the citizens of the village of Bellwood in the 10th Congressional District of Illinois celebrated the homecoming of Comdr. Eugene A. Cernan and paid tribute to his command pilot, Thomas P. Stafford, of the *Gemini 9* flight. I wish that every Member of Congress would have had the opportunity to join in the celebration, for it was indeed one of the finest tributes that could possibly have been paid to the hometown hero and his *Gemini 9* colleague in adding to the indelible chapter which they have written in the annals of space exploration history.

The 2-day welcome was highlighted by a dinner at the Sheraton-O'Hare Inn on Sunday night when hundreds of civic leaders, friends, and schoolmates, and the family and relatives of Commander Cernan paid him deserving honor.

In the two decades I have been in public life I have never witnessed a more awe-inspiring celebration. It was a sweltering hot Sunday afternoon, but this did not keep thousands of residents from turning out in tremendous numbers to line the 2-mile parade route. As the cavalcade, moved through the village of Bellwood and on to Memorial Park for brief presentation ceremonies, American flags waved from homes, business establishments and in the hands of the multitude of spectators. One could not help but feel the great pride in the response of the citizens and the excellent manner in which the whole day's festivities were conducted. While it was indeed a fitting tribute to our astronauts, it was also a tribute to the people of Bellwood whose interest and spirit permeated the atmosphere throughout the affair.

I had occasion to talk to many of the local folks in my personal walk of the entire parade route. Many were folks who knew Commander Cernan as a youngster in the local Boy Scout troop and later as a fine high school student and athlete. Educational and Scout organizations, members of the clergy, and service and civic groups were all present, not to mention a host of uniformed little leaguers who shouted their congratulations to the astronauts as they passed the viewing stand.

At the banquet in the evening, I had the privilege of sitting with the proud but modest mother and dad of Commander Cernan and met his charming wife, together with Lieutenant Colonel and Mrs. Stafford. Spending this brief time with them was not only a pleasure but also reflects the caliber of men selected by the National Aeronautics and Space Administration for our space program. Perhaps I can best sum up the sentiments of the local townspeople in the words of Andy Puplis, former Notre Dame star quarterback, who was Commander Cernan's football coach at Proviso High School in the late forties and early fifties. Coach Puplis said of Astronaut Gene Cernan:

> He was a good student, a real gentleman, and a really outstanding young man in every respect.

In summary, let me say that this event made me proud to represent the people of our district, and I know that we will all long remember this milestone of historic achievement in man's conquest of space.

Congressman Roncalio Introduces Bill To Amend Title 10 of the United States Code

EXTENSION OF REMARKS

OF

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 1966

Mr. RONCALIO. Mr. Speaker, I am today introducing a bill to amend title 10 of the United States Code to equalize the retirement pay of members of the uniformed services of equal rank and years of service.

This legislation is designed to right a terrible wrong done to our Armed Forces, a wrong that broke faith with the very men who have just cause to expect fair treatment from their Government.

During the past 100 years, military retired pay has been based upon current active duty rates, and the permanent statutes made provision for such computation until 1963.

During all of this period, active duty pay rates were set comparatively low in relation to civilian rates, largely because the retirement system was far more liberal than that existing in the civilian economy or other Federal Government service.

Persons entering the armed services during that period had every reason to believe that the Government would fulfill its promises by continuing to provide the favorable retirement system.

Certainly if these retirement benefits were to be reduced, these men had reason to expect that provision would be made to protect those who entered the service under that system.

These were certainly the expectations of those veterans who chose to remain in the service at the end of World War II to form the hard core of our peacetime defense. With their experience and skills, America was kept strong, and yet the promises made were not kept.

In 1958, as a temporary measure, and in 1963 by revision of the existing statutory authority for such raises, the formula for computing military retirement pay was reduced so as to grant raises in the future only in accordance with—but slower than—increases in the cost of living index.

Ironically, this occurred during the very period that social security benefits and private pension plans were being liberalized and active duty military pay was being increased.

Under the cost-of-living formula, the older retirees who have less opportunity to supplement their retired pay by outside employment and whose financial needs are often greater will continue to see their income decline in relation to younger comrades.

Such lower standards breaks faith with those who made the service a career at a time when it was more profitable to do otherwise. It likewise raises grave doubts in the minds of men actively serving now. They can be somewhat apprehensive about their own treatment in the years to come.

Mr. Speaker, this legislation is just. It is necessary to honor our commitment of veterans past and insure fair treatment in the future. I therefore urge my colleagues to support this legislation to equalize retirement pay for service men of equal rank and years in service. It is in the Nation's interests.

Washington National Airport and the FAA

EXTENSION OF REMARKS

OF

HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 1966

Mr. CAHILL. Mr. Speaker, I have, in the past, brought to the attention of the House some of the reasons why Dulles International Airport was not receiving its share of air traffic in the Washington area, and why Washington National Airport was receiving more air carrier traffic than it could effectively handle. I have now discovered an additional reason.

Both airports handle, in addition to commercial aircraft, general aviation such as private planes, small commercial carriers, corporation planes, and so forth.

I have personally pointed out to the House the difference in landing fees for air carriers at Washington National as compared to Dulles International. I have now discovered, Mr. Speaker, a wide difference in the fees charged for general aviation landing at Dulles International and Washington National.

The FAA regulations, effective September 1, 1963, in sections 159.181, relating to landing charges, contains the following schedule of charges for general aviation landing fees at both Washington National and Dulles International Airports.

These fees, Mr. Speaker, are as follows:

WASHINGTON NATIONAL AIRPORT

Aircraft weight (in pounds):	*Charge*
3,500 or less	$0.50
3,501 to 4,000	.60
4,001 to 5,000	.75
5,001 to 6,000	.90
6,001 to 7,000	1.05
7,001 to 8,000	1.20
8,001 to 9,000	1.35
9,001 to 10,000	1.50
10,001 to 11,000	1.65
11,001 to 12,000	1.80
12,001 to 13,000	1.95
13,001 to 14,000	2.10
14,001 to 15,000	2.25
15,001 to 16,000	2.40
16,001 to 17,000	2.55
17,001 to 18,000	2.70
18,001 to 19,000	2.85
19,001 to 20,000	3.00

Over 20,000 pounds, 15 cents for each 1,000 pounds, computed to the nearest 1,000 pounds.

DULLES INTERNATIONAL AIRPORT

Aircraft weight (in pounds):	*Charge*
3,500 or less	$0.75
3,501 to 4,000	1.00
4,001 to 5,000	1.25
5,001 to 6,000	1.50
6,001 to 7,000	1.75
7,001 to 8,000	2.00
8,001 to 9,000	2.25
9,001 to 10,000	2.50
10,001 to 11,000	2.75
11,001 to 12,000	3.00
12,001 to 13,000	3.25
13,001 to 14,000	3.50
14,001 to 15,000	3.75
15,001 to 16,000	4.00
16,001 to 17,000	4.25
17,001 to 18,000	4.50
18,001 to 19,000	4.75
19,001 to 20,000	5.00

Over 20,000 pounds, 25 cents for each 1,000 pounds, computed to the nearest 1,000 pounds.

Mr. Speaker, the figures speak for themselves.

Why, I ask FAA, should there be such a difference in fees at Dulles as compared to Washington National. Should not the fees at Dulles be less than Washington National if FAA is really serious about developing Dulles. If we are to divert traffic from Washington National to Dulles, particularly traffic of private corporations and general aviation aircraft, would it not be better to reduce the fees at Dulles and increase the fees at Washington National.

This is but another example of the failure of FAA to take the necessary steps to reduce the overwhelming traffic conditions at Washington National and to utilize the existing facilities at Dulles International.

I call upon the FAA to take immediate steps to change the existing charges for general aviation landing fees at these two airports. This is but another example of lack of attention to detail and should in my judgment be corrected at once.

Burundi National Holiday

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 1966

Mr. POWELL. Mr. Speaker, 4 years ago, on July 1, 1962, the kingdom of Burundi became a fully independent member of the international community. We wish to join with the people of Burundi in celebrating this happy anniversary, and to extend warmest felicitations to His Excellency Mwambutsa IV, Mwami of Burundi; and to the Honorable François Kisickurume, Chargé d'Affaires, a.i., from Burundi to the United States.

Lying as it does in the very heartland of Africa, Burundi was one of the very last areas to come under European influence. Not until 1885 did the Germans extend their sphere of influence over the area. They were replaced after 1916 by the Belgians as the mandatory power, under both the League of Nations and the United Nations.

Under both these regimes, the essential features of Burundian society were fortunately not destroyed. Indeed it is a tribute to the strength and vigor of that society that its institutions and spirit carried the country through to independence. This was achieved peacefully and without upheaval—the whole people uniting in their demand to be allowed to decide their own destiny.

Burundi has made a determined attack on the many problems that face it. As a small, densely populated country with few natural resources and a population growth rate of 3 percent per annum, one of the most pressing problems is that of the economy. Coordinated efforts to improve this have been begun under a comprehensive development plan drawn up with the help of the United Nations. Agriculture has first priority, with efforts to diversify and improve the export of cash crops. Industrial development is also going forward with, for example, the setting up of a textile factory.

Success for this plan depends very largely on the financial contributions of outside countries. Yet, Burundi has clearly demonstrated by its expulsion of the Chinese Communists in 1965 that it will brook no interference in its internal affairs as a price for this aid. It is to be hoped that the West will help this courageous young country.

Progress in other fields has not been neglected. The very rapid population increase is in many ways a tribute to the great strides that have been made in the provision of health and welfare services. Education is now free for all children between the ages of 7 and 16 and the provision for university and technical education is growing all the time.

In all these efforts it is encouraging to see the important role of the United Nations and its Specialized Agencies. Burundi joined the U.N. in September 1962, and has always played a full and responsible role in that body's affairs.

No one will claim that the road ahead for the kingdom of Burundi will not be a hard and difficult one. Yet the record of this young state is certainly an encouraging one. Great steps forward have been made in the short space of 4 years. We can be sure that this progress will be continued.

I would ask my colleagues to join with me in extending our congratulations and good wishes to Burundi for the future.

Congresswoman Martha W. Griffiths' 17th District Questionnaire

EXTENSION OF REMARKS

OF

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 1966

Mrs. GRIFFITHS. Mr. Speaker, several months ago, I sent a questionnaire to all of the residents in my district. Approximately 100,000 questionnaires were delivered. A total of 11,255 reponses were received in my office. It was a pleasure to have the views of my constituents, and I was particularly pleased by the additional comments made by many of them. The results of this questionnaire follow:

[In percent]

1. Do you favor the legislative record of the Johnson Administration?

Yes	46.5
No	39.7
Undecided	13.8
No answer	-----

2. Do you favor our present policy in Vietnam?

Yes	48.1
No	42.0
Undecided	9.4
No answer	.5

3. Do you believe that Vietnam is:

(a) A civil war	29.8
(b) An attempted communist takeover	67.4
No answer	2.8

4. If there is no early settlement in Vietnam, what do you think we should do:

(a) Maintain present level of involvement	20.3
(b) Withdraw	24.8
(c) Stop bombing	4.6
(d) Escalate—more troops, more bombing, blockade	49.7
No answer	.6

5. Do you feel the recent Senate Foreign Relations Committee hearings on Vietnam:

A. Contributed to your understanding of the Vietnam situation.

Yes	51.1
No	23.4
Undecided	10.9
No answer	14.6

B. Encouraged Nort Vietnam to believe that America will withdraw.

Yes	29.6
No	25.8
Undecided	13.7
No answer	30.9

6. Do you favor increased trade with Russia and Eastern European nations?

Yes	55.9
No	29.7
Undecided	10.0
No answer	4.4

7. In the event our economy shows signs of inflation, would you favor increasing:

(a) Corporate taxes	36.1
(b) Excise taxes	29.2
(c) Personal income taxes	17.6

And/or would you favor decreasing federal spending in:

(a) Road building	27.8
(b) Foreign aid	65.9
(c) Pollution project	11.1
(d) Aid to education	17.1

8. In the event of recession, would you favor:

A. A tax decrease:

Yes	61.0
No	6.7
Undecided	5.9
No answer	26.4

B. An increase in federal spending:

Yes	26.4
No	24.6
Undecided	7.6
No answer	41.4

9. What do you believe are the principal problems facing our nation today? (The following are the problems most frequently cited and the percentage of response.)

Viet Nam	30.6
Inflation	26.5
Civil Rights	24.2
Crime	16.4
Government Spending	14.3
Communism	11.7
Education	8.5
Political Dictatorship	6.0
Elderly	1.4

Questionnaire

EXTENSION OF REMARKS

OF

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 1966

Mr. LATTA. Mr. Speaker, every year I send a questionnaire to my constituents wherein I solicit their views on current national issues. I have found that most of the people in the district like this method of expressing themselves and not only do they complete the questionnaire but they use the back side to comment on other matters not specifically listed. I have just finished tabulating this year's returns and I would like to call them to the Members of the House. They are as follows:

[Results in percent]

1. Do you approve of the Administration's handling of the Viet Nam war?

Yes	32
No	68

2. Should the U.S. withdraw her troops from South Viet Nam if this means another Communist takeover?

Yes	22
No	78

3. Since the Defense Department now has over 225,000 combat troops in Viet Nam (as opposed to 16,300 U.S. "advisors" on January 1, 1964) should the President seek a Declaration of War from the Congress?

Yes	37
No	63

4. Should the Administration insist that our allies stop shipping supplies to North Viet Nam?

Yes	89
No	11

5. Charges have been made that our nation's Selective Service regulations are outmoded and in need of revision. Do you agree?

Yes	71
No	29

6. In view of the added cost of the Viet Nam war, do you believe some of our President's "Great Society" programs should be postponed or curtailed?

Yes	85
No	15

7. Do you believe the high cost of living is receiving the attention that it deserves?

Yes	15
No	85

8. It is reported that an increase in income taxes to finance the war in Vietnam and to help fight inflation is being considered. Do you favor an income tax increase for such purposes?

Yes	19
No	81

9. A Commission appointed by the President has recommended a guaranteed annual income of $3,000 per year. Do you favor such a recommendation?

Yes	21
No	79

10. Do you favor the Administration's rent supplement plan as a means of "speeding up" integration in housing?

Yes	12
No	88

11. Administration and labor leaders have agreed to push for the passage of a $1.60 an hour minimum wage at this Session. Do you favor this increase?

Yes	41
No	59

12. The Congress is presently considering an Administration recommendation that a guaranteed bank loan program be substituted for the present National Defense Student Loan Program. Do you favor the substitute?

Yes	41
No	59

13. Do you favor the President's recommendation to reduce the school milk and school lunch program?

Yes	18
No	82

14. For farmers only. Do you think the time has come for Congress to remove the controls on the production of Soft Red Winter Wheat?

Yes	91
No	9

Veteran Fired Up Over Burning of Flag

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 1966

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article and letters:

[From the Pittsburgh (Pa.) Press, Apr. 20, 1966]

VETERAN FIRED UP OVER BURNING OF FLAG: SHOULD BE MADE A FELONY, HE BELIEVES

Hardly a day passes but that somewhere in the United States a flag-draped casket is delivered to a mourning family.

The casket bears the body of a man who gave his life—in Vietnam or some other foreign field—defending his country's honor.

He died that the American flag might still fly.

And yet back here the flag can be burned in public, mutilated or stepped upon with the offense considered only a misdemeanor under the law.

The penalty itself varies among the separate states.

ANGERS COLONEL

This angers Col. John H. Shenkel, chief minute clerk in Allegheny County Criminal Court.

Colonel Shenkel, who holds the Distinguished Service Cross for gallantry at Chateau-Thierry in World War I, would like to see a strong national law enacted by Congress.

"I would make the offense a felony," he says, "with imprisonment in a Federal penitentiary."

What touched off his anger was the burning of an American flag last week at the stage production of an avant-garde playlet, "LBJ" in New York's Greenwich Village, attacking U.S. policy in Vietnam.

CHARGES STILL PENDING

Charges against the theater, which could result in revoking its license, are still pending.

But the fact of the flag-burning upsets Colonel Shenkel.

The irony of the present law, as brought up-to-date July 30, 1947, he says, is that it is weakest within the District of Columbia itself.

There an offender can be fined a maximum $100 or sent to jail for 30 days if found guilty of desecration, mutilation or improper use of the flag.

It is somewhat stiffer outside the capital limits.

CITES INCONSISTENCY

Pennsylvania, for instance, has a law providing a $500 fine and year in jail for insulting the flag, and fine of $200 and six months in jail for desecration.

"Even that shows the inconsistency of the law," says Colonel Shenkel. "In my opinion, desecrating the flag is the same as insulting it."

Pennsylvania was the first State in the union to set aside June 14 as Flag Day.

Colonel Shenkel, who heads up the American Legion's Americanism Committee here, is all for Pennsylvania taking the lead in tightening protection for the flag.

THE AMERICAN LEGION,
DEPARTMENT OF PENNSYLVANIA,
Harrisburg, Pa., May 16, 1966.

Col. JOHN J. SHENKEL,
Chief Minute Clerk, Allegheny County Criminal Court, Court House, Pittsburgh, Pa.

DEAR COLONEL SHENKEL: The Department Executive Committee of the Pennsylvania American Legion endorsed a resolution which would recommend to the U.S. Congress, that anyone who desecrates the U.S. Flag, that it be considered a crime and that a fine would be mandated under the law.

This resolution was also adopted by our National Organization when it met in Indianapolis last week. Attempts will now be made to ask Congress to support such legislation.

Commander Klein has asked that I write to you regarding this matter and inform you of the American Legion's position. H.R. 14162 could certainly be an adequate law covering this subject.

It is always good to hear from you.

Sincerely,

EDWARD T. HOAK,
Department Adjutant.

U.S. SENATE,
May 6, 1966.

COURTS OF OYER AND TERMINER AND QUARTER SESSIONS OF THE PEACE,
Pittsburgh, Pa.

GENTLEMEN: Enclosed are four copies of S. 3207 that I introduced to prohibit the desecration of the flag.

It is rather singular that in various sections of the country our flag has been hauled down, despoiled, spat upon, desecrated and trampled in the mud, yet there is no Federal statute to deal with such offenses.

As I recall, nearly every State in the Union has a statute of one kind or another and prescribes a rather heavy penalty for its violation. It is high time there be incorporated in the Criminal Code of the United States something along the line as the States require, together with a heavy penalty.

Sincerely,

EVERETT MCKINLEY DIRKSEN.

SUPREME COURT OF PENNSYLVANIA,
May 6, 1966.

Col. JOHN SHENKEL,
Chief Minutes Clerk, Court of Quarter Session, Court House, Pittsburgh, Pa.

DEAR COLONEL SHENKEL: I congratulate you on the magnificent statement you made in connection with the unforgiveable offense of the burning of our Flag.

You have indeed been a wonderful comrade to me in this battle for patriotism and love of country.

With my very best wishes, I am always, with esteem and affectionate salutations,

Sincerely,

MICHAEL A. MUSMANNO,
Justice.

Rwanda's Independence Anniversary

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 1966

Mr. POWELL. Mr. Speaker, on July 1, 1962, the Republic of Rwanda joined the ever-growing number of nations which became independent in the 1960's. Like many of the other countries, Rwanda had been under the tutelage of a European power, but when the surge of independence swept the African Continent, the people of Rwanda opted for independence. As this new Republic nears its fourth anniversary on July 1, 1966, we wish to take this opportunity to extend warmest felicitations to His Excellency Gregoire Kayibanda, President of the Republic of Rwanda; and to His Excellency Celestin Kabanda, Rwanda's Ambassador Extraordinary and Plenipotentiary to the United States.

Rwanda's experience as an independent state has not been a totally easy one, nor did the people or leadership in the country expect it to be. They foresaw economic, ethnic, and political difficulties ahead, but were prepared to do their utmost to resolve those difficulties. One of its most important goals has been to overcome such economic problems as drought, a subsistence economy, and shortage of investment capital. A most hopeful sign is the willingness of the people to diversify and increase their crops. The growing importance of such cash crops as coffee and pyrethrum has also been encouraging.

Mining could play an important role in the country since there appears to be ample quantities of minerals such as tin, tungsten, beryl, and amblygonite.

While the country has been increasingly focusing on its internal position, it has remained conscious of the necessity for inter-African cooperation. Thus Rwanda is an active member of the OCAM—African-Malagasy Common Organization—and the OAU—Organization of African Unity.

The people of Rwanda are waging a determined fight against difficulties, some of which the older, more developed nations have not yet overcome. But though Rwanda has various challenges before her, I feel that the morale of her people and the cooperation of the international community can put her in good stead in facing those challenges.

As the people of Rwanda commemorate yet another year of independence, I congratulate them on their accomplishments and urge them on to continued successes for the future.

Architect of Italian Unity: Giuseppe Garibaldi

EXTENSION OF REMARKS

OF

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 1966

Mr. ANNUNZIO. Mr. Speaker, Monday, July 4, marks the 190th anniversary of the adoption of our Declaration of Independence. This famous date also marks the 159th anniversary of Giuseppe Garibaldi's birth. It is not merely coincidental, but especially significant, that this great Italian patriot and guerrilla leader of the Risorgimento was born on our Independence Day, for he was one of the great architects of Italian unity and independence.

Garibaldi was born in a small cottage by the sea in Nice, the son of a humble fisherman and a devoutly religious mother. At the age of 13, he went to sea, and spent several years as a merchant seaman in the eastern Mediterranean and Black Sea area. Then, the turning point in his life came, for he met Giuseppe Mazzini, chief of the Italian nationalists and joined Mazzini's revolutionary organization, Giovine Italia—Young Italy.

From the time he was imbued with the idea of Italian unity, Garibaldi, with his characteristic wholehearted devotion, offered his sword and his life to his country, and became an instrumental figure in the fight for liberation. His courage and bravery knew no bounds, for he possessed that quality which is rare in even the greatest of men; the complete absence of fear.

Because of a revolutionary plot that was prematurely discovered, Garibaldi was forced to flee and eventually reached South America. His exploits there earned him both the fear and the respect of his contemporaries. He soon became known as "El Diablo" and news of his achievements were widely circulated both in Italian and English newspapers. When Garibaldi finally returned to Italy in 1848, he was already regarded as a hero and a master of guerrilla warfare. His reputation had been firmly established, and men and boys alike, inspired by the romantic and legendary figure of the great General Garibaldi, flocked to his side to help in the fight to free Italy from foreign domination.

Garibaldi's volunteers all wore red shirts, as did Garibaldi, to indicate their loyalty to him. This custom began in Montevideo, when Garibaldi bought a large supply of red shirts for himself and his legionnaires from merchants who were overstocked and willing to sell them reasonably. The red shirts soon became the official uniform of Garibaldi's volunteers and his legion came to be known as the "Redshirts." Even private citizens began to wear red shirts to indicate their loyalty to Garibaldi and their sympathy for the cause of liberation.

Garibaldi was the most prominent figure in the defense of Rome in 1849. His bravery and tenacity, in spite of the overwhelming odds presented by the armies of France, Austria, Spain, and Naples, which pursued him even after Rome fell, proved to the world that the Italians remained unshaken in their determination to fight for national freedom.

Garibaldi, because of his skill as a general, his extraordinary personal courage, and his complete devotion to the cause of freedom, came to be regarded as the very embodiment of Italian national spirit. Without Garibaldi's inspiration, it is unlikely that the Italian national movement would have gained the cohesiveness that it did under his impressive leadership.

The greatest event in Garibaldi's career came when, with his "Thousand Redshirts," he conquered Sicily and Naples in the name of King Victor Emmanuel, and this whole kingdom of the Two Sicilies was added to the territories of the unified Italy that was gradually taking shape.

For his achievements Garibaldi accepted no reward and was completely disinterested in power for himself. Unaffected humility and complete selflessness, in addition to his prowess as a soldier, made him even more popular with the people. He was their hero, and when he visited England in 1864, over a million working people turned out to greet him with a tumultuous and unparalleled welcome. They filled the windows and the roofs, they sang and clapped, shouted and cheered. The excitement lasted until he completed his visit and returned to Italy.

Garibaldi spent the last years of his life quietly on the island of Caprera and died in 1882. It is evident that without his inspired leadership, Italian unification would have been long delayed.

Appropriately, therefore, on July 4, Independence Day, we pause also to observe the anniversary of Garibaldi's birth. History has delegated a special place to this noble patriot who dedicated his whole life to the service of his beloved Italy.

Brig. Gen. Strong Vincent

EXTENSION OF REMARKS

OF

HON. JOSEPH P. VIGORITO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 1966

Mr. VIGORITO. Mr. Speaker, this coming Monday, the entire Nation will take pause on one of the greatest days in our Nation's history—the Fourth of July—the day marking the adoption of the Declaration of Independence in 1776.

But this weekend our country, but especially we Pennsylvanians, take note of another occasion—the anniversary of the Battle of Gettysburg. On the 1st, 2d, and 3d of July 1863, the Army of the Potomac, commanded by Gen. George Gordon Meade, of Pennsylvania, met and turned back Gen. Robert E. Lee's invasion of the North.

The gallantry of all the soldiers who fought during those momentous 3 days has been memorialized in deed, in stone, and in literature. It is fitting that every July we think back and pay a silent tribute to those men, both North and South, who died at Gettysburg for what they thought was right and just.

I would like to bring to the attention of my colleagues in the House the efforts of one man at Gettysburg. The acts of individual heroism during that battle were numerous, but I think the gallantry of Brig. Gen. Strong Vincent, of Erie, Pa., is worthy of special mention.

General Vincent was born at Waterford, Pa., on June 17, 1837, the son of B. B. Vincent and Sarah Ann Strong Vincent. He received his early education at Erie Academy, after which he worked for 4 years in his father's iron foundry. Recognizing the need of a wider education, he enrolled at Trinity College, Hartford, Conn., and later entered Harvard University, where he was graduated in 1859.

Strong Vincent returned to Erie following his graduation and studied law so assiduously that after only 1 year—in December 1860—he was admitted to the bar and opened practice in Erie.

Upon the call of the President in April 1861, for volunteers for 3 months' service, he enlisted in Col. John W. McLane's Erie Regiment of Volumteers; was elected second lieutenant of his company; was promoted to first lieutenant and adjutant of the regiment, serving as such until the muster out of the regiment at the close of its service in July 1861.

Colonel McLane received an order from the Secretary of War, dated July 24, 1861, authorizing him to raise a regiment of volunteers to serve for 3 years or during the war. About half the 3-months' regiment reenlisted and by the end of August the full complement of men and officers had been secured. The regiment was mustered into the service of the United States, September 14, 1861, as the 83d Regiment Pennsylvania Volunteers, with John W. McLane as colonel and Strong Vincent as lieutenant, to rank as such from July 24, 1861.

Strong Vincent took part in the siege of Yorktown, but succumbed to an attack of swamp fever soon after the battle of Hanover Courthouse. He had shown such ability, however, during the Peninsula campaign, that on June 27, 1862, he was promoted to colonel on the death of Colonel McLane and placed in command of the regiment.

He had an aptitude for military affairs and made his regiment one of the best in the Union Army. General McClellan, in the fall of 1862, called it the best drilled regiment in the Army of the Potomac.

During the unfortunate campaign before Fredericksburg, Colonel Vincent was placed in command of a brigade and on May 20, 1863, he was assigned to the command of the 3d Brigade, 1st Division, V Corps. He was especially outstanding in valor and bravery rendering assistance to General Pleasanton's cavalry force during the Battle at Oldie, Va.

Following this engagement, the division regrouped and then, in the last days of June 1863, joined the rest of the Army of the Potomac in its historic march from Washington and the surrounding areas of Virginia and Maryland north into Pennsylvania to meet the threat Lee's Army of Northern Virginia posed to the Nation's Capitol.

He was generally of a cheerful disposition, but during his last campaign he seemed to have a presentiment that it might be his last. On July 1, when after a long march the brigade went into bivouac just before reaching Hanover, expecting to spend the night there, news came of the battle at Gettysburg, with the order to continue the march in that direction. The brigade was quickly formed and in the road. Just before reaching Hanover, Vincent sent back for the drum corps and the color guard of the 83d to come to the front of the brigade with their flag. As the flag was unfurled and rippled in the breeze, he reverently bared his head, and said to Captain Clark, his adjutant general:

> What death more glorious can any man desire than to die on the soil of old Pennsylvania fighting for that flag?

On the second day of the battle, Strong Vincent and destiny became partners. Vincent's brigade, together with the rest of the corps, arrived on the field early in the morning of July 2, and was massed in the rear of the Union right. When the Confederates made heavy attacks on the left of the Union position, the 5th Corps was moved in reserve to the left.

At that time, General Barnes, commanding the division, left momentarily for the front to select a position for the troops. While waiting for orders, Vincent saw a captain of General Sickles' staff riding toward him from the front. Vincent asked him what were his orders, but the captain stated that the orders from General Sickles were specifically for General Barnes.

Realizing that General Barnes would be gone for some time, and that delay might spell disaster, Vincent insisted that the captain give him the orders. The officer replied: "General Sickles directed me to tell General Barnes to send one of his brigades to occupy the hill yonder," pointing to Little Round Top. Like a true soldier, Vincent said, without a moment's hesitation, "I will take the responsibility of taking my brigade there."

At the risk of court-martial for taking his brigade away from the division without orders from its commander, Vincent gave the order to bring up the troops as soon as possible and head for Little Round Top, at that moment completely unprotected and unmanned. The brigade scampered up the rock-strewn sides of Little Round Top and reached the summit. They had not been there more than a few minutes when a Confederate shell exploded in their midst.

Vincent went over the ground foot by foot, seeking for the best position in which to position his men. Following his reconnaissance, he stationed the regiments of his brigade in a curved line across the plateau on Little Round Top. These brave regiments, all of whom lost heavily during the ensuing battle, were the 44th New York, the 16th Michigan, Vincent's old regiment, the 83d Pennsylvania, and the 20th Maine.

Within minutes after the men were posted, skirmishers of the 83d Pennsylvania and 44th New York met the Confederates advancing up the slope of Little Round Top in heavy columns. The Rebels came on and opened fire on the 83d and 44th. This lasted for some time, after which the Confederates fell back to reform. They advanced again and with additional troops made another assault, this time extending their line to involve the 20th Maine. But the Union forces held firm. While this was taking place, another Confederate force attempted to flank the right of the Union line, held by the 16th Michigan. The Rebels came on in such numbers that the right of the 16th wavered and broke.

Vincent realized that if the Michigan troops fell back, the Union line would be turned, Little Round Top would be lost, and the entire Union Army could be routed. He drew his sword, sprang to the front, and urged the men to follow him. In so doing, he was mortally wounded.

But his gallant effort had not been in vain. Portions of the 16th Michigan followed his stirring example and returned to the line of battle. Just at that moment the 140th New York arrived and charged into the enemy. The slaughter was terrible, but the line was restored and the Union troops held firm. The Confederates then attempted to turn to the left of the line, but hammered the 20th Maine without success.

Fatally wounded, Vincent was taken to a farmhouse behind the lines. He was pale and unable to speak and he knew that his life was ebbing away. When a member of his staff told him that "his boys" had held firm and that the Union line was safe, he smiled weakly in the knowledge that his men had done their duty faithfully.

Later that day, General Meade recommended to President Lincoln, Vincent's promotion to the rank of brigadier general for "gallant conduct on the field of battle before Gettysburg." The President sent the commission at once by special messenger. Vincent died of his wounds in a Gettysburg hospital on July 7 before receiving word of his promotion.

As I stated, this is only one of the many acts of heroism at Gettysburg. But the thing to be remembered is that if General Vincent had not acted when he did, in the manner in which he did, the battle would have been lost. If the Confederate forces had occupied Little Round Top, the entire Union position would have become untenable, and the Army of the Potomac would have had to retreat from the battlefield and leave Gettysburg in the hands of the rebels. If this had happened, the course of the war would have been radically changed and the outcome of history might have been very different.

And so, as we approach this anniversary of the Battle of Gettysburg, I ask all Pennsylvanians, and all Americans to remember one great man who gave his life for the preservation of the Union.

SENATE

Thursday, June 30, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

Rev. Edward B. Lewis, minister, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear God of creation, we see the greatness of nature even on this summer day. Yet, Thou art more than the natural. We know that through Thy power we feel the heat of the day, the coolness of the night, the electric power of the lightning, and the clash of the thunder. Greatest of all, we feel Thee walking in the silence and the coolness of the day saying to each of us personally, "Where art thou?" This experience is a spiritual experience which all of us need personally.

In world conflict, in our beloved Nation's life, in our personal, spiritual, mental and moral growth, Thou art asking us, "Where art thou?"

Be with the President, these Senators, and all leaders as mankind is asked this question. Save us, O God. Without the highest, we are lost. Send into our experience a peace where there is no peace. We pray in the name of Jesus, our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 29, 1966, was dispensed with.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of June 29, 1966,

The following reports of a committee were submitted on June 29, 1966:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

S. 3510. A bill to authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes (Rept. No. 1345); and

H.R. 13417. An act to amend the act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes (Rept. No. 1347).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3423. A bill to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes (Rept. No. 1346).

ENROLLED BILLS AND JOINT RESOLUTION SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of June 29, 1966,

The ACTING PRESIDENT pro tempore announced that on June 29, 1966, the Vice President had signed the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

H.R. 1240. An act for the relief of Harry C. Engle;

H.R. 3788. An act to revive and reenact as amended the act entitled "An act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill.," approved December 21, 1944;

H.R. 3976. An act to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.;

H.R. 5204. An act for the relief of Joseph K. Bellek;

H.R. 6590. An act for the relief of Arthur Hill;

H.R. 8793. An act for the relief of Eugene J. Bennett;

H.R. 9302. An act for the relief of Lt. Charles W. Pittman, Jr., U.S. Navy;

H.R. 10994. An act for the relief of Charles T. Davis, Jr., Sallie M. Davis, and Nora D. White;

H.R. 12232. An act to amend title I of the United States Code to provide for the admissibility in evidence of the slip laws and the Treaties and Other International Acts Series, and for other purposes;

H.R. 14025. An act to extend the Defense Production Act of 1940, and for other purposes: and

H.J. Res. 1180. Joint resolution making continuing appropriations for the fiscal year 1967, and for other purposes.

REPORT OF OFFICE OF ALIEN PROPERTY—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States on the Office of Alien Property, received during the recess under the previous order.

Without objection, the message will be printed in the RECORD without being read, and will be appropriately referred.

The message, together with the accompanying report, was referred to the Committee on the Judiciary.

The message from the President is as follows:

To the Congress of the United States:

I am pleased to transmit the annual report of the Office of Alien Property for fiscal year 1965 as required by section 6 of the Trading With the Enemy Act. It is the 23d report of proceedings under that act.

As this report indicates, we have reached the end of a very long road. After June 30, 1966, for the first time in 49 years, there will be no Government unit whose sole task will be the processing of alien property matters arising from the wartime seizure of property. Some alien property work remains which cannot be completed by June 30, 1966, principally because it is affected by litigation or proposed legislation. These remaining matters will be completed in the future by the part-time work of personnel of the Civil Division of the Department of Justice. But this does not detract from the fact that as of April 30, 1966, the staff which has completed the processing of about $900 million in vested property will have closed all but about 50 of the more than 67,500 claims which were filed, all but about 450 of approximately 62,000 accounts, and it will have pending only about 30 of the more than 7,000 cases which it has litigated.

The imminent closing of the Office of Alien Property is another step in our determination to find the most efficient way to serve the American public. In the War Claims Act of 1948, as amended, Congress has authorized thousands of American citizens to file claims against the net proceeds of vested property which are maintained in the war claims fund. Since the costs of the Office of Alien Property are deducted from the proceeds of vested property, closing the Office will soon mean the end of deductions of its administrative costs, thereby leaving more funds for the claimants to share. And the public generally will benefit by the absorption into other necessary work of the mere handful of knowledgeable and dedicated employees who have brought this fruitful work virtually to its close.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 29, 1966.*

REPORT ON FOOD FOR PEACE PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 457)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

The United States in 1965 shipped $1.4 billion of food and fiber overseas under our food-for-peace program. This brings to $14.6 billion our food aid effort since the enactment of Public Law 480, the Agricultural Trade Development and Assistance Act of 1954.

Food for peace moved into its second decade continuing food aid programs that had proved so beneficial in the past, initiating imaginative new approaches to spur self-help, and facing an array of difficult challenges. The increasing pressure of world population growth was the most disturbing indicator in a year otherwise highlighted with promise in the war against hunger and malnutrition. Population growth of 2 percent a year—increasing to 3 percent in some of the underdeveloped countries—made it difficult to increase per capita food consumption. There was more food grown in 1965 than in 1964. But there were 64 million more mouths to feed.

In simplest terms, the task of bringing food and population into balance—while maintaining progress in health, education, and economic growth—is the most critical challenge many countries are facing today. It will probably remain their most urgent challenge in the immediate years ahead. The world's capacity to respond will dramatically affect the course which individuals and nations choose in confronting their problems and their neighbors in coming generations.

This is a world problem. The stakes are too large, the issues too complicated and too interbound with custom and commerce, to leave the entire solution to those countries that have supplied, or received, the most food assistance during the postwar era. The experience, the ideas, the skills, and the resources of every nation that would avoid calamity must be significantly brought to bear on the problem.

The U.S. Congress recognizes the moral and practical implications of hunger and malnutrition. Over the years its Members have taken the lead in developing programs to prevent famine and to improve diets. The basic instrument Congress has used for this effort has been Public Law 480—the authorizing legislation for the food-for-peace program.

It is not easy to measure the achievements of a program with such multiple objectives as food for peace—aiding the needy, assisting economic development, supporting U.S. foreign policy, increasing trade, bolstering American agriculture. Yet as we look back on more than a decade of effort, the accomplishments are remarkable by any test.

Hundreds of millions of people have directly benefited from American foods. The lives which otherwise might have been lost—the grief which otherwise might have occurred—could have dwarfed the total casualties of all the wars during the period. I tend to think historians of future generations may well look back on this expression of America's compassion as a milestone in man's concern for his fellow men.

Food for peace, however, is aimed at more than individual survival—and individual growth. It is directed toward national survival—and national growth. Public Law 480 has been an important resource in the growth process. With the day-to-day difficulties which countries face, we sometimes fail to recognize how far many of the nations we have aided have come in their development effort. An analysis of food-for-peace programing—which constitutes more than a third of our total economic assistance effort—is a good yardstick to measure such achievement. Frequently a country's development is directly reflected in its graduation from being a recipient of heavily subsidized food aid.

Consider, for example, the countries receiving our food and fiber for local currency in the first full year of operation a decade ago. There were 27 of them in mid-1956. Today, more than half have reached a point of economic development where they no longer require such aid. This group which had graduated from title I programs, last year purchased more than $2 billion in agricultural commodities through commercial channels. This is more than triple their combined dollar purchase of a decade ago. Even excluding Britain, France, and West Germany—today's big dollar customers who purchased only small amounts under Public Law 480, and left the program early—the gains are still impressive. Dollar sales of U.S. farm products to the other title I graduates were well over a billion dollars last year—more than four times the amount in 1956.

Growing economic strength is also evident in that group of 13 countries receiving title I food a decade ago which continued to buy U.S. farm commodities for local currency in fiscal year 1965. They still face economic difficulties, but together these nations have more than doubled their dollar agricultural purchases from the United States over the 10-year period.

Global generalizations are difficult. But the broad pattern clearly shows substantial progress.

Indeed, the problems today are in many ways more serious than those facing the Congress when it enacted this law. The critical food shortage in India, though aggravated by drought, should be read as a warning that a crisis in food and population trends is already at the world's doorstep. The food-for-freedom legislation which I have proposed to Congress faces up to these problems. It takes into account the experience and lessons of Public Law 480, along with the changing conditions in food needs and supplies. It recognizes that the program will be judged in the long run by its success in encouraging self-help programs and attitudes in the recipient countries.

We have progressed a great deal during the past decade. We now know that food assistance can—

Make an important contribution to economic development.

Serve the highest objectives of U.S. foreign policy.

Help American agriculture.

Strengthen the habit of international cooperation.

Help to dispel Malthusian fears which have historically haunted mankind.

By any standards, this Nation can be proud of its food-for-peace program. It gives me pleasure to submit to the Congress the annual report on the 1965 activities carried on under Public Law 480, 83d Congress, as amended.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 30, 1966.*

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on June 29, 1966, the President had approved and signed the following acts:

S. 1495. An act to permit variation of the 40-hour workweek of Federal employees for educational purposes;

S. 2142. An act to simplify the admeasurement of small vessels; and

S. 2307. An act for the relief of certain civilian employees and former civilian employees of region 1 of the Bureau of Reclamation.

REMOVAL OF INJUNCTION OF SECRECY FROM FIVE TREATIES

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties:

Executive J, 89th Congress, 2d session, the customs convention on containers;

Executive K, 89th Congress, 2d session, the customs convention on the temporary importation of professional equipment;

Executive L, 89th Congress, 2d session, the customs convention on the A.T.A. carnet for the temporary admission of goods;

Executive M, 89th Congress, 2d session, the customs convention regarding E.C.S. carnets for commercial supplies; and

Executive N, 89th Congress, 2d session, the customs convention on the international transport of goods under cover of T.I.R. carnets.

I ask that the conventions, together with the President's messages, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The messages from the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to accession, I transmit herewith a copy of the customs convention on containers, together with the protocol of signature which forms an integral part thereof, done at Geneva on May 18, 1956. The convention entered into force on August 4, 1959. Though the convention is no longer open for signature, the United States may become a party by accession.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the convention.

The object of the convention is to provide for temporary duty-free entry of containers such as lift vans, movable tanks, or other similar structures.

Because of the recent increase in shipment of goods in containers, this convention is of importance to various business groups in the United States and particularly to members of the transportation industry who engage in container traffic. The coming into force of this convention will aid the American export drive, and I recommend that the convention be given favorable consideration by the Senate.

LYNDON B. JOHNSON.

Enclosures:

1. Report of the Secretary of State.
2. Copy of convention.

THE WHITE HOUSE, *June 30, 1966.*

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to accession, I transmit herewith a copy of each of the following conventions:

First, customs convention on the temporary importation of professional equipment, done at Brussels on June 8, 1961;

Second, customs convention on the A.T.A. carnet for the temporary admission of goods, done at Brussels on December 6, 1961;

Third, customs convention regarding E.C.S. carnets for commercial samples, with protocol of signature, done at Brussels on March 1, 1956, as amended by the recommendation of the Customs Cooperation Council, dated June 15, 1960; and

Fourth, customs convention on the international transport of goods under cover of T.I.R. carnets, with protocol of signature, done at Geneva on January 15, 1959, and modification of article 5 of annex 3, which modification entered into force on November 19, 1963.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the conventions.

The convention on professional equipment will facilitate the conduct of various business and professional activities by nationals of one country within other countries by providing for the temporary duty-free entry of equipment which ranges from a businessman's typewriter to equipment for sound or television broadcasting, cinematographic equipment, and scientific equipment of various types.

The object of the other three conventions is to expedite customs clearance of certain goods by establishing a system for importation of the goods under cover of an international customs document, known as a carnet, and for guarantee of payment of duties and other charges by private associations such as chambers of commerce. The carnet system will apply to professional equipment such as mentioned above, commercial samples and advertising material, and goods in containers such as lift vans, as well as certain other goods.

These conventions are of importance to various business and professional groups in the United States and are of special importance to those Americans engaged in business in foreign countries. The coming into force of these conventions will aid the American export drive, and I recommend that the conventions be given favorable consideration by the Senate.

LYNDON B. JOHNSON.

Enclosures:
1. Report of the Secretary of State.
2. Copies of conventions as listed.

THE WHITE HOUSE, *June 30, 1966.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced the House had passed, without amendment, the following bill and joint resolution of the Senate:

S. 2266. An act to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art; and

S.J. Res. 162. Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 2266. An act to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art;

S. 2999. An act to amend section 6 of the Southern Nevada Project Act (act of October 22, 1965; 79 Stat. 1068);

H.R. 1535. An act to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases;

H.R. 2035. An act to provide for cost-of-living adjustments in star route contract prices;

H.R. 6125. An act to amend Public Law 722 of the 79th Congress and Public Law 85-935, relating to the National Air Museum of the Smithsonian Institution;

H.R. 7423. An act to permit certain transfers of Post Office Department appropriations;

H.R. 13125. An act to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended;

H.R. 14050. An act to extend and amend the Library Services and Construction Act; and

S.J. Res. 162. Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The ACTING PRESIDENT pro tempore announced that on today, June 30, 1966, he signed the following enrolled bill and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

H.R. 13125. An act to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended; and

S.J. Res. 162. Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Amendment of Federal Aviation Act of 1958, To Authorize Aircraft Noise Abatement Regulation

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes (with an accompanying paper); to the Committee on Commerce.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a confidential report on review of certain aspects of the supply and maintenance provided Honest John missile battalions in Korea (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of selection and use of training facilities in Chicago, Ill., for manpower training authorized by the Manpower Development and Training Act of 1962, Department of Labor and Department of Health, Education, and Welfare, dated June 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings that can be attained by rebuilding used motor vehicle tires, Department of the Air Force, dated June 1966 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIBLE; from the Committee on the District of Columbia, without amendment:

H.J. Res. 1178. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of 93d annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in Washington, District of Columbia, in July 1967, to authorize the granting of certain permits to Imperial Shrine Convention, 1967, Inc., on the occasions of such sessions, and for other purposes (Rept. No. 1353).

By Mr. MORSE, from the Committee on the District of Columbia, without amendment:

S. 1312. A bill to amend the District of Columbia Public School Food Services Act (Rept. No. 1352).

By Mr. MORSE, from the Committee on the District of Columbia, with an amendment:

S. 2060. A bill to amend the act entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1925 (Rept. No. 1351).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 9599. An act to authorize the Secretary of the Interior to accept the donation of the State of Indiana of the George Rogers Clark Memorial for establishment as the George Rogers Clark National Historical Park, and for other purposes (Rept. No. 1354).

By Mr. McCLELLAN, from the Committee on Government Operations, without amendment:

S. 2610. A bill to amend section 201(c) of the Federal Property Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property (Rept. No. 1356); and

H.R. 10607. An act to amend the Administrative Expenses Act of 1946 to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States (Rept. No. 1357).

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, all committees were authorized to meet during the session of the Senate today.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

REPORT ENTITLED "DIVERSION OF UNION WELFARE-PENSION FUNDS OF ALLIED TRADES COUNCIL AND TEAMSTERS LOCAL 815" (S. REPT. NO. 1348)

Mr. McCLELLAN. Mr. President, on behalf of the Senate Committee on Government Operations, I submit a report of its Permanent Subcommittee on Investigations, entitled "Diversion of Union Welfare-Pension Funds of Allied Trades Council and Teamsters Local 815."

This report covers a series of hearings conducted during 1965 on the diversion of approximately $4 million from the welfare funds of two labor unions in the New York area. The hearings disclosed that the funds had been channeled to so-called research foundations—one chartered in Liberia and the other in Puerto Rico, which had been founded by and were under the dominance of George Barasch, formerly the principal officer in both unions.

Testimony established that George Barasch and his brother-in-law, Samuel LaMar, were the sole members of the Puerto Rican corporation, with the power under its charter to dissolve the foundation and distribute the assets as they pleased. The charter of the Liberian corporation provided them and a third member, Frank Lasky, with the same authority to disburse or distribute the assets in any fashion they chose. LaMar was the head of the Allied Trades Council and Lasky was a principal officer of Teamsters Local 815. Barasch also established a third, smaller foundation in Puerto Rico, over which he and his brother-in-law had full control. The assets of all three foundations ultimately reached $4,200,000.

George Barasch and his subordinates all invoked the fifth amendment to the Constitution in declining to testify about the manipulation of the funds, but other witnesses were able to furnish documented details of the adroit scheme by which the assets of the welfare funds were diverted from their proper purpose of providing benefits for the rank-and-file membership of the unions. Testimony by officials of the Department of Justice and Labor shows that Barasch and his underlings were able to deplete the trust funds for which they were fiduciaries with apparent impunity under existing laws.

The subcommittee finds in this report that Barasch and his associates callously subordinated their responsibilities as union officials to their own interests and failed in their duties as fiduciaries of the trust funds in their keeping. Their complicated scheme, fully described in the report, was facilitated by the union members' indifference to Barasch's domination of their affairs, by his control of all officers and executive board members of the unions, and by the subservience and lack of interest upon the part of the management trustees of the funds. These employers' representatives stated that they generally acted by direction of George Barasch, and their testimony shows that they either did not know or were not concerned about the manipulations of the welfare funds of the unions.

Shortly after the close of the hearings, Mr. President, the general counsel of the subcommittee, Jerome S. Adlerman, initiated negotiations for the immediate return of the diverted funds to the joint welfare funds of the Allied Trades Council and Teamsters Local 815, where the money could be employed properly to furnish benefits for the participants and beneficiaries of the welfare fund. The steps taken by Mr. Adlerman were quickly successful, and the attorneys for Barasch and his associates stated that their clients were willing to return all of the funds in the overseas foundations forthwith.

At that point, however, the New York State Insurance Department asked for a delay in the restoration of the funds in order to review the record of the case developed by the subcommittee for the purpose of determining whether any New York statutes had been violated.

We agreed to their request, and the return of the funds was postponed for some 10 months, while we awaited the outcome of the New York State investigation. The filing of this report was also delayed for a commensurate period of time for the same reason.

Finally, agreement was reached, as I reported to the Senate on June 2, 1966. All of the diverted funds, totaling $4,200,000 have been returned to the allied welfare fund, to be used for specific benefits for the participants and beneficiaries of the fund. George Barasch has resigned from his lifetime trusteeship in the welfare and pension funds of the two unions. The overseas foundations formed by Barasch have been dissolved.

Mr. President, these direct results of the subcommittee's investigation and hearings on this matter are gratifying to us all and should prove to be highly beneficial to the rank-and-file members of the unions.

The members of the subcommittee, however, express in this report their hope that other long-lasting and important results will emanate from our study of the welfare and pension fund field. I refer to the recommendations of this report which urge the Congress to consider certain legislative proposals that we unanimously believe are needed. Because the testimony in our hearings showed so clearly that existing laws do not adequately safeguard the rights of the participants and beneficiaries of such plans, the subcommittee believes that it is incumbent upon the Congress to revise and strengthen the Welfare and Pension Plans Disclosure Act.

Legislation has been proposed to achieve the desirable goals recommended in this report. I introduced a bill (S. 2627) to amend the Welfare and Pension Plans Disclosure Act, and it includes all of the subcommittee's legislative recommendations contained in this report. That measure, cosponsored by seven of the eight other subcommittee members, has been referred to the Committee on Labor and Public Welfare. It would provide additional protection for the interests of participants in and beneficiaries of employee benefit plans through the following broad provisions:

First, by providing minimum standards and requirements for the administration and disbursement of employee benefit trust funds;

Second, by establishing minimum standards of conduct, responsibility, and obligation for all fiduciaries of such funds;

Third, by providing appropriate sanctions and penalties for violations;

Fourth, by providing for the recovery of losses suffered by trust funds through such violations.

The bill parallels the recommendations of this report by proposing specific restrictions, prohibitions and corrective measures to assure the effectiveness of the broad provisions listed above.

As the report indicates, Mr. President, the benefit plans that provide welfare and pension payments to American workers are a major factor in the national economy. There are currently about 167,600 plans registered with the Department of Labor. It is estimated that by 1980, pension plans alone will hold $225 billion in total reserves and will cover at least 42 million individuals. The benefits will be increasingly important to the basic security of their participants. The laws that govern them must be adequate to protect and preserve them, and to provide the basic standards that are sorely needed to put an end to the abuses and improprieties such as those examined in this report. The subcommittee's recommendations in this report, as contained in S. 2627, should serve as a good foundation for the new legislation that is sorely needed.

The PRESIDING OFFICER (Mr. Cannon in the chair). The report will be received and printed, as requested by the Senator from Arkansas.

Mr. MUNDT. Mr. President, as the ranking Republican member of the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations, I wish to associate myself with the remarks just made by our distinguished chairman, Senator John L. McClellan, in the course of his submitting the first report of our subcommittee concerning our investigation into the misuse and abuse of union welfare and pension fund plans.

On last October 12, 1965, our able chairman introduced a bill, S. 2627, 89th Congress, 1st session, which was the outgrowth of last year's hearings, and which was designed to amend the Welfare and Pension Plans Disclosure Act for the purpose of providing additional protection for the interests of participants in, and beneficiaries of, employee welfare and pension benefit plans. As has been said here today, this bill was cosponsored by eight of the nine members of the subcommittee. The need and concern for some sort of corrective legislation is apparent.

It will be recalled the hearings revealed that a person by the name of George Barasch, and his confidants, were able to divert some $4 million of welfare and pension funds belonging to unions that they controlled for disposition to investment funds overseas, ostensibly for "educational and charitable purposes" but, for all intents and purposes still under the control of "George Barasch and company." The only steps that did not occur were the physical transfer of the money and the conversion to Barasch's own use to put the matter "on all fours" as falling squarely within our general embezzlement statutes.

Let me explain, briefly, the actual manipulations of George Barasch and Associates.

ALLIED TRADES COUNCIL

As our hearings and reports indicate, Mr. Barasch of 107 Colonial Parkway, Yonkers, N.Y., has been active in labor affairs in the New York-New Jersey area since 1937. On January 1, 1947, he organized one of the two main unions involved in our inquiry when he formed the Allied Trades Council with offices in Fairlawn, N.J. This council was actually made up of small locals in the retail clerks, leatherworkers, cosmetic-workers, and grocerworkers unions in New York and New Jersey. Barasch then successfully sought an alliance with the International Leather Goods, Plastic, and Novelty Workers Union, which gave status to the Allied Trades Council by allowing it to designate itself as an AFL union. However, Barasch managed to maintain a complete autonomy in all other respects for his council. The membership grew, in the course of the following 5-or-so years to approximately 10,000 employees.

On September 27, 1949, the Allied Trades Council established a trust fund called the Allied Trades Council welfare fund to provide health and welfare benefits, based upon a fixed per capita contribution per collective bargaining agreement with the various firms utilizing such multiple unions' employees. No management trustee was appointed—although there should have been because of the Labor-Management Relations Act of 1947—and George Barasch was irrevocably appointed a trustee thereof for life.

By the time the foregoing fund had grown to approximately $2 million, the council's executive board, Barasch participating, executed a second trust indenture whereby similar benefits were set up for the same union members comprising the Allied Trades Council but this time under the name of the Allied welfare fund. At this point, the contributing firms were informed that they would henceforth make their health and welfare payments to this second, Allied welfare fund. The record of the hearings indicated that this change was regarded by management simply as a change in the name of the fund—a mere change in the bookkeeping entries. However, Mr. Barasch failed to transfer the approximate amount of $2 million in the first fund to the second fund. Instead, on December 26, 1956, he created a third fund called the chemical research fund whose trust indenture indicated that it was established ostensibly for "educational and charitable purposes." Barasch was appointed senior trustee, irrevocably for life, and his brother-in-law, Samuel Lamar, was appointed junior trustee for a 5-year period with his successor to be appointed—by Barasch. In March and April of 1957 Barasch transferred the bulk of the $2 million from the first, dormant, account to this third fund.

Thereafter, on March 14, 1958, Barasch manipulated the council's executive board into amending the chemical research fund's trust indenture so as to authorize the trustees—Barasch and brother-in-law Lamar—to transfer these funds to any foreign corporation organized for similar "educational and charitable purposes." Interestingly enough, 11 days prior to this on March 3, 1958, a corporation was formed in the Republic of Liberia called the Chemical Research Foundation, Inc., which was organized by three Liberian citizens but whom were soon replaced by Barasch, Lamar, and another Barasch confidant by the name of Frank Lasky as the only officers of this new research foundation. It is significant to note that while this newest organization was a not-for-profit corporation, the laws of the Republic of Liberia provided that the certificate of incorporation might be amended at any time by the members of the corporation including the provision that, upon dissolution of the corporation, the assets could be distributed by the unanimous consent of the members—which meant Barasch, Lamar, and Lasky.

It should be noted that the record of our hearings indicated that on December 31, 1964, the total assets of this foundation which were, in one manner or another, in the absolute control of Barasch, Lamar, and Lasky were $2,012,445. The banks of Switzerland were not far away and, in fact, some $136,000 of the foundation money already was in a Swiss bank account. It should also be noted that the amount of "educational and charitable" grants actually doled out by this same date was a mere $54,100—of which $53,600 was contributed to the New York Cardiac Center in Barasch's hometown of Yonkers, N.Y., and which was authorized on August 1, 1963, only a few days after Barasch had been served a subpena through the U.S. attorney's office for the southern district of New York for the production of the books and records of the same Chemical Research Foundation, Inc.

LOCAL 815, INTERNATIONAL BROTHERHOOD OF TEAMSTERS

In essentially the same manner, Barasch managed to maneuver another $2.2 million of employer contributions to another "educational and charitable" foundation under his control, this time in Puerto Rico. This was done through the establishment of Local 815 of the International Brotherhood of Teamsters, which reputedly resulted because of organizational jurisdictional problems between the Teamsters and the earlier Allied Trades Council. Apparently, Barasch believed in the motto, "If you can't lick 'em" and, as a result, some 8,500 of the earlier-mentioned 10,000 members of the Allied Trades Council were transferred to the roles of Local 815 after that charter was obtained in 1952, although nothing really changed as concerned the role of George Barasch.

The Puerto Rican "educational and charitable" fund, which resulted after fund transfers similar to those described earlier in regard to the Allied Trades Council, was known as the Cromwell Research Foundation, Inc. It was formed on March 16, 1959, by three office clerks of the Allied Trades Council which continued to locate at the same address and in the same building as local 815. Needless to say, these clerks resigned at the first meeting of this corporation and were succeeded by some old familiar faces—Barasch and Brother-in-law Lamar. The same pattern of distributing the assets to the members in the event of the dissolution of the corporation was prevalent here as with the earlier Liberian foundation. And, significantly enough, the only sizable grant through December 31, 1964, was made in July of 1963 in the amount of $100,000 to a parochial school in Brooklyn, N.Y., after Barasch had again been served a subpena for the production of the Cromwell books and records by the same U.S. attorney.

As an offshoot to the Cromwell Research Foundation, Inc. on October 28, 1957, Barasch formed a "research and educational" foundation in Puerto Rico again, this one known as the Caribbean Educational Association. This foundation had $91,000 in cash as its principal assets at the end of 1964 with very few entries in its account. This amount practically matched the $100,000 from the Allied Trades Council lineal pattern that ended up in a Swiss bank, and one cannot help but wonder what Barasch had in mind with the set-aside of practically $200,000.

It should also be noted that, as to these two Puerto Rican and the one Liberian corporations, they were all allegedly nonprofit in makeup, there were no requirements for the filing of periodic reports, nor the payment of local taxes.

While I realize that the foregoing may well have been somewhat of an oversimplification of the complicated maneuvers of Mr. Barasch—particularly as to the technical terms of the various trust indentures, the apparent acquiesence of the various management trustees, and the manner of the approval of Barasch's actions by the various executive boards of the two main unions—nevertheless I believe it paints a clear picture as to what George Barasch had in mind to do, ultimately, with the $4 million.

CHURCHILL ASSOCIATES

George Barasch apparently grew weary of his association with organized labor because, although he did not actually resign from his positions as president of the Allied Trades Council and secretary-treasurer of Local 815, Teamsters, nevertheless he started to plan for the day when he could have his own business when he and brother-in-law Lamar formed the Churchill Associates on September 12, 1958.

This nonprofit New Jersey corporation was very similar in makeup to the educational and charitable foundations that we have earlier observed as to its broad terms, easy dissolution, and member-distribution of corporate assets. Its activities were equally of interest. Prior to its formation, the administration of the two main welfare and pension plans was performed by a small clerical staff at the Fairlawn, N.J., office. It was a relatively simple function and at a relatively reasonable cost. When Churchill Associates came into existence, it took over this same task, in the same building, performing the same functions in the same manner. Now, however, Churchill Associates received a few of 10 percent of the annual income of the Allied Trades Council's fund, and 9 percent of the yearly income of Local 815, Teamsters. In this manner, Churchill received $338,427 in fees for some $120,030 that it disbursed to eligible recipients. This amounted to a service charge of almost $3 for every $1 expended.

The rate of growth of Churchill Associates was understandably sensational, and the total net profit, after taxes, during the aforementioned 5-year period was $208,371. Additionally, some $286,144 was made through profitable speculations in the stock market. This was not an especially complicated transaction, as Barasch simply "borrowed" $1.5 million from these operations with little or no liability attaching to anyone if he encountered a stock failure. And then, when the money was made, it went into the coffers of Churchill Associates—not to the rank-and-file employees whose borrowed money it really was. And the subject of a conflict of interest apparently was of no concern to Barasch.

When Barasch became a business executive in this manner, his initial salary with Churchill Associates was $500 per week. This was increased to $700 per week on October 9, 1964. In addition to a Christmas bonus of $600 he received $100 per week for expenses. The latter occurred at all times, even for a period before he joined Churchill and was still an official with the two unions.

RETIREMENT PLANS

Barasch did not stop at this point. He seemingly displayed a greater interest in his own welfare than that of the 10,000 union employees whom he supposedly has represented. He managed to set up an annual retirement annuity for himself of $54,000 which he was eligible to receive in late 1965 when he would be 55 years of age. This was accomplished by manuevering some $350,000 from the Allied Trades Council into a separate pension fund for its new officers and clerical employees. Also, he isolated some $850,000 out of local 815's treasury into a pension fund for its officers and the officers of Churchill Associates. This amounted to approximately $48,000 annually. In addition, he managed to become eligible for a third pension, through the Teamsters' Joint Council 16, and for a fourth pension from the International Brotherhood of Teamsters, the two totaling some $5,600.

This annual amount of $54,000 amounts to approximately $800,000 as a lump-sum equivalent, is considerably higher than a high-level Government employee or flag officer in our armed services received in retirement, and in fact is twice as much as the retirement benefits that we presently provide for the President of the United States.

FIFTH AMENDMENT

As the subcommittee report indicates, George Barasch, brother-in-law Samuel Lamar, confidant Frank Lasky, and other involved union officials chose to invoke the fifth amendment to the Constitution relating to self-incrimination to questions posed by Chairman McCLELLAN and others at the time of our hearings.

While this is not surprising, as other witnesses—from labor officials in the days of our Senate Labor Rackets Committee hearings of a few years ago to bankers, in our federally insured banking hearings of a year ago—have done similarly, particularly when the question of having violated a fiduciary relationship with those from whom a position of trust has been extended, it is interesting to note that Mr. Morris Shey, a certified public accountant in the State of New York, who was at one time a management trustee in the Local 815, Teamsters chain of events, and who has recently been serving as Barasch's own accountant, would likewise invoke the self-incrimination privilege.

RETURN OF FUNDS

I note, with a great deal of satisfaction, that the report indicates a concentrated effort has been made by the general council of the subcommittee and representatives of the U.S. Departments of Labor, Justice, and the Treasury, the State of New Jersey and the New York State Insurance Department in repeated conferences with the attorneys for George Barasch to attempt to work out a solution for the return of these funds. I note, too, that it finally has been agreed that the $4,200,000 will be returned to a fund entitled the Allied Welfare Fund, which I understand to be a joint welfare fund for the two main unions that we have discussed here. I understand, too, that the overseas corporations will be dissolved, that George Barasch has resigned as trustee, and that the trust agreements have been revised to prevent a recurrence of what we have seen, with the New York State Insurance Department to supervise these revised agreements and the Allied Welfare Fund in that the vast majority of the affected firms are now in the New York area.

For this excellent accomplishment I wish to commend Subcommittee General Counsel Jerome S. Adlerman.

However, at the same time I am disturbed—and this is not meant to be a reflection on the general counsel, but, rather, a concern for the very problem that we are confronted with here and are trying to correct—that George Barasch apparently has still gotten away scot free with either: First, $35,000 in annual salary, plus $5,200 annual expense money, while serving as the head of Churchill Associates, which is still administering the active welfare and pension funds; or second, $54,098 in annual annuity from the various retirement plans which Barasch can receive if he elects to retire, as he is now 55 years of age and is apparently eligible to do.

It appears that Barasch has been rewarded for his deceit and, therefore, if the Insurance Department of the State of New York was at fault in delaying the aforementioned negotiations—as it may well have been—I would suggest that its New Jersey counterpart, or the State attorney general and/or the State Legislature of New Jersey take a long, hard look at the pension funds which are administered in New Jersey and which presently allow Barasch to receive approximately $48,400 per year therefrom, at his election. The names of these funds have not been mentioned until now—mainly, to attempt to not further confuse an already confusing matter—but, for the record, they are: First, Allied Security Fund, which pertains to his retirement benefits from his Allied Trades Council association; second, Affiliated Security Fund, which pertains to his retirement benefits from his roles with Local 815, Teamsters, and Churchill Associates.

INADEQUACY OF EXISTING LAWS

As it was repeatedly pointed out during the hearings, there was a great deal of concern by subcommittee members and Department of Justice and Department of Labor witnesses that there appeared to be no existing provisions of law to prevent the activities of George Barasch and to protect the rights of union members to the funds contributed for their own welfare and pensions. Assistant U.S. Attorney General Fred Vinson indicated that the Labor-Management Relations Act of 1947, as amended, had as its most pertinent portion to the Barasch case, section 302. However, the main purpose of section 302 was to prevent conflicts of interest and other improper practices between employers and employees. Welfare and pension funds were not included within Section 302's provisions in a situation such as the Barasch case. And Solicitor Charles Donahue of the U.S. Department of Labor indicated that the Welfare and Pension Funds Plans Disclosure Act of 1948, and its 1962 amendment, is limited in authority in that it requires a great deal of disclosure of facts regarding the plans, as well as financial reports, but on a voluntary basis. If such information is refused by the particular union involved, the Secretary of Labor may investigate but he has no enforcement machinery to require complete disclosure or compliance.

Accordingly, our Subcommittee has made certain recommendations in its report, which in substance are the same as S. 2627, the bill to which I alluded at the beginning of my remarks and which was designed to remedy these abuses, and which was cosponsored by eight of the nine Subcommittee members. While these recommendations are readily available, and do speak for themselves let me simply say that they recommend the elimination of one-man control of such welfare and pension plan funds, that the funds shall be used only for stated purposes for the ultimate benefit of the employees, that the trustees will be limited to terms of years with the activities and overall character of the trustees much more carefully scrutinized. Also, that the corpus of the trust will not be transferred to foreign countries without the expressed permission of the Secretary of Labor, and the Secretary will be empowered with enforcement machinery for violations of the fiduciary capacity, including the trustees' removal through the Federal courts and the authority to sue in said courts for the recovery of any funds therein deleted.

RANK-AND-FILE UNION MEMBERS

I do not want to conclude my remarks without a specific reference to the real purpose for this proposed legislation, and that is to guard these funds for the worker who is entitled to them and for whom it is intended will ultimately have the use of them. My concern in this regard is the same today as it was yesterday, and the day before, and as it was when I remarked on this Senate floor on September 3, 1959, during the discussion of the then-pending Landrum-Griffin bill—the latter of whom is our newest Member to this Senate body today. At that time, I said:

> However, I believe that close students of trade-union legislation and of the national economy at this time must reach the conclusion that the greatest lack of balance in the trade-union area of the country today is not the lack of balance between employer and employee, or not even the lack of balance which comes to startingly and so strangely, and with such terrible consequences at times, between the little businessman and the big unions, but that the most significant lack of balance is between the power of the individual member and the power of the labor boss who has authority over that member's destiny and over his economic life. Union leaders have often grown too strong. The control exercised by dues-paying members over their own affairs has grown to weak.

While I am sure that most pension funds in most of the unions are honestly administered, still it is with this thought of the protection of the little man, the rank-and-file member, that I make my remarks today. I think it might be fitting to state that I liken the purpose of the proposed legislation as contained in S. 2627 and as stated in the recommendations to our report to the purport of another statement I also made on the Senate floor on that same day, September 3, 1959, when I said:

> I think it should also be made perfectly clear, Mr. President, that this is not punitive legislation. In no sense is it anti-labor legislation. But it is very markedly preventive legislation—preventing, we hope, in the future the types of abuses which have brought injury and unhappiness to so many in the past. And it is very definitely anti-labor boss legislation, because it takes from those who prefer to be labor bosses instead of responsible labor leaders the undue authority which they have been accumulating and redistributes it among the rank and file trade union members, where it rightfully belongs. This is what we mean when we have argued so long and so energetically for a bill of rights for the American workingman and woman whose dues support the trade union movement."

CONCLUSION

I realize that the whole subject of private pension plans is an enormous one as affecting our whole economic picture, particularly in the next decade when so many contributing plans will come into fruition. I know that various committees of the Congress have held, and will continue to hold, hearings on this vital matter. The Senate Special Committee on the Aging held hearings on the subject in March of last year and their report of June 1965 entitled "Extending Private Pension Coverage," indicated that private pensions are currently paying $2.75 billion annually to almost 2.5 million beneficiaries and that approximately 25 million Americans who have not yet retired have some retirement coverage. It is anticipated that approximately $9 billion annually will be paid out to 6.5 million Americans in 1980, and that 42 million Americans will then be participating in such retirement coverage.

The Joint Economic Committee of the Congress has also been holding hearings on this subject this year. By looking at and inquiring into the diversion, misapplication and misuse of such funds as our Subcommittee has done in this instance, I feel that we have been of assistance to the Congress and to the people of this great country, as a whole, and, hopefully, to the rank-and-file union employees across the breadth of our land in particular.

SIXTEENTH ANNUAL REPORT OF SENATE SELECT COMMITTEE ON SMALL BUSINESS (S. REPT. NO. 1349)

Mr. SPARKMAN. Mr. President, as chairman of the Senate Select Committee on Small Business, I submit the committee's 16th annual report, and ask that it be printed.

The PRESIDING OFFICER. The report will be received, and printed, as requested by the Senator from Alabama.

REPORT ENTITLED "PATENTS, TRADEMARKS, AND COPYRIGHTS" (S. REPT. NO. 1350)

Mr. McCLELLAN. Mr. President, from the Committee on the Judiciary, I submit a report entitled "Patents, Trademarks, and Copyrights," pursuant to Senate Resolution 48, 89th Congress, 1st session, and ask that it be printed.

The PRESIDING OFFICER. The report will be received, and printed, as requested by the Senator from Arkansas.

COMMISSION ON NOXIOUS AND OBSCENE MATTERS AND MATERIALS—REPORT OF A COMMITTEE (S. REPT. NO. 1355)

Mr. MUNDT. Mr. President, by direction of the Committee on Government Operations, I report favorably, with an amendment, the bill (S. 309) providing for a commission to be known as the Commission on Noxious and Obscene Matters and Materials, and I submit a report thereon.

I have been happy to have 28 other Senators act as cosponsors of this bill. The Senators who have joined me as cosponsors are: Senators Allott, Bennett, Bible, Carlson, Case, Cooper, Dirksen, Eastland, Fannin, Gruening, Hickenlooper, Holland, Jordan of Idaho, Lausche, Prouty, Randolph, Scott, Simpson, Smathers, Sparkman, Thurmond, Tower, Young of North Dakota, Ribicoff, Pearson, Dominick, Miller, and Fong.

I believe that the extent to which this legislation has found support from almost a third of the Senate reveals the seriousness of the problems of obscenity throughout our country.

My observations lead me to believe that the activities of the merchants of filth are expanding. I have received a mountain of mail from citizens whose homes have been invaded with advertising and samples of the smut which is on the market. These people demand that something be done.

It was hoped that the recent trials before the Supreme Court would help strengthen the hand of the law-enforcement agencies, but there has been general disappointment that these decisions did not have more far reaching effects.

I do not wish to place undue blame on the Court for it can only interpret the laws that are in effect. It was clear, from the opinions which were written, that the Justices were stymied in trying to determine what has legally been defined as obscene. We still need an adequate definition which will hold up in court.

Some fears have been expressed that passage of this bill will somehow bring about censorship. Nothing could be further from the fact. I ask critics only to examine the makeup of the commission, with representatives from almost every walk of life, with experts in the field of information, publishing, education, religion, television, and motion pictures. Surely these representatives will be conscious of their responsibility to maintain basic freedom as they seek means to end the abuse of these freedoms—abuse which leads to harm for others.

This commission cannot pass any laws. It can only report its findings, make recommendations, propose programs. Its suggestions are not binding on any body of government.

I only ask that this group of experts be given the opportunity to seek safeguards against the violation of privacy, leading to distortion of moral character, which comes from the smelly traffic in pornographic, obscene, and filthy books, pictures, and other noxious materials. I ask only that they be given a chance to concentrate on the problems surrounding the sale of such materials, the legal means of constricting the flow of this traffic and, just as important, outlining those areas which are not to be listed in the category of obscene or pornographic.

Mr. President, I ask that a portion of the report of the committee and a copy of S. 309, as amended, be made a part of the Record at this point.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the excerpt from the report and the bill (S. 309), as amended, will be printed in the Record.

The excerpt and amendment, presented by Mr. Mundt, are as follows:

PURPOSE

S. 309 provides that a Commission will be established to explore methods of combating the traffic in obscene and noxious materials and to (1) seek means of improving coordination between various levels of government to suppress such traffic; (2) endeavor, through the cooperation of various information and communication media, to inform the public about the problem and to further the objectives of the Commission; and (3) report its findings and recommendations as to what legislative, administrative, or other forms of action needs to be taken to combat the traffic in obscene and noxious materials.

BACKGROUND INFORMATION

S. 309 is identical to S. 162, a bill introduced in the 87th Congress, which was favorably reported by the Government Operations Committee of the Senate (S. Rept. 284) and passed by the Senate.

In the 86th Congress, the Government Operations Committee of the Senate reported S. 3726 (S. Rept. 1749) and this bill, which was also identical to S. 309, was passed by the Senate.

This legislation has been introduced in an effort to bring about a workable and effective program to fight the traffic in obscene and noxious matters and materials. While considerable interest has been shown by Congress and by the General public in the serious problems involved in the distribution of pornographic literature, no single effective piece of legislation has been adopted which deals a crippling blow to this insidious industry.

Many religious, patriotic, and service organizations and groups have been continually urging Congress to take action on this serious and menacing problem. The Congress has taken note of the wide-spread harm done to youth and others through the dissemination of lewd, obscene, and noxious materials, and a number of bills have been introduced in Congress on the subject.

Twenty-eight additional Senators have joined in the sponsorship of this bill. It is the belief of the sponsors that the best approach to the problems resulting from the distribution of obscene materials would be through the establishment of a commission which could thoroughly examine all the facets of the problems and could then recommend steps to be taken both by legislative bodies and by private groups and citizens to meet the threat posed by the dissemination of obscene matters.

It is the belief of the sponsors that this small group of experts, drawn from a wide area of interests, could make recommendations and initiate action more effectively.

The Commission is to be made up of persons from several walks of life who have knowledge of the seriousness of the problem and the many legal problems connected with the suppression of the traffic in obscene materials.

The Commission will study the need for any new Federal regulations for controlling such traffic, as well as the general need for State laws or local ordinances for this purpose.

Efforts will be made by the Commission to alert the public, especially the parents and school-age children, about the seriousness of this pernicious traffic and give guidance to the public in suppressing the distribution of such lewd and obscene matters, or in bringing the purveyors of filth into court.

MEMBERSHIP OF THE COMMISSION

The following Government agencies will have representatives on the Commission: The Post Office Department, the Department of Justice (including the Federal Bureau of Investigation), and the Department of Health, Education, and Welfare. There will also be one member from the House of Representatives and one member of the Senate on the Commission.

Public members are selected from groups knowledgeable on this question both from a moral aspect and from a law enforcement aspect. These will include three clergymen, a secondary school official, a State attorney general, a county or city prosecutor, and a county or city law enforcement officer.

Representatives from the information and communications media will sit on the Commission. One member will come from the moving-picture industry, one from the radio-television industry, and one from the publishing industry.

This group will represent all segments of the population concerned with the problems resulting from distribution of noxious and obscene matters and materials.

S. 309

A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

FINDINGS OF FACT AND DECLARATION OF POLICY

SECTION 1. The Congress finds that traffic in obscene matters and materials is a matter of grave national concern. The problem, however, is not one which can be solved at any one level of government. The Federal Government has a responsibility to find more effective ways of preventing the transmission of such matters and materials through the instrumentalities which, under the Constitution, are subject to Federal regulation. The State and local governments have perhaps an even greater responsibility in the exercise of their police powers to protect the public, and particularly minors, from the morally corrosive effects of such matters and materials. Governmental action to be effective needs the support and cooperation of an informed public. It is the purpose of this Act to bring about a coordinated effort at the various governmental levels, and by public and private groups, to combat by all constitutional means this pernicious traffic.

ESTABLISHMENT OF THE COMMISSION ON NOXIOUS AND OBSCENE MATTERS AND MATERIALS

SEC. 2. (a) For the purpose of carrying out the provisions of this Act, there is hereby created a Commission to be known as the Commission on Noxious and Obscene Matters and Materials (hereinafter referred to as the "Commission").

(b) Service of an individual as a member of the Commision or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) NUMBER AND APPOINTMENT.—The Commission shall be composed of twenty members, appointed by the President, as follows:

(1) One from the Senate;

(2) One from the House of Representatives;

(3) Two from the Post Office Department;

(4) Two from the Department of Justice, one of whom shall be from the Federal Bureau of Investigation;

(5) One from the Department of Health, Education, and Welfare;

(6) Three from the clergy;

(7) One who shall be a prominent educator in the field of secondary education;

(8) One who shall be a prominent educator in the field of higher education;

(9) One who shall be a prominent librarian;

(10) One who shall be a prominent representative of the book publishing industry;

(11) One who shall be a prominent representative of the newspaper, magazine, and periodical publishing industry;

(12) One who shall be a prominent representative of the motion picture industry;

(13) One who shall be a prominent representative of the radio and television industries;

(14) One from among the attorneys general of the several States;

(15) One who shall be a chief prosecutor of a city or county government; and

(16) One who shall be a chief law enforcing officer of a city or county government.

(b) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) CONTINUATION OF MEMBERSHIP UPON CHANGE OF STATUS.—A change in the status or employment of any person appointed to the Commission pursuant to subsection (a) of this section shall not affect his membership upon the Commission.

ORGANIZATION OF THE COMMISSION

SEC. 4. The Commission shall elect a Chairman and Vice Chairman from among its members.

QUORUM

SEC. 5. Eleven members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 6. (a) MEMBERS OF CONGRESS.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) MEMBERS FROM THE EXECUTIVE BRANCH.—The members of the Commission who are in the executive branch of the Government shall serve without compensation in addition to that received for their services in the executive branch, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) MEMBERS FROM PRIVATE LIFE.—The members from private life shall each receive $100 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

SEC. 7. The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

EXPENSES OF THE COMMISSION

SEC. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

DUTIES OF THE COMMISSION

SEC. 9. (a) INVESTIGATION, ANALYSIS, AND RECOMMENDATIONS.—It shall be the duty of the Commission—

(1) to explore methods of combating the traffic in obscene matters and materials at the various levels of governmental responsibility;

(2) to provide for the development of a plan for improved coordination between Federal, State, and local officials in the suppression of such traffic;

(3) to determine ways and means of informing the public as to the origin, scope,

and effects of such traffic, and of obtaining public support in its suppression;

(4) to secure the active cooperation of leaders in the field of mass media for the accomplishment of the objectives and purposes of this Act;

(5) to formulate recommendations for such legislative, administrative, or other forms of action as may be deemed necessary to combat such traffic; and

(6) to analyze the laws pertaining to traffic in noxious and obscene matters and materials, and to make such recommendations to the Congress for appropriate revisions of Federal laws as the Commission may deem necessary in order to effectively regulate the flow of such traffic.

(b) Report.—The Commission shall report to the President and the Congress its findings and recommendations as soon as practicable and in no event later than two years after the Commission is established. The Commission shall cease to exist sixty days following the submission of its final report.

POWERS OF THE COMMISSION

Sec. 10. (a) Hearings and Sessions.—The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued over the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192–194) shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) Advisory Committees.—In carrying out its duties under this Act, the Commission (1) may constitute such advisory committees within States composed of citizens of that State, and (2) may consult with Governors, attorneys general, and other representatives of State and local government and private organizations, as it deems advisable. Any advisory committee constituted pursuant to this subsection shall carry out its duties without expense to the United States.

(c) Obtaining Official Data.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act, and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 3572. A bill for the relief of Dr. Sherif Shafey; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 3573. A bill for the relief of Dr. Robert L. Cespedes; to the Committee on the Judiciary; and

S. 3574. A bill to make certain expenditures by the city of Huntsville, Ala., eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. NELSON:

S. 3575. A bill for the relief of Andreas Nikolaos Kanaloupitis; to the Committee on the Judiciary.

By Mr. HART (for Mr. Tydings):

S. 3576. A bill to amend section 2241 of title 28, United States Code, with respect to the jurisdiction and venue of applications for writs of habeas corpus by persons in custody under judgments and sentences of State courts; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts:

S. 3577. A bill to make certain expenditures by Massachusetts Institute of Technology eligible as local grants-in-aid for the purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

(See the remarks of Mr. Kennedy of Massachusetts when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 3578. A bill to amend title XVIII of the Social Security Act to provide coverage, under the program of supplementary medical insurances benefits established by part B thereof, of certain expenses incurred by an insured individual in obtaining certain drugs; to the Committee on Finance.

(See the remarks of Mr. Douglas when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 3579. A bill to establish a Judicial Service Commission; to the Committee on the Judiciary.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA (for himself and Mr. Morse):

S. 3580. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Finance.

By Mr. GRIFFIN:

S. 3581. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Finance.

(See the remarks of Mr. Griffin when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts:

S. 3582. A bill for the relief of Georgios I. Psichogios; to the Committee on the Judiciary.

RESOLUTION TO PRINT AS A SENATE DOCUMENT A STUDY ON OPERATION AND EFFECTIVENESS OF GOVERNMENT BOARDS OF CONTRACT APPEALS

Mr. SPARKMAN submitted the following resolution (S. Res. 281); which, under the rule, was referred to the Committee on Rules and Administration:

Resolved, That there be printed as a Senate Document a study on the Operation and Effectiveness of Government Boards of Contract Appeals, prepared for the Senate Select Committee on Small Business by Professor Harold C. Petrowitz; and that three thousand additional copies be printed for the use of the committee.

JURISDICTION AND VENUE OF APPLICATIONS FOR WRITS OF HABEAS CORPUS FOR CERTAIN PERSONS

Mr. HART. Mr. President, the able junior Senator from Maryland [Mr. Tydings] is necessarily absent today. He has asked me, and I am proud to comply, to introduce a bill for him with respect to the jurisdiction and venue of applications for writs of habeas corpus.

The Senator has prepared additional remarks which outline the purpose he seeks to achieve by the bill. His remarks are most persuasive. I think we can again see clearly the reason that the junior Senator from Maryland in the relatively brief period of time he has served has established himself as a Senator who is deeply concerned with matters affecting justice for individuals even when there is no political gain to be achieved or newspaper excitement over the matter.

In his role as chairman of the Subcommittee on Improvements in Judicial Machinery, the Senator from Maryland has amply demonstrated his understanding and concern of these problems.

Mr. President, I ask unanimous consent that the remarks of the junior Senator from Maryland be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the remarks of the Senator from Maryland [Mr. Tydings] will be printed in the Record.

The bill to amend section 2241 of title 28, United States Code, with respect to the jurisdiction and venue of applications for writs of habeas corpus by persons in custody under judgments and sentences of State courts; introduced by Mr. Hart (for Mr. Tydings), was received, read twice by its title, and referred to the Committee on the Judiciary.

The remarks of Mr. Tydings, presented by Mr. Hart, are as follows:

Modification of the Venue Provisions of the Judicial Code Concerning Habeas Corpus Petitions by State Prisoners

Mr. President, existing provisions of the Judicial Code governing district court venue for habeas corpus petitions filed by State prisoners may inflict undue hardship both upon the petitioning prisoner and our district courts. The problem arises where there are two or more Federal judicial districts within any given state. The law requires that a state prisoner seeking a writ of habeas corpus from a Federal district court must file his petition in the district in which he is incarcerated, without regard to where he was tried and convicted. This means that the petition for the writ may be entertained in a district court that is far distant from the scene of the crime, from both prosecutorial and defense witnesses, and from the state court that sentenced the prisoner.

Furthermore, this unnecessarily restrictive rule may not produce an equitable distribution of the habeas corpus caseload among the various Federal district courts in a particular state. For example, while the State of Texas is divided into four Federal judicial districts, substantially all of that state's correctional facilities are located in the Southern District of Texas. A prisoner may be tried and convicted in a State court sitting in Amarillo, in the Northern District of Texas, but he will be confined in a State penitentiary located within the jurisdiction of the Southern District. This prisoner will have to file any petition for post-conviction relief with the district court in Houston, about 700 miles from the location of the State court which convicted him. If the district court in Houston desires to inquire into the matter, considerable expense and trouble must be undertaken in order to obtain testimony from distant witnesses, and in order to examine evidence that is in all probability still located within the jurisdiction of the trial court.

Until recently, these venue provisions of existing law did not cause intolerable difficulties because the habeas corpus review of a State court proceeding by a Federal court was narrowly restricted. However, as a result of a line of Supreme Court decisions over recent years the scope of the habeas corpus hearings has been broadened considerably, and often approaches a full scale trial. The typical hearing today may require the attendance of many witnesses, and it may be extremely expensive or inconvenient to bring the necessary persons before the reviewing court.

Mr. President, I am introducing, for appropriate reference, a bill to allow the State prisoner to file for review of the State court proceeding in the more appropriate and convenient Federal court. My bill would allow the prisoner to file for the writ in either the Federal district court where he is incarcerated, or the Federal district court located where the State trial took place, and would allow the district court to transfer the proceedings to another district court in the interests of justice and for the convenience of the petitioner. The bill will also have the salutary effect of distributing the habeas corpus business of the Federal courts more evenly among the various judicial districts.

This bill is in large measure the product of the diligent efforts of the Honorable Ben C. Connally, Chief Judge of the Southern District of Texas. Judge Connally is to be congratulated for bringing to the public's attention this shortcoming in the present Judicial Code, and for suggesting an appropriate solution.

A similar bill, H.R. 7618, was introduced in the House of Representatives by the distinguished chairman of the House Committee on the Judiciary, the Honorable EMANUEL CELLER.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD:

"S. 3576

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2241 of title 28, United States Code, is amended by inserting therein at the end thereof an additional subsection reading as follows:

" '(d) Where an application for a writ of habeas corpus is made by a person in custody under the judgment and sentence of a State court of a State which contains two or more Federal judicial districts, the application may be filed in the district court for the district wherein such person is in custody or in the district court for the district within which the State court was held which convicted and sentenced him and each of such district courts shall have concurrent jurisdiction to entertain the application. The district court for the district wherein such an application is filed in the exercise of its discretion and in furtherance of justice may transfer the application to the other district court for hearing and determination.' "

ELIGIBILITY OF CERTAIN EXPENDITURES BY MASSACHUSETTS INSTITUTE OF TECHNOLOGY AS LOCAL GRANTS-IN-AID

Mr. KENNEDY of Massachusetts. Mr. President, in 1959, Congress added section 112 to the Housing Act of 1949 to permit expenditures by colleges for land acquisition and property preparation to be credited toward a community's share of the cost of an urban renewal project, if these expenditures related to the objectives of a community's urban renewal project which is in the immediate vicinity. This legislation sought to encourage educational expansion and community renewal. If urban colleges are to expand, they must acquire property that has already been developed. Communities are more likely to facilitate this expansion, taking city property off the tax rolls, when they can derive some benefit—such as gaining an urban renewal credit and having neighborhood blight corrected.

The city of Cambridge and the Massachusetts Institute of Technology have cooperated in pursuing these twin objectives of community renewal and educational expansion. The city has assisted MIT in acquiring needed property for expansion. MIT's expansion has assisted Cambridge in its efforts to renew its community.

Unfortunately, restrictive administration of the section 112 credit program has threatened to vitiate the benefits which rightfully belong to Cambridge. The Urban Renewal Administration has arbitrarily declared that only expansion within one-quarter mile of the urban renewal area is eligible for the local credits. Although this agency has sought to insure that only expansion related to renewal projects is rewarded, the true effect has been to deprive this program of the impetus intended by Congress. Because MIT has a concentrated campus, expansion must necessarily occur outside one-quarter-mile radius while still relating closely to the urban renewal objectives.

The bill I introduce today would insure that Cambridge will enjoy the full benefits of MIT's expansion within 1 mile of the Kendall Square urban renewal project. Congress recognized the need to allow such special exemptions when we approved similar legislation last year in regard to the University of Pennsylvania in Philadelphia and Wilkes College in Wilkes-Barre, Pa.

Adoption of this legislation would insure that Congress' intent is applied to efforts of MIT and Cambridge. The costs incurred by MIT in expanding its facilities with the assistance of Cambridge would now be credited toward its urban renewal project.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3577) to make certain expenditures by Massachusetts Institute of Technology eligible as local grants-in-aid for the purposes of title I of the Housing Act of 1949, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, and referred to the Committee on Banking and Currency.

AMENDMENT OF TITLE XVIII OF SOCIAL SECURITY ACT

Mr. DOUGLAS. Mr. President, we are at the eve of a historic event. Tomorrow, the promise of medicare becomes a reality for millions of older Americans.

It is significant that medicare begins functioning over the July 4 weekend, for in its own way this new program constitutes a declaration of independence. For millions it will bring freedom from the pervasive fear of financial catastrophe brought about by the inevitable and often chronic illness of the latter years. Medicare means that the hard-earned savings of a lifetime will not swiftly diminish and vanish as a result of factors over which the elderly have no control. Medicare means that younger members of a family need no longer face the terrible necessity of mortgaging their futures in order to meet the health care costs of parents and grandparents. Medicare means for many millions a meaningful and dignified alternative to the welfare relief rolls. We start a program tomorrow which provides tangible evidence to the world that the Great Society is a compassionate society. And, it is compassion based upon dignity and not the dole.

I am not so naive as to believe that the new program is flawless or that it will necessarily function with full efficiency—particularly during the early months and years of operation. On the other hand, we are pragmatists and I trust that we will make such changes in the future as may be required to eliminate shortcomings and enhance effectiveness.

Mr. President, I introduce today an amendment to medicare with a view toward making a good thing better.

My bill is designed to provide coverage under part B, the supplementary medical insurance plan, toward the costs of prescribed drugs.

The failure of the medicare program to provide reimbursement toward the costs of drugs prescribed outside of a hospital or nursing home is generally acknowledged to be a major gap in protection. This deficiency was highlighted during the course of the debate on the Social Security Amendments of 1965.

The magnitude of the problem is indicated by the fact that four out of five people age 65 or over suffer from one or more chronic illnesses. Most of these illnesses require medication of one sort or another on a continuing basis. In 1965, according to the magazine, American Druggist, the elderly are estimated to have spent close to $1 billion on drugs and related items. Not all of that $1 billion, of course, went for prescriptions—several hundred millions was spent for items not requiring prescription, such as aspirin, vitamins, et cetera. It is estimated, however, that at least $600 million was expended for prescribed drugs.

A good part of the problem in devising a means for covering prescribed drugs was in developing a rational basis for payment consistent with what we know about drug quality and efficacy as well as the prescribing practices of physicians. I believe that this bill achieves those objectives.

First, it would be prohibitively expensive to the program to pay for prescriptions on the basis of retail price and for whatever item prescribed. We know that in most instances, the generic version of a drug is either identical with or equivalent in efficacy to the tradename or branded version and available at significantly lower prices. For that reason, the bill provides for the establishment of a schedule of allowances for each prescribed drug based upon the cost of the lowest priced generic equivalent plus an appropriate amount for handling and distribution. Such allowances are similar to private insurance which pays specified amounts, not necessarily identical with the actual charges, for particular medical services or procedures. The drug allowance will approximate actual cost to the extent that a drug is prescribed and filled on a generic basis. The physician is free, however, to prescribe otherwise—but the allowance to the beneficiary will be made in accordance with the schedule structured on generic pricing.

The basic listing of drugs requiring prescription for which benefits may be made is the U.S. Public Health Service Formulary. Items in this formulary may be added to or excluded from coverage based upon the professional judgment of a formulary committee consisting of: the Surgeon General of the United States; the Commissioner of the Food and Drug Administration; and the Director of the National Institutes of Health. The formulary committee would be aided by an advisory committee consisting of seven members. These members would be selected by the Secretary of Health, Education, and Welfare from national organizations concerned with pharmacy such as: the Council on Drugs of the AMA; American Public Health Association; American Society of Hospital Pharmacists; American Association of Medical Colleges; American Association of Colleges of Pharmacy; American Association of Colleges of Apothecaries; American Dental Association; National Medical Association; American Pharmaceutical Association; and the Pharmaceutical Manufacturers Association.

The advisory group may recommend items for inclusion in the formulary to the formulary committee. Any items included in the formulary on a generic name basis will also be covered if prescribed under a trade name. The formulary committee may also include as covered items, drugs which do not require a prescription if it determines those drugs to be of a lifesaving nature. In determining the cost of "the lowest priced generic equivalent," the committee would consult recognized pricing guides such as the "Red Book," and the "Blue Book," or it may use any other basis which it deems appropriate in determining such generic prices for purposes of preparing its schedule of allowances.

The formulary committee may from time to time, modify its schedule both in terms of items covered and allowances. It may also, by regulation, establish minimum prescription quantities and such other rules and regulations as it deems necessary to insure orderly, economical, and equitable provision of this benefit.

At least annually, beneficiaries and physicians would be forwarded a complete listing of the drugs for which a benefit is payable. Each drug would be listed, on a cross-indexed basis, by both generic and trade name with the allowance for each drug also noted. Where a drug is available under more than one trade name, each name would be listed. This procedure would permit older people to become acquainted with the different items covered and serve as a handy reference to facilitate and encourage prescription by generic rather than trade name. I repeat, despite the financial advantages of generic prescription, the physician would still be free to prescribe by trade name. In such cases, however, a smaller portion of the actual cost of the prescription would be paid as a benefit.

Allowances under my bill would not be subject to the 20-percent coinsurance applicable to the other benefits of part B of medicare. The beneficiary would be entitled to the full allowance once he had met the $50 deductible requirement of part B. Prescription costs may be used toward satisfying the $50 deductible but only on the basis of the scheduled allowances and not on the actual costs to the beneficiary.

Benefits would be payable directly to the beneficiary subject to assignment at his discretion.

This new benefit would be added to part B as of July 1, 1968, or earlier in the event that premium costs for the supplementary plan are recalculated prior to that date. The additional premium necessary to pay for this benefit is estimated to be approximately $1 monthly per beneficiary of which one-half would be paid for by the Federal Government.

Mr. President, I ask unanimous consent that the text of the bill be printed at the conclusion of my remarks. I also request that the bill lie on the table for a period of 15 days so as to enable other Senators to join in sponsoring this necessary and worthwhile benefit.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and lie on the desk, as requested by the Senator from Illinois.

The bill (S. 3578) to amend title XVIII of the Social Security Act to provide coverage, under the program of supplementary medical insurance benefits established by part B thereof, of certain expenses incurred by an insured individual in obtaining certain drugs, introduced by Mr. Douglas, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 3578

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1832(a) of the Social Security Act is amended (1) by striking out the period at the end thereof and inserting in lieu of such period a semicolon followed by the word "and", and (2) by adding at the end thereof the following new paragraph:

"(3) entitlement to be paid for allowable expenses (as defined in section 1845(a)(2)), or, if lower, actual expenses, incurred by him for the purchase of qualified drugs (as defined in subsection (a)(1) of such section)."

(b)(1) Section 1833(a) of such Act is amended, in the part thereof which precedes paragraph (1), by inserting "or qualified drugs" after "incurs expenses for services".

(2) Such section is further amended (A) by striking out the period at the end thereof and inserting in lieu of such period a semicolon followed by the word "and", and (B) by adding at the end thereof the following new paragraph:

"(3) in the case of expenses covered under section 1832(a)(3)—100 per centum of such expenses."

(c) Section 1833(b) of such Act is amended by adding at the end thereof the following new sentence: "For purposes of determining amounts to be counted toward meeting the $50 deductible imposed by the preceding sentence, there shall not be included any expenses incurred for any drug or biological which is in excess of the allowable expenses (as defined in section 1845(a)(2)) of such drug or biological."

(d) Part B of title XVIII of such Act is amended by adding at the end thereof the following:

"ALLOWABLE EXPENSES FOR QUALIFIED DRUGS

"Sec. 1845. (a) For purposes of this part—

"(1) The term 'qualified rug' means a drug or biological which is included among the items approved by the Formulary Committee (established pursuant to section 1846(a)).

"(2) The term 'allowable expense', when used in connection with any quantity of a qualified drug, means the amount established with regard to such quantity of such drug by the Formulary Committee and approved by the Secretary.

"(b) Amounts to which an individual is entitled by reason of the provisions of section 1832(a)(3) shall be paid directly to such individual or, if such individual has assigned his right to receive any such amount to another person, the amount so assigned shall be paid to such other person. No individual shall be paid any amount by reason of the provisions of section 1832(a)(3) prior to the presentation by him (or by another on his behalf) of documentary or other proof satisfactory to the Secretary establishing his entitlement thereto.

"(c) The benefits provided by reason of section 1832(a)(3) may be paid by the Secretary or the Secretary may utilize the service of carriers for the administration of such benefits under contracts entered into between the Secretary and such carriers for such purpose. To the extent determined by the Secretary to be appropriate, the provisions relating to contracts entered into pursuant to section 1842 shall be applicable to contracts entered into pursuant to this subsection.

"FORMULARY COMMITTEE

"Sec. 1846. (a) There is hereby established a Formulary Committee to consist of the Surgeon General of the Public Health Service, the Commissioner of the Food and Drug Administration, and the Director of the National Institutes of Health.

"(b)(1) It shall be the duty of the Formulary Committee, with the advice and assistance of the Formulary Advisory Group (established pursuant to section 1847) to—

"(A) determine which drugs and biologicals shall constitute qualified drugs for purposes of the benefits provided under section 1832(a); and

"(B) determine, with the approval of the Secretary, the allowable expense, for purposes of such benefits, of the various quantities of any drug determined by the Committee to constitute a qualified drug; and

"(C) publish and disseminate at least once each calendar year among individuals insured under this part, physicians, pharmacists, and other interested persons, in accordance with directives of the Secretary, an alphabetic list naming each drug or biological (by its generic name and by each other name by which it is known) which is a qualified drug together with the allowable expense of various quantities thereof, and if any such drug or biological is known by a trade name, the generic name shall also appear with such trade name.

"(2)(A) Until the Formulary Committee determines to the contrary, any drug or biological which is included in the United States Public Health Service Formulary shall be regarded as a qualified drug for purposes of the benefits provided under section 1832 (a)(3). Drugs or biologicals not included in such Formulary shall be regarded as qualified drugs for such purposes upon determination of the Formulary Committee that such drugs or biologicals should be so regarded. Any drug or biological included on the list of qualified drugs shall, if listed by generic name, also be listed by its trade name or names, if any.

"(B) Drugs and biologicals shall be determined to be qualified drugs only if they can legally be obtained by the user pursuant to a prescription of a physician; except that the Formulary Committee may include certain drugs and biologicals not requiring such a prescription if it determines such drugs or biologicals to be of a life-saving nature.

"(C) In the interest of orderly, economical, and equitable administration of the benefits provided under section 1832(a)(3), the Formulary Committee may, by regulation, provide that a drug or biological otherwise regarded as being a qualified drug shall not be so regarded when prescribed below certain minimum quantities.

"(3) In determining the allowable expense for any quantity of any qualified drug, the Formulary Committee shall give due consideration to recognized pricing guides for drugs, and of other pertinent factors, with a view to determining with respect to each qualified drug a schedule of prices for various quantities thereof which reflects the cost thereof to the ultimate dispensor of the drug plus a reasonable fee for the preparation, handling, and distribution thereof to the consumer thereof. In any case in which a drug or biological is available by generic name and one or more trade names any one of which is different from such generic name the cost of such drug or biological, for purposes of the preceding sentence, shall be deemed to be the lowest cost of such drug, however named.

"ADVISORY GROUP TO FORMULARY COMMITTEE

"SEC. 1847. (a) For the purpose of assisting the Formulary Committee to carry out its duties and functions, the Secretary shall appoint an Advisory Group to the Formulary Committee (hereinafter in this section referred to as the 'Advisory Group'). The Advisory Group shall consist of seven members to be appointed by the Secretary. From time to time, the Secretary shall designate one of the members of the Advisory Group to serve as Chairman thereof. The members shall be so selected that each represents one or more of the following national organizations: an organization of physicians, an organization of manufacturers of drugs, an organization of pharmacists, an organization of persons concerned with public health, an organization of hospital pharmacists, an organization of colleges of medicine, an organization of colleges of pharmacy, and an organization of consumers. Each member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of six of the members first taking office shall expire, as designated by the Secretary at the time of appointment, two at the end of the first year, two at the end of the second year, and two at the end of the third year, after the date of appointment. A member shall not be eligible to serve continuously for more than two terms.

"(b) Members of the Advisory Group, while attending meetings or conferences thereof or otherwise serving on business of the Advisory Group, shall be entitled to receive compensation at rates to be fixed by the Secretary, but not exceeding $75 per day, including travel time, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(c) The Advisory Group is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Advisory Group such secretarial, clerical, and other assistance and such pertinent data obtained and prepared by the Department of Health, Education, and Welfare as the Advisory Group may require to carry out its functions."

SEC. 2. The amendments made by the first section of this Act shall become effective on whichever of the following first occurs: the first day of the first month with respect to which the rate of the monthly premium for participation is raised, pursuant to section 1839(b) of the Social Security Act, after the date of enactment of this Act, or July 1, 1968.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. Mr. President, I notice that the bill of the Senator would require that the drugs be payable on the basis of their generic names. I congratulate him for that provision.

While I do not have a closed mind on the subject, my investigation has led me to believe that the public pays several times more than necessary for drugs if those drugs are purchased by the trade name.

When one purchases a drug by its generic name, he gains the benefit of competition between manufacturers. In doing so, it is possible to greatly reduce the cost.

I am perhaps overoptimistic as to the savings to be achieved by this procedure. However, to my knowledge everyone to whom I have spoken or who has handled a program stressing generic prescription concedes that the savings are very great when one purchases drugs by generic names.

Mr. DOUGLAS. I thank the Senator from Louisiana. I think he is completely correct. That is the purpose in providing for basing the payment of the drugs benefit on their generic names, rather than their trade names.

ESTABLISHMENT OF A JUDICIAL SERVICE COMMISSION

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to establish a judicial service commission, and I ask that the text of the bill be printed immediately following my remarks.

(See exhibit 1.)

Mr. SCOTT. I also ask unanimous consent that an article published in the Reader's Digest for July 1966, be printed following the text of the bill I have introduced.

(See exhibit 2.)

Mr. SCOTT. I also ask unanimous consent that the bill may lie on the desk until the close of business on July 15, 1966, so that Senators who may wish to be cosponsors may have the opportunity to do so.

Mr. President, last October the Senate was confronted with the choice of approving the nomination of a man to be U.S. district judge for the District of Massachusetts who was clearly unqualified. The public outrage against this nomination forced its withdrawal literally moments before the Senate was prepared to vote.

This nomination created the impression that judgeships could be placed on the political auction block. It also, fortunately, forced us to reexamine the system of selecting members of the Federal bench.

A distinguished lawyer from Philadelphia, Bernard G. Segal, whom I hold in the highest professional esteem, has characterized the position of Federal judge in this manner:

> . . . [It] probably constitutes the most important single position in preserving the difference between our way of life and that of the Iron Curtain countries; namely, the protection of the lives and the property of the individual, the emphasis on the individual as the paramount consideration of a whole government and of a whole people, rather than the interest in the collective security which the Iron Curtain countries emphasize. It is to this judge, to the trial judge, to whom we must look to preserve those essential liberties and those essential rights.

In other words, this position is too important to trifle with.

The American people rightfully demand excellence from appointees to the Federal bench. While most Federal judges meet this standard, the system of their selection tends on occasion to produce mediocre judges and can even turn up an occasional unfit judge. This is because politics has for too long been one of the bases for selecting Federal judges.

A Gallup poll released on April 6 of this year revealed the dissatisfaction of most Americans with the present system of selecting Federal judges. Sixty-one percent, nearly two-thirds, of those asked approved a suggestion that the American Bar Association be permitted to draw up a list of approved candidates from which the President would select his nominees.

The contested nomination last October and this recent test of public sentiment clearly indicate the necessity for Congress to take steps to guard against the appointment of mediocre or unfit judges.

Last fall, in the immediate aftermath of the contested nomination, I proposed establishment of a panel to advise the President on judicial appointments, thereby averting repetitions of this unfortunate case. Because of the importance of this whole issue of judicial reform, I have since given considerable thought and study to the composition and responsibilities of such an advisory body.

The result of this study is a bill which I am introducing today.

My bill would establish a seven-man Judicial Service Commission to be appointed by the President by and with the advice and consent of the Senate. At least three members would be present or former members of the American Bar Association's committee on the Federal judiciary, which currently evaluates judicial nominations, and at least two would be retired Federal judges. No more than four members would come from the same political party.

The Commission would examine the qualifications of prospective appointees to the Federal bench and, whenever a vacancy occurred, would make recommendations to the President for the filling of such vacancy. My bill expresses the sense of Congress that whenever the President appoints an individual to the Federal judiciary who was not recommended by the Commission, he shall furnish the Senate with a statement explaining why he did not follow the Commission's advice.

Justice is the heart of our free society and its administration should be entrusted only to the most qualified available members of the bench and bar.

The July issue of the Reader's Digest carries an interesting article by Paul Friggens, entitled "Is That Judge Fit To Sit?" which mentions my proposal. Although Mr. Friggens' illustrations are of municipal, county, and State courts, rather than the Federal judiciary, I believe the study merits examination by Congress.

I ask unanimous consent that the articles be inserted into the RECORD.

I also ask unanimous consent that the text of my bill be printed immediately following my remarks and that the bill remain at the desk until the close of business on July 15 so that Senators who may want to cosponsor can have an opportunity to add their names.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and without objection, the bill and article will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Pennsylvania.

EXHIBIT 1

S. 3579

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 21 of title 28, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 461. Judicial Service Commission.

"(a) There is hereby established in the executive branch of the Government an agency to be known as the 'Judicial Service Commission', hereinafter referred to as the 'Commission'.

"(b) The Commission shall be composed of seven members appointed by the President, by and with the advice and consent of the Senate. At least three of the members of the Commission shall be selected from among persons who are serving or shall have served as members of a committee of the American Bar Association dealing with the Federal judiciary, and at least two shall be members of the Federal judiciary who have retired from regular active service. Not more than four members shall be from the same political party. The Commission shall elect a chairman from among its members. Each member of the Commission shall be appointed for a term of three years, except that (1) the terms of the members first appointed shall expire, as designated by the President at the time of their appointments, two at the end of one year, two at the end of two years, and three at the end of three years, following the date of such appointments, and (2) a member appointed to fill a vacancy occurring before the expiration of the term of his predecessor shall serve under such appointment only for the remainder of such term.

"(c) It shall be the duty of the Commission to ascertain the qualifications of prospective appointees to positions as justices or judges of the United States and, upon the occurrence of a vacancy in any such position, to make recommendations to the President for the filling of such vacancy.

"(d) It is the sense of the Congress that in any case in which the President nominates for appointment as a justice or judge of the United States a person not recommended by the Commission for such appointment, he should transmit to the Senate at the time of such nomination a statement of his reasons for failing to nominate a person recommended by the Commission for such appointment.

"(e) The Commission is authorized to appoint and fix the compensation of such employees, and to make such expenditures, as may be necessary to enable it to perform its functions. With the consent of the head of the department or agency concerned, the Commission may utilize, on a reimbursable basis or otherwise, the services or facilities of any department or agency in the Executive branch of the Government.

"(f) Members of the Commission who are not otherwise receiving compensation as officers or employees of the United States shall be entitled to receive compensation at the rate of $— per diem while engaged in carrying out their duties as members, including travel time. All members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently, while away from their homes or regular places of business."

SEC. 2. The analysis at the beginning of chapter 21 of title 28, United States Code, is amended by adding the following new item:

"461. Judicial Service Commission."

The article presented by Mr. SCOTT is as follows:

EXHIBIT 2

IS THAT JUDGE FIT TO SIT?

(By Paul Friggens)

"Of all people in our society, the judge must remain the most incorruptible, because he is the final protector of our rights to life, liberty and property under the law," declares Louis H. Burke, justice of the Supreme Court of California. Indisputable. But suppose that a case involving you came before a judge like one of the following:

Three state Supreme Court justices in Oklahoma who shared an alleged $150,000 bribe to "throw" their decisions in favor of a shady investment company fighting a state tax claim. One justice has served a nine-month prison sentence for income-tax evasion; another has been convicted and impeached; the third has resigned under threat of impeachment.

A Florida municipal judge who was convicted for income-tax evasion.

A Michigan recorders' judge who was convicted for failure to file any income-tax returns since 1945.

Two Louisiana Supreme Court justices who shattered judicial decorum with a fist fight in the court's chambers.

"The administration of justice in the United States is in trouble," a group of the country's leading lawyers and jurists agreed at the recent American Assembly of Columbia University. Indeed, in state after state there is growing alarm over judges who are sick or senile, corrupt, guilty of unconscionable gold-bricking, habitually intoxicated or otherwise unfit to serve on the bench. To be sure, the great majority of our judges are honest, hardworking and capable. But, as distinguished judge and public servant Samuel I. Rosenman of New York said in an address to the bar: "Let us face the sad fact that in too many instances the benches of our courts are occupied by men of small talent, undistinguished in performance, technically deficient and inept."

The truth is that we are victims of two costly evils in our horse-and-buggy judicial system: popular election of county, municipal and state judges, a practice which abandons our courts to entrenched party politics; and a scandalous tenure system which allows a judge to hang on "during good behavior" even though he may suffer mental decreptitude, neglect his duties or be otherwise incompetent.

How can we improve this situation?

Run on the Record. Fortunately, there are excellent "model" programs already in operation. The first is the so-called "Missouri Plan" of merit selection, adopted a generation ago to thwart the corrupt Pendergast political machine.* The heart of this plan is a *nonpartisan* nominating panel of seven: three lawyers named by the state bar association, three outstanding laymen appointed for staggered terms by the governor, and a judge as chairman. Whenever an incumbent judge dies, retires or is voted out of office, this panel carefully screens possible replacements, then puts forward a slate of three or more of those it considers the best-qualified candidates. The governor or mayor, depending on who is the appointing power, then fills the judgeship from the recommended slate.

Thereafter, when a judge's term is up, he runs not against another individual and on a party label, but *on his own record.* For example, at the last general election, voters in Kansas City and St. Louis were confronted with this simple judicial ballot: "Shall Judge S. P. Dalton of the Supreme Court of Missouri be retained in office? YES NO (Scratch one)."

To help them decide, voters are given valuable guidance. Before each election, lawyers conduct a poll within their profession on the candidates' qualifications for retention, and the results are given wide publicity in local news media. In addition, newspapers publish biographies, records of reversals and conduct in office, and make recommendations.

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*The plan was drafted by the American Judicature Society. Its basic idea originated with a Northwestern University Law School professor, Dr. Albert M. Kales, as a remedy for scandalous conditions in the courts prior to World War I.

An editorial in the Kansas City Star sums up the proved benefits: "A judge doesn't have to borrow and spend money to conduct a campaign. He is not forced to make political promises to men who control votes. He does not have to answer to a political boss, nor does he need to accept campaign contributions from lawyers who will practice in his court. It is by far the best plan yet devised to keep the bench out of partisan campaigns."

Says Loyd E. Roberts, Joplin attorney and recently president of the state bar association: "Unquestionably, we have better qualified personnel. Excellent lawyers who would not submit themselves to the ordeals of the old political system now agree to serve on our bench."

Says Justice Laurance M. Hyde of the Missouri Supreme Court: "Our judges can now be working on the next case instead of on the next election." Since it's no longer necessary to take time out to campaign and mend political fences, the judges are disposing of substantially more cases.

Are there any criticisms of the Missouri Plan?

A few. The most frequent complaint is that the appointive system "takes the judiciary away from the people," and is, therefore, undemocratic. "But the idea that voters themselves select their judges is something of a farce," Judge Rosenman told a meeting of the American Judicature Society. "The real electors are the political leaders who nominate practically whom they choose. The voters, when they reach the judicial part of the ballot, usually vote blindly for the party emblem."

Altogether, the Missouri merit plan has proved a highly significant reform. Today it has been adopted for all or part of the judiciary in Alabama, Alaska, California, Colorado, Florida, Illinois, Iowa, Kansas, Nebraska, Oklahoma, Utah and Vermont. Its adoption or extension is under consideration in some 30 states. Moreover, some jurists feel that its key concept of a nonpartisan nominating commission might strengthen our federal judiciary appointments as well.

Marriage Mills and Golf Games. But getting good judges *onto* the bench still leaves us with the problem of getting bad judges *off*. At present, in most states, once a judge is elected, there is no way to remove him, save by defeat at the polls, rare impeachment or conviction for felony. Federal judges are even harder to remove, since appointment is for life. In some states the highest court holds the power of removal, but it is rarely used. In others, a special Court of the Judiciary may be convened, or disbarment tried, with ultimate removal by the high court. But the procedure is cumbersome and ineffective.

Recognizing this weakness, California a few years ago launched a legislative investigation of its courts. Among other disclosures, this inquiry found that a 68-year-old municipal judge had convened court on only nine mornings in two years. Claiming a heart ailment, he nevertheless managed to play golf—while his backlog of cases mounted. He had collected $33,000 for nine mornings' work!

The investigation also exposed judges who failed to show up in their courtrooms for months at a time because of sickness or age, who indulged in short work weeks and lengthy vacations, who refused to try cases that they believed would be unpleasant or dull, who delayed decisions for so long that they forgot key points in a case. Some ran marriage mills as a flourishing sideline. A few were unable to appear for scheduled trials because of intoxication, or sat on the bench while drunk.

Shocked by these disclosures, California in 1960 voted a constitutional amendment establishing a Commission on Judicial Qualifications. Composed of nine members (five judges appointed by the California Supreme Court, two public members appointed by the governor, two lawyers named by the state bar association), the commission is a permanent body empowered to investigate and consider complaints about the courts at all levels. Upon recommendation of the commission, the Supreme Court may hold a public hearing and remove a judge.

Protecting the Public. Now in its sixth year of operation, the commission works this way:

Any attorney, public official, litigant or private citizen may report a judge for a disability or dereliction. If the commission staff finds that the complaint has merit, it immediately investigates. For example, there were recent complaints that a trial judge,* although only in his 60's, was apparently senile and "doesn't know half the time what he's doing." The commission made a preliminary inquiry, found that the judge was indeed unable to perform his duties and wrote to him requesting an explanation. Within two days, the judge conceded his senile condition and retired on a generous pension.

In another case, the commission investigated a judge who habitually lost his temper and abused counsel and litigants. Confronted with the charges, the judge was profoundly shocked. "I didn't realize this was happening," he pleaded. The man was emotionally disturbed; six months later he resigned his judgeship. Had he not resigned, the commission had power to order medical and psychiatric examination.

In this manner, the commission is keeping tabs on nearly 1000 California judges, from justices of the peace on up. Since its establishment, the commission has received more than 400 complaints, induced 30 judges to resign or quietly retire, and recommended one removal. Although judges have been retired for many reasons, the majority have stepped down because of disabling illness or mental impairment due to age. Nearly all have withdawn without hardship under a state pension.

While the resignations and retirements alone have strengthened the courts, the power of investigation and removal accomplishes something else: it is a perpetual prod and stimulus to judges to conduct themselves as the office demands. A simple registered letter from the commission advising that it is investigating a complaint usually works wonders. Says Superior Court Judge William B. Neeley of Los Angeles, currently commission chairman: "Like all human beings, judges can slip into shoddy attitudes—but they are less likely to do so now that they realize there is a body to whom the public can complain."

Last year, after careful study, the California plan was adopted in Texas district and appellate courts, and currently is being promoted by concerned citizens' groups in half a dozen states. The recent Columbia University conference on the courts strongly endorsed the plan as a model for other states. Sen. JOSEPH TYDINGS of Maryland, chairman of a judiciary subcommittee, has been holding hearings on the program for possible application to the federal bench. At this writing, Sen. HUGH SCOTT of Pennsylvania plans to introduce a bill in Congress to establish a nonpartisan commission to advise the President on federal judicial appointments.

Needed: A Citizens' Campaign. How can you secure the Missouri and California reforms in your state?

To enact such sweeping measures, citizens must gird themselves for a hard, intensive campaign, and be prepared for setbacks. In Missouri, for example, tremendous citizen effort was required. Repeatedly blocked in the legislature, the people finally circulated petitions and won a referendum by 90,000 votes. Within 60 days, the spoils politicians were back again with another petition demanding a repealer. This time the reform carried by 160,000 votes. But there have been still other attempts to knock it out and, ironically, Missouri's rural-dominated legislature has not yet extended the system to the entire state, as have other states like Alaska, Iowa and Nebraska.

In these states, as elsewhere, a vigorous lawyer-layman campaign of public education finally carried the day. In Texas, this combination put over adoption of the California commission idea in just 18 months; the people voted it in 3-to-1. Wherever citizens seek judicial reform, the same teamwork will be required. For, as Judge Rosenman warns, "Only an aroused citizenry can overcome the entrenched political forces, which will always oppose. But this should only multiply our determination to succeed soon!"

ADDITIONAL READJUSTMENT ASSISTANCE TO CERTAIN VETERANS

Mr. MONTOYA. Mr. President, although this Congress has enacted a cold war GI bill of rights for the men and women who are serving their country in the Vietnam conflict, we are still falling far short of providing equitable treatment for this coming group of veterans as compared to the benefits enacted for veterans of World War II and the Korean war.

The recently enacted cold war GI bill narrowed the gap between the treatment afforded members of the armed services in this, the Vietnam conflict period, and that which is afforded to veterans of other conflicts. It has provided for educational assistance, loan guaranty benefits, civil service preference, medical care, and other important benefits.

However, Mr. President, these benefits have only narrowed the gap and have not closed it altogether. Under present law, this country views a person fighting in Vietnam as a peacetime member of the Armed Forces.

This means that most of the members of the Armed Forces who serve during the Vietnam period are deprived of the higher disability rates provides for wartime service, pensions for widows and children, and other basic benefits granted to wartime veterans.

At the present time, veterans of Vietnam are not even entitled to the $250 burial allowance which is provided to all other wartime veterans.

Today, I am introducing a bill which will put an end to these inequities.

This bill which I am introducing today will eliminate the unfair distinction between Vietnam veterans and other veterans by adding the phrase, "Vietnam era," to the list of wars and conflicts for which wartime benefits are provided.

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*This and other cases cited are disguised, since all procedures and records of the California Commission on Judicial Qualifications are strictly confidential.

The Vietnam era is defined as beginning on August 5, 1964, the date of the Tonkin Gulf crisis, and ending on a date to be determined by Presidential proclamation or by concurrent resolution of the Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3580) to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes, introduced by Mr. MONTOYA, was received, read twice by its title, and referred to the Committee on Finance.

Mr. MONTOYA subsequently said: Mr. President, earlier today I introduced Senate bill 3580 to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes. I ask unanimous consent that the bill may lie on the desk until July 16 for the addition of cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX CREDIT FOR THOSE WHO INVEST IN EDUCATION

Mr. GRIFFIN. Mr. President, today I introduce, for appropriate reference, another measure designed to provide encouragement and tax recognition for those who invest in education.

Earlier, on Tuesday of this week, I introduced a bill to correct certain inequities in the Internal Revenue Service regulations relating to tax deductions for teachers.

If enacted, that bill would encourage teachers to improve their education qualifications and to remain within their profession.

The bill I introduce today would provide a credit against the Federal income tax of up to $325 a year for the taxpayer who bears all or part of the expense of a higher education for any person, including himself.

Under this bill, a tax credit would be allowed on 75 percent of the first $200 invested in an individual's education in any year, on 25 percent of the next $300, and 10 percent of the next $1,000. Expenses would include tuition, fees, books, and other materials.

Mr. President, I have long been convinced that the genius of our Nation's education system—the wellspring from which its vitality flows—lies in its diversity. Our educational system is diversified not only in teaching methods, but in philosophy, in curriculum, and in the composition of its varied student bodies.

This diversity in our educational system has contributed greatly to the preservation of our pluralistic society. Indeed, it has played an essential role in the constant battle against mounting pressures toward conformity and centralization.

Although there are great and important differences among America's many colleges and universities, at the same time, they share some common problems. For example, they are caught up in the pressures of rising costs at every turn. More often than not, these rising costs have to be met by increasing tuitions.

I believe that the public is generally aware of this problem and is sympathetic toward it. The extent of public interest is amply demonstrated by the many bills which are introduced each year in Congress proposing various forms of Federal aid to education.

Many of the aid-to-education bills which are dropped in the congressional hopper from time to time, call for new grants of funds to be handed out by the Federal bureaucracy. Often, the outlook for passage of such legislation is overshadowed by the church-state issue as well as the specter of Federal control of education.

On the other hand, by revising our revenue laws to allow a tax credit, we could provide important aid to education in a simple and direct manner that avoids the problems of constitutionality and Federal control.

The tax system can be utilized to provide greater recognition and encouragement for those who invest in education—whether the education is furnished through our public, private, or church-related schools.

Every accredited school serves a valid and essential public purpose, and there is an urgent need for more equitable tax treatment among those who bear the heavy costs involved.

Mr. President, I am confident that a tax credit, such as that proposed in my bill and in other similar bills, could make that extra bit of difference for many families of limited means. In combination with the existing national student loan program—which I was proud to cosponsor in 1958—a tax credit would open the door of opportunity for many talented sons and daughters who might not otherwise be able to go to college.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3581) to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education, introduced by Mr. GRIFFIN, was received, read twice by its title, and referred to the Committee on Finance.

HIGHER EDUCATION AMENDMENTS OF 1966—AMENDMENT

AMENDMENT NO. 635

Mr. CHURCH. Mr. President, title II of the Higher Education Act of 1965 appears to be most explicit in its language and its objective. Stated most simply, it is designed to give some financial aid to college libraries—an incentive base—to encourage those libraries in expanding their inventories.

There appears to be little question that the intent of Congress was to provide this incentive to the smaller colleges and universities. Yet through what appears to be an unanticipated local fiscal situation, the language of one section of title II, setting forth "maintenance of effort" requirements, now serves to deprive at least one worthy institution of the basic assistance grant.

While the situation specifically penalizes Idaho State University, I have been told that other schools have been similarly denied.

In essence, because of the language of the "maintenance of effort" provisions in title II, Idaho State University will lose its eligibility for the basic assistance grants, not because it failed to do enough for its library facilities, but rather, because it did too much.

Section 202 provides a basic assistance grant not to exceed $5,000, but limits such grants to schools that will spend as much as the annual average amount they spent for library improvements in the 2 years prior to June 30, 1965, and also, not less than the amount of the grant.

The intent of that language is quite evident and, I feel, quite reasonable. The institutions should be as much concerned in making the effort to improve their library facilities as is the Federal Government.

Unfortunately, in the case of Idaho State University, the school and the State legislature were too much concerned.

In the 1961, 1962, and 1963 fiscal years, Idaho State University expended an average $42,000 annually on library inventories, using the funds allocated by Idaho biennial legislatures which had met in 1959 and 1961.

When the 37th session of the Idaho State Legislature convened in January of 1963, a new spirit of progress was evident. The problems of State aid to education had become acute and a determined legislature moved to meet financial shortcomings that had plagued Idaho's institutions for many years.

One of the results of that determination was a one-time funding to sharply upgrade Idaho State University library inventories. After an average annual expenditure of $42,000 for the 3 preceding fiscal years, Idaho State University was authorized to nearly double that amount in fiscal 1964, spending $86,055 on its library.

Having made this drastic effort, the legislature and university had no intention of falling back upon the small sums spent prior to 1964. But in Idaho every educational dollar is precious. Accordingly, the legislature authorized $64,297 for fiscal 1965—an amount still $20,000 more than had been spent prior to the one-time upgrading effort. The 1966 fiscal budget authorized $68,547—$24,000 more than the previous average. Quite obviously, Idaho State University is making an outstanding maintenance of effort within the context of section 202 of title II.

But the practical effect of the surge expenditure in fiscal 1964 was to have established an average annual expenditure during the 2-year base period required by section 202 of $75,076. Then, in 1965, although still budgeting 50 percent more than in the 3 years prior to the base period, the Idaho State University budget allowance went to $64,055—or $10,000 less than in the prescribed base period, thus not meeting the requirement of an annual maintenance of effort equal to the $5,000 of the basic assistance grant.

Clearly, Mr. President, the school had proven its intention of library improvement far beyond any implied requirement of the legislation. But because of one atypical budget year which fell in the period prescribed in section 202, Idaho State University not only could not qualify in 1966 for the basic assistance grant, but would continue to be disqualified in future years unless they received and spent continuously high amounts far in excess of the fiscal capacity of the State and the university.

I do not think, Mr. President, that it was ever the intent of Congress to deprive or penalize a small school for making an unexpected and outstanding improvement of its library facilities. Certainly, at the time that the Idaho State Legislature appropriated the "one-shot" boost to the Idaho State University library in February of 1963, there was no knowledge that a year later Congress would create title II of the Higher Education Act. Nor do I think, Mr. President, that the dedicated people who drafted title II realized that such a situation would occur.

It is to solve the dilemma that Idaho State University and other schools in similar situations have found themselves because of section 202, but without effecting those schools who do use the prescribed base period figures, that I now offer a brief amendment to S. 3047, the Higher Education Act bill now before the Senate.

The amendment reads as follows:

On page 7, between lines 14 and 15, insert the following new part:

"PART C—MAINTENANCE OF EFFORT FOR BASIC GRANTS FOR COLLEGE LIBRARY ASSISTANCE

"Sec. 121. Section 202 (a) (1) of the Higher Education Act of 1965 is amended by adding immediately after 'June 30, 1965' the following: 'or during the two fiscal years preceding the fiscal year for which the grant is requested, whichever is the lesser,'."

Thus, while retaining the original base period for those schools that find it satisfactory, it would allow schools such as Idaho State University to use the 2-year period prior to the year the grant is requested in order to comply with the letter of the law in proof of maintenance of effort. It allows such schools to receive the much-needed basic Federal assistance grant under title II, while maintaining their own library budgets at a realistic and fiscally sound level and does not penalize them for doing too much in a one-time bootstrap effort, simply because that effort happened to fall in the 2 years prior to June 30, 1965.

I have the assurances, Mr. President, of both the U.S. Office of Education and the American Library Association, that such an amendment is not only acceptable to them but that it is necessary in order to correct this unanticipated inequity in title II as it stands today.

Accordingly, Mr. President, I now introduce my proposed amendment to S. 3047 and ask that it be referred to the appropriate committee.

In additional support of the amendment, I have two separate letters, from Dr. Donald F. Kline, director of development and institutional research; and from Mr. Eli M. Obler, university librarian, both of Idaho State University.

I ask unanimous consent that these letters be printed in the RECORD, following the printed version of the amendment.

The PRESIDING OFFICER. The amendment will be received, printed, appropriately referred; and, without objection, the amendment and letters will be printed in the RECORD.

The amendment (No. 635) was referred to the Committee on Labor and Public Welfare, as follows:

On page 7, insert the following:

Between lines 14 and 15, insert the following new part:

"PART C—MAINTENANCE OF EFFORT FOR BASIC GRANTS FOR COLLEGE LIBRARY ASSISTANCE

"SEC. 121. Section 202(a) (1) of the Higher Education Act of 1965 is amended by adding immediately after 'June 30, 1965,' the following: 'or during the two fiscal years preceding the fiscal year for which the grant is requested, whichever is the lesser,'."

The letters presented by Mr. CHURCH are as follows:

IDAHO STATE UNIVERSITY, OFFICE
OF THE DIRECTOR, DEVELOPMENT
AND INSTITUTIONAL RESEARCH,
Pocatello, Idaho, June 7, 1966.

The Honorable FRANK CHURCH,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR CHURCH: As you know from our earlier discussions, we have had some difficulty in complying with the letter of the law in relation to Title II of the Higher Education Act. This title provides for basic Institutional Assistance Grants for libraries, providing the institution can show a "maintenance of effort" and meet other requirements.

Attached is a breakdown of our Library's expenditures from 1960 through 1965. You will note a steady increase in the state's effort to improve the library resources of Idaho State University. Unfortunately, we would have been unable to qualify for the basic Institutional Assistance Grant because of the unusual expenditures in 1963 and 1964. These expenditures resulted from a significantly greater appropriation from the Legislature in order to assist us in the development of our library facilities. Because of our state effort we seem, therefore, to have jeopardized our ability to qualify for a Title II grant.

I suspect that other institutions may have experienced similar difficulties, especially those institutions that may have received a significant contribution from private sources or, as in the case of Idaho State University, received significantly greater appropriations from the state legislature creating atypical expenditures during the two years that must be used as the base years, according to the law.

You will be pleased to learn that in this instance we were able to combine our library expenditures with those in our Department of Audio-Visual Services and by increasing our budget for 1965, met the legal requirements for this year.

I would strongly recommend, Senator, that legislation be drafted to amend this title of Public Law 89–329 to provide that an institution may use the 1963, 1964, and 1965 data or permit them to use the two fiscal years preceding the fiscal year for which the grant is made, whichever is the lesser.

My analysis of the legislation suggests that it is the intent of the Congress to improve libraries at institutions similar to Idaho State Univerity. Unfortunately, there is nothing in the committee hearings, or in the recorded testimony, or arguments on the floor of the Senate that reflects the intent of Congress. The law must, therefore, be administered rigidly, and institutions that have atypical expenditures during the "base years" are automatically eliminated from consideration. The expenditures at I.S.U. for library resources are, in my opinion, typical of this problem.

Any assistance that you can give us in amending the present legislation will be most sincerely appreciated.

Respectfully yours,
DONALD F. KLINE, *Director.*

Analysis of Library expenditures, 1960–61 to 1965–66

	1960–61	1961–62	1962–63	1963–64	1964–65	Budget, 1965–66
Total expenditures [1]	$143,332	$157,972	$173,451	$231,220	$212,633	$235,511
Total capital outlay: Expenditures	41,899	45,040	47,138	91,095	67,556	74,329
Less capital equipment	1,373	3,920	2,647	5,040	3,259	5,782
Total books, periodicals, and binding	40,526	41,120	44,491	86,055	64,297	68,547

[1] Includes salaries and wages, travel, other expense, and capital outlay.

THE LIBRARY,
IDAHO STATE UNIVERSITY,
Pocatello, Idaho, June 10, 1966.

The Honorable FRANK CHURCH,
Senator from Idaho, Senate Office Building,
Washington, D.C.

DEAR FRANK: As you have already been informed, this library has had some difficulty in matching the "maintenance-of-effort" requirements as stated in "Guidelines for Fiscal Year 1966 Only: The College Library Resources Program", as issued by the U.S. Office of Education in May, 1966, to define the requirements for getting the basic grants for library materials under Title II, Part A, Section 202 of the Higher Education Act of 1965: Public Law 89–329.

According to the maintenance-of-effort requirements, "the applicant institution . . . will expend . . . during the fiscal year ending June 30, 1966 (from non-Federal funds) for *all allowable library purpose expenditures* in . . . an amount at least equal to the average annual amount it expended from other than Federal sources, for allowable library purposes . . . during the two year period ending June 30, 1965. . . ." Also it is required that "the applicant institution . . . will expend during the fiscal year ending June 30, 1966, from non-Federal funds for *allowable library materials*, an amount at least equal to the average annual amount it expended from other than Federal sources, for allowable library materials during the two-year period ending June 30, 1965. . . ." The details of what funds are excluded for matching purposes are indicated on page 5 of the attached 2 pages.

As you know, the Idaho State University Library could *not* match, in funds from strictly library expenditures, the "average annual amount spent for such use . . . during the two-year period ending June 30, 1965 . . .", as pertains to strictly "allowable library materials". Interpretation was made by the Department of Education attorney that enabled us to match by using expenditures on audio-visual services, which are not really under the control of the ISU Library, but were stated as meeting the legal requirements for this year.

The reason for our not being able to match is that for biennium 1963–65 the library was granted an exceptionally large amount as a more or less "one-shot" effort by the State of Idaho to help improve our library resources. It was not planned that this would continue during the succeeding biennium at the same rate, and therefore there was an indicated decrease for 1964–65 and for 1965–66. We will probably not get back, as far as funds coming to us from State funds, to anything close to our library materials expenditures until the biennium 1967–69, when it will again come up to and probably beyond this increase.

Since this kind of situation might recur, has undoubtedly occurred in other states, and also because, particularly in those institutions which get significant amounts from private sources, this could occur regularly where those contributions vary from year to year, I urge that you promote legislation to amend Title II of the Higher Education Act of 1965 to provide that an institution may *either* use the 1963–64–65 figures, or else use the two fiscal years *immediately* preceding the fiscal year for which the grant is made, whichever is the lesser.

I do not believe it was the intent of Congress, when passing the Higher Education Act of 1965, to penalize institutions which just happen to have somewhat larger amounts one year than another, within the base period being used. We certainly can indicate a maintenance-of-effort, so far as *general* increase in amount spent for the library, but there will be variations in particular years and variations within the biennium, especially when an institution such as ours is suddenly thrust in a position of going from a college to a university and is given constantly added responsibilities by the State, so far as number of students involved and additions to curriculum are concerned.

Anything you can do to amend Title II, so we shall not run into troubles for the succeeding 4 years of this law of a nature similar to those we ran into for 1965–66, will be very much appreciated.

Sincerely,

ELI M. OBOLER,
University Librarian.

AMENDMENT OF DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL ACT—AMENDMENT

AMENDMENT NO. 636

Mr. SCOTT submitted an amendment, intended to be proposed by him, to the bill (H.R. 10744) to amend the District of Columbia Alcoholic Beverage Control Act, which was referred to the Committee on the District of Columbia, and ordered to be printed.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. SPARKMAN. Mr. President, I ask unanimous consent that at its next printing the names of the following Senators be added as cosponsors on S. 3522, the Agricultural Trade Statistics Reporting Act of 1966: The Senators from Idaho [Mr. JORDAN and Mr. CHURCH], the Senator from Colorado [Mr. ALLOTT], the Senator from Illinois [Mr. DOUGLAS], and the Senator from Washington [Mr. MAGNUSON].

The distinguished Senator from Illinois had expressed his wish to join in this proposal before the bill was printed, and we are pleased to have this indication of his interest in the legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, at the request of the Senator from Illinois [Mr. DOUGLAS], I ask unanimous consent that his name be included at its next printing as a sponsor of S. 3210 introduced by Senator BAYH of Indiana to give the consent and approval of Congress to the Illinois-Indiana Air Pollution Control Compact.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I ask unanimous consent that at its next printing the name of the distinguished junior Senator from Delaware [Mr. BOGGS] be added as a cosponsor to Senate Joint Resolution 172.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF TIME FOR BILL TO BE HELD AT THE DESK

Mr. MUNDT. Mr. President, on behalf of the Senator from Michigan [Mr. GRIFFIN], I ask unanimous consent that the bill (S. 3565) to amend the Internal Revenue Code of 1954 to provide for deduction of certain education expense of teachers, to be held at the desk for additional cosponsors until July 15, instead of July 11, as previously authorized.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON PARCEL POST BILL

Mr. MONRONEY. Mr. President, I wish to announce that the Committee on Post Office and Civil Service will commence hearings on H.R. 14904, the parcel post bill, on July 12, 1966. The hearings will be held in room 6202 of the New Senate Office Building at 10 a.m.

Any person interested in testifying may arrange to do so by contacting the committee, telephone: 225–5451.

NOTICE OF HEARINGS ON 4-YEAR TERM FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. BAYH. Mr. President, as chairman of the Senate Judiciary Subcommittee on Constitutional Amendments, I wish to announce forthcoming hearings on 4-year terms for Members of the House of Representatives. The hearings are scheduled to begin at 10 a.m., July 13 and 14, 1966, in room 1114, New Senate Office Building.

Any persons or organizations interested in presenting their views to the subcommittee should contact the subcommittee staff in room 419, Senate Office Building, extension 3018.

NOTICE OF RECEIPT OF NOMINATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nominations of William S. Gaud, of Connecticut, to be Administrator of the Agency for International Development; Dr. Walter Adams, of Michigan; Dr. Joseph R. Smiley, of Colorado; and, Dr. Pauline Tompkins, of Maine for reappointment as members of the U.S. Advisory Commission on International Educational and Cultural Affairs.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, June 30, 1966, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 162) to establish the American Revolution Bicentennial Commission, and for other purposes.

NATIONAL AIR MUSEUM AMENDMENTS ACT OF 1965

Mr. CURTIS. Mr. President, yesterday, the bill—H.R. 6125—to amend Public Law 722 of the 79th Congress, and Public Law 85–935, relating to the National Air Museum of the Smithsonian Institution was considered by the Senate and passed.

During the consideration of this measure by the Committee on Rules and Administration, I voiced serious concern at the expenditure of large sums for the construction of museums while this country is expanding its war expenditures in Vietnam.

During the committee's early consideration of this bill, I expressed my opposition to the measure until such time as our Federal budget was balanced and an end had come to the hostilities in Vietnam.

The majority of the members of the Committee on Rules and Administration did agree with me that there should be no appropriation of funds for construction of this museum until such time as the President determined that the Armed Forces of the United States are no longer engaged in hostilities in Vietnam and so advises the Committee on Appropriations of the Senate and the House of Representatives.

In the committee report on this measure, there was clear and unequivocal language expressing the concern of the members over funding at the present time. Moreover, the committee report expressly states that—

> Appropriations should not be requested pursuant to H.R. 6125 unless and until there is a substantial reduction in our military expenditures in Viet Nam.

I fail to see how the committee could have expressed its intentions any more clearly. Yet, a story in this morning's

Washington Post of June 30, 1966, indicates that Smithsonian Secretary S. Dillon Ripley said that construction funds would be sought in the next Congress.

If the Post story is correct, it would appear that Mr. Ripley has either not read the committee report, or that he has indeed read the report and has no intention of following the recommendations of the committee.

I hope that the Appropriations Committees of both the Senate and the House of Representatives will give more weight to the report of the Senate Rules Committee than the officials of the Smithsonian Institution.

NATIONAL AIR AND SPACE MUSEUM WILL BE EDUCATIONAL AND INSPIRATIONAL SITE FOR MILLIONS OF OUR CITIZENS—SENATOR RANDOLPH AUTHORED ORIGINAL ACT OF 1946

Mr. RANDOLPH. Mr. President, I wholeheartedly endorse H.R. 6125, the National Air Museum Amendments Act, and applaud the action of the Senate in passing it yesterday. This bill would change the name of the National Air Museum of the Smithsonian Institution to the National Air and Space Museum. It would also authorize construction of a modern and attractive building in which to display items of historic and educational interest in the fields of aviation and space achievement.

This measure has been approved by the House of Representatives. It is substantially similar to S. 2602 of the 88th Congress, a bill which I cosponsored, and which passed the Senate on July 23, 1964.

Mr. President, where a Member of the House of Representatives in 1946, it was my privilege to introduce the original legislation which established the National Air Museum. Since the day when Public Law 722 of the 79th Congress was signed into law by President Harry S. Truman, our Nation has continued to achieve through aviation. Today we are pushing back the frontiers of space and rapidly expanding man's knowledge of the vast universe in which we live. Our astronauts engage in "space walks" and "docking" hundreds of miles beyond the earth's atmosphere. Our Mariner satellite has achieved a soft landing on the moon, and a wealth of new scientific data has now been transmitted back to pave the way for a manned lunar landing.

In the attractive and functional buildings which this legislation envisions, we will be able to gather the impressive memorabilia of our exploits above the surface of the earth. The collection will do much to stimulate an even keener interest in air and space science. It will provide visitors with an opportunity to view the actual aircraft and spacecraft in which brave men have blazed a trail of scientific progress. Millions will take advantage of this unique experience—perhaps as many as 50 million in the first decade of the museum's existence. They will depart with a richer appreciation of our history and a clearer concept of what our goals must be in a world of accelerating change.

Mr. President, as one whose career has been closely associated with aviation, I am certain now, as I was convinced in 1946, that the National Air and Space Museum will be an invaluable asset in the education and inspiration of American and world youth. The enactment of H.R. 6125 will ultimately enrich the lives of millions.

AIR MUSEUM BUILDING SHOULD BE POSTPONED

Mr. COOPER. Mr. President, I will appreciate the interest in the National Air Museum, and I know the attention given this project by my distinguished friend from West Virginia [Mr. RANDOLPH] and by Senator PELL and other Members of the Senate.

When the Senate took action on H.R. 6125 yesterday to authorize, among other matters, funds to construct a suitable building for the National Air and Space Museum of the Smithsonian Institution, the bill was considered in the afternoon after the major business of the day had been completed, and previous notice of consideration of the bill was not given.

I know that many Members had left the floor to keep official engagements, as had I, and there was no discussion of the bill on the floor. Because I serve on the Rules and Administration Committee which has jurisdiction over this legislation, I wanted the record to show my views on this bill.

I recognize the need to construct eventually the new building for this museum. Nevertheless, because of the war in Vietnam and because of the priority of its cost, I urged strongly to the committee that action on this bill be deferred.

I opposed reporting this bill, which carries an estimated cost of over $40 million for the museum building. I believe that at least the authorization of the building should have contained language clearly showing that no appropriation would be in order in fiscal year 1967 while the requirements of the war in Vietnam remain so heavy. The President did not ask the Congress for this authorization at this time, and it should have been postponed.

CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consideration of measures on the calendar beginning with Calendar No. 1313 and continuing with the succeeding measures in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONNECTICUT RIVER NATIONAL RECREATION AREA

The bill (S. 3510) to authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes was announced as first in order.

Mr. RIBICOFF. Mr. President, I commend the Committee on Interior and Insular Affairs for their prompt action in favorably reporting S. 3510, my bill to authorize a comprehensive study to determine the feasibility of establishing a Connecticut River National Recreation Area. I express my deep appreciation to the chairman of the committee, the distinguished Senator from Washington [Mr. JACKSON] for his understanding and cooperation. I also wish to commend particularly the distinguished senior Senator from Nevada [Mr. BIBLE] and his Subcommittee on Parks and Recreation for their courtesy, help, and vision in reporting the bill.

The passage of the bill today will bring us another step forward toward meeting the legitimate needs of the American people for outdoor recreation. It is a step toward scenic beauty—and just plain peace and quiet—for the 1,680,000 people who now live in the Connecticut Valley itself. That number will be over 3 million by the year 2000. More than one-fifth of America's population already lives in the strip of land between southern New Hampshire and the District of Columbia—less than 2 percent of the area of the United States.

It is the wisdom and the foresight of the men who built our great system of national parks that gave us the magnificent parks of the American West. As an easterner, I have consistently supported our park system and take pride in the American West. Now we have begun to move vigorously to provide national parks and recreation areas in the urban East where they are also badly needed.

Our cities and towns need breathing space. We, and our children, at some time all need places to play, hills to climb, quiet woods and open space. The Connecticut River rolls for more than 400 miles through central New England. Its valley is still surprisingly undeveloped in the midst of a growing industrial megalopolis.

But the time for preservation is rapidly running out. If the banks of the Connecticut River are to be saved, the time for action has come. Our woods and fields, our lakes and rivers are precious assets which must be saved now or not at all. The Connecticut River and its beautiful valley are in this generation's care and we must preserve what we have—or lose it forever.

The bill is a major step in that direction. The Senators from all the States in the Connecticut Valley have joined in cosponsoring it. It is supported by the Governors. It is supported by the President and the Secretary of the Interior. Most important of all, it is supported by the people.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 3510) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3510

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to consider preserving the Connecticut River area and appropriate segments of adjoining land in their natural condition for public outdoor recreation, and preserving the priceless natural beauty and historic heritage of the river valley, the Secretary of the Interior shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing all or parts of the

Connecticut River Valley from its source to its mouth, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, as a Connecticut River National Recreation Area. The Secretary shall consult with other interested Federal agencies, and the State and local bodies and officials involved, and shall coordinate his study with applicable highway plans and other planning activities relating to the region. In conducting the study, the Secretary shall hold public hearings within any State involved, upon the request of the Governor thereof, for the purpose of receiving views and recommendations on the establishment of a national recreation area.

Sec. 2. The Secretary of the Interior shall submit to the President, within two years after the date of this Act, a report of his findings and recommendations. The President shall submit to the Congress such recommendations, including legislation, as he deems appropriate. The Secretary's report shall contain, but not be limited to, findings with respect to—

(a) the scenic, scientific, historic, outdoor recreation, and the natural values of the water and related land resources involved, including driving for pleasure, walking, hiking, riding, bicycling, swimming, picnicking, camping, forest management, fish and wildlife management, scenic and historic site preservation, hunting, fishing, and winter sports;

(b) the potential alternative beneficial uses of the water and related land resources involved, taking into consideration appropriate uses of the land for residential, commercial, industrial, agricultural, and transportation purposes, and for public services; and

(c) the type of Federal program that is feasible and desirable in the public interest to preserve, develop, and make accessible the values set forth in subsection (a), including the consideration of scenic roads or parkways, and that also will have a minimum impact on other essential operations and activities in the area, and on private property owners.

Sec. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1345), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

BACKGROUND

On August 26, 1965, Senator Ribicoff introduced S. 2460, a bill to authorize the establishment of the Connecticut River National Parkway and Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes. The bill was cosponsored by Senators Cotton, Dodd, Kennedy of Massachusetts, Saltonstall, and McIntyre.

In its report of April 22, 1966, the Department of the Interior stated that although they were sympathetic with the preservation and recreational use objectives of the bill which are greatly in need of accomplishment near urban population centers of the United States, they did not have sufficient information to recommend the establishment of the proposed Connecticut River National Parkway and Recreation Area. They recommended that a study should be conducted before bills of this kind are considered by the Congress.

Hearings on the measure were conducted by the Parks and Recreation Subcommittee on April 22, 1966. As a result of the testimony presented at the hearings, it was agreed by the sponsors and the committee that the position of the Department of the Interior was sound and that the proposed legislation should be changed to authorize a study prior to any proposal to establish a recreation area.

Thereafter, on June 16, 1966, Senator Ribicoff, joined by all of the Senators in the States included in the Connecticut River Basin, introduced S. 3510 to authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreation Area in the States of Connecticut, Massachusetts, Vermont, and New Hampshire. As an indication of the unanimity of the Members of the Senate on S. 3510, Senators Aiken and Prouty, who did not join in the introduction of S. 2460, are cosponsors of S. 3510, the study bill.

PURPOSE

S. 3510 would authorize the Secretary of the Interior to conduct and complete within 2 years of enactment a study in cooperation and coordination with other interested Federal agencies, and appropriate State and local agencies and officials. Upon request of the Governor of any State involved, the Secretary would be required to hold public hearings to receive views and recommendations. The Secretary's study would evaluate the valley, or portions thereof, for a wide range of recreational uses, and would evaluate also other uses, including agricultural, of the valley under existing and alternative patterns of private and public ownership and development. The study by the Secretary would be so directed that its recommendations would have a minimum impact on existing operations and activities in the area and on private property owners. Upon completion of the study the Secretary would submit his findings to the President, who in turn would recommend legislation to the Congress.

This bill has the support of the President, who stated in his message to the Congress on water pollution and outdoor recreation:

"For a region which now has no national park, I recommend the study of a Connecticut River National Recreation Area along New England's largest river, in the States of New Hampshire, Vermont, Massachusetts, and Connecticut."

The Committee on Interior and Insular Affairs unanimously recommends enactment of S. 3510.

WOLF TRAP FARM PARK, FAIRFAX COUNTY, VA.

The Senate proceeded to consider the bill (S. 3423) to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, line 11, after the word "necessary", to insert "but not in excess of $600,000,"; so as to make the bill read:

S. 3423

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of establishing in the National Capital area a park for the performing arts and related educational programs, and for recreation use in connection therewith, the Secretary of the Interior is authorized to establish, develop, improve, operate, and maintain the Wolf Trap Farm Park in Fairfax County, Virginia. The park shall encompass the portions of the property formerly known as Wolf Trap Farm and Symphony Hill in Fairfax County, Virginia, to be donated for park purposes to the United States, and such additional lands or interests therein as the Secretary may acquire for purposes of the park by donation or purchase with donated or appropriated funds, the aggregate of which shall not exceed one hundred and forty-five acres.

Sec. 2. The Secretary of the Interior shall administer the park in accordance with the provisions of section 1 of this Act and the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

Sec. 3. There are authorized to be appropriated such sums as may be necessary, but not in excess of $600,000, to carry out the purposes of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. METCALF. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. BIBLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1346), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the amendment is to limit the authorization for the acquisition and development of the property to the amount testified to by the Park Service as the amount necessary to carry out its plans.

S. 3423 was introduced by Senator Robertson of Virginia on May 27, 1966, in response to an executive communication dated May 25, 1966, recommending the enactment of the draft legislation that was a part of the communication.

The purpose of S. 3423 is to permit the Secretary of the Interior to accept a donation of some 96 acres of land within 13 miles of Washington, D.C., for the purpose of establishing a park for the performing arts and which would provide opportunities for educational and recreational programs.

Mrs. Jouett Shouse, the present owner of Wolf Trap Farm, has also agreed, and has placed in escrow, $1,750,000 to be used for the construction of an amphitheater on the property. Of the 96 acres, Mrs. Shouse will donate approximately 58 acres and the American Symphony Orchestra League will donate 37.8 acres of land contiguous to the Shouse property and a part of the original Wolf Trap Farm.

In his testimony before the committee, in support of the measure, Senator Robertson placed in the record a statement from the principal donor, Mrs. Catherine Shouse. A portion of her testimony is well worth repeating, and it is quoted here:

"It seems fitting to us to give this land to the National Park Service rather than to develop it in lucrative ways. The national parks throughout our country are of tremendous help and spiritual value to millions but none provide two features that will make this park unique. One feature is the interpretive use. It is important to have near our Capital a central place where visitors from our country and abroad can see, through exhibits and other visual media, the extent of our creative ability in the field of performing arts. We have much to be proud of in every State of the Union and knowledge of it will become available at this interpretation center.

"The second unique feature—cabins are ordinarily provided for campers, hunters, hikers, fishermen, etc., in other national parks. Instead, these cabins would provide a quiet, useful and natural atmosphere for serious composers and writers in the area of the performing arts.

"Thus, in addition to providing an opportunity to enjoy a bit of country bordering on a historic site, young and old would be given an opportunity to learn of our cultural development and maturity, plus the chance to hear new and seasoned artists from many places."

The committee seldom encounters such public-spirited, altruistic individuals who seek to make available to the general public the benefits that are not often available to the many, and the action of Mrs. Shouse and the American Symphony Orchestra League was a particularly gratifying one to the committee.

Testimony by the Park Service indicated that in order to properly protect the donated area from the possibility of encroachment of facilities that would mar the setting of the park, it would be necessary to purchase some 20 acres of adjoining land and to acquire a scenic easement to an additional 20 acres. The estimated cost of the land acquisition was approximately $107,500. The cost of developing the property within the foreseeable future was estimated at $476,500.

In view of this testimony, and in conformity with its customary practice, the committee has included a limitation of $600,000 on the authorization for appropriation of funds to carry out the purposes of the act.

PRESERVATION AND PROTECTION OF CERTAIN LANDS IN PRINCE GEORGES AND CHARLES COUNTIES, MD.

The bill (H.R. 13417) to amend the act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes was announced as next in order.

Mr. BREWSTER. Mr. President, the preservation of our country's many scenic, historic, and recreational assets is a goal toward which I am firmly committed. That is why I am urging the enactment of this legislation which is aimed at the purchase of land along the Potomac River above and below Mockley Point in Prince Georges and Charles Counties, Md.

The acquisition of this tract together with the unique program of land management contained in this bill would act to preserve the overview from Mount Vernon and Fort Washington—two of America's important historic sites.

Having already been passed by the House, H.R. 13417 has been approved by the Senate Committee on Interior and Insular Affairs without change. This measure authorized more than $4.1 million to allow the government to complete parkland purchases at Piscataway Park which were originally authorized in 1961. To date, of the 1,114 acres authorized by the 1961 act for Federal ownership by acquisition or donation, 97 acres have been purchased, 151 acres have been donated, and 345 acres have been pledged for donation. The Department of the Interior estimates that the cost of acquiring the remaining 521 acres would be $3.7 million.

Aside from the purchase aspect, the legislation will also provide what I consider an intelligent land management program for the acquired parkland. It proposes the establishment of three land use zones: First, public development; second, preservation; and third, private development. Within the public development zone, roads, camping sites, and other facilities would be installed in inconspicuous areas. Under the preservation zone, natural, historic, and scientific features would be preserved and open to public access by trails. The private development zone would permit the continuation of private uses, such as farming, which are compatible with park objectives. In this last zone, the bill would in addition allow the Department of the Interior to acquire fee simple title and then lease back the land with restrictive easements to permit continued uses compatible with the park setting. This leaseback feature incorporates the advantage of keeping private property on local tax rolls while insuring a parkland setting.

Two factors appear to me to make the passage of the bill a critical matter. The first is that the prospect of skyrocketing land costs may make the completion of this park impossible. The second reason stems from the 1961 act which also authorized the donation of scenic easements by private property owners on land adjacent to the park. I was pleased to learn that since 1961 no less than 127 landowners have donated easements covering 888 acres. However, the Government stands to lose both these easements and those of remaining property owners who are expected to follow suit if it does not fulfill its commitment to purchase the remaining 521 acres of the authorized parkland.

I believe this pilot project has great potential for other areas of the Potomac River Valley. It can be a model for preserving our Nation's natural beauty through the use of land management zoning, lease-back arrangements, and scenic easements which will prove not nearly as costly as the alternative method of outright acquisition.

I may also say that I was gratified and delighted to see that the distinguished senior Senator from Nevada [Mr. BIBLE] took a genuine, personal interest in this bill.

I hope that all Senators will conclude, as I have, that this legislation represents an intelligent and realistic approach to the growing problems of the preservation of our country's natural beauty and heritage, and I urge them to pass the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1347), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD as follows:

PURPOSE

The purpose of H.R. 13417 is to update the act of October 4, 1961 (75 Stat. 780), under which the Secretary of the Interior was authorized to acquire certain lands and interests in land on the Maryland side of the Potomac River opposite Mount Vernon.

NEED

The act of October 4, 1961, contemplated the acquisition of fee title to approximately 1,186 acres of land and the acquisition of scenic easements covering an additional area principally in order to preserve the view from Mount Vernon in approximately the same condition it was in when George Washington resided there. In reporting on the bill which became this act, the Interior and Insular Affairs Committee said that it "regard[ed] preservation of the view from Mount Vernon as being of almost the same importance as preservation of the land immediately surrounding Mount Vernon itself" (H. Rept. 1045, 87th Cong.). This is still true. Two additional purposes, however, will be served by acquisition of this area: (1) the provision of a small public park in the vicinity of Washington, and (2) the conservation of an area with significant archeological value.

At the time the 1961 act was under consideration in the House, the estimated cost of acquiring the lands in question was $937,600. This estimate was based on then recent land transactions and on the expectation that a sizable acreage would be donated to the Government.

A certain amount of progress has been made in carrying out the program contemplated by the 1961 act. Fee title to 151 acres and scenic easements covering 888 acres have been donated to the Government. Promises of the donation in fee of another 345 acres have been received by the National Park Service. Ninety-seven acres have been acquired by purchase. The cost of these latter lands, however, has made it apparent that the amount presently authorized to be appropriated will be far from sufficient to acquire the remaining 521 acres that should be purchased or, if necessary, condemned.

The very substantial escalation in land prices in the area from those that were thought to prevail at the time of the committee's hearings on the 1961 act is thus the most important of several factors that have intervened in the meantime and that justify congressional reexamination of the act. A second factor is a recommendation by the Department of the Interior for desirable changes in the boundaries of the area to be acquired and, as a consequence, a small diminution of the area to be acquired. A third is the development by the National Park Service of a concept, in which the committee heartily concurs, under which certain land within the park will be acquired for and designated as a public use area, certain other land as a preservation area, and still other land as a private development area.

The public use zone will be devoted to such installations as campsites, roads, an interpretive center, and the like. The preservation zone is made up of areas which will not tolerate heavy public use. Typical is a site which was occupied by various Indian tribes over a long period beginning, perhaps, as much as 5,000 years ago. Within the private development zone uses compatible with the purposes for which the park was established will be permitted to continue. Such uses are farming, grazing, orchards, and the like. While the bill permits the fee acquisition of land within this zone with provision for leasing or selling it under appropriate restrictions, the first attempt will be to acquire less-than-fee interests at a reasonable price. In either event—that is, whether the fee is acquired or whether something less than fee will be sufficient—the cost to the Government will be less than it would be if the land were acquired outright and retained for the sole use of the Government.

The present status of these three classes of land is as follows:

	Acquired or promised for donation	To be acquired by purchase	Total
Public use	191	77	268
Preservation	368	172	540
Private development	34	272	306
Total	593	521	1,114

COMMITTEE CONSIDERATION

During the hearings on the proposal, the committee gave careful consideration to the present status of the Marshall Hall lands, particularly as to whether this bill affected or changed their status from that established in the act of October 4, 1961.

In reply to Chairman BIBLE's question, "What do you propose to do insofar as Marshall Hall is concerned?" Mr. George B. Hartzog, Director of the National Park Service, responded:

"We propose to acquire scenic easements, sir, and that is all. That is what the 1961 legislation authorized. And that is what the pending legislation authorizes, because we propose no amendment in the 1961 legislation, you see. All we are doing with this legislation is submitting to you a corrected map, the boundary lines of which reflects in this particular area only the 1961 authorization. In other words, the effect of this boundary line here is to effectuate the legislation that was passed in 1961."

Mr. Ernest F. Henry, director of and counsel for Marshall Hall Park, Inc., disagreed with Director Hartzog's statement and testified that:

"The effect of the changes in language proposed for the first sentence of section 2(b) and the first sentence of section 2(c) of the act of October 4, 1961, under which we are now operating (75 Stat. 780; Public Law 87–362), is to enlarge the "scenic protection area" so as to include all the acreage of Marshall Hall Park whereas the said act authorized only scenic easements as to that part of such acreage as lies on the easterly side of the Maryland State highway."

In order to clarify the situation for the benefit of the committee, the chairman requested Chief Counsel Stewart French of the Interior and Insular Affairs Committee to research the problem and advise the members of his findings and opinion in the matter.

The memorandum of counsel, completely supporting the position of Director Hartzog, follows:

"Memorandum to: Senator ALAN BIBLE.

"From: Stewart French.

"Subject: Jurisdiction of Secretary over Marshall lands.

"From the provisions of Public Law 87–362 (75 Stat. 780) and the statute's legislative history, it appears that the Secretary of the Interior now does have specific authority to acquire, by condemnation, scenic easements in the Marshall Hall lands.

"Section 2(c) of the law provides:

"'To further the preservation objective of this Act the Secretary may accept donations of scenic easements in that land within the described area now leased and operated by the Marshall Hall Park, Inc., as more specifically described in a deed, recorded in the land records of Charles County, Maryland, in folio 126, liber 131, and the area lying between the South boundary line depicted in drawing numbered 1961–1, referred to in section 2(b) and a line approximately 3,000 feet south of said boundary. The Secretary may also acquire by other appropriate means scenic easements in the area referred to in this subsection when, in his judgment, such action is necessary in order to assure uniform application of scenic control. * * *'

"At our hearing, Director Hartzog submitted a certified copy of the deed cited above together with a plat showing the area which is the subject of the deed. Said area appears to be the Marshall Hall area, which was the subject of the 1961 act. Another plat submitted by the Park Service shows the area described in the deed includes lands on both sides of State Highway 226; that is, lands to the west and south, which recently were acquired by Marshall Hall.

"However, even without the description in the deed, the legislative history of the 1961 act clearly establishes the intent of the legislation that the Secretary be authorized to acquire, by condemnation, if necessary, scenic easements in the then Marshall Hall lands. Public Law 87–362 is based on Senate Joint Resolution 97, 87th Congress, an administration bill sponsored by Senator ANDERSON, who then was chairman of the committee, and Congressman SAYLOR's House Joint Resolution 459. Our committee reported the House resolution, without amendment. The House report, Report 1045, 87th Congress, to accompany House Joint Resolution 459, states that the committee amended the bill to correct "the land description to exclude the Marshall Hall area from the lands to be taken in fee and to include it, instead, in the area to which scenic easements are to be acquired."

"The House report also states that 'the land and scenic easements to be acquired will include nearly everything on the opposite side of the Potomac that can be seen from Mount Vernon.'

"Both House and Senate reports site economy as the reason for exclusion of Marshall Hall from the fee simple condemnation area.

"STEWART FRENCH."

COST

The amount authorized to be appropriated by the 1961 act was $937,600. Of this $391,132 has been appropriated up to this time. Enactment of H.R. 13417 will increase the original $937,600 to $4,132,000. It is anticipated that the net cost, however, will be somewhat less than this in view of the sellback and lease-back provisions referred to above.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

The bill (H.R. 13417) was considered, ordered to a third reading, read the third time, and passed.

TO INCREASE THE AUTHORIZATION FOR APPROPRIATION FOR CONTINUING WORK IN THE MISSOURI RIVER BASIN BY THE SECRETARY OF THE INTERIOR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1308, S. 3186, which will be the last bill on the calendar to be considered today.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3186) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. METCALF. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from the further consideration of H.R. 14312.

The PRESIDING OFFICER. Without objection, it is so ordered. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 14312) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

Mr. METCALF. Mr. President, I ask unanimous consent that the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, H.R. 14312 is substantially the same as S. 3186, which was reported by the Committee on Interior and Insular Affairs.

Mr. McGOVERN. Mr. President, I am pleased to have this opportunity to support the proposed increase in the authorization for appropriations to continue work in the Missouri River Basin by the Secretary of the Interior. I wish to thank the chairman of the Interior Committee's Subcommittee on Water and Power, the gentleman from New Mexico [Mr. ANDERSON], and Chairman JACKSON of the full committee, as well as all my fellow committeemen, for prompt and favorable handling of the bill.

The bill will increase by $60 million the present authorization for appropriations for work to be performed in fiscal years 1967 and 1968 by the Secretary pursuant to the comprehensive plan adopted by section 9a of the act of December 22, 1944. Since that initial authorization of the comprehensive plan, the Congress has authorized the appropriation of $946 million to carry out its broad purposes. Through fiscal year 1966, the Appropriations Committees have made over $913 million available for continuation of the investigation and construction of the many units making up the total plan. These units of the Missouri River Basin project vary from massive multipurpose storage structures, such as the Yellowtail Dam on the Bighorn River, to relatively simple single-purpose irrigation pumping units. The plan also includes electrical transmission facilities required to interconnect the generating capacity installed by the Bureau of Reclamation and the Corps of Engineers with preference customer and private utility systems. With the active support of the local people, this multipurpose activity has proceeded efficiently and effectively during the many years since its inception.

The development of the land and water resources of the Missouri River Basin, which has been carried out under the authorizations and appropriations made in the past, is one of our best examples of the ability of the Federal Government to cooperate with its citizens in practical solutions to the problems of optimum development of our country's natural resources. The beneficial results of this development are already evident through their impact on the standard of living of a large number of communities within the Missouri River Basin.

While many of the goals of the original plan have been achieved, there is still a substantial amount of work to be done. The fiscal year 1967 program now included in the President's budget contemplates active construction on four continuing units and minor completion work on a number of others. This work, plus the continuing investigation activities, will require new appropriations estimated at $28,158,000 which are subject to the appropriation authorization now being considered. Preliminary estimates for fiscal year 1968 indicate a new fund requirement for continuing this work of approximately $27,970,000. The programs proposed represent a continuation of a proven effort to strengthen the economy and improve the living standards of a significant part of our country through the application of sound resources development practices. Above this and somewhat unique among Federal expenditures, is the fact that almost 90 percent of the funds invested in the project will be returned to the Treasury from water and power revenues. For these reasons, I strongly support the proposed increase in appropriation authorization.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1340), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 3186 is to increase the authorization for appropriations for continuing the going work on the Missouri River Basin project by the Department of the Interior. The amount of the increase is $60 million and is confined to appropriations for fiscal years 1967 and 1968. The authorization is further qualified by language prohibiting the appropriation of any of the funds to initiate construction of any unit of the Missouri River Basin project, whether or not included in the comprehensive plan approved by the 1944 Flood Control Act. This has the effect of requiring all additional units of the Missouri River Basin project to be authorized or reauthorized by the Congress.

NEED

This legislation is necessary because, without it, the Department would be without authority to continue its studies and construction after June 30 of this year.

EXPLANATION

The Flood Control Act of 1944 (58 Stat. 887) authorized the Secretary of the Interior to undertake a portion of the comprehensive plan for development of the Missouri River Basin, and section 9(e) of that act authorized the appropriation $200 million for partial accomplishment of the works to be undertaken by the Secretary. Subsequent authorizations have increased this appropriation limitation to a total of $946 million. Against this amount, net allotments to projects as of June 30, 1966, will total approximately $911 million. Since the act of August 14, 1964, the last of the acts authorizing Missouri River Basin project authorizations, confined the appropriations to fiscal years 1965 and 1966, the authority for appropriating about $35 million will expire on June 30, 1966. The $60 million which S. 3186 authorizes to be appropriated will meet the Department's estimated fund needs for continuing planning and construction work during fiscal years 1967 and 1968. The Department's fund needs, totaling a little over $56 million, are set out in the following tabulation:

List of Missouri River Basin units and amounts estimated to be obligated, fiscal years 1967 and 1968

Unit or activity	Estimated	
	Fiscal year 1967 obligations	Fiscal year 1968 obligations
Almena unit, Kansas	$2,050,000	$2,000
Glen Elder unit, Kansas	13,500,000	13,770,000
Transmission division, various	5,491,000	7,203,000
Yellowtail unit, Montana-Wyoming	3,300,000	3,259,000
Investigations, various	1,602,000	2,823,000
Drainage and minor construction:		
Ainsworth unit, Nebraska	340,000	10,000
Bostwick division, Nebraska-Kansas	375,000	58,000
Cedar Bluff unit, Kansas	66,000	------------
Crow Creek pump unit, Montana	19,000	------------
East Bench unit, Montana	380,000	340,000
Farwell unit, Nebraska	300,000	46,000
Frenchman-Cambridge division, Nebraska	400,000	233,000
Hanover-Bluff unit, Wyoming	40,000	47,000
Helena Valley unit, Montana	150,000	90,000
Owl Creek unit, Wyoming	75,000	75,000
Technical records and as-built drawings, Colorado	15,000	15,000
Webster unit, Kansas	55,000	------------
Total	28,158,000	27,971,000
Total, fiscal years 1967 and 1968	56,129,000	

Not all of the work underway will be completed during fiscal years 1967 and 1968, and there will be a need for additional authorization 2 years hence. However, within the next few years, the going work will be completed with the exception of the Garrison unit, and the authorizing act for Garrison provides the authorization for necessary appropriations. Hereafter, the legislation which authorizes or reauthorizes additional units will provide the authority for necessary appropriations.

The **PRESIDING OFFICER.** The bill is open to amendment. If there be no amendment to the proposed bill, the question is on the third reading and passage of the bill.

The bill (H.R. 14312) was ordered to a third reading, was read the third time, and passed.

Mr. METCALF. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. METCALF. Mr. President, I ask that S. 3186 be indefinitely postponed.

The **PRESIDING OFFICER.** Without objection, S. 3186 is indefinitely postponed.

ADJOURNMENT OF TWO HOUSES FROM JUNE 30, 1966, TO JULY 11, 1966—CONCURRENT RESOLUTION

Mr. MANSFIELD. Mr. President, I send to the desk a concurrent resolution and ask for its immediate consideration.

The **ACTING PRESIDENT** pro tempore. The concurrent resolution will be stated.

The **LEGISLATIVE CLERK.** A concurrent resolution (H. Con. Res. 804) providing that when the House adjourns on June 30, 1966, it stand adjourned until 12 o'clock meridian, July 11, 1966.

The **ACTING PRESIDENT** pro tempore. Is there objection to the consideration of the concurrent resolution?

There being no objection, the Senate proceeded to the consideration of the concurrent resolution.

Mr. MANSFIELD. Mr. President, I offer an amendment.

The **ACTING PRESIDENT** pro tempore. The amendment will be stated.

The **LEGISLATIVE CLERK.** On line 2, strike out the words "House adjourns" and insert in lieu thereof "two Houses adjourn"; and on line 3, strike out "it" and insert "they".

The **ACTING PRESIDENT** pro tempore. The question is on agreeing to the amendment offered by the Senator from Montana.

The amendment was agreed to.

The concurrent resolution (H. Con. Res. 804), as amended, was agreed to, as follows:

H. CON. RES. 804

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Thursday, June 30, 1966, they stand adjourned until 12 o'clock noon on Monday, July 11, 1966.

The title was amended so as to read: "Concurrent Resolution Relative to the Adjournment of the two Houses of Congress on June 30, 1966."

Mr. MANSFIELD. Mr. President, so that the Senate will be aware of the resolution which has just been agreed to, it is contemplated that, the House concurring—and I anticipate no objection—the Senate will begin its recess at the close of business today, rather than tomorrow.

AUTHORIZATION TO SIGN BILLS, RECEIVE MESSAGES, AND FILE REPORTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate from the close of business today until noon, July 11, 1966, the Vice President and the President pro tempore be authorized to sign duly enrolled bills.

I further ask unanimous consent that on Thursday, July 7, while the Senate is adjourned, the Secretary of the Senate be authorized to receive messages from the House of Representatives, and that committees be authorized to file reports, together with any minority, individual, supplemental, or additional views.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

AUTHORIZATION TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. MANSFIELD. Mr. President, I send to the desk a concurrent resolution, and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be stated by title.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 805) providing that the Speaker of the House of Representative and the President of the Senate be authorized to sign enrolled bills and joint resolutions duly passed and found truly enrolled.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

The concurrent resolution (H. Con. Res. 805) was considered and agreed to.

PROGRAM FOR THE WEEK AFTER THE FOURTH OF JULY RECESS

Mr. MANSFIELD. Mr. President, for the information of the Senate the leadership intends to take up the following program upon our return from the Fourth of July recess.

On Monday, July 11, it is our intention to call up and hopefully pass the Federal pay bill and to follow it with the child nutrition bill, S. 3467, which we also hope to complete that afternoon. Both of these measures we anticipate will require a roll call vote, so Members should be alerted to that fact.

Upon the completion of these measures we will proceed with consideration of the air pollution control bill on Tuesday, July 12, following it immediately on that date with the water pollution program, which, if not completed on Tuesday, we hope will certainly be completed by the conclusion of business Wednesday. The military procurement conference report, which contains the military pay raise, is scheduled for floor action in the House on Tuesday and we shall consider it in the Senate immediately upon its receipt on Tuesday from the House.

On Thursday, July 14, by previous announcement, the so-called CIA resolution will be reported from the Foreign Relations Committee during the morning hour. Hopefully, the disposition of the referral of this resolution will be completed during the early part of the day and we will then proceed to the agriculture appropriation bill. We are hopeful that by Friday of that week the water resources development investigation, S. 3034, and its counterpart, H.R. 13419, will be ready for consideration. If so, they will be taken up on Friday to be followed upon completion by the commencement of consideration of the foreign aid authorization for 1967.

BRIDGING THE COMMUNICATIONS GAP WITH SPANISH

Mr. SPARKMAN. Mr. President, last November it was my pleasure and privilege to work with the University of Alabama Medical Center in Birmingham to bring some Peruvian miners to the center for a tour. Mr. Fred A. Woodress, public affairs director of the University of Alabama Medical Center in Birmingham, described this visit in a paper which he has written. I ask unanimous consent that this article be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Bridging the Communications Gap With Spanish*

(By Fred Woodress**)

All of us have conducted tours of our institutions at some time or other. Some are for VIP's turned over to us at the last minute and others are carefully planned months ahead. The most unique one planned by our Public Affairs Office at the University of Alabama Medical Center in Birmingham took place last November. It was different because we bridged the communications gap by telling our story in the language of the visitors—Spanish. If you have ever attended an international meeting, you know what I mean. Even the best interpreters cannot be experts in every field, so much is often lost in translation including the spontaneity of questions and answers.

My life long enthusiasm for Latin America, dating back to my first trip South while still in high school, made this assignment a personally challenging one. The final results were rewarding. Our tour created comment all over Latin America. More important, on a people to people basis, this special event gave us a chance to do creative public relations and an opportunity to further international understanding.

It all started with a telephone call from City Hall. Mayor Albert Boutwell like most Alabamians, is very proud of the Medical Center. He knows it is one of the city's five largest industries, and that it has brought many outstanding scientists from this country and abroad to Birmingham. Bill Hamilton, the mayor's public relations director, asked if we would show our center to a group of miners from Peru in this country on a ten city tour sponsored by the United States Department of Labor and Department of State.

We answered "yes" and silently thanked them for giving us thirty days to make arrangements. Then we wondered among ourselves, if we were Peruvian miners, what would we want to see? Birmingham is at the end of the Appalachians in an area abundant in coal, iron ore and limestone. Knowing the pride our own steelworkers and miners have in the Medical Center, we believed there were some aspects of our institution that would interest the Peruvians. We also knew the ever-present new construction in the 15-block complex always intrigued foreign visitors.

It is an axiom of public relations that one must know his public. The Bureau of International Affairs of the Labor Department was very helpful. Mr. Joseph Pitcher of that office sent us information listing facts about each miner. He explained they came from mines owned by U.S. and Peruvian interests with the former companies mining copper and the latter lead, zinc, mercury, and silver. Most of the miners live in rather isolated and barren mountain settlements provided by the company and earn from 45 soles ($1.95) to 59 soles daily with an equal amount in fringe benefits. Of the 60,000 miners in Peru, 40,000 are organized. The fact sheet reminded that the Peruvians "will naturally be interested in American life in general . . . it is said that for the Latin American, friendship is stronger than the law". Tour leader for the group was to be Eugene Sullivan, a retired bricklayer from New York.

You probably do not think of us as an international center. On an undergraduate level we are very provincial. The University of Alabama Medical School, previously a two year school of basic medical sciences in Tuscaloosa, began its four year program in Birmingham in 1945 to provide physicians for Alabama, and our dental school was established in 1948 to furnish dentists. Almost all our undergraduate students are Alabamians. However, in our graduate, internship, residency, and fellowship programs, we are very international. It is part of the broad creative educational philosophy of the University's Vice President for Health Affairs, Dr. Joseph Volker, my immediate supervisor, who came to us from Tufts here in Boston. He organized our dental school and then went on to head the entire Medical Center in 1962. His interest stems from the fact Dr. Volker has traveled to many parts of the world as a health advisor for the World Health Organization, Unitarian Service Committee and U.S. Government, i.e. to Thailand, Germany, Austria, Czechoslovakia, Jamaica and Israel.

Finding the right Spanish speaking individuals for our tour was a real pleasure. We discovered two Peruvians on our staff—Dr. A. Sam, a research fellow in medicine in the artificial kidney area—and in psychiatry, Dr. Jorge Lazarte, who left Peru many years ago after graduation from the University of San Marcos, Lima. Both were most helpful when the miners arrived.

Dr. Mario Martinez and Dr. Jesus Lastra, graduate students in the school of dentistry, not only detailed how our dental school ranks in the upper fifth in the nation for dental research and gives international leadership in dentistry, but they spoke enthusiastically of their new home. Dr. Martinez concluded his talk with an emotional tribute to the nation that sheltered him and his family after Fidel Castro made it necessary to flee Cuba. The Peruvian miners were visibly moved by his talk and applauded.

We began our five hour "seminar" with coffee served in the paneled Reynolds Historical Library, which houses early manuscripts and books on medicine and dentistry, including unpublished letters of Louis Pasteur and Sir William Osler and correspondence between George and Martha Washington and their dentists, as well as one of four copies of William Harvey's *De Montu Cordis*.

I opened the program earlier with a short introduction in Spanish. Then our Coordinator of Research, Dr. John Dunbar, a veteran traveler with great interest in international health, greeted the Peruvians on behalf of Dr. Volker, who was out of town, and described the varied research projects that have a combined annual budget of $6,000,000. He told the miners about our yearly budget of $2,000,000, about our 3,000 employees, about other hospitals in the complex and future plans to expand the center to 60 blocks through Urban Renewal.

Tour interpreter Carlos Guevera, exhausted from fifteen hours of daily translation on the tour, was pleased by and highly complimentary of our efforts to tell our story in Spanish. He had little to do but listen.

Dr. Albert Wolff, associate professor of biostatistics and a former employee of U.S. agencies in Latin America, gave insight into our new department of biostatistics and its function. He spoke fluent Spanish. Our varied Spanish accents became Castillian when Dr. Ricardo Ceballos, associate professor in pathology, explained his work in the clinical laboratories of University Hospital. The native of Spain with an infectious sense of humor kept his audience interested and laughing. Then he led the group next door to the newly renovated Roy Kracke Clinical Services Building, where 1,200,000 tests are processed annually for the 650 bed University Hospital. He told how this division of the center is unique in that every report is processed with an electronic processing system. Since many of the staff there are girls and pretty Southern ones, the tour got off schedule immediately. One of the miners wanted a blood sample taken, and the technicians obligingly complied. Because of the girls we had difficulty getting the men to the artificial kidney unit next, to hear Dr. Sam explain how life is prolonged this way.

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*This paper was selected in the nationwide New Look competition conducted by the American College Public Relations Association to be delivered at the ACPRA convention in Boston at 2 p.m. on Thursday, July 7 at the Sheraton Hotel.

**A biography of the author is on the last page.

For lunch we selected the newest and most attractive conference room in our complex—the Spain Rehabilitation Center Library. We considered serving a typical Southern meal of black eyed peas, fried chicken and turnip greens, but our Argentine psychiatrist suggested turkey and dressing since the miners would not be in this country for Thanksgiving. We did this with success. Two secretaries from the dental school provided folk songs and music for entertainment, and we followed lunch with two more talks.

Dr. Carlos Gaos, a cardiologist from Mexico, was delighted to give an illustrated lecture on the fine work in the cardiovascular field which has attracted so much attention to the Medical College of Alabama through his colleagues, Dr. Tinsley Harrison, Dr. Joseph Reeves and Dr. Sterling Edwards. He fascinated the Peruvians with samples of teflon material grafts (perfected at our center by Dr. Edwards), pace makers and artificial heart valves. Then Dr. Gaos acted as interpreter for his colleague Dr. Ben Branscomb, director of the pulmonary disease division in the medical center. Dr. Branscomb explained facts about lung disease that afflicts miners the world over. On a later tour of pulmonary treatment rooms the miners were intrigued with a portable oxygen machine for emphysema sufferers that Dr. Branscomb helped perfect in collaboration with a Birmingham firm now manufacturing the units for worldwide use. The Peruvians then toured other rehabilitation areas in the Spain Center.

Directly behind Spain is the Smolian Psychiatric Outpatient Clinic, like the rehabilitation center made possible in part by gifts from public spirited Birmingham citizens. Dr. Maria Gamboa, instructor in child psychiatry and from Argentina, took over with help from Dr. Lazarte, showing the union leaders two way mirrors for studying children's reactions, conference rooms and testing areas. The tour ended in the large conference room where the tired Peruvians could sit, watch slides, and ask questions about psychiatry, which they did with enthusiasm.

With the five-hour tour concluded, Orlando Arenas, spokesman for the group, stood up and thanked us for our courtesy and generosity. He said the tour had been a highlight of their visit to the United States. The good feeling was mutual. Our people were impressed with the Peruvians. They were most intelligent, asked good questions, seemed alert and interested in everything we showed them. Despite what they may have read about Birmingham in past years, these Peruvians could see for themselves that they had visited a completely integrated hospital serving many patients of all races with white and Negro staff members.

The tour was well reported as the daily News and Post-Herald carried three column articles and photographs of the Peruvians in the Medical Center and one television station aired a newsclip taken at the luncheon. Medical Tribune, a national publication, published a photograph of Dr. Sam explaining the artificial kidney to his countrymen. Thanks to Congressman ARMISTEAD SELDEN and Senator JOHN SPARKMAN, the U.S. Information Service and the Voice of America reported our visit. VOA recorded a beeper telephone interview with Senor Arenas who then described our Medical Center in glowing terms. That interview was beamed on short wave to Spanish Latin America later that evening and was included in a daily taped program, "Focus the World", sent the next day to USIS representatives in 19 Latin American countries for local distribution to radio stations.

A local free lance movie cameraman sent his movie films to USIS in Washington for processing, editing and distribution. Prints were then shipped to TV stations in Peru for local coverage.

Helping me on this unusual Spanish tour were Miss Jane Williams, foreign student advisor, Richard Gunthorpe, the center's photographer, George Winston, my assistant, Miss Audrey Brown, my secretary, and Miss Genia Call, who handled all the details for the tour.

Much that we do in public relations is felt indirectly or, at best over a period of time, but the feeling immediately after this project was so satisfying that it was one of those rare experiences one has too seldom in public relations.

FRED A. WOODRESS

Fred A. Woodress, a native of Webster Groves, Missouri, is Public Affairs Director of the University of Alabama Medical Center in Birmingham. His interest in Latin America dates back to a high school sociology trailer trip to Mexico in 1939. His other visits South include one to Guatemala as guest of President Miguel Ydigoras Fuentes in 1959 and another as a member of a three man U.S. Salvation Army relief team to Haiti following hurricane Flora damage in 1963.

SIXTEENTH ANNUAL REPORT OF THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. SPARKMAN. Mr. President, as chairman of the Select Committee on Small Business, I submit the 16th annual report of the committee and ask unanimous consent that it be printed.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RACIAL INTEGRATION AND THE HOSPITALS

Mr. ERVIN. Mr. President, the use by the Department of Health, Education, and Welfare of medicare as an instrument to promote racial integration could result in many unfortunate cases of old people being denied what is rightfully theirs. Medicare, or so we were led to believe, belongs to citizens over 65 because they have paid for it. To make this insurance dependent on something over which these people have no control—the irreconcilable positions of Federal bureaucrats and some local hospital boards—is inequitable and should have been avoided.

As an editorial writer in the Greensboro Daily News recently said:

> There can be no case for denying a private citizen his lawful right under a program into which he may well have paid hundreds of dollars in premiums.

Mr. President, for a candid discussion of the dangers of the present policies of the Department of Health, Education, and Welfare, I recommend the editorial which appeared in the Greensboro Daily News on May 28, 1966, entitled "Racial Balance in the Hospitals," and I ask unanimous consent that this editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Greensboro (N.C.) Daily News, May 28, 1966]

RACIAL BALANCE IN THE HOSPITALS

The mounting frenzy over the preparedness of the nation's hospital beds—woefully short in any case—has been needlessly complicated by the decision of Health, Education and Welfare officials to use Medicare payments as a lever to force their own program of anti-discrimination.

We have no brief here for local hospital boards that needlessly defy national policy; and like it or not, Congress and the courts have established the principle that federal funds are not to be used to perpetuate racial discrimination.

But the issue raised here is more than a simple collision between stubborn local boards and federal bureaucrats over that principle.

The rationale of Medicare under Social Security, due to go into effect July 1, is that a citizen 65 or over shall enjoy its benefits as a matter of right—not as a beneficence of public or private charity that can be given or withheld on the basis of a means test or any other test. Social Security is not a tax program; it is a program of social insurance. And ideally the fact that it is government-operated should be as incidental and as unobtrusive as possible. It should be as uncomplicated and as accessible as a private insurance policy.

In the present encounter, however, we have an arbitrary decision by well-meaning but short-sighted officials in Washington to complicate the administration of this social insurance by linking it with an antidiscrimination policy. And however desirable that policy in itself, it should take a back seat to problems of acute illness.

Even assuming that the use of social insurance as a wedge is wise or just in this instance—and we think not—the precedent is dangerous. Do the officials of HEW seriously say that if ordinary monthly Social Security payments to the elderly should run athwart a federal policy, they could feasibly suspend those payments—perhaps depriving citizens of food, clothing and shelter? We doubt it. And yet what they propose to do to some of the elderly with respect to Medicare is identical in principle.

After all, Social Security is a buttress of the welfare of the private citizen, not of institutions such as hospitals—which as many of the holdouts show could very well do without Medicare payments. The denial of a citizen's right is no proper way, practically or ethically, to discipline the policies of an institution, especially when some hospital boards are only too anxious for a pretext to sabotage Medicare anyway.

There may be a case under Title VI for withholding other forms of federal subsidy—for hospital buildings, say—as a policy lever. But there can be no case for denying a private citizen his lawful right under a program into which he may well have paid hundreds of dollars in premiums.

Further, the Department of Health, Education and Welfare would do well to ponder the practical implications of this policy.

Is it now to be the case, as we feared when Title VI and its powers of blackmail were written into a civil rights bill with many good points, that every single program—educational, medical or otherwise—is to be ensnarled by the discrimination issue? Especially, one might add, when the policies or "guidelines" laid down for compliance refect no specific directive of Congress and are subject to whimsical change from year to year?

If so, the day is foreseeable when Congress, under popular pressure, will shy from almost every piece of social legislation, however desirable, because it threatens to create another administrative nightmare.

Somehow a balance must be struck and struck soon between the demands of racial engineering and the practical demands of the citizen for education, health care and basic security. Certainly that balance is not being struck in the present hospitals imbroglio.

UNITED STATES AGAINST GUEST, AND THE CIVIL RIGHTS BILL OF 1966

Mr. ERVIN. Mr. President, since title V of the pending civil rights bill is based upon obiter dicta appearing in the concurring opinion of six members of the Supreme Court in the recent case of United States against Guest, an understanding of this case is vital to our deliberations upon such bill which is known as S. 3296.

The Subcommittee on Constitutional Rights, of which I am chairman, was privileged to hear the testimony of Mr. Charles J. Bloch who was appointed by the Supreme Court to represent one of the appellees in the Guest case. Mr. Bloch is an outstanding advocate and one of the leading constitutional authorities in the country. His ability as a legal craftsman is demonstrated by the thorough analysis and presentation of the Guest case during his appearance before the subcommittee.

Mr. President, in order that the Congress and all Americans may be more fully apprised of the legal significance of the Guest case and of the constitutional defects S. 3296 contains generally, I ask unanimous consent that Mr. Bloch's statement be printed in full at this point in the RECORD.

STATEMENT OF CHARLES J. BLOCH, ATTORNEY AT LAW, MACON, GA., AS TO THE CIVIL RIGHTS ACT OF 1966 BEFORE THE SENATE JUDICIARY SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS

So-called is Senate Bill 3296.

Title I thereof amends Chapter 121 of Title 28, United States Code. Chapter 121 is entitled "Juries; Trial by Jury." Its provisions are confined to grand and petit juries in the district courts of the United States.

Title II has as its first section: "No person or class of persons shall be denied the right to serve on grand and petit juries in any State Court on account of race, color, religion, sex, national origin or economic status." (Section 201)

The quoted section indicates the purpose of that Title II, and indicates its utter invalidity on the basis of presently established rules of law.

Title III is entitled "Nondiscrimination in Public Education and Other Public Facilities."

Title IV has as its first section:

"It is the policy of the United States to prevent, and the right of every person to be protected against, discrimination on account of race, color, religion, or national origin in the purchase, rental, lease, financing, use and occupancy of housing throughout the nation."

The quoted section indicates the purpose of that Title IV, and, too, indicates its utter invalidity as tested by the Constitution of the United States as presently construed.

Title V is entitled "Interference with Rights."

Evidently it seeks to supplant or amend Section 241 of Title 18, United States Code.

Such seeking doubtless stems from the decision of the Supreme Court of the United States in *United States v. Guest, et al.* (March 28, 1966) ——— U.S. ———, 86 S. Ct. 1170.

In that case, I was appointed by the Supreme Court of the United States to represent one of the appellees. Therefore, I have more than ordinary interest in and familiarity with the case.

It was argued November 9, 1965. It was decided almost five months later, March 28, 1966. The time factor and the opinions in the case demonstrate the thorough consideration given by the Court to the problems and questions there involved.

Mr. Justice Stewart delivered the opinion of the Court, reversing and remanding the case to the District Court for further proceedings consistent with that opinion for the reasons stated (op. cit. p. 1179).

Mr. Justice Clark wrote a concurring opinion in which Mr. Justice Black and Mr. Justice Fortas joined.

Mr. Justice Harlan wrote an opinion concurring in part and dissenting in part. (86 S. Ct. at p. 1180, et seq.)

Mr. Justice Brennan wrote an opinion in which the Chief Justice and Mr. Justice Douglas joined, concurring in part and dissenting in part. (86 S. Ct. at p. 1187, et seq.)

Apt here is the following language in the concurring opinion of Mr. Justice Clark, supra, in which Justices Black and Fortas concurred (86 S. Ct. at p. 1180):

"The Court carves out of its opinion the question of the power of Congress, under § 5 of the Fourteenth Amendment, to enact legislation implementing the Equal Protection Clause or any other provision of the Fourteenth Amendment. The Court's interpretation of the indictment clearly avoids the question whether Congress, by appropriate legislation, has the power to punish private conspiracies that interfere with Fourteenth Amendment rights, such as the right to utilize public facilities. My Brother Brennan, however, says the Court's disposition constitutes an acceptance of appellees' aforesaid contention as to § 241. Some of his language further suggests that the Court indicates *sub silentio* that Congress does not have the power to outlaw such conspiracies.

Although the Court specifically rejects any such connotation, ante, p. 1176, it is, I believe, both appropriate and necessary under the circumstances here to say that there now can be no doubt that the specific language of § 5 empowers the Congress to enact laws punishing all conspiracies—with or without state action—that interfere with Fourteenth Amendment rights."

That suggests the question: What is a "Fourteenth Amendment rights."

While that will be more fully discussed later in this memorandum, I suggest that actions of private individuals against private individuals with respect to rights which the Constitution merely guarantees from interference by a State cannot be classified as Fourteenth Amendment rights.

The opinion of Justice Stewart in the Guest case (86 S. Ct. 1170, at 1179) cites *United States* v. *Moore,* 129 Fed. 630, *633*. Of course I do not know exactly what language at page 633 he had in mind, but I call attention to this categorical statement of District Judge Jones at page 633: "The power conferred upon Congress by the Constitution concerning these rights, in some instances, as under the Fourteenth Amendment, is corrective merely of invasion of them by state law or authority."

The second headnote in that case commences (129 Fed. at p. 630): "The fourteenth amendment of the federal constitution . . . adds nothing to the rights of any citizen against another, but merely furnishes additional guaranties against any encroachment by the states upon the fundamental rights which belong to every citizen as a member of society."

District Judge Jones who wrote that opinion was Judge Thomas Goode Jones of Montgomery, Alabama, appointed to the Federal bench by President Theodore Roosevelt in the early part of the century. In April of 1865 he had been aide to General John B. Gordon at the surrender at Appomattox.

At page 1176 of the opinion in the *Guest* case as reported in 86 Supreme Court Reporter of this cogent language:

"It is a commonplace that rights under the Equal Protection Clause itself arise only where there has been involvement of the State or of one acting under the color of its authority. The Equal Protection Clause 'does not . . . add anything to the rights which one citizen has under the Constitution against another.' United States v. Cruikshank, 92 U.S. 542, 554–555, 23 L.Ed. 588. As Mr. Justice Douglas more recently put it, 'The Fourteenth Amendment protects the individual against *state action,* not against wrongs done by *individuals.*' United States v. Williams, 341 U.S. 70, 92, 71 S.Ct. 581, 593, 95 L.Ed. 758 (dissenting opinion). This has been the view of the Court from the beginning. United States. v. Cruikshank, supra; United States v. Harris, 106 U.S. 629 . . .; Civil Rights cases, 109 U.S. 3 . . .; Hodges v. United States, 203 U.S. 1, . . .; United States v. Powell, 212 U.S. 564, ... *It remains the Court's view today.* See e.g. Evans v. Newton, 382 U.S. 296, . . .; United States v. Price, 383 U.S. ———, 86 S.Ct. 1152."

(The last emphasis supplied; first two emphases are the Court's)

While we are discussing Title V, we may as well complete the discussion as to that Title, applying to it the rule just emphasized as the Court's view, as of March 28, 1966.

That rule is summarized in headnote 6 of the Guest case as it appears 86 S. Ct. 1171, as follows:

"Equal protection clause of Fourteenth Amendment speaks to state or to those acting under color of its authority."

The eighth and ninth headnotes are:

"Rights under equal protection clause arise only where there has been involvement of state or of one acting under color of its authority; equal protection clause does not add anything to rights which one citizen has under constitution against another."

"Fourteenth Amendment protects individual from state action, not against wrongs done by individuals."

I repeat this isn't merely "old law." It is a restatement of "old law" as announced by the Supreme Court less than three months ago.

The opinion of the Court of Mr. Justice Stewart in that case shows clearly that he was of the opinion that the indictment at issue there "in fact contains an express allegation of state involvement sufficient at least to require the denial of a motion to dismiss." He proceeded to show (p. 177) what that allegation was, and concluded: "Although it is possible that a bill of particulars, or the proofs if the case goes to trial, would disclose no co-operative action of that kind by officials of the State, the allegation is enough to prevent dismissal of this branch of the indictment."

True it is that the concurring opinion of Mr. Justice Clark concludes: ". . . there now can be no doubt that the specific language of § 5 (of the amendment) empowers the

Congress to enact laws punishing all conspiracies—with or without state action—that interfere with Fourteenth Amendment rights."

True it is, too, that the opinion of Mr. Justice Brennan, with whom the Chief Justice and Mr. Justice Douglas joined, which opinion concurs in part and dissents in part, contains similar or stronger language.

True it is, too, that that opinion contains these words: "But since the limitation on the statute's effectiveness derives from the Congress' failure to define—with any measure of specificity—the rights encompassed, the remedy is for Congress to write a law without this defect."

Evidently it is now suggested that Congress accept that invitation by enacting Title V.

Inasmuch as Justice Clark used the phrase "Fourteenth Amendment rights," as do the opinions of some of the other Justices (e.g. page 1175, second column) it seems that the first facet in a discussion of Title V ought to be a determination of what is a Fourteenth Amendment right?

There can be no doubt but that Fourteenth Amendment rights are these and only these:

1. The right of a citizen not to have his privileges or immunities abridged by the making or enforcement by a State of any law;
2. The right of all persons not to be deprived by any State of life, liberty or property without due process of law;
3. The right of all persons within the jurisdiction of a State not to be denied by that State the equal protection of the laws.

The second facet in a discussion of Title V must be a complete realization that in the Guest case the Court was considering a statute which sought to punish a conspiracy (18 U.S.C. § 241) and an indictment which specifically charged a conspiracy. The Court took pains (p. 1175) to point out that "the gravamen of the offense is *conspiracy*."

Also the opinion of the Court (p. 1176) contains these words: ". . . nothing said in this opinion goes to the question of what kinds of other and broader legislation Congress might constitutionally enact under § 5 of the Fourteenth Amendment to implement that clause (the Equal Protection clause) or any other provision of the Amendment."

"A conspiracy is sufficiently described as a combination of two or more persons, by concerted action to accomplish a criminal or unlawful purpose, *or some purpose not in itself criminal or unlawful, by criminal or unlawful means*, . . ."

Pettibone v. *United States*, 148 U.S. 197, 203.

Title V in Section 501 thereof departs from Title 18 U.S.C. § 241 involved in the Guest case. It departs from any rules of law governing conspiracies. It seeks to make certain acts substantive crimes.

Illustrating, Section 501(a)(5), carved out of its surroundings, would read:

"Whoever, whether or not acting under color of law, by force or threat of force—(a) injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any person because of his race, color, religion, or national origin while he is engaging or seeking to engage in—(5) selling, purchasing, renting, leasing, occupying, or contracting or negotiating for the sale, rental, lease or occupation of any dwelling . . . shall be fined not more than $1,000.00 or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life."

If that is enacted into law, then a private person who hears that a Buddhist is about to rent a house next door to him, goes to that Buddhist and says: "I hear you are negotiating to rent a house next door to me; I warn you that if you rent it and occupy it, harm will come to you and your family," he would be guilty of a Federal crime, and subject to the punishment quoted.

I say to you that there is nothing in the Constitution of the United States which authorizes the Congress to enact such a law.

I have carved out and quoted 501(a)(5).

I say to you that under the law of the land as declared in the Guest case Congress has no Constitutional power to enact any part of proposed Sec. 501 of Title V for all of it is addressed to private persons, not "acting under color of law."

The Supreme Court made it abundantly clear in the Guest case that "The Fourteenth Amendment protects the individual against *state action*, not against wrongs done by *individuals*" . . . "This has been the view of the court from the beginning. . . . It remains the Court's view today." (March 28, 1966)

Decided that same day was *United States v. Price, et al.* (86 S. Ct. 1152) in which Mr. Justice Fortas wrote for the Court. There was no dissent except perhaps a short one of Mr. Justice Black (p. 1163). At page 1160 (of 86 S. Ct.) the Court said:

"As we have consistently held 'The Fourteenth Amendment protects the individual against *state action* not against wrongs done by *individuals*.' . . . In the present case, the participation by law enforcement officers, as alleged in the indictment, is clearly state action, as we have discussed, and it therefore with (sic) the scope of the Fourteenth Amendment."

Just after this quotation, the Court (speaking through Mr. Justice Fortas) has, in the words which I now quote, stated the question which was presented for decision in the Price case:

"The argument, however, of Mr. Justice Frankfurter's opinion in Williams I, upon which the District Court rests its decision, cuts beneath this. It does not deny that the accused conduct is within the scope of the Fourteenth Amendment, but it contends that in enacting § 241, the Congress intended to include only the rights and privileges conferred on the citizen by reason of the 'substantive' powers of the Federal government—that is, by reason of federal power operating directly upon the citizen *and not merely by means of prohibition of state action*."

This—and what follows—is important particularly because of a statement made by the Attorney General before subcommittee No. 5 in support of H.R. 14765 on May 4, 1966.

Said he:

"The really important fact about the Guest decision, however, is that six justices declared that Congress has the power under section 5 of the Fourteenth Amendment, to reach such purely private misconduct if it chooses to do so." (p. 25 of his statement)

I do not so read what the six justices said in their varying opinions. I have referred to them hereinbefore, and shall again hereinafter.

I do know that the Price case (from Mississippi) was argued practically contemporaneously with the Guest case (November 9, 1965) and decided the same day (March 28, 1966).

Practically speaking there is but one opinion in the Price case—that of Justice Fortas.

There is no doubt of the meaning and intent of that opinion.

I quote from its concluding paragraph:

"The present application of the statutes at issue (Title 18 §§ 241, 242) does not raise fundamental questions of federal-state relationships. We are here concerned with allegations which squarely and indisputably involve *state action in direct violation of the mandate* of the Fourteenth Amendment—that no state shall deprive any person of life or liberty without due process of law. This is a direct, traditional concern of the Federal government." (Emphasis added)

And almost the very last sentence of the opinion is:

"Today, a decision interpreting a federal law in accordance with its historical design, to *punish denials by state action* of constitutional rights of the person can hardly be regarded as adversely affecting the wise adjustment between State responsibility and national control . . ." (Emphasis added)

Parenthetically, there is an historical error in Justice Fortas' opinion as reported at page 1162 of 86 S. Ct. Reporter. There it is stated:

"On June 13, 1866, the Fourteenth Amendment was proposed, and it was ratified the next month."

As a matter of historical fact, it was proposed June 16, 1866, but it was by no means ratified the next month. It was not ratified until two years and a month had elapsed, to wit, in July 1868. (See U.S.C.A.)

(I am advised by the Reporter of Decisions of the Supreme Court that this error was detected and immediately corrected.) That ratification came only after considerable arm-twisting in certain of the late Confederate States.

Justice White's name is not mentioned in the opinions of the Guest case. Justice Stewart delivered the opinion of the Court. Justice Harlan wrote an opinion, concurring in part and dissenting in part. It is quite clear from it that he did not declare or believe that Congress has power, under Section 5 of the Fourteenth Amendment, to reach purely private misconduct if it chooses to do so.

So the statement of the Attorney General as to what "six justices declared" in the Guest case must have as its basis something written by Mr. Justice Clark, with whom Mr. Justice Black and Mr. Justice Fortas joined (p. 1180 of 86 S. Ct.) or something written by Mr. Justice Brennan with whom the Chief Justice and Mr. Justice Douglas joined. (86 S. Ct. pp. 1187, et seq.)

Previously, I have quoted what Mr. Justice Clark had to say in that respect. (p. 1180)

So, it remains to inquire what Mr. Justice Brennan had to say, and *then* it will remain for us to learn what Congress will have to say on the subject.

It is to be hoped that Congress, in having its say and in enacting any legislation will recall that since the Civil Rights cases, 109 U.S. 3, were decided in 1883, almost a century ago, it has been the law of the land "that Congress' power under § 5 is confined to the adoption of 'appropriate legislation for correcting the effects of . . . prohibited state law and state acts, and thus to render them effectually null, void, and innocuous.'"

Those words were uttered by the Supreme Court of the United States on the 15th day of October, 1883. Many Congresses have come and gone since; many Presidents have come and gone; many Chief Justices and Associate Justices have come and gone; opportunities to amend the Constitution to correct any erroneous opinion of the Court if it were erroneous, have come and gone, but it wasn't until March 28, 1966, that any Justice of the Supreme Court of the United States ever went so far as to say, after quoting the above words from the Civil Rights Cases, "I do not accept—and a majority of the Court rejects—this interpretation of § 5."

That interpretation has been the law of the land for 83 years.

The opinion of the Court in the case to which Justice Brennan's opinion is appended categorically states: "It remains the Court's view today."

If at this late day that time honored view is to be repealed, let it be done as provided in Article V of the Constitution.

Too, Justice Brennan's opinion seems to have as its broadest thesis only "For me, the right to use state facilities without discrimination on the basis of race is, within the meaning of § 241, a right created by, arising under and dependent upon the Fourteenth Amendment and hence is a right 'secured' by that Amendment." (p. 1190 of 86 S. Ct.)

Previously (p. 1188), he had written: "I am of the opinion that a conspiracy to interfere with the right to equal utilization of state facilities . . . is a conspiracy to interfere with 'a right . . . secured . . . by the Constitution.' "

In those and similar words constitute the basis of the Attorney General's statement, I submit that they utterly fail to support legally Title V in its entirety.

They fail for at least three reasons:

1. Title V goes beyond punishing conspiracies;

2. Title V goes beyond punishing discriminations "on the basis of race"; it seeks to punish discriminations (injuries, intimidations or interferences) on account of "race, color, religion, or national origin";

3. Title V goes beyond punishing discriminations in the use of "state facilities."

In this respect, particular attention is called to Title V, Section 501(a)(9), and its breadth.

Under that section, if a person sought admission to a "motion picture house," and another person said to him, "You can't go in there; you are not a Christian," that latter person would be guilty of a Federal crime!

Examine closely, too, Section 501(a)(7).

TITLES I AND II

These may logically be discussed together although Title I deals with juries in the Federal Courts, and Title II with juries in State Courts.

In the original constitution, Art. III, § 2, paragraph 3, it is provided that the "trial of all crimes, except in cases of impeachment, shall be by jury."

In the Bill of Rights, Amendment VI provides that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed. Amendment VII provides for trial by jury in suits at common law where the value in controversy exceeds twenty dollars.

The origins of the right of trial by jury in criminal cases antedate Magna Carta.

Amendment VII answered a question which had been hotly debated by the delegates in the Federal Convention of 1737. Hugh Williamson of North Carolina and Elbridge Gerry of Massachusetts had urged the adoption in the Constitution of a general provision to safeguard the jury system in civil cases. The proposal was defeated not because the delegates opposed the use of juries in such cases but because they felt that differing practices of the states made it impossible to frame a general rule.

What were the practices of the various States at the time of the adoption of the Constitution? What were the practices in the years just after the adoption of the Constitution? And what were the practices in later years in States subsequently admitted to the Union?

I have particular reference to *qualifications* of jurors.

First, let us examine the statutes of some of the original thirteen states at the time of their formation of the Union.

In Connecticut, jurors were required to be "able, judicious freeholders . . ." Statutes of Connecticut, Book 1, p. 426 (1808).

(The word "freeholder" is generally used to designate the owner of an estate in fee in land. See, e.g. *State* v. *Ragland*, 75 N.C. 12, 13)

In Delaware, jurors were required to be "discreet and judicious freeholders." (Laws of Delaware, 1700–1797, p. 241)

Georgia required jurors to be "free white, male citizens above the age of twenty-one years and under fifty years." (Georgia Digest, 1755–99, p. 627)

In Maryland, jurors were required to be "freemen of their respective counties, of the most wisdom and experience, having a free hold of fifty acres of land in his county, or property in the state above the value of three hundred pounds current money . . ."

Maryland Laws 1692–1784, Vol. I, October 1777, Chapter 16.

In Massachusetts, jurors were required to be free holders, qualified electors, "good and lawful men" of their town and "of good moral character."

Massachusetts Laws, 1780–87, Vol. 1, p. 184.

In New Hampshire it was required that "the selectmen of each town, and of each parish . . . shall take a list of the names of all persons living within their respective limits, qualified, in the opinion of the selectmen, to serve as petit jurors; each of whom to have an estate of free hold of forty shillings per annum, or other estate to the value of fifty pounds."

New Hampshire Perpetual Laws, 1776–89, p. 43.

In New Jersey, jurors were required to be "a citizen of this State and resident within the county, above the age of twenty-one, and under the age of sixty-five years and (have) a freehold in land, messuages or tenements in the county . . ."

Laws of New Jersey (1821) 1797, p. 311.

In New York jurors should "every one of them, be above the age of twenty-one and under the age of sixty years and shall each of them have . . . in his own name or right, or interest for him or in his wife's right in the same county, a freehold in land messuages or tenements, or of rents in fee or for life, of the value of sixty pounds, free of all reprises, debts, demands or encumbrances whatsoever . . ."

Laws of New York, 1785–88, Vol. I, p. 275.

In North Carolina, jurors were only required to be "freeholders."

North Carolina Revised Laws, 1715–1796, Vol. I, p. 395.

Pennsylvania jurors were required to be "sober and judicious persons of good reputation and none other."

Pa. Stat. at Large, 1682–1801, Vol. XI p. 487.

Rhode Island jurors were required to be freeholders who have "a sufficient estate to him free of this State."

Rhode Island Public Laws, Revised 1798, p. 186.

In South Carolina, jurors were drawn from lists drawn up by the General Assembly. The laws provided that, "the several persons whose names are mentioned and contained in the lists or schedule hereunto annexed and all persons who hereafter shall be named and appointed to serve as jurymen by the General Assembly . . . shall be deemed and taken to be qualified to serve and act as jurymen on all trials and inquests whatsoever. . ."

South Carolina Statutes, 1716–1752, p. 781.

In Virginia, jurors were required to be "discreet freeholders" and "citizens of the State."

Virginia Laws, 1776–1801, pages 139, 442.

Soon after the adoption of the Constitution, Alabama, Illinois, Louisiana, Ohio, Mississipi, among others, were admitted.

In Alabama, jurors were required to be over twenty-one years of age, under sixty, and not in ill health.

Alabama Digest of Laws, 1833, p. 295.

Illinois required her jurors to be "good and lawful men." Housekeepers were also deemed qualified.

Pope's Digest 1815, Vol. II p. 71.

Louisiana required jurors to be qualified electors. Qualified electors were those persons who owned at least fifty acres of land in the State.

General Digest of the Acts of the Legislature of the State of Louisiana, 1816, pages 192, 282.

In Ohio jurors were required to be "judicious persons having the qualification of electors . . ."

Ohio Laws, Rev. 1824, p. 95.

Qualified electors were "all white male inhabitants above the age of twenty-one years, having resided in the State one year next preceding the election . . . who have paid or are charged with a state or county tax . . ."

Statutes of Ohio, Vol. XXII p. 21.

In Mississippi, the jury requirements were that "No person under the age of twenty-one years, or above the age of sixty, nor any person continually sick, or who may be diseased at the time of the summons . . . shall be summoned on a jury." Additionally only "freeholders" and "householders" were drawn for such service.

Statutes of the Mississippi Territory, (1816) p. 157, 182.

Of the states later admitted, I have selected at random Arizona, California, Florida, Oklahoma, Oregon, Michigan, Montana and New Mexico.

Arizona required her jurors to be citizens of the United States, electors of the county in which they are returned, but failure to pay poll taxes would not disqualify persons from serving as jurors, over twenty-one and under sixty years of age, in the possession of his natural faculties.

In California, a juror was required to (1) Be a citizen of the United States, a qualified elector of the county, and a resident of the township at least three months (2) Be in possession of his natural faculties (3) Have sufficient knowledge of the language in which the proceedings of the courts are had (with the exception of certain counties) (4) Have been assessed on the last assessment roll of the township or county on real or personal property or both, belonging to him, if a resident at the time of the assessment. (California General Laws, 1850–1864, p. 561)

In Florida, all jurors were required to be free, white, male citizens of the United States; householders, inhabitants and residents of the State, above the age of twenty-one years and under Sixty years. (Florida Digest of Laws, 1847, p. 344)

Oklahoma required her jurors to be male residents, qualified electors over twenty-one years of age and of sound mind and discretion. (Oklahoma Laws, 1907, '08, p. 467)

Oregon and Michigan both required their jurors to be electors. (Oregon Stat. 1853, p. 166; Michigan, Rev. Stat. 1838, p. 35, 429)

Montana required jurors to be taxpayers. (Montana Compiled Statutes 1887, p. 1008). New Mexico required jurors to be owners of real estate and head of a family. (Laws 1865, p. 496)

Down through the years, it has always been the law that the qualifications of jurors are matters of legislative control, subject only to the Fourteenth Amendment. *United States* v. *Roemig*, 52 F. Supp. 857; *Hoxie* v. *United States*, 15 F. 2d 762; *Tynam v. United States*, 297 Fed. 177.

In the Federal Court, Congress may determine such qualifications.

State legislatures determine the qualifications in state courts.

In my state, jury commissioners select from the books of the tax receiver "upright and intelligent citizens" to serve as jurors.

The late Justice Warren Grice of our Supreme Court wrote on the subject in *Watkins* v. *The State*, 199 Ga. 81, 95.

"Jury service is not a right, nor a privilege; but a burden which the State summons certain of its citizens to bear. In the administration of justice with us, issues of fact are submitted to a jury. Mr. Justice Black in *Smith* v. *Texas*, supra, (311 U.S. 128) remarked that, 'It is a part of the established tradition in the use of juries as instruments of public justice that the jury be a body truly representative of the community.' No such tradition has been established in Georgia. In every community in this State, as in every other State, there are idiots, insane persons, men enfeebled by age, vagabonds, and also men of bad character, white and black. We in this State exclude all such from jury service. We also exclude (1945) females and minors. Our juries, therefore, are not bodies 'truly representative of the community.' We go further. We impose the burden only on those who are upright and intelligent, and not upon all of them. We leave it to the discretion and judgment of the jury commissioners to place on the jury list such of these as in their opinion constitute a sufficient number to carry on the work required of juries. Under our system, the jury is not, therefore, necessarily a cross section of the entire community, but a chosen body selected from a larger number to assist in the administration of justice."

It was after that that the Thiel case was decided. (Not Thiel v. Union Pacific, but *Thiel* v. *Southern Pacific R. Co.*, 328 U.S. 217.)

That case pertained to the composition of juries in the federal courts and announced the rule that prospective jurors should be selected by court officials without systematic and intentional exclusion of any economic, social, religious, racial, political and geographical group of the community.

In that case, as Justice Frankfurter pointed out in his dissent (328 U.S. at p. 227) no constitutional issue was at stake. The sole question was whether the established practice in the Northern District of California not to call for jury duty those otherwise qualified but dependent on a daily wage for their livelihood required the reversal of a judgment which was inherently without a flaw.

The Court decided 6 to 2 that it did.

This Congress has a perfect constitutional right, if it so desires, to write into the Federal Statutes the principle of that decision and so prescribe a rule for the composition and selection of juries in the Federal Courts.

It has a perfect right, if it so desires, to provide for a jury commission (§ 1863), and compel that jury commission to maintain a master jury wheel, and to place in it "names selected at random from the voter registration lists." (§ 1864)

Probably realizing that those lists may now contain names of those whom the State may not subject to literacy tests, the drafters prescribe some qualifications for jury service (§ 1866) which shall be determined by the jury commission solely on the basis of information provided on the juror qualification form or a returned summons. (§ 1865)

Those qualifications would debar certain people (§ 1866(b)). Among those debarred from jury service would be a person convicted in a State or Federal Court of a crime punishable by imprisonment for more than one year whose civil rights have not been restored by pardon or amnesty.

It would make no difference that he had been many times convicted of various misdemeanors. He would still be qualified to pass on the life, liberty or property of persons prosecuted or litigating in Federal Courts.

If the Congress desires juries so composed to act in the administering of justice in the courts it has ordained and established, Congress has that power. Such juries will sit in the North as well as the South, in the East as well as the West.

Today, when the courts are so zealously and jealously guarding the right of trial by jury, it does seem to me that the Congress would be of the mind to strengthen the jury system rather than to weaken it. Those juries ought to be so composed as to be equipped to decide intelligently as well as numerically the questions which are presented to them. A jury composed of people without sufficient intelligence to understand the instructions given in charge by the Presiding Judge is no jury. When the Constitution preserved and guaranteed trial by jury it contemplated trial by a jury whose members were equipped to determine the questions submitted to them. Due process so requires.

A person may be able to read, write, speak and understand the English language (§ 1866 (2)) as required by the bill, and yet not be able to add 2 and 2, or know the meaning of the simplest terms which recur in the trial of the simplest law suit.

Even as applied to Federal Courts, this bill is just another step in the process of establishing a government of the ignorant, by the ignorant, for the ignorant.

Of course, it will be quite a boon to the Department of Justice to be able to try income tax cases and condemnation cases and antitrust cases or any other cases involving the property of citizens before a jury composed of those dependent for their subsistence on payments of one kind or another from the government. But will that boon tend to promote impartial, complete administration of justice?

Title II presents very different questions.

Its basis is Section 201: "No person or class of persons shall be denied the right to serve on grand and petit juries in a state court on account of race, color, religion, sex, national origin, or economic status."

In the first place a person has no *"right"* to serve on any jury. Jury service is a privilege conferred by the State upon such of its citizens as it deems worthy of the privilege of participating in the administration of justice.

It is no more a *right* than is the privilege or license of engaging in the practice of law or of medicine, or of practicing as a barber, beautician, embalmer, or plumber. The State may require certain qualifications in those whom it permits to affect the health, safety and general welfare of its citizens—and it may require qualifications deemed necessary by it to be possessed by those to whom it entrusts the life, liberty and property of those within its jurisdiction.

The right of a State to establish those qualifications existed when the Union was formed. The right was reserved to it by the Tenth Amendment.

The right may now be exercised as the judgment of the State dictates unless it has been restricted by an amendment later than the Tenth.

Does the Fourteenth Amendment give to Congress the right to enact a statute providing that a State may not restrict the privilege of jury service to males."

Does it give to Congress the right to enact a statute providing that a state may not consider the economic status of its citizens in determining their qualifications for jury service in courts of the State?

Those are the great questions which this bill in Title II involves.

Strauder v. West Virginia, 100 U.S. 303, was one of the very first cases decided construing the Fourteenth Amendment. The Court there held that "compelling a colored man to submit to a trial for his life by a jury drawn from a panel from which the State has expressly excluded every man of his race, because of color alone, however well qualified in other respects" is a denial to him of equal legal protection.

It was in this case, that, too, the Supreme Court said: "We do not say that within the limits from which it is not excluded by the Amendment a State may not prescribe the qualifications of its jurors, and in so doing make discriminations. It may confine the selection to *males, to freeholders,* to citizens, to persons within certain ages, or to persons having educational qualifications. We do not believe the Fourteenth Amendment was ever intended to prohibit this." (p. 310, emphasis added)

Contemporaneously, the Court held that that did not mean that every colored man had a right to be tried by a jury composed in part of colored men.

Virginia v. Rives, Ibid, p. 313.

And see *Neal v. Delaware,* 103 U.S. 370.

When it was the "law of the land" that the first ten amendments to the Federal Constitution contain no restrictions on the powers of the State, but were intended to operate solely on the Federal government, the Supreme Court (1899) decided the case of Brown v. New Jersey, (175 U.S. 172)

This case dealt with the validity of what was known to the New Jersey statutes as a "struck jury." These statutes provided for a method of choosing a jury from a panel.

In the course of the opinion the court said:

"The State has full control over the procedure in its courts, both in civil and criminal cases, subject only to the qualification that such procedure must not work a denial of fundamental rights or conflict with specific and applicable provisions of the Federal Constitution. . . . 'The Fourteenth Amendment does not profess to secure to all persons in the United States the benefit of the same laws and the same remedies. Great diversities in these respects may exist in two States separated only by an imaginary line. On one side of this line there may be a right of trial by jury, and on the other side no such right. Each State prescribes its own method of judicial proceeding.'

. . . The State is not tied down by any provision of the Federal Constitution to the practice and procedure which existed at the common law. Subject to the limitations heretofore named it may avail itself of the wisdom gathered by the experience of the century to make such changes as may be necessary. For instance, while at the common law an indictment by the grand jury was an essential preliminary to trial for felony, it is within the power of a State to abolish the grand jury entirely and proceed by information. Hurtado v. California, 110 U.S. 516. In providing for trial by a struck jury, empaneled in accordance with the provisions of the New Jersey statute, no fundamental right of the defendant is trespassed upon. The manner of selection is one calculated to secure an impartial jury. 'The accused cannot complain if he is still tried by an impartial jury. He can demand nothing more.'" (op. cit. p. 175)

Even if under more recent adjudications of the Supreme Court, the Sixth and Seventh Amendments now apply to the States, the legal situation would not be changed for property-owning and tax-paying qualifications were not forbidden by the common law. As I have shown, many of the original thirteen states had them.

As late as 1946, the qualifications of federal court jurors were determined under state law. (28 U.S.C.A. old Section 411). Undoubtedly the sixth and seventh amendments applied to the United States but such application was not deemed to have any effect on their adoption of the state law. (See *Ballard, et al.* v. *United States,* 329 U.S. 187. (1946))

In 1948, old section 28–411 was revised so as to prescribe (§ 28–1861) uniform standards of qualification for jurors in Federal Courts instead of making qualifications depend upon State laws.

Even that revision had a provision (§ 28–1861(4)) that one could not serve as a Federal juror if he was incompetent to serve as a grand or petit juror by the law of the State in which the district court was held.

In 1957, that section was amended by eliminating that provision.

The next year it was decided that Congress has authority to set up qualifications for federal jurors without regard to qualifications that may be set up by state legislatures of the states wherein the federal district courts sit. *United States* v. *Wilson*, 158 F. Supp. 442, affirmed 255 F. 2d 686, cert. denied 358 U.S. 865, 79 S. Ct. 97.

Fay v. *People of the State of New York*, 332 U.S. 261, was decided in 1947.

The opinion of the Court contained this language:

"The function of this federal Court under the Fourteenth Amendment in reference to state juries is not to prescribe procedures but is essentially to protect the integrity of the trial process by whatever method the state sees fit to employ. No device, whether conventional or newly devised, can be set up by which the judicial process is reduced to a sham and the courts are organized to convict. They must be organized to hear, try and determine on the evidence and the law. But beyond requiring conformity to standards of fundamental fairness that have won legal recognition, this Court has always been careful not so to interpret this Amendment as to impose uniform procedures upon the several states whose legal systems stem from diverse sources of law and reflect different historical influences.[1] "

More recently (1961) the Court has decided *Hoyt* v. *Florida*, 368 U.S. 57, wherein at pages 59–60, the Court said: "We of course recognize that the Fourteenth Amendment reaches not only arbitrary class exclusions from jury service based on race or color but also all other exclusions which 'single out' any class of persons 'for different treatment not based on some reasonable classification.' "

It was in that case that the Court said: "We cannot say that it is constitutionally impermissible for a State, acting in pursuit of the general welfare, to conclude that a woman should be relieved from the civic duty of jury service unless she herself determines that such service is consistent with her own special responsibilities." (Op. cit. p. 62)

That being the law of the land, how, then, can Congress say to the states that no person or class of persons shall be denied the right to serve on their juries on account of sex?

There remains for discussion, therefore, the question of whether a State may establish some form of "economic status" as a criterion or classification for jury service.

It is important in this connection to recall that many of the States at the time of the adoption of the Constitution and thereafter required that the jurors in their courts be taxpayers or freeholders.

For many, many years the Federal Government recognized the reasonableness of this criterion or classification by adopting the States' rules of qualification as its own.

Another important factor is stated by Mr. Justice Black in the opinion of the Court in *Kotch et al.* v. *Board of River Port Pilot Commissioners for the Port of New Orleans, et al.*, 330 U.S. 552, at page 557: "And an important factor in our considerationn is that this case tests the right and power of a state to select its own agents and officers. Taylor v. Beckwith, 178 U.S. 548 . . .; Snowden v. Hughes, 321 U.S. 1, 11–13.

Just a few weeks ago, (March 24, 1966) Justice Black very forcefully applied the Kotch case, supra, in his dissenting opinion in the *Virginia Poll Tax case*, 86 S. Ct. 1079, 1085. In the final analysis, I assume that if Congress enacts Title II of this bill its constitutionality will be determined by the yardstick of that case. (*Harper* v. *Virginia State Board of Elections*, ——— U.S. ———, 86 S. Ct. 1079)

So this phase of this statement may well conclude with applications to this Title of (a) Justice Black's dissent; (b) the dissent of Justices Harlan and Stewart; (c) the reasoning of the opinion of the Court delivered by Justice Douglas.

Time does not permit me to include in this statement the entire dissenting opinion of Mr. Justice Black. Even if it did, it would be unnecessary for anyone desiring to read all of it will find it beginning at page 1083 of 86 Supreme Court Reporter (advance sheet of April 15, 1966.)

Bear in mind that what the majority there held was that voter qualifications have no relation to wealth nor to paying or not paying a tax.

Justice Black pointed out: "The equal protection cases carefully analyzed boil down to the principle that distinctions drawn and even discriminations imposed by State laws do not violate the Equal Protection clause so long as these distinctions and discriminations are not 'irrational,' 'irrelevant,' 'unreasonable,' 'arbitrary,' or 'invidious.' The restrictive connotations of these terms . . . (citing cases) are a plain recognition of the fact that under a proper interpretation of the Equal Protection clause States are to have the broadest kind of leeway in areas where they have a general constitutional competence to act."

At this point Justice Black quoted from *Metropolitan Casualty Insurance Co.* v. *Brownell*, 294 U.S. 580, 584, as follows:

"A statutory discrimination will not be set aside as the denial of equal protection of the laws if any state of facts reasonably may be conceived to justify it."

Bear in mind that the equal protection clause applies not only to citizens but to all persons within the jurisdiction of the State.

Despite that, certainly a State may restrict service as jurors to those persons who are citizens.

And "there is nothing in the Fourteenth Amendment which prevents a State from excluding and exempting from jury duty certain classes on the *bona fide* ground that it is for the good of the community that their regular work should not be interrupted."

Rawlins v. *Georgia*, 201 U.S. 638 (per Justice Holmes).

So lawyers, ministers, doctors, dentists, railway engineers and firemen may be excluded. There may be age limits.

And "economic status" as a factor will not be considered as arbitrary or invidious if there is any state of facts which reasonably may be conceived to justify it.

I should think that if a person is entirely dependent upon the government of the United States or the state government for his subsistence, that the State might well think that he should not be a juror—particularly in cases in which the United States or a State is a party.

I should think that if a person has not been able to accumulate and retain an amount of property sufficient for his name to appear on the tax digests of his county that the State might well think that he should not adjudge the rights of a fellow citizen whose life, liberty or property were in jeopardy.

"Economic status" as a criterion cannot be judicially determined to be arbitrary and capricious when we know that "In England a property qualification for jury duty was required by statute at a very early date (*Commonwealth* v. *Dorsey*, 103 Mass. 412) and similar statutes have from time to time been enacted in this country. Although . . . these statutes usually relate only to the ownership and occupancy of real property, in some cases the statutes may require the ownership of personal property of a certain value. (*Conway* v. *Clinton*, 1 Utah 215)"

Juries, 50 C.J.S. § 147, p. 869 (Citation interpolated).

See also 50 C.J.S. § 147(b), p. 869.

And *Kerwin* v. *People*, 96 Ill. 206, *Bradford* v. *State*, 15 Ind. 347, *McKnight* v. *Seattle*, 39 Wash. 516, 81 Pac. 998.

"Under some statutes it is required that a juror be a person whose name is on the assessment rolls as a taxpayer." 50 C.J.S. § 148.

The Supreme Court of the United States in *Brown* v. *Allen*, 344 U.S. at page 471, quotes from *Strauder* v. *West Virginia*, 100 U.S. 303, 310 (supra) showing that a state was permitted to "confine the selection (of jurors) to males, *to freeholders*, to citizens, to persons within certain ages or to persons having educational qualifications."

The Court today might not agree with that court of 1880 "composed of justices familiar with the evils the amendment sought to remedy" but whether or not it agrees, that ruling would prevent a classification as to "freeholders" from being arbitrary or capricious.

And in that case at p. 474 (*Brown* v. *Allen*, 344 U.S. 443, 474) the Supreme Court said:

"Short of an annual census or required population registration, these tax lists offer the most comprehensive source of available names. We do not think a use, *non-discriminatory as to race, of the tax lists violates the Fourteenth Amendment* . . ." (Emphasis added)

Justice Black continued:

"And if history can be a factor in determining the 'rationality' of discrimination in a state law (which we held it could in Kotch v. River Ports Pilot Comms. supra), then whatever may be our personal opinion, history is on the side of 'rationality' of the

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"[1] While English common law is the source from which it often is assumed a uniform system was derived by the States of the United States, it must not be overlooked that many of them have been deeply influenced by Roman and civil law to which their history exposed them. None of the territory west of the Alleghenies was more than briefly or casually subject to common law before the Revolution. French civil law prevailed in most of the Ohio and Mississippi Valleys from their settlement until Wolfe's decisive victory before Quebec in 1763. Its ascendancy in the north then was broken, and in 1803, the Louisiana Purchase ended French sovereignty in the rest of the Mississippi area. Louisiana continues, however, a system of law based on the Code Napoleon. The Southwest and Florida once were Spanish. See Colvin, Participation of the United States of America with the Republics of Latin America in the Common Heritage of Roman and Civil Law, 10 Proceedings of the Eighth American Scientific Congress 467.

"Even among the early seaboard States, the English common law had rivals. The Swedes on the banks of the Delaware held one of the earliest jury trials on this continent. The Governor followed Swedish law and custom in calling to his aid in judging 'assistants' who were selected from among 'the principal and wisest inhabitants' and were both judges and jurors and sometimes witnesses. See 1 Johnson, The Swedish Settlements on the Delaware (1911) 450 et seq. In New York, there was a deep and persistent influence from Roman and Dutch law. Upon capitulation of New Amsterdam, it was stipulated that certain Dutch law, and judgments and customs should be respected. But even beyond this, in the organization of the courts the Dutch rule persisted although contrary to the 'Duke's Laws' enacted by the conqueror. The history of the early Dutch influence in New York court procedure was preserved by the diligence and foresight of Judge Daly. 1 E. D. Smith's Reports (New York Common Pleas) xvii, xxxiv, xxxvii. The Roman-Dutch element in New York law is recognized by its courts, e.g. Dunham v. Williams, 37 N.Y. 251, 253; Van Giessen v. Bridgford, 83 N.Y. 348, 356; Smith v. Rentz, 131 N.Y. 169, 175, 30 N.E. 54, 15 L.R.A. 138."

State's poll tax policy. Property qualifications existed in the Colonies and were continued by many States after the Constitution was adopted." (86 S. Ct. at pp. 1085–6).

Georgia was using the books of the Receiver of Tax Returns as a basis for determining the constitution of "the body of petit jurors" certainly as early as 1861. (See Code of 1861, § 3837.)

Those books were not being so used for the purpose of barring negroes from jury service for they were expressly barred (Code of 1861, § 3836) by a section of the same code which confined competency to "free white male citizens."

Passing to the dissent of Justices Harlan and Stewart, at page 1090, they posed the question at issue: "Is there a rational basis for Virginia's poll tax as a voting qualification?"

They thought the answer to that question to be "yes." They supported their opinion thus:

"Property qualifications and poll taxes have been a traditional part of our political structure. In the Colonies the franchise was generally a restricted one. Over the years these and other restrictions were gradually lifted, primarily because popular theories of political representation had changed. Often restrictions were lifted only after wide public debate. The issue of woman suffrage, for example, raised questions of family relationships, of participation in public affairs, of the very nature of the type of society in which Americans wished to live; eventually a consensus was reached, which culminated in the Nineteenth Amendment no more than 45 years ago.

Similarly with property qualifications, it is only by fiat that it can be said, especially in the context of American history, that there can be no rational debate as to their advisability. Most of the early Colonies had them; many of the States have had them during much of their histories; and whether one agrees or not, arguments have been and still can be made in favor of them. For example, it is certainly a rational argument that payment of some minimal poll tax promotes civic responsibility, weeding out those who do not care enough about public affairs to pay $1.50 or thereabouts a year for the exercise of the franchise. It is also arguable, indeed it was probably accepted as sound political theory by a large percentage of Americans through most of our history, that people with some property have a deeper stake in community affairs, and are consequently more responsible, more educated, more knowledgeable, more worthy of confidence, than those without means, and the community and Nation would be better managed if the franchise were restricted to such citizens. Nondiscriminatory and fairly applied literacy tests, upheld by this Court in Lassiter v. Northampton County Board of Elections, 360 U.S. 45, 79 S. Ct. 985, 3 L. Ed. 2d 1072, find justification on very similar grounds."

"Property and poll-tax qualifications, very simply, are not in accord with current egalitarian notions of how a modern democracy should be organized. It is of course entirely fitting that legislatures should modify the law to reflect such changes in popular attitudes. However, it is all wrong, in my view, for the Court to adopt the political doctrines popularly accepted at a particular moment of our history and to declare all others to be irrational and invidious, barring them from the range of choice by reasonably minded people acting through the political process. It was not too long ago that Mr. Justice Holmes felt impelled to remind the Court that the Due Process Clause of the Fourteenth Amendment does not enact the *laissez-faire* theory of society, Lochner v. People of State of New York, 198 U.S. 45, 75–76, 25 S.Ct. 539, 546, 49 L.Ed. 937. The times have changed, and perhaps it is appropriate to observe that neither does the Equal Protection Clause of that Amendment rigidly impose upon America an ideology of unrestrained egalitarianism."

The foregoing are the views of the three dissenting Justices.

It remains to be demonstrated that the reasons assigned by the majority of the Court for nullifying Virginia's poll tax would by no means support the conclusion that a State cannot use "economic status" as one of its legislative criteria for the determination of the competency of jurors in its courts.

The very basis of the majority opinion is that the right to vote in federal elections is conferred by the Constitution, and once the franchise is granted to the electorate, lines may not be drawn which are inconsistent with the Fourteenth Amendment.

Service on a jury is a privilege—not a right. The Constitution confers upon no one the right to serve on a jury. The state legislature grants the privilege which is quite different from "the political franchise of voting" and not a "fundamental political right, because preservative of all rights."

The concluding paragraph of the opinion graphically demonstrates the differences.

Justice Douglas concluded ". . . wealth or fee paying has, in our view, no relation to voting qualifications . . ."

"Economic status" did under the common law of England have a relation to the privilege of serving on a jury, and continues to have, in the view of many state legislatures, a relation to that privilege.

The question is not whose "view" is correct?

The question is merely whether the view of the state legislatures is arbitrary, capricious, invidious, without any justification based on any state of facts which may be reasonably conceived.

In the light of repeated decisions of the Supreme Court of the United States, it is difficult to imagine how this question is capable of being answered save in one way.

I cannot see how there can be a more complete answer to it than that given by Chief Justice Warren in his opinion for the Court in *McGowan, et al.* v. *State of Maryland*, 366 U.S. 420. That case was decided May 21, 1961. Only Justice Douglas dissented. Justices Black, Clark, Harlan, Brennan and Stewart of those now on the Court were there then.

Restating the age-old doctrine, "A statutory discrimination will not be set aside if any state of facts reasonably may be conceived to justify it," the Chief Justice and the Court (save Justice Douglas) applied it in upholding Maryland's Sunday closing laws or Sunday Blue Laws.

Almost contemporaneously (May 29, 1961), Chief Justice Warren wrote for a majority of the Court in *Gallagher* v. *Crown Kosher Super Market of Massachusetts, Inc., et al.*, 366 U.S. 617, and in *Two Guys from Harrison-Allentown, Inc.* v. *McGinley*, 366 U.S. 582, and in *Braunfield, et al.* v. *Braun*, 366 U.S. 599, all upholding State Sunday closing laws. (May 29, 1961).

Finally as to this Title let it be observed that if it becomes effective, its application will not merely be local. It will not affect the South alone. The States of the North, the East and the West will feel its impact perhaps even more strongly than the Southern States.

TITLE IV

Section 401 of this Title provides: "It is the policy of the United States to prevent, and the right of every person to be protected against, discrimination on account of race, color, religion, or national origin in the purchase, rental, lease, financing, use and occupancy of housing throughout the nation."

Assuming that to be a correct statement of the policy of the United States, which I rather doubt when I read the outcries against this particular Title, the question is whether the Congress has the Constitutional power to enforce that policy as it is requested to do in the sections of the Title which follow 401.

As I write this (June 8, 1966) it appears that the "policy" expressed in Section 401 may be abandoned by its sponsors.

The principle expressed in the policy may be about to succumb to political expediency.

Writing of this section that would in the words of the editorial writer "ban discrimination in sale or rental of residential units," an editorial writer in the Atlanta Constitution of June 8, 1966 (page 4) says:

"Laudable as the aims of this section are, the proposal is questionable on constitutional grounds. And, more to the point, it simply doesn't have the Republican support needed to counterbalance Southern Democratic opposition. It's time to be realistic. The housing section just doesn't have a chance at this session. The personal protection and jury list sections are vital. So it's time to separate the housing section from the main bill and press on to adoption of the other portions."

The statement that the section is "questionable on constitutional grounds" is a model of understatement.

The statement that the jury list section is *vital* would be difficult to understand in the absence of the thought that the writer of that editorial had probably never read the "jury list section" or, if he had, had considered its implications.

That the section is unconstitutional is thoroughly demonstrated by the Civil Rights Cases, 109 U.S. 3 which still live and were applied by the court in the famous case of *Shelley* v. *Kraemer*, 334 U.S. 1, which held (1948) that state court enforcement of restrictive covenants which have for their purpose the exclusion of persons of designated race or color from ownership or occupancy of real property could not be justified.

But—even in so holding, the Court said:

"Since the decision of this Court in the Civil Rights cases, 1883, 109 U.S. 3, the principle has become firmly embedded in our constitutional law that the action inhibited by the first section of the Fourteenth Amendment is only such action as may fairly be said to be that of the States. *That Amendment erects no shield against merely private conduct, however discriminatory or wrongful.*" (334 U.S. at p. 13, emphasis added.)

As late as March 28, 1966, the Court said: "This has been the view of the Court from the beginning. . . . It remains the Court's view today." 86 S. Ct. 1170, at p. 1176.

And just two months before (Jan. 17, 1966), Mr. Justice Douglas had written in *Evans, et al.* v. *Newton, et al.*, 86 S. Ct. 486, 488: "There are two complementary principles involved in this case. One is the right of the individual to pick his own associates so as to express his preferences and dislikes, and to fashion his private life by joining such clubs and groups as he chooses."

And further, p. 489:

"If a testator wanted to leave a school or center for the use of one race only and in no way implicated the State in the supervision, control or management of that facility, we assume *arguendo* that no constitutional difficulty would be encountered."

Despite these established principles of Constitutional Law, the Attorney General of the United States, on May 4, 1966, commenced his discussion (before the House Committee) of the Housing Title by saying:

"In the Civil Rights Act of 1866 Congress declared:

"'All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property." (42 U.S.C. 1982)'"

That is a correct statement.

It is also correct to say that this section was formerly Section 1978 of the Revised Statutes, and 8 U.S.C. § 42. When so designated it was considered by the Supreme Court of the United States in *Hurd* v. *Hodge*, 334 U.S. 24, and of it (pp. 31–32) the Court said:

"We may start with the proposition that the statute does not invalidate private restrictive agreements so long as the purposes of these agreements are achieved by the parties through voluntary adherence to the terms. The action toward which the provisions of the statute under consideration is directed is *governmental action*. Such was the holding of Corrigan v. Buckley, supra." (271 U.S. 323, 46 S. Ct. 521) (Emphasis added)

Corrigan v. Buckley, as well as Hurd v. Hodge, involved restrictive covenants as to the sale of real estate. The former involved dwelling houses on "S" Street between 18th and New Hampshire Avenues in the City of Washington. In it (271 U.S. at page 330) the Court said:

". . . the prohibitions of the Fourteenth Amendment 'have reference to State action exclusively, and not to any action of private individuals.' . . . 'It is state action of a particular character that is prohibited. *Individual invasion of individual rights is not the subject-matter of the Amendment.*' Civil Rights Cases, 109 U.S. 3, 11 . . . *It is obvious that none of these amendments prohibited private individuals from entering into contracts respecting the control and disposition of their own property;* . . . (Emphasis added)

At page 331, considering, among others, the very statute which the Attorney General took as his text, the Court said:

". . . it is obvious, upon their face, that while they provide, inter alia, that all persons and citizens shall have equal right with white citizens to make contracts and acquire property, they, like the Constitutional Amendment under whose sanction they were enacted *do not in any manner prohibit or invalidate contracts entered into by private individuals in respect to the control and disposition of their own property.*" (Emphasis added)

The Court which so stated was headed by Chief Justice Taft, and had among its members Justices Holmes, Brandeis and Stone. There were no dissents.

Despite this established law of the land the Attorney General seeks to have Congress enact legislation banning and rendering illegal "contracts entered into by private individuals" and acts and actions of private individuals, and seeks to justify such legislation "primarily on the Commerce clause of the Constitution and on the Fourteenth Amendment." "I have no doubts whatsoever" he says, "as to its constitutionality."

So far as the Fourteenth Amendment is concerned, I have no doubts whatsoever as to its unconstitutionality unless the Supreme Court should, for some reason, overrule a continuous line of authorities extending over a period from 1883 to March of 1966.

As to the Commerce clause, I merely say that since the decisions in the *Heart of Atlanta Motel case*, 379 U.S. 241, and *Katzenbach v. McClung*, 379 U.S. 294, I do not pretend to know just what the scope of the Commerce clause is.

I do suggest that in the Heart of Atlanta Motel case, the opinion of the Court considered and deemed "without precedential value" the decision in the Civil Rights cases because the 1875 Act there involved broadly proscribed discrimination in inns etc. "without limiting the categories of affected businesses to those impinging upon interstate commerce." (p. 250)

"In contrast" said the Court (p. 250–1) "the applicability of Title II is carefully limited to enterprises having a direct and substantial relation to the interstate flow of goods and people, except where state action is involved."

In the McClung case, the Court considered the application of Title II "to restaurants which serve food a substantial portion of which has moved in commerce." (p. 298)

In Title IV of S-3296, I do not find any reference to the commerce clause, or its language, or any words indicating that the discriminations sought to be banned have any relation whatever to the interstate flow of goods and people.

If A refuses to rent a dwelling to B because of B's race, color, religion, or national origin, (Title IV § 403(a)), it is impossible for me to see how commerce between the States is affected in the remotest degree.

The impossibility, as far as I am concerned, extends to §§ 403–(b–e), and to Section 404, although I have read what the Attorney General said on that phase of the subject matter. (Pages 21, et seq. of his statement to the House Committee.)

The Attorney General seems to rely greatly on *Wickard* v. *Filburn*, ——— U.S. ———, wherein the Court held that the Agricultural Adjustment Act could validly apply to a farmer who sowed only 23 acres of wheat, almost all of which was consumed on his farm.

I live in a dwelling which I purchased in 1919. I have lived in it continuously since. The mortgage which formerly covered it has long since been removed. If its brick or hardware or plaster or paint ever "moved" in interstate commerce, they have long since come to rest. If I should refuse to sell that house to a person because of his race, color, religion or natural origin, would I be subject to the sanctions of Title IV?

CONCLUSION

I cannot conceive of a better reply to the statement of the Attorney General to which I have referred than words of Mr. Justice Hugo Black uttered March 24, 1966 in his dissent in the case of *Harper, et al. Appellants* v. *Virginia State Board of Elections, et al.*, 86 S. Ct. 1079, 1087–8.

They are, I think, particularly apt and timely because of the appeal which is being made to the Congress to disregard the past adjudications of the Court, to disregard the Constitution, and to substitute for them its own conceptions of right and wrong, to enact a law said to be "designed to help achieve equality in the market place." (p. 15)

Justice Black's words follow: "The Court's justification for consulting its own notions rather than following the original meaning of the Constitution, as I would, apparently is based on the belief of the majority of the Court that for this Court to be bound by the original meaning of the Constitution is an intolerable and debilitating evil; that our Constitution should not be 'shackled to the political theory of a particular era,' and that to save the country from the original Constitution the Court must have constant power to renew it and keep it abreast with this Court's more enlightening theories of what is best for our society. It seems to me that this is not only an attack on the great value of our Constitution itself but also on the concept of a written constitution which is to survive through the years as originally written unless changed through the amendment process which the Framers wisely provided. Moreover, when a 'political theory' embodied in our Constitution becomes out-dated, it seems to me that a majority of the nine members of this Court are not only without constitutional power but are far less qualified to choose a new constitutional political theory than the people of this country proceeding in the manner provided by Article V."

I suggest therefore that the Congress ought not to be asked to enact a statute, and certainly should not enact it merely because the Court may test its validity not by established constitutional principles but by some "new constitutional political theory."

That far in my quoting from Justice Black he was treating of the Court's power and duty.

He proceeded:

"The people have not found it impossible to amend their Constitution to meet new conditions. The Equal Protection clause itself is the product of the people's desire to use their constitutional power to amend the Constitution to meet new problems."

I interpolate—So are the Income Tax Amendment, and the Direct Elections of Senators Amendment and the Woman Sufferage Amendment. So was the Prohibition Amendment, and its repealing amendment. So was the amendment limiting the terms of service of a President. When one man was elected President four successive terms, the people acted as provided in the Constitution.

Justice Black proceeded:

"Moreover, the people, in § 5 of the Fourteenth Amendment, designated the governmental tribunal they wanted to provide additional rules to enforce the guarantees of that Amendment. The branch of government they chose was not the Judicial Branch but the Legislative. I have no doubt at all that Congress has the power under § 5 to pass legislation to abolish the poll tax in order to protect the citizens of this country if it believes that the poll tax is being used as a device to deny voters equal protection of the law. See my concurring and dissenting opinion in South Carolina v. Katzenbach, 86 S. Ct. 803."

It is quite clear that discriminatory use by the State of a poll tax created by state statute would be "state action" and therefore subject to control by appropriate legislation under the Fourteenth Amendment (§ 5). In the Katzenbach case (at p. 832) Justice Black had said: "I have no doubt whatever as to the power of Congress . . . to enact the provisions of the Voting Rights Act of 1965 *dealing with the suspension of state voting tests* that have been used . . . *to deny and abridge voting rights on racial grounds.*" (Emphasis added)

It is equally clear that Congress does not have the power under § 5 to pass legislation preventing "discrimination" if the discrimination consists of wrongs done by individuals. (86 S. Ct. at 1176) "This has been the view of the Court from the beginning . . . It remains the Court's view today." 86 S. Ct. 1176 (March 28, 1966).

MANPOWER SERVICES ACT OF 1966—TECHNICAL CORRECTIONS

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Secretary of the Senate make some corrections in S. 2974, which are entirely technical. The bill was passed yesterday and those corrections should be made.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

BOMBING OF STRATEGIC OIL AND GAS SUPPLIES SUPPORTED

Mr. CANNON. Mr. President, the President of the United States yesterday ordered the bombing of strategic oil and gas supplies in the Haiphong and Hanoi area. Much comment has ensued in support or condemnation of this action. I wish to make my views understood at this time.

I support the action taken by the President without reservation and, in fact, urged him to make this type of decision late last year and again early this year.

It has been clear for some time that the North Vietnamese were wholly unresponsive to our request, indeed our pleas, to join us at the conference table in a peaceful resolution of the struggle which has engulfed the unhappy people of South Vietnam. This statement has been true since the failure of the cease fire some 6 months ago which we initiated without results.

As I wrote the President on January 28 of this year, I believe that our policy has suffered in southeast Asia just as it suffered in Korea from a too-heavy reliance on civilian advice and reluctance to permit the military commanders to accomplish our limited objectives.

The results of yesterday's bombing of the oil and gas depots in my opinion will hasten the end of this war more than any protestation of peace made by the administration. I concur completely with the chairman of the Senate Armed Services Committee, of which I am a member, when he said that we should, in effect, win this war or get out.

Events of June 29 will represent an important step in bringing about a growing realization in Hanoi and Peking that their intransigence is both futile and self-destructive.

I hope, Mr. President, that the Commander in Chief now moves toward a policy of continuing the military pressure. I believe that we should, in the near future, move to blockade or mine Haiphong Harbor. I am certain that most Americans fully support these attacks on military targets which make clear our purpose to friend and foe alike. They do so confident that it is the shortest road to peace and will contribute greatly in terms of saving the lives of our men in uniform.

Mr. President, I ask unanimous consent to have printed in the Record editorials which appeared in the Washington Star on June 29, and in the Washington Post on June 30.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Evening Star, June 29, 1966]

Hitting Where It Hurts

The bombing raids on fuel storage areas near Haiphong and Hanoi presumably mean that President Johnson, after much hesitation, has decided to strike at targets that are truly vital to the enemy's war of aggression against South Viet Nam. This decision, in our opinion, is both right and necessary.

Carrier-based planes struck at storage dumps two miles from the center of the port city of Haiphong. These tanks hold about 40 percent of North Viet Nam's fuel supply—oil that is vital not only to the trucks which haul supplies into South Viet Nam but also to the operation of the North Vietnamese industrial plant. The second strike was made by Air Force planes against fuel dumps three miles from the center of Hanoi. Both attacks were described as "highly successful," and smoke was sighted 35,000 feet above the Hanoi target. United States sources say no planes were lost, although Hanoi claims that seven were downed. The returning pilots said anti-aircraft fire at Hanoi was heavy, but relatively light at Haiphong.

The decision to go after the storage dumps reportedly was made at a Security Council meeting last week. When word of the decision was "leaked," it first appeared that the President had changed his mind and that the attacks might not be made. One asserted reason was that the premature disclosure had upset elaborate plans for an after-the-event explanation of the considerations which went into the making of the decision.

It does not seem to us, however, that the President owes an explanation to anyone. The fuel dumps are military, not civilian targets. That they would be attacked was indicated 10 days ago when Mr. Johnson said the United States "would continue to raise the cost of aggression at its source." This source certainly includes military objectives in the Hanoi-Haiphong area.

Now that this first blow has been struck, similar raids can be expected in the future. Hopefully, they will persuade Hanoi that the time has come for an honorable peace settlement. If not, then the administration is left with no choice except to destroy the enemy's means of maintaining his aggression.

[From the Washington Post, June 30, 1966]

Oil Targets

The practical military arguments for bombing the oil storage facilities of North Vietnam are so compelling and persuasive that the delay in mounting this attack is more surprising than the event. The unwillingness of the Administration to act sooner can be explained only by its reluctance to bear the diplomatic risks. And this reluctance must have been overcome, finally, by the elaborate analysis of the probable civilian casualties which in turn led to the conclusion that these strikes would not alter basically the nature of the air war. All air attack involves jeopardy to civilians close to target areas, and the attack on communications no doubt has been quite as destructive of civilian life as the oil storage attacks.

It is perfectly obvious, from the figures used by Secretary of Defense Robert McNamara, that the effort to interdict the movement of troops and supplies by air attack has not stopped infiltration from the North. And it is clear that despite a heavy assault on such communications, the North Vietnamese have been able to mount an increasing assault.

It is the lesson of World War II all over again. The British analysis entitled *The Strategic Air Offensive Against Germany* had to say of the offensive against German communications: "The impression still remains that the immense power of the strategic forces was not used in the attacks on communications in such a manner as to produce the most rapid end to the resistance of the enemy."

The same report said that the attacks on oil depots, on the contrary, had "important results on the last German efforts of resistance." Elsewhere the experts of the British survey concluded that "the attack on oil made a large contribution to the Allied victory." In estimating the strategic air effort as a whole, the British postwar survey concluded that "none of the other means of pressure could have been applied with such success if the attack on oil had not taken place."

Hopes for the success of this attack in a different environment must not be exaggerated. The attack on Germany included assaults on oil production facilities as well as storage. In this case, the production facilities lie outside the target country. In addition, the North Vietnamese have no great mechanized forces to be immobilized by a lack of petrol as the German force of 1500 tanks in Upper Silesia was immobilized, and in the way other German units were deprived of the power of tactical maneuver. Still, although air attack may be less effective than it was in Europe, there is no doubt that the air arm now has struck at the best enemy target at hand.

It is important that the United States forces maintain a clear distinction between the best target for air operations and the worst one. The worst one is clearly civilian populations. It is the worst target not only because military results are not achieved, but, in addition, because the World War II evidence indicates that the effects of area bombing of civilians, far from weakening the will to resist, may strengthen it. And if this was true in Germany, of a sophisticated urban population, it is even more likely to be true of the population of North Vietnam. The loss of the comforts and conveniences of urban society would have even less effect in such a country.

There is not much doubt that Americans will overwhelmingly support the attack upon targets of such obvious military eligibility as oil dumps; and there is not much doubt that opinion in the United States and elsewhere would overwhelmingly oppose deliberate assaults on population centers.

ORDER OF BUSINESS

Mr. RANDOLPH. Mr. President, I ask unanimous consent that at the conclusion of the regular 3-minute speeches in the morning hour, and any reports to be filed from committees on regular business of the Senate, I be permitted to address the Senate for 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GRAND CANYON DAMS

Mr. CASE. Mr. President—

> Leave it as it is. You cannot improve on it. The ages have been at work on it, and man can only mar it.

So spoke President Theodore Roosevelt on May 6, 1903, during a visit to the Grand Canyon of the Colorado. T.R.'s advice is as sound today as it was 63 years ago.

Yet at a time when the President is pressing a campaign to preserve natural beauty, Congress is being asked to approve a plan that would destroy a great part and radically change what remained of the Grand Canyon of the Colorado, a canyon which T.R. described as absolutely unparalleled throughout the rest of the world.

Under the pending proposal, the Colorado River would be dammed at points north—Marble Gorge—and possibly south—Bridge Canyon—of the Grand Canyon National Park and National Monument. The length of the Grand Canyon National Monument and 13 miles of the national park would be flooded behind Bridge Canyon dam. The Marble Gorge dam would create a lake 300 feet deep behind it and would inundate 50 miles of the upper Grand Canyon.

These dams would be constructed for the ultimate purpose of bringing water into arid central Arizona. The dams themselves will not produce a drop of water for that region, or for any other region. Rather, electricity to be generated by the impounded water will be sold at a profit to help pay for diverting water from somewhere else into the Phoenix-Tucson area. In other words, the dams are a financing gimmick aptly described by the Bureau of Reclamation as "cash registers."

To provide this financing device, the Grand Canyon would be sacrificed. For myself—and I believe most Americans feel the same way—I would rather pay the additional taxes that would be required to fund the water diversion project than to sell what I regard as the birthright of our people for a mess of pottage. Moreover, there is already serious doubt that the project will be as profitable financially as its proponents claim. If that should turn out to be the case, we will end up paying for much of it anyway through subsidies to make up the loss.

Despite what many believe, the damage caused by the dams would not be localized. This is because the 280-mile-long canyon is a physical entity, the creation of a free-flowing river. With the installation of two dams, or even one, this natural process would be seriously impaired, perhaps even halted. As some conservationists have put it, a living laboratory of stream erosion would be turned into a static museum piece.

There are many strong reasons for opposing the shackling of the Colorado with additional dams. Foremost among these, of course, is the irreparable damage to a national treasure.

Experts in conservation point out that the dams would actually waste water through evaporation and seepage in a water-short region, that technological advances in power generation may offer, in a few years, cheaper power than the dams would ever produce, and that permission to invade one national park undoubtedly would be used as a precedent for invading others.

Over and beyond all the technological, economic, and legal reasons for opposing the dams is the unassailable fact that a unique wonder of nature would be destroyed for all time.

Has not the time come to distinguish between an exploitable natural resource and a resource immune from exploitation? The Grand Canyon should—it must—fall into the latter category. For unless we can make the canyon forever inviolable, how can we hope to protect any of our parks, beaches, wildlife refuges, and the like?

The natural beauty of our land, in fact our whole environment, is an irreplaceable asset. If we want to preserve it, we must bend ourselves to the task, mindful of the disciplines that may be required.

Congress, of course, has recognized that water supply and distribution is a national, not merely a local or State problem. Just this year the Senate passed a bill creating a National Water Commission which would make a 5-year study of the Nation's water problems.

But we can meet this problem, as we can meet all of our problems, without despoiling our other natural resources. In the case of the Grand Canyon of the Colorado, Theodore Roosevelt told the Nation how to treat this natural phenomenon and Congress should follow his advice:

> "What you can do is to keep it for your children, your children's children, and for all who come after you, as one of the great sights which every American if he can travel at all should see. We have gotten past the stage, my fellow citizens, when we are to be pardoned if we treat any part of our country as something to be skinned for two or three years for the use of the present generation, whether it is the forest, the water, the scenery. Whatever it is, handle it so that your children's children will get the benefit of it."

And I repeat T.R.'s words:

> Leave it as it is. You cannot improve on it. The ages have been at work on it, and man can only mar it."

OUR PRESIDENT'S DECISION

Mr. YOUNG of Ohio. Mr. President, it is evident that our President has yielded to many of the militarists and our generals who seem to regard their mission as waging all-out war instead of directing their energies toward maintaining the peace of the world. It is evident he yielded to the continuing demands of members of the Joint Chiefs of Staff. No doubt the decision of our Commander in Chief to bomb areas in the suburbs of Hanoi, the densely populated capital of North Vietnam, and the oil depots, docks, and port installations in and around Haiphong, the chief port of North Vietnam, has made the Gen. Curtis LeMays and our Chiefs of Staff very happy.

Personally I had hoped against hope that our President would direct another bombing pause of North Vietnam for a period of 15 days and in that interim would have made every effort seeking the cooperation of U Thant, U.N. Secretary General, and Prime Minister Wilson of the United Kingdom to make a final further attempt to bring about an armistice and cease-fire in Vietnam at a conference to which delegates representing the Hanoi and Saigon governments were invited to participate and, in addition, delegates representing the National Liberation Front, or Vietcong.

The President instead has chosen the course to fight the war to military victory. He has made the ultimate decision. Where it will ultimately lead no man knows. Prime Minister Wilson of Great Britain, our greatest ally, has definitely and publicly disassociated himself and his nation from us. We have lost this ally. France and Great Britain are, therefore, both now alined against us and our policies in escalating and expanding our offensive in North Vietnam. Apparently no nations in Asia are now sympathetic toward our belligerency except Australia, New Zealand, and South Korea.

For the first time in modern history we are fighting a war practically alone, abandoned by our allies and friends and in a faraway Asiatic country, Vietnam, which is of no strategic or economic importance to the defense of the United States; never has been and never will be.

"ON GOING IT ALONE"—PARTIAL TEXT OF REMARKS OF SENATOR KUCHEL AT FRESNO STATE COLLEGE COMMENCEMENT

Mr. KUCHEL. Mr. President, on June 8, 1966, I was honored to be invited to speak at the commencement exercises of Fresno State College, Fresno, Calif. I ask unanimous consent that the partial text of my remarks on that occasion be placed in the RECORD at this point.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

ON GOING IT ALONE

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL at commencement ceremonies of Fresno State College, June 8, 1966)

It is with a real sense of honor that I participate in these commencement ceremonies at Fresno State College, founded well over a half-century ago by the people and the government of our state, respected for its successful pursuit of educational excellence, its doors open to students of every race or color, who desire to come here to study and to learn. No place on earth is more richly endowed by nature than the vast valley of the San Joaquin. And of all the progress that man, and our free society, have achieved in this area, none offers greater assurances for the future than the annual product of Fresno State College.

I congratulate those who today receive degrees, who thus successfully close one stimulating chapter in their life and who are about to enter the next. Our state and nation look forward to having you participate, in one fashion or another, in all the vast panorama of public problems which continue to perplex and plague all of us.

King Solomon said "knowledge is a wonderful thing; therefore get knowledge: but with all thy getting, get understanding."

Most of all we need to understand our fellow man. You are not alone on this campus. You will not be alone in life. The Scriptures say "It is not a good thing that the man should be alone." Our own life pattern is vastly affected by what others do, whether they live around the corner or halfway around the world. And, as this is true of the family, the campus or the community, it is also true of nations. And for a long time, our own beloved country followed an official philosophy of going it alone—or anyway of trying to.

The American Revolution was a successful protest against denial of liberty. Our American heroes of that day decided we would brook no interference from anybody in living by ourselves. Our colonies determined that they were going to set their own course, and that what happened across the Atlantic would be irrelevant to our own life and to our own future. General Washington's stern counsel admonished us to avoid entangling alliances. Our few early foreign agreements dealt only with international boundaries, commerce and trade. They were hardly a violation of our first President's rule. By geography, we were effectively insulated from life on other continents. God had given us the great dividing oceans. The problems of Europe and Asia, and beyond, were, we had concluded, of no concern to us. This western hemisphere, indeed, only a part of it, was all we cared for.

Over the generations, our wealth and strength were growing. We were becoming a power in the world whether we liked it or not. In the early part of this century the United States became the world's largest producer and consumer of steel, coal, petroleum, and a large array of the other industrial items by which man reckoned power in those days. The United States led the way in new forms of transportation and communication which were bringing men closer together. The First world war hastened us towards change.

The United States was regarded by the rest of the world as a hopeful element in world affairs. We were idealistic. We hoped to outlaw war. In the 1920's, after the first world war, we signed solemn treaties to scuttle portions of our naval fleet, and, let the record be clear, we carried out the provisions, while other treaty signatories broke their word.

In our young national adulthood, we were like Gilbert and Sullivan's king "who wished all men were as rich as he, and he was as rich as rich could be."

In the modern world wealth had come to mean power; and power meant responsibility. I suppose that it has always been so.

The vast destruction wrought by the Second World War made it plain that the world, as we knew it, could not endure if free peoples continued to try to go it alone. It was made plain, too, that the mantle of world leadership for freedom had fallen upon the United States. In 1946 Winston Churchill told the people of America they had reached ". . . the highest point of majesty and power ever attained since the fall of the Roman Empire. This imposes a duty on the American people which cannot be rejected. With all great opportunities comes responsibility."

So began the struggle to bind up Europe's wounds, to restore her economic well being, to rekindle her self-respect and to encourage faith in freedom. We strove to help restore a system of free western nations enriched by the free exchange of views among men. And at almost every step of the way, sometimes openly, sometimes covertly, our erstwhile ally, the Soviet Union, sought to impede the reconstruction.

Here began a challenge to the rebuilding of Western Europe, of preserving Western culture and of creating stable self-governments of free peoples. That challenge has become the major political fact of the Twentieth Century. It has since spread from Europe to almost every corner of the globe. It has been the pre-occupation of the United States almost as long as any of us can remember.

Western Europe was deeply troubled in the 1940s. The ravages of the war still remained. The smaller states were afraid they might be pulled into a Red vortex, for that is what they saw happen to their eastern neighbors. They began to talk of sharing risks, of confronting danger together. Out of that challenge there came the greatest example of collective security our world has ever known. The North Atlantic Treaty Organization—NATO—came into being as a military defensive system against potential Soviet aggression. It was designed to do other things. It sought to assist in the quest for dependable disarmament and arms control agreements. It sought to advance the cause of peace in Europe and the Atlantic. It sought to find peaceful means to settling international disputes. The role of the United States, in the creation of NATO, was a major one, for it would not have come into existence without our wholehearted participation including our giant arsenal and our own men. I recall, with great pride, the name of one of my illustrious predecessors, Vandenberg of Michigan, who spoke out in the Senate, almost two decades ago, to unite our country in the realization that there must be an interdependence among the free, and that going it alone is not only perilous for us, but impossible for almost every nation on earth. It was Vandenberg who pointed the way for our country to abandon going alone as foreign policy.

As an American, I believe in the old American adage "in union there is strength." As a member of the human race, jealous of his own freedom and of yours, I believe that like-minded nations should stand together to promote both peace and freedom and to deter aggression and war. Thus, I want the Atlantic Alliance to continue. Meanwhile, I want our country to maintain its role of leadership and to continue its unrelenting quest for proper control of the instruments of war, and dependable disarmament agreements among nations. We have taken a few steps forward, of which the Nuclear Test Ban Treaty is the most imposing. With American leadership, more could come about.

I regret that our longtime friend, France, did not join us in the Nuclear Treaty. I regret also that France now, under her present leadership, desires to cancel many of the important military arrangements which have been made under the North Atlantic Treaty agreement. These are distressing signs that France may desire to go it alone and to abandon many of those close ties which have so long linked us together. Just a few days ago a spokesman for the Government of France said:

"International crises no longer center in Europe, but in Asia, and the majority of NATO countries is not involved in Asia."

Graduating students, in this nuclear age, in this era of outer space, in this time of unimagined speed in travel and transportation and communication, what takes place anywhere on this earth must be of concern to people everywhere.

Surely, the detonation by Communist China of a third nuclear explosion shears away any false hope for isolation from Asia, of any European country, France included, or if any other part of this planet.

I have never forgotten the words of General MacArthur to the American Congress a decade and a half ago when he said:

"While Asia is commonly referred to as the gateway to Europe, it is no less true that Europe is the gateway to Asia, and the broad influence of the one cannot fail to have its impact upon the other."

What happens in Asia vitally concerns all of Asia, vitally concerns the Soviet Union, all of Europe, and all of the world, including the United States.

It is true that a war is raging today in Southeast Asia, and not in Europe, that the United States is involved, and that the oppressed land of South Viet Nam represents the most tragic, cruel crisis in today's world.

Our country is not alone. We receive tangible military support from South Korea, Australia, New Zealand and Thailand. The Republic of the Philippines is providing token support, with some other countries, and has under consideration more widespread assistance. Last year, the Prime Minister of Australia said: "American intervention in Viet Nam was the greatest act of moral courage since Britain stood alone in the last World War."

They sympathies of many Asian lands are with us. The Japanese Cabinet endorses United States-Vietnamese policy as it is now expressed and carried out, and Taiwan certainly does. Malaysia approves. Singapore understands. And Indonesia, having abruptly severed the tentacles of Red China, as they reached out to engulf her, is not about to encourage Red Chinese hegemony elsewhere. One Indonesian citizen recently told an American, "Please, don't tell us how to fight Communists."

We ardently pray that the crisis may be brought, before long, to a peaceful conclusion. It is to the credit of the American Government, I think, that it has repeatedly said it will go to the conference table at any time.

We may even now be witness to the birth of a new spirit of interdependence in Asia. Within this past year, one billion dollars has been subscribed for the creation of the Asian Development Bank. The majority of this sum came from Asian sources. By Act of Congress, the United States joined, as a minority stockholder, in this venture to help provide a source of repayable loans for development projects. The response to this idea, and the speed with which the Bank was organized, are unprecedented in the history of the international capital market.

In Bangkok, early this month, the leaders of Malaysia and Indonesia agreed to end their quarrels and, together with their colleagues from Thailand and the Philippines agreed to form a new union of their peoples emphasizing their common interests, and recognizing their interdependence.

The nations of Asia see that they need each other. They are learning that in possession of growing unity, and with the help of other free nations in the world, they need not succumb to the Red Chinese bully and its misnamed "Wars of National Liberation."

The point I wish to make is that the world is shrunken now to the point where armed conflict, however localized, and in whatever continent, is fully capable of quickly spreading to engulf all the globe. It is false and illusory to talk of Asia as not concerning Europe or vice-versa, in what remains of this Twentieth Century and beyond.

In your life span, graduating students, as before, the debate on going it alone will continue. Some will want to return to an isolation which really can never be. The rest of us must determine how much of the responsibility of leadership for freedom we want our America to accept. Some day, hopefully with your assistance, what Thomas Jefferson called "the disease of liberty" will inoculate all men.

"WHOSE GOD IS DEAD?"—REMARKS OF SENATOR KUCHEL AT SAN JOSE STATE COLLEGE COMMENCEMENT

Mr. KUCHEL. Mr. President, on June 10, 1966, I was honored to be invited to speak at the commencement ceremonies of San Jose State College, San Jose, Calif. I ask unanimous consent that the partial text of my remarks on that occasion be inserted in the Record at this point.

There being no objection, the extracts were ordered to be printed in the Record, as follows:

Whose God Is Dead?

(Partial text of remarks by U.S. Senator Thomas H. Kuchel, at commencement ceremonies of San Jose State College, June 10, 1966)

I am highly honored to speak at the commencement ceremonies of San Jose State College, oldest institution of higher learning in our state. You who attend this great school, as students or faculty, directly benefit from a long and active interest in, and a keen appreciation of, education by the people of California, something they have pretty consistently demonstrated over the last century. Yours is a history of excellence in scholarship, in an ever-widening gamut of studies, at a time of unbelievable growth, for our state and for your school.

California has been a progressive state. That is its tradition. Its people have always sought to go forward. They have had the urge of accomplishment. They believed, and they still believe, in the irreplaceable importance of education, and of higher education, as the solid base on which to build and to keep a free society.

I have forgotten who it was who long ago said "God takes care of little children, drunks, and the people of the United States." I think there may be a good deal of merit in that observation. But I also think that the future of this free nation is going to require an active interest in our society by those citizens who have had the benefit of a college education, such as you who mark your progress by degrees today. There is a far greater purpose in attending college than in simply acquiring opportunities for a greater economic advantage. There is far more to life than a dollar. In a very real sense educated Americans bear a special burden of preserving this free society, and of defending and advancing the cause of human liberty.

The things which we hold dear in America, the dignity of the individual, human freedom itself, are not for Americans alone, but for the whole human race. That was what the signers of the Declaration of Independence had in mind. And that, I believe, is what this country stands for today.

America has made unbelievable progress from the beginning. We have taken long strides towards making "equal justice under law" a reality rather than a sham. While there is much remaining to be done, much has been accomplished. Tens of thousands of disenfranchised Americans are, at long last, voting. We seek to eliminate the causes of poverty and racial unrest. A majority of Americans have been able to find time for a little more than just the pursuit of the necessities of life.

It is true that the American continent was richly endowed by our Creator. It is true that over the years we have come to recognize the value of conserving the resources of nature, of utilizing them in a manner that would permit their use in future generations as well as our own. Our almost 200 million people have created an enormous material wealth. With six per cent of the world's people, we consume annually one-sixth of its cement, one-third of its electric power, a fifth of its coal, and a quarter of its steel. We produce one-half of its passenger cars and possess and use half of its telephones. Our national product is one-third of the total of the world, and per capita income is 7.7 times that of the average of all other nations.

We in California know some of the problems that come with a supercharged production. If the fragrance of our spring wildflowers has given way to smog, if the clear lakes of the Sierras are endangered by pollution, if the groves of God-given redwoods face extinction by the saw and the ax; it is no less the consequence of our material advance than of our negligence or selfish appetites. There was a time in this vast State of California when man could at once be alone with nature and with the works of his Creator. We now know that he may enjoy such felicity only at the sufferance of his neighbor, and, even then, as a kind of rarity.

Peace and freedom walk together. Change is the law of the universe. Each generation faces new problems. In this last third of the Twentieth Centry unbelievable changes have been taking place. This is the age of nuclear power and the exploration of outer space. This is the era of instant communication and of almost instant travel. In your lifetime, this enormous scientific evolution will continue to unfold. Many of the secrets heretofore denied to our race will be unlocked in your time. But the struggle for peace and freedom will continue. Goethe said "he only earns his freedom and existence who daily conquers them anew."

We have abundance in material things, but, most important, we have aboundance in freedom. This is no accident. The free flight of man's imagination is the first requisite of creativity. Free discussion of ideas is the essence of a productive organization of society. Faith in the brotherhood of man marks the high road by which our civilization may remain, and may remain free.

In most of our national life, we were concerned almost exclusively with our own development. America did not play a prominent role in world affairs until called upon by continuing crises which had inflamed the Old World, and which had begun to sear the New. In the aftermath of the First World War, our people were in an almost continuous ferment as to what our country's role in the world should be. Fear and a kind of idealism were competing with one another. President Wilson went to Europe in 1919 speaking of "open covenants openly arrived at" and urging a League of Nations to settle disputes without war. Motivated by a desire for continued isolation, the United States Senate violently disagreed. Later, the United States led the way in world disarmament. In 1928, by the Kellogg-Briand peace pact with France, the United States agreed to outlaw war as an instrument of national policy. We were searching for a better world, and we were beginning to show an interest in our planet. But it took a second bloody global conflict to demonstrate that the world was not going to stop turning, and that we could not get off.

In 1948, another milestone was reached in the development of our role in the world when the late Arthur Vandenberg, speaking in the United States Senate, slammed the door on American isolationism, renouncing the idea that we could live alone in good conscience or, indeed, in self-preservation. His resolution, approved in the Senate, affirmed that United States would seek "international peace and security through the United Nations." It paved the way towards our participation in the Atlantic Alliance, together with Canada and our free friends in Europe. It courageously placed our country on record for providing the United Nations with armed strength and for the regulation and reduction of armament.

Looking back, some may think our idealism has been a trifle naive. Since the close of the Second World War, we have experienced countless international crises and have spent seemingly endless sums for foreign aid. We have learned the Arab proverb that it is not easy to give things away. Many Americans have traveled abroad as tourists only to find that "rich Americans" are fair game for high prices. We might well have become cynical. But I think we cherish our idealism still.

There are many achievements exemplifying the good will of the United States of America. Foremost among these was our help in restoring a destitute continent of Europe at the end of the Second World War. We bound up the wounds of those we fought with and those we fought against.

Following our acceptance of this task we became embroiled in the struggle of the age. America faced a monolithic adversary convinced that its own contrived doctrines were far more potent than our own beliefs in the dignity of the individual and the freedom of man. Soviet Communist leadership had long since adopted the view of all totalitarian regimes that the ends they seek justify the means they use.

For the past two decades the adversaries have been deeply engaged in this struggle. They have watched each other carefully, analyzing every move of the opponent. The Communists cried "Death to the Capitalist Imperialists," and the Free World said "Destroy Communism." If we were able to produce a nuclear bomb, Russia would make arrangements to steal the process from us. If we sought to inculcate democracy in the new states by a foreign aid program, Russia, and, subsequently, Red China, must embark on their kind of aid program, Communist style. If the Russians put a satellite in space, we did too.

You all have seen or read that great story "The Spy Who Came in from the Cold." You will remember the anonymous leader known as "Control" who tells the hero, home from a tour of duty in Berlin, what the Cold War is all about:

". . . you've got to compare method with method, and ideal with ideal. I would say that since the War, our methods—ours and those of the opposition—have become much the same. I mean you can't be less ruthless than the opposition simply because your government's *policy* is benevolent."

And that, my friends, is the utter end of idealism.

We have paid dearly for this struggle. It brought us out into the world, only to limit our horizon. The defense of our own freedom has spread thin the wealth that we might have put into education of our children and renovation of our cities.

Let none mistake. We shall, however long, continue to maintain a pre-eminent defense, designed to deter any aggression or, if necessary, to combat and to defeat it. But it is a sad thing that among some of our people, the struggle against Communism has encouraged them almost to abandon all humanitarian ideals. Fear of the Communist demon has led some to urge that we stifle our own freedoms in order somehow, to protect them. That is not good logic. The strength of America, rests in more than guns. From our system which guarantees each of you your individual freedom, comes much of the strength of our country. Americans intend to keep their freedom whatever the cost. A desire for absolute victory in the struggle has brought others to demand illogical military actions which could catapult the world into a global war. In our Federal Government, there have been regrettable instances of public servants concealing information which did not affect national security, under a policy which can truthfully be called "managed news" and of deciding what the American people ought to know. Prevailing over Communism does not require this totalitarian approach. We shall remain strong, firm, and rational.

Meanwhile, look at what is happening in the Soviet World. Observe the changes that are occurring with the passage of time. The vaunted economic system controlled by the dictatorship of the proletariat has given way to all kinds of capitalistic heresies: the interest rate, the profit motive, incentive rewards, and even some consumer sovereignty. The Kremlin has found that man does not live by doctrine alone, that he will work a little harder so he can enjoy the fruits of his labor, if he can relax at the end of the workday with some of the comforts of modern life, free from police-state fear.

I would agree with Henry J. Taylor that keeping up with the Russians is really "advancing backward." Among the things we would have to do to catch up are ". . . to destroy about two-thirds of our railway mileage, 90 percent of our airlines, 60 percent of our houses, 90 percent of our paved highways, 19 out of 20 of our trucks and cars, 40 million television sets, 9 out of every 10 telephones."

The captive peoples of Eastern Europe have become hostile to Soviet overlordship, and they have forced concessions of every kind, proving that Marxism's all-or-nothing push for domination must be tempered, or altered, to say the very least. And throughout Central Europe, the Church continues to stand like a rock unmoved by the tidal wave of Communistm which sought unsuccessfully to engulf it.

In large areas of the world, Soviet and Chinese Communism have miserably failed. Their inflexible formulas of conquest, through infiltration and subversion, have been rejected by the peoples in Ghana, in the Sudan, in Malaysia, and in the Philippines, and in Indonesia. Without regard to cost or peril to themselves, they drove Communism from their lands. Developing countries will not accept foreign dogma in place of their own traditions. To them the conflict between Communism and the Free World is often irrelevant. They are not interested in the triumph of doctrine, but in the dynamics of their own growth.

One has only to read Yvtushenko's *Bab i Yar* to sense the yearning of the great Russian soul, once the inspiration of Tolstoi and Dostoyevski. Today it is shackled to a dogma whose falsity becomes clearer as time goes by.

The doctrines of Communism have failed; they have failed to satisfy. Its moribund spirit does not, cannot, minister to the spiritual needs of modern man.

Our own faith is not in dated slogans but in the working principles of our society, which let us adapt to changing circumstances to create new institutions, to make full use of all our resources, and to steer our course towards our goals of peace and justice for all peoples.

The Cold War has encouraged some men to be craven and cynical. But the inevitable triumph of freedom may even now be approaching. This is no time to allow a counsel of despair to prevail.

Our faith in our way of life remains our greatest strength in seeking to preserve the temple. I quote the Psalms: "except the Lord keep the city, the watchman waketh but in vain."

GODSPEED TO THE "RAY"—LAUNCHING OF NUCLEAR SUBMARINE

Mr. KUCHEL. Mr. President, my family had a unique and memorable experience on June 21, 1966. On that day, my dear wife christened the new nuclear attack submarine, the *Ray*, which is destined to add enormous strength to the cause of freedom and to the defensive might of the United States.

I was very glad to be asked to speak on the occasion of the launching. I ask unanimous consent that a partial text of my remarks on that occasion be printed in the Record at this point.

There being no objection, the extracts were ordered to be printed in the Record, as follows:

Godspeed to the "Ray"—Launching of Nuclear Submarine

(Partial text of remarks by U.S. Senator Thomas H. Kuchel at the launching of the *Ray* (SS(N) 653) at Newport News, Va., June 21, 1966)

Today's ceremonies witness the launching of a new American undersea craft, dedicated to the defense of our freedom, and christened with an historic and gallant name. I am honored at the request of the Secretary of the Navy to speak on this occasion. From the Valhalla of our naval heroes and of our heroic naval ships, the spirit of the U.S.S. *Ray* (SS–271) of the Second World War, and of the Atlantic Alliance which followed, sends her Godspeed to the *Ray* (SS(N) 653) and to our fellow citizens who, as members of our unconquerable United States Navy, will have the duty and the honor to man her.

The earlier *Ray* commenced compiling her intrepid record in late 1943, and in the ensuing months of the War, in a fascinating story of successful engagements with the enemy, of sustaining injuries and of overcoming them, of facing dangers and repelling them, always to return to patrol again and again, of sinking Japanese ships, she earned seven battle stars, the Navy Unit Commendation, the Philippine Republic Presidential Unit Citation Badge, and other awards, from New Guinea to Leyte to Okinawa. She was converted in 1950 to a radar picket submarine, was cut in two and lengthened by 30 feet, and then went on to continue her remarkable career, joining in North Atlantic Treaty Organization exercises both in the Mediterranean and in Northern European waters, and finally retiring with honor in 1960. She was, in her life, invincible and indestructible, and she bequeaths to this nuclear giant an emblazoned name and a history of success, good fortune, and "well done."

Just a handful of years ago, American men of science found the key to unlock the secrets of the atom, and the world would never again be the same. All the dimensions by which power and energy had been gauged and measured suddenly had to be discarded. Nuclear, and subsequently thermonuclear might, catapulted the human race into a new chapter in its journey, and a new time on earth. Vast new potentials for good or for evil had opened up. Life could be made far better, or life could be summarily sheared away from this planet. Here was new and incredible power which could be used for life or death or for peace or for war.

This submarine launched today will be, as I say, a defender of freedom. Nuclear energy will turn her powerful engines for long, long periods of time, and the old restrictions of duty based on fuel reserve are forever gone. The *Ray* is as modern as tomorrow. Her propellant represents the magic of the world in which we live. To borrow the phrase of a newspaperman, she will "move with the speed of a shark, hover like a jellyfish, and dive or surface like a dolphin." Like the fish for which she is named, she will be big, powerful and maneuverable. She should be able to win all the deadly contests of hide and seek. She will be fully qualified against all enemy undersea boats. To operate this nuclear marvel will be men, officers and enlisted, all superbly skilled in nuclear science, electronics, weaponry of all kinds, transistors, radar, sonar, hydraulics and digital computers.

This submarine, and the United States Navy submarine fleet which she will join, all stand for peace. She demonstrates to any potential enemy the complete futility of aggression. There can be no question but that our pre-eminent defensive might in all the elements, land and sea and air, deterred the Soviet from successful nuclear blackmail in Cuba, and, indeed, deterred them from aggressive adventures against the West during all of the Cold War. For the Soviet Union respects power, and the Ray represents precisely that.

In the seemingly never-ending struggle for freedom, the people of our beloved country have a responsibility of leadership which they cannot and must not shirk. After the War, Winston Churchill told our country, in 1946, that we had reached "the highest point of majesty and power ever attained since the fall of the Roman Empire. This imposes a duty on the American people which cannot be rejected. With all great opportunities comes responsibility." I believe the opportunities continue in 1966, and surely our responsibility does.

The struggle for freedom is global. In this shrunken planet, we live in a kind of congested world neighborhood. Fire or conflict erupting in any continent directly affects all the rest of us.

Today a war is raging in Southeast Asia, and the United States is participating in it. I believe I speak for the great majority of our fellow citizens when I say that we shall not repudiate our cherished goals nor abandon the responsibility we have assumed. We seek peace, we pray for peace. We want all the members of the family of nations to be free from attack or subversion by their neighbors, and, surely the security of our own beloved Nation is directly connected to world stability and to the cause of a just peace. Can you not take great inward comfort and pride from our assistance to the weak and the stricken? Last year, the Prime Minister of Australia said: "American intervention in Vietnam was the greatest act of moral courage since Britain stood alone in the last World War."

The *Ray*, in her service, will help us to maintain a vigilance for American freedom, and for the liberty and self-respect of man. The *Ray*, in her lifetime, will be a part of a vast American defense establishment designed to deter the use of force by the enemies of freedom, or, if unhappily necessary, to defeat those enemies and to destroy their force. Meanwhile, we must try, through amity, and good will, and diplomacy, to find peaceful means to settle international disputes. We need constantly to appeal to reason.

On the deck of the *Missouri*, after the surrender of Japan, General MacArthur said: "The problem basically is theological and involves a spiritual recrudescence and improvement of human character that will synchronize with out almost matchless advance in science, art, literature, and all material and cultural developments of the past two thousand years. It must be of the spirit if we are to save the flesh."

Let the invincibility of the American spirit ever ride with this guardian of our freedom. Godspeed to the *Ray*.

THE SITUATION IN VIETNAM

Mr. RUSSELL of Georgia. Mr. President, every person in this country, and I hope in every area of the world, must be familiar with the extraordinary and relentless efforts this country has made to stop the fighting in Asia at the conference table rather than on the battlefield. As a matter of fact, we have carried our efforts for a negotiation conference to the point of humiliation. We did it almost to the point of having our men get on their hands, and knees and crawl to North Vietnam to get them to agree to some conference to end the war.

Having had no alternative, and having had every effort to settle the conflict rejected—indeed, the efforts were not only rejected; they were scorned—on yesterday American war planes bombed military targets in North Vietnam.

For my part, I do not see any alternative that was available to this country in the interest of preserving the lives of the 400,000 men we have in Vietnam. I have been waiting to hear the presentation of some alternatives by those who are critical of what has transpired in Vietnam. I shall continue to await them with interest.

This country has a tremendous responsibility to the boys over there and to their families who remain in this country. I am so convinced of the responsibility, that I not only approve of what took place yesterday, but I think we waited too long to take the action. I would be in favor of knocking out each and every target and every facility that can contribute in any way to reducing the casualty lists of American men and women who are in Vietnam.

I did not favor our involvement in Vietnam, but I do not propose to discuss a moot question of that kind today. We are there. As far as I am concerned, I do not propose to leave the 400,000 Americans who are there to their resources, which are limited—most of them are limited to rifles or machineguns—but I shall undertake to support them in every possible way, even if it results in what some people call escalation of the war in Vietnam.

On yesterday the Secretary of Defense held a press conference to announce the bombing. I did not see it or hear it on radio or television, but I did read it this morning. I thought he presented a clear picture of what transpired yesterday as far as the facts are available. It is also a lucid statement of our objectives and purposes in this war.

It is a very limited objective that we seek in Vietnam. I recommend this statement for the reading of those who talk about trying to encourage an all-out war. Our objectives in this war, as I say, are very limited; and we have been in some respects very dilatory in pushing to achieve those objectives.

Mr. President, I ask unanimous consent that the statement of Secretary McNamara at his press conference on yesterday be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Press Conference: Hon. Robert S. McNamara, Secretary of Defense, June 29, 1966

Secretary McNamara. Good morning, Ladies and Gentlemen.

I should like to report to you upon the air attacks on the petroleum facilities in North Viet Nam. These were carried out this morning by 46 Navy and Air Force strike aircraft. They inflicted heavy damage on three of North Viet Nam's petroleum facilities. These were facilities located at Haiphong, Hanoi, and Dosan. Together they represented over sixty percent of North Viet Nam's remaining storage capacity.

The Navy aircraft participating in the strike operated from the Carriers Ranger and Constellation.

The attacks on the three targets were achieved with the loss of one aircraft—an F-105. Pilots report that while attacking a surface to air missile site in the vicinity of Hanoi, MIG aircraft were encountered. One MIG 17 was probably destroyed as the result of this encounter.

No U.S. aircraft were lost in the air engagement. At Haiphong after the attack heavy smoke rose to an altitude of more than five miles and preliminary pilot reports indicate an estimated eighty percent destruction of the target area.

At Hanoi, pilots report heavy damage to the target. Fires were observed in all four sectors of the petroleum storage area.

At Dosan, heavy damage was also reported by the pilots. Both the Navy and the Air Force pilots said that anti-aircraft fire ranged from light to heavy. It was heaviest in the vicinity of Hanoi.

The strikes against these petroleum facilities were intiated to counter a mounting reliance by North Viet Nam on the use of trucks and powered junks to facilitate the infiltration of men and equipment from North Viet Nam to South Viet Nam. As a matter of fact enemy truck movement to South Viet Nam has doubled during the first five months of 1966 compared to the first five months of 1965.

In addition, the inventory of trucks in North Viet Nam has grown very rapidly and by the end of 1966 it is expected to be about double that of the end of 1965.

Furthermore, the daily tonnage of supplies moved overland from North Viet Nam into South Viet Nam has increased about 150 percent in the past year and the infiltration has increased about 120 percent during the same period. Both of these changes have led to greater reliance on the use of petroleum and petroleum products.

A measure of the intent and, I believe, then of the political decisions of the leaders of North Viet Nam is indicated by the fact that the North Vietnamese military units in South Viet Nam have almost doubled in the first five months of this year.

Today, there are approximately twice as many of those units as there were at the beginning of the year.

This increase was accomplished despite very heavy losses inflicted upon those units in combat in South Viet Nam and despite the failure of North Viet Nam to meet their infiltration objectives.

The infiltration increases in both men and equipment has required a very sharp increase in petroleum imports. Since the first of this year the average monthly imports of petroleum into North Viet Nam have increased 50 to 70 percent above the comparable periods in 1965. Stocks on hand prior to the attack were estimated to represent about two to four months' supply.

The increased importance of petroleum to the enemy's military effort is further attested by his action to improve the routes of infiltration. Some of these routes are new, some have been widened, some have been upgraded for all weather use. Bypasses have been built and bamboo canopies or trellises have been built over the jungle roads in many places in order to inhibit observation of them from the air.

A result of greatly increased movement of men and supplies by truck and by motor powered junks has been a shift from a small arms guerrilla type operation against South Viet Nam to a quasi-conventional military operation which involves major supplies, major weapons and heavier equipment. These strikes were aimed at the heart of the petroleum system, the major storage facilities and the distribution apparatus.

Together, they are intended to achieve the following military objectives: First, to neutralize at Haiphong the only existing North Vietnamese shore facility for off loading petroleum directly from tankers.

This will force North Viet Nam to seek alternatives, less efficient off loading facilities, and this means slowing down their off loading process and probably substantially restricting it.

Haiphong through the facility attack this morning is estimated to have handled 95 percent of all imports of petroleum into North Viet Nam.

Secondly, we expect to have destroyed the contents of the major central storage facilities. Those facilities outside of Hanoi contained about 20 percent of the total storage capacity of the country, and those outside of Haiphong, over forty percent.

Together the three targets contained over sixty percent of the remaining storage capacity.

Thirdly, the strikes are expected to cripple the major trans-shipment facilities which were located in association with the petroleum storage dumps outside of Hanoi.

Fourthly, they will require North Viet Nam to devote men, material, time and effort to establish new storage and new distribution facilities.

Fifthly, they will force a high competition for the reduced petroleum supplies, and this will require more stringent rationing and will impose a lowering ceiling on the number of men that can be supported for aggression in South Viet Nam.

I want to emphasize that every effort was made to prevent harm to civilians and to avoid destruction of non-military facilities. This was possible because the two larger facilities, one located two miles from Haiphong and three miles from Hanoi were separated from built up areas.

The smaller target was located one-half mile from Dosan. At Hanoi the petroleum facilitites are separated from the city proper by the Red River.

All Navy and Air Force pilots participating in these strikes were especially briefed by their commanding officers on the importance of avoiding civilian and built up areas. They were thoroughly familiarized with the targets and with the surrounding terrain. The strikes were carried out in good visibility permitting clear visual identification of the targets and of the surrounding terrain.

In summary, then, the decision to strike these targets was made to restrict and to make more costly the enemy's infiltration efforts. We believe this essential to help safeguard the freedom of South Viet Nam and to save the lives of those South Vietnamese, Americans, Australians, New Zealanders and Koreans who are fighting to insure that freedom.

Now I would be very happy to take your questions.

Question. Mr. Secretary, was there any attempt to warn the civilian population in Hanoi and Haiphong?

Secretary McNamara. There was no special effort to do so. This occurred in daylight. They had opportunity to be aware of it. There were no civilians, as I said, in the area of the targets.

Question. Were there Soviet ships in Haiphong at the time of the attack and were ships of any nationality unloading at the time?

Secretary McNamara. There were no ships unloading at the Haiphong facility at the time of attack. On this graph we have shown the location of the petroleum storage facilities in the Haiphong area. As you can see they are separated from the built up areas of the city by two to three miles.

There is a pier extending into the river and from the end of the pier a floating pipeline that extends still further for the off loading of ships. There were no ships at the pier or the off loading facility at the time of the attack.

Question. Mr. Secretary, how much have you destroyed?

Secretary McNamara. I can't answer the question. All we have as to destruction are the preliminary reports of the pilots and they don't disclose the status of the pier.

Question. Who is supplying the trucks so far as you know?

Secretary McNamara. I can't answer the question. I think they quite clearly are coming from Bloc countries, Sino-Soviet Blocs.

Question. Sir, when was the decision made to carry out this bombing? Mr. Ball said on Sunday that there had been no change.

Secretary McNamara. We never discuss the time of decision for operational matters. The decision was based upon the recommendations of the commanders concerned—General Westmoreland, Admiral Sharp, the Joint Chief of Staff. It was supported by my recommendation and the recommendation of the Secretary of State and was made by the President.

Question. Mr. Secretary, there has been some fear expressed in news circles that the early releasing of information of the possibility of such a bombing run may have caused a concentration of missiles for protection around Haiphong and Hanoi. Do you have any intelligence reports from the pilots concerning their sightings?

Secretary McNamara. We had evidence available prior to the attack that there had been no increase in the defenses in recent days in the target areas. I think that pre-attack information is supported by the losses. We lost but one aircraft in the three attacks.

We did attack one surface to air missile site approximately twenty miles outside of Hanoi and I believe we inflicted heavy damage on that site.

Question. How many missiles were fired?

Secretary McNamara. I can't answer that question. The final briefings of the pilots have not yet been reported to us.

Question. Mr. Secretarry, could you tell us how many ships were actually in the harbor and what their registry was?

Secretary McNamara. No, I can't. All I can tell you is that there were none at the unloading facilities associated with the petroleum storage depot at Haiphong.

Question. Mr. Secretary, if this build up has occurred through the first five months of this year, why have you waited until now to make this recommendation?

Secretary McNamara. The question is why did we wait until now to make this attack I want to emphasize what I have told you before. Our policy is to attack in North Viet Nam only military targets and only targets of importance to the support of North Vietnamese aggression in South Viet Nam.

These targets were becoming increasingly important in the early parts of this year and have continued to become increasingly important in recent days.

For example, here is a picture taken on the 14th of June in this area. On this map I have shown the lines of infiltration running south through North Viet Nam into Laos and out of Laos into South Viet Nam. This is Haiphong, Hanoi. It was at approximately this point that this picture was taken at night on the 14th of June.

There were 51 trucks in a single convoy. I show it only to emphasize the great reliance on truck movement, the very substantial volume of that movement in recent days and the growing importance of petroleum to the infiltration of men and equipment from the north to the south.

Now, in addition, the decision to make this strike now was influenced by the fact that in recent weeks the North Vietnamese have been carrying on a program to disperse and redistribute their petroleum storage facilities and in the ensuing seven photographs I will show you some evidence of that.

This particular photograph was taken on the 3rd of March and the same site is shown on the third of April. On the 3rd of March you see them beginning to dig excavations in which they plan to put the large storage tanks you can see here. By the 3rd of April they had completed the excavations and placed the tanks and all but covered them over.

Later they would plan to camouflage those. They have done so in some instances. In this photo taken on the 8th of May we see 4,000 petroleum drums being placed under the trees, camouflaged by the trees and a large number of tanks covered by the foliage awaiting installation in these excavations which are just being completed.

This is typical of the work they are doing to redistribute their petroleum previously concentrated at Hanoi and Haiphong into other areas of the country.

In this photograph taken on the 3rd of June, they have distributed about 1500 drums along the edge of this river—again an evidence of the efforts they are making to redistribute their petroleum.

In this photograph taken on the 8th of June, about two and a half weeks ago, we see dispersal of petroleum in these rail cars and dispersal of large tanks for petroleum—that is tanks to be placed in excavations.

These cars are in the rail yards of Hanoi being loaded to distribute the petroleum supplies and facilities for storage away from Hanoi in the outer parts of their country.

This photograph on the 11th of June shows a rice field outside of Haiphong in which large excavations are being dug and into those they plan to place these large tanks, no doubt planning to draw down the highly vulnerable supplies in the Haiphong storage facility that we struck this morning and redistribute those supplies into these then to be camouflaged and presumably hidden storage facilities.

In this photo taken but a week ago on the 21st of June, we see again outside of Haiphong another storage area that is being constructed, the tanks appearing on the ground, the excavations being dug here into which those tanks will be put and after which they will be buried.

I think you can understand with the increasing importance to us of this target system and importance based upon the increasing use of trucks and motorized junks as a means of transporting men and equipment from North Viet Nam to South Viet Nam, and with what I would call the perishable nature of the system resulting from their plans to disperse it, it became much more desirable to then attack it now than it had been earlier.

Question. Mr. Secretary, in light of Peking's recent statements on the bombing of Hanoi and Haiphong, how do you assess Communist China's intentions now?

Secretary McNamara. I can't speculate on the intentions of Red China. I can only tell you that it has been our policy to follow a program of military restraint to limit our attacks to military targets, we will continue to follow that policy.

I want to emphasize what I have said before. Our objectives in South Viet Nam are limited. Our objectives are not to destroy the Communist Government of North Viet Nam. They are not to destroy or damage the people of North Viet Nam.

They are not even to provide a basis on which South Viet Nam may become a military ally of the west. They are not even designed to develop a set of permanent military bases in South Viet Nam. They are limited solely to permitting the South Viet Namese people to have an opportunity to shape their own destiny, to select and choose the political and economic institutions under which they propose to live.

Question. Mr. Secretary, what is the rate of infiltration per month for North Viet Nam into South Viet Nam? I am asking because three and four months ago high U.S. officials were saying with some passion and conviction that although we might eventually bomb the petroleum dumps, that it was not essential to stopping or even to seriously hampering the infiltration.

Secretary McNamara. The rate of infiltration today we estimate to be about 4500 men a month. These are estimates and preliminary estimates only in the sense that the data as to the actual infiltration lag, the actual time of infiltration very substantially between ninety to one hundred and twenty days, so 90 to 120 days from now we will have much better evidence as to the level of infiltration of today.

Question. Is this the only time you expect to have to hit Hanoi and Haiphong?

Secretary McNamara. I never speculate on future military operations. I want to emphasize in answer to that question we have not hit Hanoi and Haiphong. We have directed our attacks against storage of facilities in Haiphong and the environment of Haiphong and the environment of Hanoi, both storage facilities being located 2 to 3 miles from the built up areas of the city.

Question. Mr. Secretary, you said that this would place a lower limit on infiltration. Can you discuss what this means in light of what you have told the Senate Foreign Relations Committee at the end of April about the number of North Vietnamese——

Secretary McNamara. No, I don't wish to speculate on or attempt to translate the ceiling into the numbers of people that can be moved from the north to the south or the tons of supplies that can be moved from the north to the south.

I think you can recognize, however, that with over fifty percent of the petroleum consumed in North Viet Nam, consumed for military purposes, and with attacks on three targets two of which contain over sixty percent of the total remaining capacity, there is bound to be a restriction on the total movement, capability of the north to the south.

What that ceiling would be and whether it is above the current level, for example, I don't wish to hazard a guess. There is no question but what these attacks will make it far more difficult and far more costly for the north to continue the infiltration which is the foundation of the aggression in the south.

Question. How susceptible to the bombing is the remainder of the capacity?

Secretary McNamara. Again, I don't wish to speculate on possible attacks on the remaining capacity. I think you are well aware, however, that above ground petroleum storage facilities are highly vulnerable to attack.

Question. Mr. Secretary, with regard to our allies and particularly Great Britain, were they informed of this in advance and/or were they told to get their ships away from the Haiphong docks?

Secretary McNamara. To the best of my knowledge no western nations are supplying petroleum to North Viet Nam so there would be no reason to have given a warning to western shipping. Our allies are familiar with the reasons for the strike.

Question. Mr. Secretary, in view of the importance of these facilities to the North Vietnamese, is there any early evidence perhaps that the strike pilots were surprised by the rather light defense? I am talking about perhaps the absence of MIG's and SAM missiles?

Secretary McNamara. No. I can only report the fact that the flak from the ground anti-aircraft ranged from light in certain areas to heavy in others. It was much lighter in the Haiphong area than it was in the Hanoi area.

The surface to air missile attack was light. There was but one MIG encountered. There was but one aircraft lost. As I say, I don't wish to speculate on it but that is the fact.

Question. Could you estimate how long it might take North Viet Nam to rebuild and re-stock these facilities?

Secretary McNamara. No, I can't estimate that. They have only a limited rebuilding capability, however, because this uses stocks and materials—large steel plates, for example—which are in very, very short supply in North Viet Nam. So, it would be very difficult for them to rebuild.

Question. Mr. Secretary, could you clarify for me where was the MIG encountered?

Secretary McNamara. The MIG encountered was outside of Hanoi. In the Hanoi area there are a number of surface to air missile sites. One of these is about twenty miles outside of Hanoi. The MIG encountered, I believe, as our aircraft were striking that particular surface to air missile site which apparently had been firing on them.

Question. Mr. Secretary, are there any other significant military targets in the Hanoi-Haiphong area other than petroleum sites?

Secretary McNamara. Again, I would rather not answer the question because it would verge on speculating as to possible future operations.

Question. Mr. Secretary, were the Russians warned or otherwise informed in advance of this?

Secretary McNamara. I don't wish to comment on relationships with foreign governments. These are questions that should be directed to the State Department.

I do want to make one last comment, however, and that involves our emphasis on movement to the peace table.

I cannot over emphasize to you the importance that our government places on terminating successfully the operations in the south and our willingness to engage in unconditional discussions to that end.

I want to make it perfectly clear that the attacks of this morning are a part of our policy of exercising military restraint in the direction of our attacks in North Viet Nam against military tragets and those in particular which are the foundation of the campaign of aggression which the north is carrying out against the south.

Question. Mr. Secretary, would you estimate what effect these attacks may have on the efforts to move to the conference table?

Secretary McNamara. This again would be sheer speculation and I don't wish to speculate on it.

I do want to repeat what I said before, however, that the objectives of our bombing campaign in the north are three-fold: First, we hoped it would, when it was initiated a year and a half ago, act to raise the morale of the South Vietnamese forces which were under very heavy attack by the Viet Cong and the North Vietnamese at the time. I think we accomplished that objective.

Secondly, the program was designed to reduce the level of infiltration or substantially increase the cost of infiltration of men and equipment from the north to the south.

There is no question but that we have substantially increased the cost.

We estimate today that the North Vietnamese have been forced to divert over 200,000 people from their customary pursuits to the repair of the lines of communication associated with these infiltration routes.

Thirdly, an objective of the bombing program was to show the north that as long as they continued their attempts to subvert and destroy the political institutions of the south, they would pay a price not only in the south but in the north as well.

Those were the objectives and they continue to be the objectives of the bombing program.

The Press. Thank you, Mr. Secretary.

Secretary McNamara. Thank you very much, Ladies and Gentlemen.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I applaud the Senator for his statement, and wish to say that I heartily agree with him.

Some time ago, I became convinced that the President of the United States had made up his mind that we were going to see this thing through, that we would not leave the battlefield in defeat or dishonor, that we would either arrive at an honorable settlement of the war, or would persevere until we prevailed. The President, I am convinced, has made up his mind that that is what we will do, regardless of what it costs him in his personal future or what the cost may be to the Federal Treasury.

In my judgment, there was never a prospect that we could defeat even a small, determined Communist power unless and until the decision to do so was made by our Commander in Chief.

The Rubicon has been crossed, and, whatever risk may be involved, I believe the American people are prepared to back their Commander in Chief in the determination that we shall either win a victory or an honorable treaty to settle this controversy. Short of that, we will persevere and do whatever is necessary to support our men in battle.

I thank the Senator for his fine statement.

Mr. RUSSELL of Georgia. I thank the Senator from Louisiana.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I am happy to yield to the Senator from South Carolina if I have time. Mr. President, I ask unanimous consent that I may have 2 additional minutes, in order that I may yield to the Senator from South Carolina.

The ACTING PRESIDENT por tempore. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I commend the able Senator for his statement. There is no question in my mind but that we ought to win this war. And there is no use extending the war for 2 or 3, or 4 or 5 years, having a lot more people killed, and then having a stalemate. I thoroughly agree with the able Senator from Georgia that we should use such power as is necessary to bring victory to the U.S. forces in Vietnam.

Our military men have said that we should close the port of Haiphong. It has been suggested that we mine it, bomb it, or embargo it. They have said further that we should bomb, in North Vietnam, the sources of power, the sources of petroleum, the steel mills, and other strategic points of warmaking potential. I am strongly convinced that those steps should be taken. I am convinced that if the advice of the career military people is followed, we can win this war and win it within a reasonable time. The Communists must be made to know that we not only have the power to win, but that we have the will to win. Once they are convinced of that, then I believe they will come to the peace table, but not before that.

Again I commend the able Senator from Georgia.

Mr. DIRKSEN. Mr. President, will the distinguished Senator yield?

Mr. RUSSELL of Georgia. If I have any time, I am happy to yield.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the distinguished Senator from Georgia have 5 additional minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, in 1964 the Republicans set up what was known as the National Coordinating Committee. It consists of the Republican leadership of both the House and Senate, a half dozen Republican Governors, an equal number of members of the national committee, and those who have been candidates for or who have served in the high offices of President and Vice President.

In December of last year—to be exact on December 13—we issued a statement. There are two short sentences in that statement that I wish to read now. The rest of it I shall put in the Record.

We said at that time—and this statement had the unanimous imprimatur of all those present, who came from all sections of the country:

> Our first objective should be to impose a Kennedy type quarantine on North Viet Nam.
>
> To accomplish our objectives we also recommend the maximum use of American conventional air and sea power against significant military targets.
>
> Our purpose is and must be, once again to repel Communist aggression, to minimize American and Vietnamese casualties, and to bring about a swift and secure peace.

That is about what happened the day before yesterday.

Mr. President, I ask unanimous consent that the statement of the Republican Coordinating Committee at its meeting in Washington, D.C., December 13, 1965, be printed in the Record at this point. This statement represents the official thinking of the members of my party, from all sections of the country.

There being no objection, the statement was ordered to be printed in the Record, as follows:

(Note.—The following Statement was Approved Unanimously by the Republican Coordinating Committee meeting in Washington, D.C. December 13, 1965)

Questions are being raised both at home and abroad as to the devotion of the American people to peace. One cause of this confusion has been the inability of the Johnson Administration to establish a candid and consistently credible statement of our position in Viet Nam. Official statements of the Administration have been conflicting and repeatedly over optimistic. The Communists have skillfully exploited this inadequacy of our present leadership.

We Republicans believe that the people of South Viet Nam should have an opportunity to live their lives in peace under a government of their own choice free of Communist aggression.

We believe that our national objectives should not be the unconditional surrender of North Viet Nam, but unconditional freedom for the people of South Viet Nam and support of their struggle against aggression.

Our nation, with vigorous Republican support and leadership, has dedicated itself to successful resistance to Communist aggression through programs for Greece and Turkey; in Iran, Lebanon and Quemoy-Matsu; in

Austria, Trieste and Guatemala; by timely action in the Dominican Republic and today in Viet Nam.

Under our present policy in Viet Nam, there is a growing danger that the United States is becoming involved in an endless Korean-type jungle war. A land war in Southeast Asia would be to the advantage of the Communists.

Since it appears that the major portion of North Vietnamese military supplies arrive by sea, our first objective should be to impose a Kennedy-type quarantine on North Viet Nam.

To accomplish our objectives we also recommend the maximum use of American conventional air and sea power against significant military targets.

Our purpose is and must be, once again to repel Communist aggression, to minimize American and Vietnamese casualties, and to bring about a swift and secure peace.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. Yes, I yield to the Senator from New Hampshire.

Mr. COTTON. The distinguished Senator from Georgia mentioned the lucidity of the statement by the Secretary of Defense. I should like to say that in the years I have served here, I have never known a Senator who was more capable of making a brief, forthright, and lucid analysis of any situation than the distinguished Senator from Georgia.

What the Senator has stated this morning coincides with the views of the Senator from New Hampshire; and he has said it in such an effective manner that I would not take the time to enlarge upon it, other than simply to say that he has presented the position of this Senator, and that I thank him for doing so.

Mr. RUSSELL of Georgia. I am honored by the remarks of the distinguished Senator from New Hampshire.

I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I thank the able chairman and would associate myself with the remarks he has made.

This morning, the Senate Foreign Relations Committee heard Under Secretary of State Ball. During the questioning the latter stated he knew of no reason, under international law or any previous precedent, which would prevent the United States from attacking military targets in North Vietnam.

Secretary Ball also agreed civilian casualties in North Vietnam were less than total American casualties alone in South Vietnam; and that executions by the Viet Cong and North Vietnamese of prominent civilians in the villages of South Vietnam ran thousands ahead of any possible civilian casualties in North Vietnam.

Mr. President, I asked Secretary Ball if he believed there was anything the President of the United States could have done that he has not already done, in effort to get to the conference table on any basis that would not jeopardize the honor of the United States. He said he knew of nothing further that could be done.

I asked if he and other members of the Cabinet and Government had the opportunity to present their thoughts to the President. Mr. Ball said all had that opportunity at all times; and he felt everything possible had been done to get the matter to the conference table.

I then remarked that when in South Vietnam, in such places as Da Nang, Ankhe, and Plei Me, young representatives of the United States military, all hoped—and so said—that we would do our best to stop the flow of ammunition, food, arms, and troops down the various Ho Chi Minh trails, which supplies were responsible for American casualties.

I then asked the Under Secretary of State if he felt the President should take into consideration the requests of those young Americans—of whom over 4,000 have now been killed and over 22,000 wounded—in his decisions as well as the criticisms and suggestions from those over here who say we should do anything to get to the conference table.

The Secretary's answer was that he felt the President should and did take these matters into consideration. Inasmuch as I know of no one in the Senate who feels we should get out of Vietnam, as I see it, the question is, Should we follow the enclave theory and resign ourselves to letting these young Americans sit behind the wire waiting for the next mortar attack, or should we use our sea and air power to attack military targets in order to give them a better chance to come home?

Mr. President, for the reasons that he has given this morning, I associate myself with the remarks of the able Senator from Georgia and am confident that a large majority of the Senate and our people agree with his position.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield.

Mr. HOLLAND. Mr. President, I wish quite briefly, without impinging on the time of the Senator, to associate myself completely with his remarks. I agree completely with him.

I think we have taken the right step and that the step is probably overdue.

I believe that this is the type of firm approach to the situation which the Nation should take, and that we should not be afraid to meet head on a crisis which affects the lives of 400,000 of our men and women and the fortunes and happiness of their families back home.

Mr. RUSSELL of Georgia. And the honor of the United States of America.

Mr. CANNON. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. CANNON. Mr. President, I ask unanimous consent that I be permitted to speak for 1 minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CANNON. Mr. President, I associate myself with the remarks of the Senator from Georgia, even though I spoke earlier today on the subject.

I have the highest regard for the chairman of the committee. He has expressed his views on the matter very well.

I, too, believe that this action should have been taken long ago, because, as I quoted the remarks of the distinguished Senator earlier today, I agree completely with him that we are in there and should either go ahead and win or take action to get out. I think this is affirmative action to help us win and to help save the lives of American boys in the future.

Mr. RUSSELL of Georgia. I thank the Senator. As we say down in my part of the world, we ought to fish or cut bait.

TRIBUTES TO THE LATE SENATOR McNAMARA OF MICHIGAN

Mr. HART. Mr. President, since the death of our colleague, Senator McNamara, on April 30, a number of newspaper editorials have been printed which echoed our sorrow. As one editorial concluded:

> The courage and candor exemplified by Senator McNamara will always be worthy of applause and emulation.

Another newspaper put it:

> McNamara's accomplishments in the U.S. Senate, in civic endeavors and in union work were of such a magnitude and represented such meaningful improvements for his fellow man that the usual post-death tributes do not seem as necessary.

Still another said:

> There can't be another Pat McNamara.

Maybe that is really all that has to be said.

Pat himself would have preferred to be remembered by deeds, not words. Nevertheless, I think Members of the Senate might enjoy reading some of the press tributes that have been paid him and I ask unanimous consent that they be printed at this point in my remarks.

There being no objection, the press tributes were ordered to be printed in the Record, as follows:

[From the Detroit (Mich.) Free Press, May 3, 1966]

Senate Bids Farewell to Pat

(By Robert S. Boyd)

Washington.—They called Pat McNamara's name for the last time Monday in the United States Senate.

But big, hearty Pat wasn't there to answer the roll in his familiar, gravelly voice.

Instead, Michigan Senator Philip A. Hart sorrowfully told his colleagues officially that Pat was dead.

While flags flew at half-mast over the capitol, senators spent 45 minutes eulogizing McNamara, and then adjourned out of respect.

A planeload of senators and congressmen will fly to the funeral Wednesday. Aboard will be most of the Michigan delegation and many of McNamara's colleagues on the Senate Public Works Committee, which he headed.

Also at the funeral at Detroit's Holy Name Catholic Church Wednesday noon will be Republican Rep. Robert P. Griffin, of Grand Rapids, who is expected to be named by Gov. Romney to serve the last few months of McNamara's term.

Joining in the tributes to McNamara Monday were Hart, Senate Democratic Leader Mike Mansfield, Republican leader Everett Dirksen, and seven other senators of both parties.

They made it plain what they liked about Pat: Whether you agreed with him politically or not, a fellow always knew where Pat McNamara stood.

"He was without guile," senator after senator said. "Courageous," "Blunt," "sincere," "honest," were words frequently used about him.

Senators also praised McNamara's devotion to the welfare of ordinary Americans; programs such as Medicare, Federal aid to education, and aid to depressed areas bear his imprint.

"He would have been the last to claim credit, but he is clearly responsible for much of the social legislation of the last three congresses," Senator MANSFIELD said.

As Senator DIRKSEN put it: "While we often disagreed almost violently, I had the greatest respect for Pat McNamara . . . He was an unselfish person who made a fixed contribution to the well being of the working man."

"Millions of people will benefit from the programs he pushed without ever knowing who Pat McNamara was," HART said. "That's nothing to be saddened by. That would suit Pat McNamara just fine.

"In a profession that often regards personal publicity as a key to survival, Pat was no publicity seeker.

"As the Knight Newspapers' Ed Lahey once wrote: 'It can be truthfully said that Washington never got to Pat McNamara,'" HART said.

Other senatorial tributes Monday included:

Senator WILLIS ROBERTSON (D., Va.): "The keynote of his service was honesty and integrity . . . He had a big heart."

Senator THOMAS KUCHEL (R., Calif.): "He said what he thought and meant what he said . . . He had a passionate concern for Americans who work with their hands."

Senator EUGENE MCCARTHY (D., Minn.): "He had deep confidence in the ordinary people of America."

Senator WILLIAM PROXMIRE (D., Wis.): "He was warm, friendly, very human . . . and rigorously honest. Despite his gruff voice and appearance, he never wounded or hurt anybody."

McNamara probably would have been embarrassed. He didn't go in much for compliments.

As Senator HART put it: "If you wanted to make some admiring remarks about Pat on the floor, it was a mistake to notify him in advance. He probably wouldn't show up to hear it."

[From the Detroit (Mich.) Free Press, May 1, 1966]

(By James C. Dewey)

WASHINGTON.—Senator Patrick V. McNamara, pipefitter, business executive and Detroit civic leader, died at 8:40 p.m. Saturday. He was 71.

Funeral arrangements are incomplete.

He suffered a stroke at Bethesda Naval Hospital in Washington, D.C., while under treatment for a blood clot in the lung.

The Democratic senator, whose trademark was a rasping voice and cutting candor, began his Michigan career in 1921 when he came to Detroit as a job superintendent for an Ohio firm.

He worked his way to the top in construction jobs, was bounced by the depression back into a factory job, and came back to become vice president of a mechanical contracting firm.

He capped his years of public service, which included serving on Detroit's Common Council and Board of Education, by winning election to the United States senate in 1954.

Bluff, outspoken to the point of bluntness, McNamara defied the Michigan Democratic party in the heyday of its power and lived to enjoy it.

In 1954 McNamara stepped, unasked and unwanted, into the Democratic senatorial primary, brushing in his brusque manner past party powers holding the door open for the late Senator Blair Moody.

Barely was the primary campaign on when McNamara with a display of Irish temper tore up his Jefferson Day Dinner tickets, and accused State Chairman Neil Staebler and the Congress of Industrial Organizations (CIO) of rigging the primary in favor of his rival.

Moody was considered a shoo-in, a sure bet to beat the presumptuous, upstart pipefitter to a pulp in the primary balloting. But Moody died before the election—too late for any other Democrat to get his name on the ballot for the party's nomination. And Michigan Democrats found McNamara, despite his public attacks on the party, the only alternative to no opposition at all to Republican Senator Homer Ferguson, then prestigious chairman of the Senate's Republican Policy Committee.

And so a marriage of convenience was made. The CIO, the Democratic organization, and even Gov. G. Mennen Williams, swallowed all candidate McNamara had said. McNamara, on his part, stopped his attacks.

He plodded steadily about the state, never making speeches of more than a few paragraphs. Something about the burly Irishman with the calloused hands, the gravel baritone voice, and the sympathetic understanding gained him a following among rural voters. Labor found it could depend on his tested integrity. Audiences found him a relief from the usual bombastic political orators.

In the end his homely denunciations of the Eisenhower administration's economic, labor and farm policies triumphed. He upset Ferguson by taking 50.9 percent of the vote—a margin of 39,000 votes.

McNamara neither looked, talked nor lived like a senator.

Ruggedly handsome, the 6-foot-2, 240-pound McNamara had a full head of white hair above thick black eyebrows. He was impressive, but not senatorial.

He boycotted the Washington cocktail circuit and lived alone in a single hotel room. He had no close friends in Washington. An occasional racetrack visit or a game of pitch comprised his social life.

On Capitol Hill he was slow in debate but deadly when he made a point.

Never much of an orator, he had an undisguised scorn for the endless extemporaneous debates of his colleagues.

Yet it was his brusque forthrightness that earned for McNamara the respect and friendship of his colleagues.

He came to be the most popular Michigan senator since Arthur Vandenberg. And of him Senator PAUL DOUGLAS (D., Ill.) said in a Senate debate:

"Behold, a senator in whom there is no guile. Everyone always knows where he stands. He does not make any ambiguous statements. He does not cast any ambiguous votes."

McNamara viewed himself in his 12 years in the Senate as a liberal, concerned for the underprivileged, for improvement of education at all levels, for civil rights and equality of representation, for problems of the aging and for fair labor-management laws.

Much of the major social legislation enacted as part of President Johnson's Great Society moved through McNamara's hands, since he was chairman of the Public Works committee and the ranking Democrat on the Labor and Public Welfare Committee, where he also was chairman of the subcommittee on labor and the subcommittee on poverty.

McNamara was particularly proud of two pieces of legislation that passed in 1965—Medicare for the aged under Social Security, and Federal aid to education. He has labored on problems of the aged and on behalf of better education for many years prior to entering the Senate. The two programs were part of his first campaign in 1954 and again when he won re-election in 1960 at a time when he was recovering from a cancer operation.

Patrick Vincent McNamara was born Oct. 4, 1894, of Irish immigrant parents, in North Weymouth, Mass. He was the eldest of eight children.

He attended public school but left high school before graduating to learn pipefitting in the Fore River shipyard of the Bethlehem Steel Co. As an apprentice he was paid eight cents an hour.

After World War I and the deaths of his parents, McNamara traveled throughout the Midwest. In 1921 he married Kathleen Kennedy in Cleveland, Ohio. The couple had two children, Mary Jane and Patrick Vincent.

McNamara moved his family to Detroit shortly after his marriage and went to work as a construction gang boss. He became active in the Detroit Federation of Labor.

McNamara's first wife died in 1929 and in 1930 he married Mary Mattee of Calumet, Mich., whom he met in Detroit.

A year later the Depression brought construction to a halt and McNamara went to work as a maintenance foreman in the Kercheval plant of the Chrysler Motor Corp.

Construction work resumed in 1934 and McNamara went back to plumbing and heating.

In 1942 Congress enacted a rental control law and McNamara was appointed Detroit area rent director for the Office of Price Administration, an appointment he held until 1946.

In 1946 he defeated Louis Miriani for a place on Detroit Common Council and two years later he was elected to the Detroit Board of Education, a post he held until he was elected senator.

McNamara was named executive secretary of the Michigan Old Age Pension League in 1925. From 1937 to 1955 he was the unpaid president of Local 636 of the Pipefitters Union of the American Federation of Labor. In addition, he was an unpaid vice-president of the Detroit Federation of Labor from 1939 to 1945.

McNamara also was the first state president of the Automobile Workers of America—first industrial union in the auto industry, created in 1934 as a "Federal union" under the National Recovery Act. The organization was a forerunner of the United Auto Workers Union.

Prior to his election to the Senate, McNamara was a vice-president of the Stanley-Carter Company, mechanical contractors.

McNamara served on the Labor and Public Welfare and the Public Works Committees since he went to the Senate in 1955. As chairman of the labor subcommittee he was the Senate floor manager of the 1961 minimum wage bill.

He was appointed to the Select Committee on Improper Activities in the Labor or Management Field in 1957 but resigned in 1958 after criticizing committee policy. McNamara said some committee members were out to "get" the United Auto Workers Union and its president, Walter Reuther.

In 1959 and 1960 McNamara joined a group of liberal senators in attacking the leadership of Majority Leader Lyndon Johnson. In 1962, McNamara again joined the liberals in voting against the Communications Satellite Corporation Bill. He voted against the 1962 tax bill because, he said, it did not help the small taxpayer and created an additional loophole—the investment tax credit—for business.

A Catholic, McNamara in 1962 criticized "religious leaders who demand partnership" in Federal aid-to-education legislation because "they fear that the 'competition' from better-supported public schools will detract from their own institutions." He said that the Catholic hierarchy could "probably be assigned a major share of the blame for the failure to adopt a school aid bill" in 1961.

[From the Detroit (Mich.) News, May 3, 1966]

Senator Pat McNamara

U.S. Senator Patrick V. McNamara never in his 71 years pretended to be that which he was not. Eulogists who forget that key to his character at the time of his passing rob a blunt and sincere career of its validity.

The true wonder of his accomplishment is best summed up in that descriptive phrase used so often in tribute—"a steam fitter in the U.S. Senate." He was elevated there largely by the vote of the humble and the trusting, and the greatest possible accolade to his memory is that he never forgot it.

Senator McNamara was to his supporters more a person that a statesman. He was not a scholar, but a helper of others to education. A laborer himself in early years, he became a leader of labor but not as a means of profit. He was on surest grounds in the Senate while voicing labor's cause.

He went to the Senate with certain convictions about the social needs of people. He spoke of them simply and honestly and worked for them directly, with little attention to other great questions of the day or the play of power politics about him. Because of his simple dedications and his stubborn adherence to the philosophy of his origins, he held the respect of his colleagues as an honest man devoid of intrigue or pretense.

He never claimed title to genius or statesmanship or vision outrunning others. He was devoid of vanity, true to friendship, an advocate of the needs of the human heart and human want in all financial decisions.

He went to the U.S. Senate as a compassionate soldier for the disinherited. He asked education for the young, a better living for the worker, protection for the aged. In those causes he did much, often at great physical cost to himself when he was weary and ill.

He had the strong and simple qualities which make a man good. He also had the courage which so often makes ordinary mortals great. It is for all those things which made Pat McNamara dear to his fellow men that his home community pays him honor on his passing.

[From the Saginaw (Mich.) News, May 1966]

Senator McNamara

During his nearly two full terms as Democratic U.S. Senator from Michigan Patrick McNamara directed little attention to the press of his home state, or elsewhere for that matter. Probably because he felt it was time wasted, or he was likely to become entangled in philosophic argument which he simply did not choose to argue.

In much the same fashion he took his independent stand within his own party, first defensively because his election was a political accident brought by the untimely death of Blair Moody midway through the first campaign. Moody had all the grooming and party support; McNamara's ascendency from nowhere was greeted with consternation.

But this plain man born of an Irish immigrant family had great sympathy for those who worked with their hands. He knew work and he knew poverty. When he spoke with his votes, he voted that sympathy without complication. No speech-making, no oratory, no apology. He stood where he stood because he felt that the newly emerging social programs were necessary and right.

He drew all the shades of disagreement imaginable, including contributions from this quarter. He made no protest, no defense, no reply. He was independent in his conviction and he voted his convictions without swerve or hesitancy.

When he became chairman of the House Committee on Public Works he made "believers" out of many detractors. Still others belatedly caught up to his grasp of needed changes and today honor him for his role in Civil Rights Act, Economic Opportunity Act, medicare and other legislation. Pat McNamara was a forthright human who is remembered with more kindliness in a day when simple humanity is more honored than despised.

[From the Lansing (Mich.) State Journal, May 5, 1966]

Qualities That Merit Esteem

Flags in Washington and in Michigan have been flying at half-mast this week to honor the memory of a man who rose from humble beginnings to become a respected and influential member of the U.S. Senate.

Patrick V. McNamara, who died Saturday night at the age of 71 while serving his 12th year in the Senate, was one of eight children of an Irish immigrant. He left high school to learn the pipefitter's trade and made his way upward in the building trades to the post of executive of a Detroit construction company.

Michigan's senior senator was a pioneer leader in industrial unionism and, while he called the labor movement his avocation, he once told newsmen he had never held a paid labor office.

Throughout the eulogies spoken by his Senate colleagues of both parties ran the common theme of admiration and respect for Pat McNamara as a man who never left any doubt as to where he stood on an issue.

And throughout his career, he stood staunchly for legislation he was convinced was needed to help the nation's working men, the elderly and the disadvantaged.

While some of his admirers did not always support what he stood for, they esteemed him for stating his views forthrightly rather than trying to appeal to those of all shades of opinion on controversial issues.

Because it is of vital importance that the people know where their public officials stand, the courage and candor exemplified by Senator McNamara will always be worthy of applause and emulation.

[From the Detroit (Mich.) Free Press, May 3, 1966]

Pat's People File by for Last Tribute

(By John M. Carlisle)

Call them "Pat's People."

You could recognize many of them by their ruddy complexions, their calloused hands.

For four hours last night hundreds of them moved in solemn procession through the Verheyden Funeral Home, 16300 Mack, to pay their respects to the memory of Senator Patrick V. McNamara.

FAMILIES APPEAR

While there was a sprinkling of dignitaries, the majority of the mourners were the kind of people Pat had identified himself with throughout his life.

They were building tradesmen, factory workers, clerks and common laborers. Many brought their wives and children.

It was a warm, spontaneous tribute to the bluff, independent Irishman who had devoted a lifetime to helping ordinary folks to a better life, and these folks passed before his bier because they felt they knew what he had tried to do for them.

They walked slowly through the parlors of the funeral suite, and some of them stood and some of them knelt before his casket. Nearly all mumbled prayers.

They walked on, but they seemed to be reluctant to leave. They lingered in little groups, talking in muted tones among themselves. It was obvious that few of them knew each other, but all felt a kinship in the memory they honored.

These conversational tributes in simple words were in themselves a fitting epitaph to the career of Senator McNamara, the pipefitter who became a leader in the social welfare legislation of our time.

Who were all these people?

"These are Pat's folks," said Thomas McNamara, the senator's brother, executive secretary of the Labor Advisory Committee on Equal Employment Opportunity. "He understood them and they understood him.

"Over there are some pipefitters. Back there are some of his old neighbors. These are the people he felt he knew the best."

James A. Garrison, editor of the Building Tradesman, official organ of the Detroit Building Trades Council, was walking slowly through the mourners.

"These are working people, most of them," he said. "They all carry union cards. Pat felt close to people who worked with their hands as he had done."

Fr. Celestin J. Steiner, SJ, chancellor of the University of Detroit, recalled inviting Senator McNamara to "an intellectual panel to discuss high moral questions."

"Pat turned me down flat," Fr. Steiner remembered. "He said, 'I don't like to be in leagues like that. I'm a pipefitter at heart and so are you, Fr. Steiner.'

"I think that's why he liked me. I had worked as a pipefitter."

"PAT'S PEOPLE"

Walter A. Wilson, vice-president of the City National Bank and a longtime friend of the senator, was looking through one of the two books in which the mourners wrote their names and addresses.

"It's amazing that these people are from all sections of metropolitan Detroit," Wilson said. "Some of these people have driven a long, long way just to come here tonight."

George Horn, business representative of Millwrights and Machinery Erectors Local 1102, said, "Pat's people turned out tonight and there isn't any question that the workingmen of Michigan trusted and respected him."

Charles Verheyden, the 78-year-old patriarch of the funeral home, was surprised that some of the mourners arrived three hours early. Few of them went away. Some of them waited in their cars on the parking lot.

During the evening, three teen-age boys arrived on their bicycles at the funeral home.

"We've come a long ways," their young spokesman said, "do you think we could pay our respects to the senator?"

MOVE QUIETLY

A funeral attendant nodded permission. More and more folks walked quietly past the bier as the evening hours moved on—Pat McNamara's folks.

They were the first in Detroit to pay their respects to the senator who died Saturday night after a stroke in Bethesda Naval Hospital outside Washington.

His body was flown on a military plane from Washington to Selfridge Field Air Base yesterday afternoon.

There will be a rosary service at 7 o'clock tonight in the funeral home. Requiem high mass will be chanted at 11 a.m. tomorrow in Holy Name Church, Van Dyke and Doyle.

[From the Grand Haven (Mich.) Daily Tribune, May 4, 1966]

Senator McNamara

In its eulogy of Senator Patrick McNamara the Detroit Free Press declared:

"His name was listed as a sponsor of the major social legislation of recent years—the Economic Opportunity Act of 1964, the 1964 Civil Rights Act, the 1961 Minimum Wage Act, the Area Redevelopment Act . . . The picture we retain of Senator McNamara is of a conference on the aging where the Senator spoke and listened to what he called "the real experts," the aged himself . . . Maybe it's an old story, the one about the Irish immigrant who became one of the nation's leading lawmakers, but still has, like the man who lived it, a simple, direct appeal . . ."

Michigan has produced its share of unusual senators. The late Jim Couzens was one. Although a multi-millionaire, he had a great deal to do with legislation for the poor and the under-privileged. In some respects he was like McNamara, although his background was one of great wealth. The late Senator Arthur Vandenberg, conservative and orthodox in his economic views, came to the aid of the late Frankling Roosevelt in prosecution of World War II.

Michigan has produced unusual senators because it is an unusual state. Sprawled across Wayne County and reaching into adjoining counties is the city and metropolitan area of Detroit, one of the world's largest. Farming, recreation and natural resources are in abundant combination. The thinking of Michigan's lawmakers is a mixture of these forces.

Senator McNamara was first elected somewhat by accident. Blair Moody died during the primary campaign in 1954. Moody was acknowledged to be the Democrats' first choice. But a turn of fate gave McNamara the nomination. Democratic domination of most state offices in recent years virtually assured its nominees' election. McNamara was "in."

The Free Press described McNamara as a maverick. He had his own ideas about legislation and stuck with them. They apparently reflected the views of the majority of Democrats but few of them could have swayed him even if they tried.

It is usually customary for a senatorial candidate to beat the bushes for votes. This makes them known personally among the mass of people. Pat McNamara was no such campaigner. Compared to Senator Hart, for example, McNamara was not too well known outside the Detroit area. But he had the hard core of labor leaders' support and apparently a big following among a mass of citizens who have wanted the security of medicare, old-age benefits and the like.

History will judge the contributions of Senator McNamara. It will make little difference whether as individuals we subscribed to his views or not. He was the type of man who seemed to have the common touch despite a seeming lack of effort to achieve it.

A new chapter in Michigan political life may be in the making. The probability that our own Congressman, Representative Robert Griffin, a Republican, will be appointed by Gov. Romney to fill the vacancy left by McNamara is widely held. Since this could be "a Republican year" because of the frictions caused by inflation and Viet Nam, a course quite different from McNamara's may be charted. The current Williams-Cavanagh primary contest for McNamara's post—which the late senator already had decided not to keep—makes the whole picture uncertain.

It was difficult for many people to feel that they really "knew" Senator McNamara. But in death he stands out as a much more influential man than his contemporaries realized. One can admire him for a candor and insight that far too many of our senatorial leaders seem to lack.

[From Detroit Building & Construction Trades Council Building Tradesman, May 13, 1966]

Legend of Pat McNamara Is One That Will Grow

With the death in Bethesda Naval Hospital last Saturday of Senator Pat V. McNamara (D., of Mich.), the building trades and the State of Michigan lost both a rugged individual and a capable legislator.

Pat, who was in his 12th year as a United States Senator, had his roots buried deep in the building trades. In fact, for nearly 20 years he was president of Detroit Pipe Fitters Local 636.

And despite the fact that he was a member of Detroit's Common Council and the Detroit Board of Education before he was elevated to the Senate in 1954 by an upset victory over Republican Senator Homer Ferguson, it was the building trades that provided him with the springboard into "the most exclusive club in the world."

In all fairness to Pat, let it be said here and now that he never let his closeness to the trade union movement sway his judgment in affairs of state. He loved to say, and in all sincerity, "I represent all the people of Michigan." And he did just that.

Since his demise, Pat has received accolades from all corners of the globe. His courage under fire and the arduous work he performed, without fuss or fanfare, for minority groups, the elderly and "all the citizens of Michigan" had made him a worldwide favorite and an influential senator to be reckoned with in the passage of any major piece of legislation.

Pat McNamara was deserving of all the praise bestowed upon him. He performed a worthwhile service, while always remaining one of the boys, a cheerful Irishman with a puckish grin and a gravel voice.

His presence will be sadly missed in the building trades, but he won't be forgotten. He already has become something of a legend and his is a legend that will grow with the years as his deeds become more publicized and lesser men attempt to fill his shoes.

[From the Michigan Chronicle, May 14, 1966]

Michigan's Senator Pat Will Be Hard To Replace

Pat McNamara has left us. No one on the political scene today can compare with this man of the people who from humble beginnings rose to one of the nation's highest offices.

Pat was a workingman's workingman and although he moved with the high and mighty in the Senate chambers of the nation, he never forgot from whence he came. He never forgot that it was the people who elected him.

Pat was an uncompromising man. Never has there stood a sturdier oak. He was tenacious in his convictions and fought for those things he believed in with a vigor that made him a valiant champion of worthy causes. He stood four square on all issues that affected the well-being of the little man. He believed in civil rights as an adjunct of human rights.

An unswerving friend, a relentless enemy. There can't be another Pat McNamara.

[From the Detroit (Mich.) Free Press, May 3, 1966]

As We See It—Senator Patrick McNamara Bluntly Called for Change

"I believe it can be said of the Senator from Michigan 'Behold, a Senator in whom there is no guile.' Everyone knows where he stands. He does not make any ambiguous statements. He does not cast any ambiguous votes."—Tribute to Senator Patrick McNamara by Senator Paul Douglas, of Illinois.

The picture we retain of Senator McNamara is of a conference on the problems of the aging where the Senator spoke and listened to what he called "the real experts," the aged himself.

The years showed on the man behind the podium in his slouched posture, tired shoulders and distracted attention.

But when he stood to speak, the applause from old hands wasn't tired and the cheers from the audience recaptured a youthful enthusiasm. The Senator's shoulders rose and he unwound with a speech so direct and so strong that the little old man on the back who cupped his hand to guide the sound into his failing ears, didn't miss a word.

McNamara didn't speak many words that weren't heard. Blunt. Candid. Independent. He cast his ballot as he saw the issue, usually responding to the sympathy he felt for the working man, the disadvantaged and the aged.

Within the Democratic party, McNamara was a maverick. As Michigan's senior senator, his approval was necessary on all appointments, and the broken ambitions of those who forgot, who thought others could speak for the party, are strewn over the Michigan and Washington landscape.

The seeds of McNamara's sympathies and directness can be traced back to an immigrant family, newly arrived from Ireland, where young Pat was the youngest of eight children and to his first job as a pipefitters' apprentice at the Fore River shipyard at an hourly rate of nine cents.

His independence was of more recent origin. McNamara's election was a fluke. In 1954, the election of Senator Blair Moody was as certain as anything political can be, but then Moody died. It was too late for anyone else to file and McNamara, who had entered the race without anyone really noticing it, became a senator. Democrats found McNamara so hard to accept that in the primary he got only 226,000 votes and 126,000 were cast for Moody, a dead man.

Despite such a half-hearted endorsement, Pat McNamara's likable Irish outspokenness won them over and McNamara became a powerful senator. In 1963, he was the first Democratic senator from Michigan ever to chair a standing Senate committee, the Senate Committee on Public Works.

His name is listed as a sponsor of the major social legislation of recent years—the Economic Opportunity Act of 1964, the 1964 Civil Rights Act, the 1961 Minimum Wage Act, the Area Redevelopment Act. He introduced medicare legislation into four Congresses and spent his waining strength to secure its passage.

Maybe it's an old story, the one about the son of an Irish immigrant who became one of the nation's leading lawmakers, but it still has, like the man who lived it, a simple, direct appeal.

[From the Michigan AFL–CIO News, May 4, 1966]

Senator's Accomplishments Serve as a Fitting Tribute

Most men and women have to wait until death to receive their just tributes. Others, like the late Michigan Senator Pat McNamara, so conduct themselves during their life that no further accolades are needed after death.

McNamara's accomplishments in the United States Senate, in civic endeavors and in union work were of such a magnitude and represented such meaningful improvements for his fellow man that the usual post-death tributes do not seem as necessary.

McNamara scored well in each of several careers that he undertook—public service, union activities and business. His greatest contributions came during the 12 years he served in the Senate. These included:

Passage of the medical care for the aged bill and the setting up of the first Commission on the Aging, which gave the nation's older citizens long-overdue recognition for their problems.

Adoption of the first comprehensive federal-aid-to-education bill.

Passage of President Johnson's War on Poverty programs which are beginning to break the cycle which finds millions of Americans unable to enjoy the nation's unprecedented prosperity.

A leading role in the field of civil rights legislation which resulted in several significant victories in the Senator's 12 years in Washington.

Despite these major accomplishments, Senator McNamara remained a down-to-earth person who was constantly looking ahead to the next improvement in social legislation. The Senate's traditions of stuffiness did not entrap McNamara nor did he fall victim to the club-like atmosphere which demands that honest comment be sidetracked for fear of upsetting the "gentlemanly" code.

Possibly the greatest tribute ever paid McNamara came from his colleague and long-time friend, Senator PAUL DOUGLAS of Illinois, who said of the Michigan Democrat:

"Behold, a senator in whom there is no guile. Everyone always knows where he stands. He does not make any ambiguous statements. He does not cast any ambiguous votes."

[From the Building Tradesman, May 13, 1966]

THIS TRIO WILL BE MISSED

The building trades have been staggered in recent weeks by the deaths of three of its leaders.

First to go was Senator Pat V. McNamara (D., Mich.). Then within two days followed swiftly the passing of Richard J. Gray, president emeritus of the AFL–CIO Building and Construction Trades Department.

The same day that Gray was called to rest, Andrew A. Westley, vice-president of the first district, Brotherhood of Painters, Decorators and Paperhangers, died suddenly.

This entire trio had contributed much to the building trades end of the labor movement down through the years. To say that they'll be missed is to state it mildly.

But there's one thing that can be said about the building trades. There's never been a dearth of leadership. These three leaders were among the best of their respective era and their works will be even more appreciated in the years to come.

Meanwhile, new leadership will develop. It was ever thus "as the old order changeth."

[From the New York Times, May 2, 1966]

SENATOR PATRICK V. McNAMARA, MICHIGAN DEMOCRAT, 71, IS DEAD—HEADED PUBLIC WORKS UNIT—ROMNEY EXPECTED TO NAME GOP CANDIDATE TO SEAT

WASHINGTON, April 30.—Senator Patrick V. McNamara, Democrat of Michigan, died Saturday night at Bethesda Naval Hospital. He was 71 years old.

Senator McNamara, who was completing his second term, had entered the hospital on March 11 and suffered a blood clot in the lung on March 22. A hospital spokesman said he had suffered a stroke Saturday morning and died at 8:40 p.m.

Surviving are his widow, the former Mary Mattee of Calumet, Mich.; a son, Patrick V. McNamara 3d; a daughter, Mrs. Warren Ballard, and 12 grandchildren.

A member of Mr. McNamara's Senate staff said the Senator's body would be flown to Detroit on Monday. The funeral will be at noon Wednesday in Detroit's Holy Name Roman Catholic Church. Burial will be in Mount Olivette Cemetery.

President Johnson said in a statement issued by Bill D. Moyers, White House press secretary:

"Senator McNamara was a man of good and generous instincts. He served many worthwhile causes with consistent concern for those Americans unable to help themselves, and he will be remembered as a champion of the people. Mrs. Johnson and I regret his death but were proud to know him—and proud of his service to his state and nation."

The Senator, who was chairman of the Senate Public Works Committee, had been ill much of the time since 1960, when he underwent major surgery. He had been hospitalized for a time last January.

Sources close to Gov. George Romney of Michigan said tonight that in all probability he would appoint Representative ROBERT P. GRIFFIN, a Republican of Traverse City, to fill the vacancy caused by Senator McNamara's death. Mr. GRIFFIN is the organization-endorsed candidate for the Republican nomination to succeed Mr. McNamara in the November election.

The Senator had announced earlier this year that he would not seek re-election to a third term. Two major Democratic figures are seeking the nomination in the Aug. 2 primary.

They are G. Mennen Williams, the former six-term Governor and more recently Assistant Secretary of State for African Affairs, and Jerome P. Cavanagh, now in his second term as Mayor of Detroit.

Mr. Williams has been favored to defeat Mr. Cavanagh in the Democratic primary. Mr. GRIFFIN has been considered an underdog against either of them in the general election. However, the advantage of running as the incumbent Senator might shift the odds in Mr. GRIFFIN's favor, Michigan political observers speculated Saturday night.

FIRST ELECTED IN 1954

After a little more than 11 years in the Senate, Patrick Vincent McNamara disclosed on Feb. 23 that he planned to retire when his term ended next January.

Senator McNamara, who was first elected to the Senate in 1954 in an upset victory over the Republican incumbent, Homer Ferguson, was known for his stanch support of Federal aid to education, health care for the elderly and other liberal measures. But he declined to be labeled a liberal.

"I'm pro-people," he once said, "I don't plead guilty to labels."

The silver-haired, gravel-voiced Senator, who stood 6 feet 2 and weighed some 240 pounds, was a blunt and outspoken man who refused to retreat from a position he considered right.

"Arguments," he once remarked, "are only honest misunderstandings. Any time you sit down and calmly consider all the facts, the solution can be easily discerned."

But his daughter commented at the time about the difficulty of moving him when he thought he was right.

"If Dad thinks he's right," she said, "he is the most stubborn person in the world."

While many friends as well as critics concurred in characterizing him as stubborn, most of them also agreed that he was a genial person with an engaging personality and a keen wit.

Senator McNamara was born on Oct. 4, 1894, in North Weymouth, Mass. His parents had recently migrated to this country from Ireland. The future Senator was the oldest of eight children.

He attended public schools in Weymouth and then learned the pipe-fitting trade at the Fore River Apprentice School in Quincy, Mass. He played some semiprofessional football while following the pipe-fitting trade.

In 1921, at the age of 27, he moved to Detroit to head a construction gang.

Senator McNamara left pipe-fitting to enter the management side of contracting work, although he pursued an active interest in organized labor.

From 1937 to 1955, when he entered the Senate, he served as the unpaid president of Local 636 of the Pipe Fitters Union. He was also an unpaid vice president of the Detroit Federation of Labor from 1939 to 1945.

Senator McNamara also served as the first state president of the Automobile Workers of America, the original industrial union in the Detroit automobile industry, which was established in 1934. It was a forerunner of the United Automobile Workers.

On the management side, he was vice president of the Stanley-Carter Company, mechanical contractors.

Discussing his association with organized labor, he once observed: "My vocation has been the construction industry, but my avocation has been the labor movement. I have never held a paid labor office."

The Senator held several public offices in Detroit before he went to Washington. He was named area rent control director for the Office of Price Administration in 1942 and served until 1945.

The following year, he was elected to Detroit's Common Council. He won election to the city's Board of Education in 1949 and served on the board until 1955.

He was given little chance of winning the Democratic nomination for the Senate in 1954 when he filed as a primary election candidate against a former Senator, Blair Moody, who was backed by state party leaders to oppose Senator Ferguson.

Mr. Moody died a little more than a month before the primary, however, and the Democratic state organization decided to support Mr. McNamara, who was the party's only active candidate for the post.

By taking just under 51 percent of the votes, Senator McNamara defeated the favored Republican incumbent by a margin of almost 40,000 votes. The McNamara campaign had included criticism of the Eisenhower Administration's economic, labor, and farm policies.

Mr. McNamara was reelected in 1960 by a margin of 120,000 votes.

His legislative accomplishments included a leading role in the fight to pass hospital insurance for the aged under Social Security. He also served as chairman of a labor subcommittee and was the floor manager of a minimum wage bill that raised the minimum to $1.25 an hour.

THE AGRICULTURAL RECORD SINCE 1961—SETTING THE RECORD STRAIGHT

Mr. MANSFIELD. Mr. President, a couple of weeks ago I had a discussion with the very distinguished Secretary of Agriculture, the Honorable Orville Freeman, relative to the farm situation.

As a result of that discussion, I asked that he put in writing in a letter to me some of the matters which we discussed at that time.

I ask unanimous consent that the letter received from the Secretary of Agriculture be printed at this point in the RECORD, and that the heading be "The Agricultural Record Since 1961—Setting the Record Straight."

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE AGRICULTURAL RECORD SINCE 1961—SETTING THE RECORD STRAIGHT

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, June 17, 1966.

Hon. MIKE MANSFIELD,
United States Senate,
Washington, D.C.

DEAR SENATOR: The achievement of parity of income by the adequately-sized family farmer in the United States is not an idle dream. Rather, it is a realistic goal that can be reached during the decade of the 1960's if the dramatic progress of the past six years is maintained.

This progress is perhaps best illustrated by the fact that total farm income, as well as net income per farm, has risen sharply since 1960. As a result, nearly half a million farmers are earning parity of income today while six years ago only a handful were in this position. I would also point out that the time of burdensome and costly surpluses is largely passed. Our exports have increased substantially and the abundance produced by the American farmer has done much to prevent hunger among millions of people all over the world. A new era in American agriculture has been launched as our farmers are again producing for the marketplace instead of the storage bin.

As important as this progress has been, there are still too many American farmers who do not receive a return for their labor and capital equal to that earned in other sectors of our economy. In effect these farmers are subsidizing the consumer by absorbing increased production costs while being denied a fair return for their product. This imbalance cannot continue indefinitely. As we both know, the maintenance of full and adequate supplies of food and fiber is a national need of the highest priority. Yet the fulfillment of this need cannot be assured if the farmer is not adequately rewarded for his efforts. If, due to inadequate returns, he is forced to give up farming, our abundant supplies may decline and higher consumer prices will result.

However, vigorous efforts on the part of farmers, the Congress, and this Administration can make parity of income and continued high levels of supply a reality. Our record of progress during the last six years shows what can be done:

Farm Income Up Sharply: Realized net farm income in 1966 will exceed $15 billion. This is up nearly $1 billion over 1965 and $3.4 billion over 1960. Net income per farm in 1966 will set a new record of about $4,600, an increase of 55 percent in six years. This year will be the best in nearly two decades for the American farmer.

Gross farm income for the past five years was up $27.5 billion over the preceding five years, and in the next five years, will average $10 billion a year higher than a decade ago. This increase in the purchasing power of the nation's farmers is of vital importance to our whole economy—to business and industry as well as to the rural community.

The following table shows these gains in detail:

Farm income	Average, 1956–60	1960	1964	1966 estimate
Gross income (billions of dollars)	36.3	37.9	42.2	47.5
Net income (billions of dollars)	11.7	11.7	12.9	15.1
Gross income per farm (dollars)	8,579	9,601	12,151	14,600
Net income per farm (dollars)	2,755	2,956	3,727	4,700

I also want to point out that farm assets are increasing three times as fast as farm debt. Between 1960 and 1965 farm assets increased by $50 billion while farm debt rose $16.2 billion, leaving an increase in farm equities of over $33 billion.

Income from specific commodities up: The following table shows the rise in cash receipts from the sale of major livestock products and all crops.

Cash receipts

[In billions of dollars]

	1960	1965	Estimated, 1966
Cattle	7.4	8.9	10.0
Hogs	2.9	3.7	4.1
Broilers	1.1	1.2	1.3
Eggs	1.7	1.7	1.8
Dairy	4.7	5.1	5.4
All crops (including Government payment)	15.8	19.6	20.2

Surpluses Reduced: Carryover stocks of wheat and feed grains in 1966 are substantially lower than in 1961. Wheat stocks are down 61 percent and feed grain stocks are down 40 percent. This sharp reduction in stocks has meant substantial savings in storage and handling costs. If the 1961 level of stocks had prevailed, storage and handling costs for the period 1962–65 would have been $272 million higher.

Farm exports reach record levels: Since 1960 agricultural exports have increased $1.4 billion, from $4.8 billion to $6.2 billion, or nearly 25 percent. Dollar exports in 1965 were $4.8 billion, or $1.5 billion above the level of six years ago. Exports of wheat, feed grains and oilseeds and product all exceeded the billion dollar mark last year. Our estimate of total exports for the fiscal year 1966 shows them up 10 percent above the rate of the last two years. The increasing level of our agricultural exports, currently about 25 percent of all U.S. exports, plays a vital role in our attempt to improve the nation's balance of payments position. This increase has been made possible largely because the Department of Agriculture has been able to make Commodity Credit Corporation stocks readily available to exporters, when needed, to close export sales.

The job ahead: The progress in agriculture made since 1960 clearly shows that if proper policies are followed, farmers can receive the incomes they deserve. Although the gap between farm and non-farm income is narrowing, it will take continued cooperation, patience, and hard work if farmers are to achieve full parity of income. In 1960 the farmers earned only 55 percent of what other people did. Today he earns about 65 percent as much, or in other words the gap has been closed by nearly 20 percent. Yet, further progress can and must be made. The Department of Agriculture will not relax its efforts until all of the adequately-sized family farmers in America earn incomes equal to those of similarly skilled workers in other sectors of our economy. The problems impeding our success will be many and varied Likewise we must be prepared with imaginative and resourceful solutions. But if we are both patient and determined, I am confident we will succeed.

Sincerely yours,

IOWA BLOOD FOR VIETNAM

Mr. MILLER. Mr. President, Iowans always have been in the front ranks in responding to the needs of others. This is especially true in time of war.

How Iowans have responded for calls for blood for our boys in Vietnam is well told in a feature article which appeared in the June 19 issue of Picture magazine, a supplement to the Des Moines Sunday Register.

I think the article accurately captures the feeling of Iowans and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IOWA BLOOD FOR VIETNAM: "SOMEONE'S GOT TO HELP THE BOYS OVER THERE"

(By Nick Lamberto)

In the face of ever-increasing demands in southeast Asia, the supply of two vital blood derivatives has shrunk and the Department of Defense has asked the American Red Cross, its traditional blood collecting agency, to conduct a massive blood donor program.

As in other wars, Iowans have responded. Despite what you hear about "Vietniks" and "Peaceniks," not all college students look the other way when blood donations are asked for use in Viet Nam. At Mason City Junior College, for instance, 355 pints of blood were given, mainly by collegians, during two days of March.

Many others besides collegians have answered the plea. At Charles City, under the sponsorship of the Kiwanis club, which recruited donors, 198 pints of blood were given May 19. A similar drive under sponsorship of the Lions club, netted a proportionate amount at Clear Lake the next day.

In Charles City, 193 of the donors were first-time givers. Many seemed apprehensive when they came to the National Guard Armory, but left an hour later with a feeling of relief and accomplishment. Most said, "It really wasn't too bad. Nothing at all."

Mrs. Gary Wright, wife of a Charles City dentist, said she and her husband decided to give blood after a discussion with another couple during a bridge game.

"The other couple told us they weren't going to give blood because they didn't believe in the policies in Viet Nam," Mrs. Wright recalled. "We don't necessarily believe in all the policies, but some one's got to help the boys over there. They need blood. We're the only ones who can give. Where else would they get it?"

Mrs. Glenn Freeseman, 23, a Greene farm wife and secretary, said giving blood was "a good experience, though I had never done it before."

Allen Blunt, 38, a Charles City contractor, gave because "I always have—it's supposed to go to Viet Nam and that's important."

Similar sentiments were voiced by Dr. John F. Hitzhusen, 51, a dentist and World War II veteran who has given a gallon of blood since 1951, and Mrs. Loren Works, 48, wife of the pastor of First Christian church in Charles City.

Ron Shatek, 21, of Elma, was one of many National Guardsmen who responded to help those in Viet Nam.

Donors included people from all walks of life who were physically qualified (37 were rejected). And those much-maligned teenagers came through again. A group of students over 18 years old from high schools in Charles City gave blood, too.

Glen E. Haydon, executive director of the North Central Iowa chapter of the Red Cross (Cerro Gordo, Franklin, Floyd and Worth counties, said 70 volunteers helped with the Charles City project, including Red Cross volunteers, Junior Chamber of Commerce wives, Kiwanians and eight nurses and five doctors from the Floyd County Medical Society.

The blood donated at Charles City was rushed to St. Paul, Minn., where it was "fractionated into serum albumin and gamma globulin," two life-giving derivatives, Haydon explained.

"Most whole blood needed in Viet Nam is given by servicemen in the Far East," Haydon added. "But serum albumin is badly needed because every serviceman sent to the Far East is given a shot of it to help fight infection because the infection rate there is so high."

Up to the Charles City project, blood donation programs in North Central Iowa had been limited to college campuses, Haydon said, "but now they are open to the general public."

Whatever the reason for giving, the donors all had a good look at a poster which stated: "Someone lives when someone gives."

REAL AND MEANINGFUL FARM NEWS

Mr. MILLER. Mr. President, an article entitled "Real and Meaningful Farm News" is published in today's Wall Street Journal.

The article comments on and corrects a statement by the Secretary of Agriculture which indicated his satisfaction with some of the reporting of farm news. I believe the editorial properly answers the Secretary's statement.

I ask unanimous consent that this editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Real and Meaningful Farm News

Too many newspapers, says Agriculture Secretary Freeman, treat agricultural news as if it were a running battle between farmers and the Secretary, or between farmers and consumers. "Reporting farm news—or any news, for that matter," he says, "strictly on an adversary basis does not always result in responsible and accurate journalism."

The "real and meaningful" news in farming, he says, concerns its "amazing and exciting revolution . . . the dedicated efforts of farmers to solve their problems and the magnificent contribution they are making to the nation and the world."

Now it is certainly true that farmers have done wonders in improving techniques and increasing crop yields against formidable obstacles. One of which, plainly, is the Government itself. And ironically, the Government's own schemes for farm regimentation have served to spur farmers to develop ways to boost yields per acre, to discard old practices for new.

But newspapers, after all, do not make the news, and the fact is that there have been times lately when farm news has reflected just what Secretary Freeman describes—a running battle between farmers and the Agriculture Department and, to a much lesser degree, between farmers and price-sensitive consumers. Actually, consumers aren't as irritated at farmers as they are at the Administration's transparent efforts to manipulate prices.

For the press would be negligent indeed not to report, for instance, that farmers were unhappy when the Administration's export quotas on hides resulted in lower cattle prices; or when the Government, while raising dairy support prices to less than the prevailing market price, at the same time admitted more foreign cheese into the U.S., and substituted margarine for butter on Army and Air Force menus.

Farmers also were pretty upset when the Administration dumped 60% more feed grain on the market this year than last, Secretary Freeman explaining that grain prices had been "very high" and that "the farmer cannot have it all one way." Or when the Defense Department cut armed service pork servings in half—and kept the move secret for weeks—causing a slump in hog prices, a cut Mr. Freeman likened to the actions of a "prudent housewife."

This being a political campaign year, Mr. Freeman isn't hopeful that the press will measure up to his standards anytime soon. The farm story, he figures, will be reported "almost exclusively on the basis of personalities and political charges and countercharges." That's a possibility the Administration could circumvent by starting to turn the farmer loose to pursue his own destiny in a free market. And that would be real and meaningful farm news indeed.

TRIBUTE TO PROJECT HOPE

Mr. MILLER. Mr. President, William Shakespeare once had one of his characters declare that—

> The evil that men do lives after them.
> The good is oft interred with their bones.

This always seems to have been true, especially in this day and age when the headlines are filled with death and destruction.

However, the good that people are doing for the less fortunate occasionally stands out. This is true of Project Hope, an activity of the People-to-People Health Foundation, Inc., of Washington.

In 5 years, Hope doctors, nurses, and technicians have trained more than 3,000 physicians, surgeons, dentists, nurses, and paramedical personnel; treated over 100,000 persons; conducted some 8,000 major operations; vaccinated 1 million people for polio, typhoid, tetanus, and diphtheria, and distributed nearly 2 million cartons of milk.

This work has been carried on in the underdeveloped nations where disease and starvation are common.

In 1960, this organization refitted a 15,000-ton Navy hospital ship, renamed it the SS *Hope* and sent it to several countries as the world's first peacetime hospital ship.

The physicians, surgeons, and dentists aboard serve for 2 months without pay, all in the cause of mankind.

The story of seven Iowans who served on that ship was told in the Des Moines Register of April 28. I think it is an inspiration to those who wonder sometimes about the good that Americans do.

I ask unanimous consent that the article, entitled "Iowans Tell of Life Aboard Mercy Ship *Hope*" be placed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Des Moines (Iowa) Register, Apr. 28, 1966]

Iowans Tell Life Aboard Mercy Ship "Hope"

(By Nick Lamberto)

The seven Iowans now serving aboard the world's first peacetime hospital ship anchored off the coast of Nicaragua have found their volunteer work to be extremely challenging and really a means of doing something for others.

"It's rewarding and gratifying," one Iowan explained in a short-wave radio-telephone interview. "You get an inner feeling of satisfaction, knowing you're doing something worthwhile.

"At the same time it can be frustrating—there's so much to be done."

Jeanette Pearl Dillman, 25, daughter of Mr. and Mrs. Loren Dillman of Russell, pictured her nursing duties with the hospital ship Hope this way:

"There's no such thing as a routine day. There's always something different, something challenging. It's nice work and we're all here because we want to be—not for money—and that helps."

Miss Dillman took nurse's training at Iowa Methodist Hospital, Des Moines, and is on leave from her post at University Hospital, Iowa City, during her 10-month tour aboard the Hope.

Miss Dillman said 10- to 12-hour working days are not unusual.

Another nurse, Phyllis Van Haitsma, 25, of Sioux City, confirmed a report that she is getting married to Phil Nichols, the second engineer aboard the Hope.

"It's not just a little romance," Miss Van Haitsma said. "We're getting married the fourth of June. Next year I want to come back here as a housewife.

"There are challenges you find here outside the regular field of nursing. The people need so many things and have so little."

Miss Van Haitsma attended Morningside College and the Methodist Hospital Nursing School in Sioux City. She was on the staff of the University of Nebraska hospital when she volunteered for duty on the Hope.

From October, 1962, to October, 1964, Miss Van Haitsma served with the Peace Corps.

OTHER IOWANS

The other Iowans now serving on the Hope are Dr. David W. Furnas of Iowa City and Dr. John K. MacGregor and Dr. J. Richard Utne, both of Mason City, X-ray technician Malcolm S. Metcalf of Cedar Rapids and nurse Inger M. Lindholm of Ames.

A former Iowan, Dr. Jerry Lawlor, 48, now of Binghamton, N.Y., said he feels something is definitely being accomplished by service on the Hope.

Dr. Lawlor was director of medicine at Broadlawns Polk County Hospital here in 1964 and '65.

Serving on the Hope, Dr. Lawlor said, "we're seeing an average of 20 patients a day on ship and at shore clinics."

"We need medical staff people," he added.

Dr. MacGregor celebrated his forty-seventh birthday Apr. 7 while serving with the Hope.

GRATIFYING PROGRAM

"Most of us came with the hope of adding something to the work started five years ago," Dr. MacGregor said. "We are making wonderful contacts with the people through our health programs.

"Anything you can do to tell the people of Iowa about this program will be appreciated. It has been most gratifying."

Dr. MacGregor, a partner in Surgical Associates, Mason City, was graduated from Cornell College, Mount Vernon, in 1941 and from Columbia University's college of physicians and surgeons in 1944.

Dr. MacGregor plans a big reunion with his family in Mason City in May. He and his wife, Hester, have four children—John, 20; Paul, 17; Laurie, 14, and Katie, 11.

HIGH PRAISE

Dr. Utne, 41, also of Mason City, had high praise for the equipment aboard the Hope.

A radiologist, Dr. Utne said the "equipment, donated by General Electric, is similar to what we have in Mercy Hospital at Mason City."

Dr. Utne's wife, Bernice, and their four children—John, 16; Susan, 13; Barbara, 12, and Linda, 10—await his return in about a month.

The most frustrating thing is "the language barrier," Dr. Utne said. "We all know a few phrases in Spanish, but we have to do our teaching through an interpreter."

The Hope is permanently staffed with doctors, nurses and medical technicians. Volunteer teams of physicians, surgeons and dentists in 20 specialties are flown to the ship for two-months' service without pay. Volunteer nurses serve 10 months.

Another of the Iowa volunteer nurses is Inger M. Lindholm from Ames, a public health specialist.

"We need a lot of groundwork," she said. "The diseases of children seem more severe. Treatment facilities are good, but not as good as in the United States.

"By working with the people and priests we establish mass immunization programs."

Miss Lindholm said the seven Iowans now among the 130 on the staff aboard the Hope don't have time for any formal gathering "but we have a special smile for each other."

NOT AVAILABLE

Metcalf, 49, the X-ray technician from Cedar Rapids, and Dr. Furnas, 35, of the University Hospitals' department of surgery, Iowa City, were not available for interviews when the radio-telephone hookup was made.

Dr. Furnas, an associate in surgery and a specialist in plastic surgery, has a wife, Mary Lou, and three children—Heather, 8, Brent, 6, and Craig, 2, in Iowa City.

Project Hope (Health Opportunity for People Everywhere) is the principal activity of the People-to-People Health Foundation, Inc., of Washington, D.C., an independent, non-profit corporation.

Dr. Willam B. Walsh is the project founder and president. In 1960, the foundation obtained the 15,000-ton Navy hospital ship, Consolation, on loan. It was refitted and renamed the Hope.

To date, the ship has made trips to Indonesia and South Viet Nam (1960), Peru (1962–'63), Ecuador (1963–'64), Guinea (1964–'65) and Nicaragua (1966).

TRAINED 3,000

In five years, the Hope staff has helped train more than 3,000 physicians, surgeons, dentists, nurses and other medical personnel.

In the same period, the Hope staff has treated more than 100,000 persons, conducted about 8,000 major operations and vaccinated a million persons for polio, typhoid, tetanus and diphtheria.

Two million cartons of milk have been distributed by Hope.

PRIVATE RESOURCES

The $5 million needed annually to operate the Hope projects comes from private resources and tax-free contributions from individuals, groups, business, labor and industry. Some financial assistance has been received from the federal government in lieu of a maritime subsidy.

Since its start, about 3,000 American physicians have volunteered for service with Hope but, officials say, "the door is always open for more volunteers—the need is great."

REMOVAL OF AMERICAN TROOPS FROM THE DOMINICAN REPUBLIC

Mr. LONG of Louisiana. Mr. President, the day before yesterday, the first unit of the Inter-American Peace Force departed the Dominican Republic, 14 months to the day that the first elements went ashore in Santo Domingo.

This event is as historic, as significant, and as dramatic as the initial landings—although it is unfortunate that it has not received the same attention in the press.

It is important because it heralds the completion of probably the most constructive and successful experiment of peacekeeping by any international organization.

Mr. President, I ask unanimous consent to include in the RECORD the text of the statement issued yesterday by the OAS ad hoc committee in Santo Domingo announcing the withdrawal of the first unit of the Inter-American Peace Force. Appropriately, the unit was from the U.S. contingent.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. LONG of Louisiana. Mr. President, in my statement before the Senate last week, I reviewed why President Johnson's action a year ago last April has been vindicated. Today I pay tribute to the Inter-American Peace Force which has operated with such wisdom, discipline, and restraint in achieving its high purpose of helping the Dominican people return to the path of democratic, constitutional government.

The Inter-American Peace Force went to the Dominican Republic to stop the bloodshed, to prevent further destruction, to thwart a new Communist effort, and to give the Dominican people the option to choose their own leaders in free elections. In 14 short months it has achieved these objectives. Now, with their mission accomplished, they can retire with pride and satisfaction in what they have accomplished.

Mr. President, I quote what the Brazilian commanding general of the IAPF, Lt. Gen. Arturo Alves da Silva Braga, said to the troops as they departed:

> This event gives me great pleasure. As soldiers we have completed our mission. We have carried out our duty in helping restore democracy to the Dominican Republic. I am proud to have had troops of this caliber under me.

When the troops landed in the Dominican Republic on April 28, 1965, there were many voices heard in this country and elsewhere saying that it was easy to intervene militarily but most difficult to get out. That is one so-called lesson of history that the Dominican experience has disproved.

I hope that situations requiring similar action will not arise again in our hemisphere. But if threats to the freedom of an American Republic should recur, I trust that the OAS will move again in a timely fashion and with even greater participation by the member states.

EXHIBIT NO. 1

TEXT OF PRESS STATEMENT ON WITHDRAWAL OF THE INTER-AMERICAN PEACE FORCE

The Ad hoc Committee, representing the Tenth Meeting of Foreign Ministers, is pleased to announce that withdrawal of the Inter-American Peace Force from the territory of the Dominican Republic commenced today in accordance with the resolution adopted on June 24, 1966 by the Tenth Meeting of Foreign Ministers.

Noting that the purposes of the Tenth Meeting of Foreign Ministers had been fully achieved with the popular elections of June 1 in the Dominican Republic, whose results give that sister nation a constitutional and democratic government, the resolution directed the withdrawal of the Inter-American Peace Force to begin before July 1 and be completed within 90 days. The resolution called on the Ad hoc Committee, in agreement with the Government of the Dominican Republic, to issue the necessary instructions regarding the timing and the manner of withdrawal of various units of the Inter-American Peace Force.

The first unit to leave is the 1st Battalion of the 320th Artillery Battalion of the United States Army contingent. Its embarkation for the United States began today and will be completed tomorrow. Schedules for the departure of other Inter-American Peace Force units during the next 90 days will be announced as they are agreed upon between the Ad hoc Committee and the Government of the Dominican Republic.

PROFESSIONAL FOOTBALL LEAGUES

Mr. LONG of Louisiana. Mr. President, I am happy to count myself among the many Members of Congress who, like many of the citizens we represent, are enthusiastic sports fans. Admittedly we cannot find as much time as we might like to give vent to this interest, but occasionally we can sneak away for an hour or two in the stands, or to follow a game on television or radio.

Accordingly, I have noted with considerable enthusiasm the recently announced plans of the National Football League and the American Football League to coordinate their activities in a unified and expanded nationwide professional football league. I am pleased that these plans, which promise a new era of orderly development and improvement of professional football, have received widespread favorable reactions among fans, sportswriters, and editorial commentators throughout the country.

This is a matter of no small public interest, as attested by the vast throngs who come to the games and the millions who follow these attractions on television and radio, and through the press.

Several features of the plan are particularly commendable. It provides an orderly arrangement whereby the weaker teams throughout both of the existing leagues will have a chance to select the top talent graduating from our colleges and universities each year. This assures a strengthening of the weaker teams so that franchises which otherwise might be in jeopardy can be saved for their hometown fans, and followers everywhere can be assured of the type of balanced competition which provides the best attractions for the public.

The existing situation in the recruitment of college players has resulted in extreme inequities between proven professional stars and rookies who have yet to play a professional game. It has led to severe pressures which create an unhealthy environment for college sports. In the absence of an orderly arrangement as provided in the new plan, the richer teams would buy up all the top talent, to the ultimate injury of all concerned—the owners, the players, and the fans.

The consolidation of the two existing leagues also will bring exciting new attractions to the public. The plan calls for a world championship game this January between the champions of the two existing leagues, which certainly will be one of the major sports events of the year. It provides for interleague competition in the exhibition games next year, and eventually, by 1970, for full interleague schedules which will permit fans throughout the country to see new teams they have read about and heard about but never been able to watch firsthand. I am pleased, also that the plan calls for continued coverage by two television networks, so that fans everywhere will have a maximum opportunity to follow this sport on television.

But the single feature that is most commendable, I suggest, is the logical provision for expansion of professional football to new areas, to bring more and better attractions to more cities and more people. It is important to note that the expansion to new cities will not be brought about at the sacrifice of franchises in cities which enjoy this sport now. All of the existing 24 franchises in both existing leagues will be maintained. In addition to the two new franchises starting this year, two new franchises will be granted by 1968, and two additional franchises will be granted as soon as feasible thereafter. There will be none of the ridiculous pirating of teams from one city to another which has harmed professional sports in the past. Eventually there will be a strong, balanced, coordinated operation involving 28 teams in 26 cities, providing the maximum in attractions for the public.

I am pleased most of all that the plans for expansion are widely reported to include the city of New Orleans in my home State. Certainly the Governor of Louisiana, city officials, and backers of the proposed team in New Orleans presented the strongest possible case for this franchise at the recent meeting of the National Football League. They already have one of the finest facilities in the country, the Sugar Bowl, and they have promised a splendid new stadium which will be even better. I can assure the new consolidated league that the people of Louisiana will welcome them with open arms and provide enthusiastic support for a franchise in New Orleans. I am confident the league will give this application the attention it certainly deserves.

Typical of many expressions on this point was the comment of Arthur Daley, the celebrated sports columnist of the New York Times, who observed that when the NFL expands to its 16th team, "the guess here is that it will be New Orleans." Mr. Daley then proceeds to add a new and excellent suggestion. He observed that New Orleans, with its benign climate and excellent facilities, would provide a "perfect" site for some of the world championship professional football games.

There are exciting times in professional football, and I commend the owners and league officials for developing a constructive plan which will serve our country well, far into the future. Mr. Daley again expressed the consensus when he stated:

> Everyone presently involved will benefit—owners, coaches, team members, and fans . . . the merger will bring stability into pro ball to the mutual benefit of all concerned.

DEPARTMENT OF AGRICULTURE THROWS AWAY HALF MILLION DOLLARS

Mr. WILLIAMS of Delaware. Mr. President, it seems that as each fiscal year draws to a close, a mad scramble occurs in many agencies to get rid of any money that may be left prior to June 30. Apparently the agencies consider it a serious crime if they must return any money to the Federal Treasury.

This year the Department of Agriculture has gone on a spending spree and has procured 2,900 typewriters for use in optical scanning. Orders are that these must be purchased or committed before June 30 in order that the Department may charge them to this year's appropriations. The rush is so great that the Department of Agriculture did not have time to request competitive bids but is buying the typewriters one at a time through the individual offices on a negotiated basis. As nearly as can be figured the Department of Agriculture is paying about a half million dollars more than it would have had it taken time to get bids.

It is interesting to note that when the General Services Administration questioned the Department of Agriculture as to this expensive method of procurement and requested justification for its action, the Department explained that it had to get certain information required under an amendment which I had offered to the Revenue Act last March.

I quote from one of the letters I have received in connection with this matter:

> I am writing you regarding the use of your name to justify, at least partially, a very dubious procurement by the Department of Agriculture. At this time, the Agricultural Stabilization and Conservation Service is filling a requirement for approximately 2,000 typewriters.

And:

> Your name was used by ASCS personnel to justify the haste with which the actual procurement phases of this transaction were carried out. It was stated that no time existed for competitive tests of currently available models if ASCS was to meet your deadline of January 1, 1967 for the reporting of farmers payments to IRS. The decision not to test current typewriters began the whole string of events which led to ASCS's expensive choice.

These special typewriters are costing over $500 each when purchased one at a time.

When this matter was called to the attention of GSA, about 2 weeks ago, it rejected the Department's authority to purchase in this manner. However, in trying to justify the action that had been taken the Department of Agriculture cited an amendment I had offered to the Revenue Act which was passed by Congress in March of this year, but what they did not tell the GSA was that that amendment had been rejected.

For the information of the Department of Agriculture that amendment was rejected. It was adopted by the Senate but was rejected in conference, and it is not the law. Therefore, the Department of Agriculture has no justification for the extra expenditure of nearly one and a half million dollars. Moreover, no justification for such an expenditure would have existed even if my amendment were a part of the Revenue Act because the amendment merely would have required the Department to carry out the reporting to the Treasury Department of the payments to farmers.

All that the amendment to which they referred would have done would have been to instruct the Secretary of Agriculture to file with the Secretary of the Treasury information returns showing the subsidy payments made to the individual farmers in the same manner as information returns are required from every business in America, who must make reports on salaries, dividends, and interest paid.

That amendment was rejected; therefore, the excuse that the Department of Agriculture offered to GSA cannot be sustained.

Unless a clearer explanation is forthcoming from the Department than that which I have heard thus far—prior to the taking of action for the Department of Agriculture by the Committee on Appropriations I suggest we reduce the appropriation of this Department by that much money, together with a special reference to the individuals who have used my name as a justification for throwing a half million dollars down a rathole. As far as I am concerned those persons should be replaced by persons who know that the taxpayers work for this money.

There is no excuse for this extravagant expenditure, particularly when it is made to carry out the provisions of a law that was never enacted.

ADDITIONAL FEDERAL EMPLOYEES

Mr. WILLIAMS of Delaware. Mr. President, the Johnson administration is adding employees to the Federal payroll at a rate of over 5,000 per week. Today, the Joint Committee on Nonessential Federal Expenditures issued a report which shows that for the month of May the administration added 21,007 employees to the public payroll.

During the past 12 months the number of Federal employees has increased by a total of 185,758. Their salaries represent an additional cost to the taxpayers of over $1 billion annually.

The 185,758 extra employees that have been put on the public payroll during the past 12 months compares to an addition of only 615 added during the preceding 12 months.

This spectacular increase cannot be excused on the basis of a war. There was a war going on last year; besides over half of this addition was in civilian agencies.

This spectacular increase in Federal employment appears rather ironic when we remember that last December President Johnson held a special press conference and in a great display of economy called for a reduction in the Federal payroll of 25,000 by June 30. Instead of reducing it, the administration has for the past 12 months been increasing the public payroll at an average rate of 15,000 per month.

Figuring the Government on a 40-hour week—no holiday—this represents an average increase during the past 12 months of 1 extra employee every 40 seconds.

But this is an election year, and the Great Society is not adverse to spending the taxpayers' money to perpetuate itself in power.

SENATE AGRICULTURE COMMITTEE ORDERS SCHOOL MILK PROVISION REPORTED

Mr. PROXMIRE. Mr. President, for many months now I have been working hard to gain Senate adoption of my bill to make the school milk program permanent. I am glad to report to the 67 cosponsors of this legislation that the Senate Agriculture Committee yesterday ordered reported a bill introduced by Senator Ellender which contains a provision, similar to my bill in several respects, extending the school milk program.

This, together with the administration's decision to support the milk program in its present form, brings ultimate victory that much closer. I intend to discuss the provisions of the Ellender bill at some length in the days ahead. It should mean a real shot in the arm both for the dairy farmer and the Nation's schoolchildren. I think that my colleagues in the Senate, as well as the Nation at large, owe heartfelt thanks to the members of the Agriculture Committee who have worked so hard to save the school milk program.

MISSILE MYTH EXPLODING

Mr. THURMOND. Mr. President, I know I express the sentiments of most of my colleagues when I say "well done" to the brave and skillful pilots who flew yesterday's successful mission against the oil storage depot near the port of Haiphong.

Besides the immediate significance to our Vietnam war effort, the bombing raid served notice to our Defense Department planners that the day of the airplane as a weapon is far from over.

Despite heavy defenses, the Defense Department said only one of our planes was lost in the first raid against the oil depot. These defenses in the Haiphong-Hanoi area include surface-to-air missiles which many had claimed would doom the manned bomber.

Our Vietnam experience has shown this to be a false premise. This is one of the reasons the Armed Services Committee has authorized more money than President Johnson requested for the Air Force advanced bomber.

In this connection, I ask unanimous consent to have printed in the Congressional Record at the conclusion of my remarks an editorial from Aviation Week & Space Technology entitled "Missile Myth Exploding." Also, the magazine has printed a series on the air war in Vietnam which is the most enlightening explanation yet of what is actually happening there. Because of its relevance to yesterday's raid, I also ask unanimous consent that the article from this series explaining how our pilots have countered the threats of Russian SAM's emplaced in North Vietnam be printed in the Record at the conclusion of my remarks.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From Aviation Week & Space Technology]

Missile Myths Exploding

The acid test of combat always dissolves many of the most cherished peacetime theories of military leaders and civilians temporarily cast in the role of military experts. And so it is with the escalating war in Vietnam. There, a number of the Pentagon's peacetime computerized analyses of military hardware are turning into illusory phantoms that vanish in the battle smoke.

Perhaps the biggest peacetime myth that is being exploded in Vietnam is the effectiveness of guided missiles under combat conditions. For some 10 years, certain military prophets have been preaching the doctrine that the development of anti-aircraft missiles spelled the doom of manned aircraft as a combat weapon.

SA–2 PERFORMANCE

Now the anti-aircraft missile is getting its first combat test in Vietnam where the Soviet SA–2 Guideline missile is attempting to protect a wide variety of targets in North Vietnam from attack by an equally wide variety of U.S. aircraft. The performance of the SA–2 has been pretty dismal in actual combat conditions, with a record of only about 5% of hits from the total of missiles fired in five months. U.S. Air Force and Navy strike fighter aircraft have found it possible to evade the SA–2 missiles by sharp maneuvers after the missiles have been fired. Electronic "spoofing" of the SA–2 guidance systems has also been effective. These strike fighters being used in Vietnam, because of their size, cannot carry the more elaborate electronic countermeasures equipment that is part of Strategic Air Command's B–52 defenses.

The Soviets have boasted loudly about the effectiveness of their SA–2 missile defenses in Russia and have widely distributed film clips of an air defense missile blasting an Il–28 bomber target drone from the sky. They made much of the surprise shooting down of a USAF U–2 over Cuba during the 1962 missile crisis and also generated some spurious claims for the SA–2 effectiveness in the episode of Francis Gary Powers' U–2 descent near Sverdlovsk.

However, putting U.S. strike fighters under combat conditions in Vietnam is proving a more elusive goal than smashing target drones on peacetime test ranges. The SA–2 sites in Vietnam are proving extremely vulnerable to air attack even though heavily defended by conventional anti-aircraft artillery. The effectiveness of U.S. air-to-ground missiles being used to attack the SA–2 sites also has left considerable to be desired in combat effectiveness. Shrike anti-radar missile performance has been too spotty to be relied on further. Bullpup missiles apparently require the attacking aircraft to remain in conventional anti-aircraft range much too long to be popular with combat pilots. The SA–2 missile sites are being smashed with unguided rockets and iron bombs and the biggest damage to the attackers is being inflicted by medium-caliber anti-aircraft guns.

Yet the supposed effectiveness of the extensive Soviet anti-aircraft missile sites deployed around the Soviet Union was perhaps the major factor in Defense Secretary McNamara's dogged determination to terminate manned bomber production four years ago and financially starve any future bomber development programs.

The Soviet difficulties with their SA–2 systems in Vietnam involve a number of factors including the difference between the quality control possible on a few development test missiles and that likely in large-scale production; and the operational capability of well-trained engineers compared with that of field troops in combat. The operational problems of the SA–2 cannot be blamed on Vietnamese because, just as in Cuba three years ago, the SA–2 systems are being operated by Russian personnel.

But the Russians are not the only nationality to have serious trouble with their missiles when deployed on an operational scale. The U.S. Navy's problems with its Terrier and Tartar ship-based anti-aircraft missiles are still an unsolved crisis within the fleet. The Army's Nike Ajax and Hercules record, even against target drones on test ranges, was never very impressive.

During the past two decades when science and technology made such fantastic progress, an almost mystical faith developed in the automated, electronic-brained weapon that rejected the role of man in the combat system loop except as a designer-engineer or a military button pusher. An invincibility and reliability were assumed to be implicit in these type of weapons that made all else obsolete. The combat process was too often synthesized in computer war games whose outcome was accepted as gospel before the battle was really joined.

KEY COMBAT ELEMENTS

The course of human events, even in this age of galloping technology, has never supported this thesis. The factors of human skill and courage are always key elements in any combat equation.

We would be the last to suggest less reliance on technology for our military arsenals. But what we do suggest is that over-confidence has been placed on underdeveloped technology too soon to achieve true military effectiveness. The low combat reliability of several types of missiles in Vietnam and the dismal performance of the Navy's defense missiles indicate that:

More emphasis should be placed on quality control of production weapons.

More thorough development testing program, that features more elements of the battlefield than the laboratory, is necessary before placing full dependence on new weapon systems as a primary source of military power.

Robert Hotz.

The War in Vietnam: Sams Spur Changes in Combat Tactics, New Equipment

(By C. M. Plattner)

Saigon.—Emplacement of Soviet-built surface-to-air missiles (SAM) in North Vietnam has brought about sweeping changes in combat tactics and spurred development of new equipment to counter the effectiveness of this threat.

These Russian SA–2 missiles, although directly responsible for downing only 10 U.S. aircraft, registering a kill rate of 5% for all missiles fired, have nevertheless forced tactical aircraft to fly at lower altitudes where the probability of being hit by conventional anti-aircraft fire is increased.

Since the threat of SAMs in North Vietnam became a reality with the loss of an Air Force/McDonnell F–4C on July 24, Navy and USAF have been working hard to develop means to counter the effectiveness of the missiles.

Both Navy and Air Force were relatively unprepared to meet the SAM threat with equipment and tactics on hand. Among the key lessons learned in the first actual combat situation faced by tactical jet aircraft of either service were:

Navy's Shrike missile developed to knock out enemy radars has been ineffective so far, although a number of them have been fired.

Mobility of SAM batteries exceeds previous estimates. A SAM battery can be dismantled in about 4 hr. and set up in about 6 hr. Moving SAM units from one site to another is done routinely by the North Vietnamese, using road and river networks, particularly after a missile is fired at an attacking aircraft.

Electronic countermeasures equipment and tactics for tactical aircraft were badly lacking. Although some SAM avoidance tactics such as the "pop-up maneuver" had been developed previously, few, if any, high-altitude tactics existed. No electronic counter measures equipment was in use on tactical aircraft and both services rushed into crash programs to develop new equipment.

When the SAMs first were encountered on missions over North Vietnam, the pilots were seriously concerned over the new threat. Later, as they observed repeated misses of the missiles, the pilots changed their attitude. Most now feel that the danger from conventional anti-aircraft fire in North Vietnam is greater than from SAMs.

The pilots also initially were impressed by the larger size of the missile as it sped by and described it variously as a Douglas A–4 without wings or as a "flying telephone pole."

Air Force and Navy, however, quickly learned that the SAM batteries were as difficult to find and destroy as the Viet Cong in South Vietnam. Early strikes attempted last summer against sites met with little success. Too often the site was there but the missiles and radars were missing.

Camouflage and deception made pinpointing sites more difficult, and in one case an Air Force strike was conducted against a dummy site.

It was not until electronic countermeasures were hastily developed and rushed into use last fall that real-time intelligence information gave attacking aircraft a positive indication of the location of active sites.

Pathfinder aircraft equipped with radar-homing devices began to be used last fall in a "hunter-killer" role. The pathfinders pinpoint an active SAM site by flying over it, and the strike aircraft following it deliver their bombs and rockets on the site.

First aircraft to be used successfully as a pathfinder was the Navy/Douglas A–4. The A–4s were used as pathfinders for both Republic/USAF F–105s as well as Navy strike aircraft. Air Force installed a radar-homing device on the F–105, but it turned out to be ineffective, largely because of limited range. USAF then switched to a North American F–100 as a pathfinder.

Conventional bombs and unguided rockets are being used to knock out the SAM sites since the Shrike missile, developed for silencing radar transmitters, has proven relatively ineffective. It is felt that most Shrikes have failed to strike the target, although there were cases where the radar stopped emitting signals. It is not known whether this was a countermeasures move, however, or whether the Shrike had blown up the radar unit.

U.S. military officers have long had a high regard for the quality of Russian radars and have been particularly impressed with the high degree of mobility of their radar and fire control units. It is this high degree of mobility which has permitted the SAM batteries in North Vietnam to be moved frequently and escape strikes from the air.

Two principal types of sites have been identified in North Vietnam:

Permanent, fixed sites with dug-in revetments.

Temporary sites—These are quickly-prepared locations with little attempt at revetting missiles and radars, normally. Maximum use is made of terrain and natural foliage such as orchards (AW&ST Nov. 22, 1965, p. 29) for camouflage, although some sites have been laid out in open fields. When these sites are temporarily vacated, the missiles may be either transported to another site along with the fire-control units or concealed at or near the old site.

Only a small number of the sites are permanent. Most of them are temporary. As of last month there were over 40 temporary and permanent sites in North Vietnam.

The mobility of the entire SAM complex in North Vietnam took military officials by surprise. They initially believed that most of the sites were fixed while several highly mobile units moved around from place to place. Experience showed that virtually the entire SAM site complex is mobile and is moved constantly.

There are several highly mobile SAM batteries of later design with missiles mounted on mobile launchers and radar and fire-control systems in truck vans.

Movement of the SAM units from place to place is largely by road and river transportation. Very little is done by railroad.

Although mobility is surprisingly good, accuracy so far has been very poor. Pilots have several times observed 10–20 SAM's fired at them on individual raids without scoring a hit.

The following reasons are felt to be principally responsible for the poor accuracy:

Constant movement of the radars and fire control systems makes it difficult to keep them at maximum efficiency. Thus, mobility is gained at the expense of effectiveness.

Defensive tactics have been developed by U.S. airmen to take advantage of the SAMs' weak points. These include tactics used while flying at both high and low altitudes.

Track radars and fire control systems until recently were older vintage (S-band) equipment which do not have as high a degree of precision as new Russian C-band radars now being installed in North Vietnam (AW&ST Jan. 10, p. 32). The new radar units are expected to increase the effectiveness of the SAMs in North Vietnam significantly if air operations are resumed.

There is no indication thus far that the more advanced SA–3 missiles are being brought into North Vietnam, but their introduction would undoubtedly increase significantly the hazard to U.S. aircraft. The SA–3 has a longer range and can be fired at lower deflection angles than the SA–2 generation of missiles currently in North Vietnam. It also is equipped with heat-seeking capability which would require developing new countermeasures equipment and tactics.

The large size of the SAMs makes them easy to spot after firing if there is no cloud cover, and they leave a smoke trail which is easily seen during the day. At night the exhaust is seen as a bright glow against a normally black countryside.

SA–2 missiles are guided to their targets from the ground since they do not have an on-board homing capability. General capabilities of SA–2 missiles include the following:

Minimum tracking time from lock-on to fire is less than 45 sec.

Slant range is less than 25 mi.

SA–2s are generally ineffective against aircraft flying at high speeds at altitudes under 3,000 ft. This makes the use of jet aircraft almost mandatory since slower aircraft such as the Douglas A–1 are easier to hit and consequently are not used inside the SAM envelope.

The basic function of surface-to-air missiles is to defend key areas from enemy aircraft. The SA–2s are assigned the role of protecting major cities in North Vietnam from U.S. aircraft, just as Hawk missiles are deployed in South Vietnam at principal air bases such as Da Nang, Chu Lai and Cam Ranh Bay as defense against enemy aircraft.

The SAM envelope in North Vietnam is designed to provide maximum protection to Hanoi, Haiphong and the city and port of Thanh Hoa located 70 mi. south of Hanoi. At least five sites ring the city of Hanoi itself. These, coupled with outlying sites, stretch the SAM envelope to a radius of 40–70 mi. west and north of Hanoi and generally eastward to the coast, forming a wide belt to cover Haiphong also.

SAM sites themselves are normally heavily defended by conventional anti-aircraft weapons, including radar-controlled guns. These present the greatest hazard to aircraft attacking SAM sites, since tactics are employed to minimize the vulnerability to missiles.

The U.S. air strikes against the SAM sites in North Vietnam began on July 27, three days after the missile scored its first success against an American aircraft, a USAF McDonnell F–4C, when 46 F–105s hit two targets 40 mi. northwest of Hanoi. One of the sites was listed as destroyed at the time, but officials now say the first "completely successful" raid against the SAMs did not come until Oct. 17.

The October mission was carried out by four A–4 jet attack aircraft preceded by a Grumman A–6A which served as the pathfinder. The aircraft were from the carrier Independence.

The pilots, who counted five or six missiles on their launchers and apparently ready for firing, encountered heavy automatic weapons fire in the immediate vicinity of the site 50 mi. northeast of Hanoi. There was no response from the SAMs, however.

The A–6A locked onto the site approximately 3 min. after the aircraft had penetrated into the general vicinity. The A–4s, flying on the deck, then made single, high-speed passes over the target in rapid succession, dropping high-explosive bombs. Total time over the target was estimated at 1.5 min.

The pilots reported that, during the course of the attack, one SAM had "cooked off" and could be seen "snaking" its way across the missile site. The missile transporter area and the center of the site itself were in flames.

The low-altitude approach to the target represented a sharp shift in practice from July when the first F–4C was lost. The aircraft was one of four F–4Cs flying over North Vietnam at a medium altitude and above a usually-protective cirrus cloud cover. Pilots of the other aircraft in the flight later reported that they first became aware that they were under attack when a "ball of fire and yellowish smoke" appeared around the aircraft's tail section. At about the same time, they noticed another two "telephone poles" climbing toward them at a near-vertical angle. They made a sharp break and managed to avoid the missiles, however.

Other recent raids against SAM sites and their results have included:

Oct. 31—Navy A–4s destroyed a SAM site 5 mi. from the Kep highway bridge 40 mi. northeast of Hanoi.

Nov. 5—A-4s hit a SAM location 45 mi. east of Hanoi. One missile launcher was destroyed and a secondary explosion was reported.

Nov. 7—USAF F-105s destroyed two sites 31 mi. south southwest of Hanoi. F-4Cs struck a SAM installation 22 mi. southwest of Hanoi. An undetermined number of missiles and launchers were reported destroyed.

Nov. 22—U.S. aircraft attacked two SAM sites, one located 34 mi. west northwest of Hanoi was listed as destroyed. A radar control van was destroyed at the other location 41 mi. northwest of Hanoi.

Nov. 23—F-105s reported that they had destroyed a site 34 mi. west northwest of Hanoi. One missile received a direct hit while on its launcher, and a large secondary explosion was seen.

Nov. 27—F-105s struck the SAM support facility at Dong Em 22 mi. southwest of Hanoi. Seventeen buildings were destroyed, another three were damaged.

Dec. 22—U.S. aircraft destroyed a SAM site 58 mi. northwest of Hanoi.

Prior to the bombing cessation last Dec. 24. the U.S. strategy in picking bombing targets in North Vietnam was a step-by-step effort striking increasingly important targets closer and closer to Hanoi and Haiphong. The goal was to persuade the Hanoi regime to stop aggression in the south. The bombing of a thermal electric power facility 12 mi. north northeast of Haiphong Dec. 14, one of the last major targets hit prior to the suspension, is a good example of this policy.

To pursue this policy with greatest impunity required neutralization of the SAM missile sites in the assigned target areas. As the SAM missile sites mushroomed last fall, from nine in August to over 40 in December, it became increasingly important to conduct strike missions specifically against SAM sites and support facilities. As of mid-October, only seven SAM site strikes had been conducted. From that point through early December, an average of two strikes per week were conducted. Two strikes also were flown against the Dong Em SAM support facility located 22 mi. west southwest of Hanoi. The Dong Em complex was identified as a training area and a missile assembly and repair facility serving three active SAM batteries.

In the two strikes on Dong Em, damage estimates included 27 buildings destroyed, 5 buildings damaged and 2 secondary explosions.

The initial fear of SAMs has been largely allayed by their poor record in hitting U.S. airplanes, but USAF and Navy have been forced to fly at low altitudes on strikes within the SAM envelope.

Both services now frequently use the pop-up maneuver on missions against SAM sites and other heavily defended targets within the SAM envelope. Navy units striking these targets have all but abandoned rolling in on runs from high altitude, a favored technique prior to the advent of the SAM missiles and radar-controlled anti-aircraft guns.

The pop-up technique was developed during the Cuban missile crisis in late 1962 but was not widely practiced subsequently. It involves a final run to the target at low level to escape radar detection. A pull-up is made just short of the target, and, at the top of the pull-up, the aircraft is rolled and pulled through to place the sight on the target, and a normal dive bombing run is completed.

This pop-up maneuver involves precise navigation to the pull-up point, which may be directly in line with the target or more often slightly offset, requiring a modified barrel roll or wing over to establish the aircraft in its run.

Acquiring the target is one of the most difficult tasks to master, since the pilot sees the target for the first time during the pull-up and has only a short time to become oriented and place his aircraft into an aiming trajectory. This compares with the normal mission in South Vietnam where aircraft approach the target at 7,000–10,000 ft. and have several minutes during an orbit of the target to identify it clearly.

Flying at low altitude, however, is hazardous because there are extensive light and medium anti-aircraft emplacements located in the vicinity of important North Vietnamese targets.

Many new anti-aircraft guns have been noted in North Vietnam recently. As one veteran pilot put it, "the guns up there have multiplied like rabbits the last couple of months." Conventional anti-aircraft weapons include 50 cal., 20 mm., 37 mm., 57 mm., 87 mm. and 100 mm. Some of the 57 mm. and almost all of the 87 and 100 mm. artillery are radar-controlled.

Fire from the smaller caliber automatic weapons, from 37 mm. down, has been responsible for downing the large majority of aircraft over North Vietnam. Principal weapons used against SAM sites have been bombs of the 750-lb. category or less. Air Force uses 750-lb. M-117s frequently, since they are in the supply system. The Navy, which doesn't own any 750-pounders, uses 500 and 250-lb. bombs frequently. Both occasionally drop larger bombs in the 1,000- and 2,000-lb. class and fire 2.75-in. rockets also.

A typical F-105 load is six 750-lb. bombs. Normally, one or more flights of four aircraft are employed per mission. Only one pass is made by each aircraft. The Martin Bullpup air-to-ground guided missiles are not being used against SAM sites because of the prolonged period an aircraft must be in a dive to observe and correct the missile on its flight to the target. This provides enemy radar-controlled anti-aircraft, as well as SAM missiles, with sufficient time to track and shoot down the diving aircraft.

SAM site strikes, like all other missions over North Vietnam, normally are planned at White House or Commander-in-Chief, Pacific level, with the Pentagon controlling strikes against all major targets. The requests are written into the daily orders issued by USAF's 2nd Air Div. and Navy's Carrier Task Force 77, and include number of aircraft to be used, ordnance to be carried, strike time, routes and altitudes.

Commanders in Vietnam plan only such things as rendezvous times with tanker aircraft for air-to-air refueling. In the case of joint USAF-Navy operation, they iron out minor details of coordination.

Most SAM missiles are transported from Siberian ports to North Vietnam by ship to the main port of Haiphong, located east of Hanoi. Much of the shipping is done in Russian vessels manned by Communist bloc countries such as Czechoslovakia and Poland.

Russia also supplies the radars for the radar-controlled anti-aircraft, although Communist bloc countries such as Czechoslovakia supply some of the guns. Russia also supplies advisers and technicians to operate and maintain the equipment.

SAM missiles generally have missed to the rear of U.S. aircraft rather than in front. Occasionally, missiles have exploded far in front of attacking aircraft, however, for no apparent reason. Exploding missiles make a "great dirty green-brown glob of smoke," according to one pilot's description.

Proximity fusing was thought to be used initially, but pilots now believe that command detonation via the radar link between ground and missile is being used predominantly. Command detonation is almost always used at low altitudes. SA-2s also are equipped with contact fuses to detonate the warhead on impact.

Layout of SAM sites generally is the same—radar and fire control system in the center of the site and missiles on launchers surrounding the radar. Pilots have noted that adjacent missiles often are 20–30 deg. offset in heading.

Although single SAMs are fired occasionally, more often two or three will be fired in close succession, much like a ripple firing. This may be an attempt to increase hits or counter new defensive tactics.

SCREW-WORM ERADICATION IN MEXICO

Mr. MURPHY. Mr. President, yesterday, this body passed S. 3325, which provides for U.S. cooperation through the office of the Secretary of Agriculture in the task of eradicating the screw-worm from Mexico. I cosponsored this legislation with Mr. MONTOYA because I come from a State which has been plagued in the past with the harmful effects of the screw-worm. In 1965, California and Arizona undertook a program to control the migration of the screw-worm and after a test period of 11 weeks, we have not had one reoccurrence. The importance of this to the breeders of livestock in my State and in this country is a matter with which we cannot be lightly concerned.

Programs to combat infestation by screw-worms were begun 9 years ago by five of our Southeastern States. Even though this area was in part surrounded by water and the land to the north was of such a climate so as to prevent the screw-worm from surviving the winter, there was a chance of reinfestation by migration from bordering States to the southwest. Consequently, inspection stations were needed along the Mississippi River. These were created 6 years ago and were maintained for 4 years at a cost to the Government of $750,000 per year. There was no cost-sharing by the State or local governments involved. With the eradication of this insect, it then became necessary for States to protect themselves from further infestation from Mexico. The cost of maintaining a barrier line at the border rested with the Federal Government. The Agricultural Appropriation Act of 1966 makes $2.8 million available for this purpose, with only minor cost-sharing by the States.

This plan was begun in 1962 and in 1966 the artificial barrier was extended to California and Arizona at a $1 million cost to the Federal Government with the two States adding an additional $600,000. Arizona and California's program was begun in May 1965 with a $100,000 funding provided for under the Second Supplemental Appropriation Act of 1965. In March of this year, it was reported that not one screw-worm had been found to be living in either State during the preceding 3 months, even though the climate would have permitted the insects to maintain life throughout the winter.

Although we might now say that the screw-worm has been eradicated through all the States on our southern border, future migrations will be possible during the present summer if an effective barrier is not maintained. However, the cost of this has proven to exceed $5 million per year.

This bill—S. 3325—will allow a reduced cost with a greater chance of effectiveness in the future. Already the

United States has extended the barrier south of Arizona into Mexico, but the span between the Pacific Ocean and the Gulf of Mexico is a long one, 2,000 miles long, and if the purpose of the barrier is to be achieved, then the entire border must be patrolled. The legislative intent of S. 3225 is to provide for cooperation between two governments, that have always maintained excellent relations in the past, to seek to move the barrier to the south so as to eventually reach the Isthmus of Tehuantepec having effectuated a total eradication of the screw-worm to the north. If this can be achieved, no longer will we have to patrol a 2,000-mile border, but only a 200-mile span. The cost in the future will be minimal and well worth our present effort and expense.

The passage of this bill by both Houses of Congress was an indication of the far-sightedness and cost mindedness of their Members. S. 3325 is a worthy amendment to Public Law 8, enacted on February 28, 1947. It attacks a significant problem. Hopefully, the results will be as successful in the eradication of the endemic screw-worm as has been the elimination of foot-and-mouth disease in Mexican and American cattle.

SHAMEFUL THAT WE FAIL TO USE CIVIL DEFENSE HOSPITALS TO SAVE LIVES OF CIVILIANS IN VIETNAM AND OTHER STRICKEN AREAS

Mr. YOUNG of Ohio. Mr. President, in Vietnam, at Clark Air Base in the Philippine Republic, and in other of our military installations in the Far East, the hospitals of our Armed Forces are jammed with wounded and sick from Vietnam. In addition to those GI's wounded in actual combat with the Vietcong, thousands have been maimed or severely wounded by jungle "booby traps" so concealed as to escape detection unless extreme caution is exercised.

Then, thousands of our young servicemen, fighting in Vietnam, have been afflicted with malaria, hepatitis and other jungle diseases. Many of these are of such a virulent nature that modern medical science has been hard put to find cures for them. As a result, unfortunately, many fine young Americans have died. In April of 1966 alone, 850 GI's were afflicted with malaria, not to mention the number of soldiers, sailors and airmen who were stricken with other dreaded tropical diseases.

At the same time thousands of soldiers fighting in the Vietnamese army and additional thousands of South Vietnamese civilians have been wounded and maimed. For many of them there are no hospital beds whatever. Many of our young men are placed on temporary cots.

Mr. President, it is shocking that while this tragic situation exists, there are 2,644 civil defense hospitals presently in storage throughout the Nation. Each contains 200 beds for a total of 528,800 hospital beds, rotting and mildewing in civil defense storage facilities. These emergency hospitals, so-called, have cost taxpayers $75 million. In Ohio alone there are 119 of these hospitals stored away. Think of the good will we would engender in Asia were we to donate these hospitals to civilian authorities of South Vietnam. Without a doubt thousands of these hospital beds and other equipment could be put to good use by our medical corps officials in Vietnam and elsewhere in the Far East in countries such as India, Pakistan, Burma and Laos. Also, there is no doubt but that this equipment would save the lives of thousands of Vietnamese soldiers and civilians. In Saigon the situation of the civilian population is unfortunate and in fact very sad. It is said there is only one hospital in that densely populated city available for civilian men, women and children.

In Ohio a recent investigation of two of these stored hospitals revealed that thousands of dollars worth of medicines had wasted away while the usefulness of even greater amounts is rapidly expiring. Hospital beds and other equipment have been rotting away from mildew and neglect.

This same intolerable situation exists in other States, and is just one more example in a long list of silly schemes and unworkable programs concocted by boondoggling civil defense officials.

Mr. President, civil defense officials have asked for an appropriation of more than $133 million for the coming fiscal year. These bureaucrats never seem to learn. After 15 years, after the complete waste of more than a billion and a half taxpayer's dollars, and after hundreds of silly and useless schemes, they still hope to continue the ridiculous civil defense boondoggle.

There is no other function or agency of the Federal Government that has been so thoroughly discredited. Few citizens any longer take its operations seriously. Many communities throughout the Nation have discontinued their civil defense programs and expenditures officially, such as Portland, Oreg., New York City, Baltimore, Md., and elsewhere have ignored them to the point where for all practical purposes they have been abolished. Shortly after he took office, Mayor Lindsay, of New York City, announced that he would abolish that city's office of civil defense. In doing so, he saved the taxpayers of New York City more than $1,200,000 a year. Let us hope that other mayors and Governors follow this commonsense action by the mayor of New York City.

Despite these facts and despite the fact that American citizens have completely lost faith in the civil defense boondoggle, civil defense officials continue to stock shelters—holes in the ground—with food and medical supplies at a cost to taxpayers of more than $20 million a year.

Mr. President, unfortunately, too few Governors, mayors, and county commissioners can resist the temptation of Federal matching funds to provide in many cases a comfortable haven in the political storm for political hacks and defeated officeholders. While enjoying public sinecures they do little except talk vaguely about survival plans, write messages to other bureaucrats, stage alerts to annoy their neighbors, and distribute countless reams of literature.

Daily, I—and I am sure all of my colleagues likewise—receive telephone calls and letters from mayors and other municipal officials requesting assistance in having their applications for public works and other Federal projects expedited. At the same time, the Federal Government is encouraging these officials to spend millions of taxpayers' dollars for civil defense employees and ridiculous civil defense programs.

If we cut off the head of the bureaucratic octopus in Washington, its wasteful satellites in States and cities will soon wither away. The civil defense program has been a stupendous hoax and waste of more than a billion and a half dollars of taxpayers' money. This so-called civil defense shelter program is a huge boondoggle. The Soviet Union poses no threat of nuclear attack with intercontinental ballistic missiles. Its leaders seek coexistence. They are veering toward capitalism. No other nation has any capacity to assail us with nuclear warheads.

Mr. President, let us put an end to wasting more of the taxpayers' money on storing hospitals and medical equipment which will never be used, on buying so-called survival biscuits, on digging ridiculous holes in the ground and placing ugly black and yellow signs on public and other buildings, and on a thousand and one other absurd programs perpetrated by the civil defense boondogglers.

PRESS INTERPRETATION OF VIETNAM WAR

Mrs. NEUBERGER. Mr. President, a most perceptive analysis of the Vietnam war has been written by the southeast Asia correspondent of the Christian Science Monitor, Takashi Oka. Mr. Oka is now leaving Vietnam after covering events there for the last 5 years. The following article was written as a valedictory memo to his paper, reviewing the impact of the conflict on the Vietnamese people. I ask unanimous consent that the article from the June 30, Christian Science Monitor be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE VIETNAM WAR

(By Takashi Oka)

SAIGON.—First, we must recognize that the war in Vietnam is primarily a political conflict, not a military campaign.

The war is a conflict between Communist and non-Communist Vietnamese for political control over South Vietnam. Military force is an essential aspect of this conflict. But it is far from being its only aspect. The conflict began before military means were invoked and will continue after these means are deemphasized if not discarded.

Americans have continually misjudged the nature of the Vietnam conflict because of their own background. With all the imperfections of the American system, Americans are nevertheless satisfied with it, because they essentially believe that this system has developed institutions sufficient to provide for changes and improvements from within. They look on communism as an external threat attempting to tear down and to destroy these institutions. Consequently, the American reaction to communism is by nature defensive.

When American policymakers see South Vietnam battling against Communist insurgents, they interpret the Vietnamese commitment as being exclusively defensive, the objective being to root out the Communists. What the Americans fail to recognize is that, while fighting the Communists, the South Vietnamese must also face up to a more basic issue—the unchaining of their own society from the fetters of the past and the emergence of a new, open, democratic community based on justice and equal opportunity for all citizens.

BROAD TERM NEEDED

Today, North Vietnam is a thoroughly Communist state. South Vietnam, however, cannot be described as thoroughly anything. "Non-Communist" is the only term broad enough to encompass all elements which are not Communist. While the non-Communists agree on opposition to communism, there is a sharp distinction between those who fight communism in order to preserve the status quo—their own privileges—and those who are fighting to change society at the same time as they resist the Communists.

I believe strongly that the non-Communists have no chance of success against the Communists unless they adopt a revolutionary viewpoint—a viewpoint that change is essential in the structure of existing society—not after the Communists are defeated, but in order to defeat the Communists.

When a newspaper analyzes and explains the various political forces in South Vietnam, it should distinguish clearly between elements which would either help or hinder the revolutionary cause. These elements exist within all the political forces, and the conflicts between them are often intense.

A newspaper should give the reader some idea of major factors in Vietnam's past that condition the political climate of today—the Confucian philosophy of government, the cycle of alternating rebellions and tributary relations with China, the effect of the French conquest and the opening of the Western window.

VARIOUS ROLES INVOLVED

It should explain the role of the armed forces, of the religious groups, the secular political parties, the students, the trade unions, the ethnic minorities.

It should study the Communist adversary in relation to these non-Communist forces, discussing how the Communists have capitalized on areas neglected or underestimated by the non-Communists—first and foremost the peasants.

When a paper is confronted with coups and demonstrations, it should show how various forces are attempting to use these disturbances as instruments of political change. Obviously, the Army favors coups, while religious and other pressure groups rely on strikes and demonstrations.

A paper should explore what are the practical possibilities of introducing elections, Western-style constitutions, and the two-party system as possible instruments of political change.

It should discuss the American presence for its effect, both positive and negative, on politics in South Vietnam. On the positive side, we can see that the very presence of egalitarian-minded, non-precedentbound Americans has helped to shake sections of society loose from traditional moorings. On the negative side, the United States defensive reaction to communism has caused it to rely on Vietnamese elements which tend to represent the status quo rather than a revolutionary viewpoint.

A paper's basic viewpoint should be that the Vietnamese revolution is not lost, but remains unfinished. The Communists insist that they are going to complete it in their way. The non-Communist Vietnamese, divided as they are, are at least united in their determination that this shall not happen.

Which, then, of the non-Communist political forces, or which combination, can forge a winning team capable of carrying the revolution through to fruition? What are the practical chances of success? Could changes in present American policy enhance these chances, and how?

These are the basic political questions to which a newspaper should address itself in its coverage of the Vietnamese conflict.

Second, a newspaper must never forget, nor allow its readers to forget, the villager, the man over whom both sides in this conflict are fighting.

Who is the villager, and what does it mean to live in a Vietnamese village today? We have all seen pictures of him, his wife, his children—clad in black shirt and trousers or shorts, plowing fields, riding buffaloes, paddling sampans, cowering in trenches while guns boom, planes bomb, huts burn. For 20 years he has known little but death and destruction.

If he is a tenant, his landlord moved to the city long ago and cannot exact rent. But until recently, the government insisted as a matter of form that he pay rent, or, if land reform had been carried out, that he pay for his land on installment.

But the Communists have also carried out land reform, under which they gave clear title to the tiller. Now Saigon is belatedly emulating the Communists, but the peasant still knows that his former landlord stays in the city, on the Saigon side. Which is better: to pay rent to the landlord or taxes to the Communists?

Every time a villager goes in and out of his hamlet, he must get permission from the local police. If he is drafted for military service, he must serve far from his own home, for the government fears that otherwise he might defect. If he is in a village under government control, Communist agents come through at night asking for contributions. Government agents are there by day. The villager must pay both.

(I met a retired policeman who lived in a fair-sized town—just outside district headquarters. He paid 500 piastres to the Communists whenever they demanded it, because, he said, the government couldn't protect him at night, when he needed protection.)

Both government agents and the Communists are continually searching for spies and agents in the village, hauling off suspects to the city or the jungle as the case may be. I asked a province chief once what the villagers would most like the government to do for them, expecting he would say "schools" or "fertilizer" or "credit."

EXACTIONS OPPOSED

Instead he said, "What a villager wants the most are two things—no arbitrary arrests and no illegal exactions. But in order to guarantee him these two simple things, a great deal of investigation is necessary and many other things must first be put in order."

If the village is in a Communist area or, as in most cases, in the middle, the peasant is continually in the path of operations, conducted by both sides. I have been with government forces on such operations. Most villages we entered were deserted; anyone found, especially able-bodied men, was immediately grilled.

The villagers are the potential enemy, as far as the soldiers are concerned, and if I were a soldier, inching my way forward along slippery paths with obstacles and traps barring my way, and mines, grenades, and ambushes an ever-present threat, I might feel the same way.

Under the best of circumstances it does a villager little good if he is treated as an enemy by the soldier and is visited two weeks later by an eager-beaver civic-action cadre intent on showing him how to grow better crops. Furthermore, that kind of cadre seldom visits the villages; the most frequent visitor is one who paints propaganda slogans about the terrible Viet Cong in order to fire the villagers with enthusiasm to participate in the war. (The Communists do the same thing in reverse, but somewhat more intelligently than Saigon.)

War is always dehumanizing, and I think a newspaper should make a special effort to keep the Vietnamese villager from becoming anonymous, a far-off man in a far-off land. The villager is patient, hard-working; he is not stupid, nor unwilling to change, so long as he sees it is in his own interest to change.

Contrary to what many sophisticated political scientists say, he needs democracy more than almost anyone else, because he is the most imposed-upon person in Vietnam, and it is only through practical democracy that he can begin to have a voice in his own affairs.

Third, we should realize that this is not a war between Americans and Vietnamese, however much it may seem to be so depending on time and place.

This is a war between Vietnamese and Vietnamese. On one side are Vietnamese who believe in and are motivated by the Communist ideology, or by nationalism as taught and defined by the Communists, or anti-Communists—some, but not all, motivated by a genuine sense of nationalism and the need for a non-Communist social revolution. Some fight because of military professionalism.

Americans came to Vietnam to help the non-Communist side. To the extent that more and more non-Communist Vietnamese acquire a positive motivation, to that extent the war is being won. What individual Americans do in Vietnam can help in this direction, or hinder it.

A newspaper should be fearless in giving examples of both helpful and negative aspects of the American military presence. Sometimes a team of American military advisers works well with its Vietnamese counterpart; sometimes the reverse is the case. A paper should strive to report factually the less savory aspects of the war, without sensationalism but also without glossing over what should be exposed.

Fourth, we should have a clear and realistic attitude toward negotiations to end the Vietnam conflict.

Both the United States and the Communists say that all parties to the conflict must return to the Geneva treaty of 1954. The Communists tax us with having refused to implement elections to reunify the country in 1956. We say that Hanoi has violated the treaty by infiltrating men and materiel across the 17th parallel in order to conduct subversive war against Saigon.

There is a wide gap between the American and Communist position regarding what a "return to Geneva" would mean. The Americans want northern infiltrators to return to the North, the southern guerrillas to stop fighting, and in effect return to the status quo of 1959, before the insurrection began.

The Communists insist that Hanoi has no part in the war in the South, and that the Communist-dominated National Liberation Front is the only "genuine representative of the South Vietnamese people."

Communists and Americans agree that the dispute is about South Vietnam, not about the North. Washington repeatedly disclaimed any intention of "liberating" the North. Americans even agree with the Communists that South Vietnam should be neutral, with no foreign troops or bases.

But the Communists want South Vietnam to be under the Communist-dominated Liberation Front. The Americans want to preserve a South Vietnam that will have the freedom to choose its own future.

As for the South Vietnamese themselves, they do not speak with one voice on this issue. Extremists talk of liberating the North. Others are absolutely opposed to allowing the Liberation Front any role in South Vietnam, even a purely political one.

They argue that the Geneva treaty of 1954 in fact divided the country into two parts—Communist and non-Communist. The Communists got the North, the non-Communists got the South. Those in the North who did not want to live under Communist rule came South—almost a million of them. Those in the South who did not want to live under non-Communist rule went North—about 125,000.

INFILTRATION PUSHED

The trouble in South Vietnam began because the North began infiltrating back to the South those people who had originally chosen to go North. Therefore, one condition for peace talks should be that the North should take back all those southern (and northern) Communists which it has infiltrated into South Vietnam since 1954.

But a number of South Vietnamese believe that even after yielding on all other conditions, the northern regime will insist on the Liberation Front's right to continue as a purely political party in the South.

I tend to agree with them. I also believe that this is a condition we should accept. We have said from the beginning that this was a political contest between Communists and non-Communists. During nine years Ngo Dinh Diem tried to win this contest, essentially by imitating Communist methods of repression. He failed. This should be a lesson that communism cannot be uprooted by methods of suppression.

If South Vietnam is to be an open society, and I see no point in fighting this war unless it is to preserve this choice, we cannot simply drive the Communists underground. In some form or another, whether explicitly under the Communist label or as a "people's movement" of some kind, the Communists should be forced to contest election so that the actual degree of their support becomes clear to the people.

A newspaper's editorials should seek to define the kind of South Vietnam that would emerge from negotiations. They should expose imprecisions and vaguenesses on the part of Saigon and Washington, as well as of Hanoi and the Liberation Front.

They should make clear to southern extremists that we are not prepared to fight for the liberation of the North. They should also make clear to the Communists and neutralist nations that we are not fighting to keep South Vietnam as an American satellite, and that our commitment is not to a specific regime but to the preservation of the South Vietnamese people's freedom of choice.

The Geneva treaty of 1954 did offer them that freedom, and we want to see it maintained.

Fifth, a newspaper should have the courage to advocate American withdrawal if and when the United States loses the support of the South Vietnamese people.

I recognize that at some point one may come to feel that the lack of improvement in the Vietnamese political situation, as manifested in continuing corruption and the unwillingness of the ruling classes (generals, politicians, whoever they may be) to make the necessary sacrifices, as well as in the growing estrangement of the people, make victory impossible.

At that point a newspaper should fearlessly advocate United States withdrawal, whatever considerations of face or prestige may be involved.

Many of my friends believe that point has already been reached. Others cannot conceive of such a situation arising so long as the United States itself stands firm.

I do not believe that victory—which I define as the preservation of South Vietnam's freedom of choice—is impossible. At the same time the United States cannot fight this war without the support of the South Vietnamese people. The war is certainly as important to the United States as it is to South Vietnam—but not more so.

The time may come when a newspaper will have to make a moral choice between continuing to inflict death and destruction over a wide portion of the South Vietnamese countryside and letting the Communists take over. The fact that the Communists have no scruples about sowing death and destruction does not justify our doing the same. The war is worthwhile to us only so long as it is worthwhile to a demonstrable majority of the South Vietnamese people. When it ceases to be so worthwhile, then we have no moral right to continue in South Vietnam, and a newspaper should point this out.

LOW INTEREST, HIGH INTEREST, AND THE BALANCE OF PAYMENTS

Mr. SYMINGTON. Mr. President, concern has been expressed recently in certain segments of the U.S. banking community that a 3-percent interest rate after a 10-year grace period on AID development loans will adversely affect U.S. exports. Their argument is that, since 90 percent of development loans to foreign countries finance U.S. exports, any tightening of credit will affect our trade balance negatively; and thereby worsen the balance of payments.

This is curious reasoning.

In the first place the 90 percent so-called tied figure ignores the substitution effect on credit sales for cash sales under program loans, which is now widely recognized and accepted. As an astute banker, Mr. A. Von Klemperer, vice president of the Morgan Guaranty Trust Co. of New York, stated on June 13, 1966:

> Let me raise a warning flag that exporters must watch. On the face of it we are entirely correct when we say that the balance of payments effects of government foreign aid and loans is minimized by the fact that they are tied to exports of U.S. goods and services. Still, a subtle change is taking place in this area which makes this statement less meaningful than in the past and detracts from the value of tieing aid and loans as a means of helping our balance of payments.
>
> A growing volume of AID loans, and even one or two Eximbank loans have been made recently for general or only loosely specified exports, rather than for specific development projects. Specific projects that could not materialize without a loan do result in additional exports from the United States. Loans for general merchandise exports do not necessarily create additional exports. In some cases they will merely release funds in the recipient countries for other imports that are, as likely as not, purchased in countries other than the United States.
>
> Lending policies must be adjusted to these facts of life to avoid a situation where foreign aid and loans create an additional drain on our hardpressed balance of payments.

Second, a 3-percent interest charge after a grace period of 10 years is far below commercial lending terms on export credits—generally now between 5¾ and 7½ percent depending on the "credit worthiness" of the borrower—and also far below the interest charges on loans of other developed countries, the World Bank and the Eximbank, the bulk of which generally fall between 5 and 6 percent.

If we accept the argument that raising interest rates from 2½ to 3 percent militates against U.S. exports, what is one to assume with regard to bank loans that run at 6 or 7 percent? If one accepts the argument of these of our international bankers at face value, one must conclude that their charges are utterly destructive of U.S. exports.

Development loans now carry a 2½-percent statutory minimum interest rate, starting after 10 years. To raise this to 3 percent will have little, if any, effect on U.S. exports.

Frankly, it would seem that the real concern of certain American banks doing business abroad lies in the doubtful ability of the less developed countries to repay the hard loans of these institutions without the continuing input of soft loans. As of March 31, 1966, these hard loans stood at $4.9 billion.

Does it make any sense for the United States to gear its entire aid-lending terms to the possible needs of a relatively few group of bankers?

Why should we commit public funds on soft terms to countries so as to insure the "soundness" of hard loans committed by other institutions and governments?

I ask unanimous consent that a summary of private banking loans and credits to less developed countries as of March 31, as listed in the May Federal Reserve Bulletin, be inserted at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Banking loans and credits outstanding to less developed countries as of Mar. 31, 1966

[Millions of dollars]

SHORT-TERM	
Latin America	2,201
Asia, excluding Japan	583
Africa	135
Total	2,919
LONG-TERM	
Latin America	1,263
Asia, excluding Japan	409
Africa	193
Total	1,865
TOTALS	
Latin America	3,464
Asia, excluding Japan	992
Africa	328
Grand total	4,784

MEDICARE

Mr. CURTIS. Mr. President, medicare should be administered for the benefit of people who are ill. It should not be administered for the convenience of Government officials who write regulations.

There is a real danger that many hospitals operating in small communities in rural areas, if rejected by medicare, conceivably cannot continue to operate as a hospital. This could lead to the doctors in many rural towns being compelled to go elsewhere.

Mr. President, I wish to insert in the RECORD an article written by Mr. Tom Allan and appearing in the Omaha World-Herald on Monday, June 27, 1966, entitled "Callaway, Nebr., Hospital Flunked by Medicare."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Omaha (Nebr.) World-Herald, June 27, 1966]

REDTAPE ANGERS CUSTER COUNTIANS—CALLAWAY, NEBR., HOSPITAL FLUNKED BY MEDICARE

(By Tom Allan)

CALLAWAY, NEBR.—For years this Custer County community of six hundred has considered itself a Sand Hills medical center.

The town's pride is its modern, 12-bed, six-bassinet, red brick Callaway Municipal Hospital built in 1951 and the modern, fully equipped doctor's office and clinic just across the street.

Although there is a Medicare-approved facility at Broken Bow, 23 miles away, patients come from a two-thousand-square-mile area including such towns as Eddyville, Oconto, Gandy, Arnold, Merna and Anselmo where there are no doctors, no medical facilities.

While numerous other towns in outstate rural Nebraska beg and offer juicy enticements in vain attempts to lure a doctor, Callaway considers itself lucky.

Citizens want to bet they have one of the best in Dr. M. L. (Mike) Chaloupka, 43, former Air Force flight surgeon and 1947 graduate of the University of Nebraska College of Medicine.

Doc Mike, a 1942 Cornhusker guard and tackle, is the South Omaha boy who wanted to be a big city specialist. But in 1948 he came out to fill in so the town's old country doctor could take his first vacation in years.

He fell in love with the ranch country and a local gal. He stayed, got married and forgot his dream of specialization to be a country doctor.

GOOD DESK POUNDER

Mike, a giant of a man who can still curl press 240 pounds above his head, fit in nicely. He became the town's most vociferous promoter, pounding desk tops down in Lincoln until Callaway lost the dubious distinction of being the largest town in the state without an all-weather road access.

He ranches on the side, raising Beefmasters. His pride is his clinic, the hospital, the new pickup truck loaded down with cement blocks in the back end to get anywhere on muddy roads and Sand Hills trails and, most important, his patients.

He tends to the needs of an average of 40 patients a day at the clinic, half of them older than 60. Last week all but one bed in the hospital was taken.

Surgeons and other members of the hospital consulting staff come from as far away as Kearney to perform major surgery.

But last week Callaway's citizens learned their hospital just isn't good enough for Medicare.

The announcement came formally in a letter from J. R. Nordstrom, administrator of the Medicare Division, State Department of Health:

"Your hospital was found not to be in substantial compliance with certain statutory Medicare requirements for certification."

The report was received with mixed emotions—anger, bitterness, disappointment and, in some cases, relief.

* * *

MUST GO TO CITY

Disappointed are the large number of over-65 patients who, if they wish Medicare hospitalization, must now leave the home area for hospitals in larger cities.

It is obvious, since several other rural Nebraska hospitals likewise do not meet statutory Medicare requirements, this will place an additional patient burden on urban medical centers.

Doc Mike, who had been up at 4 a.m. to deliver a baby and had already seen 24 patients before noon, snorted last week when asked what effect the non-certification would have.

"It is taking away the right of old people for their choice of hospitals. I think Medicare is a typical example of poor legislation. Congressmen were thinking only of the big cities. They did not take into consideration the needs of small towns in the big open spaces. They forgot the general practitioner who must do everything in serving a large area.

"Nebraska is screaming for more and more general practitioners. But things like this do not make the job of a GP more enticing. In fact, it forces them out."

The doctor, who knows every one in the area on a first name basis, said he had intended to hire more help to make out the required forms for his patients.

"But if the hospital is not acceptable," he said, "I figure there is no need of going any further. I'm not making out the forms. I just don't have time. I'll just give Medicare patients a fee for service bill. They'll have to do it."

* * *

HOSPITAL GIGGED

Mr. Nordstrom's non-acceptance report on the hospital—made following an inspection by two women of his staff—specifically gigged the hospital for:

—Not having a registered nurse on duty 24 hours a day or with a licensed practical nurse on duty with a RN on call within 15 minutes.

—No satisfactory evidence of strict drug control such as cabinets regularly checked and under lock at all times.

—No adequate laboratory and X-ray in the hospital.

—No medical reference library in the hospital.

—No hospital utilization plan submitted.

Doc Mike, who has bucked blizzards and summer storms and made emergency operations in kitchens and on the open range in serving his patients, gave these rebuttals.

"We have one registered nurse on the staff. There are four in town and this town isn't that big you can't get anywhere in five minutes. We have one licensed practical nurse and eight other practical nurses. Their average service is 10 years. I'll stack them up against anybody in emergencies.

SAFE STOCKED, LOCKED

"We keep all narcotics and drugs locked in a safe except possibly a bottle we are using at the time and that's kept in a drawer. The town pharmacist (the only one) keeps the safe stocked and cataloged.

"No X-ray and laboratory! We have a portable X-ray at the hospital. Just one hundred feet away in the clinic we have a modern 100 MA X-ray and an adequate laboratory. I see no sense in expensive duplication. And I guarantee you my patients are a heckuva lot closer to the X-ray and laboratory a hundred feet away than they are in most of those big, umpteen story hospitals in Lincoln and Omaha.

"Medical reference library in the hospital? Why should we? I have a more than adequate library in my office across the street and, after all, I'm the only doctor."

Doc Mike understands a utilization plan to include a board of three doctors on a hospital staff who review the cases of patients in the hospital more than 10 days on the need for them to remain longer. The objective is bed utilization. One of the problems in a modern hospital are patients, able to pay, remaining after real needs.

"Again I'm the only doctor," Doc Mike said. "I know them all personally and darn well know if they should be in or out. I don't need a board to tell them."

Members of the hospital board were irked that their hospital—a Godsend in saving lives and meeting area needs—flunked Medicare.

OPERATES IN BLACK

They pointed with pride to the fact the hospital has never once operated in the red despite the fact fees are well below average levels. A private room is still but 14 dollars.

Board Chairman Leland Jorgensen, a retired well driller, said the board has made no decision on a possible appeal.

"We figured since the majority of our patients are over 60 that it was our duty to apply so our old folks could be taken care of at home instead of having to go somewhere else.

"No, I'm not surprised we were not accepted. Personally, after being at a meeting at North Platte on all the paperwork and red tape required, I feel we might be better off not getting into it.

"One of the requirements would be that we weigh our dirty laundry and figure the cost per pound on laundry operation. Gosh, out here we just get it washed and clean.

"Things like that would require a fulltime bookkeeper. Boy! would she be busy. I'm convinced it's all just a bunch of malarky and a big step toward socialized medicine."

Of lingering concern to Doc Mike and Chairman Jorgensen is the disappointment of the old patients who now must leave town for Medicare hospitalization.

"An old couple were in this morning," Doc Mike said. "She may need some hospitalization. They both wanted me to promise I'd still be her doctor and anything that had to be done, I'd be there. So what do I do?"

DEFENSE DEPARTMENT TIGHTENS ITS PROCEDURES TO PREVENT FURTHER TRADING WITH COMMUNIST FIRMS

Mr. GRUENING. Mr. President, I would like to report on the actions taken recently by the Department of Defense to discontinue purchases from Communist firms and to assure that it will not be doing business with Communist firms in the future. These actions were taken as a result of my bringing to the attention of the Secretary of Defense the fact that the military services were buying supplies from Communist firms in Hong Kong.

During my visit to the Far East in March 1966, I attempted to obtain information on the procedures being used by the military services to insure that no dealings involving the purchase or sale of equipment would be undertaken with Communist Chinese firms or agents in violation of the Trading With the Enemy Act. While on a trip to Hong Kong to investigate the problem, a member of my staff learned that the U.S. Navy had been making substantial purchases of electronic and other equipment from two firms which were controlled or affiliated with Communist China. Navy procurement officials were unaware of this situation because the firms in question were subcontractors of a Hong Kong firm with which the Navy had the prime contract. This prime contractor had been cleared by the U.S. Consulate in Hong Kong.

This situation—indicative of a failure of responsible officials to take adequate steps to examine closely the sources of

U.S. procurements—naturally raised grave doubts as to the adequacy of existing procedures and interagency coordination. It seemed all the more serious in view of the fact that military procurements other than those by the Navy Procurement Office in Hong Kong were taking place without coordination with the U.S. Consulate and without its knowledge. For example, the Raymond-Morrison-Knudsen firm, acting under contract with the U.S. Navy, had made extensive procurements in Hong Kong. My staff discovered that the Navy had obtained no information on the subcontractors involved in the procurement.

In a letter on April 21, I brought the situation to the attention of the Secretary of Defense, urging that all procurements in Hong Kong be reviewed immediately to insure full compliance with existing statutes. I suggested, in addition, that the Department of Defense might want to consider establishing a central procurement office in Hong Kong through which all military procurements would be channeled, and that the Secretaries of Defense, Treasury, and State establish uniform procedures for reviewing U.S. Government procurements to avoid violations of the Trading With the Enemy Act.

I received a reply on the 11th of this month from the Assistant Secretary of Defense, Mr. Paul Ignatius, who informed me that such a central procurement office as I suggested was being established in Hong Kong. Henceforth, the Navy purchasing branch will be the single procurement agency for all military departments in Hong Kong, with all contracts and subcontracts to be cleared with that agency and through that agency with the consul general in Hong Kong. Mr. Ignatius assured me that until the establishment of the new agency in the near future, the Defense, State, and Treasury officials there have been alerted to take extra precautions to assure effective screening. The two Communist distributors I cited have been eliminated from further consideration.

Hopefully, the steps taken thus far will go a long way in preventing further procurements from Communist sources in the Hong Kong area. However, further investigation by the Defense Department has yet to be undertaken with regard to Raymond-Morrison-Knudsen, which has contracted to do construction with the U.S. Navy in Vietnam, and which seems to have had substantial dealings with Communist firms. Mr. Ignatius did not comment on this aspect of the situation in his June 11 letter. I have written the Department of Defense requesting an investigation of the Raymond-Morrison-Knudsen purchases. I have also suggested that the Defense Department consider revising the Armed Services Procurement Regulations—ASPR—as an additional step to guard against Defense Department dealings with Communist firms. The present regulations prohibit only the procurement of supplies originating with the Communists, as in China. A clear prohibition in the ASPR of procurement from Communist firms regardless of the origin of the supplies would be, I believe, a needed strengthening of the Department's procedures to insure full compliance with applicable legislation.

The prompt action that has thus far been taken by the Defense Department to tighten existing procedures has been gratifying. More has yet to be done, and it is to be hoped that the agencies involved will show continued vigilance that the law be upheld.

I ask unanimous consent that my letter to the Department of Defense and the reply be included in the RECORD.

There being no objection, the letter and reply were ordered to be printed in the RECORD, as follows:

APRIL 21, 1966.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
The Pentagon, Washington, D.C.

DEAR SECRETARY MCNAMARA: During my visit to the Far East last month in connection with the current inquiry of the Subcommittee on Foreign Aid Expenditures into property disposal programs, I attempted to obtain information on the procedures being used by the military services to ensure that no dealings involving the purchase or sale of equipment would be undertaken with communist Chinese firms or agents in violation of the Trading With the Enemy Act.

In order to have as complete a story as possible on this matter I sent the Subcommittee Staff Director to Hong Kong to review the procedures employed to insure that surplus property disposals were not made to communist China.

During the course of his visit, he learned that the United States Navy, which operates a procurement office in Hong Kong, had been making substantial purchases of electronic and other equipment from two firms which were owned or controlled or otherwise affiliated with communist China. These firms had been involved in the diversion of items purchased from the United States to communist China and had been listed as "Designated Nationals" by the United States Department of the Treasury under the Foreign Assets Control Act.

Navy procurement officials were unaware of this situation because the firms in question were subcontractors to a Hong Kong firm with whom the Navy had the prime contract. Since the prime contractor had been cleared by the U.S. Consulate and since the Navy procurement officials were unaware that the electronic and other items were in fact being furnished by subcontractors, procurements continued until this matter was brought to the attention of consulate officials by the Subcommittee Staff Director.

As I understand it, the procedures for assuring compliance with the Trading With the Enemy Act differed substantially insofar as the U.S. Consulate was concerned for those procurements involving the Agency for International Development and those procurements involving the Department of Defense.

In the case of the Agency for International Development an economic officer of the Consulate has been making extensive checks of procurements involving sub-contractors as well as prime contractors. These checks have involved reference to all information available at the Consulate comprising material developed by a number of United States agencies.

On the other hand checks of military procurements have been made by a foreign assets control officer, who as a representative of the Treasury Department is stationed in Hong Kong. Such checks involved prime contractors *only* and were performed by checking the list of contractors submitted every few months by the Navy Procurement Office against the Economic Defense List, a Department of Commerce publication containing the names of ineligible firms. However, these checks were made *after* the procurements had been made.

I have been advised that since this situation has come to light a number of meetings have been held in Hong Kong among consulate, Treasury and Defense officials and efforts are being made to discontinue procurements from the debarred sub-contractors.

However, my concern now is that the situation disclosed may be more widespread in view of the failure of responsible officials to examine more closely into the source of U.S. procurements and in view of the obvious inadequacies of existing procedures and interagency coordination.

The seriousness of this situation is also heightened by indications that military procurements, other than those of the Navy Procurement Office in Hong Kong, are taking place without coordination with the U.S. Consulate and without its knowledge. For example, Raymond-Morrison-Knudsen, acting under contract with the U.S. Navy, has made extensive procurements in Hong Kong. A review of the pertinent contract files in Saigon by my staff director disclosed that the Navy had obtained no information on the sub-contractors involved in the procurement. Discussions with consulate personnel indicated that no clearance had been obtained for these firms from the Consulate.

In light of the foregoing, it is imperative that all procurements in Hong Kong be reviewed immediately including procurements from lower tier suppliers, to ensure full compliance with existing statutes. In this connection the Department of Defense may want to consider establishing a central procurement office in Hong Kong through which all military procurements would be channeled. I also suggest that the Secretaries of Defense, Treasury and State establish uniform procedures for reviewing U.S. Government procurements to avoid violations of the Trading With the Enemy Act. Procedures should be developed for requiring all government agencies procuring items abroad to submit the names of contractors and sub-contractors for review by foreign assets control officers of the Treasury *before* contracts are awarded.

I would appreciate your informing me of the actions you take to correct the serious deficiencies in procedure. Copies of this letter are also being sent to the Secretary of State and the Secretary of the Treasury.

With best wishes, I remain

Cordially yours,

ERNEST GRUENING,
U.S. Senate.

JUNE 11, 1966.

Hon. ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRUENING: In accordance with our letter to you of 28 April 1966, we are pleased to furnish you this report on our review of defense procurement in Hong Kong.

In your letter of 21 April 1966 to Secretary McNamara, you expressed concern with the possibility that the Trading With the Enemy Act was being contravened as the result of inadequate screening of Hong Kong purchases, especially in the subcontract area. You noted that after the situation that you discussed in your letter had become known, steps were taken by Defense, Treasury and Consulate officials in Hong Kong with a view to discontinuing procurement from ineligible subcontractors. Based, however, on the information you had received, you were concerned that the problem might be more widespread.

Following receipt of your letter, and after conferring with the State Department and Treasury, we initiated an inquiry through CINCPAC Headquarters into the questions that you had raised. The investigation has now been completed, and we are pleased to report that the results indicate that existing procedures have on the whole been effective in assuring compliance both with the

Trading With the Enemy Act and with the implementing regulations.

The following are the specific findings made by CINCPAC:

(1) The provisions of the Armed Services Procurement Regulation Section VI, Part 4, have been effectively implemented. Contracts placed by the Army, Navy and Air Force have consistently included the clause set forth in ASPR 6-403 prohibiting the acquisition of supplies (a) originating in Communist China or (b) transported from or through Hong Kong. The clause contains a flow-down provision to make it applicable to subcontracts of all tiers.

(2) Each of the military departments has established procedures to assure that the cognizant contracting officers are alerted to procurements placed in Hong Kong, including subcontracts, and that non-eligible lists are thoroughly screened before the procurements are approved. Review of recent procurements in Hong Kong establishes that there has been compliance with these procedures.

(3) Additional steps are being taken to achieve even tighter control. Consideration has been under way of establishing a central procurement office, such as you suggested in your letter, through which all military procurements would be channeled in Hong Kong. CINCPAC has prepared an instruction designating the Navy Purchasing Branch as the single procurement agency for all military departments in Hong Kong and requiring that all contracts and subcontracts be cleared with that agency (and through that agency with the Consul General in Hong Kong). We anticipate that final action on this instruction will be taken in the very near future.

(4) In the meantime, pending establishment of a central procurement office, officials on the scene representing Defense, State and Treasury have been alerted to take extra precautions to assure effective screening, especially with respect to subcontracts. The three Departments are working closely together to assure the screening procedures are operating as effectively as possible.

With specific reference to the electronic procurement discussed in your letter, CINCPAC advises that this equipment was of Japanese and not Chinese origin, so there was no violation of the prohibition against supplies originating in Communist China. In addition, our investigation led to questions about two of the distributors involved, and action was taken to eliminate them from any further consideration.

We believe that the steps that have been taken to tighten existing procedures will provide additional assurances of compliance with the Act and the regulations.

We wish again to express our appreciation for your bringing this matter to our attention.

Sincerely,

PAUL R. IGNATIUS,
Assistant Secretary of Defense (Installations and Logistics).

JUNE 16, 1966.

Mr. PAUL R. IGNATIUS,
Assistant Secretary of Defense,
Installations and Logistics,
Department of Defense,
The Pentagon,
Washington, D.C.

DEAR MR. IGNATIUS: The prompt action you have taken, as indicated by your letter of June 11, 1966, to tighten up on the Department of Defense procedures to ensure compliance with the Trading With the Enemy Act, is deeply gratifying. The establishment of a central procurement agency in Hong Kong for all military departments, as suggested in my letter of April 21, 1966, and the establishment of a requirement that all contracts and subcontracts be cleared with that agency and through that agency with the Consul General in Hong Kong, should go a long way in preventing any procurement from Communist sources in that area.

You also indicate that you have taken action to eliminate the two Communist distributors referred to in my April 21, 1966, letter from further procurements.

You may want to consider, however, revising the Armed Services Procurement Regulations (ASPR) as an additional step which should be taken to prevent any Department of Defense dealings with Communist firms. As you indicated in your letter, contracts placed by the Army, Navy and Air Force have included the clause set forth in ASPR 6-403 prohibiting the acquisition of supplies originating in Communist China or transported from or through Hong Kong. However, the ASPR make no provision for prohibiting acquisition from Communist firms of supplies which do not originate in Communist China. Thus the electronic equipment procurement I wrote you about which was of Japanese origin did not violate technically the provisions of ASPR even though it was sold to the Department of Defense by Communist firms. Your elimination of these firms from further procurement is fitting and proper even though this situation is not covered by the ASPR. A clear prohibition in the ASPR of procurement from Communist firms regardless of the origin of the supplies would be, I believe, a worthwhile strengthening of the Department's procedures to ensure full compliance with applicable legislation.

My letter of April 21, 1966, also referred to procurements in Hong Kong by Raymond-Morrison-Knudsen under contract with the Navy. Information I have received from the Consul General in Hong Kong indicates the strong likelihood that RMK has made substantial purchases of barges from Communist firms in Hong Kong. There is the possibility, of course, that some of the material which went into the construction of these barges originated in Communist China.

Since your letter of June 11, 1966, did not comment on the RMK procurement, I would appreciate your investigating this matter to determine whether any violation of the law or of the ASPR has occurred and, if it has, the action you propose to take.

With all best wishes, I am,

Cordially yours,

ERNEST GRUENING,
U.S. Senator.

A WORLD FOOD POLICY

Mr. McGOVERN. Mr. President, the International Federation of Agricultural Producers, which is an organization composed of 33 private farm organizations in 23 countries, held its 15th General Conference in May in London and adopted what it has designated as its "London resolution" on world economic development and world food policy.

The resolution, Mr. President, reflects the great humanitarianism typical of farmers everywhere in the world, combined with a realistic grasp of the social and economic facts of life. The result is an outline of the basic principles and concepts of a practical international policy on food.

I believe the Members of the Senate will be interested in the resolution for it reflects a growing consensus on the sort of war against want which I proposed in the International Food and Nutrition Act a year ago, and is now embodied in the food-for-freedom bill pending before the Senate Agriculture Committee.

The international farm organization recognizes the basic necessity of agricultural development and self-help in the developing nations. It recognizes a joint responsibility of all surplus producing nations to provide interim help to the developing countries. It recognizes that our assistance must be given so as to retain production incentives in the receiving countries and avoid undue interference with normal trade. It is in every respect on "all fours" with the basic policy provisions in the food-for-freedom bill we are considering.

Participating in the Conference were farm organization delegates from Australia, Belgium, Canada, Finland, France, Germany, India, Ireland, Israel, Japan, Luxembourg, Morocco, Netherlands, New Zealand, Nigeria, Norway, South Africa, Sweden, Switzerland, Tunisia, the United Kingdom, and the United States.

To identify the group further, I will mention that Herschel Newsom, master of the National Grange of the United States, has just retired after two terms as President. He was succeeded by Mr. Eric McCallum, president of the Federated Farmers of New Zealand. Former presidents of the IFAP include both James G. Patton and Allen Klein, of the United States.

I ask unanimous consent, Mr. President, that the IFAP's London resolution appear in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

IFAP'S LONDON RESOLUTION—1966

1. World economic development and the welfare of mankind demand an international food and farm policy. Meeting fundamental food needs everywhere, assuring adequate living standards to food and fibre producers everywhere, securing a beneficial flow of agricultural trade among all countries, are the joint responsibility of developed and developing countries, importing as well as exporting. The achievement of these objectives requires a better allocation of resources between agricultural and industrial development and a better balance in the development of human society between economic and social goals such as adequate education and training for those internal areas who have too long remained underprivileged.

2. An international policy on food, agriculture and agricultural trade must therefore receive increasing recognition as one of the essentials of a global policy of accelerated economic development and expanding international trade. To realize successfully such a policy, an important fact to be dealt with is that national farm policies are necessary to protect the farmer from the consequences of the natural and economic hazards of his calling. This imposes limits to international competition in national markets and thus restricts the scope for regional specialization; but it is evident that national farm policies must have regard for the interests of producers and consumers in other countries. This in turn imposes certain limits upon national action in order to make possible the necessary international understanding.

3. For those commodities entering world trade for which there is need for international co-operation such reconciliation of policies can best be achieved by the establishment of international commodity councils or the negotiation of international commodity agreements and arrangements; and by the expansion of food aid programs in the framework of development plans throughout the world. In no circumstance should the world revert to an economy of scarcity under the specious pretence that this is the sound road to equilibrium.

4. Production and distribution policies for agricultural products should take the following principles into account:

a) Expanding and diversifying food production in the developing countries lays an indispensable foundation for their economic and social progress. Such expansion and diversification must inevitably be the main lasting means of meeting additional food needs, including dietary improvements. This expansion in turn urgently demands stepped-up economic and technical assistance and a reconsideration of current policies and investment priorities in many countries.

b) However, for some time to come, the food producing capacity of developed countries will remain essential to help fill food needs in less developed areas. The wealth of industrialized nations must be mobilized to export that needed production; to finance the necessary movements and distribution; and to establish and maintain adequate carry-over and emergency reserves.

c) These efforts to improve nutritional levels must be on a permanent basis. Occasional surpluses may of course be used but planned provision must be made for continuity of supply. Conversely, it would be irresponsible to expand the output of developed countries in the absence of adequate financing and distribution facilities.

d) The success of the programs carried out from surpluses now in existence is proof that needed aid supplies could be moved and absorbed on an expanded scale without harm to national food production in the receiving countries and without undue interference with normal trade. But large-scale financing and planning are essential; developed and developing countries must strengthen their joint efforts to create and improve the facilities of transport, distribution, storage and administration essential to increasing the capacity of receiving countries to absorb and use food aid efficiently.

e) Financial responsibility for the efforts outlined in the foregoing paragraphs must be shared fairly among the developed nations. All national and international programs must be co-ordinated among contributing countries and within recipient countries.

f) Though the developing nations will need to increase their own production of food required for domestic consumption, other agricultural products which are likely to find markets at reasonably remunerative prices on a long-term basis must receive proper emphasis. Export proceeds or import savings secured from the sale of these products can inter alia be used to improve the nutritional standards of the population. The possible alternative uses of agricultural resources and investment should therefore be carefully examined. All countries should help expand outlets for developing countries, exports, whether of agricultural or non-agricultural products.

g) Nations should work together to maintain a balance between supply and total demand for food represented by the sum of commercial demand, essential reserves and food aid programs.

h) International arrangements should aim at reasonably stable prices eliminating excessive short-term fluctuations and securing a balance between the need of producers for fair remuneration and the need to adjust world production to basic trends in commercial as well as realizable non-commercial demand.

i) In order to achieve these ends, governments must go beyond the adoption of internationally-agreed objectives for such matters as carry-over stocks, trade flows and prices. They must, in addition, ensure that domestic farm policies are consistent with these objectives.

THE AID PROGRAM IN CHILE

Mr. MORSE. Mr. President, I want to call to the attention of the Congress the report on the aid program in Chile that will be released tomorrow by the Government Operations Subcommittee on foreign aid expenditures.

We are fortunate that the results of the comprehensive inquiry made by Senator GRUENING into our program in Chile will be available before the House and Senate act on current foreign aid legislation. The American people owe a debt of gratitude to Senator GRUENING for the way in which he has provided a case study of one country that tells much of what is wrong with our aid all over the world.

I ask unanimous consent to have printed in the RECORD the letter I have sent to my colleague about his report.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 17, 1966.

Hon. ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR ERNEST: Your report on the aid program in Chile is superb. It goes to the heart of the whole issue of how useful our bilateral economic assistance is in so-called developing nations. I know that if your report could be read by every member of Congress in the next month, we would get the first meaningful revision of the entire program.

I am particularly impressed with the way in which you dealt with foreign aid in both its specifics and its generalities. You have heard as often as I the defense of the program which holds that a few minor and isolated examples can be produced to discredit the whole program, but that a few minor and isolated instances of waste or mismanagement must be expected in so vast an undertaking.

What you have done is to demonstrate that by the time all the instances of futility and waste are added up in one country which is pointed out as a showcase for aid to Latin America, at least half of the financial effort we have made to help Chile must be considered as written off.

I am also impressed with the way you have brought out the most basic issue of all—are emerging countries like Chile really ready to make the changes in their social and economic structures they must make if they are to emerge into industrial society? Or do they regard our financial help as a subsidy to their old, inefficient, semi-feudal ways of doing things? The worst fallacy of all that is growing up around foreign aid is the idea that industrial nations owe some fixed percentage of their wealth to the undeveloped nations as a matter of honor or obligation of some kind. Nothing is being said of the obligation of undeveloped countries, which must come first. It is the obligation to use outside financial help as effectively as possible, and as only one of many tools. Chile may well be among the countries most ready and able to undertake basic changes, but even so, you have shown that a great deal of our money is foisted on them for purposes and projects in which their governments and people have no interest and which they merely tolerate because the United States wants them to have it.

Money spent in that way is a shocking and inexcusable waste of the substance of the American people.

I salute your diligence in inquiring into the Chilean aid program and your skill in presenting your findings so lucidly. I only regret that Congress seems unwilling or unable to provide the same review of our aid in each recipient country.

With best regards,
Sincerely,
WAYNE MORSE.

TRUTH IN LENDING: BANKER URGES THAT BORROWERS BE TOLD SIMPLE ANNUAL RATE

Mr. DOUGLAS. Mr. President, as Senators know, the basic principle of my truth-in-lending bill is that borrowers and buyers be told the cost of credit, not only in dollars, but expressed as an annual rate on the outstanding, unpaid balance.

It is only when the cost of credit is stated per unit—just as the price of milk is stated per quart and gasoline per gallon—that the consumer can shop for the best credit buy. The commonly understood unit price of credit is the annual rate. When the consumer puts his savings in a bank or savings association, he is told the earnings it will bring in terms of an annual rate. When the businessman loans or sells to the consumer on the installment plan, he starts with the rate he wants to earn in order to compute the customer's periodic payments.

But, when the consumer asks about the cost of credit when he borrows or buys on time, he is all too often denied a statement of the annual rate. Without knowing the annual rate, he cannot compare various credit offerings to determine the best buy. He is put in the proverbial quandary of trying to multiply apples by oranges. I have always believed that ethical elements of the finance industry agree in private that the consumer has a right to know the annual rate, but I am aware that some lenders and sellers fear disclosure of the annual rate because their rates would not stand up under competition in a free market.

It is therefore very gratifying to see the report, in the New York Times of June 24, of the statement made to the press by Mr. Philip W. Smith at the Spring Lake, N.J., meeting of the New York Bankers Association. Mr. Smith, a vice president of the Chase Manhattan Bank and chairman of the installment credit division of the New York Bankers Association, reportedly proposed at a press conference that lenders be required to state, in terms of a simple annual interest rate, the maximum cost of a consumer loan.

This is precisely what I have been urging since I first introduced the truth-in-lending bill in 1960. Opponents of the bill have continued to spread the false charge that my bill would be "unworkable" because it allegedly would require the computation of an exact rate. The article I have mentioned, in fact, makes such an incorrect allegation. All I seek, however, is that the cost of credit be stated approximately, that is, within a percentage point or two depending on the circumstances. Of course, such a statement should be on the upper, rather than lower, side; that is, on the "maximum" side, to use Mr. Smith's word.

The many sponsors of truth-in-lending bills in the Congress, and the millions of voters who favor such legislation, can perhaps take heart that responsible banking officials are beginning to state publicly their support for disclosure of the annual rate.

Mr. President, I ask unanimous consent that the article to which I have referred by Mr. H. Erich Heinemann be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RATE DATA URGED ON COST OF LOANS—BANKERS ASK STATEMENTS OF SIMPLE ANNUAL INTEREST

(By H. Erich Heinemann)

SPRING LAKE, N.J., June 23.—The New York State Bankers Association proposed today that lenders be required to state, in terms of a simple annual interest rate, the maximum cost of a consumer loan.

Speaking at a news conference here on the opening day of the association's 70th annual convention, Philip W. Smith, a vice president of the Chase Manhattan Bank and chairman of the installment credit division of the bankers' group, said that such a requirement would eliminate a key objection to the "truth-in-lending" legislation long sought by Senator PAUL DOUGLAS, Democrat of Illinois.

Last week, the Chase Manhattan initiated a general increase in rates on secured consumer installment loans at New York City banks.

The rates on such installment loans are typically stated on a "discount" basis, which means that the effective simple annual interest rate is approximately double the stated rate.

Thus, the 5¼ percent rate that the Chase Manhattan is now charging on automobile loans that include life insurance on the life of the borrower actually amounts to a charge of about 10½ percent.

FULL DISCLOSURE

Previously, the rate on such loans had been 4¾ percent discount, or 9½ percent simple interest.

Senator DOUGLAS's bill, which had been endorsed in principle by President Johnson, would compel lenders to state their charges in terms of an exact simple annual interest charge. Mr. Smith said this requirement would be unworkable—that banks and other lenders would not be able to comply with its provisions.

However, Mr. Smith said, "we are in favor of full disclosure."

Mr. Smith said that in knowing the maximum interest rate that his loan could entail, the consumer would be served by being informed of the approximate actual cost of credit.

At the same time, he said, the lender would be relieved of the perhaps impossible task of calculating exact simple annual interest rates for each consumer loan to be put on the books.

Mr. Smith suggested the estimate of maximum cost be shown on the note signed by the borrower.

No matter how carefully a lender calculated his charges, Mr. Smith explained, the results of his calculations would be thrown off unless the borrower repaid his loan exactly on schedule.

In estimating a maximum cost, Mr. Smith said lenders would presumably leave a margin for error and thus in some cases might slightly overstate the cost of credit.

Observers here at the bankers' meeting on the New Jersey seashore, thought it significant that Mr. Smith should have chosen to make his proposal—which was made on behalf of the State Bankers Association—only days after the first general rate increase on consumer installment loans in New York since 1959.

An officer of one of the Chase Manhattan's major competitors observed: "I'm surprised at Phil. I would not have thought that Senator DOUGLAS had enough support for his legislation to make it worthwhile putting forth a counter proposal."

On other subjects relating to consumer credit, Mr. Smith said that to his knowledge there were no plans afoot among New York City banks for any further increases in consumer lending rates.

He pointed out, however, that consumer lending rates in New York City were still below the 6 per cent discount rate that is the maximum permitted on such loans in New York State.

Thus, he said, there is room for a further increase if that should seem necessary.

TVA PAYMENTS TO THE TREASURY

Mr. GORE. Mr. President, TVA today paid $36.9 million to the U.S. Treasury, making a total of $58.9 million paid from electric power revenues in the fiscal year 1966, ending tonight.

Today's payment includes $21.9 million as the second half of TVA's annual return or dividend on the Government appropriations investment in the power system, plus a $15 million annual repayment on the appropriations investment. The first half dividend was paid last December.

The amount of the annual repayment is specified by law. The annual dividend is determined by applying the average interest rate payable by the Treasury on its marketable public obligations at the start of each fiscal year to the remaining appropriations investment.

Over the past 10 years TVA has paid more than $355 million into the U.S. Treasury. This is $63 million more than TVA received in Federal appropriations for its nonpower activities over the same period.

Today's payment brought total Treasury payments from TVA power revenues to about $559 million, consisting of $250.1 million of appropriation repayments, $243.5 million in dividends, and $65 million to redeem early bond issues. An additional $41.5 million has been paid the Treasury from TVA nonpower programs.

Thirteen years have passed since TVA last received Federal appropriations to begin new power production facilities. All TVA power installations begun since the mid-1950's have been financed with power revenues and through the sale of bonds and notes authorized by Congress in 1959 financing legislation. When the costs of these facilities are retired by revenue from operations, paid by TVA power consumers, the facilities, debt free, will still be valuable revenue producing properties.

The 1959 schedule provided for TVA to repay $10 million a year through fiscal 1965, then $15 million a year beginning this year through 1970, and $20 million a year until it has repaid a billion dollars of the $1.2 billion net Treasury investment in power assets when the 1959 law was passed.

The total paid by TVA to the Treasury under the schedule provided in the 1959 legislation is now about $309 million. Prior to this act, TVA had paid about $250 million from power earnings.

NELSON ANALYSIS OF DAIRY SITUATION DESERVES ATTENTION

Mr. PROXMIRE. Mr. President, on June 10 Senator NELSON sent a memorandum to Secretary of Agriculture Freeman commenting on today's dairy income situation which deeply concerns both of us as representatives of the Nation's No. 1 dairy State.

Of course, I do not completely agree with all of the conclusions of this memorandum. However, it performs a most important function in outlining the very serious state of the dairy industry today as well as the need to take positive steps to correct the situation.

I am happy to say that Secretary Freeman recently took one big and vital step in the right direction. Yesterday he announced that the support price for dairy products would be pegged at $4.

In addition, the administration has come out in support of a permanent school milk program. This program utilizes up to 5 percent of the Nation's dairy production. As a result, dairy farmers have a greater demand for their products. With administration approval of the program in its present form, as well as action extending the program by the Senate Agriculture Committee yesterday, the goal I set out to achieve when I introduced a permanent school milk bill earlier this year is near accomplishment.

However, we are still faced with the problem of dwindling milk production due to inadequate dairy farm income. Senator NELSON makes an excellent point when he states in the memorandum that large corporate dairy farms may well be a detriment to efficient milk production. His memorandum to the Secretary urges a thorough study of the optimum size for dairy farm—indicating that the smaller, family-size dairy operation may well be the most efficient.

I hope that my colleagues in the Senate will take note of this suggestion together with the many others put forth in the memorandum. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM TO SECRETARY FREEMAN FROM SENATOR NELSON ON DAIRY INCOME SITUATION

The following analysis of the long-term dairy problem in Wisconsin—including general background, summary of recent developments, and recommendations—is provided in connection with our recent discussions.

The material covered deals specifically with Wisconsin but applies generally to a much wider dairy area in the Midwest. It applies particularly to the manufacturing milk areas of Wisconsin, Minnesota and Iowa.

BACKGROUND

Discontent among Wisconsin dairy farmers, a serious problem since 1952, became much more noticeable early in 1965.

The issue involves a long-term cost-price squeeze situation that long ago eliminated most of the inefficient and under-capitalized producers. It is directly related to a drop in dairy prices several years ago to the range of 75–80 percent of parity, a level that still continues.

The buildup of discontent the past 12 months is reflected in heavy culling of dairy herds, an unusual number of dairy farm auctions and large scale herd selloffs, and a sharp drop in milk production.

Approval of an access-limiting amendment to the Chicago Milk Order early in 1965 added to dairy discontent. The enactment of the Class I base-excess plan by Congress last fall also is viewed by many dairy farmers as a possible long-range threat to Chicago market access.

But the issue of dairy discontent did not become widely recognized as anything unusual until the Department of Agriculture held emergency hearings in Chicago last October for a long list of Midwest milk orders. This put details of the area's growing milk shortage on the front pages.

Initial protests of discontented dairy farmers were rather general and they did not take an anti-Administration turn until the first of this year. That change began with announcements of (1) planned cuts in school milk and school lunch support, (2) renewed offers to purchase large amounts of oleomargarine, and (3) Budget Bureau pro-rating of school milk payments to the states.

Subsequently a series of government actions and announcements shook the confidence of dairy farmers, focused unusual attention on dairy policy problems in Wisconsin, and stepped up movement out of dairying throughout a wide area.

These included (1) a dairy support price considered much too low, (2) a proposal to boost Cheddar cheese imports, (3) an offer to buy butter at market prices which was not followed up with purchases, (4) an order discontinuing butter purchases by the Defense Department, (5) remarks in high places suggesting purchases of substitutes, (6) continued heavy purchasing of oleomargarine by the Department of Agriculture, (7) more and more discussion in government of use of "soybean milk" and "fish flour" as substitutes for dry milk overseas, and (8) a Commerce Department order putting export quotas on cattle hides.

Add to this the high prices paid ($18 to $20 a hundred) for dairy cow culls, poor quality feed in many areas, and a shortage of dependable labor that could be hired at wages dairy farmers could afford to pay.

It should be clear to anyone studying these lists why several thousand Wisconsin dairy farmers either switched out of dairying or quit the farm entirely in the last year.

CHARACTERISTICS OF THOSE LEAVING

Department of Agriculture administrators have a tendency to assume those leaving dairying in Wisconsin are so-called "inefficient" producers who are under-capitalized, have little management skills, and maintain herds that are "too small."

First, a strong case can be made for the argument that none but the most efficient could remain among the survivors in dairying after 14 years of low prices and steadily rising production costs.

Second, an analysis of auction sale bills of the last few months shows hundreds of large dairy herds (40 milk cows or more) from well-equipped farms were liquidated.

And third, a recent study shows two thirds of the farmers leaving dairying in Wisconsin are being driven out because of economic reasons.

The Wisconsin Department of Agriculture recently completed a study of characteristics of Wisconsin dairy farmers who disposed of dairy herds during the last year or so. This study, which had a high return (4,026 of 7,213) of direct mail questionnaires, also asked these farmers their reasons for quitting.

It is significant that nearly two-thirds of those who quit dairying did so for what can be broadly classed as economic reasons. (Nearly one-third cited such personal reasons as advanced age, ill health or handicap, or retirement).

Although only one-fifth listed "low income from dairy enterprise" as their specific reason for quitting, it seems apparent that in most of the cases in which other economic factors were cited, such other factors could have been overcome if more adequate income had been available from the dairy enterprise.

It also is significant that farmers who quit dairying for economic reasons were close to the average for the state in acres in farms, milk cows in herds, age of operator, and similar characteristics.

It also is significant that operators under 45 cited specific economic reasons (including "low income from dairy enterprise" cited by 30% and "cost to expand or modernize" cited by 22%) more than half the time. This shows younger men—who have more non-dairy alternatives—are switching from dairying much faster than those over 45, suggesting even more serious problems over the long pull.

In conclusion, it is clear that economic pressures based generally on inadequate income from the dairy enterprise were responsible for decisions of about two-thirds of the 7,231 farmers who quit dairying during the 16-month period covered by the study.

PSYCHOLOGICAL FACTORS

Although the chronic problem of low income for dairy farmers is the immediate short-term problem involved here, it may be that the most important problem from the Department of Agriculture's point of view is psychological.

It involves the gradual eroding of confidence in long-term dairy income prospects and the feeling that government will stand by while dairy farmers are driven out by low income, manufactured dairy products are phased out of both domestic and foreign programs, and dairy substitutes are given a more important place in long-range plans for overseas feeding programs.

This outlook dissuades younger men from going deeply into debt (at least $25,000 to $50,000) in beginning careers in dairy farm operation. It dissuades older men from investing heavily from expansion or modernization. And it make rural bankers cautious in financing expansion and modernization necessary to improve profit prospects of dairy operations.

We have had more than five years of unprecedented economic growth and prosperity, yet dairy farmers have not shared in this better income. This adds to the frustration of dairy farm families, especially those with children to be educated.

There are also the usual number of prophets of gloom and doom in rural areas, both in the dairy industry and in politics, and this adds to the problem now.

One disturbing aspect of the large number of farm herd dispersals is that many of these dairy enterprises are neither being sold as units nor being passed from father to son or son-in-law (a general pattern in Wisconsin in the past). Fine herds built in family enterprises over many years are being liquidated because the young people see no future in dairying.

This trend indicates a general lack of confidence in long-term dairy income prospects strong enough to overcome the family pride and association connected with owning and operating such an enterprise in a rural area.

SUPPLIES OF MILK AND PROSPECTS

One of the recent figures most disturbing to dairy leaders is connected with foreign trade. It notes that imports of both quota and non-quota dairy products are expected to be substantially larger this year while exports are falling because of low exportable supplies.

This is especially serious because of expectations of growth of commerical dairy outlets overseas and of the P.L. 480 program in the next few years.

The United States, the Department of Agriculture noted in disclosing this outlook, is likely to be a net importer of dairy products on a milk equivalent basis for the first time since 1939. This hardly inspires confidence in long-term dairy income prospects.

One problem, of course, is that first quarter 1966 milk production fell 5.2 percent from a year earlier, continuing the alarming and unexpected trend begun a year earlier. If this continues, supplies will tighten to the point where export possibilities overseas will be lost and consumer prices (because of inelasticity of fluid milk) will go up and up.

Nothing that the Department of Agriculture has done so far seems to be easing this milk shortage situation.

Early indications from dairy leaders in Wisconsin are that, despite the support price increase to $3.50 on April 1, the normal spring production peak expected the last week in May simply did not materialize. The flush period was not flush.

Although the Department of Agriculture has access to the best current figures, it appears to those outside that this price support increase falls far short of producing the production increase the Administration hoped for.

The Department continues to blame heavier culling of milk cows in response to higher beef prices and low gains in output per cow for the production falloff. It does not seem to recognize, officially at least, the psychological climate, the restlessness, and the income problems discussed above.

The overall 5.2 percent production figure also is misleading in considering the problems of dairying in the major manufacturing milk areas of the Midwest. Production in the Southeast and some other scattered areas with access to top Class I markets is either up or holding its own. Yet these areas are included in computing this 5.2 percent figure.

The point is that the production drop in the Midwest is *even more* than 5.2 percent, a figure that reflects much more than higher beef prices and low gains in output per cow.

MAJOR ISSUES INVOLVED

The major issues involved, from the point of view of a Midwesterner, is (1) the future of the family dairy farm, (2) the future of the vast reservoir of low-cost "extra" milk that is available in the manufacturing milk areas of Wisconsin, Minnesota and Iowa, (3) the relationship between income possibilities for higher-cost "close-in" producers vs. those for lower-cost "far-out" producers in major milksheds, and (4) whether dairy farmers will produce milk for domestic requirements only or whether they will be encouraged to produce for new international peaceful and/or military needs.

Our dairy policy seems to reflect the view, incorrect in my judgment, that the bigger and more modern the dairy farm the better. This view should be challenged on grounds that (1) a dairy farm that gets too big for family operation assumes new and often difficult labor problems and (2) a dairy farm that is too big needs capital that often creates a debt load too great for a normal farm family to carry.

The Department of Agriculture, in my opinion, should attempt to determine what size herd and what investment a "family size" dairy farm should involve and then come up with a program that will permit that family operation to receive a fair income on its labor and investment.

There are some elements of this problem that most economists do not readily grasp.

Dairying, more than any other type of farm enterprise, involves the highly-skilled and careful management of animal husbandry. This is something that is not measured by statistics or apparent to the casual non-farm observer.

But it is true that not everyone can be a successful dairy farmer, not because of lack of capital or size of herd, but because of lack of commitment to manage or care for a dairy herd. The "contented cow" is an absolute necessity in a successful dairy operation.

Dairy herds need daily observation for disease or feeding problems. They require highly regularized milking procedures. And they require sanitation, feeding, veterinarian and breeding skills.

A high labor input also is required on a 7-day-a-week basis.

The stories of inexperienced hired men who ruin production of a dairy herd in a few days time are widespread in dairy areas. For this reason, any good dairy farmer is reluctant to have workers other than members of his immediate family care for his herd. And for this reason, among many others, the farm family is uniquely suited to dairy farm management.

It is likely that the herd of 30–50 milk cows is the size herd that the normal farm family, with its great labor resource, can best handle and finance. Even a herd of this size can represent an investment of as much as $100,000, a figure that eliminates most of the unskilled and under-financed at the outset.

The search for bigness and so-called "efficiency" in dairy farming is of low priority, in my view, and the Department of Agriculture would contribute more to the wise use of national resources by fostering the "efficient family dairy farm" concept.

Regarding the vast amounts of low-cost milk available since the early days of World War II in the manufacturing milk areas of Wisconsin, Minnesota and Iowa, it would seem to be in the national interest to do what is necessary to maintain this "reserve" to meet both shortages and unforeseen future needs. These three states produce milk at lower cost than any other area in the country.

This area supports both thousands of dairy farms and a highly-developed dairy industry mainly built around strong cooperatives. This is a resource that, needless to say, cannot be diverted easily to other uses.

This area is looked upon by some of the major markets in the mid-section of the country as the place where handlers can always go to meet temporary shortages. Fluid milk has been shipped into Texas, Oklahoma and Arkansas in large quantities in recent years. This milk also is available at all times to Chicago and the other major Midwest markets.

One problem is that the markets drawing on this milk (with the exception of Chicago) assume no financial responsibility for keeping the reservoir available and look to manufacturing uses to carry this burden. Manufacturing uses, as is seen from previous data, no longer command prices that provide the income or long-term income prospects to do this job.

Regarding price relationships, the Department of Agriculture in recent years has tended to increase prices for Class I milk in major markets more than it has increased manufacturing milk prices through the price support mechanism. This tends to stimulate production in "close-in" but comparatively high-cost areas and discourages production in "far-out" but low-cost areas. This does not appear to be a wise use of national resources.

This problem must be viewed in terms of long-range developments because a herd of milk cows cannot be turned off and on in the same way as annual cropping in other commodity areas.

It is extremely difficult, for example, to increase milk production quickly. Farmers who liquidate dairy herds normally sell off the bulk tanks, milking machines and other expensive equipment needed in dairying. Dairy manufacturing plants in an area of declining production eventually are forced to phase out operations. Farmers invest in beef or other enterprises, making switches back into dairying difficult. And the building of a high-producing herd is not something that happens in a year or two. It is something that takes several years, even with artificial insemination.

RECOMMENDATIONS

1. The government should determine what size herd and what investment a "family size" dairy farm should involve and then come up with a program that will permit that family operation to receive a fair income on its labor and investment.

2. The Department should attempt to obtain approval of milk order proposals that provide for recognition of financial responsibility of fluid users for the "reservoir" of milk, normally used for manufacturing, that is available to meet their needs in short periods. It should avoid approving orders that unduly favor "close-in" producers and restrict in any way access to Class I outlets by "far-out" producers.

3. The Department should attempt to build long-range confidence in the dairy industry by stating its intentions from time to time to have dairy products play an important role in future expansion of foreign (both commercial and government) programs and by doing more to push dairy products in overseas promotional efforts.

4. The Department should assist the dairy industry to adjust to the slow movement of butter through a direct payment plan that will lower prices and move more manufactured products with high butterfat content into commercial channels. Abrupt setbacks to the butter-powder end of the industry should be avoided. Direct payments for butterfat also would have the effect of strengthening the competitive position of cheese, ice cream, and other dairy products that have long-term growth possibilities in the domestic market.

5. The Department should declare that 100 percent of parity is the goal of its dairy policy at all times and should avoid actions that prevent dairy income from reaching this level.

REX M. WHITTON, A DISTINGUISHED PUBLIC SERVANT

Mr. GRUENING. Mr. President, a well-deserved tribute and award were recently made to an outstanding public servant. He is Rex M. Whitton who has been named the International Road Federation man of the year.

The circumstances surrounding this award was set forth in the following press release which tells the story. I ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

U.S. Federal Highway Administrator Rex M. Whitton is the 1966 IRF "Man-of-the-Year."

The head of the big U.S. highway building program is the 16th recipient of the award made annually by the International Road Federation for distinguished service in national and international road developments.

He will be the first from the U.S. to receive the award. Others have been spread around the world, including seven to Europe, two to the Far East, five to Western Hemisphere countries other than the U.S., and one to Africa.

Two ceremonies will mark the conferring of the award upon Mr. Whitton. A plaque will be presented him in Washington by a distinguished U.S. government official, and a diploma award will be a part of the opening day ceremonies of the IRF World Meeting in London on September 18. A top British Government official will preside at the London ceremony.

When Mr. Whitton was appointed Federal Highway Administrator by the late President John F. Kennedy in 1961, he analyzed his mission as "simply to build highways quickly, economically and honestly."

The IRF Man-of-the-Year award is a tribute to his success in carrying out his goal.

Previous winners of the IRF "Man-of-the-Year" Award are: Hellmuth Swietelsky, Austria (1965); Vincente Mortes, Spain (1964); G. W. Knapp, New Zealand (1963); Eduardo Dibos, Peru (1962); Werner Mackenroth, Germany (1961); Michizo Kishi, Japan (1960); Luigi Tochetti, Italy (1959); Samuel T. Tolon, Cuba (1958); K. G. R. Ahlback, Finland (1957); Luis de Carli, Argentina (1956); J. Britschgi, Switzerland (1955); Thomas J. Mahony, Canada (1954); Charles Berry, South Africa (1953); Malte Jacobsson, Sweden (1952); Romulo O'Farrill, Sr., Mexico (1951).

Mr. Whitton's selection was made by a special IRF award committee meeting in Chamonix, France in May. Announcement of the award was made in New York at an IRF meeting on June 23.

One of Mr. Whitton's difficulty jobs has been to keep construction of the vast U.S. interstate highway system, the 41,000-mile network of express highway criss-crossing the nation, on schedule.

But despite rising costs and other technical problems, the network is scheduled for completion by 1973 at a total outlay of $46.8 billion.

Although the price tag on the system rose from that originally contemplated by Congress, design improvements have accounted for a substantial part of the increase. Labor costs have risen during the period, but some of these have been offset by more efficient construction methods, including increasing use of computers.

"One thing I know," Mr. Whitton remarked recently. "The highway program is as efficiently and honestly run as any public works ever. It compares favorably with any major activity I know. I am proud of what has been accomplished."

Born in 1898 in Jackson County, Missouri, U.S.A., Mr. Whitton earned a civil engineering degree at the University of Missouri in 1920, and promptly began a 40-year career with the Missouri State Highway Department.

He advanced through the ranks to become the Department's Chief Engineer in 1951. He held that post until he became Federal Highway Administrator on February 10, 1961.

He was President of the American Association of State Highway Officials in 1956, and also served as the association's regional vice president and a member of its executive committee for a number of years.

Active with the U.S. Highway Research Board, he is currently serving on its executive committee (of which he was chairman in 1957) and as a member of its special committee on urban research. He is also a member of the Missouri Society of Professional Engineers and the American Society of Civil Engineers.

The IRF "Man-of-the-Year" achievement is only the latest in Mr. Whitton's series of awards. In 1958, he was recipient of the George S. Bartlett Award for outstanding service in highway progress in the Nation. In 1960, he received the Thomas H. MacDonald Award for continuous service in the highway engineering field. The same year the American Public Works Association, in cooperation with Kiwanis International, named him as one of the top ten Public Works Men of the Year.

The more than half completed interstate highway system is not the only monument to his outstanding abilities.

In the field of scientific traffic studies, he was responsible for providing an experimental computerized installation on a four-mile stretch of the Eisenhower Expressway in Chicago, the TV-supervised John Lodge Expressway in Detroit and the Houston Gulf Parkway with metered traffic inputs.

These and other recent traffic surveillance and control steps have led to dramatic improvements in highway use efficiency—the equivalent of adding a fourth lane to three already in use, or an increase in average traffic movement of from 10 to 12 percent.

Mrs. Lyndon Johnson's highway beautification program was pushed hard by Administrator Whitton and the resulting Congressionally-approved law is making rapid progress in the scenic advancement of Roadside America.

Under his guidance, the nation became more highway safety conscious. One of his projects was to provide a more liberal allocation of federal funds to states that undertake to eliminate highway traffic hazards.

A summary of Mr. Whitton's distinguished career was recently made by Secretary John W. Connor of the Commerce Department, under whose jurisdiction Mr. Whitton operates.

The U.S. cabinet official said:

"In carrying out a vast undertaking, he has proved to be an efficient and effective executive and engineer whose integrity is consistent with the highest public ethics.

"His monuments are the thousands and thousands of miles of road here in the U.S. which reflect his more than 45 years of service in land communication."

Mr. Whitton has worked as hard to promote good roads internationally as he has in the U.S.

He was a principal speaker at the Fourth IRF World Meeting in Madrid in 1962, at the IRF Regional Conferences in Tokyo in 1964 and Lima in 1965, and at the Ninth Pan American Highway Congress in Washington in 1963.

He has been responsible for the sturdy support the U.S. has given the building of the Pan American Highway and under his direction the U.S. Bureau of Public Roads has contributed to the road building and improvement programs of many nations around the globe.

The global outlook which has characterized his thinking is typified by his comment at the IRF Regional Meeting in Lima:

"I think", he said, "all of us come eagerly to conferences such as this, to exchange ideas and information, and at once to learn and to teach one another.

"For it is thus that we build better roads—which build better communities, regions and nations—and a better world."

THE FUTURE OF GUYANA

Mr. BREWSTER. Mr. President, events in southeast Asia and in Europe tend to divert our attention sometimes from happenings in this hemisphere. Recently a new country, Guyana, celebrated its independence. A member of the official U.S. delegation to this celebration was one of my closest friends, William C. Doherty.

Bill Doherty was appointed by President Kennedy as Ambassador to Jamaica in 1962. His work in that position, added to his longstanding familiarity with Latin American affairs, give me considerable respect for his views. When Bill sent me his analysis of the future of Guyana, therefore, I read it with great interest. I offer it for the careful consideration of my colleagues as well.

Mr. President, I ask unanimous consent that Ambassador Doherty's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BETHESDA, MD.,
June 20, 1966.

Hon. DANIEL B. BREWSTER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BREWSTER: I have just returned from Guyana where I participated in that country's Independence Celebrations, as a member of the Official United States Delegation. It was a rewarding experience.

Recalling your deep interest in the islands of the Caribbean, I would like to take this opportunity to give you some of my observations in respect to the progress of freedom and democracy in that most important and turbulent area. I shall include Guyana, although it is neither an island nor in the Caribbean, because of its close relationship to present and former British possessions and because of the relationship of former Prime Minister Jagan to Fidel Castro. Although the Guianas are located on the northeast coast of South America, their economy, history, and politics are linked with the Caribbean by tradition.

It is my firm conviction that the establishment of democracy in the Caribbean area and Guyana is essential to the security of the United States. Cuba, the Pearl of the Antilles, is now a slave state within the Communist bloc. Hispaniola is half-slave under the thumb of "Papa Doc" Duvalier, in Haiti; and half-free, God-willing, in the Dominican Republic, due to the efforts of the United States Government and the Inter-American Peace Force, which assisted the people of that country to return to a democratic form of government on June 1, 1966.

As you know, I have had a long-standing interest in the Caribbean Area dating back to the years of my work with the Postal, Telephone and Telegraph International. My interest was intensified when I became the first U.S. Ambassador to Jamaica, appointed by the late President John F. Kennedy in 1962. In viewing Jamaica and the islands of both the Greater and Lesser Antilles, I see great hope for democracy largely because of the traditions of Anglo-Saxon law and order established by Great Britain. Nevertheless, when I look at the new nation of Guyana, I feel some trepidation. The population of approximately 600,000 people is composed of a racial mixture which is 50 per cent East Indian, 30 per cent African with the remainder being Amerindians, English, Portuguese, Chinese and mixed. Because of the topography of the country, all but a small portion of the population lives in the coastal areas. In recent elections the people have voted strictly along racial lines and, because of the size of the Indian population, Cheddi Jagan was until 1964 Prime Minister of this country while it enjoyed semi-autonomy as British Guiana. It was only after complications between the Africans and the Indians which, while basically political, gave rise to outrageous acts of racial violence, that the British Government installed a system of proportional representation in the colony. As a result, a coalition between the parties in opposition to Jagan's People's Progressive Party took control of British Guiana. Forbes Burnham, a product of the Guyana labor movement and the Trades Union Council, was named Prime Minister. He has been endeavoring to develop a multi-racial government and power base. His split with Cheddi Jagan in 1955 was a complete one and he is now diligently attempting to forge a viable democracy from the diverse elements of Guyana.

If he succeeds, Forbes Burnham must overcome serious handicaps which include a race problem not yet completely solved and an unemployment rate in excess of 10 per cent in a population which, while basically literate, lacks the necessary skills to integrate a modern industrial society.

He has on his side time, because he will remain in power at least until the elections of 1968. He also has a finely-trained civil service, a legacy of the old British "colonial" system. He appears to have taken the right road to freedom and democracy. I think the United States is now doing—and should continue to do—all it can to assist the Prime Minister in this work to preserve democracy and foster human dignity in Guyana.

As a trade unionist, I have always believed that one of the essential institutions for the survival of democracy in any country is a free and democratic trade union movement. In this connection, I would like to point out the work that the American Institute for Free Labor Development (AIFLD) has been doing in Guyana and in the Caribbean to foster this concept.

On May 25, I participated in a ground breaking ceremony marking the beginning of an Industrial Training School which will be financed by funds from the Alliance for Progress and administered, in its formative years, by the AIFLD. This school will train Guyanese workers in plumbing, electrical work, masonry, carpentry, welding and heavy equipment operation and maintenance. The AIFLD plans to graduate approximately 500 students per year. The school will provide the type of skilled labor which is essential to the social and economic progress of Guyana. It will also foster the development of responsible trade unionists, because it will be administered with the participation of the Trades Union Council and will furnish skilled workers to strengthen the free trade union movement.

The Institute has also developed in Guyana a $2,000,000 housing project which will provide over 500 moderately priced homes to members of the Trades Union Council. These homes will be offered at terms which can be met by the workers, giving to those who have toiled long and hard the opportunity to secure credit to purchase decent housing in a country where both housing and credit are short. The financing for this project will be by the AFL–CIO under the Agency for International Development Housing Guaranty Program. By demonstrating to the rank-and-file that free trade unionism can benefit the worker in more than wages and hours, rank-and-file members of the unions of Guyana will develop a stronger, more dedicated membership.

In addition to bricks and mortar demonstrations of what can be done through union cooperation, the American Institute for Free Labor Development established Critchlow Labor Institute on October 5, 1965. This activity is the AIFLD's most recently established educational program and would have been established sooner but for the Cheddi Jagan regime. Fifty trade unionists have received courses in labor union activities and in union leadership since the establishment of this Institute. Prior to that, twenty-five Guyanese had received training in Washington at the AIFLD's three-month Washington program.

Outside of Guyana, the Institute has been extremely active in Jamaica and the islands of both the Greater and Lesser Antilles. Four hundred eighty trade unionists have participated in seminars in trade union organizations and leadership and over fifty trade unionists from the islands have received training in Washington.

In the Dominican Republic, the AIFLD began construction of a 110 housing project in San Pedro de Macoris in August, 1965. To date, 30 houses have been delivered, and the balance should be delivered in September, 1966. This project has been directly responsible for the return to the democratic camp of at least one union. Over 700 Dominican trade unionists received training through the Institute prior to the revolution in April, 1965. After that date, over 200 trade unionists participated in the AIFLD's educational program in Santo Domingo.

In this area of the Caribbean and Guyana, and in the rest of the hemisphere, I believe the AIFLD's programs have been outstanding. They demonstrate to us one way in which the American Labor Movement, with the cooperation with its government, can work on a union-to-union basis to foster the principles of democracy in other countries.

It seems to me that the Caribbean area and the rest of the hemisphere must receive a priority in our foreign affairs thinking. Although Viet Nam, the Atlantic Alliance, the emerging nations of Africa, the problems of China and India, and the squabbles of the Arab nations of the Middle East, and all the other problems cannot be forgotten, I nevertheless believe that in respect to this hemisphere, the United States Government and its people must go beyond the good neighbor policy of Franklin Delano Roosevelt, and the Alliance for Progress of John F. Kennedy. I believe that either a larger proportion of our foreign aid budget should go to the social and economic development of this hemisphere, or that this budget should be increased so more financial assistance would be available for such purpose. I cannot escape the conclusion that, in spite of the many pronouncements of our government of the necessity of making the Alliance for Progress work, the countries of this hemisphere are still of secondary interest. I hope I am wrong, but certainly I would expect to see increased momentum in the programs of the Alliance to prove I am wrong.

With kindest personal regards, I remain,

Sincerely yours,

William C. Doherty.

THE DAIRY PRICE SUPPORT ORDER

Mr. McGOVERN. Mr. President, I am pleased to call to the attention of my colleagues the announcements made by Secretary of Agriculture Orville L. Freeman yesterday, relative to milk pricing in this country.

The Secretary of Agriculture has recognized a dangerously tight supply situation in the dairy industry and has taken action to reverse trends in the dairy industry which have seen dairy farmers leaving the farm at an alarming rate at the same time that cows are being slaughtered at record volume.

He raised price supports for manufacturing milk to $4 per hundredweight. This is an increase of 50 cents over the prices he announced last March. In taking this action the Secretary said:

> I have been deeply concerned for many months about the decline in dairy production, and the implicit threat which a continuation of this trend would have to consumer supplies of milk and dairy products.

He said further:

> I am taking these steps today to insure consumers adequate supplies of milk and dairy products in the months ahead, and to provide dairy farmers with an opportunity to share more equally in the general prosperity most Americans enjoy today.
>
> Thus, these actions today will encourage dairy farmers to continue in dairying, to slow up their culling of herds and to increase their feeding rate. It also will insure that the dairy farmer, who has always been on the low end of the economic totem pole, will receive a deserved increase in what he earns for his skill and labor.

The Secretary has also acted to increase prices to farmers who supply the great fluid-milk markets by guaranteeing a minimum base in the formulas which are used to set the price on milk used for bottling.

Mr. President. Secretary Freeman is to be congratulated for his action by both farmers and consumers.

Dairy farm income was so low prior to this order that herds were being culled and sold off at an alarming rate. If the liquidation had continued, we would have been short of milk and prices to consumers might have skyrocketed out of control.

The Secretary's order will help to stabilize both production and prices to consumers of dairy products. In the long run, both producers and consumers will benefit substantially.

It is a wise move which I am happy to applaud.

TRIBUTE TO REPRESENTATIVE TODD, OF MICHIGAN

Mr. HART. Mr. President, it is often true that the most important things happen in the quietest ways. Nothing brings this out better, I believe, than what has happened in this country in the last 2 years with respect to the issue of family planning and the worldwide population explosion. Two years ago, public discussion of the issue of birth control was almost taboo. People were a bit nervous about discussing the consequences of the rushing population growth. Predictably, the politicians wouldn't touch the subject—despite its overwhelming importance—with a 10-foot pole.

But on June 9, with very little fanfare, the House passed a bill that may rank in importance with any bill passed by the 89th Congress. This was the food for freedom bill, continuing the program by which surplus American foods are sold abroad. Attached to the bill was a set of amendments which, for the first time in the history of the Congress, gave open recognition to the gravity of the population problem and gave explicit authority for funds generated by the sale of surplus food abroad to be used for voluntary programs of family planning and child and maternal health and nutrition.

In the past, the use of these funds has been most successful in education, conservation, economic development, and many other significant fields of foreign assistance.

Certainly I do not wish to suggest that there should be, in any way, an implication in our Government's extension of use of these funds for family planning that the United States was conditioning its use of funds from surplus agricultural products on a recipient government undertaking a national or local program in family planning. This is not the spirit or intent of this proposal.

These amendments were originally suggested by Congressman Paul H. Todd, Jr., who represents the Third District in Michigan. He was the first man to introduce a bill in the House on the subject of the population explosion, just as he was the first man to testify at the vitally important series of hearings on the world population problem now being conducted by Senator Gruening. If it were not for the concern and hard work of Paul Todd, these history-making amendments would not be in the bill today.

Mr. President, we all know that freshmen lawmakers are generally supposed to keep quiet and take a back seat in developing legislation. Paul Todd deserves a lot of credit, both for his wisdom in doing something about one of the world's most pressing problems and for his courage in facing a difficult issue that needed to be faced.

In an article on Congressman Todd in Newsweek magazine of July 4, 1966, Kenneth Crawford describes this accomplishment as a spectacular achievement in world statesmanship.

An article in the Detroit News of June 12, 1966, written by Jerry Ter Horst, tells the story of what Paul Todd did and how he did it. I ask unanimous consent that excerpts of this article be printed in the Record at this point.

There being no objection, the excerpts from the article were ordered to be printed in the Record, as follows:

> [From the Detroit News, June 12, 1966]
>
> ### Michigan Congressman Confounds Advisers: Todd's "Brash" Stand on Birth Control Vindicated
>
> (By J. F. Ter Horst)
>
> Washington, June 11.—One of the nation's Democratic oracles threw up his hands in political horror 13 months ago when freshman Rep. Paul H. Todd, a Kalamazoo spice merchant, stood up on the floor of Congress to announce he was introducing Capitol Hill's first birth-control bill.
>
> * * * * *
>
> Snickers and derisive skepticism also came from veteran lawmakers. Wise in the ways of staying alive politically, they told Todd he should avoid personal identity with noble but lost causes that produce voter wrath, harassment and, in the end only congressional inaction.
>
> For a newcomer like Todd, it should have been valuable advice. His election in November, 1964, looked like one of those happy accidents attributable to the Johnson landslide.
>
> The man he beat was ultraconservative Republican Rep. August C. Johansen, who had represented Michigan's 3rd District in the southwest corner of the state for 10 years. No Democrat before Todd had been elected to Congress there in modern times.
>
> Todd announced his birth-control legislation on April 1, 1965—and it was no April Fool's joke.
>
> Thursday, in a historic but little-noticed action, the House of Representatives adopted a Todd birth-control amendment as part of the 1966 food for freedom bill. The vote was 333 to 20.
>
> There was no fight on the floor. It was the first time that either chamber in Congress had explicitly authorized the use of funds for programs designed to deal with the onrushing problem of worldwide population growth.
>
> The size and margin of the vote showed clearly that Todd's "suicidal" proposal had the overwhelming support of Catholic congressmen, as well as other members of both parties.
>
> But just as remarkable to those who know the ways of Congress was the fact that the 45-year-old Todd, in Congress only 17 months, had managed to get his amendment into the bill even though he is not a member of the Agriculture Committee, which drafted it and reported it out.
>
> How did all this happen?
>
> "It took months of quiet talking," said Philip H. Power, Todd's 27-year-old administrative assistant and another novice on Capitol Hill. "Paul simply went out and sold the idea to everybody.
>
> "And, of course, the idea is so elegantly logical."
>
> Basking now in the glow of satisfaction, Todd said the food for freedom bill presents a "complete approach" to the related problems of famine and population explosion.
>
> #### DUAL PURPOSE
>
> "It provides surplus food to feed those who are starving right now and it generates funds which can be used to cut population

growth and thus prevent people from starving in the future," he said.

"Without the family planning provisions in the bill, merely providing food would be a cruel hoax, doing nothing to attack the underlying causes of famine.

"Further, the bill makes clear that no programs will be undertaken without the explicit request of the governments involved and that all such programs will be entirely voluntary."

What Todd had sensed in proposing his politically bold scheme was that "nothing is so irresistible as an idea whose time has come."

For in the last few years the development of public concern and discussion about population growth has been "astonishing," in Todd's word.

As recently as 1959 President Eisenhower had declared: "This government will not . . . as long as I am here, have a positive political doctrine in its program that has to do with the problem of birth control. That's not our business."

President Kennedy, a Catholic, nevertheless made it federal business but in a quiet, almost unobtrusive way. He permitted the Public Health Service and the National Institutes of Health to spend federal funds on research in the field of family planning.

PROGRAMS ADDED

Then came President Johnson, who not only has expanded federal research but has made funds available through the Public Health Service, the Children's Bureau and the antipoverty agency to help states and municipalities establish family planning clinics of their own.

Even the Vatican has shown concern over the world's booming population which, at present birth rates, will be six billion by the year 2000. That will be 12 times as many people on earth as there were during William Shakespeare's life.

Todd's introduction of the bill 13 months ago was matched by . . . Senator Ernest Gruening, Alaska Democrat and a physician. Gruening held a series of Senate hearings that drew congressional attention to the problem of family planning.

EMPHASIS ADDED

Mr. Johnson, in his 1966 state of the union message, committed the administration to helping countries that are trying to control population growth.

"We will earmark funds to help their efforts," he said.

With the food for freedom bill coming up in the House Agriculture Committee early this year, Todd went to work in earnest. He held a long and productive session with powerful Chairman Harold D. Cooley, North Carolina Democrat.

On Feb. 10, Todd made a speech in the House and for the first time suggested that a family planning amendment be incorporated into the food bill. That was the same day Mr. Johnson had sent his food message to Congress.

ASKED FUNDS

Todd proposed that 15 percent of the funds generated by sales of food abroad be set aside for a program "for maternal and child health and nutrition and for family planning."

A month later, on March 9, Todd came up with specific language embodying his idea.

He also told the House that while his program would cost less than $500 million annually, the cost of feeding the 30 million additional people being born in Asia every year would come to $16 billion of extra capital investment "just to maintain the present low standard of living."

There are two main avenues for amending a bill in Congress.

One is to propose it on the floor during formal debate on the measure, a very chancey method and likely to be defeated. The other is to "sell" it to a member of the committee that is steering the bill through the House.

EASIER WAY

This may be more difficult at first but if an amendment can be accepted in committee—and incorporated as part of the bill when it is brought to the floor—odds are that the House will approve it.

Todd decided upon the latter procedure. He went to see Rep. Spark M. Matsunaga, Hawaii Democrat, a popular lawmaker of Japanese-American extraction who had come to Congress in 1963.

Matsunaga was a hard-working member of the Agriculture Committee. He listened to Todd's arguments for adding family planning provisions to the food for freedom bill—and agreed to sponsor the amendment.

The 15 percent figure for fund earmarking was stricken from the final language as not necessary, but Matsunaga added other amendments making over-population one of the criterions to determine whether a country needs U.S. food help and declaring that the United States should try to reconcile food needs and population growth in developing nations.

SENATE TO ACT

Odds now are that the Senate will pass the bill quickly, with Gruening keeping a watchful eye on the Todd proposal.

What does Todd think now of the political experts who were telling him to stay away from controversial subjects such as birth control?

Todd's answer is a poll he took in his congressional district around Kalamazoo. Eighty two percent of those responding favored a U.S. program to help other countries in family planning.

"This is a staggering amount of support," Todd said. "It suggests that in this area, as in many others, the people are well ahead of the politicians.

ADMINISTRATION $4 PRICE SUPPORT FORMULA WELCOME

Mr. PROXMIRE. Mr. President, I rise to express my thanks and support to the administration for the Agriculture Department's decision to increase the dairy support price from $3.50 to $4 a hundredweight. This decision was urgently needed. It is most welcome.

For months I have urged Secretary of Agriculture Freeman to do this. Secretary Freeman decided on the $3.50 level March 31.

Only last week I again called for a realistic price level of $4.

Our milk production in May was the lowest since 1940, when we had 35 percent fewer persons in this country.

In addition, we are threatened with a real shortage of milk if dairy farmers continue to sell their herds because of inadequate income. The higher support level will help halt this exodus from the farm and in the long run will mean more reasonable prices to the consumer.

Secretary Freeman's announcement today was urgently needed, most welcome, and should be a stabilizing force for the Nation's dairy farmers.

THE PROPOSED ILLINOIS-INDIANA AIR POLLUTION CONTROL COMPACT

Mr. DOUGLAS. Mr. President, I think it proper to point out some of the difficulties involved in this measure. We should not place exclusive reliance on it as a means of dealing with the very difficult interstate situation which now exists in the Lake County, Ind., and lower Cook County and Chicago areas.

I have supported all of the measures intended to stimulate local initiative in the fields of air and water pollution control and I believe that the contamination of our air and water is one of the most serious domestic issues facing this Nation. In spite of increasing efforts to cope with pollution over the past few years the situation is worsening every day, and the most knowledgeable authorities on the subject tell us that both air and water pollution will reach truly critical proportions unless effective controls are established immediately.

The Clean Air Act of 1963 and its amendments attempt to stimulate local and State air pollution control activities by providing technical and financial assistance in support of these activities. The cities of Chicago, East Chicago, Ind., and Gary, Ind., have been quite active in setting up air pollution control programs, and Chicago's program is probably the best in the Nation. Both Illinois and Indiana have State agencies to deal with air pollution, but in each State the low level of public awareness of the dangers of air pollution has resulted in less than adequate staff and funds to run these programs. Since we in Illinois suffer a great deal from pollution originating in Indiana, we are naturally concerned about the quality of air pollution control efforts being made by the State of Indiana.

The Clean Air Act recognized and encouraged interstate cooperation efforts to control and abate air pollution, including the establishment of interstate commissions established under congressionally approved compacts. While I believe local initiative and interstate cooperation should be fostered, I have been quite concerned about certain aspects of the proposed Illinois-Indiana Air Pollution Control Compact. I do not say that the compact will not work, but it could very well be a nullity because of its deficiencies. The compact is poorly drafted and full of loopholes. It does not strike at potential sources of pollution but requires a showing of injurious effects before action can be taken. This restriction seriously limits the effectiveness of the compact. While no representative of the U.S. Public Health Service is to serve on the Commission, two of the Commissioners will represent the industries responsible for polluting the air. There is nothing in the compact to require that the Commission's records and proceedings too be made public. The standards to be employed by the Commission in controlling and abating interstate pollutions of the air are nowhere spelled out in the compact. Unlike the Delaware River Compact wherein action can be taken upon the vote of a simple majority of the entire membership, this compact would vest a virtual veto power in any four members of each State's seven-member delegation on the Commission.

I point out these flaws and shortcomings in the hope that they will be recognized and overcome through sincere and dedicated work by the members of the Commissioners. I am willing to give the compact and the Commission a chance, but we should not mistake the fact that this compact may be ineffective.

At best, the Commission could serve to focus public attention on those aspects of air pollution originating in one State which affect the territory and citizens of the other State. It could also serve as a focal point of legal authority for certain necessary interstate activities, for instance, a regional network of air monitoring devices with centralized data recording. Most important, however, is the authority which would be vested in the Commission to order a municipality, corporation, person, or other entity to cease causing or contributing to pollution of the air in a State other than that in which the pollution originates.

I would certainly hope that any interstate commission set up to deal with the problem of air pollution would not only coordinate the separate State activities as they affect the border areas, but also would help to strengthen, improve and accelerate those activities. We have had plenty of study groups and task forces in the field of air and water pollution control. What we need now is hard-hitting action at the Federal, State, and local levels of Government. To the extent the Commission is going to give us that action, I am for it. My decision to support the proposed compact is based largely upon legal advice I have received which indicates that should the interstate Commission established under the compact prove to be ineffective in abating air pollution originating in one State and endangering the health or welfare of persons in another State the Federal Government still retains its authority to move in and bring suit to stop the pollution. In other words, the compact can set a floor but not a ceiling.

If the compact is to contribute anything to the separate efforts of the localities and the States, the wholehearted cooperation of at least the majority of each State's seven member delegation on the Commission will be required. I believe that this compact could be of real help in combating our regional air pollution problem, but I want to make it quite clear that the compact is no panacea and that the public should not be deluded into believing that the solution of our air pollution problem is near at hand because of the compact. The interstate Commission will reflect the extent of this willingness of the State and local agencies to work together in a sincere and disinterested effort to protect the health of Illinios and Indiana citizens.

I am going to support the compact in the Congress and I certainly hope that the members of the Commission which will be created if the Compact is approved will take seriously their responsibility to the public. I want to enable such good as may come from the compact to have its full chance of fruition while being fully aware of its weaknesses.

STATEMENT BY SENATOR JAVITS—"NORTH VIETNAM BOMBING: THE WRONG DECISION"

Mr. KUCHEL. Mr. President, the distinguished senior Senator from New York [Mr. JAVITS] is necessarily absent from the Senate. I have been asked to request unanimous consent that a statement which he has prepared entitled "North Vietnam Bombing: The Wrong Decision" be printed in the RECORD.

Mr. President, I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

"NORTH VIETNAM BOMBING: THE WRONG DECISION"—STATEMENT BY SENATOR JAVITS

The U.S. bombing of oil depots outside of Hanoi and Haiphong, no matter how it is explained, does mark an escalation of the Vietnamese conflict. The decision to bomb so near these major population centers may have valid military justifications, as stated by Secretary McNamara, but the humanitarian and diplomatic repercussions will be unfavorable, and they may far outweigh the military effects.

I have repeatedly warned that the immediate effect of escalation is likely only to be greater loss of lives and not the greater likelihood of negotiations. I, therefore, have stated that any step-up of military activities should be preceded by realistic proposals to halt the escalation and start a negotiating cycle. To this end, I have suggested an internationally inspected military freeze, that is, a cut-off on sending additional troops by both sides.

Now, it is true that the President did warn Hanoi that the U.S. may have "to raise the cost of aggression at its source." It is also true that we did make an offer for the "reciprocal lessening of hostilities." Finally, it is true that the private efforts of a former Canadian diplomat to bring the Communists to the conference table ended in failure.

The onus for rejecting these warnings and efforts lies squarely on the leaders of North Vietnam and the NLF. But the fact that they were rejected did not mean that the U.S. had to respond by bombing so close to civilian centers. The bombing action has already been taken; there is no changing that. But the President could have chosen to demonstrate otherwise our renewed will and purpose. The bombing of the oil installations was the wrong decision for the following reasons:

1. Despite Secretary McNamara's hard-to-believe assurances, North Vietnamese civilians were undoubtedly killed in the raids. Secretary McNamara's denials strain the credibility of the American people.

2. Our breaking of the civilian-military barrier in Vietnam could lead to Communist terror reprisals in major population areas of South Vietnam, such as Saigon.

3. The United Kingdom, an important and loyal ally in our policy in Vietnam thus far, regretted the bombings and "disassociated" itself from them. Prime Minister Wilson's reaction probably will be mild in comparison to others around the world.

4. The bombings may result in increased Soviet assistance to North Vietnam in the form of ground-to-air missiles and MIG fighters, and in the increased danger of Communist Chinese intervention.

5. The military effects on North Vietnamese troops and supply infiltration into the South are uncertain. Even Secretary McNamara had to admit that the effects cannot be judged for another three months, and that the most he could promise is that the bombings would "restrict infiltration and make it more costly."

We cannot undo what has already been done, but we can state as unequivocally as possible our willingness to negotiate and our willingness to hold unconditional discussions not only with the North Vietnamese but with the National Liberation Front and Communist China. I also feel—even assuming the President made this clear a week ago—that we should repeat specifically our willingness to accept an internationally supervised military freeze on the introduction of additional forces into South Vietnam as the framework for truce negotiations.

I feel that the President should make this sort of statement to the nation and the world as clearly and as deliberately as he announced the U.S. willingness to negotiate for peace during his now famous speech at Johns Hopkins University on April 17, 1965. At that time, too, objections were raised to such a declaration on the grounds that the President had made similar statements many times before. But his declaration at Johns Hopkins had the effect of calming fears throughout the world.

A similar clear and definite statement is needed once again: to meet the new situation brought about by the recent bombings.

THE BOMBING OF NORTH VIETNAMESE OIL DEPOTS

Mr. DODD. President Johnson's decision to destroy the oil depots in the Hanoi-Haiphong area was a necessary one, and one which will effectively limit the ability of the North Vietnamese to inflict casualties upon American servicemen. This step was taken with all necessary precautions, and the fact that population centers were carefully excluded from attack is proof to the world that we oppose not the people of North Vietnam but only the aggressors who are using that country as a stepping stone to further conquest.

The Communists have shown that rather than cease their aggression, they seek to enlarge it. The infiltration of North Vietnamese regular troops and supplies into South Vietnam has increased in recent months. The choice before us is whether we will sit idly by and permit the means of aggression to build up to ever larger proportions, or whether we will act to destroy these means at their very source.

We have chosen to destroy such supplies before they have had the opportunity to inflict casualties on American servicemen. We have also taken an important step in making it clear that aggression will not be permitted to succeed.

No one, I am certain, wants to see a wider war in Vietnam. But the war cannot possibly be won without certain decisive measures. And the alternative to winning the war is losing it.

I have no difficulty in understanding why those elements who would like to see the American forces in Vietnam defeated condemn yesterday's raid. But the great majority of those who have sincerely criticized the President's decision do not, I am certain, want to see the American forces in Vietnam defeated and would not like to see us surrender the South Vietnamese people to communism. There is a contradiction, in short, between their basic attitude toward the Vietnam war and the position they take on the specific matter of yesterday's bombing raid.

In a significant column in this morning's Washington Post, William S. White points out:

> The mortal issue in South Vietnam has now demonstrably narrowed down to a single real question. Will the people of the United States stand firm against Communist

> aggression now that it is in sober fact a losing aggression militarily?

The only drawback to a military victory, White notes, is that the Communists will be given the "hope that the will of the American majority will falter at last." To this degree, it is what we say and do in this country that will determine our stance in the world.

Mr. White also describes an important speech recently given by the Singapore Prime Minister Lee Kuan Yew which has had little publicity in this country. I met Lee Kuan Yew when I was in Singapore last year, and at that time had the opportunity to spend an evening with him. On that occasion he said to me privately precisely what he has repeated recently in public. It deserves the attention of all Americans.

Prime Minister Lee said that "the little fishes" in Asia would be swallowed one by one if the United States allowed South Vietnam to fall into Red China's hands.

> Do you believe—

He continued—

> that the Indians are stooges and lackeys of the Americans? Do you believe that Pakistan is a lackey of the Americans? They are friends of China. Then there are the Burmese. They are the best neutralists in Asia. How is it that none of them has really said that "this is a crime against humanity committed by the Americans?"

The reason, Lee stated, is that they know that Communist aggression must be stopped, for they are next on its list.

I wish to share this column with all Senators, and therefore ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MORTAL ISSUE: WILL UNITED STATES STAND FIRM AS REDS FALTER?

(By William S. White)

The mortal issue in South Vietnam has now demonstrably narrowed down to a single real question. Will the people of the United States stand firm against Communist aggression, now that it is in sober fact a losing aggression militarily, until the assailants can be forced to enter honorable peace arrangements?

The interconnected question is this: Will a handful of pacifist-minded Senators—the FULBRIGHTS, the ROBERT KENNEDYS and so on—continue, however good the motives of their endless "dissent," to give the Communists hope that the will of the great American majority will indeed falter at last?

President Johnson and other officials of this Government have for some time believed that the true battlefield was shifting from the front lines in Vietnam to the home front here. Now, every scrap of independent information from the Communists themselves—interviews with captured Red officers, surveys by detached American correspondents, wholly unpolitical intelligence reports—tells one story and one alone.

This, simply, is that the Communist invaders themselves now admit that they cannot defeat the Allies in South Vietnam—unless American home divisions become so savage as to enfeeble the whole underpinning of the Allied efforts.

The plain reality is that this war against Communist aggression cannot now be lost on the actual firing line.

For proof the most important fact is that the rainy season May-October Red offensive which every year before this has all but cut South Vietnam in two has this year been effectively halted before it could begin.

A second important fact is in the now lost attempt of the Buddhist politico-clerical extremists to overthrow Premier Ky. That they were defeated is significant, of course. But it is even more meaningful that they tried it at all. Why? Because as power-seekers the prize—control of South Vietnam—was for the first time of genuine value. Why genuine? Because for the first time it was plain that to have political control of South Vietnam would mean something; that South Vietnam was not going to fall to Communist conquest. What plotters would seriously seek to seize a regime in immient danger of falling to a Communist invader whose first act would be to take off the heads of that regime?

And if the Communists have passed the point of no return in purely military terms, they have also passed it in Asian political terms. All of Asia except that part of it already in the Red Chinese grip is accepting now the bottom reality that South Vietnam's rescue from attack is indeed the salvation of all the rest.

One illustration of this is in a recent speech by the leftist Singapore Prime Minister Lee Kuan Yew which has had little or no publicity here. In a talk before a Socialist Club in Singapore Lee said bluntly that whatever their ideologies the "little fishes" in Asia would be swallowed one by one if the United States allowed South Vietnam to fall into Red China's hands.

"Do you believe," he went on, "that the Indians are stooges and lackeys of the Americans? Do you believe that Pakistan is a lackey of the Americans? They are friends of China. Then there are the Burmese. They are the best neutralists in Asia. How is it that none of them have really said 'this is a crime against humanity committed by the Americans'?"

They have not said it, Lee went on, for the simple reason that they know the Communist attack on South Vietnam must not be allowed to be repeated if there is to be any safety left in all Asia.

THE HOUSING SECTION OF THE CIVIL RIGHTS BILL

Mr. THURMOND. Mr. President, pending at present before the Senate is additional so-called civil rights legislation. Recently I testified before the subcommittee headed by the distinguished senior Senator from North Carolina [Mr. ERVIN] in regard to this legislation. I understand that the housing section is particularly obnoxious to citizens all over the United States. The Greenville News, of Greenville, S.C., recently published an editorial which contains very timely and appropriate remarks in regard to title IV, the housing section of this particular bill. In order that all Senators may have the benefit of this outstanding editorial entitled "Title IV Mocks Civil Rights," which was published on June 25, 1966, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TITLE IV MOCKS CIVIL RIGHTS

Passage of the housing section, or Title IV, of the civil rights bill now before Congress could have a disastrous effect on homeowning in the United States.

It could be particularly devastating in growing areas like upper South Carolina, where people move in and out by the thousands each year.

Take Greenville County. Each year there is a sizeable turnover in privately-owned homes—large, medium and small. This results from Greenville's growth as a metropolitan center. People move in and buy homes; they move out and put their homes up for sale to other newcomers similar to themselves.

Title IV could change all this.

Suppose a typical homeowner leaving Greenville puts his house up for sale, hoping to get enough equity from it to buy another house in his new location. Then a member of some minority group looks at the house. After negotiations, the owner and the would-be buyer fail to come to terms.

Under Title IV the would-be buyer could sue the homeowner in federal court. He would have many advantages over the defendant under the terms of Title IV:

—The plaintiff's attorney's fees and court costs would be paid by the taxpayers; the defendant would have to foot his own bills.

—A preliminary injunction against sale of the house could be issued immediately, without any testimony or defense.

—The U.S. attorney general could intervene in behalf of the plaintiff, throwing the entire weight and power of the federal government against the homeowner.

—The house would be off the market until a final decision is reached—perhaps three years later. Thus the homeowner's funds would be tied up.

—The plaintiff, if he wins, could get actual damages, plus almost any amount of "balm" for "humiliation and mental pain and suffering." The defendant, if he wins, gets nothing.

In other words all the "rights" are with the plaintiff. The defendant has only the right to defend himself, if he can afford to finance a defense against the resources of the federal government.

This iniquity, if written into law, would be enough to bring into question the value of owning a home at all. Already it is difficult enough, with inflation, taxes and higher-priced mortgage money adding to the cost of home ownership.

The plight of the homeowner under Title IV is a terrible thing to contemplate in a land where a man's home is supposed to be his castle. Title IV in effect makes a mockery of the "civil rights" label under which it moves.

ADDRESSES OF VICE PRESIDENT HUMPHREY AT MICHIGAN STATE UNIVERSITY AND AT THE U.S. MILITARY ACADEMY

Mr. PROXMIRE. Mr. President, the Vice President of the United States, HUBERT HUMPHREY, possesses—among his other endearing characteristics—a deep and abiding affection for youth.

The Vice President himself personifies the happy, optimistic, future-looking attitude of youth.

Recently Vice President HUMPHREY delivered two great speeches that expressed this spirit.

One was at East Lansing, Mich., where he addressed the graduating class at Michigan State University. The second was at graduation ceremonies at West Point.

The heart of the Humphrey message to American young people was concisely expressed in his Michigan State University address in the following words:

> You will be tempted to chart your progress by Gross National Product or by trade indices, or by many other of the quantitative measures you do distrust today.
>
> Keep your distrust of these things.

Measure your progress by whether those you help—those who have known in their lives nothing but despair and defeat—by whether they can begin to have faith, by whether they can begin to have hope, by whether they can begin to find themselves.

Mr. President, I ask unanimous consent that both of these speeches be printed in the RECORD at this point.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

REMARKS BY VICE PRESIDENT HUBERT H. HUMPHREY, U.S. MILITARY ACADEMY, WEST POINT, N.Y., JUNE 8, 1966

Gentlemen, I salute you. You have completed four years of rigorous training—of mind, of body, and of spirit. You have done well.

But I congratulate you even more on what lies ahead—for the lives of service to your country and to your fellowmen which you begin here today.

The demands on you will be great—greater than on any previous generation of the "Long Gray Line" that has passed proudly through this great institution.

Never before has your country been so deeply linked with every part of a rapidly shrinking and changing world.

Never before has the power available to men been so awesome.

Yet never before have men everywhere been so aware that power alone cannot solve their most urgent problems nor satisfy their deepest needs.

You are soldiers. There will be times when your courage, your coolness, and your command of the military arts will be required in full measure.

But you will have to be more—much more—than fighting men.

You will have to be builders.

You will have to be diplomats and psychologists, engineers and politicians, advisers, educators, and friends.

For in the years ahead, the peace and security of the human family will be threatened by aggressions far more subtle than those of armed regiments moving across national frontiers.

World peace and security will be threatened by propaganda, subversion and agitation . . . by economic warfare . . . by assassination of honest and able leaders . . . as well as by the naked use of armed force.

World peace and security will be threatened, above all, by the very existence, for two-thirds of mankind, of conditions of hunger, disease and ignorance.

We must learn that the simple solutions of times past will not meet the present-day challenges, and new forms of aggression, we face.

"Our doves" must learn that there are times when power must be used. They must learn that there is no substitute for force in the face of a determined enemy who resorts to terror, subversion and aggression, whether concealed or open.

Our "hawks" must learn that military power is not enough. They must learn, indeed, that it can be wholly unavailing if not accompanied by political effort and by the credible promise to ordinary people of a better life.

And all of us must learn to adapt our military planning and actions to the new conditions of subversive warfare—the so-called wars of national liberation.

We must learn to meet and defeat our enemy on all, not just one, of the battlefields. We must use the techniques of politics, of economic development, of information and social advancement—and of coordinating all these efforts in a rational and effective total effort.

We are linked to all parts of a complex and changing world. I want to turn now to one part—but a most important part—of that world. It is a part of the world that I know is much on your minds. I speak of Asia, and of America's role there.

In this Spring of 1966, we urgently need perspective on Asia—on its history and the history of our relationship. That perspective can give us guidelines for wise choices—and a solid base for realistic hopes.

I believe the ingredients of perspective can be found in the answers to three questions: Who and what is Asia? How did we get involved with Asia? And, finally, can we achieve sensible goals in Asia?

Who and what is Asia?

Asia means people—more than half of mankind.

Asia means civilizations—venerable, inventive, artistic, and deeply rooted cultures.

Asia means religions—the great compassionate religious and ethical systems of Hinduism, Confucianism, Buddhism, Islam, and Christianity.

Asia means problems—the age-old afflictions of poverty, illiteracy, disease, exploitation, and oppression.

And in the modern era—the past hundred years or so—Asia means revolution.

It was a revolution that was long in coming but inevitable once West met East with full force.

Revolution is seldom peaceful, never easy. For Asia the period of Western impact—and the transformation it produced—has been often turbulent, bitter, and humiliating.

Take three major ingredients of modern Western history—the spectacular rise of nationalism, capitalism, and science. Bring them to bear on proud older cultures, either through direct colonial rule—as in India, in Indonesia, or Indo-China—or through enclaves and spheres of influence—as in China.

Little wonder the effect would be disruptive on Asian societies, as well as sometimes constructive. Little wonder that the results would engender resistance and resentment among Asian peoples toward the Westerner, as well as curiosity and sometimes friendship.

And little wonder that the history of Asia in the modern era is the history of Asia's response to the West, an unfolding revolutionary process of which the end is by no means in sight.

It is a process that seeks first to expel the foreign colonial master, and has largely succeeded in doing so.

But independence is only a fragile beginning, not an end.

With independence comes the struggle for nationhood in the full sense of the word—the struggle to create national unity out of religious and linguistic and even geographic fragmentation * * * the struggle to create national power, in order to maintain stability within and to deter and resist any would-be aggressors without * * * and the struggle to create both wealth and justice, to create a society of expanding opportunities and hope.

The revolutionary process is turbulent and fraught with dangers: It contains the danger of unbridled competing nationalisms; the lure of false prophets and demagogues; the temptation of illusory short-cuts that lead to new tyranny; the passions aroused by unfilled expectations.

Nearly fifty years ago a new specific danger was first added to this process: The doctrines of Marx and Lenin—offered as an explanation of Asia's past, a plan of action for Asia's present, and a blueprint for Asia's future.

Though always a tiny minority, the agents of Marxism-Leninism were able in parts of wartime and post-war Asia to ride the tide of nationalism and anti-colonialism.

With perseverance and discipline, they produced an impact far beyond their numbers.

Today we see in mainland China the tragic result of one Asian revolution that lost its way—a revolution captured by a disciplined Communist minority.

The high price of that tragedy is, for the people of China, a life of isolation in the world's most rigidly totalitarian state, and, for the people of Asia, a profoundly disturbing neighbor.

Today we see in the Indo-China peninsula the tragic result of another Asian revolution that lost its way. The people of Vietnam, who have lived with violence for a quarter of a century, not only find half their country ceded to a Communist minority regime in Hanoi. At the same time they also face a determined effort by that regime to force South Vietnam under Communist rule.

I come to my second question: How did we get involved with Asia?

The question may sound naive. Yet I frequently hear the statement from those who should know better that "America has no business in Asia."

In part this view stems from frustration in the face of Asia's complexity. How much easier to withdraw and let nature take its course.

But in part this view also stems from a misreading of history.

We are all in some degree both heirs and captives of history. And our involvement in Asia is no recent abberration but rather a rooted fact of history.

In one sense, of course, America is simply a something funny that happened to Columbus on his way to Asia.

In a deeper sense, we are and have been a Pacific power from the days of New England's clipper ships in the late 18th century.

Our traders and entrepreneurs soon were joined by our missionaries—not simply evangelists, but doctors and nurses, teachers, engineers and agricultural specialists. By the mid-19th century American ships had opened up Japan, and American citizens were leading participants in what became the greatest export of people and technology ever attempted from one civilization to another—much of it focused on China.

In the process, we became catalytic agents of transformation. In the process, too, we became unwitting participants in Asian history, and in revolution.

America's role in Asia today is a direct product of the century that preceded World War II and of the war itself.

For with the end of that war, the responsibilities of victory imposed on us a stabilizing role in Japan and Korea.

And with the beginning of the Cold War, the Communist victory in China, and the outbreak of the Korean War, American power was the only shield available to fragile and newly independent nations in non-Communist Asia.

This was not a role we had sought. This was not the peace for which we yearned.

Nor is it a role we seek to perpetuate today. But the peace still eludes us. For there are those in Asia who still pursue their objectives by aggression and subversion. And there are others who ask our help in meeting this threat.

I come to my final question: Can we achieve sensible goals in Asia?

What, in simplest form are those goals?

First, we seek to assist free nations, willing to help themselves, in their deterrence of and resistance to all forms of aggression.

Second, we seek to assist free nations, willing to help themselves, in the great tasks of nation-building. We must lead other rich nations in the war on poverty, ignorance and disease in Asia.

Third, we seek to strengthen the forces of regional cooperation on the basis of Asian initiatives.

And finally, we seek and will continue to seek to build bridges, to keep open the doors of communication, to the Communist states of Asia, and in particular Communist China—just as we have to the Soviet Union and the Communist states of Eastern Europe.

The isolation of the Asian Communist states—however caused—breeds unreality, delusion, and miscalculation.

Efforts to break that isolation may, for the time being, provoke denunciation and hostility. But we shall persevere and explore means of communication and exchange, looking to the day when the leaders of Asian communism—as their former colleagues in Europe—will come to recognize the self-destructiveness and wastefulness of their present bellicose policies.

Prudence and reason, not the slogans of the past, will guide us as we try to reduce the unacceptable risks of ignorance and misunderstanding in a thermonuclear age.

Let me underline what we do not seek:

We do not seek alignment, except from those who choose it. We do not seek economic privilege. We do not seek territory or military basis. We do not seek to dominate or to conquer.

Our objectives are best served by one result in Asia:

The emergence of nations dedicated to their own national independence, to the well-being of their people, and to the pursuit of peace.

I return now to my question: Can these objectives be achieved?

My answer is yes. But much depends on our actions as a nation, and on the understanding that prompts those actions.

In the struggle for a peaceful, strong, and developing free Asia, our assets in the region are great.

In Japan, at one end of Asia's arc, we have a staunch friend, a highly developed nation, our second trading partner, an immense potential force for the development of Asia.

On the South Asian subcontinent, at the other end, we have close friends in India, the world's largest democracy, and in Pakistan. Both nations are dedicated to independence and bravely embarked on programs of development.

And in the Southwest Pacific, completing the triangle, are our friends in Australia and New Zealand who share our commitment to the future of Asia.

Elsewhere—in Korea, Taiwan, the Philippines, Thailand, Burma, Malaysia, Singapore, and Indonesia—we find nations committed in differing fashions to independence and development. We respect their commitment, and we respect their differences. We applaud their leadership.

But what of the states of former French Indo-China?

There, of course, is the present focal point of war and revolution in Asia. And there we are tested as never before. We face a situation of external aggression and subversion against a post-colonial nation that has never had the breathing space to develop its politics or its economy.

In South Vietnam, both defense and development—the war against the aggressor and the war against despair—are fused as never before. Vietnam challenges our courage, our ingenuity, and our ability to persevere.

If we can succeed there—if we can help sustain an independent South Vietnam, free to determine its own future—then our prospects, and the prospects for free men throughout Asia, will be bright indeed.

We know this. Our friends and allies know it. And our adversaries know it. That is why one small country looms so large today on everyone's map of Asia.

But Asia will not disappear with a Vietnam settlement.

Nor will our objectives and responsibilities in Asia disappear.

The peace and development of Asia will be high on our national agenda for the rest of this century.

So will our relations with the nations of Asia—including our relations with mainland China.

President Johnson's address at Johns Hopkins University last year was an historic formulation of American purposes in Asia.

In that speech he said that our commitment to South Vietnam was firm, that our quest for peace would be unremitting, and that our continuing concern with the welfare of the peoples of Southeast Asia could be tested by Asians ready to initiate cooperative ventures of peaceful development. The President pledged 1 billion dollars to projects that might be developed.

In that speech, too, President Johnson envisaged participation by North Vietnam in constructive social and economic arrangements once Hanoi had decided to stop the shooting. And last February, he again appealed to the "men of the north" to stop aggression and to join in helping fulfill the unsatisfied wants of the people of the region.

Termination of war alone would be a major contribution to the process of accelerated social and economic development in Asia.

But there are other basic problems which face most of the countries in the area.

In Asia, incomes are low. Population growth is high. There is a shortage of capital. The need for investment is almost limitless. There is excessive dependence on a limited number of products for foreign exchange earnings.

These problems demand the attention of countries in the area as well as countries outside which are able to help.

But there is promising ferment in free Asia today—ferment that can lead to higher standards of performance on the part of individual countries and a greater sense of community among them.

War is always cruel. But the war in Vietnam should not obscure for us the fact that behind the smoke and uproar is the testing of an issue vital to all of Asia, and indeed the world.

Can independent, non-Communist states not only survive, but grow and flourish in face of Communist pressure?

In that confrontation, a review of free Asia's achievements should give us solid ground for hope.

Consider South Korea, where exports have increased by 500 per cent in the past three years. Consider Taiwan, which has been transformed from an aid-receiving to an aid-giving country and enjoys a rate of economic growth higher than even that of Japan. Consider Malaysia and Thailand, where ambitious development plans are being launched. Yes, consider Indonesia, where new leaders are determined to see that potentially rich country resume a responsible place in the world community.

All of these developments are striking evidence that, notwithstanding Communist boasts that they represent the wave of the future, the real achievements taking place within Asia have occurred in areas that rely upon independence, competition, and respect for national integrity as the bases for genuine and enduring social and economic progress.

As we Americans strive to deal with the immense problems—and the promise—of a vibrant, modernizing interdependent Asia in the years ahead, we will be called upon to show special qualities of mind and spirit and understanding as a nation.

We will have to learn far more about Asian history and Asian cultures than any of us now know. We need more than nodding acquaintance with the key critical issues that absorb the attention of Asians.

We will have to learn to speak and read Asian languages.

We will have to become more sensitive to the differences among Asian nations as well as their similarities.

We should also be sensitive to the pride, dignity and nationalism of Asian peoples and nations. Like most people, Asians prefer to rule themselves badly than to be well ruled by some foreigner. The same goes for advice and initiatives. Otherwise good ideas inevitably lose some of their appeal if carried through Asia in clearly foreign wrappings.

Asians prefer Asian initiatives, proposed by Asians. So do we.

Finally, we must learn to suppress our national enthusiasm for quick solutions.

Asia's problems are extraordinarily complex and intractable; they will be with us for a long time to come, and we should force ourselves to practice some traditional Asian patience.

It is patience—and perspective—that we will need in the years ahead.

For I have no doubt that we will meet, in Asia as in the rest of the world, time and again with disappointment, disillusionment, ingratitude and frustration.

Yet we must not be deterred.

It is our good fortune to be free citizens of the most prosperous and powerful nation in the history of the earth.

It is the prosperous who can most afford compassion and humility.

It is the powerful who can most afford patience and perspective.

Let us, then, not pursue policies—or judge ourselves—in consonance with the passion of the moment.

Let us pursue those courses of which, in the judgment of history, it can be said: "These were the paths taken by wise men."

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, MICHIGAN STATE UNIVERSITY, EAST LANSING, MICH., JUNE 12, 1966

HUBERT H. HUMPHREY feels a kinship with college students.

I like to be where the action is.

I was raising Cain with the system before you were born, and as I am just beginning to get started, I don't doubt that I will be raising Cain when you are running things too.

In fact, I wish I were being graduated today. I might have a better idea where my next job is coming from.

Today I speak in a relatively new role. I speak for management.

As management's spokesman, I wish first to thank you for service to your nation.

In all these years of study, I am sure you thought you were improving your position to compete in the years ahead or to enter a profession. But you today are more than college graduates.

From management's viewpoint, you are valuable natural resources.

More Americans are in college this year than all the Americans alive when our nation was founded. More Americans are in graduate schools today than all the Americans who bore arms during the Revolution. Those are lots of resources.

And we will need them all.

For by the time one of you is likely to stand in this place at some future Commencement, the American people will number more than 300 million—and the people in the world almost too many to even think about.

And I need not recite for you the future needs and problems of those people.

You will be in charge. You will be responsible for our national security and my medicare.

You will be responsible for the education of my grandchildren and the freedom of my great-grandchildren.

So I propose to take a look at you and have a talk with you.

But first, about your parents . . .

It may be hard to believe but, in another century's history books, the very people who have been helping with your tuition may be ranked among the greatest radicals in modern history.

Some of your parents might flinch if you told them there were radicals in your family. But they have been nothing less.

Theirs is the first generation in all of history which, by its own hand, has surrendered the privilege of telling its offspring: This is how things are; this is how they always have been; this is the way the world goes.

Your fathers and mothers were born children of hills and valleys. Today they see the galaxy itself.

They have created amazing new systems of management, science and technology.

They have found new and better systems to care for people.

And I have been right in the midst of it with them, just as I am with you.

I am not going to bore you with tales of the Great Depression, or of World Wars, and of the hardships your parents faced.

Nor will I recount the struggles that took place in our country to achieve the measure of well-being and social justice we have reached today.

But I can tell you, it has been no picnic. It has been no improvised "happening."

It has taken involvement, and hard work, and study, and self-doubt, and passionate disagreement, and finally, understanding and motion.

Progress has ridden no fast express. It has been a local all the way.

Thus, as older generations welcome you aboard, I think you ought to know that they're not been cooling their heels waiting for you.

The generation of your parents has lived amid the floodwaters of history. Most of them have known genuine hardship. Many of them have lost loved ones on other continents. Their old horizons have gone far off in space, yet they have followed, cautious but willing. The world has come to their dinner table, and at times has seemed to stay a long while, yet they remain hospitable.

They have made history. Yet to many of you, I know, it seems "the heavy hand of history."

Remember this: The challenges they have faced didn't leave room for some of the niceties of today.

They have had to meet trouble in large sizes.

They have had to feed and clothe and house and transport and produce and educate and struggle in big portions, just to overcome the clear and present perils of their time.

Individualism has been the backbone and concern of their work. Yet to serve the individual, they have had to build on a scale which has seemed at times to dwarf the individual.

By and large they have been, I believe, a resourceful and courageous generation.

And now, to you, I know, it seems they have hidden their history.

Over the battlefield they have laid out the golf course.

For those of you who have grown up within putting distance of a country club or within walking distance of a second car, it is hard, I know, to recognize many vestiges of radicalism.

"Where's the action?" you ask.

And I reply: There's plenty of action. Roll up your sleeves and have some.

Your parents had to fight desperately, at your age, to stave off poverty at home and violence abroad—and they in large part succeeded.

Yet the challenges you face are far greater, and far more exciting, than those they faced. The scale of effort to be required of you will be far greater than that required of them.

For the fact of our time is this: The poverty our nation knew in the Great Depression . . . the peril that mankind knew in World War II—these are nothing compared to the poverty and peril that surround our strong, rich America in the world today.

There are desperate conditions of injustice and hunger and disease throughout most of the human family.

There are, in human society, conditions which not only bring a sense of shame and insufficiency to those of us who live in such a blessed land . . . but conditions which can lead to the eruption of the little disorder, which can grow to the small war, which can build to the cataclysm which could destroy rich and poor, black and white, believer and non-believer—all of us alike.

That is where the action is.

This is the environment in which you will be in charge.

This is the human adventure on which you embark.

I believe you sense the full measure of what you face.

I feel a sense of concern and of involvement among you.

I have seen you in the Peace Corps, helping strangers.

I have seen you marching down dusty roads on behalf of fellow Americans whose skin doesn't happen to be white.

I have seen you, in VISTA, lifting the forgotten to a place of self-respect in life.

I have seen you, standing calm, resisting the temptation of violence, for what you believe in.

I have seen you, wearing your nation's uniform, fighting bravely for a cause far more difficult to understand than any we have defended before.

I have seen you speaking out, from deep personal conscience, without thought of personal popularity.

You perform remarkably well in the system your parents built, yet I know that you are probing relentlessly to find your own personal relationship to it * * * desperately seeking identity in a society of bigness.

For your generation, the old labels seem to have little meaning.

Whether you are part of the "New Left" or the "New Right" or the "Out" or the "In," your concerns are far more for basic humanity than they are political.

And I think it is a mistake to see in either your protests, your reservations, or your dissent, much that can fit into the traditional political categories.

Indeed, if much of our political history seems to have escaped you, you are not too troubled by the loss. You are deeply and personally caught up in what matters today.

You set high standards for yourselves, and you judge yourselves harshly.

And you show a remarkable degree of serious introspection for the children of prosperity.

And I sometimes fear that, in your introspection, you may come to believe you are alone.

I tell you now that when you stand alone, you are not alone.

When you speak out and act alone in America, you are more a part of this land and more a source of its strength than are all of the multitude who join in silence, no matter how vast they may seem.

"The most dangerous enemy to truth and freedom amongst us," said Ibsen, "is the compact majority."

Oppose that compact majority, and you are sure to collect a few bruises. But I have found that the best remedy for a bruise is to collect a few more.

The more you speak out, and the more you act, the more you are going to discover that you are lending courage to a surprising number of people whose feelings will come to the surface in response to yours.

True freedom in any land is a relentless, never ending process of self-discovery among its people.

This you will preserve, for our own land, not because it is your inheritance; nor because some destiny says you must; but because your own free search for individual identity in the living present, demands it.

The strongest bulwark of liberty is man, free and in search of himself.

A good number of your generation have already learned this lesson, in search of themselves in places and causes far distant from East Lansing, Michigan.

It is your opportunity to carry that lesson into forgotten corners of our country—and of the world—where people have never had any reason to learn it, or believe it.

We face today the incomparable opportunity—in the red dust of South American villages, in the neon minefield that is Watts, California—to stimulate the will to seek identity and to discover one's course.

You will be tempted to chart your progress by Gross National Product or by trade indices, or by many other of the quantitative measures you so distrust today.

Keep your distrust of these things.

Measure your progress by whether those you help—those who have known in their lives nothing but despair and defeat—by whether they can begin to have faith, by whether they can begin to have hope, by whether they can begin to find themselves.

Yours is the opportunity to prove in the world what the generation of your parents has already begun to prove in America: That the course of history is not a mindless juggernaut we are powerless to control, but a fresh challenge susceptible to courageous action in each generation.

I hope you will be sensitive to that opportunity.

I hope you will waste no time in seizing it.

The story is told that Pericles of Ancient Greece in his later years came across a young lawyer of Athens who was deeply devoted to causes, who wished to change immediately what was wrong in the world.

Pericles chastized the young man for being too bold and brash—for concerning himself with things better left to older men.

The older man patronizingly said: "Of course, I understand for I, too, was overeager in my youth. But now that I am older I have learned better. Take my advice and do not become so involved."

To which the young man replied: "I regret I did not have the privilege of knowing you when you were at your best."

Despite the fact that I represent management here today, I will tell you this: If you do not choose to follow, precisely the trails that others have blazed, then I do not think we ought to count the future unsafe in your hands.

In your search for identity and self-knowledge, you will have much to discover before you determine what is worthwhile, and what is worthless.

But in a land of individuals, better the mystery of the search than some counterfeit security. In a world society desperate for change, better your dedication to it than your fear of it.

It is the special blessing of this land, that each generation of Americans has called its own cadence, and written its own music—and our greatest songs are still unsung.

THE MILITARY DRAFT

Mr. KENNEDY of Massachusetts. Mr. President, yesterday I was privileged to testify before the House Armed Services Committee on the subject of the military draft. Today the Assistant Secretary of Defense for Manpower, Thomas D. Morris, testified before the same committee, on the results of a comprehensive study of the draft undertaken by the Department of Defense. I am very pleased to learn, from Mr. Morris' testimony, that the Defense Department's study arrives at many of the same conclusions that I have arrived at in my own investigation of the draft.

In my testimony yesterday I stated that there is a growing national concern over the workings of the present draft system and that, because no practical alternative to conscription has yet been found, it was the responsibility of Congress and the administration to seriously explore the possible alternatives to this system, with a view toward finding a method which could meet our manpower requirements, insure fairness and provide for the induction of young men at an early age.

I said that the defects of the present system stem mostly from two policies: drafting "the oldest first," and granting liberal deferments. The "oldest first" policy causes the average age of induction to rise sharply when manpower needs decrease, and keeps many young men in uncertainty for as many as 5 or 6 years. The policy of granting liberal deferments works a bias against those young men who do not have the intellectual or financial resources to maintain deferments which will take them past the draft age.

To correct these defects, I proposed we consider introducing, when circumstances permit, an age-class lottery method of selection to choose men for the military service. The lottery would select men at age 19 when differences in education, occupation and marital status among our young men are less than they are subsequently.

Those young men who wanted to attend 4 years of college could postpone their lottery eligibility, but when they finished school they would have to enter the lottery with the 19-year-old group of that year.

Concentrating the draft among those 19 years of age, and choosing among them by a method of random selection, I pointed out, would have these advantages over the present system:

It would make every qualified young man equally liable for conscription.

It would be flexible in meeting manpower needs.

It would reduce uncertainty for draft-eligible young men.

It would cause less disruption in their lives and careers.

It would maintain the average age of induction at around 20, which is preferred by both the armed services and the general public.

According to Assistant Secretary Morris' testimony the Defense Department study also concluded that "the draft selection system should be redesigned to concentrate military service among the younger age classes—and older students when they leave school—when force levels are reduced and stabilized."

One way to accomplish this objective, the Defense Department suggested, would be to induct men from the class IA available pool in any one year from a priority category consisting in large part of the current 19- or 20-year-olds. Student deferments would be permitted at the completion of which time the individual deferred would have equal exposure with the 19- and 20-year-olds of that year. Those in the 19 and 20 age class not reached by the end of a year would be placed at the bottom of the next year's draft list, after men in the new class of 19- or 20-year-olds and the newly available ex-students. Present deferment rules would be continued.

Under the approach I proposed yesterday, substantially the same procedures would be followed as those suggested by the Defense Department study mentioned above, with the exception that I would eliminate the deferments for dependency and occupation, whereas the Defense Department would retain them. My reasoning was that at age 19, few of our young men would have acquired critical skills or dependency situations to require continuing the deferments for such considerations. At the same time I recognize that since few young men would qualify for these deferments, their continuation would not make a substantial difference to the overall equitable operations of the system.

In addition, under my proposal, the student deferment would be for only 4 years.

In response to questions, Secretary Morris stated that the Defense Department was continuing to study ways in which those who would serve might be chosen from this pool of 19-year-olds. He admitted that this pool would far exceed our draft needs in the future when force levels are reduced and stabilized.

He agreed that a method of random selection, such as the lottery I have proposed, to choose from among those in this 19-year-old pool would be a very simple and effective method of selection, and said that the Defense Department was examining this method as well as several other alternatives.

Should the Defense Department arrive at a method of selection which is more equitable and efficient than the random selection method I have proposed, I would be delighted to support it. I presently know of no better alternative.

I agree with the conclusion of the Defense Department that the proposal to consider revising our draft system to choose those who must serve from a pool of our young men aged 19 or 20 "deserves thoroughgoing evaluation, in preparation for its application when military strengths stabilize at a level which would result in a new trend toward higher induction ages."

Mr. Morris reported that the Defense Department will continue to study the question. I, too, intend to continue to pursue this question, for the method by which we determine who shall serve is a question which affects all Americans.

In my judgment, this question deserves the attention of all Members of the Senate, and I ask unanimous consent, to insert in the Record at this time, the statements made by Assistant Secretary Morris and myself, before the House Armed Services Committee.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Statement of Thomas D. Morris, Assistant Secretary of Defense (Manpower), Before the House Committee on Armed Services, Report on DOD Study of the Draft, June 30, 1966

DEPARTMENT OF DEFENSE REPORT ON STUDY OF THE DRAFT, JUNE 1966

In April 1964 a comprehensive study of the present draft system was undertaken by the Department of Defense. A major objective of the study was to assess the possibility of meeting our military manpower requirements on an entirely voluntary basis in the coming decade. The basic conclusions of this study were contained in Secretary McNamara's posture statement to the Congress early this year. We have now brought the analyses upon which the study was based up to date, and find that experience in recent months confirms in all respects our earlier findings and conclusions.

At the outset, I would like to stress that it has been, and is our firm policy to meet a maximum of our requirements through voluntary enlistments, and that we depend upon the draft only for the residual number of people required from month to month. There are many reasons for this. Reliance upon volunteers to the greatest extent possible in peacetime is in accord with the American tradition. The volunteer, moreover, serves initially one or two years longer than the draftee, and is more likely to seek a military career.

To encourage and facilitate voluntary enlistments, the Military Services maintain a substantial recruiting organization; currently there are more than 3,000 recruiting stations throughout the United States, manned by 7,000 recruiters. The Navy, Marine Corps and Air Force have—with limited exceptions—depended entirely upon volunteers. The Army, in most recent years, has obtained over half of its personnel through enlistments and its enlistment totals have exceeded those of any other Service.

Nonetheless, our studies fully confirm the essentiality of the draft, both to supply the residual number of men needed to man our forces, and to encourage a larger number of volunteers.

In this statement I will review five questions which have been considered:

I. What has been our experience with the Selective Service System since passage of the Act in 1948?

II. What are the problems in the Selective Service process?

III. Can foreseeable manpower requirements be met without the draft under present military manpower policies?

IV. If not, would improvements in pay and other manpower practices enable us to sustain an all-volunteer force?

V. Finally, if the draft must be continued, are there ways of improving the process of choosing those men who must serve in uniform?

SCOPE OF STUDY

Before outlining our answers to these five questions, I would like to indicate the comprehensive basis for our studies. Altogether, these studies have assessed the experience and attitudes of several hundred thousand men. They were conducted by the Military Departments, the Bureau of Census, the Departments of Labor and Health, and Education, and Welfare and by the Selective Service System.

Selective Service reviewed the records of 288,000 registrants as of July 1964 to obtain information, for each age class, on those who had served and those who had not.

The Military Departments obtained information on the attitudes of 102,000 men on active duty and 46,000 Ready Reservists, in order to determine their reasons for entering the Service, including the influence of the draft.

The Bureau of Census made a nationwide survey of both non-veterans and veterans, age 16–34 in 35,000 households, to determine their military service plans, experience and attitudes, with particular reference to the draft.

Finally, the Labor Department and the Public Health Service assisted us in special studies. The Labor Department surveyed over 2,700 employment and training officials in industry, colleges, and public employment offices, to determine the effect of the draft on employment and training opportunities of draft-liable young men. The Public Health

Service assisted us in evaluating the special problems of medical manpower supply and requirements.

I. What has been our experience with selective service?

Between September 1950 and June 1966, 188 draft calls were placed with the Selective Service System—one in every month except May and June 1961. During this period, 11.3 million men have entered or been called to active service as enlisted men, of whom 3.5 million—nearly one in three—were draftees. This has meant an average monthly rate of inductions of about 18,600.

The draft has proven to be a very flexible tool duirng the past 16 years. It has adjusted rapidly to widely varying annual requirements. In 1953, it was called upon to supply 564,000 men (59% of new entrants), while in 1961 draft requirements dropped to 60,000 (14% of new entrants). In the past 12 months (fiscal year 1966) it has been necessary to issue draft calls for 334,500 men in spite of a record volume of new enlistments. These requirements have been met promptly.

Clearly, there is no question about the success of the draft in meeting military manpower requirements, nor can there be any reasonable doubt as to the need for the draft in the present period.

A principal problem affecting the operation of the draft system in the past has been the growing supply of draft-age men in relation to military reqirements. A decade ago, only 1,150,000 men were reaching age 18. In 1965, the number of 18-year-olds had increased by 50% to more than 1,700,000. This trend will continue into the coming decade; by 1974, the number of men reaching draft age will total more than 2,100,000—over 80% above the 1955 level.

Enlisted personnel entries by major source,[1] fiscal years 1948–66

[Numbers in thousands]

Year	Total	Enlistees [2]	Draftees	Reserve recalls	Percent draftees
1948	281	281			
1949	398	368	30		7.5
1950	182	182			
1951	1,826	630	587	609	32.1
1952	991	532	379	80	38.2
1953	961	397	564		58.7
1954	647	382	265		41.0
1955	695	480	215		30.9
1956	583	446	137		23.5
1957	576	396	180		31.3
1958	453	327	126		27.8
1959	451	340	111		24.6
1960	439	349	90		20.5
1961	446	386	60		13.5
1962	715	409	158	148	22.1
1963	447	373	74		16.6
1964	527	376	151		28.7
1965	454	351	103		22.7
1966 [3]	933	598	335		35.9

[1] Excluding reenlistments.

[2] Includes male regular enlistments, other than prior service, and enlisted reservists voluntarily entering active duty tours of 2 years or more.

[3] Estimated.

Men reaching age 18

[In thousands]

Year	Number	Percent increase
1955	1,150	
1960	1,330	16
1965	1,720	50
1970	1,930	68
1974	2,120	84

As a consequence of this trend, a steadily decreasing percent of the Nation's manpower in the draft ages 19 through 25 has been called on to serve, and this trend may continue downward in the future, as shown in exhibit 2. In 1958, 70% of men reaching age 26 had seen military service; in 1962, 58% of those reaching age 26 had served; today the figure is about 46%. By 1974, at pre-Vietnam force levels, only 34% of those reaching age 26 will be required to serve. If the current 3 million strength level were sustained in the future, the percent serving would decline to 42%.

One consequence of the growing imbalance in supply versus requirements in the past decade, was a trend towards more liberal deferment policies. These actions were based on the objective of providing the armed services with fully-qualified men, while minimizing disruption to the careers of as many men as possible when justified in the national health, safety and interest. Recent high draft calls have made it necessary to reverse this trend, as discussed later in this statement.

EXHIBIT 2

Percentage of men, age 26, with military service—Actual: 1958, 1962, 1966; Projected: 1974

	Percent
1958	70
1962 (actual)	58
1966	[1] 46
1974 (projected) (3.0 million strength assumption)	42
1974 (projected) (2.7 million strength assumption)	34

[1] Preliminary estimate.

To keep the Selective Service process reresponsive to local conditions and to minimize processing time, a high degree of decentralization is practiced. Classification of men, granting of deferments and the issuance of induction orders are the responsibilities of over 4,000 local Draft Boards. The benefits of this decentralization have been well stated by the Director of Selective Service:

"No system of compulsory service could long endure without the support of the people . . . The Selective Service System is, therefore, founded upon the grass roots principle, in which boards made up of citizens in each community determine when registrants should be made available for military service."

The examination of men under Department of Defense fitness standards is conducted by the 74 Armed Forces Examining and Entrance Stations which are jointly staffed by all Military Services and administered by the Army. In order to assist the Selective Service System in meeting current high draft calls, the Department of Defense has made a strenuous effort to assure that its examination results are reported on a timely basis to the draft boards. As a result, the backlog of incomplete cases in the Armed Forces Examining and Entrance Stations has dropped 32% in the past few months; and 85% of all completed cases are now handled in six days or less.

II. What are the problems in the Selective Service process?

Criticisms of the Selective Service process in recent years have emphasized four principal points:

First, the present selection procedure calls the oldest men first—those who are the most settled in their careers.

Second, past deferment rules have favored college men—those who may be the more fortunate economically.

Third, past deferment rules have favored married men without children—thus putting a premium on early marriages.

Fourth, Department of Defense standards in recent years have disqualified men with lesser mental ability and educational attainment—those who may have been culturally deprived.

We have examined each of these critcisms with the following findings:

A. The Present Selection Procedure Calls the Oldest Men First

Exhibit 3 (not printed in RECORD) illustrates the fact that present draft rules operate to lift the median age of involuntary inductees during times of a surplus in supply versus requirements; and that this trend is sharply decreased during periods of high draft calls. During the past five years, the median age of draftees has ranged from a high of 23.7 in 1963 to today's low of 20.3.

The outlook for the next decade is again an upward trend in the median age, due to the growing supply of draft-liable men, particularly if military strengths return to the pre-Vietnam level.

This is the most undesirable feature of the present selection procedure, both from the military viewpoint and from the standpoint of the individual. Combat commanders prefer the younger age group, and about eight out of ten volunteers are in the age group under 20.

We have also ascertained that older draftliable men face personal hardships. In our surveys, we found that: 39% of enlisted men who had originally entered service at ages 22–25 had been told by at least one prospective employer that they could not be hired because they might be drafted. College men had the greatest difficulty with restrictive hiring practices; 54% of this group reported some difficulty in their personal planning, prior to entering service, because of the uncertainty of their draft status.

B. Past Deferment Rules Have Favored College Men

Our analysis of Selective Service records of men reaching age 26 as of June 1964 revealed that only 40% of the college graduates had served, compared to 60% of the college drop-outs, 57% of the high school graduates and 50% of the non-high school graduates (see Exhibit 4). Since nearly all physicians and some other officers enter service after age 26, the percentage of college graduates in this age class who will have served will be somewhat larger than 40%.

There are many reasons why past draft rules tended to favor the college graduate under the high draft ages in effect in the early 1960's. He has had more opportunity to reach age 26 without serving—by receiving an occupational deferment, by continuing graduate study, or by acquiring dependents. In fact, 11% of the 26 year old college graduates had an occupational deferment as of June 30, 1964, compared to less than 1% of all other men who were age 26 on this date.

EXHIBIT 4

Percentage of 26-year old men who had entered military service by educational level, July 1964

	Percent
Non-high-school graduate	50
High school graduate, no college	57
Some college non-graduate	60
College graduate	40

There are arguments, however, in favor of college student deferment. Present student deferment rules were originally developed in 1951, based on the views of leading educators and Federal policy makers, in order to provide an assured flow of college trained manpower, both for the civilian economy and the Armed Services. The Military Departments, in fact, look to civilian colleges for 90% of their new officers. Under the much lower current draft age and the tighter deferment rules now in effect, the percentage of college graduates serving will be much higher than in the recent past.

C. Past Deferment Rules Have Favored Married Men Without Children

In September 1963, when the median age of inductees reached a peak, it was decided that married men without children should be placed in an order of induction after single men, a procedure then tantamount to deferment. After two years of experience, it was found that men in the 20–21 year age group had accelerated their marriage plans, presumably because of this deferment incentive.

Last summer, it became clear that continuation of the lower order of call for these men was not desirable, either from a manpower supply standpoint or in terms of social and equity considerations. An Executive Order was thus issued on August 26, 1965, providing that registrants married after that date would no longer be placed in a lower order of call.

Our experience with this deferment policy suggests that it should not be reinstituted in the future.

D. DOD Standards in Recent Years Have Disqualified Men With Lesser Mental Ability and Educational Attainment

Department of Defense qualification standards are of three types: mental, physical and moral. The latter two categories have been evolved over long years of experience and have not changed materially. We are engaged in a thoroughgoing review of these particular standards and their application.

The principal area of opportunity, however, lies in reassessing our mental standards, which have been increased substantially since 1958. The legal minimum requires that the new recruit pass the Armed Forces Qualification Test (AFQT) with a score in the 10th percentile or above (that is, in the upper 90% of the population tested). The law, however, permits the Secretary of Defense to raise these standards in peacetime.

The legal minimum standard was used from Korea until 1958, at which time permission to raise peacetime standards was granted by Congress. Between 1958 and 1963, standards were raised by adding the requirement for a passing score in three out of seven areas of an aptitude test battery given to those with low AFQT scores.

Last summer, a reexamination was begun to determine whether these standards were unnecessarily disqualifying men who, during the normal training cycle, could be made fully suitable by adequate "remedial" programs and acceptable "screening-out" procedures. Our examination led to revisions in standards which are now qualifying an additional 40,000 men annually. The first revision, made on November 1, 1965, provides that any high school graduate scoring in the 16th AFQT percentile or above will be accepted, regardless of his aptitude test scores. This revision was based on extensive research which showed that high school graduates, at any mental level, had a better performance record than non-high school graduates. The second revision, made on April 1, 1966, accepts an individual in the 16th percentile or above, who scores well in any two aptitude areas.

The results of these changes are being carefully scrutinized, and further revisions will be instituted if found feasible.

In order to accept men with lesser aptitudes in a sound manner, the Services have instituted remedial training programs and screening procedures to assure that only fully suitable men are retained. These safeguards are important not only under today's revised standards, but also for the future should the need arise to accept all men who meet the legal minimum. They will enable us to avoid many of the problems of discipline and marginal performance which were experienced during and after Korea.

In the future, we feel that a more comprehensive program of remedial education and physical rehabilitation should be conducted to qualify an even larger group of men. This program would accept men who have physical defects that can be remedied (with minor surgery, if required), or who need educational upgrading requiring up to three to six months beyond the basic training cycle. We believe that this is an investment we must make, both in the interest of broadening the pool from which manpower can be drawn, and to assure a more even distribution of the military obligation among our youth.

* * * * *

In the light of the problems described above, and the objective of the Department of Defense to draw to a maximum on volunteers, the next question examined by our study was:

III. Can foreseeable manpower requirements be met without the draft under present manpower policies?

While the draft has been called on to produce less than one-third of new enlisted entrants since 1950, it has long been apparent that the pressure of the draft has a decided influence on the decision of many of the remaining two-thirds who volunteer. To document this influence, a questionnaire survey was made of a representative sample of active duty and ready reserve personnel on their first tour, to determine the extent to which the draft influenced their decision to enter military service. The results (illustrated in Exhibit 5) provide a significant measure of draft motivation:

EXHIBIT 5

Percentage of first term enlistees and officers who entered because of the draft[1]

	Percent
Officers (first active duty tour)	41
Regular enlistees (first term)	38
Reserve enlistees (no active service)	71

[1] Source—Department of Defense Surveys of Active Duty and Reserve Personnel, Oct.-Nov. 1964. Based on responses to question: "Would you have entered service if there had been no draft."

Percent who would not have volunteered without the draft

Group queried	All services	Army	Navy	Air Force	Marine Corps
Regular enlistees	38	43	33	43	30
Officers	41	48	40	39	27
Reserve enlistees (including National Guard)	71	72	75	80	50

Using the above findings, we have estimated the probable numbers of men who could be expected to enlist voluntarily without the pressure of the draft, if no changes were made in pay or other incentives. These estimates allow for the expected growth in military-age population. Separate estimates were produced (1) under an employment level of 5.5%, the average for the ten years ending in 1965; and (2) under the current unemployment level of 4%. The findings clearly demonstrate that an all-volunteer force, under present policies, would fall far short of any force level which has been required since 1950.

A. New enlisted accessions would drop sharply by 1970 without the draft

After making full allowance for the increasing supply of men in the younger age classes, it is estimated that the annual volume of enlisted accessions would drop by 1970 to:

Unemployment rate:	*Estimated number of volunteers*
4 percent	235,000
5.5 percent	274,000

* * * * *

These include such diverse skills as electronics maintenance technicians, missile repairmen, intelligence analysts, meteoroligical aides and computer programmers—among many others. Increasing reliance upon sophisticated weapons systems and equipment has greatly increased the relative importance of these skills, and this trend will continue in the future.

Similar problems of specialist shortages would be encountered in officer procurement programs. The medical and dental corps would experience particularly severe shortages in view of the heavy reliance upon the draft in staffing these professional positions.

IV. Would improvements in pay and other manpower practices enable us to sustain an all-volunteer force?

Having found that elimination of the draft, with no new incentives, would make it impossible to sustain force levels of the size required during the past 16 years, we next examined the potentials for attracting a larger number of volunteers by (1) increasing pay, (2) offering more liberal educational and fringe benefits, and (3) replacing military with civilian employees.

To examine these opportunities, we requested the Bureau of Census to survey nonveterans, age 16 to 34, to determine their attitude toward military service versus civilian employment and the factors they considered most important in choosing a job or career.

A. The cost of sustaining an adequate all-volunteer force would be prohibitive

Surprisingly, responses of the 16–19 year old group revealed that pay alone is a less potent factor than might be expected.

This group was asked: "If there was no draft, what condition would be most likely to get you to volunteer?" The responses revealed:

That "equal pay" with civilian life was considered the most important inducement by less than 4%.

That "considerably higher" pay than in civilian life was considered most important by only 17%.

These findings generally confirmed other analyses of enlistment rates versus wage levels in various sections of the United States. By relating the rate of voluntary enlistments, unemployment, and the differential between military and civilian pay by region, we were able to establish estimates of the additional payroll costs required to attract an all-volunteer force.

It was found that pay increases for officers during their first two years would have to be in the range of 20%–50% to attract an all-volunteer officer force. For enlisted personnel, much steeper increases would be needed:

[Range of pay increases required]

Unemployment rate:	*Percent*
4.0	110-280
5.5	80-180

Translating these findings into dollars required to support a 2.7 million (pre-Vietnam) all-volunteer active force, it was found that:

[Range of increased payroll costs]

Unemployment rate:	*Billion*
4.0	$6-17
5.5	$4-10

The above estimates make allowance for the offsetting savings which would later result from lower turnover and the higher career content of an all-volunteer force.

But these are not the total new costs which would be required. Still greater increases in the pay of reserve personnel would be needed, due to the very low volunteer response without the draft. While less precise analyses were made, it is estimated that at least an additional $1 billion would be required in order to attract an all-volunteer reserve force of present size.

In the medical field, it would be impracticable to induce 3,000 or more physicians annually—nearly 50% of those graduating each year—to voluntarily enter service through increased pay.

Finally, the above estimates are representative of the costs required to sustain the pre-Vietnam force level. To obtain increases above this level would necessitate greater-than-proportionate increases for each increment added to the force.

B. Improvement in Fringe Benefits Would Have Limited Effect as an Enlistment Inducement

The Bureau of Census study of non-veterans requested the respondents to designate the factor "most important" in choosing a job or career. Fringe benefits placed eighth out of nine factors, with less than 3% ranking it most important. This bears out experience from other studies of the career motivation of young men, and confirms the view that leave, retirement, medical and other such benefits are of primary importance to men already in service, particularly at career decision points.

Thus, while we must continue to press forward with improvements in such areas to improve morale and career retention rates, it is unlikely that these improvements will contribute significantly to attracting a larger number of volunteers.

The one possible exception to the above finding is in the field of educational benefits:

Percent who felt they would be induced to volunteer without a draft (16- to 19-year-olds)—	Non-students	Students
	Percent	*Percent*
If guaranteed training in a job or skill useful in civilian life	29	20
If sent to school or college at Government expense before or during military service	18	31
If sent to school or college at Government expense after military service	8	12

The last named incentive is provided under the recently enacted "GI Bill of Rights." In respect to the first two, the Services are offering such training and educational incentives on an extensive scale, and those surveyed recognized that military service is superior to civilian careers in these respects. Thus, while further improvements should be made whenever possible, the opportunities to increase volunteers through such incentives cannot be counted on to overcome more than a small fraction of the deficit we would face without the draft.

C. Replacement of military with civilian personnel can reduce requirements, but not enough to solve the volunteer deficit.

Early in our study, analyses were made of the opportunities for greater substitution of civilians in support-type jobs now performed by military personnel. As a result, plans were implemented in the fall of 1965 to release 74,300 military personnel for combat-type assignments by substituting 60,500 civilians. The elimination of 13,800 additional military jobs is accounted for primarily by a reduction in the number of trainees and related support jobs.

We are watching carefully the experience in this substitution program, and continuing to search for additional support-type jobs which might qualify for substitution. However, there are practical limitations on the extent to which civilian substitution is feasible due to the need:

—To provide billets for the training and development of military personnel in many specialties, such as logistics, required in combat theaters, and

—To provide rotational billets for military personnel returning from tours at sea and in overseas areas.

* * * * *

In summary, we find that it is theoretically possible to "buy" an all-volunteer force, at a cost ranging up to $17 billion (depending upon unemployment conditions in the nation). This is the cost to sustain pre-Vietnam force levels. Other policy changes and techniques to attract more volunteers do not appear collectively to offer the potential of meeting the deficit anticipated under an all-volunteer force. However, these techniques must be aggressively pursued to help us hold our competitive position in the labor market, under conditions of full employment, and to continue attracting more volunteers.

V. Are there ways of improving the process of choosing those who must serve?

The final question considered in our studies was whether—given the continuing need for some form of conscription—there are better ways of choosing those who must serve.

One fact stands out as the key criterion for future improvements—that is, the need for concentrating military service among the younger age classes.

A nationwide poll, reported in late 1964, asked: "If you had a son who had to spend two years in a military service, at what age would you like him to begin his service?" The following responses were received:

Age:	*Percent*
16 to 17	6
18	48
19 to 20	20
21	18
22 or over	8

The desirability of service at a young age is fully confirmed by:

The experience of military commanders, as discussed earlier.

Less disruption of school plans, since it would permit men to fulfill their obligation after high school and before college (if they prefer). It would, likewise, offer the opportunity to more men to earn GI benefits before entering college.

Less disruption to marriage plans. 50% of men marry by age 22, and 70% by age 26.

By way of illustration, the following approach might be considered as a way of concentrating the major requirement for military service among a young age class, such as 19 or 20:

All men would be classified, as at present by local boards. Present deferment rules would be continued in respect to student status, occupational status, dependency status, ROTC and Reserve status.

Inductions of men from the Class I-A available pool in any one year would be made from a priority category consisting in large part of the current 19 or 20-year olds.

For those men preferring to complete their college education before serving, deferments could be granted until the student completed or terminated his education. At that time, he would have equal exposure along with the 19 or 20-year-olds of that year.

The priority category—called after draft delinquents and volunteers for induction—would thus consist of: (1) available 19 or 20-year olds; and (2) older men up to age 35, who become available for service in the current year after expiration of their student or other temporary deferments.

Men not reached for induction by the end of the year would be placed at the bottom of next year's draft list, after men in the new class of 19 or 20-year olds and the newly available ex-students.

The principal feature of a system such as that illustrated above, is that it reverses the present policy of calling the oldest men first, to one of calling young men either at age 19 or 20, or upon completion of school (if later).

It is, thus, our conclusion that the "young age class" system deserves thoroughgoing evaluation, in preparation for its application when military strengths stabilize at a level which would result in a renewed trend towards higher induction ages. Immediate introduction is not required in view of the low median age (20.3) which now exists.

CONCLUSIONS

The foregoing studies have led to five conclusions:

First, we cannot look forward to discontinuing the draft in the next decade unless changing world conditions reduce force levels substantially below those needed since Korea.

Second, increases in military compensation sufficient to attract an all-volunteer force cannot be justified. Nor would other incentives do more than help us hold our competitive position in the labor market under conditions of full employment.

Third, we should continue to maximize service by volunteers; to eliminate unnecessary requirements for military men where civilians can perform the task; and to perfect techniques of remedial training and physical rehabilitation so as to make military service available to every man who wishes it and is able to serve.

Fourth, with recent changes, the principle of deferments (on such grounds as dependency, student status, occupation, and unfitness) is basically sound. However, experience must be continuously monitored to assure broad participation among the various population groups.

Fifth, looking to the future, the draft selection system should be redesigned to concentrate military service among the younger age classes—and older students when they leave school—when force levels are reduced and stabilized.

STATEMENT BY SENATOR EDWARD M. KENNEDY BEFORE THE HOUSE ARMED SERVICES COMMITTEE, JUNE 29, 1966

I am delighted to have this opportunity to appear before your Committee to discuss my views on the Selective Service System. I know of few subjects more deserving of our attention.

These hearings reflect the growing national concern over the operation of the draft. Only a short time ago there was virtually no public discussion of the subject; twice in the last seven years Congress has extended the draft with virtually no discussion. Now scarcely a day passes without statements from members of Congress and prominent educators, articles in national magazines, editorials in our most respected newspapers, and heavy mail to Congressional offices—all concerned with the way this country chooses its servicemen.

The main reason, of course, is Vietnam. But the draft would deserve our serious attention even if none of our servicemen were in combat, because the way we determine which of our men shall serve in the military affects all Americans. In wartime it becomes doubly important, for the inequities we tolerate in a peacetime draft may mean the difference between life and death. When we ask one young man to risk his life for his country, and tell another that his life can proceed undisturbed, it is our responsibility to be sure we have devised the fairest way humanly possible to choose between them.

The current turmoil stems from the fact that our present draft system is an anachronism. It was fashioned to meet in a hurry the enormous needs of World War II. It was continued after the war on the assumption that this country would adopt some form of universal military training. But after it became clear that universal service would not be adopted, our Selective Service System was shaped on an *ad hoc* basis to meet changing manpower needs.

This draft system, jerry-built after the War, has not been changed substantially since then. Congress has not reviewed it in 15 years. There has been no attempt to design a comprehensive, carefully-planned system which would meet both our military needs and our civilian priorities.

My remarks are not intended to imply any criticism of General Lewis Hershey, a great

American who over the last 25 years has done an outstanding job helping this country meet its military needs. Nor am I demeaning the more than four thousand local draft boards, which serve selflessly and patriotically to achieve the best results they can under the laws they are directed to administer.

The responsibility properly rests with the Congress and Administration to design a better system. Unless this is done we will continue to experience what Kingman Brewster so aptly called "a cynical avoidance of service, a corruption of the aims of education, and a tarnishing of the national spirit. [Young men] have been deprived of such pride as [they] might have had either in response to honest need or in response to the luck of the draw."

I believe our draft system should be designed to achieve these goals: (1) flexibility—an ability to adjust to high or low manpower needs; (2) fairness—a conscientious concern for equal treatment for every young man in every population group; (3) certainly—a regard for uniformity and predictability, so that every young man may know at any time if and when he is likely to be called.

The present system incorporates none of these virtues.

This failure is largely a result of two policies of the present system: drafting the oldest first, and granting liberal deferments. The first produces uncertainty; the second, inequity.

The policy of drafting "oldest first" pits the average young man against the statistics of rising population and fluctuating manpower needs, and he is the inevitable loser. Before Vietnam, our military manpower needs were very low. When that crisis ends, our manpower needs will return to the previous low level, or drop even lower. Yet in the last 15 years the male population of draft age has doubled in size. Thus the manpower needs of the army of the future will not increase in size in anywhere near the ratio of population growth.

This means the average age of induction will rise sharply. In 1963, before the Vietnam buildup, it was already at 23.7 years. In the peacetime '70's it could rise as high as 25.

This policy of drafting the oldest first, therefore, will continue to force young men to plan their lives and families in an atmosphere of uncertainty and unpredictability. Their futures will be uncertain for perhaps five or six years, from the time when they first register for the draft to the time when they are finally called into service, if they are called at all.

This uncertainty is not merely a minor irritant. A recent National Student Association study on "student stress" revealed that the draft contributes to the anxiety of almost all male college students—not because of fear of death, or dislike of the service, but because, as the students put it, "we don't know what's going to happen to us."

Another real victim of this uncertainty is a young man's career. Surveys show that 25 per cent of the young men classified 1A have been turned down for jobs because of their draft status. This is one reason why unemployment among men of draft age has been higher than the national average.

These disadvantages stem from the first major flaw which I find in our draft system, the policy of "the oldest first." The second flaw, liberal granting of deferments, is closely intertwined with the first.

Under the present deferment policy, linked with the "oldest first" system, thousands of men escape military service by compounding their deferments for college, graduate school and dependency past the age of 26. And this, of course, presents inequalities which amount to a class bias. Those who can afford to study and to support families at the same time avoid military service at the expense of those who have neither the intellectual nor financial resources to compound these deferments.

It has been suggested before this Committee that we draft those men between the ages of 26 and 34 who have not served and are still childless.

There are now some 10 million men between the ages of 19 and 26 who have not yet served, and an additional two million coming of draft age each year. When we consider this available manpower pool, the fact that we might find it necessary simply in the interests of equity to take married men in their 30's away from their wives and careers to meet an annual draft need of only 350,000 vividly illustrates the defects of the present system.

The studies I have seen show that the highest incidence of the draft is among the educational middle class; the lowest incidence is among the educational upper class; with the educational lower class somewhere in between because of a higher rate of failure on mental and physical tests. It also appears that the draft has a higher incidence among non-white Americans. Defense Department statistics for example, showed that in fiscal year 1965 more than 16 per cent of those drafted were non-whites, whereas only 11 per cent of the total draft population is non-white.

These, then are the two major problems I find in the present draft system: the uncertainty caused by drafting the oldest first, and the inequity caused by granting liberal deferments. These problems are likely to become more acute as the expansion of our manpower pool creates a situation in which smaller and smaller proportions of the men classified 1A reaching age 26 actually serve. At this stage, the problems of finding further rational and fair policy distinctions for deferments of large groups of draft-age men creates as well a serious inflexibility in the system.

General Hershey in his testimony before this Committee emphasized the importance of the present deferment system as a means of influencing people to train themselves and to use the skills they acquire in work critical to the nation. I am skeptical about this so-called "channeling function" of the draft. To begin with, it has never been explicitly authorized by Congress as a function of the Selective Service System. Furthermore, I would doubt that the System has had any more than marginal success in exerting this channeling to increase this nation's supply of scientists, engineers, and other critical specialties. And as the draft in the peacetime future works to affect fewer people, the capacity of the system to channel diminishes. Finally, and most important, even if it were true that the channeling effect of this deferment policy were substantial, I would have serious reservations about using it as an incentive. It rewards evasive behavior and motivates people for the wrong reasons.

Because of what I consider these basic defects in the present Selective Service System, I have urged in recent months that Congress conduct an intensive review of possible alternatives to this system, with a view toward finding a method which could meet our manpower requirements, insure an equitable distribution of the military service obligation, and provide for the induction of young men at an early age.

I think an age-class lottery system might well provide such an alternative.

In an age-class lottery system all men reaching the age of 18 would be examined by their local draft boards. Those found physically and mentally qualified—and only those—would be assigned a number by their local boards. After these numbers were assigned, the Selective Service System would conduct a national drawing. It would put into a "fishbowl" as many numbers as the largest local draft board in the country had registrants, then draw out each number and make a record of the order in which it appeared. Each local board would receive a copy of this list. The men whose numbers were selected first, and were therefore higher on the list, would be called first by their local boards. Let's assume that the first number chosen in the drawing was 508. Every eligible draftee in every local board who held the number 508 would know that he would be called up first in the next draft call. Every eligible draftee who held a number near the bottom of the list would know that he would be drafted only in the event of a national emergency.

Each number would of course represent a different quota of men: 508 would be held by fewer men than 35 because fewer local boards have 508 men. Before issuing a draft call, the Selective Service System would decide how many men it needed, then compute how many numbers would have to be called to supply that many men. Registrants whose numbers were not reached during the year of their draw would go to the bottom of the next year's list. They would remain eligible for the draft, but it is not likely that they would be called unless military manpower requirements increased enormously. But this would not be an exemption. They could be called in an emergency; they would merely be in a better position to plan their futures.

Thus all physically and mentally qualified men would stand an equal chance of selection at the time the lottery was held for their age class, presumably during their 19th year. No deferments would be made for marriage, fatherhood, dependence or occupation, except in cases of extreme hardship. Retention of the deferment for extreme hardship would enable local boards to decide pressing hardship cases on the merits of a particular case, thereby retaining flexibility and compassion in the system.

Educational deferments might be granted for a limited period of time of up to four years, but they would in reality be merely postponements. Those students who wished to finish college before participating in the lottery would have to take their chances when they completed college with the 19 year old age group in that year's lottery. There would be no deferment for graduate school, and it would no longer be possible to compound deferments in order to reach the age of 26 and in practical effect escape the draft altogether. The continuation of the doctor's draft would be the only exception to the rule. The problem of physicians' has been handled as a special case under our draft laws for many years, and I see no reason for not continuing to so treat it. Those graduating college who go onto medical school would not go into the lottery. They would be called, if at all, after completion of their studies under a special doctors draft.

Under this system the average age of induction would remain about 20, which, as I understand it, is desirable both from the viewpoint of the armed forces and from that of those eligible for the draft.

This system would also have an equitable impact. Everyone qualified—rich or poor, college or noncollege, married or single—would have to take his chances in the lottery, in most cases at age 19, when differences in education, occupation, and marital status are less than they are subsequently.

The lottery would also be flexible and responsive to military needs because the number of men who would actually be called in any one year could be increased or decreased without interfering with the operation of the system, and without affecting deferments. An increase, for instance, would simply mean that the local boards would reach further down into those men whose numbers appeared lower down on the list. It is true that under a lottery system, the rate of enlistments might decline, because of the greater certainty of those not drafted in their lottery that they would not be called later. But since those who do serve would not yet have civilian careers to return to it seems likely that the rate of re-enlistment should rise to compensate for the decline, and this could be further encouraged by increasing military pay scales.

One of the greatest benefits of this kind of lottery would come from ending the hardships I have mentioned which stem from the present practice of calling up oldest men first.

Drafting men from the 18½ and 19 year old group by lottery would virtually eliminate uncertainty. Every young man would know whether he was likely to be called, from his position on the list in comparison with the expected manpower needs of that year. Those whose numbers were not called during the fiscal year of one year's draw would go to the bottom of the next year's lottery list. They would still be subject to call. But, given the growing condition of manpower oversupply, they would know they were not likely to be called except in conditions of great national emergency.

Furthermore, the lottery system would cause less disruption in the lives of draft-eligible youths. Men 19 years old are much less likely to have started families or begun well paying jobs than men a few years their senior. Their personal or career plans are often undecided. The draft wouldn't hit them as hard.

Drafting 19 year olds by lot, furthermore, would not threaten the nation's pool of important domestic skills, because few 19 year olds have acquired special skills. Add to these considerations the fact that younger draftees often make the best soldiers, because they are at their physical peak and are easier to train, and taken together, the arguments for the lottery are persuasive.

The lottery is not a revolutionary idea. It was used in this country in the Civil War and in the early stages of World Wars I and II. It is now being used in West Germany, Australia, the Philippines, Bolivia, Chile, Colombia and Venezuela. The United States, it is true, switched from the lottery approach in World War II. But, as I understand it, this was done not because the lottery didn't work but because the country was then engaged in a total mobilization in which a method designed to select only a few from the many was no longer appropriate.

I think there are a number of approaches to solving the problems created by the draft. I am concerned only in finding a method of selection which produces the best results. The lottery may be able to do this. Adopting the lottery system would not mean that we had given up on resolving the complexities of the draft. But it would mean that we had decided on a method of selection around which we could build certain rules to make the draft more workable and equitable than it is today.

The lottery is a sound foundation for a draft system. It is based on random selection, but this does not mean mindless or arbitrary selection. The lottery generally makes every qualified young man equally liable to compulsory selective military service at the time in a young man's life when the differences between him and his peers are least significant. In so doing it eliminates many of the present system's inequities without posing a threat to our national need for educated and highly skilled citizens. To me, this is the make of an eminently sensible system—not at all mindless in intent nor arbitrary in results.

Other suggestions have been made which eliminate the problem of selection methods altogether; that is, draft all or draft none. This would mean either Universal Military Service or a professional army.

Let us first consider Universal Military Service. At the outset we face the question of cost. Customary proposals for UMS propose that every young man of draft age be given at least six months training in the military. But this would mean that our defense costs would rise several billion dollars a year. And it would mean that we were spending a great amount of money to train men without regard to our manpower needs, simply for the purpose of getting everyone in the service. It hardly seems wise to swell our ranks of servicemen just to assure that every young man participates. Universal Military Service is not the solution, and it has been largely discredited.

A variation on this idea, however, has received considerable public notice in recent weeks. This is the plan suggested by Secretary McNamara, by which young men would perform some kind of public service to the nation, either in the military or in a civilian capacity in programs such as the Peace Corps, the War on Poverty, VISTA, teaching, public health, or others.

There is much to be said for the theory underlying this idea. As James Reston of the New York Times wrote, it is "a new concept of national service in which all young people in America can acquire a sense of purpose and an opportunity for service at home and abroad."

I think that in the years to come this concept of national service in non-military pursuits will grow in stature as a means of fulfilling an individual's desire to contribute to the world. But I do not think that in its present form it is a realistic alternative to our present draft system.

For instance: there are now more than 32 million young men registered in our Selective Service System, with some two million more reaching draft age each year. It would be extremely difficult to absorb all or even a substantial number of these people into existing military and non-military programs. This restructing would take years to accomplish, and would pose serious problems in drawing the line between equivalent and non-equivalent service. I for one would find it hard to accept the idea that the government should decree what work is socially valuable and what is not.

Moreover, the costs involved in such universalization of service are staggering to contemplate. Assuming that it costs $8,000 a year to train and maintain each person drafted for national service, the costs of universal service would almost certainly amount to almost 20 billion dollars each year just for those coming of draft age. This does not take into consideration the social costs involved in the career postponement created, as well as the effect on the civilian labor market.

I recognize that in the long run the work performed by this enormous corps of young men might more than compensate for the cost involved. But unless the costs can be reduced considerably, I do not believe that over the short run the result would be worth the price.

Finally—and most important—I have serious reservations about the wisdom of making non-military national service compulsory. We have a long tradition in America of limiting compulsory service to military service in defense of our country. Young men now take part in the Peace Corps, VISTA, or the Public Health Service as volunteers and in many ways the spirit of these programs is a product of their voluntary nature. If such service were compulsory, the essential value of the programs might well be destroyed. And surely it would be ironic if in seeking to eliminate the inequalities facing thousands of draft-age Americans, we inhibited the freedom of millions.

There may be some intangible scale by which we can weigh military against non-military service, preserving freedom of choice while meeting our military requirements. But until it is found, I think that universal national service cannot stand alone as an alternative to our present draft system.

I do think, however, that Congress should consider a system of combining voluntary non-military public service with the lottery system.

It might be possible, for example, to encourage young men not chosen in the lottery to volunteer for service in the Peace Corps, VISTA, or other designated public service by offering them certain military benefits such as the Cold War GI bill.

Another possibility would be combining the lottery with "alternative" non-draft national service. Young men facing the lottery could choose instead a specified alternative service on terms defined by Congress. They could take their chances for military service in the lottery or choose the certainty of a commitment to service in a non-military program. To make the choices most equivalent, we could consider making non-military service of a longer duration, say three years in the Peace Corps, and at lower pay than military service. This could be especially effective in stimulating young men to enter non-military service during peacetime.

If we want to go beyond the proposals which I have listed, the only long-range alternative to our present system seems to be complete dependence on a professional army to meet our military manpower needs.

The question of eliminating the draft altogether in the near future is complex, but it certainly deserves our closest attention. Everyone seems to agree that if the pay were high enough and other incentives strong enough, the armed services could meet our military manpower needs purely on the basis of volunteers. But then the question is, how high must we go? Eliminating the draft would reduce the number of volunteers, because many young men volunteer for the service with the draft hanging over their heads. Those who argue against eliminating the draft say it would cost billions of dollars to attract enough career servicemen to fill our needs. Presumably it would cost billions, but how many? Estimates by the Defense Department range from some four billion dollars a year to some twenty billion. I realize that any estimate of this kind must involve educated guesses about fluctuations in the domestic labor market. But I find it hard to believe that we cannot perform a manpower study which would indicate with more precision whether the cost of eliminating the draft would more likely be four billion dollars or twenty billion dollars, or some figure between.

It is truly important that we have a close estimate of this cost. Eliminating the draft altogether is undoubtedly worth some additional expense to this country, in view of savings it would mean in terms of reduced training costs because of a lower military turnover and the intrinsic benefits of a strictly voluntary system which did not require compulsory service.

Perhaps it would be too costly. But we should have a firm and reliable judgment on just how costly it is likely to be. Or perhaps complete reliance on a voluntary army would cripple our military flexibility in an emergency. But even if that were the case, can we not reduce considerably our reliance on the draft by bringing sensible revisions to our present system?

It may well be that such revisions within the present system are all that we can hope to accomplish next year. I recognize, as we all must, that problems of transition would be created by a drastic overhaul of our Selective Service System. These problems would be accentuated, of course, if the transition were attempted at a time when we are fighting a war such as Vietnam, when emotions are high and gross discriminations are likely to be injected.

For that reason it may be that a total revision of the draft along the lines I have outlined would not be possible next year. Only time will tell. But we must begin to lay the groundwork now so that we will be ready to act next year if it is possible to do so. And if we are to lay that groundwork, then it is essential that the long overdue Defense Department study of our military manpower system be released and its conclusions and recommendations presented to the Congress at the earliest possible opportunity. Once we have that study before us, we can then determine how best to proceed to a final resolution of the question.

If the world situation makes total revision next year infeasible, then I strongly urge two things:

That Congress next year consider extending the present draft law, not for four years as it has in the past, but for only one year until June 1968. In that way, the urgent question of total reform will be kept in the forefront of public debate, not thrown on the pile of unfinished business as it has been in the past.

That in order to reduce our reliance on the draft, and to make the present system more efficient and equitable, Congress examine the wisdom of the following changes within the present system:

First: Abolish the system of state quotas by revising Section 5(b) of the Selective Service to place the sequence of induction on a national basis.

Under the present state quota system, the sequence of priorities we set for induction as a matter of national policy cannot be followed uniformly on a national basis. I agree that the classification of registrants and the determination of who is to be called for examination should be done by local boards, which are in the best position to judge the merits of individual cases. But though local boards should continue to classify, the sequence of induction should be controlled through a national pool drawn at random, not through state quotas. This is the only way our draft system can accurately reflect national policies rather than the accidents of geography.

Second: Establish national guidelines for local boards to follow wherever possible. Present national standards are so imprecise that drafting practices of boards in one state may differ radically from those of boards in another state. There is no national order or priority for reconsideration of deferments when an expansion of the 1A pool becomes necessary, and there are no firm criteria established for deciding student or occupational deferments or physical disabilities.

Third: Introduce computer techniques and technology to increase administrative efficiency. A recent study indicates that there are approximately 450,000 men in the 1A pool for whom the paperwork for induction had not been completed. Clogs such as this in the bureaucratic pipeline mean unnecessary inequities and inefficiencies. Administering the draft is a far more complex problem today than it was 15 years ago. Yet no serious effort has been made to introduce the scientific aids to administration developed during this period.

Fourth: Revise the system of mental and physical qualifications. We should make more extensive use of those young men presently classified 1Y by establishing a broader category of limited service and by providing remedial medical and educational assistance either within or without the military establishment to the some 10,000 men who volunteer for service each month but do not qualify. A large percentage of those presently found unqualified for military service could be habilitated with a minimum of tutoring or remedial medical care. Such habilitation would both increase the pool of those able and anxious to serve and increase the capability of these young Americans to live a more productive life.

Congress should also consider ending the requirement that all who serve must physically qualify for combat. Non-combat occupations make up four fifths of our military service requirements, and it should be possible to waive certain arbitrary physical qualifications for service in non-combatant occupations.

Furthermore, the present test system for establishing mental qualifications should also be revised to permit high school dropouts to qualify with the same score as high school graduates and to base mental qualification on absolute incapacity rather than on a percentile standing.

Fifth: Hire civilians for non-combatant jobs wherever possible.

The Defense Department has made some progress in this area, but there is every indication that a great many more jobs in the military could be performed by civilian employees. Moreover, those jobs need not be restricted to those requiring minor skills such as typing, clerking and maintenance. We should be able to fill highly specialized occupations in the modern military service with civilians possessing high skills, and in this way economize on the present wasteful experience of training military personnel in specialized military training facilities at high expense and then losing many of them to private industry.

Sixth: Improve the scale of military pay and fringe benefits to a level more competitive with civilian employment.

It is only by steps in this direction that we can determine on the basis of actual experience to what extent we can reduce our reliance on the draft to meet our military manpower needs. Gradual movement in this direction could well serve in the end to realize a net saving to the government while both increasing the professional quality of our armed forces and minimizing the draft burden for our youth as a whole.

Instituting these changes, where feasible, could improve the workings of the existing system. But I think it important to stress my strong feeling that such piece-meal modifications will not eliminate the basic defects I have noted. For that reason, I emphasize again my conviction that we should seriously consider discarding the present system altogether, and replacing it with the lottery method of selection.

Mr. Chairman, I am not wedded to any specific position on the subject of the draft, although I do strongly support giving serious consideration to the introduction of the lottery method of selection. I have tried to educate myself as best I can in the workings of the system and the alternatives before us. Some say the present draft system is the best we can devise. But I am not convinced; I think we can do better. In any event, it is incumbent on all of us here in Congress to make every effort to insure that what President Kennedy called the "burden of freedom" is carried in the fairest possible way.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is concluded.

FEDERAL EMPLOYEES PAY ACT OF 1966

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1153, H.R. 14122, the so-called Federal pay raise bill. I do this so that it may become the pending business.

The **PRESIDING OFFICER**. The bill will be stated by title.

The **LEGISLATIVE CLERK**. A bill (H.R. 14122) to adjust the rates of basic compensation of certain emloyees of the Federal Government and for other purposes.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Salary and Fringe Benefits Act of 1966".

TITLE I—EXECUTIVE BRANCH

Short title

SEC. 101. This title may be cited as the "Federal Employees Salary Act of 1966".

Employees subject to Classification Act of 1949

SEC. 102. (a) Section 603(b) of the Classification Act of 1949, as amended (79 Stat. 1111; 5 U.S.C. 1113(b)), is amended to read as follows:

"(b) The compensation schedule for the General Schedule shall be as follows:

"Grade	Per annum rates and steps									
	1	2	3	4	5	6	7	8	9	10
GS-1	$3,609	$3,731	$3,853	$3,975	$4,097	$4,219	$4,341	$4,463	$4,585	$4,707
GS-2	3,925	4,058	4,191	4,324	4,457	4,590	4,723	4,856	4,989	5,122
GS-3	4,269	4,413	4,557	4,701	4,845	4,989	5,133	5,277	5,421	5,565
GS-4	4,776	4,936	5,096	5,256	5,416	5,576	5,736	5,896	6,056	6,216
GS-5	5,331	5,507	5,683	5,859	6,035	6,211	6,387	6,563	6,739	6,915
GS-6	5,867	6,065	6,263	6,461	6,659	6,857	7,055	7,253	7,451	7,649
GS-7	6,451	6,664	6,877	7,090	7,303	7,516	7,729	7,942	8,155	8,368
GS-8	7,068	7,303	7,538	7,773	8,008	8,243	8,478	8,713	8,948	9,183
GS-9	7,696	7,957	8,218	8,479	8,740	9,001	9,262	9,523	9,784	10,045
GS-10	8,421	8,709	8,997	9,285	9,573	9,861	10,149	10,437	10,725	11,013
GS-11	9,221	9,536	9,851	10,166	10,481	10,796	11,111	11,426	11,741	12,056
GS-12	10,927	11,306	11,685	12,064	12,443	12,822	13,201	13,580	13,959	14,338
GS-13	12,873	13,321	13,769	14,217	14,665	15,113	15,561	16,009	16,457	16,905
GS-14	15,106	15,629	16,152	16,675	17,198	17,721	18,244	18,767	19,290	19,813
GS-15	17,550	18,157	18,764	19,371	19,978	20,585	21,192	21,799	22,406	23,013
GS-16	20,075	20,745	21,415	22,085	22,755	23,425	24,095	24,765	25,435	--------
GS-17	22,760	23,520	24,280	25,040	25,800	--------	--------	--------	--------	--------
GS-18	25,890	--------	--------	--------	--------	--------	--------	--------	--------	--------

(b) Except as provided in section 504(d) of the Federal Salary Reform Act of 1962 (78 Stat. 412; 5 U.S.C. 1173(d)), the rates of basic compensation of officers and employees to whom the compensation schedule set forth in subsection (a) of this section applies shall be initially adjusted as of the effective date of this section, as follows:

(1) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at one of the rates of a grade in the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding rate in effect on and after such date.

(2) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at a rate between two rates of a grade in the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the higher of the two corresponding rates in effect on and after such date.

(3) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at a rate in ex-

cess of the maximum rate for his grade, he shall receive (A) the maximum rate for his grade in the new schedule, or (B) his existing rate of basic compensation if such existing rate is higher.

(4) If the officer or employee, immediately prior to the effective date of this section, is receiving, pursuant to section 2(b)(4) of the Federal Employees Salary Increase Act of 1955, an existing aggregate rate of compensation determined under section 208(b) of the Act of September 1, 1954 (68 Stat. 1111), plus subsequent increases authorized by law, he shall receive an aggregate rate of compensation equal to the sum of his existing aggregate rate of compensation, on the day preceding the effective date of this section, plus the amount of increase made by this section in the maximum rate of his grade, until (i) he leaves his position, or (ii) he is entitled to receive aggregate compensation at a higher rate by reason of the operation of this Act or any other provision of law; but, when such position becomes vacant, the aggregate rate of compensation of any subsequent appointee thereto shall be fixed in accordance with applicable provisions of law. Subject to clauses (i) and (ii) of the immediately preceding sentence of this paragraph, the amount of the increase provided by this section shall be held and considered for the purposes of section 208(b) of the Act of September 1, 1954, to constitute a part of the existing rate of compensation of the employee.

New appointments under Classification Act of 1949

SEC. 103. Section 801 of the Classification Act of 1949, as amended (78 Stat. 401; 5 U.S.C. 1131), relating to new appointments, is amended by striking out "grade 13" and inserting in lieu thereof "grade 11".

Postal Field Service employees

SEC. 104. (a) Section 3542(a) of title 39, United States Code, is amended to read as follows:

"(a) There is established a basic compensation schedule for positions in the postal field service which shall be known as the Postal Field Service Schedule and for which the symbol shall be 'PFS'. Except as provided in sections 3543 and 3544 of this title, basic compensation shall be paid to all employees in accordance with such schedule.

"POSTAL FIELD SERVICE SCHEDULE

"PFS	Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
1	$4,204	$4,343	$4,482	$4,621	$4,760	$4,899	$5,038	$5,177	$5,316	$5,455	$5,594	$5,733
2	4,552	4,701	4,850	4,999	5,148	5,297	5,446	5,595	5,744	5,893	6,042	6,191
3	4,919	5,085	5,251	5,417	5,583	5,749	5,915	6,081	6,247	6,413	6,579	6,745
4	5,331	5,507	5,683	5,859	6,035	6,211	6,387	6,563	6,739	6,915	7,091	7,267
5	5,697	5,888	6,079	6,270	6,461	6,652	6,843	7,034	7,225	7,416	7,607	7,798
6	6,113	6,316	6,519	6,722	6,925	7,128	7,331	7,534	7,737	7,940	8,143	8,346
7	6,545	6,763	6,981	7,199	7,417	7,635	7,853	8,071	8,289	8,507	8,725	------
8	7,088	7,323	7,558	7,793	8,028	8,263	8,498	8,733	8,968	9,203	------	------
9	7,665	7,920	8,175	8,430	8,685	8,940	9,195	9,450	9,705	9,960	------	------
10	8,345	8,628	8,911	9,194	9,477	9,760	10,043	10,326	10,609	10,892	------	------
11	9,221	9,536	9,851	10,166	10,481	10,796	11,111	11,426	11,741	12,056	------	------
12	10,202	10,549	10,896	11,243	11,590	11,937	12,284	12,631	12,978	13,325	------	------
13	11,274	11,663	12,052	12,441	12,830	13,219	13,608	13,997	14,386	14,775	------	------
14	12,427	12,859	13,291	13,723	14,155	14,587	15,019	15,451	15,883	16,315	------	------
15	13,736	14,210	14,684	15,158	15,632	16,106	16,580	17,054	17,528	18,002	------	------
16	15,179	15,707	16,235	16,763	17,291	17,819	18,347	18,875	19,403	19,931	------	------
17	16,793	17,380	17,967	18,554	19,141	19,728	20,315	20,902	21,489	22,076	------	------
18	18,530	19,145	19,760	20,375	20,990	21,605	22,220	22,835	23,450	24,065	------	------
19	20,525	21,210	21,895	22,580	23,265	23,950	24,635	25,320	------	------	------	------"
20	22,760	23,520	24,280	25,040	25,800	------	------	------	------	------	------	------

(b) Section 3543(a) of title 39, United States Code, is amended to read as follows:

"(a) There is established a basic compensation schedule which shall be known as the Rural Carrier Schedule and for which the symbol shall be 'RCS'. Compensation shall be paid to rural carriers in accordance with this schedule.

"RURAL CARRIER SCHEDULE

	"Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
Carrier in rural delivery service:												
Fixed compensation per annum	$2,391	$2,507	$2,623	$2,739	$2,855	$2,971	$3,087	$3,203	$3,319	$3,435	$3,551	$3,667
Compensation per mile per annum for each mile up to 30 miles of route	88	90	92	94	96	98	100	102	104	106	108	110
For each mile of route over 30 miles	25	25	25	25	25	25	25	25	25	25	25	25".

(c) Section 3544(a) of title 39, United States Code, is amended to read as follows:

"(a) There is established a basic compensation schedule, which shall be known as the Fourth Class Office Schedule and for which the symbol shall be 'FOS', for postmasters in post offices of the fourth class, which is based on the revenue units of the post office for the preceding fiscal year. Basic compensation shall be paid to postmasters in post offices of the fourth class in accordance with this schedule.

"FOURTH CLASS OFFICE SCHEDULE

"Revenue units	Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
30 but fewer than 36	$4,019	$4,152	$4,285	$4,418	$4,551	$4,684	$4,817	$4,950	$5,083	$5,216	$5,349	$5,482
24 but fewer than 30	3,715	3,837	3,959	4,081	4,203	4,325	4,447	4,569	4,691	4,813	4,935	5,057
18 but fewer than 24	3,064	3,168	3,272	3,376	3,480	3,584	3,688	3,792	3,896	4,000	4,104	4,208
12 but fewer than 18	2,407	2,485	2,563	2,641	2,719	2,797	2,875	2,953	3,031	3,109	3,187	3,265
6 but fewer than 12	1,736	1,791	1,846	1,901	1,956	2,011	2,066	2,121	2,176	2,231	2,286	2,341
Fewer than 6	1,398	1,443	1,488	1,533	1,578	1,623	1,668	1,713	1,758	1,803	1,848	1,893".

(d) The basic compensation of each employee subject to the Postal Field Service Schedule, the Rural Carrier Schedule, or the Fourth Class Office Schedule immediately prior to the effective date of this section shall be determined as follows:

(1) Each employee shall be assigned to the same numerical step for his position which he had attained immediately prior to such effective date. If changes in levels or steps would otherwise occur on such effective date without regard to enactment of this Act, such changes shall be deemed to have occurred prior to conversion.

(2) If the existing basic compensation is greater than the rate to which the employee is converted under paragraph (1) of this subsection, the employee shall be placed in the lowest step which exceeds his basic compensation. If the existing basic compensation exceeds the maximum step of his position, his existing basic compensation shall be established as his basic compensation.

Employees in the Department of Medicine and Surgery of the Veterans' Administration

SEC. 105. Section 4107 of title 38, United States Code, relating to grades and pay scales for certain positions within the Department of Medicine and Surgery of the Veterans' Administration, is amended to read as follows:

"§ 4107. Grades and pay scales

"(a) The per annum full-pay scale or ranges for positions provided in section 4103 of this title, other than Chief Medical Director and Deputy Chief Medical Director, shall be as follows:

"Section 4103 schedule

"Assistant Chief Medical Director, $25,890.

"Medical Director, $22,760 maximum to $25,800 maximum.

"Director of Nursing Service, $17,550 minimum to $23,013 maximum.

"Director of Chaplain Service, $17,550 minimum to $23,013 maximum.

"Chief Pharmacist, $17,550 minimum to $23,013 maximum.

"Chief Dietitian, $17,550 minimum to $23,013 maximum.

"(b)(1) The grades and per annum full-pay ranges for positions provided in paragraph (1) of section 4104 of this title shall be as follows:

"Physician and dentist schedule

"Director grade, $20,075 minimum to $25,435 maximum.

"Executive grade, $18,730 minimum to $24,355 maximum.

"Chief grade, $17,550 minimum to $23,013 maximum.

"Senior grade, $15,106 minimum to $19,813 maximum.

"Intermediate grade, $12,873 minimum to $16,905 maximum.

"Full grade, $10,927 minimum to $14,338 maximum.

"Associate grade, $9,221 minimum to $12,056 maximum.

"Nurse schedule

"Assistant Director grade, $15,106 minimum to $19,813 maximum.

"Chief grade, $12,873 minimum to $16,905 maximum.

"Senior grade, $10,927 minimum to $14,338 maximum.

"Intermediate grade, $9,221 minimum to $12,056 maximum.

"Full grade, $7,696 minimum to $10,045 maximum.

"Associate grade, $6,730 minimum to $8,749 maximum.

"Junior grade, $5,867 minimum to $7,649 maximum.

"(2) No person may hold the director grade unless he is serving as a director of a hospital, domiciliary, center, or outpatient clinic (independent). No person may hold the executive grade unless he holds the position of chief of staff at a hospital, center, or outpatient clinic (independent), or the position of clinic director at an outpatient clinic, or comparable position."

Foreign service officers; staff officers and employees

SEC. 106. (a) The fourth sentence of section 412 of the Foreign Service Act of 1946, as amended (22 U.S.C. 867), is amended to read as follows: "The per annum salaries of Foreign Service officers within each of the other classes shall be as follows:

"Class 1	$23,935	$24,770	$25,890				
Class 2	19,333	20,004	20,675	$21,347	$22,018	$22,689	$23,360
Class 3	15,841	16,391	16,941	17,491	18,041	18,591	19,141
Class 4	12,873	13,321	13,769	14,217	14,665	15,113	15,561
Class 5	10,062	10,970	11,338	11,706	12,074	12,442	12,810
Class 6	8,843	9,147	9,451	9,755	10,059	10,363	10,667
Class 7	7,473	7,724	7,975	8,226	8,477	8,728	8,979
Class 8	6,451	6,664	6,877	7,090	7,303	7,516	7,729"

(b) The second sentence of subsection (a) of section 415 of such Act (22 U.S.C. 870(a)) is amended to read as follows: "The per annum salaries of such staff officers and employees within each class shall be as follows:

"Class 1	$15,841	$16,391	$16,941	$17,491	$18,041	$18,591	$19,141	$19,691	$20,241	$20,791
Class 2	12,873	13,321	13,769	14,217	14,665	15,113	15,561	16,009	16,457	16,905
Class 3	10,602	10,970	11,338	11,706	12,074	12,442	12,810	13,178	13,546	13,914
Class 4	8,843	9,147	9,451	9,755	10,059	10,363	10,667	10,971	11,275	11,579
Class 5	7,974	8,246	8,518	8,790	9,062	9,334	9,606	9,878	10,150	10,422
Class 6	7,201	7,441	7,681	7,921	8,161	8,401	8,641	8,881	9,121	9,361
Class 7	6,614	6,832	7,050	7,268	7,486	7,704	7,922	8,140	8,358	8,576
Class 8	5,853	6,051	6,249	6,447	6,645	6,843	7,041	7,239	7,437	7,635
Class 9	5,341	5,517	5,693	5,869	6,045	6,221	6,397	6,573	6,749	6,925
Class 10	4,776	4,936	5,096	5,256	5,416	5,576	5,736	5,896	6,056	6,216".

(c) Foreign Service officers, Reserve officers, and Foreign Service staff officers and employees who are entitled to receive basic compensation immediately prior to the effective date of this section at one of the rates provided by section 412 or 415 of the Foreign Service Act of 1946 shall receive basic compensation, on and after such effective date, at the rate of their class determined to be appropriate by the Secretary of State.

Agricultural stabilization and conservation county committee employees

SEC. 107. The rates of compensation of persons employed by the county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) shall be increased by amounts equal, as nearly as may be practicable, to the increases provided by section 102(a) of this title for corresponding rates of compensation.

Salary rates fixed by administrative action

SEC. 108. (a) The rates of basic compensation of assistant United States attorneys whose basic salaries are fixed pursuant to section 508 of title 28, United States Code, shall be increased, effective on the effective date of section 102 of this title, by amounts equal, as nearly as may be practicable, to the increases provided by section 102(a) of this title for corresponding rates of compensation.

(b) Notwithstanding section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), the rates of compensation of officers and employees of the Federal Government and of the municipal government of the District of Columbia whose rates of compensation are fixed by administrative action pursuant to law and are not otherwise increased by this Act are hereby authorized to be increased, effective on the effective date of section 102 of this title, by amounts not to exceed the increases provided by this title for corresponding rates of compensation in the appropriate schedule or scale of pay.

(c) Nothing contained in this section shall be held or considered to authorize any increase in the rates of compensation of officers and employees whose rates of compensation are fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates or practices.

(d) Nothing contained in this section shall affect the authority contained in any law pursuant to which rates of compensation may be fixed by administrative action.

Effective dates

SEC. 109. This title shall become effective as follows:

(1) This section and sections 101, 103, and 108 shall become effective on the date of enactment of this Act.

(2) Sections 102, 104, 105, 106, and 107, shall become effective on the first day of the first pay period which begins on or after July 1, 1966.

TITLE II—JUDICIAL BRANCH

Short title

SEC. 201. This title may be cited as the "Federal Judicial Salary Act of 1966".

Judicial branch employees

SEC. 202. (a) The rates of basic compensation of officers and employees in or under the judicial branch of the Government whose rates of compensation are fixed by or pursuant to paragraph (2) of subdivision a of section 62 of the Bankruptcy Act (11 U.S.C. 102(a)(2)), section 3656 of title 18, United States Code, the third sentence of section 603, sections 671 to 675, inclusive, or section 604(a)(5), of title 28, United States Code, insofar as the latter section applies to graded positions, are hereby increased by amounts reflecting the respective applicable increases provided by section 102(a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended. The rates of basic compensation of officers and employees holding ungraded positions and whose salaries are fixed pursuant to such section 604(a)(5) may be increased by the amounts reflecting the respective applicable increases provided by section 102(a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

(b) The limitations provided by applicable law on the effective date of this section with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges are hereby increased by amounts which reflect the respective applicable increases provided by section 102(a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

(c) Section 753(e) of title 28, United States Code (relating to the compensation of court reporters for district courts), is amended by striking out the existing salary limitation contained therein and inserting a new limitation which reflects the respective applicable increases provided by section 102(a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

Effective dates

SEC. 203. This title shall become effective as follows:

(1) This section and section 201 shall become effective on the date of enactment of this Act.

(2) Section 202 shall become effective on the first day of the first pay period which begins on or after July 1, 1966.

TITLE III—LEGISLATIVE BRANCH

Short title

SEC. 301. This title may be cited as the "Federal Legislative Salary Act of 1966".

Legislative branch employees

SEC. 302. (a) Except as otherwise provided in this title, each officer or employee in or under the legislative branch of the Government, whose rate of compensation is increased by section 5 of the Federal Employees Pay Act of 1946, shall be paid additional compensation at the rate of 2.9 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

(b) The total annual compensation in effect immediately prior to the effective date of this section of each officer or employee of the House of Representatives, whose compensation is disbursed by the Clerk of the House of Representatives and is not increased by reason of any other provision of this section, shall be increased by 2.9 per centum. Nothwithstanding section 303 of this title or any other provision of this section, the total annual compensation of the Clerk of the House of Representatives and the Sergeant at Arms of the House of Representatives, respectively, shall be an amount which is equal to the total annual compensation of the Secretary of the Senate and the Sergeant at Arms of the Senate, respectively.

(c) The rates of compensation of employees of the House of Representatives whose compensation is fixed by the House Employees Schedule under the House Employees Position Classification Act (78 Stat. 1079–1084; Public Law 88–652; 2 U.S.C. 291–303), including each employee subject to such Act whose compensation is fixed at a saved rate, are hereby increased by amounts equal, as nearly as may be practicable, to the increases provided by subsection (a) of this section.

(d) The additional compensation provided by this section shall be considered a part of basic compensation for the purposes of the Civil Service Retirement Act (5 U.S.C. 2251 and following).

(e) This section shall not apply with respect to the compensation of student congressional interns authorized by House Resolution 416, Eighty-ninth Congress, and the compensation of employees whose compensation is fixed by the House Wage Schedule under the House Employees Position Classification Act.

(f) The basic compensation of each employee in the office of a Senator is hereby adjusted, effective on the effective date of this section, to the lowest multiple of $60 which will provide a gross rate of compensation not less than the gross rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following the date of enactment of this Act, the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given.

(g) Notwithstanding the provision referred to in subsection (h), the rates of gross compensation of the Secretary for the Majority of the Senate, the Secretary for the Minority of the Senate, the Chief Reporter of Debates of the Senate, the Parliamentarian of the Senate, the Senior Counsel in the Office of the Legislative Counsel of the Senate, the Chief Clerk of the Senate, the Chaplain of the Senate, and the Postmaster and Assistant Postmaster of the Senate are hereby increased by 2.9 per centum.

(h) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading "SENATE" in the Legislative Appropriations Act, 1956, as amended (74 Stat. 304; Public Law 86–568), is amended by striking out "$23,770" and inserting in lieu thereof "$24,460".

(i) The limitation on gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the Senate is hereby increased by 2.9 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) of this section shall not apply to employees whose compensation is subject to such limitation.

Salary increase limitation

SEC. 303. No rate of compensation shall be increased, by reason of the enactment of this title, to an amount in excess of the salary rate now or hereafter in effect for level V of the Federal Executive Salary Schedule.

Effective dates

SEC. 304. This title shall become effective as follows:

(1) This section and section 301 shall become effective on the date of enactment of this Act.

(2) Sections 302 and 303 shall become effective on the first day of the first pay period which begins on or after July 1, 1966.

TITLE IV—MISCELLANEOUS PROVISIONS

Salary steps for certain employees transferred to postal field service

SEC. 401. Section 3551 of title 39, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) The Postmaster General may appoint or advance any Federal employee who, together with his function, is transferred, prior to, on, or after the date of enactment of this subsection, to a post office or other postal installation at or to (1) the minimum rate for his position, or (2) any higher rate for his position which is less than one full step above the highest rate of compensation received by him immediately prior to such transfer.".

Postal seniority adjustments

SEC. 402. (a) The Postmaster General shall advance any employee in the postal field service

(1) who was promoted to a higher level between July 9, 1960, and October 13, 1962;

(2) who is senior with respect to total postal service to an employee in the same post office promoted to the same level on or after October 13, 1962, and is on the effective date of this section in a step in the same level below the step of the junior employee; and

(3) whom the Postmaster General determines is in the same craft and same branch of the Post Office Service as such junior employee.

Such advancement by the Postmaster General shall be to the highest step which is held by any such junior employee. Any increase under the provisions of this subsection shall not constitute an equivalent increase and credit earned prior to adjustment under this subsection for advancement to the next step shall be retained.

(b) Section 3552 of title 39, United States Code, is amended by deleting subsection (d).

Special delivery messengers

SEC. 403. Section 3542(c) of title 39, United States Code, is amended—

(1) by striking out "7 cents per mile or major fraction thereof" and inserting in lieu thereof "10 cents per mile or major fraction thereof"; and

(2) by striking out "90 cents per hour" and inserting in lieu thereof "$1.25 per hour".

Overtime

SEC. 404. (a) Section 201 of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 911), is amended—

(1) by inserting "or, with the exception of employees engaged in professional or technical engineering or scientific activities for whom the first forty hours of duty in an administrative workweek is the basic workweek and employees whose basic compensation exceeds the minimum rate of grade GS–10 of the Classification Act of 1949, as amended, for whom the first forty hours of duty in an administrative workweek is the basic workweek, in excess of eight hours in a day" immediately following "in excess of forty hours in any administrative workweek"; and

(2) by striking out "grade GS–9" wherever it occurs therein and inserting in lieu thereof "grade GS–10".

(b) Section 202 of such Act, as amended (5 U.S.C. 912), is amended by striking out "grade GS–9" and inserting in lieu thereof "grade GS–10".

(c) Section 401 of such Act, as amended (5 U.S.C. 926), is amended by striking out "grade GS–9" wherever it occurs therein and inserting in lieu thereof "grade GS–10".

(d) Subsections (b) and (c) of section 3573 of title 39, United States Code, are amended by striking out "level PFS–7" and level PFS–8", wherever appearing therein, and inserting in lieu thereof "level PFS–10" and "level PFS–11", respectively.

Sunday premium pay

SEC. 405. (a) The heading of title III of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"TITLE III—COMPENSATION FOR NIGHT, SUNDAY, AND HOLIDAY WORK"

(b)(1) Section 302 of such Act, as amended (5 U.S.C. 922), is redesignated as section 303 of such Act.

(2) Any reference in any provision of law to section 302 of the Federal Employees Pay Act of 1945, which is redesignated as section 303 of such Act by paragraph (1) of this subsection, shall be held and considered to refer to section 303 of such Act, as so redesignated.

(c) Title III of such Act, as amended (5 U.S.C. 921 and following), is amended by inserting immediately following section 301 thereof the following:

"Compensation for Sunday work

"SEC. 302. Any regularly scheduled eight-hour period of service which is not overtime work as defined in section 201 of this Act any part of which is performed within the period commencing at midnight Saturday and ending at midnight Sunday shall be compensated for the entire period of service at the rate of basic compensation of the officer or employee performing such work plus premium compensation at a rate equal to 25 per centum of his rate of basic compensation."

(d) Section 401(1) of such Act, as amended (5 U.S.C. 926(1)), is amended by inserting ", Sunday," immediately following the word "night".

(e) Section 401(2) of such Act, as amended (5 U.S.C. 926(2)), is amended—

(1) by inserting in the first sentence thereof ", on Sundays," immediately following the words "duty at night"; and

(2) by inserting in the second sentence thereof "Sunday," immediately following "night,".

(f) The first paragraph of section 23 of the Independent Offices Appropriation Act, 1935, as amended (5 U.S.C. 673c), is amended by inserting immediately before the period at the end thereof the following: ": *Provided further*, That employees subject to this section whose regular work schedule includes an eight-hour period of service any part of which is within the period commencing at midnight Saturday and ending at midnight Sunday shall be paid extra compensation at the rate of 25 per centum of his hourly rate of basic compensation for each hour of work performed during that eight-hour period of service".

Health and insurance coverage for certain employees on leave without pay

SEC. 406. (a) Section 6 of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2095), is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding the foregoing, an officer or employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees, as defined in section 2 of this Act, may, within sixty days after entering on such leave without pay, elect to continue his insurance and arrange to pay currently into the fund, through his employing agency, both employee and agency contributions from the beginning of leave without pay. If he does not so elect, his insurance will continue during nonpay status and terminate as provided in subsection (a) of this section. The employing agency shall forward the premium payments to the fund established by section 5 of this Act."

(b) Section 7(b) of the Federal Employees Health Benefits Act of 1959, as amended (5 U.S.C. 3006(b)), is amended—

(1) by inserting "(1)" immediately following "(b)"; and

(2) by adding at the end thereof the following new paragraph:

"(2) An employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees, as defined in section 2 of this Act, may, within sixty days after entering on such leave without pay, file with his employing agency an election to continue his health benefits coverage and arrange to pay currently into the fund, through his employing agency from the beginning of leave without pay, both employee and agency contributions. If he does not so elect, his coverage will terminate as specified in paragraph (1) and implementing regulations. The employing agency shall forward the enrollment charges so paid to the fund."

(c) An officer or employee who is on approved leave without pay and serving as a full-time officer or employee of an organization composed primarily of employees, as defined in section 2 of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091), or section 2 of the Federal Employees Health Benefits Act of 1959, as amended (5 U.S.C. 3001), as the case may be, may, within sixty days after the date of enactment of this Act, file with his employing agency an election (1) to continue any insurance status or health benefits enrollment, or both, that he has on the date of enactment of this Act, (2) to reacquire any insurance status or health benefits enrollment, or both, which he may have lost while on leave without pay, or (3) to acquire an insured status or enroll in a health benefits plan, or both, if he was never previously eligible to do so, by arranging to pay currently and continuously into the employees' life insurance fund and the employees' health benefits fund, as appropriate, through his employing agency, both employee and agency contributions. The employing agency shall forward such payments to the employees' life insurance fund and the employees' health benefits fund, as appropriate. If he does not so elect, his insurance status and health benefits enrollment will continue and terminate as for other employees in nonpay status, or he will remain ineligible for insurance and health benefits, as the case may be, as though this paragraph had not been enacted. The United States Civil Service Commission is authorized to issue regulations to carry out the purposes of this paragraph.

Increase in uniform allowances

SEC. 407. (a) Section 402 of the Federal Employees Uniform Allowance Act, as amended (5 U.S.C. 2131–2133), is amended by inserting immediately following the second sentence thereof the following new sentence: "In those instances where the agency makes reimbursement direct to the uniform vendor, the head of the agency may deduct a service charge not to exceed 4 per centum."

(b) Such Act is further amended by adding at the end thereof the following new section:

"SEC. 405. Notwithstanding any other provision of this title, each of the respective maximum uniform allowances in effect on April 1, 1966, for the respective categories of employees to whom uniform allowances are paid under this title are hereby increased, subject to the maximum allowance authorized by this title, as follows:

"(1) If the maximum uniform allowance is $100 or more, such allowance shall be increased by 25 per centum.

"(2) If the maximum uniform allowance is $75 or more but less than $100, such allowance shall be increased by 30 per centum.

"(3) If the maximum uniform allowance is $50 or more but less than $75, such allowance shall be increased by 35 per centum.

"(4) If the maximum uniform allowance is less than $50, such allowance shall be increased by 40 per centum.

Such maximum uniform allowances, as in effect on April 1, 1966, and as increased by this section, shall not be reduced.".

SEC. 408. (a) Section 303(c) of the Federal Executive Salary Act of 1964 (78 Stat. 416; Public Law 88–426) is amended by adding at the end thereof the following new paragraph:

"(47) Director of the Federal Mediation and Conciliation Service."

(b) Paragraph (30) of section 303(d) of such Act is hereby repealed.

Effective dates

SEC. 409. This title shall become effective as follows:

(1) This section and sections 401, 406, and 407 shall become effective on the date of enactment of this Act.

(2) Sections 403, 404, and 405 shall become effective on the first day of the first pay period which begins on or after July 1, 1966.

(3) Sections 402 and 408 shall take effect on the first day of the first pay period after the enactment of this Act.

TITLE V—CIVIL SERVICE RETIREMENT

Short title

SEC. 501. This title may be cited as the "Civil Service Retirement Act Amendments of 1966".

Definitions

SEC. 502. Section 1(j) of the Civil Service Retirement Act (5 U.S.C. 2251(j)) is amended by inserting the letter "(d)" after the words "for purposes of section 10"; by striking out the words "received more than one-half of his support from and"; and by striking out the words "twenty-one" and "twenty-first" wherever they occur and inserting in lieu thereof the words "twenty-two" and "twenty-second", respectively.

Retirement coverage for certain employees on leave without pay

SEC. 503. Section 3 of the Civil Service Retirement Act (5 U.S.C. 2253) is amended by adding at the end thereof the following new subsection:

"(k)(1) An employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees, as defined in section 1(a) of this Act, may, within sixty days after entering on such leave without pay, file with his employing agency an election to receive full retirement credit for his periods of such leave without pay and arrange to pay currently into the fund, through his employing agency, amounts equal to the retirement deductions and agency contributions which would be applicable if he were in pay status. An employee who is on approved leave without pay and serving as a full-time officer or employee of such an organization on the date of enactment of this subsection may similarly elect within sixty days after such date of enactment. If the election and all payments provided by this paragraph are not made, the employee shall receive no credit for such periods of leave without pay occurring on or after date of enactment of this subsection, notwithstanding the provisions of the second sentence of section 3(c) of this Act.

"(2) An employee may deposit with interest an amount equal to retirement deductions representing any period or periods of approved leave without pay while serving, prior to the date of enactment of this subsection, as a full-time officer or employee of an organization composed primarily of employees, as defined in section 1(a) of this Act, and may receive full retirement credit for such period or periods of leave without pay. In the event of his death, a survivor as defined in section 1(o) of this Act may make such deposit. If the deposit described in this paragraph is not made in full, retirement credit shall be allowed in accordance with the second sentence of section 3(c) of this Act."

Immediate retirement

SEC. 504. (a) Section 6(a) of the Civil Service Retirement Act (5 U.S.C. 2256(a)) is amended to read as follows:

"(a) Any employee who attains the age of fifty-five years and completes thirty years of service shall, upon separation from the service, be paid an annuity computed as provided in section 9."

(b) Section 6(b) of such Act (5 U.S.C. 2256(b)) is amended to read as follows:

"(b) Any employee who attains the age of sixty years and completes twenty years of service shall, upon separation from the service, be paid an annuity computed as provided in section 9."

Annuity computation

SEC. 505. Section 9(d) of such Act (5 U.S.C. 2259 (d)) is amended to read as follows:

"(d) The annuity as hereinbefore provided, for an employee retiring under section 6(d), shall be reduced by one-sixth of 1 per centum for each full month such employee is under the age of fifty-five years at date of separation. The annuity as hereinbefore provided, for a Member retiring under the second or third sentence of section 6(f) or the third sentence of section 8(b), shall be reduced by one-twelfth of 1 per centum for each full month not in excess of sixty, and one-sixth of 1 per centum or each full month in excess of sixty, such Member is under the age of sixty years at date of separation."

Survivor annuities

SEC. 506. (a) Section 10(a)(2) of the Civil Service Retirement Act (5 U.S.C. 2260(a)(2)) is amended to read as follows:

"(2) An annuity computed under this subsection shall commence on the day after the retired employee dies, and such annuity or any right thereto shall terminate on the last day of the month before (A) in the case of the survivor of a retired employee, the survivor's remarriage prior to attaining age sixty, or death or (B) in the case of the survivor of a Member, the survivor's death or remarriage."

(b) The last sentence of section 10(c) of such Act (5 U.S.C. 2260(c)) is amended to read as follows: "The annuity of such widow or dependent widower shall commence on the day after the employee or Member dies, and an annuity under this subsection or any right thereto shall terminate on the last day of the month before (1) the death of the widow or widower, (2) remarriage of the widow or widower of an employee prior to attaining age sixty, (3) remarriage of the widow or widower of a Member regardless of age, or (4) the widower's becoming capable of self-support."

(c) Section 10(d) of such Act (5 U.S.C. 2260(d)) is amended to read as follows:

"(d) If an employee or a Member dies after completing at least five years of civilian service, or an employee or a Member dies after having retired under any provision of this Act, and is survived by a wife or by a husband, each surviving child shall be paid an annuity equal to the smallest of (1) 40 per centum of the employee's or Member's average salary divided by the number of children, (2) $600, or (3) $1,800 divided by the number of children, subject to the provisions of section 18. If such employee or Member is not survived by a wife or husband, each surviving child shall be paid an annuity equal to the smallest of (1) 50 per centum of the employee's or Member's average salary divided by the number of children, (2) $720, or (3) $2,160 divided by the number of children, subject to the provisions of section 18. The commencing date of a child's annuity under this Act or the Act of May 29, 1930, as amended from and after February 28, 1948, shall be deemed to be the day after the employee or Member dies, with payment beginning on that day or beginning or resuming on the first day of the month in which the child later becomes or again becomes a student as described in section 1(j), provided the lump-sum credit, if paid, is returned to the fund. Such annuity shall terminate on the last day of the month before (1) the child's attaining age eighteen unless he is then a student as described or incapable of self-support, (2) his becoming capable of self-support after attaining age eighteen unless he is then such a student, (3) his attaining age twenty-two if he is then such a student and not incapable of self-support, (4) his ceasing to be such a student after attaining age eighteen unless he is then incapable of self-support, (5) his marriage, or (6) his death, whichever first occurs. Upon the death of the surviving wife or husband or termination of the child's annuity, the annuity of any other child or children shall be recomputed and paid as though such wife, husband, or child had not survived the employee or Member."

(d) Section 10 of such Act (5 U.S.C. 2260) is amended by adding at the end thereof the following subsection:

"(f) In the case of a surviving spouse whose annuity under this section is hereafter terminated because of remarriage before attaining age sixty, annuity at the same rate shall be restored commencing on the day such remarriage is dissolved by death, annulment, or divorce: Provided, That (1) said surviving spouse elects to receive such annuity in lieu of any survivor benefit to which he or she may be entitled, under this or any other retirement system established for employees of the Government, by reason of the remarriage, and (2) any lump sum paid upon termination of the annuity is returned to the fund."

Increases in certain annuities

Sec. 507. Section 18 of the Civil Service Retirement Act (5 U.S.C. 2268) is amended by adding at the end thereof the following subsection:

"(g) Effective on (1) the first day of the second month after the enactment of this Act, or (2) the commencing date of annuity, whichever is later, the annuity of each surviving spouse whose entitlement to annuity payable from the civil service retirement and disability fund resulted from the death of:

"(A) an employee or Member prior to October 11, 1962, or

"(B) a retired employee or Member whose retirement was based on a separation from service prior to October 11, 1962, shall be increased by 10 per centum."

Effective dates

Sec. 508. (a) This section, section 509, and subsections 1(j), 3(k), 6(a), 6(b), 9(d), 10(a)(2), 10(c), 10(d), and 10(f) of the Civil Service Retirement Act, as enacted or amended by this title, shall become effective on the date of enactment of this Act.

(b) Except as provided in section 507 and in subsection (c) of this section, the amendments made by this title to the Civil Service Retirement Act shall not apply in the cases of persons retired or otherwise separated prior to these respective effective dates, and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if this title had not been enacted.

(c) The amendments made by this title to sections 1(j) and 10(d) of the Civil Service Retirement Act relating to payment, continuance, resumption, and termination of annuity to a child who is a student shall apply with respect to children of persons retired or otherwise separated prior to, on, or after the date of enactment of this title, except that no child's annuity shall be paid by reason of these amendments for any period prior to such date of enactment.

Miscellaneous

Sec. 509. The provisions under the heading "Civil Service Retirement and Disability Fund" in title I of the Independent Offices Appropriation Act, 1959 (72 Stat. 1064; Public Law 85-844), shall not apply with respect to benefits resulting from the enactment of this Act.

TITLE VI—FEDERAL EMPLOYEES' HEALTH BENEFITS

Sec. 601. Section 2(d) of the Federal Employees Health Benefits Act of 1959 (73 Stat. 709; 5 U.S.C. 3001(d)) is amended by striking out "twenty-one" wherever it appears therein and inserting in lieu thereof "twenty-two".

Sec. 602. Paragraphs (1) and (2) of section 7(a) of such Act are amended to read as follows:

"(1) Except as provided in paragraph (2) of this subsection, the biweekly Government contributions for health benefits for employees or annuitants enrolled in health benefits plans under this Act, in addition to the contributions required by paragraph (3), shall be $1.62 if the enrollment is for self alone or $3.94 if the enrollment is for self and family, commencing with the first pay period beginning on or after July 1, 1966.

"(2) For an employee or annuitant enrolled in a plan for which the biweekly subscription charge is less than twice the Government contribution established under paragraph (1) of this subsection, the Government contribution shall be 50 per centum of the subscription charge, commencing with the first pay period beginning on or after July 1, 1966."

SENATOR RANDOLPH DISCLOSES AND DEPLORES LACK OF PARITY BETWEEN COAL RESEARCH AND NUCLEAR POWER RESEARCH—SAYS CONVERTING OF COAL INTO ELECTRIC POWER MERITS PROGRAM EQUAL TO PRIORITY GIVEN NUCLEAR EFFORT—URGES THAT COAL INDUSTRY AND CONGRESS ACT PROMPTLY TO CORRECT INEQUITY

Mr. RANDOLPH. Mr. President, during the past year we have witnessed a remarkable growth of nuclear electric power. In 1965, new nuclear plants—with aggregate output capabilities of almost 5 million kilowatts—were announced for construction. This year, additional nuclear plants estimated to be capable of producing almost 8 million kilowatts have been committed for construction, and a number of others are under active consideration. These are not experimental plants. They are large baseload stations to produce electricity for systemwide distribution.

These facts provide further dramatic evidence that nuclear power has developed as a major source of electricity much faster than had been contemplated, even by the Atomic Energy Commission. Milton Shaw, director of the AEC's Division of Reactor Development and Technology, recently submitted to the Joint Committee on Atomic Energy a chart which indicates this accelerated rate growth. He pointed out that the AEC's 1962 report to the President of the United States on the state of the nuclear art projected a total nuclear power capacity of 10.3 million kilowatts by 1975. Based on the latest information about plans of electric utilities, this projection—only 4 years later—has been increased to 36 million kilowatts.

Representative Melvin Price, a member of the Joint Committee, has said in a recent speech that the Atomic Energy Commission has now gone even further in its nuclear prediction. It foresees approximately 80 to 110 million kilowatts of nuclear generated capacity in operation in this country by 1980.

I do not understand why, in view of this phenomenal growth of nuclear power and its acceptance by the utility industry as a dependable source of power, the Atomic Energy Commission has been so reluctant to issue a finding of practical value, as provided by law, covering the type of plant now being built. Such a response would be a recognition of the facts now prevalent in the nuclear power industry. It would accurately confirm the fact that the light water reactors are no longer experimental in nature. They have achieved a state of practical value and, therefore, should be licensed as commercial operations, rather than as experimental ones.

If I am correct in my interpretations, the Commission contends that no one can be sure that the light water reactors have achieved a state of practical value and that they are fully competitive with conventional power sources until the economics have been established through operating experience. Present cost estimates are, we are told, nothing more than estimates—extrapolations of experience in small plants or in the laboratory to the 500,000 kilowatt and larger plants. It is difficult to accept an argument that the management of privately owned electric utilities are willing to gamble hundreds of millions of dollars on plants and facilities the performance of which is as uncertain as the AEC apparently indicates.

Mr. President, I know that, as far as the coal industry is concerned, there is a complete acceptance of the fact that nuclear power is a real and pressing competitor of conventionally generated electricity. The 12 million kilowatts of new nuclear capacity already announced would, if produced in a conventional plant, require 30 million tons of coal a year. Hence, a market loss for at least 30 years to coal is a consequence.

Being a Senator from the Nation's major coal producing State, I am concerned as are West Virginians generally, for the effect the increasing rate of nuclear development will have on coal's electric utility market. I am fully aware that Chairman Seaborg of the Atomic Energy Commission and others have repeatedly issued assurances that nuclear power does not really compete with coal, but is, in effect, a supplementary source of power. They say this is because the demand for electricity is growing at such a fast rate that—despite the introduction of vast amounts of nuclear power into the Nation's energy supply systems—coal will double by 1980.

But we cannot ignore the fact that nuclear power is developing three times faster than the AEC forecast in projections as late as 1962. Further, the fact is that notwithstanding this upsurge in nuclear power the AEC is not retrenching in its multimillion-dollar research and development program to strengthen even further the competitive position of nuclear power.

The reactors now being built are the first generation of commercial nuclear powerplants. They are the product of vast Government expenditures and substantial direct subsidies. It is true that the Government has now removed itself from the direct subsidy picture, insofar as these light water reactors are concerned. It has terminated subsidies to utilities planning to build such reactors. But the AEC has shifted its emphasis from the light water reactors to so-called advanced converter reactors and to fast breeder reactors.

Mr. President, I emphasize the fact that our Government has not made any move for a redress in the startling imbalance which has long existed between research and development funds for nuclear research and funds for other forms of energy. The disparity continues to grow.

In the current budget, the Office of Coal Research will receive about $8 million to carry on its entire research program into new and improved utilization of coal during fiscal 1967. Coal provides the heat source of more than 50 percent of all of the Nation's electric power. Our coal reserves approximate 800 billion tons, a vast storehouse of potential fuel and energy. Developing new methods for the converting of coal into electric power at lower costs should have a priority equal to that for improved and cheaper nuclear generation of power.

I believe that the disparity is wrong. It cannot be justified. I urge my Senate colleagues to consider the following facts—and help to right this wrong.

The budget reveals a startling and unjust differential between coal and nuclear research financing proposals. For further work on civilian power reactors, AEC is requesting this year in excess of $90 million. It expects to have 20 million to spend on the cooperative demonstration program under which Federal funds will be expended to build and operate various types of nuclear reactors. In addition, $38 million is scheduled to be applied to nuclear safety. Compare this with a request for only $8 million for coal research.

Coal research, of course, needs to be carried forward in a greater degree. Not that we feel that nuclear research is unimportant but we do feel that the Nation will have to look to nuclear power to provide a large share of the immense amount of energy which we will use but we are also going to need the coal resources to generate that power.

Nuclear research is important, and it should be carried on by the AEC. Indeed, the Nation will have to look to nuclear power to provide a large share of the immense amounts of energy which it will use.

But to reach a stage in the development of nuclear technology where nuclear power will become the dominant energy source certainly should not mean, Mr. President, that the Nation should be satisfied with anything less than the ultimate benefits from its plentiful natural resource, coal. We are in the atomic age, but we must remember the fact that this also is the age of coal—the real and dependable work horse of the energy field for many decades.

Our country will need all of its energy resources in the future.

With the huge population increases, with our metropolitan centers pushing ever constantly closer together, it would be a national scandal for a large portion of our coal reserves to remain unusable in the ground because we lacked the foresight to so manage our affairs as to achieve a proper balance between fossil fuels and nuclear power.

There is no denying that the trend today is toward nuclear power. In view of the gigantic expenditures made in recent years on nuclear research and development, it would be surprising if this were not true.

My purpose Mr. President, is to urge that in developing our nuclear future we do not lose sight of the resource represented by our prolific coal reserves.

While continuing research and development on nuclear power, let us devote more of our money and research talent to coal, also.

There are a number of research areas in which sufficient progress has already been made to indicate that significantly important results might be achieved in a relatively short time by an expanded, well financed, and capably staffed research program.

These include studies of ways to improve combustion efficiency of conventional steam generating plants, methods of further lowering transportation costs, new uses for coal to provide energy in gaseous and liquid forms, and entirely new means of producing electricity from coal without the necessity of creating steam to turn turbines.

As one example, I understand the Office of Coal Research is considering joining with a group of private companies to carry forward research on a promising form of generation by magnetohydrodynamics on which the private companies have already spent several millions of dollars. I am told that a 5-year research program is contemplated, with the Government and the private companies sharing the future costs. I hope OCR finds that this project does hold promise of success and decides to go ahead with its participation. And if it should find that favorable results could be achieved sooner by the expenditure of more funds than it presently has available for the purpose, I hope the Secretary of the Interior will bring before the Congress for our consideration a request for a supplemental appropriation.

Certainly, there are other projects which offer real possibilities for expanding the national benefits to be derived from our plentiful coal resources, if adequate research is devoted to them.

The coal industry needs to recognize that it faces a compelling challenge. It cannot be content with past achievements. The industry itself should name a committee of its outstanding people to take a penetrating look at the whole range of research programs. These experts could chart a course behind which both the industry and the Government could rally. They could point out the paths which must be followed in finding new and more economical ways to use coal more efficiently and effectively to generate power. We must remember that the utility industry and consumers are interested only in low-cost power.

It is my sincere belief that, if a comprehensive, practical research program is developed, it will attract wide support in the Congress. The coal industry must reorient its own thinking. We are in a new era. The key to success largely reposes in the laboratory. I hope the industry will meet the challenge posed by the atom with new vision and much keener understanding of the role which research can play in preserving and maintaining a strong, viable coal industry. And the leaders of our Government have a responsibility in these matters, too, as does the Congress.

The men who mine and transport coal must be aware of the fact that the people in nuclear power do not lack for imagination and the ability to think and plan on a big scale. Apparently they will not be lacking ample supplies of Federal research money to carry out their plans.

I am sure that the coal industry can match the nuclear industry in wisdom, foresight, and the ability to plan for the future.

I am talking today about this imbalance, this lack of parity between funds for nuclear power and for coal research. But in nowise do I desire that my words be construed to mean that I am against these programs of nuclear power.

The initiative must be assumed by leaders of coal and related industries. Knowing these industries, I am sure there are enough men of vision and wisdom to chart the kind of course which can lead to a new and expanded coal research program—one which will insure that the country will realize the great potential wealth of its huge coal reserves, rather than leave them idle in the ground.

Failing to develop such a program, coal reserves will lie virtually dormant as nuclear power marches steadily forward. The "coal people" must demonstrate very real initiative and ingenuity—and must act now. Government, I repeat, has an obligation to help the fossil fuel industries at least to the same degree it stimulates and sustains nuclear power developments in the energy field.

Mr. President, the future will be a challenging future for all forms of energy. Today I make this plea, I ask only that Congress and those in positions of trust in the executive branch of the Government understand that there is this lack of parity between coal research and nuclear power programs and that we need to be realistic and reasonable in getting a balance, rather than the imbalance which today exists.

ORDER OF BUSINESS

Mr. HOLLAND. Mr. President, there are several Senators who are interested in the objectives to which I shall address myself and they have asked that I suggest the absence of a quorum before I begin my remarks.

With that in view, I ask unanimous consent that without losing my right to the floor, I may suggest the absence of a quorum at this time.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton.

The message also announced that the House had agreed to the amendments of the Senate to the concurrent resolution (H. Con. Res. 804) providing that when the House adjourns on June 30, 1966, it stand adjourned until 12 o'clock meridian, July 11, 1966.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton.

AMERICAN LEGION, DEPARTMENT OF SOUTH CAROLINA, DISTINGUISHED PUBLIC SERVICE AWARD TO SENATOR THURMOND, OF SOUTH CAROLINA

Mr. HOLLAND. Mr. President, it gives me, and speaking also for the distinguished Senator from North Carolina [Mr. ERVIN], who was on the floor earlier but who had to leave to catch a train for North Carolina, a great deal of pleasure to take the floor today to pay deserved tribute to one of the most distinguished colleagues whom we have, Senator STROM THURMOND, of South Carolina—a man of outstanding character and very great ability. In many ways he and I have followed the same life paths, although he was a few years behind me, and he has attained much greater eminence than I have.

He is a lawyer, as am I; he was a teacher, as was I; he served as a judge and in the senate of his home State, as did I; he was Governor of his State, as was I; and he served in the U.S. Army during World War II and attained the rank of major general, while I served in the Army during World War I and was happy to attain the rank of captain.

Mr. President, our colleague is a man of many talents, who served as Chairman of the Southern Governors Conference in 1950, and was the States Rights Candidate for President in 1948, carrying four States with 39 electoral votes.

He was elected to the U.S. Senate in November 1954, as a statewide write-in candidate—the only one such I have ever known about—but he resigned his Senate seat in April 1956, to place the office in the primary pursuant to a promise he made to the people of his State in 1954. He was renominated and reelected without opposition to the U.S. Senate in 1956, and again reelected in 1960. Then in September 1964, having the courage of his convictions and as forthright as he is, he left his party to join the Republicans, and, while I cannot say this was a happy turn of events for me or my fellow Democrats, I admire him for doing what he believed to be the right thing to do—it showed the strength of character built into him.

Mr. President, I could enumerate the many legislative accomplishments of our colleague—all of which are a matter of record, the more recent of which are, first, the major role he played in the defeat of the motion to consider the bill to repeal section 14(b) of the Taft-Hartley Act; second, the approval, this year, of his amendment to authorize preproduction engineering on Nike-X ABM system, which could save 80 million lives from enemy attack; and third, the introduction of legislation to make it a criminal offense to burn, mutilate, or destroy draft cards, which bill was passed by the Senate within a week of its introduction.

It is sufficient to say that first and foremost in his mind and heart is the desire to support legislation for the betterment of his people and of our Nation.

Mr. President, the American Legion, Department of South Carolina, at its annual convention in Charleston, on June 25, 1966, presented to our distinguished colleague, the Senator from South Carolina, STROM THURMOND, the distinguished public service award in recognition of his outstanding contributions to his community, State, and Nation.

I ask unanimous consent at this time that this citation, together with Senator THURMOND's acceptance speech, be inserted in the RECORD at this point.

There being no objection, the citation and acceptance speech ordered to be printed in the RECORD, as follows:

ACCEPTANCE ADDRESS BY SENATOR STROM THURMOND, REPUBLICAN OF SOUTH CAROLINA, OF THE DISTINGUISHED PUBLIC SERVICE AWARD OF THE AMERICAN LEGION DEPARTMENT OF SOUTH CAROLINA AT THE ANNUAL CONVENTION OF THE DEPARTMENT OF SOUTH CAROLINA AMERICAN LEGION, CHARLESTON, S.C., JUNE 25, 1966

It is with deepest gratitude and humble thanks that I accept your Distinguished Public Service Award. The honor you bestow on me is particularly meaningful because of the high esteem in which I hold and have always held the American Legion.

Upon my return from World War II, the first organization to which I applied for membership was the American Legion. With the ravages and destruction of the war fresh in my mind, I recalled then, as I do now, the sound counsel of the American Legion in the period between World War I and World War II on the necessity for our nation to achieve and maintain adequate military preparedness. Had the counsel of the Legion been heeded in those pre-World War II days, there possibly, even probably, would never have been a World War II. The Legion offered wise counsel of firm opposition to communist expansionist efforts and the maintenance of military strength in the days following World War II and preceding the Korean War, another conflict which may well have been prevented by military strength and a posture of unmistakable determination to resist aggression.

Underlying all of the American Legion's positions has been a strong theme of solid Americanism, upon which a splendid and effective program of youth leadership and training has been based. No other organization has been more constant and unswerving in its recognition that our Nation's most valuable resource is its youth.

The American Legion's record of service to the community, State and Nation is one in which we can all take pride. The responsibilities of citizenship and the obligations which spring from the understanding through experience in service that prompted the organization and programs of the Legion have neither lapsed nor diminished, however. Indeed, they are more demanding now than ever before.

Today, our Nation is at war. The struggle to preserve freedom against the unceasing onslaught of communist aggression has flared into open conflict on a major scale. Again, American fighting men are writing in blood a record of valiance and sacrifice for the cause of liberty and Country.

The President has recognized by word and action the necessity to resist the communist attempt at military conquest in Southeast Asia. He has avoided the vicious and deceptive lures of appeasement and has heeded the lesson of Munich. His decision not to yield to aggression in Viet-Nam deserves the support of all citizens of our Nation, and indeed, the support of all people committed to the cause of freedom.

It has been repeatedly and correctly stated by the President that the United States has no territorial or economic ambitions in Southeast Asia. It is equally true, however, that the vital national interest and security of the United States, and not just those of South Viet-Nam, are at stake in Southeast Asia. The first line of defense of American freedom now lies in the jungles and cities of Viet-Nam. Indeed, on no other basis can the involvement of the United States in the war in Viet-Nam be justified.

It is not just South Viet-Nam's war. It is now our war, also, demanding a unity of purpose for victory. Nothing less than victory can suffice to adequately protect our own national interests and security.

In this war, as in previous ones, our capabilities are contingent on the adequacy of our preparedness. As citizens whose vital interests hang in the balance of the conflict, you have every right, and need, to know the state of the Nation's preparedness, and its impact upon the war effort.

The Senate Preparedness Investigating Subcommittee has for more than a year been engaged in a thorough study of the country's military adequacy and readiness to meet the commitments to which our Nation has subscribed in the cause of liberty and for the protection of our own national security. A number of reports have already been released, others have been completed and will be released shortly, and additional reports will follow from this continuing investigation. This Committee, chaired by Senator JOHN STENNIS of Mississippi, and composed of four other Democrats—SYMINGTON of Missouri, JACKSON of Washington, CANNON of Nevada, and BYRD of West Virginia—and three Republicans—SALTONSTALL of Massachusetts, SMITH of Maine, and myself—has been unanimous in all of the findings and recommendations in this readiness investigation.

As you would expect, we have found that there is no substitute for actual, adequate preparedness. It is not sufficient to be comparatively better prepared than was the case at some selected time in the past. When the test comes, the test is in absolute terms. The outcome of battles and campaigns is not graded on the curve. We found this out in Viet-Nam in 1965.

Prior to 1960, there was an average of only about 650 U.S. military personnel committed in Viet-Nam. This number gradually increased from an average of 773 in 1960, to 1364 in December, 1961, to 9,865 in late 1962, and to 16,575 by 1964. From this point of departure, the number was increased in 1965 to approximately 195,000. This was the period of the initial test of our preparedness.

Since the beginning of 1966, the build-up has slowed, but continues. Today we have more than 265,000 servicemen committed, and we are in the process of reaching a strength of 285,000 in the very near future. We can expect a continuing increase until we reach some 400,000. Beyond that, the prospect, quite frankly, is for further increases.

To fully understand the problem of inadequate preparedness we experienced in the initial major build-up in Viet-Nam, it is necessary to understand something of the history of the Army's organization and reorganizations in recent years, and the mobilization plan on which the Army structure is based.

In 1961, it was determined by the Administration that our capability of responding to the upper, or strategic, end of the war spectrum and to the lower, or insurgent, end of the war spectrum was adequate, but that our capability of meeting the threat in the center of the war spectrum was inadequate. Accordingly, the number of active Army divisions was increased from 11 to 16.

At the same time, the division concept was somewhat altered. The 16 divisions were so organized that they contained the essential combat capability, and an initial support capability available for augmentation shortly after the division was committed to combat. The major elements of division support were placed in the Reserves, rather than the active forces, and the contingency planning was based on the call-up of such support units for the augmentation of the divisions committed to combat. Such Reserve support components included engineer, logistic, signal and artillery elements, as well as others. In addition to the 16 active combat divisions, active training forces are maintained at a level to train the necessary manpower supply for the 16-division active combat force. Also, in addition to the support units for active divisions in the Reserve, combat divisions with their support units are maintained in the Reserve forces to replace active divisions committed to combat.

In addition to the 16 active divisions of combat forces, the Army also maintains in the active structure, training forces capable of supplying the manpower requirement of the active forces. To supplement training capabilities for emergencies and other expanded manpower requirements, 12 training divisions are also maintained in the Reserve forces.

Our investigation revealed that the active Army alone did not have 16 combat divisions which were capable of sustained combat, even though the Congress had been frequently so advised in the past without any qualification being put upon it. The claims that there were 16 combat ready divisions, it was revealed, were based on certain assumptions, including the time of deployment, the availability of shipping, and more importantly, upon a declaration of emergency and an extension of terms of service of personnel.

In addition, Army contingency planning was based on an assumption that the commitment of a major fraction of the Army forces in the United States would result in mobilization and that the forces required for sustained combat operations would be provided by units of the reserve components. From the time of the increase of the number of active Army divisions from 11 to 16, severe budgetary restrictions were placed on the Army's requests for annual appropriations. As a consequence, the apparent state of readiness of the Army was illusory, to say the least. Shortages of equipment and parts were allowed to accumulate, and obsolescence of equipment became a major problem.

Prior to May, 1965, the Army was permitted to request procurement funds only on the basis of 16 active and five Reserve divisions. Until this time, no funds were requested for such items as prosecution of the war in Viet-Nam, two divisions worth of equipment for pre-positioning in Europe, nor for the then experimental air-mobile division. All of these items, in addition to some material for the military assistance program was, in the vernacular, taken out of the Army's hide. These additional items, I should mention, were given a higher priority for distribution, than were the requirements of the Reserve components. As a consequence, the requrement for a major build-up in Viet-Nam found the Reserve components most inadequately equipped. The Army's contingency planning to call on the Reserve components for units essential for sustained combat upon the commitment to combat of a major fraction of the Army divisions in the United States, was abandoned.

The build-up caused a severe drain on our entire active Army. In order to put somewhat less than four Army divisions in the field, it was necessary to drain both personnel and equipment from those units not committed, and even then shortages which impaired and inhibited combat operations could not be avoided. Shortages of equipment ranging from helicopters to radios, from clothing to ammunition, were experienced. Production lines for many items were not open and operating, and it was necessary to "live off the shelf."

Personnel problems were at least as acute as material shortages, and even more difficult to solve. As you know, the Army's manpower needs for modern warfare are not measurable only in quantity, but also in quality, or skills. The draft produces numbers, but only training can produce military skills.

The Army, therefore, found it necessary to draw on its entire active strength, including the six strategic active divisions in the United States, as well as our divisions in Europe, for the skills needed by the divisions and their newly created support units committed to combat in Southeast Asia.

So severe is the problem of acquiring skills to achieve a sustained combat capability that in one particular instance, the readying of one combat brigade of an airborne division for Viet-Nam required a total in-and-out transfer of 3,800 personnel. The impact on the other brigades of this division should be obvious.

Six of the United States Army divisions are kept in strategic reserve in the continental United States to meet contingencies which might arise from our world-wide commitments. This force consists of two infantry, two airborne and two armored divisions. The impact of current personnel requirements is illustrated by the fact that none of these divisions is today combat ready. Indeed, they are not even combat divisions, but are, rather, training divisions. Up to one-half of the strength of some of these divisions is comprised of basic trainees recently inducted and for which the divisions are conducting basic training.

It has even been found necessary to withdraw approximately 15,000 men from our Army forces in Europe. In addition, approximately 20,000 trained and skilled personnel are being withdrawn from Europe and replaced by what are essentially personnel who have received only an abbreviated basic training.

The turbulence in Army attempts to meet the strain of Viet-Nam commitments is illustrated by the fact that between April, 1965, and April, 1966, the Continental Army Command re-organized and re-designated more than 400 units for deployment to Viet-Nam and activated 160 new units.

Similar problems have been experienced by our tactical Air Forces. Of the 59 tactical fighter squadrons which comprised our Tactical Air Command at the time of the Gulf of Tonkin incident, most have now been committed to Viet-Nam or Southeast Asia. The support of this effort has caused a severe drain upon Tactical Air Command resources and has resulted in a number of risks and hazards. It is apparent now that the Tactical Air Command cannot, within existing resources, continue to support a large-scale augmentation of forces.

The escalation of the war in 1965 found the Air Force with only one fighter aircraft in production, the F–4. The F–5 was in limited production for the military assistance program only. Spare parts for aircraft proved inadequate to needs for combat operations. Despite the fact that combat attrition on fighter aircraft was exceeding production, production of the F–4 was not increased until the Fall of 1965. The heavy commitment of aircraft to Viet-Nam caused a shortage of aircraft needed to step-up the aircrew training program. Only the shortage of aircraft prevents the occurrence of a severe shortage of flight crews.

Training is also impaired by shortages of bombs and ammunition. The shortages of bombs of certain types has necessitated the purchase of bombs from our allies which we had previously sold to them. In considering the problem of bomb shortages, it should be kept in mind that this is not a problem merely of quantity. Certain types of old bombs, although of the proper weight and explosive, are so configured that they are not usable on modern jet aircraft which carry their bombs externally. The fact that we have a supply of 750 pound bombs, therefore, does not necessarily mean that we have the type of bombs which can be carried and dropped by the majority of the types of aircraft being utilized in Southeast Asia.

It is indeed fortunate that no additional emergency has erupted elsewhere in the world in the past year which would have necessitated the deployment of even a medium-sized commitment of U.S. military forces. In effect, we have, because of inadequate preparedness, committed the bulk of our conventional combat capability to Southeast Asia.

The impact of our inadequate preparedness is by no means confined to the impairment of our capabilities for meeting defense commitments outside Viet-Nam, however. Our announced strategy in Viet-Nam is to build up a superiority of force over the communist enemy which will enable us to pursue effective military operations of an offensive character. Estimates of the ratios of superiority required to accomplish this objective vary from 4–1 to 10–1. It is now clear that we have been unable to achieve either. During recent months, the communists coming down from the North into South Viet-Nam have been able to match our build-up essentially on a one-to-one basis. We were unable to increase our forces to a level of approximately 400,000 by June 1, 1966, as would have been required for the maintenance of the desirable level of offensive action. The problem of attaining and maintaining a sufficient superiority of force has been complicated by the diversion of South Viet-Namese military forces to cope with domestic dissents from the Buddhists.

Some improvement in the situation has been accomplished, and other shortages will be corrected in the next few months. The over-all impact of inadequate preparedness will, however, continue to be felt for some time.

For instance, deficiencies in training capabilities will cause the Reserve components to experience an actual increase during the coming year in the number of personnel who have had no active duty training, not even basic. Procurement has not been initiated in sufficient quantities to replace the inventories of equipment and parts consumed in the initial stages of the buildup.

For the most part, it has been attempted to meet additional needs by increasing production from operating sources, and there have been only very minor expansions of the production base through the initiation of new production lines. Particularly is this true with respect to long leadtime items, such as helicopters and aircraft. This policy is attributable to the fact that planning and procurement is based on the arbitrary assumption that the conflict in Viet-Nam will terminate by mid-1967.

Although the war in Viet-Nam is the current point of crisis, it must not be permitted to so pre-occupy our considerations of defense adequacy that our strategic superiority is allowed to deteriorate. Efforts to limit over-all defense expenditures while fighting a conventional war is unquestionably causing a de-emphasis in the field of strategic weaponry. Such systems as a ballistic missile defense, an Advanced Manned Strategic Aircraft, a nuclear-powered surface Navy, a new large advanced ballistic missile and systems for a military capability in space must not and cannot be allowed to flounder for lack of adequate funding.

The cost of adequate military preparedness is high. The cost of war is far higher. The expenses of the war in Southeast Asia sharpens the competition of non-defense with defense programs for the tax-dollar. One official estimated in testimony before the Congress that the war in Southeast Asia is costing as much as $2 billion per month. The increased appropriations are not running anywhere close to that amount. It is clear that defense programs not directly related to Viet-Nam are being short-changed.

The one most important lesson to be gained from the outbreak of combat in Viet-Nam is the necessity for military preparedness. Once again we deluded ourselves that we could be satisfied with an appearance of relative preparedness. The lesson will be learned only to the extent that the balloon of our national complacency is punctured.

The American Legion has performed a magnificent service in its programs which support policies of adequate preparedness. Nevertheless, the challenge today is greater than ever, and the task of persuading the Nation of the necessity of maintaining our military strength at an unmatchable level remains substantial.

If we are to achieve and maintain sufficient military strength, it will require the full weight of a convinced and determined public opinion. The American Legion, and each individual Legionnaire, is confronted with the challenge to do even more to inform and crystallize public opinion that the only road to security and peace lies through preparedness.

I urge you to join me in rising to this challenge.

Again, let me express my gratitude to you for the honor you have so graciously paid me. I assure you that it will ever be my ambition to continue to strive with you in service to our communities, our State, and our Nation.

Mr. HOLLAND. Mr. President, I think it well to read, for the information of Senators who may be here, the citation, which appears on a very elegant plaque, presented to Senator Thurmond by the Department of South Carolina, American Legion. I will read it:

> The American Legion, Department of South Carolina, Distinguished Public Service Award presented to Strom Thurmond, United States Senator, in recognition of his outstanding contributions to his community, State, and Nation. June 25, 1966.

Mr. President, many other Senators have desired to participate in this eulogy. Some of them, like the distinguished Senator from Nebraska [Mr. Hruska] did, have already done so. I ask unanimous consent that his eulogy of yesterday be reprinted at this point immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The remarks of Senator Hruska ordered to be printed in the Record are as follows:

AWARD TO STROM THURMOND

Mr. Hruska. Mr. President, last Saturday, June 25, our colleague, Strom Thurmond, was honored by the Department of South Carolina American Legion. In recognition of his outstanding contributions to his community, State, and Nation, he was awarded the Distinguished Service Award.

Today I add my congratulations to Senator Thurmond for this well-earned recognition and to the South Carolina American Legion for its worthy selection.

Strom Thurmond has had a long and distinguished career both locally and nationally. He served in the legislative, judicial, and executive branches of his State's government before his election to this body 12 years ago. He was a practicing attorney and farmer.

His varied experience makes his counsel of great value. His military record and service was outstanding and his counsel concerning military preparedness has thus acquired added persuasiveness. His active role in State government gives urgency to his advocacy of the position that in many areas the States can simply do the better job.

He has a practical, commonsense approach to problems. And this approach is bottomed on a philosophy of government developed after long involvement with the intricacies of public affairs, civil and military; a deep love for our Constitution and respect for and trust in the people and their ability to govern themselves.

Senator Thurmond's varied career has brought honor to his name. And well it should, for he deserves the honors he receives.

Mr. President, I join the South Carolina American Legion in recognizing his contributions. I, too, salute this valuable and devoted service on behalf of his State and Nation.

Mr. HOLLAND. Mr. President, I also ask unanimous consent that the eulogy offered this morning by the distinguished Senator from Iowa [Mr. Miller] be printed at this point rather than elsewhere in the Record, so it may appear as part of this eulogy.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement by Mr. Miller, ordered to be printed in the Record, is as follows:

STATEMENT BY SENATOR MILLER

I wish to join my colleagues in congratulating the distinguished Senior Senator from South Carolina on his recognition by the Department of South Carolina American Legion award for distinguished public service.

This coveted award appropriately recognizes the dedicated, principled, hard work of Senator Thurmond in seeking to keep America strong and, further, in seeing to it that our veterans and their families are insured of the opportunities and freedom for which they have sacrificed.

It has been my privilege and opportunity to serve with him on the Senate Armed Services Committee, and I have had numerous occasions to personally observe the careful and constructive contributions he makes to this committee's most important deliberations over matters of the greatest importance to our national security. Never, at any time, has he demonstrated any other than the highest motives of dedication to the best interests of America's military and economic strength, without which our position as the leader of the Free World could not be fulfilled.

The Distinguished Public Service Award presented to him by the Legionnaires of his State shows that those who know him best, the people from his own home state, are fortunately very much aware and informed of Senator Thurmond's great contribution to national security.

Mr. HOLLAND. Mr. President, the distinguished Senator from Georgia [Mr. Russell] was here until a few minutes ago. He had prepared remarks for this occasion, but had a plane awaiting him and had to leave. I am glad to read his remarks for the Record at this time. I am speaking for Senator Russell of Georgia:

STATEMENT BY SENATOR RUSSELL OF GEORGIA READ BY SENATOR HOLLAND

Mr. RUSSELL of Georgia. Mr. President, I am pleased to join with the Senator from Florida [Mr. Holland] and my other colleagues in extending my congratulations to our colleague from my neighboring State of South Carolina Senator Thurmond, on receiving the "Distinguished Service Award" of the American Legion of his State.

The Legion has selected a worthy recipient for this outstanding honor. As the Members of this body are well aware, Senator Thurmond has served his State and the Nation with great distinction and dedication, not only in offices of high public trust, but in the military service of the country.

The Senator has served as a member of the Senate Committee on Armed Services since 1959. As chairman of this committee, I can state without reservation that he has given the full measure of his vast energy and ability to the task of strengthening our Nation's defenses and to the enhancement of the welfare of our service men and women. I know all the members of our committee share my high regard for the Senator and my respect for his sincerity and diligence.

It is, therefore, a privilege for me to add my voice to the others in commending Senator Thurmond for this well-deserved recognition of his many and varied contributions to his community, his State, and his Nation.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HOLLAND. I am very happy to yield to the distinguished Senator from Delaware.

Mr. WILLIAMS of Delaware. I join with my fellow Senators from Florida, Georgia, and other States in paying respects to Strom Thurmond for the award which he has received from the American Legion of his State.

They certainly could not have selected a more worthy recipient of their distinguished service award. We all recognize the Senator from South Carolina as a great American, and I am happy, as I am sure all other Senators are, that he is receiving this recognition in his own State.

Mr. HOLLAND. I thank the distinguished Senator for his gracious remarks.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HOLLAND. I am happy to yield to the distinguished Senator from South Dakota.

Mr. MUNDT. I thank the Senator very much. I commend the distinguished Senator from Florida for bringing to the attention of the Senate the outstanding service award which so rightfully has been made by the American Legion, Department of South Carolina, to that State's distinguished Senator, Strom Thurmond.

The Senator has listed in the Record and in his remarks several other neighboring Southern States whose Senators are joining in this testimonial, so I think it is highly appropriate that the great southern State of South Dakota be included in the roster of those who pay tribute to Senator Thurmond.

Senator Thurmond is a remarkable Senator and an outstanding American, differing from the average, run-of-the-mill individual who has at one time or another received an award for outstanding service. Because Strom Thurmond has a capacity for courage and independent action which sets him apart from the average public servant.

I recall the time when he was running independently on some third party ticket—I have even forgotten the name of the party—for President of the United States, certainly with no hope of winning, but in an endeavor to prove something that he considered a matter of high principle to him and the people in the area where he lived.

Mr. HOLLAND. Mr. President, if the Senator will permit me to refresh his memory, he was a candidate of the States' Rights Party.

Mr. MUNDT. The States' Rights Party; the Senator is correct. I thank him for telling me. I believe Senator Thurmond was associated in that venture with the then Governor or Mississippi, if my memory serves me.

Then he came to the U.S. Senate, and here we have all watched him take independent courses of action on positions which he feels to be thoroughly justifiable. We have seen him wage battles in concert with others; we have seen him wage battles when he fought alone.

I think that probably among the greatest of his many services to America will rank the important part he has played in bringing two-party government to what we sometimes allude to, with quotations marks, as the "Old South." I doubt whether there is any Democratic citizen left in the Old South who holds his party convictions so dear to his heart that he would not admit that, by helping the South break into the two-party pattern, Strom Thurmond has rendered a great service.

It takes a great deal of courage for any man to leave the party of his inheritance and his background and switch to another political party. But it seems to me it must have taken consummate courage for Strom Thurmond, coming from the seat of the Confederacy, where a few years ago—two decades ago, let us say—"Republican" was considered a slur term—to stand up and present the reasons that motivated him, and say that he was joining the Republicans. The fact that he was subsequently given positions of high honor, and that one of his congressional associates whom he induced or encouraged to take the same step has been reelected as a Republican, indicates the tremendous regard in which he is held in his own State.

It is not that the Republican Party is in such sad straits, Mr. President, that we have to go around trying to proselyte recruits from the seat of the Confederacy, but it is a manifestation that America has grown up, that the understandable aches and pains, prejudices and problems created by what we southerners like to allude to as the War Between the States have disappeared, and America is whole again, and is a greater country than before, that the two-party system is free to exercise itself, now, without petty prejudice, in every State of the Union.

Strom Thurmond has contributed greatly to that eventuality, and I suspect that when future history books are written, he will go down in history as one of the great architects of the projection of the two-party system throughout America, and into those few areas where, up until two decades or even less ago, there was a blind prejudice, a myopia, for some reason, which rejected all concepts of a two-party system.

So, for those and many other reasons, I am happy to salute a great American, an outstanding Senator, and an outstanding patriot.

I think that the American Legion chose wisely, and I am confident that most of them had to be Democrats to make the choice in South Carolina in selecting Strom Thurmond as the outstanding citizen of the United States.

Mr. HOLLAND. Mr. President, I thank the Senator from the great State of South Dakota for his remarks.

I yield to the Senator from Arizona.

Mr. FANNIN. Mr. President, I commend the Senator from Florida for bringing this matter to our attention. As usual, he shows his fine consideration of his fellow colleagues.

Mr. President, I join my colleagues in paying tribute to this fine American, the senior Senator from South Carolina. Few men have been privileged to serve their country and their fellow Americans in so many different capacities as has the senior Senator from South Carolina. Even fewer have compiled such a distinguished record of achievement in these various undertakings. Farmer, attorney, athletic coach, teacher, public official, military leader—he has been all of these and more.

In each of these callings, the Senator has devoted a full measure of his considerable energy and talent which all of us recognize he possesses from our service with him in the Senate.

The "Distinguished Public Service Award" by the American Legion of his own State is richly deserved by a man who was among the very first volunteers in World War II.

His brilliant service record has been matched by his service to the citizens of his State in elective office, including the office of Governor.

Above all, the Senator from South Carolina has always been a man of principle, with the courage to act on the basis of sincere conviction deeply felt.

It is this quality of character that has won for him the affection and respect of his fellow South Carolinians. This quality of character makes him an able and effective Senator.

I join with his many friends and associates in extending my personal congratulations to him on this occasion.

Mr. HOLLAND. Mr. President, I appreciate the remarks of the distinguished Senator from Arizona.

(At this point Mrs. Neuberger assumed the chair as Presiding Officer.)

Mr. DIRKSEN. Madam President, the action taken by the South Carolina Department of the American Legion, in making the "Distinguished Public Service Award" to the Senator from South Carolina [Mr. Thurmond] not only honors the great work of the American Legion, but it honors a distinguished son of that State as well.

One need only to examine his record in the entire field of public affairs to conclude that at the local, State, and national levels there has been such a variety and dimension of public service that is almost unexcelled and unsurpassed.

Madam President, it is a long and impressive list. He served as a teacher. He served as a school administrator. He served as a county attorney. He served in the State senate. He served his State as Governor. Now he serves his State in the U.S. Senate.

Few public servants can present an equal record.

In addition to all this, he was a candidate for the Presidency in 1948 and, as I remember, his fellow citizens gave him 39 electoral votes. Speaking for myself, I remember with deep gratitude the great contribution he made when we carried on quite a struggle in connection with section 14(b) of the Taft-Hartley Act.

Madam President, with this record there also goes his military record and his career in military science at the Citadel, where he devoted himself consistently and continuously to military science and to preparedness for the defense and security of his country.

When World War II came, it found him ready. He was part of the airborne division which participated in the Normandy Beach operation. Before his active service had ended, he had received 5 battle stars and 16 decorations.

Today, he holds the rank of major general in the Reserves and his colleagues, in and out of uniform, have honored him by making him National President of the Reserve Officers Association.

Madam President, this is but a partial record of a great American, a man of towering energy, of great and impeccable character, of rare diligence, of high dedication to public service, who has so deservedly been honored by the American Legion of his State.

Of course, I refer to the distinguished Carolinian, the Honorable STROM THURMOND.

Mr. HOLLAND. Madam President, I want to express my distinct gratitude to the minority leader for his contribution and to say to him that I think we have made a record today in the congressional annals of our Nation which will perpetuate the memory of STROM THURMOND, as it well deserves to be perpetuated: as one of the great Americans of all time.

Mr. KUCHEL. Madam President, all Senators are delighted when any one of them receives honors.

Today, I join my colleagues in extending congratulations to the distinguished senior Senator from South Carolina [Mr. THURMOND] on being presented with the distinguished Public Service Award by the American Legion, Department of South Carolina.

Our colleague from South Carolina has had a long and varied career of public service, as well as military service—he is a major general in the Army Reserves.

He has had many opportunities to serve the people of his State and Nation. He is dedicated to his own political philosophy, as is each of us to our own.

He is a friendly man—I shall never forget his kindness to me when I was recently hospitalized.

I pay high tribute to our colleague, Mr. THURMOND, on the great honor which has come to him.

Mr. TOWER. Madam President, I would say that there are a number of very wise gentlemen guiding the American Legion in South Carolina. Their action in confering the "Distinguished Public Service Award" on our esteemed colleague, STROM THURMOND, was well advised. I can think of no Member of this august body who is more deserving of this honor—although there are many Members who have served their country with great ability and honor.

STROM THURMOND is a great American patriot; his actions and his record in the Senate reflect a sincere love of those ideals which are our Nation's heritage and which make this a country of which honest men can be proud. I have never known STROM THURMOND to entertain a thought that was not dedicated to the welfare of his country. He is indeed a man of principle.

In politics, principles can be a "sometimes thing," but with STROM THURMOND there is no "sometimes" about it. His actions constantly reflect his adherence to principle, and his record is that of a man who knows that adherence to objective principles is in no way a conflict with his own interests or those of his country.

If STROM THURMOND has served his country well—as indeed he had—he has also served it long. Ever since he began his career in public service back in 1929 as superintendent of education for Edgefield County, S.C., he has served his county, State, and country with honesty and with devotion. As Governor of his State, as a circuit court judge, and especially as a member of the armed services his record is distinguished.

STROM THURMOND is a man of many capacities and talents. The able Senator we know and respect is also a war hero, having been awarded five battle stars and 16 decorations, medals and awards, including the Legion of Merit, Purple Heart, Presidential Distinguished Unit Citation, Belgian Order of the Crown, French Croix de Guerre, and many others.

The world needs more men of the heroic mold of my good friend STROM THURMOND, more men of principle, men who can command the respect of the next generation. It is my pleasure to be able to join with the leaders of the American Legion of South Carolina in paying tribute to him. The award is deserved, and I, too, salute this distinguished public servant.

Mr. BYRD of Virginia. Madam President, I would like to join with my friend, the distinguished senior Senator from the State of Florida, in congratulating our colleague, STROM THURMOND on being awarded the "Distinguished Public Service Award" by the Department of South Carolina, American Legion.

The Senator from South Carolina has rendered conspicuous service, not only to his State but to his Nation.

Serving alongside him on the Armed Services Committee of the Senate I have been impressed with his keen insight into our military problems and his determination to fight for American ideals.

The Senator from Virginia is pleased to take this opportunity to express pride in the recognition received by the splendid Senator from South Carolina for his outstanding contributions to his community, his State and Nation.

I am proud of my friendship with STROM THURMOND, and am pleased that the American Legion of the great State of South Carolina has selected him for the "Distinguished Public Service Award."

Mr. ROBERTSON. Madam President, I was delighted when I learned recently that the Department of South Carolina, American Legion, had honored our colleague, Senator THURMOND, by conferring on him the "Distinguished Public Service Award" in recognition of his outstanding contributions to his community, State, and Nation.

There is no more courageous or patriotic man in public life today than the senior Senator from South Carolina, and I take pleasure in saluting him today upon the receipt of this well deserved award.

I have greatly enjoyed serving with Senator THURMOND on the Banking and Currency Committee, and I am also familiar with the outstanding work he has done in behalf of our national defense posture as a member of the Armed Services Committee.

Senator THURMOND has the courage of his convictions, and he never hesitates to speak out for what he believes in. I feel that the American Legion has honored itself by honoring him.

Mr. TALMADGE. Madam President, it gives me a great deal of pleasure to join my colleagues in saluting the senior Senator from South Carolina, my warm friend and fellow southerner, Senator THURMOND, on being awarded the "Distinguished Public Service Award" by the Department of South Carolina American Legion.

This is indeed a well deserved recognition of the outstanding services Senator THURMOND has rendered his community, State, and Nation, not only as soldier, but also as a great public servant at the local, State, and national level.

Senator THURMOND diligently serves his State and Nation, and his devotion to duty and the sound principles of constitutional government is an inspiration to all who know him and work at his side.

I am indeed honored to extend my personal congratulations to Senator THURMOND on receiving this award.

Mr. RUSSELL of South Carolina. Madam President, I would like very much to recognize my distinguished colleague, Senator J. STROM THURMOND, whose fine public service has been commended by the Department of South Carolina American Legion. He has long been active in the public life of South Carolina, serving as a jurist, as Governor and as U.S. Senator. As his friends here in the Senate honor him, I wish to express my respect for the service he has rendered to his State and his country.

Mr. STENNIS. Madam President, I rise to congratulate my friend and colleague, the senior Senator from South Carolina [Mr. THURMOND] upon the well-deserved tribute and honor accorded him by the American Legion of the State of South Carolina.

It is especially appropriate that this award, reflecting his contribution to his community, his State, and our Nation, be given to the Senator from South Carolina by the American Legion of his own State. The American Legion is a great symbol of patriotism, loyalty, and integrity to our American ideals, and the Senator from South Carolina, in the best tradition of these principles, has devoted his life to the service of his country.

It has been my privilege and pleasure to serve with the Senator from South Carolina as a member of the Senate Armed Services Committee for a number of years. He also serves with me as a member of the Senate Preparedness Investigating Subcommittee. We have fought many battles together to make certain that our military preparedness and our ability to meet any aggression is superior to that of any nation in the world.

I congratulate the South Carolina Department of the American Legion in its recognition of the Senator from South Carolina for his worthwhile contributions in the field of national defense and in his tireless efforts in behalf of the security of the United States.

Mr. CANNON. Madam President, I am delighted to participate in the recognition which is being deservedly accorded to my good friend and colleague, STROM THURMOND.

It has been my pleasure to have worked with the distinguished Senator from South Carolina for several years on the Senate Armed Services Committee. I have never failed to be impressed by his diligence and dedication in assuring this Nation of a Defense Establishment second to none.

His ability and legislative skills have been of great service to the people of his State, and I am extremely pleased that the South Carolina American Legion has bestowed upon him the "Distinguished Public Service Award."

Madam President, much of the strength of our Defense Establishment can be attributed to the contributions and efforts made by this honored son of South Carolina, and I am happy that so many of his contemporaries have joined in honoring Senator STROM THURMOND today.

Mr. SIMPSON. Madam President, it is with profound pride that I join my colleagues on both sides of the aisle in paying tribute to an American patriot and U.S. Senator to whom the all too commonly uttered adjective "distinguished" is most truly applicable.

When I was informed that my friend and colleague STROM THURMOND had been awarded the "Distinguished Public Service Award" by the Department of South Carolina American Legion, I thought to myself, "what a splendid accolade and what a fitting recipient." The award is for outstanding contributions to the community, State, and Nation, and certainly Senator STROM THURMOND has devoted his lifetime to such service.

He is a man of tremendous dedication and drive, a man of unimpeachable integrity. At a time when the vitiated contract and the compromised commitment are commonplace, STROM THURMOND's word is his contract; his handshake is his commitment. And no man has ever had cause to doubt either.

As the Nation knows, STROM THURMOND volunteered for service in World War II the day war was declared against Germany. He served with Headquarters, 1st Army, from 1942 to 1946 in the European and Pacific theaters. He was with the 82d Airborne Division at Normandy. His awards from World War II number 5 battle stars and 16 decorations, including the Legion of Merit, the Bronze Star Medal with "V", the Army Commendation Ribbon, the Purple Heart, the Presidential Distinguished Unit Citation, the 3d Army Certificate of Achievement, the OCAMG Certificate of Achievement, the Department of the Army Certificate of Appreciation, the Belgium Order of the Crown, and the French Croix de Guerre. STROM THURMOND is a major general in the U.S. Army Reserve and is past national president of the Reserve Officers Association.

In politics STROM THURMOND's record is no less distinguished than in the military which decorated him for his courage and capacity for command.

No one can forget that STROM THURMOND resigned as U.S. Senator on April 4, 1956, because he had made a pledge to his people that he would place his office in a primary. The pledge came in the 1954 campaign and 2 years later was a fact. He was renominated and reelected to the Senate without opposition, not only because it was obvious that he was going to win anyway, but because the statesmen of South Carolina realized that none could better serve their State in his stead.

Madam President, STROM THURMOND has compiled an inimitable record of service to his State of South Carolina, to the Nation he loves, to her Military Establishment, and her democratic institutions. It is eminently appropriate that he was selected by the Department of South Carolina American Legion to be recipient of its Distinguished Public Service Award.

Mr. JORDAN of Idaho. Madam President, I am happy to add my own congratulations to the many Senator THURMOND has received on being recognized for distinguished public service by the Department of South Carolina American Legion. The award is richly merited. Senator THURMOND in a long and hard working career has always sought to truly represent his State. He has earned the reputation as a man with the considerable courage of his own firmly held convictions. He has never been swayed by considerations of expediency. His service has reflected a rare strength of character and devotion to duty as he sees it. Such unusual devotion is worthy indeed of unusual recognition.

Mr. COTTON. Madam President, I was pleased indeed to learn of the distinguished award made on Saturday, June 25, to my colleague from South Carolina, Senator STROM THURMOND, by the Department of South Carolina American Legion.

Senator THURMOND and I came to the Senate at approximately the same time, and it has been my privilege to serve as his colleague for over a decade. We worked closely as members of the Special Subcommittee To Study the Textile Industry, whose problems are of such vital importance to both our States. I had the privilege of being with him when the committee conducted hearings in South Carolina and was impressed by the universal respect and affection which Senator THURMOND is held by the people of his own State. I might add that his services to the work of the committee, as well as to the textile industry and its employees, have been both vigilant and constructive.

As every Member of the Senate knows, the distinguished Senator from South Carolina has an outstanding military record. Suffice it to say, in the Senate, as in his military service, he has exhibited his utter fearlessness in standing openly and forthrightly for every cause in which he believes.

Mr. McCLELLAN. Madam President, I wish to associate myself with what has been said by the senior Senator from Florida [Mr. HOLLAND].

A few years ago Gen. Douglas MacArthur, in his farewell to the Cadet Corps at West Point, eloquently spoke of the code which should guide their life—"Duty—Honor—Country." These three words characterize the long and distinguished career of Senator THURMOND.

In an age known for its cynicism, he has held steadfast to principle. Whenever the Congress considers the creation of some new activity of the Federal Government, the first concern of the senior Senator from South Carolina is always whether this program is in accord with the Constitution. He knows that a Great Society cannot be established in a climate of moral decay and, therefore, he has labored with deep conviction to preserve the spiritual heritage of this Nation. He has ably served in the Armed Forces, and this body has been the beneficiary of his profound understanding of military affairs.

I esteem my long acquaintance and personal friendship with Senator THURMOND. We have been associated in many causes—not all of them successful. But in serving his country and his State, the senior Senator from South Carolina is following in the tradition of his most illustrious predecessor—John C. Calhoun. Senator THURMOND has a right to say, as did Calhoun in the last words of his final speech to this body in 1850, "having faithfully done my duty to the best of my ability, both to the Union and my section, throughout this agitation, I shall have the consolation, let what will come, that I am free from all responsibility."

I honor Senator THURMOND for his past accomplishments and I join in the congratulations of my colleagues for this latest fine and fully deserved recognition that he has received for his long and dedicated public service.

Mr. MURPHY. Madam President, it is a special pleasure to join my colleagues in congratulating my good friend STROM THURMOND on his selection by the Department of South Carolina American Legion for its "Distinguished Public Service Award" for surely there are few individuals who are so deserving of recognition for their outstanding contributions to their communities, their States, and their Nation.

As county superintendent of education, as city attorney, and county attorney, as a State senator, as a circuit judge, as Governor, and now as a U.S. Senator, STROM THURMOND has learned government at all of its levels, from the local to the national, and he has learned his lessons well. Add to this his distinguished record during World War II, his service in the U.S. Army Reserve, and his exceptional work as a member of the Senate Armed Services Committee and it is readily apparent why he merits the high honor which has been bestowed upon him by the American Legion.

Behind Senator THURMOND's outstanding achievements is a commonsense approach to problems based on his deep respect for and faith in the ability of his fellow man. This creed has been reflected in all of his endeavors and has resulted in an impressive string of accomplishments.

Together with the South Carolina American Legion, his colleagues and his friends, I congratulate Senator THURMOND for a job well done and I wish him many more years of health and happiness, not only for himself, but also so that this Nation may continue to enjoy his truly distinguished service.

SENATE SMALL BUSINESS SUBCOMMITTEE OF THE COMMITTEE ON BANKING AND CURRENCY TO HOLD HEARINGS JULY 15 ON SMALL BUSINESS INVESTMENT COMPANIES

Mr. PROXMIRE. Madam President, yesterday, I wrote the chairman of the Committee on Banking and Currency asking that the Subcommittee on Small Business, of which I am chairman, hold hearings to begin at the earliest possible moment on the small business investment program.

The chairman of the Committee on Banking and Currency responded swiftly and has approved hearings to begin on Friday, July 15, at 10 a.m., the week we return from the summer recess.

For a long time, I have been deeply concerned about this program, a program which was created by the Committee on Banking and Currency.

S. 3561, reported by our committee passed by the Senate on June 9, 1958, passed by the House on July 23, 1958, and signed by the President on August 21, 1958, was known as the Small Business Investment Act of 1958.

On six distinct occasions, the Subcommittee on Small Business held hearings and recommended legislation to the Committee on Banking and Currency which, in turn, recommended legislation to the Senate and secured enactment of legislation relating to this program.

Our subcommittee recommended S. 2611 a bill to amend the Small Business Investment Act of 1958. It passed the Senate on September 10, 1959. It passed the House on May 16, 1960, and was signed by the President on June 11, 1960.

Our subcommittee also recommended S. 902 which passed the Senate on September 1, 1961, passed the House on September 6, 1961, and was signed by the President on October 3, 1961. This added significant amendment to the Small Business Investment Act of 1958.

S. 2970 was a bill to amend the Small Business Act which passed the Senate June 14, 1962—after having been considered and redrafted in the Subcommittee on Small Business of the Committee on Banking and Currency—passed the House on July 2, 1962, and was signed by the President on July 25, 1962.

Then, Madam President, in 1963, at my request, the Subcommittee on Small Business held hearings concerning serious conflicts of interest which had developed in the small business investment program.

After these hearings, S. 298, a bill to amend the Small Business Investment Act of 1958, was amended to direct the SBA to issue regulations regarding conflict of interest. The bill, as amended, was reported by the subcommittee to the full committee.

The bill was reported to the Senate by the full Banking and Currency Committee. It passed the Senate November 21, 1963, and passed the House on January 20, 1964. It was signed by the President on February 28, 1964.

Our subcommittee held hearings on H.R. 7487 and S. 2729, which subsequently passed the Congress, the first one in 1965 and the second in 1966, both of which directly affected the SBIC program.

Madam President, I have gone into this specific detail at this time because I believe it should be made clear that the Committee on Banking and Currency has jurisdiction over this program and that the subcommittee, of which I am chairman, has specific jurisdiction and has exercised that jurisdiction repeatedly.

It is also necessary to make that clear because there seems to be some conflict of jurisdiction with regard to this program.

The program is in trouble. The head of the small business investment program in the Small Business Administration resigned as of today. He announced his resignation some time ago, to take effect on June 30.

He said in a speech which was delivered both in San Francisco and New York, I believe, that the program has suffered in many respects.

The capital of a number of small business investment companies has been seriously impaired. A substantial amount of Federal money seems to be in serious jeopardy, probably as much as $18 million to $20 million is likely to be lost.

Although this program is in trouble, I think it is well worth saving. Saving the program—so that small business will have a source of raising equity and long-term loan capital—should be the main objective of the Congress. Of course any illegal act should be swiftly and fully punished. But saving the program—not scandalous revelations—should be our prime purpose.

Conflict-of-interest developments have been substantial, but there has been too little concern paid to what, in my mind—and I think in the minds of the overwhelming majority of Senators—should be the main purpose of the program.

There has also been much too little concern for small businessmen who should be the main beneficiaries of this program. Concern has been expressed for the small business investment companies, and their investors, and it should be so expressed. It has been expressed for the Government's investment in this program, and I believe that is right, too. But the intent of the program was to give small business an opportunity to secure long-term loans and quality capital. Not investors, not the Government, but the American small businessman must be our prime concern, in considering this program.

Here is where the small business investment program must succeed. To date, it has not. Unfortunately, neither Mr. Kelly nor outside critics seem primarily concerned with this central obligation.

Fortunately, the new Administrator for the Small Business Administration who has just taken over and, of course, cannot be held responsible for what has happened heretofore. Mr. Boutin is a very able man who has served the Government very well in other capacities. He seems to have a genuine concern with SBA's obligations to small business. He recognizes clearly that the SBIC's have one reason to exist: to help small business. This will be the prime measure of the success or failure of the SBIC program. This is the real measure of its success or failure.

Madam President, the purpose of the hearings, to be held beginning July 15, is to make an examination of every phase—and I emphasize the words "every phase"—of the SBIC operation. This is the responsibility of the Small Business Subcommittee of the Committee on Banking and Currency. We intend to exercise it.

THE U.S. BALANCE OF PAYMENTS—THE CURRENT-ACCOUNT POSITION

Mr. PROXMIRE. Madam President, the balance-of-payments statement for the first quarter of this year is now published. The figures are there but they are as hard to interpret as a code. For these accounts show neither the cause of our deficit nor the appropriate remedies. They show merely the major changes in receipts and in payments, not what brought about those changes. Yet many commentators are willing to identify one single component as the cause of the trouble, to concentrate attention on this alone and to make quick prescriptions of policies. I suggest that greater care is needed.

For a long time now the Joint Economic Committee has maintained an active and continuing interest in this matter. I quote from the most recent report of that committee on the January 1966 Economic Report of the President:

> The deficit in the U.S. balance of payments is somewhat abnormal in its causes. Traditional imbalances have been caused by unfavorable trade, that is, by buying more goods abroad than the Nation sold to others. The reverse is true in our case. We have a substantial trade surplus and we earn $5 billion a year on foreign investments. The factors which throw our payments balance into deficit are our heavy military expenditures overseas and the fact that at the present time our businessmen are investing heavily in Europe.

Have recent events altered that assessment? I think they have slightly and wish to comment on the current-account position.

The newspapers have observed already that the increased military spending abroad suggests a growth of about one-half billion dollars a year in our outlays. What is of at least equal significance is that by comparison with 1964 our characteristic surplus on merchandise trade has declined by over 4 times that amount—from an annual rate of over $6.5 billion in 1964 to an annual rate of a little less than $4.5 billion in the first quarter of this year. The substantial trade surplus mentioned in the Joint Economic Committee's commentary is less substantial than it was. So even if our great income from foreign investments has been well maintained, our surplus on current account—what the tables call our balance on goods, services, and unilateral transfers—is showing a declining trend.

This is at the heart of our international business. The primary purpose of international dealings is not trade in gold but trade in goods and in services, including in that the payment for services of invested capital. Thus I regard the lower surplus on merchandise trade and on current account far more seriously than the continuing nagging outflow of gold or the continuing overall deficit which is so hard to reduce. This has not been the byproduct of distress but rather of prosperity. Our exporters are continuing to do well—the first quarter rate was about 8 percent above the 1965 total. But our imports have risen and continue to rise at a substantially faster rate even than the rise in our gross national product. Last year imports rose by over 15 percent—more than twice as fast as gross national product. This first quarter the ratio has been maintained.

What this means is that our continuing growth is not likely to bring about a substantially reduced rate of increase in imports or a substantially easier achievement of increased exports. We cannot accept the restraint on domestic growth that derives from international difficulties. More specifically, we cannot accept restraints deriving from barriers to our exports. We have maintained a steadfast adherence to a policy of liberalizing trade and have shown a very great predilection for importing hugely in time of prosperity. I hope that other prosperous countries will accept that same approach and help to maintain the expansion of world trade. Let us all be aware of the consequences of not continuing that expansion. If other countries do not respond to our liberal intentions, the result will be costly to all of us.

In support of my position I request that two small statistical tables be incorporated in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

The U.S. balance of payments on current account, 1960 to 1st quarter 1966

[Millions of dollars]

	1960	1961	1962	1963	1964	1965	1966 [1]
Goods:							
Exports [2]	19,489	19,936	20,604	22,069	25,288	26,276	28,484
Imports	14,732	14,507	16,173	16,992	18,619	21,488	24,012
Balance	4,757	5,429	4,431	5,077	6,669	4,788	4,472
Services: [3]							
Exports [2]	7,755	8,621	9,674	10,284	11,729	12,717	13,180
Imports	8,445	8,417	8,956	9,444	9,838	10,548	11,620
Balance	−690	204	718	840	1,891	2,169	1,560
Total goods and services:							
Exports [2]	27,244	28,557	30,278	32,353	37,017	38,993	41,664
Imports	23,177	22,924	25,129	26,436	28,457	32,036	35,632
Balance	4,067	5,633	5,149	5,917	8,560	6,957	6,032

[1] Preliminary; seasonally adjusted annual rate.
[2] Excludes exports transferred under military grants.
[3] Details of service account:

	1960	1961	1962	1963	1964	1965	1966 [1]
Transportation, net	−163	−138	−164	−201	−147	−276	−288
Travel, net	−857	−850	−1,007	−1,156	−1,121	−1,188	−1,324
Miscellaneous services, net	692	737	942	+1,084	1,168	1,415	1,356
Income on investments, net:							
Private	2,334	2,905	3,237	3,285	4,051	4,231	4,344
Government	17	102	132	98	2	24	44
Military spending, net	−2,713	−2,552	−2,422	−2,270	−2,062	−2,037	−2,572

Sources: U.S. Department of Commerce, Balance-of-Payments Statistical Supplement, revised edition and Survey of Current Business, June 1965 and June 1966.

Percentage change in U.S. imports and in gross national product

	Percentage change from—			Ratio of percentage change in imports to percentage change in GNP		
	1960 to 1964 (annual rate)	1964 to 1965	1965 quarterly average to 1st quarter 1966	1960 to 1964	1964 to 1965	1965 quarterly average to 1st quarter 1966
Gross national product	5.7	7.6	5.6			
Total imports [1]	6.0	15.4	11.8	1.1	2	2.1

[1] On balance of payments basis.

Source: U.S. Department of Commerce, Survey of Current Business, June 1966.

Mr. PROXMIRE. Madam President, I think we should be aware that the adverse balance of payments may become far more serious. We have been riding on a favorable balance of trade. In 1964 it was $6.5 billion, now it is down to $4.5 billion, and likely to stay down. Our favorable balance means an unfavorable balance for other nations of the world. This is something they refuse to accept, and are working hard to overcome. It has enabled us to have a most generous foreign aid program and a widespread military program of troops stationed over the world.

We shall have to come to grips with this problem, because in my judgment, with the favorable balance of trade decreasing from $6.5 billion in 1964 to a rate of $4.5 billion in the first quarter of this year, it represents a situation that we are going to have to handle in the ways we can handle it.

It is clear that we are not going to impose barriers on imports. If we did that, other countries would impose barriers against our exports, which would be far more serious.

We can reduce our troops stationed abroad, and we are going to have to do it. Unfortunately, regardless of our motives, and I am sure they are good, we are going to have to meet the realities of international finance.

In regard to the balance of payments, many people argue it is due to the fact that we have unfavorable interest rates and that they are lower abroad. I ask unanimous consent that a table showing the rates on short-term bank loans around the world be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

RATES ON SHORT-TERM BANK LOANS AROUND THE WORLD

Against the background of rising interest rates in most of the leading financial centers, our readers may find it helpful to have, once again, a compilation of rates on bank loans in seventy countries ringing the globe.

The interest rates indicated are the lowest at which business firms of the highest standing can obtain credit on an unsecured, single-name basis. Credit may, of course, be scarce at these minimum rates and local customs often make the effective cost of borrowing higher. It is customary to add commissions or other charges; for a number of countries, the posted rates are, in fact, nominal. In the case of the United Kingdom, the rate given is the whole cost and is applied to overdrafts within agreed limits.

The importance of single-name lending varies from market to market. In some markets, it is common practice for firms to obtain needed funds by discounting eligible commercial paper at commercial banks; in a number of European nations, particularly France and Italy, discount rates are below those on advances.

In the United States, in view of strong and persistent demands for bank credit and sharp rises in rates on other forms of credit, commercial banks brought their minimum lending rates into alignment by increasing them, beginning March 10, by ½ per cent to 5½ per cent. This followed a similar adjustment to 5 per cent in December 1965, prior to which the rate had remained unchanged at 4½ per cent since August 1960.

In Canada, commercial bank lending rates are at 6 per cent—the statutory ceiling—even though other interest rates have advanced sharply over recent months. The removal of the 6 per cent ceiling is now under review.

Among other leading financial centers, commercial bank lending rates in Belgium, the Federal Republic of Germany, the Netherlands, Sweden and Switzerland are higher than a year ago. On the other hand, bank lending rates in France, Japan and the United Kingdom are lower. In Britain, the decline has brought British interest rates closer to those prevailing in the main Continental centers.

The highest rates, often exceeding 10 per cent, prevail in countries where shortages of capital are particularly acute. Recognizing these pressures, the authorities in Brazil doubled the maximum bank lending rate to 24 per cent from the 12 per cent level which had been in force for many years. In general, high and rising rates on bank loans reflect not only the scarcity of funds but also the rapid depreciation of money.

Short-term lending rates

[In percent]

	April 1966	January 1965	February 1962
MAJOR MONEY CENTERS			
France [1]	5.35	6.35	5½-6½
Japan [2]	5.475	6.205	7.3
United States	5½	4½	4½
Switzerland	5¼-6	4¾	4½
Canada	6	5¾	5½
Netherlands	6-6½	5½	5¼
Germany, Federal Republic of	6¾	6¼-6½	5¾-6¼
United Kingdom	6¾-7	7½-8	6½-7
Belgium	7	6¾	5¾-7
Italy [1]	7½	7½	7⅛
Sweden	7¼-7¾	6¾-7¼	7¼
OTHER DEVELOPED AREAS			
Portugal	4½	4	5
Norway	5¾-6¼	5¾-6¼	5¾-6¼
New Zealand	5½-7	5½-6½	6½
Australia	6¾-7¼	6½-7	6-6½
South Africa	7	6½	6½
Ireland	7¼	7	7
Finland	7-8	7-8	7-7½
Spain	7½	6½-7½	6½
Austria	7½-8½	7-7½	7½-8
Greece	8½	8½	7-9
Denmark	8½-9	8-9	8½-9
Iceland	9-10	9	(3)
Turkey	9-10½	9-10½	9
OTHER WESTERN HEMISPHERE			
Puerto Rico	6	5-5¼	5
Panama	6-7	6	6
Bahamas	7	7½	7½
Jamaica	7	7	7½
Nicaragua	7	6	7
Trinidad and Tobago	7	7	(3)
Costa Rica	8	7	8
Guatemala	8	8	8
Honduras	8	8	7
Dominican Republic	8½	8	(3)
El Salvador	8-9	7	8½-9
Venezuela	8½	7½-8	8
Ecuador	10	10	10
Mexico	11	10½	10
Uruguay	11	11	10
Paraguay	12	12	12
Colombia	12-14	12	9
Peru	14	12-13	12-13
Argentina	15	15	10
Bolivia	18	21	21
Chile	18.36	16	17
Brazil	24	12	12
OTHER ASIA			
Lebanon	5½	5½	5½
Pakistan	6-6½	6½	5
Hong Kong	6½	6¾	6½
Saudi Arabia	6½	6	(3)
Jordan	7	7	6
Malaysia	7	7	6½
Singapore	7	7	6½
Vietnam	6½-8	6½-7	6½-8
Dubai	8	(3)	(3)
India	9-9½	7	6
Iraq	8-12	8-12	5½
Israel	10	10	10
Philippines	10	9½	8-8½
Iran	10-12	10-12	10-15
Republic of China (Taiwan)	14.04-14.18	(3)	(3)
Korea	26	16	17½
OTHER AFRICA			
Libya	6	(3)	(3)
United Arab Republic (Egypt)	6	5½	6
Liberia	7	6	6
Morocco	7	(3)	(3)
Kenya	8	(3)	(3)
Nigeria	8	7½	7
Tanzania	8	(3)	(3)
Uganda	8	(3)	(3)

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[1] A large amount of borrowing is done by discounting trade paper at rates below the rate on advances.

[2] Standard rate to banks on commercial paper eligible for rediscount with the Bank of Japan.

[3] Not available.

Mr. PROXMIRE. Madam President, I point out that France, Japan, Switzerland, and Portugal have lower interest rates than we have, and other major countries have interest rates close to ours.

Just today one of the larger banks in this country announced that interest rates will be increased. This increase will spread within a few days. Interest rates in this country are higher than they have been virtually since we started keeping records. We cannot and will not increase interest rates much more. And interest rates abroad are unlikely to decline in the foreseeable future. Obviously, monetary policy offers no solution. It could even worsen our future payments balance.

In later floor speeches, I intend to discuss alternative courses of action available to us in more detail.

POLICE INVESTIGATION REPORT ON DISTRICT OF COLUMBIA DEPARTMENT OF LICENSES AND INSPECTIONS

Mr. MORSE. Madam President, for several years I have heard rumors of favoritism practiced in the Department of Licenses and Inspections, and so, when I received a letter dated January 12, 1965, addressed to me by a Mr. Harry Williams, who made specific allegations of graft and corruption in the Department of Licenses and Inspections, I addressed a letter on January 29 of last year to Commissioners Tobriner, Duncan, and Duke, urging them to investigate the allegations contained in Mr. Williams' letter, and provide me with a report at their convenience. I ask unanimous consent that Mr. Williams' letter of January 12, 1965, and my letter of January 29, 1965, addressed to the District Commissioners, be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.

Hon. WAYNE MORSE,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Your efforts to eliminate Traffic Ticket Fixes are commendable.

Now how about eliminating the graft and corruption in the Department of Licenses and Inspection?

How much did Gleason, Mastin, Fetty, Robinson and others in the Department receive and demand to expedite and approve plans which met all code requirements?

How much did Architects, Engineers and Contractors distribute at Christmas?

How and to whom was the envelopes with cash delivered? Was it delivered to Gleason and others or was it all delivered to the office or some of the homes for distribution?

Among the professional people how much did Earl von Reichenbach, John E. Moore, Shefferman and Bigelson, Wendel, Hallett and others contribute?

How do I know? I gave an envelope to Gleason and Hansch for them to make the distribution to people on the list supplied by Gleason, Fetty and Hansch. I gave $50.00 directly to Mastin.

I am a draftsman and do work for several architects, engineers and contractors. My work takes me to the Department of Licenses and Inspections several times a week either to file plans, make corrections, or pick up permits.

It might also interest you to find out why building plans were rushed through for a project on 3rd. St. when those in the Department knew the land was in process of condemnation. Who got what and how much?

Very truly yours,

HARRY WILLIAMS.

U.S. SENATE,
COMMITTEE ON THE
DISTRICT OF COLUMBIA,
January 29, 1965.

Hon. WALTER N. TOBRINER,
President, Board of Commissioners,
District Building,
Washington, D.C.

DEAR MR. TOBRINER: I am enclosing a copy of a letter I recently received from Mr. Harry Williams who alleges that certain officials of the District of Columbia government have received money from business firms which transact business with the Department of License and Inspections.

I am sending copies of the letter from Mr. Williams to Commissioners Duncan and Duke.

I would appreciate it very much if your office would look into the allegations contained in the letter and provide me with a report at your convenience.

Sincerely yours,

WAYNE MORSE.

cc: Commissioner Duncan
Commissioner Duke

Encls.

Mr. MORSE. I received a letter from Commissioner Tobriner, president of the District of Columbia Board of Commissioners, on February 5, 1965, stating that he had discussed the matter with General Duke, and that it was decided that the allegations should be investigated without delay. The District Commissioners then assigned the matter to the Special Investigations Unit of the Metropolitan Police Department for a thorough investigation. I ask unanimous consent that Commissioner Tobriner's letter of February 5, 1965, be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 5, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I have your letter of January 29, 1965 with which you transmitted copy of letter from Mr. Harry Williams, alleging improprieties on the part of certain personnel in the Department of Licenses and Inspections.

I have discussed this matter with General Duke who as you know has primary responsibility for that Department. He shares my feeling that it should be looked into without delay, and I would therefore advise that I am today asking Chief Layton to refer the matter to his Special Investigations Unit for a thorough investigation.

I will, of course, report the results of that investigation to you when it is completed.

Sincerely yours,

______ ______,

President, Board of Commissioners, District of Columbia

Mr. MORSE. The Internal Investigations Unit of the Metropolitan Police Department headed at that time by its capable Deputy Chief of Police Loraine T. Johnson, conducted the investigation over a period of several months. During the course of that investigation, the Internal Investigations Unit interviewed and questioned many Government employees and some business representatives concerning the acceptance and giving of gifts to employees of the Department of Licenses and Inspections. The report of the Internal Investigations Unit was referred to the Chief Assistant U.S. Attorney for the District of Columbia Court of General Sessions and the Acting Corporation Counsel for the District of Columbia to determine whether there was any legal basis for criminal prosecution of certain employees in the Department of Licenses and Inspections. In the opinion of these two officials, no basis exists for criminal prosecutions in this matter. I agree with their legal opinion.

On January 26, 1966, I had a member of the staff of the Committee on the District of Columbia obtain from the District Commissioners the police report which I requested many months ago. I ask unanimous consent that the letter of transmittal, addressed to me by Brig. Gen. C. M. Duke, Engineer Commissioner for the District of Columbia, be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
Washington, D.C., January 26, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: The report conducted by the Internal Investigations Unit of the Metropolitan Police Department is enclosed in response to a telephone request made yesterday by Mr. Richard Judd. I regret the length of time the investigation and consideration of the report has taken. In this letter I will briefly outline the main points of the report and the action taken by the Board of Commissioners.

The Acting Corporation Counsel studied the police report and discussed it with the Chief Assistant U.S. Attorney for the District of Columbia Court of General Sessions. The Chief Assistant U.S. Attorney concluded that no basis exists for criminal prosecution and so notified the Acting Corporation Counsel, who agreed with this decision.

The charges made of widespread graft and corruption in the Department were not substantiated by the investigation. The report does indicate, however, that violations of the Commissioners' Order regarding non-acceptance of gifts and gratuities did exist prior to Christmas, 1965. The Board of Commissioners has strengthened its previous policy regarding gifts and gratuities by an order dated December 3, 1965 (copy enclosed). In this connection, the Department of Licenses and Inspections issued a notice to all employees dated December 7, 1965, calling attention to the revised Commissioners' Order (copy enclosed). In addition, the Department Director sent notices to thirty firms and organizations calling attention to the same order. The Board of Commissioners is not aware of any violation of this order in 1965.

The Board denied Certificates of Merit to former members of the Engineering Branch Department of Licenses and Inspections, as a result of their involvement in acceptance of gifts. These certificates are given to all long-time District employees upon retirement. In this connection, the Director of the Department of Licenses and Inspections was asked whether he had accepted gifts and gratuities over the past two years. He replied in the affirmative and a copy of his report is enclosed.

While the Board of Commissioners believes that the allegations of widespread graft and corruption were not substantiated by the police investigation, they do believe that the present administrative procedures are very inadequate. Steps are being taken to study and strengthen these procedures and every effort will be made to preclude a repetition of those matters brought out by the investigation.

You will be subsequently notified of any final actions taken by the Board as a result of the police investigation.

I believe that I should point out that the Chief of Police has written to the Board of Commissioners pertaining to the police investigation and stated that "consideration be given to the request of employees and others in the building industry that their statements be retained in as confidential a status as possible lest they be subjected to reprisal measures because of the disclosures contained therein."

With kind personal regards.

Sincerely,

C. M. DUKE,
Brigadier General, U.S. Army, Engineer Commissioner.

Enclosures.

Mr. MORSE. General Duke states in his letter of transmittal that certain employees in the Department of Licenses and Inspections violated the Commissioners' order regarding nonacceptance of gifts and gratuities, but stated that in his opinion charges of widespread graft and corruption in the Department were not substantiated by the investigation.

On December 3, 1965, the District of Columbia Commissioners spelled out in greater detail another order regarding the nonacceptance of gifts and gratuities on the part of District of Columbia employees. General Duke also states that he believes that the present administrative procedures in the Department of Licenses and Inspections are very inadequate, and that steps are now under way to improve these procedures. I ask unanimous consent to have printed in the RECORD at this point a copy of a Commissioners' order dated December 3, 1964, pertaining to the acceptance of gifts and gratuities by employees of the District of Columbia government.

There being no objection, the Commissioners' order was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA, EXECUTIVE OFFICE,
Washington, D.C., December 3, 1964.

NOTICE TO HEADS OF DEPARTMENTS, ALL DISTRICT EMPLOYEES AND THE GENERAL PUBLIC

At this particular season of the year the Board of Commissioners wishes to call attention to its policy regarding the acceptance of gifts and gratuities by officers and employees of the District Government. The policy referred to is contained in the District Personnel Manual, Chapter 10, Section C, and states, in part, the following:

"1. An officer or employee shall not accept gifts or gratuities from organizations, business concerns, or individuals with whom he has, or reasonably could be expected to have, official relationships on business of the District Government. Similarly, employees are prohibited from accepting personal or business favors such as loans, discounts, services, or other considerations of monetary value which might influence or be suspected of influencing the employee's decisions as a representative of the District Government. These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed as a means of advertising nor to prohibit employees from accepting social courtesies which promote good public relations. It is particularly important that officers and employees dealing with the general public guard against any relationships which might be construed as evidence of favoritism, coercion, unfair advantage, or collusion."

Department directors and agency heads whose organizations are subject to the personnel program of the Board of Commissioners should assure themselves that their employees are aware of and comply with the policy referred to herein.

Further, employees should be advised that in returning or declining prohibited gifts and gratuities they should write to the donor stating District Government policy prevents acceptance of the gift. In the case of perishable products which cannot be returned to the donor prior to spoilage, or if for some other reason an article is not readily returnable, the employee shall donate them to one of the District Government health or welfare institutions or to some charitable organization.

Should District agencies be contacted by an organization, business concern or individual who wishes to present gifts or gratuities to employees of the agency, it is directed that they be advised of the terms of the policy. Further, should the person making the inquiry insist upon expressing appreciation for services rendered by District employees he should be advised that a donation may be made to one of the District Government health or welfare institutions, and that donations to the institutions are in fact encouraged by the Commissioners. The policies of the Commissioners with regard to cash gifts and donations to the institutions are also contained in Chapter 10C of the District Personnel Manual.

To obviate possible disciplinary action against employees, intended donors are requested to cooperate with the Commissioners in effecting compliance with this long standing policy of the District Government.

WALTER N. TOBRINER,
President.

Mr. MORSE. I ask unanimous consent to have printed in the RECORD at this point a copy of the District Commissioners' new order of December 3, 1965, relating to the same subject.

There being no objection, the Commissioners' order was ordered to be printed in the RECORD, as follows:

[G.F. 3–591]

GOVERNMENT OF THE DISTRICT OF COLUMBIA, EXECUTIVE OFFICE,
Washington, D.C., December 3, 1965.

NOTICE TO HEADS OF DEPARTMENTS, ALL DISTRICT EMPLOYEES AND THE GENERAL PUBLIC

The Board of Commissioners wishes to call attention to its continuing policy regarding the acceptance of gifts and gratuities by officers and employees of the District Government, which, in part, is as follows:

"1. An officer or employee shall not accept gifts or gratuities from organizations, business concerns, or individuals with whom he has, or reasonably could be expected to have, official relationships on business of the District Government. Similarly, employees are prohibited from accepting personal or business favors such as social courtesies, loans, discounts, services, or other considerations of monetary value which might influence or be reasonably suspected of influencing the employee's decisions as a representative of the District Government. These limitations are not intended to prohibit the acceptance of articles of negligible value that may be proffered primarily as a means of advertising. It is particularly important that all officers and employees guard against any relationships which might be construed as evidence of favoritism, coercion, unfair advantage, or collusion." (District Personnel Manual)

Department directors and agency heads should assure themselves that their employees are aware of and comply with the policy referred to herein.

Further, department heads and employees are advised that if they receive items that should be returned or declined, they should write to the donor stating District Government policy prevents acceptance of the gift. In the case of perishable products which cannot be returned to the donor prior to spoilage, or if for some other reason an article is not readily returnable, the article shall be donated to one of the District Government health or welfare institutions or to some charitable organization.

Should District agencies be contacted by an organization, business concern or individual who wishes to present gifts or gratuities to employees of the agency, it is directed that they be advised of the terms of the policy. Further, should the person making the inquiry insist upon expressing appreciation for services rendered by District employees he should be advised that a donation may be made to one of the District Government health or welfare institutions, and that donations to these institutions are in fact encouraged by the Commissioners. The policies of the Commissioners with regard to cash gifts and donations to the institutions are also contained in Chapter 70C of the District Personnel Manual.

To obviate possible disciplinary action against employees, intended donors are requested to cooperate with the Commissioners in effecting compliance with this long standing policy of the District Government.

WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

Mr. MORSE. I do not believe that any person who has had an opportunity to review the Metropolitan Police Department report has any question about the fact that certain employees of the Department of Licenses and Inspections violated the Commissioner's order of 1964.

Madam President, I received a letter, under date of June 29, 1966, from Commissioner Duke, which followed a major conference that I had with the Commissioner, and which also followed the briefing of the Senator from Oregon in regard to certain steps that were being taken in the Department and in the District Commissioners' offices in trying to see what could be done to prevent what I called lapses of good judgment and acts of impropriety on the part of certain employees in the Department of Licenses and Inspections.

I should like to read into the RECORD at this point a letter that I received from Commissioner Duke under date of June 29, 1966:

DEAR SENATOR MORSE: As a result of our breakfast meeting this morning, I think I should briefly outline, in summary form, the steps that have been taken to alleviate the problems in the Department of Licenses and Inspections which were indicated in the investigative report submitted to you.

As you know, the acceptance of Christmas gifts by public employees has been a long standing problem, not only in the particular department, but in other District agencies as well. Historically, the regulations pertaining to this generally were couched in phrases subject to varying interpretations. The District regulations previous to December 1965 were no exception in this regard, containing the phrase that "the acceptance of social courtesies which promote good public relations" was not prohibited.

Accordingly, on December 3, 1965, and as a result of the investigation, the Commissioners promulgated a new regulation which removed such vague language and on December 7, 1965, Mr. Ilgenfritz, Director of the Department of Licenses and Inspections, issued a strong statement in this regard, not only to his employees, but also to the private organizations throughout the city which normally do business with his Department. From all indications during the past Christmas season, this had the effect of bringing this particular problem to an end and I feel, the precedent now being broken, that it will continue to be controlled in the future.

In regard to administrative practices in the Engineering Branch, Mr. Ilgenfritz in January, 1966 requested our Department of General Administration to asist him in developing new procedures which would essentially eliminate the possibility of any favoritism or improper actions in the processing of engineering plans. This team of specialists is now well underway with its study and many of its recommendations are already in effect. As I mentioned this morning, the substance of these recommendations is to chart the progress of each permit application on a large board, clearly visible to all, to demonstrate the complete objectivity of the review process.

In addition—and I did not mention this today—Mr. Ilgenfritz has just conducted a two-week formal training program for all of his supervisory personnel on supervision and administrative practices, in recognition of the need for such training as brought out in the report.

In view of the procedures briefly outlined above, I feel that the investigation served a worthy purpose towards bringing to light certain practices, which having been corrected, will create an even better image of the District Government.

With kindest personal regards.

Sincerely,

C. M. DUKE,
Brigadier General, U.S. Army, Engineer Commissioner.

Madam President, I have previously made clear to the Senate that when the investigation and my conferences with the District officials were completed, I would make a report to the Senate in regard to the problem. I am pleased to make that report today, Madam President—and a very brief one it will be. In fact, it will take the form of reading to the Senate a letter that I sent to General Duke today, setting forth what I think has been accomplished by the investigation, and setting forth also my deep appreciation to the District government officials involved, and particularly to the police investigators for conducting this investigation, which I think has brought forth so much good by way of cleaning up a situation that sorely needed to be cleaned up.

My letter to General Duke reads as follows:

DEAR GENERAL DUKE: I want you to know that I appreciated very much your going over the Metropolitan Police Department report on the Department of Licenses and Inspections with me at breakfast yesterday morning, as well as informing me of the measures which have been initiated by you since you received the report.

As I stated to you at our breakfast meeting, my objective from the beginning of the Department of Licenses and Inspections investigation has been to bring about the necessary procedural changes within that important department of the District Government in order to assure the protection of the public interest.

The Police Department report reveals that gratuities were received, especially around Christmas time, by many employees of the Department of Licenses and Inspections. I fully agree with the opinion of the United States Attorney and the Corporation Counsel that the acceptance of such gratuities was not in violation of any criminal law, and thus, the individuals concerned are not indictable. In my opinion, however, many employees in the department experienced a lapse of good judgment in accepting the gifts and gratuities. However, it should be said in fairness to them that the value of any specific gift amounted to only a few dollars. The police report shows that the gifts in most instances were in the form of a turkey, a ham, bottles of liquor, gift certificates of $5.00 value and similar small Christmas gifts. As you agreed at our breakfast conference, the investigation has had a very salutary effect, resulting in the following actions being taken within the Department to stop these undesirable practices found by the police investigation.

On December 3, 1965 the Board of Commissioners promulgated a new regulation strictly prohibiting the acceptance of gifts by all District of Columbia employees. The new regulation supersedes previous regulations on the subject which could possibly have been interpreted to mean that certain types of gifts and gratuities could be accepted by employees in the Department. The new regulation leaves no doubt that all gifts or gratuities are prohibited.

On December 7, 1965 the Director of the Department of Licenses and Inspections, Mr. J. J. Ilgenfritz, issued a strong and forthright statement on the subject to both his employees and business organizations transacting business with his department. I have been assured that the acceptance of gifts by employees in this department and throughout the District Government has been stopped.

In my judgment, the disclosures by the police investigation report in regard to the widespread practice of accepting Christmas gifts by many employees in the Department and the subsequent regulations issued by the District of Columbia Commissioners and by Mr. J. J. Ilgenfritz will do much to restore public confidence in the services of the Department of Licenses and Inspections. I think all who are interested in good government in the District of Columbia owe a debt of gratitude to the police investigators who prepared the report and to the Board of Commissioners for issuing the new regulations that should bring to an end any lapses of good judgment on the part of any employee in the Department in respect to accepting any gifts from anyone who does business with the Department.

As a result of the police investigation report and the new regulations which the Board of Commissioners promulgated, based upon the report, the record shows, as you pointed out at our breakfast conference, that there is no evidence of any violations of the regulations during the 1965 Christmas season in respect to the acceptance of gifts from representatives of companies or individuals doing business with the Department.

One of the most disturbing complaints against the operations of the Department which was looked into by the police investigators was the frequently made charge that some officials within the Department had been granting special favors to some architectural firms in taking their requests for clearance of their plans out of order and giving their requests earlier consideration than they otherwise would have received if the cases were considered in the order of their filing. This practice, which the police investigation found did exist to some extent, was resulting in a growing criticism that the Department engaged in practices of favoritism in the handling of the business of the Department.

In my report to the Senate, I shall make clear that as a result of the police investigation report, the Director of the Department of Licenses and Inspections has taken the necessary steps to stop this malpractice. He has done it, as you pointed out in our breakfast conference, by requesting the Department of General Administration in January, 1966 to make a management study of his Department with the view of developing better procedures with regard to handling engineering plans. Such a study is presently going on with a number of recommendations already in force. The Director of the Department of Licenses and Inspections has developed a much needed two-week formal training program for all supervisory employees within his department.

In my report to the Senate, I shall call favorable attention to the new policies the Director of the Department has adopted in his determination to meet the needs for administrative improvements disclosed by the police investigation. Thus, as you point out in your letter to me of June 29, 1966, dealing with this particular administrative problem of eliminating any favoritism in the handling of engineering plans by the Department:

"Mr. Ilgenfritz in January, 1966 requested our Department of General Administration to assist him in developing new procedures which would essentially eliminate the possibility of any favoritism or improper actions in the processing of engineering plans. This team of specialists is now well underway with its study and many of its recommendations are already in effect. As I mentioned this morning, the substance of these recommendations is to chart the progress of each permit application on a large board, clearly visible to all, to demonstrate the complete objectivity of the review process.

"In addition—and I did not mention this today—Mr. Ilgenfritz has just conducted a two-week formal training program for all of his supervisory personnel on supervision and administrative practices, in recognition of the need for such training as brought out in the report."

As you know, it was at my request that the police investigation of the Department of Licenses and Inspections was ordered by the Board of Commissioners. As I pointed out in our breakfast conversation, the police report shows that in some instances some employees were not cooperative with police investigators. I would like to suggest that after the Board of Commissioners has had an opportunity to thoroughly review the above-mentioned police report, the Board will take whatever action is necessary to achieve full cooperation henceforth from such employees.

In view of the findings of the United States Attorney and the Corporation Counsel that the report of the police investigators did not show any conduct of any employee that would justify a criminal prosecution in violation of the law, I have decided not to make the police report on the Department of Licenses and Inspections public. It could serve no useful purpose. I have reached that conclusion in view of the fact that procedural administrative steps have been or are being taken to eliminate undesirable practices that some employees engaged in and which gave rise to the investigation in the first place. Therefore I do not feel justified in releasing the police report that would unnecessarily harm many individuals that could have been very well intentioned, but mistaken in their judgment.

The fact is that, as a result of my inquiry and the Police Department investigation, new rules and procedures have been promulgated by the District of Columbia Commissioners and by Mr. Joseph J. Ilgenfritz, Director of the Department of Licenses and Inspections, which provides the public and District employees guidelines that should protect the public interests henceforth. I wholeheartedly agree with those guidelines. As a member of the Senate District of Columbia Committee I shall confer with you from time to time in the future to obtain your views as to how the new rules and procedures are working out. I think we have every reason to believe that administrative action taken under them will eliminate any justification for criticism of the Department in the future in respect to any of the findings of the police investigation report.

With kindest regards,

Sincerely,

Wayne Morse.

Madam President, I ask unanimous consent that there be printed at this point in the Record all the documents by way of regulations and procedures that have been promulgated by Mr. Ilgenfritz and by the Commissioner dealing with this subject matter.

There being no objection, the material was ordered to be printed in the Record, as follows:

Government of the District of
Columbia, Executive Office,
Washington, D.C., December 3, 1964.

NOTICE TO HEADS OF DEPARTMENTS, ALL DISTRICT EMPLOYEES AND THE GENERAL PUBLIC

At this particular season of the year the Board of Commissioners wishes to call attention to its policy regarding the acceptance of gifts and gratuities by officers and employees of the District Government. The policy referred to is contained in the District Personnel Manual, Chapter 10, Section C, and states, in part, the following:

"1. An officer or employee shall not accept gifts or gratuities from organizations, business concerns, or individuals with whom he has, or reasonably could be expected to have, official relationships on business of the District Government. Similarly, employees are prohibited from accepting personal or business favors such as loans, discounts, services, or other considerations of monetary value which might influence or be suspected of influencing the employee's decisions as a representative of the District Government. *These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed as a means of advertising nor to prohibit employees from accepting social courtesies which promote good public relations.* It is particularly important that officers and employees dealing with the general public guard against any relationships which might be construed as evidence of favoritism, coercion, unfair advantage, or collusion."

Department directors and agency heads whose organizations are subject to the personnel program of the Board of Commissioners should assure themselves that their employees are aware of and comply with the policy referred to herein.

Further, employees should be advised that in returning or declining prohibited gifts and gratuities they should write to the donor stating District Government policy prevents acceptance of the gift. In the case of perishable products which cannot be returned to the donor prior to spoilage, or if for some other reason an article is not readily returnable, the employee shall donate them to one of the District Government health or welfare institutions or to some charitable organization.

Should District agencies be contacted by an organization, business concern or individual who wishes to present gifts or gratuities to employees of the agency, it is directed that they be advised of the terms of the policy. Further, should the person making the inquiry insist upon expressing appreciation for services rendered by District employees he should be advised that a donation may be made to one of the District Government health or welfare institutions, and that donations to the institutions are in fact encouraged by the Commissioners. The policies of the Commissioners with regard to cash gifts and donations to the institutions are also contained in Chapter 10C of the District Personnel Manual.

To obviate possible disciplinary action against employees, intended donors are requested to cooperate with the Commissioners in effecting compliance with this long standing policy of the District Government.

Walter N. Tobriner,
President.

Government of the District of
Columbia, Executive Office,
Washington, D.C., December 3, 1965.

NOTICE TO HEADS OF DEPARTMENTS, ALL DISTRICT EMPLOYEES AND THE GENERAL PUBLIC

The Board of Commissioners wishes to call attention to its continuing policy regarding the acceptance of gifts and gratuities by officers and employees of the District Government, which, in part, is as follows:

"1. An officer or employee shall not accept gifts or gratuities from organizations, business concerns, or individuals with whom he has, or reasonably could be expected to have, official relationships on business of the District Government. Similarly, employees are prohibited from accepting personal or business favors such as social courtesies, loans, discounts, services, or other considerations of monetary value which might influence or be reasonably suspected of influencing the employee's decisions as a representative of the District Government. These limitations are not intended to prohibit the acceptance of articles of negligible value that may be proferred primarily as a means of advertising. It is particularly important that all officers and employees guard against any relationships which might be construed as evidence of favoritism, coercion, unfair advantage, or collusion." (District Personnel Manual)

Department directors and agency heads should assure themselves that their employees are aware of and comply with the policy referred to herein.

Further, department heads and employees are advised that if they receive items that should be returned or declined, they should write to the donor stating District Government policy prevents acceptance of the gift. In the case of perishable products which cannot be returned to the donor prior to spoilage, or if for some other reason an article is not readily returnable, the article shall be donated to one of the District Government health or welfare institutions or to some charitable organization.

Should District agencies be contacted by an organization, business concern or individual who wishes to present gifts or gratuities to employees of the agency, it is directed that they be advised of the terms of the policy. Further, should the person making the inquiry insist upon expressing appreciation for services rendered by District employees he should be advised that a donation may be made to one of the District Government health or welfare institutions, and that donations to these institutions are in fact encouraged by the Commissioners. The policies of the Commissioners with regard to cash gifts and donations to the institutions are also contained in Chapter 10C of the District Personnel Manual.

To obviate possible disciplinary action against employees, intended donors are requested to cooperate with the Commissioners in effecting compliance with this long standing policy of the District Government.

WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

DEPARTMENT OF LICENSES AND INSPECTIONS, OFFICE OF THE DIRECTOR,
December 7, 1965.

Memorandum to: Division, branch and section heads

Subject: Standards of conduct

On December 3, 1965 the Board of Commissioners issued a notice (GF 3–591) to all District Employees, and to the general public, calling attention to its policy regarding the acceptance of gifts and gratuities. Every employee should become familiar with this notice, a copy of which is attached. As a number of questions have been raised by the employees of this Department, and members of our staff, I will endeavor to clarify some issues dealing with gratuities and social amenities.

The acceptance of any gifts or gratuities by an employee, from organizations, business concerns or individuals with whom he has or may reasonably be expected to have business relationships on business of the District, is prohibited, except for articles of negligible value distributed for advertising purposes. Although no monetary value limitation has been placed on such advertising articles, this exception is not to be construed as a means of circumventing the spirit of the order.

In previous orders involving standards of conduct, acceptance of social courtesies of monetary value which promote good public relations was approved; however, the revised Commissioners' Order dated December 3, 1965 prohibits the acceptance of such social courtesies. Accordingly, luncheon, dinner or other invitations to social functions of this nature received from business concerns or individuals must be declined. If such invitations were accepted, prior to receipt of this memorandum, for subsequent events, the host should be notified immediately of the recent action by the Commissioners and of your cancellation.

If an invitation stems from a trade or other business association, it may be accepted, provided the association, rather than an individual member will be your host.

Each supervisor is hereby instructed to review and discuss standards of conduct with all employees under his immediate supervision as soon as practicable, and to emphasize the seriousness of any violations of the attached order or of this memorandum.

J. J. ILGENFRITZ,
Director.

Attachment.

DEPARTMENT OF LICENSES AND INSPECTIONS, OFFICE OF THE DIRECTOR,
January 25, 1966.

To: The Engineer Commissioner.

While the investigation report did not reveal graft or corruption as reported, it did reflect certain weaknesses in the administration of the Engineering Branch which require correction. These are:

1. Acceptance of Christmas Gifts.
2. Insufficient supervision and controls which could allow favoritism in processing plans.
3. Acceptance of incomplete plans which creates undue workload and may allow the plans, upon completion, to be processed out of turn.

Item 1, acceptance of Christmas gifts has been a long standing problem and a great deal of attention has been given to it. I am confident that it was stopped this year. My intention is that the prohibition against receipt of gifts at Christmas or any other time will be strictly enforced and adhered to in the years to come. This was accomplished during the past holiday season by notifying the employees and the business community verbally and in writing. The business community, being well intentioned and reputable, does not wish to do anything that would adversely affect the District. Therefore, gifts were generally not offered this year. In the few instances, where firms did not adhere to the instructions the gifts were not accepted. I will continue to impress the business community and the Department's employees of the gravity of previous practices, however well intentioned, so that the practice of gift giving will be completely eradicated.

Items 2 and 3, regarding supervision, control and the processing of incomplete plans are very closely related and they represent two problem areas. The first being the degree of supervision and the second being the procedures required for the proper processing, approval and recordation thereof, of all plans submitted to the Department.

I propose to have a study made of existing procedures with a view to establishing tighter controls and a greater degree of review by supervisors than now exists. I will examine the practicality of returning incomplete plans to architects who will then receive a new processing number for the finished plans. Also, the desirability of requiring architects to sign their plans upon initial submission will be considered. Log Books will be established for the Mechanical, Electrical and Construction Engineering Sections in addition to the primary Log Book of the Engineering Branch. In this way a greater control will be possible of the processing sequence. Also, I plan to institute the system whereby a card is always used to notify architects of needed correction in plans so that more complete records regarding the job may be maintained.

Although the Engineers of this Department are technically qualified they are generally not versed in good administrative practices. To offset this I am exploring appropriate formal training in supervision and administration. I believe that the guidelines for proper supervision should be drawn by this Department. However, the procedures and records should be developed by this Department with the Management Office's assistance.

In regard to the Department's handling of complaints concerning the propriety of our employees' conduct, I have advised the Division Superintendents to bring all such complaints to my attention so that proper action will be taken.

J. J. ILGENFRITZ,
Director.

GOVERNMENT OF THE DISTRICT OF COLUMBIA, DEPARTMENT OF LICENSES AND INSPECTIONS,
Washington, D.C., December 8, 1965.

GENTLEMEN: On December 3, 1965 the Board of Commissioners promulgated a notice to all District Employees, and to the general public, calling attention to its policy regarding the acceptance of gifts and gratuities. On December 7, 1965 I issued a Departmental Memorandum to our employees in an effort to clarify some of the issues which had been raised by our staff. For your information, copies of these two documents are enclosed, which I believe should be of vital interest to the members of your organization who deal either directly or indirectly with the Department of Licenses and Inspections.

Unless strict application of these orders is adhered to, embarrassing situations may arise which could be avoided if all of us, including the members of your organization, understand the impact of the revised policy.

Accordingly, I request the cooperation of the business community and ask you to acquaint your membership with the contents of the enclosed orders. Please request them to make every effort to avoid any misunderstandings by adhering strictly to the policy set forth in the Commissioners' Order and the Directive which I have issued to our employees. This policy will prevail not only throughout the holiday seasons but throughout the entire year.

Sincerely,

J. J. ILGENFRITZ,
Director.

Attachment.

INVESTIGATION OF MISCONDUCT IN THE DISTRICT OF COLUMBIA DEPARTMENT OF MOTOR VEHICLES

Mr. MORSE. Madam President, I have requested an investigation of a very serious charge that in the Department of Motor Vehicles there has been tampering with the files, resulting in the files of some drivers who had been denied driver permits being withdrawn and new driver permits illegally issued to them.

Madam President, an investigation has been underway in regard to this matter. Commissioner Duke advises me that investigators have evidence that files have been tampered with, but he does not know at this time as to what degree.

We do know, however, that there are those that have been acting unlawfully and, in my judgment, if they can be detected, they are subject to criminal prosecution. If the record so shows, they should be criminally prosecuted, because there is prima facie evidence that, in some instances, apparently several hundreds of dollars have been paid Department of Motor Vehicles employees in order to have a file tampered with and a new permit issued when the person receiving the permit is not entitled to such permit.

Madam President, I want to close by reading a letter of July 29 that I have written to Commissioner Duke with regard to this problem, serving notice here again—and I will have the complete cooperation of Commissioner Duke—that we intend to press this matter until we stop these illegal acts and find out who is guilty and take the necessary legal steps that will bring to an end this gross corruption and graft and malfeasance which apparently a few in this Department have been guilty of.

I wish to state at the very beginning that the head of this department, Mr. England, is one of the most dedicated and able public servants that we have in the entire District of Columbia government. He is just as insistent as is Commissioner Duke and I that we ferret this matter out and bring the practice to an end.

My position is pretty well covered in my letter to Commissioner Duke.

Before reading my letter, I want to say to my friend, the Senator from Indiana, who is about to make an address, that I wish to extend to him my deep appreciation for his permitting me to make this report which I had to make today because the information had already gone to the Press Galleries. I had also promised District of Columbia officials to make a record in the Senate on this before we adjourn for the Fourth of July recess.

The letter reads:

JUNE 29, 1966.

Brig. Gen. CHARLES M. DUKE,
Engineer Commissioner,
District of Columbia Government,
Washington, D.C.

DEAR GENERAL DUKE: I appreciated very much the opportunity to discuss with you yesterday morning the problem involved in the Department of Motor Vehicles investigation. Prior to our discussion, I did not realize the magnitude of the files maintained by the Department of Motor Vehicles.

In my judgment, there is sufficient prima facie evidence that drivers' permits have been illegally obtained. I believe that the District of Columbia Commissioners should give consideration to closing the offices of the Department of Motor Vehicles at night, as well as on weekends and holidays, to curtail the possibilities of the theft of drivers' records. I also suggest that the Board of Commissioners seriously consider increasing the size of the investigation staff. As you pointed out yesterday, when the computer system is in operation within the next year and a half, it will be possible to detect almost at once any tampering with drivers' records.

Madam President, I digress from the letter to state that in my conversation with General Duke he pointed out to me that Department of Motor Vehicles offices have been open at the request of the Police Department in the District; but neither of us is convinced that such action is necessary, because I believe that keeping the offices open at night and on weekends could partly give rise to this evil.

Madam President, I am informed by General Duke that over a million and a half individual files are involved. This presents some idea of the magnitude of the job of investigating those files. Therefore, all that can be expected for the time being is a spot check of the files, however the spot check of the files already has adduced some showing of illegal tampering.

The general has discussed with me the possibility of closing the office at night and on weekends, because he believes that each day a list of drivers whose permits have been revoked can be made available to the Police Department.

Therefore, if such a driver is picked up by the police, the latter will have access to the list. The primary reason why the police call the driver's permit file office in the event of an arrest is to learn the record of the driver. The police have sought to keep the office open, so that if they pick up someone whose driver's permit has been revoked, they can hold him.

I can see the possible unsoundness of keeping the offices open. That is why in my letter to General Duke I commented as I did on the feasibility of closing the offices at night and on weekends. I continue to read from my letter:

Here again, I am primarily interested in the adoption of procedures that will eliminate malfeasance and corruption on the part of any employee. I am much more interested in adopting techniques and procedures that will prevent wrongdoing, than imposing disciplinary action on government employees who have succumbed to human frailities. I think there is no doubt about our joint obligations to eliminate from public service any employee who commits an illegal act. If it is true that any employee or employees of the Department of Motor Vehicles has tampered with any drivers' records illegally, his services must be dispensed with forthwith. However, we must continue to seek to bring about administrative and procedural reforms within the Department of Motor Vehicles.

I wish to commend the District of Columbia Board of Commissioners for their complete cooperation in regard to this investigation. I wish to especially commend Mr. George England, Director of the Department of Motor Vehicles, for his conduct in handling the problem. In my judgment, Mr. England deserves great credit and high commendation for the concern he has expressed in regard to the problems raised by the police investigation. In my judgment, Mr. England should have the complete cooperation of all agencies of the District of Columbia Government in his efforts to prevent any tampering with Department of Motor Vehicle files, which have occurred without the knowledge of Mr. England.

I sincerely hope that with an increase in the investigatory staff, the investigation of the Department of Motor Vehicles may be completed at an early date.

Your complete cooperation in regard to this matter is deeply appreciated.

With personal regards.

Sincerely,

WAYNE MORSE.

Madam President, that completes, for now, my report on the investigations that have been taking place at my request. From time to time, I shall present progress reports on the continuation of further investigations.

I thank the Senator from Indiana.

VOLUNTARY BANKRUPTCY

Mr. GORE. Madam President, recently the Senate passed a bill to provide further incentives for voluntary bankruptcy. I opposed passage of the bill. I still deplore passage of the act, because the voluntary bankruptcy rate has already been increasing alarmingly. During consideration of the bill, I did not discuss the entrance of the underworld into the bankruptcy racket. Since then, I have had an opportunity to read an article written by Mr. Bill Surface, entitled "Planned Bankruptcy: The Racket That Cheats Us All." I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PLANNED BANKRUPTCY: THE RACKET THAT CHEATS US ALL

(By Bill Surface)

An appliance store that opened not long ago in the Midwest had a solid bank account, a good credit rating, a fine location and a presumably respectable owner. Within six weeks, however, the owner had reached his unrespectable goal: bankruptcy. He testified in U.S. Bankruptcy Court that his appliances had been "stolen," his books "mislaid," and the bank deposits "gambled away."

While the story sounded implausible, it couldn't be disproved. By law, the owner had to be declared bankrupt, discharged from debts of $220,000 for items ordered from wholesalers, and compelled to surrender his assets to creditors. His assets? A desk, a chair and six toasters.

Such deliberate bankruptcy is an alarming new nationwide phenomenon. Crime syndicates install ostensibly honest front men in business to order merchandise on credit, then loot and legally bankrupt the firm. The loot is sold for half-price or less to fences, funneled into the syndicates' legitimate outlets, or used as display material to start other stores that will be bankrupted. But since these manipulations are almost impossible to prove, creditors are left holding the bag.

Called "scam" operations by the Mafia (from the carnival jargon for "scheme"), planned bankruptcies may today be the underworld organization's largest single racket. The Justice Department has found that syndicate criminals engineer more than 250 bankruptcies a year, averaging $200,000 per job in profits. It is estimated that lone operators, copying Mafia techniques, bankrupt at least a thousand smaller businesses a year. The total is a factor in the disturbing rise of all bankruptcies in the United States—from 59,404 in 1955 to 180,323 last year.

These bankruptcies cost all of us money when we shop. "There's only one way that a wholesaler robbed by bankruptcy gangs can cover losses," says Robert Roper, executive vice president of the National Association of Credit Management. "He must raise his prices. The retailer must then meet costs by increasing consumer prices. So the more planned bankruptcies there are, the more everybody pays." The NACM estimates that crooked bankruptcies increase prices of meat, clothing, jewelry, cosmetics, electrical appliances and furniture by a total of two million dollars each business day.

Under the National Bankruptcy Act of 1938, designed to protect innocent victims of financial reverses, anyone hopelessly indebted can legally dismiss liabilities without being punished. Creditors are permitted to salvage what they can from remaining assets. Although it is illegal to conceal assets or records in bankruptcy proceedings, bankruptcy racketeers usually avoid prosecution by simply not keeping records and by pretending that their money was lost on gambling or high living, which is not illegal. Moreover, the racketeers also know that most firms victimized in scam won't waste time and money to prosecute. While genuine business bankruptcies enable creditors to retrieve an average of 7.1 cents on a dollar, manipulated bankruptcies seldom leave *anything* of value.

Here's how some of the bankruptcy manipulators work:

The Big Buyers. The favorite stratagem is to open a store backed by a large bank account, pay promptly for small initial orders to impress creditors, then quickly increase orders. If a wholesaler hesitates, the crook snaps: "We'll just leave you out in the cold when business goes big." He usually gets what he orders—and keeps ordering without paying, until an irate creditor finally files an involuntary bankruptcy petition against the firm.

Consider the manipulations of Herbert Karasow, a young salesman who opened Karasow Jewelers in Philadelphia. In 1963 Karasow telephoned about 300 orders to wholesalers from California to New York. Then his "promotion manager," Jack Frank (who closed his own business while owing $200,000), pressured suppliers to rush shipments under the pretense that their items were included in full-page newspaper ads due to appear within two days. Forty salesmen, Frank added, had been hired to handle the anticipated sales. Most dealers met the deadline. As wholesalers demanded payment, Karasow would counter that he, not the suppliers, should be irate: "You aren't filling repeat orders fast enough to keep my salesmen in stock."

By the time Karasow plunged into bankruptcy, he owed suppliers $363,145. Then where, creditors asked, was their merchandise? In an attempt to stimulate business, Karasow explained, he had "robbed Peter to pay Paul" by holding odd-lot "distress sales," then invested Paul's "share" at a Las Vegas gambling casino in an unsuccessful effort to pay everyone. Karasow supported his story with canceled checks for plane fare to Las Vegas, and was adjudicated bankrupt.

In this case, the gambling alibi proved too well-documented. The Las Vegas casino's credit manager remembered—and was prepared to testify—that he had seen Karasow bet such a small amount that his losses, if any, would have been negligible. Last September 22, in U.S. District Court, Karasow was convicted of concealing assets in bankruptcy. No worthwhile assets were ever recovered.

THE INFILTRATORS

The costliest planned bankruptcies result when criminals secretly gain control of an established firm. A classic case ended last February 28. The co-owners of the Murray Packing Co., of the Bronx, N.Y., regularly ordered meat and poultry on seven-day credit for resale to local markets. One day they found themselves undercapitalized, unable to get a bank loan. Whereupon a "meat salesman" (actually a convicted narcotics trafficker), Joseph Pagano, made an offer of help. Pagano arranged for the Murray firm to borrow $8,500 at an exorbitant one-percent weekly interest rate from Jo-Ran Trading Corp., co-owned by Peter Castellana and Carmine Lombardozzi, reputed Mafia leaders. When Castellana demanded his "vigorish" (interest), Pagano again solved the Murray crisis. He bought one third of Murray's stock for $35,000 and took signatory rights on checks to "protect the investment."

While Murray's original owners continued to do the ordering, Pagano did the selling—so energetically that Murray soon had to quintuple its monthly orders to $1,229,000. Then Pagano delivered $922,000 worth of meat at below-cost prices to Pride Wholesale Meat and Poultry Corp. (owned by Castellana).

Pagano deposited Pride's checks in payment for the meat in Murray's bank account. But, instead of using these receipts to pay Murray's suppliers, he immediately withdrew $747,000 for "expenses." After Pagano had siphoned off $1,300,000, the 85 suppliers and farmers to whom Murray owed money were told that the firm would declare bankruptcy and pay 40 percent of its debts. To show good faith, Pagano deposited $100,000 in a new account—which two henchmen later withdrew. Then Pagano took half of the $12,000 remaining in the Murray account for a "fund-raising trip" to Las Vegas' gambling casinos to save Murray from bankruptcy. Naturally, the fund-raising trip failed.

Pagano and five associates were ultimately convicted of fraud, and Pride was fined $10,000. But, typically, the $1,300,000 was not recovered. Pagano "forgot" where he "gambled it away."

THE IMPERSONATORS

If manipulators can't infiltrate an established firm to get unlimited credit, they sometimes use the name of a reputable firm or adopt a name that deceptively resembles it. Often the phony firm operates from a building formerly occupied by the legitimate firm it impersonates.

Stanley Huberman, for example, agreed to buy S. Steinbrecher Furniture Co., a small, near-empty neighborhood store in Philadelphia, from the late owner's widow on condition that he be permitted to rent the building for his own business during a three-month interim needed to close the sale. Whereupon Huberman and an accomplice, Barnett Secouler, used the pseudonym Israel Gerson and Steinbrecher's genuine credit rating to telephone orders to furniture wholesalers from California to Massachusetts. Later, other items were ordered: gold cigarette lighters, antifreeze, hair driers, toy trains and even $7000 worth of candy. These items, suppliers were told, would be used as door prizes.

The store's intensified activity astonished much of the neighborhood. Four or five delivery trucks were constantly lined up at the entrance. Huberman said later that there had been more "burglaries" than sales. Twice he reported to the police that the store had been mysteriously broken into, but he never complied with a police request to itemize any missing articles.

When the time came for Mrs. Steinbrecher to hand over the deed, Huberman was in bankruptcy with debts of $148,000, and the store contained only Christmas wrappings and a garbage can partially filled with invoices. The unfortunate combination of burglary and inveterate gambling, Huberman told Philadelphia's referee in bankruptcy, had caused his insolvency. However, on June 16, 1965, the Justice Department's evidence convicted Huberman and Secouler of conspiracy and concealing assets.

TO CATCH THE BIG ONES

Despite the Justice Department's current campaign against planned bankruptcies, relatively few are reported and considered for prosecution. For one thing, the dramatic rise in all bankruptcies forces some bankruptcy courts to rush cases without examining possibilities of fraud. For another, producing tangible evidence of fraud is slow, ardous work. Although federal agencies investigated about 1600 suspicious bankruptcies in 1964 and 1965, only 89 convictions resulted. Moreover, only one of the convictions involved a scam mastermind.

The Justice Department feels, however, that top scam operators can be convicted if legislation sponsored by Senators John McClellan, of Arkansas, and Frank Lausche, of Ohio, is enacted. The bill would allow immunity from prosecution for witnesses—often businessmen indebted to loan sharks and forced to take part in crooked bankruptcy—whose testimony may implicate the scam overlords.

In addition, several other basic questions remain to be answered:

Are our bankruptcy laws an invitation to cheat? "Being discharged from debts in a bankruptcy court is so easy that men are encouraged to repeat the scheme," says Elmer Sivertsen, director of fraud prevention for the National Association of Credit Management.

The solution: Enact legislation making it illegal for anyone to be relieved of debts in more than one business bankruptcy.

Are statutes for bankruptcy fraud too tolerant? If a man is caught burning down a company's building, he may receive 5 to 12 years or more in prison. If he is convicted for deliberately bankrupting the same company and keeping the assets, he is usually sentenced to serve one to five years in prison.

The solution: Sentences should be increased with the amount of the swindle.

Does the gambling-loss alibi facilitate concealing assets in bankruptcy? One swindler who admittedly lost over $200,000 by "playing the horses" was legally relieved of all liabilities and permitted to start another firm.

The solution: Pass legislation patterned after a British law which makes it a crime to gamble oneself into bankruptcy. No nation with such a statute has any planned bankruptcies.

Meanwhile, other contributions can be made toward breaking the racket. Local law-enforcement officials can prosecute smaller cases in which federal bankruptcy violations cannot be proved. Creditors who are reluctant to "waste time testifying" can start to *report* scam rings. Says Stephen Chummers, former president of the National Conference of Referees in Bankruptcy: "If defrauded creditors would only report suspicious circumstances or evidence of deliberate bankruptcy to law-enforcement officials—and crooks knew they were doing this—many planned bankruptcies would be prevented."

Unless we take such initiative to stop scam, it may cause many innocent persons *un*planned bankruptcy.

EXECUTIVE SESSION

On request of Mr. Hartke, and by unanimous consent, the Senate proceeded to consider executive business, to consider a nomination reported today by the Committee on Labor and Public Welfare.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. McGovern in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Barnaby C. Kenney, of Rhode Island, to be Chairman of the National Endowment for the Humanities.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nomination on the Executive Calendar.

NATIONAL ENDOWMENT FOR THE HUMANITIES

The PRESIDING OFFICER. The nomination reported today by the Committee on Labor and Public Welfare will be stated.

The legislative clerk read the nomination of Barnaby C. Keeney, of Rhode Island, to be Chairman of the National Endowment for the Humanities for a term of 4 years vice Henry Allen Moe.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. HARTKE. Mr. President, I ask that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. HARTKE. I should like to add a personal word.

It is my pleasure to know the nominee, and I am delighted that the Senate has confirmed his nomination.

LEGISLATIVE SESSION

On request of Mr. HARTKE, and by unanimous consent, the Senate resumed the consideration of legislative business.

FINANCING OF PRESIDENTIAL CAMPAIGNS

INTRODUCTION

Mr. LONG of Louisiana. Mr. President, one of the most difficult problems facing our democracy, as well as other democratic countries of the world, is finding ways to make the democratic system work without permitting undue influence on the part of the few which results in favoritism and corruption at the expense of the many. Problems connected with the financing of political campaigns are fundamental to the success of a democracy, in achieving its stated purposes of equal justice to all and equality under the law. The problems involved in financing political campaigns have plagued the United States for more than 100 years. More recently, schemes for campaign financing have been developed to obtain the necessary funds to run for office. Some of these attempts have turned toward the tax system to obtain money. However, for the purposes of tax uniformity and to protect the Treasury, Congress has repeatedly legislated against these devices.

THE $100 TAX DEDUCTION SCHEME

Recently, the President of the United States has proposed that annual campaign contributions up to $100 be deductible for income tax purposes. It is my judgment that this measure would fail to achieve its objective of reducing undue influence and eliminating corruption in the Government.

The tax-deductible proposal tends to favor well-to-do citizens over their fellow Americans. For example, a man with income of $30,000 or more is likely to find it in his financial interest to contribute substantially to candidates whose voting records and whose campaign statements favor his interests over those of other Americans.

A person with income of $5,000 or less could not afford to make a substantial contribution, even if he were interested. Furthermore, the deduction would be worth so little to the low-income person that it would be hardly any incentive at all. Just how much incentive is there to the working man who pays tax at the first-bracket rate of 14 percent? For him, a dollar of political contribution would save only 14 cents in tax, compared to a 70-cent saving for a wealthy individual at the top tax bracket. How much stimulation would be found in a 14-cent deduction, against income sorely needed for personal and family expenses?

In addition, the problem of persuading low- and middle-income taxpayers that they should contribute to a political campaign requires a great deal of effort in overcoming their inertia, which is not the case with regard to high-income taxpayers, who even now find it to their advantage to contribute to one political party or another.

The Secretary of the Treasury has already conceded that most of the political money would still come from large contributors. Good government would suggest that campaigns should be financed with the least possible commitment to any vested interest or to any particular segment of the American economy. It would be best that one elected to represent the public should feel no greater obligation to a professional man than to a blue-collar worker, and that his obligation toward a person retired on a social security pension should be equal to that of a millionaire. Accordingly, I am proposing that we start by removing the most powerful office in the land from the influences that necessarily arise when a man seeks the Presidency of the United States.

LONG PLAN OF VOTE CONTRIBUTION

My plan would suggest that campaigns of the leading candidates for President be financed on the basis of one man, one vote, with such modifications as may be necessary to tailor this proposal to meet the practical realities of American public life, and to assure both major political parties that a disaster at the polls in one election would not deny that party financial support in the next presidential campaign. In addition to failing to prevent undue influence, the $100 deduction scheme has other shortcomings, which I shall discuss later.

The proposal recently introduced by me would take a different approach by providing that each candidate, subject to limitations spelled out below, would be entitled to be paid from the Treasury an amount not to exceed $1 for each vote received by that candidate in his campaign for the Presidency.

The first limitation would be that the amount which was to be paid must be reimbursement for campaign expenses actually incurred. The candidate would be required to present vouchers and statements as evidence of campaign expenses incurred.

The second limitation would be that generally the amount of reimbursement would not exceed $1 multiplied by 50 percent of the total votes cast in the election. The purpose of this limitation would be to keep the two major political parties more nearly on an equal basis.

The third limitation would be that no allowance would be made for the first 1,500,000 votes received by any candidate. This limitation is designed to prevent the plan from encouraging the out-cropping of splinter parties or the entry of candidates more interested in publicity rather than their prospects of election.

In order that the major political parties could proceed with their planning and could pay expenses as they were incurred, funds would be advanced to the candidates of any party that had received more than 1,500,000 votes in the previous election, to defray campaign expenses that were being incurred in the current campaign. The amount of advance funds available would be related to the number of votes received by the candidate who ran second in the prior election.

When a party runs a disappointing race, as did the Republican Party with Senator Goldwater in 1964, there would be no requirement for reimbursement to the Treasury of funds advanced, even though the same party runs a successful race 4 years later. The party candidate would receive the same advance of funds available to the opposing candidate, and the financial reimbursement would be available on the basis of number of votes cast. The purpose here would be to assure equal treatment in the advance funds. Although the principle of one man, one vote would run consistently throughout the underlying philosophy, to a large extent, this proposed plan would tend to keep the two major parties on a parity with each other.

Based on prior presidential elections the potential cost to finance my vote contribution plan would be between $50 and $75 million in the forthcoming presidential election year of 1968 depending, of course, on the total number of votes cast for all the presidential candidates. In contrast, the $100 deduction scheme would cost $50 million in a presidential year and $100 million over a 4-year period. Thus, over a 4-year period the cost of my plan to the National Government would range between $25 to $50 million dollars less than the $100 tax deduction proposal.

I ask unanimous consent to insert in the RECORD schedules showing how this proposal would have worked had it been applied to the last three presidential elections, and how it would apply as compared to the next presidential election, together with a copy of my plan (S. 3496) to be inserted at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it so ordered.

(See exhibit 1.)

PROBLEMS COVERED

Mr. LONG of Louisiana. Sometimes the fate of the Nation depends upon the birth of a new political party. Our Republican friends would contend that that was the case in the late 1850's. The proposal I have suggested would make it possible for a third party to emerge and to obtain assistance without becoming the financial captive of any group once it had attracted sufficient support to be regarded as a serious factor in American political life.

There would be no attempt here to prevent outside assistance or other financial support to a candidate. Indeed, it is a citizen's constitutional prerogative to support a candidate of his choice, and his right to speak out in behalf of a candidate. For example, the first amendment to the Constitution precludes any effort to prevent daily newspapers or nationwide magazines from being as partisan as their publishers desire. There are so many things, in the sphere of constitutional guarantees, that individuals and organizations can do to promote the candidacy of the person of their choice, that it would be ridiculous for anyone to attempt to guarantee equal treatment of candidates in this area in the campaign arena. Similarly, it would be futile to attempt to prevent people from spending money in one way or another to promote the candidacy of one with whom they agreed.

The important feature that my plan would assure would be that no presidential candidate of any major party, once nominated, would find himself in in the position of having to accept aid from any vested interest or any association of economic interests which forced him, as a candidate, to make commitments which did not entirely measure up to his own deep convictions. A candidate would be in a position, if he desired, to decline any and all financial contributions. He would still have adequate financing available with which to present his case to the American people.

The plan I propose would also tend to solve the equal time problem that has confronted television stations when they sought to offer candidates an equal opportunity to be heard, only to find themselves confronted with the necessity of bringing a roomful of nuts, crackpots, and screwballs into a studio to share the camera equally with the two or three major candidates who had a chance of being elected. The candidates of both major parties would be well able to pay for their television time, and they could join in debates with whomever they wished, in whatever fashion they could agree upon.

PROBLEMS UNRESOLVED

There are a great number of problems that my proposal does not attempt to solve. It does not solve the perplexing problems of nominating a candidate for President. Suffice it to say that at the next election, at least one candidate, the incumbent President of the United States, will be assured of nomination, as is traditional with practically all Presidents seeking a second term. Therefore, at least one candidate need not make any financial commitment that he does not care to make in order to obtain the nomination. To that extent, the Republican Party may find it necessary to trim its sails and to make campaign commitments to compete with a candidate who is free to make or not to make commitments in order to obtain the nomination.

Further, my proposal does not do anything directly about financing the campaigns of Senators and Representatives. Considerable doubt exists that this should be done. The cost of campaigning for the House of Representatives, while substantial, is not nearly as great as that of campaigning for the Senate of the United States. Even in the latter case, incumbents have been able to raise enough money to make their side heard. Seldom has it been contended that an incumbent Member of Congress has been defeated because he could not place his side of the argument before the people.

However, if those who traditionally contribute to presidential campaigns are no longer expected to do so, this would release a substantial amount of money for congressional campaigns which is presently spent on a presidential campaign. As one who has had some experience with the problems of financing a campaign of candidates in his own party, I point out that the dinners which we have been holding around the country for the President's Club to pay off deficits incurred in the last presidential election, tend to dry up sources that would otherwise be available to candidates of the Democratic Party for Congress.

The Republican Party has undoubtedly experienced similar problems. It is not suggested that any campaign financing program should be available for the coming congressional election. However, in the subsequent election, which will be a presidential year, my proposal would assure that the two major party candidates would be amply financed to discuss the issues on which the parties differ. To a certain extent, this would reduce the cost of campaigning to congressional candidates. They can associate themselves with their parties' presidential candidates on issues where they agree or point out where they disagree.

My proposal would not furnish finances for a State or local election nor is there any reason that it should. If a State cares to pattern the financing of its Governor's race after the proposal I have made, it may certainly do so, but this should be a decision resting with the State government and freely made without pressure or coercion from Washington. Obviously, my plan could not eliminate all improper influence on the Federal Government but it will achieve a lot more along this line than any other proposal that I have heard.

FURTHER DISADVANTAGES OF THE $100 DEDUCTION SCHEME

If the $100 deductible proposal should become law, it will become customary for associations to pass the hat among their members for $100 each—doctors will be asked to contribute $100 each year to support persons who share their views on medicare or H.R. 10—labor leaders will be asked to contribute $100 every year to oppose those who voted in favor of 14(b) and support those who voted to repeal it—and bankers, as well as officers and directors of banks, will be asked to contribute $100 each year to support those whose votes tend to sustain a policy that leads to high interest rates.

Further, the $100 deductible scheme will be affording tax advantages to people who already contribute to campaigns on a regular basis because they find it the most rewarding return for their money. Thus, the $100 deductible is attractive to those who have a strong pocketbook interest in the outcome of an election. It certainly has no appeal to the relatively disinterested voter who feels little involvement one way or the other.

If I might make a lawyer's comparison, if we were choosing a jury, the kind of people who would put up the $100 in a campaign would be disqualified as jurists to decide an issue because of their own personal prejudice and involvement—the kind of people who would not put up the $100 would be those fair-minded, impartial jurors who were willing to hear the facts and come forth with an honest, impartial verdict. To which group should a financing program be directed?

The rules of the Senate have historically contained a provision that a Senator should not vote on a matter in which he had an interest. The complexity of modern government makes this matter rather obsolete but it remains a moral obligation upon a Senator to reveal his interest and to ask to be excused if his interest in the matter is so compelling that it would influence his vote contrary to the logic that might persuade him otherwise.

As a general statement, it could be said that present-day campaign financing tends to come from those who have an ax to grind. It would be best that it should come from those who were not seeking special advantage or special favor. That is the direction in which my proposal would work.

Basically, the proposals to allow a deduction for political contributions all have one thing in common. They would all allow the deduction for political contributions in addition to the standard deduction. Without such a feature, it is argued, the deduction would be of little benefit to the millions of taxpayers who elect to take the standard deduction in lieu of itemizing their deductions. Unless they can get a tax benefit for their contributions, the argument continues, they will not be encouraged to take part in financing political activities. But, Madam President, if they get the political contribution deduction in addition to the standard deduction, we will be treating political activities more generously than we treat charitable activities. We would be putting politicians in a more favorable category than the Almighty. I believe it is a defect in any proposal to give politicians tax preference above charities and churches.

Another difficulty with a tax-oriented program is that no review by congressional authority would be available to determine how it was working without a request for the millions of tax returns filed by voter-taxpayers. But, knowledge of a person's political contributions under a tax-oriented system is available to the tax collector.

This knowledge could do a great deal of damage and impair the taxpayer's confidence in the impartiality of the Revenue Service in its collection of taxes, particularly if his return is being questioned and he is a substantial contributor to the party out of power. The tax deduction bills call for a disclosure which many taxpayers may not wish to make—in effect the person for whom he voted in an election. This demand could very well undermine the orderly collection of revenue.

FURTHER ADVANTAGES OF VOTE CONTRIBUTION

Mr. President, I do not suggest that my particular plan is the complete answer to all the problems posed in the election of a President. However, the President is acclaimed the "people's choice" and a candidate for the Presidency should be allowed to work out his campaign financing in such a way that when elected, he could bear that acclamation without reservation.

A major candidate for that office should not have to trudge, hat in hand, from one powerful, private corporation or individual to another, seeking the necessary funds to carry on his campaign. If these sources wish to contribute to his campaign—all well and good—but the presidential candidate should be successfully insulated so that he may make his commitments to the people on his party's platform free from pressure by the powerful private interests who today can, and do, threaten withdrawal of their financial support unless preelection commitments are made.

It is a frequent statement in a capitalistic society that people usually get what they pay for. While this is not always the case in public affairs, those who contribute large amounts of money and those who accept such contributions are not ignorant of this fundamental aspect of American capitalism. For the relatively small cost involved in my plan, the potential savings by reducing undue influence in government and the improvement in government services to the average citizen, should be enormous in comparison.

What better method is available to encourage the voting citizens of the United States to participate in a general election? We are constantly presented with editorials, articles, and speeches raising the problem that the American citizen is apathetic—that he is not interested in selecting the man to fill the most important position in the U.S. Government as their President. My plan would certainly act as an inducement to the voter since his vote would not only select his candidate but would help his candidate to pay for the expense of running for office. A low-income voter would contribute to a presidential campaign without having to take one single penny out of his pocket.

The general revenue financing would also provide a great incentive to the political parties themselves. First of all, it would insure additional funds to the parties without the addition of new contributors. On the other hand, the tax credit or deduction would require constant solicitation of new contributors which might have adverse results. With a monetary return guaranteed for each new vote, political parties would be motivated to get out the voters. This incentive is lacking in the tax-oriented program.

CONCLUSION

In conclusion, Mr. President, it is my sincere belief that my program, if accepted will assure that our Government can truly be a government of, by and for the people of the United States—responsive to all their needs and interests.

EXHIBIT I

SCHEDULES REFLECTING AMOUNTS OF FEDERAL FINANCING WHICH WOULD HAVE BEEN AVAILABLE TO MAJOR POLITICAL CANDIDATES DURING THE PRESIDENTIAL CAMPAIGNS OF 1956, 1960, AND 1964, AND WHICH WOULD BE AVAILABLE FOR THE PRESIDENTIAL CAMPAIGN OF 1968 UNDER THE PROVISIONS OF S. 3496

Under the Long plan of vote contribution (S. 3496), pre-election, periodic advances would be provided commencing September 1 in an election year. The total amount of these advances would be limited to 80 percent of the sum resulting from either: (a) $1 for each vote cast for the party's candidate in the last election, less $1,500,000; or (b) $1 for each vote cast for the candidate whose party received the next highest number of votes in the last election, less $1,500,000, whichever of the two sums is smaller.

A post-election payment would also be provided, calculated on the basis of the popular vote cast in the current election and limited to the sum resulting from: (a) $1 for each vote cast for the party's candidate, less $1,500,000; or (b) $1 for one-half of the total votes cast in the election, less $1,500,000, whichever of the two sums is smaller, minus pre-advanced funds already received.

There follows schedules reflecting the amount of campaign funds for the designated Presidential elections computed on the basis of the foregoing provisions of the Long Plan.

Presidential campaign, 1956

	Stevenson (Democrats)	Eisenhower (Republicans)
1. Advance funds:		
(a) Sept. 1	$5,162,998.40	$5,162,998.40
(b) Sept. 15	5,162,998.40	5,162,998.40
(c) Oct. 1	5,162,998.40	5,162,998.40
(d) Oct. 15	5,162,998.40	5,162,998.40
Total	20,651,993.60	20,651,933.60
2. Postelection payment: Dec. 1	3,870,758.40	8,861,450.40
3. Total Federal financing for party candidates	24,522,752.00	29,513,444.00
4. Total Federal financing	54,036,196.00	

Presidential campaign, 1960

	Kennedy (Democrat)	Nixon (Republican)
1. Advance funds:		
(a) Sept. 1	$4,904,450.40	$4,904,450.40
(b) Sept. 15	4,904,450.40	4,904,450.40
(c) Oct. 1	4,904,450.40	4,904,450.40
(d) Oct. 15	4,904,450.40	4,904,450.40
Total	19,617,801.60	19,617,801.60
2. Postelection payment: Dec. 1	13,108,929.40	12,990,356.40
3. Total Federal financing for party candidates	32,726,731.00	32,608,158.00
4. Total Federal financing	65,334,889.00	

Presidential campaign, 1964

	Johnson (Democrats)	Goldwater (Republicans)
1. Advance funds:		
(a) Sept. 1	$6,521,631.40	$6,521,631.40
(b) Sept. 15	6,521,631.40	6,521,631.40
(c) Oct. 1	6,521,631.40	6,521,631.40
(d) Oct. 15	6,521,631.40	6,521,631.40
Total	26,086,525.60	26,086,525.60
2. Post election payment: Dec. 1	7,735,729.40	(1)
3. Total Federal financing for party candidates	33,822,255.00	26,086,525.60
4. Total Federal financing	59,908,780.60	

[1] No postelection payment due.

Presidential campaign, 1968

	Democrat	Republican
1. Advance funds:		
(a) Sept. 1	$5,135,637.60	$5,135,637.60
(b) Sept. 15	5,135,637.60	5,135,637.60
(c) Oct. 1	5,135,637.60	5,135,637.60
(d) Oct. 15	5,135,637.60	5,135,637.60
Total	20,542,550.40	20,542,550.40
2. Postelection payment: Dec. 1	(1)	(1)
3. Total Federal financing for party candidates	(1)	(1)
4. Total Federal financing	(1)	

[1] Dependent upon total popular vote cast in 1968 presidential election.

S. 3496

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Presidential Campaign Fund Act of 1966".

DEFINITIONS

SEC. 2. When used in this Act—

(a) The term "political party" means any political party which presents a candidate for election as the President of the United States.

(b) The term "presidential campaign" means the political campaign held every fourth year for the election of presidential and vice-presidential electors.

(c) The term "presidential election" means the election of presidential electors.

(d) The term "administrator" means the Comptroller General of the United States.

ADVANCED PAYMENTS FROM UNITED STATES TREASURY

SEC. 3. (a) On September 1, September 15, October 1, and October 15 of the presidential campaign year, the Secretary of the Treasury shall pay into the treasury of any political party which has complied with the provisions of section 5 an amount (subject to the limitation in section 5(b)) equal to 20 per centum of the amount computed under subsection (b).

(b) The amount referred to in subsection (a) for any political party shall be computed as follows:

(1) multiply $1 times the popular vote cast in the preceding presidential election for the candidate of such party for the Presidency;

(2) multiply $1 times the popular vote cast in the preceding presidential election for the candidate who received the next to the highest number of votes;

(3) take the figure in paragraph (1) or (2), whichever is the lower, and subtract $1,500,000. The resulting figure is the amount to which the 20 per centum will be applied for purposes of subsection (a).

POST ELECTION PAYMENT FROM UNITED STATES TREASURY

SEC. 4. On December 1 of the presidential election year, the Secretary of the Treasury shall pay into the treasury of any political party which has complied with the provisions of section 5 an amount (subject to the limitation in section 5(b)) computed as follows:

(1) multiply $1 times the popular vote cast for its presidential candidate in the presidential election;

(2) multiply $1 times one-half of the total popular vote cast for all presidential candidates in the presidential election;

(3) take the figure reached in paragraph (1) or (2), whichever is the lower, and subtract the sum of $1,500,000 plus amounts previously received as advance payments from the Secretary of the Treasury under section 3.

CERTIFICATIONS BY TREASURER OF POLITICAL PARTY

SEC. 5. (a) No payment shall be made under this Act into the treasury of a political party unless the treasurer of the party has certified the total amount spent or incurred (prior to the date of the certification) in carrying on the presidential campaign, and has furnished such information as may be requested by the administrator.

(b) No amount shall be paid under section 3 or 4 to the treasury of a political party in an amount which, when added to previous payments made out of the Treasury to such political party, exceed the amount spent or incurred by the party in carrying on the presidential campaign.

(c) The administrator shall certify to the Secretary of the Treasury the amounts payable to any party under sections 3 and 4 of this Act. The administrator's determination as to the popular vote received by any candidate shall be final and not subject to review.

CREATION OF ADVISORY BOARD

SEC. 6. There is hereby created an advisory board to be known as the Presidential Campaign Fund Board to counsel and assist the administrator in the performance of the duties imposed upon him under this Act. The Board shall be composed of two members designated by each political party whose candidate for the presidency received a popular vote of more than ten million at the last presidential election, and three additional members selected by the political party representatives upon the concurrence of the majority thereof. The term of the first members of the Board shall expire on the sixtieth day after the date of the first presidential election following the date of the enactment of this Act and the term of subsequent members of the Board shall begin on the sixty-first day after the date of a presidential election and expire on the sixtieth day following the date of the subsequent presidential election. The Board shall select a Chairman from among its members. Members of the Board, while attending meetings or conferences of the Board shall be entitled to receive compensation at the rate of $75 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 73b–2 of title 5 of the United States Code, for persons in the Government service employed intermittently.

APPROPRIATIONS AUTHORIZED

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary and appropriate for the carrying out of the provisions and purposes of this Act.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 13417. An act to amend the act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes; and

H.R. 14312. An act to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

OUR POLICY OF ESCALATION

Mr. HARTKE. Mr. President, yesterday's news from Saigon confirmed what had been rumored for several days. We have now moved into a new phase of the escalation which continues ever upward, as for the first time we have loosed our bombs in the very outskirts of Hanoi. The decision has been taken to bomb oil and supply depots so close to the centers of population that civilian casualties in the north are bound to result. This is the policy which the hawks have advocated, including Barry Goldwater during the campaign of 2 years ago:

What will be the results?

I have asked this question before. In an address on April 19 at Ball State University in Muncie, Ind., I asked what would be the response to just such an action. I said:

> Do we know what the response will be? We are told that Hanoi has available, not yet committed to any action, Russian MIG's of the latest design, capable of outflying our Skyhawks. At what point will the decision be made to put them into battle? As time goes on will the Chinese send not only noncombatant work crews to aid Hanoi, not only technicians but actual combat troops? If this happens, what will be our response? It is our announced endeavor, each time we step up the pace, to make the results too costly, to halt the response from the other side. But the history of the case, and not in Vietnam only, is that escalation breeds escalation.

Are we truly looking for peace? Or are we obsessed with the need to keep pushing ever further and further the military escalation whose results are a stiffening of morale and a constant deterioration of the purported search for peace?

Listen to the words of a great leader, Winston Churchill, who was certainly no "nervous Nellie," concerning the use of military force properly and when needed. In the first volume of his six-volume classic on World War II, "The Gathering Storm," Churchill had this to say:

> Those who are prone by temperament and character to seek sharp and clear-cut solutions of difficult and obscure problems, who are ready to fight whenever some challenge comes from a foreign power, have not always been right. On the other hand, those whose inclination is to bow their heads, to seek patiently and faithfully for peaceful compromise, are not always wrong. On the contrary, in the majority of instances, they might be right not only morally but from a practical standpoint . . .
>
> How many wars have been precipitated by firebrands! How many misunderstandings which led to war could have been removed by temporizing!

I am fearful that there are among the President's advisers, at least, are those who, in Churchill's words, "are prone by temperament and character" to plunge impatiently for the way of the firebrand rather than exercise the patience needed for the peaceful compromise.

Last week I distributed to each Member of the Senate a copy of a citizens' white paper entitled "The Politics of Escalation." This publication was initiated by a personal investment of $100 each by 10 professors of Washington University in St. Louis, who were joined in its preparation by a group of professors from other schools, particularly the University of California at Berkeley. They have not sought to adduce new facts, but they have made an examination of what has occurred in the twin realms of military escalation and diplomatic peace efforts during the period November 1963, through January 1966.

In the tradition of scholarship, they have footnoted and documented their work thoroughly. Likewise, they have sought objectivity in their report, refraining in the recounting from expressions of conclusions or opinions which could not be substantiated. I must confess that their material tends to become bogged down in the recital of facts, statements and dates to the point where it is not always easy to follow.

But this historical study of facts and events, including some peace proposals which did not come to light until weeks or months later, brings to attention an apparent pattern of action which I fear is once more being repeated. The authors have not charged, nor do I, that our increases in military pressure, in escalation, have time after time been the response to new pressures for that "peaceful compromise" of which Churchill spoke. But the fact is inescapable that, in the juxtaposition of events on the peace front and on the military front, time and time again just as there appeared some possibility of movement toward a negotiated reduction of the conflict, our military escalation has been tightened another notch. In the careful words of the professor-authors in their summary and conclusions, in citizens' white paper entitled "The Politics of Escalation," it is stated:

> Available evidence does not prove that escalations were intended solely or primarily to counter efforts at compromise or negotiation. A study of the chronology of American escalations within the political context reveals, however, that the major American intensifications of the war have been preceded less by substantially increased military opposition than by periods of mounting pressure for a political settlement of the war.

It is not possible to find the road to peace by escalating war. But because that has been our policy, enunciated by the President in his Baltimore speech of April 7, 1965, and because other nations of the world do not agree with that policy, our supposed search for a way out of the dilemma has been met with increasing skepticism by those traditionally our friends. In the Baltimore speech, President Johnson said of our objectives:

> We know that air attacks alone will not accomplish all of these purposes. But it is our best and prayerful judgment that they are a necessary part of the surest road to peace.

Our military policy of nullifying aggression has consistently taken precedence over a diplomatic policy of exploring with earnest diligence the avenues which could lead to the same end, and which must in the long run do so.

Let me cite some specific case histories which find their parallel in the bombing now 2 or 3 miles from the heart of Hanoi and Haipong. The first took place in July and August 1964, when peace pressures were followed by the events of Tonkin Bay and a climactic air strike against three coastal bases. The second was the opening of U.S. bomb attacks in the north on February 7, 1965, during the visit to Hanoi of Premier Kosygin. The third escalation, following a peace effort by interested third parties, was the bombing of a major power station a dozen miles from Haiphong, closer than any bombing until yesterday's.

1

On July 23, 1964, President de Gaulle called for a meeting "of the same order and including, in principle, the same participants as the former Geneva Conference." The foregoing is a quotation from his statement.

On July 25 the Soviet Government addressed a communication to the 14 nations that had participated in the Geneva Conference on Laos in 1961–62, urgently suggesting reconvening of the Conference. Here was the voice of Russia added to the voice of France.

On July 26, according to the French publication Le Monde, Nguyen Huu Tho, leader of the National Liberation Front, stated the willingness of the Vietcong political arm "to enter into negotiations with all parties, groups, sects, and patriotic individuals. The NLF is not opposed to the convening of an international conference in order to facilitate the search for a solution."

Hanoi endorsed the proposal and appealed for reconvening "as rapidly as possible to preserve the independence, peace, and neutrality of Laos and to preserve the peace of Indochina and southeast Asia." Here was added, on August 4, the voice of North Vietnam.

By then Peking had also given its endorsement to the proposal, speaking with the voice of one more vitally interested nation.

Within the same period, Secretary General U Thant put forward the same suggestion for reconvening of the Geneva Conference. U Thant referred to his frequent reiteration of that view stated on May 24, 1966, when, in a speech to the convention of the Amalgamated Clothing Workers, he said:

> I have said that peace can only be restored by a return to the Geneva Agreements and that, as a preparatory measure, it would be necessary to start scaling down military operations, and to agree to discussions which include the actual combatants. * * * The solution lies in the hands of those who have the power, and the responsibility, to decide. If they seek a peaceful solution, the United Nations and many of its Members stand ready to help them in all possible ways.

What was the U.S. response to all this growing pressure for a Geneva-type conference, to the proposal for such a conference by President de Gaulle, by Russia, and by U Thant, with the support of Hanoi and Peking?

On July 24, the day after De Gaulle's statement, President Johnson said in his press conference:

> We do not believe in conferences called to ratify terror, so our policy is unchanged.

On the following day, July 25, an order was issued dispatching an additional 5,000 to 6,000 U.S. troops to Vietnam. Our unchanged policy was that of escalation, not negotiation, it would seem.

At about the same time, the United States was being accused of aggression in several incidents in the Tonkin Bay area. Hanoi protested to the International Control Commission on the 27th of July that Americans and their "lackeys" had fired on North Vietnamese fishing vessels. On July 30, they claimed that South Vietnamese patrol boats had not only raided North Vietnamese fishing vessels in the Tonkin Gulf but had also bombarded the islands of Hon Me and Hon Ngu under protective cover from the U.S. destroyer *Maddox*, and again lodged a complaint with the Control Commission. On August 2 came the first of two incidents that resulted in the famous Tonkin Bay resolution, which many of us now regret.

According to the North Vietnamese, the *Maddox* entered their territorial waters which, like many nations, they contend extend to a 12-mile limit. Three North Vietnamese torpedo boats engaged the *Maddox*, which was undamaged, and U.S. planes sank one of the torpedo boats, damaging the other two. According to the official U.S. version, this was an unprovoked attack because we hold to a 3-mile limit on territorial waters.

I am not charging that the sequence of events proves a causative relationship between the pressures for peace and the actions of the United States which followed. I am merely stating the facts as reported. But among those facts are the dispatch of more troops ordered on July 25, and elevation to great importance of the Tonkin Bay incidents. The climax here was caused by further action on August 4, when the *Maddox* and the *Turner Joy*, another destroyer, were reported to have been attacked by North Vietnamese PT boats, two of which were sunk. The next day came retaliation—heavy U.S. air attacks on three major North Vietnam coastal bases, which were demolished along with destruction or damage to 25 boats. President Johnson issued a directive. Where standing orders to U.S. warships had been to "repel" enemy attackers, they were now ordered to "destroy" them.

This instance of peace pressures as a prelude to hard military action came at a time when Premier Khanh was tottering, and one result of the dramatic show of power, a use of power out of proportion to the size of the provocation, was to shore up his regime and lessen the chance of peace talks.

II

Everyone now acknowledges that a vital decision in the war was taken when the United States, on February 7, 1965, began the bombing of North Vietnam which has taken another turn of intensification in the last 24 hours. What were the circumstances and the facts?

Premier Kosygin was in Hanoi at the time. The New York Times on February 2 reported that there was "developing speculation in the administration that Mr. Kosygin's trip might be the opening move in a broad Soviet attempt to mediate between the United States and the Hanoi regime for a settlement of the Vietnamese war."

In the previous month of January, there had been a great deal of internal unrest in Vietnam, an outbreak of proneutralist and anti-government, and anti-American demonstrations. On January 7, a general strike was called in Hue, and by the 13th it had spread to Danang, where Vietnamese civilians failed to report for work at the U.S. air base. Editorials appeared in Saigon papers demanding negotiations and deploring continuation of the war. Police on January 17 fired on demonstrators in Hue and Dalat, wounding four students. Shortly after, 30 were wounded in a demonstration by 5,000 Buddhists in Saigon. The U.S. Information Service library was sacked at Hue. And on January 27, the civilian regime was overthrown by Nguyen Khanh.

So, before the first North Vietnam bombing raid of February 7, there was a climate ripe for the kind of peace effort speculation accorded to Kosygin. On February 16, Russia did propose to North Vietnam and China the convening of a new international conference based on "unconditional negotiations" which would have met President Johnson's call for "unconditional discussions." A week later De Gaulle publicly called for negotiations without preconditions, and a day afterward, U Thant again made a similar appeal. At the time he said, significantly, since the Russian overtures to Hanoi and Peking were not made public until months later:

> The great American people, if only they know the true fact and the background to the developments in South Vietnam, will agree with me that further bloodshed is unnecessary.

We were told that the bombing of the north on February 7 was our retaliatory response to the guerrilla raid on Pleiku in which eight Americans were killed. But in view of the climate toward peace, the unrest in South Vietnam, is it possible that the decision had been taken and the bombing planned and that only a sufficient cause for public consumption was needed?

Again, I do not make the charge that the United States was eagerly awaiting an opportunity for escalation in order to stall off the possibilities of negotiation leading to retirement or de-escalation. But the Pleiku attack occurred early in the morning of Sunday, February 7, Vietnam time, which was Saturday afternoon in Washington. And the American plane strike started within 12 hours afterward. Had the attack been planned in advance, and was Pleiku a suddenly suitable pretext?

Two days earlier, on February 5, the New York Times had called the turn:

> Now again the Asian Communists, this time in South Vietnam, seem ready to bid for power through a negotiated settlement. The Soviet Union, apparently fearful that a continuation of the war in South Vietnam may lead to United States bombing of North Vietnam, is reappearing in the role of a diplomatic agent.

While the Russians were fearful of our bombing escalation to the North, were we afraid of their peacemaking de-escalation and seeking to forestall it?

III

Let me relate now a third instance in which there occurred a juxtaposition of peace efforts and escalation.

As Senator MANSFIELD's report early this year made clear, the 34,000 American troops of May 1965, had increased to 165,700 in November. There had been a stepped-up response by the Vietcong, with increasing numbers of North Vietnamese regulars coming into the battle area. Incidents initiated by the Vietcong had also escalated, as the Mansfield report shows on page 3:

> The Vietcong initiated 1,038 incidents during the last week in November and the

total number of incidents which had increased steadily throughout 1965, reached 3,588 in that month.

Our escalation of the war, obviously, was being met by escalation. The north was supplying more and more support, although according to the Mansfield report North Vietnam still accounted for only about 14,000 out of the total 230,000 on that side.

On December 17, it was revealed by the St. Louis Post Dispatch that Washington had received a month earlier, on November 20, a message delivered to Ambassador Goldberg by Italian Foreign Minister Fanfani. It reported the interview of Prof. La Pira with Ho Chi Minh and Pham Van Dong, who expressed a strong desire for a peaceful solution—specifically, a cease-fire, a halt to the landing of American troops, and acceptance of Hanoi's four points, which Ho Chi Minh characterized as "application, in other words, of the Geneva accords."

Prof. La Pira's discussions were on November 11. Our reply by Secretary Rusk to Foreign Minister Fanfani's November 20 letter was delivered to him in New York on December 6, and on December 13 Mr. Fanfani notified Secretary Rusk that his own summary of the reply had been delivered to Hanoi. This was an escalation of peace efforts.

On December 15, American planes for the first time bombed the Haiphong area, destroying a power station 14 miles from the city. Of this, the San Francisco Chronicle on December 20 noted:

> Some U.N. delegates . . . pointed out that the war had been escalated after the States reply was related to Hanoi.

A few days later, the St. Louis Post-Dispatch stated that on December 8, Ambassador Goldberg had been explicitly warned "that Ho would not enter peace negotiations with the U.S. if the Hanoi-Haiphong area were bombed."

Now, again, I am not charging that we deliberately sabotaged another peace effort. But facts are facts, and it is my firm belief that it is essential for the American people to have the facts.

Let me note here, parenthetically, that later on, I will introduce a statement made by Mr. Arthur Sylvester that if the American people think they are going to get the true facts, they are stupid.

I will have more to say about that later. But, facts are facts, and it is essential for the American people to have the facts.

Too often we have learned, as in this case in mid-December, that events of great significance in the area of peace possibilities, occurred a month earlier.

IV

But what, it might be asked, about the bombing lull of 37 days early this year, from December 24 to January 31, 1966? Was this not a true effort for peace, they will say?

During the same time there was a 12-hour cease-fire from 7 p.m. Christmas Eve until 7 a.m. Christmas Day, and later the New Year—"Tet"—cease-fire of January 20 to January 24. Otherwise the ground war continued. One cannot but ask why, if these cease-fires could be arranged for such short special occasions, a cease-fire for negotiation of peace could not also be developed, if escalation of peace were as much our concern as escalation of military action.

The lull in the bombing raids was accompanied by well-publicized travelings about the world by our emissaries on announced peace missions—which in the case of the Philippines and Korea included urgent invitations to step up the size of their troop contingents. But aside from the short cease-fires, as I have said, ground action did not halt.

We cited the buildup of forces on the other side as a major ground for the decision to resume bombing. At the same time, we continued with a more rapid buildup of our own forces. And on January 27 we launched Operation Masher.

This, said the New York Times, was "the largest amphibious operation by the United States since the 1950 Inchon landing in Korea."

The plan—

Said the Times—

> is to move three infantry and three artillery battalions repeatedly across a 450 square-mile section of Bindinh Province to look for a battle.

"To look for a battle," is the phrase used by the paper.

On January 28, they found it. Near Anthai, on a sandy beach, 300 U.S. 1st Cavalrymen reported meeting 500 or so of the enemy and killing 103 in a 2-day battle. The next day the order went to Pearl Harbor which led to resumed bombing raids on January 31.

As the bombing was resumed, it was stated that we had not seen signs of response from Hanoi to our policy of lull. Yet, until our Operation Masher, there had been a remarkable absence of clashes with North Vietnamese regulars.

Were we sincere in our charges against Hanoi for its troop buildup during the pause? Secretary Rusk said on February 1, the day after bombing resumed, that the Vietcong and North Vietnam "made clear their negative view by deeds as well as words throughout the period of the suspension of bombing. Infiltration of men and material from the North into South Vietnam continued at a high level"—New York Times, February 1, 1966, page 12.

In the same report of his press conference, the question was asked:

> Mr. Secretary, how do you interpret the fact that there's been no large-scale direct contact with North Vietnamese troops since the latter part of November?

In his reply the Secretary spoke of "indications at the present time that there is very active contact with North Vietnamese forces there." This very active contact was the result of the Operation Masher action "to look for battle." The "high level" of infiltration was estimated at from 1,700 to 4,500 men a month. But during the 37 days of the bombing pause our own increase of men entering the area was a buildup of more than 14,000, with 6,000 men arriving during the 10-day period of January 18–28.

Were our apparently frantic and highly publicized peace missions by any chance giving to the world a picture such as Mr. Rusk painted of the North Vietnamese? Did we, by any chance, at least as much as the North Vietnamese, present a "negative view by deeds as well as words throughout the period of the suspension of bombing"? Could it have been said of us that we acted in the same good faith we charged Hanoi with breaking when our own "infiltration of men and material continued at a high level"? Were we then already irrevocably committed, and had we been a long time so committed, to complete reliance on military power and to ignoring the bright potentials for peace whenever they appeared?

As one of a group of Senators who sought by a letter to the President for a decision to extend the bombing pause, I believed that we needed to present a positive, not a negative, view "by deeds as well as words." The answer to our letter was a citation of the Tonkin Bay resolution, which at the time of its passage certainly did not envision any use as justification in these circumstances of what the Senate believed was a specific narrow endorsement. We were not alone, and while we may still be a minority of those who speak aloud, although there has been a rising chorus of those who cry for the firebrand policy of more and more escalation—a cry rooted in the same desire I hold to end the conflict—there has also been a rising demand for cessation of this policy in favor of a negotiated peace.

That demand, by those of us who in Churchill's words desire to "seek patiently and faithfully for peaceful compromise," was being voiced at the time by other nations than our own. Said the New York Times on January 20:

> The Governments of Britain, France, and Japan, all allies of the United States, and the Communist Governments of Europe as well as the governments of a number of non-aligned nations are said to be pleading for several weeks or even months of restraint.

But again the opportunity passed. We chose the road of escalation.

V

Now we have chosen the road of escalation again, as our 46 planes swung in over the close-in targets at Hanoi and Haiphong. Is there any parallel of juxtaposition now with a preceding peacemaking effort carrying the danger of success? Or is it merely coincidence that once again, as late as Sunday, there have been articles analyzing the possibilities of success inherent in the efforts of Canadian diplomat Chester Ronning?

Regardless of what the answer may be, it is worth noting that a dispatch by David Kraslow, of the Los Angeles Times, datelined from Ottawa on last Saturday, June 25, and appearing in the Washington Post on Sunday, stated as a point "readily acknowledged by high Washington sources" that—

> Canada has opened up, through Ronning, a unique and useful channel to Hanoi.
>
> The Johnson Administration has not lost sight of the fact that the Hanoi regime readily receives Ronning and is willing to

> talk to him, even though he represents a nation closely allied with the United States. We recognize the potential importance of this—

A Washington official said.

Then later in the article comes this statement, which perhaps deserves to be italicized as importantly prophetic:

> The question of further American escalation of the war, it is felt here, is closely related to the Ronning missions. The Canadians are extremely sensitive on this point. Major military escalation by the United States, informed sources here suggest, could torpedo the Ronning operation and deeply embarrass the Canadian government.
>
> It is believed that Ottawa has discussed the matter of escalation with Washington in connection with the Ronning probes.

Again I ask, is it only coincidence that such a report appears on Sunday and our new escalation takes place on Wednesday? Or is there here a recurrence of a familiar pattern, a pattern in which professions of peace interest are only words while the deeds which follow are a hard application of military force through increased escalation?

> One can not be sure—

Wrote Mr. Kraslow, concerning what the prospects of Mr. Ronning's efforts might be—

> a speck of hope, a possible opening. We cannot tell—

He said—

> because Ronning's findings are being closely held. The Canadian and North Vietnam governments agreed there would be no public disclosure of the details of Ronning's conversations with the leaders in Hanoi.

But the ground for hope lay in the fact that:

> Few Westerners have the access that Ronning has to senior officials in North Viet Nam. From his long service in China and in other parts of Asia, Ronning is personally well acquainted with many leaders in Peking and Hanoi. . . .
>
> Ronning is considered one of the ablest Asian hands in the Western world. Now 71, he was summoned from retirement in western Canada for the Viet Nam assignment. . . .
>
> Ronning had important roles in both the 1954 Geneva Conference on Viet Nam and the 1962 Geneva Conference on Laos. He was in charge of the Canadian mission in Red China from 1949 to 1951.

The recent trip was Mr. Ronning's second to Hanoi—the first was in March—in a Canadian effort which has special significance when it is recalled that Canada is one of the three members of the International Control Commission established by the 1954 Geneva Conference. The Canadian operation is described as "a long-range, infinitely complex and delicate diplomatic probe that involves a number of governments besides the warring parties."

What chance will Chester Ronning have to complete this delicate mission, now that our military escalation has loosed a torpedo against it? Have we by design, by purpose, by commitment to expanding military action ever further and more dangerously, closed another door looking on the garden of peace? When, if ever, will we know?

Yesterday the wires and the cables were humming with the adverse reactions, as well as others favorable, from at home and abroad. Or perhaps that statement is not quite correct—there seem to have been no really favorable cables from abroad. Even Prime Minister Wilson, whose policies with the United States are tempered by the fact that he is a supplicant for support from us for bolstering of the pound sterling, was not deterred from expressing regret and stating:

> Nevertheless, we have made it clear on many occasions that we cannot support an extension of the bombing in such areas.

Russia's reaction bears out the wisdom of the judgment of our majority leader, Senator MANSFIELD, when he said:

> The action will bring about greater amounts of aid from the Soviet Union and Peking.

Moscow said as much when they said:

> Our country and the other Socialist states are providing, and will continue to provide, the necessary aid in the just struggle of the Viet Namese people.

I have noted before the erosion of our friendship with other nations caused by our actions in Vietnam. By our go-it-alone policy, disregarding the overtures of those who would initiate helpful moves toward peace, by our disregard for world opinion, we have increasingly cut ourselves off from a leadership traditionally based on moral qualities of compassion and generosity and true democracy rather than military might. Now we are engaged in an undeclared war against half of a small nation all of whose people, after 20 years of constant struggle, want to find a way out of their morass of civil conflict.

We played a leading role in founding the United Nations. We gave it a home in Manhattan. We developed the Marshall plan. We supported UNRRA and UNICEF, and with a just cause in Korea we secured its moral and military support. But now we defy the principles of the U.N. Charter, and we move out of step, as a cartoon in the Washington Post on Sunday devastatingly portrayed while charging that our lack of allies comes about because they are all out of step with us.

We have sought with billions in our military pocketbook, billions which we in the Senate have helped too eagerly to provide, and with the big stick of unchallengable power, to make clear in Vietnam that "father knows best." We are determined to fasten the blessings of democracy on everyone, whether they want it or not, and nowhere more so than in Vietnam. Our escalation is costing a very high price in world opinion. We are no longer isolationist by rejecting the rest of the world, but we are becoming isolated because the rest of the world now rejects us.

We stand all but alone in Vietnam.

Most of what token help we are receiving is reluctant, as with the Philippines whose President has had such difficulty in securing commitment of his legislature to the troops he has promised.

In Korea, our only substantial ally, the troops are bought. We are paying all the costs for the 20,000-man contingent in Vietnam, and we will pay for any new commitments and contingents.

Except for the few hundred Australians and New Zealanders involved, other nations have confined themselves to humanitarian measures such as sending medical teams, flood relief, or hospital equipment.

A consortium of West German businessmen has provided China with the promise of a steel mill.

It is rumored that some of their contacts for financial support have run back to our own country. It is significant for us to remember that not one country in North or South America has troops by our side. In all the continent of Europe, not one country has troops by our side. In all the continent of Africa, not one country has troops by our side. Excluding Korea—unless we want to count the Philippines—in all of Asia, not one country has troops by our side.

The major countries in all the continents of the world are against us.

I cannot help repeating what the Japanese told me when I was there. They said:

> We have been in Southeast Asia once. We are not going back. Besides, we want your military bases out of Okinawa. We want Okinawa returned to Japan. We want your military bases out of Japan.

I asked at that time what I thought was a pertinent question:

> Who will then defend you against the Chinese Communists?

Their very easy reply was:

> You must remember that we are second cousins to the Chinese, and we are trading with them.

I asked how much they traded with them and if there was any restriction on the items. They said:

> We are trading with them to the extent that we think it is best to do so, and when it is profitable. We do not intend to let their business go by the wayside.

We think of Peking as our enemy. Our friends are selling their surplus wheat to China, a country that we say is directing the activities of North Vietnam.

Our neighboring country to the north, with whom we have friendly relations and a common boundary, Canada, has just recently completed a long-term agreement to sell their surplus wheat to China.

The grain bins on the northern border of the United States have been discovered to be depleted of their surplus grain. It might be interesting to find out how much of that surplus wheat has found its way across the border and over to the enemy, Peking.

VI

> The earth-bound politics of Vietnam cannot be solved by the airborne cavalry of America.

The anonymous southeast Asia statesman who made that memorable summing up to Emmet John Hughes, as he reported it in the May 30 Newsweek, put our hard choice clearly when he continued:

> You now have probably a last decision to make. You may try to smother all forces in Vietnam seeking compromise and peace—

> thus pitting them all against you. Or you may try to work with the best of these forces in their confused attempts at negotiation, so that the very imperfect end of it all still will allow you to leave with dignity.

Have we now made our last decision, the decision that, come what peace opportunities there may, our way shall be irrevocably that of military escalation, of might that loses us our tradition of right, of acceding one after another to the successive unsuccessful next steps which pave the road to atomic holocaust in the sacred cause of anticommunism?

It takes no courage to do what we are doing today. We drifted into the situation at first, without planning. But to plan escalation of what has been called this "dirty little war" into an ever larger, dirtier, more tragic conflict is worse than no planning at all.

Secretary General U Thant has portrayed what is happening when he said:

> Little by little, larger forces and more powerful armaments have been introduced, until an anguished and perplexed world has suddenly found that a limited and local conflict is threatening to turn into a major confrontation. And though the fear—

I want to emphasize this—

> and though the fear of a much larger conflict may still have a restraining influence upon the demands of military strategy, the temptation to win a military success may still prove stronger than the more prudent call to reason.

U Thant has long since, and repeatedly, set forth three measures by which we must proceed for peace. With these I agree: return to the Geneva agreements; include the actual combatants in the discussions; and "start scaling down military operations" rather than escalation.

To do these things instead of what we are now doing requires courage. We must resolve, in the words of John Emmet Hughes, "to ignore all zealots who still shout their preposterous prescription that a little more military medicine can cure political sickness." We must give up the mythology that says the National Liberation Front is a figment of the imagination. The Geneva accords were signed by France and by the Vietminh, not by the state of Vietnam whose delegate stood by protesting. The willingness to deal with such an entity as the NLF, a nongovernment, requires courage, but its recognition appears the major sticking point in much of the discussion about negotiation.

And we must deescalate rather than move always as inexorably as a juggernaut toward the horrors of conflict with China and the dropping of the hydrogen bomb. We should follow the sage advice of General Gavin, and in moving back to enclaves we should hold and negotiate.

When we in Congress consider proposals for watersheds and dams and projects of the Corps of Engineers, we rely heavily on the careful calculation of what the corps calls the cost-benefit ratio.

What is the cost-benefit ratio in Vietnam? A truthful answer to that question, including the costs of our go-it-alone policy in the loss of America's now tarnished moral leadership among the nations, is too great for persistent escalation. Let us work as diligently for peace.

One final proposal. Russia is a cochairman of the Geneva Conferences of both 1954 and 1962. Britain is the other cochairman. As a first step, I propose that they together demand a convening of a third Geneva Conference to bring us back to an implementing of the Geneva accords, with whatever modifications may be found necessary. I shall reiterate this proposal directly to the British people in a BBC satellite broadcast this evening. I propose that the situation has become so serious that it is the duty of the other nations concerned to answer such a call, and that the process must be strengthened and implemented in whatever way is possible through the United Nations, to whom our unilateral action is doing all but irreparable damage by the destruction of its usefulness.

For the problem is one of self-discipline. We have not found it hard to call for United Nations action in the Congo, in Cyprus, in Israel, and in Jordan. But we in the United States, who are able by our power to act in a different way from the small powers, must also subject ourselves to the good judgment and the cooperative appraisal of the world community. Otherwise, we have perhaps once and for all lost our right to moral leadership and become only another in the long parade of powers, from Alexander's Greece to our own day, who have trusted to might instead of right.

U Thant said in his speech last month:

> The solution lies in the hands of those who have the power and the responsibility, to decide. If they seek a peaceful solution, the United Nations and many of its members stand ready to help them in all possible ways.

It is we who have the responsibility, it is we who have the power. It is we who must turn toward a peaceful solution and withdraw from this pattern of escalation, courageous in the right, to find the answer in peace at the bargaining table.

During the delivery of Mr. HARTKE'S speech,

Mr. CLARK. The Senator from Indiana has been kind enough to give me an advance copy of his most important and stimulating remarks. I regret I was unable to be present when he began, and I shall have to leave before he finishes, but I do recall that the Senator's suggestion at the end of his address is that we attempt to start to settle the Vietnamese war by returning to the Geneva Convention and the Geneva organization which consists of cochairmen from Russia and Great Britain. Is this not correct?

Mr. HARTKE. The Senator is exactly correct.

Mr. CLARK. I wonder if the Senator has any information as to whether our country would be willing to urge the cochairmen of the Geneva Convention, Great Britain and Russia, to call a meeting, which we would attend, in the interests of obtaining peace.

Mr. HARTKE. I have no such information. I was not present at the hearings this morning before the Senate Foreign Relations Committee, which I understand were followed by an interesting discussion, but I see no reason, if we are sincerely interested in peace—and I hope and pray we are—why we would not make it almost in the form of insistence to our good friends from Britain—who have been willing to stand by us under extreme circumstances—and say to our British friends and to Russia jointly, "You are chairmen of this Commission; call it, and we will come. We insist that you call it. We will place this matter in front of you, and let the nations of the world be the judges."

Mr. CLARK. I understand our official position is that we have been willing to go to a new Geneva meeting if the cochairmen were to call such a meeting. Great Britain is said to have made earnest efforts to persuade Russia to join them in calling such a meeting, but it is understood that the Russians have been unwilling to do so.

I call to the Senator's attention a dispatch which appears on page 21 of this morning's Washington Post. The headline is "De Gaulle Ends His Policy Talks at Round Table Session in the Kremlin." Then this statement appears, under the byline of Gilbert Sedbon, from Moscow, under date of June 29:

> French sources said the two sides agreed—

That is, France and Russia—

> that the Vietnam problem should be settled on the basis of the 1954 Geneva Conference agreements which ended the 7-year war in former French Indochina.

If the Russians agree that the Geneva Convention is the place to start peace talks, and if the British likewise agree, why should not the U.S. Government today call upon Russia and Britain to go through with the agreement, which the British say they are prepared to do, and which this article now says the Russians wish to do also, as a result of their conversations with De Gaulle?

Mr. HARTKE. The Senator from Pennsylvania, of course, knows the answer to that. It is obvious that we should; and we should not be the reluctant dragon, to be drawn or forced into peace discussions. From the typical American viewpoint, we should be the first ones to seek to end the killing, to secure peace in the world, to bring peaceful settlements to disputes—especially that dispute which has now been labeled an American war by the South Vietnamese themselves.

We should not only say we are willing to go if they call it; I think we should make it a positive declaration of purpose, that the President should say to these countries, "We ask—we do not request, but we demand—that you immediately call this group together, and we will be there."

I think there is no reason under the sun why, if we would demand such action, that it would not result in a positive movement toward peace. I repeat, as the Senator from Pennsylvania has just pointed out, not only are the Russians willing, but according to the statement from which the Senator quoted, the French are also willing.

I call the Senator's attention to a UPI dispatch of today, under item No. 21—which is timed at 12:16 p.m. today—under the heading "De Gaulle," dateline Moscow:

> President de Gaulle and Soviet leaders called today for an end to all foreign intervention in Vietnam and a return to the 1954 Geneva Far Eastern peace settlement. They warned that the Vietnam War is a threat to peace, and said they have agreed to continue consulting each other on the Vietnam situation. They did so in a 2,000 word joint declaration at the end of the De Gaulle official 12-day visit to Russia. It was signed by De Gaulle and Soviet President Nikolai Podgorny.

Mr. CLARK. Is it not true, I ask the Senator from Indiana, that a reconvening of the Geneva powers has also been advocated by U Thant, the Secretary General of the United Nations?

Mr. HARTKE. Not only has he advocated it, but advocated it repeatedly. He has pointed out the point which I am trying to make in my remarks today: The real prelude to this is that the powers responsible—and I hope we recognize that we are involved, now, in that war over there—must try to create the climate, not for greater resistance, not for pent-up emotions, but for constructive action.

All I can say to my friend from Pennsylvania is, I wonder how interested we would be in peace if we saw bombs dropping on the outskirts of Washington, D.C.? I think it would intensify our efforts to resist, and to say, "We will never come to the peace table with those people."

Mr. CLARK. It has been said there is a crisis of credibility in our country with respect to our earnest desire to end the Vietnamese war through negotiations. The Senator from Indiana has pointed out, with powerful logic, the many occasions on which, while talking peace, we have stepped up and escalated the war.

I would think that if the Secretary of State—and, indeed, the President also—wished to show to the world the sincerity of our statements that we desire peace, the time is right now, today or maybe tomorrow, but no later, for the President to call on Russia and Britain to reconvene the Geneva powers, and to ask the assistance of U Thant and the United Nations in bringing such a meeting about, so that we could sit down and begin an end to this frightening war, which is costing the lives of so many American boys and the crippling of so many others.

Mr. HARTKE. I think the suggestion of the Senator from Pennsylvania is proper. Let me point out that in the item which he referred to a moment ago about Secretary General U Thant, U Thant has said the United Nations stands by, ready and willing to assist. What he is saying to us is, "I am willing to help you; I am willing to go along and be the intermediary, if you wish me to be. But at least give me something to talk from. Give me the starting signal. Give me something to indicate that you are willing to move forward with me."

Mr. CLARK. I appreciate the Senator's comments, and I congratulate him on the splendid address he is making. I hope the suggestions we have made in this short colloquy will receive some attention, both at Foggy Bottom and the White House.

Mr. HARTKE. I thank the Senator from Pennsylvania. I know of no one who has been more diligent in his efforts to seek a solution to this terrible quicksand situation in which we have become involved. His sterling performance on the Foreign Relations Committee speaks well, not only for himself, but for the entire committee and the Senate in general.

Mr. CLARK. I thank my friend for his kind words, and only hope, while few Senators are present this afternoon, that all of them will read my friend's perceptive address.

(At this point the Acting President pro tempore (Mr. METCALF) assumed the chair as Presiding Officer.)

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. HARTKE. I am happy to yield to the distinguished Senator from South Dakota, who for a long time has led a tremendous fight in the Senate toward a peaceful solution of this problem.

I should like to point out, parenthetically, before I yield, that I do not believe the Senator from South Dakota, who carries the highest decorations of this Government, should come before us with a feeling that he is not a patriot.

I do not mean to embarrass the Senator from South Dakota, but remarks have been made that we who are interested in peace are not patriotic to this country. I believe that possibly more courage is required for some of us to speak out for peace than is required to speak out for continued war.

I do not mean to embarrass the Senator, but I have spoken the truth about his decorations, and his combat service needs no reiteration. However, sometimes people have a tendency to lose sight of some of those who are engaged in the struggle for peace.

Mr. McGOVERN. Mr. President, I appreciate the overly generous estimate of me that has been stated by the Senator from Indiana, but I really rose to commend him on the clarity of his expression today.

The Senator from Indiana has made a number of statements in recent months on the difficult problem in Vietnam. I believe that his contribution this afternoon represents his finest effort. I commend him not only on the clarity of his statement, but also on the remarkable courage that he has displayed in everything he has said this afternoon.

The Senator from Indiana took on a new leadership role in the Senate early this year, not that he had not made many great contributions in the past. But in speaking out as he has, and in using his talents and skill to persuade others to speak out, I believe he has made a contribution to the better understanding of the issues in Vietnam and to the discussion of those issues in the Senate and across the country.

As the Senator from Indiana has said, the easiest thing in the world to do in time of war is to join the parade. No great initiative is required. No great intelligence of courage is required to drift along with the crowd in time of war.

One of the greatest Americans reminded us a good many years ago that the first casualty in time of war is the truth. Therefore, I was happy to hear the Senator from Indiana emphasize the right of the American people to know the truth. One way by which they find the truth is through the discussion of various points of view in the Senate.

I believe the Senator from Indiana would be the first to agree that men of good will can disagree on this issue and on how it should be dealt with. One method by which a better understanding of the problem can be attained is the kind of frank expression of opinion with which he has favored Senators today.

In my opinion, it will be more difficult for honest dissent to be heard henceforth. The more the bombs and the guns roar, the more difficult it is for thoughtful voices to be heard over that kind of escalation.

I know of no Member of the Senate who loves public service and loves political action more than does the Senator from Indiana. I know that he does not risk his political career lightly; but he takes that risk by speaking out at a time when the war is heating up, because he loves his country, he loves his family, and he loves the peace of the world more than he is concerned about his own political security.

I believe that many people in this country may at first applaud the recent step-up in our military effort. They are looking for some way out; they are looking for some way to bring the war to an end; and the temptation is to conclude the war with an all-out push of that kind. They believe that perhaps such action will offer a solution that has not yet been found.

I recall the sad words of the late President Kennedy, after the Bay of Pigs fiasco. The Senator from Indiana will recall that immediately after that tragic misuse of American power that backfired on us, the standing of President Kennedy in the public opinion polls went up. He turned to one of his aides and said:

> Isn't it too bad that the worse we do, the more our public opinion standing improves?

I suspect that there will be some temporary applause for the recent action. But when the people learn once again that this is not the answer to the kind of problems that face us in Vietnam, the disillusionment will set in again.

Again, I applaud the Senator's speech in the Senate this afternoon.

Mr. HARTKE. I thank the Senator from South Dakota for his fine words.

Much has been said in frank discussions on the floor of the Senate about the truth. I might refer to some of the persons who probably do not agree with me about the military efforts, but who have attempted repeatedly to bring some facts to the floor of the Senate, only to realize later that what they had tried to persuade others was the truth, was not the truth.

I recall that during the summer of last year, the distinguished Senator from Mississippi [Mr. STENNIS] stated that by the end of the year the annual cost of the war would be in the neighborhood of from $10 billion to $12 billion. The immediate reply was:

> He is wrong; it will not be nearly half that much.

But when the cold calculations were in, his figures were correct. He stated that the increased cost of the war would be much greater than the people had been led by the military authorities to believe it would be. The Secretary of Defense said it would cost from $14 billion to $16 billion. He said he had always agreed that that would be the price.

The Secretary of Defense puts the cost at $14 billion to $16 billion. He has always agreed that this was the price. Fortune magazine paints a more realistic picture of the cost at $23 billion to $25 billion. When I raised this question with the Secretary of the Treasury it was said that this figure was wrong. They said the correct figure was $10 billion to $12 billion. Another distinguished Member of this body, the chairman of the committee, told me:

> All I can tell you is that probably the more correct figure is about $30 billion.

He is a man who does not agree with the position which the Senator from South Dakota [Mr. McGovern] and I take in connection with the military aspect of the war.

When we talk about these things there is room for vast difference of opinion but there is not room for people to be called disloyal to the country because they are willing to stand up for what they believe.

If in this country one has to conform to some level of thinking, whether one believes it or not, this country has lost one of the basic pillars upon which it was built.

If the Senate is not something more than the handmaiden of those who call the tune, why not abolish the body and save the expense? If this is supposed to be the function of the Senate, I see no need for serving here longer. I do not want it implied by that that I see no use for service. I believe the Senate is establishing its independence as a branch of the Government. I believe the Committee on Foreign Relations is recognized as a copartner, as was demonstrated this morning. It is not going to take a back seat. It is going to be present and it is going to continue to point out what it believes.

The distinguished Senator from Idaho [Mr. Church] is in the Chamber. His leadership in this field should lead all of us to greater hope and inspiration.

I thank the Senator from South Dakota.

Mr. CHURCH. Mr. President, I join in the tribute that the distinguished Senator from South Dakota [Mr. McGovern] has extended to the senior Senator from Indiana [Mr. Hartke].

Earlier today, the Under Secretary of State, George Ball, appeared as a witness before the Senate Committee on Foreign Relations. In response to questions, he alleged that there was no evidence from the latest contacts with the government of Hanoi that Ho Chi Minh was any more inclined than before to come to the bargaining table; that all of the soundings had been negative; and that it was only after this judgment had been reached that the new extension of the bombing was ordered.

I would ask the senior Senator from Indiana whether we are not simply increasing the dosage of a medicine that has already failed to cure the patient? We notch up the war to a still higher level after years of continuous escalation, even though the whole process has brought us no closer to a negotiated settlement than we were 12 months ago, and even though the number of American troops engaged in the war has increased by more than tenfold?

I cannot see the logic that leads our decisionmakers to the conclusion that what has failed before is now suddenly going to succeed by notching the war up to a still higher level of general danger.

Does the Senator from Indiana agree?

Mr. HARTKE. I most certainly agree with the statement of the Senator from Idaho.

Yesterday the distinguished Senator from Vermont [Mr. Aiken] issued what I suppose would be considered a rather straightforward statement. I had occasion to talk to the Senator from Vermont [Mr. Aiken] before he left for his home State. He said:

> Not alone do I mean what I say, but I feel it more deeply than I said it.

I wish he were here because what he said in those statements is exactly what the Senator from Idaho said, and that is that the same advice which proved faulty in the past is being used over again, and the same reasons are being given for the same type of action.

Hopefully and prayerfully, if this would bring the end to the war, I believe that the American people would applaud it. But to claim every other week that peace is virtually around the corner has the same effect as the economic effect of the claim of the end of a depression being just around the corner. This stirring of hope when there is no hope is worse than being brutally truthful about the facts.

I think that the American people are stronger than the leadership gives them credit for being. I think they have the courage to face up to the facts of life and courage to be a little humble in front of the rest of the world, if that be the requirement. They have the courage to send forth their youth, as they have demonstrated in past military efforts. We have love of country but we also have love of man. I think that we underestimate the character of the American people. I do not wish to cast a reflection on the American people for an eternity which they do not deserve and unfortunately that is happening more and more each day.

I wonder how we will justify it with our conscience, the conscience of the Nation, in years to come.

Mr. CHURCH. I understand that the argument for widening the war effort is to increase its cost to North Vietnam to the point where Ho Chi Minh is forced to the negotiating table. I have never agreed with this notion, never in the past, nor do I agree with it now.

I do not think Ho Chi Minh can be forced to the negotiating table on his knees—unless we drag him there in chains.

I am disturbed, as is the senior Senator from Indiana [Mr. Hartke], with the moral implications of this American involvement in Vietnam. I have recently returned from a visit to Western Europe. I went to the principal capitals of countries that have long been alined with, or friendly to, the United States. I was in Geneva, Brussels, Paris, London, Bonn, and West Berlin. Nowhere in Western Europe is there any enthusiasm for American policy in southeast Asia. Indeed, I was disheartened by the extent and vigor of the criticism.

When we find so negative a reaction to American policy in so favorable a region as Western Europe, one must ask: How are people in other areas, areas which are historically less closely related to the United States, evaluating American policy? What are the Africans thinking about it? What is the reaction of Asian people in regions close to Vietnam?

It is clear that fewer and fewer governments are willing publicly to support American policy. Even Prime Minister Wilson, who for so long has so stalwartly supported the American position against mounting political opposition at home, yesterday dissociated his government from our most recent extension of the bombing in Vietnam.

I have tried to analyze the growing amount of opposition to our Vietnamese policy in so many parts of the world. It seems to me that there are at least three factors accounting for the adverse reaction. First, there is the factor that the American intervention in Vietnam is a conspicuous one that all the world can immediately perceive. After all, we have come as an outsider from the opposite side of the globe.

We have come in massive numbers with a gigantic show of expensive equipment. We have moved in typical American fashion, which fairly shouts out to the whole world.

So dramatic has this intervention been that foreign people, for the most part, have lost sight of the earlier intervention by the North Vietnamese into the south. It is the American presence in Vietnam which has attracted world attention. This is understandable from still another standpoint, because American intervention partakes of a different character. No matter how often we stress that the North Vietnamese have engaged in an aggression against South Vietnam, we cannot obscure the fact that the North Vietnamese still remain Vietnamese, and that until the American intervention occurred, this was a Vietnamese war between various factions of Vietnamese people in a country that had not been traditionally divided into two parts, but had historically preserved its general homogeneity. The objective of the war was classically that of any civil war; namely, to determine what the character of the government of Vietnam would be, and whether the temporary division which was established at Geneva in 1954 was to be sustained.

Now, given these considerations, it is entirely understandable that the world should think of the Vietnamese war in terms of American intervention, rather than in terms of the aggression of the north against the south. That is one factor.

The second factor is the obvious disparity in the size of the contesting nations. The United States is the strongest, wealthiest, and most powerful Nation in the world—and all the world knows it. We have brought the great weight of American military power to bear—increasingly so with the latest decisions—on a very primitive, undeveloped, little Asian land which most of the world, including most of the people of the United States, had never heard of until the war began.

Now, in that situation, there is no glory ever to be gained by the United States in any sort of military conquest. In that situation, the natural human reaction, in other parts of the world, is to identify with the underdog. This is working to the advantage of the Hanoi government and is continuing to erode against the prestige of the United States.

I know that there are those who say it does not matter, that the United States is a great and powerful land which cannot expect to be loved. Mr. President, I do not expect that this country should be loved, but it does concern me when I find so much evidence that we are not being respected.

I think, in part, this has to do with the great imbalance represented in the present military action, and the natural human reaction elsewhere in the world to that situation.

Then, there is a third factor, the fact that although we keep emphasizing our peaceful intentions and our willingness to go to the conference table, we are expanding the war effort at the same time. When we enlarge the war, on the one hand, and reassert our interest in peace, on the other, and this pattern persists month after month, there comes a time when people begin to doubt that our deeds match our words. We have often said as much in our criticism of the Soviet Union and other foreign countries. Thus, I believe that, for the first time, there are many people in the world who are questioning American purposes in Vietnam.

I mention these factors to the Senator with a deep sense of regret because I think that the combination has led to a serious deterioration in American prestige. It is serious, not because we expect to be loved, but because the moral position of this country is the basis for the real and lasting leadership which we can exercise in world affairs. We are paying a severe penalty. Accordingly, I must say, without extending my remarks further—and with apologies to the distinguished Senator from South Dakota who awaits to make a speech on this subject, to which I look forward with great interest—that the latest extension of the war is part of a pattern which is doing this country grave damage in the eyes of the rest of the world. It is placing us in a position in which we find ourselves increasingly isolated.

I would hope we could look for some different kind of prescription, instead of continuing to increase the doses of the sort of medicine that clearly has not worked in the past and gives no indication, according to the latest evidence that can be adduced by the Secretary of State, that it is woking for us now—some different kind of medicine that will increase the prospects for a negotiated settlement.

We do not want Vietnam as a protectorate of this Nation. It is not our purpose to conquer—for clearly we can—it is, rather, an attempt to reach an equitable settlement which can find support from all the factions of the Vietnamese people and lead ultimately to self-determination. If we can accomplish this objective, then I think American prestige will begin to soar upward again. I thank the Senator for his exceptionally fine address and commend him for it.

Mr. HARTKE. I shall have to leave shortly, may I say to the Senator from South Dakota [Mr. McGovern] who is waiting to make his speech.

Let me say to the Senator from Idaho that I think the three points he has made are well taken. Yet I think the biggest item in his remarks is that part in which he points to the fact that we have a chance for continued leadership in the world. We seem to be throwing it away. For what cause? We are losing the right to be the moral and idealistic leaders in the world, with ideals that appeal to minds of men, rather than pushing ourselves and forcing ourselves with our military might, where the people must come to us in chains, as the Senator has said. I hope we are past that day.

This Nation has a Supreme Court. Many people criticize it, but not only do we recognize the right of the people to disagree with each other and to discuss those differences of opinion, but I do not know know of anyone who advocates that the American people should be put in a position where they are forced, whether by military force or in any other way, to agree. This seems to be a new concept that has sprung up.

I must leave. I think I should go so I have a chance to tell the British people that there is some thinking over here which indicates the Prime Minister may have been right.

Mr. McGOVERN. Mr. President, I do not mind at all having waited through the remarks made by the Senator from Idaho, as well as the Senator from Indiana. I am tempted to cut short my speech. In fact, I think that is what I shall do, because the remarks of the Senator from Idaho say what I wanted to say better than I can phrase it.

Once again I commend the Senator from Idaho for his clarity and eloquence on this subject.

Before I move on to my own prepared remarks, apropos of what the Senator had been commenting on a few minutes ago, about some of the difficulties we face in stabilizing our position in Vietnam, is it not true that we have been running against the force of nationalism, the desire for self-determination, through our own intervention, and that we have become identified with the forces which have not reflected the aspirations of the Vietnamese people?

I call attention, for example, to the blunt fact that all but one of the South Vietnamese generals who represent the military junta fought with the French against their own people in the war for independence which followed World War II. Would not this be roughly comparable to having eight or nine Benedict Arnolds attempting to run the United States in the years that followed our own war for independence some 175 years ago?

Mr. CHURCH. Yes. The present junta government in Saigon cannot possibly be regarded as anti-French, considering the generals who form the ruling body. I think, from the beginning, that the problem in Vietnam has been that the Communists, at an early date, managed to assume the leadership of the nationalist movement. Ho Chi Minh led the fight for independence against the French.

It is unfortunate that Ho Chi Minh was a Communist. I rejoice that in most parts of Asia and Africa the nationalist movements have been non-Communist led. But the fact that communism was so closely identified with nationalism in Vietnam gave it strong popular appeal.

This has doubtlessly sustained Ho Chi Minh as a kind of Vietnamese hero, while, by the very admission of the present officials who are most closely identified with the support of American policy, those who represent the government in Saigon are not even well known to the Vietnamese people, let alone identified with the great, sustained patriotic Vietnamese endeavor to achieve their independence from the French.

Mr. McGOVERN. And those who are well known are recognized for their role on the French side in the fight for independence, as military figures who joined with the French in trying to subdue the Vietnamese people in their fight for independence, and in keeping Vietnam as part of the French empire.

Mr. CHURCH. The Senator is correct. I think this underlines a point of great importance. If American policy is to be a factor in Asia in discouraging the further spread of communism, it will never be accomplished in any lasting way through the massive intervention of western military forces.

It may be that we can occupy a limited area like South Vietnam and hold it for as long as we are willing to maintain an army of sufficient size in that country. But in the overall pattern, military intervention in Asia under the guise of preventing the spread of communism is the surest prescription for self-defeat. The real bulwark against communism in Asia is indigenous nationalism, which has worked most effectively in areas where our presence has been limited and restrained.

Look at what has happened in Indonesia, where many months ago Sukarno invited us out. Our own presence is so limited in that country that we cannot possibly claim credit for the most successful repression of communism that has occurred in Asia.

Mr. McGOVERN. Would not the Senator say that part of that success was brought on by the heavyhanded tactics of the Chinese in trying to intervene too obviously and too crudely, and that they receive a bad reaction in those instances where they try to exert their influence too dramatically?

Mr. CHURCH. Without any question, that is true. I cite the example of Burma, where there was a Communist-led guerrilla war some years ago. Secretary General U Thant of the United Nations, himself a Burmese, said not long ago that if there had been the kind of military intervention in Burma that has occurred in Vietnam, he himself was convinced that Burma today would either be a partitioned country, half-Communist, or all of it would be Communist.

Yet that country, with more than 1,200 miles of common frontier with China, managed, through the assertion of an indigenous nationalist effort, to successfully put down the guerrilla war.

That is the kind of force behind which American policy in Asia should rally. I think that unless we learn this lesson, Vietnam may be the first of a series of tragedies which can only diminish American influence in that great region of the world.

I thank the Senator for permitting me to trespass upon his time.

Mr. McGOVERN. I thank the Senator for his observations.

Mr. President, the bombing of Hanoi and Haiphong was doubtless a military success. It testifies again to what I observed during a visit to Vietnam last fall—that our troops and our pilots are men of unquestioned bravery and skill. I think they represent the finest combat team we have ever assembled. As a bomber pilot in World War II, I appreciate the precision and the remarkable capability of our pilots on this mission.

Doubtless, the destruction of a portion of North Vietnam's oil supply will hamper their conduct of the war, and delay their timetables. It may mean that they will have to resort more to their traditional guerrilla tactics rather than relying so heavily on the quick movement of troops and supplies by motor transport.

But, Mr. President, I view the latest bombing effort with deep misgivings for two reasons: First it represents another dangerous new dimension to the Vietnam war; and second it dodges once again the basic political issue of the conflict. It would seem to be a move toward a bigger, bloodier, and perhaps longer war and a lessening of the chances for a negotiated settlement. As the Senator from Indiana has said so well this afternoon, it forecloses, at least for the time being, the possibility of negotiations. If it follows the pattern of previous efforts, we can expect the Russians, the Chinese, and other allies of North Vietnam to respond by sending more aid into the war. It now seems quite certain that each new commitment of force by us will be met by a countermove on the other side.

What began in the 1950's as a local struggle among two groups in South Vietnam has now moved another step closer toward a full-scale international conflict. The most obvious side result of the recent bombing is that we have lost the support for our Vietnam policy of a major ally, Great Britain. The British Prime Minister responded to the bombing with the statement:

> We must disassociate ourselves from an action of this kind.

Let us be clear, Mr. President, what is at question here is not the obvious bravery and skill of American soldiers and pilots. Neither does one question the military impact of strategic American bombing.

But we are not dealing in Vietnam primarily with a military problem. We are dealing primarily with a political problem which is the establishment in Vietnam of a stable government that has the confidence of its own people. That is a task which can never be performed by anyone other than the Vietnamese people themselves. And the more we dodge that central fact, the more trouble we are going to encounter in southeast Asia and the more difficult becomes a final resolution of this tragic conflict.

It has been said that there are many paths to peace, and I have no doubt that our military advisers and our President now believe that the path to peace in Vietnam lies in increasing military operations. In the past 18 months we have virtually taken over the war. But we are further away from a settlement today than we were a decade ago or 2 years ago. We have no major ally for our venture there; we are largely alone in the struggle.

A few hundred miles to the south of the targets which our planes hit so accurately this week lies Saigon, where we are backing a government that is incapable either of winning a military struggle or governing its people. We can smash any target we choose, but we cannot deliver good government to Saigon by bombing Hanoi.

I do not discount the fact that it takes time to build a solid government, but that is basically a matter of securing the kind of indigenous loyalty which General Ky and his predecessors have not earned from their people. Our greatest continuing error in Vietnam is that we are using American troops and planes to compensate for the political weakness of a regime that lacks the support of its own citizens.

If we are willing to sacrifice thousands of American soldiers and pilots, we can probably kill enough Vietnamese and destroy enough property to win the military battles in the end. Surely, the mighty United States, as Senator CHURCH indicated a moment ago, has enough power to crush a little impoverished state like Vietnam. But what assurance do we have that this bloody crusade will produce a stable government in Saigon acceptable to its people and friendly to the United States?

It is said that we are bombing the north to encourage General Ky's regime in the south. But the more America takes over the conduct of the war, the more General Ky uses his forces not to fight the Communists, but to suppress the Buddhists and other critics of his regime.

A United Press report yesterday on the bombing of Hanoi and Haiphong states:

> The strikes . . . once again gave a dramatic demonstration of America's ability to bomb virtually at will anywhere in the Communist nation.

But we had better not draw too much consolation from this demonstration of American control of the skies. The issues that will determine the future of Vietnam are on the ground—in the rice paddies, the villages, and within the Vietnamese people. I can think of no real problem in South Vietnam that is going to be solved by bombing North Vietnam.

Even if we win all the military battles, I fear that the results will be something as follows:

First. We will have so completely destroyed the fabric of Vietnamese society that either the Communists or some other dictatorial regime will take over by default, or else American forces will have to stay there indefinitely.

Second. We will succeed in driving the North Vietnamese into a closer and closer alliance with their traditional enemy—China, and perhaps succeed in reuniting the now fractured Communist bloc. Creating a military and political wasteland in Vietnam is an invitation to Chinese penetration.

Third. We will jeopardize the most important diplomatic interest of the United States, which is improved relations between the Soviet Union and the United States—the world's two great nuclear powers.

Fourth. We will have damaged the worldwide moral and political influence of the United States in bypassing the United Nations by a unilateral demonstration of the capacity of a rich, white Western nation to crush a backward Asiatic state.

Fifth. In addition to the inestimable loss of thousands of our finest young men, the $2 billion a month that we are pouring into this war will jeopardize the value of our dollar, increase the inflationary pressures on our economy, and undercut important programs of social and economic progress in our own society.

Instead of self-defeating efforts to compensate for the political weakness of South Vietnam by bombing North Vietnam, I would suggest the five following steps:

First. We should try to make credible to all parties our commitment to holding elections as has been promised by Premier Ky. We should make this commitment clear to the Vietnamese military, to the different civilian factions, and to the rest of the world. The greatest danger is that a new army coup to forestall the elections, or a move by Ky to constrict the elections to such a degree that they lose all appeal to the civilian leaders, and especially the Buddhist groups. We should try to maintain the momentum of Ky's promise, whether or not Ky himself survives or is replaced by a new military coup or by the sort of military-civilian panel contemplated in the last few weeks. Only elections can produce the sort of balance that will reassure jealous factions of a voice in the Government and protection against persecution. All significant political groups including the National Liberation Front must be invited to participate in the elections and in the arrangements for the elections.

Second. I suggest no further U.S. military buildup in Vietnam pending elections. I would urge that we end the bombing operations and that we curtail our offensive operations on the ground.

Third. I suggest that we or Saigon seriously attempt to negotiate directly with the National Liberation Front for a cease-fire before the elections. I have always found it difficult to understand the rationality of refusing to negotiate with the NLF. If it is true that the NLF as a fighting force is controlled by Hanoi as a subsidiary of the northern Communist Party, then it makes no difference whether we deal with them or with the Hanoi government. As far as northern elements are concerned, dealing with them admits no more than that they are in the south, and as far as southern elements are concerned, dealing with them could not be objectionable unless it amounted to a recognition of their belligerency in a legal sense, which would be quite unnecessary. If, on the other hand, the NLF is, as it claims to be, a fully representative independent southern organization, we must talk with them directly one day. To quibble over the implications of recognizing the existence of the NLF when so many lives are being lost every day in warfare with them is a nightmarish absurdity.

As to the participation of the NLF in the election and the arrangements for such an election, it seems to me that those are the only terms they could accept for a cease-fire. A cease-fire is important to the success of the election process. Furthermore, the objections to NLF participation that were valid 10 years ago no longer apply. As previously stated, they are by no means the only organized national political force any longer; their program is no longer without competitors, their leaders' names are unknown to the mass of the people compared with those of other political leaders, and although their control is effective in large areas of the countryside, it is minimal in the population centers; it may very well be that they would get a minor fraction of the vote in an authentic election.

Fourth. I suggest the introduction of an effective international presence in South Vietnam to help assure the validity and integrity of the electoral process. It should remain during an interim period to help stabilize the political scene. This would rectify to some degree our initial mistake of intervening unilaterally in a complex struggle that calls for action by the international community. It now seems unlikely that the Security Council will undertake this task, but the members of the International Control Commission have given signs of a willingness to do so.

Fifth. I suggest immediate reaffirmation by the U.S. Government of its readiness to abide by the results of free elections, readiness to withdraw U.S. military troops and bases from South Vietnam, and readiness to observe the essential provisions of the Geneva accords, including the possibility of peaceful reunification of North and South Vietnam.

I fully endorse the recommendation made by Senators HARTKE and CLARK this afternoon for a reconvening of the Geneva Conference to seek an end to the war. The current discussions between President de Gaulle and the Russian Government seem to hold out a new hope that Russia might cooperate with Britain as cochairmen of the Geneva Convention in calling for a new conference on Vietnam.

The NLF may reject these proposals. Perhaps the most likely response is a demand for the prior withdrawal of American troops, harking back again to the Geneva accords. In that case, the demonstrable presence of North Vietnamese formations in the south in the last year or two would give us a bargaining point. We could agree to the withdrawal of our troops in return for the withdrawal of North Vietnamese forces. But whatever the initial reply from the other side, I think that the cessation of our bombing and offensive ground actions, combined with a proposal for a cease-fire, open elections, and direct negotiations is the right policy for the United States. It is the right policy if the proposal succeeds. It is the right policy if it starts a dialog with the enemy, no matter how protracted. And it is the right policy even if the NLF rejects it for a time, because it will show the non-Communist political forces in Vietnam and the rest of the world that the United States desires peace and self-determination for southeast Asia.

Mr. President, one of the most revealing factors in our Vietnam experience has been the widespread opposition to our policy of a large portion of our academic and religious communities. The moral and intellectual questions associated with a great nation trying to bring its enormous military might to bear on the troubles of a small turmoil-afflicted state have deeply disturbed thoughtful Americans.

A profound expression of the conscience of the academic and professional communities appeared in the Sunday New York Times, June 5, 1966. I ask unanimous consent that this statement and the names of its sponsors be printed at this point in the CONGRESSIONAL RECORD, together with a brilliant analysis of our Vietnam dilemma by Prof. Hans J. Morgenthau of the University of Chicago, which appeared in the May 28 issue of the New Republic.

There being no objection, the statement and analysis were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 5, 1966]

ON VIETNAM

Events of the past few months have further undermined the administration's stated rationale for involvement in Vietnam—that American armed force is there to defend the Vietnamese. The continuing demonstrations in Hue, Danang and Saigon, with their anti-Ky and anti-American slogans, have made it clearer than ever that the Saigon regime has virtually no popular support. Military activities have been steadily escalated, and American military power has been forced to assume the brunt of the fighting from the South Vietnamese army. An estimated 100,000 soldiers deserted this army in 1965 alone (N.Y. Times 2-24-66).

The successive regimes in Saigon which our government has been supporting were never popularly elected, and since shortly after the inception of the civil war have not governed more than a portion of South Vietnam. Nonetheless, the administration has attempted justification for American military intervention by claiming that these regimes have had popular support and could therefore be considered legitimate governments for all of South Vietnam.

The dramatic exposure of these false premises and of the fragile basis for our policies has led many prominent Americans, including some former supporters of the war, to declare that our forces must be prepared to leave Vietnam if a new government there asks us to do so.

But our administration's previous response to reverses in Vietnam has been escalation, bringing with it increasing death and destruction, and we are particularly alarmed at the extension of B-52 bombings to the North and new air raids in the Hanoi-Haiphong area. To escalate military while our position disintegrates politically is immoral, futile and perilous.

Furthermore, while increasing numbers of political leaders and commentators question the entire policy of the United States in Vietnam, the American force, approximately a quarter of a million men, is conducting "search-and-kill" operations and continues massive daily bombings in the course of which thousands of Vietnamese and Americans are being killed and wounded.

The interests of our country and the strength of our belief in the right of self-determination demand that ways be immediately found to disengage ourselves from this intolerable situation. We are convinced that such a course is in accord with the mood of increasing numbers of Americans.

We call upon our government:

To cease all bombing, North and South, and all other offensive military operations immediately;

To indicate that it will negotiate with the National Liberation Front and all other interested parties for a peaceful settlement;

To encourage in every way, and in no way to interfere with, the free exercise of popular sovereignty in Vietnam;

To evaluate seriously whether self-determination for the Vietnamese as well as our own national interests would not be best served by termination of our military presence in Vietnam.

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R. J. Bresler, C. A. Carpenter, Jr., D. E. Ingersoll, S. E. Koss, S. Lukachevich, G. Malz, F. Roberts, E. Seymour, B. Skyrms, R. Wolters.

District of Columbia

Catholic University

H. B. Atabek, Rev. Charles E. Curran, Richard des Jardins, A. J. Durelli, Mary E. Fitzpatrick, Rt. Rev. Msgr. Paul Hanly Furfey, Hans G. Furth, Gerald J. Goodwin, Rev. T. J. Harte, Gustav B. Hensel, John J. Hocker, Jasper Ingersoll, Gottfried O. Lang, Cecil P. Nelson, Rev. Carl J. Peter, John Renaldo, Rev. Walter J. Smith, Jerome Steffens, Mary Elizabeth Walsh, Y. C. Whang, James Youniss, Shuh-Jing Ying.

Other Institutions

Gloria W. Bishop, William H. Denham, James Donaldson, Irving Franke, H. David Hammond, Nathan Hare, Edmond Harris, Rev. Richard T. McSorley, Richard Raskin, Lewis Schipper, Arthur Woskow.

Idaho

Idaho State University

Sylvia Cline, Arthur B. Hillabold, Jane Hillabold, Wilbur Huck, F. G. Jarvis, Arthur Kincaid, Mary Kitaj, Ann Leger, R. A. Lyman, Nicole O'Connor, Gerald Priori, Mireille Solignac, John F. Walker.

Illinois

University of Chicago

Robert M. Adams, Hannah Arendt, Peter M. Blau, Lena S. Blau, William Fowler, Godfrey S. Getz, Richard H. Jenney, John H. Law, Jesse Lemish, Lester K. Little, Edward Lowinsky, Roy P. Mackal, Bernice L. Neugarten, David M. Schneider, John M. Shlien, Michael Stocker, Sheldon S. Tobin, Merna R. Villarejo, Ira G. Wool, Benjamin D. Wright.

University of Illinois

Alexander Abashian, Norman Blackburn, M. K. Brussel, Letterio Calapai, Robert Carroll, Michael Glaubman, Joseph Landin, Michael Lewis, Oscar Lewis, E. F. Masur, Alan McConnell, John Pappademos, H. Y. Tienen.

Northern Illinois University

Harold Aikins, John Antes, R. M. Archer, Thomas Blomquist, Ralph Bowen, Donald M. Brayton, Waldo W. Burchard, William Bussen, Roger Carasso, Merton Dillon, Raymond Ditrichs, Melvin Dubofsky.

Emory Evans, Salvador J. Fajardo, Arnold B. Fox, Charles Freedeman, Charles H. George, Linn B. Graves, Jack C. Gray, Michael Hays, Earl Hayter, Mazhar Hazan, Martin Kullich, Benjamin Keen, Samuel Kinser.

Tilden J. Le Melle, John Lloyd, Andrew Mac Leish, R. L. Morgenthau, Frank Morrow Jr., Donald Murray, C. Mason Myers, Kenneth Owens, J. Norman Parmer, Carl Parrini, Robert H. Renshaw, Albert Resis, Jesse P. Ritter Jr., Rosendo Rivera, Marvin S. Rosen, Saul Rosenthal, Hans-Jochen Schild, Robert Schneider, Martha E. Schrein, Jordan Schwarz, James Shirley, Lucien Stryk, D. Raymond Tourville, Charles Tucker.

Bruce Von Zellon, David Wagner, Allen Weaver, Dale Weeks, David Welborn, Patrick White, James C. Wilcox, Alfred Young.

Other Institutions

Carl Condit, Forrest F. Cleveland, Robert Eisner, Paul E. Fanta, Robert Filler, Rev. G. G. Grant, S.J., Caroline Herzenberg, David Joravsky, Justus George Lawler, Ralph E. Peck, Maxwell Primack, Ernest A. Rappaport, Bernard G. Rosenthal, Paul A. Schilpp, Gordon C. Zahn.

Indiana

Indiana University

James Allison, Howard Anderson, Philip Appleman, Frank G. Banta, Willis Barnstone, Ernest Bernhardt-Kabisch, Mary Alice Burgan, William M. Burgan, N. John Castellan, Jr., Norman S. Cohen, Dorrit Claire Cohn, Aubrey Diller, James A. Dinsmoor, Albert Elsen.

Sheldon Gellar, Charlotte F. Gerrard, Rudolf B. Gottfried, Quentin M. Hope, Hans Jaeger, Peter K. Jansen, W. Nicholas Knight, Roger Lass, D. B. Lichtenberg, Charles Leonard Lundin, Karl Magnuson, Lewis H. Miller, Jr., Bernard S. Morris, Herbert J. Muller, Raymond G. Murray, Roger G. Newton, Bernard B. Perry, Howard V. Rickenberg, Judy Rilling, Mark Rilling, Stefan H. Robock, Samuel N. Rosenberg.

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Manchester College

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Purdue Univerity

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Other Institutions

Edgar Crane, William V. D'Antonio, William T. Liu, James C. Swihart.

Maine

University of Maine

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Maryland

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Massachusetts

Amherst College

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Boston University

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Brandeis University

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Harvard University

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Karl V. Teeter, Betty M. Twarog, George Wald, Donald Wallach, Paul L. Watson, Norman F. Watt, Earl M. Wedrow, James C. White, Mrs. J. C. White, Samuel H. Wilson, David E. Wolfe, John Womack, Jr., Barbara E. Wright, Michael Young, Marvin Zaftzman, Norman Zinberg.

Massachusetts Institute of Technology

Robert Adolph, Michael Artin, Maria L. Bade, Eugene Bell, Aron Bernstein, Carl John Black, Jr., Michael J. Brower, Elinor Charney, Jule Charney, Ronald Chase, Lawrence Chasin, Noam Chomsky, Stephen L. Chorover, Samuel Clark, Charles D. Coryell.

Martin Diskin, Murray Eden, Harold W. Fairbairn, Herman Feshbach, K. L. Fields, Jerry Fodor, Maurice S. Fox, Kenneth Frankel, Robert G. Gallager, Stephen Gillborn, Glen Gordon, Richard Greene, William C. Greene, Paul R. Gross, Albert R. Gurney, Jr., Theodore Gurney, Jr.

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University of Massachusetts

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Northeastern University

Philip N. Backstrom, Jacob Barshay, Robert F. Brightbill, Alan Cromer, Robert G. Feer, Mitzi Filson, Walter L. Fogg, Marvin H. Friedman, Norbert L. Fullington, Roberta Gordon, Joseph D. Gresser, W. F. Luder.

Robert MacDonald, Bertram J. Malenka, Harold Naidus, Irene A. Nichols, J. David Oberholtzer, Norman Rosenblatt, Eugene Saletan, Gilbert A. Schloss, Donald Shelby, Stanley R. Stembridge, R. L. Stern, Harold Stubbs, H. T. Tien, David S. Wyman.

Simmons College

Frederick M. Anderson, Fredda R. Bloom, Lauri C. Colvin, Jean Cotton, Dorthea P. Dutra, Tilden G. Edelstein, David Emerson, Richard Freedman, Frances H. Jacobs, Drake C. Hawthorne, Joseph L. Hozid, Leonard J. Kitsch, Kenneth F. Kister, Lawrence L. Langer, Ruth S. Leonard, William Manley, George W. Nitchie, Georgia T. Noble, C. Richard Rohrberg, Richard C. Sterne, Robert C. Vernon.

Smith College

Leonard Baskin, David Caviron, Ely Chinoy, Louis Conn-Haft, Robert Fabian, Myron Grazer, Philip Green, S. Ralph Harlow, Bruce Hawkins, Seymour W. Itzkoff, Mervin Jules, Morris Laurenwitz, Bert Mendelson, Jim Morrissey, Eliot Offner, Harold Poor, Mattie Poor, Dorothy M. Randall, Michael Rice, Peter I. Rose, Louis R., J. Diedrick Snoek, Melvin Steinberg, Kenneth Sera, Francis Strenon, Donald Trumpler, Renee Wasserman, Renee Watkins, Janice Wilson, Anthony N. Zahareas.

Tufts University

Gerald Adler, Vasken Aposhian, Robert M. Asch, Reilly Atkinson, Sylvan Barner, Benjamin K. Bennett, Richard W. Black, Michael D. Bliss, Ashley S. Campbell, Ernest Cassara, Judith Cherwaik, John Cornwall, Dorothea J. Crook, Morris A. Cynkin, Richard Dowd, Michael Fixler, Morris Friedkin, Martin B. Friedman, Sol Gittleman, Edward Goldberg, Leon Gunther, Hilde Hein, Dennis V. Higgins, David F. Isles, William S. Jacobson.

Ellsworth Keil, Melvin K. Ketchel, Norman I. Krinsky, Maxine Kumin, George F. Leger, Zella Luria, Bernard McCabe, James H. McIntosh, Samuel C. McLaughlin, Jr., Charles E. Magraw, Lewis F. Mamly, Kivie Molgave, Roy M. Moore, Daniel Unjian, James T. Park, John Oliver Perry, Wolf Prensky, Gene Reeves, Jesper Rosenmeier, Lura N. Roth, H. Ronald Rouse, Moselio Schaechter, Gerhardt Schmidt, Edwin M. Schur, Newlin R. Smith, W. Royal Stokes, Marcia Stubbs, Robert P. Taylor, Jack Tessman, Albert D. Ullman, Ann C. Watts, Robert H. Webb, Edmund M. Wise, Jr.

Wellesley College

Sigmund Abeles, Lillian A. Anderson, Duncan Aswell, Grazia Avitabile, Sylvia Berkman, Paul A. Cohen, Alice B. Colburn, Ann Congleton, Helen Storm Corsa, Fred Denbeaux, Herbert Gale, Janet Z. Giele, Arthur Gold, Edward V. Gulick.

Louis Hammer, Nancy L. Howell, Rosalind E. Krauss, Gabriele B. Jackson, Thomas H. Jackson, Owen Jander, Florence McCulloch, Eleanor C. McLaughlin, Robert J. McLaughlin, Edith Melcher, Barry Phillips, Ruth Anna Putnam, Suzanne Robinson, A. Santas, Paul Schwaber, Adele Spitzer, Kathryn Turner, W. W. Wagar, Richard W. Wallace, Marcia Wright.

Other Institutions

Samuel Abrams, Harris M. Barber, Leo Barrington, Robert Bohlke, Mary C. Bryan, Eugene Bushala, W. Van Etten Casey, S.J., Warren Chase, Edward A. Chittenden, Phillip R. Craig, Edward Davis, Joseph P. Donahue, S.J.

Mark Fried, October Cullum Frost, Bernard Goldsmith, Carl Goldstein, Mrs. Carl Goldstein, Charles W. Goodell, Kathryn G. Gordon, Elizabeth A. Green, Manfred Halberstadt, Mary Hamilton, Henry S. Huskell, Edwin Hedman, Bernard Howard, Muriel T. Hirr, Lee Holt, Sylvia Hurwich.

Juliette S. Jackson, Karl Jensen, Francis Kelly, Jr., John D. Landstreet, Daniel Lewin, Joseph D. Lordan, Raymond T. McNally, Bruce McQuarrie, Robert McNaughton, Serge V. Pastuhov, Richard Pearce, John P. Piper, Jr., Douglas W. Reynolds, Michael Reynolds, Roberta Ruiz, James J. Slattery, William Tarenko, Ann Vliet, Marjorie Wechsler, Melvin Zabarsky, Mrs. Melvin Zabarsky.

Michigan

Albion College

Bruce Borthwick, Maurice Branch, John Cheek, Keith J. Fennimore, Willard B. Frick, William Giltham, Jr., Renato J. Gonzalez, Paul Loukides, John M. Mecartney, Laurence Meredith, Arthur W. Munk, Kent Christopher Owen.

Michigan State University

Harold H. Anderson, Lawrence H. Battistini, Franklin D. Blatt, J. Bruce Burke, Nelson Edmondson, Donald Gochberg, Thomas Greer, Ronald P. Grossman, Roy T. Matthews, J. Wilson Myers, John H. Reimoehl, Karl F. Thompson, William A. Vincent, Karen West.

University of Michigan

Robert Audi, Frithjof H. Bergman, Albert Chammah, Norma Diamond, Gerald F. Else, Eugene Feingold, Irving Fritz, Madeline Fusco, William Gamson, Zelda Gamson, Julien Gendell, Edward Glaser, Alvin I. Goldman, Gerald Gurin, Donald Hall, Martin Hoffman.

Joel Issacson, Robert L. Kahn, Stanislac V. Kasl, Nicholas Kazarinoff, Chester R. Leech, Richard L. Malvin, Harold Orbach, James B. Ranck, Jr., Harold Raush, Cyril Robinson, Marshall W. Sahlins, Harold S. Shapiro, Allen L. Shields, J. David Singer, Arthur J. Vander, Austin Warren, Leroy Waterman, Albert Weber, Thomas Winner.

Wayne State University

David Asdourian, Janet Asdourian, Ernst Benjamin, Robert Broner, Robert Buckeye, David Burner, H. Warren Dunham, Otto Feinstein, Ronald Formisano, Eugenie Fox, Alan Gross, Herbert Haber, Harold Froman, Adrienne James, Lawrence Jennings.

James Keeney, Alexandra McCoy, Emerson R. Marks, Lynn Parsons, Geraldine Pittman, Richard Place, Richard Reinitz, Barry Rothaus, Murray Seidler, Stanley Shapiro, William F. Shuter, Leo Stoller, Paul Sporn, Ellen Stekert, Athan Theoharis, David Wineman, R. H. Wright.

Other Institutions

Helen Issaacson, Huron Smith, Jr.

Minnesota

University of Minnesota

Henry E. Allen, Marvin Bacaner, Robert H. Beck, May Brodbeck, Edward Coen, Marc S. Cohen, H. Ted Davis, Mr. & Mrs. Lionel B. Davis, Lonnie J. Durham, Charles Edwards, David L. Eggenschwiler, Herbert Feigl, Avrom Fleishman.

Mr. & Mrs. Clayton Glase, Russell G. Hamilton, William H. Hanson, Allan B. Hooper, Charles W. Huver, B. L. Israel, Kenneth H. Keller, Norman S. Kerr, Maxine M. Klein, Robert E. Klein, Edward Landin, J. C. Levenson, Jerome Liebling, Victor Lorber, Peter Luykx.

Robert L. Martin, Homer E. Mason, Gareth B. Matthews, Grover Maxwell, Toni McNaron, Jeffrie G. Murphy, Paul L. Murphy, Thomas E. Nelson, Herbert L. Pick, Jr., A. W. Plumstead, Lewis J. Potlet, Karl H. Potter, Francis J. Raab.

Murray D. Rosenberg, Martin Roth, Lanny H. Schmidt, James L. Scoggins, Mulford Q. Sibley, Allan H. Spear, G. Robert Stange, Henry L. Taylor, Romeyn Taylor, Burnham Terrell, Leonard Unger, Mr. & Mrs. Laurence Victor, Maurice B. Visscher, Elaine E. Vogt, Joseph L. Waidauer, Dennis W. Watson, Frank W. Whiting, F. M. Williams.

Other Institutions

Anne D. Pick, Dimitri Tselos.

Missouri

University of Missouri

Bruce J. Biddle, Allen F. Davis, Justin C. Huang, William R. Morrow, Lindon J. Murphy, John C. Schuder, Paul Wallace, Betty K. Wilson, H. Clyde Wilson, Harold D. Woodman, Leonora Woodman, David Wurfel.

Other Institutions

T. C. Bailey, William W. Beifuss, Julian B. Fleischman, Edward Henderson, Russell M. Jones, David Kennell, Theodore Rosebury, Albert Schatz, Paul Siff, H. Warrington Williams.

Montana

University of Montana

David Alt, William Ballard, Chester Beaty, Agnes Boner, Meyer Chessin, Merrel Clubb, Jr., Philip Favero, Robert Fields, Clarence Gordon, Annette Gottfried, C. Rulon Jeppesen, Fred Kersten, Barclay Kuhn, John Lawry, Edwin Marvin, Rodney Mead, James Peterson, David Pevear, Ronald Plakke, Sherman Preece, Jr., Howard Reinhardt, Dexter Roberts, Carlton Scott, Arnold Silverman, Arthur Wills.

New Jersey

Drew University

John W. Bicknell, A. Charles Brouse, Charles Courtney, Chickford Bobbie Darrell, Charles W. Estus, William Johnson, James S. Sessions, Calvin Skaggs, John T. Von der Heide, Jr., John Warner, James Wilson.

Fairleigh Dickinson University

Joseph Bernstein, Robert S. Browne, Jean Christie, Frank G. Davis, Stephen Ettinger, Dorothea Hubin, Dolores Elaine Keller, Erwin Rosen, Willis Rudy, Unicio J. Violi.

Monmouth College

Bernard Aptekar, Stephen A. Black, Richard E. Brewer, Richard Damashek, Philip C. Donahue, Gilbert S. Fell, Burdett H. Gardner, John Illo, David S. Lifson, Charles R. Mayes, Rudolph Pasler II, William Bruce Pitt, Robert Rechnitz, Martin Ryan, Martin A. Watkins, Janet M. Wennik, Richard R. Wescott.

Newark College of Engineering

Martin Jay Beohner, Leonard Chabrowe, Warren H. Crater, Joel J. Epstein, Nicholas G. Evans, Herman A. Estrin, Leonard Fleischer, Hayden Goldberg, Warren Grover, Clarence Johnson, James J. Napier, Sverre Lyngstad, Abraham H. Steinberg, Stanley B. Winters, Robert L. Wacker.

Princeton University

Hans Aarsleff, Joel H. Baer, V. Bargmann, Edward F. Bauer, Paul F. Baum, Hugo Adam Bedau, G. E. Bentely, Enid Bierman, E. B. D. Borgerhaff, Gerald E. Brown, Victor Bruce, A. F. Buddington, Lamar Cecil, Jr., Paul W. Conner, Bernard M. Dwork.

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Rutgers University

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David Haber, Nelson Hanawatt, Richard Hawes, William Heckel, Sol Heckelman, Hovnaness Heukelekian, Edward M. Hoagland, Ralph Kaplan, Mary Ann Karpel, Arthur Kinoy, Solomon Leader, Daniel S. Lehrman, Alan Leshner, Hannah A. Levin, Peter Lindenfeld, William Lodding.

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Paul Tillett, Roger Tishler, Charles Waldauer, Joyce Walstedt, Robert Watts, David R. Weimer, Anna Mary Wells, Myriam Yevick, Seymour T. Zenchelsky, E. Zimmerman, Robert Zimmerman.

Stevens Institute of Technology

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Upsala College

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Other Institutions

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New York

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Albert Einstein College of Medicine

Francis Baker-Cohen, Sybel Barten, Ira Belmont, Lillian Belmont, Joseph Bethell, Boyce Bennett, Herbert G. Birch, Beverly Birns, Wagner Bridger, Everett Bovard, Betty C. Buchsbaum, Irving Bunkin.

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Other professions and names received too late to classify

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Johnson's Dilemma—The Alternatives Now in Vietnam

(By Hans J. Morgenthau)

The events of recent months have brought the Vietnam war to a turning point. They have shattered at two places the wall of myths which thus far has protected us from contact with reality. Through two gaping holes reality stares us in the face, reducing to its true fictional dimensions what we mistakenly took to be the facts.

First of all, there is no such thing as a government in Saigon, and there has not been one since Diem's downfall in November, 1963, which we can be committed to assist and defend. South Vietnam is for all practical purposes divided into four autonomous fiefdoms, coterminous with the four corps areas and governed by their respective military commanders, over which the Saigon government exerts at best only the most tenuous control. In the attempt to restore its control over the First Corps area, the Saigon government had to resort to civil war.

This erosion of central control started with Diem's downfall and has been accentuated under Ky. Charles Mohr reported in *The New York Times* of April 15 that Ky "had virtually no popular support." He has no support from his subordinates either. When he criticized General Thi on March 3 in Danang in front of his staff, the latter asked: "Should we listen to this little man from Saigon?" General Chuan, appointed by Ky as the successor to Thi, expressed himself in favor of the aims of the anti-government demonstrations while mildly opposing in words the occurrence of demonstrations, and was forthwith dismissed. General Chieu, the Secretary-General of the military Directory, was seized in Hue by demonstrators and, in a speech over the radio station, duplicated General Chuan's performance. General Dinh, who was appointed to replace Chuan, is reported to be backing a "revolutionary corps" composed of rebellious troops and students. When government troops approached Danang on May 14, he fled to the house of General Walt, commander of the US Marines. According to *The New York Times* of May 16, he "was relieved of command because of 'disloyalty to the central government.' He was reported to have fled to Hue to join in open rebellion against the Ky regime. In his place, the government appointed Brig. Gen. Huynh Van Cao. . . . General Cao is the fourth man to hold the First Corps post in a little more than two months."

Junior officers of the First Corps issued a declaration of no confidence in the regime. Soldiers, policemen, civil servants—those who are the government in action—demonstrated in the streets against Ky and his associates. Robert Shaplen reports in *The New Yorker* that "one of the highest ranking leaders in the present government remarked to a friend that he did not know who among the 26 members of the present cabinet 'might be Communists'." C. L. Sulzberger summed it all up when he wrote in *The New York Times* of April 20: "For today the North of this tortured land, comprising the heart of ancient Annam, is almost an autonomous third Vietnam: although it is not controlled by Hanoi, it is but tenuously linked to Saigon. Vietnam once comprised three administrative areas—Tonkin, run from Hanoi; Cochin China, run from Saigon; and Annam, run from Hue. At the moment history repeats itself."

The other myth that has been exploded by recent events is the assumption that we are in Vietnam to protect the freedom of a people who want to be protected by us. The recent disturbances have been marked by widespread anti-Americanism aimed at our presence in South Vietnam. That sentiment was openly expressed by the demonstrators and voiced by high military personnel. Buddhist leaders declared their satisfaction with the prospect of our departure. In his speech of April 18 at Hue, the Buddhist leader, Tri Quang, declared that "we are oppressed by two pressures—the Communists and the Americans. In the face of such monopolization and control, we must regain our right of self-determination. . . ." It is significant that General Dinh, mentioned above, invited Tri Quang to repeat this speech in Danang. The missteps of Ky, whom President Johnson had compared to Professor Rexford Tugwell, one of the architects of the New Deal, were widely blamed upon his "American advisers." Workers on American installations went on strike. Americans were attacked in the streets, and in consequence, several hundred American civilians had to be evacuated from Danang and American soldiers ordered off the streets of Vietnamese cities.

The mythological character of these two assumptions—the existence of a government in Saigon which we are committed to aid and defend, and the existence of a South Vietnamese people eager to be saved by us from Communism—has, of course, been well known to those observers who were capable of looking at the situation objectively, and there is no lack of printed material pointing to it. (*Cf.* on anti-Americanism, for instance, Jack Langguth's article in *The New York Times Magazine* of August 8, 1965.) Yet the clash between fiction and reality, revealing the fictions for what they are, has come as a shock to many of those who had lived in a self-created world of what Mark Twain has called "conscience-soothing fantasies." In consequence, there has been a sharpening and a radicalization of policy alternatives. There are those who recommend that we take over the government of South Vietnam and pursue the war with new vigor in the South and, more particularly, in the North. Others, such as Senators JOHN SHERMAN COOPER, VANCE HARTKE, JACOB JAVITS, RICHARD RUSSELL, JOHN STENNIS and many others who want to maintain their anonymity suggest that we leave Vietnam if a duly-elected government requests us to and some, such as Senators RUSSELL and STENNIS, are identified with both recommendations as alternatives.

The chief victim of this new contact with reality is likely to be President Johnson's moderate policy. The recent escalation of air attacks against the North is likely to be a portent of things to come. The mainstay of that moderate policy has been a two-pronged war, seeking pacification in the South, interdiction of supplies and erosion of the will to wage war in the North. Both policies have failed. Pacification, aside from its incompatibility with a war necessarily waged without discrimination between combatants and civilians, requires a government which can keep pacified areas under its control and command the loyalties of the inhabitants. Yet the Saigon government cannot even control its own officials and its cities, which openly defy it and are honeycombed with Viet Cong agents.

The bombing of the North, strictly limited in terms of targets, suffers from the same inner contradiction which Winston Churchill, on the occasion of the League of Nation's sanctions against Italy during the Ethiopian War, put in the following epigram: "First, the Prime Minister had declared that sanctions meant war; secondly, he was resolved that there must be no war; and thirdly, he decided upon sanctions. It was evidently impossible to comply with these three conditions." Similarly, President Johnson knows that effective bombing of North Vietnam conjures up the risk of a military confrontation with China or the Soviet Union or both; he is resolved that there must be no such confrontation, and he has decided upon the bombing of North Vietnam. Thus, in terms of its objective of bringing the Hanoi government to its knees and isolating it from the South, the bombing of North Vietnam, limited by the risk of a military confrontation with China and the Soviet Union, is of necessity an exercise in futility.

THE LIMITS OF BOMBING

It is at this point that the advocates of expanded bombing have logic on their side. If you want to test bombing as an instrument of political warfare, you must hurt the enemy until you have reached the limits of his endurance. Where these limits are is, however, a very open question. The experiences of World War II and of the Korean War cast serious doubt upon the effectiveness of even unlimited bombing as an instrument of political warfare. They suggest that under the impact of continuing attacks from the air, the morale of a government and of a people may stiffen rather than disintegrate.

The main issue raised by the suggestion to lift the restraints upon the bombing of North Vietnam, however, transcends the effectiveness of bombing as an instrument of political warfare. It concerns our relations with China and the Soviet Union. Neither of the two major Communist powers can afford to watch the destruction of a "fraternal Socialist country" without giving aid commensurate with the threat. Their leadership of the world Communist movement and, more particularly, their competition for it compel them to escalate their aid in proportion to our escalation of the damage we inflict upon North Vietnam. For China, that compulsion is compounded by her concern for national security. Where such escalation would stop or whether it could be stopped at all is anybody's guess. One can certainly not exclude the possibility that the Soviet Union and China would supply North Vietnam with "volunteers" and "technicians" on a large scale. The possibility of escalation, therefore, includes the risk of a direct military confrontation between the United States, on the one hand, China or the Soviet Union or both, on the other.

To the question as to whether we ought to take such a risk, no *a priori* affirmative or negative answer can be given. Rather the answer depends upon the assessment of the stakes in terms of the national interest of the United States, for which such a confrontation would take place. In other words, we are facing here again the much debated question, why are we in Vietnam? If the stakes in Vietnam are as high as the supporters of the war make them out to be, if indeed the credibility of the United States and its prestige as a great power are at issue, if perhaps even the fate of Asia and of the non-Communist world at large will be decided in Vietnam, then the risk of a direct military confrontation with China and the Soivet Union is worth taking. If, on the other hand, the stakes are minor or as mythological as the commitment to a Saigon government and the eagerness of the people of South Vietnam to be defended by us have already proved to be, then the risks we have been taking have been out of all proportion to the interests involved, and by the same token there is no legitimate reason for increasing drastically these risks. This is indeed what I believe.

THE ADMINISTRATION'S CASE

The stakes by which our continuing presence in Vietnam and the expansion of the war are justified are, in ascending order of plausibility, resistance to aggression, the containment of China, the containment of Communism, and the prestige of the United States.

We must prove, so the first argument runs, that aggression, especially in the form of "wars of national liberation," does not pay by frustrating it in Vietnam. I shall not raise here again the otherwise relevant question as to whether we are facing in South Vietnam foreign aggression in the true sense of the word, and shall limit myself to pointing out that the argument assumes both a uniform pattern of aggression and a causal nexus among different manifestations of it. In this view, there exist, say, five opportunities for aggression throughout the world. By stamping out number one, one is supposed to have gone a long way toward preventing the others from materializing. This is, of course, an utterly dogmatic view of the world, completely oblivious of the concrete circumstances of time and place which determine the success or failure of political action. From this apolitical and unhistoric vantage point, the political processes appear as a series of litigations, the outcome of which is determined, in the manner of a legal precedent, by the outcome of the first.

In truth, each case of "aggression" is *sui generis,* and except in the rare case of a close political and military connection, the outcome of one can at best have only a remote psychological influence upon the outcome of the others. The success of Soviet "aggression" in Hungary and Cuba did not predetermine the success of aggression elsewhere. Neither the failure of the Bay of Pigs invasion nor the success of the intervention in the Dominican Republic provide a precedent for anything. What happened in North Vietnam in 1954 and in Laos since 1958 has had no determining effect upon what happened elsewhere in the world, Southeast Asia included; at best, it was one factor among many. Our stake in thwarting "aggression" in South Vietnam must, then, be judged on its own merits, not in the unreal terms of remote determining effects.

That requirement is answered by the argument that we are in South Vietnam in order to contain China. However, the argument is devoid of factual support on three grounds. First, it assumes that the extension of Hanoi's rule to South Vietnam or the establishment of an independent South Vietnamese government of which the Viet Cong are a part would be tantamount to the expansion of Chinese influence into South Vietnam. In truth, however, China is being contained in Vietnam, North and South, even under the present most adverse circumstances, not by our military presence but by the innate nationalistic hostility of all of Vietnam to China. The expansion of Chinese influence has been stopped by the nationalism of Vietnam, as it has by that of North Korea.

Our military presence in South Vietnam and our war against the North—and this is the second error—far from serving the cause of China's containment actually serves her expansion; for it weakens that indigenous nationalism which everywhere in the uncommitted world contains the influence of the great powers. By making war upon the Viet Cong and North Vietnam, we are making war upon the most effective instruments of Vietnamese nationalism, and in the measure that we escalate the war, we force them into unwanted dependence upon China. Thus our policy has results exactly opposite to those intended.

Finally, the result would not be different if we were successful in our aim of destroying the power of the Viet Cong in South Vietnam and establishing and maintaining some sort of anti-Communist government there. Such a government would from the outset be discredited in the eyes of the Vietnamese people since it could not maintain itself without massive American support. From whatever angle one approaches the problem, one cannot escape the existential incompatibility between Vietnamese nationalism and a white military presence, however benevolently conceived.

This being the case, the argument that we must remain in Vietnam in order to contain China blends into the one that we must remain in Vietnam in order to contain Communism, regardless of the preferences of the government and people of South Vietnam. By shifting the argument to an abstract ideological plane, we hope at the same time to avoid entanglement in the concrete issues of Vietnamese politics and to put our policy into the framework of a worldwide anti-Communist design. Yet that shift does not allow us to escape the confrontation with Vietnamese nationalism, which is fatal to that argument, too. It is the polycentric nature of modern Communism, as it reveals itself in the extremely peculiar conditions of Vietnam, that defeats the argument.

The interests and policies of China, the Viet Cong and the government of North Vietnam are not identical, although they all embrace Communism. North Vietnam seeks the unification of Vietnam under its own auspices; among the Viet Cong, there are strong anti-Northern tendencies; and China wants to reduce all of Vietnam to the position of a satellite. If we want to contain the Communism of the North, we might want to strengthen the Viet Cong's tendencies toward autonomy. If we want to contain the Communism of the Viet Cong, we thereby weaken one element which could have contained the Communism of the North. And by weakening either, we of course weaken the nationalistic barrier which Vietnamese nationalism interposes against the expansion of Chinese power. Thus a doctrinaire anti-Communism makes a rational foreign policy altogether impossible.

Finally, there is the argument that our prestige requires us to stay in Vietnam. It is really the decisive argument upon which our policy stands or falls. It is implicit in all the others that have been advanced—commitment, defense of freedom, opposition to aggression, containment—and it has a measure of merit. Our prestige is indeed engaged in Vietnam. However unwise it might have been to engage it and, more particularly, to escalate that engagement drastically in word and deed, the engagement of our prestige is an undeniable fact. We have committed our power, our resolution, and our wisdom to an outcome of the struggle in Vietnam favorable to the interests of the people of South Vietnam, as we see them, and to our own.

However, this threefold commitment of our prestige shows a fatal flaw. Nobody at home or abroad doubts our power to destroy the Viet Cong, be it even through genocide. Nor can anybody doubt our resolution to do so if this were to serve the interests at stake. What many Americans and an overwhelming majority of foreigners doubt is our wisdom in engaging our power and resolution in behalf of patently fictitious assumptions. Is our prestige better served by proving again and again what requires no further proof: that we have power and resolution, or by correcting policies which so many disinterested observers regard as being politically unwise, militarily unprofitable and morally dubious? Is it really a boon to the prestige of the most powerful nation on earth to be bogged down in a war which it is neither able to win nor can afford to lose? This is the real issue which is presented by the argument of prestige.

The rational resolution of that issue is rendered difficult by two factors. On the one hand, it requires the admission that the nation's policies have been mistaken and have fallen short of their goals. On the other hand, it requires the admission that the nation's policymakers have been mistaken and have fallen short of their tasks. Thus the prestige of the nation is inextricably intertwined with the personal prestige of the policy-makers. Certainly this nation is great and successful enough for its prestige to survive the admission of a misadventure. But those who govern us do not seem to think so; for they are lacking in that measure of confidence in themselves, of inner strength, nay, of greatness which will give a government the courage to step before the nation and the world and say, we have been mistaken. In the short run, the continuation of bankrupt policies, concealed by fictitious assumptions about the real world, promises an easy way out. In the long run, no government can escape the consequences of its mistakes, and the longer it persists in them, the greater will be the loss both to the substance of the national interest and to national and personal prestige.

The arguments in favor of our staying in Vietnam, then, do not bear objective scrutiny. This has always been so. What is new in the present situation is the opportunity it provides to disengage ourselves honorably and with a minimum loss of prestige from a profitless and risky misadventure. According to present plans, there are supposed soon to be elections in South Vietnam. These elections, if they are held at all, are not going to be representative or "free." First, elections can only be held in that part of Vietnam, comprising at best half of the population, which is firmly under the control of the military. Second, the Viet Cong will not be allowed to participate. Third, since the advocacy of a negotiated settlement is a criminal offense in South Vietnam, one very important segment of opinion will have no legitimate outlet. Finally, Vietnam has no real tradition of fair nationwide elections on national issues. Thus the government that administers the elections is likely to win them. It is in our interest to see to it that elections are actually held, and that through them political elements will come to the fore which will seek to liquidate the war through a negotiated settlement. To that end, we ought to work for the establishment of a broadly-based coalition government in which war-weary elements of the South Vietnamese population would have a decisive voice.

These political elements conceive of the issue of the war in different terms from ours. While for us the issue is between Communism and freedom, the South Vietnamese, insofar as they are anti-Communist, see it as a contest between a tyranny which at least can boast to have liberated the country from foreign domination, and a succession of tyrannies considered the tool of yet another foreign domination. These Vietnamese tend to equate the Communists and the Americans, and they would like to get rid of the latter while being confident of being able to fend off the former. Tri Quang's statement quoted above is a faithful expression of that position. We may consider this position to be utterly mistaken and contrary to the best interests of the people of South Vietnam as we see them, but if we are not prepared to impose our conception of their interests upon them by seeing to it that they be rather dead than red, we must accept it as the point of departure for a new American policy of disengagement.

LEAVING IT TO THE VIETNAMESE

The implementation of such a policy would be subordinated to the policies of the government of South Vietnam. We would refrain from imposing our conception of our commitments upon such a government and would leave it to them to interpret it. While the ultimate goal of such a policy would be the phased withdrawal of American forces, they would remain during the period of negotiations as a bargaining counter on behalf of the government of South Vietnam. This political purpose would be served by the continuing American occupation of the cities and coastal bases, which are today the mainstay of American military power in South Vietnam.

The "enclave" policy which I advocated in the Milwaukee Journal of June 27, 1965, and with which more recently Generals James M. Gavin and Matthew B. Ridgway and others have been identified, here finds a new and productive political purpose. This policy would amount to the temporary acceptance on our part of the existing de facto division of South Vietnam into the territory controlled by the Viet Cong and by the South Vietnamese military. It would imply the cessation of search-and-destroy forays and of air attacks and the maintenance of the status quo in the cities and the military bases presently under anti-Viet Cong control. Since such an arrangement would be intended to last only for the duration of negotiations, it could be expected, and might even be stipulated, that the Viet Cong would abstain from attacks upon, and acts of sabotage within, these enclaves.

We had the opportunity to embark upon such a policy last June when some prominent members of the Quat government tried to move toward a negotiated settlement. It was exactly because of this that the Administration allowed that government to be overthrown by General Ky. Is the Administration readier now to grasp that opportunity, especially after two assumptions upon which our present policy is based have been revealed as fictions? It would be rash to give a positive answer to that question.

There have always been government officials of fairly high position who were in favor of such a policy, and many common citizens, journalists and even hawkish senators, under the impact of recent events, have come to see reality at least partially in its true light. Yet the spokesmen of our government, as by conditioned reflex, endeavor to close the holes in the wall of myths with new fictions in order to keep an unwelcome reality out. One spokesman has dismissed the political disintegration of South Vietnam as "growing pains." Another has welcomed the upsurge of anti-Americanism as a healthy sign of nationalism. In contrast, and in the face of all the evidence to the contrary, a third one has discovered that the recent political turmoil in South Vietnam contained "only a very small overlay of anti-Americanism" and basically was "about the kind of government that can most efficiently carry on the war." These inanities are shown up for what they are by a Saigon dispatch of Charles Mohr in *The New York Times* of April 21, quoting an official source to the effect that, "There is a very real war-weariness in this country and the Buddhists represent it politically. I don't think there is any doubt that they will try to find ways to end the war."

The melancholy conclusion is inescapable that governments, like men in general, if they are capable of learning at all, learn from experience rather than from rational arguments. A blister burned on a child's finger is more persuasive than parental warnings. Perhaps we have not yet suffered enough for the lessons of Vietnam to sink in. Thus men must die, women must weep, what nature has provided and man has wrought must be destroyed, because governments, blinded by prejudice and paralyzed by pride, learn too slowly for the good of the governed.

Mr. McGOVERN. Mr. President, one of the best informed observers of the Vietnam conflict is the distinguished columnist Joseph Kraft. Mr. Kraft writes from a rich historical background combined with close, informed observation of the political and military struggles of Saigon. His column in the May 18, 1966, issue of the Washington Post should be read by every Member of Congress and the officials of our Government. I ask unanimous consent that this important article, together with James Reston's column of the same date in the New York Times, Walter Lippmann's columns of May 17 and May 19 in the Washington Post, and Emmet John

Hughes' article in Newsweek, May 30, 1966, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 18, 1966]

INSIGHT AND OUTLOOK: DEGRINGOLADE

(By Joseph Kraft)

Degringolade is a French word meaning how everything slowly came apart. It is the only word I know that adequately indicates what has been set in motion by the events of last weekend in South Vietnam. For the military seizure of Danang is an episode so many-sided in its potential dangers that the perils have to be counted in order to be realized.

The first danger is the reinforcement of the regime of Air Vice Marshal Nguyen Cao Ky. But the Ky regime is unfit to govern South Vietnam, or any other country. As now organized, it is not suited even to fight a war. It has little capacity to clear and hold territory in the wake of American military successes, still less to provide security and social services.

Most of the leading generals in the regime—particularly the regional, or corps, commanders—are quite simply racketeers, selling off jobs, contracts, real estate, supplies and anything else that comes under their control. Marshal Ky, though evidently honest, is a hot-headed young pilot. The immediate seat of all the recent trouble seems to be a kind of temper tantrum last March that led him to sack the former corps commander at Danang.

Secondly, there is the probable alienation, not only of the militant Buddhists but of virtually the whole elite of the central coastal plain stretching from Hue to within a few hours of Saigon. Though cool to the Saigon government and suspicious of all foreigners, including Americans, the center has at all times represented a distinctly nationalistic strain.

Probably the best way to repel communism in Vietnam is to mobilize the xenophobic nationalism of the center. But now the center is under the gun of the government. It will be a very lucky thing if the center, and in particular the militant Buddhists, do not commence private negotiations with the Communists. It will not be the first time that militaristic efforts to repeal communism by force have driven local nationalists into the arms of the Communists.

Thirdly, the avenue for moving from military to civilian rule has not been blocked. Even if some kind of elections are held, nobody can have any faith in their honesty or seriousness. General Ky has already indicated that he intends to rule no matter what the result of the poll.

Lastly, the other side can only be further convinced of the utility of keeping up the fight. The only true possibility of heading off the insurgency is to divert its support to a genuinely nationalistic regime—a regime that might have emerged from free elections. But against a regime that is as inherently weak and unstable as the Ky regime, the Communists are bound to keep up the pressure.

The American role in all this is murky. But it is certainly no good pleading that the United States was caught by surprise. Virtually everybody in South Vietnam knew for weeks that some such move was in the offing. On April 27, this column, written from Saigon under the title "Coups and Counter Coups" suggested the possibility of a move by Marshal Ky "aimed at preserving the present military crowd in power."

The truth of the matter is that in the face of this plain menance the American response was uncertain and weak. Ambassador Henry Cabot Lodge never made it clear that the United States absolutely insisted on free elections without any advance military horseplay. When Ky first said that he would stay in power for another year, Secretary of State Dean Rusk said only that he must have been misinterpreted. No effort seems to have been made to forestall Ky's airlift to Danang by putting a tight check on fuel supplies. On the contrary, all signs indicate that American officials, by turning a blind eye and deaf ear, actually encouraged Marshal Ky to move to Danang.

Perhaps Rusk and Lodge have some clear program for South Vietnam. But to me, anyway, that is not the way it looks. To me, it is not clear that they know what they are doing. And maybe that is why, at every juncture, President Johnson finds that his only choice is to send in more troops and step up the bombing.

[From the New York Times, May 18, 1966]

WASHINGTON: THE EVADED MORAL QUESTION IN VIETNAM

(By James Reston)

WASHINGTON, May 17.—President Johnson has been confronted for some time with a moral question in Vietnam, but he keeps evading it. The question is this: What justifies more and more killing in Vietnam when the President's own conditions for an effective war effort—a government that can govern and fight in Saigon—are not met?

By his own definition, this struggle cannot succeed without a regime that commands the respect of the South Vietnamese people and a Vietnamese army that can pacify the country. Yet though the fighting qualities of the South Vietnamese are now being demonstrated more and more against one another, the President's orders are sending more and more Americans into the battle to replace the Vietnamese who are fighting among themselves.

THE TWO OPTIONS

Ever since the start of this latest political crisis in Saigon, the President has had before him two courses of action. The first was to make clear to all the contending South Vietnamese leaders that the United States was going to limit its reinforcements, its military and economic aid, its casualties, and its military operations to the minimum until they had composed their differences.

The objective of this course was to try to produce unity, and failing that, to provide time for a basic reappraisal of the American commitment.

The second course was to appeal to everybody to get together and meanwhile to keep the war going as best we could with the American forces. President Johnson chose the second course. He is appealing and fighting, though he has even less reason to believe in the formation of a stable government now than he had at the beginning of the crisis.

WHAT JUSTIFICATION?

Justifying this historically, and particularly, justifying it personally to families of the casualties in the coming monsoon offensive will not be easy. If there were a reasonable expectation of political stability, the thing might be done, but lacking that, it is hard to see why the President rejected the course of a defensive pause.

The latest review of the war here with Ambassador Henry Cabot Lodge did not deal primarily with fundamental policy, but with operations. It did not focus on where we now stand or where we mean to go from here, but on what to do about the inflation and the shipping in Saigon, and the tactical problems in Danang and Hue, and how to pump a little more sawdust into the ruling generals in the capital.

There is little reason to believe that President Johnson's latest "appeal" to the Buddhist leader, Thich Tri Quang, will have any more effect than the other innumerable appeals that have been made to that militant monk by other Americans in the last few weeks.

He is clearly not thinking much about putting aside "the lesser issues in order to get on with the great national tasks." He is summoning his followers to new demonstrations against the military junta in Saigon and the generals in the Government are moving troops of the Seventh Infantry Division out of the operations against the Communists to deal with the expected rioting in the capital.

Plenty of appeals have been made by President Johnson among others, to General Ky, to "compose his differences" with the Buddhists and get on with the formation of a civilian government, but his answer to that was first to increase his military power by kicking out his rival general in the First Corps area, and lately sending his marines to Danang and bringing the country to the verge of civil war.

It may be that, in the face of all this petty and provocative folly, President Johnson is playing a waiting game and being more clever than anybody here can see. What he will do if his latest appeal to Tri Quang is ignored and followed by more chaos in the streets remains to be seen.

WHAT COMMITMENTS?

At one point, however, if the present trend continues, there will have to be a new definition of all the commitments that have been given. Our commitment to Saigon originally rested on Saigon's commitment to fight and govern, neither of which it is now doing effectively. The President's commitments in this war involve not only a handful of generals who seized power, but involve the Vietnamese people and the American people as well.

Our commitment was to a "legitimate government" and what we now have in Saigon is neither "legitimate" nor a "government." Our commitment was to help them win the war not to replace them on the battlefield. Our arms were provided to fight the aggressors and not to start a civil war. Our promise was to help South Vietnam, not to destroy it.

[From the Washington Post, May 17, 1966]

TODAY AND TOMORROW: THE OBLIGATIONS OF POWER

(By Walter Lippmann)

In a carefully prepared address at Princeton University the President said last week that "the issue for this generation . . . has to do with the obligations of power in the world for a society that strives despite its worst flaws always to be just, fair, and human." This is indeed the issue for this generation of Americans. What are our obligations in the exercise of the great power which we possess? This is the question which is troubling our people deeply and is dividing them dangerously.

The oldest and the first American answer to the question is in the Declaration of Independence, that power may be used only with "a decent respect to the opinions of mankind." This is the original American commitment, not to use force without taking into account the opinions of others. This fundamental commitment against the unilateral use of force in human affairs has been, in the American view, the prime obligation of power.

This has been the American idea from the beginning, and in the course of time it has evolved into a fundamental belief that the use of power must be brought under the reign of law. In this century the conviction has expressed itself in American support of the principle of collective security, as represented by the League of Nations, and then by the United Nations and by the regional agreements for the maintenance of peace.

From this, the fundamental obligation of power that it should not be exercised unilaterally, President Johnson has departed conspicuously. Though his intentions have been honorable, though his purposes have no doubt been good, the fact of the matter is that he has used military force more than once—in Santo Domingo, in the Stanleyville intervention, and in Vietnam without asking advice or seeking the consent of our allies all over the globe. He did not go before the United Nations for a verdict as to whether there was an aggression in South Vietnam. He did not consult, as the Treaty stipulates, the other members of the Southeast Asia Treaty Organization, he did not seek the advice and approval of the Organization of American States before going into Santo Domingo. His conduct of foreign relations has been willful, personal, arbitrary, self opinionated, and the fact is that he has won no important support for the Vietnamese war and that all the great states of Asia and Europe are absent from Vietnam, are anxious and suspicious.

The president and his apologists have persuaded themselves that the war in Vietnam is a continuation of and is legally and morally and strategically the same as, the resistance to the Kaiser, the resistance to Hitler, the resistance to Stalin, the resistance in Korea. They are mistaken. The conduct of American foreign policy since President Johnson was inaugurated in 1965 marks a radical break with the past. President Truman did not intervene in Korea on his own decision; he intervened after he had received the approval and support of the United Nations. This was no mere legal and moral facade. The proof is that the war was fought with the support of seventeen nations. In neither of the world wars of this century did the United States intervene alone or fight alone.

The President said at Princeton that "unlike nations in the past with vast power at their disposal, the United States has never sought to crush the autonomy of her neighbors." Someone should explain to the President that a remark like that, showing that vast power is combined with perfect self approval, grates badly on the nerves of many people at home and abroad.

It is "the taking of too much upon one's self as one's right" which, as the Oxford English Dictionary says, is what "arrogance" is.

[From the Washington Post, May 19, 1966.]

TODAY AND TOMORROW: THE ECONOMIC CONSEQUENCES OF THE WAR

(By Walter Lippmann)

It is not easy to know what to think about the economic issues which are now before the country. Thus the President's closest official economic advisers have been surprised by the boom since they published their estimates in January. One of the members of the Council of Economic Advisers, Mr. Arthur Okun, explained in a speech made last week why the Advisers find it difficult to forecast the course of the economy: "The most important message bearing on economic policy is that *the uncertainties in the defense area have not yet been resolved*." The central uncertainty is how big a military buildup there is to be in Vietnam in the calculable future.

Because of this uncertainty the current discussion about inflation, how serious it is and how bad it may become and what to do about it, is carried on in the dark. The fact of the matter is that the buildup which is now taking place, and is unofficially estimated to reach 400 thousand men by December, is not reflected in the budget of 1967, the budget under which the Government will operate for a year from this July. We know that the budget places a figure of 4.6 billion on "special Vietnam costs" for the year ending this June 30, and 10.3 billion for the year which begins July 1.

But these figures are misleading. For until recently the buildup has been carried on chiefly by drawing upon the accumulated stocks of materials and trained manpower. This way of conducting the war, which has been done so ably by Secretary McNamara, is ceasing to be possible because the stocks have been drawn down as far as is prudent.

Now, to draw upon stocks which have already been paid for does not require expenditures which show up in the appropriations for the budget. But to replenish the stocks does require new appropriations for expenditure. Therefore, in the period which we have now entered, the military buildup will become more visible in a steep rise of expenditures.

The only available estimate of what this is likely to mean is to be found in a cost accounting, made by unofficial economists, which is published in Fortune magazine for April. This article has all the earmarks of expertness and conservatism, and it comes to the conclusion that the war at its present level is actually costing 13 billions, and that at the level of 400 thousand men the war will cost at an annual rate of 21 billions. Since the 400 thousand level will not be reached until December, the cost of the war for fiscal 1967 is reckoned by Fortune magazine at 19.3 billion.

This steeply rising rate of expenditure will, through what the New Economists call the "multipliers," result in a great increase of the demand for goods and services. This will mean inflation unless total demand is reduced by taxation.

On the question of what to do about the developing inflation, the Administration has thus far refused to heed the advice of its own economists, of men like Dr. Heller, who are the architects of the Kennedy-Johnson prosperity. Though these economists are urging the President to ask for the standby legislative authority to levy higher taxes which would yield an additional $5 billion of revenue, the Administration is refusing to say no and is refusing to say yes to the economists, hoping that somehow something will happen to make it unnecessary to increase taxes in an election year.

In its resistance to a tax increase, the political judgment of the Administration has popular support. Recent polls show that while there is widespread popular discontent with the inflation which is already underway, only about 1 in 5 of the people is in favor of raising taxes.

As the war increases the inflationary demand, if the Government will not curb the demand by direct taxes, there is left, as in all our other wars, the attempt to freeze prices and wages by exhortation, guidelines, and administrative controls. These are an effort not to let the excessive demand operate against the inadequate supply of goods. It worked pretty well during the Second World War: there were no great black markets, the people did save and did buy bonds. It was only when the war was over, when the patriotic emotion was no longer controlling; that the pent-up inflation burst upon us.

The Administration may prefer to repeat the policy of the Second World War. There will, however, be one ingredient of that policy which will be lacking, the great popular patriotic sentiment which responded to the Japanese attack on Pearl Harbor and to Hitler's conquest of western Europe. The American intervention in South Vietnam is the most unpopular war within the memory of living Americans, and it will not be easy, therefore, to suppress by patriotic exhortations the visible effects of the underlying inflation.

[From Newsweek, May 30, 1966]

EMMET JOHN HUGHES ON A VIEW OF VIETNAM

I had been in Saigon but a few hours when an American friend told me a trivial incident shared a day earlier with an American officer. The two men had been idly strolling a quiet street near the city's center when the restless eye of the officer caught half-sight of a flashing arm, a few yards off to his side, and then an ominous missile hurtling toward them. He spun swiftly and poised his hands to try to catch the grenade and throw it a safe distance. It flew past him, softly struck a wall, and neatly bounced back to the Vietnamese youth who had thrown it. It was a dirty but innocent rubber ball. As the youth snared it, he smiled with knowing bemusement, then skipped down the street whistling softly, glancing back, and grinning enigmatically. And the Americans were left to blink in wonder over the meaning of his mirth: was he a carefree youth harmlessly laughing at the Americans' alarm, or a sullen Saigonese spitefully tricking them into panic? They would never know. And when I left Vietnam a week later to continue a journey through Asia and Europe, I could not help feeling that this most unhistoric incident somehow captured—more eloquently than all the military briefings and embassy conferences—the troubled spirit of the American presence, for all its awesome armor . . . its hazy elusiveness of purpose and its uneasy vision of the future.

I never left Vietnam, in the political sense, on all my travel around the world, for the conflict in Southeast Asia excites the concern of all capitols and foreign offices, from Manila to Singapore to Paris and London. And with absolute unanimity, all ministers and diplomats—Asian or European, leftist or rightist—privately voiced a few unvarying sentiments. All regretted the extent of U.S. involvement in Vietnam. All spoke, however, with no hint of conventional anti-Americanism: they simply voiced grave sorrow over the American dilemma. All yearned for diplomatic negotiation and U.S. withdrawal, on politically decent terms. All insisted that such terms would have to accept a major Communist role in South Vietnam's politics. And all deeply feared that both Hanoi and Peking would spurn any negotiation for the foreseeable future. As one of the highest officials in the British Foreign Office stated the matter: "To the cool eye of Peking, you have been led to commit 300,000 men to a struggle that costs China exactly nothing. If you were Peking, why would you negotiate?"

Throughout Southeast Asia, there await ready retorts to an American's common question: why is not the grim continuance of the war blamed more upon Communist obstinacy than American militancy? In the first place, there recurs a refusal to equate the military interventions of Hanoi and of Washington. As one quite pro-Western statesman insisted to me: "The two actions look to us very different. They are not just Asian: they are Vietnamese. And you cannot contend that the military behavior of one half of a small country toward its other half resembles closely the intervention, from 10,000 miles away, of the world's greatest military power." And in the second place, there prevails a general skepticism about U.S. promises to accept a neutralist Vietnam. As one Foreign Minister argued: "Your ambassadors and your generals keep saying that you are waging war in the holy name of 'anti-Communism.' Yet Washington keeps saying it will gladly negotiate with the Communists and accept their popular election to a Saigon government. It is hard to understand how you can sincerely hold both views. In fact, it is hard to know just what your government imagines is going to be won out of all this."

It is no easier to know the answer after an intensive look at the Vietnam scene itself.

It is a scene of almost stunning disproportions and incongruities. "Your military expansion in a country of less than 15 million," a Saigon editor wryly remarked to me, "may mean that we have witnessed right here, this last year, the most sudden population explosion in the world." The size of U.S. forces is no more striking, moreover, than their élan: from the gifted Gen. William Westmoreland down, they display poise and verve. And yet this, too, seems to have its anomalous aspect. During a full day of helicopter-hopping with Westmoreland to a string of isolated Special Forces outposts near the Cambodian border, I found one memorable instant singularly sad. It came in the form of the happy retort of the local commanding officer in the green beret, after Westmoreland had asked for any proof of Viet Cong weakness in the area: "Oh, yes, sir. In recent months, we had one villager inform on Viet Cong movements. And we welcomed one deserter: a 17-year-old girl. Sir, these are encouraging signs."

It is a scene clouded, too, with all the contradictions and confusions of judgment that often have baffled the U.S. public. In Saigon, the private forecasts of U.S. diplomats and U.S. generals concur perfectly on only one point: the public forecasts on Vietnam by Washington have been absurdly optimistic. But the authoritative witnesses agree on very little else. There is no more informed U.S. diplomat in Saigon than the man who assured me one day: "We have taken the military bounce out of the Viet Cong, and one more year will dramatically reduce our casualty lists." But there is no more informed U.S. general in Saigon than the realist who warned me the next day: "There is no significant turning in sight. Probably, the planned rate of Vietnam recruitment will have to be cut back: we have asked too much of them. Certainly, the American casualty rate will stay near the same ratio for a long time: the larger the forces, the more the casualties." And all informed guesses as to when a kind of success might crown the vast American effort fall in a sweeping time span: somewhere between five years and one generation hence.

And it is a scene that quickly betrays some critical deceptions attempted by some U.S. policymakers and their propagandists. To be specific . . .

It is not possible to respect a regime under Premier Nguyen Cao Ky as concerned with democracy or competent to govern. The Premier is immature and shallow, vastly pretentious and wildly mercurial. I found him thus, throughout one of his three-hour monologues, and any responsible American in Saigon knows him to be thus. Asked to contemplate a negotiated peace with Hanoi—at *any* time or on *any* terms—he has a flat and final way of scorning the notion: "I would rather go out and shoot myself." As for political enemies within his own borders, he views them with a giddy contempt, and he enjoys intoning a rather lethal kind of litany: "If I wish, I could destroy them all." As for U.S. politicians and U.S. publicists who have hailed Ky as a serious hope for Vietnam's future—after the tinsel drama of the Honolulu conference—they have much to answer for.

It is no more believable for the U.S. to pretend that its Vietnam policy faithfully follows the free will of the people than to pretend that its Communist foes are mere "bandits" surviving solely by "terror." Despite their public pieties, the U.S. Embassy and the U.S. military privately dread the prospect of national elections. The fear is not quixotic: who can guess how a people so scarred by war, and so impoverished in leadership, will practice sovereignty? Throughout this spring's political crisis, therefore, the U.S. pressed Ky hard to put down the Buddhists and to put off the elections. Now the next American hope rests on a grudging constitutional formula: an assembly indirectly elected, only the President chosen by popular vote and the President empowered to rule in any crisis by emergency decree.

It is utterly untrue to blame the country's political ferment on the cryptic politics or ambitions of a cabal of Buddhist monks. As falsehood always begets falsehood, this fiction is essentially the invention of those U.S. propagandists who must explain away their earlier fabrication, namely: a South Vietnam that had "turned the corner" in military security and political progress. The Buddhist protesters did not wantonly wreck this political Camelot: it never existed. And the agitations of Buddhists or students or workers are most plainly symptoms, not causes, of a half-nation in half-agony. Nor are the causes mysterious or malevolent. There has to be some war fatigue in the people. There has to be some resentment of the economic shocks caused by a foreign army of a quarter-million men. And there has to be a nagging awareness and a wearying regret—among the urban educated as well as the rural illiterate—that their present war and their future destiny no longer seem *theirs* for the waging or the winning. As one Saigon professor gently asked me: "Do you realize how long it has been since *we* made a major decision about war or peace? And if I just meekly ask you where *you* are taking *us*—can you tell me?"

I could not.

The riddle must bring at least some anguish to all caught in it. And it seems rooted in a strange anomaly. For sometimes a great modern nation has been chastised for allowing its undaring politicians to disparage or to deter the power of its undaunted military; so it was said of France in its own Vietnam struggle. But it has remained for the United States to contrive the contrary blunder; to credit its military power with a gift for the most elaborate political achievement—the making of a new and free nation.

This stays—as it has always appeared—the fatal flaw. It is a debatable theory that the Vietnam conflict has perilously overextended U.S. power *militarily*, for some U.S. presence presumably could stay impregnable for decades. But it is a demonstrable fact that U.S. policy has overextended itself with reckless extravagance *politically*. This involvement is wholly without precedent in American policy. It bars no analogy at all to the defense of Germany or Korea or Greece. For the American undertaking here—and here alone—implies an intent profoundly different from defending free nationhood and repelling aggression. Behind the military shield, it means educating a whole people to govern themselves when they have never done so. It means discovering a corps of democratic leaders where it has never existed. It means writing laws and combating poverty. It means inventing new political institutions and fostering new political parties. And far from the simple defense of free nationhood, it means arousing a sturdy sense of nationality in a people who have never been a nation.

Such a nearly delirious design would require, among many remarkable things, one luxury above all; a vast amount of time. But time is running out in Vietnam. The five years—or the generation—coveted by U.S. planners cannot be wrested from the turbulent politics or the tired people. The people's clamor, always confused and often querulous, yet carries a simple appeal; if not pacification, at least participation. But the harshly ironic truth is that the self-government of Vietnam, so revered in official American oratory, only carries menace to official American policy. For must not the deepest impulses of any Vietnamese civilian assembly soon prove to be a collective desire to show independence of the Americans and a competitive desire to appear the man or the faction most ingenious in talking the foe toward peace? Just two days before Premier Ky agreed to hold elections, I asked this question of a most authoritative spokesman for U.S. policy in Saigon. And he answered bluntly: *"If any elected assembly sits in Saigon it will be on the phone negotiating with Hanoi within one week."*

The choices that now are left to the United States would appear almost tormenting.

They suggest, both politically, and militarily, a set of self-locking dilemmas. If national elections are stifled, the U.S. presence must shelter behind a succession of sometimes servile, sometimes surly, military regimes. If national elections are free, the U.S. presence—while by no means sure to be instantly denounced—nonetheless instantly becomes the creature of the vagaries of Saigonese politics. If U.S. military progress stalls, Hanoi or Peking need only relax and rejoice. If U.S. military progress quickens, Hanoi or Peking need only hint a desire to negotiate with Saigon or Washington—with the sure knowledge that the hint would suffice to set each capital at odds with itself and with the other.

All the bleak choices rather inexorably dissolve, however, toward one. As a wise and sympathetic statesman of Southeast Asia stated to me: "You are going to leave Vietnam. You are not going to be routed or humiliated: your armadas and your bombers make you the greatest power even in the South Pacific. But you are going to leave because the earth-bound politics of Vietnam cannot be solved by the airborne cavalry of America.

"You now have probably a last decision to make. You may try to smother all forces in Vietnam seeking compromise and peace—thus pitting them all against you. Or you may try to work with the best of these forces in their confused attempts at negotiation, so that the very imperfect end of it all still will allow you to leave with dignity. Your last choice, then, is clear: either you will one day withdraw because you shrewdly appear to want to—or because it plainly appears you have to. Is this really so hard a choice?"

It may not seem a hard choice in abstract logic, but it is a stern choice in American politics. It would require of Washington almost a convulsion of candor and a revolution in courage. This means the courage to concede, after all, that the present hope of history for Vietnam has never been more, in truth, than a nation dealing with Peking much as Poland duels with Moscow. It means the resolve to ignore all zealots who still shout their preposterous prescription that a little more military medicine can cure political sickness. And it means the wisdom to sense that American repute in Asia is not dignified but diminished by untiring war for the unattainable victory . . . and American honor is not tarnished but brightened when so great a power can say, with quiet assurance: we have judged poorly, fought splendidly, and survive confidently.

I can think of no other way that the leaders of the United States might match the courage of the soldiers they have dispatched.

Mr. McGOVERN. Mr. President, I also ask unanimous consent that articles by I. F. Stone and Walter Lippmann appearing in the May 25, 1966 Minneapolis Tribune; an excellent article by Joseph C. Harsch which appeared in the Christian Science Monitor just before the recent bombing of Hanoi and Haiphong; and an article by former Vietnamese Ambassador to the United States Tran Van

Dinh appearing in the July 2, 1966 issue of the New Republic be printed at this point in the RECORD:

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Minneapolis Tribune, May 25, 1966]

THE REAL RISK IN VIET NAM

(From I. F. Stone's Weekly)

WASHINGTON.—A U.S. embassy official in Saigon said to me, "Nobody can come out here with an open mind and not have it changed by what he sees."

Since most VIPs see only U.S. officials, it is not surprising that their minds are changed in the desired direction. Perhaps mine is closed. Though I listened as sympathetically as I could to officials of quite different views, I must confess that I heard nothing to change it.

On the contrary, it seemed to me that the same exercise in self-delusion so many newspapermen have observed in the past was still going on. I cite as example a remark which offers a clue to the current crisis in Hue and Da Nang. At one of the first backgrounders I attended in Saigon I was startled to hear a briefing officer dismiss the Buddhist student demonstrations. "The students," he said, "don't represent anything."

I thought the remark all the more disturbing because it came from an official who has a reputation for intelligence and candor. It may well be that if you could run the whole population of Saigon through a computer it would turn out that few had ever heard of the student protests.

Conceivably you might also find that they expressed the most widespread feelings in the country—weariness with the war and antagonism to the presence of so many foreign troops. To dismiss the Buddhist students seemed foolish to me.

Students tend to be the most concerned and vocal group in every society. They are the men and women who will soon be governing the country. To decide that they represent nobody is a comforting way to dismiss protest, but a sure way to miscalculate political forces.

Admittedly there are students of varying opinion in Saigon: pro-war students and anti-war students, anti-election students, and pro-election students, Catholic students and Buddhist students. It is only the latter that the briefing officer was downgrading.

These tranquilizing rationalizations become the premises of policy. Ever since the Buddhist demonstrations were sparked by the removal of General Thi, there has been a disposition in the U.S. embassy not only to dismiss the demonstrators as "just a bunch of Buddhist beatniks" but also to hope the military would disperse them by force.

This is the historic delusion that revolutionary movements can be scattered with a whiff of gunpowder. There was disappointment that Ky did not put down the Saigon demonstrations by force and that he withdrew his troops from Da Nang in April after we flew them there for a confrontation with anti-government troops. From several sources I heard not only that Ky was being advised to precipitate a showdown in Da Nang but also that there were promises of U.S. funds to rebuild the city if his planes had to bomb out the rebels.

There was a strong current of disapproval when Ky backed down and promised elections instead. Ky's attack on Da Nang last week and the equivocal wait-and-see attitude of the White House seem to me quite consistent.

What the U.S. establishment fears is that once representative government is launched, it will be hard to control. What our military men desire is a secure base while they carry on the war; they want no disruptive experiments in democracy.

It is here that military needs conflict with political aims. To win the people you have to risk letting them express themselves, and that means risking a government which might negotiate peace.

[From the Minneapolis Tribune, May 25, 1966]

VIETNAM DISASTER PERCEIVED

(By Walter Lippmann)

WASHINGTON.—The hardest question facing us at the moment is whether or not the disintegration of the Saigon government and army can be stopped and reversed. The official position is, of course, that it can be.

But there is no prospect now visible that the South Vietnamese people and the South Vietnamese army can be united and rallied for the prosecution of the war. Unless this condition changes radically we shall increasingly be fighting alone in a country which has an army that is breaking up and a government which has little authority.

We must hope that the President and his strategic planners are prepared for such a development.

If the Saigon forces disintegrate, it will no longer be possible to continue the war on the theory that the mission of our troops is to smash the hard core of the enemy while the Saigon troops occupy and pacify the countryside.

What then? We shall be hearing from those whose first article of military faith is unlimited belief in airpower. They are arguing that the way to repair the breakdown in South Viet Nam is to bomb Haiphong and Hanoi in the North. The administration, we are told, knows the folly and the futility of that course.

Is there any real alternative to a holding strategy, sometimes called the enclave strategy, pending the negotiation of a truce and an agreement for our phased withdrawal from the Asian mainland? If the Vietnamese war cannot be won by the Air Force, if it cannot be won by American troops fighting alone in South Viet Nam, what other strategic option is there?

The only other option would be to make no new decisions and pursue the present course and hope that things are not so bad as they seem and that something better will turn up. The President is bound to be strongly tempted to take this line. The alternatives open to him are dangerous or inglorious and repulsive to his cautious but proud temperament.

A great head of government would have seized the nettle some time ago, as long ago as 1964, and would have disengaged gradually our military forces. But that would have taken a highmindedness and moral courage which are rare among the rulers of men. For rulers of men nearly always will do almost anything rather than admit that they have made a mistake.

Yet the moment of truth comes inexorably when a radical mistake has been made. The mistake in this case has been to order American troops to fight an impossible war in an impossible environment. The American troops, which may soon number 400,000 men, are committed to an unattainable objective—a free pro-American South Viet Nam. They are commanded to achieve this on a continent where they have no important allies and where their enemies have inexhaustible numbers.

[From the Christian Science Monitor]

ON MORE BOMBINGS

(By Joseph C. Harsch)

WASHINGTON.—Recent public opinion polls in the United States disclose a rising public impatience with the slow pace of victory in Vietnam. It is said that majority opinion now favors more bombing of North Vietnam.

The theory, presumably, is that by bombing around Haiphong and perhaps even Hanoi itself the North Vietnam government and people might be induced to give up their effort to sustain the Viet Cong in South Vietnam.

It is possible that the bombing of Haiphong and the mining of the harbor might reduce the amount of men and supplies moving down the jungle trails from the north to the south. However, this is not certain. The net effect of the bombing to date has probably been to attract more aid to North Vietnam from other Communist countries than might otherwise have been sent. It has also given North Vietnam the benefit of the "sympathy for the underdog" emotion.

COMMON CONSENT

But even if some military advantage might be gained from spreading the bombing, there are still powerful reasons bearing on the President in Washington against such action.

The main reason against more bombing is that the moment the United States bombs Hanoi or attempts by bombs to cut Haiphong off from the outside world, the nature of the war will be profoundly changed.

At the present time a tacit understanding exists which is accepted by the Russians and the Chinese.

Under this present set of "local ground rules" governing the air war against North Vietnam the United States limits its bombing to road and rail lines and a few specific targets such as the power plant near Haiphong. These are targets which can be hit without risk of hitting large numbers of civilians. The hitting of them does manifestly put some restraint on the supply line to the south.

By common consent this kind of bombing is accepted as being a justifiable answer to the fact that men and supplies from North Vietnam are moving to South Vietnam. The United States is making war on the supply line to South Vietnam. Both Russia and China have agreed, by their behavior, that Washington is entitled to do this.

NEW STRAIN

But it is implicit in the "ground rules" that, if the United States "escalates" its purpose in North Vietnam, the rules would be changed.

For example, bombing Hanoi would be a totally different thing from bombing the road and rail lines from Hanoi to the south. Hanoi is a heavily populated capital city. Bombing it would be making war on a mass of people and a government. Both Moscow and Peking are formally allied to that government and profess interest in the welfare of the people.

The bombing done so far does not force Moscow and Peking to recognize their obligations as allies to Vietnam. But if the United States made war not just on the supply line but on the government and the people of North Vietnam, a new strain would be put on both Chinese and Russian restraint.

It is conceivable that the United States could bomb and invade North Vietnam and conquer the country and Russia would do no more than protest. It is inconceivable that China would allow any such development without strong reaction. And Russia might feel forced to join in.

CHANGING RULES

So long as the military measures against North Vietnam are aimed only at the supply system and not at the government or people, the war continues in its present and familiar pattern.

But any change in the ground rules is bound to lead to change in the response.

Those who favor bombing Hanoi and the port and harbor of Haiphong are really talking about widening the war to include China.

Changing ground rules in the middle of a war is quite as risky as changing horses in midstream. Which is why the President will not necessarily give in to the new pressures even if his popularity has hit new lows.

He is said to understand that getting from a small-size war in Vietnam into a major war with China, and perhaps Russia too, would not necessarily win the next election for the Democrats.

[From the New Republic, July 2, 1966]

ELECTIONS IN VIETNAM: PRELUDE TO AN HONORABLE SETTLEMENT?

(By Tran Van Dinh)

(NOTE.—*Tran Van Dinh was Chargé d' Affaires and Acting Ambassador of Vietnam to the United States in 1963. After representing his country in Argentina and India he resigned from the Vietnamese Foreign Service to live and work in Washington, D.C., as a journalist, author and lecturer. He was born in the imperial city of Hue in 1923 and fought against the Japanese and then the French, 1942–49, in the nationalist cause.)*

In retrospect, we can see that it was the Honolulu conference in February, which brought together President Johnson and the leaders of the Saigon government, which indirectly provoked the agreement between the military junta and the Buddhists for an election this September of a national assembly for South Vietnam. But it also encouraged General Nguyen Van Thien, the head of state, and General Nguyen Cao Ky, the prime minister, to consolidate their power. Assured of US support, the first logical step was for them to try to bring corps commanders under more direct control.

General Nguyen Chanh Thi, a Buddhist and potential rival of Ky, was dismissed March 10. Thi was the tough paratrooper officer who revolted unsuccessfully against President Ngo Dinh Diem in November, 1960; he had commanded the first tactical zone and the first corps, with civil and military jurisdiction over the Northern provinces and the main cities of Danang and Hue, the Buddhist strongholds. The Buddhists reacted to his dismissal with demonstrations, and extracted from the generals a promise for elections and formation of a civilian government. A subsequent statement by Ky on May 8 to the effect that he intended to remain in power set off more demonstrations; this time the Buddhists demanded Thieu's and Ky's resignations. Ky sent loyal marines to occupy Danang and Hue.

Nevertheless, all parties still agree on the need to hold elections for a national assembly by September 11. The recent threat by Thich (Venerable) Tri Quang, the militant Buddhist leader, to sabotage the elections should be interpreted as a tactical move to force the resignations of Thieu and Ky. The Ky government hopes to get an elected assembly of its choice by barring "neutralists" as well as "Communists" and by restricting the assembly's function to merely writing a constitution before adjourning. But President Johnson, in his speech on Memorial Day at Arlington Cemetery, said, "South Vietnam is moving toward a government that will increasingly reflect the true will of its people." Barring unexpected developments, I believe elections will be held sometime this year, though perhaps not in September; that the assembly that is elected will seek to end the war through negotiations; and that the Viet Cong will not refuse to negotiate.

Ambassador Henry Cabot Lodge said on April 1 that "the Vietnamese never had elections on a national basis and a national question and it's never happened in their whole history." He erred (see Bernard B. Fall's article in *The New Republic* of May 14, 1966), but he nonetheless reflected the thinking of people who suspect that elections will lead eventually to a negotiated settlement of the war. These "counterinsurgency" experts are confident the war can be won as it was in Greece, Malaya and the Philippines, where the insurgents lost support and just faded away. Ideally, "wars of national liberation" could be solved by social and economic reforms, by winning the hearts and minds of the people who then deny the "water" to the insurgent "fish." But in Vietnam this requires two things.

The first is localization of the war. Yugoslavia helped the Greek insurgents, but the United States Air Force did not bomb military installations, roads and bridges in Yugoslavia. The British did not bomb Thailand during the Malayan campaign, although the Malayan Communists had training and rest camps inside Thailand. British diplomacy worked out a reasonably effective agreement with Bangkok for the joint control of the Thai-Malayan border. The United States did not blockage Indonesia, although arms were smuggled from that country to the insurgent Huks in the Philippines. But after February, 1965, when the U.S. Air Force started bombing North Vietnam, the war was internationalized.

A relatively competent, honest, respected and stable leadership and a relatively coherent and efficient administrative structure in South Vietnam is the second necessary condition. These are clearly missing today, and extensive bombings in the South, the use of defoliants and chemicals, and growing direct participation in the war by American troops will not help create that structure.

A GOVERNMENT OF THE PEOPLE

Those who in their hearts oppose the coming elections and those who favor them both realize that they will bring about a new political climate and a more representative government. Until now, the "Front for the Liberation of the South" (usually called the Viet Cong) has claimed to be the "only representative" of the people in South Vietnam, a claim backed by North Vietnam. As long as the Saigon government remains in the hands of the military junta, which at best represents only the interests of senior officers who fought with the French colonial forces during the 1945–1954 war of independence, the Viet Cong's claim sounds valid to many Vietnamese. With the election of a national assembly which in turn chooses a civilian government, the Viet Cong's claim would be much weaker. By the same token, the United States would gain considerable moral and political ground, for it has been accused rightly or wrongly of having since 1963 helped "a military clique," instead of the Vietnamese people, who have had no way of expressing their acceptance or rejection of that help.

Only an unwarranted optimist could expect the coming elections to be totally free and to reflect faithfully the will of the people who are under the nominal control of Saigon. At the same time it is not unreasonable to assume that in an elected assembly the Buddhist group, alone or in coalition with others, will have a decisive voice. The Buddhist leadership believes that Buddhism is the only force outside the Viet Cong which has grass-roots appeal and which has sizable international support. The Reverend Tam Chau, chairman of the Institute for Secular Affairs, recently attended the World Buddhist meeting in Ceylon to develop and strengthen outside contacts, especially among neighboring Buddhist nations. The Buddhist leadership feels it can successfully compete with the Viet Cong on both national and international levels.

What are the basic aims of the Buddhists? They are: defense of Buddhism, anti-Communism, independence, peace and social revolution through the revival of authentic Vietnamese values and the reestablishment of national dignity. These aims are shared by the vast majority of the Vietnamese, especially those in the countryside who in the past 25 years have been caught tragically in the midst of cruel wars and betrayed revolutions. (There are Buddhist leaders, I should note, who are very dubious about anti-Communism. Thich Nhat Hanh, director of the School of Social Studies at the Van Hanh Buddhist University in Saigon, said on June 4 in Washington: ". . . I am afraid of identifying myself with the dollar-making people; anti-Communism has become a real business in the last 10 years in South Vietnam." Thich Nhat Hanh is touring the United States to plead for an end to the war.)

Buddhist leaders feel that American soldiers have brought with them a "materialistic culture," and that American dollars are corrupting Vietnamese society and Vietnamese culture based on Buddhist values of purity and austerity. Hundreds of bars in Saigon and other Vietnamese cities and a growing army of Vietnamese prostitutes are constant reminders of the threat to national dignity. Many Buddhists look back nostalgically to one of the most stable and most prosperous dynasties in Vietnamese history: the Ly dynasty (1010–1225). During this period, Buddhism became the state religion and the monks contributed greatly not only to the religious life of the nation but its cultural and literary life as well.

The Buddhist leaders believe that only through a social revolution based on Buddhist values can the Vietnamese people recover their lost national dignity and lost cultural values, without which it is not possible either to compete with the Viet Cong or build a decent Vietnamese nation. Without political independence and national dignity this war is meaningless and the anti-Communist issue becomes secondary.

But the present military leaders, who were humiliated during the Ngo Dinh Diem regime and who have tasted power and its material advantages, are trying to cling to power as long as possible.

Some believe the United States will never withdraw its forces from South Vietnam short of a total military victory, which, now that the war has been carried beyond the 17th parallel, can be achieved only by the defeat of the Viet Cong army in the South and the defeat of the North Vietnamese armed forces in the North. But, in my opinion, by that time the Chinese would have entered the war; there would be armed confrontation between the United States and China and with it the complete annihilation of the Vietnamese in both South and North. Already, with the kind of military strategy being pursued in the South, total military victory in the South means the South's destruction.

NEGOTIATION STEP BY STEP

I believe President Johnson and his Administration sincerely seek an honorable settlement of the war, one by which the United States will not be defeated either militarily or in its basic political aims. With the huge and efficient American military commitment in South Vietnam, the war has been "unlosable," militarily, since 1965. The leaders in Hanoi know that. In his interview with a British journalist, James Cameron, the prime minister of North Vietnam, Pham Van Dong, was quoted as saying, "We're not trying to vanquish the United States. There seems to be some preposterous belief in America that we are threatening them—a poverty-stricken little country like Vietnam threatening the most powerful nation on earth! We are trying to get rid of them. They're on our soil and we don't want them there. Let them go away and the war is over." In other words, Hanoi is not expecting a second Dien Bien Phu, in the military sense. The only Dien Bien Phu which seems possible in the long run would be a political and economic one. And this may happen, given a prolonged war conducted in its present conventional way.

and growing dissatisfaction among the Vietnamese masses. The United States, with its unlimited resources in money and men, perhaps could prevent it, but the logical result would be lengthy occupation by the US Army of South Vietnam. No Vietnamese and few Americans want that.

Hanoi's prime minister must be thinking of "getting rid of" the Americans by a political settlement, by negotiations. But who is to negotiate with whom? President Johnson's peace drive last Christmas was received coolly by Hanoi and the Viet Cong. On one hand, the U.S. will find it difficult if not impossible to enter into direct negotiations with the Viet Cong or with Hanoi, as that will surely meet with strong opposition from the Saigon government, either the present one or even a future civilian government. On the other hand, the Viet Cong and Hanoi could not possibly deal with the present military junta, which they say represents "no one." The only answer would be to create conditions under which the Vietnamese can negotiate among themselves, conditions under which an elected government in Saigon can enter into gradual contact with the Viet Cong. That is why only elections can pave the way for a negotiated peace.

Such negotiations, when they take place, will require a great deal of skill on both sides. When they do begin, the following steps can be predicted:

1. Taking advantage of the new political climate created by an elected national assembly which "recommends that the government look into the problems of war and peace and the American military commitment," the civilian government could challenge the Viet Cong to prove their repeated desire for peace. A localized cease-fire and exchange of prisoners of war could then be discussed by the military commander in one "tactical zone" with the commander on the opposite side. (It is significant that during the attacks on Danang by General Ky's marines, the Viet Cong proposed that the dissident anti-government forces join with them, keeping intact their units and their command.)

2. Based on the results in one "tactical zone," the same pattern could be adopted more easily and rapidly in other zones until a general cease-fire has been realized in all South Vietnam.

3. During the final phase of negotiations for a general cease-fire and an exchange of prisoners, the delegates of the Saigon government and of the Viet Cong would meet for preliminary talks in a neutral capital, say Rangoon. If they wished, both Hanoi and Washington could send observers to the meeting, but it would be wise for Washington not to insist on it. The capital of neutral Burma served in 1958–59 as the site for a conference between Thai and North Vietnam delegates to try to work out repatriation of Vietnamese refugees in the northeast of Thailand (repatriation was halted by the U.S. bombing of North Vietnam).

4. These preliminary talks would provide both sides with an opportunity to discuss the procedure for reconvening the Geneva Conference, the co-chairmen of which are the United Kingdom and Russia. There have been repeated promises by all parties concerned to accept such a conference. The United States role in a future Geneva Conference should be more decisive than it was in 1954. Also, in order to respect the political realities of the 1960's, it would be advisable to enlarge membership of the Conference to include, besides the original nations (United Kingdom, USSR, France, People's Republic of China, Laos, Cambodia, the United States, South Vietnam, North Vietnam), the Viet Cong, Thailand, South Korea, Australia, New Zealand and the Philippines, since all of them have been direct participants in the Vietnamese conflict. It is expected that the other side will insist on more representation friendly to them, so as to balance the composition of the conference. This should not be insurmountable.

5. Among the main problems a new Geneva Conference would discuss, the thorniest would be:

Formalization of the terms of the cease-fire and the exchange of prisoners;

Control and supervision of the armistice agreements by an international body;

Supervision by an international body of elections, first for the unified government of South Vietnam, later for reunification of Vietnam.

ENLARGED GENEVA CONFERENCE

The 1954 Geneva Agreements set up an International Control Commission—India (chairman), Canada and Poland—to supervise implementation of the armistice agreements and supervise elections for the unification of Vietnam. But within a few months it became clear that the Commission lacked "teeth." It had little logistical support; it was denied cooperation or even moral backing by both South and North Vietnam; and in later years, with the decline of the role of India in world affairs, it lost much of its initial prestige. It is remarkable, however, that even today, though the ICC has become totally ineffective as a result of the enlargement of the war, North Vietnamese authorities continue to protest to the Commission about "violations by the United States of the Geneva Agreements." This indicates that North Vietnam wishes to keep the machinery of the ICC in being, for future use. The new ICC should be enlarged to comprise—besides India, Canada and Poland—the United States, Russia, the People's Republic of China, Australia, one Asian neutral country (Burma), one Asian anti-Communist country (Thailand) and one Eastern European country (Rumania). The United States could volunteer to put at the disposal of the Commission the facilities at such bases at Cam Ranh, Danang, Vung Tau, Tan Son Nhut. These bases would also serve as centers for regrouping, protection and evacuation to countries of their choosing of persons who for personal reasons or political conviction refuse to accept the terms of the armistice agreements. The chairmanship of the Commission should be rotated every six months, in the alphabetical order of countries represented.

6. Regarding eventual withdrawal of American land forces, the pattern adopted in an agreement signed by President Ho Chi Minh and M. Sainteny—the representative of France—in Hanoi on March 6, 1946, may be helpful. According to that agreement, "each year a fifth of the French troops will be relieved by the Vietnamese army; this relief will thus be effectively completed after five years." This should be supervised by the ICC. If and when elections for the reunification of Vietnam take place (three or five years after the conclusion of the armistice agreements) no foreign troops from any country must remain in Vietnam. This condition must be attached to a solemn pledge, made by the Vietnamese authorities at the time, not to enter into any military alliance and not to allow any military foreign base on Vietnamese soil. The role of the new and enlarged ICC, so far as Laos and Cambodia are concerned, would remain unchanged.

North Vietnam was very bitter when elections for reunification, stipulated in the 1954 Geneva Agreements, did not materialize in 1956. It is useless to blame one side or the other, but it must be expected that North Vietnam will insist on firmer guarantees than those provided in the 1954 Agreements. These guarantees can be provided by the United Nations, which should ratify the results of the new Geneva Conference. The UN should also send observers to be attached to the International Control Commission, selected from member nations not represented in the ICC. The UN presence in Vietnam would last as long as Vietnam wished, even after the election for reunification and after the ICC had fulfilled its mission. Pending reunification of the country, at which time Vietnam would be admitted as a full-fledged member of the world organization, both North and South Vietnam would maintain observers at UN headquarters.

It is evident that the road to an honorable settlement in Vietnam requires a great deal of patience from the travelers. But an attempt must be made, and the first step is elections in South Vietnam. This in turn calls for an unequivocal reaffirmation by the United States that it will abide by the results and the effects of this year's elections in the South. If one trusts frequent statements by the President and his Secretaries of State and Defense, such a reaffirmation presents no difficulties. The U.S. should use its diplomatic influence to convince the government in Saigon to act in a like manner and with the same good faith.

In the long run, the United States will have achieved its basic aims in Vietnam—normalization and a nonaligned Vietnam. Historical and geopolitical realities, as well as immediate interests, dictate that no government in a reunified Vietnam could afford to be a satellite of China and still remain in control; likewise no Vietnamese government could afford to be totally dependent on the United States and still enjoy the support of the people. Thus, eventually, Vietnam can contribute to the American policy of "containment without isolation of China," preparing the way for normalization of relations between the U.S. and China.

(At this point Mr. McGOVERN assumed the chair.)

Mr. METCALF. Mr. President, it has been a privilege today to listen to some of the challenging and thought-provoking addresses by the Senator from Indiana and by the present occupant of the Chair, and the comments by the Senior Senator from Idaho concerning the situation in Vietnam.

Those speakers are certainly more expert and exercise more leadership in this particular area than I.

I think it is especially important that it was emphasized that, a year ago, we were spending approximately $1 billion a month. Today we are spending approximately $2 billion a month. We can look forward to an acceleration and escalation of the war, and it is my opinion that we shall be spending $3 billion a month or more within a short time.

As casualties pour in, as costs increase, as draft calls increase, as perhaps taxes go up, and as we may be forced to institute controls, a change may occur in the opinion that the Senator from South Dakota has suggested would be the immediate reaction.

I agree that probably most of the American people will feel that the bombing is justified, and that it is a part of the U.S. military endeavor.

I believe that as a result of the bombing and as a result of the speeches that have been made in the Senate today—in the highest tradition of the Senate—it is the responsibility of President Johnson to again outline the objectives and the goals of this country in the war in Vietnam. Of major importance, I believe he must tell the American people what we are trying to do, where we are going, and how we shall achieve the objectives and the goals that he must outline.

No longer can we rely on the fact that we, as a nation, were invited into Vietnam to resist aggression, because a half dozen governments have been in existence in Vietnam since the government which first invited us in and asked for advisers. Many Senators voted for all the necessary resolutions and appropriations.

As the result of this escalation of the war and as the result of this bombing, full and frank disclosure must take place as to just where we are going, what we are attempting to do, and what our objectives and goals are.

The debate that occurred this afternoon, by the Senator from Indiana and the Senator from Pennsylvania and others, is in the tradition of the Senate—of dissent, of explanation. I believe the debate will be helpful to the American people in finding out where we are going.

CONGRESS AFTER 6 MONTHS

Mr. MANSFIELD. Mr. President, at the close of business today, the Senate will take a short and well-earned rest until July 11. It is my hope that this period will be used to recharge batteries because, although much has been accomplished in the past 6 months, I would be less than candid if I did not confess that much more must be done.

We have a big legislative program to get through and I believe it is safe to predict that we will not adjourn before we have measured up to our responsibilities and completed this program. Thus far, the Senate has passed a series of major bills, some of which are innovations and represent major contributions.

We can take comfort in the fact that this well-earned, if all too brief, recess will be taken with the knowledge that for the moment our calendar is practically bare.

For the first time in history we have passed legislation providing for—

An auto safety program;

A highway safety program;

A tire safety program;

A program calling for truth in packaging;

Establishing a Federal program of safety for metal and nonmetallic mine safety;

Extending urban development planning to rural areas;

Alleviating the recurring national shortages of railroad freight cars;

An accelerated program of fish protein concentrate research including authority to construct five demonstration plants;

Authorizing funds for the construction and furnishing an official residence for our Vice President.

The foregoing were "firsts." In addition the Senate has passed—

Four appropriation bills;

A bill authorizing the President to accept membership in the Asian Development Bank;

Authorizations for additional economic and military aid to Vietnam;

The Tax Adjustment Act;

The GI benefits bill;

A 5-year extension of the Library Services and Construction Act;

Emergency aid to India;

Approved four reorganization plans;

An expansion of the mandatory safety provisions of the Mine Safety Act;

The annual AEC authorization measure;

The annual Coast Guard authorization;

The annual space authorization;

The Manpower Services Act;

An increase in the Small Business authorization;

The Participation Sales Act of 1966;

An extension of the Renegotiation and Defense Production Acts;

An increase in the temporary debt limit;

The Bank Holding Company Act Amendments;

The copper tariff suspension and numerous stockpile disposal bills;

The annual military procurement and military construction authorizations;

An extension of the Federal Airport Act;

Established Cape Lookout as a part of the President's recreation program;

A bill providing a third powerplant for Grand Coulee;

A bill enlarging the scope of the water resources research program;

Established a National Water Commission;

A bill establishing a national wild river system;

A bill reforming the Federal bail procedures;

Established the American Revolution Bicentennial Commission;

And, among other items, ratified five treaties.

Before we can ring down the curtain on the 2d session of the 89th Congress, we must consider—

The bill establishing the Department of Transportation;

The Civil Rights Act of 1966;

The foreign aid authorization bill;

Unemployment compensation reforms;

An increase in minimum wage and an expansion of coverage;

The Housing and Urban Development Act of 1966 which includes the demonstration cities program, grants to assist in planned metropolitan development, coordination of Federal activities in metropolitan development, land development and new communities, and mortgage insurance for group practice facilities;

The District of Columbia minimum wage and District of Columbia Revenue Act and home rule which are in conference;

The expanded water and air pollution programs;

The Federal pay bill;

Food for freedom;

The crime bills;

Narcotics rehabilitation;

The Foreign Investors Tax Act;

The Health Professions Training Act, the Child Safety Act, the Comprehensive Health Planning and Public Health Service Act, the Drug Safety Act, the Hospital Modernization Act, and the International Health program;

A bill continuing and accelerating the war on poverty;

A clean elections bill;

An extension of the Elementary and Secondary Education Act, the Higher Education Act, and an International Education Act.

This list is by no means inclusive or final as there will be other measures to be considered.

The Congress can leave here by Labor Day if, and it is a big if, we buckle down upon our return. Therefore, it is my hope that each of you will enjoy this well-earned respite from daily Senate activities and return ready to grind out the program so this session can hold its head high in the company of the 1st session of the 89th—one of the most productive sessions in our Nation's history.

To summarize the Senate's activities so far, I ask unanimous consent that the following report be printed in the RECORD following my remarks.

There being no objection, the legislative activity report was ordered to be printed in the RECORD, as follows:

SENATE LEGISLATIVE ACTIVITY THROUGH JUNE 30, 1966

Days in session	93
Hours in session	424:53
Total measures passed	433
Treaties ratified	5
Confirmations	41, 168
Public Laws	129

Following is a brief summary of all major general bills upon which the Senate has acted this session, with Presidential recommendations listed first and followed by other legislation categorized by subject. If there is no roll call vote breakdown, Senate action has been by voice vote.

PRESIDENTIAL RECOMMENDATIONS

Appropriations, 1966

Vietnam supplemental: Appropriates an additional $13.1 billion. Public Law 89–374.

Vote: Senate passage 87 (58 Democrats, 29 Republicans)—2 (2 Democrats).

Second supplemental: Appropriates a total of $2.8 billion, including $12.1 million for rent subsidies, $9.5 million for Teachers' Corps, and $12 million for Selective Service System for higher costs relating to an increase in induction needs. Public Law 89–426.

Vote: Senate passage 72 (54 Democrats, 18 Republicans)—12 (10 Democrats, 2 Republicans).

Appropriations, 1967

Interior Department and related agencies: Appropriates a total of $1,321,615,800. Public Law 89–435.

Treasury-Post Office: Appropriates a total of $7,196,429,135. Public Law 89–474.

Asian Development Bank: Authorizes the President to accept membership on behalf of the United States in the Asian Development Bank and authorizes an appropriation of $200 million. Public Law 89–369.

Vietnam supplemental economic aid: Authorizes for the current fiscal year additional economic aid in the amount of $290 million for southeast Asia and $25 million for the Dominican Republic; plus an additional $100 million for the worldwide contingency fund. Public Law 89–371.

Vote: Senate passage 82 (55 Democrats, 27 Republicans)—2 (2 Democrats).

Vietnam supplemental military authorization: Authorizes a total of $4.8 billion additional for fiscal 1966 for military activities in Vietnam. Public Law 89–367.

Vote: Senate passage 93 (61 Democrats, 32 Republicans)—2 (2 Democrats).

Tax Adjustment Act: Increases revenues in 1966 and 1967 by approximately $6 billion to help finance the war in Vietnam; extends social security coverage ($35 minimum) to all who are or reach 72 by 1968 and are not receiving railroad retirement, Federal, State or local pensions; increases excise tax on automobiles to 7 percent and telephone service to 10 percent through March 31, 1968; increases withholding and accelerates corporate tax payments. Public Law 89–368.

Vote: Senate passage 79 (55 Democrats, 24 Republicans)—9 (5 Democrats, 4 Republicans); Conference report 72 (49 Democrats, 23 Republicans)—5 (1 Democrat, 4 Republicans).

Emergency aid to India: To help India meet her pressing food shortages, this act makes available under Public Law 480 certain agricultural commodities including food grain, corn, vegetable oils, milk powder, cotton and tobacco. Public Law 89–406.

GI benefits: Provides educational assistance for veterans who have served on active duty for more than 180 days since January 31, 1955. Public Law 89–358.

Vote: Senate adopted House amendments 99 (67 Democrats, 32 Republicans)—0.

Library services: Extends the Library Services and Construction Act to June 30, 1971, and authorizes appropriations totaling $700 million. H.R. 14050. Public Law 89– .

Medicare: Extends from March 31 to May 31, 1966 the deadline for enrollment in the medical insurance portion of the social security health insurance program for the aged. Public Law 89–384.

Truth in packaging: This act is designed to insure that labels of packaged consumer commodities adequately inform consumers of the quantity and composition of their contents and to promote packaging practices which facilitate price comparisons by consumers. S. 985 passed Senate June 9.

Vote: Senate passage 72 (56 Democrats, 16 Republicans)—9 (1 Democrat, 8 Republicans).

Reorganization Plan No. 1: Approved the transfer of the Community Relations Service from the Department of Commerce to the Department of Justice and the transfer of all its functions from the Secretary of Commerce to the Attorney General. Effective April 22, 1966.

Vote: Senate rejected disapproval resolution: Yeas, 32 (11 Democrats, 21 Republicans); nays, 42 (42 Democrats).

Reorganization Plan No. 2: Approved the transfer of the water pollution control functions from HEW to the Department of the Interior. Effective May 10, 1966.

Reorganization Plan No. 3: Approved the transfer to the Secretary of HEW the functions now vested in the Surgeon General of the Public Health Service. Effective June 25, 1966.

Reorganization of Navy Department: Effective May 1, 1966.

Coal mine safety: Extends the mandatory safety provisions of the Federal Coal Mine Safety Act to mines regularly employing less than 15 men underground, and strengthens other provisions of the act to increase the protection of lives and property in all underground coal mines. Public Law 89–376.

Metal and nonmetallic mine safety: Reduces the high accident rate and improves health and safety conditions in mining and milling operations carried on in the metal and nonmetallic mineral industries, establishes a Federal program of systematic inspection of such operations which affect commerce, and requires development, issuance, and enforcement of health and safety standards. H.R. 8989 passed Senate amended June 23.

Vote: Senate passage 57 (41 Democrats, 16 Republicans)—18 (7 Democrats, 11 Republicans).

AEC: Authorizes $1,964,128,000 for operating expenses and $295,830,000 for plant and capital equipment, or a total of $2,259,958,000 for fiscal 1967. Public Law 89–428.

Coast Guard authorization: Authorizes $126 million for fiscal 1967 for the Coast Guard to procure vessels, aircraft and to construct shore and offshore establishments. Public Law 89–381.

Space authorization: Authorizes a total of $5,008,000,000 to the National Aeronautics and Space Administration for fiscal 1967. H.R. 14324 in conference.

SBA authorization: Increases by $125 million the ceiling on loans and outstanding commitments for the regular business loan program, the disaster loan program, and title IV loans under the Economic Opportunity Act; also increases by $125 million the total amount which may be appropriated to the present revolving fund; establishes two revolving funds, one for disaster loans without an authorization ceiling and a second fund to finance other SBA lending programs. Public Law 89–409.

Participation Sales Act of 1966: Allows the Federal National Mortgage Association to sell to private investors shares, or certificates of participation, in loans pooled from the portfolios of several Federal agencies, including the Small Business Administration. Public Law 89–429.

Vote: Senate passage 39 (34 Democrats, 5 Republicans)—22 (2 Democrats, 20 Republicans); Senate adoption of House amendments, 50 (47 Democrats, 3 Republicans)—20 (2 Democrats, 18 Republicans).

Defense production: Extends the Defense Production Act of 1950 to June 30, 1968. H.R. 14025. Public Law 89– .

Civil Defense emergency extension: Extends to June 30, 1970, the President's authority to deal with the effects of an enemy attack upon this Nation. H.R. 13125. Public Law 89– .

Debt ceiling: Provides a temporary debt limitation of $330 billion beginning on July 1, 1966 and ending June 30, 1967. Public Law 89–472.

Vote: Senate passage 50 (40 Democrats, 10 Republicans)—17 (8 Democrats, 9 Republicans).

Bank Holding Company Act Amendments: Eliminates two major open-end exemptions from the Bank Holding Company Act of 1956 (the exemption for long-term trusts and religious, charitable, and educational institutions and the exemption for registered investment companies and their affiliates) and brings up to date the regulatory and administrative provisions of the Bank Holding Company Act and related acts. H.R. 7371. Public Law 89– .

Copper Tariff suspension: Suspends the present 1.7 cents per pound duty on unrefined copper (1.7 cents per pound plus 10 percent in the case of nickel silver waste and scrap) for the period February 9, 1966, through June 30, 1968. Public Law 89–468.

Community district development: Extends urban development planning under section 701 of the Housing Act of 1954 to rural areas. S. 2934 passed Senate April 25.

Military procurement—pay increase: Authorizes $17,480,759,000 for the procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, and evaluation, and a 3.2-percent military pay raise. S. 2950. Conference report filed June 30. House floor, July 12.

Military construction authorization: Provides construction and other related authority for the military departments, and the Office of the Secretary of Defense, within and outside the United States and authority for construction of facilities for the Reserve components in the total amount of $975,671,000 consisting of $969,241,000 in new authority and an increase in prior years' authorizations of $6,430,000. S. 3105 passed Senate May 25.

Federal Employees' Compensation Act: Increases payments under Federal Employees Compensation Act for on-the-job injuries or disability. H.R. 10721. Public Law 89– .

Manpower Services Act of 1966: Provides guidelines and a mandate to improve and expand the services provided through the present Federal-State employment service system. S. 2974 passed Senate June 29.

Renogiation Act extension: Extends the Renegotiation Act of 1951 to June 30, 1968. H.R. 13431. Public Law 89– .

District of Columbia home rule: Provides for an elected mayor, city council, and nonvoting delegate to the House of Representatives for District of Columbia S. 1118. Senate requested conference April 5; House District Committee rejected motion to appoint conferees May 11.

Vote: Senate passage 63 (47 Democrats, 16 Republicans)—29 (15 Democrats, 14 Republicans).

District of Columbia minimum wage: Creates a wage floor of $1.25 an hour within 6 months of enactment for an estimated 300,000 men, women, and minors not now covered by the Federal statute. H.R. 8126 in conference.

Vote: Senate passage 60 (41 Democrats, 19 Republicans)—10 (6 Democrats, 4 Republicans).

District of Columbia revenue: Provides additional revenue for financing District government activities supported from the general fund which includes the cost of police, fire protection, education, health, welfare, courts, and other general government functions; provides a method for computing the annual Federal payment authorization; provides a method for computing the annual borrowing authority for the general fund; increases the tax on motor vehicle fuels from 6 to 7 cents a gallon; and increases the highway fund borrowing authority for highway construction by $35 million. H.R. 11487 in conference.

Pennsylvania Avenue: Provides for the administration and development of Pennsylvania Avenue in the District of Columbia as a national historic site. Senate Joint Resolution 116 passed Senate June 8. House Calendar.

Auto safety: Provides for a coordinated national safety program and establishes safety standards for motor vehicles and highways. S. 3005 passed Senate June 24.

Vote: Senate passage 76 (52 Democrats, 24 Republicans)—0.

Highway safety: Authorizes a 3-year, $465 million national highway safety program. S. 3052 passed Senate June 24.

Tire safety: Establishes safety standards for automobile tires sold or shipped in interstate commerce. S. 2669 passed Senate March 29.

Vote: Senate passage 79 (54 Democrats, 25 Republicans)—0.

Freight car shortage: Expands the present powers of the Interstate Commerce Commission to set daily rental rates paid by one railroad to another for the use of freight cars moving across the country, and includes considerations of the national freight car supply as a basis for setting rates. Public Law 89–430.

Federal Airport Act: Extends the Federal aid to airports program an additional 3 years, expiring June 30, 1970, at the existing $75 million annual level of authorization. S. 3096 passed Senate June 20.

Cape Lookout: Authorizes $3,200,000 for the establishment of the Cape Lookout National Seashore in North Carolina. Public Law 89–366.

Grand Coulee—Third powerplant: Authorizes $390 million for Federal construction of a third powerplant at Grand Coulee Dam on the Columbia River in the State of Washington, which will add 3.6 million kilowatts of generating capacity to the 2 million kilowatts of the two existing plants, making it the largest single hydroelectric development in the world. Public Law 89–448.

Great Salt Lake: Authorizes immediate conveyance to Utah of 250,000 acres of Federal land which borders the Great Salt Lake. Public Law 89–441.

Great Salt Lake Relicted Lands Act Amendment: Insures full protection to the contingent interests of the Federal Government in certain lands in the State of Utah relicted from the Great Salt Lake (Public Law 89–441). S. 3484 passed Senate June 23.

Water Resources Research Act Amendments: Enlarges the scope of the 1964 Water Resources Research Act by authorizing $85 million over a 10-year period in grant, matching and contract funds for assistance to educational institutions in addition to State land-grant colleges, to competent private organizations and individuals, and to local, State, and Federal agencies in undertaking special research in water resource problems. Public Law 89–404.

Wild Rivers: Establishes a National Wild Rivers System and designates seven rivers to be preserved in their natural condition and provides for study and possible inclusion later of segments of 17 other rivers. Estimated cost is $16,067,000 for the 5-year program. S. 1446 passed Senate January 19.

Vote: Senate passage 71 (45 Democrats, 26 Republicans)—1 (1 Republican).

Southern Nevada Project Amendment: Repeals section 6 of Public Law 89–292 authorizing $81,003,000 for the Federal construction of the southern Nevada water project. Section 6, because of being couched in general language, requires the Department of Interior to recognize the intrastate priorities of water rights to the use of water. S. 2999. Public Law 89– .

Wolf Trap Farm: Establishes Wolf Trap Farm Park in Fairfax County, Va. S. 3423 passed Senate June 30.

Federal bail reform: Revises the practices relating to bail to assure that all persons, regardless of their financial status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither justice nor public interest. Public Law 89–465.

National Water Commission: Establishes a National Water Commission to review and advise on the entire range of water resource problems. S. 3107 passed Senate June 9.

American Revolution Bicentennial Commission: Establishes the American Revolution Bicentennial Commission to commemorate the great struggle for freedom which occurred nearly 200 years ago. Commission will be composed of Members of Congress and the executive branch, and distinguished and outstanding Americans appointed by the President. Senate Joint Resolution 162. Public Law 89– .

Treaties

Settlement of investment disputes—Executive A: Ratified May 16.

Vote: 72 (44 Democrats, 28 Republicans)—0.

Supplementary income-tax convention with the Netherlands—Executive B: Ratified June 21.

Vote: 83 (55 Democrats, 28 Republicans)—0.

Supplementary tax protocol with the United Kingdom and Northern Ireland—Executive C: Ratified June 21.

Vote: 83 (55 Democrats, 28 Republicans)—0.

Protocol to Mexican broadcasting agreement extending its provisions to December 31, 1967—Executive D: Ratified June 21.

Vote: 83 (55 Democrats, 28 Republicans)—0.

Amendments to the Convention of the Intergovernmental Maritime Consultative Organization—Executive H: Ratified June 21.

Vote: 83 (55 Democrats, 28 Republicans)—0.

Stockpile disposals: (18)

Amosite asbestos, Public Law 89–422.
Bauxite, Public Law 89–394.
Bismuth, Public Law 89–417.
Chromite, Public Law 89–415.
Fluorspar, Public Law 89–416.
Muscovite mica, Public Law 89–419.
Phologopite mica, Public Law 89–418.
Molybdenum, Public Law 89–413.
Platinum, Public Law 89–390.
Rhodium, Public Law 89–420.
Ruthenium, Public Law 89–423.
Thorium, Public Law 89–421.
Vanadium, Public Law 89–424.
Celestite, Public Law 89–461.
Opium, Public Law 89–464.
Sisal, Public Law 89–462.
Crocidolite asbestos, Public Law 89–463.
Aluminum, Public Law 89–460.

OTHER LEGISLATION BY SUBJECT

Agriculture

Cotton research and promotion: Provides for a cotton research and promotion program financed by cotton growers designed to improve cotton's competitive position and improve markets and uses for U.S. cotton. H.R. 12322, Public Law 89– .

Vote: Senate passage 49 (38 Democrats, 11 Republicans)—20 (8 Democrats, 12 Republicans).

Disaster areas planting: Permits farmers who are prevented from planting wheat, feed grains, or cotton by flood or other natural disaster the same opportunity to plant alternative crops that the law now accords farmers whose crops have been destroyed by such a disaster after planting. Public Law 89–451.

Vote: Senate passage 56 (41 Democrats, 15 Republicans)—10 (1 Democrat, 9 Republicans).

Screw-worm eradication: Authorizes Secretary of Agriculture to cooperate in screw-worm eradiction in Mexico. H.R. 14888. Passed Senate, amended, June 29.

Tobacco allotment leasing: Extends the time for filing tobacco allotment leases with the county committee until July 31 of each year. Public Law 89–471.

Defense

Coast Guard amendments: Increases the maximum authorized number of commissioned Coast Guard officers on active duty from 3,500 to 4,000. Increases the number of cadets to be appointed annually to the Coast Guard Academy from 300 to 400. Public Law 89–444.

District of Columbia

Capital stock requirements: Amends the District of Columbia Fire and Casualty Act to require that all domestic stock insurance companies authorized to do a fidelity or surety business in the District of Columbia maintain a paid-up capital stock of not less than $500,000 and a surplus of not less than $250,000. Public Law 89–399.

Court functions: Transfers numerous functions from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions, the Commissioners of the District of Columbia and to the Recorder of Deeds. S. 1611. Public Law 89– .

Court of general sessions: Authorizes the expansion of the District of Columbia court of general sessions from 15 to 20 associate judges and establishes a traffic branch in this court. S. 2263 passed Senate August 24, 1965; passed House amended May 9.

Gen. John J. Pershing: Authorizes the erection of a memorial in the District of Columbia to Gen. John J. Pershing. S. 2338 passed Senate June 2.

Insurance premium finance companies: Provides a requirement for licensing and a means for regulating the activities of premium finance companies in the District of Columbia. Public Law 89–403.

Parking Facility Act: Provides for a parking program as part of a balanced transit system in the District of Columbia, and a unified planning program under the supervision of a Parking Board and Advisory Council. S. 2769 passed Senate June 21.

Registration of trade names: Protects the general public and legitimate businesses in the District of Columbia by requiring registration of assumed trade names, disclosure of principals and agents conducting business under such names, and requiring such principals and agents residing outside of the District to constitute the District of Columbia Board of Commissioners as their attorney for service of process. S. 1717 passed Senate April 5.

Regulating domestic stock insurance companies: Provides District of Columbia with regulatory authority over domestic stock insurance companies to enable those companies, by coming under the regulatory jurisdiction of the Superintendent of Insurance for the District, to be exempt from regulation by the SEC. Public Law 89–402.

Teachers' retirement increase: Provides a combined increase of 11.1 percent to teacher retirees whose annuities are based on the law in existence on or before October 1, 1956, and 6.1 percent to those retirees whose annuities were computed under the liberalized formula made applicable after October 1, 1956, by the 1956 retirement amendments to the Teachers' Retirement Act. Increases retroactive to December 1, 1965. H.R. 11439. Public Law 89– .

Education

Books for handicapped: Extends to other handicapped persons the provisions of existing law which authorizes that books and other materials be furnished to the blind. S. 3093 passed Senate June 29.

Salary increase for overseas teachers: Provides for approximately a 10 percent increase for teachers in the overseas dependent school system. Public Law 89–391.

Federal employees

Additional supergrades: Provides for the establishment of certain management, administrative, scientific, and research and development positions in GS-16 through 18 and other comparable salary levels. S. 2393 passed Senate September 1, 1965; passed House amended June 6, 1966.

Assistant Postmaster General: Creates a sixth position of Assistant Postmaster General in the Post Office Department to be in charge of research, development, and construction engineering programs. H.R. 13822. Public Law 89– .

Back pay: Consolidates and liberalizes existing law on the restoration of an employee to his position after an adverse action against him has been found by appellate authority to have been erroneous or unjustified. Public Law 89–380.

Civil service retirement: Permits the natural child of a deceased Federal employee who dies without survivors eligible to receive a survivor annuity from the civil service retirement and disability fund to share in the distribution of any money on deposit in the fund which belongs to the deceased employee. Public Law 89–407.

Congressional employees: Preserves the retirement, group life, and health benefits for congressional employees receiving fellowships from the American Political Science Association. Public Law 89–379.

Federal workweek: Permits variation of the 40-hour workweek of Federal employees for educational purposes. Public Law 89–478.

Hazardous duty pay: Permits the payment of premium compensation (up to 25 percent) to Classification Act employees for periods of work involving hazardous conditions. H.R. 1535. Public Law 89– .

Interior employees medical expenses: Authorizes the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work. S. 2153 passed Senate March 4.

Life insurance: Removes the ceiling limitation and changes the payment ratio. H.R. 6926 passed Senate, amended, March 17.

Star route pay raises: Provides for an automatic cost-of-living adjustment in the contract price of certain star route contracts whenever the Consumer Price Index reflects an increase of at least 1 percent in 1 year. Limits increase to not more than $15,000 of any star route contract. H.R. 2035. Public Law 89– .

Finance

Bank mergers: Establishes new and uniform standards for bank merger approvals by regulatory agencies; requires that antitrust action be filed within 30 days; permits mergers on basis of community need and public interest if these factors predominate; exempts mergers completed prior to June 17, 1963. Public Law 89–356.

Bankruptcy Act amendments: Amends chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source. S. 1923 passed Senate March 4.

Bankruptcy liens: Rearranges the priority of liens in bankruptcy to subordinate Federal tax liens to statutory liens. H.R. 136. Public Law 89– .

Bankruptcy referees: Amends the Bankruptcy Act to prohibit referees or part-time referees from acting as trustee or receiver in any proceeding under the Bankruptcy Act. Public Law 89–414.

Bankruptcy—Tax priority: Provides for discharge in bankruptcy of Federal taxes due more than 3 years except withholding taxes and income taxes where no return was filed, or where fraud is involved. H.R. 3438. Public Law 89– .

Federal Reserve purchases: Extends until June 30, 1968 the present authority of the Federal Reserve banks to purchase securities direct from the Treasury in amounts not to exceed $5 billion outstanding at any one time. S. 3368. Public Law 89– .

GATT negotiations: Expresses the sense of Congress that our trade negotiators should limit their offers of concessions to authority prescribed by the Trade Expansion Act of 1962. Senate Concurrent Resolution 100 passed Senate June 29.

Vote: Senate passage 69 (43 Democrats, 26 Republicans)—8 (7 Democrats, 1 Republican).

Use of foreign currencies: Provides permanent authority for Federal agencies to use authorized foreign currencies held by the United States for other than specified programs but requires a reimbursement to the Treasury by the agency using the funds. S. 801 passed Senate March 22.

General government

Administrative Procedure Act of 1966: Revises and updates existing administrative procedures with new ones designed to increase the efficiency and fairness of the administrative process. S. 1336 passed Senate June 21.

Attorney's fees: Removed arbitrary limitations on attorney's fees for services rendered in proceedings before administrative agencies of the United States. S. 1522 passed Senate June 13.

Freedom of information: Revises section 3 of the Administrative Procedure Act to provide a true Federal public records statute by requiring the availability, to any member of the public, of all of the executive branch records described in its requirements, except those involving matters which come under stated exemptions. S. 1160. Public Law 89– .

Postal savings: Discontinues U.S. Postal Savings System 30 days after enactment. Public Law 89–377.

Uniform time: Provides for uniform daylight saving time throughout the United States beginning in 1967 unless a State votes to remain on standard time. Requires any State or subdivision using daylight saving time in 1966 to commence it on the last Sunday in April and end it on the last Sunday in October. Public Law 89–387.

Health

Food and drug: Allows manufacturers of candy to use ingredients which have been approved as safe by the Food and Drug Administration. Public Law 89–477.

Fish protein concentrate: Inaugurates an accelerated 5-year program of fish protein concentrate research including authority to construct five demonstration plants. S. 2720 passed Senate June 27.

Housing

Vice President's residence: Authorizes an appropriation of $750,000 for the construction and furnishing of an official residence for the Vice President to be located on the grounds of the U.S. Naval Observatory. Public Law 83–386.

International

China—Loan of naval vessels: Authorizes lending one destroyer and one destroyer escort to the Republic of China. Public Law 89–398.

Foreign Agents Registration Act amendments: Protects the interests of the United States by requiring complete public disclosure by persons acting for or in the interests of foreign principals where their activities are political in nature or border on the political. Such public disclosures as required by the act will permit the Government and the people of the United States to be informed as to the identities and activities of such persons and thus be better able to appraise them and the purposes for which they act. S. 693. Public Law 89– .

Foreign gifts and decorations: Establishes uniform basic standards for the acceptance of gifts and decorations by persons employed by the U.S. Government under specified conditions. S. 2463 passed Senate May 17.

Interama: Authorizes the President to provide for U.S. participation in the Inter-American Cultural and Trade Center, known as Interama, in Miami, Fla., a permanent international fair to serve as a meeting ground for the governments and industries of the Western Hemisphere and other areas of the world. Public Law 89–355.

Vote: Senate passage 56 (43 Democrats, 13 Republicans)—18 (6 Democrats, 12 Republicans).

International Organizations Immunities Act: Provides for tax and customs exemption of the European Space Research Organization and for tax exemption of their foreign employees. Public Law 89–353.

International Petroleum Exposition: Authorizes the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held in Tulsa, Okla., May 12 through 21, 1966. Senate Joint Resolution 63 passed Senate February 10.

Nonproliferation of nuclear weapons: Expresses to the President that the Senate commends his efforts to negotiate an international agreement limiting the spread of nuclear weapons and supports the principle of additional efforts which the President deems appropriate and necessary in the interest of peace and for the solution of nuclear proliferation problems. Senate Resolution 179 adopted May 17.

Pan American Institute of Geography and History: Increases the ceiling on U.S. contributions to the Pan American Institute of Geography and History from $50,000 a year to $75,000 and authorizes appropriations for the expenses of U.S. participation in Institute activities (estimated at $3,000 a year). Senate Joint Resolution 108 passed Senate May 12.

United States-Mexico flood control: Authorizes conclusion of an agreement for joint construction by United States and Mexico of flood control project for the Tiajuana River. S. 2540 passed Senate March 8.

The 1972 Winter Olympics: Approves selection of U.S. Olympic Committee and supports its recommendation that Utah be designated as the site for the 1972 Winter Olympic Games. Senate Concurrent Resolution 71 passed Senate March 14; passed House April 4.

World Health Assembly: Authorizes an appropriation of not to exceed $500,000 to enable the United States to extend an invitation to the World Health Organization to hold the 22d World Health Assembly in Boston, Mass. in 1969. Public Law 89–357.

Judicial

Court of Claims: Authorizes the President to appoint two additional judges for the U.S. Court of Claims, subject to Senate confirmation. Public Law 89–425.

Federal Claims Collection Act: Authorizes heads of agencies or their designees to compromise claims that do not exceed $20,000, and are claims for money or property arising out of activities of the agency or are referred to it. H.R. 13651 passed Senate amended June 27.

Federal judgeships: Creates 45 new Federal judgeships, 10 circuit court and 35 district court. Public Law 89–372.

Federal Tort Claims Act amendment: Provides authority to the heads of Federal agencies for administrative settlement of tort claims against the United States. H.R.3650. Public Law 89– .

Judgments: Provides that in any action brought by or against the United States or any agency or official of the United States acting in his official capacity, costs may be awarded by the court to the prevailing party. H.R. 14182. Public Law 89– .

Statute of limitations: Establishes statutes of limitations which will apply to contract and tort actions brought by the U.S. Government. H.R. 13652. Public Law 89– .

Labor

Railway labor: Eliminates the large backlog of undecided claims of railroad employees pending before the National Railroad Adjustment Board, and provides equal apportunity for judicial review of awards by this Board to employees and employers. Public Law 89–456.

Memorials

Boy Scouts: Pays tribute to the Boy Scouts on the occasion of the 50th anniversary of their charter, and expresses recognition for their public service. Senate Concurrent Resolution 68 passed Senate February 10; passed House amended February 21.

Chamizal Treaty National Memorial: Provides for the establishment of the Chamizal Treaty National Memorial in El Paso, Tex. H.R. 7402. Public Law 89– .

Fort Union Trading Post: Authorize the establishment of the Fort Union Trading Post National Historic Site, N. Dak. and Mont., to commemorate the significant role of Fort Union as a fur trading post during the early history of our Nation. Public Law 89–458.

Lewis and Clark Trail Commission authorization: Adds Illinois to the list of States entitled to representation on the Lewis and Clark Trail Commission and increases the annual authorization from $25,000 to $35,000. Public Law 89–475.

National Air Museum: Provides for memorializing space flight as a part of the National Air Museum. H.R. 6125. Public Law 89– .

Roanoke Island memorial: Establishes the Roanoke Island Memorial Commission, North Carolina. Senate Concurrent Resolution 39 passed Senate June 8.

Sir Winston Churchill: Designates April 9, 1966, as Sir Winston Churchill Day, the third anniversary of the date U.S. citizenship was conferred on Sir Winson. Public Law 89–385.

Resource buildup

Contiguous fishery zone: Establishes a 12-mile fishery zone off the U.S. coast. S. 2218 passed Senate June 20.

Feasibility study: Authorizes the Secretary of Interior to study the feasibility and desirability of a Connecticut River National Recreation Area in the States of Connecticut, Massachusetts, Vermont, and New Hampshire. S. 3510. Passed Senate June 30.

Fishery resources survey: Directs the Secretary of Interior to conduct a survey on the extent and condition of the inland and coastal fishery resources of the United States. Senate Joint Resolution 29 passed Senate June 7.

Fur Seal Act of 1966: Implements the Convention on the Conservation of North Pacific Fur Seals and gives the Secretary of Interior broader discretion in the administration of the Pribilof Islands encouraging self-government. S. 2102 passed Senate June 20.

Manson irrigation unit, Washington: Authorizes the Department of Interior to construct, operate, and maintain the Manson unit, Cheland Division, Chief Joseph Dam Project, Washington. The estimated cost of $13,344,000 will be repaid within 50 years by the water and power users, with the exception of $150,000 to be used for fish and wildlife purposes. S. 490 passed House amended March 30.

Marine resources and engineering development: This bill furthers ocean engineering and exploration, expands marine science and technology, and intensifies development and utilization of ocean, Continental Shelf, and Great Lakes resources. Public Law 89–454.

Missouri River Basin project: Increases by $60 million for fiscal years 1967 and 1968 the authorization for appropriations for continuing work on the Missouri River Basin project. H.R. 14312. Public Law 89– .

Mount Rogers Recreational Area: Authorizes the establishment of the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia. Public Law 89–438.

Public land leasing: Authorizes the Secretary of Interior to enter into leases for a period of 25 years under the Recreation and Public Purposes Act which will permit States and local units of government to plan and develop Federal lands under lease to them with Federal participation as provided for in the Land and Water Conservation Fund Act. Public Law 89–457.

Small Reclamation Projects Act amendments: Broadens and strengthens the Small Reclamation Projects Act of 1950, which is designed to encourage State and local participation in the development and improvement of reclamation projects in their own localities. S. 602. Conferees agreed June 2.

Tualatin Federal reclamation project, Oregon: Authorizes up to $23 million for the Federal construction of the Tualatin Federal reclamation project, in Washington County, Oreg. S. 254. In conference.

Taxes

Armed Forces—tax treatment: Provides that retired servicemen are to be taxed only on the amount they actually receive as retired pay. The amount of any reduction to provide survivor annuities would be excluded. Estate and gift tax exclusions are also provided. Public Law 89–365.

Estate tax deficiencies: Amends the Internal Revenue Code of 1939 to provide that if any part of a deficiency with respect to estate tax liability is due to fraud with intent to evade tax, the penalty to be imposed is 50 percent of the total amount of the deficiency rather than 50 percent of the total tax liability. Public Law 89–359.

Expropriation recoveries: Provides a new set of rules for the tax treatment to be accorded recoveries of foreign expropriation losses. Generally, the new rules limit the tax on the recovery to the benefit previously received in deducting the loss. Public Law 89–384.

Tax court: Liberalizes the computation of benefits for retired judges of the Tax Court by basing their pension on the salary of the "office" rather than actual salary at the time of retirement, thereby permitting pay raises to be passed on to retired judges. Public Law 89–354.

Tax exempt savings institutions: Provides income tax exemption for certain nonprofit organizations operated to provide reserve funds for savings and loan associations, and subjects them to unrelated business income tax. Public Law 89–352.

Undistributed taxable income: Provides that undistributed taxable income made within 2½ months after close of taxable year to shareholders of certain small business corporations shall be considered to have been made before the close of the taxable year. Public Law 89–389.

Duties

Bauxite: Continues until July 15, 1966, the suspension of duty on certain alumina and bauxite. Public Law 89–440.

Chicory: Extends until June 30, 1969, the suspension of duty on crude chicory and the reduction in ground chicory. Public Law 89–439.

Copra: Makes permanent the duty-free treatment or lower rates of duty temporarily applicable to copra, palm nuts, and palm nut kernels, their oils, and specified fatty acids, salts, and other chemical products derived from the oils. Public Law 89–388.

Corkboard: Makes permanent the existing duty-free treatment for certain corkboard insulation. Public Law 89–431.

Electrodes: Extends until July 15, 1968, the suspension of duty on electrodes imported for use in producing aluminum. Public Law 89–434.

Graphite: Makes permanent the existing suspension of duty on certain natural graphite. Public Law 89–433.

Heptanoic acid: Continues until August 8, 1969, the existing suspension of duty on heptanoic acid. Public Law 89–432.

Household effects: Makes permanent the existing duty-free treatment of personal and household effects brought into the United States under Government orders. Public Law 89–436.

Shoe lathes: Continues until the close of June 30, 1969, the existing suspension of duty on certain copying shoe lathes. Public Law 89–437.

Tropical hardwoods: Suspends the duty on tropical hardwoods until January 1, 1968. Public Law 89–392.

Transportation and communications

Construction differential subsidies: Extends for 1 year the present authority of the Secretary of Commerce to make construction differential subsidy payments of a maximum of 55 percent on new merchant vessel construction. S. 2858 passed Senate June 15; passed House amended June 20.

Dogs and cats: Authorizes the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and certain other animals intended to be used for purposes of research or experimentation. H.R. 13881. In conference.

Obscene telephoning: Makes it a Federal offense to make obscene or harassing telephone calls in interstate or foreign commerce or within the District of Columbia. S. 2825 passed Senate June 29.

Radio frequencies—harmful interference: Provides the Federal Communications Commission with adequate authority to deal with increasingly acute interference problems arising from expanded usage of electrical and electronic devices which cause, or are capable of causing, harmful interference to radio reception. S. 1015 passed Senate June 2.

Small vessels: Simplifies the admeasurement of small vessels. Public Law 89–476.

War risk insurance: Extends war risk insurance authority until September 7, 1970, which permits the Secretary of Commerce to provide war risk insurance for the protection of aircraft and persons together with other liabilities pertaining to aircraft when commercial insurance cannot be obtained on reasonable terms and conditions. Public Law 89–447.

Veterans

Burial allowances: Extends the statutory burial allowance to certain veterans whose deaths occur as a result of a service-connected disability. Public Law 89–360.

Disabled veterans—cars: Authorizes the VA to make grants toward the purchase of a car for certain veterans of the cold war who suffer serious service-connected disabilities. S. 1199 passed Senate June 9.

Disappeared veteran: Provides that where a veteran receiving a pension disappears, the VA may pay his pension to his wife and children. Public Law 89–467.

Hospitalization: Restricts the conditions under which benefits are immediately reduced upon readmission of veterans for hospitalization or other institutional care. Public Law 89–362.

Hospital and nursing care in Alaska and Hawaii: Broadens the definition of the term "Veterans' Administration facilities" to include private contract facilities for war veterans in a State which is not continguous to the 48 contiguous States (Alaska and Hawaii). S. 562 passed Senate June 8.

Service connected: Liberalizes dependency and indemnity compensation (DIC) to the surviving parents and children of a veteran who died as a result of service-connected causes by increasing the monthly dependency and indemnity compensation rates and the applicable annual income limitation provisions, and provides for certain exclusions from the computation of annual income in the case of dependent parents. H.R. 14347 passed Senate amended June 27.

Travel expenses: Authorizes the payment of actual necessary travel expenses, or a mileage allowance in lieu thereof, to any person, to or from a Veterans' Administration facility or other place, in connection with vocational rehabilitation, counseling required pursuant to the war orphans educational assistance program, as well as for the purpose of treatment, examination, or care. Public Law 89–455.

Widows: Allows the widow of a veteran, who died from a service-connected disability, left to care for eight or more children the same benefits that the children of a widow left in similar circumstances would receive under the pension program. Public Law 89–466.

ADJOURNMENT UNTIL JULY 11, 1966

Mr. METCALF. In accordance with the resolution previously adopted—House Concurrent Resolution 804, as amended—I move that the Senate stand in adjournment until 12 o'clock noon, Monday, July 11, 1966.

The motion was agreed to; and (at 5 o'clock and 2 minutes p.m.) the Senate adjourned until Monday, July 11, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 30, 1966:

AGENCY FOR INTERNATIONAL DEVELOPMENT

William S. Gaud, of Connecticut, to be Administrator of the Agency for International Development, vice David Elliott Bell.

U.S. ADVISORY COMMISSION ON INTERNATIONAL EDUCATIONAL AND CULTURAL AFFAIRS

The following-named persons to be Members of the U.S. Advisory Commission on International Educational and Cultural Affairs for terms expiring May 11, 1969, and until their successors are appointed and have qualified (reappointments):

Dr. Walter Adams, of Michigan.
Dr. Joseph R. Smiley, of Colorado.
Dr. Pauline Tompkins, of Maine.

CONFIRMATION

Executive nomination confirmed by the Senate June 30, 1966:

NATIONAL ENDOWMENT FOR THE HUMANITIES

Barnaby C. Keener, of Rhode Island, to be Chairman of the National Endowment for the Humanities for a term of 4 years.

* * *

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 30, 1966

The House met at 12 o'clock noon.

The following prayer was offered by Rev. Charles H. Hay, All Saints' Episcopal Church, Winter Park, Fla.:

Be not conformed to this world: but be ye transformed by the renewing of your mind, that ye may prove what is that good, and acceptable, and perfect, will of God.—Romans 12: 2.

Almighty God, our Heavenly Father, who hast called our Nation to a place of trust and responsibility throughout the world, we humbly thank Thee for all the ways in which Thou hast blessed and guided us in the past and present; continually inspire, we pray Thee, the minds and hearts of all to whom Thou hast committed the responsibility and leadership of this Nation; hold before them Thy standard of truth and justice, thereby saving them from all ungenerous judgments. Direct and prosper all their considerations and endeavors to the advancement of Thy glory, the safety, honor, and welfare of all Thy people, that peace and happiness, truth and justice may be established among us for all generations; granting them the will to make all their choices in accordance with Thy will, so that we all may take our part in the fulfillment of Thy purpose—through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Jones, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On June 17, 1966:

H.R. 15151. An act to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

On June 18, 1966:

H.R. 11748. An act to amend section 111 of title 38, United States Code, to authorize the prepayment of certain expenses associated with the travel of veterans to or from a Veterans' Administration facility or other place, in connection with vocational rehabilitation or counseling, or for the purpose of examination, treatment, or care.

On June 20, 1966:

H.R. 706. An act to amend the Railway Labor Act in order to provide for establishment of special adjustment boards upon the request either of representatives of employees or of carriers to resolve disputes otherwise referable to the National Railroad Adjustment Board, and to make all awards of such Board final;

H.R. 3957. An act to authorize establishment of the Fort Union Trading Post National Historic Site, N. Dak. and Mont., and for other purposes;

H.R. 6646. An act to amend the Recreation and Public Purposes Act pertaining to the leasing of public lands to States and their political subdivisions; and

H.R. 10431. An act to declare that certain federally owned land is held by the United States in trust for the Minnesota Chippewa Tribe.

On June 21, 1966:

H.R. 2290. An act for the relief of Charlotte Schulz;

H.R. 13366. An act to authorize the disposal of aluminum from the national stockpile;

H.R. 13768. An act to authorize the disposal of celestite from the supplemental stockpile;

H.R. 13769. An act to authorize the disposal of cordage fiber (sisal) from the national stockpile;

H.R. 13770. An act to authorize the disposal of crocidolite asbestos (harsh) from the supplemental stockpile; and

H.R. 13773. An act to authorize the disposal of opium from the national stockpile.

On June 22, 1966:

H.R. 3177. An act to amend title 38, United States Code, to increase dependency and indemnity compensation in certain cases; and

H.R. 9961. An act to amend chapter 15 of title 38, United States Code, to provide that where a veteran receiving pension under this chapter disappears, the Administrator may pay the pension otherwise payable to the wife and children.

On June 23, 1966:

H.R. 3692. An act for the relief of William F. Kuhlman;

H.R. 5533. An act for the relief of Kuniki Nagano Zwiefelhofer;

H.R. 8219. An act for the relief of Cho Myung Soon and Cho Myung Hee;

H.R. 8833. An act for the relief of Sarah Antoinette Cappadona;

H.R. 9643. An act for the relief of Haider Raza and his wife, Irene Raza, and their children, Afzal Anthony and Haider Raymond Raza;

H.R. 10133. An act for the relief of Fritz A. Frerichs;

H.R. 10638. An act for the relief of certain employees of the Post Office Department at Eau Gallie, Fla.;

H.R. 12396. An act for the relief of Elton P. Johnson; and

H.R. 12676. An act to amend the Tariff Schedules of the United States to provide that certain forms of copper be admitted free of duty.

On June 24, 1966

H.R. 1233. An act for the relief of Lee Chung Woo;

H.R. 3774. An act for the relief of Wanda Olszowa;

H.R. 5003. An act for the relief of Evangelia G. Latsis;

H.R. 5984. An act to amend sections 2275 and 2276 of the Revised Statutes, as amended, with respect to certain lands granted to the States;

H.R. 10357. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the U.S. Secret Service;

H.R. 15124. An act to amend section 316 of the Agricultural Adjustment Act of 1938, as amended; and

H.R. 15202. An act to provide, for the period beginning on July 1, 1966, and ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

On June 29, 1966:

H.R. 6438. An act to authorize any executive department or independent establishment of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof;

H.R. 6515. An act to supplement the act of October 6, 1964, establishing the Lewis and Clark Trail Commission, and for other purposes;

H.R. 7042. An act to amend section 402(d) of the Federal Food, Drug, and Cosmetic Act; and

H.R. 14266. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1967, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 6125. An act to amend Public Law 722 of the 79th Congress and Public Law 85-935, relating to the National Air Museum of the Smithsonian Institution; and

H.R. 13125. An act to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 14888. An act to amend the act of February 28, 1947, as amended, to authorize the Secretary of Agriculture to cooperate in screw-worm eradication in Mexico.

The message also announced that the Senate had passed bills and a concurrent and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2825. An act to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce;

S. 3093. An act to amend the acts of March 3, 1931, and October 9, 1962, relating to the furnishing of books and other materials to the blind so as to authorize the furnishing of such books and other materials to other handicapped persons;

S. 3106. An act for the relief of Dr. Alberto L. Martinez;

S. 3110. An act for the relief of Jose R. Cuervo;

S. 3141. An act for the relief of Hom Sheck See and his wife, Hom Mon Hing;

S. 3222. An act for the relief of Dusko Doder;

S. Con. Res. 100. Concurrent resolution to express the sense of Congress with respect to certain agreements which would necessitate the modification of duties or other import restrictions; and

S.J. Res. 168, Joint resolution to authorize the President to issue annually a proclamation designating the 7-day period beginning October 2 and ending October 8 of each year as "Spring Garden Planting Week."

GOLDEN WEDDING ANNIVERSARY OF PRESIDENT AND MRS. DWIGHT EISENHOWER

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, tomorrow, July 1, 1966, is the golden wedding anniversary of President and Mrs. Dwight Eisenhower. This is the first time in 119 years that a President and his lady have reached this golden anniversary period. It is only the third time it has happened in the history of our country.

To celebrate this occasion, a distinguished bipartisan group, including President Truman, Bob Hope, and the former Secretary of the Treasury, Robert Anderson, have set up a tribute to President and Mrs. Eisenhower. People all over the country who wish to express their appreciation to our former President and his lady are being asked to make their contribution to a cause that is very close to President Eisenhower's heart, the new Eisenhower College in Seneca Falls, N.Y., in my congressional district, a college which is now in the process of development and which plans to open its doors as a liberal arts, coeducational institution in the fall of 1967.

I am sure I speak for all Members of this House in extending to President and Mrs. Eisenhower our warm and sincere congratulations on this very happy occasion. I feel sure too that the response that will be made to Eisenhower College in tribute to President and Mrs. Eisenhower, will do much to move forward an educational project which has the warm and sincere support of the beloved former President.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I am happy to yield to the distinguished minority leader.

Mr. GERALD R. FORD. All on this side of the aisle have personally expressed congratulations and very best wishes to General Eisenhower and Mrs. Eisenhower on their 50th anniversary. It is a great milestone in their wonderful life, and all of us hope they will have many more years of mutual happiness and good health.

It is a great tribute to a great President that a new educational institution has been established known as Eisenhower College. I am sure it will have a distinguished and productive career in educational circles. All of us hope that it will do as well educationally as General Eisenhower did in his great career on behalf of our Nation.

In closing let me reiterate my congratulations to General and Mrs. Eisenhower on their golden wedding anniversary. They are beloved by all Americans and we wish them well.

Mr. STRATTON. I thank the gentleman from Michigan.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield to the distinguished majority leader.

Mr. ALBERT. I join the distinguished gentleman from New York and the distinguished minority leader in this word of tribute. All Members, I am sure, join in this expression of congratulations to a great and beloved American and his gracious lady.

I am also happy that a college identified with the former President's name is being established in New York. I believe this is quite appropriate. It was in upstate New York, at West Point, that General Eisenhower received his college education, which led to one of the most illustrious military careers in the history of our country and was followed, of course, by his election as President of the United States.

Mr. STRATTON. I thank the gentleman.

BOMBING OF OIL STORAGE AREAS IN HAIPHONG AND HANOI

Mr. KING of Utah. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. KING of Utah. Mr. Speaker, the recent bombing of the oil storage areas in Haiphong and Hanoi creates a situation which each Member of Congress finds difficult to sidestep. He either approves, or he disapproves. There is no neutrality.

It goes without saying that no one is elated over this decision to bomb. For President Johnson, it was particularly soul rending. To inflict death in any form, and on any person, is an action which no normal person desires to take, under any circumstances.

But that is not the question before us. The issue, simply put, is whether we support the President in his decision to stop the flow of arms and materiel which were being illegally imported into South Vietnam, for the purpose of cutting down our own troops, as well as those of our allies. This was a difficult, but an inevitable military decision. We cannot ask American soldiers to risk their lives in combat without our taking reasonable military measures to reduce their risk. To be humane is divine, but not at the expense of the lives and safety of our own troops.

This conflict is not of our own choosing. We did not ask the North Vietnamese to come swarming down across the 17th parallel, in violation of the Geneva accord of 1954. The decision was theirs. It was made years before we ever set foot, militarily speaking, in South Vietnam. It was only a matter of days, or weeks, following the Geneva accord that the North Vietnamese sought means to violate it, and to subject the South Vietnamese to their evil domination. It was they who sowed the tares and now are reaping, the bitter harvest.

I support the President in this action. I support him because he was right, and what he did was necessary.

Our troops in the field are not crying for our sympathy. They are certainly not crying to be pulled out of combat. What they are crying for is our support—physical, intellectual, and moral.

I call upon all Americans to give them that support. The Communists are counting on our becoming weak and vacillating. Irresolution is our only real enemy. This is the time to show the resolution needed to make our previous efforts fruitful, and to make our present sacrifices not in vain.

BOMBING IN VIETNAM

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the President, as Commander in Chief, is absolutely right in using every means at his disposal to save the lives of American boys in Vietnam. My people support the President's action in bombing the petroleum dumps at Hanoi and Haiphong. To wait for this fuel to bring mortar shells, mines, and ammunition to kill American soldiers would be foolish and tragic. These targets were strictly military—the same as a rifle or grenade in the hands of an enemy soldier.

Our combat soldiers at the front in Vietnam are performing superbly. Their gallantry and determination offer no encouragement to the enemy. The Communist aggressor, however, is encouraged to continue his aggression by irresponsible speeches and statements of some at home. Those in the United States who create disunity are aiding the Communists in their ambition to conquer southeast Asia. Those who advocate coalition government with the Vietcong are aiding the Communists in their ambition to overrun southeast Asia. Those who demonstrate against American policy to halt aggression are aiding the enemy. Those in the United States who charge that our American troops are immoral are echoing the hysterical charges of Ho Chi Minh and Mao Tse-tung and are thus aiding those would-be conquerors of Asia. The charge that our fighting men are immoral is a charge leveled at every mother and father in the United States. It is a charge leveled at the very foundation stone of our American Christian philosophy. This charge is not true, but nevertheless encourages the enemy in its dreams of world conquest.

In South Vietnam our men are engaged in a desperate struggle to defeat the atheist Communist aggressors. They are proving that "God is not dead." They are fighting under the banner of ethics, morality, and the worth and dignity of the individual.

The moral climate of our men in South Vietnam excels that of any combat area in modern times. Chapels are going up everywhere. Hospitals, medicine, and ministry are available to our men, our friends and enemies.

Our men are fighting the atheist enemy and at the same time they are fighting poverty, suffering, disease, and oppression. In no war has the moral chasm been wider than between our men and the atheist enemy who have no regard for human life. The line is clearly drawn in South Vietnam between our men who are fighting to preserve individual liberty and high moral standards as opposed to filth, terror, sabotage, and disregard for the individual as manifested by the Communist invader.

The United States will persevere until victory in South Vietnam. We will persevere until the Communists are halted in their diabolical plan to pillage and plunder southeast Asia and use these resources to conquer Asia and the free world.

NATIONAL SPRING GARDEN PLANTING WEEK

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HICKS. Mr. Speaker, for some time I have observed with interest the renewed enthusiasm of our citizens in beautifying the land we live in. This enthusiasm is apparent wherever we turn. It is seen in the landscaping of our public parks and buildings, in our schools. Groups ranging from schoolchildren to civic associations and professional and garden organizations are taking another look at the quality of our surroundings, and, it would seem, finding room for vast improvement.

The impetus for this interest in beauty, as you know, came from the leadership given by President and Mrs. Johnson and the White House Conference on Natural Beauty in May 1965.

Literally, it might be said that beauty is springing up all over the place. When a city or community starts to spruce up, everyone seems to want to pitch in. Telephone companies have designed booths that enhance new settings amid flowering shrubs, trees, and flowers. Urban authorities have planted tens of thousands of roses, tulips, and daffodils in squares and parks, and giant flower pots brimming with geraniums and petunias add splashes of color to sidewalks. One hotel has an unusual garden on the roof of its ballroom that has no public access—it is solely to give guests a pleasant view from their windows.

All of this represents a sharp break with the recent past in which litter and clutter seemed to be dominant characteristics of our way of life. I am anxious to see beauty replace ugliness wherever it is found. I want all of our people to be "beauty-minded," and I believe that to accomplish this purpose we must start at the beginning—in our own homes and gardens.

A National Spring Garden Planting Week Committee has recently been formed for this very purpose. It is made up of groups and organizations among whom beautification has long been a unifying theme. They include National and State garden clubs, garden writers, State horticultural societies, and leading trade associations and organizations who feel a special responsibility for creating a more beautiful environment for ourselves and our children.

In discussing this display of citizen concern for beautification with my colleague in the other body, Senator WARREN G. MAGNUSON, we agreed that Congress has a responsibility to create a framework that will bring beautification to the most personal level, one in which each of us can participate. We agreed that many of the plans offered at last year's White House Conference can best be implemented by citizens who are themselves active in promoting beautification of their homes and communities.

I therefore offer a joint resolution to create a National Spring Garden Planting Week, to be declared each year by the President as the first full week of October. During this week, people in communities throughout the land will be urged to plant lawns, trees, shrubs, bulb flowers, and other annuals to insure that spring will bring with it more beautiful homes and gardens. The fall period was selected because it is the ideal time for plantings of the permanent or annual type. Fall is the time to begin planting spring gardens.

Mr. Speaker, I believe that the Governors of our States, the mayors and civic leaders of our cities and towns, and all of our citizens who are concerned about the kind of surroundings in which we live will wholeheartedly support the leadership that we in Congress provide. I urge my colleagues to support this resolution so that it can be approved prior to October 1966.

The groups listed at the close of my remarks, who make up National Spring Garden Planting Week Committee, will reach literally millions of people who, in turn, will join effectively in this national crusade for beauty. This resolution, I believe, will be an effective means of giving support to the national leadership provided by President and Mrs. Johnson, whose dream of a more beautiful America has already been rewarded with dramatic proof that people are hungry for beauty in their lives.

The list referred to follows:

NATIONAL SPRING GARDEN PLANTING WEEK COMMITTEE

Miss Ernesta Ballard, Executive Secretary, The Pennsylvania Horticultural Society.

Mr. Richard Beatty, Editor, House Beautiful's special publications division.

Mr. Clifford W. Benson, Executive Secretary, The American Iris Society.

Mr. Alfred W. Bessesen, Horticultural Editor, Ohio State University.

Mr. John Burton Brimer, Garden Editor, The Macmillan Company.

Miss Minnie Hall Brown, Garden Writer.

Mr. Kenneth A. Bryant, Editor, Florist and Nursery Exchange.

Mr. Carroll C. Calkins, Associate Editor, House Beautiful magazine.

Mrs. Morgan A. Casey, President, International Garden Club, Inc.

Mr. A. R. Crooks, Garden Writer.

Mr. Ben Arthur Davis, Hope Haven Garden Service.

Mr. Douglas M. Fellowes, Garden Writer.

Mrs. Marshall E. Ford, Garden Writer.

Miss Jean Foster, Garden Writer.

Mrs. Earl H. Hath, Executive Secretary, National Council of State Garden Clubs, Inc.

Mr. W. Ray Hastings, Executive Secretary, All-America Selections.

Mr. Paul E. Jones, Garden Writer, Spokane Daily Chronicle.

Mr. Robert F. Lederer, Executive Vice President, The American Association of Nurserymen.

Mr. Alfred B. La Gasse, Executive Director, National Recreation & Park Association.

Mr. C. H. Lewis, President, American Rose Society.

Mr. Richard L. Nowadnick, Secretary and Treasurer, Northwest Bulb Growers Association.

Miss Mary O'Brien, Editor, Beautiful Gardening & Living Outdoors magazine.

Mr. C. Dan Pennell, Secretary, American Peony Society.

Mr. Ted Sabelis, Chairman, Washington State Bulb Commission.

Mr. Robert W. Schery, Director, Lawn Institute.

Mrs. Raymond T. Schmelzele, Town & Country Garden Club.

Miss Rachel Snyder, Editor in Chief, Flower & Garden magazine.

Mr. George Spade, Executive Secretary, Men's Garden Clubs of America.

Mr. Gustave Springer, Director, Netherlands Flower-bulb Institute.

Mr. C. Powers Taylor, President, Landscape Nursery Council.

Mr. Felix R. Tyroler, President, National Tulip Society.

Dr. Cynthia Westcott, "The Plant Doctor."

Dr. Thomas W. Whitaker, Executive Secretary, American Plant Life Society.

Dr. Richard P. White, Director, Horticulture Research Institute, Inc.

Dr. Donald Wyman, The Arnold Arboretum with Harvard University.

POLICY OF FIRMNESS PAYS DIVIDENDS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, the inauguration tomorrow of Joaquin Balaguer represents not only a victory for the cause of representative government in the Dominican Republic, but also a vindication of a policy of firmness in the face of Communist subversive aggression. As chairman of the House Subcommittee on Inter-American Affairs, I supported the President's action of last year in moving quickly to prevent the establishment of another Communist base in the Caribbean.

It will be remembered that there were those who severely criticized this decision to act against a potential Communist takeover in Santo Domingo. These opponents of that decision, many of whom are now among the chorus criticizing our stand against Communist aggression in

Vietnam, were vocal and vehement in their denunciation of our troop action in the Dominican Republic.

Perhaps it would be too much to expect some of these critics of last year publicly to reconsider their position in light of the successful outcome of the Dominican situation.

Nevertheless, it would be well, at a time when fresh outcries are being raised against this country's determination to safeguard freedom in southeast Asia, if we reminded these critics that a policy of firmness against Red aggression in our own hemisphere has resulted in a victory for the people of the Dominican Republic and the free world.

I congratulate the people of the Dominican Republic on their new administration, and on the successful manner in which they have emerged from a difficult period in their history. And I commend those who formulated and stood firm in behalf of a policy which produced this result.

COMMITTEE ON THE JUDICIARY

Mr. CELLER. Mr. Speaker, I ask unanimous consent that members of the Committee on the Judiciary have until midnight Tuesday, July 12, 1966, to file additional and minority views on the bill H.R. 14765.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. WAGGONNER. Mr. Speaker, I object.

Mr. Speaker, a parliamentary inquiry. Has the report been filed?

The SPEAKER. The report has been filed.

Mr. WAGGONNER. I withdraw my objection, Mr. Speaker.

The SPEAKER. This is a request that other members might have permission until July 12 midnight to file minority or other views. Is that correct?

Mr. CELLER. And additional views.

Mr. WAGGONNER. I withdraw my objection, Mr. Speaker.

WILL THE UNITED STATES STAND FIRM NOW THE REDS ARE FALTERING?

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I am sure that a great majority of Americans joined me in a long-awaited sigh of relief as this Nation undoubtedly shortened the war in Vietnam by bombing both Hanoi and Haiphong yesterday. There is no way to reckon the number of American soldiers' lives that were saved by this attack on the supply nerve-center of the Vietcong. There is no way to count the days we have lopped from whatever the calendar is which reckons our length of stay there. Nor is there any way to estimate the cost in dollars and cents this bombing has brought about. But each of these benefits has been achieved, though we will never know how much each represents.

The President, with a dread-filled decision to make, took longer than many of us wanted him to take to come to this point, but I am the first to say that we do not have the knowledge available to him and I bow to his judgment.

I know that his decision to interdict the Communist supply lines will not be looked upon with any pleasure by the peaceniks both in and out of Government who have aided and comforted the enemy with their endless dissent, but that is of no importance. Their totally unrealistic view of the situation in Vietnam cannot be accommodated while American soldiers are dying.

What is important is that this Nation stand firm on the homefront now that the war front is firmer than it has ever been. Anyone with even a passing knowledge of the French effort in Vietnam knows that their expeditionary force fought the Communists valiantly for 10 years and the outcome of that war might have been different had not Communists on the homefront in France undermined the morale of the people and rob them of the will to win. The French force at Dienbienphu did not suffer a military defeat, since less than 10,000 men from an army of 270,000 were engaged in the battle. The French at home no longer had the will to continue the war. This Nation must not make the same mistake; we must not lose the will to win.

Columnist William S. White drove home this point in his column in today's Washington Post and I commend it to the attention of every Member, as follows:

The Mortal Issue—Will United States Stand Firm as Reds Falter?

(By William S. White)

The mortal issue in South Vietnam has now demonstrably narrowed down to a single real question. Will the people of the United States stand firm against Communist aggression, now that it is in sober fact a losing aggression militarily, until the assailants can be forced to enter honorable peace arrangements?

The interconnected question is this: Will a handful of pacifist-minded Senators—the Fulbrights, the Robert Kennedys and so on—continue, however good the motives of their endless "dissent," to give the Communists hope that the will of the great American majority will indeed falter at last?

President Johnson and other officials of this Government have for some time believed that the true battlefield was shifting from the front lines in Vietnam to the home front here. Now, every scrap of independent information from the Communists themselves—interviews with captured Red officers, surveys by detached American correspondents, wholly unpolitical intelligence reports—tells one story and one alone.

This, simply, is that the Communist invaders themselves now admit that they cannot defeat the Allies in South Vietnam—unless American home divisions become so savage as to enfeeble the whole underpinning of the Allied efforts.

The plain reality is that this war against Communist aggression cannot now be lost on the actual firing line.

For proof the most important fact is that the rainy season May-October Red offensive which every year before this has all but cut South Vietnam in two has this year been effectively halted before it could begin.

A second important fact is in the now lost attempt of the Buddhist politico-clerical extremists to overthrow Premier Ky. That they were defeated is significant, of course. But it is even more meaningful that they tried it at all. Why? Because as power-seekers the prize—control of South Vietnam—was for the first time of genuine value. Why genuine? Because for the first time it was plain that to have political control of South Vietnam would mean something; that South Vietnam was not going to fall to Communist conquest. What plotters would seriously seek to seize a regime in imminent danger of falling to a Communist invader whose first act would be to take off the heads of that regime?

And if the Communists have passed the point of no return in purely military terms, they have also passed it in Asian political terms. All of Asia except that part of it already in the Red Chinese grip is accepting now the bottom reality that South Vietnam's rescue from attack is indeed the salvation of all the rest.

One illustration of this is in a recent speech by the leftist Singapore Prime Minister Lee Kuan Yew which has had little or no publicity here. In a talk before a Socialist Club in Singapore Lee said bluntly that whatever their ideologies the "little fishes" in Asia would be swallowed one by one if the United States allowed South Vietnam to fall into Red China's hands.

"Do you believe," he went on, "that the Indians are stooges and lackeys of the Americans? Do you believe that Pakistan is a lackey of the Americans? They are friends of China. Then there are the Burmese. They are the best neutralists in Asia. How is it that none of them have really said 'this is a crime against humanity committed by the Americans'?"

They have not said it, Lee went on, for the simple reason that they know the Communist attack on South Vietnam must not be allowed to be repeated if there is to be any safety left in all Asia.

RECLAMATION BUREAU WANTS TO EXPAND

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, the story of how one small town helped itself and benefited its adjacent area, was included in an editorial in the Shreveport Journal on June 23. The fact that the town in question happens to be my hometown may have attracted my attention, but the story would be worth everyone's attention, regardless. Plain Dealing, La., is a town of some 1,200 enterprising, hard-working people, who, in this instance, had no hesitation to vote a bond issue of $172,377 as their share in building three reservoir dams for their area.

This editorial is an inspiration and I would like for every Member to have an opportunity to read it:

Reclamation Bureau Wants To Expand

Before the Small Reclamation Projects Act of 1956 was enacted certain congressmen attempted through that legislation to extend the jurisdiction of the U.S. Bureau of Reclamation from the 17 Western states to all other states and territories. Congress wisely rejected their proposal before passing the bill. Now another effort is being made through a proposed amendment to the 1956 law.

The revived proposal would empower the Bureau to furnish assistance in developing small, water-resource projects in 31 Eastern states just as it has been doing in the West. Of course, the agency would have to establish offices in all these states and staff them with administrators, technicians, engineers, geologists and clerical personnel.

There is not the slightest justification for extending the Bureau's jurisdiction with substantial increases in operating expenses. The Bureau's help is not needed, because adequate assistance in the development of small reservoirs and related projects is available to communities in the 31 states through Soil Conservation Service programs.

The Watershed and Flood Protection Act of 1956, administered by the U.S. Department of Agriculture, actually accomplishes more for development of water resources on a small scale than does the companion Reclamation Act administered by the U.S. Department of the Interior. While the latter act is concerned with the construction of small reservoirs in relation to irrigation needs it ignores land conservation practices. In sharp contrast, the watershed law requires that at least 50 per cent of the farmers in a drainage area above an impoundment agree to follow recommended soil conservation measures. Technical help is furnished farmers for carrying out those recommendations.

Anybody who questions the value of this legislation should go to Plain Dealing and talk with townspeople and farmers of the area. Taking advantage of the Watershed Act, the community passed a bond issue of $172,377 to qualify for federal funds to build three reservoir dams. Several state agencies also contributed money to the project which prevents flooding and provides for recreation and municipal water use.

When the Red River and its major tributaries were raging this spring Plain Dealing was in no danger of high water. But until those dams were constructed and conservation measures were taken on neighboring lands the town was flooded on an average of four times a year.

As expanded jurisdiction of the Bureau of Reclamation would only duplicate existing activities, it may be assumed that this agency is chiefly interested in the proposal as a means of building itself up at taxpayers' expense. Here in an opportunity for Congress to take a firm stand against unnecessary growth of government.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT URGED TO APPROVE GRANT FOR NEW YORK CITY CODE ENFORCEMENT PROGRAM

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on December 23, 1965, New York City filed an application for a code enforcement grant under section 117 of the Housing Act of 1949 as amended. On June 14 of this year the Secretary of the Department of Housing and Urban Development rejected this application on the grounds that, and I quote him:

> New York City does not adequately meet the established housing code requirements for a code enforcement grant.

Mr. Speaker, this determination on the part of the Secretary of the Department of Housing and Urban Development entirely frustrates the intent of Congress. When we enacted this provision our purpose was to make available to cities the funds to carry on active programs of code enforcement, to arrest blight and deterioration, and to prevent the formation of slums. The effect of this decision will be to accelerate the incidence of slums in New York City and to deny the city the necessary tools to prevent further deterioration of our housing supply.

Mr. Speaker, I urge the Secretary to reverse his decision in this matter. Every effort must be made to eliminate slums in our cities if the Great Society program is to have any meaning for urban residents. The code enforcement program which we in Congress enacted is potentially one of the most useful means of improving our cities.

In the Housing and Urban Development Act of 1965, Public Law 89–117, we provided that the Department of Housing and Urban Development may grant funds to the various cities to aid them in code enforcement programs. These grants were aimed at those deteriorated or deteriorating areas in which vigorous code enforcement might be expected to arrest the decline of the area. Provision was especially made that these grants could be used to cover the costs not only of code enforcement, but also those for the repair of necessary streets, curbs, and sidewalks, and for street lighting, tree planting, and similar improvements. In the Supplemental Appropriation Act of 1966, Public Law 89–309, the Congress appropriated up to $75 million to specifically implement this program.

To date only 10 grants have been made under this program to various cities around the country, and the total amount granted by the Department of Housing and Urban Development has been less than $8 million.

The New York City application asked for funds in order to carry the code enforcement projects in eight areas of the city where the need is great. Are these areas to be denied essential services because New York City's housing laws have not been compiled to the satisfaction of the Department of Housing and Urban Development?

If we look at the record as Al Smith used to say, New York City does have laws and administrative regulations dealing with housing. It has a multiple dwelling law, a buildings code, a health code, a sanitary code, zoning laws, buildings department regulations, and other regulations and provisions of the city charter—all of which constitute the equivalent of the model housing codes. In short, New York City has housing laws which can be enforced, which should be enforced and which—if properly enforced—would go a long way toward arresting the rapid decay of our housing supply. All the city asks is funds to help enforce the laws properly.

Now the Department of Housing and Urban Development calls these laws and regulations inadequate, largely because they are not compiled in one unified body.

Mr. Speaker, at a time when New York City needs all the help it can get to deal with its housing problems, I do not believe that the Department of Housing and Urban Development should narrowly interpret the law, resorting to technicalities to defeat the purpose of the law which we enacted. The New York City application covers 109,540 dwelling units which house probably more than one-half a million people who should not be made to suffer any longer. I again call upon the Department of Housing and Urban Development to approve New York City's code enforcement application.

HORTON BILL BRINGS NATIONAL GUARD TECHNICIANS UNDER FEDERAL EMPLOYMENT BEGINNING JULY 1, 1966

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, it is my privilege today to submit a bill that will clarify the status of nearly 40,000 men and women whose lives are devoted to the service and defense of this Nation. I am speaking about the National Guard technicians who deserve much of the credit for keeping our National Guard in a state of constant readiness.

Under my bill, National Guard technicians would clearly fall within the definition of Federal employment, and would be eligible for Federal employment benefits. At the present time, these technicians are caught in the middle of a legalistic difficulty which leaves their employment status unanswered. Thus, they are not receiving employment or retirement benefits from either the States or the Federal Government.

It is my understanding that this issue is high on the priority list of measures before our distinguished Armed Services Committee, and that it will be considered soon after the committee disposes of other urgent matters before it.

Mr. Speaker, as a demonstration of the need and support for this legislation, I would like at this point in the RECORD to submit letters I have received urging passage of such a bill, including correspondence from the distinguished Governor of New York, the Honorable Nelson A. Rockefeller:

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
Albany, May 12, 1966.

Hon. FRANK HORTON,
House Office Building,
Washington, D.C.

DEAR FRANK: On April twentieth, H.R. 14556 was introduced into the Congress by Congressman HÉBERT of the Committee on

Armed Services. I understand that additional and identical bills have subsequently been introduced.

These bills are intended primarily to provide federal retirement benefits for full-time technicians employed by the Army and Air-National Guard, among other objectives. Such action would be a long-overdue recognition of the dedicated service to state and nation rendered by some 38,000 National Guard technicians in the United States, including more than 2,200 in the State of New York who have found themselves without adequate retirement benefits.

Although the Adjutant General of the State (Chief of Staff to the Governor in New York) has the authority to hire these technicians, the Federal government establishes the positions, determines the compensation, appropriates the funds and signs the paychecks. Thus because they are neither clearly state nor clearly federal employees, they have been blocked from participation in either state or federal retirement programs.

Although New York law would permit technicians to participate in the New York State Employees Retirement System if the Federal government would provide the employer's share, the present allowable contribution of the United States (6.5 per cent per annum, including the employer's share of Social Security) is insufficient—as it is in the majority of states—to permit technicians to participate in state-sponsored retirement systems.

The approach represented by these bills now before the House would assure National Guard technicians and their families the rights and benefits they justly deserve.

I am informed that a hearing on National Guard Technician Retirement is anticipated some time during the next several weeks. I urge that each member of New York's Congressional Delegation work toward passage of such legislation in the interests of equity and to fulfill the community's responsibility to these personnel so essential to the national security.

With best wishes.

Sincerely,

NELSON A. ROCKEFELLER.

MILITIA ASSOCIATION OF NEW YORK,
New York, N.Y., April 30, 1966.

Hon. FRANK J. HORTON,
House of Representatives,
Washington, D.C.

MY DEAR MR. HORTON: The Militia Association of New York is an organization composed of the 3000 officers and Warrant Officers of the New York Army and Air National Guard, the Naval Militia and New York Guard.

For many years our Organization has unanimously passed resolutions during our annual conferences in favor of declaring National Guard technicians federal employees.

We ask your wholehearted support of HR 10457.

Sincerely yours,

CHARLES A. WILLIS,
Brigadier General, NYARNG,
President.

WEBSTER, N.Y.,
June 16, 1966.

The Honorable FRANK HORTON,
House of Representatives,
Washington, D.C.

DEAR SIR: I am writing to you about a bill H.R. 14556, a bill to amend Title 32 United States Code, to clarify the status of National Guard Technicians and for other purposes.

I am requesting your support on the bill. I would like to see this bill in effect 1 July 1966, if at all possible.

I will continue to support you and be one of your loyal constituents.

Sincerely yours,

ISAAC F. VANHANEHEM.

ROCHESTER, N.Y.,
June 17, 1966.

The Honorable FRANK J. HORTON,
House of Representatives,
Washington, D.C.

DEAR SIR: I would like you to support the Bill that is now in the House of Representatives, H.R. 14556. A Bill to amend title 32 United States Code, to clarify the status of National Guard Technicians.

Sincerely,

JOSEPH J. WEBER.

ROCHESTER, N.Y.,
June 16, 1966.

The Honorable FRANK J. HORTON,
House of Representatives,
Washington, D.C.

DEAR SIR: I have been a member of the National Guard and a full-time Technician therein for a period of thirteen (13) years.

Proposed Bill HR 14556 provides for retirement benefits which we Technicians are without, at the present time.

Your concern and support of the above mentioned Bill would be appreciated.

Respectfully yours,

RAYMOND REHBERG.

ROCHESTER, N.Y. 14609,
June 16, 1966.

The Honorable FRANK J. HORTON,
House of Representatives,
Washington, D.C.

DEAR SIR: I am a civilian technician in your district and I, like the other 38,000 technicians in the Government employ (or are we?), am very interested in the new Bill HR 14556 and urge your support.

We, as you probably know, feel very alone and put-out because our Governor makes it mandatory that we belong to the Reserve Forces, with the possibility of being absorbed into Federal service at the stroke of a pen and yet do not recognize us to share benefits we feel we are entitled to. Having been in World War II and again federalized during the Korean War and now the possibility of a similar occurrence, I feel we are entitled to a little recognition.

Your support for the effective date of July 1, 1966 will be appreciated.

I remain your Constituent,

CARL J. INDOVINO.

MACEDON, N.Y. 14502,
June 15, 1966.

The Honorable FRANK HORTON,
Congress of the United States,
House of Representatives,
Washington, D.C. 20515.

DEAR SIR: I am a National Guard Technician. There is a Bill now in the House of Representatives that effects me as a full time Technician and I am very interested in its passing. I would appreciate your support of this Bill HR 14556 a Bill to amend title 32 United States Code, to clarify the status of National Guard Technicians.

Thanking you in advance.

Sincerely,

HOWARD R. WRIGHT.

ROCHESTER, N.Y. 14613.
June 16, 1966.

Hon. FRANK J. HORTON,
House of Representatives,
Washington, D.C.

As a New York Army National Guard Technician since 1949, I urge you to give your full support to Bill H.R. 14556 and I believe this bill should be effective July 1st, 1966 rather than July 1st, 1967.

ERNEST E. RECTOR.

PALMYRA, N.Y. 14522,
June 15, 1966.

HONORABLE CONGRESSMAN FRANK HORTON: I am writing to you on a Bill that is now in the House of Representatives. The Bill is H.R. 14556, a bill to amend title 32 United States Code, to clarify the status of National Guard Technicians, and for other purposes.

I'm a full time National Guard Technician and have worked eighteen (18) years on this job hoping that our Government would recognize long and faithful service. There are some 35,000 National Guard Technicians across the country who receive a Federal paycheck but are neither Federal nor State employees for the purpose of participation in retirement plans, life insurance and health benefits.

As I understand it, this legislation has the full support and approval of the D.O.D. I hope when this bill comes to the Senate that it will have your full support and if at all possible to have it effective as of 1 July 1966.

I remain your loyal constituent,

JOSEPH M. HEMEN.

NEW YORK AIR NATIONAL GUARD,
White Plains, N.Y., May 6, 1966.

Honorable FRANK J. HORTON,
House of Representatives, House Office Building, Washington, D.C.

DEAR CONGRESSMAN HORTON: The purpose of this letter is to respectfully urge your early and favorable consideration of HR 14556 (National Guard Technician Retirement) which is sponsored by the Honorable F. EDWARD HÉBERT and which was introduced into the Congress on the 20th of April.

This bill represents fifteen years of effort on the part of the National Guard Association and the several States to include the 38,000 Army and Air National Guard Technicians in the Federal Civil Service Retirement program.

While there has never been any question as to the valid and indeed moral need for this legislation, all previous efforts have been frustrated by technical obstacles which have arisen during the process of clearing all of the numerous Federal agencies concerned.

As you know, the Technicians are those full-time personnel who maintain the equipment, aircraft, weapon systems and carry out the day-to-day administrative continuity which is so vital to maintaining a ready, viable, reserve force. The present unprecedented high state of readiness of our Air National Guard units is positive evidence of the effectiveness and energetic dedication of this group of public servants. This bill will correct an inequity which for many years has denied them their right to participate in a retirement system.

Your efforts to expedite early hearings and ultimate passage of this long overdue legislation will be a source of gratification to these thousands of Technicians and will also contribute substantially toward insuring an effective Air National Guard ready reserve force for the future.

Sincerely,

LEWIS A. CURTIS,
Major General, NYANG,
Commander.

ROCHESTER, N.Y., *May 1, 1966.*

Hon. FRANK HORTON,
House of Representatives,
Washington, D.C.

DEAR MR. HORTON: Thank you for your informative letter of 14 April 1966 concerning H.R. 10457.

I am interested in an early hearing and passage of this bill, because the bill corrects an inequity of many years which denied the majority of technicians the right to participate in any retirement system other than social security, and the right to receive other fringe benefits such as group life and health insurance from their appropriate employer (the State or the United States).

Sincerely yours,

MICHAEL J. HOGAN, Sr.,
S.Maj. NYARNG.

Rochester, N.Y., *May 2, 1966.*

Hon. Frank Horton,
House of Representatives,
Washington, D.C.

Dear Mr. Horton: It was with considerable pleasure that I received your letter of April 14th, 1966 expressing your interest in H.R. 10457. This legislation has been pending for many years and I am most gratified to know that it has now reached its present status of consideration.

The National Guard technicians are required to work long hours to accomplish the required standards for unit readiness. This effort has been put forth for many years and the passage of this bill will certainly be in the best interest of our country in recognizing the status of dedicated citizen soldiers.

Thank you for your interest and your thoughtfulness in informing me of the status of H.R. 10457.

Sincerely yours,

Edward J. Smith,
Colonel, Artillery NYARNG.

Rochester, N.Y.,
June 14, 1966.

Hon. Frank J. Horton,
House of Representatives,
Washington, D.C.

Dear Sir: Thank you so much for all the cooperation and assistance I have received in regard to National Guard Technicians.

I have been informed that the latest bill on clarifying the status of National Guard Technicians is H.R. 14556. I should appreciate a copy of this bill and any other information available on the progress which has been made on correcting the existing inequities of National Guard Technicians.

Sincerely yours,

Leon A. Judwick.

Amsterdam, N.Y.,
May 20, 1966.

Hon. Frank J. Horton,
House of Representatives,
Washington, D.C.

Dear Mr. Horton: I am writing to ask your support of a bill that would correct a long standing inequity in employment standards affecting a small minority of Federal employees.

On April 20, 1966, the Honorable F. Edward Hébert introduced a bill into Congress, H.R. 14556, Technician Retirement. Passage of this bill would assure the National Guard employees a retirement program similar to the Federal Civil Service Employees. The entire Technician program would thereby gain much additional stability and security. At present, a Technician is automatically eliminated from the National Guard and Techician employment at age 60. At this point, he cannot collect Social Security Benefits, his only meaningful retirement plan, at this time.

I urge you to become familiar with this bill, H.R. 14556, and recognize its need and purpose. Your support of this particular legislation would be greatly appreciâted.

Very truly yours,

Elizabeth C. Hall.

Jamaica, N.Y.,
February 17, 1966.

Hon. Frank J. Horton,
House of Representatives,
Washington, D.C.

Dear Sir: The Association of Civilian Technicians Inc., is sending a delegation to Washington, D.C. on 24 and 25 February 1966. The Association represents approximately 2400 full time civilian employees employed by the National Guard in the various Armories and Depots throughout New York State.

The delegation will be led by its President, Mr. Vincent J. Paterno. One of the purposes of the visit is to discuss with various legislators the provisions of HR 10457 which bill effects us greatly. We have learned through news media that the Defense Department has proposed extensive changes to HR 10457 but to date we have not been able to learn what changes are to be made and whether the proposed changes will be to our benefit.

Mindful of your busy schedule and time permitting, the delegation would be honored if you were able to receive them for a brief period.

Sincerely,

Thomas A. O'Brien,
Secretary, ACT, Inc.

Rochester, N.Y.,
January 7, 1966.

Congressman Frank Horton,
36th District of New York,
107 Federal Building,
Rochester, N.Y.

Dear Sir: I am writing this letter to you so it can be put into my file of complaints in regards to being employed by the New York State Arsenal as a Federal employee but not being recognized as one in other Government installations.

But under the present conditions I can't make a move. This is too bad after all the years I have spent and the knowledge I have received as acting U.S. Property receiving and disbursing officer covering all fields of Military equipment.

I only hope some day something can be done as I am getting older and would like to get credit for the years spent here at the Arsenal.

Thanking you again and the best wishes for the New Year.

Very truly yours,

Mr. Franklin R. Harder, Sr.

Rochester, N.Y.,
January 14, 1966.

Hon. Frank J. Horton,
House of Representatives,
Washington, D.C.

Dear Mr. Horton: Enclosed is information sent to us from our Syracuse office in regard to the situation which exists with National Guard Technicians. We believe that the pamphlet "A Search for Identity" explains this position. This and the several other enclosed publishings should give a clearer view of our status.

Objections to Bill H.R. 1045 are:

a. Does not define us either as "Federal" employees or "State" employees—just "National Guard Technicians".

b. Technicians would be carried under Civil Service Retirement Act, yet have no Civil Service status.

c. A person employed under Section 709 must be a member of the National Guard.

Objections to National Guard Regulation NGR 51 dated 2 Jan. 64:

a. Pg. 1–3, par. 1–15. Technicians must comply with the Hatch Act as administered by U.S. Civil Service Commission, yet have no Civil Service Status.

b. Pg. 1–1, par. 1–4, Non-Guardsmen cannot be promoted to higher grade than that held on 1 Dec. 1960. Females cannot be promoted unless designated by Chief, National Guard Bureau.

c. Pg. 3–13, par. 3–38, Federal government authorizes contributions of 6½% for Technician participation of State retirement programs according to Section 709—no action.

d. Pg. 3–14, par. 3–39, Disability and death benefit programs—no action.

e. Pg. 3–14, par. 3–41, District of Columbia National Guard Technicians are members of Federal Civil Service Retirement—why not Technicians of other states?

f. Pg. 7–1, par. 7–1, Technicians are covered by Federal Employees' Compensation Act—yet are not considered "Federal" employees.

g. Pg. 7–1, par. 7–4, Emphasizes that Federal retirement is not provided for Technicians.

h. Pg. 7–1, par. 7–6, Technicians are under Federal Unemployment Compensation, yet ruling does not imply that Technicians are "Federal" employees.

It is to be understood that National Guardsmen in their *military* status as Guardsmen (not as civilian employees) do have a retirement plan after serving a designated number of years in the National Guard. This has no bearing in their capacity as a civilian employee. Our problems are purely those of Technicians in a civilian status.

We wish to express our appreciation to you and to your staff for devoting so much of your valuable time to this problem. If we can be of any assistance, feel free to call on us. Thanking you,

Sincerely,

Leon A. Judwick.
Mrs. Louis R. Viavattene.

Mr. Speaker, the bill referred to in many of these letters is H.R. 14556. It provides for the same clarification as the bill I am submitting, except that my bill would take effect July 1, 1966. National Guard technicians have waited a long time for this recognition of their importance to this Nation.

I see no reason why they should wait another year to reap benefits that have been rightfully theirs for many years already. Some of those who have contacted me have served as Guard technicians for more than a decade. Others are nearing retirement age, and would be ineligible if the bill does not take effect until 1967. Thus, I urge the members of the committee and all of my colleagues to keep this condition in mind when the proposal reaches the floor for consideration.

FEDERAL BIAS IN NATIONAL PLUMBING CODE

Mr. GLENN ANDREWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GLENN ANDREWS. Mr. Speaker, recently there was brought to my attention an article entitled "USPHS Code Intervention Stirs Ire," which appeared in the June 15, 1966, issue of a periodical known as the Contractor, a trade publication for the plumbing-heating-cooling industry. The article carried the byline of Seth Shepherd, who is editor of the publication.

To state the matter plainly, the article sets forth changes which, if true, constitute a serious indictment of the role of the U.S. Public Health Service in revising the National Plumbing Code. I for one take a dim view of a building code involving the authority of the U.S. Health Department promulgated in the manner described in this article. I submit that an atmosphere of adroit parliamentary maneuver on the part of the U.S. Health Service to effect a power play among competitive manufacturers is no proper incubator for establishing national standards.

Mr. Speaker, under permission granted, I place this article in the Record in order that the Surgeon General and the appropriate committees of this House may proceed with this information to conduct whatever investigation they might consider necessary for the protection of the public health and welfare:

[From the Contractor, June 15, 1966]

USPHS Code Intervention Stirs Ire

(By Seth Shepherd)

Washington.—Further intervention in the slow-moving revision of the National Plumbing Code by U.S. Public Health Service has set off a new rumble in the plumbing industry, Contractor learned this month.

Some criticism of USPHS code domination and material partisanship has reached the ears of influential senators and representatives. Two already have asked the Surgeon General for an explanation of the code committee work of the agency.

The latest controversy, which some code authorities fear may set back code revision procedure, developed after the Apr. 28 meeting here of the A40 Sectional Committee of the American Standards Association.

It was called by Malcolm C. Hope, who is secretary to the committee, supposedly to consider only the code appendices. Hope is also chairman of the PHS Technical Committee on Plumbing Standards, which is the group responsible for revising and bringing up-to-date the 11-year old ASA A40.8 National Plumbing Code.

Hope's chief job is as acting chief, Division of Environmental Engineering and Food Protection, USPHS.

He wears a fourth hat as alternate member of the Technical Committee on Plumbing Standards representing the Conference of State Sanitary Engineers.

The charges of partiality by USPHS apparently stem from a surprise motion by Hope to include approval of three types of plastic pipe in the revised code despite a voting procedure protest from the representative of the National Association of Plumbing-Heating-Cooling Contractors, Contractor was informed.

Represented on the ASA committee are manufacturers of various pipe materials, including copper, steel, asbestos cement, bituminous, clay, cast iron, and ABS and PVC plastic.

However, representatives of three major pipe associations were absent from the Apr. 28 meeting because they said they understood from the notice that only the appendices would be considered.

During the meeting, an industry representative made a motion to approve both ABS and PVC plastic pipe for soil, waste, vent, storm drainage and portable water service, both inside and outside buildings. The motion was lost in a tie vote.

Normally, this would have brought an end to all questions regarding approval of plastic pipe at this time in the revised National Plumbing Code.

But Hope offered a motion to approve ABS and PVC plastic pipe for the same uses, though limited to one and two-family dwellings only. His motion also included approval for a third kind of plastic pipe known as PE (polyethylene) for potable water.

This motion carried by a narrow margin, aided by what some competing pipe representatives charged was the weight of USPHS authority.

This vote procedure, Contractor was told, was strenuously challenged by the PHCC representative on the ground that too many affirmative votes favoring plastic pipe were cast by representatives of the plastic pipe industry.

It is quite probable that the plastic motion would have lost if the meeting notice had covered all subjects which were to be considered, some pipe manufacturers' representatives have said privately.

Hope could argue that his tactics at the Apr. 28 meeting were of little moment inasmuch as plastic pipe cannot be finally approved without a letter ballot vote of the ASA Sectional Committee.

Each member of the committee will vote to approve or disapprove each of 14 chapters plus an appendix.

A vote for approval requires no further comment, but a vote for disapproval requires specific reasons explaining each vote.

Asked one committee member: "Is USPHS so far committed to approval of the revised code in its present form that a vote for disapproval should be made so burdensome?"

It is expected that the National Plumbing Code revision work and some of its controversial aspects will be debated at the convention of the PHCC in Atlantic City, June 20–23.

DOMINION DAY

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, 99 years ago tomorrow, on July 1, 1867, the Dominion of Canada came into existence as a result of the passage in London of the British North American Act. Let us commemorate today the birth of our neighbor whose historical ties with Great Britain and with Europe so closely parallel our own, but whose self-government came as a result of an evolution that reflected a distinctive level of political maturity and good judgment on the part of Great Britain and Canada.

The Fourth of July for Americans connotes the courage and endeavor of our forefathers as well as their conviction in and implementation of their ideals. The First of July has a similar meaning for Canadians, for their leaders, too, had convictions, ideals, and the courage to implement them. Although the method of achieving these ideals differed completely, the end results were the same. Each nation won its independence as a child of the same nation, and as brothers in similar images.

This very brotherhood stemming from similar heredity and environment may well be the catalytic factor in the ever-growing friendship and cooperation between our two nations. What other two contiguous nations can boast an undefended border of over 4,000 miles which has in essence been undefended since the Rush Bagot disarmament agreement of 1817. Although minor disputes have arisen, as well always occur between two sovereign states, both nations can be proud of their ability to resolve such disputes in a spirit of continuous brotherhood.

We cannot limit our expression of respect for Canada, however, merely to an appreciation of the friendship and brotherhood which she has extended to us. We must also congratulate her on the important role she has assumed in the international community of nations. Canada is a member of the United Nations and can be proud of the service in that body of a large number of outstanding Canadians, including her present Prime Minister, Lester B. Pearson, as President of the U.N. General Assembly in 1952–53. In addition, she is a member of NATO, the Colombo Plan Council, the Economic Commission for Latin America, and various other intergovernmental organizations. Canada ranks fifth in world trade, which is some indication of the economic progress she has achieved. Canada has assumed the responsibilities and fulfilled the obligations which are integral to the international status she has attained.

May we, therefore, extend our congratulations to Canada on this day upon which she celebrates having received the right of self-determination as a Dominion in full recognition of the interdependence of our two nations based on mutual consideration of each other's aims and principles.

AIR ATTACKS NECESSARY FOR PEACE

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, the air attacks on oil depots in North Vietnam have brought a great deal of criticism, particularly from the English Government.

I find little sympathy for the British views. Their criticism of the bombing raids is mercenary diplomacy which places their trade with the enemy above the need to contain communism in southeast Asia.

It is no wonder the British oppose our bombing raids, because it is hurting their business with North Vietnam. Since the beginning of the year, 29 British ships have docked in North Vietnamese ports. Last year, 136 United Kingdom ships carried cargo and supplies to the Hanoi government.

Ho Chi Minh will never go to the conference table so long as he is benefiting from the war and he will continue to benefit so long as his supply lines are left intact. We have no business carrying on a 1966 defensive campaign using 1866 ground war tactics dictated by the enemy.

American boys are fighting and dying in Vietnam for freedom, not just American freedom but freedom for Great Britain as well. Their fathers fought and died for freedom of the British and French in World War II. Prime Minister Wilson and President de Gaulle seem to have short memories. It is time to think first of the well-being of America and less about the pound of Britain and the franc of France.

MY VISIT WITH LOU CRAMTON

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HARVEY of Michigan. Mr. Speaker, a few months ago, on a wintry January day, I met with an elderly gentleman in his home in Saginaw, Mich. It turned out to be the finest "investment" of a usually busy time schedule that all Congressmen must meet during district visits. My visit was with Lou Cramton, then 91 years of age, who had previously served for 18 years as a distinguished Member of this Chamber.

I feel most fortunate that I had the opportunity to know him personally. It is remarkable also to note at this time that we have present in this 89th Congress four outstanding Members who served with former Congressman Louis C. Cramton. They include our Speaker, the Honorable JOHN W. MCCORMACK and Congressmen EMANUEL CELLER, JOSEPH W. MARTIN, JR., and WRIGHT PATMAN.

Lou Cramton's death on June 23 at the Saginaw, Mich., Rehabilitation Center does not, however, end a lifetime of great achievement and accomplishments. His work in this Chamber will long be remembered, and only a few blocks from here, he has left his mark to be recalled. To many, the Honorable Louis C. Cramton was Howard University's Congressman, too. For you see, it was he who authored the act authorizing the first congressional appropriations for Howard University and a resolution calling for a 10-year development of that institution.

In a letter to me on January 11 of this year, the ever alert and ever aware Lou Cramton wrote of his early interest in Howard University after his election to Congress, starting with the 63d Congress, March 4, 1913. He said and I quote:

> I became interested in the need for Negro education and the Negro President, Dr. Mordecai Johnson, won my confidence and full respect. Then I introduced and secured passage of a bill authorizing appropriations to Howard. Then I had the Bureau of Education report a program of development for Howard, all with the result that a few years ago Time Magazine called Howard the greatest Negro University in the world.

Permit me to illustrate another insight into this man's character and his keen interest. In April, he wrote to me asking if he could receive a copy of the hearings on the Department of Health, Education, and Welfare appropriation measure covering funds for Howard University. After receiving them, he wrote to me:

> I have received and examined with interest the HEW hearings at least as to Howard. I fear I was the most expensive Congressman Michigan has had as I note the bill for Howard this year is something over thirteen million. But I hope Howard is worth the money.

I believe many will attest that Howard has been well worth the effort Lou Cramton placed in it.

What a distinguished and honorable career this man carved. Following graduation from Lapeer High School, Lapeer, Mich., he attended the University of Michigan Law School. He was graduated from there in 1899 and was admitted to the bar in the same year, returning to his native Lapeer County to start practice.

He was a newspaper publisher for the Lapeer County Clarion from 1905 to 1923, and was law clerk of the Michigan State Senate for three terms. He also was deputy commissioner of railroads of Michigan in 1907 and secretary of the Michigan Railroad Commission from September 1907 to January 1, 1909.

In 1909–10, Mr. Cramton was elected to the Michigan State House of Representatives. In 1912, he was first elected as a Republican to the 63d and to the eight succeeding Congresses—March 4, 1913 to March 3, 1931. He was an unsuccessful candidate for renomination in 1930.

At that time, the Seventh Congressional District included Tuscola, Huron, Sanilac, Lapeer, St. Clair, and Macomb Counties. In the present Eighth Congressional District, which I am privileged to represent, four of those counties are now included. They are Tuscola, Huron, Sanilac, and St. Clair. This, of course, was another tie which drew me to Lou Cramton.

Even after these splendid years of service, much was ahead for this talented man. He served as special assistant to the Secretary of the Interior in 1931–32 and returned to Michigan to be elected a circuit judge, where he served from November 21, 1934, until December 31, 1941. He was a delegate to the Republican National Convention in 1940.

In an unusual development, the people returned him to the Michigan State House of Representatives in November 1948. He was reelected to serve five more 2-year terms.

Yes, he was a rare man. For his service, dedication, and work, our Nation and the State of Michigan truly benefited.

Mr. Speaker, I ask unanimous consent to include with my remarks an editorial which appeared in the Wednesday, June 29, 1966, edition of the Detroit Free Press. The editorial follows:

LOUIS C. CRAMTON

> Louis C. Cramton was born 50 years too soon. The causes to which he gave his public life—racial justice and conservation—are now arousing consciences that were deaf to him.
>
> When the 90-year-old lawmaker died, his name was less well known than his achievements.
>
> His career spanned nearly six decades, starting as a law clerk for the Senate Judiciary Committee in 1903 . . . elected a state representative in 1909 . . . nine terms in Congress . . . circuit judge from 1933 to 1941 . . . returning to the state House of Representatives from 1948 to 1960.
>
> In Congress he earned the title of "godfather of the national parks" in leading the battle to create parks from Isle Royale to the Lee Mansion at Arlington, Va.
>
> His national leadership of the lost cause of prohibition led to his defeat in his 1930 bid for re-election to Congress.
>
> Returning to Lansing, his impassioned pleas for reasonableness brought tears, if little reasonableness, from fellow lawmakers in the bitter 1959 tax deadlock.
>
> In Washington he had led the drive to create adequate financial support for Howard University. In Lansing he led in the creation of the state's Fair Employment Practices Commission, seeking unsuccessfully to expand its authority into housing as early as 1959.
>
> He saw public service as an opportunity to pursue his ideals, not amass personal profit. "As a Republican," he recalled recently, "I never cared for Franklin D. Roosevelt, but if it wasn't for his social security program I would be worse off today."
>
> More valuable than riches, he left a house full of testimonials and a broad legacy of appreciation and respect.

GUARANTEED ANNUAL WAGE

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, I read with considerable interest in the Washington Post today an article on the guaranteed annual wage. I received in the mail a copy of the Guaranteed Annual Wage Newsletter put out by the ad hoc committee for a guaranteed income at the School of Social Service Administration at the University of Chicago.

This, Mr. Speaker, in my opinion would be a plan that we should call "instant retirement."

Now, Mr. Speaker, what will they think of next? The newsletter states in part and I quote:

> Opposition to this idea comes from those who still maintain that no man, able to work, should be paid for not working.

Mr. Speaker, this could also be called "The Late Program: Loafers at Taxpayers' Expense."

We all want to assist people who have a real genuine need, but if we ever adopt a program in the United States that guarantees an annual income for every citizen, regardless of whether or not he works, it will not be in the best interest of our country.

I hope to remain in Congress for some time, and I trust I am not here long enough to see the time when we would adopt a program guaranteeing an individual an annual income whether he works or not.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I would like to commend the gentleman for the position he has taken on this matter, and I wish to associate myself with that position and with the gentleman's remarks.

Mr. CEDERBERG. I thank the gentleman.

PROVIDING FOR CONSIDERATION OF H.R. 15750, THE FOREIGN ASSISTANCE ACT OF 1961

Mr. SISK (on behalf of Mr. BOLLING), from the Committee on Rules, reported the following privileged resolution (H. Res. 906, Rept. No. 1680) which was referred to the House Calendar and ordered to be printed:

H. Res. 906

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15750) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed five hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AUTHORIZING APPROPRIATIONS FOR DEFENSE PROCUREMENT AND RESEARCH AND DEVELOPMENT FOR FISCAL YEAR 1967; MILITARY PAY INCREASE

Mr. RIVERS of South Carolina submitted a conference report to accompany the bill (S. 2950) to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes, which was ordered printed.

RICHARD HELMS, DIRECTOR OF CENTRAL INTELLIGENCE

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include certain press articles.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, on Tuesday, the Senate confirmed the nomination of Mr. Richard Helms to succeed Adm. William F. Raborn as Director of Central Intelligence. At his confirmation hearings, the Senate Committee on Armed Services welcomed Mr. Helms' appointment enthusiastically and unanimously approved his nomination. I, too, wish to welcome Mr. Helms to this position. I look forward to a close association with him in my capacity as chairman of the House Armed Services CIA Subcommittee.

During the past 14 months, my close association with Admiral Raborn has been one of the most pleasant aspects of my duties as chairman of the Armed Services Committee. I, and a number of my colleagues, have already paid tribute to the admiral's record of distinguished service as a career naval officer and more recently as Director of Central Intelligence. He responded to a call from the President and performed his job splendidly. We all extend him every good wish for the future.

Mr. Speaker, a number of distinguished Americans have held this position which is so important to the security of our country. I think it is entirely fitting now that a man who has gained distinction through the professionalism acquired through a career in intelligence work including the holding of several senior positions within the Agency should now be appointed the head of that Agency. Mr. Helms' professional competence was recognized 14 months ago when he was named by President Johnson as Deputy Director of Central Intelligence.

It has been recognized again in his elevation to the top position in the CIA. I am sure that it is encouraging to those who have worked with Mr. Helms over the years and who are perhaps his strongest advocates to see him named to this position. Mr. Helms' intelligence career began in 1943 when he first served with the Office of Strategic Services. He has served continuously in its successor organizations.

I have been extremely impressed with Mr. Helms in his numerous appearances before our CIA Subcommittee. I am sure it is a comforting thought to Admiral Raborn, as he leaves his position, to know that the job is indeed in good hands. The press has not always been kind to the CIA but I have been most interested in the almost universally favorable response which Mr. Helms' appointment has received. I wish to insert in the RECORD at this point a selection of these articles.

I do not agree with those who are critical of Admiral Raborn's tenure as Director; but I do agree with the universal acclaim over Mr. Helms' appointment.

The articles follow:

[From the Pittsburgh Press June 20, 1966]

EXCELLENT CHOICE

President Johnson chose well in elevating the Government's top career intelligence officer, Richard M. Helms, to directorship of the Central Intelligence Agency (CIA).

Dick Helms is an exceptionally able public servant. The words customarily used to describe him—"brilliant," "dedicated," and "unbiased"—are accurate.

Going from the Navy into the Office of Strategic Services (the CIA's predecessor) in 1943, Mr. Helms has spent the years since continuously in Government intelligence, rising through the ranks and until only little more than a year ago he was named deputy director of the CIA under the now retiring Admiral William F. Raborn.

Thus, he knows inside-out the faults, strengths, plans and machinery of this most complicated, controversial but all-essential Government agency. His record commends and fits him to take over the reins.

He knows that one of the greatest needs of the CIA today is a better public image—not that it is nearly as bad as some claim. But it needs to be better, for it is an agency essential to the welfare of our country.

Many in the Scripps-Howard newspaper organization have known Dick Helms since the pre-War II days when he was director of national advertising for The Indianapolis Times, a sister newspaper.

Our wager is he can turn in the performance required.

[From the Washington Post, Tuesday, June 28, 1966]

CIA CHANGING OF GUARD—AGENCY BEING VINDICATED BY SENATE

(By William S. White)

The changing of the top guard at the Central Intelligence Agency is proceeding smoothly notwithstanding CIA's inbuilt capacity to evoke more than its share of a kind of querulous suspicion and criticism.

Richard Helms, who is to be the Agency's director in succession to his resigned chief, Adm. William F. Raborn, has been given the unanimous approval of the leadership of both parties in the Senate.

Deputy Helms thus becomes Director Helms under a powerful and, practically speaking, an unchallengeable Senate sponsorship. Moreover, it has become clear that the demand of the Senate Foreign Relations Committee for a part in congressional supervision of the CIA is going exactly nowhere.

The most realistic estimate is that if and when this proposal is pushed to a showdown on the Senate floor it will do well to attract as much as 20 per cent of the vote.

CIA is already supervised by a select and bipartisan Senate group, headed by Senator RICHARD RUSSELL of Georgia, which demonstrably holds the confidence of a vast majority of the Senate. So the Russell Committee will continue to be the sole supervising group; and that is that.

All this state of affairs is understandably most pleasing to the CIA, which has long been the top villain in all the bureaucracy to a small minority in Congress. These men simply cannot accept the hard reality that a tight secrecy over clandestine operations is the unavoidable price exacted by the kind of world in which we live.

The whole point is that the Russell CIA Committee has never known a leak of national security information; the Foreign Relations Committee is widely known for just such leaks. Its effort to move in on the CIA is not being rejected by a Senate majority only because of the essential bankruptcy of its argument that CIA meddles in the making of foreign policy, but mainly because some of its members simply cannot keep from talking too much about some things that should not be talked about at all.

[From the Washington Post, Monday, June 27, 1966]

The net of it is that this agency as an institution is in the process of a massive vindication by the Senate. This is bracing news, indeed, to the poor old CIA, which can never speak of its many successes and can never even try to defend its few failures. It is happy news, too, for Admiral Raborn, whose services to this country—from his development of the Polaris missile program to his conduct of the CIA—has been rarely matched.

To be sure, Raborn leaves his post—for a resumed retirement long since promised him by President Johnson—under criticism here and there. Still, he can take comfort in the knowledge that the one man who really ought to know the quality of his work, the President, is genuinely sorry to see him go.

The President has sent to Raborn a private letter of farewell that should convince the open-minded that the Admiral did a good job, indeed. "In your leaving," the President told Raborn, "you take with you not only my gratitude but that of your fellow countrymen who have been served so well by your unique powers of leadership and understanding."

If this isn't a "well done" from the Commander-in-Chief to a faithful old sailor, nobody could write one.

That the President has sent it reflects, to be sure, more than personal appreciation for a man who has done a particularly hard tour of duty. It also reflects his grave concern that all men in the most critical and most criticized arms of government—intelligence, defense, State Department—are of necessity asked to bear burdens of such pressure as to make high careers less and less attractive and sometimes hardly even bearable.

Highly qualified men are hard to find—and keep—even in times far less demanding than these, the days of the running sore of the war in Vietnam.

CIA's New Chief a Determined Pro

(By Marquis Childs)

Those who occupy the seats of the mighty in this Capital are more often than not showy figures expanding like tropical flowers in the public glow. They measure their success by clocking the time they get on national television.

Just named to fill one of these seats is a man who falls completely outside the pattern. It is doubtful if one American in a thousand could identify Richard M. Helms, who will be director of the Central Intelligence Agency. And, if he has ever appeared on television, it has been by the sheerest inadvertence.

Even more remarkable in this hothouse atmosphere is that this is the way he intends it to be. As a pro in the intelligence business himself, Mr. Helms has every intention of making the agency a professional operation. The dilemma of secrecy for a vastly expanded intelligence operation, serving a democracy in which the very word secrecy inspires the itch to break it down, is his to resolve.

Although it was not known at the time, the White House on a previous occasion seriously considered putting Mr. Helms in the position to which he has now been named. The argument was that, since the CIA is a professional outfit, it should be headed by a pro with a long background in the business.

Instead, the President named a retired Admiral, William F. Raborn, Jr. Raborn was a highly successful organizer and administrator in putting through the Polaris submarine program. But, with no background in intelligence, he proved an unhappy choice as commanding officer on the bridge of the phantom ship of state which the CIA represents. For six months or more, Mr. Helms has been directing operations and Admiral Raborn's presence has been less and less felt.

The power of the CIA is a fact of contemporary life. It is embodied in the huge white structure completed five years ago at Langley, Va., across the Potomac and occupied by at least 5,000 of CIA's employes. Perhaps another 10,000 or 15,000—the totals are secret—operate in every corner of the world.

Part of Mr. Helms' task is to apply discipline and restraint to an organization that many critics feel is overgrown and overly eager. The CIA's moving into its great white headquarters was, in the view of these same critics, a grave error, in that it advertised an agency that by its very nature should have abjured advertising.

Although he directed CIA's covert, or black, operations, Mr. Helms fits none of the stereotypes of the spy thriller and the innumerable spy films of recent years. Slender, soft-spoken, modest in demeanor, married for 20 years and the father of one son, he is not even a distant relative of James Bond.

His sparse official record released by the White House when he was appointed is also modest. Educated partly in Europe, at a German high school and a famous boys school in Switzerland, he speaks French and German fluently. Graduated from Williams College, he was elected to Phi Beta Kappa in his junior year. He worked in Europe for two years for an American news service and from 1937 to 1942 as national advertising manager for the Indianapolis *Times*.

Mr. Helms, who is 53, got his grounding in intelligence in the wartime Office of Strategic Services, where he served as a Navy lieutenant (jg). From then on, his career has been curtained by secrecy. He is said to have had a lot to do with the U2 spy planes, which were extraordinarily successful in prying into the Communist preserve until a U2 was shot down over Sverdlovsk in 1960. That put an end to the summit conference with the Soviet Union.

Today—and this is part of the challenge confronting Mr. Helms—spying, along with almost everything else, is being transformed by revolutionary new technology. The Samos satellite replaced the U2 and, as it courses through outer space, it sends back for analysis by CIA technicians photographs as detailed as those taken from the plane at 60,000 feet.

The new director also is confronted by the bad press the CIA had had. Books and magazine articles have assailed and ridiculed the agency. The best known of the books, *The Invisible Government*, fired the wrath of the CIA with the accusation that at times it has exposed the "cover" of agents whose usefulness was thereby ended.

What irks Mr. Helms and his associates is that these attacks fail to point out that the CIA is a counter to the far greater and more powerful intelligence operations of Communist Russia and China. That is the Helms concept—a professional agency operating without publicity in a tough professional sphere.

[From Time, June 24, 1966]

A Pro for CIA

The Central Intelligence Agency, which tries not too successfully to stay out of the news, makes it big when it has something that it wants to tell. So it was last week when Richard Helms was named to replace Admiral William Raborn, 61, as director of the CIA. And, as usual, there were countless cloak-and-dagger theories to explain the switch. President Johnson compounded the conspiracy theories by burying the news in a clutch of routine personnel announcements.

Actually, Raborn had an understanding with Johnson, when he took the job 14 months ago, that he would stay only a year or two; thus his departure was not unexpected. A retired line officer with a flair for administration, he brought to the sprawling spookery in Langley, Va., modern management techniques for analyzing, projecting and distributing the inchoate mass of information that pours in on the agency from every corner of the world.

Unlike his immediate predecessors, John McCone and Allen Dulles, Raborn sought no policymaking role, was far less concerned with the substance of intelligence, and his detached air drew criticism.

Dick Helms, 53, has made his career in what Washington calls the "intelligence community." A Williams College graduate and a newsman before joining the Navy in 1942, he served as an OSS officer during the war and signed up with the CIA at its founding in 1947. He rose to become deputy director for plans—meaning covert operations—under McCone, and has since handled the agency's delicate relations with Congress while simultaneously directing most of the CIA's pure-intelligence functions as Raborn's first deputy. He thus became the first professional ever to head the agency, and about that at least there was no mystery.

[From the Washington Star, June 24, 1966]

Good News for the CIA

For the Central Intelligence Agency, which has been going through a difficult period, the appointment of Richard M. Helms to succeed William F. Raborn as director is a heartening development.

The new director, who has served as Raborn's deputy for the past 13 months, is the first thoroughgoing professional intelligence agent to be given the top job in the agency. He has been with the CIA since it was formed in 1947, having previously served in the Office of Strategic Services during World War II. He is widely respected throughout the government intelligence community and enjoys excellent relations on Capitol Hill.

The appointment amounts to belated recognition in the White House that intelligence work is a highly specialized activity demanding the best in professional talent. Raborn, a retired vice admiral, was handicapped as director by his lack of previous experience in intelligence work and in the field of foreign affairs. In recent months, criticism of the CIA in Congress has become increasingly outspoken and morale within the agency itself has suffered.

The change in leadership does not mean that all the problems of the CIA will disappear. Criticism in Congress, and pressure for tighter supervision by congressional committees, is likely to continue. It is to be hoped, however, that increased confidence within the agency itself may lead in time to greater public and congressional confidence in the activities of this vital arm of the government.

[From the New York Times, June 20, 1966]

New Chief for the C.I.A.

The Central Intelligence Agency needed a change of leadership, and President Johnson has picked the best available man in Deputy Director Richard Helms. Admiral Raborn, the retiring director, was chosen in 1964 because he had done an outstanding job in developing the Polaris missile and, in the process, had established excellent relations with Congress. It did not hurt that he was a Texan who campaigned for Mr. Johnson.

As it turned out, Admiral Raborn's relations with Congress proved far from happy and his complete inexperience in intelligence work and foreign affairs were serious handicaps. He was a good man in the wrong job.

Mr. Helms is a career intelligence officer who has had primary responsibility for much of the C.I.A.'s administrative work in the last few years. He is experienced, sophisticated and knowledgeable. Moreover, he is highly regarded by the C.I.A. corps which has been riven by internal quarrels.

Good as the appointment is, it does not lessen the desirability of tighter Congressional supervision over this crucial agency. Legislators expert in foreign affairs should share with members of the armed services and appropriations committees the duty for overseeing an organization whose work directly affects—and sometimes even makes—foreign policy.

The combination of a more effective director and more effective Congressional watchdogs could do much to heighten public confidence that the vast powers of C.I.A. will not be abused.

[From the Washington Star, June 19, 1966]

Helms Is Named CIA Chief as Admiral Raborn Resigns

(By Garnett D. Horner)

William F. Raborn Jr. is resigning as Central Intelligence Agency director after less than 14 months on the job.

President Johnson announced Raborn's resignation yesterday along with the promotion of a career professional in the intelligence field—Richard M. Helms—to succeed him.

Helms, 53, who got into the spy business while in the Navy during World War II, has been with CIA since it was created 19 years ago and has been deputy director under Raborn.

The President gave no reason for the resignation of Raborn, a 61-year-old retired vice admiral, except that he wants to return to his home in California. But there have been recurring rumors of unhappiness at high levels within the administration about Raborn's direction of the CIA.

ANNOUNCES CHOICES

At a press conference in his office, Johnson also announced he intends to nominate:

Dr. Samuel M. Nabrit, president of Texas Southern University, as a member of the Atomic Energy Commission to succeed Mrs. Mary I. Bunting, who resigned some time ago. Nabrit is a brother of Dr. James M. Nabrit, Jr., now U.S. deputy representative to the United Nations, who plans to return to his post as president of Howard University here in the fall.

Dr. Gerald F. Tape, for reappointment as a member of the Atomic Energy Commission. He has been a member of the AEC since 1963.

Rosel H. Hyde, a Republican first named to the Federal Communications Commission by President Truman in 1952, for reappointment to the FCC. The President also said he plans to designate Hyde as FCC chairman.

Nicholas Johnson, now serving as federal maritime administrator, to fill a vacancy on the FCC created by the May 1 resignation of E. William Henry, former FCC chairman

DEPUTY PROMOTED

Winthrop Knowlton, now deputy assistant secretary of the treasury for international affairs, for promotion to assistant secretary. He would replace Merlyn N. Trued, who resigned recently.

The President also named Henry D. Owen, a member of the State Department's Policy Planning Council for 11 years, as chairman of the council. He succeeds Walt W. Rostow, recently named a special assistant to the President.

Raborn's resignation as CIA director came in the midst of an attempt by the Senate Foreign Relations Committee to put three of its members on a special congressional watchdog committee for the CIA headed by Sen. RICHARD B. RUSSELL, D-Ga.

There were no official indications whether the approaching battle in the Senate over the proposal to enlarge the watchdog group had anything to do with Raborn's resignation.

CONTROVERSIES AROSE

There has been criticism of Raborn in some quarters on the grounds that as a military man he was not familiar with CIA cloak-and-dagger operations and that there had been morale problems in his administration of the agency.

In recent months, the CIA has become involved in an increasing number of controversies. Two court suits, the Senate dispute and a rash of newspaper and magazine articles have all raised questions about the agency's operations.

Ramparts magazine, in its April issue, charged that Michigan State University had provided a "cover" for CIA operatives in Viet Nam.

University officials acknowledged that CIA men were employed in the project, but said "we did not knowingly hire any CIA men—and when we found out about their role, we dropped them."

At the same time the Michigan State controversy erupted, the Star disclosed that an Estonian immigrant had filed a $110,000 slander suit in U.S. District Court in Baltimore against a fellow immigrant whom the CIA identified as one of its agents.

Eerik Heine, who filed the suit, alleged that Jrui Raus, the CIA employe, was instructed by the intelligence agency to warn Estonian immigrants in this country that Heine was a "dispatched Soviet intelligence operative, a KGB agent."

Both the CIA and Raus have contended that Raus was acting as a government official and therefore was immune to slander suits. The court has not yet ruled on whether that defense can be accepted.

Members of the Senate Foreign Relations Committee, led by Chairman J. W. FULBRIGHT, D-Ark., have voiced concern about allegations that the CIA is playing an increasing role in influencing foreign policy.

Another controversy developed after Foreign Affairs, a prestigious quarterly, published an article on "The Faceless Viet Cong," written by George A. Carver Jr. It was subsequently learned that the author was a full-time CIA employe, but the magazine, in a short biography, did not identify him as such.

Last month, the widow of a retired Marine colonel filed an $800,000 damage suit in U.S. District Court in Norfolk, alleging that her husband committed suicide because of drugs administered to him while he was being interviewed for a CIA position.

"There is no basis for the charges," the CIA said. "No drugs or medicines were ever administered to him at any time during his contacts with agency officials."

Raborn was named in April last year by the President to succeed John A. McCone, a Republican West Coast industrialist, as CIA director.

Johnson pointed out yesterday that Raborn was retired when he asked him to come to Washington to serve "for a period that would be agreeable to him." He said he told Raborn at the time that he hoped Helms could succeed him at the end of his tour of duty.

"Although he (Raborn) had no desire to return to Washington," the President added, "he agreed to come and serve for an indefinite period. He has done that. Now he desires to return to California."

Helms was named deputy director at the same time Raborn was picked to head the agency. Helms had been deputy director for plans since early 1962, when he succeeded Richard M. Bissell Jr.

Johnson opened his press conference yesterday with an announcement of the first assignment of funds to projects around the country under the new rent supplement housing program.

He said $600,000 has been set aside to provide for more than 1,000 units of "modest but decent housing" in Boston, Cleveland, New Orleans, New York, Omaha, Philadelphia, Providence, San Antonio, Saginaw, Mich., Pasco, Wash., the Watts area of Los Angeles, and the Delta area of Mississippi.

Congress appropriated the first money last month under the program approved last year. Johnson again yesterday urged the Senate to approve appropriations to carry the program forward in the fiscal year beginning July 1.

In response to questions, the President indicated that he hopes for a compromise to win Senate passage of the controversial open housing provision of the pending civil rights bill.

"We do have difficulties," the President remarked. "We are trying to resolve them and get a bill that can be approved by a majority of the Congress . . . We are hopeful we will get a good civil rights bill as near our recommendations as possible. We don't always get all we ask for."

[From the Washington Star, June 19, 1966]

CIA CHIEF HELMS IS FIRST CAREER MAN TO DIRECT AGENCY

"I know we've been critized a lot," the new director of the Central Intelligence Agency said yesterday, "but I don't believe a lot of it to be at all fair.

"All told, I think we have done a fine job over the years."

Richard McG. Helms, a career man with CIA since its founding nearly 20 years ago, gave this appraisal in a telephone interview.

Colleagues in the normally supersecret agency were happy to add their words of praise for the 53-year-old former newsman who now heads one of the U.S. government's biggest and most important organizations.

President Johnson announced at a news conference that retired Adm. William F. Raborn, the Polaris submarine developer who took over as CIA chief following John A. McCone's departure a year ago, has decided to go back to his California home.

Helms was raised to CIA's No. 2 spot under Raborn with the idea of grooming him for the top, $35,000-a-year job when the admiral departed, Johnson said.

The 6-foot-1-inch, brown-haired and brown-eyed Helms is, in a sense, the first career intelligence man to be promoted to the top of the CIA. His most widely known predecessor, Allen W. Dulles, had long experience in intelligence work, but was also a lawyer before going on the CIA roster in 1951.

BRILLIANT, DEDICATED

Those who know him describe Helms as a brilliant, dedicated, unbiased person—"the finest product of the CIA."

He was assistant to Richard Bissell when Bissell was director of plans and then replaced Bissell in 1962, the year of the Bay of Pigs, when Bissell resigned.

As assistant and then director for plans, Helms supervised the so-called "black operations" of CIA—the action branch of the agency.

He was considered a protege of Bissell, who although criticized for aspects of the Bay of Pigs operation, was recognized as a brilliant operative himself and is credited for many successful CIA operations—including the U2 spy plane flights over Russia.

ANONYMOUS ROLE

What role Helms played in this and other operations is not publicly known. Various books and articles critical of CIA operations mention Helms only in passing—as an unbiased, capable and efficient operator.

His anonymity may serve him well in handling the CIA's current problem with Congress. The Senate Foreign Relations Committee has been seeking to have its members named to a Senate subcommitee that oversees the agency's operations.

Efforts at a compromise have been unavailing, and Raborn Friday told Foreign Relations Committee Chairman J. WILLIAM FULBRIGHT, D-Ark., he would refuse to give members of FULBRIGHT's group any information about the sources of CIA information or the methods the agency uses.

Helms, a native of Saint David's, Pa., in suburban Philadelphia, graduated from Williams College in 1935 with Phi Beta Kappa honors and other achievements including his class presidency and editorship of the college newspaper.

In 1935–37 he was a United Press correspondent, and from 1937 until 1942 he was national advertising manager for the Indianapolis (Ind.) Times.

His government intelligence work began after he joined the U.S. Navy in World War II. As a lieutenant junior grade, he went with CIA's wartime predecessor—the Office of Strategic Services—in August 1943.

After his Navy discharge in 1946 he joined the War Department's Strategic Services Unit. From there he went to the Central Intelligence Group, which in 1947 was formed into the CIA with Helms as a deputy director.

During such time as he gets off, Helms likes to spring about a tennis court, go for walks and read.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I am delighted to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I desire to associate myself with the remarks of the gentleman in commending the President of the United States for appointing this distinguished career public servant to this most important position.

Mr. RIVERS of South Carolina. I thank the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I am glad to yield to the distinguished minority leader.

Mr. GERALD R. FORD. It has been my privilege to know Richard Helms for a number of years. I first became acquainted with him when I was on the Defense Subcommittee on Appropriations and he was a witness before the subcommittee. I grew to know him better as a member of the Subcommittee on Appropriations which had a special interest in the Central Intelligence Agency.

Mr. Helms is a career man of the highest caliber, a man who has, by his ability and his record, reached the top of this important vital Agency of the United States.

I also commend the President for recommending Richard Helms to the important position of Director of the Central Intelligence Agency. I am sure the Agency is in good hands under his leadership.

Mr. RIVERS of South Carolina. I thank the gentleman from Michigan. I agree with him. This is one of the finest appointments the President of the United States has ever made in the interest of the security of this great Nation.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I am happy to yield to the distinguished gentleman from California.

Mr. HOLIFIELD. I wish to add my remarks and my approval of the remarks that have been made today in regard to both the distinguished career of Admiral Raborn and the appointment of Mr. Helms as head of the CIA. I wish also to compliment the President on the appointment of Richard Helms to be Director of the CIA. I have the utmost confidence in the appointment and believe that Mr. Helms will make a distinguished and valuable contribution to our Nation's safety and security.

Mr. RIVERS of South Carolina. I thank the gentleman.

Mr. Speaker, in future days the CIA will come under criticism by certain elements of the press, as it has in the past. This man needs our backing. He needs the backing of everyone in the Executive Department and he needs the backing of America, because we must not see the importance of this great agency eroded and downgraded by people who have ulterior motives toward our Nation.

COTTON RESEARCH AND PROMOTION

Mr. COOLEY. Mr. Speaker, I call up the conference report on the bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1673)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2; and agree to the same.

Harold D. Cooley,
W. R. Poage,
E. C. Gathings,
Harlan Hagen,
Paul B. Dague,
Page Belcher,
Charles M. Teague,
Managers on the Part of the House.

Herman E. Talmadge,
James O. Eastland,
B. Everett Jordan,
George D. Aiken,
Milton R. Young,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the Conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill H.R. 12322, to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton, submit the following statement and explanation of the effect of the action agreed upon by the conferees and recommended the accompanying conference report.

H.R. 12322 would authorize the Secretary of Agriculture to issue a marketing order authorizing the collection of contributions from cotton producers of $1.00 per bale to be used for the purpose of research and promotion to further the consumption of cotton in the United States. As in the case of other marketing orders, the bill provides that the proposed marketing order should be approved in a referendum of cotton producers by two-thirds of the producers voting in the referendum or two-thirds of the cotton production represented by producers in the referendum.

The Senate amended the bill in two respects: (1) To provide that the assessment could not exceed $1.00 per bale; (2) To provide that approval of the marketing order in the referendum by a vote of two-thirds of the volume represented would not be effective unless such vote also represented at least a majority of the producers voting in the referendum.

In the meeting of the conferees it was stated that the Secretary of Agriculture had announced that he would not approve the proposed marketing order unless a majority of the producers voted in favor of it, if the decision were to be made on a volume of production basis. The Senate amendment dealing with this matter appeared, therefore, to be a moot question and the House conferees accepted this amendment.

Having accepted the amendment with respect to the referendum, the conferees felt that it would give cotton producers greater confidence in the proposed program to accept also the first Senate amendment which provides that the producer assessment under the proposed marketing order cannot be, under any circumstances, more than $1.00 per bale under this legislation.

Harold D. Cooley,
W. R. Poage,
E. C. Gathings,
Harlan Hagen,
Paul B. Dague,
Page Belcher,
Charles M. Teague,
Managers on the Part of the House.

Mr. COOLEY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

ANNUAL REPORT OF THE OFFICE OF ALIEN PROPERTY FOR FISCAL YEAR 1965—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I am pleased to transmit the Annual Report of the Office of Alien Property for Fiscal Year 1965 as required by Section 6 of the Trading with the Enemy Act. It is the 23rd report of proceedings under that Act.

As this report indicates, we have reached the end of a very long road. After June 30, 1966, for the first time in 49 years, there will be no Government unit whose sole task will be the processing of alien property matters arising from the wartime seizure of property. Some alien property work remains which cannot be completed by June 30, 1966, principally because it is affected by litigation or proposed legislation. These remaining matters will be completed in the future by the part-time work of personnel of the Civil Division of the Department of Justice. But this does not detract from the fact that as of April 30, 1966, the staff which has completed the processing of about $900,000,000 in vested property will have closed all but about 50 of the more than 67,500 claims which were filed, all but about 450 of approximately 62,000 accounts, and it will have pending only about 30 of the more than 7,000 cases which it has litigated.

The imminent closing of the Office of Alien Property is another step in our determination to find the most efficient way to serve the American public. In the War Claims Act of 1948, as amended, Congress has authorized thousands of American citizens to file claims against the net proceeds of vested property which are maintained in the War Claims Fund. Since the costs of the Office of Alien Property are deducted from the proceeds of vested property, closing the Office will soon mean the end of deductions of its administrative costs, thereby leaving more funds for the claimants to share. And the public generally will benefit by the absorption into other necessary work of the mere handful of knowledgeable and dedicated employees who have brought this fruitful work virtually to its close.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 29, 1966.*

THE PRESIDENT'S ALLEGED LOSS OF POPULARITY—EXCERPTS FROM THE SPEECH DELIVERED TO THE NAVAL RESERVE OFFICERS' ASSOCIATION OF CINCINNATI, JUNE 20, 1966, BY THE HONORABLE JOHN J. GILLIGAN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, our distinguished colleague, the gentleman from Ohio [Mr. GILLIGAN] has made an excellent speech before the Reserve Officers' Association of Cincinnati on June 20, 1966. I ask unanimous consent to include with my remarks at this point in the RECORD excerpts from that speech.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The excerpts referred to follow:

EXCERPTS FROM THE SPEECH DELIVERED TO THE NAVAL RESERVE OFFICERS' ASSOCIATION OF CINCINNATI, JUNE 20, 1966

Much is heard today about the plummeting popularity of President Lyndon Johnson, as reflected in public opinion polls being taken around the country, and such noted writers as Walter Lippmann have ascribed the President's alleged loss of popularity to our involvement in the conflict in South Viet Nam. For instance Mr. Lippmann recently wrote, "The polls, plus the California primary elections have shown that the President no longer commands the great majority which elected him in 1964. This is the fact of the matter; there is room for much difference of opinion about why this has happened and what it means.

"Certainly the gross figures of the polls do not reflect a simple alignment of opinion for and against our part in the Vietnamese War. The current majority disapproves of the President's conduct of the war."

I think it is fair to say, as Mr. Lippmann does, that a great many Americans are unhappy with the war in Viet Nam; and, indeed, we would be a pretty sorry nation if our people did not have the most profound distaste for war and imperialistic adventures. It would seem evident that the President takes the blame for the fact that the war has not ended, indeed, that it ever started, and that it cannot be prosecuted to a quick and easy conclusion. But I think that acknowledging that fact is not quite the same thing as saying, as does Mr. Lippmann, "there is no easy solution available to the President or to us. The President has misconceived and misjudged the war, and the consequences, whether he leans now to the Hawks or the Doves, will be bloody, embarrassing and sterile. While the war goes on, the mood of the country grows angrier, and the hope of dealing with our truly gigantic problems by reason, good will and concensus is vanishing."

It would appear to me that such learned and erudite men as Mr. Lippmann, as well as some of the other critics of the President, would have developed somewhat greater historical perspective by contemplating the role that other Presidents have played at times of national crisis, and what happened to their popularity at the time.

For instance we are accustomed to look back at the Civil War through the rosy glasses of history and sentimentality and think of that era as a rather romantic period of gallantry and grace. All of us have learned from the cradle all the stories about the gentle and beloved Abraham Lincoln, who was enshrined in the hearts of all of his countrymen. Nothing, of course, could be further from the truth.

In November, 1864, Abraham Lincoln won reelection to the Presidency by a very narrow margin and his opponent, General McClellan, ran on a "peace platform", in which he promised that if he were elected President, a speedy armistice would be negotiated with the Southern States, and the seceded states would be given the right to determine whether or not they wanted to return to the Union, and whether or not they wanted to abolish slavery.

It was widely held and argued that all of the slaves of the South were not worth the life of one Union soldier, and instead of the rather peaceful, but noisy, demonstrations by the peaceniks of today, there were then the bloody draft riots in New York when hundreds of men (largely recently arrived Irish immigrants) burned and looted and pillaged in the most violent sort of protest against being drafted into the Union Army.

When we realize how narrow was Lincoln's margin of victory in that fateful election, we would do well to recall that only the people in the North were voting, and that if the Southerners had been able to cast ballots in that election, Lincoln would have been disastrously defeated.

If there had been Gallup Polls in 1864, Lincoln would have cut a very sorry figure; and if the term, concensus, had been part of the political parlance of the day, it would have been difficult to discern much united support behind Lincoln.

We must remember that the Civil War, by all odds, was the bloodiest and costliest war in our history, wherein every casualty was an American casualty, and every property loss involved the destruction of American possessions. So when Lincoln arose in March of 1865 to deliver his second inaugural Address, he was speaking to a nation exhausted and embittered and war-weary to the point of absolute despair. Never have the American people suffered as they did during that long and bloody agony. All of us now recall the gentle Abe concluding his Inaugural Address with the famous lines, "with malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds . . . to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

But how about the paragraph just prior to that one? Reread the terrible words: "Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet if God wills that it continue until all the wealth piled by the bondsman's 250 years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid with another drawn with the sword, as was said 3,000 years ago, so still it must be said, 'the judgments of the Lord are true and righteous altogether'."

Never has a President uttered more terrible words to an exhausted and grievously stricken nation. Far from negotiating a quick peace, Lincoln, with the terrible wrath of the scriptural patriarchs, was declaring that if it took every cent in the treasury and every drop of blood in the American people, the job would be done and the Union would be restored, and slavery would be abolished! Was Lincoln, then, an imperialist? A warmonger? Had he a Napoleonic complex that let him turn his back on the peace table and demand further slaughter of American sons on both sides of the line, and further destruction of American cities both North and South?

Or we hear it said that another martyred president, were he still alive, would be handling the situation in Viet Nam differently and better. We hear suggestions that President John F. Kennedy would not have indulged in brinksmanship, would not have risked the awful and ultimate cataclysm of atomic war by involving this nation in military adventures on another continent thousands of miles from home. It is well for us to recall that only five years ago President Kennedy was confronted by an ultimatum from Premier Khrushchev, who said that he was going to sign a separate peace treaty with East Germany, and recognize East Germany as a sovereign nation. The war, after all, had ended twenty years earlier, and Germany was artificially divided and occupied by foreign troops. The German problem should be solved by the German people, not by unwanted intruders. Khrushchev further declared that following the signing of the peace treaty the East Germans would ask us to take our troops out of Berlin; and if we did not they would throw us out; and if they could not, Russia would help them to throw us out.

President Kennedy, in office only a few months, was staring right down the barrel of the atomic cannon. To stand firm was to risk the destruction of Europe, and indeed perhaps of the World. His response was to call up the reserves and to reinforce the garrison in Berlin, while declaring his determination to meet our national commitments to the German people and to our European allies.

In an address to the American people, made only five years ago, explaining our position, President Kennedy said: "All of us want to see our children grow up in a country at peace, and a world where freedom endures . . . I know that sometimes we get impatient, we wish for some immediate action that would end our perils. But I must tell you that there is no quick and easy solution. The Communists control over a billion people and they recognize that if we should falter, their success would be imminent . . . We must look to long days ahead, which if we are courageous and persevering can bring us what we all desire."

Virtually everything that can be said in criticism of our continuing presence in Viet Nam can and has been said about our military occupation of Berlin and other portions of Western Europe over the span of the last twenty years. Was Kennedy thus an imperialist and a warmonger? This much at least can be said: if Lincoln had faltered in his determination to restore the Union and to abolish slavery in this nation, we would today be a far lesser nation and people than we are; and the map and history of North America might well resemble that of South America, with a number of independent nations, warring intermittently, struggling to survive and to develop. If Kennedy had backed down to Khrushchev in Berlin, or a year later in Cuba, we would not today be worried about the future of South Viet Nam: we would be mortally concerned about the independence of Western Europe, and even the survival of the United States.

What would have happened if Lincoln or Kennedy had made their decisions based upon public opinion polls? Neither man was unaware of the views of his opponents; indeed, both were so conscious of the hatred their administrations had engendered in the hearts of their countrymen that both of them commented more than once about the possibilities of assassination. That they faced their responsibilities, accepted the criticism which was heaped upon them, made the hard decisions and backed them to the very hilt are facts for which we can all be prayerfully thankful today. Would we have the same courage if we had to face the same bitter test? I thank God that I shall never have to find out.

What of our President today? Which of us in this room would trade places with him for forty-eight hours, and have to make the lonely and terrible decisions that face him every day of the week? Who among us is so sure of his wisdom and skill and courage that he would be willing to trade places with Lyndon Johnson?

Just recently President Johnson said, "We are not just fighting for fourteen million (people in Vietnam). We are fighting for almost three billion people who also want freedom and liberty . . . We are fighting for a hundred nations' freedom and liberty. We must continue to fight until men are convinced that it is better to talk than to fight . . . We are ready to talk anytime, anywhere, with any government. All they have to do to test us is to name the place and the date; and they will find us there."

Such a statement may or may not increase the President's popularity in the polls, but I am sure that this is of very little consequence to him. He has sacrificed much for this nation in a third of a century in public service in positions of great responsibility, and I am as confident, as you are, that he will continue to place the security and welfare of this nation—and of all free men everywhere—above any personal consideration whatever.

In conclusion, I would suggest that all Americans owe a special prayer of thanks to God Almighty for providing this nation in our periods of national crisis with leaders of wisdom and courage and determination and with men in the White House like Abraham Lincoln, John Fitzgerald Kennedy and Lyndon Baines Johnson.

APPROPRIATE DRESS FOR VISITS TO THE ARLINGTON NATIONAL CEMETERY

Mr. KUPFERMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, the coming July 4 weekend and expected influx of tourists to the Nation's Capital seems an appropriate time for me to raise an issue which I find both disturbing and appalling, and about which I hope something can be done.

I refer to the complete informality of clothing worn by visitors to Arlington National Cemetery. I believe that the type of clothing all too frequently seen there, is a manifestation of the attitude with which some people approach a visit to the cemetery as if they were going on a picnic.

While we cannot always change people's attitude with the establishment of rules, I do believe that if we request visitors to dress in a manner conforming to the propriety of the occasion, a subsequent change in their attitude may follow.

At this point, I would like to include in the RECORD the following letter which I have sent to the Superintendent of Arlington National Cemetery, Mr. J. C. Metzler, asking him to look into the feasibility of establishing such a policy.

The text of the letter follows:

JUNE 30, 1966.

Mr. J. C. METZLER,
Superintendent, Arlington National Cemetery, Military District of Washington, Arlington, Va.

DEAR SUPERINTENDENT METZLER: As we approach July 4, our national holiday celebration of this country's independence, Washington can be expected once again to become the focal point for thousands of visitors. While I am proud that so many Americans come to their Nation's Capital during a special holiday weekend, I am also perturbed by the complete informality of their dress when visiting Arlington National Cemetery and feel something should be done about it.

I am appalled at those who arrive at the gates of Arlington in attire more suitable to a public amusement park or a beach. Arlington is not a public park; it is a sanctuary and final resting place for many of those who died in the service of their country.

The dress of tourists is particularly disturbing to me because they also visit the gravesite of President John F. Kennedy dressed as if they were going on a picnic. The fact that signs must be posted in Arlington admonishing visitors that picnicking is not allowed is a sad commentary on the atmosphere engendered, in part, by a too permissive attitude toward dress. This atmosphere must be distracting, and perhaps irreverent, to those families visiting the graves of relatives.

While I can appreciate the desire to dress as comfortably as possible during the stifling heat of the summer months, I nevertheless feel that visitors to this country's national cemetery should be attired in a dignified manner conforming to the propriety of the occasion. Accordingly, I ask that you look into the feasibility of establishing a policy requiring this.

Sincerely,

THEODORE R. KUPFERMAN,
Member of Congress.

THE FOOD-FOR-PEACE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 457)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Agriculture and ordered to be printed with illustrations:

To the Congress of the United States:

The United States in 1965 shipped $1.4 billion of food and fiber overseas under our food-for-peace program. This brings to $14.6 billion our food aid effort since the enactment of Public Law 480, the Agricultural Trade Development and Assistance Act of 1954.

Food for peace moved into its second decade continuing food aid programs that had proved so beneficial in the past, initiating imaginative new approaches to spur self-help, and facing an array of difficult challenges. The increasing pressure of world population growth was the most disturbing indicator in a year otherwise highlighted with promise in the war against hunger and malnutrition. Population growth of 2 percent a year—increasing to 3 percent in some of the underdeveloped countries—made it difficult to increase per capita food consumption. There was more food grown in 1965 than in 1964. But there were 64 million more mouths to feed.

In simplest terms, the task of bringing food and population into balance—while maintaining progress in health, education, and economic growth—is the most critical challenge many countries are facing today. It will probably remain their most urgent challenge in the immediate years ahead. The world's capacity to respond will dramatically affect the course which individuals and nations choose in confronting their problems and their neighbors in coming generations.

This is a world problem. The stakes are too large, the issues too complicated and too interbound with custom and commerce, to leave the entire solution to those countries that have supplied, or received, the most food assistance during the postwar era. The experience, the ideas, the skills, and the resources of every nation that would avoid calamity must be significantly brought to bear on the problem.

The U.S. Congress recognizes the moral and practical implications of hunger and malnutrition. Over the years its members have taken the lead in developing programs to prevent famine and to improve diets. The basic instrument Congress has used for this effort has been Public Law 480—the authorizing legislation for the food-for-peace program.

It is not easy to measure the achievements of a program with such multiple objectives as food for peace—aiding the needy, assisting economic development, supporting U.S. foreign policy, increasing trade, bolstering American agriculture. Yet as we look back on more than a decade of effort, the accomplishments are remarkable by any test.

Hundreds of millions of people have directly benefited from American foods. The lives which otherwise might have been lost—the grief which otherwise might have occurred—could have dwarfed the total casualties of all the wars during the period. I tend to think historians of future generations may well look back on this expression of America's compassion as a milestone in man's concern for his fellow man.

Food for peace, however, is aimed at more than individual survival—and individual growth. It is directed toward national survival—and national growth. Public Law 480 has been an important resource in the growth process. With the day-to-day difficulties which countries face, we sometimes fail to recognize how far many of the nations we have aided have come in their development effort. An analysis of food-for-peace programing—which constitutes more than a third of our total economic assistance effort—is a good yardstick to measure such achievement. Frequently a country's development is directly reflected in its graduation from being a recipient of heavily subsidized food aid.

Consider, for example, the countries receiving our food and fiber for local currency in the first full year of operation a decade ago. There were 27 of them in mid-1956. Today, more than half have reached a point of economic development where they no longer require such aid. This group which had graduated from title I programs, last year purchased more than $2 billion in agricultural commodities through commercial channels. This is more than triple their combined dollar purchase of a decade ago. Even excluding Britain, France, and West Germany—today's big dollar customers who purchased only small amounts under Public Law 480 and left the program early—the gains are still impressive. Dollar sales of U.S. farm products to the other title I graduates were well over a billion dollars last year—more than four times the amount in 1956.

Growing economic strength is also evident in that group of 13 countries receiving title I food a decade ago which continued to buy U.S. farm commodities for local currency in fiscal year 1965. They still face economic difficulties, but together these nations have more than doubled their dollar agricultural purchases from the United States over the 10-year period.

Global generalizations are difficult. But the broad pattern clearly shows substantial progress.

Indeed, the problems today are in many ways more serious than those facing the Congress when it enacted this law. The critical food shortage in India, though aggravated by drought, should be read as a warning that a crisis in food and population trends is already at the world's doorstep. The food-for-freedom legislation which I have proposed to Congress faces up to these problems. It takes into account the experience and lessons of Public Law 480, along with the changing conditions in food needs and supplies. It recognizes that the program will be judged in the long run by its success in encouraging self-help programs and attitudes in the recipient countries.

We have progressed a great deal during the past decade. We now know that food assistance can—

Make an important contribution to economic development;

Serve the highest objectives of U.S. foreign policy;

Help American agriculture;

Strengthen the habit of international cooperation; and

Help to dispel Malthusian fears which have historically haunted mankind.

By any standards, this Nation can be proud of its food-for-peace program. It gives me pleasure to submit to the Congress the annual report on the 1965 activities carried on under Public Law 480, 83d Congress, as amended.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 30, 1966.*

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 805. Concurrent resolution authorizing the Speaker of the House of Representatives and the President of the Senate to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested a concurrent resolution of the House of the following title:

H. Con. Res. 804. Concurrent resolution relative to the adjournment of the House of Representatives on June 30, 1966.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2974. An act to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such Act at both State and Federal levels, and for other purposes.

THE RIGHT REVEREND MONSIGNOR JOHN B. ROEDER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is with the deepest regret and an overwhelming sense of sadness that I noted the death of the Right Reverend Monsignor John B. Roeder, chancellor of the Roman Catholic Archdiocese of Washington and pastor of the church of St. Thomas the Apostle.

Monsignor Roeder was a very dear and close and valued friend of both Mrs. McCormack and myself. It was only a week ago Sunday that we had dinner with him in the residence of Archbishop O'Boyle. The loss of this great and good man, a pillar of the Roman Catholic faith and, more broadly, a tower of moral strength, is indeed a saddening experience in the lives of all of us who knew him, for here was a man of God, a man of purpose, a man of courage and determination whose service for God and whose concern for the welfare of mankind was the guiding force of his life.

Archbishop Patrick O'Boyle, who knew the monsignor very well and whose closeness was evidenced on all occasions, has summed up the life of Monsignor Roeder by the following observation, and I quote:

> He was a completely dedicated priest and a tremendous worker. His grasp of minute details of financial matters of the archdiocese was phenomenal, yet he was never too busy to worry about the problems of those who came to him for help. The church will miss his devoted service to God, and a friend to his fellow man will be missed.

Monsignor Roeder was ordained 27 years ago in Baltimore, his native city. He studied for the priesthood at St. Charles College, Catonsville, Md.; at the two St. Mary's Seminaries in Baltimore. Monsignor Roeder served at St. Gabriel's Church from 1939 to 1952, and became pastor of the Immaculate Conception Church in 1952. He was transferred to St. Anthony's Church in 1957 and St. Thomas the Apostle Church in 1960. He had been the top financial officer for the archdiocese since 1962.

Pope Pius XII named Monsignor Roeder a papal chamberlain in 1955 in recognition of his distinguished services to the Catholic Church. Pope John XXIII elevated him to the rank of domestic prelate in 1958. In June 1964 Archbishop O'Boyle presided over a mass in honor of the silver jubilee of Monsignor Roeder's elevation to the priesthood.

In all his days Monsignor Roeder performed in the manner of a truly dedicated man of God. He will be missed indeed by members of all faiths. Monsignor Roeder was one of the most dedicated men that I have ever met in the service of God, in the service of mankind, and in the service of country. His passing at the early age of 52 years is sad and tragic with so many years ahead of him to continue his great work in the service of God, mankind, and country.

Mrs. McCormack and I extend to his loved ones left behind our deep sympathy in their bereavement.

SALUTE TO A NEW REPUBLIC

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is with a great deal of pleasure that I extend congratulations to Malawi on this, the second anniversary of her independence from Britain, and to her first President, Dr. Hastings K. Banda, whom I consider to be one of my closest personal friends. However, this celebration also marks another milestone in the fast-moving pace of events in that country because Malawi has chosen to become a Republic on her independence anniversary. Her adoption of a republican form of government should have no affect on her warm relationship with the Commonwealth and its members.

Malawi's modern history began when David Livingstone, the explorer-missionary, discovered Lake Nyasa on September 16, 1859. Following Livingstone's death, both the Church of Scotland and the Free Church of Scotland established missions in 1874–75 to honor the famous explorer. During this period Nyasaland—as it was formerly called—was victimized by severe slave-raiding and tribal warfare. The missionaries were obliged to engage in commerce and trade, and in an attempt to relieve them of much of these responsibilities, a number of businessmen formed the African Lakes Co. in 1878. This company was to work closely with the missionaries and cooperate with missionary activities. Another of their basic objectives was to assist in the fight against slavery, a fight which Livingstone felt could be won by making the trade economically unsound in the face of legitimate commerce as well as through Christianity. Members of the African Lakes Co. were soon followed by other European missionaries, traders, and planters, but no official representation was established until 1883 when the British Government sent a consul accredited to the "Kings and Chief of Central Africa" and a second consul was assigned at Zomba, the present seat of Malawi's Government.

Malawi's first president, Dr. Hastings Kamuzu Banda, deserves much credit for the relatively smooth transition which culminated in the independence of Malawi. As we look back in retrospect, however, the impression is quickly gained that Malawi's struggle for independence was not always smooth. The principal stumbling block was the now defunct Central African Federation which consisted of Southern Rhodesia, Northern Rhodesia—Zambia—and Nyasaland. The federation lasted from 1953 until 1963, and by the time of its breakup, Malawi was well on the way to self-government and independence which came on July 6, 1964.

I salute the people of Malawi and wish them continued success as they begin a new year as an independent nation. It is my fervent hope that in this country, one of the most beautiful and pleasant on the African Continent, unity and progress will continue.

I salute the President and people of Malawi and extend my best wishes to her Ambassador to the United States, His Excellency Vincent Horatius Bonar Gondwe.

THE CONGO'S SEVENTH YEAR OF INDEPENDENCE: THE TURNING POINT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I want to express my personal congratulations to President Mobuto of the Congo as the Congo begins its seventh year as an independent nation.

The past 6 years have presented the Congo with many obstacles to lasting peace and economic viability—internal strife, inflation, unemployment, and conflicting political factions. However, the Congo may well have reached a turning point, as optimistic observers and analysts report.

Politically, some degree of national unity has been achieved. Hopefully, further national integration will occur as the government of the Congo continues to gain increasing popular support among its various political and regional factions.

Economically, the Congo has taken definite steps toward improving its financial stability through such measures as foreign exchange controls and credit restriction. One should, in addition, note the recent financial accord cooperatively negotiated by the Congo and Belgium, which should serve to further rectify the Congo's present financial situation. Other encouraging indications of a trend toward future economic viability include a steady recovery in agriculture and an anticipated rise in exports.

Certainly, the Congo is on the threshold of possible peace and prosperity. Not that such peace and prosperity can be expected to come by easy transition. The Congo does not need us to remind it of the problems it must overcome on its road to adulthood as a nation, nor can we prescribe the solutions to those problems. We can only offer, perhaps more importantly than any material aid we may extend, our moral encouragement and our heartfelt hopes for the resolution of these difficulties which are inherent to the embarkation of any new nation. Although our Nation is 190 years old, we still identify with newly independent nations such as the Congo, since we, too, experienced the transition from colony to independence to young nationhood.

The Congo has, counterbalancing the difficulties with which it is beset, many assets with which to develop into a mature nation. It is rich in vast resources and potential capacity for both industrialization and agricultural development. Perhaps a more valuable resource will prove to be the youth and enthusiasm of its leaders. For the Congo faces a challenging and exciting future. The opportunity is there, the resources are at its disposal, and it has the enthusiasts to develop and direct the potential of this young nation.

May the Congo strive ever to observe democratic and free principles, and may the road to the achievement of its goals be lined with successive successes which are fully compensatory for any of the sacrifices and setbacks its people may have to undergo. I congratulate the Congo on its progress toward unity, peace, and economic development, and extend my good wishes to its Ambassador to the United States, His Excellency Joseph Ugolin Nzeza.

THE REPUBLIC OF RWANDA IS 4

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today, the first of July 1966, marks the fourth anniversary of the independence of the Republic of Rwanda. A small nation, lying in the innermost heartland of central Africa, Rwanda occupies an area comparable in size to the State of Vermont. With a total of 3 million inhabitants, Rwanda is the most densely populated area in sub-Saharan Africa.

Rwanda boasts a tribal history full of color and tradition, a history that is still being made. According to tradition, the original inhabitants, the Hutus, were subjugated over four centuries ago by the cattle breeders of the Ethiopian Tutsi, or Watusi, tribe, who subsequently established a monarchy that existed until 1959. European visitors to Rwanda preceded numerous missionaries, and following an extension of the German zone of influence to this area after the Berlin Conference of 1884–85, a German protectorate was proclaimed. In 1916 Belgian troops from the Congo occupied the area, a factor that led to a Belgian mandate over Rwanda and her southern neighbor Burundi, after World War I. The mandate was transferred into a trusteeship following the Second World War, with Belgium continuing as the administering authority. A Hutu revolt in 1959 resulted in the overthrow of the Tutsi monarchy and subsequent Hutu Party victory in the U.N.-supervised elections of 1961. Granted internal autonomy in January 1962, the new Hutu government achieved full independence for their country July 1 of that same year; a new era had truly begun.

With her efforts showing a genuine interest in the welfare of her people, Rwanda has labored to meet the numerous challenges that face a newly independent nation planning for the future. Membership in various regional and international organizations has encouraged and contributed to constructive economic and political pursuits. Coffee and mineral exports, the two most important sources of foreign exchange, are being emphasized as part of an extended economic plan. An expanding educational system is being stressed, thus showing a nation that prepares its youth for the future, as well as one that directly confronts immediate problems.

In its 4 years of independence, the Republic of Rwanda has recorded progress in the area of development; progress which has been achieved only through the courage and hard work of the Rwanda people. An admirable example has been set for the neighboring African states: a nation has shown a rare maturity, often depriving itself of immediate gains in order to sow more enduring benefits for the future. Rwanda's response illustrates advancement toward a true understanding of democratic progress and peaceful development in the midst of Africa's economic and political difficulties.

Mr. Speaker, I am pleased and privileged to extend the sincerest of congratulations to the President Gregoire Kayibanda and to the people of Rwanda on their fourth anniversary of independence; they have much about which they can be genuinely proud. I also extend my warm good wishes to their Ambassador to the United States, His Excellency Celestin Kabanda.

KINGDOM OF BURUNDI—INDEPENDENCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is with pleasure that I rise to congratulate the Kingdom of Burundi as it begins its fifth year of independent statehood, and to extend to its leader, King Mwambutsa IV and to the people of Burundi my best wishes for a prosperous and successful future.

Burundi achieved its status as an independent nation 4 years ago when the former United Nations Trust Territory of Ruanda-Urundi was divided, creating the nations of Rwanda and Burundi. Peaceful elections for the Legislative Assembly were held in September 1961, after which the territory of Urundi became the Kingdom of Burundi on July 1, 1962.

Burundi was under German control from 1885 to 1916. After the First World War, the territory was administered by Belgium, under a mandate of the League of Nations and following World War II its guardianship was accorded to the United Nations, again under the administration of Belgium.

A small nation located in central Africa to the east of the Republic of the Congo and to the south of Uganda and Rwanda, Burundi enjoys a tropical highland climate and considerable variation in her topography, from the pleasantly cool central plateau to the lowlands on the shores of Lake Tanganyika.

In 4 years of nationhood, Burundi has balanced her desire for independence with an effort at international cooperation, including her membership in the United Nations only a month and half after achieving her independence. Her present economic union with Rwanda is a demonstration of Burundi's desire for cooperative efforts.

The economy of Burundi is largely agricultural. About 90 percent of the population depends on the land for a living, and agriculture accounts for 80 percent of her exports. Her principal cash crop is coffee, most of which is exported to the United States.

One of the most densely populated countries in Africa, Burundi must cope with a large rate of population increase because of her success with sanitation programs and medical care. Burundi has achieved a large degree of self-sufficiency in food production and has made strides toward diversifying her economy and developing her industry. However, efforts to industrialize are hampered by a lack of electric power, transportation difficulties, and a shortage of development capital.

A complete review of economic and financial policy has been undertaken by Burundi with Rwanda in cooperation with the United Nations. A United Nations survey mission has outlined a development plan for 1962–71 which, it is hoped, will increase Burundi's per capita income by 45 percent. In her spirit of cooperation, Burundi has likewise undertaken an ambitious public health program with the assistance of the World Health Organization and UNICEF.

For a young nation, Burundi has laid a solid foundation for the solution of her problems. Faced with a difficult combination of tasks, Burundi has shown the world that she intends to be both a fully independent nation as well as a partner in international cooperative efforts.

I congratulate the Kingdom of Burundi on the fourth anniversary of her independence and applaud her efforts at improving the lives of her citizens. I extend my personal good wishes to the Ambassador to the United States from the Kingdom of Burundi, His Excellency Leon Ndenzako.

THE SOMALI REPUBLIC INDEPENDENCE ANNIVERSARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, on July 1, the people of the Somali Republic will celebrate their sixth anniversary as an independent state. As I extend congratulations to President Aden Abdulla Osman and to the Somali people, I would like to include in my remarks some background on the country itself. The Republic is comprised of former British Somalia and Somaliland, the territory formerly under Italian UN trust administration. Union between the two occurred on July 1, 1960, amidst forecasts that the Republic was doomed to failure. However, the Somalis have proved their critics wrong; the country has maintained its stability; and its Government's reputation as one of the more successful of the newly independent African states has increased.

The Somali Republic is a parliamentary democracy functioning under the Constitution of July 1, 1960 which established a representative, democratic republic. The legislative branch is the National Assembly, which was created by uniting the members of the former assemblies of Somalia and Somaliland. Members of the National Assembly are elected for 5-year terms by universal, free, direct, and secret suffrage. All Somali citizens over 25 years are eligible for election to the Assembly.

Executive duties are the responsibility of the President of the Republic and the Council of Ministers, which is headed by a prime minister. The President is elected by the Assembly for a 6-year term and is allowed only one consecutive reelection.

Requirements for the Presidency of the Republic include being a son of Somali citizens, at least 45 years of age, and a Muslim. The President is the head of state and as such is commander in chief of the armed forces. He appoints and dismisses the Prime Minister, and on the Prime Minister's recommendation, he appoints and dismisses all other ministers. The President promulgates all laws and may veto bills passed by the Assembly, but such vetoes may be overridden by the Assembly. The Prime Minister and the Council of Ministers sit with the legislature and are actually chosen from it.

The United States and the Somali Republic have enjoyed friendly relations and the United States has attempted to assist the Republic through an economic aid program. The U.S. Government is interested in maintaining friendly relations with the Republic, helping to preserve its independence within a democratic framework, and encouraging the growth of the economy through orderly development.

The Republic is a member of the United Nations and of most of the specialized agencies. It is an associate member of the European Common Market and a member of the Organization of African Unity.

While the economy is still primarily agricultural, the Somali Republic has been attempting to diversify crops and through assistance from foreign nations she has undertaken oil exploration.

The Somali Republic's citizens are aware of their country's many difficulties, but they have not evaded their responsibilities. They have worked tirelessly in the face of numerous hardships, and someday they will triumph. As they prepare to enter a seventh year as an independent state, my best hopes and wishes go with them. I extend my good wishes to Somalia's Ambassador to the United States, His Excellency Ahmed Mohamed Adan, and my highest personal esteem to Somalia's Ambassador to the United Nations, His Excellency Mr. Abdulrahim Abby Farah. During my term as representative to the 20th session of the United Nations General Assembly, I got to know and admire Ambassador Farah as one of the ablest statesmen of the African countries.

LEGISLATIVE PROGRAM FOR WEEK OF JULY 11, 1966

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I ask for this time for the purpose of inquiring of the distinguished majority leader as to the schedule for the remainder of this week and the program for the week following the recess.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished gentleman, the minority leader, we expect to take up the concurrent resolution forthwith and, of course, we will then adjourn over until July 11. The program for the week of July 11 is as follows:

Monday is District day, but there are no District bills.

For Tuesday and the balance of the week, S. 2950, the defense procurement authorization for fiscal year 1967, conference report; and H.R. 15750, the Foreign Assistance Act of 1966, which is under an open rule with 5 hours of debate.

It is anticipated that these two matters will take a good portion of the week, but there may be other business, and pursuant to our usual reservations, further program may be announced later and conference reports may be brought up at any time.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday, July 13, may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GIVE THE MARKETPLACE FREE REIN

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FINDLEY. Mr. Speaker, last week I proposed that conditions are about as ideal as can be expected for shifting American agriculture from the discipline of Government to the discipline of the marketplace. A timely comment on this same theme appeared in the June 27 issue of Barron's weekly, as follows:

BACK TO "THE PIT"—ONLY WASHINGTON IS DOING BUSINESS AS USUAL IN WHEAT

"Thus it went, day after day. Endlessly, ceaselessly The Pit, enormous, thundering, sucked in and spewed out, sending the swirl of its mighty central eddy far out through the city's channels . . . All through the Northwest, all through the central world of Wheat the set and whirl of that innermost Pit made itself felt; and it spread and spread till grain in the elevators of Western Iowa moved and stirred and answered to its centripetal force, and men upon the streets of New York felt the mysterious tugging of its undertow. . . . Nor was The Pit's centrifugal power any less. Because of some sudden eddy, a dozen bourses of continental Europe clamoured with panic, a dozen Old-World banks trembled and vibrated. Because of an unexpected caprice in the swirling of the inner current, some far-distant channel suddenly dried, and the pinch of famine made itself felt among the vine dressers of Northern Italy, the coal miners of Western Prussia. Or another channel filled, and the starved moujik of the steppes, and the hunger-shrunken coolie of the Ganges' watershed fed suddenly fat and made thank offerings before ikon and idol."

The foregoing passage, from Frank Norris' historic novel about wheelers and dealers in grain, was published over a half-a-century ago. Since mid-June it has begun to seem as timely as ever. For after several relatively barren decades, Chicago's Board of Trade—"The Pit"—suddently has sprung to life. On Thursday, June 16, some 59 million bushels of wheat changed hands, up nearly tenfold from a year ago; all told that day, a record-breaking 270 million bushels of soybeans and grains were bought and sold. The surge in volume has staggered even the world's largest commodity mart: for the first time in its 118-year history, the opening bell was delayed last week for over an hour. Spot and futures contracts have risen sharply across-the-board.

As in 1902, the current resurgence of The Pit—and the agricultural revolution for which it stands—may well have earthshaking consequences. After generations of government-inspired glut, the Western World in general, and the U.S. in particular, stand on the brink of scarcity. For the latter-day descendants of the moujiks and coolies, whose new rulers have proven even less capable of feeding their subjects than the old ones, the shift in global supply and demand may prove a temporary disaster. For farmers in this country, contrariwise, it represents a heaven-sent opportunity at last to strike off the federal yoke. Largely unsuspected by the bureaucrats, whose talents rarely run to either flexibility or foresight, the winds of charge are blowing hard. They may yet succeed in uprooting a lifetime of farm mismanagement.

The force of the gathering storm already has been felt in several places. One is the official forecast of the domestic wheat crop, which, because of tornadoes, hail and drought, declined in May from 1,372 million bushels to 1,235 million (and may dip further). Meanwhile, estimates of the carryover, i.e., the quantity of wheat available in private and public hands from one crop year to the next, have plunged. Last August the U.S. Department of Agriculture put the carryover as of June 30, 1966, at a comfortable 780 million bushels. By last month the estimates had dropped to 555 million and, according to private sources the carryover a year hence may fall to around 250 million, or less than half the minimum reserve that every Secretary of Agriculture, from Ezra Taft Benson to Orville Freeman, has deemed essential to the national security. With an end to decades of surplus at last in sight, grain quotations naturally have soared—wheat today sells in Kansas City for $2 per bushel, nearly half again as much as last year—while The Pit has regained much of its old-time speculative lure.

Unlike Chicago, Washington is still doing business as usual. Last year the Department of Agriculture, in angry reprisal for what it considered the dumping of Canadian wheat, raised the U.S. export subsidy, thereby stimulating shipments abroad and putting pressure on the world market price. Despite the mounting scarcity, the agency continues extravagantly to subsidize such sales. Indeed, so Barron's has learned, its outstanding foreign commitments under Public Law 480 and like giveaway programs currently exceed 300 million bushels, or slightly more than the Commodity Credit Corp. has in storage, thus raising the unprecedented prospect that the CCC, in order to fill its contracts, sooner or later may have to buy from the trade.

What goes by the euphemistic name of supply management has worked no better at home. All last winter the Commodity Credit Corp., presumably in an effort to restrain the rising cost of food and fiber, poured wheat onto the domestic market. At one point in March, it even succeeded in driving the price of wheat below that of corn (which ordinarily commands at least 10% more), thereby creating an incentive for farmers to feed the staff of live to hogs. Despite the surging market, which lately has made hash of all its efforts at restraint, the CCC persists in depleting its stocks. Equally alarming, Agriculture has done relatively little to encourage future supplies. So far it has raised acreage allotments for the new crop year by only 15%, an increase which, given the vagaries of man and nature, at best might yield no more than another 200 million bushels. In view of the magnitude of probable demand—underscored the other day by the disclosure of the record-breaking, three-year Soviet purchase of Canadian wheat—the move runs the risk of proving too little and too late.

Bureaucracy, of course, pooh-poohs the ugly possibilities. Secretary Freeman who somehow managed to tour the Soviet Union three years ago without observing any signs of crop failure, last Friday said that he saw no cause for alarm. If wheat turns out to be scarce, averred the Secretary, the U.S. can always ship sorghum and corn. If there is no bread, let them eat johnnycake. Official blindness aside, as most grain merchants and farmers would agree, the need for change is clear. In particular, Washington should begin to review the means by which, with heedless generosity, it has sought to nourish friend and foe alike. Over the years, for example, USDA has shipped hundreds of millions of bushels of grain to Algeria, Poland. the United Arab Republic and Yugoslavia; unfilled commitments to these lands currently exceed 50 million. Thereby the U.S. has merely succeeded in bolstering shaky Socialist regimes; furnishing the wherewithal for such overt acts of aggression as the Egyptian expedition to Yemen, and encouraging reciprocal acts of friendship like the notorious Tricontinental Conference in Havana (Barron's, March 21), at which, with support of delegations from Algiers, Warsaw, Cairo and Belgrade, the Communist world declared war on the Western Hemisphere. "Food for Peace" in the best of times made no sense. Today, when there may not be enough to go around, it's a folly the U.S. no longer can afford.

The same is true of the whole farm program. Designed to cope with what looked like permanent over-abundance, it merely succeeded, at fearful cost to the public purse, in piling up huge and largely unwanted surpluses. Now, thanks in great measure to the Third Horseman, who is riding roughshod over most of the Socialist world, shortage is swiftly overtaking glut. In the face of scarcity, an overwhelming mass of evidence, past and present, attests, improvident governments can do little or nothing. The time has come to give the marketplace free rein.

THE PRESS AND NATIONAL SECURITY

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. YOUNGER. Mr. Speaker, Mr. Clifton Daniel, managing editor of the New York Times, gave an address at the World Press Institute, Macalester College, St. Paul, Minn., on June 1, 1966, entitled "The Press and National Security" which deals with the inside story of the New York Times and their report on the Bay of Pigs which has never heretofore been told. His address follows:

The Press and National Security

(Address by Clifton Daniel, managing editor of the New York Times, at the World Press Institute, Macalester College, St. Paul, Minn., June 1, 1966)

This morning I am going to tell you a story—one that has never been told before—the inside story of The New York Times and the Bay of Pigs, something of a mystery story.

In its issue of Nov. 19, 1960, The Nation published an editorial under the heading, "Are We Training Cuban Guerrillas?"

I had never seen this editorial and had never heard it mentioned until a reader of The New York Times sent in a letter to the editor. He asked whether the allegations in the editorial were true, and, if so, why hadn't they been reported by the New York Times, whose resources for gathering information were much greater than those of a little magazine like The Nation.

The Nation said:

"Fidel Castro may have a sounder basis for his expressed fears of a U.S.-financed 'Guatemala-type' invasion than most of us realize. On a recent visit to Guatemala, Dr. Ronald Hilton, Director of the Institute of Hispanic-American Studies at Stanford University, was told :

"1. The United States Central Intelligence Agency has acquired a large tract of land, at an outlay in excess of $1-million, which is stoutly fenced and heavily guarded. . . . It is 'common knowledge' in Guatemala that the tract is being used as a training ground for Cuban counter-revolutionaries, who are preparing for an eventual landing in Cuba. . . . United States personnel and equipment are being used at the base.

"2. Substantially all of the above was reported by a well-known Guatemala journalist . . . in La Hora, a Guatemalan newspaper.

"3. More recently, the President of Guatemala, forced, to take cognizance of the persistent reports concerning the base, went on TV and admitted its existence, but refused to discuss its purpose or any other facts about it.

"We believe the reports merit publication: they can, and should, be checked immediately by all U.S. news media with correspondents in Guatemala."

OFF TO GUATEMALA

With that last paragraph, The New York Times readily agreed. Paul Kennedy, our correspondent in Central America, was soon on his way to Guatemala.

He reported that intensive daily air training was taking place there on a partly hidden airfield. In the mountains, commando-like forces were being drilled in guerrilla warfare tactics by foreign personnel, mostly from the United States.

Guatemalan authorities insisted that the training operation was designed to meet an assault from Cuba. Opponents of the government said the preparations were for an offensive against the Cuban regime of Premier Fidel Castro. Mr. Kennedy actually penetrated two miles into the training area.

His article was published in The New York Times on Jan. 10, 1961.

The Nation also printed another article in its issue of Jan. 7, 1961, by Don Dwiggins, aviation editor of The Los Angeles Mirror.

And now Arthur M. Schlesinger, Jr. takes up the story in "A Thousand Days," his account of John F. Kennedy's years in the White House.

"On March 31," Mr. Schlesinger says, "Howard Handleman of U.S. News and World Report, returning from 10 days in Florida, said to me that the exiles were telling everyone that they would receive United States recognition as soon as they landed in Cuba, to be followed by the overt provision of arms and supplies.

"A few days later Gilbert Harrison of the New Republic sent over the galleys of a pseudonymous piece called 'Our Men in Miami,' asking whether there was any reason why it should not be published. It was a careful, accurate and devastating account of C.I.A. activities among the refugees, written, I learned later, by Karl Meyer. Obviously its publication in a responsible magazine would cause trouble, but could the Government properly ask an editor to suppress the truth? Defeated by the moral issue, I handed the article to the President, who instantly read it and expressed the hope that it could be stopped. Harrison accepted the suggestion and without questions—a patriotic act which left me oddly uncomfortable.

"About the same time Tad Szulc filed a story to The New York Times from Miami describing the recruitment drive and reporting that a landing on Cuba was imminent. Turner Catledge, the managing editor, called James Reston, who was in his weekend retreat in Virginia, to ask his advice. Reston counseled against publication; either the story would alert Castro, in which case The Times would be responsible for casualties on the beach, or else the expedition would be canceled, in which case The Times would be responsible for grave interference with national policy. This was another patriotic act; but in retrospect I have wondered whether, if the press had behaved irresponsibly it would not have spared the country a disaster."

ARTICLE WAS NOT SUPPRESSED

As recently as last November, Mr. Schlesinger was still telling the same story. In an appearance on "Meet the Press," he was asked about the article in The New York Times in which he was quoted as saying that he had lied to The Times in April, 1961, about the nature and size of the landing in the Bay of Pigs.

Mr. Schlesinger replied that, a few days before he misinformed The Times, the newspaper had suppressed a story by Tad Szulc from Miami, giving a fairly accurate account of the invasion plans.

"If," he said "I was reprehensible in misleading The Times by repeating the official cover story, The Times conceivably was just as reprehensible in misleading the American people by suppressing the Tad Szulc story from Miami. I, at least, had the excuse that I was working for the Government."

"I prefer to think," he said, "that both The Times and I were actuated by the same motives: that is, a sense, mistaken or not, that [it] was in the national interest to do so."

Mr. Schlesinger was mistaken, both in his book and in his appearance on "Meet the Press." The Times did not suppress the Tad Szulc article. We printed it, and here it is, on Page 1 (under a one-column headline) of the issue of Friday, April 7, 1961.

What actually happened is, at this date, somewhat difficult to say.

None of those who took part in the incident described in Mr. Schlesinger's book kept records of what was said and done. That is unfortunate, and it should teach us a lesson. The Bay of Pigs was not only important in the history of United States relations with Latin America, the Soviet Union and world Communism; it was also important in the history of relations between the American press and the United States Government.

We owe a debt to history. We should try to reconstruct the event, and that is what I am attempting to do today.

Late in March and early in April, 1961, we were hearing rumors that the anti-Castro forces were organizing for an invasion. For example, the editor of The Miami Herald, Don Shoemaker, told me at lunch in New York one day, "They're drilling on the beaches all over southern Florida."

Tad Szulc, a veteran correspondent in Latin America with a well-deserved reputation for sniffing out plots and revolutions, came upon the Miami story quite accidentally.

He was being transferred from Rio de Janeiro to Washington and happened to stop in Miami to visit friends on his way north. He quickly discovered that an invasion force was indeed forming and that it was very largely financed and directed by the C.I.A. He asked for permission to come to New York to discuss the situation and was promptly assigned to cover the story.

His first article from Miami—the one I have just shown to you—began as follows:

"For nearly nine months Cuban exile military forces dedicated to the overthrow of Premier Fidel Castro have been in training in the United States as well as in Central America.

"An army of 5,000 to 6,000 men constitutes the external fighting arm of the anti-Castro Revolutionary Council, which was formed in the United States last month. Its purpose is the liberation of Cuba from what it describes as the Communist rule of the Castro regime."

His article, which was more than two columns long and very detailed, was scheduled to appear in the paper of Friday, April 7, 1961. It was dummied for Page 1 under a four-column head, leading the paper.

While the front-page dummy was being drawn up by the assistant managing editor, the news editor and the assistant news editor, Orvil Dryfoos, then the publisher of The New York Times, came down from the 14th floor to the office of Turner Catledge, the managing editor.

He was gravely troubled by the security implications of Szulc's story. He could envision failure for the invasion, and he could see The New York Times being blamed for a bloody fiasco.

RECOLLECTIONS CONFLICT

He and the managing editor solicited the advice of Scotty Reston, who was then the Washington correspondent of The New York Times and is now an associate editor.

At this point, the record becomes unclear. Mr. Reston distinctly recalls that Mr. Catledge's telephone call came on a Sunday, and that he was spending the weekend at his retreat in the Virginia mountains, as described by Arthur Schlesinger. As there was no telephone in his cabin, Mr. Reston had to return the call from a gas station in Marshall, Va. Mr. Catledge and others recall, with equal certainty, that the incident took place on Thursday and that Mr. Reston was reached in his office in Washington.

Whichever was the case, the managing editor told Mr. Reston about the Szulc dispatch, which said that a landing on Cuba was imminent.

Mr. Reston was asked what should be done with the dispatch.

"I told them not to run it," Mr. Reston says.

He did not advise against printing information about the forces gathering in Florida; that was already well known. He merely cautioned against printing any dispatch that would pinpoint the time of the landing.

Others agree that Szulc's dispatch did contain some phraseology to the effect that an invasion was imminent, and those words were eliminated.

Tad Szulc's own recollection, cabled to me from Madrid the other day, is that "in several instances the stories were considerably toned down, including the elimination of statements about the 'immineence' of an invasion.

"Specifically," Mr. Szulc said, "a decision was made in New York not to mention the C.I.A.'s part in the invasion preparations, not to use the date of the invasion, and, on April 15, not to give away in detail the fact that the first air strike on Cuba was carried out from Guatemala."

After the dummy for the front page of The Times for Friday, April 7, 1961, was changed, Ted Bernstein, who was the assistant managing editor on night duty at The Times, and Lew Jordan, the news editor, sat in Mr. Bernstein's office fretting about it. They believed a colossal mistake was being made, and together they went into Mr. Catledge's office to appeal for reconsideration.

Mr. Catledge recalls that Mr. Jordan's face was dead white, and he was quivering with emotion. He and Mr. Bernstein told the managing editor that never before had the front-page play in the The New York Times been changed for reasons of policy. They said they would like to hear from the publisher himself the reasons for the change.

ANGRY AT INTERVENTION

Lew Jordan later recalled that Mr. Catledge was "flaming mad" at this intervention. However, he turned around in his big swivel chair, picked up the telephone, and asked Mr. Dryfoos to come downstairs. By the time he arrived, Mr. Bernstein had gone to dinner, but Mr. Dryfoos spent 10 minutes patiently explaining to Mr. Jordan his reasons for wanting the story played down.

His reasons were those of national security, national interest and, above all, concern for the safety of the men who were preparing to offer their lives on the beaches of Cuba. He repeated the explanation in somewhat greater length to Mr. Bernstein the next day.

I describe the mood and behavior of the publisher and editors of The New York Times only to show how seriously and with what intensity of emotion they made their fateful decisions.

Mr. Bernstein and Mr. Jordan now say, five years later, that the change in play, not eliminating the reference to the imminence of the invasion, was the important thing done that night.

"It was important because a multi-column head in this paper means so much," Mr. Jordan told me the other day.

Mr. Reston, however, felt that the basic issue was the elimination of the statement that an invasion was imminent.

Ironically, although that fact was eliminated from our own dispatch, virtually the same information was printed in a shirt-tail on Tad Szulc's report. That was a report from the Columbia Broadcasting System. It said that plans for the invasion of Cuba were in their final stages. Ships and planes were carrying invasion units from Florida to their staging bases in preparation for the assault.

When the invasion actually took place 10 days later, the American Society of Newspaper Editors happened to be in session in Washington, and President Kennedy addressed the society. He devoted his speech entirely to the Cuban crisis. He said nothing at that time about press disclosures of invasion plans.

APPEAL BY PRESIDENT

However, a week later in New York, appearing before the Bureau of Advertising of the American Newspaper Publishers Association, the President asked members of the newspaper profession "to re-examine their own responsibilities."

He suggested that the circumstances of the cold war required newspapermen to show some of the same restraint they would exercise in a shooting war.

He went on to say, "Every newspaper now asks itself with respect to every story, 'Is it news?' All I suggest is that you add the question: 'Is it in the interest of national security?' "

If the press should recommend voluntary measures to prevent the publication of material endangering the national security in peacetime, the President said, "the Government would cooperate wholeheartedly."

Turner Catledge, who was the retiring president of the A.S.N.E., Felix McKnight of The Dallas Times-Herald, the incoming president, and Lee Hills, executive editor of the Knight newspapers, took the President's statement as an invitation to talk.

Within two weeks, a delegation of editors, publishers and news agency executives was at the White House. They told President Kennedy they saw no need at that time for machinery to help prevent the disclosure of vital security information. They agreed that there should be another meeting in a few months. However, no further meeting was ever held.

That day in the White House, President Kennedy ran down a list of what he called premature disclosures of security information. His examples were mainly drawn from The New York Times.

He mentioned, for example, Paul Kennedy's story about the training of anti-Castro forces in Guatemala. Mr. Catledge pointed out that this information had been published in La Hora in Guatemala and in The Nation in this country before it was ever published in The New York Times.

"But it was not news until it appeared in The Times," the President replied.

While he scolded The New York Times, the President said in an aside to Mr. Catledge, "If you had printed more about the operation you would have saved us from a colossal mistake."

"SORRY YOU DIDN'T TELL IT"

More than a year later, President Kennedy was still talking the same way. In a conversation with Orvil Dryfoos in the White House on Sept. 13, 1962, he said, "I wish you had run everything on Cuba. . . I am just sorry you didn't tell it at the time."

Those words were echoed by Arthur Schlesinger when he wrote, "I have wondered whether, if the press had behaved irresponsibly, it would not have spared the country a disaster."

They are still echoing down the corridors of history. Just the other day in Washington, Senator Russell of Georgia confessed that, although he was chairman of the Senate Armed Forces Committee, he didn't know the timing of the Bay of Pigs operation.

"I only wish I had been consulted," he said in a speech to the Senate, "because I would have strongly advised against this kind of operation if I had been."

It is not so easy, it seems, even for Presidents, their most intimate advisors and distinguished United States Senators to know always what is really in the national interest. One is tempted to say that sometimes—sometimes—even a mere newspaperman knows better.

My own view is that the Bay of Pigs operation might well have been canceled and the country would have been saved enormous embarrassment if The New York Times and other newspapers had been more diligent in the performance of their duty—their duty to keep the public informed on matters vitally affecting our national honor and prestige, not to mention our national security.

Perhaps, as Mr. Reston believes, it was too late to stop the operation by the time we printed Tad Szulc's story on April 7.

"If I had it to do over, I would do exactly what we did at the time," Mr. Reston says. "It is ridiculous to think that publishing the fact that the invasion was imminent would have avoided this disaster. I am quite sure the operation would have gone forward.

"The thing had been cranked up too far. The C.I.A. would have had to disarm the anti-Castro forces physically. Jack Kennedy was in no mood to do anything like that."

PRELUDE TO GRAVER CRISIS

The Bay of Pigs, as it turned out, was the prelude to an even graver crisis—the Cuban missile crisis of 1962.

In Arthur Schlesinger's opinion, failure in 1961 contributed to success in 1962. President Kennedy had learned from experience, and once again The New York Times was involved.

On May 28, 1963, the President sat at his desk in the White House and with his own hand wrote a letter to Mrs. Orvil Dryfoos, whose husband had just died at the age of 50. The letter was on White House stationery, and the President used both sides of the paper.

The existence of this letter has never been mentioned publicly before. I have the permission of Mr. Dryfoos's widow, now Mrs. Andrew Heiskell, to read it to you today:

"Dear Marian:

"I want you to know how sorry I was to hear the sad news of Orvil's untimely death.

"I had known him for a number of years and two experiences I had with him in the last two years gave me a clear insight into his unusual qualities of mind and heart. One involved a matter of national security—the other his decision to refrain from printing on October 21st the news, which only the man for The Times possessed, on the presence of Russian missiles in Cuba, upon my informing him that we needed twenty-four hours more to complete our preparations.

"This decision of his made far more effective our later actions and thereby contributed greatly to our national safety.

"All this means very little now, but I did want you to know that a good many people some distance away, had the same regard for Orvil's character as did those who knew him best.

"I know what a blow this is to you, and I hope you will accept Jackie's and my deepest sympathy.

"Sincerely, John F. Kennedy."

In the Cuban missile crisis, things were handled somewhat differently than in the previous year. The President telephoned directly to the publisher of The New York Times.

He had virtually been invited to do so in their conversation in the White House barely a month before.

That conversation had been on the subject of security leaks in the press and how to prevent them, and Mr. Dryfoos had told the President that what was needed was prior information and prior consultation. He said that, when there was danger of security information getting into print, the thing to do was to call in the publishers and explain matters to them.

In the missile crisis, President Kennedy did exactly that.

Ten minutes before I was due on this platform this morning Mr. Reston telephoned me from Washington to give me further details of what happened that day.

"The President called me," Mr. Reston said. "He understood that I had been talking to Mac Bundy and he knew from the line of questioning that we knew the critical fact—that Russian missiles had indeed been emplaced in Cuba.

"The President told me," Mr. Reston continued, "that he was going on television on Monday evening to report to the American people. He said that if we published the news about the missiles Khrushchev could actually give him an ultimatum before he went on the air. Those were Kennedy's exact words.

"I told him I understood," Mr. Reston said this morning, "but I also told him I could not do anything about it. And this is an important thought that you should convey to those young reporters in your audience.

"I told the President I would report to my office in New York and if my advice were asked I would recommend that we not publish. It was not my duty to decide. My job was the same as that of an ambassador—to report to my superiors.

"I recommended to the President that he call New York. He did so."

That was the sequence of events as Mr. Reston recalled them this morning. The President telephoned the publisher of The New York Times; Mr. Dryfoos in turn put the issue up to Mr. Reston and his staff.

And the news that the Soviet Union had atomic missiles in Cuba only 90 miles from the coast of Florida was withheld until the Government announced it.

What conclusion do I reach from all these facts? What moral do I draw from my story?

My conclusion is this: Information is essential to people who propose to govern themselves. It is the responsibility of serious journalists to supply that information—whether in this country or in the countries from which our foreign colleagues come.

Still, the primary responsibility for safeguarding our national interest must rest always with our Government, as it did with President Kennedy in the two Cuban crises.

Up until the time we are actually at war or on the verge of war, it is not only permissible—it is our duty as journalists and citizens to be constantly questioning our leaders and our policy, and to be constantly informing the people, who are the masters of us all—both the press and the politicians.

RESOLUTION TO REQUIRE FRANCE TO SETTLE WORLD WAR I INDEBTEDNESS

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. THOMSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. THOMSON of Wisconsin. Mr. Speaker, I am today introducing a House concurrent resolution asserting the sense of the Congress that the President should take such steps as may be necessary to require the Republic of France to make full and prompt settlement with respect to past due principal and interest of its World War I indebtedness to the United States.

While America still struggles to resist aggression and preserve freedom throughout the world, at extreme cost and sacrifice and a heavy drain on our gold reserves, France has grown rich and prosperous from the stimulus of $7,472 million in U.S. economic and military aid since 1946. While she refuses to make any payments on her delinquent principal and interest owing this country from World War I in the amount of $4,688,478,839.77, she has embarked upon a deliberate program to destroy our gold reserves and undermine the value of our dollar.

Since 1962, France has withdrawn $2,369 million from the United States, including $103 million the first quarter of 1966, and the policy continues unabated. The first month of the second quarter this year, she withdrew $78 million in gold, and it is anticipated that her request for the month of May will amount to about $75 million.

Mr. Speaker, if the French have so many extra American dollars with which to buy gold, I think we should advise President de Gaulle to continue sending the dollars to America, but that from now on they will be applied not against our gold, but against France's long delinquent debt to America.

THANK THE PRESIDENT FOR DECISIVE ACTION AT HANOI-HAIPHONG

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. BUCHANAN] may extend his remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, on behalf of the half million Americans it is my privilege to represent in the Congress, I want to thank the President for the decisive action taken in the bombing of oil depots an Hanoi and Haiphong yesterday morning.

According to preliminary damage reports by returning pilots, the complex at Haiphong, which represents 40 percent of the fuel storage capacity of North Vietnam, and 95 percent of the facilities for unloading tanker ships, was 80 percent destroyed by Navy jet bombers. Air Force F–105's, according to pilot estimates, destroyed 90 percent of another target tank farm 3½ miles from the center of Hanoi, which contained 20 percent of the nation's storage facilities.

This means that 50 percent of North Vietnam's fuel storage capacity may have been destroyed in this raid, and their ability to unload petroleum products from ships also seriously hampered. In my judgment, such use of our air power can shorten, rather than lengthen, the conflict in North Vietnam. Boldness, decisiveness, and willingness to use our strength constitute strong weapons toward achieving an honorable peace. It seems clear that timidity, indecisiveness, and the clamor for withdrawal, or peace at any price, serves only to encourage the enemy and lengthen the conflict.

I respectfully urge, therefore, the Commander in Chief to continue to increase the military pressure upon the aggressor and to make yesterday's bombing the first in a series of bold new steps in support of the American troops who are fighting with such courage and distinction in South Vietnam.

Abraham Lincoln once described our country as "the last, best hope for human freedom." From my own visit to Vietnam in February, I am convinced beyond all unconvincing that we are the last, best hope for freedom and self-determination for the people of southeast Asia.

If we falter in our purpose, if we do not stand firm, if we yield before the aggression of a brutal tyranny, millions of people in Vietnam will be plunged into the dark night of Communist totalitarianism. All of southeast Asia will be gravely in danger, and the hope for peace, freedom, and the security of the entire free world will be further and gravely threatened.

Every soldier fighting in Vietnam knows that our cause is just, and their mission important. No one of them is willing to turn back, to compromise or to surrender.

If we are to prove worthy of our Nation's heritage, and of the courage and the sacrifice of our fighting men, those of us entrusted with the leadership of this Republic must be equally committed to the cause of human freedom. It must be more precious even than peace, and more to be desired than all the wealth we are expending in the conduct of this unpopular, frustrating, and complicated little war.

We have invested our young men in southeast Asia. A nation can make no greater investment. It must not be made in vain.

We must, therefore, with all the wisdom, skill, and power at our command, boldly strike and resolutely stand until the freedom and self-determination of the people of southeast Asia are secured, and Communist aggression is firmly and permanently thwarted.

Everything that America is cries out that there is no real alternative for our Republic. The only pathway to an honorable peace lies in the fulfillment of our mission and in securing the victory for human freedom in southeast Asia.

SHORTSIGHTEDNESS IN WHEAT PROGRAM

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, not too many years ago periodic releases by the Department of Agriculture would announce reductions of this Nation's surplus wheat supply in justification of the stringent controls which shackled the American farmer. So effective has been the Federal program that we are no longer confronted with a sizable grain storage bill annually. However, another problem might soon be forthcoming—a domestic scarcity of wheat insufficient to cope with our food commitments.

It is generally conceded that national security demands at least 500 million bushels of wheat from both public and private sources be carried over from one crop year to the next. As of May of this year USDA estimated the carryover at approximately 555 million, and private sources estimate that a year from now the supply may well fall to around 250 million bushels. The 15-percent increase in acreage allotments recently allowed by the Department might well prove wholly insufficient in the face of our many food commitments abroad.

The national business and financial weekly, Barrons, in its June 27 issue, commented at length on this issue. The situation is not entirely bleak, Barrons notes, for the Government might be compelled by necessity to get off the farmer's back. Serious consideration must be given this issue before the cupboard is bare, and for this reason I include the article, "Back to 'The Pit'," in the Record at this point:

Back to "The Pit"—Only Washington Is Doing Business as Usual in Wheat

"Thus it went, day after day. Endlessly, ceaselessly The Pit, enormous, thundering, sucked in and spewed out, sending the swirl of its mighty central eddy far out through the city's channels . . . All through the Northwest, all through the central world of Wheat the set and whirl of that innermost Pit made itself felt; and it spread and spread till grain in the elevators of Western Iowa moved and stirred and answered to its centripetal force, and men upon the streets of New York felt the mysterious tugging of its undertow. . . . Nor was The Pit's centrifugal power any less. Because of some sudden eddy, a dozen bourses of continental Europe clamoured with panic, a dozen Old-World banks trembled and vibrated. Because of an unexpected caprice in the swirling of the inner current, some far-distant channel suddenly dried, and the pinch of famine made itself felt among the vine dressers of Northern Italy, the coal miners of Western Prussia. Or another channel filled, and the starved moujik of the steppes, and the hunger-shrunken coolie of the Ganges' watershed fed suddenly fat and made thank offerings before ikon and idol."

The foregoing passage, from Frank Norris' historic novel about wheelers and dealers in grain, was published over half-a-century ago. Since mid-June it has begun to seem as timely as ever. For after several relatively barren decades, Chicago's Board of Trade—"The Pit"—suddenly has sprung to life. On Thursday, June 16, some 59 million bushels of wheat changed hands, up nearly tenfold from a year ago; all told that day, a record-breaking 270 million bushels of soybeans and grains were bought and sold. The surge in volume has staggered even the world's largest commodity mart: for the first time in its 118-year history, the opening bell was delayed last week for over an hour. Spot and futures contracts have risen sharply across-the-board.

As in 1902, the current resurgence of The Pit—and the agricultural revolution for which it stands—may well have earthshaking consequences. After generations of government-inspired glut, the Western World in general, and the U.S. in particular, stand on the brink of scarcity. For the latter-day descendants of the moujiks and coolies, whose new rulers have proven even less capable of feeding their subjects than the old ones, the shift in global supply and demand may prove a temporary disaster. For farmers in this country, contrariwise, it represents a heaven-sent opportunity at last to strike off the federal yoke. Largely unsuspected by the bureaucrats, whose talents rarely run to either flexibility or foresight, the winds of change are blowing hard. They may yet succeed in uprooting a lifetime of farm mismanagement.

The force of the gathering storm already has been felt in several places. One is the official forecast of the domestic wheat crop, which, because of tornadoes, hail and drought, declined in May from 1,372 million bushels to 1,235 million (and may dip further). Meanwhile, estimates of the carryover, i.e., the quantity of wheat available in private and public hands from one crop year to the next, have plunged. Last August the U.S. Department of Agriculture put the carryover as of June 30, 1966, at a comfortable 780 million bushels. By last month the estimate had dropped to 555 million and, according to private sources the carryover a year hence may fall to around 250 million, or less than half the minimum reserve that every Secretary of Agriculture, from Ezra Taft Benson to Orville Freeman, has deemed essential to the national security. With an end to decades of surplus at last in sight, grain quotations naturally have soared—wheat today sells in Kansas City for $2 per bushel, nearly half again as much as last year—while The Pit has regained much of its old-time speculative lure.

Unlike Chicago, however, Washington is still doing business as usual. Last year the Department of Agriculture, in angry reprisal for what it considered the dumping of Canadian wheat, raised the U.S. export subsidy, thereby stimulating shipments abroad and putting pressure on the world market price. Despite the mounting scarcity, the agency continues extravagantly to subsidize such sales. Indeed, so Barron's has learned, its outstanding foreign commitments under Public Law 480 and like give-away programs currently exceed 300 million bushels, or slightly more than the Commodity Credit Corp. has in storage, thus raising the unprecedented prospect that the CCC, in order to fill its contracts, sooner or later may have to buy from the trade.

What goes by the euphemistic name of supply management has worked no better at home All last winter the Commodity Credit Corp, presumably in an effort to restrain the rising cost of food and fiber, poured wheat onto the domestic market. At one point in March, it even succeeded in driving the price of wheat below that of corn (which ordinarily commands at least 10% more), thereby creating an incentive for farmers to feed the staff of life to hogs. Despite the surging market, which lately has made hash of all its efforts at restraint, the CCC persists in depleting its stocks. Equally alarming, Agriculture has done relatively little to encourage future supplies. So far it has raised acreage allotments for the new crop year by only 15%, an increase which, given the vagaries of man and nature, at best might yield no more than another 200 million bushels. In view of the magnitude of probable demand—underscored the other day by the disclosure of the record-breaking three-year Soviet purchase of Canadian wheat—the move runs the risk of proving too little and too late.

Bureaucracy, of course, pooh-poohs the ugly possibilities. Secretary Freeman, who somehow managed to tour the Soviet Union three years ago without observing any signs of crop failure, last Friday said that he saw no cause for alarm. If wheat turns out to be scarce, averred the Secretary, the U.S. can always ship sorghum and corn. If there is no bread, let them eat johnnycake. Official blindness aside, as most grain merchants and farmers would agree, the need for change is clear. In particular, Washington should begin to review the means by which, with heedless generosity, it has sought to nourish friend and foe alike. Over the years, for example, USDA has shipped hundreds of millions of bushels of grain to Algeria, Poland, the United Arab Republic and Yugoslavia; unfilled commitments to these lands currently exceed 50 million. Thereby the U.S. has merely succeeded in bolstering shaky Socialist regimes; furnishing the wherewithal for such overt acts of aggression as the Egyptian expedition to Yemen, and encouraging reciprocal acts of friendship like the notorious Tricontinental Conference in Havana (Barron's, March 21), at which, with support of delegations from Algiers, Warsaw, Cairo, and Belgrade, the Communist world declared war on the Western Hemisphere. "Food for Peace" in the best of times made no sense. Today, when there may not be enough to go round, it's a folly the U.S. no longer can afford.

The same is true of the whole farm program. Designed to cope with what looked like permanent over-abundance, it merely succeeded, at fearful cost to the public purse, in piling up huge and largely unwanted surpluses. Now, thanks in great measure to the Third Horseman, who is riding roughshod over most of the Socialist world, shortage is swiftly overtaking glut. In the face of scarcity, an overwhelming mass of evidence, past and present, attests, improvident governments can do little or nothing. The time has come to give the marketplace free rein.

CAPTAIN HOWARD INADVERTENTLY OMITTED FROM THE CONGRESSIONAL RECORD

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, on June 13 in the Congressional Record—Senate—on page 13046 Capt. Joseph L. Howard, Navy Supply Corps, is correctly listed under the heading "Executive nominations received by the Senate June 13, 1966." However, Captain Howard was inadvertently omitted from the Congressional Record—Senate—June 24, listing for Senate Executive nominations confirmed on that date for temporary promotion to the grade of rear admiral.

The permanent Congressional Record has been corrected but I wanted to take this opportunity to call my colleagues' attention to this clarification and correction; and to congratulate a distinguished constituent from San Diego.

SUGGESTIONS TO CONVENE THE AD HOC SUBCOMMITTEE ON THE INTERNATIONAL LABOR ORGANIZATION

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ayres] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. AYRES. Mr. Speaker, I shall suggest to Education and Labor Chairman Adam Clayton Powell that he convene the ad hoc Subcommittee on the International Labor Organization, of which I am a member, for the purpose of reactivating the review of our participation in the work of that international organization.

I believe that this is of the utmost importance at the present time in light of the withdrawal of the AFL–CIO from the current Conference in Geneva, Switzerland. While the AFL–CIO did not permanently withdraw from the ILO, some years ago the National Association of Manufacturers permanently withdrew from the tripartite arrangement that makes up the American delegation.

We ask nothing more of international conferences than they be conducted in a manner in which all can justly deliberate. The past history of the activities of the International Labor Organization has not been, in recent times, conducive to equitable negotiations between the parties involved.

In 1963, as a congressional appointee, I journeyed to Geneva, Switzerland, to take part in the ILO Conference. I was greatly disturbed at what took place there.

Upon my return here, I made a full report on the floor of this House. I stated that I believed in the avowed objectives of the ILO but those objectives were being shunted aside and the Conference turned into a propaganda mill for the Communist nations. This, of course, became most effective when a Communist controlled the meeting by occupying the position of chairman. This was the case when I attended the Conference and was equally true this year.

In 1963, I asked Chairman POWELL to call a series of meetings of the ad hoc Subcommittee on the International Labor Organization so that a review might be held. The distinguished chairman, himself an expert on these matters, agreed that such a review be held.

Four days of hearings were held that year. Our principal witnesses were the heads of our delegation: Rudolph Faupl of the AFL–CIO; Hon. George L. P. Weaver, Assistant Secretary of Labor for International Affairs and the Representative of the U.S. Government; and Richard Wagner, who represented the employer delegation.

My sole purpose in calling for the review was to see whether a better climate for an international conference might be created. I had no criticism of our American delegates—rather I simply wished to discover whether we could make their work more meaningful.

I can well understand the frustrations that fair-minded delegates do incur when they cannot operate in a state of equality.

In the Conference that I attended, and in this year's meetings, I am told, the cards were definitely stacked against us. The plenary session became a forum in which our enemies brought forth all of their "hate" propaganda, often without reply on our part.

In view of our war in Vietnam, this propaganda has an added importance. Our opponents would have us appear as the "villain" of international affairs, and thus blacken our motives in the Vietnam struggle.

The International Labor Organization was chartered by the League of Nations in 1918. In 1948, it became an agency of the United Nations. Its charter states that it aims to promote social justice; improve labor conditions and living standards; and promote economic stability. With these objectives, we can heartily agree. We have done all of these things since our inception as a Nation.

Labor standards are formulated and adopted by the Conference. However, the member nations do not have to ratify them. For example, even such a universally recognized right as the freedom from forced labor has never been fully ratified though the resolution for its enactment was passed many years ago.

Each nation's delegation is divided into three parts—government, worker, and employer. Each of these is supposedly able to function independently. The U.S. delegation does, but this is not true of the Communist and dictator-controlled nations. Their worker and employer delegates would not dare to differ from their government's position. One would but have to examine the voting records to realize the truth of this statement.

The United States contributes over one-fourth of the cost of the International Labor Organization. It has just been demonstrated that our voice therein is pitifully small.

I note that the United States was criticized for only paying 25 percent of the budget of the ILO. We were attacked for discrimination because we paid less of the cost for this agency than we paid to the United Nations and some other organizations. The budget of the ILO for 1967 is $23,317,000. Our share was $5,829,250. This contribution, too, should be reviewed.

I shall not speak here of the attacks that were made upon the United States for its participation in the war in Vietnam. However I do believe that they should be reported upon by the U.S. delegates to the Congress.

On June 1 of this year, at the opening day of the ILO Conference, the U.S.S.R. delegate, Mr. Volkov, while placing in nomination for the Presidency Mr. Leon Chajn, of Poland, stressed that the Soviet Union attached "exceptional importance to the election of a president of the Conference."

Mr. Chajn was assured of election when a spokesman for the entire continent of Africa, Mr. Nsanze, of Burundi, rose and stated that all of the many nations of his continent were solidly supporting the Communist nominee for president.

I mention this particularly because I have read reports from Europe that this was a surprise to the American delegation. I cannot understand this as the Soviet Union had announced the previous year that they would elect Mr. Chajn as president in 1966.

Mr. Speaker, I believe that ad hoc Committee on the International Labor Organization should ask the delegates and advisers to the 1966 Conference to testify as to the actual happenings and ask them for suggestions as to the improvement of the conditions in which they found themselves in Geneva. Perhaps one day the Congress may wish to review our participation in the many other international conferences.

I reiterate that I favor international conferences but emphasize that the climate in which they are conducted must be fair and equitable to all.

I believe that all are agreed that some very good suggestions came out of our 1963 review of the ILO Conference. I believe that a hearing in 1966 is of major importance.

I shall also ask the Honorable DANTE B. FASCELL, chairman of the Subcommittee on International Organizations and Movements of the House Foreign Affairs Committee, to conduct hearings. Chairman FASCELL has held such hearings in the past and has made some very fine reports on the subject.

I have served with the U.S. delegates to the ILO and have full confidence in their capabilities. I do believe that the congressional review, that I ask for, will be to their advantage.

GUIDELINES AND A FREE ECONOMY

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CURTIS. Mr. Speaker, recently, there has come to my attention the remarks of W. Allen Wallis, president of the University of Rochester, and a distinguished economist entitled "Guidelines as Instruments of Economic Policy," which were presented to the fourth annual American Bankers Association economic symposium on April 1, 1966. His discussion of both wage-price and foreign investment guidelines is so forceful and compelling that it deserves wider circulation than it has received. Several points Mr. Wallis makes in the presentation below deserve to be stressed again and again in the hope that the follies of the new economics might be exposed to public view.

First, he amply documents the deterioration of economic insight as expressed in the statements of the wage-price guidelines in the various reports of the Council of Economic Advisors since 1962. The concern expressed in the 1962 report that the interests of "efficiency and equity"—page 188—not be ignored in the mechanistic application of rigid guideline rules has disappeared in later reports. A paragraph from the 1962 report will illustrate the caution with which the guidelines were introduced:

> Productivity is a guide rather than a rule for appraising wage and price behavior for several reasons. First, there are a number of problems involved in measuring productivity change, and a number of alternative measures are available. Second, there is nothing immutable in fact or in justice about the distribution of the total product between labor and non-labor incomes. Third, the pattern of wages and prices among industries is and should be responsive to forces

other than changes in productivity. (1962 CEA Rept., p. 186.)

The exceptions listed in the 1962 report to reconcile the guidelines with the objectives of equity and efficiency are a license for prices and wages to be set according to the forces of supply and demand, as they should be in a free enterprise economy. In the 1964 report the application of the exceptions is limited "to only a relatively few cases."—Page 119. In 1965, the guideposts which began as "aids to public understanding" became the justification for extraordinary or extralegal intervention by the President of the United States in the processes of private economic decisionmaking in copper, aluminum, and steel.

Second, Mr. Wallis discusses the role of prices in a way that is all too novel today. To many people, and even to our President, prices are seen only in terms of costs, or the amount that must be paid to get something. The allocative function of prices is too often ignored in the popular concentration upon prices as costs. In a free enterprise economy, prices are the signals from the marketplace telling private economic decisionmakers—meaning businessmen—how to achieve the most efficient allocation of resources. When there is a shortage of a commodity, like copper, its price should rise, as Mr. Wallis amply demonstrates. A price increase will provide needed incentives to increase production of the product in short supply and conserve the existing supply by turning to other substitutes for the product in question. In the short run, a price rise for a commodity in short supply may seem inflationary. But when the President intervenes with all the legal and assumed powers at his disposal to hold down prices that should rise to ration the product to the most productive of possible users, his interference with the market mechanism distorts the pattern of relative prices and prevents the economy from achieving the most efficient pattern of resource allocation. The convoluted attempts of the present administration to deal with an economic problem—the inadequacy of copper supplies relative to demand—by political means are cited by Mr. Wallis as evidence of the sorry result of political interference with the allocative functions of the price system. Basically, prices should be the result of the interaction of both demand and cost considerations. The recent emphasis in the guidelines on cost behavior as the sole determinant of proper price behavior overlooks entirely the importance of demand in price setting. Strict adherence to the guidelines would prevent labor and capital from being attracted into industries and areas of rapidly growing demand by stifling the wage and price increases which are the market's way of attracting these resources to their most productive uses. Guidelines enforced by political intervention in the market mechanism are a dangerous distortion of the proper roles of prices and wages in our economy, and should be repudiated for that reason.

Third, Mr. Wallis points out the similarities in purpose and effects of guidelines for wages and prices and guidelines for foreign investment. The fact is that "voluntary" guidelines on foreign investment are necessary because our trade surplus is not enough to support the combined foreign spending plans of private investors and Government. The reaction of the Kennedy-Johnson administration to this fact has been all too typical—restriction after restriction was imposed on the movements of U.S. private capital without any careful consideration of ways to reduce Government spending plans abroad. The "temporary" interest equalization tax was the first step—to tax on U.S. portfolio investment in the developed countries.

In Executive Order No. 11198 on February 10, 1965, the President applied the interest equalization tax to most bank loans of more than 1 year duration made to borrowers in developed countries. In addition, a program of "voluntary" guidelines on foreign lending by U.S. banks and other financial institutions was begun at the same time. Finally, a system of "voluntary" guidelines on direct foreign investment by U.S. corporations was established to restrict this type of investment. Mr. Wallis concludes that there has been a de facto devaluation of the dollar whether or not officials will admit it. Today, because of the interest equalization tax, a dollar can buy fewer security issues of developed countries than it could previously. U.S. corporations find that the dollars they earn as profits are not worth as much as they used to be in terms of possible earnings from direct investment abroad, because the "desirable" amount of direct investment has been restricted. The worth of a dollar is more than its purely domestic purchasing power. The worth of the dollar can also be measured by the number of privileges in use that its holder possesses. A dollar which cannot be invested abroad where returns are higher is worth less now than it used to be, and Mr. Wallis is to be commended for calling attention to this fact.

This kind of hidden devaluation by restricting privileges and uses of the dollar while maintaining its official exchange rate with other currencies is most regrettable. Instead of increasing foreign spending on U.S. exports as a direct devaluation vis-a-vis other currencies would have done, Mr. Wallis shows that the proliferating restrictions on the movement of U.S. capital have tended actually to cut back on U.S. exports. In addition, these restrictions on private lending abroad might, in the short run, make the U.S. balance of payments look better. But, in the long run, this will damage our balance of payments severely. The lending of U.S. funds to foreign borrowers is a debit in our balance of payments. But the income from private foreign lending is a substantial credit item in our balance of payments—$5,741 billion in 1965. By restricting private capital outflows at the present time the administration is using a short-term expedient to overcome a basic problem, and making the problem worse for future policymakers.

Mr. Wallis also discusses the degree of voluntarism in the establishment and administration of foreign investment guidelines. How voluntary are voluntary guidelines if backed by an officially expressed willingness to use direct controls if the guideline approach fails? The fact that both types of guidelines have been promulgated and established without any congressional authorization whatsoever is certainly not a mark in their favor. Certainly, before more rollbacks of price decisions are forced by the administration or any attempts at enforcement of the foreign investment guidelines are made, administration officials should be made to testify and be cross-examined on the guidelines. I have called for these hearings in vain in the past. The administration is not willing to subject the assumptions and the results of the guidelines to light of congressional inquiry and debate. This is most regrettable, even if it is not very surprising. The reasons they are unwilling to debate the guidelines are forcefully brought out in the following article.

The quality of Mr. Wallis' economic analysis is a refreshing contribution to a national economic dialog which should be progressing much faster and better than it has. I hope that the new economists can take the time to examine this well-written and scholarly discussion of guidelines and the economic damage they can cause. It follows:

[For presentation to the fourth annual American Bankers Association economic symposium, Washington, April 1, 1966]

GUIDELINES AS INSTRUMENTS OF ECONOMIC POLICY

(By W. Allen Wallis, University of Rochester[1])

For the most part, I shall discuss the guidelines for domestic wages and prices separately from those for foreign trade. The two are related, however, and I shall take some note of this near the end of the paper. For each of the two types of guidelines, foreign and domestic, I shall consider what their objectives are, whether they are likely to achieve these objectives, what unintended effects they are likely to have, and what alternatives there are for achieving the objectives.

1. WAGES AND PRICES

The basic scripture on domestic guidelines is in the Annual Reports of the Council of Economic Advisers. The wage-price guidelines were first handed down in the 1962 Report. For the latest exegesis, I turned to the 1966 Report, which contains a 31-page chapter entitled "Prospects for Cost-Price Stability."

This chapter I found distressing. It was not its substance that distressed me—I knew about that in a general way from newspapers and magazines. What distressed me was the unprofessional quality of the economic analysis. I am going to digress on that for a moment.

I want to emphasize that I am referring now to the professional quality of the economic analysis, not to the judgments based on the analysis or to the recommendations based on the judgments. It is the shoddy, slipshod, contrived character of the economics in the 1966 Report that surprised me and distressed me. In contrast, the 1962 Report was a respectable piece of work, certainly worthy of serious study by the economics profession and worthy of respect even by those who disagreed with it.

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[1] I am indebted to William H. Meckling, Dean of the College of Business Administration, University of Rochester, fur extensive and intensive assistance, especially with the second and third sections of this paper. Indeed, he should be listed as co-author, except that the faults of the paper cannot fairly be held against him.

While a layman or a journalist reading in the 1962 Report about the guidelines for wages and prices might come away with about the same impressions that he would get from the 1966 Report, an economist notes important differences. The authors of the 1962 Report, like their predecessors, were under pressure to say something consistent with the popular folklore that what causes inflation is wage increases, and to construct a weightier club for clouting the unions than the jawbone relied on by their predecessors. But the economic and statistical competence and conscience of the authors of the 1962 Report showed through clearly in what Albert Rees has described as "the fine print in the back." This "fine print" had the effect of negating the generalities; it was nearly equivalent to a statement that each particular wage rate or price should be set in accordance with demand and supply. Similarly, the 1962 Report avoided sanctifying any specific number. Arthur Burns has traced the deterioration of this early formulation through successive Reports. The glittering generalities came more and more to the foreground, sloughing off the "fine print" altogether, and by 1964 the figure 3.2 per cent—the same magic number that had proved so useful with beer three decades earlier—had come to be regarded as having some useful part to play in practical wage determinations.

The contrast between the 1962 and 1966 Reports may, I suspect, represent the operation of a basic social law which, when accurately formulated and appropriately named, might make my name as famous as Gresham's or Parkinson's. This notion of a general law arises from the reflection that the last two or three Reports under Eisenhower show a similar deterioration in the quality of economic analysis in comparison with the first two or three. The law I am tempted to formulate from the two periods 1954 to 1961 and 1962 to 1966 would run something like this: The professional standards and consciences of an administration's economists decay exponentially with the length of time in office. On second thought, I am afraid that Lord Acton has been there ahead of me, and the most I can hope for is a minor corollary quantifying the rate of approach to the asymptote that he designated.

This is not the place for a full-scale critique of the 1966 Report, or even the chapter of it under consideration here, but I must extend this digression enough to indicate the reasons why I consider the economic analyses so sadly shoddy. The reasons are in two categories, first, fundamental deficiencies and, second, poor economic craftsmanship.

Of the fundamental deficiencies, I will mention two. First, only once in the 27 pages of text devoted to wages and prices is there any reference to money. Then it is referred to only in a brief allusion to monetary policies outlined in the preceding chapter as "intended to assure that total . . . purchases of goods and services do not exceed the economy's ability to produce." Actually, the discussion in that chapter suggests that monetary and fiscal policies are intended the other way around, to assure that purchases do not fall short of capacity to produce; it makes no reference to the control of inflation.

Now, there is a good deal of disagreement among economists about the relative importance of various factors that affect the price level; but no one seriously denies that money and credit play an important role. A chapter on prospects for stability in wages and prices that does not mention money and credit can only be likened to the monster without Frankenstein.

A second major deficiency is that nowhere in this chapter is any heed paid to the most important function of prices in our economy, namely their role in allocating finished products, labor, and raw materials among alternative uses; in regulating the rate of expansion or contraction of industries and firms; in guiding efforts to economize on some things by replacing them with substitutes, either in production or consumption. There are references in the Report to the fact that prices are related to "the public interest," yet no awareness that the most decisive impact of prices on the public interest is through their role in directing our economic organization. Prices communicate information on needs and priorities and they provide incentives, verging on compulsions, to act efficiently in response to the information.

As for poor economic craftsmanship, consider only this one example, from the summary: "The guideposts must continue to aim at complete stability of average domestic prices." Does "complete stability" mean complete stability—day by day, minute by minute? Was this written with an awareness of the typical seasonal and cyclical behavior of prices, and if so does it imply something far more drastic than is discussed in the Report? Again, what is the significance of the adjective "domestic"? Presumably the implication is that products that are imported are not included in the average. But these products may enter, in large or small measure, into the costs of some domestic goods. Is it implied that some other domestic goods must then have lower prices, to keep the average from rising? One can think of various possible interpretations, but none of them make much sense. To spell out an acceptable definition of price stability would, of course, require a little essay, which would have to confront the difficulties of measuring price levels. Similar ambiguity and fuzziness pervades the Report—the kinds of things that make life miserable for a mediocre student trying to get a senior paper or a master's thesis approved in a self-respecting economics department.

The objectives of the guidelines are not really stated explicitly in the 1966 Report, except for the statement previously quoted that they "aim at complete stability of average domestic prices." Implicitly it is clear that their general objective is to avoid inflation. To most people this means, at least to a first approximation, that the amount of goods and services commanded by a dollar should remain constant. That is, any reduction in a dollar's power to purchase some goods and services should be offset, at least approximately and in proper time, by increases in its power to command other goods and services.

It can be said that with assurance that the guidelines cannot accomplish this. More generally, it can be said with assurance—an assurance growing not only from economic analysis but from thousands of years of experience—that if effective demand exceeds supply at the prevailing price level, the purchasing power of the dollar cannot be maintained by any means.

To say that effective demand exceeds supply at prevailing prices is just another way of saying that there are not enough goods and services to be matched up with all the dollars, if goods and dollars are matched at the ratios specified by prevailing prices. Some dollars are left over; there are no goods to match with them. If prices do not rise, which would require fewer goods and services for matching each dollar, the only alternative is some kind of rationing scheme, formal or informal, to decide which dollars will be the ones that get the goods and services.

Thus, some of the dollars lose their purchasing power altogether for lack of ration points, certificates of priority, influence, friends, gray-market power, getting in line soon enough and waiting long enough, or whatever consideration it is that determines which dollars are allowed to remain potent. The dollars that are reinforced by the required supplementary consideration buy the same amount as before.

Notice, however, that dollars themselves did not command the goods, but dollars plus something else; so as a practical matter the purchasing power of the dollar is no longer as great as when it alone could command the goods. Notice also that when the sterile dollars that can command nothing are averaged with the potent dollars, the average amount of goods commanded by all the dollars has declined. The only possible way to maintain the purchasing power of the dollar is to maintain a balance between total monetary demand and total supply of goods and services.

Inflation can be generated only by the Government. Business firms, labor unions, or consumers with excessive market power can do many objectionable things that are contrary to the public interest; but one objectionable thing that they cannot do is to cause inflation—or, for that matter, prevent it. Within the Government the only important power to cause or prevent inflation lies with the Federal Reserve Board. If the Government has a large deficit, this will not cause inflation unless funds are supplied for financing the deficit; correspondingly, a surplus will not cause deflation unless the money supply is allowed to lag. There is one, and only one, way to achieve the price stability at which the guidelines purport to aim, and that is to control the rate of growth in the stock of money and credit.

Some subsidiary devices are available, to be sure, for influencing the size of the effective demand that results from a given stock money, taxes being the most important, but these are distinctly subsidiary to monetary policy—indeed they are simply one of the things monetary policy has to reckon with in judging the proper rate of growth in the stock of money. The guidelines, whether they are met or not, will not make a bit of difference in regard to inflation.

The guidelines allow no room for the notion that a price may injure the public interest by being too low, even if the seller is making a handsome profit. If there is a large increase in the demand for a commodity, to give one illustration, a rise in its price serves the public interest in several ways. First, the price rise induces users to consume the commodity sparingly, especially if it is of little significance to them or easily replaced, so that the supply is left for those to whom it is significant and who cannot easily find substitutes. Second, the price rise induces producers to expand output, by offering higher rewards to the suppliers of its inputs—including labor. Third, the higher price makes production of the commodity still more profitable, and thus induces more firms to seek to enter the field. These and similar effects are all in the public interest, for they lead to the public being supplied with what it most wants and they open up new opportunities for labor and for producers of raw materials to earn more. Correspondingly, a wage rate can be too low for the public interest, whether or not the worker "needs" more income.

If effective demand exceeds the supply of goods and services, the Government can best serve the public interest by not attempting to interfere with the rise in the level of wages and prices that is then inevitable. The Government's intervention through wage and price control—or "guidance"—will not be without consequences; those consequences will be to lower the efficiency of the economy and to cause inequities and injustice, but not to maintain the purchasing power of the dollar.

Please note that the preceding paragraph does not say that the Government can best serve the public interest by allowing inflation. In my judgment, inflation is probably contrary to the public interest. What the paragraph does say is that if there is inflation, it is contrary to the public interest to attempt to suppress the symptoms. Analogously, it is contrary to an individual's welfare to have a pronounced tremor in his hands; but if he does have such a tremor, it is against his welfare to eliminate it by fastening his hands firmly into rigid stocks.

"The general guidepost for wages," the Council says in its 1966 Report, "is that the annual rate of increase of total employee compensation (wages and fringe benefits) per man-hour worked should equal the national trend rate of increase in output per man-hour." In 1960 I commented on this argument in the following two paragraphs, which I stand by:

"Not only would it be impractical to tie wages in each industry to productivity in that particular industry, but it would also be impractical to tie wages in each industry to average productivity in the whole economy. This would ignore differences in the need for labor and in its availability. In an expanding area, industry, or occupation, employers frequently raise wages more than the national average increase in output per man-hour. These large wage increases serve the useful purpose of inducing labor to enter the area, industry, or occupation in question, and they help pay moving or retraining costs. In a declining area, industry, or occupation, a chronic labor surplus may develop, and attempts to increase wages in line with the national average increase in output per man-hour would reduce employment opportunities and make it less likely that new industries would move into the areas of labor surplus.

These considerations and many others like them make it clear that it is difficult or impossible to prescribe general criteria for proper rates of wages and salaries. Those on the spot with knowledge of all the special circumstances must find the best solution for each case."[3]

The Council made the same point in its 1962 Report:

How is the public to judge whether a particular wage-price decision is in the national interest? No simple test exists, and it is not possible to set out systematically all of the many considerations which bear on such a judgment.

Another objection, to which I alluded briefly in the same 1960 speech and which the Council comments on in its 1966 Report, is that such a guideline rigidifies the shares of labor and capital in the national income. The Council recognizes this, but it makes a series of contradictory assertions:

(1) That under the guideposts the division of income between labor and capital would remain unchanged;

(2) That the division "has remained virtually unchanged since World War II";

(3) That "there have been repeated short-run swings" in the division; and

(4) That public policy is neutral with respect to changes in the division. Perhaps the contradiction between propositions (2) and (3) is a matter of careless and imprecise exposition; perhaps the Council means to say that the trend has been constant and to imply that cyclical fluctuations about the trend are irrelevant—though that implication would be incorrect, in my judgment. But the contradiction between propositions (1) and (4) seems irreconcilable, if the guideposts represent "public policy."

"The general guideline for prices," the 1966 Report asserts, "is that prices should remain stable in those industries where the increase of productivity equals the national trend; that prices can appropriately rise in those industries where the increase of productivity is smaller than the national trend; and that prices should fall in those industries where the increase of productivity exceeds the national trend."

This is followed by:

"Within a given industry, the guideposts allow for individual wage and price adjustments that do not affect the over-all wage or price level of the industry. Increases for some groups of workers or products can be balanced by reductions for others."

The Council leaves it to the reader (or perhaps to the Anti-trust Division) to imagine the mechanism which will insure that a rise in wages or prices in one firm of an industry will be offset by declines in another firm of the same industry. They leave it to the reader, too, to ask, "Why only 'within an industry'? Why cannot rises in the average wages or prices of one industry be offset by declines in other industries? And won't wages tend to move by occupations, and thereby to affect different industries differently, and different firms within an industry, in accordance with the extent of their dependence on particular occupations?"

There is, of course, no reason why prices should necessarily fall in a firm, much less an industry, where output per man-hour worked has risen more than the national average. The Council scarcely indicates why they think so, but the indication is that they think cost per unit of output falls whenever output per man-hour worked rises. Actually, in the short run the principal causes of increases in output per man-hour are increases in the utilization of capacity, and it is perfectly possible (in fact, in the early stages of a recovery it is usual) that the effect is smaller losses, not "excessive" profits. In the somewhat longer run, the principal causes of increases in output per man-hour are increases in the amount or quality of capital or of management. In a static economy these increases in capital or management would not ordinarily be made unless they lowered cost per unit, but in the actual economy they are often associated with rising costs per unit, and efforts to offset rising costs of labor or raw materials. In any event, prices have an important allocative or rationing effect, and without taking account of shifts in demand as well as in cost it is not possible to say in which direction a price should change in the public interest.

Embedded in the foregoing discussion are the following answers to the four questions posed at the outset:

(1) The objective of the wage and price guidelines is to maintain the purchasing power of the dollar.

(2) The guidelines can do nothing to achieve this objective.

(3) The most important economic consequence of the guidelines will be a lowering of total output below what it otherwise would be.

(4) Only the Government can cause inflation and only the Government can prevent it. The Federal Reserve Board can prevent inflation by properly controlling the rate of growth in the stock of money.

2. FOREIGN TRADE

The President in his Balance-of-Payments message to Congress last year said, "The dollar is, and will remain, as good as gold, freely convertible at $35 an ounce. That pledge is backed by our firm determination to bring an end to our balance-of-payments deficit." As one means for realizing that objective, he said, "I hereby call upon American businessmen and bankers to enter a constructive partnership with their Government to protect and strengthen the position of the dollar in the world today. . . . Specifically, I ask the bankers and businessmen of America to exercise voluntary restraint in lending money or making investments abroad in the developed countries."

Subsequently, these general objectives were translated into specific guidelines for banks and non-bank corporations. For banks, the guideline was that 1965 foreign loan balances be kept below 105 percent of the amount outstanding at the end of 1964. Non-bank corporations were asked to generate intra-company trade balances 15 to 20 percent more favorable than their 1964 balances. While the voluntary nature of the guidelines was stressed, extensive reporting systems were established, designed to enable the Federal Reserve Board and the Secretary of Commerce to ascertain whether individual corporations were abiding by them. (The guidelines apply only to "developed" countries, but special consideration is given to Canada and Japan.)

For 1966, the guidelines have been changed. Banks may expand foreign lending at the rate of one percent per quarter, thus raising total lending capacity to 109 per cent of the 1964 base. Non-bank corporations are asked to limit their direct foreign investment for the two-year period 1965–66 to 135 percent of their average investment (including retained earnings) over the three-year period 1962–64.

The questions asked about wage and price guidelines are also pertinent to foreign exchange guidelines: What are the objectives? Will the guidelines achieve those objectives? What unintended effects will the guidelines have? What alternative policies would achieve the objectives?

The objective of these guidelines is to reduce and even to eliminate the deficit in the balance of trade that the United States has experienced in 15 of the last 16 years. Recently the deficit has been accompanied by a substantial outflow of gold. The cause of this deficit has not been an unfavorable balance of private trade. Indeed, the balance of trade has been singularly favorable—in 1964 a surplus of $3.6 billion. Instead, it is the Government deficit on foreign aid and military expenditures abroad that has converted an otherwise highly favorable balance into an unfavorable one.

Some painfully elementary economics lies at the heart of the problem of the balance of payments, yet it is seldom mentioned, much less seriously weighed in official analyses that purport to explain or underlie policies.

The balance of payments problem arises because our Government is engaged in a form of price fixing. In this instance, the price it fixes is the price of the American dollar, not only in terms of gold but also in terms of its rate of exchange for other currencies. Fixing the price of the dollar is essentially like fixing the price of any commodity. If the price is set too low, pressures develop to raise it; some means has to be found to ration the dollars available, and black or gray markets develop. If the price is set too high, pressures develop to lower it, potential buyers will have to be rationed among sellers, and black or gray markets spring up (albeit selling at less than the fixed price).

It is the latter situation that prevails today. The pegged price of the dollar is too high. At that price, the number of dollars being offered for exchange with foreign currencies exceeds the amount of foreign currencies being offered for dollars. Through purchases, foreign aid, investments, travel, and military expenditures we are supplying more dollars than foreign purchasers and investors want at the existing price of the dollar. That excess is the balance-of-payments deficit.

The primary objective of the guidelines is thus to maintain a fixed exchange rate between the dollar and other currencies. A secondary objective is to maintain a fixed price for gold in the settlement of international balances, but the gold outflow would be of little concern if we abandoned our efforts to fix exchange rates.

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[3] "Wages, Productivity, and Prices," published in the National Industrial Conference Board's *The Conference Recorder*, 1960.

The guidelines aim to control the patient's symptoms, not his health. They are administrative constraints limiting what owners of dollars can do with them. In other words, they are a form of rationing. The parallel with the discussion of wage and price guidelines is complete. Just as the wage and price guidelines cannot maintain the domestic value of the dollar in the face of an excess of effective demand, so also it is impossible for the foreign trade guidelines to maintain the value of the dollar in international trade. A stable price for the dollar does not imply a stable value for the dollar. The value of a dollar depends on its power to buy, and, for example, a dollar that can be invested in foreign subsidiary or loaned to a foreign firm at 7 per cent interest is more valuable than one which cannot be so loaned or invested. The nominal price may not reflect that difference in value, but you and I know which dollars we would prefer.

Reducing the number of French francs or British pounds that a dollar will buy is only one way to devalue it; another way is to reduce the rights that go with owning a dollar. The guidelines constitute devaluation in the latter sense.

The devaluation is made explicit in the case of military purchases abroad. When the Defense Department pays one-third more to buy something in the U.S. than it would have to pay abroad (a practice it follows), the value of its dollars has clearly gone down. The nation gets less defense per dollar expended than it otherwise would. When an American firm is forced to borrow money abroad at 7 per cent when it has dollars at home that can earn only 5 percent, the value of those dollars has similarly been reduced.

In brief, the question is not whether the dollar should be devalued—it already has been—but, what form the devaluation takes. As in the domestic case, if the dollar is devalued, the preferable form of devaluation is in its market price.

It is by no means clear that the guidelines will enable us to balance our international accounts even in a nominal bookkeeping sense. In the short run, some improvement may appear, for reductions in lending and investing abroad will not have much immediate effect on the return flow of earnings and re-payments. In the longer run, the return flow is bound to decline and thus to affect adversely our balance of payments.

The answer is even more clouded by the interdependence between current lending and direct investment abroad and other components of international trade, particularly exports. Dollars borrowed from American banks by foreign firms and individuals frequently end up being spent for American products. Similarly, direct overseas investments stimulate not only exports of real capital but also exports of semi-finished products and raw materials, especially to foreign subsidiaries. (An interesting facet of the Government position on guidelines is the defense it makes of foreign aid, that 85 per cent of the aid is spent in the U.S. Why should not private loans be allowed a similar defense?)

In recent years, the U.S. has experienced a very favorable balance on private merchandise exports and imports. This has been an important factor in enabling Government to finance foreign aid and overseas military activities. In the first year of the guidelines, the excess of exports over imports declined from $6.7 billion (1964) to $5 billion (1965). Exports had risen by 15 per cent in 1964, but rose by only 4 per cent in 1965, while imports increased by 15 per cent in 1965 as compared to 10 percent in 1964. Part of the decline in export growth can be explained in terms of the shipping strike and other special circumstances, but probably the guideline constraints on lending and direct foreign investment also had a significant impact. When these interdependencies are taken into account, it is by no means clear that the hoped for reductions in the deficit can be realized, even in the bookkeeping sense.

Nor is that the end of the matter. There is a serious threat of retaliation by other nations once they perceive the effects of our program on their economies. Recently, Eric Kierans, Quebec cabinet minister and former president of the Montreal and Canadian Stock Exchanges, said, "Considerable savings in imports could be achieved if Canada imitated the United States initiative and demanded detailed analyses of imports and prices from the 900 largest American affiliates operating in Canada. . . . There is no reason why we cannot produce economically thousands of items imported automatically from parent companies."

In establishing the guidelines, we deliberately avoided restricting imports precisely because we feared retaliation. I see no reason to believe that foreign nations will feel differently about our investment guidelines. Increased borrowing by American firms in foreign capital markets is apparently forcing interest rates up in those markets, and making foreign businessmen restless. The probability that their goverments will ultimately succumb to their pleas for counteraction seems high.

Even more important is the question of political sovereignty. Mr. Kierans, in addition to the remarks already quoted, said that our guidelines represent "a tightening of the American grip on our economy that threatens the attainment of our own economic objectives and an infringement of our political sovereignty." No nation these days is likely to tolerate for long a situation in which a foreign nation directs a firm in its territory to carry out policies in the interest of the foreign nation at the expense of the best interests of the firm and the nation in which it is located. Thus, the guidelines pose a serious threat not only to international trade but—more important—to international relations generally.

It is important to emphasize that whether or not the guidelines are effective in eliminating our bookkeeping deficit is not important. The deficit that the guidelines attack is a symptom, not a disease. Their failure or success may, however, be important through effects on future Government policy. If the deficit persists despite the guidelines, what further steps can be expected? Much more of the same, I fear—controls on dollar spending abroad extended to geographic areas and kind of commodities or activities not now covered; more restrictive controls in areas already covered; and so forth. The conclusion drawn by politicians when their economic controls fail invariably is that even stronger applications of the controls are required.

Even if the deficit is erased I suspect that the guidelines will prove durable. There is little evidence that left alone our over-all trade balance would fall into the black, even if the pressure imposed by the Vietnamese conflict were suddenly erased. Our one "hope" is that inflation will be much greater in the markets where we sell than in the United States or in the markets where we buy.

So far, I have said nothing about whether businessmen will "voluntarily" succumb to the entreaties of the President, the Secretary of Commerce, and their cohorts. I have no doubt that they will. Their attempts to meet the guidelines may be frustrated by the interdependencies discussed above, but that is a different matter. They will nonetheless have tried to conform. Indeed, it is perilously close to the Newspeak of 1984 to pretend that they have a choice. The president of a firm who receives a personal letter—six-and-a-half pages, single spaced—from the Secretary of Commerce asking for detailed data on how the firm is abiding by the guidelines, and stating that the Secretary would like said president to submit a personal appraisal each quarter evaluating the extent to which the company is achieving its over-all target, is not likely to regard that request as one he can "voluntarily" refuse—particularly if he has read or heard about the use of all the powers of harassment and injury possessed by the Government against other businessmen who have been accused of not conforming voluntarily to the gospel laid down by an official to whom has been revealed a vision of "the public interest."

The language used in discussing the program is often revealing. The January issue of the Survey of Current Business of the Department of Commerce, for example, says, "The features of the original program were retained and new ceilings for U.S. private assets abroad in 1966 were outlined." News articles contain such gems of contradiction as "tighter, though still voluntary, curbs on private investment", and one report quoted a discerning statement by a mid-western banker, "The bulk of all foreign loans are in the top 25 to 30 U.S. banks. Therefore, the voluntary program can be policed very effectively. . . ." It is difficult to regard terms like "ceilings", "curbs", and "policed" as anything but Newspeak when applied to the notion of voluntary compliance.

The value of the dollar in foreign exchange has become the sacred cow of the American economy. Discussions of it are notable for the emotional and propagandistic language employed—"the strength of the American dollar", "as good as gold", "an essential cornerstone of the free world's international monetary system". Little has been done either empirically or analytically to support the view that we really ought to walk over hot coals to effect stabilization of exchange rates.

It would be useful, of course, if we could actually stabilize the buying power of the dollar abroad, since we could thereby eliminate one source of uncertainty in international exchange. But stabilizing exchange rates is not equivalent to stabilizing buying power. When exchange rates are free to adjust, they provide a sensitive measure of the value of dollars abroad and a strong incentive to act accordingly to conserve or utilize foreign exchange. Fixing exchange rates is like fixing a clinical thermometer so that it will always read 98.6°F.: once the thermometer reading is fixed, the thermometer is no longer useful in judging the health of the patient. I am convinced that the U.S. could abandon its policy of fixed exchange rates with hardly a ripple occurring in international trade and finance. Moreover, in the long run I am convinced that such a course would enhance international trade and promote economic development throughout the world.

Perhaps it seems presumptuous of me to say to an audience of bankers that the U.S. should abandon fixed exchange rates, when you have not only more knowledge in this field than I have, but infinitely more experience, and I know that bankers generally feel that to abandon fixed exchange rates would be little short of catastrophic. I am goaded to being so presumptuous, however, by recollections of earlier predictions of catastrophe and chaos if freedom were introduced into markets. Let me remind you of the feeling in 1946 that removal of OPA price controls (which was itself regarded as a debatable proposal) should be effected in a gradual and orderly manner, otherwise there would be economic chaos. In fact, I know of no one who recommended a sudden, unanticipated total abolition; yet by a political fluke that happened, with results that were dramatically beneficial. In the early 50's it was widely held that the Federal Reserve had to peg the price of Government bonds, otherwise there would be dire consequences.

When the pegging stopped the only important consequence was that inflation, to all intents and purposes, stopped (though the index continued to creep up, in substantial part because of upward statistical biases in its construction). Only a few years ago it was widely held by bankers, despite their opposition to price fixing, that to allow more than one percent interest to be paid on savings deposits would be disastrous. I believe that a switch to free exchange rates would bring with it no more harm than did those other switches to free markets, and no less gain.

To summarize, then, short answers to the four questions raised at the start of this section are:

(1) The objectives of the foreign trade guidelines are to maintain the value of the dollar in foreign exchange and at the same time create a large enough surplus in the balance of payments on private account to offset the large deficit on Government account.

(2) The guidelines cannot maintain the value of the dollar, and it is doubtful that they can even bring about a bookkeeping balance between payments and receipts, except possibly for a short time.

(3) The guidelines represent a serious restriction on international trade and an even more serious hazard to international relations.

(4) An alternate and much preferable policy would be to let foreign exchange rates be determined by demand and supply in free markets.

3. RELATIONS BETWEEN THE GUIDELINES

There are basic similarities between the guidelines for wages and prices and those for international trade. Furthermore, wage and price policies affect international trade, and international trade policies affect domestic wages and prices.

It is generally believed that obedience to wage and price guidelines helps solve balance-of-payments problems. The idea is that keeping our prices down makes it easier for us to sell abroad and more difficult for foreigners to sell here. If keeping prices down were really equivalent to preserving the value of the dollar, this simple analysis would be adequate. Where inflation has in fact occurred, and money prices do not constitute the only consideration necessary to buy goods, the effect on foreign trade depends upon what other considerations have to be added to the money price in order to complete a purchase. In other words, the impact on foreign trade depends on how the available supplies are rationed among competing customers. Exports are in a particularly vulnerable position in regard to extra-monetary considerations. When U.S. buyers are unable to obtain as much of a commodity as they want at guideline prices, public officials are likely to feel that foreign customers can wait. Similarly, domestic shortages stimulate measures to increase imports, for example by lowering tariffs and quotas. Thus, the final effect on the balance of payments may be adverse.

Recent developments in copper illustrate this. The U.S. producer price for refined copper is now less than half the world price. If foreigners were permitted to buy all they wanted at prevailing prices, virtually all copper available in the United States would be exported, and no copper would be imported. The large volume of exports and the elimination of imports would contribute to a more favorable balance of trade. The result would nonetheless be viewed as a catastrophe; and rightly so, for we would have bestowed an extravagant gift on the foreigners who bought our copper below the world market price, while bringing to a halt our production of goods that depends on copper.

Needless to say, we have not allowed that to happen. Instead, we have imposed export controls on copper, Congress is being asked to remove the duty on copper imports, we are quietly tolerating a second U.S. market for copper at premium prices, a rationing scheme has been imposed that requires producers to allocate a certain amount of copper to defense uses, and—to top off this chamber of economic horrors—consideration is being given to raising the margin requirements for trading in copper.

Furthermore, the consequences of these actions with copper quickly spread to industries whose products are related to copper in production or consumption—which, eventually, means virtually all economic activity. Policies like those for copper already loom for steel, aluminum, sulphur, shoes and no doubt other products.

A basic similarity between the two sets of guidelines is that in both cases the problem at which the guidelines aim is created by the Government. The Government is the source of inflationary forces which the wage-price guidelines attempt to control; the Government is the source of the deficit in the balance of payments. (As an obiter dictum, I may remark that most major economic problems have grown out of earlier Government efforts to deal with some comparatively minor problem.)

Another basic similarity is that neither set of guidelines can achieve its objectives, except if conditions come about in which the guidelines are superfluous. To be sure, the balance-of-payments guidelines could, at least theoretically, achieve a bookkeeping balance, at least temporarily; what they cannot do is to maintain the purchasing power of the dollar abroad. Neither can the wage-price guidelines maintain the purchasing power of the dollar at home.

Both sets of guidelines deal with symptoms, not with the economic health of the country. While it would be preferable if our economic health were unimpaired—that is, if effective demand for goods and services at home and for foreign exchange abroad were in balance with supply—granted that it is impaired, it would be better not to interfere with the symptoms. Interference with the symptoms creates economic inefficiency and lowers the level of economic welfare, but does no good.

Both kinds of controls—or "guidelines"—will inevitably spread without limit. There will be no limit to the number of prices and practices that must be controlled, or to the extent of the detail into which the controls must penetrate. There will be no limit, either, to the amount of coercion and compulsion that will have to be used to enforce the controls.

This last point, the threat to freedom and civil liberties, seems to me the least immediate but most important feature of the guidelines. Even the ordinary protections of due process of law go by the boards, for the guidelines are not laws and it has been made clear that their enforcement will be by undue processes.

Violators of the prescriptions for voluntary action are not prosecuted for the violations. Instead, every law, regulation, or requirement to which the offender is subject, however unrelated to the offense, may be searched for some possible violation—a process which, even if it leads to nothing, constitutes in itself a heavy penalty in time, money, fear, and notoriety. Every benefit or privilege which the offender may derive, directly or indirectly, from the Government may be withdrawn—or the fear of withdrawal used to secure compliance.

If you have been reading between the lines you may have guessed that my enthusiasm for guidelines is not great. In fact, I can formulate no better summary of my views than George Stigler's statement elsewhere in this Symposium: "This development is an unmitigated evil from the longer term viewpoint appropriate to a nation."

CLEVELAND URGES ACTION ON WATERSHED PLANS

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, land and water resources have long played a key role in New Hampshire's development. The State is rich in natural resources, with forested mountains, waterfalls, picturesque lakes, streams, and fertile valleys. And the people of New Hampshire want to be certain that future development of these resources is sound. They are alert to the dangers of leaving the job to chance or doing it piecemeal. They are studying resource problems and potentials. Then they are resolving the problems and translating the potentials into realized assets.

Small watershed projects are good examples of the ability of communities to work together to meet new pressures on resources and to improve the economy through resource development. Three projects in the State have been completed and two others have been planned and are now underway with the help of the Department of Agriculture's Soil Conservation Service under the national small watershed program. I am particularly interested in these projects because they are all in my congressional district.

BAKER RIVER PROJECT STARTS

In the Baker watershed project in Grafton County, land treatment has begun and construction of the first of 14 flood prevention dams will get underway this summer. It will enable local people to realize a long-held desire for adequate protection of life and property from floodwater damage. There is no doubt that this is of prime importance. However, sponsors, while solving their flood problems, are planning to enlarge six of the dams for recreation facilities. One will be developed by the town of Plymouth and another by the New Hampshire Department of Resources and Economic Development. Both will run the entire gamut of recreation—boat docks and launching ramps, picnic tables, fireplaces, picnic shelters, swimming areas and bathhouses, campsites, sanitary and electric facilities, and parking areas.

In Hillsborough County, 6 of the 13 flood prevention dams planned in the Souhegan River watershed project have been completed. A multipurpose dam that will include a municipal water supply for the town of Greenville is planned. Another will feature fish and wildlife habitat improvement.

I have watched both of these projects with great interest as they have progressed. I have been particularly pleased with the leadership and the enthusiasm of local people in moving the projects along.

NEW HAMPSHIRE PROJECTS COMPLETED

Conservation and economic benefits are already being enjoyed in the Oliverian Brook, the Babosic, and the Ash Swamp, Tannery, White, and Black Brook watersheds, where projects have been completed. Boosted tax revenue from a new shopping plaza on land made suitable for development by works of improvement in the Ash Swamp project, recreation facilities and a flood-free highway resulting from the Oliverian Brook project, and improved farmland in the Baboosic watershed are among the community benefits that are being packed into watershed projects. These—plus better farming conditions, mosquito control, economic opportunities due to increased recreation activity—are among the top benefits in addition to flood prevention.

I have also been following the progress of planning in the Gale River, Sugar River, and Mad and Beebe River watersheds. Local people are including recreation facilities in plans for the latter two watershed and water supply for the city of Claremont in the Sugar River watershed project.

DEAD RIVER PROJECT STALLED

Of grave concern to me, however, is the complete standstill that watershed project plans face when they reach the Bureau of the Budget. At present they are holding up 44 new plans and 2 supplementary plans—some of which they have had since December. One of these plans is for the Dead River watershed project in Berlin, N.H. This project ties in very closely with an urban renewal project. I see no reason for this inaction on the part of the Bureau of the Budget except to retard the whole small watershed program. And I see no reason to retard this program that has demonstrated that it can pyramid social and economic benefits in a community while protecting its heritage of bountiful natural resources.

Mr. Speaker, I must take issue with the decision of the President, through the Bureau of the Budget, to stop the transmittal to the Congress of these highly important 46 watershed work plans. The watershed program was carried out without question since its enactment in 1954 by President Eisenhower, President Kennedy, and even President Johnson in his first years of office, contributing substantially to the development of valuable water resource and soil conservation programs.

The President's decision not to transmit watershed work plans to the Congress is a further indication of the trend which we have seen during the past few years for the executive branch of Government to continually usurp the prerogatives of the legislative branch. At a time when we hear much about the need for congressional reforms to streamline the operations of the Congress to meet with the ever-increasing workload, it seems most disheartening to see the Congress getting batted down when it tries to maintain its own procedures which were designed for moving authorizations through the Congress at a faster pace.

THE ISSUE—EXECUTIVE VERSUS LEGISLATIVE

The existing law relative to congressional approval of watershed work plans before appropriations are made has proven itself to be a sound approach to small watershed development. Unfortunately, it appears as if the President's decision on this matter is a repeat of what has happened on other programs where the Congress tried to maintain its authority, programs such as Public Law 480, the location of military bases and research installations, Corps of Engineers' projects under $10 million as provided for in last year's River and Harbor Act, and the present controversy over the transmittal of public buildings prospectuses to the Congress.

With respect to section 201 of the River and Harbor Act of last year, which section the President directed the Secretary of the Army not to implement, much on the same grounds as his present refusal to send watershed work plans to the Congress, the gentleman from Florida [Mr. CRAMER] inserted in the daily RECORD of February 21, 1966, on pages A863 to A864 thereof, an excellent article—critical of the President's position on the section 201 controversy—which appeared in the Washington Post authored by two outstanding college professors from Harvard University. Inasmuch as the questions raised concerning section 201 are similar to those raised concerning watershed project transmittals, I think the article is well worth reading.

Unfortunately, while the President is quibbling about what he feels are constitutional problems, the Nation's soil continues to erode away into the sea, valuable farmlands flood out, and farmers and city people alike go without the benefits of this worthwhile watershed program. The President should direct the Bureau of the Budget to transmit to the Congress all watershed work plans which are economically justifiable, and I call upon the President to do just that.

OPPONENTS TO BIG DAMS: THEIR RANKS GROW

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the ranks of those who oppose big dams have grown. The Grafton County Pomona Grange No. 13 passed a resolution opposing a big dam on the Pemigewasset River at Livermore Falls, and a big dam on the Baker River at Rumney.

The days of large dams may well be numbered, although it is perfectly true there are some which can still be justified on a cost-benefit basis and for other reasons.

I am pleased to offer a copy of this resolution at this point in the RECORD and I commend those who proposed and supported it:

RESOLUTION BY GRAFTON COUNTY POMONA GRANGE NO. 13, RUMNEY, N.H.

Resolved, That Grafton County Pomona Grange No. 13, having membership composed of persons in West Rumney, Rumney, South Wenthworth and Wenthworth, go on record opposing the dams planned for the Baker River about two-thirds mile below West Rumney Village and for Livermore Falls on the Pemigewasset River.

Be it further resolved, That it is the sentiment of the members of said Grafton County Pomona Grange:

Whereas, numerous cemeteries—all major, Interstate 93 in the Pemigewasset Valley, and most minor roads, would have to be moved at great cost.

Whereas, whole villages, all high valuation lands and buildings, public buildings and most churches and all places of business and employment in the valleys would be inundated.

Whereas, most folk would have to leave the area and many the state, with no prospects of a life as satisfactory as previous and with economic loss, particularly among older and/or retired folk.

Whereas, business and towns below the dams would suffer great economic loss, possibly causing permanent depression in the central part of the state.

Resolved, That no justification exists for the huge cost of, nor hardship caused by, nor useful purpose exists for the large dams, inasmuch as such purposes can be fully served by small dams, on tributaries such as is planned for the Baker River at an estimated cost of $4,000,000 of which nearly one-half would be eliminated and on which construction has already started.

Be it further resolved, That the Secretary send copies of this resolution to the President of the United States of America, His Excellency, the Honorable Lyndon B. Johnson, the Governor of the State of New Hampshire, His Excellency, the Honorable John King; United States Senators from New Hampshire, the Honorable NORRIS COTTON and the Honorable THOMAS McINTYRE; the Representative for the Second New Hampshire Congressional District, the Honorable JAMES CLEVELAND; the Representative for the First Congressional District, the Honorable J. OLIVA HUOT; the Army Corps of Engineers; the New Hampshire Water Resources Board and Governor's Councilor, the Honorable William Styles.

This resolution adopted at the June meeting, June 20, 1966.

GLENN L. PEASE,
Master.
HAZEL W. HUCKINS,
Secretary.

ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES ON JUNE 30, 1966

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the concurrent resolution (H. Con. Res. 804) together with the Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendments as follows:

Page 1, line 2, strike out "House adjourns" and insert "two Houses adjourn."

Page 1, line 3, strike out "it" and insert "they".

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

The title was amended so as to read: "Concurrent resolution relative to the adjournment of the two Houses of Congress on June 30, 1966".

STRATTON AMENDMENTS TO TITLE XIX OF THE 1965 MEDICARE LEGISLATION, A LEGISLATIVE SLEEPER

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, last week I introduced H.R. 15917, which represents two vital amendments that I believe must be made in the provisions of title XIX of the 1965 Medicare Act to bring that law into line with what was certainly the basic intent of this Congress when we adopted it a year ago.

As Members are well aware, the medicare legislation goes into operation tomorrow, a sweeping legislative landmark of which the 89th Congress can well be proud. I was proud myself to have been a strong supporter of medicare. In fact, I supported this legislation from the outset of my congressional service, and it did take a long struggle and the brilliant leadership of President Johnson and the distinguished gentleman from Arkansas [Mr. Mills] to make it a legislative reality.

But in the year that has elapsed since we passed medicare we have discovered that one feature of that legislation to which we admittedly gave little attention and which was in fact debated hardly at all, either in this House or in the other body, may well turn out to be far more far-reaching in its implications and far more costly in its impact than any of us at the time ever imagined. Indeed, without some such amendments of the kind I have introduced, we could well find that the title XIX program will prove to be far more revolutionary than medicare itself. Because of these implications I have introduced my amendments, and I take this time to alert Members to the possibilities that lie ahead so that we can do something to meet them before it is too late. It may indeed be necessary for us to do something about this when the HEW appropriation bill for the next fiscal year comes back from the other body, if we are not to find ourselves unwittingly committed to far more Federal expenditures for this program than any of us ever dreamed possible.

Basically, title XIX of the Social Security Amendments of 1965 represented an extension of the Kerr-Mills program, originally enacted in 1960. Kerr-Mills provided Federal financial help, roughly 50 percent of the total cost, to State governments to meet the costs of medical expenses for persons over 65 who were referred to as "medically indigent," that is persons who were not on welfare but whose income and resources were inadequate to meet their medical bills. Generally, Kerr-Mills had been designed as a substitute for medicare and was intended to take care of what was regarded as a relatively small group of persons who were neither on welfare and therefore getting their medical bills paid for anyway, or so well situated financially as to have health insurance or some other means of meeting their own medical expenses. Kerr-Mills thus made a relatively modest impact on the budget and never created any great concern or controversy.

With the passage of medicare, however, the Committee on Ways and Means recommended, and the Congress concurred, in a program to be included as title XIX of the Social Security Act which would in effect extend the basic Kerr-Mills principle beyond those persons in the over-65 category to include those groups already receiving Federal matching funds for basic welfare payments, specifically, the blind, the disabled, and the aid-to-dependent-children program. Under title XIX the Federal Government would not only pay roughly half the medical expenses of persons in these specific welfare categories, but it would also, in line with the approach of the original Kerr-Mills bill, pick up half the medical bills of persons who would have qualified for these three specialized welfare categories except for the fact that their incomes placed them outside the welfare limits. Thus title XIX provided Federal help in meeting all of the medical bills not only of persons in these specialized categories, but also of persons on the "fringes" of these categories who were "medically indigent" in the same way that that term had been used in the original Kerr-Mills bill. This purpose is clearly spelled out in the opening section of title XIX as follows:

> Sec. 1901. For the purpose of enabling each State, as far as practicable under the conditions in such State, to furnish, first, medical assistance on behalf of families with dependent children and of aged, blind, or permanently and totally disabled individuals whose income and resources are insufficient to meet the costs of necessary medical services; and second, rehabilitation and other services to help such families and individuals attain or retain capability for independence or self-care, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title.

In addition, title XIX as it finally emerged from the Congress also provided Federal help in meeting the medical expenses of all "medically indigent" children under the age of 21, regardless of whether they met the specific requirements of the aid-to-dependent children program; namely, that one parent must be absent from the home, dead, or unemployed.

In the case of title XIX, as in the case of Kerr-Mills earlier, Congress left the specific definition of "medically indigent" up to the States, thus giving them the authority to determine the extent of the "'fringe" of additional blind, disabled, or Aid to Dependent Children persons who would be covered beyond the existing welfare groups themselves. In retrospect it now seems clear that Congress went too far in title XIX in leaving this determination exclusively to the States, although it is certainly true that our earlier experience with Kerr-Mills had led us to expect that the States would exercise reasonable care in extending help into the fringes of these specific welfare groups for whom help was to be provided.

What has now brought this matter to a head is the action of the New York State Legislature in adopting its own program for taking advantage of title XIX. The background of the New York legislation was set forth in a recent meeting held on the Senate side of the Capitol with Governor Rockefeller and his staff, Under Secretary Wilbur Cohen, of the Department of HEW, and New York Members of Congress on both sides of the political aisle. What happened in New York should be of interest to all Members. When New York took advantage of the new Federal matching funds for paying medical costs for those specific categories of welfare persons, and also extended this aid, as title XIX provided, into the "medically indigent" fringes of these groups, it reduced by a very substantial amount the funds which the State and its local governments had themselves been spending for welfare purposes. Under title XIX, however, a State could get the full amount of Federal assistance only if it continued to maintain its "level of effort" in welfare expenditures. Because of the substantial amounts of money being "saved" by New York as a result of the new forthcoming Federal contributions, if New York was to get every possible nickel of Federal assistance, it faced the problem of finding some other welfare purpose on which these freed State funds could be spent, so that total State welfare expenditures could remain at the same level.

The New York State Legislature elected to spend this State money "saved" by the new Federal contributions by extending an existing State program of paying the medical bills of certain needy persons between the ages of 21 and 65 regardless of whether they were blind, disabled, or in the aid-to-dependent children category. As the State officials openly acknowledged at our meeting, they decided that the best way they could keep on spending the same amount of State funds for welfare purposes was to "enrich" this strictly State medical welfare program by liberalizing its income eligibility standards. As a result a family of four in New York can now get all of its medical bills paid for by the State if its incomes does not exceed $6,000 and it does not have more than $3,000 in savings in the bank. If the number of children in the family is greater a family can qualify under the State program with an income as high as $11,000 or $12,000.

It should be clearly pointed out that the bills of these people between 21 and 65 who will be getting this free medical assistance in New York will be paid for entirely by State funds. There will be no Federal contribution for them at all only for those who are blind, disabled, or members of families of "dependent" children as defined by law. This point has never been very clearly understood in discussions of the New York program. But it is a fact that what has become the most controversial part of the New York State program; namely, having the Government pay all the medical bills of able-bodied citizens between 21 and 65 whose incomes are in the middle income bracket, is not a program underwritten by the Federal Government and is not a part of title XIX.

Nevertheless, the funds made available to the States under title XIX do, indirectly at least, make possible the generous and "enriched" program of State-financed medical assistance on which New York has now embarked. And there are some people in New York who claim that the authors of title XIX really intended at some future date to provide Federal matching funds for this kind of general program unrelated to the specific welfare categories to which title XIX is now cleary limited. They cite the provisions of paragraph (e) of section 1903 which says:

> The Secretary shall not make payments under the preceding provisions of this section to any State unless the State makes a satisfactory showing that it is making efforts in the direction of broadening the scope of the care and services made available under the plan and in the direction of liberalizing the eligibility requirements for medical assistance with a view toward furnishing by July 1, 1975, comprehensive care and services to substantially all individuals who meet the plan's eligibility standards with respect to income and resources, including services to enable such individuals to attain or retain independence or self-care.

Although this section does mention "broadening" the care and services made available and "liberalizing" the eligibility requirements, it does not suggest that the States should extend such help beyond the specific welfare categories on which title XIX is based. Moreover this section encourages the States to help people "attain or retain independence or self-care," not encourage them to seek welfare assistance.

The full impact of what title XIX has made possible in New York is best shown by the fact that it makes potentially eligible for Government-paid medical care under the program financed by title XIX plus the State-financed program which was made possible indirectly by Federal contributions, a total of 8 million people, in other words 47 percent of the total 17 million population of the State. Also the New York program makes eligible persons whose income is well above the State average family income of some $5,400. Clearly this approach goes beyond the kind of thing that Congress had supported in Kerr-Mills, and which it thought, with some modest increases, it would simply be continuing under title XIX.

What is even more disturbing is the thought of what this kind of program, were it to be duplicated in the other 49 States, as it well may be if we do not act now to limit it, would do to all of the progress we have been making in recent years in expanding private and group medical insurance programs to give people precisely that greater measure of independence in meeting medical costs that title XIX refers to. If half the people of the country are now to have their medical bills paid for by Government, whether State or Federal, with only those whose incomes are well above the national average excluded, what is the point of anyone continuing to pay medical insurance premiums? Already individuals in New York State are making plans to give up their private health insurance once they have determined they are eligible for help under the new State program. And there are reports that a number of union organizations, which had previously developed health insurance programs as one of the fringe benefits of their job through labor-management negotiations, are suggesting that these programs be abandoned now, since their members are all eligible under the new State law. They propose instead that these fringe benefits be replaced with hard cash. It would be tragic indeed if the medicare legislation, which represents a self-contributory insurance type approach to the costs of medical care, and which provides a limited type of medical benefit to a specifically limited group of persons, were to become through the provisions of title XIX the stimulus for a nationwide program of Government-financed medical care, entirely noncontributory in nature, providing unlimited benefits, and available to almost half the total population.

Whatever may be the loopholes in title XIX that make this possible, it seems perfectly clear to me that Congress never intended to promote any such program, since obviously this would have been far more revolutionary in its impact than medicare itself, and would certainly have merited at least as much attention in the debate that took place a year ago.

What is especially disturbing to me is the potential cost to the Federal taxpayer of the kind of implementation of title XIX that has now taken place in New York State subject only to the final approval of the U.S. Secretary of HEW, an approval, by the way, that has not yet been granted. The President's 1967 budget included some $315 million to cover additional medical costs which it was anticipated would be incurred as a result of title XIX. New York State's own estimate of the added Federal costs for New York alone is $138 million, almost half the total for the entire country.

And actually no one in New York has a clear idea of how much the program will cost, really cost when it gets rolling. Some have estimated that the total may run as high as $1.5 billion a year.

Yet in spite of this vagueness in estimates the Department of HEW did indicate to members of our delegation that Federal appropriations in the welfare field are generally regarded as being "open ended," so that regardless of what figures are included in the regular appropriation bill, there is a kind of moral commitment on the part of Congress to come up in the supplemental bill with whatever additional sums may be required to meet actual State costs over and above those originally estimated. It is easy to see that if this kind of open-end approach is applied on a nationwide scale with regard to title XIX, it could result in fiscal commitments far beyond anything which Congress could properly handle in the face of today's inflationary pressures.

In view of the facts I believe that Congress must undertake a far more careful study of the implications of title XIX, both financially and medically. I do not believe we can safely leave the determination of eligibility limits, as we have done previously, up to the States and at the same time assure the States that we regard ourselves as "morally committed" to produce appropriations for whatever open-ended programs they may devise.

Senator Javits has introduced several amendments to title XIX in the other body. Basically his amendments would provide for a more liberal deductibility feature and for varying eligibility requirements within a State. His amendments are designed primarily to reduce some of the high costs of the New York program, thereby making it more palatable both to the voters of the State and to HEW. I have no particular quarrel with these amendments. But they do not really go to the heart of the difference between what Congress had in mind when we enacted title XIX and what a State like New York is actually doing under title XIX.

The amendments I have introduced in H.R. 15917, on the other hand, attempt to spell out a specific guideline for the kind of program we expect the Secretary to approve. My bill would prevent the Secretary from approving any plan, including the New York State plan, unless three things could be proved:

First. The plan would not provide free medical care for more than 20 percent of the State's population.

Second. No one would receive free medical help unless his income was less than 90 percent of the State's average income.

Third. The plan would not "impair or discourage the growth and development of private and group medical insurance programs."

I am not wedded to the precise percentage figures included in my bill. Some adjustment may be needed one way or the other. But the principle is the important thing and I believe my figures are at least in the ball park. Certainly the people covered, either directly or indirectly as a result of Federal funds under title XIX, should not constitute more than a minor fraction of the total population. And we certainly should not be paying medical costs under a welfare set-up for people whose incomes are well above the average. Most certainly Congress did not intend that State programs set up under title XIX should undercut the growing system of a self-contributory medical insurance which is represented by medicare itself, and which seems to me to be the soundest way to help people achieve independence in handling medical care problems.

I am happy to bring these amendments to the attention of my colleagues and I believe that our experience with title XIX in New York State may be helpful to them when this matter does come before us, as it surely will, for further deliberation.

Mr. Speaker, under unanimous consent I include a copy of my bill, H.R. 15917:

H.R. 15917

A bill to amend title XIX of the Social Security Act to impose certain limitations with respect to eligibility requirements under State plans for medical assistance, and to require that State medical assistance programs be designed not to discourage the growth and development of private and group medical insurance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1902 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding subsection (b), the Secretary shall not approve any State plan for medical assistance if the eligibility standards for assistance under the plan (1) are such that the number of individuals who are determined to be eligible for such assistance, when added to the number of other individuals who are eligible under any State-financed noncontributory medical assistance program for which Federal funds are not provided, will exceed 20 per centum of the population of the State, or (2) permit the furnishing of assistance to persons whose individual or family income exceeds 90 per centum of the average individual income or average family income (as the case may be) in the State."

SEC. 3. Section 1903(e) of the Social Security Act is amended by adding at the end thereof the following new sentence: "To insure that medical assistance programs will enable individuals to attain or retain independence or self-care with respect to medical or remedial care and services, the Secretary shall not make such payments to any State unless such State has made a satisfactory showing that such plan will not impair or discourage the growth and development of private or group medical insurance programs within such State."

THE PRESIDENT ACTS TO SHORTEN THE WAR

The SPEAKER. Under previous order of the House the gentleman from Oklahoma [Mr. EDMONDSON] is recognized for 30 minutes.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the action of the President of the United States, ordering air strikes to destroy oil storage and pumping facilities near Hanoi and Haiphong, is without any reasonable question a necessary action to safeguard the lives of American troops in South Vietnam.

There is no doubt whatsoever about the importance of oil and gasoline to a major military effort, nor is there any question about the fact that North Vietnamese forces have been engaged in a steadily mounting movement into South Vietnam in recent weeks.

The oil and gasoline supplies which were the prime targets of our planes were destined to be used in aggression against our allies in South Vietnam.

These supplies were destined to be used to bring death and destruction to American soldiers, marines, and airmen in South Vietnam, just as surely as the guns and ammunition being moved to the southward were aimed at death and destruction of our men.

In his capacity as Commander in Chief, the President—with the full support of the best military minds of our country—wisely decided to use American air power to reduce the fuel stocks being used to support North Vietnamese aggression against their neighbors to the south.

It is almost inconceivable to me that any responsible Member of the Congress, on either side of the Capitol, could label this action "an act of outlawry" by our country. Every American family with a man in uniform in the Far East should join in expressing appreciation to the brave pilots of the Navy and Air Force who have so skillfully carried out the mission to strike these military targets in North Vietnam.

Their mission was not only to reduce the aggressive capacity of a ruthless aggressor nation, but at the same time to avoid civilian casualties and shorten the war by reducing the warmaking capabilities of Hanoi.

The President of the United States, as our Commander in Chief, is also entitled to the appreciation of all Americans in this hour of very difficult decision.

It is heartening to read in today's Baltimore Sun that former President Dwight Eisenhower has expressed his public support of President Johnson's decision to bomb these North Vietnamese oil storage facilities, and has labeled it "a military necessity."

I say the American flag is flying higher today, both at home and all over the world, as a result of the courageous action of our forces and our President this week.

Mr. Speaker, as evidence of the support which is rallying around the President on this decision I will include at this point in the RECORD several articles and editorials reflecting widely varying political viewpoints.

I have here, for example, a column in today's Washington Star by Mr. David Lawrence entitled "Raid on North Viet Oil Hailed":

RAID ON NORTH VIET OIL HAILED

(By David Lawrence)

The most dangerous development in the Viet Nam war today is not the attack by American planes on oil facilities in North Viet Nam but the speechmaking by a minority of members of Congress who are, in effect, calling for surrender by the United States.

The 280,000 American troops in Viet Nam are entitled to the use of maximum power against military operations of the enemy. But, judging by the comments of some senators, the American forces are not supposed to take the offensive against the enemy or to defend themselves against attack no matter how high our own casualties may go.

Never in history have members of Congress openly interfered in the military conduct of a war by insisting that operations shall be limited while the enemy keeps on killing American troops.

Even Secretary General Thant of the United Nations has issued a surprising statement. It says:

"The secretary general on a number of occasions has indicated that in his view the first step in the search of peace in Viet Nam should be the cessation of the bombing of North Viet Nam. He has therefore read with deep regret the reports of the bombing of the heavily populated areas of Haiphong and Hanoi."

But the fact is that the populous areas were not bombed and that the targets were the supply stations where oil-storage facilities have been increasing rapidly in recent months. The secretary general overlooks the fact that the United States ceased its bombing last Christmas for a period of 30 days and begged for peace overtures, all to no avail.

Thant is due to visit Moscow soon. He will have a chance himself to persuade the Communists that they are not fighting a craven enemy and that it's time to be realistic, as it now has been plainly established that the United States will not withdraw its armed forces until the aggression by the Communists against South Viet Nam stops.

Thant might become interested in learning where the North Vietnamese have been getting their oil. Secretary of Defense McNamara says that no Western Nations have been supplying it. This means that the Soviet Union and the Communist-bloc countries are playing a belligerent role in the war against the troops of the United States. It would, therefore, be logical for the United States to declare an embargo on all trade with countries which are supplying oil to the enemy in North Viet Nam.

Some members of Congress are arguing that, instead of the war now being shortened, it will be expanded by reason of the American bombing and that peace will be more difficult to get. Exactly the contrary view is held by the vast majority in the Senate and the House, who feel that at last the United States is showing its determination to drive the enemy out of South Viet Nam.

The truth is that the appeasers and the advocates of "peace at any price" have really been responsible for prolonging the war. They have misled the enemy into believing that the United States was about to withdraw and would not fight it out. Something had to be done to convince the communists that this is not true. It was natural for the President to order an effective bombardment by air, with little or no damage to civilians in North Viet Nam. Secretary McNamara made a pertinent comment when he said:

"The decision to strike these targets was made to restrict and make more costly the enemy's infiltration efforts. This was essential to help safeguard the freedom of South Viet Nam, and to save the lives of those Vietnamese, American, Australian, New Zealand and Korean men fighting to insure their freedom."

The United States has done the logical thing in bombing the supply lines of the enemy. This has been called for by many American spokesmen for several months. Instead of increasing the intensity of the war, it is likely to end it earlier, for both Communist China and the Soviet Union now know that the United States is not going to withdraw its forces but is, indeed, ready to face whatever contingency may arise. It was precisely such resoluteness at critical stages which enabled the United States and its allies to win World War I and World War II.

The bombing of oil facilities in North Viet Nam, therefore, is perhaps the most encouraging development since the war began. It could mean an early termination of the conflict and a peace conference within the next few months.

Mr. Speaker, to go to the opposite side of the political spectrum I have today's leading editorial in the Washington Post entitled "Oil Targets":

Oil Targets

The practical military arguments for bombing the oil storage facilities of North Vietnam are so compelling and persuasive that the delay in mounting this attack is more surprising than the event. The unwillingness of the Administration to act sooner can be explained only by its reluctance to bear the diplomatic risks. And this reluctance must have been overcome, finally, by the elaborate analysis of the probable civilian casualties which in turn led to the conclusion that these strikes would not alter basically the nature of the air war. All air attack involves jeopardy to civilians close to target areas, and the attack on communications no doubt has been quite as destructive of civilian life as the oil storage attacks.

It is perfectly obvious, from the figures used by Secretary of Defense Robert McNamara, that the effort to interdict the movement of troops and supplies by air attack has not stopped infiltration from the North. And it is clear that despite a heavy assault on such communications, the North Vietnamese have been able to mount an increasing assault.

It is the lesson of World War II all over again. The British analysis entitled *The Strategic Air Offensive Against Germany* had to say of the offensive against German communications: "The impression still remains that the immense power of the strategic forces was not used in the attacks on communications in such a manner as to produce the most rapid end to the resistance of the enemy."

The same report said that the attacks on oil depots, on the contrary, had "important results on the last German efforts of resistance." Elsewhere the experts of the British survey concluded that "the attack on oil made a large contribution to the Allied victory." In estimating the strategic air effort as a whole, the British postwar survey concluded that "none of the other means of pressure could have been applied with such success if the attack on oil had not taken place."

Hopes for the success of this attack in a different environment must not be exaggerated. The attack on Germany included assaults on oil production facilities as well as storage. In this case, the production facilities lie outside the target country. In addition, the North Vietnamese have no great mechanized forces to be immobilized by a lack of petrol as the German force of 1500 tanks in Upper Silesia was immobilized, and in the way other German units were deprived of the power of tactical maneuver. Still, although air attack may be less effective than it was in Europe, there is no doubt that the air arm now has struck at the best enemy target at hand.

It is important that the United States forces maintain a clear distinction between the best target for air operations and the worst one. The worst one is clearly civilian populations. It is the worst target not only because military results are not achieved, but, in addition, because the World War II evidence indicates that the effects of area bombing of civilians, far from weakening the will to resist, may strengthen it. And if this was true in Germany, of a sophisticated urban population, it is even more likely to be true of the population of North Vietnam. The loss of the comforts and conveniences of urban society would have even less effect in such a country.

There is not much doubt that Americans will overwhelmingly support the attack upon targets of such obvious military eligibility as oil dumps; and there is not much doubt that opinion in the United States and elsewhere would overwhelmingly oppose deliberate assault on population centers.

Mr. Speaker, I also have here the lead editorial in the Wall Street Journal for today, June 30, 1966:

The Logic of War

So much emotionalism has been generated about so-called hawks and doves that it is difficult to discuss dispassionately the bombing of the oil depots on the fringes of Hanoi and Haiphong. Even so, we think a dispassionate observer would have to support the U.S. action.

That is not at all the same thing as offering unqualified support for the U.S. participation in the Vietnam war.

For our part, we have long questioned both the slipshod manner in which the U.S. got progressively involved and the apparently underlying assumption—that this country must fight the Communists anywhere they commit aggression, no matter how remote from direct American interest or how unfavorable the battlefield. We have suggested that the military outlook coupled with the political chaos in Saigon could conceivably force the U.S. to leave the field.

Yet there are many situations in ordinary life where finding oneself in a seemingly hopeless spot does not automatically argue for withdrawal. To take a homely domestic instance, the realization of an unhappy marriage isn't necessarily proof that the solution is instant divorce; various considerations, including children and religion, may indicate that the best course is to continue.

In Vietnam, each phase of the U.S. involvement has made it harder to contemplate an arbitrary, unilateral pulling out, as distinct from being in effect forced to leave. Especially the big buildup that began some 18 months ago signaled that the U.S., for practical purposes, was taking over the war effort.

That circumstance, whether the decision was right or wrong, created a new situation. Simply to withdraw would not only not be simple in the least; it might have consequences far more disastrous than any resulting from continuation of the struggle. Notably, the Chinese Communists might understandably interpret it as a vindication of their strategy of "wars of national liberation" for the underdeveloped world.

If not withdrawal, then what logical alternative except to prosecute the war in such fashion as to provide hope of ending it reasonably soon?

Alternatives were in fact proposed, but none seemed particularly promising. The most famous, the idea of retreating to coastal enclaves in Vietnam, increasingly came to sound to some people like a disguised or phased withdrawal from the war itself. In any case, it appeared to offer scant prospect of bringing the war to a definitive end.

So Washington has escalated, and gradually with considerable success on the ground in South Vietnam. The bombing raids on North Vietnam, however, were failing to halt the infiltration of North Vietnamese regulars into the South, raising the specter of an indefinitely protracted conflict regardless of how badly we were hurting the Vietcong.

Here another anomaly, in this most anomalous war, intruded: As Defense Secretary McNamara implied yesterday, was it fair to ask Americans and allies to fight and die in the South without doing whatever possible to curb the infiltration from the North? And certainly the oil installations in the Hanoi-Haiphong area were a powerful propellent of the infiltration. Why should they be spared, especially since care has been exercised to avoid mass bombing of civilian populations?

Thus the intrinsic logic of the war's progression has come, it would seem, to dictate the bombings in that area. Given the premise of a major effort to bring the war to an end, you could call it all but inevitable.

We do not wish to be dogmatic; we hope we have never been dogmatic about this ugly war. The bombings may not accomplish the purpose. They may, for all anyone knows, finally bring in Red China. We still view America's involvement, in the way it developed over the years, as a dubious enterprise strictly from the standpoint of the national interest. It will be well if the policy-makers learn a lesson for the future about the dangers of a policy of global intervention, however just the cause.

But we also think only the emotionally obsessed, or the friends of the foe, will deny that one proved way to finish a fight is to fight to win.

Mr. Speaker, all of these expressions of editorial opinion in support of the action of the President should be made a part of the Record, and accordingly I include them in the Record.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I am pleased to yield to my good friend, the gentleman from New York.

Mr. STRATTON. Mr. Speaker, I just want to congratulate the gentleman from Oklahoma for taking this time to point out some of the facts with regard to the action that took place yesterday. I subscribe wholeheartedly to what he says. I think it is most important that the point should be made over and over again that this is not any escalation of the war. I saw a big headline yesterday morning in the Washington Daily News, "The War Escalates." This is not escalation. This is precisely the same kind of restrained, careful, calculated action that has been taken by the President and by the Department of Defense with regard to the conduct of this war since we started. We have always from the outset done everything we felt we properly could and should do to restrict, as the gentleman from Oklahoma has already brought out, the infiltration of troops from North Vietnam into South Vietnam.

I had the honor, Mr. Speaker, of being in Vietnam in April as chairman of a special subcommittee from the House Armed Services Committee to appraise our effort over there. Our group came back and reported to this House our unanimous view that the military effort was going very well and, in fact, much better than any of us would be inclined to think, from reading the day-to-day reports in the newspapers.

I think since we came back in April these facts have clearly been reflected in news stories. And specifically in the past several weeks even the political situation has improved. The difficulty is that while the military situation is improving on the ground it does not help if you are continuing to infiltrate thousands of men and supplies from North Vietnam. We found when we were there, as the gentleman from Oklahoma has already indicated, that what used to be called the coolie trails, or the Ho Chi Minh trails, down which a few of these individuals could come week after week, have now been turned into roads, and instead of coolies bringing this stuff down it is now being brought down in a steady supply by trucks, just as Secretary McNamara indicated in his very brilliant press conference yesterday.

If we are going to protect the men that we send out there we not only have to send them guns, ammunition, and some of the other things that people talk about, but we have to keep to an absolute minimum the number of men and guns on the other side that are brought down to them. And obviously if you have trucks coming down, they need gasoline, and if you are going to stop those trucks you have to knock out the gasoline supplies.

It is just as simple as that. When we went in and knocked those out, we did as Secretary McNamara indicated because, as has already been developed, the North Vietnamese, taking advantage of our restraint and our humane attitude toward the whole conduct of the war in Vietnam, had begun to diversify and disperse these oil storage facilities into a lot of separate individual places that would be very hard to find and very hard to hit. So we had to do it now or never.

I think the American people ought to recognize, as the gentleman from Oklahoma has clearly brought out, that this action is not in escalation of the war, but that the action that we took is in conformity with the policy that we have consistently followed, and that it was designed to protect the 300,000 young men who are out there at the present time.

I am sure all of us in this House would want to support the President in this decision and support our fighting men who are doing such an excellent job in Vietnam.

Mr. EDMONDSON. I thank the gentleman very much for those thoughtful remarks.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from South Carolina.

Mr. DORN. Mr. Speaker, I, too, wish to commend my distinguished colleague from Oklahoma and to associate myself with his remarks. I want to commend the President for acting wisely and promptly to save the lives of American men who are actively engaged in combat with the enemy in South Vietnam.

The area affected in Hanoi and Haiphong was as much a military target as an ammunition dump would be at the front. The President acted with alacrity and decision to save the lives of American boys, boys from all over this country, who are fighting and dying in South Vietnam.

Mr. Speaker, I agree with my friend from Oklahoma and my distinguished and able friend from New York that anyone on either side of the aisle of this House or on either side of the Capitol who disagrees openly with our bombing of military targets is encouraging the enemy in North Vietnam to continue the aggression and encouraging the enemy not to negotiate.

I deplore the wild statements and charges which are being made throughout this country by responsible people, or, rather, people in high places acting with irresponsibility, criticizing action in respect to military targets which are essential to the enemy in their combat operations in South Vietnam.

Mr. Speaker, I do commend my able and beloved friend from Oklahoma, and I commend the President of the United States, of course, on his action.

Mr. EDMONDSON. I thank the gentleman very much.

Along the same lines that the gentleman from South Carolina has just so effectively brought to the attention of the House, I have in my hand an article which Charles Mohr of the New York Times Service wrote and which was published just the other day. It appeared on June 27, 1966, in The Daily Oklahoman. The article points out that North Vietnamese troops and Vietcong troops who are being captured in South Vietnam are conceding that the military course of the war in South Vietnam is going very definitely against them, and expresses the view that the Vietcong's best hope of coming out with any kind of victory in South Vietnam right now is on the home front of the United States, from which they are getting some reports that there is not solid and firm support behind the President of the United States.

I think this article should also be made a part of the RECORD at this point. The article is as follows:

ENEMY AGREES—U.S. FAVORED IN VIETNAM

(By Charles Mohr)

SAIGON.—An American major general was recently interrogating a North Vietnamese captain who had deserted his unit and surrendered to United States troops. The general was curious about Communist rotation policy.

"American troops can go home after 12 months," said the general. "When do your leaders say you can go home?"

"They say we can go home when we win the war," answered the North Vietnamese captain.

"What do you think?" asked the general.

"I think we can go home after YOU win the war," said the captain.

Who is winning militarily in Viet Nam today?

The North Vietnamese officer is only one of many persons who think the United States, the South Vietnamese and the Korean, Australian and New Zealand allies are clearly winning.

Hardly anyone on the scene argues that the U.S. is losing or is in any danger of a military fiasco such as Dien Bien Phu.

There is a small, but stubborn, body of men who believe that the U.S. is not losing but is not winning either and will not begin to win until there has been some measure of success in the subtle political battle for the allegiance of now hostile or indifferent parts of the rural population.

The largest body of opinion of all is one that embraces both optimists and pessimists and which feels that the ultimate outcome will be decided by public opinion in the U.S.

In a very real sense, the U.S. forces in Viet Nam are fighting a war while looking backward over their shoulders toward home.

A battalion commander sitting on a case of canned rations and a private picking leeches off his leg on a trail tend to say the same thing—that the war can be won if they are given enough time but they are not sure they will be granted this time.

In one sense it is ironic that the fighting men here should devote so much attention to trying to analyze a question which they are mostly prepared to admit they are unqualified to analyze because of their remoteness from home.

It is, however, understandable because of the crucial nature of the question.

"There's a lot I probably don't know," said a lieutenant colonel recently, "but the one thing I do know after almost a year of fighting here is that it is going to take time.

"I don't personally believe it will take a lot of time, but I'm not sure. That's what makes it hard to know if the public will put up with it long enough."

Since American soldiers correctly believe that patience is the essential quality needed for success in guerrilla warfare and since patience in a democratic society is built on public confidence, public affairs policy in the war in Viet Nam has assumed an importance never seen before in human conflict.

Much of U.S. public affairs policy regarding the war has been built on the insubstantial foundation of statistics.

The rest of it has been built on psychological estimates of the enemy.

Far too little has been built on more substantial factors—the growing American mastery of the terrain and of guerrilla war tactics and the basic courage, anti-communism and tenacity on the allied side.

No discussion of the progress of the war in Viet Nam can progress far without an examination of statistics, which have become so important for two reasons.

One is that in a war without front lines and territorial gains, statistics are the only concrete measuring rod of success. The other reason is that U.S. officials have made them so important.

Statistically, the war has been won several times already.

According to official figures, about 57,000 Viet Cong guerrillas and North Vietnamese army regulars have been killed in action and counted on the battlefield since January, 1965.

Some American officials in Viet Nam have grave doubts about the validity of this figure. The gravest intellectual qualms result, however, not when the figure is discounted but when it is accepted, if only for the purpose of argument.

Statistics on Viet Cong wounded are not released because none are ever seen except a relatively few prisoners. But by the most conservative estimate possible the Viet Cong must suffer two wounded for evry man killed in action (a more realistic estimate might range up to five to one).

This would mean that another 114,000 Viet Cong have been wounded, many of which would have died in their primitive field hospitals.

To this total could be added another 20,000 men in the category of "killed but dragged away" and victims of illness such as malaria.

Thus, if the original "body count" statistic is accepted, a conservative conclusion is that in less than 18 months the Viet Cong has suffered at least 200,000 casualties and other troop losses.

The statistics seem, therefore, literally almost too good to be true.

This is not to imply that American military units in Viet Nam are consciously lying. It is far more complex than that. The whole concept of "body count" is an unrealistic one in some circumstances.

A company commander who had been under heavy attack in a tight defense perimeter got a request for a body count figure. He radioed to one of his platoon leaders to ask what the officer could tell him.

"I don't know, captain," said the lieutenant. "Maybe three or five or 15. Put me down for 15 and I'll try to find them for you in the morning."

The most important lesson is not that statistics are unreliable, but that they are meaningless, in themselves.

Mr. **DORN**. Mr. Speaker, will the gentleman yield further at that point?

Mr. **EDMONDSON**. I am glad to yield to the gentleman from South Carolina.

Mr. **DORN**. The point which the gentleman has made is well taken. The enemy is finding no encouragement from the action of our men in South Vietnam. But they are finding great encouragement to continue the conflict by many people back home right here in the United States.

Mr. Speaker, the United States is no paper tiger. We are the most powerful military Nation in the world. But the North Vietnamese are being encouraged to continue their combat activities and aggression by certain elements and certain people in the United States. I point out again, they are not being encouraged by our fighting forces. But by statements and speeches by civilians in the United States who should know better.

Mr. **EDMONDSON**. The gentleman is entirely correct. The overwhelming sentiment of this body, as has been expressed each time a measure on the question has been before it, has been in support of the President and of the policy that is being pursued in Vietnam today. No one is enthusiastic about fighting a war anywhere. No one has great enthusiasm about the loss of troops, either on our side or on the other side. But when there is a difficult military decision, such as the one that has been made at the very highest level in our country, and when that decision involves the commitment of our troops to battle, certainly it is incumbent upon us as Americans to give, in every way possible, our support to policies designed to assist those men and to enable them to carry out their mission.

MINNESOTA AWAKE TO HATCHETING OF THE FARMER BY THE ADMINISTRATION

Mr. **JOHNSON** of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **NELSEN**. Mr. Speaker, up and down the State of Minnesota, in the cities and out on the farms, there is considerable talk about the massive Government efforts undertaken by the administration to make the American farmer the fall guy for inflation. I include for the RECORD several editorials from big and small newspapers, which generally reflect the growing resentment and disgust these devious and wholly unjustified actions by Orville Freeman and other key members of the administration have caused:

[From the St. Paul Pioneer Press, June 11, 1966]

FREEMAN AND THE BIG BOSS

Agriculture Secretary Orville Freeman has been in hot water politically for the past several months. When pork and other food prices were zooming skyward, he tried to appease angry consumers by talking reassuringly of lower prices in the future. At his suggestion, the Defense Department cut back on pork purchases for the armed forces to help hold down the market.

These actions infuriated hog growers, who naturally want high prices. Republican congressmen and aspirants for House and Senate seats in the Midwest leaped into the fray with enthusiasm, charging Freeman with selling out the farmers he supposedly represents in his cabinet post.

His next public appearances were designed to offset these attacks, and he backed away from responsibility for the low price policies. Critics began comparing his defensive comments with statements he had made earlier, and these did not jibe. Making another turn in public relations, Freeman then adopted the line that even if food prices have gone up, average earnings of consumers have risen even higher. This approach presumably was supposed to satisfy both farmers and budget conscious housewives. It left out the old people and everyone on fixed incomes and others whose income has not risen.

In trying to satisfy everybody by shifting from one position to another like a man hopping about barefooted on hot coals, Freeman has wound up in an unenviable position. Farm resentment persists and public confidence in the credibility of his statements has been reduced.

In his semantic gyrations, however, Freeman without doubt has been acting on cues from the big boss in the White House, President Johnson. The President in his love of consensus tries to offer a gesture here and a gesture there to damp down signs of political disaffection among farmers, consumers, unions and other groups. L.B.J. has pulled the strings and Freeman has had to react accordingly, even though it puts him in a poor light personally.

He takes the blame for policies which go sour, but leaves the credit for any successes to the man in the White House.

[From the Minneapolis Star, May 5, 1966]

THE FARMERS AND INFLATION

Republican congressmen and farm organizations have been lambasting the administration over attempted cutbacks in the agricultural budget and over some statements by top officials. That many Democrats also are critical was shown last week when the House more than restored the cuts.

Of course, there is sometimes more than meets the eye in Washington. Told by a president to trim a budget, a cabinet officer may reduce popular items in the expectation that the outcry will induce Congress to restore the full amount.

That may not have been Agriculture Secretary Freeman's technique, but anyway the House wanted the full programs for school milk and lunches, research and land grant college instructional aid, soil conservation payments, rural electrification loans, etc. For good measure, the critics continue to denounce tighter control on hide imports, looser control on cheese imports, reduced military buying of pork.

What antagonizes farm spokesmen even more is the alleged effort to make farmers the fall guys for inflation. The President suggested housewives buy cheaper foods; Freeman predicted a drop in food prices by autumn; Economic Adviser Gardner Ackley said the government was selling CCC corn to hold down the price.

Farm income is up. In Minnesota last month the index of prices received was the best for any April since 1954. But it was still only 92 per cent of the 1947–49 average. And in terms of parity, American farm prices last month were only 80 per cent of that magic goal.

What is happening is that demand—domestic and export—is catching up with some lines of farm production. Such conditions tend to improve the farmer's lot. But not very fast.

[From the Rock County Star Herald, June 2, 1966]

FREEMAN LOVES THOSE $2,400 TELEGRAMS

(By Al McIntosh, editor)

Right now the farmer's prayer should be "Lord preserve us from our friends, we can take care of our enemies."

It seems that those who should be the farmer's friends are ripping him down the middle.

The farmer gets it full blast lately from all his supposed friends.

He wasn't happy about the fact that the new minimum wage coverage has been extended to include 485,000 farm hands, hiking his costs.

He isn't a bit happy that the state agriculture directors and the thousands of committeemen are going to be propaganda mouthpieces in behalf of Freeman and Johnson.

He isn't a bit happy when he notes that Freeman replied to criticism from 30 House members via a seven page telegram.

Freeman's propaganda reply could have been sent via the mails for free. In using the 7 page telegram the cost to the taxpayers was $2,400.

With this sort of attitude Freeman is not working for the taxpayers anymore than he has been working for the farmers. We have always thought that the determining factor as to whether a politician was a friend of the farmer was: is it the man who works for a compulsory program that the farmer rejects or is it the man who fights for a program that the farmer wants?

The Freeman-Johnson policy has been to callously dump farm commodities on the market to force down prices.

The Freeman-Johnson policy has been to open up the gates to imports of foreign cheeses.

The Freeman-Johnson policy has been to increase the import quotas for Australian and New Zealand beef.

The Freeman-Johnson policy has been to put an embargo on hides.

The Freeman-Johnson policy has been to make big payments to the textile manufacturers to offset cotton price increases—then let the manufacturer increase his prices.

The Freeman-Johnson policy has been to ban the purchase of pork for our armed services.

The Freeman-Johnson policy has been to single out the farmer as the villain in the inflation spiral.

The Freeman-Johnson policy has been to say that farm prices are too high and to gloat when they start to come down.

The Freeman-Johnson policy has been to claim that the farmer has had a 50 per cent income increase since Freeman took over. (Will the farmer who has had a 50 per cent increase in real income please stand up?)

How dumb do they think that the farmer can be? When he looks at his check stubs as to what he pays and at his record book for what he gets back he should know the bitter truth. If he is easily "conned" by the political appointees in the agricultural offices who are going to have to get out, armed with their propaganda kits, on a job to sell the farmers that Freeman and Johnson really are their friends, then he has only himself to blame.

[From the Mapleton (Minn.) Blue Earth County Enterprise, May 5, 1966]

A Sad Affair

(W. C. Dobbs, editor)

(From the editorial page of Beef Magazine)

Recent government actions and statements by President Johnson and Secretary of Agriculture Freeman offer rather conclusive evidence that they have an almost total disregard for agriculture in their grandiose schemes of manipulating the economy to fit their whims.

If the record revealed only one or two instances where a decision or objective was set which adversely affected agriculture it could at least be excused on the grounds that no human can be 100 percent correct.

However, the record clearly shows a consistent effort to knock agriculture down by pursuing a course of action which is detrimental to its interests.

Let's look at some of the things which have been done or are contemplated—meat imports, transfer of meat inspection costs, cutback in agricultural research funds, the hide export license and quota deal, the formation of the Consumer Marketing Service, reduction in expenditures for certain meats and butter for the military, and the anti-agriculture statements made recently by Johnson and Freeman.

Nearly everyone is aware that the administration was violently opposed to limiting the amount of meat, particularly beef, that could be imported, even though imports were severely depressing cattle prices. Only by diligent and strenuous effort were the cattlemen able to finally force the administration to capitulate and allow a workable import to come into being.

The transfer of meat inspection costs from the government treasury onto the industry (which means producers) has been hanging fire for over a year. Whether the industry can overcome this threat is not yet known. If a victory is won here it will mean a long, hard fight and one that must have complete cooperation from feeders, cow-calf men, packers and others with an interest in the meat industry.

There can be no justification of the administration's claims that inspection adds value to the products or that consumers will foot the bill for the inspection cost. The latter idea just won't happen.

Another point to re-enforce the thought that the administration is bent on cutting agriculture down is the federal budget proposed to slash instruction and research funds to the 68 land-grant institutions by $20 million and shift $10 million from the cooperative extension program to a federal allocation system.

This cut would materially reduce the teaching program in agricultural schools at a time when there is an ever-increasing demand for trained agricultural personnel.

Agricultural research funds would be whacked $8.5 million, which would certainly be a serious blow when all indications are that we must find better means of producing the increasing volume of food that will be required by a growing population.

Clamping controls on hide exports is another example of price suppression on the part of the government. Last year about 13 million hides worth about a quarter of a billion dollars were exported.

Under the quota system set up by the Commerce Department, only 9.9 million hides can be exported this year. The immediate effect of the edict has been to tumble hide prices and substantially lower the return on live cattle.

It is indeed strange that this action was taken because at the time of the import controversy, then Secretary of Commerce Luther Hodges told feeders to "quit whining" about imports and develop export markets.

It has been suggested that the reason for the hide export limit was to hold down the price of shoes, yet the price of the leather that goes into a pair of $10 shoes amounts to only about 69 cents. Somehow that line of reasoning just doesn't hold up too well, to our way of thinking, particularly in light of an announced shoe price increase of about 8 percent to take place later this year.

Creation of the Consumer Marketing Service is another piece of evidence indicating the administration is not particularly concerned about agriculture, after all it doesn't produce many votes.

Urban consumers, however, are another story. They turn out a lot of voters and that is what politicians are most interested in garnering—so, presto, we have a Consumer Marketing Service.

This brings us to the statement recently made by Johnson and Freeman.

Freeman, during a Cost Reduction Awards Ceremony in Washington in early April, said he was happy to report "the average price of all farm products has declined and for some products the decline has been relatively sharp."

The Secretary of Agriculture is happy to report farm prices are lower? Who is he working for? It doesn't appear to be agriculture!

At the same time he said, "We expect average prices of all farm products to be 6 to 10 percent lower next fall and winter than they are today.

"If the food industry will respond quickly to lower farm prices, retail prices to consumers will diminish. This requires responsible action by the management of our food marketing firms—with no benefit accruing to the consumer."

We aren't particularly concerned about the benefits that will accrue to the consumer—but we do think it's far past time when someone should be worrying about whether the agricultural producers of this nation are receiving the benefits they deserve.

Only recently have farm prices advanced to a point where a reasonable profit can be achieved. What is so terrible about farmers making a profit? Or does the government hierarchy think agriculture should subsidize consumers, labor and industry forever?

It was distressing to hear the President make a plea on TV recently that housewives buy low priced cuts of meat or substitutes so that prices would come down and thus help control inflation.

Decent prices for livestock didn't spawn the inflation he is so concerned about, rather it is his own ill-conceived spending programs that are responsible. How about cutting back on some of those?

With each new action taken by the government it is increasingly clear that agriculture is either forgotten or used as a whipping boy, whichever happens to be appropriate at the time.

It is also clear that the burden of keeping agriculture progressing has fallen to those engaged in it and that in the future we will not only have to fight the problems of weather, disease, weeds, and insects, but also our government. It is indeed a sad state of affairs.

[From the St. Paul (Minn.) Pioneer-Press, May 5, 1966]

Second Thoughts About Pork

Secretary of Agriculture Orville Freeman apparently has had second thoughts about whether the federal government should buy pork or not. Last week Freeman subordinates told Defense Department officials that they should continue their curtailment of pork purchases.

Defense ordered the cutback in February because of pork shortages and higher pork prices. The move was labelled by the Johnson administration at the time as anti-inflationary. In a letter to several Iowa congressmen last week, Deputy Defense Secretary Cyrus Vance indicated the order would remain in force until September despite a small decline in pork prices recently.

A Defense spokesman said the Vance letter was based upon advice given by Freeman's department.

This week, however, Freeman asked Secretary of Defense Robert McNamara to resume pork purchases. In a letter, Freeman said that hog prices were down about 20 per cent from January and that pork prices also were lower. "Prices may increase seasonally during the next two or three months, but we expect that prices later this year will be below current levels," Freeman wrote.

The Department of Agriculture interpreted the Freeman letter to suggest that purchases be resumed in late July or August.

Why the inconsistency? Why the sudden change?

Sen. JACK MILLER, Iowa Republican, with whom Vance corresponded, attributed the inconsistency to a communications breakdown. "It looks as though the right hand does not know what the left hand is doing," he commented.

We don't think so. The move was a calculated one to recoup the political losses which the administration suffered because of the initial order on pork and the efforts to saddle the farmer with some of the blame for inflationary pressures. We suspect that President Johnson through Vice President HUMPHREY suggested that Freeman overrule the pork buying order for the sake of the administration's image with an important segment of the nation's population. For once, Freeman himself got caught in the price squeeze.

[From the Murray County Herald, June 9, 1966]

Doubt if He's That Popular in Rural Areas Today

(By John Weber, editor)

President Johnson, the Gallup Poll says, is currently enjoying less public popularity than at any time since he took over the reins of government. Only 46 percent of the people lend their approval to the way he is handling his job as president.

The Herald doubts that Pres. Johnson would receive 46 percent of the vote in rural America were an election to be held tomorrow. Between his own questionable comments regarding the price of food and fiber as a major contributory factor toward inflation and the equally questionable behavior of his secretary of agriculture, he certainly cannot have endeared himself to the nonmetropolitan residents of the nation.

This "rural revolt" plus widespread dissatisfaction with the progress of our action in Vietnam undoubtedly have contributed to Johnson's slipping popularity. But the part that never ceases to amaze us is how the president led himself to the conclusion that he has quite obviously reached. A rancher, he should be aware of the problems of producers of food and fiber. After many years in government, he has to be aware of the fact that the nation's economists have long claimed agriculture never has received its rightful share of the national income based on the labor and investment involved. Yet he has done everything in his power to further depress agriculture prices and, in effect, to hasten the migration of young people off the farms of America.

Add this to the mess in southeast Asia and we strongly doubt that 46 percent of the people in rural America think much of the way in which Mr. Johnson is handling his job. In fact, if he enjoys that much support in our area we must have a tremendous number of people here who neither read, listen or watch television—in addition to the declining number of die-hards who simply approve of whatever he does just because he's a Democrat.

INCREASING THE AUTHORIZATION FOR THE CAPE COD NATIONAL SEASHORE

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KEITH. Mr. Speaker, today 13,700 acres remain to be acquired for the Cape Cod National Seashore while only $1 million of the original authorization remains. If the total 27,700 acres which we in Congress authorized for the seashore is to be acquired, a further authorization of funds will be necessary.

Therefore, I am filing a bill today to amend the act which created the seashore by increasing funds for land acquisition from $16 to $28 million. Many of the witnesses who testified at the hearings on the Cape Cod National Seashore could say, "I told you so." They agreed that the proposal was much more expensive than the Park Service estimated. I mention this now both to encourage us to proceed with the acquisition of other proposed parks and seashores and to encourage the Members to look realistically at projected costs of future parks.

The increased authorization is now necessary, at least in part, because of considerable increases in the price of seashore land. Many of these price increases are, no doubt, attributable to the existence of the national seashore. Increases are inevitable, however, because there is only a limited amount of choice land for our growing population.

Congress must promptly authorize and appropriate the money to acquire the remaining land before prices expand any further. An excerpt from an article in the Boston Globe of May 22, 1966, by Staff Writer Earl Banner illustrates the urgency of the situation:

> Tax payers in Harwick (on Cape Cod) are in the process of acquiring a "conservation area" they decided they needed after a Boston area developer unveiled plans for putting 400 houses thereon.
>
> They could have bought the whole 200-acre stretch of undeveloped marsh and woodland for $15,000 four years ago, according to one real estate man.
>
> "Now they are going to have to raise $250,000 for the same area," he said. "That's what's happening down here now. Every square inch of Cape Cod has suddenly attained new values. There's only so much Cape Cod and everybody in the country, it seems, wants to own a piece of it."

This is, admittedly, one of the more startling increases, but the fact is that on the cape as well as in other seashore areas, land prices are going up and will continue to do so.

Sixty million Americans live within relatively easy access of Cape Cod. These people present a threat to the very existence of this scenic area. At the same time this is an opportunity for city dwellers to enjoy the unspoiled natural beauty of the cape if we make the effort to preserve it. I hope that Congress will give prompt approval to this increased authorization so the rest of the Cape Cod National Seashore can be acquired with a minimum of delay and expense.

ESTABLISHING A NEW EXECUTIVE DEPARTMENT OF TRANSPORTATION

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 10 minutes.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, H.R 15963, establishing a new executive Department of Transportation, was ordered reported by the Committee on Government Operations on Wednesday, June 29, by a vote of 30 to 4. This vote, I am sure, augurs well for this important legislation which may reach the House for action in late July. H.R. 15963 is a clean bill that represents a substantial rewriting of H.R. 13200, originally introduced.

As you recall, the President proposed the new Department in his message to Congress on March 2 and submitted a draft of legislation which was introduced as H.R. 13200. In his message the President cited the amazing growth of our transportation system since the Nation was founded. He noted that there are in the United States today 90 million motor vehicles and 97,000 private and commercial aircraft. The manufacture of transportation equipment is a most important segment of our economy. In addition, over 2½ million men and women earn their livelihoods by moving people and goods. There are few activities that are more important to us all. Our population is growing at a tremendous pace and the demand for transportation is growing in comparable fashion. The President said:

> If the growth of our transport industries merely keeps pace with our current economic growth, the demand for transportation will more than double in the next 20 years.

He also pointed out the shortcomings of our transportation system and the many difficulties we face. As examples of these, he referred to our highway death toll from accidents running 50,000 a year, and our frustrating and wasteful traffic congestion. He posed the paradox of producing fast and efficient aircraft and our inability to move passengers to and from airports in the time it takes those aircraft to fly hundreds of miles.

The President concluded that a necessary step that must be taken is to bring together the executive functions of our transportation agencies in a single coordinated instrument of Government. This can best be done by establishing a Department of Transportation that will bring together almost 100,000 employees and almost $6 billion in Federal funds now devoted to transportation. The extensive hearings held by our Subcommittee on Executive and Legislative Reorganization confirmed these facts and led us to concur in the President's conclusion.

The House Committee on Government Operations has made a number of changes to the original bill which were the result of careful analysis of the bill and the testimony of the many witnesses we heard. We believe the product the House will receive is greatly improved over the original draft received from the executive department. Not every suggestion could be accepted, of course, and some will still be dissatisfied but we have here a measure that can be approved by the Congress.

The committee has made an earnest effort to preserve the existing prerogatives and procedures of the congressional and the executive branches of our Government structure in creating a new Cabinet-level Department. We believe we have succeeded in our efforts. We expect to file a detailed report on the finished bill on July 15.

I will explain the principal features of the bill and the substantive changes the committee made.

POWERS AND DUTIES OF THE SECRETARY

The Secretary is, of course, the principal officer of the Department and all functions created or transferred will be lodged in him. This accords with the Hoover Commission recommendations that the power of the department head be commensurate with his responsibilities. The Secretary will exercise leadership under the direction of the President in transportation matters within the Government. He will develop policies and programs but we added the requirement that he may only recommend the implementation of those policies to the President and Congress.

We also made certain that the Secretary could not bypass Congress in setting transportation policy by adding the provision 4(e):

> Nothing in this Act shall be construed to authorize, without appropriate action by Congress, the adoption or revision of a national transportation policy. Nor shall the Secretary promulgate investment standards or criteria pursuant to section 7 of this act which are contrary to or inconsistent with Acts of Congress relating to standards or criteria for transportation investments.

STRUCTURE OF THE DEPARTMENT

Section 3 sets up the structure of the Department as follows: It will be headed by a Secretary with an Under Secretary, four Assistant Secretaries, an Assistant Secretary for Administration, and a general counsel.

All of the assistant secretaries will serve in staff capacities. We added to the bill four operating divisions: A Federal Highway Administration, a Federal Railroad Administration, a Federal Maritime

Administration, and a Federal Aviation Administration. Though the bill contains a provision requiring the Secretary to give full consideration to the need for operational continuity of transferred functions, we did this to further assure the modal interests that the administration of their activities would not be submerged nor lost in the Department.

The operating heads will be appointed by the President and confirmed by the Senate and will report directly to the Secretary. Thus, they will have the status their positions demand. We also added to the bill an Office of Accident Investigation which will initially investigate the major accidents now investigated by the Bureau of Safety in the Civil Aeronautics Board. The Office will be independent of the aviation division of the Department and, hence, is unlikely to be influenced in its investigations to cover up for any shortcomings in the division which might have been a factor in the accident. The establishment of this office should ease fears expressed by the aviation industry during the hearings.

NATIONAL SAFETY TRANSPORTATION BOARD

A principal emphasis of the new Department will be safety and accident prevention. The major instrument to implement this purpose will be the National Safety Transportation Board. The Board will be independent of the Secretary, its members will be appointed by the President and confirmed by the Senate, it will employ its own staff, including hearing examiners, and prepare its own rules, regulations and procedures. It will carry out the Secretary's functions of determining probable cause of transportation accidents and reviewing on appeal actions on certificates or licenses.

The Board will make recommendations to the Secretary and make reports to Congress on the prevention of accidents. It will conduct special safety studies; it may require the Secretary to report on any or all accidents as it may determine and to initiate specific accident investigations. It may arrange for the personal participation of its members or staff in any accident investigation conducted by the Department.

The original bill was somewhat vague on the status of the Board and the functions it would carry out. The committee has made these specific and has conferred upon the Board the powers we feel are necessary to carry out its duties. We also enhanced its status by placing its Chairman at grade levels in the Federal executive salary schedule comparable to those of other boards and commissions.

INVESTMENT STANDARDS AND CRITERIA

As most Members are well aware, section 7 gives the Secretary the duty to develop standards and criteria, consistent with national transportation policies, for the formulation and economic evaluation of all proposals for the investment of Federal funds in transportation facilities or equipment. The magnitude of Federal activities in this area and the billions of dollars expended make it imperative that standards be adopted taking into consideration the various modes of transportation and other factors inevitably involved. We recognize this as an important matter and understand the concern expressed by some Members.

First of all, there are significant activities that are excepted from these standards. They are: grant-in-aid programs such as the construction of highways and airports; defense features of civil transportation; and interoceanic canal; the Government's own transportation facilities and foreign aid programs. These exceptions make it clear that the Highway Trust Fund may not be used for any other purpose.

By amendment in the full committee we also excepted water resource projects from the standards and criteria to be developed by the Secretary. The committee felt that further study should be given to this complex matter. The standards and criteria developed by the Secretary must be approved by the President but beforehand he must publish them in the Federal Register to give interested parties and the Congress an opportunity to study them and present their views to the Secretary.

TRANSFERS TO THE DEPARTMENT

The following agencies and functions are being transferred to the new Department:

First. The Office of the Under Secretary of Commerce for Transportation, and its policy, program, emergency transportation, and research staffs.

Second. The Bureau of Public Roads and the Federal-aid highway program it administers—to become the Federal Highway Administration.

Third. The Federal Aviation Agency with its functions in aviation safety, promotion, and investment—to become the Federal Aviation Administration.

Fourth. The Coast Guard whose principal peacetime activities relate to transportation and marine safety, to be transferred as a unit from the Treasury Department. As in the past, the Coast Guard will operate as part of the Navy in time of war.

Fifth. The Maritime Administration with its construction and operating subsidy programs—to become the Federal Maritime Administration.

Sixth. The safety functions of the Civil Aeronautics Board, the responsibility for investigating and determining the probable cause of aircraft accidents and its appellate functions related to safety—to go to the Secretary and then delegated to the National Safety Transportation Board or the Office of Accident Investigation, as we have outlined above.

Seventh. The safety functions of the Interstate Commerce Commission, principally the inspection and enforcement of safety regulations for railroads, motor carriers, and pipelines—to the Secretary and delegated for the most part to the Federal Railroad Administration. By amendment in full committee car service, per diem, and demurrage functions will be retained by the Interstate Commerce Commission.

OTHER FEATURES OF THE BILL

We have made a careful effort to see that the rights of all parties are fully protected including any existing statutory requirement for notice, hearing, administrative appeal or judicial review and that proceedings before agencies on the effective date of the act shall continue before the new Department.

To meet the suggestions of members of the subcommittee, we included among the Secretary's duties that of promoting and undertaking research and development in noise abatement, with particular attention to aircraft noise. We consider this a command to the Secretary to move forward in this important area and expect positive results to be forthcoming.

We agreed to eliminate from the bill a provision to create 45 more supergrade positions. Undoubtedly, these will be necessary to the department but they can be handled better by separate legislation.

We also adopted an amendment to make certain that information compiled by the National Transportation Safety Board was made available to the public.

Creating a new department is a very serious matter and the Committee undertook its obligation in that manner. We held many days of hearings, heard numerous witnesses, and read a large number of communications. The committee has worked its will and we urge the concurrence of the House.

There follows a list of the amendments made to H.R. 15963 and a summary of the provisions of the bill.

AMENDMENTS MADE TO H.R. 15963 DURING FULL COMMITTEE MEETING ON JUNE 29

1. AMENDMENT TO ASSURE AVAILABILITY OF INFORMATION FROM NATIONAL TRANSPORTATION SAFETY BOARD

Page 8, following line 7, add the following new subsection and renumber the subsequent subsections accordingly:

"(d) Except as otherwise provided by statute, the Board shall make public all reports, orders, decisions, rules, and regulations issued pursuant to sections 5(b)(1) and 5(b)(2); and the Board shall also make public (a) every recommendation made to the Secretary, (b) every special study conducted, and (c) every action of the Board requiring the Secretary to take action pursuant to section 5(c) (1), (2), (3), (4), (5), and (7)."

2. AMENDMENT TO REQUIRE ANNUAL REPORTS BY NATIONAL TRANSPORTATION SAFETY BOARD

Page 8, lines 13 and 14, strike "two years after the effective date of this Act" and insert in lieu thereof "annually".

Lines 17–19, strike "An interim report shall be submitted to the Congress one year after the effective date of this Act."

3. AMENDMENT TO RETAIN CAR SERVICE FUNCTIONS IN INTERSTATE COMMERCE COMMISSION

Page 18, line 24 to page 19, line 5, strike all language.

Page 19, lines 11 through 14, strike all language.

4. TECHNICAL AMENDMENT

Page 20, lines 8 and 9, strike "the first paragraph of this subsection." and insert in lieu thereof "subsection (e)."

5. AMENDMENTS TO EXEMPT WATER RESOURCE PROJECTS FROM STANDARDS AND CRITERIA, TO OBTAIN THE WATER RESOURCES COUNCIL'S CONCURRENCE, AND TO MAKE THE SECRETARY A MEMBER OF THE WATER RESOURCES COUNCIL

Page 24, line 6, strike the word "or" and after the word "assistance" strike the period and add ", or water resource project."

Page 24, line 6, strike out all language following the period through and including the period on line 14.

6. AMENDMENT ON SPECIAL STATISTICAL STUDIES

Page 34, line 19, after the word "and" and before the word "other" insert "special statistical studies relating to".

COMMITTEE ON
GOVERNMENT OPERATIONS,
June 28, 1966.

MEMORANDUM ON H.R. 15963 (A CLEAN BILL TO REPLACE H.R. 13200) ESTABLISHING A DEPARTMENT OF TRANSPORTATION

H.R. 15963 resulted from a recommendation to the Congress by President Lyndon B. Johnson and was introduced in the House by Congressman CHET HOLIFIELD. The bill would establish a new executive Department of Transportation which would consolidate most Federal activities involving transportation promotion and safety but not economic regulation which would remain with the regulatory agencies.

In his Message to Congress on Transportation of March 2, 1966, the President urged the creation of such a Department to serve the growing demands of this great Nation, to satisfy the needs of our expanding industry and to fulfill the rights of our taxpayers to maximum efficiency and frugality in Government operations. The new Department would bring together almost 100,000 employees and almost $6 billion of Federal funds presently devoted to transportation.

The Department will be headed by a Secretary with four assistant secretaries, an assistant secretary for administration and a general counsel. The principal operating divisions will be a Federal Highway Administration, a Federal Railroad Administration, a Federal Maritime Administration, a Federal Aviation Administration, each headed by an administrator appointed by the President and confirmed by the Senate, and the Coast Guard. There will also be an Office of Accident Investigation, whose major responsibility will be to investigate major aircraft accidents but will be independent of the Federal Aviation Administration.

The bill will create, within the Department, a National Safety Transportation Board to review investigations of accidents and to seek their causes. It will make reports to the Secretary and to Congress, including recommendations for safety legislation. Specifically, the Board will carry out the Secretary's functions to determine probable cause of accidents and to review on appeal certificates or licenses issued by the Secretary. It will make special studies of safety and accident prevention and may arrange for the personal participation of its members or employees in accidents being investigated by the Department.

The following agencies and functions are being transferred to the new Department:

1. The Office of the Under Secretary of Commerce for Transportation, and its Policy, Program, Emergency Transportation and Research staffs.

2. The Bureau of Public Roads and the Federal-Aid-Highway Program it administers—to become the Federal Highway Administration.

3. The Federal Aviation Agency with its functions in aviation safety, promotion and investment—to become the Federal Aviation Administration.

4. The Coast Guard whose principal peacetime activities relate to transportation and marine safety, to be transferred as a unit from the Treasury Department. As in the past, the Coast Guard will operate as part of the Navy in time of war.

5. The Maritime Administration, with its construction and operating subsidy programs—to become the Federal Maritime Administration.

6. The safety functions of the Civil Aeronautics Board, the responsibility for investigating and determining the probable cause of aircraft accidents and its appellate functions related to safety—to go to the Secretary and then delegated to the National Safety Transportation Board or the Office of Accident Investigation, as appropriate.

7. The safety functions of the Interstate Commerce Commission, principally the inspection and enforcement of safety regulations for railroads, motor carriers, and pipelines—to the Secretary and delegated to the Federal Railroad Administration.

The bill will also require the Secretary of Transportation to develop standards and criteria, consistent with national transportation policies, for the formulation and economic evaluation of all proposals for the investment of Federal funds in transportation facilities or equipment with certain exceptions listed in the bill. Standards and criteria involving water resource projects and grant-in-aid programs including highway and airport construction were among those excepted.

Nothing in the bill authorizes the Secretary, without appropriate action by Congress, to adopt or revise a national transportation policy.

Attached hereto is a summary of the changes made by the Subcommittee to the original bill.

SUMMARY OF SUBSTANTIVE CHANGES MADE BY H.R. 15963 IN THE TRANSPORTATION DEPARTMENT BILL AS ORIGINALLY INTRODUCED (H.R. 13200) (REFERENCES ARE TO H.R. 15963)

I. Authority of the Secretary of Transportation

A. Neither the Secretary nor the President can adopt or change National Transportation Policy without action by Congress. (Sec. 4(e), p. 6, 1. 7).

B. Secretary's recommendations for implementation of National Transportation Policies must be made to President for permissible administrative action within Congressionally approved policies or to Congress for necessary legislative action. (Sec. 4(a) p. 4, 1. 22) .

C. Through consultation, is to coordinate transportation activities of other Federal Departments and agencies (Sec. 4(a), p. 5, 1. 4).

II. Continuity of functions and responsibilities

A. Establishes four Administrations (in addition to Coast Guard) in new department for aviation, highways, railroads and maritime. (Sec. 3(e), p. 3, 1. 25).

B. Heads of these Administrations to be appointed by President with approval of Senate; they report directly to Secretary. (Sec. 3(e), p. 4, 1. 3).

III. Investment standards (section 7)

A. Standards cannot be inconsistent with or contrary to law. (Sec. 4(e), p. 6, 1. 9). Must be consistent with Congressionally approved National Transportation Policies. (Sec. 7(a), p. 23, 1. 19).

B. All Congressionally authorized grant-in-aid programs (like highway and airport construction) exempt from standards; cannot touch highway trust fund. (Sec. 7(a), p. 24, 1. 1).

C. Secretary has to get approval of Water Resources Council after he prepares his recommendations (not before) and he is made a member of the Council. (Sec. 7(a), p. 24, 1. 6).

D. Waiting period before the President acts on Secretary's recommendations during which time interested parties can present views on standards published in Federal Register and Congressional Committees can hold hearings. (Sec. 7(a), p. 24, 1. 14).

E. Corps of Engineers' present procedures of sending reports directly to Congress preserved. (Sec. 7(b), p. 25, 1. 12).

IV. Safety

A. Transfers CAB Bureau of Safety to newly established Office of Accident Investigation; preserves present independence from FAA. (Sec. 3(f), p. 4, 1. 9).

B. Strengthens National Transportation Safety Board in its role of determining cause of accidents by giving Board authority to:

1. Receive notification and reports of accidents as it may require. (Sec. 5(c), p. 7, 1. 3).

2. Order investigations and supplementary investigations. (Sec. 5(c), p. 7, 1. 3).

3. Send members and other personnel to participate in investigations. (Sec. 5(c), p. 7, 1. 3).

4. Employ its own hearing examiners. (Sec. 5(m), p. 11, 1. 4).

5. Utilize available services and facilities of all Federal agencies and, on cooperative basis, of State and local agencies. (Sec. 5(n), p. 11, 1.6).

C. Raises grade level of chairman and members to those of comparable Boards (Sec. 5(i), p. 10, 1. 6).

D. Board also empowered to make special studies and recommendations to Secretary on safety rules and investigation procedures (Sec. 5(c), p. 7, 1. 3); required to report to Congress on effectiveness of accident investigations, including recommendations for new legislation. (Sec. 5(e), p. 8, 1. 13).

V. Rights of parties

Any existing statutory requirement for notice, hearing or other action upon record and for administrative appeal preserved in transfer of functions to new department. (Sec. 4(c), p. 5, 1. 20).

VI. Noise abatement

Research and development shall include noise abatement, particularly aircraft noise. (Sec. 4(a), p. 5, 1. 2).

VII. Super grade positions

Forty-five proposed super grade positions (GS 16, 17 and 18) eliminated. (Formerly in Sec. 9).

HOUSE CONCURRENT RESOLUTION 814

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FRASER. Mr. Speaker, elections are scheduled in South Vietnam this year. These elections hold hope as a beginning of organized political expression by the South Vietnamese people. At the same time, the elections contain many potential pitfalls.

The elections will have significance only if they permit meaningful choices. Otherwise they will be a mere sham. Only if South Vietnam begins to develop politically will that troubled country be able to work effectively toward ending its tragic war and establishing peace and stability.

Other resolutions have emphasized the desirability of impartial international observers for the elections. I am wholly in accord with this idea, and it is one of the points of my resolution.

But I believe, Mr. Speaker, that emphasis also should be placed upon the quality of the elections. If the people of South Vietnam are encouraged to develop political processes the prospect for constitutional government will be greatly advanced.

Finally, my resolution pledges that the United States will honor the outcome of the election in South Vietnam.

Following is the full resolution:

H. CON. RES. 814

Whereas the United States seeks to protect the right of the people of South Vietnam to choose their own government free of coercion, and

Whereas the Republic of South Vietnam is actively preparing for elections to choose a constituent assembly to bring about a more representative government; and

Whereas the development of political organization, political dialogue and political choice is essential to the growth of democratic government, and

Whereas the allegiance of the people to the Government of South Vietnam will be strengthened through popular participation in choosing that Government; and

Whereas it is essential to provide the substance as well as the form of free elections to the people of South Vietnam: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress

1. That it welcomes the holding of elections in the territory of South Vietnam.

2. That free elections require that all people of South Vietnam be permitted to take part who are willing to abide by the election results and who are prepared to accept the constitutional processes which flow from such elections.

3. That freedom to discuss and organize by all participants is essential to the holding of free elections.

4. That Congress commends the South Vietnam Government for requesting United Nations observers and suggests that observers be sought from appropriate and impartial international sources to oversee the elections.

5. That the people of the United States of America through the leadership of the President, with the full support of the Congress, will fully honor the election and the aspirations of the people of South Vietnam as expressed by their freely chosen government.

U.S. FOREIGN AID ONLY A FRACTION OF THE RESOURCES FOR ECONOMIC DEVELOPMENT

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. VIVIAN. Mr. Speaker, U.S. foreign aid is only a small measure of the resources which go into modernizing economies of the nations of Africa, Asia, and Latin America. Actually, most of the resources come from the recipient countries themselves, in the form of manpower, materials, public and private initiative, and funds.

Sometimes this is difficult to realize when the Congress is asked for over $2 billion for economic aid to nations many thousands of miles away. But, put in perspective, these dollars—less than 2 percent of our Federal budget and only about a quarter of 1 percent of the U.S. gross national product—represent less than one-tenth of the real resources which go into the development of the economies of the recipient nations. Most of the remaining nine-tenths comes from the recipient countries themselves.

Foreign aid is a partnership, and the basis of this partnership—self-help—is the subject of the following section from AID's presentation to Congress for fiscal year 1967:

SELF-HELP

"I recommend a Foreign Aid program to help those nations who are determined to help themselves."

This statement by President Johnson, in his 1966 Special Message to the Congress on Foreign Aid pinpoints the importance attached by the Administration to an even more rigorous application of self-help criteria than in the past.

Self-help is the key to successful foreign aid. The United States can only provide a small margin of the human and material resources needed for development. The major effort—the will, the leadership, the labor, and even most of the resources—must come from the recipient nations themselves. In point of fact it does. In money terms alone:

20 countries receiving major U.S. development assistance invest, on the average, six dollars of their own for every one dollar of U.S. assistance received. (Their six dollars represents savings withheld from consumption in countries where gross national product per capita averages $120 per year. The added AID dollar comes from a nation where per capita GNP now stands at better than $3,000 per year.)

Foreign aid which is not based on effective country performance will largely be wasted. Yet the job to be done is too important and, in most cases, the time in which to do it is too short to permit waste in foreign aid programs.

Insistence on self-help does not mean interference in the internal affairs of other nations. It does mean, however, that aid recipients:

Should have sensible programs for mobilizing their own resources.

Should be prepared to make and carry out the hard, basic policy decisions for reforms, improvements, and changes which will set a country on its own feet;

Should improve their ability to feed their own people;

Should work to establish conditions which stimulate their own people, as well as investors from abroad, to undertake new and expanded private initiatives;

Should embark upon the difficult task of building democratic institutions to ensure wide participation in the affairs of the nation.

Successful U.S. aid programs in Western Europe, Greece, Taiwan, and elsewhere have been due to a combination of the critical margin of outside help together with major self-help efforts by the nations themselves.

THE TAIWAN EXAMPLE

The example of the Republic of China on Taiwan, 26th country where U.S. economic aid programs under the Foreign Assistance Act have been brought to an end, is a clear illustration of this fact. A recent study concluded that without American assistance, it would have taken Taiwan 40 years to achieve self-supporting growth—instead of the 15 it did. But the same study emphasized that the key element in Taiwan's success was what the country did for itself.

American farm experts and American tools and fertilizer were instrumental in helping Taiwan effect one of the world's most successful land reforms and achieve one of the most productive farm sectors. But it was the Chinese who carried out land reform and who taxed themselves to support a permanent agricultural research and extension service that could channel new methods and new tools to the farmers.

In the same way, the help of American experts and the initial supply of AID-financed American equipment was crucial to the development of Taiwan's thriving private industrial sector. But good advice and good equipment would have been of little use without the willingness of the Republic to break with tradition, change archaic company laws, and open capital sources to its new private industrial entrepreneurs.

Progress on Taiwan's farms and factories depended, in turn, on timely, vigorous action to improve health, education, transport, and electric power supply—and also on the country's ability to achieve competent civil administration on whose stability millions of individual farmers and businessmen could depend in making their own investment decisions.

PARTNERSHIP FOR PROGRESS

Today's emphasis on self-help in the economic aid program recognizes that successful development is always the product of a partnership. It is not just a question of good aid from one partner. It is equally a question of good use and sensible policies by the other. Without strong self-help efforts by our partners in the developing world, foreign aid would be only a crutch, helping other countries to avoid their problems rather than solve them.

Self-help begins at the individual project level with cost-sharing:

Turkey is financing 60 percent of the $340 million Keban Dam power-irrigation project on her eastern frontier. AID loans will finance American materials and equipment totalling 12 percent of the project's cost, and the remaining 28 percent will come from other free world donors.

But the partnership understanding must go beyond sharing the costs of the individual project. Before AID agrees to help establish a teachers' college, for example, there must be a clear commitment that once the project is finished and the college is built, staffed, and equipped it will be assured a continuing budget adequate to retain a trained staff, maintain facilities, and carry out the purpose for which it was established. Increasingly, project agreements go beyond the project itself to insure that a joint investment makes sense:

As a condition for disbursing a $7.7 million highway construction loan in 1964, AID required that the Government of Afghanistan first establish, equip, and budget funds for a national highway maintenance department.

The agreement governing an AID loan to the Bolivian Mining Bank to finance expansion and modernization of the private mining industry provided that no funds would be disbursed pending major reform of the country's mining code, a reorganization of the Bank itself, and the passage and enforcement of new mineral export tax laws to encourage investment in mining. The new code is now in effect, the new tax law has been passed, and the reorganization is in process of being carried out.

Influencing over-all development policies

Good projects alone are not enough. As shown by the example of every less-developed country making progress today, development is the product of a country's entire effort. It is a matter of doing enough, across the board, and doing the right things in concert.

In tying aid to self-help measures, the United States looks to the level of a nation's total development effort, and to the whole complex of policies that affect development.

The most significant self-help measures taken in Pakistan in recent years, which led to a substantial rise in domestic savings, were the passage in 1963 of the largest tax increase in Pakistan's history and the import reform of 1964. The latter, instituted partly as a result of U.S. initiative, together with increased import taxes, made it possible for Pakistan to remove controls over imports of most raw materials and spare parts, with a resulting spurt in industrial activity.

There are clear limits to the leverage that outside aid can exert on another country's policies. No amount of assistance, however large, can make another independent nation undertake changes it does not want to make. But in practice, the relationship between the United States and the major AID recipients is based on an agreement sufficiently close to leave room for bargaining on how to reach development goals. Here, substantial aid *does* have leverage. Aid can—and should—be used to persuade other countries to end policies that are not working out, or undertake needed reforms or investments, and to do these things sooner than would otherwise happen.

In the past three years, AID has pioneered agreements under which the United States and its partners the developing nations spell out in specifics the terms of their partnership: precisely what AID will provide and precisely what self-help the developing partner will undertake.

Program loan agreements

Often these agreements are attached to AID program loans. Program loans are made to a limited number of countries to finance the import of a variety of American products needed for general development—such things as steel billets; machine tools and spare parts for a country's industry; and fertilizer, pesticides, and tools for its farm sector.

A recent program loan to an Asian country tied disbursement of the loan to that nation's performance on five financial targets: improved budgeting, better foreign exchange management, restraints on inflationary credit, better domestic revenue collection, and increased domestic savings. The parties agreed on specific goals in each field, with loan disbursements based on actual performance in each sector.

Agreement of this kind has also been attached to the negotiation and disbursement of an entire U.S. assistance "package." In Brazil and Chile, for example, mutual agreements on the level of AID development loans and technical assistance, and food and fibre assistance under the Food for Peace Program, include mutual agreement on specific steps to be taken in tax and fiscal reform, restraint of inflation, encouragement of the private sector, and the uses to be made of the local currencies generated by the loan.

These agreements have force because AID has stood by them.

The first such agreement in Latin America was the 1963 Bell-Dantas agreement in Brazil, which tied disbursement of a $400 million AID-Treasury-Export Import-Food for Peace "package" to improved performance on stated reforms including taxation, a reduced budget deficit, and effective monetary control. The Goulart government did not perform, Brazil's economy deteriorated, and the bulk of the U.S. aid was not released.

A 1964 AID program loan agreement with Colombia conditioned disbursement of a $45 million loan on adequate self-help performance. A marked deterioration in the financial and foreign exchange situation took place in 1964, and disbursements on the loan were suspended in 1965 pending development of adequate Colombian measures to restore financial balance. No new AID loan was negotiated until late in 1965 when the Colombian Government showed renewed commitment to sound economic policies.

A major element in future agreements will be the question of country policy and performance in agricultural development. For many years AID Missions have urged greater emphasis on farm investment and changes in agricultural policy in the developing countries. History has now ended any debate in the less-developed countries about whether this is, in fact, a priority. The size of national investments in agricultural development and the workability of national policies on farm prices, marketing, and farm-related business must be a priority self-help criterion and a major item for agreement in the conditions governing substantial assistance partnerships in the future.

In late 1965, because of India's mounting food problems, AID made a $50 million loan for the purchase of approximately 250,000 nutrient tons of American fertilizer. Disbursement of the loan was tied to the purchase, with Indian resources, of an additional 300,000 tons of nitrogen nutrient, and to a series of specific steps to streamline fertilizer distribution and to encourage more private Indian and foreign investment in fertilizer production in India.

JOINT EFFORTS WITH IBRD AND IMF

AID works closely with the World Bank (IBRD) and the International Monetary Fund (IMF) in determining the most important self-help measures to be included in these agreements. Adherence to the provisions of an IMF standby agreement has been included frequently as a major condition for disbursement of AID loans, as for Afghanistan, Chile, and Tunisia. AID and the IMF are now cooperating on the design of a new stabilization program for Korea.

AID assistance to Ceylon, resumed after that country compensated nationalized American oil firms, is tied closely to stabilization and reform programs policed by the IMF and the World Bank.

Ceylon's pledge to abide by the terms of an IMF standby agreement forms the basis for assistance from a seven-nation consultative group sponsored by the World Bank. The World Bank, in turn, is responsible for evaluating Ceylon's program requirements for the donor group, which includes the United States, the U.K., West Germany, Japan, Australia, India, and Canada.

One of the explicit objectives which AID has encouraged for World Bank consortia (for India and Pakistan) and consultative groups (for such countries as Colombia, Nigeria, Tunisia, Sudan, and Thailand) is to highlight deficiencies or difficulties in the country's over-all economic performance. In so doing, the consortium or consultative group helps bring about remedial action by the developing countries.

THE AID PROGRAM IS CONCENTRATED

Although economic assistance is proposed for some 70 countries in fiscal year 1967, the great bulk of the AID program will be directed to a relatively few countries where the need is greatest or where outstanding self-help performance shows substantial aid can best be used.

92 percent of direct AID country assistance is planned for 20 countries;

84 percent of proposed Development Loans (including loans under the Alliance for Progress) is planned for just eight countries: Brazil, Chile, Colombia, India, Korea, Nigeria, Pakistan, and Turkey;

93 percent of the Supporting Assistance proposed for fiscal year 1967 is planned for just five countries: Vietnam, Laos, Korea, Jordan, and the Dominican Republic. Vietnam alone will account for 72 percent of planned Supporting Assistance.

CAPTAIN ROBERTS' LETTER

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Vivian] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. VIVIAN. Mr. Speaker, Capt. Archie T. Roberts is a U.S. Army chaplain on duty with the 1st Infantry Division in South Vietnam. Before going on active duty, Captain Roberts was pastor of the Dixboro Methodist Church in Ann Arbor, Mich.

Mrs. Gary Woodward, of Ann Arbor, has forwarded to me a copy of a mimeographed letter which Captain Roberts wrote to his many friends in the Ann Arbor area. The letter describes how one group of American fighting men are working to build an orphanage for Vietnamese children in Ben Cat. In order that the Members and readers of the Congressional Record might know of his work and learn where contributions can be sent, I am including Captain Roberts' letter and his APO address at this point in the Record:

Headquarters, Office of the Chaplain, 2d Battalion, 28th Infantry, 1st Infantry Division,
APO San Francisco, Calif., 96345, April 27, 1966.

Dear Friends: Well, as was the case last time I sat down to do a mimeo letter, right after Christmas, either I do it this way or you probably won't hear from me at all. I have finally given up the idea I had earlier that soon things would settle down and I would have time to write more personal letters. There seems to be no real let up in the pace of life that one leads here, and from experience I can truly sympathize with the parents who write to the chaplain wondering why their boy doesn't write more often—just ask Gail how even she has had to wait sometimes.

In early February, soon after my battalion commander, Lt. Col. George Eyster was killed, which to me personally was one of the roughest blows so far, I became involved in an orphanage building program as the project officer. This has really had me going in circles but it has been a very rewarding experience as well. It has given me an opportunity to travel around some to see other orphanages and to meet many other people. Most especially, it has given me a chance to work closely with some very fine Vietnamese people. It has been very encouraging to me to hear first hand how thankful these people are just for our presence here and for all we've done for them—expecially the degree of freedom they already have experienced.

This project began because we, as an Army unit, wanted to do something meaningful for the Vietnamese people and at the same time establish a lasting memorial for our dead comrades who gave their lives for this country, our country, and the freedom of the world. Realizing that the future of this country will be up to the children of today, what better way could we help than to help these poor needy children, many who have no home. This was also fitting and readily accepted by the men—who always seem taken by children wherever they go.

Our first stop was to ascertain the need—which was real then to get the government approval to go ahead. All of this came very soon as did a promise for free land. Because we just wanted to sponsor an orphanage by building it and providing the operating funds we next tried to locate a reputable group to administer and supervise the orphanage. This finally came after much discussion from the National Evangelical Church of Vietnam. This church body, which is the only significant Protestant Church group in Vietnam, is an out-growth of the Christian and Missionary Alliance over the past half century. Today the C & MA acts as an advisory group to this completely Vietnamese controlled church. It is ideal that they have accepted this because they have experience in orphange work and the very best interests of the Vietnamese people at heart. At the present time I am trying to raise some $20,000, which not only will provide much of the original construction cost but should also give us funds for our first year's operating budget of $8,000 to $10,000. We plan to begin with facilities to care for about 100 children with probable expansion to about 250 children in the future. In addition to the orphanage itself we plan to have a school so that many of the children in the area who cannot afford it otherwise might get an education. This orphanage and school is to be built at Ben Cat which a short time ago was a VC area on one corner of the previously feared Iron Triangle. To me this too witnesses to the progress we've made in the war effort—now we must also win the hearts of these people.

Well, enough of that for now but many of you have written of your interest in this project and expressed a willingness to help. Right now the main need is financial but in a couple of months we will also need items of clothing, personnal care needs, school supplies and many others. If you or any group you represent are at all interested in helping out feel free to let me know and I will keep you informed.

All of my efforts have not been in this direction though because my military obligation is still present as before—that of providing services anywhere at any time, visiting the troops and going with them on operations (which have really increased) to help them keep up their morale, counseling them with their problems—most of which interestingly enough come from home, not here—and just being a part of the staff team to keep everything going smoothly. In all, just as I have mentioned before, I still find this a very rewarding ministry even as we begin our eighth month. I am also thrilled and pleased with how well the plain old average American boy is doing in this situation—It's an honor just to be a part of this whole effort over here.

Probably one of the most interesting things for me recently happened on Easter Sunday. We were on a two-week operation in the Delta Country at that time and were moving a lot so we traveled very light—no chaplain's kit, in fact all I had was a pocket stole, prayer-book and Bible—not even a cross. Yet it seemed to many that our Sunday Sunrise service was still as meaningful as ever and the message of the Resurrection Story as we read it and sang it (without musical accompaniment) seemed even more meaningful and real in this situation. It was a real joy to have so many come together to worship at all the services we held in every place. This is all important but the most interesting part for me was that of flying by helicopter out to a destroyer to provide its crew with religious services. They were giving us naval gun support for the operation and on Thursday we received word that they would not have a chaplain available so our Brigade Commander, Colonel Brodbeck, asked if I would be willing to go and of course I was. We were very welcome but I'm afraid a grimy Army chaplain and pilot were a sight on a spotless Naval vessel. They were sure eager to know too how the war was going on dry land. But even after cleaning up a delicious dinner I'm still glad I didn't go into the Navy—no offense to my web-footed friends.

Previously I made quite an issue over getting used to the heat—well I found out you never really completely accomplish this task. February and March are what they call the hot months in our area and I think probably that is correct with the daily temperatures ranging between 100 and 115 degrees. Here in April the temperature has dropped back down to the 80's and 90's but the humidity has really gone up with the approaching monsoons. Now for the next four months we will be in the monsoon season—rain like I've never seen anywhere. The big struggle now will be to try to keep everything from getting moldy. Somehow we'll survive it all and look back on everything with a degree of humor.

Well, I think I have gone on long enough for now or you'll get bored. I hope you don't mind hearing from me in a general mimeo letter but I assure you that I am thinking of everyone individually as I write it. We all certainly appreciate your thoughts and prayers for us over here and believe me it has helped countless numbers of men pull through. I should get back to the states sometime in October and I hope Gail and I will have time to visit with many of you then.

Sincerely,

ARCHIE T. ROBERTS,
Chaplain (Captain) USA, Battalion Chaplain.

P.S.—I was honored with a quick promotion to Captain in January.

CATALOGS AND OTHER INFORMATION SOURCES ON FEDERAL AND STATE AID PROGRAMS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. REUSS. Mr. Speaker, the number and scope of Federal and State aid programs in the past 20 years has become enormous and complex.

In 1946, State and local governments spent a total of $11 billion to meet public needs; this year they will spend $84 billion. The Federal Government, in 1946, spent $894 million to help the States and localities augment their public programs.

This year, around 200 separate aid programs administered by some 21 Federal departments and agencies will call for an expenditure of more than $14 billion.

These programs are designed to help States and localities meet increasing demands for solutions to a variety of social, economic, and physical problems. However, it is the responsibility of State and local officials to select and implement those programs which are most relevant to local needs.

State and local officials determine the success or failure of programs, as they decide which programs to implement, as they coordinate the programs so that they enhance the local plans for orderly growth, and as they cooperate with officials in other jurisdictions and levels of government in administering the program.

One of the first problems faced by officials in undertaking new programs is that of obtaining current information about available assistance. In order to alleviate this problem, many Federal and State departments and bureaus, associations of public officials, and private firms have compiled handbooks and catalogs designed to assist in identifying and applying for programs suited to particular needs.

The Advisory Commission on Intergovernmental Relations has recently compiled a selected bibliography of these publications. This bibliography follows:

CATALOGS AND OTHER INFORMATION SOURCES ON FEDERAL AND STATE AID PROGRAMS—A SELECTED BIBLIOGRAPHY

One of the most significant developments in intergovernmental relations in recent years is the growing number of Federal and State programs of financial and technical assistance. These programs present local officials with a variety of choices in identifying and selecting the programs that are most suitable to their needs.

In order to assist State and local officials in this task, various Federal, State, and private agencies have compiled catalogs and handbooks of Federal and State aid programs. This bibliography, based on the Advisory Commission on Intergovernmental Relations library holdings, identifies and describes many of these publications. It includes catalogs published by Federal agencies, organizations of public officials, and State agencies. The State reports include two categories: catalogs of Federal aids to the State, and catalogs of State aids to local communities.

This bibliography lists handbooks and catalogs which present compilations of program descriptions for broad functional areas, levels of government, types of recipients, etc. It does not include references to the many individual program descriptions, guides, and handbooks published by administering agencies and bureaus. Reference to these will typically be found in the catalogs and handbooks listed herein, as part of the individual program entries.

I. CATALOGS PUBLISHED BY FEDERAL AGENCIES

1. U.S. Office of Economic Opportunity. *Catalog of Federal Programs for individual and Community Improvement: A Description of Governmental Programs to Help Individuals and Communities Meet Their Own Goals for Economic and Social Development.* Washington, 1965. 414 p.

Attempts to answer such basic questions as: what Federal programs are available for individual and community improvement; what are the eligibility requirements; where to apply; and where to get additional information. A 65-page program index lists programs dealing with a particular problem—e.g., physical health. After checking the index, the user may turn to the particular program description that seems to meet his needs. The description includes the program title, nature and purpose of the program, eligibility, sources of information, authorizing legislation, and administering agency. The catalog also provides regional addresses for Federal agencies, and several special indexes.

2. U.S. Congress. Senate. Committee on Government Operations. Subcommittee on Intergovernmental Relations. *Catalog of Federal Aids to State and Local Governments.* Prepared by the Legislative Reference Service of the Library of Congress. Washington, 1964. 154p.

Provides a listing and description of Federal aids available to State and local governments as of the end of 1963. It contains a statement and statutory references for each of 115 programs or groups of closely related programs. It includes Federal aids which may be characterized as grants-in-aid, shared revenues, loans and advances, and technical assistance. The catalog lists aids from 8 of the 10 executive departments and 11 independent agencies of the Federal government. Special features include information on Federal aid authorizations subject to expiration dates, an index by function, and a subject index, with legal citations.

Supplement, January 4, 1965. 65p.

Supplements and updates the catalog through 1964. An added special feature is a table listing total expenditures for Federal aid to State and local governments under programs described in the *Catalog* for fiscal years 1961–1964.

Second Supplement, January 10, 1966. 190p.

3. U.S. Department of Commerce. Economic Development Administration. *Handbook of Federal Aids to Communities*. Washington, 1966. 111p.

Describes all Federal programs providing technical or financial assistance for community economic development.

4. U.S. Department of Agriculture. Federal Extension Service. *Federal-State Programs for Developing Human Resources*. Washington, 1965. Paging varies.

Packet containing 35 fact sheets on individual Federal aid programs dealing with community planning and development, education and training programs, health programs, housing programs, manpower surveys and youth employment services, and programs under the Economic Opportunity Act.

5. U.S. Department of Housing and Urban Development. *Programs of the Department of Housing and Urban Development*. Washington, 1965. 22p.

Describes the various programs of the Department, listing the purpose, specific uses, terms, requirements, eligible applicants, and related programs.

6. U.S. Department of Health, Education, and Welfare. Office of Program Analysis. *Grants-in-Aid and Other Financial Assistance Programs Administered by the U.S. Department of Health, Education, and Welfare.* Washington, 1964–65 edition. 345 p.

Lists and describes the various forms of financial aid administered by the Department. Certain kinds of information are presented uniformly on each type of aid—its purpose; financing; method of distribution; matching requirements where applicable; eligible recipients; how application for funds is made; significant developments during the past year; and the legal basis under which funds are made available. The publication contains a table for each major operating agency of the Department presenting in summary form the financial and technical data covered in the publication. Also included is a separate table for each agency showing the year programs were adopted by each State.

The Impact of 1965 Legislation. Washington, 1966. 125 p.

This publication is an addendum to the preceding volume, and is designed to be used in conjunction with it. It provides information on the aid programs administered by Health, Education, and Welfare which were initiated, expanded, or changed by the 1965 session of Congress.

7. U.S. Department of the Interior. Bureau of Outdoor Recreation. *Federal Assistance in Outdoor Recreation Available to: States, Their Subdivisions, Organizations, Individuals*. Washington, 1966. 83 p.

Lists various forms of assistance, including credit, cost-sharing, technical aid, education services, and research. Gives a brief description of the aids available from the various departments and bureaus, and lists sources of additional information.

8. U.S. Department of Health, Education, and Welfare. *To Improve Medical Care . . . A Guide to Federal Financial Aid for the Development of Medical Care: Services, Facilities, Personnel*. Washington, 1966. 96 p.

Gives summary data on a wide range of Federal financial aid programs for strengthening medical care services, facilities, and personnel. It includes 60 aid programs of the Department of Health, Education, and Welfare and 15 aid programs of other Federal agencies. Information given for each program includes the purpose, the amount of funds available, eligible recipients, and sources of additional information. In addition, the publication gives a brief outline of the Medicare and related provisions of the Social Security Amendments of 1965 and a list of designated State agencies for Medicare.

9. Office of Emergency Planning. Executive Office of the President. *Federal Disaster Assistance*. Washington, 1966. 22p.

Briefly identifies type of assistance available from twenty-four different agencies. Includes an index table arranged by problem encountered or service desired and a bibliography citing sources of additional information about specific programs.

II. CATALOGS PUBLISHED BY ORGANIZATIONS OF PUBLIC OFFICIALS

1. National Institute of Municipal Law Officers. *National Institute of Municipal Law Officers Service on Federal Money for Cities*. Washington, 1966. 166p.

Written especially for lawyers. A legal citation is provided to relevant Federal statutory and regulatory materials; a brief summary of the types of assistance, amount of assistance, and where to go for more information is also outlined. The service will be revised continuously to reflect new laws and amendments by Congress.

2. National League of Cities. *Federal Aids to Local Governments*. Washington, 1966. 200p.

Loose-leaf binder that describes more than 100 types of Federal assistance available to communities of all sizes. Program revisions and additions will be made available to subscribers from time to time as changes result from new acts and amendments passed by Congress, including changes in amounts appropriated for various programs, or from administrative rulings, regulations, changes in regional office areas, etc. Organized so that additional materials can be inserted at appropriate places within the manual. Basic program descriptions are grouped by administering Federal agency. An appendix lists State and regional office contacts for each program described in the basic text and there is also a subject index.

3. National Association of Counties Federal Aid Service. Counties subscribing to the County Information Service are eligible to receive the Federal Aid Service, consisting of three major elements: inquiry service which identifies specific programs available to the county, immediate points of contact, and references to other counties now using the program; publications providing weekly summaries of the key programs, fact sheets, and comprehensive reports on broad subjects such as recreation and planning grants; and Washington representation for arranging meetings between county officials and administrators of Federal programs.

4. U.S. Conference of Mayors. *Mayor's Manual: Federal Aid to Cities*. Washington, 1965. 24p.

Lists programs, eligibility requirements, and application procedures under 16 major laws.

III. STATE CATALOGS

A. Federal grants to States

1. Connecticut. Department of Finance and Control. Budget Division. *Federal Grants-in-Aid to the State of Connecticut*. Hartford, 1962. 126p.

Provides 11 items of information on the grant-in-aid programs handled by the various State agencies: title of program, purpose, Federal agency providing grants, State agency administering program, statutory basis, type of grant, basis for distribution, fiscal procedure, amount received from Federal government, amount allocated to Connecticut by Federal government, and pending legislation.

2. Florida State University. Institute of Governmental Research. *Federal Grant-in-Aid Programs in Florida*, by Vincent V. Thursby and Annie Mary Hartsfield. Tallahassee, 1964. 179p.

Presents a profile of Florida's participation in Federal aid programs, with emphasis on grants since 1920. In addition to describing the origin, legal basis, and development of particular programs, the authors include tabular data showing both national figures and Florida's share. The report consists of a statistical-descriptive profile of "Florida's Place in the United States," and over-all treatment of "Florida's Share in Federal Aid," brief descriptions and treatment of legal data concerning the "Particular Grant-in-Aid Programs," together with total and per capita grant figures for each program for Florida and for the United States as far back as they are available, a brief survey of "Legislative and Executive Attitudes on Federal Aid Payments to Florida," and the conclusions emerging from or appropriate to the study.

3. Georgia Municipal Association. *A Federal-Aids Manual for Municipalities*, prepared by Walter L. McVey. Atlanta, published by George Power Company, 1966. 118p.

Contains the major programs through which the Federal government offers direct financial assistance to towns and cities, with the exception of those relating to education, social welfare, and Indians. It is intended for practical, every day use by municipal officials, and deals only with the major Federal-aid programs most likely to be of general interest to them. The loose-leaf manual will be kept up-to-date by supplemental sheets prepared by the Georgia Municipal Association. There are three separate indexes: an alphabetical list of programs contained in the Manual with a brief explanation of the purpose of each; and alphabetical index of programs according to the Federal departments or agencies which administer them; and a subject index, which suggests various programs that may be used to accomplish a given project or purpose. The volume covers four types of Federal aids: grants-in-aid, loans and advances, technical assistance, and Federal Housing Association mortgage insurance. The Manual gives the following information for each program; purpose and description of the grant, eligibility and requirements, amount of Federal money available, related programs, and sources of additional information.

4. Illinois. University. College of Fine and Applied Arts, Bureau of Community Planning, College of Agriculture, Department of Agricultural Economics: Cooperative Extension Service. *A Guide to Federal Programs for Illinois Communities*, by Scott Keyes, William T. Gelman, Michael A. Carroll, and Charles E. Whalen. Urbana, 1966. (Preliminary Draft for Review Only) 121p.

Attempts: (1) to pull together the principal Federal programs bearing on the economic, social, or physical development of the State as a whole, and its different urban and rural areas; (2) To present essential information about each program in compact, carefully digested and readily accessible form, with specific reference to Illinois application; and (3) To make this information widely available throughout the State. Includes those Federal activities which are primarily domestic in scope, provide aids or incentives of some kind, and involve working with specific individuals, groups, or governments to achieve some mutually agreed upon purpose—economic, social, or physical. Lists and describes approximately 150 programs, which may be single activities or component parts of larger activities, which offer aids and incentives to groups, individuals or communities in dealing with economic, social or physical problems, but which cannot go into effect until the non-Federal parties decide to take advantage of them. Programs are listed by Federal agency, with the agencies listed in the order in which they appear in the *U.S. Government Manual.* Presents up to ten items of information on each program: legal citation, purpose, technical assistance, planning support, development support, requirements, other relevant information, administrative contact, references, and eligibility.

5. Kansas. University. Governmental Research Center. *A Guide to Federal Grants and Other Types of Assistance,* by William H. Cape. Lawrence, 1965. 249p.

Provides a listing of individual programs and includes brief descriptive information on various types of Federal assistance available as of May 20, 1965 to those political units that meet the eligibility requirements. Includes specific references to the Federal statutory citations, matching requirements, Federal and State agencies responsible for administration. No attempt is made to distinguish the strictly Federal grant-in-aid provided for the State and local governments from the other types of assistance available to these units. The "other assistance" may include: grants without reimbursements by the recipients to the Federal agencies; loans which require repayments with or without interest; sharing of Federally-collected revenue; transfer of land and improvements; distribution of specified commodities; assistance in the construction of particular facilities; training grants; consultation and technical assistance. Indexed by title and by Federal distributing agency.

6. Kansas. League of Kansas Municipalities. *Federal Aid Guide: A Summary Outline of Federal Aid Programs Available to Kansas Local Governments.* Topeka, 1966. 71p.

Includes basic information on 120 Federal aid programs. The information includes the nature and purpose of each program, the kind of aid available, the amount in terms of proportion of cost paid by the Federal government, general requirements to qualify for the aid, eligible local governments, the Federal agency involved in its administration, and the State administrative agency which should be contacted. Part I consists of a synopsis of each program, listed alphabetically by title, to serve as an aid to local officials attempting to find programs of interest to them. Parts II, III, and IV give more detailed information on each program. Comments are included as to where local governments can get the money to pay the non-Federal share.

7. Kentucky. Department of Finance. Division of the Budget. *Federal Aid in Kentucky.* Frankfort, 1962. 100p.

A description, by function, of grant-in-aid programs in effect in Kentucky. Lists program, State agency, Federal agency, statutory basis, purpose, financial basis, conditions for participation, and recent allocations for Kentucky.

8. North Carolina. University. Institute of Government. *Federal Assistance for Local Governments,* by Robert E. Phay. Chapel Hill, 1966. 64p.

This publication, prepared for the North Carolina State Planning Task Force, deals only with Federal aid programs that provide assistance to local governments. It also eliminates programs in which a State agency, rather than a city or county, was the direct recipient, those of limited interest, and those that have no application to North Carolina. Programs which overlap or provide a similar type of assistance (e.g., water and sewer grants) are grouped under one heading. Using these criteria, the author limited coverage to 42 Federal programs. Information includes the intent of the program, the type (whether grant, loan, advance, or technical aid) and amount of assistance available, the requirements of the program, the Federal administering agency and the authorizing legislation. State and Federal sources of information and advice are also listed.

9. South Carolina. University. Bureau of Governmental Research.

Conducting a study (financed by a $2,000 appropriation from a special legislative committee on municipal affairs) of Federal and State funds available to South Carolina municipalities and counties. Supplements will be available for the book (publication due this Fall) as more Federal programs become available.

10. Texas A&M University. Agricultural Extension Service. *Guide to Federal-State Programs for Developing Resources of Texas Communities.* College Station, 1966. 50p.

First lists Federal assistance program in various functional areas (e.g., community development) then lists all of the major State agencies, committees, councils, and boards that might possibly assist in the development of the communities of the State. Information includes the title of the program, purpose, eligibility, requirements, and contacts. The guide to State agencies includes a description of the composition, selection, and/or administrative control for each agency, followed by a summary of its major activities.

11. Vermont. Department of Administration. *Guide to Federal Aid Programs in Vermont: A Reference Source Containing Basic Data on State Activities Financially Assisted Through the Federal Grant-in-Aid System.* Montpelier, 1962. 103p.

Provides a brief history of the grant-in-aid program in general and summarizes in particular the grant-in-aid programs in effect in the State of Vermont. For each program, the following information is given: title of program, administration, State administration, Federal agency, purpose, legal authority, financial basis, grant conditions, and recent funds allocated to Vermont.

12. Wisconsin. Department of Administration. Bureau of Management. *Federal Aid in Wisconsin.* Madison, 1965. 144p.

A compilation of the Federal grant-in-aid programs supporting Wisconsin State government services, intended to serve as a source of factual information for the governor, legislators, and interested citizens. Each program is described with such information as: the purpose of the program, the Federal and State agencies involved, the legal basis for participation, conditions for participation, and other similar data. The report is arranged according to major State service functional groups.

13. Wisconsin. Department of Resource Development. *State and Federal Aids Available to Wisconsin Localities.* Madison, 1965. 26p.

Provides information only on aids about which inquiries are most often received by the department. Intended primarily for use by elected officials of local governments. Material is arranged under headings which first name and identify the programs under which the aids are made available. A capsule description of the program is then provided, followed by a listing of the aids and sources of more detailed information concerning them.

B. State grants to localities

1. Kansas. University. Governmental Research Center. *State Aid in Kansas,* by James W. Drury. Lawrence, 1963. 50p.

Discusses the purposes, objectives, conditions, and formulas of State aid in Kansas. Describes and analyzes the problems encountered in an equitable distribution of State aid to local governments, the functions and services that are supported by State aid and the possible need for additional State financial assistance to the several political units. Tables list the State payments to local units for the fiscal year 1962, State grants classified according to principles used in distribution, and the effect of assessment levels on State aid.

2. First National Bank of Boston. *State Aid to Local Governments in Massachusetts.* Boston, 1964. 65p.

Lists 13 governmental functions for which State aid is available. Includes information on purpose, apportionment, procedures, legal citations, and the State agency responsible for handling the programs.

3. New York. State Comptroller. *State Aid to Local Government; Programs of Financial Assistance to Local Governments Including; Purposes, criteria of Eligibility, Distribution Formulas, Legal Bases, Trends in Amounts Distributed, Sources of Additional Information.* Albany, 1965. 111p.

Includes information on recent developments in Federal and State aid, and trends in total aid payments to localities by the State of New York from 1925 to 1966. Program descriptions are given for payments made by the State to the localities in support of specific local activities which, in the main part, have been mandated by the State, or in which the State encourages participation, or requires a certain standard of performance. Also included are payments made by the State in support of local government generally and payments made to compensate the localities for losses in real property tax revenues caused by State action.

4. Virginia. Advisory Legislative Council. *Grants-in-Aid: Report of the . . . to the Governor and the General Assembly of Virginia.* Richmond, 1966. 104p.

"A study of the data compiled by the Commission to study State and local Revenues and Expenditures and Related Matters insofar as these data involve State grants-in-aid to the localities, the need for revenue of the localities, the ability of the respective localities to meet such needs from their resources, and the relationship between such grants-in-aid and the needs and resources of the several localities." Includes information on the outlook for economic growth and general fund revenues in Virginia, general fund revenues, expenditures and estimates through 1972, State and local sales taxes, estimating the Federal fund requirements for educational needs, State grants-in-aid to education, and comparative State grant-in-aid plans.

5. Wisconsin. See item 13 in Section III-A.

6. U.S. Department of Commerce. Bureau of the Census. Census of Governments: 1962. *State Payments to Local Governments.* Vol. VI (Topical Studies) No. 2. Washington, U.S. Government Printing Office, 1963. 109p.

Provides a classified listing and description of individual programs of State payments to local government as of 1962. Includes graphic summaries, tables showing a national summary of State intergovernmental expenditure, 1902 to 1962; State intergovernmental expenditure by States: 1942 to 1962; relation of State intergovernmental expenditure to all State general expenditure, by States: 1942 to 1962; per capita State intergovernmental expenditure, by function, by States: 1962; percent distribution of State intergovernmental expenditure, by function, by States: 1962; and State intergovernmental expenditure, by function and by type of receiving government, by States: 1962.

IV. OTHER CATALOGS AND SERVICES

1. Basic Systems, Inc., Legislative Information Service. *Directory of Federal Programs for Schools and Communities.* 1735 I Street, Washington, D.C., 1966. 600p.

A new private subscription service designed to provide interested groups with a single, continuing source of data on Federal programs. The book is loose-leaf in format, so that the information may be revised. Amendments will be available "as often as necessary" to maintain the Directory's accuracy." Program descriptions are arranged according to subject matter—Community Development, Education, Health, etc. The section on Education is further subdivided into "Project Areas" such as Preschool Education; the Project Areas are then broken down into "Project Aspects" such as Facilities, Equipment, Research, and the like. Information for each program includes its purpose, the administering agency and office, an analysis of what the program offers, criteria for eligibility, and citations of all relevant laws. The Directory also explains the procedures to follow in applying for funds.

2. Ruth Anne Roney. *The Doubleday Guide to Federal Aid Programs: 1966–1967, Elementary and Secondary Schools and School Libraries*. Garden City, New York. Doubleday and Co., Inc., 1966. 222p.

Intended for local school officials and staff. Describes assistance available for schools and libraries under more than thirty programs. Includes cross-reference tables and charts and program descriptions including an indication of funds available, eligible recipients, eligible program activities and sources of additional information.

V. RELATED ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS PUBLICATIONS

1. *Periodic Congressional Reassessment of Federal Grants-in-Aid to State and Local Governments*. June 1961. (Report A–8; 67 pp., offset)

Describes the evolution and current status of Federal grants-in-aid and recommends the establishment of Congressional machinery for their review. Out of print (Report was made a part of the record of hearings on H.R. 7802 and identical bills before the House Subcommittee on Intergovernmental Relations of the Committee on Government Operations, 87th Congress, 1st session.)

2. *The Role of Equalization in Federal Grants*. January 1964. (Report A–19; 258 pp., offset)

Examines the basis of distribution of Federal grants among State and local governments, identifies the categories of grants, the distribution of which should recognize differences in the recipient States' comparative financial capabilities and needs, and makes recommendations for legislative and administrative action. Provides also basic information on each of the Federal grants, including each State's share of the available funds and the amount of matching funds required of the States.

3. *Grant-in-Aid Programs Enacted by the 2d Session of the 88th Congress—A Supplement to Report A–19*. March 1965. (22 pp., offset)

Describes the Federal grants to State and local governments in effect on January 1, 1964. This supplement to the earlier report describes all the grant-in-aid programs enacted by the 2nd Session of the 88th Congress which adjourned on October 3, 1964.

4. *Impact of Federal Urban Development Programs on Local Government Organization and Planning*. January 1964. (Report A–20; 198 pp., U.S. Senate, Committee on Government Operations, Committee Print, 88th Congress, 2nd Session.)

Provides a systematic survey and analysis of local government organization and planning requirements in 43 Federal aid programs affecting physical development in urban areas; assesses the degree of Federal interagency coordination of urban development programs; and recommends legislative and administrative changes for improving local organization, local planning, and Federal interagency coordination. An appendix to the report describes and evaluates each program in detail and identifies pertinent regulations and official documents.

CALIFORNIA, CORNELL, AND YALE FACULTY COMMITTEE REPORTS SUPPORT FINDINGS OF HOUSE RESEARCH AND TECHNICAL PROGRAMS SUBCOMMITTEE ON CONFLICTS BETWEEN FEDERAL RESEARCH PROGRAMS AND HIGHER EDUCATION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. REUSS. Mr. Speaker, concern about conflicts between the demands of the Federal research programs for scientists and the need of colleges and universities for teachers, led the Research and Technical Programs Subcommittee of which I am chairman, to undertake an extensive investigation last year.

The subcommittee found that though Federal research funds going to universities had helped higher education in the sciences in some particulars, they have also harmed higher education by excessively diverting scientific manpower from teaching and by overemphasizing research to the detriment of teaching. The subcommittee also found that Federal research programs have accentuated certain tendencies at universities damaging to higher education. These findings appear in House Report No. 1158, "Conflicts Between the Federal Research Programs and the Nation's Goals for Higher Education," issued October 13, 1965.

Since the publication of the subcommittee's report, the university administrators of three of the Nation's most eminent universities—Yale, Cornell, and the University of California at Berkeley—have released reports which significantly confirm the subcommittee's findings. The reports are those of university-appointed faculty committees at each of these institutions.

The Berkeley report is entitled "Education at Berkeley," report of the Select Committee on Education—chaired by Prof. Charles Muscatine—March 1966; the Cornell report is entitled "Report of the Faculty Committee on the Quality of Undergraduate Instruction"—chaired by Prof. Alfred E. Kahn—submitted to the faculty of Cornell University, October 11, 1965; the Yale report, "Report of the Executive Committee of the Faculty of Arts and Sciences of the Ad Hoc Committee on Policies and Procedures on Tenure Applications"—executive committee chaired by Prof. Robert A. Dahl—Yale University, June 15, 1965.

The committees were formed because of the concern of the university administrators with the deterioration in the quality of undergraduate instruction. Each of the committees chose to consider, as a part of its study, the effect on undergraduate education of the diversion of time and interest of faculty members toward research.

Berkeley, Cornell, and Yale are among the finest of the Nation's 2,000 colleges and universities. They are also among the largest. In 1965, the Berkeley campus of the University of California had an enrollment of over 26,000 students, while Cornell and Yale had enrollments of 13,000 and 8,600.

Each also ranks among the Nation's major university performers of Federal research. An analysis by the subcommittee of research awards made in 1964 by the five principal science agencies of the Federal Government showed that Berkeley's share of Federal funds totaled almost $28 million, Cornell's about $23 million, and Yale's nearly $21 million. In 1964 Berkeley, Cornell, and Yale ranked 9th, 13th, and 17th, respectively, in the list of major university recipients of Federal research money. It is this massive inflow of funds from Federal Government sources which has permitted the faculty at these institutions to engage in an unprecedented amount and variety of research work.

The faculty committees of all three institutions concluded that: First, undergraduate teaching has suffered from an overemphasis on research and other nonteaching interests on the part of faculty members; second, the faculty are not giving enough of their time to undergraduates; third, too much of the teaching responsibility has been shifted to poorly qualified teaching assistants; fourth, nonsalary benefits are given to researchers but not to teachers; and fifth, teaching ability is not given sufficient weight in granting promotions and tenure.

Because these are among the conclusions drawn by the Research and Technical Programs Subcommittee following its investigation, I want to set forth some of the discussion of each point by the faculty committees at Berkeley, Cornell, and Yale.

UNDERGRADUATE TEACHING HAS SUFFERED FROM AN OVEREMPHASIS ON RESEARCH AND OTHER NONTEACHING INTERESTS ON THE PART OF FACULTIES

While all three faculty committees emphasize the importance of research as a primary function of the university and essential to the maintenance of its health and quality, they stress the equal need for high quality teaching. The committees find a balance between the two to be indispensable.

According to the Yale report:

> Both [research and teaching] activities are essential to a healthy institution, and support one another. . . . These major functions must be kept in balance and proportion.

The Cornell report points out that the university cannot fulfill its teaching responsibilities just by supporting scholarly excellence, since good teaching is more than scholarship:

> The University also has responsibility for communicating knowledge to the student in a manner appropriate to his abilities and needs, for evoking and maintaining his interest in academic and cultural endeavors, and for guiding his development in judgment as well as intellect. These aims impose requirements that go beyond scholarship in demanding commitment and competence in

teaching and in the creation of an atmosphere directing the undergraduate to intellectual and cultural pursuits.

The Berkeley committee states bluntly that there should be "no place on the faculty for researchers who are not teachers" because—

> A campus that lacks a tradition of good teaching by that fact casts some doubt on the ultimate meaning of its scholarship.

The Berkeley committee argues that research and scholarship can only be justified by human needs, of which the teaching of others is a great part. Thus—

> There is no scholarly eminence that justifies contempt of students.
>
> * * * * *
>
> Poor teaching or neglect of teaching cannot be defended in the University; ultimately it vitiates the meaning of our research itself, for it is inhumane and it is alien to the spirit of scholarship.

Moreover, poor teaching will in the end undermine the importance of scholarship. According to the Berkeley committee:

> A class taught by an unprepared teacher teaches the student neglect of scholarship. A department which encourages professors to hide from students, teaches neglect of human relations. If a scholarly attitude is—as it should be—part of what we teach, the teaching process must exemplify in all its details the scholarly attitude of the teacher; otherwise the very method of teaching gives the lie to the thing taught.

Despite the importance of teaching, all three committees found that undergraduate teaching had suffered at their institutions from faculty preoccupation with research and other nonteaching interests.

At Yale:

> Briefly stated, the teaching function—which is the primary function of the college as it prepares its students for entrance to life or to further education—has suffered eclipse from the university's primary emphasis upon the advancement of knowledge.

At Cornell:

> Unfortunately, the very developments that have enhanced the faculty member's command of subject matter have also diverted him from equal commitment to classroom teaching and concern with the problems and environment of the undergraduate. The latter endeavors are not the principal means of measuring or achieving recognition in the University. The structure of incentives bearing on the individual professor is such as to induce him to give more of his intensive, imaginative, and absorbing effort to research, graduate training, and public service than to teaching of undergraduates or concern with their affairs. American scholars now may be in closer touch with their peers, their apprentices, or public officials than with undergraduate students.

At Berkeley:

> Some of our senior professors show an extreme aversion to undergraduate and especially lower-division [freshman and sophomore] teaching.

FACULTY ARE NOT GIVING ENOUGH OF THEIR TIME TO UNDERGRADUATES

The Berkeley and Cornell committees both found that the facts confirm the protests of students that the faculty try to minimize their availability to students.

At Cornell:

> Students feel that they have inadequate contact with the faculty. The evidence for this is overwhelming. Nearly all other student complaints are ultimately connected with this problem.

At Berkeley:

> [The student] comes to the faculty seeking a "prophet" or a "wise man." . . . [But] [i]n the critical student's eyes, the professors turn out to have their own system and play their own game. He sees their research as a means for their own advancement rather than as a search for truth. They turn out to be neither prophets nor wise men, only specialists in one area with all their prejudices in other areas intact.

At both Berkeley and Cornell, the faculty committees found an excessive tendency to dispose of undergraduate teaching duties through large lecture courses and a neglect by the faculty of its important responsibility to advise students on an individual basis.

According to the Berkeley report:

> Advisers spend little time with students and change all too frequently. "I can't even remember the names of my advisers for the last three semesters" is a quotation that could come from countless students in many areas of the University.

The faculty committees of the two institutions agree that senior, permanent faculty members should teach more introductory and basic courses and that this teaching be so arranged that more students will have a chance to know their professors.

Moreover, both committees believe it would be salutary to institute a regular system of student evaluation of teachers to keep professors on their toes. According to the committee, this practice is already followed at Yale and at Bennington College, Brooklyn College, City College of New York, Grinnell College, Miami University, Ohio State University, Purdue University, Queens College, Reed College, University of California at Riverside, and the Universities of Michigan and Washington.

TEACHING RESPONSIBILITY SHIFTED TO POORLY QUALIFIED TEACHING ASSISTANTS

All major universities have traditionally relied on teaching assistants selected from among graduate students to supplement the regular teaching staff. This practice was adopted not only to give graduate students needed financial assistance, but because teaching was regarded as an important part of graduate training.

Today, the huge expansion of enrollments have made graduate teaching assistants major participants in undergraduate education at colleges and universities. For example, at Berkeley, teaching assistants are responsible for 31 percent of all classes and laboratory sections. They teach 41 percent of the classes at the freshman and sophomore levels, 65 percent of all classes and laboratory sections having 15 students or less, and 63 percent of all classes and laboratory sections having 16 to 30 students.

At Cornell, in 1965, the university employed 800 graduate students in teaching duties.

Therefore, as the Berkeley report states:

> By any standards, then, the quality of the instruction by teaching assistants is important to the quality of education at [the university].

But the Berkeley and Cornell faculty committees found that not only have the abler graduate students been diverted to research, but that senior faculty and fortunate graduates having research assistantships and the fellowships scorn the less fortunate teaching assistants.

The Cornell committee states:

> Thirty years ago, only the most gifted and conscientious graduate students could hope to be given teaching assistantships. Today, in some areas, the increase of fellowships has removed some of our best graduate students from teaching. Fellowships with no teaching obligations are necessary in special cases, but we deplore the broad increase in the number of non-teaching fellowships without regard to this problem. . . . As funds for fellowships and research assistantships increased, the position of the teaching assistant has declined and the most capable students are now offered more prestigious kinds of support. . . . With the large number of fellowships available, an increasing percentage of the most capable students are no longer available for teaching. There is every evidence that the fellowship funds will continue to rise making the problem even more difficult in the future.

The Berkeley committee found that—

> Some of our very best graduate students, who would have learned much and been excellent teaching assistants, have by holding fellowships and research assistantships been excluded from teaching. . . . [I]t is the rare department that takes teaching potential seriously into account in the first appointment of [t]eaching [a]ssistants.

Once they have been selected for teaching assistantships, the Berkeley committee further found that—

> The graduate students find themselves . . . regarded . . . too much as employees rather than as junior colleagues. Insecure, neglected, sometimes exploited, [t]eaching [a]ssistants have responded in ways detrimental to the education of undergraduates. The creation of a [t]eaching [a]ssistants' union, in opposition to the University as "employer," is a symptom of their dissatisfaction.

NONSALARY BENEFITS ARE GIVEN TO RESEARCHERS BUT NOT TO TEACHERS

University teachers, like other professional people, need secretarial, clerical, and technical assistance. Their work is the better for adequate physical facilities and pleasant working conditions.

However, researchers, particularly those in the physical sciences, have had a disproportionate share of these amenities. This has had an adverse effect in maintaining teaching quality.

As the Cornell committee stated:

> There are areas of the University, especially the sciences, where there is striking disparity between the financial support for teaching and the support for research in the same department. In terms of secretarial help, technical assistants, quality of apparatus and physical surroundings, research activities are often far better endowed than teaching

> activities. Those members of the Committee who have experienced this situation are persuaded that it has an adverse effect on attitudes toward instruction.

While researchers, for example, can have bright assistants supported from research funds, teachers must rely on university funds for such assistance. The relative scarcity of university money makes it difficult to provide equally good assistants for teachers. According to the Cornell committee:

> More highly qualified technicians are needed to help in the large laboratory courses and lecture demonstrations. While the research areas' of the sciences are well endowed with high-caliber technical personnel paid from external funds, the technical staff associated with instruction are paid from University funds. The inadequacy of the latter leads to a condition both of lack of sufficient number of staff and, because of disparity of pay rate, lack of quality.

TEACHING ABILITY NOT GIVEN SUFFICIENT WEIGHT IN GRANTING PROMOTIONS AND TENURE

The faculty committees of Yale, Berkeley, and Cornell contend that a professor's teaching ability should be given major weight, along with proofs of excellent scholarship, in granting promotions and tenure. However, the Cornell and Berkeley committees agree that, at their institutions, teaching ability has not been given due emphasis in rewarding faculty.

At Cornell:

> Teaching ability received little or no mention in 54 percent of the recommendations for tenure positions.

And at Berkeley:

> Chairmen and appointments and promotion committees have given a fuller measure of attention to evidence of research. Even granting that research is itself in some measure an indicator of qualities valuable in teaching, as the system is presently implemented, there is danger that deficient performance of teaching is not adequately recognized and outstanding performance not given due credit.

CHANGES IN FEDERAL POLICY GOVERNING FEDERAL RESEARCH AT UNIVERSITIES NOW UNDERWAY

Mr. Speaker, the Research and Technical Programs Subcommittee recommended that changes be made in the administration of university-performed Federal research to prevent the Federal research program from further aggravating these unfortunate tendencies. I am gratified that a number of reforms have been instituted by the executive branch.

On September 14, 1965, the President issued instructions to the heads of departments and agencies, that—

> Research supported to further agency missions should be administered not only with a view to producing specific results, but also with a view to strengthening academic institutions and increasing the numbers of institutions capable of performing research of high quality.

More recently, the Budget Bureau, in direct response to the subcommittee's recommendations, has assured Congress that it will:

First. Maintain up-to-date data on manpower requirements of Federal programs so that the Government will be able to avoid diverting an excessive number of scientists and engineers from important occupations like university teaching;

Second. Study the effect of federally supported research on the quality of undergraduate teaching; and

Third. Develop guidelines for agencies which will limit the cases where senior scientists having Federal research grants will be required to devote full-time to Federal research.

DOMINION DAY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, tomorrow is Canadian Dominion Day. Ninety-nine years ago—on July 1, 1867—Canada became a self-governing Dominion in the British Commonwealth.

For years, we in the United States have counted Canada among our closest friends. Those of us who live in Michigan and in other States along our country's northern border feel particularly close to Canada and the Canadian people.

Canadian-American ties are more than symbolic. We share many political, economic, military, social, and cultural bonds.

Each country is the other's greatest trading partner. Twenty percent of American trade is with Canada. Last year, Canada sent about $3 billion of her exports to the United States.

The United States and Canada are strong partners in foreign affairs. Both countries are charter members of NATO. Both have played important roles in the United Nations. Like the United States, Canada has contributed large amounts of bilateral and multilateral aid to the developing countries.

We have engaged in numerous joint ventures of mutual interest. The large number of Canadian-American commissions and committees testifies to this activity. Perhaps the chief example is the St. Lawrence Seaway.

This is not to say that the policies of the two countries are identical. We have had our differences, but they have always been resolved in a peaceful and amicable manner.

Mr. Speaker, on behalf of the residents of Michigan's 12th Congressional District, I extend warm wishes to our Canadian friends and neighbors as they observe the 99th anniversary of Canada becoming a self-governing Dominion.

BEAR SOMETHING AWAY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, often commencement addresses are commonplace, rather predictable exhortations designed more to fulfill the formalities of graduation exercises than they are to impart any real message.

But every now and then, one reads a commencement address which deserves wider circulation than the audience which hears it. Such an address was delivered by the U.S. Commissioner of Education, Harold Howe II, at the commencement exercises on June 5 at Vassar College in Poughkeepsie, N.Y.

Commissioner Howe had a very important message for the Vassar graduates, and one which those of us in Congress and in the public at large would do well to read and heed.

I congratulate Commissioner Howe for his excellent address and commend it to the attention of my colleagues in Congress as well as to other readers of the RECORD.

Commissioner Howe's address follows:

Bear Something Away

(An address by Harold Howe II, U.S. Commissioner of Education, at commencement exercises, Vassar College, Poughkeepsie, N.Y., June 5, 1966)

You see before you a father who has been trying, for nearly 20 years now, to gain the undivided attention of either of his two daughters for more than five minutes at a stretch. Today I have the opportunity to seek the undivided attention of three hundred young women for 20 minutes, and the prospect leaves me both pleased and puzzled.

Pleased because I have never lost my interest in young women, whether I am related to them or not. Puzzled because it seems to me increasingly difficult for persons of one generation to dredge up from their years any useful wisdom to pass on to the following generation.

So many of the absolutes valued by my generation are being questioned today that I wonder what there remains for me to urge without sounding square, unsophisticated, or—worst of all—merely quaint. More than 100 years ago, the Anglican Charles Darwin began his researches into the origins of man; he found, among other things, that he could no longer accept the orthodoxies of the church in which he had been raised, and he ended his life as an agnostic.

Darwin was regarded as a threat to respectability by his Victorian contemporaries, a barbarian from the alien land of scientific observation and precise measurement. It became almost a way of life for clergymen and men of letters in those days to refute his conclusions. And yet today, we find some theologians—men with impeccable academic credentials, men of a scholarly turn of mind—claiming that God is dead. And we hear the mass of theologians of every denomination reply that though God is not dead, our notions of him require drastic revision. Our human nature, which seemed in 1940 to unite all men with some fundamental concepts of decency, was revealed five years later—at Auschwitz, at Belsen, at Dachau—to be capable of the most hideous perversions. Some of our young men today fight a war which is not quite a war, while others claim that the ancient and honorable name of patriotism has become a cheap slogan to mask the bankruptcy of a Nation's moral sense.

God, man, country . . . these were the absolutes my classmates held when we graduated from college just before World War II. Not that young people in those days were any more noble than yours—it was simply that these three words signified some verities which, for most of us, were beyond question. These verities of 25 years ago are much questioned today, and my generation does not find it as easy as we would wish to find the arguments that answer the new assertions of your generation.

But our answers and arguments are not the point today, and neither is the gulf between the generations which grew up on different sides of World War II and the atomic bomb. Rather than trying to inflict upon you some of my own beliefs, I feel it more pertinent to hope that you will retain after you leave college some of the faith and passion that your own generation has expressed so vividly.

I speak of that sense of personal concern for the quality of our society, and for the universal cause of mankind which has found a thousand different voices on a hundred different campuses, from California to the Carolinas, from the Mexican border to the Canadian. Those voices, as you know, have both repudiated and applauded our national policy in Viet Nam; they have criticized university administrations, demanding more influence for the student body and more freedom for the faculties; those voices have been heard beyond the walls of the academic community, demanding faster progress toward civil rights, towards peace, toward a fair chance for the less fortunate.

And those voices are having an effect. "Nothing succeeds like excess," Oscar Wilde once said, and no matter how much the appropriate authorities deplore student radicalism, there is no question that student viewpoints are altering our universities, our social practices, and the intellectual, political, and spiritual life of our Nation.

I do not wish either to endorse or to condemn all the sit-ins, sit-outs, picketings and marchings. For from my vantage point it seems that some of the student demonstrations represent your generation's dissent from the uninteresting and perhaps unuseful orthodoxies you inherited from my generation. After all, in my day Harvard and Yale students were expressing their non-conformity by swallowing live gold fish; ten years later, students who felt the adrenalin or the hormones or whatever rises in the veins of undergraduates were seeing how many people could fit into a telephone booth and developing that new American tradition, the panty raid; today, however, student enthusiasm is directed to the great public issues of the time, rather than to trivia. To be sure, deans and public officials are frequently embarrassed because students don't always concern themselves with finding tactful means to achieve their ends.

But however much I might differ with some of the methods involved in the manifestation of what the magazines term "student unrest," I cannot help but feel that these demonstrations do testify to an individual sense of responsibility for the vast world outside the halls of ivy. And that sense, in turn, represents a great leap forward over the relatively precious and parochial interests of most undergraduates of my time.

To whatever degree each of you shares that sense of individual responsibility for the common weal, I would urge you not to lose it. And because the world beyond the academic community threatens that sense in so many beguiling ways, I would like to discuss some methods of retaining that feeling of personal involvement in national concerns and—most important—of putting it to work. Finally, because abstractions tempt one to be vague, I will place my remarks in the specific context of the struggle for racial equality.

I hope that by now, each of you has an informed interest in civil rights. I do not say a commitment, or a passion, or even an enthusiasm, for often it is difficult to care about a cause until it somehow touches your life.

But in point of fact, racial injustice does touch every one of our lives, whether we are aware of the contact or not. It depletes us as a Nation because it robs us of the contributions that Negro men and women could make to our common life if their abilities were given as much opportunity to mature as those of white Americans. It robs us as individuals because—by apathy, by inaction, by an ethical sluggishness that keeps us mired in our own concerns—we are tolerating injustice.

It is this ethical aspect of the American racial problem, rather than the economic, that has most motivated student interest, and that is a most heartening sign. The question is, what will happen to that ethical concern after you leave college and head for a job, for marriage, for a family or career or both.

Judging from the experience of the generations that have preceded yours, you will begin to lose that passion for justice which your studies, your teachers, and the college environment have encouraged in you. The often melancholy and tedious necessities of adult life do not impinge upon undergraduates with the force they will later exert. For many college graduates, the True, the Good, and the Beautiful finally take a back seat to mortgage payments, commuter schedules, and patio seminars on the best way to deal with a stubborn case of crab grass or diaper rash.

Not everything goes, of course; some residue remains of those years when daddy or the National Merit Scholarship Corporation was paying the bills, and it was possible to advocate socialism because one's tuition and board bills were promptly taken care of by a capitalist back home. Some tincture of youthful idealism survives the onslaughts of mature conformity . . . usually in a polite, cocktail-hour sympathy with the plight of depressed masses who are much more appealing because they are not trying to move into one's own neighborhood or marry one's daughter.

I suspect that this decline from the brilliance, heat, and passion of student life to the comfortable glow of genteel suburban liberalism is not only inevitable for most, but necessary. The Ghandis and the Schweitzers are always a tiny minority. Men and women do not live by heroism alone, but by the humbler actions of earning a living, taking or being taken in marriage, and by fashioning for themselves and their descendants a slightly better life than their fathers were able to offer.

But a tepid, narrowly circumscribed, unadventurous, uncommitted existence barely deserves to be called human life in any but the most restrictive sense of that term. We ought to aspire to something more, no matter how far we fall short of realizing our intentions.

A thousand thinkers and poets, men of action and men of dreams, have offered formulations of what it is to be human. In groping among my mental souvenirs for those that made a particular impression on me, I recalled especially some lines written by a Justice of the United States Supreme Court, the younger Oliver Wendell Holmes.

"I think," said Holmes, "that as life is action and passion, it is required of a man that he should share the passion and action of his time at peril of being judged not to have lived."

". . . being judged not to have lived." What a heavy sentence to have pronounced upon one's days, especially since the very process of life itself brings every one of us a generous measure of pain and disappointment. How additionally sorrowful it must be to reflect, at the close of one's life, that you might have turned that pain, that effort, to some account.

These are sobering and perhaps even gloomy thoughts to offer on a commencement day. The word commencement itself means a beginning, and beginnings are usually joyful events, bright with promise as a new morning or a new year. If I could find it in myself to do so, I would encourage you to aim at the stars, to renew this tired world with your youthful enthusiasm and your high hopes . . . to echo, in short, the thunderous boosterism that has been popular with graduation speakers who take their texts from Edgar Guest and other vigorous exponents of optimistic oversimplification.

But I cannot in honesty do so, for the world simply is not holding its breath for your arrival on its well-worn doorstep. There are more than 2,500 colleges and universities in the United States, and I would guess that every one of them is launching its own corps of confident young men and women this month. Many of these graduates, it is true, have already concluded that the highest end in life is to join the million dollar insurance roundtable or get on the ladder that leads to a corporate vice-presidency . . . or to snare a man who will soon be sitting at one or climbing the other.

I wish all of them good luck. Civilization rides on the back of the middle class, so beware of easy disdain. The status you thereby save may be your own.

But civilization quickens and squares its shoulders at the sight of those few who refuse to pick up the common cadence because they hear a different drummer. Those few, those happy few . . .

The problem is that at the age of 21, with a brand new bachelor's degree in hand, so many of us consider ourselves capable of joining that slender band who, in Stephen Spender's words, ". . . wore at their hearts the fire's center . . . and left the vivid air signed with their honour." The grievous truth is that most of us who would stand on the ramparts of civilization must be satisfied with less.

Genius takes care of itself, and needs no urging. It needs a spot of affection now and then, some tea and sympathy, but probably more opposition than praise. So to the geniuses in this graduating class, I simply extend my homage and a polite request that you remain until this observance is formally ended, for your sudden exit right now will disturb the remainder of the proceedings.

But to the rest of you—those who recognize that you will probably not trisect the angle or carry the serum to Bangkok or write the Great American novel—I would like to point out that one can share the action and passion of his time without making a career of it. It is not necessary for you to build the millennium by 1970; it will be quite worthwhile if you manage to place one stone on top of another, so that the generation that follows yours—your sons and daughters, perhaps—will stand three inches higher when they look about to appraise their world.

This is especially true with regard to civil rights, for the great battles remaining to be fought will not be waged in Selma and Watts, Montgomery or Bogalusa. The most enduring and critical victories will have to be won in the quiet communities * * * in the pleasant neighborhoods in our cities and in the suburbs that ring those cities. The great civil rights demonstrations have made their point, and governments at every level—Federal, State, local—are responding with legislation designed to bring the Constitution and the Emancipation Proclamation up to date. Much remains to be done, of course, and perhaps more demonstrations will be needed to spur action. But the task of achieving genuine equality of opportunity throughout the United States will not be completed until the desirability of racial justice is accepted by the polite people, as well as the violent people.

These battles will be won by personnel managers who go beyond employing brilliant Negroes to giving mediocre Negroes the same chance for a job as mediocre whites. They will be won by mothers who look at a first-grade reader and decide that all those white faces in the illustrations do not accurately reflect the world their children live in * * * and who ask the school superintendent to do something about it. They will be won by white and Negro fathers who recognize that a son's bloody nose may be simply the wholesome product of young male belligerence expressing itself at recess, rather than of a racial incident in an integrated school.

These victories will be won, in short, by the mass of white and Negro Americans who bring to the solution of our most agonizing American dilemma a combination of concern and reason. Emotion is not enough; to it must be joined wit and wisdom and a controlled indignation about continuing injustice. Both indignation and a sense of injustice are difficult to keep lively and under control at the same time. My dentist told me recently that he had a new anaesthetic. After taking it, you still feel the pain but it doesn't bother you. On social issues like civil rights, it is important both to feel the pain and to have it bother you.

On such social issues, I urge you to reject anaesthetics and to preserve that sensitivity to the pain of others which seems to bother your college generation so much. More to the point, put that pain to work, and let it guide you to a mature, intelligent, and vigorous citizenship.

The great deeds of the world are usually performed by those who have sacrificed everything else to a few burning desires. We need such people, and we always shall. Unfortunately, the very brilliance of their achievement often convinces the rest of us that anything less than brilliance is not worth our effort.

In this day, in this America, we need quiet heroes who—while going about their nine-to-five business—take time to shape a slightly different world than the one they found. We need suburbanites whose concerns do not stop at the city limits, who recognize that poverty in the inner city diminishes the quality of their own lives. We need parents who will extend their concern for their own children to the children of other parents who cannot struggle effectively against economic or social discrimination. We need men and women who realize that equal opportunity throughout American life will emerge not from the organized civil rights movement alone, but also from the words and deeds of unorganized citizens whose only banner is an invisible commitment to justice for all.

I hope you will never forget the ideas and the ideals that four fortunate years in a genuinely excellent college have fostered in you, for you owe your families, your professors, and your society some recompense for the privilege of attending Vassar. I hope that you will make the action and passion of the American fight for racial equality a part of your lives, whether those lives take you into the Peace Corps or the PTA. I hope that you will conclude, as Dylan Thomas did, that no one should "go gentle into that good night."

"The violent bear it away," says the Bible. Temper your violence as you must, for life is a tempering process. But do not abandon your young violence entirely, and make sure that you bear something away.

A CONTRIBUTION TOWARD PEACE: FOREIGN AID

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, we live in an increasingly interdependent world in which the well-being of one nation directly affects the peace and security of our own country. During the last two decades the United States has contributed to the economic and social progress of poorer nations through foreign assistance. By such efforts our Nation has made untold and immeasurable contributions to the peace and security of the free world by helping to eliminate the problems of poverty which so often are the major causes of hostilities.

Last month, the Administrator of the foreign aid program, David E. Bell, delivered the commencement address at Tuskegee Institute in which he recounted our Nation's foreign aid efforts throughout these years and their tangible results. But, as Mr. Bell told the graduates, we are midstream in our efforts to help the developing countries through which we hope to "establish the conditions for lasting peace." We cannot predict the final outcome, but the work of the foreign aid program and other international efforts for economic and social progress can "eliminate the major causes of conflicts and can wipe out the basis for violence based on despair. While they are not sufficient to assure peace, they are necessary to that end."

As Mr. Bell pointed out in his address, the true value of economic aid is an investment in the people who are willing to help themselves. The key to economic progress is to release the energies of these people to increase their own opportunities. This is a fundamental principle of the aid program today, which has accounted for the success of U.S. efforts in Western Europe, Japan, Taiwan and the present progress of recipient nations. It has been a worthwhile investment that costs less than one-third of 1 percent of our national output, and yet is a lasting investment in our own future.

I would like to submit in the Record Mr. Bell's address:

COMMENCEMENT ADDRESS BY THE HONORABLE DAVID E. BELL, ADMINISTRATOR, AGENCY FOR INTERNATIONAL DEVELOPMENT, DEPARTMENT OF STATE, TUSKEGEE INSTITUTE, TUSKEGEE, ALA., MAY 30, 1966

It is a privilege for me to be invited to speak to the graduating class here at Tuskegee. This Institute represents one of the most unusual and significant achievements in American education. Starting with nothing but the vision and the indomitable will of one man, building a school with his own hands in the midst of an indifferent—even hostile—society, Tuskegee Institute has over the decades become a strong and respected educational institution and a constructive force in the South and in the nation. Over the years, Tuskegee has liberated from the bondage of ignorance many thousands who had no other chance for education. It has been the home of important scientific discoveries. Today, Tuskegee is fully accepted as a major Southern center for higher education and research, and is confidently looking forward to broader and greater service in the years ahead.

The story of Tuskegee is a magnificent American accomplishment. You who are graduating today should feel great pride in your school. And anyone who is asked, as I have been, to speak on this occasion should feel greatly honored.

But there is a different and special reason for me to welcome the chance to speak at Tuskegee. This is an Institute which was built to serve the disadvantaged—those who through no fault of their own face extraordinary obstacles in trying to achieve a better life—obstacles of poverty, ignorance, and prejudice. Those of us who are engaged in United States foreign assistance programs are also working with the disadvantaged—the disadvantaged millions in Asia and Africa and Latin America—millions who are poor and uneducated and often face ancient barriers of prejudice. I suspect that those of us working today with the people of the underdeveloped countries have much to learn from the experience of Tuskegee in working with the people of the developing South over the last 85 years.

I would like to say a few words on this occasion about our work in the developing countries, not only because of the lessons Tuskegee can teach us, but also because the problems of those countries will be of major concern to those graduating here today for the rest of their lives.

For these graduates will live in an increasingly international and interdependent world. You were born as World War II was ending. That war marked the end of isolation for the United States and the beginning of a full-scale commitment to take part in world affairs. You have grown up as children of the first generation of Americans that has deliberately sought to use American influence, American ideas, American power to affect world events in directions we thought to be constructive.

The United States did not come to this decision easily. The attitudes of a century of isolation died hard. It had been comfortable to think of ourselves as protected by our two great oceans, to concentrate on the tasks of developing our own continent, to let the rest of the world take care of its own problems.

It had been comfortable—but it no longer made sense. World War I taught us that we could not stay aloof from a major war in Europe. World War II taught us we could not stay aloof from a major war in Asia. It was painfully obvious that if we were going inevitably to be in on the crash landings, we had better make sure we were in on the takeoffs. The conclusion has been challenged time and again, and time and again reaffirmed. It was eloquently stated just the other day by Prime Minister Pearson of Canada, himself a Nobel Peace Prize recipient. Canada, he said, is "deeply involved in the world's affairs . . . because we have learned over fifty years that isolation from the policies that determine war does not give us immunity from the bloody, sacrificial consequences of their failures."

Accepting the inescapable wisdom of this view, the United States since World War II has been deeply engaged in the effort to establish the conditions for lasting peace in the world. We have been seeking to work with other countries to stifle small wars before they could become big ones, to settle international differences by persuasion and agreement rather than by fighting, to ease the problems of hunger and poverty which have so often bred violence. These two decades have been far from easy. The costs have been high and we should not minimize them. We have spent billions of dollars, and, more important, the lives of many of our young men in Korea and now in Vietnam. It is no wonder that President Kennedy called this period "a hard and bitter peace."

But we should not minimize either the very substantial record of constructive accomplishment which we have written in these twenty years.

Freedom was preserved in Western Europe, in Greece and Turkey, in Japan. A military counterweight was constructed—and used—to contain the Soviet Union while its policies gradually began to change. Economic growth began to lift ancient burdens in many countries of Africa, Latin America, and Asia. Great international enterprises like the Alliance for Progress and the Peace Corps have been launched.

Today we are in something like midstream in the great effort to establish the conditions for lasting peace. It would be foolhardy to seek to predict the outcome, on this Memorial Day of 1966 with our young men fighting in Vietnam, and the uncertain giant of China learning to use nuclear power.

But in my own field of economic assistance a cautiously hopeful outlook is indicated, and the Americans working around the world for the Agency for International Development—including a number of Tuskegee graduates—feel some confidence they are learning how to tackle the problems of economic growth.

Everyone is familiar with the rapid and successful reconstruction of Europe and of Japan in the decade after World War II. Those countries then were laid waste as the result of the war; they were hungry; their societies were badly shattered. But within a decade, by their own efforts and with very large assistance from the United States, they were back on their feet, and since then they have been moving forward rapidly.

Incidentally, they have not forgotten what foreign aid meant to them; last year the countries of Western Europe and Japan together provided over $2.5 billion in assistance to the developing countries. The Western Europeans, in fact, in recent years have provided more aid to the countries of Asia and Africa and Latin America than we provided to Europe under the Marshall Plan.

American assistance to post-war Europe and Japan was a brilliant—and a well known—success. It is not so well known that there have been some even more impressive successes for our aid programs in the developing countries. The typical tourist or journalist who visits the countries of Latin America and Africa and Asia is impressed with the poverty he sees. And there is no doubt they are poor—desperately poor, with inadequate diets, inadequate schools, inadequate housing.

But the fact of poverty—as you here at Tuskegee can testify better than perhaps anyone in this country—is only a statement of a problem, not a reason for despair. And those of us who work day in and day out on the problems of the developing countries are learning to apply the same sort of practical, down-to-earth solutions you have applied at Tuskegee.

Let me illustrate. The island of Taiwan 15 years ago looked like a hopeless place, crowded by refugees from the Chinese mainland and with no prospect other than indefinite dependence on the U.S. taxpayer. But the result has been otherwise. Wise policies, very hard work by the people on Taiwan—both Chinese and Taiwanese—plus major assistance from the U.S. have resulted in very rapid economic and social progress. Taiwan did not make the mistake, as some other developing countries have done to their cost, of overlooking the importance of agriculture. A major land reform was carried out which transformed thousands of tenant farmers into land owners with the incentive to care for and invest in their land. Farmers associations were helped to introduce new varieties, to obtain fertilizer and other needed supplies. As a result, agricultural production has risen rapidly and steadily. So have industrial production and exports. Taiwan today is a bustling, thriving place, with steadily rising standards of education, health, and family income. The result has been that in June of last year the United States was able to terminate economic aid to Taiwan.

I do not wish to overstate the case. This process has not made the people of Taiwan rich. The average per capita income there is still under $200 per person per year, which compares with something over $2700 per person per year in the U.S. There is much work to be done for many years in Taiwan to raise further the standards of education and health and housing. But the key point is that through their own efforts and our help, the people on Taiwan have now reached a position in which they are capable of making further steady progress by their own efforts.

Now this I submit is both an extraordinary achievement and a most illuminating illustration. It demonstrates the true value of economic aid—not as a handout, but as an investment—where the people we help are prepared to do everything they can for themselves. This is a fundamental principle of our aid program today: we are prepared to provide help only to those who are prepared to undertake strong self help measures. We intend to provide aid not as a permanent support but as a temporary help until the developing country has gained enough momentum to go forward on its own—without further assistance from us—and at that point we intend to bring our aid program to a close, as we have done in Taiwan and some 26 other countries so far, and as we expect to do, country by country, over the years ahead. Economic self-support and the end of economic aid cannot come quickly in some very poor countries, but they can be achieved in time in all—and that is why the first principle of our assistance—a principle that rings true here on the campus of Tuskegee—is to provide our help to those who are determined to use their own maximum efforts to help themselves.

A second principle of our economic aid, and this to is a rule that is easy to understand here on the Tuskegee campus, is that we must start in each area with the special and unique characteristics of the people who live there. The resources, the opportunities, the problems of each country are different from those of every other country. You have to start from where they are.

In Ethiopia today, at a place called Gondar, there is a Public Health College and Training Center which was set up in 1954 with the help of the United States and other sources of foreign aid. The school at Gondar does not turn out M.D.'s. Instead it turns out health workers, persons from rural communities, some of whom have graduated from high school but most of whom have perhaps the equivalent of one or two years of high school, who are trained at Gondar in the minimum essentials of sanitation and medicine.

The health workers graduated from Gondar are extremely valuable in present-day Ethiopia. They are showing Ethiopian villagers how to establish and maintain clean water supplies. They are participating in campaigns against smallpox, tuberculosis, and other major diseases. More than 500 health workers have graduated from Gondar thus far and they are having a major influence in improving the health standards of the Ethiopian people—far more influence than could possibly have been achieved in this period of time by trying to concentrate on turning out full-fledged M.D.'s. There are only a handful of students in Ethiopia each year with sufficient education to seek an M.D. degree, and Ethiopia cannot wait the many years that would be necessary before a sizeable number of M.D.'s could be turned out to attack the current pressing health problems.

So the school at Gondar is a sound approach to the problem of raising health standards in Ethiopia today. It fits the conditions there now. But it is also important to recognize that the conditions in Ethiopia are changing, and the school at Gondar has been designed so that it too can change over the years to come. As the general level of education in Ethiopia rises, and as the level of income in Ethiopia rises, there will be more people who are capable of receiving advanced training in medicine, and it will be possible economically to support more better trained health personnel. As that occurs, I expect to see the school at Gondar gradually add higher and professional levels of training until some day it becomes a full-fledged center for advanced education and research in medicine.

Now this too, I believe, is a highly illuminating illustration of how to work in the developing countries by starting where they start, and developing a flexible and realistic plan that meets the present problem and can change and grow over time. You here at Tuskegee can appreciate the significance of this story very well because Tuskegee, like Gondar, in its early years turned out graduates who did not have advanced or professional training. But the training they did have was for them an enormous step forward, which advanced greatly their ability to solve their own problems and those of their communities. And gradually over the years Tuskegee has added advanced and professional training and research until today it is a full-fledged university in all but name.

Let me cite just one more illustration. In a town called Santo Domingo de los Colorados, in Ecuador, a rural electric cooperative was started two years ago. Santo Domingo is a small rural community in which the people are very poor. An American advisor, Mr. John Taylor, who is incidentally manager of the Walton Electric Cooperative in Monroe, Georgia, went down to Santo Domingo for A.I.D. and talked with the people there about what rural electric co-ops were like and what they could mean to the community. The idea caught hold, a co-op was started, and the results have been remarkable. The co-op started with a couple of small diesel generators that were in the community, but had never operated more than 12 hours a day and with frequent breakdowns. The co-op took over these inadequate facilities and obtained some further equipment from the United States, much of it as a donation from the Kentucky State REA Co-op Association. For the last 18 months the co-op in Santo Domingo, Equador, has been operating effectively 24 hours a day; it is collecting its bills and making money for its members.

The effect on Santo Domingo has been dramatic. Women are acquiring radios and refrigerators. Electric machines such as water pumps, silage cutters, saw mills are replacing the manually operated tools of yesterday. New small industries are springing up. And around the town well-lighted playgrounds and community meeting rooms are new gathering places, particularly for youth.

This is not an unusual story by American standards. But in Ecuadorian terms it is remarkable. And the reason it is remarkable should be clearly understood. This is not a story which simply describes the benefits that electricity can bring. What is remarkable is that a group of poor people in Ecuador found a means to organize themselves, to pool their energies and their wisdom, and together to broaden and increase the opportunities in their own community. The amount of external aid that went into Santo Domingo was not large. What made the difference was to find a means—in this case a rural electric co-op—by which the energies and initiative of the people of that town could be harnessed together for their own mutual benefit.

Now this is perhaps the most profound lesson we have learned in these twenty years of foreign aid. The key to social and economic and political change in the developing countries is to find ways and means to release the energy and the ideas of the people of those communities. Over and over again the story has been the same. Whether the unit under consideration is the individual family or farm or business, or a larger grouping such as a co-op, a local government, a labor union, a school district, the essential objective is to find ways to enable people to apply their powerful energies to work for the improvement of their families and their communities.

This again will be no surprise to you here at Tuskegee. It has been your mission and your achievement to open opportunities and release the energies of individuals and local groups in Alabama and throughout the South. And I suspect that this will continue to be the heart of your mission in the future, on an increasingly broad scale, and taking advantage of your unique experience in building multi-racial relations in small groups and local communities on a constructive and democratic basis.

The illustrations I have given relating to Taiwan, to Ethiopia, and to Ecuador show how large are the opportunities in the world today to build constructively toward progress and peace. I could give dozens of other illustrations, many of them based on the work of people from Tuskegee, such as Dr. Ernest Neal who was Director of your Rural Life Council until 1953 and is now Deputy Director of the A.I.D. Mission in the Philippines, or the agricultural expert who is known well and widely all over Eastern Nigeria as "chicken Charlie" Davis because of the fine work he has done in introducing to the Nigerian farmers better varieties of chickens and better methods of caring for them, but who would be known somewhat more sedately in this community as Charles L. Davis who received a Master's degree in Agriculture at Tuskegee in 1950.

All the illustrations are examples of the ways in which, in spite of the conflicts and difficulties of these last 20 years, we have been learning to contribute to economic and social progress in the developing countries. Even today in Vietnam, in the midst of military hostilities on a sizable scale, we are able to help build toward a better future. In the last three years, our aid program in Vietnam has helped to build over 6,000 school classrooms, and to turn out over 8 million textbooks—the first textbooks ever provided to many Vietnamese village school boys and girls. Our medical assistance is reaching many thousands of rural and small town Vietnamese who have never had access to such help before.

Indeed one can go further. Our help and advice in local government, agriculture, land reform, transportation, and other fields of economic and social improvement, are vital to the success of the struggle in Vietnam. Military action is unavoidable in order to fight off the military attacks of the Viet Cong and of the North Vietnamese troops. But military action by itself could never restore peace in Vietnam. It is essential gradually and step by step to reestablish local security in the villages and hamlets against terrorist assaults by the Viet Cong, to rebuild effective local government responsive to the needs and interests of the people in the rural communities, and to help enlarge their opportunities for progress in education, in health, in agriculture, and in other elements of rural life. This is the focus of A.I.D.'s work in Vietnam. Its importance is attested by President Johnson's personal interest, and by his sending Orville Freeman, Secretary of Agriculture, and John Gardner, Secretary of Health, Education, and Welfare, to Vietnam for personal reviews of our aid work there and recommendations as to how it can be improved.

In summary, then, the economic assistance work of the United States around the world represents a great endeavor to enlarge the opportunities and liberate the minds and energies of our fellow man in many countries. It is a fundamental part of our country's effort to create the conditions of peace in the world.

I do not wish to claim too much. Economic and social progress are not enough to prevent war. Human passion and folly and stubbornness remain. But economic and social progress can eliminate major causes of conflicts and can wipe out the basis for violence based on despair. While they are not sufficient to assure peace, they are necessary to that end.

Sometimes it is asked whether we can afford to help the people of other countries when there is so much to be done here at home. The answer is very clear. There is no reason why we cannot do what is necessary in the United States and also provide strong assistance abroad. You may have seen Secretary McNamara on television recently before the Senate Foreign Relations Committee when this question was put to him. He replied that as a resident of the District of Columbia he was ashamed of the inadequate budget provided for the schools there. But, he said, this is not a question of limited resources, it is a question of will. We are an affluent nation that could easily put more resources into our own educational system. It is not money we lack, but determination.

Secretary McNamara's view is clearly the correct one. Our economic assistance programs today are costing less than 1 per cent of our national output and less than 5 per cent of our national budget. They are not standing in the way of putting more money into the Great Society programs here at home. We have the resources to do both what is essential to security and peace abroad, and to do what is essential for progress and welfare here in the United States.

But there is still one final point. As we seek to contribute to economic and social change in the developing countries, we are finding more and more that it is a process in which we have much to learn as well as much to give. The American young people who have been abroad under the Peace Corps have come home with a new perspective on how to bring about change in the United States, and they are active by the dozen in the poverty program, in efforts to improve education in slum areas, and in many community development activities in our towns and cities. The same thing is true of the Americans who work for A.I.D. When one gets in the habit of asking how should this society in which I am living be changed for the better—and this is the question that is asked every day by our A.I.D. missions in all the countries where they work—one does not forget that question when he returns home to the U.S. The question is equally relevant in our society, and some of the methods we have developed to bring about change in Calcutta or Monrovia are likely to have application in Cleveland or San Diego.

For these reasons I would urge those of you who are graduating from Tuskegee today to consider seriously the possibility of working, at some stage in your careers, in one part or another of our foreign assistance activities. Those of us in the field now are convinced there is no more challenging or satisfying work to be found. And Tuskegee, with its great tradition of contributing to the development of the United States, has a tremendous amount to contribute to the development of an international community of progress and freedom.

THE BOMBING OF HANOI AND HAIPHONG

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CONYERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CONYERS. Mr. Speaker, yesterday the administration greatly escalated the war in Vietnam by bombing the areas of Hanoi and Haiphong. Because of my great concern over the serious implications of this decision I joined with 15 other of my colleagues in urging the President to reconsider this decision. The following is the text of our statement:

> We are deeply disturbed by today's escalation of the war in Vietnam. The decision to bomb the areas of Hanoi and Haiphong further commits this country to a profoundly dangerous policy of high risk in Southeast Asia.
>
> By this action, the United States is openly challenging China to raise the level of its commitment in Vietnam. We are jeopardizing continued Soviet restraint. Our forces may soon be encountering expanded Chinese air-power and Russian missile opposition. The prospect of a full-scale war in Asia is no longer remote.
>
> Diplomatically, we are risking alienation of our allies, most particularly the British and those in the United Nations who may previously have been sympathetic to our position. Escalation has not been the answer in the past 18 months. We do not believe it will ever be. We urge the President to return to a policy of restraint.

As a further means of restating my position on the Vietnam war, I am today joining others of my colleagues and many Members of the Senate in introducing a concurrent resolution to support the holding of free elections in South Vietnam under the control of an impartial and respected international body such as the United Nations. Certainly our claimed rationale for our presence in Vietnam depends at the very least on the speedy establishment of a freely elected and representative government in South Vietnam which can determine that beleaguered country's future.

The text of the resolution follows:

H. CON. RES. 812

> Whereas the Republic of South Vietnam is actively engaged in making preparations for elections to choose a constituent assembly in a constructive effort to bring about a more representative government; and
>
> Whereas the United States is dedicated to the principle, in the conduct of its foreign affairs, that people everywhere have the right to determine their own destinies through free participation in elected governments; and
>
> Whereas the success of the promised elections in South Vietnam will depend on the assurance that they will be free, fair, and open; and

Whereas an objective and international presence would make a significant contribution to assuring that the promised elections in South Vietnam are free, fair, and open, and thus help substantially in bringing about political stability and the establishment of effective political institutions: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress, the duly and freely elected representatives of the people of the United States of America, that it welcomes the holding of elections in the territory of South Vietnam; that it urges every effort to assure that said elections will determine the full and freely expressed wishes of the people; that it suggests the wisdom of having an appropriate and impartial international agency, such as the United Nations, to supervise the election and to assure the widest acceptance of its results; and that the people of the United States of America through the leadership of the President, with the full support of the Congress, will fully honor the election and the aspirations of the people of South Vietnam as expressed by their freely chosen government.

INDEPENDENCE DAY—CONGO (KINSHASA)

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CONYERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CONYERS. Mr. Speaker, today, June 30, marks the sixth independence anniversary of the Congo—Kinshasa—formerly Leopoldville, a dynamic and courageous nation located in the heart of the vast African Continent. The people of the United States are happy to salute the people and Government of the Congo in their observance of this proud occasion.

Few countries in the world are blessed with such a wealth of natural resources. With a very high literacy and wage rate, production of 8 percent of the world's copper, a large part of the world's cobalt and industrial diamonds, and a progressive agricultural program, the Congo is working to fulfill its great potential through a number of government development programs. The United Nations technical assistance program is a vital part of this effort. In addition, the United States has pledged its support toward these goals through its plan of technical assistance which contributed more than $400 million in 1964.

Congo—Kinshasa—is almost equal in size to the part of the United States east of the Mississippi River and is located in the south-central part of the continent. Surrounded on the west and north by the Congo Republic—Brazzaville—the Central African Republic, and Sudan, on the east by Uganda, Rwanda, Burundi, Tanzania, and the south by Angola and Zambia, the Congo covers the greater portion of the Congo River Basin. The low, central area of the Congo is a basin-shaped plateau covered by tropical rain forest and surrounded by mountainous terraces, savannas, and dense grasslands.

Many Americans have come to know and appreciate the ancient and rich culture of the Congo. Art exhibitions such as the permanent collection at the African History Museum in Washington and other information programs have provided the American people with a deeper understanding and knowledge of the outstanding sculpture, painting, craftsmanship that is uniquely Congolese.

Again, we extend heartiest and warm felicitation to the people and leaders of the Congo. To a nation of determination and favored with a bright future of fulfillment and contribution to the African Continent and the world, we wish continued prosperity and progress.

REALISTIC SOUTHERNER

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, our distinguished colleague from Atlanta, my good friend CHARLIE WELTNER, is the author of a recently published book which tells of his personal struggles with the problems of his region and the evolution of his own attitudes.

An article based upon his book appeared in the May 1966 edition of the Anti-Defamation League bulletin of B'nai B'rith and it is with pleasure that I commend it to the attention of our colleagues:

THE REALISTIC SOUTHERNER

(By CHARLES LONGSTREET WELTNER)

All Southerners have an indefinable pride in the South. It is "a land apart." It is different from the rest of the country. Southerners are fond of each other. We like the way we talk; we like the courtesies that usually abound in Southern society. We like the Southern attitude about many things—a native wit, a personal generosity, a certain earthiness born from a closer association with the soil. We like the easy, friendly relationships that exist between one Southerner and another. We like the "country boy" that is present, in varying degree, in all Southerners. In short, we like the South. And there are not many Southerners, even the most severe critics of their region, who would choose to cast their lot elsewhere.

To view the South realistically does not diminish the affection that Southerners hold for their land. To advocate needful changes and new approaches is not to deny that affection. The Southerner who is devoted to his section should be the one most anxious to see it change for the better.

All Southerners harbor a dream for the South. With some, it is an idealized version of the old planter days, with every man sitting beneath the shade of his own magnolia tree. With others it is a New South.

Whatever his dream, the realistic Southerner knows that we must begin with the South of today, and its strength and weakness, its virtues and faults, its good and its bad. History moves, and it is within the power of men, insofar as it is consistent with the will of Providence, to chart its course. We must ask where we are, and where we are going.

For more than a century the South through adherence to a lost cause, has lost. Mounting relentless resistance to the social and economic betterment of Southern Negroes during and after Reconstruction, the South welded a framework that has produced and reproduced vast numbers of Southerners who contribute little or nothing to their communities, but rather constitute a heavy drag upon already meager public resources.

In later years, all the wiles and wisdom of Southern lawyers, backed by all the tax moneys of Southern states, could not, in the end, evade or forestall the Supreme Court decision of 1954. And the excesses of cattle prods, fire hoses, church bombings, and voting prohibitions generated national legislation that could not be thwarted by all the parliamentary skill of Southerners, and all their accumulated seniority in the Congress. It is time now for the South to stop losing, and to start winning.

Southerners should first consider the cost of losing, and the gains that will come from winning.

In recent years the nation has reached a firm accord on the principle that no one should be denied equal opportunity by the mere accident of birth. As that worthy proposition applies to race, it must also apply to region. Specifically, it must apply to the South. The child born south of the Mason-Dixon Line must have a future as bright as that awaiting the child of the East, or North, or West. That Southern children do not enjoy that equality of opportunity should be a challenge for every Southerner.

If the South is to stop losing and start winning, our first goal must be to close the "Southern gap"—to eliminate all disparities in education, income, public services, health standards, and economic opportunity. First among the most effective forces we can apply in this endeavor is government.

The facts are quite plain. The South economically the poorest region of the nation, needs financial help more than any other region. It stands to profit most from Federal programs. Southerners, accordingly, should support programs which can provide badly needed assistance at home. Yet it is the Southern Congressman, along with Republicans, who never cease to find reasons for opposing Federal legislation. It is they who decry the Federal tax burden the loudest, who protest Federal "meddling" the longest, and who point out sinister and foreboding implications in the simplest Federal measure.

Those who are interested in seeing the South prosper through the assistance that is available from the Federal Government should welcome Federal programs.

This is a realistic view. Yet, the Southern approach has been largely the opposite: "Why let the Federal Government come down here and take your money in taxes? They send it up to Washington where the bureaucrats waste it, after taking their handling fee off the top. Let's keep our money right here in Kinchafoonee County, where we can see that it's spent right." How long have Southerners heard that rhetoric!

The fact is that a dollar from Kinchafoonee comes back with sixty-three cents interest—after deducting the "handling fee."

There was a time, thirty years ago, when the Southern outlook was different. The nation was then in the depths of the Depression, and the South, being poorest, was hardest hit of all. It was then that a new group of Southerners went to Congress. There was no question then about Federal control, Federal tyranny, Federal usurpation, or Federal blundering. They supported President Roosevelt and the New Deal. They voted for REA, TVA, public housing, the Agricultural Adjustment Act, school lunches, the National Recovery Act, and a host of other measures designed to do what had to be done.

That support stemmed from simple economics—the same economics that applies to the South of the 1960's. Southern need is unchanged comparatively. Yet Southern support of programs to fill Southern needs is pitifully small.

The Federal Government offers a major opportunity for closing the Southern gap. Realistic Southerners will acknowledge this. And their own realizations must be reflected in the representation they send to Congress. If the South is to win, it must see that all levels of government perform at maximum efficiency. Our problems are massive, and our remedies must be applied wherever needed. One effective level of government—whether state, Federal, or local—is not enough. All must labor to eliminate Southern inequality.

Most Southern states need all the help they can find in a host of fields—housing, slum clearance, rapid transit, highway construction, water pollution control, mental health and retardation, hospital construction, medical facilities, school construction, juvenile delinquency, soil conservation, river development, water quality control, depressed-area aid, technical services, elementary and secondary education, and the whole range of new programs available through the Economic Opportunity Act. Yet how long have state agencies decried Federal intervention, all the while doing nothing on their own to meet apparent need?

To be sure, there is a natural division of public functions between state and Federal Governments, and a Constitution that prescribes a General Government of limited powers. Yet it is as true today as when Jefferson wrote a century and a half ago, that "laws and institutions must go hand in hand with the progress of the human mind." Surely it must have been farthest from the minds of the Drafters that their Document ever be interpleaded to resist needful and progressive measures, or to uphold and defend outworn traditionalism.

Government must be a major force in closing the Southern gap. It cannot, of course, be the sole force, for government, any government, can be no more effective than the people and the economy from which it draws its strength. It cannot substitute for a stable economy, for an industrious and capable labor force, for a well-informed and well-intentioned citizenry, or for the hard work required of every family to care for its own.

But humane government can act in those areas of human need which remain beyond the reach of private action. Wise government can invest public moneys in public works, thus providing a public benefit that would otherwise be lost. Forward-looking government can fashion long-range opportunities for its citizens which would be impossible without public resources. And only government can impose judicious restraint to prevent aggregations of wealth or power from stifling the ingenuity and endeavor of those not born to wealth or power.

Thus government is but one force, albeit a major one. The land of the South, with all its natural riches, and the people of the South, with their individualism and resourcefulness, are the other.

Sooner or later the realistic white Southerner must consider the other Southerner, the one whose skin is black. Somehow, his thinking about "the South" must expand to include the whole South, specifically that one-fifth which is Negro.

This is not a simple change. All of us were brought up hearing about a "Southern way of life." We knew, from earliest childhood, of the valiant struggle for "Southern rights." We heard men in Congress speaking for "the South." We have seen and heard until we are weary of all the charges made against "the South." Yet all of these, the good along with the bad, refer not to the South as 40 million people, but to *white* Southerners. I well recall the scathing letters charging me with that most unpardonable sin, being a "traitor to the South." What South? The South is a land where black men live, too.

The realistic Southerner will see that the South is white-columned mansions and Negro slums, gracious hospitality and rude xenophobia, lazy days along a winding river and long hours in a lint-filled textile mill. It is bluegrass and wiregrass, blue blood and hot blood, country clubs and Ku Klux Klan.

The realistic Southerner needs no humanitarian impulse nor any democratic idealism in order to recognize poverty among Negroes as the chief cause of the Southern gap.

Like it or not, the South's lot rises or falls with the lot of the Negro. The economic alternatives are quite plain. The majority of Southerners, who are white, can continue in the old ways, excluding the Negro from advancement and economic opportunity. Southern resistance can, as it did one hundred years ago, defeat the aims of all the civil rights laws, present and future. The place of the Southern Negro can remain unchanged. To adopt that course will mean that the Southern gap will continue, and perhaps widen, to the continued detriment of all Southerners, and to the continued misery and unrest of Negroes.

That is one possibility. There is another. The Southern gap is in fact the South's great opportunity, for no other section of the country has so vast a reservoir of undeveloped human resources. The Southern majority can resolve to extend real opportunity to the Southern minority. We can help the Negro prepare for full participation in Southern life and the Southern economy. We can help him reach maximum efficiency as a producer and contributor.

To close the Southern gap will require the elimination of those practices and attitudes which have produced and preserved the wide disparities between whites and Negroes. All Southerners, of whatever race, must be encouraged and aided in reaching their full potential as contributors to Southern communities. Particularly those Southerners on the lowest rung of the ladder, whether black or white, must be raised to the highest level compatible with their own ability and industry.

Here is our choice. In my view, the moral implication is plain. Notwithstanding, it is a choice that can be made independently of religion, ethics, or morality. It is a choice demanded by economic fact.

Our fundamental charter declares all men created equal. Our basic religion declares us our brother's keeper. But the demand for justice rests not alone on legal precept or theoretical tenet. It is a demand that spans creed and clan, age and continent. It speaks now as it has to prophet, saint, and patriot—and to unnumbered millions of men and women throughout all time.

It wells up from the heart as plain truth and clear duty.

Let right be done.

VICE PRESIDENT AND TREASURY SECRETARY SPEAK TO STATE LEGISLATIVE LEADERS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, on June 15, 1966, Vice President HUBERT H. HUMPHREY delivered the opening statement at the White House Conference for State Legislative Leaders and called for a strengthening of Federal-State relations, and specifically named and praised the proposed Intergovernmental Cooperation Act.

Secretary of the Treasury Henry H. Fowler in his address at the same conference continued the Vice President's theme and stated further that widespread tax exemptions on interest from obligations issued by the States and their political subdivisions have precipitated unforeseen complications and he has urged enactment of legislation to insure that those areas that require aid receive Federal funds, and that there is encouragement of intergovernmental cooperation in this area.

For a number of years now I have introduced bills which would help solve some of these problems. My bill, H.R. 10828, now pending before the Committee on Interior and Insular Affairs, establishes a Federal board for payment to local governments with two members appointed by the President with the advice and consent of the Senate and whose duty it is to investigate the nature and extent of hardships encountered by local governments and to pay to these at the end of the fiscal year one-quarter of 1 percent of the total income taxes collected within that territory. My bill, H.R. 1118, now pending before the Committee on Ways and Means, would prohibit tax exemptions if "issued in connection with the acquisition, construction, equipment, or other development of property which is to be operated by one or more nonpublic enterprises," and if "such obligation or guarantee is not secured by the general credit of the Government unit issuing it."

Both of these bills would provide at least a partial solution to the problems spoken of by the Vice President and Secretary Fowler.

It is with pleasure that I commend to the attention of our colleagues the remarks of the Vice President and the Secretary of the Treasury at the recent White House Conference for State Legislative Leaders:

OPENING STATEMENT OF VICE PRESIDENT HUBERT HUMPHREY AT THE WHITE HOUSE CONFERENCE FOR STATE LEGISLATIVE LEADERS, JUNE 15, 1966

Having spent most of the last 20 years as a legislator I come to you as a kindred soul.

Your state legislatures are the workhorses of the American federal system.

Much that you do is highly important but quite often nearly invisible.

The great body of civil law, for example, commercial codes, franchise regulations and most of our criminal law are based in state statute books. The legislative output in the state houses is the hidden part of the iceberg.

Basically, state legislatures need to be strong in order that we can have strong state government; and strong state government is essential to a strong America.

Your legislatures have been victims of time and circumstance. They have been seriously hobbled by state constitutions since the Civil War and their responsiveness has not always been prompt to an urbanizing society, to technological change, and to an exploding population.

Because I believe in a strong federal system I am very encouraged by the current efforts being made by you in your own states and by some national organizations and private foundations to recast the role of the legislature in state government and in the federal system. We all know what the needs are; the problem is to get public awareness and citizen dedication to right the wrongs of the past. These needed changes were spelled out recently at a conference of state legislators, businessmen and academic people at Columbia University's American Assembly. They included:

Elimination of constitutional restrictions on length of legislative sessions.

Increased compensation for legislators.

Staffing of major committees on a year-round basis.

Adequate office space for legislators, committees and staff.

We certainly wish you well in your efforts to strengthen your role.

We in the federal government realize that the rapid enactment of new programs over the past two years, making up for years of neglect, has created a sometimes confusing and sometimes burdensome situation for your legislatures.

During this conference we hope you will express your complaints and ask questions of the federal administrators who meet with you.

There are a number of things to be done both by you and us in strengthening federal-state relations.

To those of you who believe you are inadequately consulted by the Congress in the framing of national legislation, let me urge that you or your legislative service agency keep abreast of the committee hearings going on in the Congress. You should make yourselves heard, either through your committee chairmen or individually at the appropriate stages of the lawmaking process in Washington. In order to be able to do this you need to provide adequate staff and support to your major committees and to your legislative service agency.

My office is currently engaged in developing a comprehensive index of federal grant-in-aid programs.

A great many documents on this subject are now available, published both by the federal government and associations of government officials at the state and local level. A listing of these documents has just been completed by the Advisory Commission on Intergovernmental Relations and copies are here for you.

We urge your consideration of enabling legislation at the state level necessary to carry out state and local government responsibilities with regard to our federal aid programs. To the extent that the state participates financially in these programs, our federal-state partnership is strengthened and the federal grant-in-aid dollars stretch farther.

Most of our population has become urbanized. Unfortunately most of our large urban areas are characterized by a welter of conflicting local jurisdictions.

Rationalizing and simplifying these interlocal relationships is something that only the state legislature can do.

It cannot be done by federal fiat.

We are hopeful that the present Congress will complete action on the Intergovernmental Cooperation Act which has been strongly supported by many of you and your Governors, as well as your organizations of municipal and county officials.

This bill, introduced by Senator Muskie and 40 other Senators, is now pending in the House and will ameliorate a number of friction points of Federal-State-local relations.

We are fortunate to have here in Washington an organization not dominated by any one level of government but giving continuing attention to federal-state-local relations problems—the Advisory Commission on Intergovernmental Relations.

I commend to you its *State Legislative Program* which is contained in this green book and of which there is a supply here.

While no state needs all of these model bills enacted, all states need some of them.

Let me list some of these bills that grew out of the Commission's research on current and emerging intergovernmental problems:

1. A state model building code, somewhat along the lines of action taken in my own Minnesota, so that builders and home purchasers generally can take advantage of the economies resulting from construction based on a sound and uniform building code.

2. Model constitutional and statutory language to remove arbitrary restrictions on local property taxing and borrowing powers, as well as other restrictions on local governments, especially county government's ability to organize and carry on necessary local services.

3. Municipal incorporation control to provide some minimum standards before more new municipalities can be created where existing government could meet the needs of local residents. I am proud to say that Minnesota was a pioneer state in enacting such legislation as early as 1959.

4. Uniform state and local relocation assistance so that, whenever a public agency forces a family or a small business to move, it provides some consistent equitable assistance.

5. A state office of local affairs. In many ways a state agency with responsibility for leadership in meeting the needs of people in cities is even more needed at the state level than here. Your states bear direct responsibility for your local governments and have commensurate authority to act.

At least some seven states have already set up such state offices and some, like Pennsylvania and California, have even gone further by establishing a Department of Community Development comparable to the action by the Congress last year in setting up a federal Department of Housing and Urban Development.

Your state legislatures must assert their initiative and leadership if a healthy balance is to be maintained in our federal system. We believe that the adoption of legislation, incorporating the approaches of the proposals I have just listed—where, of course, they make sense—will materially strengthen state-local relations and our federal system of government.

Now: The problem of money.

As my friend Walter Heller stated to your Governors at their conference in Minneapolis last summer, about a third of our states have no income tax at all; another one-third have an anemic income tax; and only the remaining third of the states make a reasonably effective use of it.

While this Administration has no view to set before you at this time, I would just suggest that you might take another look at the income tax, which most tax people agree is the fairest of all taxes, because it is based on ability to pay.

I think you should take another look at the question of industrial development bonds which are issued by state and local government for the purpose of constructing factory buildings, as a means of enticing industry to your state or locality.

I detect an increasing nervousness on Capitol Hill about the use of federal income tax exemptions for this purpose.

In your own self-interest I would urge a close policing of this financing method and a clearing up of abuses that you may find to exist.

Let me mention a few other fields currently under state control in which the Congress is beginning to express an interest.

One is the matter of insurance regulation; another is workmen's compensation; and a third is the manner in which real property taxes are assessed against interstate carriers in comparison with other types of property.

Increasingly, I think it is the public temper that if the state or local governments don't do the job the federal government—and your counterparts in the Congress—should act.

Indeed, in just the last year we have seen the federal government become involved in areas in which, until now, states have exercised relatively unlimited autonomy.

Administration of election machinery and the prescription of voter qualifications in state and local elections.

The financing and administration of the public schools.

Maintenance of law and order.

Maintenance of independent tax systems.

Pressured by neglect or abuse in a handful of states, the federal government in 1965 entered three of these previously reserved fields in substantial manner through the Voting Rights Act, the Elementary and Secondary Education Act, the Law Enforcement Assistance Act, and establishment of a National Commission on Law Enforcement and Administration of Justice.

I am sure you welcome federal help in many of these areas.

But I am also sure you would prefer to keep initiatives in your own hands. And that is the way it should be.

We hope that this conference will help provide you with some of the knowledge, and tools, to help do it.

Remarks by the Honorable Henry H. Fowler, Secretary of the Treasury, at the White House Conference for State Legislative Leaders, June 16, 1966

The theme of this conference is encouragement of greater intergovernmental cooperation in our Federal system.

The President, in his State of the Union Message, urged that we, and I quote, "move on to develop a creative Federalism to best use the wonderful diversity of our institutions and our people to solve the problems and to fulfill the dreams of the American people."

My frame of reference is the financing of government. So I would like to discuss with you some of the problems and prospects we share in the financing of urgently needed public programs.

In the eyes of many, the pricetag is the most significant part of any government program. Often the pricetag is the controlling factor, regardless of the need for a particular activity.

In their understandable preoccupation with cost, many people see the Federal government only in terms of budgets of $100 billion and more, millions of employees, and a vast national debt.

Most people are unaware—and would be surprised to learn—that the State governments today, taken collectively, also constitute a vast enterprise of some two million employees with budgets totaling some $45 billion a year.

Further, while the national debt has decreased from 58 percent of total debt, public and private in 1946 to 22 percent at the end of 1965, State and local debt has risen from 4 percent to 7 percent of total debt.

Those few surface observations reflect both the growth of the State governments and the magnitude of the problems they are grappling with today. Your presence here, I believe, reflects the ferment taking place in the

States—the new vitality which has renewed your determination to meet your challenges and spurred your search for new ideas and new resources.

Your problems are immense in such fields as education, health, welfare, transportation, conservation, urban development, economic development. Your sources of revenue are necessarily limited and uncomfortably close to you. The sharpness of this dilemma has, understandably, led many to conclude that Washington should take up the financial slack.

There is an obvious attraction in the idea that the Federal government, with its vast resources and its seeming remoteness from the taxpayers, should share its good fortune by making a strikingly larger contribution to the revenues so urgently needed by the States and their creatures, the cities.

Federal grants to States for specified purposes have been around for a long time. They have increased markedly in recent years. Recently, however, the idea of grants without any strings has been gaining prominence. The economist Milton Friedman proposed such grants to replace the existing system of grants-in-aid.

Of course, the Friedman plan did not get very far because there was no general sentiment for giving up the existing grants. A later variation was developed which removed this inhibition. It was to provide such blank-check grants *in addition* to existing grant-in-aid programs. This more popular version came to be known as the Heller plan, named for the former chairman of the Council of Economic Advisers.

The essence of the plan is that Federal revenues would be set aside in an amount equal to one or two percent of the Federal individual income tax base. This sum would be distributed to the States for general government purposes—with no strings attached—on a per capita basis.

I didn't come here to shoot the Heller plan down. I understand its attraction.

But I believe it is essential to keep this plan—and the many similar and related plans—in proper perspective.

When Mr. Heller proposed the plan in late 1964, his prognosis for the Federal budget was that revenues would rise $4 to $5 billion a year faster than expenditures, due to continuing economic growth. He could not have known that the growth in the demands of Vietnam would soon increase Federal expenditures more than twice that total annually. The fact is that for the period immediately ahead, there will be no surplus Federal revenues which could be distributed to the States without creating severe inflationary pressures.

Further, at the time the Heller plan was proposed, most observers did not believe that a comprehensive program for federal aid to education could be enacted.

In the last 10 years, total Federal aid to State and local governments has more than tripled, rising from $4 billion in 1957 to the $15 billion budgeted for 1967. Federal aid payments accounted for approximately 15 percent of all general revenues available to State and local governments in 1965. A Council of State Governments study, soon to be published, shows that in 1946 the State and local governments received $1.00 from the Federal government for every $13.50 they raised from their own resources. But, in 1964, they received $1.00 in Federal funds for every $5.80 of their own revenues. I cite these figures only to show that there is convincing evidence of Federal recognition of the need to assist State and local governments with their financial problems.

We all recognize the need for cooperation among the levels of government in the field of finances. But we don't always remember that cooperation is a two-way street. And sometimes a cooperative effort goes wrong. This is always a disappointment, although it can usually be remedied if the will to cooperate is maintained.

One example of a cooperative effort which has turned into a disadvantage for both the Federal government and at least some of the States is of particular interest to me.

For some time I have shared with many others, some in the Administration, some in the Congress, and some in responsible financial positions in State and local governments, a growing concern about certain uses of the tax-exemption privilege which is accorded to State and municipal bonds.

Since the inauguration of the Federal income tax in 1913, the interest on obligations issued by States and their political subdivisions has been exempted income. The justification for the exemption is that it reduces the cost of State and local borrowing done for the purpose of carrying out essential Government functions. But, as with any wide-ranging exemption, applications which could not be foreseen when it was granted have occurred.

One area that has raised doubts and discussion over the years has been the use of industrial development bonds. This practice has been defended on the ground that it helps to bring industry to low-income labor-surplus areas. Thoughtful critics, however, have prophesied that the practice would eventually become self-defeating. Recent experience appears to support their view, since the use of this type of bonding is growing and the advantage to any State or municipality decreases as more States and localities enter the field. This practice merits careful attention and is currently under study.

In recent years, new financial arrangements involving use of the exemption have arisen which have caused serious concern. One of these is arbitrage, which arises when the principal purpose of floating State or local bonds is to buy U.S. bonds with the proceeds and realize a profit from the difference between the interest rates on tax-exempt and taxable securities. The variations in the practice are almost infinite. The buyers of the tax-exempt bonds are, in reality, only purchasing U.S. bonds indirectly. Their tax exemption is diverted to make a profit for a State or municipality.

As another example, some States and local governments are issuing tax-exempt bonds to finance commercial enterprises, which they operate in competition with private enterprise. To date, these transactions have been confined to real estate which is leased to private parties. But other commercial uses may be found. While the amount of bonds issued for this purpose has so far been small, there is every indication that it will be substantial in the future unless curbed. For example, one issue now proposed would involve over $500 million.

The Federal government is sympathetic with the need of States and municipalities to meet their financial problems. But we cannot condone extension of the tax exemption to these new financial arrangements as a means of accomplishing those objectives at the expense of the nation's taxpayers.

These arrangements, moreover, by greatly increasing the total of exempt bonds outstanding, will eventually drive up the interest rates paid by all States and municipalities for their borrowing. Yet there will be no commensurate increase in public service to compensate for the cost to the taxpayers.

If legislation is enacted, or if administrative measures are adopted, which exclude these arrangements from the benefits of the exemption, I hope no one will be misled into thinking that we are launching an attack on the basic interest exemption for State and local borrowing. Quite the contrary, as with any exemption, curtailment of uses which cannot be condoned is a condition necessary for preservation of the exemption for its intended uses.

Although it has required me to speak in somewhat negative terms, I have taken the time to talk about Federal revenue-sharing and considerations involving the tax exemption for State and municipal bonds because I know the former subject is one of great interest to you and the latter is of great interest to me.

But it would be a travesty to lose the great opportunity which this conference provides by giving it a negative tone. To say we have problems, I believe, is simply to describe the human condition. But the future has never looked brighter than it does not for a great cooperative—and successful—attack against the problems we share.

We have stopped looking at our Federal system of government as if it were composed of three totally separate and independent layers—local, State and national. We have recognized that, in our Federal system, responsibilities are mixed and inseparable and relationships are close and binding.

We know that action at one level often affects all levels, and we know that action which is harmful to one level cannot, in the long run, be beneficial to the others. We realize that successful action undertaken by one level of government, in meeting what it regards as its own responsibilities, frequently results in handsome benefits for the others.

Many examples of this interrelatedness come to mind, but none serves better than the Federal fiscal policies of the last five years which aimed at stimulating the economy. Tax reduction played a major role in the economic resurgence which has now brought us into our sixth year of expansion. The addition of resources on which the States and municipalities can draw and which have come into existence in this period of vigorous growth far outweighs the advantages that would accrue from any revenue-sharing formula. The Federal government, taking action on a national scale to foster economic growth, has broadened and reinforced the revenue base from which all levels of government derive their sustenance.

Our accomplishments are not all in the past. I have spoken of the heightened vitality of the States. But do not underestimate the power of President Johnson's concept of creative Federalism at the Federal level. This concept makes clear that the various levels of government are—and must be—members of a partnership in which each has definite—though differing—responsibilities with respect to each function and activity. The President charged his Administration to take the initiative in these words:

"Many of our critical new programs involve the Federal Government in joint ventures with State and local governments in thousands of communities throughout the Nation. The success or failure of those programs depends largely on timely and effective communications and on readiness for action on the part of both Federal agencies in the field and State and local governmental units. We must strengthen the coordination of Federal programs in the field. We must open channels of responsibility. We must give more freedom of action and judgment to the people on the firing line . . ."

It is obvious that the cooperation required by this approach to Federalism must extend throughout the financial field if our mutual efforts are to be successful. We have a long and proud record on which to build. Behind the President's leadership we intend to advance the concept of creative Federalism to the farthest limits of our imagination and energies.

TRAFFIC DEATHS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. MACKAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MACKAY. Mr. Speaker, as we begin this recess I think it important that we remind ourselves of the grim fact that more than 70,000 American citizens—men, women, and children—have suffered violent deaths in traffic accidents since we Members of this 89th Congress were sworn in on January 9 of last year.

Since then we have learned much and done much toward mounting a national attack on the traffic accident, but we must not fail to complete the enactment of legislation which can provide the means for building a safer traffic environment and for reducing these awful losses.

RESULTS OF QUESTIONNAIRE SENT TO CONSTITUENTS OF THE HONORABLE MARTHA W. GRIFFITHS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Michigan [Mrs. GRIFFITHS] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, several months ago, I sent a questionnaire to all of the residents in my district. Approximately 100,000 questionnaires were delivered. A total of 11,255 responses were received in my office. It was a pleasure to have the views of my constituents, and I was particularly pleased by the additional comments made by many of them. The results of this questionnaire follow:

[In percent]

1. Do you favor the legislative record of the Johnson Administration?

Yes	46.5
No	39.7
Undecided	13.8
No answer	----

2. Do you favor our present policy in Vietnam?

Yes	48.1
No	42.0
Undecided	9.4
No answer	.5

3. Do you believe that Vietnam is:

(a) A civil war	20.8
(b) An attempted communist takeover	67.4
No answer	2.8

4. If there is no early settlement in Vietnam, what do you think we should do:

(a) Maintain present level of involvement	20.3
(b) Withdraw	24.8
(c) Stop bombing	4.6
(d) Escalate—more troops, more bombing, blockade	49.7
No answer	.6

5. Do you feel the recent Senate Foreign Relations Committee hearings on Vietnam:

A. Contributed to your understanding of the Vietnam situation.

Yes	51.1
No	23.4
Undecided	10.9
No answer	14.6

B. Encouraged North Vietnam to believe that America will withdraw.

Yes	29.6
No	25.8
Undecided	13.7
No answer	30.9

6. Do you favor increased trade with Russia and Eastern European nations?

Yes	55.9
No	29.7
Undecided	10.0
No answer	4.4

7. In the event our economy shows signs of inflation, would you favor increasing:

(a) Corporate taxes	36.1
(b) Excise taxes	29.2
(c) Personal income taxes	17.6

And/or would you favor decreasing federal spending in:

(a) Road building	27.8
(b) Foreign aid	65.9
(c) Pollution project	11.1
(d) Aid to education	17.1

8. In the event of recession, would you favor:

A. A tax decrease:

Yes	61.0
No	6.7
Undecided	5.9
No answer	26.4

B. An increase in federal spending:

Yes	26.4
No	24.6
Undecided	7.6
No answer	41.4

9. What do you believe are the principal problems facing our nation today? (The following are the problems most frequently cited and the percentage of response.)

Viet Nam	30.6
Inflation	26.5
Civil Rights	24.2
Crime	16.4
Government Spending	14.3
Communism	11.7
Education	8.5
Political Dictatorship	6.0
Elderly	1.4

MEETING WITH THE PRESIDENT REGARDING OUR POSITION IN VIETNAM

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. CRALEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CRALEY. Mr. Speaker, last evening I was privileged to be among a group of Congressmen, Representatives, and Senators who were invited to participate in a meeting with the President regarding our position in Vietnam. The invitation was extended to those Members who had been in Vietnam over the last 2 years.

I use the term "participate" advisedly because this lengthy and informative session was conducted in a roundtable or seminar fashion, in which each Congressman was encouraged to make a statement or statements concerning our position in southeast Asia, his own sentiments about our involvement there, and any solutions or proposals he might wish to make concerning the present and future of our commitment to that beleaguered country.

Mr. Speaker, let me say I was deeply impressed with the whole meeting. Nor was I alone in this feeling. All the Members of Congress there, and they were from both sides of the aisle, Democrats and Republicans, registered a similar feeling. We were all impressed with the President's total sincerity; profound concern for the lives of Americans and Vietnamese, north and south. We came away from the meeting enlightened as to the magnitude of the problem, awed by the serious nature of the decisions that have and must be reached. Most of us came away convinced that the President had reached the only decision possible in this situation, a situation we have not contrived but which has been forced upon us, a situation which does not allow for pleasant nor desirable tactics.

We all regret the bombings of the north. So does the President. More than that I can say personally I regret the conditions which make this necessary, which make this conflict necessary. I concur with and applaud the President for the courage with which he has made decisions which must be unpopular, which are unpalatable, but which are necessary. I know it is his hope, as it is all of ours, that the bombings, the whole American engagement will result in victory for all concerned; that is, peace for the Vietnamese people, freedom for them to choose their own form of government, the nature of their political society.

This, indeed, as the President has said many times, is the reason we are there at all. If the bombings of strategic petroleum centers, important sources of supply to those fostering the conflict, sites of "obvious military eligibility," as described by the Washington Post, can reduce the military potential of the Vietcong, can encourage a move toward the conference table, can hasten the termination of the conflict—then we will have fulfilled the deepest wishes of President Johnson, the Vietnamese people, as well as all the American people.

REX M. WHITTON—DISTINGUISHED AMERICAN

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. RANDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RANDALL. Mr. Speaker, it is a privilege to recognize today the unique achievement of a fellow Missourian and a constituent of the Fourth Missouri District—Rex M. Whitton. He was named last week as the 1966 International Road Federation Man of the Year. Our Federal Highway Administrator was cited by the federation as an "able and dedicated public servant."

Rex Whitton has dedicated his life to building better roads. First, he labored for the people of his own native State of Missouri. Drafted to be Federal Highway Administrator in 1961 by President Kennedy, he contributed his talent and able leadership for the benefit of all Americans. He was born and reared near the community of Blue Springs in Jackson County, Mo. His nomination makes all of us who live near his home very proud of him. He earned his degree in civil engineering from the University of Missouri in 1920. That same year he began a career with the Missouri State Highway Department that was to span 40 years or until President Kennedy called him to Washington in 1961 to be his Chief Road Administrator.

Charged with carrying to completion our Interstate Highway System, in his own words, he viewed his task as "simply to build highways quickly, economically, and honestly." The greater possible understatement is that he has enjoyed "considerable success" in that endeavor.

Rex Whitton has been a pioneer in new highway developments. Faced with increasing labor costs, he was determined to offset this factor by the introduction of more efficient construction methods, including the use of computers. His hard work is responsible for an experimental computerized installation on part of the Eisenhower Expressway in Chicago, the TV-supervised John Lodge Expressway in Detroit, and the placement of metered traffic inputs on the Houston Gulf Parkway.

Under his administration the 41,000-mile Interstate System has been kept right on schedule and at times ahead of schedule. Half is now completed and the remainder will be finished by 1973. To this program he has contributed design improvements, efficiency, and the priceless ingredient of honesty.

Mr. Whitton is so distinguished that he is the first American over all the years to be named the IRF Man of the Year. Other recipients have come from Europe, Canada, Latin America, Japan, and Africa. But this outstanding award is but the most recent in a long series of honors. In 1956 he was elevated to the presidency of the American Association of State Highway Officials. In 1958 he received the George F. Bartlett Award for outstanding highway progress in the Nation. In 1960 he became the recipient of the Thomas H. MacDonald Award for continuous service in the highway engineering field. The same year he was selected as one of the top ten Public Works Men of the Year by the Public Works Association in cooperation with Kiwanis International.

The man under whose jurisdiction Mr. Whitton does his work, Secretary of Commerce, John W. Connor, said of the distinguished career of our friend, Rex:

> In carrying out a vast undertaking he has proved himself an efficient and effective executive and engineer whose integrity is consistent with the highest public ethics.

Then Secretary Connor paid him the crowning tribute when he went on to say:

> His monuments are the thousands and thousands of miles of road in his 45 years of service in land communications.

We might add that these improved "land communications" have saved this country millions of dollars and thousands of lives.

Every one of us can be very proud of this great American who so richly deserves to be honored as the top roadbuilder of the year. Rex Whitton has given his State and his Nation 46 years of dedicated public service. His aim or goal in life was to build better and safer highways. His great success in his chosen field has meant a better life for all of us.

RECORD OF POVERTY PROGRAM IN THE NINTH DISTRICT OF INDIANA

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HAMILTON. Mr. Speaker, I would like to review the first year of the poverty program in the Ninth District of Indiana, which I am privileged to represent.

The Ninth District is predominantly rural, and it includes one-third of the counties in Indiana in which more than 30 percent of the families are in low-income brackets.

Therefore, the Economic Opportunity Act of 1964 has special significance for the Ninth District. In a series of self-help programs, administered at the local level, we have begun to formulate ways to combat the poverty problem.

I say only "we have begun" because it promises to be a long and difficult road.

This report is based on conversations and correspondence with hundreds of constituents, a questionnaire sent to 145,000 constituents and the responses of community action program directors to a series of questions.

THE BEGINNING

As one of the first steps, I sponsored a districtwide conference on May 22, 1965, in North Vernon, Ind., to acquaint local leaders with the goals and the procedures of the poverty program. About 200 persons attended.

With one exception, the directors of community action programs said they felt the conference was beneficial. It afforded them the chance to become acquainted with the community action programs concept and the necessity of multicounty units in rural areas. It also gave them the chance to meet others in community action programs as well as State and Federal OEO officials.

In fact, one director suggested that regular conferences be held to update community leaders on new developments. This is a suggestion I intend to adopt. Another director suggested that discussion groups be organized across the district to familiarize more residents with the program.

The only criticism of this meeting came from a director who felt the participants—at different stages of program development—had such widely diverse problems that the meeting was not beneficial.

COMMUNITY ACTION PROGRAMS

Following the organizational meeting, the 17-county district was organized into seven community action groups, embracing one, two, or more counties.

At present, all but one group have received or applied for development grants and are in operation.

The community action programs in operation are:

ORGANIZATION AND NINTH DISTRICT COUNTIES INCLUDED

Community Action Program of Bartholomew, Jackson, and Brown Counties: Bartholomew and Jackson.

Clark County community action committee: Clark.

Fayette, Franklin, Union Counties Community Action Council: Fayette and Franklin.

Lawrence, Orange, Washington Economic Development Corp. Inc.: Lawrence, Orange, and Washington.

Ohio Valley Opportunities, Inc.: Jefferson, Jennings, and Scott.

Southeastern Indiana Economic Opportunity Corp.: Dearborn, Ohio, Ripley, and Switzerland.

Thus, 15 of the 17 counties of the Ninth District are organized into community action programs, and the remaining two are in the process of developing their organization.

It would be premature to judge the success or failure of the community action programs in the Ninth District. However, after a difficult period of organization, initial indications of soundly planned, well-organized programs are encouraging.

NEIGHBORHOOD YOUTH CORPS

Although one community action committee has a Neighborhood Youth Corps program planned for this summer, the majority of the Neighborhood Youth Corps programs are administered through the Indiana Farmers Union. However, some of the committees worked with the Farmers Union in securing supervised employment for eligible youth in the Neighborhood Youth Corps.

All but one of the counties in the Ninth District participated in the program during the past year, representing 55 percent of all counties participating in Indiana. Those who were questioned rated the program as an outstanding success—both for the participants and the employers. As of March of this year, jobs were being provided for 536 boys—260 in school and 276 out of school; and the program is being continued this summer in 16 counties. The Indiana Farmers Union has received $240,820 for the summer program, part of which will be used for 170 in school and 159 out of school enrollees in 13 counties in the Ninth District. The other three counties will conduct their own program through their community action program.

HEAD START

Four summer Head Start programs—17 percent of all such programs in Indiana—were organized in the Ninth District last year. A total of 501 children participated at 13 centers.

To date, nine Head Start programs have been approved for 1966. A total of 1,210 children will be served at 38 centers in the district.

Educators have reported that the program provides the greatest potential for helping the poor. In fact, the projects which involve children or young people appear to be the most widely accepted of all community action programs.

PARTICIPATION OF LOW-INCOME RESIDENTS

One of the more successful aspects of the community action programs as a whole has been the inclusion of low-income residents as members of the boards of directors.

Although hesitant at first, they are now adding valuable contributions to the programs. Their interest, knowledge of the low-income community, and, perhaps most significantly, their patience, has helped in this formative stage of program development.

One director has included a provision in his proposed budget for travel reimbursements for his low-income board members. Some must travel 60 miles to and from meetings.

REACTION OF COMMUNITIES

There has been some community resentment toward the "giveaway" connotation which has been attached to community action programs. Some of the committees have been meeting regularly with local social and civic groups to explain the "self-help" philosophy of the programs, and these meetings have been very successful.

Newspapers and radio stations in the district have been fair and accurate in their reporting of the programs, and of invaluable assistance in explaining them.

I recently polled Ninth District residents on a number of issues, including their opinions of the poverty program. The results tabulated so far indicate that residents favor continuing the program by a 2 to 1 margin.

SHORTCOMINGS

Probably the most disturbing aspect of the program as a whole has been a lack of communication. It is complex procedure to organize and develop programs providing the greatest benefit for our communities. Unfortunately, there has been considerable confusion, and much of it stems from OEO.

All of those questioned felt that the application process was much too complicated. It was felt that changes in guidelines and personnel in the regional office tended to disrupt and slow down the processing of applications. Directors also expressed the opinion that the regional office in Chicago tended to "pull the program apart" rather than attempt to strengthen them.

Much of the red tape can be eliminated, directors report. One said that the OEO regional office requires first, a copy of the CAP's bylaws; second, statistics on the area; third, a map of the area; and fourth, project proposal each time an application is submitted for a community action program. He felt most of this material, which must be submitted for the first application, could be eliminated on subsequent applications.

Another community action group sent its original proposal to Washington at the time the regional office in Chicago was being established. The approval, however, had to come from the regional office; and a great deal of time was lost in transferring the proposal back to the regional office.

In another instance, a community action group operated for 2 months without funds after receiving notice that a conditional grant had been approved. The regional office was unaware that the conditions had been met and was at the point of disqualifying the group's approved application—even as it was organizing for various projects—before the difficulties were ironed out.

More confusion resulted when a committee had an application approved for a small business development center—only to learn that the Small Business Administration could not fund the project because the agency was out of money.

Many community action groups feel the OEO regional office does not seem fully aware of the problems of rural areas.

In one Head Start proposal, the regional office did not seem to understand why the cost of transportation was so high and why each bus had to travel 40 or 50 miles in order to bring children in from the outlying districts in the three counties involved.

The problem of serving sparsely populated areas is one which is prominent in the Ninth District. It is hard to get economically sound programs into these areas. One committee is working very hard to find workable plans that will help these people at a justifiable expense.

Another problem is the relationship between the local groups and the regional office. One director felt that the regional office did not give local committees credit for honest, intelligent and efficient evaluations of local needs.

In summation, lack of communication between OEO and the local people and the fact that too much time is spent on administration and processing of applications before the programs reach the people for whom it was intended seem to be the major problems.

RECOMMENDATIONS

First. Communications between all levels of the OEO and local agencies should be improved. Because the program is highly adaptable to local needs, continued contact should be maintained to keep principals apprised of changes.

Second. Strict administrative policies should be kept at a minimum to allow adaptability on the local level.

Third. The application process should be simplified and unnecessary "red tape" restrictions eliminated.

Fourth. Local communities should be advised immediately of changes in guidelines for applications to prevent disheartening delays in getting programs funded.

Fifth. Once a program has been approved, there should be no delay in getting funds to run it.

Sixth. There are some instances in which programs could be combined. For instance, the senior citizens might well be used as advisers for the Neighborhood Youth Corps. The boys would have the advantage of having experienced citizens instructing and advising them, and the senior citizens would be making useful contributions to the community.

Seventh. There is still a great need for public education on the goals of community action programs. The community as a whole should be encouraged to participate in the activities of the community action program. Local committees should use every possible opportunity to inform the news media of their activities.

Eighth. Above all, in all of these areas continued reappraisals should be made of the effectiveness of the community action programs.

The poverty program is immensely varied and highly experimental. Mistakes have been made. More will probably be made. But a giant step has been taken in the effort to reduce the pockets of poverty in this country.

The response of community leaders in the Ninth District indicates that continued reevaluation and exchange of ideas between local, State and Federal authorities is essential for a successful program.

Finally, I would commend the community action directors, the staffs and the volunteers, all of whom have worked hard to make these programs a success in this difficult formative stage.

BOOKS U.S.A.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FASCELL. Mr. Speaker, there are two kinds of war being waged today on the global scene.

The one kind of war embraces man's efforts to overcome the traditional enemies of human progress—hunger, disease, illiteracy, as well as those rigid institutional structures, customs, and traditions which tend to perpetuate stagnation and social injustice, thus holding in check mankind's advance toward a better tomorrow.

The other kind of war is, at its core, a worldwide struggle between two opposing concepts of life and competing systems for the organization of society—

one based on consent, the other on compulsion.

In both of those struggles, progress—and ultimately victory—may well depend on the contestants' ability to influence people's attitudes and to motivate them to action.

For the past 3 years, my subcommittee—the Subcommittee on International Organizations and Movements of the House Foreign Affairs Committee—has been studying this aspect of the challenge which confronts the United States on the international scene, and the ways of meeting that challenge.

We discovered that in both of those global contests, ideas, words, and images frequently serve as more potent weapons than guns or tractors or even bread.

Because of this, I am taking the floor this morning to commend a private American organization which has done an outstanding job in the battle for the minds and hearts of men by disseminating abroad factual information about our country, about the philosophy and the goals of our Nation, and about the institutional, scientific, and technological tools which we have used, or developed, in mastering our environment and improving our standard of living.

The name of this organization is Books U.S.A. and it is located right here in Washington. It is a private, nonprofit, educational, tax-exempt organization which works in close cooperation with the U.S. Information Agency and the Peace Corps.

Its purpose is to call the urgent need abroad for good American books to the attention of our public, and to offer private American individuals and organizations an easy and economical way in which to fill this need.

Through the generous cooperation of the paperback industry, which makes its books available at greatly reduced prices, and through the help of the U.S. Information Agency which assists in shipping them, Books U.S.A. is able to put together a packet of 10 books about America and to deliver them to a library, a teacher, or other interested individual abroad—all for the remarkably low cost of $4. Because of cost increases, the price of the packet will go up to $5, effective July 1.

Books U.S.A. receives approximately 100,000 requests for book packets a year from USIS personnel and from Peace Corps volunteers stationed abroad.

Thus far, through the generous cooperation of private American individuals donating $4 or more, Books U.S.A. has been able to send abroad some 16,000 book packets.

Its backlog of unfilled requests, however, continues to grow.

Because of the important contribution which this private program makes to our efforts abroad, I believe that the membership of the Congress and the public would like to know more about this organization.

For this reason, under unanimous consent granted earlier, I am placing in the RECORD two brief, descriptive articles. The first describes how Books U.S.A. functions; the other lists the books which are included in Books U.S.A. packets:

How Books USA, Inc., Functions

Overseas: Peace Corps representatives and U.S. Information Service officers stationed abroad send their requests for urgently needed books to the Peace Corps and the U.S. Information Agency in Washington. They tell exactly what type of books and how many are needed in the countries in which they are stationed.

Washington: The U.S. Information Agency in Washington makes allotments of books to all countries from which requests have come, and determines which countries have priority. It then forwards these requests to Books USA. This way Books USA knows exactly which book packets and how many are needed where.

Books USA: Books USA receives $4 donations from the public. For each $5 received an order is typed with the donor's name and address, and a code number indicating where the books are to be sent. One copy of this order is a postcard. Such a card is enclosed in each packet to let the recipient know who the donor is.

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Overseas: From there the packets leave for overseas, where they reach the Peace Corps representatives and the U.S. Information Service officers who have requested them, and know just where to distribute them and to whom. Donors may send book packets directly to specific Peace Corps Volunteers for distribution. This is the only case in which Books USA may accept packets addressed to specific individuals. In all other instances who receives the packets is decided abroad.

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6. Science, college level: Farb, P., "The Living Earth"; Conant, J. B., "Modern Science and Modern Man"; Nourse, A. E., "Nine Planets"; Clapesattle, H., "Doctors Mayo"; Newman, J., Ed., "What Is Science?"; Jaffee, B., "Chemistry Creates a New World"; Cowen, R. C., "Frontiers of the Sea"; Halacy, D. S., "Computers, The Machines We Think With"; Burlingame, R., "Scientists Behind the Inventors"; Clarke, A. C., "Exploration of Space."

7. American literature, 19th century: Emerson, R. W., "A Modern Anthol"; Melville, H. "Moby Dick"; London, J., "Call of the Wild & White Fang"; Irving, W., "The Legend of Sleepy Hollow"; Hawthorne, N., "House of Seven Gables"; Whitman, W., "Selected Poems"; Dickinson, E., "Selected Poems and Letters"; Cooper, J. F., "Last of the Mohicans"; Twain, M., "Tom Sawyer"; "Stories of Bret Harte"

8. American literature, 20th century: Millay, E. St. V., "Collected Lyrics"; McCullers, C., "Ballad of the Sad Cafe"; Lee, H., "To Kill a Mockingbird"; Steinbeck, J., "Winter of Our Discontent"; Wolfe, T., "You Can't Go Home Again"; Lewis, S., "Dodsworth"; James, H., "Turn of the Screw & Daisy Miller"; Guthrie, A. B., Jr., "The Big Sky"; Cather, W., "Alexander's Bridge"; Baldwin, J., "Go Tell It on the Mountain"

9. American literature, 20th century: William, O., "New Pocket Anthol. of Am. Verse"; Untermeyer, L., Ed., "Robert Frost's Poems"; Hemmingway, E., "Snows of Kilimanjaro"; Agee, J. A., "Death in the Family"; Steinbeck, J., "East of Eden"; Porter, K. A., "The Leaning Tower"; Marquand, J. P., "The Late George Apley"; Williams, T., "Summer and Smoke"; O'Hara, J., "The Cape Cod Lighter"; Thurber, J., "Years With Ross"

10. Learning English: 7 Classics of Am. Lit. (simplified); Richards A. & Gibson, C., "English Through Pictures," Books 1 & 2; Thomas, H., "Better English Made Easy"

11. Learning English: 7 Classics of Am. Lit. (simplified); Richards, A. & Gibson, C., "First Workbook of English & First Steps in Reading English; Nurnberg, M. and Rosenblum, M., "How To Build a Better Vocabulary"

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13. Children's books: "Basic Dict. of Am. English"; "Arrow Book of Presidents"; "Secrets of the Animal World"; Twain, M., "Tom Sawyer"; Meadowcraft, E., "Benjamin Franklin"; White, A. T., "George Washington Carver"; Hickock, L., "Story of Helen Keller"; Leaf, M., "Story of Ferdinand"; Rey, H. A., "Curious George Gets a Medal"; Vinton, I., "Story of John Paul Jones"

(Substitutions for above titles may be made.)

PRIVATE INITIATIVE IN THE DEVELOPMENT PROCESS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FASCELL. Mr. Speaker, I am taking the floor this morning to call to the attention of the Congress an important breakthrough in what is generally referred to as the foreign assistance effort.

This new development, of far-reaching importance, is being undertaken jointly by the Organization for Economic Cooperation and Development, an intergovernmental association representing 18 Western European countries, Canada, Japan, and the United States, and by the International Council of Voluntary Agencies, located in Paris.

Both of these organizations are deeply involved in aiding the development of the less-developed countries.

They have decided to pool their resources and to obtain information on an unprecedented scale about the whole range of nongovernmental, nonprofit participation in development aid, to publish such information in the form of an international directory, and to institute the necessary measures for the information to be kept up to date.

Mr. Speaker, some 3 years ago, as chairman of the Subcommittee on International Organizations and Movements of the House Foreign Affairs Committee, I was instrumental in initiating a study of private American participation in foreign aid.

In a report published in April 1964—House Report No. 1352, 88th Congress, 2d session—our subcommittee urged the U.S. Government to pay closer attention to this subject, to develop information which would help us to gage both the scope and the direction of this private effort, and to use such information to promote coordination of private and governmental undertakings in the development process.

A year later, in May 1965, our subcommittee published a comprehensive report on, and a directory of, the "Overseas Programs of Private Nonprofit American Organizations"—House Report 368, 89th Congress, 1st session—a directory which was something of a landmark in this field.

We have watched with keen interest and given our encouragement to the Agency for International Development and the American Council of Voluntary Agencies for Foreign Service, Inc., which by now have compiled and issued an excellent two-volume directory of technical assistance provided abroad by U.S. nonprofit organizations.

The undertaking of the OECD and the International Council of Voluntary Agencies represents another step—a giant step—in the direction to which the work of our subcommittee has pointed. It initiates on the international scene an information-gathering service which is necessary for the maximization of the returns from private and governmental aid to the developing countries.

How do these information-collecting and publishing activities benefit the private and the governmental sectors involved in the development process?

They increase and improve means of consultation and exchange of information;

They help organizations wishing for better mutual coordination of development aid activities and planning;

They suggest areas of need which organizations might fill;

They inform the public about the work of nongovernmental organizations;

They enable the nongovernmental effort to be given its proper value in the pattern of development aid;

They indicate outlets for the resources of those seeking ways of helping others;

And they help in study, reference and research work.

I believe that the OECD and the International Council of Voluntary Agencies are to be commended for this undertaking.

Mr. Speaker, within a short time the House of Representatives will debate the Foreign Assistance Act of 1966, recently reported by the Committee on Foreign Affairs.

At that time, I shall make some additional remarks about other very important innovations being proposed in this field—innovations which will give further recognition to the vital role played by private initiative in the development process.

COOPERATION BETWEEN GOVERNMENT AND BUSINESS—SPEECH BY THE HONORABLE LAWRENCE F. O'BRIEN

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CHARLES H. WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, it is my pleasure as a member of the House Committee on Post Office and Civil Service to include in the RECORD an address by the Honorable Lawrence F. O'Brien.

Mr. O'Brien, since his first day as Postmaster General, has made a concerted effort to work closely with the business community.

Mr. O'Brien has long recognized the necessity for cooperation between the Government and business to continue the constructive growth our country has enjoyed. In his speech, the Postmaster General emphasized the steps our Government has taken to keep our economy healthy by fully utilizing the strength of our free enterprise system.

Mr. Speaker, I now submit, for consideration of my colleagues, Mr. O'Brien's address before Town Hall in Los Angeles:

ADDRESS BY LAWRENCE F. O'BRIEN, POSTMASTER GENERAL, BEFORE THE TOWN HALL, BILTMORE HOTEL, LOS ANGELES, CALIF., JUNE 17, 1966

It is truly a pleasure and a privilege to participate in this continuing forum which has contributed so much to public discussion and understanding of important issues of the day. I am well aware that I follow in the footsteps of many distinguished public officials and private citizens.

And also I am a long way from home today—a full continent, in fact, from my native Massachusetts. But a New Englander always feels at home in a Town Hall meeting. New England nurtured the Town Hall tradition and—I might add—in many small communities it is still going strong as an integral part of the decision-making process of democratic government.

I point this out only as a matter of historical fact, not in any way to imply that California has to import its traditions from Massachusetts. Certainly it is not my intention to stir up sectional differences. As most of you have probably heard, I'm a consensus man myself.

In my seven months as Postmaster General, I've discovered that consensus is even important in delivering the mail. The Post Office Department is making a concerted effort to work closely with the business community—and particularly with the volume mailers—because that is the source of the great bulk of our mail.

The key avenue of cooperation we have developed with our customers is the 344 Mail Users' Councils throughout this nation. These groups, composed primarily of the representatives of big mailers, are an outgrowth of the Nationwide Improved Mail Service Program that was launched in 1961.

We are now celebrating the fifth anniversary of this program and I am very pleased that a number of members of your fine Los Angeles County Mail Users Councils are here with us today.

In 1961, when this program began, we were receiving almost 80 percent of our first class mail after 5 P.M. Now—thanks largely to the efforts of the Mail Users' Councils in getting business firms to mail earlier in the day whenever possible—the after 5 mail volume is down to about 50 percent.

Of course, much more has to be done if we really are to cope successfully with this nation's colossal mail explosion. Just think of this: by the time this fiscal year ends in just two weeks, the U.S. Post Office will have processed 75 billion pieces of mail.

To keep the mail moving—and to move it faster and more efficiently in the future—we are modernizing every facet of the Postal Service.

We are obtaining the most sophisticated mail processing machines our society's technological genius can produce.

We are replacing outmoded post offices with modern structures designed for efficient movement of mail.

We are using the computer's fantastic ability to digest and interpret masses of data to help us make day-to-day operating decisions.

We are significantly expanding our research and development capabilities.

And with all of these measures, it is most appropriate that we take advantage of the business experience and institutional know-how of the people serving on our Mail Users' Councils. After all, about 80 per cent of that 75 billion pieces of mail I mentioned a moment ago is generated by the business community.

The Post Office Department, in fact, is a good barometer of the nation's business climate. Our 10-billion-piece increase in mail since June 1962 is a direct reflection of the most vigorous, most sustained economic upsurge in the history of this or any other nation—a continuous upsurge that is now well into its **sixth year.**

The nation's ability to sustain vigorous economic growth without the jarring downturns that plagued our economic graphs in the past has destroyed some cherished myths. A good deal of what was once considered conventional economic wisdom has gone by the boards.

Old myths usually die hard. But I think it is now a pretty well accepted fact that you can't expect the most complicated economy the world has ever known to operate automatically. It took both thought and action to get America moving again six years ago. And it will take thought and action—I submit to you—to keep America moving.

The measured, prudent steps our government has taken to help keep our economy healthy are part of what President Johnson likes to refer to as creative federalism. This creative federalism, along with the inherent strength of the free enterprise system, has produced some remarkable achievements.

From 1960 to 1965, our gross national product rose more than one-third. Last year alone, it made a record advance of $47 billion. Only seven other countries in the world have a total annual output as large as the *increase* in our output last year.

In the past five years total personal income increased 37 per cent.

And during the same period the number of employed Americans increased by almost 7 million.

Substantial gains also were recorded in the average income of factory workers, in farm income and in corporation profits. And we have made heartening inroads on one of our most stubborn economic problems—unemployment—which in May stood at 4 per cent, one of the lowest peacetime rates since the end of World War II.

The decline in unemployment has had no effect on our increase in productivity. It continues to advance at a fairly steady 3 per cent. So, as a member of the Council of Economic Advisers observed recently, "if we are at the bottom of the labor-force barrel, as some have suggested, then it is a mighty rich barrel right down to the bottom."

Even prosperity, however, is not without its problems. We are now concerned with supply keeping up with demand, with the possibility of a labor shortage, and with the need for wage and price restraint.

But as President Johnson said earlier this year in his Economic Report to Congress:

"These are the problems we have been waiting to encounter for nearly 10 years. These problems are the price of our success. These are the welcome problems of prosperity."

In that same report, the President said:

"We have learned to achieve prosperity. Now we must sustain it, deal with its problems, and make the most of the opportunities it presents."

And, my friends, many of the opportunities our prosperity presents are in the form of challenges—challenges that can only be met through the cooperative efforts of all levels of government and all segments of our society—challenges that demand creative federalism.

Today we have the social instruments and the technological capacity to wipe out poverty, to rebuild our cities, to provide an efficient transportation system, to remove the pollutants from our atmosphere and our atmosphere and our rivers and streams, and to tear down the barriers of discrimnation and of ignorance. We must continue to improve the nation's health, to improve our efforts in sicentific research, and to achieve President Johnson's goal of education for every American to the fullest extent of his capacity to absorb it. And I think we have the will to achieve these vital national goals.

These are some of the uses to which we can put our unprecedented prosperity. These are some of the responsibilities we must meet at home. These are the domestic challenges of today.

But what of our responsibilities abroad? For along with our great material wealth and resources, we have great military power. And although might certainly does not make right, it invariably creates responsibilities—responsibilities that some would have us evade.

The true test of a great society, of a great nation, is not so much in the scope of its power, but in how it uses that power, in how it faces up to its responsibilities.

Just one month short of six years ago here in the city John Fitzgerald Kennedy, as he accepted his party's nomination for this nation's highest office, said "Too many Americans have lost their way, their will and their sense of historic purpose."

The ensuing six years have seen a reawakening of American will, and a new recognition of our purpose. Nowhere is this more evident than in our resolve to meet our responsibilities in Viet Nam.

Our path there is not an easy one. But our purpose is clear and our cause is just. And our decisions on what to do there—hard though they may be—will continue to be made on the basis of what is right. We cannot, and we will not, base our decisions on the shifting sands of political expediency.

As President Johnson said yesterday, the United States could not have the rights it sought to preserve—rights for people to get an education, to be free to enjoy life and raise families in good environments and to live in liberty—unless it helped others preserve their rights, too.

The war in Viet Nam is unlike any conflict this nation has ever been involved in before. And for that reason it has caused some confusion among the American people.

It is a clandestine war. Men and materials from North Viet Nam slip across the border, and more often than not the aggressors choose to make war on the civilian population of South Viet Nam rather than face the American and South Vietnamese defenders in open battle.

Last year terrorism conceived and directed by Communist infiltrators resulted in the death or kidnapping of 12,000 South Vietnamese civilians. Village leaders in South Viet Nam are intimidated into doing the bidding of the Viet Cong, with the very real threat of death at the alternative.

This, then, is the face of aggression in Viet Nam. It is aggression carried out under cover of darkness. It is aggression cloaked in political polemics. It is aggression directed at women and children and old people.

But make no mistake about it—it is aggression, deadly aggression. Deadly not only in terms of human life, but also in terms of political freedom and democracy in South Viet Nam.

And it is aggression directed and nurtured from the outside. For as President Johnson recently pointed out, "without the flow of men and equipment from the north the war would soon end."

The confusion stemming from the covert nature of the aggression is heightened by the transition going on within South Viet Nam itself. At the same time it is struggling against outside Communist aggression, South Viet Nam is also struggling to develop viable democratic political institutions.

Even under the best of conditions, the birth of democracy is rarely attended by domestic tranquility. In the case of South Viet Nam, the difficulty of making this transition is magnified a thousand fold by both outside aggression and the almost complete lack of historic democratic traditions on which a new and a better society can be built.

Some people have mistaken the pains accompanying the birth of democracy in South Viet Nam for a lack of desire and determination on the part of the South Vietnamese people to continue the fight against Communist aggression. There is no basis in fact for such a conclusion.

Whatever their differences over internal political matters, the leaders of all the major elements in South Viet Nam have made it clear over and over again that they want and they need American military aid in their fight to prevent Communist domination imposed by subversion and by force.

On Memorial Day, President Johnson discussed Viet Nam at a ceremony in Arlington National Cemetery honoring those who have died for our country in past wars. He recalled this quotation of President Kennedy on Viet Nam—a statement made just two months before his life was taken:

"We want the war to be won, the Communists to be contained and the Americans to go home," President Kennedy said, and those are still our goals today.

In the same Memorial Day speech President Johnson put it this way:

"In Viet Nam the United States is committed to a decent and a limited purpose: to defeat aggression and to let the people of Viet Nam decide in peace their own political future."

One hundred ninety-one years ago today another battle was being fought to let the people of another fledgling nation decide their own political future. That battle was at Bunker Hill.

The outnumbered American patriots who fought at Bunker Hill lost the battle. They lost not because they lacked will, not because they lacked courage, not because they lacked a sense of purpose—but because they lacked strength of arms.

But, as we all know, though the battle was lost the war was won. And many historians believe that as much as any other single factor the courage and determination of the defenders of Bunker Hill inspired other Americans to continue their fight for political independence and freedom, rather than abandon it as hopeless.

Today no one questions that we have the strength of arms to persevere in Viet Nam until freedom of choice is assured. And when the history of our time is written I am confident it will record that we also had the will, the courage and the sense of historic purpose.

I know that history will record our mission has been just. On this day, in this city, at this moment of trial and challenge, we all share a role and we all carry a responsibility.

I know we will meet that test. I know you will give the President your confidence in him as our Commander in Chief and as the leader of the free world.

And beyond that, I am sure you will give our President what he truly needs the most—your prayers.

EFFECTIVE USE OF BRIGHTER LIGHTS AS A CRIME DETERRENT

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, in response to my distribution during the past year of a report on the effective use of brighter lights as a crime deterrent, I have received numerous letters from public officials and civic leaders endorsing this report and furnishing information on lighting programs that have been undertaken in their communities.

As an advocate of this philosophy, the city of Oakland, Calif., has developed a simple and effective program to insure that the street lights of that city are kept burning.

I wish to include in the RECORD the material I received from R. J. Preston, chief of police of Oakland, describing this program as I believe it will be helpful to other communities throughout the country interested in implementing similar programs:

OAKLAND POLICE DEPARTMENT,
Oakland, Calif., April 8, 1966.

CHARLES FARNSLEY,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE FARNSLEY: This Department concurs with you and others in support of the axiom that adequate street lighting is a deterrent to criminal activity. As advocates of this philosophy, we have taken steps to insure that the street lights of the city of Oakland are kept burning.

An excellent program has been developed to insure prompt notification of street light outages to the Electrical Department for corrective action.

Since police officers are on duty 24 hours a day in all areas of the city, they are in a key position to observe and report incidents which they encounter on their beats. A street light outage is one type of incident that officers are required to report. Forms are provided for recording the exact location of inoperative street lights. The forms are collected, summarized and reported to the Electrical Department daily.

This program has resulted in continuous illumination of all business and residential areas. Additionally, it has resulted in a financial savings to the city which contracts with the utility company for electrical power.

The various enclosed publications describe this simple and effective street lighting program.

It is hoped that the information provided will be of value in your research project. Please advise if we can be of further service in this matter.

Very truly yours,

R. J. PRESTON,
Chief of Police.

[From the Oakland Police Department Training Bulletin, May 27, 1960]

STREET LIGHT OUTAGES

This bulletin is proposed to re-acquaint the officer with the procedure and importance of making street light outage reports. It has been said good street lighting is the cheapest weapon against crime and that bright streets can only make the police job easier. Many studies have been made indicating the majority of crime may be directly connected with the amount of light in the area. Cities have experienced a reduction of 50% or better in crime rates in areas where adequate light is erected.

Importance of reporting: There are 12,000 incandescent bulbs used as street lighting fixtures in the city of Oakland, each with a life expectancy of approximately 3,000 hours of burning life. However, about 10% of these bulbs burn out prior to their expected life. To combat these early failures, the city and PG&E have devised a program of replacement in any given area every six months (after an average burning life of 2,000 hours).

It is impossible to know the exact life of any given bulb; only the mean average can be predicted. The reported outages are for the most part premature bulb failures.

Reasons for reporting outages: The problem of night traffic safety has focused attention on light of streets and highways, particularly in urban areas. Traffic accidents from the use of motor vehicles and the increasing number of pedestrians has brought to street lighting its most important single function. Analysis on a nation-wide basis indicates approximately two-thirds to three-fourths of the more serious accidents occur during the hours of darkness. This is in spite of the fact that only one-third of the traffic volume is found on the streets during these hours. Driving and walking at night under inadequate light is six times as dangerous as traversing the same route in daylight.

Good street lighting is an essential element in crime prevention, particularly of such crimes as arson, assault, house breaking, burglary, purse snatching and auto theft. Dark or poorly lighted streets afford the criminal great protection since it is improbable that he can positively be identified, even if observed committing the crime and is later arrested in the vicinity. Adequately lighted streets also discourage juvenile delinquency, vandalism, rowdyism, pandering, molestations, and hold-ups. Adequate street lighting reduces night street crimes as much as 50% in any specific area.

Good street lighting is an invaluable aid to us in traversing the streets safely at night enroute to fires. It is also an aid in locating and connecting to hydrants, laying hose, and other preparations vital to speedy operation, the essence of fire fighting. So states Fire Chief James J. Sweeney, of the Oakland Fire Department.

Well lighted streets encourage citizens to seek entertainment, shop, visit or travel without fear of hold-ups or molestations, thereby allowing for normal pursuits at night.

A high crime and accident rate, low night time business and recreational activity, lack of civic pride, dangerous dark and unsightly streets and fear of being on the public streets at night are important ingredients in every blighted or slum area of any city. Citizens and visitors alike can pursue their night time activities with peace of mind and safety in an atmosphere that stimulates community growth.

Economic saving, although the least important reason for reporting outages, is nevertheless an ever present factor. Our city pays to the PG&E Company 12½¢ per light per night. Any lamp reported out for more than one hour during the burning time results in a rebate to the city for the entire night's cost. Any lamp that is out for any fraction of an hour saves the city 4¢. Though this savings seems nil for any single light, the accumulated savings mount up (Mar 60—$62.87½; Feb 60—$82.87½; Jan 60—$88.12½).

A national survey shows there are 12 times as many crimes of violence at night as in the daytime. In Cleveland, Ohio, after only ⅓ of the lights in a new lighting project were installed, assaults dropped a third. There were 17% fewer night crimes; purse snatching was cut by 78%.

Darkness is the criminal's ally, light is his enemy. In New York City, after trying "tried and true" police methods such as adding men on the beat, infiltrating areas with plainclothes men, organizing squads of specially trained officers, etc., the success was only partial. The police then pin-pointed 111 square blocks where crime was rampant. The lighting department bathed those 111 blocks in light. The spectacular results showed juvenile delinquency was cut a third; in the whole 111 blocks all crime dropped, and crimes of personal violence (murder, rape, assault) were cut 49 percent.

In Chattanooga, Tennessee, the city flooded a 12 block area with light and crimes of violence were cut up to 90%.

Good street lighting is the cheapest weapon against crime. In Gary, Indiana, after the installation of a relighting program, the population increased 27%, yet assaults decreased 75% and robberies went down 65%; thus adding more credence to the saying "a good street light is as valuable as a good policeman—and a lot cheaper too."

Future plans and present: The city of Oakland, with the cooperation of the merchants, is now engaged in a relighting program which will eventually replace all of the business district light with Mercury Vapor type lights. The present program include the replacement of lights in the Grove to Franklin; 13th Street to 8th Street area with new lights. This area amounts to 3% of Oakland's street mileage. In the past this area has accounted for considerable criminal activity in relation to the city as a whole. The crime rate, especially car clout, auto theft, strongarm robbery, and vagrancy, is expected to decline after the installation is complete. Night time light can only help the police.

Conclusion: The following procedure will be followed by all members of this Department when reporting street lights which are out of order or damaged: 1. The officer shall note the number of the street light pole or electrolier and its location. 2. The information will be turned in to the Patrol Division Desk Sergeant at the completion of the reporting officer's daily duty tour. (Officers who do not complete their duty tours by 0300 may make their street light report to the Patrol Division by landwire.) 3. The Patrol Division will transmit the above information to Fire Alarm, by dispatch or phone call, prior to 0330 hours daily.

In accordance with departmental orders and the above information, all street lights that are not burning during the night hours will be reported. Those lights mounted on wooden poles in residential areas are to be reported each time they are found to be out of order. Lights burning in business districts and on main thoroughfares or lights mounted on metal poles are staggered to every second light during the early morning hours. The early evening hours (third watch) are considered to be the ideal time of reporting. After midnight a malfunctioning light could conceivably be mistaken for a normal outage and not be reported until the next evening.

Remember: Street lights are tools of your trade. Their burning can only help you in your continued fight against crime.

THE WAR IN VIETNAM

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. REES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. REES. Mr. Speaker, I join other concerned Members of the House of Representatives in seriously questioning the escalation of the Vietnam war by the bombing of oil depot and port areas in Hanoi and Haiphong. I question the assumption that increased air attacks on North Vietnam can in any way shorten the present conflict or bring the belligerent forces to the conference table.

Rather, Mr. Speaker, I believe that the escalation of the war will have the effect of delaying the possibility of a peaceful solution to this conflict.

Are we building a myth on the effect of air power? Do we feel that saturation bombing of an industrially primitive country will halt its war efforts? If saturation bombing of an industrially sophisticated nation such as Germany in World War II did not destroy German ability or desire to fight, what will be the effect in North Vietnam? The risks, on the other hand, are very grave. The major risk is that acceleration will lead to massive Red Chinese and Soviet participation, a participation that well might lead to World War III. We are also succeeding in alienating our friends throughout the world and in many cases actually building sympathy for the North Vietnamese.

The dilemma we face in Vietnam cannot be resolved by continual escalation in the use of force. We must return to the peace offensive of last January—it must be a continuing effort, no matter how frustrating it may sometimes appear. We must also work constantly to help develop a positive climate for peaceful and honest elections in South Vietnam, preferaby supervised by the United Nations.

As a Congressman I am embarrassed when constituents ask me about the war in Vietnam. For the past year Vietnam has been a somewhat forbidden subject. There have been few congressional briefings. The attitude of the executive branch appears to be that the whole Vietnam situation is too serious to discuss with Congress—other than to ask us to vote for additional defense funds—and that we in Congress had best concern ourselves with domestic policy and not worry over escalations and mounting casualty lists.

Since the Senate hearings on Vietnam and Red China earlier this year, the great dialog as to the purposes and goals of our foreign policy, especially in Asia, has been closed.

As the Congressman from California's 26th District, I do not feel it would be fair to my trust to assume that the experts in the Department of State or the Department of Defense are always right. I question the sincerity of their fragmentary, vague, and self-serving statements, and resent the secrecy surrounding the Vietnam conflict.

I believe my constituents join me in resenting the implication that their elected Representative should play in the sandpile of domestic policy and not ask questions about our involvement in Asia.

It is my hope that in the future the Members of the legislative branch of this Government will be brought into the arena of foreign policy—and that we will have the opportunity to question what is being done in Vietnam, and why.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Edmondson, for 30 minutes, today.

Mr. Holifield, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Rogers of Florida.

Mr. McCormack (at the request of Mr. Albert) to include an article entitled "The Massachusetts Committee of Catholics, Protestants, and Jews," notwithstanding the fact that it exceeds 2 pages of the Record and is estimated by the Public Printer to cost $468.

(The following Members (at the request of Mr. Johnson of Pennsylvania) and to include extraneous matter:)

Mr. Hall.

Mr. Pelly.

Mr. Nelsen.

(The following Members (at the request of Mr. Edmondson) and to include extraneous matter:)

Mr. Mackie.

Mr. Williams in three instances.

Mr. Marsh.

Mr. Moeller.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2825. An act to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce; to the Committee on Interstate and Foreign Commerce.

S. 2974. An act to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such act at both State and Federal levels, and for other purposes; to the Committee on Education and Labor.

S. 3106. An act for the relief of Dr. Alberto L. Martinez; to the Committee on the Judiciary.

S. 3110. An act for the relief of Jose R. Cuervo; to the Committee on the Judiciary.

S. 3141. An act for the relief of Hom Sheck See and his wife, Hom Mon Hing; to the Committee on the Judiciary.

S. 3222. An act for the relief of Dusko Doder; to the Committee on the Judiciary.

S.J. Res. 168. Joint resolution to authorize the President to issue annually a proclamation designating the seven-day period beginning October 2 and ending October 8 of each year as "Spring Garden Planting Week"; to the Committee on the Judiciary.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 2266. An act to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art;

S. 2999. An act to amend section 6 of the Southern Nevada Project Act (act of October 22, 1965; 79 Stat. 1068); and

S.J. Res. 162. Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1535. An act to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases;

H.R. 2035. An act to provide for cost-of-living adjustments in star route contract prices;

H.R. 6125. An act to amend Public Law 722 of the Seventy-ninth Congress and Public Law 85–935, relating to the National Air Museum of the Smithsonian Institution;

H.R. 7423. An act to permit certain transfers of Post Office Department appropriations;

H.R. 12322. An act to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton;

H.R. 13125. An act to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended; and

H.R. 14050. An act to extend and amend the Library Services and Construction Act.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 29, 1966, present to the President for his approval, bills and a joint resolution of the House of the following titles:

H.R. 1240. An act for the relief of Harry C. Engle;

H.R. 3788. An act to revive and reenact as amended the act entitled "An act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill," approved December 21, 1944;

H.R. 3976. An act to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.;

H.R. 5204. An act for the relief of Joseph K. Bellek;

H.R. 6590. An act for the relief of Arthur Hill;

H.R. 8793. An act for the relief of Eugene J. Bennett;

H.R. 9302. An act for the relief of Lt. Charles W. Pittman, Jr., U.S. Navy;

H.R. 10994. An act for the relief of Charles T. Davis, Jr., Sallie M. Davis, and Nora D. White;

H.R. 12232. An act to amend title 1 of the United States Code to provide for the admissibility in evidence of the slip laws and the Treaties and Other International Acts Series, and for other purposes;

H.R. 14025. An act to extend the Defense Production Act of 1950, and for other purposes; and

H.J. Res. 1180. Joint resolution making continuing appropriations for the fiscal year 1967, and for other purposes.

ADJOURNMENT UNTIL JULY 11, 1966

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with House Concurrent Resolution 804, the Chair declares the House adjourned until 12 o'clock noon on Monday, July 11, 1966.

Thereupon (at 1 o'clock and 6 minutes p.m.), pursuant to House Concurrent Resolution 804, the House adjourned until Monday, July 11, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2527. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated May 12, 1966, submitting a report, together with accompanying papers and an illustration on a letter report on Cedar Keys Harbor, Fla., request by a resolution of the Committee on Public Works, House of Representatives, adopted June 27, 1956. No authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RODINO: Committee on the Judiciary. H.R. 14765. A bill to assure nondiscrimination in Federal and State jury selection and service, to facilitate the desegration of public education and other public facilities, to provide judicial relief against discriminatory housing practices, to prescribe penalties for certain acts of violence or intimidation, and for other purposes; with amendment (Rept. No. 1678). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee of Conference. S. 2950. An act to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes; (Rept. No. 1679). Ordered to be printed.

Mr. BOLLING: Committee on Rules. House Resolution 906. Resolution providing for the consideration of H.R. 15750, a bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; without amendment (Rept. No. 1680). Referred to the House Calendar.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 5380. A bill to provide that the United States shall hold certain Chilocco Indian School lands at Chilocco, Okla., in trust for the Cherokee Nation upon payment by the Cherokee Nation of $3.75 per acre to the Federal Government; with amendments (Rept. No. 1682). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 14687. A bill to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.; with amendment (Rept. No. 1683). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 10633. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes; with amendments (Rept. No. 1684). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 15566. A bill to amend the act of June 3, 1966 (Public Law 89-441; 80 Stat. 192), relating to the Great Salt Lake relicted lands; with amendment (Rept. No. 1685). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 13419. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals; with amendments (Rept. No. 1686). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 5226. A bill to authorize the Secretary of the Interior to convey certain public land in Wyoming to Clara Dozier Wire; without amendment (Rept. No. 1681). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 16073. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer supporting a dependent who is mentally retarded; to the Committee on Ways and Means.

By Mr. ASHMORE:

H.R. 16074. A bill to cancel certain unpaid interest accrued after September 30, 1931, on loans made to World War I veterans upon the security of adjusted-service certificates; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 16075. A bill to authorize the construction, operation and maintenance of the Lower Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BLATNIK:

H.R. 16076. A bill to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act; to the Committee on Public Works.

By Mr. BOGGS:

H.R. 16077. A bill to amend the Tariff Act of 1930 to provide that dicyandiamide be admitted free of duty; to the Committee on Ways and Means.

By Mr. CLARENCE J. BROWN JR.:

H.R. 16078. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 16079. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Board-Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CONYERS:

H.R. 16080. A bill to amend the Mental Retardation Facilities Construction Act in order to permit the construction of classrooms under that act; to the Committee on Interstate and Foreign Commerce.

H.R. 16081. A bill to amend the Federal Aid Highway Act to permit the participation of interstate funds in retiring bonds on toll bridges, tunnels, or roads on the Interstate System; to the Committee on Public Works.

By Mr. DENT:

H.R. 16082. A bill to amend Public Law 874, 81st Congress, with respect to the administration of certain federally operated schools; to the Committee on Education and Labor.

By Mr. DUNCAN of Tennessee:

H.R. 16083. A bill to amend title II of the Social Security Act to provide a 20-percent across-the-board increase in benefits thereunder; to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.R. 16084. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. GIBBONS:

H.R. 16085. A bill to strengthen and improve programs of assistance for our elementary and secondary schools; to the Committee on Education and Labor.

By Mr. GUBSER:

H.R. 16086. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. HALPERN:

H.R. 16087. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HORTON:

H.R. 16088. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes, effective July 1, 1966; to the Committee on Armed Services.

By Mr. HULL:

H.R. 16089. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 16090. A bill to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore; to the Committee on Interior and Insular Affairs.

By Mr. KING of California:

H.R. 16091. A bill to establish a highway beautification and traffic safety trust fund; to the Committee on Ways and Means.

H.R. 16092. A bill to provide that certain television and radio receiving tubes be appraised under section 402 of the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. MACDONALD:

H.R. 16093. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORHEAD:

H.R. 16094. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. PELLY:

H.R. 16095. A bill to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate; to the Committee on Merchant Marine and Fisheries.

By Mr. ROUSH:

H.R. 16096. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. RYAN:

H.R. 16097. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ST. ONGE:

H.R. 16098. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Board-Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SENNER:

H.R. 16099. A bill to amend the Internal Security Act of 1950, and for other purposes; to the Committee on Un-American Activities.

By Mr. THOMPSON of New Jersey:

H.R. 16100. A bill to amend the National Foundation on the Arts and the Humanities Act of 1965; to the Committee on Education and Labor.

By Mr. TRIMBLE:

H.R. 16101. A bill providing for a pension for certain widows; to the Committee on Veterans' Affairs.

By Mr. TUNNEY:

H.R. 16102. A bill to amend section 170(c) of the Internal Revenue Code of 1954 to provide a deduction from gross income for contributions and gifts to or for the use of certain conservation organizations; to the Committee on Ways and Means.

By Mr. VIVIAN:

H.R. 16103. A bill to establish a Commission on Architecture and Planning for the Planning for the Capitol; to the Committee on Public Works.

By Mr. CHARLES H. WILSON:

H.R. 16104. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Board-Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WYDLER:

H.R. 16105. A bill to amend title XIX of the Social Security Act to permit certain individuals receiving physician's services thereunder to pay the bill themselves and be reimbursed therefor, to eliminate certain costly requirements imposed by such title with respect to State medical assistance programs, and to require representation of practicing physicians on State and local advisory committees; to the Committee on Ways and Means.

H.R. 16106. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. COHELAN:

H.J. Res. 1201. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. EDWARDS of California:

H.J. Res. 1202. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. HICKS:

H.J. Res. 1203. Joint resolution to authorize the President to issue annually a proclamation designating the 7-day period beginning October 2 and ending October 8 of each year as Spring Garden Planting Week; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.J. Res. 1204. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. MOORHEAD:

H.J. Res. 1205. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. VIVIAN:

H.J. Res. 1206. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. BROWN of California:

H. Con. Res. 809. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

H. Con. Res. 810. Concurrent resolution expressing the sense of Congress on the holding of elections in South Vietnam; to the Committee on Foreign Affairs.

H. Con. Res. 811. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

By Mr. CONYERS:

H. Con. Res. 812. Concurrent resolution expressing the sense of Congress on the holding of elections in South Vietnam; to the Committee on Foreign Affairs.

By Mr. DOW:

H. Con. Res. 813. Concurrent resolution relative to free elections in South Vietnam; to the Committee on Foreign Affairs.

By Mr. FRASER:

H. Con. Res. 814. Concurrent resolution relative to free elections in South Vietnam; to the Committee on Foreign Affairs.

By Mr. MATSUNAGA:

H. Con. Res. 815. Concurrent resolution expressing the sense of Congress on the holding of elections in South Vietnam; to the Committee on Foreign Affairs.

By Mr. ROSENTHAL:

H. Con. Res. 816. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

By Mr. ROYBAL:

H. Con. Res. 817. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

By Mr. THOMSON of Wisconsin:

H. Con. Res. 818. Concurrent resolution expressing the sense of the Congress with respect to the settlement of the indebtedness of the Republic of France to the United States; to the Committee on Ways and Means.

By Mr. TODD:

H. Con. Res. 819. Concurrent resolution relative to free elections in South Vietnam; to the Committee on Foreign Affairs.

By Mr. MULTER:

H. Res. 907. Resolution providing for consideration of H.R. 12904, a bill to provide that the Board of Directors of the Federal Deposit Insurance Corporation shall consist of three appointive members, and for other purposes; to the Committee on Rules.

By Mr. VIVIAN:

H. Res. 908. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. WAGGONNER:

H. Res. 909. Resolution relating to the compensation of the Doorkeeper of the House of Representatives; to the Committee on House Administration.

By Mr. CELLER:

H. Res. 910. Resolution to provide for the consideration of the bill (H.R. 14765) to assure nondiscrimination in Federal and State jury selection and service, to facilitate the desegregation of public education and other public facilities, to provide judicial relief against discriminatory housing practices, to prescribe penalties for certain acts of violence or intimidation, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOWNING:

H.R. 16107. A bill for the relief of Willard Herndon Rusk; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 16108. A bill for the relief of Helena Inlewicz; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 16109. A bill for the relief of Mrs. Bronislava Zbrozek; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 16110. A bill for the relief of Maria Kouremenos; to the Committee on the Judiciary.

H.R. 16111. A bill for the relief of Alberto Alfonso Reyes Martinez and his wife, Maria Carmen San Pedro de Reyes, and their daughter, Mercedes A. Reyes; to the Committee on the Judiciary.

By Mr. STEPHENS:

H.R. 16112. A bill for the relief of Carolyn Chou; to the Committee on the Judiciary.

H.R. 16113. A bill for the relief of Ekaterini Konst Dimopoulos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

406. By the SPEAKER: Petition of Ralph Boryscewski, Rochester, N.Y., relative to impeachment; to the Committee on the Judiciary.

407. Also, petition of Henry Stoner, Portland, Oreg., relative to the designation of a certain day of the year as change-of-handedness day; to the Committee on the Judiciary.

408. Also, petition of Emmett Schell, Park Rapids, Minn., and others, relative to pensions for veterans of World War I; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

The Mississippi Press Association—A Century of Service

EXTENSION OF REMARKS

OF

HON. JOHN BELL WILLIAMS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 1966

Mr. WILLIAMS. Mr. Speaker, the Mississippi Press Association—the oldest professional association in my State—recently observed its 100th anniversary. Because of the prominent role its members have played in the social, economic, and political affairs of Mississippi in the last century, the association has a rich and illustrious history which is indeed unique.

The thousands of dedicated members of the fourth estate, both living and dead, who have been a part of the MPA have distinguished themselves for devotion to duty and for the significant contributions they have made to the State. By dedication to the high principles of journalistic integrity and responsibility, they have gained an undisputed reputation as primary guardians of freedom and promoters of progress in the State.

Their ranks have included an abundance of colorful, salty, and courageous editors as quick to lambast the corrupt politicians as to tirelessly promote projects for community betterment. The stinging editorial indictments and the commitment to objective, factual reporting which characterize this rare breed of journalist have often resulted in their becoming embroiled in stormy controversy and the object of bitter criticism. To their credit, these guardians of freedom have steadfastly adhered to principle, rather than pursue a course of expediency or compromise.

Mr. Speaker, the MPA has its roots deep in Mississippi's rich heritage. There are 10 four-generation families in Mississippi newspaperdom. In addition, there are 17 third-generation families. More than 50 of the member newspapers have published continuously for over 75 years.

Both the oldest daily and weekly newspaper—each of them published in my congressional district—provide excellent examples of the distinguished service MPA members have provided their respective communities.

The Clairion-Ledger, published at Jackson, was established on February 18, 1837, and is a family-owned enterprise dating back to the turn of the century. Today, its publisher, R. M. Hederman, Jr., is secretary-treasurer of the Southern Newspaper Publishers Association, one of the highest such offices ever held by a Mississippian. He is one of three illustrious members of the Hederman family to head the MPA in times past—the other two being his first-cousin, the present editor, T. M. Hederman, Jr., and his uncle, T. M. Hederman, Sr.

The Woodville, Miss., Republican, founded December 11, 1823, is the State's oldest business in continuous operation, as well as being the oldest weekly newspaper. Its present editor-publisher, John S. Lewis, is also president of the MPA during its 100th anniversary year. Both of these fine papers have been recognized time and again through the years for their contributions to community and State.

Perhaps, Mr. Speaker, there is no single individual who reflects the spirit of the MPA better than its affable manager, George Lemon Sugg, who is one of the deans of newspaper association managers in the Nation. A man among men, Sugg's wise counsel and energetic efforts on behalf of the fourth estate in Mississippi have served as a real inspiration to many of the State's publishers.

Even though they have not always agreed among themselves, Mr. Speaker, the members of the MPA are a closely knit family. They have maintained a common goal—that of building a better Mississippi. The dramatic progress of recent years in my State must be attributed largely to the efforts of these publishers. The prosperity and growth will undoubtedly proceed in the years ahead as through their newspapers they continue to press for progress.

Doctor, Humanitarian, Patriot

EXTENSION OF REMARKS

OF

HON. JOHN C. MACKIE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 1966

Mr. MACKIE. Mr. Speaker, the American Medical Association recently presented one of my constituents, Hira E. Branch, M.D., of Flint, a plaque for his meritorious service in treating the civilians of war-torn Vietnam.

I wish to join the members of the Genesee County Medical Society, as well as the State and National medical groups, in extending my congratulations to Dr. Branch for his humanitarian mission.

Dr. Branch, an orthopedic surgeon, was a member of Project Vietnam, a program now being operated by the AMA under a nonprofit contract with the U.S. Government.

Under this contract, the association assumes complete responsibility for the recruiting and administration programs for those physicians who volunteer for this humanitarian program. Under this program, up to 32 physicians are needed every 60 days in Vietnam to fulfill the program's needs to relieve the sufferings of wounded and ill civilians throughout the country. The doctors serve at considerable personal sacrifice, temporarily abandoning their practices to carry out this patriotic and humane venture.

The inscription on the certificate of humanitarian service presented to Dr. Branch reads:

> In recognition of the meritorious service performed for the medical profession, the United States Government and the people of South Viet-Nam by treating the ill and injured during his voluntary medical mission in South Viet-Nam.

Signed by James Z. Appel, M.D., president, AMA.

The award was made in Flint, at a Genesee County Medical Society meeting at which time the county medical society was rechartered by the State Medical Society President Luther Leader, M.D.

Mrs. Branch accompanied her husband and served as his secretary and records clerk in the hospitals where Dr. Branch was stationed.

The work included catching up on an overload of orthopedic cases, as well as the training of Vietnamese physicians.

Dr. Branch has also served in Malaysia on a volunteer factfinding mission of that country's medical situation. This tour of duty extended over 7 weeks and included visits to four cities where the medical facilities and available medical personnel were surveyed. His findings will serve as a basis for determining if American volunteers are needed to train that country's orthopedic surgeons.

Space Debris

EXTENSION OF REMARKS

OF

HON. WALTER H. MOELLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 1966

Mr. MOELLER. Mr. Speaker, last week a very important paper in my district, the Lancaster Eagle-Gazette, at Lancaster, Ohio, published a thoughtful editorial on the possible problem of space debris in our space program.

Under unanimous consent I insert the editorial at this point in the RECORD:

> [From the Lancaster Eagle-Gazette June 22, 1966]
>
> SPACE DEBRIS
>
> It has finally happened. Outer space is becoming so littered with manmade objects scientists fear the day is coming when one of them, plummeting out of orbit, will fall in an inhabited area of earth.
>
> They once held the comfortable theory that such hardware would burn itself up during reentry into earth's atmosphere. Then they discovered, floating in the Atlantic Ocean, a section of Titan II rocket whose 24 feet of length and 1,500 pounds had not burned away as it came back to earth.
>
> A chunk of space junk that size could raise quite a knot on the head of an earthling. There have been joking references, since space shots began, to the great opportunities ahead for celestial garbage men.
>
> Maybe it's time to stop laughing and learning how to clean up this overhead clutter.

Inasmuch as I am privileged to serve on the Committee on Science and Astronautics and have had a definite interest in this field since 1958, I have taken this editorial up with NASA and have received assurances that the National Aeronautics and Space Administration is conducting research in order to better understand the behavior of space objects during atmospheric reentry. This work includes the objects' orientation, heating, breakup from aerodynamic landing, and ablation. Work to date indicates that the level of hazard to the earth's population is small. When compared to the number of meteors which are estimated to impact the earth each year or the number of lightning strikes, the occasional return of a piece of space object appears to be a very small problem indeed. In addition, the NASA makes every effort to control the reentry of major space objects over safe ocean areas.

Disclosures of the Week—Part VIII

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 1966

Mr. PELLY. Mr. Speaker, after being in Congress for a few terms, you would expect to become immune to shock at disclosures which come daily to your attention. Actually every time I read of a scandal or some startling item connected with Government I never fail to feel a keen sense of disappointment. This is because obviously anything that downgrades our Government destroys public faith in a system which is the best in the world.

Nevertheless our strength as a nation is free speech and a free press which will assure that all information reaches the people. If the citizens of the United States are given the facts, even though scandalous, we can expect popular demand for improvement.

On this basis each week I have inserted in the CONGRESSIONAL RECORD a few of the disclosures that disturbed me personally, such as follows:

CASE I

The Charleston, W. Va., Daily Mail of June 10 told how two policemen were reviled in the "vulgarest, dirtiest, foulest language" and made targets for a barrage of beer and whisky bottles when they responded to a call at the Job Corps training center. Two of the girls had been pushed from a window. Supervisory officials refused cooperation with the policemen.

Never in the history of America has there been such scandal and mismanagement as with the antipoverty program.

CASE II

The Council of State Chambers of Commerce says within the next 4 years the cost of the Johnson administration's Great Society domestic programs will be in excess of $21 billion a year or seven times as much by 1970 as it was last year.

The Sunday Star—Washington, D.C.—revealed June 12 a report by a director of the National Planning Association concluding that the cost of the economy of 16 Great Society programs, if pursued together, would cost within 9 years $150 billion more than the estimated gross national product of approximately $1 trillion.

CASE III

Argentina has just had another military coup and their constitution suspended. Of the $115 billion in foreign aid that has been distributed since 1945, $723 million has gone to Argentina. Apparently we have kept her army well fed and armed.

CASE IV

The Great Society's rent subsidy program has started and includes giving people money to pay their overdue electric bills, a monthly allowance for transportation to social activities, plus enough subsidy so families may pay an average of $115 a month.

CASE V

The Senate Internal Security Subcommittee made public June 19 a 78-page report of previously secret testimony which, the report stated, showed Communists had played a key role in organizing campus demonstrations against U.S. participation in the war in Vietnam. The subcommittee said:

> The Communist Party, USA, brand may be found upon every phase of the rallies.

CASE VI

The Maritime Commission reported June 18 a total of 92 free world ships visited Cuba in the first 4 months of this year despite administration efforts to curb such trade with Communist Fidel Castro. If the rate for the first 4 months continues throughout the year, such visits would total 276.

CASE VIII

According to the Allen-Scott Report, Arthur Goldberg has informed the President the outlook now strongly favors admission of Red China to the United Nations. As a consequence President Johnson was said to have ordered a review of U.S. policy to determine if the United States should continue to vigorously oppose seating Red China.

CASE IX

The Chicago, Ill., Tribune of June 24, under a London dateline, said:

> Britain will not sell to the United States arms which might be used in the fighting in Viet Nam, Denis Healey, the Labor government's defense minister, announced . . . today.

Positive Action in Vietnam

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 1966

Mr. ROGERS of Florida. Mr. Speaker, all thinking Americans applaud the action taken yesterday by our Armed Forces in Vietnam and have confidence in the administration's policy in the matter.

Strategically, the action was long overdue. Morally, it was the positive support which we owe our fighting men in Vietnam.

I know the families who have men in this conflict commend the action as I do.

The Remarkable Achievements of the DAV

EXTENSION OF REMARKS

OF

HON. JOHN BELL WILLIAMS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 1966

Mr. WILLIAMS. Mr. Speaker, it was with deep regret that due to illness I was unable to join others in Congress in paying tribute to the Disabled American Veterans on the organization's 34th anniversary earlier this month.

As a member of this proud patriotic organization, I am especially familiar with both the significant accomplishments and sound contributions of the DAV since its inception 34 years ago. Its leaders, on both the National and State level, have exhibited a rare dedication to duty in providing service and assistance to wartime disabled, his widow, orphans, and dependents.

The tangible achievements of the DAV are reflected in the ambitious legislative program it has promoted and supported over the years. Likewise, the organization has made a vital contribution through its national service program which assists the veteran in solving problems ranging from medical care to rehabilitation, compensation, job training, employment, and insurance.

But, Mr. Speaker, the active role the DAV has played in "getting things done" for the veteran is overshadowed, perhaps, by the intangible contributions it has made not only to the veteran, but to all Americans.

It has served as a real source of inspiration to those who suffered physical impairment in the course of defending the freedom of their country. The DAV has served as a symbol of hope to those bearing the scars of war. These veterans, who have served courageously in the far corners of the earth, have been reassured through the efforts of the DAV that they are not the forgotten soldiers—that their sacrifices are not forgotten sacrifices.

Above all, the DAV has constantly and conscientiously worked on behalf of programs to make our Nation a strong one. It sponsors scholarships and civic improvement programs and stresses basic Americanism in programs designed for youth and school groups. Indeed, the organization fulfills its pledge as stated in the preamble of the DAV constitution "to aid in maintaining the honor, integrity, and supremacy of our country."

In terms of concrete accomplishment and devotion to high principles, the DAV is unique among organizations. This success has resulted from the untiring efforts of leaders who have distinguished themselves for the unselfish service they have performed through the years. The organization has earned the respect and good will of the American people. It is especially pleasing to extend my congratulations to the DAV for a job well done, and my sincere best wishes in their continuing efforts.

Will the Real Democrat Party Please Stand Up?

EXTENSION OF REMARKS

OF

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 1966

Mr. HALL. Mr. Speaker, in the Seventh District of Missouri, which I am privileged to represent in Congress, we are making substantial progress in our efforts to provide new jobs, to increase employment, to attract new industry, and to encourage existing industry to provide more job opportunities for our people who have shown they possess the necessary skills.

Our people are doing this largely through their own efforts, and they have asked for little in the way of Federal subsidies—only a chance to work and contribute to our economy.

Thus, Mr. Speaker, it comes as a shock to me to learn that many industries in our district have been asked by this administration to slow down our rate of growth, and to curb plans for expansion.

Yet, this is exactly what has happened in recent days. Secretary of Commerce John Connor has written numerous firms in the Seventh District, asking them to curtail job opportunities, by restricting new capital expenditures.

This action by the Johnson administration is all the more incredulous in view of the opposite tack being taken by some Democrat candidates for Congress, most notably the Democrat candidate for the Seventh District in Missouri.

In a recent speech at Monet, he called for more jobs and more industry, and suggested that "influence peddling" was back in style by saying that "as a member of the majority party in Congress, more doors would be open to me."

And, so I ask, with good cause, Will the real Democrat Party please stand up? Is it the party whose leaders in Washington call upon industry in our district to curtail expansion plans? Or, Mr. Speaker, is it the party whose congressional candidates call for expansion of industry?

The reason given by the Johnson administration for asking industry to delay capital expenditures is that "such steps must be taken to control inflation." But, it is not the economic growth of the Ozarks, or the new job opportunities we are creating at home, that are the causes of the inflation.

It is the extravagance of the Johnson administration, the proliferation of new domestic spending programs, in time of war, and the increasing growth and cost of the Federal bureaucracy. The administration wants everyone to exercise restraint, except itself.

It wants everyone including the Armed Forces, housewives, and industry, to curtail spending, except itself.

Inflation is not caused by providing new job opportunities in the Ozarks, and I think even my Democrat opponent will agree to that. It results from the deficit spending programs of this administration, added to the impact of the heavy cost of the Vietnam war.

I would hope that the Democrat candidate for Congress in southwest Missouri would pay closer attention to the statements of the administration on whose ticket he is running.

I even hope he would join with me in trying to reverse the present policy.

Remarks of Congressman Mark Andrews

EXTENSION OF REMARKS

OF

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 1966

Mr. NELSEN. Mr. Speaker, speaking at Minot, N. Dak., on June 17, our House colleague, Congressman Mark Andrews, of North Dakota, offered some probing observations about the state of our Nation which are well worth thinking about. I include his speech at this point in my remarks:

Remarks of Congressman Mark Andrews, North Dakota Republican State Convention, Minot, N. Dak., June 17, 1966

The basic foundation of our nation and its government rests upon the active participation of its citizens. Those of us who have worked hard in the party of our choice, the Republican Party, know that in 1964 we had significantly more people working in our behalf and more people contributing to the Party's financial support than we have ever been able to achieve previously in history.

Because of this, the impact of the overwhelming defeat of 1964 caused most Republicans to give serious thought to our position as a major party in the United States, and it's proper that we should do so. We ask the question, "What went wrong?" Certainly something of tremendous magnitude had to enter that campaign to see a well-liked United States Senator, who had carried his home State many times by large margins, be cut to a position of barely carrying Arizona and losing all other normally Republican states.

Probably the most important component of the voting behavior in 1964 was fear. People actually became afraid of Barry Goldwater. They feared nuclear war, a loss of social security, doing away totally with farm programs and other extreme acts. They were afraid Goldwater would be impulsive and would act too quickly. This added up to a strong emotional undertow which resulted not only in Goldwater's decisive defeat but also hundreds of Republican candidates for the legislature and for Congress were defeated in the backwash. The net result was that the Great Society had the margin to enact their programs as they wished.

Frankly, a poll taken in 1964 indicated that almost 30 per cent of the voters identified Goldwater as a radical. Now you and I know that this was simply not true. But, regardless of its validity, the feeling was there and it was the key factor in the voting behavior in 1964. We know how it came about. It came about simply because a small band of outspoken, well-financed, articulate radicals began to speak for and about the Republican candidate. And in the eyes of the public, these radical statements became statements attributed to the Republican Party itself when Goldwater failed to repudiate the radicals or clarify his own position.

Recognizing these factors, it is erroneous to consider the election of 1964 as a repudiation of responsible conservatism, nor should we say that only an insignificant number of Americans consider themselves conservatives. According to public opinion reports, when asked what they considered themselves—conservative, liberal or in between—41 per cent of Americans considered themselves conservatives, while only 31 per cent considered themselves liberals, with the remaining 28 per cent placing themselves in between as moderates.

Responsible conservatives have become involved in politics because of the deep and real concern they have for the future direction of our country and the responsibility they feel for the welfare of our fellow citizens. They recognize that the Democrat Party offers only a mirage called the "Great Society" in exchange for votes. Dedicated conservatives want to provide for human needs within a political framework that will nurture individual dignity and accomplishment. They are opposed to centralization in government and strongly support individual enterprise.

Responsible conservatives realize that to accomplish these goals they must be successful at the polls. Any attempt to exclude any sincere group, whether it be moderate or conservative, from the Republican Party is pure folly. However, this is just exactly what a small group of radicals, who claim to be conservative, have been trying to do in their attempt to re-orient the Republican Party. They claim they are the true Republicans when actually many of them have failed to support Republican candidates in the past. They claim it isn't important to win elections, and concentrate instead on ruthless attacks on any person or program that fails to agree totally with them. Unfortunately, there has always been in the history of politics, vociferous radical groups who try to influence policy of the major parties. Wise political leadership always recognizes these organizations for what they are and keeps them from occupying positions of influence within the party framework.

Let's be frank—it is critical for the welfare of this country that our Party gains in strength. With less than 30 per cent of the American electorate identifying itself in 1965 as Republicans, it would be pure stupidity for Republican Party leaders to fail to make the maximum effort to attract more recruits to our banner. There are tens of thousands of thoughtful Americans who have previously voted Democrat or who have previously been independent, who see the mistakes being carried on by the Great Society and who are anxious to join with the Republican Party in correcting these mistakes so harmful to our nation. We need their help!

A nation like ours always faces the difficulty of translating the ideals, the dreams, the aspirations of its people into the fabric of its government. This difficulty is compounded for a party that does not control the presidency. The answer will not be found in gimmickry or simplicity, or in the arbitrary exclusion of new ideas. The answer will be found in the partnership of farmers, workers, and business and professional people—in fact all Americans—with their government to establish and maintain sensible, well-run programs to meet the needs of the present and future and preserve the dignity and individuality of each person. The need to strengthen our Party is immediate for the compelling reason that the alternative is more of the Great Society!

While the Party in power is trying to soothe Americans by incessant newspaper, radio and television articles about how great the Great Society is, the fact still remains that no amount of whitewash can cover a rotten shed, without the building still being in danger of failing underneath. This is why the Republicans have a unique opportunity in election year, 1966!

Here at home we are seeing a Secretary of Agriculture who says—but here's an article from the New York Times, let me read the headline to you. It says, and I quote: "Freeman Elated Over Price Drops." Then it goes on to say, and I quote: "he predicts further cuts in costs of farm products." The article even goes on to say, "It was the first time in the memory of Federal farm officials that a Secretary of Agriculture indicated that he was pleased with decreased farm prices." He denies he ordered government purchase cutbacks of meat in order to lower livestock prices, and this week we're reading a series of copyrighted articles in the Minneapolis Tribune recording letters he wrote last January, at Johnson's insistence, asking the Defense Department to help lower livestock prices. What we need is a little more truth in government.

Just last Thursday, we had a clincher in interpreting the true Johnson-Freeman feeling about farmers and farm prices. One of the big problems, as you know, is what release price is going to be put on the stockpiles of commodities the government holds. Freeman has been driving down the price of wheat, corn and feed grains by releasing at fire sale prices government-held supplies of grain. In the fall of 1964 this cost the farmers of North Dakota about 10¢ a bushel for their grain. He did it again to us in the last harvest season.

Those of us in Congress who are sincerely interested in helping the farmer and who recognize that keeping a sound agriculture is the only way we can maintain a sound America, have been concerned about this. The Farm Bureau, the Farmers Union, the Greater North Dakota Association, the Grain Terminal Association, virtually every farm organization in America has been in favor of a higher resale price. Now, what happened last Thursday? We were considering the important Food for Freedom Bill, within which most of these government stocks of grain are utilized as a positive weapon for peace in the world and we tried to attach an amendment calling for a release price of no less than 80% of parity.

What happened to this amendment on a record vote taken on the Floor of the House just eight days ago? Let me tell you. Ninety three per cent of the Republicans voted for 80 per cent of parity, while 82 per cent of the Democrats voted against 80 per cent of parity—and they try to tell you that they are the friend of the farmer.

Lyndon Johnson underestimates the good judgment of the American farmer. The farmer knows who his friends are, and he's beginning to make his feelings heard. Now we see the strange scrambling of the professional Democrats trying to convince the farmers they didn't really mean it. Unfortunately, the damage to farm prices has already been done.

Where are those in the other Party who condemned Eisenhower for seeking only 90% of parity? You don't hear much comment from our Governor, who is always ready to praise Freeman, when he sees 82% of his Party voting against 80% of parity. He is strangely silent, and even his mouthpiece, Lloyd Omdahl, the Bismarck advertising man, hasn't had any comment about the strange lack of Democrat support for this vote for 80% of parity—just 80% of parity for the farmers of North Dakota.

Our future in agricultural states is being traded for the big city, Eastern votes. Unfortunately, these tactics don't even help the Easterners. The price of steers is now, because of government tactics over the last three months, down 10% from the price of steers last year. Yet the Eastern housewife today pays more over the grocery store counter for beef than she did a year ago.

Meanwhile, back at the ranch, they keep cranking out fancy press releases glossing over the grave shortcomings of their Administration. Day after day, we are faced with a barrage of propaganda saying they have announced this, or they have announced that.

Let's look at just one of these press releases. Not too long ago, there was an article in the paper saying Fort Berthold Indian Reservation gets $4,501 for Medicare Alert. An individual in the other Party announced the approval with great glee and said the funds would be utilized to inform the people about the additional Social Security benefits available to them under legislation passed last year, and that assistance would be given them in making application.

Now this sounds great, until you look into it. And let's do just that. What was this $4,501 spent for? The Census Bureau tells me that on the entire Fort Berthold Reservation there are only 122 individuals over 65 years of age. Of this 122, only 57 remained to be signed up at the time of the grant. So we see a program to sign up 57 individuals in a Medicare Alert program where six to eight men were hired for $60 a week plus traveling expenses, a woman to manage the office at $160 a week, and a secretary to work for the woman at $80 a week.

All of this went on for an entire month. And they signed up 57 individuals at a cost of about $79 each. Each worker must have contacted less than two individuals per week of work! How much more benefit this money could have been had they just told the Bureau of Indian Affairs personnel or tribal representatives to contact these 57 people to let them know the benefits of the program and turned the $4,501 over to an educational program to be run by the local school district—or used it for housing loans—or even turned it back to the taxpayer.

We find our Governor continually coddling poverty fatcats like Mr. Garcia, who was making a salary in five figures over at the Fort Totten Reservation running a program with 75% of the funds used for administration and very little benefiting the Indian people. In fact, it got so bad over there, the Indians themselves protested loud and long. Finally, the Bureau of Indian Affairs, the Office of Economic Opportunity and the Junior Senator from North Dakota all agreed that a change had to be made—a change that those of us who are Republicans recommended over a year ago. Our Governor is still strangely silent particularly in view of the fact he approved an $1,800 salary increase for Mr. Garcia just last January. I wonder what comments he or his phrase maker, Mr. Omdahl, have to make today on this subject!

Milt Young and I have made and voted for specific recommendations in Congress to correct these poverty program abuses—we need more Republicans so we may put them into effect.

Ridiculous actions such as this are frustrating enough on the domestic scene, but they become tragic indeed when they are related to national defense—and the same kind of tactics, unfortunately, are used in handling our national defense problems.

Last weekend we heard of the tragic crash of an XB–70, one of our new research bombers. The double tragedy was that not only did we lose the experimental ship and the lives of well-trained test pilots, but this loss was sustained while going through a publicity gimmick! Now Milt and I may be accused of partisanship for saying what's obvious to all of us, but let me quote to you the words of one of the leading Democrats in the House of Representatives, the Chairman of the Appropriations Committee on which I am privileged to serve, George Mahon from Texas, the President's home State—a man who certainly can't be accused of partisanship on this matter. Mahon said last weekend, "He was shocked and dismayed to discover that this disaster had resulted from a publicity flight." He went on to call the incident "indefensible." Actually, I suppose the Administration was flying these valuable ships in a publicity flight to get pretty technicolor pictures, making it look as though we had all sorts of new bombers, all sorts of new planes, when the truth of the matter is that Mr. McNamara and his whiz kids have decided—with the President's full approval, but over the objections of Congress—that we don't need a new bomber. That we don't need new and better airplanes. And actually they are even cutting out the airborne alert after July 1st of this year.

These are things that a great share of the American public are not aware of, perhaps, but they are things that the Russian hierarchy are well aware of. They are things that the enemies of Americanism all over the world smile at when they hear about them because they are producing a great gap in our defense—a gap that cannot be veneered with fancy whitewash.

You remember that McNamara sold over 7,000 750 pound bombs to the West Germans for fertilizer for $1.68 each in 1964, and then he recognized the error and was buying back for $20.56 each these bombs which cost $440 a piece to produce new. Now, this was a grave mistake to sell these bombs in 1964 when we were fighting in Viet Nam—and it was still a bargain certainly to buy them back in 1966 for not much more than 12 times what we sold them for. The greater irony came when Republicans mentioned the fact that these were the strange antics going on in the Defense Department. Did the Administration in frankness say, "okay, we made a mistake" and admit it? No! They came out with the story that we don't really need these bombs anyway and, in a Chicago Tribune article, they said that they were cancelling the purchase back because we really have plenty of bombs.

Now you and I both know that they are needed. This story, I think, is significant in showing that the Johnson-Humphrey Administration will even refuse to buy back badly needed bombs at a fire sale price in order to make themselves look a little better politically. They've called for "truth in packaging"—it's time we had a little "truth in government"!

While there may be a bomb shortage in the war in Viet Nam, there is certainly no bomb shortage in the Great Society's war on farmers, small businessmen and just plain average Americans who are trying to make a go of it and who are faced everywhere they turn with high taxes, wasteful government expenditures, high interest rates, inflation and vacillation in the very defense of our country.

So the facts are on our side. The whitewash they are trying to cover up their mistakes with is getting mighty thin indeed. There are two words, both beginning with the letter "P". One of them is "promise"—the other one "performance". Never has the Republican Party been in a more favorable position than this year, because the "performance" of the opposition Party is so far removed from the "promises" they have been giving in the last decade.

What we have to do is go out and tell the story, talk facts, talk principles. Let's tell the people of North Dakota what we are doing to try to straighten out these programs—what our plans are for the future of North Dakota and of America.

By talking frankly to the people of North Dakota, we will find those who are normally labeled as Democrats or independents will be more than happy to join our banner in building a stronger and more vital America for the future. With your help, and only with your help, it can be done!

Aftermath of the Mississippi March

EXTENSION OF REMARKS

OF

HON. JOHN BELL WILLIAMS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 1966

Mr. WILLIAMS. Mr. Speaker, widely conflicting opinions have been expressed by observers both on the national level and in my State concerning the motivation of a group of misguided marchers who descended on Mississippi several weeks ago. Even the would-be leaders of the so-called Mississippi march were unable to reach a consensus on why their journey was being conducted.

The real reason behind the senseless trek is revealed by a national direct-mail campaign launched this week by Dr. Martin Luther King appealing for funds on the basis of the Mississippi march for his Southern Christian Leadership Conference. It now becomes crystal clear to even the most naive that the march was nothing more than a fund-raising gimmick to enable King to continue to live in luxurious fashion.

It is obvious from the letter that King is now mailing across the country that the march was promoted as a desperate attempt to create support for the lagging egalitarian campaign. In a futile attempt to portray Mississippi as a barbaric State, King merely acknowledged that he is fast becoming the head witch doctor peddling hate in return for pennies from the poor.

The continual feuding among civil rights activists, allegedly over the goals and tactics of the march, was not in fact based on ideological differences. It is evident that the bitter factional dispute has been motivated by the lust for the financial contributions of misguided sympathizers. Now that the march is over, with disappointment among the leaders that they could provoke Mississippians into violence, we see the familiar squabble over dividing up the money pie.

King is doing a tremendous disservice to his own race. Instead of marching them on the dusty highways to further his own selfish interests, he should be teaching industry, self-reliance, self-discipline, and virtue. All of the people of Mississippi, and especially Gov. Paul B. Johnson, are to be commended for their intelligent handling of a difficult and unfortunate condition thrust upon them.

The Massachusetts Committee of Catholics, Protestants, and Jews

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 1966

Mr. McCORMACK. Mr. Speaker, one of the finest organizations in America, dedicated to extending areas of agreement, and reducing tensions, emotions, and bigotry, is the Massachusetts Committee of Catholics, Protestants, and Jews. Included in the membership of this unusual and wonderful organization are outstanding persons in all walks of human activity who are constantly waging the fight for good and against evil.

In addition to extending areas of agreement and understanding among our people, this committee has many other excellent activities: First, the good citizenship program of the Boston Park Department; second, Tufts University civic education project; third, Brandeis University three chapels program; fourth, human relations center at Boston University; fifth, cooperating with the Massachusetts Department of Education.

In addition, this committee has distributed many thousands of copies of educational material to schoolteachers and heads of educational institutions throughout the United States.

Its general aims and purposes are: first, to sponsor good will work in the general community of Greater Boston; second, to serve as a medium through which representative citizens can endorse the basic democratic principle of good will among men of different faiths and different racial origins; third, to bring out and emphasize the many fine things which citizens of different faiths have in common; and fourth, to encourage and support those forces in the community which generate in the individual a respect for the validity and dignity of each other individual's particular religious faith, with no qualifications or reservations based upon racial origins.

In connection with the activities of this committee throughout the years I pay special tribute to Ben G. Shapiro, secretary of this wonderful organization. Ben G. Shapiro is one of the original founders and secretary throughout the years of this committee, one of the most dedicated men I have ever met, and whose love of his work in connection with this committee has played a major part in the success of this organization.

Each year this committee conducts a banquet at which there are at least 1,200 persons present, and at the banquet honors three outstanding persons throughout the country for their contributions toward understanding and good will among our fellow human beings. The banquet this year was held the evening of May 19, 1966, at the Statler-Hilton Hotel at which banquet citations were presented to Hon. Abe Fortas, Justice, U.S. Supreme Court; Hon. Nicholas deB. Katzenbach, the Attorney General of the United States; and Thomas F. O'Neil, chairman of the board, RKO-General, Inc.

The toastmaster of this year's banquet was Joseph E. Cronin, president of the American Baseball League, and chairman, executive committee, Children's Cancer Research Foundation. In my remarks I included the introductory remarks of Oscar W. Haussermann, chairman of the Massachusetts Committee of Catholics, Protestants, and Jews; remarks made by Toastmaster Joseph E. Cronin; remarks made by John F. Collins, mayor of Boston; an introduction by Norman L. Cahners, chairman of Cahners Publishing Co. of Boston, Mass; of remarks made by David P. Manley, a senior at the Charlestown High School and a member of the National Honor Society; speech delivered by David Manley; introduction by the toastmaster of Ben G. Shapiro; the report of Secretary Ben G. Shapiro; address of Hon. John A. Volpe, Governor of the Commonwealth of Massachusetts; address of Thomas F. O'Neil; the address of Supreme Court Justice Abe Fortas; address of Attorney General Nicholas deB. Katzenbach; and the citations that every one of the distinguished recipients of this year's award received.

REMARKS OF MAYOR JOHN F. COLLINS

Mr. Chairman, Reverend Clergy, Honored Guests, Ladies and Gentlemen:

As mayor of Boston, I am delighted to greet our three distinguished guests, and to participate officially in this meeting dedicated to the spirit of brotherhood in action.

Unofficially also, I have never more fervently prayed for brotherly love. As some of you may know, I am presently engaged in certain extra-curricular activities, and—I assure you—after I listen, night after night, to some of the things my opponents say about me, there is nothing I yearn for more hopefully—nothing I would welcome more cheerfully, than just a few small words of brotherly love.

Tonight we honor a significant and unusual trio of proud Americans, proud of the history and proud of the traditions of their nation and ours—each making his own contribution and each combining his own brilliance with the skills of others in helping achieve what is best for America:

United States Supreme Court Justice Abe Fortas; business and communications executive, our former fellow Bostonian, Thomas F. O'Neil; and our illustrious Attorney General, Nicholas Katzenbach; each with a long personal history of willingness to serve the common good, each with a record of distinction in more than one field, each with rare and amazing capacity to lead, to advise, to assume responsibility and to perform with high standards and superlative results, and, above all, each with a deep involvement in the needs of his fellow man, whatever his religion, his color, or his national origin.

These men know that our nation is the sum total of all its component parts; that its greatness and strength come from a blend of the different cultural, ethnic and national origins of our people; that there is no problem that we cannot overcome if we work together, in common purpose, for the realization of common goals and aspirations.

This year particularly, the qualities of leadership and devotion to the public welfare, exemplified by these three gentlemen, take on special meaning.

For leadership in 1966 requires the perfect blending of knowledge and sound judgment to put that knowledge to its most effective use and of the courage to face the most difficult issues tempered with compassion for the most humble or the most needy of our people.

Leadership requires tireless energy and drive and unremitting concern for the realization of the aims and purposes that unite us as Americans.

The city of Boston and the Commonwealth of Massachusetts, which have given great leaders to our nation, are all the more sensitive to, and appreciative of, the qualities of national leadership exemplified by the men we honor tonight; and we honor also this committee of Catholics, Protestants and Jews for its intelligent programs, its deep insight into human needs, and its dedication to the furtherance of the ideal of the brotherhood of man.

Introductory Remarks of Oscar W. Haussermann, Chairman of the Massachusetts Committee of Catholics, Protestants, and Jews

Reverend Clergy; Your Excellency, Governor Volpe; Your Honor, Mayor Collins; Distinguished Guests, that is, all of you who are here tonight:

As you know, this is the 29th Annual Senior Good Will Dinner of our Massachusetts Committee of Catholics, Protestants and Jews. It's another traditional dinner that finds this banquet hall crowded to capacity with good citizens, community leaders, who believe in our cause. It's a kind of civic session that, in my judgment, symbolizes our New Boston at its best.

My assignment tonight—a pleasant one, I assure you—is to present to you your Toastmaster, an old friend of mine born west of Dedham and now known and admired throughout our land.

Last year I wrote a citation which was presented to him at our 1965 dinner. In that citation I spoke the truth—albeit with a slight touch of envy—about his brilliant athletic achievements which led to his canonization as a member of Baseball's Hall of Fame in Cooperstown and about his ability, character and personality that led to his election some seven years ago to his present post as President of the American League.

Tonight I know that I speak for all Bostonians when I say that we are glad that he has settled here in Massachusetts, that he has made our Boston the headquarters of the American League and that he has found the time to serve us so helpfully—and so graciously—as a Vice Chairman of our Committee.

Ladies and gentlemen, your Toastmaster, Mr. Joseph E. Cronin.

Remarks by Joe Cronin

Thank you Mister Haussermann for your most gracious and thoughtful words.

Right Reverend and reverend members of the clergy—your excellency, the Governor. Your honor, the mayor. Worthy recipients of tonight's awards. Distinguished guests of the head table. Ladies and gentlemen—and, if I may inject a selfish note, I would hope that I could combine all in one simple salutation—baseball fans.

It is indeed a personal privilege to serve as toastmaster for this twenty-ninth annual dinner of the Massachusetts Committee, Catholics, Protestants and Jews.

One year ago, I stood before these microphones and commented, with all truth and no poetry, that I would prefer to be at bat facing the greatest pitchers in American League history. This is not the case tonight. It is a most happy task for a baseball man to join in tribute to the trio of award recipients, whose presence honors us on this memorable occasion.

First of all, there exist happy alliances between baseball and television, and if this, in itself, does not suffice, certainly there must be an affinity between the Cronins and the O'Neils on both the Auld Sod, and the new.

Secondly, in baseball, we have the symbol of the umpire as evidence of our quest for justice on the diamond. With us here is our attorney general who directs the department which seeks justice for all throughout the entire land.

And finally, every baseball man appreciates the importance of a strong bench. President Johnson gave evidence of that same sort of appreciation, when, on July twenty-eighth last, he nominated the newest Justice to the Supreme Bench—the Supreme Court of the United States.

Since more elaborate and worthier tribute will be accorded these outstanding gentlemen later in the program, I should like to summarize for them, and review hastily for you, the goals of our Massachusetts committee, the reasons we are all present this evening.

To do this briefly, may I quote from the splendor of a sermon delivered by our Cardinal Archbishop of Boston. On April the eighteenth, nineteen hundred sixty-six, Cardinal Cushing spoke at Boston's famed Old North Church in commemoration of the hanging of the lanterns in the belfry, on Patriots' Day eve, making this a doubly historic occasion. With eloquence, the Cardinal said, "It must have been a small tallow that Paul Revere watched for as he crossed the Charles River, but it was the kind of light that does not have to be big to be bright. It burned with the ideal of freedom, and men sought it in that generation with the same passion that good men seek it in every generation."

Thanks mainly to the living inspiration provided by Ben Shapiro—and with a thought to the past to Mike Kelleher, whose memory shall never die—in this incandescent generation of neon glare and atomic power, the Massachusetts Committee, Catholics, Protestants and Jews strives to keep the ideal of those lanterns burning brightly for all of us—and in the hearts of all men of good will.

On behalf of the Massachusetts Committee, we express sincere appreciation to the members of the press, radio and television, to station WNAC-TV, to the airlines for offering the services of their hostesses as ushers here this evening—and to those who assisted in arrangements, over and above the call of duty, in the following categories:

Mr. Pat Ryan—over-all arrangements.

Mr. Louis Miller—reservations.

Mr. Isadore Zack—publicity.

Mr. Benjamin Bartzoff—television, coordination.

Mr. Jerry Hayes—who made the arrangements for our lovely airlines hostesses.

To the Boston Edison Company for lighting and decorations.

John Donnelly Company—for the attractive backdrop poster on our stage.

Mr. Jack Drummey—for invaluable assistance in several areas.

Dean John S. Bailey of Northeastern—for radio coverage arrangements.

To Police Commissioner McNamara and members of his efficient department for courtesies extended our honored guests.

Remarks by Norman C. Cahners

Introduction

Thank you, Mr. Cronin. Reverend Clergy, very Distinguished and Honored Guests, Ladies, Gentlemen:

One of the most important activities of the Massachusetts Committee, Catholics, Protestants and Jews is the annual junior goodwill dinner.

This program was conceived 14 years ago by the late Michael Kelleher and Ben Shapiro as a means of indoctrinating young men in a spirit of brotherhood.

Chosen by their headmasters, several hundred public and parochial school students meet each January in the press room at Fenway Park through the courtesy of Thomas A. Yawkey and the Boston Red Sox organization.

Outstanding leaders in our community act as sponsors of these boys and four lads are chosen to give a talk on what brotherhood means to him.

During these 15 years more than 2,200 young men have been our guests and we know of no lad who has attended these annual dinners who has been involved in any juvenile delinquency nor at any time been a discredit to himself or to the school he represents.

Today there is a tremendous ferment in the land. It is reflected in the civil rights movement and in the protest demonstrations on college campuses across the country.

Obviously, the need for men who have within them a sincere and abiding feeling of goodwill and brotherhood has never been greater.

Due to the foresight of Michael Kelleher and Ben Shapiro, and the work of our Massachusetts Committee, we have today over 2,200 missionaries of goodwill in our community and I think we can rest assured that if any of them are participating in demonstrations, it is in protest against bigotry in any form whatsoever.

Tonight you will hear from one of the young men who spoke at our dinner on January 26.

His name is David P. Manley, a senior at Charlestown High School and a member of the National Honor Society.

He was elected by his fellow students to represent the school at student government day at the state house, where, serving as a senator, he introduced the only bill that was passed that day.

David will enter Boston University next fall in the school of liberal arts, where he will major in psychology.

He is a member of the debating club and was on the panel for our radio broadcast on W-E-Z-E for the Boston Public Schools Radio Forum.

As you listen to him, I hope you will try to visualize the setting of a press room of a baseball park. It is a winter's night and the room is warmed by the presence of hundreds of high school students breaking bread together and learning lessons which will remain with them throughout their lives.

Now you have the same treat in store for you that we enjoyed at Fenway Park last January.

Here is living testimony of the benefit of this goodwill program—I present to you young David Manley.

Speech Delivered by David Manley

First of all, I would like to commend this committee on the fine work they are doing to further understanding among men of all creeds. I am sure that their work has done much to break down the barriers of religious ignorance and intolerance. My reaction, and the reaction of the many boys who attended this year's Goodwill Dinner at Fenway Park, attests to the tremendous strides this committee has taken in achieving this goal.

As stated in the Declaration of Independence, all men are created equal in the eyes of God and before the law. This truth, however, must also mean that all men are equal before one another, that is, equal as individuals.

Equality before the law was one of the principles upon which this country was based, and it is one of the principles which make this country as great as it is today. Yet even in America we find some people who would deny their fellow Americans these very basic rights because of their race, color, or religion. But because America is based upon individual freedom, and because the great majority of American people are now aware of these grave injustices, this attitude of discrimination cannot prevail. Laws and customs which have for years denied to certain groups of people the rights which most of us enjoy are being altered or abolished. This is only the beginning, however; being given the right to ride at the front of the bus is not enough; being given the right to vote in a free society is not enough. A man must be respected as an individual if he is expected ever to become a productive member of today's society.

America is not a country of any one color or creed. It is a country of individuals, and as an individual a man should be judged for his actions and only for his own actions.

Whoever thinks that any one race is superior or inferior to any other only shows the weakness of his own character. He uses that attitude as a crutch to support his sagging sense of security and purpose, thereby gaining a false sense of pride in himself.

This is a disease of intolerance, and if allowed to spread could lead to disaster. Hitler was by far the best example of this truth. Millions of so-called inferior beings went through untold suffering because a few demented men succeeded in making the German people think that their race was superior to any other. This classic example of the failure to judge man as an individual led to the most tragic results possible, not only for the victims, but also for the German people themselves.

No one can condone the conduct of the people who were involved in Watts last summer, but we can no more condemn all colored people for the actions of these few than we can blame all white people for the actions of those teenagers at Laconia, New Hampshire, last summer, when a group of motorcyclists rioted a whole night before order was restored.

There are no other criteria than this one: we must judge man as an individual.

Introduction by Joe Cronin of Ben G. Shapiro

In planning an introduction for our next speaker, Ben Bartzoff suggested that the man's middle initial "G" must stand for good will. Well, we know his first name is Ben, but the "B" could also stand for brotherhood. Truly the motivating force behind this organization, our secretary, and commissioner, Massachusetts Commission Against Discrimination, Ben G. Shapiro.

Ben G. Shapiro.

Report by Ben G. Shapiro

Gentlemen of the clergy, Governor Volpe, Mayor Collins, our guests of honor, distinguished guests, ladies and gentlemen:

It is always a pleasure for me to have the assignment to welcome you to the annual dinner of the Massachusetts Committee of Catholics, Protestants and Jews. You know this is our 29th annual dinner. We have surely grown over the years since our first meeting at the old city club.

Although we are called the Massachusetts Committee of Catholics, Protestants and Jews, we are aware that unified action on many fronts helps promote more strongly our cause. We are aware, too, that the actions of the individual in all that he does in his daily life spells out specifically his attitude about the dignity and worthiness of all individuals.

A Jesuit Priest, executed by the Nazis, enunciates this thought more simply. Father Delp said, "When through one man, a little more light and truth, a little more love and goodness comes into the world, then that man's life has had meaning."

It is in this regard that I must say that over the past 29 years it has been my privilege to know many dedicated individuals who have been associated with our Massachusetts Committee. I believe a year ago I referred to our dinner as a "blue ribbon" audience. It certainly is. To you, there has been no controversy over the objectives and operations of brotherhood as a natural part of your everyday life. There are no contradictions in your means and ends for promoting good will among men, because that is the way you live. There are no confusions over what you say and what you do—you mean what you say, and you say what you mean about the dignity that is in each man.

There are students of the constitution who tell us that the famous phrase "deliberate speed" in the matter of enforcing the civil rights laws was inspired by a line in the poem "Hound of Heaven" by Francis Thompson. May I—who certainly am not a constitutional lawyer—contribute the additional phrase from the same poem that may underline our hopes. Thompson also spoke of "majestic instancy." If I can use that as a take-off point, I would like to suggest that any temptation, any cause, any provocation that would have any one of us deny the dignity of any individual, any time or anywhere, be dispelled in our hearts and minds with "majestic instancy." The realization that all men are brothers must be in our hearts, that everyone must respect the rights of others, must be a part of our daily lives.

This is what the Massachusetts committee has preached and practiced over the past 29 years. We have done it through the good citizenship program of the park department; the three chapels program at Brandeis University; in the field of human relations at Boston University; in the Lincoln Filene Center at Tufts University; in the work being done at Boston College in its Institute of Human Sciences. I should add that the annual good will dinners for the public and parochial school students at Fenway Park—going back to the days of Joe Cronin—have a special lustre in the annals of our work.

Finally, I would like to recall for many of you a remark made by Boston College's Father Michael Walsh a few years ago when Brotherhood Temple Ohabei Shalom honored him with a citation. In relation to brotherhood, he said he could not permit the word "tolerance" in his vocabulary. He said that "to put up with someone" is demeaning, heartless, and cruel. You know, tolerance has many dictionary meanings. In reference to machinery, tolerance is an allowable variation in the dimensions of a machine or part. In reference to the mint, tolerance is a permissible deviation in the fineness or weight of a coin. But when it comes to human beings, let us have no deviations, no variations; let us have "majestic instancy" in recognizing that love and goodness in our hearts for all men will, indeed, give our lives a more real and lasting meaning.

Thank you.

Remarks of Governor John A. Volpe at Massachusetts Committee of Catholics, Protestants, and Jews

I am delighted to join the Massachusetts Committee of Catholics, Protestants, and Jews in honoring three such distinguished Americans as Attorney General Katzenbach, Justice Fortas, and Thomas F. O'Neil, three men who stand out in their lifelong efforts for the cause of equality and brotherhood.

The Committee of Protestants, Catholics, and Jews has done a highly effective job in educating our citizens concerning the evils of prejudice and intolerance, in fact, perhaps we have been almost too successful.

For there is a very real danger that we have immunized a broad segment of the public against the very message we are trying to get across, on the one hand, and that we have lulled ourselves into a state of complacency by the progress of our efforts, on the other.

I am sure that there are many who hear what we have to say, but to whom the real meaning of our words is lost.

The fact is, that the cause of racial and religious tolerance demands the same from us as the struggle for the preservation of liberty itself, eternal vigilance.

There must be no letting up in our efforts for the cause of brotherhood.

A substantial portion of the community remains unreached by our work, and every year, more of our young people attain the age where they should be exposed to our message.

Our effort then, must be a continuing and an unending one.

We must not regard the progress we are making, as an indicator that it is time to adjust the tempo of our efforts downward.

Rather, we should follow the example of the three men we honor this evening, whose dedication to the concept of equality has deepened throughout their careers, and to whom success has never been a signal to slacken in their efforts.

On behalf of the Commonwealth of Massachusetts, and on my own personal behalf, it is a pleasure to extend heartfelt congratulations to the three eminent individuals we honor tonight.

In closing I would be remiss if I did not take another moment to pay tribute to my good friend Ben Shapiro, the dedicated secretary of the Massachusetts Committee of Catholics, Protestants, and Jews.

Ben's goal in life has been the fulfillment of his feeling of love for his fellowman.

In the person of Ben Shapiro, we find the most able sponsor of good will to emphasize the many fine attributes which citizens of different faiths have in common.

So tonight, I am privileged to salute Ben Shapiro, in the same breath, as Justice Fortas, Attorney General Katzenbach, Thomas O'Neil.

Remarks of Thomas F. O'Neil

Mr. Rabb, reverend clergy, distinguished leaders and members of the Committee and honored guests, thank you.

I suppose it sounds somewhat trite and hackneyed for a recipient of any citation to say that he is honored because he was chosen for such a distinction. However, I am unable to think of alternative vernacular to express my feelings on this occasion, but I would like to specify three reasons among many why I am particularly impressed by my being included as one of those cited here: (1) because of those distinguished Massachusetts citizens constituting the Committee that made the choice, (2) because of the fact that I am one of a company of three that includes Mr. Justice Fortas and Attorney General Katzenbach, and (3) because of the long line of exalted persons who have been honored in the past.

My adult life has been concerned with the private enterprise sector of our American society. I have never entered the government service except for some military service during World War II. I have no ambitions to hold public office. I do not disdain those who do. On the contrary, I admire and thank them.

I was agreeably surprised by notice of tonight's citation and somewhat at a loss to understand why I should be paired with such distinguished public servants as Mr. Justice Fortas and Attorney General Katzenbach. But, on reflection, it occurred to me that it might be a recognition that the goals of this Committee cannot be accomplished by laws alone. As a matter of fact, the need for the law to step in is often but a manifestation of failures in the private sector. It is the avoidance and repair of such failures that are the noble undertakings of your Committee.

A businessman, acting privately in his company's interest and in the interest of the public, can do much; not only in his wholehearted obedience to existing laws, but in doing the things which could make further legal actions unnecessary. He, of course, can do this through contributing time and money to private organizations devoted to this work. Further, in his daily business activities, he can avoid the discriminations that are so debilitating to our society. This means that, in his own thinking, he must be wary of the idea that racial, credal or color status provides a meaningful or moral basis for business decisions.

Then, too, many of us in the business sector frequently find ourselves engaged in businesses that afford unique opportunities to attentuate the ignorance and emotion that are the prime ingredients of prejudice. Our company is engaged in such businesses, notably radio and television.

It might interest you to know that I was first introduced to the mysteries and intricacies of the broadcasting business right here in Boston over twenty years ago soon after the end of World War II. I lived here and labored in the vineyards of WNAC and the Yankee Network for five years during which time the broadcasting art was undergoing a transitional period involving the technological break-through that television added to broadcasting science. I was a resident of Boston in 1948 when two television stations first saw the light of day, WNAC–TV and WBZ–TV. WBZ–TV was and is also associated with a corporation engaged in commerical enterprise other than broadcasting but the name of that corporation escapes me for the moment. I hope that Bill McCormick and Perry Ury who are responsible for the affairs of WNAC–TV and WNAC-Radio and the Yankee Network, respectively, will give me credit for not giving an identification commercial to a Boston competitor on this microphone.

I might also add as a personal note that my wife, Claire, and I had two children born in Boston during our stay here and it may well be that because of their nativity, they may wind up being the most cultured of the entire O'Neil clan.

Returning to the broadcasting business for the moment—Long term success in the broadcasting business requires a careful nurturing of public confidence. This must be earned; it cannot be lastingly achieved through high-pressure, image-making publicity campaigns. To earn it, our conduct must be such that our public will have confidence in our integrity, our fairness and our community commitment.

Our commitment to the community means, among other things, that we must attempt to shed light on compelling public issues. We must attempt to get the dialogue going and to keep it going. We must attempt to persuade people not only that they are affected by these issues but also that broadcasting offers them an opportunity to make their views known and possibly to influence the solutions. This involvement of listeners is a major goal of our broadcast operations in Boston.

On many occasions, extreme as well as moderating views are aired. We believe that extreme views which are based upon ignorance and prejudice will not survive public dialogue. It is benightedness that we seek to eliminate. And we must do it fairly and with integrity or the public will lose confidence in us.

The wonderful thing about all this is that it well serves both our conscience and our business. In this way, we hope we have been, and will be, somewhat more than insignificant in promoting the noble aims of your Committee.

To further our common goals and to exemplify our devotion to your great community, we have recently made a decision to construct a major new center in Boston to house our broadcasting operations, and we are moving forward with this project.

Aside from our vital interests in the air waves of Boston and New England, we have recently entered into the Air transportation business, first in the West by way of Frontier Airlines and more immediately in metropolitan Boston and surrounding cities through a substantial investment in Boston's own helicopter airline, Air General, Inc.

Thank you.

Text of Justice Abe Fortas' Speech

I acknowledge with gratitude the citation that you have given me. I am particularly glad to participate in this event because you are honoring the attorney general of the United States, Mr. Katzenbach, for his work in formulating and enforcing the new civil rights program.

DESERVES GRATITUDE

He has done his work fearlessly, intelligently and skillfully. He deserves the nation's gratitude. And I join you in saluting Mr. O'Neil for his services in spreading the message of this committee's work.

We meet tonight in a period of great promise. In the past few years, we have witnessed marked progress toward the achievement of the ideal to which this organization is dedicated—the ideal of universal brotherhood.

Today, as never before in our nation's history, we are advancing towards the goal of equal rights and justice for all of our people. And today, as never before in 2,000 years, we are moving towards the great objective of mutual respect among the three great religions of the western world, and mutual collaboration among them.

Civil rights and religious compatibility are not separate and distinct goals. They are two aspects of the same principle—the value and dignity of the individual. Progress toward achieving them represents man's increasing maturity. Each reflects the achievement of a new plateau of human understanding—a new stage in the evolution of man towards the goal which is set by all religions. For all religions believe in the divine image—in mankind capable of nobility and greatness and of achievement beyond the selfish and self-centered objects of material life.

NEW ACCEPTANCE

We are today witnesses of a new acceptance of the brotherhood of man, unsullied and undefiled by distinctions based upon race or color, and unimpeded by religious factionalism or by differences in the forms or specifics of the various creeds. The new understanding among the great western religions and the new validation of civil rights have proceeded hand-in-hand.

This is as it should be because it is religion that has represented and inspired man's most exalted ideals. And it is what we call "civil rights" that represents man's political statement of religion's highest ideals.

It is a paradoxical fact of history that the most divisive force in history has been man's diverse religions—that more wars have been fought in religion's name than for any other cause.

But we Protestants, Catholics and Jews—all of us are coming to realize that religion should unite us—not divide us; that he who hates or scorns or discriminates against his fellow man in the name of religious difference is faithless to his own religion; that each religious faith, whatever that faith may be, must command respect for all religious faiths, and rejection of none.

CARRIES OBLIGATION

Devotion to one's religion, however intense, carries with it the obligation to respect the faith of others. It rejects—it does not command—it does not permit negation of the faith of other men. True faith is blind and deaf to denominational differences—just as true humanity is blind to differences of race or color.

The acceptance of these principles, I think, marks one of the greatest forward movements in all of history. Destructive rivalry among the three great religions has been an evil that has poisoned men's minds and degraded their actions.

The magnificent ideals of humanity—which all men share—have been unattainable in its presence. True freedom, true equality, a full measure of civil rights, and true dignity have been impossible so long as Catholic, Protestant and Jew—each—regarded the religion of the other with either fear or hostility.

We are now approaching the moment when, together, with our combined might—with full respect and undiluted friendship—we can join in the further progress of mankind toward the achievement of the goal that we share, for it is true that faith can move mountains; but it can move the mountains that stand between man and the heaven of his aspirations, only when the faith of each man is linked in trust and fellowship to the faith of all.

SEEN IN CRISIS

We have seen this in the present crisis of our nation.

We have seen Protestant ministers of various denominations, Jewish rabbis, and Roman Catholic priests and nuns walking, shoulder to shoulder, to protest discrimination against their fellow man—walking, shoulder to shoulder, through avenues of hate.

And when the history of heroism of this period is written, the names of these representatives of the great religions will be written large—because they believed and because their faith was deep and abiding, and because their faith was expressed in good and fearless works. Their strength was greater than the strength of their numbers. It was greater than the sum of their individual religious groups.

It was the strength of nobility—of religious faith itself—which is more than the strength of all the churches of all of the sects. And it was this power—this power that came from union and brotherhood—that helped so mightily to move the mountains of injustice and discrimination.

So the power of faith united has been put to work in this country to inspire, insist upon and bring about the elimination of discrimination—the continuation of the denial to the Negroes of the rights promised them a hundred years ago by the 14th and 15th amendments to the Constitution of the United States.

And now, at the same time, we see within the great churches themselves a moving together of historic significance—among the Protestant sects; tangible, significant steps toward the achievement of substantial unification; within the great Roman Catholic Church; a new attitude toward other religions; and within the Jewish community a thankfulness and release of tensions and renewed determination to join with other religions in accomplishing man's tasks and God's work.

MOST SIGNIFICANT

This, I think, may prove to be the most significant movement of our time.

I hope that the time will come when the great religions of the East will also be included within the movement toward universal understanding and collaboration.

And so, tonight, it is with special pleasure that I join in saluting this organization which, here in Massachusetts and throughout the nation, has worked in its own way for the accomplishment of these noble goals.

We must continue, for the job is hard and the road is long. We must continue in the work of harnessing the religions of the world together and of bringing the strength of all of them and all of us to bear upon the task of achieving the brotherhood of man.

REMARKS BY ATTORNEY GENERAL NICHOLAS DEB. KATZENBACH ON RECEIVING THE CITATION OF THE MASSACHUSETTS COMMITTEE, CATHOLICS, PROTESTANTS, AND JEWS, STATLER HILTON HOTEL, BOSTON, THURSDAY, MAY 19, 1966

I will prize the citation you have given me this evening not only for myself, but for the many men and women in the Department of Justice, and especially in our Civil Rights Division, who are giving the best years of their lives—sacrificing not just leisure but precious family life in endless working hours and continual travel—to help make America keep the promise of civil rights to *all* citizens.

It is a great honor to be here and to have been chosen for this award. What would any kid give to hold *anything* in common with Joe Cronin? What would any aspiring musician give to share something, as I now do, with Jack Benny? To be cited with these men for this award, in a tradition that has included such figures as the late Herbert Lehman, Mrs. Roosevelt, and Cardinal Cushing, is something I will remember with great pride.

Through the efforts of this Committee and groups like it, we have come to take the harmony of ethnic and religious groups almost for granted in America. It is now hard to conceive of the anti-Catholic passion that led to the burning of the Ursuline Academy here in the 1830's. Anti-semitism, once so virulent that resort hotels proclaimed in pamphlets "No consumptives, no dogs, no Jews," is almost entirely a memory. And the bitter old warning, "Irish Need Not Apply", is no longer posted.

Boston may well have led other parts of the country in achieving productive harmony of different groups. Walter Whitehill recounts in a very entertaining new book about Boston that in 1917 Martin Lomasney, the great Irish boss of the West End, posted handbills in Yiddish urging Jewish voters in the ward to elect Charles Pelham Curtis, Jr., a Yankee lawyer from State Street, to a constitutional convention.

Differences of nationality and religion are associated less and less with rancor and discrimination, but rather more, as in this city with a rich vitality. The recent history of Massachusetts—the state which leads all others in its percentage of foreign-born and first-generation Americans—is a striking illustration of the richness of diversity in a community. Yet this same recent history has revealed how different and how much more challenging is the process of absorbing into full citizenship the Negro American.

As President Johnson said at Howard University last Spring, the other ethnic minorities "did not have the heritage of centuries to overcome, and they did not have a cultural tradition which had been twisted and battered by endless years of hatred and hopelessness, nor were they excluded, these others, because of race or color—a feeling whose dark intensity is matched by no other prejudice in our society."

Today, when religious discrimination is in effect a relic, racial discrimination and strife still disfigure the life and name of our country. And Massachusetts, though it has a relatively minute percentage of Negro citizens, now finds itself very much involved in aspects of the national problem.

Clearly, the problem has not been solved here and it will not be solved without the continuing efforts of many citizens, dauntless in their dedication to victory over prejudice and fear. But just as clearly, Massachusetts has made a creditable start that other states could well imitate.

Massachusetts passed one of the first equal employment statutes and one of the best fair housing statutes in the country. I have been told of the private METCO experiment to organize a pupil transfer program between city and suburb to help ease congestion and severe imbalance. And I know that many of you here this evening helped to draw up the impressive and forthright Report of the Advisory Committee on Racial Imbalance.

This is a remarkable document. Produced by an admirably broad range of state leaders, it is frank about the problem, and hard-headed in its thinking about feasible solutions. That Report and the historic racial imbalance law that grew from it have put Massachusetts in a position of leadership in one of America's central contemporary efforts for racial justice and equality. Now, as you go about putting the law into effect, you have an opportunity to make this city and this state a model for all the other major communities in the country.

Earlier this month, Cardinal Cushing, speaking here about the cluster of public problems associated with poverty, urban deterioration and the desperation of minority groups, observed that "slowly but surely, all these problems have led inexorably to the issue of housing." What Cardinal Cushing said about poverty and the problem of inadequate housing has a clear parallel in the relation between the many forms of racial inequality and injustice in American life, and the problem of housing discrimination in particular. Eventually, inexorably, we must come to the problem of housing.

And so, we in President Johnson's Administration have now embarked on an effort to make fair housing not only the goal of civic groups and leaders such as yourselves, not only the objective of state laws like those in Massachusetts and 16 other states, but in addition, the mandate of federal law throughout the United States. As President Johnson declared last month in his Civil Rights Message, "The time has come for Congress to declare resoundingly that discrimination in housing and all the evils it breeds are a denial of justice and a threat to the development of our growing urban areas."

We firmly believe that a remedy lies in the law. By remedy I do not mean panacea. No statute alone can trumpet down the ghetto walls. No statute alone can provide the hope, the education, the skills and the applied resources that actually fulfill opportunity.

But President Kennedy's historic and decisive engagement of the nation's resources on the problem of civil rights, and President Johnson's massive efforts since then, have taught the most skeptical that the law can lead and the law can protect in this vital area.

And so we look to you for vocal support for the Civil Rights Act of 1966. And, as all of our concern about progress in real integration turn increasingly to the North, we look to communities like this and to men and women like you for leadership.

By making your views known to Congress, you can play a powerful role in the enactment of fair housing legislation. And by speaking out forcefully in this community, as you have in the past, you can make Massachusetts a standard of racial justice.

CITATIONS AND TESTIMONIALS

The Massachusetts Committee of Catholics, Protestants and Jews, at its Twenty-ninth Annual Dinner, presents this citation and testimonial to Thomas F. O'Neil, Chairman of the Board of the General Tire and Rubber Company and its wholly owned subsidiary RKO General, Inc.

His ties to this Commonwealth are strong and of long standing. Like his father and four brothers, he is an alumnus of Holy Cross College. It was in Boston in 1947, after five years as Skipper of an LST during World War II, that he rejoined General Tire and then entered the radio industry as Vice President and Director of the Yankee Network. He now resides in Connecticut with his wife and nine children.

His dynamic and imaginative leadership has made the great enterprises he leads potent forces in the American economy. The activities of RKO General's five radio and television stations in great urban centers, including the facilities that bring this program of Brotherhood annually to millions of viewers in New England, have been inspired by a sound concept of public service. He is the inheritor of a great tradition of constructive statesmanship in business life who has enhanced its lustre, enlarged its scope and insured its durability.

In recognition of his qualities as a private citizen in the public service, the Massachusetts Committee of Catholics, Protestants and Jews presents to Thomas F. O'Neil this citation and award.

Dated at Boston, Massachusetts, this nineteenth day of May, 1966.

The Massachusetts Committee of Catholics, Protestants and Jews, at its Twenty-ninth Annual Dinner, presents this citation and testimonial to Nicholas deBelleville Katzenbach, a graduate of Phillips Exeter Academy, Princeton University and the Yale Law School; a former editor-in-chief of the Yale Law Journal; an Associate Professor of Law at Yale and later a Professor of Law at the University of Chicago; a Rhodes Scholar; a recipient of a Ford Foundation Fellowship; and co-author of two scholarly volumes, "The Political Foundations of International Law" and "Legal Literature of Space."

In World War II he served in the Army Air Force, was downed in action over the Mediterranean and made a prisoner of war. After two escapes, he was recaptured and remained a prisoner until VE Day.

While working in Geneva on an international law project, he was called home to assume the position of Assistant Attorney General in the Kennedy Administration and later became Deputy Attorney General. In 1965 he was appointed Attorney General of the United States. In Washington he played an important role in drafting the Civil Rights Act of 1964 and securing its enactment.

In his distinguished career, Mr. Katzenbach has exemplified American citizenship at its best, and by precept and example has encouraged thoughtful Americans in their efforts to bring the practices of our democracy closer to its preachings.

In recognition of his service to our country, the Massachusetts Committee of Catholics, Protestants and Jews presents to him this citation and award.

Dated at Boston, Massachusetts, this nineteenth day of May, 1966.

The Massachusetts Committee of Catholics, Protestants and Jews, at its Twenty-ninth Annual Dinner, presents this citation and testimonial to Mr. Justice Abe Fortas, a native of Tennessee; a graduate of Southwestern College in 1930 and of the Yale Law School in 1933; Editor-in-Chief of the Yale Law Journal; Assistant Professor of Law at Yale from 1933 to 1937; eminent counselor in the private practice of the law; and constructive worker in important fields of public service.

As a government official he has achieved an impressive record—as Assistant Chief of the Legal Division of the Agricultural Adjustment Administration; as a member of the staff of the Securities and Exchange Commission; as General Counsel for the U. S. Public Works Administration; as a member of the President's Committee to Study Changes in Puerto Rico's Organic Law; as adviser to the U. S. delegation at the United Nations' historic session in San Francisco in 1945 and at its meeting in London in 1946; and as Under Secretary of the Interior. In 1965 he became an Associate Justice of the Supreme Court of the United States.

In recent years he has served as Trustee of such institutions as the Washington Gallery of Modern Art; the John F. Kennedy Center for the Performing Arts; and Festival Casals, Incorporated; and as Overseer of the College of the Virgin Islands.

In recognition of his status as an inspiring modern American citizen and grateful for his consistent and ever helpful advocacy of understanding and good will among, and equal justice for, his fellow Americans of different faiths and racial origins, the Massachusetts Committee of Catholics, Protestants and Jews presents to him this citation and award.

Dated at Boston, Massachusetts, this nineteenth day of May, 1966.

HEAD TABLE GUESTS AT BANQUET

Head table guests, in addition to speakers, at dinner of Massachusetts Committee Catholics, Protestants and Jews included:

John E. Fenton, president, Suffolk University; Joseph M. Linsey, trustee, Brandeis University; Joseph L. Tauro, chief legal counsel to Gov. Volpe; Richard H. O'Connell, executive vice-president, Boston Red Sox; Police Commissioner Edmund L. McNamara; Rubin Epstein, president, Brookline Hospital; D. C. Jones, Boston Celtics; William M. McCormick, general manager, WNAC–TV; Edward B. Hanify, member executive committee Massachusetts Committee of Catholics, Protestants and Jews; Sidney R. Rabb, board of regents, Boston College; Judge Bailey Aldrich; Dr. Alexander Brin, Jewish Advocate; Rt. Rev. Monsignor George V. Kerr, Edward C. Donnelly, Jr., president, Donnelly Advertising Company.

Also: Roger L. Desiarlais, city editor, Boston Herald; Postmaster Ephraim Martin, Rev. W. Seavey Joyce, S.J., Boston College; Rocco Alberto, state labor commissioner; State Auditor Thaddeus Buczko; Philip Kramer, International Ladies Garment Workers; Rt. Rev. Albert A. Low, superintendent of parochial schools; Hugh Thompson, regional director, AFL–CIO; Supt. of Schools William H. Ohrenberger, James P. Loughlin, State Labor Council; Thomas M. Hennessey, chairman, United Fund; Rt. Rev. Monsignor Francis J. Lally, editor of the Pilot; William S. Koster, executive director of Jimmy Fund; Deputy Mayor Henry A. Scagnoli; Bernard Solomon, state emergency finance board; Mrs. Ruth M. Batson, Massachusetts Commission Against Discrimination; John P. McMorrow, Boston Redevelopment Authority; Ernest W. Lay, treasurer, Massachusetts Committee Catholics, Protestants and Jews.

Also: Malcolm C. Webber, Massachusetts Commission Against Discrimination; the Rev. Kenneth B. Murphy of Rescue, Inc.; Rev. John Zanetos, dean, Greek Cathedral; Lt. Gov. Elliot L. Richardson; Byron K. Elliott, John Hancock Insurance Company; Louis R. Perini, executive committee, Massachusetts Committee Catholics, Protestants and Jews; John F. Albano, Massachusetts Commission Against Discrimination.

Also: Rt. Rev. Monsignor Edward G. Murray, former rector, St. John's Seminary; Rev. Michael E. Haynes, 12th Baptist Church; Rabbi Albert S. Goldstein, Temple Ohabel Shalom; Justice J. J. Spiegel; Ralph Lowell; Dr. Owen B. Kiernan, former Mayor John B. Hynes; Henry Leen; Dr. Charles A. Pinderhughes, Veterans' Hospital; Mrs. Mildred H. Mahoney; U.S. Atty. W. Arthur Garrity, Jr.; John I. Taylor, president, the Boston Globe; Dr. Harold C. Case, president, Boston University; Dr. Charles F. Willinsky, former director, Beth Israel Hospital.

Also: Federal Judge Francis J. W. Ford; the Rev. William L. Keleher, S.J., of Holy Cross College; Dr. Sidney Farber; Joseph F. Ford, trustee, Brandeis and Northeastern Universities; the Very Rev. Michael P. Walsh, S.J., president of Boston College; George Sherman, benefactor, Sherman Student Center, Brandeis University; Executive Councilor Margaret W. Heckler; Speaker John F. X. Davoren; Dean John S. Bailey, Northeastern University.

Also: Asst. Atty. Gen. Herbert E. Tucker; Dr. Dennis C. Haley, John I. Ahern, Eugene Moriarty, managing editor, the Boston Traveler; James L. Handley, special agent in charge, FBI; Harold G. Kern, publisher, Record American; former Atty. Gen. Edward J. McCormack; Benjamin Bartzoff.

A Significant Scientific Trip

EXTENSION OF REMARKS

OF

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 1966

Mr. MARSH. Mr. Speaker, for some people the joy of living is represented by a quiet existence away from all peril and without taking any risk for the sake of making new discoveries. This is not true in the case of Prof. Matthew Norton, of Culpeper, Va. He and his wife plan to leave on a 14-month 31,000-mile trip aboard the 62-foot sailing vessel *Dana* to inspect some 40 volcanoes and to bring home samples for their future study.

Dr. Norton, professor of earth sciences at the American University, knows that the majority of the world's volcanoes are accessible only by sea. This daring trip will take his group into many of the unknown areas of the world. Accompanied by five students, Dr. Norton leaves July 4 from Southampton, England.

Mr. Speaker, this is truly a remarkable plan and shows that we still have Americans brave enough to take the considerable risk of sailing around the world for the sake of research. Professor Norton and his companions are to be congratulated on their undertaking.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 11, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Psalm 118: 29: *O give thanks unto the Lord; for He is good: for His mercy endureth forever.*

O God, our Father, who knowest us better than we know ourselves, whose mercy never lets us down and whose love never lets us go—by Thy spirit help us to take an honest look at ourselves and at our frustrations, our fears and the futility that marks our daily lives—so much of which separates us from Thee and from one another. Grant unto us the assurance of Thy forgiving spirit, the consciousness of Thy redeeming love and the confidence of Thy empowering presence that we may begin again this day to walk in Thy way, to believe Thy truth and to live Thy life revealed to us in Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 30, 1966, was read and approved.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JUNE 30, 1966.

The Honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to authority granted on June 30, 1966, the Clerk received from the Secretary of the Senate today the following message:

That the Senate passed the Bill (H.R. 13417) entitled "An Act to amend the Act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Maryland and for other purposes;" and that the Senate passed the Bill (H.R. 14312) entitled "An Act to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior."

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 1, 1966.

The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: Pursuant to authority granted on June 30, 1966, the Clerk received from the Secretary of the Senate today the following messages:

That the Senate passed the Bill (S. 3423) entitled "An Act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Virginia, and for other purposes"; and

That the Senate passed the Bill (S. 3510) entitled "An Act to authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes."

Respectfully yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

ENROLLED BILLS SIGNED

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him by House Concurrent Resolution 805, 89th Congress, he did on June 30, 1966, sign the following enrolled bills of the House:

H.R. 13417. An act to amend the act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes; and

H.R. 14312. An act to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

RESIGNATION OF WILLARD F. BARBER

The SPEAKER laid before the House the following communication:

JUNE 24, 1966.

Hon. JOHN W. MCCORMACK,
Speaker, House of Representatives.

DEAR MR. SPEAKER: It has been a privilege and an honor to have served as a minority employee with the House of Representatives for the past year. This association will always remain in my memory as a pleasant and rewarding experience.

It is with regret that I find it necessary to submit my resignation from the position of minority employee to which I was appointed under House Resolution 455, approved July 13, 1965. I request that this resignation be made effective as of the close of business June 30, 1966.

Please accept my sincere thanks for the many courtesies extended to me during this time.

Sincerely yours,

WILLARD F. BARBER.

EXTENSION OF TIME TO FILE ADDITIONAL AND MINORITY VIEWS ON THE BILL H.R. 14765

Mr. ROGERS of Colorado. Mr. Speaker, on June 30, 1966, unanimous consent was requested and granted that members of the Committee on the Judiciary have until midnight Tuesday, July 12, 1966, to file additional and minority views on the bill H.R. 14765.

I now ask unanimous consent that members of the Committee on the Judiciary have additional time until midnight Thursday, July 14, 1966, to file additional and minority views.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

TO AVOID UNNECESSARY LITIGATION BY PROVIDING FOR THE COLLECTION OF CLAIMS OF THE UNITED STATES, AND FOR OTHER PURPOSES

Mr. DOWDY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 13651) to avoid unnecessary litigation by providing for the collection of claims of the United States, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 14, strike out "the compromise of which does not exceed $5,000," and insert: "do not exceed $20,000,".

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, would the gentleman from Texas [Mr. DOWDY] explain the Senate amendment and the conference and particularly advise as to whether or not the so-called McClory-Hall amendment that did pass the House on June 6, 1966, is still retained therein?

Mr. DOWDY. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Texas.

Mr. DOWDY. Let me see. The only change made in the bill, as passed the House, is the one that was just read, and any other amendment is still contained in the bill; that is correct. This is the only change made in the House bill.

Mr. HALL. I thank the gentleman from Texas.

Mr. Speaker, further reserving the right to object, I wonder if the gentleman from Texas would confirm the information I have—and it has been carefully coordinated by the staff of the House Committee on the Judiciary; that this would still leave joint determination by the Attorney General and the Comptroller General who directs the General Accounting Office, an organ of this body, as to the determination of the amounts and the mode of settlement; is that not correct?

Mr. DOWDY. That is correct.

Mr. HALL. And, Mr. Speaker, would the gentleman from Texas confirm the fact that this is a total of $20,000 asking price of claims directed to the head of any Cabinet, branch, department, or separate agency of the Government; whereas, the amendment inserted in the original administration bill on the part of the House was a final compromise value of $5,000, leading to the end result that if we accept this now pending Senate amendment, that might well be less than $5,000 as a final compromise figure?

Mr. DOWDY. That is correct.

Mr. Speaker, I believe that in order to make this clear, under the bill as passed by the House, the Government might have a claim for $1 million against some person or concern and might settle it for $5,000, administratively. Here, however, they could not consider for administrative settlement a claim that exceeded $20,000. They might settle it for $5,000 or $1,000 or $19,000, but they could not consider a claim exceeding $20,000.

Mr. HALL. That is, if it originally exceeded a claim of $20,000, they could not consider it without coming to the gentleman's committee?

Mr. DOWDY. That is correct.

Mr. HALL. Mr. Speaker, would the gentleman further advise as to whether or not the opinion of the Comptroller General changed in testifying before the Senate Committee on Finance or wheresoever it was referred to; from the opinion stated and made a matter of the CONGRESSIONAL RECORD on page 12261, underdate of June 6, 1966, and the Comptroller General's letter of June 3 and his testimony before the Senate committee?

In other words, was there any pertinent, substantive change in that opinion evidenced by the difference in testimony from the difference in this letter?

Mr. DOWDY. Do you have before you, the June 24 letter?

Mr. HALL. Yes, sir, I have those items. I have both a copy of the June 3 letter and a copy of the June 24 letter.

Mr. DOWDY. This is in the third paragraph of the June 24 letter, and I understand that it is somewhat of a change.

He said in this letter:

I would strongly prefer to either have the $20,000 authority reduced to a figure of $5,000 or $10,000 and then review the matter with the Congress at a later date in light of operating experience, or, alternatively, include a lower figure with authority in the Attorney General and the Comptroller General to increase the amount up to $20,000 at a later date in the light of operating experience.

That is the change he made.

That was not accepted. It could not be accepted. I might say, and the gentleman is aware of this, that the bill as it has come back from the Senate and as amended by the Senate was as it was originally reported by the Committee on the Judiciary of the House to the floor and it was well considered and after considerable hearings and much consideration was given to it, it was determined by the House committee that this was a proper figure, as we are now attempting to agree to, as inserted by the Senate.

Mr. HALL. Mr. Speaker, I think this adequately explains the wisdom of accepting this amendment.

I hope the legislative record clearly points out that the asking and the original claim must not be more than $20,000 even though a compromise could be more than $5,000 under these circumstances. But I think we have established here, and I am sure that the gentleman's confident reply has been, that it would not eliminate an independent review of cases as proposed by the joint determination between the Attorney General and the Comptroller General, which legislative record was also made on June 6 on this floor.

Mr. Speaker, I withdraw my reservation of objection.

Mr. DOWDY. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. DOWDY]?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

LAS VEGAS GAMBLING CASINOS EVADE TAXES

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **SIKES**. Mr. Speaker, it has been disclosed that a secret Federal investigation shows that $1 million a month in untaxed winnings from Las Vegas casinos is being paid to leaders of the underworld. This is money which is deleted from gambling hall winnings before the money is counted for Federal and State tax purposes. There seems ample confirmation that gang leaders are regularly receiving these funds. This has been reported previously to administration officials and in secret testimony to committees of Congress. It is the result of the good work of the Federal Bureau of Investigation that the facts are known.

The question is, What is going to be done about it? It is now out in the open. It cannot be ignored. Hardworking and honest taxpayers will not welcome the information that such a situation can exist. Particularly is this true for those harrassed individuals who find their records under constant scrutiny by agents of the Internal Revenue Service. The unsavory characters who control Cosa Nostra and other leading mobs are scarcely the type to be granted special income tax privileges.

I am directing a letter to the Commissioner of the Internal Revenue Service, asking what specific steps are being taken to stop this unwholesome practice.

EQUALLY INCONSISTENT AND UNSUPPORTABLE

Mr. **SIKES**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **SIKES**. Mr. Speaker, two decisions handed down by the Supreme Court during recent weeks are so completely inconsistent that I feel compelled to discuss them here. One is the Miranda against Arizona decision which in effect makes it doubly difficult to convict a seasoned criminal. It ties the hands of police officers throughout the Nation. The other is the Schmerber case in which a motorist, not a hardened criminal, in effect finds himself stripped of rights which the Court in the other decision guarantees to the criminals. Although these rulings are highly dissimilar, they do have one thing in common. They are both poor decisions, groundless, and inconsistent in the face of established precedent.

On the one hand, Miranda adds the finishing touch in stripping away police powers. This decision is not based on law but the Court manages to justify it in the "welfare of society." When this decision, under the public welfare policy, is viewed in light of a crime rate which has increased sixfold in 10 years and the present turmoil of civil disobedience and disrespect for law and order, one wonders about the validity of this policy of public welfare. It seems that the public welfare would be benefited much greater by laws which demand respect for law and order and for the people who are trying to enforce it.

On the other hand, the Schmerber case allows specimens from a blood test to be used as evidence in a driving while intoxicated conviction. This is quite shocking since under the Miranda decision a confession, irrespective of its voluntariness, is not admissible when the accused has not been informed of his rights.

We have a situation under Miranda where a policeman cannot even speak to an accused if the latter desires not to be questioned, and yet under Schmerber a needle may be injected into his body against his wishes and over his objections and the blood which is drawn out of the body may be used as evidence to prosecute him for a criminal offense. How ironic, that under most circumstances, evidence obtained in a man's home without a search warrant is inadmissable because of the old laws of trespass but yet, when the trespass is upon the accused's body, taking from him his life giving fluids, the Court deems this admissible. Is this good public policy for the welfare of the people? The answer must be "no," and in light of the laws against illegal search and seizure, due process, and the interpretation of the fifth amendment, the answer must be emphatically, no.

The Court has become so inconsistent and irrational that even the general public is increasingly aware of the fears which lawyers and jurists have had for several years, that the U.S. Supreme Court is undermining justice. This situation has reached proportions where the public, through Congress, must demand counteraction to Supreme Court decisions which undermine police powers, favor criminals over their victims, and create favorable conditions for crime in an era of record lawlessness.

Many of us feel very strongly about the recent Supreme Court decisions. Because of our environmental respect for this body, we have tried to justify their decisions, but most of us have been unable to do so. Their decisions of recent years have been irresponsible and inconsistent, and we cannot help but wonder what motivates them. They were intelligent and respected lawyers and jurists before they were chosen, but now some of them appear lost in a liberal daydream with no conception of down-to-earth reality. This type of jurisprudence just cannot go on. It is a further disturbing fact that the Court is building unlimited power and authority for itself and in doing so is completely vitiating the purpose of separation of powers in government. A method must be devised to make the Supreme Court more responsible to the good of the Nation.

TAX CREDITS TO INDUSTRY FOR ABATEMENT OF AIR AND WATER POLLUTION

Mr. **DORN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. **DORN**. Mr. Speaker, I am today introducing a bill which would authorize an incentive tax credit to industry and business constructing facilities to alleviate water and air pollution. This tax credit would be in addition to any tax depreciation or tax credit allowable under present laws.

One of the greatest problems facing the future welfare of our people is the problem of water pollution and air pollution. Even now pollution in the air we breathe and the water we drink has attained alarming proportions and will become worse unless we act now.

The bill I am introducing today would encourage the cooperation of Federal, State, and local governments with business and industry to control air and water pollution. Mr. Speaker, I believe it would be unfair and, in many cases, disastrous to arbitrarily require business and industry by law to immediately install air and water pollution facilities. These facilities often cost huge sums of money and would not add to the profit of industry or create new jobs. The money expended for pollution control would be put into nonproductive facilities primarily in the interest of the public in health, welfare, recreation and esthetics.

The bill I am introducing today would provide tax credits sufficient to prevent a business or industry from being forced out of business in order to meet Federal and State standards to control air and water pollution. This bill is particularly designed to assist our long-established industries to stay in business and gear their operations to the future. This bill will greatly expedite the early purification of our streams and the air. Mr. Speaker, this bill is particularly designed to assist our industry to stay in business, save the jobs of employees, protect our health and the future of our country. Our industrial and business firms have been doing and continue to do a magnificent job in the abatement of pollution. Now industry needs the incentive this bill would create to move forward and meet our future needs.

DEFENSE LANGUAGE INSTITUTE

Mr. **WALKER** of New Mexico. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. **WALKER** of New Mexico. Mr. Speaker, much has been said as to why the Defense Language Institute should not be transferred to El Paso, Tex. Mr. Speaker, I have come across an article by the distinguished Washington correspondent of the El Paso Times, Sarah McClendon, which makes a most lucid diagnosis as to why the institute should be located in El Paso. I ask unanimous consent to have it inserted at this point in the RECORD.

[From the El Paso (Tex.) Times, June 11, 1966]

A WEST TEXAN IN WASHINGTON

(By Sarah McClendon)

WASHINGTON.—This is an open letter to members of House Armed Services Committee, and Appropriations Committees of the U.S. Congress.

You have been wondering why the Defense Language Institute is being considered for transfer to Biggs Air Force Base at El Paso. You have been asking who made the decision. Why is it being placed there? Is not this merely a play by President Lyndon B. Johnson to give his beloved Texas another installation?

You might be interested to know that the idea of placing the Defense Language Institute at El Paso was a gradual development, most likely a byproduct originating with the El Paso Independent School District.

This school system has been working since last summer to make El Paso the Southwest's intercultural and language center. It seeks to make El Paso an educational laboratory, to serve as a model for systems of teaching languages for the entire nation.

Professional competent experts in community planning have been working with this school system for nearly a year, preparing applications to be filed with the U.S. Office of Education to obtain Federal grants under the Elementary and Secondary Education Act. That act itself stimulated this effort by offering federal money for the cities that provided the best plan in new methods of teaching. Groups in the United States needed to learn and learn quickly to meet modern demands of a modern age.

The professional planners, under the firm name of FORE, Inc., have had a planning task force operating in a building provided by El Paso Public Schools at 1116 E. Yandell Drive in El Paso under Supt. Dr. H. E. Charles.

FORE, Inc., with headquarters in Washington, has a special education material development branch which helps communities plan educational projects.

FORE is headed by Stephan Alex, a former El Paso Times reporter who worked on newspapers in Silver City, N.M., and in Colorado, a native of Carlsbad, N.M., and a member of New Mexico National Guard who survived the Bataan Death March.

Alex was once news director of KROD in El Paso and KSIL in Silver City. Later he was made city editor of the Denver Post. He has done development work for the hospital ship Hope, the Salk Institute at La Jolla, Calif., the campaign of President Lyndon Johnson in 1964 and many other projects. He works for both Democrats and Republicans and right and left groups in Washington.

Alex came to El Paso to help a foundation plan a physical fitness program for needy El Paso public school children. His acquaintanceship with the school system led to his being engaged by them to obtain more federal money for educational development. He has already obtained more money from the federal government for "exemplary" innovations in education for El Paso schools than the entire city of New York has been able to obtain.

Alex got professional experts to help him plan a language center for the Southwest at El Paso. He first envisioned it to serve a 300-mile radius, then branched out to include the entire Southwest. He managed to procure some of the nation's best experts in language training to help him. Some of these happened to be military. This brought the planning of educators in El Paso to interaction with military experts in the Air Force and eventually the Department of Defense.

He went to San Antonio to talk with Air Force Language School experts at Lackland Air Force Base. He borrowed some of them. He believes he has outstanding men on that team now, who are on leave from other professional connections to help develop the language center for El Paso.

Eventually they went to Washington where they talked with their colleagues who are also language experts in other schools in the nation's capital.

Alex believes that with this "as a germ" the idea grew for the Department of Defense to place its headquarters for languages schools in El Paso.

He hangs it all on the fact that the center at Lackland just had to be moved. This is a center for teaching foreigners English and also other languages. There was no reason for it to be cluttering up space at Lackland, which was needed for Air Force basic training and other programs. It was decided by the Air Force that this school would go to Biggs Air Base in El Paso. Language experts in the military were decrying the need for space for the Defense Language School, now based in horrible temporary structures in the Washington suburbs on land claimed by another government agency which desired it for other purposes.

It was deemed by the military absolutely necessary to place a subordinate type installation, like a language institute, at an outgoing base from which it could obtain supplies regularly and cheaply.

Alex pointed out that there were not many of these to spare. The military looked all over the country. From there, Alex is positive, that all the facts were put into a computer in the Pentagon and that the answer came out El Paso.

Data supplied into the computer probably included the fact that there would be in El Paso a regional language center with novel teaching methods, including the latest techniques and devices in the world as standard equipment.

One of these novel teaching plans expected to be used at El Paso is the same one used by the Agency for International Development for the federal government to teach English and other languages to government employes and to students overseas. Alex said it is estimated that the language center in El Paso would teach 60 languages to 4,000 students eventually. Many would be taught Vietnamese.

HOLIDAY ACTIVITIES IN SECOND DISTRICT OF ILLINOIS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am happy and proud to report to my colleagues my attendance during the July holiday at two thrilling, stimulating and historic events in the Second District of Illinois that I have the honor to represent in this body.

With Gov. Otto Kerner, of Illinois, and others in a distinguished and representative group I participated in the ceremonies at the city dock on the Calumet River immediately east of the 92d Street Bridge marking completion of the dredging project which makes Chicago the first inland deepwater seaport of the world.

The ceremonial excavation by a dredge of the last bucketful of mud completed the widening of the channel in Calumet River to a depth of 27 feet and width of 200 feet. The deepened 6-mile channel linking Lake Calumet Harbor and Lake Michigan will permit access to the harbor by fully loaded oceangoing cargo ships. It has opened the door to the future when, as predicted by Governor Kerner, Chicago will be the No. 1 port of the Nation.

When I came to the Congress the St. Lawrence waterway and Cal-Sag were still in the planning stage. They were very close to my heart. The first measure introduced by me as a freshman Member of this body was for an appropriation for Cal-Sag. I have been in the midst of the good fight at every stage of the development. The St. Lawrence waterway and Cal-Sag, that soon will carry the shipping of the world from the North Atlantic, through the Great Lakes and on down to the Gulf of Mexico, constitute the greatest system of inland waterways the world has ever known, and I am humbly grateful that good fortune, good health, and the continuing graciousness of my constituents have enabled me to give of my voice, my vote, and my tireless effort to this development almost from the beginning and now so close to its triumphant completion.

It will interest my colleagues to learn that Chicago's nine export grain elevators, with a storage capacity of 60 million bushels, can now load grain aboard the largest ships using the St. Lawrence Seaway. This according to Capt. Jack Manley, port director of Chicago, will make Chicago the biggest U.S. grain shipping port on the Great Lakes, supplanting Duluth.

Mr. Speaker, I have spoken from the well of the House on previous occasions of the annual Fourth of July celebration of the South Deering Improvement Association. I wish that other communities in our Nation from coast to coast would adopt the South Deering pattern. It is the glad fact that already some communities in a few other States, hearing of what has been accomplished in South Deering, have written to Joseph Grande and Patrick Allman, the cochairmen, and Louis Dinnocinzo, the association president, for the South Deering recipe.

The secret, of course, is hard work. As soon as this year's celebration was over, work was started on the 1967 celebration—and the whole intense interest of the community will be wrapped up in the undertaking day after day, week after week, month after month until July 4, 1967, has come.

The parade this year as on past occasions started at East 104th Street and South Torrence Avenue, marched to 109th on Torrence, west to Calhoun Avenue, north on Calhoun to 104th Street, and west on 104th Street into Trumbull Park.

On practically every home the Stars and Stripes were flying. On every porch and on every lawn, men, women, and children were gathered, their cheering voices and their glad waving of their arms contributing mightily to the inspiring picture of a whole community's patriotism.

Sports events, games and contests, dancing and musical programs filled in the day until the fireworks display at 9 o'clock in the evening. The crowd at the fireworks I estimated at around 75,000.

The fireworks cost a lot of money, and a full year of hard, hard work, but Louis Dinnocinzo, Joseph Grande, Patrick Allman, and all the others in Uncle Sam's bodyguard of patriotism at South Deering must think it worthwhile because they now, just 1 week after the Fourth of July of 1966, are well started on the Fourth of July of 1967—with 51 weeks to go.

Mr. Speaker, I know of no greater tonic for our beloved country than the old-fashioned Fourth of July celebration so well carried on at South Deering. Our problems may be many, our perils not to be scoffed at, but in the clear atmosphere of unadulterated patriotism, the kind the signers of our Declaration of Independence lived in, we surely will find the right solutions and the surest protections.

AIRLINE STRIKE MUST BE SETTLED NOW

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, the commercial airlines industry operated for years at substantial financial losses. Finally, in the last few years, they have been able to get their heads above water and are beginning to show profits. But there is always somebody standing in the wings, drooling to cut themselves a big piece of the "pie," almost before it is "out of the oven."

This time there is nationwide inconvenience in the field of transportation, not only of people, but also cargo including important mail. The International Association of Machinists & Aerospace Workers claim bargaining negotiations have been going on for nearly a year, and although they have not reduced their demands, claim the five major airlines involved "forced" them out on strike.

As usual, IAM claims "only a fair share of the industry's burgeoning profits" so that the members may "live as well as steelworkers, carpenters, and so forth." Demands include longer paid vacations, another paid holiday, plus double time and a half for those who may work on holidays, a cost of living escalator, company-paid pensions, hospitalization covering employee's dependents, and, substantially higher wages.

On the other hand, management, although not entirely free of fault, not only agreed to accept the recommendations of the Emergency Board, but actually offered more. And the Board certainly does not have a promanagement complexion with Senator WAYNE MORSE, David Ginsburg, and Philip Neustadt as members. Yet, the union rejected the recommendations.

Of course there are about 38 local issues in addition to the 8 key national issues I have already mentioned, which have resulted in a stalemate. Thus far, union members have not felt the impact of the strike, but the public, I repeat, the public, suffers.

The union demands call for a package costing the commercial carriers far over $100 million, and there is no indication of any compromise at this time. What purpose does a Presidential Emergency Board serve if their recommendations are merely used by the union as a base for further negotiations, and even though management expresses a willingness to accept the recommendations?

Members of Congress respect the right to strike, collective bargaining, and redress of grievances, but when the welfare of the general public is thwarted indefinitely, the undesirable steps of compulsory arbitration, Government seizure, and so forth, again become the subject of serious discussion.

It seems to me the public-be-damned attitude had better give way very shortly to a settlement, as inconvenience leads to impatience and ultimately intolerance. It is time to get the planes flying again without further delay.

SO-CALLED DEFENSE ECONOMY PROGRAM

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, Secretary of Defense McNamara issued a statement this morning claiming that his so-called defense economy program has saved the country $4½ billion in the past year.

It is to be hoped that at his press conference this afternoon he will permit questions and provide specific answers as to just how this alleged saving has been accomplished.

Among other things, it will be interesting to hear him explain the TFX contract which went to a Texas firm and which has yet to produce an aircraft acceptable both to the Navy and to the Air Force despite the hundreds of millions of dollars that have been expended.

Yes, Mr. Secretary, the Congress and the public awaits a recital—chapter and verse—of your claims to these pretentious savings.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to my friend, the gentleman from Missouri.

Mr. HALL. It seems to me that the gentleman is expecting right much. Has not the gentleman from Iowa heard in the last 10 days about the "credibility gap" in the Department of Defense, and its spokesman's alleged statement of the "right to lie," as to matters of defense, instead of using the term "no comment"?

Mr. GROSS. I thought my statement just made was devoted to the question of the credibility gap, I will say to my friend from Missouri.

Mr. HALL. I think the gentleman is making an excellent point. I hope his aspirations are not too much for the Secretary of Defense's press conference this afternoon. It will be a great change in events, should it evolve.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am happy to yield to the gentleman from Illinois the minority whip.

Mr. ARENDS. What follows will not come as a surprise to the gentleman from Iowa, because in a similar instance quite some time ago Secretary McNamara, in making a statement of like kind, finally followed it up by sending out thousands and thousands of brochures throughout the country telling about the great savings he had made. This, of course, was at the taxpayers' expense. I hope at this time he will not make savings by spending more money.

Mr. GROSS. I thank the gentleman.

LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that I have conferred with the distinguished gentleman from South Carolina [Mr. RIVERS] and the conference report on the military procurement authorization bill will be the first order of business tomorrow, followed, as previously announced, by the Foreign Aid Authorization Act.

THE 50TH BIRTHDAY—NATIONAL PARK SERVICE

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the 50th birthday of the National Park Service will be celebrated at a golden anniversary dinner here in Washington, D.C., on August 25. This is the same day that the agency was established as a bureau of the Department of the Interior back in 1916. Sponsors of the special observance, which will be held in the Statler Hilton Hotel, are more than 20 of the Nation's foremost conservation, scientific, and recreation organizations.

Many local and regional events are planned throughout 1966 to commemorate the Park Service's 50th birthday, and the golden anniversary dinner here in Washington will be the one national observance which will unite them all. The reception and dinner will be attended by Members of Congress, the Cabinet, Government officials, and conservation leaders and other interested persons.

Starting with Yellowstone National Park, authorized by Congress in 1872, and continuing to the present through a succession of congressional enactments, the national park system today comprises more than 230 units, involving 26,717,000 acres. The system includes 32 national parks, 11 national historical parks, 81 national monuments, 11 national military parks, 1 national memorial park, 5 national battlefields, 4 national battlefield parks, 3 national battlefield sites, 30 national historic sites, 19 national memorials, 10 national cemeteries, 6 national seashores, 1 national scenic riverway, 3 national parkways, 12 national recreation areas, the White House, and the National Capital Parks.

Our national park system is a commendable tribute to the American people in preserving a part of our heritage for all future generations.

DEFENDER OF THE GRAND CANYON

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, because of its opposition to the proposal to mar the beauty of the Grand Canyon through construction of Bridge Canyon and Marble Canyon Dams, the Sierra Club has suddenly become the target of a pincer attack which I consider both unfair and unreasonable.

Using a new and arbitrary procedure, the Internal Revenue Service last month warned the Sierra Club that its present tax status was in jeopardy following the club's publication of an advertisement appealing for the preservation of the Grand Canyon in its natural state. While I do not question the Internal Revenue Service right to inquire into the operations of an organization enjoying tax exemption advantages, the timing of the IRS announcement would seem to be in extremely poor taste, for obviously it would tend to discourage contributions until the club's status from the IRS point of view had been officially determined. Furthermore, the challenge by a Government agency would have the effect of casting a shadow of suspicion on an organization that in fact has a record of patriotic service and dedication from the time of its founding in 1892. IRS has thus assumed a very unfortunate position and would seem to lend substance to the charges that the Nation's highest tax-collecting authority is being utilized in retaliation against any individual or group daring to oppose administration objectives.

The Sierra Club was also attacked by the gentleman from Arizona [Mr. UDALL] for sponsoring what he called dishonest and inflammatory attacks against the Colorado River Basin project bill.

It is my pleasure to report that the Sierra Club has no intention of succumbing to these challenges and that it is continuing to fight against the needless destruction of the beauty of the Grand Canyon. It considers the Grand Canyon too important a part of this Nation's natural heritage which we hold in trust not only for our own people, but for the entire world, too significant a portion of either administrative harassment of unsupportable attacks in Congress or elsewhere.

Is it fair to charge that the Sierra Club is being "dishonest and inflammatory" in its opposition to the Grand Canyon dams? Let me point out that the club has opposed the dams and not the Colorado River Basin Project Act as charged. It does not now and has at no time opposed Arizona's attempts to obtain a fair share of Colorado River water, and to suggest such motives obscures the issue and distorts the club's position.

Because it believes that the general public would not accept unnecessary desecration of one of the world's greatest natural wonders if the plan were given wide circulation, the Sierra Club has set out to present the issue to as wide a segment of the population as possible. The club is also of the opinion that if these dams are authorized and the national park system violated in the Grand Canyon, there will be a diminishing defense against proposed dams in Glacier, Yellowstone, Grand Teton, Yosemite, Kings Canyon, Mammoth Caves, and Big Bend National Parks. The precedent might also endanger Dinosaur National Monument, where a decade ago the Bureau of Reclamation attempted to win approval for Echo Park Dam. At that time Congress replied to the Bureau that the national park system is too important to this Nation and its future generations to allow sacrificing any of it to unnecessary commercialization.

Yet the Bureau of Reclamation has the temerity to return in 1966 with plans for another unnecessary invasion of the national park system, and I again call upon my colleagues to reject its ugly proposal.

The gentleman from Arizona has said that "what is proposed here is a modest compromise that leaves untouched the great heart of the canyon." I fail to detect any signs of a compromise, unless he is implying that at one time the Bureau of Reclamation proposed to take over the Grand Canyon in its entirety.

My colleague speaks of the great heart of the canyon being untouched, yet the heart of the canyon is in the river and along the oases that line its banks. Under his proposal the heart of the canyon would be flooded out by lakes reaching up to the rim of the inner gorge and leaving barely a third of the river running in the canyon.

The gentleman from Arizona avers that "the natural river will remain untouched" in this remaining one-third, yet the Commissioner of the Bureau of Reclamation has said that with Marble Canyon Dam in full operation the river level in the national park will rise and fall 13 feet every day. If this is the Bureau's idea of a natural river, I suspect that it could get a valid argument out of boaters and hikers in the canyon. It is only surprising that the Bureau has not proposed an Arizona Passamaquoddy project to take advantage of this daily tide which will sweep along the canyon's bottom, washing away the living spaces, the sandbars, and the plants that grow along the river, thoroughly ruining this unique habitat in the process.

I further point out to my colleague that he is merely repeating a manufactured myth in contending that there could be no aqueducts for Arizona or California without the Grand Canyon dams. Obviously, California already has aqueducts from the Colorado, and the Reclamation Commissioner has reported that the central Arizona project aqueduct can be built and financed without either Marble or Bridge Canyon Dams. There is also no basis for the allegation that the dams are necessary for the financing of future water imports or desalination plants. No one today can tell you how much these future projects are going to cost, how they are going to be paid for, or even whether they will ever be built.

If Arizona wants water delivered to Phoenix and Tucson, then Arizona should bring before the Congress a plan which authorizes works to deliver that volume of water to which the Supreme Court decreed the State is legally entitled, rather than to load down H.R. 4671 with unnecessary dams in the Grand Canyon, future water imports, desalination plants, uneconomic projects, changes in the Mexican Water Treaty, and other items in relation to our national water problem.

My friend from Arizona has himself established a reputation as a conservationist, so it is all the more puzzling to me why he should not seize the opportunity to free the central Arizona project legislation of the albatross of these proposed Grand Canyon dams. How can he expect to be effective in future pleading for the national park system and its expansion when he at this time appeals for an invasion of one of the Nation's oldest and best known parks? I only wish that he would attempt to work out details so that the canyon would be left unimpaired and that the Colorado River, cutting down into the ancient rock, might be permitted to reveal more of the earth's history while nourishing the living creatures that have established themselves along its banks today.

I regret that my colleague has chosen to accuse the Sierra Club of being dishonest and inflammatory. Certainly the reputation established by the club and its executive director, David Brower, will in no way suffer from the accusations, yet the remarks would better have been left unsaid. For certain, the cause of those seeking to destroy the marvels of the Grand Canyon will not be enhanced by unwarranted attacks on public-spirited organizations and individuals dedicated to the preservation of this great geologic and biological phenomenon. Nor will that cause be aided through attempted intimidation on the part of the Internal Revenue Service.

The basic issue is whether the Grand Canyon and its wondrous river are to be grievously impaired by a pair of unnecessary and wasteful dams. I trust that my colleagues will join in insisting that the Grand Canyon be preserved.

DEPARTMENT OF TRANSPORTATION

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. **YOUNGER**. Mr. Speaker, Mr. Morris Forgash, one of the most knowledgeable men in the transportation field and president of the United States Freight Co., delivered an address on the need for a Department of Transportation before a congressional luncheon in Washington on June 22, 1966. His address follows:

A Department of Transportation

(Comments by Morris Forgash, president, United States Freight Co., at the Congressional luncheon, Washington, D. C., June 22, 1966)

It is a distinct honor and privilege to be able to discuss with this distinguished group a subject which has had top priority on my personal agenda for quite a long time.

I am sure that most of you know I enthusiastically support the establishment of a Department of Transportation. My position was not arrived at recently and it is not surrounded by caveats and reservations. The question of establishing a Transportation Department has been the subject of many studies. I directed one of them in the 1950's as Chairman of a Panel of the Transportation Council, U.S. Department of Commerce. We have made the results of that study, which culminated in an almost unanimous recommendation for a Department of Transportation, available to your Committees.

You gentlemen of the Congress have heard a great deal of testimony on this subject in recent weeks. I am sure there was a large amount of repetition, and I imagine some of you are wondering whether there is anything new that can be said on the subject. Perhaps there is nothing I can add to what has been said on the merits or demerits of various specific provisions of the pending bills, but I would like to give you some of my views with respect to the perspective in which I think this subject should be evaluated.

It is my sincere belief that the only wise and responsible approach to the question confronting your Committees and the Congress is first to determine whether the establishment of a Department of Transportation is sound, in principle, and wise as a matter of public policy and, if it is so determined, then to establish a Department even if it does not include all of the activities which it may or should ultimately embrace. You may call this a "half a loaf is better than none" attitude, and perhaps it is, but in view of the desperate need for getting organized and getting some action in the field of transportation, I would say we had better at least get started before it is too late.

I think there is significance in the fact that of all the numerous witnesses who have testified on the subject they supported the principle—the idea—of a Department of Transportation almost to a man. Indeed, if we reflect for a moment I think we must all conclude that we will have a Department to bring together the widely dispersed but increasingly important functions of the Federal Government in transportation sooner or later. As I said shortly after the President submitted the current proposal, it is my firm conviction that the tide of history has already swept us past the point of decision *whether* there should be a Department of Transportation, and left us only the questions of *when* and *what kind*.

I say, with the utmost respect, that the time to act is now—during the 89th Congress—while the record is fresh and while the issues are clearly fixed in the minds of the people who are concerned with transportation and transportation's goals and problems. If the obligation is handed over to the 90th Congress, when it convenes next year, the opportunity may be lost because when issues, even of the greatest importance, are allowed to drag along they lose their urgency.

Indeed, I think the 89th Congress has inherited an issue that should have been resolved a long time ago. If I am not mistaken, it was in the 43rd Congress, in 1874, during the administration of President Grant, that the first bill to establish a centralized transport bureau or department was introduced. And every few years since that time the legislation has been dusted off and updated and introduced again. Congress acts, of course, in response to the will of the people and the people have never been sufficiently fired with the need for action. That has not been for want of study. I remember the Hoover Commission reports; the Brookings Institution Transport study; the Sawyer report; the Eisenhower proposal; and the Doyle report, all of which, plus others, strongly advocated and clearly documented the reasons for a Department of Transportation. But all of these recommendations were lost for want of leadership and public enthusiasm. I hope there will not be a repetition of that story today.

I fully realize that even among some of the strongest supporters of the present proposal there is a considerable disagreement with respect to certain of its features. There is disagreement both with respect to what the proposal does and what it does not do. I am confident that some of the members of your Committees have reservations about some of the features of the bills. Some of the disagreement that has come to my attention seems to revolve around the use of words and I believe it can be removed by clarification. In my opinion the one cardinal thing that has to be borne in mind is that a clear line of demarcation must be drawn between executive functions—promotional, operational, research, and the like—and regulatory functions which are the prerogative of Congress. We had some reservations on that score and we submitted some simple language changes for your consideration. Beyond that, the other questions of coverage become a matter of judgment.

The question of whether all safety functions should be transferred to the new Department is the subject of conflicting views. It seems to me that logic is on the side of those who advocate centralized responsibility and authority in this critically important field. Surely there is complete agreement that one of the most important and most desirable features of the legislation is the National Transportation Safety Board which it would create. I have not heard any reasons which are convincing to me why all other safety matters should not be transferred to the Department. However, our industry has not made any recommendations one way or the other because we think Congress is more interested in hearing from the people who are directly and more importantly involved.

A great deal of apprehension has been expressed about Section 7 which provides for the development of transportation investment standards. I am sure you are all familiar with the arguments, pro and con. I am not going to express an opinion on the merits of the issues involved in Section 7, but I pose one question: Would there still be valid reasons for establishing a Department of Transportation if Section 7 were omitted from the legislation? I submit that there would.

The important thing, I believe, is to keep clearly in mind the main goals to be achieved by a transport department. I would list among them the more effective management of transportation functions within the Executive Branch; the development and implementation of coordinated Executive policies in transportation; the coordination and more effective carrying out of Government transport programs; and finally—and most important—the research, study, and planning necessary to tailor transportation to the needs of a growing America.

I sincerely believe that the research and planning functions would, in themselves, justify the creation of a Department of Transportation. There has never been a time when it was more important to look to the future needs and requirements of the Country, from both an economic and military standpoint, and to start planning to make transportation responsive and adequate to those needs. Magnificent though the performance of our transportation system has been in the past, we are confronted with problems for which there is no precedent in history.

The population explosion alone will impose burdens on tomorrow's transport system which simply stagger the imagination. By the most conservative of estimates the population of the United States will exceed 300 million by the year 2000—and that is not in the dim and distant future—it is only 34 years from now. And we must plan to live in a world which is growing in population at an even faster pace. Throughout all the centuries that man occupied the earth, the population of the world had reached only 1.5 billion at the beginning of this century—and then the population doubled in just 66 years.

Our cities, of course, are increasing in population at a more rapid pace than the Country as a whole. It is estimated that the urban population will at least double by the end of the century. How in the world will people be moved? And while the population is centralizing industry is decentralizing, compounding the transport problem. Transportation is simply having to accommodate itself, as best it can, to the changing conditions, but there is no overall planning, no charting of future courses, no authoritative direction.

What kind of a transportation plant must we have to accommodate the population and the economy which we may anticipate in the year 2000? Must we stack highways on top of each other, or will they go underground? Will solids be moved through pipelines? When will the airlines reach a saturation point and what will we do about it? Would we be wise now to start planning more high-speed rail service?

It is pretty late in the day for us to get started on finding the answers to these and other questions. What planning there is being done today is just as segmentized as the patchwork of bureaus and agencies which we have set up to handle various phases of the transportation situation. When he was testifying the other day before the Senate Government Operations Committee former Federal Aviation Administrator Halaby put the matter very succinctly. Mr. Halaby said:

". . . very few people want to go from airport to airport—they want to go from a door to a door. Now, the Dulles, Friendship, and Washington National situation, indicates what is wrong. That is, nobody has planned the whole transportation system. Nobody is trying to get Mr. Ribicoff from Hartford to his desk. Each of us is trying to get Mr. Ribicoff through some section of the trip."

And so it is in the transportation of property. Not enough attention has been given to the problem of getting goods all the way through from the shipper's door to the receiver's platform, wherever they may be located.

If the population continues to expand and the economy continues to grow at the current rate transportation will have to at least double its capacity and its facilities in the next 20 years. Can we afford to let the plant just grow, like Topsy, or should we start tomorrow to construct a sensible plan?

I need not point out the terrible urgency of planning for the kind of transport system and the kind of mobility on a worldwide scale which we need and must have for the defense of the Nation and for the support of our armed forces wherever they have occasion to be. Weaknesses have come to light in our privately owned transportation system in connection with the supply problem in Viet Nam. There should be some centralized awareness of these matters and steps should be taken to correct the deficiencies.

And we should not forget that if our planning fails to include safety we can anticipate that the population will not grow quite as rapidly as the trends indicate. We will kill off large numbers of our people by the juggernauts which we build in the name of progress.

The burden of my remarks is simply this: If we agree that we need and ultimately must have a Department of Transportation, let's get started! The conditions which point to the need of a Department will not improve by next year—they will be worse.

If there is serious doubt about the wisdom of transferring some of the functions that are proposed to be transferred by the bills, or about some of the powers and duties which should be conferred on the Secretary, then I say let us establish the Department and transfer those functions about which there is no serious question. The Secretary of Transportation will not be idle if he does not initially have all of the duties and responsibilities which the bills provide for. He will have a monumental organizational job which will keep him busy for quite a while. And he will have more than enough to do if he gets his research and development plans off of the drawing board.

If a Department is created we will learn as we go along. Some of the disagreement about certain of the proposed transfers rests, in my opinion, on a fear of the unknown and a reluctance to change a system that is muddling along. Time, experience, and demonstrated effectiveness may remove some of those fears.

To plan for a transportation system adequate to the future needs of a growing and dynamic America I earnestly recommend that a Department of Transportation be established this year, by this Congress.

U.S. POLICY TOWARD CHINA

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, the news media in recent weeks have been filled with hints and suggestions that the United States is planning to scrap its longstanding policy of nonrecognition of Communist China and opposition to Red Chinese membership in the United Nations. It is distressing to see that no mention is made in these columns and "in-depth articles" of the statements of our Secretary of State, the President, and other high officials of our Government which are exactly to the contrary.

These broad hints and rumors in the newspapers, which are portrayed as fact, create considerable confusion in the mind of the average citizen. He is not in a position to judge accurately the truth of these assertions and thus is concerned over the implications of this alleged about-face in our policy toward Red China.

Secretary of State Dean Rusk, in his statement to the Subcommittee on the Far East and the Pacific of the House Committee on Foreign Affairs of March 16, 1966, made it clear that the United States stands firmly behind its commitments to the Republic of China—Taiwan—and opposes admission of Communist China to the United Nations under present conditions. Before the American public becomes thoroughly misled by these suggestive newspaper reports, it should have the opportunity to read and study these remarks of Secretary Rusk. The Secretary's comments reflect the official position of the United States in this matter and thus should be given more credibility than the unsupported statements of a few journalistic experts. For this reason, I am placing in the RECORD today the full text of Secretary Rusk's statement. I believe, Mr. Speaker, that the American citizen should have the opportunity to examine this important statement which is nowhere mentioned in the news media, but which contains the essential elements of our China policies.

The clear fact which is overlooked in the recent newspaper accounts is that the aggressive attitude of Communist China and its refusal to accept the principles of international law has not subsided in the years since 1949. On the contrary, this aggression has made itself manifest more strongly in Vietnam than in any time since the Korean war. Today, as in 1950–53, our young men are dying in a far off land because of the insatiable desire of the Communist Chinese for world domination. In such circumstances, it is understandable that we should maintain our firm opposition to the admission of this lawless aggressor to the United Nations. Our late Ambassador to the United Nations, Adlai Stevenson, stated succinctly the situation in a speech to the General Assembly in December 1961, when he said:

> The authorities who have carried out those aggressive actions, who have for 12 years been in continuous and violent defiance of the principles of the United Nations and of the resolutions of the General Assembly, and deaf to the restraining pleas of law-abiding members—these same warlike authorities claim the right to occupy the seat of China here, and demand that we eject from the United Nations the representatives of the Republic of China * * *. This is the reality of the proposal before us: to violate our own charter to make room for a regime whose creed and actions are diametrically opposed to the letter and spirit of the U.N. Charter.

Ambassador Stevenson's words are as true today as they were then, as Secretary Rusk makes clear in his remarks. If our news media were to make these arguments by our most distinguished foreign policy spokesman as available to the public as it does the conjectures of the self-appointed experts, then I do not believe the Congress would have to go once again through the strange procedure of saying, for the 21st time, that the facts and arguments are overwhelmingly against the admission of Red China to the United Nations.

UNITED STATES POLICY TOWARD COMMUNIST CHINA

(Statement by Secretary Rusk [1])

Mr. Chairman, during the last month and a half this distinguished committee and its corresponding members in the other House have heard testimony on Communist China from a number of prominent scholars and distinguished experts on Asia.

I welcome these hearings. For Communist China's policies and intentions, in all their aspects, need to be examined—and reexamined continually.

CHINA SPECIALISTS IN GOVERNMENT

The Department of State and other agencies of the Government do collect, study, and analyze continually with the greatest care all the information obtainable on Communist China in order to make—and, when the facts warrant, revise—judgments of Peiping's intentions and objectives. Highly trained Chinese-language officers here in Washington and overseas—men who specialize in Chinese history and communism—are working full time analyzing and appraising Peiping's moves. Numerous private scholars, some of whom have appeared before this committee in recent weeks, are consulted by the Department of State. And there are, of course, many specialists on Communist China in other agencies of the Government. These capable individuals—in and out of Government—systematically interchange and crosscheck their analyses and estimates to provide what I believe is the most complete and most accurate picture of Communist China, its leaders, and its policies, available to any non-Communist government in the world.

THREE CAVEATS

Before going further, I would like to enter three caveats:

First, the experts do not always agree, especially in their estimates of Chinese Communist intentions.

Second, the leaders we are discussing are both Chinese and Communist. Some of their words and acts can perhaps be best understood in terms of Chinese background—Chinese traits or historic Chinese ambitions. Others can perhaps be better understood in terms of their beliefs and ambitions as Communists. They are deeply committed to a body of Communist doctrine developed by Mao Tse-tung. Still other words and acts may be consistent with both the Chinese and doctrinaire Communist factors.

We have faced a similar problem over the years with respect to the Soviet leadership. Some of their words and acts could be explained chiefly in terms of historic Russian imperial ambitions or Russian traits or practices. Others have been clearly attributable to Maxist-Leninist doctrine, or to interpretations of that doctrine by Stalin and more recent leaders. Some sovietologists put more emphasis on the traditional nationalist or imperial factors, others put more on the Marxist-Leninist factors. There is no way to determine the exact weight which ought to be given to each of these two influences.

Likewise, with regard to the Chinese Communists, there has been considerable disagreement over the respective dimensions of the two streams of influence: Chinese and Marxist-Leninist-Maoist. Over the years some of the experts on China may not have appreciated adequately Marxist-Leninist-Maoist doctrine. Likewise, some of the experts on Chinese Communist doctrine may tend to underestimate the Chinese factors in the behavior and intentions of the Peiping regime.

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[1] Made before the Subcommittee on the Far East and the Pacific of the House Committee on Foreign Affairs on Mar. 16.

The third caveat is this: Predicting what the Chinese Communists will do next may be even more hazardous than usual at this juncture. They themselves appear to be taking stock. We know that some high-level talks have been going on and that they have called some of their ambassadors back for consultation.

CHINESE COMMUNIST SETBACKS

We know—the whole world knows—that the Chinese Communists have suffered some severe setbacks internationally during the past 14 months. They were unable to persuade the Afro-Asians to accept their substantive views on the Second Bandung Conference. They have found themselves in difficulty in several African countries. Their diplomatic missions have been expelled from Burundi, Dahomey, and the Central African Republic. Their technicians have been expelled from Ghana. The Governments of Kenya and Tunisia have warned them against promoting revolution in Africa.

During the fighting between India and Pakistan, the Chinese Communists marched up hill and down again. They have been disappointed by the Tashkent agreement and the steps taken in accord with it. They were strongly opposed to the agreement between Japan and the Republic of Korea, which was ratified by both countries. They have suffered a major setback in Indonesia—the Indonesian Communist Party has been decimated.

Generally, in their struggle with Moscow for leadership of the world Communist movement, the Chinese Communists appear to have lost ground. Even their relations with Castro's Cuba have sunk to the level of mudslinging.

And, probably most important of all, Peiping sees the power of the United States committed in Southeast Asia to repel an aggression supported—and actively promoted—by Peiping.

Will the Chinese Communist reaction to all these setbacks be a wild lashing out? Or will it be a sober decision to draw back and even to move toward peaceful coexistence?

We, of course, hope it will be the latter. But we cannot be sure what Peiping intends to do. We do not expect the worst but we must be prepared for it.

OUR RELATIONS WITH PEIPING

I will not try here today to review in detail the record of our relations with the Peiping regime. In the months after the Chinese Communist takeover in 1949 we watched to see whether the initial demonstration of intense hostility toward the United States and toward Americans who were still resident in China was momentary, or reflected a basic Peiping policy. Then came the aggression against the Republic of Korea, to which, at a second stage, the Chinese Communists committed large forces, thus coming into direct conflict with the United Nations and the United States.

We have searched year after year for some sign that Communist China was ready to renounce the use of force to resolve disputes. We have also searched for some indication that it was ready to abandon its premise that the United States is its prime enemy.

The Chinese Communist attitudes and actions have been hostile and rigid. But a democracy, such as ours, does not accept rigidity. It seeks solutions to problems, however intractable they may seem.

SINO-UNITED STATES AMBASSADORIAL TALKS

We have discussed various problems with the Chinese Communists at international conferences such as the Geneva conferences of 1954 and 1962.

In 1955 we began with them a series of bilateral conversations at the level of ambassadors, first in Geneva and later in Warsaw. It was our hope that by direct, systematic communication we might be able to reduce the sharpness of the conflict between us. There now have been 129 of these meetings, the latest of which took place in Warsaw today.

These exchanges have ranged widely, covering many subjects affecting our two countries. At first there was a little progress in dealing with small specific issues, such as the release of Americans being held in Communist China. Although an understanding was reached in this limited area, Peiping refused to fulfill its commitment to release all the Americans.

I think it is accurate to say that no other non-Communist nation has had such extensive conversations with the Peiping regime as we have had. The problem is not lack of contact between Peiping and Washington. It is what, with contact, the Peiping regime itself says and does.

Although they have produced almost no tangible results, these conversations have served and still serve useful purposes. They permit us to clarify the numerous points of difference between us. They enable us to communicate in private during periods of crisis. They provide an opening through which, hopefully, light might one day penetrate. But the talks have, so far, given no evidence of a shift or easing in Peiping's hostility toward the United States and its bellicose doctrines of world revolution. Indeed, the Chinese Communists have consistently demanded, privately as well as publicly, that we let them have Taiwan. And when we say that we will not abandon the 12 or 13 million people on Taiwan, against their will, they say that, until we change our minds about that, no improvement in relations is possible.

Today we and Peiping are as far apart on matters of fundamental policy as we were 17 years ago.

THE BASIC ISSUES

In assessing Peiping's policies and actions, and the problems they present to American foreign policy and to the free peoples of the world, we must ask ourselves certain key questions:

What does Peiping want, and how does it pursue its objectives?

How successful has it been, and how successful is it likely to be in the future?

Is it on a collision course with the United States?

What are the prospects for change in its policies?

What policies should the United States adopt, or work toward, in dealing with Communist China?

WHAT DOES PEIPING WANT?

First the Chinese Communist leaders seek to bring China on the world stage as a great power. They hold that China's history, size, and geographic position entitle it to great-power status. They seek to overcome the humiliation of 150 years of economic, cultural, and political domination by outside powers.

Our concern is with the way they are pursuing their quest for power and influence in the world. And it is not only our concern but that of many other countries, including in recent years the Soviet Union.

Peiping is aware that it still lacks many of the attributes of great-power status, and it chafes bitterly under this realization.

ARMING TO BECOME A "GREAT POWER"

The Chinese Communists are determined to rectify this situation. They already have one of the largest armies in the world. They are now developing nuclear weapons and missile delivery systems. They are pouring a disproportionately large proportion of their industrial and scientific effort into military and military-related fields.

What is all this military power for? Some believe it to be for defensive purposes alone:

To erect a token "deterrent" nuclear capability against the United States or the U.S.S.R.;

To demonstrate symbolically that "China must be reckoned with";

To react to an imaginary, almost pathological, notion that the United States and other countries around its borders are seeking an opportunity to invade mainland China and destroy the Peiping regime.

But such weapons need not serve a defensive role. They can be used directly by Peiping to try to intimidate its neighbors, or in efforts to blackmail Asian countries into breaking defense alliances with the United States, or in an attempt to create a nuclear "balance" in Asia in which Peiping's potentially almost unlimited conventional forces might be used with increased effect.

These weapons can ultimately be employed to attack Peiping's Asian neighbors and, in time, even the United States or the Soviet Union. This would be mad and suicidal, as Peiping must know, despite cavalier statements that mainland China can survive nuclear war. Nevertheless, a potential nuclear capability, on top of enormous conventional forces, represents a new factor in the equilibrium of power in Asia that this country and its friends and allies cannot ignore.

Peiping's use of power is closely related to what I believe are its second and third objectives: dominance within Asia and leadership of the Communist world revolution, employing Maoist tactics. Peiping is striving to restore traditional Chinese influence or dominance in South, Southeast, and East Asia. Its concept of influence is exclusive. Foreign Minister Ch'en Yi reportedly told Prince Sihanouk recently that his country's "friendship" with Cambodia would be incompatible with Cambodian ties with the United States. Peiping has tried to alienate North Viet-Nam and North Korea from the Soviet Union. It has had uneven success in such maneuvers. But it has not abandoned this objective. Where Peiping is present, it seeks to exclude all others. And this is not only true in its relations with its neighbors but in the Communist world as well.

DIRECT AGGRESSION

Peiping has not refrained from the use of force to pursue its objectives. Following Korea, there were Tibet and the attacks on the offshore islands in the Taiwan Straits. There have been the attacks on India. It is true that, since Korea, Peiping has moved only against weaker foes and has carefully avoided situations which might bring it face to face with the United States. It has probed for weaknesses around its frontier but drawn back when the possibility of a wider conflict loomed.

While the massive and direct use of Chinese Communist troops in overt aggression cannot be ruled out, Peiping's behavior up to now suggests it would approach any such decision with caution.

If the costs and risks of a greater use of force were reduced by, for example, our unilateral withdrawal from the region, Peiping might well feel freer to use its power to intimidate or overwhelm a recalcitrant opponent or to aid directly insurgent forces.

MAO'S DOCTRINE OF WORLD REVOLUTION

As I have said, the Chinese Communist leaders are dedicated to a fanatical and bellicose Marxist-Leninist-Maoist doctrine of world revolution. Last fall, Lin Piao, the Chinese Communist Minister of Defense, recapitulated in a long article Peiping's strategy of violence for achieving Communist domination of the world. This strategy involves the mobilization of the underdeveloped areas of the world—which the Chinese Communists compare to the "rural areas"—against the industrialized or "urban" areas. It involves the relentless prosecution of what they call "people's wars." The final stage of all this violence is to be what they frankly describe as "wars of annihilation."

It is true that this doctrine calls for revolution by the natives of each country. In that sense it may be considered a "do-it-yourself kit." But Peiping is prepared to train and indoctrinate the leaders of these revolutions and to support them with funds, arms, and propaganda, as well as politically. It is even prepared to manufacture these revolutionary movements out of whole cloth.

Peiping has encouraged and assisted—with arms and other means—the aggressions of the North Vietnamese Communists in Laos and against South Viet-Nam. It has publicly declared its support for so-called national liberation forces in Thailand, and there are already terrorist attacks in the remote rural areas of northeast Thailand. There is talk in Peiping that Malaysia is next on the list. The basic tactics of these "wars of liberation" have been set forth by Mao and his disciples, including General Giap, the North Vietnamese Communist Minister of Defense. They progress from the undermining of independent governments and the economic and social fabrics of society by terror and assassination, through guerrilla warfare, to large-scale military action.

Peiping has sought to promote Communist coups and "wars of liberation" against independent governments in Africa and Latin America as well as in Asia.

WORDS VERSUS ACTIONS

Some say we should ignore what the Chinese Communist leaders say and judge them only by what they do. It is true that they have been more cautious in action than in words—more cautious in what they do themselves than in what they have urged the Soviet Union to do. Undoubtedly, they recognize that their power is limited. They have shown, in many ways, that they have a healthy respect for the power of the United States.

But it does not follow that we should disregard the intentions and plans for the future which they have proclaimed. To do so would be to repeat the catastrophic miscalculation that so many people made about the ambitions of Hitler—and that many have made at various times in appraising the intentions of the Soviet leaders.

I have noted criticism of the so-called analogy between Hitler and Mao Tse-tung. I am perfectly aware of the important differences between these two and the countries in which they have exercised power. The seizure of Manchuria by Japanese militarists, of Ethiopia by Mussolini, and of the Rhineland, Austria, and Czechoslovakia by Hitler, were laboratory experiments in the anatomy and physiology of aggression. How to deal with the phenomenon of aggression was the principal problem faced in drafting the United Nations Charter, and the answer was: collective action. We do ourselves no service by insisting that each source of aggression or each instance of aggression is unique. My own view is that we have learned a good deal about this phenomenon and its potentiality for leading into catastrophe if the problem is not met in a timely fashion.

The bellicosity of the Chinese Communists has created problems within the Communist world as well as between Peiping and the non-Communist world.

Recently a leading official of a Communist state said to me that the most serious problem in the world today is how to get Peiping to move to a policy of "peaceful coexistence."

CHINESE COMMUNIST FEAR OF ATTACK

At times the Communist Chinese leaders seem to be obsessed with the notion that they are being threatened and encircled. We have told them both publicly and privately, and I believe have demonstrated in our actions in times of crisis and even under grave provocation, that we want no war with Communist China. The President restated this only last month in New York.[3] We do not seek the overthrow by force of the Peiping regime; we do object to its attempt to overthrow other regimes by force.

How much Peiping's "fear" of the United States is genuine and how much it is artificially induced for domestic purposes only the Chinese Communist leaders themselves know. I am convinced, however, that their desire to expel our influence and activity from the western Pacific and Southeast Asia is not motivated by fears that we are threatening them.

I wish I could believe that Communist China seeks merely a guarantee of friendly states around its borders, as some commentators have suggested. If it was as simple as this, they would have only to abandon their policies which cause their neighbors to seek help from the United States.

The trouble is that Peiping's leaders want neighboring countries to accept subordination to Chinese power. They want them to become political and economic dependencies of Peiping. If the United States can be driven from Asia, this goal will be in their grasp. The "influence," therefore, that Peiping's present leader seek in Asia is indeed far reaching.

DOMINANCE IN THE COMMUNIST MOVEMENT

I had the privilege almost exactly a year ago of commenting at some length before this committee on the Sino-Soviet dispute. The essential nature of this conflict has not changed in this year. It has, if anything, intensified and widened. Its Russo-Chinese national aspects have become more conspicuous. Both sides have clearly given increased thought to the implications of a wider war in Southeast Asia for their mutual treaty obligations. I don't know what the Soviets would actually do with respect to their treaty with Communist China, but Peiping does not seem to be counting on Soviet support.

PEIPING'S DESIRE TO MAINTAIN SHARP COMMUNIST-U.S. POLARITY

One of Peiping's most fundamental differences with Moscow centers on its desire to maintain the sharpest possible polarization between the Communist world and the United States. Peiping argues that we are the "enemy of all the people in the world." Its national interests in Asia are served by maximizing Communist (and world) pressure on us and by attempting to "isolate" us. For this reason alone the Chinese would probably have opposed any Soviet attempts to reach understandings with us. In addition there are ideological and psychological reasons for Sino-Soviet rivalry:

The intense and deadly antagonisms that have always characterized schisms in the Marxist world;

Mao's belief that after Stalin's death the mantle of world Communist leadership should rightfully have passed to him and the Chinese Communist party;

Peiping's obsession also held or professed by the leaders of the Soviet Union during the 30 years after the Bolshevik revolution, with a fear of being threatened and encircled;

The mixture of the psychology of the veterans of the long march and Chinese traditional attitudes which has led Peiping's leaders to believe that through a combination of patience, struggle, and "right thinking" all obstacles can be conquered; and

Peiping's professed belief that the Soviets are joining with the United States in keeping China in a position of inferiority and subordination.

All these have merged to give the Sino-Soviet dispute a flavor and an intensity which rival even the current Chinese Communist antagonism for the United States itself.

HOW SUCCESSFUL HAS PEIPING BEEN?

We can see that the Communist Chinese have set vast goals for themselves, both internally and externally. The disastrous results of the so-called great leap forward have forced them to acknowledge that it will take them generations to achieve their goals.

They have wrought considerable changes on the mainland of China. Perhaps their greatest feat has been to establish their complete political authority throughout the country. They have made some progress in industrialization, education, and public health—although at the expense of human freedom, originality, and creativity. But their efforts to improve agriculture and to mold the Chinese people into a uniform Marxist pattern have been far less successful.

The economic, political, and social problems still confronting the Chinese Communist leaders today are staggering.

ECONOMIC PROBLEMS

Peiping's economic power will almost certainly increase over the coming years. But even with relatively effective birth control programs the population of mainland China may reach 1 billion by 1985.

Where is the food to come from? Where are the resources for investment to come from? Can the rapidly increasing military and economic costs of great-power status be carried by Chinese society at the same time that other economic tasks vital to China's economic survival are carried out? I do not denigrate in the slightest native Chinese ingenuity and capacity for incredibly hard work when I suggest that the solutions to these problems are in the gravest doubt.

INTERNAL POLITICAL PROBLEMS

Even more important to Peiping's leaders than these economic problems, however, are the will and morale of their own people. The current leaders—Mao, Liu Shao-ch'i, Chou En-lai, and others—are an intensely committed group of men whose entire lives symbolize their willingness to postpone the satisfactions of the present for the promised glory of the future.

Every generation is suspicious that the youth of today is not what it was in the good old days. But this has become another obsession of Peiping's old men. Their domestic propaganda and their comments to visitors, as well as the reports of refugees, have all emphasized their distrust of the youth of the country. They fear that their grand designs and goals—both domestic and foreign—will not be pursued with zeal by the next generation.

I believe their concern may be both genuine and warranted. How pleased can young college graduates be to be sent off to rural China for years for ideological hardening? How attractive is it to the Chinese peasant and worker to be called on for years of sacrifice to bring revolution to Africa or Latin America? Will Chinese scientists accept the dogma that scientific truth can be found only in the pages of Mao Tse-tung's writings? How can professional Chinese Communist army officers and soldiers be persuaded that the words of Mao represent a "spiritual atomic bomb" more powerful than any material weapon?

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[3] BULLETIN of Mar. 14, 1966, p. 390.

I am unaware of any new revolution brewing on the Chinese mainland. I have no evidence that the current regime does not, in practical terms, control effectively all of mainland China. But there is evidence of a growing psychological weariness that in years to come could produce a significant shift in the policies of a new generation of leaders.

The dramatic succession of foreign policy failures during the last year, both in the Communist and non-Communist world, must be having some effect on the confidence of the people in the wisdom of their leaders and even on the leaders themselves.

I do not predict any quick changes in China. Nor are there simple solutions. Peiping's present state of mind is a combination of aggressive arrogance and obsessions of its own making. There are doubtless many reasons, cultural, historical, political, for the state of mind. Psychologists have struggled for years in an effort to characterize what is a normal personality. The definition of what a normal state personality might be is beyond my abilities. I would be inclined, however, to advance the view that a country whose behavior is as violent, irascible, unyielding, and hostile as that of Communist China is led by leaders whose view of the world and of life itself is unreal. It is said that we have isolated them. But to me they have isolated themselves—both in the non-Communist and Communist world.

We have little hope of changing the outlook of these leaders. They are products of their entire lives. They seem to be immune to agreement or persuasion by anyone, including their own allies.

It is of no help in formulating policy to describe Peiping's behavior as neurotic. Its present policies pose grave and immediate problems for the United States and other countries. These must be dealt with now. The weapons and advisers that Peiping exports to promote and assist insurrections in other countries cannot be met by psychoanalysis. At the present time there is a need for a counterweight of real power to Chinese Communist pressures. This has had to be supplied primarily by the United States and our allies.

We should be under no illusion that by yielding to Peiping's bellicose demands today we would in some way ease the path toward peace in Asia. If Peiping reaps success from its current policies, not only its present leaders but those who follow will be emboldened to continue them. This is the path to increased tension and even greater dangers to world peace in the years ahead.

CHINA AS A GREAT POWER

We expect China to become some day a great world power. Communist China is a major Asian power today. In the ordinary course of events, a peaceful China would be expected to have close relations—political cultural, and economic—with the countries around its borders and with the United States.

It is no part of the policy of the United States to block the peaceful attainment of these objectives.

More than any other Western people, we have had close and warm ties with the Chinese people. We opposed the staking out of spheres of influence in China. We used our share of the Boxer indemnity to establish scholarships for Chinese students in the United States. We welcomed the revolution of Sun Yat Sen. We took the lead in relinquishing Western extraterritorial privileges in China. We refused to recognize the puppet regime established by Japan in Manchuria. And it was our refusal to accept or endorse, even by implication, Japan's imperial conquests and further designs in China that made it impossible for us to achieve a *modus vivendi* with Japan 1940-41.

We look forward hopefully—and confidently—to a time in the future when the government of mainland China will permit the restoration of the historic ties of friendship between the people of mainland China and ourselves.

ELEMENTS OF FUTURE POLICY

What should be the main elements in our policy toward Communist China?

We must take care to do nothing which encourages Peiping—or anyone else—to believe that it can reap gains from its aggressive actions and designs. It is just as essential to "contain" Communist aggression in Asia as it was, and is, to "contain" Communist aggression in Europe.

At the same time, we must continue to make it plain that, if Peiping abandons its belief that force is the best way to resolve disputes and gives up its violent strategy of world revolution, we would welcome an era of good relations.

More specifically, I believe, there should be 10 elements in our policy.

First, we must remain firm in our determination to help those Allied nations which seek our help to resist the direct or indirect use or threat of force against their territory by Peiping.

Second, we must continue to assist the countries of Asia in building broadly based effective governments, devoted to progressive economic and social policies, which can better withstand Asian Communist pressures and maintain the security of their people.

Third, we must honor our commitments to the Republic of China and to the people on Taiwan, who do not want to live under communism. We will continue to assist in their defense and to try to persuade the Chinese Communists to join with us in renouncing the use of force in the area of Taiwan.

Fourth, we will continue our efforts to prevent the expulsion of the Republic of China from the United Nations or its agencies. So long as Peiping follows its present course it is extremely difficult for us to see how it can be held to fulfill the requirements set forth in the charter for membership, and the United States opposes its membership. It is worth recalling that the Chinese Communists have set forth some interesting conditions which must be fulfilled before they are even willing to consider membership.

The United Nations resolution of 1950 condemning Chinese Communist aggression in Korea must be rescinded;

There must be a new United Nations resolution condemning U.S. "aggression";

The United Nations must be reorganized;

The Republic of China must be expelled;

All other "imperialist puppets" must be expelled. One can only ask whether the Chinese Communists seriously want membership, or whether they mean to destroy the United Nations. We believe the United Nations must approach this issue with the utmost caution and deliberation.

Fifth we should continue our efforts to reassure Peiping that the United States does not intend to attack mainland China. There are, of course, risks of war with China. This was true in 1950. It was true in the Taiwan Straits crises of 1955 and 1958. It was true in the Chinese Communist drive into Indian territory in 1962. It is true today in Vietnam. But we do not want war. We do not intend to provoke war. There is no fatal inevitability of war with Communist China. The Chinese Communists have, as I have already said, acted with caution when they foresaw a collision with the United States. We have acted with restraint and care in the past and we are doing so today. I hope that they will realize this and guide their actions accordingly.

Sixth, we must keep firmly in our minds that there is nothing eternal about the policies and attitudes of Communist China. We must avoid assuming the existence of an unending and inevitable state of hostilities between ourselves and the rulers of mainland China.

Seventh, when it can be done without jeopardizing other U.S. interests, we should continue to enlarge the possibilities for unofficial contacts between Communist China and ourselves—contacts which may gradually assist in altering Peiping's picture of the United States.

In this connection, we have gradually expanded the categories of American citizens who may travel to Communist China American libraries may freely purchase Chinese Communist publications. American citizens may send and receive mail from the mainland. We have in the past indicated that if the Chinese themselves were interested in purchasing grain we would consider such sales. We have indicated our willingness to allow Chinese Communist newspapermen to come to the United States. We are prepared to permit American universities to invite Chinese Communist scientists to visit their institutions.

We do not expect that for the time being the Chinese Communists will seize upon these avenues of contact or exchange. All the evidence suggests Peiping wishes to remain isolated from the United States. But we believe it is in our interests that such channels be opened and kept open. We believe contact and communication are not incompatible with a firm policy of containment.

Eighth, we should keep open our direct diplomatic contacts with Peiping in Warsaw. While these meetings frequently provide merely an opportunity for a reiteration of known positions, they play a role in enabling each side to communicate information and attitudes in times of crisis. It is our hope that they might at some time become the channel for a more fruitful dialog.

Ninth, we are prepared to sit down with Peiping and other countries to discuss the critical problems of disarmament and nonproliferation of nuclear weapons. Peiping has rejected all suggestions and invitations to join in such talks. It has attacked the test ban treaty. It has advocated the further spread of nuclear weapons to non-nuclear countries. It is an urgent task of all countries to persuade Peiping to change its stand.

Tenth, we must continue to explore and analyze all available information on Communist China and keep our own policies up to date. We hope that Peiping's policies may one day take account of the desire of the people of Asia and her own people for peace and security. We have said, in successive administrations, that when Peiping abandons the aggressive use of force and shows that it is not irrevocably hostile to the United States, then expanded contacts and improved relations may become possible. This continues to be our position.

These, I believe, are the essential ingredients of a sound policy in regard to Communist China.

I believe that they serve the interests not only of the United States and of the free world as a whole—but of the Chinese people. We have always known of the pragmatic genius of the Chinese people, and we can see evidence of it even today. The practices and doctrines of the present Peiping regime are yielding poor returns to the Chinese people. I believe that the Chinese people, no less their neighbors and the American people, crave the opportunity to move toward the enduring goals of mankind a better life, safety, freedom, human dignity, and peace.

ADMINISTRATION AIDS TOLD TO SOFT-PEDAL INFLATION TALK

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from

Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, the weekly roundup by the Washington staff of the Scripps-Howard newspapers, which appeared in the Washington Daily News of June 4, offers an interesting explanation of how the Johnson administration intends to control inflation.

Under unanimous consent, I include the item, entitled "Hush-Hush on Prices," in the Record at this point:

Hush-Hush on Prices

Word's gone out in the Johnson Administration not to talk about prices. Cabinet members, economists, statisticians all have been told to soft-pedal, and if they must discuss the subject, do it in general terms. Two reasons:

Prices (and inflation) are potential political dynamite.

Administration fears that talk about high prices will feed an inflation psychology, propelling costs into outer space.

Under new policy, consumer price index is released on short notice, usually late on Friday. (Saturday papers have limited circulation.) And economists no longer interpret statistical trends for reporters.

THE PRIVATE SECTOR'S ROLE IN THE ELIMINATION OF POVERTY

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, in our eagerness to eradicate the ravages of poverty in our Nation, we too often begin with the assumption that the only means to accomplish this difficult but necessary task is through a vast increase in Federal expenditures. This Congress, in recent years, has begun massive Federal spending programs to wipe out poverty without giving adequate consideration to the equally important, and much more efficient, job that private industry and the independent sector of our economy are doing in this area.

It is significant, therefore, that a major American columnist, Mr. John Chamberlain, should call our attention to these efforts by the private sector in what has been called the war on poverty. As Mr. Chamberlain points out, the private sector is not afflicted with the curse of Parkinson's law and private efforts, unlike Federal spending measures, do not contribute to the inflationary pressures from which our economy is now suffering. I am very happy to place in the Record today this column entitled "The Ball Is in the Private Sector's Court" from the July 2, 1966, issue of the Washington Post which so aptly points out the role of the private sector in our national efforts to eliminate the blight of poverty. I am sure that many Members will be interested in hearing of the contributions of private initiative in the attack on unemployment and poverty:

The Ball Is in the Private Sector's Court

(By John Chamberlain)

Sargent Shriver thinks the war on poverty can be won in ten years, which would conveniently wind up on the 200th anniversary of the Declaration of Independence. He has the economists on his side, for they are predicting a trillion-dollar economy by 1976, a figure that could be reached with a mere 4.5 percent annual rate of growth.

Since the "gap" that stands between the elimination of poverty and the continuation of the status quo is currently reckoned at a "mere" $12 billion, it should be theoretically possible to scrounge enough money out of the Gross National Product to beat Shriver's prediction even before 1976. But the skeptic will inevitably wonder about a couple of things.

First, there is good old Dr. Parkinson, who notes that bureaucracies live by perpetuating the ailments they are supposed to cure. (Look at the "farm problem" and the state of the American Indian.) And, second, there is that old devil inflation. How much will a trillion bucks actually be worth in 1976? And how many unexpected exploding millions of people will be fighting to cut in on the trillion?

Listening to Sargent Shriver explain his mission, one cannot doubt the sincerity of his belief that his own organization will be happy to liquidate itself once the poor are floated off into the mainstream of American affluence. As for the dollar, that does not seem to worry him. He claims that his program is neither Democratic nor Republican, but simply American. And, in a crack at this columnist, who has from time to time taken up the cudgels for a voluntaristic attack on poverty in articles that could be construed as critical of Shriver, he ticks off a list of big free-enterprise organizations that are running job corps training programs for a Government provided fee.

The list is impressive. It includes General Electric, Xerox, Westinghouse, RCA, Burroughs, Packard-Bell, Litton, Philco, Federal Electric, General Precision, IBM, and U.S. Industries. Their job is to take the drop-outs off the city streets, make them technologically "literate," and then see to it that they are absorbed into the expanding American economy.

So, theoretically, it's all in the bag. Being of a constructive and fundamentally hopeful disposition, I don't want to quarrel unduly with Mr. Shriver's dream of besting Dr. Parkinson and that old devil inflation in a couple of rousing dragon fights. What I propose is that the so-called "private sector" take Mr. Shriver at his word and assume that the poverty bureaucracy can be liquidated in due time.

Mr. Shriver has complained that I have played off certain self-help anti-poverty programs against his own efforts to use "other people's money" to bring General Electric, RCA, and the rest into a Government and business team attack on "functional illiteracy." Well, let's bypass the complaint. In almost every community in the United States there are members of private organizations—the church, the Junior Chambers of Commerce, the subsidizers of private foundations, the local representatives of such national voluntary groups as the National Association of Manufacturers—who could, without putting a gun at the head of the taxpayer, help lift the problem off Sargent Shriver's back.

Richard Cornuelle, who is sparking the NAM drive to find voluntary ways of ending poverty, once came up with the remarkable statistic that if every church in America undertook to find jobs for two or three unemployed people, the need for compulsory welfare would disappear in short order. I once urged this statistic on William Sloane Coffin, the do-gooding chaplain of Yale University. He said the statistic might be relevant, but doubted that private individuals would rise to its challenge.

In Heaven's name, why not? Mr. Shriver says he welcomes any and all private help in the war against poverty. Why not liquidate the Shriver organization by the simple expedient of depriving it of anything to work on? Mr. Shriver has put the ball in the "private sector's" court. Let's make a play.

HIGH INTEREST RATES

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. Patman] is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, no longer can we hide the ugly facts about the destructive nature of high interest rates and tight money.

The facts are before the American public. They are there in black and white in every newspaper and in every magazine in the country. They are on the radio and on the television. No one has escaped the impact.

Not even the most callous supporters of the Federal Reserve System can pretend that the country is not being hurt badly by high interest rates. The old "head in the sand" attitude, which has prevailed for so long in this area, will work no longer.

The American people, who are paying these enormous interest rate bills, will not be fooled.

Therefore, Mr. Speaker, we are finding that many people, long associated with the philosophy of blind faith in the Federal Reserve System, are rushing to escape responsibility for our present monetary mess. Our distinguished Republican colleagues, who through the years have come to the defense of the Federal Reserve System, now attempt to evade responsibility for the heavy interest rate burdens they have helped place on the backs of the people of the United States.

Faced with the clear fact of high interest and tight money, the Republicans now hide behind the shop-worn and discredited theory of Federal Reserve "independence." "We have nothing to do with interest rates and monetary policy. That is taken care of by an independent agency," the GOP claims.

Mr. Speaker, the so-called independence of the Federal Reserve Board is a hoax. It is a myth that has been spread in an attempt to hide the true facts about this agency. Whatever independence the Federal Reserve Board has exercised has been seized independence—sized illegally from the American people and their Government.

No law has ever conferred independence on the Federal Reserve System. No Presidential order has given this agency independence. No divine power, to my knowledge, has rewarded the Federal Reserve System with any kind of special independence. All of its so-called independence has been seized.

REPUBLICANS LET FEDERAL RESERVE SEIZE INDEPENDENCE

Mr. Speaker, it is interesting to note that our Republican friends, who now cry crocodile tears over interest rates, were the very ones who let the Federal Reserve Board seize independence during President Eisenhower's administration. Later I will discuss in some detail just how the Federal Reserve seized its independence from President Eisenhower, but let me say now that this takeover in 1953 was the beginning of the era of high interest, tight money. It is this action—and inaction—by the Eisenhower administration that has led us to the current high interest rates.

Yes, today the word "independence" serves as the last bulwark of defense for the high interest, tight money boys. This is a weak, flimsy excuse that has no sanction anywhere in law or administrative procedures. The cry of Federal Reserve independence is a sad answer to give the American people who are paying the enormous bill for high interest rates on everything they buy.

Mr. Speaker, I am convinced that the facts are at long last reaching the public. I predict that the people will not long put up with politicians and political parties who parade this cynical and weak answer to one of the greatest problems facing our country today. The people want action on monetary policy, not legalistic excuses. The argument of Federal Reserve independence will not suffice as an answer, because it simply does not exist.

The absurdity of the claim of Federal Reserve independence is evident in every basic document, from the U.S. Constitution to the Federal Reserve Act, including all of its amendments.

Let me just call the attention of my colleagues to the Constitution. The Constitution clearly, and without question, vests the monetary powers of the Nation in the U.S. Congress. Article I, section 8, clause 2 of the Constitution provides:

> The Congress shall have Power . . . To borrow money on the credit of the United States.

Clauses 5 and 6 empower the Congress "To coin money, regulate the value thereof, and of foreign coin." Clause 18, embodying the so-called incidental powers, provides that the Congress shall have the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof," Article II, section 1, clause 1, states:

> The executive Power shall be vested in a President of the United States of America.

This language is crystal clear. There can be no mistake about what the Constitution says in this area. I challenge anyone to show me any interpretation that contradicts the very plain fact that Congress has the responsibility of establishing the laws for carrying out the monetary powers and that the President, vested with the executive powers, has the responsibility of carrying out the laws established by Congress.

The defenders of the Federal Reserve System have searched in vain through the Federal Reserve Act and its amendments to find some answer and some rational reason why the Federal Reserve ignores the Constitution and acts as if it were a sovereign government unto itself. They cannot find the answer in the Federal Reserve Act. It does not exist. So, many of the champions of the Federal Reserve Board's actions have resorted to gross distortions of the interpretations of the Federal Reserve Act and its legislative history. I urge my colleagues to check the facts closely and not be misled by these distortions.

FEDERAL RESERVE MOVES CLOSER TO BIG BANKS

Throughout the 53 years of its existence, the Federal Reserve System has moved step by step away from the people and the Government. It has moved closer and closer to the banking industry. Today, the philosophies, actions, and bias of the banks and the Federal Reserve are synonomous.

This was not intended when the Federal Reserve System was established in 1913. It was not the intent of Congress that the Federal Reserve System become a central bank, operating out of the hip-pockets of the bankers, independent of the people. This was clearly not the intent of the then President, Woodrow Wilson.

The Federal Reserve Act of 1913 established 12 regional banks, each with autonomy in its own region. These banks were designed to operate more or less automatically to provide a flexible supply of money and credit under general supervision of a Board appointed by the President of the United States. Over the opposition of the Republican leaders, President Wilson opposed successfully, the concept of a central bank.

President Wilson also made it plain that the Federal Reserve Act was not to lead to banker domination of the Nation's monetary policies. He was flatly opposed to the kind of situation we face today with the bankers and the Federal Reserve System operating hand in glove against the public. In 1913, when the Federal Reserve Act was under consideration, President Wilson warned the country and the Congress:

> The control of the system of banking and of issue which our new laws are to set up must be public, not private * * *. It must be vested in the Government itself so that the banks may be the instruments and not the masters of business and of individual initiative and enterprise.

President Wilson's great hopes for a Federal Reserve System controlled by the people has been betrayed through the years. We have forgotten his wise warnings against special interests.

Since the day the Federal Reserve Act was signed, the bankers have been busy. They have sought by every device, every means, every back alley tactic, to take away the monetary system from the people.

In 1922, the New York bankers, operating behind the scenes with their ally, Secretary of the Treasury Andrew Mellon, established an illegal ad hoc committee to buy and sell securities on the open market. This committee was composed of the presidents of five eastern Federal Reserve banks. This was the beginning of the open market committee operations with centralized control residing in New York City. This was the beginning of the emasculation of the Federal Reserve Act as passed by Congress and signed by President Wilson.

In 1933, after more than a decade of backdoor operations, legislation was passed which gave statutory approval to the open market.

It is interesting to note that this bill was reported by the House Banking and Currency Committee without any hearings. It slipped through on the floor without a record vote after an intensive and ruthless lobbying campaign by the American Bankers Association. Representative Lemke, of North Dakota, clearly summarized what happened in that dark hour in our monetary history. I quote from a statement Mr. Lemke made on the floor of this House:

> I can well understand why this bill was considered in executive sessions by the committee, because, if my friends and colleagues, the gentleman from Texas [Mr. PATMAN], the gentleman from Pennsylvania [Mr. McFadden], and others had been permitted to take part in the considerations, the bill would never have appeared on the floor of this House in its present form—a bill of this kind could never have been born in the bright sunlight of day. It had to be born in executive session. And now we are asked to vote for it without knowing its contents and without having had time to digest its far-reaching results.

BANKERS SUCCEED WITH 1935 AMENDMENT

In 1935, with the Congress deeply concerned about the depression, the bankers moved in again and succeeded in passing legislation which gave the Board members staggered 14-year terms and which required that the Chairman of the Federal Reserve Board be selected from the membership of the Board.

As soon as the 80th Congress took office in 1947, the Republicans pushed through a constitutional amendment limiting the President to two terms. It was quickly ratified by Republican State legislatures throughout the country and soon became part of the Constitution. With 14-year terms for Federal Reserve Board members, any President is effectively prevented from naming a majority to the Board until his last year in office.

This has been a slick and effective device to keep the people as far away as possible from control of their own monetary system. Just look at the present situation as it faces President Johnson.

Of the present seven members of the Board, the first expiration date is that of Mr. Charles N. Shepardson, whose term expires January 31, 1968. Thereafter, the expiration dates extend on up through 1980 as follows: Mr. William McChesney Martin, Jr., January 31, 1970; Mr. Sherman J. Maisel, January 31, 1972; Mr. J. Dewey Daane, January 31, 1974; Mr. George W. Mitchell, January 31, 1976; Mr. J. L. Robertson, January 31, 1978; and Mr. Andrew Brimmer, January 31, 1980.

PRESIDENT UNABLE TO APPOINT MAJORITY TO FEDERAL RESERVE BOARD

It is evident that this schedule of terms precludes the President from ever appointing a Board of his own choosing. He has two appointments in his first term and, assuming a second term, he would have one appointment at the beginning of a second term, while the fourth would not come up until his last year of office.

With this situation, it is not surprising that the Federal Reserve Board takes its defiant attitude toward any President's policy.

In August of 1950, the Federal Reserve Board attempted to completely seize control of the monetary policies of the country in defiance of President Truman. President Truman, however, met with the Board and demanded that it maintain the 2½-percent interest rate on long-term Government securities, a rate which had continued in effect since the 1930's. President Truman won that showdown, thus saving the taxpayers billions of dollars. The country is lucky that it had a courageous, Democratic President willing to stand up for the people against the special interests.

The Federal Reserve Board then bided its time until the inauguration of the Eisenhower administration. In 1953, as President Eisenhower was being inaugurated, the Federal Reserve Board laid plans to complete its total seizure of monetary affairs. Later that year, the Federal Reserve Board, with the acquiescence of the Republican administration, started operating on the basis of its seized independence.

The actions—or maybe more correctly, the inactions—of the Eisenhower administration have cost the American people tremendous sums. For example, if the interest had been kept at the 1952 level of the Truman administration, we would be paying only $6.6 billion annually on the national debt instead of $12.750 billion. We could have done tremendous good with this sum of money. Certainly, we could have done something more productive than paying interest.

It is tragic when you realize that the American people have been forced to pay almost $60 billion in excess interest costs because of rising interest rates since 1952. This amounts to almost 10 percent of the gross national product and more than half of the estimated Federal budget for fiscal 1967.

Since the Eisenhower administration, the Federal Reserve has claimed complete independence from the President and from the Congress. Operating under its seized independence, the Board has consistently established its policies at the beck and call of the Wall Street bankers, resulting in higher and higher interest charges to the American public. Its defiant actions have continually upset economic and fiscal policies.

MARTIN DEFIES U.S. GOVERNMENT

Since the unconditional surrender of the Eisenhower administration in 1953, the Federal Reserve Board has become more and more defiant toward the Government. This shocking state of affairs was clearly illustrated when Federal Reserve Board Chairman, William McChesney Martin, appeared before the Joint Economic Committee in 1965. At that time, he falsely claimed:

> The Federal Reserve Board has the authority to act independently of the President, even despite the President.

The Board, particularly under the chairmanship of Martin, has warped and twisted the laws governing its operations to move it closer to the banks. For example, the Open Market Committee is limited, by law, to 5 of the 12 presidents of the Federal Reserve banks and the 7 members of the Federal Reserve Board. Its meetings are conducted behind locked doors and no member of the Congress or the executive branch may participate or have knowledge of what goes on in these secret sessions. Yet, Chairman Martin, in violation of the law, has allowed all 12 presidents of the Federal Reserve banks to participate in these sessions.

Each of these bank presidents is elected by a nine-man board of directors, six of whom are picked by the commercial banks in their district. Today, 84 of the 108 members of the boards of directors of these 12 Federal Reserve banks are either now, or have been, officers, stockholders, or employees of commercial banks.

In what other agency would the Congress and the people of the United States permit such inside dealings? Would we allow the presidents of the railroads to participate directly in the policymaking at the Interstate Commerce Commission? Would we permit the electric power companies to run the Federal Power Commission from the inside? Would we allow the Federal Communications Commission to be turned over to the television networks? Any such move would of course bring a loud hue and cry from all parts of the country and from every Member of Congress.

The twisting and turning of the Federal Reserve leaves many casual observers confused. They intend it that way. The Board's current chairman, Mr. Martin, has been especially nimble. One day, we find Mr. Martin ignoring the law; the next day using the same law to the advantage of the Federal Reserve. In the Federal Reserve's view, the law is fine when it helps the banks. But it is another matter when the law might help the public.

The Federal Reserve Board's jack-in-the-box attitude toward the Full Employment Act of 1946 is especially illustrative of its willingness to talk out of both sides of its mouth. When Mr. Martin has been questioned about the Board's periodic increases in interest rates, he has been known to fall back on the Full Employment Act as his authority. In these cases he says that the act instructs him and gives him authority in this area. This is his attitude when he seeks a rationale for gouging the public with high interest rates.

But when we talk about the Full Employment Act's provisions for coordination of monetary and fiscal policies, then the Federal Reserve Board Chairman pretends as if he had not heard of the act. Coordination is a dirty word in the language of the Federal Reserve Board. Coordination, as required by the Full Employment Act, would mean that the Board would be required to work with the rest of our Government in pursuing policies in the public interest. Coordination, as required by the law, would mean that no longer could the Board take advice solely from the bankers.

MARTIN CLAIMS FEDERAL RESERVE IS ABOVE THE LAW

In short, Mr. Martin uses any law when it benefits him. When the law does not coincide with his personal bias, he ignores it. He claims independence. He apparently means that he and the Federal Reserve System are above and beyond all the laws in the country—a power unto themselves.

Can this exist in a democracy?

The Congress has a good reputation as a watchdog over excesses of governmental agencies. That is one of the duties and responsibilities of the Congress. It is part of the checks and balances that make our democracy work in the public interest.

Yet we stand here and allow the bankers to run the Federal Reserve System. We do not impose even the most elemental safeguards on the activities of the Federal Reserve Board. We do not require any of the watchdog standards which we apply to all other agencies of the Government.

For example, the Federal Reserve is not even subject to an outside audit—an independent audit of any kind—or an audit by the General Accounting Office. Why, among all agencies of the Government, should the Federal Reserve System be exempt from this basic safeguard? This alone should raise suspicions in the minds of every Member of Congress and every citizen of this country.

And the Federal Reserve does not even come to Congress for appropriations. The appropriations process, as we all know, provides an important check on the activities of many agencies. It is a basic part of the Congress' review process. But we exempt the Federal Reserve from this scrutiny.

The appropriations process may be criticized by some, but it survives because it safeguards the fundamental right of the people to control the operations of Government through their elected representatives. This is a protection for the people. But this protection is nonexistent in connection with our monetary policy.

The Federal Reserve finances its operations through $40 billion worth of Government bonds. The Federal Reserve holds these bonds in the New York Federal Reserve Bank and draws $1.5 billion in interest on them from the U.S. Treasury each year. Now, these are bonds which the U.S. Government has paid for once. Yet, the Federal Reserve continues to hold onto these bonds and continues to bill the U.S. Treasury for interest on them. It finances its operations out of this huge fund. This is why it feels so free about spending its money. For example, it pays $90,000 in dues annually to the American Bankers Association and various State banking associations, all lobbying organizations for the banks. There is no accountability to anyone.

SEIZED INDEPENDENCE RESULTED IN DECEMBER DEFIANCE

This fantastic defiance of all the normal processes of Government explains why the Federal Reserve has taken so many antipeople actions through the years. It explains why the Board acted as it did last December 6, leaving the country in its current monetary morass. As we know, the Federal Reserve Board, on a split 4-to-3 decision, decided to raise the discount rate and the rates banks pay on time deposits. The most important of these increases actually amounted to a 37½-percent hike in interest rates. The December action was a clear violation of the Full Employment Act of 1946 and its requirements for coordination of economic policies. It was a clear and blatant definance of the President of the United States and the U.S. Congress. It was a clear and open defiance of the interests of the American public.

That action was taken for one reason and one reason only, and that was to aid a small number of large banks which were then holding $16.5 billion in certificates of deposit.

These big banks faced the loss of these short-term deposits unless the Federal Reserve Board acted in their behalf and raised interest rates.

On the afternoon of December 2, the big banks in Chicago and New York decided that they had to have an increase in interest rates immediately. Within 30 minutes of one another, the New York Federal Reserve Bank and the Chicago Federal Reserve Bank wired the Federal Reserve Board in Washington demanding the increase. The following day, the Federal Reserve Board met in secret and followed the orders of the New York and Chicago Federal Reserve Banks. They let the public in on the decision on December 6 and ever since then we have been on this interest rate roller coaster.

I urge my colleagues to read volumes 1 and 2 of "Recent Federal Reserve Action and Economic Policy Coordination," the hearings before the Joint Economic Committee on December 13 through 16. These are hearings which we conducted immediately following the December interest rate increase. In these volumes you will find direct admissions by members of the Federal Reserve Board that the action was taken to save these certificates of deposit for the big banks. There is no question about it. It is there, fully documented.

It will be years before the country recovers from the sledge hammer blow of this special interest action. I am sure, Mr. Speaker, that all of my colleagues have seen in their own home districts the tragic toll that high interest rates have exacted from the low- and moderate-income families. Homebuilding, I understand, is down 35 to 40 percent from last fall. Everyone is paying heavily for our folly of allowing the Federal Reserve System to operate on the basis of "seized independence."

EFFECTS OF HIGH INTEREST

Let me cite just a few of the more profound effects that the Federal Reserve's December action has had on the American economy:

The American people will pay almost $125 billion in interest during 1966, approximately $10 billion more than the national budget.

The American taxpayers will shell out $13 billion for interest payments on the national debt. This is the largest item in the Federal Budget outside of expenditures for defense.

Homeowners will pay $20,824 in interest on a 30-year, $20,000 loan. This means that the interest on a house will be worth more than the lumber, glass, workmanship, land, plumbing, and everything else.

The Federal Government, along with the small businessman, the consumer, and the farmer, will pay record interest rates on all borrowings. High interest costs will be reflected in every item in the economy, thus adding to the higher cost of living.

Higher interest and tight money will force many local and State governments to cancel plans to build schools, waterplants, sewage facilities, parks, highways, and other needed facilities.

High interest will unbalance the fiscal 1967 Federal budget. Excluding the cost of the war in Vietnam, the administration's 1967 budget was up only $600 million from the previous year. But, increased interest costs forced the administration to add $750 million to the budget to pay new interest charges on the national debt. In other words, we would have had a reduction in the budget had it not been for the sudden increase in interest.

High interest rates are threatening every program of the Great Society. Much of the Great Society legislation is directed at the poor and low- and middle-income families; yet high interest rates are picking the pockets daily of these income groups. At the same time, high interest rates are siphoning off budget dollars badly needed to finance these programs.

Yes, Mr. Speaker, many of the great programs enacted by this 89th Congress will be washed down the drain by high interest rates. We are placed in the rather absurd position of enacting laws only to have them vetoed, not by the President, but by the Federal Reserve System. We have a mechanism to override Presidential vetoes. Can we not summon the courage to override a Federal Reserve veto?

In these perilous times, it is highly dangerous to have a Federal Reserve System operating so far out of the mainstream of governmental policy. It is foolhardy.

In 1935, long before the Full Employment Act become law, the then Chairman of the Federal Reserve Board, Marriner Eccles, foresaw the critical need for coordination of economic policies. Chairman Eccles, in contrast to the defiant members of the present Board, saw the grave danger of the Federal Reserve System going off in one direction, and the Government in another. During hearings before the House Banking and Currency Committee in 1935, he said:

> It seems to me that an administration is charged, when it goes into power, with the economic and social problems of the Nation. Politics are nothing more or less than dealing with economic and social problems. It seems to me that it would be extremely difficult for any administration to succeed and intelligently deal with them entirely apart from the money system.
>
> If you have such exigencies—war is a case in point and depression is a case in point—then I think it would be very unfortunate if the administration was unable to carry out its program. I stated . . . that the responsibility of any administration in power is largely a social and an economic one. Practically all political questions relate to social and economic problems. An administration cannot be charged, when it comes into power, with dealing with these problems separately, free, apart, and divorced from the money system.

CONGRESS SHOULD ACT NOW

Mr. Speaker, I am convinced the time has come for the Congress to stand up and deal with monetary policy on a public interest basis. The time has come to put a stop to the continued abuses of the Federal Reserve. The time has come to protect the public in accordance with our oath of office.

Last year, I introduced H.R. 11, designed to correct this situation and to return control of the money policy to the elected representatives of the people.

My bill would make the term of the Chairman of the Federal Reserve Board coterminous with the President's tenure and would reduce the number of members of the Federal Reserve Board from seven to five, and their terms from 14 to 5 years. Under this bill, the President would be able to choose a Board that would work in harmony with the economic policies and programs of the administration.

H.R. 11 would coordinate the Nation's money policy with the general economic goals of the administration by requiring the Federal Reserve to report regularly to Congress on its activities to implement the President's economic programs. Also the bill would abolish the Open Market Committee which determines the extent of the money supply through its bond purchases and sales, and vest this power in the Federal Reserve Board directly. In this way, the Board would be directly responsible for its actions to the President and the Congress in this more vital area of monetary policy.

The bill would call for repayment in full of the nonproprietary Federal Reserve stock now in the hands of the private banks. This would put to rest for all time the spurious allegations that have been pushed off on the American people—that the private commercial banks own the System. The retirement of the Federal Reserve stock would prevent the myth of bank ownership from being perpetuated.

PROVIDES FOR AUDIT OF FED

The bill further provides for an annual audit of the Federal Reserve System by the General Accounting Office. It is ridiculous that no independent or governmental audit has even been made of America's central banking system since its inception five decades ago. The bankers opposed to improving the Federal Reserve System do not favor such an audit, yet bankers are the first to require a satisfactory audit of those who seek to borrow money from the banks.

H.R. 11 would also require the Federal Reserve to turn all of its revenue over to the Treasury and annually receive its needed funds for operations via the traditional congressional authorization and appropriation route.

This bill would give us the opportunity to control runaway interest rates. It would assure that the elected representatives of the people have a meaningful voice in the economic future of their country. No longer would we have to sit idly by while the Federal Reserve wrecking crew went to work on the economy. We need to give the American people a real answer to the destructive high interest, tight money policies which plague the country. They do not want more flim-flam. They do not want more explanations about nonexistence independence. They want solid, concrete action, and I am convinced they want it now.

Mr. Speaker, the gentleman from Missouri [Mr. Curtis] will be debating the other side. Certainly, there is nothing wrong with this. We have different viewpoints about the Federal Reserve system. We are on the Joint Economic Committee together and have been for a number of years. We often agree on things, but we also often disagree on other things, particularly the Federal Reserve.

The other day, with that understanding between us, I asked that I be allowed to proceed for 1 hour today, and at his suggestion and request the gentleman from Missouri be allowed to proceed for 1 hour after I had proceeded for 1 hour.

Since that is the arrangement, I wonder if the distinguished gentleman from Missouri would permit me to forgo the use of some of my time now, to allow him to proceed. I have been speaking about 40 minutes. Then would the gentleman let me use the remainder of my time later? Would that be satisfactory?

Mr. CURTIS. I would be happy to agree. I do have a difficult problem. I have a live broadcast coming through at exactly 1 o'clock, so I shall go into the cloakroom to do that. If I could proceed for about 5 minutes and then have the gentleman proceed, when I am finished out there I could proceed further, and I would be happy to yield to the gentleman.

Would that be agreeable?

Mr. PATMAN. That would be agreeable, or I could go ahead until the gentleman has finished.

Mr. CURTIS. Whichever the gentleman prefers. Either will work out.

Mr. PATMAN. That will be satisfactory.

With that understanding, Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may be allowed to proceed for 5 minutes at this time, with the time to be taken from his time, and that I may be permitted to resume after he finishes.

The SPEAKER pro tempore (Mr. Gibbons). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. Curtis] is recognized.

Mr. CURTIS. Mr. Speaker, I am very pleased that the chairman of the Joint Economic Committee, who is also chairman of the Committee on Banking and Currency of the House, is taking this time to discuss this very important and basic issue on the floor of the House and under this kind of arrangement, where those who disagree—as he rightly stated, I do disagree with some of the fundamental point he is making—have an opportunity to respond.

The first comment I would make to the gentleman is that one of the things which started this colloquy was a statement I made in the Record on June 23, 1966, that the Democrats were the high interest rate party. I said that because I thought it was true; but also to move the dialogue forward.

I have been most interested to hear the gentleman from Texas devote time to telling the House, as well as the people of the country, what is wrong with high interest rates. I could not agree with him more that some of the things he has spelled out, and many more things besides, are the bad results of high interest rates. There is no quarrel about that.

The point I must make to the gentleman from Texas is that he is a minority voice among those of his own party. It has been the Democrat-controlled Congresses which have created the monetary and fiscal policy we are presently following in the United States. Certainly this has been so since 1961, when the Democratic Party has controlled the executive branch of the Government.

So, to put this into context, the gentleman from Texas must recognize that his own party is involved, and he has been unable to get his point of view across to the congressional leaders of the Democratic Party or to those who have held the Presidency; namely, President Kennedy and President Johnson.

The Federal Reserve System is clearly an arm of the Congress. It was created in that fashion. Congress deliberately tried to prevent the very point the gentleman from Texas is complaining about, that no President has the power to appoint and therefore control a particular Federal Reserve Board. The term of office originally was 10 years. Today I believe it is 14. I might say to the gentleman from Texas, this long term was very deliberately set so that no President would have such power. This is what we have done with respect to other arms of the Congress, other regulatory bodies the Congress has created to carry out its constitutional functions.

The constitutional function here is a power of the Congress to coin money and regulate the value thereof. This is not a power of the Presidency. When the Constitution was written it was felt that the Congress should have this power. The same is true in the field of the Federal Trade Commission, the Federal Communications Commission, and the Interstate Commerce Commission.

These are independent organizations and arms of the Congress to carry out the Congress' basic constitutional power to regulate interstate and foreign commerce. The President does not have this power. The Congress has this power. The Congress in its wisdom realized it could not exercise this power itself on a daily basis and, therefore, delegated it to an independent agency responsible to the Congress. But Congress at any time could step in and interpose, if it thought any of these independent agencies were not carrying out the intention of the Congress in fulfilling these regulatory activities.

The only reason the President was ever given the power of appointment was as a matter of convenience, just as in the Constitution itself, with respect to one of the independent branches of Government; namely the judiciary, the President is given the power of appointment as a matter of convenience; not so that he can control the judiciary but so that it could function. However, the term of office here was life during good behavior.

The SPEAKER pro tempore. The time of the gentleman from Missouri [Mr. Curtis], under the unanimous consent request has expired.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I appreciate this, because I do want to close my thought on this and then turn it over to the gentleman from Texas [Mr. Patman], and I will make my phone call and come back.

So the power of appointment of these other congressional arms was given to the President as a matter of convenience.

I think I can really drive this point home by pointing to the Comptroller General, in charge of the General Accounting Office, which everyone recognizes is an arm of the Congress and not of the Executive at all. We gave the power of appointment of the Comptroller General to the President, but the term of office of the Comptroller General is 14 years, so that no President has control over him. Another agency which I have to deal with a great deal in the Committee on Ways and Means is the Tariff Commission, which is clearly recognized as an arm of the Congress in regulating our foreign trade.

Now, Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Under the unanimous-consent request, the gentleman from Texas [Mr. Patman] is recognized for the remaining 20 minutes of his special order.

Mr. PATMAN. Mr. Speaker, after the gentleman from Missouri returns, I shall endeavor to answer his arguments made about the so-called independence of the Federal Reserve System. In the meantime I would like to state that this subject has had considerable consideration and attention by the Committee on Banking and Currency of the House and by the Joint Economic Committee.

The Joint Economic Committee, of course, serves both Houses of Congress. It does not have the power to initiate legislation and it should not have such power. It is composed of eight Members of the Senate and eight Members of the House. The Joint Economic Committee has conducted many and far-reaching investigations and studies concerning the monetary system as well as many other important matters of the Government.

Mr. Speaker, it is the duty of this committee to make these investigations and studies and to make them available to people who are interested throughout the Nation. The reports are usually sold through the Government Printing Office at so much per copy, and the recommendations of the Joint Economic Committee, I know, have been used by the legislative committees of the House and Senate in drafting, studying, and passing upon legislation.

The Joint Economic Committee, Mr. Speaker, has in my opinion certainly earned its keep as an important committee of the Congress.

1964 HEARINGS BY BANKING AND CURRENCY COMMITTEE

Now, Mr. Speaker, the Committee on Banking and Currency during the year 1964 conducted hearings on the Federal Reserve System and made many reports thereon.

Mr. Speaker, the Subcommittee on Domestic Finance of the Committee on Banking and Currency had charge of this particular investigation. And, as chairman of the whole committee, I had and still have the honor of being chairman of the subcommittee. The other Democrats on this subcommittee were the gentleman from Wisconsin [Mr. REUSS], the gentleman from Ohio [Mr. VANIK], the gentleman from Florida [Mr. PEPPER], the gentleman from New Jersey [Mr. MINISH], the gentleman from Georgia [Mr. WELTNER], the gentleman from California [Mr. HANNA], and the gentleman from California [Mr. CHARLES H. WILSON].

The Republican minority members were the gentleman from New Jersey [Mr. WIDNALL], the gentleman from Michigan [Mr. HARVEY], the gentleman from Ohio [Mr. Bolton], the gentleman from Tennessee [Mr. BROCK], and the gentleman from Ohio [Mr. Robert Taft, Jr.].

A PRIMER ON MONEY

Now, Mr. Speaker, one of these studies was made into a report called, "A Primer on Money." After it was finished, as chairman of the Domestic Finance Subcommittee, I wrote a letter of transmittal to the whole committee as follows:

> HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON DOMESTIC FINANCE OF THE COMMITTEE ON BANKING AND CURRENCY,
>
> *Washington, D.C., July 30, 1964.*
>
> *To Members of the Subcommittee on Domestic Finance:*
>
> Transmitted herewith for the use of the Subcommittee on Domestic Finance of the Banking and Currency Committee is a "Primer on Money," which explains in simple, everyday language how our monetary system works and indicates where it needs reform. For a great many years I have been concerned with the need for more popular information on this very important subject, and, as time permitted over the years, this publication emerged from the notes which I have kept.
>
> Involvement with the Federal efforts to get this country out of the depression in the Thirties and with the tremendous war financing problems of the Forties as well as my sponsorship of the Employment Act of 1946 has brought home to me the great importance of an adequate and widespread public understanding of money and banking.
>
> While responsible for preparation of the primer, I am indebted to many colleagues throughout the years and to members of the Banking and Currency Committee staff for their valuable suggestions. At the same time, I wish to express my gratitude to a great scholar, Dr. Seymour Harris of Harvard University, whose encouraging sentiments appear immediately following.
>
> It is a source of deep gratification to me that the majority members of the subcommittee voted unanimously to have this primer printed as a subcommittee print, the number representing a majority of the committee.
>
> WRIGHT PATMAN,
> *Chairman.*

The Seymour E. Harris statement is entitled "The Patman Crusade" and it starts off by saying:

> Congressman PATMAN's "Primer on Money" is a reminder of the unique service which the Congressman has given the American people in the last 40 years.

The first part that is discussed in this report is the introduction. It says that most people when asked about money will say—all they know about money is that they do not have enough.

Money is a manufactured item. The amount of money available to the economy is determined by the manufacturers and this amount usually called the money supply is one of the two or three most important influences determining business activity, incomes, prices and economic growth.

Second. Under the Constitution it is the right and the duty of the Congress to create money.

It is left entirely to the Congress.

Third. Congress has farmed out this power and let it out to the banking system composed of the Federal Reserve and the commercial banks. Only those two can manufacture money—that is currency and demand deposits—checkbook money, which are instantly available to make purchases and to pay bills.

Exactly how this system creates money will be explained in the body of this publication.

None of the other financial institutions of any nature has this power to manufacture money.

The manufacturers of money possess an immense power which if properly used can work in the public interest.

But the same power if abused can be greatly detrimental to the national welfare. The power has been abused and reforms are needed to promote the public interest.

The ability to manufacture money is the heart of the commercial banking system. Bank profits depend upon lending and investing of bank created money. Banks are given this privilege of creating the very money they profit from because they have an important economic function to perform. Banks provide the money which the economy needs to prosper and grow. This money is not unlimited. The banking system can only create so much money at any time.

Who decides how much money can be created and how the decision is made effective is another subject dealt with in this publication.

Since money is limited, someone must decide where the best places are to put the available money and under what conditions. This the banking system does.

Bank earnings are the return for the wise and proper placing of the money supply.

Individual banks are chartered primarily for the purpose of serving the areas in which they operate.

Public interest is served if the bank creates money to satisfy the needs of its area as far as possible and help the progress of the community.

For some time now banks have been forgetting their primary purpose. They have become less and less interested in extending credit to local businessmen and farmers especially if they are small.

They have been reaching out to you and using their money-created power to purchase long-term U.S. Government and tax-free municipal bonds.

The Government with its credit rating does not need their money, but their local areas do need their money. But purchasing Government and municipal bonds is profitable and requires almost no time or paperwork.

Bankers, like other people, can forget their duties and look at their activity purely from their own narrow viewpoint, the level of bank earnings. When they do, their obligation to help the people of their area with expanded bank credit is shunted aside and they are no longer operating in the public interest.

WHAT IS MONEY?

The first subject discussed is money and society.

What is money?

Where does money come from? How is it created? By whom and for what purposes is money created?

Perhaps these questions seem elementary to some readers. Yet, they are questions which many people, usually well informed as well as others, cannot answer. Money, it appears, is a very mysterious subject.

Over the long span of human history, money has assumed many forms and shapes.

Different societies at different times have been willing to exchange goods and services for seashell, whales' teeth, boar's tusks, stones, feathers, bricks, coconuts, cocoa beans, iron rings, salt, beaver belts, blankets, bronze, axes, wheels, and so forth.

HOW IS MONEY CREATED?

After a discussion of what is money we come to a discussion of the question, "How is money created? Where does money come from?" That is a question that few of us ever think about. Most people tend to assume that money has always been in existence and that some law of nature generates a fixed and unchanging supply of it.

THE FEDERAL RESERVE ACT

After that discussion we have a discussion on a very interesting subject that includes the question, "Why was the Federal Reserve Act passed?"

Passage of the Federal Reserve Act in 1913 was only one of the many steps taken by the Federal Government over the years toward the creation of a stable and reliable money system, though undoubtedly the most notable of them was in 1913, a law that was passed 2 days before Christmas, December 23, 1913.

Then there is the very interesting discussion of who determines the money supply. If the average man were asked to list the 10 most prominent groups of men in the world, the chances are he would fail to mention one particular group of enormous power here in this country. If the pollings were continued and the next question asked was to name the market where the most claims to wealth are traded, the answer again would be faulty. It is neither the New York Stock Exchange, the Chicago Wheat Exchange, or the other big markets. In fact, the pollsters would be able to retire in old age before they received a correct answer, so few are the people who know.

WHO OWNS FEDERAL RESERVE?

The next discussion in the committee print is a discussion of the question, "Who owns the Federal Reserve System?" In recent years certain misconceptions of the conflict about who owns the Federal Reserve banks have developed. The reason is that when the Federal Reserve was established, it was felt that the proper way to organize it was on a capitalistic basis, but the stock which emerged in the Federal Reserve Act was not stock in the ordinary meaning of that term at all. So recent years have been marked by conflict between private bankers and public officials, each claiming ownership of the banks. Certainly that question should have been cleared up and has been cleared up.

WHY FDIC ACT WAS PASSED

The next discussion is on the question, "Why the Federal Deposit Insurance Act was passed." That includes the interesting and important questions and answers on the main topic.

The next one is, "How the Federal Reserve gives away public funds to the private banks."

Private banks enjoy a very special relationship with the Federal Government. After all, most of the business firms employ private capital or privately owned resources to produce and protect or provide a service which can be profitably sold in the marketplace.

After that discussion we have one on the question of "What is monetary policy?" Throughout the preceding discussions the phrase "tight or easy money policy" was used liberally. Most people understand the term in ordinary terms. Monetary policy is too important to be left to broad terms, and there is a discussion of what is monetary policy that is of great interest.

I am reading all of this into the RECORD at this point.

Then we have the very interesting discussion of what improvements are needed in the money system. As we have seen, the money system is manmade, invented by man, devised by man, and controlled by man. It is, as Abraham Lincoln said, the creature of law. Therefore, there is no reason to conclude that the system is perfect. The process of improvement of the monetary system has not reached a final stopping place any more than has the process of improvement of the social and economic order.

The next discussion in the committee print includes conclusions and recommendations by the committee in the 88th Congress as released by the committee on June 28, 1964.

This, Mr. Speaker, I am inserting in the CONGRESSIONAL RECORD with the permission that I have already obtained to revise and extend my remarks and include therein extraneous matter. The reason I was reading it was so that it would appear in proper form, proper type, and so forth, in the CONGRESSIONAL RECORD. The CONGRESSIONAL RECORD type is always very small as we know. In fact, I think it is too small. It is too small to be readable by many people. But it is nevertheless true. I hope the committee that acts upon this matter one of these days will take another look, a more meaningful look, at the type of printing and agree to make it a more satisfactory type.

The complete document—"A Primer on Money"—to which I have referred and read into the RECORD follows:

PRIMER ON MONEY

THE PATMAN CRUSADE

By Seymour E. Harris, Littauer professor of political economy, Harvard University, emeritus.

Congressman PATMAN's "Primer on Money" is a reminder of the unique service which the Congressman has given the American people in the last 40 years. No one has defended the interest of the people more vigorously, more persistently, and more courageously against those who have assumed the responsibility of determining how much money there is to be, at what price, and who is to get it.

In the primer one will find a thoughtful elementary discussion of monetary policy and the relation of monetary to other facets of policy. But the primer contains, also, the Congressman's views on the most controversial issues of the day.

Here, for example, one will find a view well defended and needing to be presented, that the Constitution gives to the Congress and not to the Federal Reserve or the commercial banks, the power to create money and determine the value thereof. There is more than an implication that the Congress has surrendered its prerogatives too easily.

PATMAN also reminds us that President Wilson, when confronted with a demand that bankers join in the control of the monetary machinery, made the classic remark: "Which one of you gentlemen would have me select presidents of railroads to be on the Interstate Commerce Commission to fix passenger rates and freight rates?"

In view of President Wilson's philosophy underlying the new System, it is a matter of concern to Congressman PATMAN that the major policy decisions are now made by an Open Market Committee, with 5 of its 12 members presidents of the Reserve banks, 6 of the 9 directors of each bank being elected by the commercial bankers. I strongly support his proposal that the presidents of the Reserve banks should not be members of the Open Market Committee. The present powers of the Open Market Committee and the membership structure are rightly a matter of concern to the Congressman. Too much power resides in those who are the beneficiaries of the policies.

In 1959, legislation was passed which put billions of dollars of additional reserves at the disposal of the banks. The Congressman reminds us that the impulse to the legislation came from the American Bankers Association. He also reminds us that each dollar of additional reserve yields $5 of additional business for the banks without cost to them; and that one important effect is more business for the banks and less for the Reserve banks, unfortunate because most of the profits of the latter go to the Treasury.

Perhaps on no issue is Congressman PATMAN more eloquent than on the claim of the Federal Reserve Board and its supporters to the privilege of independence. He shows that the Board has no inherent right to move independently of the Government; that the costs of independence are great; that the justification of isolation from popular pressure, a presumed reason for independence, can as well be applied to tax policy and to many other policy areas.

The Federal Reserve System operates all too often in favor of high money rates which are not justified. Not that PATMAN wants inflationary policies; but the Fed often seeks higher rates than are supportable by the needs of the economy. And PATMAN can single out many periods when dear money contributed to excessive unemployment. He is as aware of the relation of high money rates to inadequacy of investment as was Keynes in his famous "Treatise on Money."

Hence I can only salute the Congressman from Texas. He keeps the finance men on their toes. If he sometimes exaggerates the evils and the mistakes, it is only because, like all innovators, he recognizes that a little exaggeration is an ingredient for putting a new position over, and especially when the opponents are powerful, numerous, and well organized, and often do not distinguish the financial from the general interest.

INTRODUCTION

First. Most people, when asked about money, will say that all they know about money is that they don't have enough. This is unfortunate. Money is a manufactured item. The amount of money available to the economy is determined by the manufacturers. And this amount—usually called the money supply—is one of the two or three most important influences determining business activity, incomes, prices, and economic growth.

Second. Under the Constitution, it is the right and duty of Congress to create money. It is left entirely to Congress.

Third. Congress has farmed out this power—has let it out to the banking system, composed of the Federal Reserve and the commercial banks. Only these two can manufacture money; that is, currency and demand deposits—checkbook money—which are instantly available to make purchases and pay bills. Exactly how this system creates money will be explained in the body of the book. None of the other financial institutions of any nature has this power to manufacture money.

Fourth. The manufacturers of money possess immense power which, if properly used, can work in the public interest. But the same power, if abused, can be greatly detrimental to national welfare. The power has been abused, and reforms are needed to promote the public interest.

Fifth. The ability to manufacture money is the heart of the commercial banking system. Bank profits depend on the lending and investing of bank created money. Banks are given this privilege, of creating the very money they profit from, because they have an important economic function to perform. Banks provide the money which the economy needs to prosper and grow. This money is not unlimited. The banking system can only create so much money at any time. Who decides how much money can be created, and how the decision is made effective is another subject dealt with in the body of this book. Since money is limited, someone must decide where the best places are to put the available money and under what conditions. This the banking system does. Bank earnings are the return for the wise and proper placing of the money supply.

Sixth. Individual banks are chartered primarily for the purpose of serving the areas in which they operate. The public interest is served if the bank creates money to satisfy the needs of its area, as far as possible, and help the progress of the community.

For some time now, banks have been forgetting their primary purpose. They have become less and less interested in extending credit to the local businessman or farmer, especially if he is small. They have been reaching out and using their money-creating power to purchase long-term U.S. Government and tax-free municipal bonds. The Government, with its credit rating, doesn't need their money; their local areas do. But purchasing Government and municipal bonds is profitable and requires almost no time or paperwork.

Bankers, like other people, can forget their duties and look at their activity purely from their own, narrow viewpoint—the level of bank earnings. When they do, their obligation to help the people of their area with expanded credit is shunted aside, they are no longer operating in the public interest.

Seventh. Originally, there was a residence qualification for bank directors. They were required to reside within the same limited area where the bank was to operate. The purpose of the requirement was to assure bank operation by local people who had the interest of the area at heart. State laws also required that bank directors live nearby.

These laws have been changed in recent years. Now only a certain number of directors must live in the locality. The others, in some cases, can live outside the State; in other cases, they are not bound by any residence requirements. Still other laws have been altered. Holding companies are now permitted, whose directors may live in another city or State, and who maintain control through local dummy directors. The local bank is then actually operated by absentee owners.

This, too, is a serious matter and requires careful attention. The independent bank, locally owned and operated, is a bulwark of strength in our country. Its disappearance is an abuse and should be stopped. If the present trend continues, the commercial banking system in the near future will be owned largely by absentee owners and a handful of financial centers.

Eighth. The questions at issue do not include whether banks should be permitted to make ample profits from their money manufacturing franchise. Of course, they should. Commercial banks are an important part of our economy. They have served our country well both in peace and war. The required reforms are called for only to assure that banks serve the public interest while earning their profits. The country needs banks and an efficient banking system. And banks must have fair profits to do an adequate job.

Ninth. The Federal Reserve System, consisting of 12 regional Federal Reserve banks and the Federal Reserve Board in Washington, is the control organization guiding the money manufacturing process—as will be explained later. The System was created by Congress and is a creature of that body.

As the ultimate controller of the money supply, the Federal Reserve has immense power. It is widely admitted that its influence on the level of business activity is significant. In fact, an important group of economists believes that the money supply is the main factor causing the ups and downs of the economy.

Tenth. Although a creature of Congress, the Federal Reserve is in practice, independent of that body in its policymaking. The same holds true with respect to the executive branch. The Federal Reserve neither requires nor seeks the approval of any branch of Government for its policies. The System itself decides what ends its policies are aimed at and then takes whatever actions it sees fit to reach those ends.

This independent arrangement raises two major problems. First, in a democracy the responsibility for the Government's economic policies, which so affect the economy, normally rests with the elected representatives of the people: in our case, with the President and the Congress. If these two follow economic policies inimical to the general welfare, they are accountable to the people for their actions on election day. With Federal Reserve independence, however, a body of men exist who control one of the most powerful levers moving the economy and who are responsible to no one. If the Federal Reserve pursues a policy which Congress or the President believes not to be in the public interest, there is nothing Congress can do to reverse the policy Nor is there anything the people can do. Such bastions of unaccountable power are undemocratic. The Federal Reserve System must be reformed, so that it is answerable to the elected representatives of the people.

Second, by tolerating an "independent" Federal Reserve, the country is in the position of having two control centers independently trying to guide the economy. The President and the Congress dispose of a major influence over the economy in their power to tax and spend—their fiscal power. The Federal Reserve is the overlord of the money supply. If these two are not steering in the same direction, they can either neutralize each other or have the economy lurching in all directions. This is not a rational system for setting economic policy. It has given us trouble in the past, as the text will establish, and will inevitably in the future.

But even more important than the problem of coordination is that of final control. When the "independent" Federal Reserve clashes with the President and the Congress, whose will prevails? Under the present regulations for appointment and tenure on the Federal Reserve Board, there is no pat answer. For all his power and responsibility for the welfare of the country, the President is not master, even with the approval of Congress, of the country's economic policy.

This is no mere theoretical debating point. Economic policymaking is a matter of choosing where to place the weight of policy. The Federal Reserve and the President sometimes make different choices. An example of that possibility has just occurred. The President and the Congress together fashioned an $11 billion tax cut with the express purpose, among others, of helping to keep the economic upturn alive through 1964 and into 1965. Yet the President found it necessary in his annual economic report to Congress to ask the Federal Reserve not to nullify his efforts to reduce unemployment and raise incomes. Should the President have to ask any congressionally created body to go along with his policy as approved by Congress? Obviously not. The President is elected by the people. He should, by right, have a fair chance to carry out his policies and views. The Federal Reserve may advise and counsel but it must not be allowed to veto. Reforms are needed to achieve this end.

Eleventh. Bad as "independence" is, the main fault of the Federal Reserve System—an admirable system if conducted in the public interest—is that too much power and control rests in the hands of people whose private interests are directly affected by the Federal Reserve's actions.

It is indisputable that the commercial banking community wields considerable power within the Federal Reserve. Each of the 12 regional Federal Reserve banks is operated by 9 directors—6 of them selected directly by the privately owned commercial banks. Further, the central decisionmaking body, which decides whether the System will press the accelerator or the brake, is the Federal Open Market Committee—the Committee and its work are thoroughly discussed in the main text. The Committee has 12 members. Seven are so-called public members—the members of the Federal Reserve Board—who are appointed by the President and ratified by the Senate. They represent the public interest. The other 5 members are drawn from the presidents of the 12 regional banks. Each bank elects its own president by a vote of the nine-man board of directors, with six private bank-selected directors on it.

This is not all. When the Open Market Committee meets every 3 weeks in Washington, all 12 regional bank presidents participate in the discussion, though only 5 can vote. The "discussion" committee then consists of the 12 regional presidents and the 7 "public interest" board members. The 12 presidents, of course, are free to persuade as they see fit.

In addition, the Federal Reserve Board confers periodically with a Federal Advisory Council that both advises and consults on business conditions. The board of directors of each regional bank selects one member of the council, and he is usually a banker—representing the bankers of his district.

Twelfth. Here, then, is the private banker influence. What does this mean? It means simply that the private banking interests are intimately if not decisively involved in determining the Nation's money supply and, consequently, the general level of interest rates. And interest rates are the very prices bankers charge for the use of their product—money. It means that decisions absolutely crucial to the public interest are arrived at by a body riddled with private interests, and these interests can easily conflict.

Thirteenth. When the original Federal Reserve Act was being shaped in 1913, President Woodrow Wilson was aware of this conflict of interest. He refused to allow private bankers on any board that would have the power to fix interest rates or determine the money supply. When some prominent New York bankers asked for representation on the proposed Federal Reserve Board, Mr. Wilson asked, "Which one of you gentlemen would have me select presidents of railroads to be on the Interstate Commerce Commission to fix passenger rates and freight rates?"

But institutions evolve. By 1934 and 1935, with Congress totally preoccupied by the cares of the great depression, new laws were passed essentially setting up the Federal Reserve System as it is today: a powerful central bank, as opposed to a conglomeration of regional banks, with a strong private banking voice on the decisionmaking Open Market Committee.

Fourteenth. The Open Market Committee, as presently established, is plainly not in the public interest. This committee must be operated by purely public servants, representatives of the people as a whole and not any single interest group. The Open Market Committee should be abolished, and its powers transferred to the Federal Reserve Board—the present public members of the committee, with reasonably short terms of office.

Also, the Federal Advisory Committee should be enlarged and reorganized. Members should be chosen for the broadest possible representation of the public interest, their main qualification: ability.

Fifteenth. It may seem strange, but Congress has never developed a set of goals for guiding Federal Reserve policy. In founding the System, Congress spoke about the country's need for "an elastic currency." Since then, Congress has passed the Full Employment Act, declaring its general intention to promote "maximum employment, production, and purchasing power." But it has never directly counseled the Federal Reserve.

The Federal Reserve has filled this vacuum itself. The ends its policies are intended to achieve are those chosen by the Federal Reserve—all certainly admirable, but not necessarily those which the Federal Reserve should take on itself to pursue. For example, there have been times when the Federal Reserve has restricted the money supply and raised interest rates to gain an end, which had much better been left to another Government agency or the Congress to attain. The country could have had lower interest rates without sacrificing anything else.

Congress must be more explicit. Guidelines for monetary policy should be laid down. And an annual review of the Federal Reserve's policies should be held by the Senate and House Banking and Currency Committees. Reports should be filed and recommendations made, if any.

Sixteenth. These criticisms and suggested reforms of the commercial banking and Federal Reserve Systems are offered for one purpose: to assure that the needs of the people and their Government are served to the fullest possible extent. The commercial banking system has a clear-cut responsibility to its local area that it must fulfill. The Federal Reserve System can have only one consideration: the public interest. The Nation's monetary system cannot be governed by or for the private interest of any one group.

There is no room in these criticisms for anything that smacks of unsound money. Neither inflation nor deflation is wanted. What is wanted is prosperity and high employment under the terms of the Full Employment Act. Our banking system, possessing the great monetary power of the United States, must serve that end.

CHAPTER I. MONEY AND SOCIETY

What is money? Where does money come from? How is it created? By whom and for what purpose is money created?

Perhaps these questions will seem elementary to some readers. Yet they are questions which many people—the usually well informed as well as others—cannot answer. Money, it appears, is a very mysterious subject.

Other questions of equal importance can be asked. For example, who decides how much money shall be in use at any one time? Or who decides how much will be paid for the use of money? These are questions which most of us never think about. Yet their answers lead directly to the Federal Government in Washington, which keeps constant watch over the amount of money available and the level of interest rates paid for its use. These quantities are no more matters of accident than, say, the number of automobiles produced in a given season. In the one case the Government decides; in the other the managers of the automobile companies.

In other words, deciding what the money supply and the prevailing interest rate will be is as much a part of the public business as any other decision of Government. But in these decisions the general public participates little if at all. Indeed, relatively few people are even aware that these decisions are being made. This is unfortunate because, except for decisions about wars and foreign affairs, the Government makes no decisions more important to our pocketbooks, our jobs, or our businesses.

Consider, for example, what a large part interest charges play in the cost of living. All of us know, of course, that the amount the Nation pays to the farmers is important in the cost of living. Farmers supply all of our food, plus, of course, much of the fibers used for making our clothing. The total gross farm receipts from marketings in 1963 was about $36 billion. In the same year, personal income from interest alone ran almost as high, $33 billion. And then there are the billions of dollars paid in interest to financial institutions which show up in personal incomes as wages and salaries, profits and dividends. Obviously, interest charges are closely linked to our cost of living.

This link is more easily seen by looking at business practice. All business firms have to borrow to conduct their operations—some firms more than others. An increase in interest rates means then an increase in business costs. More money has to be paid out for use of operating credit. Mining companies, smelters, steel mills, manufacturers, distributors, wholesalers, retailers, all pay more for the use of credit which means that costs of the final product are pyramided at each stage of the production and distribution processes. Utility and transportation companies supplying the water, power, communications, and so on, and transporting the goods to market, also have their costs increased. These cost increases are passed on, at least in part, to the consumer.

So the cost of goods consumers buy has an element of interest cost fitted in which must be included in prices for profitable operation. Interest is important enough simply as one of the costs of doing business, but is actually more than that. It is also a determining factor of the level of business activity. This is because interest rates affect the rate at which business firms invest in new plants, new equipment, and new inventory. Why do interest rates have this effect? Briefly, because some part of business' annual investment is paid for with borrowed money. And, in the usual case, firms will only borrow this money if the rate of interest is low enough to yield them a profit after all costs, including interest, have been paid. Raise the rate of interest high enough and almost any investment can become a losing proposition. When interest rates are high, then, the incentive to invest is blunted; lower rates sharpen the incentive.

The rate of business investment, in turn, is a major determinant of economic activity. It is the third largest component of expenditure for the country's annual output, ranking next after consumer buying and Government purchases. Interest rates by playing on the incentive to invest greatly influence the rate of total spending in the economy.

This second function of interest, as a lever which jacks business activity up and down, is perhaps even more relevant to everyday living than the first. Consider what happens, for example, when the Government is restricting credit. Interest rates rise as loans become difficult to obtain, even at the high rates. The high rates discourage investment in new plants, equipment, or inventory. Even firms willing to invest despite the high going rate find that banks and other financial institutions will not make the necessary funds available to them. Investment tumbles as firms postpone or cancel their planned outlays.

The small business sector is especially hard hit by such a turn of events. The scarcity of loan funds, more than the cost, plagues small business during a credit squeeze. Because they lack the bargaining power of their larger rivals in dealing with the lending institutions, small business firms cannot obtain their share of credit though willing to pay the going rate. Such firms which would normally be adding to the country's economic growth, not only cannot grow, but must retrench on their inventories, work forces, and so on, in order to adapt to the credit contraction. Not a few go bankrupt.

Yet these are only the first effects of a credit squeeze. Others occur because of the fact that part of the country's vast productive capacity is at all times geared to produce a certain flow of investment goods. When business brakes investment—the economy's growth slows—the investment goods industries find themselves overextended and react. For example, when business curtails the building of new plants, new retail stores, and so forth, the construction industry itself contracts. Construction workers lose jobs and so do the workers in industries supplying building materials. The so-called capital goods industries—industries which produce machinery and the other goods purchased by producers—slump. More workers are laid off. And there is a consequent drop in demand for basic raw materials of industry such as copper, steel, aluminum.

There is also a more subtle "cost" of high interest rates that is frequently forgotten. One of the important ways an economy grows is by becoming more efficient, that is by creating and adopting methods of producing and distributing more goods and services per given amount of labor. In fact, the modern standard of living was made possible only by the continuous increase in efficiency—technically labeled "output per man-hour"—over the past 250 years.

Many things contribute to rising efficiency. One of the most important is the continual invention of new machinery, equipment, or instruments, and the ceaseless refinement of old production techniques. But these improvements are stillborn until business has invested in the new plants and new machinery incorporating the innovations.

Another way an economy grows is by adding to its capacity to produce; that is, providing its workers with more tools to use in the production process. These additional tools—new factories and new machinery—equip new workers to produce as efficiently as those already employed and extend known efficiencies as far as possible.

When high interest rates choke off investment spending two things happen. The rate of growth of output per man-hour is less than it might have been. And the rate of growth of industrial capacity slackens. In other words, high interest rates today imply less full employment output than otherwise tomorrow, because, first, tomorrow's labor has less equipment to work with than it might have, and, second, this equipment is less efficient than it might be.

These results of a period of high interest are also a "cost," though the cost this time is of lost opportunities to increase tomorrow's income. But the cost is no less real. A smaller output from a given effort is a cost which appears as higher prices or smaller wages. The result is equivalent to a decision today to tax tomorrow's production.

Notice, the payment of this "low growth" tax does not at all depend on the economy being plunged into a recession. Even when the economy is working at full-employment levels, high interest will dull the inducement to invest. Relatively fewer investments will be made, and the output "mix" will be shifted away from investment goods. Efficiency and industrial capacity will grow more slowly than with low interest rates. The economy will still, in this case, be bearing the cost of high interest, though the cost does not appear as falling income and production. It does appear as a production growth rate lower than the labor force growth and normal efficiency gains would have suggested. High interest, therefore, can tax away production by two different and not necessarily connected effects: one, the cutting down of today's production, and two, changing the composition and not the amount of today's output, but restricting the capacity available for producing tomorrow's output.

What may appear, then, to be a simple decision to rein in the money supply and raise interest rates is, in fact, a simultaneous decision about the whole range of economic life—the prices people pay, the incomes they earn, the level of prosperity and the dynamic thrust the economy is permitted to develop. The fallout extends even further. As interest rates rise, a transfer of income also takes place—to the large holders of liquid assets and the large financial institutions. It is no accident that rising interest rates are accompanied by a boom in the market for stocks of banks and life insurance companies.

The major owners of these institutions—certainly concentrated among a tiny minority of families in the United States—receive gratuitous additions to their personal wealth as the value of their stock increases. This only reflects the fact that there has been a shift of income away from the interest payers—all of us in our role of consumers—toward the substantial interest receivers—only a relative handful.

Someone might ask, in view of the example, whether high interest is always a burden. The answer is both "yes" and "no." As far as interest is a cost of production or a transfer of income, the answer is "yes." It is always a burden. But there is one case, when the other "costs" of high interest are painless.

Consider the economy when it reached boom levels. Many firms find they were working all out, and an investment boom develops. In these circumstances it is possible that the capital goods producers will find they are unable to produce fast enough to meet the flow of new orders. Backlogs soar; capital goods prices start climbing. If the Government raises interest rates now and depresses investment, only the flow of new orders for capital goods is affected. There is no less of today's production during the time the capital goods makers are working off their backlog. And there is no future loss from any failure to take advantage of any efficiency gains because the economy is producing as many machines and plants as it can with present capacity.

These conditions for a "painless" high-interest policy—painless only with respect to forfeited income—are, of course, very special. They only occur during that part of a boom when the economy is running all out and unemployment has dropped to very low levels. And they last only until dwindling new orders start shrinking the bloated backlogs.

With these costs and conditions of tight credit in mind it is possible to consider briefly the total effects of tight money on our economy. For the past 10 years interest rates have been in a broad general uptrend in the United States. What reasons have the Federal officials responsible for this policy given for burdening the economy with higher interest? The words differ as the years pass, but the policy lingers on. In the early years, the reason given was that "too many dollars were chasing too few goods." In later periods, such as the prolonged credit squeeze of 1956–57, it was felt that business was building capacity more rapidly than consumer demand was increasing. In recent years, the balance-of-payments deficit was cited. Higher interest rates were necessary to prevent American capital from going overseas, lured by a favorable return on foreign short-term investments. And throughout this 10-year period there has been constant talk of "fighting inflation" by ever tighter credit restrictions.

Looking at this menu of necessities for tight money, the question has to be asked whether high interest rates were either the only or the least costly way of achieving the desired end. For tight money always costs, sometimes more than others.

In general, the sustained high-interest policy of the past decade does not pass the test. There were only two occasions when it could possibly be claimed that the economy reached those boom levels where tight money could operate with the least harmful side effects. There was a period during the Korean war and, perhaps, some parts of 1956. But even if tight money was the best way to deal with these periods, they passed, but high interest rates remained.

Otherwise there is little to be said for the high interest deadweight the economy has been dragging along. As a means of "fighting inflation" tight money is like using a cannon to kill a fly. If it does not kill the insect it will at least do a great deal of damage. The modern economy is just not an ideal patient for the tight money treatment for inflation.

As an inflation treatment, tight money is supposed to prevent price increases and maybe, rock back some prices. How?

High interest works by cutting demand for goods and, indirectly, labor. But as everyone knows, prices in most sectors of the present-day economy are simply not very responsive to fluctuations in demand, especially declines. Somewhat sluggish demand, as the steel industry made clear, is often insufficient to halt price rises, let alone force price cuts. And the same statement holds true for labor, which does not forgo wage demands simply because some workers are unemployed.

Tight money, therefore, can only hope to stop inflation—and this means merely keeping prices level—by pressing down hard on demand and keeping significant numbers of people unemployed. With the economy stagnating—and paying the full price of tight money—prices may be kept from rising. They will not fall, because labor will fiercely resist any attempt to cut wages and modern management prefers to accept a fall in demand in preference to a fall in prices. Some sectors of the economy, such as farming, will experience a price slide, but they are exceptional. High interest can fight inflation, then, only by making the economy pay a very high price.

In fact, the poor performance of our economy from the mid-1950's to recent times is precisely what would be expected from a tight credit clamp. Investment has limped along both absolutely and relatively to the level of output. Tight money certainly contributed. The economy's growth fell well below its historic average. And unemployment developed into a major problem again for the first time since the thirties. In a word, the economy stagnated during the prolonged credit contraction.

Of course, tight money was not the only cause of any of those developments. Other factors were also at work. How much of the lost incomes, profits, and jobs should be chalked up to high interest is, then, unknown. But that is not important. What matters is that tight money reinforced any tendency the economy had toward stagnation in recent years.

Fighting the threat—not the reality—of inflation by raising interest rates made sure that the economy would operate for years well below full capacity.

This is not to say that inflation should not be fought whenever price stability is truly threatened. Of course, it should and must be fought, but with the weapons appropriate to modern economic conditions. If the Federal officials responsible for credit policy take it on themselves to be the lonely army holding back a presumed inflation, then the economy is permanently committed to a state of semiparalysis. Here is a case where the treatment is as bad as the illness. The economy is condemned to 5 to 6 and even 7 percent of the labor force permanently unemployed. Costs are raised by pyramided higher interest charges. Opportunities for efficiency gains are permitted to slip by. Costs and prices, therefore, remain higher than necessary—under a policy of fighting inflation.

There is one more standpoint from which to view high interest—that of the taxpayer.

What does high interest mean to the taxpayers?

High interest means that the Federal Government, as well as the State and local governments, have to pay out more money in interest costs. In one way or another this is money which must come from the taxpayers. The interest cost for carrying the Federal debt is particularly sensitive to a change in interest rates. A large portion of outstanding Government securities is constantly coming due and the Treasury is constantly "paying" these off by issuing new securities. In a period when interest rates are being raised, the Treasury is replacing securities issued at low interest rates with new securities bearing higher rates.

Over the past decade, interest costs for carrying the Federal debt have mounted by huge sums year after year. By fiscal year 1963 the Federal Government was paying out almost $10 billion a year just in interest charges on the debt. This annual cost is about twice as large as it would have been if interest rates had been left at their 1952 levels. Half of $10 billion, or an increased cost of $5 billion, amounts to $26.20 a year for every man, woman, child, and infant in the country. Or, if yours is an average family of five, your share of the increased interest charges amounts to $131.

Add to this the increased costs the average family is paying on interest charges on the State and local debts, increased charges on the home mortgage, increased interest charges for buying an automobile, TV set, kitchen or laundry appliance on time and we see that increased interest rates make a dent in the family budget.

Finally, and perhaps most important of all, the Government's interest rate decisions vitally affect the future of our country in its race with the Communist world. Mr. Khrushchev boasts that the Soviet Union will be outproducing us within a few years and will "plow us under." Though the Soviet Union has stumbled recently, the boast is not to be taken lightly. The Soviet Union has shown itself capable of rapid economic growth. According to estimates made by the U.S. Intelligence Service, the Soviet economy grew at a rate of between 7 and 10 percent a year during the past decade. The Russians will do everything possible to regain that rate of growth. Our economy, on the other hand, grew at less than 3½ percent—its long-term average during the last half of the fifties.

It is pointless to argue about whether the Soviets will actually catch and surpass us in the foreseeable future. The point is that we are in a race that we most certainly do not want to lose, either 20 years from now, or 25 years from now, or ever.

Certainly then, there are good reasons why we should question the wisdom of our Government's following a high-interest policy when, as has been shown, one of its effects is to slow down our rate of economic growth.

In any case, in a democracy such as ours it is important that the general public know how its Government functions and who makes the decisions to follow one policy rather than another. The purpose of this book is to explain what money is and how it is created, how the money supply is controlled, and how interest rates are determined.

CHAPTER II. WHAT IS MONEY?

Over the long span of human history, money has assumed many forms and shapes. Different societies, at different times, have been willing to exchange goods and services for: seashells, whale's teeth, boar's tusks, stones, feathers, bricks, coconuts, cocoa beans, iron rings, salt, beaver pelts, blankets, bronze axes, and wheels.

In some of the South Pacific islands, great stone wheels served as money. Someone has said that those were the days when the men handled all the money. It took muscle to move a huge stone wheel.

In ancient Greece, oxen were money; one ox was the basic money unit. When the Greeks introduced coins of gold and silver, this unit remained the basis for metal money, with each of the various coins worth different fractions of an ox.

In ancient Rome different things circulated as money. When the Emperors were firmly established, they issued coins of gold and silver, and, throughout the Empire their subjects used them. In addition, the Romans used pieces of bronze and copper that were not made into coins; Roman merchants had to weigh and test each piece every time they made a sale or purchase. In the early days of the Empire, however, Caesar paid his legionnaires in cakes of salt, not metal, and the Roman Emperors did this again, in the later days of the Empire, when they began to run out of metal. This custom may be the origin of the saying that a person is—or is not—"worth his salt."

The point is this: Any number of different materials—including paper I O U's—may serve as money. How money functions, and what money represents, are the important aspects of money. What material the money is made of is not an important aspect at all. In any society, people may use as money anything they wish, provided that they agree with other people throughout the society that the material they are using has the same meaning for all of them.

The question, "What is money?" can be answered briefly: Money is anything that people will accept in exchange for goods or services, in the belief that they may in turn exchange it, now or later, for other goods or services.

Later, this book will discuss the various functions of money. Further, it will discuss the reasons why the kind of monetary system we have, and the ways in which it is managed, have profound effects on the amount of real wealth produced and distributed among different families in the country. Here, it is enough to say that an efficient, up-to-date monetary system, properly managed, is essential to a modern, industrial economy.

WHAT DID AMERICANS USE FOR MONEY IN EARLIER TIMES?

In colonial times, the earliest settlers used "wampum" more than anything else for money. Wampum consisted of clamshells strung like beads; the settlers considered these beads very valuable, even though it may seem surprising to us that, in our own society, people could have considered clamshells valuable as money. In fact, it must have been surprising to them, too, for these settlers had come from Western Europe where they had used and placed their faith in gold and silver, or claims to gold and silver. Nevertheless, the native Indians used wampum as money. When the settlers found that wampum was the most useful material they could have for trading with the Indians, they began to use it for trading among themselves. Wampum had the same meaning for both Indians and settlers: It was "money" for both.

So, in 1637 the government of Massachusetts made wampum legal tender, and fixed the exchange value between wampum of white clamshells and that made of black clamshells. And, in 1641, the New Amsterdam Council fixed the exchange value between wampum and Dutch money; New Yorkers continued to use wampum as their chief currency as late as 1672. As late as 1693, people could pay the ferry charge from New York to Brooklyn in wampum.

It is interesting to note that since wampum beads were generally strung, various ordinances on the subject prescribed that they must be "well strung." Since a string of wampum was a considerable amount of money for fairly large purchases, small purchases were frequently made by counting out loose shells. This may be why people even today say they are "shelling out" money.

Nevertheless, since the colonists did not trade only with Indians, they also used the coins of England, Spain, and France both for trading among themselves and trading with foreign nations. As trade with Europe increased, these coins became their principal form of money circulating throughout the Colonies as if they were locally minted.

In addition, most of the Colonies began to create their own systems of money by minting coins, usually of gold or silver. Some of the Colonies also issued paper money notes, supposed to be good for gold or silver coins. This meant that the colonists presumed that their treasuries had in their possession a dollar's worth of gold or silver to cover each dollar of paper money. Frequently, however, this was mere wishful thinking on the part of the colonists.

During the reign of George III, his Government forbade the Colonies to mint coins—or to issue any other kind of money. This policy, together with the fact that most of the foreign coinage the colonists had been using was eventually drawn away to help England finance the Napoleonic wars, ultimately created a severe shortage of coined or printed money in the Colonies. Some historians claim that the colonists' resentment against this policy was one of the major reasons they finally issued their Declaration of Independence from England.

Thus, despite the fact that the colonists had been using various foreign coins, and despite the fact that they also had been minting their own coins, these forms of money became generally scarce throughout the colonial period. In response to this shortage during the colonial period, and even later, the colonists began to use other, less familiar, commodities as money: nails, beaver and coon skins, whisky, musket balls and flints, tobacco, corn, codfish, rice, timber, tar, or cattle.

For example, early in their history, the colonists of Virginia, Maryland, and North Carolina adopted tobacco as their money standard and made it legal tender. When plantation owners harvested their tobacco and placed it in the warehouses, to await sale, the warehouse operators issued the owners paper receipts for the tobacco. When the owners made these receipts transferable, they circulated as a principal currency throughout these States. In fact, some of the American people were still using such warehouse receipts to a small extent almost up to the year 1900, long after most Americans had become accustomed to using the lawful money, such as we use today.

The use of tobacco as the basis of money illustrates the difficulties a society faces when it tries to make any commodity—gold or anything else—the basis of its money. When warehouse receipts for tobacco was the principal money in several of the early Colonies, tobacco production was an important economic activity in these Colonies. On the whole, tobacco money, though crude, did serve with reasonable efficiency considering the nature of the times.

But, as might be expected, what happened was that tobacco prices, which were determined in the markets of Europe, changed widely from season to season and year to year. This meant that the value of tobacco money changed relative to other commodities. Where long-term debts were contracted in terms of payment in tobacco money, neither the creditors nor the debtors could be sure what the value of the money would be when the debts were paid. These troubles, which inevitably increased as the economies of the Colonies grew more diverse and complicated, led to efforts on the part of the State legislators first to fix the price of tobacco in terms of European money, then to fix the price of other commodities in relation to tobacco.

WHAT WAS THE MONEY SYSTEM DURING THE REVOLUTIONARY WAR?

With the Declaration of Independence, the colonists repudiated the rule of England, and with it, the right of King George and his government to regulate their coining or printing of money. To help finance the War of Independence, they permitted the Continental Congress to print and issue great quantities of paper money. But as the Revolutionary War went on, American trade with Europe was interrupted, creating a widespread shortage of almost all kinds of goods. Since the Congress continued issuing more and more "Continental dollars," this paper money rapidly came to be worth less and less. By the end of the war, "Continentals" were so worthless that Americans began using an expression we still hear today. When people now say that something is "not worth a Continental," they mean exactly what the excolonists meant: that something has no value in itself—and that there is nothing behind it, to give it value, even as a symbol.

The "Continental" became worthless, however, not only because there were shortages of commodities, but also because it was easy to counterfeit, and the British did exactly that. Further, the Continental Congress actually had neither the power to declare what could be used to pay debts, nor the power to tax. Both of these powers remained with the individual States, until the Constitution was adopted. And the States refused to make good the Continental money.

WHAT HAS BEEN USED FOR MONEY SINCE THE END OF THE REVOLUTIONARY WAR?

With independence from England established, with the creation of the United States of America as a nation under its own sovereign rule, and with the adoption of the Constitution as the law of the land, the American people were free also to create their own money system. They could now coin or print money as they saw fit—that is, they could permit their Government to do it for them. But, even after the new Government coined metals and printed paper currency, to some extent, Americans continued to use other things as money, even though they were not lawful tender. The use of tobacco receipts and other kinds of money died out only gradually.

But the Government was not the only printer of money. During the 19th century two other organizations were given the right to print money: State banks and, then, national banks.

WHAT WERE STATE BANK NOTES?

Before Abraham Lincoln's administration, the private commercial banks were permitted to issue paper money, today called State bank notes. This meant that any private company that could obtain a charter to engage in the banking business from any one of the States could also print and issue currency, or notes, against the bank. And this was a time when most States followed the "free" banking principle; almost any group which desired to do so could open a bank, and issue notes. The terms and conditions under which these banks issued such notes, as well as the basis upon which they began to do business, depended only upon the requirements of the State where the bank was chartered and the notes issued. And, often the States had few or no formal requirements, to start a bank. Since the value of the notes of any State bank depended upon the reputation of the bank itself, and the reputation of a bank usually was not known outside the locality where it did business, many "frontier" or "wildcat" banks issued paper money with little or no value.

WHAT HAPPENED TO THE STATE BANK NOTES?

The State bank notes disappeared shortly after the Government passed the National Bank Act of 1863. This act, passed at the request of President Lincoln, provided for a system of private banks which were to receive their charters from the Federal Government and operate under Federal Government regulation. The Federal Government authorized the new national banks to issue national bank notes, also under prescribed rules and regulations. In addition, in 1865 the Government imposed a 10-percent tax on notes issued by State banks which, for all practical purposes, made it impossible for them to issue notes any longer. At that time, President Lincoln said:

> Money is the creature of law, and the creation of the original issue of money should be maintained as an exclusive monopoly of the National Government. * * * The privilege of creating and issuing money is not only the supreme prerogative of the Government, it is the Government's greatest opportunity.

WHY DID THE FEDERAL GOVERNMENT PASS THE NATIONAL BANK ACT?

The Federal Government intervened in the printing of currency by private banks because this had begun to cause the Nation a great deal of trouble. The United States was rapidly becoming industrialized; trade, once largely local, was fast growing nationwide in scope. Before the National Bank Act, there was no reliable money with a uniform value in every section of the country. Obviously, the unreliability of the money supply and its lack of uniformity were serious obstacles to nationwide trade. Moreover, the Nation was being transformed into a "money economy." This means that even then Americans were moving into specialized occupations, in contrast to earlier times when most people lived on farms, and each family produced at home much of what it needed. In a more complex and diversified economy, people gradually began to realize that it would be an advantage to have the Federal Government provide a regulated national system supplying a reliable money to finance the increasing production and trade, in place of the State banks with their separate and unrelated note issues.

WHAT HAPPENED TO NATIONAL BANK NOTES?

When Woodrow Wilson set up the Federal Reserve System in 1913, the Government withdrew the national banks' privilege of issuing banknote currency. A relatively small amount—about $37 million—of these notes, is still outstanding however. People have either buried them away in private holdings, lost, or destroyed them. The U.S. Treasury will redeem them when they are turned in, at the banks.

WHAT ARE THE FORMS OF MONEYS IN USE IN THE UNITED STATES TODAY?

Today, the American people use coins, currency—paper money—and commercial bank demand deposits—checkbook money.

WHY ARE COMMERCIAL BANK DEPOSITS LISTED AS MONEY?

The reason is that with a checkbook—and some money in an account, of course—anyone can make purchases, pay bills, or instantaneously procure any of the other forms of money—currency and coins. In other words, it is possible to do almost everything with a check that can be done with currency and coins. Not everything, however. People do not offer bus drivers checks when they want change. Only coins and paper money will do. Checks are not freely convertible everywhere into paper money and coins—cashing a check is a problem away from the bank which holds the deposit. But a checking account is so very close to the other two forms of money—representing purchasing power which is immediately available—that students of monetary affairs find it most convenient to include commercial bank demand deposits in the meaning of money. Savings deposits at commercial banks—technically, "time" deposits—are not included. The purchasing power in a saving account cannot be transferred by check.

At the time the Constitution was adopted, bank checks were almost unknown. By 1850, about half of the Nation's money was in the form of bank deposits. Today, about 80 percent of all money is in the form of commercial bank deposits. Currency and coin in circulation outside the Treasury, Federal Reserve System, and commercial banks, and deposits in commercial banks were as follows in the final week of February 1964:

	Millions
Currency and coin	$32, 000
Demand deposits in commercial banks	119, 700
Total	151, 900

WHAT IS "LEGAL TENDER"?

Legal tender is any form of money which the U.S. Government declares to be legal tender; that is, good for payment of taxes and both public and private debts.

WHY IS OUR MONEY VALUABLE?

Our money is valuable, primarily, because people will accept it in exchange for goods and services, as mentioned earlier in the chapter. But why will people accept it? And why don't they accept Confederate notes or German marks as well? The answer is the legal status of the dollar. As legal tender, the dollar can be used to pay taxes—it's advisable not to use marks. And debtors can discharge their debts by paying dollars. This is what a court will order debtors to do if they are sued for nonpayment. This makes the dollar valuable to creditors because debtors, wishing to acquire dollars to pay debts, will exchange valuable commodities or services for it.

WHAT ARE THE COINS IN USE TODAY?

To day, the U.S. Government mints pennies, nickels, dimes, quarters, and half-dollars. The pennies, or "coppers," of course, are made of copper. The other coins, however, are made of alloys of metals, the most valuable of which is silver, and the actual metals in the coins are not worth as much as the coins themselves.

Before 1934, the Treasury minted and issued gold coins; it no longer does. The Government enacted a law in 1934 prohibiting the use of gold coins as money, and calling in all gold coins issued before that time, except for the few people have been allowed to keep as souvenirs.

WHO ISSUES COINS?

In the United States, only the Federal Government may mint and issue coins. Specifically, the U.S. Treasury is the single institution that does so. The Treasury, however, issues coins through the Federal Reserve banks.

WHAT IS CURRENCY?

Currency is the paper money, or folding money, $1 bills, $5 bills, $10 bills, and the higher denominations. Americans use several different forms of currency today, although few of us notice any difference between them, and in practice, all forms of currency have the same value. At the end of February 1964, the amounts of each kind of currency, "paper" money, in circulation were as follows:

Federal Reserve notes	$31, 107, 000, 000
Silver certificates and Treasury notes of 1890	1, 718, 000, 000
U.S. notes	312, 000, 000
Federal Reserve bank notes	75, 000, 000
National bank notes	37, 000, 000
Total	33, 249, 000, 000

The Government no longer issues Federal Reserve bank notes and national bank notes. When these obsolete notes are turned into the banks, the Government replaces them by one of the other notes or silver certificates, and it then destroys these old notes.

WHO ISSUES CURRENCY?

In the United States only the Federal Government may print currency. Specifically, the Federal Reserve banks issue Federal Reserve notes. As the table indicates, about 94 percent of all currency in circulation consists of Federal Reserve notes. However, the U.S. Treasury itself did issue some silver certificates and U.S. notes. The Treasury only recently ceased issuing silver certificates. For all practical purposes, only the Federal Reserve now issues paper money.

WHAT BACKS THE TREASURY CURRENCY?

The Treasury currency in circulation today is largely silver certificates. By law, the Government requires the Treasury to keep on deposit a certain amount of silver to "back" silver certificates. The Treasury must do the same for the Treasury notes of 1890. This means that anyone holding silver certificates can obtain silver for them on demand. The Treasury's legal reserve of silver amounts to about two-thirds the value of the silver certificates in circulation.

WHAT BACKS THE FEDERAL RESERVE NOTES?

Behind the Federal Reserve notes is the credit of the U.S. Government. If you happen to have a $5, $10, or $20 Federal Reserve note, you will notice across the top of the bill a printed statement of the fact that the U.S. Government promises to pay, not that the Federal Reserve promises to pay. Nevertheless, most Americans don't realize what the Government promises to pay: American citizens holding these notes cannot demand anything for them except (a) that they be exchanged for other Federal Reserve notes, or (b) that they be accepted in payment for taxes and all debts, public and private. Certain official or semiofficial foreign banks may exchange any "dollar credits" they may hold—that is, deposits with the commercial banks—for an equal amount of the Treasury's gold. Americans themselves may not exchange them for gold. But because, in commerce with foreign nations, Americans may pay in gold, gold actually "backs" American dollars.

WHO ISSUES "CHECKBOOK" MONEY?

The private commercial banks issue "checkbook money." The next chapter will show the mechanics of how they do it, and how the Federal Reserve controls the amount of "checkbook money" they may create. Right now, it is just necessary to see what is meant by saying that the commercial banks create demand deposits, which may be exchanged for currency or coin anytime the depositor wishes.

Imagine there is only one bank in the country and that it has two private depositors, each with $50 in his checking account. Total bank demand deposits would then be $100. Suppose John Jones asked for a $50 loan from the bank, and the bank approved the loan. The bank would then lend the money to Mr. Jones by simply opening a checking account for him and depositing $50 in it. This is what ordinarily happens when anyone—business or private individual—borrows from a bank. The bank deposits the amount of the loan in the relevant checking account.

In making the loan to Mr. Jones, the bank did not reduce anyone's previous bank balance. It simply credited the Jones account with $50. The total amount held in bank demand deposits now becomes $150. The bank has, therefore, issued $50 in "checkbook money."

The natural question to ask is, Where does the bank get the additional $50 to issue and lend to Mr. Jones? The answer, as will become clear in the next chapter, is that the bank did not "get" the money at all. Money has been created. Of course, the bank's power to create money is limited. And a later chapter will show that the Federal Reserve sets the limits of this power to create money.

DID THE STATE BANKS STOP CREATING THEIR OWN MONEY AFTER THE FEDERAL GOVERNMENT PASSED THE NATIONAL BANK ACT?

Although the State banks ceased issuing bank notes, they continued to create money, in the form of bank deposits, just as they do today. In fact, as "checkbook money" has become increasingly popular, State banks have continued to create money in this form. They now create more of this kind of money than before the Government passed the National Bank Act. This act merely stopped the State banks from printing and issuing currency.

WHO SHOULD HAVE THE POWER TO CREATE MONEY?

The power to create money is an inherent power of Government. As President Lincoln said:

> The privilege of creating and issuing money is not only the supreme prerogative of the Government, it is the Government's greatest opportunity.

During the past several centuries, various governments in the Western World have, at various times, delegated the money-creating power to private groups or had this power taken from them by default. In these situations, control of the nation's affairs has been not so much in the hands of the official head of state, but in the hands of the private groups controlling the money system. A famous British banker once summed up the matter this way:

> They who control the credit of the nation direct the policy of governments, and hold in their hands the destiny of the people. (Reginald McKenna, Chancellor of the Exchequer in Britain during the World War I period.)

As we look over human history, we find that the tribal chief, the king, the pharaoh, or the emperor has usually had direct or indirect control of the society's money. In the modern, constitutional governments, one or another branch of the government is given responsibility for establishing and managing the money system. In the United States, the Constitution gives these powers to the Congress.

DOES THE CONSTITUTION, WHICH MENTIONS ONLY THE POWER TO "COIN" MONEY, GIVE CONGRESS SOLE POWER OVER ALL MONEY?

Yes. Article 1, section 8, paragraph 5, of the Constitution provides that "the Congress shall have power to coin money, regulate the value thereof, and of foreign coin." It is generally agreed that only the word "coin" was used because there were no banks of issue in the country at the time the Constitution was written, and the Founding Fathers assumed that coins would always meet the needs for lawful money.

Over the past century and a half, many questions about Congress powers over the Nation's money system have arisen, and the Supreme Court has upheld the proposition that "whatever power there is over the currency is vested in the Congress."

In McCulloch against Maryland in 1819, the Supreme Court held that Congress has a right to establish the first "Bank of the United States," to give it powers to issue currency, and that the States could not levy a tax on such an instrumentality of the Federal Government.

Years later the Supreme Court held, again, that Congress has the power to charter national banks and also the power to tax the notes issued by State banks—"not merely because it was a means of raising revenue, but as an instrument to put out of existence such a circulation in competition with notes issued by the Government."[1]

In the famous legal tender cases decided in the 1870's, the Supreme Court held that the Congress has the power to determine what shall be "legal tender," to make currency—that is, U.S. notes—legal tender, even though in so doing Congress overturned private contracts which had been entered into before the law was passed. In short, after Congress passed the Legal Tender Act, creditors were required to accept paper money—U.S. notes—in settlement of debts for which there were contracts calling for payment in gold.

Finally, in the famous gold clause cases[2] of the 1930's the Supreme Court held that Congress has powers to change the gold value of money and to call the Nation's monetary gold into the U.S. Treasury and to prohibit the circulation of gold money.

HOW DOES CONGRESS EXERCISE ITS POWER TO CREATE MONEY AND TO REGULATE ITS VALUE?

Congress has delegated this power in part to the Federal Reserve System and in part to the private commercial banks. Furthermore, it has delegated to the Federal Reserve System the power to determine how much money shall be created and to determine also—within wide limits laid down in law—what part of the total money supply shall be created by the Federal Reserve and what part by the private banks.

WHAT "BACKS" THE DOLLAR?

As mentioned earlier, from one point of view gold can be considered as "backing" the dollar. Certain foreign banks may exchange their dollar holdings for gold, whenever they desire. If, then, in our commerce with other nations, foreigners receive dollars, they know that ultimately these dollars are backed by gold through the exchange rights of the designated foreign banks. These foreign banks are "central" banks—a term which will be discussed in a later chapter.

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[1] *Knox* v. *Lee*, 1870, p. 543.

[2] *Nortz* v. *U.S.*, 1935; *Norman* v. *Baltimore & Ohio R.R.*, 1935.

But from a much more basic point of view, the dollar is backed by the credit of the U.S. Government, and, accordingly, by the credit and assets of all its citizens. There is no mystery about this. Most of the U.S. money in existence—currency, coin, and demand deposits—belongs to citizens of the United States. They cannot exchange their dollars for gold or anything else. They can exchange them only for other dollars. Yet, as the Federal Reserve notes show, these dollars are obligations of the U.S. Government. The Government promises to pay. It has placed its credit behind the dollar.

DOES MONEY NEED TO BE "BACKED" BY SOME SPECIFIC COMMODITY?

Because of the long experience of people in the Western World with money "backed" by a specific commodity such as gold or silver, many people feel that money is good only if it can be exchanged for a given quantity of some specific commodity, usually a precious metal. The fact that a dollar can be exchanged for many types of commodities, including gold in commercial forms, as well as for housing, professional services, and labor, does not always cure their uneasiness. Yet almost anyone who found a gold nugget, or somehow came into legal possession of gold bullion, would sell it. That is to say, he would exchange it for dollars because he could spend or invest the dollars, but not the gold. This raises the question whether it was the dollar which needs or needed to be exchanged into gold, or the opposite.

WHEN WAS THE U.S. DOLLAR CONVERTIBLE INTO GOLD?

For almost 100 years prior to 1934, except for 18 years during and following the Civil War.

DID THE GOLD DOLLAR MEAN THAT ALL OF THE CURRENCY AND BANK DEPOSITS COULD BE CONVERTED TO GOLD?

Yes; but in theory only. Anybody who actually asked to have his dollars converted to gold would get his gold. But if everybody had demanded gold for his dollars, the story would have been different. There was never enough gold in the country at any time to supply gold in exchange for all of the dollars.

For example, when the Federal Reserve was organized in 1914, commercial bank deposits and currency in circulation amounted to $20 billion, but there was only $1.6 billion of monetary gold in the country. In other words, the amount of money in existence was about 12 times the amount of gold in the country. A similar proportion holds today. In December 1963, the money totaled $157.4 billion and the Treasury's gold was $15.6 billion.

WHY DOES THE 1934 LAW MAKE IT POSSIBLE FOR U.S. CITIZENS TO DEMAND GOLD IN EXCHANGE FOR THEIR DOLLARS?

This law gives us a better money system because it has made the money system easier to manage. In the United States, gold is not needed to carry on our economic activities. Legal tender money, that is, the paper dollar, will buy anything that gold bullion could buy, and more.

And, because the Nation's gold supply was scattered, and buried away in private hoards prior to 1933, the dollar was less reliable in foreign exchange and, hence, more subject to changes in value at home.

HAS THE UNITED STATES ACTUALLY GONE OFF THE GOLD STANDARD?

Yes; except in its international transactions. The "gold standard" usually means that people may exchange their paper money for gold whenever they desire. Today, the dollar can be exchanged for gold only in international transactions, although we still define the dollar in terms of gold. In other words, when we owe foreigners money, they may collect it either in gold or in goods or services.

DID "GOING OFF THE GOLD STANDARD" CHANGE THE BASIS OF OUR MONEY?

In reality, no. The action which Congress took in 1934 merely formalized what had been true all along, which is this: Checkbook money, which, as we have seen, accounts for about 80 percent of our money, was created on the basis of all kinds of valuable assets. When a bank makes a loan to a business firm, secured by inventories or machinery, it has, in effect, created a dollar based on those inventories or that machinery. Similarly, when a bank makes a loan to a farmer to finance a crop, it, in effect, creates money based on farm commodities. In practice, of course, banks frequently make loans secured not by any specific assets but only by the general credit standing of the company or individual. If the loan is not repaid, the bank can sue and collect its money by forcing the sale of whatever valuable assets the company or the individual may have.

This evolution in the basis of money had taken place long before Congress passed new laws, beginning in 1934, which called all of the monetary gold into the U.S. Treasury and made it impossible for U.S. citizens to convert their dollars to gold.

IF WE DO NOT HAVE A "GOLD DOLLAR," WHAT KIND OF DOLLAR DO WE HAVE?

We have what is sometimes called a managed paper currency The dollar is based on credit, and every dollar in existence represents a dollar of debt owed by an individual, a business firm, or a governmental unit. Some dollars have been created in exchange for a claim against such specific assets as the plant or the inventories of a business firm, others have been created in exchange for a claim against the general credit of an individual company or governmental unit.

This paper money is said to be "managed," however, because an agency of the Federal Government—the Federal Reserve System—consciously determines and controls at all times the maximum amount of money which may be created.

IS MONEY WEALTH?

No. Money itself is not real wealth; it is only a claim to real wealth.

WHY DO WE USE MONEY?

Many primitive societies produce only a limited range of goods and often hardly enough of these to meet their day-to-day wants. Such a society can get along without any money. Trade is carried on by barter—that is, goods of one kind are simply swapped for goods of another kind.

But in a modern, industrial economy, barter would be inconvenient, if not impossible. For example, a man working on an auto assembly line might be paid his weekly wages in auto parts. He would have great trouble finding a butcher, a landlord, a doctor, and so on, all of whom happened to need auto parts and would take them in exchange for the goods and services they have to offer. We use money because money makes it easier for a nation to produce and distribute goods and services.

When people accept their incomes in money, rather than in a portion of the goods they help produce, they accept claims to wealth rather than goods which they could neither use nor store and preserve for future use. Thus, money makes it possible for the individuals of a nation to save and for the nation to invest. Investing means, of course, that all of the nation's current productive efforts do not go into producing goods for immediate consumption, but that a part of this effort goes into producing the tools and other things needed for future production.

It is only because we have a store of tools and other laborsaving facilities accumulated from past labors that our Nation is able to produce a great amount of necessities and conveniences for each man and woman at work. It is only because our industries, our farms, and our various kinds of service establishments are constantly adding to their supply of producer equipment, and are constantly developing still more efficient producer equipment, that our output per man-hour constantly increases.

WHY MUST MONEY BE MANAGED?

"Money does not manage itself," is a famous saying of British bankers. It is a saying which Chairman Martin, of the Federal Reserve Board, likes to quote, and it sums up the matter quite well.

Since the purpose of money is to make it easier for a nation to produce real goods and services, easier to divide the income from this production, and easier to save and invest for the future, the money system should be designed and controlled in ways which serve these purposes best. For example, it is very important to have the right amount of money available at all times. Too little money and too much money are both bad.

Since the people, acting through their government, make all the important decisions about money, from what they will use to who will create it, they would indeed be foolish to select a monetary system which leaves the amount of money to chance, or to accidental discovery of gold.

WHY IS IT IMPORTANT FOR THE COUNTRY TO HAVE THE RIGHT AMOUNT OF MONEY?

The right amount of money is as important to the economic system as the right number of tickets is to the financial success of a theater performance. The theater has only a certain number of seats. If the manager prints and distributes a great many more tickets than seats, there will be a scramble for seats when the patrons arrive at the theater. And in the long run, of course, there would be a loss of confidence in the theater management and its tickets. On the other hand, if the management prints fewer tickets than there are seats in the theater, there will be empty seats. When the Federal Reserve does not allow enough money to be created, there will be, in effect, empty seats in our economy. Plants do not operate at full capacity, some people cannot find jobs, and real wealth which might have been created is not created. Under these conditions, industry reduces its investment in new and more efficient productive facilities; and the search of scientists, experimenters, and technicians for new and better ways of doing things slows down.

If the official money managers do not permit the amount of money to increase as rapidly as the monetary needs of a growing economy, then growth will be stunted by monetary deficiency—high interest rates—and continuous unemployment looms. On the other hand, an economy can suffer equally from too much money relative to its needs. An overabundance of money by spurring demand presses the economy to produce beyond its capacity. When this occurs, the extra demand cannot bring about an increase in production, but only an increase in prices. Inflation erupts.

HOW IS THE "MONEY SUPPLY" DEFINED?

The "money supply" is most usually defined as the demand deposits in commercial banks of the country plus the currency and coin in circulation outside these banks. This is the definition which Federal Reserve officials and most professional economists use when they have in mind a question of how much money is "right" for any level of economic activity.

Demand deposits in commercial banks, plus currency and coin, make up, in theory at least, the total amount of money which could be spent at any one time. Many of us have, of course, money deposited with savings and loan associations, in the hands of life insurance companies, in pension funds, and so forth. Why is not this money included in the "money supply"? It could be, or at least some of it could, and there are times when economists find it convenient to use a broader definition of "money" than the usual one. But a moment's thought will show that these excluded types of money—a savings and loan deposit, for example—are not immediately available to make a purchase. A savings and loan account is not a checking account and the depositor first has to withdraw the money from the bank before it can be used. In addition, all the money deposited with a savings and loan association eventually is redeposited in a commercial bank or remains in the form of currency and coin outside the commercial banks. So this money is already counted in the "money supply." The same is true for money going to an insurance company, pension fund or other non-commercial-bank financial institution. Individuals' accounts with these institutions are not included in the "money supply," then, to avoid counting the same money twice.

CHAPTER III. HOW IS MONEY CREATED?

Where does money come from? This is a question few of us ever think about. Not having thought about the matter, most people tend to assume that money has always been here and that some law of nature guarantees a fixed and unchanging supply of it. In any case, it seems that the less people know about money, the more strongly they feel that the whole subject should be left alone. When any public figure suggests that the money system should be improved in some respect, or perhaps that there should be more or less money, many people react as though he were proposing to meddle with nature or perhaps profane the sacred.

These attitudes, of course, simply reflect confusion about one of the Government's most essential activities. The amount of money in the Nation at any time is as much a decision of Government as anything else the Government does. And this decision is, of course, an important one. It determines the general level of interest charges for carrying a home mortgage or financing a new school or other community facility. It is true that the Federal Government does sometimes make decisions where decisions are not absolutely called for. There are things that should be left alone. But not the money supply. This is something which the Government must decide about. If it did not do so, economic chaos would result.

There are many reasons why the general public does not really understand our monetary system. In the first place, money is something that people tend to get emotional about. After all, money involves, and always has involved, something closely akin to faith—which probably explains why in many past societies the money system has been in the hands of a priesthood, the subject of magical rites, and the ceremonial services of the tribe's medicineman.

Then, some of those who do understand the workings of our monetary system seem to feel they are in possession of secrets which cannot be revealed safely to the public. Unraveling the mystery, they feel, would somehow destroy a money system built on exchanges of paper and not "real" goods such as gold or silver. For this reason, it has been traditional for bankers and other private managers of money to cloak the working of the money system with the mantle of secrecy. And many of our high public officials share this view. Although they are appointed to represent the public interest they seem to feel that it would be somehow dangerous to talk about our monetary system in ways that would let the public understand who does what, and why. These officials seem very partial to the turns of phrase that imply that the supply of money—and interest rates—are subject to powerful economic laws over which men have no control.

But, of course, money has not always been here. It was certainly not here when the first settlers arrived. Furthermore, the supply of money in the country on any given day has almost always been greater than it was a few years before. For example, in 1914, when the Federal Reserve System was organized, the total supply of money in the country was $12 billion. By 1929 it was $26 billion.[3] If the supply of money in the United States had not grown since 1914, there would not have been enough to accommodate the larger population and volume of production and trade in 1929, to say nothing of today's still larger population and tremendously large volume of production.

Where has the extra money come from? It has been created—manufactured. And not by the impersonal forces of nature, but by men.

In this chapter we will discuss the ways money has been created, as well as the part played by those who decide how much money is to be created.

As might be imagined, our present system of money creation is the result of a long evolutionary process. So perhaps the easiest—and, undoubtedly, the most interesting—way of describing the mechanics of our present system is to begin with some questions and answers about the ancestors of our present bankers, the goldsmith bankers. For they originated the basic principles underlying the modern monetary machine.

WHO WERE THE GOLDSMITH BANKERS?

They were private bankers who did substantially all of the banking business in Western Europe during the 17th century and before.

HOW DID THE GOLDSMITHS GET INTO THE BANKING BUSINESS?

It became customary for people who had gold to deposit it with the goldsmiths for safekeeping. The goldsmith then gave the depositor a "claim check," or a receipt, for his gold. In time these receipts became transferable. Anyone having possession of a receipt was supposed to be able to go to the goldsmith and claim the gold. What actually happened was that these receipts for gold began circulating as money. People learned that they could carry on trade and commerce by passing goldsmith's receipts from hand to hand without ever drawing out the gold. This led the goldsmith to a discovery which has been the principle of banking every since—"fractional reserves."

WHAT IS THE "FRACTIONAL RESERVE" METHOD OF BANKING?

Few people who held the goldsmith's receipts came in to claim their gold. As the goldsmiths realized this, they also realized that they could make loans of the gold which had been left in their safekeeping. That is, they could write out receipts for gold to borrowers who, in fact, were not depositing new gold but borrowing the ownership of gold already in the goldsmith's possession. This gold—actually the certificates of ownership—being loaned by the goldsmith was not his to lend. He did not own it. But so long as the calls for gold by the original depositors were so infrequent, the goldsmith felt he could lend without undue risk and earn interest on a certain portion of the deposited gold.

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[3] Total demand deposits adjusted and currency outside banks.

In other words, the goldsmith wrote receipts for people who were not depositing gold. These receipts too circulated as money. So receipts for more gold than the goldsmith actually had in his vaults were circulating. The goldsmith had only a fraction of the amount of gold needed to meet the claims against him. This is the fractional reserve system. In the same way when the banks of the United States kept their reserves in gold, their reserves amounted to only a small fraction of the amount of the money they issued, all of which was guaranteed to be redeemable in gold.

WHAT ARE THE ADVANTAGES OF THE "FRACTIONAL RESERVE" SYSTEM?

In the goldsmith period of banking, most Western European governments neglected to provide adequate monetary systems. Frequently, the government controlled the coins, and nothing more. Since this was a period of rapid economic expansion, with the New World being explored and settled, more money was needed than the governments provided. The main advantage of the fractional reserve system, as the goldsmith bankers practiced it, was that it was a source of money for enterprises which the goldsmith bankers considered reasonably safe and sound.

WHAT ARE THE DANGERS OF THE "FRACTIONAL RESERVE" SYSTEM?

Under the goldsmith system, the money supply could balloon with the needs for money but the balloon could collapse for reasons that had nothing to do with business' need for money.

This is because the goldsmith banker was at all times "playing the odds," gambling that not all his receipts, or even a high proportion of his receipts would be presented in demand for gold at the same time. If this did happen, he could not, of course, honor the claims on him—because he could not make quick collections from the people to whom he had lent money. The whole structure would collapse. His money, that is, receipts, would become worthless, individual savings, the deposits of gold he held, would be wiped out; healthy business enterprises would be forced into bankruptcy, when money they had accepted in good faith became valueless; and the whole economic life of the community would, for a time, be paralyzed.

Since most people who accepted the goldsmith's money—except for the more knowing—believed that the goldsmith had enough gold to pay off his receipts 100 cents to the dollar, the mere suspicion that the goldsmith did not have enough gold was enough to start a "run" on the bank and the very collapse which was feared. At one time, a banker of Amsterdam, an important center of European goldsmith banking, proposed a law making it a hanging offense to start a run on a goldsmith. This immediately produced just such a run. Of course, the goldsmith could not pay. The customers ended up hanging the goldsmith.

This kind of disaster was not the only shortcoming of the goldsmith system. A serious problem was posed because the goldsmith's money—his receipts—was usually acceptable only in the locality where he himself was known. Businessmen and traders who wanted to make large transactions in foreign commerce or between regions often made large withdrawals of gold for this purpose. This too could bring about a collapse. Like powerful bankers who came after them, some of the bigger goldsmith bankers were not free of suspicion that they deliberately precipitated depressions at times. At such times, when business firms were forced into bankruptcy, valuable assets could be bought up at bargain prices by those who possessed sufficient money—or could create it for themselves.

Most of the banking laws and regulations which governments have enacted in the centuries since the goldsmith bankers, have been aimed at safeguarding against the dangers inherent in the fractional reserve system.

WHAT PERCENTAGE OF "RESERVES" DID THE GOLDSMITH BANKERS KEEP

No one knows. There were no regulations on the subject, and the question of how many dollars the goldsmith issued on each dollar of gold was left up to the good—or bad—judgment of the individual goldsmith.

The U.S. Chamber of Commerce has widely circulated a little booklet on money which reviews the history of goldsmith banking. In this booklet, the chamber declares the goldsmiths found they could "safely issue $10 for each $1 of gold." This is presumptive history. The bankers in the chamber of commerce have long been agitating to have their required reserves against demand deposits reduced to 10 percent; this has probably influenced, unconsciously, their interpretation of the past.

WHAT BECAME OF THE GOLDSMITH BANKERS?

At about the beginning of the 18th Century, the Governments of Great Britain and the other countries of western Europe created banks—such as the Bank of England—which took over the function of holding bank reserves and regulating the issue of money. Other countries saw the establishment of private commercial banks, which developed into some of the leading banks in Europe today.

WHERE DID THE GOLDSMITH BANKERS OBTAIN THEIR RESERVES?

As has already been indicated, the goldsmith bankers obtained their reserves when the owners of gold deposits left their gold with the goldsmiths.

Although it is a long historical step from the goldsmith bankers to the present day, the logical development is quite short. For our modern system is only a refinement of "fractional reserve" banking developed so long ago.

Broadly speaking, the modern banking system, as it exists in the United States today—it varies from country to country—is a two-layered system. At the lower layer are the commercial banks, where the public's checking accounts are held. At the upper layer is the Federal Reserve System—for convenience consider it as a monetary authority or agency—which creates something called reserves, that play the role in our banking system played by gold for the goldsmiths.

What are these reserves? And how do they work as the base of a money-creating pyramid?

Well, in the first place, reserves are money, just like any other money—with one distinction. They are deposits—demand deposits—owed to the commercial banks by the Federal Reserve. Warning: there are some refinements here about reserves which are being ignored for the sake of clarity. The details will be added later.

There are, then, two important types of deposits to keep in mind. Ordinary checking deposits kept by the public in commercial banks, and commercial bank deposits—reserves—on the books of the Federal Reserve.

Where do the commercial banks get these reserves? By and large, the vast bulk of the reserves are created by the Federal Reserve and credited to the account of the various commercial banks. Created by the Federal Reserve? Yes, and this should not be too much of a mystery, when Mr. John Jones of chapter II and the invaluable goldsmith bankers are brought back into the picture. For the Federal Reserve is the banker's bank. It is the bank which creates bankers' deposits—reserves—just as the bank which loaned money to Mr. Jones created $50 of money, or the goldsmith bankers created circulating paper money when they made a loan. When a bank borrows from the Federal Reserve, the Reserve increases the amount of the bank's reserve account with it by the amount of the loan—and new bank reserves are thereby created. Where the Federal Reserve itself gets the money to lend or the power to create reserves is another matter, which will be discussed shortly. For the moment, simply accept the existence of a bank which can lend money to—create deposits for—the commercial banks.

Now the first step into the money fabricating mechanism can be taken. How can an increase in the money supply come about? One way—there are others as will be seen—is to have the Federal Reserve make a loan to a commercial bank. When the Reserve does this, this commercial bank's deposit with the Federal Reserve increases, and the commercial bank is now richer. It has more money, equal to the value of the loan on deposit with the Federal Reserve. Technically, the bank's "reserve account" increases. Its reserve account deposits are "high powered" dollars for they have the power to generate a multiple expansion of money; that is, currency plus demand deposits.

With an increase in its reserves, the bank can now increase its own lending. And the reason it can is that ours is a "fractional reserve" system, with reserves substituting for the goldsmith's gold. When a bank's reserves increase, it can increase its lending by some amount. And these loans—remember Mr. Jones—take the form of increased demand deposits at the commercial bank—an increase in "checkbook money." So, by an increase in reserves, the money supply can be increased.

Turn from the money supply, for the moment, back to the reserve-creating mechanism. The example of reserve creation ran in terms of a loan from the Federal Reserve to the commercial bank. Actually the Federal Reserve has alternative ways if increasing reserves. A most important one is by the purchase of securities—specifically U.S. Government securities.

This is what happens: When the Federal Reserve buys, say, $1 million of Government securities from a nonbank bond dealer, it gives the bond dealer a check in the amount of $1 million, drawn on the Federal Reserve. The bond dealer will deposit this check with his bank. The bank will credit the dealer's checking account with $1 million and, at the same time, send the check in to the Federal Reserve, where this bank's reserve account will be credited with $1 million. Again, how the Federal Reserve obtained the $1 million is for later discussion. Reserves have increased by $1 million through the securities purchase by the Federal Reserve.

Now let us return to the question of how the money supply increases after the Federal Reserve has created new bank reserves.

For the sake of simplicity, it is useful to make a most unrealistic assumption at this stage. Assume there is only one commercial bank in the United States, and that all the commercial banks in existence are actually only branch offices of it. This assumption will be scrapped quickly enough. This one bank can increase the money supply by making a loan; that is, creating a demand deposit. It can also increase the money supply by purchasing a security. For when it purchases a security, from Mr. Smith this time, it writes out a check to Mr. Smith for the value of the purchase. And Mr. Smith? He deposits the check in the one big bank, which now credits the Smith checking account. Where did the bank get the money for the purchase? Nowhere. It created the money just as it did for the loan. That is, no other deposit was drawn down for the purchase and Mr. Smith's deposit increased. This is the second of the two basic ways—loans or investments—a bank can increase the money supply.

Well, since the bank makes its profits from the interest it receives from its loans and investments, why does not the bank simply create an infinite amount of money—making every loan it can place and gobbling up all legitimate securities offered? One reason is that the bank must plan for the possibility that a sizable fraction of its deposit liabilities will be cashed in some day. This limits the deposit-creating process because the bank cannot create 10 times as much in deposits as it has in cash reserves if the fraction that may be cashed in is one-ninth. Additionally in our economy no bank is allowed to do this. For if it were allowed, there would then be no limit to the money supply, and a vital control over our economic system would be rendered useless.

In our money system the Federal Reserve—an agency of the Government—exercises control, by setting a limit to the amount of money the bank can create, a limit that prevails until the Federal Reserve authorities decide on an increase or decrease. There are certain rules of the game written into law, but the Federal Reserve has authority to modify the rules from day to day—within broad limits—as it sees fit.

Under the basic rules laid down by Federal Reserve System, the bank may create several dollars of bank deposits for each dollar of the reserves which are at the moment credited to its account on the books of the Federal Reserve. Let us illustrate what this means with some simple arithmetic.

Say that the Federal Reserve has credited a bank with $5 of reserves. And suppose the bank is permitted to create $10 of deposits for each dollar of reserves.

This would mean that the bank—which, by assumption, recall is the only bank in the country—can now create bank deposits, by making loans and investments, up to the point that deposits reach $50. At this point, the bank could make no more loans or investments—except, of course, to replace previous loans being paid off or to replace securities being sold. Under the rules, the Federal Reserve can impose a fine on the bank if it goes beyond its allotted amount.

This is how the money supply could be increased if there were a single bank: the Federal Reserve would increase the reserves of the bank, and the bank, having to have only a fraction of its deposits covered by reserves, would increase its deposits by the amount permitted. Now, the one big bank assumption can be dropped and an important refinement added. The discussion of the single bank used the phrase "creating several dollars of bank deposits for each dollar of reserves." This is a perfectly acceptable statement when dealing with the fictional single bank system. But it covers up a somewhat complicated process that takes place in the actual world of numerous banks.

Consider the bank around the corner. Assume it has just borrowed some money from the Federal Reserve—$1,000—or sold a $1,000 security to it. Either way its reserves increase. But the corner bank does not rush out and increase its loans and investments by some multiple of the reserve increase, as the single bank would. Why not?

Here is the refinement. The Federal Reserve limits bank lending by saying that the local bank and, for practical purposes, all commercial banks must keep a certain percent of their outstanding deposits—"checkbook money" held at the bank—in a reserve account at the Federal Reserve bank. Say the limit is 10 percent. And, say, your local bank merely loaned out only the increase in reserves—$1,000—to some merchant. As the merchant used the money to pay wages and bills for merchandise, checks would be going to people who bank elsewhere, out of the neighborhood, and out of the State. When the recipients of these checks deposited them, their own banks would send them to the local bank for collection. How does the local bank pay these other banks? By transferring money out of its reserve account with the Federal Reserve into the reserve accounts of the other banks. In other words, banks pay one another by shifting funds from their own deposits—their deposits at the banks' bank, the Federal Reserve.

The local bank, then, would be in a jam if it rushed out, loaned $10,000 on the basis of its $1,000 of new reserves, and shortly found it had to transfer $5,000 to $6,000 of its reserves to other banks. By this process it would lose rather than gain reserves as a result of its loan from the Federal Reserve.

Roughly, what actually happens is that the local bank has some idea, after years of experience, about the percentage of a loan—for a security purchase—which will ultimately wind up at other banks. Say the percentage is 90 percent. Then, with a $1,000 increase in reserves, the bank could lend approximately $1,100. After the drain of reserves and the loss of 90 percent of the newly created demand deposits to other banks the local bank would have approximately $11 in reserves against $110 of deposits which remained at the bank. It could lend no more.

But the local bank has created $1,100 in money—now scattered throughout the commercial banking system. Further, it had fed about $990 into the reserve accounts of other banks who would proceed to lend against their new reserves. They would each go through the same process as the local bank, finally emerging with deposits increased by 10 times whatever the amount of the new reserves they managed to cling to. Eventually, the process would end as the voyaging reserves grew smaller and smaller with each round. In the end total deposits throughout the banking system would increase by $10,000, and the $1,000 in reserves would be finally distributed. In this fashion, the banking system as a whole does what no bank can normally do: create the multiple expansion of money permitted by a given increase in reserves.

This is the moneymaking mechanism in a nutshell. But there is still one mystery left to unlock. Where does the Federal Reserve get the money with which to create bank reserves? Answer: It does not "get" the money, it creates it. When the Federal Reserve writes a check for a Government bond it does exactly what any bank does, it creates money. The only difference is that the Federal Reserve's check ends up as an increase in reserves for the banking system—an increase in bank deposits with the Federal Reserve—as well as an increase in some private bondholder's checking account at his commercial bank. A Federal Reserve purchase creates two increases in deposits at once—a bank's deposit with the Federal Reserve, and a deposit with a private commercial bank.

Unlike the commercial bank, the Federal Reserve does not have any money of its own deposited somewhere else on the basis of which it makes its loans or security purchases. It creates money purely and simply by writing a check. And if the recipient of the check wants cash, then the Federal Reserve can oblige him by printing the cash—Federal Reserve notes—which the check receiver's commercial bank can then hand over to him. The Federal Reserve, in short, is a total moneymaking machine. It can print money, if that is what is demanded, or issue checks. It never has a problem of making its checks "good," because, of course, it can itself print the $5 and $10 bills necessary to cover the check.

Obviously, this power to create and print money could only be given to the Federal Reserve by Congress. This is the case: The Federal Reserve System is an agency of Congress authorized to create money.

All of the examples were illustrations of the manufacture of money. But the banking system can also destroy money. The process is the exact reverse of money creation. When a bank repays a loan to the Federal Reserve, it writes a check to the System which "collects" the check by deducting the amount of money from the bank's deposit with the Federal Reserve. The bank's reserves are then decreased and the bank must begin contracting deposits—calling in loans or selling investments—to get back within the permitted deposit limit for its shrunken reserves. And the calling of loans or selling of investments will start a deposit contraction process, the reverse image of the expansion process described earlier.

Or the Federal Reserve can sell a security, say, to Mr. Smith, who writes a check to the Reserve in payment. The System collects from Mr. Smith's bank by deducting the amount of the check from the bank's deposit it is holding. Here again is the reduction in reserves. In turn, Mr. Smith's bank deducts the amount of the check from his deposit. Here again is the first step in the multiple contraction of deposits.

Perhaps it is now clear why the banking system was called a two-layer system earlier in the chapter. Expansion or contraction of the money supply occurs first, through a change in reserves which the commercial banks hold, and, second, by the commercial banks responding to their changed reserve situation by changing the amount of "checkbook money" outstanding.

With a two-part system, the Federal Reserve can change the money supply by operating on any one of the two layers. For example, it can increase reserves. Alternatively, it can leave reserves unchanged, but can decrease the amount of reserves required to be held against each dollar of demand deposit outstanding. With the "reserve requirement" decreased, the unchanged level of reserves can support a larger stock of "checkbook money," and the banks will proceed to employ their "excess" reserves by making new loans and investments.

All this can be expressed in a formula.

WHAT IS THE FORMULA THAT DETERMINES THE MAXIMUM AMOUNT OF MONEY AND CREDIT AVAILABLE TO BUSINESS AND CONSUMERS?

The formula consists of two parts. One is the amount of bank reserves which the member banks of the Federal Reserve System have to their credit on the books of the Federal Reserve banks. The second part is a regulation, which the Federal Reserve Board issues from time to time, telling the member banks the maximum amount of bank deposits they may create per each dollar of their reserve deposit. Expressed mathematically this is a simple formula: A times B equals C. Where A equals amount of bank reserves: B equals number of dollars of deposits member banks may create per each dollar of reserves; and C equals total bank deposits.

CAN THE FEDERAL RESERVE AUTHORITIES CHANGE THE MONEY SUPPLY FORMULA?

Yes. These authorities can change either or both parts of the formula at any moment, and they frequently do change one or both parts. The Federal Reserve Act does specify certain maximum and minimum limits within which these authorities may change either part of the formula, but these limits are extremely wide.

Consider the two-part formula further. Suppose the Federal Reserve has created $100 of bank reserves and has issued regulations which tell the banks, in effect, that they can create $5 for each dollar of their reserves. Bank deposits have thus reached $500. The banks are "loaned up"—they can make no further loans and make no further investments except, of course, as customers pay back their previous loans or as the banks sell some of their securities. Suppose also that the Federal Reserve wishes to permit the banks to expand the money supply—that is, to make additional loans and investments. The Federal Reserve authorities do either of two things: They create more bank reserves, or they issue new regulations, telling the banks they can create a greater number of dollars per dollar of reserves already in existence. If the Federal Reserve wished to double the amount of bank credit available to business and consumers, it could create another $100 of reserves, while maintaining its reserve regulation at 20 percent. The banks could then expand their deposits to $1,000, from the previous $500 simply by making $500 of loans or investments.

Alternatively, the Federal Reserve authorities might issue new reserve regulations, telling the banks they need to "keep" only 10 percent of their deposits in reserves. This would mean that the banks could then create $10 of deposits for each dollar of their reserves instead of only $5 as previously. Consequently, in this way they could also increase their deposits to $1,000, simply by making $500 in loans and investments, although their reserves were still $100 as before.

Whichever part of the formula the Reserve managers decide to alter is totally arbitrary as far as the total supply of money is concerned. But the alternate routes to the same increase in the money supply are not otherwise equal in their effects on the economy.

When the Federal Reserve increases the money supply by lowering reserve requirements, all of the new money is created by the commercial banks through their lending and investing activity. On the other hand, when the Federal Reserve uses the increased reserves route, by purchasing a Government bond, some of the money is created by the Federal Reserve. The Reserve-created money is the amount the Reserve pays out for the bond—an amount which is added to the money holdings of the bond seller without drawing down any money holding elsewhere. The rest of the money is created by the banks using their increased reserves from the bond purchase.

This may seem a rather fine technical point to emphasize. But actually it has at least one very practical consequence. The Federal Reserve officials can always decide to create a large portion of any increase in the money supply themselves, though, of course, a larger portion of the supply will always be provided by the private banks under present law. Still the larger portion of Reserve-created money, the more the U.S. Treasury benefits—because all income of the Federal Reserve after expenses reverts to the Treasury. Thus the Treasury receives a good share of the income earned from the Government securities purchased in Reserve money-creating operations.

On the other hand if the Federal Reserve officials decide that the increase in the money supply they want is all, or substantially all, to be made by the private banks, the private banks acquire and hold more Government securities than in the first case, and the interest payments on these securities go into bank profits.

So, whether the Federal Reserve officials decide to favor the U.S. Treasury or the private banks does make a difference—millions of dollars of difference—in the amount of taxes you, I, and all other taxpayers must pay. After all, one of the biggest items of expense of the Federal Government is the interest it must pay on its debt. We will return to this subject later.

Another technical nicety with important dollars-and-cents consequences is the fact that the Federal Reserve System itself creates high-powered money or bank reserves, just as the banks create customer deposits. This seems to be little understood, even among "experts." In truth, the customary explanation of the source of bank reserves, an explanation appearing even in many college textbooks, has produced much confusion and misunderstanding on the subject.

In explaining how the commercial banks manage to own bank reserves the usual college textbook begins by assuming that "money" comes into being first, in some unexplained way, and is then deposited in a bank. The bank must then take a certain portion of this money and send it to a Federal Reserve bank where it is kept, in compliance with the reserve requirement. Thus a typical explanation runs this way: John Jones deposits $100 in cash with his bank. The bank is required to keep, say, 20 percent of its deposits in reserves, so the bank must deposit $20 of this $100 as reserves, with a Federal Reserve bank. The bank is free to use the other $80, however, to make loans to customers or invest in securities. The expansion of money thus begins.

This kind of explanation not only leads to misunderstanding, it also leads to misguided Government policies and rather constant agitation on the part of bankers for other such policies. Many of the smaller bankers, who are, on the whole, not as well versed with the mechanics of the money system as they might be, actually believe that they have deposited a portion of their money, or their depositors' money, with the Federal Reserve. Thus they feel they are being denied the opportunity to make profitable use of this money. Accordingly, there is always agitation to have the Federal Reserve pay the banks interest on this money which they think they have "deposited" with the Federal Reserve.

Furthermore, they are quite certain that the Federal Reserve System has "used" their money to acquire the Government securities which the Federal Reserve may buy in the process of reserve creation. Believing this, the bankers naturally feel that they are entitled to some share of the tremendous profits which the System receives from interest payments on its Government securities.

Many bankers know better. The leaders of the bankers' associations certainly do. But some of these leaders have not hesitated to play on general ignorance and misunderstanding to mobilize the whole banking community behind drives that are nothing but attempts to raid the Public Treasury.

The truth is, however, that the private banks, collectively, have deposited not a penny of their own funds, or their depositors' funds, with the Federal Reserve banks. The impression that they do so arises from the fact that reserves, once created, can be, and are, transferred back and forth from one bank to another, as one bank gains deposits and another loses deposits.

As was shown earlier, if a depositor transfers $100 from his checking account with one bank to another, the first bank loses $100 in reserves and the other gains $100 in reserves. Similarly, when a new bank comes into a banking business, it is required to "deposit" a certain amount of reserves with the Federal Reserve bank, to begin operation. Say the new bank makes an initial deposit of $100 with the Federal Reserve bank. How did the bank get the $100? From the owners of the new bank who probably shifted $100 out of their checking accounts at other banks and paid the sum to the new bank as part of its initial capital. The other banks, of course, lose $100 of reserves when they settle their debt to the new bank. In one way or another, then, this $100 comes out of the reserve account of some bank already in business.

In short, new banks may come into business, old banks may go out of business, and reserves may be transferred from one bank to another in countless ways. But, nothing the banks can do will increase the total amount of reserves of high-powered money in the System; and nothing the banks would care to do can decrease the total amount of reserves in the System. Practically speaking, only the Federal Reserve System itself can do this. Increasing or decreasing bank reserves is a conscious act of the managers of the Federal Reserve.

Officials of the Federal Reserve System recognize, of course, that the idea that the banks make some kind of physical deposit of money they have received with the Federal Reserve banks to accumulate their reserve is nonsense. For example, Under Secretary of the Treasury Robert V. Roosa, formerly a vice president of the Federal Reserve Bank of New York, while testifying before the House Committee on Banking and Currency in 1960, described the misconception as follows:

> [T]here is another misconception which occurs much more frequently—that is, the banks think that they give us the reserves on which we operate and that, too, is a misconception.
>
> We encounter that frequently, and, as you know, we create those reserves under the authority that has been described here.[4]

The writer has had a couple of personal experiences which have provided some amusing confirmation of the fact that the source of bank reserves is not deposits of cash by the member banks with the Federal Reserve banks. Having seen reports that the Federal Reserve System had, on a given date, Government securities amounting to approximately $28 billion, I went on one occasion to the Federal Reserve Bank of New York where these securities are supposed to be housed, and asked if I might be allowed to see them. The officials of this bank said, yes, they would be glad to show them to me; whereupon they opened the vaults and let me look at, and even hold in my hand, the large mound of Government securities which they claimed to have and which, in fact, they did have.

Since I had also seen reports that the member banks of the Federal Reserve System had a certain number of millions of dollars in "cash reserves" on deposit with the Federal Reserve bank, I then asked if I might be allowed to see these cash reserves. This time my question was met with some looks of surprise; the bank officials then patiently explained to me that there were no cash reserves. The cash, in truth, does not exist and never has existed. What are called cash reserves are simply bookkeeping credits entered into the ledgers of the Federal Reserve banks. These credits are first created by the Federal Reserve and then pass along through the banking system.

On another occasion, in the spring of 1960, I paid a visit to the Federal Reserve Bank of Richmond, along with several other Members of Congress, and in the course of the visit asked the President of that bank if I could see the cash reserves which the member banks had on deposit with that bank. Here the answer was in substance the same. There is no cash in the so-called cash reserves. In other words, the cash making up the banks' "cash reserves" with the Federal Reserve bank is just a myth.

Just how much in the form of bank reserves has been created by the Federal Reserve System, and what use has been made of them? Officials of the Federal Reserve System have answered these questions on several occasions over the years. One answer was given by the Federal Reserve Board in a letter from Chairman Martin in response to my questions on behalf of the Joint Economic Committee of the Senate and House of Representatives. The answer was given in early 1960. The story, in brief, is this: At the end of 1917, when the first financial report dealing with reserves held at the Federal Reserve System was made, the banks of the System had reserve credits amounting to $1.5 billion.

Between the end of 1917 and the end of 1959, the Federal Reserve System had created gross additions to bank reserves amounting to a total of $47 billion. Over the years the banks had drawn down their reserve accounts by $28 billion, by taking out currency—which was printed to meet their requests—leaving them with a net reserve balance of $18.5 billion.

Let us assume for a moment, just for the sake of analysis, that the $1.5 billion of reserves which the banks of the System had to their credit in 1917 came about through actual deposits of cash by the banks. We may say, then, that in return for this $1.5 billion of cash, the banks have been paid back, in cash $28 billion. They still have left another $18.5 billion in their reserve accounts, a circumstance which entitles them to have outstanding seven times that amount of bank-created money. With this money they have acquired seven times that amount of Government securities and other interest-paying securities and loans.

So far there has been a deliberate haziness—to prevent more clutter than necessary—about the methods the Federal Reserve can use to create reserves. It is time to clear away the fog.

WHAT ARE THE METHODS BY WHICH THE FEDERAL RESERVE CREATES AND EXTINGUISHES BANK RESERVES?

There are four methods. Two of these are carried out by the New York Federal Reserve Bank, acting as agent for the whole System. They are, first, "open market" operations, and second, purchasing gold as agent for the U.S. Treasury. Most reserves are created by these 2 methods but there are 2 other methods carried out by 12 regional Federal Reserve banks. They are, third, making loans, usually secured by Government bonds, to commercial banks—specifically "member banks," a term which will be explained later; fourth, purchasing "eligible paper" from "member banks"—almost never used.

WHAT ARE "OPEN MARKET OPERATIONS"?

"Open market operations" refer to the Federal Reserve System's buying and selling of Government securities in what is called the open market. In these buying and selling operations, the Federal

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[4] Hearings before Subcommittee No. 3 of the Committee on Banking and Currency, House of Representatives, 86th Cong., 2d sess., on H.R. 8516 and H.R. 8627, pt. 1, p. 179.

Reserve Bank of New York acts as agent for the entire System. The other 11 regional Reserve banks are later informed of changes in the System's portfolio and, as a corollary, of their respective portfolios. The purpose of buying or selling Government securities is to expand or contract bank reserves and, hence, to expand or contract the amount of money and credit available to business and consumers. In this the Federal Reserve Bank of New York acts to carry out policies laid down by the Federal Open Market Committee, a Committee which will be described in a later chapter.

WHAT IS THE "OPEN MARKET"?

The so-called open market consists of 21 private dealers in U.S. Government securities with whom the Federal Reserve Bank of New York trades. Several of these dealers are big New York and Chicago banks. The other dealers are firms centered in the Wall Street area, which specialize in buying and selling securities. The bond dealers, incidentally, may have purchased the bonds from an insurance company, from an individual, an industrial corporation, a commercial bank, or any other financial institution, or from the U.S. Treasury.

HOW DOES THE FEDERAL RESERVE CREATE BANK RESERVES BY OPEN MARKET OPERATIONS?

The step-by-step details are as follows:

Let us assume that the Federal Reserve Bank of New York, acting as agent for the whole System, buys a $1,000 Government bond in the open market. It gives the bond dealer a check for $1,000 drawn on the Federal Reserve Bank of New York. The dealer will, of course, deposit this check in his checking account, say, with the Chase Manhattan Bank. The Chase Manhattan credits the dealer's checking account with $1,000 and then sends the check to the Federal Reserve Bank of New York for payment. The Federal Reserve Bank of New York makes payment to the Chase Manhattan by crediting its reserve account with $1,000.

HOW DOES THE FEDERAL RESERVE EXTINGUISH OR REDUCE BANK RESERVES THROUGH OPEN MARKET OPERATIONS?

By selling some of its Government securities in the open market. When the Federal Reserve Bank of New York sells a $1,000 Government bond, the process by which it created $1,000 of reserves is reversed. The Federal Reserve bank sells the bond to a dealer and the dealer gives the Federal Reserve bank a check drawn on his personal bank, say, the Chase Manhattan again. The Federal Reserve bank satisfies its claim by reducing the Chase Manhattan's reserve account by $1,000. It then sends this dealer's check to the Chase Manhattan and the Chase reduces the dealer's checking account by $1,000. Bank reserves are now $1,000 less than they were before.

HOW MUCH MONEY CAN THE PRIVATE BANKS CREATE WHEN THE FEDERAL RESERVE CREATES $1 BILLION OF BANK RESERVES OR HIGH-POWERED MONEY?

At the present time the Federal Reserve's rules permit member banks of the Federal Reserve System to create $7 for each $1 of reserves credited to their accounts with the Federal Reserve banks. This means that under the present rules relating to fractional reserve banking, when the Federal Reserve System gives its member banks an added $1 billion of reserves, these banks can create up to $7 billion of new money credited to the accounts of their customers. The banks create this new money by the process already explained.

FOR WHOM DOES THE FEDERAL RESERVE PURCHASE OR SELL GOLD?

Only the U.S. Treasury purchases and sells gold. The Federal Reserve handles these transactions, acting as agent for the Treasury.

WHAT ARE THE SOURCES OF THE GOLD PURCHASED BY THE TREASURY?

To a small extent the Treasury purchases newly mined gold. Most gold is purchased from foreign "central banks"—just accept the term for the moment—and, similarly, most of the Treasury's sales of gold are to foreign central banks.

WHY DOES THE TREASURY PURCHASE GOLD?

The small amounts of newly mined gold are purchased by the Treasury to add to the Nation's monetary gold stock. Since foreign central banks holding any of our currency may call upon the Treasury to convert the currency to gold, it is important to have enough gold to meet any such claims that may be presented.

But, most of the Treasury's purchases—and sales—of gold are made from and to foreign central banks. These purchases and sales reflect the fortunes of our international balances of payments with foreign countries.

HOW DOES THE FEDERAL RESERVE CREATE BANK RESERVES WHEN IT PURCHASES GOLD FOR THE TREASURY?

It is a duplication of what happens when the Federal Reserve purchases Government bonds in the open market. When the Treasury buys either newly mined gold or gold from a foreign central bank, bank reserves are expanded by the exact amount of the purchase.

Here is an illustration: when the Treasury buys $1 million of newly mined gold from a mining company in this country and the checks have all cleared, the mining company has $1 million more in its checking account at the bank. That bank in turn has $1 million more in its reserve account with the Federal Reserve bank. The commercial bank acquires the reserves when the Federal Reserve transfers $1 million from the Treasury's account with the Reserve to the bank. The Treasury, on the other hand, has the gold and it has $1 million less in its checking account with the Federal Reserve bank. If it wishes to replenish its account with the Federal Reserve, it may issue gold certificates—currency which can only be held by the Federal Reserve—against the gold deposits.

The same is true if the gold is purchased from a foreign central bank. In either case, the commercial banks of this country have $1 million more in reserves than they had before. This means that unless the Federal Reserve takes some other action, they can create $7 million of new bank deposits, by creating bank deposits in exchange for securities or loan notes.

HOW DOES THE FEDERAL RESERVE EXTINGUISH OR REDUCE BANK RESERVES WHEN FOREIGN CENTRAL BANKS PURCHASE GOLD IN THIS COUNTRY?

By the reverse of the process already explained.

IS THE AMOUNT OF DOLLARS HELD ABROAD GREATER THAN THE TREASURY'S GOLD SUPPLY?

Yes; at the present time the amount of dollars held abroad is in excess of the Treasury's gold.

SINCE FOREIGN CENTRAL BANKS CAN REDEEM DOLLARS FOR GOLD, WHY DON'T FOREIGNERS TURN IN ALL OF THEIR DOLLARS IN EXCHANGE FOR GOLD?

Because money in the form of gold draws no interest; it simply has storage expenses. Foreign central banks would prefer to have dollar credits in this country because these can be invested in interest-bearing securities or dividend-earning stocks.

ARE TOTAL BANK RESERVES REDUCED WHEN GOLD GOES ABROAD?

Yes and no. The total amount of reserve available to the banks is decided by the Federal Reserve authorities. Their decision depends upon what they wish the total supply of money and credit in this country to be. The Federal Reserve cannot prevent foreign countries from drawing out gold, and thus reducing bank reserves; but the Federal Reserve can make up the difference in bank reserves by purchasing Government securities in the open market.

DOES THE FEDERAL RESERVE CREATE BANK RESERVES BY MAKING LOANS TO BANKS?

Yes; whenever the Federal Reserve makes a loan to a bank it simply creates the money which it credits to that bank's reserve account. However, a relatively small proportion of the bank reserves in existence at any one time represents loans to banks. Under present practices, these reserves are promptly extinguished—usually in no more than 15 days. The Federal Reserve authorities have decided to use this method of making bank reserves available to the banks only on a temporary basis.

DO THE BANKS HAVE AN AUTOMATIC PRIVILEGE OF BORROWING FROM A FEDERAL RESERVE BANK?

No. Banks of the Federal Reserve System are eligible to borrow. But being eligible and obtaining a loan are two different things. In practice the Federal Reserve banks lend reserves to a bank only when that bank is temporarily pinched because it has lost reserves. This policy is implemented not by turning aside banks that seek to borrow once in a while but by not permitting continuous borrowing. In other words, as a bank's customers make purchases and pay bills, and transfer their deposits from one bank to another, a particular bank may gain or lose reserves. If it loses reserves, it will either have to sell securities or call in some loans, to be able to transfer reserves to the banks which are gaining. In these circumstances, the Federal Reserve bank will lend to such a bank, on the theory that, in a few days, it will regain its normal share of reserves. And if the bank is required to call some loans or sell securities, the temporary loan from the Federal Reserve bank gives it time to move in an orderly manner.

HOW ARE FEDERAL RESERVE LOANS TO BANKS SECURED?

The law permits the Federal Reserve System to accept a variety of good collateral to secure its loans. In practice, however, banks borrowing from the Federal Reserve System almost always put up U.S. Government securities as collateral.

If the Federal Reserve insists on U.S. Government securities as collateral, this does not work any hardship on the borrowing banks since commercial banks generally keep large portions of their assets in Government securities, and the amount of the loans which the Federal Reserve will, in practice, make to banks is relatively small.

DOES THE FEDERAL RESERVE CREATE BANK RESERVES WHEN IT BUYS "ELIGIBLE PAPER"?

Yes. When the Federal Reserve Act was passed, Congress intended this to be the main way that the Federal Reserve System would create bank reserves. "Eligible paper" is a term designating certain kinds of I O U's signed by a bank's customers when they borrow. When this practice was followed, the banks in a particular area could obtain loanable funds in direct proportion to the community's needs for money. But in recent years, the Federal Reserve has purchased almost no eligible paper. In fact, the Federal Reserve System has made very little credit available to the banks in the individual districts, including that which they have made available in the form of loans. It is now the practice of the Federal Reserve to funnel most of its credit to the banks through open-market operations in New York.

DO BANKS OF THE FEDERAL RESERVE SYSTEM "PAY" FOR THEIR RESERVES?

No. Bank reserves cannot be paid for by the private banks. They can be shifted and are constantly being shifted to some extent from one bank to another after they are created. But, to all intents, only the Federal Reserve System itself can create reserves, and extinguish reserves.

Sure, when the Federal Reserve purchases a $1 million Government bond and gives some bank credit for $1 million in its reserve account, that bank also credits the bond dealer's checking account with $1 million. In other words, to acquire $1 million of reserves, the bank also assumes a liability to pay its customers $1 million. If the transactions stopped here, the bank would, of course, come out even, neither gaining anything nor losing anything. But the fact that there is now $1 million more of bank reserves than existed before means that the private banks as a group can create $6 million more money than existed before.

In other words, by acquiring this $1 million more in bank reserves, the private banks have the privilege of creating another $6 million of bank deposits, in the process of which they acquire $6 million in interest-bearing securities or loan paper, less an allowance for leakage into the cash—currency—balances of the public.

Bank profits come from the difference between the interest they receive on their loans and investments and the interest they pay their customers on their bank deposits. In 1935 Congress passed a law, sponsored by the bank associations, which finally made it illegal for all banks—with a few unimportant exceptions—to pay their customers interest on demand deposits. Since banks pay no interest on demand deposits we have a clear answer to our question: "Do member banks 'pay' for their reserves?" It is this: When the Federal Reserve provides the banks with more reserves, this automatically enables the banks to make more profits.

DOES THE MONEY IN BANK RESERVES BELONG TO THE PRIVATE BANKS?

Yes. The banks are privileged to take out their reserves in the form of cash—Federal Reserve notes—any time they choose to do so. Drawing out cash must, however, leave the bank in compliance with the Federal Reserve's regulation as to reserve requirements.

To illustrate, in the example given above where the Federal Reserve bought a $1,000 bond and gave the Chase Manhattan Bank a $1,000 credit in its reserve account, the Chase Manhattan could, if it cared to do so, ask the Federal Reserve bank for its $1,000 in cash—that is, in Federal Reserve notes. In this case, however, the Chase Manhattan's deposit with the Federal Reserve—its reserves—would be no greater than it was before. Neither the Chase Manhattan nor the other banks would be able to expand their deposits.

HOW DOES CURRENCY AND COIN ENTER INTO THE MONEY SUPPLY?

The amount of currency and coin in circulation is pretty much automatic. It normally amounts to about 20 percent of the money supply, with bank deposits accounting for the other 80 percent.

The Federal Reserve authorities know how much currency and coin is in circulation at all times; they should, of course, take this leakage into currency into account when they decide how much to add to reserves.

WHO DETERMINES HOW MUCH CURRENCY AND COIN IS ISSUED?

This depends on the behavior of individuals and business firms. The amount of currency and coins in circulation depends upon how convenient individuals and business firms find coins and currency, rather than bank deposits, in carrying on trade. Money is created first in the form of bank deposits, and most money remains in this form. But as the economy grows and the money supply grows, business and consumers usually find that they want to keep the same percentage of their money in currency and coin. The percentage has been declining somewhat because more people are using checks to make purchases and pay bills.

When someone goes to the bank and asks for currency—"cash"—in exchange for a check, the bank gives him the currency and reduces his checking account by the amount of the check. Then as the bank needs "cash" itself to meet its depositors' demands, it gets the cash from the Federal Reserve by having its deposit reduced. The bank loses reserves, to the amount of the cash, whenever it draws cash from the Federal Reserve. When the public wants cash, then, reserves go down. Of course, the Federal Reserve can adjust for this by creating more reserves during a period of a cash drain on reserves.

WHO DETERMINES HOW MUCH "CHECKBOOK MONEY" SHALL BE CREATED?

The Federal Reserve System determines the maximum amount of "checkbook money," or bank deposits, which may be in existence at any particular time. Specifically, a committee made up of the members of the Board of Governors of the Federal Reserve System and the Presidents of 5 of the 12 Federal Reserve banks makes this decision. The Open Market Committee—as it is called—decides only what the maximum amount of money shall be; it cannot determine that the maximum amount will actually be created. Money is created when the private banks make loans or investments, and the Federal Reserve cannot force the banks to make loans or investments. It would not be a good policy for it to do so. The bankers make loans and investments only to the extent that they consider they are making sound loans or investments, that will be repaid.

CAN FEDERAL RESERVE OFFICIALS HELP THE U.S. TREASURY AND U.S. TAXPAYER WITHOUT INCREASING THE MONEY SUPPLY?

Yes—by creating more reserves—that is, by buying more Government securities in the open market—and by raising reserve requirements for the member banks. This means that, for any given supply of money, the Federal Reserve banks would own more Government securities and the private banks would own correspondingly less. This would not entail any change of the money supply, and interest rates would not decline very much.

IS THERE A PRACTICAL EXAMPLE OF HOW THE FEDERAL RESERVE COULD ADOPT A POLICY LESS FAVORABLE TO THE PRIVATE BANKS AND MORE HELPFUL TO THE GENERAL TAXPAYER?

Yes. Many practical examples could be given.

The table below presents some arbitrary figures which illustrate the effects of two different policies the Federal Reserve might follow, both of which would result in the same money supply—that is, in the same amount of money and credit being available to business and consumers.

The figures given for policy A, are not drastically different from the facts as they exist today. Furthermore, the figures shown for policy B closely approximate the facts—as they might easily have existed if reserve requirements had not been lowered several times during the 1950's. The two sets of figures, and the situations they describe, demonstrate that the Federal Reserve authorities have arbitrarily decided that private banks of the country own $20 billion more of Government securities, and the Federal Reserve banks $20 billion less than they would have, had authorities decided things differently.

How 2 different Federal Reserve policies make the same amount of money and credit available to business and consumers but determine whether the public or the private banks own $20,000,000,000 of Government securities

[Dollar amounts in billions]

	Bank reserves (Col. 1)	Banks' reserve requirements (Col. 2)	Amount of money and credit available to business and consumers (bank deposits) (Col. 3)	Interest-bearing assets owned by banks (including U.S. Government securities) (Col. 4)	Total interest-bearing assets owned by either Federal Reserves or the banks (Col. 5)
		Percent			
Federal Reserve's policy "A"	$20	10	$200	$180	$200
Federal Reserve's policy "B"	40	20	200	160	200

Let us note the figures for what we have called Federal Reserve policy A and Federal Reserve policy B and consider what they mean.

Under both policies the amount of deposits in the commercial banks is the same—$200 billion. Under policy A, the Federal Reserve has created $20 billion of reserves by, say, purchasing Government securities from nonbank individuals on the open market. When the Reserve does this, it immediately creates $20 billion of demand deposits—and, hence, money—at the commercial banks—deposits which are credited to the accounts of the individuals who sold the securities. This means that along with the creation of $20 billion of reserves, the banks find they have $20 billion of demand deposits against which $2 billion of the new reserves must be earmarked. Only $18 billion of the reserves, then, are free to support deposit expansion. After the commercial banks lend and invest, producing $180 billion in deposits, there will be $200 billion in deposits in the System—$180 billion of which is commercial bank created, and $20 billion Federal Reserve System created.

With policy B, the same process occurs. Except this time $40 billion of the money supply is created by the Federal Reserve and $160 billion by the private banking system. In both cases, obviously, the total amount of money and credit available to the economy is the same. Under policy B, the Federal Reserve would acquire and hold $20 billion more of Government securities than it is holding under policy A. Accordingly, to maintain the same money supply as under policy A, the Federal Reserve would issue regulations to the banks telling them they must "keep" 20 percent of their deposits in "reserves." This would mean that the banks could create only $5 of money per each $1 of uncommitted reserve generated by the Federal Reserve. The total money supply would, however, be the same, as is shown in column 3.

The big differences, however, show up in columns 4 and 5 of the table. Under policy "A," the Federal Reserve would own $20 billion of assets and the private banks would own $180 billion. The combined assets of both the Federal Reserve and the private banks would be the same under both policies—$200 billion. Under policy "B," however, the Federal Reserve would own $20 billion more of Government securities and the private banks would own $20 billion less.

In other words, the private banks would own a total of $160 billion of interest-bearing loans and investments instead of $180 billion, and the difference would be accounted for by the $20 billion of Government securities acquired by the Federal Reserve.

The point to remember is that this $20 billion of Government securities will be acquired by creating money with which to pay for them—whether by the Federal Reserve or by private banks. It is a question of whether the Federal Reserve itself should create the money, in which case it would return the interest to the Treasury, or whether it should instead make it possible for the private banks to create the money, in which case the interest payments go into bank profits.

What is more, when private banks acquire Government securities, the taxpayers not only have to pay the interest on these securities over all the years the securities are outstanding, but, if and when the Federal debt is ever reduced, the taxpayers will also have to repay the principal amount of these securities.

On the other hand, it is unlikely that the total money supply of the country will ever be reduced substantially, and, therefore, unlikely that there will ever be any need to reduce bank reserves. This being true, the $20 billion of Government debt would remain permanently in the hands of the Federal Reserve—and the taxpayers would not be called upon to pay either the interest or the principal.

In a sense the Government has paid off its debt when the Federal Reserve acquires the security. Specifically, the Government, in effect, exchanges a non-interest-bearing obligation for an interest-bearing obligation when the Federal Reserve acquires a Government security. We will demonstrate this in the next two questions.

WHAT IS THE AMOUNT OF U.S. GOVERNMENT SECURITIES OWNED BY THE FEDERAL RESERVE SYSTEM?

As of January 31, 1964, the Federal Reserve System owned U.S. Government securities amounting to $32,753 million.

HOW IS THE GOVERNMENT PAID FOR THE SECURITIES PURCHASED BY THE FEDERAL RESERVE?

When the Federal Reserve buys Government securities, it pays for them by giving some bank or banks credit on their reserve accounts. The banks may take these credits in cash—that is, Federal Reserve notes— at any time they care to do so.

The amount of Federal Reserve notes which the Federal Reserve has issued and has outstanding is approximately equal to the amount of Government securities it owns. On January 31, 1964, the Federal Reserve had $33.9 billion in Federal Reserve notes outstanding which had been used for its $32.8 billion of Government securities, plus some part of the gold which the Treasury has acquired. In addition, there was $17.5 billion in bank reserves on the books of the Federal reserve banks which the banks can convert to Federal Reserve notes if they care to do so. In other words, by buying Government securities, the Federal Reserve System has, in the long run, exchanged a non-interest-bearing obligation of the Government—a Federal Reserve note—for an interest-bearing obligation of the Government—a Government bond or other interests-bearing security.

WHAT AMOUNT OF GOVERNMENT SECURITIES HAVE THE PRIVATE BANKS ACQUIRED WITH BANK-CREATED MONEY?

On January 31, 1964, all commercial banks in the country owned $62.7 billion in U.S. Government securities. The banks have acquired these securities with bank-created money. In other words, the banks have used the Federal Government's power to create money without charge to lend $62.7 billion to the Government at interest.

However, it is not possible to say what part of the total amount of money the commercial banks have created has been used to acquire Government securities. After a bank creates the money to buy a Government security, it may then sell the security and use the money to acquire a non-Government security or to make loans to its customers.

On January 29, 1964, commercial banks had total assets amounting to $304.7 billion, and all of these had been paid for with bank-created money, except $25.4 billion which had been paid for with their stockholders' capital. In other words, less than 10 percent of the banks' assets have been acquired with money invested by stockholders in the banks.

IF THE GOVERNMENT CAN ISSUE BONDS, WHY CAN IT NOT ISSUE MONEY AND SAVE THE INTEREST?

A few clearheaded and firm individuals, such as Abraham Lincoln, have insisted that the Government can.

The late Thomas A. Edison once stated the matter this way:

> If our Nation can issue a dollar bond it can issue a dollar bill. The element that makes the bond good makes the bill good

also. The difference between the bond and the bill is that the bond lets money brokers collect twice the amount of the bond and an additional 20 percent, whereas the currency pays nobody but those who contribute directly in some useful way.

It is absurd to say that our country can issue $30 million in bonds and not $30 million in currency. Both are promises to pay: But one promise fattens the usurers, and the other helps the people.

To a small extent the Government does issue money, to buy back the bonds it has already issued, through the Federal Reserve System. However, it has long been one of the political facts of life that private banks must be allowed to create the lion's share of the money, if not all of the money. Thus there is little opposition to the Government's printing bonds and then permitting the banks to create the money with which to buy those bonds; but proposals that the Government itself create the money instead of the bonds have always set off tremendous political upheavals. Bankers are politically very powerful, even in wartime. For example, Abraham Lincoln set off a political furor when he insisted upon having the Government issue $346 million in money—the so-called greenbacks—instead of issuing interest-bearing bonds and paying interest on the money.

WHAT WOULD THE GOVERNMENT HAVE PAID IN INTEREST COSTS IF THE "GREENBACKS" ISSUED IN ABRAHAM LINCOLN'S ADMINISTRATION HAD BEEN ISSUED AS BONDS?

Abraham Lincoln's administration issued a total of $450 million in "greenbacks," or "U.S. notes," as it was authorized to do by an act of February 25, 1862. If instead of issuing "greenbacks," the Lincoln administration had issued interest-bearing bonds, as urged, naturally, these bonds would still be a part of the Federal debt today. Assuming that the Government had paid an average 5-percent interest a year on this amount of bonds, it would have paid out $2.3 billion by 1964, or approximately five times the amount of money the Government would have borrowed. It is a fallacy to think, as many do, that the "greenbacks" were inflationary. In the only sense that matters, the relative or comparative sense, they were not. That is, $450 million in "greenbacks" is no more or less inflationary than $450 million in bank deposits or any other bank money created to pay for $450 million in interest-bearing bonds.

IF THE GOVERNMENT ISSUED MORE MONEY INSTEAD OF GOVERNMENT BONDS, ISN'T THERE A DANGER THAT THE GOVERNMENT WOULD ISSUE TOO MUCH MONEY AND CAUSE INFLATION?

Once again, it is no less inflationary for the prviate banks to create $1 billion of new money to buy $1 billion of bonds than it is for the Government to create $1 billion of new money. Furthermore, an agency of the Government, the Federal Reserve System, decides in any case the total amount of money to be created, and this is what determines whether we have inflation.

WHAT IS "PRINTING PRESS MONEY"?

All money used in this country and in most countries of the world is of two types. One is "printing press money," which is money printed by the Government. The other type of money in use is "pen-and-ink money." Pen-and-ink money is created by the private commercial banks each time a bank makes a loan, buys a U.S. Government security, or buys any other asset. Printing press money is engraved on special paper and with special inks; and it cost about eight one-thousandths of 1 cent per bill, whether a $1 bill or a $10,000 bill. Pen-and-ink money is created by a private banker simply by making ink marks on the books of the bank. However, in recent years many of the banks have installed electronic office machines which make the entries in the bank's books; so someday we may come to refer to bank-created money as "office machine money" or perhaps "Univac money."

WHEN COMMERCIAL BANKS DON'T CREATE MONEY TO BUY GOVERNMENT BONDS, WHERE DOES THE PURCHASE MONEY COME FROM?

When an individual or a business firm other than a commercial bank buys a Government bond, or any other security, the money comes out of savings. In other words, no new claims to wealth are created and the money spent by the borrowers is money saved by the lenders.

As we have previously pointed out, only the Government and the private commercial banks create money. Money lent by individuals, insurance companies, mutual savings banks, building and loan associations, credit unions, and industrial and commercial firms comes out of savings. Whatever individuals and these firms lend reduces the amount which they have left to spend.

WHAT DETERMINES HOW MUCH OF THEIR RESERVES THE BANKS WILL TAKE OUT IN CASH?

No bank would normally take its reserves in cash except to the extent that it has to do so in order to meet the demands of its customers for cash, and, of course, to have a small amount of cash on hand so as to be able to meet its customers' demands on a day-to-day basis. Historically, the reason why the banks do not like to take their reserves in cash is that for each dollar they reduce their reserve accounts by taking cash, their privilege of creating money, to acquire income-producing assets, is reduced.

WHAT WOULD HAPPEN IF THE CUSTOMERS OF A BANK ALL DEMANDED TO HAVE THEIR DEPOSITS IN CASH?

The bank would be in much the same difficulty that the goldsmith bankers got into when their customers came in and demanded the gold. As we have seen, in the average bank today, customers' claims for cash—that is, their deposit balances—amount to about seven times the bank's reserves. Even if the bank drew out all of its reserves in cash, it would have only one-seventh enough money to pay its depositors. The difference between a member bank of the Federal Reserve System and the goldsmith bankers, however, is that the Federal Reserve will come to the rescue of a bank which gets into such a difficulty and lend it enough reserves to pay off its customers.

CHAPTER IV. WHY WAS THE FEDERAL RESERVE ACT PASSED?

Passage of the Federal Reserve Act in 1913 was only one of the many steps taken by the Federal Government over the years toward creation of a stable and reliable money system—though undoubtedly the most notable.

In the last chapter, the Federal Reserve appeared in many guises. One was as a banker's bank; that is, a bank which gave credit to the commercial banks and also held their deposits—their official reserves. In other dress, the Federal Reserve acted as the regulator of the money supply through the System's dual power to create reserves and circumscribe the commercial banking system's ability to manufacture money. A bank which performs these and other related functions is called a central bank, for obvious reasons.

Most of the important nations of the world—and many of the others as well—have a central bank whose main purposes are: Exercising the government's powers to create and manage the nation's money supply; determining the general level of interest rates which business and consumers pay, and handling settlement of the nation's debts with other nations. The central banks of various nations either create all of the nation's money or supervise and regulate its creation by private banks. Since they are organs of the central governments, they are, with few exceptions, owned and operated by the governments.

By definition, the Federal Reserve is a central bank. But, as might be expected, it has distinctive features arising out of American traditions and history that are not found in other major central banks. First, it was established as a decentralized system of 12 separate regional Federal Reserve banks, under a Board of Governors in Washington.

Furthermore, the framers of the System intended the 12 regional banks to be largely independent of each other in determining the money supply of the various regions of the country. The regional economies were considered insulated enough from each other to require distinct money supplies. This belief was fortified by the traditionally sharp commercial rivalries among the regions and by a general resentment everywhere directed against financial control emanating from "Wall Street."

Another homespun feature of the American Central Bank is that membership in the Federal Reserve System is not compulsory for private commercial banks except for national banks. As a matter of fact, however, commercial banks which do belong to the System—not surprisingly called member banks—hold roughly 85 percent of the assets of all commercial banks, member and nonmember.

The United States established a full-fledged central bank only after more than a century of trial and error with banking systems that proved inadequate to the needs of a surging economy. The Federal Reserve Act was a response to these historical experiments and their aftermath. Its architects had specific aims consistent with the form and spirit of American democracy when they drafted the system. An all-too-brief excursion through the country's money and banking experience before the Federal Reserve Act helps illustrate the goals of the President and Congress in enacting the Federal Reserve legislation. It is against these goals that the growth and performance of the system can best be measured.

The idea of a central bank was not a novelty by the early 20th century. The advantages of a central bank had been demonstrated for almost two centuries in several European countries. The outstanding example was the Bank of England, established as early as 1694, which enjoyed a high reputation throughout the world.

The Federal Reserve was not the first central bank of the United States; the United States had experimented briefly and half-heartedly with a central bank early in the 19th century. Both the First and Second Banks of the United States had been chartered by the Federal Government, with authorization to combine the functions of central and private banking. Although the Government had a minority interest in both banks, they were predominantly under private ownership and control. The charters were granted for limited periods, however, and, as events proved, public opinion in the United States was ill disposed to both banks because private ownership and control were widely believed to constitute unjustifiable special privilege.

Andrew Jackson's famous attack on the Second Bank culminated in his militant refusal to extend its charter in 1836. This ushered in a long period in which the Federal Government did almost nothing to provide the Nation with a money system. And until the beginning of the Civil War banking anarchy prevailed. The number of State banks tripled between 1834 and the beginning of the Civil War and so, too, did their deposits and note issues. In some States, notably New England, laws and voluntary associations did give the local State banks safety and stability. But elsewhere, banks began operations and issued currency on little more than the promoter's high hopes.

By the 1860's, the Federal Government found it necessary to reenter the money system. Specifically, in 1863 and 1864 the Federal Government enacted the National Bank Act, creating a system of private national banks which were to receive their charters from the Federal Government, operate under Federal supervision, and issue currency of a uniform value under certain limitations and safeguards imposed by Federal law.

Interest in a unform currency, where a bank note issued in one part of the United States would be acceptable in another, was spurred by the changes taking place in the scope of industry and trade: when the nationwide system of railways was completed and very large manufacturing plants began to appear, the Nation had moved into an era of of nationwide trade. This is why there were high hopes that the national banks would provide both a national currency and a stabilizing force against the periodic money panics and breakdowns in the banking system which more and more were disrupting the whole economic fabric.

A national currency, of sorts, was realized. But, the country was to learn by repeated and bitter experience, instead of being free of banks panics and depressions, it was to be afflicted with increasingly serious bank panics and bank-intensified depressions. As the 19th century economy developed into a complex money economy—and checkbook money replaced circulating currency—the chronically deficient banking system turned into a costly and tragic extravagance.

At the most general level, the trouble with a banking system, haphazardly thrown together in a loose bundle of individual State and National banks, derived from the fractional reserve principle, wild and untamed.

Money panics and disorders have blemished the history of fractional reserve banking, often leading to serious breakdowns, depressions, and crashes in the general economy.

It is undeniable that, where the fractional reserve technique is practiced, no individual bank standing on its own, without other sources of funds available in an emergency, can pay cash to a large proportion of its depositors if it is suddenly called upon to do so. For example, today the average bank has deposits equal to about seven times its reserves and, therefore, cannot promptly pay off more than about 15 percent of its deposits in cash. The average bank would be severely embarrassed if called upon to do so. Indeed, the average bank would be greatly embarrassed even if asked to pay much less than 15 percent of its deposits. Obviously, if a bank had paid off 15 percent of its deposits, it would have to use all its reserves for this purpose. This would leave it with no remaining cash, and no source of ready cash, to carry on its normal banking functions for the depositors accounting for the other 85 percent of its deposits.

This does not mean that the average commercial bank today is an unsafe place for depositors' money, or that bank operations are as risky as the above figures would suggest. On the contrary, we are simply saying that a fractional reserve system stands in need of a fireman ready to come to the rescue of any individual bank which suddenly loses a large portion of its reserves, through demands for cash or through depositors' transferring their deposits to other banks.

Furthermore, most banks today own large amounts of Government securities and other highly liquid assets as a "secondary" reserve which can be promptly sold for cash if it is necessary.

Before the Federal Reserve Act, money panics, bank crises, and depressions had been set off by the very dangers just described. Banks were called upon to meet depositors' demands for more cash than existed in the banks' cash reserves. An individual bank in pre-Federal Reserve days, after exhausting its cash reserves, could only close its doors and begin to slow process of liquidating its loans and investments in an effort to raise enough cash to meet the rest of its deposit liabilities. But one bank's closing is, as the record shows, likely to set off a chain reaction in which more and more banks are caught up in the same difficulty. A run on the second, third, or fourth bank proves these banks can no more raise immediate cash, after the reserves go, than the first bank could.

Even those banks on which no run has been made begin calling their loans—preparing for the worst—and this too contracts the money supply and adds to the difficulties of all concerned. In the general rush to convert investments to cash, market values fall and the first bank which set out to liquidate its investments can, by now, do so only at considerably less than at 100 cents on the dollar invested. Moreover, some bank customers have by now been forced into bankruptcy and cannot repay their loans, so the banks cannot fully repay their depositors. Depression and unemployment ensue, with a prolonged interruption in the production of real wealth, until confidence is restored, all because of a breakdown in the money system which is designed, presumably, to facilitate the production and distribution of real wealth.

Aside from a "Neanderthal" fractional reserve system, our pre-Federal Reserve monetary system suffered endlessly from its inability to provide the necessary money for the country's growing volume of industry and trade on a methodical basis. The ability of the State banks to create deposit money depended on the dollar value of their "reserves," usually gold. The amount of deposit-money dollars a State bank could manufacture for each dollar of reserve depended entirely on the laws of the particular State in which the bank operated.

National banks, permitted to create both deposit money and national bank notes, were also limited in any expansion by the amount of their gold reserves. The amount of notes and other liabilities the national banks could issue or assume was tied to gold—at times to both gold and silver—and the amount of Government bonds which happened to be outstanding. National banks could only issue their notes against Government bonds which they deposited with the Comptroller of the Currency.

This meant that the total money supply of the country—supplied by State and National bank deposits as well as National bank notes—grew unsystematically, unresponsive to the amount of goods and services being produced and traded and to the cash needs of the time. Accidents in the discovery of gold, import-export flows of the precious metals and fluctuations in outstanding Federal debt combined to run the money mills at an uncertain and varying tempo.

With a nonsystem such as this, seasonal or periodic demands for cash—aside from any longer run monetary needs of the economy—created recurrent nightmares. Harvest time was always a period of money stringency. At harvest time the banks in agricultural areas of the South and West withdrew funds which they usually left on deposit, directly or indirectly, with New York banks, in order to finance the movement of farm crops and to supply local merchants with the extraordinary amounts of hard cash needed for settling accounts at the harvest season. This perfectly ordinary transaction would send a shudder through the whole banking system.

The problem was rooted in the peculiarity of the reserve requirements under the national banking system, which resulted, paradoxically, in the simultaneous scattering and "pyramiding" of reserves. Country banks had to maintain reserves equal to 15 percent of their deposits—both demand and time; Reserve city banks—banks in cities of moderate size—and central Reserve city banks in the large cities, had to maintain reserves equal to 25 percent of their deposits. Although theoretically these reserves were cash, country banks were permitted to count their deposits held at big-city banks as reserves, up to three-fifths of the required amount; and Reserve city banks could do likewise, up to half of their required reserves. The central Reserve city banks had to keep their full reserves in cash. The consequence was that little pools of unused cash reserves were scattered throughout the banking system.

At the same time, there was a persistent heavy cash flow to the New York banks, which acted as correspondents, and paid attractive rates of interest on the banks' funds deposited with them. These New York banks then used these funds extensively for "call loans," in the money market.

The "call loans" tied the banking system to the stock market. "Call loans" were loans usually made to brokers and speculators in the stock exchange on the understanding that the bank could call for their repayment on 24 hours' notice.

When the New York banks had reason to call a large volume of their outstanding loan to brokers, a scramble for funds ensued and, naturally, stocks fell. Sometimes speculators and others dumped their stocks in a rush for cash to cover their loans and a panic followed which left both brokerage firms and banking houses bankrupt.

When demands for cash arose in the country at large—as was the case at harvesttime—the country banks put a squeeze on the city banks; and the city banks were compelled to call their loans. This inevitably resulted in a sudden contraction of the money supply, with accompanying hardships and inconvenience. The problem was made even worse because many perfectly sound banks preferred to close their doors rather than use their cash reserves to meet the demands of their depositors, apparently because of the heavy legal penalties applied to a bank which let its reserves fall below the legal minimum.

With this reserve arrangement, the money industry acted in humpty-dumpty fashion The money supply—meaning the total of cash and deposits—contracted at the moment people wanted to hold more of their money in cash, making all forms of money difficult to obtain. And banks went into bankruptcy with cash reserves intact rather than be penalized for using their reserves to satisfy their depositor creditors.

Sometimes monetary expansions financed large speculative activities which, as a rule, led to "busts," bank failures, money contractions, and general depressions. Speculations in land, in mines, railroads, guano, sugar, cotton, and the abuse of credit to finance fraudulent stock issues, all played their part in triggering money panics and depressions. Between the end of the Civil War and passage of the Federal Reserve Act, the country suffered four major panics, famous not only for the widespread suffering then entailed, but also for the speculative activities which seemed to have set them off. These were the panics of 1873, 1884, 1893, and, finally, the panic of 1907 which led to a widespread sense of public outrage, to investigations, and ultimately to passage of the Federal Reserve Act.

There was considerable public suspicion that the periodic money panics were brought on by deliberate manipulation or corrupt practices on the part of large money interests. Subsequent investigations proved, that these suspicions were not always groundless. Indeed, corrupt practices were not confined to years of panic. The panic of 1873 followed several grandiose speculative schemes and the corruption of both Members of Congress and individuals having exceptional influence in President Grant's administration. For example, two famous money barons of the day, Messrs. Gould and Fisk, had set about to corner the gold market. It appears that these gentlemen elicited the help of President Grant's brother-in-law in this project, persuading him that it would be a good thing for the whole country if the price of gold could be made to go up. As an incidental item, these gentlemen invested $1.5 million in gold mining shares, on the brother-in-law's account, so that he might participate in the country's expected gains.

It was not, however, until the panic of 1907 that the public generally began demanding banking reforms and investigations to see what was wrong. That panic had its origins in a sort of financial warfare between two of the country's large, private money groups. Specifically the so-called Standard Oil group set about to break a bank, the Mercantile National Bank in New York City, in which a rival financial power, one Mr. Heinze, was heavily involved. The Standard Oil people had developed a personal animosity toward Heinze over a contest for control of copper mining in Montana. Heinze won this battle and forced the Standard Oil people to buy his copper interests at what was considered an exorbitant figure—some $10.5 million. Heinze used the proceeds of this sale to acquire control of the Mercantile National Bank, and then proceeded to make heavy investments of the bank's funds in the stocks of a new and more or less fictitious copper company. The Standard Oil people, aware of the risky enterprise in which Heinze was engaged, quietly invested large sums in these same stocks, then dumped the stocks on the market at a crucial moment, breaking both the price of the stocks and Heinze's bank.

Perhaps the breaking of this one bank was all that was intended; but as we can well understand from the nature of banking in that day, the crash of one bank was likely to, and often did, precipitate runs on other banks. Such was the result of the crash of the Mercantile National Bank; the whole country was thrown into a depression.

When reports of trouble at Heinze's bank reached the newspapers, runs on other New York banks were triggered. Great and respected financial barons of the day immediately issued reassurances that all was well. The Secretary of the Treasury rushed from Washington to New York to deposit $35 million of Government funds with the other banks of that city, in an effort to prevent further collapse and the spread of panic. But the publicity given these events appears to have stirred more panic. It spread to the stock market in New York City and to commercial banks all across the country. Hundreds of millions of dollars went into lockboxes and other private hoards. In some cities legal tender money was sold at a premium.

In New York, J. P. Morgan took command, called the banks of the New York Clearing House Association together, and secured from them pledges of mutual assistance. The panic was finally broken when President Theodore Roosevelt approved a proposal that the New York Clearing House Association issue $100 million in "certificates" which were to function as money. The obvious remedy to panic lay, in a rough way, with a principle which was to support the Federal Reserve System. Meanwhile, however, industry and trade in the Nation had been seriously disrupted, causing unemployment and widespread hardship.

It might be added that in the course of the panic of 1907, Mr. Morgan won President Roosevelt's consent, the antitrust laws notwithstanding, for the Morgan steel interest, centered in the United States Steel Corp., to acquire and merge the southern steel industry, centered at Birmingham.

On the tide of public indignation aroused by the panic of 1907, Congress authorized investigations, in 1908, by a national monetary commission headed by Senator Nelson Aldrich. The results of the study were published in more than 20 volumes; in 1912, Senator Aldrich introduced a bill to establish his proposed reforms. The main reform proposed was a central bank, with powers to regulate banking; the central bank was to be privately owned and privately controlled.

Meanwhile, however, the House of Representatives had begun a separate investigation, that made by the famous Pujo committee. Intimate facts unearthed for the Pujo committee gave the public a picture of a "money trust," a network of holding companies and other interlocking relationships which gave a small group of Wall Street tycoons control not only of all of the big banks of New York City, but of most of the financial power in the whole country. There was wide public demand for a new central system of maintaining bank reserves and for regulation of the banking system. And the demand was for a public body, not one under Wall Street control. Indeed, public sentiment was then opposed to any single central bank, because of the possibility that a single bank might come to be controlled or unduly influenced, by special interest groups or by the financial interests of some particular section of the country.

There were then three glaring weaknesses of the monetary system as this brief account of banking before 1913 illustrates. First, it was less a system than a nonsystem. Each individual bank stood alone, no stronger than itself but quite capable of weakening all the others. The only reserves a bank could call on were those it owned. A rush on one bank's reserves might bring the bank down, with dire consequences for the entire banking structure, even though all the banks together held enough reserves to satisfy the first bank's creditors and more. Panic could be stopped at the source if all the banks together did what no one bank could do—"mobilize" the pools of existing reserves.

The idea of mobilizing reserves was simply this: Whereas previously reserves, which were then mostly gold, gold certficates, and coin, were scattered about the country in the vaults of the individual banks, any new system should draw all of these reserves into one place where they would be readily available for lending to any particular bank, or banks in any particular part of the country, that might be called upon for exceptional amounts of cash. Furthermore, it was expected, and rightly so that such a system would increase public confidence in banks, and that many people who had previously preferred to hold gold and silver coins would deposit these coins with the banks, thus increasing the amount of gold reserves which the banking system would have.

A second flaw of the monetary industry was that the money supply was too inflexible. In the accepted phrase, the country needed an "elastic currency." Cash drains occurred with monotonous regularity and the nonsystem was incapable of meeting the challenge. Banks could not get cash as they needed it without withdrawing reserves, and, of course, somewhere along the line monetary contraction would set in as the reserve base flowed out through the cashier's window. There had to be a source of reserves, which provided the short-run wherewithal just to keep the machinery of a monetary economy functioning. That long-run needs should also be provided for was a utopian consideration, given the need to erect a workable system, any workable system.

As a final fault, bank practices followed a crazy quilt of State and National standards. Since the banking system was not much stronger than its weakest banks—crashes and runs due to imprudent management flashed through the system shocking everyone—some minimum enforced standards were necessary. This entailed some central supervisory body to enforce reasonably sound practices, safeguarding against insolvency and loss of the depositors' money.

President Wilson summarized the situation drawing on the findings of the Aldrich committee as follows:

> We must have a currency, not rigid as now, but readily elastically responsive to sound credit, the expanding and contracting credits of everyday transactions, the normal ebb and flow of personal and corporate dealings. Our banking laws must mobilize reserves; must not permit the concentration anywhere in a few hands of the monetary resources of the country or their use for speculative purposes in such volume as to hinder or impede or stand in the way of other more legitimate, more fruitful uses. And the control of the system of banking and of issue which our new laws are to set up must be public, not private, must be vested in the Government itself, so that the banks may be the instruments, not the masters, of the business and of individual enterprise and initiative.

Other—subsidiary—purposes were to be served by the proposed reforms. These were: to provide a more uniform nationwide regulation of banks, particularly their power to create "checkbook money," and also to provide a system by which the banks could clear checks promptly and uniformly throughout the Nation. This corrected one flaw in the National Bank Act; although the act had provided that currency have uniform value the country over, an individual bank would often clear a depositor's check drawn on another bank only at less than par—that is, the bank would return the depositor less than 100 cents on each of the dollars he had deposited.

The reforms eventually settled on regional-central bank legislation. And the bank that emerged, the Federal Reserve System, was unmistakably an American animal. By reason of strong public opinion in the western and southern parts of the country—stirred by the Pujo committee findings—the Federal Reserve Act of 1913 established 12 separate regional Federal Reserve banks—a decentralized system—each having more or less independent powers. At the same time all 12 banks were joined in a monetary pipeline through which bank reserves could be shunted to one part of the country or another as the need arose.

While the Federal Reserve proposals were being considered and legislation drafted; the struggle over private versus public control of the System continued. President Woodrow Wilson and Senator Robert L. Owen, chairman of the Senate Banking Committee, supported public demands for an agency under public control. Private bankers, on the other hand, found their views expressed in the Aldrich proposal for a centralized private bank and fought a last-ditch fight for private control. In the end, some compromises were made. The private commercial banks were given control of the 12 regional Federal Reserve banks; that is, they were given the privilege of electing two-thirds of the directors of the banks, and these directors, in turn, selected the presidents and other chief officers of the banks.

At the same time, however, the functions and duties assigned the 12 Federal Reserve banks were largely defined by law. It was not contemplated that they would have much discretionary power over the money supply. Both increases and decreases in the money supply were to be "automatic"—that is, in proportion to the "needs" of trade and commerce. Because the word "needs" is subjective, the money supply was never regulated automatically but rather controlled and sometimes perversely as will be shown. Private banks would continue to create money—and to extinguish money—as before, but under safeguards prescribed by law and Federal Reserve Board regulations. A member bank requiring funds to meet the needs of industry and commerce in its locality was to be able to obtain the funds from the nearest Federal Reserve bank by discounting "eligible paper" with the bank. Discounting means reselling to the Federal Reserve a commercial bank's loan agreement with a customer at a price less than the bank actually loaned the customer. How much less is governed by the discount rate. "Eligible paper" was defined by law. It represented bank loans made to farmers, merchants, and other businessmen. The next chapter will explore the money supply provisions further.

The discount rate, on the other hand, was subject to the review and determination of the Federal Reserve Board in Washington, a public body consisting of members appointed by the President of the United States and confirmed by the Senate. The minimum amount of reserves which member banks of the System were required to keep on deposit with the Federal Reserve banks was prescribed by law, being left to the discretion of neither the Board nor the regional banks. Other regulations to safeguard the banks against dangerous and imprudent practices were to be promulgated by the Board, in accordance with the general guidelines specified in law.

Commercial banks were not compelled to become members of the System. All national banks must, as a matter of law, be members. But banks chartered by the States may join the System, or withdraw from the System, as they choose—though to be a member of the System a bank must meet certain minimum standards prescribed by the Board of Governors and otherwise comply with the Board's regulations. This feature of the law was a concession, not to the popular view which distrusts control by big financial groups, but to a large body of popular opinion which distrusts Federal control. Framers of the Federal Reserve Act hoped, however, that all, or substantially all, State banks would join the System, because of the quite substantial advantages which membership in the System was expected to offer.

One of the main advantages of membership was prompt collection and payment of checks—between banks—and at the face value of the check. Difficulties and delay in check collection and payment—particularly between banks located in different cities—was not the least of the defects of the pre-1913 money system; check clearance between banks was subject to the same difficulties which attended note issues of the various banks before the National Bank Act when notes of the various banks were of varying values and questionable acceptance. In short, weeks might pass before a check drawn in one city on a bank in another would be ultimately settled. Individual banks frequently refused to accept checks drawn on a distant bank, and, as noted, even more frequently checks were accepted only at a discount. In brief, commercial demands for improvements in the system of checkbook money were, in large part, responsible for passage of the Federal Reserve Act.

WERE ANY EMERGENCY MEASURES TAKEN BEFORE THE ESTABLISHMENT OF THE FEDERAL RESERVE?

Some emergency measures adopted during panics are worth mentioning because they further illustrate the nature of the problems that had to be solved.

The New York Clearing House and other private clearinghouses—which cleared checks for their members—adopted the expedient of issuing clearinghouse loan certificates. When a bank had to meet an unfavorable clearinghouse balance, it could turn over securities instead of funds to the clearinghouse. The clearinghouse then issued loan certificates secured by these obligations and used the certificates to pay the local banks having credit balances. Later on, if the banks that had received certificates had unfavorable clearing balances, they could use the certificates to meet their deficiences. This device increased the amount of funds available for meeting out-of-town withdrawals. Its significance lay in the fact that banks could thus obtain additional funds—if the certificates could be termed funds—on the basis of their earning assets without having to sell those assets.

The clearinghouses also printed scrip, like certificates but in a form that could be paid out over the banks' counters and used as currency by the public during the monetary shortage. The clearinghouses, in effect, were creating reserve money, however primitively.

The Aldrich-Vreeland Act of 1908, passed after the panic of 1907, contained a provision based on the same principle as the clearinghouse loan certificates. This act provided that 10 or more national banks could form a national currency association to issue notes, secured by the deposit of bonds—other than U.S. Government bonds—or of commercial paper—or of both—with the association. These notes could be issued in amounts equal to 70 percent of the market value of the securities—90 percent of the market value with municipal bonds. To make certain that the notes would be retired as soon as possible, they were subject to a graduated tax, 5 percent a year for the first month that the notes were outstanding, then, by gradual increases to 10 percent at the end of the first year. Nearly $400 million of this kind of currency was issued between the outbreak of war in Europe in July 1914 and August 1915, preventing any possible panic from ensuing. However, the law was allowed to expire in 1915 because of the establishment of the Federal Reserve System.

HOW WAS THE FEDERAL RESERVE SYSTEM AN IMPROVEMENT OVER ITS PREDECESSOR?

The Federal Reserve System was specifically designed to solve many of the weaknesses inherent in the precedent system.

First. By requiring the banks to keep their "reserves" with the district Federal Reserve banks rather than with other private banks, the Federal Reserve banks acted as the Nation's central bank. This made it possible to convert these reserves into currency in times of difficulty, something not possible under the system of pyramiding reserves.

Second. The Federal Reserve System was also a decentralized central bank, located in 12 regions throughout the Nation. This was designed to reduce the concentration of the money mechanism in New York City and the dangers of such concentration.

Third. It was hoped that virtually all the banks in the Nation would join the Federal Reserve System, thus providing uniform regulations for all banks. But this did not transpire. Even today over half of the banks in the Nation are not members of the System.[5] The first effort to bring most banks under uniform regulation and control had occurred in 1863 with the passage of the National Bank Act, but it was unsuccessful. A second unsuccessful attempt was the Federal Reserve Act. A third such venture meeting greater success was the Federal Deposit Insurance Act of 1933.

Fourth. The Federal Reserve's check-clearing operations proved a major benefit to commercial banks. It significantly reduced the time required to clear checks drawn on banks outside the city of the payee.

Fifth. Further, the Federal Reserve System was designed to provide an elastic currency. This was to be accomplished through the rediscounting process. By making funds available through the discount window, both cash and the total money supply could expand in accordance with the business needs of the community. But recall this is not a clear-cut criterion and may even lead to perverse money supply changes.

HOW IS THE FEDERAL RESERVE SYSTEM ORGANIZED?

The three basic parts of the Federal Reserve System are the Board of Governors, the 12 Federal Reserve banks, and the approximately 6,100 private commercial member banks. In terms of policy determination, however, the most important group is the Federal Open Market Committee.

First. Board of Governors. There are seven members of the Board of Governors. They are appointed by the President for terms of 14 years, with one term expiring each 2 years. Each member receives a salary of $20,000 a year, except the Chairman of the Board, who receives $20,500.

Second. Federal Reserve banks. There are 12 Federal Reserve banks, located in the following cities: Boston, New York, Philadelphia, Richmond, Atlanta, Cleveland, Chicago, St. Louis, Dallas, Kansas City, Minneapolis, and San Francisco.

Third. Private member banks. As of June 29, 1963, there were 6,058 commercial banks which were members of the System. About 4,500 of these are national banks chartered by the Federal Government under the act of 1863. Such banks are required to be members of the System. The remaining 1,500 member banks are chartered by the various State governments. State-chartered banks may join the System if they desire and if they meet the requirements of the act and the supplemental rules laid down by the Board of Governors.

Fourth. Federal Open Market Committee. The Federal Open Market Committee consists of 12 members: the 7 members of the Board of Governors plus 5 of the 12 presidents of the Federal Reserve banks. Because it is the most important and powerful group in the System as far as monetary policy is concerned, the next chapter is devoted to this Committee and the market through which it operates.

WHAT ARE THE OPERATIONS OF THE FEDERAL RESERVE SYSTEM?

There are three basic types of operations of the Federal Reserve System: routine operations, regulatory operations, and policy operations.

First. Routine operations. Perhaps the most significant of the routine operations of the System is that of clearing checks. Federal Reserve officials have estimated this accounts for upward of 40 percent of the total cost of the System.

As the situation now stands, the check-clearing service is open to nonmember as well as member banks, though banks which are not members of the System clear their checks through a member bank. Another important routine function of the System is that of furnishing currency. The Federal Reserve banks are charged with getting all the currency issued in the United States into the hands of the private banks and, thus, the public. The Federal Reserve banks also act as fiscal agent for the U.S. Government by issuing all notes and bonds of the Federal Government. Also in the routine category is the contact with foreign central banks. This is handled through the Federal Reserve Bank of New York. Finally, the Federal Reserve banks hold the reserves of the member banks.

Second. Regulatory operations. The Federal Reserve has two basic types of regulatory operations. First, it regulates the number of banks which are in the System by fixing the requirements for membership. Second, the Federal Reserve periodically examines the books of State member banks to see that these banks meet the requirements for operation of member banks laid down by the Board of Governors. National banks are periodically examined by the Comptroller of the Currency.

Third. Policy operations. The most important aspect of Federal Reserve operations in terms of well-being of the national economy lies in the determination of monetary policy. The Federal

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[5] Remember, though, that member banks account for about 85 percent of total deposits.

Reserve has the power to determine the money supply and thus strongly influence the level of economic activity and the general level of interest rates. It controls the money supply through its control over the reserve requirement of member banks and by controlling the amount of reserves available to these banks. Although the Board of Governors has a variety of methods for controlling credit, the most important method—determination of the amount of member banks reserves—is in the hands of the Federal Open Market Committee. Operating in the open market is the essential tool of our monetary policy. Other controls available to the Board of Governors include: Changing the rediscount rate, changing the reserve requirement, and changing the margin of cash payment required on stock market investments.

WHAT ARE THE SOURCES OF REVENUE OF THE FEDERAL RESERVE?

By far the largest single source of income of the Federal Reserve banks is interest on holdings of U.S. Government securities. In 1963, interest on Government securities accounted for 98.9 percent of the total income of the Federal Reserve. Income to the System from discounts and advances is very small. Sources of income and the main items of expense of the System in 1963 were as follows:

TABLE 1.—*Earnings and outlays of the Federal Reserve banks, 1963*

Earnings:	
U.S. Government securities	$1, 138, 167, 465
Discount and advances	8, 865, 844
Foreign currencies	2, 039, 600
Acceptances	1, 728, 755
All other	318, 396
Total current earnings	1, 151, 120, 060
Expenses:	
Salaries	$106, 788, 827
Other operating expenses	62, 848, 828
Federal Reserve currency	10, 062, 901
Board of Governors	7, 572, 800
Total, current expenses	178, 273, 356
Dividends paid to private commercial members banks	28, 912, 019
Paid to U.S. Treasury	879, 685, 219

Source: Federal Reserve Bulletin, February 1964.

HOW MUCH OF THE FEDERAL RESERVE'S EARNINGS MUST BE RETURNED TO THE TREASURY?

No law or regulation specifies how much of the Federal Reserve earnings must be returned to the Treasury nor when payments must be made.

In practice, the Federal Reserve spends all of its income that it cares to spend, pays dividends to its member banks on their "stock" and sets aside a large amount as "surplus." The remainder is returned to the Treasury at the end of each year.

Despite the fact that there is no limitation on how much the Federal Reserve may spend to meet "expenses," it usually returns to the Treasury an amount many times the amount of its expenses.

In 1963, it returned to the Treasury $879,685,219.

CHAPTER V. WHO DETERMINES THE MONEY SUPPLY?

If the average man were asked to list the 10 most powerful groups of men in the world, the chances are that he would fail to mention one particular group with enormous power right here in this country. If the polling were continued, and the next question was to name the market where most claims to wealth are traded, the answer would again be faulty; it is neither the New York Stock Exchange nor the Chicago Wheat Exchange nor the other obvious markets. In fact, the pollster would probably retire on an old-age pension before he received the correct answer, so few are the people who know.

Further questions, about what the Federal Open Market Committee is, or the so-called open market for Government securities, would still leave the pollster searching in vain. Few know about the Federal Open Market Committee or the open market, and very few people have even heard of it.

If by power we mean power over our economic lives, one of the most powerful groups of men in the world is exactly that unknown group, the Federal Open Market Committee. In many ways their power is equal to that of the President in deciding how the world's greatest economic machine will operate. That is power enough to rank high on any list. Yet this group operates with such little publicity that its existence is virtually unknown except to those few—the major bankers, giant financial houses, and trained economists—whose professional interests have provided them with knowledge about this sweepingly powerful arm of our Government.

There are 19 participants in this powerful body, 7 appointed by the President of the United States and confirmed by the Senate of the United States. Once appointed, however, a man serves for a period of 14 years, and cannot be removed by the President or by any other official body, except for cause. A 14-year term means that only the President succeeding the one who appointed the member can possibly replace him. Because the terms are staggered so that one new member is appointed every 2 years, a President can just barely hope to appoint a majority of the seven if he serves the two full terms allowed by the Constitution. These seven men are the members of the Board of Governors of the Federal Reserve System.

The other 12 men in this select group are elected to their places through the votes of private commercial bankers. Specifically, they are the presidents of the 12 Federal Reserve banks, elected to their posts indirectly by bankers from banks which are members of the Federal Reserve System.

In any one year, there are 12 voting members of the Federal Open Market Committee. The voting members consist of 7 members of the Board of Governors of the Federal Reserve System, plus some 5 of the 12 Federal Reserve bank presidents. The President of the Federal Reserve Bank of New York also is always a member of the Open Market Committee. Thus there are eight permanent voting members of the Committee. The other four voting members are rotating members. Put otherwise, the other 11 Federal Reserve bank presidents serve on the Open Market Committee in rotation, so that only 4 of the 11 are formally members of the Committee at any one time.

The Open Market Committee's authority over the Nation's economic life and its influence over the Nation's position in the world affairs lies in its power to determine this Nation's credit policies. Determining credit policies means determining the Nation's supply of money and credit and, therefore, the general level of interest rates, among other things.

There is no doubt about the influence of the Committee on interest rates. The Committee can and has changed the money supply at will to reach an interest rate objective. But sometimes the Committee will alter the money supply without changing interest rates. Rather what will change is the availability of money. Credit conditions, like the weather, have two dimensions. For weather, people want to know both the temperature—hot or cold—and the type of day, rainy or sunny. Similarly with credit, it is important to know not only what the going interest rates are but whether money is freely available at these rates.

Because of this two-dimensional feature, economists would say that interest rates are an example of "sticky" prices. By this they mean, a great deal of pressure for change normally must build up in the credit market before the general level of rates shifts. And this pressure expresses itself first in the changing conditions of availability of credit. Thus the availability of credit can be changed without changing interest rates. And sometimes this is all the Open Market Committee aims at.

Alternately, the general level of interest rates can be changed under the right conditions with only a small accompanying change in the availability climate. So that it is roughly true to say that the two dimensions of credit, availability and price, can be changed independently of each other.

The notion of "sticky" interest seems to clash with some preconceived ideas about how interest rates are set in our economy. The public clings to the belief that interest rates are a textbook case of the workings of supply and demand in the marketplace. This blind spot about money prices does not exist in connection with prices of other goods.

For example, if you tell the average man that the price which the automobile manufactures charge for new autos at the factory is determined only by consumer demand for autos and the number of autos the manufacturers have to sell—or have the capacity to produce—that week or month, he would reply without hesitation that you are mistaken. What is more, he would be right. Automobile manufacturers do not run the price of cars up and down in week-to-week or month-to-month response to changes in the supply-demand situation. Quite the contrary; they usually name a price for the year ahead and stick with it throughout the model year. Automobile dealers are more responsive to supply and demand changes.

Much the same behavior occurs in the pricing of money—that is, in the fixing of interest rates. True, interest rates are not nearly so rigid—so unresponsive to changes in supply and demand—as are the prices of automobiles. But many lending institutions do tend to maintain a given lending rate for long periods of time no matter how much credit they have available to lend, or how much their customers want to borrow.

The commercial banks of the country, for instance, may continue to be "loaned up" for a fairly long period. That is, on the basis of the volume of reserves which the Federal Reserve System permits the banks to have, the banks expand their loans to the maximum, consonant with sound banking practice, and can expand no further. When borrowers seek more loans than the banks can supply, this situation results in a period of tight credit.

Then if the Federal Reserve decides to ease credit, it will increase bank reserves and give the banks added lending capacity to meet the demands of their customers. When this happens, the usual result is that the banks continue charging the same lending rate on new loans as they charged before. It may be weeks, or even months, before rates are lowered to the new level made possible by the eased supply conditions.

This stickiness of interest rates in the United States has led to a situation of price leadership. The custom is for the commercial banks throughout the country to charge a scale of lending rates based on the prime lending rate charged by the big banks in New York City. With rare exception, when the New York banks lead the way the other commercial banks in the country shift their interest rate structure.

The price leaders, then, as far as interest rates are concerned, are the big New York banks whose prime rate forms a base on which the Nation's structure of interest rates rests. Changes in this prime rate signal bankers throughout the Nation to raise or lower their rates accordingly.

But what determines the prime rate? And what forces set off changes in that rate? The answer is that the few large New York banks set the prime rate and change it—combining their feel of the supply and demand for credit with their knowledge and expectations about Treasury and Federal Reserve policy, the combination then liberally laced with a large dose of discretion.

A price which has a relatively large penumbra of discretion surrounding it is a price open to negotiation. And when a large borrower faces the large banks, the price of the agreed-on loan is a negotiated price—negotiated within hailing distance, of course, of the going rate for the particular loan.

The prime example of a negotiated rate is that paid by the Treasury when floating a new loan. At almost all times the Treasury is borrowing huge amounts of money, usually to repay money which the Government has borrowed previously. Government bonds and other securities are always coming due and having to be paid off, and the Secretary of the Treasury issues new securities to replace them. It may appear that the Secretary of the Treasury is issuing these new securities to the general public, but, in fact, he must sell the bulk of any particular issue to a relatively small group of buyers—a few big banks and financial houses. Therefore, he calls on advisory committees of representatives of these banks or financial houses for advice about setting the interest rate on any new security he anticipates issuing.

In other words, although the Secretary of the Treasury nominally sets the interest rate, in practice the rate is arrived at by a means of negotiation between a very big seller of credit instruments and a small group of big buyers of these credit instruments. The outcome depends on relative bargaining abilities. If the Secretary of the Treasury is a tough negotiator, the Treasury will pay a lower price for the credit it obtains. If he goes easy with the big banks and financial houses, the Government will pay a higher interest rate.

On their side of the bargaining table, the big financial houses take into account their expectations about the money supply in the weeks and months ahead. If they anticipate tightening of credit, they will hold out for a higher rate than if they anticipate an easing in credit conditions.

Since it is the Federal Open Market Committee which decides whether credit will be tighter or easier, the giant banks and financial houses study the attitudes and policies of the Open Market Committee closely, and they can usually make a pretty accurate prediction as to the future policy of the Open Market Committee.

Thus we find the Government weighing heavily on both sides of the bargaining process. One arm of the Government, the Treasury, figures importantly in the total demand for money because the Treasury is regularly the largest single borrower. On the other side, another arm of the Government, the Federal Open Market Committee, determines the supply of money and greatly influences the price the Treasury must pay.

In this all-important task of determining the size of the Nation's money supply, the role of the Government has undergone fundamental changes over the years. Let us trace the pattern of this change.

Before the National Bank Act the Federal Government largely confined its activities in the monetary sphere to the issuance of coins and currency, the quantity of which was determined at various times by the availability of gold, silver, or both. If the Government had a policy regulating the size of the money supply, it was this link to the money metals. Then, as now, the most important source of the supply of money was the commercial banking system.

Except in the cities, where checking account money was used, note issue was the ordinary way banks created money. The importance of deposit creation was not commonly understood. This was why the limitations which the National Bank Act placed on the money supply were applied to bank notes, not to deposits. Legal reserve requirements were intended to protect liquidity, not to provide a mechanism for regulating the volume of money created; it was not until the establishment of the Federal Reserve System that the supply of money became a conscious objective of anyone. The 10-percent Federal tax which made the cost of issuing State bank notes prohibitive caused numerous State banks to go out of business without ever recognizing that deposit creation was an available alternative, in many respects superior to note issue.

After the passage of the National Bank Act, interest rates were generally determined locally, as before, by the supply and demand for credit in the area. Of course, particular banks may have had local monopolies; but in general, a bank's lending rate was usually what competition dictated. Under this system, the bank paid depositors the rate of interest necessary to keep them banking with it, rather than with some other bank; and, if possible, to persuade depositors in competing banks to transfer their deposits to it. Banks paid interest on checking accounts until 1935. On the other hand, the banks charged whatever loan rates competition and the State usury laws permitted, always hoping for a loan rate yielding a margin of profit over and above the rate paid on deposits.

During the period of the National Bank Act and after, Congress attempted, slowly and hesitantly, to be sure, to assume the money powers reserved to it by the Constitution. First it had to put up a fight to establish its constitutional powers, which nominally covered coins and currency, and in fact had to include deposit money to be useful or meaningful. Then, its attempts at money management represented sporadic experiments with bank reserves, and with requirements about the type and amount of loans banks might make, the investment and liability of stockholders, and so on.

When the Federal Reserve System was set up in 1914, it was thought that a way had been found to free the economy from its money supply woes. Under the Federal Reserve System, the money supply was expected to grow with the needs of the economy. How was the System to accomplish this? By putting regulatory powers into the picture? Were officials of a Federal regulatory agency expected to make arbitrary decisions about the quantity of money, then take steps to issue that quantity?

No. It was hoped that by monetizing "eligible" short-term commercial paper; by providing liquidity to sound banks in periods of stress; and by restraining excessive credit expansion, the banking system could be guided automatically toward the provision of an adequate and stable money supply to meet the needs of industry and commerce. A vital stabilizing element in this setup was the provision which the act made for an elastic currency.

The act created a money mill designed to meet day-to-day or seasonal changes in the public's demand for cash without putting needless strains on the reserves of the banking system. In other words, under the Federal Reserve System, both notes and checkbook money are forms of money supported by the System's reserves. Increases in the amount of cash which the public wants to hold can be readily met by setting the System's printing presses in motion; excess currency is immediately absorbed. The System's reserves would expand and contract via the discount window as cash and other needs made necessary. A member bank could increase its reserve account handily by borrowing from the Federal Reserve Bank.

To safeguard their liquidity and provide a base for expansion, the member banks of the System could obtain credit from the nearest Federal Reserve bank, usually by rediscounting their "eligible paper" at the bank—that is, to repeat, selling to the Reserve bank certain loan paper representing loans which the member bank had made to its own customers; the requirements for eligibility being defined by law. If necessary, the member banks might also obtain reserves by getting "advances" from the Federal Reserve bank, which were simply loans made by the Federal Reserve banks to the member banks backed by pledged collateral. Whether through "rediscounting" or "advances," the member banks could obtain reserves if necessary—based on the individual needs of the community served by the respective banks.

Thus, no specific limits were to be placed on the amount of money the system could create. Under these circumstances, some authority had to have control over discount rates, which would then limit the amount of money manufactured by the banks. Otherwise, the banks might force infinite reserve creation if their lending rate and the System's charges were in a fixed favorable relation. Obviously, the rates at which the Federal Reserve banks lent or discounted paper—the discount rate and the rediscount rate—would have great influence on the lending rates of the banks, and, therefore, limit the demand for money.

The controversy, over whether the private bankers or a public body should control the Federal Reserve System was compromised by giving the bankers a two-third majority on the regional bank boards which select the managements of the 12 Federal Reserve banks. These banks, and their banker-elected managements, were not, however, given the power to set the discount, or rediscount, rate. They could propose a discount rate. But the power to review and determine their proposed rate was lodged in a board in Washington, a public body.

At the time the Federal Reserve Act was passed, the discount rate was considered to be the important control element possessed by the System. Open-market operations were fairly insignificant. The individual banks conducted their open-market purchases and sales independently and often at cross-purposes as far as effects on the reserves, money supply, and Government bond prices were concerned. By the twenties, open-market operations ceased being handled so casually. A series of informal arrangements were initiated, evolving by 1930 into a "policy conference" of the 12 bank presidents, through which open-market operations were coordinated and the transactions handled by the New York bank for all the banks in the System. In the emergency banking legislation of 1933, the Open Market Committee—still composed of the Governors of the 12 Federal Reserve banks—was recognized as an official part of the System. In the Banking Act of 1935, it was reorganized to give the seven members of the Board of Governors majority influence, with only five of the bank presidents officially participating at any time.

The System's open-market operations have become increasingly important as an instrument of monetary control; emphasis has shifted from control of the member bank's reserves, during the 1920's and 1930's, to support for Government bond rates, and then back to control of reserves since the so-called accord of 1951. But policy changes have been accompanied by technical advances: the committee has sharpened open-market operations into a powerful tool. In fact, it has become the fundamental technique of credit policy, far more important than either the discount rate or reserve requirements; in addition, open-market operations are used more or less continuously, in contrast to fairly infrequent changes in either of the other two instruments.

A measure of how important open-market operations have become and how far discounting has lapsed is given by table 2, "Analysis of combined earnings of the 12 Federal Reserve banks, 1914–63, selected years." The peak earnings from discounts and advances in any of the postwar years roughly equals the average of such earnings in the latter 1920's, when the money supply was far smaller than now.

TABLE 2.—*Analysis of combined earnings, 12 Federal Reserve banks, selected years, 1914–63*

[In thousands]

Years	Total earnings	Earnings from U.S. Government securities	Earnings from discount and advances	Percent of total earnings derived from U.S. Government securities
	(1)	(2)	(3)	(4)
1914–15	$2,173	$172	$1,218	7.9
1916	5,218	1,107	1,026	21.2
1917	16,128	2,368	6,971	14.7
1918	67,584	3,829	48,348	5.7
1919	102,381	5,761	80,768	5.6
1920	181,297	7,141	149,060	3.9
1921	122,866	6,254	109,599	5.1
1922	50,499	16,682	26,523	33.0
1925	41,801	12,783	17,680	30.6
1928	64,053	10,828	38,334	16.9
1930	36,424	17,273	10,672	47.4
1932	50,019	26,924	17,881	53.8
1933	49,487	37,530	9,137	75.8
1934	48,903	46,131	1,231	94.3
1939	38,501	36,903	61	95.8
1944	104,392	102,810	724	98.5
1949	316,537	312,241	3,472	98.6
1954	438,486	434,837	3,479	99.2
1960	1,103,385	1,084,767	16,634	98.3
1961	941,648	937,615	2,502	99.6
1962	1,048,508	1,039,303	4,132	99.1
1963	1,151,120	1,133,167	8,866	98.9

Monetary economists tend to treat the shift to open-market operations to control the money supply purely as an example of the evolution of control techniques.

But this concentration on technical evolution, accurate as far as it goes, obscures a revolutionary change in the power structure of the System that accompanied the emergence of open-market control. Before exploring this point further, a few facts about the Open Market Committee will be helpful.

WHO ARE THE VOTING MEMBERS OF THE COMMITTEE?

There are 12 members. They are the 7 members of the Board of Governors plus 5 of the 12 presidents of the Federal Reserve banks. Congress assumed, when it established the Committee, that the public members, with a 7 to 5 majority, would control the Committee. As for voting, the president of the New York Federal Reserve Bank always has a vote, the Cleveland and Chicago presidents vote in alternate years, and the presidents of other Federal Reserve banks are voting members every third year. Since the New York president and the seven Governors always are voting members of the Committee, there are eight permanent voting memberships and four rotating memberships.

WHEN AND WHERE DOES THE COMMITTEE MEET?

The law requires that the Committee meet at least four times a year in Washington. In practice, the Committee meets much more frequently, approximately every 3 weeks.

PRECISELY WHAT DOES THE FEDERAL OPEN MARKET COMMITTEE DO?

It determines in general the amount of Government securities the Federal Reserve shall buy and sell in the open market, primarily to determine the level of reserves. In essence, the Committee determines U.S. monetary policy. Technically, this authority rests in the Board of Governors, which has sole possession of the other tools of monetary policy—the reserve requirements and the rediscount rate. In actual fact, however, open market operations are relied on predominantly, and the other tools are used to supplement open market operations.

HOW DOES THE OPEN MARKET COMMITTEE SYMBOLIZE THE "POWER REVOLUTION" WITHIN THE FEDERAL RESERVE SYSTEM?

As the abbreviated history of the Federal Reserve Act emphasized, a key struggle during passage of the act was over who would control the System—public or private interests. By private interests, banking interests are what is meant. The adversaries in this conflict were quite conscious of what was at stake. The compromise over control placed what was considered at that time to be the master switch governing the money supply and interest rates—the discount rate—in the hands of a totally public body—the Board of Governors. This was a deliberate act. President Wilson rejected the notion of diluting the public nature of the Board with his now classic statement, "Which one of you gentlemen would have me select presidents of railroads to be on the Interstate Commerce Commission to fix passenger rates and freight rates?"

The commercial bank interests, it bears repeating, were given control over the board of directors of the individual regional banks. Six of the nine directors of each regional bank board are elected by the member banks of the region. The board of directors, in turn, elects the president and first vice president of each bank for a term of 5 years, subject to the approval of the Board of Governors.

The Federal Reserve Act was designed to have the decentralized System supply reserves only through the 12 independent Federal Reserve banks, by discounts or advances to member banks. At the time the act was passed no other method of extending credit was even contemplated. Because of this, the balance of power over the money supply lay securely, it was thought, with the public side of the System through the authority of the Board of Governors. But when the move toward the alternative open-market technique of control was given legislative blessing by Congress in 1933 and 1935 and a full-fledged central bank thereby created, the balance shifted radically toward the private, commercial banking side of the System.

When Congress authorized the Open Market Committee, and permitted it to engage in the joint purchase and sale of securities for the entire System, the prevailing assumption was that discounts and advances would continue to be the principal means of supplying reserves. It also believed that the legislation left the power arrangement of the Federal Reserve relatively untouched. The public members have a 7-to-5 majority on the Committee. Also, the selected five regional bank presidents swear an oath to protect the public interest when they become official members of the Committee. They take no such oath on becoming presidents of their respective banks. But Congress was acting in the heart of the depression, and did not take the necessary care to see that the Committee it actually authorized accurately reflected its intentions.

What happened, in fact, was that the public body—the Board—abdicated control to the Open Market Committee. And the Open Market Committee, with five members who hold their regional bank positions through the votes of privately oriented directors, already represents a diluted public body. Further, to repeat the introduction, all 12 presidents participate in the Committee discussions and debates about the course of monetary policy. They make up part of the 19-member "discussion" Committee. They are free to influence and persuade as they see fit.

The upshot is that the institution and practices of the Open Market Committee have opened the door to the same private banking influences President Wilson was so careful to exclude. Now the private portion of the Federal Reserve System is not only well represented at the regional banks but has five-twelfths of the legal control over the money supply and an even stronger voice in the crucial decision-making process.

None of this should be taken to imply that the regional bank presidents do not consciously seek to reach decisions purely in the public interest. But a man's view of the public interest and of the best methods by which that interest can be furthered, as experience teaches, is inevitably colored by the environment and circumstances of his daily life. That is also why radio and television network presidents are not appointed to the Federal Communications Commission even if their zeal for the public welfare, as they see it, is incontestable. The Open Market Committee, in this sense, is not free from private banker influence and bias. And it is naive for the regional bank presidents to protest, as they forcefully do at congressional hearings, that the public welfare is their only concern when they enter the committee room.

Here, then, is the "power revolution" at the Federal Reserve which destroyed the ingenious compromise of the original legislation. Control of the money supply, with its enormous economic consequences, has passed from a purely public group, composed only of public servants, to a mixed body with dubious qualifications to represent the public interest.

WHO SHOULD BE MEMBERS OF THE COMMITTEE?

All the members of the Open Market Committee should be public members. There is absolutely no reason why they should not be. They should be selected on the basis of broad experience and judgment and appointed by the President of the United States to represent the general public interest. Indeed, to make the point clearer, the Open Market Committee should be abolished and its powers transferred to a perhaps enlarged Federal Reserve Board.

WHAT FUNCTION DO THE REGIONAL BANKS HAVE AS DISCOUNTING BECOMES A NEGLIGIBLE ACTIVITY?

The truth is that the intended functions of the regional banks, except for check clearing, have dwindled to almost nothing. The discount window is hardly used, so the regional banks no longer provide the "elastic currency" for their regions in that fashion. Open-market operations are the preserve of the New York bank which merely informs the other regional banks what it has done, in their name, to change the total bank reserves.

The major purpose to which the regional banks now devote their energies is to be the eyes and ears—the economic intelligence units—of the Open Market Committee in the country. This was brought out very clearly in the following testimony at hearings of a subcommittee of the U.S. House of Representatives Banking and Currency Committee:

> The CHAIRMAN (Mr. PATMAN). If you were indicating in the order of importance, and I mean importance, the matter that takes up most of your time, and the time of your officials and employees, what is the most important duty that is performed by the Federal Reserve Bank of Cleveland?
>
> Mr. HICKMAN (president of the Federal Reserve Bank of Cleveland). Well, the processing of information and the formulating of views having to do with economic conditions in the district, in the Nation, and the appropriate posture of monetary policy with respect to these conditions.
>
> The CHAIRMAN. Where do you get that information from?
>
> Mr. HICKMAN. From a variety of sources including businessmen and industrialists in the district. And, of course, we also have an economic staff in our bank.[9]

Instead of a multiheaded central bank, the Federal Reserve has actually developed into a single central bank with 12 branches. And the brain center is the Open Market Committee.

WHAT IS THE OPEN MARKET ACCOUNT?

The open market account of the Federal Reserve Bank of New York carries out the sales of bonds and bills for the Treasury. The manager of this account in its operations acts as an agent of the Treasury, of the Federal Open Market Committee, and of the central banks of several countries.

HOW DOES THE FEDERAL RESERVE FIX INTEREST RATES?

First. By its open market operations and by setting the required reserves of member banks the Federal Reserve determines the total supply of money in the United States. The total money supply in turn determines the amount available for lending.

The amount of desired borrowing—the demand schedule for money—bears a close, though by no means hard and fast, relationship to the level of business activity as measured by, say, the gross national product. Broadly, what economists say is that as gross national product grows the money supply must also grow if interest rates are not to rise. On the other hand, if our productive resources, population, and capital grow and the money supply is kept constant, a tight credit market will eventually develop with decreased availability and a higher price for money. In consequence, resources will be unemployed and the gross national product will not attain its full potential.

Second. Open market operations directly affect the level of interest rates on Government bonds. When the Federal Reserve buys, this increases demand for securities, thus raising security prices—lowering interest rates—when it sells, it increases supply, and lowers security prices.

Third. The Federal Reserve influences expectations about interest rates. If the Federal Reserve follows a tight money policy, for example, people are led to believe that interest rates will be higher in the future than they now are. And they will act appropriately. Lenders will ask more for their money; borrowers will pay more—since both expect rates to rise shortly anyhow.

WHAT IS THE "OPEN MARKET"?

The "open market" is a part of the financial markets which make up the money market of the United States located in New York City at the southern end of Manhattan Island. In these markets are traded corporate bonds, Government bonds, corporate stocks, commodity futures, warehouse receipts, and so on. Major borrowers and lenders from over the Nation exchange their funds there. Not the least of the operations on this market is that through which the U.S. Treasury borrows the money it needs by issuing Government bonds and Treasury bills.

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[9] "The Federal Reserve System After 50 Years," hearing before the Subcommittee on Domestic Finance, Committee on Banking and Currency, House of Representatives, 88th Cong., 2d sess., vol. 1, p. 164.

HOW DOES THE MARKET WORK?

The 1935 amendment to the Federal Reserve Act provided that Government securities "may be bought and sold, only in the open market." For the most part this market consists of 21 primary bond dealers—in 1935 there were only 12. Since 1942, the Federal Reserve has had authority to purchase up to $5 billion of Government securities directly from the Treasury, but it has elected not to use this authority.

The actual operations are somewhat as follows: The Treasury determines each week how much money it will need during the following week and notifies the manager of the open market account. All interested parties, including the 21 dealers, are notified and bids are made on Monday. On the following Tuesday the Treasury announces to whom the securities are sold. Generally speaking, the sale is to the highest bidders. The 21 primary bond dealers are in constant contact with each other and know long before Tuesday who got the bid.

DO THE 21 DEALERS SERVE A USEFUL PURPOSE TODAY?

No. Mr. Marriner Eccles, former Chairman of the Board of Governors, described the arrangement as follows:

> The only effect the provision has in practice in this regard is to make it necessary for the Reserve banks to pay commissions to brokers. It also makes it impossible for the Reserve banks to accept short-term certificates of indebtedness from the Treasury in anticipation of tax receipts during quarterly financing and income-tax payment periods * * *. In view of these considerations I would be glad to see the provision taken out of the law (hearings before the Committee on Banking and Currency, 75th Cong., 3d sess., on H.R. 7230, p. 475).

The practical effect of requiring all purchases to be made through the open market is to take money from the taxpayer and give it to these dealers. It forces the Government to pay a toll for borrowing money. It makes it impossible for one agency of the U.S. Government to buy U.S. Government securities from another without paying tribute to these 21 dealers, overwhelmingly located on Wall Street.

WHO WERE THE 21 TOLLGATE DEALERS IN 1962?

There are six "bank" dealers:

First National City Bank of New York.

Chemical Corn Exchange Bank, New York.

Morgan-Guaranty Trust Co., New York.

Bankers Trust of New York.

First National Bank of Chicago.

Continental Illinois Bank of Chicago.

In addition there are 15 "nonbank" dealers:

The Discount Corp.

C. F. Childs & Co.

The First Boston Co.

Aubrey G. Lanston & Co.

Bartow Leeds & Co.

C. J. Devine & Co.

Briggs Schaedle & Co., Inc.

W. E. Pollack & Co.

D. W. Rich.

Salomon Bros. & Hutzler.

New York Hanseatic Corp.

Charles E. Quincey & Co.

Second District Securities Co., Inc.

Blyth & Co., Inc.

Malon S. Andrus, Inc.

The "bank" dealers consist of departments in the bank, while the "nonbank" dealers receive all their income by operating a tollgate on the sale of Government securities.

IS THE "OPEN MARKET" OPEN OR CLOSED?

The "open market" is in reality a tightly closed market. Before 1952 there were only 12 "authorized" dealers and today there are only 21 dealers. These nine additional dealers were added as a result of congressional pressure on the Federal Reserve to stop dealing only with dealers who could meet such restrictive conditions in order to be "authorized." But admittance into the "dealers' club" is still highly exclusive.

CHAPTER VI. WHO OWNS THE FEDERAL RESERVE BANKS?

In recent years, certain misconceptions and conflicts about who owns the Federal Reserve banks have developed. The reason is that when the Federal Reserve was established, it was felt that the proper way to organize it was on a capital stock basis. But the "stock" which emerged in the Federal Reserve Act was not stock in the ordinary meaning of that term at all. So recent years have been marked by a conflict between private bankers and public officials, each claiming ownership of the banks.

DO BANKERS BELIEVE THAT THEY OWN THE FEDERAL RESERVE BANKS?

Yes. The private bankers actually advertise that they own the Federal Reserve banks. The American Bankers Association textbook, Money and Banking puts it baldly on page 234: "The member banks own the 12 Federal Reserve banks." Money and Banking is widely used in courses for bankers sponsored by the American Bankers Association, which are attended by staff members of private banks, and other students of banking—including employees of Federal Reserve banks.

WHAT IS THE POSITION TAKEN BY FEDERAL RESERVE OFFICIALS?

As a rule, Federal Reserve officials do not share this misconception about ownership of the Federal Reserve banks.

In a letter to Representative WRIGHT PATMAN dated April 18, 1941, Marriner S. Eccles, Chairman of the Board of Governors, stated:

> This so-called stock ownership, however, is more in the nature of an enforced subscription to the capital of the Federal Reserve banks than an ownership in the usual sense. The stock cannot be sold, transferred, or hypothecated, nor can it be voted in accordance with the par value of the shares held. Thus, the smallest member bank has an equal vote with the largest. Member banks have no right to participate in earnings above the statutory dividend, and upon liquidation and funds remaining after retirement of the stock revert to the Government.

In hearings before the Banking and Currency Committee of the House of Representatives, June 17 and 19, 1942, Mr. Eccles stated—pages 25, 26:

> Mr. ECCLES. Well, the Government, in effect, for all practical purposes, owns the Federal Reserve banks.

The viewpoint of the present Chairman of the Board of Governors, Mr. William McChesney Martin, is indicated by the following quotations from hearings before the Subcommittee on Economic Stabilization of the Joint Economic Committee in 1956:

> The CHAIRMAN. All right.
>
> No. 2 is that the banks own the Federal Reserve Banking System, and it is run by the banks; it is operated for their benefit.
>
> That is a fallacy, is it not?
>
> Mr. MARTIN. That is a fallacy.
>
> * * * * *
>
> The CHAIRMAN. That stock, or that word "stock," is a misnomer, is it not?
>
> Mr. MARTIN. If you are talking about stock in terms of proprietorship, ownership—yes.
>
> The CHAIRMAN. Well, of course, that is what stock is; yes. Normally that is what stock is; when you say "stock," you mean a proprietary interest of some kind, do you not?
>
> Mr. MARTIN. In the ordinary sense, yes.
>
> The CHAIRMAN. That is right, in the ordinary sense.
>
> Mr. MARTIN. You and I are in agreement that it is not proprietary interest.
>
> The CHAIRMAN. Yes.
>
> Therefore, this does not convey any proprietary interest at all, and the word "stock" is a misnomer. It is not a correct word at all. It is just an involuntary assessment that has been made on the banks as long as they are members.
>
> * * * * *
>
> The CHAIRMAN. Yes.
>
> Therefore, the statement that the banks own the Federal Reserve System is not a correct statement, is it?
>
> Mr. MARTIN. The banks do not own the Federal Reserve System.

Mr. M. S. Szymczak, member of the Board of Governors, in hearings before the House Small Business Committee on Problems of Small Business Financing, April 1958, is quoted as follows:

> The CHAIRMAN (Mr. PATMAN). Do you agree with Mr. Martin that the member banks do not own the Federal Reserve banks, and have no claims to their assets or income other than the interest payment on the so-called stock which the member banks are required to subscribe to the Federal Reserve banks?
>
> Mr. SZYMCZAK. That is correct.

Testimony of Mr. J. L. Robertson, member of the Board of Governors, before the House Small Business Committee on Problems of Small Business Financing, April 1959, reveals the following:

> Mr. ROBERTSON. I think you could operate the Federal Reserve System without the member banks having stock in Federal Reserve banks.

Testimony of Mr. Charles N. Shepardson, member of the Board of Governors at the same hearings reveals the following:

> Mr. SHEPARDSON. * * * I think we have never contended that the central bank, the Federal Reserve System, is owned by the commercial banks. On the contrary, we have taken every occasion in my knowledge to disabuse that idea. I don't contend that at all.

The position of the Federal Reserve officials thus seems to be clear: the Federal Reserve banks are not owned by the commercial banks.

The viewpoint of the individuals quoted above has also been borne out by the presidents of the Federal Reserve banks in hearings before the House Banking and Currency Committee. However, officials of the Federal Reserve banks are sometimes inclined to take the opposite position. Does this arise from the fact that they are elected by a private bank-dominated board of directors and often are themselves ex-bankers? For example, the Federal Reserve Bank of Chicago justified expenditures not appropriate to public funds on the basis that other private businesses do the same thing—ignoring the fact that the Federal Reserve bank is a public, not a private, institution.

WHAT DO ACADEMIC ECONOMISTS SAY ABOUT THIS OWNERSHIP?

Among academic economists there seems to be a difference of opinion. Some economists hold that the banks own the Federal Reserve banks, while others agree with Federal Reserve and other public officials who maintain that the Federal Reserve banks are public organizations not owned by the banks. Here are some quotations from college textbooks which show the general variety of opinion among college professors:

> In reality, no stock of the Federal Reserve banks has been sold to either the public or the Government, and even the member banks have paid in only half of their subscriptions. Thus, the Federal Reserve banks are owned wholly by their member banks, each member bank having paid in to its Federal Reserve bank an amount equal to 3 percent of its own paid-up capital and surplus (source: "The Economics of Money and Banking," revised edition, by Lester V. Chandler, 1953, pp. 282, 283). [Emphasis added.]
>
> Although the Federal Reserve banks are public institutions, their stock is held by the member banks (source: "Banking Systems," edited by Benjamin H. Beckhart, 1954, p. 893).
>
> The position of the Federal Reserve banks is even harder to state precisely. They were described generally as an "instrumentality" of the Government. In a joint statement by the presidents of the 12 Federal Reserve banks they were said to be "part of the private economy and * * * part of the functioning of the Government (although not technically a part of the Government)." It was further stated that they were intended to be "allied to the Government but not * * * a part of the Government itself." Allan Sproul, president of the New York Federal Reserve Bank, summed up by saying that the banks "should function somewhere between private enterprise and the Government" (source: "Principles and Practices of Money and Banking," by Charles R. Whittlesy, 1954, pp. 244, 245).
>
> President Woodrow Wilson asked the 63d Congress for an elastic note issue and a decentralization of banking. He said, "Control * * * must be public, not private, must be vested in the Government itself, so that the banks may be the instruments, not the masters, of business and of individual enterprise and initiative" (source: "Money and Banking," by the Committee on Money and Banking, Pitman Publishing Co., 1957).
>
> The member banks purchase stock in and therefore own the Federal Reserve banks of their own district (source: "Our Modern Banking and Monetary System," by Rollin G. Thomas, 1957, p. 245).

These quotes illustrate the disagreement and confusion which exists on the matter of Federal Reserve ownership.

WHAT IS THE CAUSE OF THIS MISUNDERSTANDING AND DISAGREEMENT?

The root of the trouble is the "stock" in the Federal Reserve banks which the member banks hold. The original act required that the banks invest 6 percent of their capital stock in the Federal Reserve banks.

WHY WAS THE FEDERAL RESERVE ACT WRITTEN TO REQUIRE MEMBER BANKS TO INVEST IN THE SO-CALLED STOCK OF THE FEDERAL RESERVE BANKS?

The framers of the Federal Reserve Act gave many reasons, but the main reason was this: it was expected that the Federal Reserve would issue money, not mainly against Government securities as is now the practice, but against commercial and industrial loan paper—"eligible paper" as the reader knows.

This meant that the member banks would be exchanging obligations of individual commercial firms, farmers, and so on, for obligations of the U.S. Government—Federal Reserve notes. This exchange, of what might be rather risky obligations for the riskless obligations of the Government, was the reason for the "stock ownership" requirement. This is why: the 12 separate Federal Reserve banks were to issue the Federal Reserve notes, with each bank passing on the quality of the loans which it would accept from the member banks in exchange for notes. Furthermore, the administration of these banks was to be under the control of the member banks themselves, as is the case today. This meant that there was a possibility that the member banks could pass on doubtful loans made to their customers to the regional Federal Reserve bank, receiving cash in exchange. And if the Federal Reserve banks were overstocked with private promissory notes, the system's stability was threatened. So the Government would lose by exchanging Federal Reserve notes for risky notes of the banks' customers, and in addition could lose whatever of its general funds it had on deposit with the Federal Reserve banks. It was expected that these banks would be the principal depositories of Treasury funds.

It was in view of these considerations that Congress, in framing the Federal Reserve Act in 1913, required member banks of the Federal Reserve System to put a certain percentage of their capital into the "stock" of the Federal Reserve banks; this "stock" was a safeguard against a misuse of the Government's credit which was being delegated to these banks. The 1913 act placed on the member banks furthermore, a "double liability" for their "stock" in the Federal Reserve banks. In other words, if a Federal Reserve bank failed, the member banks would lose not only their invested capital, but an equal amount of capital which they would also forfeit.

Thus, the report of the Senate Committee on Banking and Currency explaining the Federal Reserve bill had this to say:

> The reasons for requiring the banks to subscribe to this stock with a double liability are—
>
> First. To protect the large deposits of general funds which the United States will probably place with such banks.
>
> Second. To protect the United States against the extension of credit through the Federal Reserve notes, the obligations of the United States, loaned to the Federal Reserve banks against commercial bills.

Today, the need for this safeguard has disappeared. When the Federal Reserve System began operations, it did in fact issue money against commercial loan paper, and this was its principal way of creating money from 1914 to 1921. But since then eligible paper has played so small a part in Federal Reserve credit as to be practically nonexistent: in November 1963, the collateral which the Federal Reserve banks held against outstanding Federal Reserve notes was $34,670 million. Less than one-half of 1 percent of this collateral is "eligible paper," the other 99½ percent being U.S. Government securities and gold certificates.

An additional reason for requiring the member banks to invest some of their capital in the Federal Reserve banks was given by the members of the Senate Committee on Banking and Currency who recommended the arrangement:

> To justify the Government in putting on the banks the prime responsibility of administering these banks and safeguarding their own reserves and their own capital stock, and making them responsible to the country for safeguarding the welfare of the national banking system, protecting the national gold supply under the safeguard of governmental supervision.

But an equal number of members of the Senate Committee on Banking and Currency felt that stock in the Federal Reserve banks should be sold to the general public, not to the banks—as a means of drawing more capital into the banking system of the country. This way, they felt, "tens of thousands of our people will be directly interested in this great Government-controlled banking system." This group also, felt, as they stated in the committee's report:

> It has seemed to us, moreover, wise that upon these Reserve banks the Government should have a majority of the Board of Directors.

At that time, the amount of capital in the banking system of the United States was generally considered to be small, and both schools of thought in Congress recognized the lack of public confidence in the banking system, which encouraged people to hold money in cash, rather than in banks. The Senate committee report said that an important result of setting up the improved system of banking would be—

> An increased public confidence in the banks and which would attract a considerable amount of money which is not now deposited in banks at all and would thus enlarge the deposits of the bank and enlarge substantially their money-creating power.

Finally, both groups in the Senate committee recognized that the 6-percent interest rate to be paid on the Federal

Reserve bank stock was extremely attractive and would provide a subsidy to entice private banks to join the System. Those recommending banker control of the Federal Reserve banks said that this so-called stock would prove irresistible to banks:

> Earning 6 percent net, free from tax, making the earning on such stock between 7 and 8 percent, which is a higher return than any bank can possibly average upon its deposits.

But, the group favoring public ownership of the stock pointed out that the stock could be sold to the public at a rate of 5 percent, and if offered to small investors, tax free, it would be a "highly desirable 5-percent investment which they will eagerly take."

WHAT IS THE NATURE OF THIS "STOCK"?

Hearings before various congressional committees have established clearly that this stock is not stock in the ordinary meaning of the term.

First. It carries no proprietary interest. In this respect, the stock is unlike the stock of any private corporation.

Second. It cannot be sold or pledged for loans. It thus does not represent an ownership claim.

Third. In the event of the dissolution of the Federal Reserve banks, the net assets after payment of the liabilities and repayment of the stock go to the U.S. Treasury rather than the private banks.

Fourth. The stock does not carry the ordinary voting rights of stock. The method of electing officers of the Federal Reserve banks is in no way connected to the amount of stockownership. Instead, each bank in a district has one vote within its class, regardless of its stockownership.

WHAT ARE THE PROBLEMS CREATED BY THIS STOCKOWNERSHIP?

First. The major problem is that it leads to misconceptions about the ownership and nature of the Federal Reserve banks. Private bankers are, as was indicated above, led to believe that they own the Federal Reserve and thus have the right to control it and to share in its profits.

Second. Some Federal Reserve officials have been led to believe that the funds of their banks are not public funds but funds that the officals may spend as they see fit. This argument has been used to justify spending funds of Federal Reserve banks in a manner not suited to public funds: for scholarships to employees, for Christmas gratuities to various people who are not employees of the banks, for boating trips and for other extravagances of officers of the banks.

Third. The stock is an additional cost to the taxpayers, and a subsidy to private banks. Dividends on the stock run to almost $24 million a year; except for the tax paid on them, such dividends represent a net loss to the taxpayers. If the stock did not exist the money which goes as interest would go to the taxpayers.

HOW CAN THESE PROBLEMS BE ELIMINATED?

The logical way to eliminate these problems is to eliminate their cause: the stock. At present there is a bill before the Congress which would have the banks return this stock to the Federal Reserve banks and have the Reserve banks pay it off.

COULD THE FEDERAL RESERVE OPERATE WITHOUT THIS STOCK?

Yes. Although the stock was necessary in 1914, today it serves no worthwhile purpose. The statement of Board Member Robertson, quoted above, indicates that the Federal Reserve could operate just as well without the stock. This point has been well established in hearings.

WOULD ELIMINATION OF THE STOCKOWNERSHIP CHANGE THE BASIC STRUCTURE OF THE FEDERAL RESERVE?

The same method of electing the boards of the Federal Reserve banks, the same requirements for membership in the Federal Reserve System, and the same organizational structure of the Federal Reserve banks could be maintained. The same check clearing and other relationships beween private member banks and the Federal Reserve could exist. There is no reason to believe that the basic structure of the Federal Reserve System would be changed simply because the stock was retired, though there are many reasons for altering the System's structure.

IS THERE ANY REASONABLE JUSTIFICATION FOR THIS STOCK?

No. The stock has been justified on the grounds that it is traditional. Members of Congress have indicated, and rightfully, that it is their duty to change those traditions which are harmful to the Nation. It has been justified as being a symbol, though it is not clear just what the stock is symbolic of. Nor has it been established that this symbol could not be maintained in another less expensive form, such as a membership certificate. Other psychological factors are supposed to be maintained by this stockownership. These factors are largely in the realm of mysticism.

No sound reason has been given for keeping this stock: The banks, of course, oppose elimination of the stock because it represents a generous gift from the taxpayers which they do not wish to give up.

DOES THE FEDERAL RESERVE NEED THE MONEY?

No. The Federal Reserve is a money-creating system. It can write a check whenever it needs money. Thus the Government is paying interest to the bankers on funds which it does not need.

CHAPTER VII. WHY WAS THE FEDERAL DEPOSIT INSURANCE ACT PASSED?

For 18 years after the Federal Reserve Act was passed, no basic changes were made in our banking laws. This was not because the banking system had no problems. On the contrary, the problems it had were ignored until the holocaust of the great depression faced the Nation with the brutal cost of years of neglect. The seemingly trouble-free system described a few chapters ago simply broke down in 1932–33. Widespread runs on the banks during this period became commonplace. When President Roosevelt took office in 1933, one of his first acts was to declare a bank holiday, closing the banks in an attempt to halt the runs and shore up, if at all possible, the collapsing structure.

The fatal flaw in the system developed in the late 1920's. During this period, the banking system unwittingly transformed itself into a huge credit plant directly supplying the essential ingredient sustaining a crazily inflating stock market. The banks created money by making loans to brokers. And the brokers' loans were so important that they became a prime source of the money supply.

These brokers' loans were based on collateral in the form of the stocks acquired by the loans. But since millions of people were wildly speculating in stocks and raising their prices skyward, the value of the collateral was highly volatile and unsound. Nevertheless, brokers' loans grew from $2 billion to over $8 billion during the boom. As someone put it, the market discounted not only the future, but the hereafter. When the inevitable crash came, and many sensible people, including some Federal Reserve officials, had foreseen it, brokers' loans were called; $4 billion in only 4 months, and within the next 3 years an additional $4 billion had been called. Largely because of this, the Nation's total money supply decreased by about $8 billion, or one-third between 1929 and 1933. Such a reduction in the money supply could not help but magnify, if not initiate, any crash in prices and output—and it did.

The unprecedented reductions in output and prices, in turn, weakened the banks to the point of bankruptcy. Many banks, sound before the crash, were in bankruptcy in the following years. The number of commercial banks in the United States declined drastically, falling from 26,401 in 1928 to 14,771 in 1933.

The bank holiday was seized on by President Roosevelt as an opportunity for action. The Emergency Banking Act of 1933, pushed through the entire legislative process in a single day, marked the start of efforts to solve the problems of the banking system. It provided that all banks would be checked; sound banks would reopen, unsound banks would remain closed. This is itself restored a degree of confidence in the banking system, and the runs on banks were largely stopped. But, it was felt, major steps to correct the situation were still required. The result was the establishment of the Federal Deposit Insurance Corporation.

But many changes of importance, other than creation of the Federal Deposit Insurance Corporation, were made in 1933, 1934, and 1935. Some, like the Emergency Banking Act mentioned above, were of a temporary, stopgap nature, but others were permanent, with lasting effects on the banking system of the country.

WHAT CHANGES WERE MADE BY THE BANKING ACT OF 1933?

Most important was the establishment of a temporary deposit insurance plan which went into effect on January 1, 1934. This plan was made permanent and took its present form in the Banking Act of 1935. Other major changes were made by the 1933 act:

First. To prevent cutthroat competition for demand deposits, the act provided that commercial banks should no longer pay interest on their demand deposits. This was desirable from the standpoint of the banks because it reduced their costs. Although it was designed merely as a temporary measure, the provision still remains in the lawbooks.

Second. The Federal Reserve Board was given power to change the reserve requirements required of member banks, subject to approval by the President. This, too, was changed by the 1935 act, which provided that the Board of Governors alone, by majority vote, could change reserve requirements, within limits set by the law.

Third. The 1933 act also prohibited commercial banks from making stock market loans, and investment banks from accepting public deposits. This was an effort to prevent a wave of stock market speculation like that of the twenties by keeping commercial banking and investment banking separate and distinct.

WHAT DID THE SECURITIES AND EXCHANGE ACT OF 1934 DO?

This act put various restrictions on stocks offered for sale, and established the Securities and Exchange Commission to police them. From the standpoint of monetary controls, however, perhaps the act's most important aspect was the provision giving the Federal Reserve Board power to set the cash downpayment required on stock market purchases.

WHAT CHANGES WERE MADE BY THE BANKING ACT OF 1935?

Some have been already discussed: the Federal Deposit Insurance Corporation was made permanent, and the Board of Governors was given power to change reserve requirements. The act of 1935 had other important provisions:

First. The Board of Governors of the Federal Reserve System was changed. Membership no longer included the Secretary of the Treasury and the Comptroller of the Currency, and the number of members was cut from nine to seven. The name, the Federal Reserve Board, was changed to the Board of Governors of the Federal Reserve System. The reorganized Board, with its increased powers really gave us a central bank for the first time, in place of a system of individual Federal Reserve banks which were largely on their own.

Second. Also of primary importance in creating a true central bank was the establishment of the Federal Open Market Committee to determine purchases and sales of Government securities for the entire System.

Third. Another change made by the 1935 act related to loans of the Federal Reserve banks. This act allowed the Federal Reserve banks to extend reserve bank credit on any type of credit which the commercial bank possessed.

Fourth. The 1935 act also contained provisions concerning regulation of bank holding companies.

WHAT IS THE FEDERAL DEPOSIT INSURANCE CORPORATION?

The Federal Deposit Insurance Corporation—the FDIC—is a Government corporation set up to provide depositors of funds in commercial banks insurance against loss of such deposits in the event of failure of the bank, to the extent of $10,000 for each depositor. Deposit insurance was set up on a temporary basis by the Banking Act of 1933 and was made permanent by the Banking Act of 1935. Such insurance, it was hoped, would prevent the recurrence of serious runs on banks.

WHAT IS AN INSURED BANK?

A bank is insured when it complies with the rules and regulations laid down by FDIC and becomes a member of FDIC. In selecting members, the law requires FDIC to consider the adequacy of the bank's capital structure, its earnings prospects, and the general character of its management. At the end of 1962, 13,455 banks were members while only a few hundred small banks had not joined the FDIC.

WHAT IS AN INSURED DEPOSIT?

When a bank becomes a member of the FDIC each individual deposit in that bank is insured up to $10,000. This insurance is much like your life insurance policy, or the fire insurance that guarantees to pay you if certain events occur. Here the "event" is a bank failure. On December 31, 1962, $179 billion of deposits were insured.

WHAT HAPPENS IF AN INSURED BANK FAILS?

The depositors receive the full amount of their deposits, up to the maximum of $10,000, usually within 10 days to 2 weeks. If the FDIC desires, it may set up a new bank in the community. Then depositors in the bank which has gone broke are given the option of taking their money as deposits in this new bank.

HOW MANY INSURED BANKS HAVE FAILED SINCE 1933?

Since 1933, 445 insured banks have failed, as of December 31, 1962. Total deposits of these banks were about $600 million. Slightly more than 5,000 depositors with accounts over $10,000 lost any money, and these losses were small.

WHERE DOES FDIC GET ITS MONEY?

The FDIC has two main sources of money: assessments on insured banks and interest on U.S. Government securities it holds. Each accounts for roughly half of the Corporation's income.

HOW DID THE FDIC GET THE MONEY TO START BUSINESS?

The Treasury purchased $150 million of stock and the Federal Reserve, on the instructions of Congress, bought $139 million of stock. This stock was repaid by the FDIC in 1947 and 1948—but only at 2 percent simple interest. It should have paid compound interest.

HOW MUCH DO THE INSURED BANKS PAY THE FDIC?

Insured banks are required to pay FDIC a gross assessment of one-twelfth of 1 percent of their total deposits. This assessment is similar to the premium paid on a life insurance or fire insurance policy.

HAS THE RATE OF ASSESSMENT BEEN THE SAME SINCE 1933?

The gross rate has remained the same, but since 1950 the FDIC has been allowed to give back more than half of the total assessment. The FDIC has actually returned approximately $1.2 billion—over 57 percent of the gross assessments—to the banks since 1950. The law giving the money back to the banks was steered through the 80th "do nothing" Congress by Congressman Jesse P. Wolcott. The Eisenhower administration rewarded him by making him Chairman of the Board of Directors of the FDIC.

IS THE FDIC SUBSIDIZED BY THE FEDERAL GOVERNMENT?

Yes. Although it paid back the original $289 million of stock, several subsidies still remain. The fact that the FDIC gets almost half of its total income from Government securities represents a sizable subsidy and means that the taxpayers are footing almost half the bill for this insurance.

WHAT DIRECT COMMITMENT DOES THE TREASURY HAVE TO THE FDIC?

The 1947 amendments to the FDIC Act provide that the FDIC can borrow up to $3 billion from the U.S. Treasury, at its discretion. The law directs the Secretary of the Treasury to put up this $3 billion any time the FDIC requests it.

DOES THE FDIC PAY FOR THIS COMMITMENT?

No. But if normal banking practices were followed, the FDIC would be required to pay the Treasury 1 percent a year. If the FDIC were standing on its own feet, it would have to pay $30 million a year for this commitment—a total of $510 million for the past 17 years. This subsidy is over $200 million greater than the original capital stock subsidy.

DOES THE TREASURY HAVE ANY OTHER COMMITMENTS TO THE FDIC?

Yes. It is generally agreed that if there were a wave of bank failures, the Treasury would be morally bound to stand behind the FDIC although there is no legal obligation.

SHOULD AN ORGANIZATION OPERATING ON GOVERNMENT FUNDS BE ALLOWED TO BUILD AN $8.5 MILLION OFFICE BUILDING WITHOUT PERMISSION OF CONGRESS?

No. But this is precisely what the FDIC has recently done. It should be allowed to do so no more than should the local postmaster.

DOES THE FDIC MAINTAIN A SUFFICIENT RESERVE FUND?

Proper management of any insurance company requires that a sizable reserve fund be maintained to provide payment in times of need. No one knows exactly how much the FDIC should keep, but it probably should keep more than the present $2.5 billion.

HOW MUCH RESERVE DOES THE FDIC MAINTAIN PER $100 OF DEPOSITS?

If we compute the reserves for each $100 of insured deposits, the FDIC now has $1.40 for every $100 of insured deposits compared with $1.84 for each $100 of insured deposits in 1934. Because the FDIC has given back over half of its assessments during the past decade, its reserve per $100 of insured deposits is now less than in 1934.

HOW MUCH RESERVE DO LIFE INSURANCE COMPANIES MAINTAIN?

Whereas the FDIC keeps only $1.40 in reserve for each $100 of potential liabilities, private life insurance companies keep over $20 for each $100 of potential liabilities. Private life insurance companies find it desirable to keep a reserve ratio which is more than 13 times the reserve ratio kept by the FDIC. No one knows just how much the FDIC should keep, but these comparative figures indicate that it probably does not now keep enough.

DOES FDIC REGULATE AND CONTROL INSURED BANKS?

Yes. Under the provision of the act which allows the FDIC to see to it that banks do not engage in "unsafe and unsound practices in conducting business" and which allows it to lay down basic requirements for membership, the FDIC has come to regulate the banks rather completely, because banks need deposit insurance to hold deposits and remain in business.

If banks are to perform their duty of financing business, they must take risks; the amount of risks which banks may take is greatly reduced by FDIC regulations.

DOES THIS MEAN THAT THE FDIC IS RUNNING THE BANKS?

To a large extent it is. By regulation and examination, the FDIC can prevent banks from investing in any investment the examiners deem undesirable. And FDIC conservatism is making it more and more difficult for small businessmen and farmers to get the financial assistance they need.

DO THE BANK EXAMINERS CONSIDER PUBLIC WELFARE IN DECIDING WHETHER OR NOT LOANS ARE SATISFACTORY?

No. This point is made clearly by Prof. Raymond P. Kent in his textbook on "Money and Banking":

> The regulatory authorities and examiners, so to say, are not especially interested in the justification given loans from the standpoint of public welfare and economic stability, but rather in the probabilities of their being repaid at maturity so that depositors may not be endangered by losses. The loan to Bill Smith may be adjudged "good" because he has put up adequate collateral and even though he is using the money to put out a useless patent medicine, while that granted to Jack Brown may be condemned as "unsound" because he is not a very good risk and even though he is using the money to pay his son's tuition in college.

HOW ELSE DOES FDIC CONTROL BANKS?

In addition to regulating insured banks through bank examinations, the FDIC controls the banking industry by refusing to let it expand. This it does by refusing to insure banks. A national bank must be insured to come into existence as must a State bank which is a member of the Federal Reserve System. For success in banking, membership in the FDIC and the Federal Reserve are highly desirable. By controlling membership, the FDIC controls the number of banks in existence.

CHAPTER VIII. HOW THE FEDERAL RESERVE GIVES AWAY PUBLIC FUNDS TO THE PRIVATE BANKS

Private banks enjoy a very special relationship with the Federal Government. After all, most business firms employ private capital or privately owned resources to produce a product or provide a service which can be profitably sold in a marketplace. Most business firms pay for the raw materials and services they receive, and, furthermore, in the case of most kinds of business firms, the business itself is a risk-taking venture. The firm succeeds or fails in competition with other business firms.

But the conditions under which private banks operate are very different. In the first place, one of the major functions of the private commercial banks is to create money. A large portion of bank profits come from the fact that the banks do create money. And, as we have pointed out, banks create money without cost to themselves, in the process of lending or investing in securities such as Government bonds. Bank profits come from interest on the money lent and invested, while the cost of creating money is negligible. Banks do incur costs, of course, from bookkeeping to loan officers' salaries. The power to create money has been delegated, or loaned, by Congress to the private banks for their free use. There is no charge.

On the contrary, this is but one of the many ways the Government subsidizes the private banking system and protects it from competition. The Government, through the Federal Reserve System, provides a huge subsidy through the free services the System provides for member banks. "Check clearing" is one of the services; i.e., the collection and payment of funds due one bank from another because of depositors' use of their checkbook money. The costs of this service alone runs into scores of millions of dollars.

The gross expenses of the combined Federal Reserve banks totaled $207 million in 1963, most of which was incurred as a cost of providing free services to the private banks. Other Federal agencies also receive services from the Federal Reserve. But these are not free. The System received about $20 million for "fiscal agency and other expenses" in 1963.

In addition, the Federal Government provides private banks with a large measure of protection from competition, and the hazards of failure.

For example, when a group of business people wish to enter the banking business by opening a national bank, the Federal officer in charge of such matters will not issue a charter, or license, before his office has made studies and surveys to determine whether the proposed bank meets certain "standards." One "standard" is that the Comptroller of the Currency must be satisfied that first, the new bank will succeed, and that second, it is not likely to cause any already existing bank to fail, or even to "weaken" substantially any already existing bank. This means, in brief, that nobody can enter the banking business by opening a national bank, unless the proposed bank is to be located where it will not cause an inconvenient amount of competition to other banks already in business.

If a group wishing to enter the banking business is refused a national bank charter, the group may, of course, apply to State banking authorities for a charter to be a State bank. But State banking boards are pretty much like the Comptroller of the Currency: they tend to make sure that a new bank will not encounter strong enough competition to weaken itself or weaken the banks already in business.

As a practical matter, it is almost impossible to enter the banking business and attract depositors unless the bank can obtain deposit insurance from the Federal Deposit Insurance Corporation. Not many depositors are willing to keep funds in banks without FDIC insurance. The Federal Deposit Insurance Corporation is, of course, another Federal agency. So, in practice, even where a State banking authority is willing to issue a charter for a new State bank, a Federal agency has the last word regulating "undue" competition.

People who go into the grocery business, or the farming business, or almost any other kind of business, enjoy no such protection from competitors coming in and taking over a share of their market, or even squeezing them out of business.

Federal law provides the banking business with still another kind of protection from competition. This is the Federal law which makes it unlawful for most banks to pay their depositors any interest on demand deposits. Before this law was passed, commercial banks used interest payments to compete for demand deposits—especially those of large accounts, and these depositors tended to move their checking accounts to the bank paying the highest interest rate.

Aside from subsidies and protection against competition, the Government nourishes the banks in a third way, through FDIC insurance. Because of this insurance, many depositors are willing to leave funds in the bank, which they would otherwise hoard in lockboxes or in other places outside the banks. The existence of this insurance means, then, that a larger portion of the money supply at any given time is in the form of bank deposits and a smaller portion is in the form of currency and coin than would otherwise be the case. Money in the form of currency and coin makes no profit for the bank, but money in the form of deposits does.

And then, of course, there are the indirect subsidy features of the FDIC program explained in the last chapter: insufficient premiums, free recourse to the Treasury for $3 billion and the general protective umbrella provided by the Government's ultimate backing.

Why all this direct Federal aid to the private commercial banks? Does this result from a self-assumed obligation to assure profits for the bank? Not at all. The primary purpose of the aid is to assure the general public good banking services and a good money system, both of which are recognized as indispensable to trade and commerce in a modern economic system. True, bank profits for the bankers are necessary for a good banking system. But bank profits are only a means toward furthering the general public interest.

Now the real question arises. The supply of money in existence at any particular time is created in part by the Government, and in part by the private banks. The Federal Reserve decides—within broad limits fixed by law—what portion of a given money supply it will itself create, and what portion it will allow the private banks to create. How the portions are divided is important—it means billions of dollars. For whatever money the private banks create, they obtain interest-bearing assets. They make their profits from this interest. The same is true of the Federal Reserve System. The larger the portion of the money supply it creates, the more interest-bearing assets it acquires—in the form of Government securities—and the more interest it collects. Ultimately, this interest, over and above the Federal Reserve's expenses, is returned to the Federal Treasury and is used to pay expenses which the taxpayer would otherwise have to pay.

The Federal Reserve, then, is faced with any number of choices about how to proceed in changing the money supply. Indeed, even without changing the money supply, the Federal Reserve is always capable of altering the percentage of the existing money supply supplied by itself and the private banking system respectively, as the example in chapter III illustrated. In other words, the Open Market Committee and the Board of Governors are continually making decisions about how they wish the earnings associated with the manufacture of money to be divided between the Treasury and the private banks. This involves billions of dollars over any reasonable period of time. The System's income from interest on Government bonds was $1.1 billion in 1963 alone. And in recent years the System has, regrettably, been following a policy which has given away billions to the private banks.

IS THERE AN EXAMPLE OF THE FEDERAL RESERVE'S ALLOWING THE PRIVATE BANKS TO CREATE ALL THE MONEY NEEDED TO INCREASE THE MONEY SUPPLY?

Yes, there are many examples. Here is one. In the early part of 1958 the Federal Reserve decided to allow the private banks to increase the money supply by approximately $10 billion. It did this by lowering reserve requirements. The stated purpose at the time was to make it possible for the banks to make more loans to business, because in that period, business was suffering from a severe recession. In fact, however, the private banks used all of this new money-creating power to acquire an additional $10 billion of Government securities. Their loans to business and consumers actually went down between the end of 1957 and the end of 1958, when their holdings of Government securities went up by $10 billion.

WHY WAS THE $10 BILLION GIVEAWAY IN 1958 BAD?

Because the Federal Reserve could have itself created the $10 billion of money by purchasing Government securities. And by raising reserve requirements by the appropriate percentages, there would have been no further private bank-created increase in the money supply. Since this was the only purpose for which the money-creating powers were used, the general public would have been better off if the Federal Reserve had created the money and acquired this amount of Government securities. Since the interest on Government securities which the Federal Reserve already owns is more than enough to pay its operating expenses, all of the interest payments on the extra $10 billion of Government securities would have gone back into the Treasury instead of into bank profits.

DID THE BANKS NEED THE INCREASED PROFITS WHICH THEY OBTAINED FROM THE 1958 GIVEAWAY?

No. Although almost all other kinds of business were suffering from the recession and several million families were suffering from unemployment, bank profits had gone up—not down. Under the high interest policy of the decade of the fifties, bank profits jumped higher and higher each year.

Furthermore, most of the $10 billion giveaway went to only a few very big banks, who were already enjoying extremely high profits. Almost one-fourth of the $10 billion went to 18 big banks in New York City. Only 2 percent of all the banks in the country received about three-fourths of the whole $10 billion.

ANOTHER EXAMPLE: THE BOND GIVEAWAY BILL

The bond giveaway bill was introduced in Congress in 1959 to carry out a plan recommended by the American Bankers Association. The intention was to transfer $16.8 billion of Government securities from the vaults of the Federal Reserve banks into the hands of private bankers. The bill was generally referred to by the bankers as the "vault cash bill." While the bill did have something to do with vault cash, this was a very minor feature, and the term "vault cash bill" was thus very misleading.

WHAT HAPPENED TO THE BOND GIVEAWAY BILL?

Urged by the Federal Reserve as well as the ABA, Congress passed the bill, giving the Federal Reserve the authority to do practically everything the bankers asked, including the $16.8 billion giveaway. But in passing the bill, several Members of Congress in charge of the legislation made statements for the record indicating that it was not the intent of Congress that the Federal Reserve use this authority to give away any large amount of Government bonds.

HOW WAS THE BOND GIVEAWAY TO BE CARRIED OUT?

According to the plan recommended in a report made by the Economic Policy Commission of the American Bankers Association to the Federal Reserve System, the Federal Reserve was to lower reserve requirements of the member banks, and, simultaneously, "sell" vast quantities of the Government securities which it then owned. The proposed process was to be carried out "gradually" over a period of time, to be completed by mid-1962. By then, according to the plan, the Federal Reserve would have owned $16.8 billion less in Government securities, and the private banks would own $16.8 billion more, than would have been the case if reserve requirements were left at their already-existing levels. In other words, reserve requirements in effect at the time this plan was advanced meant that as the Federal Reserve expanded the money supply, it would, itself, create $1 of new money for each $5 of new money created by the private banks. The American Bankers Association plan was one which would allow the private banks to create about $12 of new money for each $1 created by the Federal Reserve.

The $16.8 billion of Government securities which were to be given to the private banks consisted of two parts: one, $9.8 billion of Government securities which the Federal Reserve had already acquired and owned as of mid-1956; second, $7 billion of Government securities which the Federal Reserve would be expected to acquire, by mid-1962, to permit normal increases in the money supply, at the old 1-to-5 division of the money-creating powers then prevailing.

HOW DID THE BANKERS EXPLAIN THE INTENDED EFFECTS OF THEIR PROPOSAL?

Speaking of the $9.8 billion of Government securities which the Federal Reserve already owned, the report of the ABA Economic Policy Commission said:

> If the Commission's proposals were in effect at the present time * * * required reserve balances that member banks must maintain at the Federal Reserve banks would be $9.8 billion lower (53 percent lower) than their actual current level. (ABA's report, p. 26.)[7]

Of course, if the required reserve balances maintained by member banks at the Federal Reserve for a given total of deposits outstanding are to be lowered by $9.8 billion, the Federal Reserve would have to sell $9.8 billion of Government securities to extinguish the now excess reserves. Otherwise the $9.8 billion in unneeded reserves credited to the banks would be used to increase the money supply. And, when the Federal Reserve sold these securities, the bulk would go into the hands of the private banks.

Speaking of the additional $7 billion of bonds which the Federal Reserve could be expected to acquire by mid-1962, if the bankers' plan were not put into effect, the ABA report said:

> Looking ahead, it is clear that the needs of the public for currency and bank deposits will increase with the growth of the American economy. To meet these needs, it will be necessary to expand the reserve base of the banking system either by creating more reserves through open-market operations or by reducing reserve requirements.
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> * * * * *
>
> To be more specific, if past relationships between production, currency, and deposits are approximated in the future, then over the next 5 years demand deposits will increase by something like $20 billion, time deposits by about $12 billion, and currency in circulation by more than $3 billion. If such an expansion were to be met without reducing reserve requirements, it would be necessary to supply the banks with about $7 billion of additional reserve balances by means of open-market purchases of Government securities by the Reserve banks.
>
> It would be far better to provide for this growth by lowering the reserve requirements

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[7] CONGRESSIONAL RECORD, vol. 105, pt. 10, p. 12507.

of member banks over the coming years. (ABA's report, pp. 12 and 14.)[8]

WHY DID THE BANKERS WANT TO TAKE $16.8 BILLION OF GOVERNMENT SECURITIES OUT OF THE VAULTS OF THE FEDERAL RESERVE?

The report of the American Bankers Association has this to say:

> There seems to be considerable agreement that the Federal Reserve banks should work toward a reduction of their enormous holdings of Government obligations. At the present time the Reserve banks hold about $24 billion of Governments, an amount far in excess of their needs either for earnings or for credit control.[9]

But who was in "considerable agreement"? And why was it "far better" to lower reserve requirements? And by what measure are the Reserve's holding of Government bonds "enormous"?

The bankers were undoubtedly in considerable agreement with each other about all these matters. Why not? They were proposing to fleece the other taxpayers out of $16.8 billion of their property.

WHAT DID THE BANKERS SAY ABOUT THE EFFECT OF THEIR PLAN ON THE TAXPAYERS?

The ABA report had this to say:

> It is true that the Government would lose a small amount of revenue, since about 90 percent of the Reserve banks' annual earnings after dividends are now being voluntarily paid over to the Treasury. However, the Reserve banks were never intended to be a source of revenue to the Government, and policy regarding the level of required reserves should certainly not be determined on the basis of the effect on Federal Reserve payments to the Treasury.[10]

In other words, the bankers considered that several hundred million dollars per year in interest payments on this enormous Government debt is only a "small amount of revenue" for the Government—though obviously an enormous increase in profits for the banks.

WHAT DID THE FEDERAL RESERVE AUTHORITIES DO TO PROTECT THE PUBLIC PROPERTY AGAINST THE PROPOSED RAID BY THE BANKERS?

One might think that public officials charged with the protection of public property in their custody would have locked their vaults and hollered for help when they received this report from the bankers, proposing a gigantic raid on the Federal Reserve's vaults. Instead, however, the Board of Governors of the Federal Reserve System endorsed the bankers' plan with slight modifications, and urged Congress to pass a bill necessary to carry out the plan. The top officials of other Federal banking agencies, including the Comptroller of the Currency, also endorsed the plan and urged Congress to approve it.

WERE THE FEDERAL RESERVE OFFICIALS AWARE OF WHAT THE BANKERS' PLAN WOULD DO?

Yes. The staff of the Federal Reserve Board made a report on the bill which the Federal Reserve urged Congress to pass, and the Board of Governors submitted this report to the Committees on Banking and Currency of the Senate and the House. This report declared that the bill would "improve the earning position of banks and aid them in building up their capital positions"—Member Bank Reserve Requirements, hearings, April 7, 8, 9, 1959, page 28.

This report explained further that:

> To the extent necessary to avoid undue credit expansion, reserves released by any reduction in requirements could be absorbed by Federal Reserve sales of securities in the market. *This would in effect shift earning assets from Federal Reserve banks to member banks.* The present System portfolio is adequate to permit a substantial reduction and still leave enough to provide sufficient earnings to cover necessary expenses as well as for current purposes of policy. [Emphasis added.]

In the italicized sentence the Federal Reserve leaves no doubt that it would give the bonds to the member banks.

WAS THE BOND GIVEAWAY BILL PASSED INTO LAW?

Yes, but only after the House managers of the bill and Chairman Martin disclaimed any intention that the authority being conferred would be used to give away or otherwise transfer any of the Federal Reserve's holdings of Government securities. The House conferees' report of the House stated:

> * * * it is not the intent of this legislation to encourage or cause the Federal Open Market Committee to reduce the Federal Reserve System's holdings of Government securities.

This statement of legislative intent is directly opposed to the original purpose of the bill, as conceived by the ABA.

DOES THE LAW AS IT PASSED GIVE AWAY ANY GOVERNMENT SECURITIES?

Yes. The Federal Reserve now permits private banks to use $2.6 billion of vault cash as reserves. This is the same as lowering required reserves by this amount and letting the banks create money which they may use to buy bonds if they desire. On the basis of the vault cash banks create about $15 billion of new deposits and may buy Government securities if they desire. The expansion of the money supply that occurred from mid-1960 to date—mid-1964—was partly fueled by the use of vault cash as reserves and partly by Federal Reserve purchases of Government securities. If the law had not been passed the Federal Reserve would have had to purchase still additional securities to have increased the money supply by the amount it did.

IS IT DESIRABLE TO GIVE $15 BILLION OF BONDS TO PRIVATE BANKS?

No. They already receive almost $2 billion a year in interest from the Government; a $15 billion giveaway would increase these receipts by over a half billion more. During the Eisenhower administration, reserve requirements were reduced nine times and the banks profited greatly. Reserve requirements should now be raised, and more bonds should go to the Federal Reserve, not the private banks.

DO PRIVATE BANKS PERFORM A SERVICE FOR THE GOVERNMENT IN BUYING GOVERNMENT BONDS?

No, because they create money, which, in the last analysis, is an obligation of the Government to buy Government bonds, issued on the Government's credit. There is no risk involved. When private banks lend to private firms or individuals, they do perform a service because they are lending on the credit of an individual or firm. And they are allocating credit where it is most needed to nourish the private economy.

COULD THE FEDERAL RESERVE REDUCE ITS HOLDINGS OF GOVERNMENT SECURITIES?

Yes. The Federal Reserve now owns about $33 billion in Government securities, but Federal Reserve officials have testified that they could get along on substantially fewer bonds than they now have. It is reasonable to believe that $15 billion of securities would be sufficient.

HOW SHOULD THE FEDERAL RESERVE REDUCE ITS HOLDINGS?

Fifteen billion dollars of Government securities should be transferred from the Federal Reserve to the Treasury. This debt should then be canceled. This would reduce the public debt by $15 billion and reduce annual interest on the public debt by over a half-billion dollars.

CHAPTER IX. WHAT IS MONETARY POLICY?

Throughout the preceding chapters, the phrase "tight—or easy—money policy" was used liberally. Most people understand the phrase—in broad terms; but monetary policy is too important to be left to "broad terms." For it deals with the operating instructions of the managers of our monetary plant. Monetary policy is what fits the money industry into the structure of the economy.

But in specific terms, "monetary policy" has many definitions. Sometimes, although rarely in this book, it means the pattern the Government uses to erect a money system, and particularly the goals the Government has in mind as it monitors the moneymaking machinery. This is why monetary economists occasionally speak of "passive" or "active" monetary policy.

A government pursues a passive monetary policy by constructing a system which does not provide for any day-to-day or year-to-year decisions about influencing the volume or kinds of economic activity by monetary managers. The money supply is not manipulated to reach a specified economic target. This does not mean that interest rates do not move up or down in response to the rise and fall of demand for credit. They do. But the monetary managers pursuing a passive monetary policy do not cause these moves or modulate them by any deliberate action on their part.

What rules guide the monetary system in providing the money supply in this case? Broadly speaking, they are automatic, akin to the rules a thermostat follows in controlling a room's temperature. For example, the system can be told to increase the money supply by, say, 3 percent a year—the actual figure to be decided upon after considering the long-term growth rate of the economy and the associated monetary needs. Other, more complicated rules can be devised.

An active monetary policy is, obviously, the opposite. The Government grants the monetary agency both the power and the liberty to influence the economy, through deliberate and rather constant adjustments of the money supply valve. With an active monetary policy, the prevailing level of interest rates at any time results from a conscious choice by the central bank.

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[8] CONGRESSIONAL RECORD, vol. 105, pt. 10, p. 12507.

[9] CONGRESSIONAL RECORD, vol. 105, pt. 10, p. 12514.

[10] CONGRESSIONAL RECORD, vol. 105, pt. 10, p. 12514.

The United States has followed an active monetary policy for years—with activity reaching a peak after 1953, particularly during President Eisenhower's administration. Indeed, the economic ideology of that administration generally repudiated the use of any mechanism but the monetary for steering the economy. Almost exclusively, monetary policy was relied on to prevent inflation, regulate business activity, and promote other desirable ends. Despite its ideological precepts, however, the Eisenhower administration was compelled because of the tight money policies and their restrictive effect on the economy, to go into budgetary deficits in order to prevent an economic tailspin. Since 1960, active monetary policy has been used, but less exclusively.

Whatever the degree of activity, an active monetary policy, in the U.S. case, leads the Federal Reserve to reduce the money supply during certain periods—or to refuse to allow it to expand—in order to bring pressure on interest rates. In other periods, it does the opposite. In general, the Federal Reserve tries to restrain the economy when it operates at high levels and to stimulate business when recession grips. Or, to be precise, the Federal Reserve attempts to anticipate an economic upturn or downturn and react accordingly.

"Active" and "passive" describe the overall type of monetary policy. More common are the terms "tight money policy" and "easy money policy." And these terms, clearly, are the interesting ones once a government has opted for an active central bank. "Tight money"—as a reminder—refers to a policy of restricting the money supply in order to decrease the availability and raise the price of money. "Easy money" is the opposite.

One further general point, touched on in chapter I, is worth repeating. Active monetary policy only offers the choice of easier or tighter money. But the effects of monetary policy are so widespread that the same policy can be and is used for different purposes at different times with the fallout drifting where it will. For example, the Federal Reserve turned toward tighter monetary policy during the consumer buying upsurge of 1955 with the express purpose of cooling consumer demand for autos and other durables. The valve was turned tighter in the spring and summer of 1957 to restrain business investment in new productive capacity which, the money managers feared, was outstripping sluggish consumer demand. The result was a recession which lasted from July 1957 to August 1958. Again in late 1959 and early 1960 a tight money policy was pursued and interest rates rose. Again the result was a recession. This one began in May 1960 and lasted until February 1961. Finally interest rates began climbing in late 1961 and continued their rise to early 1962. Yet consumer demand has far from strained productive capacity during this period, and the low rate of business investment was an object of national concern. The new reason for the tighter monetary policy? The flow of dollars into foreign deposits and securities.

It is interesting to note that the steady rise in interest rates that began in 1961, has stabilized in recent months, probably due to the fact that the money supply was increased beginning in late 1962—an increase which may have been a "happy accident."

Enough was said in chapter I to indicate how a change in the money supply influences business activity. Here, again, there are some general observations to be made about the stock of money and the economy.

First, since our economy is growing and dynamic, economists almost unanimously agree that over the long haul the stock of money will have to grow—probably at about the same rate as the economy—if economic growth is not to be stunted. Failure to provide the money will spawn an era marked by deep recessions, abortive recoveries, low investment, high interest rates and chronic unemployment. This long-term need for adequate growth in the money stock is the first commandment for monetary policy—active or passive.

Second, the effects of an easy money policy are not necessarily the exact opposite of those of a tight money policy. As economists put it, monetary policy is not "symmetrical" in its effect. Tight money, it is easy enough to see, can chill practically any boom. By making money tight enough investment can always be choked off. But easy money will not always kindle a burnt-out economy, as the 1930's cruelly illustrated. There has been some controversy among economists about this point in recent years. Still the generally accepted view is that an economy in a full-fledged depression such as that of the early thirties will not respond vigorously to cheap and plentiful money—note the qualification: full-depression; a recession is another matter.

The Federal Reserve authorities, who by and large agree with this view, sometimes use the analogy of the string. The Federal Reserve can pull on the purse strings but it cannot push them. Why can't it push on the string? First, money may be generally available and cheap, but borrowers must be willing to borrower for investment and banks must be willing to lend to those particular borrowers who apply for loans. But, during a depression, the prospects for business are so dismal and the weight of productive capacity so enormous that business firms are unwilling to borrow for equipment or inventory despite rock-bottom interest rates. At the same time, banks are reluctant to lend to many of the would-be borrowers. With business after business on the verge of bankruptcy, everyone is a poor credit risk. And the banks must, of course, consider their own survival.

After these generalizations, the question can be asked, "What type of monetary policy has marked the Federal Reserve's actions over the years?" Though it will come as a surprise to anyone under 40, active monetary policies have not always been with us.

Indeed, just when monetary policies became active and where the Federal Reserve obtained its legal authority to engage in active monetary policies, is anything but clear.

Certainly when the Federal Reserve Act was passed in 1913 there was no thought, either in or out of Congress, that the country's monetary policy would be anything but passive. The main monetary problem the country had encountered was the periodic shortages of money. The Federal Reserve System was established largely to eliminate money shortages. The theory of the Federal legislation was that the ideal system would bring prompt, orderly, and automatic increases in the money supply in proportion to the need of trade and commerce. The economic activity of the country was not to be limited by the money supply; instead the volume of economic activity was to determine the money supply. A member bank of the Federal Reserve which lent all of its available funds and then needed additional funds to meet the credit requirements of trade and industry could automatically obtain the additional funds from the nearest Federal Reserve bank by posting eligible paper.

But by 1920, however, officials of the Federal Reserve were taking at least occasional steps to reduce the supply of money and credit in order to encourage general economic contraction and the reduction in prices which these officials thought desirable. At the time, the Federal Reserve had no formal machinery for reducing the money supply. In 1920, therefore, they simply called the class A directors—themselves bankers—of the Federal Reserve banks to a meeting where they agreed that the Nation's important banks should be persuaded to call in outstanding loans and refuse to make new loans, thus producing a countrywide contraction of credit. This "voluntary" or conspiratorial contraction of credit greatly aggravated if it did not initiate the 1920–21 depression.

The largest volume of credit extended by the Federal Reserve to the banking system, before World War II, was reached in 1920. Thereafter, the Federal Reserve banks began to limit the amount of credit they extended to the banking system. Full active monetary policies, of the type we know today, were not then in evidence. Rather, from the recovery of the depression in 1921 through 1926, the Federal Reserve permitted a general expansion of the money supply, though with interest rates somewhat high by present standards. Then, in 1927, 1928, and 1929, a policy of restraint was followed, resulting in virtually no change in the money supply between August 1927 and August 1929. As mentioned earlier, the so-called credit excess which fed the wild speculations in the stock market in the late twenties was not an excess of credit relative to the needs of the whole economy. It was an excess because this credit was fed into the economy by way of loans to brokers, dealers in securities and the banking system, resulting, when the speculative bubble burst, in the start of a credit squeeze. The credit squeeze was followed by some extraordinary actions on the part of the Federal Reserve in the early thirties which resulted in the unbelievable—a one-third decrease in the money supply during the collapse of 1929–33.

Then the final turn in active versus passive monetary policy came with the Banking Act of 1935 which gave final form to the Open Market Committee.

The first annual report of the Federal Reserve System issued after passage of the 1935 act proclaimed that this act placed "responsibility for national monetary and credit policies on the Board of Governors and on the Federal Open Market Committee."

In truth, the 1935 act makes no mention of "monetary policy," "monetary powers," or "monetary controls." Nor does it contain any provision suggesting a change in the monetary policy that underlay the original Federal Reserve Act of 1913.

In short, after passage of the 1935 act, the Federal Reserve authorities of that day simply claimed responsibility for "monetary policies"—without explaining what they thought "monetary policies" meant.

In the period between passage of the 1935 act and the beginning of World War II, an active monetary policy was, on occasion, in evidence—in the sense that the Federal Reserve took certain deliberate actions to counteract or offset other events of the day. The best illustration of this involves a legislative action with which the writer was personally concerned. It has to do with the so-called soldiers' bonus. Let me explain.

During World War I there was a great increase in wages and, of course, many "war millionaires" were made. Those who served in the Armed Forces, however, continued to receive a low rate of pay, appropriate to, if anything, the 1915 wage scale. Specifically, soldiers in the trenches in France were paid $1 per day.

In a fit of conscience following the war, Congress decided to adjust the pay of the World War I veterans, retroactively. Instead of giving the soldiers their overdue pay in cash, however, the Congress provided for it in what was called a delayed compensation certificate. These certificates were to be paid off in cash when the veterans reached a certain age.

Now, during the great depression, many of these same veterans were, of course, standing in breadlines, selling apples on street corners, and otherwise suffering the fate of others in the great army of the unemployed. It occurred to me that under these circumstances, the compensation certificates should be paid in cash, without delay, not at whatever time the veterans reached the age specified in the certificates. Further, it seemed to me that the release of such a large amount of cash by the Government would be generally beneficial, providing—or releasing—added purchasing power over the whole country and thus helping to bring about economic recovery.

After a prolonged controversy, which involving several Presidential vetoes, this proposal was finally successfully enacted in 1936. The delayed compensation certificates were paid in August of 1936, putting several billion dollars' purchasing power into the cities, towns, villages, and farms of the country.

To add a personal note, it was my experience with this legislation which made me aware of money and banking matters and caused me to begin seeking an education on the subject, both from the monetary authorities in the Government and the written works on the subject. Even so, I was for several years puzzled as to why the release of these several billion dollars of purchasing power did not cause any big splash in the economic pond as I had expected, but indeed seemed to have no effect on the economy. In time, I learned that in June of 1936, the Federal Reserve raised reserve requirements of the member banks, in anticipation of the "inflationary" effects of the soldiers' "bonus" and, in fact, reduced the money supply of the country by almost the exact amount of the payments which the veterans received. The Federal Reserve prevented "inflation," to its way of thinking, but it proceeded to hobble the economy which had 17 percent of its workers already unemployed—and subsequently plunged the economy into the deadening relapse of 1937–38.

It would not be correct to suggest that because of the 1936 episode the Federal Reserve simply followed a tight money policy between 1935 and the beginning of economic recovery in late 1939. Actually, throughout this period, except for the 1937 blunder, member banks had large amounts of excess reserves—that is, reserves which they did not utilize to create deposits. In fact, this became the classic example of the limits to an easy money policy during a depression—"the push on a string" analogy mentioned earlier.

On the other hand, interest rates were maintained at a substantially higher level during this period than during the World War II years.

During World War II, the Government followed a variety of credit policies. One policy—a new departure—was direct restriction of consumer credit. This was provided by the so-called regulation W which prescribed minimum downpayments and maximum terms of payment on consumer purchases of automobiles and other consumers durables. At other times, the Federal Reserve issued other regulations, imposing selective credit controls under wartime authorities enacted by Congress.

In the main, however, the policy of this period was to provide whatever amounts of money and credit were needed by the economy, which was turning out the largest possible amount of weapons and other supplies needed to fight the war and meet essential civilian needs at home. In this period, and indeed during the postwar years—up until March of 1951—the Federal Reserve maintained a market yield on Government bonds at less than 2½ percent. And all other interest rates were kept correspondingly low. For example, through a good part of this period, the market rate on 91-day Treasury bills was maintained below one-half of 1 percent.

World War II taught us many lessons. One was that our country need never again suffer from a prolonged depression like that of the 1930's. A conclusion almost unanimously reached was that if we could have full employment and have our economy produce the gigantic quantities of goods for the destructive processes of war, then we could likewise, in peacetime, maintain full employment and produce enough goods to eliminate poverty, ignorance, and disease in this country.

The great depression had been brought on, not by bad management in the private economy, but by the failure of Government to manage its affairs correctly, and most particularly the failure of Government to recognize and assume its role in the economy. If there were the right utilization and coordination of its resources and policies by the Government, then, no one then doubted, the private enterprise economy could and would provide full employment, maximum production, and maximum purchasing power.

This lesson which we learned from World War II, or at least thought we had learned, was much in the minds of the American people at the end of the war. Most of us were then highly resolved that never again would we permit any Government neglect or failure to deprive us of the benefits of our great potential for economic well-being. This high resolve was set down, furthermore, as declared national policy, in the Employment Act of 1946: Henceforth it would be the policy of the Federal Government "to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power."

Let us note that this declaration of policy does not say that Government shall replace free competitive enterprise. It says that the Government will coordinate and utilize its plans, functions, and resources in a manner to foster and promote free competitive enterprise, and in this way maintain maximum employment, production, and purchasing power.

When the Employment Act of 1946 was being debated and enacted into law, policies of the Federal Reserve had then been closely coordinated with those of the rest of the Government for a period of some 7 years. I happen to have been the House author of the Employment Act of 1946, and I appeared as a witness before the committees of both the Senate and the House handling the legislation. I believe, therefore, that I heard, both in Congress and in the general public arena, every question and every point of view which was then expressed concerning this legislation. I think that I have some basis for saying that when the act was passed, there was then no question in anybody's mind but that monetary policies would continue to be coordinated with the other policies and resources of Government. And so they were, until shortly before the famous Treasury-

Federal Reserve "accord" of March 4, 1951.

Notwithstanding the clear language of the Employment Act of 1946, and notwithstanding the fact that the Nation was at war in Korea in the fall of 1950, top officials of the Federal Reserve began a revolt against the policies of the President and the Secretary of the Treasury.

As we have already noted, the Federal Reserve had held all interest rates at relatively low levels from late 1939 on. The rate on long-term Government bonds had been set at a maximum of 2½ percent, and actual interest yields throughout the period had been somewhat below 2½ percent. The rate on 91-day Treasury bills had been held at less than one-half of 1 percent until mid-1947, after which they fluctuated around 1 percent. Low rates on both short- and long-term Government securities meant, of course, low rates on bank loans to business and other borrowers.

In mid-August of 1950, however, the Federal Reserve raised the discount rate and short-term Treasury bills jumped toward 1½ percent, although there were requests from the Secretary of the Treasury and the President for the System to continue a low-rate policy. It was later revealed by testimony of some of the Federal Reserve officials to committees of Congress that the Open Market Committee had held a meeting on August 18 and decided not only to raise the discount rate, but to "go their own way" on the Government longer term bond rate as well, despite what the President, the Secretary of the Treasury, and the head of the Office of Defense Mobilization might do.

The disagreements between the Federal Reserve and the Treasury, and the efforts of the President of the United States to obtain the Federal Reserve's cooperation, were known to the public only in a general way at the time. The exact events were not made known until early 1952 when a Subcommittee on Monetary Policy and Management of the Public Debt—a subcommittee of which the writer was chairman—made a lengthy investigation and called the Secretary of the Treasury, the Chairman of the Federal Reserve Board, and other officials to testify.

According to the record, the main events were as follows:

Disagreements between the Treasury and the Federal Reserve in the late fall and winter of 1950 had several unsettling effects in the Government securities market. Indeed, they had resulted in "failure" of several Treasury issues of new securities made in an effort to finance the Korean war. In view of these conditions, the President of the United States called the Chairman of the Federal Reserve Board and the Secretary of the Treasury to the White House in early January 1951, and asked the Federal Reserve to continue holding the then existing rate on Government bonds. This official, according to later testimony of the Secretary of the Treasury, gave assurances that this would be done.

Following the meeting, the Secretary of the Treasury made a speech, on January 18, announcing the policy which had been agreed upon. This speech strengthened the Government securities market, but several officials of the Federal Reserve promptly made public statements disagreeing with the policy. Further, on January 29, the Open Market Committee reduced its buying of long-term bonds, thus raising the interest rate somewhat.

As a result of these events, the President called the Chairman of the Board of Governors and the entire Open Market Committee to meet with him on January 31 to clarify the situation.

The results of the meeting were again announced to the press and the Government securities market settled down once more.

Then there began a series of meetings between the Federal Reserve, Treasury officials, and the chairman of several committees of Congress who were, it seemed, anxious to give support to the Federal Reserve's position in this squabble. Following these meetings, the Chairman of the Federal Reserve Board informed the Treasury, notwithstanding the assurances given at the January 31 meeting with the President, that the Federal Reserve was no longer willing to maintain the existing situation in the Government securities market.

After this development, the President asked the Federal Reserve and the Treasury to designate officials from the two agencies to try to work out the differences between the two agencies. On February 26, 1951, the President also appointed a four-man committee made up of the Director of Defense Mobilization, the Secretary of the Treasury, the Chairman of the Board of Governors of the Federal Reserve System, and the Chairman of the Council of Economic Advisers, asking this Committee to study ways and means of providing restraints on private credit expansion, while at the same time providing stability in the Government securities market. At this meeting the President expressed his hope that the Federal Reserve would maintain existing interest rates until this Committee had reported. The Chairman of the Committee, the Director of Defense Mobilization, expressed a belief that the Committee could make its report in about 10 days; that is, March 8.

Before 10 days passed, however, the officials of the Treasury and the Federal Reserve who had been given the task of trying to work out differences reached an "accord." This so-called accord was signed and given to the press on March 3, for public release on the following day, March 4 ,1951.

The names of the cast in this drama may be of interest. Mr. Truman was, of course, President. Up until January of 1951, Mr. Marriner Eccles was Chairman of the Board of Governors of the Federal Reserve System, and, by reason of this position, also Chairman of the Open Market Committee. Mr. Eccles' term as Chairman of the Board of Governors expired on January 31, and President Truman refused to appoint him to a new term as Chairman because of his disagreement with the policy Mr. Eccles was urging, and most particularly with Mr. Eccles' part in raising short-term rates during the previous 6 months. Instead, Mr. Truman appointed as Chairman another member of the Board of Governors, Mr. Thomas B. McCabe. Mr. McCabe, incidentally, was one of the Republican members of the Board.

Here it should be remembered the term of a member of the Board of Governors is 14 years. Once appointed to membership on the Board, and confirmed by the Senate, a man cannot be removed by the President except in the case of misbehavior. The Chairman of the Board of Governors is chosen, of course, from among the seven members of the Board. The President designates a Chairman, and the member's term as Chairman is 4 years. Thus at the expiration of 4 years, the President may refuse to reappoint a member as Chairman, although that member may, if he chooses, continue as a member of the Board until the expiration of his 14-year term.

Mr. John Snyder was Secretary of the Treasury. Mr. Snyder was in the hospital during February and early March, with a serious eye operation, and did not participate in the meetings with the congressional committee chairmen or in the signing of the accord. Mr. William McChesney Martin was then Under Secretary of the Treasury and acted in Mr. Snyder's place in these matters.

Following the signing of the accord, Mr. McCabe resigned from the Federal Reserve Board; President Truman promptly appointed Mr. Martin to the Board and designated him as Chairman.

Since the signing of the so-called accord, in March of 1951, this event has been widely interpreted as an understanding, reached between the Treasury and the Federal Reserve, that the Federal Reserve would henceforth be "independent." It would no longer "peg" Government bond prices. It would raise or lower interest rates as it might see fit, as a means of trying to prevent inflation or deflation.

These are understandings which have been grafted onto the accord over the years. Certainly, no such understandings were universal at the time the accord was signed. Indeed, at that time the President and the Secretary of the Treasury, at least, appeared to have thought that the accord signified a settlement fairly close to the position the Treasury held, rather than an agreement that henceforth the country would have a freewheeling Federal Reserve which would spend the next 10 years sending interest rates into orbit.

Indeed, in the first month following the signing of the accord, the long-term rate on Government bonds rose imperceptibly. And, in fact, by December 1952, just prior to a change of administration, the long-term rate still had not been raised above 2¾ percent. It was 2.47 percent in March 1951.

For years now, both Federal Reserve officials and others, have created the impression that money and credit ran wild in the preaccord years. The postwar policies of the President and the Treasury, it is claimed, were totally misguided and, if continued, would have led to an inflationary disaster. Just how bad were those policies?

For background purposes, it should be remembered that, until the accord, the Federal Reserve stood ready to prevent the rate on Government long-term securities from rising above 2½ percent. This meant that if the private banking system wished to raise reserves, it could start selling Government bonds. As the price of bonds dropped, raising the market rate of interest on these securities, the Federal Reserve would eventually begin buying bonds and creating the desired reserves which would then allow the banks to expand the money supply. Of course, the System could always raise the reserve requirement behind the old money supply, canceling out the money-creating power of the new reserves.

Professor Emeritus Alvin Hansen of Harvard University, one of the most influential American economists of the past 35 years, supported the accord in principle. Yet he wrote in 1957, referring to the Board of Governors' views presented at hearings held by a subcommittee of the Joint Committee on the Economic Report, December 6 and 7, 1954:

> The reader gets a picture of a flood of sales to the Federal Reserve and a rapidly mounting money supply * * *. The result, we are told, was a "spiral of costs and prices." And again: "This inflationary process was stopped early in 1951 when the Federal Open Market Committee discontinued pegging the prices of U.S. Government securities." ["Pegging the price" refers to the Reserve's purchasing of Government securities to prevent the market rate of interest on them exceeding 2½ percent.] [11] Finally, the following: "The facts are * * * the country suffered a serious inflation until the Federal Open Market Committee abandoned the pegs."
>
> Now, the facts are, however, quite otherwise than here stated * * *. Federal Reserve holdings [of Government securities] were $5.1 billion less in June 1950, than December 1946 * * *. The money supply did not increase. Currency plus demand deposits stood at $110.2 billion in June 1950, and at $110 billion in December 1946. We did not have continuous inflation in the preaccord period. Wholesale prices in June 1950, stood at the same level as in September 1947, a period of nearly 3 years. Loans and investments of commercial banks remained stationary from 1946 to 1948 but rose moderately before Korea * * *. Money and bank credit were not running wild * * *.
>
> It would be difficult to find statements more misleading than those cited above * * *. The reader is lead to believe that there was a continued spiral of rising costs and prices all through this period. Nor is the reader informed that the price spurt following Korea was *stopped a month before the accord* [italic mine]—the weekly index reaching the peak figure on February 13, 1951.[12]

Notwithstanding these facts, the Federal Reserve people were quite sure that they could do a better job of running the country than the President, and with only slight increases in interest rates.

In the early part of 1952, a subcommittee appointed by Senator O'Mahoney, then chairman of the Joint Economic Committee, made a complete investigation of the circumstances of the so-called accord, the events leading to it, and the conflicting views on monetary theories which were then being urged. This subcommittee, of which I was privileged to be chairman, not only conducted hearings at which principal Government witnesses and leading economists were heard; we also surveyed Government witnesses and economists by questionnaire, in advance, allowing plenty of time for answers. All of these expert views were published in compendiums and hearings under the title "Monetary Policy and the Management of the Public Debt." I believe there was no doubt at that time that the Federal Reserve was contending for only very slight increases in interest rates. Indeed, I believe I correctly summarized the issue, as it was then drawn, in the foreword to part I of the volume of replies to questions which the subcommittee had posed, as follows:

> The Federal Reserve System has recently sought to lessen the availability and attractiveness of credit by making bank reserves more costly and more difficult to obtain. It sought to do this by raising the rediscount rate and conducting its open-market operations in a manner bringing about a small rise in short-term interest rates on Government securities. It is contended that fractional interest rate changes increase banks' needs for liquidity because of uncertainty as to whether additional reserves will be available, and at what cost. At the same time the market price of assets on hand is reduced and their sale thus made less attractive to the commercial banks. The objective is to force commercial banks to restrain credit expansion by rationing limited credit among potential borrowers. The Treasury meanwhile is attempting to follow a debt-management policy aimed at maintaining stable and low interest rates on Government securities, in the belief that a fractional increase in interest rates has no noticeable effect on the volume of credit and hence on inflation generally.
>
> Monetary economists disagree as to the effectiveness and wisdom of attempts to dampen inflationary pressures by general credit control measures. Evidence based upon our own staff's study of the recent attempts in that direction has not been conclusive. The fact is that bank loans have continued to increase; what the increase might have been without the Federal Reserve System's efforts cannot be said.
>
> If it can be demonstrated that increases in interest rates resulting in a rise in the service charges on the public debt have a measurable effect in reducing the volume of credit and in fact are responsible for holding down prices, including the prices of goods and services purchased by the Government, do not interfere with needed economic expansion, and do not unnecessarily increase the amount of cost of carrying the national debt, such facts would be arguments for allowing Government obligations to find their level in the open market ("Monetary Policy and the Management of the Public Debt," S. Doc. 123, pt. I, 82d Cong., 2d sess., pp. ix, x).

At the end of 1951, then, the Federal Reserve had both self-proclaimed independence, as a result of the accord, and an operational policy which aimed at maximum credit effects through minimum changes in interest rates. It then added another string to its bow—the "bills only" policy.

During the hearings held by the Subcommittee on General Credit Control and Debt Management in early 1952, at which Federal Reserve officials appeared, several members of the Committee enthusiastically offered the notion that the Government bond market should be "free." Since the Federal Reserve operates under congressional powers and is considered to be an arm of Congress, its officials are, to some extent, amenable to suggestions from prominent Members of Congress, particularly if these suggestions happen to be in accord with the thinking of the financial community.

In any event, the Open Market Committee appointed an ad hoc committee, composed of certain of its own members, to study the Committee's general credit policy. Further, the ad hoc committee was asked to comment on changes in the content or method of the then established policy. The committee made a report in November 1952, containing its recommendations, the most famous of which became known as the bills-only policy. Although this policy was only revealed to Congress and the public in 1954, it had by then become an established practice of the Open Market Committee, and was to continue as almost sacred ritual for the next 8 years.

The bills-only policy declared that henceforth the Open Market Committee, when trading in the so-called open market, would confine its activity to very short-term Government securities, preferably 91-day Treasury bills. Buying or selling Treasury bills in the open market means, of course, that the Federal Reserve adds to or subtracts from bank reserves, just as would be the case if it bought Government securities of any other maturity. In other words, the Open Market Committee intended to ease or tighten credit as it saw fit, as before, but its actions were to have a direct effect only on short-term interest rates.

Long-term rates would almost inevitably be affected, but only in an indirect way, and after an indefinite timelag. This was to be the so-called free market in long-term Government securities. No longer with the Federal Reserve to give any support to the Treasury. Henceforth when the Treasury issued bonds or medium-term securities, it was to dump these issues on the market and watch the natural consequences—first a drop in bond prices, then a gradual recovery as the market absorbed the bonds. Any private rigging or manipulations of the market were to go without interference from the Federal Reserve as were any speculative booms or panics short of a "disorderly" market. The bills-only policy had only one reservation: The Federal Reserve would buy long-term bonds in the event that the Open Market Committee made a findings that the market was disorderly.

It would not be correct to suggest that there were no good arguments in support of the bills-only policy. On the contrary, some very astute and well-intentioned people worked out good theoretical arguments for the policy. These arguments had validity, however, only if the Federal Reserve was to be neither a part of Government nor a performer of any of the functions of Government—other than to issue the money in some automatic way.

If the Federal Reserve had played the role simply of adding to the money supply at some constant rate, leaving it up to the rest of the Government to handle the problem of general regulation, counteracting the business cycle, and so on, the bills-only policy might possibly have been appropriate. But the Federal Reserve did not adopt such a role. It assumed more—not less—responsibility for economic regulation, particularly after President Eisenhower took office in 1953.

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[11] Comments within brackets are the author's and not Professor Hansen's.

[12] Hansen, Alvin, "The American Economy," McGraw-Hill, New York, 1957, pp. 74–77.

Indeed, the Eisenhower administration, as mentioned earlier, ushered in a new era for monetary policy. The administration announced at the outset that it would rely on monetary policy exclusively for its economic regulation and would respect the complete independence of the Federal Reserve to carry out these policies as it saw fit. The more direct arrangements which had been adopted during the Korean war for restraining inflationary forces were promptly dropped. The Government's fiscal policy—its tax and expenditure policy—was to be aimed simply at balancing the budget, or at least talking about balancing the budget, rather than counteracting inflationary and deflationary forces.

But the new era found the Federal Reserve moving light-years away from its original idea that imperceptible increases in interest rates were the surefire antidotes for the country's economic ills. As the years went on, continued doses of higher interest were doled out and not in small capsules either. The result of the first small increases in rates left the Federal Reserve authorities unsatisfied. They obviously concluded, not that they had tried the wrong medicine, but that they had not used enough of it.

While the Federal Reserve has grown increasingly active in economic regulation over the past decade, it has also been aiming its fire to an increasing extent at specific targets, as compared to the economy in general. This is in sharp contrast to its theories of a decade ago, when it felt that a shot of credit restraint aimed at the economy in general would produce such universal results that nothing more would be needed. Its specific targets, furthermore, have been for the most part those which could be hit only by changes in long-term interest rates, not by changes in short-term rates. In other words, while the specific economic effects the Federal Reserve wanted to bring about could, by its own reckoning, be brought about only by changing long-term rates, it has nevertheless clung to the "bills only" policy by which it was able to change long-term rates only in the most ineffective and unreliable way imaginable. To put the matter another way, the "bills only" policy tied the Federal Reserve's hands as to changing the long-term rate with any precision, and at the time when it thought this rate should be changed.

For example, in the first 11 months of 1957, the object of the Federal Reserve monetary policy was to dampen what it considered to be an "investment boom." These officials hindered by "bills only" proceeded to make credit tighter throughout the whole economy. Consumer interest rates rose. Thousands of small firms were bankrupted, being unable to obtain the credit necessary to carry inventories. Yet all that the Federal Reserve claimed it wanted to do was slow down the building of new plants. Well, the investment boom, which was already staggering by early 1957, did crumple—with an assist from the Federal Reserve. And the economy slid into the stagnant bog, from which it has only recently emerged.

In the early part of 1958, the object of monetary policy was to stimulate more investment. This meant getting the long-term rate down. Still clinging to the "bills only" policy, the Federal Reserve gave the commercial banks repeated injections of reserves. In consequence, short-term interest rates promptly came down, but long-term rates stayed up. In fact, long-term rates declined so slowly and bond prices rose so gently that there developed a great speculative binge in the Government bond market. Elevator boys, used car dealers, and professional bond brokers were all borrowing directly or indirectly from the plentiful supplies of short-term funds to purchase Government bonds. They thought the Federal Reserve would not rest until it had driven bond prices up—and, thus, market yields down.

Actually, by the time the easy-money policy of the first half of 1958 began to exert a substantial effect on long-term rates, the Federal Reserve people thought, that economic conditions had changed and called for a turnabout in credit policy. The brakes were put on. In mid-1958, speculators realized Government bond prices were headed down, and the big debacle in the Government bond market resulted. Billions of high-riding dollars were lost in that infamous affair.

As we have said, the "bills only" policy permitted the Federal Reserve to come into the long-term market, on occasion, when it found the market to be "disorderly." In mid-1958, the Government bond market became "disorderly"—it seems to me extremely disorderly—and the Open Market Committee finally stepped in and lent some support.

Even after these experiences, however, when the Open Market Committee met in the early spring of 1959 to consider a policy for the year, it readopted the same old tried-and-found-wanting "bills only" policy. There was one dissenting vote. Mr. Hayes, the president of the New York Federal Reserve Bank, dissented, as he had done the previous year.

Only in February of 1961 did the Open Market Committee finally abandon its "bills only" policy. This was after repeated urgings from Congress and the newly elected President Kennedy. Then, too, new circumstances had arisen.

In early 1961, the United States was in an unenviable position. The country was both in a recession and suffering from a balance-of-payments deficit, deepened by a flow of dollars going abroad, seeking short-term investment at the higher oversea interest rates. The recession called for prompt reduction in the level of interest rates, to be achieved under "bills only"—by first driving down the short-term rate. But if the System energetically lowered short-term rates, it would simultaneously open the floodgates wider to the dollar flow abroad.

One sensible solution was to abandon "bills only." After all, business and State and local government borrowing for new equipment and new construction is at long-term rates. The same is true for home mortgage borrowing. If the long-term rate—quite high by postwar standards, especially for a recession period—could be brought down directly, without much effect on the short-term rate, most of the effect of easier money would be achieved. And with a stable, short-term rate, the payments deficit would not be intensified.

The dogma of "bills only" was finally refuted by the logic of hard fact, and long-term Government bonds were purchased by the Federal Reserve. Since then the System has not hesitated to enter the long-term market when the situation warranted.

The demise of "bills only" can be taken as the end of an era. For the new administration of Presidents Kennedy and Johnson lifted the monopoly of the economic control center held by monetary policy. It had become painfully clear that the monetary policy carried out by the Fed was not sufficiently expansionist to keep the country moving at a rate justified by the increase in the working force and industrial capacity. The two Presidents, with Congress voting the needed measures when necessary, began to apply the tremendous economic leverage the Government possesses as it taxes and spends.

The prime example, of course, is the $11 billion tax cut of 1964 aimed directly at spurring economic growth. There are others. The Treasury drafted a more favorable depreciation schedule for business, in effect increasing the after-tax return from capital goods investment. The Congress voted an investment "tax credit" doing more of the same. These two fiscal measures of 1962, it is widely agreed, gave a strong push to the sharp gain in business investment during 1963.

Then there is the most enlightening—because the most ingenious—measure of all, the "interest equalization tax." The very word "interest" spells monetary policy, but the tax is a fiscal measure: a substitute for an otherwise disastrous monetary move. Briefly, the United States, already coping with a large foreign payments deficit in 1963, was being overwhelmed by a flood of foreign long-term borrowing of dollars. Every extra dollar loaned to an oversea borrower would increase the payments deficit. What was to be done? The traditional monetary policy answer was: raise long-term interest rates. This would make all borrowing—foreign and domestic—more expensive. And at some rate, the flood could be stemmed.

Of course, anyone concerned about high unemployment and the waste of unused resources could not walk the monetary route, given the less than fully employed economy of 1963. Instead the administration proposed to place a tax on long-term investment in foreign securities, with some exceptions. And this alternative to higher interest rates, though not law at the time of writing, has cut foreign borrowing sharply. The economy consequently has not had to lose one extra dollar of investment or income, thanks to this fiscal initiative.

Has the new look affected monetary policy? Not at all. Leaning heavily on the balance-of-payments deficit, and warning ominously about inflation once again, the Federal Reserve still kept long-term Government interest rates at a higher level during the 1960–61 recession than their peak during the 1955–57 boom—despite the end of "bills only." As the recovery proceeded interest rates were kept fairly stable—and relatively high—until the last half of 1963 when the long-term rate was permitted to climb. By 1964, it was close to its postwar high—4.37 percent. Why the need for a higher restraining rate, especially since it directly contradicted administration policy? Judging from the public statements of the Chairman of the Board of Governors, inflation—even though the central bank's seismograph alone registered rumbles from this volcano.

Thirteen years have now passed since the accord and the liberation of the Federal Reserve. What have been the results? The major result is shockingly obvious. Interest rates have climbed steadily, with slight interruptions, during the entire postaccord period—see table 3. The period has been marked, then, by a continual shift of income to the banks, other major financial institutions, and individuals with significant interest income. The rest of the country provided this income.

TABLE 3.—*Yields on long-term Government bonds, by months, 1919 to present*

[Percent per annum]

	January	February	March	April	May	June	July	August	September	October	November	December	Year
1919	4.63	4.70	4.78	4.72	4.67	4.69	4.72	4.78	4.73	4.71	4.81	4.90	4.73
1920	4.93	5.05	5.09	5.28	5.58	5.54	5.57	5.67	5.43	5.08	5.21	5.40	5.32
1921	5.23	5.28	5.27	5.24	5.25	5.27	5.26	5.22	5.12	4.83	4.64	4.47	5.09
1922	4.45	4.50	4.41	4.28	4.26	4.24	4.14	4.12	4.19	4.30	4.33	4.32	4.30
1923	4.32	4.33	4.38	4.39	4.37	4.34	4.34	4.35	4.36	4.40	4.37	4.35	4.36
1924	4.30	4.28	4.28	4.23	4.15	3.98	3.94	3.91	3.92	3.87	3.90	3.96	4.06
1925	3.96	3.95	3.96	3.93	3.87	3.79	3.79	3.85	3.85	3.82	3.79	3.80	3.86
1926	3.77	3.71	3.71	3.70	3.67	3.67	3.68	3.70	3.70	3.68	3.62	3.56	3.68
1927	3.51	3.48	3.37	3.35	3.31	3.34	3.36	3.32	3.30	3.29	3.23	3.17	3.34
1928	3.18	3.19	3.17	3.20	3.24	3.29	3.42	3.48	3.46	3.47	3.38	3.45	3.33
1929	3.52	3.62	3.74	3.64	3.64	3.69	3.64	3.71	3.70	3.61	3.35	3.36	3.60
1930	3.43	3.41	3.29	3.37	3.31	3.25	3.25	3.26	3.24	3.21	3.19	3.22	3.29
1931	3.20	3.30	3.27	3.26	3.16	3.13	3.15	3.18	3.25	3.63	3.63	3.93	3.34
1932	4.26	4.11	3.92	3.68	3.76	3.76	3.58	3.45	3.42	3.43	3.45	3.35	3.68
1933	3.22	3.31	3.42	3.42	3.30	3.21	3.20	3.21	3.19	3.22	3.46	3.53	3.31
1934	3.50	3.32	3.20	3.11	3.02	2.98	2.92	3.03	3.20	3.10	3.07	3.01	3.12
1935	2.88	2.79	2.77	2.74	2.72	2.72	2.69	2.76	2.85	2.85	2.83	2.83	2.79
1936	2.80	2.77	2.71	2.68	2.66	2.66	2.65	2.61	2.60	2.62	2.53	2.51	2.65
1937	2.47	2.46	2.60	2.80	2.76	2.76	2.72	2.72	2.77	2.76	2.71	2.67	2.68
1938	2.65	2.64	2.64	2.62	2.51	2.52	2.52	2.51	2.58	2.48	2.50	2.49	2.56
1939	2.47	2.44	2.34	2.30	2.17	2.13	2.16	2.21	2.65	2.60	2.46	2.35	2.36
1940	2.30	2.32	2.25	2.25	2.38	2.39	2.28	2.25	2.18	2.10	1.97	1.89	2.21
1941	1.99	2.10	2.01	1.96	1.92	1.91	1.90	1.94	1.94	1.88	1.85	1.96	1.95
1942	2.48	2.48	2.46	2.44	2.45	2.43	2.46	2.47	2.46	2.45	2.47	2.49	2.46
1943	2.46	2.46	2.48	2.48	2.46	2.45	2.45	2.46	2.48	2.48	2.48	2.49	2.47
1944	2.49	2.49	2.48	2.48	2.49	2.49	2.49	2.48	2.47	2.48	2.48	2.48	2.48
1945	2.44	2.38	2.40	2.39	2.39	2.35	2.34	2.36	2.37	2.35	2.33	2.33	2.37
1946	2.21	2.12	2.09	2.08	2.19	2.16	2.18	2.23	2.28	2.26	2.25	2.24	2.19
1947	2.21	2.21	2.19	2.19	2.19	2.22	2.25	2.24	2.24	2.27	2.36	2.39	2.25
1948	2.45	2.45	2.44	2.44	2.42	2.41	2.44	2.45	2.45	2.45	2.44	2.44	2.44
1949	2.42	2.39	2.38	2.38	2.38	2.38	2.27	2.24	2.22	2.22	2.20	2.19	2.31
1950	2.20	2.24	2.27	2.30	2.31	2.33	2.34	2.33	2.36	2.38	2.38	2.39	2.32
1951	2.39	2.40	2.47	2.56	2.63	2.65	2.63	2.57	2.56	2.61	2.66	2.70	2.57
1952	2.74	2.71	2.70	2.64	2.57	2.61	2.61	2.70	2.71	2.74	2.71	2.75	2.68
1953	2.80	2.83	2.89	2.97	3.11	3.13	3.02	3.02	2.98	2.83	2.86	2.79	2.94
1954	2.69	2.62	2.53	2.48	2.54	2.55	2.47	2.48	2.52	2.54	2.57	2.59	2.55
1955	2.68	2.78	2.78	2.82	2.81	2.82	2.91	2.95	2.92	2.87	2.89	2.91	2.84
1956	2.88	2.85	2.93	3.07	2.97	2.93	3.00	3.17	3.21	3.20	3.30	3.40	3.08
1957	3.34	3.22	3.26	3.32	3.40	3.58	3.60	3.63	3.66	3.73	3.57	3.30	3.47
1958	3.24	3.28	3.25	3.12	3.14	3.20	3.36	3.60	3.75	3.76	3.70	3.80	3.43
1959	3.91	3.92	3.92	4.01	4.08	4.09	4.11	4.10	4.26	4.11	4.12	4.27	4.08
1960	4.37	4.22	4.08	4.18	4.16	3.98	3.86	3.79	3.84	3.91	3.93	3.88	4.02
1961	3.89	3.81	3.78	3.80	3.73	3.88	3.90	4.00	1.02	3.98	3.98	4.06	3.90
1962	4.08	4.09	4.01	3.89	3.88	3.90	4.02	3.98	3.94	3.89	3.87	3.87	3.95
1963	3.89	3.92	3.93	3.97	3.97	4.00	4.01	3.99	4.04	4.07	4.11	4.14	4.00
1964	4.15	4.14	4.18	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------

NOTE.—Long-term Government yields from January 1919 through Oct. 14, 1925, are unweighted averages of yields of all outstanding partially tax-exempt Government bonds, due or callable after 8 years, and those from Oct. 15, 1925, through December 1941 of all such bonds due or callable after 12 years. Averages for the 2 sets of bonds were identical from Oct. 15, 1925, through July 16, 1928. Beginning January 1942 through Mar. 31, 1952, yields are based on taxable bonds neither due nor callable for 15 years; beginning Apr. 1, 1952, through Mar. 31, 1953, on bonds neither due nor callable for 12 years. From Apr. 1, 1953, to present, series based on bonds maturing in 10 years or more.

Source: Board of Governors of the Federal Reserve System, "Banking and Monetary Statistics," 1953; Annual Report of the Secretary of the Treasury, 1958; and Treasury Bulletins.

The continued rise in interest rates, with its accompenying costs, could perhaps be defended as necessary if the economy had worked close to the limit of its resources most of these past 13 years, or had exhibited a recurrent tendency to sharp, steep price increases. But this was not the case. True, it could be argued that the resource criterion was met during 1951–53, and possibly the price criterion during 1956–57—see table 4. But after 1957, as the mounting unemployment percentage and the trendless wholesale price index show, neither criterion for another shot of high interest was fulfilled. The irony of the situation is that long-term interest rates remained close to the old 2½-percent ceiling during most of the first period—favorable to high interest—and started their steep climb only in late 1955.

TABLE 4.—*Unemployment and industrial wholesale prices, 1949–63*

Year	Unemployment as percent of civilian labor force [1]	Industrial wholesale price index (1957-59=100) [2]
1949	5.9	80.0
1950	5.3	82.9
1951	3.3	91.5
1952	3.1	89.4
1953	2.9	90.1
1954	5.6	90.4
1955	4.4	92.4
1956	4.2	96.5
1957	4.3	99.2
1958	6.8	99.5
1959	5.5	101.3
1960	5.6	101.3
1961	6.7	100.8
1962	5.6	100.8
1963	5.7	100.7

[1] New definitions; after 1960 includes Alaska and Hawaii.

[2] All commodities other than farm products and foods.

Source: Economic Report of the President, January 1964.

How does the Federal Reserve justify this Alice-in-Wonderland policy? Inflation. After 1957? Yes. What inflation? it might well be asked. And that is exactly the point. As the industrial wholesale price index shows there has been nothing which even hints of inflation in the price of industrial goods since 1958. By crying inflation these past years, as in their justification for the accord, the Federal Reserve is indulging in public mythmaking. There has been no inflation, either during the depressive stagnation of 1958–61 or during the hesitant recovery of 1961–64. Surely if the economy were as inflation prone as the Federal Reserve solemnly reiterates, some evidence of it would have appeared these past 6 years.

Perhaps it can be argued, as some Federal Reserve authorities have done recently, that the price record is a testimony to their high-interest policy. Without it inflation would have occurred. What can be said? In the first place, the argument is irrefutable but worthless. Who knows what would have happened if—? Second, if the statement is true, the monetary authorities are indirectly saying that monetary policy can only keep prices stable by crippling economic growth and saddling the economy with widespread unemployment and idle capacity. For these were the conditions under which the economy operated the past 6 years—with the Federal Reserve throwing its weight toward restraint. Is this the price the economy must pay to stop inflation? It seems the Federal Reserve think so.

The argument, then, simply confirms the sour lesson of our 13-year monetary experiment. Small doses of higher interest or even a mild recession will not stop price rises in the modern economy.[18] Whatever the variety of ways rising prices may be stopped, there is one surefire method: a protracted period of underemployment for men and machines. And, since monetary policy can do only two things—stimulate or repress the economy—it is obvious what the monetary authorities will do if they think they sense inflationary tremors. They will slam the brakes and slow the economy to a prolonged crawl.

The inflation argument has had help from the balance-of-payments deficit the past 3 years in justifying monetary policy. The interest rate the System is mainly concerned with, for foreign payments purposes, is the short-term rate. But by keeping that rate high, they have also automatically kept the long rate higher than otherwise called for. The reason is that except under unusual circumstances, the bond market will keep long-term rates higher than short term. Therefore, even though the Federal Reserve adopted a policy of keeping long-term rates as stable as possible in 1961–62, it could not go further and bring these rates down without threatening to drive short-term rates down as well—an event which would have nullified its payments deficit policy. And, when the System raised short-term rates in mid-1963 to 3½ percent, publicly giving the payments deficit as the reason, the long-term rate also moved up in normal sequence.

Just what has the Federal Reserve tried to accomplish with its high short-term interest policy? Well, the short-term capital outflow, generously defined, ran at approximately $2 billion in 1960, $2.4 billion in 1961, $1.5 billion in 1962 and $1.1 billion in 1963. Thus the Reserve authorities tied their hands with regard to the long-term rate during the 1960–61 recession and the high unemployment years subsequently to keep $2 billion annually, at the most, from flowing overseas. How much did it cost the economy to use monetary policy for this purpose? No one knows. But it would not be farfetched to think that over a 4-year period many billions of dollars worth of investment, and even more billions of dollars worth of production and income were forgone. Add in, as well, the very real personal tragedy of unemployment.

Once again the bitter lesson of the postaccord period is drawn, this time with respect to the balance of payments. Was there no other way to prune a $2 billion outflow—a comparatively small amount considering our $600 billion economy—than by first cutting domestic business investment and output by many billions of dollars while the economy was running at less than full speed? This is really letting the tail wag the dog. But it is exactly what will result if monetary policy is used as a jack-of-all-trades. Monetary policy is most inefficient. It produces much costly fallout. And there is the counterexample of the "interest equalization tax" to show what can be done to control capital outflows at minimum social and economic cost.

Another result of postaccord monetary policy is that the U.S. economy has unwittingly become a low investment economy. This point is extremely important. Because if we operate our economy with perpetually high interest rates—and this seems to be the outlook unless something is changed—then, even though we manage to have full employment, say, because of fiscal measures, the economy will invest less than it otherwise would with low interest rates. This implies slower growth of output because of lower efficiency gains and smaller additions to capacity. In other words, by instituting a high interest policy a country chooses to grow more slowly than it otherwise could. Clearly, such a choice is a critical one for a country to make. And, for the past 7 years, the Federal Reserve has chosen the high interest, slower growth option for this country—see table 5.

The purpose of the table is not to show that the drop in business investment as a percentage of gross national product is mainly the result of the high-interest policy of recent years. It is to show that the economy has been devoting a smaller proportion of its resources to investment than it had previously—with no evidence that the previous proportion was "too high," by any reasonable standard for "too high." And, throughout this period, Federal Reserve policy has been in the direction of smaller investment.

TABLE 5.—*Rate of investment and long-term interest rates, 1946–63*

Year	Business expenditures for new plant and equipment as percent of gross national product	U.S. Government taxable bonds [1] (percent per annum)
1946	7.0	2.19
1947	8.8	2.25
1948	8.5	2.44
1949	7.5	2.31
1950	7.2	2.32
1951	7.8	2.57
1952	7.6	2.68
1953	7.8	2.94
1954	7.4	2.55
1955	7.2	2.84
1956	8.4	3.08
1957	8.3	3.47
1958	6.9	3.43
1959	6.7	4.08
1960	7.1	4.02
1961	6.6	3.90
1962	6.7	3.95
1963	6.7	4.00

[1] First issued in 1941. Series includes bonds which are neither due nor callable before a given number of years as follows: April 1953 to date, 10 years; April 1952–March 1953, 12 years; October 1941–March 1952, 15 years.

Source: Economic Report of the President, January 1964.

Is a low-investment economy—in percentage terms—what the American people want? Certainly it is not what their last two Presidents have wanted, judging from the emphasis on economic growth in their public statements. It is also not what Congress has voted for. Quite the contrary. But it is what the country now has as a byproduct of the Federal Reserve's unhindered ministering to the country's health.

Finally, a third result of postaccord monetary policy should be mentioned here. It illustrates in a quite unexpected way how far the consequences of recent monetary policy reach.

In fiscal year 1963, the U.S. Government paid out approximately $10 billion as interest on the national debt. The budget deficit for the same year was $8.8 billion. Much political hay was made with the deficit. It was potential inflationary dynamite, ran the "no deficit" claim. And these same people strongly supported tighter money and higher interest rates to prevent the otherwise inevitable inflationary explosion.

Yet if these people were really worried about the deficit, they should have been rabid partisans of a low-interest policy. For it can be shown that last year's deficit would have been $5 billion less if the Government had not been forced by Federal Reserve policy to pay increasingly more on its outstanding debt. In fact, the total national debt would now be $40 billion less if the interest rates of the early 1940's had prevailed in the postwar period.

This is what table 6 shows. In 1946, the Government paid an average rate of 1.8 percent on its debt. In 1947, interest rates went up. The Government paid out $5 billion in interest. At the 1946 rates it would have paid out $0.4 billion less. This means the deficit in 1948 was $0.4 billion higher than it need be. The Government could have used the $0.4 billion paid out in extra interest in 1947 to reduce the debt carried over into 1948. In 1948, then, the debt at 1946 interest rates would have been $251.9 billion—column 4—rather than the actual $252.3 billion—column 3.

The Government paid $5.3 billion in interest in 1948. On the reduced debt, at stable rates, it would have only paid $4.5 billion—column 5. The Federal budget would have been $0.8 billion less because of reduced interest. The national debt, then, would not have grown by $0.5 billion during fiscal 1948, but rather dropped by $0.3 billion due to the interest saving. This is shown in columns 3 and 4. In column 3 the debt carried over into 1949 is $0.5 billion higher than 1948, whereas in column 4 it is $0.3 billion less because of the saving.

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[18] It is necessary to distinguish between "demand-pull" inflation and "cost-push." The latter occurs when several groups can push up prices even when general demand is not high enough to take all the goods the economy could produce.

TABLE 6.—*Higher interest and U.S. Government debt*

[All figures are in billions of dollars]

Fiscal year (1)	Actual interest paid (2)	Actual debt (3)	Reduced debt (4)	1.8 percent on reduced debt (5)	Budgetary saving (6)
1946	4.8	269.4		4.8	0
1947	5.0	258.3		4.6	.4
1948	5.3	252.3	251.9	4.5	.8
1949	5.4	252.8	251.6	4.5	.9
1950	5.8	257.4	255.3	4.6	1.2
1951	5.7	255.2	251.9	4.5	1.2
1952	5.9	259.1	254.6	4.6	1.3
1953	6.6	266.1	260.3	4.7	1.9
1954	6.5	271.3	263.6	4.7	1.8
1955	6.4	274.4	264.9	4.8	1.6
1956	6.8	272.8	261.7	4.7	2.1
1957	7.3	270.5	257.3	4.6	2.7
1958	7.7	276.3	260.4	4.7	3.0
1959	7.7	284.7	265.8	4.8	2.9
1960	9.3	286.3	264.5	4.8	4.5
1961	9.0	289.0	262.7	4.7	4.3
1962	9.2	298.2	267.6	4.8	4.4
1963	10.0	305.9	270.9	4.9	5.1
Total saved					40.1

For each postwar year the savings are computed. Obviously after 17 years of climbing interest rates the added unnecessary debt being carried is a significant figure—about 13 percent of the total national debt. And the excess interest charges have now mounted to about $5 billion a year—almost half of which goes to banks, financial institutions, and other corporations.

What does table 6 prove? Mainly, that interest touches at every point of our complex economic society. Raising interest rates is not a simple solution to straightforward economic problems, because interest will not work in a simple fashion. In the deficit case, high interest actually defeats the very purpose of those who say they fear the presumed inflationary potential of Government deficits and want tight money.

Perhaps these observations can best be summed up by two broad conclusions about monetary policy. First, an active monetary policy pursued by an agency that takes its own soundings of the economy and subsequently acts on its own initiative without consultation is a costly luxury for a modern economy. It entails the constant use of the monetary sledgehammer to crack economic policy walnuts.

Second, a self-sufficient central bank, as other countries' experiences confirm, tends in the long run to follow a high-interest policy. This is quite understandable. Despite the long list of desirable economic goals which the central bank may cite as guiding its hand, invariably one consideration seems to predominate—an ever-threatening inflation. Why? Because of the natural perversity of central bankers? Not at all. Rather, it is the result of the particular control system entrusted to the central bank.

A central bank controls the money supply. And inflation is the one economic ailment which is directly susceptible to the monetary cure. No inflation can last long if money is made tight enough—the economy may meanwhile be gasping for breath, but that is another matter. Other problems which may afflict the economy—underemployment, stagnation, recession—cannot be laid as directly and uniquely at the central bank's door as can inflation. Either "natural" forces or an unwillingness to use fiscal policy can always share the onus for a slack economy.

Therefore, a central bank inclines toward concentrating on the one problem for which it seems to bear sole responsibility—inflation. Now there is only one way a central bank can try to contain inflation: by keeping interest rates high and the economy somewhat sluggish. And this is what central banks have traditionally opted for time and again over the long run. The Federal Reserve is no different. As this brief résumé of postwar monetary policy indicated, if honorable men look for inflation hard enough, they can convince themselves they have found it. Most of us then pay the price of being preserved from a monster which the evidence suggests is a mere phantom.

CHAPTER X. WHAT IMPROVEMENTS ARE NEEDED IN THE MONEY SYSTEM?

As we have seen, the money system is manmade. Invented by man, revised by man, and controlled by man; it is as Abraham Lincoln said, "the creature of law." Therefore, there is no reason to conclude that the system is perfect. The process of improving the monetary system has not reached a final stopping place any more than has the process of improving the social and economic order.

Yet, while changes have been made, the money system has generally proved resistant to change. Some improvements have been accepted, but they have lagged behind progress in other areas of the economic system. And changes of any consequence have usually been adopted only as crisis measures, following large-scale panics or breakdowns in the economic system. Only at such times has the public focused its attention on money management and demanded reform strongly enough to overwhelm the bankers' traditional resistance to change. Between crises, money management becomes a mysterious art, incomprehensible and often uninteresting, to the public and to legislators; it is in these periods, all too often, that partial reversals of previous reforms are obtained.

The purpose of this chapter is to suggest specific reforms in our monetary system, the need for which, it is hoped, the preceding chapters have made evident. In only a few cases do these reforms require changes in law; for the most part they are permissive under present law. Indeed, they are implied responsibilities of the Federal agencies, which have been established in the monetary area in the public interest. The reforms are being presented when a crisis atmosphere is absent, in the hope that people will finally turn the rational, unfevered thought to the monetary system that its preeminence in the fabric of our daily lives requires.

Most, though by no means all, of the reforms are aimed at the main problem raised by this book: How to bring monetary management under genuine public control in order to coordinate monetary with other public policies. The original intent of the Federal Reserve Act was to create such control; that intent is still valid and more necessary than ever. Our Government must squarely face the challenge of recapturing the wheel of its monetary system.

THE FEDERAL RESERVE AND "INDEPENDENCE"

The topic of Federal Reserve "independence" has been so befogged by a smokescreen of lofty rhetoric in these past years that it is necessary to nail down some fundamentals, even at the risk of repetition, before anything concrete can be said.

What does Federal Reserve independence mean in practical terms? It means, first, that Federal Reserve policymakers produce their own separate diagnosis of the economy's needs at any time, by examining the economy with the aid of the System's large staff of economists. But diagnosis is only the beginning of policy. Frequently, the various coexisting needs of the economy call for monetary actions which contradict each other—unemployment requires stimulation; an inflationary situation requires restraint. The policymakers, therefore, must compile a list of priorities, either implicit or explicit, to decide which need or needs will be met, and how fully, by their policy. The "independent" Federal Reserve manages to rely on themselves, and themselves alone, to decide the priorities which guide their policy.

Completely autonomous policymaking, then, is one aspect of Federal Reserve independence. Still, a qualification should be inserted. The System's managers do not live in a vacuum. They know what the President, the Congress, and the administration's economic policymaking branches are thinking and doing. But this knowledge is only grist for the System's policymaking mill. The System is under no obligation, as it sees it, to support any of those policies or to defer to the conclusions of the other policymakers.

Clearly, independent economic policymaking, in this sense, invites clashes between the Federal Reserve and the other parts of the Government. First, thousands of economic facts are thrown up every day, week, and month. The trends one group distills from these facts are not necessarily identical to another group's distillations. A great deal depends on the original viewpoint. Then, there is the all-important schedule of priorities. If the Federal Reserve's schedule differs from, say, the President's, it is sheer luck if the accelerator and brake pedals are not both pressed down at the same time. So, for the two reasons given, conflict and contradictions between the Federal Reserve and other policymaking bodies can easily occur. Sometimes the conflict is direct, as during the accord period.

There is still more to Federal Reserve independence. Consider the Congress. In many ways it qualifies, aside from the Presidential veto, as independent. It decides what bills to consider. It votes bills up or down, making up its own mind. If it feels strongly enough, it can force policies he dislikes on the President, etc. Yet every 2 years on election day, the House and one-third of the Senate lose their independence. The policies they have followed are approved or disapproved by the people, and if the policies are disapproved, the next "independent" Congress will reflect the people's disapproval. Some change will occur. Congress, however independent otherwise, is accountable to the people for its actions.

Now consider the Federal Reserve. True, the central bank is an arm of Congress, but it is not responsible to Congress, in any meaningful sense. The System does not present an annual report to Congress explaining or justifying its policies. It does not ask Congress' approval of its actions, nor does Congress review them as a normal part of its business.

The greatest control Congress exercises over agencies, executive or legislative, derives from its power over the purse. But here again the Federal Reserve escapes legislative control. It provides its own revenues, from sources other than appropriations. It spends as it wishes from income—mostly derived from interest on its huge Government bond holdings.

Nor is the System responsible to the executive branch. The 14-year term of the Board of Governors makes the Board only slightly accountable to any single President, though they are appointed by the Executive. Under ordinary circumstances, a President can appoint four of the seven-man board by the end of his sixth year. But the Board is not the crucial policymaking body. The Open Market Committee is. And the other members of the Open Market Committee—the regional bank presidents—are responsible to their respective bank's board of directors, if indeed they are responsible to anyone, for their policy decisions. In addition, since the system is granted immunity from the appropriations process, the Federal Reserve is not subject to any systematic Executive review arising from the budgetmaking process.

Finally, the System is not directly responsible to the people for its actions. Its members do not face elections.

Moreover, the System eludes even the audit control exercised by the General Accounting Office, whose function it is to make sure that other Federal agencies not only handle their financial affairs properly but also pursue policies and practices that are in accord with the law. The System provides for its own auditing; clutching its mantle of independence, it has stoutly resisted repeated congressional suggestions that the General Accounting Office perform an annual audit. The theory seems to be that whoever holds responsibility for money, credit, and bank regulation is above the ordinary requirements of law.

A slight acquaintance with American constitutional theory and practice demonstrates that, constitutionally, the Federal Reserve is a pretty queer duck. It exercises wide power in the area of economic policy, both in formulation and execution—a matter which intimately affects our everyday life. It would ordinarily be assumed where such power is present that democratic control was being exercised over the central bank, at least indirectly, through the ballot box. Yet this is not the case. In fact, the combination of economic power and freedom from control by either the other branches of Government or the electorate has led some people to label the Federal Reserve, with much truth, "a fourth branch of the Government." And, indeed, some officials of the central bank are apt to use phrases such as "quasi-judicial" in describing the System's functions, suggestive of a branch like the judiciary, independent yet unelected.

How does the Federal Reserve, fiercely jealous of its independence since the accord, justify its admittedly unusual status? Here is a sample of the Federal Reserve's position, taken from hearings held in early 1964 by a subcommittee of the House Banking and Currency Committee. The first statements are by Mr. William McChesney Martin, Chairman, Federal Reserve Board:

> [The Federal Reserve Act created] [14] a structure that places trusteeship over the creation of money in a body that is insulated from shortsighted pressures for abuse of that money * * * ("The Federal Reserve System After 50 Years," p. 10).
>
> Because money so vitally affects all people in all walks of life as well as the financing of Government, the task of credit and monetary management has unique characteristics. Policy decisions of an agency performing this task are often the subject of controversy and frequently of a restrictive nature; consequently, they are often unpopular, at least temporarily, with some groups. The general public in a democracy, however, is more apt to accept or tolerate restrictive monetary and credit policies if they are decided by public officials who, like the members of the judiciary, are removed from immediate pressures ("The Federal Reserve System After 50 Years," p. 23).

Mr. Alfred Hayes, president of the Federal Reserve Bank of New York said:

> The achievement of our long-term goals can, and frequently does, call for measures that are unpopular in the short run. * * * I think it is of great importance that the persons charged with executing monetary policy, with making these decisions, retain freedom—freedom in a practical sense—to make unpopular decisions ("The Federal Reserve System After 50 Years," p. 531).
>
> [The Federal Reserve should not be required to submit to the appropriations process] because it would break through the safeguards that the Congress has been careful to provide, against the possibility that partisan influences might be brought to bear on the System's policymaking processes ("The Federal Reserve System After 50 Years," p. 530).

Boiled down to essentials, what Mr. Martin and Mr. Hayes are saying is the following: The monetary side of economic policymaking is somehow unique. It affects everyone. Frequently it involves "unpopular action"—read "adopting a tight money policy"—which hurts many people. For what purpose? To prevent "abuse of that money"—read "to prevent inflation". But the action is taken for the longrun good of the country.

Unfortunately, according to Fed spokesmen, many people only take a shortrun view of their welfare and must be protected against such a shortcoming. These people in a democracy, may have representation in Congress or the ear of the President. Either of these two could then be influenced by "shortsighted pressures"—read "inflationary views." If the Federal Reserve were held accountable for its actions one of the two branches of Government might well bring "partisan influences to bear on the System"—read "would perpetually hamstring tight money policies". Therefore, the people must cede their control over monetary policy to a group of men who, acting as trustees of monetary policy, would take the long-term view of the people's welfare and do for the people what the people or their representatives, blinded and misguided by immediate pressures, would be unlikely to do in their own best interest.

A good deal has been invested in trying to sell these views to the public. The banking community has been an ardent champion of Federal Reserve independence. Could this possibly be because the managers of the Federal Reserve have shown that they are addicted to a view of the economy that is particularly to the liking of the bankers and other financial men? Naturally these groups would think it vitally important that the present arrangements continue undisturbed. Where profits are concerned, partisan views are not considered shortsighted.

This is not to say that the fervor which permeates the financial industry's campaign for Federal Reserve independence is simply the result of self-seeking. Undoubtedly the bankers are convinced that economic wisdom is only the possession of a special few, and that they are acting in the best interests of the country by promoting independence. In the tradition of bankers, they deeply mistrust democratic governments in the management of money matters. They are haunted by the fear that, given control of its money system, the Government would hurtle pellmell into inflation, thereby effectively canceling a great part of the debt and otherwise wrecking the established order. In view of their record for the past 100 years, the bankers' credentials for recognizing superior economic wisdom when it exists are certainly dubious.

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[14] Phrases within brackets are mine and not the speaker's.

The financial institutions have picked up natural allies. The newspapers and most other organs of public enlightenment solemnly warn at every opportunity that the independence of the Federal Reserve must be "preserved"—to prevent rampant inflation. The inference is clear, and sometimes even flatly stated, that the "politicians" must be kept from destroying the dollar. Even in the Halls of Congress, the self-appointed guardians of the sound dollar argue that Congress set up the Federal Reserve as an independent agency and echo much of the Federal Reserve's own position.

Just as an aside, the financial community's deep concern about inflation has its curious side. The bankers advocate an independent Federal Reserve because, they say, they want a fearless application of tight money when inflation looms. But these very same men, who have been manifesting massive alarm at inflation for at least as long as the 35 years the writer has been in Congress, have never been alarmed enough—even when inflation was rampant—to launch a campaign for higher taxes to sop up excess purchasing power. And yet the only true inflations the dollar has undergone in the past 25 years—from World War II through 1946 and the first part of the Korean war—could only have been avoided by increased taxes, not by tight money. Nor was the financial community found manning the defenses against the premature removal of price and rationing controls at the end of World War II, when industry could not yet satisfy war-deprived consumer demand inflated by large wartime savings. And, of course, bankers have never suggested raising reserve requirements to counteract inflation.

But what of the Federal Reserve's own case for a central bank neither subordinate nor responsible to any branch of the Government or the people, operating monetary policy in splendid isolation from any democratic control processes?

A major premise of that case is that if the System were in any way made accountable to the President or Congress, or even subjected to the routine of an annual audit by the U.S. General Accounting Office, an inflationary breakthrough would somehow follow. This notion, that America is inhabited by a populace which would clamor for inflationary monetary policies if their elected officials had some relation, however tenuous, to monetary policy, is considerably at odds with the political realities. The hardships which result from inflation fall not on the wealthy, whose family fortunes may undergo some reduction in purchasing power, but on the low- and middle-income families who live on fixed incomes, have pension credits or modest savings set aside for their children's education, their old age, and so on. It would be hard to find a practicing politician today who does not know that inflationary policies lose more votes than they gain. Indeed, during the past 13 years there has been no public outcry against tight money, despite the economy's evident misfires, because the press and trusted political figures have assured the public that tight money was necessary to avoid inflation.

There is something else to be said about inflation and the "politicians." As the Federal Reserve well knows a rising price level, when it does threaten, cannot normally be contained by monetary policy alone except at considerable damage to the other economic desirables, full employment and maximum economic growth. Even mild recessions will not turn the trick. What may conceivably work to achieve both price stability and adequate economic performance is enlightened restraint on the part of business and labor in their wage-price policies.

Now the job of promoting such restraint has naturally fallen to the President with all his powers to cajole and persuade. And both Presidents Kennedy and Johnson and their staffs have worked long and hard, sometimes at possible political cost, to maintain price stability. Are these the politicians who, as captives of partisan influences, are taking the shortsighted view of the country's needs? Does the Federal Reserve think that appeals for price and wage restraint is the demagogs' way to popularity with business and labor? Moreover, what those suspect politicians have realized is that monetary policy, far from needing to operate independently, must have the active cooperation of the political leadership of the country for a nonsuicidal approach to price stability.

But there are many more issues raised by Federal Reserve independence than the most efficient manner of organizing army headquarters in the anti-inflation campaign. First, there is the odd presumption that the monetary policymakers must be independent because their actions have widespread effects and are frequently unpopular. Well just how unique is this? Fiscal policy—the imposition of taxes—is certainly widespread in its effects, and paying taxes has never yet won a popularity contest. Yet Congress has raised taxes when necessary—and took a long, hard look at President Kennedy's $11 billion tax cut before passage—an "unpopular" delay, certainly. Still a straight application of the Federal Reserve's logic would have Congress authorize an independent "fiscal policy board" to formulate fiscal policy.

What about foreign policy? It involves matters of war and peace, life and death. Nothing is more central to our daily lives. Frequently foreign policy involves "unpopular" actions—sending men to fight in Korea or "advise" in South Vietnam. Should we then have an independent "foreign policy board" to make and execute foreign policy free from "partisan influences" and not responsible to the President, Congress, or public opinion?

Asking the question answers it.

We insist in our democracy—it is almost the essence of the system—that fiscal and foreign policymakers be held responsible, however indirectly, to the people for their policies.

Why should monetary policy be treated differently?

Second, the notion that the Federal Reserve should formulate the monetary side of the economic policy uncoordinated with the economic policy of the President is totally misguided. The President is elected by the people. He is normally elected after having articulated some views on economic policy during his campaign. President Kennedy, for example, heavily stressed the economic theme of "getting the country moving again" in his campaign. Should the President then find himself faced with an independent Federal Reserve Board which is, perhaps, less eager to get the country moving as fast as the President wants? Should not the President be able to fashion a total package of economic policies, including monetary ones, as he sees fit to carry out his program? Certainly the monetary authorities should have the right and duty to counsel and advise. But should the President have to ask the central bankers not to nullify the intended effects of his policy package, as President Johnson did in his 1964 Economic Report—referring to the tax cut program and some subsequent tighter money statements by prominent member of the Open Market Committee?

It might be said that an independent Federal Reserve is necessary to temper any mistakes of the President. But the President is our Chief Executive. Once Congress has accepted his program, the President is responsible for its successes or failures. If the President makes mistakes, there is an electorate ready to correct him and the pliant Congress.

Further, the Federal Reserve has more than its share of monetary blunders in the record book. Why should the central bank become a supreme economic policy review board with the power to nullify the effects of the President's policies? Are they the ideal group for such a job, assuming the country wants the job done? They may be getting wiser, but the events of the past 13 years show that perfection is a long way off.

Moreover, having an independently authored monetary policy is just a recipe for chaos. Monetary policy, as is known, is only one way to guide the economy. Fiscal policy is another. They are both powerful and they are both effective. But the managers of monetary policy insist on their right to turn the economy in any direction they wish regardless of the direction fiscal policy is taking. As things stand now, economic policymaking is run like a dual control car driven by two drivers, one of whom insists on his independent right to use his own brake and accelerator as he and he alone sees fit. It is pure luck, if the motor is not constantly stalling. To say the least, this is a most inefficient way to get anywhere.

We have not been that lucky. The Federal Reserve has, at times, deliberately pushed down on its brake at the very time the President and Congress were pressing their accelerator. A case in point is the early months of President Kennedy's administration as the economy floundered in recession. Or at other times, the Federal Reserve had decided to press its brake when the administration was already lifting its foot from the accelerator. The result is an exaggerated deceleration, much greater than the independently acting Federal Reserve expected. An unhappy example, of this is the action taken in late 1959 which led to the 1960 recession. There are many other examples.

This is no way to run economic policymaking: Both the speed and direction signals controlling the economy should come from one, and only one, source. Just the plain commonsense need for minimum efficiency calls for some degree of subordination of monetary policy to the fiscal policy programs of the President and Congress—for it cannot be the other way round in our democracy.

Aside from the economic and social engineering questions involved in Federal Reserve independence, the System's position on independence raises issues, as has been said, which go right to the heart of democratic theory and practice. Consider the trustee notion; that is, the implied idea that since people do not know what is good for them—or know that they need castor oil, but won't swallow it—a group of men should be given the right not only to decide what is good for the people and take action, but also to decide and act without being held accountable for their actions.

This kind of elite group, "papa knows best," thinking both smacks of arrogance and is utterly alien to the principles of American democracy. The essence of democracy is that the people decide for themselves, through their elected officials, what is good or bad for them. Issues are presented to the people and the people decide every 2 years how they want them handled. This is what representative democracy is all about. If someone were to suggest that foreign or fiscal policy be placed in the hands of a totally independent, unaccountable body because those issues are too complicated to be understood correctly by the people, they would be laughed out of court.

Yet this is what the Federal Reserve is implicitly suggesting about monetary policy. Are the issues dealt with by monetary policy so difficult that people cannot understand what is at stake? By no means. The fundamentals of money can be understood by anyone. Monetary economics is not nuclear physics.

There is another side to the trustee notion as well. What the Federal Reserve is asking for is power—enormous economic power for good or ill. And they say, "Trust us. We need this power unfettered by any responsibility to anyone. You must allow us to do as we like—though, of course, we always have your best interest at heart." But, as every high school civics student knows, our Constitution provides for a system of checks and balances. Further, our society does not promiscuously hand out deeds to power without responsibility. All power derives from the people. And the holders of power, almost without exception, are either responsible to the people directly or indirectly through elected officials for their stewardship of this power. The Federal Reserve's idea that, as a trustee, as opposed to a steward, it should be responsible to no one for anything—extending down to the disposition of Federal Reserve funds—simply runs counter to everything Americans have believed about power and responsibility since the founding of our democracy.

There can hardly be any doubt of this. In fact, at the early 1964 hearings, held by a subcommittee of the House Banking and Currency Committee, referred to previously, two leading American economists, identified with different sides of the political spectrum, vigorously agreed on this point. Prof. Milton Friedman, of the University of Chicago, who has counseled Senator Goldwater, stated at the hearings:

> Should there be a truly "independent" monetary authority? A fourth branch of the constitutional structure coordinate with the legislature, the executive, and the judiciary? That is the central issue involved in judging the present organizational structure of the Federal Reserve System. * * * it is most undesirable politically to give so much power in individuals not subject to close control by the electorate ("The Federal Reserve After 50 Years," pp. 1133–1134).

Prof. Paul Samuelson, of the Massachusetts Institute of Technology, an economic adviser to President Kennedy during the 1960 presidential campaign said:

> A central bank that is not responsible is irresponsible rather than independent. To be responsible means to be responsive. It need not mean being responsible to each month's 50.001 percent of Democratic opinion, or being responsive to the articulate minority which, at the moment, seems stronger than any other minority.
>
> But it does mean being responsive to the changing values, views, moods, and even fads of the American citizenry.
>
> It occurs to me to quote E. B. White's definition of "democracy." As I remember it, he said: "Democracy is the recurring suspicion that more than half the people are right more than half the time."
>
> * * * But the central bank should never be thought of as an island of isolated power, as a St. George defending the economy against the "dragon" of inflation and frenzied finance. As Edmund Burke said nearly two centuries ago: "The age of chivalry is dead—that of responsible, democratic government has succeeded" ("The Federal Reserve After 50 Years," pp. 1107–1110).

Finally, we might consider what may be regarded in some quarters as a minor detail: Congress has never given authority for determining monetary policy to the Federal Reserve System—and certainly not to a committee within the System containing members who owe their selection to private bank interests.

As has been previously pointed out, the Federal Reserve Act was designed in 1913 on what is sometimes called the full convertibility theory. In that day it occurred to no one that America would try to produce too much. The difficulty which the framers of the Federal Reserve Act were trying to correct was not too much money, but a periodic shortage of currency which strained the banking system. In consequence, the Federal Reserve System was conceived—and designed—as an agency that would automatically provide whatever increases in currency and the money supply where needed to accommodate business. It was not conceived, as is now the case, as an agency to restrict the money supply for the purpose of restricting the volume of business. The 1913 act gave the Federal Reserve banks the central task of discounting eligible paper in order to supply the member banks with the volume of credit needed to accommodate industry and trade. The Federal Reserve Board was given authority only to review and determine the discount rates at which the Federal Reserve banks would stand ready to supply needed credit.

This basic authorization has not been changed by any amendments to the Federal Reserve Act made to date. Yet two evolutions have taken place within the Federal Reserve System, in one instance, without authorization, and, in the other, directly contrary to the expressed intent of the Federal Reserve Act.

First, as has been indicated, the Federal Reserve was created to provide an automatic money supply; this function has been replaced, in practice, by a conscious and deliberate effort to provide the quantity of money which the Federal Reserve authorities think appropriate for economic regulation. This effort was already in evidence before the general revisions made in the Federal Reserve Act in 1935. But after passage of the 1935 act, officials within the System began proclaiming that the Federal Reserve now had "responsibility" for national monetary policies. The first annual report of the Board of Governors after passage of the 1935 act opened with a statement that the act "places responsibility for national monetary and credit policies on the Board of Governors and the Federal Open Market Committee"—although the act contained no reference whatever to monetary policy nor any provision which indicated a change in the convertibility concept on which the 1913 act was drawn. In brief, the Federal Reserve's "monetary policies," as they are practiced today, were never authorized by law.

The monetary powers, as has frequently been pointed out, are reserved to the Congress by the Constitution. There is no doubt that it is within the prerogative of the Congress to delegate these powers—either to the executive branch of the Government or to an independent agency. But it is not within Congress constitutional means to delegate these powers without prescribing policy objectives and clear guidelines detailing how the powers may be used. Inevitably, the Supreme Court has held unconstitutional those grants of powers made without any spelling out of the specific objectives and limitations placed on their use.

The Supreme Court held the National Industrial Recovery Act to be unconstitutional and put an end to the NRA's economic regulation, not because the Congress lacked powers which it might delegate under the commerce clause of the Constitution, but because Congress had attempted such delegation without an adequate law defining and limiting the purposes for which the powers were to be used. There is little doubt in the author's mind that if any legal challenge were ever raised to the Federal Reserve's monetary policies, the courts could hold them unconstitutional.

This was one permutation the System has completed—a more or less passive supplier of money became an active regulator of economic activity. The second, is that referred to in an earlier chapter as the "power revolution" within the Federal Reserve System. That is, the shift toward open market operations for active regulation and the subsequent formation of the Open Market Committee—with voting rights on monetary policy given to five regional bank presidents and persuasion rights to all 12 presidents.

This second change, whatever else it accomplished, did open the door to private banker influence in the formation of monetary policy. The regional bank presidents have become policymakers. At the very least, the type of man chosen to become the president of a regional bank affects the bent of Open Market Committee thinking. Now the private bankers have the dominant voice in choosing the regional bank presidents. They are hardly likely to choose and retain men as presidents whose approach to monetary matters does not, in general, conform to their taste.

Consider these two evolutions in the light of independence. By the 1930's, the country found itself with monetary policy being decided by a group of men some of whom were selected for membership in the group by private interests. However far this may have been from the original intention of President Wilson, some consolation could be found in the fact that, after all, the President was still assumed to have the last word in overall economic policymaking. Then came the accord. And the country suddenly had the worst of both worlds—monetary policy decided by a group accountable to no one for its actions, while, at the same time, the group did not even have the minimum virtue of being composed solely of public servants, in the full sense of that term. Independence, then, can be viewed as the capping of the "power revolution." It has partially transferred immeasurable power into the hands of the regional bank presidents, who started their existence with no economic policy power at all. And through the bank presidents, an industry whose profits rise and fall with monetary policy, has been allowed to impinge on monetary policymaking—however remotely, however indirectly. Much of this has occurred, as stated earlier, without authorization by Congress.

What do these considerations add up to? Just the following: independence serves no useful purpose, is based on erroneous views of the maturity of the public, flies in the face of our democratic institutions, creates irrational and chaotic divisions of responsibility in economic policymaking, violates the spirit of our Constitution, represents a presumptuous power grab by the central bank, and is unauthorized by law.

Central bank independence should be tolerated no longer.

The central bank must be brought back into the Government. The Federal Reserve must be made responsible, and responsive, to the economic policymaking decisions of the President. Money must be managed for one purpose or another. To repeat the ancient truism, "money does not manage itself." Let it be managed, then, not in ways which counteract and conflict with the Government's other, considered policies, but in ways calculated to supplement and help effectuate those policies.

NEEDED FEDERAL RESERVE REFORMS

What legislation is needed to bring about coordination and harmony among the Government's policies with respect to monetary management, debt management, and fiscal and tax policies? In a sense, none. The authority is already provided in existing laws; not the Federal Reserve Act, but the Employment Act of 1946. Indeed, the Employment Act of 1946 not only authorizes coordination of the policies mentioned, it requires it. The act declares that it shall be the continuing policy and responsibility of Federal Government "to coordinate and utilize all of its plans, functions, and resources" for the purposes stated in the act. The central purpose is "to promote maximum employment, production, and purchasing power," and, it might be added, "in a manner calculated to foster and promote free competitive enterprise and the general welfare."

But though the law exists and the duty is clear, the Federal Reserve has still managed to go its independent way. Therefore, it is the duty of Congress to assert its sovereignty over the monetary affairs of the country once again. The major thrust of the legislation, of course, should be to cut the ground out completely from all Federal Reserve claims to independence. The Federal Reserve must be made a clearly defined arm of the Government. Yet there is more to be done. Changes in the Federal Reserve System since 1913 have distorted the public nature of the central bank. Some of these changes must be reversed, by legislation, to erase any doubt that monetary policymaking is in the hands of men who take the widest possible view of the public interest. Finally, some of the operations and procedures of the Federal Reserve, discussed in this book, should be changed. The purpose is to assure that the public interest is served. Some of the changed procedures require legislation, others do not. They all require a more consistent public-spirited attitude than the System has demonstrated to date.

The first five sets of reforms are contained in proposals submitted for discussion by all of the eight Democratic members of the Subcommittee on Domestic Finance after hearing testimony on the Federal Reserve's structure and policies in 1964.

The full text of the subcommitee's press release, including the proposed reforms, is published below:

House of Representatives, Subcommittee on Domestic Finance of the Committee on Banking and Currency, 88th Congress,
Washington, D.C.

[Press release for Sunday a.m., June 28, 1964]

The Subcommittee on Domestic Finance of the House Banking and Currency Committee Releases "Proposals for Improvement of the Federal Reserve"

The Domestic Finance Subcommittee today submitted for circulation and discussion a set of corrective proposals to strengthen the Federal Reserve System. All of the Democratic members of the subcommittee joined in this action. The Republican members did not join in the release.

The Democratic members of the subcommittee are Wright Patman, chairman (Democrat, Texas), Henry S. Reuss (Democrat, Wisconsin), Charles A. Vanik (Democrat, Ohio), Claude Pepper (Democrat, Florida), Joseph G. Minish, (Democrat, New Jersey), Charles L. Weltner (Democrat, Georgia), Richard T. Hanna (Democrat, California), and Charles H. Wilson (Democrat, California).

(The text follows:)

"PROPOSALS FOR IMPROVEMENT OF THE FEDERAL RESERVE SUBMITTED FOR DISCUSSION BY THE SUBCOMMITTEE ON DOMESTIC FINANCE

"We have heard considerable testimony on the Federal Reserve System. The testimony strongly suggests that some revision of the System is indicated to improve future monetary policy and thereby our economy's performance, in accord with the Employment Act of 1946. A set of corrective proposals which emerges from the testimony given before the subcommittee is presented herewith for further consideration.

"We are not suggesting, of course, that these proposals cannot be improved upon. While the subcommittee has not settled on any specific proposal, it intends to consider the entire set in public hearings after the next Congress convenes in January 1965. The proposals, though preliminary and tentative, are circulated at this time to allow for full study and discussion by the Congress, the executive branch, the Federal Reserve, and the public:

"A. To emphasize the public character of the Federal Reserve:

"1. Provide for the retirement of the Federal Reserve stock.

"2. Vest all power to conduct open market operations in the Federal Reserve Board.

"B. To increase the effectiveness of monetary policy by assuring the recruitment of an outstanding Federal Reserve Board and an adequate response to advances in economic knowledge:

"1. Remove the present requirement that the President, in selecting Governors of the Federal Reserve Board '* * * shall have due regard to a fair representation of the financial, agricultural, industrial, and commercial interests and geographical divisions of the country.' Instead, require only that the Governors be men of integrity devoted to the public interest.

"2. Reduce to five the number of Governors of the Federal Reserve Board.

"3. Reduce to 5 years the terms of office of the Governors and allow for reappointment.

"4. Make the term of the Chairman of the Board of Governors coterminous with that of the President.

"5. Raise the salaries of the Governors.

"C. To insure public control over the expenditures of public monies:

"1. Provide for a public audit by the Comptroller General of all expenditures by the Federal Reserve Board and the Reserve banks.

"2. Provide for paying into the Treasury as miscellaneous receipts all capital gains and interest received by the Federal Reserve from U.S. Government securities.

"3. Authorize appropriations by the Congress of the expenses of the Federal Reserve banks and the Federal Reserve Board.

"D. To provide statutory guidelines for monetary policy and assure coordination of all the Government's economic policies in achieving the goals of the Employment Act of 1946:

"1. Require that the President set forth in his periodic Economic Reports, in conjunction with his recommendations on fiscal and debt management policy, guidelines concerning monetary policy, domestic and foreign—including the growth of the money supply, as defined by him—necessary to attain the goals of maximum employment, production, and purchasing power of the Employment Act of 1946.

"2. Express the sense of Congress that the Federal Reserve operate in the open market so as to facilitate the achievement of the President's monetary policy; and require that the Federal Reserve, if its monetary views and actions diverge from those recommended by the President, file with the President and the Congress a statement of reasons for its divergence, in form like the President's Economic Report.

"E. To allow for greater specialization in performing the monetary control function:

"1. Permit the Federal Reserve Board to concentrate on monetary policy by transferring its present bank supervisory functions to the Comptroller of the Currency, the FDIC, or, alternatively, to a newly created Federal banking authority."

F. In addition, the Federal Reserve System should immediately undertake studies appraising the effectiveness of their present methods of controlling the money supply. It may well be, as recent economic studies indicate, that the Federal Reserve's control of the money supply is defective—leading to the kind of divergencies economists have observed between what the Federal Reserve claims it is doing, with respect to the money supply, and what has actually happened.

G. The cost and benefits of using tight money as the most important checkrein on the economy should be reappraised (if, indeed, the Federal Reserve has ever made a thorough appraisal of the subject). The Federal Reserve should consider alternate ways to obtain the same effects—their efficiency and seemliness. It is my confident belief that the policy of raising interest rates from one plateau to another with each period of business recovery has few if any beneficial effects, while it has played havoc with the Nation's general well-being. Restoring interest rates to saner levels will materially cut the $11 billion yearly costs of carrying the Federal debt, make corresponding reductions in the Federal budget, and trim down the billions of dollars of purchasing power which have been transferred from the budgets of low- and middle-income families into the budgets of the interest-income families.

H. The Federal Reserve System should buy a larger portion of new U.S. securities issues directly from the Treasury, then sell them in the open market when sales are propitious and coordinate with overall monetary policies. This would make the Reserve banks the dealers in U.S. securities. Only the Government's central bank can hold and carry out an orderly marketing of large quantities of Government securities, just as only the central bank can carry out monetary policies. Isolating the central bank from the function it can best perform is an absurdity indeed.

Most industrial nations of the world have long since recognized this and placed debt management affairs in the hands of their central banks. Quite aside from the advantage of coordinated Treasury and central bank operations, Federal Reserve management of the Federal debt would result in two direct financial savings to the Government: First, the present system, by which the Government first asks the large financial institutions what they will pay for a new obligation, then issues the obligation at a price (or interest rate) which the buyers are determined to have, will be eliminated. The Government would no longer be the captive of a few large and well-coordinated buyers of Government securities.

Second, direct purchases by one agency of the Government from another would save, for the Government, the security dealers' cost—and profit—which now enters into the indirect transactions between the Treasury and the Federal Reserve.

As was pointed out in the previous chapters, by having one agency of the Government supporting the other, the interest costs on 91-day Treasury bills—which recently were at 3½ percent and above—never rose above one-half of 1 percent during World War II and the years immediately following. Similarly, the interest costs on long-term Government bonds never rose above 2½ percent—until the Federal Reserve System seceded from the Government in 1951. Furthermore, it will be clear to those who have read the previous chapters, that the purchase and holding of large amounts of Government securities by the Federal Reserve during the World War II years had no connection with the increases in the money supply made in those years. Those increases in the money supply resulted from other conscious and deliberate policy decisions—including the decision to let private banks create large sums of money to acquire and hold Government securities.

I. The Federal Reserve should divide the money-creating power between the Federal Reserve banks and the private banks more favorably to the taxpayers and less favorably to bank profits. In short, under responsible public control, the Federal Reserve banks will hold more Government securities—returning the interest payments to the Treasury—and the private banks will hold less. At the present time the Federal Reserve authorities have divided the Government's money-creating powers between the Government and the private banks on a basis of about 1 to 7. In many years of questioning high experts on the matter, I have yet to hear even one plausible answer to the question why the Government should extend money-creating powers to the private commercial banks to be used, without cost, to create money which is then lent to the Government at interest. It is entirely reasonable that the Federal Reserve should, without reducing the present level of bank profits, arrange future additions to the money supply in ways which will gradually bring about a 1-to-4 division of the Government's money-creating power, with commercial banks ultimately owning a smaller percentage of the outstanding Government securities, and the Federal Reserve owning a larger one. This can be accomplished by raising reserve requirements back to the 1953 level.

J. The Federal Reserve System should revitalize the practice of extending Federal Reserve credit to the banking system through the 12 regional Federal Reserve banks, particularly through restoration of the practice of discounting eligible paper. This could be aided by making the discount window a matter of right rather than privilege. As the Federal Reserve System was originally designed, and as it originally functioned, it extended credit to banks of the various localities as it was needed to meet the needs of local business, farmers, and individuals. When the present custom of extending substantially all Federal Reserve credit to the banking system through open market operations in New York was adopted, Federal Reserve authorities brought into being a small group of professional Government securities dealers. All purchases and sales of Government securities by the Open Market Committee are funneled through these dealers in New York. Therefore, the reserves created by the Open Market Committee first see the light as reserves of the New York banks. The System then relies upon the operations of securities dealers to distribute reserves to the parts of the country where they are most needed. This system has worked very poorly, simply because the original owners of the Government securities sold to the Federal Reserve, through dealers, are likely as not located where the new reserves are needed least. To illustrate, if an insurance company located in Omaha decides to sell some Government securities to a securities dealer, the new credit which the Federal Reserve extends to the banking system goes to banks in Omaha—whether Nebraska needs credit or not. The banks in Omaha may already have an excess of loanable funds, while the banks in Peoria, say, do not have sufficient credit to supply the needs of their customers. A particular bank trying to sell eligible paper to its Federal Reserve bank—at a discount—provides the best evidence of where Federal Reserve credit is needed.

When the Federal Reserve banks again make more of their extensions of credit to member banks by direct means, they will be performing more of the banking functions for which they have responsibility. The highly questionable importance of a small group of open market dealers will be correspondingly reduced.

K. The Federal Reserve should create an open market in fact, as well as in name. The discussion of the Federal Reserve's use of its authority to buy and sell securities in the "open market," to use the words of the statute, revealed that the Federal Reserve has, in fact, created a very closed market. Not only is the trading restricted to only 21 professional dealers, but for many years this trading went on with only a minimum public knowledge that the so-called market even existed. High Government officials, bankers, authorities on money and banking, and even prominent Wall Street operators were unaware of the so-called open market. It is probably only because the writer has made some repetitive noises in Congress about this so-called market that its existence has come to enjoy the rather limited nonanonymity it enjoys today.

NEEDED FDIC REFORMS

The chapter on the operations of the Federal Deposit Insurance Corporation should have left no doubt that basic changes in the FDIC's role are needed. FDIC's function should be restricted to that of deposit insurance. It should not, as it is now doing, let examiners substitute their judgment for private management's decisions about bank operations.

If the commercial banks are to serve the credit needs of their communities, and particularly the needs of small business, they must assume prudent risks. They cannot, as the FDIC bank examiners insist, confine their lending to gold-plated, doubly secured loans. Insurance is one thing; bank management is something else again. True, life insurance companies all have a stake in their policyholders' good health and longevity. But by insuring our lives the life insurance companies do not get the right to tell us what to eat, when to go to bed, and how to preserve our health.

By the same token, performing the deposit insurance function does not warrant the FDIC's assuming the function of maintaining a closed shop for banks. Whether or not a new group wishing to enter the banking business causes inconvenience or competition to the banks already established is no proper question for the FDIC. It should promulgate objective standards of eligibility for deposit insurance, and it should be required to issue deposit insurance to any comers who meet those standards.

NEEDED TREASURY REFORMS

With the mechanics of debt management operations properly in the hands of the Federal Reserve System, most of the Treasury's objectionable operations in this field will come to an end. The practice of seeking advice from buyers will be eliminated; so, too, will the practice of leaning on underwriters—professional distributors and profiteers—to find ultimate buyers of Treasury securities.

This leaves for correction, however, the Treasury's present practice of leaving on deposit with the private banks an average of $4 billion of Treasury funds. It has been argued, of course, that the Treasury leaves this minimum deposit with the banks, interest free, to compensate them for various services to the Government. Not the least of the services claimed—and this is not made in humor—is that the commercial banks purchase Government securities. It would appear, therefore, that there is a theory that the Government should not only extend its money-creating power to the banks, cost free—to be used to extend credit to the Government on an interest basis—but that the Government should also leave the funds thus created with the banks who can then lend them to still other borrowers at interest.

A minimum balance of $4 billion of Treasury funds in private banks means, of course, that the Federal debt is at all times considerably higher than it need be; taxpayers are paying the interest charges on the excess debt. For compensation, the taxpayers should receive interest on Treasury deposits left with the commercial banks. If substantial services are rendered the Government by the commercial banks, then appropriate fees for these services should be negotiated and paid the banks directly. I have introduced legislation to this effect.

OBJECT OF PROPOSED REFORMS

What principles should guide public policy toward the private commercial banking system and the use by the private banks of the Government's power to create money?

Late in 1941, and again at the beginning of 1943, I succeeded in obtaining committee consideration of a proposal of mine which was to have the Federal Reserve System purchase—on an interest-free basis—all obligations issued to finance the war which could not be placed at the then prevailing interest rate with individuals and savings institutions. The object was to draw on savings to the maximum amount possible; having failed to sell to individuals and savings institutions, the remainder was not to be placed with the commercial banks on bank-created money.

Mr. Marriner Eccles, who was then Chairman of the Federal Reserve Board, objected on the grounds that bank profits were then low and bank costs, like all other costs, were rising. As a consequence, reasonable bank profits would have to be maintained by one means or another. In conclusion, Mr. Eccles said that the banks would have to "increase all kinds of service charges and the question whether the public that paid the service charges to the banks under these circumstances would be better off through that process than they are with the present process." Hearings before the Committee on Banking and Currency, House of Representatives, 77th Congress, 1st session, on H.R. 5479, 1941, page 1349.

Mr. Eccles' point is well taken. On the face of it, commercial banks are highly socialistic institutions. From one angle, they "live off the Government," using the Government's money-creating power free of cost and receiving a variety of other more or less direct subsidies from the public purse. The essential point is, however, that the private banks provide a necessary public service through use of the Government's money-creating power. They create money to lend to individuals and private business firms. Such loans involve an element of risk. They require an element of judgment, and so private risk taking.

The Government does, of course, make direct loans to individuals and business firms in certain instances. But when the Government makes loans to private citizens, the lending must, to the maximum extent, be made on the basis of objective standards under which all would-be borrowers are treated alike, not on the basis of intuition. Risk taking often involves seemingly arbitrary discrimination, which is understood and acceptable conduct for a private bank; as the conduct of Government, it would be intolerable.

This suggests that the guiding principle for immediate monetary reform should be encouragement of commercial bank lending to business and consumers—indeed, there is a crying need for an expansion of such lending—and discouragement of commercial bank lending to the Government.

As has been previously suggested, the only reason why the Government should extend its money-creating powers to private banks is, in the last analysis, to guarantee enough bank profits to assure adequate banking services for the general public benefit.

The statement made by the gentleman from Missouri [Mr. CURTIS] that the reason the Congress passed a law that would enable the members of the Board of Governors of seven to serve 14 years, one appointed every 2 years, was to make it impossible for the President to execute the law concerning the Federal Reserve, I believe is not in accordance with the record of the proceedings at the time.

NO STATEMENT ON FED INDEPENDENCE

One thing is certain. No Member of Congress in the House or in the Senate ever made the statement on either floor that the Federal Reserve system would be independent of the Government or independent of the President. No such thing was thought of.

In 1913, when the bankers wanted to be on the Board to fix interest rates and to determine the supply of money, they were, upon their request, allowed to visit President Woodrow Wilson in the White House. When they entered, the Honorable Carter Glass, who was chairman of the Committee on Banking and Currency at the time, introduced them to the President with the statement that, "These gentlemen, Mr. Warburg and others from New York, probably know more about banking and money than all the rest of the people in the country." They had the feeling they should be allowed to sit on the Board under the proposed new Federal Reserve Act to help fix the rates of interest that people would have to pay and to help determine the supply of money that would be used by the people.

Mr. Wilson's reply was, "Which of you gentlemen would have me appoint, as President of the United States, the members of the Interstate Commerce Commission to fix freight rates and passenger rates who are presidents of the railroads?"

Of course, the question was so obviously devastating to what they were going to talk about that writers of books discussing this—including Mr. Carter Glass—made the statement that they were so confused and routed by that statement that they began to talk about something else, and finally they left without getting any answer or without trying to get any answer.

So I suggest to my friend from Missouri that nowhere in the records of 1913 was the question of independence of the banks discussed. There was a lot of discussion about getting the money business out of Wall Street, which is true, and out of New York, but there was no discussion in the act of 1913 about independence—that the Federal Reserve System would or should be independent.

There was no discussion in either House in 1935 about it being the desire of Congress to make the Federal Reserve independent. The word "independent," or "independence," was not used in any of the discussions or in any of the reports. It was not used any place.

If I am mistaken about that, I hope the gentleman will point out how and where I am mistaken. I am certain I am not.

There was never any intention to have a fourth branch of Government, run by the bankers, not subject to the will of the people and not subject to the Representatives elected by the people, which had the power to carry out its own will.

FED HOLDS $40 BILLION IN BONDS

In this case the bankers through the Federal Reserve Board exercise tremendous power.

The Federal Reserve have $40 billion worth of Government bonds.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

The Chair recognizes the gentleman from Missouri [Mr. CURTIS] for 50 more minutes.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. Indeed I will. I yield 5 minutes to the gentleman from Texas.

Mr. PATMAN. I thank the gentleman.

In the Federal Reserve Bank in New York there now are $40 billion worth of U.S. Government bonds. Although those bonds have been paid for once, the Federal Reserve still collects interest on those bonds, which amounts to more than $1.5 billion a year. Through that collection of the interest they pay their own expenses, which runs about $200 million a year. These expenses are very high. They pay salaries up to $75,000. The Federal Reserve Bank President of New York gets $75,000 a year, and all expenses of every kind.

After they pay $90,000 a year to the Bankers Association for dues, the rest of the money, of course, goes into the Treasury.

The point is made, when that is brought up, "Well, the Treasury gets the interest on the bonds." The Treasury does get most of the interest on the bonds, but the basic fact is that those bonds have been paid for once. The people should not be required to pay interest on them. Why should the people have to pay their debts twice? And further, the important point is that the Federal Reserve, since it gets its funds this way, does not have to come to Congress for appropriations.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. HOLIFIELD. Would the gentleman make it plain how the bonds were paid for, and from what source the money came?

Mr. PATMAN. I shall be glad to.

All of the interrogation of Mr. Eccles and the Federal Reserve Board members over the years and of Mr. Martin and all the Federal Reserve Board members over the years without equivocation of any kind, that they were paid for once.

We know they take Federal Reserve notes, that are Government obligations, too. They just do not draw interest. That is what is used for money. That is "folding money." Some people call them "greenbacks." They are good for all debts, public and private, and for all taxes, so it is really good money.

The Federal Reserve takes the Government's money and credit and trades it for these Government obligations.

Normally one would think, since they are our fiscal agents, they would want to cancel those bonds. They are supposed to be faithful to the trust. It looks like they would call upon the Treasury to cancel them; or, if they lack the power to do so, call upon the Congress to give them the power to cancel them, because they have been paid for once. Instead, they have elected to let the bonds remain in circulation, and to have the credit that was extended to buy the bonds based upon the Federal Reserve notes, and also the bonds. They sell these bonds occasionally, and also buy them back. At times these bonds have been paid for two or three times. They can be paid for any number of times, depending upon the number of times they are sold and bought back.

Certainly that kind of a system is little short of idiotic. No one can claim it is sensible and sound.

Mr. HOLIFIELD. Is the gentleman saying that the Federal Reserve Board prints $40 billion worth of "greenbacks"?

Mr. PATMAN. If it is necessary, they create the credit which is subject to the Federal Reserve notes payment, if the purchasers of the securities held by the Federal Reserve System, the Open Market Committee, wants Federal Reserve notes.

Mr. HOLIFIELD. Then they deposit that money with the U.S. Government, with the Treasury?

Mr. PATMAN. No. They give that to the banks. That is used as a reserve by the banks. These reserves are called "high-powered dollars." The banking system can take each reserve dollar and buy 10 times that much, in other Government bonds, or make loans of 10 times that much. That is a "high-powered dollar."

But let us not get away from the main thing. They buy Government securities with these "high-powered dollars" which are placed in the reserve accounts of the banks.

Mr. HOLIFIELD. Do they get the money from the banks to buy the bonds?

Mr. PATMAN. The Federal Reserve banks get it from the Federal Bureau of Engraving and Printing, under the system outlined in the Federal Reserve Act.

So that is something I do not believe any person can defend. I do not believe even my friend, the gentleman from Missouri [Mr. CURTIS], would defend holding $40 billion worth of bonds. It is true the Federal Reserve could justify for their open market operations holding maybe $3 billion or $4 billion or $5 billion, but certainly they should not be allowed to keep $40 billion there which is, according to their own interpretation, something they could spend in a political campaign if they wanted to. They could spend it for anything they wanted to. It belongs to them as far as control of it is concerned, and nobody can get it away from them under existing law. It is a terrible thing and it should be corrected.

Now, Mr. Speaker, I thank the gentleman from Missouri for yielding me time, and I shall be glad to listen to him.

The SPEAKER pro tempore. The time of the gentleman from Texas [Mr. PATMAN] has expired.

The Chair now recognizes the gentleman from Missouri [Mr. CURTIS] for 49 minutes.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, picking up where I left off when the gentleman from Texas kindly yielded to me, the gentleman in his colloquy or his dialogue, was mainly correct as to what is wrong and what is the economic damage which results from too-high interest rates in a society.

I am in accord with these views, and I think he makes his points well. I could mention some other areas where we are creating real damage as a result of high interest rates, but inasmuch as my remarks of June 23 touched off this colloquy—in which I said that the Democrats were the high interest rate party—I do not quite see the pertinency of what Chairman PATMAN is seeking in his comments on why interest rates are high or why damage is caused from high interest rates.

All of his remarks about the Federal Reserve System even if they were all true—and I do not agree with them, I might say, in many, many respects—but even if they were true, the fact remains that it is a creature of the Congress and there have been Democratic-controlled Congresses ever since I have been here, since 1951, save for one particular Congress, the 83d. Certainly since 1961 not only has the Congress been in the control of the Democratic Party, but so has the executive branch of the Government. This present Congress is controlled by the Democrats in both the House and the Senate by over a 2-to-1 margin. So I think it is appropriate to point out to the gentleman from Texas that he is obviously a minority within his own party. He must agree with me that the policies that have been pursued by the Democrat administration have led to this high interest rate to which he is objecting.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. Yes. I yield.

Mr. PATMAN. That is the very point I have attempted to make. The gentleman said that the Democrats had been the high interest party.

Mr. CURTIS. Yes.

Mr. PATMAN. I have shown, I believe, that the high interest started during the Eisenhower administration by that Republican administration condoning the seized independence of the Federal Reserve. After the Republicans had condoned it for those 8 years, they refused to give it up when the Democrats came in.

Mr. CURTIS. Let us keep to the colloquy. The gentleman made the remark and I am pointing out that during the 8-year Eisenhower administration, the Congress, which controls the Federal Reserve System, was in the control of the gentleman's own party for 6 of those years. So if his accusations against the Eisenhower administration are sound—and I do not agree with him, by the way—but even if they were sound, the Democrat Party controlling the Congress had the power to do something about it. But it did not agree with the gentleman from Texas, however.

Mr. PATMAN. Will the gentleman yield?

Mr. CURTIS. Yes. I yield.

Mr. PATMAN. Obviously, the people did not agree with Mr. Eisenhower's first 2 years, because the administration showed that it was going to have a high interest policy. They elected a Democratic Congress, as a result.

Mr. CURTIS. Was that the reason?

Mr. PATMAN. Wait just a moment—the Republicans gave the Federal Reserve complete domination over the money system and, so, after that the people refused to elect a Republican Congress, although Mr. Eisenhower was elected by a big vote.

Mr. CURTIS. All right.

Mr. PATMAN. And, let us see: Mr. Eisenhower was first elected in 1952 and next in 1956. He was elected by a big vote. But the people would not trust him with the Congress. They gave him a minority in both the House and the Senate for the remaining 6 years.

Mr. CURTIS. All right. Let me respond in this fashion: I was not aware that high interest rates was an issue in the 1954 election.

Mr. PATMAN. Nineteen hundred and fifty-three.

Mr. CURTIS. The gentleman from Texas said that after 2 years, the people did not want to entrust President Eisenhower's party with this matter because of the high interest rates. If this, indeed, were so, how disappointed these American people must have been when Democrat control was restored; because after getting control of the Congress in 1954 and again in 1956 and again in 1958 and 1960 and again in 1962 and again in 1964, the Democrats did not do anything about this. Thus we are today, just as the gentleman from Texas [Mr. PATMAN] has described it, in a period of high interest rates which is creating the economic damage to the little people and all of the other people that the gentleman from Texas has so aptly described.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. That is why I have made the remarks, that the Democrat Party obviously is a party of high interest rates. I use the same expression of hope that I have listened to the gentleman from Texas use over a period of years—only the gentleman has been misinformed in applying it to the Republican Party—we have not had control and yet here we have high interest rates.

Now, Mr. Speaker, let me ask the gentleman from Texas this question. I was shocked to see that he and his Democrat colleagues who control the Congress as well as the executive branch of Government urged passage of the participations certificates law which increased interest rates on Federal securities up to 5¾ percent. We on the Republican side sought to put in amendments, one, to permit these securities—if you are going to have this high interest rate on Government securities—to be purchased by the little man. We wanted to say, at least, that you could break down the lots and you could sell them in lots of $100. Yet this was opposed by the gentleman from Texas.

And, Mr. Speaker, we saw the recent issue under which you could not buy anything lower than a $5,000 block. What little person in this country can buy $5,000 worth of Government bonds? At the same time the administration was encouraging and, in fact, twisting arms, if we are to believe some of the reports of the civil service people, to buy E-bonds at 4.1 percent instead of 5¾ percent.

Mr. Speaker, the gentleman from Texas also opposed our amendment on this question.

Mr. PATMAN. Permit me to answer that statement now.

Mr. CURTIS. Let me finish.

We on the Republican side sought to have a ceiling on the amount of interest that could be paid on these Government participation certificates.

Mr. Speaker, the third thing that the gentleman from Texas resisted was our efforts to try to have these new Government participation certificates apply to the debt ceiling; this procedure applies to other Government securities and does carry with it a 4¼ percent interest ceiling on securities with maturity beyond 5 years. These participation certificates, of course, have a maturity date that would average out at around 10 years.

Now, Mr. Speaker, I yield to the gentleman from Texas [Mr. PATMAN] to answer those specific points.

Mr. PATMAN. Mr. Speaker, I am glad that the gentleman yields to me for that purpose, and I shall state that the Sales Participation Act was a continuation of what was done in the Eisenhower administration.

Mr. CURTIS. Now, Mr. Speaker, on that let us carry the colloquy further; let me respond to that statement by the gentleman from Texas, because I want to keep the colloquy going to that point.

Mr. PATMAN. I thought the gentleman from Missouri said that he yielded to me to answer him and that is the purpose of the answer.

Mr. CURTIS. But I want to conduct this in an orderly fashion. On that point I want to say that I disagree, and the debate shows that this was not done under the Eisenhower administration at all, but was simply something contrary—and completely contrary—to the desires of the Eisenhower administration.

Mr. PATMAN. There were many things about the Eisenhower administration that did not meet with our approval, but now and then we find something that does. In this case we did find one that met with our approval and we were willing to adopt it on this theory—that if we permit the taxpayers' money to be used to make loans to small businesses and loans to farmers and loans for other purposes, and for sanitation facilities in small towns, it will not be long until the securities that were received by reason of the payment of the taxpayers' dollar will be piled up here in Washington and the Federal Government will be larger than all the banks.

Then the argument would be made—why not nationalize the banking system? Because the Federal Government has more bonds now and securities than the banks have. It will lead to the inevitable conclusion that the Federal Government should own the banks.

Mr. CURTIS. Before we go on, let me make a point.

Mr. PATMAN. Let me finish this. I cannot do it unless you give me the time.

Mr. CURTIS. I will not yield further at this point and I will explain why.

Mr. PATMAN. I know but I want to answer the question about participation certificate sales.

Mr. CURTIS. I decline to yield further at this point because I want to try to establish some rules, if I may. When the gentleman wants to make a statement, the gentleman can make it and then let me respond before going to the next subject.

Mr. PATMAN. All right, let me answer this point about the Eisenhower administration.

Mr. CURTIS. I want to make a point if I may.

When the gentleman said that the Government would accumulate all of these various bonds for the REA and college dormitory loans and FHA and so forth—the point I want to make to the gentleman is that the reason we have been accumulating these bonds is because the Government has been subsidizing these lendings at interest rates that are way below the market and, therefore, the bonds cannot be marketed.

Now under the Eisenhower administration, when we sold FHA bonds to the public and other government securities, we did it at what the market would bring. The difference with respect to this participation certificate law is that you are having the Government sell these bonds which bear 2 percent interest and 3 percent or 4 percent—and then making up the difference of what it actually takes to sell them in the market; namely, 5¾ percent, by hitting the General Treasury. But the net result is that you have increased the interest rates and created a bigger demand in the marketplace for credit.

Mr. PATMAN. Mr. Speaker, will the gentleman yield to me at that point?

Mr. CURTIS. I yield to the gentleman.

Mr. PATMAN. The issue on the Sales Participation Act was not the question of interest rates. The law was good or bad regardless of whether interest rates were low or high. Interest rates was not a question that was before us at that time because whatever was done on the sales, the then existing interest rate had to prevail, whether it be low or whether it be high. Therefore, that was not a question to be decided on that particular issue.

Mr. CURTIS. That may have been the gentleman's thought on that. But there were those on our side who said he was avoiding the basic issue. It was a question of interest rates. The reason we were in this position was because of interest rates. Because underlying this whole question is this question of what creates these high interest rates. It is very obvious, under the basic laws of economics, that we have too much demand—in this instance too much demand for credit chasing too little available credit.

Of course, when you have a situation like this, your interest rates will go up. This is true whether we are talking about more recognizable goods—whether they be copper, aluminum, a machine, an automobile, dishwasher, house or a service like going to the hospital or whether we are talking about interest rates. If you have a greater demand than you have supply, the cost or the price goes up. That is what we call inflation. This is what the administration is fighting. This is why I criticized the administration for permitting interest rates to go this high.

This happened because they have resorted to a monetary policy—namely, allowing interest rates to rise—as a method of checking inflation. And, indeed, it will do this to some degree. Although at the same time, using the monetary power to try to check inflation—itself contributes to these inflationary forces, because, rising interest rates themselves increase the cost of living for our people.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. PATMAN. To my mind, there is not anything that increases the cost of living more or contributes more to inflation than high interest rates.

Mr. CURTIS. That is what I just said to the gentleman.

Mr. PATMAN. Because interest rates are added to the cost of everything and that causes an inflationary condition. In fact, it is my belief that it is just as reasonable and as logical to pour gasoline on a fire and expect to put the fire out as it is to stop inflation by raising interest rates. It is absolutely not true.

Mr. CURTIS. All I can say to the gentleman is that he is at complete variance with every authority that I have read and every person who has written in this field of monetary policy.

That is one of the basic themes of monetary policy, that there is a greater demand for money than there is a supply. One way of creating savings—because one way you get more capital is to encourage more savings—one way of getting more savings is to increase the rate of return that people will be able to realize from having saved their money and foregone the current expenditure. This is true whether you impose a ceiling on housing or on rent control. True, you may temporarily hold down rents, but in the long run you have badly damaged low-cost housing, because no builder will go in and build new housing under this circumstance.

The ultimate solution in an inflationary situation is increased production of the item that is in short demand. We need to increase in housing the amount of housing available. That is the surest way of getting the price down. So in the area of money or capital we need to increase the amount of savings in our society so there is sufficient capital available for those who demand it.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman is presuming from his argument that most of our expansion comes from savings, that people save and they are encouraged to save by reason of higher interest rates.

Mr. CURTIS. I am saying it should.

Mr. PATMAN. The gentleman overlooks the fact that most of our money is created on the books of the banks. It is manufactured money. It is not savings at all.

Mr. CURTIS. Well, now, I want to point this out to the gentleman. This is the way in which we try under our society—and I happen to think it is a pretty good system—to keep the money supply equal to the actual economic pace of the society, the actual economic activity. This is what the Federal Reserve Board is essentially engaged in. They are trying to anticipate what the real economic growth in the society is. They are creating or keeping the money supply equal to the real economic activity in the society. In their observations they watch for the savings of the people, because this is the surest way of keeping the money supply in step with economic activity.

The dangerous way—and this is the way this administration has proceeded—is the basic theory of the new economist, with which I could not disagree more. This view holds that you can deliberately create money by having the Federal Government overspend its income and issue Government bonds, and ask the Federal Reserve System to buy those bonds. When they do buy the bonds and they get into the Federal Reserve System, indeed it does increase the money supply. This is actually what has been going on.

Coupled with this fact, the Federal Reserve has a collateral duty under law to try to maintain an orderly market for the Federal Government and the Treasury Department in marketing Government securities. And this is a very good function. But then when you do, as the gentleman from Texas has approved, have the Federal Reserve System actually create an artificial market—not an orderly one, but an artificial market for Government securities that are priced interest-ratewise too low in respect to the market then, indeed, you do have the Federal Reserve in effect monetizing the debt and creating money which may be beyond the actual economic growth and activity that has existed in the society. It is this process that creates your inflationary force with too much money chasing too few goods and services.

Mr. PATMAN. Mr. Speaker, will the gentleman yield at that point?

Mr. CURTIS. Yes; I am happy to yield to the gentleman from Texas.

Mr. PATMAN. Of course the Federal Reserve creates money under certain circumstances, but the banks when they make a loan to these gentlemen create that money.

Mr. CURTIS. Mr. Speaker, if the gentleman will yield, it does not create money. It creates credit, which is the equivalent in our society.

Mr. PATMAN. They get the money for the credit.

Mr. CURTIS. I tend to agree with the gentleman, but I want to use the proper description.

Mr. PATMAN. The proper description of "create", is that credit is created on the books of the bank. The borrower has the use of this credit. Money, cash, is not taken from anyone.

Mr. CURTIS. Here is where the gentleman's syllogism falls down. This process of creating credit can occur almost anywhere in the society, whether it is in the banks or just between myself and the gentleman. I may say to the gentleman from Texas [Mr. PATMAN] that I will lend him some money. I will give him credit. But in the private sector there is a great discipline on the amount of money that is spent and that is the amount of security offered on a loan. The amount of physical assets such as homes, or plant and equipment, and even more important, perhaps, the earning capacity of the borrower, limits borrowing.

This discipline is what keeps the amount of credit within a society within the bounds of the actual economic assets in that society and the actual economic capacity to earn in the society.

There is only one institution in our society—or in any society, for that matter—which can actually create money. It cannot be done in the private sector. A private individual, or a business, or a local government, or even a State government which attempted to do this would find itself put in jail for counterfeiting. There is only one mechanism in our society that is permitted under the Constitution to create money apart from the assets that stand behind it, and that is the Federal Government.

I would argue that if the Federal Government were wise and if we in Congress were wise—and we have the authority to coin money and to regulate the value thereof—we would create this money in such a fashion that we never exceed the amount of the actual economic growth or real assets in our economic activity. We would not create money and credit beyond that point.

The theory of the new economists—and I do not believe the gentleman from Texas really agrees with them either—is that we can disregard all this, that we can actually have a society move forward if the Federal Government deliberately indulges in deficit financing and creates more money, irrespective of growth. In fact, the economists want to put the cart before the horse. They want to have their cake before it is baked. They want to say that we can increase economic growth by providing cheap money.

This is the most false economic theory, I would argue, that ever bedeviled the institutions of men. Every government in history, and certainly those in the graveyard, has followed this peculiar philosophy of thinking that a society could raise itself by its bootstraps, that it could actually debase its coinage, that it could actually tamper with money as an economic measuring stick in the society and create growth in its stead.

Here is the basic cause of high interest rates. The deficit financing that this administration has been pursuing year after year is the reason why I have taken the well of the House time after time on appropriation bills. I am feeling awfully lonely, because I cannot get a political party behind me. Even my Republicans do not understand this, apparently.

They are perfectly willing to go ahead and vote for appropriation bills if we put a pretty label on them, calling them "defense." They immediately think, "I will be accused of lack of patriotism if I do not vote for something called defense." They do this instead of looking beneath the label to see whether or not the appropriation produces the kind of defense that is good and necessary in our society.

On the other side of the aisle, if they put a pretty label on it and call it a "war on poverty," then Members say, "If I do not vote for this, people will think I am against human beings and am unconcerned about the poor." So they do not look beneath the label.

So people like me have to stand on the floor and hope that our voices eventually will get through to the people, so they will know that we are concerned about the defense of our country and that we are concerned about poor people and that we are concerned about people across the board.

People keep asking me why I keep talking about money, while others talk about human beings. I say I talk about money because I know of very few things which affect human beings more than money. It is because of human beings that I discuss these issues and try to get to the bottom of them and plead with this administration to stop the demogoguery and face up to the realities of fiscal responsibility.

I welcome this opportunity here today to discuss this problem, because what the administration is doing is seeking to fight these inflationary forces which it has created by increasing the amount of credit and money within the society beyond that which we can provide in the way of goods and services. Having created it, it seeks to dampen the amount of credit and money it has created through high interest rates and through monetary policy.

This is why I applauded to some extent the administration, or at least some of the advisers who have not gotten through yet, when they were urging we increase taxes. I said, "If you are not going to cut expenditures, Lord knows I would prefer to increase taxes, rather than to do the alternative, which is to increase the Federal debt."

Thank goodness that some of the new economists are talking in terms of what is wrong with the Federal debt. For many years they were saying to people like me, "Well, there is nothing the matter with the Federal debt; it is a lesser percentage of the gross national product than it was in 1946." I said, "What a date to choose. That is the poorest period you could pick." But they said, "Don't worry about the Federal debt."

Now, although they are not saying it openly, tacitly they are saying to the people of this country that it is preferable to increase taxes to pay for our expenditures than to increase the money supply, which would be done if we tried to market more Federal securities.

This is what is the matter with the debt, I would say, but far from choosing the side of fiscal policy of these administration advisers who have not yet gotten through increasing taxes I say very clearly, pick the other side of the fiscal policy coin, expenditures. Here we should be moving in to correct the situation.

If we would move in on the expenditure side, we would not have to cut it back much. Perhaps we could just not extend the increase in spending, and cut it back $5 billion to $6 billion. If we maintained that discipline over a period of years we would have this great country of ours back on an even keel.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Texas.

Mr. PATMAN. I was interested in what the gentleman said about how difficult it is to get a proposal over, which he believes is in the public interest.

In the other body, of course, there is unlimited debate. A Member of the other body can always get plenty of time to discuss things. In this body it is difficult.

May I make a suggestion to the gentleman? He is a dedicated person along this line, and I believe I have given it much thought, and certainly I feel strongly about it, too. Could we agree that each of us may submit questions to the other, and that the other will answer them in the Congressional Record? In that way we will not be restricted to just getting time when we can. Of course, there never is a large number of Members present, to hear special orders, so we are handicapped in that way.

If the gentleman would be willing to do that, I would be willing to do it. Any time the gentleman submits questions to me I will answer them, and put them in the Congressional Record, if he will do likewise.

Mr. CURTIS. I believe that suggestion of the gentleman is a good one. As he knows, this is a method we have employed in the Joint Economic Committee in the hearings. Frequently we do not have sufficient time. In addition, it enables us to get a more considered answer from a person to whom we are directing a question, by giving him an opportunity to think it over, rather than asking him to make an answer off the top of his head.

This serves a good purpose, and I welcome this. I think that the Congressional Record serves a very good purpose in carrying forward this dialog, so I accept this suggestion of the gentleman, and I think we can move some aspects of the dialog forward in that way. I will be very happy to cooperate.

Now let me needle the gentleman a bit, though, on one of the points that I still feel a little bitter about. When we had our hearings last December and the majority side, with the power they have, called the Federal Reserve Board before them to interrogate them on their policies of raising the discount rate, there was criticism by the administration, in the press, by the Secretary of the Treasury, by the Chairman of the Council of Economic Advisers, and by the Director of the Budget and by the President of the United States in the press.

But then when a congressional committee sought to study the matter and did call before it the Federal Reserve Board, when we on the Republican side sought to call the Secretary of the Treasury and the Director of the Budget and the Chairman of the President's Council of Economic Advisers, they would not come. Then when we sought to force the invitation by having the committee request them to come in, the Democrats, by the power that they had and the superior number of votes they had, voted down our request.

To this very day, Mr. Speaker, we have not had before the committee these other three members of this so-called quadriad, the group which meets with the Chairman of the Federal Reserve Board on a periodic basis to discuss the interlacing of monetary policy with fiscal policy. So our hearings of December remain incomplete. The society and the Congress have not benefited from a straightforward dialog going on.

I submit it is insufficient for people to make statements to the press without subjecting themselves to cross examination and to rebuttal witnesses while giving them, of course, the opportunity of bringing in surrebuttal and witnesses themselves. That is the way to move the dialog forward.

Now I want to digress a moment to another issue.

Mr. PATMAN. Can I answer that?

Mr. CURTIS. Yes. And then I will go on to another issue.

Mr. PATMAN. The answer is we had hearings from December 13 to 16 and interest rates were raised December 6. The hearings, of course, came soon thereafter. It is true that the members of the minority, the gentleman from Missouri among them, and others insisted on having the administration witnesses. By the time we got through with the Federal Reserve Board, which was, of course, what we were after, to find out their reasons for this 37½ percent increase——

Mr. CURTIS. That is what you were after, but we were after a broad view of this thing, just like we are discussing now.

Mr. PATMAN. I know, but the fact is it was less than 10 days to Chistmas.

Mr. CURTIS. Oh, baloney.

Mr. PATMAN. No. Do not say baloney.

Mr. CURTIS. I will tell you why I say it, Mr. Patman, and I said it at the time.

Mr. PATMAN. Yes; but you yielded to me.

Mr. CURTIS. No. I want to respond at this point.

Mr. PATMAN. I was chairman of that committee, and I am being attacked and I should be allowed to answer.

Mr. CURTIS. I want to respond, and then I will yield further.

I used that expression then. Let me say this: If this is as serious a problem as the gentleman from Texas has pictured it to be—and I happen to think it is—Christmas holidays or any holidays have no bearing on this. That is the point I made at the time. This was serious. The whole future of our country was at stake in whether or not we got ourselves back on a sound fiscal basis. If our theories were wrong, then let them be proved wrong in open forum. But I say to the gentleman——

Mr. PATMAN. The gentleman wants to be fair, and I do not think he is being fair in this.

Mr. CURTIS. But let me add a little bit now of my heat to this. This business of a vacation, Christmas or otherwise, is wrong—incidentally, here we have just come back from a Fourth of July vacation which in my judgment was very unsound because we have major problems to deal with and this Congress needs to deal with them. Using the Christmas vacation as an argument for not conducting proper hearings is baloney.

Mr. PATMAN. Will the gentleman yield?

Mr. CURTIS. I yield.

Mr. PATMAN. That is not the only argument. You did not allow me to proceed.

Mr. CURTIS. It should not have been used at all, I will say to the gentleman. Now let us have the other answers.

Mr. PATMAN. That is only part of it.

Mr. CURTIS. Let us have the other one.

Mr. PATMAN. That is only one of the considerations.

They have not been allowed to stay at home very long.

Mr. CURTIS. I was among them.

Mr. PATMAN. And, the question was whether or not we should have the administration witnesses then and take up all that time, or have them in January, when we had to have those witnesses anyway on the report—Joint Economic Report—of the President.

You know the Joint Economic Committee, every year, goes over that report and we have the very witnesses that the gentleman mentioned.

So, Mr. Speaker, why have them appear twice? Why have them appear just before Christmas or any other time and then have them to appear less than 30 days later again when they would serve the same purpose?

And, further, for the benefit of the gentleman——

Mr. CURTIS. Permit me to respond to that statement and then I shall yield further to the gentleman from Texas.

Mr. PATMAN. This is a part of it. For the benefit of the gentleman from Missouri, the gentleman mentions the fact that we had enough witnesses, or the main ones he wanted, and he did not ask them a half dozen questions on this point. The minority Members did not ask those witnesses a half dozen questions on this point. Therefore, it follows and shows that they abandoned it entirely. It shows that they were not interested in the Federal Reserve.

Mr. CURTIS. First, Mr. Speaker, let me say that the gentleman from Texas finally modified his statement accurately. We did not ask questions on this point, because the President's Economic Report covers a wide area, of which this is only one aspect and we pointed out at the time that we wanted to—and we still need to do it—to zero in on this very point. Yet we had the members of the quadriad before us and we wanted to discuss it, to discuss this difficult issue. But when we had the Secretary of the Treasury and the Director of the Bureau of the Budget, we were getting into expenditure policy which I still say lies at the base of the problem in which we are involved.

Certainly, Mr. Speaker, with reference to the Director of the Bureau of the Budget, the gentleman is well aware of the limitations of the full committee. And to try to finish the argument—this becomes a substitute for this detailed study in this area, particularly if the Joint Economic Committee has been doing practically nothing since those days in January and February, and we have still not moved into this area.

Mr. Speaker, I have taken the well of the House, and the gentleman from Texas knows it, on many occasions to chide him for what was not done in December and to urge him to hold these hearings. And, I take this opportunity to again plead with him to let us hold these hearings.

Mr. Speaker, this colloquy is not an adequate response for having expert witnesses of this sort and others in our society who are knowledgeable in this field testify and give this country the benefit of their views. But I must say that I am convinced that it is under the orders of President Johnson that the several leaders of this Congress who are of the same political party as the gentleman from Texas do not give us these hearings.

Mr. PATMAN. I will state to the gentleman from Missouri that the President has never mentioned this to me and I do not believe he has mentioned it to any other Democratic Member.

Therefore, Mr. Speaker, I hope the gentleman from Missouri will withdraw that statement.

Mr. CURTIS. I do not withdraw the statement, because I believe the President has allowed it or was unwilling to let these hearings be held or else the committee would hold them.

Mr. Speaker, I want to go to another matter that bears on exactly the same procedure.

Finally, Mr. Speaker, the Committee on Armed Services held some hearings, and I regret to say they were perfunctory hearings on the draft. This problem of manpower in our society is another acute economic problem, and the military's needs for manpower should be related and correlated with the needs in the private sector and not just the needs that support our Military Establishment.

Mr. Speaker, during World War II we had the Manpower Commission which was set up in an effort to try to carry out this type of coordination.

I urged along with others back in 1964 that a select committee of the Congress consisting of members of the Committee on Armed Services and of the Committee on Education and Labor be set up to make this kind of broadly based comprehensive study. It is my judgment that the draft is highly inefficient for the military and highly costly to our society and that it can be, and should be, replaced with a recruitment system based on making a career in the military, including the Ready Reserve, attractive.

If this theory is wrong, let us examine it. But it has not been examined or looked into.

To stop this congressional study, President Johnson announced he was requesting the Secretary of Defense to make such a study behind closed doors, in secret, with no one in the public and no one in the Congress knowing what that committee, if it ever did do any studying, actually did.

The President requested this Commission to report back by April 1965. Apparently, it did do this; although I do not know it, and that report has been suppressed to this very day. Then in a method which I would call chicanery, the DOD issued a report on the report. Not a report—not the report itself—but a report on the report. To this day the news media are confused. Many of them actually think that the report was issued. This was not the report. It was a report on the report.

Incidentally, even the report on the report was conveniently released after those of us in Congress had testified before the Committee on Armed Services, so we could not even direct our discussion to the report on the report.

Then right after the July 4 holiday began for the Congress, the President said he was creating another executive commission to study into this area. Another executive commission, I suppose, to conduct a study behind closed doors, suppressing all the data that is gathered and not giving to the public or the Congress the names of the people who came before it and neither the people nor the Congress knowing what arguments were advanced pro and con and without those who have knowledge in this area being able to testify.

I have said this is another attempt by the President to subvert the institution of the Congress, and I plead with the democratic leaders of the Congress in that area that I have just discussed with the gentleman from Texas, to let us have the congressional committees do their job—let us have them hold hearings and let the Joint Economic Committee hold hearings into this broad based area that the gentleman from Texas and I are discussing here. Let the Committee on Armed Services—and I would hope with people from the Committee on Education and Labor—hold hearings into this manpower situation so that we are in a position next June to come forward with a properly devised manpower procurement system for the Military Establishment.

This is a function of the Congress. This is the business of the people of this country. This is not the function of the executive. The executive function is to carry out the laws and to tell us if we are wrong in the manner in which we have passed these laws, to give us advice. Certainly, if we are on the wrong track, then the executive can veto the law—but it should not try to subvert the congressional study and deliberative process by creating executive commissions to make these kinds of studies in secret and behind closed doors.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. PATMAN. I am pleased about what the gentleman said about proceedings in secret and behind closed doors. Does the gentleman object to the Federal Reserve having these meetings every 3 weeks in secret and determining interest rates and the cost of money and the availability of credit with nobody in the Government, elected by the people, being allowed to be present in their meetings at all—not the President and not a Member of the Congress—no one? Does the gentleman likewise condemn that as being something that is bad?

Mr. CURTIS. I believe the gentleman is making a good point. I would say "Yes" in this limited area, particularly as they are doing. This is a point, and the gentleman is contributing toward bringing this about, to make the minutes of these meetings public at a later date. As I say, the gentleman is helping and contributing in the effort to make them public.

I am glad the gentleman mentioned it. In regard to the defense aspect, there are certain aspects of considering the military manpower that do involve secrecy and security. That part must be behind closed doors.

But I would argue that in both of these operations there is very little that needs to be behind closed doors. The bulk of things certainly need to be publicly aired, and I think the bulk can be publicly aired. We must be very careful when we do say something must be secret to give the public our reasons why this part must be secret. I think the actual process the gentleman described, for many reasons I could develop, should be secret. But the minutes should be disclosed within a month, or whatever it is.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I am happy to yield to the gentleman from California.

Mr. HOLIFIELD. I would merely like to say that, having listened to the colloquy between the gentleman from Missouri and the gentleman from Texas, I wish to express my personal thanks for the information that has been developed here today in the colloquy and to express the wish that those Members who have not been able to be present will read the colloquy that has occurred. This is the highest type of discussion that we should have, and I think we should have more of this type of discussion where points are made and rebuttals are given from both sides.

If I may depart from that general observation——

Mr. CURTIS. Before you do, may I make this statement. I deeply appreciate the gentleman from California making those remarks because I have such a high regard for him and the manner in which he has conducted the affairs of the Joint Atomic Energy Committee of the Congress when he has been chairman. This is high praise, and I thank him. I know we disagree on many of the details that we are discussing.

Mr. HOLIFIELD. I thank the gentleman for his compliment. I did not rise for that purpose. But I did want also to express my appreciation of the point that he is making in regard to congressional committees doing a more thorough job.

I hesitate to comment on this because I do not want to be in the position of criticizing various committees of the House. But I do agree with the principle that the gentleman has enunciated today that the committees of the Congress should exercise, to the fullest extent possible—and this would include, in my opinion, obtaining adequate staff to do the job and to do it right—that they should do this job rather than depending upon commissions.

I am aware of the appointment of commissions, such as the President's Commission that was spoken of a minute ago. This is nothing against him. Every President has done it.

I remember upon one occasion someone rose on the floor and said that some 67 commissions had been appointed by President Eisenhower. I do not bring that up in a partisan way. Every President, Democratic and Republican, had done it and has done it in many instances.

I do believe that if the committees of Congress would function as I think they should function and go into matters, such as the selective service matter which is now attracting the attention of all the Members of the House and of our constitutents in our districts, I believe a thorough investigation of these various public-interest questions by the committees of jurisdiction in the Congress would be the most desirable way to handle it, and only on rare occasions would it be necessary for an executive commission to be set up to do these jobs.

Mr. CURTIS. I thank the gentleman. Let me comment that I think he has brought this back into a little better balance, too, because I, too, think there is a place for the executive commission.

For instance, members of an executive commission, I would think, would then testify before the congressional committee. This becomes a very effective way for Congress to gather information. The members of the commission would be then questioned under cross-examination, rebuttal witnesses would be called, and so forth. That is the way in which the gentleman's committee operates.

So to keep this in balance, my remarks should not be taken as criticizing executive commissions. Rather, I am saying they should not be a substitute for the congressional process.

INDIA—FUNNEL FOR FOREIGN AID WASTE

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Ashbrook] is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, the President recently proposed that we give an amount equal to approximately 90 percent of our annual consumption of wheat to one nation, India. While this might seem humanitarian on the surface, the more that the recipient nation is studied, the more questionable the gift becomes. India is the pious neutralist state which seems to see little difference between communism and capitalism. They in effect say a plague on both of your houses. They supposedly see some moral position in neutrality, although I fail to see their logic.

Aside from political and philosophic considerations, there is the very realistic and practical consideration that this Nation is ill equipped to utilize what we give them, and in many ways we are wasting billions of dollars which we can ill afford to squander. A most perceptive article appears in Look magazine's July 12, 1966, issue which highlights many of these problems of ignorance, antipathy, religious taboo, and poverty. It is well worth studying before we contemplate pouring billions into a bottomless funnel in India which could better be used elsewhere in the world if we feel we must spend but, from many standpoints, would better be left unspent.

[From Look Magazine, July 12, 1966]

India: Too Poor To Be Effective—Too Big To Be Ignored

One-seventh of the world's people are Indians. One million more are born every month. For India, this is the arithmetic of desperation. It is an equation that hangs like a black cloud over a proud subcontinent struggling to become self-sufficient but frighteningly close to drowning in a human deluge. Out of a long past came the tradition that gave the world such heart-clenching beauty as the Taj Mahal (above), but that same tradition can keep a picket-ribbed peasant from killing the rat that is eating his precious grain. A kaleidoscope of grandeur, squalor, hope and futility, India is a pain-racked land that reveals man at his noblest and his dismal worst. Angry rioter, fly-encrusted villager, Brahmin patrician and scabrous beggar, the people of India are at war with themselves, their neighbors and the elements, and they are winning few battles. Yet India is not all bad news. It is making advances that would be stunning in any but a land with stunning problems. It is slowly grasping the urgency of change. Though poverty, population, the weight of custom and war dog India's attempts to move ahead, her half-billion people must be reckoned with in any assessment of Asia's realities. For a look at the complexity of this faltering giant, see the following pages:

INDIRA GANDHI: LADY ASTRIDE THE INDIAN TIGER

On most mornings at 8:30, Indira Gandhi walks swiftly out of her white bungalow in New Delhi, blinking uncomfortably in the glaring sunlight and frowning vaguely. The lines around her mouth recall her late father, Jawaharlal Nehru. Collected on her lawn in tidy groups or huddled under a striped awning are varicolored clumps of Indians come for her autograph, to seek advice, voice a complaint or just to lay eyes on the leader of India's half-billion people. She moves briskly among them, gathering a silken sari about her, gracious but business-like. Those who came for pictures with her have already been shuffled into the proper formations—facing the sun, small ones down front, tall ones in the rear. She pauses briefly for the cameras, accepts their bouquets, murmurs good wishes, glides on to the next delegation.

As soon as she has left a group, security men hustle them out, some obviously wondering whether they ever really saw her. After the audiences, she drives off to her office and another day as the leader of the world's second most populous country. Hers is no enviable task. On any given day, there may be bloody rioting in Calcutta or Kerala, reports of villagers selling their children for food in Orissa state, noisy demonstrations in Parliament by the opposition, acid-tinged disparagement by members of her own Congress party, intelligence warnings of Chinese troop maneuvering on India's northern borders or Pakistani muscle-flexing to the west.

The hordes of foreign journalists who descended on Delhi in January, when Mrs. Gandhi became her country's first woman prime minister, are gone now. Left are all the painful decisions, the Himalayan-sized problems and the desperate need. In the press galleries of Parliament, the bars of posh Bombay hotels and the dismal warrens of North Calcutta, cynics speak slightingly of her as a weak executive picked by party moguls as the person they could best control. "What the country needs is a strong man," they say.

Indira Gandhi is aware of the rumors. But she is more aware that her country is in its worst crisis in 19 crisis-filled years of independence. She expects no special sympathy because she's a woman.

The Chinese attack that bloodied India's nose in 1962 also undermined its position as the voice of the noncommitted nations. But Mrs. Gandhi sees no reason for anxiety. "We have never attempted to be the leader of the nonaligned," she says. "We believe in certain values—peace and freedom—and if we became a leader, it was through the force of circumstances. We were able to express what was in the hearts and minds of still-subject peoples. Many are now free and no longer need the voice." But she still believes India has a mission. "Because of our population and our geographical position," she says, "what happens in India is important to the rest of the world. We believe the best way to play a useful role in world affairs is to be stable, united, strong and independent." Sporadic probing of Indian defenses has kept the country nervous about its big neighbor, China. "We were fully aware of the tension between our two ideologies," she says, "but we thought that China might change. The struggle is between two methods of achieving the welfare of the people, and the value of the Indian experiment is that it is succeeding."

How serious is the Chinese menace? "China is a constant threat," she acknowledges. "We have a long border, and we have to be vigilant. It is hard to speculate about China's intentions. Everybody who comes back from there has a different opinion. But all Chinese have viewed part of India's territory as theirs. Even the Nationalists had maps showing that." Then she smiles mischievously. "Of course, we have equally old maps which show quite different things." Famine, riots and politics grab headlines, but she thinks beyond them to another problem: India's "brain drain." "Many of our bright young people go to the U.S. to study and stay because there are more opportunities there. Obviously, we cannot match the U.S. in opportunities for research or facilities. That's where ideals come in. We've been criticized for putting ideals above pragmatism, but it's only devotion to ideals which can persuade people to give up an easy life, come back and identify with the problems here."

The weight of custom, she admits, is also keeping some of India's most promising talent from returning. "Some of our younger people abroad would come back if they felt there would be recognition of their talent, but they cannot function under the old setup, under the old ways. So the job of my government is to create an atmosphere which will make it easier for them to return and do their job."

Custom is only one of Mrs. Gandhi's enemies. After her spring visit to the U.S., critics in and out of the Congress party accused her of selling out to the Johnson Administration and of abandoning Nehru's socialist programs. Ex-Defense Minister V. K. Krishna Menon, once a close friend, called her foreign policy "drifting flotsam and jetsam."

But Indira Gandhi, like her humble predecessor, Lal Bahadur Shastri, has chosen to turn aside such attacks with soft replies while getting on with the business of pulling India from the edge of the abyss. She has worked to beat off famine with increased shipments of U.S. food and cautious incentives for foreign investment in fertilizer plants. She has stood up to Congress party snipers by reminding them that she worked closely with her father to build a socialist India. But she also warned them: "If I feel that a departure from Nehru's policy is necessary because India's future calls for it, I will not hesitate to suggest such changes." At the same time, she is refurbishing her third-world credentials by calling key nonaligned leaders to confer in Delhi. With the prospect of a national election next February, the assaults on her policies can be expected to mount. But the Indian pols, who overrated Nehru and underrated Shastri, may yet have to revise their charts on Indira Gandhi.

India: Angry, Hungry, Stubborn and Proud

(By Ernest Dunbar)

As I walked through the village, an acetylene sun burned down from a cloudless sky. At my side was a young Peace Corps nurse, six weeks in India, who had come to teach the country people public-health practices. Flies and filth were everywhere. Open drains coursed over the dusty soil, and small children ran barefoot, dirty and thin, over human excrement. As we walked up a back street, we heard the sound of a child crying. We drew near and found the source, an infant girl huddled on the doorstep of a mud hut, covered with flies and bawling plaintively. Her mother was nowhere to be seen. Women and men passed by without glancing at this common sight. The nurse started toward the child, then checked herself and pulled back. She advised me not to interfere, and we walked on. Curious, I asked her why we did not do something for the child. "The villagers may misunderstand," she answered, "and I do not want to jeopardize the relationships I have carefully built up." She told me about a Peace Corps agricultural volunteer in another settlement who had planted a small garden near his house to show the villagers how to cultivate nutrition-rich vegetables to fortify their lean diet. Although he chose a small, barren plot, a village elder had berated him for planting land that was not his own.

Both incidents were symbolic of India. A bottomless need, a forest of taboos and a painful clutching for the answer that will help people who require that help—on their very special terms. I still have not shaken that baby from my memory. Hers was another of the vivid portraits I was to carry away from India. India beggars the journalist's tidy bag of words. It refuses to be catalogued with the same fierce stubbornness with which it often refuses to be governed. India can be a wizened six-year-old with hand out, a smooth professional trained to pick out not just the foreigner but the *American* tourist. Or it can be a sari-clad Delilah dancing tipsily on the edge of a hotel-lobby fountain on her way home from a late-night party. It can be a naked holy man sitting, pencil-like legs folded under, by the side of a dusty road, staring off into some distant Nirvana. Or the anger-swollen face of a rioter hurling a brick through the windshield of your passing car. And yet India is more than all of these.

In her most trying season in 19 years of nationhood, India is looking up toward the heavens of greatness from the depths of despair.

The Big Famine of 1966, which now appears to be less critical than the panicky, frightening early forecasts, is just the latest of India's agonies. Since it wrested independence from Britain in 1947, India has been wrenched by a succession of crises that have periodically threatened to pull down the structure its leaders have worked to erect. With six distinct ethnic groups, 845 languages and dialects, seven major religions and two hostile cultures—of the Hindi-speaking peoples in the North and the Tamil- and Telugu-speaking minorities in the South—India holds within itself the explosive seeds of disruption.

Though India's problems are dizzying, two stand out as paramount: The masses must be fed, and the birthrate must be reduced. Ironically, for any country but India, the progress already made in increasing the production of grain would have been spectacular. Since 1951, India's output of foodstuffs has risen 55 percent. But in the same span, the population has risen by 33 percent. Currently, India's food production is expanding at the annual rate of three percent, but births are still rising at almost 2.5 percent.

The present food shortage is a ghastly reminder of what can happen if anything occurs that jars this shaky equilibrium. Last year, the monsoon rains upon which farmers rely were inadequate, and a drought followed. As a result, early this year, India found itself 12 million tons short of the food grains it needs to keep its population at even the scant subsistence level. In recent months, stepped-up shipments of U.S. wheat have been rushed to Indian ports at the volume of one million tons per month. Other countries have also contributed to the anti-famine grainlift. But sending food to India and getting it into the bellies of the hungry are not the same thing. Bad storage facilities, a clumsy system of distribution, a lack of a good road network are all serious hurdles. And there is little sense of emergency. Thus, while wheat piles up in Calcutta warehouses, villagers in remote areas may still be woefully short of food for the one meal a day that is the maximum for many. Although the gloomy forecasts of millions of famine deaths made by Indian and foreign observers now seem exaggerated, people are succumbing in rising numbers to hunger-connected diseases. A Western health expert told me in Delhi: "Indians have always looked at food from the standpoint of *survival* rather than nutrition. When you pull the nutritional average below the danger point, lots of people will die from a lot of other things."

India has another hurdle that hangs up the famine fight as it does a lot of other efforts to move ahead: the barrier of custom. Many Indians are traditionally rice-eaters, and a large part of the population will not eat wheat. Others who do eat wheat dislike the hard-kernel American variety furnished as aid. As I stood on a beach in Kerala, watching fishermen pull in a net heavy with protein-rich fish, one of them dropped his end of the net and rushed over to me, making begging gestures to his mouth. He was a rice-eater, and eating fish was as objectionable to him as eating certain kinds of Indian food might be to an American. He will not change easily.

Religious beliefs keep predominantly Hindu Indians from killing the 2½ billion rats that are eating an estimated 20 percent of the country's food grains. Peace Corps volunteers in one Rajasthan hamlet got into trouble with villagers when they poisoned some rodents that had overrun their small apartment. The villagers themselves normally caught rats, took them out into the countryside and released them. Religion also decrees that Indians shall not kill the

200 million cows that wander across India's fields, lie in her streets and rummage hungrily among piles of food in the bazaars. Hindus, devout in their belief that a cow may be someone's ancestor or friend returned from death in another form, bitterly resent being told by foreigners that many of these animals are unproductive consumers of food and ought to be destroyed.

Custom hampers India's attack upon the second overriding problem: too many people. A young mother of eight children hovering on the edge of existence may refuse to let a male doctor insert a conception-preventing plastic loop into her uterus only because he is a male. She may wish to have some sort of birth-control aid—and that shift in attitude is the real revolution in India—but is unable to bring herself to let a male physician perform the task. Yet India is short on both female doctors and female technicians, who might acceptably perform the same service, and there is no prospect that they will be produced for years. In a society where disease and other calamities have taken the lives of so many children in the past, villagers still feel they must raise large broods to insure the survival of some offspring who can help out now and take care of them in old age. So five-year-olds walk around bearing infants on their backs, while their again-pregnant mothers, virtually human factories, labor with husbands in the fields. And the brutal cycle continues.

But though India has not yet managed to bring births under control, it has made impressive inroads against death. In the last 15 years, the average Indian's life-span has been raised from 35 to 50 years of age. What should be a source of joy is not always that. Although food output is rising slightly faster than the birthrate, it has not kept pace with the combination of more births and less deaths. The result is that India has ever more mouths to feed but less to feed them with. U.S. food shipments may ease but cannot solve that problem.

While wrestling with the twin nightmares of famine and overpopulation, India must also worry about and devote precious resources to coping with external enemies. The long-standing dispute with Pakistan, which flashed into open warfare last August, drains Indian energies and resources away from the pressing work of internal development. Kashmir, the largely Muslim state that Hindu India acquired at Independence, is the prize that remains the burr of contention between the two countries. Pakistan presses for a plebiscite that might give the Kashmir Muslim majority an opportunity to vote themselves into Pakistan, India, in which the issue raises passions hardly to be dreamt of in the West, refuses to discuss the ceding of a region that is the strategic gateway (for the Chinese as well as the Pakistanis) to her heartland. Defiant and inflated by the victories they insist they won over Pakistan during the abortive 50-day summer war of 1965, the Indians have turned their backs on any thought of compromise in Kashmir. (Among the grievances that the hypersensitive Indians nurse against the U.S. is the notion that America somehow wishes to engineer the accession of Kashmir to Pakistan.)

India's other—and far more serious—external enemy is its mammoth neighbor to the north, China. China is a dragon 2,000 miles long, the length of the border India shares with China and Chinese-occupied Tibet. Since 1959, the Chinese have built an extensive road network along the Tibetan border and, more recently, in the part of northeastern Kashmir given to China by Pakistan. In the 1962 border rumble with China, the unprepared and underequipped Indian Army suffered a humiliating defeat that still rankles in the minds of soldier and civilian alike. The brief, bloody struggles in the high Himalayas had two consequences, one that still endures, the other, shortlived: India began to take a more realistic view of its position *vis-à-vis* China in Asia, and for a few months, religious, language, and regional differences were put aside, as all the people pulled together to defend their country. Observers in New Delhi joked that "if the war had only lasted a bit longer, it might have made a nation out of India."

To prepare for possible future battles against Pakistan or China, India has had to divert $1.5 billion of precious funds to defense spending, a shift that quickly made itself felt throughout the economy. Top Indian leaders believe that such diversion was one of the objectives sought by China when it attacked India. The other: to humble India in the eyes of the nonaligned nations, and establish once and for all who is the dominant power in Asia.

The war between India and Pakistan had another, unexpected result for both. The Johnson Administration, alarmed at this misuse of U.S. defense aid and squandering of scarce resources, decided to hold up on aid commitments to the two countries until they quit fighting. That help has now been resumed in part, but the temporary holdup hurt India more than Pakistan.

Within its own borders, India has its hands full with two full-scale revolts by ethnic groups seeking to leave the federal union and sporadic rioting over issues ranging from food to language. In the Mizo Mills of Assam, tribesmen are fighting Indian troops to gain autonomy. In the Nagaland district on the Burmese border, an on-again-off-again revolt of Naga tribesmen demanding an independent Naga state has been punctuated with terrorism, including the bombing of two trains, which took the lives of 95 people. In Bombay, Calcutta, Kerala and Madras, rioters sometimes burn trains, sometimes burn cars and in one paroxysm—over the establishment of a separate Punjabi-speaking state—burned alive three members of the ruling Congress party who were trapped in a Panipat store. Army units and police detachments have battled rioters, with the resulting deaths of at least a score of lawbreakers in Calcutta alone. Despite its championing of the principles of nonviolence, India is no stranger to bloodletting, and some of its domestic disputes spill into the streets, where screaming, rock-throwing mobs take over.

"The world thinks of India as a place of spiritual wealth, as a place of nonviolence," a Bombay editor told me. "Nothing could be further from the truth. The principle of nonviolence was proposed for a very specific purpose by Mahatma Gandhi: to use against the British. Anybody who comes here will see that Indians are not only violent in deed but also in thought. We often argue and debate in violent ways, and some of us carry violence in our words because we do not have the physical resources to carry out violence in deeds! I know the rest of the world thinks of India as a spiritual force, but this is largely a myth. Just as you have your 'ugly Americans,' we also have our 'ugly Indians.' "

This tendency toward violence makes the fuse that much shorter among the country's antagonistic ethnic, linguistic and religious groups. Hindus and bearded Sikhs have fought over the creation of the new state in which the Punjabi-speaking Sikhs will dominate a large Hindu minority. Stirred by leftist provocateurs using food shortages as a pretext, residents of West Bengal have gone on rioting binges. In battles with police and troops, scores have lost their lives, and hundreds more have been injured. The dense and volatile city of Calcutta was brought to its knees twice last spring, when Communists and left-wing labor unions ordered general strikes that the public dared not defy. For a few tense hours, it was evident that neither the central nor the state government was in complete control there.

Sometimes the violence takes a more personal turn. Recently, an enraged member of one of the state parliaments removed his shoes and threw them at the presiding speaker, striking the latter on the head. Brawling legislators had to be ejected from the house.

Present-day India was formed by the British from some 500 princely states into one nation-state. But a dangerous trend has developed. Starting in 1953, successive Indian governments have yielded to demands from religious and linguistic leaders and reorganized a number of states along lines of language. With the recent decision of Mrs. Gandhi's government to create the new Punjab state, each of the country's 14 main languages is now the dominant and official tongue in at least one state. But each of the political concessions has planted a potential land mine in the subcontinent's path toward national unity. Language and religious differences, over which emotions can blaze in India, have intensified. Loyalty to one's state (and hence to one's own linguistic group) tends to shoulder aside allegiance to the nation. Even in the midst of the country's most desperate food crisis, this tendency appears. While schoolchildren in Italy and the Netherlands go without lunches to donate money for India's famished masses, its own surplus-food states have sometimes been unwilling to share their excess grain with neighbors whose inhabitants were starving.

Perhaps the strongest challenge is that posed by India's states, preoccupied with their individual woes, to the national solutions that have been worked out by India's central government. Food rationing, for example, is being pushed by the central government in New Delhi, but is being mired in the states, which carry out rationing through indifferent and inefficient bureaucracies.

The central government declared a state of emergency at the time of the Chinese invasion in 1962 and invoked a form of martial law called DIR (the Defense of India Rules). It is still in effect but is used now principally as a weapon to curb violence and internal strife. Under DIR, a number of civil rights have been suspended, including free speech, free assembly and the right of appeal to the courts for those arrested. Thousands have been imprisoned, among them state legislators and dissidents ranging from Communists through troublesome opposition members to right-wing extremists. The frequent use of DIR has disturbed wide sections of Indian opinion. But the Delhi administration, confronted with revolts like those of the Mizo and Naga tribesman (which the government believes are aided by the Pakistanis and the Chinese), has refused to end DIR. In the meantime, critics speak out at their own peril.

Aside from communal and other stresses—and these are big asides—India is also suffering from severe economic strain. The nation is critically short of foreign exchange with which it might recharge its lagging industry and galvanize its agriculture. Inflation is surging, and unemployment is also rising.

But it may be that India's march to progress will be quickened because a lady changed her mind. Prime Minister Indira Gandhi, who took office lukewarm to the idea of granting foreign firms an entry into India's chemical-fertilizer market, has now said yes. It was a key decision, for most experts agree that a massive fueling of chemical fertilizer is the booster that Indian agriculture needs to leap from its launching pad. Indian farmers plant 320 million acres annually—about the same amount as U.S. farmers—but their return is only about 40 percent of the yield obtained by their American counterparts. And India's population is 2½ times ours. Indian farmers use only about one-thirteenth as much fertilizer per acre as Americans. Agricultural experts agree that they could quadruple or quintuple their harvests with enough chemical fertilizers. With the Gandhi cabinet's decision to relax restrictions on private fertilizer production, the Indian Government hopes thereby to lift output from the present 400,000 tons a year to 2,500,000 by 1970.

The fertilizer deal, like the Johnson Administration's proposal to channel $300 million of the hoard of rupees accumulated by the U.S. from the sale of food aid into an Indo-American educational foundation, is suspect to many Indians. In a country wedded to the idea of state dominance over key sectors of the economy, many Indians fear that giant foreign firms will improperly exploit the Indian market. Similarly, critics see the joint educational foundation as a Trojan horse for the CIA at worst, and an unwarranted American interference in Indian educational policies at best.

These are but the latest rubs in the U.S.'s sometimes chafing relationship with India. India is tied to the U.S. by bonds that both succor and constrict. We are far more important to India than its pride or politics can often tolerate. Of the $10 billion India has received in aid from other countries since 1951, the U.S. has furnished 58 percent. The mountain of amassed rupees held by the U.S., $2.5 billion, is over 20 percent of India's currency. Even in relatively good food-production years, India must still count upon large grants of American grain to feed its hungry half-billion people. When President Johnson held up on U.S. aid to India and Pakistan during last year's short war, India's economy was dealt a severe blow. An Indian columnist voiced a widespread feeling when he wrote: "Economic planning which gets completely disrupted by the withholding of assistance by one country cannot be regarded as 'sound.'"

If Indians are irritated by their dependence on America and angered by those who point out their shortcomings, Americans are often equally irritated by the Indians' querulous ways and what seems like an inability to assault problems with the energy they demand. In the face of what the Indians themselves describe as their worst calamity in 70 years, the bumbling pace of government bureaus is perplexing to the outsider. Even harder to understand is the corruption that rots some offices. As the Indian Express complained: "Of the several tricks employed by the Government employee, the one with which the common man is most familiar is the one of being forced to wait on him day after day to get his business done until he breaks down and is psychologically prepared to comply with the official's unspoken demand." Though the Gandhi government has declared war on corruption, the practice is deep-seated and will be difficult to cut out.

American policy makers feel that while India has made promising advances in its short life as a nation, it must work even harder in the future if it is to move out of the shadow of famine and into the light of self-sufficiency. The agreement to permit foreign firms to start fertilizer production will be a big leap in that direction. A step-up in the birth-control program will be another. Economic and administrative reforms are also needed to streamline India's Kafkaesque bureaucracy. But Western experts who have worked and lived in India for years believe the scent of change is in the air and that the next decade may be India's time of rebirth. The edge of the custom curtain is beginning to lift. But what kind of spectacle it will reveal is something even the seers cannot foretell.

IN 19 YEARS, INDIA HAS ROLLED UP SOME SOLID ADVANCES

Most foreigners who visit India come away shaking their heads. But foreigners have been shaking their heads for 19 years. In that time, India has rolled up some solid advances. Its industrial production has grown at the remarkable rate of about nine percent a year, and almost 80 percent of its total investment has been financed by internal savings. Electrical power has tripled since 1951, road mileage has doubled. Striking hard at disease, India has increased the supply of physicans by half and doubled the number of hospital beds. Malaria has now been virtually eliminated. The nation is also making substantial progress in education: Although illiteracy is still up at the 80-percent level, school enrollment has jumped to three times what it was in 1951.

India struggles to move ahead even as the waves of over-population threaten to wash away these hard-won accomplishments. As a start, the government is putting $50 million a year into its birth-control program, and thousands of clinics around the country are handling the lengthening lines of those who wish contraceptive aid. A government plant is turning out 15,000 plastic intrauterine loops a day to help in the fight. Employers like Sudhir Thackersey of the Bombay textile family have installed surgeries where male workers can get a free vasectomy (tying the sperm duct) and are paid during recuperation.

In Punjab state, 27,000 of these operations were performed in 1965, more than the total of those performed in the previous ten years. In Bombay, the birthrate has already come down to 28 per thousand, 12 points below India's average.

As India works to overcome internal problems, there is always the danger that another war may further cripple its painful progress. The truce concluded between the late Prime Minister Shastri and Pakistan's President Ayub Khan in Soviet Tashkent, under Russian prodding, has been eroding ever since. Pakistan has acquired a few Chinese tanks and jet fighters; its top officials have been making increasingly belligerent speeches aimed at New Delhi, and each side has accused the other of treaty violations, Indian leaders fear that Pakistan, egged on by China, which seeks to embarrass Russia, may risk some new military adventure. Moreover, each detonation of a Chinese nuclear device sends tremors reverberating through the Indian political scene. So far, Mrs. Gandhi has refused to yield to the clamor within her own party that calls for an Indian A-bomb. Experts concede that India, which is building one of the world's largest nuclear-power stations, has sufficient nuclear know-how to turn the trick. But an Indian bomb would mean more precious resources diverted.

India, the world's largest democracy, is being challenged to prove that its leap into self-sufficiency can be achieved without the resort to totalitarian discipline used by Asia's other two giants, the U.S.S.R. and China. The rest of the underdeveloped world is watching anxiously from the sidelines.

THE AUTHORIZATION OF NUCLEAR POWERED WARSHIPS FOR FISCAL YEAR 1967

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 30 minutes.

Mr. **HOLIFIELD**. Mr. Speaker, the House is scheduled to consider the conference report on the defense authorization bill tomorrow. I would like to bring some facts concerning the authorization of nuclear-propelled naval warships in the bill to the attention of my colleagues.

In my capacity as chairman of the Joint Committee on Atomic Energy, I have delved deeply into the factors involved in the value of nuclear propulsion for warships. As you all know, the Joint Committee has studied and analyzed the question of nuclear propulsion for submarines and surface ships for many years. This intensive review was required before the committee could recommend to Congress the research and development effort necessary to build a nuclear Navy second to none.

Throughout the years our reviews indicated the research and development work was justified and throughout the years the Congress agreed with the Joint Committee's recommendations and annually authorized funds for this purpose. Time has proven the value of our actions. The United States is preeminent in the technology of nuclear propulsion for warships. The utilization of nuclear propulsion in all of our new submarines has given this country an unequaled defense force. Unfortunately, thus far we have not taken the same advantage of our position of technological leadership by utilizing nuclear propulsion in our new surface warships. The bill we are to consider tomorrow takes some important steps in respect to nuclear propulsion for surface warships. I would like to review some of the facts concerning this item so that they will be fresh in our minds when we consider the conference report on the defense authorization bill tomorrow.

The defense authorization bill for fiscal year 1967 includes five nuclear attack submarines, and one nuclear-powered attack aircraft carrier requested by the Department of Defense. It also reauthorizes the nuclear-powered frigate added by the Congress to last year's authorization, and further it authorizes long leadtime materials funding for an additional nuclear-powered frigate that Congress wants and expects the Department of Defense to include in its fiscal year 1968 budget request.

The aircraft carrier is one of our prime naval attack weapons. It provides a movable platform from which to launch airplanes wherever they may be needed. It is a floating airbase complete with maintenance and repair facilities. As you know it has proved to be a vital asset in support of our military activities in Vietnam. The tremendous problems and expense of building up land airbases in Vietnam have once again demonstrated the great advantages of the aircraft carrier concept.

However, to fully exploit the full potential of the carrier task group, everything possible must be done to minimize the logistic support required to sustain the ships in a combat environment. It is the elimination of the requirement for a continuous supply of propulsion fuel that makes nuclear powered ships so valuable. This became abundantly clear to the members of the Joint Committee on Atomic Energy when we studied this problem in 1963, and prepared our report on nuclear propulsion for naval surface vessels—see the December 1963 Joint Committee report entitled "Nuclear Propulsion for Naval Surface Vessels."

The Department of Defense has finally come to realize this, in the case of aircraft carriers—after Congress repeatedly pointed it out. They still have not recognized this important truth in the case of ships built to escort nuclear carriers.

With the British decision not to defend east of Suez, the French decision to pull out of NATO and to have all foreign troops withdrawn from French soil, the increasing problems with rights of overflight, and the continually changing political picture among the Asian, African, and European nations, we are becoming increasingly dependent on the use of sea-based airpower to be able to carry out our national commitments.

We must be able to operate attack carrier task forces anywhere on short notice. Nuclear propulsion in our naval striking forces will greatly enhance our capability to operate our carrier task forces throughout the oceans of the world—without the entangling logistic support problems created by conventional fuel requirements and free from the constant changes in the worldwide political climate.

Our one nuclear-powered aircraft carrier, U.S.S. *Enterprise*, which just last month returned in triumph from Vietnam, has set record after record since she joined the fleet 4 years ago. She has proven so effective in battle in Vietnam that the Secretary of Defense has requested a new nuclear-powered attack carrier in this year's bill and has told Congress that he intends to ask for at least two more in future years.

At least four major fleet escort ships—destroyers or frigates—are assigned to each aircraft carrier. These escorts are designed to operate either on independent missions against enemy targets or as part of a coordinated protective screen to destroy enemy aircraft, missiles, submarines, and surface ships that attack the force.

The new nuclear frigate which Congress has added to this bill will have the same general types of anti-air and antisubmarine weapons systems as would the new conventional destroyer proposed by the Department of Defense, but the nuclear frigate will be larger and will have considerably more military capability. Specifically, the new frigate—in addition to being nuclear-powered—compared to the destroyer—will have twice the number of missile launchers and missile magazines, will have a helicopter landing area and facilities and accommodations for a screen commander which the destroyer would not have, will have more complete naval tactical data system facilities, and will have twice the number of torpedo tubes.

All of these factors are covered in detail in the hearings and report of the House Armed Services Committee.

A nuclear propulsion plant similar to the two-reactor plant now in the frigate *Bainbridge* and the plant now being installed in the frigate *Truxtun* is suitable for installation in either a new destroyer or a new frigate.

The shipbuilding program proposed by the Department of Defense called for building conventionally powered escorts to accompany the new nuclear carriers. The House Armed Services Committee and the Joint Committee on Atomic Energy have studied in depth the question of nuclear power for escorts for the nuclear carriers; both committees have concluded that to build new conventionally powered escorts to accompany nuclear carriers would be a serious mistake. Further, both committees have concluded that each nuclear carrier should have a complete complement of nuclear-powered escorts.

In a special report of the Joint Committee on Atomic Energy of a hearing on the naval nuclear propulsion program released in April 1966, the committee foreword stated:

> The Department of Defense now proposes construction in fiscal year 1967 of two conventionally powered guided missile destroyers of a new class.
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> It would be a mistake for Congress to authorize new conventionally powered guided missile destroyers when the technology exists to provide them with the increased military effectiveness afforded by nuclear propulsion.
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> The Joint Committee recommends that the Congress change the fiscal year 1967 Department of Defense authorization [request] to require the two new destroyers to be nuclear-powered ships. This change will be in consonance with the constitutional responsibility of Congress "To provide and maintain a Navy * * *" and with the continuing role of leadership taken by Congress in the development and application of nuclear propulsion to the U. S. Navy—first for submarines, then for aircraft carriers, and now for major fleet escorts.

The Joint Committee was, therefore, especially pleased by the action taken by the House Appropriations Committee to avoid this mistake as shown in their Report No. 1652 of June 24, 1966, on the Department of Defense appropriation bill for fiscal year 1967. That report states:

> Funds were requested in the amount of $145,100,000 for the construction of two conventionally powered guided missile destroyers (DDG). Subsequent to the presentation of the budget, the Navy changed the design of the main propulsion systems from steam turbines to gas turbines. This has necessitated major revisions in the plans and specifications. As a result, the cost estimate for the two ships has increased to $153,000,000 and the probable contract award dates have been delayed until fiscal year 1968. Accordingly, this request for funds is denied and such of these funds as are required have been applied to the construction of a DLGN.

The House Armed Services Committee has the duty of making recommendations to the House of Representatives of defense matters. The Joint Committee on Atomic Energy is charged, by law, with the responsibility for making continuing studies of problems relating to the development, use, and control of atomic energy and making recommendations to both the Senate and the House of Representatives.

Section 202 of the Atomic Energy Act provides that—

> The Department of Defense shall keep the Joint Committee fully and currently informed with respect to all matters within the Department of Defense relating to the development, utilization, or application of atomic energy.

In carrying out these responsibilities, the House Armed Services Committee and the Joint Committee on Atomic Energy have reviewed this matter continuously, thoroughly and, I believe, with great deliberation. Both committees requested the complete record of correspondence between the Navy and the Department of Defense on the question of building nuclear frigates. Both committees requested statements of the views of any cognizant official within the Navy or the Department of Defense known to disagree with the views expressed in the record of correspondence. They also requested copies of all studies comparing nuclear and conventional surface warships conducted by the Navy and the Department of Defense.

These committees have carefully reviewed the documentation furnished by the Navy and the Department of Defense. They also received extensive testimony on the issues involved. These studies, reports, and testimony clearly show that the increased military effectiveness of nuclear-powered warships—both aircraft carriers and escort ships—far outweighs the small increase in lifetime cost necessary to provide these ships with nuclear propulsion plants.

If you want to assess for yourself the facts behind the action recommended by the House Armed Services Committee and the Joint Committee on Atomic Energy to proceed now on a nuclear-powered surface escort warship building program, the facts are clearly cited in the committee reports and hearing records. A list of these reports follows:

Report of the Joint Committee on Atomic Energy on Nuclear Propulsion for Naval Surface Vessels—December 1963.

Hearings before the Joint Committee on Atomic Energy on Nuclear Propulsion for Naval Surface Vessels—October 30, 31 and November 13, 1963.

Hearings before the Joint Committee on Atomic Energy on Naval Nuclear Propulsion Program—January 26, 1966.

House Armed Services Committee Report No. 1536 dated May 16, 1966 to accompany S. 2950—Authorizing Defense Procurement and Research and Development and Military Pay.

House Armed Services Committee Hearings on Military Posture and H.R. 13456 Report No. 64.

House Appropriations Committee Hearings on Department of Defense Appropriation for 1967, Part 6, PP–67–147.

The case for nuclear-powered escort ships was summarized recently by the Chief of Naval Operations in a memorandum to the Secretary of the Navy dated April 14, 1966—with the exception of some deletions for security reasons, Admiral McDonald's memorandum is published in its entirety on pages 8034 through 8063 of the House Armed Services Committee hearing report—No. 64—on military posture. Admiral McDonald's memorandum provides a detailed basis for the position that the increased military effectiveness of nuclear propulsion in carrier escorts fully justifies the small increase in lifetime cost of the ships and for concluding that construction of nuclear-powered escort ships is in the best interest of this Nation.

It is clear that Congress has all the information necessary to make an assessment of whether a nuclear escort construction program is in the best interests of the United States.

As I have just pointed out the issue of nuclear propulsion for surface warships has already been studied in great depth. The studies of this subject furnished Congress by the Department of

Defense and the Navy when piled on top of each other make a stack several feet high. Most of the efforts in these studies has been devoted to analyzing costs, rather than determining military effectiveness.

The time has come for us to stop these futile cost comparisons between nuclear and conventional surface warships. Let us not study the subject to death until a potential enemy overtakes us. Let us get on with fulfilling our country's urgent need for nuclear propulsion in the surface fleet.

The danger of continuing to make extensive cost studies is that they divert attention from the real issues that nuclear propulsion has the fundamental advantage of permitting our warships to go anywhere in the world, to deliver their combat load and return—all without logistic support. Oil-fired warships must be refueled every few days. This requires a vulnerable, worldwide distribution system of tankers and storage facilities to provide fuel oil for conventional ships. Admiral McDonald's memorandum which I referred to earlier cites many examples from the history of modern war where major military defeats were brought about by the inability of military forces to maintain an adequate supply of propulsion fuel to the forces in combat. The recent U.S. decision to bomb the fuel oil storage facilities in North Vietnam has again emphasized to the whole world the importance and yet the extreme vulnerability of petroleum supplies in modern war.

I cannot understand the logic—or lack of logic—which admits the vulnerability of the enemy's fuel oil supplies but will not admit that our own fuel oil supplies are also vulnerable. Admiral McDonald's memorandum points out that—

> The vulnerability of our overseas logistic supply lines is greater today than at any time in the past and is continuing to increase for the following reasons:
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> a. The increased threat of submarine attack because of the improvements in conventional submarines and the advent of nuclear powered submarines.
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> b. The increased threat of air attack because of the increased range of aircraft and missiles and their improved means of detection.
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> c. The amount of fuel which must be transported has increased because of the higher fuel consumption rate of post-World War II military units.
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> d. Each tanker lost has a greater impact because of the substitution of a smaller fleet of larger tankers for the large fleet of small tankers used in World War II.
>
> As the number of nuclear submarines and air striking capabilities of our potential enemies increase, the difficulty of providing logistic support when our supply lines to our combat forces are under attack will increase. One principal reason for developing nuclear power for surface warships is to reduce the logistic support required for our fighting forces.

The war experience in Vietnam has shown that two-thirds of the fuel used by a conventional carrier task group—a carrier plus its escorts—is used just to keep the ships running. One-third is used for carrier propulsion, one-third is used for escort propulsion, and the other one-third is used for aircraft fuel. So if the need for fuel for the escorts and the carrier itself can be eliminated by utilizing nuclear propulsion, only one-third the amount of fuel is needed. This simplifies the logistic problem tremendously.

In supporting this position the Chief of Naval Operations has stated:

> The compelling reason for the Navy's strong recommendation for nuclear power in surface warships is based on the increased survivability and tactical flexibility which derive from freedom of dependence on propulsion fuel oil logistic support.
>
> The dependence of U.S. air power on the fuel distribution system in the western Pacific is well known. The vulnerability of the system to attack, particularly the overland and terminal fuel distribution required for land-based air operations, is a matter of concern. While the Navy's underway replenishment groups are considered to be less vulnerable, they can also be brought under attack. Current utilization of *Enterprise* and *Bainbridge* is reducing our dependence on fuel oil and thus strengthening our total tactical air posture in Southeast Asia. The introduction of CVAN–68 and other nuclear powered warships could be of critical importance to the efficient projection of air power during the early 1970's. (See House Armed Services Committee Report 1536, P. 40 dated May 16, 1966.)

The scope and magnitude of the logistic effort to provide propulsion fuel for the fleet is often not fully appreciated. For example, the total amount of petroleum products the Navy alone is using each month in southeast Asia today is as great as the maximum monthly rate the Japanese were able to import into their home islands in World War II, and nearly as great as the average monthly requirements for the U.S. carrier strike forces during the peak of naval operations in the Pacific during World War II.

Admiral McDonald has pointed out to Congress that one torpedo, fired by an unidentified submarine in southeast Asia, could "radically change the entire concept of our operations" on both land and sea—see hearings before the Joint Committee on Atomic Energy, January 26, 1966, page 62. As reported in the newspapers, Red China has about 30 submarines, and the Soviets now have over 400 submarines of which about 45 are nuclear which have unlimited attack range—and they are building more. Why would they build attack submarines unless they wanted the capability to sink our ships and cut off our supply routes? Do you realize that U.S. submarine forces with only 250 submarines nearly strangled the Japanese fuel oil pipeline during World War II?

It is vital that our Navy have the capability to detect, identify, and sink enemy submarines in time of hostility. In this connection it should be noted that only nuclear-powered escort ships can give unlimited chase to any nuclear-powered submarine without having to abandon the chase to refuel.

The Secretary of the Navy, in presenting his case to the Secretary of Defense for building a new nuclear frigate to complete the *Enterprise* task group, stated:

> Just as the current situation in Southeast Asia has placed new emphasis on the importance of the flexibility inherent in the aircraft carrier, I am convinced that an escalation of conflicts of this type to bring our logistics supply lines under attack would demonstrate more clearly the inherent advantages of the flexibility nuclear propulsion provides surface warships. (See House Armed Services Committee Report dated May 16, 1966, page 36.)

Each time a nuclear-powered warship is substituted for a conventionally powered warship in a carrier task force, the overall capabilities of the whole task force are improved. When a nuclear carrier is substituted for a conventional carrier, the range of a carrier task group with four conventional escorts is about doubled. When two of the escorts accompanying the nuclear carrier are nuclear, the range of the carrier task force is almost doubled again. When all of the escorts with the nuclear carrier are nuclear, the range of the carrier task group is essentially unlimited.

The nuclear aircraft carrier must, of course be replenished with aviation fuel and ammunition. However, it must be remembered that when the escort ships are conventionally powered the nuclear carrier itself must carry the oil to supply them. When the carrier is able to have its own tanks devoted solely to aviation fuel, it can launch many more aircraft strikes than when much of its fuel tank space is devoted to carrying fuel oil for conventional escorts. When the new nuclear carrier has all-nuclear escorts, she will have almost twice the aviation fuel capacity of the most modern conventional carrier.

The most recent Navy studies show that when the estimated lifetime construction and operating costs of a nuclear frigate or destroyer are compared to the comparable costs of a conventional ship with the same military features, the nuclear ship is less than 25 percent more expensive than its conventional counterpart—see House Appropriations Committee hearings on Department of Defense Appropriation for 1967, part 6, page 120, released June 23, 1966.

Since nuclear propulsion in the escort ships improves the military effectiveness of the task group as a whole, the increased cost of the task group as a whole is the cost which should be considered in determining the cost effectiveness. Each escort for a nuclear carrier that is changed to nuclear propulsion adds about 1 percent to the overall lifetime cost of the nuclear carrier task group. Thus, making all four escorts nuclear would increase the lifetime cost of the entire group by only 4 percent. Surely the tremendous increase in effectiveness of the task group fully justifies this small increase in cost.

If the two conventional aircraft carriers and the nine conventional frigates authorized since 1960 had been provided with nuclear propulsion, the United States would now have in being or under construction three nuclear-powered carrier task groups instead of only one. These nuclear-powered task groups would have given the United States a much stronger Navy with which to face the uncertain and perilous future that lies ahead. Even if the decision to proceed with the nuclear frigate which is included in the fiscal year 1967 bill is given now, it will not be until our Nation's first nuclear-powered aircraft carrier, the *Enterprise*, has been at sea for 10 years that this country will have its first all-nuclear carrier task group.

Our surface Navy is aging rapidly and is even now faced with widespread block obsolescence. Of the cruisers, destroyers, and frigates in the active fleet today 81 percent are over 20 years old.

In the late 1950's and early 1960's there was a vigorous warship construction program. This was also the time that nuclear propelled surface warships were introduced in the fleet. However, since that time there has been a long hiatus in surface warship construction—nuclear and conventional. In the past 3 years—fiscal years 1964–66—the Department of Defense has not requested authorization for any surface warship of destroyer size or larger. It is clear that this hiatus cannot last much longer without the capability of the U.S. Navy sinking far below the needs of our national security.

In 1963, Secretary McNamara testified to the Joint Committee on Atomic Energy that "we will be building literally tens" of major surface warships, destroyer leaders and large destroyers, "during the remainder of this decade."—See hearings before the Joint Committee on Atomic Energy on nuclear propulsion for naval surface vessels, October 30, 31, and November 13, 1963, page 187. However, two conventional destroyers proposed by the Department of Defense for the fiscal year 1967 shipbuilding program are the only major fleet escorts they have proposed in the last 5 years.

The U.S. Navy needs more surface warships and needs them with the unique capabilities provided by nuclear propulsion. Recognizing this, Congress has supported a major scientific and engineering effort to achieve this capability. Today, the U.S. Navy is preeminent in the field of nuclear propulsion. We must take advantage of this lead by building more ships which have the tremendous advantages nuclear propulsion can give them.

The cost effectiveness studies of nuclear versus conventional warships assume that we will have adequate advance overseas bases from which to operate our conventional ships. They assume we will have no trouble maintaining our logistic supply lines at sea and that fuel oil will be available whenever and wherever needed. They assume that our forces will not be subject to attack. They assume that we will not need sustained high-speed endurance in our warships. They assume all these things, but the studies cannot insure that the assumptions will be correct. Once these assumptions are made, the possibility of situations arising where these assumptions are not valid is removed from consideration. Yet it is in just such situations where nuclear propulsion in our warships could mean the difference between victory and defeat.

During the 20- to 30-year lifetime of any warship, there will be many changes in the world situation. Since World War II, our three major enemies have become our friends and two of our previous major allies have become our antagonists. Bases in foreign countries upon which we must presently depend for storage of fuel oil for our oil-fired warships may not be available when needed in future conflicts due to changes in the international situation. Further, as the number of foreign nuclear submarines increases and as the air strike capabilities of our potential enemies increase, the difficulty of providing logistic support will increase. The basic reason for developing nuclear power for surface warships is to reduce this logistic support—support which will be most difficult, if not impossible, to provide in wartime.

It is in the heat of battle that the superior mobility, flexibility, and reliability of nuclear warships will give the United States an unequaled military advantage, an advantage which could be crucial to deciding the outcome.

The argument used by the Secretary of Defense against building nuclear powered escorts is the same argument used a decade ago by those in positions of authority who did not want to go to nuclear power in submarines because it cost more; by those in authority a half century ago who did not want to convert from coal to oil for naval ships; and by those a century ago who did not want to shift from sail to steam. The argument against obtaining improved capability in warship propulsion because of its higher cost is just as fallacious today as it was a hundred years ago, 50 years ago, and 10 years ago.

The only argument the Defense Department makes against nuclear power for naval surface ships is that they are "too expensive." The argument can be made that all new weapons are "too expensive" when their costs are compared with the obsolete weapons they replace. Apparently when the Department of Defense decides it wants something, expense is never the criterion. When Congress wants it, it becomes "too expensive."

Aside from this vague statement about expense, no other reasoned or technical judgment has ever been given by the Department of Defense to justify its stand. Those who do recommend nuclear powered ships gave reasoned arguments—arguments which have never been specifically rebutted.

The impression given to the public is that the Defense Department reached their conclusions based on scientific analysis. The Department of Defense has not given our committee this scientific analysis. We must therefore conclude that it will not stand the test of objective scrutiny.

I am puzzled and distressed by the reluctance of the Defense Department to accept nuclear propulsion in the new escorts being built to accompany the nuclear carriers. The testimony of the Secretary of Defense, as given to the House Armed Services Committee on March 10 of this year, indicates that he, himself, believes the nuclear carriers should have nuclear escorts. He said:

> There is no sense having a carrier that is nuclear powered if you don't realize the full potential of the nuclear power in the carrier because you don't have a nuclear-powered escort fleet. I think we have such a fleet. If we don't, I want to have one, because I fully accept the point that we ought to balance off these advantages we paid so heavily for * * *. As I say, I believe we have. If we haven't, I'm quite prepared to change the programs.

After further questioning he said:

> Yes, I think that is important, not just one, but I think each carrier that is nuclear powered ought to be part of a balanced task force. Since we are recommending a nuclear-powered carrier in 1967, we will want to have not just the *Enterprise* a part of a balanced force, but also this 1967 carrier a part of the balanced force. (See Hearings on Military Posture and H.R. 13456 before the Committee on Armed Services, House of Representatives (No. 64)—p. 7577.)

Based on detailed study and appraisal of the military effectiveness and the cost of nuclear-powered and conventional warships and careful consideration and study of past and present experience of naval forces in combat, the Chief of Naval Operations stated:

> The endurance, tactical flexibility, and greater freedom from logistic support of nuclear warships will give the United States an unequaled naval striking force. Our new warships, which the Navy will be operating into the 21st Century, should be provided with the most modern propulsion plants available. To do less is to degrade effectiveness with grave implications for national security. (See House of Representatives Report No. 1536, Authorizing Defense Procurement and Research and Development, and Military Pay, May 16, 1966—p. 25.)

The issue before Congress is very simple: Do we start now to have all-nuclear carrier task forces?

The new defense authorization bill answers that question with an unequivocal "go ahead."

Congress must take this first step. The language in this bill that the contract for the new nuclear frigate "shall be entered into as soon as practicable unless the President fully advises the Congress that its construction is not in the national interest" makes it clear that it is the will of the people of this country voiced through their elected representatives in Congress that the nuclear frigate be constructed as a start in a nuclear escort building program.

The determination of overall force levels and the precise number of new escort ships needed in the next several years will no doubt be the subject of continuing study by the Department of Defense. However, with the obvious problem of the obsolescence of the U.S. Navy staring us in the face and the exemplary performance of the nuclear carrier *Enterprise* and her nuclear escort ship *Bainbridge*—both recently returned to the west coast after outstanding combat service off Vietnam—it is clear that construction of the two nuclear frigates contained in this bill is a minimum requirement and should proceed forthwith and not be delayed while more studies are made.

Your approval of the provisions of the defense authorization bill to authorize five nuclear-powered attack submarines, to authorize a nuclear-powered attack carrier, to reauthorize last year's nuclear-powered frigate, and to authorize long leadtime funding for a nuclear frigate which Congress expects the Department of Defense to include in their fiscal year 1968 defense authorization request—will go far toward determining the strength and flexibility of U.S. seapower for decades to come. Future generations of Americans will recognize that it was this Congress—the 89th Congress—that had the foresight, wisdom, and courage to take this initiative to strengthen the defense of our Nation.

COCOA AND COPPER ILLUSTRATE DIFFICULTIES OF INTERNATIONAL COMMODITY AGREEMENTS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, during recent years the United States has attempted to stabilize the market for selected commodities by participating in international commodity agreements. The difficulties of this approach are well illustrated in the case of cocoa and copper.

A New York Times editorial of July 5, 1966, pointed out that the price of copper "did not shoot out of control until the politicians got into the act." Noting that international commodity agreements have generally failed to bring about a satisfactory balance between demand and supply, the Times recommends that less rather than more Government intervention is needed in order to assure ample supplies of copper at reasonable prices.

An article from the Washington Post of June 26, 1966, notes the difficulties being encountered by the United States in negotiating an international cocoa agreement. The producing countries want a higher minimum world price established than is favored by the United States. American industry is in favor of an international agreement—it believes it does not stand to benefit except in a very immediate way from very low cocoa prices resulting from sudden market fluctuations. Neither industry nor Government are willing to accept a high price, however, a price which could not be maintained except at extremely high cost when the world price touches the artificial floor price. U.S. insistence on a low floor price was the essence of the recent conference's inability to reach accord.

I do not favor price-fixing agreements of any kind, except perhaps as stopgap measures to give time to implement more fundamental policies. I consider the International Coffee Agreement, now under considerable strain because of overproduction, to be harmful not only to the buying but especially to the producing countries and to the workers of those countries who grow the coffee. Our objective should not be establishing new market agreements for additional commodities, but exploring alternatives to doing so. I have attempted to discuss publicly a means of using futures markets to even out price swings, but not to fix prices. What is needed, however, is full public exploration of such alternatives.

With unanimous consent, I insert the articles referred to in the RECORD at this point:

[From the Washington Post, June 26, 1966]

INCREDIBLY DIFFICULT PROBLEM: THE UNITED STATES IS UNWILLING VILLAIN IN COCOA PRICE DISPUTE

(By Louis B. Fleming)

UNITED NATIONS.—The United States has come under severe criticism here for killing another effort to stabilize world cocoa prices, but the emotions unfortunately have obscured some of the facts.

Most governmental officials from the participating states remain confident that an agreement can still be salvaged from the negotiations that had been underway for more than a year, although American manufacturers remain so opposed that this may be sheer illusion.

The problem is incredibly difficult for the United States because it requires a balance between international and domestic politics which may make a solution impossible.

In international terms, the United States is eager to stabilize the price of cocoa because it would be a big step towards feeding economic development for such states as Ghana, Nigeria, the Ivory Coast, Cameroun and Brazil.

DOMESTC PROBLEMS

In domestic terms, however, the American candy industry, plus the larger interests of major chocolate firms and major traders in cocoa, have sufficient political power to make it almost impossible to win senate ratification of an international cocoa agreement without industry's support.

Since the United States consumes one-third of the world's cocoa, which is double the consumption of the next largest consumer, no agreement is worth the ink with which it is printed without American participation.

In broad political terms, the United States takes a skeptical view of commodity agreements. Until the Kennedy Administration, the United States opposed them generally. Since then, the United States has agreed there may be commodities which lend themselves to this sort of agreement.

Cocoa is a problem different from the others. For one thing it is not a distressed commodity. There are not the great surpluses as with coffee. But price fluctuations in cocoa have been harmful to the countries, like Ghana, which depend on cocoa for foreign currency earnings. At times, the fluctuations have been so extreme that they have wiped out the receipts in foreign aid.

The U.N. Conference on Trade and Development (UNCTAD) therefore has made commodity-stabilization agreements a priority item. And cocoa has been the first test of these intentions.

SECOND TRY

The five-week meeting here from May 22 to June 23 was the second effort to negotiate an international agreement. This time, more than on any previous occasion, the United States found itself isolated. As the negotiations continued, the other big consumers, like West Germany, Britain, France and Switzerland, came close to an agreement in many areas with the producers.

The negotiations centered on the minimum-price issue. The present world-market price is 25 cents a pound. The producing countries suggested a floor of 20 to 22 cents. Britain offered a consumers' plan of 19 to 21 cents. The United States, for two reasons, did not budge above 18 cents until the last week of the conference.

The real problem now is to see whether the United States can win a more flexible stand by its own industry on the price question, while at the same time persuading the producer nations to take a more flexible view of the mechanism for maintaining price stability.

[From the New York Times, July 5, 1966]

CONTROLS ON COPPER?

The price of copper has been soaring so high that many producers fear that the present boom will be followed by a bust. So, evidently, does the Johnson Administration, which has given its blessing to a proposed United Nations conference aimed at stabilizing the production and price of copper.

International agreements on other commodities have generally failed to bring about a satisfactory balance between supply and demand; and there is little reason to expect that a copper pact will produce the desired result. The price of copper had been fairly stable until recently, largely because producers sought to maintain price stability to hold or increase their markets. The *price did not shoot out of control until politicians got into the act.*

First, the Administration obliged American producers—as an anti-inflation measure—to hold the price of copper at 36 cents a pound, although the world price had climbed to 42 cents. Then Chile, anxious to make a quick killing, insisted that its producers raise the price to 62 cents. Zambian producers, who are having their problems in making deliveries because of the Rhodesian situation, followed by announcing that they would base their price on quotations from the London Metal Exchange, thus intensifying price fluctuations.

The best hope for assuring ample supplies of copper at reasonable prices lies in less governmental intervention rather than more. The United Nations conference can be successful only if it persuades politicians to keep their hands off copper.

"A WORLD OF NUCLEAR POWERS?" REPORT OF THE INTERNATIONAL ASSEMBLY ON NUCLEAR WEAPONS, JUNE 23–26, 1966, TORONTO, CANADA

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I was privileged to participate last month in Toronto, Canada, in the International Conference on Nuclear Weapons which was held under the sponsorship of the Canadian Institute of International Affairs, the Institute for Strategic Studies, the Carnegie Endowment for International Peace and the American Assembly of Columbia University.

Because of the importance of the subject of the conference, problems of nuclear proliferation, I ask unanimous consent to insert in the RECORD the final report of the conference entitled "A World of Nuclear Powers?"

I here note that a book with this same title will be published in October 1966, under the editorial supervision of Alastair Buchan.

Mr. Speaker, I should like also to note that among the other participants from

the United States in this conference were our distinguished colleague, the chairman of the Joint Committee on Atomic Energy, Congressman CHET HOLIFIELD of California, as well as Adrian S. Fisher, Deputy Director of the U.S. Arms Control and Disarmament Agency; John G. Palfrey, Commissioner, U.S. Atomic Energy Commission; and Arthur W. Barber, Deputy Assistant Secretary of Defense for International Security Affairs.

Mr. Speaker, the text of the report follows:

A WORLD OF NUCLEAR POWERS?

(Report of the International Assembly on Nuclear Weapons, June 23–26, 1966, Toronto, Canada)

PREFACE

On June 23, 1966, a group of persons prominent in various professions and occupations in 25 nations gathered at the Guild Inn, Scarborough, in Toronto, Ontario, Canada, for the International Assembly on Nuclear Weapons. The Assembly was sponsored by the Canadian Institute of International Affairs, The Institute for Strategic Studies, Carnegie Endowment for International Peace, and The American Assembly of Columbia University. President A. D. P. Heeney of the Canadian Institute was Chairman of the Assembly.

For three days the participants discussed problems of nuclear proliferation, and in a plenary session on the fourth day reviewed the statement of findings which follows on these pages. Additional copies may be had from The American Assembly.

Under the editorial supervision of Alastair Buchan, a major new volume was prepared as background for the International Assembly and for subsequent meetings on this subject in many nations, as well as for general readership. It contains the following chapters:

Introduction, by Alastair Buchan, Director, Institute for Strategic Studies

Chapter 1. *The Capabilities of the Nonnuclear Powers,* by Leonard Beaton, Institute for Strategic Studies, London

Chapter 2. *Four National Debates*

A. "The Objective of Germany," by Theo Sommer, Foreign Editor, *Die Zeit,* Hamburg, Germany

B. "The Indian Dilemma," by Sisir Gupta, Research Secretary, Indian Council of World Affairs

C. "The Swedish Experience," by Karl Birnbaum, Director, Institute of International Affairs, Stockholm, Sweden

D. "The Problem for Japan," by Kei Wakaizumi, Professor of International Relations, Kyoto Sangyo University, Japan

Chapter 3. *Nuclear Proliferation and World Politics,* by Stanley Hoffmann, Professor of Government, Harvard University

Chapter 4. *Alternatives to Proliferation: Inhibition by Agreement,* by Lord Chalfont, Minister of State for Disarmament, London

Chapter 5. *Inhibition through Policy:* the *Role of the Non-nuclear Powers,* by Urs Schwarz, former Foreign Editor, *Neue-Zürcher Zeitung,* Zürich, Switzerland

The views contained in the Final Report of the International Assembly are those of the participants in their private capacities and not necessarily of the sponsoring institutions.

FINAL REPORT

The participants in the *International Assembly on Nuclear Weapons* reviewed the following report in plenary session at the close of their discussions. The report reflects conclusions generally acceptable to the participants. However, no one signed it and it should not be assumed that every participant necessarily subscribed to every statement.

"Will the number of military nuclear powers increase?

"1. Twenty-one years ago it became apparent that nuclear fission could be used both as a new form of civil energy and as a new form of explosive of infinitely greater power than any weapon that man had hitherto devised. Two countries, the United States and the Soviet Union, have developed very large stocks of nuclear weapons and have thereby permanently altered the structure of international relations. Two other countries, Britain and France, have developed nuclear weapons, and the People's Republic of China has, in the last two years, shown by her test explosions that she has mastered the essential technology.

"At the same time a number of other countries have developed, or are acquiring for peaceful purposes, nuclear reactors and related techniques, which may offer them the choice of becoming military nuclear powers, if they should decide to exercise that option. We have been examining the pressing problem of whether the number of military nuclear powers in the world will continue to increase, what the effects of such an increase will be upon the prospects of peace and a stable world order, and what agreed measures will eliminate or minimize such an increase.

"Three reasons countries may embark on weapons program

"2. In the view of the Assembly there is a serious possibility that a number of countries which are making extensive use of nuclear technology for peaceful purposes may embark on a weapons program. There are three basic reasons that may prompt them to this course: anxiety for their own security and the wish to introduce a stronger element of deterrence into their systems of national defense; a desire to share in the position of prestige and influence which possession of nuclear weapons is thought to confer upon the existing military nuclear powers; and a drive for greater autonomy. The strength of these motives naturally varies in different countries, and individual members of the Assembly attached differing weights to them. But it was significant that the question of security now appears to play a large part in the considerations of the civil nuclear powers.

"Costs involved deter some nations from acquiring nuclear military force

"3. At the same time it was clear from our discussions that the countries that are already nuclear powers in the sense of operating large power and research nuclear reactor programs would, at present, take the decision to become military nuclear powers with considerable reluctance. Informed opinion in all these countries (which are here described as *civil nuclear powers*) is aware of some of the serious political, social, and economic consequences involved in becoming a military nuclear power. The development of ancillary plants to manufacture nuclear warheads from plutonium accumulated in their reactors would be only a small part of the economic cost. Even a small nuclear force requires accurate and increasingly expensive delivery means (many of whose components such as aero engines and missile guidance systems can, at present, be designed only by the most advanced powers) radar and warning systems, protected missile silos, and elaborate command and control systems; all of these systems absorb large amounts of valuable scientific and technical manpower.

"Two points in particular were stressed: *first,* that much of the technology involved in developing a system of nuclear deterrence is of limited value for civil purposes or for advancing the nation's economic strength; and *second,* that once the decision to acquire a nuclear military force has been taken, a country embarks upon a rising scale of risks and costs.

"It was, however, agreed that it is hard to generalize. Countries feeling the need to deter a local adversary by developing only a small nuclear stockpile and a simple delivery system might not feel the strength of these arguments to the same extent as a country whose objective was to deter one of the major powers. Moreover, there is always a danger that some crisis or national disaster might lead to a demand for nuclear weapons in which these arguments would be brushed aside. Finally, the fact must be faced that as national wealth and technological resources increase, the number of countries able to face the economic, social and scientific costs of becoming a military nuclear power will also increase, even without any form of direct assistance from other countries.

"But it was proposed and widely agreed, that the military nuclear powers should make a positive effort to acquaint the civil nuclear powers with a better estimate of the costs—economic, scientific and strategic—of becoming a military nuclear power, even if this involves somewhat relaxing the secrecy that surrounds their planning. Accurate information about the initial and continuing costs of nuclear weapons programs is at present fragmentary, and there is much to be said for publishing an objective international report on the subject.

"Proliferation of nuclear weapons threatens world security

"4. There was a wide measure of agreement on two likely effects of proliferation. *First,* the period, anything up to ten years, during which a country is developing its own military nuclear capability, might be one of extreme danger for it and for others. *Second,* in certain troubled areas—such as Europe, the Middle East and Asia—the acquisition of nuclear weapons by opposing powers might indefinitely postpone the prospects of political settlements. In addition, many participants felt that the acquisition of nuclear weapons by one or more countries might accelerate a chain reaction in which many of the civil nuclear powers would feel compelled to acquire them. Since, however, the Assembly included participants from such a wide range of countries, it was natural that opinions should differ on the probable effect of the development of nuclear weapons by additional countries. Some members of the Assembly argued that in Asia such a development would correct a dangerous imbalance that might occur if the People's Republic of China is the only Asian military nuclear power. However, it was agreed that an increase in the number of military nuclear powers in Europe would improve neither the security of the area nor that of any individual country. If nuclear weapons spread to one nation or to many, the risk of nuclear war will increase and world security will decrease.

"Prevention of the further spread of nuclear weapons

"5. The Assembly then turned its attention to the complex question of preventing the further spread of nuclear weapons. It is clear that there are steps which the existing military nuclear powers could take to make it less likely that the civil nuclear powers will develop military programs. The restriction of some types of information is one of these, but it should be remembered that the basic principles of the design of nuclear weapons and rocket propulsion are now in the public domain. But competence in many technologies is required to construct plutonium separation plants, and strict controls on export of their components does make it materially harder for a civil nuclear power to produce warheads. The gyros, servomechanisms and solid fuel technology associated with dependable and accurate missile systems are in the same category. But it is clear that a restrictive policy alone on the part of the existing nuclear missile powers will not provide a permanent solution. Some participants believed that such restrictions might well engender the kind of friction which will encourage civil nuclear powers to force their way into the nuclear weapons club.

"A non-proliferation treaty proposed

"6. The best general solution to the problem of proliferation is a non-proliferation treaty, which would be signed by all the existing military nuclear powers, and under which all other powers would undertake not to manufacture or acquire nuclear weapons. This would require the creation of strengthened international controls and additional agreements. Even a treaty signed only by the Soviet Union, the United States and Britain plus the existing civil nuclear powers, would have a profound effect upon the immediate prospects of proliferation.

"Unfortunately, negotiations in the Eighteen Nation Disarmament Committee at Geneva on a non-proliferation treaty have been unsuccessful so far, owing mainly to a dispute between the Eastern and Western powers about arrangements for nuclear weapons within NATO (the so called nuclear sharing issue).

"It was the view of some members of the Assembly that when these difficulties have been resolved, the wisest course is to negotiate a simple treaty. This would leave for later negotiation measures of control, such as increased safeguards over the supply of components for civil nuclear programs, as well as the cut-off of production of fissionable material for military purposes, and the extension of a test-ban treaty to underground tests. It must, however, be noted that the problem of explosions for peaceful purposes will present a complication even for such a simple treaty. In view of the similarity between the technology involved in devices for peaceful nuclear explosions and the technology involved in some nuclear weapons, it was recognized that any underground test-ban or non-proliferation treaty which permitted the spread of nuclear devices for peaceful explosions would not be an effective one. There was awareness among the participants that any program of nuclear explosions for peaceful purposes must be safeguarded in a manner consistent with the objectives of a non-proliferation treaty.

"Treaty must contain 'equality of obligation' of both military and civil powers

"7. However, there is evident impatience on the part of many nations with the slow progress of great-power agreement even on such a simple treaty, and also great reluctance on the part of others to sign it until some of the related measures have been put into force. Participants from certain countries proposed to embark forthwith on obtaining agreement on the extension of the test-ban treaty to underground tests and on an inspected cut-off of all fissionable material production. This would make the strengthening of the inspection machinery of the International Atomic Energy Agency more universally acceptable—to which many participants attach great importance.

"The Assembly did not attempt to reach a decision on which course should now be pursued, but one position that is shared by almost all the civil nuclear powers and which was forcefully expressed at the Assembly must be taken into account in judging how nuclear proliferation is to be controlled by agreement. They showed the same anxieties as the existing military nuclear powers about the dangers of proliferation. But these powers are reluctant to sign a non-proliferation/non-acquisition treaty unless there is some 'equality of obligation' on the part of both the military and civil nuclear powers.

"If the military nuclear powers ask other powers to sign a non-proliferation/non-acquisition treaty while themselves continuing to test; if they embark on a new phase of their technological competition such as Ballistic Missile Defense Systems; if they cannot agree to halt their arms race and to work more vigorously toward nuclear disarmament; if they are unwilling to contemplate a pledge of non-use of nuclear weapons against non-nuclear powers; if, in short, they seek to impose restrictions on others without accepting any for themselves, some civil nuclear powers might not be willing to adhere to such a treaty.

"Moreover, each civil nuclear power has certain special security problems and political objectives on which it hopes to achieve at least some general satisfaction if it is to abjure an option which others have taken up. This problem is made harder by the fact that—in the opinion of the Assembly—few if any countries would find much reassurance in any form of guarantee by one or more of the military nuclear powers, and by the fact that the civil nuclear powers in Asia have severe doubts about the wisdom of signing a treaty imposing mutual restraints to which China is not a party. At the very least, this means that some of the civil nuclear powers would sign a non-proliferation treaty only for a limited number of years, and would make their continuing adherence conditional on the adherence of all the military nuclear powers and on evidence of effective measures of restraint and arms control on their part.

"Other safeguards proposed

"8. It was the general view that, even if a non-proliferation treaty should prove beyond our immediate grasp, responsible countries should consider a number of other important initiatives, which are not necessarily dependent on the concurrence of all the nuclear powers—military and civil alike.

"Nuclear free zones

"The first is the negotiation of Nuclear Free Zones. The initiative of the Latin American states in themselves preparing the ground work for a non-nuclear zone was warmly endorsed by the whole Assembly. It is possible that the African states may also be able to take a parallel initiative, and that nuclear free zones might be set up in other areas of the world, including Europe, although the difficulties will be somewhat greater. Given the dangerous consequences of any nuclearization of the Middle East, a serious effort should be made to negotiate a Nuclear Free Zone for that area. Some felt, however, that the success of any such effort is likely to depend upon a limitation of the conventional arms race in the region.

"Extend work of International Atomic Energy Agency

"Second, there is the possibility of extending the safeguards and inspection functions of the International Atomic Energy Agency to all countries, independent of the conclusion of a non-proliferation agreement. This proposal commanded active support by participants from a variety of nuclear powers, civil and military. The proposal already referred to for a general cut-off in the production of fissionable material is another important independent measure.

"An underground test-ban

"Finally, there is the possibility of preventing proliferation by an underground test-ban which would reinforce the Moscow partial test-ban treaty of 1963. This also need not await the conclusion of a non-proliferation treaty. High importance was attached to further negotiations on this subject. A constructive discussion took place on the means by which some of the problems which it presents could be solved. It was suggested that there should be an agreement by the military nuclear powers to forego all underground testing for a limited trial period, with a system of verification of seismologically ambiguous events by challenge or invitation; it was hoped that such an experimental suspension of underground tests would provide the necessary assurances that could lead to a treaty banning underground tests. Another suggestion was for a 'threshold treaty' banning all tests above a certain seismic magnitude. It was represented that either approach would be greatly assisted by the creation of the proposed 'nuclear detection club,' in which nations would cooperate in the collection and exchange of seismological data.

"Conclusion

"9. The knowledge of the danger involved in the spread of nuclear weapons to more and more countries should stimulate serious consideration of the means whereby we create a firm and just structure of international security. Preventing the spread of nuclear weapons is a problem to which the international community must now address itself. It can probably be accomplished before far-reaching measures of disarmament and general detente have been achieved, particularly if the suggestions contained in Sections 6, 7 and 8 of this document are actively pursued. But, whatever limited treaties and agreements the civil and the military nuclear powers may conclude, proliferation will remain a physical possibility as long as the diffusion of technology continues. In the long run, it can only be permanently prevented by a serious commitment on the part of all nations to the principles of the United Nations Charter."

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Mrs. Alva Myrdal, Leader of the Swedish Delegation to the Eighteen Nation Disarmament Conference at Geneva.

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The Lord Chalfont, Minister of State for Disarmament.

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Major Gen. D. Som Dutt, Research Associate, Institute for Strategic Studies.

Krishna Chandra Pant, MP, First Vice Chairman, U.N. Human Rights Commission.

Israel: Ernest Bergmann, Professor of Organic Chemistry, Hebrew University of Jerusalem.

Shimon Peres, Member of Parliament, Former Deputy Minister of Defense.

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Netherlands: F. A. M. Alting von Geusau, Professor of the Law of International Organizations, Catholic University, Tilburg.

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Lennart Grape, Chief of Section, Swedish Department of Defense.

Switzerland: U. W. Hochstrasser, Delegate for Atomic Energy Matters of the Federal Council.

F. W. Luchsinger, Foreign Editor, *Neue Zurcher Zeitung*.

United Arab Republic: M. Samir Ahmed, Counsellor, Ministry of Foreign Affairs.

United Nations, William Epstein, Chief, Disarmament Affairs Division, U.N. Secretariat.

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V. P. Pavlichenko, Assistant Scientific Secretary-General of Presidium, U.S.S.R. Academy of Sciences.

Y. Vorontsov, Deputy Chief, Department of International Organizations, Foreign Ministry.

Yugoslavia: Ljuvivoje Acimovic, Deputy Director, Institute of International Politics and Economy, Belgrade.

The Canadian Institute of International Affairs, founded in 1928, is devoted to the study of external policies and the providing of sound information on international affairs. The Institute embraces twenty-five branches in most of the principal cities of Canada and in New York City. Its objective is the promotion of interest and understanding on the part of Canadians of international questions. The Institute is completely non-official and non-partisan. The work of the Institute is carried on by research scholars, by study groups within the branches, and through meetings at which the members hear authorities on international topics and engage in free discussion with them.

The Carnegie Endowment for International Peace was founded by Andrew Carnegie in 1910 with a gift of $10 million, "to hasten the abolition of international war." Since its founding, the Endowment has worked to further the cause of peace by means of directed research, educational activities, and publications in cooperation with universities and private organizations here and abroad. The Endowment's work is conducted both from its own headquarters building on United Nations Plaza in New York City and from its European center in Geneva.

The Institute for Strategic Studies was founded in 1958 in London. It is a private, international center for the continuous study and discussion of the problems of international security, national defense and arms control in the nuclear-missile age. The aim of the Institute is to raise on an international scale the level of public understanding and debate on these problems. The Institute is a non-profit making body. It is nonparty; it is independent of governments; the composition of both its Council and its staff is international, and it is not the advocate of any particular school of thought. The Institute pursues its aim by various kinds of activities: by private discussions, by sponsoring international conferences, by initiating studies and analyses, and by providing a center of reference and information. The Institute publishes a monthly journal, *Survival*, between 6–10 monographs a year (*Adelphi Papers*), the annual *Military Balance* and the booklength "studies in international security."

The American Assembly was established by Dwight D. Eisenhower at Columbia University in 1950. It holds non-partisan meetings and publishes authoritative books to illuminate issues of United States policy.

An affiliate of Columbia, with offices in the Graduate School of Business, the Assembly is a national, educational institution incorporated under the State of New York.

The Assembly seeks to provide information, stimulate discussion, and evoke independent conclusions in matters of vital public interest.

At least two national programs are initiated each year. Authorities are retained to write background papers presenting essential data and defining the main issues in each subject.

About 60 men and women representing a broad range of experience, competence, and American leadership meet for several days to discuss the Assembly topic and consider alternatives for policy.

All Assemblies follow the same procedure. The background papers are sent to participants in advance of the Assembly. The Assembly meets in small groups for four or five lengthy periods. All groups use the same agenda. At the close of these informal sessions participants adopt in plenary session a final report of findings and recommendations.

Regional, state, and local Assemblies are held following the national session at Arden House. Assemblies have also been held in England, Switzerland, Malaysia, Canada, the Caribbean, South America, and the Philippines. Over eighty institutions have cosponsored one or more Assemblies.

The background papers for each Assembly program are published in cloth and paperbound editions for use by individuals, libraries, businesses, public agencies, non-governmental organizations, educational institutions, discussion and service groups. In this way deliberations of Assembly sessions are continued and extended.

ADDRESS BY PRESIDENT JOHNSON, OMAHA, NEBR., AND DES MOINES, IOWA

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. HANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, 11 days ago, the States of Iowa and Nebraska had the honor of a visit from President Johnson. It was a singular privilege to accompany the President on this visit. Iowans greatly appreciated the chance to hear directly from the Chief Executive on the major issues of the day. I was especially pleased at what the President had to say when he met and spoke with the people of the State of Iowa.

I believe that President Johnson and Secretary of Agriculture Freeman did much in this visit to clear up the unfortunate misconception some people have concerning the administration's farm policies and record. The President reaffirmed for Iowans his commitment to profitable farm prices, and noted that the personal income of the Iowa farmer "has risen even faster than the national average in these 5 years" under Democratic administrations. President Johnson told rural Americans that—

> There are people who want you to forget that cattle are bringing $1.30 more a hundredweight than they were six years ago, that hogs are up $6.90 per hundredweight, that corn is up 12 cents a bushel, grain sorghum 25 cents a hundredweight, soybeans 90 cents a bushel, and milk 56 cents a hundredweight.

Mr. Speaker, noting his great concern for the battle of the world's population to feed itself, the President informed Iowans that his administration, which already has increased 1967 wheat acreage allotments by 15 percent, is "ready to go further if necessary."

I would like to make firm my commendation of the record of this administration on farm policy. I think that record speaks well for the Democratic Party. If citizens will examine the facts and the legislative record, they will find that it is the Republican Party that is the enemy of agriculture.

Mr. Speaker, there should be no doubt in the minds of farmers that their President is concerned for their welfare, and that he is working with their interests at heart.

While in Iowa, and at Omaha, Nebr., the President spoke extensively on another issue of great importance: the war in Vietnam. He told midwesterners and the Nation of the American commitment to help the South Vietnamese achieve the rights of self-determination and security from aggression. I support, Mr. Speaker, the President's conduct of the war, and I know that the great majority of Iowans join with me in that support. For the President has made it clear that, and I quote:

> The American people, when they understand what is at stake, have never run from their duty. And we will not run now.

Moreover, Mr. Speaker, the President also reminded the opposition that, as always, "we would rather reason than fight." I commend the President on his statements while in Iowa and Nebraska, and his actions of determination to resist aggression in Vietnam.

Mr. Speaker, I am very happy to be able to report that the response to the President's visit was overwhelming. The New York Times reported the tremendous reception given President Johnson in the State of Iowa, as follows:

> When his motorcade passed through Indianola to the Diehl farm, everyone in town and from miles around seem to be there, waving from the roadside. The faces were happy, the waves enthusiastic and the signs welcoming. The reception in Indianola, in fact, was bigger and warmer than that in Omaha.

In closing, Mr. Speaker, I wish to repeat my pleasure at the success of the President's Iowa visit. I know that Iowans enjoyed greeting their President, and that, he himself said, the President drew strength from the enthusiastic reception accorded him.

It is because I feel, Mr. Speaker, that the remarks made by President Johnson at the Omaha city dock and in the Veterans' auditorium at Des Moines are of such great significance to the American people that I submit them herewith for inclusion in the RECORD so that all my colleagues may be accorded the full benefit of them:

REMARKS OF THE PRESIDENT, OMAHA CITY DOCK, OMAHA, NEBR., JUNE 30, 1966

Governor and Mrs. Morrison, Mayor Al Sorenson, Governor Phil Sorenson, my dear and good friend Congressman CALLAN, Ladies and Gentlemen of the Great State of Nebraska:

I want you to know, Governor Morrison, that I haven't been able to hear much about anything, since you and Mayor Sorenson and Governor Sorenson and Mrs. Morrison kept Lady Bird out here beautifying for an entire day, except about the glories of Nebraska. I am delighted to come back to Omaha and to this great State to confirm all the good things that she has said to me about you.

I have come to Omaha today because I want to speak to you about the most important business in our time—the business of peace in the world.

Two years ago this week, when I was also speaking out here in the Midwest, I said that the peace we seek "is a world where no nation fears another, or no nation can force another to follow its command. It is a world where differences are solved without destruction and common effort is directed at common problems."

This is still true as we meet here this afternoon. I am convinced that after decades of wars and threats of wars, peace is more within our reach than at any time in this century.

I believe this because we have made up our minds to deal with the two most common threats to peace in the world. We are determined to match our resolution with action.

What are these threats?

First is the desire of most people to win a better way of life. That is true of you here in Omaha, and that is true of most people who want to win a better way of life everywhere in the world.

Second is the design of a few people, the design of some people, to force their particular way of life on other people.

If we ignore these threats, or if we attempt to meet them only by the rhetoric of visionary intentions instead of good works of determination, I am certain that tyranny and not peace will be our ultimate fate.

If the strong and the wealthy turn from the needs of the weak and the poor, frustration is sure to be followed by force. No peace and no power is strong enough to stand for long against the restless discontent of millions of human beings who are without any hope.

That is why we stand here this afternoon in Omaha, at the end of a very important lifeline. At the other end of that lifeline, 8,000 long miles out yonder, is India—India, a nation of 500 million human beings. The wheat here this afternoon is part of their shield against the catastrophe of drought and famine.

This single load of grain will provide the margin of life for more than 2,500 families throughout the entire balance of this year. But it is only a very tiny fraction of what America's response to India's need has been.

I would remind you that since January 1, 5 million tons of American wheat have already been shipped to India. That is more than 2½ times the annual wheat production of the State of Nebraska.

And this is only about half of the grain that we and other nations are providing India this year in order to help her overcome the worst drought that her people have ever suffered in the history of her nation.

Here, today, in the center of the greatest food producing area anywhere on this globe, we Americans must face a sobering fact: Most of the world's population is losing the battle to feed itself. If present trends continue, we can now see the point at which even our own vast productive resources, including the millions of acres of farmlands that we now hold in reserve, will not be sufficient to meet the requirements of human beings for food.

In my Food For Freedom Message that the President sent to the Congress, I requested the authority and the funds to provide food on very special terms to those countries that are willing to increase their own production.

We will lend America's technical knowledge. We will lend America's practical experience to those people who need it most and who are willing to prove to us that they are willing to try to help themselves. In addition to that, we will support programs of capital investment, water development, farm machinery, pesticides, seed research, and fertilizer.

We will introduce all the American know-how in their country to try to help them learn to produce the food that is necessary to satisfy the human bodies that live in their land.

These are only beginnings. We must work for a global effort. Hunger knows no ideology. Hunger knows no single race or no single nationality; no party—Democratic or Republican.

We recognize the contributions of the Soviet Union. We recognize the contributions of Yugoslavia in contributing food to India. We are glad that they saw fit to try to do their part. We welcome the support of every nation in the world when that support is given to feeding hungry human beings. In this kind of cooperation we find the seeds of unity against the common enemies of all mankind.

I long for the day when we and others, whatever their political creed, will turn our joint resources to the battle against poverty, ignorance and disease, because I honestly believe that the enemies of poverty and ignorance and disease are the enemies of peace in the world.

But that day is not here because some men, in some places, still insist on trying to force their way of life on other people.

That is the second threat that I want to talk about out here in Omaha today.

That is the second threat to peace—trying to force their way of life on other people. That is the threat that we are standing up to with our proud sailors, soldiers, airmen and marines in South Vietnam at this hour.

I want to point out to you that the conflict there is important for many reasons, but I have time to mention only a few. I am going to mention three specifically.

The first reason: We believe that the rights of other people are just as important as our own. We believe that we are obligated to help those whose rights are being threatened by brute force.

Individuals can never escape a sense of decency and respect for others; neither can democratic nations. If one man here in Omaha unlawfully forces another to do what he commands, then you rebel against the injustice, because you know it is wrong for one man here in Omaha to force another one to do what he wants him to do. Unless human concern has disappeared from all of our values, you also know that it is necessary—I emphasize "necessary"—to help that man that is being forced to defend himself.

This same principle is true for nations—nations which live by respect of the rights of others. If one government uses force to violate another people's rights, we cannot ignore the injustice, the threat to our own rights, the danger to peace in the entire world.

That is what is happening at this hour in South Vietnam. The North Vietnamese are trying to deny the people of South Vietnam the right to build their own nation, the right to choose their own system of government, the right to live and to work in peace.

To those people in America who say they have never had this thing explained to them, I want to repeat that again.

The North Vietnamese at this hour are trying to deny the people of South Vietnam the right to build their own nation, the right to choose their own system of government, the right to go and vote in a free election and select their own people, the right to live and work in peace.

South Vietnam has asked us for help. Only if we abandon our respect for the rights of other people could we turn down their plea.

Second, South Vietnam is important to the security of the rest of all of Asia. A few years ago the nations of free Asia lay under the shadow of Communist China. They faced a common threat, but not in unity. They were still caught up in their old disputes and dangerous confrontations. They were ripe for aggression.

Now that picture is changing. Shielded by the courage of the South Vietnamese, the peoples of free Asia today are driving toward economic and social development in a new spirit of regional cooperation.

All you have to do is look at that map and you will see independence growing, thriving, blossoming and blooming. They are convinced that the Vietnamese people and their allies are going to stand firm against the conqueror, or against aggression. Our fighting in Vietnam, therefore, is buying time not only for South Vietnam, but it is buying time for a new and a vital, growing Asia to emerge and develop additional strength.

If South Vietnam were to collapse under Communist pressure from the North, the progress in the rest of Asia would be greatly endangered. And don't you forget that.

The third reason is, what happens in South Vietnam will determine—yes, it will determine—whether ambitious and aggressive nations can use guerrilla warfare to conquer their weaker neighbors. It will determine whether might makes right.

I do not know of a single more important reason for our presence than this.

We are fighting in South Vietnam a different kind of war than we have ever known in the past.

Sixteen years ago this month, North Korea attacked South Korea. By armed invasion across a national border a Communist country attempted to conquer and overrun its neighbor.

The United States of America recognized this kind of aggression immediately and we acted. North Korean aggression failed. Why? Because President Harry S. Truman and the American people, working with the forces of the United Nations, supporting that great leader, had the courage to help the people of South Korea protect their homes and protect their country.

Those people are helping us in Vietnam now. Today South Korea is still free and thousands of its young men are again fighting side by side with the Americans to defend another small country from being swallowed up by a more powerful Communist neighbor.

Today in South Vietnam we are witness to another kind of armed aggression.

It is a war that is waged by men who believe that subversion and guerrilla warfare, transported across international boundaries, can achieve what conventional armies could not.

They believe that in the long run a modern scientific and industrial nation such as ours is helpless to defend a smaller and weaker country against the imported terror of guerrilla warfare.

That is what is going on there. The Communist guerrilla, the Viet Cong, choose their targets carefully. They aim at the heart of a struggling nation by murdering the school teachers, the agricultural extension workers, by killing the health workers, by assassinating the mayors and their families.

In 1965 alone, the Communists killed or kidnapped 12,000 South Vietnamese civilians. That is equivalent to wiping out the entire population of Columbus, Nebraska, or Alliance County, or one out of every 25 citizens that live in this great city of Omaha.

If, by such methods, the agents of one nation can go out and hold and seize power where turbulent change is occurring in another nation, our hope for peace and order will suffer a crushing blow all over the world. It will be an invitation to the would-be conqueror to keep on marching. That is why the problem of guerrilla warfare—the problem of Vietnam—is a critical threat to peace not just in South Vietnam, but in all of this world in which we live.

Let there be no doubt about it. Those who say this is merely a South Vietnamese civil war could not be more wrong. The warfare in South Vietnam was started by the Government of North Vietnam in 1959.

It is financed, it is supported, by an increasing flow of men and arms from the North into the South.

It is directed and it is led by a skilled professional staff of North Vietnam, and it is supported by a very small minority of the population of South Vietnam.

The military tactics are different. The nature of the fighting is different. But the objective is the same as we found it in Korea. The objective is what? The objective is to conquer an independent nation by the force and power of arms. Might makes right, so think these Communist invaders.

The war took a new turn in 1964. The North Vietnamese decided to step up the conflicts and the hope of an early victory. They recruited and drafted more young men from the Communist areas of the South.

They slipped across the borders of South Vietnam more than three divisions of the North Vietnamese regular army. Today there are more than three North Vietnamese divisions fighting in South Vietnam.

They built all-weather roads. The trails turned into boulevards to replace the jungle trails they had once used.

They began sending troops in by trucks rather than on foot.

They shifted over to heavy weapons using imported ammunition, most of it coming from Communist China.

By any definition you want to use—any definition—any lawyer can tell you this: This is armed aggression, the philosophy that might makes right.

America's purpose is to convince North Vietnam that this kind of aggression is too costly, that this kind of power cannot succeed.

We have learned from their prisoners, their defectors and their captured documents that the Hanoi Government really thought a few months ago that conquest was in its grasp. But the free men have rallied to prevent this conquest from succeeding.

In the past 15 months our actions and those of our fighting allies of Korea, Australia, New Zealand and the Philippines, and the courage of the people of South Vietnam, have already begun to turn the tide.

The casualties of the Viet Cong and North Vietnamese forces are three times larger than those of the South Vietnamese and their allies.

Battle after battle is being won by the South Vietnamese and by the troops under that gallant leader from the United States of America, General "Westy" Westmoreland. He is getting some military advice on the side from some of our armchair generals in the United States, but it looks like he is doing pretty good using his own judgment.

The air attacks on military targets in North Vietnam have been imposed, and will continue to impose, a growing burden and a high price on those who wage war against the freedom of their neighbors.

In the South, the Vietnamese are determined that their own economic development, their own social reform and political progress cannot wait until the war ends, so they are now moving toward constitutional government.

For the past two months the political struggles in South Vietnam have been dramatized in our newspapers. They have been published on our television screen every day.

But all during this time, the Vietnamese citizens, representing every important group in the society, have been quietly meeting in orderly assembly. They formulated rules for their elections. The rules have been accepted with only minor modifications by the government in Saigon.

In the provinces and villages, the Vietnamese have gone on building schools for their children, improving health facilities and agricultural methods, and taking the first steps toward land reform.

We can take heart from all of this. We are backing the Vietnamese not only in their determination to save their country; we are supporting their determination to build, to construct, a modern society in which the Government will be their government, reflecting the will of the people of South Vietnam.

Our objective in Vietnam is not war. Our objective is peace.

There is nothing that we want in North Vietnam. There is nothing we want from North Vietnam.

There is nothing we want in Communist China. There is nothing the American people want from Communist China.

We have made it very clear by every means at our disposal that we wish the killing to stop.

We have made it very clear that we wish negotiations to begin on the basis of international agreements made in 1954 and 1962.

For 37 long days we halted bombing in the North in the hope that the Government in Hanoi would signal its willingness to talk instead of fight. But I regret to tell you that no signal came during those 37 days.

In many more ways than I can now tell you here in Omaha, we have explored and we are continuing to explore avenues to peace with North Vietnam.

But as of this moment, their only reply has been to send more troops and to send more guns into the South.

Until the day they decide to end this aggression and to make an honorable peace, I can assure you that we, speaking for the United States of America, intend to carry on.

No one knows how long it will take. Only Hanoi can be the judge of that. No one can tell you how much effort it will take. None can tell you how much sacrifice it will take. No one can tell you how costly it will be.

But I can, and I do here and now, tell you this: The aggression that they are conducting will not succeed. The people of South Vietnam will be given the chance to work out their own destiny in their own way, and not at the point of a bayonet or with a gun at their temple.

I hear my friends say, "I am troubled," "I am confused," "I am frustrated," and all of us can understand those people. Sometimes I almost develop a stomach ulcer just listening to them.

We all wish the war to end. We all wish the troops would come home. But I want to see the alternatives and the calculations that they have to present that gives them a better chance to get the troops home than the very thing we are doing.

There is no human being in all this world who wishes these things to happen—for peace to come to the world—more than your President of the United States.

If you are too busy, or not inclined to help, please count 10 before you hurt. We must have no doubt today about the determination of the American men wearing American uniforms, the marines who are out there fighting in the wet jungles, wading through the rice paddies up to their belts, the sailors who are searching the shores and patroling the seas, the airmen who are out there facing the missiles and antiaircraft guns, carrying out their mission, trying to protect your liberty. The least they are entitled to is for you to be as brave as they are and to stand up and give them the support they need here at home.

These men are not going to fail us.

The real question is: Are we going to fail them? Our staying power is what counts in the long and dangerous months ahead.

The Communists expect us to lose heart.

The Communists expect to wear us down.

The Communists expect to divide this nation.

The Communists are not happy about the military defeat they are taking in South Vietnam.

But sometimes they do get encouraged, as they said this week, about the dissension in the United States of America. They believe that the political disagreements in Washington, the confusion and doubt in the United States, will hand them a victory on a silver platter in Southeast Asia.

Well, if they think that, they are wrong. To those who would try to pressure us or influence us, mislead us or deceive us, I say this afternnoon there can be only one decision in Vietnam, and that is this:

We will see this through. We shall persist.

We shall succeed.

Other Presidents have made the commitment, I have reaffirmed it. The Congress has confirmed it. I plan to do all that I can in my own limited way to see that we not permit 14 million innocent men, women and children to fall victims to a savage aggression.

There are many nations, large and small, whose security depends on the reliability of the word and the reliability of the power of the United States. The word of the United States must remain a trust that men can live by, can live with, and can depend upon.

Some day we will all work as friends and neighbors to grow more food, to build more schools, to heal the sick, to care for the old, to encourage the young.

We have programs in that direction in the United States going on now, and we are not going to junk them. But we are not going to tuck our tail and run out of South Vietnam either.

History is not made by nameless forces. History is made by men and women, by their governments and their nations.

This nation, working with others, must demonstrate in Vietnam that our commitment to freedom and peace is not a fragile thing. It can—and it will—sustain the major test and any test that may confront it.

With your support—with your faith—we will fulfill America's duty.

We have a proud and a glorious heritage. We are going to be true to it.

It was only 20 months ago that the people of America held a great national election. The people of 44 States of this Union, including the great State of Nebraska, gave me a direction and voted me a majority for the Presidency of this country. I believe that their vote was a trust, that as long as I held this high and most responsible office and gift of the American people, that I would do my best as President of the country, as Commander-in-Chief of the Army.

Now, there are many, many, who can recommend, advise, and sometimes a few of them consent. But there is only one that has been chosen by the American people to decide.

With your support, with your prayers, with your faith, I intend to honor the responsibility and to be true to the trust of the office to which you elected me, and to preserve freedom in this country; to keep our commitments; to honor our treaties; and let the rest of the world know that when America gives its word, America keeps its word.

Thank you.

Remarks of the President, Veterans Auditorium, Des Moines, Iowa, June 30, 1966

Governor Hughes, Governor Guy, Governor Morrison, Congressman Schmidhauser, Congressman Smith, Congressman Callan, Congressman Culver, Congressman Bandstra, Congressman Greigg, Congressman Hansen, my dear First Lady of the great State of Iowa, Fellow Democrats:

I think I ought to make it clear at the outset tonight that this is a very selfish visit. In the grade school history books, most Presidents are pictured as forever smiling and always self-sufficient; altogether content to be desk-bound in Washington.

They never seem to need anything. Besieged by problems on every hand, with the winds of crisis always howling all around them, they seem to rest like some Gibraltar on a sea of self-assurance.

Some day I may rewrite a few chapters of those books. If I do, I will have something to say about the needs of a President, the needs of a President to get away from the big desk in the Oval Room, away from the telephone and the briefing papers that are brought in every minute of every hour; the needs of a President to go out again among the men and the women whose servant he is; the needs of a President to experience, again, the strength that comes from the power for good that lies out there in the fertile lands and the great cities of America; to be refreshed once more by America's deep confidence in itself, by its conviction that we don't have any problem that we are not big enough to solve ourselves. And always remembering that all of our successes are always subject to improvement.

I confess tonight that I did not come out here just to talk to you. But I did come out here to draw strength from you. For no matter how steadfast in his determination a President may be, he is not, I can assure you, a Rock of Gibraltar.

As you may have heard on the grapevine, he is just a plain, simple, human being.

Two generations ago a President might have come to Iowa prepared to talk only about the farm program, more specifically and particularly about corn and hogs, as he might have talked only of cotton and trade in the South, or as he might have talked only of manufacturing and tariffs in New England.

Tonight I want to talk of other things. I want to tell you about some of the things that we have to be thankful for, some of the things that we have a right to appreciate.

The first thing that I want to mention from that high priority list that I am thankful for is the Governor of the great State of Iowa, Harold Hughes.

And the Governor of your neighboring State, the great State of Nebraska, Frank Morrison.

And the Governor who has honored us with his presence tonight by coming here to Des Moines, the great Governor of the State of North Dakota, Governor Guy.

I want to thank each and every citizen of the great State of Iowa, their uncles, their cousins, and their aunts, for sending to the House of Representatives one of the greatest Democratic Delegations that any State in the Union ever sent to Washington.

I don't think you are going to change horses in the middle of the stream. Polls notwithstanding, I have not the slightest doubt that every man, woman and child in this room is ready to go out of here tonight, tomorrow and the next week, and every day until November, to see that Schmidhauser, Smith, Culver, Bandstra, Greigg and Hansen—and if you get over the line in Nebraska, Callan—are all sent back to Washington with a resounding vote.

Last year we passed 85 percent of our platform. This year we submitted 90 major measures for the benefit of all the people of America. With the help of this delegation in the House, we have already passed through the House of Representatives 60 of those 90 measures.

While I don't speculate, I anticipate that we are going to pass some more of the 90 before I let them come back to campaign for re-election.

It is hot here tonight, I have had a long day, and I am going home. So I am not going to speak as long as I would like to, or as I am accustomed to. But I do want to speak to you of a whole nation, your nation, that is remaking itself year by year, that is multiplying the abundance of all of its people.

Since January 1961, annual per capita income in America after taxes—since the Democrats came into office following a Republican Administration—annual per capita income, the income of every individual in this country, after taxes, has been increased by 28 percent. And don't you let them forget it.

I don't want to give you a lot of statistics. I didn't ask you to bring your yellow tablet and take notes all evening as if you were in college history class. But I want to give you enough statistics to permit you to defend yourself between now and November.

You hear a lot of talk about people who want to leave politics at the water's edge and support us in Vietnam.

The best way to support us in Vietnam is to support us, not to hamstring us, not to harass us, not to humiliate us, not to send word to broadcast throughout the world that this is a divided nation.

I am in contact with a lot of these folks who give me advice every day. I get a reasonable amount of it. If I don't have a chance to read my mail, I do have a chance to get the papers. I get a good deal of it through the newspapers.

I want to say to all those people that I appreciate their advice. A man's judgment is no better than his information. I particularly appreciate the advice that contains information. I particularly appreciate judgments that are based on facts, on information, on knowledge, on evaluation.

The United States Government has the Joint Chiefs of Staff, the greatest intelligence services in the country, a network of Ambassadors in each capital of the world, 120 capitals. We have a flow of information from every capital, even the few where we don't have representation.

I use that information as I need it., I am glad to have it supplemented by any volunteers who feel they have a little better approach or they have a little inside information.

I do want you to know that in the final analysis, when the decision is made and you have to mash the button, and the bell rings, it is like Mr. Truman said: "You can get all the advice from all the world, but you have to act on your own head, your own heart, and your own conscience."

Under our constitutional system, one man has the horrifying, terrifying duty to finally make the decision.

This year I am told that we are going to talk about two things—about the war in Vietnam and about inflation.

The war in Vietnam is something we must talk about, spend a lot of time on, think about, and work at. We have a terrific responsibility there to provide the maximum deterrent possible to keep an aggressor from conquering 14 million innocent men, women and children, with the minimum cost to the United States of America.

We have lost 2,000 lives, a little over, in Vietnam this year. We lost 50,000 lives on the highways. We could lose 200,000 in Vietnam. So every move we make must be deliberate, careful, prudent, cautious, and must be based on the very best comprehensive information available anywhere.

I come here to pledge you tonight that without regard to party, race, religion, or any other element except what is right, the decisions affecting our men in Vietnam and affecting the foreign policy of the United States are going to be based on only one thing: that is, what is good for the United States of America and the free world.

On the inflation front, if you are distraught, if you are worried about high prices, if you have a stomach ulcer because of high wages, if you are concerned about hogs bringing too much, calves bringing too much, or wages getting too high, and you are really worked up about inflation, it may be that you ought to vote Republican, because there is one guarantee I can give you from my 35 years' experience: If you vote Republican and by chance you should win, you won't have to worry very long about high prices—or high wages.

When I went to Washington we were worrying about some of these things. We were worrying about those 3-cent calves that we were raising in Texas that I sold under contract last week for 28 cents. We were worrying about those $2.40 hogs that are bringing $22.40 today.

We were worrying about corn at 12 cents a bushel; that is, the corn you were not burning out here. Today it sells for $1.13.

We were worrying about that $65-an-acre land that the insurance companies were foreclosing.

That is when I went to Washington following a Republican Administration of 35 years ago.

After the last Administration, your net farm income was $11 billion when you elected a Democratic President. In 1965 that $11 billion had gone to $14 billion.

Your net income per farm was $2900. That has gone from $2900 to $4200.

Your calves that brought 21 cents brought an average of 23 cents.

Your hogs that brought 15 cents under the last Administration bring 22 cents.

Your corn that brought $1.07 brings $1.19.

Your grain sorghum that brought $1.54 brings $1.79.

Your soybeans that brought $2 brought $2.09.

Your milk that brought $3.09 brings $3.65.

Those are the latest official figures of the average prices of the Department of Agriculture.

I want to ask someone to take enough of the proceeds of this dinner this evening—at least that which the Congressmen haven't already gotten off with—and get this little card mimeographed and put it on everybody's plate in lieu of that $100 ticket they bought. This is $100 worth of information to you. It may be worth thousands of dollars to you when you go to the ballot box.

When these folks start talking to you about inflation, you tell them that is something that you only have to worry about in Democratic Administrations.

The unfinished economic business in America is for us to make a place at the table of our abundance for our brothers and for our countrymen. Who is it that can look out here into the Iowa countryside that I saw today and say that we cannot make such a place?

Surely not the Iowan whose personal income has risen faster than the national average in the last five years.

Surely not the Iowan whose average hybrid seed corn is one of the 20th Century's greatest blessings to mankind.

Surely not the men and women who exported almost a half-billion dollars of farm commodities to the world last year and who led all the States in livestock receipts with $2 billion in sales.

Harold Hughes is traveling throughout the Far East trying to find a market for more exports, for more Iowa products, all the time. With your support, he is going to find them.

As I said, there are a few voices in the air tonight that tell us—and there will certainly be more as we get along between now and November—who tell the Midwest farmer that he has to beware. They are saying that someone over there in Washington is out to deprive him of his fair share of the Nation's prosperity.

They try to divide farmers from consumers; but they never remind you that farmers are consumers, too. No industry has more consumers of goods and services than the great basic industry of agricuture.

I want to let you in on a secret: Your Government in Washington is interested in consumers, too, just as the farmers are. Nothing can sap the prosperity that our people enjoy tonight faster than runaway price increases. No one is going to be hurt more than the farmers if inflation does run away and destroy our prices.

We have acted boldly, but we have not acted irrationally, to keep price increases within tolerable limits. With management and labor, with manufacturers and farmers, we have sought to protect the interests of all of our people in price stability.

There is another story about farm incomes in the 1960's. It is the story of a successful farm policy.

I want to acknowledge and pay tribute to that great leader of the farmers of America, Orville Freeman, the Secretary of Agriculture, who is here tonight.

The record shows that net income on individual farms right here in the great State of Iowa climbed 47 percent since Orville Freeman became Secretary of Agriculture.

The record shows that farm exports were up from $4.8 billion to $6.2 billion since Orville Freeman became Secretary of Agriculture.

I came out here to Iowa tonight to look you straight in the eye and say to you something you don't have to read in The New York Times: We in Washington are proud of that record.

We have promised plentiful food at fair prices for the consumer. We have promised full parity of income for the American farmer in the 1960's. We stand tonight on that pledge and that promise.

I want to close this evening on another little note: The productivity of American agriculture is unequaled in this world. No other farmers are so skilled or are so prosperous as are Iowa farmers and American farmers.

In great areas throughout this world men tonight plow the ground with primitive plows, and some with just hoes in their hands. They sow and they reap with their own hands. They have no fertilizer and little or none of the science and the equipment that is familiar to American farming.

Yet their populations continue to grow. The result is as inevitable as it is tragic: Malnourishment, starvation, the weakness that breeds disease, slows production and destroys hope.

Today I engaged in a ceremony shipping wheat to India. Because of the great productivity, resources and generosity of America, 35 million people will not have to die from starvation in India this year because of what we have done.

We are bursting with plenty and we are helping. We will help more. Yet if we were to cultivate every available acre of our rich soil, we could never match the food needs of all the human beings in the world.

It is going to be only through a tremendous reform in the agriculture of these desperate countries, only a profound commitment to agricultural development, only an intelligent approach to the problem of diminishing resources and increased population that can give them the food that they must have if they are not to starve.

We have urged them to make that commitment. Our help will go in generous measure to those countries who are willing to help themselves. Our technology will be open to those countries who want to help themselves.

In our universities and in our colleges in America tonight there are 3,500 students of agriculture from other lands learning the techniques of the American farm. We hope that more students will come, for nothing is more critical to the future of this earth than the wise harvest of its bounty.

I know that Iowans who, for generations, have offered their skills and their human concern to less fortunate peoples will not hesitate to do so again.

So this evening in Iowa, hot as it is, has been good for your President. This may be just a warm-up of things to come between now and the fall. It is good for me to come here and see firsthand the statistics of prosperity and see them take on flesh and bone before my own eyes.

I know tonight that a world of challenges awaits everyone whose heart beats in this room. The dilemmas of world politics in a nuclear age, the struggle for freedom in Vietnam, the search for social justice in our own country—these will not be resolved just because we are prosperous and doing well, and everybody is working and getting a good price for his products.

These call for a policy of patience and daring, of commonsense and vision, of the wise use of power and its wise restraint.

This has been America's policy ever since we emerged as a modern world power following World War II. We applied this policy in Berlin. We applied it against raw Communist pressure. We applied it in Greece to resist the Communist efforts to take that little country over by guerrilla warfare. We applied it in Korea when the Communists marched armies across international boundaries in a flagrant invasion of a very weak and struggling little country. We applied it in Cuba to meet the threat of nuclear blackmail. And we applied it without any hesitancy in the Dominican Republic to protect the lives of innocent people and to permit the democratic processes to work again among those people.

As your leader, I want to say to you as candidly and frankly as I know how, for 21 years we have been willing to fight if we must, and always ready to negotiate if we can.

I believe that this policy has made possible a rebirth of moderation and common sense, not just in the United States but throughout all the continents of the world. In the last few years, in country after country, on continent after continent, extremist leaders have suffered one defeat after another. They have been replaced by men of moderation who have assumed power as their successors.

That is why I am here to tell you tonight that the only wise policy to follow in Vietnam is the policy that has worked so successfully for two decades. We just must be patient, but we must be firm.

As long as the Communist leaders in North Vietnam insist on waging war by crossing the boundaries of South Vietnam and assassinating human beings, as long as they spurn any interest in negotiations, we must use our power to resist their aggression, and use our power to try to change their minds.

I have never seen a Communist government come to power as a result of a free election. I have never seen Communist aggression bow before its little neighbor's weakness.

Communist power respects only its neighbor's strength. Communist leaders turn from their ambitious designs only when they become thoroughly convinced of one thing, and that is that Communist power cannot and will not succeed.

As we meet here on the prairies, in the fertile black land of the great (freedom) loving State of Iowa tonight, I want to remind you that in Hanoi, men who believe that they have more patience in the bank than we do are watching and listening. They read our polls, even Iowa polls. They listen to our debates, even my speeches. They watch the results of our elections in every Congressional District in the land. They see how perplexed some of our people are by the shadowy nature of guerrilla war. And they try to prey upon the compassion and the love of mothers and wives.

They say to themselves, as they said to a prominent leader just a few hours ago, "If we only wait long enough . . ."

I am confident as I speak to you tonight that they in their hearts know that General Westmoreland is succeeding in Vietnam and they cannot defeat him there. But they do look to Washington and to America to create enough dissidence in this country to defeat him here.

How I do wish that I could talk to those men tonight. I would like to say to them, "It is easy to misread the polls. It is easy to misunderstand the meaning of a debate in a democratic society where we encourage difference of opinion and dissidence, discussion. It is easy to misjudge the true nature of a diverse nation. It is easy to mistake our differences for weaknesses."

The Kaiser was mistaken in World War I, in 1917.

Hitler was mistaken when he marched through Poland in the late 1930's.

The (Japanese) were mistaken when we debated and refused to fortify Guam and spend $5 million when I was a young Congressman. They thought we couldn't or we wouldn't fight. We loved peace so much that we would not pay any price and they could march on with their armies and gobble up free and innocent people.

The time came when we had to answer the call, and we did.

I want to say to those leaders in Hanoi tonight: "Don't make the same mistake that the Kaiser made, that Hitler made, or that the (Japanese) made."

I haven't cleared this with every person in Washington, but I have cleared it with myself, and I believe with a majority of the people in 44 States of the Union. I would like to say this to those people yonder who seek to conquer by aggression:

"The American people, when they understand what is at stake, have never in their long and proud history run from their duty. And the American people will not run tonight."

I would say to them, if they are listening, that the American people have never left an ally in a fight. And we do not intend to abandon South Vietnam now.

I would say that the American people have elected as their President a man who is determined to honor our commitments, a man who is determined to stand with the people of Vietnam, stand with them until aggression has been ended and until the American soldiers can proudly come marching home.

I say to my friends here in Iowa tonight, we could walk away; we could run out of Vietnam tonight. But I ask you what would happen to the millions of men, women and little children who have fought all these years in order not to have to live under Communst domination? What would happen to these 14 million?

While we are on that subject, I would like you to take this down and put it in your notebook: What would happen to the other 42 alliances and agreements that we have with other nations? What would happen to ANZUS, to SEATO, to NATO and to all these other countries that we have given our solemn word and our sacred honor that we would stand by them, if they saw us defaulting on one note, running out on one commitment and tearing up one contract?

If we will not be true to our word in Vietnam with a nation of 14 million, how can a nation of a million and a half across the seas expect us to keep our contract there?

I think it is time for every nation to engage in a little introspection and ask themselves what would happen in their country where they depend on American strength and American support if we followed some of their advice and broke our contract, failed to keep our word, and came home with dishonor from Vietnam.

I ask you what would happen to the rising tide of hope in Asia tonight? What would happen to those little free nations which met in Korea last week to try to counsel and fashion a method of building a new future for their people behind a shield of American firmness in Southeast Asia?

Every independent nation in Asia—and they are not confined to Asia, either—every independent nation in Asia has a stake in what happens in Vietnam: Japan and Korea, the Republic of China and the Philippines; Australia and New Zealand—they may be up next; Thailand and Malaysia—and they will not stop in South Vietnam; Thailand is just next door; Burma and Cambodia and Laos; India and Pakistan; Singapore and Ceylon; and Indonesia, who has had some turns, we hope, for the better.

You cannot tell me that those who love freedom in Indonesia have not been encouraged by our commitment and our determination in Vietnam.

Some of these nations are our allies, and others have no special ties to any major power. But I think they all have a big stake in one thing, and that one thing is being left alone. They know their independence is more secure, they know their future is more promising, if America stands firm in South Vietnam.

If we run, or if we quit the fight, if we abandon our efforts to keep stability in Asia, every single nation there will once again be an easy prey for these hungry, yearning Communist appetites.

So to those who seek candor and frankness, I would say tonight: Firmness is a must; and as long as I am President of the United States we shall stand firm.

But there is another side, too, of American policy. That is that we would much rather reason than fight. In the words of the prophet Isaiah, we have said time and time again, "Come now,"—to all men—"let us reason together."

We are using our power in Vietnam because the Communists have given us no other choice, no other alternative, no other substitute. We have repeated, repeated and repeated, time and time again, in 100 nations or more, that we desired to discuss peace at the conference table.

I want to again emphatically repeat that desire in words that anyone can understand. I want to say that the Communist leaders in North Vietnam do not have to doubt what we mean by that statement. They do not have to be in the dark about our position or intentions. They do not even have to read our speeches, talk to our Ambassadors, or see the diplomats from other countries. If they will only let me know when and where they would like to ask us directly what can be done to bring peace to South Vietnam, I will have my closest and my most trusted associates at that time and at that place in a matter of hours.

There need be no long, legal-sized agenda. There need be no previous understanding of what will or what will not be discussed. There need be no commitments on either side. There need only be a room and a table, and people who are willing to talk to each other respectfully.

That is just about as simple as a farm boy knows how to make it.

I say to you tonight, and I say to them tonight, that this is one little way to stop this fighting. It is one way to move toward peace. It is one way to end the killing in the South and to stop the bombing in the North. This is, of course, our fervent desire.

But let me make this absolutely clear. I want the leaders of North Vietnam to know exactly where we stand. As long as they persist in their aggression against South Vietnam, America will resist that aggression.

As long as they carry the battle to South Vietnam and try to conquer by conquest, as long as they carry on this war which they have started, America will persevere.

And don't let them think because some Senator says on a television program he is going to put the heat on the President that we will not persevere, because they would be mistaking America as other leaders have to their sorrow in years past. They just cannot wear us down. They cannot escape paying a very high price for their own aggression if they continue with their evil acts.

We do not want to be bellicose or belligerent. The minute they change their minds, the minute they should decide the price is too high for a policy that they now know cannot succeed, then America will be waiting.

As I said today in the great City of Omaha, with that enlightened, progressive Governor presiding, America will be waiting. Our purpose is not war. Our purpose, our hope, our desire, our prayer, is peace in the world, good will toward men. If they just give us one, single, little chance, we will prove the good faith of the American people.

None of this, my friends, is going to be easy. But a world of small and new nations, a world where our word and our power can mean the difference between war and peace, is looking to us tonight. It is counting on us tonight. It is expecting us to produce initiatives and to somehow, in some way, find a way.

I saw a young friend standing there tonight as we drove along who said, "Let's get out of Vietnam." I thought for that dear person how much I wish I could get out of Vietnam. I want to get out of Vietnam more than any single boy standing there in a rice paddy wants to get out tonight.

They all want to get out, but not a single one of them has written their President saying, "We ought to get out" except with honor.

I don't know how much the people in Hanoi reading that sign and listening to these strident voices are encouraged to hold out just a little longer. But the thought did occur to me that "The thing that you genuinely want most, getting out of Vietnam, is being postponed a little longer by you and your signs."

I am not angry, I am not even sorrowful. I sometimes think of the words "God forgive them, for they know not what they do."

But we do know this: We are an honorable nation; we protect the security of our people; we honor our commitments; we care about human beings, whether they are 14 million or 1 million; that we do not bow and salute at any conqueror's aggression.

Once this nation makes a pact, a treaty, or a commitment, it lives up to it in word as well as in deed.

I want to bring those boys home from Vietnam more than anyone in this room, just as I wanted to see them come marching home in World II, just as I wanted to see them coming marching home from the Pacific where they had spent many months. I spent a few months with them in the early days of that war. But I never saw a man that proudly wore the uniform who wanted to come home defeated, who wanted to come home with his tail behind his legs, who wanted to come home because he had been conquered.

There is not one of them out there—and I hope there is not one in here—who is willing to do that tonight.

Politics stops at the water's edge. I have received great comfort and strength from all the men that I have known who have preceded me in the most responsible job in the world. Mr. Hoover called me to his Waldorf Towers before he passed away and counseled with me on my problems as President. He knew what the problems of the Presidency were. He had experienced them.

No man ever reached that high office that didn't want to do with all of the sincerity that he had in him what was right. But the problem of the President is not doing what is right; the problem is knowing what is right.

President Eisenhower has communicated with me more than 30 times in 26 months, and has given me the wisdom that has come to him through the years as a student at West Point, as a young Captain, as our European Commander, as our voice at NATO, as the President of Columbia, and finally as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, and President of the United States.

There is not a man I have on my Joint Chiefs of Staff in the prime of his life whose judgment I value more tonight than the judgment of Dwight David Eisenhower.

I called him and talked to him. I sent a General to see him. Then I put on my hat and went to his hospital room and talked to him for more than an hour before I issued the order that sent our men in to destroy the petroleum dumps near Hanoi and Haiphong.

I am very proud to say that that great patriot was one of the first to issue a statement approving of that action so everybody in the world would know that the former President and the present President were united and this Nation was not divided.

President Truman, from his home in Independence, Missouri, has come, read, seen, and counseled, and he has agreed with the course we have taken.

I utter no words of criticism. I want to suppress no discussion. But I do hope that those who may not understand all the reasons for the judgments we have made will be a little tolerant, a little patient, and will ask themselves, as they start out always by saying, "I am confused," "I am worried." "I am troubled," I am frustrated"—I would remind every one of them when they say that, they have no mortgage on stomach ulcers. I get them, too. I am troubled, too.

I ask them when they get through with all of that palaver, for goodness sakes give me their program and give me their plan.

When you think of the burdens that we carry, the responsibilities of this high office, the headaches and the heartaches that it brings, you could get sorry for yourself if you had time. But then you ought to take a trip around the world. You ought to look at the leader of any other nation. There is not a single one of them that I would trade places with. They all have more problems than I have.

I do have one hidden asset, one great strength. I saw it on the faces of Omaha today. I saw it on the cheeks in Des Moines tonight.

Prosperous, yes. Healthy, yes. Happy, yes. Happy, God-fearing, freedom-loving people.

Fight if they must, ready to negotiate if they can, but let no would-be conqueror ever doubt us. We shall persist, and America shall succeed.

FOOD PRICES AND THE ARMED SERVICES

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. Gathings] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GATHINGS. Mr. Speaker, food prices, consumers well know, rose steadily between September and May. During May they receded a little, but only by 0.6 percent, according to the Bureau of Labor Statistics.

The May food price index put out by the Bureau registered 114 percent of the 1957–59 average, seasonally adjusted. It has risen 0.8 percent since February and 5.2 percent since May 1965.

Thus, higher food and consumer prices have been responsible for most of the rise in living costs over the past year.

It may or may not be true, as some have said, that food prices will be a major issue in this year's elections. That depends upon the course of events and in good part upon the results of our agricultural productivity this year. No doubt additional emphasis on this subject will be given by the forthcoming report of the National Commission on Food Marketing, and we all look forward with real interest to the Department of Agriculture's reports.

In one product field, consumers have been able to meet the rising cost of living by following the President's suggestion to seek for an alternate. That is margarine. The retail price of margarine during the first quarter of 1966 as reported by the Bureau of Labor Statistics, averaged 28.1 cents a pound. During all of 1965 it averaged 27.9 cents a pound. Since 1950 it actually decreased by more than 8 percent, net from that year's 30.7 cents a pound.

Millions of consumers have found margarine an acceptable and healthful alternate "table spread" and cooking ingredient during a period when butter prices were much higher. Butter is an excellent product. However, its economic situation is such that supplies have become relatively short and its price is based on the Department of Agriculture's price support program.

A major reason for margarine's low cost is in its use of soybean oil. During recent years, from 75 to 85 percent of the fat content of margarine has been domestic, refined soybean oil. The great growth of this crop has produced vast quantities of the oil. Margarine today is the second largest consumer of American soybean oil; this year it promises to use nearly 1,400 million pounds.

There has been a cause and effect in the growth of our soybean crop and margarine. The one has helped the other to expand.

The net effect has been beneficial to consumers who choose margarine as their table spread. They have thereby saved money without sacrificing nutrition.

Our armed services are large scale consumers. As such they should take advantage of lower prices for the same or better quality of product whenever they can find it. There is no reason why the armed services should not use margarine when it answers their requirements. Most of the men and women in the services probably use margarine in their homes. They are already familiar with it.

The Defense Department is to be commended for turning to margarine this year when supplies of butter became much lower than usual. One estimate is that the services together utilize about 24 million pounds of butter or margarine a year. The price paid for margarine has been around 16 cents a pound. This seems to reflect a savings of about 54 cents a pound. The total saving to the Department and the taxpayers is likely to go as high or higher than $6,500,000 this year. The expenditure helps our agriculture.

This is a noteworthy economy in the midst of rising Government and Vietnam costs. Taxpayers should take note of it.

It is also a recognition of the fact that American margarine is a product of American soybeans and other farm products.

It is to be hoped that other governmental programs will follow suit. No surplus butter is available and none is being bought by the Commodity Credit Corporation at the prices currently being asked.

Margarine has been successfully employed for a year and a half in the Department of Agriculture's welfare and institutions donation programs. It may be desirable to utilize it also to help meet the requirements of the school lunch program, which already includes a substantial assistance program for the supplying of fluid milk.

My own State may be fairly typical of the "explosion" that has taken place in oilseeds production. The planting intentions report of last March showed 3,429,000 acres for soybeans in Arkansas this year. This would be 5 percent more than last year. The harvested-for-beans acreage in Arkansas has increased every year since 1924. Soybeans are our second largest crop.

This is typical of what is happening throughout the South and Midwest as farmers are turning from cotton and other enterprises to soybeans in many areas.

In this way our agriculture is fighting inflation effectively and well. Soybeans and margarine are valuable allies of the consumer in her effort to maintain family nutrition and diet levels at the lowest possible cost.

LAW FOR ALL

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **PEPPER.** Mr. Speaker, one of the creative and constructive leaders of our generation has been Mr. Charles S. Rhyne of the Washington Bar. Mr. Rhyne, former president of the American Bar Association has been a farseeing and strongly driving force behind the establishment of the World Peace Through Law Center and the inauguration of the great world peace through law movement.

None can measure how much the future peace—indeed the survival of the world—depends upon the success of this great institution designed to promote world peace through law.

Mr. Rhyne has just delivered an able address entitled, "Law for All," before the annual banquet of the North Dakota Bar Association in Dickinson, N. Dak., which reviews this great enterprise and tells us of its progress to date.

I am sure that all the Members of the Congress and many who read this Record, will be pleased to read this outstanding address by Mr. Rhyne. I ask that Mr. Rhyne's address follow these remarks in the body of the Record.

Law for All

(Address by Charles S. Rhyne, Washington, D.C., past president of the American Bar Association and president of the World Peace Through Law Center, before the annual banquet of the North Dakota Bar Association at Dickinson, N. Dak., June 24, 1966)

Ours is the most creative generation in the history of mankind. Due to this creativeness we are on the verge of:

Medicine for all.
Education for all.
Votes for all.
Decent homes for all.
Equal opportunity for all.
Decent retirement for all.

Each of these revolutionary advances have been made through law.

In my home town lawyers are available 24 hours a day without cost to any arrested indigent.

The U.S. Supreme Court decisions recognizing the accused's constitutional right to a lawyer are being effectuated in all courts.

Lawyer service for the poor as well as the rich in civil as well as criminal matters is becoming universal through both private and government supported legal aid despite such unfortunate mistakes as the OEO Legal Aid veto by the Governor of North Dakota.

The Michigan Bar is sponsoring an annual legal checkup at a minimum fee which has proved so successful it may soon rival medical and dental checkups.

Lawyers today are living up to their purpose as sentinals on the ramparts of human liberty. Law and law services are the instruments whereby the great advances in human rights and equal opportunities are being made available. We are on the verge of *law for all.*

In nearly every nation on earth dramatic law reforms are under way to provide economic, social and other progress. The World Peace Through Law Center's recently published survey of law, courts and the legal profession in 110 nations evidences this fact. And many nations are ahead of us in new law ideas, new legal institutions and reforms.

Internationally the Center's Work Paper surveying law and law institutions internationally establishes the fact that through the UN and its agencies, Common Markets and their agencies and the necessities of our day, more law and more legal institutions have been created in the past 20 years than in all the previous history of mankind. The rising expectations of nations and peoples, the great scientific, technological knowledge and other advances of our day, are being met internationally by this new world law, these new world legal institutions. The World Health organization, International Civil Aviation organization, European Common Market—to name only 3 of many—are examples of new law designed to furnish new services, new benefits to mankind. In truth great advances become advantages only after they are embodied in some form of law.

It is against this background of law's ever increasing use and importance that I speak of the world's greatest need: *making more law more available so it can be used more as an instrument to create world peace.*

Law cannot be used unless it is available. Actually the law available to most lawyers is meager indeed. We have not developed a good system to make law readily available. With a few exceptions, law libraries are small and inaccessible. The law information available to most governments, law schools and lawyers is woefully inadequate for the performance of their proper function of adapting law to our changing society.

Law if made available and applied worldwide can do more for world peace than all the bombs we can make and all the armies we can march. Secretary McNamara recently recognized that security in today's world cannot be achieved entirely by armed might. He said security depends upon cooperative arrangements with other nations. And while he did not say so, law in treaty form is the major instrument whereby such cooperation is arranged.

In many years of world travel I have made a special point of visiting offices of lawyers and Chambers of judges. During these visits I have been appalled at the dearth of modern law books lawyers and judges have to use in their work. In Lagos, Nigeria, one of the leading lawyers had ten books, ancient editions of law books from England and a copy of his Country's Constitution. In Dakar, Senegal, a leading lawyer followed French custom and had his office in his home. He had about a dozen old law books from France and three text books in English (which he could not read) contributed by an American lawyer. He had a lot of files and papers scattered around but no code or constitution of Senegal. In Ghana a leading lawyer, also operating out of his home, had perhaps 25 books, mostly old volumes from England or the United States. I could multiply these illustrations worldwide.

In our own Nation many lawyers' offices I have visited had a state code and a few other law books. Few indeed have law libraries adequate to research court precedents of their own and other states, Federal and U.S. Supreme Court decisions and other law materials so essential to proper advice on the national, federal, and international law questions of our day.

We in the larger United States cities are spoiled by the law available for our use. The Law Division of the Library of Congress has 1,100,000 volumes. Harvard Law Library has 1,080,000 volumes. Columbia has 450,000 volumes. Los Angeles County has 440,000, Yale has 410,000, and Michigan has 350,000. These are our largest law libraries. Our other law schools have from 300,000 down to a few thousand volumes. The largest New York law firm library has 41,000 volumes and a few have 30 to 10 thousand volumes. Your Supreme Court libarary has 36,000 and your Law School 45,000 volumes, but most lawyers who practice in the United States have access in their home city—or county seat—to an average law library of 5 to 10 thousand volumes. Some have easy access to no law library at all.

To further my story on law availability let me illustrate briefly by giving the law volumes in the largest law libraries around the world: Paris University, 390,000; The Japanese Law Ministry, 270,000; Russia's Academy of Science, 260,000; Italy's Ministry of Justice, 150,000; Portugal's Coimbra University, 150,000; Canada's Supreme Court, 130,000; Comenius University of Czechoslovakia, 120,000; England's Oxford and Cambridge, 110,000 each; Lincoln's Inn and Inner Temple, 100,000 each; Berlin's Kammergericht, 105,000; U.N. Peace Palace in Geneva, 100,000; University of Rome, 75,000; China's Soochow University, 50,000; Mexico's Institute of Comparative Law, 40,000; Helsinki Law School, 30,000; Philippine University, 25,000; and Turkey's Istanbul University, 20,000. These are the great collections. Throughout the world the law volumes usually available to the legal profession are few indeed. Especially is this true in Latin America where the average law library size per nation is around 10,000 volumes and in Africa where Nigeria's largest law library is less than 5,000 volumes, and those in other nations sometimes only a few hundred volumes or less.

Many are the urgent pleas asking the World Peace Through Law Center for law books. Some are phrased quite eloquently. One such plea received from Asia as I dictated these remarks states:

"Just as soldiers are useless without ammunition, so are lawyers without books. . . .

"We would like therefore to appeal to your organization for any legal publication, textbooks, treatises which you may be able to donate to us. We need particularly One Set of American Jurisprudence. You may rest assured that we will not only deeply appreciate such a donation but you will be in a real sense contributing to the rule of law in this country."

Also to further my report on the shocking unavailability of law let me report to you that less than 20 of the some 125 nations of the World have a fairly up-to-date printed law code or a recent compilation of their laws. Less than 20 nations have up-to-date printed volumes of their high court decisions, and few lawyers have personal sets of those that are printed. Lawyers constantly report from Africa, Asia and Latin America that they must rely on printed or mimeographed collections of individual statutes, and newspaper reports of court decisions. They cannot be sure they have the correct statute or that the newspaper correctly reported a court decision.

Due to the unavailability of international law documents the Center employed experts to compile a Work Paper for its World Conferences surveying the history of international law and existing international law and legal institutions. International law material is not only difficult to locate but is largely without usable indexes. The UN Treaty Series and the League of Nations Treaty Service are incomplete and only a few law libraries have these. The Treaty Collections in our Department of State and Foreign Ministries of other nations are helpful to government lawyers but rarely available to, or usable by, lawyers in private practice. International law material is multiplying on a vast scale as the world operates more and more as an interdependent whole. But its collection or acquisition is difficult and some law libraries make no attempt to do so. Their acquisition money is still largely earmarked for domestic law. The American Society of International Law publishes selected International Legal Materials. Lauterpacht's *International Law Reports* contain some of the national court decisions involving international law. The World Court's decisions are available in printed volumes. National legislation on international subjects and customary international law are largely not compiled except as some scholar collects material on some specialized subject. Foreign office archives, including diplomatic correspondence and foreign office law opinions, are rarely published and usually only some 20 years after the event to which addressed. The International Law Library Association has begun publication of an *Index to Foreign Legal Periodicals* which is of enormous help but too few lawyers and too few law libraries subscribe to it. The Center is seeking some way to include this Index with its own publications which are sent to members worldwide.

Against this background of unavailability of law in the world, I wish to discuss what the Center has done to help change this picture and make law more available so that it can be used to create world stability and world order.

One conclusion I should give you now is that it will be impossible to put a meaningful over-all roof of law on the World in the form of international law unless and until law within nations is strengthened to provide a better foundation. This is why some of us who are so deeply involved in advancing the program of World Peace Through Law are convinced that the Center must concern itself with strengthening and expanding the whole of the law, both internation and within nations.

How do we propose to make more law more available? First we contacted and secured the cooperation of law leaders in 121 nations. We asked them how to mobilize the full resources of the legal profession. Four Continental and two World Conferences and the surveys of the law of nations and international law referred to above grew out of their suggestions. These leaders agreed that for law to become the major factor in world affairs it must be made more available. The facts I here report on the law's unavailability have forced our conclusion that to be effective we must gear up to make more law more available. Such a vast program for the legal profession of the world has never before been envisioned much less carried out.

WORLD LIBRARY USE

The Center has entered into an agreement with members of the International Law Libraries Association to open the doors of their libraries to lawyers worldwide. Earl Borgeson, Harvard's Law Librarian, heads this unique undertaking. Requests for law materials are sent to the Center's Geneva office and relayed to Mr. Borgeson or any other law librarian he designates. This service is free to Center members except for the cost of copying when requests involve extraordinary amounts of materials.

This ambitious undertaking opens the law information resources of the world's greatest law libraries to Center members in 121 nations. The impact of this new availability of law upon the law's growth and usefulness worldwide should be tremendous. This is a most exciting development, and one which could yield huge dividends through expanded use of law. We expect this service to increase as its existence becomes better known.

Interestingly, the inquiries so far have asked chiefly for law of various nations rather than for treaties or international law. Material has been supplied on such subjects as the patent laws of Sweden, the marriage and divorce laws of Panama, and the inheritance laws of Afghanistan. That California lawyers are greatly involved in international law, however, is shown by a report of William Stern, Los Angeles County Law Librarian, on some 50 international subjects on which his library recently furnished material.

COMPUTERIZED LAW

Please recall that first one must dream a dream, and imagine a man in space or a man on the moon, before a system can be devised to accomplish this in fact. We of our day are demonstrating that anything that a man can imagine, he can do. Having said this, let me tell you about the most exciting adventure in making law available, the utilization of the computer.

A few days ago I met with computer experts on how to use computerized storage and retrieval methods so that the lawyer in Nairobi, Cairo, Tokyo, London, Bangkok, Accra, Caracas, New Delhi, New York, or Dickenson, North Dakota, can utilize a computer index or thesaurus to find the information he wants. I was told it is technically feasible now to set up a system so that these lawyers can punch a button in a telegraph office, or have a machine installed in their own office, and within seconds have the law of Italy on wills, of Greece on taxes, of Yugoslavia on contracts or the law of any other country on any other subject provided it is first put on a computer drum or tape.

Present at this conference was the man who has in cooperation with Western Union put together the system that went into effect in 30 states three days ago. Under that system you can purchase and have within seconds (while you stand at the machine in Western Union's office or a rented machine installed in your own office for $35.00 per month) the court decision citations on any subject for $10.00 per request. You can have the full text of these court decisions reproduced via microfilm and sent to you by mail. Some 3,000,000 Federal and state court decisions have been stored on Western Union's "on line" computer drums for instant retrieval under this system.

I have visited the National Library of Medicine whose computerization of medical information comes close to what we need in law. The General Electric Company installed a Honeywell Computer system there which has been in use since January 1, 1964. The initial cost being around $3,000,000. They answer 140,000 requests per year from all over the world. The computer system is geared into a phototypesetter which at fantastic speed produces monthly and annual indexes to medical literature. The operations cost of this system called Medlars (medical literature analysis and retrieval system) is about $1,000,000 per year. They operate in 30 languages but put only English translations into the Computer.

I also attended a seminar recently on the impact of computers on tax practice. The overflow attendance from all over the nation attests to the ever rising interest in computers and law. The Internal Revenue Service reported at this Conference that it has all of its rulings, court decisions on tax law and other law information on federal taxes, in a computer system which is now in use by IRS offices all over the nation.

The Center has agreed to use a computer plan of George Washington University Law School under which the tax laws of all nations will be stored and retrieved. Professor John H. Jackson of the University of California has indexed GATT's 3,000 documents on IBM cards. Professor Peter H. Rohn of the University of Washington has coded certain information on the UN Treaty Series so a computer can be used to develop further uses of this material. Professor Jon F. Triska of Stanford has also developed a proposal for the computer processing of the UN Treaty Series. The University of Pittsburgh has under a government contract reproduced on magnetic tape the international agreements of concern to this U.S. Department of Defense. The computer storage of law on other subjects at other law schools is under active discussion. Richard W. Edwards, Jr., of the American Society of International Law has produced a report on "Electronic Data Processing and International Law Documentation" reviewing some of the experience referred to above in more detail.

So I hope that before long a lawyer of North Dakota whose client is selling grain to some foreign nation can get the contract law, or other law, of that nation in seconds by asking the Center's computer in Geneva to reproduce it.

Computerization of law is no longer a dream. It is a fact.

Admittedly the know-how in this exciting new field is still in its infancy.

We of the law lag far behind in mastering and using electronic data storage and retrieval processes but we will catch up quickly. Our need is so great quick progress must be made. Computer technology has spawned an information explosion of dramatic impact among such users as scientists, governments, universities, medical doctors, bankers and almost any business of consequence.

We lawyers research and use, or we should, thousands of court decisions, thousands of state and federal statutes, hundreds of city and county ordinances and millions of federal administrative regulations, rulings and orders. In addition, there are legislative reports, law reviews, law books and other law materials. Because we are engulfed with this vast, ever-increasing mass of law materials there is no group, no profession, no endeavor which needs the help which computers can give more than we lawyers.

I have attempted to apply to our study of the potential of computerized law for the world the lessons of 30 years in the courts. We lawyers become experts in medicine to present or cross-examine medical witnesses, experts in engineering to do the same for engineer experts, and experts in hundreds of other subjects to perform our function as trial counsel. We are trying to apply this lawyer technique to learning all there is to know about computerizing of law. We have concentrated on collecting all the information and experience that exists. We have an outstanding Center Computer Committee composed of lawyer and non-lawyer experts. We are determined to use the computer to achieve a major "breakthrough" in the law field.

Having gone through years of complex coal price litigation under the Guffy Coal Act, years of tidelands oil litigation, years of natural gas rate proceedings, the recent massive General Electric-Westinghouse antitrust cases, and other cases falling in the prolonged or complex category of what Judge Barrett Prettyman calls "big" cases and which others call "protracted litigation" I can report that this computer business is more difficult to master than even the most complex case. At long last, however, I can begin to comprehend the jargon, techniques, equipment, concepts and technical phases of computerizing law. It is a fascinating experience as dubious conjecture over instant research changes gradually into confidence as the evidence that law can be computerized and used worldwide grows stronger. The problems involved of information, acquisition, translation, storage, retrieval and dissemination on a world basis are clearly capable of solution even in the present status of the computer. And we are learning more almost daily. We are to the point where a full set of system design specifications, or technical guidelines, can be put together to serve as the development process for the system we need.

We are to the point where I have been given a "guestimate" of 15 million dollars as the over-all initial cost of a worldwide computerized law system. This includes several million for translating the effective laws and high court decisions of those nations that are not now in English into that language and the punching of cards to place sufficient information about these materials on computer drums rented by the Center's office at Geneva. Retrieval by lawyer users would work the same as the United States system already described. Such cost problems as the use of telegraph lines worldwide are not included but should not be a difficulty beyond solution as payment should be made, as is the case with the U.S. System, for use only. About 20 microfilm banks containing the full text of the computerized decisions and statutes are included. These banks would be located regionally around the world.

We are aiming at completing our study and laying a full recommended plan before the next World Conference of the Center in Geneva, Switzerland, on July 9–17, 1967.

There are about one million lawyers in the world so the financing[*] may not be difficult once we put enough into the system to make its use attractive and worthwhile worldwide. We expect international organizations, governments, law schools, judges and multination corporations to be major users of this system. The more who use the system the cheaper the cost to each user.

I will not go further on this other than to say to doubters that if news information and photographs can be sent almost instantaneously throughout the world, so can law information.

Expansion of computerized law is soon to become both a major fact and the major impetus to the vast effort we are making to create order under law within and among nations. I repeat another major fact, law cannot be used unless it is available. Through the computer law will be made available on a scale and in a depth never before achieved nationally or internationally. I repeat also that this can be the great "breakthrough" which will speed the day when world peace through law will indeed be translated from dream into reality.

WORLD ASSOCIATION OF JUDGES

Discussions at worldwide gatherings of judges at the Center's Athens and Washington Conferences culminated in a Geneva Conference in March 1966 at which the first World Association of Judges was created. Here too the major purpose is making law information, ideas and experience available to improve justice in the courts. The Chief Justice of the United States was elected Chairman of the new Association. Chief Justice Wold of Norway was elected Vice Chairman for Europe, Chief Justice Ademola of Nigeria, Vice Chairman for Africa, Chief Justice Yokota of Japan, Vice Chairman for Asia, and Chief Justice Boggero of Argentina, Vice Chairman for the Americas. Any judge may join this Association by paying the fees for membership in the Center of which the Judge's Association in an independent part.

It is hoped that justice in the Courts can be improved through this Association by operation of schools for judges throughout the world similar to those Mr. Justice Tom Clark carries out for judges in our country. Materials on successful judicial reforms and publications, opinions and other experience will be exchanged. This program can help make courts more responsive to modern needs and encourage use of modern techniques like computerized records now in use in a very few courts here and abroad. Certain it is that by plans and programs to raise the calibre of justice worldwide this program can increase the reliance upon and respect for law.

A good example of reforms generated by the judiciary is found in the proposals being put forth by Lord Gardiner, the Lord Chancellor of England. I will not detail them other than to refer to his sponsorship of the first reform of criminal law and procedure undertaken in some 600 years. Computerization of criminal sentences for purposes of comparison is one idea reported to be under study. Since one-third of the peoples of the world base their law systems on English law principles Lord Gardiner's reform efforts will undoubtedly be followed in many other nations and thus have far-reaching effects. In fact, the Judges of all nations are immensely interested in Lord Gardiner's reforms according to reports to the Center.

Through this new Association the experience, capacity and knowledge of the group most expert in peaceful decision of disputes will be brought to bear on the great problem of peaceful decision of disputes among nations. Thus will world peace under law be advanced. Universally judges are highly respected. Judicial initiative and prestige can help tremendously in this great crusade.

Up to now heads of state have had their diplomats and parliaments their unions, but this is the first worldwide information and cooperative efforts of judges.

COMMITTEES

The services of the Center's 66 committees, covering international and national law of transnational interest are orientated toward making law available. The proceedings of the Athens and Washington World Conference, as published by West Publishing Company, include committee reports and reports on panels operated by committees. They are veritable gold mines of up-to-date law information of current interest internationally. These volumes have been sent free to the high court judges and bar presidents of all nations.

We have also offered to the UN, its specialized agencies and other international organizations the aid of Center Committees in reforming, updating or creating international law and international legal institutions. This new private initiative provides a new law service which should help energize the whole field of UN law development. Up to now there has been no private law group devoted to the task of "overseeing," criticizing and forwarding UN law development. Your Association does this on the law created by your legislature and the American Bar Association does this for the U.S. Congress and other national Bar associations sometimes do the same for their parliaments.

One illustration of the effectiveness of such participation by the Center's members in the law and law institution development process was cited with appreciation recently by Aron Broches, General Counsel of the World Bank. At the Athens Conference he put forth the idea of an institution under the World Bank's direction to resolve international investment disputes. Center members not only approved the idea but later helped write it into a Convention for adoption by nations. Copies of the Convention were then mailed by the Center in French, Spanish and English to Center members throughout the World. The Washington World Conference unanimously approved the Convention and it has already been ratified by the United States and six other nations with prospects of ratification by many other nations soon as Center members are urging such action.

WORLD LAW CODE

You have, or have access to your City Code, your State Code and the United States Code. In our interdependent world you will increasingly need access to a world law code which includes treaties and conventions. International transactions by your clients are becoming commonplace in our ever shrinking world. The Center has taken the first step to provide you with such a code. The Center's research staff put together, and the Washington World Conference approved, the first volume of a projected World Law Code of many volumes. Thus will international law be made available for use by all of us in this form and thus be more used and more useful because it is available.

I should add that the necessity for the compilation, codification and publication of codes of nations is under active study due to the lack of such codes in most nations. Use of computers to update and codify Iowa's statutes and Pittsburgh's Health Code are examples of successful experience our experts have under review.

WORLD JUDICIAL SYSTEM

The Center has acted to make judicial service more available not only by sponsoring the creation of the World Association of Judges, but by sponsoring reforms designed to increase the use of the World Court, and by concrete plans for development of all the elements of a world judicial system from neighborhood trial courts, to continental or regional appellate courts, and the making of the World Court an ultimate court of appeal.

A whole network of regional, neighborhood and specialized international courts are essential to bring into existence the service which only the judiciary can perform. So far governments have made no serious effort to devise such a world judicial system. A new and effective initiative is needed. This the Center is now providing. Again the aim is to make law more used because this essential element for its use is made available.

The first concrete new step in creating this world judicial system was the approval by the Washington World Conference of a Draft Convention which creates "neighborhood international courts" between any two or more nations to decide low-level transnational disputes. A special study prepared for and published by the Center was the basis of this resolution.

We are told that there are large numbers of such disputes pending between many nations including our Country and our most friendly neighbors, Canada and Mexico. Disputes which have been pending and floating around our State Department and Foreign Ministry offices unresolved for years because for some reason neither side can gracefully give in. In most instances a decision either way would hardly cause unpleasant feelings but if left undecided these minor disputes may fester and grow in difficulty of resolution. There is no legal institution to decide these minor disputes now as they do not involve issues of such importance or sufficient monetary value to warrant use of the World Court or a special arbitration panel. But the disputes should be decided, and for this a Neighborhood International Court is admirably fitted. Mr. John Weir, President of the Canadian Bar Association, and Philip Amram of Washington, D.C. have accepted the assignment of developing a plan for the creation of such a court for Canada and the United States. Dean Cesar Lepulveda of the University of Mexico Law School and Mr. Amram will develop such a court for Mexico and the United States. The recent White House Conference on International Cooperation approved the creation of such a Court. It is therefore hoped that the Administration will officially back the idea.

If these grassroots level Canadian-United States and Mexican-United States Courts come into being they should act as the prototype for such courts all over the world. The habit of going to Court on minor matters could encourage a similar habit on major matters. The feasibility and desirability of going to Court instead of war to settle internation disputes could thus be proven.

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[*] The cost of the Center's law building program so far has been over $1,000,000. Ford Foundation contributed $500,000. The other funds have come from lawyers, law firms, corporations and other foundations. Lawyers, Judges and Professors of Law have contributed millions more in uncompensated time.

Internationally there are only three courts: the World Court (International Court of Justice), the Court of Justice which decides Common Market disputes, and the European Court of Human Rights. That accessible international courts work well is proved beyond question by the European Court of Justice which has already decided over 1,000 cases.

The Center is urging reforms to make the World Court more usable. These include measures to make the Court more accessible. The Court's inaccessibility imposes expense problems which are just as discouraging to its use as our so-called Connally Reservation. The expense of litigating at The Hague is so great some nations cannot afford to take disputes to that forum. The Court's physical unavailability could be cured tomorrow by a decision of the Court itself to sit periodically all over the world. It could sit for a fixed term at least once a year on each continent. High courts of nations could make their facilities available for such use. The Court's antiquated procedures also make the Court's use expensive. As presently constituted the World Court is a trial court. Having tried 3-judge cases, I can imagine how cumbersome and time consuming it is to try a case before 15 judges in several languages. Many appellate courts of that size are in use by nations but no other trial court of this size exists in the world. The Court could under existing provisions appoint masters, or small panels of the Court, to hear evidence in all cases and thus turn itself into an appellate court.

GLOBAL WORK PROGRAM

I could go on and on illustrating what the Center is doing to make law more available and more used in the world community. The global work program of the Center as adopted in Athens and updated in Washington has more than 200 proposals for improvement of the judiciary and other law institutions, functions and law internationally. All of these proposals are aimed at making law grow and thus more available and more used in the world community. The Center Bulletin is published monthly in three languages. Special studies have been published and others are under way and proposed. All of this program is designed to contribute to the great purpose of bringing about a law system strong enough to end War.

LAWYER'S DIRECTORY

Making the names and addresses of lawyers, judges, and professors of law within nations available to those seeking such information is in keeping with our crusade to make law more used and available because lawyer to lawyer, judge to judge, and professor to professor contacts are usually for that very purpose. A year ago the Center published a directory of judges, law schools, bar associations and lawyers covering 110 nations. While we are not and never will be in the business of recommending lawyers in these various nations, we are asked to do so constantly. Here we like to refer those who inquire to bar associations, law schools or judges, instead of individual lawyers, or we give them the names of three or more lawyers from whom they can choose.

VIET NAM

I suppose that anyone coming from Washington should mention the greatest problem that exists there: Viet Nam. The whole world watches as our Country seemingly struggles mightily and unsuccessfully to end this unwanted war. Where optimism once existed war weariness, fatigue, contradictions and confusions exist on this subject in Washington today.

Personally, I do not think we can walk away from Viet Nam. We must fulfill our commitment there before we depart. As fuzzy and undefined as that commitment now is, to me it certainly includes ending the war. And ending the war embodies ending the turmoil of political disorder. This in turn means the establishment of a governmental structure which provides stability and order. Most knowledgeable persons seem to believe this can be done through a majority-supported government strong enough to provide order under law. It is further premised that such a government would be strong enough to defend itself from subversion from within and attack from without its borders and that we can withdraw as soon as such a government is in existence.

The highly publicized election of an assembly to draft a constitution is said to be the major step leading to the creation of a government such as I have described. As essential as this constitution is, its adoption without more will be like trying to operate the United States with a Federal Constitution only and without the underpinning of our state and local governmental structure. Or like trying to put the roof on a house before one puts in the foundation. The development of democratic institutions in the form of law structures for the cities, and local political subdivisions of Viet Nam, is as important as the Constitution. Such a law foundation of province, state or local government must underlie the national government in Viet Nam if stability and order are to exist.

Former Vice President Richard M. Nixon reported on his return from Viet Nam that in his tour of villages and farms the major thing the Vietnamese people told him they wanted most was "justice." "Justice" requires a law structure which lawyers are best qualified to write. If this war is to last until a law structure providing "justice" exists the sending in of teams of lawyers to create this law structure is an immediate imperative for ending the war.

I have just read a pamphlet entitled "Silent Warriors" published by AID which states that this Agency has more than 1,000 "diplomats, doctors, school teachers, police instructors, farmers and information specialists" working "to help the Vietnamese leadership build government at all levels which can win the respect and the support of patriotic Vietnamese." Perhaps some lawyers are included, but no mention is made of lawyers, and I doubt that those named, as helpful and essential as they may be in other respects, are qualified to help draft a workable governmental structure for the Vietnamese. The Vietnamese are largely unfamiliar with democratic institutions except as their experience with the French provided some elementary principles. There are lawyers available who are capable of melding this past experience into a workable governmental system.

Everyone seems to agree now that we will not end the Viet Nam war soon simply by killing more and more Viet Cong and North Vietnamese. Increased millions in expenditures and increased thousands of men have not meant victory. Victory lies not only in a military triumph but also in the fulfilling of our non-military commitment to create a law structure that will work when we leave. Without a workable law system the Vietnamese will revert to rule by dictator—local or national—once we leave. We must provide something to replace force. And law is the only workable concept yet devised by the mind of man to serve as such a replacement. There has up to now been too much emphasis on our military commitment. We should focus more and more on their law needs and make that also a major fulfilled commitment so our military commitment can be completed.

RUSSIA

In August I will make my second trip into Russia accompanied by leaders of the Bar from other nations. We hope to discuss with Russian law leaders the progress of the Center's Global Work Program as set forth herein and persuade them to take a major part in this work. We hope by emphasizing the interests in law development which we and the Russians have in common, and plans such as our library use and computerization of law projects we can have a fruitful meeting and agree upon future cooperation to make law available and more used.

It is clear that law reform and law knowledge are on the march worldwide. Law is being used universally as the instrument for bringing social and economic progress to the world's people. Law is no longer static but a growing, changing, vibrant concept. Yet steps to speed the reform process are vital to continue this change in the image of the law from that of an instrument to maintain the status quo to that of an instrument which holds out the promise of progress.

From law's advances only good can come to mankind. I urge that each of you join this crusade to update and make more use of law. Your family, clients, city, state, nation and the world will benefit from the help you give to speed the day when law will be strong enough to replace force as the controlling factor in the fate of humanity.

Even though he possess the knowledge and the intellectual and economic resources for the speedy elimination of war as an institution of dispute settlement, man of our day still threatens to deprive himself of a future by refusing to recognize his predicament. Mankind as a whole refuses to face reality; i.e., with the growth of nuclear power some method other than force must be developed for resolution of disputes between nations or supreme disaster will be our lot. The ancient method of decision by death in disputes between nations does not work. And its use with the power men now possess is far too dangerous. Despite this fact, the enormous sums invested, the impressive technical progress we have made, the extraordinary efforts by governments and international bodies, and the scientific and technical advances which are the earmark of our era, mankind has so far failed in its efforts to develop and universally accept a concrete road to world peace which the peoples of the world can rally behind and build. I earnestly believe law can become such a road for it is common ground and a concept comprehended and respected by all peoples. Within nations it has proven that it will work when used. The program I have described should help make law strong enough to do between and among nations what it now does within nations. Never before have lawyers and judges of the world in 121 nations been organized into such an enthusiastic work crew for concentrated effort to make this ancient dream come true.

The developments I have recited demonstrate that the Center has become the focus of a worldwide ever accelerating cooperative effort to make law the major factor in world affairs. We have largely done our research and planning and now we are into the law development phase of our program. We are concentrating on converting the idea of a world rule of law into processes, procedures and institutions.

I and thousands of law leaders the world over agree with the statement of Chief Justice Warren to the Washington World Conference last September:

". . . Achieving and maintaining a rule of law strong enough to regulate actions of nations and individuals in the world community is no more dreamy, impossible or impracticable than was the dream of splitting the atom, or putting a man on the moon or sending a missile to Mars a few years ago. I believe we of our generation can translate the centuries-old dream of a world ruled by law from dream into reality.

"In part, my belief is based upon the imperatives of our day which make this a necessity to save mankind from nuclear holocaust. In part, my belief is based upon the fact that there are more law and judicial institutions today, nationally and internationally, than ever before in the history of mankind."

We cannot expect to replace force with nothing and leave a vacuum. The only way force can be replaced is with something to take its place. And the lesson of history is that the only proven replacement for force as a controller of the lives and actions of men and nations is the rule of law. When law is strong enough to be a credible replacement for force, world peace through law can then be a reality.

Let me remind that in this program we are not urging world government or Utopia. Under the rule of law men will always have conflicts and disputes. And nations are run by men. A law system will do no more than provide law rules to prevent conflict and channel the inevitable disputes into courthouses for peaceful decision as a substitute for decision by violence on battlefields.

We lawyers live by settling or avoiding disputes. We are experts on this. We have now lifted our sights, our thinking and our abilities to the toughest problem of them all: the ending of decision by death. In civilized nations we have largely done this but the law of the jungle prevails among nations. Thus we have set for law the most ambitious goal in all history by bringing law to bear on the problem of world peace. We are working successfully on the practical mechanics of this goal by expanding law in the world community. The only way to get change is to work for it and that we are doing. We are combining inventiveness, ingenuity and imagination with plain hard work. And frankly we are making progress. "Slow progress inch by inch" as Ambassador Goldberg said recently of a world ruled by law. But progress we are indeed making. The day of a functioning world order under law is coming closer due to our efforts.

The reverberations of the information explosion on law worldwide through the computer will be tremendous. The law materials previously available to a few will now be available to all. The impact of this availability on law, lawyers, judges and the people will be enormous. Law like muscles grows stronger with use. Law for all will indeed be more and more possible. Law will be used as an instrument to bring the wonders of modern living to all peoples in all nations and especially will law be available for use to create a peace structure for the world community.

When the rule of law prevails worldwide it will indeed have achieved its highest purpose and function as an instrument benefiting all peoples. Then and then only will any man be able to travel any place on the face of the earth—and into the vistas of endless space—in freedom, in dignity and in peace.

CULVER URGES SUPPORT OF ELECTIONS IN SOUTH VIETNAM

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Culver] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CULVER. Mr. Speaker, the elections for a constituent assembly in South Vietnam which have been scheduled for this coming September are crucial not only to the political stability of that country but to the successful conclusion of the military confrontation as well.

We cannot expect these elections to resolve all of the Government positions on the military, economic, and social problems of the nation. But they will be extremely valuable in forcing a national consensus from which the further policies of the Vietnamese Government can emerge.

It is absolutely essential, however, that these elections be carried out with the most scrupulous supervision to guarantee that no question can be raised as to the results. And it is equally critical that the decisions be accepted and abided by—not only by the Vietnamese but by the rest of the world as well.

It is for this reason that I am introducing a resolution today calling for supervision of the elections by an appropriate and impartial agency, such as the United Nations, and assuring that the United States will honor the election and the aspirations of the people of Vietnam as expressed by their freely chosen Government.

I ask that the text of my resolution be included at this point in the Record, and urge immediate action by the House of Representatives on this vital matter:

H. Con. Res. 820

Whereas the Republic of South Vietnam is actively engaged in making preparations for elections to choose a constituent assembly in a constructive effort to bring about a more representative government; and

Whereas the United States is dedicated to the principle, in the conduct of its foreign affairs, that people everywhere have the right to determine their own destinies through free participation in elected government; and

Whereas the success of the promised elections in South Vietnam will depend on the assurance that they will be free, fair, and open; and

Whereas an objective and international presence would make a significant contribution to assuring that the promised elections in South Vietnam are free, fair, and open, and thus help substantially in bringing about political stability and the establishment of effective political institutions: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress, the duly and freely elected representatives of the people of the United States of America, that it welcomes the holding of elections in the territory of South Vietnam; that it urges every effort to assure that said elections will determine the full and freely expressed wishes of the people; that it suggests the wisdom of having an appropriate and impartial international agency, such as the United Nations, to supervise the election and to assure the widest acceptance of its results; and that the people of the United States of America through the leadership of the President, with the full support of the Congress, will fully honor the election and the aspirations of the people of South Vietnam as expressed by their freely chosen Government.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Holifield for 30 minutes, today; and to revise and extend his remarks.

Mr. Flood (at the request of Mr. Krebs), for 60 minutes, on July 20; and to revise and extend his remarks and to include therein extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Moeller.

(The following Members (at the request of Mr. Krebs) and to include extraneous matter:)

Mr. Callan in two instances.

Mr. Fraser.

Mr. Farbstein.

Mr. Joelson.

Mr. Rees.

Mr. Vanik.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3423. An act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3510. An act to authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 13417. An act to amend the act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes; and

H.R. 14312. An act to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following titles:

On June 30, 1966:

H.R. 13125. An act to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended.

On July 6, 1966:

H.R. 13650. An act to amend the Federal Tort Claims Act to authorize increased agency consideration of tort claims against the Government, and for other purposes;

H.R. 13652. An act to establish a statute of limitations for certain actions brought by the Government; and

H.R. 14182. An act to provide for judgments for costs against the United States.

On July 7, 1966:

H.R. 1535. An act to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases;

H.R. 2035. An act to provide for cost-of-living adjustments in star route contract prices;

H.R. 6125. An act to amend Public Law 722 of the 79th Congress and Public Law 85-935, relating to the National Air Museum of the Smithsonian Institution;

H.R. 7423. An act to permit certain transfers of Post Office Department appropriations;

H.R. 12322. An act to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton;

H.R. 13417. An act to amend the act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes;

H.R. 14050. An act to extend and amend the Library Services and Construction Act; and

H.R. 14312. An act to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

ADJOURNMENT

Mr. KREBS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 21 minutes p.m.) the House adjourned until tomorrow, Tuesday, July 12, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2528. A letter from the Comptroller General of the United States, transmitting a report of management of donated food programs for Mexico under title III, Agricultural Trade Development and Assistance Act of 1954, Agency for International Development, Department of State, Department of Agriculture; to the Committee on Government Operations.

2529. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey of northwest Florida coast, authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 459); to the Committee on Public Works and ordered to be printed.

2530. A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report on title I, Public Law 480 agreements signed during June 1966, pursuant to the provisions of Public Law 85-128; to the Committee on Agriculture.

2531. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to simplify laws relating to members of the Army, Navy, Air Force, and Marine Corps, and for other purposes; to the Committee on Armed Services.

2532. A letter from the Attorney General, transmitting the 10th report of the Attorney General on competition in the synthetic rubber industry, pursuant to the provisions of Senate Report No. 117, 84th Congress, 1st session; to the Committee on Banking and Currency.

2533. A letter from the Director, Office of Economic Opportunity, Executive Office of the President, transmitting the first annual report of the Office of Economic Opportunity for the preceding fiscal year, pursuant to the provisions of section 608 of the Economic Opportunity Act of 1964, as amended; to the Committee on Education and Labor.

2534. A letter from the Secretary of Health, Education, and Welfare, transmitting the annual report of the Department of Health, Education, and Welfare for the fiscal year 1965; to the Committee on Education and Labor.

2535. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a report of the ratification of the amendment to the Northwest Atlantic Fisheries Act of 1950 (Public Law 81-845) by 11 of the 13 parties to the convention; to the Committee on Foreign Affairs.

2536. A letter from the Chairman, the U.S. Advisory Commission on International Educational and Cultural Affairs, transmitting a report on foreign students in the United States, pursuant to the provisions of Public Law 87-256; to the Committee on Foreign Affairs.

2537. A letter from the Chairman, Federal Communications Commission, transmitting a report of backlog of pending applications and hearing cases as of May 31, 1966, pursuant to the provisions of Public Law 82-554; to the Committee on Interstate and Foreign Commerce.

2538. A letter from the Commissioner of Education, Department of Health, Education, and Welfare, transmitting a report concerning the lack of availability of equal educational opportunities for individuals by reason of race, color, religion, or national origin in public educational institutions at all levels in the United States, its territories and possessions and the District of Columbia, pursuant to the provisions of Public Law 88-352; to the Committee on Education and Labor.

2539. A letter from the Comptroller General of the United States, transmitting a report of need for effective guidance of Navajo Tribe of Indians in management of tribal funds, Bureau of Indian Affairs, Department of the Interior; to the Committee on Government Operations.

2540. A letter from the Comptroller General of the United States, transmitting a report of violation of statutes by use of management and investigations of resources funds for general administrative expenses, Bureau of Commercial Fisheries, U.S. Fish and Wildlife Service, Department of the Interior; to the Committee on Government Operations.

2541. A letter from the Comptroller General of the United States, transmitting a report of need for further improvement in accounting and financial reporting system, Bureau of Public Roads, Department of Commerce; to the Committee on Government Operations.

2542. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of 63 Stat. 377; to the Committee on House Administration.

2543. A letter from the Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, as amended; to the Joint Committee on Atomic Energy.

2544. A letter from the Executive Director, the Military Chaplains Association of the United States of America, transmitting the audit of the association's accounts for the year 1965, pursuant to the provisions of Public Law 88-504; to the Committee on the Judiciary.

2545. A letter from LeBoeuf, Lamb & Leiby, Washington, D.C., transmitting a report titled "National Council on Radiation Protection and Measurements—Report on Examination of Accounts at December 31, 1965," pursuant to the provisions of Public Law 88-376; to the Committee on the Judiciary.

2546. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered under the authority contained in section 13(b) of the act of September 11, 1957, as well as a list of the persons involved; to the Committee on the Judiciary.

2547. A letter from the Acting Secretary of State, transmitting the 13th report of the Department of State on its activities under the Federal Property and Administrative Services Act of 1949, for the calendar year 1965, pursuant to the provisions of Public Law 81-152; to the Committee on Government Operations.

2548. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, pursuant to the provisions of section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2549. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

2550. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2551. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a request for the withdrawal and return of a certain case involving suspension of deportation, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

2552. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a request for the withdrawal and return of a certain case involving suspension of deportation, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

2553. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

2554. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according the beneficiaries of such petitions third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2555. A letter from the Acting Secretary of Commerce, transmitting a copy of the annual report of the Maritime Administration for the fiscal year 1965; to the Committee on Merchant Marine and Fisheries.

2556. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated

May 12, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Nantucket Harbor, Mass., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 2, 1949; to the Committee on Public Works.

2557. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 12, 1966, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study of Martha's Vineyard, Mass., authorized by the River and Harbor Act approved July 3, 1930, as amended and supplemented. No authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 103 of the River and Harbor Act of 1962; to the Committee on Public Works.

2558. A letter from the Secretary of Commerce, transmitting the annual report of the Foreign-Trade Zones Board for the fiscal year ended June 30, 1965, pursuant to the provisions of Public Law 81-566; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HÉBERT: Committee on Armed Services. H.R. 2450. A bill to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes; with amendment (Rept. No. 1687). Referred to the Committee of the Whole House on the State of the Union.

Mr. HÉBERT: Committee on Armed Services. H.R. 3313. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; with amendment (Rept. No. 1688). Referred to the Committee of the Whole House on the State of the Union.

Mr. HÉBERT: Committee on Armed Services. H.R. 5297. A bill to amend title 10, United States Codes, to limit the revocation of retired pay of members of the Armed Forces, and for other purposes; with amendment (Rept. No. 1689). Referred to the Committee of the Whole House on the State of the Union.

Mr. HÉBERT: Committee on Armed Services. H.R. 9916. A bill to amend title 10, United States Code, with respect to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies, and for other purposes; with amendment (Rept. No. 1690). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 15712. A bill to amend section 2634 of title 10, United States Code, to authorize payment of expenses incidental to the transportation of motor vehicles of certain members of the Armed Forces; with amendments (Rept. No. 1691). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOB WILSON: Committee on Armed Services. House Joint Resolution 421. Joint resolution providing for appropriate ceremonies in connection with the raising and lowering of the flags of the United States surrounding the Washington Monument; without amendment (Rept. No. 1692). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H.R. 16114. A bill to correct inequities with respect to the determination of basic compensation of employees of the Federal Government for purposes of certain employment benefits, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BENNETT:

H.R. 16115. A bill to amend the Uniform Code of Military Justice to broaden the protections afforded to members of the Armed Forces; and for other purposes; to the Committee on Armed Services.

H.R. 16116. A bill to amend the Manpower Development and Training Act of 1962 to provide for programs of job training and education of inmates of correctional institutions; to the Committee on Education and Labor.

By Mr. BLATNIK:

H.R. 16117. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. DORN:

H.R. 16118. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 16119. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

H.R. 16120. A bill to amend the Welfare and Pension Plans Disclosure Act to make it a crime to fail to make required contributions to employee pension benefit plans and to permit the Secretary of Labor to bring civil actions to recover such contributions; to the Committee on Education and Labor.

H.R. 16121. A bill to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property; to the Committee on Government Operations.

By Mr. SICKLES:

H.R. 16122. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. TOLL:

H.R. 16123. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Board-Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. RE S:

H.R. 16124. A bill to require that any person hereafter appointed as Architect of the Capitol be a professional architect; to the Committee on Public Works.

By Mr. CULVER:

H. Con. Res. 820. Concurrent resolution expressing the sense of Congress on the holding of elections in South Vietnam; to the Committee on Foreign Affairs.

By Mr. PHILBIN:

H. Con. Res. 821. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

493. By the SPEAKER: Memorial of the Legislature of the State of California, relative to the appropriation of necessary funds for the report of survey to determine the feasibility of establishing a harbor for light-draft vessels at San Simeon, Calif.; to the Committee on Appropriations.

494. Also, a memorial of the Legislature of the State of Louisiana, relative to the distribution of surplus property to local political subdivisions of the State; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 16125. A bill for the relief of Bernardo Celano; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 16126. A bill for the relief of Ayao Shinozaki; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 16127. A bill for the relief of Shahen H. Minassian and Alice M. Minassian; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 16128. A bill for the relief of Denis Paul Sauvageau; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 16129. A bill for the relief of Antonio Di Lisi; to the Committee on the Judiciary.

H.R. 16130. A bill for the relief of Semir Herschel Ghamar; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 16131. A bill for the relief of Mario Martinez; to the Committee on the Judiciary.

By Mr. HULL:

H.R. 16132. A bill for the relief of Albert L. Chapman; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 16133. A bill for the relief of Constantine J. Dassis; to the Committee on the Judiciary.

H.R. 16134. A bill for the relief of Antonia Grimbila; to the Committee on the Judiciary.

H.R. 16135. A bill for the relief of Mrs. Czeslawa Niewiarowska; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 16136. A bill for the relief of Mrs. Jung Ja Kim; to the Committee on the Judiciary.

By Mr. WILLIS:

H.R. 16137. A bill to permit the vessel SS *Bedloe* to be documented for use in the coastwise trade while it is owned by Guarisco Enterprises, Inc.; to the Committee on Merchant Marine and Fisheries.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

409. By the SPEAKER: Petition of Rockland County Board of Supervisors, New City, N.Y., relative to the enactment by Congress of H.R. 31712 without amendment; to the Committee on Education and Labor.

410. Also, petition of Henry Stoner, Portland, Oreg., relative to presenting to each

newly inducted GI a copy of the Constitution of the United States; to the Committee on Armed Services.

SENATE

MONDAY, JULY 11, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God to Thee, author of liberty, our thought of Thee is glad with hope, dear country of our love and prayer. Thy way is down no fatal slope, but up to freer sun and air.

Tried as by furnace fires, and yet by God's grace only stronger made; in future tasks before Thee set Thou shalt not lack the oldtime aid.

Great, without seeking to be great by fraud or conquest; rich in gold, but richer in the large estate of virtue which Thy children hold.

With peace that comes of purity, and strength to simple justice due, so runs our loyal dream of Thee, God of our fathers. Make it true.

"O Land of lands. To Thee we give
Our prayer, our hopes, our service free;
For Thee, thy sons shall nobly live,
And at thy need shall die for Thee."

Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 30, 1966, was dispensed with.

ORIGINAL BILLS REPORTED DURING ADJOURNMENT

Pursuant to the order of the Senate of June 30, 1966,

Mr. FULBRIGHT, from the Committee on Foreign Relations, on July 7, 1966, reported the following original bills; and submitted reports thereon, which reports were printed:

S. 3583. A bill to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward internal and external security (Rept. No. 1358); and

S. 3584. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes (Rept. No. 1359).

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of June 30, 1966,

The following reports of committees were submitted on July 7, 1966:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with an amendment:

S. 3467. A bill to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children (Rept. No. 1360).

By Mr. MUSKIE, from the Committee on Public Works, with amendments:

S. 3112. A bill to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes (Rept. No. 1361).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3035. A bill to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes (Rept. No. 1363).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 2287. A bill to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula (Rept. No. 1362).

By Mr. BIBLE, from the Committee on the District of Columbia, without amendment:

S. 2574. A bill to amend the District of Columbia Teachers' Salary Act of 1955, as amended (Rept. No. 1366).

By Mr. MORSE, from the Committee on the District of Columbia, with an amendment:

H.R. 8337. An act to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes (Rept. No. 1364).

By Mr. McINTYRE, from the Committee on the District of Columbia, with amendments:

H.R. 15860. An act to establish the District of Columbia Bail Agency, and for other purposes (Rept. No. 1365).

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On June 30, 1966:

S. 693. An act to amend the Foreign Agents Registration Act of 1938, as amended; and

S. 3368. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

On July 4, 1966:

S. 1160. An act to amend section 3 of the Administrative Procedure Act, chapter 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information, and for other purposes; and

S.J. Res. 162. Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes.

On July 5, 1966:

S. 1611. An act to transfer certain functions from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions and to certain other agencies of the municipal government of the District of Columbia, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

INTERNATIONAL TELECOMMUNICATION CONVENTION—REMOVAL OF INJUNCTION OF SECRECY

Mr. FULBRIGHT. Mr. President, as in executive session, I ask unanimous consent that the Senate remove the injunction of secrecy from Executive O, 89th Congress, 2d session, the International Telecommunication Convention with annexes, and the final protocol to the convention, and that the convention and protocol, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith first, the International Telecommunication Convention, with annexes, and second, the final protocol to the convention, which were signed at Montreux on November 12, 1965, by delegates of the United States of America and delegates of other countries represented at the Plenipotentiary Conference of the International Telecommunication Union, Montreux, September 14–November 12, 1965.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the convention and final protocol.

The International Telecommunication Convention and final protocol signed at Geneva on December 21, 1959, is presently in force between the United States and other countries.

Because of rapid technological and related developments in the telecommunication field, a plenipotentiary conference is held periodically under the auspices of the International Telecommunication Union to consider the revision of the convention. Separate administrative conferences are held from time to time with a view to modifying the radio regulations, the telegraph regulations, and other technical documents.

The new Montreux Convention follows closely the pattern and provisions of the 1959 Geneva Convention, which it will replace, but with a considerable number of minor improvements and a few major modifications. The principal modifications are those which would affect the functioning of the Union and its several organs.

The Administrative Council would be increased in membership from 25 to 29 seats, with the understanding that 3 of the extra seats are reserved for the African region and 1 for the region of Asia/Australasia.

The membership of the International Frequency Registration Board would be reduced from 11 to 5, or 1 for each of the 5 regions established for the election of the Administrative Council; namely, the Americas, Western Europe, Eastern Europe and Northern Asia, Africa, and Asia/Australasia.

Although the existing structure of the General Secretariat of the Union would be left unchanged, certain modifications would be effected to increase the operating efficiency.

The term of office of the Director of each of the two International Consultative Committees would be set at an initial 6 years, with continuing eligibility for reelection for each succeeding 3-year period.

The Coordination Committee over which the Secretary-General presides would be given greater responsibilities of an advisory character.

As under the existing Geneva Convention, each member government would contribute to the Union on the basis of the class of contribution freely chosen by that government. The United States, including its separately assessed territories—which have a separate vote in the Union—would continue to contribute 55 of the total of 556 units contributed by all members.

The Montreux Conference did not undertake to resolve many of the long-range problems which were the subject of discussion at the Conference, but referred some of them to the Administrative Council for study and recommendation. As stated in the report of the U.S. delegation to the Conference:

> Such important questions as the efficient organization of the Union, technical cooperation development, the streamlining of the IFRB Secretariat, and the investigation of the desirability of establishing regional offices throughout the world are examples of the type of tasks delegated to the Council.

At the time of signing the convention, the U.S. delegation made a declaration to the effect that signature of the convention for the United States did not constitute U.S. acceptance of the telephone regulations or the additional radio regulations which, under article 15 of the convention, are among the regulations related to the convention.

The convention and final protocol have the approval of the Department of State and the Federal Communications Commission. I recommend that the Senate give early and favorable consideration to the convention and final protocol.

LYNDON B. JOHNSON.

Enclosures:

1. Report of the Secretary of State.
2. Volume containing certified English texts of (a) telecommunication convention with annexes; (b) final protocol; (c) additional protocols; and (d) resolutions, recommendation, and opinions.

THE WHITE HOUSE, *July 11, 1966.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 13651) to avoid unnecessary litigation by providing for the collection of claims of the United States, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF TITLE 10, UNITED STATES CODE, TO SIMPLIFY LAWS RELATING TO MEMBERS OF THE ARMED FORCES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to simplify laws relating to members of the Army, Navy, Air Force, and Marine Corps, and for other purposes (with accompanying papers); to the Committee on Armed Services.

AMENDMENT OF NORTHWEST ATLANTIC FISHERIES ACT OF 1950

A letter from the Assistant Secretary for Congressional Relations, Department of State, reporting, for the information of the Senate, that, as of July 1, 1966, 11 of the 13 parties to the Convention on the Northwest Atlantic Fisheries Act of 1950 had ratified or adhered to the protocol; to the Committee on Commerce.

REPORT OF MARITIME ADMINISTRATION

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report of the Maritime Administration, for the year 1965 (with an accompanying report); to the Committee on Commerce.

REPORT ON FOREIGN STUDENTS IN THE UNITED STATES

A letter from the Chairman, The U.S. Advisory Commission on International Educational and Cultural Affairs, Storrs, Connecticut, transmitting, pursuant to law, a report on foreign students in the United States (with an accompanying report); to the Committee on Foreign Relations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a confidential report on management of donated food programs for Mexico under title III of the Agricultural Trade Development and Assistance Act of 1954 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on violation of statutes by use of management and investigations of resources funds for general administrative expenses, Bureau of Commercial Fisheries, U.S. Fish and Wildlife Service, Department of the Interior, dated June, 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for effective guidance of Navajo Tribe of Indians in management of tribal funds, Bureau of Indian Affairs, Department of the Interior, dated June, 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for further improvement in accounting and financial reporting system, Bureau of Public Roads, Department of Commerce, dated June, 1966 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EQUALITY OF EDUCATIONAL OPPORTUNITY

A letter from the Commissioner of Education, Department of Health, Education, and Welfare, Washington, D.C., transmitting, pursuant to law, a report on equality of educational opportunity (with an accompanying report); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORTS RELATING TO THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATION FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classification for certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT OF OFFICE OF ECONOMIC OPPORTUNITY

A letter from the Director, Office of Economic Opportunity, Executive Office of the President, transmitting, pursuant to law, a report of that Office, for the year 1965 (with an accompanying report); to the Committee on Labor and Public Welfare.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954, AND EURATOM COOPERATION ACT OF 1958

A letter from the Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, and the EURATOM Cooperation Act of 1958, as amended (with accompanying papers); to the Joint Committee on Atomic Energy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Appropriations:

"SENATE JOINT RESOLUTION No. 18—RELATIVE TO A HARBOR OF REFUGE AT SAN SIMEON

"Whereas an investigation was authorized by Act of Congress, Public Law 14, Seventy-ninth Congress, which investigation was to include the preliminary examination report of a harbor for light-draft vessels at San Simeon; and

"Whereas this preliminary examination report recommended that a survey report be made for a harbor for light-draft vessels at San Simeon; and

"Whereas light-draft vessels navigating between Morro Bay and Monterey are without a protected harbor along a 130-mile rugged and unprotected shore; and

"Whereas an improved harbor at San Simeon would considerably reduce the distance between safe harbors of refuge and contribute to the safety of life and property; and

"Whereas an improved harbor would enhance the economic stimulus provided by those who go to sea in light-draft vessels; and

"Whereas it is necessary that a federal government report of survey be made before a harbor for light-draft vessels can be established at San Simeon; and

"Whereas the California Navigation Conference has recommended to the House and Senate Subcommittees on Civil Works Appropriations that such a report be made; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly*, That the Legislature of the State of California supports the recommendation of the California Navigation Conference and respectfully memorializes the Congress of the United States to appropriate the necessary funds for the report of survey to determine the feasibility of establishing a harbor for light-draft vessels at San Simeon; and be it further

"*Resolved*, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution, adopted by the Common Council of the City of Buffalo, N.Y., praying for the enactment of legislation to provide for an equitable return of Government funds on an annual basis; to the Committee on Finance.

The memorial of the Tribal Indian Land Rights Association of Oregon, Inc., Portland, Oreg., remonstrating against the derogation of Indian rights; to the Committee on Interior and Insular Affairs.

A petition, signed by Sarah I. Bradley, and sundry other citizens of Covington, La., praying for permission for voluntary participation by students or others in prayer; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MUSKIE, from the Committee on Public Works, with an amendment:

S. 2947. A bill to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act (Rept. No. 1367).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 3034. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals (Rept. No. 1368).

By Mr. MUSKIE, from the Committee on Banking and Currency, with an amendment:

H.R. 139. An act to provide for the striking of medals to commemorate the one thousandth anniversary of the founding of Poland (Rept. No. 1369).

PRINTING OF BEACH EROSION CONTROL STUDY OF ST. JOHNS COUNTY, FLA. (S. DOC. NO. 97)

Mr. RANDOLPH. Mr. President, I present a letter from the Secretary of the Army, transmitting an unfavorable report dated May 12, 1966, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a beach erosion control study of St. Johns County, Fla., requested by resolutions of the Committees on Public Works, U.S. Senate, and the House of Representatives. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF (for himself and Mr. CURTIS):

S. 3585. A bill to amend the U.S. Grain Standards Act, as amended, to permit the inspection of certain grain thereunder upon the basis of submitted samples; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. METCALF when he introduced the above bill, which appear under a separate heading.)

By Mr. ROBERTSON:

S. 3586. A bill to make certain expenditures by the city of Portsmouth, Va., for a civic center eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

(See the remarks of Mr. ROBERTSON when he introduced the above bill, which appear under a separate heading.)

By Mr. LAUSCHE:

S. 3587. A bill to provide for settlement of labor disputes in the transportation and other essential industries; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. LAUSCHE when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 3588. A bill for the relief of Albert L. Chapman; to the Committee on the Judiciary.

By Mr. COTTON (by request):

S. 3589. A bill authorizing the sale of standard silver dollars held by the Treasury; to the Committee on Banking and Currency.

By Mr. SPARKMAN:

S. 3590. A bill for the relief of Dr. Eduardo Sixto Dieguez-Santiesteban; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 3591. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 3592. A bill for the relief of Johann Klassen, his wife, Katharina Klassen, and their seven children; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 3593. A bill for the relief of George Zaharias; and

S. 3594. A bill for the relief of Angelo Picinic; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 3595. A bill for the relief of Osmundo Cabigas; to the Committee on the Judiciary.

By Mr. MILLER:

S. 3596. A bill providing for appointment of postmasters and rural carriers from civil service registers; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. MILLER when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 3597. A bill to amend section 4339 of title 10, United States Code; to the Committee on Armed Services.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. CARLSON (for himself, Mr. MORTON, Mr. PEARSON, Mr. TALMADGE, Mr. TOWER, and Mr. SCOTT):

S. 3598. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction, or amortization over a period of 1 to 5 years, of such expenditures; to the Committee on Finance.

(See the remarks of Mr. CARLSON when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT:

S. 3599. A bill to establish a joint congressional committee to make a continuing study of the programs and operations of the Federal Government relating to science and technology, and for other purposes; to the Committee on Labor and Public Welfare.

S. 3600. A bill for the relief of R. Carl Britt; to the Committee on the Judiciary.

(See the remarks of Mr. ALLOTT when he introduced the first above-mentioned bill, which appear under a separate heading.)

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Judicial Improvements of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, after consulting with the distinguished minority leader [Mr. DIRKSEN], we do not anticipate that a vote on the pending bill, the Federal Employees Pay Act, will occur before 4:30 or 5 o'clock. Although discussion of the pending legislation may be concluded before then, the distinguished minority leader and I have decided to ask the Senate to concur in our mutual wish, because some Senators have been unable to return to Washington because of the airline strike. We believe that because of the unusual circumstances, Senators should be given that consideration.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Is the Senator making a unanimous-consent request?

Mr. MANSFIELD. No. I just desire to make that fact known.

U.S. GRAIN STANDARDS ACT

Mr. METCALF. Mr. President, I send to the desk, for appropriate reference, a bill which I am introducing on behalf of myself and the Senator from Nebraska [Mr. CURTIS]. The bill would amend section 4 of the U.S. Grain Standards Act, as found in 39 Stat. 483, 7 U.S.C. 76.

This is a very short bill, the stated purpose of which is "to permit the inspection of certain grain, upon the basis of submitted samples."

What we seek in the proposed legislation, Mr. President, is permission to apply to the handling of shipments of grain a little of the modern technology about which we hear so much. We simply desire to make possible the use of mechanical grain sampling devices in carrying out grain inspection procedures required by law.

In this way, we hope to expedite considerable the shipment of grain. Present inspection methods, in our view, cause a loss of time and aggravate the boxcar shortages which periodically plague the great grain-producing areas of our Nation.

Although it might seem that a move to use a mechanical device in the inspection of grain could be accomplished without action by Congress, we have been advised by the Department of Agriculture that this is prohibited under the present construction of the Grain Standards Act as reflected in regulations issued pursuant to its provisions. These regulations have been in effect with only minor change since 1920.

If the bill which is introduced today becomes law, it will be possible for automatic grain sampling devices to be installed in grain elevators along with rail lines. These devices would take samples of the grain as it is loaded into boxcars. The samples would be taken to the nearest licensed inspection agency, to be graded. This procedure could replace the present old-fashioned probe test.

A recent survey by a private firm interested in this matter traced the movement of nearly 10,000 railroad cars through 8 grain inspection terminals. Cars stopped or held for official inspection at these terminals underwent a delay that varied from about 2 days in one terminal to more than 10 days in others.

Given the 2 million carloads of grain that are shipped in this country each year, these inspection delays represent a waste of some 10 million car-days. In sum, modernizing grain inspection methods will have the same effect as building thousands of new boxcars.

Mr. President, I ask unanimous consent that the bill lie on the table until July 12 for the addition of names of other sponsors, and that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will lie on the desk, as requested by the Senator from Montana.

The bill (S. 3585) to amend the United States Grain Standards Act, as amended, to permit the inspection of certain grain thereunder upon the basis of submitted samples, introduced by Mr. METCALF (for himself and Mr. CURTIS), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 3585

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 4 of the United States Grain Standards Act, as amended (39 Stat. 483, 7 U.S.C. 76) is amended by adding at the end thereof the following: "Notwithstanding any other provisions of this Act, inspection and grading under this Act of grain shipped or to be shipped in interstate commerce may be based upon a sample or samples obtained (by probe or other mechanical device), and submitted, by or on behalf of the shipper of the grain."

PORTSMOUTH, VA., URBAN RENEWAL PROJECT

Mr. ROBERTSON. Mr. Presdent, I have today introduced a bill to authorize Portsmouth to get credit for money it spends on its proposed new civic center as local grants-in-aid for the proposed Crawford urban renewal project of which the civic center is an integral and essential part.

I have introduced this bill, as I introduced 3 others, S. 3146, relating to Roanoke, S. 3367, relating to Richmond, and S. 3458, relating to Hampton, because I think that these cities, like Norfolk and 14 others last year, are entitled to count their expenditures for major civic projects in downtown areas as contributions toward related urban renewal projects, even if these civic projects are used by or serve parts of the city outside the limits of the urban renewal project.

I trust that the Housing Subcommittee and the full committee will give due consideration to these bills and the 19 other similar bills which have been introduced and referred to the Housing Subcommittee for consideration in connection with the housing program for the year.

However, the fact that I, myself, have introduced 4 such bills and other Senators have introduced 19 is to me a clear indication that a general amendment should be adopted to authorize all cities to have the same treatment. It makes no sense for Senator after Senator to have to introduce individual bills to give fair and equal treatment to individual cities one by one. Instead, we should have a general amendment applicable to all cities conducting major civic projects in downtown areas, permitting the cities to count the cost of such projects as grants-in-aid for the project.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3586) to make certain expenditures by the city of Portsmouth, Va., for a civic center eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949; introduced by Mr. ROBERTSON was received, read twice by its title, and referred to the Committee on Banking and Currency.

BILL TO PROVIDE FOR SETTLEMENT OF LABOR DISPUTES IN TRANSPORTATION AND OTHER ESSENTIAL INDUSTRIES

Mr. LAUSCHE. Mr. President, I introduce for appropriate reference, a bill providing for the settlement of labor disputes in the transportation industry and other essential industries.

The purpose of the bill is to provide legal machinery, after efforts have been made to bring disputant employers and employees into an agreement without success, for the appointment of a board vested with authority to make a final ruling in the matter.

We have had a number of stoppages in the transportation industry in the last decade. The one that provoked the greatest fury of protest was the New York stoppage in the metropolitan transportation industry. At that time statements were made, columns were written, and expressions made even on the floor of the Senate about the injustice and the calamity that came to the citizens of New York when the strike against metropolitan transportation business was put into effect. There was no effective method of bringing that dispute to an end.

The bill which I send to the desk provides that whenever a labor dispute has occurred in the vital transportation industry—and after the mediation board and conciliation service has exercised unsuccessfully its powers to bring about a settlement of the dispute—the President shall create a presidential board to investigate and decide the dispute.

The President shall appoint five members. Three members shall be representatives of the public, and two representatives, respectively, one for the industry and one for the labor union. This board shall have the power to conduct investigations and to take testimony at any place within the United States in relationship to the dispute. Moneys would be appropriated for the financing of the services of the board.

Upon the appointment by the President the board shall promptly hold a public hearing of the parties with reference to the dispute and shall make public a report in writing with respect to the dispute which shall state findings, conclusions, and decisions of the board.

Section 6 of the bill states:

> The decision of the Board shall be by a majority of the whole Board. The rates of pay, rules, or working conditions prescribed or approved by the Board in its report shall be just and reasonable and, unless set aside in judicial proceedings shall be final.

Mr. President, I recognize that the proposals of the bill will not be highly acceptable to many people. However, I am definitely of the opinion that our country cannot suffer any longer the stoppage of the transportation industry which is so vital to the economy of our Nation.

We now have the airline strike. We know what it has done. We know what happened in New York. In my judgment, a law of the type which I propose is needed on our statute books.

Mr. President, I ask unanimous consent that the bill be printed and referred to the appropriate committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3587) to provide for settlement of labor disputes in the transportation and other essential industries, introduced by Mr. Lausche, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, TO AUTHORIZE AIRCRAFT NOISE ABATEMENT REGULATION

Mr. MAGNUSON. Mr. President, I introduce, at the request of the Federal Aviation Agency Administrator, a bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes. I ask unanimous consent that the letter from the Administrator be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 3591) to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, presented by Mr. Magnuson, is as follows:

Federal Aviation Agency,
Washington, D.C.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft bill "To amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes."

This bill is part of the FAA legislative program and is needed to assist us in alleviating a most serious problem.

The introduction of jet aircraft into civil use has provided a faster and more economical method of air transportation which has proved a great benefit to the nation's, and the world's, air commerce. But while advancing jet aircraft technology has provided that benefit, and promises even greater benefits for the future, one increasingly serious disadvantage has accompanied the benefit: jet noise.

Several communities, particularly those located in the vicinity of large jet airports, have experienced the annoyance of jet noise. Heavier jet aircraft are now being introduced into service and the volume of traffic by jet aircraft of all types is rapidly increasing. Thus we can expect that more people will suffer the annoyance of aircraft noise in immediate future years.

Numerous bills have been introduced in this and other recent Congresses proposing various approaches to the solution of the aircraft noise problem. These bills reflect the legitimate concern that many members of Congress feel regarding the impact of aircraft noise on persons and property on the ground.

We in the executive branch are also concerned. The President has designated his Special Assistant for Science and Technology to direct the activities of an interagency task group charged with the responsibility for studying the noise problem and recommending what legislative or administrative actions are needed to alleviate it. That group has recommended that the enclosed legislation be transmitted to the Congress with a request for early enactment.

The proposed bill adds a new section 611 to the Federal Aviation Act to authorize the Administrator to prescribe and apply noise control standards under the provisions of Title VI of the Act, which are presently limited to the promotion of safety.

The existing authority of the Administrator to act in the aircraft noise area is confined to Title III of the Act, section 307(c) of which authorizes and directs the Administrator "to prescribe air traffic rules and regulations governing the flight of aircraft . . . for the protection of persons and property on the ground. . . ." The New Title VI authority is designed to complement the existing noise abatement authority conferred by section 307(c).

The proposed bill authorizes the Administrator to prescribe aircraft noise standards, rules and regulations in the same manner now authorized with respect to minimum standards, rules and regulations as may be required in the interest of safety. The bill also authorizes the application of such noise standards, rules and regulations in the certification of aircraft, airmen, air navigation facilities and air agencies. Under Title VI of the Act, the Administrator is already empowered to issue, amend, modify, suspend or revoke such certificates, but for safety considerations only. This bill would authorize the enforcement of the noise standards in the same manner as we now promulgate and enforce safety standards.

The proposed bill is a part of the Federal Government's overall program to alleviate the problems of aircraft noise by (1) reducing aircraft noise at the source, (2) developing noise abatement flight techniques and (3) fostering the compatible use of land adjacent to airports. Under the proposed bill, noise output must, as a Federal requirement, be taken into account not only in the operation of aircraft but also at the appropriate stage of the development and manufacture of new aircraft. Without such a Federal requirement, there is no authority to insist that the manufacturers and operators take the necessary preventive action within the existing state of the art of noise reduction. Accordingly, we ask early enactment of this legislation to permit us to proceed immediately to develop whatever reasonable standards are appropriate to be applied in the certification of air navigation facilities, air agencies, aircraft, and airmen.

If the Department of Transportation legislation now pending before the Congress (H.R. 13200 and S. 3010) is enacted, the authority vested by the proposed bill in the Administrator and the Civil Aeronautics Board will become vested in the Secretary of Transportation and the National Transportation Safety Board, respectively.

The Bureau of the Budget has advised that submission of this proposed legislation is consistent with the Administration's objectives.

Sincerely,

William F. McKee,
Administrator.

APPOINTMENT OF POSTMASTERS AND RURAL CARRIERS FROM CIVIL SERVICE REGISTERS

Mr. MILLER. Mr. President, I introduce, for appropriate reference, a bill to provide for the appointment of postmasters and rural carriers on a nonpolitical basis. My bill provides for the filling of these vacancies through the competitive procedures of the Civil Service Commission and insures that the most qualified individuals will be selected and appointed by the Postmaster General. All Senators, as well as the people of our country, are aware of the present inequitable system, the lengthy delay inherent in the nomination and confirmation process, and the too frequent resulting inefficiency in the Post Office Department. The number of postmaster nominations sent to the Senate by the President is overwhelming. So far this year we have received 1,037. Figures for the past 5 years indicate not only the volume of work these represent for an already overburdened Senate, but also the opportunity present for widespread abuse in such a system. These are: 1965, 1,456; 1964, 1,303; 1963, 1,918; 1962, 1,644; 1961, 1,949.

I urge Senators to face up to this challenge for better service for the public and greater return from their tax dollar.

I ask unanimous consent that the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3596) providing for appointment of postmasters and rural carriers from civil service registers, introduced by Mr. Miller, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

S. 3596

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3311 of title 39, United States Code, is amended to read as follows:

"Sec. 3311. Method of Appointment.—Notwithstanding any other provision of law, the Postmaster General shall appoint postmasters in accordance with the Civil Service Act and rules except that in each case he shall appoint the person who is certified to him by the Civil Service Commission as the eligible applicant who has the highest earned rating among the applicants examined."

(b) Subsection (a) of section 3315 of title 39, United States Code, is amended by deleting "(4) Appoint an Acting Postmaster,", and inserting in lieu thereof "(4) Appoint the Senior Officer or Clerk in the Office as Acting Postmaster."

Sec. 2. (a) Title 39, United States Code, is amended by inserting immediately following section 3339 the following new section 3340:

"Sec. 3340. Appointment of Rural Carriers.—In filling a vacancy in the rural carrier service the Postmaster General shall appoint the person certified to him by the Civil Service Commission as the eligible applicant who has the highest earned rating among the applicants examined."

(b) The table of contents of chapter 43 of title 39, United States Code, is amended by adding thereto the following:

"3340. Appointment of rural carriers."

BILL FOR RELIEF OF INEQUITIES ON CIVILIAN INSTRUCTORS (USMA)

Mr. JAVITS. Mr. President, I introduce for appropriate reference a bill to amend section 4339 of title 10, United States Code. A companion measure was introduced in the House by Congressman ALEXANDER PIRNIE who is a member of the Board of Visitors of the U.S. Military Academy.

The purpose of this bill is to allow those civilian instructors who were hired by the U.S. Military Academy on the explicit understanding that there was to be no charge for their housing to continue their services under the terms of the original contract. If this bill is not enacted, they will retroactively be subject to a 1963 reinterpretation and ruling by the Comptroller General which imposed a $1,500 per year charge for housing.

While the bill provides relief for those 14 instructors injured by the GAO ruling, those hired after the announced change would be required to abide by the new ruling; thus the legislation provides for an eventual termination of the privilege through personnel turnover. The bill has the support of the Superintendent of the Military Academy and the Department of the Army. For the above reasons, I strongly urge passage of the proposed legislation.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 3597) to amend section 4339 of title 10, United States Code, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Armed Services.

TAX TREATMENT OF EXPENDITURES FOR FACILITIES TO ABATE AIR AND WATER POLLUTION

Mr. CARLSON. Mr. President, I introduce, for appropriate reference, a bill which provides an incentive tax credit for the taxpayer who undertakes a construction program for air and water pollution treatment facilities in cooperating with the Federal and State Governments on pollution programs.

The 20-percent incentive tax credit is applied to all costs of the facility—buildings, improvements, machinery, equipment, and includes total costs of land. Under this legislation the investment tax credit would not be allowed in respect of these facilities.

In addition, the taxpayer is permitted at his election, to deduct these expenses or to amortize these expenditures during the tax year or over the next 4 years after the year in which the expenditures were made.

For the taxpayer to qualify for the benefits of the incentive tax credit and the rapid tax amortization provisions of this proposal, he must obtain approval from the appropriate State agency that the facility is to be constructed in accordance with the State's program for abatement of air or water pollution.

The provisions of the legislation are relatively simple, but they are essential to accelerate construction on the part of business and industry and to achieve the tremendous task involved. American business and industry must have these incentives to undertake programs of the scope necessary to solve the Nation's pollution problems promptly.

The money expended for these projects would be put into nonproductive facilities, primarily in the interest of the public in health, welfare, recreation, and esthetics. These are costly facilities to construct and will require high nonproductive operating costs, which will be continuing charges against future earnings. A modest incentive tax credit and rapid tax amortization of the tremendous costs involved in the construction of pollution abatement facilities will enable the Nation's leaders of business and industry to take prompt action to cooperate with State and Federal Governments in helping to solve the pollution facing our Nation.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 3598) to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction, or amortization over a period of 1 to 5 years, of such expenditures, introduced by Mr. CARLSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. TOWER. Mr. President, as we all know, pollution and contamination of our air and water resources is an increasingly important problem facing the United States.

The distinguished senior Senator from Kansas [Mr. CARLSON] has today introduced a most important piece of legislation designed to help us cope with this growing problem, and I am proud to associate myself with this bill as a cosponsor. I hope it will receive prompt congressional attention.

Many American leaders in business and industry are voluntarily making large-scale plans and expect to commit heavy expenditures in an attempt to combat and solve the serious pollution problem. Many cities in my State—particularly Houston—are seeking ways to clear up air and water pollution.

This legislation provides an incentive tax credit to private firms for all expenditures made for certified pollution abatement facilities. In addition these taxpayers would be able to take these antipollution expenditures as a deduction or to elect to amortize these costs over a period of from 1 to 5 years.

I believe this is an effective and appropriate method of indicating Federal concern in this field and of making it possible for private firms to retain funds with which to make attacks on air and water pollution. Working with State and local authorities, they should—with the assistance provided by this legislation—be able to make major strides toward the goal of preserving clean air and clean water for all Americans to use and enjoy.

ESTABLISHMENT OF JOINT COMMITTEE TO STUDY GOVERNMENT SCIENCE AND TECHNOLOGY

Mr. ALLOTT. Mr. President, I introduce, for appropriate reference, a bill to establish a joint committee to make a continuing study of the programs and operations of the Federal Government relating to science and technology, and for other purposes, and request that it be referred to the appropriate committee.

I have long felt that despite the proliferation of offices in the executive branch of the Government dealing with science and technology, there is a definite lack of coordination of Government policies and plans, and certainly little or no coordination between Government plans and those of the nongovernmental sector. Further, there is insufficient coordination in the congressional oversight of Government efforts in science and technology. This is not to say there are not individuals and organizations concerned with science, and even with the coordination. But too much of the effort in this direction is fragmented, and I feel that the Senate in particular needs better information along these lines. Even within the Appropriations Committee, where I believe we would be most likely to find some sort of comprehensive overview of such activity, there is no real coordination due to the organization into subcommittees and the consequent piecemeal approach to the budget. As a matter of fact, I have recently had the rather frustrating experience of trying to reconcile figures in the budget of the Department of Defense for research and development. The Defense Department gave me a total dollar figure they say they spend on research and development, and when I noted that this figure differed considerably from the amount the Bureau of the Budget said Defense would spend on research and development, I was told that the two offices simply use different bases for computing the proper figure—and so the two could not be reconciled.

The budget contains, it seems, more money each year for scientific research. The "Special Analyses of the Budget," prepared for the fiscal year 1967 budget, contains a 20-page analysis of Federal research, development and related programs. It is, of necessity, a superficial treatment of the Federal involvement in scientific endeavor, and contains none of the substantive information which I would like to see presented to Congress in the annual report my bill would require.

It does show, though, that 11 executive departments and independent agencies either support or are engaged directly in the conduct of research and development to a substantial degree. It shows obligations for research up $200 million in the 1967 budget, from $5.4 billion in fiscal year 1966 to $5.6 billion in the 1967 budget. The comparable figure for fiscal year 1965 was $4.8 billion, an increase of $800 million in 2 years.

It shows also 4 Government-wide programs of scientific research spread among 14 different departments or agencies. Atmospheric science, for example, is budgeted for $234.6 million in fiscal year 1967, spread among five executive departments and four independent agencies. Part of this will be in-house research, part will be by contract or grant to nongovernmental institutions.

Table I-15 in the analysis shows budget expenditures for research and development 1954–66 and also the budget requested for fiscal year 1967. It shows the growth of our R. & D. expenditures in that period of time from $3 billion in 1954 to a requested $16 billion in fiscal year 1967.

In conjunction with this tremendous growth in Government spending for research, we have seen what has been called the "information explosion." Our scientific and technological information has been expanding at such a rate as to be almost incomprehensible. We appropriate funds for the NSF each year now just to index the new information, in an attempt to at least keep scientists in the various fields abreast of developments within their own areas of interest.

And as Senators know, in the Congress we are required to pass judgment on budget requests for science and technology. We are expected to, and should, have some degree of familiarity with at least the general outlines of what is going on in the various disciplines of science, and within the various departments of the Government in the way of science and technology, if we are to fulfill our legislative duties in responsible fashion.

I have strongly supported the various Government programs in science through the years, and I feel that I have been in a uniquely favorable position to do so especially through my work on the Committee on Appropriations. I am privileged to serve on the Subcommittee on Defense Department Appropriations, where the largest amount of funds for science and technology is handled; on the Subcommittee on HEW Appropriations, which includes funds for the Public Health Service and the National Institutes of Health; and as ranking minority member of the Subcommittee on Independent Offices Appropriations, which handles funds for the National Aeronautics and Space Administration and the National Science Foundation, among others. I also serve as a member of the Public Works Appropriations Subcommittee, which makes recommendations to the full Committee on Appropriations for the Atomic Energy Commission, among others, although I am not as closely connected with that particular appropriation as with the others I have named. The Department of Defense, the Department of Health, Education, and Welfare, NASA and NSF together account for $13.6 billion of our $15.9 billion R. & D. budget proposed for fiscal year 1967. AEC has another $1.5 billion in R. & D. funds, and the other $816 million in the budget is spread among several departments and agencies.

I do not suggest by the introduction of this bill that the Federal effort in science and technology should be cut back. I believe that the great bulk of funds we have appropriated for this work have been well invested. There is not the tendency today which I believe I saw 3 or 4 years ago to grant funds without question if they were labeled "R. & D." But I feel we should have more information, and in particular a broader view of the information available, to arrive at the decisions we must make. What I am concerned about is putting into the hands of Congress sufficient information for us to discharge our responsibilities intelligently, and to allow us to make an informed, independent judgment on whether we are satisfied with the overall direction being given to our support of science and technology.

The bill I introduce would require that the President prepare a comprehensive report each year setting forth the major policies, plans, goals, and programs of science and technology in the Government and, so far as they are known, in nongovernmental organizations, and changes proposed therein; the status of and steps to be taken in coordinating such work both within the Government and between the governmental and private sectors; impact of major developments in science and technology; and an assessment of the spending on science and technology anticipated by the Government and nongovernment institutions during that year. The bill would also establish a Joint Committee on Science and Technology which would be without legislative jurisdiction or authority, but would review by way of hearings and issuance of a committee report, the report submitted by the President.

The functional model for the proposal I make is the method now employed by Congress to keep itself informed on the Nation's economic situation and plans. I believe that the President's Economic Report and the review of it by the Joint Economic Committee have been helpful to the Congress and the Nation, and feel that a similar sort of review in the fields of science and technology would also be of great benefit.

While the committee would be without legislative authority, as are the Joint Committee on Internal Revenue Taxation and the Joint Economic Committee, it could make recommendations to the appropriate committees with jurisdiction or to the Congress as a whole; and at the very least, I would expect this committee to point out some of the areas where the Government could improve its handling of this great and rapidly expanding field.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 3599) to establish a Joint Congressional Committee to make a continuing study of the programs and operations of the Federal Government relating to science and technology, and for other purposes, introduced by Mr. ALLOTT, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF NATIONAL SCHOOL LUNCH ACT—AMENDMENT

AMENDMENT NO. 637

Mr. **RIBICOFF** (for himself, Mr. BREWSTER, Mr. BURDICK, Mr. CASE, Mr. CHURCH, Mr. CLARK, Mr. HART, Mr. HARTKE, Mr. INOUYE, Mr. JACKSON, Mr. KENNEDY of Massachusetts, Mr. LONG of Missouri, Mr. MCGOVERN, Mr. MOSS, Mr. NELSON, Mrs. NEUBERGER, Mr. PELL, and Mr. RANDOLPH) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 3467) to amend the National School Lunch Act, as amended to strengthen and expand food service programs for children, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills and joint resolution:

Authority of June 15, 1966:

S. 3506. A bill to amend the Internal Revenue Code of 1954 to permit the deduction of certain additional moving expenses of employees: Mr. CARLSON, Mr. COOPER, Mr. HART, Mr. TYDINGS, and Mr. WILLIAMS of New Jersey.

Authority of June 21, 1966:

S.J. Res. 169. Joint resolution to authorize the President to issue a proclamation designating the 30th day of September in 1966 as "Bible Translation Day": Mr. ERVIN.

Authority of June 23, 1966:

S. 3550. A bill to provide for the issuance by the Secretary of Agriculture of a 25-cent-per-bushel export marketing certificate on wheat for the 1967, 1968, and 1969 crops of wheat: Mr. BARTLETT, Mr. MCCARTHY, and Mr. MONDALE.

ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTION

Mr. **MUSKIE**. Mr. President, I ask unanimous consent that the name of Senators TOWER, MORSE, and YARBOROUGH be added as cosponsors of S. 3097, a bill to provide financial and other aid, under the Housing Act of 1949 and related Federal programs, to encourage and assist in the preservation and maintenance of historic structures, at the next printing of this bill.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MUSKIE**. Mr. President, I ask unanimous consent that the name of Senator KENNEDY of Massachusetts be added as a cosponsor of S. 3521, a bill to foster high standards of architectural excellence in the design and decoration of Federal public buildings outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes, at the next printing of this bill.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **SPARKMAN**. Mr. President, I ask unanimous consent that at the next printing of S. 3561, to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes, the name of the Senator from Michigan [Mr. HART] be added as a cosponsor.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I ask unanimous consent that at the next printing of Senate Concurrent Resolution 51, to express the sense of Congress that the United Nations provide for the self-determination of the Baltic States, the name of the junior Senator from Wisconsin [Mr. NELSON] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF CONTINUATION OF HEARING ON STATE PROCEDURES FOR THE REMOVAL, RETIREMENT, AND DISCIPLINING OF UNFIT JUDGES

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce that the hearing on State procedures for the removal, retirement, and disciplining of unfit judges to be held Thursday, July 14, will be continued on Friday, July 15, in room 6226, New Senate Office Building, beginning at 9:30 a.m.

NOTICE OF HEARINGS ON VARIOUS BILLS

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce hearings on the following measures:

S. 1356, a bill to permit Indian tribes to bring civil action in Federal district courts without regard to the $10,000 limitation;

H.R. 2653, a bill to permit the District Court for the District of Connecticut to sit also at New London;

S. 3404, a bill to authorize the Attorney General to transfer inmates at the District of Columbia jail to any other institution under the control of the Director of the District of Columbia Department of Corrections nothwithstanding the pendency of a petition for a writ of habeas corpus with respect to such inmate;

S. 3576, a bill to amend section 2241 of title 28 of the United States Code, with respect to jurisdiction and venue of applications for writs of habeas corpus by persons in custody under judgments and sentences of State courts.

The hearing will be held on July 15, 1966, beginning at 9:30 a.m., in room 6226 of the New Senate Office Building. Any person who wishes to testify or submit a statement for inclusion in the record should communicate with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

NOTICE OF HEARING ON U.S. POLICY TOWARD NATO

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I wish to announce that the Honorable George Ball, Under Secretary of State, will appear before the committee as a witness on U.S. policy toward NATO and related matters on Wednesday, July 13, 1966. The hearing will be open to the public. It will begin at 10 a.m. in room 318, the Caucus Room, Old Senate Office Building.

Mr. Ball last appeared before the committee on June 30. The hearing on that day was supposed to be devoted to European matters, but because of the interest in events in southeast Asia, particularly the initial bombing of oil installations near Hanoi and Haiphong, the June 30 hearing was devoted almost exclusively to the war in Vietnam.

Mr. Ball's appearance on July 13 continues the committee's educational hearings on Europe which began on June 20. Previous witnesses have been McGeorge Bundy, Douglas Dillon, Gen. Lauris Norstad, Prof. Henry Kissinger, Dr. Jerome Wiesner, and Mr. Adrian Fisher.

NOTICE OF HEARINGS BY SUBCOMMITTEE ON CONSTITUTIONAL AMENDMENTS

Mr. BAYH. Mr. President, as chairman of the Senate Judiciary Subcommittee on Constitutional Amendments, I wish to announce forthcoming hearings on constitutional implications raised by the Supreme Court decision of Miranda against Arizona. These hearings will be held on July 20, 21, and 22, 1966, at 10 a.m. in room G-308 of the New Senate Office Building.

Any persons or organizations interested in presenting their views to the subcommittee should contact the subcommittee staff in room 419 of the Old Senate Office Building, Extension 3018.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Lloyd P. LaFountain, of Maine, to be U.S. attorney, district of Maine, term of 4 years, vice Alton A. Lessard, resigned.

Vance W. Collins, of Kansas, to be U.S. marshal, district of Kansas, term of 4 years (reappointment).

Leo A. Mault, of New Jersey, to be U.S. marshal, district of New Jersey, term of 4 years (reappointment).

Jackie V. Robertson, of Oklahoma, to be U.S. marshal, eastern district of Oklahoma, term of 4 years, vice William M. Broadrick, resigned.

Jesse L. Dobbs, of Texas, to be U.S. marshal, western district of Texas, term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Monday July 18, 1966, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Robert R. Bowie, of Massachusetts, to be Counselor of the Department of State.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on July 7, 1966, he presented to the President of the United States the following enrolled bills:

S. 2266. An act to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art; and

S. 2999. An act to amend section 6 of the Southern Nevada Project Act (act of October 22, 1965; 79 Stat. 1068).

COORDINATION OF FEDERAL COOPERATION WITH STATE AND LOCAL GOVERNMENTS

Mr. MANSFIELD. Mr. President, as the Nation grows, and the programs passed by Congress increase in scope and complexity, the need to exercise effective control over the Federal Establishment and to coordinate Federal cooperation with State and local governments takes on added urgency. This is particularly true in view of the outpouring of new legislation in recent years, especially by the 89th Congress.

It is reassuring to note that many Members of Congress and committee chairmen are giving serious thought to these matters since a responsibility in the development of administration for this legislation vests in the Congress. A leader in the search for effective coordination and control is Senator EDMUND MUSKIE, whose whose Subcommittee on Intergovernmental Relations has spent 3 years studying these problems. His recommendations are embodied in legislation to establish a National Intergovernmental Affairs Council, which he described in some length on June 15 on the Senate floor.

More recently, an article entitled "The Challenge of Creative Federalism," written by Senator MUSKIE, appeared in the Saturday Review. I ask unanimous consent that that article, along with an editorial by the Wall Street Journal of July 8, be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Saturday Review, June 25, 1966]

THE CHALLENGE OF CREATIVE FEDERALISM

(By EDMUND S. MUSKIE, U.S. Senator from Maine)

Federalism is everyone's concern—from the President, who is ultimately responsible for making our system work, to the individual citizen, whose way of life depends upon good government. There is nothing dull or abstract about the subject of federal-state-local relations, since they directly involve people: their health, their homes, their jobs, their rights as citizens, and their security as free men. And when our governments at each level do not apply their laws or allocate their resources effectively—when they do not cooperate to bring the full force of their programs to bear on social and economic problems—it is the people who suffer, and the nation that loses.

During the past five sessions Congress has developed the most impressive package of federal legislation since the Depression to attack poverty, ignorance, urban blight, discrimination, and other human problems. It cuts across departmental and agency lines both in the federal sector and at state and local levels; it requires special skills and technology for effective administration. Thus, this legislation is only as good as the machinery which administers it.

Today this machinery, molded and tempered by a century and three quarters of evolutionary development, is under its greatest stress. While in the past we have concentrated primarily on the policies of government, the spotlight now must be turned on the procedures of government. Here is where the Great Society will succeed or fail.

What are some of the problems?

First, there is the emergence of big government—at all levels. The scope of government today has become enormous and complex, and it involves far more than federal activities.

In 1946, state and local governments spent a total of $11 billion to meet public needs, and they had a combined debt of $16 billion. This year they will spend approximately $84 billion, and their total debt will rise to $100 billion. This represents a 528 per cent increase in state and local outlays in the past twenty years.

By contrast, the federal government in 1946 spent $894 million to help the states and localities augment their public programs. This year that expenditure will rise to more than $14 billion and will involve more than 170 separate aid programs administered by some twenty-one federal departments and agencies. Projected ahead to 1971, state and local annual expenditures are expected to escalate to $120 billion, while total federal expenditures—barring a war or depression—will reach $110 to $115 billion.

The accelerated growth of public employment parallels this dramatic expansion of budgets and programs. Here, it is getting increasingly difficult to tell the players by the numbers, let alone keep track of the score. State and local public employment has risen from 3,300,000 in 1946 to 8,000,000 in 1965. The federal government—despite the popular myth that its rolls, too, are expanding—has reduced its employment by 100,000 during the twenty-year period, but it still accounts for 2,600,000 workers.

These statistics tell us a great deal about the pressures on our federal system. They highlight the strenuous effort that state and local governments have exerted and must continue to exert to meet the demand for more and better public services. They certainly dispel the notion that expanding federal power has undermined the capacity of these jurisdictions to govern themselves. And they show clearly how complicated the task ahead will be of coordinating our joint economic and social action programs.

A second major intergovernmental problem area is the "management muddle"—the overall quality and efficiency of administration of public programs. The Senate Subcommittee on Intergovernmental Relations, which I am privileged to chair, recently completed a three-year survey of federal, state, and local administrators to learn their views and attitudes about our federal system.

We found substantial competing and overlapping of programs at all three levels—sometimes as a direct result of legislation and sometimes as a result of "empire-building." We learned that too many federal officials, particularly at the middle management level, were not interested in, and, in fact, were hostile to, coordinating programs within and between their departments, and were reluctant to encourage coordination and planning among their state and local counterparts.

At the same time, federal aid officials complained that state and local administration was understaffed, lacking in quality and experience, unimaginative, and too subject to negative political and bureaucratic pressures. They found a variety of archaic state constitutional and legal restrictions that continue to block effective application of federal aid programs, and hamstring state and local administrators in developing their own programs.

Perhaps the most serious indictment coming of the survey concerns the caliber of state and local administrators responsible for building the Great Society. Confronted with urban congestion, slums, water pollution, air pollution, juvenile delinquency, social tension, and chronic unemployment, public administrators today must be professionals in every sense of that word. Yet we found that too often they are not, mainly because of the antiquated, patronage-oriented personnel systems which hinder the hiring and keeping of good people.

We found that unfavorable working conditions, low pay, and excessively bureaucratic rules and procedures discouraged both prospective employees and careerists. Personnel development programs, including opportunities for job mobility, in-service training, and educational leave, appeared to be minimal, except in some of the larger jurisdictions. We found a noticeable lack of effective merit systems, which results in the loading of some agencies with unprofessional, uninspiring, and ofter unfit personnel. Finally, responsible administrators complained that inflexible rules and regulations—dictating whom, when, and how they could hire, pronote, or fire—frustrated their efforts to develop effective staff support.

In short, there is a serious manpower crisis in state and local governments which, if not confronted, may contribute more than anything else to a weakening of the states, their localities, and the federal system as a whole.

What can be done? Where do we begin?

First, we must start by putting the federal house in better order. We can hardly expect state and local jurisdictions to coordinate their services and plan their communities if Congress continues to pass inflexible programs and if federal administrators maintain their traditional aversion to program coordination and comprehensive planning. What we need is a new policy of coordinating federal aid programs and new machinery in Washington and in the field to see that such a policy is carried out.

This is why I have recently proposed that permanent machinery be established in the Executive Office of the President to produce specific new guidelines for coordinating and planning federal programs, and for working directly with state and local leaders to encourage them to coordinate and plan their programs. This is not being done today—not by the Bureau of the Budget, not by the Council of Economic Advisers, and not by the more than 100 inadequately staffed interagency committees, boards, and councils which have been set up in the federal establishment to solve specific problems and which, for lack of authority, have ended up doing virtually nothing.

What the President needs in his impossibly busy and exhausting job is a personal ombudsman, a watchdog for crisis, a central domestic information agency, and an inspector general for program effectiveness. This can be achieved by creating a new and broadly based interdepartmental council with a "working secretariat" of top-level generalists not wedded to any department; or it can be achieved by strengthening the authority of the Bureau of the Budget in this area.

Secondly, we must find a more flexible way to grant federal assistance to the states and the communities that would encourage their joint programing and longer-range, comprehensive planning. Four recent bills are steps in this direction:

The Economic Development Act, passed last session, provides in part for establishment of regional economic planning commissions—composed of federal representatives and Governors of states that have related growth problems to recommend regional plans for coordinating programs, establishing priorities, and allocating expenditures.

The Intergovernmental Cooperation Act, which unanimously passed the Senate last summer and is now pending before the House, would establish a coordinated intergovernmental urban assistance policy and significantly strengthen the basis of regional and local planning.

The Demonstration Cities Act, recently advanced, would provide incentive funds to cities to come up with their own coordinated programs for renewing blighted areas on a multifunction basis—welfare, schools, antipoverty, housing—as well as supplemental assistance for federal programs included in the demonstration program.

The Urban Development Act would give special supplementary funds for projects that are part of a metropolitan-wide development program being coordinated by a public, area-wide planning agency.

The emphasis in all four of these bills is on marshaling federal, state, and local resources, in coordination, to achieve a meaningful impact, rather than on the traditional program-by-program, jurisdiction-by-jurisdiction approach—which too often has led to confusion, waste, and delay in overall urban development.

Some of my colleagues would abandon—wholly or in part—the federal grant-in-aid approach, and seek to stimulate overall development at state and local levels by sharing federal revenues with the states or by making block grants on an unrestricted basis. This is becoming a popular cause; its advocates include a curious coalition of conservatives, moderates and liberals.

The pitfalls of unrestricted revenue allocation are many and are sufficiently complicated to warrant extensive examination by a top-flight panel such as the Advisory Commission on Intergovernmental Relations. In general, however, states vary so extensively in their attitudes and machinery for providing their own revenues, planning for their needs, administering their programs, and ensuring the civil and eclonomic rights of their citizens, that any kind of federal revenue sharing that ignores the uneven pace of efforts to modernize state and local tax, finance, planning, and administrative policies would provide windfalls to some states and inequities to others.

Third, we must develop a new federal program for helping state and local governments improve the competency and efficiency of administrative personnel. These people carry the bulk of the responsibility for making the Great Society work, and it is Congress' responsibility to help them.

I recently introduced legislation, the Intergovernmental Personnel Act of 1966, which helps to discharge this responsibility. The measure extends the merit system requirement to more grant-in-aid programs (only nine at present are covered); it makes matching grants and technical services available to state and local governments for the improvement of their overall personnel administration; it encourages cooperative efforts in recruitment and training, on an interlevel and interstate basis; and it makes available federal training facilities and also provides grants and technical assistance for training. Modest as these changes are, they at least would be a start in the necessary direction.

Encouraging the states and local governments to plan for expanding needs and make effective use of their own resources and of federal programs is admittedly a difficult task. Some observers feel that the traditional anti-federal biases and apprehensions of these jurisdictions make this task impossible. I disagree. Governors, county commissioners, mayors, and other public officials are serious about wanting to provide better services to their constituents. Politicians know the political mileage that can be gained by bringing effective, modern programs to their communities. And most citizens want to see their tax money spent wisely.

Encouraging federal administrators to visualize the long-term implications of their programs and to recognize the necessity for greater inter-level coordination and cooperation is also difficult. For some, the functional, professional, stand-pat bias of middle-management executives who administer grant programs makes this task impossible. President Johnson, however, and the top management of this Administration, do not despair of the task.

In his Budget message the President said: ". . . Many of our critical new programs involve the federal government in joint ventures with state and local governments in thousands of communities throughout the nation. The success or failure of those programs depends largely on timely and effective communications and on readiness for action on the part of both federal agencies in the field and state and local governmental units. We must strengthen the coordination of federal programs in the field. We must open channels of responsibility. We must give more freedom of action and judgment to the people on the firing line. We must help state and local governments to deal more effectively with federal agencies."

The President's concern with improved intergovernmental relations is critically important to the task ahead. The concern of governors, state legislators, county executives, mayors, and other public officials is no less significant. Cooperative federalism, after all, accepts the expanding role of state and local governments to take on greater political and administrative responsibilities as the nation grows, while relying on an effective federal role to provide incentives and resources to these jurisdictions to promote common goals.

The pattern of sharing that is so characteristic of contemporary intergovernmental relations is not new. It came into being during the three decades following the adoption of the Constitution—largely under the successive, masterful leadership of three Cabinet officers, Hamilton, Gallatin, and the younger Calhoun. The program of reform that I have described here merely updates this traditional approach, as must be done if we are to meet the challenges of the last half of the twentieth century.

[From the Wall Street Journal, July 8, 1966]

COORDINATING A COLOSSUS

After three years of studying the interworkings of Federal, state and local governments, Senator Edmund S. Muskie has concluded that things are in pretty much of a mess. His appraisal—confirmed by this week's Governors Conference—is indisputable but the Maine Democrat's proposed remedies do raise a few questions.

At all three levels of government, the Maine Democrat said in a Senate speech, his Intergovernmental Relations subcommittee "found substantial competing and overlapping of programs . . . sometimes as a direct result of legislation and sometimes as a result of bureaucratic 'empire building.' We learned that many Federal officials . . . were just not interested in—in fact, were hostile to—coordinating programs within and between their departments." The committee found similar deficiencies in the states and localities.

A number of Senator Muskie's suggestions have merit; among them are ideas for improving the quality of state and local government and for easing communications between various administrative levels. He also is wise enough to see that any attack on the problem should start in Washington.

"We can hardly expect state and local jurisdictions to coordinate their programs and improve their services," he comments, "if the Federal house is not in better order." Unfortunately, however, his proposals at the Federal level mainly involve new methods for managing the house; actually, the structure itself is in need of some basic alterations.

In the first place, there should be a realistic realignment of Federal responsibilities. To cite only one of the more glaring examples, transportation activities are scattered among the Department of Commerce, the Interstate Commerce Commission, the Department of Defense, the Federal Aviation Agency, the Department of the Interior and the General Services Administration.

The proposal for a new transportation agency could be a first step toward simplification, though the plan—as it now stands, anyway—would leave too many related activities outside. If the new agency is ever to serve its proclaimed purpose fully, its jurisdiction will have to be clear and complete.

Morever, if a new transportation agency is to operate efficiently it must be more than a rickety new framework placed atop a number of existing and still largely independent units. The folly of that approach should have been adequately exposed by the early misadventures of the Department of Health, Education and Welfare.

If these difficulties can somehow be surmounted, not only in transportation but in other areas, the way will be cleared for improved management and planning. Here Senator Muskie offers some ideas that are provocative.

At the moment, the Senator notes, there are at least 100 interagency committees charged with coordinating domestic programs that in one way or another affect the states and localities. Obviously enough, many if not most of these groups are ineffective and should be eliminated.

As a replacement for the interagency committees, Senator Muskie proposes a National Intergovernmental Affairs Council, chaired by the President and composed of the Vice President and the agency heads whose programs impinge on state and local governments. With a strong staff and the use of Presidential power, the NIAC could compel coordination at the Federal level and strongly encourage it elsewhere, keep tabs on existing domestic programs and serve as a forum on the need—or lack of same—for new ones.

While the NIAC plan has much to commend it, there's at least one major argument against it: The Council would do what the Budget Bureau already does or, if adequately staffed, surely could do. And we're afraid we don't share the Senator's feeling that the Bureau's usual emphasis on "budgeting, economy and functional performance" would be a handicap.

Furthermore, a beefed-up Budget Bureau would have an advantage in its breadth of approach. It could set up reasonable priorities not only in programs that touch states and localities but throughout the whole wide and expanding range of Washington's activities.

If there's ever enough will to coordinate the Federal colossus, in sum, a way can be found. Senator Muskie's analysis of intergovernmental confusion is further evidence that, unless the will is found soon, the alternative could be complete chaos.

COST REDUCTIONS REPORTED BY DEPARTMENT OF DEFENSE

Mr. FULBRIGHT. Mr. President, it is indeed encouraging to read in the New York Times this morning about the tremendous savings being effected by the Department of Defense. The Department has, according to the Secretary of Defense, saved $14 billion in the first 4 years of its cost reduction program. During this same 4 years the actual expenditures of the Department have risen, not quite 50 percent on an annual basis, so that in fiscal 1967 the Department will absorb just about $60 billion. Since World War II our Defense Establishment has spent approximately $850 billion and today we have more bombs and other machines of destruction than the Nation has ever had.

It is indeed fortunate that we have such an efficient and cost-conscious administration in the Pentagon. It is all the more important as our defense expenditures creep up from the $60 billion to the $70 billion or even $100 billion mark. We shall need all the savings we can get in order to survive at all.

Mr. President, I ask unanimous consent to insert in the Record at this point, the article from the New York Times of July 11 by Mr. Benjamin Welles.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York (N.Y.) Times, July 11, 1966]

McNAMARA SAYS COST REDUCTIONS SAVED $14 BILLION IN 4 YEARS

(By Benjamin Welles)

Washington, July 10.—The Defense Department has saved more than $14 billion in the first four years of its cost reduction program, Defense Secretary Robert S. McNamara has informed President Johnson.

The program, which went into effect in July, 1962, has "far" exceeded its original goals each year, the Secretary said in a report relased for publication today.

As an example of the accomplishments, Mr. McNamara said that in the fiscal year 1966, which ended June 30, $4.5 billion was saved. He said this saving was $400 million more than had been estimated.

Mr. McNamara said it was expected that annual savings would increase to $6.1 billion for 1969 and each year thereafter.

This cost-cutting program, Mr. McNamara said in his annual progress report to the President, has not only produced "very substantial savings" but has also improved the efficiency of the nation's military logistics system.

NOTES MILITARY BUILD-UP

The $4.5 billion savings in 1966, the Secretary said, were achieved "at the same time we were building up a military force of about 350,000 men in Southeast Asia, some 10,000 miles from our shores" and were providing them weapons, ammunition and huge quantities of other needed combat supplies.

Mr. McNamara advised the President that the United States military effort in Southeast Asia had been increased in the last 12 months by 240 per cent in the number of military personnel deployed and 480 per cent in the number of combat maneuver battalions.

He said that other increases had amounted to 235 per cent in the number of helicopters, 110 per cent in the number of land-based attack aircraft, 70 per cent in the number of naval vessels in offshore waters, 145 per cent in air ordnance expended, 310 per cent in the capacity of the ports, 240 per cent in the volume of dry cargo delivered by ship and 170 per cent in tonnage delivered by aircraft.

Further, he said, during the 1966 fiscal year the United States expanded production of fixed wing aircraft by 15 per cent, of helicopters by 60 per cent, of aluminum air field matting by 2,100 per cent, of air-delivered munitions by 1,300 per cent, of ground-delivered munitions by 160 per cent and of tropical uniforms by 6,700 per cent.

All this, Mr. McNamara noted, was accomplished without imposing wartime controls on wages, prices, or on civilian production and consumption.

The Secretary stressed that the Reserves had not been mobilized. And he said the Defense Department had held defense expenditures at a level lower than that of four of the past five years.

The level of spending was based on a percentage of the gross national product, which is the dollar measure of the nation's output of goods and services in a year.

Defense Department sources said that the spending percentage between 1961 and 1965 had been 8.5, 8.6. 8.4, 8.3, and 7.1 As far as can be estimated for the fiscal year 1966, they said, the figure yas 7.6.

Mr. McNamara conceded that the Defense Department's "Primary" responsibility was to be ready for combat rather than to cut costs. However he said that without an "incentive" toward the economy the pervasive tendency in the Pentagon would be to overstate requirements, hoard stocks and manpower and "pyramid" supplies at each echelon of management.

The United States emerged from the Korean War with $12-billion worth of surplus stocks, Mr. McNamara said.

"The over-funding during the Korean War was startling," he said, adding:

"In June, 1953, the Defense Department reported a total of $12.7 billion programmed for air force spare parts for fiscal years 1951–54 compared with actual and projected consumption in those years of only 1.7-billion; and an inventory requirement of only $1.5-billion.

"This is the kind of pitfall we are seeking to avoid in the current military build-up."

Under the present cost reduction program, Mr. McNamara said, the Defense Department stocks only enough to meet "normal peacetime needs plus the amount required to tide us over in wartime until production can catch up with consumption."

Even with hindsight, the Secretary asserted, "We could not have significantly improved" on the over-all performance of the cost reduction program during the last five years.

Some mistakes were made, he conceded, and "there is room for improvement in the mechanics of the program" as was pointed out by Touche, Ross, Bailey & Smart, an independent public accounting concern hired by the Pentagon to review the program.

Citing the opinion of military commanders whom he did not identify, Mr. McNamara said:

"No military force in this century has been moved so far so fast, has been as well supplied and has sought as effectively as the force of 350,000 men, 1,800 fixed wing aircraft, and 1,700 helicopters which we currently have deployed in Southeast Asia."

"This has been achieved after realizing, during the past five years, $14-billion in savings from the cost reduction program and after eliminating, during the same period, almost $60-billion from the budget requests of the military services."

The cost reduction program is built on three basic principles, the Secretary said. These involve buying only what we need to achieve combat readiness, buying at the lowest sound price, and reducing operating costs by ending unnecessary operations, by standardization and by consolidation.

During the last year, Mr. McNamara said the Defense Department saved $1.6 billion by refining calculations of requirements, by increasing the use of excess inventories, by eliminating costly items and by cutting inventories.

For example, he said, the number of items in the Pentagon inventory, which rose from 3.3 million in 1958 to 4 million in 1962, has been cut to 3.8-million at a major savings. It is estimated that each item costs $100 to handle each year, he said.

The Secretary said that a deliberate shift from noncompetitive to competitive procurement had also helped to save about $1.3-billion in the last year.

CREDIT UNION COOPERATIVES IN ARGENTINA

Mr. FULBRIGHT. Mr. President, an interesting article appears in the New York Times this morning. It describes the taking of control of the credit union cooperatives in Argentina by the Central Bank.

The article says this is the first dividend paid by the new military junta to its big business backers. If I understand the story correctly it is also a major blow to the development of a middle class in Argentina and eventually a democratic system. In view of this development I hope our Government will go very slowly in extending financial assistance to this new dictatorship.

I ask unanimous consent to have the article printed in the RECORD at this point.

There being no objection, the article was ordered to be printed inthe RECORD, as follows:

BACKERS OF ONGANIA JUNTA PROFIT FROM CURB ON ARGENTINA'S CREDIT UNIONS

(By H. J. Maidenberg)

BUENOS AIRES, July 10.—The business backers of Argentina's new military regime received their first dividend Friday when the Central Bank took control of the widespread credit-union cooperatives.

Banking interests had been particularly opposed to the growing competition of the credit cooperatives and had long urged their liquidation. Other business sectors have been equally outspoken against marketing and other cooperative groups financed by these funds.

If the credit unions are dissolved as many believe they will be, the impact on Argentina's small-business men and consumers will be tremendous. Not only do the credit unions finance the corner grocer; they provide low-cost loans without collateral to tens of thousands of individuals.

Unable or unwilling to make small loans of this kind, commercial banks have seen these funds expand rapidly, particularly during the 32-month government of President Arturo U. Illia, which was overthrown June 28.

Although comparative figures are not available, a glance at the balance sheet of one of the typical unions of the 583 credit unions in the greater Buenos Aires district illustrates their recent growth.

The Villa Sahores Credit Cooperative had 750 members in 1962. By last June 30 the membership had grown to 2,667. The Villa Sahores Credit Cooperative's loans rose from the equivalent of $72,000 for all of 1962 to $900,000 in the first half of this year.

News of President Juan Carlos Ongania's decree placing the credit co-ops under Central Bank control and direction has thus far been overshadowed by the sesquicentennial events yesterday marking Argentina's independence. The full impact is expected to be felt this week.

However, the new Government's intentions were foreseen. A few days after the coup, overzealous Government aides ordered the arrest of 18 top officials of the Institute of Credit Cooperatives, which was formed in 1958 to act as spokesman for the autonomous units. President Ongania ordered the officials' release last Tuesday.

The credit unions were formed about 75 years ago by Jewish farmers and cattlemen in northern provinces. When the bulk of later Jewish immigration settled in the cities, the credit unions provided financing for small merchants and manufacturers that was usually not available to them.

Some foreign bankers conceded that these funds made possible the relatively high standards of living in Buenos Aires.

During the early decades of the credit unions they were often subject to harassment and despite the growing number of non-Jews in them they were the target of any anti-Semitic groups.

The broadening of the membership began during the 11-year rule of the former dictator, Juan D. Perón, whose strange economic theories hurt many in the banking community.

The greatest impetus occurred when President Illia's Government took office on October 11, 1963. His efforts to curb inflation pinched the banks.

Officially, the new Government has taken the position that the Central Bank, which is similar to the Federal Reserve System in the United States, could not regulate the nation's monetary policy with about a fifth of the country's banking business outside its control.

Officials of the Institute of Credit Cooperatives contend that they are already subject to banking regulations.

The first test of the Government's order is expected Tuesday when several credit unions plan to hold mass rallies. If held, they will be the first mass demonstrations against a ruling by the military regime.

DIPLOMATIC SANCTIONS ASKED

The Johnson administration was urged by New York's two Senators yesterday to continue withholding diplomatic recognition and economic aid from the new military regime in Argentina until it receives evidence that democratic processes will be restored.

In separate statements, ROBERT F. KENNEDY, a Democrat, and JACOB K. JAVITS, a Republican, called on Washington to show in practice its dismay over the overthrow of Argentina's constitutional regime.

The continued suspension of diplomatic and economic ties, they contended, would discourage other military uprisings and prevent the Argentine junta from becoming a dictatorship.

The Senators expressed concern about the developments after President Ongania indicated Saturday that he had no plan to call for elections or to lift the ban on political parties.

At the same time reports from Buenos Aires quoted diplomatic officials as confident that the United States would soon resume diplomatic relations which Washington suspended June 28.

VIETNAM

Mr. FULBRIGHT. Mr. President, recently Mr. Stuart Chase wrote a very perceptive letter to the editor of the Washington Post, which appeared in the issue of June 24, 1966.

I ask unanimous consent to have the letter printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Vietnam Balance Sheet

The war in Vietnam has been escalating for almost a year and a half now, long enough to produce some accredited facts and much debate. Communiques from the front, reports by impartial journalists, editorials at home, teach-ins, full page advertisements, statements by the Pope, U Thant, de Gaulle and other world leaders, and most recently the Fulbright hearings—these are sufficient, I believe, to warrant a balance sheet. What do we stand to gain from this war, and what do we stand to lose?

The gains:

Our Government has carried on a policy inaugurated by former Administrations, and can thus claim a certain consistency in maintaining national policy and interest. (The fact that the national interest and honor have acquired a new and different complexion in the nuclear age is disregarded in evaluating this asset.) Vietnam provides a laboratory for testing new varieties of military hardware, chemicals and tactics. (Not all Americans, however, consider this a gain.) The rate of unemployment has been somewhat reduced by war spending.

The losses:

The detente with Russia, which promised so much for disarmament and ultimate world peace, has been disastrously weakened. To my mind this is the most serious loss of all, both for our country and for mankind. Vietnam, with the firepower now deployed or anticipated, will be battered to a pulp—its people, villages, rice fields. This is the major human cost. The American dead and wounded are also a grievous human cost. We are losing, if we have not already lost, the support of our allies around the world. Some governments may give uneasy assent, but not their people, if foreign reports are to be trusted. The Pope is critical and alarmed.

The United Nations has been materially weakened. U Thant is critical and alarmed.

Communist countries have been presented with a new arsenal of propaganda weapons, revolving around the charge of "imperialist aggression." Vietnam has seriously divided U.S. opinion, hurt President Johnson's consensus, and lined up many intellectuals and large church groups against the Administration. Most wars unify the home front; this war has sundered it. The credibility of official statements about the war is widely questioned. Many if not most citizens are confused and uneasy. Who is the enemy? Head counts of Vietcong dead do not seem to quiet the uneasiness. There is danger, in the steady march of escalation, that Russia and China may forget their ideological differences. If so, World War III looms.

A final loss, hard to measure, is the sheer momentum of war. Powerful people, in and out of the Pentagon, are now so fiercely concentrated on military victory ("there is no substitute for victory") that one wonders if the process can be stopped. De Gaulle, to his credit, stopped the war in Algeria, but it takes great leadership, once the tanks begin to roll. How long will it be before this war goes out of all human control?

It does not take a CPA to certify that the liabilities exceed the assets on this balance sheet, and that the deficit is mounting.

Stuart Chase.

Georgetown, Conn.

Mr. FULBRIGHT. Mr. President, I also ask unanimous consent to have printed in the Record at this point a letter by one of my valued constituents, Mr. Lee McEwen, to the editor of the distinguished newspaper in my State, the Texarkana Gazette, of May 27, 1966.

There being no objection, the letter was ordered to be printed in the Record, as follows:

[From the Texarkana Gazette, May 27, 1966]

Editor's Mailbox

Editor, Texarkana Gazette:

I take exceptions to Thurman Sensing's article in the May 15th, 1966 Sunday Gazette captioned "The Ugly Senator," because of Sensing's unfounded and unfair implications as to Senator Fulbright's views on foreign affairs, alleged Fulbright quotes taken out of context and the general structure of the article being based upon much innuendo. From newspaper accounts and having watched on TV much of the Senate Foreign Relations committee hearings about the Viet Nam situation, I had the feeling that it was conducted in such a manner as to find our real purpose and to give the American people answers to questions that we are entitled to know.

Senator Fulbright has frankly admitted he could have been and was perhaps wrong in the past in supporting some of the various phases of our role in Southeast Asia. This is not the mark of a man that would have his every opinion taken verbatim without review. I get the impression that Senator Fulbright tempers his statements with a "let's examine and see before we act" attitude rather than that of making rash statements in concrete form.

He has stated in the course of the hearings that indeed, since we have committed ourselves in Viet Nam, we have a "face saving" responsibility as a great nation with great power and we hope great respect in all the world. The Senator has never advocated that we tuck our tails and run, only that we examine the possibilities of an honorable settlement or withdrawal from an extremely unstable situation in a country in which we are not even sure that the majority of the people want our assistance.

I think it unfair for Mr. Sensing to accuse the senator of being bent on "convincing the American people that they are "ugly ducklings." The senator is not responsible for the number of unpleasant facts these hearings have laid bare to the public. The fact that we have used our influence to prevent elections in Viet Nam that were supposed to have been held long ago, is not the senator's sole responsibility.

It is a fact that these people in that area have been constantly engaged in warfare for the past 25 years and this is not the senator's fault. Do they think like we do? Do they want a system of government like ours? And in fact, do the majority want peace? These are questions we should have answered.

Is it a proven fact that many millions of dollars that was intended to help the masses of South Viet Nam people has in fact made rich people out of a few profiteers over there? Who is to blame for this? We furnished the aid and should be responsible for its intended distribution.

Is it being an "Ugly Senator" to head a senate committee that seeks to find answers as to why we are expending American lives, and tax money, (the latter the least important) in a country where there is no clear cut leadership and where one after another regime has fallen? Are we not a people capable of knowing these answers? If in fact we have erred to any degree in our policy in Viet Nam, are we not big enough to make corrections?

Certainly, any good American will fight to hell and back in the cause of freedom. And I sincerely hope our role in Viet Nam will serve this purpose. However, I find it comforting to know that we have in our nation such men of influence and leadership as Senator Fulbright, who have the courage he has shown in attempting to reveal important facts to the people which they are entitled to know about such actions.

Our system of government is such that we have always had "checks and balances" in the form of various leaders in moments of national crisis down through our history. Let us pray that this will always be so and that it will insure sufficient tolerance and patience where and when needed.

Criticize if you will, such dedicated men as Fulbright if they have different views, but don't condemn them as demagogues. Had it not been for such men, our Republic would have never been founded. Certainly our Declaration of Independence was prompted by voices that dared speak out against the leadership of the time and against the financial interests of many of the citizens.

Speaking as one American, I found the public hearings of the Senate Foreign Relations Committee informative and enlightening. It has given me cause to wonder if our interpretation of "freedom" can be effectively applied in Viet Nam.

The leaders in power, when we committed ourselves, are shot and dead now—there have been a number of different assumed leaders since. We have never known the true desire of the people. Recent demonstrations and other developments have indicated we have good cause to wonder if our help or presence is wanted.

In fact, we are involved in a civil war in another country whether we want to admit it or not. And it may well become a civil war within a civil war.

If the majority of those people choose to have a communist type government, can we legally and in good faith impose our will by force to prevent it. Though we may detest the system and the evil it breeds, we cannot without being hypocritical, put a common brand on everyone and everything communist. If this is so, why are we aiding Yugoslavia?

It is right that the American people be alerted to potential hazards involved by our action so close to the Chinese mainland. It is careless to assume that China won't become directly involved.

Any nation of people that will spend 1500 years to build a defense wall to keep out invaders (1500 mile great wall of China began around 228–210 B.C.—completed the latter half of the 14th century) is by tradition and heritage bound to have a common fear of having their border exposed to foreigners. Whether they be ruled by clans of war lords or under the common direction of a Communist dictator, fear can cause a person or a nation to commit a suicidal act. I don't believe for a minute our leaders intend to arouse China, but we should not condemn those leaders who point out such possible dangers.

Sensing in his article suggests throwing things in Fulbright's face—using our fighting back in Pearl Harbor and our action with the Berlin Air Lift as justification. It is absurd to even attempt to make comparisons between our situation in Viet Nam and that of Pearl Harbor and West Berlin.

In one, our people and our security were directly attacked with tools and men of war without any room for equivocation as to the intent for such attack. In the other, in Berlin, a right was being denied us which the world knew we had and were entitled to by virtue of Americans already having fought and died to help bring about. It is absurd to try to show equal comparisons and irresponsible journalism to try and appeal to a reader's same degree of patriotism was felt because of the Pearl Harbor attack.

The difference is: on the one hand our liberty was in jeopardy by direct intervening forces—on the other, as in Viet Nam, we are intervening and many Americans are wondering if the latter is justified even though we want it to be in the cause of freedom.

There is one thing for certain—Never before in the history of man, until recent years, did he have the ability to completely destroy himself. This ability exists today and whether we like to think about it or not we should, perhaps, sometimes need to be reminded of this in no uncertain terms.

Because of this grave fact, the American people are entitled to know all the facts pertaining to such commitments as we have made in Viet Nam. The American people should be allowed to decide whether or not we feel we have sufficient national resources, man power and wealth to commit them all anywhere in the world, especially when it is done in the cause of an assumed "fight for freedom," where there is insufficient evidence to know the majority of the people want our help. If there is clear cut danger to our freedom, by all means let's fight back and leave no reason to doubt that we won't, but let's have a lot of public committee hearings by our leaders on situations like Viet Nam before we become too involved.

Can we support many Viet Nam operations without eventually resorting to our great nuclear power? Is it not conceivable that we will be exposed to more than one such Viet Nam commitment and possibly all at one time if we don't examine our present policy? Aside from a few Australians and a substantial number of South Koreans, where are our allies in this action? Even the committed member nations of SEATO? (Many are hauling supplies that help our enemy.)

We are involved in a sticky mess unparalleled in the history of our republic, and a nation of people that has built what we have certainly are intelligent enough to review the situation from all aspects without condemning those that seek to help present facts to help us focus on the overall picture.

The simple facts are: we are in constant danger of war with China because of getting involved in something which has not been sufficiently proven that the justification matches the potential hazards and the degree of their consequence.

We do not want to be an aggressive nation, nor ever have to use our vast nuclear power, yet simple arithmetic should reveal to all of us that a nation of 200 million would have little chance of defeating one of over 600 million in a conventional war, where our supply lines would have to reach and be maintained half way round the world. We would almost certainly have to use our nuclear weapons, and once we "push the button" deterrent forces might very well, out of fear or for whatever reason, push theirs.

Though it might be unthinkable, this is a real possibility and should it ever occur, the "point of no return" may well have been past for all mankind. There may be a few moments left to reflect upon the mistakes of man, but no recourse left to correct them.

I believe that people are and need to be better informed than ever before—it is right and proper that we examine and review each step we now take.

There is one absolute certainty upon which we all can be sure of—if we can not correct any mistakes that might have been or will be made and the "button is ever pushed" we will be a long time dead.

Respectfully yours,

LEE R. MCEWEN.

TEXARKANA, ARK.

LOYALTY NOT THE ISSUE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the Record an editorial entitled "Loyalty Not the Issue," published in a recent issue of the Northwest Arkansas Times.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Loyalty Not the Issue

It has not been a question of "whether," but of "when" the administration would charge those in the United States who do not support escalation of the war in Viet Nam are less patriotic than the people who go along with an all-out effort to defeat militarily the powers in North Viet Nam.

The "when" was answered yesterday by Vice President Humphrey in an address to the nation's governors in Los Angeles.

Mr. Humphrey is quoted as proclaiming "The time has come for some of us to stand up for our country," implying that those who do not see the wisdom of spreading the war are close to being disloyal to the United States.

In the same address, the vice president remarked that it would be "immoral" for this country to "pull out of Viet Nam."

As everybody who has studied the situation knows, few if any of those who are not supporters of the ever-mounting war policy of the administration have counseled withdrawal from Viet Nam. The two stands are not synonymous, regardless of the interpretation of the vice president. And because some do not feel that broadening the war through extension of bombings is a wise course does not mean these people are not "standing up" for their country.

One of the dangers inherent in the Viet Nam situation is that the American people will be led to adopt the attitude that anything goes which will lead to a military victory—even dropping of "the" bomb. Those who have opposed escalation of the war effort have said repeatedly that the United States, the greatest military power in the world, can desolate enemy territory at will in the small and backward nation where fighting is raging. The advisability of demolishing North Viet Nam is questioned, not the ability of the United States to achieve this aim.

And there is no real question of patriotism involved in a difference of opinion as to whether continued stepping up of the war effort is wise or foolish. The vice president's intimations that "halfway" support of the expanding war effort, or direct opposition to such moves, are somehow disloyal are unfair and regrettable.

HOW FIAT CORP. SOLD MOSCOW

Mr. FULBRIGHT. Mr. President, the May 14 issue of Business Week magazine contained an interesting article about arrangements under which an Italian automobile manufacturer will provide goods and services to the Soviet Union for construction of an $800 million auto factory. I congratulate the enterprise of these Italian businessmen. It is estimated that as much as $320 million of the cost of the project will be spent in Italy. This is a very healthy development in international trade.

I regret that our businessmen are not at least sharing in these enterprises and contributing to greater trade and more normal relations.

Mr. President, I ask unanimous consent that the article from Business Week be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

How Fiat Sold Moscow

The Italian auto maker's deal to help make cars in Russia will give $320-million boost to Italian industry. Now France's Renault and Japan's Toyota may follow its lead.

It was about quitting time for factory workers in Turin, Italy, last Wednesday when a peppery little Italian industrialist and a rotund Russian bureaucrat decided to sign their contract and do business together. Then, Fiat's honorary president, Vittorio Valletta, and Soviet Automotive Industry Minister Aleksander Tarasov toasted each other with champagne.

Each had reason to grin. With a stroke of his pen, Tarasov thrust the Soviet Union further into the automotive age than it has ever been. For his part, Valletta plunked Fiat right in the middle of the biggest industrial deal the Russians have ever made with Western companies. It could lead to more of them in Eastern Europe.

Fiat contracted to help engineer and set up a plant in Russia capable of producing 2,000 cars daily, or about 600,000 a year. The cars will be a version of Fiat 124s, reportedly modified with a larger engine (1,400 to 1,500 cc.), more rugged frame, less glass area and better battery shielding as protection against Russia's primitive motoring conditions and harsh climate.

IMPRESSIVE

While the secretive Russians didn't want to talk publicly about money, the deal by any standard is a whopper. Estimates of total cost run as high as $800-million, although slightly more than half of this may be local expenditures.

Certainly, the Italians came up with attractive financing: Istituto Mobiliare Italiano, the Italian state financing organization, agreed to finance $320-million of the deal, the part to be spent in Italy. The loan is repayable in 8½ years after delivery of goods at about 6½% interest. About 65% to 75% of the $320-million will be spent to buy machine tools and other equipment from Italian companies besides Fiat (Tarasov visited the Innocenti machine tool plants and the headquarters of Pirelli, Italy's biggest tire maker). Other orders may be placed with other European and perhaps even some American companies for supply of additional machinery.

Construction of the plant probably will begin next year, with the first cars rolling off the line by 1969 and full-capacity output probably several years later. No announcement of the plant's location was given, but Moscow sources mentioned as possible sites the Moscow area, Gorki, and Zaporozhe. All three are currently centers of vehicle production; Zaporozhe, the Ukraine, also has a steel mill. An estimated 2,000 Italian technicians will be sent to Russia to oversee engineering and construction of the plant.

NEW OUTLOOK

The Fiat deal reflects a changed Soviet attitude toward the passenger car in recent years. Both Stalin and Khrushchev were against private passenger cars on principle on the grounds that they tended to promote a private-enterprise mentality and that they wasted resources. Premier Aleksel Kosygin, however, has said it is wasteful for Soviet officials to ride around in trucks and commerical vehicles. In any case, he ordered Soviet passenger car production increased from about 200,000 a year currently to about 800,000 by 1970. Some of the new cars will become taxis and a few will go to private use, but there is no indication yet that the Kremlin will devote sizable resources to mass construction of roads, service stations, and repair facilities typical of motorized societies in the West.

Since the Fiat plant won't go into quick production, it is expected that the Russians also will expand existing plants—and possibly contract to buy others in the West to reach an output of 800,000 cars by 1970. They have been dickering with France's Renault for a plant with the approximate capacity of the Fiat plant; a Renault mission is to leave Paris for Moscow later this month. Japan's Toyota Motor Co. has had preliminary talks with the Russians on a plan capable of producing 300,000 to 400,000 units a year, and the company is drawing up plans to submit to the Russians this summer. Renault may at least get some of the equipment for the Fiat plant.

THE ORIGIN

Fiat clinched the Soviet deal after four years of trying. In 1962, Valletta flew to Moscow to open a large Fiat exhibit at an Italian trade exhibit there. Valletta met Khrushchev, and the two talked about possibilites for plants to manufacture cars, tractors, or both.

Subsequently, Valletta hosted delegations of Soviet technicians visiting Fiat factories in Turin. Last July, Valletta and Khrushchev's successors signed a protocol for the joint study of scientific and technical problems. While the language was obscure, it was widely believed that Fiat and the Russians were working on a deal for building plants to make autos and tractors.

Nothing more was said about the deal until mid-April when Tarasov went to Italy at the head of a big technical delegation. Almost immediately, Italian sources hinted the deal was close to completion and that the Russians were mainly concerned about technical aspects of the car model and financing. Fiat, according to Italian sources, offered the Russians the 124 model, a new five-passenger four-door sedan with an engine in the 1,200 cc range.

But the Russians wanted a bigger engine. They also didn't like the large expanse of glass, possibly because it would be harder to seal out the Russian cold, and in general they wanted the car to be more rugged. They eventually got what they wanted. Says an Italian auto executive: "The result will only be a second cousin to the 124 model that we know."

BUILT ON EXPERIENCE

Fiat has had considerable success dealing with Communists. Its smallest car is made under license in Yugoslavia, and it has had other experience selling in Eastern Europe. But there may have been other factors in Fiat's success: Italians buy about 20% of Russian oil exports annually, and they are known to have been talking with Moscow for some time about the possibility of importing natural gas from the Ukraine. In any case, the Russians are in a good position to service credits because of their mounting trade surplus with Italy (nearly $100-million last year).

The deal stirred a flurry of interest in the U.S., although none of the Big Three auto companies—General Motors, Ford, or Chrysler—showed any immediate desire to inquire about the possibilities for following in Fiat's tracks. For one thing, present U.S. policy is to limit credits to Eastern European Communist countries to five years. U.S. trade with Russia is too small to make a Fiat-sized business deal plausible now. Beyond this, the Russians have made no bones of their reluctance to improve relations with the U.S. in any field as long as the Vietnam war goes on. For the same reason, U.S. companies would be wary of making deals with the Soviet Union which could be used against them by their competitors.

Still, U.S. participation in the Soviet automotive industry has a precedent; in the 1920s, Ford sold thousands of trucks and tractors to Russia and later cooperated with the Russians in setting up a large automotive factory at Gorki as well as a smaller assembly plant in Moscow. Many Ford engineers visited the Soviet Union and Russians visited Dearborn, Mich., in those days.

SUPERSONIC TRANSPORT

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the Record an article entitled "Flight Fast, But, Oh, Those Delays," written by Art Buchwald, which appeared in a recent issue of the Washington Post. The article is informative, and it should be preserved in the Record. The article discusses the tremendous importance of the supersonic airplane which this Government is sponsoring.

There being no objection, the article was ordered to be printed in the Record, as follows:

Flight Fast, Oh, These Delays!

(By Art Buchwald)

Washington.—"Good day, ladies and gentlemen, this is your captain speaking, and I'm happy to announce that this is the first supersonic flight from New York to Paris. We will be flying at an altitude of 60,000 feet and a speed of 1,800 miles an hour. Our flying time to New York to Paris will be two hours and 45 minutes. Now please fasten your safety belts and we will be ready to take off. . . .

"Ladies and gentlemen, I know you're wondering what the delay is, as we have been on the ground waiting to take off for the past two hours. Unfortunately, air traffic conditions are very heavy at this hour and we have been asked to hold here on the runway. We are now the 20th in line for take-off. . . .

"Well, folks, we've been moving up as you might have noticed and we are now second in line. I'm sorry these last four have been so difficult, but the tower has assured us we will get clearance to take off in the next hour or so. . . .

"May I have your attention, please. It appears that there are more planes in the pattern than was expected, and we've been asked to hold further. Why don't you all relax? I've turned the 'No Smoking' light off . . . .

"Ladies and gentlemen, we've finally been cleared for take-off. Would you all please relax? I apologize for the six-hour delay at the runway, but this is something we have no control over . . .

"Well, folks, we seem to have broken some sort of record. Our flying time to Paris was two hours and 31 minutes. Unfortunately, there are many planes circling the Orly airport and we've been asked to fly over to Copenhagen and hold there at 55,000 feet. Paris assures us that as soon as it is feasibly possible they will permit us to make an approach. . . .

"Ladies and gentlemen, this is your pilot speaking. Since I last spoke to you 90 minutes ago I regret we have not been encouraged by Paris to come in and they have asked us to maintain altitude and fly in a pattern over Sicily. The stewardess tells me there seems to be a shortage of drinks and water, so we are putting everyone on rations of one glass of water each.

"Also, I'm sorry to say we have run out of food.

"Some of you have complained about seeing the movie four times, so for the next two hours we'll play stereophonic music instead.

"You'll be kept informed as to our progress. . . .

Folks, this is the captain again. I know you're all very tired and hungry and thirsty and so am I, but trying to knock down my door is not going to help anybody. We should be getting the green light from Paris any time now . . .

"We've just heard from Paris and we are now in the pattern and will be permitted to land within the next hour. Please fasten your safety belts . . .

"This is your captain again. As you can gather we are on the ground at Orly, France. Unfortunately there doesn't seem to be any room at the ramp and we've been asked to wait out here until someone leaves. It should not be more than 40 or 50 minutes. . . .

"Well, here we are at the terminal and I hope you've enjoyed your first supersonic flight. I'm happy to announce we beat the Queen Mary's record by four hours and 12 minutes."

STRUGGLE FOR UNITY

Mr. KUCHEL. Mr. President, on June 11, 1966, I had the honor to speak at the commencement ceremonies of California State College, at Long Beach.

I ask unanimous consent that the text of my remarks at that time appear in the Record at this point.

There being no objection, the address was ordered to be printed in the Record, as follows:

Struggle for Unity

(Partial text of remarks by U.S. Senator Thomas H. Kuchel at commencement ceremonies of California State College at Long Beach, June 11, 1966)

I am highly honored that you should ask me to participate in these commencement exercises of California State College at Long Beach. I share the pride of the people of California, and particularly of the people of this great metropolitan and cosmopolitan community of Long Beach, in all that has been accomplished here, on this campus, in the indispensable cause of higher education, and, beyond that, for what has been accomplished generally for education, and for higher education by our entire state.

Here, students may study and learn, regardless of creed or race. Here all have an equal opportunity to use the brains God put in their heads to think with, and, under the guidance and instruction of a dedicated faculty, to educate themselves, and to develop their own skills and talents.

I am a neighbor of this institution. My home, Anaheim, is less than half an hour from this campus. And it is to this area that my immigrant grandfather came from across the sea, well over a century ago, to be an American, to live out his life, and to raise his family, in freedom.

I give to those who graduate today my earnest and warmest congratulations. You are the products of an educational system successfully created by our society, fashioned by our own unique political institutions, through legislation adopted by democratic processes, and you represent the best hope of the Republic and of our Golden State that this kind of free society, which you know and I know, will endure.

We have made great progress in the production of material things in this country. American industry, led by our men of science and of technical skills, has produced all manner of new contrivances for creature comfort. People will, it appears, live longer, travel to more places, and do it faster, with more leisure time than ever before. The dimensions of energy available to us are vastly altered from what they used to be, and are of such an order as to defy comprehension. We are led to believe that the discovery of the secrets of the atom constitutes simply one more quickly passing milestone in the accelerating pace of scientific discovery.

Dr. Lloyd H. Elliott, the President of George Washington University, has said that "the brink of the unknown is the true playground of the scholar." I have no doubt at all that in your lifetime, graduating students, many of the barriers which now insulate us from the unknown will be broken down, as scholars from all the fields of science continue their relentless probing. And who are we to dare to stop them?

It was King Solomon who said "knowledge is a wonderful thing: therefore get knowledge; but with all thy getting, get understanding."

What we need, in the process of making material advances, is achieving some progress in becoming better people. While our standard of living may be going up, our standards for life ought also to be improving. I think that is what Solomon had in mind: with knowledge, get understanding.

Not very far from here is the area which, just last summer, suffered violence and tragedy as flames erupted, and death occurred, over a fairly wide area of this county. What good is all our progress through technology and science if we still have the most terrible and unbelievable civil strife by some of our neighbors in this state? All of us bear some of the burden of the tragedy of Watts. We need to follow the guidance of the best possible human wisdom in trying to improve our people, to unite them, in making all of us better, in lessening—and, then, in overcoming the causes of social unrest and racial tensions which continue to be present in parts of our state and nation. We need to learn to live together in unity and harmony. That is part of the struggle for unity which you and I need to wage.

This quest for improvement in ourselves includes an improvement in the machinery of our society, the apparatus by which we govern ourselves.

I beg of you, graduating seniors, to take an active interest in government, at all levels, and, also, in politics. I think you have a duty to do so. And politics, I hasten to say, is not a dirty word. It is a decent word. It represents an honorable calling, and it certainly represents an indispensable part of the American way of life. It is the means by which our people go forward or backward, or to the right or left.

Part of the genius of the American system was the extra-constitutional establishment of two political parties a century or so ago. Over ensuing generations, their positions on some public issues would overlap; and within each, there has always been a considerable divergence of view on some elements of basic public philosophy. But, with all their faults, the two parties, and the system which produced them, have well served our nation and have kept us together in an orderly process of government. Certainly our two-party system is far better than what I saw in France in the time of the Fourth Republic: a multiplicity of parties. Under the old French parliamentary system, coalition government was all that was then available, and at a fairly high rate of political mortality. Certainly, too, our system is far better than the Communist system where one-party rule remains in rigid control of all facets of life.

Students, for the future of your country and yourselves, interest yourselves in a political party, and do what you can, throughout your life, to make it responsive to the best needs of the people as you may see the light. That is the only reason for their existence. That is the sole purpose for a political party in our kind of society. There are, I fear, some dangers to this good system. The relative sizes of our two parties today are, it seems to me, a little out of kilter, and that means the loss of an important check in our governmental machinery.

Our problems, however, are not confined to our neighborhood nor to our nation. This world has shrunken now to the point where it, itself, is a neighborhood. This is the era of instant global communications and of almost instant travel and transportation.

What we—the people of the globe—are greatly in need of today are new devices and new techniques to bring people and nations together for the peaceful settlement of disputes, for an ever-widening exchange of culture and ideas as well as goods, and for a ceaseless search for means to achieve a just peace. The world stands in need of new institutions and new instruments of international communication capable of leaping over the traditional barriers of language and diverse customs.

There is no such thing as isolation anymore, though there are still some among us who yearn to live in the past and want nothing to do with their neighbors. But that kind of early planet is gone. And where neighbors in the world community are concerned, our problem is how best to promote unity among the free, and those who wish to be free.

Perhaps nowhere else in the world community today is the urge for unity more evident than on the continent of Europe. The United States of Europe, alas, remains but a dream. But the Coal and Steel Community, Euratom, the Common Market and the Western European Union have given European unity new meaning and new hope. In the East, the peoples of Rumania, Poland, and Yugoslavia show increasing courage in trying to overcome the barrier of Communist domination. Rumania criticizes the Soviet Union for interfering with the internal affairs of her neighbors, including Rumania, and the Rumanians applaud. Poland seeks admission to GATT. The Yugoslavs want more ties with the West.

Europe's leaders now foresee new struggles for unity. General de Gaulle would have a united Europe excluding Britain, hoping that the new union, whatever its form, would look to France for leadership. Other nations would prefer a more equitable arrangement. The Soviet Union presumably would oppose any arrangement for added unity in the West, especially an equitable one.

But time is on the side of those who would be free. The Churches of Germany and Poland have moved far ahead of their national governments in consulting on steps for unity of their peoples. The next generation in Europe is growing up in a new atmosphere. By international agreement, the children of France and Germany are now reading the same accounts of the bitter wars fought between their countries in the last 100 years. Their teachers are striving at objectivity in order to do away with historically false propaganda and the breeding of hate.

With an end to suspicion the peoples of Europe will be able, in the pursuit of peaceful purposes, to reach over their borders.

As we near the end of the 20th Century, the acceleration of history is increasing. Our yesterdays are receding further from us. The memories of past misfortune must not distract us from today's possibilities. Mistakes must not be duplicated but new opportunities must not be thrown away.

Ahead is the conquest of space, the exploitation of the seas, the research into the earth's interior, the battle to conserve resources and our natural beauty on every continent. These issues know no national borders. An atomic blast in China may subsequently contaminate milk in Detroit. Failure to vaccinate children in Central Asia may bring on cholera in Western Europe. An innocent poppy from Turkey may eventually bring crime to Los Angeles.

Harmony among nations will come when men learn to put aside the animosities of the past and to seek common ground in the realm of the future where national boundaries have yet to be posted. And here, our own United States has done some magnificent things. Our government led the way in urging peaceful exploration of outer space. It did it again in an offer to share the secrets of the moon. And under President Eisenhower, America pioneered in sharing the secrets of the atom.

The critical ingredients for success in the struggle for unity are:

(1) A desire to consult with one another frankly and openly.

(2) A recognition of a need to help one another in solving common problems.

(3) A willingness to look objectively at history, and

(4) A willingness to speak out on the issues of today and to seek to create opportunities for tomorrow.

Graduating students, our task, henceforth, is to seek widening agreement, at home and beyond, for the dignity of man and the independence of people. "In Union there is Strength." In disunion, there is weakness.

SECRETARY CONNOR—THE GROWING DANGER OF OUR CONTINUING UNFAVORABLE BALANCE OF PAYMENTS

Mr. SYMINGTON. Mr. President, a few weeks ago to his great credit, Secretary of Commerce Connor pointed out the growing danger incident to our continuing inability to handle the balance-of-payments problem, stating:

> As we pull the figures together in the Fall of this year . . . we will have to face up to some pretty difficult policy choices in deciding upon recommendations to the President.

He expressed apprehension about what happens when the program "sort of goes over the hill."

My only question would be, Why wait until fall?

The Secretary should be congratulated for his frankness, however. The situation is bad, and getting worse, and here are some facts presented to justify that observation.

In 1949 the United States had $24.6 billion in gold, and owed some $7.6 billion abroad, current liabilities redeemable in gold, owed primarily to the foreign central banks.

At the end of 1965, the United States had about $13.8 billion in gold, and owed some $29 billion abroad, again primarily to the foreign central banks.

In other words, between 1949 and January 1966, this country had lost almost 45 percent of its gold at the same time its gold obligations abroad increased nearly 400 percent.

But that is not the whole story.

In the first 4 months of 1966, the United States lost $138 million additional gold.

In the second month of the second quarter, May last, the United States lost another $86 million, the largest monthly loss in a year. Most of this loss, $78 million was to France.

And it would now appear there will be further heavy loss in June.

The record since 1958 is interesting. After an improvement in 1957—ascribed by most to purchases incident to the Suez crisis—the U.S. gold losses have been steady.

In 1958 we lost $2.275 billion.

In 1959 we lost $1.075 billion.

In 1960 we lost $1.702 billion.

In 1961 we lost $857 million.

In 1962 we lost $890 million.

In 1963 we lost $461 million.

In 1964 we lost $125 million.

In 1965 we lost $1.665 billion.

In the first 5 months of 1966 we have lost $224 million.

To the above should be added the increasing problems of British sterling; and also the fact that, during April, the favorable trade balance in the private sector dropped some $700 million from the 1965 annual level. This means a seasonally adjusted excess exports over imports of $4.1 billion instead of the first-of-the-year projection of $6 billion.

Is it any wonder that an administration official is quoted last month as saying that after adoption of a new monetary code, dollar-holding nations probably would refuse to negotiate for further reform until the United States settled its payments problem? This official stated, "I think these nations really mean business. You are going to see some real pressures put on us to get this thing settled once and for all."

In May, Secretary of the Treasury Fowler stated:

> The multiple costs of Vietnam have made the task more difficult and it may be that we will have to settle for an interim objective of equilibrium exclusive of the costs of Vietnam.

But how can there be any true balance, "exclusive of the costs of Vietnam"?

There is constant heavy discussion about various diplomatic and military problems resulting from our involvement in Europe, the Far East, and many other parts of the world; but very little discussion about the great and growing economic problems incident to those involvements.

Unless new policies are laid down in accordance with the thinking of Secretary Connor, however, many if not most of our diplomatic and military policies and programs will have to be decided in recognition of the fiscal and monetary problems these overseas commitments have created.

INTEREST RATES RISE

Mr. WILLIAMS of Delaware. Mr. President, the Great Society is constantly bragging about what it does for the American people, but sometimes it forgets to tell what it is doing to them.

In this connection I ask unanimous consent to have printed in the Record an article which appeared in the Wall Street Journal of today, July 11, 1966. It states that interest rates rose to the highest levels in a generation in some segments of the money markets following signs last week that the Federal Reserve was tightening credit another notch.

This has a direct effect on every consumer and home buyer in America.

There being no objection, the article was ordered to be printed in the Record, as follows:

Business and Finance

> Interest rates rose to the highest levels in a generation in some segments of the money markets following signs last week that the Federal Reserve was tightening credit another notch. If the trend continues, pressures appeared to be building up for further increases in the basic lending rate of commercial banks, currently 5¾ percent, and in the 4½ percent "discount" rate charged by the Reserve System for loans to member banks. Some analysts believe, however, that if a discount-rate boost is in the offing, it may be put off at least until July 21. That's when commercial banks are to complete complying with a Reserve Board order to set aside 5 percent, instead of the current 4 percent as backing for certain time deposits.

Mr. WILLIAMS of Delaware. Mr. President, the Great Society surely wants to get full credit for these high-interest rates.

U.S. WHEAT FOR REDS

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the Record an article which appeared in the Washington Daily News which calls attention to the fact that U.S. wheat is going to two Communist countries.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Wheat for the Reds

> A Senate sub-committee has uncovered an abuse of our "Food for Peace" program from which communist North Korea and Bulgaria benefit.
>
> While U.S. wheat surpluses were being sold at cut-rate prices to Greece, the Greeks were exporting wheat on a hard-cash basis to the two communist countries.
>
> This violated terms under which we provided wheat for Greece. Those terms provided for suspension of our shipments and penalties of up to $20 million. But the terms later were amended to permit Greek wheat exports, no penalty ever was assessed, and we resumed our surplus shipments, to Greece.
>
> This is nonsensical. If Greece has such a surplus, why send our wheat there at all? And why permit one of our greatest cold-war resources—agricultural abundance—to aid the Red bloc at U.S. taxpayer expense?
>
> The sub-committee, headed by Sen. Ernest Gruening (D., Alaska) turned up a similar situation in Egypt. Dictator Nasser used soft-currency purchases of U.S. wheat to feed his people while, over a four-year period, he increased sixfold Egyptian rice exports for hard cash to finance his military ventures.
>
> The "Food for Peace" program designed to help hungry friends abroad, is a good one. But it seems to need some tighter policing.

SHRIVER ANSWERS POVERTY HIGH SALARY CRITICS ON CLARK-SCOTT SHOW

Mr. PROXMIRE. Mr. President, one of the best shows that originates from the Capitol is seen regularly by hundreds of thousands of Pennsylvania residents, but it is rarely, if ever, viewed in the rest of the country, and this is the country's loss.

I am referring, of course, to the Clark-Scott show, named after the two remarkable Senators from Pennsylvania who debate the problems of this country and the world on a widely viewed television and radio show every week.

Typical of the high quality of this program was a recent debate involving Sargent Shriver and the two Senators over the antipoverty program.

I recommend the text of the debate both to critics and supporters of the Office of Economic Opportunity. As one Pennsylvanian who saw the program told me, Shriver does a superb job of murdering that old chestnut about excessive salaries for the administrators of the antipoverty program.

Mr. President, because a lively and literate debate of this kind is so much more informative, so much more entertaining and readable, and because this issue is of such great importance to our Nation, I ask unanimous consent that the transcript of that Clark-Scott debate be printed in the Record at this point.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

> (Following is the text of "Your Senators' Report," a program done jointly by Senator Joseph S. Clark (D. Pa.) and Senator Hugh Scott (R. Pa.) for broadcast on television and radio stations in Pennsylvania. Guest: Sargent Shriver, Director, Office of Economic Opportunity.)
>
> Senator Clark. Today we will be discussing one of the most controversial programs of the Johnson Administration—the War on Poverty. I think it will be sprightly, to put it mildly.
>
> Senator Scott. And there will be quite some disagreement, although I am outnumbered two to one.
>
> Announcer. "Your Senators' Report." From the Nation's Capital we present another report to the people of Pennsylvania. This unique, award winning series of programs done in the public service is brought to you by Senator Joseph S. Clark, Democrat, and Senator Hugh Scott, Republican. Now, to open today's program, here is Senator Clark:
>
> Senator Clark. We are honored to have as our guest on this program Mr. Sargent Shriver, the Director of the War on Poverty, more formally of the Office of Economic Opportunity. Mr. Shriver is a very unusual

and most distinguished American. As you can see, he is not an old man like Hugh Scott and me. He is a graduate of Yale and of the Yale Law School, a very successful businessman who ran the Merchandise Mart in Chicago for a good many years, has a very distinguished war record. He went into the Navy as a private—a seaman, and came out as a Lieutenant Commander; he was the first Administrator of the Peace Corps and for a while he rode two horses—the Peace Corps and the Office of Economic Opportunity—and now he is in the middle of a battle to prove that the concept of raising the standards of those many millions of Americans who live in poverty can be successful. Sarge, I am very happy to welcome you on this program. As you know, I am the Chairman of the Subcommittee on Poverty. We have recently completed, what I thought, was some very constructive testimony in that regard. We will be reporting—marking up a bill pretty soon. I hope we can get you most of what you want. We may even give you a little more than you can afford to say you want because of the budget restrictions. I know that Hugh will have some questions to ask you and he's particularly concerned about the problem of allegedly high salaries. And suppose you just tell us in a minute or two, I know you can't do it fully in that time, what your overall objective is in the war against poverty and then comment on this Republican disenchantment with the salary schedule.

Mr. Shriver. Well, thank you very much Senator Clark. I appreciate all the things you said about me and also about the program. Our objective in the war against poverty is to develop opportunities for poor people to help themselves to get out of poverty. We are not interested in giving somebody something for nothing. This is not a handout program. We say it is a "handup" program, not a "handout". And our objective is to create new mechanisms through which people can escape from poverty but they've got to make an effort themselves. Just as an illustration, the Head Start Program. The Head Start Program, which is for little children, does require the parents to come forward with the child; it does require the child to work; it does involve the parents themselves, the use of volunteers, as well as of educators in the regular public or parochial school system in the country. This is just one of about a dozen new programs which we have launched. It's true that we have been criticized, I think unfairly, for high salaries, the point you mentioned just a minute ago. The truth of the matter is that we have surveyed about three-quarters of all the local community action agencies in America, like the ones in Philadelphia, Pittsburgh, or Scranton or wherever it might be. And, of all the people employed by those community action agencies nationwide, less than 175 of them get more than $15,000 a year.

Senator Clark. How about the criticism that when they got to work for the Poverty Program they get a vast advance over what they were making before?

Mr. Shriver. In about 90 percent of the cases that's not true. We require each community action agency to indicate the salary the person was making before, what they propose to pay him and what people are paid in that community—that locality—for comparable work. For example, a great deal has been made of the allegation that we have paid such community action directors more than the mayor—full time mayor—of a city. I recently issued a statement that I would pay five dollars to anybody who could find a case of that kind anywhere in America. There just aren't any cases. So, the charge, to put it mildly, has been grossly exaggerated.

Senator Scott. Do I need an invitation to get in on this program? (Laughter)

Senator Clark. Please feel free.

Mr. Shriver. That's why I turned to you then. I thought you must be . . .

Senator Scott. Thank you very much, Sarge. I am ready, a little more than ready, because I wondered about the salaries. I have stated several times that twenty-five of your people are so budgeted that they are getting more than General Westmoreland's base pay in Korea. Now that means that they are getting budgeted at $24,000 apiece. I've said this on other programs, so in fairness to you I should repeat it here, that I believe that by and large there is as high a rate or scale of salaries paid in the Poverty Program than there is in most government agencies. Now don't you pay about twenty-five people in the $24,000 bracket?

Mr. Shriver. I think that's correct, Senator. But the way you express it, if I may respectfully say so, I think does mislead the public. There is nobody in our program that gets as much money per annum as General Westmoreland. I get more money than anybody in it. I am paid $30,000 a year. General Westmoreland actually receives $30,000 plus. He receives about $32,000 per annum for his services and he deserves it.

Senator Scott. Sure.

Mr. Shriver. But the fact is that nobody in our program gets as much money per annum as General Westmoreland. Now it has been repeated and repeated and repeated that there are twenty-four people in our program who do get more money than he does.

Senator Scott. Well, that's just base pay.

Mr. Shriver. But people don't understand that, as you know. They think that means that he gets more money—that we get more money than he does. That's not true. He does justly get more money, he deserves more money. Second, on the basic issue about our level of pay as compared to other government agencies, we're exactly on the median. Our average salaries in the war against poverty are exactly at the middle of the general pay paid to the United States government employees. So we are not more highly paid.

Senator Scott. Well, let me put it another way, since you obviously don't like this General Westmoreland reference . . .

Mr. Shriver. Well, I just think its inaccurate and misleading.

Senator Scott. Isn't it a fact that those twenty-five people are paid more than a major general—let's take the average major general—is paid in this country. . . .

Mr. Shriver. No sir. . . .

Senator Scott. These lieutenants are paid more than major generals?

Mr. Shriver. No, sir, that's not true. Let's get one thing straight. Congress established these salaries. I don't set the salaries.

Senator Scott. Well, Congress does whatever the President wants.

Mr. Shriver. Not always.

Senator Clark. I wish it did.

Senator Scott. Well, it does when it comes to spending and especially on high salaries.

Mr. Shriver. Let me give you an idea. There are more people who make more than $15,000 working in the Peace Corps than in the entire war against poverty.

Senator Scott. Well, the Peace Corps is bigger and it's in a lot more countries . . .

Mr. Shriver. Let me say the Peace Corps is about one-tenth as large. The Peace Corps is not even as big as the Job Corps.

Senator Scott. Now you are adding everybody who is involved in poverty including all of the . . .

Mr. Shriver. No, sir; I'm not . . .

Senator Scott. . . . individuals in private industry.

Mr. Shriver. No, sir; I'm not suggesting that at all. The war against poverty has an annual budget of $1,500,000,000. The Peace Corps, which I also ran, has a budget of $100,000,000. In other words its about one-fifteenth, in terms of dollars, the size of the war against poverty.

Senator Scott. Well, are there more than twenty-five people there who are getting more than $24,000?

Mr. Shriver. Yes, sir.

Senator Scott. I'm glad you put me on to that.

Mr. Shriver. Well, I'm glad that I have been able to do that.

Senator Clark. It's an easier job too, isn't it?

Mr. Shriver. I don't say it's easier. I just use it to illustrate the fact that the Peace Corps, which I ran also I am happy to say . . .

Senator Scott. And did very well and I never jumped you on the Peace Corps.

Mr. Shriver. I know. Perhaps you should.

Senator Scott. Well, maybe. But I am more concerned about getting back to the war and not the salaries.

Mr. Shriver. Do you know why one of the reasons the Peace Corps ran so well? It is because it did have good management. Now, the Peace Corps, for example, today has about seventy people who are what is known as super grades in the government. The war against poverty has fifty-four. So there are less super grades in the war against poverty than in the Peace Corps. Now, this is not to criticize the Peace Corps. You need good people to get a good result. The worst thing that you can do with General Motors, General Electric, the United States Government or the war against poverty is to put incompetent people in charge of large expenditures of the public money. The best investment you can make is good management. And I think the greatest mistake that the Congress can make or we can make would be to put poor managers in charge of this war against poverty.

Senator Scott. Now, let me summarize, Joe. And I appreciate your indulgence. Its rare that I can keep you quiet this long. But what I am trying to get at is I have supported the Poverty Program, as you know. I have supported a few amendments which would cut it. I have supported a number of amendments which would keep it as it is and I voted for the teachers phase and I think Head Start is a magnificent program. All I am trying to get at is that my role as critic is to get at the instances of ineptitude, waste or corruption and spending too much for a given objective. And in that line, I wonder if you could explain this which has appeared so often in the paper, that is the excessively high cost of some aspects of the Poverty Program, such as the Job Corps Center in St. Petersburg, Florida. My information is that it cost $7,000 per year per girl, and at the Center at Camp Kilmer, New Jersey, the cost is said to be $6,000 per boy. Now, isn't that a lot when you consider what it costs to educate a boy or a girl at a college or a university?

Mr. Shriver. It seems on the surface to be a lot. You are correct. But the difference is this, the St. Petersburg Center, which incidentally has been closed up, or the Camp Kilmer Center are Centers that run 24 hours a day, seven days a week, twelve months a year. Most people when they go, let's say to college, go there for let's say nine months and what they pay is for nine months of instruction. Second, they are the best people in the country, they require the least supervision, the least guidance, the least remedial attention. Youngsters in the Job Corps come from the most disadvantaged part of our society and they require the most remedial attention. So that it really isn't fair, in my judgment, to compare a 24-hour day, seven-day a week program in costs with another program which is merely an educational program which goes on a few hours a day. It is not a custodial program and only goes on nine months a year.

Senator Scott. Isn't twenty-four hours a day misleading? I assume that the Job Corps people don't put in more than eight or nine hours a day in work. Actually, they've got to sleep sometime.

Senator Clark. But there has to be somebody there all the way around the clock. This is residential.

Mr. Shriver. Yes, indeed. That's right.

Senator Scott. He's no more a twenty-four hour a day person than a student at college. He's at school twenty-four hours a day, too.

Senator Clark. Three shifts, Hugh. And that costs the taxpayers.

Senator Scott. What I'm getting at is this point. If it costs $6,000 to $7,000 to take care of one boy or one girl, that should severely limit the number of people that you can reach, and yet the New York Times tells me that you have predicted that you will cut down the poverty rolls in this country from 20,000,000 to 12,000,000 in five years and virtually abolish poverty within ten years.

Mr. Shriver. Twenty. 1976, that's right.

Senator Scott. Twenty years?

Mr. Shriver. That's right.

Senator Scott. Now the Times quoted you as saying that "we virtually can eliminate it as a scourge of mankind." Now, for heaven's sake, I hope so.

Senator Clark. If, and only if, you get the funding you require.

Mr. Shriver. That's correct. It is just like when President Kennedy said they could send a man to the moon. What he said was that it was technically possible, scientifically speaking and in terms of engineering, to get a man to the moon by 1970. Obviously, if Congress refused to appropriate any money, nobody could be sent to the moon. Now, the same thing is true of our problem or program. We can, as a matter of technical competence. There is the economic knowledge, there is the basic wealth in this nation, there is the mobility of people, there are the techniques to eliminate poverty in the United States, these fifty states, by 1976. But Congress will have to endorse it and appropriate the money.

Senator Scott. Well, Houston, Texas, for example, is growing at four times the rate of Philadelphia and eight times the rate of Pittsburgh, according to the Federal Reserve people I talked to today. And I suspect that a great deal of the wealth of Houston is in this multimillion space program. Senator Clark and I both have said that we wished that the Space Program could be put on a more graduated basis and there would be more money to relieve the ills of mankind and the fundamental causes of disease and other matters. So that I am afraid that you may have trouble getting the amount of money it will take to eliminate poverty in ten years. How many billions of dollars would that take?

Mr. Shriver. Let me say one thing before I answer that. I am sure we will have trouble getting the amount of money that is necessary to eliminate poverty in ten years. My point was only that it can be done if our nation wants to direct to this field the resources that are required. Now, in answer to the last part of your question. We estimate that it could be done with less than one-half of the increase per annum in the annual productivity of our nation.

Senator Clark. Gross national product.

Mr. Shriver. That's right. So what we are talking about is something approximating half the cost of the war in Vietnam.

Senator Scott. What is that in billions of dollars?

Mr. Shriver. Well, it might run somewhere around three or four billion dollars. Maybe a little bit more depending on——

Senator Scott. Well, that would mean thirty to forty billion dollars in ten years to do it.

Mr. Shriver. Let's say it were that much. I would be happy to say, right here before all the people of Pennsylvania, that I think that it would be one of the most successful and welcome expenditures in the history of our country.

Senator Clark. I'd like to put this thing in a little bit of perspective for our listeners. We authorized—in seven minutes in the Senate the other day—a five billion dollar program authorization for the space program. We will authorize in somewhat more time—but not much—somewhere between 50 and 60 billion dollars for the military program. President Johnson has a great many of these Great Society programs which he would like to see not cut back, and so do I. One of the most important is the economic opportunity program. If you figure out that what you asked for this year, Sarge, is less than 40% of what Jim Webb is getting for NASA, the space, and considerably less than 5% of the military expenditure and a good deal less—I think—although it's closer with the total—education program, and in view of the enormous need and potential, it seems to me that your requests are quite modest if we have any sense of priorities at all. What I'd like to ask you in addition to commenting. . . .

Senator Scott. Would you state the amount that you're asking for?

Mr. Shriver. We're asking for $1,750,000,000 for next year—that's beginning July 1st. Last year, we had $1,500,000,000 and that constitutes about one cent, one cent out of every dollar of taxes paid by citizens in the United States to the Federal Government. So it isn't as if we were consuming a hugh proportion of the taxpayers' dollars . . . as I say, it's about one cent out of every dollar's worth of taxes.

Senator Clark. Then in terms of our Gross National Product, it's really rather insignificant?

Mr. Shriver. I'm sorry to say you're right.

Sentaor Scott. May I point out one cent—now wait a minute—one and a half billion, one and three-quarter billion dollars, and the annual Budget is about one hundred billion dollars, so that it's $1.75 out of every hundred dollars paid, for your budget, isn't it. If you pay taxes to balance the Budget.

Mr. Shriver. If we got the money—which we haven't got—it would be that. It would be $1.75 out of every $100.

Senator Scott. That penny thing reminds me of the ads we see—you know, for one cent a day you can have another electric appliance. Now, it isn't as cheap as that.

Mr. Shriver. Well, I'm glad that that reminded you of that. And it would be a greater thing. . . .

Senator Scott. It would be $1.75 out of every $100 if you balance the Budget.

Mr. Shriver. And that's the same thing as your electric light bill.

Senator Scott. In taxes. . . .

Mr. Shriver. Out of every $100 you pay it would cost you $1.00 not one cent. They say it's a cent out of every dollar. I say it's a cent out of the current expenditures.

Senator Clark. Now let's stop playing games with each other on this. You can make this thing look pretty much any way you want depending on. . . .

Senator Scott. That's what I was just thinking of. . . .

Senator Clark. But my view is entirely in accord with Mr. Shriver's and let's just leave it at that. Hugh disagrees. I wonder if you could give us, Sarge, a little bit of a bird's-eye view of the program in the Commonwealth of Pennsylvania, hitting the high spots so that we might perhaps spend the rest of the program talking about various aspects of the poverty program as it affects our listeners who are primarily citizens of Pennsylvania.

Mr. Shriver. Well, Pennsylvania, Senators—I'm sure you know this, but maybe everybody in the audience doesn't—is about the 4th state in the Union in terms of the number of poor people in it—and it has received, from our office—approximately the same amount of money as compared with other states. It's about fourth among the states. We have, for example, put this year, into Pennsylvania, $63,000,000 in various programs. You mentioned Project Head Start which you endorse. . . .

Senator Scott. I endorsed the whole project.

Mr. Shriver. Well, this year we will be reaching 18,000 youngsters in Pennsylvania in Project Head Start. In the Community Action program. . . .

Senator Clark. Before you go on, some of our listeners I don't think are quite as familiar with Head Start as the three of us. That means the youngsters in what age groups?

Mr. Shriver. It's three, four and five years of age.

Senator Clark. And this involves doing work with the whole family, doesn't it, and not just the kids?

Mr. Shriver. Yes, it does. Yes, many people think that Head Start is a pre-school program of the traditional type like a kindergarten program, but it's not.

Senator Clark. Actually, you have a pediatrician at the head of it and not an educator, don't you?

Mr. Shriver. That's right. Actually, the Dean of the School of Medicine at Syracuse Upstate Medical Center—he's a pediatrician—he's the head of the program.

Senator Clark. Nationally.

Mr. Shriver. Nationally. And the program itself would involve medical and dental care, social services to the family, the use of volunteers, psychological and other services to the child, and only as a fifth part does it involve what the educators call "school readiness." So it's a lot more than a kindergarten.

Senator Scott. It helps to give the children a chance to hold their heads high equally with the other kids. It teaches them dignity. It teaches them health care. It readies them for their early years.

Mr. Shriver. It readies them for life, not just for school—that's the basic distinction.

Senator Clark. How about some of the other programs in Pennsylvania?

Mr. Shriver. Well, we have the Neighborhood Youth Corps in Pennsylvania. This year there will be about 14,000 youngsters in Pennsylvania participating in that. For the benefit of the audience that doesn't know, the Neighborhood Youth Corps is a job program for 16–21 year-old boys and girls who are out of school and out of work.

Senator Clark. Living at home

Mr. Shriver. Living at home, and that's the distinction between it and the Job Corps, which is a residential program. There is a Job Corps center in Pennsylvania, it's called the Blue Jay Center. There are about 1100 young men and women in the Jobs Corps at centers around the country, from Pennsylvania.

Senator Clark. And this is more or less, although not entirely, like the old Civilian Conservation Corps we used to have about 30 years ago, isn't it?

Mr. Shriver. That's right. Only in this program we have much more education than there was in the CCC program. The CCC, as you remember Senator Scott, was a work program for people—most of them finished High School or many of whom had finished college. Our clientele in the Job Corps, again, are all school dropouts. In addition to that we have a whole variety of programs working in Pennsylvania. We have adult education, literacy programs. We have the VISTA volunteers, the domestic Peace Corps. You were a great supporter of the Peace Corps overseas, Senator Scott, I hope you will be an equal supporter of the Peace Corps here at home—known as VISTA. There are 95 volunteers, VISTA volunteers, working in the State of Pennsylvania right now.

Senator Scott. One of our girls just left to join the VISTA program from my office.

Mr. Shriver. In your office—I'm delighted to hear that.

Senator Clark. I spoke at the first graduation. . . .

Senator Scott. Well, don't put her in the $24,000 a year program because she doesn't expect to make that much.

Mr. Shriver. Well, I'll tell you, we'll put her to work in Pennsylvania. Maybe she can be a help right at home. She gets $50 a month, as you know.

Senator Clark. I spoke at the first graduation of the VISTA class at Temple University, a year or so ago, and I was enormously impressed with the ability and dedication of those young people. Sarge, one of the parts of the program to come under increasing criticism—I think largely unjustly—are these various Community Action Programs. You've given Hugh Scott and me a big book showing what's going on in the Poverty Program in Pennsylvania. I don't recall how many counties, towns, and cities have Community Action Programs in our State, but I know there are a good many. Perhaps you'd say a word about the Community Action Program—why you think it's so important, and answer one or two of the criticisms which have been made against it.

Mr. Shriver. Well, I'd like to do that, Senator. "Community Action" is a general abstract word which is hard for people to understand, but what it really is—it's pretty much like an old New England town meeting. It's like democracy was at the very beginning of our country, where everybody in the community or the representatives came together to discuss the community's problems and to take community action with respect to those problems.

We here in Washington supply the money to a local group which has to be representative of the community as a whole and that local group decides locally what needs to be done in that town or county to combat poverty. This is such a change from what has been going on recently that people in the United States find it hard to believe that they are actually going to get money from Washington over which they exercise jurisdiction and control. But that's exactly what it is. Now, Head Start, for example, is a part of Community Action. The other programs, such as the legal service program, or health programs. . . .

Senator Clark. In which Philadelphia, incidentally, took the lead. Theodore Voorhees from Philadelphia has been the head of this effort to get some money for legal services and gave us some very good testimony the other day.

Senator Scott. The Community Action people in Philadelphia are very unhappy because you won't agree to give them a per diem, as I understand it. They had a meeting down here. Do you remember that Joe?

Senator Clark. Yes, that's one of the very few subjects on which Mr. Shriver and I have been in disagreement; and I'm not anxious to air that disagreement on this program.

Senator Scott. Well, I'll let you off the hook and let me go into the next. . . .

Mr. Shriver. Well, let me just say, could I explain that we do pay poor people who serve on Community Action agencies their out-of-pocket expenses, but, in keeping with your desires for economy, Senator Scott, we have. . . .

Senator Scott. I appreciate the point.

Mr. Shriver. Thank you. We have resisted the efforts that some people make to pay them a regular salary for service on a Community Action agency. This is a—perhaps as Senator Clark thinks, I guess, a mistaken judgment, but at least, it's on the side of economy.

Senator Clark. I think this Community Action Program, while it has had some bugs in it—and it has, and you admit it—is an integral part and a vital part of the whole Poverty Program, don't you think?

Mr. Shriver. There's no question about it. Let me give you one illustration. Today, there came to my office a stack of papers that high which is the summer program for New York City.

Senator Clark. Let me interrupt to say—for just a minute—that one of the most heartwarming bits of testimony I've ever heard, and one of the ablest, was made in support of the Community Action Program before our subcommittee, actually the end of last week, by Mayor John Lindsay of New York City. It was just terrific. And if I had any doubts about the Community Action Program, they were really set aside by Lindsay's testimony which I guess you saw.

Mr. Shriver. I saw it and, as a matter of fact, I thanked him for it. And I might say, on that point, since John Lindsay is a Republican, that the head of the United States Conference of Mayors, Mayor Blaisdell of Honolulu, is also. . . .

Senator Scott. Neal Blaisdell, I know him well.

Mr. Shriver. Neal Blaisdell is a staunch supporter of this program. So it's not a question of Republican or Democrat, it's a question of whether the community can mobilize itself, the leadership, the business leadership, the labor leadership, the religious, and philanthropic leadership, working together with the poor to create a program for Philadelphia, Pittsburgh, Scranton. . . .

Senator Scott. No, I don't think it's Republican vs. Democrat so much as it is Democrat vs. Democrat, as in Philadelphia where they are all fighting over the spoils and. . . .

Senator Clark. That's because there aren't any Republicans left. . . .

Senator Scott. You'll be surprised this Fall on that. But, four or five different proposals were made on Community Action Programs in Philadelphia, and the poverty people, representing the poor, and the mayor of the city, and various groups, all fought over who was going to run it. Then, finally, the Community Action Program was set up and—you spoke about Operation Blue Jay—I want to tell you what happened, about a not so heartwarming experience involving some Jaybirds, and that was this: After they set the program up, the first sixteen group leaders hired under the Philadelphia poverty program to work with youngsters in the Neighborhood Youth Corps—out of sixteen, thirteen had arrest records which included larceny, assault and battery, and morals counts involving minors. So those are the kind of things I'm trying to get out of the program.

Senator Clark. Is that a Republican sheet?

Senator Scott. No sir, it is not a Republican sheet. It is one of the statements that I put out myself and I don't know. . . .

Senator Clark. Where was your basic data?

Senator Scott. The basic data, I believe, was the Philadelphia Inquirer, and the Philadelphia Evening Bulletin, and to be fair to everybody, the Philadelphia Daily News. But, isn't that a fact; weren't there thirteen involved with criminal records out of the first sixteen hired?

Mr. Shriver. I would doubt it very much. I don't happen to know that particular thing. Let me say that in the Neighborhood Youth Corps right now there are about 288,000 youngsters. I'm certain that in some place somebody got hired in the Neighborhood Youth Corps who had some sort of a record with the law.

Let me just explain about that, Senator. Most of the poor, a hugh proportion of the poor people, do have brushes with the law. They are much more easily picked up, they are frequently finger-printed more rapidly than more respectable people in the community.

Senator Clark. They don't have any lawyers.

Mr. Shriver. They don't have any lawyers, until recently. . . .

Senator Scott. Sarge, the respectable poor people are the ones who are most hurt by rape, assault and battery, larceny, morals charges. I'm interested in what happens to the respectable poor people if a number of other poor people commit a crime, not because they are poor, but because they are disadvantaged—I agree to that—but that doesn't justify the crime. If a poor person mugs another poor person, the one who is mugged doesn't say he mugged me because I'm poor, or you mugged me because I'm poor—they say: "You mugged me."

Senator Clark. You have 30 seconds to answer that before we are off the air.

Mr. Shriver. Well, obviously we don't employ people that have criminal records.

Senator Scott. I know you try not to.

Mr. Shriver. Well, the point is this—there's 285,000 kids in this today. Obviously some of them have had records. I'm not prepared to defend every case that's been employed. If we didn't have anybody who had a record of any kind we would not be reaching the most disadvantaged poor people. When we get those people into the program, it proves that we're reaching a substantial number of people that need to be reached.

Senator Scott. I wish there were more time. I meant to ask you about the restoration of the Governor's veto power, but you're against it and I'm for it.

Mr. Shriver. No, no, no, I'm not against it at all. The Governors are very pleased about it, don't you know, the way it's working right now—like Governor Romney and Governor Scranton.

Mr. Scott. We'll continue that in our next program and thank you very much for giving us an interesting time.

Senator Clark. Thank you Sarge.

Announcer. Ladies and gentlemen, you've been listening to your Senators Report from the Nation's Capital, a report to the people of Pennsylvania, brought to you in the public service by Senators Joseph S. Clark, Democrat and Senator Hugh Scott, Republican.

TRUTH IN LENDING MOVEMENT GROWS

Mr. PROXMIRE. Mr. President, the Congress has made far too little progress with the excellent truth-in-lending legislation championed by Senator Paul Douglas.

Recently Sylvia Porter reported on how truth in credit has been growing out in the country. She reported, for example, that in Massachusetts, the legislature passed what should be a model law for the country. That law will go into effect on November 1. It will require the total cost of credit, both in dollars and in the true annual rate. It will require them to spell out the buyers' rights on all credit contracts, such as the right to prepay the amount he owes. It regulates door-to-door salesmen and limits credit insurance.

I ask unanimous consent that the article by Sylvia Porter from the Milwaukee Sentinel be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Milwaukee (Wis.) Sentinel, July 7, 1966]

Truth in Lending Movement Grows

(By Sylvia Porter)

The New York State Bankers association in an extraordinary display of private initiative, has just called upon New York installment lenders to inform borrowers of the maximum interest rate they charge on any consumer loan.

This would relieve the borrower of the headache of calculating the difference between monthly and yearly interest rates, stated and true annual interest costs, discounts, add-ons, etc.

It would also relieve lenders of the task of figuring precise yearly interests rates on each individual loan—when those rates may change from month to month if the borrower fails to repay the loan exactly on schedule.

This month, the United States defense department, in another major effort to protect borrowers from hidden interest charges, is putting into effect a directive requiring all lenders to the nation's 3,000,000 military servicemen and their families to disclose the full financing charges on all loans and other credit arrangements both in dollars and simple annual interest rate.

Unless the lenders do this, they cannot expect military personnel to help them collect overdue debts.

Other federal agencies are now being urged to consider similar directives for millions of civilian employees.

PRESSURE MOUNTS

Across the nation there is mounting pressure on lenders of all types to inform consumers of the actual dollars and cents costs of borrowing money or buying on time in this era when interest rates are soaring to historic peaks.

Sen. Paul Douglas' controversial "Truth in lending" bill, which would require lenders to state total credit costs to borrowers in dollars and in simple annual interest rates, has been stuck in the senate banking and currency committee for six years. Despite repeated pleas from the White House and from consumer protection agencies, the bill still is given virtually no chance to pass this year.

But, from the six years of heated debate and hot publicity, a new truth in lending trend has emerged which is helping to accomplish what Douglas has tried so hard to achieve.

Most significant is a tough new Massachusetts law which will go into effect on Nov. 1. It will require retailers in that state to disclose to installment buyers the total cost of installment credit on all sales, in dollars and in true annual interest.

It will require them to spell out the buyer's rights on all credit contracts—example, the right to prepay the amount he owes. It will require sellers to notify buyers of their intention to repossess at least two weeks in advance. It will require door to door salesmen to allow buyers a "cooling off" period of one business day in which to reconsider purchases.

And it will limit credit insurance charges to 50c per $100 and interest on revolving credit accounts to a maximum of 1½% a month.

MORE STATES JOIN

At least two other states are now also considering similar truth in lending laws and the Massachusetts legislature is debating another law to cover small loans as well.

This is a breakthrough. It is big news for the baffled borrower in this period of climbing credit costs, not to mention the undereducated victim of the unscrupulous loan shark.

From the national economic viewpoint it is also of tremendous importance because it will help impress on the borrower how much today's steep interest rates are adding to his cost of living.

By so doing, it will help encourage him to hold off on frivolous borrowing until the danger of inflation has passed and interest rates on loans go down again.

PROTESTS AGAINST WEST FRONT EXTENSION GROW

Mr. PROXMIRE. Mr. President, during the past recess a series of excellent articles, columns, and editorials appeared opposing the extension of the west front of the Capitol.

I ask unanimous consent that a few of these eloquent expressions of concern for this beautiful Capitol be printed at this point in the Record. These protests include a report delivered by ABC Commentator Edward P. Morgan, an article by Joseph Alsop, entitled "Our Forefather's Glory," two editorials from the Washington Post, entitled "Focus on Preservation," and "Unauthorized Vandalism," an article by Fulton Lewis, Jr., entitled "Disfiguration of a Shrine," and an editorial from the St. Louis Post-Dispatch entitled "Will the Capitol be Defaced?"

There being no objection, the articles and editorials were ordered to be printed in the Record, as follows:

A Capitol Attempt To Deface History

(By Edward P. Morgan)

(*This report was delivered by Mr. Morgan over the American Broadcasting Company Radio Network.*)

After the British redcoats burned the U.S. Capitol in 1814 in the War of 1812, Congress had to move to a tavern called Blodgett's Hotel. Presumably this could have served the legislators as a permanent meeting place since, as legend has it, politicians most comfortably gather in smoke-filled hotel rooms. Blodgett's had a cloakroom too. Lobbyists traditionally contact lawmakers in cloakrooms. So everything was fine and dandy.

But then some busybody insisted on restoring the Capitol building and there has been nothing but trouble ever since. Additions here, alterations there; all very unsettling. So I, for one, simply cannot see what the fuss is all about when an ex-Congressman from Delaware named J. George Stewart steps courageously forward and starts to bury all this history under a facade of freshly cut marble.

Nobody, of course, is more eminently qualified for this delicate but heroic task than Stewart. He is not now and never has been a card-carrying architect and, as far as I know, never intends to be one. He does operate with the title of Architect of the Capitol and it was under that cover that he executed—one might even say, murdered—his most famous work, the Rayburn Building, named in travestied memory of the late Speaker of the House. Into this crypto-Fascist-style mausoleum, jestingly referred to as a Congressional Office Building, Stewart poured all of this supervisory talents and by some reports, considerably more than $100 million.

The result, naturally, was a happy combination of superlatives—the ugliest and most expensive edifice of its kind ever erected on the face of the earth. Perhaps the happiest note of all was the fact that it cost only approximately twice as much as Stewart originally said it would. With such a monument around the Great Society doesn't need urban renewal; it needs a camouflage corps.

But now, oh let joy be unconfined, we are about to be treated to another sterling Stewart contribution to the beautification of Washington. At a starting price of just $34 million—a steal, really—he is going to stick the West Front of the Capitol out a maximum of 88 feet so it can house more offices, two big auditoriums, two cafeterias, four dining rooms seating more than a thousand people and an information lobby to take care of the tourist explosion. The sheer beauty of the Stewart plan is that in one fell swoop it will destroy the Capitol's historic vestiges—the last traces of the original work of Thornton, the West Indian doctor who won the $500 first prize for the building's first design; the embellishments of Latrobe, the contributions of Bulfinch, the famous Boston architect, and the terrace with its majestic flights of steps designed by Frederick Law Olmstead. You don't hardly get a demolition job like that anymore.

Indeed, while he's at it, Stewart might well consider razing the whole structure, including his other handiwork, the East Front, which cost $22 million, the customary double of his beginning estimate. Then the space could be used for a parking lot, which Washington needs anyway and the Congress could move down the street to Union Station.

An alternative plan, which I like better, would be to let Stewart run rampant on a field of bad taste across the entire face of L'Enfant's famous city. Thus with his ravenous appetite for eating places, we could hope to see a Stewart restaurant revolving around the tip of the Washington Monument to rival the space needle in Seattle. The lethal hydroplane races could be shifted from Hains Point to the reflecting pool, the Lincoln and Jefferson Memorials could be converted into public rest rooms and shoe shine parlors.

Don't be too timid as to think all this is impossible. The Commission for Extension of the U.S. Capitol, including those well-known aesthetes and city planners, Vice President Humphrey, Speaker McCormack and Minority Leaders Ford and Dirksen, has already blithely gone along with Stewart's West Front job. All he needs now is money.

He figures he can easily wheedle that out of the Congress with the argument that the Front's ancient sandstone blocks are crumbling and a jet's sonar boom may bring the whole building down, dome and all. After careful study, the Fine Arts Commission reports the Capitol can be repaired, restored and its priceless architectural history preserved, all at a trifle of the cost of Stewart's folly. That would be the sensible way to do things. But thank Heaven that's not the way things are done in this crazy, wonderful town. Ask George Stewart.

Our Forefathers' Glory

(By Joseph Alsop)

The first point to note about the official Architect of the Capitol is that he never has been, is not now, and never will be an architect.

J. George Stewart is an amiable, aging Republican congressional lame duck from Delaware, who was named architect of the Capitol by President Eisenhower. This was an appointment almost as whimsical as the Emperor Caligula's famous nomination of his favorite horse to the Roman consulship; and it has produced far more practical results, all of them perfectly godawful.

The worst of the damage might have been prevented by the normal operation of the laws of pork and patronage, if the Architect of the Capitol did not have such a remarkable gift for attaching himself to speakers of the House of Representatives. Unfortunately, however, at the very first leaders' meeting held by President Kennedy, Sam Rayburn's opening remark was:

"Now Mr. President, I want you to keep on George Stewart. He's a good man, and I want him to stay on the job."

Stewart was kept on, and therefore the great speaker and doughty old patriot is now cruelly commemorated by the Rayburn Building. It cost the taxpayers close on $130 million and is certainly the most monstrously ugly, ludicrously wasteful and vulgarly pretentious structure erected anywhere in the Western world since Joseph Stalin ruthlessly inflicted his Palace of Culture on the defenseless city of Warsaw.

After Speaker Rayburn died, one of President Kennedy's cherished projects was the replacement of the Architect of the Capitol with an honest-to-God architect. But the President was killed before the deed was done. And in very short order thereafter, non-architect Stewart apparently managed to attach himself to Speaker John McCormack.

So J. George Stewart's fell career continues. In fact, it is grimly appropriate to remember him at this holiday time dedicated to the founding of this republic. For the great non-architect is now planning the destruction of one of the last architectural momentoes of the Founding Fathers, the superb Bulfinch-Latrobe West Front of the Capitol itself.

It is an extraordinary record. It began with the new Senate Office Building, which seemed impossible to surpass in extravagance, impracticality and tastelessness until the Rayburn Building was constructed. Then followed the extension of the Capitol's East Front, with the machine-made marble exterior and the new interiors that appear to have been imitated from the costly men's rooms in the Moscow subway. The Rayburn Building followed. And now the West Front is to be extended, and this time, instead of an exact though machine-made copy as on the East Front, we are to have improvements on Latrobe and Bulfinch by non-architect Stewart.

If you seek the answer to this mystery of mounting horror in Stewart's lair in the Capitol basement, you find a kindly though occasionally testy old gentleman, with an antique congressional air about him. If you ask him if there is any committee of design to pass on his projects, he answers cheerfully that "it's usually confined to the leadership."

There is more to it than that, of course. Just how the pork and patronage work in this case is not immediately apparent. But there is an enormous amount of both, as the price tag on the Rayburn Building indicates; and it can hardly be accidental that the same architect's names seem to appear again and again as Stewart's associates."

One imagines them all together, cheerfully opening their meeting with the famous remark with which Speaker Tom Reed once opened a session of the House: "Well, gentlemen, what outrage shall we perpetrate today?" They can go forward with a high measure of grisly confidence, moreover, since non-architect Stewart not only has a knack for attaching himself to Speakers of the House, but is also a great one for doing costly little favors for lesser members of the House and Senate.

Does an eminent lawmaker desire redecoration of two of the Capitol's finest old rooms in pure Pedernales-Baroque? The job is done, instanter. Is there a demand for more Capitol-hideaways, for such congressional leisure-time pursuits as ingestion of bourbon and branch water? Then more than 100 can be provided by destroying the historic West Front. And does this cost the taxpayers incalculable sums of money? Yes, of course, but it does not matter in the least.

In our century, of course, deprovement is the trend, rather than improvement. But surely the old Capitol, our forefathers' glory, which shows they had so much better taste than we do, might at least be spared amid the general desecration. Surely, this thing can be stopped before it is too late.

Focus on Preservation

Senator Proxmire performed a useful service when he introduced into the Congressional Record a survey undertaken for the Fine Arts Commission by the civil engineering firm of Bernard F. Locraft. Locraft, after examining the report of the consulting firms that advocated extending the West Front, concluded "that the restoration of the existing West Front of the Capitol is not infeasible."

This is the basis on which any consideration of renovation should be predicated. Until it has been established—by adequate public hearings before both Houses—that preservation of the historic walls of the Capitol is impossible, no other course ought to be considered.

The scheme put forth by Architect Stewart should sink under the weight of its own extravagance this session. But Congress will not complete its task merely by blocking the authorization for the project. The Nation is entitled to a guarantee that the Capitol will not be destroyed in the future by some scheme as ill-considered as that proposed by the Commission for the Extension of the Capitol. Several bills that would provide such a guarantee have been introduced and one of them ought to be adopted.

Unauthorized Vandalism

The citizens of the United States who were shocked and surprised by the news that Congress had approved the demolition of the West Front of the Capitol will be comforted by the conclusion of Representative Henry Reuss that Congress really never has approved the wrecking of the historic facade. If Congressman Reuss is right, his finding may not only rescue the Capitol; it may rescue the country's good opinion of Congress.

The Congressman has found that the Senate Committee on Public Buildings and Grounds was told in 1935 that: "All that anyone has thought of doing to the western side is to change the burned sandstone of the Capitol, of Thornton's walls, to marble."

Then in 1955, after a minute or two of consideration, under the heading of "Capitol Restaurant Facilities," the House passed a resolution authorizing increases and improvements in the restaurant facilities and steps to "extend and complete the east central front of the Capitol."

The Appropriations Act of 1955, according to Mr. Reuss, authorized the Architect of the Capitol, under the direction of the Commission for Extension of the United States Capitol, to undertake construction in conformity with a "Plan B" of March 3, 1905. As Mr. Reuss says, that plan called for the reconstruction of the west front in marble in its present location.

The Senate Appropriations Committee report on the legislative appropriations bill of 1964 stated explicitly: "The committee does not believe that there was any intention on the part of the Congress to proceed with the west front project when Congress voted the authority and funds for the extension of the east-central part of the Capitol".

In a report placed in the Congressional Record of June 29, Congressman Reuss concludes that "the extension of the west front of the Capitol is without conscious authorization by Congress."

What Congressman Reuss makes clear is that Congress as a whole has had its confidence abused and its trust betrayed and finds itself blamed for an intention to desecrate the west front of the Capitol. Perhaps it can be blamed for abdicating or neglecting its responsibilities for the preservation of the Nation's finest edifice. It can now remedy the charge of neglect by making it plain that it is opposed to the present plan to tear down the west front and against any similar plans hereafter. It has before it the legislation to do just this.

[From the Knoxville (Tenn.) Journal, June 30, 1966]

Disfiguration of a Shrine

(By Fulton Lewis, Jr.)

Washington.—The man responsible for what many critics call the ugliest structure in official Washington will direct a renovation of the US Capitol that one senator terms a "senseless disfiguration" of the national shrine.

He is J. George Stewart, the 76-year-old architect of the Capitol and father of the $134,500,000 Rayburn House Building. Stewart is not an architect but a former one-term congressman whose only college degree, an honorary one, was bestowed upon him 47 years after he dropped out of the University of Delaware.

Stewart has unveiled plans for a $34,000,000 extension of the Capitol's historic West Front. He would tack onto the Capitol 4.5 acres of movie theaters (two), restaurants (six), and "hideway" offices (109) for powerful senators and congressmen.

The hideaways are coveted as status symbols and Stewart has the backing of the Capitol Hill establishment—Vice President Humphrey, Senator Minority Leader Dirksen, and House Speaker McCormack. A number of lawmakers who privately deplore Stewart's remodeling plans are reluctant to speak out and earn the wrath of the powers-that-be.

But a handful of senators and congressmen have opposed the project. They will fight an uphill battle to block what Sen. Joseph Tydings (D-Md) calls the "senseless disfiguration of one of our most historic landmarks."

Sen. William Proxmire (D–Wis.), a maverick who has frequently antagonized the Democratic leadership by his independence, will lead a floor fight against the appropriation of funds for the project. Rep. Henry Gonzalez (D-Texas) has authorized legislation to prohibit the Capitol extension and Sen. Joseph Clark (D-Pa.) is at work on a bill that would make it a Federal crime to "deface, mutilate, or in any other way desecrate" the building.

That Stewart's remodeling is actually desecration was charged last week by Washington's Fine Arts Commission. In letters to Vice President Humphrey and Speaker McCormack, the commission said the Capitol is unquestionably the nation's most important building.

The prestigious American Institute of Architects has condemned Stewart's plan, asserting it would obliterate the architectural genius of Thornton, Bullfinch, Latrobe, and Walter. It would, writes one critic in an AIA analysis, turn the Capitol into a "shapeless mass signifying nothing but its own bulk."

Dirksen says that more space is needed for the millions of tourists who annually visit Washington. Replies Wolf Von Eckard, distinguished architectural critic of the Washington Post:

"If the Capitol needs more space now, how much more space will be needed 20, 30 or 50 years hence? Are we going to keep puffing out the Capitol into an utterly shapeless monster?"

Senator Proxmire insists that space is not, in fact, needed. The House and Senate restaurants operate at considerably less than capacity and annually run a deficit of several hundred thousand dollars.

"The need for additional (hideaways) is nil, zero, nothing," Proxmire says. And why the Capitol requires two movie theaters is something he cannot fathom.

Joining Proxmire in his fight against Stewart's "marble mausoleum" will be Sens. Mike Monroney (D-Okla), Frank Lausche (D-Ohio), Eugene McCarthy (D-Minn) Stephen Young (D-Ohio), and Paul Douglas (D-Ill). The outspoken Douglas has clashed frequently with Stewart, terming him the "most expensive, most wasteful, most incompetent architect we possibly could engage."

On the House side, the fight against Stewart will be lead by Reps. Gonzalez, Paul H. Todd (D-Mich), Richard Fulton (D-Tenn), James C. Cleveland (R-NH) and Sam Stratton (D-NY). Stratton hopes to set up a National Committee of One Million To Save the United States Capitol. The ad hoc group would rally public opinion against the Stewart project.

Will the Capitol Be Defaced?

We find heartening both the volume and the breadth of indignant reaction to J. George Stewart's newest scheme to build and rebuild Washington, D.C., in his own tasteless image. As Architect of the Capitol, he is an architect in name only and the nation can thank him for the "Early Mussolini" style of the monstrous Rayburn Office Building.

Mr. Stewart, who is a civil engineer, former Congressman and former builder, is proceeding with plans to extend the west walls of the Capitol to accommodate four and a half acres of additional office, restaurant and tourist center space. The price tag on this four-year job reads $34,000,000 at present, but that might easily rise to $41,000,000. Nobody ever knows with Mr. Stewart, who has already left his dubious mark on the east front.

Old sandstone walls in the west facade evidently need repair and perhaps rebuilding. Whatever this necessary work costs must be spent, of course. The protests of the American Institute of Architects, the Fine Arts Commission and discerning members of Congress focus more on the way in which a few men have decided to change a national monument so drastically.

Congress has not yet appropriated funds for the face-changing, but the five-member Commission for the Extension of the Capitol decided the historic and beautiful west front must go. Mr. Stewart joined House Speaker McCormack and Senate Minority Leader Dirksen in closed session to vote for the project. Vice President Humphrey voted yes by proxy. House Minority Leader Ford was not present and did not vote.

Some of the facilities planned for the extension would be useful. The feeling of opponents is, however, that tourists are most urgently in need of parking space. Existing restaurants lose money. At some point, moreover, Americans must realize not every structure is perforce improved by "remodeling" and "modernizing." Respect for our past, said critic Wolf Von Eckardt, is a mark of cultural maturity.

Senator Proxmire of Wisconsin, pledging to challenge the measure all along the appropriations route, summed up our reaction as well as anyone. "If Congress proceeds on this pitifully inadequate advice," he said, "it will deserve the ringing public denunciation for waste and extravagance this proposal is sure to bring." We have seen Mr. Stewart's disastrous touch time and again. He should keep his hands off the Capitol.

Mr. LAUSCHE. Mr. President, I am glad to note that the Senator from Wisconsin has presented to the Senate for printing in the Record the column written by Edward P. Morgan with respect to the proposed extension of the west front of the Capitol. This article is worthy of reading because it deals rather pointedly with the folly of what is proposed to be done to the Capitol. Mr. Morgan points out that it is proposed to extend the west front of the shrine of the Capitol, with the inclusion of cafeterias and other services of that kind. The shocking thing is that he estimates it will cost $34 million. If Mr. Morgan is as right about that $34 million as he was about the cost of the Rayburn Building, we can anticipate that the cost will be not $34 million but $68 million.

I wish to commend my colleague [Mr. Young] for the fight that he has been making on this subject.

Since the Senator from Wisconsin has presented Mr. Morgan's article for the Record, I shall not present it, as I had intended.

Mr. PROXMIRE. Mr. President, if the Senator from Ohio will yield, let me say that of course I am delighted to have read Mr. Morgan's article, but I am just as delighted to know that the distinguished Senator from Ohio has also gone on record as being against this extravagance and waste of $34 million for expanding the west front.

Mr. FULBRIGHT. Mr. President, I should like to associate myself with the remarks of the Senator from Ohio, and I agree wholeheartedly with the Senator from Wisconsin in what he has to say.

Mr. LAUSCHE. Mr. President, this is a great day.

PROPOSED EXTENSION OF THE WEST FRONT OF THE CAPITOL

Mr. BAYH. Mr. President, widespread opposition has been aroused by the recent announcement of plans for reconstruction and extension of the west front of the Capitol. Members of Congress have received numerous communications denouncing the proposal as one which would basically alter one of our most historic structures.

It seems to me that this criticism is thoroughly justified. No one would question the wisdom of repairing and restoring the west front of the Capitol if its condition is such as to make it unsafe, but there is no evidence that this could not be done without in any way changing its present appearance. The United States should preserve, not destroy, its historic shrines.

Among those who have pointed out the folly of this proposal are Mr. Lou Hiner, Jr., of the Indianapolis News Washington bureau, and Mr. Edward P. Morgan, of the American Broadcasting Co. In recent statements both of these respected newsmen have set forth their reasons for objecting to these grandiose plans.

Because of the national significance of this issue, Mr. President, I ask unanimous consent that the article by Mr. Hiner, which appeared in the Indianapolis News, and the comments by Mr. Morgan, which were broadcast over ABC Radio, be printed in full at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Indianapolis (Ind.) News, June 25, 1966]

Capitol Architect Stewart Pushes Another Boondoggle

(By Lou Hiner Jr.)

The American people are being asked to do without luxuries but Congress is pushing ahead with plans for its own $34 million extravaganza.

That's the price tag put on extending the west front of the Capitol. If past performance is any indication, the completed job will run well over the $34 million estimate.

This little construction project came about when Capitol architect J. George Stewart (who isn't an architect at all) suddenly found the west front was about to collapse.

Instead of a modest plan to shore up the pillars and masonry, Stewart came up with a proposal full of frills to make the Capitol more or less a palace on the Potomac.

The blueprints call for the addition of 106 congressional offices even though the new $125 million Rayburn Building was opened last year and provided 169 new office suites.

Two theaters will be planted in the addition to the west side and two additional restaurants will be added to the present dining chain.

The House and Senate restaurants already are notorious money losers, subsidized by the taxpayers each year to the tune of several hundred thousand dollars. If the proposed restaurants are included, this subsidy may reach $1 million a year to feed the lawmakers and their army of employees.

Sen. William Proxmire, D-Wis., is one of those sharply attacking Stewart's lavish plans. Of the restaurants, for example, he points out:

"They are losing money, in large part because the Capitol's present 600 capacity is not fully used. The additional proposed 1,100 capacity would bring the total to 1,700, a fantastic increase of nearly 200 per cent."

Proxmire says he is appalled by Stewart's proposals.

"If Congress proceeds to spend this money without a great deal of additional justification, it will be a disgrace," he explains. "Stewart's justification was a total failure."

The Wisconsin senator snorts, too, at the suggestion Congress needs more meeting rooms for its committees.

"The need for additional meeting rooms in the Capitol is nil, zero, nothing," Proxmire adds. "We have just finished an immensely expensive extension of the east front of the Capitol at a multimillion-dollar cost. The new meeting rooms are generally used only a very few hours each week."

He is highly critical of Stewart for failing to consult with construction experts and to obtain alternative plans on the costly project.

Incidentally, a national organization of architects already is on record as opposing any west front extension. The group wants the Capitol left as it is with the damaged areas repaired.

Rep. Richard Fulton, D-Tenn., has told the House:

"I feel compelled to strongly protest this construction and urge that it be abandoned immediately. If there is $34 million available for this work then I say there is great need for it elsewhere."

One unusual development in connection with the extension plan came about when newsmen asked Stewart for photographs of the Capitol. None was available since the Capitol, one of the most photographed buildings in the world, is classified "secret." Stewart said pictures could be taken of a model of the Capitol in the basement.

[From the Washington (D.C.) Post, July 7, 1966]

A Capitol Attempt To Deface History

(By Edward P. Morgan)

(This report was delivered by Mr. Morgan over the American Broadcasting Company Radio Network.)

After the British redcoats burned the U.S. Capitol in 1814 in the War of 1812, Congress had to move to a tavern called Blodgett's Hotel. Presumably this could have served the legislators as a permanent meeting place since, as legend has it, politicians most comfortably gather in smoke-filled hotel rooms. Blodgett's had a cloakroom too. Lobbyists traditionally contact lawmakers in cloakrooms. So everything was fine and dandy.

But then some busybody insisted on restoring the Capitol building and there has been nothing but trouble ever since. Additions here, alterations there; all very unsettling. So I, for one, simply cannot see what the fuss is all about when an ex-Congressman from Delaware named J. George Stewart steps courageously forward and starts to bury all this history under a facade of freshly cut marble.

Nobody, of course, is more eminently qualified for this delicate but heroic task than Stewart. He is not now and never has been a card-carrying architect and, as far as I know, never intends to be one. He does operate with the title of Architect of the Capitol and it was under that cover that he executed—one might even say, murdered—his most famous work, the Rayburn Building, named in travestied memory of the late Speaker of the House. Into this crypto-Fascist-style mausoleum, jestingly referred to as a Congressional Office Building, Stewart poured all of his supervisory talents and by some reports, considerably more than $100 million.

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Don't be so timid as to think all this is impossible. The Commission for Extension of the U.S. Capitol, including those well-known aesthetes and city planners, Vice President HUMPHREY, Speaker MCCORMACK and Minority Leaders FORD and DIRKSEN, has already blithely gone along with Stewart's West Front job. All he needs now is money.

He figures he can easily wheedle that out of the Congress with the argument that the Front's ancient sandstone blocks are crumbling and a jet's sonar boom may bring the whole building down, dome and all. After careful study, the Fine Arts Commission reports the Capitol can be repaired, restored and its priceless architectural history preserved, all at a trifle of the cost of Stewart's folly. That would be the sensible way to do things. But thank Heaven that's not the way things are done in this crazy, wonderful town. Ask George Stewart.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, starting with Calendar No. 1316, the calendar be called in sequence.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

GEORGE ROGERS CLARK NATIONAL HISTORICAL PARK, IND.

The bill (H.R. 9599) to authorize the Secretary of the Interior to accept the donation of the State of Indiana of the George Rogers Clark Memorial for establishment as the George Rogers Clark National Historical Park, and for other purposes.

Mr. HARTKE. Mr. President, the Senate is now considering a bill, H.R. 9599, a companion bill to S. 2886, introduced by myself and Senator BAYH, which would transfer certain historical properties in Vincennes, Ind., to Federal ownership and maintenance, giving Indiana our second national memorial. The Department of the Interior would maintain these properties as a national park—more specifically, as the George Rogers Clark National Historical Park.

Few Americans could enumerate George Rogers Clark's major accomplishments; fewer still, perhaps, have even heard of Vincennes. This is not as it should be, for both the man and the city played noble and important roles in the early days of this Nation's life. It is in order to recognize more adequately their importance that I recommend the Senate's approval of this bill.

The Vincennes area much deserves designation as a national historical site, for Vincennes is a city rich in national historical significance; events occurred there which importantly affected the future history of the entire United States.

The story of the city's beginnings is half history, half legend; an old tradition says that it was founded by French priests who stopped to say mass on the banks of the Wabash River, at the site of the present city, in 1702. Around 1730, a fort rose at Vincennes, French-built, a link in the chain of defense designed to protect French trading interests in the Ohio Valley from British infiltration.

The city's proudest moments came but a short time later, in 1779. It was at Vincennes that a young Virginia colonel named George Rogers Clark won a distinguished place for himself in early American history. It was Clark who, on February 25, 1779, captured Fort Sackville at Vincennes from the British in an heroic surprise assault, with a force of only 127 men. Clark's action, the historian maintains, assured American control of the vast Northwest Territory, an area extending from the Ohio River to the Mississippi, in the final bitter years of the Revolutionary War.

Clark's capture of Fort Sackville is not alone important as a significant chapter in America's early history; it is also significant as it is a testimony to the heroism of the early settlers of frontier America, a heroism which seemed to know no limits. In order to reach Vincennes and Fort Sackville, Clark and his small band of frontier soldiers undertook, in the coldest months of winter, a 2-month-long march of better than 180 miles, over swampland alternately flooded and frozen, without sufficient food, along ill-marked trails, dogged by the constant menace of British-supplied Indians. It was Clark who rallied his starving and exhausted men to the final successful siege of Fort Sackville. His boldness and the brilliance of his strategy at Vincennes, at Kaskaskia, and in the greater Ohio Valley merit his designation as one of the greatest of America's military heroes. But he is, sadly enough, an all-but-forgotten hero, whose rightful place high on the list of distinguished early Americans is yet unacknowledged. It is my hope that the establishment of his memorial as a national historical site will help to correct this past inequity.

Vincennes' role in the formation of the American State did not end with George Rogers Clark in 1779. From 1796 until 1800, Vincennes served as the capital of the Northwest Territory, an area encompassing the present States of Indiana, Ohio, Illinois, Michigan, Wisconsin, and most of Minnesota. And from 1800 until Indiana won statehood in 1816—150 years ago this year—Vincennes was the capital of the Indiana Territory.

It was to Vincennes that William Henry Harrison, later the Nation's ninth president, came in 1800 as the territory's first governor. It was at Vincennes that he built Grouselands, the Harrison family mansion. Harrison parleyed with Tecumseh in Grouseland's front lawn and signed five Indian treaties at the house.

Abraham Lincoln grew to manhood in Indiana, in a small settlement located but 60 miles southeast of Vincennes, which was then the nearest important settlement, a town of better than 15,000 inhabitants.

Vincennes today is thus a city with a rich historical past. Its history forms a part—a proud and important part—of the history of our Nation. And we are here given an opportunity to acknowledge the importance of Vincennes' role in America's past. The Department of the Interior has recommended that the Congress authorize the Secretary of the Interior to accept, as a donation from the State of Indiana, the George Rogers Clark memorial, along with three other sites of historical importance, to incorporate and to maintain as the George Rogers Clark National Historical Park.

The keystone of the projected park will, of course, be the George Rogers Clark memorial, a round domed Doric structure begun in 1928 and dedicated by President Roosevelt in 1936. The memorial was erected at a cost of $2½ million, part of which was furnished by Federal appropriations. Inside the columned building is a bronze statue of Clark; on the building's walls is a series of seven large murals depicting Clark's progress through the Northwest Territory in the years of the Revolutionary War.

Under the terms of the bill, the memorial would be transferred from State to Federal ownership along with its 17 acres of property. There is no acquisition cost to the Federal Government involved in the transfer. The National Park Service would administer the memorial and its surrounding park, together with three other sites of historical value which would remain in non-Federal ownership. These three sites are further evidences of the importance of Vincennes' past.

The first is Grouselands, the Harrison mansion. Its designation by the Department of the Interior as a registered national historic landmark—in a 1961 ceremony in which I was privileged to participate—means that the site possesses "exceptional value in commemorating and illustrating the history of the United States." Harrison's handsome Georgian mansion, the territory's first brick building, has been thoroughly restored by the Francis Vigo chapter of the Daughters of the American Revolution, which saved the house from destruction in 1909 and has maintained it ever since.

The second historical site to be federally maintained is the first capitol of the Indiana Territory, a simple two-story frame house containing the territory's court and council chambers. During its period of service as the territorial capitol, from 1800 to 1813, important decisions on land policy, Indian relations, and military affairs were reached within its walls. The State of Indiana at present owns and administers the building.

The third historical site which the Federal Government would agree to maintain is the St. Francis Xavier Church. This old cathedral, built from 1824 to 1834, is the third church to occupy a single site. French priest-missionaries first built a rude log structure there around 1749, just 19 years after Vincennes first fort, a French one, rose in 1730. The present church is brick, with tall pillars made from poplar trees supporting its roof. In its belfry still hangs a small and ancient bell, brought from France in 1742, which has rung for scores of historic occasions over the past 200 years.

The Department of the Interior estimates that costs for development of the memorial and the privately owned sites will total $299,000; annual operating costs will eventually reach about $49,000. The cost is not great, but the benefits are. The Department of the Interior has endorsed the idea of a national park in Vincennes—Indiana has but one other Federal park, at the site of Lincoln's boyhood home. The House has approved the park's transfer to Federal ownership by endorsing H.R. 9599, introduced by Congressman Winfield K. Denton of Indiana's Eighth District. I hope that my colleagues in the Senate will now concur to the transfer by approving this bill, and thus recognize in their turn the importance of Vincennes contribution to our Nation's past.

Mr. BAYH. Mr. President, H.R. 9599, which will establish the George Rogers Clark National Historical Park, merits the support of all the Members of this body.

The park will be centered around a large domed memorial to Clark, the Revolutionary War hero, and will be located in Vincennes, Ind., capital of the old Northwest Territory. The site is important as the place where our ancestors established an outpost to prevent British incursion into the Ohio River Valley, and then governed territory which would later become five States in the heartland of America.

H.R. 9599 will authorize the Secretary of the Interior to accept the Clark Memorial as a donation from the State of Indiana. That memorial is near the site of Fort Sackville, which Clark and his band of 127 soldiers captured in the cold winter of 1779 after a grueling 160-mile march up the flooded Wabash River Valley.

H.R. 9599 will further authorize the Secretary to enter into cooperative agreements with owners of property in Vincennes associated with Clark and early settlement of the Northwest Territory. Such historically interesting property includes Grouseland, the mansion built by territorial Governor and later President William Henry Harrison in 1803–04. Also, the 140-year-old St. Francis Xavier Catholic Church which serves as a reminder of the constructive religious influence exerted in the early development of this part of our country, as well as a replica of Elihu Stout's printing office, where in 1830 Abraham Lincoln first saw a printing press, will both be maintained under the provisions of this legislation.

Passage of this measure will afford gratification to many individuals who have worked so hard for its enactment, but I am sure it has most significant meaning for my good friend and colleague, Congressman Winfield Denton of the 8th District in Indiana, who introduced this bill in the House on July 1, 1965, and who has exerted effective and tireless legislative effort on its behalf. He has made a major contribution to the establishment of the George Rogers Clark National Historical Park.

As chairman of the Interior and Related Agencies Subcommittee of the House Appropriations Committee, which considers appropriations of over $1 billion each year for conservation of our natural resources, Congressman Denton is well aware of the importance of conserving our resources and cherishing our national heritage. His sponsorship of H.R. 9599 will add still another accomplishment to the legislative record of this distinguished Hoosier.

It is with pride that I have joined Senator Hartke in cosponsoring S. 2886, the companion measure to H.R. 9599. The national and enduring significance of this project undoubtedly warrants support of the Senate in giving recognition to this historical site and authorizing its preservation and development.

Mr. BIBLE. Mr. President, the Committee on Interior and Insular Affairs has unanimously reported H.R. 9599, Congressman Denton's bill to authorize the Secretary of the Interior to accept a donation by the State of Indiana of the George Rogers Clark Memorial for establishment as the George Rogers Clark National Historical Park, and for other purposes. A similar measure, S. 2886, was introduced by our colleagues, Senators Hartke and Bayh, both of whom presented testimony before the Parks and Recreation Subcommittee in favor of the proposal.

The committee was particularly pleased to have before it a bill in which the State offered to donate the property to the Federal Government. This follows the pattern established by the State of Virginia when Shenandoah National Park was established and the action of the State of North Carolina in the creation of the Cape Hatteras and Cape Lookout National Seashores.

The measure cleared the House at the urging of the Congressman from Indiana [Mr. Denton], the sponsor of H.R. 9599. The testimony of this very distinguished gentleman was particularly effective in his appearance on the Senate side. He is a recognized conservationist, as indicated by his record as a member of the House Appropriations Committee, where his active interest and support for projects of this kind have contributed substantially to the success of the parks and recreation programs undertaken in the last few years. I congratulate him on his efforts.

The bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1354), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The principal purpose of H.R. 9599 and a companion measure, S. 2886, introduced by Senators Hartke and Bayh, is to provide for the creation and administration of the George Rogers Clark National Historical Park in the city of Vincennes, Ind.

NEED

White settlement of Vincennes began in the early 1730's when the French, under the leadership of Lt. Francois Margane Brissot, Sieur de Vinsenne, established a small fort, a chapel, and a few log huts on the Wabash River at the Piankeshaw Indian village of Chippecoke. This outpost was lost to the English in 1763 when the Treaty of Paris, which ended the French and Indian wars, was signed. The fort was enlarged and strengthened by the English and renamed Fort Sackville.

Fort Sackville became a center of British and Indian activity against the colonists during the American Revolution. The importance of getting it and the territory surrounding it into American hands was clear. It was George Rogers Clark (born 1752, died 1818) who conceived the plan, induced Gov. Patrick Henry, of Virginia, to support it, and led the 175-man expedition which captured in turn Kaskaskia, Cahokia, and Vincennes in 1778–79 and then went on to consolidate his gains and to prevent the British from retaking control of the country west of the Alleghenies. To him more than anyone else, the historians are agreed, the young Nation owed Britain's cession of the Northwest Territory when the Treaty of Paris was signed in 1783.

Even as short a summary as this makes clear the justification for including a national memorial to George Rogers Clark among the sites administered by the National Park Service. The proposal contained in H.R. 9599 is that the United States accept as a donation the fine memorial to him that already exists in Vincennes. Built between 1928 and 1936, partly at the expense of the State, Knox County, and the city of Vincennes and partly at the expense of the United States, it is located on 17 acres of land on the banks of the Wabash close to, if not actually on, the site of Fort Sackville and is presently administered by the State of Indiana.

Though George Rogers Clark's exploit is the most dramatic episode in the history of Vincennes, it is far from the only one. As the history outlined above indicates, the town was important in the pre-Revolutionary contests between the British and the French and Indians. In addition, there remain in it several important historical structures which, under the terms of the amended bill, may be included within the new historical park if suitable arrangements can be concluded between their owners and the Secretary of the Interior. If these become a part of the historical park, the Secretary of the Interior will be authorized to assist in their interpretation, preservation, and renewal. The three most important of these structures are the capitol of the Territory of Indiana which, at the time it was so named in 1800, included the whole of the former Northwest Territory except the State of Ohio; St. Francis Xavier Cathedral, built 1824–34 on a site which had been used continuously from 1749 to that time for missionary activities; and Grouseland, built by William Henry Harrison as his home during the time he was Governor of the Territory of Indiana, 1800–12. The owners of the first two of these have already indicated their willingness to enter into appropriate cooperative arrangements. There is thus an opportunity for the National Park Service, through the development of this historical park, to display to the people of the whole country the remains of an outstanding segment of their historical heritage which deserves to be remembered and kept intact.

COST

The acquisition costs for the George Rogers Clark National Historical Park will be nil. Development expenses will, it is estimated, amount to about $300,000. Annual operating costs, given present wage and salary levels, will be about $50,000.

COMMISSION ON NOXIOUS AND OBSCENE MATTERS AND MATERIALS

The Senate proceeded to consider the bill (S. 309) creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials, which had been reported from the Committee on Government Operations, with an amendment, on page 7, line 17, after the word "than", to strike out "January 31, 1967" and insert "two years after the Commission is established"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

FINDINGS OF FACT AND DECLARATION OF POLICY

Section 1. The Congress finds that traffic in obscene matters and materials is a matter of grave national concern. The problem, however, is not one which can be solved at any one level of government. The Federal Government has a responsibility to find more effective ways of preventing the transmission of such matters and materials through the instrumentalities which, under the Constitution, are subject to Federal regulation. The State and local governments have perhaps an even greater responsibility in the exercise of their police powers to protect the public, and particularly minors, from the morally corrosive effects of such matters and materials. Governmental action to be effective needs the support and cooperation of an informed public. It is the purpose of this Act to bring about a coordinated effort at the various governmental levels, and by public and private groups, to combat by all constitutional means this pernicious traffic.

ESTABLISHMENT OF THE COMMISSION ON NOXIOUS AND OBSCENE MATTERS AND MATERIALS

Sec. 2. (a) For the purpose of carrying out the provisions of this Act, there is hereby created a Commission to be known as the Commission on Noxious and Obscene Matters and Materials (hereinafter referred to as the "Commission").

(b) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

MEMBERSHIP OF THE COMMISSION

Sec. 3. (a) Number and Appointment.—The Commission shall be composed of twenty members, appointed by the President, as follows:

(1) One from the Senate;

(2) One from the House of Representatives;

(3) Two from the Post Office Department;

(4) Two from the Department of Justice, one of whom shall be from the Federal Bureau of Investigation;

(5) One from the Department of Health, Education, and Welfare;

(6) Three from the clergy;

(7) One who shall be a prominent educator in the field of secondary education;

(8) One who shall be a prominent educator in the field of higher education;

(9) One who shall be a prominent librarian;

(10) One who shall be a prominent representative of the book publishing industry;

(11) One who shall be a prominent representative of the newspaper, magazine, and periodical publishing industry;

(12) One who shall be a prominent representative of the motion picture industry;

(13) One who shall be a prominent representative of the radio and television industries;

(14) One from among the attorneys general of the several States;

(15) One who shall be a chief prosecutor of a city or county government; and

(16) One who shall be a chief law enforcing officer of a city or county government.

(b) Vacancies.—Any vacany in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) Continuation of Membership Upon Change of Status.—A change in the status or employment of any person appointed to the Commission pursuant to subsection (a) of this section shall not affect his membership upon the Commission.

ORGANIZATION OF THE COMMISSION

Sec. 4. The Commission shall elect a Chairman and a Vice Chairman from among its members.

QUORUM

Sec. 5. Eleven members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

Sec. 6. (a) Members of Congress.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members From the Executive Branch.—The members of the Commission who are in the executive branch of the Government shall serve without compensation in addition to that received for their services in the executive branch but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) Members From Private Life.—The members from private life shall each receive $100 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

Sec. 7. The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

EXPENSES OF THE COMMISSION

SEC. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

DUTIES OF THE COMMISSION

SEC. 9. (a) INVESTIGATION, ANALYSIS, AND RECOMMENDATIONS.—It shall be the duty of the Commission—

(1) to explore methods of combating the traffic in obscene matters and materials at the various levels of governmental responsibility;

(2) to provide for the development of a plan for improved coordination between Federal, State, and local officials in the suppression of such traffic;

(3) to determine ways and means of informing the public as to the origin, scope, and effects of such traffic, and of obtaining public support in its suppression;

(4) to secure the active cooperation of leaders in the field of mass media for the accomplishment of the objectives and purposes of this Act;

(5) to formulate recommendations for such legislative, administrative, or other forms of action as may be deemed necessary to combat such traffic; and

(6) to analyze the laws pertaining to traffic in noxious and obscene matters and materials, and to make such recommendations to the Congress for appropriate revisions of Federal laws as the Commission may deem necessary in order to effectively regulate the flow of such traffic.

(b) REPORT.—The Commission shall report to the President and the Congress its findings and recommendations as soon as practicable and in no event later than two years after the Commission is established. The Commission shall cease to exist sixty days following the submission of its final report.

POWERS OF THE COMMISSION

SEC. 10. (a) HEARINGS AND SESSIONS.—The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued over the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192–194) shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) ADVISORY COMMITTEE.—In carrying out its duties under this Act, the Commission (1) may constitute such advisory committees within States composed of citizens of that State, and (2) may consult with Governors, attorneys general, and other representatives of State and local government and private organizations, as it deems advisable. Any advisory committee constituted pursuant to this subsection shall carry out its duties without expense to the United States.

(c) OBTAINING OFFICIAL DATA.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act, and each such department, bureau, agency, board, commissions, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

Mr. TOWER. Mr. President, I wish to urge today that the Senate proceed to the consideration of S. 309, of which I am a cosponsor. This measure provides that a commission be established to explore methods of combating the traffic in obscene and noxious material that are found daily throughout America. It is the purpose of this legislation to bring about a workable and effective program to fight this traffic. The Congress has previously taken note of the many instances of the harm done to youth and others by the distribution of lewd materials, but we have never done anything about it.

Mr. President, we now have a chance to deal an effective blow to this industry which preys on the ignorance of the unsuspecting. The commission which would be created would have the opportunity to coordinate Government actions in this field and to alert the public, especially parents of school-age children, to the seriousness of this undesirable traffic. It is important to note, that we are not here trying to legislate the morals for the Nation.

This commission is not a censorship bureau; what it does provide is protection for those Americans who wish to remain secure from openly lewd material, openly proffered.

It is obvious that in dealing with legislation of this sort, we must chart a cautious course. We are dealing in nonobjective terms when we use the terms "obscene and noxious." What noxious means is open to wide debate. What is considered obscene by some is often considered as serious art by others. As an illustration, I am sure that some "art" of former centuries must have struck the Victorians as reprehensible.

Nonetheless, I am convinced that a wide range of publications are being openly distributed today which could not be tagged as artistic by any stretch of the imagination; and could not escape, by any definition, the tag of "smut." It is this sort of publication which is endangering our unsuspecting young people, and which is an insult to the eye of adults.

It is a difficult area to deal in, Mr. President, but I am convinced that the need is worth the attempt. I support this bill in the hope and conviction that it is in the best national interest, and that the Commission established by the bill will exercise its authorized functions in a constructive and proper manner.

Mr. COOPER. Mr. President, I am glad to speak in support of S. 309, which would create a Commission on Noxious and Obscene Materials to explore methods of combating the traffic in pornographic materials in particular, and to make recommendations about necessary additional legislative and administrative action. I joined Senator MUNDT and other Senators in sponsoring this bill which follows from a bill we sponsored in the last Congress, and I believe its work would be useful in meeting the problems which have been found to exist in this field. I believe this Commission that would be established by passage of this bill in the Senate today would also help alert the public to the traffic and distribution of obscene matter, and I hope the Congress can enact the bill into law this year.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1355), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

S. 309 provides that a Commission will be established to explore methods of combating the traffic in obscene and noxious materials, and to (1) seek means of improving coordination between various levels of government to suppress such traffic; (2) endeavor, through the cooperation of various information and communication media, to inform the public about the problem and to further the objectives of the Commission; and (3) report its findings and recommendations as to what legislative, administrative, or other forms of action needs to be taken to combat the traffic in obscene and noxious materials.

BACKGROUND INFORMATION

S. 309 is identical to S. 162, a bill introduced in the 87th Congress, which was favorably reported by the Government Operations Committee of the Senate (S. Rept. 284) and passed by the Senate.

In the 86th Congress, the Government Operations Committee of the Senate reported S. 3726 (S. Rept. 1749) and this bill, which was also identical to S. 309, was passed by the Senate.

This legislation has been introduced in an effort to bring about a workable and effective program to fight the traffic in obscene and noxious matters and materials. While considerable interest has been show by Congress and by the general public in the serious problems involved in the distribution of pornographic literature, no single effective piece of legislation has been adopted which deals a crippling blow to this insidious industry.

Many religious, patriotic, and service organizations and groups have been continually urging Congress to take action on this serious and menacing problem. The Congress has taken note of the widespread harm done to youth and others through the dissemination of lewd, obscene, and noxious materials, and a number of bills have been introduced in Congress on the subject.

Twenty-eight additional Senators have joined in the sponsorship of this bill. It is the belief of the sponsors that the best approach to the problems resulting from the distribution of obscene materials would be through the establishment of a commission which could thoroughly examine all the facets of the problems and could then recommend steps to be taken both by legislative bodies and by private groups and citizens to meet the threat posed by the dissemination of obscene matters.

It is the belief of the sponsors that this small group of experts, drawn from a wide area of interests, could make recommendations and initiate action more effectively.

The Commission is to be made up of persons from several walks of life who have knowledge of the seriousness of the problem and the many legal problems connected with the suppression of the traffic in obscene materials.

The Commission will study the need for any new Federal regulations for controlling such traffic, as well as the general need for State laws or local ordinances for this purpose.

Efforts will be made by the Commission to alert the public, especially the parents and school-age children, about the seriousness of this pernicious traffic and give guidance to the public in suppressing the distribution of such lewd and obscene matters, or in bringing the purveyors of filth into court.

MEMBERSHIP OF THE COMMISSION

The following Government agencies will have representatives on the Commission: The Post Office Department, the Department of Justice (including the Federal Bureau of Investigation), and the Department of Health, Education, and Welfare. There will also be one Member from the House of Representatives and one Member of the Senate on the Commission.

Public members are selected from groups knowledgeable on this question both from a moral aspect and from a law enforcement aspect. These will include three clergymen, a secondary school official, a State attorney general, a county or city prosecutor, and a county or city law enforcement officer.

Representatives from the information and communications media will sit on the Commission. One member will come from the moving-picture industry, one from the radio-television industry, and one from the publishing industry.

This group will represent all segments of the population concerned with the problems resulting from distribution of noxious and obscene matters and materials.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

COMPULSORY SCHOOL ATTENDANCE AND THE TAKING OF A SCHOOL CENSUS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2060) to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes" which had been reported from the Committee on the District of Columbia with an amendment on page 1, line 7, after "1925", to strike out "(43 Stat. 870; sec. 31–28, D.C. Code)" and insert "(43 Stat. 807; sec. 31–208, D.C. Code)"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 1 of article II of the Act entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes", approved February 4, 1925 (43 Stat. 807; sec. 31–208, D.C. Code), is amended by striking therefrom "all children between the ages of three and eighteen years permanently or temporarily residing in the District of Columbia, and annually thereafter or" and inserting in lieu thereof "all children under eighteen years permanently or temporarily residing in the District of Columbia".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1351), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of this bill is to amend existing law so as to assure an accurate school census and to provide a greater source of data for anticipatory planning purposes with respect to zoning and school construction in the District of Columbia. The bill would specifically accomplish the following:

(1) Provide that all children below the age of 18 years be listed in the taking of the school census, instead of the present requirement that only those between the ages of 3 and 18 years be listed. The committee was informed that this provision is desirable and would be very helpful to the Board of Education in making projections of future enrollments. It would also be of assistance in anticipatory planning with respect to zoning and school construction, with the ultimate result benefiting the District financially; and

(2) Provide that the census be made in accordance with such frequency as the Superintendent of Schools and the Board of Education find necessary and desirable instead of annually, as required in present law. This provision was recommended to the committee on the basis of a more economical use of funds than is possible under existing law.

The Commissioners of the District of Columbia favor enactment of the bill. They informed the committee that enactment of the measure could result in a financial saving to the District, and that in any event, passage would involve no additional expense.

The Subcommittee on Public Health Education, Welfare, and Safety held public hearings on the bill on June 14, 1966. No one appeared in opposition.

Similar bills, S. 560 and S. 999, passed the Senate in the 87th and 88th Congresses respectively,

AMENDMENT OF THE DISTRICT OF COLUMBIA PUBLIC SCHOOL FOOD SERVICES ACT

The bill (S. 1312) to amend the District of Columbia Public School Food Services Act was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 5 of the District of Columbia Public School Food Services Act (65 Stat. 369; sec. 31–1404, D.C. Code, 1961 edition), is amended by striking the comma following "motor trucks" and inserting in lieu thereof a period, and by striking the remainder of such sentence.

Sec. 2. The first sentence of section 6 of such Act, as amended (sec. 31–1405, D.C. Code, 1961 edition) is amended to read as follows: "Appropriations are authorized for all necessary expenses of the Office of Central Management, Department of Food Services, in the public schools of the District of Columbia, including the payment of compensation for personal services and Government contributions to related insurance costs; for the acquisition, maintenance, and replacement of equipment used or acquired for use in the conduct of the Department of Food Services in the public schools of the District of Columbia, and for reimbursement of the District of Columbia public school food services fund for lunches served in accordance with section 9 of the National School Lunch Act (60 Stat. 233, title 42, sec. 1758, U.S.C., 1958 edition), to children without cost to such children or at reduced cost."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1352), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSES OF THE BILL

The purposes of the bill are (1) to authorize appropriations of public funds to pay salaries and related costs of operating the Office of Central Management of the Food Services Department in the public schools and (2) to provide for appropriation of public money to pay for lunches furnished to all needy secondary public school children whose parents are not recipients of public welfare.

Under existing law (65 Stat. 369) the expenses, salaries, and related costs of conducting the Office of Central Management of the Department of Food Services of the public schools in the District of Columbia are paid from the food services fund. This fund is a revolving account into which all revenues from the operation of food services in the public schools are placed. These receipts are used for the "purchase of foods, supplies, and all other services and expenditures of whatever nature which are necessary for the conduct of the Department of Food Services, including personal services, the operation and maintenance of motortrucks, *and the expenses of conducting the Office of Central Management.*" [Emphasis supplied.]

In reporting on the bill, the Board of Commissioners made the following statement concerning the need for striking the above italicized language from the existing law:

"Experience has shown that these costs cannot continue to be borne by the school lunch program (salaries and related insurance costs of employees of the Office of Central Management) without this assistance. The superintendent of Schools reports that conferences with officials of the Department of Agriculture and with food services directors of other cities and States tend to the conclusion that such costs should not be borne by the students any more than the other costs of administering the school system. The superintendent points out that the staff of the Office of Central Management of the food services department serves in a dual capacity of State and city administration for three Federal programs; namely, the national school lunch program, the special milk program, and the U.S. Department of Agriculture donated-commodity program for District of Columbia schools and institutions. The superintendent further notes that comparable functions in the States are administered by State officials of education, and administrative staff salaries are paid from State appropriated funds, whereas the District of Columbia school lunch program is forced to bear this expense."

In the District of Columbia public schools elementary needy lunch program, authorized by Public Law 86–104, all students certified as needy by the school principal, whether or not their families are receiving public assistance, have their lunches paid for from public funds. In the secondary school program there is a distinction made between lunches served to needy pupils whose families receive public assistance and lunches served to needy pupils whose families do not receive public assistance.

Public Law 85–901, enacted by the 85th Congress, provides authorization for reimbursement to be made to the secondary schools only in cases where free lunches are served to children of families who are recipients of public assistance granted by the government of the District of Columbia.

During the school year, September 1964 to June 1965, 351,857 lunches were served without charge to needy children in the secondary schools. Of this number, 87,252 were reimbursed for from public funds in accordance with Public Law 85–901. Reimbursement is made at whatever the current student price is at a given time and for this year that price was 39 cents. The cost of the remaining 264,105 free lunches served to needy secondary students was absorbed in the overall operation of the Department of Food Services. In other words, sufficient "profit" was made on the lunches sold to nonneedy students in the elementary and secondary schools to defray the cost of furnishing free or reduced-cost lunches to the needy students in secondary level schools whose families did not receive public assistance.

Although the Department of Food Services to date has been able to operate without a deficit, this committee was advised that in all probability in the next fiscal year a deficit could occur. Consequently, the Department of Food Services would be required to find additional means to pay for these free lunches and might probably have to curtail such lunches to needy secondary students unless the reimbursement authority for secondary school lunches provided by this bill is enacted. Likewise, in the event the food services fund is reimbursed with public funds for all needy lunches served in the secondary schools, the Food Services Department will be able to improve the quality of the meals furnished, particularly with respect to the variety of food. It will also make it possible for the Department of Food Services to pay its cafeteria workers a better wage.

The cost of the central office operation for the fiscal year 1966 is estimated to be approximately $95,977 for the salaries and related insurance costs for 3 officers and 10 clerks. The cost of providing free lunches to needy secondary school pupils whose parents do not receive public assistance payments from the District will be approximately $79,231. The total estimated annual cost of the bill is $175,030.

Upon enactment of this legislation, the committee urges and is most hopeful that the Office of Central Management of the Food Services Department take the necessary steps to improve the quality of the school lunches.

On June 14, 1966, the Subcommittee on Public Health, Education, Welfare, and Safety held public hearings on S. 1312. At the hearings, a representative of the District of Columbia government appeared and recommended enactment of the bill. No one appeared in opposition.

Identical bills, S. 3314 and S. 1078, passed the Senate in the 87th and 88th Congresses, respectively.

SPECIAL REGULATIONS FOR VISIT OF NOBLES OF THE MYSTIC SHRINE TO WASHINGTON, D.C.

The joint resolution (H.J. Res. 1178) to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the 93d annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in Washington, D.C., in July 1967, to authorize the granting of certain permits to Imperial Shrine Convention, 1967, Inc., on the occasions of such sessions, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1353), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE JOINT RESOLUTION

The purpose of this joint resolution is to authorize the District of Columbia Commissioners and certain Federal officers to provide for the comfort and protection of all persons within the District of Columbia during the 93d annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, which will convene in the District of Columbia on July 10, 1967, and conclude 3 days later on July 13, 1967.

The committee has been advised that the magnitude of the forthcoming Shrine convention will present special problems, as well as exert a heavy burden on the municipal services of the city. These problems relate to the handling of traffic and large crowds, and the erection of reviewing stands for the Shrine parade. In addition, there is a need for the services of the Police Department and the Department of Public Health to be adequately supplemented in order to protect the personal safety and health of the citizenry of the District and the many visitors who will be here.

The enactment of House Joint Resolution 1178 will, in some large measure, take care of these related problems and provide the District Commissioners and certain Federal officials with the authority needed to cooperate fully with Shrine officials in implementing a safe and successful Shrine convention in the District of Columbia.

The principal provisions of House Joint Resolution 1178 are as follows:

1. The Commissioners are authorized and directed to make regulations to preserve peace and order, specially regulate traffic, and issue special licenses to peddlers and vendors, such regulations to be effective during the period of the meeting, defined by the resolution as a 10-day period beginning July 7, 1967, and ending July 16, 1967, both dates inclusive.

2. Appropriations are authorized to pay the cost of providing additional municipal services and to pay for other municipal expenses connected with the convention, estimated at $225,000.

3. The Secretary of the Interior and the Commissioners are authorized to grant permits for the use of public space under their respective jurisdictions, subject to certain limitations imposed by the resolution.

4. The Commissioners are authorized to permit the installation of temporary electrical facilities of all kinds, also subject to certain limitations imposed by the resolution.

5. The Secretary of Defense is authorized to lend certain equipment belonging to the Department of Defense to be used in connection with providing for the well-being of the expected crowds, also subject to limitations imposed by the resolution.

6. The temporary placing of wires along and across the line of any parade for use by electric lighting and communications is authorized.

7. The effective period of the regulations authorized to be adopted and a penalty for their violation are prescribed.

8. The resolution requires the corporation to indemnify and save harmless the District of Columbia and Federal Government against loss, damage, or liability, and provides that such requirement shall be satisfied by the corporation's submitting to the District of Columbia Commissioners and the Secretary of the Interior an insurance policy or a bond, or both, in such amounts and subject to such terms as these officials may deem adequate to protect the interests of the respective governments.

9. Finally, the resolution specifically exempts from its provisions the U.S. Capitol Buildings and Grounds, and other property under the jurisdiction of the Congress.

Legislation similar in scope to House Joint Resolution 1178 has been enacted by the Congress in past years when conventions and other public gatherings have brought great numbers of people into the District of Columbia. An identical resolution (H.J. Res. 888) was enacted in the 88th Congress in order to accommodate the 91st Annual Shrine Convention that was held in Washington during July 1965. On July 25, 1958, Congress adopted a resolution (72 Stat. 412) similar to House Joint Resolution 1178 when the Middle Atlantic Shrine Association meeting of APONMS was held in the District of Columbia in September of that year. Similarly, another resolution was adopted in connection with the American Legion Convention of 1954 (68 Stat. 743). H.J. Res. 1178 is patterned substantially after the Presidential Inaugural Ceremonies Act of 1956 (70 Stat. 1049).

On June 21, 1966, the Subcommittee on Fiscal Affairs held a public hearing on Senate Joint Resolution 165, a companion resolution to House Joint Resolution 1178. During such hearing, the committee was informed that the Imperial Shrine Convention is held annually in one of the major cities of the United States, Canada, or Mexico, and further, that when the forthcoming 93d annual session is scheduled to convene in the District of Columbia, it is estimated that 100,000 Shrine delegates will be in attendance. As is generally the custom, the Shrine during the course of its convention will present two parades, one at night and the other during the day. It is anticipated that these colorful events will attract more than a million viewers into the downtown area of the city. The committee was also advised that the many Shrine delegates with their families, and the hundreds of thousands of spectators to the Shrine parades and activities may be expected to result in the spending of $15 to $20 million in the District of Columbia during the convention.

A representative of the Commissioners for the District of Columbia appeared at the public hearing, and supported enactment of Senate Joint Resolution 165. The committee also received a letter from the Deputy Assistant Secretary of the Department of the Interior, wherein it was indicated that the Department had no objection to the enactment of the joint resolution.

AMENDMENT OF SECTION 201(c) OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The bill (S. 2610) to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2610

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 201(c) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 481(c)), is amended to read as follows:

"(c) In acquiring personal property, any executive agency, under regulations to be prescribed by the Administrator, may exchange or sell similar items and may apply the exchange allowance or proceeds of sale in such cases in whole or in part payment for the property acquired, except that (1) before any such exchange or sale is made, such property shall be offered for utilization by Federal agencies under section 202(a) of this Act and thereafter for donation under section 203(j) of this Act, and (2) any exchange or sale transaction carried out under the authority of this subsection shall be evidenced in writing."

(b) The amendment made by this Act shall take effect on the first day of the third month beginning after the enactment of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1356), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This bill would amend section 201(c) of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the head of each agency, under regulations prescribed by the Administrator of General Services, to exchange or sell equipment, furniture, fixtures, and other items of personal property and apply the proceeds of sale or exchange allowance against the purchase price, except that before such sale of exchange is made the property shall be made available for transfer (1) to other Federal agencies for further utilization; or (2) made available for donation to health, education, civil defense, or research; or (3) traded in under the exchange sales provision of section 201(c) of the Federal Property Administrative Services Act of 1949, as amended.

The bill also provides that the items exchanged must be similar to the ones procured and that such transactions shall be evidenced in writing.

BACKGROUND AND USE OF SECTION 201(C)

Section 201(c) of the Federal Property and Administrative Services Act of 1949, authorizes agencies to exchange or sell personal property and apply the trade-in allowance or proceeds of sale for property acquired, as follows:

"In acquiring personal property, an executive agency, under regulations to be prescribed by the Administrator, may exchange or sell similar items and may apply the exchange allowance or proceeds of sale in such cases in whole or in part payment for the property acquired: *Provided*, That any transaction carried out under the authority of this subsection shall be evidenced in writing."

This part of the Property Act was designated to supersede 21 statutes or provisions of laws which were repealed by section 602 of the act. The original statutes authorized the heads of some of the departments and agencies to trade in used equipment and apply the allowance against the cost of new equipment. Those statutes were enacted during the period 1912–41 at which time it was common practice to turn in motor vehicles, typewriters, adding machines, and other office equipment and apply the allowance against the cost of new equipment.

Initially this authority was limited to a few items; however, during the postwar period the number of items that could be exchanged or sold, and the proceeds applied to new procurement, steadily increased throughout the Federal service.

During the past few years the committee has received a number of communications from the State agencies for surplus property and other local officials complaining about the sale of Government property which is usable and needed for educational purposes. Most of these complaints have centered around the growing tendency of the Government to sell more and more property under section 201(c) which, in turn, diminishes both the quality and quantity of property available for donation to the States.

(The State agencies for surplus property are responsible for locating, screening, warehousing, and distributing surplus property for donation to schools, colleges, and medical institutions, and are therefore vitally concerned with the operation of the Government's surplus property program.)

State officials have expressed concern over the increased sale of property under the exchange sales provision of section 201(c), which adversely affects the donation program authorized by section 203 of the Property Act. They further contend that section 201(c) is not being used with discretion, as intended, but as a means of augmenting the annual appropriations of Federal agencies. It is their contention that if this or a similar bill is not enacted, the Defense Department, which currently follows the procedures prescribed by this bill, will, undoubtedly, change its regulations to conform with the GSA procedure, and, since a large amount of surplus property is generated by the military, such action would be fatal to the donation program.

There is obviously a close relationship between exchange sales of property and the donation program, in that as more property is turned in for new equipment, less property becomes surplus thus reducing the volume of property available for donation purposes.

Section 203(j) of the Property Act permits the Administrator of General Services discretionary authority in the donation of surplus personal property as follows:

"Under such regulation as he may prescribe, the Administrator is authorized in his discretion to donate without cost (except for costs of care and handling) for use in any State for purposes of education, public health, or civil defense, or for research for any such purpose, any equipment, materials, books, or other supplies (including those capitalized in a working capital or similar fund) under the control of any executive agency which shall have been determined to be surplus property and which shall have been determined under paragraph (2), (3), or (4) of this subsection to be usable and necessary for any such purpose."

In 1955, the Congress enacted legislation to overcome administrative action similar to that presented in this case. At that time the Department of Defense proposed to prohibit the donation of surplus property which was carried in a revolving fund. That prohibition would have seriously curtailed the amount of surplus property available for the donation program. Legislation to nullify those regulations was promptly introduced in the House by Congressman John W. McCormack, and in the Senate by Chairman Senator John L. McClellan and 21 cosponsors. Those measures were approved on June 3, 1955, as Public Law 84–61. The law specifically provided that for donation purposes, "no distinction shall be made between property capitalized in a working-capital fund established pursuant to section 405 of the National Security Act of 1947 * * *."

HEARINGS

No specific hearings were held on S. 2610. However, the Subcommittee on Foreign Aid Expenditures held extensive hearings on a number of related bills during the 1st session of the 89th Congress. This bill emanated from those hearings and is intended to reassert and clarify congressional policy with regard to the disposal of unneeded personal property.

The hearings revealed that an increasing amount of Government property is being sold to the public, or traded in under the exchange sales provisions of the Federal Property and Administrative Services Act of 1949, with the result that a great deal of property is diverted from the regular channels of disposal to health, education and civil defense activities.

The committee noted that section 201(c) of the Property Act has been used as the legal authority for selling Government property under a spot bid, or the open competitive bid method for moving property out of the supply system. The legislative history and background of the Federal Property and Administrative Service Act does not support this interpretation of the law. Selling property under this authority further reduces the volume of surplus property which would otherwise be available to schools and colleges through the donation program.

Many of the items currently being sold under section 201(c) could be used in the classrooms, laboratories, and vocational schools but can only be obtained now by the schools by bidding against the surplus property dealers. Some of the items offered for sale under the exchange sale procedure consist of cafeteria equipment, battery chargers, gasoline pumps, aircraft jacks, machine tools, household ranges, sterilizers, conveyors, bathroom fixtures, drinking fountains, sinks, and hand drills which are seldom, if ever, exchanged by private concerns.

Officials of the National Association of State Agencies for Surplus Property testified that the sale of property under section 201(c) denies the schools and colleges of much needed property, and noted that some of the school administrators are at a loss to understand why the Government was selling the same property which the schools and colleges need.

On March 26, 1966, the General Services Administration released new regulations designed for the ostensible purpose of tightening up the exchange sales procedures under section 201(c) of the Property Act (see vol. 31, No. 59 of Federal Register).

The new regulations reduced the number of items which can be exchanged from 69 to 41. However, some of the items formerly listed under several categories are now combined into a single listing, while some of the others which were omitted never were available for donation anyway with the result that very little, if any, improvement has been made, or is expected, from the new regulations.

The committee is convinced that the original intent of section 201(c) was sound but that so much property is now being sold under its provisions that the effectiveness of the surplus property donation program is being seriously diluted.

The Congress has repeatedly endorsed and supported that program, which has contributed much to the health, education and civil defense activities of the States, and this committee does not intend to have the program crippled by administrative action.

AMENDMENT OF THE ADMINISTRATIVE EXPENSES ACT OF 1946, AS AMENDED

The bill (H.R. 10607) to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1357), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill would amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving and storage expenses of Federal employees when transferred from one official duty station to another, in the interest of the United States.

The bill would authorize, under such regulations as the President may prescribe, the head of each Federal department and independent agency to reimburse employees for moving their household goods and personal effects, transportation and subsistence of their families, and other allowances when such employees are transferred. At the present time, only a part of such expenses are paid by the Government, and the remainder must be paid by the transferred employee. The Civil Service Commission conducted a survey of over 5,000 employees transferred by the Government in fiscal year 1962. It found that approximately 83 percent of those employees incurred losses averaging more than $500 and that a significant number lost more than $1,000 per move.

Unreimbursed expenses frequently incurred are those for moving household goods and personal effects in excess of 7,000 pounds; the subsistence expense of members of the moving employee's family while enroute to the new duty station; the cost of an advance trip to seek satisfactory living quarters for himself and his family; the rent of temporary quarters while waiting for permanent living quarters; the cost of selling and buying a residence or in canceling leases; and a range of miscellaneous expenses such as connecting and disconnecting appliances, adjusting rugs and draperies, among many others.

This bill seeks to remedy this situation by providing additional benefits and allowances, so that employees will not have to incur financial losses when transferred at the request of the Government.

The principal features of the bill provide for—

1. An increase in the weight limitation allowed for shipment of household goods from 7,000 to 11,000 pounds for each family.

2. One round trip to the new location for the employee and his spouse for the purpose of obtaining a place to live; and financial assistance for subsisting the employee's immediate family while en route to the new station.

3. Storing an employee's household goods in certain areas where housing is in short supply, or not immediately available.

4. Payment of certain real estate transactions resulting from the employees' sale or purchase of residence, or lease settlement of rented quarters, incident to transfer from the old to the new station.

5. The payment of a cash allowance up to $632 to cover miscellaneous expenses of the transferred employee.

Although not in the nature of allowances, the bill contains two additional significant provisions. In order to assure that the Government does not pay the moving expenses of employees who do not intend to remain in Government service after they are moved, the bill provides that employees must agree in writing to remain with the Government for at least 1 year after they move, unless separated for reasons beyond their control. If the agreement is violated, the amounts allowed by the Government as moving expenses must be refunded.

The other provision would permit the Government to exercise judgment in deciding whether an employee's household goods shall be shipped by the Government on Government bills of lading or shall be shipped by the employee under the commuted rates system applicable under the current law to transfers within the contiguous 48 States. Under the commuted rate system the employee selects the household goods carrier and has his goods moved. He is then reimbursed by the Government under a scale of reimbursement which is based upon commercial tariffs, applicable to the general public and approved by the Interstate Commerce Commission. This method has proven satisfactory generally but in some instances the use of the Government bill of lading method would be less costly to the Government. The bill would permit the Government to use the more economical method, depending upon the circumstances.

EXISTING LAW

At the present, under the Administrative Expenses Act, civilian employees of the Government may be reimbursed for four kinds of moving expenses, they are: (1) The cost of transporting up to 7,000 pounds of household goods, (2) the temporary storage of employees' property, under certain conditions, (3) the transportation of employees and their families, and (4) subsistence expenses of employees—but not their families—when traveling to the new duty station.

For the military the Government provides a special relocation allowance, equal to the basic monthly allowance for quarters, for a member of the uniformed services whose dependents move when he has a permanent change of station. (Career Incentive Act of 1955, Public Law 20, 84th Cong.)

In addition, the Government provides for officers and employees transferring under the Foreign Services Act of 1946 allowances and reimbursement covering many expenses of the kinds proposed to be covered under this bill (60 Stat. 1025, 1026, and 1027). Legislation passed in the 86th Congress provides other civilian employees assigned to foreign areas with special transfer allowances for extraordinary, necessary, and reasonable expenses, not otherwise compensated for (Public Law 86–707).

BACKGROUND

H.R. 10607 was drafted by the U.S. Civil Service Commission and submitted to Congress for introduction during the early part of 1965. Similar proposals were introduced in the Senate, as S. 2374 and S. 2516, and referred to this committee for consideration. The Civil Service Commission urges enactment of this legislation stating that:

"Such action is needed if we are to facilitate administrative action lessening the economic hardship employees must face when forced to move at the convenience of the Government. This is especially true because the program for closing surplus bases of the Department of Defense is continuing.

"If the Government expects to attract, retain, and develop top-quality people, it must provide, in addition to pay, the kind of working conditions necessary to achieve those sound objectives. Agencies now hesitate to require employees to move because of the financial losses they sustain. It is not only a question of fairness to employees, it is a matter of prudent administration to protect the Government's investment in its skilled manpower by paying the legitimate costs of transfer.

"* * * most private employers reimburse moving expenses to the extent recommended in this legislation and in many instances they go substantially beyond the limits that are proposed here."

The Executive and Legislative Reorganization Subcommittee of the House Committee on Government Operations held extensive hearings on H.R. 10607, at which time Mr. John W. Macy, Chairman of the Civil Service Commission, and Mr. Elmer B. Staats, former Deputy Director of the Bureau of the Budget testified in support of the bill. Three Members of Congress, a representative from the General Accounting Office, and several officials from labor unions and Federal employee organizations also appeared and urged the committee to take favorable action on the proposed legislation. The bill was reported by the committee on October 21, 1965, and passed the House of Representatives, with amendments on March 23, 1966.

The amendments approved by the House of Representatives provided for (a) Making the limitations imposed by section 23 on subsistence expenses apply to transfers taking place within the United States; (b) limiting reimbursement for brokerage fees and other expenses to those fees customarily charged in each community; (c) limiting the allowance for miscellaneous expenses to 2 weeks base pay for an employee with a family and 1-week compensation for an employee without a family—but in no event to exceed GS–13 salary and (d) extending from 6 months to 1 year the period of reemployment after separation when an employee will be eligible for reimbursement of moving expenses.

This bill would enable the Government to more nearly meet the actual expenses incurred by the transferred employee who is uprooted and moved in the interest of the Government. It will provide uniform financial assistance for moving each member of the family, rather than paying all of the expenses of the employee but making no allowance for members of his immediate family. It has been estimated that more than 35,000 employees a year are involved in transfers at the request of the Government and that the vast majority must use personal funds to help pay the cost of moving to the new place of employment.

Except for some relief for postal employees, similar to that proposed by H.R. 10607, no change in the basic law or allowances has been given to Federal employees since 1948.

THE ALLOWANCES AUTHORIZED BY H.R. 10607 SHOULD NOT BE TAXABLE

The Internal Revenue Service has held that, under the present law, allowances or reimbursements to employees for moving expenses constitutes taxable income to the employees, with the exception of allowances, or reimbursements for moving an employee's family and household goods, his personal effects, and meals and lodging while in transit to the new location. The Service maintains that with this exception, allowances or reimbursements for moving expenses are compensation paid to an employee, and furthermore maintains that employers should withhold income tax on the amounts paid. Thus, allowances or reimbursements for such items as house-hunting trips, temporary living expenses, and real estate fees are presently deemed reportable as income and taxable. The committee considered a proposed amendment to H.R. 10607 which would specifically have exempted the allowances and benefits authorized by this bill from taxation, unless, of course, the taxpayer should realize a gain from such reimbursement.

The committee endorses the intent of this proposed amendment. However, in view of the jurisdictional problems which might be raised as a result of adding such language to this bill and in view of the fact that general legislation similar to the proposed amendment is currently pending before the Ways and Means Committee of the House and the

Finance Committee of the Senate, the amendment was not adopted.

The committee is of the view, however, that the general purpose and effect of H.R. 10607 would be seriously diluted if the benefits and allowances authorized thereunder are deemed taxable as income. In this regard the committee is in full accord with the following testimony given on this matter by John W. Macy, Chairman of the Civil Service Commission before the House Committee:

"* * * the basic philosophy behind this legislation would indicate that this is not compensation, this is not additional income. This is reimbursement, and therefore, should not be taxable."

ESTIMATED ANNUAL COST

The committee was informed that enactment of this bill might cost as much as $40 million per year, depending on the number of transfers authorized by the head of each agency, the number of employees and size of the families transferred from one location to another.

BILLS PASSED OVER

The bills (S. 3583) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward internal and external security; (S. 3584), to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children; and the bill (S. 3112) to amend the Clean Air Act, and so forth, were announced in sequence as next in order.

Mr. MANSFIELD. Mr. President, I ask that these four bills go over.

The PRESIDING OFFICER. The bills will be passed over.

PROPOSED 5-YEAR HYDROLOGIC STUDY AND INVESTIGATION OF THE DELMARVA PENINSULA

The Senate proceeded to consider the bill (S. 2287) to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, at the beginning of line 5, to strike out "through the Geological Survey,"; in line 10, after the word "means", to insert "from the standpoint of hydrologic feasibility"; on page 2, line 24, after "(6)", to strike out "consider the most effective means of developing and managing water supplies giving" and insert "give"; on page 3, line 4, after the word "officials", to strike out "information and recommendations for" and insert "any results of this study and investigation that would be appropriate for their use in"; in line 17, after the word "consider", to strike out "admissible" and insert "desirable"; on page 4, after line 5, to insert a new section, as follows:

SEC. 4. In carrying out the study and investigation authorized by this Act, the Secretary is authorized to cooperate with other Federal, State, and local agencies now engaged in comprehensive planning for water resource use and development in the Delmarva Peninsula area by making available to those agencies his findings and to cooperate with those agencies in the Northeastern United States Water Supply Study as authorized by the Act of October 27, 1965 (79 Stat. 1073).

And, at the beginning of line 15, to change the section number from "4" to "5"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to make, a comprehensive study and investigation of the water resources of the Delmarva Peninsula with a view to determining the availability of fresh water supplies needed to meet the anticipated future water requirements of the Delmarva Peninsula area, and with a view of determining the most effective means from the standpoint of hydrologic feasibility of protecting and developing fresh water sources so as to insure, insofar as practicable, the availability of adequate water supplies in the future. In carrying out such study and investigation with respect to the Delmarva Peninsula, the Secretary shall—

(1) appraise the water use, requirements, and trends, and determine the availability of water in the streams and underground sources for the entire peninsula;

(2) determine the depths, thicknesses, and permeabilities, the perennial yield, and the recharge characteristics of major aquifers, and the quality characteristics to be expected from each such major aquifer;

(3) determine with respect to ground water resources the continuity and extent of important water-bearing formations;

(4) determine the yield from stream systems under natural flow conditions and under varying degrees of storage and the amounts and quality of waters available from such systems during drought, flood, and intermediate conditions;

(5) determine whether sea water has moved inland into heavily pumped coastal aquifers;

(6) give special consideration to conditions which may invite the invasion of sea water into fresh-water supplies;

(7) compile and make available to appropriate State and local officials any results of this study and investigation that would be appropriate for their use in long-range planning, development, and management of water supplies;

(8) cooperate with State and local agencies for the purpose of using any information and data available to carry out the purposes of this study; and

(9) consider such other matters as the Secretary may deem appropriate to the study and investigation herein authorized.

SEC. 2. During the course of the study and investigation authorized by this Act, the Secretary may submit to the President for transmission to the Congress such interim reports as the Secretary may consider desirable. The Secretary shall submit a final report to the President for transmission to the Congress not more than six years after the date of enactment of this Act.

SEC. 3. The Secretary is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Federal Government, information, suggestions, estimates, and statistics for the purpose of this Act, and each department, bureau, agency, board, commission, office, independent establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics, to the Secretary upon his or his designee's request.

SEC. 4. In carrying out the study and investigation authorized by this Act, the Secretary is authorized to cooperate with other Federal, State, and local agencies now engaged in comprehensive planning for water resource use and development in the Delmarva Peninsula area by making available to those agencies his findings and to cooperate with those agencies in the Northestern United States Water Supply Study as authorized by the Act of October 27, 1965 (79 Stat. 1073).

SEC. 5. There is hereby authorized to be appropriated the sum of $500,000 to carry out the provisions of this Act.

Mr. BREWSTER. Mr. President, I rise as a cosponsor of S. 2287, and as one who knows firsthand the serious water-shortage problems of the Delmarva Peninsula.

The Delmarva Peninsula is a natural geological formation of great beauty. It is steeped in tradition and it represents one of the most promising areas in Maryland for recreational and commercial development.

In recent years, the continuing drought has taken its toll on the water resources of the Delmarva Peninsula. The extent of this effect is not known since there has been no overall analysis of the ground water supply on the peninsula for almost 50 years.

What we do know is that the fresh water resources have recently been so seriously depleted through pollution, through run-off into the Chesapeake Bay and the Atlantic Ocean, through intensive irrigation, and through the invasion of sea water, as to seriously threaten the future development of the peninsula.

President Johnson took cognizance of this problem when, on July 14, 1965, he requested the Secretary of the Interior, who also serves as Chairman of the Water Resources Council, to assess what actions should be taken to assist the States in meeting the drought problem.

In the report to the President of the Water Resources Council, it was indicated that another year of the drought could be anticipated and that an inventory of ground water availability with emphasis on critical areas and on potential salt water contamination should be undertaken.

With this in mind I joined with several of my colleagues to cosponsor S. 2267. This bill will authorize a 5-year hydrologic study of the Delmarva Peninsula, the purpose of which is to appraise the water use requirements and the availability of water in the streams and the underground systems for the entire peninsula, paying close attention to the conditions which may invite the invasion of sea water into fresh water bodies.

We are now in the middle of another summer, and all indications are that drought conditions have not been alleviated. The situation in the Delmarva Peninsula is more critical than ever; S. 2287 is needed more than ever. This legislation is vital to the future of the peninsula, and I urge my colleagues to give it speedy approval.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1362), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 2287 is to express clear congressional intent that a hydrologic study and investigation of the Delmarva Peninsula should be carried out by the Geological Survey of the Department of the Interior. The Geological Survey presently has authority to conduct this study and has recognized its importance, but funds have not as yet been allocated for the purpose.

NEED

The Delmarva Peninsula, located between the Delaware and Chesapeake Bays, is experiencing rapid growth as a part of the expanding northeastern megalopolis. The millions of people and the huge industrial complexes of this region require ever-increasing supplies of fresh water. However, the Delmarva Peninsula is a low-lying area largely dependent on underground water resources. It also has a long coastline making its fresh water bodies subject to invasion of sea water. Little specific information is presently available on the extent, characteristics, and quality of its aquifers on which to base decisions on the amount of water which can safely be drawn from the various potential sources.

To obtain the necessary information, a detailed hydrologic study of about 5 years' duration is required. Such a study would develop information on the quantity and quality of water available from stream systems under various conditions, allow a determination of the continuity and extent of important water-bearing formations in the peninsula and provide information on the perennial yield, recharge characteristics, and water quality in each of the major aquifers. Survey data would be obtained for these purposes and additional test drilling would be carried out.

As one aspect of the study, the extent of an ancient gravel-filled channel located between Salisbury, Md., and Delmar, Del., would be carefully explored. This channel may represent a former course of the river which created the Chesapeake Bay and constitutes a potential ground water reservoir of major importance. It is estimated that individual wells tapping these channel deposits could yield 3 to 4 million gallons a day per well. The study should also reveal whether similar channels exist in the peninsula.

Because the Delmarva Peninsula is an integral unit comprising portions of three States, it is appropriate that the study be conducted as a Federal undertaking. The study would produce basic information that could be used in more intensive local investigations required for local water development and for alleviation of local water problems.

COST

The total cost of the 5-year study would not exceed $500,000.

BILL PASSED OVER

The bill (S. 3035) to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF THE DISTRICT OF COLUMBIA PRACTICAL NURSES' LICENSING ACT

The Senate proceeded to consider the bill (H.R. 8337) to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes, which had been reported from the Committee on the District of Columbia, with an amendment, on page 2, line 1, after the word "Virginia", to insert a comma and "and shall include those areas adjacent to the District of Columbia within a radius of thirty miles from the United States Capitol Building".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1364), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this bill is to amend the District of Columbia Practical Nurses' Licensing Act (Public Law 86–708, effective as of July 29, 1961) so as to permit the licensing without any written examination of an applicant otherwise qualified to be a licensed practical nurse, who, for the year immediately preceding the effective date of this act, has resided in the District of Columbia and been actively engaged in caring for the sick in the Washington metropolitan area.

The effect of the amendatory language of this bill will be to broaden the "grandfather clause" of the 1961 Practical Nursing Act. Under the existing "grandfather clause" contained in section 10 of the act, nurses otherwise qualified are not required to take a written examination as prescribed by the 1961 Licensing Act in order to be licensed as a practical nurse if they have actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of such act.

This bill will amend section 10 so as to provide that practical nurses in the District of Columbia may now qualify for a practical nurse's license without a written examination if, together with possessing the requirements of section 10 of the D.C. Practical Nurses' Licensing Act, they resided in the District and engaged in the care of the sick in the Washington metropolitan area for the year immediately preceding the effective date of the 1961 Practical Nurses' Licensing Act.

The provisions of the bill further provide that applicants will have a period of 90 days from the effective date of the enactment of H.R. 8337 in which to apply for such license without written examination.

In the case of applicants who have been denied a license for the reason that they did not qualify under the "grandfather clause," as it was initially written into the 1961 Licensing Act, they may be reconsidered without payment of any new application fee, except such part of the fee which may have have been refunded.

The bill, as amended, defines the metropolitan area as including various counties and townships adjacent to the District of Columbia, and any other geographical area within a 30-mile radius of the U.S. Capitol.

The committee, in amending the House definition of the "metropolitan area," recognized that certain portions of nearby counties in Maryland and Virginia would not qualify under such definition even though they are located geographically much closer than some portions of the immediately adjacent counties now included in the definition.

For this reason the committee was of the view that a radius mileage definition should be included as part of the definition in order to establish a more uniform geographical definition of "metropolitan area" for the purposes of this act.

NEED FOR THE LEGISLATION

In its administration of the Licensing Act, the Office of Occupations and Professions of the District of Columbia government has found that section 10 of the act has caused an inequity in the licensing of practical nurses in the District of Columbia. It has been reported to the committee that there are many competent nurses who resided in the District of Columbia during the year immediately preceding the effective date of the District of Columbia Practical Nurses' Licensing Act but who were actively engaged in caring for the sick in the metropolitan area outside the District of Columbia. This being the case, such nurses would not qualify under section 10 of the act, and thus would not be eligible for licensing as practical nurses in the District of Columbia without written examination. On the other hand, nurses with less nursing experience, but who were fortunate enough to care for the sick in the District of Columbia immediately prior to the effective date of the act, would qualify for practical nurses' licenses without written examination.

The enactment of the pending bill, as amended, will remedy the inequity as it now exists in present law.

It is the view of your committee that the amendments to the District of Columbia Practical Nurses' Licensing Act are overdue, in fairness to the large number of experienced practical nurses in the District of Columbia who have been denied the advantages of licensure. Also, your committee feels strongly that in view of the inadequate supply of competent nurses, the provisions of this proposed legislation will be very much in the public interest.

Public hearings were held on S. 2062, a companion bill to H.R. 8337, by the Subcommittee on Public Health, Education, Welfare, and Safety on June 13, 1966. Representatives of the Commissioners of the District of Columbia government appeared at the hearing and supported enactment of the bill.

A bill (S. 933), similar in purpose to H.R. 8337, passed the Senate in the 88th Congress.

DISTRICT OF COLUMBIA BAIL AGENCY ACT

The Senate proceeded to consider the bill (H.R. 15860) to establish the District of Columbia Bail Agency, and for other purposes, which had been reported from the Committee on the District of Columbia, with amendments, on page 3, line 1, after "section 3", to strike out "(a)", and on page 7, line 5, after the word "necessary", to insert "but not to exceed $130,000 in any one fiscal year".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1365), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 15860 as amended is to create a fact-gathering-and-reporting agency to provide to any judicial officer as defined in the bill, in the District of Columbia reports containing verified information concerning any person about whom the judicial officer is to make a bail determination.

The Bail Agency shall, except when impracticable, interview and report on any person detained pursuant to law or charged with an offense in the District of Columbia, who is to appear before the U.S. commissioner or whose case arose in or is before any of the following courts: the Supreme Court of the United States, the U.S. Court of Appeals for the District of Columbia Circuit, the District of Columbia, Court of Appeals, the U.S. District Court for the District of Columbia, the District of Columbia Court of General Sessions, and the Juvenile Court of the District of Columbia. (Coverage in the Juvenile Court will extend only to criminal nonsupport and desertion charges.)

Upon request of an appellate court included above, or a judge or a justice of such court, or any other judicial officer, the Agency will furnish reports to the appellate court judges or justices or other judicial officers, when such judicial officer is to make a bail determination. The services of the Agency will thus be available whenever a bail determination is to be made regardless of whether the Agency initially undertook an investigation of the individual.

The reason for H.R. 15860 is to establish an agency in the District of Columbia to promote a system whereby worthy defendants and material witnesses will be able to secure their release from detention pending court appearances on nonfinancial conditions and to furnish a judicial officer with information about a person's background so he can make an appropriate bail determination.

It must be emphasized that the Bail Agency will not encroach upon the functions of the courts. The Bail Agency will interview defendants, verify facts, and submit reports concerning the individual, his family, community ties, residence, employment, prior criminal record, and other relevant factors, together with a recommendation as to whether the individual shall be released pending trial. The recommendation, if any, would be limited to nonfinancial conditions. The bail decision, however, remains with the judicial officer. He may accept or reject the recommendation, and may set conditions for release, including financial conditions, as appear warranted to him.

The proposed legislation is designed to implement the Federal Bail Reform Act of 1966, signed by the President on June 22, 1966, and will supersede the experimental District of Columbia bail project, which has been operating since 1964 under a Ford Foundation grant due to expire in September 1966.

More than 50 experimental bail projects are currently in operation. Among the States where such projects are operating are the following:

California, Colorado, Connecticut, Delaware, Florida, Georgia, Iowa, Kentucky, Maryland, Massachusetts, Missouri, New Jersey, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Texas, Utah, West Virginia, and Wisconsin.

ENDORSEMENT OF LEGISLATION

The President of the United States, in a special message to Congress on March 9, 1966, on the issue of crime, proposed, in his first-stage recommendations to enhance justice in the courts, as follows:

"We must reform our bail system.

"The administration of criminal justice must be fair as well as effective.

"Whether a person, released after arrest, is likely to flee before trial or endanger society is not determined by the wealth he commands. Yet all too often we imprison men for weeks, months, and even years—before we give them their day in court—solely because they cannot afford bail.

"Effective law enforcement does not require such imprisonment.

"To correct this injustice, I urge the Congress to complete action on the pending Federal Bail Reform Act and to give favorable consideration to the District of Columbia Bail Agency bill."

The Federal Bail Reform Act has recently been enacted into law; the District of Columbia Bail Agency bill will, as indicated, implement that act on the local level.

On March 23, 1966, the Subcommittee on the Judiciary had a full hearing on S. 2721, a bill similar in most respects to H.R. 15860, and the committee has agreed to report, with amendments, H.R. 15860, which has been passed by the House of Representatives. The bill has the support of the Judicial Conference of the District of Columbia Circuit, the Office of Criminal Justice of the Department of Justice, the District of Columbia bail project, the Commissioners of the District of Columbia, the President's Commission on Crime in the District of Columbia, and the Bar Association of the District of Columbia, among others. There was no opposition to the bill.

AMENDMENTS

Your committee suggests two amendments to H.R. 15860. One amendment is to limit the annual appropriation for operation of the Agency to $130,000. Your committee believes that a limit should be set on the annual appropriation of funds, and has agreed to the stated amount, which, the committee has been advised, will enable the Agency to function satisfactorily. The other amendment is technical and is to correct a section citation reference.

NEED FOR THE LEGISLATION

One of the problems confronting the community under the existing financial bail system is the huge burden placed on the District of Columbia jail by pretrial incarceration of defendants unable to supply bail and the resulting cost to the community of maintaining a large number of people in jail because of their financial plight. For example, in 1962, before the bail project began, it cost the District government more than $500,000 a year to maintain in jail defendants who were eligible for bond. Statistics compiled prior to the bail project revealed that between 30 and 40 percent of the population of the District of Columbia jail were defendants awaiting trial or sentencing, and that more than 84 percent of these defendants were eligible for release on bond.

A recently completed study by the District of Columbia bail project reveals that the approximate average length of time spent in jail awaiting trial by persons charged with felonies is 84 days, and 26 days is the average length of pretrial incarceration of misdemeanants.

In addition to the increased operating costs of the jail, the community faces also increased welfare costs to maintain the family of the individual detained in jail and the costs arising as a result of the frequent loss of employment by the individual. The savings resulting from the pretrial release program are considerable. Your committee has been advised that a comparative study of persons released on bond before the project began operations, with persons released on bond in 1965 when the project was at maximum operating capacity, has revealed that over $72,000 could have been saved in jail costs, transportation costs, and in welfare costs. This figure represents the projected number of people who, if not released on personal bond, would have been held in jail for the astonishing amount of 47,157 man-days. Projecting the jail costs alone it is estimated that with operation capacity identical to that in 1965, the bail project would save in 1967 a total of over $61,000. The increase, of course, is attributed to the current trend of rising jail costs.

A projection, on the basis of current operations, of the saving to the District of Columbia resulting from enactment of the Federal and District bail reform bills, indicates increased future saving. Assuming these two statutes would increase nonfinancial condition releases, through changed standards for recommendation and additional conditions of release, by at least one-fourth of those presently held because they cannot now qualify for recommendation or cannot afford the bond premiums, it is estimated that the District will save $110,000 per year in jail costs alone.

But incarceration is not the only bad effect of the money bail system. Studies have shown that failure to release may adversely affect the accused's preparation for trial, family relations, and the outcome of trial and severity of sentence upon conviction. For example, the defendant who is held in jail does not have the same access to counsel as one who is free on bail. He is not free to aid in the preparing of his defense, or in securing witnesses.

BACKGROUND

In 1962, the chief judge of the U.S. Court of Appeals for the District of Columbia Circuit appointed a Committee on Bail Problems which studied the bail system in the District of Columbia. The committee worked in conjunction with the junior bar section of the District of Columbia Bar Association. Based upon its findings that most defendants who were held in jail prior to disposition of their cases were eligible for release on bail, the bar committee recommended that a pilot project, similar to a pretrial release program conducted by the Vera Foundation in New York City, be established in the District of Columbia.

In May 1963, the Judicial Conference of the District of Columbia Circuit adopted the recommendation, and proposed, through its Committee on Bail Problems the establishment of an experimental project designed to allow release of bail applicants with stable community connections.

The Ford Foundation granted funds ($65,000 per year for 3 years) to the Georgetown University Law Center to finance the project. After a year of operation under the supervision of the Committee on Bail Problems of the Judicial Conference, supervision of the project reverted to the law center. A supervisory committee was then appointed, representing area law schools, civic institutions, the Police Department, and the bench and bar of the District of Columbia.

The project began operations in January 1964 covering only felony cases. In August 1964, coverage was expanded to include misdemeanor cases in the U.S. branch of the District of Columbia court of General Sessions as well.

EXPERIENCE OF THE DISTRICT OF COLUMBIA BAIL PROJECT

Since the bail project became operational in 1964, recommendations for release on personal bond—the only recommendations which can be made by the project—have been made in 2,456 instances through June 3, 1966. Judicial officers accepted the recommendations in 2,084 cases, or about 85 percent. Felony defendants accounted for 769 of the releases, and misdemeanor defendants for the remaining 1,315. The bail project considered for possible recommendation about 40 percent of those persons brought to court after arrest; others included persons whose cases were disposed of at initial appearance, who put up bond before they could be interviewed, or who were committed to St. Elizabeths Hospital for mental observation. Of those who were interviewed by the project staff in 1965, for example, about two-thirds were not recommended for release on personal bond, either because of their prior criminal record or because they lacked sufficient community ties.

The selective process of the project has been proved to be accurate. More than 97 percent of those released have appeared in court as promised. While no figures about the experience of private bondsmen have been obtainable, it is believed the 3 percent default rate is less than that encountered by private bondsmen. Significantly, out of a total of 59 releases who subsequently failed to appear in court, 50 faced misdemeanor charges only at that time. Forty-seven of the fifty-nine defaulters have been returned to custody, and, interestingly, 40 of them were rearrested in the Washington, D.C., area.

The criteria utilized by the bail project to determine whether an individual should be recommended for release have been significant regarding the safety of the community. Of the 2,084 releases, 2.5 percent were charged with serious subsequent offenses arising during the release period; 5 percent were charged with less serious offenses, and 1.6 percent with municipal code offenses. Fifty-two percent of the subsequent charges resulted in convictions, and 31 percent were dismissed, nolled, ignored, or resulted in acquittals. Seventeen percent are pending.

Operation of the agency

Under this bill, the Bail Agency would interview the accused, seek independent verification of information derived from the interview, and obtain a person's prior criminal record. The Agency would evaluate this evidence with regard to whether the person's community ties and prior record would reasonably justify the person's release pending trial. It would then prepare a written report for the judicial officer before whom the accused is to appear for bail determination, setting forth information about the person's background, and whether, and on what nonfinancial conditions, the person should be released. The Agency recommendations would not be based on the offense charged or the facts of such offense. The judicial officer, acting on the basis of this report, plus other information concerning the charge derived from other sources, would then set bail or other release conditions. Among the nonfinancial conditions established by the Federal act are personal recognizance, appearance bond, release in custody of another person, restrictions on travel or association, or other conditions as may be appropriate.

Past experience with the project indicates that the entire procedure may be concluded within a few hours or, in some instances, a matter of days.

Cost of the legislation

The bail project has operated for 3 years on an annual grant of $65,000. According to testimony before your committee, a budget of $95,000 per year would be required to maintain an agency with coverage and standards similar to those existing under the experimental project. Subsequently, your committee was advised that, because of the expanded coverage contemplated by the bill and the cost for office space and equipment, the budget estimate would have to be revised upward. The District of Columbia bail project now estimates that a budget of approximately $124,000 per year would permit the Agency to provide full coverage in the trial and appellate courts as provided in the bill, and minimal coverage in the District of Columbia and traffic branches of the court of general sessions. The bill provides, in this regard, that interviews of persons charged with intoxication and traffic violations—the vast majority of the caseload in these branches—shall be undertaken on request of a judicial officer, thus avoiding a potential burden on the effectiveness of the Agency's operations.

Your committee believes that a limitation on appropriations be included and have agreed that an annual appropriation of $130,000 be authorized.

Your committee has noted that H.R. 15860 was amended by the House to provide that appropriations for operating the Agency be to the District of Columbia rather than to the judiciary. The effect is to put the full cost burden on the District, rather than allowing a cost-sharing relationship between the District of Columbia and the United States as is provided in the annual judiciary appropriation acts. However, because the Agency is primarily local in character and purpose, and because it has been estimated that its operation would include about 90 to 95 percent of the caseload of all courts combined, your committee is not opposed to the provision that the appropriation be to the District of Columbia, without a cost-splitting arrangement.

Conclusion

Your committee believes that bail reform is urgently needed in the District of Columbia, and this bill will, in conjunction with the Federal Bail Reform Act of 1966, do much to alleviate inequities and unnecessary costs in administration of justice in the District of Columbia.

AMENDMENT OF THE DISTRICT OF COLUMBIA TEACHERS' SALARY ACT OF 1955, AS AMENDED

The bill (S. 2574) to amend the District of Columbia Teachers' Salary Act of 1955, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2574

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13 of the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other puposes", approved August 5, 1955 (69 Stat. 521, 529; D.C. Code, sec. 31–1542), as amended, is amended by adding at the end thereof the following subsection:

"(d) (1) The Board of Education of the District of Columbia is hereby authorized to pay additional compensation, over and above the salaries in the salary schedules in section 1 of this Act, in the amounts hereafter fixed or prescribed in accordance with the provisions of this subsection, to classroom teachers in salary class 15, at the indicated levels, who are assigned to perform extra duties, on a continuing basis: *Provided,* That a teacher, to be eligible for such additional compensation, must also be assigned the standard load for a regular day school teacher at his respective school level. The Board of Education is further authorized, with the approval of the Board of Commissioners of the District of Columbia, on the written recommendation of the Superintendent of Schools, to fix or prescribe the amount of additional compensation for teachers who perform such extra duty.

"(2) Payment of such additional compensation shall be made monthly following the rendering of such service. Such additional compensation shall not be subject to deduction or withholding for retirement or insurance, and such additional compensation shall not be considered as salary (i) for the purpose of computing annuities pursuant to the Act entitled 'An Act for the retirement of public school teachers in the District of Columbia', approved August 7, 1946 (60 Stat. 875; D.C. Code, sec. 31–721 et seq.), as amended, and the Civil Service Retirement Act, or (ii) for the purpose of computing insurance coverage under the Act entitled 'An Act to authorize the Civil Service Commission to make available group life insurance for civilian officers and employees in the Federal service, and for other purposes, approved August 17, 1954 (68 Stat. 736), as amended. Such additional compensation may be paid for more than one activity assigned to a classroom teacher so long as such activities are not performed concurrently."

SEC. 2. The Board of Education of the District of Columbia is hereby authorized to make such regulations as may be necessary to carry out the purposes of this Act.

SEC. 3. This Act shall take effect September 1, 1965.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1366), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 2574 is to authorize the Board of Education of the District of Columbia to pay additional compensation to classroom teachers who are assigned to perform extra duties on a continuing basis.

NEED FOR THE LEGISLATION

The District of Columbia public schools are now conducting many programs in the early morning hours, late afternoon and evening hours, and on Saturdays and holidays. School sessions are planned for summer and other holiday periods. Existing and proposed programs requiring extra-duty assignments include those relating to sponsorship of cultural activities such as music, forensic, science, and dramatics clubs; parent education classes; after-school tutoring; coaching athletics; returning dropout programs and similiar activities. These programs cannot be fully implemented unless the District of Columbia Board of Education has the authority to employ teachers after regular hours and on days when school is not in session.

The authority to employ teachers beyond the regular schedule of hours provides flexibility for the development of new programs. In order to make programs efficient, it is necessary to use the talents of regular teachers who are willing to accept additional duties and who should be entitled to extra compensation for such duties when they are related to regular classroom functions. There is equity in paying a staff for work beyond the regular school hours and on nonschool duties. Many teachers are now giving time, which they could be using for their personal benefit, to assist in extracurricular activities. In many instances, teachers who do not have extra-duty assignments use their extra time for outside employment, which is not available to teachers who assume extracurricular duties. Those teachers who work extended periods of time on extra duties should also be paid, when the student is securing a better and more rounded education as a result thereof.

A survey conducted by the Classification and Wage Administration Division of the District of Columbia Government Personnel Office for the purpose of determining the practice of providing extra-duty pay to teachers in 20 cities with over 500,000 population revealed that 17 of 18 large city school systems responding to the survey have some type of extra-duty pay covering at least athletic coaches. Most give compensation to extra duty involved in the supervision of major school activities. The school systems responding to the survey overwhelmingly recommend the adoption of an extra-duty pay plan.

In the Washington metropolitan area, the school systems having extra-duty pay plans include Arlington and Fairfax Counties and the cities of Alexandria and Falls Church in Virginia and Prince Georges County in Maryland, which has just adopted the program.

Other major cities of the country where extra-duty compensation is paid include Baltimore, Buffalo, Cincinnati, Cleveland, Houston, Los Angeles, Milwaukee, New Orleans, New York, Philadelphia, St. Louis, San Antonio, San Diego, and Seattle.

Your committee is informed that the Board of Education, handicapped by the lack of authority to pay for overtime service, now resorts to the principle of compensatory time. A coach, for example, is given two free periods during the football season, after which he returns to the regular five-period teaching schedule. Forty percent of his teaching skill is lost during the football season and, when he does take up a five-period schedule, pupils have to be shifted from one teacher to another. Schools are not efficient when operated under the compensatory time principle. The fact that overtime pay is practiced in most school systems throughout the country shows that school officials do not favor the Washington practice. Football coaches, for example, are required to report for duty in late August, as much as 2 weeks before the official opening of school, so that their teams may be ready by mid-September. This time is not paid for. In a survey recently conducted by the District of Columbia Coaches Association for the 1963–64 academic year, it was found that coaches performed 24,000 hours of coaching time. Of these hours, only 7,000 hours were compensated for in the form of "compensatory time." The balance, or 17,000 hours of coaching time, constituted unpaid or uncompensated work.

The failure of this District of Columbia school system to pay for extra duty has placed the District of Columbia school system at a competitive economic disadvantage. Teachers have either transferred to another school system in the area which does pay for extra duty, or have left the school system entirely, because they were not being compensated for extra duty.

PROVISIONS OF THE BILL

The bill authorizes the Board of Education, with the approval of the Board of Commissioners, on written recommendation of the Superintendent of Schools, to fix an amount of additional compensation for teachers, now assigned a standard workload, who are assigned to perform extra duties on a continuing basis. Such additional compensation is to be paid monthly following performance of service and shall not be subject to deduction or withholding for retirement or insurance, nor considered as salary for those purposes. The bill allows such additional compensation to be paid for more than one activity assigned to a classroom teacher so long as such activities are not performed concurrently.

Section 2 authorizes the Board of Education of the District of Columbia to make necessary regulations to carry out the purposes of the act. Section 3 provides the act shall take effect September 1, 1965.

ANNUAL COST

The committee was informed that the annual cost of S. 2574 is estimated to be $225,000 for 450 teachers expected to participate. The bill provides the Board of Education of the District of Columbia with the authority to determine compensation schedules and select teachers coming under the program.

The Subcommittee on Fiscal Affairs, on June 21, 1966, held public hearings on S. 2574. At this hearing, representatives of the Washington Teachers Union, the Board of Education of the District of Columbia, the District of Columbia Congress of Parents and Teachers, and the District of Columbia Coaches Association appeared and testified in support of S. 2574. The Commissioners of the District of Columbia testified in favor of the principle of extra-duty compensation.

SHARP RISE IN PRESIDENT'S POPULARITY REFLECTED IN BOMBING OF OIL DEPOTS IN HANOI AND HAIPHONG

Mr. LONG of Louisiana. Mr. President, I note with great interest in this morning's Washington Post, there is published a report entitled "Bombing Raises L.B.J. Popularity: Many Now Expect Shorter War."

The decision to bomb the oil depots of Haiphong and Hanoi has resulted in a sharp increase in the popularity of the President. This reflects what I believe the President has known for some time, that the earlier decline in his popularity was due to what was going on in Vietnam and had nothing to do with the fact that we were doing too much there. Evidently, the people of this country think that we should be doing a lot more there than we have.

It is the view of the American people that we should fight and win the war in Vietnam, or get out. We recognize that the Communist powers have just as much determination and staying power as we have, in a long and drawn out stalemate. It is my judgment that no President could take this country into a war and fight over a long period of time, pulling our punches, and taking heavy casualties over an 8- or 10-year period, with no hope of ever winning it, and be reelected.

So far as the people of this country are concerned, they want to know why they would have to accept a stalemate when we possess the military capability to overwhelm aggressors and maintain our position.

My judgment is that this country cannot stand a military defeat in Vietnam and remain a major military power, or, for that matter, a major world power at all. Those nations which have not shown courage and fortitude to back up their nation's policies with national will and determination are no longer first-rate powers.

This Nation is the hope of the free world. I personally applaud President Johnson for his decision that we must make the cost of aggression ever greater, that we must make the aggressor pay an ever higher price as the cost of aggression, particularly when the United States is committed to help victims of aggression defend themselves.

Mr. President, I notice that those in opposition to the President's Vietnam policy of bombing the enemy's oil facilities, according to the Harris survey as reported in the article to which I have referred, appear to have only 15 percent of the American people on their side.

This is very interesting, in view of the great deal of conversation we have heard from them, as well as the views of powerful newspapers, particularly some in the East, which strongly support the policies of retreat and defeat. Accordingly, when it comes to seeing how the majority of our people feel about this situation, these powerful newspapers and other voices raised in opposition to the President's decision, apparently are speaking the judgments of only 15 percent of the American public.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I have referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HARRIS SURVEY: BOMBING RAISES L.B.J. POPULARITY—MANY NOW EXPECT SHORTER WAR

(By Louis Harris)

By ordering the bombings in the Hanoi and Haiphong areas of North Vietnam, President Johnson has sharply reversed the trend of public disaffection with his handling of the Vietnam war to the point where today a majority of 54 per cent of the American public supports his conduct of the struggle.

The specific move to bomb the oil depots on the outskirts of Hanoi and Haiphong meets with better than 5–1 approval of the American people. In actual percentages, 62 per cent are in favor of the action, 11 per cent opposed, and the remaining 27 per cent are undecided. This projects to an 85–15 per cent support for the Administration if the undecided are eliminated.

On the eve of the bombings, the Harris Survey had just completed interviewing a cross section of the public. This study found the Johnson rating on handling the Vietnam war was at a 17-month low with a positive score of 42 per cent. A week later, after the bombings had begun, that rating has risen 12 points to 54 per cent.

The dominant argument advanced by Americans who go along with the bombings is the hope that it will hasten an end to the war.

By a 6-to-1 ratio, people accept the military need for bombing fuel supplies. A rather high 39 per cent, however, feel the bombings would be harder to justify if they hit civilian population centers. And an even higher 43 per cent of the American people believe that as a result of the new escalation, the Chinese Communists are now likely to enter the war.

In short, it is apparent that Mr. Johnson has gained at least a temporary victory with American public opinion. But he has also tacks, the President will be severely criticized. come back to damage his basis for support.

If it is proven out that large numbers of civilians are killed in the new bombing attacks, the President will be severely criticized. If the Chinese come into the war with ground troops, sizable numbers of Americans will hold Mr. Johnson responsible.

But probably the most critical dimension is the overwhelming expectation on the part of the people that these new bombings will "get it over with" in Vietnam. In effect, this puts a time limit on the part of the American people within which they will expect the conflict to be concluded, either by military victory or by negotiations.

The response of the public, it should be pointed out, is partly a matter of hard-headed reasoning, but also contains a sizable measure of emotion born of the long frustration over the war.

Here is the trend of President Johnson's ratings on the way he has handled the Vietnam war since January 1965, in response to the question:

"How would you rate the job President Johnson has done in handling the war in Vietnam—excellent, pretty good, only fair, or poor?"

L.B.J. handling of Vietnam

[In percent]

	Good to excellent	*Only fair to poor*
Postbombings, July 1966	54	46
Prebombings, June 1966	42	58
May 1966	47	53
March 1966	49	51
January 1966	63	37
September 1965	66	34
May 1965	57	43
January 1965	41	59

The President's biggest gains have been scored in the South, where confidence in his handling of the war rose 17 percentage points following the bombings. In the East and Midwest, his Vietnam rating went up 12 and 14 points, respectively. In the West, however, the rating rose only two points—from 46 to 48 percent positive.

The trend of public opinion on bombing Hanoi and Haiphong had moved gradually toward favoring such a move over the past nine months. Before the bombings were ordered, the public was asked:

"Do you think the Administration is more right or more wrong in bombing Hanoi and Haiphong?"

Bombing Hanoi and Haiphong

[In percent]

	For	*Against*
Post bombings, July 1966	85	15
May 1966	50	50
February 1966	42	58
September 1965	30	70

Perhaps the most far-reaching question for the long run is one dealing with the public's expectations as a result of the bombings:

"It is argued that by bombing Hanoi and Haiphong we can slow down North Vietnamese reinforcements to the Communists in South Vietnam and this will hasten the end of the war. Others disagree and argue that the more we bomb North Vietnam, the more their resistance will increase. Which do you think is more likely to be the case—that the bombing will hasten the end of the war or increase the will to resist among the North Vietnamese?"

Public expectations

[In percent]

	Total public
Bombings will hasten war's end	86
Will increase will to resist	14

Clearly, there is a lot of hope intermingled with calculated risk in this last response of the public. Mr. Johnson has now given the American people a concrete military step which they firmly believe will work to end the Vietnam war.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHILD NUTRITION BILL CONTINUES SCHOOL MILK PROGRAM IN TRIED AND TRUE TRADITION

Mr. PROXMIRE. Mr. President, on the desk of every Senator this morning is a copy of the hearings and the report on the child nutrition bill. Today or tomorrow, the Senate should consider S. 3467, which amends the National School Lunch Act by expanding and strengthening the school lunch and special milk programs, as well as setting up a breakfast program.

I am happy to say that section 13 of the bill accomplishes pretty nearly every aim I had in mind when I introduced my bill to make the school milk program permanent. Although the bill extends the program for only 4 more years, it makes it clear that the program is to be continued in its present form rather than as a program primarily for the needy. It also authorizes up to $120 million for the program in fiscal 1969 and 1970. This should be good news, indeed, to Senators, 67 of whom cosponsored my school milk bill, and dozens of whom spoke out on the floor of the Senate or in committee in support of the program.

To quote from the committee report on S. 3467, the bill:

> Requires the Secretary to administer the program in the same manner as in the past. This last change was considered necessary to make clear the intention of Congress that the course of the program is not to be changed. The language of the existing law provides the Secretary with very broad authority as to the manner in which the program is to be conducted. He might administer it in the same general manner as in the past; or he could place much greater emphasis on assistance to schools in low-income areas, schools without school lunch programs, or otherwise change the course of the program. The change described in item (3) above would require the Secretary to administer the program insofar as practicable in the same manner as in the past.

This language makes it crystal clear that the school milk program as we now know it is to continue. It indicates beyond a shadow of a doubt that plans to provide milk only to the needy and those in schools without a lunch program have been disapproved. I want to congratulate and thank the members of the Committee on Agriculture and Forestry for presenting such an unequivocal report on the bill. Chairman ELLENDER as well as the other committee members deserve the deep gratitude of the Nation's schoolchildren and dairy farmers for the hard work put in on this all-important program.

THE SITUATION OF PHARMACEUTICAL COMPANIES OPERATING IN ARGENTINA

Mr. DIRKSEN. Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD an article which appeared in the Buenos Aires publication Economic Survey on May 24, 1966. This article pertains to a serious situation in Argentina affecting all pharmaceutical companies operating in that country. One year ago I rose on the floor of this body to protest the action of the Government of Argentina. Since that date the various companies operating in Argentina have complied with the decree of the Ministry of Health. However, no relief has yet been granted to the industry.

I am hopeful that my remarks might indicate to the new Argentine Government and to the Minister of Health the concern here in the United States about the severe restrictions being placed on this industry. I am hopeful that the Minister of Health under the new Argentine Government will relax the restrictions under which the Argentine pharmaceutical industry is now laboring. Not only are the people in Argentina who work in the pharmaceutical industry affected, by the inaction of the Minister of Health, but the employees in the pharmaceutical industry in the United States are also affected.

Many of the companies in the United States export raw materials to their Argentine plants. If these American firms were to be freed from the current restrictions it would be helpful to the industry in both countries and to the families dependent upon the industry for their livelihood. I look forward to hearing some good news from Argentina that these restrictions have been removed and that the industry is again growing with the rest of the economy of our fine neighbor to the south.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Economic Survey, Buenos Aires, Argentina, May 24, 1966]

THIRTY MONTHS OF PRICE CONTROL AND NO BRIGHT OUTLOOK

The arbitrary freeing of prices on medicinal products established by the Ministry of Health and Welfare in 1963, continues rigidly after 30 months during which production costs have increased steadily.

This has created a very serious situation in many firms, particularly the smallest ones. The Ministry promised to process speedily the applications for readjustment of prices in relation to the cost of production of specific items. But in fact the procedure is being carried out in a slow, cumbersome and arbitrary manner. The job is done manually, and it is entrusted to 10 or 12 hired men, instead of using electronic equipment which the Health Minister has repeatedly promised to employ. A simple application from a small firm takes about 2 months to process. Applications for large and complex enterprises, manufacturing a series of finished products or raw materials for their own use, takes an extraordinary length of time; an application from an

American laboratory took over 6 months. On the other hand, the Ministry, after promising equal and fair treatment for all, sets prices indiscriminately and absurdly in a way that has no relation to the actual cost of production.

Among the very few price adjustments granted in the past 30 months of price control, we do not know of any allowing for an increase over 20%. We know of two large domestic laboratories, operated with Argentine capital, on which the Ministry wants to impose prices even lower than the frozen ones. Another enterprise, manufacturing a medicament whose actual cost of production is easy to verify, was granted a 5% increase while the actual cost of manufacturing this product has gone up at least 15%.

PROJECT HOPE—THE BEST WAY TO WIN FRIENDS

Mr. MANSFIELD. Mr. President, on behalf of the distinguished junior Senator from Tennessee [Mr. BASS] I ask unanimous consent that a statement prepared by him on the subject of Project HOPE, and an article printed in the Knoxville News Sentinel in connection therewith be printed in the RECORD.

There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BASS

PROJECT HOPE—THE BEST WAY TO WIN FRIENDS

Propect HOPE (Health Opportunity for People Everywhere), organized by the People-to-People Health Foundation, Inc., is doing an outstanding job as America's floating Ambassador. In 1960, the U.S.S. *Consolation*, a 15,000 ton Navy Hospital ship, was refitted and loaned to the Foundation to enable them to carry out their project of teaching medical, dental and paramedical personnel in developing countries the latest techniques of U.S. medical science. The *Consolation* was aptly renamed S.S. *Hope*.

In five years HOPE doctors, nurses and technicians have trained more than 3,000 medical personnel, treated over 100,000 persons, conducted some 8,000 major operations, vaccinated one million people for polio, typhoid, tetanus and diptheria, and distributed nearly two million cartons of milk.

This outstanding record has been compiled by volunteers who have interrupted their medical careers to lend a helping hand to the people on three continents.

The Knoxville News Sentinel recently described the experience of a Knoxville surgeon who served on board the U.S.S. *Hope* in Nicaragua. Dr. David H. Waterman, a chest surgeon, described his experience as the "best way to cement friendship." I want to commend Dr. Waterman for his dedication and enthusiasm in this very worthy project.

[From the Knoxville (Tenn.) News-Sentinel, May 15, 1966]

SURGEON WORKS FOR NOTHING IN NICARAGUA: DR. WATERMAN GIVES 5 WEEKS TO "HOPE," FINDS IT BEST WAY TO CEMENT FRIENDSHIP

(By Carson Brewer)

A Knoxville surgeon has returned from a tour of duty aboard the SS *Hope* in Nicaragua, where he did his own laundry, got no pay, sweated in temperatures over 100 degrees—and where he'd like to go back.

"I've never been in a country where the people are warmer, more appreciative," said Dr. David H. Waterman, a chest surgeon.

"I fell in love with the country and with the people. It's the one country where I've been that I think I'd like to go back to when I retire."

The *Hope* is the former USS *Consolation*, a Navy hospital ship which now serves as a floating hospital-medical school on sort of a private Peace Corps-like mission to underdeveloped countries. It is staffed by volunteer teams of U.S. physicians and dentists in 20 specialties. They serve up to two months, without pay. Dr. Waterman was in the Central American country five weeks.

OX-CARTS SPELL DANGER

"I got to be an authority on ox-cart injuries," Dr. Waterman joked. "The first child I treated had been run over by a horse and buggy. The last one was run over by a reckless ox-cart driver."

Dr. Waterman performed several operations aboard the *Hope*, which has three operating rooms, and did others at a general hospital in Managua, the capital, about 100 miles from where the *Hope* was docked at Corinto.

The *Hope* docks at the countries which invite it and where it is most needed. It is needed in Nicaragua, a country where there is only one doctor for each 10,000 persons, where life expectancy is 35 years and infant mortality is 50 per cent.

"The two principal causes of death are gastro-intestinal diseases and accidents," Dr. Waterman said.

The *Hope* has been going from port to port over the world for the past five years. It stays 10 months in each country. Its volunteer dentists and physicians have treated more than 200,000 persons performed 8,000 major operations and vaccinated more than 2,000,000 people against polio, typhoid, tetanus and diphtheria.

The name *"Hope"* comes from the initials for "Health Opportunity for People Everywhere." It is not a U.S. Government project, though the Government helps. It is financed through private contributions by Americans.

"The biggest advantage to a thing like this is that it gets to the people," Dr. Waterman said.

OPERATING ROOMS FIRST CLASS

"Local doctors set up the indigency rules. The HOPE doctors first see patients in a clinic on shore. Then, if surgery is needed, the patients are brought aboard ship. The ship's operating rooms are as well equipped as those in any Knoxville hospital."

Dr. Waterman said the patients were "the most appreciative patients I think I've ever treated. I think this is because the doctors gave them more personal attention than is usual.

"It was a tremendous experience. I think most doctors go into medicine because they want to help people and not for material reward. And in work like this the personal satisfaction far exceeds anything else."

The feeling of most people in Nicaragua is pro-United States, Dr. Waterman says. However, wages of workers are low, and Communists have tried to take advantage of this to start trouble.

"I heard no Communist sympathy expressed," the surgeon said.

Part of the HOPE's program is teaching native physicians, interns and nurses. This training program was partly aboard ship and partly at the University of Nicaragua, at Leon.

Laundry at the university hospital is all done by hand and hung outdoors to dry, Dr. Waterman said. So rainy weather hampers hospital operations.

(The volunteer doctors aboard the HOPE also do their own laundry, and this is only one of the inconveniences. Another is a cramped sleeping area they call the jungle.)

MOST SATISFYING EXPERIENCE

Though the hospital doesn't have washers and dryers and many other pieces of modern equipment, doctors and medical professors there are "doing a tremendous job with what they have," Dr. Waterman says.

Dr. Waterman also praised the permanent staff of nurses, lab technicians, dental hygienists and others aboard the HOPE. "They're as fine as you'll find anywhere."

The founder and president of the HOPE project is Dr. William B. Walsh, a heart specialist. He started it in 1958. He works with the U.S. State Department each year to ascertain where the HOPE can serve best. More than 30 countries have asked for the ship to visit their shores.

"This is an ideal way to cement friendship among nations," Dr. Waterman said. "It's the most satisfying experience I've ever had in medicine."

THE PLIGHT OF AGRICULTURE

Mr. MUNDT. Mr. President, the American farmer and rancher has come upon dark days. Blame for inflation has been placed on the shoulders of rural America by the Johnson administration which is trying to cover its own blame for the cost-of-living increases.

Those who raise the food and fiber of this Nation are now alerted. They have decided to take steps to offset the lack of cooperation on the part of the Department of Agriculture in trying to get the farmer back on his feet.

Pat Goggins, writing his column in the Western Stockgrower has outlined the problems in great detail. He also suggests some ways in which action can be initiated in the farmlands to help offset the bad publicity which Agriculture officials have given those who feed America.

I ask unanimous consent to have this article inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AS I SEE IT

(By Pat Goggins)

The pressure is on in agriculture . . . the farmer, the diversified man, the cattleman, the land owner . . . all are riding the same canoe down a very fast stream, at the present time. We are in the most critical period in the history of agriculture as far as its freedoms, heritage, way of life, and profit picture are concerned.

First of all, agriculture has got to get the agricultural department of our Government back on its team. As it has been, we would have been better off without a Department of Agriculture the last six months. It's more a direct consumer organization than it is one to represent the farmers and ranchers of America.

Secondly, this reapportionment idea is the biggest step toward direct socialism this country has ever witnessed. It's going to put, without a doubt, political power into the hands of a few big manipulators handling the urban city areas to get done exactly what they want done.

And what are people in agriculture doing about it? It's sad to admit, but for the most part, nothing.

Attending several of the state cattlemen's conventions the past few weeks, the same questions and about the same fears are on the minds of everyone. But in visiting with some of the Representatives and Senators in Washington from these agricultural areas, it's surprising the little amount of mail, phone calls and wires they are receiving. They tell me that they get quite a volume but they keep coming from the same people.

They say the masses of people in the various counties and states are evidently not too concerned, and if they are concerned, it's mostly at the local bar or over at the neighbor's kitchen table in a house-to-house visit. And you know, folks, this conversation is good. It enables each and every one of us to get ideas, exchange ideas, but that's where it stops.

I am sure that the average cowman attending one of these conventions spends more time down at the headquarters lounge in any given hour or two than he'd spend in a week writing letters or getting on a long distance telephone and calling his Congressman or Representative's office in Washington, D.C., and telling him what he thinks ought to be done and what he thought is happening in his area back home.

Get excited, folks! This is serious! If you don't think so, just take a pencil out and start writing down the freedoms you've lost in the last three years in your business of agriculture. And to make it worse, these same freedoms you've lost, these same extra taxes you've assumed, are going to break your back, they're going to break my back. Agriculture can no longer stand to subsidize the populace of this country in such a big way. Don't leave this chore up to someone you think you elected into office to take care of for you. Don't leave this job of suggestion and complaint and advice up to your neighbor. It's your chore, it's your country, it's your ranch we're worried about.

And if you don't have the intestinal fortitude, and if you don't think you've got the time, or if you think you don't want to spend five or six dollars in a long distance telephone call, then when it comes time to complain about what's happening to agriculture and how you're not being taken care of, don't you dare complain to anybody about how things are being run.

I could hardly believe it when visiting with many cowmen in attendance at these conventions about their problems in their areas, especially in Government attitude toward agriculture. When I asked them, "Have you talked to your Senator or Representatives in Washington lately?" "Have you written Orville Freeman?" "Have you tried to call the offices of those in charge of these departments in Washington?"

Almost without exception, the answer was "No, I've been planning to do that and I just haven't gotten around to it."

"Well, I want you to know that the Government is getting around to taking care of our business. They happen to have time to get us into a position that we can't wiggle out of and they're just working at it 24 hours of every single day. If you and I feel that we haven't got the time and do not wish to take an active part in this problem, then we as individuals here in the United States have absolutely no right to complain of what someone else is doing.

The rights of agriculture, in fact the rights of American citizens, are being changed at the present time and too few people don't seem to give a darn about it.

There are bigger problems across the United States than moisture, and almost every place you go people all want to talk about drought and grasshoppers and troubles. But the biggest problem involved is your own future. You could have the best rains from now to kingdom come and in the present trend you're not going to have a market anyway.

The other day, at a Junior Breeders Association meeting, I happened to be watching a group of enthusiastic young boys wearing those blue and gold jackets with a FFA, (Future Farmers of America) written on them, and I couldn't help but to recall the speech that the Hon. KARL E. MUNDT, South Dakota, gave in the Senate of the United States in April of this year when he said, "FFA used to mean the Future Farmers of America. It now means the Forgotten Farmers of America!"

DAY CARE CENTERS IN MARYLAND

Mr. TYDINGS. Mr. President, on April 27, I rose to praise the efforts of the Baltimore regional joint board of the Amalgamated Clothing Workers of America in establishing child day care centers. Today, I would like to comment on the work of the Maryland Committee for Day Care of Children, a voluntary organization which provides care for preschool children of working mothers. These volunteers are dealing with a problem of national concern and deserve our gratitude and support.

An article in the Baltimore Sun on Monday, April 25, 1966, describes the Maryland committee and its work. I ask unanimous consent to insert this article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESCHOOL CHILDREN: DAY CARE CENTERS

(By Susan M. Anderson)

The working mother is a national problem. Labor Department statistics show that in 1965, some 6,000,000 women who were employed full-time or part-time had children less than 14 years old. One fifth of all American children have working mothers. The projected statistics indicate that there will be a 55 per cent increase from 1960 to 1970 in the number of working women with children under 6 years old.

Child day care is concerned with what services are available for supervising children when their mothers are employed. Day care is not a limited concept referring only to underprivileged children or exclusively children of employed mothers, but rather all children who, for whatever reason, need outside supervision.

VOLUNTEER GROUP

The Maryland Committee for Day Care of Children is a voluntary organization concerned with the problems of caring for preschool children. Its members are professional people in related fields of health, education and welfare, as well as interested laymen.

The committee has been campaigning for increased facilities—to meet growing needs—that would be available at reasonable costs and would not be babysitting or nursery schools but a combination of recreation and constructive activity.

Tomorrow, the committee will hold its annual meeting and dinner, during which progress reports will be given. Dr. Edward D. Greenwood, co-director of the school mental health programs of the Menninger Foundation, will discuss "Horizons for Young Children." The dinner will be at 7:30 P.M. at the Sheraton-Belvedere Hotel.

ART ON TABLES

Each of Baltimore's 44-day care facilities will be symbolically involved in the committee's dinner program, since the table decorations will be art work by the children from each center.

One member of the Maryland Committee for Day Care of Children is Mrs. Rex Wilkes, headmistress of Grace and St. Peter's School in the 700 block of Park avenue. The children at Grace and St. Peter's have been working on a paper sculpture project that will be used as a decoration for the dinner. Ten 5 year olds are making an animal cage, as a manifestation of their interest in animals and the circus, which they saw last fall on a field trip.

This creative project demonstrates the children's proficiency in art crafts. The paper sculpture involves not only cutting and pasting figures of wild animals from construction paper, but also the technique, advanced for most 5 years olds, of slitting paper to make joints. Then the children's own imaginative use of color comes into play and the resulting menagerie makes an appealing decoration.

The cage, in its other life, was a bird cage but in the children's eyes, is a circus tent. Their teachers, Mrs. George Kay, supervisor of the preschool, and Mrs. Kerwin Roche, supervisor of art at Grace and St. Peter's, have interlaced the animal cage with chartreuse pompoms. They will select the most recognizable animals to be assembled under the big tent.

SCHOOL A MODEL

Grace and St. Peter's school is a model of what the best in day care offers. Mrs. Wilkes says people come to observe the school, "because it is so convenient." Grace and St. Peter's far exceeds the minimum requirements of keeping the children off the street from 7.30 A.M. to 5.45 P.M. and confined in one place, which the mothers can feel confident is clean, well heated and supervised, and will provide a hot lunch.

Grace and St. Peter's also provides instruction in those skills that will better prepare children for elementary school. This is more comprehensive than those programs being established by the Office of Economic Opportunity through the Welfare Department. Grace and St. Peter's provides the background of math and reading readiness, and learning preparedness all year long which Project Headstart valiantly tries to cram in eight short summer weeks for children whose progress has been slowed down by the effects of poverty.

Only a limited number of families can avail themselves of the quality of day care that Grace and St. Peter's provides, since it has a capacity of 185 children. The 44 licensed day care centers in Baltimore serve only 5 per cent of the 22,500 small children of working mothers. The Maryland Committee for Day Care of Children is trying to encourage more people to operate day care centers.

NO STATE FUNDS

The only center that is completely publicly supported is the Agnes Bevan Park Center in Westport. None of the existing centers in Baltimore receives any state or city funds, although some receive Federal funds, particularly those affected by the recent grant of $357,500 by the Office of Economic Opportunity to establish group and family day care in Baltimore.

Grace and St. Peter's has a tuition of $600 a year and some scholarship aid is available. Many families could not afford to send their children there, even if there were enough room. The Labor Department statistics say that 85 per cent of mothers who work do so because of financial need.

The Maryland Committee for Day Care of Children, is currently seeking methods of getting Federal matching funds, and allocations from the state and city through the welfare departments to finance the centers. In January, the city health department recommended that 35 centers and 450 family day care homes be established to meet Baltimore's needs. But this would cost an estimated $3,000,000 annually.

FOUNDATION AID

The financial situation is not static. In December the Hoffberger Foundation made a $30,000 matching grant to Baltimore over 3 years. This grant will help pay the salaries of day care center workers.

The committee itself informs the public of problems and abuses of day care, and recommends ways of solving them. It distributes literature, holds fund-raising dinners, works with civic and community groups, and serves as a clearing house for questions and suggestions.

Members of the committee try to expedite the activities of a particular agency if, for example, a time lag is evident in the establishment of a community center. If the reason turns out to be that facilities cannot be located, then the committee coordinates the finding of a suitable facility.

The committee's role was evidenced recently with regard to the licensing of day care centers. The committee felt that this was desirable to insure minimum standards of health, sanitation, safety and personnel. A survey with the Governor's commission on day care indicated that 18 per cent of the centers were inadequate or substandard.

SLIDE SHOW HELD

The committee held a luncheon and slide show for delegates to the Legislature, explaining advantages of regulating day care. The result was a House bill, providing for the State Welfare Department to license home centers caring for fewer than five but more than one child in a private home for money. The bill costs the State nothing, but it will receive $40,000 in Federal funds to implement licensing and supervision.

Another project of the Committee for Day Care of Children is trying to determine the feasibility of inclusion of day care centers in housing projects, which now have a limited amount of space for recreation. A permanent location to accommodate the day care would require a building addition. But also involved in this suggestion is the requirement of one third local matching funds. What progress the committee has made will be revealed at its annual dinner.

The committee feels that the problem of child day care is the unmet need of the American domestic social scene. Since working mothers are increasing in numbers faster than facilities for their children, the goal of the committee is to make the child happy away from a home situation.

INVITATION TO ENJOY THE ADVANTAGES OF VACATIONING IN ALABAMA

Mr. SPARKMAN. Mr. President, everybody talks about Alabama these days and I want to talk about my State, too. I want to go a step further and invite each of your constituents to come to Alabama and see what our State is really like. I invite you to consider vacationing in lovely Alabama, where you may enjoy mountains, ocean beaches—the whitest, firmest in the world—clear lakes and historic homes and buildings—all within a single State.

I should like to remind you that a string of remarkably beautiful lakes stretch across north Alabama along the Tennessee River. This is wonderful fishing water, and more and more people come to Alabama to enjoy it each year. Around Guntersville, where annual boat races and other water events are held each year, there are numerous marinas, motels, and campsites to please every taste. The grain elevators at Guntersville stand like white castles against the green hills along the river.

At Decatur, Florence, and other cities along this system of TVA lakes there are all the facilities which any traveler could want to make his stay enjoyable—and all this is with Alabama hospitality thrown in. At Tuscumbia, incidentally, near Wilson Dam, is the Helen Keller home where Miss Keller's training began so that she could become living proof that handicaps do not close the way to growth and success. Up the river the great space center at Huntsville is within sight of the river. All this and much more awaits any traveler who comes to northern Alabama, for a brief visit or for life.

A little to the south there is Lake Martin on the Tallapoosa River, a lake created by Alabama Power Co. This great lake has a shoreline of more than 800 miles and covers more than 50,000 acres. Near Alexander City, Wind Creek Park has 1,800 campsites and miles of beaches, plus 36 boat-launching ramps. There are fine facilities at Kowaliga Beach, made famous in a song by the late Hank Williams, of Alabama.

In the same area is Horseshoe Bend National Military Park, where Andrew Jackson broke the back of Creek resistance 150 years ago. The Park Service has created a fine museum and park here in the bend of the Tallapoosa, and all who are interested in the story of America's westward expansion after the Revolution should visit this historic spot. Incidentally, I introduced the legislation which made possible the establishment of this park.

This is great country, and a companion string of lakes extends along the Coosa River just a few miles from Martin—just over the ridge, in fact.

If one is traveling by car, Montgomery, first capital of the Confederacy, is only a few miles from the Alexander City area, and the route goes through Wetumpka, a lovely old city once the home of William Lowndes Yancey.

The capitol at Montgomery is a building of great beauty. On its steps Jefferson Davis took the oath as President of the Confederate States. Across the street to the south is the first White House of the Confederacy, maintained as a museum, and adjoining it is the museum and library of Alabama's archives and history department.

I could continue—but this gives you a brief hint of the things to see and enjoy in Alabama. I would like to give each of you a packet of facts about Alabama and its tourist attractions. These packets are available in my office.

Meanwhile, I repeat: Come to Alabama and see us. As a former Governor of Alabama puts it: "Y'all come."

ASSISTANCE TO LOW-INCOME HOMEMAKERS

Mr. BAYH. Mr. President, for approximately a half century county extension agents have met the needs of farmers and homemakers through a grassroots approach. Recently in three counties in northwestern Indiana, extension home economists, with the cooperation of other agencies, have used this approach in an imaginative program to assist low-income homemakers.

The aim of this project has been to help these homemakers make better use of their resources for family living by training in basic housekeeping skills, food preparation, clothing skills, and personal development. Participants have gained greater self-respect through their accomplishments. Each homemaker is asked to teach one thing she has learned to five other women.

The success of the program among various disadvantaged groups and migrant workers in northern Indiana has encouraged similar undertakings in other parts of the country.

Among those who should be particularly commended are A. D. Leurs, agent for Lake County, Ind., whose initiative was instrumental in developing the program, and Mrs. Minerva Partin, who is project director. Also to be congratulated for their assistance in the program are the directors of the Purdue Extension Service.

Because of its general significance, I ask unanimous consent that an article published in the Extension Service Review entitled "Low-Income Homemakers Respond," which describes this program in detail, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOW-INCOME HOMEMAKERS RESPOND TO TRADITIONAL EXTENSION TEACHING METHODS

(By Evelyn P. Quesenberry)

A half century ago, Cooperative Extension had a successful beginning as county Extension agents met the needs of farmers and homemakers with a "grass-roots" approach.

In three counties in northwestern Indiana, Extension home economists continue to have success with the "grass-roots approach," as they work with disadvantaged Whites, Negroes, and Spanish American migrant workers. The results of their efforts emphasize the effectiveness of this approach to programs under the Economic Opportunity Act.

Programs for low-income homemakers are being conducted and continue to grow under the leadership of Mrs. Minerva Partin in Lake County; Mrs. Esther Singer, in St. Joseph County; and Miss Janith Masteryanni, in La Porte County.

The agents attribute success of the programs to the personal touch—that of meeting homemakers where they are and providing information to fit their needs.

A current concern in Extension home economics programs is helping families in need—to help them to be as happy as possible with their family members and to improve their living conditions.

The broad objectives of low-income programs in these Indiana counties are to help people make better use of their resources for family living and to improve their income situation. Clothing, cooking, and basic housekeeping skills provide the basis for these programs.

FOOD PREPARATION

Mother can prepare tasty meals for her family quite well when the father is working and has a steady paycheck.

But what about the many homes where there is no father, or where the money just "doesn't go round?" It takes more planning and determination to stretch the food budget and prepare attractive and appetizing dishes from ingredients which consist mostly of government surplus foods.

Surplus foods available to families in need are usually: flour, cornmeal, powdered milk, peanut butter, chopped meat, butter, lard, beans, rice, dried eggs, rolled oats or wheat, and cheese. Families who receive these foods are glad to get them, but meals can be drab and tasteless unless mother knows how to add variety with different kinds of recipes.

In her cooking schools, Mrs. Singer teaches homemakers some "tricks" to make surplus-food meals more attractive and delicious.

Some of her tricks include the proper seasoning of powdered eggs to eliminate their "eggy" taste and the addition of a flavor stimulant, such as chocolate, when mixing powdered milk. In some cases mothers didn't know how to beat powdered milk into warm water, so their children simply ate it dry.

A typical breakfast prepared and demonstrated by Mrs. Singer includes: hot chocolate, oatmeal, baked scrambled eggs with meat cubes, and slices of homemade bread with butter. Nearly all ingredients were surplus foods.

Other tasty dishes prepared from surplus foods were bean soup, cornmeal muffins, refrigerator rolls, rice and cheese dishes, peanut butter cookies, and baked custard.

Mrs. Partin has done similar work with low-income homemakers in her county on the use of surplus foods. Both she and Mrs. Singer stress the importance of using equipment which these homemakers are likely to have in their homes.

Women who did not have pans in which to bake rolls, were shown how to improvise with peanut butter tins (which resemble coffee cans).

One homemaker came back to a following meeting with rolls which she had baked in the tin, to show to others in the group. She was proud of her accomplishment. Her pride is an example of increased self-respect—an important benefit—which homemakers gain from participation in these programs.

BASIC HOUSEKEEPING SKILLS

Housekeeping is routine and relatively easy with modern appliances to help get the job done. However, it is a different story with homemakers who lack not only the knowledge or correct procedure, but who do not have proper equipment or money to buy it.

In Lake County, under the guidance of Mrs. Partin, women—who need to count pennies—are helped with basic housekeeping skills. Some of the topics covered are: simple directions for keeping a house clean, making of beds, storing of cleaning supplies (out of reach of children), tools for cleaning, how to keep down household pests, and work schedules for getting housework completed.

CLOTHING SKILLS AND PERSONAL DEVELOPMENT

Basic sewing courses for low-income homemakers also have been successful in these three counties. Homemakers learn how to make clothing for family members and receive experience in social and civic activities.

After a get-acquainted session in LaPorte County, Miss Masteryanni starts the basic sewing course with instructions for making sewing boxes. In order to utilize equipment found in the homes, sewing boxes are made from oatmeal boxes.

From there the group moves into simple construction techniques and progresses until each homemaker has a garment to model on "graduation night". Similar procedures are followed in Lake and St. Joseph Counties.

Social skills including: refreshments at each meeting, serving as hostess, behavior at a social affair, and participation by family members at the graduation session, are important experiences for the homemakers. For some of them it includes many firsts—the first time to take part in an organized adult session, first time to make a garment, and quite often, the first time to appear before a group.

RECOGNITION FOR HOMEMAKERS

In all three counties a graduation ceremony at the end of the course is a highlight for the homemakers. Graduation day in sewing is often held close to a special day, such as Easter or Valentine's Day, to make it a very special occasion.

In addition to special programs for "graduation", homemakers are proud to receive certificates of recognition for completion of a program or course.

In presenting certificates to one of her groups, Miss Sara Naragon, formerly assistant county Extension agent in St. Joseph County and now on leave, commended her class for the following: S—skill, E—energy, W—willingness, I—initiative, N—need, G—good job well done and graduation.

Mrs. Partin encourages each homemaker to teach one thing she has learned to five other women. Statistics, to date, show that class members have shared their knowledge with 1,450 others. Sharing with others provides satisfaction and recognition to the one who shares.

COOPERATING AGENCIES

County Extension agents attribute much of their success with low income programs to cooperation of many individuals and agencies.

Cooperating agencies in Lake County include the Gary Housing Authority, Lake County Department of Public Welfare, Goodwill Industries, Township Trustees, Neighborhood Houses, Hammond Housing Authority, and Hammond Community Council.

St. Joseph County cooperators include: Neighborhood Youth Corps, South Bend Civic Planning Association, South Bend Community School Corporation, Poor Relief Agency, Public Housing Recreation Center, and the Welfare Office.

Assisting agencies in LaPorte County include: The Federal Housing Authority, Department of Public Welfare, Parks and Recreation Board, YWCA, YMCA, and Girl Scouts.

Many volunteers have assisted Extension agents in planning and teaching. These include leaders of Home Demonstration clubs, graduate home economists, women from churches, school trustees, and housing authorities.

In order to offer more programs for low-income homemakers in St. Joseph County, a Negro Extension agent in home economics, Mrs. Bessie Woolridge, has been added to the county Extension staff. Mrs. Woolridge has made many personal contacts, and has been instrumental in planning and carrying out additional programs.

A B C'S OF SUCCESSFUL PROGRAMMING

The A B C's of successful programming for low-income families in Northwestern Indiana seem to be: active participation, basic skills, and cooperation coupled with methodology that is simple and concrete, something that can be demonstrated, and include something to take home to show or taste.

REVOLUTION IN CORRECTIONS—AN INTERVIEW WITH MYRL ALEXANDER

Mr. HRUSKA. Mr. President, as a member of the National Penitentiaries Subcommittee, I have had a continuing interest in the administration and operation of the Federal prison system. My work on the subcommittee has led to close contact with the Bureau of Prisons and its officials. It has been my privilege to have visited most of the Federal correctional institutions—some of them more than once.

In the course of this legislative oversight function, I worked closely with Mr. Myrl Alexander, the Director of the Bureau of Prisons. He has had an outstanding 30-year career with the Bureau, and, in 1964, was appointed its Director upon the retirement of his distinguished predecessor, Mr. James V. Bennett.

Mr. Alexander also has had a significant exposure to academic life having served as head of the Crime-Correction Center at Southern Illinois University, one of the few such programs in this country.

Director Alexander, therefore, speaks with a solid record of practical experience as well as academic expertise.

Mr. President, I commend to the attention of the Senate an excellent interview with the Director that appeared in the July 11 issue of U.S. News & World Report.

In the interview, Mr. Alexander gives an up-to-date picture of the revolution now taking place in the treatment of convicted offenders in the Federal system.

Particularly impressive were the comments in the article concerning the Prisoner Rehabilitation Act of 1965, of which it was my privilege to be a principal cosponsor along with the distinguished Senator from Missouri [Mr. LONG].

A major feature of the new act is the work-release program, in which carefully selected inmates are allowed to work at jobs or obtain schooling outside prison walls during the daytime, returning to the institution evenings and weekends. Mr. Alexander states that during the first 4 months of operation about 500 of the 21,000 Federal prisoners participated in work release. During that time there were 15 escapes, but more than half of the escapees had histories of alcoholism. Now, very few with such backgrounds are included in the program.

Mr. President, it is vital, if we are to reverse the present skyrocketing increase in the incidence of serious crime in this country, that there be a breakdown in the traditional role of the prison as the breeding ground for careers in crime. The progress described by Mr. Alexander in combating recidivism is most encouraging.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT LIFE IS LIKE IN TODAY'S FEDERAL PRISONS—INTERVIEW WITH MYRL E. ALEXANDER, DIRECTOR, BUREAU OF PRISONS, U.S. DEPARTMENT OF JUSTICE

A revolution in the treatment of criminals now is under way in this country.

Rehabilitation, not punishment, is the byword. Guidance centers, offering psychiatric help, are being set up to speed release of criminals from prison. New job-training programs let inmates leave jail for part-time work or schooling.

How is this new approach working out? Can it really cut the rising crime rate? What about hardened or violent offenders?

For official answers, editors of U.S. News & World Report invited the man who runs the federal prison system to the magazine's conference room for this exclusive interview.

Question. Mr. Alexander, is the approach to the punishment of crime in this country being changed?

Answer. Yes, there are remarkable changes in the treatment of offenders.

Question. What kinds of changes?

Answer. There has been a change from the internal kind of prison orientation that was directed only to what goes on behind the walls. The new approach is oriented to the offender's release and adjustment to the community.

The old idea of keeping a man in prison for one year, or five years, or 10 years, and then—when some magic date occurs—turning him out as reborn hasn't done the job at all. Our high rate of repeating offenders shows that. A substantial part of all crime in this country—it is much higher than 50 per cent—is committed by people who have been in prisons.

Question. Is that the reason for the changes—that the old-fashioned prison wasn't doing society any good?

Answer. A major reason, yes. The old prison did prevent criminals from committing crime in the community during the time they were locked up. In terms of offenders' contributions to society after release, the traditional prison was almost a failure. A great majority of habitual offenders really are doing life terms on the installment plan—in and out, in and out.

Question. Are you trying to do anything about this?

Answer. Yes. The orientation of correctional practices in this country is rapidly swinging toward the youth and young adults in our prisons. They're the ones with whom most may be accomplished. They're the ones who have 40 to 50 years ahead of them—either to live in crime, or to become producing members of society. It's toward these young people that attention is being directed.

Question. Are most of your prisoners young people?

Answer. The median age of the 21,000 federal prisoners is 29 years and six months. So half of our offenders are under age 29½. Our psychologists report their mental age compares precisely with that of the general population.

Question. So they're as smart as the average American—

Answer. There are just as many who are mental defectives, just as many who are geniuses, and just as many who are normal.

Our psychiatrists find that diagnosable mental illness is present in about 15 per cent of our federal prisoners. This means that 85 per cent have no such mental illness. Educationally, our total federal prison population is four to five years behind the general population. And, of all offenders committed to federal prison last year, 92 per cent had no employable skill. That gives you the pattern of the kind of people with whom we deal.

Question. Why do you think anything can be done with these people?

Answer. We remotivate them to continue with education and learn employable work skills. Emotional instabilities are treated by our psychologists and psychiatrists. Then, as the critical time of release nears, strong supportive control and supervision in the community is required.

To this end, four years ago we established four prerelease giudance centers as experimental facilities in Los Angeles, Chicago, Detroit and New York. These were for youthful offenders, primarily between 20 and 23.

Question. Are they what are known as "halfway houses"?

Answer. Yes. And for four years now we have been putting youths through these centers, in which they live from three to six months. The centers are staffed by trained vocational counselors and some of our most skillful correctional officers.

We have now had 1,400 young people go through these prerelease guidance centers. We are continuing to follow up on those who are released on supervision. The figures we now have show that 70 per cent of those released in 1962 were successful under parole supervision for a period of two years after release. By contrast, the parole-violation rate for a similar period for prisoners who just went out to the community on the magic day of release, without having been through guidance centers, was about 48 per cent.

Question. What is the main thing you have learned from this program?

Answer. The thing that stands out, perhaps above all others, is that, even though the youth's educational level has been raised, and even though, while imprisoned, he has been taught a trade or skill, he has all kinds of problems of adjustment when he leaves prison. He doesn't know what to do about the temptations of the tavern. He hasn't learned how to accept criticism of his work. Without the experience he gets at a guidance center, one of these fellows, if bawled out by a foreman on a job, more than likely will say, "I quit."

Most of these fellows have never met a decent girl. They don't know how to behave in relationships with girls.

At the prerelease guidance centers, whatever the problem may be that emerges in adjustment, the young offenders are under constant supervision with competent counselors to help them work out their problem. They receive day-to-day help from people who are interested in them. This is a primary reason for the substantially lower parole-violation rate among those who go through this two to six months of supervision.

Question. Besides the guidance centers, what else is new and different in your rehabilitation program?

Answer. We found that the kind of training we had been giving in institutions was not equipping people for actual life situations. For example, we were training cabinetmakers when the world needed bricklayers or skilled apartment-maintenance men. As a result, we have developed a whole new series of vocational-training programs.

In four of our institutions, we are training automated-data-processing programmers. Also, we are training card punchers, because there is a great demand for them. To be a programmer, a person needs an intelligence quotient of 110 and on up. A card puncher can have an I.Q. of 90.

In a number of places, we have established bricklaying schools, because there is a great need for bricklayers. In each of these instances, the bricklayers' union is working with us, not only with the training but in helping men find jobs when they get out.

Question. Have you had any resistance from other unions?

Answer. No. As a matter of fact, the law under which these programs operate requires, first of all, that these men are not to be put in a community where there is a high rate of unemployment; second, that they do not displace employed workers; and third, that we do it with the knowledge of the labor unions.

Question. You're talking now about your work-release program—

Answer. Yes. We use this, by and large, in the last few months of the sentence.

Question. How does work release differ from halfway houses?

Answer. They are interrelated. Both help to build a bridge between the prison and the community. The law—passed last year—governing work release provides that inmates may go outside the institution for work, study or training, returning to the institution during nonworking, nonschool or nontraining hours.

Question. How many people are leaving prison each day for a period of work or training? What kinds of jobs do they take? Or, if they're studying, where do they go to school?

Answer. Out of 21,000 federal prisoners, approximately 550 are on work release. Their jobs vary from tire recapping to greenkeepers on golf courses, from laying brick to operating drill presses, from painting to plumbing. We have about 55 in junior colleges or universities.

Question. Do you pay for their schooling?

Answer. Under the law, we can for youthful offenders. At this point, we don't.

Question. Who pays, then?

Answer. They pay for it themselves, or earn it themselves. For example, we have two boys in a junior college in Texas, near Dallas, who are carrying a 16-hour course and working three hours a day at janitorial jobs. What they earn is applied to their tuition. These two boys made the dean's list last quarter.

Question. Many of your institutions are in smaller communities, where not many jobs are available. Do you permit people to go farther afield—to the nearest big city, for instance?

Answer. A man on work release can end up in a city, if he came from one. Let's take an example:

A boy who lives in Los Angeles will steal a car and get picked up in Denver. He's committed to our institution at El Reno, Okla. There he'll be educated by machine teaching methods and some other new methods. He may advance three or four grades within a period of six or eight months, achieving an educational level where he has the competency to begin vocational training.

At this point, dependent upon what the psychologists and industrial counselors determine to be his best skill, he may be transferred to our institution at Lompoc, Calif., let's say, to take vocational training in bricklaying or tile setting. Tile setting is an occupation in much demand in southern California.

When he has passed State tests and can be certified as an apprentice tile setter, he'll be transferred to our institution at Terminal Island, Los Angeles, and begin work release in his home community under the supervision of that institution.

Generally, our policy is to return people for work release to the area nearest their place of residence, in which there is high employment, with jobs needing to be filled.

Question. Do some of these work-release people just walk away?

Answer. In the first four months of operation, of our first 500 on work release, we had 15 abscond. Of those, eight got drunk. All eight had histories of alcoholism. At that point, I issued directives to go slow on people with such histories. The work-release program for the stable nonalcoholic is too important to experiment on alcoholics.

Question. If these people are allowed out of prison for varying lengths of time, why keep them in prison at all? Does confinement make any sense under those conditions?

Answer. Yes, it makes very much sense. First of all, those on work release are in the last stages of sentence. They have received education or vocational training that they needed when they came in. Work release teaches them how to use—in an actual life situation—the training they have received in the institution.

WORK FOR OLDER PRISONERS

Question. Most of the changes you have described apply to the younger half of your prison population—those who seem to offer some hope of rehabilitation. What about the hardened criminals—the older offenders?

Answer. First of all, with the older offenders there now is a frank recognition that you do not easily change them. So we are concentrating on getting older habitual offenders put to productive work inside the institutions. We operate major federal-prison industries in most of our institutions, which produce goods solely for the use of the Federal Government.

We have all but eliminated idleness. The important thing is that the older offender is contributing. He's making shoes that go to Vietnam. He's making tarpaulins used over there. We're recapping tires used on military vehicles and airplanes. In one institution, we're retreading tank tracks.

But we have no illusions about the older offender. If a man does not drop out of the crime picture by the time he's in his mid-30's, the odds against rehabilitation are high.

I must confess that those of us in the prison business daily release people that we know full well are going out and commit crime again. But the sentence is up, and they go out.

Question. Do Federal prisons get people who are convicted of armed robbery and burglary?

Answer. We get most of the bank robbers. One of our more notorious bank robbers wrote a book on bank robbery between sentences six or seven years ago.

I was walking down the corridor of one of our prisons recently and somebody said, "Hey, Mr. Alex! Times are getting tough." I said, "I know you without looking. How are you?" We talked a little bit, and I said, "How are things going?" And he said, "They're going to hell." I asked, "What do you mean by that?" He said, "There isn't anybody left who knows how to rob a bank. Look at all these kids coming in here—water pistols, all this stuff. They don't know how to listen to a lock drop. They don't know how to use 'soup' [nitroglycerin]. Times have gone to hell. By the way, could I go out on work release?" I said, "You want to bet?"

HANDLING THE VIOLENT

Question. What about the rapists and muggers who make life dangerous for people on the streets?

Answer. We have very few persons in federal prisons for such crimes. These are typically State violations.

The violent, aggressive or assaultive offender is the target of special study and research. We need to know a great deal more about how to handle him. I doubt that his problems can be dealt with effectively in the traditional prison. The answer may well lie in special psychiatric centers, such as have been developed in Denmark.

Question. Can any prison system, federal or State, rehabilitate the really depraved and violent criminals, no matter how young they are?

Answer. We must recognize that there is a hard-core group of criminals who, in the present state of knowledge, cannot be changed by imprisonment. The prison does provide protection to the community by keeping these men locked up as long as the law allows. But we need to continue the search for ways and means to remotivate even this group.

Question. Is fear of certain punishment a deterrent to crime?

Answer. I have many doubts about the extent to which the fear of punishment deters people from crime. The assumption that this is the case has never been validated by any objective measure that I know of.

Most criminals believe that they can beat the game. Others act impulsively and immaturely, without regard for the consequences. Some commit crimes with the sure knowledge that they will be caught and committed. For them, consciously or unconsciously, the "flight into custody" represents a relief from the pressures of day-to-day existence.

Question. If the average criminal feels fairly safe from severe punishment, is he more likely to ply his trade?

Answer. Yes, of course.

Question. Many people still believe in capital punishment for certain crimes of violence. Do you think execution is the answer in some cases?

Answer. After 35 years in prison work, I have come to believe that execution solves no problems. It is a remnant of those barbaric punishments which have since been abandoned. The Department of Justice favors abolition of the death penalty.

Question. Is there such a thing as a "criminal type"—a kind of person who would be a criminal in any environment?

Answer. I don't think there is a congenital-criminal type. There are those for whom delinquency can be predicted, even in the lower levels of school. It's at this point that the deprivations, the influences of the home or alley in which they live begin to appear. There has been some progress in this area of predicting.

But as for a criminal type, a congenital criminal: Unless there has been brain damage or something of that sort, I think that such a classification would not be accepted in our field or in those of the other behavioral sciences, such as psychiatry and psychology.

CRIME AMONG WELL TO DO

Question. You speak of deprivation as a factor in making criminals, but isn't it true that there has been an increase in crime—particularly in the suburbs—among youngsters from fairly well-to-do families? What accounts for that?

Answer. Deprivation can take a great many forms. Economic deprivation is one thing. Educational deprivation, cultural deprivation, emotional deprivation are others.

Of offenders who come from the middle class or the upper financial class, in almost every case there is a pattern of emotional deprivation accompanied by overindulgence.

I'll describe a case to illustrate my point: I spent a couple of hours recently with a young man 25 years of age who is serving life for bank robbery. This young man's father is a successful businessman. The parents divorced when this lad was 6 or 7 years old. He was sent to the most expensive schools here and in Europe. He spent five years in universities. His dad paid for an apartment for him, furnished him with an expensive sports car, and gave him $1,000 a month spending money—with more if he needed it.

The boy got to be a gambler. He fell into the hands of gamblers. His dad bailed him out once or twice on gambling debts, but the boy decided, "The old man is going to get tired of this pretty soon." So he and one of the gamblers decided to stick up a bank.

They were nabbed right outside the bank—and now we've got him for a life sentence. He told me that his dad was going to hire a $10,000 lawyer to get him out of this. I got in touch with his dad and said, "Don't do it—it's going down the drain. Your boy is lucky he wasn't executed."

Question. Where was the deprivation in the case of this boy?

Answer. The indulgence of the father, and childhood and youth spent outside a home, had some very direct relationship to the kind of crime that he ultimately committed.

Question. Do you think the boy can ever amount to anything?

Answer. At age 25 and facing a life sentence—I don't know.

Question. Actually, what is a life sentence now?

Answer. In federal institutions, the man with a life sentence is eligible for parole at 15 years. The average length of time in prison is about 20 years.

But we have lifers who have been in for many, many years. I talked to one last week who has been in 31 years. He has made some very good superficial adjustments, but the psychiatric report pretty clearly indicates better-than-even probabilities that he would be dangerous if released. Even though he has adjusted to an institution, the probabilities of his release are nil.

Question. Is crime committed by youths from middle-class homes an increasing problem in an affluent society?

Answer. No. Offenders from the middle class are a very small proportion of our inmates. The incidence of crime and delinquency is far lower in the middle-class family.

Question. Is the number of federal prisoners going up?

Answer. No. We have 3,000 fewer now than three years ago.

Question. How does that happen when, overall, crime is rising?

Answer. It's primarily due to the rising use of probation in federal courts. Last year, for the first time, more than 50 per cent of all defendants in federal courts were placed on probation.

Question. So that more than 1 out of every 2 persons convicted of a federal crime didn't go to prison at all—

Answer. They didn't go to prison—they went on probation.

The second thing that is reducing our prison population is that, as new education and vocational-training programs have developed, the length of stay in prison has tended to be somewhat less than before.

Question. Do you mean that inmates get paroled faster?

Answer. Yes. The average time served by youth offenders has been reduced by a few weeks, over the past two or three years. Also, many adult offenders, committed under indeterminate-sentencing laws, are released somewhat earlier than would have been the case with definite sentences.

The parole board is attempting to return men to the community when they have shown that they are ready and have good possibilities of "making it" there.

Question. If 1 out of 2 convicted criminals goes on probation instead of into prison, and if those in prison get out earlier, doesn't this lessen the fear of punishment for crime? Could that be one cause of the rising crime rate?

Answer. As I said earlier, it is very rare that a person planning a crime calculates the consequences of his act, such as the probabilities of his receiving probation or parole, if caught and convicted. And no increase in failure rates of probationers or parolees has resulted from the greater use of these techniques.

HOW PRISONS EVOLVED

Question. Weren't prisons set up in the first place to punish criminals?

Answer. The prison was created by the Quakers in the latter part of the eighteenth century in Philadelphia. Punishment of offenders up to that time was never by confinement. There were jails in which people were held awaiting trial and disposition. But the punishments usually were banishment by transportation to some place of exile, death, or mutilation.

The Quakers thought there should be some better method, and they concluded it would be far better to isolate offenders from society—put them in a room by themselves where they could, through introspection and reading the Bible and prayer, reach a state of penitence. So they called it a "penitentiary." Their theory was that, after a stated period of time, the offender would be penitent and, when released, would not commit offenses.

The trouble was that, as we know now, if you isolate persons long enough they'll blow their tops, and this is what happened. The initial Quaker concept of absolute isolation of every person in prison failed very early in Pennsylvania, but the prison idea itself swept all over the United States.

New York, at Auburn, developed the industrial-type prison, where prisoners began to produce revenue for the State rather than costing the State. In the South, there developed prison plantations and work gangs for the roads—the chain gangs. But it was the Pennsylvania system that went from this country throughout the world.

Then, in the latter part of the nineteenth century, a great reform movement began. The reformatory developed from it. That was the idea of an indeterminate sentence, with younger offenders going to school, or to work, or to military training. This was one of the early modifications of the prison idea. For the last 50 years there have been many other changes. Doctors were brought in to treat the prisoners—educators and vocational trainers. We've gone through several heydays of finding panaceas—the heydays of the psychiatrist, the psychologist, the social worker, and others.

But all of these up until recently were internally oriented, inside the prison. Now these disciplines and the resources of the community are oriented toward integrating the offender in society through carefully designed programs of control and supervision.

A BASIS FOR OPTIMISM

Question. The papers keep reporting about serious crimes committed by people who are on parole or on probation. What assurance do you have that your halfway-house and work-release programs won't add to this problem?

Answer. Our limited experience to date gives us a basis for optimism. Of course, it has to be a calculated risk. Most of the chiefs of police with whom we talk would far rather have men coming out under this kind of very rigid control with gradual release.

There are certain offenses which we have administratively ruled out from work release—heinous offenses, violent offenders, notorious cases. These aren't the guys it's intended for. It's geared to the improved youthful or young-adult type of offender.

Question. First offenders only?

Answer. No. We get fellows who began by stealing a bicycle, then maybe another one. Then a fellow like that does time in a State training school or a reformatory, and we pick him up for interstate transportation of a stolen car at 21 or 22. He's far from being a first offender, yet he's far from being an old, habitual criminal.

Many young fellows of this type are responsive to our educational and vocational-training programs.

Question. With all the changes, is discipline still fairly strict within prisons?

Answer. Yes, of course. Good order and control are essential in every institution. But the kind and degree of discipline required varies with the differing types of inmate populations.

For example, we have the Atlanta Penitentiary. Even there, some 25 or 30 men are "locked up within the lock-up of the lock-up." We have camps—a group of youthful offenders, for example on Mount Lemmon just north of Tucson, Ariz., building recreation areas. We have a psychiatric hospital at Springfield, Mo., at which we have some of the most dangerous offenders possible—commonly called, I guess, the "criminally insane." The prison business is not one in which you say, "Well, everybody's alike in every situation." Our 36 institutions are widely diversified.

Question. Do you have any maximum-security institutions now, like the old Alcatraz Prison in San Francisco Bay?

Answer. Since Alcatraz was closed, we use Leavenworth and Atlanta for that type of offender, and some of them at the psychiatric medical center at Springfield, Mo. They pose problems, of course, but we're quite satisfied that our handling of these people is far better than it was in the days when we had Alcatraz.

We are now trying at Marion, Ill., which was built as a maximum-security institution, an education-psychiatric-industrial system with young offenders who present extreme behavior problems.

Question. What kind of people are these?

Answer. Very difficult young fellows in their 20s who are strong-arm men around an institution. They go around shaking down lockers, stealing, trying to force weaker inmates into submissive or supportive roles—you know, demanding payoffs under threat of beating up a weaker fellow.

We're moving this type to Marion, with the expectancy that we will develop very intensive psychiatric and educational programs. We're working with one university in this, and with the Public Health Service and the National Institute of Mental Health.

Surprisingly, I suppose, this is a group of prisoners in which there is a rich potential for change, because they are nearing an age when some offenders burn out—just get tired of this sort of thing. You know this is happening when they start to talk in terms of maybe getting out and getting married and settling down, or you see them begin to enroll for an education course or seek out the psychologist.

Question. In general, do State prisons lag behind the federal prison system in physical plants and up-to-date methods?

Answer. Well, we have 51 different systems and, of course, we have wide variations in problems, approaches and resources. The President's Commission on Law Enforcement and the Administration of Justice, under the leadership of Attorney General Katzenbach, is seeking ways and means to bring knowledge of modern correctional methods to all the States.

Question. Do good State prisons have the programs you're using?

Answer. Yes, in the main. For example, the work-release law actually goes back to the State of Wisconsin, which began using it in jails 15 years ago. Our ears perked up when we found that inmates sentenced to the county jail in Milwaukee earned three quarters of a million dollars a year on work release—and half a million of it was applied to support of their families, who otherwise would have been on relief.

North Carolina has now used it successfully for several years. A number of other States are moving to authorize work-release plans.

PRISONS THAT BREED CRIME

Question. Are prisons breeding places of crime?

Answer. It's true that some of them are. I am firmly convinced, after a lifetime in the work, that, in the old-style, tough prison filled with idleness, we breed far, far more crime than we do in those where there is work and where there are active training and education programs.

Question. Is prison life being made easier by programs of work release and other things related to rehabilitations?

Answer. Easy? There isn't an inmate in a federal prison today—unless he's an old geriatric case or is ill—who isn't working eight hours a day for a pittance, so to speak. We keep the monkey on their backs to show evidence of change and to accept responsibility.

It's not easy to be deprived of your liberty. It's not easy to face up to your own problems and your own weaknesses. I can't foresee the time when the biggest concern of every inmate is anything but "How do I get out of this place?"

People don't like to be in prison, and in many respects we're making it tougher. The demands are greater. You can't do time in federal prison by just lying around.

We don't have anybody knocking at our doors to get in, and I don't think that prison life is becoming easy.

TIRE SAFETY

Mr. NELSON. Mr. President, on March 29 the Senate passed an historic and long overdue piece of legislation—the Tire Safety Act of 1966 which would establish Federal safety standards for tires and a system of grading and labeling.

The tire safety issue is a complicated one and its importance can be easily obscured in a mire of technical language which the layman finds difficult to understand. But it is an issue of lifesaving importance for every American motorist and one which he should be aware of.

Last week the New York Times carried a three-part series by Walter Rugaber on the background of the tire safety controversy, the need for Federal safety standards and the effect such standards will have on the industry and the consumer. Mr. Rugaber has performed a valuable public service by making tire safety an understandable issue and I commend his articles to my colleagues. I ask unanimous consent that they be printed in the Record at this point.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, July 5, 1966]

Tire Safety: The Controversy and Outlook for Federal Code

(By Walter Rugaber)

Detroit, July 4.—The automobile tire, a target of sustained attack by both motorists and experts concerned with its reliability appears headed for a stiff regulation by a safety-minded Federal Government.

The Senate has approved legislation that would set minimum safety standards and a straightforward system of quality grading for tires. A similar measure advanced in a House committee last week.

Senator Gaylord Nelson, Democrat of Wisconsin, has spoken darkly of an "American tire scandal." Other concern has stemmed from extended investigations in Washington and elsewhere.

Is there an American tire scandal? The main charges lodged by the critics of the rubber and automobile industries include the following:

Prior to this year's models, it was difficult for a motorist to find out how much weight he could carry in his car without overloading it and placing a dangerous strain on the tires.

Before a hasty change in the tire load figures, a number of American autos—especially station wagons—were overloaded even when standing empty.

Detroit's interest in a soft, quiet ride has produced a tire that critics insist lacks the traction and maneuverability crucial in emergencies.

Poor materials and lax quality controls in the construction of certain cheaper tires, some selling for less than $8, mean poor wear and dangerous failures.

The presence of at least 250,000 retail dealers and about 950 different tire names makes the task of choosing a new tire hopelessly confusing and uneconomic.

There might be dozens of reasons for poor performance or outright failure by a tire, but whenever it happens the effect is usually serious and sometimes fatal.

A 42-year-old woman, observed over closed-circuit television cameras that monitor traffic congestion, drove north along Detroit's busy John C. Lodge Freeway one day last week. Suddenly, it was later reported, helpless traffic officials watching the television monitors saw a front tire blow out and the car begin to weave back and forth.

The auto struck a curb and went out of control, then slammed into a concrete bridge abutment and burst into flames. The woman, alone in the car, was killed instantly.

The policemen who investigated the accident noted a collapsed right front tire, but despite this and the dramatic scene that was witnessed on television, the cause of the crash was not officially established.

"There won't be any prosecution," a police spokesman said, "so we don't have to pinpoint exactly what happened. It's an unknown as far as we're concerned."

There are many such unknowns and the tire's exact responsibility for accidents is a project of intense controversy. Estimates of its culpability range from less than 1 percent to more than 10 percent.

Despite official uncertainty, a number of consumer surveys have indicated that even drivers with a lukewarm interest in most aspects of auto safety would like to have a more adequate tire.

A recent sampling, conducted by The Philadelphia Sunday Bulletin, showed that 91 percent of 1,115 readers wanted safer tires on their cars.

The bigger rubber companies have made noticeable improvements in their tires over the last several years, and the customer who is willing to pay the price can get a clearly superior grade.

Blowouts are the more sensational aspect of tire safety, but the rubber companies say the problem has substantially subsided with advent of tires without inner tubes.

Today's tires consist of two or more layers of rubber-impregnated fabric, usually rayon or nylon, covered over with a slab of heavier tread and sidewall rubber.

They are engineered with great precision. When installed on an automobile, the portion touching the ground is designed to flatten—or deflect—just the right amount for best performance.

HEAT IS THE ENEMY

Each time a tire revolves it must bend on touching the ground and bend again on leaving it, a constant flexing that builds up heat as high as 250 degrees. This heat is the great enemy of tires. It weakens the adhesives that hold the tire together and is quick to search out any weak spots that have developed.

The woven fabric, called a ply, gives the tire its strength but is often "bruised" by striking a curb or a pothole. The heat may then weaken a damaged area until it gives away.

Damage or weakened fabric, hidden in the tire, is one of the factors that can make tire retreading a dangerous practice. In retreading, worn tires have new tread rubber applied for an additional life. According to recent estimates, there are more than 60 million retreaded tires now in use, some marketed as replacements and others processed individually for motorists.

If a motorist has his own tires retreaded he can be reasonably aware of the condition of the fabric. However, if he buys a retreaded tire from a dealer he has no indication of any damage or weakening that may have occurred during its earlier life.

There are thousands of retreaders, and quality varies widely. Proper adhesion of the new tread is the big problem, as chunks of rubber along some highways testify.

TWO MAIN CAUSES

Aside from the pavement's contribution, there are two main generators of heat in tires:

1. High speeds mean faster flexing of the fabric and consequently more friction.

2. Greater weight on the tire—or less air pressure inside to hold it up—means more deflection on the ground and hence a greater bending of the fabric.

Ideally, inflation pressures should be altered every time weight—even that of a single passenger—is added to or taken from a car. Thus, if the load is increased, a few more pounds of air pressure should be added to increase the inflation and restore the proper degree of deflection.

In actual practice, of course, the tire has sufficiently wide tolerances to permit three or four passengers to get in or out without real effect.

When a motorist goes beyond the maximum load he can reduce the danger somewhat by lowering his speed. But even if he avoids a blowout, the tread wear increases substantially.

Any tire can be loaded beyond its capacity to take in more air pressure and thus accommodate the added weight. One of the main points of the critics has been that it is difficult, if not impossible, for a motorist to determine his car's load limits.

This year, after criticism in Washington and elsewhere, automobile companies have made it easier for the motorist to tell when load changes require inflation changes.

This year's model cars have abbreviated information, usually on the inside of the glove compartment door, and further details are listed in the owner's manual.

Ford, for example, specifies one inflation for a "moderate load" (five persons or less) and a greater inflation for "full rated loads" of six persons and 200 pounds of luggage.

Proper loads for different sizes of tires at various inflation pressures are established by tables published by the Tire and Rim Association, a standard-setting organization of tire and rim producers.

The load that each tire will carry is established by a very complex mathematical formula. The formula and the tables are adjusted once every 10 years or so.

However, steady technological improvements between formula changes supposedly make the tires capable of carrying greater loads than the association tables allow. This is what has taken place in recent years, the industry says.

Hence, according to a number of sources, automobile companies actually begin to exceed the association's standards by about 10 per cent when deciding on the tire size needed to carry a given load. In effect, the sources explain, a car that weighs 4,400 pounds may get tires that, according to the tables, are adequate only for 4,000 pounds.

When Congressmen and independent experts began comparing the tires on cars with the association's apparently "maximum" load tables, a torrent of criticism boiled up. Some cars were overloaded standing empty, it appeared, and many others had tires adequate for no more than an "average" load of three passengers and no luggage.

In other words, the critics summed up, auto companies first installed easily overloaded tires and then were extremely vague about the point at which that overloading occurred.

DETROIT DEFENDS TABLES

In its defense, Detroit sought to convince people that the tables were only a "guide," but the critics kept pointing out that the figures were plainly marked "maximum" and had been widely regarded as such.

The tables "have never been intended to show maximum safe loads," industry spokesmen insisted. "The tables have indicated load values for a car under three-passenger condition."

The industry said that if loads went beyond three passengers the "three-passenger" tables would be exceeded—but the tires could carry the added weight anyway. There simply are not any established load limits, Detroit contended.

The Tire and Rim Association, which has never acknowledged publicly that its earlier tables were faulty, nevertheless quickly devised a new formula and issued higher ratings that would permit greater weight on the tires.

The National Bureau of Standards noted recently that "no basis for the higher load has been presented."

"Even the lower ratings in the [earlier tables] are not as conservative as those published by the Society of Motor Manufacturers and Traders Ltd., in Great Britain," it declared.

LARGER TIRES INSTALLED

At the same time that the load ratings were changed, Detroit, although hotly denying that any of its cars were undertired, moved to install substantially larger sizes on many of its '66 models.

Another key safety factor—more important, many experts agree, than overloading and blowouts—is the somewhat subjective question of performance.

Differences in the grade and mixture of the rubber compounds that are used can have a striking effect on the traction and stopping capabilities of tires. Slight changes in the pattern of the fabric can give a tire either a softer, quieter ride or a harder one with better handling and stability. Performance is affected because the fabric changes give the tire either a stiffer or more flexible body.

Rayon fabric offers a generally smoother ride. Nylon, largely boycotted by Detroit because it is noisier, is widely regarded as stronger and better at resisting heat buildup.

Critics complain that the automobile's emphasis on esthetic characteristics, such as ride, impair the handling and maneuvering capability in an emergency.

EUROPEAN MODELS NOTED

European models usually involve a harsher ride, the critics point out, but these cars' ability to swerve safely around an obstacle or stick to the road on curves is far superior to most American autos.

There are three sets of tire safety standards in force today, but they have had only a limited impact. A Federal specification applies only to tires purchased by the Government.

State level standards devised by the Vehicle Equipment Safety Commission and voluntary standards published by the Rubber Manufacturers Association are widely regarded as less stringent than the Federal purchasing requirements.

The more successful rubber companies and the auto manufacturers conduct their own elaborate tests of a tire's performance one-company for example, puts sample tires through 75 or 80 laboratory tests.

Even the tire manufacturers who say they meet self-imposed safety levels concede, however that there are important differences in performance beyond their minimum standards.

How does the consumer find the proper tire? The task is so difficult that Congress shows signs of imposing a nationwide system of uniform grading.

Currently, the motorist depends on a marketplace long noted for its confusion and absence of specific information, and getting the right tire can be purely accidental.

[From the New York Times, July 6, 1966]

TIRE SAFETY: PROFUSION OF TYPES AND GRADINGS CONFUSE BUYERS

(By Walter Rugaber)

DETROIT, July 5.—A consumer who faces the confusing array of automobile tires now on the American market may get the one best suited for his purposes, but many observers think his chances are less than even.

Congress, which is considering legislation to establish a system of uniform grading, recently received a report on the tire market from the Senate Commerce Committee. After an extended study, the panel declared:

"The committee knows of no consumer commodity more sharply characterized by confused and misleading nomenclature than the tire. Though no uniform grading system presently exists, the great majority of the private label marketers and domestic manufacturers market tires on the basis of an apparent grading system.

"Thus 'premium,' 'first line,' 'second line,' and '100 level,' imply that an objective grading system exists. Yet these designations today have no uniform fixed meaning or definitive value.

"One marketer's 'premium' is the inferior of another's 'third line' tire—and a single manufacturer may market a tire under its own brand name as a 'third level' tire while his private label customer markets the same tire as a 'first line' tire."

As continuing tests by independent laboratories have shown repeatedly, there are radical differences between tires. Even within the same price range, the tests show that one brand often performs substantially better than another.

Tire safety critics have hurled a heavy barrage of charges at the rubber industry over the last year or so, and Congress is considering legislation to establish minimum performance standards and a quality-grading system. The tire companies stoutly deny that most tires are unsafe or inadequate, but many officials agree that the retail market can be confusing to many customers.

Edwin H. Sonnecken, director of corporate planning and research for the Goodyear Tire and Rubber Company, concedes that it is not an "easy decision" to choose a tire. But then, he says, it is difficult to buy a lot of things, and that does not mean that the Government should grade everything.

"Sure," Mr. Sonnecken says, "it's always convenient (to have established grades). But what grade chair are you sitting in? What grade of suit are you wearing? I get confused by all the different kinds of suits they have out these days."

Most people would not spend a lot of time studying a complicated Government grading system, Mr. Sonnecken believes. He cites Government statistics that indicate that a consumer who spends $5,000 a year devotes only $20 of that to tires and four times as much on liquor.

"I think most tire lines could be simplified," Mr. Sonnecken acknowledges. "The problem is this: We live in a competitive world."

It might be "more efficient" to "make just one model and bang it out," he says, but the difficulty is that each tire represents a different segment of the contemporary market.

950 NAMES ON MARKET

In pursuit of this market, about 120 concerns offer tires with about 950 different names. Of 900 listed in a directory published by the Rubber Manufacturers Association, a trade group, at least 185 contain the word "premium."

In addition to the confusion of the market place, much of the public's dissatisfaction with tires appears to have stemmed from a tendency for Detroit auto makers to impose ever-increasing demands on Akron tire manufacturers. Some of the rubber companies have kept pace better than others.

Today's tires must start quicker, run faster, turn harder, wear longer and ride much more smoothly than they did 10—or even five—years ago.

"We've improved tread wear about 80 per cent," one tire company engineer said recently, "but the consumer got only about 20 per cent of it. The car stole the rest."

CAR'S HORSEPOWER CITED

Detroit's drive to increase the horsepower of its engines, which got started in earnest in the early 1960's, meant cars that generated considerably greater torque and, hence, more stress on the wheels.

"The tire people weren't really ready for the horsepower race," said Robert H. Snyder, manager of product engineering for the tire division of the United States Rubber Company. "There was a couple of years lag I think, before we caught up, and I would have to say that there are some smaller private brands that still haven't caught up."

Although the demands have soared, wholesale prices have stayed right where they were, and in some cases the auto companies have even succeeded in driving them down slightly.

Sources close to the industry's tire-buying activities indicated recently that although prices were now "fairly stable," the over-all trend since 1957 had been "slightly downward."

Ever since Dr. B. F. Goodrich built a plant there in 1870, Akron has been to the tire industry what Detroit is to the world of automobiles. Today, three top rubber companies besides Goodrich have headquarters there.

The city, with a population of about 300,000, is the home of the Goodyear Tire and Rubber Company, the Firestone Tire and Rubber Company and the General Tire and Rubber Company. The other major manufacturer, the United States Rubber Company, has headquarters in New York and its main plant in Detroit.

Akron is a drab industrial city with a worn-out central business district that resists renewal efforts. There are, however, prosperous sections of shaded homes, and the workers, who earn an average of $3.90 an hour, can be heard debating the virtues of various luxury cars.

A tire consists of hooplike arrangements of steel wire, called bead bundles, which hold the tire to the rim; two or more layers of rubber-impregnated fabric, called plies, which run from one bead to the other to provide shape and strength, and an outer slab of heavy tread and sidewall rubber.

TWO MINUTES TO MAKE

A workman assembles these components by placing them one by one on a revolving drum built especially for the purpose. The process takes as little as two minutes. When it is completed, the drum is collapsed so that the "green" or "uncured," tire can be removed and vulcanized.

The tires, shaped more like open-ended barrels at this stage, are placed automatically into a vulcanizing press, which forces the centers outward and the ends together. Thus forced into molds and cooked at temperatures between about 335 and 385 degrees, the tires are vulcanized, a chemical process that eliminates the tendency of the rubber to become brittle in winter and sticky in summer. The molds in the press give the tire its familiar shape and tread design.

The endless complexities of tire production affect the quality of a tire in two basic ways, neither of them especially apparent to the consumer when he is shopping for a tire.

First, the large amount of hand labor still involved in building a tire, together with the sensitive and flexible nature of the components, can lead to dozens of serious, manufacturing defects.

The leading problem is adhesion. The rubber companies make considerable efforts to bond various layers of a tire together, but once on the road they can start to pull apart. The most common form of this is the separation of large chunks of tread from the tire carcass.

HANDLING IS FACTOR

A major headache in most plants is proper handling of the fabric. If it is pulled out of shape while rolling it up for storage or while placing it onto the drum, it may mean a tire that runs unevenly.

Another important quality control difficulty involves the splicing of plies and tread rubber around the drum. If they overlap too much or wind up on the same side of the tire, the weight distribution can be seriously affected.

The consumer's only real protection from many of the most prevalent tire problems is careful inspection and testing throughout the production process. The cheap tire, some of them selling under $8, get less attention as well as less rubber.

The worker, paid by piece rates, may tend to let quality slide if inspection is lax. But at most of the rubber companies his name or number is stamped into every tire he builds, and defects can be traced to him months later.

Examinations are becoming more and more intense. Goodyear, for example, recently started inflating every one of its new car tires and running them under full load on specially built testing machines. The other big companies do similar work.

DESIGNS ARE VARIED

The second production factor affects tire quality by design rather than by accident. Some of the more common and important ways that tires are made different from one another are the following:

Rubber compounds, which may contain 13 types of natural and synthetic rubbers and 35 other ingredients, from sulphur to carbon black, can resist skids or offer superior tread life. More of one quality usually means less of another. Turning ability and the absence of squeal are also characteristics that generally conflict in a tire.

Each of the most popular fabrics, nylon and rayon, offers something that the other does not have. Nylon is considered stronger and better at resisting heat; rayon offers a smoother, quieter ride.

The fabric runs diagonally from one side of a tire to the other, crossing the center at an angle. If this angle is increased so the plies run across more directly, the ride is smoother. If the angle is reduced, the distance from side to side is longer, the tire stiffer, the handling better—and the ride harsher.

There is sharp debate over the relative performance of two-ply and four-ply tires. The industry contends that new two-ply fabric is as strong as the old four-ply. Furthermore, proponents of two-ply tires argue, they are less bulky and, hence, run cooler and ride over sharp blows easier. Also, two-ply supporters contend the greater flexibility permits the engineer to improve maneuverability of the tire without making the ride harder, and with the reduced bulk and rolling resistance there is a slight bonus in fuel economy. The United States Rubber Company recently reported that an average of 69 two-ply tires were returned under warranties for every 100 four-ply tires returned. The two-ply backers have implied that those clinging to four-ply tires are the same people who would not give up inner tubes, but among Government officials, independent authorities and large segments of the retail market there is a wait-and-see skepticism.

Cheaper tires not only have a thinner tread but a poorer quality rubber compound that is likely to be filled out with oils or other substances. Furthermore, the fabric is likely to have a more open weave, with fewer cords per inch that would be found in the better tire.

CHOICE IS AN ISSUE

How does the man who wants a soft ride, minimum noise and the longest possible tread wear avoid getting a tire built for the motorist who prefers extra stability and maneuverability, better skid resistance and top-notch durability?

Tire dealers, when they offer any comparative information at all, typically confine it to "extra traction," "34 per cent more tread wear," or "wrap-around tread with 9,184 gripping edges."

Within a single retail line, price may be a rough guide to tread wear. For some consumer, the kind of fabric employed and the number of plies involved may have special significance.

There are, however, no standard, precise guidelines that permit a motorist to grade the performance of one tire against another.

For Everyman, Detroit orders tens of millions of tires for its new automobiles, and the rubber industry sells millions more as "100 level" replacements.

These are the common denominators of the tire world, an attempt at combining the best in wear, performance, noise and ride. It is a balance—but an agonized one.

[From the New York Times, July 7, 1966]

AUTO TIRE SAFETY: THE DETROIT ROLE—AKRON FOLLOWS SPECIFICATION OF CAR MANUFACTURERS

(By Walter Rugaber)

DETROIT, July 6.—The automobile industry, under steady attack by safety critics in recent months, has a far-reaching influence over the reliability of today's tires.

The American motorist spends a substantial portion of his time riding on tires chosen for him by the auto makers and installed at their factories. Then, when the original tires wear out, he often buys replacements that again reflect Detroit's wishes.

The critics argue that the auto companies ignore safe tires in favor of smooth rides and lower costs, while the industry replies that it is perfectly possible to have all three in reasonable amounts. The battle is currently centered in Congress, where legislation that would establish minimum standards of safety and a uniform system of quality grading, is under consideration.

The auto industry's link to Akron is considerable. The manufacturers, buying from five major rubber companies, are expected to purchase a third of all the tires sold in the United States this year.

"When Detroit snaps its fingers, Akron jumps through the hoop—backward, if necessary," according to Harry C. McCreary Jr., the outspoken board chairman of the McCreary Tire and Rubber Company. Mr. McCreary, whose relatively small company does not sell tires to Detroit, has bluntly said:

"If you are a tire manufacturer, you are not apt to argue very loudly with your biggest customer. You give him what he demands, not what you feel he should have. If you don't like it he can always get his tires from your competitor, right across the street."

Is Detroit demanding inadequate tires, or is it shopping for the best available? How do the engineers and sales specialists in Akron and Detroit develop a new tire that is satisfactory to the companies involved? What are the special characteristics that the auto industry seeks in a tire?

There are only 14 independent rubber companies in the country today, but together they turn out a bewildering array of about 950 different names of tires—for themselves and for some 120 so-called "private label" concerns.

The private label brands are small marketing companies without manufacturing facilities of their own. The 14 rubber companies produce the private label tire to the marketer's own specifications.

A top quality tire produced by a major company can cost over $100, but there are cheap tires offered by some of the smaller companies for less than $8.

The retail prices of new-car tires varies somewhat but an average is probably $25 or $30. A rubber company might produce two grades of better tire (one company calls them "premium" and "semi-premium") and perhaps three grades of tire below the new-car level.

In addition to its own brands, the manufacturers also make a variety of tires for other. The United States Rubber Company, for example, has no grades below its standard new-car tire. But it makes cheaper tires for private label marketers.

A sharp controversy erupted several months ago when Ralph Nader, the Washington-based safety critic, charged that auto companies had managed to drive the wholesale prices they paid for tires down to as low as $2 for some models.

Executives in Akron are still steaming over that accusation. One official noted wryly that perhaps these reports had confused our selling prices with the Federal excise tax, which averages about $2 a tire. The wholesale prices are secret, but there have been indications from some industry sources that the range is between about $7.75 and $14.

TIRES AND MODELS IN TIME

The lower priced brands, called "cheapies" in the industry, get the blame for much of the criticism now being hurled at the tire manufacturers generally.

Company officials and retail dealers agree that much of the consumer dissatisfaction with poor quality stems from the corner-cutting that is essential in the production of a cheap tire.

Only five of the 14 manufacturers sell new car tires to the auto companies. The five, in order of their size, are the Goodyear Tire and Rubber Company, the Firestone Tire and Rubber Company, the United States Rubber Company, the General Tire and Rubber Company and the B. F. Goodrich Company.

All these major companies have engineers based in Detroit to consult with the automobile companies on the development of new car tires. The car manufacturers often require annual changes to keep the tires in tune with the new-model developments.

Most of these changes are minor refinements in construction that do not affect the outside proportion or the tread design. As in the auto industry, full-scale design changes occur only once every three or four years.

The larger tire companies conduct extensive programs of research and development that can lead to everything from a greatly improved tire cord to a new tread wear indicator, in which small sections of the tread are molded two thirty-seconds of an inch shallower so as to appear bald when the tire needs replacement.

A big company may choose a completely new model from as many as 200 experimental tires that it has designed and tested over several years. When a likely tire is picked, several thousand may be built for testing on taxi cabs and rental car fleets.

A DUAL EVALUATION

Samples then go to Detroit, and if it is an entirely new model, the tire gets a sort of dual evaluation from engineers at all the auto manufacturers that the company hopes to interest.

First, the auto companies must approve the outward proportion and tread design in order for the rubber company to have a uniform-appearing tire that can be sold as a replacement on the retail market.

Goodyear, for example, sells tires to all four of the auto companies and hence must satisfy each of them.

Once that hurdle is cleared, the laborious process of making internal adjustments to fit the tire to a specific car can begin.

The auto and rubber industries both conduct extensive tests for durability and performance, a practice that they cite in detail in reply to critics who charge that there is little real concern with safety.

The car manufacturers, for example, say that they carry out five or six major safety tests on each tire, evaluating its handling, stability, skid resistance, and other qualities. The tests are three times as severe as those encountered in normal motoring, the industry asserts.

$100-MILLION INVESTMENT

The rubber manufacturers report that they have invested nearly $100-million in laboratory and road-testing facilities and that they spend an additional $25-million each year to conduct different evaluations.

Critics who insist that the levels of tire safety are too low say that the industry's examinations are largely for show and that close analysis of a tire's performance capabilities is impossible for anyone outside the industry.

A number of sources in Detroit and in Akron indicated that the safety tests get only passing attention because they were a more routine aspect of tire development. The greatest debate and concentration go into a subjective factor that the engineers call "esthetics."

Good esthetics in a tire consists mainly of a soft, quiet ride. This is the characteristic that the automobile industry has always been intensely interested in. The engineers made the American car unsurpassed for its smoothness, a quite respectable achievement until the safety argument began.

The critics quickly discovered that putting engineering esthetics in often meant taking durability and stamina out, for the tire is a bundle of often conflicting capabilities.

A good example is squeal. Ten years ago almost all tires squealed when rounding a corner. Today, however, the noise has virtually been eliminated. The engineers did it by changing the rubber compounds—a change that took away some of the traction.

No one outside of the tire and auto industries knows exactly how much was dropped. But one engineer asserted recently that however much was lost has now been regained through the manipulation of other construction features.

Another illustration of Detroit's emphasis on esthetics is its long boycott of nylon fabric. A tire includes two or more layers of woven cord—usually rayon nylon—which not only supplies shape and strength but also controls flexibility or stiffness to a considerable degree.

Nylon cord is widely regarded as stronger than rayon and better at resisting heat, and it accounts for about 75 percent of the replacement tires that are sold directly to the consumer.

But nylon has one overriding disadvantage as far as the auto engineers are concerned. Tires in which it is used tend to flatten slightly on the bottom if the car stands still for a time. For the first few minutes of travel the flat spot makes a mild thumping noise, then disappears.

IT MIGHT HURT SALES

Detroit is fearful that such noise characteristics might hurt sales. The industry believes that "new car customers will not tolerate this condition," and more than 90 per cent of the current models are equipped with rayon tires.

The nylon producers have brought out new types of cord that virtually eliminate flat spotting now, however, and there are reports in Akron that the fabric may begin to improve its showing.

The American auto companies have also avoided the radial-ply tire because of esthetic problems. In conventional tires, the fabric runs diagonally across the face of the tire from one side to the other.

In radial-ply tires, the fabric runs straight across, and on top of this there is a belt of fabric or wire running around the tire beneath the tread.

The belts serve as a hoop for the tire to travel on, and this arrangement produces better gas mileage as well as greatly improved tread wear. The tire is quite popular in Europe, especially in France.

Despite some minor handling problems, the biggest difficulty with radial-ply tires is ride. The stiffer belted tire rides harsher, and American engineers have said that use of the tire would require them to change the suspension systems of their automobiles.

"Detroit says to us," a tire official wryly remarked, "We make these perfectly desirable automobiles, see. We want you to give us dancing slippers to put on them, not clodhoppers."

Some of the tire companies appear to be considering the suspension changes they believe necessary to accommodate radial-ply tires. The General Motors Corporation, which already offers 62 different makes and sizes of tires, seems the least interested. A G.M. engineer gave radial-ply tires a 50 per cent chance of becoming an original equipment item.

Despite all the attention to esthetics, there is evidence that the differences in ride are often exaggerated. A recent visitor to Goodyear headquarters in Akron asked for a test drive on supposedly "hard" tires and supposedly "soft" ones.

The visitor made the examination along with a public relations representative of the company. Neither of them knew which set of tires was which, and when it was over they were asked to evaluate which was "hard" and which "soft."

Despite the supposedly striking differences, the two men came up with opposite views on which tire was the harder. The public relations man was wrong.

The same size, grade and brand of tire have somewhat different performance characteristics on different automobiles because of the drive to suit esthetic factors to the specific cars.

Even a tire company's "100-level" or new car tire, while appearing the same on the outside, might have as many as 35 variations for as many models. Almost all of them would reflect Detroit's constant attempt at a perfect ride.

A major issue in Detroit's handling of its new car tires is how serious esthetic improvements detract from performance characteristics. The engineers insist they never go beyond "certain limits" while the critics argue that the "limits," whatever they are, appear to go too far.

The industry's viewpoint was summed up by Ross R. Ormsby, president of the Rubber Manufacturers Association.

Mr. Ormsby advocated state tire inspection laws and declared that "the major tire safety problem" is "continued use on the highways of worn out, damaged and abused tires."

Even increased care and inspection of tires by individual motorists would reduce the dangers, the industry believes.

The critics, both in and out of Congress, are pressing a bill that unanimously passed the Senate last March. That measure would allow the Government to set its own minimum standards for tire safety. In addition, it would call for a system of grading tires on quality and performance so that consumers could readily compare brands and levels of tires.

The House Interstate and Foreign Commerce Committee voted last week to include similar tire legislation in the more comprehensive highway safety bill that is also under consideration.

Floor action is not expected in the House for another month or so. The final disposition of the measure may silence the current debate over grading, but improvements in tire reliability are sure to remain a vital concern to millions of the nation's motorists.

NOTED ARTIST TEACHES AT MARYLAND INSTITUTE

Mr. TYDINGS. Mr. President, the Maryland Institute, in Baltimore, has long been instrumental in training America's young, aspiring artists. Like all other educational institutions in the State of Maryland, the institute searches for faculty members who will bring to the school and its students the benefits of their education, their experience, and their skill. It is with just pride and pleasure that the Maryland Institute and the city of Baltimore have welcomed renowned American artist Grace Hartigan. Miss Hartigan brings her skill and talent to the graduate students at the institute and adds to Baltimore's cultural atmosphere by exhibiting her work.

The Baltimore Sun printed an article on Miss Hartigan's contributions to Baltimore and to the Maryland Institute. I ask unanimous consent to insert a portion of this article in the Record.

There being no objection, the excerpt from the article was ordered to be printed in the Record, as follows:

A City Draws a Noted Artist

(By Gabrielle Wise)

Baltimore's working for me now," says artist Grace Hartigan of the turn her creative energies are taking. "Working for me visually, as the lower East Side was in 1956, 1957 and 1958."

Far from being bogged down in a city considered pale next to New York, this giant among American painters reflects that her move to Baltimore about five years ago "was great timing."

What was then working for both Miss Hartigan and this city was "Autumn Harvest," the painting a man bought at her one-man show in Washington. The man was Dr. Winston H. Price, epidemiologist at the Johns Hopkins Hospital, who later became Miss Hartigan's husband. "It turns out he bought the art and the artist, too," she said.

As Dr. Price's interest in her became apparent, Miss Hartigan related. "I wouldn't let him buy any more, and then I began to give him paintings."

THE RIGHT TIME

Yes, she said, "It was the right time. I was getting ready to go to Long Island anyway, I had bought a Victorian house. The pressures of New York were getting unbearable."

For a while in New York, though, "it was a close-knit young life and I was part of the avant garde—poets, musicians, painters, sculptors. But you can't go on eternally joining new avant gardes as each one scatters and you're not part of it any more.

"Baltimore is better than Long Island. Baltimore is still a city, a major city. I love it, and my work here. Although it's different from New York in its intellectual life, it's urban life in another city.

"It's a common experience with creative people in the late thirties or forties, after they've achieved their reputation, to seek a more secluded life in order to contemplate."

STUDENTS' SEMINARS

Miss Hartigan's enthusiasm about life in Baltimore includes her seminars for graduate students at the Maryland Institute. The schedule calls such sessions from 1 to 3:30 P.M. on Wednesdays, but there is no guarantee they won't go on and on as the young spirits dictate.

Her vitality as a painter spills over into activities with the people who have wound up in the institute seminars. "This is my second year," she explained. "Last year I inherited my students. This year I was choosing them myself from about 70 applicants, which were then narrowed down to 15 or 20.

"It's pretty informal, and they give me a free hand. It's an exchange of ideas, guided by a person who's older and has greater experience—which is me. It's very flexible.

"What I do most often is go to the students and talk to each one privately and then they talk to each other." You can do this on the graduate level, she said, terming the informal exchange of personal experiences "very unconventional."

Not long ago, Miss Hartigan said, "I found myself with some sculpture students. The Wednesday afternoon seminars are for graduate students, and that includes sculpture students, too."

ABSORBED WITH SCULPTURE

Louise Marino, one of those absorbed with sculpture at the moment, has her B.S. from the Philadelphia College of Art, and expects to get her master's at the Maryland Institute. Then she hopes to go to Italy.

She has been working on a bust of General Pershing for the Garden of Patriots in Cape Coral, Fla., and will be competing in the National Collegiate Sculpture Awards program.

Miss Hartigan, making her rounds with the students, commented that "she's suffering every moment—but I'm having fun."

"They're all individuals, and after four years of art school have all achieved a certain amount of direction."

She said these young artists, although of course aware of the trends of the day, hadn't yet concerned themselves with either Op or Pop art.

But in the area of illusion, and experimentation with a variety of techniques, mention was made of the shaped canvases being used by some, the non-flat surfaces achieved by building skeletons which protrude as the canvas is stretched on them.

THE VISUAL WORLD

There are always new ways of expressing the visual world, Miss Hartigan said, and the student artists are never asleep at the switch. "I love them all—they're darling," Miss Hartigan enthused.

Of her being selected for the art school seminars, she commented, "They thought I could give them a situation that was mutually exciting—they think I have a good eye and therefore I'm valuable in this case.

"After they leave me they're going to go into the professional world. I benefit from their youth and enthusiasm. But I'm selfish—I wouldn't do it if I didn't get a great deal from it too."

Grace Hartigan is representing the plastic arts at Kent State University's "Festival of the Arts" this week. On this occasion she is sharing the platform with poet-critic John Ciardi, representing the literary arts, and musician Erroll Garner, the performing arts.

During the celebration she also has a one-man painting and college exhibition, and a lecture on "The Artist and His Works." Participation in a panel discussion is on the schedule there, as well as visits to the Kent State art students' classes for informal criticism.

Miss Hartigan readily acknowledges the influences of Willem de Kooning and Jackson Pollock, with emphasis on the former. Speaking of their great impact on her, she said, "Their dedication is similar, but their expression different."

During the war Grace Hartigan worked as a mechanical draftsman in Newark, N.J. and New York, and painted on weekends. She recalls that painting "sort of took over—it sneaked up on me."

She studied painting with Isaac Lane Muse in Newark, and there, in a class of about fifteen, became aware of modern art. "Isaac was not a terribly good teacher because he taught painting as though it were design," she said. And it was after her exposure to artists like de Kooning and Pollock that she realized the difference between design and art.

FIRST EFFORTS

"In all honesty," she recalls, her first efforts at painting "showed absolutely no talent, and if it had not been for my teacher Isaac Lane Muse, who valued creative imagination and feeling above skill, I might not have had the courage to persist."

It was not until 1949 that her paintings began to give her hope of eventually reaching a full expression, and it was then, after a year of painting in Mexico, that she felt she had some work that could be shown.

In New York she met a group of younger artists who attended the fiery meetings and discussions at Studio 35 on Eighth street, and they organized a painting show there. A large canvas Miss Hartigan had painted in Mexico was selected for exhibit and attracted much attention, and in January, 1951, she was the first painter to have a one-man show at the newly established Tibor de Nagy Gallery.

A visitor to the institute's gallery at the old Mount Royal Station wanted to know the name of one of Miss Hartigan's works on view there.

"That's 'Wilma'," she answered.

"What?" the visitor asked further.

"Remember Buck Rogers? That's his girl friend. But the art critics thought it was a nude," she countered with some amusement.

AN INSPIRATION

One abstraction from the visual world, in this case the city Miss Hartigan now considers abundant source material, is "Hobby Shop Human." This work, she said, had as its inspiration a do-it-yourself family kit she discovered in a shopping center.

The age of the shopping center came through also in a painting called "Reisterstown Mall." Its creator volunteered that "it's complex, it's modern life in capsule form. I wanted it to encompass as many things as life itself—it's a symbol of urban life.

"The images are metaphors. I know every single image in it," she said.

"It's not important for my students to be moved the way I am," Miss Harrigan continued. Whether the observer knows all the images in her work is not too important. "But I want him to be moved. I want him to feel involved in some way," she said.

And it is a satisfaction at this point in Miss Hartigan's career that she is involved with Baltimore.

THE HEROISM OF BOBBY GREENWELL AND CHARLES "CHICK" TAYLOR OF LOUISVILLE, KY.

Mr. MORTON. Mr. President, deeds of extraordinary heroism at extreme personal risk too frequently go unnoticed in this day and age. For that reason, I wish to recognize the gallantry of two young Louisville men, 17-year-old Bobby Greenwell and Chick Taylor, 21, in rescuing a woman motorist from her blazing automobile following an accident on June 22.

I join the Louisville community in saluting their heroism, and I ask unanimous consent that a story describing the incident and an editorial commending their bravery, as published in the Louisville Courier-Journal, be printed in the Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Louisville Courier-Journal, June 24, 1966]

100 Watch Brave Youths—Two Save Driver From Fiery Death

About 10:30 Wednesday night Mrs. Dorothy Jones was backing out of a driveway at 1029 S. Western Parkway when her car was struck by another auto. It burst into flames.

Mrs. Jones was lying dazed and badly bruised on the front seat.

Within seconds a crowd of about 100 gathered, but no one dared to approach the flaming wreckage.

Four teen-agers driving north on the parkway heard the crash and saw the burning car. They screeched to a stop and 17-year-old Bobby Greenwell jumped from the back seat.

Amid the shouting and confusion, someone in the crowd yelled, "There's a woman in that car!"

Bobby recalled yesterday that he moved closer to the wreckage but could see no one inside.

"Yes, sir!" someone shouted. "She's in there!"

Bobby ran to the car, breaking away from the two girls in his group, who tried to hold him back.

Another youth burst from the crowd to help—21-year-old Charles (Chick) Taylor.

The car door cracked open a few inches. They knew for sure someone was inside, and they forced the door open the rest of the way.

Chick grabbed the injured woman's shoulders. Bobby took her legs. Once they were clear of the wreckage, the car's gas tank exploded, spewing flames in all directions.

The seat where Mrs. Jones had been lying only seconds before was consumed by fire.

Mrs. Jones, 43, of 3335 Greenwood, was taken to Methodist Evangelical Hospital for emergency treatment. She was later admitted to Jewish Hospital, where she is recovering from severe lacerations and a knee injury.

Neither Bobby nor Chick was injured.

"I don't know what made me do it," Bobby said yesterday with a hint of embarrassment. He is the son of Mr. and Mrs. James D. Greenwell, 1703 Vivian Lane, and is a senior at Trinity High School.

Chick, an employe at General Electric's Applicance Park, is the son of Mr. and Mrs. Jesse B. Taylor, 1100 Plato Terrace. His father is a detective on the Louisville police force and his brother, Jesse Taylor Jr., is a fireman.

[From the Louisville Courier-Journal, June 24, 1966]

There Are Heroes Here in Louisville

Some people believe that acts of heroism in civilian life are a thing of the past. They are influenced by stories of callous crowds who see a person exposed to deadly danger and do not lift a finger to help.

Some people also hold that young Americans are too selfish or too apathetic to care about the plight of a human being in deep trouble.

All such people shoud meet two young citizens of Louisville, 17-year-old Bobby Greenwell and 21-year-old Charles (Chick) Taylor. Bobby happens to be white, Chick a Negro.

Both youths responded with instant courage and resourcefulness when they saw a car burning on Western Parkway Wednesday night, and heard from bystanders that a woman was trapped in the front seat.

Bobby jumped out of a passing vehicle and raced to the burning automobile. Chick ran to join him. Together they pried open the car door and lifted out Mrs. Dorothy Jones, who was dazed and injured.

Seconds later the car's gas tank exploded in flames, instantly consuming the seat on which she had lain.

Praised for their actions, the boys seemed more embarrassed than proud. The pride belongs to their fellow townsmen, aware that young people live here who can behave as true heroes, no matter how much they shun the title.

EXPLOITING THE OCEAN

Mr. BARTLETT. Mr. President, on June 28, Secretary of the Interior Stewart Udall addressed the Marine Technology Society Conference here in Washington, D.C., on "Exploiting the Ocean," a subject that is of utmost importance to us all. His remarks reflect my own thinking very closely in regard to the importance of developing fish protein concentrate to alleviate nutrition needs of humans the world over and the need to expand our national role in oceanography and marine resource development.

In addition to discussing the work of his Department, Secretary Udall defines the very needs that prompted me to sponsor S. 2720 to authorize the construction of pilot plants for the production of fish protein concentrates; S. 2218, to establish a 12-mile restricted zone along our coasts wherein we will be free to practice conservation of fisheries resources as we deem advisable; and S. 944, the Marine Resources and Development Act of 1966, which is the most important single piece of legislation yet to expand and coordinate our national effort in marine sciences and marine resource development.

I ask unanimous consent that the address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

To my knowledge this is the largest and most representative group of industrial, academic and government specialists ever to assemble for the purpose of discussing our Nation's total programs and policies on ocean resources. Your conference is timely and appropriate.

Your plans for this conference have been of great interest to me and the top officials of the Department. Your concern and interests in ocean resources strongly parallel our own and thus, I am pleased to be with you today and to have an opportunity to discuss with you some of the issues relative to a progressive nationwide program on marine resources.

The Marine Technology Society is performing a unique and necessary function in providing a good forum for discussion amongst all who would exploit the ocean. The resource situations in which we find ourselves are changing rapidly today. While we have adequate supplies of protein, and of most minerals, chemicals and construction materials for domestic use, there are worldwide shortages of these materials.

Our Nation's self-sufficiency in supply versus consumption is not assured for many metals and minerals that are in common use. Some very important items for which we depend on imports are iron ore, zinc, lead, silver, fluorspar and bauxite. The trend is towards a decrease in self-sufficiency for these materials.

Since 1960 we have depended more and more on imported edible fishery products. In 1960 we imported 41 percent of our fish for direct human consumption. In 1963 we imported 50.2 percent.

With the rapidly advancing technology of the developing countries we will in time face increased competition for natural resources from foreign suppliers. This, combined with our position of world leadership in the aid of the lesser developed countries, requires that we look far ahead and that we take steps now that will guarantee an adequate supply of resources in the future.

The oceans are nearly a whole new continent to be explored for potential resources. For example, just the United States Continental Shelf out to a depth of 200 meters contains a land area of 850,000 square miles if all the water was removed. This is nearly one-quarter the area of the 50 States in the United States. There is reason to believe that the productive potential for petroleum, gas, minerals and chemicals from this area equals or exceeds that of the adjacent land. The water that covers the potential resources should no longer be regarded as an impenetrable barrier to their discovery and use. The rapidly advancing technology of offshore oil drilling, submarines for research and exploration, the United States Navy sea-labs and man's venture into the sea are ample proof that in time we will conquer the water barrier.

We know enough now to define the problems for research, exploration and considerable engineering development on the Continental Shelf. The time is at hand for this Nation to proceed with a well organized, and substantial program for the discovery and development of the full potential of ocean resources.

Natural resources and programs of the Department of the Interior are nearly synonymous. We are concerned with the geologic and technical framework which supports our Nation's mineral and petroleum industries, and we perform research and management functions for a wide variety of living resources. Interior is the custodian of vast public lands and administers the policies on public use of these lands including resources developments.

We are not strangers in the realm of ocean resources. Our programs in marine fisheries and biological oceanography are familiar to many here. Much of our marine geological work has aided offshore petroleum discovery. In recent years we have begun to turn the attention of marine geologists and engineers to questions of sea mining. In fact, we now regard our programs and responsibilities for ocean resources to be an extension of the same responsibilities that we have for conservation and development of land resources.

I would like to tell you of the highlights of Interior's marine resources program, and outlooks and also comment on future needs. One can easily recognize many resource uses of the oceans. Some are recreation and enjoyment of a sea-scape, fresh water, electric power or as a receptacle of wastes. But the big potential producers are fish and other protein sources, oil, gas, minerals and chemicals and construction materials.

You have heard from Dr. Chapman yesterday of the status and world outlook for fishery resources. I would like to add emphasis to his remarks by stressing the potential of fish protein concentrate as the major source of new protein to help the protein deficient populations throughout the world. Less than half the world's people have enough protein. The amount of animal protein needed by today's world population to supplement present cereal-based diets could be obtained by products from a 30 percent increase in the world fish catch. Unless other sources of equally effective, but low-cost, animal-like protein can be found, the catch will need to be doubled within the next 25 years to keep up with anticipated growth in the human population.

Although we believe marine fishery resources have this potential, such a harvest cannot be realized on a sustained basis unless we obtain far more knowledge than we now possess of the ocean, its properties and processes.

We still do not know how many fish are in the sea. Estimates of possible world increase in harvest range from two to about ten times the present production.

To determine what the increase in production can be on a sustainable basis much information and imaginative new research and engineering undertakings are required.

New tools for research are needed such as new ways of observing marine life from submarines or use of sea-lab-type facilities.

There needs to be better understanding of many factors ranging from fish physiology and genetics to the control of pollution to preserve production in coastal and estuarine waters.

Little research has been done in this country on use of sea weeds or of the small sea life in plankton as human food. And, there are many species of fish which are not now in favor although they abound in the sea. New processing techniques are needed to make these species acceptable as food. We might ask if too much of our fish catch is going into animal feeds rather than being used as food directly by humans. Is this the most efficient use of our natural protein resources?

Full utilization of the vast latent marine fishery resources will depend on engineering to bridge the gap between scientific findings and industrial application. There are needs now in underwater observation, search and detection, fish guidance, herding and attraction, catching and in all aspects of fishing ship operations. This is the fishery challenge to ocean engineering.

Except in some cases we view ocean mining as a long-range development with such a high risk that the government must help wherever possible. Yet the potential in the vast underwater shelves and in the deeps could be so great that basic geologic studies and development of a marine mining technology at least partially at government expense is entirely logical. In Interior we are undertaking this job as rapidly as we can muster the resources to do so. Even the initial rewards in terms of discovery by our programs and others are so promising that marine specialists in my Department predict a substantial mineral production from ocean-based resources within ten years.

At present we feel the most urgent need is to supply the basic geologic, structural and compositional maps of the known and expected mineable areas. Such work is equally useful for oil as well as mineral interests. This is now being done by the Geological Survey. The effort is not as large as we would like it to be but it has produced striking results. For example, there has been discovery of possible source beds of petroleum in the Atlantic, delineation of large gravel deposits off New Jersey, and descriptions of pavement-like deposits of manganese on the Blake Plateau off northern Florida and Georgia.

Through the Bureau of Mines we are helping to broaden the capabilities of industry to develop sea mining systems. Several government-industry joint ventures are now in effect and Walt Hibbard, Director of the Bureau of Mines, assures me that he would welcome new ventures in the interest of providing a greater focus on engineering developments for marine mining.

Mining in the ocean requires the same logical approach as does mining on dry land. First, a deposit has to be discovered. Then it has to be evaluated as to its probable economic significance. After it is well delineated a production and processing system could be developed for actual exploitation. Practically no experience is available to guide the marine miner, thus new concepts for recovery of sea floor minerals must be developed, particularly for deep water use. Even the processing of ores may be done, in some cases, at sea to minimize the transportation costs involved.

As the technology is being developed, now is the time to insure that the mining of marine minerals is compatible with other interests in the sea such as fisheries, recreation or navigation.

We must begin to learn what tendency mining operations will have to shift oceanic currents, increase sedimentation, create wastes, and in turn study the impact such alterations will have on local ecology, shoreline processes, and related environmental factors. This is the type of situation which will require close cooperation amongst oceanographers, industry and State and Federal programs.

At this stage of marine mineral resource development, I would encourage those of you in industry to take a strong lead wherever possible. I would hope you will tell us where government can help most appropriately with the research and engineering programs we have. You should tell us what information you will need and how we can help the various interests work together.

Recently, as a result of ratification of international law adopted at the 1958 Geneva Convention, we have been giving new attention to requirements for management of resources of the Continental Shelf. If our Nation is to realize the potential of this store of resources it will be through the combined efforts of all government agencies working in cooperation with coastal States, industry, and in appropriate cases with foreign nations. Such efforts must take place within the context of effective laws if we are to formulate a sound policy for prudent resource development and management.

The system of laws under which our public land resources are administered is sorely in need of revision and updating. It is a confusing patchwork of laws, regulations and Executive Orders, judicial pronouncements and ineffective stop-gap measures. Operating under these laws is difficult. Yet the Secretary of the Interior is charged with the responsibility to assure that the non-renewable resources are developed and used wisely and that renewable resources make their full contribution to the progress and prosperity of the country.

As we work ahead in the future I hope we will benefit from the lessons learned from administration of land resources. The development of a comprehensive and workable set of laws for the administration of resources on and beyond the Continental Shelf will not be an easy task. It is complicated by the peculiar nature of the resources and the complex network of Federal, State and international interests therein.

At this time I would recommend a study of the legislative changes needed to support a government policy to encourage industrial development of marine mineral resources that are on and underneath the seabed. We need to learn what controls the fair market value return from Outer Continental Shelf minerals and to find ways of guaranteeing proprietary rights following appropriate expenditure of industrial funds for identification and delineation of ocean-bed minerals. You are discussing this subject at some length in this conference and I look forward to the results of your deliberations.

I believe the "Marine Resources and Development Act of 1966" which President Johnson signed on June 17 will be of great benefit to the development of new laws, outlooks and programs for all marine resources. The policy and objectives stated in this Act, which for the first time gives a national policy on marine science, are excellent goals for the Nation to seek. I look forward to serving on the "National Council on Marine Resources and Engineering Development"—Interior staffs will cooperate with the Council and commission to the fullest extent possible. The planning for opportunities in marine science research and development which lie ahead must concern a spectrum of organizations and interests including industry, the Congress and representatives of the Executive Branch. The broad studies to be undertaken under this new Act will give new emphasis and progress to oceanography.

These are not easy times and the demand for large Federal expenditures grows day by day. We are assisting Viet Nam defend itself from Communist aggression and the cost prudently affects the funds available for new areas of research and explorations. However, we have a substantial national program in marine sciences which is well organized and in many ways adequately equipped. Interior's expenditures for oceanography will exceed twenty million in fiscal year 1967. This is the third from the top in levels of effort in this field carried out by Federal Government agencies.

We appreciate the leadership which the U.S. Navy has given to the National Oceanographic effort. Their development of deep submergence systems and advanced man-in-the-sea capabilities will have a direct benefit to pursuit of fishery, oil and mineral resources. The National Science Foundation, in close cooperation with the Office of Naval Research and other agencies, has given excellent support to the basic marine sciences.

Progress in research over the past several years has brought us to the point where practical applications and new industrial enterprises are just around the corner.

In its role as a Department of Natural Resources, Interior has a wide range of authorities and responsibilities which apply to ocean as well as land resources. It is not our intention to draw the line at the water's edge. For years we have held a position of national and international leadership in marine fishery research, management and conservation. Now many new opportunities are on the horizon, not only for fisheries and other protein supplies but for mining and drilling for oil and chemicals—activities whch we traditionally think of as confined to the land. It is my intent that Interior will play a major role along with all who are in the national resource scene and who are looking to the future when we will know and use all that the oceans hold in store for us.

CIVIC PRIDE AND PROGRESS IN BALTIMORE

Mr. TYDINGS. Mr. President, like other large American cities, Baltimore, Md., has been plagued with the problems of shifting population, moving industry, and urban blight. Baltimore, however, is not patiently waiting for what had seemed to be its inevitable reduction to sprawling suburbs. Business leaders in the city decided to act, and to act decisively. Plans to change the face of the city were formulated and are now in the process of being implemented.

The Charles Center project calls for the rebuilding of the center city area and the relocation of private business and public offices. The inner harbor project aims at the beautification and utilization of the part of the city that borders on the now unsightly and practically useless harbor area. An article by Gerald W. Johnson, renowned political columnist in an April issue of the New Republic explains Baltimore's attempt to bring people, business, culture, and beauty back into the urban area. I am sure that Baltimore's efforts will be of interest to those in other cities confronted with the same problems, and I ask unanimous consent to insert Mr. Johnson's article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BALTIMORE MIGHT MAKE IT

(By Gerald W. Johnson)

Something has happened to the city of Baltimore in the past six years. Whether what has happened presages the city's salvation or its utter, irretrievable ruin is as yet on the knees of the gods. The ultimate decision, indeed, does not rest with Baltimore. It waits upon an answer to the question of whether any large American city can resist the centrifugal forces that tend to disject and destroy it as a city and reduce it to an amorphous congeries of suburbs, such as Los Angeles.

For a hundred years Baltimore has had to endure failure after failure until it became inured to defeat. It began with the devastation of its commercial satrapy, the South, by the Civil War, followed by the collapse of the financial structure of the Baltimore & Ohio Railroad, the collapse of the jobber as middleman between manufacturer and retailer, the collapse of fast trans-atlantic mail and passenger service, and the collapse of coastwise shipping even to the Chesapeake Bay lines. Steel, chemicals and petroleum products flourished but they were controlled from other places. In March, 1966 the last but one, locally-owned department store was sold to Nebraska interests. In any sizable undertaking Baltimore enterprise seemed to be a consistent flop.

So when a group of some 150 to 200 business leaders—most of them young or youngish, although the bellwether is a retired department-store executive already in his sixties—formulated their plans a little over a six years ago, prompt and undeniable success was the one thing with which Baltimore was utterly unprepared to deal. True, their project was a relatively modest one: wreck 211 buildings covering 22 acres in the heart of the downtown business district and replace them with something in more shapely form at a cost of a hundred millions, give or take a dozen millions.

The elapsed time was estimated at 10 years, but in the first quarter of its sixth year the project is one-fourth completed and in operation, one-half under construction, and another eighth on the drawing boards. Initially the 22 acres were divided into 17 parcels, of which three now remain in the hands of the agency. Bids have been received for all three, but rejected because it was the judgment of the holders that the bidders could not, or would not, meet the rigid requirements for building in that area.

The contribution of the federal government consists of the erection of one office building to house some of its Baltimore agencies, plus reimbursement to the city of part of its expense in rebuilding streets and relocating utilities. The contribution of the city was about $10 million, which is viewed with complacence because the increase of tax revenues from the area—assuming no increase in the present rate—will be better than $2.5 million annually. Demolition proceeded gradually, so the city did not lose all revenue from the area during the renewal, but if it had, it would still get its money back in six or eight years. The financial success of the project, therefore, is assured even if the three remaining parcels remain unsold. There is, in fact, some sentiment favoring the city's retaining the three as small downtown parks, in addition to the three open spaces in the original plan.

The visible effects of this job are already impressive, but they are as nothing compared to the psychological effect on a comatose community. It is as if one had exploded a bomb on the island of the lotus eaters. The confusion is prodigious and the alarm considerable, but there has also been a genuine awakening among groups whose influence is out of all proportion to their numbers. Certainly among the most completely wide-awake—and perhaps also among the most startled—are the members of the Greater Baltimore Committee that launched the project. They had hopes, but no hopes of such rapid and complete success, and they are correspondingly emboldened. Now that private enterprise has succeeded with the Charles Center project to house private business, they are backing a three-times-larger project that will include a number of public buildings—one for the school board, a municipal office building, a new police headquarters and an office building for the Port Authority.

But the heart of the project, the breathtaking element, is the proposal to convert the inner harbor from the colossal cesspool that it is now into an ornamental water surrounded—except for a marina—by recreational, educational and residential facilities. The inner harbor, where the Bay boats used to land passengers from Philadelphia, Norfolk and Washington in the very heart of the city, is now almost valueless commercially. It is too shallow to receive the huge tankers and ore-carriers that serve the steel mills and refineries facing the outer harbor but, cleaned up, it would be a wonderful expanse for pleasure craft. The figures for the whole project are about 300 million and 20 years.

After Charles Center, the typical Baltimorean listens to that and doesn't bat an eye. That, not the rising mountains of steel and glass, is the real miracle.

For the municipal history of Baltimore is a fascinating demonstration in miniature of Toynbee's challenge-and-response theory of the life of a civilization. Three times the very existence of Baltimore has been sternly challenged. Twice the city overcompensated and flourished; but the third challenge was too much, and it slowly sank from second to sixth city and twelfth metropolitan district. The first challenge was the climactic war of the long struggle for national independence, the clash of 1812. Baltimore met the challenge by beating off the attack, and it overcompensated by developing the Baltimore clipper, originally designed as a blockade-runner, into a commerce raider so efficient that under letters of marque and reprisal it brought in spoils that founded several great Baltimore fortunes; and after the war, enlarged and strengthened, it became the clipper ship dominating the Asian trade to such an extent that a whole section of Baltimore is known to this day as Canton.

The second challenge came when the Cumberland Road—alias the National Pike, the first successful breach of the Appalachian massif barring the way to the West—was circumvented by "Clinton's ditch," from Buffalo to Albany and connecting the Great Lakes to New York by water. Baltimore's response was the railroad, the first built as a common carrier in America. It was overcompensation. Once the rails of the Baltimore and Ohio reached Wheeling, in what is now West Virginia, Baltimore's status as one of the great American cities was unquestioned.

"What care though rival cities soar
  Along the stormy coast,
 Penn's town, New York, and Baltimore,
  If Boston knew the most!"

is no doubt a left-handed compliment, but the obvious wistfulness in Emerson's quatrain is nevertheless a compliment.

But the third challenge, the Civil War, was too much. Not only was Baltimore's primary market, the South, destroyed, but its secondary market, the West, was largely preempted by rivals because for four years the B & O had had to be used almost exclusively for troop movement, what time it wasn't being repaired after Confederate raids. Far worse, though, was the psychological damage. The handful of great mercantile houses that did not fold, survived by grimly hanging on to such fragments as were left. The safe four percent, the banker's ideal, became the ideal of all Baltimore businessmen. Its great entrepreneurs were now investment bankers, insurance executives and bondsmen. This money-changing it mistook for finance, disdaining the calculated risk that produces the large profit. Against the challenge of the St. Lawrence Seaway it had no response at all. But in a dynamic, fiercely competitive economy the safe four percent, well enough for a bank, is suicidal for a business community. By clinging to it Baltimore has successively lost its railroad, lost its wholesale houses, lost part of its shipping, lost its corporation home offices, lost ownerships of its department stores, and is now losing its population.

This last loss is, of course, common to all big American cities. The people have not left the area. They have simply moved to the outskirts—in the case of Baltimore, 700,000 of them—to become leeches, drawing sustenance from the central city and using its facilities without paying any part of the cost of their maintenance. Baltimore is exceptionally unfortunate, however, in that it is not only bled directly by its own suburbanites, but indirectly by another 700,000 clustered around the District of Columbia and diverting part of the resources of the state of Maryland that might otherwise accrue to the benefit of Baltimore. Nor has the city escaped any of the afflictions common to other large cities—a rotten-borough system as putrid as that of New York state and almost as bad as Michigan's official corruption and political leadership that, allowing for a handful of startling exceptions, is so feeble that it makes a jellyfish seem like a fire-spitting dragon.

It is against these foes that the crusaders of the Greater Baltimore Committee have sallied out to battle. In Charles Center they have proved that the reconstruction problem can be solved, but they know that the solution merely opens the way to harder problems—mass transit, slum clearance, water and air pollution, police protection, etc., etc., etc., almost *ad infinitum*. They know that a successful attack on any of these calls first for a reorganization of the political divisions of the metropolitan area in such a way as to bring the full strength of a population of two million to bear upon the people's common problems.

Most important of all, they have at least adumbrated, if they have not clearly perceived, a truth that escapes the philosophy of the safe four percent. It is the truth that while men and women do visit the central business district to purchase ships, and shoes, and sealing wax, that is not their only, nor even their most compelling motive. They also come downtown in search of wonder and delight; and if these are not supplied, bargain sales alone cannot supply the lack. If part of the street crowds rejoice in statuary and vistas, and another part in saloons and strip-teasers, a successful city must appeal to them all, and monotony, even magnificent monotony, will not do it.

So they are placing among the office buildings in Charles Center the first legitimate theater erected outside of New York in 30 years; and they are searching ardently for a restaurant that will make Duncan Hines revise his standards upward.

ASLEEP AT THE SWITCH

Mr. McGOVERN. Mr. President, American wheat farmers continue to pay the price of a self-defeating U.S. trade policy with reference to the sales of American grain to the Soviet Union, Eastern Europe, mainland China, and other countries with similar governments.

While our Canadian friends are making enormous sales of wheat to the Chinese and the Soviets, we continue to pay our farmers to cut back on production. Why anyone would regard such policies as in the interest of the United States escapes me entirely. This point is very well made in an editorial in the July fourth issue of the Farmers Union Herald entitled "Are We Asleep at the Switch?"

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARE WE ASLEEP AT THE SWITCH?

Canadians are jubilant over their record breaking sale of $800-million worth of wheat and flour to the Soviet Union during the next three years. This is the biggest single commercial grain transaction in the history of international trade. Russia will pay in cash as the wheat is put aboard ships in Canada. The entire Canadian economy will benefit.

Canada has maintained normal trade relations with Russia on agricultural commodities for 10 years. It has sold a billion dollars worth of wheat and flour to the Soviets in the past four years, exclusive of the new contract.

Except for the United States, nearly all the rest of the world now buys and sells in the international market with little ideological distinction, at least as far as Russia and the East Europe communist nations are concerned. Congress and some American labor organizations and other groups continue to prevent enlargement of U.S. trade in this area.

President Johnson recently asked Congress for discretionary authority to extend normal tariff treatment to European communist countries when it is in our national interest to do so, but he was rebuffed. Chairman WILBUR MILLS of the House Ways and Means Committee, declared that he personally would block such action by refusing to bring up the proposal in committee.

Meanwhile, Italy's big Fiat company has entered into a $320-million deal with Russia to build an entire automobile factory in the Ukraine. French and Japanese auto manufacturers are negotiating for smaller related contracts. West Germany's Krupp is engaged in a large joint undertaking with Poland to expand industry there. Italian ship builders are constructing vessels for the Soviet. Britain is actively going after Russian contracts. There is strong feeling abroad that normal trade relations promote peaceful coexistence.

It would appear that in the matter of international trade, either all the world is out of step but the United States, or else the U.S. is the one not in normal cadence with the times.

The business daily, the New York Journal of Commerce, says it would be sensible for America to liberalize its foreign trade policies. Congressman MILLS' attitude, it feels is one of "biting off your nose to spite your face." The communist nations, whether behind the Iron, Bamboo or Sugar Cane curtains, is a small percentage of all world trade, but dollar-wise it is large and growing and there is no good reason why the United States . . . shouldn't have a more adequate share in it."

(Reprinted from the St. Paul Dispatch.)

OUR ECONOMIC AND SOCIAL ASSISTANCE TO VIETNAM

Mr. INOUYE. Mr. President, although public attention is usually riveted on the military phase in the struggle in Vietnam, there is another phase to that struggle which is of equal significance and in which we have been making notable progress. I refer to our efforts to bring tangible proof to the people of South Vietnam that their future will be better than their past. Our progress in this other phase of the struggle in southeast Asia will be just as decisive a factor in determining the outcome as any military success, no matter how spectacular.

President Johnson has said:

> In Vietnam communism seeks to really impose its will by force of arms. But we would be deeply mistaken to think that this was the only weapon. Here, as other places in the world, they speak to restless people—people rising to shatter the old ways which have imprisoned hope—people fiercely and justly reaching for the material fruits from the tree of modern knowledge * * *. It is, therefore, our task to show that freedom from the control of other nations offers the surest road to progress * * *. But it is not enough to call upon reason or point to examples. We must show it through action and we must show it through accomplishment * * *.

It is those accomplishments in South Vietnam, of which I think the American people are too little informed, which I would like to review briefly here today.

Our economic and social assistance to Vietnam began in 1954. Since that time, we have spent more than $2 billion for nonmilitary aid to the people of South Vietnam. And despite every effort by the Vietcong and the Government in Hanoi to frustrate or destroy economic advances in the South, we have achieved great gains.

In the last few years, hundreds of thousands of Vietnamese farmers and their children have been reached through the efforts of American farm experts. They have been given improved seeds and cuttings of onions, corn, sweet potatoes, and sugarcane, as well as fertilizer and pesticides, to increase their crop yields. Insects and rodents formerly destroyed 30 to 40 percent of the crops in South Vietnam; by bringing such pests under better control, we have already saved nearly 100,000 tons of food.

Since 1954, thanks to American assistance, the people of South Vietnam have added 250,000 hectares of irrigated land to their agriculture. Last year, Vietnamese commercial fishermen caught 368,000 tons of fish, compared with 165,000 tons in 1959.

With U.S. encouragement, the Ky government has introduced new land reform measures. Permanent land titles have been given to peasant farmers now holding only provisional claims to the land they till. Some 500,000 acres of former French lands are in the process of being sold to small farmers on terms which they can afford. Another 700,000 acres of state-owned land will soon be distributed among 180,000 landless Vietnamese, most of whom are refugees from Vietcong-controlled areas.

At the end of this past April, incidentally, there were 933,000 such refugees, of which about 500,000 were still living in temporary shelters. The others have either returned to their villages or been relocated.

U.S. direct-dollar assistance provides construction material, medical facilities, clothing, personnel costs, and nearly $8 million in food-for-peace commodities.

Progress in the fields of health and medicine has been equally impressive. Twelve thousand five hundred village and hamlet health stations have been established and stocked with medicines. Despite Vietcong harassment—and health workers are a favorite target, which speaks volumes about the sincerity of the Vietcongs' campaign to help the people of South Vietnam—the incidence of malaria has been held to 1.57 percent. More than 80 percent of the Vietnamese population living in malaria-infected areas are now protected from this disease.

New clinics and surgical facilities are now scattered throughout the nation. We are helping to build a medical school which will graduate as many doctors every year as now serve the entire civilian population of South Vietnam.

In education, we have also made great strides—again against the direct opposition of the Vietcong, who do not hesitate to destroy a new school building at the slightest opportunity.

When South Vietnam first achieved its independence, its educational system was run for the benefit of privileged classes. That is no longer true. Primary and secondary school enrollment in South Vietnam has quintupled. By early 1968, 13,000 new hamlet classrooms will have been built providing facilities for 780,000 schoolchildren. We have assisted the Government of Vietnam during the past 3 years to distribute more than 7 million text books. U.S.-supported programs in the hamlets of Vietnam are now graduating 2,500 instructors a year. Facilities are now available to provide Vietnam with 1,700 new elementary or secondary teachers every year, and more than 5,000 Vietnamese teachers have returned from health, agricultural, educational, and other studies in the United States and around the world.

Since 1962, U.S. aid has established four polytechnic schools and three vocational agricultural high schools. More than 10,000 Vietnamese students are now receiving vocational training that will have a profound effect on modernizing Vietnamese agriculture and industry.

When Vietnam was divided, the south possessed very little industrial capacity. Most of the industry was in the industrialized north. Today, there are more than 700 new or rehabilitated factories, ranging from textile mills to electronics manufacturers, which are part of a steadily expanding industrial base in South Vietnam.

Last year, alone, the United States financed 8 new industrial plants, and 51 expansions of existing facilities involving more than $7 million of imported equipment.

I believe that this is a highly creditable record—and it must be remembered that all this is going on under the tremendous handicap of a nation at war. None of it, of course, would be of any avail if the Communists were to succed in their campaign of violence and aggression. Our military effort in South Vietnam is the indispensable shield behind which our economic and social efforts and the efforts of the Vietnamese people—can be carried forward.

But we have not waited for the cessation of hostilities to begin the works of peace. We are even now attacking with all our strength the basic problems of illiteracy, poverty, and disease, which are the true breeding ground of communism and, indeed, the source of most of the violence that occurs in any society.

This second phase of the struggle in southeast Asia will continue long after the military phase has been brought to a successful conclusion. What the people of Vietnam want is peace and a better life. Neither they nor we nor any other nation can hope to secure a lasting peace if we fail to honor the just and imperative demands of millions of people on this planet for a better and brighter tomorrow.

I think it important that the American people—and the other peoples of the world—understand that the United States is today pursuing both ideals. Those twin goals are, in fact, the basis of all our foreign policies—and I believe that we are drawing steadily closer to the achievement of both.

SEVERNA PARK STUDENT DESIGNS CULTURAL CENTER

Mr. TYDINGS. Mr. President, I have often risen on the floor to praise young Americans for their achievements. I would like to do so again. In the State of Maryland, the Anne Arundel County Community Cultural Center is being designed by a 17-year-old high school student. This young man, Gregory L. Martin, was selected to design the building as the result of a "talent hunt." He has thus been launched on an architectural career. It is gratifying to know that young men like Mr. Martin are achieving bigger and more important things at earlier ages than ever before.

I would like unanimous consent to insert into the RECORD an article from the Baltimore Evening Sun regarding Gregory Martin and his project.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

METRO YOUTHS IN THE NEWS: SEVERNA PARK STUDENT, 17, DESIGNING CULTURAL CENTER

(By David Runkel)

The first Anne Arundel County community cultural center is being designed by a high school student.

Gregory Lee Martin, 17, a senior at Severna Park High School, is drawing up the plans for the center, the main part of which will be a theater in the round.

The center is slated to be built within the next year on the shores of Lake Waterford near Pasadena. The county Department of Recreation and Parks will provide the funds to build the center and will partially finance a repertory theater company, which according to plans, will offer one play a month.

Young Martin, the son of Mr. and Mrs. Larry Martin, 10 Admiral road, Severna Park, was selected to design the building after a "talent hunt" in county high schools by Joseph L. Dorsey, recreation and parks department officials. The department got the idea from a florist in the county who had a student design his new store, according to Mr. Dorsey.

GIVEN FREE HAND

After selecting Martin, department officials "sat down with him and told him what we wanted." He was given a free hand from there on, Mr. Dorsey said.

Martin submitted his preliminary plans several weeks ago and the department made a few minor changes. The final plans and blueprints are now being drawn up by Martin, with the assistance of his shop instructor, Roger Willis.

The design for the building is still basically Martin's, Mr. Dorsey said.

More than half of the one-story building will be taken up by the theater. The stage will be 18 feet by 18 feet and will be 2 feet off the floor. There will be seats for 150 persons on all four sides, Mr. Dorsey said.

OTHER USES

Other parts of the building will be used for a ticket booth, lobby, rest rooms and locker rooms for persons using the athletic fields behind the center.

Beside the repertory company, Mr. Dorsey said, the center will be used for meetings, lectures, art exhibits, concerts by the county junior symphony and ballet recitals by county-sponsored ballet classes.

Start of work on the center will depend upon finances. There is some money in this year's budget for the project, but the exact construction cost has not been determined, Warren W. Kershow, department head, said.

It might be possible, he added, to use Neighborhood Youth Corps volunteers to get the building started. If everything goes according to schedule, the center could open in less than a year, Mr. Kershow said.

MALNUTRITION AS A FACTOR IN DEVELOPMENT

Mr. TALMADGE. Mr. President, we hear so often about lack of appreciation for our humanitarian efforts in the world that I felt special note should be taken of a dramatic "thank you" message from

17 million children of Latin America—the beneficiaries of the Operation Ninos school feeding programs sponsored by the Agency for International Development as part of the food-for-peace role in the Alliance for Progress.

The message, extending thanks to AID, the U.S. Senate, the House of Representatives, and to the American people, was sent on behalf of the 17 million children by 150 delegates from 17 countries who participated in an important meeting in Panama City from June 19 to June 25.

Another giant step has been taken in the direction of combating malnutrition among the children of the Western Hemisphere, and of increasing local government and private sector support of child feeding efforts, as a result of this Panama meeting, called "The Conference of the Americas on Malnutrition as a Vital Factor in Development."

Headed by President Marco Robles, of Panama, who keynoted the Conference with opening remarks, delegates from government, private industry, and private voluntary relief agencies and international agencies reported, debated, exchanged ideas, and collaborated in calls for new actions to be taken on behalf of the children of the hemisphere.

The Conference was held under the sponsorship of Operation Ninos, the AID-sponsored Alliance for Progress program which has helped bring about an increase of over 400 percent in the number of children being assisted in organized feeding programs in Latin America in just a little over 3 years.

Among the highlights of the Conference were the following:

A keynote address by His Excellency Marco Robles, President of the Republic of Panama in which he underscored the importance of combating malnutrition in order to promote individual health and happiness and community and national development.

An address by the Honorable Graham Purcell, of the Agricultural Committee of the U.S. House of Representatives, in which he reaffirmed the pledge of the United States to work together with those nations possessing "a national will and determination to helps themselves."

A report on the nature and magnitude of the problem worldwide, demonstrating the irreversible nature of physical retardation brought about by malnutrition in the preschool years.

A report on additional research which continues to provide support to the evidence that child malnutrition may produce an irreversible mental retardation.

A paper by the Honorable Herbert J. Waters, Assistant Administrator for Material Resources of the Agency for International Development, and delivered by the Deputy Assistant Administrator for Material Resources of the Agency for International Development—Mr. John W. Johnston, Jr., in which he stressed the role of the private sector and called on governments to create a climate conducive to private investment in the "war on hunger."

In response to Mr. Waters' speech, a resolution by acclamation to send a message of gratitude to the American people from the 17 million children of the Americas benefiting from food-for-peace programs.

A call for greater quantities and improved quality of local food production by Dr. Moises Behar, Director of the Institute of Nutrition for Central America and Panama—INCAP.

A call for development of national food policies by the Latin American regional director of UNICEF, Dr. Oscar Vargas Mendez.

Presentation of a newly developed set of audiovisual aids to be used in local nutrition education programs.

A call for realistic action to achieve results "can we keep children from being used to advance the causes of politicians and instead use politicians to advance the cause of children."

Plans to establish a permanent Inter-American Secretariat in Latin America to coordinate activities, clear information, and plan future meetings.

An offer by James O'Connor, president of the American Freedom From Hunger Foundation to cooperate with local communities in providing the financial support for such a secretariat.

The Conference had greater participation than ever before from private industry of North, Central, and South America.

The Conference confirmed that the conduct of research, the development and testing of new foods, the distribution of the foods by private voluntary agencies, by international agencies, and through commercial channels, are not ends in themselves—but rather means toward the end of combating malnutrition in young children and thus offering children the opportunity for healthy, happy, and productive lives.

Mr. President, I ask unanimous consent that the significant paper by Mr. Waters, entitled "Knowledge Gathering Dust," delivered in his behalf by his deputy when Mr. Waters canceled his personal participation in order to attend Senate hearings, be printed at this point in my remarks.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Knowledge Gathering Dust

(Remarks by the Honorable Herbert J. Waters, Assistant Administrator for Material Resources, Agency for International Development, Department of State, Before the Conference of the Americas on Malnutrition as a Factor in Development, Panama City, Panama, June 19–25, 1966, delivered for Mr. Waters by his deputy, John W. Johnston, Jr.)

Concern over child malnutrition is not new. Many dedicated people—many of them in this very room—have devoted much of their lives to this cause.

Under the Alliance for Progress, Operation Ninos has been an effective focal point of this concern.

This Conference of the Americas on Malnutrition as a Factor in Development reflects that concern—and reflects the new reason for a growing determination to do more about it.

Only comparatively recently have nations come to accept the fact that hunger and malnutrition can undermine and block sound economic development. The result has been a whole new degree of emphasis on tackling the problem.

Today's impressive keynote address, on the theme of national recognition of child malnutrition and its relationship to development, further emphasizes these facts:

There is growing national recognition—and growing international recognition—of the seriousness of child malnutrition problems.

And, basic to that growing national recognition, there is greater recognition of the relationship of child malnutrition to economic development.

We are making progress. Just growing concern—and growing national recognition—of the problem itself is progress. But we are moving beyond that point. There is increasing evidence of a determination, by governments and private enterprise alike to act—to make more effective use of the knowledge we already have, about how to combat the devastating toll of child malnutrition, rather than let such knowledge gather dust.

Governments of the Alliance countries in particular are showing the way to the rest of the world, by waging a more aggressive war on malnutrition.

Many youngsters have lived since last June's similar conference in Rio—many who otherwise would have died. For these, I am joyful. I know they live today because of the joint efforts of all of us.

But the war on child malnutrition is a strange war in some respects; the more vigorously we wage the war, the fewer the casualties that result. But the more that we neglect the war, the greater the casualties that result.

Despite all the progress that has been made, if we listened in the background at this very moment we could hear the cry of the casualties of this past year, the casualties of neglect. It is the most penetrating, heart-rending sound any of us have ever heard.

One knows the sound of a child crying of a momentary injury. One knows the sound of a child crying for attention and love. One knows the sound of a child crying for comfort and reassurance. But there is the sound—unmistakable for those of us who have heard it—the child's cry of frustration, of lack of understanding, and of enduring pain without hope. It is this child's cry that haunts me—for it is this child's cry that is unnecessary. He is asking us here today one question. "Why?"

As allies in this "War on Hunger", I propose we take stock of where we stand, and where we are going.

We agreed last year that two-thirds of the world is hungry or malnourished—that most are children—that disease literally stalks a child's weakened body, killing or permanently injuring him, physically or mentally.

We agreed that hordes of undernourished children become adults inadequate to meet the needs of a nation seeking economic progress and survival.

We agreed that too many people of the world have a diet based on a single grain—a diet of rice or corn or wheat or cassava or potatoes. One crop economies rarely produce an adequate, nourished population. People living in communities with a variety of grains and meats available—and with the income to buy them—blend their food in their stomachs. But there is no way a child can eat the variety necessary for normal growth when it is unavailable in his region, and his parents cannot afford the expensive supplement of meat, milk or fish for protein.

We agreed that the factors of limited agricultural productivity, multiplying populations, and malnourishment means time is running out.

We agreed that all nations have a moral and a practical stake in the outcome.

And, finally, we agreed that the answers do exist—that, technically, there is no reason for anyone to be hungry again. We have the knowledge to wipe out hunger forever—but too often that knowledge is gathering dust.

The search for added knowledge and know-how must never end, in this field or in other fields. But the challenge now is to act—and to make better use of the knowledge already available.

My own country is endeavoring to do this. Even as we earmark more research funds to seek new knowledge in this field, we are planning action programs to make better use of the knowledge we already have.

Our call to action comes from our Chief Executive, President Lyndon Johnson. In messages to our Congress earlier this year, he has asked that the highest priority be given efforts to wipe out hunger, disease and illiteracy throughout the world. He has called for new initiatives in agriculture, health and education in our own international economic assistance efforts, and he has urged other donor countries to join us.

He has also made clear, however, the need for self-help efforts by developing countries themselves in agriculture, health and education—and our Congress backed him up by making such self-help a condition to the economic assistance and food aid our country is willing to provide.

We often hear about so-called "strings" tied to foreign aid. In effect, our "strings", are really only that the receiving nation show enough concern for its own people—and particularly, its own young people—to take necessary self-help efforts toward assuring them more to eat, protecting their health, and giving them a better chance for an education.

Improved agricultural productivity, improved health care, and improved education—these are the three new action thrusts of the U.S. economic assistance program.

All three, as I am sure you will agree, are concerned with the subject of this Conference—child malnutrition.

From the standpoint of agricultural productivity, the quality of what is available for children to eat is directly related to the quantity of food available. As a result the war on child malnutrition is an essential part of the overall war on hunger itself.

From the standpoint of health, certainly we have long since passed the stage where any government would embark on an expanded health program without first looking at the plight of its children who are now victims of malnutrition.

From the standpoint of education, we are not going to make much progress unless we provide healthy bodies in which we can help develop healthy minds.

My Government, therefore, recognizes the interlocking relationship of our three new initiatives in foreign aid. We hope your governments also recognize this relationship.

Our foremost concern has been and still is feeding the world's hungry. We think we know something about the problem, for we have shared some $14 billion worth of our agricultural production with food-deficit countries over the past 13 years, either by donation or concessional food aid terms.

Our Food for Peace program under which this food aid was provided reflects the democratic, humanitarian and ingenious character of our American people. The world was hungry and the United States agricultural technology had produced food abundance. We felt a moral obligation to share that abundance. In the course of the past 13 years, great human suffering has been relieved; millions of adults have been saved from starvation, millions of children have been kept from useless death or permanent damage; the destitute have been helped in periods of emergency and, I am certain, the crisis of hunger with which the world is still confronted has at least been softened.

However, we have done some soul-searching ourselves. We are still willing to share our abundance, but we do not want to become the crutch on which others lean to the detriment of their own agricultural development. We are convinced that food aid is only one part of the war on hunger. The main objective is and must be helping others produce more for themselves.

That was the gist of President Johnson's Foreign Aid and Food for Freedom messages to our Congress this year.

In proposing changes in our Public Law 480 program through a new Food for Freedom bill emphasizing incentives for self-help, President Johnson said:

"I warn you the time is not far off when all of the combined production, all of the acres, of all the agriculturally productive nations, will not meet the food needs of developing nations—unless present trends are changed."

Already, our own food stocks are dwindling. Our new Food for Freedom bill is no longer predicated on surpluses; instead, it is based upon deliberately planning our production to assure enough food to share with others who are taking the necessary steps to eventually make themselves less dependent on external food aid.

We have already had to call some idle acres back into production for this purpose. We probably will have to call more acres back into production. We are convinced, however, that neither we nor the other developed countries alone can adequately feed the world. Our real hope for conquering hunger is in greatly stimulating agricultural production in the developing areas of the world, where the greatest food need now exists, and using our food aid temporarily as a means of filling the gap until more countries can become more self sufficient.

That new legislation is now moving through our Congress. You heard about it yesterday from a distinguished member of the House Committee on Agriculture, the Honorable GRAHAM PURCELL, who was active in getting approval for many improvements in the legislation.

The new Food for Freedom bill singles out child malnutrition as one of the top priority programs in international assistance. This same emphasis runs through other legislation before our Congress. For the first time, the Foreign Assistance Act of 1966 spells out our objective of combatting child malnutrition. Also, the International Health and Education Bill of 1966 highlights steps to educate mothers in the basics of nutrition and the combatting of malnutrition in their children, to fend off childhood diseases.

President Johnson has called on our Science Advisory Board for more research in the problems of child malnutrition. His deep concern is reflected domestically, as well as internationally, in the Child Nutrition Act of 1966, which is aimed at eliminating malnutrition still existing within areas of the United States.

In the Agency for International Development, we are tripling our allocation of foreign assistance in support of increasing agricultural productivity. We are increasing technical assistance and capital aid. We are also calling on the expertise of our private agribusiness community to join us in this world conquest of hunger. We are seeking greater investment around the world in fertilizer production, in agricultural credit, in food processing and distribution.

In the past year the Agency for International Development has established a special nutrition branch, to strengthen our cooperative efforts to combat child malnutrition throughout the world. A number of activities have been designed to help improve nutritional levels in developing countries:

Development of formulations and processing technologies for economical grain-based, protein—supplemented foods.

Research programs to genetically up-grade the nutritive value of food and feed grains.

Improvement of animal protein production.

Food processing studies to improve food uses of the oil seed protein, abundant in many tropical countries.

Up-grading genetically of peas, beans, pulses, which are traditional and accepted protein foods of many countries.

Improvement of wheat foods by supplementing with commercially available amino acids.

A.I.D. is engaged in training people to run feeding programs in Latin America. We were pleased with the sharp increase in the number of workshops held this past year and the number of people trained. A.I.D. is contracting with Columbia University to create a curriculum for the training of non-technical people at mid-level—a practical course in nutrition for those who run programs in the villages and cities.

We have signed an agreement with the American School Food Services Association which has 48,000 members who will be available for technical assistance in any program in Latin America. One team is already to go out. Another arrangement has been made with the Institute of Food Technology to consult on special assignments.

In grass root education, new audio-visual aids have been developed for Operation Ninos. They will be shown here on Friday.

Now, I have talked primarily on new approaches, new emphasis, and new attitudes of our government.

What is even more encouraging to me, however, is the greatly increased interest being shown by the agri-business community in our country in the entire broad range of the war on hunger—and more particularly, in the specific field of combatting child malnutrition by stimulating development of food-processing industries in food-deficit countries.

Governments cannot lick this problem alone. We need the initiative and ingenuity and years of experience of the private sector and the entire food production, food processing and food distribution field.

It is gratifying to note the interest of the fertilizer, pesticide and farm equipment industries in the United States, as well as worldwide, in actively supporting the war on hunger.

It is also gratifying to note the keen interest and active support of our country's great food-processing industry in meeting the challenge of combatting child malnutrition worldwide. They agree that the challenge can only be effectively met by establishing a viable food-processing industry in developing countries themselves—a food industry dedicated to the development of formulated foods geared to local taste preference and acceptance, and based at least in part on locally available food ingredients.

Formulated foods, such as Incaparina and Peruvita, have made great headway in the last year. Not only foods developed by U.S. firms, but South Africa's Pro-nutra, Hong Kong's Vita soy and Nestle's Fortifex, have emerged as major new products.

Yet only the surface of the potential market has been scrapped.

Just a few weeks ago, top executives of many of the major U.S. food processing firms met at the Harvard Graduate School of Business Administration to discuss this very issue—what further steps they could take to combat malnutrition, by expanding private enterprise in the food processing field to the many areas of the world most urgently needing such industries. They expressed great interest in expanding investment in this field. They recognize their responsibility to help transfer their experience and know-how to other countries. On the other hand, they also emphasized, quite rightly, the necessity for developing countries to establish the right climate of encouragement to private investment in the agricultural business complex—from fertilizer production through food processing to food retailing.

We have offered these food firms our cooperation in financing feasibility studies and in providing investment guaranties. We have also outlined to them a new proposal that could make available, through cooperating countries, donated U.S. food ingredients to private enterprise to assist in the production of formulated foods, for both commercial market and welfare distribution programs. Such a program can be developed. But to achieve success, it will require the cooperation of governments of developing countries with private enterprise food processing firms.

There are many ways in which private enterprise can help advance our war on hunger. One U.S. company has outlined in detail a suggestion for encouraging establishment of a network of community canning centers that could go a long way toward upgrading local diets. Such centers could be an excellent self help effort of the local community to preserve more of its own food production, rather than allow any of it to go to waste.

All such ideas need exploration and encouragement. The task is so big that no stone must be left unturned.

We are pleased that this growing interest is not confined just to U.S. firms. It is rapidly becoming international. We are gratified, for example, that Nestle International, one of the world's largest food firms, has just announced in Switzerland an investment of $4.6 million in a new foundation dedicated "to improve the food situation in nations where malnutrition and hunger still exist."

Many international concerns are also cooperating with industry advisory committees of FAO. Both the Food and Agriculture Organization and the World Health Organization of the United Nations are taking a more vigorous interest in combatting child malnutrition. We also welcome the fact that a special panel on the problems of how to get nutritious food to the pre-school child will be held in advance of the 6th International Nutrition Conference scheduled for Germany this summer.

Certainly you in Latin America are helping to show the way.

We should all be proud of what you have done in your own countries under Operation Ninos. Our reports indicate an additional one million pre-school children were reached under this program in the past year. This is a 50 percent increase to 3¼ million pre-school children now being reached by your program. The gain is all the more significant because it is a difficult group to reach. When added to the additional millions of school age young people getting some supplemental feeding each day in Latin America, it is an impressive record. Operation Ninos has shown the world it can be done.

We all hope that new steps forward will cope out of this conference. We must put our knowledge to work.

This is your conference, and it is your decisions and recommendations that are really important. However, let me just suggest five points of emphasis that I feel would make a significant contribution to advancing the war on malnutrition. Here they are:

1. Make sure your own governments are giving the attention they should to your own agriculture—attention that includes incentive, technical and credit help to the producer, as well as creating a favorable climate to development of private sector agribusiness support so necessary for effective development.

2. Make sure your own governments are giving the support health and education ministries need to expand programs combatting child malnutrition.

3. Make sure your own private enterprise groups are aware of the seriousness of the challenge of child malnutrition, and are applying *their* own initiative and ingenuity to making the right kind of food products readily available to mothers in the commercial channels of your country.

4. Make sure that the door to investment opportunities is kept open to food processing firms of developed countries, who are willing to share with you the task of upgrading the quality and availability of formulated foods for children in your country, thereby lessening your dependence on food from outside sources.

5. Make sure that adequate methods are devised for coordinating public and private efforts toward your common goal of combatting malnutrition, so the maximum resources can be mobilized and brought to bear on this problem. This includes, of course, working closely with the great humanitarian-motivated voluntary agencies.

There is no simple, single answer. There is no *one* answer that meets every problem—every need. But there are multiple answers, and the task is of such magnitude as to require multiple efforts. Our knowledge and awareness cannot nourish our children, if it is allowed to gather dust. It must be put to work. There is no shame in need; the only shame is in turning an official back or dead ear on need.

The important thing is to move forward.

The late President Kennedy said, "Let us begin." We have begun—in Operation Ninos.

But as President Johnson said, in picking up the torch of leadership when Kennedy was taken from us, "Let us continue."

Let us continue—together—for the sake of our children, for the sake of our countries, for the sake of all humanity.

Mr. TALMADGE. Mr. President, as evidence of the impression that talk made, I would like unanimous consent to have printed at this point the text of the telegram sent to Mr. Waters on behalf of 17 million Central and South American "Ninos."

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C., *June 24, 1966.*

Hon. HERBERT J. WATERS,
Agency for International Development,
Washington, D.C.:

Your speech at the Conference of the Americas on Malnutrition as a vital factor in development provided an acute stimulus to all of the delegates assembled in Panama City. Through them, our representatives, we the 17 million children of the Americas participating in program made possible through the food-for-peace program wish to extend thanks from our heart to you your colleagues in the Agency for International Development in the U.S. Senate and in the House of Representatives and to the American people for this assistance. We hope that your Government in a renewed expression of its wisdom will see fit to promulgate a law which will permit expanded programs to assist us and our needy brothers and sisters who want only a chance in life to survive the early difficult years so that with strength education spirit and hope we can grow into adults and work for the betterment of ourselves and our nations. With gratitude and love from 17 million Ninos of Central and South America.

CHALLENGES OF THE SPACE AGE

Mr. TYDINGS. Mr. President, Dr. Edward C. Welsh, executive secretary of the National Aeronautics and Space Council, delivered a very illuminating address before the Churchmen's Club in Baltimore last month on "The Meaning of the Space Age."

In his talk, Dr. Welsh goes beyond the idea of "If we don't do it then the Russians will" to treat the broader challenges and possibilities of the discovery and exploration of space. Space is clearly our newest frontier, not only in terms of the physical phenomena of space but also the technological revolution wrought by its conquest. The implications of the new age, not only for transportation and communication but for human values, the social order and a peaceful world are examined in Dr. Welsh's talk.

Mr. President, I ask unanimous consent for the inclusion of this address at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE MEANING OF THE SPACE AGE

(Address by Dr. Edward C. Welsh, executive secretary, National Aeronautices and Space Council)

It is a pleasure and a privilege to talk with such a distinguished group this evening. I am aware of your intelligent interest in the major forces which mold and influence the course of our society. The national space program fits that characterization and will continue to be such a factor far into the future. Hence, I hope to engage your attention for a sensible period of time, to speak about the significance of this technological revolution and to suggest its benefits and its challenges.

A NATIONAL COMMITMENT

The national space commitment is the largest concerted effort undertaken by any nation to advance the frontiers of human knowledge. Combining as it does industrial, academic, and governmental resources, it has given us an advanced technology second to none. Currenty, the only other nation with comparable technological creativity is the U.S.S.R., which seems to be devoting a bigger percentage of its smaller gross national product to space than we are. Such application on their part gives added weight to the thesis that vigorous space activity is beneficial, since the Soviets pride themselves on being a practical people.

In all, our space commitment is a multidimensioned national mission whose scientific, technological, spiritual, and political connotations go to the very core of our national character. Its impact permeates all aspects of our society. Its energizing force is felt throughout our economy, our educational structure, and in our relations with other nations. It is a seedbed of invention, a spur to our productivity, a source of insurance for our national security, a stimulus to learning, and a worldwide ambassador for peace.

Because of it, our chances of improving medical research and finding a cure for cancer or for heart disease are greater—not less. Because of it, our chances of improving our educational system and solving a vast range of social problems are greater—not less. The truth is that the issue is not space progress instead of progress in some other worthy field, because the space program contributes importantly to advances in practically all other lines of endeavor, and its stimulates the national economy at the same time. We are wealthier, not poorer, because of the space effort.

When the challenge of the space age was posed, we had a choice whether to accept it or to reject it. We delayed a bit and then we chose to accept it, and that decision was indeed wise.

A society cannot remain great and strong if it ignores the major challenges with which it is faced, particularly when so much of the dynamics of our modern economy is associated with technological advance. Already new knowledge which we have obtained from space has revolutionized communications, energy conversion, power generation, transportation, geodesy, navigation, and weather prediction, to mention but a few of the many areas of application.

PROCESS OF DISCOVERY

All told, the United States has successfully launched nearly 400 satellites, including in that number a few lunar and interplanetary probes. Each day the Goddard Space Flight Center in nearly Greenbelt tracks some 33 active satellites Each day, nearly 200 miles of data tape pour in from these space orbiters to the Operations Center. From this great fund of knowledge, scientists have discovered the radiation belt which surrounds the Earth at a height ranging from roughly 400 to 40,000 miles. Beyond it are the great solar winds that blow through space at 200 to 500 miles per second. Huge plasma clouds have been detected which, periodically rising from the Sun, stir this wind into magnetic storms which in turn penetrate all interplanetary space and sometimes disrupt radio communications and affect weather conditions here on Earth.

The very fact that we are doing and learning so many marvelous things in space constitutes a great adventure of the mind and spirit. In a sense, the space program may be likened to the building of a cathedral. It calls upon the skills, talents, contributions, as well as the prayers of so many throughout the length and breadth of our land.

Our nearest neighbor in space is the Moon—about 240,000 miles distance. The nearest planet is Venus—26 million miles, next nearest Mars—49 million miles. The farthest in our solar system is Pluto, about 3680 million miles from the Sun. Beyond that the nearest star, other than our Sun, is 25 million million miles away.

Such is man's special endowment to grapple with the unknown, to penetrate what have long been mysteries of nature and to absorb them into a system of human understanding, that his drive to span such vast distance is both inevitable and inexorable.

Thus far, our manned space efforts have been restricted to fairly close Earth orbits. And the wonders of space travel experienced by our astronauts have been but a foretaste of things to come. There is little doubt that the increasing flow of knowledge and sense impressions, new experiences and new emotions which will come from deep space travel will have a profoundly sitmulating effect on the human spirit. In fact, it is hopefully possible that the opening of the space frontier will help sweep away much of the neurotic, sick decadence of our times, which to a degree stems from lack of new challenges.

Furthermore, if we do not go out into outer space, our entire culture would suffer a real deprivation. For here are materials for the imagination and the nourishment of new and exciting art forms which are desperately needed if we are to experience any significant renaissance of man's creativity.

Glorious as such an era promises to be, one should expect challenging and possibly disturbing reexaminations of established beliefs, including some long-cherished philosophical and religious tenets.

SEARCH FOR LIFE

One of the many exciting goals of space exploration is that of determining whether life exists on other planets. Such a search illuminates an aspect of space exploration which has profound meaning both for science and theology. It takes courage to search for the truth and even more courage to accept it once it has been found.

Sooner rather than later, space exploration will be presenting us with stubborn and disconcerting facts. Among these may be confrontation with life forms, certainly different and possibly more intelligent and gifted than our own. I do not say such life forms do exist, but I suggest that we need be prepared for the possibility. Incidentally, I am not referring to the flights of imagination stimulated by so-called sightings of unidentified flying objects.

It does not weaken my faith to question whether man is either unique or central in the scheme of things. If planetary systems like our own are common in the great reaches of space, and there are millions of star systems in the universe, then life may be quite common in the universe as a whole. I do not say that is the case, but I do propose that it may be. And if conditions favorable to life have prevailed longer elsewhere, other civilizations could be much further advanced than ours. This scientific question of the highest magnitude has profound implications for the way in which people think about themselves and their destiny. In the face of such an immense opportunity, what would be the moral and spiritual worth of a society which, having achieved the technical capacity to obtain such an answer, shrank from pursuing it?

Certainly religion and science can complement each other in discerning the infinite wonders of an infinite universe. As the eminent scientist, **Albert Einstein**, once philosophized: "Science without religion is lame; religion without science is blind."

THE FRONTIER OF SPACE

After all, space is not the terrifying vacuum we once assumed. Rather, it is a frontier with unlimited possibility. What new forces, powers, and discoveries will be disclosed to us when we reach the other planets or set up space laboratories cannot be predicted with confidence because they are far beyond our vision today. We cannot afford the intellectual arrogance of pretending that we know all that there is to know and that the exploration of the space frontier will bring us no surprises.

As we strive toward the complex objective of a manned lunar landing in this decade, we are accelerating the development of space competence on the widest possible front, motivating the managers, the scientists, and the engineers to move forward urgently in a way which could not be accomplished by a lesser goal. The major benefit is not having man set foot on the Moon, as important as that may be. Rather, it is the development of the capability to explore space combined with the will to do so. This stimulates the mind of man, while at the same time improving his material well-being.

The billions of dollars required in this effort are not spent on the Moon—they are spent in the factories, laboratories, universities, and offices right here on Earth. Space spending stimulates the economy with a multiplier effect. It is felt in the retail stores as well as the steel mills and aerospace plants. To become both parochial and practical—it is important to know that it has a major impact on the economy of those assembled here this evening.

SPACE APPLICATIONS

In communications we are rapidly developing Earth satellites to beam television programs, radio broadcasts, and phone conversations to every spot on Earth that is equipped to receive them.

In not too many years, live television shows will be beamed into our homes from all points of the globe. We will be able to see important news when it happens. Likewise, the same news may be printed simultaneously in Berlin, Dallas, and Hong Kong. Businessmen in various parts of the world may hold special television conferences, looking at the same charts, pictures, or demonstrations; giant business machines and computers may be tied together across oceans, allowing a scientist in India to solve a mathematical problem on a computer in this country.

Our weather satellites are amazing devices which provide our specialists with a 450-mile-high view of clouds over large sections of the world. These weather pictures already have helped find storms that would not have been discovered for many days, thereby producing early warnings which save countless lives and hundreds of millions of dollars in property. The value of future weather satellites cannot even be estimated, since they will provide early storm warnings against floods, tornadoes, hurricanes, and even invasions of insect armies such as locusts and grasshoppers.

In addition to both short and long-range weather forecasting, there are other benefits from these miracles of outer space. For example, we will be able to obtain early detection of forest fires, locate distressed ships and aircraft, track icebergs and estimate the extent of snow coverage for conservation and water management purposes. There is also the real possibility that information and understanding given to us by weather satellites may some day help us to modify and control weather.

At sea, the ancient method of observing the height of the stars and planets above the horizon is still used to calculate position. When heavy weather hides celestial bodies, as it will do for days at a time in the wintry North Atlantic, ship navigators cannot accurately state where they are. We have now in operation a series of navigation satellites which correct this deficiency. In addition to its value to our Navy, this competence can become a boon to commercial shipping, as a matter of both safety and economy.

Research designed to maintain the health of man in space is aiding his medical care on Earth. The output of the Space Age is revolutionizing the electronic and other essential equipment used in our hospitals. The condition of the sick can be monitored constantly by use of the same sensors that keep tabs on the physical well-being of astronauts in flight.

THIS CHANGING WORLD

No one can predict with assurance what the total practical benefits of space research will be. As has been the case in the past, so will future generations note that we were much too conservative and short-sighted in our predictions.

Applications from basic scientific discovery are coming with increasing rapidity. Who would have imagined just ten years ago that the marvels of the space age would have developed to the extent they have today. Then there was no space program, no space performance—and now look how far we have come.

So rapid is the pace of change that we must look ahead just to keep abreast of the current that leads us. Given the atom's almost limitless energy and the computer's almost limitless ability to remember and to organize, the future beckons to us as an era of almost limitless attainment. Within the next several decades one can confidently predict such developments as space ships ferrying tourists as well as scientists and explorers to space stations and to nearby planets; and aerospace planes spanning oceans and continents in tens of minutes.

But far more important than those technological miracles is the possibility that the space era may usher in a substitute for war—a permanent peace. Space activities can be a substitute for aggression, a bridge to understanding and identification of mutual interests, and a major tool of arms control and disarmament. In exploring the great universe around us, we may become free from the terrifying grip of parochial hatred and fears. It is this unquenchable thirst for knowledge that sets man apart from other creatures. Compared to the business of coercing and killing his own kind, the challenge raised by crossing old frontiers into outer space is infinitely to be preferred. Moreover, not only will man's mind and emotions be directed from greed and brutality to exploration and discovery, but man's material resources, his laboratories, his shops, his skilled talents will move from producing weapons of war to instruments of space. I am indeed an optimist as is everyone who has faith!

The impact of the space age will pose challenges to thinking people everywhere to bring our technology and our ethics into wholesome relationship so that we will handle wisely the fast developing new power to control both the performance and the characteristics of man. If we are wise, for the first time in history we will be able to use this new found knowledge productively and not follow the fates of ancient Egypt, Greece, and Rome where technology grew and morals deteriorated. Not only have new discoveries enlarged and ennobled man's spirit, but already the new knowledge acquired in space exceeds by far the value of the funds so far expended. New knowledge, far more than more guns, is the true test of the worth of a modern state.

CONCLUDING OBSERVATIONS

As concluding observations concerning the matters I have been discussing, I suggest the following for your contemplation.

First, the material advantages of the space program are now substantial and in the future will become manifold. In addition to the many direct benefits, I also include the indirect contributions which can help solve social problems such as urban transportation, air and water pollution, and similar cancerous features of our so-called highly developed society.

Second, our increasingly automated society, including its educational system, will continue to improve in supplying facts and making available on a timely basis the relevant portions of accumulated knowledge as well as the citations of recorded thoughts and intelligent sayings.

But, third, such technology and such automation cannot raise our social, educational, moral, or religious values. Such factors depend to a great degree upon the individual—his faith, his understanding, and his regard for the welfare of others. However, while science and technology are unable to direct such improvements, we should not overlook that science and technology do increase the opportunity to make improvements. Where there is more leisure, more accumulated knowledge, and greater understanding, there is also increased opportunity to improve character and raise human values. Certainly, the opportunity which such progress gives toward the elimination of war is an impressive justification for the entire space program.

The only real choice which remains is whether we act in harmony with, and in appreciation for, meaningful aesthetic and social values, or whether we deny such values and thereby encourage chaos and moral decay. We have the means. How we apply them depends in the last analysis on the ethical and moral guidelines of leaders such as yourselves.

CANYONLANDS NATIONAL PARK IN UTAH

Mr. MOSS. Mr. President, in case some of my colleagues missed, during the recess, the excellent article on the new Canyonlands National Park in Utah which appeared in the Washington Post on Sunday, July 3, I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD.

The article was written by Merlo J. Pusey, a former Utahan, who is on the editorial staff of the Washington Post. Because of the region's inaccessibility, Mr. Pusey hardly knew it existed when he was growing up in Utah. Now he has found in it indescribable beauty and wonder, which he has gotten down in words almost better than anyone else who has seen it. He has also discussed the areas which I hope to add to the park through the introduction of legislation to extend the park's boundaries. I commend to you very highly the splendid article on a "New National Park Is for the Hardy" written by Merlo J. Pusey.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW NATIONAL PARK IS FOR THE HARDY

(By Merlo J. Pusey, Washington Post Staff Writer)

SQUAW FLAT, CANYONLANDS.—The land was good for nothing—nothing but a playground for the winds and a studio for nature's greatest sculptress: water. For eons, its wild chasm terrain welcomed the eagle, the bighorn sheep and the lizard but repelled civilized man. Now at last it is yielding in some minor degree to the insatiable curiosity of man, and a new national park is born.

"Canyonlands" it is called for want of a word to express the inexpressible. On the map, you will find it at the confluence of the Colorado and Green Rivers in southeastern Utah. But that is only a vague clue to the nature of this maze of bewildering shapes, fantastic vistas and inhospitable canyons. Here nature truly exhibits some of her most extravagant aberrations.

The area had no part in the winning of the West, although some of its seemingly impenetrable jungles in stone were hideouts for outlaws in the days of six-shooter justice. The westward flow of civilization passed it by for the simple reason that man could not cope with its precipitous gorges within gorges.

DECEPTIVE DISTANCES

Now, however, the qualities that made it a no-man's land are drawing thousands of wonder-seekers into this wilderness of broken globe crust. Congress created a national park here in 1964. Today, the National Park Service is struggling with relatively meager resources to accommodate an increasing number of visitors to the Island of the Sky, the unique Needles district and some of the fabulous grabens or sunken valleys. This mystery land of red sandstone and unlimited surprises may in time become one of the best-loved national parks.

You will not find here the breathtaking beauty of Yosemite Falls or the colorful magic of Yellowstone Canyon. This is rugged country. Its distances are vast. Sometimes it is necessary to travel several hundred miles to reach a fascinating butte that may seem to be within easy walking distance. It is the unpredictability of the terrain and its stubborn resistance to man that give it much of its charm.

Yet nothing that can be said about it will characterize Canyonlands as a whole. Its skyline plateau between the Colorado and the Green is almost a different world from its fantasy of pillars, towers, statues and picturesque amphitheaters in the southern part of the park.

Its upper-level views into the depths of the river gorges from an elevation of about 6,000 feet above sea level are very different from the scenes on the White Rim or median level in the park. This in turn is very different from the river level at 3,950 feet. Wherever you go in Canyonlands, you will need to be alert for unexpected manifestations of nature's whimsy.

IMAGINATION RUNS WILD

Arches are counted by the dozens. Endless numbers of rocks of weird shape are balanced in precarious positions on neatly sculptured pillars. Some statutes strikingly resembling human shapes seem to be balancing rocks on their heads. An imaginative visitor can see giant organs, cathedrals, ornamented gardens and castles in addition to the Needles, the Wooden Shoe in stone, the Doll House and the arches to which names have been given.

Some visitors are so overwhelmed by the plethora of striking views that they are said to be "red-sandstoned out." Others experience a kind of shock resulting from a new sense of the insignificance of man and his works against the earthshaping forces in evidence here.

This is quite possible even for those who stay on the dirt roads that an ordinary automobile can traverse.

Really to see Canyonlands, however, one must go on foot or horseback or hire a jeep that can climb a roadless mountainside or follow the dry bed of a stream.

In the northern end of the park, approached from Moab, you can reach the Island in the Sky, Upheaval Dome and Grandview Point by car. This high country affords spectacular views into both the Colorado River and Green River gorges. At The Neck, 40 feet of fence controls cattle grazing on some 40,000 acres because the canyon walls on all sides are too precipitous for the cattle to escape.

Grandview Point offers a panoramic view of the White Rim below and of the wild area where the two rivers meet, although the confluence itself is not visible. A jeep trail on the White Rim overlooks the lower gorges at many points, but this is a two-day trip of 80 miles which attracts only the hardiest visitors.

WIND-SCULPTURED ARCH

In the southern part of the park, approached from Monticello, you can drive your car as far as Squaw Flat, where there is a public camping ground. Here again it is necessary to resort to jeeps or specially built trucks to see the most spectacular features.

You may, for example, ride a four-wheeled leaping lizard up the bed of Salt Creek to Angel Arch. Water and wind have shaped a magnificent arch of stone as if it had been clay in a master hand. Only a few thousand people have seen this remarkable piece of sculpture. Indeed, it was known only to Indians and local cowboys until its discovery as a scenic treasure in 1955.

A side trip into Horse Canyon brings into view additional arches (including Paul Bunyan's Potty) and some well-preserved Indian ruins in a cave. Relics of an ancient culture are found in many parts of the park. The prehistoric Pueblos left innumerable pictographs and rock carvings in caves and under overhanging rocks.

From Squaw Flat, another jeep trail leads to picturesque Elephant Canyon and Devil's Lane, a type of box canyon with a stream bed bottom and vertical walls known here as a graben. Devil's Lane gives access to Chesler Park in the heart of the Needles country. Chesler gives the impression of a Roman ruin, but on a scale that miniaturizes any work of man.

"MISSING" PIECES

Although the park covers 257,640 acres and baffles the visitor who tries to see it all, many newcomers are shocked to learn what has been left out of Canyonlands. One of our first visits was to Dead Horse Point, in many respects the most spectacular "sky island" overlooking this part of the Colorado River, yet it is not a part of the park.

For some years it has been a state park, but Utah appears willing to give it to the Nation as a part of Canyonlands. It lies adjacent to the northeastern corner of the National Park and is an integral part of the scenery.

The Shafer Trail from The Neck and the new state scenic highway to Moab follow a ledge on a sheer cliff about 1000 feet high and then wind down an almost vertical wall with switchbacks so sharp and grades so steep that drivers with little experience in the mountains turn pale. The views are spectacular, but most of them are outside the park.

On the west side of the park, the boundary was squeezed in the center so that not much more than the confluence of the two rivers is included. For convenience's sake in drawing a legal boundary, Congress followed section lines, resulting in the exclusion of even some of the White Rim. Excluded also are the Maze (a wilderness of chasms unlike anything else in the world) and such interesting phenomena as the Doll House (about 20 acres of almost solid stone) and the Four Things.

REDUCED BY COMPROMISE

The original concept was to create a Canyonlands National Park of about a million acres between La Sal Mountains on the east and the Henrys on the west. Local pressures from miners and cattlemen forced a series of compromises. There is now no thought of going back to the original proposal, but Sen. FRANK E. MOSS (D-Utah), the chief sponsor of the park in Congress, is trying to secure amendments that would bring in Dead Horse Point, the Maze, and other features.

Much concern is also expressed here about preservation of the Indian murals in Barrier Canyon near the western boundary of the park. These are some of the finest pictographs of the Fremont culture to be found anywhere.

More urgent than extension of the boundaries, however, is development of the area already in the park. Funds are in hand for construction of an approach road into the Needles section and for improvement of a bad stretch of road on The Neck. Plans call for the extension of a usable road to the confluence of the rivers next year and into Chesler Park by 1969.

Another major undertaking is the drilling of wells to provide water for visitors. This is semiarid country. For the most part, visitors have to take water as well as food with them. There will be no motels in the park, but ample accommodations may be found at Moab and Monticello. Others will be built closer to the park boundaries if satisfactory water supplies can be found.

In its present state of development, Canyonlands has a special lure for "jeepers." Commercial jeep tours are also available. The most extensive tours involve overnight camping, and unless one is prepared to rough it, he is likely to be disappointed. Canyonland's rewards are for the hardy.

Jeeping in such rough country sometimes results in ripped tires and stalled motors, but such accidents are no tragedy. Visitors are required to register as they venture on trips into the remote sections, and if they do not return on schedule, park rangers hasten to the rescue.

Indeed, the rangers add much to the pleasures of visiting Canyonlands. Our party observed Chief Ranger James A. Randall, District Ranger Robert Donnegan in the northern section of the park, Ranger Jerry Boggs at the Needles headquarters and several others in extraordinary acts of courtesy.

Canyonlands has become a new center of a much larger scenic region. Nearby is the Arches National Monument with its weird pinnacles, spires, towers, red stone statuary and balanced rocks. Farther south is the Natural Bridges National Park, which is poorly served by roads.

Dozens of other scenic spots lure the motorist as he approaches the area where Utah, Colorado, Arizona and New Mexico meet. It is a strange land whose deserts are repelling to many, but the lure of the unknown is powerful here. You come to the Land of Standing Rocks not so much for relaxation as to satisfy an inner urge for acquaintance with what this old globe has produced.

THE LONELINESS OF THE PRESIDENCY

Mr. INOUYE. Mr. President, the agonizing loneliness of the Presidency is well known to few men now living. One of these men, of course, is President Lyndon B. Johnson.

One of the loneliest moments came recently when the President made his decision on the bombing of oil storage depots in Hanoi and Haiphong.

Writing in the July 8 issue of Life magazine, Mr. Hugh Sidey outlines the background of historical events, coupled with the President's personal experiences, which led to the ultimate decision to order the oil strikes.

Mr. Sidey's article points up the extreme care and caution which goes into the final execution of such an attack. If there are no objections, I respectfully request that the article be printed in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PRESIDENCY—DECISION OF MIND AND EXPERIENCE, NOT OF HEART AND HOPE

(By Hugh Sidey)

The President was the loneliest man in town when the news of the oil-dump bombings at Hanoi and Haiphong came out. His old friend Prime Minister Harold Wilson walked away from him. His Senate enemies redoubled their criticism. The pundits fulminated. It was no wonder that when stocky, cocky Harold Holt, Australia's prime minister, came by and declared himself—Vietnam and all—"an admiring friend, a staunch friend, that will be all the way with L.B.J." that the President looked as if he might reach down and hug the tough little Aussie.

The inner anguish of raising the ante in the Vietnam war was deep and genuine in Lyndon Johnson. He would rather sit and talk about running rural electrification lines down the Mekong valley than plan a military campaign. He is inextricably bound up with those human schemes Franklin Roosevelt introduced and just about all the others that have come along since. He is, in his soul, a dove.

But in running the Vietnam war, Johnson places mind over heart, experience over hope. In 35 Washington years he has been with the great men who made the major decisions of the day or—as congressman, senator, Vice President and now President—has participated in them. He is without doubt the most experienced head of state in power. It is from this experience that his decisions flow.

He is no history buff who has studied the great forces of civilization or even bothered to read much about military campaigns or the political miscalculations of kings and courts. He feeds on contemporary experience, men and events he has seen and heard. Few historical heroes grace his walls. In his small private study just off the Oval Office are the pictures of Sam Rayburn, Herbert Hoover, Dwight Eisenhower, Franklin Roosevelt, Harry Truman, John Kennedy. They were and are flesh and blood to Johnson. He knows their mistakes almost better than he knows their triumphs and that is what guides him. He recalls the atmosphere in the House just before Pearl Harbor when renewal of the draft was saved by one vote. He remembers the hasty disarmament after World War II. And lately he has gone around talking about those "men with umbrellas," meaning of course the Neville Chamberlain types, who were failures at keeping the peace in their time. The Bay of Pigs disaster perhaps made the deepest impression on Johnson because he was then inside the White House. The theme of course, which was played out before Johnson through all these years was how weakness invited aggression, how hesitation brought miscalculation, how failure to take action one month made action doubly hard the next. All of this experience Johnson has stored away. It is his own encyclopedia which he can delve into and produce an amazing array of facts and figures, verbal color and biographies.

For months now Johnson has held firm in his conduct of the war under a mounting barrage of criticism and plummeting public support. What others tell him has not changed his mind. The debate over bombing the oil supplies went on for weeks in his innermost circle. One day, McNamara would come in with a convincing list of reasons for bombing. The next day he might be back with an equally cogent list of reasons against it. Dean Rusk, for the most part, was not for the bombing unless the military necessity was clear. In the end, he agreed that it was.

That the action was coming has been plain for some time. Johnson does not reach one decision in these things but an entire sequence of decisions. He starts first with a gut feeling, then reaches a state of mind which for all practical purposes decides the issue. But then he reviews and re-reviews. When he puts his order in the works, it is still contingent on last-minute approval. One night with time running out, Johnson paused to reflect: "There are a lot of people who can recommend—a hell of a lot of people who can recommend," he said, "But there's just one man who can act on the recommendation."

Although it appears certain that a news leak altered the attack schedule some, there was never a doubt that anything short of peace feelers from Hanoi could hold it up. As the time for the strike approached, Johnson—as he does when most major decisions are involved—grew intensely busy physically, but almost serene mentally. He charged through the White House the day before the bombers went, sneaking cookies from one of Lady Bird's receptions, prodding his aides to faster pace, churning the appointments, giving speeches on Medicare and the status of women.

Underlying his decision is the fact that the President feels this could be the crucial time in the war. The bombing is just a bit more pressure—almost as much political as military—applied to the Communists when they are already being terribly mauled. It might be that extra measure which would tilt the balance for peace, the extra measure which Lyndon Johnson has seen lacking so many times in his public career.

The President was awake in his bedroom until 3 a.m. the day of the strike, on the phone to the situation room in the White House basement. He checked the bombers as they came back. The Navy planes got back to their carriers safely, all of them. And all the Air Force planes got back to their bases except one. At the end of the long, wearying night the President said: "It's incredible. It's really incredible that this could happen and only one plane lost."

BIRTH CONTROL GAINS IN RURAL SOUTH

Mr. TYDINGS. Mr. President, one of the major obstacles to family planning among rural Americans has been the difficulty of effectively channeling modern birth control information to them.

Recent experiments conducted in southern Alabama and eastern Kentucky show, among other things, that informed local residents, spreading information by word of mouth, are generally more effective than polished professionals.

The experiments have broad implications for the whole question of population control. I ask unanimous consent for the inclusion of a New York Times article, "Birth Control Gains in the Rural South" by Roy Reed, at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIRTH CONTROL GAINS IN THE RURAL SOUTH

(By Roy Reed)

BIRMINGHAM, ALA., March 25.—Experiments being conducted in two Southern states indicate that rural Americans, both white and Negro, can be induced to adopt modern birth control if information and materials are taken to them systematically and rationally.

The experiments are in 13 Black Belt (named for rich, black, limestone-derived soils) counties of southern Alabama, heavily populated by rural Negroes, and eight Appalachian Mountain counties of eastern Kentucky, inhabited largely by rural whites.

The experiments have implications for the worldwide effort to harness population growth since a preponderant majority in the "population explosion" areas of Asia, Africa, and Latin America are rural.

The studies have uncovered no magic formula for reaching stand-offish country people. Success apparently depends on a variety of factors. However, one key seems to be the use of local residents, instead of polished, professional outsiders, to spread information by word of mouth.

It is too early to measure the results precisely, but researchers hope to do that in a final report by the end of this year.

Dr. Thomas J. Bogue, who is directing the studies, is director of the Community and Family Study Center of the University of Chicago.

"I am confident," Dr. Bogue said, "there will be a substantial effect on the birth rate."

The experiments are being financed by the Population Council, of New York, and are being conducted with the cooperation of the Planned Parenthood League of Alabama, the Alabama Department of Public Health, the University of Kentucky School of Medicine and several private physicians.

PERCEPTIBLE PROGRESS

They are being conducted through public health clinics in Alabama and through private physicians' offices and clinics in eastern Kentucky.

A preliminary report showed that in the 13 Alabama counties, the number of new "family planning patients" had risen from 407 in the first quarter of 1963—before the experiment began—to 1,903 in the first quarter of 1965, after the experiment had been in effect for a year.

The experiment attracted 978 women in Kentucky, and at least 771 stayed with it.

Dr. Bogue said that to his knowledge the Alabama and Kentucky experiments were the first efforts to influence rural birth rates in this nation in a short time, even though the rural birth rate is 15 to 20 per cent higher than that in urban areas. The Planned Parenthood Association of America concentrates almost exclusively on urban populations, he said.

Old wives' tales seem to be one of the main obstacles to acceptance of birth control in rural areas.

Mrs. Sinolia Mike, a Negro family planning social worker, with the Birmingham Planned Parenthood program, said that in her travels in Alabama she often encountered Negro women who believed that they should "breed again" to cure some physical ailment.

OLD WIVES TALES

"You'll hear a woman say, 'I think maybe I should have another child and then I won't have this pain under my heart,'" Mrs. Mike said. "Or they'll say, 'The Lord put me here to have babies.'"

To spread information effectively, the experimenters have hired a "family planning educator" in each Black Belt county. The educator is a Negro woman who is widely known, liked and respected in the community, a person able to talk informally with the women visiting the health clinics.

CHILD NUTRITION

Mr. BYRD of West Virginia. Mr. President, I wish to add my endorsement to Senate bill 3467, a bill to amend the National School Lunch Act by expanding the food service programs that are offered to schoolchildren in the country. The bill incorporates a measure which I was happy to cosponsor to make the school milk program permanent and to maintain its authorization at a high level. It also contains many of the fine features of the Child Nutrition Act which was proposed earlier this year.

Coming from the State of West Virginia, which shouldered what may go down in history as the greatest employment hardship anywhere resulting from technological progress, I know the value of these school food service programs.

I cannot emphasize too fully the effect which the Federal school milk program has had upon youngsters—not only in West Virginia—but also in all other States. By offering these children milk at prices within the allowances of their families, we have contributed, perhaps, the most important element of their physical growth. It has given them nutrition which they may never have received had it not been for the program.

In West Virginia alone, 250,169 students are enrolled in primary and secondary schools participating in the program. The estimated $102 million that will be spent nationally on the program during fiscal year 1966 has meant a contribution of $586,000 to West Virginia.

Currently, West Virginia receives about $2.4 million for the school lunch program. It is also anticipated that West Virginia will share in breakfast funds, as they are to be allocated on the basis of average family income in each State, compared to the national average.

Under the milk program, the youngsters have been able to buy milk—when they can afford it—for as little as 2 or 3 cents a half pint. Without this Federal aid, the cost will jump, perhaps, from 7 to 10 cents for the same half pint.

I would like to note a statement made by the president of one parent-teacher association at Huntington, W. Va. He said:

> Many of our children depend upon this milk for the nourishment that is needed to keep them in chool. Without proper nourishment our children lose interest in school and these children are our potential dropouts.

I believe we are making great strides in the economic recovery of Appalachia. We are planning new roads and airports to open the area to tourists and businessmen. We are seeking new industries for our unemployed. This program of offering low-cost food to our youngsters represents a major factor in preparing the people of Appalachia for the future. Our youngsters are the future. To help them meet the challenges, we must offer the proper foods for their good health.

MOST WELFARE RECIPIENTS EARN THEIR KEEP

Mr. MOSS. Mr. President, I find that one of the most persistent misconceptions existing in my State of Utah is that welfare payments are handed out to individuals who refuse to work in order to qualify for assistance. When I was at home recently over the 4th of July recess, several citizens in their discussions with me expressed their dissatisfaction with the "handout of money" to people who refuse to work. Some were quite vehement in their insistence that there were many, many people who simply sat down and refused to work while drawing welfare.

Consequently, I was pleased to see an article written by Arnold Irvine, which appeared in the Deseret News on Thursday, July 7, 1966, discussing this problem. He points out that in Utah there is a requirement that those people seeking welfare, work to the extent that they are able. And it is pointed out that in Salt Lake County, which is the largest county in our State, populationwise, 100 percent of the employables on welfare assistance are participating in work projects. Moreover, Mr. Campanaro is quoted as saying:

> People like to work. They don't like to be taken off the projects.

This has been my observation from personal experience. I believe that people do indeed, like to work. They would much prefer some activity and the feeling of importance that comes from giving services for support received.

I ask unanimous consent that the article to which I have referred be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MOST WELFARE CASES EARN THEIR KEEP

(By Arnold Irvine)

"Why don't they make these people on the welfare rolls work for what they get?"

This is a question that employes and officials of county and state welfare departments hear almost daily.

The answer they give is most able-bodied persons receiving welfare assistance ARE working to pay their keep. Only three counties, Beaver, Daggett and Rich, had no welfare work projects in 1965.

ONE HUNDRED PERCENT

"We have 100 per cent of the employables on welfare assistance participating in work projects," Jeano Campanaro said of the situation in Salt Lake County. He has had charge of work projects in the county and has just been appointed director of volunteer services.

He explained that those not considered employable include invalids, persons who are mentally incompetent and mothers with children to care for.

HIS PHILOSOPHY

"Any person who walks and talks and has two hands is capable of some kind of work," is the way Mr. Campanaro sums up his philosophy about welfare work projects.

The projects are all connected with governmental or other public agencies and include many types of work—janitorial, groundskeeping, street cleaning, construction labor, food handling, clerical, personal services, etc. The "etc." is limited only by the imagination of the caseworkers and the abilities of the clients.

SIDE BY SIDE

No regular paid employes of a department may be replaced with welfare clients. The welfare clients are supplemental workers that are employed where there is need for them but no funds to pay them. Yet the welfare people work alongside paid employes from whom they are indistinguishable, and make a worthwhile contribution.

In some instances, the projects are designed to benefit the welfare clients themselves.

For instance, many Indians on the welfare rolls in San Juan County are making cement blocks and building their own homes to replace primitive hogans. The Indians also are working on road crews and installing water systems.

Salt Lake County inaugurated a project of having women on welfare assistance make periodic visits to the homes of elderly welfare clients who needed special care and attention.

Sixteen women were given two weeks' training for this project in January. They were taught food preparation, shopping, budgeting, grooming, household cleanliness and other appropriate subjects.

ALL GAIN

Everyone involved has benefitted from the project—the visitors, the visitees and the taxpayers. Through the experience they gained and the contacts they made, half of the 16 women involved in the project have found gainful employment in nursing homes or private homes.

The women doing the visiting get satisfaction from helping others and the persons visited are greatly benefitted as well. For one thing, they do not have to be placed in rest homes so soon. This has saved the state thousands of dollars as well.

CREATES JOB

"If I don't have a project for a person who wants to work, I'll go out and create one," Mr. Campanaro said.

He told of placing a woman in the cafeteria of one of the public agencies. He had seriously considered committing her to the State Mental Hospital, but the people at the cafeteria were willing to try to help.

She responded surprisingly well to the work "therapy" and was hired as a regular staff member.

Another woman has become an assistant librarian after having learned the job on a welfare project.

LIKE WORK

"People like to work. They don't like to be taken off the projects," Mr. Campanaro said.

One project worker expressed herself this way: "It's the only thing I have that keeps me going. It makes me feel important in life."

The welfare clients' pay rate is figured at a dollar an hour so that an individual receiving $86 per month welfare assistance is expected to work 86 hours. Couples receiving $138 a month work 138 hours and so on.

THIRTY-DAY AID

Persons who refuse to work or fail to perform in a satisfactory manner may be discharged from the project. They become ineligible to receive aid for a period of 30 days. After this period, they may reapply for welfare aid provided they are willing to conform to the work requirements.

This situation seldom arises, Mr. Campanaro said.

No one seems to remember exactly when the concept of welfare work projects first was developed in Utah. They seem to go back to the forties. There are now about 150 projects in operation throughout the state involving over 900 workers.

So, Mr. and Mrs. Taxpayer, your welfare dollar in Utah is buying an hour of useful work in many instances and is helping some welfare clients become self-sustaining.

CANADIAN LEGISLATION PARALLELS PROPOSED "CONSCIENCE CLAUSE" AMENDMENT TO THE TAFT-HARTLEY ACT

Mr. JAVITS. Mr. President, on April 6, 1966, I introduced a bill, S. 3203, which would amend the National Labor Relations Act to insure that anyone whose objection to joining or paying dues to a union is based on religious belief would not be forced to violate such religious belief. This measure is identical to the amendment unanimously adopted by the Senate Labor Committee, with the concurrence of the AFL–CIO, during the committee's consideration last year of H.R. 77, the bill to repeal section 14(b).

It has come to my attention that the Parliament of the Province of Saskatchewan, Canada, has recently enacted section 5(1) of the Saskatchewan Trade Union Act, which contains provisions substantially the same as those in my bill. The Saskatchewan provision reads as follows:

> (1) excluding from an appropriate unit of employees an employee where the board finds, in its absolute discretion, that the employee objects:
>
> (i) to joining or belonging to a trade union; or
>
> (ii) to paying dues and assessments to a trade union; as a matter of conscience based on religious training or belief during such period that the employee pays:
>
> (iii) to a charity mutually agreed upon by the employee and the trade union that represents a majority of employees in the appropriate unit; or
>
> (iv) where agreement cannot be reached by these parties, to a charity designated by the board; an amount at least equal to the amount of dues and assessments that a member of that trade union is required to pay to the trade union during such period.

Mr. President, there now seems to be a growing consensus that this sort of amendment is appropriate and will not interfere with the legitimate rights of labor, and I would urge, once again, that the National Labor Relations Act be amended along the lines I have suggested.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL EMPLOYEES PAY ACT OF 1966

Mr. MONRONEY. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 14122) to adjust the rates of basic compensation of certain employees of the Federal Government and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Salary and Fringe Benefits Act of 1966".

TITLE I—EXECUTIVE BRANCH

Short title

SEC. 101. This title may be cited as the "Federal Employees Salary Act of 1966".

Employees subject to Classification Act of 1949

SEC. 102. (a) Section 603(b) of the Classification Act of 1949, as amended (79 Stat. 1111; 5 U.S.C. 1113(b)), is amended to read as follows:

"(b) The compensation schedule for the General Schedule shall be as follows:

"Grade	Per annum rates and steps									
	1	2	3	4	5	6	7	8	9	10
GS-1	$3,609	$3,731	$3,853	$3,975	$4,097	$4,219	$4,341	$4,463	$4,585	$4,707
GS-2	3,925	4,058	4,191	4,324	4,457	4,590	4,723	4,856	4,989	5,122
GS-3	4,269	4,413	4,557	4,701	4,845	4,989	5,133	5,277	5,421	5,565
GS-4	4,776	4,936	5,096	5,256	5,416	5,576	5,736	5,896	6,056	6,216
GS-5	5,331	5,507	5,683	5,859	6,035	6,211	6,387	6,563	6,739	6,915
GS-6	5,867	6,065	6,263	6,461	6,659	6,857	7,055	7,253	7,451	7,649
GS-7	6,451	6,664	6,877	7,090	7,303	7,516	7,729	7,942	8,155	8,368
GS-8	7,068	7,303	7,538	7,773	8,008	8,243	8,478	8,713	8,948	9,183
GS-9	7,696	7,957	8,218	8,479	8,740	9,001	9,262	9,523	9,784	10,045
GS-10	8,421	8,709	8,997	9,285	9,573	9,861	10,149	10,437	10,725	11,013
GS-11	9,221	9,536	9,851	10,166	10,481	10,796	11,111	11,426	11,741	12,056
GS-12	10,927	11,306	11,685	12,064	12,443	12,822	13,201	13,580	13,959	14,338
GS-13	12,873	13,321	13,769	14,217	14,665	15,113	15,561	16,009	16,457	16,905
GS-14	15,106	15,629	16,152	16,675	17,198	17,721	18,244	18,767	19,290	19,813
GS-15	17,550	18,157	18,764	19,371	19,978	20,585	21,192	21,799	22,406	23,013
GS-16	20,075	20,745	21,415	22,085	22,755	23,425	24,095	24,765	25,435	--------
GS-17	22,760	23,520	24,280	25,040	25,800	--------	--------	--------	--------	--------
GS-18	25,890	--------	--------	--------	--------	--------	--------	--------	--------	--------"

(b) Except as provided in section 504(d) of the Federal Salary Reform Act of 1962 (78 Stat. 412; 5 U.S.C. 1173(d)), the rates of basic compensation of officers and employees to whom the compensation schedule set forth in subsection (a) of this section applies shall be initially adjusted as of the effective date of this section, as follows:

(1) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at one of the rates of a grade in the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding rate in effect on and after such date.

(2) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at a rate between two rates of a grade in the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the higher of the two corresponding rates in effect on and after such date.

(3) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at a rate in excess of the maximum rate for his grade, he shall receive (A) the maximum rate for his grade in the new schedule, or (B) his existing rate of basic compensation if such existing rate is higher.

(4) If the officer or employee, immediately prior to the effective date of this section, is receiving, pursuant to section 2(b)(4) of the Federal Employees Salary Increase Act of 1955, an existing aggregate rate of compensation determined under section 208(b) of the Act of September 1, 1954 (68 Stat. 1111), plus subsequent increases authorized by law, he shall receive an aggregate rate of compensation equal to the sum of his existing aggregate rate of compensation, on the day preceding the effective date of this section, plus the amount of increase made by this section in the maximum rate of his grade, until (i) he leaves his position, or (ii) he is entitled to receive aggregate compensation at a higher rate by reason of the operation of this Act or any other provision of law; but, when such position becomes vacant, the aggregate rate of compensation of any subsequent appointee thereto shall be fixed in accordance with applicable provisions of law. Subject to clauses (i) and (ii) of the immediately preceding sentence of this paragraph, the amount of the increase provided by this section shall be held and considered for the purposes of section 208(b) of the Act of September 1, 1954, to constitute a part of the existing rate of compensation of the employee.

New appointments under Classification Act of 1949

SEC. 103. Section 801 of the Classification Act of 1949, as amended (78 Stat. 401; 5 U.S.C. 1131), relating to new appointments, is amended by striking out "grade 13" and inserting in lieu thereof "grade 11".

Postal Field Service employees

SEC. 104. (a) Section 3542(a) of title 39, United States Code, is amended to read as follows:

"(a) There is established a basic compensation schedule for positions in the postal field service which shall be known as the Postal Field Service Schedule and for which the symbol shall be 'PFS'. Except as provided in sections 3543 and 3544 of this title, basic compensation shall be paid to all employees in accordance with such schedule.

"POSTAL FIELD SERVICE SCHEDULE

"PFS	Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
1	$4,204	$4,343	$4,482	$4,621	$4,760	$4,899	$5,038	$5,177	$5,316	$5,455	$5,594	$5,733
2	4,552	4,701	4,850	4,999	5,148	5,297	5,446	5,595	5,744	5,893	6,042	6,191
3	4,919	5,085	5,251	5,417	5,583	5,749	5,915	6,081	6,247	6,413	6,579	6,745
4	5,331	5,507	5,683	5,859	6,035	6,211	6,387	6,563	6,739	6,915	7,091	7,267
5	5,697	5,888	6,079	6,270	6,461	6,652	6,843	7,034	7,225	7,416	7,607	7,798
6	6,113	6,316	6,519	6,722	6,925	7,128	7,331	7,534	7,737	7,940	8,143	8,346
7	6,545	6,763	6,981	7,199	7,417	7,635	7,853	8,071	8,289	8,507	8,725	------
8	7,088	7,323	7,558	7,793	8,028	8,263	8,498	8,733	8,968	9,203	------	------
9	7,665	7,920	8,175	8,430	8,685	8,940	9,195	9,450	9,705	9,960	------	------
10	8,345	8,628	8,911	9,194	9,477	9,760	10,043	10,326	10,609	10,892	------	------
11	9,221	9,536	9,851	10,166	10,481	10,796	11,111	11,426	11,741	12,056	------	------
12	10,202	10,549	10,896	11,243	11,590	11,937	12,284	12,631	12,978	13,325	------	------
13	11,274	11,663	12,052	12,441	12,830	13,219	13,608	13,997	14,386	14,775	------	------
14	12,427	12,859	13,291	13,723	14,155	14,587	15,019	15,451	15,883	16,315	------	------
15	13,736	14,210	14,684	15,158	15,632	16,106	16,580	17,054	17,528	18,002	------	------
16	15,179	15,707	16,235	16,763	17,291	17,819	18,347	18,875	19,403	19,931	------	------
17	16,793	17,380	17,967	18,554	19,141	19,728	20,315	20,902	21,489	22,076	------	------
18	18,530	19,145	19,760	20,375	20,990	21,605	22,220	22,835	23,450	24,065	------	------
19	20,525	21,210	21,895	22,580	23,265	23,950	24,635	25,320	------	------	------	------
20	22,760	23,520	24,280	25,040	25,800	------	------	------	------	------	------	------"

(b) Section 3543(a) of title 39, United States Code, is amended to read as follows:

"(a) There is established a basic compensation schedule which shall be known as the Rural Carrier Schedule and for which the symbol shall be 'RCS'. Compensation shall be paid to rural carriers in accordance with this schedule.

"RURAL CARRIER SCHEDULE

	"Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
Carrier in rural delivery service:												
Fixed compensation per annum	$2,391	$2,507	$2,623	$2,739	$2,855	$2,971	$3,087	$3,203	$3,319	$3,435	$3,551	$3,667
Compensation per mile per annum for each mile up to 30 miles of route	88	90	92	94	96	98	100	102	104	106	108	110
For each mile of route over 30 miles	25	25	25	25	25	25	25	25	25	25	25	25".

(c) Section 3544(a) of title 39, United States Code, is amended to read as follows:

"(a) There is established a basic compensation schedule, which shall be known as the Fourth Class Office Schedule and for which the symbol shall be 'FOS', for postmasters in post offices of the fourth class, which is based on the revenue units of the post office for the preceding fiscal year. Basic compensation shall be paid to postmasters in post offices of the fourth class in accordance with this schedule.

"FOURTH CLASS OFFICE SCHEDULE

"Revenue units	Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
30 but fewer than 36	$4,019	$4,152	$4,285	$4,418	$4,551	$4,684	$4,817	$4,950	$5,083	$5,216	$5,349	$5,482
24 but fewer than 30	3,715	3,837	3,959	4,081	4,203	4,325	4,447	4,569	4,691	4,813	4,935	5,057
18 but fewer than 24	3,064	3,168	3,272	3,376	3,480	3,584	3,688	3,792	3,896	4,000	4,104	4,208
12 but fewer than 18	2,407	2,485	2,563	2,641	2,719	2,797	2,875	2,953	3,031	3,109	3,187	3,265
6 but fewer than 12	1,736	1,791	1,846	1,901	1,956	2,011	2,066	2,121	2,176	2,231	2,286	2,341
Fewer than 6	1,398	1,443	1,488	1,533	1,578	1,623	1,668	1,713	1,758	1,803	1,848	1,893".

(d) The basic compensation of each employee subject to the Postal Field Service Schedule, the Rural Carrier Schedule, or the Fourth Class Office Schedule immediately prior to the effective date of this section shall be determined as follows:

(1) Each employee shall be assigned to the same numerical step for his position which he had attained immediately prior to such effective date. If changes in levels or steps would otherwise occur on such effective date without regard to enactment of this Act, such changes shall be deemed to have occurred prior to conversion.

(2) If the existing basic compensation is greater than the rate to which the employee is converted under paragraph (1) of this subsection, the employee shall be placed in the lowest step which exceeds his basic compensation. If the existing basic compensation exceeds the maximum step of his position, his existing basic compensation shall be established as his basic compensation.

Employee in the Department of Medicine and Surgery of the Veterans' Administration

SEC. 105. Section 4107 of title 38, United States Code, relating to grades and pay scales for certain positions within the Department of Medicine and Surgery of the Veterans' Administration, is amended to read as follows:

"§ 4107. Grades and pay scales

"(a) The per annum full-pay scale or ranges for positions provided in section 4103 of this title, other than Chief Medical Director and Deputy Chief Medical Director, shall be as follows:

"*Section 4103 schedule*

"Assistant Chief Medical Director, $25,890.

"Medical Director, $22,760 maximum to $25,800 maximum.

"Director of Nursing Service, $17,550 minimum to $23,013 maximum.

"Chief Pharmacist, $17,550 minimum to $23,013, maximum.

"Chief Dietitian, $17,550 minimum to $23,013 maximum.

"(b)(1) The grades and per annum full-pay ranges for positions provided in paragraph (1) of section 4104 of this title shall be as follows:

"Physician and dentist schedule

"Director grade, $20,075 minimum to $25,435 maximum.

"Executive grade, $18,730 minimum to $24,355 maximum.

"Chief grade, $17,550 minimum to $23,013 maximum.

"Senior grade, $15,106 minimum to $19,813 maximum.

"Intermediate grade, $12,873 minimum to $16,905 maximum.

"Full grade, $10,927 minimum to $14,338 maximum.

"Associate grade, $9,221 minimum to $12,056 maximum.

"Nurse schedule

"Assistant Director grade, $15,106 minimum to $19,813 maximum.

"Chief grade, $12,873 minimum to $16,905 maximum.

"Senior grade, $10,927 minimum to $14,338 maximum.

"Intermediate grade, $9,221 minimum to $12,056 maximum.

"Full grade, $7,696 minimum to $10,045 maximum.

"Associate grade, $6,730 minimum to $8,749 maximum.

"Junior grade, $5,867 minimum to $7,649 maximum.

"(2) No person may hold the director grade unless he is serving as a director of a hospital, domiciliary, center, or outpatient clinic (independent). No person may hold the executive grade unless he holds the position of chief of staff at a hospital, center, or outpatient clinic (independent), or the position of clinic director at an outpatient clinic, or comparable position."

Foreign Service officers; staff officers and employees

SEC. 106. (a) The fourth sentence of section 412 of the Foreign Service Act of 1946, as amended (22 U.S.C. 867) is amended to read as follows: "The per annum salaries of Foreign Service officers within each of the other classes shall be as follows:

"Class 1	$23, 935	$24, 770	$25, 890				
Class 2	19, 333	20, 004	20, 675	$21, 347	$22, 018	$22, 689	$23, 360
Class 3	15, 841	16, 391	16, 941	17, 491	18, 041	18, 591	19, 141
Class 4	12, 873	13, 321	13, 769	14, 217	14, 665	15, 113	15, 561
Class 5	10, 062	10. 970	11, 338	11, 706	12, 074	12, 442	12, 810
Class 6	8, 843	9, 147	9, 451	9, 755	10, 059	10, 363	10, 667
Class 7	7, 473	7, 724	7, 975	8, 226	8, 477	8, 728	8, 979
Class 8	6, 451	6, 664	6, 877	7, 090	7, 303	7, 516	7, 729"

(b) The second sentence of subsection (a) of section 415 of such Act (22 U.S.C. 870(a)) is amended to read as follows: "The per annum salaries of such staff officers and employees within each class shall be as follows:

"Class 1	$15, 841	$16, 391	$16, 941	$17, 491	$18, 041	$18, 591	$19, 141	$19, 691	$20, 241	$20, 791
Class 2	12, 873	13, 321	13, 769	14, 217	14, 665	15, 113	15, 561	16, 009	16, 457	16, 905
Class 3	10, 602	10, 970	11, 338	11, 706	12, 074	12, 442	12, 810	13, 178	13, 546	13, 914
Class 4	8, 843	9, 147	9, 451	9, 755	10, 059	10, 363	10, 667	10, 971	11, 275	11, 579
Class 5	7, 974	8, 246	8, 518	8, 790	9, 062	9, 334	9, 606	9, 878	10, 150	10, 422
Class 6	7, 201	7, 441	7, 681	7, 921	8, 161	8, 401	8, 641	8, 881	9, 121	9, 361
Class 7	6, 614	6, 832	7, 050	7, 268	7, 486	7, 704	7, 922	8, 140	8, 358	8, 576
Class 8	5, 853	6, 051	6, 249	6, 447	6, 645	6, 843	7, 041	7, 239	7, 437	7, 635
Class 9	5, 341	5, 517	5, 693	5, 869	6, 045	6, 221	6, 397	6, 573	6, 749	6, 925
Class 10	4, 776	4, 936	5, 096	5, 256	5, 416	5, 576	5, 736	5, 896	6, 056	6, 216".

(c) Foreign Service officers, Reserve officers, and Foreign Service staff officers and employees who are entitled to receive basic compensation immediately prior to the effective date of this section at one of the rates provided by section 412 or 415 of the Foreign Service Act of 1946 shall receive basic compensation, on and after such effective date, at the rate of their class determined to be appropriate by the Secretary of State.

Agricultural stabilization and conservation county committee employees

SEC. 107. The rates of compensation of persons employed by the county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) shall be increased by amounts equal, as nearly as may be practicable, to the increases provided by section 102(a) of this title for corresponding rates of compensation.

Salary rates fixed by administration action

SEC. 108. (a) The rates of basic compensation of assistant United States attorneys whose basic salaries are fixed pursuant to section 508 of title 28, United States Code, shall be increased, effective on the effective date of section 102 of this title, by amounts equal, as nearly as may be practicable, to the increases provided by section 102(a) of this title for corresponding rates of compensation.

(b) Notwithstanding section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), the rates of compensation of officers and employees of the Federal Government and of the municipal government of the District of Columbia whose rates of compensation are fixed by administrative action pursuant to law and are not otherwise increased by this Act are hereby authorized to be increased, effective on the effective date of section 102 of this title, by amounts not to exceed the increases provided by this title for corresponding rates of compensation in the appropriate schedule or scale of pay.

(c) Nothing contained in this section shall be held or considered to authorize any increase in the rates of compensation of officers and employees whose rates of compensation are fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates or practices.

(d) Nothing contained in this section shall affect the authority contained in any law pursuant to which rates of compensation may be fixed by administrative action.

Effective dates

SEC. 109. This title shall become effective as follows:

(1) This section and sections 101, 103, and 108 shall become effective on the date of enactment of this Act.

(2) Sections 102, 104, 105, 106, and 107, shall become effective on the first day of the first pay period which begins on or after July 1, 1966.

TITLE II—JUDICIAL BRANCH

Short title

SEC. 201. This title may be cited as the "Federal Judicial Salary Act of 1966".

Judicial branch employees

SEC. 202. (a) The rates of basic compensation of officers and employees in or under the judicial branch of the Government whose rates of compensation are fixed by or pursuant to paragraph (2) of subdivision a of section 62 of the Bankruptcy Act (11 U.S.C. 102(a)(2)), section 3650 of title 18, United States Code, the third sentence of section 603, sections 671 to 675, inclusive, or section 604(a)(5), of title 28, United States Code, insofar as the latter section applies to graded positions, are hereby increased by amounts reflecting the respective applicable increases provided by section 102(a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended. The rates of basic compensation of officers and employees holding ungraded positions and whose salaries are fixed pursuant to such section 604(a)(5) may be increased by the amounts reflecting the respective applicable increases provided by section 102(a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

(b) The limitations provided by applicable law on the effective date of this section with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges are hereby increased by amounts which reflect the respective applicable increases provided by section 102(a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

(c) Section 753(e) of title 28, United States Code (relating to the compensation of court reporters for district courts), is amended by striking out the existing salary limitation contained therein and inserting a new limitation which reflects the respective applicable increases provided by section 102 (a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

Effective dates

SEC. 203. This title shall become effective as follows:

(1) This section and section 201 shall become effective on the date of enactment of this Act.

(2) Section 202 shall become effective on the first day of the first pay period which begins on or after July 1, 1966.

TITLE III—LEGISLATIVE BRANCH

Short title

SEC. 301. This title may be cited as the "Federal Legislative Salary Act of 1966".

Legislative branch employees

SEC. 302. (a) Except as otherwise provided in this title, each officer or employee in or under the legislative branch of the Government, whose rate of compensation is increased by section 5 of the Federal Employees Pay Act of 1946, shall be paid additional compensation at the rate of 2.9 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

(b) The total annual compensation in effect immediately prior to the effective date of this section of each officer or employee of the House of Representatives, whose compensation is disbursed by the Clerk of the House of Representatives and is not increased by reason of any other provision of this section, shall be increased by 2.9 per centum. Notwithstanding section 303 of this title or any other provision of this section, the total annual compensation of the

Clerk of the House of Representatives and the Sergeant at Arms of the House of Representatives, respectively, shall be an amount which is equal to the total annual compensation of the Secretary of the Senate and the Sergeant at Arms of the Senate, respectively.

(c) The rates of compensation of employees of the House of Representatives whose compensation is fixed by the House Employees Schedule under the House Employees Position Classification Act (78 Stat. 1079–1084; Public Law 88–652; 2 U.S.C. 291–303), including each employee subject to such Act whose compensation is fixed at a saved rate, are hereby increased by amounts equal, as nearly as may be practicable, to the increases provided by subsection (a) of this section.

(d) The additional compensation provided by this section shall be considered a part of basic compensation for the purposes of the Civil Service Retirement Act (5 U.S.C. 2251 and following).

(e) This section shall not apply with respect to the compensation of student congressional interns authorized by House Resolution 416, Eighty-ninth Congress, and the compensation of employees whose compensation is fixed by the House Wage Schedule under the House Employees Position Classification Act.

(f) The basic compensation of each employee in the office of a Senator is hereby adjusted, effective on the effective date of this section, to the lowest multiple of $60 which will provide a gross rate of compensation not less than the gross rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following the date of enactment of this Act, the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given.

(g) Notwithstanding the provision referred to in subsection (h), the rates of gross compensation of the Secretary for the Majority of the Senate, the Secretary for the Minority of the Senate, the Chief Reporter of Debates of the Senate, the Parliamentarian of the Senate, the Senior Counsel in the Office of the Legislatve Counsel of the Senate, the Chief Clerk of the Senate, the Chaplain of the Senate, and the Postmaster and Assistant Postmaster of the Senate are hereby increased by 2.9 per centum.

(h) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading "SENATE" in the Legislative Appropriations Act, 1956, as amended (74 Stat. 304; Public Law 86–568), is amended by striking out "$23,770" and inserting in lieu thereof "$24,460".

(i) The limitation on gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the Senate is hereby increased by 2.9 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) of this section shall not apply to employees whose compensation is subject to such limitation.

Salary increase limitation

SEC. 303. No rate of compensation shall be increased, by reason of the enactment of this title, to an amount in excess of the salary rate now or hereafter in effect for level V of the Federal Executive Salary Schedule.

Effective dates

SEC. 304. This title shall become effective as follows:

(1) This section and section 301 shall become effective on the date of enactment of this Act.

(2) Sections 302 and 303 shall become effective on the first day of the first pay period which begins on or after July 1, 1966.

TITLE IV—MISCELLANEOUS PROVISIONS

Salary steps for certain employees transferred to postal field service

SEC. 401. Section 3551 of title 39, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) The Postmaster General may appoint or advance any Federal employee who, together with his function, is transferred, prior to, on, or after the date of enactment of this subsection, to a post office or other postal installation at or to (1) the minimum rate for his position, or (2) any higher rate for his position which is less than one full step above the highest rate of compensation received by him immediately prior to such transfer."

Postal seniority adjustments

SEC. 402. (a) The Postmaster General shall advance any employee in the postal field service

(1) who was promoted to a higher level between July 9, 1960, and October 13, 1962;

(2) who is senior with respect to total postal service to an employee in the same post office promoted to the same level on or after October 13, 1962, and is on the effective date of this section in a step in the same level below the step of the junior employee; and

(3) whom the Postmaster General determines is in the same craft and same branch of the Post Office Service as such junior employee.

Such advancement by the Postmaster General shall be to the highest step which is held by any such junior employee. Any increase under the provisions of this subsection shall not constitute an equivalent increase and credit earned prior to adjustment under this subsection for advancement to the next step shall be retained.

(b) Section 3552 of title 39, United States Code, is amended by deleting subsection (d).

Special delivery messengers

SEC. 403. Section 3542(c) of title 39, United States Code, is amended—

(1) by striking out "7 cents per mile or major fraction thereof" and inserting in lieu thereof "10 cents per mile or major fraction thereof"; and

(2) by striking out "90 cents per hour" and inserting in lieu thereof "$1.25 per hour".

Overtime

SEC. 404. (a) Section 201 of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 911), is amended—

(1) by inserting "or, with the exception of employees engaged in professional or technical engineering or scientific activities for whom the first forty hours of duty in an administrative workweek is the basic workweek and employees whose basic compensation exceeds the minimum rate of grade GS–10 of the Classification Act of 1949, as amended, for whom the first forty hours of duty in an administrative workweek is the basic workweek, in excess of eight hours in a day" immediately following "in excess of forty hours in any administrative workweek"; and

(2) by striking out "grade GS–9" wherever it occurs therein and inserting in lieu thereof "grade GS–10".

(b) Section 202 of such Act, as amended (5 U.S.C. 912), is amended by striking out "grade GS–9" and inserting in lieu thereof "grade GS–10".

(c) Section 401 of such Act, as amended (5 U.S.C. 926), is amended by striking out "grade GS–9" wherever it occurs therein and inserting in lieu thereof "grade GS–10".

(d) Subsections (b) and (c) of section 3573 of title 39, United States Code, are amended by striking out "level PFS–7" and "level PFS–8", wherever appearing therein, and inserting in lieu thereof "level PFS–10" and "level PFS–11", respectively.

Sunday premium pay

SEC. 405. (a) The heading of title III of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"TITLE III—COMPENSATION FOR NIGHT, SUNDAY, AND HOLIDAY WORK"

(b) (1) Section 302 of such Act, as amended (5 U.S.C. 922), is redesignated as section 303 of such Act.

(2) Any reference in any provision of law to section 302 of the Federal Employees Pay Act of 1945, which is redesignated as section 303 of such Act by paragraph (1) of this subsection, shall be held and considered to refer to section 303 of such Act, as so redesignated.

(c) Title III of such Act, as amended (5 U.S.C. 921 and following), is amended by inserting immediately following section 301 thereof the following:

"Compensation for Sunday work

"SEC. 302. Any regularly scheduled eight-hour period of service which is not overtime work as defined in section 201 of this Act any part of which is performed within the period commencing at midnight Saturday and ending at midnight Sunday shall be compensated for the entire period of service at the rate of basic compensation of the officer or employee performing such work plus premium compensation at a rate equal to 25 per centum of his rate of basic compensation."

(d) Section 401(1) of such Act, as amended (5 U.S.C. 926(1)), is amended by inserting ", Sunday," immediately following the word "night".

(e) Section 401(2) of such Act, as amended (5 U.S.C. 926(2)), is amended—

(1) by inserting in the first sentence thereof ", on Sundays," immediately following the words "duty at night"; and

(2) by inserting in the second sentence thereof "Sunday," immediately following night,".

(f) The first paragraph of section 23 of the Independent Offices Appropriation Act, 1935, as amended (5 U.S.C. 673c), is amended by inserting immediately before the period at the end thereof the following: ": *Provided further*, That employees subject to this section whose regular work schedule includes an eight-hour period of service any part of which is within the period commencing at midnight Saturday and ending at midnight Sunday shall be paid extra compensation at the rate of 25 per centum of his hourly rate of basic compensation for each hour of work performed during that eight-hour period of service".

Health and insurance coverage for certain employees on leave without pay

SEC. 406. (a) Section 6 of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2095), is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding the foregoing, an officer or employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees, as defined in section 2 of this Act, may, within sixty days after entering on such leave without pay, elect to continue his insurance and arrange to pay currently into the fund, through his employing agency, both employee and agency contributions from the beginning of leave without pay. If he does not so elect, his insurance will continue during nonpay status and terminate as provided in subsection (a) of this section. The employing agency shall forward the premium payments to the fund established by section 5 of this Act."

(b) Section 7(b) of the Federal Employees Health Benefits Act of 1959, as amended (5 U.S.C. 3006(b)), is amended—

(1) by inserting "(1)" immediately following "(b)"; and

(2) by adding at the end thereof the following new paragraph:

"(2) An employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees, as defined in section 2 of this Act, may, within sixty days after entering on such leave without pay, file with his employing agency an election to continue his health benefits coverage and arrange to pay currently into the fund, through his employing agency from the beginning of leave without pay, both employee and agency contributions. If he does not so elect, his coverage will terminate as specified in paragraph (1) and implementing regulations. The employing agency shall forward the enrollment charges so paid to the fund."

(c) An officer or employee who is on approved leave without pay and serving as a full-time officer or employee of an organization composed primarily of employees, as defined in section 2 of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091), or section 2 of the Federal Employees Health Benefits Act of 1959, as amended (5 U.S.C. 3001), as the case may be, may, within sixty days after the date of enactment of this Act, file with his employing agency an election (1) to continue any insurance status or health benefits enrollment, or both, that he has on the date of enactment of this Act, (2) to reacquire any insurance status or health benefits enrollment, or both, which he may have lost while on leave without pay, or (3) to acquire an insured status or enroll in a health benefits plan, or both, if he was never previously eligible to do so, by arranging to pay currently and continuously into the employees' life insurance fund and the employees' health benefits fund, as appropriate, through his employing agency, both employee and agency contributions. The employing agency shall forward such payments to the employees' life insurance fund and the employees' health benefits fund, as appropriate. If he does not so elect, his insurance status and health benefits enrollment will continue and terminate as for other employees in nonpay status, or he will remain ineligible for insurance and health benefits, as the case may be, as though this paragraph had not been enacted. The United States Civil Service Commission is authorized to issue regulations to carry out the purposes of this paragraph.

Increase in uniform allowances

SEC. 407. (a) Section 402 of the Federal Employees Uniform Allowance Act, as amended (5 U.S.C. 2131–2133), is amended by inserting immediately following the second sentence thereof the following new sentence: "In those instances where the agency makes reimbursement direct to the uniform vendor, the head of the agency may deduct a service charge not to exceed 4 per centum."

(b) Such Act is further amended by adding at the end thereof the following new section:

"SEC. 405. Notwithstanding any other provision of this title, each of the respective maximum uniform allowances in effect on April 1, 1966, for the respective categories of employees to whom uniform allowances are paid under this title are hereby increased, subject to the maximum allowance authorized by this title, as follows:

"(1) If the maximum uniform allowance is $100 or more, such allowance shall be increased by 25 per centum.

"(2) If the maximum uniform allowance is $75 or more but less than $100, such allowance shall be increased by 30 per centum.

"(3) If the maximum uniform allowance is $50 or more but less than $75, such allowance shall be increased by 35 per centum.

"(4) If the maximum uniform allowance is less than $50, such allowance shall be increased by 40 per centum.

Such maximum uniform allowances, as in effect on April 1, 1966, and as increased by this section, shall not be reduced."

SEC. 408. (a) Section 303(c) of the Federal Executive Salary Act of 1964 (78 Stat. 416; Public Law 88–426) is amended by adding at the end thereof the following new paragraph:

"(47) Director of the Federal Mediation and Conciliation Service."

(b) Paragraph (30) of section 303(d) of such Act is hereby repealed.

Effective dates

SEC. 409. This title shall become effective as follows:

(1) This section and sections 401, 406, and 407 shall become effective on the date of enactment of this Act.

(2) Sections 403, 404, and 405 shall become effective on the first day of the first pay period which begins on or after July 1, 1966.

(3) Sections 402 and 408 shall take effect on the first day of the first pay period after the enactment of this Act.

TITLE V—CIVIL SERVICE RETIREMENT

Short title

SEC. 501. This title may be cited as the "Civil Service Retirement Act Amendments of 1966".

Definitions

SEC. 502. Section 1(j) of the Civil Service Retirement Act (5 U.S.C. 2251(j)) is amended by inserting the letter "(d)" after the words "for purposes of section 10"; by striking out the words "received more than one-half of his support from and"; and by striking out the words "twenty-one" and "twenty-first" wherever they occur and inserting in lieu thereof the words "twenty-two" and "twenty-second", respectively.

Retirement coverage for certain employees on leave without pay

SEC. 503. Section 3 of the Civil Service Retirement Act (5 U.S.C. 2253) is amended by adding at the end thereof the following new subsection:

"(k)(1) An employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees, as defined in section 1(a) of this Act, may, within sixty days after entering on such leave without pay, file with his employing agency an election to receive full retirement credit for his periods of such leave without pay and arrange to pay currently into the fund, through his employing agency, amounts equal to the retirement deductions and agency contributions which would be applicable if he were in pay status. An employee who is on approved leave without pay and serving as a full-time officer or employee of such an organization on the date of enactment of this subsection may similarly elect within sixty days after such date of enactment. If the election and all payments provided by this paragraph are not made, the employee shall receive no credit for such periods of leave without pay occurring on or after date of enactment of this subsection, notwithstanding the provisions of the second sentence of section 3(c) of this Act.

"(2) An employee may deposit with interest an amount equal to retirement deductions representing any period or periods of approved leave without pay while serving, prior to the date of enactment of this subsection, as a full-time officer or employee of an organization composed primarily of employees, as defined in section 1(a) of this Act, and may receive full retirement credit for such period or periods of leave without pay. In the event of his death, a survivor as defined in section 1(o) of this Act may make such deposit. If the deposit described in this paragraph is not made in full, retirement credit shall be allowed in accordance with the second sentence of section 3(c) of this Act."

Immediate retirement

SEC. 504. (a) Section 6(a) of the Civil Service Retirement Act (5 U.S.C. 2256 (a)) is amended to read as follows:

"(a) Any employee who attains the age of fifty-five years and completes thirty years of service shall, upon separation from the service, be paid an annuity computed as provided in section 9."

(b) Section 6(b) of such Act (5 U.S.C. 2256(b)) is amended to read as follows: "(b) Any employee who attains the age of sixty years and completes twenty years of service shall, upon separation from the service, be paid an annuity computed as provided in section 9."

Annuity computation

SEC. 505. Section 9(d) of such Act (5 U.S.C. 2259(d)) is amended to read as follows:

"(d) The annuity as hereinbefore provided, for an employee retiring under section 6(d), shall be reduced by one-sixth of 1 per centum for each full month such employee is under the age of fifty-five years at date of separation. The annuity as hereinbefore provided, for a Member retiring under the second or third sentence of section 6(f) or the third sentence of section 8(b), shall be reduced by one-twelfth of 1 per centum for each full month not in excess of sixty, and one-sixth of 1 per centum or each full month in excess of sixty, such Member is under the age of sixty years at date of separation."

Survivor annuities

SEC. 506. (a) Section 10(a)(2) of the Civil Service Retirement Act (5 U.S.C. 2260(a)(2)) is amended to read as follows:

"(2) An annuity computed under this subsection shall commence on the day after the retired employee dies, and such annuity or any right thereto shall terminate on the last day of the month before (A) in the case of the survivor of a retired employee, the survivor's remarriage prior to attaining age sixty, or death or (B) in the case of the survivor of a Member, the survivor's death or remarriage."

(b) The last sentence of section 10(c) of such Act (5 U.S.C. 2260(c)) is amended to read as follow: "The annuity of such widow or dependent widower shall commence on the day after the employee of Member dies, and an annuity under this subsection or any right thereto shall terminate on the last day of the month before (1) the death of the widow or widower, (2) remarriage of the widow or widower of an employee prior to attaining age sixty, (3) remarriage of the widow or widower of a Member regardless of age, or (4) the widower's becoming capable of self-support."

(c) Section 10(d) of such Act (5 U.S.C. 2260(d)) is amended to read as follows:

"(d) If an employee or a Member dies after completing at least five years of civilian service, or an employee or a Member dies after having retired under any provision of this Act, and is survived by a wife or by a husband, each surviving child shall be paid an annuity equal to the smallest of (1) 40 per centum of the employee's or Member's average salary divided by the number of children,

(2) $600, or (3) $1,800 divided by the number of children, subject to the provisions of section 18. If such employee or Member is not survived by a wife or husband, each surviving child shall be paid an annuity equal to the smallest of (1) 50 per centum of the employee's or Member's average salary divided by the number of children, (2) $720, or (3) $2,160 divided by the number of children, subject to the provisions of section 18. The commencing date of a child's annuity under this Act or the Act of May 29, 1930, as amended from and after February 28, 1948, shall be deemed to be the day after the employee or Member dies, with payment beginning on that day or beginning or resuming on the first day of the month in which the child later becomes or again becomes a student as described in section 1(j), provided the lump-sum credit, if paid, is returned to the fund. Such annuity shall terminate on the last day of the month before (1) the child's attaining age eighteen unless he is then a student as described or incapable of self-support, (2) his becoming capable of self-support after attaining age eighteen unless he is then such a student, (3) his attaining age twenty-two if he is then such a student and not incapable of self-support, (4) his ceasing to be such a student after attaining age eighteen unless he is then incapable of self-support, (5) his marriage, or (6) his death, whichever first occurs. Upon the death of the surviving wife or husband or termination of the child's annuity, the annuity of any other child or children shall be recomputed and paid as through such wife, husband, or child had not survived the employee or Member."

(d) Section 10 of such Act (5 U.S.C. 2260) is amended by adding at the end thereof the following subsection:

"(f) In the case of a surviving spouse whose annuity under this section is hereafter terminated because of remarriage before attaining age sixty, annuity at the same rate shall be restored commencing on the day such remarriage is dissolved by death, annulment, or divorce: *Provided*, That (1) said surviving spouse elects to receive such annuity in lieu of any survivor benefit to which he or she may be entitled, under this or any other retirement system established for employees of the Government, by reason of the remarriage, and (2) any lump sum paid upon termination of the annuity is returned to the fund."

Increases in certain annuities

Sec. 507. Section 18 of the Civil Service Retirement Act (5 U.S.C. 2268) is amended by adding at the end thereof the following subsection:

"(g) Effective on (1) the first day of the second month after the enactment of this Act, or (2) the commencing date of annuity, whichever is later, the annuity of each surviving spouse whose entitlement to annuity payable from the civil service retirement and disability fund resulted from the death of:

"(A) an employee or Member prior to October 11, 1962, or

"(B) a retired employee or Member whose retirement was based on a separation from service prior to October 11, 1962, shall be increased by 10 per centum."

Effective dates

Sec. 508. (a) This section, section 509, and subsections 1(j), 3(k), 6(a), 6(b), 9(d), 10(a)(2), 10(c), 10(d), and 10(f) of the Civil Service Retirement Act, as enacted or amended by this title, shall become effective on the date of enactment of this Act.

(b) Except as provided in section 507 and in subsection (c) of this section, the amendments made by this title to the Civil Service Retirement Act shall not apply in the cases of persons retired or otherwise separated prior to these respective effective dates, and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if this title had not been enacted.

(c) The amendments made by this title to sections 1(j) and 10(d) of the Civil Service Retirement Act relating to payment, continuance, resumption, and termination of annuity to a child who is a student shall apply with respect to children of persons retired or otherwise separated prior to, on, or after the date of enactment of this title, except that no child's annuity shall be paid by reason of these amendments for any period prior to such date of enactment.

Miscellaneous

Sec. 509. The provisions under the heading "Civil Service Retirement and Disability Fund" in title I of the Independent Offices Appropriation Act, 1959 (72 Stat. 1064; Public Law 85–844), shall not apply with respect to benefits resulting from the enactment of this Act.

TITLE VI—FEDERAL EMPLOYEES' HEALTH BENEFITS

Sec. 601. Section 2(d) of the Federal Employees Health Benefits Act of 1959 (73 Stat. 709; 5 U.S.C. 3001(d)) is amended by striking out "twenty-one" wherever it appears therein and inserting in lieu thereof "twenty-two".

Sec. 602. Paragraphs (1) and (2) of section 7(a) of such Act are amended to read as follows:

"(1) Except as provided in paragraph (2) of this subsection, the biweekly Government contributions for health benefits for employees or annuitants enrolled in health benefits plans under this Act, in addition to the contributions required by paragraph (3), shall be $1.62 if the enrollment is for self alone or $3.94 if the enrollment is for self and family, commencing with the first pay period beginning on or after July 1, 1966.

"(2) For an employee or annuitant enrolled in a plan for which the biweekly subscription charge is less than twice the Government contribution established under paragraph (1) of this subsection, the Government contribution shall be 50 per centum of the subscription charge, commencing with the first pay period beginning on or after July 1, 1966."

Mr. MONRONEY. Mr. President, I send to the desk several amendments to the committee amendment. I ask unanimous consent that the reading of the amendments be dispensed with, but that the amendments be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments ordered to be printed in the Record are as follows:

On page 38, after line 2, insert the following:

"(5) If the officer or employee, at any time during the period beginning on the effective date of this section and ending on the date of enactment of this Act, was promoted from one grade under the Classification Act of 1949, as amended, to another such grade at a rate which is above the minimum rate thereof, his rate of basic compensation shall be adjusted retroactively from the effective date of this section to the date on which he was so promoted, on the basis of the rate which he was receiving during the period from such effective date to the date of such promotion and, from the date of such promotion, on the basis of the rate for that step of the appropriate grade of the General Schedule contained in this section which corresponds numerically to the step of the grade of the General Schedule for such officer or employee which was in effect (without regard to this Act) at the time of such promotion."

On page 50, line 24, and page 51, line 1, strike out "effective date of this section" and substitute "first day of the month following the date of enactment of this Act".

On page 51, line 9, after the period insert the following: "No employee whose basic compensation is adjusted under this subsection shall receive any additional compensation under subsection (a) for any period prior to the effective date of such adjustment during which such employee was employed in the office of the Senator by whom he is employed on the first day of the month following the enactment of this Act. No additional compensation shall be paid to any person under subsection (a) for any period prior to the first day of the month following the date of enactment of this Act during which such person was employed in the office of a Senator (other than a Senator by whom he is employed on such day) unless on or before the fifteenth day following the date of enactment of this Act such Senator notifies the disbursing office of the Senate in writing that he wishes such employee to receive such additional compensation for such period."

On page 62, line 14, strike out the entire paragraph.

On page 62, line 17, strike out "(3) Sections 402 and 408" and insert in lieu thereof "(2) Sections 402, 403, 404, 405, and 408".

On page 69, line 9, strike out "Act" and substitute "subsection".

On page 71, line 9, beginning with the comma, strike out all through "July 1, 1966" in line 10.

On page 71, line 15, beginning with the comma, strike out all through "July 1, 1966" in line 16.

On page 71, after line 16, insert the following new section:

"Sec. 603. The amendments made by sections 601 and 602 of this title shall take effect on the first day of the first pay period which begins on or after the date of enactment of this Act."

On page 71, after line 16, add the following:

"TITLE VII—MISCELLANEOUS

"Sec. 701. (a) Retroactive compensation or salary shall be paid by reason of this Act only in the case of an individual in the service of the United States (including service in the Armed Forces of the United States) or the municipal government of the District of Columbia on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to an officer or employee who retired during the period beginning on the first day of the first pay period which begins on or after July 1, 1966, and ending on the date of enactment of this Act for services rendered during such period and (2) in accordance with the provisions of the Act of August 3, 1950 (Public Law 636, Eighty-first Congress), as amended (5 U.S.C. 61f–61k), for services rendered during the period beginning on the first day of the first pay period which begins on or after July 1, 1966, and ending on the date of enactment of this Act by an officer or employee who dies during such period. Such retroactive compensation or salary shall not be considered as basic salary for the purpose of the Civil Service Retirement Act in the case of any such retired or deceased officer or employee.

"(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

"(c) For the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954, all changes in rates of compensation or salary which result from the enactment of this Act shall be held and considered to be effective as of the date of such enactment."

Mr. MONRONEY. Mr. President, the amendments are technical in nature, and I ask that they be considered en bloc.

The amendments are designed to authorize retroactive pay for those Federal employees who otherwise will not be paid for the time between the effective date of this legislation—July 1—and the date it is enacted. It is the same language which Congress always uses to achieve this purpose.

When the Committee on Post Office and Civil Service reported H.R. 14122 to the Senate on May 26, it was thought that adequate time existed to pass the bill before the effective date. That has not proved to be the case. To make sure that all employees get the pay which the bill is designed to give them, these amendments should be adopted by the Senate.

There are minor changes in the effective dates of some provisions in the bill. To avoid a very complex administrative problem which has very little financial effect upon the employees, the effective dates for the Government's increased health insurance contribution, increased special delivery allowance, overtime pay, and premium pay have been moved back from the pay period beginning immediately after July 1 to the pay period beginning on or after the date of enactment.

These few cases will affect the amount received by only a few employees, and only to a very minor extent. Otherwise, these amendments will make no change in the bill as unanimously approved by our committee.

I recommend the adoption of the amendments en bloc.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Oklahoma.

The amendments were agreed to.

Mr. MONRONEY. Mr. President, H.R. 14122, the Federal employees' pay bill for 1966, combines prudent economic and budgetary policy, at a time when reductions and limitations in domestic spending are necessary, with several key reforms and progressive liberalizations in the policies governing Federal employment.

H.R. 14122 provides an across-the-board increase averaging 2.9 percent for all levels of the four statutory pay systems—postal, classified, foreign service, and the medical division of the Veterans' Administration. The adoption of an across-the-board increase this year, however, does not indicate any sentiment on the part of the committee to return to the methods of pay increases which generally prevailed prior to the Salary Reform Act. It does indicate that we recognize the needs of employees in the lower salary levels who are most directly affected when food prices, clothing prices, medical expenses, and all other aspects of the cost of living rapidly increase. Those in the upper levels of pay are no less deserving, but the economic pinch on them is not as severe as it is on the man who earns $5,000 or $6,000 a year.

The take-home pay of a postal letter carrier or of a GS–5 employee in the classified service in the first few years of employment averages less than $375 a month. For a man with a family, living in a big city, as most of our employees are these days, that is an extremely limited income. The need is obviously greatest at these lower salary levels.

I believe that comparability must be achieved to recruit and retain the quality of personnel the Government must have. But in 1966, the needs of our country in fulfilling other commitments require a limitation upon domestic spending. This pay bill is designed accordingly.

At this point I ask unanimous consent to have printed in the Record a section-by-section analysis of the bill as reported, and an itemization of the cost of the bill.

There being no objection, the analysis was ordered to be printed in the Record, as follows:

Sectional Analysis of H.R. 14122

Title I provides an average increase of 2.9 percent in the basic compensation of employees subject to the four statutory schedules—the general schedule of the Classification Act, the Postal Field Service schedule, and the schedules for employees in the Department of Medicine and Surgery of the Veterans' Administration and the Foreign Service. Employees in county offices of the Agriculture Soil Conservation Service and United States assistant attorneys are also given the 2.9 percent increase. Employees of other agencies of the Executive Branch whose salaries are adjusted by administrative action are authorized to be increased in amounts similar to the increases applying to the schedules. All salary increases shall be retroactively effective to the first day of the first pay period which began on or after July 1, 1966. This retroactive payment includes those outside the four statutory schedules.

Section 103 permits the appointment of new employees at a rate above the entrance rate of the grade in GS–11 and above when the Civil Service Commission approves such appointments. Present law, enacted in 1964, permits such appointments in GS–13 and above.

Title II increases or authorizes increases for employees in the judicial branch of the Government.

Title III increases or authorizes increases for employees of the Congress and employees of Members of Congress.

The effective date for all salary increases is the first day of the first pay period beginning on or after July 1, 1966.

Title IV provides several improvements in law governing Federal employment.

Section 401 will permit the Postmaster General to appoint or advance any employee transferred, with his function, into the postal service to a step in the level of the postal field service schedule or system. The general rule in the postal service is to enter at the first step, regardless of previous salary or experience. This occasionally results in an employee losing money because the postal service has taken over a function previously administered by another agency. With respect to employees previously transferred, the provisions of Section 401 will permit redetermination of the employee's pay step, by reconstructing advancement through the Postal salary schedules as if the new provision had been in effect at the time of transfer. If such reconstruction places the employee in a step above the step attained, as of the effective date of Section 401, a pay adjustment will be made, placing the employee in the reconstructed step, as of July 2, 1966. Since an adjustment of this kind would result in an equivalent increase, the employee will begin a new waiting period for his next step increase on July 2.

Section 402 permits the adjustment of salary for certain postal supervisors who are senior to certain other supervisors promoted after October 13, 1962. This provision will require that senior employees in the same postal occupation will be elevated to the same step of the PFS level as is held by a junior employee promoted after the Salary Reform Act of 1962.

Section 403 increases the mileage and hour allowance for special delivery messengers who use their own vehicle. This payment is usually confined to Christmas time when Government vehicles are not easily available to special delivery messengers.

Section 404 authorizes overtime payment for work in excess of 8 hours in 1 day for classified employees with the exception of certain engineering and scientific employees. Classified Federal employees get overtime pay for work in excess of 40 hours in a week, but heretofore the law has not required pay for work in excess of 8 hours in a day.

Section 404 also raises the grade level for overtime pay from the rate paid GS–9, step 1, to the same step of GS–10. Employees above that level can be paid or given compensatory time off, at the discretion of management.

Section 404 also raises the level for mandatory overtime pay for postal employees from PFS–7 to PFS–10. The 1965 Salary Act abolished compensatory time below level 8 and permitted payment above level 7 at the discretion of the Postmaster General.

Section 405 requires a premium of 25 percent of base pay for any employee whose regularly scheduled 5-day workweek includes Sunday. The premium will be paid for the entire 8-hour period of service regardless of the numbers of hours which actually occur on Sunday. This is identical to the provisions for regular postal employees enacted last year.

Section 406 permits full-time officers and employees of Federal employee unions to carry Federal life and health insurance while serving as union officers provided that the total cost of such insurance is paid by the employee and his union. The officer will receive the benefit of the group rate at his own expense. The Government will pay nothing.

Section 407 requires the 25-percent increase in uniform allowance authorized in the 1965 Salary Act. The House-approved provision has been amended to permit the Federal agency to make payment direct to the uniform vendor and deduct a service discount of 4 percent from the amount paid to the vendor.

Section 408 equalizes the salary of the Director of the Federal Mediation and Conciliation Service with the salary of the Chairman of the Federal Mediation Board at level III of the Federal Executive Salary Schedule ($28,500).

Title V includes several significant amendments to the Civil Service Retirement Act to improve the retirement benefits of Federal employees.

Section 502 eliminates the requirement that a child be dependent upon a Federal-employee parent in order to receive a survivor annuity. This will permit the children of a working mother to receive a survivor annuity in the event of her death. The section also raises from 21 to 22 the maximum age for student survivors to receive annuity payment.

Section 503 permits credit for leave without pay for Federal employee union officers for the purposes of retirement. Under current law, these officers have received a half-year's credit for each full year on leave without pay without contribution. The Retirement Act was not designed to permit this credit. Section 503 requires, after the enactment of this act, that any such union officer shall receive credit for time served as a union officer only if he pays the full amount of employee and agency contributions. There will be no cost to the Government.

Section 504 enacts a long-sought goal of Federal employees—retirement of a full annuity at age 55 after 30 years' service. Retirement on a full annuity will also be permitted at age 60 after 20 years' service.

Section 505 prohibits a Member of Congress from retiring at age 55 on an unreduced annuity. The provisions of present law, reducing the full annuity by 1 percent for each full year below 60, will continue to be applicable to Members of Congress.

Section 506 permits the widow of a Federal employee to continue receiving her survivor annuity if she remarries after attaining age 60, or to have her annuity reinstated in the event a remarriage prior to age 60 is terminated. If such a widow has an election of survivor annuities under any Federal employee retirement program, she may elect which she wishes to receive, but cannot receive more than one.

Section 507 increases the annuities of widows and widowers of Federal employees who died or retired prior to October 11, 1962, by 10 percent. Spouses of Federal employees who retired prior to that date shall receive the 10-percent increase when their annuity commences.

Section 508 establishes the effective dates of the retirement amendments. Except for the amendments affecting the student survivor annuity of children of Federal employees, the amendments are entirely prospective and shall have no effect upon the annuities or entitlement to annuity of any person who died or was separated or retired prior to the effective date of this act. In the cases of surviving student children, however, the amendments shall apply to any such child who is otherwise eligible under the conditions of these amendments.

Section 601 increases the maximum age limit for health insurance coverage for the children of employees from 21 to 22. This is in line with the age increase for survivor children receiving civil service annuities while in college.

Section 602 increases the Government's contribution to the cost of high-option health insurance by approximately 10 percent. Employees have paid the full cost of each insurance premium increase since the program was commenced in 1960.

Estimated cost of the bill, as reported

	Millions
Salary increase	$416.7
Classified service	273.1
Postal service	131.5
Veterans' Administration	6.7
Foreign Service	5.4
Additional health insurance	34.0
Postal supervisors adjustment	2.0
Uniform allowance increase [1]	------
Special delivery allowance	.3
Postal supervisors overtime	14.3
Classified overtime	5.5
Sunday premium	32.0
Retirement benefits:	
55/30—60/20	19.7
Widow's remarriage	12.0
Child's annuity	.3
Annuity increase	7.0
Additional interest on the unfunded liability of the civil service retirement and disability fund	30.3
Equivalent offset [2]	(68.3)
Total cost	505.8

[1] This cost is not included because it was charged against the cost of the 1965 Salary Act and is not properly attributable to this bill.

[2] This offset against the total cost of the bill is derived from the additional cost of retirement benefits under present law plus new benefits created by the enactment of the retirement provisions of this bill, approximately 0.5 percent of present payroll.

In the Economic Report, 1965, the Council of Economic Advisers stated the following: "On Jan. 1, employer payroll taxes to finance social security and Medicare rose substantially, raising labor costs per hour by an average of two-thirds of a percent. These taxes are not included in the definition of employee compensation for purposes of the guideposts, since the rates and benefits are determined by law rather than by collective bargaining. Nonetheless, recognition has to be taken of the extraordinary increases in taxes at this time, which will raise both unit labor costs and yield future benefits to employees."

Because the principle of the guideposts is to permit all to participate in the general increase in productivity and prosperity, the executive branch agrees that an equivalent offset should be included in determining the increase in compensation for Federal employees.

Mr. MONRONEY. This pay bill is quite similar to the measure passed by the House and referred to our committee. We have proposed three amendments which, in my opinion, improve the bill and reduce its costs. These amendments resulted from testimony taken in hearings over many days, in which most of the members participated.

Our most important amendment is the deletion of section 507 of the bill, as referred, which would have provided for a recomputation of annuities and survivor annuities based on the death or retirement of an employee occurring between April 1948 and October 1962. The amount which an employee paid to provide his widow with a survivor annuity varied during that 15-year period, and their percentage which the widow received also varied. In October 1962, Congress established the present survivor annuity formula of a 2.5-percent reduction in the first $3,600 of salary, and 10 percent of any excess, in order to provide a 55-percent remainder to the widow. Employees who retired before the 1962 amendment paid more, and their spouses received 5 percent less. Section 507 would have put all under the 1962 formula.

The executive branch vigorously opposed this provision. The committee gave this matter its most careful and thoughtful consideration. The principle of recomputing past civil service retirement benefits on the basis of laws enacted after an employee's retirement has not been followed by Congress since prior to the major civil service retirement amendments of 1948. The Armed Services Committees have also refrained from recomputations in recent years. Although the cost of this particular provision was not great, the total actuarial cost—a cost which continues as long as the retirement system exists—was estimated to be $355 million. Enactment of the recomputation would have opened the door to further recomputations, and the total cost to the retirement fund or the Treasury could amount to many billions of dollars.

To avoid this very significant problem, the committee deleted section 507 as passed by the House and substituted in its place a 10-percent increase in the annuities of surviving spouses whose annuities are or will be based on retirement prior to the 1962 amendment. The result insofar as widows and widowers are concerned will be the same. A 10-percent increase in the spouse's annuity is identical in result to a recomputation increasing the percentage of annuity from 50 to 55 percent. But the long-range cost and the implications for future congressional policy are tempered. In addition, the 10-percent increase will apply to widows and widowers prior to 1948. This is the group in greatest need who receive the smallest civil service annuities.

I am sure that this change in the bill will not satisfy all, but it aims at helping those who need help most. Annuitants themselves, who received either a 6- or 11-percent increase last December, are probably going to receive a 3-percent cost-of-living increase before the end of this year. Our efforts to improve the economic well-being of all retired employees and their families shall continue.

Two other amendments concern overtime pay for work exceeding 8 hours in 1 day, and postal seniority adjustments.

As referred, the bill would have required time-and-a-half for any work in excess of 8 hours a day for all classified employees GS–10 and below. The committee has retained the substance of this amendment, but has excluded certain employees engaged in scientific and research work whose schedule, while not exceeding 40 hours in a week, does occasionally exceed 8 hours in a day. The nature of their work requires it. This amendment will reduce the cost of the House provision by two-thirds. The committee has elevated the rate of overtime pay for firefighters, investigators, and certain other employees from GS–9 to GS–10. Thus a level of the general schedule employees will enjoy this benefit.

The postal seniority adjustment, as referred, would have given step increases to supervisors senior to any junior employee in their same salary level. The committee has revised this provision to divide these employees into postal service occupational groups, so that a supervisor in the motor vehicle division will not get an increase simply because a foreman of the mails, who is junior in total service, happens to make more money.

I believe both of these amendments are acceptable and suitable refinements to the bill. The cost of the bill is reduced by $13.8 million thereby.

Other than these three amendments and certain technical changes in language, the bill is identical to the referred bill.

One important provision increases the Government's contribution to health insurance costs by $34 million, a 10-percent increase in the policies carried by most employees. When the Federal employees' health program was enacted in 1959, it was assumed that most employees would choose the low-cost, low-option program, for which the Government contribution was fixed at 50 percent, regardless of actual dollar cost. But experience has shown that almost 90 percent of our employees chose the high-option program, offering greater protection and costing much more.

In 1960, when the program began, the Government paid nearly 40 percent of the high-option premium. Since then, the employees have paid the full cost of all premium increases, and the Government's dollar-amount contribution has declined as a percentage of total cost. H.R. 14122 will remedy this by restoring the original ratio. It is not a complete remedy, but it will add to the employee's take-home pay, and it will demonstrate Congress intention to continue a major role in paying the costs of fringe benefit programs.

The bill requires that the increased authorization for uniform allowances included in last year's bill be given to the employees. In 1965, Congress increased the maximum amount from $100 to $125, but action to implement this increase has been slow in coming. To avoid further delay, the language has been made mandatory. The committee has amended this provision to provide authority for the various agencies to make reimbursements direct to the uniform vendors rather than reimbursing the employee. If such direct reimbursement is made, the agency may discount the amount paid the vendor by 4 percent.

The Civil Service Retirement Act has been amended to provide several long-sought reforms. Hereafter, employees shall be permitted to retire at age 55 after 30 years' service without reduction in their annuity. This has been a goal of employees for more than 40 years. Authority to permit agencies to retire employees in GS-13 and above at such age and service has not been adopted.

Hereafter, when the widow of a deceased Federal employee remarries after attaining age 60, she shall continue to receive her annuity. This amendment is much needed. It is most difficult for the widow of a former employee to give up her small annuity upon remarriage and then, through her second husband's death, be left with virtually nothing—and sometimes nothing at all. Should a widow remarry prior to attaining age 60, her annuity will cease, but it may be resumed if the marriage is terminated.

Under present law, the children of deceased employees must be dependent upon their parent in order to receive a survivor annuity. In the case of the father, this is usually true, but in the case of a working mother, it is not usually true, and if it is, it must be proven. This bill eliminates the requirement of dependency. From now on, the children of a working mother shall be eligible to receive the survivor annuity. The maximum age limit for children-survivors who are students has been increased from 21 to 22, to permit them to finish the normal term of a college education.

The committee has also extended the maximum age limit for family coverage under the health insurance program from 21 to 22.

Provisions in the bill which would have permitted Members of Congress to receive credit at the Member rate for service in the executive branch, and to compute their annuity on an average salary other than their congressional salary have been deleted from the reported bill.

The bill reported from the committee cost $505.8 million annually, based on the wage-price guideposts which cover the statutory salary systems. There is about $46 million in cost for other salary systems—wage board employees and employees of the legislative and judicial branches—which are outside the guideposts.

This cost figure is about $20 million above the 3.2 guidepost measurement. The committee is fully aware of this. But we believe we have done as much cutting as we can. The salaries recommended in this bill are largely based on rates prevailing in private enterprise more than a year ago. The real increase in salaries is the money added to the employee's purchasing power. The increase in the Consumer Price Index since the enactment of Public Law 89-301 is 1.9 percent. If we subtract that net purchasing power loss—and if we take any account whatsoever of the effect of State and local taxes, retirement deductions, and increased life insurance premiums and health insurance premiums in some plans last year, the increase is quite moderate. To do less than we have done in this bill would be to do practically nothing at all.

I urge the Senate to take favorable and speedy action on this measure.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MONRONEY. Mr. President, I am happy to yield to the ranking minority member of the Post Office and Civil Service Committee. I appreciate his strong assistance in reporting a bill which will give the Federal employees the maximum allowable increase within the lines of the noninflationary guideposts which the President has urged upon private industry. It was felt that the Government should also respond to that request.

Mr. CARLSON. Mr. President, I commend the distinguished chairman of the Post Office and Civil Service Committee for his dedicated and active interest in securing the introduction of the bill today and in urging its passage.

I think the RECORD should reflect that the minority members of the committee endorsed the bill and voted to report the bill.

I should like to say, however, that Congress clearly wrote into the Federal Salary Act of 1962 what the policy of comparability pay should be for all Federal employees. I sincerely regret that the pending bill lacks a great deal of reaching that optimum hope that Congress had in passing the legislation in 1962.

I realize the difficulty which confronts the President of the United States when trying to hold the pay increases to 3.2 percent.

The bill as reported by the committee calls for a 2.9-percent increase in basic pay. That does not mean, however, as small as that is, that there are not many benefits contained in the bill.

I am pleased to support the bill fully because the bill provides additional benefits in health insurance, provisions for better pay for some of the widows. Changes were written into the bill to benefit survivors and to provide for Sunday pay, for postal overtime, and for classified overtime. Several other features in the bill are really important.

I should not like to let this particular debate go by without mentioning that we fall far short of comparability. The bill was passed at a level of March 1, 1965, and the compensation of the Federal employees is considerably behind that of those people in private industry at the present time.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a tabulation entitled "High Rise: A Sampling of 1966 Construction Contract Settlements." The tabulation was published in the Business Week magazine of June 18, 1966, and deals with some of the construction contract settlements in private industry, showing that many of them, instead of 3.2 percent, have been settled on the basis of 6.5 percent, 7.5 percent, 10 percent, and 16 percent.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

High rise—A sampling of 1966 construction contract settlements

Craft	Contract term (years)	Hourly pay in dollars		Percent annual rise
		From—	To—	
Bricklayers, Detroit	2	$5.30	$6.15	7.5
Carpenters:				
Miami	3	4.04	5.30	10.3
Memphis	4	4.00	4.65	4.0
Buffalo	3	5.10	6.15	7.0
Cement masons, Seattle	2	4.54	5.22	7.5
Laborers:				
West Palm Beach	3	1.75	2.60	16.0
Los Angeles	3	4.01	4.96	8.0
Idaho-Oregon	5	3.27	4.24½	6.0
Hod carriers, Chicago	3	3.83	4.55½	6.0
Ironworkers, New Orleans	2	4.40	5.05	7.5
Operating engineers:				
Washington	3	4.83½	5.58½	5.0
Chicago	4	4.70	6.00	7.0
Painters, Kansas City	3	4.48	5.03	4.0
Plasterers:				
Marin, Calif	3½	5.90	7.40	5.5
Buffalo	3	5.01	6.51	7.0
Plumbers:				
Philadelphia	3	5.46	6.51	6.3
Nashville	2	4.41	4.91	5.5
Sheet metal workers, North Dakota	3	3.25	3.95	7.4

Source: U.S. Department of Labor.

Mr. CARLSON. Mr. President, I have submitted that tabulation for the Record to show that Congress has been very careful in trying to comply with the President's request by keeping the increase at 2.9 percent.

I hope that we will pass this legislation, meager as it is, this afternoon in behalf of the interest of the Federal employees.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MONRONEY. Mr. President, I am happy to yield to the distinguished senior Senator from Texas, the chairman of the Subcommittee on Postal Affairs, who has been of great assistance in helping the committee with this legislation.

Mr. YARBOROUGH. Mr. President, I very much appreciate the kind words from the distinguished Senator from Oklahoma, the distinguished chairman of the Post Office and Civil Service Committee. His diligent attention to the work of that committee has enabled the pending bill to be brought before the Senate today.

It is a bill that embraces, encompasses, and includes a pay raise for 1,800,000 classified civil service Federal employees and postal employees.

The skillful and sensitive handling of the pending bill by the Senator from Oklahoma enabled the bill to be brought to the floor with little controversy and with almost universal approbation.

The Senator from Oklahoma has been tireless and patient in working out a bill with all members of the committee. He has worked diligently and tirelessly and has reported a bill that will aid many people.

Mr. President, I am pleased to add my support to the Federal Salary and Fringe Benefits Act of 1966. This is a realistic, noninflationary measure which provides for much needed increases for our Federal employees, and at the same time, takes into account this year's budgetary limitations.

I also commend the patriotic representatives of the various employee groups who, after presenting testimony justifying much greater increases, were willing because of the war in Vietnam to accept part of the proven, needful increase at this time.

It is a very patriotic attitude for the employees to take.

I concur in what the distinguished senior Senator from Kansas has said. The employees are entitled under the Comparability Act to greater pay increases. Their work entitles them to it. However, they accepted the pending bill.

I hope that next year the situation will be such that we can provide the full increases the Federal work force deserves.

The late President Kennedy recognized that the complex programs of the greatest Nation on earth require the finest and most imaginative talent available. He also realized that in order to attract and retain this caliber of employee, the Government has to pay salaries comparable with private industry. In 1962, he proposed the principle of Federal salary comparability with private enterprise which was embodied in the Federal Salary Reform Act of 1962.

We have attempted to carry this out, but, due to the cost of the war in Vietnam, the pending bill does not reach full comparability for the Federal employees.

We have made much progress since 1962, but there is still catching up to be accomplished. Some progress has been made in H.R. 14122, of which the Senate can be proud. The bill would virtually eliminate unpaid overtime work for all classified employees—the only group heretofore left out of overtime pay for work over 8 hours a day. Mandatory overtime pay for postal supervisors would be extended through PFS–10, which would do much to improve morale among these higher level employees whose services are so vital to an efficient postal service.

I am happy to see that retirement at age 55 on a full annuity after 30 years' service is included in the bill. This has been a major aim of employees and employee unions for many years, and in former sessions of Congress I have introduced bills intended to accomplish this. Benefits for the survivors of Federal employees would be liberalized under the proposed legislation. Children of deceased employees would have an opportunity to finish their college education while still receiving their civil service annuity. Widows past the age of 60 would be able to retain their annuity when they remarried. I am glad to see these progressive improvements enacted.

I regret our failure to achieve full comparability with private enterprise, particularly for those employees in the middle and lower levels where rising prices and costs of living hurt most.

In connection with the fringe benefits, I believe this is an outstanding Federal pay bill. The pay increases are not high, but employees had been seeking many of these fringe benefits before I came to the Senate 9 years ago. We have been fighting for these fringe benefits the last 9 years, and now they are written into the pending bill.

This is a landmark bill in the so-called fringe benefit area.

I commend the senior Senator from Oklahoma, whose leadership has brought the bill to this point, where it is near passage.

Mr. MONRONEY. I thank the distinguished Senator from Texas for his remarks and for his efforts in bringing the bill to the floor by unanimous vote of the committee.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. WILLIAMS of Delaware. I submitted a couple of amendments that dealt with the House bill and they were referred to the committee. The purpose of the amendments was to delete from the House bill two sections, each of which proposed to increase the benefits for a former Member of Congress. As I recall, one section provided for increasing benefits by about 100 percent for one former Member of Congress, and the other section provided for about a 60-percent increase.

I shall put two letters in the Record outlining the special benefits proposed in the House bill for these two Members of Congress.

It was my understanding that the committee accepted both amendments and that those special benefit provisions are not part of the bill now before us.

Mr. MONRONEY. The Senator from Delaware is absolutely correct. The committee believed that these amendments did not belong in the bill. They were in the nature of private legislation, and were deleted from the House-passed bill by the committee.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the two letters dealing with the need for these amendments to prevent the special retirement benefits for these two former Members of Congress be printed in the Record.

I congratulate the committee on its acceptance of these amendments which deleted the special benefits for these two former Members of Congress.

There being no objection, the amendments were ordered to be printed in the Record, as follows:

U.S. Civil Service Commission,
Bureau of Retirement and Insurance,
Washington, D.C.

Hon. John J. Williams,
U.S. Senate.

Dear Senator Williams: This is in response to your telephone request of April 7, 1966 for information concerning the number of Federal employees who retired under the Civil Service Retirement Act in November and December of 1965, and the amount by which their annuities were increased by the provisions of Public Law 89–205 enacted September 27, 1965. We will not have precise data on these items until we have completed our statistical tabulations next fall, but we are able to provide estimates at this time.

About 37,000 Federal employees retired in November and December of 1965, compared with about 12,000 in the same months of 1964. The annuities which would have been payable to the 37,000 retirees in the absence of increase legislation are estimated to total about $131,285,000 a year. These annuities, however, were first increased under the terms of Public Law 87–793, enacted October 11, 1962, which provided a 2% increase for all persons retiring in 1965. They were further increased by 6.1% under the terms of Public Law 89–205.

The 2% increase is estimated to total $2,626,000 a year, and the 6.1% increase $8,169,000 a year, making the annuities actually payable to the 37,000 retirees $142,080,000 a year.

If these 37,000 had deferred their retirements until the end of January, 1966, the annuities without increase are estimated to total $132,270,000, reflecting an additional month of service and a slightly higher average salary in each case. They would have been increased by 1% as provided by Public Law 87–793 for persons retiring in 1966, to an estimated total of $133,593,000.

In summary, the annuities of the 37,000 November and December 1965 retirees are higher by $8,487,000 a year than if they had postponed retirement until the end of January 1966.

Sincerely yours,

ANDREW E. RUDDOCK,
Director.

U.S. CIVIL SERVICE COMMISSION,
BUREAU OF RETIREMENT AND INSURANCE,
Washington, D.C.

Hon. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: This will acknowledge receipt of your letter of April 7 inquiring about the effect of certain provisions of H.R. 14122 on the retirement rights of former Congressman Frank E. Smith and Paul J. Kilday. The information in this letter is in response to your specific request and is for your official use as a Member of Congress.

The proposed amendment to section 6(f) of the Civil Service Retirement Act would have the effect of conferring title to an immediate annuity computed under the Member of Congress formula on the Honorable Frank E. Smith upon expiration of his term of office as Director of TVA. Current law limits his eligibility to a deferred annuity benefit commencing at age 60. Under current law he will receive about $1306 a month commencing February 21, 1978. The proposed amendment would provide him with a monthly benefit of about $1312 commencing May 19, 1972 (the day following expiration of his term of office).

Present law limits Judge Kilday's annuity benefit to 80% of the $22,500 yearly salary in effect when he left Congress. Section 505(a) of H.R. 14122 amends the law to limit the basic annuity benefit to 80% of final pay received (now $33,000) for his service performed after leaving Congress, as a Judge of the U.S. Court of Military Appeals.

If Judge Kilday completes his term which expires on May 1, 1976, his rate of annuity under present law will be about $1601 a month. Section 505(a) of H.R. 14122 would provide him an annuity of about $2304 a month.

Both amendments will also apply to any other former Members of Congress meeting the requirements provided therein.

Sincerely yours,

ANDREW E. RUDDOCK,
Director.

Mr. WILLIAMS of Delaware. I have one other question. The bill as reported by the committee provides for substantial liberalization of the retirement system. The chairman of the committee has already outlined the various increased benefits. The Civil Service Commission has advised that the adoption of the committee's amendments will increase the unfunded liability of the retirement system by $1,698,700,000.

What provisions has the committee made to pay for the increased benefits in the retirement system that are provided under the bill?

Mr. MONRONEY. As the distinguished Senator from Delaware knows, any pay bill that increases the salaries of Federal employees, increases the unfunded liability of the civil service retirement system. This is because the employees who have been in the retirement system in previous years are allowed, under the system which has long been in force, to base their retirement benefits upon the 5 highest years of their earnings. Therefore, an increase of a very small amount—even the 2.9 percent included in the bill will increase the liability of the civil service fund.

Since 1929 the Federal Government made annual payments into the fund for its share of retirement costs. Unfortunately, this was not always kept up. In 1956 annual payments by the Government into the fund were resumed, and the agencies and employees are each paying the 6½ percent necessary to make the revenues of the fund nearly equal to the normal costs.

As I recall the figures—and I believe I am correct—the money required by the fund to pay the costs is 13.22 percent of payroll.

We are behind twenty-two one-hundredths of 1 percent in the requirements of the fund in order to pay retirement benefits.

Mr. WILLIAMS of Delaware. The letter that I have from Mr. Ruddock cites the same reasons for the increased cost that the Senator from Oklahoma has just outlined. But only one-half of the $1.698 billion increase in the liability can be attributed to the salary increase—$880 million, to be exact—and the other $800-and-some-odd million increase is as a result of the liberalization of the benefits under the system as provided for under the pending bill. In any event, they all must be paid for.

Mr. MONRONEY. How much does the distinguished Senator say was in Mr. Ruddock's letter?

Mr. WILLIAMS of Delaware. $1,698,700,000—that is the total cost of H.R. 14122. Of that amount, salary increases constitute $880 million. That leaves about $818 million attributable to the provisions of the pending bill.

The reason I ask this question is that the policy has been in effect over a number of years, both in the Ways and Means Committee and the Committee on Finance, that whenever social security benefits are liberalized, included as part of the same bill is the increased tax required to pay for those increased benefits.

I believe that is a wonderful system. Each time the Members of Congress vote for an increase in benefits they vote for the payment of the increase. Since that method is not being followed in this instance I wonder what plans the committee has to finance this unfunded liability.

I know that the President, in his message to Congress earlier this year, recommended a liberalization of the civil service retirement program with the understanding that a method of payment be devised.

I understand that in the pending bill there is no method to pay for these increased benefits.

Mr. MONRONEY. I wish to say to the distinguished Senator that the administration made no request of the committee that it undertake to meet this amount at this time. The total cost that the Senator is giving is not the annual cost.

Mr. WILLIAMS of Delaware. No. This is the unfunded liability.

Mr. MONRONEY. The retirement matters that the Senator referred to have a total cost of $500 million. These are what I consider to be long overdue liberalizations of some retirement benefits.

The balance of the amount—$1 billion—is due to the total cost of raising the level of salaries of our Government employees, upon which their subsequent retirement benefits will be based.

The Senator is very wise, I believe, in mentioning the social security feature. The reason the administration and the Government people did not support an increase in contributions this year was because of the plan we hope will be resubmitted to Congress to blend the civil service retirement system with the social security retirement system.

As the distinguished Senator now knows, under social security employees in private industry for their first 5 years, and a good many more years of their employment, and in part their surviving wives and children, will receive greater benefits than under the civil service retirement system with a great deal less paid in than is required by the 6.5 percent contribution by the Federal Government and the 6.5 percent contribution by the department.

The original administration pay proposal would have allowed Federal employees to have the benefits of the social security system where benefits would be greater, such as in the early years of employment. I would like then to have it. But to do so now, when we are on the threshold of this advance, and raise the required contribution of the Federal employee and the required contribution of the department, would be anticipating a new system of which we do not know its eventual cost, or what it is going to require of the employee. Certainly the Federal Government will be expected, and I am sure will meet its requirement of advancing its one-half of the amount required to pay into the social security system that is used by our Federal employees.

Mr. WILLIAMS of Delaware. I fail to see how the expansion of the social security system to Federal employees will affect one iota the financial position of the civil service retirement fund.

If social security is extended to Federal employees there will be deductions from the employees' pay, matched by the contribution of the Government; then all will be made into the trust fund of the social security and they will not be a part of this fund. Therefore, I fail to understand the Senator's argument.

In recent years it has been the custom of Congress in connection with the retirement system to pass these liberalizations in an election year and to say that we will come back next year and change the formula, but we do not get around to it.

Mr. MONRONEY. Mr. President, will the Senator yield on that point?

Mr. WILLIAMS of Delaware. I yield.

Mr. MONRONEY. The Senator knows that since 1956 we have met the amounts required by the departments——

Mr. WILLIAMS of Delaware. Yes, and I was a cosponsor——

Mr. MONRONEY. To put up their share of the funds, and we have done so.

I agree with the Senator that if the fund were liquidated tomorrow there would be a deficit of considerable size.

We certainly intend, and I am sure we will adjust that upward, as we have.

One of the great faults, primarily, was the fact that until 1929 the Congress did not make its Federal contribution for its share. From 1929 onward, it was not regularly met or met in an amount which was realistic. Only since 1956 have the agencies directly been putting up their required share so that the fund is not falling behind, although it is falling behind in the ultimate liability, which is due partly to the prior years and partly to the years that we know we will find increasing salaries being required for the payment of Government workers, as is true in all businesses, such as the insurance business, or anything of that kind.

Mr. WILLIAMS of Delaware. I am familiar with the action of the Congress in 1956. I not only supported that action but also was a cosponsor of the proposal, and a few years prior to its adoption I advocated that the Government automatically match the employees' contributions as it should have been doing before.

The unfunded liability of this fund before this bill is enacted is $43.6 billion. Today we are adding $1,698,700 which brings up to $45.3 billion the unfunded liability accrued as a result of increased benefits that Congress voted over the past 20 years for which they have not provided any method of payment.

Mr. MONRONEY. The liability occurred because of a long period in which the Government did not meet its requirement for putting money into the fund for its share of the contribution.

Mr. WILLIAMS of Delaware. Partly, but if the Government went back and met all of its contributions—and I would be in favor of its doing that for it should have been done before—it would correct but a small part of this liability and there would still be a multibillion-dollar unfunded liability.

Mr. President, I ask unanimous consent that the letter from Mr. Andrew E. Ruddock, Director of the Bureau of Retirement and Insurance of the U.S. Civil Service Commission, dated May 5, 1966, outlining the extent of this liability be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. CIVIL SERVICE
COMMISSION,
BUREAU OF RETIREMENT
AND INSURANCE,
Washington, D.C.

Hon. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: The following information is furnished in answer to specific questions raised in your letter of April 29.

ANALYSIS OF SECTION 503 OF H.R. 14122

Since its beginning in 1920, the Civil Service Retirement Act has granted covered employees credit, without contribution, for all time on an agency's rolls in a nonpay status (leave without pay, suspension, furlough, and absence without leave) which does not exceed six months in the aggregate in any calendar year. Thus, covered employees carried in nonpay status by their Federal agencies while serving as full-time officials of employee organizations and unions accrue six-months' free service credit for each full calendar year in nonpay or leave without pay status.

Effective upon enactment, section 503 of H.R. 14122 would afford the employee union official 60 days from date of entry on leave without pay to elect with his agency to receive full retirement credit for his time in nonpay status by currently paying retirement deductions (now 6½%) on his Federal salary rate as if in pay status. Otherwise the usual credit of up to six months per calendar year would be allowed for the leave without pay.

Also, section 503 would afford any present or former union official with Retirement Act coverage on or after enactment date the option of depositing employee deductions (at rates then in force), with interest, to cover his prior periods of leave without pay granted to allow him to serve as a full-time union official. In case of death before retirement, the former union officer's survivor could exercise this option. In the absence of deposit in full for this purpose, only the leave without pay not exceeding six months in a calendar year could be credited.

BASIS ON WHICH THIS PROVISION WAS INCLUDED

Section 503 was not recommended by the Administration. Chairman Macy, in testimony before the Senate Post Office and Civil Service Committee, on April 20, 1966 stated, however, that the Administration would not offer objection to this provision.

COST OF THIS PROVISION

Because we do not know how many union officers are now or may in the future be on leave without pay from their Federal positions, or the duration of such leave, we cannot estimate either the normal cost or the amount of the unfunded liability which this provision would create. Let us assume, however, an over-simplified hypothetical case of a union officer with a level annual Federal salary of $10,000. For each year he is on leave without pay, he receives under present law annuity and time credit of six months, or $100 in annuity rate, at no cost to him. Under the proposed amendment he would receive a full year's credit, or $200 in annuity rate, for each such year, at a cost to him of 6½% of $10,000 or $650.

Unfunded liability under H.R. 14122

[In thousands]

A. From report of the Cabinet Committee on Federal Staff Retirement Systems, H. Doc. No. 402, p. 25:	
55/30–60/20	$283,000
Widow's remarriage	174,000
Child to age 22	6,000
B. Salary increases	880,000
C. Recomputation of annuities	355,700
Total, H.R. 14122	1,698,700
Unfunded liability present law (Estimated as of June 30, 1966)	43,637,602
Total after enactment of H.R. 14122	45,336,302

I hope this gives you the information you need.

Sincerely yours,
ANDREW E. RUDDOCK,
Director.

Mr. CARLSON. Mr. President, I believe that the Senator from Delaware [Mr. WILLIAMS] has again stressed the concern of all of us who are interested in the soundness of the Federal servants' civil service retirement fund.

This problem concerns many of us and it is of vital concern to the Federal employees of this Nation. I know that there is not a Member of the Senate or the House of Representatives who is not interested in the fund.

We should keep in mind the situation that the fund is in, so that the Federal employees can be assured that the full faith and credit of the U.S. Government is behind the fund.

There has been some discussion here about earlier payments into the fund and it is true that from 1921 until 1928 the Federal Government did not make any contribution to the fund.

We find that in the Civil Service Commission's Annual Report of 1963, page 39, table C-1. It is true that although from 1921 to 1928 Congress made no appropriations to the fund, during that time there were total receipts of $155,940,643, while disbursements were only $72,955,384. This left a balance of over $82 million-plus at the end of 1928.

In addition, no survivor annuitant payments were made until 1949, when such payments began, and recipients began to receive this money. It should also be mentioned that in 1948 the 80th Congress appropriated a fund of $245,530,000, and that in 1949 the 81st Congress cut that amount to $226,032,000.

It is interesting to note that since Public Law 854 was passed, of which the distinguished Senator from Delaware [Mr. WILLIAMS] was a cosponsor, and signed by President Eisenhower in 1956, according to the Civil Service Commission that fund is sound financially with the exception of the deficit which occurred previous to Public Law 854.

I repeat, the Senator from Delaware is entitled to much credit for keeping a watchful eye on this fund. We all should do so because we want to be sure that it is preserved and kept for Federal employees and their survivors in the future.

Mr. WILLIAMS of Delaware. I thank the Senator from Kansas. I join him in emphasizing that there is concern on the part of those who are retired. There is no question in my mind that the Federal Government will stand back of the fund and that the Members of Congress will also; but, on the other hand, we have a responsibility to see that the fund itself is solvent. Why let it go bankrupt first? It would be wise for the Senate at this time to adopt as a part of this bill a provision which would provide for financing the increased benefits as provided in the bill.

There is another additional cost which may very well develop in the retirement system within the next few months. About a year or so ago Congress passed a proposal that in the event of inflation and a rise in the cost of living of 3 percent which held for, I believe it is 3 months, this 3-percent increase would automatically be reflected in retirement benefits.

I do not have before me the exact formula as to how this increase goes into effect, but I do know that according to the Department a few weeks ago we are close to the point of that 3-percent increase in the cost of living and again there is no method to finance it.

It is time for Congress to decide that if it is going to provide the benefits it should be willing to pay for them.

At an appropriate time I shall propose an amendment to increase deductions by one-half of 1 percent on the part of both employees and the Government to finance the benefits under this particular bill.

I would be a strong supporter of the benefits under this particular bill.

I would be a strong supporter of the benefits of the bill if we can properly finance it. If it does not have enough merit to justify the cost let us face it. We should not increase the benefits this year on the eve of the election, and then next year come back and increase the deductions from the employees. This is what Congress does far too often. The benefits and the deductions to pay for them should both be included as part of the same bill.

I have one other proposal which I should like to discuss with the chairman. I noticed, when the President sent his message to Congress promoting clean elections that he stated he was studying the problem as it related to the soliciting and pressuring of political contributions from Federal employees. This is something which has concerned all of us over the years, and I think it is time we did something about it rather than just talking. I have had the legislative counsel check the records, and I find that there is a very tight law as it relates to the solicitation of political contributions by officers of the Government. I quote the law:

> . . . any Member of Congress, officer or employee of the United States, or person receiving any salary or compensation for services from money derived from the Treasury of the United States who directly or indirectly solicits, receives, or is in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever from any other such officer, employee, or person shall be fined not more than $5,000 or imprisoned not more than three years, or both.

Therefore, the law does clearly prohibit, subject to fine, any Member of Congress or salaried official of the U.S. Government from soliciting or pressuring a civil service employee into making a political contribution. The law takes care of that, but there's a loophole, because a representative of a candidate or a political committee can solicit or shake down a civil service employee and not violate the law.

The amendment which I am proposing would add a new subsection to the present law which I have just outlined and would prescribe the same criminal penalty to any person acting on behalf of any political committee, including any State or local committee of a political party, who directly or indirectly solicits or in any manner is concerned with soliciting any assessment, subscription, or contribution for the use of any such political committee or for any political purpose whatever from any other such officer, employee, or person.

This proposal is to amend the existing law which already prohibits a Member of Congress or a salaried public official from soliciting or pressuring civil service employees by prohibiting the national committees, State committees, and representatives of a public officials from doing the same thing.

Mr. CARLSON. I am not familiar with the amendment the Senator has just read—the section dealing with the proposed law, but I ask him, would this in any way interfere with voluntary contributions made by Federal workers?

Mr. WILLIAMS of Delaware. Not at all. I would object to it if it did, because an employee of the Government has a right to support the political party of his choice on a voluntary basis just as he has the right to vote for the party of his choice. That is, of course, his right. He can make contributions, but it would prohibit employees from being shaken down by any political committee.

I should like to read a letter from an employee emphasizing the need for this proposal. I will delete the names of the employees; they are afraid of retaliation.

[Personal and confidential]

Hon. John J. Williams,
Senator from Delaware,
Senate Office Building,
Washington, D.C.

Dear Senator Williams: On May 27 *The New York Times* reported your resolution calling on the Attorney General to investigate charges that federal employees were being solicited for political funds in violation of the Hatch Act. The article implied but did not state that the resolution was carried.

I am a federal employee, whose recent appointment to a non-supervisory Grade 11 was entirely non-political. Every employee (above clerical) of my office was solicited to contribute for the impending Johnson affairs in New York City. Amounts of the expected "gift" were recommended. When I declined to give, my pay and my advancement were, it was suggested, in danger.

I do not intend to make any charges under the Hatch Act, and am not seeking any relief for myself or punishment of others. However, I completely support your resolution, and urge you to do everything within your power to see that a meaningful inquiry is made. The kind of sophisticated extortion that can be involved in these violations is humiliating to those who yield and to those who don't, to say nothing of the officials who condone it.

Sincerely,

———— ————.

Mr. President, I have had many such letters from employees who feel they may not get well-deserved promotions if they are known to have complained of these shakedowns. Congress is familiar with the situation. The President has said he wants something done about promoting clean elections. All right, let us do something instead of just talking about it.

All the amendment would do would be to add to the existing law the provision that representatives of political committees cannot shake down Federal employees for political contributions.

This closes the loophole.

Let me repeat that these employees can still contribute on a voluntary basis. They can make contributions to the political party of their choice provided this is done voluntarily and not shakedown.

Of course, such a shakedown is done rather cleverly. Employees are not told they will be fired or that they will not get a promotion. They are not told that they have got to contribute; but a list is published of contributors where everyone can see it, and an employee therefore knows that his boss is going to be looking at this list. The Senator knows and I know that it is in effect a shakedown.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CARLSON. I have been concerned about this situation for some time. Regardless of the party that is in power, I think the practice has been followed by both parties.

Mr. WILLIAMS of Delaware. It has.

Mr. CARLSON. I have been opposed to the practice. We ought to take action to correct it. It is unfair to employees. Say what we will, it is done under duress. The employees feel that they are forced to contribute. I hope we can do something in this field that will prohibit the solicitation of Federal employees by heads of agencies, by supervisors, or by other persons concerned. If the Senator's amendment is designed to do that, I can find nothing wrong with it, and I shall support it.

Mr. WILLIAMS of Delaware. The amendment does not go further than that. I had the amendment prepared by the Legislative Counsel. I shall read again a paragraph from their analysis of the amendment. The intent of the amendment is clear. I asked the Legislative Counsel to draft the amendment so that there would be no misunderstanding about the intent. I shall incorporate the entire statement prepared by the Legislative Counsel in the Record, but first I shall read a paragraph from the memorandum:

> The proposed amendment would add a new subsection to this section which would prescribe the same criminal penalty to any person acting on behalf of any political committee (including any State or local committee of a political party) who directly or indirectly solicits, or is in any manner concerned in soliciting, any assessment, subscription, or contribution for the use of such political committee or for any political purpose whatever from any officer or employee of the United States (other than from an elected officer).

Mr. CARLSON. Mr. President, will the Senator further yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CARLSON. As I heard the reading of the paragraph, it occurred to me that the amendment would be well received by every Federal employee. I sincerely believe the Senate ought to take action on it today.

Mr. WILLIAMS of Delaware. I thank the Senator from Kansas for his support. This bill deals with Government employees. Certainly they have felt over the years that they were being pressured. I have received several letters that I could place in the Record. I shall put some of them in the Record, and naturally I shall not give the names of the senders. I have received letters from throughout the Government from Federal employees who have complained about this practice.

I have discussed this subject over the years, both in this administration and in preceding ones, so the issue is not a partisan one. It is a practice which, as the Senator from Kansas said before, has been carried on to some extent, by both political parties. We may have different opinions as to which party has carried the practice further, but we would not get anywhere by discussing that.

I hope the amendment will be accepted by the chairman of the committee. I send the amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the end of the bill insert the following:

"TITLE VII—PROHIBITION UPON SOLICITATION OF FEDERAL EMPLOYEES BY POLITICAL COMMITTEES

"SEC. 701. Section 602 of title 18 of the United States Code is amended—

"(1) by inserting '(a)' before 'Whoever'; and

"(2) by adding at the end thereof the following new subsection:

"'(b) Whoever, acting on behalf of any political committee (including any State or local committee of a political party), directly or indirectly solicits, or is in any manner concerned in soliciting, any assessment, subscription, or contribution for the use of such political committee or for any political purpose whatever from any officer or employee of the United States (other than an elected officer) shall be fined not more than $5,000 or imprisoned not more than three years, or both.'"

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an analysis of the amendment as prepared by the Legislative Counsel.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR SENATOR WILLIAMS OF DELAWARE

The attached amendment to H.R. 14122 adds a new subsection to section 602 of title 18 of the United States Code (crimes and criminal procedure) so as to prescribe a criminal penalty for the solicitation of contributions from Federal employees by political committees.

The present section 602 of title 18 provides, in general, that any Member of Congress, officer or employee of the United States, or person receiving any salary or compensation for services from money derived from the Treasury of the United States who directly or indirectly solicits, receives, or is in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever from any other such officer, employee, or person shall be fined not more than $5,000 or imprisoned not more than 3 years, or both.

The proposed amendment would add a new subsection to this section which would prescribe the same criminal penalty to any person acting on behalf of any political committee (including any State or local committee of a political party) who directly or indirectly solicits, or is in any manner concerned in soliciting, any assessment, subscription, or contribution for the use of such political committee or for any political purpose whatever from any officer or employee of the United States (other than from an elected officer).

The term "political committee" is defined, for purposes of section 602 and certain related sections of title 18, in section 591 of title 18. The term, as so defined, includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors in two or more States. The term, as so defined, also includes any committee, association, or organization (other than a duly organized State or local committee of a political party) which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors, whether or not in more than one State, if such committee, association, or organization is a branch or subsidiary of a national committee, association, or organization. (Section 591 of title 18 also defines the term "candidate" to mean an individual whose name is presented for election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected).

This definition of "political committee" contained in section 591 of title 18 will apply to the use of that term in the new subsection which this amendment would add to section 602. However, for purposes of this new subsection, a political committee specifically includes any State or local committee of a political party.

Respectfully,

HARRY B. LITTELL,
Senior Counsel.

JUNE 15, 1966.

Mr. WILLIAMS of Delaware. Mr. President, the memorandum was prepared by Mr. Harry B. Littell, Senior Counsel of the Office of the Legislative Counsel, under date of June 15, 1966. It clearly establishes that the amendment is not intended to deal with any subject other than that which I have just outlined.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

Mr. MONRONEY. Mr. President, may I ask the Senator from Delaware when the amendment was first submitted?

Mr. WILLIAMS of Delaware. The amendment is now submitted. The subject has been discussed several times previously. The President recommended that Congress do something to correct the shakedown of these employees. I regret to say that I was unable to have the amendment prepared in time to submit it to the committee.

Mr. MONRONEY. It could probably not have been accepted by the Committee on Post Office and Civil Service, because it appears, from my reading of it, that it would have been subject to a point of order, because that committee does not have jurisdiction of election laws.

Perhaps it might be offered as an amendment to the Corrupt Practices Act. It might come within the jurisdiction of the Committee on Rules and Administration, which traditionally and historically has handled election legislation, or within the jursdiction of the Committee on the Judiciary, because the amendment involves criminal penalties under the Corrupt Practices Act.

As the Senator from Delaware knows, the Committee on Post Office and Civil Service held hearings extending over many days and covering many items dealing with Federal salaries and fringe benefits.

At this late date, much as I favor the passage of legislation to strengthen the regulation of reporting and fundraising systems throughout the political structure, both Federal and State, I am at a loss to know how provisions of this kind could be enforced, particularly since they deal with State and local committees, which generally have tenuous relationships with the national committees. The national committees concern themselves with the Senate and the House and handle the national fundraising efforts, while the local committees deal with local affairs.

I have strongly favored the prohibitions now in the law—and they are strong—which the distinguished Senator from Delaware says have been violated by the solicitation of donations from Federal employees upon Federal premises or during Federal working hours. That subject is a matter of Federal law today, is it not?

Mr. WILLIAMS of Delaware. It is a matter of Federal law.

Mr. MONRONEY. Are not Federal employees prohibited by law from soliciting any contribution from any other Federal employee?

Mr. WILLIAMS of Delaware. Salaried employees of the Federal Government are prohibited from soliciting political contributions from other civil service employees, but representatives of salaried officials or political committees are not prohibited from doing so. Both the Senator from Oklahoma and I know that Federal employees are being solicited at the present time. The President has suggested that legislation be enacted to prevent it. Very well. The Senator from Oklahoma says he is in favor of such legislation. Then let us pass it. There is no time like the present to do so.

So far as the germaneness of my amendment is concerned we are dealing today with a bill which affects the salaries of 2,500,000 Federal employees. What could be a more appropriate vehicle for providing that the salary increase that is to be given to the Federal employees cannot be taken away from them as a shakedown or a contribution to be made to a political party?

Mr. MONRONEY. I have always felt that hearings on bills were a rather important part of the process of sound legislation. This proposal has been before the Senate for some 5 minutes; yet we are asked to incorporate it into a Federal pay bill without knowing exactly how it will apply. I do not know how any of the Post Office officials or any of the vast number of employees of the Military Establishment or other Government departments would be under any pressure to make a donation, and certainly not to a State political committee or local committee or party representative. I do not know how such a situation could be policed. I seriously doubt whether many of them would be impressed by a telephone call from a representative of either of the great, historic, national political parties.

Certainly I have a sufficiently high regard for the courage and the integrity of the people who are employed by the Federal Government to believe that if anyone tried to use coercion or threats, tried to threaten them in any way, they would resent it, and their resentment, with the sanctity of a secret ballot which they are guaranteed, would result in an extreme loss of political support rather than any gain of political support.

I do know that many employees buy tickets to fundraising banquets; and certainly that is one of the ways that contributions for State funds are solicited. But my observation at almost all such banquets that I have attended has been that they have been attended by a wide variety of men from all walks of life, that the number attending who could be identified as Federal employees would be small indeed, and that such employees would be almost totally absent when you reach the State or county level.

I do feel that the importance of a clean elections bill, many facets of which have already been outlined by the President in his message, is such that it should be taken up, I hope this year, by Congress; and, after hearings that would develop all the facts necessary, we would then be able to legislate intelligently, and not be asked, after a bill has come to the floor, to vote on such a matter as the Senator suggests.

I do not know how we could identify and distinguish between the prohibitions against State and Federal members of local political parties. I wish the Senator would enlarge on that. What is the direct or indirect offering of a $10 banquet ticket? Those things are prohibited, with criminal penalties, in the Senator's amendment. I think the language could have been vastly improved on and become much more effective had the amendment had the advantage of hearings before a congressional committee.

Mr. WILLIAMS of Delaware. I first wish to thank the Senator from Oklahoma for giving such enthusiastic endorsement to the proposition that all bills and amendments should have committee hearings before being acted upon by the Senate. I only wish he had been of that same mind 2 or 3 weeks ago when we had the cotton bill before us, a bill which had had no committee hearings in either the House or the Senate. I moved to send the bill back to the committee for that reason, but the Senator did not support me. That bill involved about a $400 million authorization and had had no hearings whatsoever. Apparently this argument of the desirability of committee hearings is something to be used when it is desired to postpone action. It is a delaying tactic.

As to who is for the bill and whether the departments would be for it I would venture to say that if representatives of the departments testified they would testify for it. If representatives of this Great Society were to talk to Senators privately I expect they would say they hoped it would not pass; they raise a lot of money out of the present system. If the Senator were to talk to civil service employees, however, he would find they are for it, because civil service employees are tired of being shaken down by political parties.

The existing law provides—and I shall read it again—"any Member of Congress, officer or employee of the United States, or person receiving any salary or compensation for services from money derived from the Treasury of the United States," and it goes on and states that any of these salaried employees who are on the Federal payroll if they solicit political contributions from civil service employees shall be subject to the penalty.

But under the existing law there is no penalty if a representative of a political committee, such as the Republican or Democratic State or National Committees, makes such solicitations. There is no law against this type of solicitation as the law stands. My amendment merely proposes to add a new subsection which would apply the same criminal penalties to any person acting on behalf of a political committee. It would simply close that loophole by providing that the same penalties shall be applicable to such persons as are now applicable to salaried officials if they solicit.

Certainly there should be no objection to that. Employees are not prohibited from having the right to make such contributions voluntarily if they wish.

The Senator raised the question as to the broad definition of the word "committee" as it is used in the amendment. This is the same definition of a political committee that was used in the amendment which was passed by the Senate unanimously about 3 months ago which prohibited both political parties or their committees or subcommittees from selling advertising in brochures on campaign functions. It is the same definition of "committee" which has been approved by Congress before.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Washington.

Mr. MAGNUSON. I voted for the amendment of the Senator from Delaware 2 or 3 months ago on the so-called brochure matter. I voted for it because I thought that was a tax problem. It involved the question of the Federal Government not receiving the proper taxes as a result of a deduction which perhaps should not be granted; and I thought that was a proper amendment.

But I, too, am somewhat confused about this amendment—and I am not making that statement because I happen to be the chairman of the Senate Democratic campaign committee. I am sure that the distinguished Senator from Kentucky [Mr. MORTON], if he were here, would speak as I speak.

What does the Senator mean by a political committee? Out in my State, there are often bond issues for schools or recreation facilities or other local issues for which committees are formed—political committees for a referendum or against a referendum, or for or against an issue. These committees openly go to Federal employees who might be concerned and ask, "Would you help us on this committee?" It seems to me that the Senator's amendment would prohibit them from seeking any such help. They would probably be quite seriously disturbed about giving $2 or $3 or $4 or $5 to such committees in local communities for local issues. The matter involved could be a sewer district to serve the homes of many Federal employees, who would wish to go out and help. I am afraid that the Senator's amendment, if agreed to, would stifle that sort of thing unless the term "political committee" were more clearly defined.

Mr. WILLIAMS of Delaware. If the Senator will yield, I can answer that very easily. My amendment would amend section 602 of title 18 of existing law which already defines political committees. This has nothing to do with a proposal for a sewer going in front of a man's home or a school bond election.

Mr. MAGNUSON. I wanted that point cleared up.

Mr. WILLIAMS of Delaware. That is right; I am glad the Senator asked the question. The section of the Corrupt Practices Act to which I referred deals entirely with political contributions, as defined for the purpose of electing candidates for national office.

Mr. MAGNUSON. Would that include local officials, too?

Mr. WILLIAMS of Delaware. Only as defined under the Corrupt Practices Act; it would follow the same definition as the present law. I am sure the Senator would not wish to change that definition as now stated in the act.

Mr. MAGNUSON. No; I merely wished to clarify the matter. It is somewhat unusual to present a matter of such broad scope at this stage, without some discussion. I would like to have an opportunity to discuss the matter with the distinguished Senator from Kentucky. I do not believe it affects our respective committees because the employees of both the Senate Republican and Democratic campaign committees are few in number. We have three on my committee, and I do not think Senator MORTON has more than three or four who actively work for the Republican committee. They do the administrative work. And when we have a dinner, such as the Senator from Kentucky has downtown about 2 months ago, at $1,000 a ticket—and had a full house—lots of people bought those tickets and contributed. I do not know how many Federal employees were there; there might not have been as many as the Democrats had at their $100 dinner about 6 weeks ago.

But we form outside committees. In my case, Gen. Jess Larson was the chairman of the downtown committee. I know there were a number of Federal employees who came to that dinner. They were not solicited in any way out of any of these campaign offices, and no one intended that they should be. When the Senator speaks about any political committee, I can understand it as referring to a sort of semiofficial committee, such as the Democratic campaign committee, the Republican National Committee, Senator MORTON's committee, and others.

I think we should have a much better clarification and understanding of the subject matter when dealing with any political committee.

The Senator from Delaware knows that campaigns are not run without money. It does not cost as much to run for office in Delaware as it costs to run for office in Illinois. There is not as large a geographic territory to cover in Delaware. Also, the cost would be based on so much per voter.

We have read in the newspapers about someone having raised $100,000 or $200,000 at a dinner. That sounds like a big amount. However, there are 1,500,000 voters in the State of Washington. If a man were to run for the office of Governor or U.S. Senator from Washington, he would perhaps have a campaign fund of $200,000, which sounds very large to the average individual. However, when we break the amount down, it amounts to perhaps 20 cents a voter. One can barely send a letter to a constituent for 20 cents, let alone do anything else.

We should look at this matter in that perspective.

I have not heard the argument of the Senator from Oklahoma concerning the germaneness of the amendment. However, I hope that the Senator from Delaware will consider the request of the Senator from Kentucky and myself. We are personally interested since we have been designated as delegates by our respective parties. We hope that we can talk to the Senator from Delaware about this and see what the definitions mean and go into the matter in the depth it deserves.

Mr. WILLIAMS of Delaware. I should be delighted to have the Senator talk to the Senator from Kentucky. The Senator from Kentucky is here, and I am sure he will support this amendment. I saw him 10 minutes ago.

Mr. MAGNUSON. He had no notice of the amendment.

Mr. WILLIAMS of Delaware. I have just talked to the Senator from Kentucky about the amendment.

Mr. MAGNUSON. The Senator did not notify the Senator from Washington.

Mr. WILLIAMS of Delaware. The Senator from Washington is here now, and he has a copy of the amendment.

Mr. MAGNUSON. I was in my office all morning.

Mr. WILLIAMS of Delaware. The Senator from Washington says he is interested in this matter. Then let us approve the amendment.

In reply to the question concerning the germaneness of the amendment, the pending measure is the most germane proposal that could be offered. We are dealing with a salary increase for 2.5 million employees.

All that the amendment would do in the example outlined by the Senator would be to provide that his senatorial campaign committee or the committee headed by the Senator from Kentucky could not have a person acting on their behalf and solicit contributions or sell tickets.

Mr. MAGNUSON. The Senator is correct, and we do not do so.

Mr. WILLIAMS of Delaware. I am certain of that.

Mr. MAGNUSON. I do not know what the committee may or may not do. However, I do know that every time the committee's action is correctly questioned—and that has happened on occasion respecting the sending of letters and so forth—the questioned practice is stopped rather quickly. The story appears on the front page of the newspaper.

Mr. WILLIAMS of Delaware. The present law does not prohibit or provide penalties for an employee of one of the committees or of one of the downtown committees who makes such solicitations. There is no law against such action.

This amendment merely states that representatives of these political committees who solicit funds would be subject to the same penalties now applicable to salaried officials.

Mr. MAGNUSON. That provision would apply to an employee in Dover, Del., raising money for the election of a sheriff.

Mr. WILLIAMS of Delaware. It would if that employee were shaking down the civil service or Government employees and if the sheriff's name were on a national ballot.

Mr. MAGNUSON. No one is shaking anybody down.

Mr. WILLIAMS of Delaware. They cannot be pressured into contributing. The employees can buy tickets if they wish. However, we do not elect a sheriff in Dover unless he is running on the same ticket as the other candidates. When they are on the same ticket as national candidates they would be covered.

Mr. MAGNUSON. We have candidates on all tickets.

Mr. WILLIAMS of Delaware. The Senator is correct. However, they do not run nationally on all tickets.

The amendment merely states that representatives of these public officials or political committees cannot go out and do what the principals are barred from doing under the existing law. If we do not close this loophole, Congress might just as well stamp our approval on such action. Personally I think it is wrong.

I read a letter from another employee. It is as follows:

> Senator JOHN J. WILLIAMS:
>
> I am a career employee with many years of service. I have never been high-pressured for the $100 fund raising like I have been this year. This is the first time I know of that employees were solicited at work, right at their desks. A list was maintained of givers and nongivers in the Commerce Department. Lack of faith and integrity in the Civil Service System prohibits me from revealing my name. Fellow employees know that promotions are denied to the nongivers.

We should enact legislation protecting these employees from forced contributions.

Mr. MAGNUSON. I think this involves an interpretation by an employee of what a solicitation is.

I could read all kinds of letters written during the Eisenhower administration, during the Harding administration, and perhaps during the Lincoln administration—letters written in an effort to solicit funds.

It depends on how the man himself interprets solicitation.

I would like to have the amendment define the meaning of solicitation with more care and precision.

Would the term "solicitation" cover a fellow employee who would say, "Did you buy a $10 ticket to the dinner for our old friend, the sheriff of Dover?" The other fellow might say, "No, but perhaps I had better do so because you never know when you will see the sheriff."

It is a matter of advice and not solicitation. The definition of solicitation is not that of the fellow himself. He perhaps did not want to buy the ticket and perhaps would not have bought one. He did not have to. He would perhaps instead say something similar to what has been stated in the letter from which the Senator just read.

I think we are getting into a field in which we ought to have a little more definitive discussion of what we mean by political committees all over the United States. There would be thousands of such committees, perhaps more than that.

What is solicitation? If someone comes in and says, "If you don't do this, I will do something to you," that would be solicitation. No one could say that to him but a superior.

However, if the matter arises in another more subtle way he might still say that he was solicited. He did not have to do anything about it. That is what bothers me about the amendment. I am sure that I also speak for the Senator from Kentucky.

Mr. WILLIAMS of Delaware. I understand that the Senator from Illinois seeks recognition, and I shall yield. However, I must state again that the amendment does not in any way attempt to redefine solicitation or contributions as presently defined under the existing law.

All that the amendment would do would be to impose the same penalties against an employee of a senatorial campaign committee or other political committee who was soliciting political contribution from Government employees. All that this amendment would do would be to add "employees of these committees" so that a man cannot designate someone to do this soliciting in an effort to get around the existing law.

This is a loophole that has been recognized by the President and by many others.

Everyone says that he is against this practice and that he wants to do something about it. This is the chance to do something. Vote for this amendment here today.

Mr. MAGNUSON. We are going to have hearings on the recommendations. Most of the committee members say that we will have hearings on this. The Senator from Kentucky and I have an amendment that we want to offer in order to help clarify some of this matter.

I was hoping that this sort of thing could be put in at the proper place and time so that we could have a really definitive look at what the amendment means.

Mr. WILLIAMS of Delaware. This proposal was not a part of the bill as introduced in either the House or the Senate. Why delay action?

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Mr. President, there has been discussion as to the meaning of the word "solicitation." I listened to what was said by the Senator from Delaware. If I am correct, his statement was that he is not at all changing the meaning of the word "solicitation."

He is using that word in the exact connotation that it carries in the present law.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LAUSCHE. All that the Senator is doing is asking that the senatorial or congressional employees be covered under the general existing law pertaining to solicitation.

Mr. WILLIAMS of Delaware. The Senator is correct.

I shall read from the existing law, section 602 of title 18:

> §602. Solicitation of political contributions.
>
> Whoever, being a Senator or Representative in, or Delegate or Resident Commissioner to, or a candidate for Congress, or individual elected, as Senator, Representative, Delegate, or Resident Commissioner, or an officer or employee of the United States or any department or agency thereof, or a person receiving any salary or compensation for services from money derived from the Treasury of the United States, directly or indirectly solicits, receives, or is in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any other such officer, employee, or person, shall be fined not more than $5,000 or imprisoned not more than three years or both. (June 25, 1948, ch. 645, Stat. 722.)

That is the present law. The proposed amendment would merely add a new subsection to this section which would prescribe the same criminal penalties for any person acting on behalf of any public official or political committee.

The definition of a political committee is the same as defined in the amendment that was approved about 3 months ago prohibiting political committees from selling ads in their bulletins.

Mr. LAUSCHE. Do I understand correctly that the amendment proposed by the Senator from Delaware would not affect the present meaning of the words "soliciting," "receiving," or other language used in the existing law?

Mr. WILLIAMS of Delaware. The Senator is correct. The proposed amendment is not intended to change one iota the definitions it merely provides similar penalties for representatives of the committees. The restrictions would be no different from those presently applicable to the Senator from Ohio and myself.

Mr. LAUSCHE. A question was asked as to what is meant by "solicitation." I say this in a spirit of lightness. Regardless of how tender and how innocent the request might be, the fact is that Congressmen intimidate and coerce employees in the contribution of money for political campaigns.

I can go to an employee of mine and by a mere look, by a mere tender suggestion, suggest that he give money. It might be said that that is innocent solicitation. The fact is that it is evil and flagrant intimidation.

I am glad to say that I have never taken a nickel as contribution from any of my employees, in the entire time that I have been in the Senate.

Mr. WILLIAMS of Delaware. I thank the Senator from Ohio for his support. I am sure the same statement can be made by other Senators.

Mr. MAGNUSON. The Senator from Ohio might raise the implication that, while he has not done it, someone else has.

Mr. LAUSCHE. We are talking about prohibiting this practice, and I suppose we are talking about prohibiting this practice because we fear that it is being done.

I repeat that nothing in all these circumstances justifies the argument of the Senator from Washington for special hearings to find out what is meant by the word "solicitation."

Mr. MAGNUSON. I did not say that at all. If we are going to have a confessional here——

Mr. WILLIAMS of Delaware. I stated before to the Senator from Ohio that I was certain that what he said was equally applicable to all other Members of Congress, because I have not heard of a single instance during the time I have been in the Senate in which a Member of Congress was shaking down his employees. I am not intimating that.

Some of the letters I read were written under the preceding administration. This problem does not relate only to this administration. I emphasized that before, and I do so again. I have heard complaints about both administrations. I have discussed this problem many times.

Only recently, after considerable research, I found that the employees—not employees of Congress, but employees or representatives acting on behalf of political committees—are not prohibited from soliciting contributions. Under the proposed amendment, an employee of a political committee or representative of a public official or candidate would be subject to the same penalties to which the members of that committee are now subject. The definition of "solicitation" or "contribution" would not be changed one iota from that which is applicable today, under existing law.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MAGNUSON. The Senator from Delaware has clarified part of the problem for me. However, in the part of the country from which I come, an argument often recurs as to whether we should have a city sewer district or a metropolitan sewer district. Three people running for the sewer commission will say that if they are elected, they will do it one way, and another three say they will do it the other way. The subject affects Federal employees and other people who live in that area, and they form committees to elect three people on one side as against three on the other side. When we reach down to these local committees, I think we are going very far in this situation. It could affect a candidate for a nonsalaried position. Most of these positions are nonsalaried.

Mr. WILLIAMS of Delaware. I can say this: The definition of a committee is not changed from that contained in the Corrupt Practices Act. I believe the Senator from Washington will find that that act does not prevent civil service employees from participating in purely local matters.

For example, it is my understanding that a civil service employee can run for a member of the commission in his town or for a member of the school board, et cetera.

The Corrupt Practices Act defines a candidate as one whose name is presented for election in one or more States.

Those cases which the Senator from Washington has mentioned are purely local affairs. It is my understanding that as a local citizen he can hold office and solicit office the same as anyone else. But if he is on a ticket in which a national officer is involved that is when the problem arises.

Mr. MAGNUSON. The Senator from Delaware says "any political committee." As I read the amendment, it contains the phrase "any political committee."

Mr. WILLIAMS of Delaware. It is the same as the definition in the existing law. That is where it is taken from.

Mr. MAGNUSON. This illustrates how confusing amendments can be when they are not discussed. I do not say special hearings should be conducted. No one has said that. However, the committees having jurisdiction in such matters should at least be able to discuss such important legislation.

Mr. WILLIAMS of Delaware. The amendment was to be offered on Friday, July 1; however, fortunately or unfortunately, the Senate adjourned on Thursday, and the amendment could not be printed.

(At this point, Mr. BAYH took the chair as Presiding Officer.)

Mr. DIRKSEN. Mr. President, I should like to intrude myself into this discussion, with respect to some general considerations that look toward the bill but have no particular bearing on the pending measure.

I have some misgivings about the bill. I intend to vote for it. But that does not entirely assuage a sense of apprehension that I have entertained about the constant effort to load the Federal budget to a point where it must be giving serious concern to nearly every responsible person in the Federal Government.

Now, this is going to cost, I figure, $471 million. If, of course, it had been made effective next January instead of being dated back to this month, July, it would probably be in the neighborhood of $300 million, or something less than that. But it would be at least that much of an extra charge upon the Federal Government. The House of Representatives made it effective July 1, 1966. The President, in his state of the Union message, asked to make it effective January 1, 1967.

The distinguished majority leader and I had a discussion of the matter to see whether or not a compromise date of October 1 probably could be developed, but it fell by the wayside because I presented it to our policy committee and they did not show any particular sympathy for it. So, here is another charge on the 1967 budget.

I am afraid that all of this obscures what I think is the largest consideration involved here. Frankly, all of our fiscal situation is most disturbing. The money supply is increasing in this country at an incredible rate. If any one has any doubt about it, let him make some comparisons over the last 10, 15, or 20 years to see how we have hiked the disposable money supply in this country; and obviously it becomes one of the features in this whole feverish business of inflation.

The credit demands that seem to exist at the present time are completely unprecedented. Frankly, I have never seen anything like it. Letters that reach me from day to day insist that the Government has to do something to loosen up credit and to make possible additional spending in order to keep this overheated condition in our economy, which is aggravated by the fact that we load it up by constantly hiking nearly everything that goes through the Appropriations Committee, with only a few exceptions.

This search for funds is astonishing but has a very natural impact upon interest rates. I see now in the Federal Reserve States, the central reserve cities and elsewhere, the 5.5 percent interest rate is becoming quite common, and they are beginning to bid for money at 5.5 percent. It will go to 6 percent. I see that in Great Britain they are toying with an interest rate of 7 percent. If that is going to be the bellwether for what happens in this country, I begin to dread a little what may be around the corner.

But certainly there is fierce competition for funds today. That goes for banks, that goes for mutual savings banks; it goes for the savings and loan associations, it goes for the insurance companies, and it goes for nearly every thrift institution with which I am familiar.

At one time I served on the board of directors of a savings and loan association that was in the $500 million bracket. I know how these shuttlings of demand for credit operate in an institution of that kind.

It is no wonder that European financiers become rather dubious about the fact that we will not face up to our fiscal problems and really come to grips with what is right here before us.

I had quite a session the other day with the Chairman of the Federal Reserve Board and I had several sessions with the Secretary of the Treasury. Perhaps I should not say that they have some concern, but you could not talk to them without detecting that there was concern, and they would like to see Congress do a little more realistically by the President's budget and give a little more cooperation to the Chief Executive.

The gold raid continues. The imbalance of payments is still there. It is far from a solution. No one knows when the gold raiding is going to quit. The inflation fires burn brightly everywhere in the land.

If you have any doubt, you can go into any grocery store. It was my pleasure three or four times during the last week to hobble around on crutches or in a wheelchair and look at prices.

Once upon a time I was in the grocery business. I think that everybody in our family was at some time. I have an idea of the comparisons that one can make.

It is incredible, to say the least, but then, you do not have to guess at the situation. All you have to do is look at the prices and take time to look at the cash register when you get your bill at the counter.

All of this has an impact on fixed income. It has an impact on the incomes of pensioners. It has an impact on wage demands that is absolutely unmistakable. Obviously, as far as trying to meet this situation by taxes is concerned, I presume everybody wants to shun another tax bill in an election year, because politically it is not quite the palatable thing to trot forth.

If this situation continues, what will be the ultimate end? If history is any teacher at all, there will undoubtedly have to be additional taxes, or there will have to be controls. There will have to be a deeper intrusion of the Federal Government into the entire field of economic decisionmaking. That has always been the domain of private enterprise. If those three are not the ultimate result, then maybe it will be boom and bust, as it was in October 1929.

I think that most Senators must still remember that there were people who jumped out of 20th story windows because they could not take the gaff when the economy began to collapse.

I said that Congress is not completely cooperating with the President in this field. I am prepared to prove it. Congress is the keeper of the purse. It is the constitutional guardian of the purse. Not a dollar can come from the Federal Treasury except in pursuance of an appropriation made in law. If that is not the Constitution, I am not familiar with that document. If that does not make Congress the keeper of the purse, then, frankly, I never really understood any constitutional history.

I learned long ago that the sword was committed to the President in his capacity as Commander in Chief, and that the purse was committed to Congress, and that we had the responsibility for it. Now, we cannot ignore that responsibility, but I wonder if we are not doing so.

I think that these figures are probably correct. I got them from the best source in the Appropriations Committee.

The agricultural appropriation bill is above the budget by $48 million, and will be by another $145 million if there is added the rural electrification programs. I presume that includes the telephone program.

The Department of Defense appropriation bill will be $946 million over the budget. The Labor, Health, Education, and Welfare bill already has been passed by the House of Representatives, and it is $490 million over the President's budget. That includes $233 million for payments to school districts, namely, the impacted areas, and $74 million over the budget for the National Institutes of Health.

The Interior Department appropriation bill was signed into law and the amount recommended was only $18 million under the budget.

The Post Office appropriation bill has been enacted into law and the cost is only $50 million under the budget.

Those are paltry sums compared to increases we have voted, and it is not all in the field of appropriation because we have authorized some expenditures that run into very significant sums, as, for example, the so-called GI cold war bill.

There, I think, we run into something over $200 million. Now here is the civilian pay bill, and on the basis of the dating of the bill, it will be $300 million above the President's recommendations. The military pay bill, which is in conference, will be above the budget to the extent of $360 million. The military medical benefits bill, already approved in the House, will be $213 million over the President's recommendations. The GI cold war bill was $250 million over the President's request. Then comes the water pollution control bill. It is on the calendar, approved by the Senate committee, and it will be $276 million above the President's recommendations.

These are just the major items. If we try to interlard it with a great many other items, it becomes an impressive sum of money. This but adds and will add to the spendable funds in the country. It can do nothing other than feed the inflationary fires.

At some point, it may become the straw which will finally break the back of the camel. I say this against a rather interesting background. I checked some figures and discovered that the Federal Reserve System now has roughly $42,000 million in Federal securities. That is the highest in the history of that institution. It is the highest in the history of the country. If that does not bring apprehension and concern to those who have responsibility for Government, frankly I do not know what will.

I had hoped that in the course of this session of Congress there might be opportunities to cut some of the appropriation bills. Perhaps I have been somewhat remiss in my duty in that field, but opportunities to cut in a substantial way are not too generous, which is to say that when we take out the "untouchables," such as interest on the public debt, the veterans—which we cannot very well cut; and we can do nothing about the affairs in Vietnam because we have to supply what it takes in order to bring them either to the conference table or to provide a victory.

Thus, we have to look elsewhere if we are going to do any cutting and somehow dampen this inflationary fire.

Mr. JAVITS. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am happy to yield to the Senator from New York.

Mr. JAVITS. The minority leader, on this side of the aisle, has served his country and Congress well by inviting attention to this situation. Regardless of whether I or any other Senator agrees with him as to specific cuts in the pay bill, or any other matter of that character, there is always a duty to balance the books, and we are not doing it. That is what the Senator from Illinois is pointing out. That is his central theme, with which I thoroughly agree.

Let me suggest to the Senator from Illinois that he has put his finger on two points. In addition to the question of appropriations, which are critically important to the country, there is the shortness of money, the tightness of money, and the high interest rate which is unjustified by the Nation's credit standing; and there continues to be a serious imbalance in international payments which is restricting our maneuverability in banking terms throughout the world. The Swiss bankers are pretty much writing the ticket for the United States, as they maintain the books. It is therefore to them that the dollar is weak or the dollar is strong.

Let me ask my colleague, as a responsible leader in Congress, this serious question: It may be that we cannot raise taxes in an election year for political reasons, but political reasons must, occasionally, give way to the interests of the Nation. As the Senator and I both know, it is unlikely that the pay bill will not be adopted, that the water pollution bill will not be passed, or that the antipoverty program will not be raised. Does the minority leader feel that we must give serious consideration to our responsibility, and to the word "responsibility" of Congress and consider a tax increase?

The President is way behind his duty now and has himself brought us, in my judgment, to this present situation because he has been unwilling to face the necessity for a tax increase 4 or 5 months ago, which we could have done at the rate of 5 percent across the board, which would have materially helped us with our situation.

I submit to the distinguished minority leader this serious question as to our responsibility, with which I thoroughly agree. Can we afford to lay aside the alternative of a tax increase, which is an element of that responsibility, because it would be politically uncomfortable?

Mr. DIRKSEN. Let me say to the very distinguished Senator from New York that if a tax bill were brought in tomorrow, I would vote for it. I would do so because I do not wish to see the country go down the drain, or partly down the drain. I do not want to go through the kind of agony we all went through in 1929 and for all those years thereafter and virtually had to be bailed out by a war before we got our feet on solid ground once again.

Now, time is of the essence. I believe if that is the thing which best counsel advises, then we should come in with a tax bill—and I would be willing—any old time, because something must take place. The day of miracles is over. We have come to the end of that road.

Mr. AIKEN. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am happy to yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I do not know nearly so much about national and international finances as do the minority leader and the Senator from New York, but I do know that during the 10 days I have been away from Washington, I have found considerable worry over the economic and credit situation in the United States, that it is fast taking precedence over even the war in Vietnam as the No. 1 cause for concern in this country—although if we go back to the war that probably is the cause for all of it. As it continues to expand, it will continue to increase this concern. But, I found that nearly everyone is upset over the credit situation.

They say, "If you want to build 500 houses, you can probably get money from one of the larger New York banks, but if you want to build one house for just yourself and family, you do not have a chance in the world."

To me, the irony of the situation lies in the fact that the predicament in which we are placing ourselves will redound to the benefit of Russia more than any other country in the world. They will get the benefit of our enormous expenditures.

The action of the administration last week in stepping up the bombing in Vietnam is reflected in a published report in the Los Angeles Times which points out that we have again bailed out Russia at the Bucharest meeting because of our actions. However, I certainly feel, after talking with the people at home, who seem to know a lot more about finance and credit than I do, that the President cannot afford to wait until after the election before he takes steps which are essential in time of war.

Those whom I have confidence in say that the President is courting disaster for the United States by postponing what would ordinarily be called perhaps war measures, such as mobilization of credit and personnel and other controls which go along with a war.

I hope that the President will not delay.

Senators will remember that I spoke on the floor last January 31 and pointed out the things which we should do if the war is to be expanded. We are going to spend in Vietnam alone this year probably one-third more than the total cost of the Korean war. When we say that we can do that without any preparation, when we attempt to put off facing troublesome matters until after an election, we are merely jeopardizing the welfare of this country.

Mr. DIRKSEN. I have one answer. I can testify to what the distinguished Senator from Vermont says. It shows up in the letters that come in by the score from small enterprises all over the country. We are now having these credit problems. It is in the fierce money competition between the banks and the savings and loan associations. I read that the mutual savings banks in New York have increased their interest rate. So, little by little, competition is being sharpened, and that brings on the evil day.

Mr. AIKEN. I believe I heard on the radio this morning that Great Britain has now announced an increase in interest rates to 7 percent.

Mr. DIRKSEN. I understood so.

Mr. AIKEN. That does not look too good for our balance of payments.

Mr. JAVITS. Mr. President, will the Senator yield to me for a moment? I know that the majority leader wishes to speak, but I should like to complete my argument and to complete the thought which has now been buttressed by the Senator from Vermont, and to endorse what he has said.

The difficulty with tight money is that it is nondiscriminating. It is tight money for everybody.

Mr. DIRKSEN. That is correct.

Mr. JAVITS. It is tight money for lipsticks; it is tight money for essential construction; it is tight money for entertainment; and it is tight money for automation, where automation can contribute to a reduction in the cost of living.

The administration, so far as I know, has not enforced regulation W or regulation X, which sought to set high standards for consumer credit, which now covers an enormous area of the total credit of the country. If my memory serves me correctly, it is around $50 billion.

The minority leader has opened a subject of tremendous portent to the country. I hope that he will himself join occasionally in the debate and the discussion on the floor of the Senate, so that the administration may be called to the issue of responsibility, which I thoroughly agree with the Senator from Illinois that Congress must assume.

Mr. DIRKSEN. In respect to every bill that raises the budget, there ought to be such a discussion as this, and we should not be timid about it. It was said of the Chairman of the Federal Reserve Board that he should not have made his speech at Columbia University, because he began to rake the ashes of 1929. He was told, "You must not do it. You must not jeopardize the country."

But the time has come to come to grips with the truth, and we must do it now before anything happens. That is why I undertook now to state that I had misgivings about this bill, but that I would vote for it because it was a part of the President's request in his state of the Union message, except that he wanted it to become effective January 1, 1967, instead of July 1, 1966.

Mr. JAVITS. This is essentially a cause for liberals, not only for conservatives. If we liberals want to vote appropriations because we believe they are essential to the Nation's welfare, we must face up to what it takes to maintain the appropriations.

Mr. MANSFIELD. Mr. President, will the distinguished minority leader yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. I am glad that the distinguished Senator from New York has made the statement he has just made; it counterbalances what I thought he was going to say when he began, which was that he thought the administration was to blame for the inflation which is, in part, upon us at the present time. But the distinguished minority leader throughout his remarks, and the distinguished senior Senator from New York in his later remarks, pointed out that Congress has a responsibility in the field of the raising and lowering of taxes; the President is not averse to requesting a tax increase, if it is needed, political year or not. Last January the President presented his budget to the Congress. It was skinned down to the bone. The various agencies of the Government presented requests of $131 billion; as I recall, the President reduced these requests to about $113 billion.

As the distinguished minority leader has pointed out, this Congress so far, either through appropriations or additional authorizations, has raised the President's budget by more than $3 billion. It is Congress that has done this, not the administration. So if we are seeking to place the blame, let us not place it where it does not belong, let us give Congress its fair share, too.

I am delighted that this subject has been brought up, because the President has been greatly disturbed at the enthusiasm shown by Congress this year in going far beyond his recommended budget.

So far as a tax increase is concerned, the President has never shied away from that possibility. But he had hoped he would get some cooperation from Congress in the field of appropriations, so that his budget requests would not be exceeded but, if possible, would be reduced.

So I thank the distinguished minority leader for bringing this subject up on the floor of the Senate this afternoon. I point out that we bear our share of the responsibility—the whole Congress, Democrats and Republicans, liberals and conservatives—for what is being done to the budget this year. The figures which the distinguished minority leader presented are correct; the list is even more extensive.

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield to the distinguished Senator from Ohio.

Mr. LAUSCHE. It is my recollection that the President recommended, too, that if in this measure we spent more money than he suggested, we should make up the deficit by the imposition of a necessary tax. That is my recollection. I appreciate the presentation made by the distinguished Senator from Illinois. I should like to make a brief comment which has relationship to what the Senator from Montana has said.

We can follow any of several courses. First, we can spend and tax. If this first course is followed, the obligation to tax will act as a deterrent against spending.

The second course is to spend but not tax. That is the easy way out. That is what we have been doing, as described by the Senator from Montana. He has stated that we have passed bills which have built up the spending program by $3 billion in excess of what the President recommended. We will spend, but we will not tax. We will not tax because that is a bitter function.

We spend essentially in election years, because that is a sweet method of trying to gain political support.

Those courses are with us. Which one shall we follow? It will not be the course of spend and tax; it will be the course of spend and not tax. I agree with the Senator from Vermont [Mr. AIKEN] that a course of the latter type is dangerous and is a menace to the country.

Mr. DIRKSEN. Mr. President, let me allude to an observation made by the distinguished Senator from New York [Mr. JAVITS] when he indicated that we ought to come to grips with the question of a tax measure now.

Frankly, Congress is not beholden to any agency or branch of the Government with respect to a tax bill. The revenue power is vested in the House of Representatives, under the Constitution. We do not have to wait for the Secretary of the Treasury to appear before the Committee on Ways and Means or the Committee on Finance. Congress has the power to initiate taxation. The taxing power is here, just as the appropriating power and the spending power are here. We can act on our own initiative, if we like; and in that particular domain, I should say that that is a part of our responsibility along with being the keeper of the national purse. It is high time that we come up full tilt to that responsibility, before it is too late.

Mr. WILLIAMS of Delaware. Mr. President, I congratulate both the minority leader and the majority leader for calling to our attention the additional appropriations which have been made by Congress this year. As one who is proud to be in the conservative camp I regret that we have not had enough votes and support in the Senate to hold appropriations down.

The Great Society is just too expensive for the American taxpayers.

However, without excusing Congress from our responsibility—and we do have a responsibility—I think we should emphasize that there is a responsibility in the White House also.

Mr. DIRKSEN. Right.

Mr. WILLIAMS of Delaware. And the President should be reminded that it does not cost any more to buy a veto pen than one to sign these bills. Far too often we find the President criticizing Congress for spending too much money, and yet when the President signs the bills he stages a great affair on television to tell what he is giving the people without telling them the cost. I would suggest most respectfully that the President buy a case of veto pens and use them.

Mr. JAVITS. What the Senator from Delaware says is perfectly true, and what the minority leader says is perfectly true. We do not initiate tax legislation. Perhaps that is fortunate, for tax legislation is very complex, and can have many pitfalls for a committee. I have little doubt that if we demanded it, the Treasury would prepare a tax increase bill for us. But I do think it would be exculpating the administration much too far, with all due respect, not to join in what the Senator from Delaware has said about the fact that the President has taken a great deal of credit for getting these new programs through, and further to point out the tremendous amount of machinery available to the Federal Government which is not being used. Essentially—and I speak now as a ranking member of the Joint Economic Committee—we have been using monetary and not fiscal policy to deal with our inflationary dangers. What the Senator from Illinois is saying is that it is high time to employ fiscal policy. Fiscal policy includes not only debt management and taxation, but also includes credit regulation and other measures available to the President. I think the President had better take a hard look at some of these things which are politically unpopular. I think the time has come when we have got to be unpopular and raise taxes. On that issue, I feel exactly as does the minority leader. I will vote for it and take my chances. I think it must be done.

I say it is time to use the power to regulate consumer credit and the various other authorities which the Federal Government has heretofore invoked in war situations, for that is what we are in. As the Senator from Vermont [Mr. AIKEN] has said, those who feel we are following the right course in Vietnam have got to be ready to face that music, too. The country today is at war, but it is not acting that way in terms of its fiscal affairs. I think we should be grateful to the minority leader, with his enormous prestige, for ringing that alarm bell today; and I think we ought to follow through and make it meaningful. The President will act, as we know, if there is an indication of concern in the country. Such concern is very highly justified. The present tightness of credit could bring on a recession, or worse. Senator AIKEN said you could get loans for 500 houses. You cannot, except FHA money. Private money is not obtainable. I talked to one of the biggest insurance companies in the United States this morning. They have no money to lend in 1966 at all, and very little for 1967. That is, generally speaking, the state of the money market. Interest rates are now at 5¾ percent for prime money. They could easily go through the 6 percent ceiling for this country. It is ridiculous, and could be economically suicidal.

Mr. DIRKSEN. It could, indeed.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I would not want this opportunity to pass by without commending our distinguished minority leader, and also the majority leader, for their part in a discussion which I think is most timely. As mentioned by the distinguished Senator from New York, I think the issue may very well be resolved, not by us ourselves here in Congress, but very possibly by others outside the United States. In this connection, I read from an Associated Press dispatch of this morning:

> LONDON, July 10.—There was speculation in Britain today that the bank rate, prime discount rate on which the country's interest structure rests, might go as high as 9 per cent before the end of the year.
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> The rate is currently 6 per cent. But many financial experts believe it will have to go up to the traditional crisis level of 7 per cent very soon—possibly Thursday. This will be long before autumn—the season when sterling usually comes under pressure.

I bring this up because I believe it is high time we begin to act, or we shall suffer a serious effect on our balance of payments.

Mr. President, I ask unanimous consent to have printed in the RECORD the article from which I have quoted, entitled "Experts See British Bank Rate Boost," published in the Washington Post for Monday, July 11, 1966.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXPERTS SEE BRITISH BANK RATE BOOST

LONDON, July 10.—There was speculation in Britain today that the bank rate, prime discount rate on which the country's interest structure rests, might go as high as 9 percent before the end of the year.

The last time the British bank rate reached that sort of level on a sustained basis was in 1873—though it jumped to 10 percent for a few days at the start of World War I.

The rate is currently 6 percent. But many financial experts believe it will have to go up to the traditional crisis level of 7 percent very soon—possibly Thursday. This will be long before autumn—the season when sterling usually comes under pressure.

London's financial district is already talking of the need for another dose of deflationary action by the government, including the raising of bank rate. The experts also forecast tougher restrictions on installment buying and possibly an increase in the sales tax.

The Observer devoted a long editorial today to the subject, saying: "The solemn fact is that Britain has now got to the point where even the pains of a forced devaluation might be less damaging than . . . refusing to face the fact that our currency is overvalued."

Mr. MANSFIELD. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield

Mr. MANSFIELD. Mr. President, I do not think the President should be attacked, as he has been this afternoon, because he takes credit for some of the legislation passed by Congress. After all, a good deal of the legislation passed by the Congress is initially presented by the President in the form of messages or in the form of proposed legislation, or both.

However, I do think we should bear in mind the remarks made today by all of the Senators on both sides of the aisle, because this is a serious problem. And may I say that while I can find fault with the Congress for so far, either through appropriations or authorizations, raising the amounts involved between $3 billion and $4 billion above the President's January budget requests, I am not blameless. I am not any Galahad, because I have voted for practically every one of those increases. As a matter of fact, I do not see any on my list that I did not vote for.

But that does not make me any better or any worse than anyone else. It is something which Congress should consider collectively. It is something for which we all bear a share of responsibility.

I commend the distinguished minority leader and other Senators who have spoken this afternoon, and most especially the Senator from Kansas [Mr. CARLSON], the Senator from Vermont [Mr. AIKEN], who has documented everything about which he speaks, the Senator from New York [Mr. JAVITS], who knows the financial field very well, and the Senator from Delaware [Mr. WILLIAMS], who is always interested in economy in government, as well as the Senator from Ohio [Mr. LAUSCHE], who is on his feet at all times trying to bring about a reduction in appropriations and authorizations.

I think that together, they have done a service which I hope will be productive in the weeks and months ahead.

Mr. LAUSCHE. Mr. President, will the Senator yield for a further question?

Mr. DIRKSEN. I yield.

Mr. LAUSCHE. What is the understanding of the Senator from Illinois as to whether or not the recommended expenditure, under the President's message, was raised by the House, and that the level to which the House had lifted the recommended expenditure is now proposed to be raised by the Senate? That is, the President began at the lowest level, House raised the President's level, and we are now proposing to raise both the President's and the House's level of expenditure?

Mr. DIRKSEN. So far as I am concerned, it comes about with respect to the instant bill because of the date that is involved.

The President wished to make the civilian pay bill effective as of January 1, 1967. The House, however, dealt with it in a retrospective way, and made it effective July 1, 1966, meaning this month.

There was hope that perhaps that item could be compromised, and it could be made effective in October. But evidently nothing could be accomplished in that field, so the bill before us now is, in that respect, identical with the House bill; namely, it goes back to the 1st of July of this year, meaning that the 1st of this July it become effective and payable. That will involve, of course, an extra $300 million, or a sum in that neighborhood.

Mr. LAUSCHE. Does the Senator from Illinois understand that the bill, as it is now before us, has an effective date of January 1, 1967, or of July 1, 1966?

Mr. DIRKSEN. It will be July 1, 1966.

Mr. LAUSCHE. And that is what the President recommended?

Mr. DIRKSEN. No, the President recommended January 1, 1967.

Mr. LAUSCHE. That is correct. Why would not an amendment be in order to make the effective date January 1, 1967?

Mr. DIRKSEN. It would be very much in order.

Mr. LAUSCHE. And that would be in conformity with the President's recommendation?

Mr. DIRKSEN. That is what he recommended in the state of the Union message in January.

Mr. LAUSCHE. If what we are arguing is sound, why should not the Senator from Ohio offer such an amendment?

Mr. DIRKSEN. There is nothing to restrain him from doing so; of that I can assure him.

Mr. LAUSCHE. I think I will do so.

Mr. DIRKSEN. Mr. President, let me conclude the discussion.

Certainly it is not a tasteful matter to essay the role of a Jonah going up and down the streets of Nineveh, shouting, "Forty days and forty nights, and the world will be destroyed," and then going out and sitting in the shadow of a gourd vine and waiting for destruction to come.

But there comes a time when some warning voices have to be raised. They have not been raised except on very infrequent occasions, as in the case of the chairman of the Federal Reserve Board, when he made that statement in New York a few months back.

They have not been raised in the Senate or in the House of Representatives, and this is where the business is being done. It is time now that we take stock of where we are.

When Lincoln became the candidate of his party for the Senate in 1858 he used one sentence that I thought covered the entire waterfront. He began by saying: "If we can but know where we are and whither we are tending, we shall the better know what to do and how to do it."

Four questions are contained in that short sentence. However, that sentence states the case—where are we, what is the direction, what do we do, and how do we do it? Those are the questions to which we should find answers before grief and distress overtake us.

I am grateful to all who have participated in the discussion this afternoon. I trust that my friend, the Senator from Delaware, and my compatriot, the Senator from Washington, have the sheriff of Dover elected and they have had the solicitations made. I trust that the sheriff was generously supplied with money for his campaign, and I trust that it was a Republican sheriff who was elected in Dover.

Mr. WILLIAMS of Delaware. Mr. President, I have received the answer to the question raised earlier by the Senator from Washington. The sheriffs in Washington would not be affected by the amendment. I asked the legislative counsel to prepare this memorandum for me.

Under the Corrupt Practices Act as defined, the political committee is defined as follows:

The term "political committee" is defined, for purposes of section 602 and certain related sections of title 18, in section 591 of title 18. The term, as so defined, includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors in two or more States. The term, as so defined, also includes any committee, association, or organization (other than a duly organized State or local committee of a political party) which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors, whether or not in more than one State, if such committee, association, or organization is a branch or subsidiary of a national committee, association, or organization. (Section 591 of title 18 also defines the term "candidate" to mean an individual whose name is presented for election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected).

The amendment would not change the definitions as outlined under existing law at all. Under the Corrupt Practices Act the existing law defines a committee as affecting only those candidates who are running in two or more States. I thank the Senator from Washington for raising the question, and will thank him now for his support.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MAGNUSON. Mr. President, I realize that the Senator took the time to check into this matter. That is the trouble with amendments which the committee does not have a chance to look into. There can be many unintended consequences. Under the Senator from Delaware's interpretation, a local candidate, if he were on the same ballot with Federal candidates, would be affected.

Mr. WILLIAMS of Delaware. That is covered by existing law. My amendment is clear enough. Perhaps that is the trouble it is too clear for some.

Mr. MAGNUSON. The law provides that if the candidates are on the same ballot—let us say a Member of Congress, the President of the United States, or the Vice President—the candidates would be covered by the existing law.

Mr. WILLIAMS of Delaware. If the Republican or Democratic State committee of Washington or Delaware were soliciting campaign contributions for the election of a Senator, a Representative, or the President of the United States and included on that ballot were a local candidate, the contributions are all covered. That is the existing law. My amendment would not change that.

If some want this to be different, they had better repeal the Corrupt Practices Act. Those candidates are already covered under the existing law when their names are on a national ballot. I am sure that the State of Washington is living up to the existing law.

Mr. MAGNUSON. I think that we should find out more about this matter. The Senator states that he has found out about it from legislative counsel. However, I have not run this matter down—pinpointed its full ramifications—and I do not think anyone else has. I think the proper body for examining this matter which is subject to so many interpretations to the committee charged by the Senate with this responsibility.

Mr. WILLIAMS of Delaware. It is about time that the Congress acts. This proposal has been studied for the past 5 years.

Mr. MAGNUSON. I was unaware that local candidates were covered under this law, even though they have been on the same ballot.

Mr. WILLIAMS of Delaware. In the consideration of the Voting Rights Act of 1965 an amendment was offered, the so-called clean elections amendment. The Senator from North Carolina [Mr. ERVIN] did a little research on that, and if he were present he could tell us that the present law is designed to affect elections in which any national candidate is on the ballot.

There was specific reference at that time to a situation in Wilmington, Del. The city of Wilmington elects its city council on the national ballot. They are automatically covered under the Voting Rights Act and are subject to the penalties contained in that act.

The same thing would be true in the State of Washington or any other State. That is the present law. If the local candidates are on the ballot with national candidates the local candidates are covered by the same rule laid down under the Corrupt Practices Act.

The State of Washington, the State of Delaware, the city of Takoma, or the city of Wilmington can hold its election at different times, and in that event it would not be affected; that is, assuming there were no national candidates on the ballot.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD section 591 of title 18 of the United States Code, page 3552, which defines what the Senator from Delaware is talking about.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

§ 591. Definitions.

When used in sections 597, 599, 602, 609 and 610 of this title—

The term "election" includes a general or special election, but does not include a primary election or convention of a political party;

The term "candidate" means an individual whose name is presented for election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected;

The term "political committee" includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors (1) in two or more States, or (2) whether or not in more than one State if such committee, association, or organization (other than a duly organized State or local committee of a political party) is a branch or subsidiary of a national committee, association, or organization;

The term "contribution" includes a gift, subscription, loan, advance, or deposit, of money, or anything of value, and includes a contract, promise, or agreement to make a contribution, whether or not legally enforceable;

The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift, of money, or anything of value, and includes a contract, promise, or agreement to make an expenditure, whether or not legally enforceable;

The term "person" or the term "whoever" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons;

The term "State" includes Territory and possession of the United States. (June 25, 1948, ch. 645, 62 Stat. 719; May 24, 1949, ch. 139, § 9, 63 Stat. 90.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 241 (a)—(f), (i) of title 2, U. S. C., 1940 ed., The Congress (Feb. 28, 1925, ch. 368, title III, § 302 (a—f, i), 43 Stat. 1070).

First paragraph was inserted to indicate sections to which definitions are applicable.

Minor changes in phraseology were made.

AMENDMENTS

1949—Act May 24, 1949, omitted from the first par. "and, in the case of a Resident Commissioner from the Philippine Islands, an election by the Philippine Legislature."

CROSS REFERENCES

Contribution, definition of, see section 608 of this title.

Mr. MAGNUSON. Mr. President, I do not see any such definition referring to local candidates, whether they are on the ballot or not.

Mr. WILLIAMS of Delaware. I quoted the Voting Rights Act and section 602 of title 18 of the United States Code.

Mr. MAGNUSON. The section reads:

The term "political committee" includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or Presidential and Vice Presidential electors in two or more States, or whether or not in more than one State if such committee, association, or organization (other than a duly organized State or local committee of a political party) is a branch or subsidiary of a national committee, association, or organization.

That is all that I find in the section.

Mr. WILLIAMS of Delaware. That is existing law. This would not change that one iota.

Mr. MAGNUSON. I hope the Senator from Delaware will give every Senator a chance to look into this in more depth. I do not think that it is right to bring the matter up on such short notice without the committee considering the amendment.

The chairman of the committee suggests that the amendment is not germane to the bill.

Mr. WILLIAMS of Delaware. There could not be a more germane bill than one dealing with 2.5 million employees, such as this bill does. The pending bill is as germane a bill as we can get. Let us not start finding excuses for postponing action.

As I told the Senator from Washington, I appreciate his great concern over committee consideration. I merely wish that such concern had prevailed approximately 3 weeks ago when we had a $400 million cotton subsidy before us. However, that matter was passed in the House and the Senate without any hearings and without anyone having a chance to do anything.

Committee consideration is sometimes a cloak. We do not need to have a committee come back and tell the Senate, "We think there should be a law against anyone soliciting funds on our behalf from civil service employees."

Not a man has defended this practice. All right, if we disapprove let us vote for the amendment.

Mr. MAGNUSON. I am not talking about Members of the Senate at all. I am talking about getting down to all of the thousands of local committees that feel, as a public service, they ought to organize and go out and collect money for a cause, whether there be candidates or not.

Why does the Senator always get back to the Senate or to Members of the Senate?

Mr. WILLIAMS of Delaware. I get back to the Senate because I happen to be a Senator. Those thousands of imaginary local committees are not affected at all.

Mr. MAGNUSON. There is always raised the implication that there are purists around here and that the rest of the Senators need laws of some kind to govern them.

Mr. WILLIAMS of Delaware. If the Senator from Washington does not like the amendment, that is his privilege.

Mr. MAGNUSON. That is my privilege.

Mr. WILLIAMS of Delaware. But let us keep the record straight—the amendment would not affect the thousands of committees or, as outlined a moment ago, a committee set up to promote a sewer in Washington. The amendment would not affect the sewers of any city. It would affect sewer politics.

The Senator's President, a member of his own political party, has said that this matter needs correction. Let us correct it.

Mr. MAGNUSON. I want to tell the Senator from Delaware that the sewerage business is big business, and a growing political problem, and if we do not do something about it, we will have much more trouble with it than we have with all our other metropolitan problems.

These are some of the most important issues on the ballot today. That has nothing to do with the Senator's term of "sewer politics."

Mr. WILLIAMS of Delaware. Those arguments have nothing to do with the pending amendment. The pending amendment deals with the right of a person representing a political committee—a Republican committee or a Democratic committee—to solicit campaign contributions from Government employees under the civil service system.

Mr. MAGNUSON. I do not disagree with the Senator from Delaware. I did not ask for this job, and neither did Senator MORTON nor some of the other people on the national committee. I understand you fellows got so desperate that you drafted Bliss. He did not ask for the job.

I believe the people involved in this matter should have an opportunity to discuss it. I know what the Senator from Delaware thinks he means, but sometimes amendments are written in such a way that someone thinks he knows what they mean, but they do not mean that. This is particularly true when amendments are offered in the Senate in conjunction with another bill, without anyone having an opportunity to consider the amendment in depth and to discuss it.

Mr. WILLIAMS of Delaware. The proposed amendment is as clear as any amendment can possibly be.

Mr. President, if the chairman of the committee is not willing to take it——

Mr. MAGNUSON. I once offered some amendments, and the Senator from Delaware put me in my place. The amendments involved the Committee on Finance, and the Senator from Delaware and other Senators said that the matter had not been looked into by the committee. If the Senator from Delaware does not remember that incident, I shall locate it in the CONGRESSIONAL RECORD.

Mr. WILLIAMS of Delaware. The proposed amendment has been looked at for the past several years. It has been talked about a long time I have received many letters from employees about this matter. I have here several articles which have appeared in various newspapers. I read one of these articles which outlines how Federal employees are purchasing tickets on the installment plan. I have a number of articles that have appeared in various newspapers. This practice has been denounced over a period of years.

An article by Jerry Kluttz which appeared in the January 15, 1963, issue of the Washngton Post reads as follows:

BUDGET PLAN ADVISED FOR $100 DINNER

(By Jerry Kluttz)

Play politics now and pay later is a gimmick being used by the Democratic National Committee to sell $100 tickets to hard-pressed Federal employes to its Friday dinner here.

The budget payment plan is being suggested to employes who plead financial troubles and say they can't afford the $100 affair. The minimum is $10 down and $10 a month. No interest is charged on the unpaid balance.

But as a career employe remarked after being called by a Democratic worker who urged him to attend the dinner and pay for it later: "If I go, the price I pay later could be my job when the Republicans return to power. But if I don't go, it could cost me a grade promotion which is several hundred dollars a year in higher salary."

Meantime, if a fraction of what employes say is true, officials in a dozen or more agencies are violating the law, either directly or indirectly, by putting the pressure on employes to buy the $100 tickets on Government time and in Federal buildings. As far as could be determined, no Federal agency has even bothered to investigate the numerous stories of pressure on employes to buy tickets.

Mainly, the indirect approach is used in the belief by officials that it places them on safe legal ground. The arm-twisting gimmick is the cocktail party. A score of such parties are being tossed Friday evening preceding the dinner by top officials who invite their own employes who will attend the dinner.

Employes say flatly that they have been called at their Government offices, on Government time, and told either by phone or in person by superiors that "we're expecting you" (and sometimes "your wife too") at the Secretary's or Administrator's (as the case may be) cocktail party.

This is hardly a subtle approach. The parties are limited to those who buy the $100 tickets.

A highly respected Federal attorney who has handled many cases involving Government employes yesterday denounced the cocktail party gimmick as wrong and unethical. He expressed the belief that a court would hold that an employe was subjected to coercion if he attends his agency's cocktail party and buys a $100 ticket against his better judgment.

"It's just like reaching into a fellow's pockets and taking $100," the legal expert commented acidly, and continued: "this practice should be stopped before the public service is badly damaged by it."

There are also reports of meetings being held in Federal buildings on Government time to discuss ticket sales and what can be done to prevail upon more employes to buy them. Some officials have been told that the employes in their agency have bought only half a dozen tickets while those in another bureau of comparable size have purchased 25 or more.

Meantime, a corporation representative here expressed the opinion that Federal workers were being subjected to an unusual amount of pressure this year to buy tickets because many companies can no longer do it and charge the expense off against Federal income taxes under the new expense account regulations.

He explained that his and many other companies had refused to buy the usual $1,200 table this year.

In the past, it was common practice for a company to buy one or more tables and give the tickets to friendly Members of Congress who would distribute them to friends and political supporters and take credit for the sales. Company representatives here say they have rejected numerous overtures from Capitol Hill to continue the practice because of the expense account rules.

Federal officials and employes alike say they realize that any political party must have money to finance operations but they wonder if tactics used by the Democratic National Committee and the Kennedy Administration are proper and the best that can be devised.

A Democratic official said yesterday that the Party had taken precautions to operate within the law. He said phone directories were secured from a number of Federal agencies and that they were used to look up home addresses and to send invitations to the $100 dinner to employes at them.

He also said some follow up phone calls were made to employes at their homes by Committee workers to urge them to attend the dinner. He said he had no knowledge of pressure on employes by their agencies to buy tickets. "I hope every ticket is purchased voluntarily," he added.

Another person with a background of political fund-raising expressed the view that more than half a dozen eager-beaver Federal officials who are trying to make a big name for themselves in the eyes of the Democratic National Committee are causing all the trouble.

The question is, do Senators desire to do something about this matter or just talk about it? If they do let us act today. If not then tell the employees that this administration is not going to do anything but talk about it. The rejection of this amendment is notice that the employees can legally be solicited by representatives of the political parties and that the Great Society will not do anything about it.

The proposed amendment does not change the rules one iota as to a definition of "committees." It does not change the definition of "contributions" or the definition of "solicitations." It merely states that representatives of these committees cannot do that which the Senator from Washington and I are now prohibited from doing.

Mr. MAGNUSON. I believe the Senator from Delaware is becoming mixed up with all the thousands of local committees. I believe the Federal employee is an intelligent fellow. If he does not wish to contribute to a candidate in Dover, he will not.

Mr. WILLIAMS of Delaware. I am not mixed up at all. A candidate in Dover is not affected under the proposed amendment nor is the postmaster at Dover if he wishes to support a candidate in Dover for mayor or for the city council. Besides let me worry about Dover.

Mr. MAGNUSON. If he is on the same ballot with someone who runs for Federal office, he is ——

Mr. WILLIAMS of Delaware. That is provided for under existing law. That is the situation under the Corrupt Practices Act.

Mr. MAGNUSON. That is what the Senator from Delaware says, but I have not had an opportunity to look at the amendment.

Mr. WILLIAMS of Delaware. Surely the Senator is familiar with existing law. In any event, the proposed amendent would not change the existing law one iota on that point.

Mr. MAGNUSON. Why should the matter not be taken to a committee and discussed? I shall vote with the Senator from Delaware, if that is what the amendment would do.

Mr. WILLIAMS of Delaware. That is all the amendment does; why postpone action? It is time to vote for it now when the pending bill is being passed for Federal employees.

Mr. President, is the Chairman willing to accept the proposed amendment?

(At this point Mr. Burdick assumed the chair as the Presiding Officer.)

Mr. BAYH. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. BAYH. I do not intend to become embroiled in this enlightening discussion between the Senator from Delaware and the Senator from Washington. However, I had the privilege of presiding while the discussion was taking place, and I recalled that some of my staff members and I this year received solicitations for funds from the Republican Party. I do not know how that came to pass. But, inasmuch as no doubt both political parties use mailing lists to some degree to solicit funds from citizens across the board, would this type of solicitation, not from an elected officer—which was plainly stated—but from a member who is an employee of the Federal Government, who has solicited, on an across-the-board at random basis, come under the confines of the proposed amendment?

Mr. WILLIAMS of Delaware. If those solicitations are made by a salaried employee of the U.S. Government the existing law covers that. The proposed amendment would apply the same restriction if the solicitations were made by a representative of a salaried official, candidate, or a political committee.

Mr. BAYH. Then, the answer to my question is "Yes"?

Mr. WILLIAMS of Delaware. Yes. And why should it not be prohibited?

Mr. BAYH. The reason why I wonder about the wisdom of it is simply that the Senator from Delaware is concerned about coercion—and the Senator from Indiana is concerned about coercion—in the solicitation of campaign funds.

Most Members of Congress—at least many of them, and I put myself in this category—unfortunately are not financially endowed to the point that they are not required to solicit on a rather broad basis from friends who are willing to support them in the interests of good government. There does not seem to be any likelihood that I will ever get out of that category, and I am not inclined to pressure anyone for whom I have done a favor, nor do I wish to hold out a promise, in order to get a campaign contribution. I refuse to do that, the Senator from Delaware refuses to do that, and all other 98 Senators refuse to do that.

However, I fail to see what type of coercion is involved when the political committee of the Senator from Delaware, or a political committee in my State of Indiana, takes a list of everyone residing in a particular county and sends a card through the mail asking for a contribution. There does not appear to me to be any coercion involved in this type of solicitation.

Mr. WILLIAMS of Delaware. The proposed amendment does not redefine the word "solicitation"; it leaves it the same as present law.

With all due respect to the Senator from Indiana and the Senator from Delaware, if the only way either of us can stay in the Senate is to solicit our campaign contributions from civil service employees we both ought to be kicked out.

The definition of a "solicitation" is not changed. The definition of "committees" would not be changed. On that point the proposed amendment merely repeats the existing law. The proposed amendment does provide that representatives of political committees cannot solicit political contributions from civil service employees.

This indefensible method of solicitation has been practiced by both political parties. I am not singling out one party. I have read employees' letters that were written under the administration of both political parties. I do not intend to argue about which party has violated this rule the most. It has been done, and I do not believe any Member of the Senate will defend it. But the time has come to stop it. It is a bad practice.

I read an article dated May 28, 1964, which appeared in the Washington Post, written by Mr. Jerry Kluttz, outlining this evil.

Promotion of Gala for Johnson Leaves Taint of Pressure

(By Jerry Kluttz)

The Democratic gala is over but the political taint from it lingers on in Federal offices here.

There isn't much doubt that Tuesday night's $100 Democratic fund-raising Salute to President Johnson was actively promoted in Federal offices in violation of the spirit if not the letter of the law which makes it illegal to solicit political funds on Federal property.

In the past the State Department with its large body of professional Foreign Service personnel was by-passed by political fund raisers. But things have changed and scores of higher-paid employees there were sent invitations to the gala at their offices.

The employes charge that the Protocol Office there not only distributed the invitations, an apparent violation of law, but also made calls to jog them into responding to them. This is the story of one of the employes:

"About two weeks ago a mysterious-looking letter was hand-delivered to my office in the State Department . . . Inside was an invitation to the gala honoring President Johnson.

"Monday the Protocol Office called to ask if I were going to the gala . . . On inquiring of some of my colleagues, I found that they, too, had received hand-written, hand-delivered invitations at their offices as well as solicitous calls from the Protocol Office. There was more than a little consternation in the minds of many of them.

". . . I'm at a loss to explain why the invitation was a matter of Protocol . . . but the incident has begun to worry me. Lots of timid souls clearly attended the gala for fear that some of their colleagues, who are dependent on political patronage for their jobs, will record the fact and remind any and all who might be interested.

"This may be okay for Assistant Secretaries or even Deputy Assistant Secretaries but for those who are supposedly part of the Civil Service and Foreign Service this potential for al-fresco blackmail is a serious business.

"I am sure the President wants a Civil Service and a Foreign Service which will give him, through his appointees, the best professional advice possible, without fear or favor. After all, one of the hardest problems of being President is making the bureaucracy work effectively for the program of his Administration.

"Those who were in charge of issuing invitations didn't help the President. Somebody ought to tell him."

Representative Nelsen (R-Minn.) charged on the House floor that topgrade employes in Rural Electrification were asked to buy $100 tickets in their offices. Senator Williams (R-Del.) is sponsoring a resolution to direct the Attorney General to investigate the charges.

Employes in Small Business, Housing & Home Finance, Office of Emergency Planning and Post Office among others have called to say they were "invited" to attend the gala by either phone calls or personal contacts at their offices.

In most cases they say they were asked to attend cocktail parties which were held prior to the gala and given by agency heads. Those who attended the parties were expected to attend the gala.

A postal official commented yesterday that he had never seen employes so eager to buy the $100 tickets and he added that he had heard no one in the Department complain about the pressure.

"Pressure wasn't necessary to sell the tickets this year," he explained, "the employes bought them willingly because I suspect they feel that Mr. Johnson will be around for awhile."

A Commerce official said the "educational" approach was used to sell tickets to employes there. He simply said that employes in the top grades were given the "opportunity" to contribute to the party of his choice and he expressed the personal belief that those who could afford it should contribute to help sustain the two-party system. He also said no pressure was necessary to sell $100 tickets to the gala.

Complaints from employes who charged that their arms were twisted to buy tickets were far fewer than last year. Two reasons were cited for the slump in complaints. First, that employes were getting accustomed to the pressure, and secondly, tickets sold better this year as many business firms bought them.

If this practice is to be stopped this is the time. Under the existing law if the civil service employee who is quoted here were solicited by a Member of Congress or by any salaried official of the U.S. Government it would be a violation of the law. The article does not say that he was solicited in that manner but that they were solicited by a representative of a political party. The proposed amendment would cover such representative of any polictical party or committee.

Although this incident involved a Democratic dinner the same situation has arisen involving Republican dinners.

This is not written for one party or the other. It lays down the same ground rules for both. The definition of a political committee under this amendment is exactly the same as is now written in the Corrupt Practices Act. It does not change it one iota.

(At this point Mr. KENNEDY of Massachusetts assumed the chair.)

Mr. BAYH. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. BAYH. I did not mean by anything that I said to give the inference that one political party had certain sins that do not belong to the other. All persons and organizations have their shortcomings. But the parties are anxious to shore up those shortcomings which might exist.

However, if we are going to adopt an amendment like this, it is important to know what is in it and what its effects will be.

When we come to the language "directly or indirectly solicits," this would appear to mean that any one who gets a large mailing list and sends out requests based on that mailing list would be included if there happens to be a Federal employee among the names. It would also apply to one who engages a group of party members to go block by block to contribute dollars for Democrats or contribute dollars for Republicans—but you do not buy much influence in this fashion. Anyone who does this would come under the penalty of $5,000 or imprisonment for not more than 3 years.

I do not believe that this is what the Senator from Delaware wants but I do not see any other definition or any other result, or how one can escape those results.

Mr. WILLIAMS of Delaware. The Senator from Indiana is only reading the existing law.

Mr. BAYH. Oh, no.

Mr. WILLIAMS of Delaware. Yes.

Mr. BAYH. The Senator from Delaware says that existing law applies to Government employees?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. BAYH. I am talking about Democratic or Republican leaders in a community who get together 100 party officials—not employees but party officials—and send them out block by block, or who says, "Sit down here and send these cards out en masse to 10,000 people in this county."

Mr. WILLIAMS of Delaware. Let us not confuse this with a lot of camouflage. The amendment is clear enough.

Mr. BAYH. I am not covering it up by a lot of camouflage. What does the Senator mean by "covering it up with a lot of camouflage"? The language of his amendment seems to me to state this. The Senator should read it.

Mr. WILLIAMS of Delaware. I shall again read the existing law.

Mr. BAYH. I am not worried about the existing law. The Senator desires to change the existing law.

Mr. WILLIAMS of Delaware. Mr. President, I have the floor?

Mr. BAYH. The Senator yielded to me.

Mr. WILLIAMS of Delaware. But I did not yield the floor. I wish to read the existing law for the special enlightment of the Senator from Indiana.

The existing law reads:

§ 602. Solicitation of political contributions.

Whoever, being a Senator or Representative in, or Delegate or Resident Commissioner to, or a candidate for Congress, or individual elected as, Senator, Representative, Delegate, or Resident Commissioner, or an officer or employee of the United States or any department or agency thereof, or a person receiving any salary or compensation for services from money derived from the Treasury of the United States, directly or indirectly solicits, receives, or is in any manner concerned in soliciting or receiving any assessment, subscription, or contribution for any political purpose whatever, from any other such officer, employee, or person, shall be fined not more than $5,000 or imprisoned not more than three years or both. (June 25, 1948, ch. 645, 62 Stat. 722.)

I now read the language under the proposed amendment, and all that this amendment would do would be to add a new section prescribing the same criminal penalties to any person acting on behalf of a political committee who "directly or indirectly solicits, or is in any manner concerned in soliciting, any assessment, subscription, or contribution for the use of such political committee or for any political purpose whatever from any officer or employee of the United States."

That is the part that the Senator read before.

The existing law is applicable to salaried employees of the Government, but the existing law does not cover the situation if that salaried employee of the Government seeks out nonemployees of the Government to do his dirty work or solicit from civil service employees.

Mr. BAYH. Mr. President, will the Senator yield, please?

Mr. WILLIAMS of Delaware. I yield.

Mr. BAYH. We are all trying to get rid of dirty work. But we want to make certain that we do not throw out the baby with the bath water.

Suppose he formed a "JOHN WILLIAMS for Senate Committee."

Mr. WILLIAMS of Delaware. He would come under the amendment.

Mr. BAYH. May I ask the question? I think the Senator has answered it; but I wish to make sure.

I will make it the "BIRCH BAYH for Senate Committee." We get 100 volunteers, using the language of the Senator, acting on behalf of this committee; each person takes a five-block area and they go down that five-block area asking for a "buck for BAYH." Now, if they indirectly solicit in any matter someone who works for the Federal Government, it seems to me, according to the language here—not camouflage—they subject themselves to a fine of $5,000 or imprisonment for not more than 3 years, or both.

Mr. WILLIAMS of Delaware. I wish to say this now so that there will be no misunderstanding. If the committee is formed in the State of Delaware to elect JOHN WILLIAMS for the Senate or if a committee is formed in the State of Indiana to elect BIRCH BAYH for the Senate, those committees or representatives of those committees would be covered under this amendment and barred from soliciting civil service employees for campaign contributions and why should they not be covered?

If Senators do not want them covered they should vote against the amendment because its adoption would stop a representative of any committee, Democrat or Republican, from soliciting funds from civil service employees for candidates who are running in two or more States. If Senators do not wish to correct this loophole they might as well reject the amendment.

Mr. BAYH. So that we may move on, I believe the distinction is there. It has been explained by the Senator from Delaware.

The present law prohibits those who are employees of the Federal Government from soliciting. The Senator would include in his amendment every Tom, Dick, and Harry or advocate of good government who wants to get out and support his candidate by collecting funds. He would prohibit them from doing this. He would include the little old lady who wants to go out with a tin cup from door to door, and who has no influence or impact at all. The Senator from Delaware, whether he desires that or not, prohibits them from having this opportunity.

Mr. WILLIAMS of Delaware. I can assure the Senator that this may hurt the tincup politician. There is the rule of commonsense in the law, and with respect to the solicitation of the dollar from each house, I doubt if that would be covered if done by someone who did not know he was a civil service employee.

The Senator from Indiana [Mr. BAYH] knows what we are talking about here. Let us stop hedging.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I have two articles here which appeared in the Washington Star of June 23, 1965, which I shall read. They state the case very well:

[From the Washington (D.C.) Evening Star, June 23, 1965]

WORKER PRODDED ON $100 TICKET, WIFE COMPLAINS

The wife of a top Civil Service grade employe at the Office of Emergency Planning called The Star this morning to complain that her husband had been asked by his boss to buy a $100 ticket to tomorrow's Democratic dinner.

"He was told," the irate wife said, "that the White House is displeased with the number of tickets purchased so far" by OEP employes.

The wife said she would not give her name in order to protect her husband. "I know they wouldn't fire him," she stated, "but they could easily abolish his job."

Early this afternoon, Emet F. Riordan, OEP director of information, released a statement which said: "There is no solicitation of any kind within the agency for ticket buying."

MONEY AND POLITICS: DEMOCRATIC DINNER APPEARS A SELLOUT

(By Walter Pincus)

Tomorrow night's $100-a-plate Democratic Congressional fund-raising dinner appears to be a solid success—the promoters have booked an overflow dinner crowd of 2,875 into the Washington Hilton Hotel on top of about 5,500 that are now expected at the D.C. Armory.

The apparent sale of 8,000 or more tickets came despite a reported falloff of purchases by federal workers. A survey of government workers indicates the sales effort toward them was less intense this year and was limited primarily to home mailings to lists of last year's donors.

"It was a light touch, nothing like last year," one aide to a Cabinet member said yesterday. Another added that plans for and in-house solicitation had been dropped three weeks ago.

Though both President Johnson and Vice President Hubert H. Humphrey are expected to appear at both affairs, the real money draw has been a nationwide solicitation of small business, labor and corporate contributors both directly from Washington and indirectly through individual representatives and senators.

The fact that this is being billed as Washington's only Democratic party fund-raising dinner this year has been impressed on the representatives of the various lobbying organizations and other interest groups in Washington.

The bulk of the money raised, after expenses, will go to support Democratic candidates in the 1966 House and Senate races.

Success of this year's ticket sales assured promoters of the dinner that net receipts will surpass last year's dinner which yielded $400,000 to be divided by the Senate and House Democratic Campaign Committees.

It also guaranteed that the Democrats would be well on their way toward amassing a record campaign-fund kitty to be disbursed among House and Senate candidates next year.

Though the solicitation effort is being run from Democratic National Committee headquarters under the over-all direction guide, its all being handled in the name of a specially formed group—the Democratic Congressional Dinner Committee.

Use of this organization will permit the Democrats to take advantage of a campaign fund law loophole and not report the names of those who actually paid $100 or more for tickets—contributions that are normally required to be disclosed under federal law. Political committees, such as the dinner unit, that receive and spend their money within the District are exempt from reporting.

Chairman of the Congressional Dinner Committee is Neil Curry, California trucking executive and long-time party fund-raiser. Curry last year acted as treasurer of the $1,000-A-Member President's Club. He also has played a key role in encouraging trucking firm owners and operators around the country to contribute to the party and its candidates.

The purchase of 16 full-page advertisements by truckers in last year's Democratic Convention program at $15,000 a page was reportedly promoted primarily by Curry.

Despite the lack of hard-sell techniques on government employees, there will be a round of federal agency cocktail parties before the dinner. However, they apparently will be fewer in number and smaller in size than those which preceded last year's Democratic gala.

There also, reportedly, has been less in-house calling to ask if employees were planning to attend their bosses' parties.

Health, Education and Welfare employees will gather at the Skyline Inn tomorrow night. At the Presidential Arms, between 1,000 and 1,500 government workers from five agencies, including the Commerce Department, are expected.

Some Post Office Department employes and officials, along with a number of Congressmen, are to attend a pre-dinner gathering sponsored by the National Association of Postmasters of the U.S., a private organization that has purchased tickets and distributed some to its guests.

D.C. Transit buses will carry the government employes from their cocktail parties to the armory. Though, for the most part, top agency officials pay for pre-dinner parties out of their own pockets, the Democratic National Committee has arranged for the bus transportation. But party officials last night could not say who would pay for the buses.

The Democrats apparently have not spared expense to make the dinner a success. One estimate put the cost of each meal—including service—at from $12 to $15 a plate.

The Mayflower Hotel, which is catering the armory affair, refused yesterday to give any information on the dinner—from the number expected to be served to the name of the main course.

Decorations for the armory, which were described by someone involved in their preparation as "the biggest the Democrats ever had for a dinner," are expected to cost about $20,000.

Democratic party finances are a closely guarded operation. According to records filed with the Clerk of the House, some $900,000 has been contributed to the party in the first five months of 1965. All but $75,000 of that amount came from $1,000-and-up contributors.

The Republican party, on the other hand, reported that during the same period it collected almost $800,000 of which over 75 percent came from contributors of less than $100.

To stimulate small contributors, the Democrats have begun a contest aimed at $10 givers. Though it is not expected to draw much in the way of money, it will create the impression that the party is seeking to encourage the small donor.

The amendment would stop this type of soliciting from the civil service employees. It should be stopped. Those who believe it should not be stopped, if they believe civil service workers should be solicited under the Hatch Act as now interpreted, may vote against it.

The issue is clear.

Mr. President, I ask unanimous consent to have printed in the RECORD a series of articles which have been published over the last few years in various Washington newspapers criticizing this practice, followed by excerpts from a series of letters written by many civil service employees protesting this solicitation which they interpret to be in the form of a shakedown. Copies of these letters were sent to President Johnson May 18, 1964, by Congressman ANCHER NELSEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Jan. 18, 1963]

EMPLOYE GROUPS' SILENCE VIEWED AS STRANGE IN $100 TICKET PRESSURE

(By Joseph Young)

Perhaps the strangest aspect of the entire spectacle of unashamed Democratic pressure on Government career employes to attend tonight's $100-a-ticket gala is the complete silence of Government employe unions and the National Civil Service League on the matter.

Not a peep has been heard from any of the major unions or the non-partisan league, which came into being 80 years ago to uphold the merit system, since this reporter and The Star on December 6 first disclosed the pressure on career employes to purchase the $100 tickets.

The employe leaders appear too intent on such unattainable pie-in-the-sky objectives as a 35-hour work week, etc., to bother with the unprecedented pressure on career employes by the Democratic National Committee and officials of the Kennedy administration, only the recently formed National Society of Federal Engineers, Scientists and Allied Professionals have criticized the goings-on.

The unions' excuse is that not many career employes in the upper-middle and top grades are members of their organizations, and hence they don't want to get into the fray. The long-range adverse implications on the merit system seem to escape them.

The silence of the National Civil Service League is even more puzzling. The main purpose of the non-partisan business-supported league is ostensibly to protect and support the merit system.

The failure of Government employe unions to protest the situation may stem from the close relationship the groups have with the Kennedy administration, and their reluctance to do anything to endanger this alliance. Under President Kennedy, the unions have won formal bargaining rights, pay adjustments, support for a union dues checkoff, etc.

Another reason may be the unionists' indifference to groups of career employes who generally aren't found in their memberships.

This could be very shortsighted on the part of the unions.

The Kennedy administration won't last forever, and the next administration—if it is Republican—isn't likely to forget how the unions backed the Democrats by their silence.

This year's pressure was put on grade 12 and above career employes. Next year the pressure could be put on employes in grade 9 and above, and on even lower grade employes in the years ahead. The Kennedy administration is not bashful in telling employes it is responsible for their latest pay raise and the upcoming one next year, and probably doesn't have many qualms in "selling" $100 tickets to as many career employes as the traffic will bear.

As for the Civil Service Commission's silence until now on the situation, this is rather understandable. CSC officials privately are most unhappy over the situation. But there are only two men in Government who could have done something to stop it—President Kennedy and his brother, Attorney General Robert Kennedy, who could have ordered such practices stopped on threat of Justice Department prosecution under the Corrupt Practices Act. Under the circumstances, the CSC could do little but remain silent.

Meanwhile, the performers at tonight's gala—stellar stars though some of them may be—will have to be extra good to get any kind of ovation from the many Federal career employes who have reluctantly shelled out their $100 to attend. And without Frank Sinatra yet.

[From the Washington (D.C.) Evening Star, May 26, 1964]

MONEY AND POLITICS: DEMOCRATS EXPECT TO GROSS OVER $3 MILLION THIS WEEK

(By Walter Pincus)

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Solicitors have been active in the past two months selling everything from $1,000 memberships in the President's Club to the $5 balcony New York gala tickets.

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A party spokesman estimated that more than 500 tickets, at $1,000 each, have already been sold for tonight's dinner, while a crowd of between 7,000 and 8,000 at $100 a ticket is expected at the Armory.

The President's Club dinner in New York Thursday is expected to draw 1,000 persons at $1,000 each—making it the first publicly-reported $1 million dinner in campaign fund-raising history.

How are the $1,000 tickets sold in Washington? Many of them go to old party contributors whose names regularly grace such lists.

To get the hesitant new big money men, one sales pitch last week included:

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CONTROVERSIAL SOLICITATION

And finally, that the funds can originate from any source—so long as someone's name is attached to the $1,000 when it arrives at the national committee.

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Since 1962, the Democrats have made a strong effort to get those Federal employes who were appointed to their positions—so-called Schedule C jobs—to buy $100 tickets each year to one major party function.

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Currently, there are about 1,440 Schedule C positions of which, according to a Civil Service spokesman, about 80 per cent are filled. Some 400 of the persons holding down these jobs, however, are regular Civil Service and not political appointees.

However, the pressure on employes to buy the $100 ducats is not limited to those under Schedule C. Regular civil service employees in grades 11 and above in many agencies have received mailed "invitations" and follow-up telephone calls and direct appeals from their bosses to attend the affair.

Winking at the Federal laws that prohibit solicitation of Federal employes in Federal buildings, the Democratic National Committee has designated sales co-ordinators in each executive agency. Quotas have been established normally based on the number of Schedule C positions in a given department, combined with a 10 per cent increase over the past year's ticket purchases.

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For example, on January 18, 1962, seventeen $100 contributions in a row were recorded for top officials of the Defense Department. On January 12, of that year, twenty-five $100 contributions in a row were recorded for upper-level Agriculture Department officials.

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"The deputy administrator made the appointment at 3 p.m. during a regular working day. He reviewed the salary situation and my then recent appointment to the power supply division, implying that my salary, the then new congressional wage scale and civil service grade classification were solely due to the efforts of the administrator, the Secretary of Agriculture and the administration, and further, that out of gratitude I should financially support the party with a cash contribution of $100. A ticket was then taken from a drawer in his desk and offered. I was advised that if necessary I could buy it on the installment plan. I replied that I had worked for REA for 24 years and never publicly affiliated myself with either political party, and wasn't about to break that precedent. I thought I had earned my salary and would continue to work faithfully and conscientiously up to the limit of my ability."

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Mr. BAYH. Mr. President, a moment ago, I promised not to labor this point any further, but after listening to the fine presentation of the Senator from Delaware, I ask my colleagues to forgive me for making one further comment.

The examples, as I interpret them, in connection with the newspaper articles which the Senator has placed in the RECORD, show that they are already existing violations of law. He has said many times that department heads or employees of the Federal Government—and in my estimation, I think that I speak for my colleagues—cannot and should not be permitted to put the "hammerlock" on someone working under him to get him to contribute to a political party. But whether we like what the amendment proposes or not, whether we talk about "reasonable interpretation" or not, I think that to get at whatever the Senator is after, he should use more precise language.

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If perchance solicitors should encounter someone who works for the Federal Government, that employee immediately becomes subject to a $5,000 fine or imprisonment for not more than 3 years, or both.

This seems to be a reasonable interpretation of the present language of the into the Washington Hilton Hotel on top of about 5,500 that are now expected at the D.C. Armory.

The apparent sale of 8,000 or more tickets came despite a reported falloff of purchases by federal workers. A survey of government workers indicates the sales effort toward them was less intense this year and was limited primarily to home mailings to lists of last year's donors.

"It was a light touch, nothing like last year," one aide to a Cabinet member said yesterday. Another added that plans for and in-house solicitation had been dropped three weeks ago.

Though both President Johnson and Vice President Hubert H. Humphrey are expected to appear at both affairs, the real money draw has been a nationwide solicitation of small business, labor and corporate contributors both directly from Washington and indirectly through individual representatives and senators.

The fact that this is being billed as Washington's only Democratic party fund-raising dinner this year has been impressed on the representatives of the various lobbying organizations and other interest groups in Washington.

The bulk of the money raised, after expenses, will go to support Democratic candidates in the 1966 House and Senate races.

Success of this year's ticket sales assured promoters of the dinner that net receipts will surpass last year's dinner which yielded $400,000 to be divided by the Senate and House Democratic Campaign Committees.

It also guaranteed that the Democrats would be well on their way toward amassing a record campaign-fund kitty to be disbursed among House and Senate candidates next year.

Though the solicitation effort is being run from Democratic National Committee headquarters under the over-all direction guide, its all being handled in the name of a specially formed group—the Democratic Congressional Dinner Committee.

Use of this organization will permit the Democrats to take advantage of a campaign fund law loophole and not report the names of those who actually paid $100 or more for tickets—contributions that are normally required to be disclosed under federal law. Political committees, such as the dinner unit, that receive and spend their money within the District are exempt from reporting.

Chairman of the Congressional Dinner Committee is Neil Curry, California trucking executive and long-time party fund-raiser. Curry last year acted as treasurer of the $1,000-A-Member President's Club. He also has played a key role in encouraging trucking firm owners and operators around the country to contribute to the party and its candidates.

The purchase of 16 full-page advertisements by truckers in last year's Democratic Convention program at $15,000 a page was reportedly promoted primarily by Curry.

Despite the lack of hard-sell techniques on government employees, there will be a round of federal agency cocktail parties before the dinner. However, they apparently will be fewer in number and smaller in size than those which preceded last year's Democratic gala.

There also, reportedly, has been less in-house calling to ask if employees were planning to attend their bosses' parties.

Health, Education and Welfare employees will gather at the Skyline Inn tomorrow night. At the Presidential Arms, between 1,000 and 1,500 government workers from five agencies, including the Commerce Department, are expected.

Some Post Office Department employes and officials, along with a number of Congressmen, are to attend a pre-dinner gathering sponsored by the National Association of Postmasters of the U.S., a private organization that has purchased tickets and distributed some to its guests.

D.C. Transit buses will carry the government employes from their cocktail parties to the armory. Though, for the most part, top agency officials pay for pre-dinner parties out of their own pockets, the Democratic National Committee has arranged for the bus transportation. But party officials last night could not say who would pay for the buses.

The Democrats apparently have not spared expense to make the dinner a success. One estimate put the cost of each meal—including service—at from $12 to $15 a plate.

The Mayflower Hotel, which is catering the armory affair, refused yesterday to give any information on the dinner—from the number expected to be served to the name of the main course.

Decorations for the armory, which were described by someone involved in their preparation as "the biggest the Democrats ever had for a dinner," are expected to cost about $20,000.

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If perchance solicitors should encounter someone who works for the Federal Government, that employee immediately becomes subject to a $5,000 fine or imprisonment for not more than 3 years, or both.

This seems to be a reasonable interpretation of the present language of the amendment. If the Senator from Delaware has other language to accomplish what he is striving to do, which could exclude these people who I think would be inadvertently encompassed within the confines of this amendment, I would support him.

Mr. WILLIAMS of Delaware. The words "directly or indirectly solicits" are in the existing law. My amendment repeats existing law. As to the example the Senator pointed out that existing law now prohibits the head of an agency from soliciting the employee in his department or any other department for political contributions and that such action would be a violation of existing law, on that point he is correct. But under existing law the head of that agency can take this list of his employees, give it to a man outside the Government, and send him out to do the soliciting; that is not prohibited under existing law. My amendment would state that anyone who is acting on behalf of that public official or political committee would be covered, and I think the amendment should be adopted.

Mr. MONRONEY. Mr. President, will the Senator from Delaware yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. MONRONEY. I am puzzled as to exactly what the Senator means in the language:

> Whoever, acting on behalf of any political committee (including any State or local committee of a political party), directly or indirectly solicits, or is in any manner concerned in soliciting, any assessment, subscription, or contribution for these of such political committee or for any political purpose whatever from any officer or employee of the United States (other than an elected officer) shall be fined not more than $5,000 or imprisoned not more than 3 years, or both.

In most States, it is customary to pay to secure mailing lists of voters in certain precincts and certain wards. Letters are sent out, and fortunately, I think the law is drafted so that responsible Federal officials, particularly, Senators and Representatives know what the law is, and they will not write, do not choose to write, and do not care to write for a list that might involve perhaps one out of every four people on that registration list to receive mail asking for $1, $5, or $10 in campaign funds from a large block of people who may want to participate in politics, or support a political candidate or political party. This applies to primaries and also to general elections. I think it is very much better to have 1,000 people contributing a few dollars than to have a few people contributing $1,000 to a man's campaign.

The only way these small amounts will be raised will be done, as the Senator from Indiana [Mr. BAYH] has stated, by volunteers, by those who take an interest because they like politics and are willing to work at the level at which they may have to sell perhaps buttons, or perhaps tickets to a banquet, or other things of that kind. We have absolutely prohibited, with a $5,000 fine or 3 years imprisonment, any elective official or any employee of this great Government to participate in reaching or threatening any civil service employee, or give him an intelligence examination requiring him to have a certain IQ in order to pass. Certainly a Federal employee does not have to be intimidated or coerced or driven like sheep to be clipped for campaign expenditures. I do not know of any group in my State which is avoided as much as are Federal employees in campaign solicitations. Certainly, those who belong to the employee unions, I imagine they contribute but I do not know exactly how the unions do contribute vis-a-vis the two parties. This is not covered by the amendment of the Senator from Delaware. I also do not think that many other means of raising finances are covered. I do not think the Senator is getting at what he is trying to do. I think the bill, which would prohibit any Federal employee from asking any civil service employee or any other employee of the U.S. Government for a contribution, is effective, broad, and complete. I do not know what the Senator means by the definition of "any officer or employee of the United States." This could include servicemen. Of course, I hope that it would not, because I do not feel that they should be asked to contribute. Does it involve only civil service employees? The bill does not speak on that. Would the Senator kindly advise me?

Mr. WILLIAMS of Delaware. The language which the Senator read as being confusing to him in my amendment is verbatim of the language that is existing law now. I am not changing existing law. I only propose to add another section.

Mr. MONRONEY. Let me say to the Senator that Representatives, Senators, and employees have sense enough to know not to fool around with that. Therefore, this does not apply, because no one is going out to try to solicit.

Mr. WILLIAMS of Delaware. What about the man representing an official in an agency. He could take the list of the names of civil service employees and start talking to them on the official's behalf. So far as confusing this with mass mailing lists which go out where people have no way of knowing if they are civil service employees or not, that is not mentioned under either. Existing law states that a salaried official cannot solicit civil service employees as such.

The amendment would add a new section to this to prohibit a representative of a political committee or a representative of the public official from making the solicitation on his behalf.

Mr. MONRONEY. It does not say "as such."

Mr. BAYH. It says "in any manner concerned in soliciting"——

Mr. WILLIAMS of Delaware. Surely. Why not?

Mr. BAYH. Anyone can represent a political party to solicit money. If that does not encompass a mail order list, then I do not know what would.

Mr. WILLIAMS of Delaware. If I may read it again:

> Anyone who solicits or is in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever from any other such officer, employee, or person. . . .

Mr. MONRONEY. I cannot find that language, because the Senator's language says nothing about "existing."

Mr. WILLIAMS of Delaware. I am reading existing law. That is exactly the same definition as is in the pending amendment.

Mr. MONRONEY. Except "receiving." I do not find "receiving." I see nothing in here about "receiving." What I see is "soliciting."

I think the amendment offers a wide opportunity for blackmail on the part of someone who may say, "I represent Senator so-and-so. I have been told to call on you to get $10. If you do not give it, you will suffer the consequences of not being promoted"; or something like that.

The burden of proof lies with the candidate, then, to say, "I have never seen this man before. I do not know him or anything about him."

The language is so broad:

> Whoever, acting on behalf of any political committee (including any State or local committee of a political party), directly or indirectly solicits, or is in any manner concerned in soliciting, any assessment, subscription, or contribution for the use of such political committee or for any political purpose whatever from any officer or employee of the United States (other than an elected officer) shall be fined not more than $5,000 or imprisoned not more than three years, or both.

It does not say anything about receiving; it does not say anything acting responsibly in the employ of a Representative or a Senator or an officer of the third ward branch of a State party committee. It states no qualifications whatever.

The amendment is proposed without its having received any committee hearings or any testimony whatever.

I certainly hope we shall be able to pass legislation—and I intend to vote for it, as I have voted for all similar legislation, including the Hatch Act—to provide for clean elections. But I do not want to rush in without notice or committee hearings on an amendment that is not germane to the bill before the Senate, a bill which relates to better retirement. I do not believe we should vote on an amendment such as this on such short notice. We had not 1 minute's notice that this proposal was coming up. We had no testimony. No one has examined into the proposal at length.

If the Senator from Delaware does not desire more time, I am prepared to move to table his amendment, so that the Senate may move on to complete action on a bill which affects so many Federal employees.

Mr. WILLIAMS of Delaware. I hope the Senator will not move to table the amendment. If he thinks it is not germane let him make a point of order. I am sure the amendment is germane, and I am sure that the Chair would sustain my view. So far as a motion to table is concerned, that motion could be made, but the vote would still be on the merits. If I were against the amendment I would certainly vote to table it.

This proposal has not just come before us today. I shall read an editorial published in the Washington Evening Star of January 18, 1963, 3½ years ago. It is entitled "Down the Hatch" and reads as follows:

> An undetermined number of unhappy Civil Service workers, having put up $100 for the greater glory of the Democratic Party, will toss down a drink or two tonight as guests of their bosses.
>
> The Civil Service Commission, with no pun intended, says that it cannot treat this thinly disguised form of coercion as a violation of the Hatch Act unless it receives complaints from Government workers.

I digress at this point to say that, certainly, Government workers are afraid to complain.

Mr. MONRONEY. Mr. President, will the Senator yield at that point?

Mr. WILLIAMS of Delaware. I should like to complete my reading of the editorial; then I shall yield.

Mr. MONRONEY. Very well.

Mr. WILLIAMS of Delaware. I continue to read:

> We would rather doubt that any worker who has sense enough to find his way in and out of the building is going to be foolish enough to file such a formal complaint. So this throws the whole shabby business back into the realm of the Corrupt Practices Act, which is enforced by the Department of Justice, not by the CSC. Of course, one may always be mistaken in a judgment. But it is our guess that no Justice Department bloodhounds will be sent off on the trail of Democrats who have resorted to this device to raise funds for other Democrats. And if our estimates in this respect should be erroneous, we are willing to bet ROBERT KENNEDY a $100 dinner that any bloodhounds unleashed in this cause will not be young and eager, but, rather, will be of that variety which is old, tired and quite ready to call it a day.
>
> All of this has prompted some Republicans to rise up in righteous wrath, a circumstance which, we think, should be put in some perspective. In former administrations, both Republican and Democratic, there has been a certain prodding of the Federal worker to kick into the party coffers. But nothing in the past has rivaled the brazenness or the scope of what the New Frontiermen have been doing. As our Federal Spotlight reporter, Joe Young, puts it when speaking informally: "The Civil Service worker is damned if he doesn't, because his promotion prospects may be adversely affected. And, should the Republicans come in, he is damned if he does, because his new GOP bosses are not apt to look with understanding and tolerance on the fact that he tossed a hundred bucks into the Democratic war chest."
>
> By tomorrow this affair will be over and done with. But the bad smell will linger on. People who make a career of working for the Government ought not to have their shins kicked or their arms twisted to force them to put their money on the line. Nor should they be subjected to the slightly more subtle pressure of not having a drink with the boss unless they pony up.
>
> The Kennedy administration speaks in noble terms to the American people of virtue, dedication, high purpose, etc. If the President, by chance, doesn't know what has been going on recently, he ought to take time out for a closer look.

I should say that since the editorial was published both President Kennedy and President Johnson have recommended that Congress take action to correct the loophole in the law in that while officials of the departments themselves cannot solicit they can designate someone outside the Government to take the lists of names and call on the civil service workers.

This is a practice that is common knowledge to all. I think it is time to stop it, and my amendment would stop it.

Mr. MONRONEY. I listened carefully as the Senator from Delaware read the editorial. It is my understanding that a boss who invited employees has been for many years under the prohibition of contacting Federal employees on behalf of candidates for office. That is the law today.

If the Senator from Delaware wishes to bring in people who have no connection whatever with Government and no connection with promotional activities and say, "You cannot conduct political activities," that is one thing. But I say that persons have a right to go out and solicit on behalf of their candidates if such persons are not connected with the Federal Government in any way, shape, or form.

The amendment of the Senator from Delaware would prohibit such a practice by a fine of $5,000, or 3 years in the penitentiary or both. That is an impingement on the rights of individual citizens, nongovernmental employees, who work in the field of democracy, who want to participate and urge young people to become active and to help in the field of politics, so that they may become acquainted with their Government and move forward in political organizations.

Yet if they go out and sell a tag on tag day or sell a $5 or a $10 or a $100 banquet ticket, no matter how remotely connected they are with the Federal Government, if they are connected with a political committee, if they represent a party, and if they are working on behalf of a political party, they would be under a threat of fine and imprisonment.

I think the Senator from Delaware has not thought this amendment out. It would not do what he had hoped it would do. I favor a tightening of the law so far as it concerns Federal employees raising money from other Federal employees, no matter what class of civil service or any other type Federal employment he may have. But I certainly feel that to have on the books legislation which would deny the right of 90 percent of the volunteer workers in the United States to feel comfortable by having a 3-year sentence facing them, if they worked in this field of activity, for fear that talking to neighbors or others they might be accused, directly or indirectly, or in any other vague way, of soliciting or being concerned in soliciting an assessment, subscription, or contribution for the use of any political committee, is carrying it too far with people who have no authority and who are not Federal employees.

It is those who have authority over Federal employees that the law has wisely sought to prevent from raising funds, and I think it is a good law. I would vote to strengthen it if I knew how. But I believe that what the Senator proposes does not strengthen it in any way.

I am prepared to move forward, if the Senator wishes.

Mr. WILLIAMS of Delaware. I shall take only a minute, and then I shall be ready to vote.

The Senator has summed up the issue very clearly. As he has stated, the law as it exists today prohibits an official in the Government from soliciting his employees for campaign contributions or from selling them this $100 ticket, as outlined in the editorial. The Senator is correct on that point. The existing law does not prohibit that same official from inviting those who may have purchased ticket to stop by his house for cocktails so he can get their names. The existing law, while it does prohibit the head of an agency from soliciting the employees under him for these $100 dinners, does not prohibit that agency head from designating some individual who is not on the Government payroll to take that list of names and make the solicitations. The existing law does not prohibit that.

My amendment would prohibit anybody designated by that official from soliciting civil service workers, and I hope the amendment will be agreed to.

Mr. LAUSCHE. Mr. President, will the Senator managing the bill yield for a question soliciting information?

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MONRONEY. I yield to the Senator from Ohio.

Mr. LAUSCHE. If the bill pending before the Senate is amended to make the effective date January 1, 1967, instead of July 1, 1966, to what extent, in dollars, will the cost of the bill be reduced for the 1 year?

Mr. MONRONEY. It will be exactly one-half, which will be in the neighborhood of $252 million.

Mr. LAUSCHE. Instead of costing $504 million, it would cost $252 million?

Mr. MONRONEY. It would be delayed one-half year.

I might say to the distinguished Senator that the vote in the committee, when it was taken, to move the effective date forward to October 1, even, was 14 to 1 against doing so and for making July 1 the effective date; and the single vote was that of the chairman of the committee. I favored the other position, and 14 of the committee members, who heard the same evidence I did, favored the other way.

Mr. LAUSCHE. The Senator has answered my question. If we make the effective date January 1, 1967, instead of July 1, 1966, there will be a saving of $252 million.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Delaware. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll on the quorum.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 127 Leg.]

Allott
Bayh
Boggs
Burdick
Byrd, Va.
Carlson
Cooper
Dirksen
Ervin
Gore
Harris
Hartke
Hill
Holland
Jordan, Idaho
Kennedy, Mass.
Lausche
Long, La.
Magnuson
Mansfield
Metcalf
Monroney
Morse
Murphy
Pearson
Pell
Ribicoff
Robertson
Russell, S.C.
Sparkman
Tydings
Williams, Del.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Louisiana [Mr. ELLENDER], the Senator from New York [Mr. KENNEDY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent because of illness.

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Aiken
Bartlett
Bennett
Bible
Brewster
Byrd, W. Va.
Cannon
Case
Church
Cotton
Curtis
Eastland
Fannin
Fong
Fulbright
Hayden
Hickenlooper
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kuchel
Long, Mo.
McCarthy
McGee
McGovern
McIntyre
Miller
Mondale
Montoya
Morton
Moss
Mundt
Muskie
Nelson
Prouty
Proxmire
Randolph
Russell, Ga.
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. MONRONEY. Mr. President, I have a parliamentary inquiry. A quorum is present. The yea-and-nay vote had been demanded by the senior Senator from Delaware, but had not actually taken place. Is that correct?

The PRESIDING OFFICER. Yes, no Senator had responded before the absence of a quorum was suggested.

Mr. MONRONEY. Therefore, I move to table the amendment of the Senator from Delaware.

Mr. WILLIAMS of Delaware. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, is a parliamentary inquiry in order?

The PRESIDING OFFICER. The Senator may state it.

Mr. WILLIAMS of Delaware. Senators who wish to defeat the amendment would vote to table it, and Senators who wish to vote for the amendment would vote against tabling it.

Do I understand correctly?

The PRESIDING OFFICER. The Senator from Delaware understands correctly.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Louisiana [Mr. ELLENDER], the Senator from New York [Mr. KENNEDY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. BASS], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Alaska [Mr. GRUENING], the Senator from New York [Mr. KENNEDY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Michigan [Mr. HART] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent because of illness.

If present and voting, the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "nay."

The result was announced—yeas 48, nays 33, as follows:

[No. 128 Leg.]

YEAS—48

Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Eastland
Ervin
Fulbright
Gore
Harris
Hartke
Hayden
Hill
Holland
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
Metcalf
Mondale
Monroney
Montoya
Moss
Muskie
Nelson
Pell
Proxmire
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Sparkman
Stennis
Symington
Talmadge
Tydings
Yarborough
Young, Ohio

NAYS—33

Aiken
Allott
Bennett
Boggs
Byrd, Va.
Carlson
Case
Cooper
Cotton
Curtis
Dirksen
Fannin
Fong
Hickenlooper
Hruska
Javits
Jordan, Idaho
Kuchel
Lausche
McIntyre
Miller
Morse
Morton
Mundt
Murphy
Pearson
Prouty
Robertson
Smith
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—19

Anderson
Bass
Clark
Dodd
Dominick
Douglas
Ellender
Griffin
Gruening
Hart
Kennedy, N.Y.
McClellan
Neuberger
Pastore
Saltonstall
Scott
Simpson
Smathers
Williams, N.J.

So Mr. MONRONEY's motion to table the amendment of Mr. WILLIAMS of Delaware was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LAUSCHE. Mr. President, I call up my amendment, which is at the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to dispense with the reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by the Senator from Ohio [Mr. LAUSCHE], is as follows:

On page 46, line 17, beginning with the word "as", strike out all down through line 23 and insert in lieu thereof "on the first day of the first pay period which begins on or after January 1, 1967".

On page 49, line 2, strike out "July 1, 1966" and insert "January 1, 1967".

On page 52, line 24, strike out "July 1, 1966" and insert "January 1, 1967".

On page 62, line 10, beginning with the word "as", strike out all down through line 19, and insert in lieu thereof "on the first day of the first pay period which begins on or after January 1, 1967".

On page 69, line 8, strike out the word "second" and insert "fifth".

On page 69, line 23, strike out the word "date" and all of the language on line 24, and insert in lieu thereof the words "January 1, 1967".

On page 71, line 10, strike out "July 1, 1966" and insert "January 1, 1967".

On page 71, line 16, strike out "July 1, 1966" and insert "January 1, 1967".

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a 30-minute limitation on the pending amendment, 15 minutes under the control of the proponent, the distinguished Senator from Ohio [Mr. LAUSCHE] and 15 minutes under the control of the manager of the bill.

The PRESIDING OFFICER. Is there objection? There being no objection, it is so ordered.

The Senator from Ohio is recognized. How much time does the Senator yield unto himself?

Mr. LAUSCHE. I yield to myself as much time as I shall use, not to exceed 15 minutes.

Mr. President, the bill pending before the Senate provides that the effective date of the increase in the wage grants shall be July 1, 1966. July 1, 1966, manifestly, has already passed.

The President, in recommending the adoption of the pay-increase bill and the liberalization of survivor benefits, stated:

> I recommend to the Congress the enactment of a pay raise for Federal employees effective January 1, 1967, ranging from 1 percent to 4-½ percent.

The recommendation of the President was disregarded by both the House of Representatives and the committee in the Senate that considered the bill.

Today arguments were made by various Senators that the Congress has already adopted authorizations increasing Federal expenditures by about $3.5 billion over the President's recommended budget.

While the bill was being discussed today, there appeared a brief flash of controversy concerning who was responsible for the increased expenditures that have been created in this session of the Congress.

There were arguments that the President is responsible. There were arguments that the Congress is responsible. The fact is undoubted, however, that up until now the authorizations exceed the President's budget by about $3.5 billion. There is no question that the Congress has exceeded the President's recommendations in the amounts which I have stated. I am not trying to defend the President. I am trying to relate the facts as I understand them to exist.

The second dispute on the floor of the Senate today was whether the Congress, if it is increasing the expenditures, should not impose a tax. The Senator from New York [Mr. Javits] said the President was delinquent in not recommending a tax increase to meet the huge expenditures of South Vietnam and the increased expenditures authorized by the Congress.

The Senator from Montana [Mr. Mansfield] did not participate in the argument. The Senator from Illinois [Mr. Dirksen] argued that if a bill of that type were submitted he would vote for it.

Senators may want to know the cost if the effective date is January 1, 1967, as recommended by the President, instead of July 1, 1966, as proposed by the House of Representatives, and the committee that had charge of this bill. The answer is that the cost will be $252 million.

If July 1, 1966, is made the effective date instead of January 1, 1967, the cost will be $252 million more than it would be under the pending bill.

With respect to the merits, I do not like to mention this but it is an absolute fact. Every election year we increase the survivor benefits and the wages of the Federal employees.

I have before me a document prepared by the Library of Congress covering the years I have been in the Senate.

In 1958, the classified employees received a wage increase of 10 percent. In 1960, the classified employees received a wage increase of 7.7 percent; in 1962, 5.5 percent; in 1964, 4.3 percent. Even in the odd year, in 1965, the classified employees received an average increase of 3.6 percent.

Practically the same program and the same table of increases deals with postal employees.

Mr. President, I ask unanimous consent to have printed in the Record the tabulation contained in this document.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

General pay increases since 1950: Classified, postal, and Armed Forces

CLASSIFIED EMPLOYEES

Year	Public Law	Percent increase
1951	82-201	Average increase of 10 percent.
1955	84- 94	Average increase of 7.5 percent.
1958	85-462	Average increase of 10 percent.
1960	86-568	Average increase of 7.7 percent.
1962	87-793	1st step increase, effective October 1962, 5.5 percent. 2d step increase, effective January 1964 4.1 percent.
1964	88-426	Average increase of 4.3 percent.
1965	89-301	Average increase of 3.6 percent.
		POSTAL EMPLOYEES
1951	82-204	4th class postmasters' pay increased 20 percent. Other postmasters and supervisors increased 8.8 percent (but not over $800). All other employees increased $400, but the elimination of the 2 lowest grades meant that employees who had been in these grades got as much as a $600 increase.
1955	84- 68	Average increase of 8.4 percent.
1958	85-426	Average increase of 10.27 percent.
1960	86-568	Average increase of 8.35 percent.
1962	87-793	1st step increase, effective October 1962, 8.6 percent. 2d step increase, effective January 1964, 2.6 percent.
1964	88-426	Average increase of 5.6 percent.
1965	89-301	Average increase of 3.6 percent.
		ARMED FORCES
1952	82-346	Average increase of 4 percent in pay; 14 percent in food and rent allowance for those eligible. Average of these factors: 5.7 percent.
1955	84- 20	Percent of increase under this law is complicated. For officers with more than 3 years' service and for warrant officers and enlisted men with more than 2 years' service, increases were based on length of service. Some examples: Major generals, 26 to 30 years' service, 6.7 percent; 2d lieutenants, with more than 3 but less than 4 years' service, 25 percent; corporals, with 8 to 10 years' service, 17.35 percent.
1958	85-422	Increases ranged from about 1 percent for privates to as much as 33 percent for some generals.
1963	88-132	Increase averaged about 17 percent for all active duty personnel with 2 or more years of service. Those with less than 2 years' service received no increase.
1964	88-422	Average increase of 2.5 percent for all uniformed personnel with more than 2 years of service.
1965	89-132	Average increase of 11 percent for all enlisted personnel with 2 or more years of service; varying increase for those with less than 2 years of service, and 6 percent for all officers.

Source: Legislative Reference Service, Government and General Research Division, Feb. 1, 1965.

Mr. LAUSCHE. Mr. President, the Armed Forces have not been dealt with so leniently. They have been allowed to falter and stand by the wayside while we have taken care of postal employees and civil service employees. Not until 1965 were the armed services given what was supposed to be a substantial increase, and that was 11 percent for all enlisted personnel with 2 or more years of service.

In the arguments made today, there was stressed deficit operations, the largeness of the public debt, and the scarcity of money throughout the Nation where banks are bidding for deposits by paying as high as 5.5 percent—and of course, when they pay 5.5 percent for deposits, they will collect an interest rate on their loans of 7 percent and 8 percent. When they do that, they will take bad security. I have been through this program. I was on the bench in 1936 when foreclosure proceedings were coming through, and it was quite evident that the more extravagant the collection of interest, the greater the extravagance in demanding ample security.

Finally, in simple terms, we can save $252 million. We can stand by the President in his recommendations that the bill be made effective as of January 1, 1967, and we can help stop the inflation which is running rampant; on the other hand, we can cast aside the word of the President, we can blame him for what is happening, we can forget about inflation, we can forget all the other dangers which are incident to this bill. The bill is most liberal. The workers should be satisfied with an effective date of January 1, 1967.

That is my argument.

Mr. LONG of Louisiana. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I am happy to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I admire the courage of the Senator from Ohio in offering his amendment. He knows it takes courage to offer it, because it would be disappointing to millions of employees were the Senator's amendment to carry. The fact is that none of us has the right to criticize the administration for profligate spending at their end, and then vote to advance the pay raise date on this end. Federal employees have had a raise every 2 years. In recent years, we have voted one every year. I want to say to the Senator from Ohio that certainly the executive branch of the Government is very much concerned with profligate spending on this end.

We should do what we can to hold down the spending to that authorized in the President's recommendations, and for that reason I will vote with the Senator from Ohio.

Mr. HARTKE. Is the Senator from Ohio interested in the law of 1962 which provides that there shall be the doctrine of comparability, which is the law of the land? Does the Senator want to disapprove of that law?

Mr. LAUSCHE. I am thoroughly familiar with the law of 1962, which provides that there shall be a comparability between the salaries paid by the Federal Government and those paid by private industry. I say to the Senator that the President of the United States thought this matter out and recognized the huge expenditures necessary for Vietnam. My belief is that in a generous mood he said:

> I will recommend this increase but I want it effective as of January 1, 1967.

Let me point out further to the Senator that the comparability law would help only with the comparability of salaries paid by the Federal Government and private industry and not at all with salaries paid by villages, counties, cities, and States.

Mr. HARTKE. The Senator well knows that John Macy, the Chairman of the Civil Service Commission, has said publicly in committee that this provision, at this moment, will not even bring Federal employees up to a comparable standard with private industry as required by the law of 1962. He himself has admitted this publicly, willingly, and without any question of doubt whatsoever in his mind. He merely says that what is being recommended today will not bring the Federal employees up to a comparable standard as we have determined ourselves to be. Even by July 1, 1966, rather than January 1, 1967, we will still be where——

Mr. LAUSCHE. I am sorry, but my time is very limited. If the Senator wishes to make a speech on his own time——

Mr. HARTKE. Mr. President, will the Senator from Oklahoma yield me 1 minute?

Mr. MONRONEY. The Senator from Ohio has the floor.

Mr. LAUSCHE. Let me answer the Senator's question. One of the great problems confronting our country is, who will stop the inflationary processes? Private employers have not been able to do so because when a strike is declared against their industry, they are helpless. We should set the example. We should demonstrate to the people of the Nation that there is grave danger of excessive inflation, and if inflation comes, our employees will suffer. We will suffer. The whole Nation will suffer irreparable damage.

Mr. President, how much time do I have left?

The **PRESIDING OFFICER.** The Senator from Ohio has 2 minutes remaining.

Mr. LAUSCHE. Mr. President, I reserve the remainder of my time.

Mr. MONRONEY. Mr. President, I yield 1 minute to the Senator from Indiana.

The **PRESIDING OFFICER.** The Senator from Indiana is recognized for 1 minute.

Mr. HARTKE. Mr. President, I should like to ask the Senator from Ohio—on my own time—will the Senator from Ohio be as willing to defend economy when it comes time to vote upon the authorization this week—as I understand it will come up—on cutting out the giving of military aid to foreign countries so that they can use it against each other?

Mr. LAUSCHE. Mr. President, with great reluctance, I would make the statement that the question the Senator from Indiana has asked is demagogic.

Mr. HARTKE. Let me say to the Senator from Ohio that if my statement is demagoguery, the war between India and Pakistan took approximately 5,000 lives on each side.

The **PRESIDING OFFICER.** The time of the Senator from Indiana has expired.

Mr. MONRONEY. Mr. President, I oppose this amendment. We must realize that the data on which the pay increase is based is now 15 months old. The survey of comparability with private industry was made in March 1965. We have all had experiences with the inflationary spiral which has taken place and its effect upon the cost of living and know what it has done to those in the lower income groups.

This overall wage increase of 2.9 percent is the maximum that anyone will receive under the provisions of the bill and applies primarily to those in the lower paid grades where the pinch of rising food costs and higher rentals is felt the most.

We voted a pay increase of 3.6 percent last year. If Senators will check back on the going rate of increases which took place last year and this year in private enterprise, they will find that the Government employees are the low men on the totem pole.

Few, if any, of the industrial wage agreements which were made with large groups of individuals are as low as the levels which the leaders of our Government employees organizations were willing, finally—when the facts were pointed out—to accept. This is a very important matter, I think, to meet rising living costs, and to retain the high caliber of Federal employes, and to assure the continuation in Government service of these men and women who have spent years in knowing and faithfully performing the duties of our widespread Government operations.

Mr. CARLSON. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy now to yield 3 minutes to my distinguished colleague, the ranking minority member on the committee, the Senator from Kansas [Mr. CARLSON].

The **PRESIDING OFFICER.** The Senator from Kansas is recognized for 3 minutes.

Mr. CARLSON. Mr. President, I sincerely hope that the Senate will think twice before reaching a conclusion on this vote on setting back the date from January 1, 1967, to July 1, 1966.

I say that for two reasons. First, the committee spent several weeks trying to work out a program for paying Federal employees and we arrived at a figure of 2.9 percent. I challenge anyone to name an industry anywhere in this country which would settle for 2.9 percent.

If the proposed amendment should be adopted, we will be paying Federal employees 1.6 percent. I cannot conceive that the Senate would do that at this particular time, particularly in view of the fact that it would save $252 million, which sounds like a large sum of money. But the subject of pay comparability, which the committee and the Senate have been working on, dates back to March 1965. The last pay increase was in October 1965.

If Senators do not wish to give Federal employees any pay increase in 1966, they should vote for the amendment. But frankly, I cannot conceive that Congress will do that, when workers in industry are receiving a settlement of more than 4 percent. I would not be surprised if it were soon 5 percent. I placed in the RECORD this morning a statement indicating that construction workers are now getting 10-, 12-, and even 14-percent pay increases. Certainly it is not proposed that Congress should not treat Federal employees fairly. I hope we shall have a yea-and-nay vote on the amendment.

Mr. MONRONEY. Mr. President, I yield to the distinguished Senator from New York.

Mr. JAVITS. Mr. President, I have had contact with the matter of pay for postal and other civil employees for many years, both in the other body and in the Senate. There are two promises that Congress made them years ago, but which were never fulfilled. They are not kept in this bill. The first is comparability with pay in private employment; the other is the keeping pace with the cost of living. The rise in the cost of living is not the fault of postal and other civil employees; it is the fault of Congress, if we are not running the country right.

On page 6 of the committee report, we read that the Consumer Price Index, which was 110.4 when Congress increased Federal salaries in October 1965, is now 112.5, an increase of 1.9 percent in 6 months. But the pay increase provided in the bill gives the Federal employees an increase of only 1 percent net. The report is quite clear on that.

For myself, I would not wish to shortchange Federal employees by not even giving them the raise as of July 1, but they might be shortchanged further by deferring the raise.

On the issue of the general economy, we had a magnificent debate about 2 hours ago, led by the distinguished minority leader [Mr. DIRKSEN]. It is clear that if we are to meet our responsibility, we must do justice to the Federal employees, who have only us as the representatives of their employers. We can do them justice; and if, having done that, in the exercise of our responsibility, the tax revenues are inadequate to the purpose, it is our duty to increase taxes by facing the issue squarely. That is our responsibility. I shall be happy to do it. Every Senator who wishes to grant an increase of this kind must face his conscience.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LAUSCHE. Does the Senator from New York think there is a chance of getting a tax increase?

Mr. JAVITS. I certainly do. We shall have to have one to restrain the inflationary spiral in this country, and not have the ax fall on innocent people, who are looking for credit in order to do constructive things.

Mr. LAUSCHE. If a tax increase cannot be had, what will be the result?

Mr. JAVITS. It is within our power to grant this rise in wages, which is justly due, and also it is within our power to fulfill our responsibility to raise taxes. We now have a chance to do this. Therefore, I am for doing it and shall face up to my responsibility to raise taxes whenever that issue is before us.

The continuation of excessive reliance on monetary policy has already raised interest rates to their highest levels since World War II, slowed down housing construction considerably and engendered a rate war between savings and loan associations and other credit institutions. Unless there is a moderate across-the-board tax increase, there cannot be a corresponding easing of credit conditions and interest rates which is highly desirable in my opinion.

Mr. MONRONEY. Mr. President, I yield 2 minutes to the distinguished Senator from Iowa.

Mr. MILLER. Mr. President, the Senator from Ohio knows that I feel as deeply about inflation as he does. I have joined him on many occasions in voting for measures which were designed to cut back Federal spending. But I suggest that this bill is not the place to war on inflation. It is not Federal Government salaries that cause inflation. What might be causing a part of the inflation is that Congress has been voting for a proliferation of organizations and programs which have resulted in the placing of about 250,000 more Federal civil employees on the payroll today than were on the payroll 5 years ago. That would have something to do with the situation.

But as to those who have been in the Government service a long time, many of them, especially those in the postal service, are not making enough money so that it might be said that they are comparable with their counterparts in private industry.

We shall have an opportunity to vote to cut some of the spending a little later in foreign aid and the so-called war on poverty. There are plenty of areas to go after, but I do not believe this is an area that can fairly be said to be causing inflation.

Mr. MONRONEY. Mr. President, one thing that I hope Senators will consider is that the committee felt that we were striking a level on the total amount, giving Federal workers the very minimum that we calculated was their due, but still 15 months after the data had been accumulated. It is far better, I believe, not to have the total amount of the pay increase high, and to have it come into effect at a later date, because then the level to which it is moved up would be followed for years. So the lesser amount of money that the bill will cost by going into effect July 1 is better by this much higher pay increase than if it were postponed until January 1. For this reason, the committee took the 2.9 figure, which I think, while it is fair to Government employees, is not extremely generous.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. HARTKE. Is it not true that even with the increase provided in the bill, with the effective date provided in the bill, not alone is the Federal employee's wage still below the comparable wage paid in private industry——

Mr. MONRONEY. I think the statistics will bear that out.

Mr. HARTKE. Not alone is comparability a factor, but the Federal worker will still be, roughly, 9 to 15 months behind the present effective date, due to the fact that there is a lag in the Bureau of Labor Statistics report on private industry?

Mr. MONRONEY. It is now 15 months behind.

Mr. HARTKE. If we were to apply the law of 1962, we would not alone have to provide, as in this bill, an effective date of July 1, but provide for 21 more months of retroactivity.

Mr. MONRONEY. That was asked of the committee and was denied.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Texas.

Mr. YARBOROUGH. Is it not true, as stated on page 6 of the committee report, the second paragraph, that from October 1965, the date of the last pay increase, there was an increase in the cost of living of 1.9 percent in 6 months; and that in purchasing power, the Federal employee will get a net increase of 1 percent, minus Federal, State, and local taxes, civil service retirement deductions and life insurance premiums?

Mr. MONRONEY. The Senator is absolutely correct.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the distinguished Senator from West Virginia.

RANDOLPH SUPPORTS FEDERAL SALARY AND FRINGE BENEFITS ACT: CITES WEST VIRGINIA INTEREST IN JULY 1 EFFECTIVE DATE—OPPOSES LAUSCHE AMENDMENT

Mr. RANDOLPH. Mr. President, I can well understand the concern of the able Senator from Ohio [Mr. LAUSCHE] with respect to the inflationary spiral, a spiral which is, frankly, of concern to our constituencies in general. We who are close to our people know that this is a situation which is causing real concern—I repeat the word for the third time—in the country, and in the States that we individually represent. But as the able Senator from Iowa [Mr. MILLER] has stated, the effective date of the increased pay and fringe-benefit program for Federal employees is a realistic one and must be separated in this debate from any rising cost of living in the United States.

I think we should say in this body this afternoon, that probably the Post Office and Civil Service Committee has never given more careful consideration to the setting of a date for the beginning of a pay increase than have we as members of the Post Office and Civil Service Committee in this instance.

Mr. President, it has been a privilege and honor to join with the distinguished Senator from Oklahoma [Mr. MONRONEY], chairman of the Senate Committee on Post Office and Civil Service. I congratulate the chairman of the committee for his performance of a difficult and admirable task in preparing this legislation for debate in this body. The fairness with which he approached this problem, his objectivity and grasp of the complexities of this legislation are well known to those of us who are members of the committee.

I feel that ofttimes we forget that, by and large, the persons who form the career service of the Government of the United States are men and women not only of ability but of loyalty, and I feel that this afternoon the Senate would commit an error if we extended the effective date of this legislation to a date any later than July 1.

I have long been dedicated to the principle of guiding our Federal pay scale into a truly equitable position relative to the salaries and fringe benefits enjoyed by those in the private sector of our Nation's economy. It has been my pleasure to support the legislation before us today, H.R. 14122. I am firmly convinced that this measure should be enacted, and I hope that the differences between the Senate and House versions may soon be resolved.

Our Federal employees have already waited beyond the July 1 date, which is realistic. They should not be made to wait longer. I have heard from many, many of our Federal employees in the State of West Virginia on this subject. They are looking to us to support their fair demands today as we have done so often in the past. It is my hope that, for the benefit of those of my constituents as for the rest of our loyal civil servants, the July 1 effective date will remain in the bill we pass today, and I oppose the amendment by the Senator from Ohio [Mr. LAUSCHE].

Mr. MONRONEY. I thank my distinguished colleague on the committee. May I say that the rate at which we are losing our experienced employees, and the cost that we must pay out to train new ones, who will not qualify with the skills and experience that the present employees already have in their jobs, would make it a very risky thing to postpone the effective date to January 1, as proposed by the distinguished Senator from Ohio.

I ask for the yeas and nays.

Mr. LAUSCHE. Yes, the yeas and nays, please.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. LAUSCHE. I yield myself 1 minute.

Page 6 of the report states:

> The Consumer Price Index of the Bureau of Labor Statistics was 110.4 when Congress increased Federal salaries in October 1965. For April 1966, the most recent report, the indicator was 112.5, an increase of 1.9 percent.

I now wish to read what the President said with respect to who will be benefited by this bill:

> I recommend to the Congress the enactment of a pay raise for Federal employees effective January 1, 1967, ranging from 1 percent to 4½ per cent. The high brackets will receive the 4½ per cent, the low brackets the 1 per cent.

The arguments of those who try to use cost of living as a justification of the 4.5

percent pay increase fall upon fallow ground. With these increases, nearly 1 million of the 1.8 million employees affected will achieve pay comparability with private enterprises. These employees include about 88 percent——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may have 1 additional minute .

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. These employees include about 88 percent of all postal workers and more than 470,000 in the classifications. The high pay raises will go to the recipients of high salaries now; the low pay raise, of 1 percent, will go to the low. I submit that the cost of living has no relationship to this. If you grant me 4.5 percent, at $30,000 a year, you are granting me much more than my cost of living is.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, the bill the committee brought out is not the recommendation which the Senator from Ohio read. This bill is 2.9 percent, across the board, for all employees from the porters to the Secretary of State. We did not bring out a bill in accordance with the President's recommendations. As best we could, under the able leadership of the distinguished Senator from Oklahoma, we tried to deal fairly with everybody and made it across the board.

Mr. MONRONEY. We raised the very lowest paid people in the Government above the 1 percent recommended, and made it straight across the board 2.9 percent, which we felt was as equitable a solution as could possibly be made.

Mr. LAUSCHE. Five seconds, Mr. President. My argument is still sound. The cost of living has risen 1.9 percent in the last 6 months; the pay increase averages 2.9 percent. The benefits coming to the Federal employees by the pay increase are greater than the burdens produced by the increased cost of living.

Mr. MONRONEY. I yield back the remainder of my time.

Mr. LAUSCHE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Ohio. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Bass], the Senator from Pennsylvania [Mr. Clark], the Senator from Connecticut [Mr. Dodd], the Senator from Alaska [Mr. Gruening], the Senator from Michigan [Mr. Hart], the Senator from Oregon [Mrs. Neuberger], and the Senator from Missouri [Mr. Symington] are absent on official business.

I also announce that the Senator from Illinois [Mr. Douglas], the Senator from Louisiana [Mr. Ellender], the Senator from New York [Mr. Kennedy], the Senator from Arkansas [Mr. McClellan], the Senator from Rhode Island [Mr. Pastore], the Senator from Florida [Mr. Smathers], and the Senator from New Jersey [Mr. Williams] are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. Bass], the Senator from Connecticut [Mr. Dodd], the Senator from Illinois [Mr. Douglas], the Senator from Alaska [Mr. Gruening], the Senator from Michigan [Mr. Hart], the Senator from New York [Mr. Kennedy], the Senator from Rhode Island [Mr. Pastore], the Senator from Florida [Mr. Smathers], and the Senator from New Jersey [Mr. Williams] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick], the Senator from Michigan [Mr. Griffin], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Wyoming [Mr. Simpson] are necessarily absent.

The Senator from Pennsylvania [Mr. Scott] is absent because of illness.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Pennsylvania [Mr. Scott] would each vote "nay."

On this vote, the Senator from Michigan [Mr. Griffin] is paired with the Senator from Wyoming [Mr. Simpson]. If present and voting, the Senator from Michigan would vote "nay," and the Senator from Wyoming would vote "yea."

The result was announced—yeas 9, nays 71, as follows:

[No. 129 Leg.]

YEAS—9

Bartlett
Dirksen
Fulbright
Holland
Lausche
Long, La.
Stennis
Williams, Del.
Young, Ohio

NAYS—71

Aiken
Allott
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Eastland
Ervin
Fannin
Fong
Gore
Harris
Hartke
Hayden
Hickenlooper
Hill
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Smith
Sparkman
Talmadge
Thurmond
Tower
Tydings
Yarborough
Young, N. Dak.

NOT VOTING—20

Anderson
Bass
Clark
Dodd
Dominick
Douglas
Ellender
Griffin
Gruening
Hart
Kennedy, N.Y.
McClellan
Neuberger
Pastore
Saltonstall
Scott
Simpson
Smathers
Symington
Williams, N.J.

So Mr. Lausche's amendment was rejected.

Mr. HARTKE. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that further reading of the amendment be waived.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the Record.

The amendment ordered to be printed in the Record is as follows:

On page 62, after line 8, insert the following:

"Sec. 409. Section 2 of the Act of September 23, 1959 (73 Stat. 698, Public Law 86-375), is amended by striking out the figure '$10,000' and inserting in lieu thereof the figure '$15,000'."

On page 62, line 10, strike out "Sec. 409." and insert in lieu thereof "Sec. 410.".

On page 62, line 17, strike out "Sections 402 and 408" and insert in lieu thereof "Sections 402, 408, and 409".

Mr. HARTKE. Mr. President, this is a technical amendment with respect to one employee of the Wabash Valley Compact Company in the State of Indiana.

I spoke to the committee chairman concerning this amendment and he agreed to take the amendment to committee.

This employee has not had any increase in salary since he has been in his position.

Mr. MONRONEY. Mr. President, the amendment was presented to the committee and explained by the distinguished Senator from Indiana.

I have taken the matter up with my distinguished colleague, the ranking minority member of the committee, the Senator from Kansas [Mr. Carlson]. I agree to take the amendment.

Mr. WILLIAMS of Delaware. Mr. President, may we have an explanation of what the amendment would do?

Mr. HARTKE. My amendment deals with one employee with the Wabash Valley Compact Commission. This position was establishment in 1959 on a day basis and did not include any other salary. When all other employees received their pay increase, this employee was not included. He must be included some place or he will stay in the position he was in at the beginning.

Mr. WILLIAMS of Delaware. Do I understand that the amendment was before the committee?

Mr. MONRONEY. The Senator is correct.

Mr. WILLIAMS of Delaware. Was the amendment accepted or rejected?

Mr. MONRONEY. We asked that the amendment be withheld and presented to the Senate. We wanted to make further study. We will take the amendment to conference.

Mr. WILLIAMS of Delaware. Then this is nothing more than a private bill for one man, and I shall vote against it.

Mr. HARTKE. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Indiana.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 69, between lines 18 and 19, insert the following:

"INCREASE IN CONTRIBUTION RATE

"SEC. 508. (a) The first two sentences in section 4(a) of the Civil Service Retirement Act (5 U.S.C. 2254(a)) are amended to read as follows: " 'From and after the first day of the first pay period which begins on or after August 1, 1966, there shall be deducted and withheld from each employee's basic salary an amount equal to 7 per centum of such basic salary and from each Member's basic salary an amount equal to 8 per centum of such basic salary. From and after August 1, 1966, an equal sum shall also be contributed from the respective appropriation or fund which is used for the payment of his salary, pay or compensation, or in the case of an elected official, from such appropriation or fund as may be available for payment of other salaries of the same office or establishment.'

"(b) The schedule contained in section 4 (c) of such Act (5 U.S.C. 2254(c)) is amended (1) by striking out:

" '6½---------------- After October 31, 1956'

and inserting in lieu thereof:

'6½------ November 1, 1956, to July 31, 1966
'7-------- After July 31, 1966'

and (2) by striking out:

'7½----------------- After October 31, 1956'

and inserting in lieu thereof:

'7½------ November 1, 1956, to July 31, 1966
'8-------- After July 31, 1966'."

On page 69, line 20, strike out "SEC. 508" and insert in lieu thereof "SEC. 509", and strike out "section 509" and insert in lieu thereof "section 510".

On page 70, between lines 14 and 15 insert the following:

"(d) Section 508 shall become effective on the first day of the first pay period which begins on or after August 1, 1966."

On page 70, line 16, strike out "SEC. 509" and insert in lieu thereof "SEC. 510".

Mr. WILLIAMS of Delaware. Mr. President, this amendment is very simple. It merely provides a method for financing the retirement provisions of the pending bill. The pending bill provides numerous liberalizations for the civil service retirees. I think that many of these liberalizations are meritorious. There is no provision in the bill, however, to finance this procedure.

Over the past several years Congress has been passing numerous bills to liberalize civil service retirement benefits for employees without any method of paying for them. Prior to this bill, the unfunded liability of the retirement fund was $43,637,602,000. That figure is based upon the civil service figures furnishes in a letter dated May 5, 1966, signed by Mr. Ruddock.

That unfunded liability is largely the result of numerous increases and benefits voted by Congress over the past 6 or 8 years but for which we did not provide any increase in the rate of contribution.

There has been, however, during these years one increase in the rate of contribution, an increase from 6 to 6.5 percent. However, we still have this unfunded liability. The enactment of the pending bill would add to that unfunded liability of the civil service retirement fund an additional $1,698,700,000. That would be over the entire life of the effect of this bill and would bring the total deficit to $45,336,302,000. The letter giving these statistics was placed in the RECORD earlier today.

The policy of the Committee on Finance for the past several years—as with the Ways and Means Committee in the House—has been that when social security benefits are increased the tax of the employee and the employer are increased sufficiently to finance the increased benefits provided for under the bill. If the Senate liberalized those benefits it would increase the tax also. I believe that would be a good policy to initiate with respect to the civil service retirement fund.

The proposed amendment would increase the contribution rates one-half of 1 percent on the part of the employee and the employer—the Government. The contributions of both would be increased. Also, the proposed amendment would increase the contribution of Members of Congress to the same extent, one-half of 1 percent, from 7.5 to 8 percent. If the pending bill is to be passed, fairness requires that a price tag be put upon it.

I would favor the bill, if the cost could be financed in this manner, but I do not believe Congress should pass legislation of this type, as has been done in the past, and say that next year it will come forth with a formula to raise the contribution rates to pay for the increase. I believe it should be done in one package, with one vote. Then Congressmen can go home and say, "We voted for your benefits, and this is what they will cost."

I have spoken with many civil service employees. They want the provisions of the bill, and they are willing to pay for them.

Much has been said about fiscal responsibility. This is an opportunity to practice it. Fiscal responsibility was recommended by the President when he recommended a liberalization of the retirement benefits. He included the words "properly financed."

I hope the proposed amendment will be agreed to.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. ALLOTT. Mr. President, I am interested in the remarks of the distinguished Senator from Delaware. Unless I misunderstood the Senator he may be in error when he uses the figure 43.3. Is that the figure?

Mr. WILLIAMS of Delaware. $43,656,606,000.

Mr ALLOTT. That is $43.6 billion. That is due entirely to the increases in retirement that Congress has voted?

Mr. WILLIAMS of Delaware. I did not mean to say that. About $5 or $6 billion of that amount is a result of the failure of the Government to have matched the contributions in the earlier years, something which I believe should be done.

A few years ago, the Senator from Illinois offered an amendment to an appropriaton bill in that regard, and I supported it.

There should be some degree of fiscal responsibility.

Mr. ALLOTT. I believe that the amount is far greater than that, and it is due to the failure of the Government—the failure of Congress—to match the funds which have been collected from the civil service employees.

The Senator from Delaware and the members of the Appropriations Committee will have an opportunity this year—I can assure them of that—to make a substantial contribution to this fund.

Each year, some members of the Committee on Appropriations have brought up this subject, and each year we have been defeated. An opportunity will be presented for the members of the Committee on Appropriations—and I presume for all Senators—to cast a vote which will start us along the road of complying with the law.

The bulk of the problem arises because the Government has not matched the cash contributions which it is obligated under the law to have made, and the appropriations have not been made.

Mr. WILLIAMS of Delaware. To the extent that the Government has not matched the contributions the Senator from Colorado is correct. I assure the Senator from Colorado that I shall support his amendment when it is brought before the Senate.

The time is long overdue when the Government should recognize its responsibility to make its payments into the fund so that the American people will be shown what the program really costs and so that those who are on retirement will know that it is properly financed.

Mr. ALLOTT. I did not know that the Senator from Delaware was going to raise this question, or I would have brought the exact figures. However, I have the figures in my mind. On July 1, 1964, the amount in arrears was $37.7 billion. By July 1, 1965, it had grown to $39.9 billion. The figure given to the Subcommittee on Independent Offices of the Committee on Appropriations within the last month or 6 weeks was $43.3 billion. This is the reason I made the inquiry of the Senator from Delaware.

Therefore, since July of 1964, the amount owed by the Government to this fund, which provides for the retirement of civil service employees, as well as Members of Congress, has grown from $37.7 billion to the figure which the Senator from Delaware has used today, $43.6 billion.

Mr. WILLIAMS of Delaware. The Senator from Colorado is correct.

Enactment of the pending bill without some provisions to finance the cost will increase that figure by another $1.7 billion. The time has come to begin financing as we go along. This would be a constructive step in the right direction. It would be in the direction of the point made by the Senator from Illinois [Mr. DIRKSEN] several times—that if we vote for these programs we must pay for them.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MILLER. The Senator from Delaware has said that unless something is done, passage of the bill will result in $1.7 billion being added to the unfunded liability of the retirement fund.

Mr. WILLIAMS of Delaware. $1,698,700,000 is the figure furnished by Mr. Ruddock.

Mr. MILLER. I ask the Senator from Delaware whether or not the payment of one-half of 1 percent by the Government and one-half of 1 percent by the employee is necessary to fund that amount, or whether one-quarter of 1 percent by the employee and the employer would fund that amount and make up the difference of $1.7 billion.

Mr. WILLIAMS of Delaware. I do not have the exact figures, but my understanding is that between one-quarter and one-half of 1 percent is necessary. The amount is closer to one-half of 1 percent.

The reason I inserted one-half of 1 percent in the proposed amendment is that another increase in the retirement benefit is apt to be triggered in the next few months.

About 2 years ago a bill was passed which provided that when the cost of living rises 3 percent and holds at that level for either 3 or 4 consecutive months during the calendar year a 3-percent increase in all retirement benefits would automatically occur and it would stay in effect in perpetuity, even though the cost of living were to decline, say, 10 percent.

A 2.7-percent increase in the cost of living has occurred since that bill has been enacted. Therefore, we are close to another 3-percent increase in benefits which would require the full one-half of 1 percent. It is my thought that if the proposed amendment were agreed to, the matter would be in conference, and the Commission could recommend whether or not the full one-half of 1 percent were necessary.

Mr. MILLER. Mr. President, will the Senator yield further?

Mr. WILLIAMS of Delaware. I yield.

Mr. MILLER. To the extent that an increase due to inflation would be involved, I believe that the Federal Government, which has caused the inflation, should pick up the tab, rather than the individual employee, who cannot legislate the deficit spending as we in Congress can. To the extent that the increase is not caused by inflation, I believe the Senator from Delaware has a valid point.

I like the thought that if the one-half of 1 percent is high, this can be worked out in a conference committee, so that the contribution could be reduced to one-quarter of 1 percent, if it should develop that the figures show this.

Mr. WILLIAMS of Delaware. If the managers of the bill can show it is closer to one-quarter of 1 percent than to one-half of 1 percent, that is the figure that should be enacted.

I am attempting to have adopted the principle that as retirement benefits are liberalized they should be paid for, as is done with social security. If this principle can be put into effect I would be glad to support these liberalizations because I believe there is merit in the bill. I am willing to vote for the bill, but I wish to be able to say that I also voted for the increased tax necessary to carry out the provisions of the bill.

Mr. MONRONEY. Mr. President, I rise in opposition to the amendment of the distinguished Senator from Delaware.

The deficit in the fund reserves is not the result of the retirement benefits. Of the $1,600 million mentioned as being the possible deficit, only part is the result of the retirement benefits included in the bill; about $1 billion is the direct result of the pay increase. The retirement level of the Federal employee is based on the 5 years in which he receives his highest salary.

The so-called $43 billion is an actuarial deficit that perhaps will occur in this fund in 30 years, because, as the distinguished Senator from Delaware has said, we did not properly fund in the early days of this enterprise and consequently we are missing nearly 10 years of the principal and accumulated interest of those reserves.

It was not until 1956 that we required the agencies each year to contribute 6½ percent in matching funds. Today there is $16 billion cash in the fund. Each year we receive about $2.7 billion income and we disburse $1.5 billion. It is not building up fast enough. We admit this. Actuarially, down the road, Congress will have to do something about it.

Why should we not do it today? This is the logical question that people ask. The administration is proposing and is committed to the proposition that we will have to blend the benefits of social security into our Federal retirement system. People under social security get more protection, particularly for wives and children, than we are giving under the program we have under the Federal retirement system for the early years.

Second, the amount that the people are paying for social security is running at a lesser rate. We will have to set a new rate, perhaps, because of the guarantee of social security benefits. People will find in Federal employment that this is a better system for the short-term worker who can leave proper protection for his family.

It would be a disservice to make it at this time and come back next year. We want to know the kind of program the administration proposes. It comes through the Committee on Finance. The Senator from Delaware is a member.

While we do want to raise the income of this fund so that the actuarial deficit will not occur, we want to be sure of what we are doing.

We are paying now 13 percent of payroll to meet the requirements of the program, and we have a deficit at the present time of twenty-two one-hundredths of 1 percent.

I believe it would be wise to reject the amendment at this time, but not to feel that we have disposed of the problem. We will dispose of it when the time comes, when social security protection is blended with the Federal retirement system.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. WILLIAMS of Delaware. What the administration may next year recommend with regard to extending social security benefits to Federal employees, or what the Congress may do in that connection has no effect on the civil service retirement fund.

If social security were extended to Federal employees it would be extended in a manner whereby there would be a tax levied on the employee and employer in the same way as it is on all other social security participants. It will be paid into the social security retirement fund and not commingled in the civil service fund. No one suggests differently.

As one always carrying the banner for this administration when I find them to be right, I point out that the administration is for this amendment. The President said that he wants it properly financed.

Of course, if there are those in his party who think the President had his tongue in his cheek when he advocated that it be properly financed, then let them vote against the amendment.

It is a case of whether we want to do it now or postpone it until after the election. We have been passing these liberalizations on civil service retirement for the last 20 years, and we have never changed the rates but once. This bill alone will add $1,698,700,000 to the unfunded liability of the civil service retirement fund.

Mr. President, in this connection, I ask unanimous consent that a part of Mr. Ruddock's letter dated May 5, 1966, be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Unfunded liability under H.R. 14122

From report of the Cabinet Committee on Federal Staff Retirement Systems, H. Doc. No. 402, p. 25:	*Thousands*
55/30—60/20	$283,000
Widows' remarriage	174,000
Child to age 22	6,000
Salary increases	880,000
Recomputation of annuities	355,700
Total, H.R. 14122	1,698,700
Unfunded liability present law (estimated as of June 30, 1966)	43,637,602
Total after enactment of H.R. 14122	45,336,302

Mr. WILLIAMS of Delaware. The figures reflect the complete breakdown on the proposed cost of the provisions of this bill.

Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. There is a sufficient second.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, the administration did not appear to ask for an increase in the employee's rate at this time, and as late as this morning the Bureau of the Budget had not asked for any increase in this rate.

I disagree strongly with the claim that the amount of the deficit would be incurred because of the retirement benefits alone.

I ask that the amendment be rejected.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JAVITS. Mr. President, I wish to identify myself with the position of the Senator from Oklahoma [Mr. MONRONEY] on the bill and the facts and figures which have just been given. I shall join with him in opposing the amendment.

Mr. MONRONEY. We shall make every effort to meet the needs when we have the comparability established.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. MILLER. I wish to ask a question. I understand a great many people are deeply concerned about the possible blending of social security and the Federal retirement system. But forgetting that for a moment, what is wrong with having something like the amendment of the Senator from Delaware [Mr. WILLIAMS] taken to conference where the Budget people and the Civil Service people can get together at one-fourth of 1 percent or something less than that to properly finance the increase?

It seems to me that if the administration sent this over with the request that it be properly financed it is little enough for us to accede to it.

Mr. MONRONEY. The administration did not make that request.

Mr. MILLER. I understood the Senator from Delaware [Mr. WILLIAMS] to say that the request was that this be properly financed.

Mr. WILLIAMS of Delaware. The President said he was going to recommend liberalization of the retirement system properly financed. It is true that when the officials of the agency appeared before the committee they did not ask that it be done. That is typical of this Great Society. The President makes a statement for a balanced budget, and when he sends the officials down here they advocate the opposite.

I am not saying that the President had his tongue in his cheek, but others must think he did.

Mr. President, I ask unanimous consent that a letter from the Director of the Bureau of the Budget in connection with the costs of this bill be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., April 30, 1966.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: I am glad to send you the following response to the four points of your letter of April 12, 1966, concerning H.R. 14122 as passed by the House of Representatives:

1. Estimated first year cost:

	Millions
Title I—Executive branch	$394.7
Title II—Judicial branch	*2.2
Title III—Legislative branch	*1.4
Title IV—Miscellaneous	78.3
Title V—Civil service retirement	60.7
Title VI—Health benefits	48.0
Total	585.3

*House report estimate

2. Projected Ten-Year cost: Inasmuch as we have no 10-year projections of employment by grade and within-grade step rate, we can only suggest the 10-year cost of the bill as $5,853.0 million.

3. 1967 Budget Allowance: As you are aware, the Administration's pay proposals envisaged a January 1, 1967 effective date. Their fiscal 1967 cost would be $243 million, which is covered in the allowance for contingencies in the 1967 budget. The full year cost of these proposals is $485 million.

4. Recommendation: As the House Post Office and Civil Service Committee itself stated, in its report, H.R. 14122 exceeds the President's wage guideposts. The Committee report indicated a willingness to accept changes necessary to make the bill conform to the guideposts. H.R. 14122 also has an effective date of July 1, 1966, six months earlier than the date proposed by the Administration. This earlier effective date adds several hundreds of millions of dollars to FY 1967 budget costs during a period in which we can ill afford such increases. For these and other reasons recently spelled out by Civil Service Chairman John Macy and me in testimony before the Senate Committee on Post Office and Civil Service, we believe that H.R. 14122 needs important modifications in order to meet criteria of economic and fiscal responsibilities.

Sincerely,

CHARLES L. SCHULTZE,
Director.

Mr. MONRONEY. The Bureau of the Budget is not now asking for an increase. The Ways and Means Committee of the House of Representatives also suggested that no action be taken on the social security matter by the Civil Service Committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Illinois [Mr. DOUGLAS], the Senator from from Louisiana [Mr. ELLENDER], the Senator from New York [Mr. KENNEDY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. BASS], the Senator from Indiana [Mr. BAYH], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KENNEDY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. GRIFFIN], the Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent because of illness.

If present and voting, the Senator from Massachusetts [Mr. SALTONSTALL], would vote "nay."

On this vote, the Senator from Wyoming [Mr. SIMPSON] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 18, nays 62, as follows:

[No. 130 Leg.]

YEAS—18

Allott
Bennett
Cooper
Dirksen
Dominick
Fannin
Hickenlooper
Jordan, Idaho
Lausche
Long, La.
Miller
Morton
Murphy
Russell, Ga.
Stennis
Thurmond
Williams, Del.
Young, Ohio

NAYS—62

Aiken
Bartlett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cotton
Curtis
Eastland
Ervin
Fong
Fulbright
Gore
Harris
Hartke
Hayden
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Muskie
Nelson
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Smith
Sparkman
Talmadge
Tower
Tydings
Yarborough
Young, N. Dak.

NOT VOTING—20

Anderson
Bass
Bayh
Clark
Dodd
Douglas
Ellender
Griffin
Gruening
Hart
Kennedy, N.Y.
McClellan
Neuberger
Pastore
Saltonstall
Scott
Simpson
Smathers
Symington
Williams, N.J.

So the amendment of the Senator from Delaware [Mr. WILLIAMS] was rejected.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The bill is open to further amendment.

Mr. MONRONEY. Mr. President, I ask for the third reading.

Mr. CARLSON. I ask unanimous consent to have printed at this point in the RECORD an excellent analysis of the fringe benefits provided in the bill. The analysis was written by Jerry Kluttz and was published in the Washington Post this morning.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SENATE TAKES UP FRINGE BENEFITS OF PAY BILL TODAY

(By Jerry Kluttz)

The controversy over the 2.9 per cent basic pay raise has overshadowed the attractive fringe benefits for Federal employes in the House approved bill to be debated today in the Senate.

Senate Majority Leader MIKE MANSFIELD looks for the Senate to approve the bill later today, and to return it to the House.

Many Federal employes are more interested in the fringes than they are in the small salary increase because the fringes could cover all 2.7 million Federal workers, while the pay raise is confined to the 1.8 million classified, postal and related employes. Besides, many employes stand to get several improved fringes.

This is a rundown of fringes in the bill before the Senate as recommended by its Post Office and Civil Service Committee:

Health Insurance: The Government would pay a larger share of the cost of this benefit, which covers nearly 7 million employes and members of their families.

The bill would require Uncle Sam to increase his contribution of self-only coverage from $1.30 to $1.68 each pay period, and from $3.12 to $4.10 for family coverage. Also, the U.S. would pay up to half the cost of retiree coverage.

Widows: Those who remarry after age 60 would continue to receive their survivor annuities, and those who remarry before age 60 could have their annuities reinstated after that date.

Survivors: Raises the maximum age from 21 to 22 for student survivors to receive annuity benefits, and a companion proposal would permit the children of a working mother who dies to receive survivor payments even though the husband also is a Federal employe.

Sunday Pay: Classifieds and per diems would be paid a 25 per cent differential for Sunday work. The full premium must be paid regardless of the length of time worked on a Sunday. Postal employes won this benefit a year ago.

Postal Overtime: Postal supervisors in Levels 8 and 9 would have to be paid in cash for overtime. Those in Levels 7 and above are supposed to be given compensatory time off for overtime but the supervisors complained they weren't always allowed to take it.

A companion provision would have the effect of paying junior supervisors as much or more than any employe they supervise.

Classified Overtime: The House approved a plan to pay overtime to classified employes after eight hours in any one day, and to boost the maximum rates for premium pay from the entrance rate of Grade 9 (now $7479) to the starting rate of Grade 10 (now $8184).

But the Senate committee amended the proposal to exempt from the daily overtime plan scientists, technical and professional personnel who are playing a larger and more significant role in Government. The salaries of the professional classes lag far behind pay rates in industry.

Unions: Full-time officers and employes of Federal employe unions could participate in the Federal employe life and health insurance programs, provided the total cost is paid by the employes and their unions.

Uniforms: Employes required to wear them on the job would be given a 25 per cent increase in allowances to buy them. Federal agencies would have the option to pay the sellers directly for the uniforms to prevent collusion between a few employes and merchants.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the committee amendment and the third reading of the bill.

The committee amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. HARTKE. Mr. President, today the Senate is voting on an extremely important piece of legislation. I refer to the 1966 Federal Employees' Salary and Fringe Benefits Act, H.R. 14122. After some delay here in the Senate over an effective July 1 date, the measure is now before us for a final vote. I cannot emphasize enough, Mr. President, just how important this measure and this vote is, not only to the Federal worker, but to our Government as well.

Going back for a moment to 1962, when Congress enacted Public Law 87-793, the most important part of that law, briefly stated, is the requirement that a pay recommendation be presented to Congress every year. This was a very sound idea, Mr. President, and I know that a majority of my distinguished colleagues here in the Senate share that same feeling. However, the recommendation set out in Public Law 87-793 has served as a detriment to the Federal employee, rather than to his advantage, as it was intended to.

With Congress establishing the principal of a yearly salary recommendation and the administration establishing the principal of wage guidelines, it is now up to each and every Member of Congress to recognize the full scope of these principals and to see that they serve to achieve true comparability with private industry.

I have stated before, Mr. President, that up to and including this bill, the principal of comparability has broken faith with union and Government employee representatives when it comes time to negotiate salary contracts. Because of the administration's insistence that Congress adhere to so-called guidelines, all bargaining power and rights to negotiate have been wiped away.

If Congress is to be bound by governmentally imposed guidelines, then, Mr. President, let them at least be realistic ones which the Federal employee can live by. This would eliminate the necessity for these persons to go elsewhere for gainful monetary employment. I have numerous newspaper and magazine articles sent to me daily by Federal employees pointing out where this union, or a particular section of private industry has just been granted anywhere from a 3½-percent to a 6- or even 7-percent salary increase. The truth of the matter is that where Government salary negotiators end abruptly at 3.2 percent, that is where private industry starts and negotiates upward.

Mr. President, I say that we cannot continue to permit this double standard between private employees and Government employees. Too much dissension has already been created. Can we possibly expect public servants to be equal on less than comparable pay?

Mr. TOWER. Mr. President, I am pleased to have this opportunity to address the Senate in favor of the Federal Employees' Salary Act of 1966. This act is an exemplary piece of legislation combining a fiscal responsibility too seldom seen recently in Federal financing with an urgently needed raise in pay for deserving Federal employees.

This is an important pay adjustment bill, but it is equally important for the Federal Government to take steps to assure that these increases are not eroded by inflation into a valueless gesture.

Let us simply note that Federal employees have been hurt in recent months by cost-of-living increases just as have all Americans. With federally induced inflation running at nearly 5 percent this year the average American family—including employees on fixed Federal payrolls—will lose $1,124 in purchasing power. Over the last 5 years the same average family has lost a total of $3,322 in purchasing power because of higher costs of living. Since 1959 inflation has, in effect, added a 12 percent "sales tax" penalty to every American's buying power. Today's dollar is the cheapest in our Nation's history. It is worth only 75 cents compared to the 1950 dollar and only 44 cents in relation to the 1940 dollar.

Now, we have heard a lot of people blamed for this inflation in recent weeks. But, certainly, nobody can legitimately blame the postman or the soil conservation worker or the scientist at the National Institutes of Health or the Veterans' Hospital employee for causing inflation. Federal employees are victims of inflation just like every other individual American. We cannot expect them to bear unaided the burdens caused by Federal deficit spending policies implemented by higher Government officials who are outside the civil service and postal service.

I have long favored responsible legislation granting just pay increases to civil service and postal employees. I voted for the 1965 pay adjustment bill. If we are to continue to attract the high caliber of people needed to operate the machinery of our Government and to administer the laws and programs we all have a part in enacting, then we must offer those people salaries and fringe benefits comparable to those offered in private industry and business.

This Federal Employees' Salary Act does much to maintain the attractiveness of a career in Government service. It provides for an average pay increase of 2.9 percent which is within the President's wage-price guideline limitation.

Included among the recipients of the raise are all employees subject to the four statutory schedules—the general schedule of the Classification Act, the postal field service schedule, and the schedules for employees in the Department of Medicine and Surgery in the Veterans' Administration and the Foreign Service. Employees in the offices of county committees under the Soil Conservation and Domestic Allotment Act will also benefit from this legislation. The pay raise will enable these Government employees to meet higher living costs which have resulted, in part, from other, less fiscally responsible Government spending.

The bill before us also provides for an across-the-board 10-percent increase in the annuities of widows of all Federal employees who died or retired prior to the Civil Service Retirement Act Amendments of October 1962. This increase will go to the group receiving the smallest average annuity at the present time. It provides these widows with an immediate and greatly needed income supplement but does not place too great a burden on the civil service retirement and disability fund or endanger the solvency of the entire program.

Mr. President, may I just add that I am especially pleased that this legislation does not include a raise in the pay of Members of Congress as have so many earlier Federal pay-raise bills. In the past, I have felt it necessary on occasion to vote against final passage of bills authorizing what I felt to be legitimate pay increases for Federal civilian employees because those bills have been burdened with unnecessary, unwarranted, and inflationary increases in the already adequate pay of Members of Congress. In such instances I always have supported attempts to amend those bills so as to obtain the civilian pay increases without the congressional increases.

This year it appears that the lesson has been learned. We have before us a bill prudently considered, carefully constructed, and vitally needed. I hope we can give it prompt and overwhelming approval.

There are two other matters of concern to Federal civilian employees, Mr. President, which I would like to call briefly to the attention of the Senate and which I hope we can deal with in subsequent bills.

One is the matter of homeowners facing serious financial losses on their property because the Federal installation they serve has been ordered closed down, and they must move. Last year, in the housing bill, we made relief programs available for these hard-pressed homeowners, but the Defense Department—perhaps they considered it a part of their so-called cost-reduction program—refused to request the authorized funds. So, no relief was forthcoming as Congress intended.

Once again this year, I have offered bills to accomplish this relief for both military and civilian personnel. I have asked the Armed Services Committee on which I served to coordinate its actions with the Housing Subcommittee on which I also serve and to study promptly both the needs and existing possible solutions to the housing problems of Defense Department personnel.

I have also introduced a bill (S. 3571) providing specific assistance for homeowners faced with base-closing situations. The first part of this bill incorporates the Defense Department's own current suggestions that it at least share with homeowners the losses taken by forced sale of homes. Additionally, my bill provides that such homeowners can secure from appropriate Federal agencies a moratorium on mortgage payments for up to 2 years. And, Federal agencies would be required to assist such homeowners with the sale of such houses.

Too much time has been wasted on this matter already. These bills deserve prompt attention and favorable action on behalf of all our military and civilian defense employees.

In addition, Mr. President, I support and will vote for H.R. 10607 when it comes before the Senate later this week. I am a cosponsor of the Senate version of this bill which would bring the Federal Government's policies on reimbursement of employees for moving expenses into line with the policies of the more progressive industries.

This bill provides an income-tax exemption for reimbursement expenses incurred by Federal employees transferred "at the pleasure of the Government," and would define as "reimbursable" expenses for such things as pretransfer travel to inspect the new location, pay during the period of the move, certain settling expenses and other costs.

The Civil Service Commission has called for adoption of this measure, along with the General Accounting Office and several Federal employee organizations.

This measure is vitally needed by those who by nature of their jobs are transferred from time to time and from city to city. These transfers are hard enough on the individual families who have to leave old friends and familiar communities to reestablish themselves elsewhere. At the same time these moves have been very hard on family budgets.

The cost of moving and of finding a suitable new home in a strange town is a considerable burden. Many private companies have recognized this and now assist their employees with the costs of such moves. However, previously families have been forced to pay income taxes on moving-reimbursement funds just as if it were additional salary.

Such income taxes simply reduce the level of assistance received by the family and mean that moving reimbursements do not really go as far as they are intended. It is only reasonable that this expense money be exempt from income taxation, and that is the purpose of H.R. 10607. It should be promptly enacted.

So, Mr. President, there are three matters with which the Senate can deal soon to assist our Federal employees—the pay bill, the moving expenses tax exemption, and the homeowner base-closing assistance measures. I hope we can enact them all.

Mr. SPARKMAN. Mr. President, I am pleased to have this opportunity to say a few words in support of the Federal Employees Salary Act in general and in behalf of the Alabama Federation of Postal Clerks in particular.

I have always strongly supported meaningful and realistic legislation intended to benefit Federal employees and their families. These dedicated public servants deserve recognition and status in their respective fields of endeavor much the same as honorable men and women engaged in private enterprise. It is absolutely necessary that legislation be enacted to provide them with salaries and fringe benefits commensurate with their counterparts in the private sector of our economy. We need them and the stability and capability they possess.

Therefore, I strongly support this legislation and urge my colleagues to do likewise.

I would like to take a few minutes to discuss an organization that has contributed much to the welfare and well-being of all the people of Alabama. While I am most familiar with an Alabama organization, it has counterparts in every State of the Union which render an invaluable service to our people.

The Alabama Federation of Postal Clerks recently held their 40th annual convention in Birmingham. I had the honor of appearing before this wonderful group and learning firsthand of the excellent job they are doing throughout our great State.

As we all know, postal clerks play a vital role in the progress of our modern American economy. Our mail volume increases at a 2.5 billion rate annually. Yet, somehow, each year the postal clerks rise to meet this challenge. I salute them and their inventiveness in meeting the rapidly expanding and complex problems of this technical age.

Too often we have a tendency to take our postal system for granted. We have grown so accustomed to dropping our correspondence in the nearest mailbox and having it delivered swiftly and efficiently that we frequently fail to appreciate the amount of actual work that goes into its delivery.

Our population explosion is being accompanied by a "mail explosion." With this "mail explosion" the demands are increasing for greater skills on the part of those persons who handle the mail. The demand is also increasing for more people to do the job.

In order to recruit and maintain a vital postal service, it is imperative that we create a progressive environment conducive to the best postal service possible. If this Nation is to continue to maintain the high-level efficiency of the postal service, postal workers must be paid wages comparable to wages in private industry.

For these reasons, through the years I have searched for, sponsored, and voted for legislation which has provided better salaries and better fringe benefits for our postal workers. I expect to continue to do so.

In closing, I salute the Alabama postal clerks, and I know that they will meet the challenge of the "mail explosion" cheerfully, efficiency, and with determination.

Mr. LAUSCHE. Mr. President, I offered amendments to the pending bill and cast votes which I thought would improve the bill. The bill can be divided into two parts, parts that are good and parts that are bad. I have concluded finally that I shall vote for the bill because the good is in excess of that which is bad.

The **PRESIDING OFFICER.** The bill having been read the third time, the question is, shall it pass?

Mr. MONRONEY. Mr. President, on the passage of the bill, I ask for the yeas and nays.

The yeas and nays were ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, before the call of the roll, I wonder whether the majority leader or the assistant majority leader could say what the schedule will be for tomorrow and whether it is expected to take up the so-called child nutrition bill tonight.

Mr. MANSFIELD. Mr. President, it is anticipated that we shall take up Calendar No. 1328, S. 3035, at the conclusion of the pending business; and then to lay before the Senate Calendar No. 1326, S. 3112, a bill to amend the Clean Air Act, which will be the pending business for tomorrow.

That bill will be followed by the child nutrition bill, or the bill to amend the National School Lunch Act.

Some time during tomorrow afternoon, it is hoped that the distinguished Senator from Georgia [Mr. RUSSELL], chairman of the Committee on Armed Services, will be able to bring before the Senate the military procurement conference report, after it has been agreed to by the House. That, by the way, will place the military on the same basis as the civilian employees of the Government, so far as the effective date of the pay raise is concerned.

Mr. RUSSELL of Georgia. The Senator from Montana is correct. Under the provisions of that bill, the date upon which the civilian employee's pay increase becomes effective will likewise apply to the 3-percent raise allowed those serving in the Armed Forces of the country.

Mr. MANSFIELD. I thank the distinguished Senator from Georgia.

FEDERAL EMPLOYEES PAY ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 14122) to adjust the rates of basic compensation of certain employees of the Federal Government and for other purposes.

The **PRESIDING OFFICER.** The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Oregon [Mrs. NEUBERGER] and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Louisiana [Mr. ELLENDER], the Senator from New York [Mr. KENNEDY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], the Senator from New Jersey, [Mr. WILLIAMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. BASS], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KENNEDY], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS] and the Senator from New Jersey [Mr. WILLIAMS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. GRIFFIN], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent because of illness.

If present and voting, the Senator from Michigan [Mr. GRIFFIN], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "yea."

The result was announced—yeas 81, nays 0, as follows:

[No. 131 Leg.]

YEAS—81

Aiken
Allott
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Harris
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—19

Anderson
Bass
Clark
Dodd
Douglas
Ellender
Griffin
Gruening
Hart
Kennedy, N.Y.
McClellan
Neuberger
Pastore
Saltonstall
Scott
Simpson
Smathers
Symington
Williams, N.J.

So the bill (H.R. 14122) was passed.

Mr. MANSFIELD. Mr. President, with the unanimous passage of the pay raise bill today the employees of our Federal Government are once again indebted to the distinguished senior Senator from Oklahoma [Mr. MONRONEY] for his strong and articulate leadership on their behalf. So often has he devoted his vast and able efforts to their welfare. And once again he has achieved success—overwhelming success, at that.

The ranking minority member of the Committee on Post Office and Civil Service [Mr. CARLSON] is similarly to be praised for his unfailing support of legislation on behalf of the Nation's Federal workers. The pay raise victory today is just another triumph in a long line of important achievements obtained under his highly able cooperative leadership.

Also the chairman of the Postal Affairs Subcommittee [Mr. YARBOROUGH] deserves commendation for his long and arduous endeavors both in committee and on the floor today. He indeed is to share in this great success.

Other Senators of course contributed to assure unanimous passage. Particularly noteworthy was the characteristically strong and able support of the senior Senators from Washington [Mr. MAGNUSON] and Indiana [Mr. HARTKE], who were joined by the Senators from New York [Mr. JAVITS] and West Virginia [Mr. RANDOLPH]. Additionally, the able minority leader [Mr. DIRKSEN] and the Senators from Delaware [Mr. WILLIAMS] and Ohio [Mr. LAUSCHE] are to be commended for making orderly and efficient action a certainty.

To the Senate as a whole I am grateful once again for uniting in a cooperative effort to achieve the disposition of this measure today.

Mr. TYDINGS. Mr. President, this is a banner day for Federal employees. The Senate has passed not only the Federal pay raise bill, but also a milestone piece of legislation to reimburse Federal employees for their moving expenses when their Government jobs require them to move to another locality.

The moving expenses bill passed today is virtually identical to S. 2516, which I introduced last September 13. The bill passed today, H.R. 10607, was introduced in the House by Mr. ROSENTHAL. S. 2516 was its Senate companion.

The Federal Government is making an effort as never before to improve the quality of its civil servants by increasing the appeal of a career in the Government. The President, as is well known, has sought to attract to the Federal service the most valuable and capable people in the Nation, and to retain the qualified people already in the Federal service. The recent pay raises, designed to bring our Federal salary standards closer to those of the private sector of the economy, are another example of the efforts to upgrade our civil service. A third example is provided by the management intern program whose goal is to select and train promising individuals for high Government posts.

These are worthwhile steps toward a worthwhile goal. Our Federal Government must attract the most qualified personnel possible. The problems of today require no less.

In this era, an efficient government is a mobile government. The functions of the Federal Government are spread throughout the United States. Federal employees frequently must move so as to keep the performance of regional offices at the highest level.

Yet more and more Federal employees are reluctant to move, even with the incentives of pay grade increases. This is so because there is a definite, sizable gap between what it costs to move and the amount of that cost which is assumed by the Federal Government. John W. Macy, head of the Civil Service Commission, believes that this gap is the most important single factor in the reluctance of Government employees to move. Mr. President, we must eliminate that gap.

When a Federal employee is asked to move for the improved operation of the Government, he must make a difficult decision. If he has children, he must take them from their school to another, a move which rarely is pleasant for anyone concerned. If he has his own house, he must dispose of it. This always involves certain costs of selling, such as closing costs, and brokerage fees. It may also involve a loss of the employees equity investment. To find a new home, he must make a househunting trip at his own expense.

When an employee moves, he must pay his family's living expenses while enroute from the old home to the new. If, by the time he is required to begin work in his new location, he has not found permanent lodgings, he must occupy temporary quarters, often at quite considerable expense—his own expense. If his new quarters are such that he cannot find room for all of his household goods, he must store much of his furniture—again at his own expense.

I do not think it fair to the employee or in the best interest of the Government to require him to bear these expenses himself. Almost all large businesses offer their employees generous moving allowances. If the Federal Government expects to compete with private industry for qualified personnel it must not lag behind industry in the consideration given to the moving expenses of its employees.

Nonetheless, we cannot repay Federal employees for the intangible and psychological costs of moving from their circle of friends, for the difficulties their children suffer when they move from one school to another, for the unpleasantness of tearing up their roots in the community. To absorb these social costs, we must depend upon the devotion of Federal employees to their Government.

But, Mr. President, we should do what we can to mitigate this financial burden upon employees who are required to relocate.

The Civil Service Commission has surveyed those employees who moved for the good of the Government in fiscal 1962. The conclusions cry for action. More than 4 out of 5 employees lost money on their moves, and the losses were significant. The average loss was $558. Approximately 17 percent of the movers lost more than $1,000. The average loss on closing costs for selling a home was $677. Needless to say, Federal employees are generally not rich men.

Both the Civil Service Commission and the President are anxious to see the burden of moving lifted from the shoulders of the Government employee. I agree with them, and accordingly I submitted S. 2516 to make our Federal service more equitable, more mobile, and more efficient.

Accordingly, I am extremely pleased that the Senate has now cleared this bill for the President's signature.

PROGRAM FOR THE PRESERVATION OF ADDITIONAL HISTORIC PROPERTIES THROUGHOUT THE NATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1328, S. 3035.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 3035) to establish a program for preservation of additional historic properties throughout the Nation, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

The Congress finds and declares—

(a) that the spirit and direction of the Nation are founded upon and reflected in its historic past;

(b) that the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;

(c) that, in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation; and

(d) that, whereas the major burdens of historic preservation have been borne, and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

TITLE I

Sec. 101. (a) The Secretary of the Interior is authorized—

(1) to expand and maintain a national register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture, hereinafter referred to as the National Register, and to grant funds to States for the purpose of preparing comprehensive statewide historic surveys and plans, in accordance with criteria established by the Secretary, for the preservation, acquisition, and development of such properties; and

(2) to establish a program of matching grants-in-aid to States, and to the National Trust for Historic Preservation in the United States, chartered by Act of Congress approved October 26, 1949 (63 Stat. 927), as amended, for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology, and culture.

(b) As used in this Act—

(1) The term "State" includes, in addition to the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(2) The term "project" means programs of State and local governments and other public bodies and private organizations and individuals for the acquisition of title or interests in, and for the development of, any district, site, building, structure, or object that is significant in American history, architecture, archeology, and culture, or property used in connection therewith, and for its development in order to assure the preservation for public benefit of any such historical properties.

(3) The term "historic preservation" includes the protection, rehabilitation, restoration, and reconstruction of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, or culture.

(4) The term "Secretary" means the Secretary of the Interior.

Sec. 102. (a) No grant for a project may be made under this Act—

(1) unless application therefore is submitted to the Secretary in accordance with regulations and procedures prescribed by him;

(2) unless the application is in accordance with the comprehensive statewide historic preservation plan which has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897);

(3) for more than 50 per centum of the total cost of the project, as determined by the Secretary and his determination shall be final;

(4) unless the grantee has agreed to make such reports, in such form and containing such information as the Secretary may from time to time require;

(5) unless the grantee has agreed to assume, after completion of the project, the total cost of the continued maintenance, repair, and administration of the property in a manner satisfactory to the Secretary; and

(6) until the grantee has complied with such further terms and conditions as the Secretary may deem necessary or advisable.

(b) The Secretary may in his discretion waive the requirements of subsection (a), paragraphs (2) and (5) of this section for any grant for projects under this Act to the National Trust for Historic Preservation in the United States, in which case a grant to the National Trust may include funds for the maintenance, repair, and administration of the property in a manner satisfactory to the Secretary.

(c) No State shall be permitted to utilize the value of real property obtained before the date of approval of this Act in meeting the remaining cost of a project for which a grant is made under this Act.

Sec. 103. (a) The amounts appropriated and made available for grants to the States for comprehensive statewide historic surveys and plans under this Act shall be apportioned among the States by the Secretary on the basis of needs as determined by him: *Provided, however,* That the amount granted to any one State shall not exceed 50 per centum of the total cost of the comprehensive statewide historic survey and plan for that State, as determined by the Secretary.

(b) The amounts appropriated and made available for grants to the States for projects under this Act for each fiscal year shall be apportioned among the States by the Secretary in accordance with needs as disclosed in approved statewide historic preservation plans.

The Secretary shall notify each State of its apportionment, and the amounts thereof shall be available thereafter for payment to such State for projects in accordance with the provisions of this Act. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given, and for two fiscal years thereafter, shall be reapportioned by the Secretary in accordance with this subsection.

Sec. 104. (a) No grant may be made by the Secretary for or on account of any survey or project under this Act with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any survey or project with respect to which assistance has been given or promised under this Act.

(b) In order to assure consistency in policies and actions under this Act with other related Federal programs and activities, and to assure coordination of the planning, acquisition and development assistance to States under this Act with other related Federal programs and activities, the President may issue such regulations with respect thereto as he deems desirable, and such assistance may be provided only in accordance with such regulations.

Sec. 105. The beneficiary of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the disposition by the beneficiary of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

Sec. 106. The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted project in any State shall, prior to the approval of the expenditure of any Federal funds on the project, take into account the effect of the project on any district, site, building, structure, or object that is included in the National Register, and, if any such historical properties are affected, report such effect to the National Advisory Council on Historic Preservation established under title II of this Act for its consideration. There shall be a sixty-day waiting period, beginning on the date a report is made to the National Advisory Council on Historic Preservation, before Federal funds may be expended for the project concerned.

Sec. 107. There are authorized to be appropriated not to exceed $2,000,000 to carry out the provisions of this title for fiscal year 1967, and not more than $10,000,000 for each of the three succeeding fiscal years. Such appropriations shall be available for the financial assistance authorized by this title and for the administrative expenses of the Secretary in connection therewith, and shall remain available until expended.

TITLE II

Sec 201. (a) There is established a National Advisory Council on Historic Preservation (hereinafter referred to as the "Council") which shall be composed of seventeen members as follows:

(1) The Secretary of the Interior.

(2) The Secretary of Housing and Urban Development.

(3) The Secretary of Commerce.

(4) The Administrator of the General Services Administration.

(5) The Secretary of the Treasury.

(6) The Attorney General.

(7) The Chairman of the National Trust for Historic Preservation.

(8) Two appointed by the President from a panel of at least four Governors submitted by the Governors' conference.

(9) Two appointed by the President from a panel of at least four mayors submitted jointly by the United States Conference of Mayors and the National League of Cities.

(10) One appointed by the President from a panel of at least two county officials submitted by the National Association of Counties.

(11) Five appointed by the President from among individuals in private life who are significantly interested or experienced in the matters to be considered by the Council.

(b) Each member of the Council specified in paragraphs (1) through (6) of subsection (a) may designate another officer of his department or agency to serve on the Council in his stead.

(c) Each member of the Council appointed under paragraphs (8), (9), (10), and (11) of subsection (a) shall serve for a term of five years from the expiration of his predecessor's term; except that the members first appointed under such paragraphs shall serve for terms of from one to five years, as designated by the President at the time of appointment, in such manner as to insure that the terms of not less than one nor more than two of them will expire in any one year.

(d) Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment (and for the balance of the unexpired term).

(e) The Chairman of the Council shall be designated by the President.

(f) Eight members of the Council shall constitute a quorum.

Sec. 202. (a) The Council shall—

(1) advise the President and the Congress on matters relating to historic preservation; assist in the coordination of activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation; and disseminate information pertaining to such activities;

(2) encourage, in cooperation with the National Trust for Historic Preservation and appropriate private agencies, public interest and participation in historic preservation;

(3) make and publish studies in such areas as adequacy of legislative and administrative statutes and regulations pertaining to historic preservation activities of State and local governments, and the effects of tax policies at all levels of government on historic preservation;

(4) prepare guidelines for the assistance of State and local governments in drafting legislation relating to historic preservation; and

(5) encouraging, in cooperation with appropriate public and private agencies and institutions, training and education in the field of historic preservation.

(b) The Council shall submit annually a comprehensive report of its activities and the results of its studies to the President and to the Congress, and shall from time to time submit such additional and special reports as it deems advisable. Each report shall propose such legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations.

Sec. 203. (a) The Council or, on the authorization of the Council, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Council or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Council, of such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes of the United States (2 U.S.C. 192–194, inclusive), shall apply in the case of failure of any witness to comply with a subpena or testify when summoned under authority of this section.

(b) The Council is authorized to secure directly from any department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the executive branch of the Federal Government information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Council, upon request made by the Chairman.

Sec. 204. The members of the Council specified in paragraphs (1) through (7) of section 201(a) shall serve without additional compensation. The members of the Council appointed under paragraphs (8), (9), (10), and (11) of section 201(a) shall rereceive $100 per diem when engaged in the performance of the duties of the Council. All members of the Council shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Council.

Sec. 205. The Secretary of the Interior or his designee shall be the Executive Director of the Council. Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) shall be provided the Council by the Department of the Interior, for which payments shall be made in advance, or by reimbursement, from funds of the Council in such amounts as may be agreed upon by the Chairman of the Council and the Secretary of the Interior; *Provided,* That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Council employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(G)) shall apply to appropriations of the Council: *And provided further,* That the Council shall not be required to prescribe such regulations.

(b) The Council shall have power to appoint and fix the compensation of such additional personnel as may be necessary to carry out its duties, without regard to the provisions of the civil service laws and the Classification Act of 1949.

(c) The Council may also procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the executive departments by section 15 of the Administrative Expenses

Act of 1946 (5 U.S.C. 55a), but at rates not to exceed $50 per diem for individuals.

(d) The members of the Council specified in paragraphs (1) through (6) of section 201(a) shall provide the Council, on a reimbursable basis, with such facilities and services under their jurisdiction and control as may be needed by the Council to carry out its duties, to the extent that such facilities and services are requested by the Council and are otherwise available for that purpose. To the extent of available appropriations, the Council may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties.

SEC. 206. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

Mr. MUSKIE. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Maine.

Mr. JAVITS. Mr. President, will the Senator yield to me for a unanimous-consent request?

Mr. MUSKIE. I yield to the Senator from New York.

The PRESIDING OFFICER. Without objection, the Senator from New York is recognized.

Mr. JAVITS. Mr. President, I should like to be joined as a cosponsor of this bill, if agreeable to the majority and minority managers.

Mr. MUSKIE. Mr. President, I would be delighted to have the Senator from New York as a cosponsor.

Mr. COOPER. Mr. President, I joined with the Senator from Washington [Mr. JACKSON] in sponsoring this bill. A number of others have joined since that time, and I know we would be very happy to have the distinguished Senator from New York join with us as a cosponsor.

Mr. JAVITS. I thank the Senator.

Mr. MUSKIE. Mr. President, S. 3035 represents a major step forward in our efforts to preserve and protect our national heritage. The legislation reported by the Interior Committee combines features of the bill submitted by the Department of the Interior to implement President Johnson's message on preserving our natural heritage and two bills, S. 3097 and S. 3098, which I introduced with other Members of the Senate to implement the recommendations of the Special Committee on Historic Preservation of the U.S. Conference of Mayors. As a member of that committee I was pleased to join the distinguished chairman of the Interior Committee, Mr. Jackson, in cosponsoring the amended version of S. 3035.

The special committee studied historic preservation in Europe and examined our efforts in the United States. We were struck with the need to act now, before much of our heritage of architectural and historic sites is destroyed by the constant change of America.

In her foreword to the special committee's report, "With Heritage So Rich," Mrs. Lyndon Johnson wrote:

> We must preserve and we must preserve wisely. As the report emphasizes, in its best sense preservation does not merely mean the setting aside of thousands of buildings as museum pieces. It means retaining the culturally valuable structures as useful objects; a home in which human beings live, a building in the service of some commercial or community purpose. Such preservation insures structural integrity, relates the preserved object to the life of the people around it, and not least, it makes preservation a source of positive financial gain rather than another expense.

The legislation we are considering today, coupled with S. 3097, which is being considered by the Committee on Banking and Currency, will help us achieve this kind of preservation. I hope both measures will receive speedy approval. Time is getting short in protecting the priceless reminders of our Nation's development.

Mr. COOPER. Mr. President, I am glad to speak in support of the passage of S. 3035, which would establish a program to assist States and communities to preserve historic sites, buildings and places. I joined Senator JACKSON in sponsoring this bill, for I believed it offered a program which will help save historic properties and places, which are fast disappearing, and will contribute to the appreciation of the history of our Nation by future generations.

The first purpose of the Senate bill is to secure a comprehensive survey by the States of places which are of historic value and ought to be preserved. After completion of the surveys and preparation of statewide plans of projects by the States, the Department of the Interior is authorized to expand its National Register to include historic properties of National, State, regional, or local importance. I emphasize that the designation of the sites would be made in the States by the appropriate authorities in each State.

The bill authorizes $2 million for the first year, in which surveys are to get underway in the States, with matching assistance available under this bill. The report notes that a large part of this first year authorization may also be utilized by the National Trust for Historic Preservation, which has worked on the acquisition and preservation of large properties with accepted national historic significance.

In the second phase of the program established by the bill, matching grants to the States are authorized to assist in the preservation of their designated local historic sites. Beginning in July 1967, $10 million is made available annually for 3 years, to be apportioned among the States on the basis of the needs shown by surveys.

I have been concerned about expenditures in wartime, but I must say that the sums authorized by this bill are modest when we consider the national and local interest in preserving the great landmarks of our country. If we can preserve them, we will help to bring the present and future generations a greater understanding and appreciation of the history, traditions, and character of our great Nation.

I have seen no better statement explaining the purposes of the bill than section 1 of S. 3035, and I ask unanimous consent that this section be printed in the RECORD at this point.

There being no objection, section 1 of the bill was ordered to be printed in the RECORD, as follows:

SECTION 1. The Congress finds and declares—

(a) that the spirit and direction of the Nation are founded upon and reflected in its historic past;

(b) that the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;

(c) that, in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation; and

(d) that, whereas the major burdens of historic preservation have been borne, and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

Mr. COOPER. Mr. President, the bill also seeks to avoid any overlap in the functions of different Federal agencies. Grants are to be available under the program for projects which have not received assistance under any other established Federal program. After the surveys are made and the plans are completed, a determination of the number of projects that can get underway annually can be made, and the necessary funds can be requested from Congress.

A very thorough report has been submitted by the Committee on Interior and Insular Affairs, and Senator JACKSON, the chairman, and the members of the committee, deserve commendation for their work. The bill before the Senate also reflects the recommendations made by the U.S. Conference of Mayors, and by interested national organizations, all of which indicates the wide interest in the purposes of the bill.

In my State of Kentucky, which came into the Union in 1792 as the 15th State, great interest has been manifest in historic preservation. In recent weeks, I have heard from citizens and organizations of well over half the counties of Kentucky, expressing the desire to preserve for future generations particular sites and structures important in the history of our State and this Nation.

This kind of interest is reflected across the Nation, and I was glad to join in sponsoring this legislation. I know that its passage today by the Senate bill provide a start toward assisting the State in the efforts to preserve historic places, and I hope the bill can be enacted by the Congress this year.

I hope also that this bill will help to stimulate and expand the work now being done by States, communities, individuals, and private organizations. The Louisville Courier-Journal of June 22, 1966, discussed some of these efforts in

Kentucky, and I ask unanimous consent that this column by the well-known Kentucky writer, Joe Creason, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Joe Creason's Kentucky—A Concerted Pause for Look at Past

Almost overnight there's been a great reawakening of interest in Kentucky history all across the state, and it's apparent in more ways than you could shake a handful of significant dates at.

Actually, this reawakening really isn't a stuffy, exact date-type of interest. Rather, it's an interest in why and how the history of the state was made, and in the preservation of important sites where it was made.

Perhaps the most obvious indication of the sudden new interest is the remarkable growth of the Kentucky Historical Society. From a membership of 1,200 last year, it has grown to more than 2,800. Moreover, the Kentucky Young Historians Association numbers 3,600 members in 82 chapters.

But these totals only partially tell the story. Equally impressive is the number of persons who may not be members of the state or a local historical society who are trying to preserve and restore sites where important chapters of Kentucky history were written. Much work in this area has centered around the Kentucky Heritage Commission, an organization created by Gov. Ned Breathitt to make an audit of historical buildings and stir up interest in saving them.

Several groups have completed ambitious projects. The Harrodsburg Historical Society has restored part of Morgan Row, a series of two-story brick buildings dating back to 1807. Historic Homes Foundation of Louisville, which previously saved Farmington, now has restored Locust Grove, where George Rogers Clark lived out his years.

The multimillion-dollar restoration of Shakertown is nearing completion; the Owen County Historical Society has acquired one of Owenton's oldest houses as its headquarters, and the Mason County Historical Society has refurbished Mefford's Fort, a pioneer structure built from the flatboat on which early settlers floated down the Ohio River to Kentucky. The Lindsey mansion in Frankfort was saved from destruction by the Kentucky Heritage Commission.

At present the old college try is being given to many projects that were only talked about for years, including the acquisition and restoration of White Hall, Cassius Clay's home near Richmond; the Mary Todd Lincoln home at Lexington; the site of Squire Boone's fort near Shelbyville; sites of the five pioneer forts that once stood just outside Louisville, and the entire village of Washington in Mason County.

Groups in Greensburg, Bowling Green, Paducah, Russellville and Bardstown have shown great interest in historic local sites and buildings. A meeting in Russellville on June 29 will study the economic value of restorations and perhaps take the first steps forward saving some of the town's many significant buildings.

Who ever said history is dead?

Mr. JAVITS Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. JAVITS. I think the Senator from Washington [Mr. Jackson] and the Senator from Kentucky [Mr. Cooper], who both have a sense of the history of our country, are entitled to the thanks of the Senate and of the country for doing what they have done in sponsoring this measure.

New York State has many historical landmarks. Kentucky is a very historic State. Some of the new States have great historic landmarks. We spend very little money to preserve these landmarks, other than to declare them to be national landmarks.

I consider myself most privileged to be a cosponsor of the bill.

Mr. COOPER. Mr. President, this is a program which would not only preserve the historic landmarks of the country but would also contribute to the culture of our Nation.

I am sorry that the Senator from Washington is not present. It was his initiative and thoughtfulness that suggested the introduction of the bill.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. MORSE. Mr. President, I join in the remarks of the senior Senator from New York concerning the bill.

I ask unanimous consent that I may be listed belatedly as a cosponsor of the bill.

Mr. COOPER. I am very happy to have the Senator listed as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. YARBOROUGH. Mr. President, I am proud to be a cosponsor of S. 3035, a bill to aid in the preservation of properties that are significant in American history, architecture, archeology, and culture.

I pay tribute to the distinguished junior Senator from Maine [Mr. Muskie], who pioneered in this field and introduced a bill earlier than the pending bill.

It is shocking to learn that already, over half the buildings recorded in the Historic American Buildings Survey are gone or mutilated.

One might ask at this point why we should preserve these old buildings anyway. After all, if they have passed the age at which they can be used, and if they are standing in the way of "progress" in the form of a parking lot, highway, or skyscraper, why not tear them down?

In answer I would say that any country, any society, must be aware of its past. A country is what it is because of the road it has traveled. A country's culture is a product of its history. "A land without ruins, is a land without memories."

In the case of the United States, the stability and continuity of our society are dependent upon the roots which have grown deep in the almost 200 years of our existence. We have a past of which we can be proud. We are a constantly evolving society, and no one would say that we have reached a state of perfection. However, we are constantly striving toward a more perfect society, and it is important that we know the road over which we have traveled.

Unfortunately heroes of the past pass on. Only their memories survive. Yet there are associations with the past that are with us each day. They are part of American history; they have witnessed its great events. In them we can trace the story of our development.

I am speaking of our historic properties. And so they must be preserved, so that our knowledge of who we are and what we stand for will never be lost to us.

There are other reasons why this legislation is important. Many of our historic buildings are architectural masterpieces. Many are not masterpieces, but are outstanding examples of their style. Others are architectural curiosities. But all add delight to our lives.

Anyone who has seen some of our urban renewal projects, or a modern housing subdivision, or a new high-rise apartment complex knows that we have not discovered how to build variety into a planned project. There is a depressing sameness about it all.

We must not allow ourselves to be victimized by these monolithic exteriors. The housing bill passed last year recognizes that fact, and contains explicit recognition of the need to preserve and refurbish existing buildings in urban renewal areas, wherever possible.

The bill we shall pass today establishes a program of matching grants-in-aid to States, and to the National Trust for Historic Preservation, for projects "having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology, and culture." A national register of districts, sites, buildings, structures, and objects significant in American history, archeology, and culture is authorized. And a National Advisory Council on Historic Preservation will be established.

Mr. President, S. 3155, an amendment to the highway act, will be considered by the Senate on tomorrow.

There are dangers to our historic buildings in addition to those of old age, misuse, and destruction for the purpose of putting up high-rise apartments or parking lots. I am speaking particularly of the destruction of these properties in order to build highways.

The highway program of the United States has made a magnificent contribution to the economy of the country. Yet in recent years we have come increasingly to know of cases in which highways, which can be blessing to our lives, have become blights. They have slashed through residential neighborhoods, cut across college campuses, invaded parks and parkland, and destroyed historic sites. In deciding where to put our highways in urban areas, we must give sufficient weight to considerations of what will be the effect upon our urban environment of depriving subsequent generations of these irreplaceable treasures. We must take care lest we create cities which are wondrously efficient for automobiles but in which no human cares to live.

Therefore I have introduced an amendment to the Federal Highway Act which would declare a national policy that in carrying out the provisions of the Federal-aid highway program maximum effort would be made to preserve Federal, State, and local government parklands and historic sites.

I ask unanimous consent that the text of the amendment be printed at this point in the Record.

There being no objection, the text of the amendment was ordered to be printed in the Record, as follows:

At the end of the bill insert a new section as follows:

"PRESERVATION OF PARKLANDS

"Sec. 8. (a) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

" '§ 137. Preservation of parklands

" 'It is hereby declared to be the national policy that in carrying out the provisions of this title maximum effort should be made to preserve Federal, State, and local government parklands and historic sites and the beauty and historic value of such lands and sites. The Secretary shall cooperate with the States in developing highway plans and programs which carry out such policy. After July 1, 1968, the Secretary shall not approve under section 105 of this title any program for a project which requires the use for such project of any land from a Federal, State, or local government park or historic site unless (1) there is no feasible alternative to the use of such land, (2) such program includes all possible planning to minimize any harm to such park or site resulting from such use, and (3) where possible and appropriate substitute land will be provided for such park or site. Any additional project costs incurred for the purpose of acquiring any such substitute lands shall be considered to be included in "costs of rights-of-way" for the purposes of this title.'

"(b) The analysis of such chapter is amended by adding at the end thereof the following:

" '137. Preservation of parklands.' "

Mr. YARBOROUGH. Mr. President, the adoption of this proposal would be a fitting complement to the bill before us now. Indeed, the effect of S. 3035 will be greatly diluted unless we take steps to give more sensible and more rational guidance to our great highway program.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. COOPER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CLEAN AIR ACT AMENDMENTS OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1326, S. 3112. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The Legislative Clerk. A bill (S. 3112) to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with amendments on page 2, line 8, after "1967", to strike out "and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1973" and insert "$70,000,000 for the fiscal year ending June 30, 1968, and $80,000,000 for the fiscal year ending June 30, 1969", and on page 3, line 13, after the word "and", to strike out "by inserting in the third sentence the word 'control' after 'air pollution' " and insert "in the next to the last sentence by inserting a comma after the word 'funds' and adding 'for other than nonrecurrent expenditures,' and in the same sentence after the word 'pollution', the word 'control' "; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Clean Air Act Amendments of 1966".

CONSOLIDATION OF APPROPRIATION CEILINGS

Sec. 2. (a) Section 306 of the Clean Air Act is amended to read as follows:

"Sec. 306. There are hereby authorized to be appropriated to carry out this Act, $46,000,000 for the fiscal year ending June 30, 1967, $70,000,000 for the fiscal year ending June 30, 1968, and $80,000,000 for the fiscal year ending June 30, 1969."

(b) Section 209 of such Act is hereby repealed.

AUTHORIZATION OF MAINTENANCE GRANTS FOR AIR POLLUTION CONTROL PROGRAMS AND REMOVAL OF 20 PER CENTUM CEILING

Sec. 3. (a) (1) Subsection (a) of section 104 of the Clean Air Act (42 U.S.C. 1857c(a)) is amended to read as follows:

"Sec. 104. (a) The Secretary is authorized to make grants to air pollution control agencies in an amount up to two-thirds of the cost of developing, establishing, or improving, and grants to such agencies up to one-half of the cost of maintaining, programs for the prevention and control of air pollution: *Provided,* That the Secretary is authorized to make grants to intermunicipal or interstate air pollution control agencies (described in section 302(b) (2) and (4)) in an amount up to three-fourths of the cost of developing, establishing, or improving, and up to three-fifths of the cost of maintaining, regional air pollution control programs. As used in this subsection, the term 'regional air pollution control program' means a program for the prevention and control of air pollution in an area that includes the areas of two or more municipalities, whether in the same or different States."

(2) Subsection (b) of such section 104 is amended by striking out "under" in the first sentence and inserting in lieu thereof "for the purposes of", and in the next to the last sentence by inserting a comma after the word "funds" and adding "for other than nonrecurrent expenditures," and in the same sentence after the word "pollution", the word "control".

(b) Subsection (c) of such section 104 is amended to read as follows:

"(c) Not more than 12½ per centum of the total of funds appropriated or allocated for the purposes of subsection (a) of this section shall be granted for air pollution control programs in any one State. In the case of a grant for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant that is chargeable to the percentage limitation under this subsection for each State into which such area extends."

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEAVE OF ABSENCE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the senior Senator from Wyoming [Mr. McGee] be excused from the proceedings of the Senate for the remainder of the week due to a death in his family.

On behalf of the Senate as a whole, I extend deep and sincere sympathy to Senator McGee on the death of his father.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING THE SENATE SESSION TOMORROW

Mr. MORSE. Mr. President, I ask unanimous consent that the Subcommittee on Education, which is scheduled to mark up the secondary education bill, be authorized to meet on tomorrow afternoon at 2 o'clock.

Mr. ALLOTT. Mr. President, has the Senator cleared this matter with the minority Members? None of them is present in the Chamber.

Mr. MORSE. I have not. Last week the meeting was scheduled to accommodate Republican Members who could not get here until tomorrow.

I asked to have the meeting on tomorrow, but I have not asked for it before on the floor.

Mr. ALLOTT. Mr. President, I do not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNATIONAL ASSOCIATION OF MACHINISTS' WALKOUT

Mr. MORSE. Mr. President, as the International Association of Machinists continues its walkout from jobs with five major airlines, the Nation's transportation industry is facing a major adjustment. The dislocations have been many and severe, but they are being met and will be met in the days ahead.

Because the Washington Post erroneously quoted me over the weekend as calling the strike unpatriotic and un-American, I ask unanimous consent to have printed in the Record at the close of these comments the texts of the two statements I issued last week on the subject of the dispute.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MORSE ON THE AIRLINES DISPUTE, JULY 7, 1966

The Emergency Board in the Airlines Dispute appointed by the President handed down its recommendations on June 5. The parties to the dispute understood from the very first day of the hearings held by the Board that the recommendations would be based upon the evidence submitted by the parties to the Board and on no other consideration. The Board made its recommendations based upon the evidence submitted by the parties. It was the responsibility of the Union and the carriers to present all the evidence available to them. The parties understood this.

The Board's report shows that, in some instances, the representatives of the Union failed to sustain their burden of proof. In some instances, this was true of the carriers. Now the Union complains that the Board should have granted them benefits which the Union's evidence failed to justify.

The recommendations of the Board offered a fair and reasonable framework within which the parties should come to an agreement between themselves for a final settlement of their dispute. This was so recognized by those in the Administration who studied the report, including the President of the United States.

Under the Railway Labor Act, which applies to disputes involving air carriers, the parties had 30 days following the submission of the Emergency Board Report to the President to mediate any agreement over any issue that remained in dispute between them after the submission of the recommendations by the Emergency Board.

The Parties have up until this hour failed to reach a mediation settlement although they have had available to them for mediation conferences the Assistant Secretary of Labor, James Reynolds, who I consider is without a superior in the entire field of labor mediation in our country today. The union is now threatening to strike because it has failed to reach an agreement, although the carriers have been willing to accept the recommendations of the Emergency Board and have indicated a willingness in the mediation negotiations with Secretary Reynolds to accept some modifications in the Board's report.

Any strike called by the officers of this Union at this critical hour in the history of our country with all the security problems that confront the Republic cannot be justified on any basis whatsoever. Any strike called by the officers of this union in this hour of crisis is not reconcilable with the patriotic responsibility of the Union to its government, and to the people of our country, including our troops in Vietnam. The members of the Union should face the fact that it would be an unconscionable strike.

As one who has for 32 years been involved in the settlement of labor disputes, I want to plead with the leaders of this union and its members that they announce immediately that they are willing to postpone any strike action for an additional two weeks, for further mediation in this case. As Chairman of the President's Board, I would be perfectly willing to reconvene the Board to answer any questions that the parties to the dispute may have as to any misunderstandings concerning the Board's report. In addition, I would be willing to have the Board, in cooperation with Assistant Secretary James Reynolds, if the President so desires, make itself available to mediate any issues that stand in disagreement during the next two-week period.

This is one case in which there is no possible justification for the Union to strike. The Union has made great gains under the Board's report; I am convinced that such differences as remain can be resolved on a fair basis to both parties and to the public, without a strike. In any event, I wish to make clear that this union cannot justify holding a strike gun at the head of its government in this hour of international crisis. The strike would not only be a strike against the airlines, it would also be a strike against the American people and their security, because uninterrupted operation of airline transportation throughout the country is essential at this critical time.

STATEMENT OF SENATOR MORSE, JULY 8, 1966

The statement which President Johnson issued yesterday, July 7 on the airline strike is one of sound statesmanship and it is unanswerable. The President has called for further mediation and the parties have agreed to meet with Assistant Secretary of Labor, James Reynolds at 10:00 A.M. Saturday morning, July 9.

I wish to commend both the leaders of the union and the airlines for this act of industrial responsibility on their part. However, it makes no sense on the part of the union to continue to strike while mediation proceeds. Every official of the union and every member of the union knows full well that a mediation settlement will be and must be pounded out on the anvil of conscionable compromise. Continuing the strike during the period of further mediation will only redound to the discredit of the union because it cannot justify the economic loss to the country and the risks to the welfare of the nation which the strike is already causing.

This is not a labor dispute which in any way threatens the existence of the union or jeopardizes the precious right of collective bargaining. The International Association of Machinists is one of the strongest unions in our country and has a long history of industrial statesmanship which it cannot justify besmirching by this unnecessary, uncalled-for strike. This union owes it to the President of the United States to respond to his fine and fair statement of yesterday by announcing immediately that the union will call off the strike for a two-week period so that the mediation hearings can proceed in an atmosphere of calm reason, free of economic duress.

As the President has so often quoted in connection with other emergencies, "Come now, and let us reason together," so, too, in this emergency the same advice should be followed by the representatives of both the union and the airlines with the men back at work and the airplanes flying on schedule.

Mr. MORSE. Mr. President, I also ask unanimous consent to have the statement by President Johnson printed in the RECORD, together with two editorials from the New York Times which point out the reasonableness and equity of the recommended settlement by the emergency board which I headed.

They are the only statements I made. A reading of the statements show that the Washington Post needs proofreaders.

There being no objection, the statement and editorials were ordered to be printed in the RECORD, as follows:

STATEMENT OF PRESIDENT JOHNSON, JULY 7, 1966

I have just been informed of the breakdown in negotiations between the five airline carriers—Eastern, National, Northwest, Trans-World and United Airlines—and the International Association of Machinists and Aerospace Workers, and of the decision of the Union to strike the carriers.

The serious implications of this dispute make it imperative that the parties try to reach a prompt settlement. At my request, Assistant Secretary of Labor Reynolds will get in touch with the parties immediately and reconvene them as soon as possible. I am sure that all the American people share my deep concern over this matter and the conviction that the parties must do everything within their powers to bring about a settlement promptly.

I am disappointed by the failure of the parties to reach agreement and by the decision of the Union to strike. I am particularly concerned that our essential military needs be met, that the important space work at Cape Kennedy be continued, that the inconvenience to the travelling public be held to a minimum and that mail deliveries continue with the least interference possible.

I have asked Acting Secretary of Defense Cyrus Vance to make certain that all military requirements for air transport are fully met and to report to me immediately if any problems arise.

I have requested Chairman Charles Murphy and the Civil Aeronautics Board to take all appropriate action to provide needed airline services with the air carrier remaining in operation.

I have directed General William McKee, the Federal Aviation Administrator, to cooperate in every way possible with the Civil Aeronautics Board.

I have requested Chairman John Bush and the Interstate Commerce Commission to take all appropriate action to provide the maximum available rail and bus transportation to minimize the inconvenience to the travelling public.

I have instructed Postmaster General Lawrence O'Brien to use every available mode of transportation to move the mails as rapidly as possible, particularly to our servicemen in Viet Nam, and reduce to a minimum any delays in mail delivery.

On April 21, I established an Emergency Board under the Railway Labor Act to investigate this dispute and to make findings of fact and recommendations. The Board was composed of Senator WAYNE MORSE, David Ginsburg, a distinguished Washington attorney, and Richard Neustadt of Harvard University. When the Board reported to me on June 7, I transmitted the report to the parties with my strong recommendation that they settle their differences within its framework. At that time, I expressed by belief and the belief of my advisers that the Board's recommendations formed "the framework for a just and prompt settlement, which is in the national interest." On June 13, the carriers informed me that they accepted the recommendations of the Emergency Board. Since that time, Secretary of Labor Willard Wirtz and Assistant Secretary of Labor James Reynolds have been working with the carriers and the Union to bring the dispute to a conclusion without a strike and with a fair and just settlement for both parties.

I have done everything within my power and have taken every action available to the Federal Government to minimize the inconvenience to the public resulting from the strike, but the basic responsibility to the public rests with the Union and the airlines. They have a great responsibility to the traveling public and the public will expect them to live up to that responsibility.

[From the New York Times, June 10, 1966]

TILTING THE GUIDEPOSTS

Far from smashing the Administration's wage-price guideposts, the recommendations a Presidential emergency board has made in the airlines pay dispute may have given the much-battered anti-inflation standards the kind of flexibility they need for survival.

The board, headed by Senator WAYNE MORSE, made a great point of its determination to ignore the guideposts. These are aimed at keeping the over-all level of wage increases in balance with the long-term rise in national productivity of 3.2 per cent a year. Under the Morse board's proposals, 35,000 mechanics employed by five major airlines would get annual increases averaging 3.5 per cent.

The recommendations were arrived at by considering a wide array of factors, including "the public interest in the maintenance of a stable economy." Perhaps the most interesting of the panel's specific proposals was that the union be free to reopen midway through the contracts forty-two-month span, if living costs next year go up faster than they have over the last five years.

The recommendations point the direction in which the Administration must go if voluntary restraints are to have any real chance of working in the wage field. The guideposts were never intended to operate as ironclad pay limits; their original formulation in the 1962 report of the Council of Economic Advisers emphasized that no single standard would be practical for all industries.

It is plain that gains in productivity represent the foundation for a noninflationary wage policy. It is equally plain that such a policy will be hard to sustain unless Government fiscal and monetary policy combine to hold the general price level steady. The airlines report provides a realistic approach to both elements of the stabilization problem.

[From the New York Times, July 10, 1966]

AN "UNCONSCIONABLE" STRIKE

The strike by the International Association of Machinists that has grounded 60 percent of the nation's commercial airplanes has an atavistic flavor. The union, it seems, cannot be swayed by an objective offer of a fair settlement or by appeals to act in the national interest. It just wants more. And it is apparently counting on the disruption and inconvenience caused by the strike to get it.

There is no question that the airlines are now prosperous. They are benefiting from both a boom in air travel and the widespread use of jets, which have proved far more popular and profitable than they had expected. Their profit figures are not secret; they are in fact reflected in offers to the union.

The machinery of the Railway Labor Act, which applies to air carriers, was first employed to bring about an agreement. But the union refused to accept the National Mediation Board's offer of binding arbitration. Then President Johnson appointed an emergency board, headed by Senator WAYNE MORSE, which made proposals that would have provided what Mr. Johnson described as "the framework for a just and prompt settlement." This, too, was rejected. Finally, the airlines made a new offer that reportedly exceeded the Morse proposals; but the union decided to strike rather than to bargain.

At a time when the nation is at war and must be operating all of its air transport, the strike harms the entire union movement and its reputation for responsible and reasonable leadership. The machinists, as Senator MORSE has pointed out, are not being asked to make any sacrifice. His board ignored the Administration's wage guideposts, recommending increases averaging 3.5 per cent; it also proposed a reopening of the contract by the union if living costs go up faster than the board anticipated. Given these concessions, MORSE holds that the strike is "unconscionable."

Conceivably, the union's strategy will succeed in getting it more. But the machinists must recognize that excessive demands can provoke an excessive reaction. If they hold out for a settlement that is uneconomic for the airlines and inflationary for the country, they will surely provoke demands for action to curb union power.

Mr. MORSE. Mr. President, it is frequently reported in the coverage of the union position in this dispute that the leadership is under pressure to bring back a big package settlement to offset raiding of its membership by rival unions. But while these men are not working, they and their union are suffering great economic loss as well as the airlines.

This is why I believe it is to the interest of all parties, not to mention the public interest, that the IAM go back to work while mediation and bargaining continue. The strike and lockout are the ultimate weapons of labor-management relations. There is no issue at stake between the Machinists and the airlines that justifies resort to ultimate weapons by either party. The issues belong on the bargaining table, not on the picket line.

No one would fight harder for the right to strike and to lock out than would the senior Senator from Oregon.

Mr. President, the union is not in any way jeopardized in this dispute. No attempt has been made to eliminate the union. No attempt has been made to deny to the union the precious right of collective bargaining. In my judgment, the union is misusing its power and right to resort to economic action.

Let me make myself perfectly clear. The answer is not a strike, it is not a lockout, and it is not compulsory arbitration.

Today, a bill was introduced in the Senate which seeks to end this strike by compulsory arbitration. I want the RECORD to be perfectly clear that I oppose the bill in its present form.

It would be a sad day for America if we began to straitjacket employers and unions by imposing upon them a compulsory arbitration program. That is not the method to retain economic freedom in this country.

Mr. President, neither this dispute nor any other dispute of which I am aware between management and labor would justify, in my judgment, the passage of compulsory-arbitration legislation aimed at one specific, ongoing dispute. The whole subject of emergency disputes procedure needs review and revision. But it should not come when industry and the public are caught up in the heated atmosphere of a given work stoppage.

BOMBING OF HANOI AND HAIPHONG

Mr. MORSE. Mr. President, although administration spokesmen are traversing the world in an effort to justify the expanded American bombing of North Vietnam, the effort will not gain approval or win support from the dozens of countries and millions of people alienated from the United States by our war policy in Vietnam. The explanations and justifications at the official level silence governmental criticism. But they do not gain anything more for the United States than acquiescence from nations simply unwilling to get involved.

If foreign response to our bombing in Hanoi and Haiphong is adverse, a good part of the reason may be found in the testimony of Secretary McNamara last February to the Senate Armed Services Committee.

I am certain that the President of the United States does not know that his own Secretary of Defense answered him in advance of the bombing in Haiphong and Hanoi, for I read the testimony given by the Secretary of Defense in February. In discussing the supplemental military authorization Secretary McNamara said:

Secretary McNAMARA. Most of the petroleum used in North Vietnam comes by way of Soviet vessels into Haiphong, and there is Chinese commerce as well into the port of Haiphong.

Senator ERVIN. So they could cut down a number of the essential supplies that would come in there by mining the harbor.

Secretary McNAMARA. Essential supplies, perhaps, to the economy of North Vietnam, but not essential supplies to the operation in the south.

The tonnage that is required in the south, as I indicated, is relatively small, and it is not necessary for it to come in by port or, for that matter, by railroad or even over automotive roads. It could be carried on the backs of men, as it has been done many times before by the Chinese.

Senator ERVIN. But the North Vietnamese would be unable to send those supplies down there unless the industries could keep going.

Secretary McNAMARA. No, sir. The industries in the north contribute very little to the supplies that are used in the south for the prosecution of the war.

Senator ERVIN. They would contribute to taxation, would they not, to the support of the Government?

Secretary McNAMARA. No, sir.

Senator ERVIN. Which is operating and directing the war in the South.

Secretary McNAMARA. No, sir; I do not believe so. The industry in the north is so small that it plays a very little role in the economy of the north, and I think any of the analysts who have studied the problem would say it could be completely eliminated and not reduce in any substantial way the contribution of the North to South Vietnam.

Senator ERVIN. And you are telling us, am I to infer, that you could wipe out the entire industry of North Vietnam, and have no effect whatever upon their capability to prosecute the war?

Secretary McNAMARA. It might affect their will to do so. In my opinion, it would have no measurable effect upon their capability to furnish the supplies they are presently supplying to the Communist forces in South Vietnam.

Senator ERVIN. What do they do with their oil and gasoline that comes in?

Secretary McNAMARA. Yes—they use it for the operation of their aircraft which, so far, have played practically no role in combat operations in North Vietnam. They use it for fuel for their trucks, some of which are used on the infiltration routes.

The portion of fuel used by their trucks could be obtained even though we were to mine the Haiphong and Hon Gai harbors. And, if they got no fuel for trucks, they have demonstrated many many times before that, in the Orient, they can move the quantities of supplies now being moved into the South by animal and manpower.

Senator ERVIN. Well, it would seem that North Vietnam is entirely unessential to this war, according to your testimony.

Secretary McNAMARA. No, it is not unessential. They are supplying the leadership, they are supplying the cadres, they are moving the equipment obtained from other Communist countries.

Senator ERVIN. Don't you think a massive air attack on North Vietnam would have a of these comments the texts of the two statements I issued last week on the subject of the dispute.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MORSE ON THE AIRLINES DISPUTE, JULY 7, 1966

The Emergency Board in the Airlines Dispute appointed by the President handed down its recommendations on June 5. The parties to the dispute understood from the very first day of the hearings held by the Board that the recommendations would be based upon the evidence submitted by the parties to the Board and on no other consideration. The Board made its recommendations based upon the evidence submitted by the parties. It was the responsibility of the Union and the carriers to present all the evidence available to them. The parties understood this.

The Board's report shows that, in some instances, the representatives of the Union failed to sustain their burden of proof. In some instances, this was true of the carriers. Now the Union complains that the Board should have granted them benefits which the Union's evidence failed to justify.

The recommendations of the Board offered a fair and reasonable framework within which the parties should come to an agreement between themselves for a final settlement of their dispute. This was so recognized by those in the Administration who studied the report, including the President of the United States.

Under the Railway Labor Act, which applies to disputes involving air carriers, the parties had 30 days following the submission of the Emergency Board Report to the President to mediate any agreement over any issue that remained in dispute between them after the submission of the recommendations by the Emergency Board.

The Parties have up until this hour failed to reach a mediation settlement although they have had available to them for mediation conferences the Assistant Secretary of Labor, James Reynolds, who I consider is without a superior in the entire field of labor mediation in our country today. The union is now threatening to strike because it has failed to reach an agreement, although the carriers have been willing to accept the recommendations of the Emergency Board and have indicated a willingness in the mediation negotiations with Secretary Reynolds to accept some modifications in the Board's report.

Any strike called by the officers of this Union at this critical hour in the history of our country with all the security problems that confront the Republic cannot be justified on any basis whatsoever. Any strike called by the officers of this union in this hour of crisis is not reconcilable with the patriotic responsibility of the Union to its government, and to the people of our country, including our troops in Vietnam. The members of the Union should face the fact that it would be an unconscionable strike.

As one who has for 32 years been involved in the settlement of labor disputes, I want to plead with the leaders of this union and its members that they announce immediately that they are willing to postpone any strike action for an additional two weeks, for further mediation in this case. As Chairman of the President's Board, I would be perfectly willing to reconvene the Board to answer any questions that the parties to the dispute may have as to any misunderstandings concerning the Board's report. In addition, I would be willing to have the Board, in cooperation with Assistant Secretary James Reynolds, if the President so desires, make itself available to mediate any issues that stand in disagreement during the next two-week period.

This is one case in which there is no possible justification for the Union to strike. The Union has made great gains under the Board's report; I am convinced that such differences as remain can be resolved on a fair basis to both parties and to the public, without a strike. In any event, I wish to make clear that this union cannot justify holding a strike gun at the head of its government in this hour of international crisis. The strike would not only be a strike against the airlines, it would also be a strike against the American people and their security, because uninterrupted operation of airline transportation throughout the country is essential at this critical time.

STATEMENT OF SENATOR MORSE, JULY 8, 1966

The statement which President Johnson issued yesterday, July 7 on the airline strike is one of sound statesmanship and it is unanswerable. The President has called for further mediation and the parties have agreed to meet with Assistant Secretary of Labor, James Reynolds at 10:00 A.M. Saturday morning, July 9.

I wish to commend both the leaders of the union and the airlines for this act of industrial responsibility on their part. However, it makes no sense on the part of the union to continue to strike while mediation proceeds. Every official of the union and every member of the union knows full well that a mediation settlement will be and must be pounded out on the anvil of conscionable compromise. Continuing the strike during the period of further mediation will only redound to the discredit of the union because it cannot justify the economic loss to the country and the risks to the welfare of the nation which the strike is already causing.

This is not a labor dispute which in any way threatens the existence of the union or jeopardizes the precious right of collective bargaining. The International Association of Machinists is one of the strongest unions in our country and has a long history of industrial statesmanship which it cannot justify besmirching by this unnecessary, uncalled-for strike. This union owes it to the President of the United States to respond to his fine and fair statement of yesterday by announcing immediately that the union will call off the strike for a two-week period so that the mediation hearings can proceed in an atmosphere of calm reason, free of economic duress.

As the President has so often quoted in connection with other emergencies, "Come now, and let us reason together," so, too, in this emergency the same advice should be followed by the representatives of both the union and the airlines with the men back at work and the airplanes flying on schedule.

Mr. MORSE. Mr. President, I also ask unanimous consent to have the statement by President Johnson printed in the RECORD, together with two editorials from the New York Times which point out the reasonableness and equity of the recommended settlement by the emergency board which I headed.

They are the only statements I made. A reading of the statements show that the Washington Post needs proofreaders.

There being no objection, the statement and editorials were ordered to be printed in the RECORD, as follows:

STATEMENT OF PRESIDENT JOHNSON, JULY 7, 1966

I have just been informed of the breakdown in negotiations between the five airline carriers—Eastern, National, Northwest, Trans-World and United Airlines—and the International Association of Machinists and Aerospace Workers, and of the decision of the Union to strike the carriers.

The serious implications of this dispute make it imperative that the parties try to reach a prompt settlement. At my request, Assistant Secretary of Labor Reynolds will get in touch with the parties immediately and reconvene them as soon as possible. I am sure that all the American people share my deep concern over this matter and the conviction that the parties must do everything within their powers to bring about a settlement promptly.

I am disappointed by the failure of the parties to reach agreement and by the decision of the Union to strike. I am particularly concerned that our essential military needs be met, that the important space work at Cape Kennedy be continued, that the inconvenience to the travelling public be held to a minimum and that mail deliveries continue with the least interference possible.

I have asked Acting Secretary of Defense Cyrus Vance to make certain that all military requirements for air transport are fully met and to report to me immediately if any problems arise.

I have requested Chairman Charles Murphy and the Civil Aeronautics Board to take all appropriate action to provide needed airline services with the air carrier remaining in operation.

I have directed General William McKee, the Federal Aviation Administrator, to cooperate in every way possible with the Civil Aeronautics Board.

I have requested Chairman John Bush and the Interstate Commerce Commission to take all appropriate action to provide the maximum available rail and bus transportation to minimize the inconvenience to the travelling public.

I have instructed Postmaster General Lawrence O'Brien to use every available mode of transportation to move the mails as rapidly as possible, particularly to our servicemen in Viet Nam, and reduce to a minimum any delays in mail delivery.

On April 21, I established an Emergency Board under the Railway Labor Act to investigate this dispute and to make findings of fact and recommendations. The Board was composed of Senator WAYNE MORSE, David Ginsburg, a distinguished Washington attorney, and Richard Neustadt of Harvard University. When the Board reported to me on June 7, I transmitted the report to the parties with my strong recommendation that they settle their differences within its framework. At that time, I expressed by belief and the belief of my advisers that the Board's recommendations formed "the framework for a just and prompt settlement, which is in the national interest." On June 13, the carriers informed me that they accepted the recommendations of the Emergency Board. Since that time, Secretary of Labor Willard Wirtz and Assistant Secretary of Labor James Reynolds have been working with the carriers and the Union to bring the dispute to a conclusion without a strike and with a fair and just settlement for both parties.

I have done everything within my power and have taken every action available to the Federal Government to minimize the inconvenience to the public resulting from the strike, but the basic responsibility to the public rests with the Union and the airlines. They have a great responsibility to the traveling public and the public will expect them to live up to that responsibility.

[From the New York Times, June 10, 1966]

TILTING THE GUIDEPOSTS

Far from smashing the Administration's wage-price guideposts, the recommendations a Presidential emergency board has made in the airlines pay dispute may have given the much-battered anti-inflation standards the kind of flexibility they need for survival.

The board, headed by Senator WAYNE MORSE, made a great point of its determination to ignore the guideposts. These are aimed at keeping the over-all level of wage increases in balance with the long-term rise in national productivity of 3.2 per cent a year. Under the Morse board's proposals, 35,000 mechanics employed by five major airlines would get annual increases averaging 3.5 per cent.

The recommendations were arrived at by considering a wide array of factors, including "the public interest in the maintenance of a stable economy." Perhaps the most interesting of the panel's specific proposals was that the union be free to reopen midway through the contracts forty-two-month span, if living costs next year go up faster than they have over the last five years.

The recommendations point the direction in which the Administration must go if voluntary restraints are to have any real chance of working in the wage field. The guideposts were never intended to operate as ironclad pay limits; their original formulation in the 1962 report of the Council of Economic Advisers emphasized that no single standard would be practical for all industries.

It is plain that gains in productivity represent the foundation for a noninflationary wage policy. It is equally plain that such a policy will be hard to sustain unless Government fiscal and monetary policy combine to hold the general price level steady. The airlines report provides a realistic approach to both elements of the stabilization problem.

[From the New York Times, July 10, 1966]

An "Unconscionable" Strike

The strike by the International Association of Machinists that has grounded 60 percent of the nation's commercial airplanes has an atavistic flavor. The union, it seems, cannot be swayed by an objective offer of a fair settlement or by appeals to act in the national interest. It just wants more. And it is apparently counting on the disruption and inconvenience caused by the strike to get it.

There is no question that the airlines are now prosperous. They are benefiting from both a boom in air travel and the widespread use of jets, which have proved far more popular and profitable than they had expected. Their profit figures are not secret; they are in fact reflected in offers to the union.

The machinery of the Railway Labor Act, which applies to air carriers, was first employed to bring about an agreement. But the union refused to accept the National Mediation Board's offer of binding arbitration. Then President Johnson appointed an emergency board, headed by Senator Wayne Morse, which made proposals that would have provided what Mr. Johnson described as "the framework for a just and prompt settlement." This, too, was rejected. Finally, the airlines made a new offer that reportedly exceeded the Morse proposals; but the union decided to strike rather than to bargain.

At a time when the nation is at war and must be operating all of its air transport, the strike harms the entire union movement and its reputation for responsible and reasonable leadership. The machinists, as Senator Morse has pointed out, are not being asked to make any sacrifice. His board ignored the Administration's wage guideposts, recommending increases averaging 3.5 per cent; it also proposed a reopening of the contract by the union if living costs go up faster than the board anticipated. Given these concessions, Morse holds that the strike is "unconscionable."

Conceivably, the union's strategy will succeed in getting it more. But the machinists must recognize that excessive demands can provoke an excessive reaction. If they hold out for a settlement that is uneconomic for the airlines and inflationary for the country, they will surely provoke demands for action to curb union power.

Mr. MORSE. Mr. President, it is frequently reported in the coverage of the union position in this dispute that the leadership is under pressure to bring back a big package settlement to offset raiding of its membership by rival unions. But while these men are not working, they and their union are suffering great economic loss as well as the airlines.

This is why I believe it is to the interest of all parties, not to mention the public interest, that the IAM go back to work while mediation and bargaining continue. The strike and lockout are the ultimate weapons of labor-management relations. There is no issue at stake between the Machinists and the airlines that justifies resort to ultimate weapons by either party. The issues belong on the bargaining table, not on the picket line.

No one would fight harder for the right to strike and to lock out than would the senior Senator from Oregon.

Mr. President, the union is not in any way jeopardized in this dispute. No attempt has been made to eliminate the union. No attempt has been made to deny to the union the precious right of collective bargaining. In my judgment, the union is misusing its power and right to resort to economic action.

Let me make myself perfectly clear. The answer is not a strike, it is not a lockout, and it is not compulsory arbitration.

Today, a bill was introduced in the Senate which seeks to end this strike by compulsory arbitration. I want the Record to be perfectly clear that I oppose the bill in its present form.

It would be a sad day for America if we began to straitjacket employers and unions by imposing upon them a compulsory arbitration program. That is not the method to retain economic freedom in this country.

Mr. President, neither this dispute nor any other dispute of which I am aware between management and labor would justify, in my judgment, the passage of compulsory-arbitration legislation aimed at one specific, ongoing dispute. The whole subject of emergency disputes procedure needs review and revision. But it should not come when industry and the public are caught up in the heated atmosphere of a given work stoppage.

BOMBING OF HANOI AND HAIPHONG

Mr. MORSE. Mr. President, although administration spokesmen are traversing the world in an effort to justify the expanded American bombing of North Vietnam, the effort will not gain approval or win support from the dozens of countries and millions of people alienated from the United States by our war policy in Vietnam. The explanations and justifications at the official level silence governmental criticism. But they do not gain anything more for the United States than acquiescence from nations simply unwilling to get involved.

If foreign response to our bombing in Hanoi and Haiphong is adverse, a good part of the reason may be found in the testimony of Secretary McNamara last February to the Senate Armed Services Committee.

I am certain that the President of the United States does not know that his own Secretary of Defense answered him in advance of the bombing in Haiphong and Hanoi, for I read the testimony given by the Secretary of Defense in February. In discussing the supplemental military authorization Secretary McNamara said:

> Secretary McNamara. Most of the petroleum used in North Vietnam comes by way of Soviet vessels into Haiphong, and there is Chinese commerce as well into the port of Haiphong.
>
> Senator Ervin. So they could cut down a number of the essential supplies that would come in there by mining the harbor.
>
> Secretary McNamara. Essential supplies, perhaps, to the economy of North Vietnam, but not essential supplies to the operation in the south.
>
> The tonnage that is required in the south, as I indicated, is relatively small, and it is not necessary for it to come in by port or, for that matter, by railroad or even over automotive roads. It could be carried on the backs of men, as it has been done many times before by the Chinese.
>
> Senator Ervin. But the North Vietnamese would be unable to send those supplies down there unless the industries could keep going.
>
> Secretary McNamara. No, sir. The industries in the north contribute very little to the supplies that are used in the south for the prosecution of the war.
>
> Senator Ervin. They would contribute to taxation, would they not, to the support of the Government?
>
> Secretary McNamara. No, sir.
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> Senator Ervin. Which is operating and directing the war in the South.
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> Secretary McNamara. No, sir; I do not believe so. The industry in the north is so small that it plays a very little role in the economy of the north, and I think any of the analysts who have studied the problem would say it could be completely eliminated and not reduce in any substantial way the contribution of the North to South Vietnam.
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> Senator Ervin. And you are telling us, am I to infer, that you could wipe out the entire industry of North Vietnam, and have no effect whatever upon their capability to prosecute the war?
>
> Secretary McNamara. It might affect their will to do so. In my opinion, it would have no measurable effect upon their capability to furnish the supplies they are presently supplying to the Communist forces in South Vietnam.
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> Senator Ervin. What do they do with their oil and gasoline that comes in?
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> Secretary McNamara. Yes—they use it for the operation of their aircraft which, so far, have played practically no role in combat operations in North Vietnam. They use it for fuel for their trucks, some of which are used on the infiltration routes.
>
> The portion of fuel used by their trucks could be obtained even though we were to mine the Haiphong and Hon Gai harbors. And, if they got no fuel for trucks, they have demonstrated many many times before that, in the Orient, they can move the quantities of supplies now being moved into the South by animal and manpower.
>
> Senator Ervin. Well, it would seem that North Vietnam is entirely unessential to this war, according to your testimony.
>
> Secretary McNamara. No, it is not unessential. They are supplying the leadership, they are supplying the cadres, they are moving the equipment obtained from other Communist countries.
>
> Senator Ervin. Don't you think a massive air attack on North Vietnam would have a

vast effect on the will of the people to continue to fight?

Secretary McNamara. No one can be sure how they would react. I do not believe that it did in Japan and I do not believe that it did in World War II, and I do not believe it did in Korea.

I think a study of the record will show that massive air power by itself did not break the will of the people nor did it break the will of their political leaders.

It was airpower, massive airpower complemented by ground and sea action, that broke the will of the people and their leaders.

It is difficult for me to reconcile this testimony of the Secretary of Defense with the President's ordering of the bombing of Haiphong and Hanoi, so-called essential oil deposits, and other military targets. In fact, it is difficult for me to reconcile this testimony of the Secretary of Defense with his present statements, in which he is supporting the President in the bombing.

However, Mr. President, the world knows the costly mistake that the United States has made by this shocking policy in North Vietnam.

I say to the American people: "Your intelligence is being insulted by the officials of your Government, when they seek to lead you to believe that civilians are not being killed in Hanoi. Read the foreign press. It is not a kept press. Read the foreign press to get the truth about the shocking outlawry that the President of the United States has implemented, in what I consider to be an inexcusable course of conduct on the part of our country in the killing of civilians in this escalated bombing in Hanoi and Haiphong."

It is the assumption in official Washington, as reported in the press, that bombing industry in North Vietnam will have relatively little effect upon the northern war effort, but may induce them to quit the war unless they can get further help from the Soviet Union or China or both.

If they do get help, our privileged sanctuaries in Thailand, the Philippines, Okinawa, Japan, not to mention Hawaii and the continental United States, could be privileged no longer, as we move into World War III.

But suppose she does not, and suppose North Vietnam drops out of the war? Every evidence, past and present, is that the Vietcong will continue warring against Marshal Ky or anyone else the United States puts up.

The administration is fond of asking what solution its critics have. But I ask the administration, How do you propose to keep a Ky government in power except by perpetual warfare by Americans, and by keeping hundreds of thousands of American boys in South Vietnam, none of whom should ever have been sent there?

If there is a national goal to be served in Vietnam that is not to be questioned, then let the administration set it forth in a request for a declaration of war, and a justification for it. Then we can all know what the facts are, and what our purpose is.

But let us not hear on the Fourth of July weekend, as we just heard across the country when we celebrate a document dedicated to "a decent respect for the opinions of mankind" and Government deriving just powers from the consent of the governed, that all facts, opinions, and decisions of war and peace are vested in one man, the President of the United States.

They are not. The decision of war or peace is vested only in Congress by our Constitution, and it has not been exercised. Our President has failed to follow the responsibility under article I, section 8 of the Constitution that he owes to the American people.

I hope the day has not come in our land when the actions of one man—however powerful—are beyond discussion, debate, and disagreement. If it has, then we are far down the road where Government operates without benefit of constitutional limits and procedures.

Under present policy, the best hope we have in Vietnam is for indefinite occupation of the country by half a million Americans. Every minute carries the danger that North Vietnam and China will extend support to the Vietcong of the magnitude we have extended to General Ky.

Such a situation is fraught with World War III. Far from avoiding that danger, it enlarges it, for what inducement would it be if half a million Chinese or Russian soldiers came to occupy Mexico to the south of us. It would be no inducement to peace. It would be an incitement to war.

For the years since the end of World War II, we have been strong enough to intervene almost at will in foreign countries. From the Caribbean to the Middle East, Europe to Asia, we have put large U.S. military forces wherever we thought some American interest was threatened. Some 350,000 of them are still in Europe. Fifty-five thousand are still in Korea. Roughly a million fight or serve outside the borders of the United States. This is creating a very bad image for the United States around the globe.

This cannot make for stable international relations. It can only produce resentment and a will to drive us out, either diplomatically as France is doing, or by whatever other means are available.

This is why I oppose the continual build-up in southeast Asia. It does not protect the men there—it jeopardizes thousands upon thousands more in areas where our normal commonsense should tell us the United States cannot hold dominion except by constant war and increasing use of American military power.

The American people must not stop thinking and talking about our position in Asia. Short of a declaration of war, it cannot be a closed issue.

I have received a letter from two constituents in Merrill, Oreg. The writers circulated it to several people. It closes with a footnote addressed to me. I shall read a part of the letter:

DEATH IN VIET NAM

MERRILL, OREG.,
June 12, 1966.

Yesterday we received notice that our grandson, Tommy Chatburn, aged 23, was killed in action in Viet Nam. He lived with us here in Merrill and we loved him as our son. On his last furlough before going to Viet Nam he talked with me about his plans for after the war.

In his last letter to us Tommy wrote that he would be coming home in August or September, and maybe sooner, and we counted the days as we know he did.

He is coming home all right—in a casket.

I can see him now through my tears coming through the kitchen door.

Oh God, how many other brave boys will be sacrificed before the people put an end to this useless killing!

It wouldn't be so hard to take if our boy had died for his country or for a worthy cause. But he didn't.

We have no more business over there than the people over there have over here.

Tommy died a victim of the attempt of the Johnson Administration to impose a military dictatorship on the people of South Viet Nam through our hand-picked, hated, little and cruel tyrant, Nguyen Cao Ky.

What reasons are the American people given for waging this war on a hapless people in a small impoverished country half way around the world? These are the reasons given:

(1) We are there to defend the people of South Viet Nam against Ho Chi Minh.

(2) We are there because we have made commitments to the government of South Viet Nam, and have been invited over there.

(3) We are there to fight Communism, to prevent its spread, and to stop a Communist take-over of South Viet-Nam.

As to reason No. (1), the people of South Viet Nam do not want us to defend them any more than we would want them over here to defend us.

The people of South Viet Nam demonstrate against us, carry signs that say, "Yanks go Home", burn American buildings and vehicles, dance in glee around the burning property and mob and shoot at our people. What else can they do to show they want us to go home and leave them alone? They hate us and our puppet, Ky. No wonder! Wouldn't we hate them if they were over here? The only Vietnamese people that want us over there are the puppets, prostitutes, and profiteers.

It is obvious the people of Viet Nam are against us and helping the Viet Cong. How else could the Viet Cong put up such a fierce fight against the might of the United States? South and North Viet Nam is one country—not two countries—and Ho Chi Minh is its leader. He is a national hero. He led the fight against the French. The French were trying to do the same thing we are trying to do. After 10 years they were defeated and gave it up. They say that we are stupid to try to carry on this war.

Our Tommy wrote shortly after arriving in Viet Nam, "These people don't want us here."

And yet Johnson insists we are there at their request only to defend them; that we want nothing for ourselves. How stupid does he think the American people are?

When Viet Nam was divided into two parts in 1954 by the Geneva Accord Agreement, the people of Viet Nam were told that the division was only temporary and that there would be a free election to give the people a chance to choose their own government. This commitment was broken for the reason that at least 80% of the people would have voted for Ho Chi Minh and against us and our puppet. This is the estimate of President Eisenhower, who was then president. The percentage against us now would be greater. We again promised a free election; but again the election has been postponed and our promise broken.

As to reason No. (2), relative to our commitments to the Government of South Viet

Nam, since when did Johnson start keeping his commitments? What about his commitment to the American people not to escalate this war? He condemned Goldwater as being the war party candidate and held himself out as our best hope for an end to the war. Millions, including the undersigned, voted for Johnson on that basis. Then he betrayed us.

Furthermore, our commitment was to defend the government of Ngo Dinh Diem. Diem was our hand-picked puppet. But he was too hard to handle. So, with our consent and by our connivance Diem was assassinated. Thirteen other puppet dictators have fallen since then. It is hard to find a reliable puppet who will take orders from the United States. When we tell the world that we are not dictating to the government of South Viet Nam, these puppets start believing it and start giving orders on their own. So they don't last long!

If we were being invaded, every man, woman and child would spring to the defense of our country. So will the people of the countries we invade. They will fight like wildcats, just as our people would under the same circumstances. That is why we will never be able to "win the people" of South Vietnam as Humphrey and other Johnson men say we must do. Could they win us if we were in their place? Not in a thousand years! We would never submit to foreign subjugation, and it is doubtful that they will.

The Johnson policy of bomb, bribe and blackmail will never work. We are now the most hated country on earth, and Johnson is probably the most hated man on earth, and this hatred is building up.

As to reason No. (3)—that we are fighting Communism, preventing its spread and a Communist take-over-this is just as fictitious as the fiction that we are in South Viet Nam to defend the people there.

In the first place, this is not a war against communism. If it is, why don't we fight Russia and China, the sources of communism; and why do we give communist countries like Yugoslavia, Hungary, Poland, Austria and Czecho-Slovakia millions of dollars every year? Three fourths of the people of the world are Communists. Does any one propose that we wage war against the communistic world? We can never shoot communism out of people, nor shoot our form of Democracy into them.

The way to stop communism is to abolish the conditions that cause communism. These are oppression, injustice, cruelty, disease and ignorance.

Our action in Viet Nam is making more communists because it is creating the conditions that cause communism.

The people of South Viet Nam don't even know what communism is, nor what Democracy is; and they don't care. They want to be left alone and this war to end. But if they did know what communism is and they wanted it, is it our business to see that they don't have it? Who are we to dictate to the world? Also,

All Viet Nam is not worth the life of one of our brave boys.

We cannot police the world, and we shouldn't try.

Let us solve our own problems before we try to run the world. If we attend to our own business here in America, we will have a full time job.

Let us keep our boys home, keep our country strong, and not dissipate our strength.

We are not the sole possessors of the atomic bomb, as we once were. We will have to learn to get along with other countries. If we engage in a death struggle with communism, civilization will be destroyed. We cannot survive an atomic war.

Communism is an economic theory. It is a stage in the evolution of government. Economic theories change. Communism in Russia has changed considerably in the last few years, and it will change in other countries. The thing for us to do is to let other countries work out their own problems, just as we want to work out our problems without foreign interference.

Consider the changes during the Johnson Administration in our own country. Our free enterprise system will be a thing of the past if this undeclared war doesn't end soon. No country can wage a major war without adopting a totalitarian form of government. If we continue this sordid adventure in Viet Nam, we will create in this country the very thing that we claim to be fighting in Viet Nam. Johnson already claims the right to send our boys to a lottery of death any place in the world, without consent of Congress. This was the way of Hitler, and is leading to executive dictatorship in this country.

The National Council of Churches, the International Council of Churches and the Pope are all against this war. Johnson's popularity is going down and down. As the war escalates, support for the Johnson Administration decreases.

Johnson and his supporters are sowing to the wind and will reap the whirlwind.

The Administration announces that it is sending an additional 18,000 men to Viet Nam at once. The communists can send 10 men for every one that we send.

We can't win this war!

Neither Russia nor China will permit an American take-over in Southeast Asia any more than we would permit an Asiatic take-over in America.

We state that our boy died in vain in a cause that was not just; and we charge that Johnson, McNamara, Rusk and their supporters are responsible for the death of our boy.

Johnson made a speech in which he said, in substance:

"Why are the people making such a fuss over 1500 American casualties last year, when more people than that die in automobile accidents?"

What a cruel and heartless thing to say!

We know nothing can be done to bring our boy back to us. But we hope we can have a small part in helping to stop this useless, barbarous, criminal and sinful killing with its resulting agony, and suffering; and for that we pray to Almighty God.

Tom Chatburn, Sr.
Myrtle Chatburn.

Dear Senator Morse: Our views on the war in Asia were the same before our boy was killed in action. His death makes us more determined to help stop this useless criminal war, with its resulting agony and grief. We will continue to do all we can to support you. You do not need to answer this as you have a heavy burden. God Bless You.

Thomas W. and Myrtle Chatburn.

Mr. President, I read this letter because it represents the grassroots of America speaking. It represents a disunited America.

Let me say to the President of the United States, who has been making some unfortunate remarks in recent days in regard to the opposition of his critics, that no amount of criticism on the part of the President will silence me. In my judgment, my President is writing a sordid and sorry chapter of American history. If he pursues this course of international outlawry, I will oppose him as long as I sit in the Senate. In my judgment, the course of the President's action must be changed if America is going to survive an honorable place in world history.

Mr. President, the Chatburns who wrote this moving letter to me are representative of millions of Americans who are not going to take the President's course of action. If the President thinks he can get a united America by seeking to make the appeals that he made from Texas over the Fourth of July, he is sadly mistaken.

I want the President to know that there are millions of Americans who will never unite behind him short of a declaration of war, because the President—I repeat tonight—does not have a scintilla of constitutional right to send American boys to Asia to be slaughtered on the battlefield without a declaration of war. Congress has no right to support him in this war short of Congress living up to its constitutional responsibilities of declaring war.

Mr. President, that is the issue. That issue has been drawn in this Republic.

Let me say to the boys who are dying in South Vietnam the very hour that I speak, that we do not have the slightest justification as a Congress—nor does the White House—to send them to their deaths. Those who are letting down those boys are Members of Congress—and the President—who are making available the funds with which to kill them instead of exercising the check on the purse strings under the Constitution by denying to the President the funds with which to escalate the war, and to force him to follow the course of action of deescalating the war and follow the recommendations of a General Ridgway, a General Gavin, and a George Kennan.

Mr. President, I ask unanimous consent to have printed in the Record certain telegrams, editorials, and articles bearing on the subject matter which I have just discussed.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York (N.Y.) Times,
July 3, 1966]

WASHINGTON: "COUNT 10 BEFORE YOU HURT"

(By James Reston)

Washington, July 3.—President Johnson said in Omaha that we should count ten befor we dissent from his policy in Vietnam. Okay: 1 2 3 4 5 6 7 8 9 10; but it doesn't work. On the Fourth of July, a man is still entitled to a stifled cry, for the Omaha speech is a mishmash of bad history and dubious logic.

"What happens in Vietnam," the President said, "will determine—yes, it will determine—whether ambitious and aggressive nations can use guerrilla warfare to conquer their weaker neighbors. It will determine whether might makes right."

This is quite a proposition. If Vietnam will really determine this ancient dispute about right and might, which goes back to Plato in 370 B.C., every porky middle-aged character in the country will surely want to volunteer for Saigon, but will it settle this or anything else? Here is the basis of the dispute between Mr. Johnson and his critics.

THE PRESIDENT'S VIEW

The President sincerely believes it will. Increasingly he is talking as if Vietnam were one of the decisive battles of the world: stop the enemy there and we've stopped him everywhere. Defeat the guerrilla technique now and we have convinced the enemy and reassured our uniting Asian allies, and for such historic ends, no matter what the cost of sacrifice, "We will see this through; we shall persist; we shall succeed."

Mr. Johnson is escalating his speaking as well as his bombing. He is applying the do or die sentiments of the Alamo (which, after all, was not a glorious success) to one of Walt W. Rostow's latest theories. This is that President Kennedy's stand against Khrushchev in the Cuban missile crisis was the "Gettysburg" of the cold war, and that Vietnam is the Wilderness Campaign—a difficult, untidy mopping-up exercise before the end.

Maybe so, but it is hard to look ahead to the end of President Johnson's Administration and imagine this stable, free, cooperative Asian world that will, in his view, be established by the sacrifices of Vietnam.

THE MISSING ELEMENT

If President Johnson told us bluntly that we were in a power struggle to establish a decent order in Asia—which we are—and intended to establish American military bases at Kam Ranh Bay and elsewhere to maintain in Southeast Asia what he calls the "vital security interests of the United States," that, at least, would be a policy. But he has not said that.

He has said that we want to prove to the Communists that guerrilla warfare does not pay, and after they have seen the light and come to the conference table, the United States wants no bases in southeast Asia and will go away leaving the future of Vietnam to the converted Democrats in Saigon and the defeated and intimidated Communists in Hanoi and Peking.

This, with the best will in the world, is hard to believe. It is not a policy but a myth. It is possible that American power will finally smash the main units of the North Vietnamese Army in the South and disperse the Vietcong guerrillas—after severe casualties on both sides—but it is highly unlikely that this will produce either a democratic order in Saigon or an acquiescent Communist order in Hanoi and Peking.

THE ENDLESS STRUGGLE

The struggle will go on. China will still represent a quarter of the human race. Rhetoric will not change geography. Mr. Johnson may get his "honorable settlement" and get past the election, but what will he have settled, and what will he have achieved that will justify the lives that will be lost between now and then?

The President has already proved to the Communists that guerrilla warfare is an expensive business. He has a chance now to influence the constitutional convention in Saigon so that it will bring in a representative government that will negotiate peace with all the enemies in the field, including the National Liberation Front, but he is not doing this.

Either now, before more and more killing, the Communists are going to participate in a compromise settlement; or later, after our "victory" and departure, they are going to participate in such a settlement anyway. The President, however, does not see it this way. It is awkward politically. It involves a compromise with the Communists which is harder to explain than letting them force a compromise after we are gone. But the cost of fighting on until Hanoi, Peking and Moscow agree to an American conquest on the battlefield is likely to be very great, and the end result, after we leave, not much different.

The President talked at Omaha about fighting for the "will of the people" in Vietnam but the will of the people there, so far as it can be determined, is for peace, while the will of the generals, whom the President is supporting, is for war.

He defended bombing Hanoi and Haiphong on the ground that it was necessary to halt the large-scale infiltration of arms which the previous bombing was supposed to control. He tells us that instead of diminishing the flow of Communist supplies by bombing, the flow of supplies has been increased; instead of human supply trails through the jungle when the bombing started, "the trails turned into boulevards," [which seems a little odd]; instead of small weapons carried on the backs of human beings, "they built all-weather roads . . . they began sending troops in by trucks rather than on foot . . . they shifted over to heavy weapons using imported ammunition, most of it coming from Communist China." And the President's conclusion from all this was that there must be more bombing "at the source", which will probably mean China if the supplies at Hanoi and Haiphong are destroyed.

THE POLITICAL STUMP

Something happens to Lyndon Johnson when he crosses the Appalachian Range. He drops the restraint of the Capitol and picks up the idiom of the political stump. Our soldiers in Vietnam, he says, are not going to fail us; the question is whether the critics are going to fail them.

Count ten, he says, before you let me and them down, before you "hurt." But something is wrong. We count and we don't want to "hurt," but somehow it doesn't work.

[From Newsweek, July 4, 1966]

THE POLLS AND THE WAR

(By Walter Lippmann)

Now that the polls have become such a part of our political life, we are realizing that it is by no means easy to read them correctly. Thus, while the recent Gallup and Harris polls show a sharp decline of confidence in the President, they can be read as meaning that the country is more warlike than the President or that the country very much dislikes the war and wishes to end it quickly.

Mr. Elmo Roper, who is one of the pioneers in the art of polling, has an article in the Saturday Review of May 28, pointing out that polls cannot be used to guide policy and that the test of Presidential leadership "is not in the crucible of public opinion but in the crucible of events." The essential question is not whether the polls are favorable to a policy but whether the policy leads to satisfactory results.

The main reason why the polls are not a good guide to policy is that, as Mr. Roper has observed, so large a part of the public is "uninformed or misinformed about the facts and issues on which national policy is based." There is present, it would appear, an instinctive tendency to rally around the President when he is in trouble abroad. President Kennedy, for example, reached his highest peak of approval in the polls, a peak higher than was ever reached by President Eisenhower before him or by President Johnson since then, just after his fiasco at the Bay of Pigs. President Kennedy never did so well again, even after his greatest triumph in the Cuba missile crisis.

This same phenomenon, that of a rally to the President when he is in trouble abroad, occurred during the Eisenhower Administration. Will it occur again if President Johnson, having escalated the Vietnamese war, fails to win a victory that brings the war to an end? The polls cannot answer this question, for they cannot prophesy. Yet this question is of the greatest interest to practical politicians and indeed to all who are concerned about the coming elections this November.

Hawks and Doves. Presently, the Republicans are assuming that almost universally the Vietnamese war is unpopular; they then assume that the country is divided between those who think it can be ended by hitting harder (the hawks) and those who believe it can only be ended by negotiation (the doves). What is common to both the hawks and the doves is that they dislike the war, want a quick end to it and are opposed to a long war of attrition.

That much the polls do seem to say. Is there any other objective evidence which bears on this conclusion? There is, I submit, the draft and how it is working. For the draft poses choices which involve the lives and careers of the young men of the nation and also the concern of their parents, their friends and their teachers. These choices which the draft compels young men to make cut closer to the bone than the questions of the Gallup and Harris polls.

It is generally agreed that the draft is working unfairly, and Secretary McNamara has not only acknowledged this to be true but is reported to have a large task force at work trying to devise a better system. He is not likely to succeed. For the fundamental trouble is not in the draft system but in the war.

Dangerous and Disagreeable. The trouble is not in the system as it works but in the unpopularity of the war into which the system is drafting men. No system—not a lottery, not universal military training, not a national service corps—can make a war equally dangerous and disagreeable to all young men. What makes a mobilization possible is that enough young men with the support of their parents, their friends and their teachers *want* to take part in the war.

What distinguishes this war in Vietnam sharply from the other three wars of this century is that it is neither popular nor fashionable to volunteer for it, that it is even viewed as correct and honorable to avoid military service.

This is the point of the baccalaureate address by president Pusey to the Harvard graduating class this year. He pointed out that "contemporary circumstances has a great deal to do in determining popular attitudes in time of war." In the first world war, "when we were finally called upon to fight, the issues were clear and the cause impelling * * * president Lowell then had to try to prevent Harvard undergraduates from rushing to enlist" instead of "taking officer's training first." There was a similar rush of Harvard undergraduates in the second world war.

But not in this war. "So far as I know," said president Pusey, "no one [and this includes the present Administration in Washington] feels any remotely impelling excitement in being involved in the war in Vietnam."

How men act when there is a choice which may mean life or death is a truer measure of their real convictions than their speeches or their answers to the questions of the pollsters.

[From the St. Louis Post-Dispatch, June 27–July 3, 1966]

ESCALATION: NEITHER PEACE NOR VICTORY

With the bombing of oil storage depots at Hanoi and Haiphong the Viet Nam war has now been escalated another notch. Once again the country is told that only the sternest military necessity and a strong desire to bring about peace negotiations lay behind the decision.

There is every reason to believe, however, that the military results will be negligible—that this escalation, like others before it, will be matched by equal escalation on the other side. Ever since February of 1965 we have been bombing North Viet Nam in order to interdict the support of Viet Cong and South Viet Namese forces in the south. The objective has not been achieved; the infiltration rate is greater today than it was when the bombing began. Why should any different results be expected from the new strikes at the major cities?

As for diplomatic results, Administration officials in the past have acknowledged that bombing the cities might well end any hope of negotiations. We hope they were wrong. But in view of the record of 18 months of air attacks it must be granted that, as Senator Mansfield says, the new scale of the war makes a peaceful settlement more difficult rather than less.

It is a curious coincidence, if nothing more, that every American escalation of the war has appeared to come at a time when Hanoi was sending peace feelers, or international efforts for peace negotiations were afoot. A "Citizens' White Paper," as reported in last Sunday's Post-Dispatch, called attention to this fact, and naturally one wonders whether history is repeating itself.

In recent days President De Gaulle, UN Secretary General U Thant and Pope Paul VI all have reiterated the world community's plea for peace. A Canadian ambassador visited Hanoi on a special mission and brought back information which must have been important, since the Administration sent Assistant Secretary of State William P. Bundy to Ottawa for a personal report. A Romanian deputy premier, after visiting Hanoi and Peking, called in the American ambassador in Bucharest reportedly to explore the possibilities of a negotiated settlement.

What if anything has been going on the public has no certain way of knowing. The State Department dismissed both the Canadian and the Romanian contacts with the perfunctory statement that they showed no change in Hanoi's position. But U Thant, who may be a more detached witness, was reported last week to feel that there was hope for peace talks if the United States would accept his recommendation for an indeterminate suspension of air attacks on North Viet Nam.

Instead, the air attacks are expanded and escalated.

The American position is that we will consider ending the bombing only if Hanoi agrees to end its support of the Viet Cong. This is asking for surrender. It is asking for North Viet Nam to end its buildup of ground troops while we remain free to continue ours.

U Thant has also laid down as one of the conditions for a peaceful settlement American willingness to accept representatives of the Viet Cong at the conference table. Secretary Rusk in Canberra said this could not be done because it would give the Viet Cong a veto on a settlement. This, too, is asking for surrender. It amounts to saying that the principal beligerent on the Communist side shall have nothing to say about the terms of a settlement. Why should we be surprised at a Communist refusal to negotiate on that basis?

So the Administration's stated desire for negotiations must remain unconvincing. If you sincerely want a negotiated (which means a compromise) settlement, you do not escalate the war in ways most likely to discourage peace talks. You do not support implacably a military junta in Saigon which is undeviatingly hostile to compromise or negotiation. You do not exclude from the conference table the principal force you are fighting.

We believe the road to a peaceful settlement lies in another direction from that which the Johnson Administration is following. It has been repeatedly pointed out by U Thant, speaking as the conscience of the United Nations: first, a suspension of the air war; next, a reciprocal reduction of hostilities leading toward a cease-fire; and finally, a peace conference at which the Viet Cong shall be represented, whose object would be to restore the principles of the Geneva agreements of 1954—principles founded on the concept of military neutrality for Southeast Asia.

The new escalation does not lead in this direction and neither, in our opinion, does it lead toward some easy victory that will dispose of the Viet Nam problem once and for all. It may increase the cost of Hanoi's military operations as Mr. McNamara hopes, but more importantly it will cost the United States untold sums of good will and esteem around the world.

UNDER A STRAIN

In his farm belt speeches on Viet Nam, President Johnson showed himself to be an overwrought man. The decision to expand the air attack to Hanoi and Haiphong unquestionably placed him under severe strain. Right or wrong, he is entitled to public sympathy in his ordeal, and it must be hoped that a rest in Texas will induce a calmer and more balanced perspective on what remains an unsolved problem.

The nature of the strain is fairly clear. By delegating all the initial publicity on the new escalation to Secretary McNamara, the President sought to convey the impression that this was a purely military decision grounded solely on military considerations. By his voluble self-defense on a political fence-mending trip he acknowledges that it was in large part a political decision too—and the politics of it, abroad and at home, has him worried.

Perhaps it would help if Mr. Johnson could see the matter in somewhat less emotional and primitive terms. When he assumes that the only alternative to endless expansion of the war is a dishonorable retreat, he increases the difficulty of his choices. None of the dissenters in Congress or the country, who anger him so much, really advocates a policy of cut-and-run. The disagreement revolves around how best to attain the objective of a peaceful settlement which the President himself professes to seek with passionate concern.

It is ironic and sad that Mr. Johnson should base so much of his case on the impression that to do other than what he is doing would be to betray the hopes of free people around the world who wish to be safe from aggression. The truth is that all of the free peoples that really count both in Asia and in Europe—all the important nations except a few minor client-states—would advise a different course if asked. When even Great Britain is compelled to disassociate itself from this new escalation, it should be clear how utterly isolated the United States is. We are implacably setting ourselves against the conscience of our best allies.

Nobody here or abroad would question the nobility and necessity of a great power's keeping its word, or honoring its commitments. The question is what the commitment really is. The question is whether our obligation runs to the suffering people of Viet Nam, or to a military junta which can survive only by escalated war. The question is how our moral responsibility can best be discharged—whether by seeking a military decision or by adopting objectives and tactics that will make a peaceful settlement possible.

And when it comes to keeping one's word, a great many Americans might suggest that this honorable principle applies also to a President who ran for office on a platform of peace and then became involved in an Asian land war which many of his supporters in 1964 thought they were voting against.

Hamilton, N.Y.,
June 30, 1966.

Senator Wayne Morse,
Washington, D.C.:

Urge every effort keep Congress in session. Vote against escalation of war in Vietnam.

Mary N. Brautigan.

Leonia, N.J.,
June 30, 1966.

Wayne Morse,
Senate Office Building,
Washington, D.C.:

Supporting you in any protest action against President's Vietnam policy.

Leroy and Dorothy Ellis.

Berkeley, Calif.,
June 30, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Hanoi bombing insane. We continue to support your efforts and will work to end war.

Helen Nelson.

Saratoga, Calif.,
June 30, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

We commend your courage and wisdom in continuing to ask for negotiation and peace. Not bombs napalm and destruction.

Ann and Edgar Heffley.

Yonkers, N.Y.,
June 29, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Respectfully suggest you and Senator Gruening redouble efforts to halt Vietnam insanity before escalation triggers world war three.

Arthur Fast.

Charleston, S.C.,
June 29, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Keep trying to lessen our shame of official acts.

H. L. Richardson.

San Bernardino, Calif.,
June 29, 1966.

Senator Wayne Morse,
Senate Office Building
Washington, D.C.:

Regarding your concern about Vietnam. I support you right down the line. With you all the way.

John Ragsdale.

New York, N.Y.,
June 30, 1966.

Senator Wayne Morse,
Senate Office Building
Washington, D.C.:

Strongly support your position on Vietnam.

Joel Lebowitz.

Davis, Calif.,
June 30, 1966.

Senator Wayne Morse,
Senate Office Building
Washington, D.C.:

My flag is upside down. Appreciate your stand more than we can say.

Robert McInnes.

Eugene, Oreg.,
June 30, 1966.

Senator Wayne Morse,
Washington, D.C.:

Oppose bombings, which only prolong conflict, damage U.S. image, and obstruct efforts for world peace.

Dr. and Mrs. Barry F. Anderson.

SAN FRANCISCO, CALIF.,
June 30, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Copy of the following wire sent to President Johnson, Senators KUCHEL and MURPHY and Representative MAILLIARD: "I oppose bombing of Hanoi, Haiphong, all of Vietnam. Please seek peace while there's still time."

SERENA JUTKOVITZ.

NEW YORK, N.Y.,
June 29, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

We are shocked and outraged at today's escalation of the bombing attacks on North Vietnam. We applaud and support your stand.

MARCIA and FREDERICK MORTON.

CENTRAL VALLEY, N.Y.,
June 29, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

We wholeheartedly support you. Don't stop. You speak for us.

FRANCES and JOHN ADLER.

BERKELEY, CALIF.,
June 30, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

The American people will not soon recover from the shame and humiliation of our bombing of Hanoi and Haiphong. My flag like yours is at half mast.

GRACE DILLEY.

CUPERTINO, CALIF.,
June 30, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

We commend you on your stand against the escalation of the war in Vietnam. And support you completely in your efforts to stop the war. We are proud of your courageous stand. God bless you.

Mr. and Mrs. MARTIN TAYLOR.

SEATTLE, WASH.,
June 30, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

We commend your efforts to stop escalation of Vietnam war. We urge comprehensive withdrawal of U.S. men and material from Vietnam, reaffirm the 1954 Geneva accord.

Mr. and Mrs. W. J. CORR.
VIVIAN GEORGE.
EARL GEORGE.
THOMAS VANERMIN.
JOHN WHITTIG.
HENRY VILLADASO.
RAY JUSTICE.

SAN FRANCISCO, CALIF.,
July 2, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Is there no way to restore sanity to the action and pronouncements of the U.S. Government as it proceeds along paths of barbary and violence to achieve aims however worthy they may be. The present air war in Asia is illegal and immoral and our very destiny is in jeopardy. Where is our Supreme Court. Where is our Congress which alone has the constitutional right to declare war. What of our commitments to the United Nations. We call on you those of you of integrity and decency who are to speak out, to speak loudly, or we are all lost.

EDITH AND MYRON ARRICK.

OAKLAND, CALIF.,
July 1, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Commend your position opposing bombing of Hanoi, Haiphong. Our flag half staff. God bless you.

MARGARET HORN.
JOHN HORN.

CHICAGO, ILL.,
July 1, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

We applaud your position regarding bombings of Hanoi and Haiphong.

Mr. and Mrs. HARRY D. LEVINE.

BROOKLYN, N.Y.,
July 1, 1966.

Senator WAYNE MORSE,
U.S. Senate, Washington, D.C.:

Deeply disturbed by bombing of North Vietnam and escalation of war. You have full support for opposition to this and I am pressuring New York Senators to voice their protest.

MARGARET ADAMS.

SANTA CLARA, CALIF.,
July 1, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Please continue fighting. You are last hope for those concerned with national integrity.

R. H. Skolman, Warren Travis, Christopher Curtis, Mr. and Mrs. Richard Wedemeyer, Meruti Achanta, Alexander Duncan, Rosa Morin, Ronald Krempetz, Kirk Frederick, Donna Steinecipher, Mr. and Mrs. Edward I. Johnson, Mr. and Mrs. Kirtwood Smith, Mr. and Mrs. David Dukes, Mr. and Mrs. Dave Williams, Terry Talley, Laurie Brooks Jefferson, Carol Pendergrast, Wm. Pendergrast, Klara Baron, Ann Balaam, Prof. Roger D. Gross, Prof. James C. Dunn, Prof. Wm. R. James.

PHILADELPHIA, PA.,
July 10, 1966.

Senator WAYNE MORSE,
Senate Office Building, Washington, D.C.:

Following is copy of telegram sent to President Johnson:

"You have led this country into a dirty little war where American boys are being killed and wounded by the thousands weekly. You have dragged our country's international reputation into the mud. You say 'well what can I do?' The answer is, as your friend the chairman of the Senate Foreign Relations Committee.

Mister Johnson let it be clear I want no part of this folly of growing war, and if you persist, no part of you in the next election. Your former supporter."

DRYDEN MORSE, M.D.,
Cardiac Surgeon.

PLAINFIELD, VT.,
June 30, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Deplore bombing. Appreciate your protest please continue to speak.

ALAN and MARGERY WALKER.

CHAMPAIGN, ILL.,
June 30, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

We wholeheartedly support your stand against the administration's Vietnam policy.

Prof. and Mrs. E. KERRIGAN PRESCOTT.

LAKE OSWEGO, OREG.,
June 30, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Regarding bombing Hanoi Haiphong. Every patriotic American who loves his country should this day hang his head in shame.

JANE ERICKSON.

NEW HAVEN, CONN.,
June 30, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

In times like these when the individual feels helpless and hopeless in the face of ever increasing escalation your consistent denunciation of our war madness may yet reach the minds and hearts of the American people and awaken them to the peril that confronts our shrinking world. You have the gratitude of many of your countrymen for your courageous outspokenness.

MARTIN and LILLIAN WEITZLER.

NEW YORK, N.Y.,
June 30, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Many of us members of committee for a sane nuclear policy admire your courageous stand against the bombing of Vietnam. With bombing of Hanoi danger of war with China has increased. Urge you and colleagues of similar opinions continue your utmost to bring about adherence to Geneva Convention.

CLARA CARSON.

EAST CLEVELAND, OHIO.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Urgent. Deplore increased bombing. Urge Congress stay convened for thoughtful discussion of our Vietnam responsibility.

JOAN CULVER.

SAN MATEO, CALIF.,
July 1, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Just wired President Johnson my disgust at bombing Haiphong Hanoi please protest also.

CATHERINE ROLLINS.

ST. LOUIS, MO.,
July 1, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Please intensify your heroic project of administrations Goldwaterite bombings and tactics in Viet Nam.

MORTON RYWECK.

SANDS POINT, N.Y.,
June 30, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Worried about escalation I applaud your courageous efforts for peace.

Mrs. DORIS LEONARD.

DALY CITY, CALIF.,
July 1, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Congratulations on your intelligent statements after we escalated the war again. Please continue to speak out. Your voice is my voice. Our boys are dying in vain in Vietnam. We must face that fact.

GEORGE MENDENHALL.

Concord, Calif.
July 1, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Commend and strongly support all efforts to halt escalation of war; lay ground for negotiations.

Mildred Partansky.

San Francisco, Calif.,
June 30, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Most heartening to again hear your views on Vietnam. Thousands of us continue to support you.

Mrs. Charlotte S. Grunig.

Detroit, Mich.,
June 30, 1966.

Senator Wayne Morse,
Senate Building,
Washington, D.C.:

Dear Senator: Yesterday you spoke for us and almost everybody we know. Congratulations.

R. M. Goodman,
James Logan,
Mike Laven,
George Bedrosean,
Dean Robb,
Members of Michigan Bar.

San Jose, Calif.,
July 1, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.:

Thank you for having the courage to examine the validity of U.S. foreign policy in Vietnam. We are proud to have you in the service of our country.

Medric and Ruth Godbout.

Berkeley, Calif.,
July 1, 1966.

Senator Wayne Morse,
Washington, D.C.:

This war is increasingly more barbaric. Your forthright statements are reassuring sane and fully supported.

Mr. and Mrs. Daliel Leite.

Seattle, Wash.,
July 1, 1966.

Senator Morse,
Washington, D.C.:

We voted against Goldwater. I'm afraid we voted for Johnson, but not for dictatorship. Think.

Robert F. and Lucy M. Stoy.

PACIFIC NORTHWEST WATER RESOURCES

Mr. MORSE. Mr. President, of great concern to the Pacific Northwest States are the problems, both natural and manmade, of water resource management.

Recently Mr. Oliver C. Larson, executive vice president of the Portland, Oreg., Chamber of Commerce, called to my attention a resolution of June 9, 1966, adopted by the chamber on the subject of water quality control relative to the Tualatin Federal reclamation project, Oregon. I ask unanimous consent that this resolution be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, Mr. Larson also directed to my attention an excellent article entitled "Water: Use It or Lose It," written by Mr. E. A. Higginbotham, chairman of the Water Resources Committee of the Portland Chamber of Commerce. This article deserves consideration not only by Senators of the Pacific Northwest, but by Senators representing all other States throughout the Nation. Mr. Higginbotham sets forth very convincing arguments concerning present and future needs of the Pacific Northwest for the water flowing through its streams. He serves warning as to the disastrous consequences for the Pacific Northwest and the Nation as a whole which would result from any major diversion of Pacific Northwest waters for use in other areas.

I ask unanimous consent that Mr. Higginbotham's article also be printed in the record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Exhibit 1

Whereas the congress has expressed through the Federal Water Pollution Control Act, as amended, an interest in maintaining satisfactory water quality for the use and well-being of its citizens; and

Whereas such benefits can be realized through the augmentation of low flows which can be provided by multiple-purpose water resource development projects; and

Whereas in spite of large expenditures by communities and industries for adequate at-source treatment of wastes there is a need for such augmented flows; and

Whereas the Bureau of Reclamation's Tualatin Division of the Willamette Basin Project as originally formulated includes provision for a material improvement in the quality of low-water flows in the Tualatin River as an orderly element of overall water resource development in the Willamette River Basin: Now, therefore, be it

Resolved, That the Portland Chamber of Commerce favors the inclusion of water quality control as a specific primary function of the Tualatin Division. And be it further resolved that when water quality control benefits would be of a widespread and general nature, consistent with the wording of the Federal Water Pollution Control Act, and not subject to adequate identification of specific beneficiaries, the Chamber of Commerce favors its inclusion as a nonreimbursable function of water resource development projects.

June 9, 1966.

Exhibit 2

Water: Use It or Lose It

(By E. A. Higginbotham, chairman, Water Resources Committee, Portland Chamber of Commerce)

The people of the Northwest have long accepted the many rich benefits that nature has bestowed upon them. One of these major benefits has been sufficient water for their needs. There has recently been a growing awareness of the fact that these water resources will have to be handled with greater regard for conservation . . . that this resource is not unlimited.

Last summer, the people of Oregon became alarmed when the water level of the Willamette River dropped so low the fish life was endangered. The Bonneville Power Administration recently issued warnings that low water this coming winter may cause curtailment of some power to industry the following summer.

In the midst of all this, there was a suddenly rising clamor from the Southwest to divert some of this precious water to their dry lands.

Much of the general public, when they hear about the Southwest's wanting to take their water, simply laugh and shrug their shoulders. The whole subject is unthinkable! Water is one of the main reasons for most people living here. It is what attracted, and is attracting at an ever increasing rate industry to the Northwest.

People would naturally assume that their political leaders would simply say "No!" to any ideas of depleting their water resources.

THEY CAN TAKE OUR WATER

There is the joker in the deck! The Southwest *can* take our water. It is not *our* water. We may have to give up some of this vital natural resource. We very likely will be sending some of the Northwest's water to the Southwest in the not-too-distant future. The question is, "How much will we have to say about the amount and method of diversion?" The real danger is the apathy of the private sector of our area. They must be informed and aroused to the danger.

The Northwest can lose its water by a vote of Congress. All 50 states have a vote on what we would consider a regional problem. The Southwest states have political power for outweighing our four Northwest states.

So, then, what can we do?

The first thing is to recognize that Congress will listen to a *united* people who speak with reason and with knowledge.

The Southwest states have been fighting with each other over water for years, but they have now found a common cause. They are united. And they are being heard by Congress *today.*

We of the Northwest have yet to find a common ground on which to unite. Oregon has established a Water Resources Board and is making a five-year study of our needs. Washington and Idaho have not yet done so.

Since facts are the only weapon with which to fight, let's take a look at some of the things that affect the situation as we know it now.

Does the Southwest need our water?

There are some very potent facts to indicate that they have plenty of water. Only 10% of their water is now being used for municipal and industrial purposes. The other 90% is used for irrigation. In other words, they have a great surplus of water for drinking, for cooling, for swimming pools, and for all industry. So the question becomes, "How far is it economical to send water for agricultural purposes?"

Since it will cost the taxpayers of the nation billions (*estimates have run as high as $20 to $30 billion*) to divert Columbia River water—the most commonly spoken of source—they are entitled to know what the Southwest is doing to conserve water they now have.

In the Southwest, irrigation water is now flowing in many cases in unlined canals where water seepage and evaporation cause an estimated 50% loss. More canals are being lined, it is true, but only a small fraction of what is needed; and evaporation in their hot sun is still a great loss. When pipe is considered as an answer, they say it is too expensive—as though billions of dollars for diversion were not.

THE REAL SHORTAGE: CHEAP WATER

It would appear then the shortage is not just water but is really a shortage of *cheap* water. On some federally financed irrigation projects, farmers pay less than half the cost of delivering it to them, while industry pays high unsubsidized rates. So, while there is no shortage for industrial use, it is certainly no mystery why they would like to cheapen water, also.

So far, the Southwest has not been able to agree on the amount of water they feel they need. In discussions, the amount varies from 2.5 million acre feet to 8.5 million acre feet with 15 million acre feet becoming a more common discussion figure.

There are dozens of bills before Congress all leading toward diversion of Columbia River water. Now, even Texas has introduced legislation that would include them in any diversion; and they feel they need *13 million acre feet as a starter.* This was met with consternation by the other Southwestern states who did not approve of someone else muscling in on the act and perhaps adding their crowning touch that would topple the whole scheme.

The Northwest need not be fooled by any agreement asking for seemingly small amounts of water; because, once a diversion system is built, it would be no problem to convince lawmakers who bought the original idea that greater amounts of water were needed. It's just like the man who convinces himself that he needs just one cocktail—the second is much easier!

THE NORTHWEST WATER SHORTAGE

Since the Northwest states have only about 6 million acres under irrigation *out of a potential 25 million acres,* wouldn't it seem more reasonable to irrigate the areas closest to the water supply to its fullest potential before *any* water whatsoever were sent over 1,000 miles to do the identical job?

Stories and photographs of abandoned home and farms in the Southwest can be matched in the dry areas of the Northwest. But the important question for taxpayers to consider is . . .

How much tax money should be used to bail out the man who goes into the wrong business in the wrong place?

One of the favorite phrases in the Southwest is that we "waste millions of acre feet of water into the ocean at the mouth of the Columbia River." Actually, our average annual discharge into the ocean is 168.3 million acre feet, but it is certainly *not* wasted. It is some of the most efficiently used water in the world—with a still greater potential for future use.

HYDROELECTRIC POWER

The generation of electricity is one of the Columbia's most valued uses. The Northwest has a voracious appetite for electric power, and hydroelectric power is the most efficient available today. Yet, within about ten years, we will have developed all the economical hydro sites. However, our needs for power will continue to double every ten years for the foreseeable future—which means we will have to turn to thermal generation of power. The most likely source will then be atomic power generating steam. Yet atomic power needs lots of cooling water; so, even after hydro development ends, we will be using Columbia River water to good advantage.

The week this article is being written, the first section of the giant Intertie to divert electricity from the Northwest to the Southwest goes into operation. Certainly, the Southwest has a very real interest in our ability to continue as a dependable source of power. The Bonneville Power Administration recently said that, in less than 25 years, 99.6% of the average annual flow of the Columbia at The Dalles will be needed for power generation.

The Northwest states were recently dropped from the list of possible sites for the atomic accelerator while California remains on the list of six remaining sites to be considered. This atomic accelerator requires large amounts of cooling water. Wouldn't it be ironic if we ended up cooling the installation—but not having it?

One point that needs to be made clear is that amounts of water flowing in the Columbia can vary. Sometimes to extremes. For example, the annual average is 168.3 million acre feet. Yet in 1926, the flow was only 85.5 million acre feet; in 1931, it was 88.4 million; and, once every 150 years, it drops below 70 million acre feet. Such extremes will occur again.

Now, presuming we have diversion going on during such an extremely low water period, who would turn off the faucet? Would the Southwest farmer be content to do without water for that one year? I doubt it!

THE INTERNATIONAL ISSUE

There has been seemingly little attention paid to the international aspects of this whole idea of diversion from one water basin to another.

Almost one-third of the Columbia River's flow—50 million acre feet a year—comes from Canada! The principle of discussions with Canada on development of this international waterway is well established.

In 1961, the U.S. signed a rather comprehensive treaty with Canada on development of the Columbia River basin. It is headed "The Columbia Treaty"—and then says "Treaty Between Canada and The United States of America Relating to Cooperative Development of the Water Resources of The Columbia River Basin."

In Article II, Part I, it says, "Canada shall provide in the Columbia River basin in Canada 15,500,000 acre feet of storage usable for improving the flow of the Columbia River."

In 1964, under an additional agreement with Canada made a part of the treaty, a nonprofit corporation organized under the laws of the state of Washington (Columbia Storage Power Exchange) was required to pay to Canada $254.4 million for the following storages to be built in and by Canada:

The Duncan Lake Storage, to be in operation by April 1, 1968;

The Arrow Lakes Storage, by April 1, 1969;

And The Mica Creek Storage, by April 1, 1973.

Section B of the treaty, referring to the above storage development, says:

"Under the terms of the treaty, Canada is entitled to receive from the United States one half of the annual average usable energy and one half of the dependable hydroelectric capacity which can be realized in the United States each year as a result of use of the improved stream flow on the Columbia River created by storage to be constructed in Canada."

It is, therefore, obvious that Canada and the Southwest both have a very real interest in our ability to continue as a dependable source of power.

The United States and Canada have worked closely together in determining to fully develop the Columbia River *in its natural basin.* It has been the majority opinion, in discussions between Canada and the United States, that the Columbia River could be best used within its own international watershed. *Certainly, then, in the interest of international accord, there should be no diversion of water without discussions with Canada.*

It was recognized many years ago when discussions were started on the 1961 treaty with Canada that these storage areas for over 15 million acre feet of water a year were needed to improve the water flow in the Columbia. Therefore, is it any wonder that planners meet with consternation the idea of diverting that much water back out of the Columbia stream flow to irrigate land over 1,000 miles away.

Canada has her own water problems. While she has one fourth of the entire world's storage capacity of water in her many lakes, one third of Canada's water is international! She has half again as much fresh water flowing into the ocean as all of the U.S. does.

In spite of this wealth of water, the province of Saskatchewan is a water short area—as are other Canadian areas. There are two rivers flowing in this province with a total of 13 million acre feet, yet they know they will need twice this much by 1990—and probably sooner.

Considering these facts, is it any wonder that Canada hesitates making long range water commitments until they know better what their own needs will be? However, they are seriously concerned about the needs of the U.S., and we must freely discuss with them any plans for water diversion to the Southwest.

PROBLEMS FACING DIVERSION

Clearly the question of diversion is a complex one, and the problems are many and varied. Lowering the streamflow in the Columbia basin would increase the pollution problem. Lowering the streamflow increases the water temperature; and, unless this problem can be solved—even without diversion—we are in grave danger of destroying the life in the Columbia.

Lowering the water level in the Columbia would also handicap shipping. After spending millions on a 40 ft. channel, why should we set this project back for many years?

The building of aqueducts to carry our water to the Southwest is a project estimated to take over 15 years. At today's accelerated pace in research, desalinization may experience a breakthrough at any time which would make the expenditure of billions of dollars for a diversion system a *monumental tribute to our lack of faith in modern science.*

Look at the facts! With the use of nuclear power, it is possible today to build a desalinization plant which will produce fresh water from salt water at a cost of 22¢ per thousand gallons—compared with over $1.00 per thousand only a short time ago. This is accomplished by refinement of presently known methods—not by waiting for dramatic new discoveries. And it is common knowledge that these dramatic breakthroughs may come at any time.

We, therefore, reach a conclusion. Instead of using billions of tax dollars on a diversion project which will benefit only one section of the nation, wouldn't these same tax dollars be better spent if we directed them toward the solution of the desalinization problem—which would benefit the water-hungry Southwest, the entire Eastern seaboard and, eventually, the entire world? Some of these tax dollars could perhaps be directed to weather modification, a science still in its infancy but holding the promise of many wonders to come.

POPULATION BRINGS PROBLEMS

When a person looks at California, he soon becomes filled with awe at the enormity of what has happened there in just the past generation. California is our most populous state. At the same time, it is our leading agricultural state. But, as with many states, it is faced with poorly distributed water.

Northern California has 80% of the state's water, while Southern California has 80% of the state's water need. Northern California discharges about 17 million acre feet of water into the ocean annually. Therefore, would it not be more economical to divert this water to the Southwest than it would to come all the way to Columbia River?

We in the Northwest cannot be unsympathetic toward's the Southwest's problems of booming population. We had better learn from their problems, because the Northwest is due to become the next area of booming population. We hopefully can avoid at least some of the pitfalls of unpreparedness.

Because the Northwest does not *consume* water as does the Southwest, they seemingly do not understand our almost *total use* of water for power, navigation, fisheries, recreation and natural beauty. This story must be told and retold of the havoc that could be created to our region just as it is poised to move into an era of unprecedented growth.

Let us suppose, for a moment, that diversion is a reality. The Southwest has been getting, say 15 million acre feet of Columbia River. Would their area not grow to consume and to *need* this extra water? It would—just as surely as a man increases his living standard as his pay goes up until he *needs* all he makes. Then what of the *next* 15 million acre feet that the Southwest would *need* once the previous amount becomes "just barely enough to cover necessities?"

The primary reason people and industry came to the Northwest is because we have water. After investing in homes and in industry, they have the right to assume that this natural resource will continue to be here. It may very well be true that we have not used our water to capacity—but we will! Who knows what our capacity is or will be? You may be assured that, in the future, we will be using water in ways which we have not even dreamed of at this time.

When you get right down to the heart of the situation, the Northwest owes the Southwest a debt of gratitude for making us reevaluate our precious water resource. It isn't until one is threatened with the loss of something that he truly begins to appreciate it.

SOUNDING THE ALARM

The Northwest needs a "Paul Revere type" organization to arouse its citizens to the danger facing us. We must hear from the water users, from industry, from the public in general.

It is my belief that the Portland Chamber of Commerce should accept that role of leadership. Not as an obstructionist group, but to see that Northwest interests are protected. To see that, if water is diverted, it is taken at the mouth of the Columbia and only then if such a system can be devised to protect fish and if salt water intrusion is not too great. If overland aqueducts are used, to see that upstream storage be created with enough capacity to cover the amount to be diverted in order to protect the Columbia streamflow.

Finally, we must see to it that Canadian interests are protected and that our relations with Canada are maintained at the high level of the past.

As Jack L. Meier, the 1966 president of the Portland Chamber of Commerce, said in his Blueprint for Portland's Progress . . .

"We need a definite policy on multiple water use which will serve the ultimate interests of Portland and the Pacific Northwest. All of us know that water is one of the Pacific Northwest's greatest resources. The water-hungry Southwest is casting longing eyes at our water. We should do with our water what will prove most beneficial to Portland and the Pacific Northwest. We must look ahead. We must lead and not be led."

Amen to that!

ADJOURNMENT

Mr. MORSE. Mr. President, in accordance with the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 31 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, July 12, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 11, 1966:

THE JUDICIARY

Walter J. Cummings, Jr., of Illinois, to be U.S. circuit judge, seventh circuit, to fill a new position created by Public Law 89–372, approved March 18, 1966.

Thomas E. Fairchild, of Wisconsin, to be U.S. circuit judge, seventh circuit, vice F. Ryan Duffy, retired.

Donald P. Lay, of Nebraska, to be U.S. circuit judge, eighth circuit, vice Harvey M. Johnsen, retired.

Ted Cabot, of Florida, to be U.S. district judge for the southern district of Florida to fill a new position created by Public Law 89–372, approved March 18, 1966.

ATOMIC ENERGY COMMISSION

Wilfrid E. Johnson, of Washington, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1967, vice John Gorham Palfrey.

DEPARTMENT OF STATE

Robert R. Bowie, of Massachusetts, to be Counselor of the Department of State, vice Walt Whitman Rostow.

DEPARTMENT OF INTERIOR

Frank C. Di Luzio, of New Mexico, to be an Assistant Secretary of the Interior. (New position.)

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Paul A. Miller, of West Virginia, to be an Assistant Secretary of Health, Education, and Welfare.

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Leonard Dudley Heaton, O16960, Army of the United States (major general, Medical Corps, U.S. Army).

IN THE NAVY

Vice Adm. Paul H. Ramsey, U.S. Navy, when retired, for appointment to the grade of vice admiral pursuant to title 10, United States Code, section 5233.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law:

Major to lieutenant colonel

LINE OF THE AIR FORCE

Abbott, William H., FR36628.
Abolt, Warren G., FR35220.
Adair, Luther E., Jr., FR17299.
Adams, Donald D., FR17253.
Adams, Harry J., FR17539.
Adams, Kenneth D., FR35900.
Adams, Ranald T., Jr., FR17336.
Adcock, Roy D., FR25629.
Adcock, Walter M., FR36890.
Adden, William L., FR36333.
Ahlborn, Robert H., FR36379.
Ahrens, Herman C., Jr., FR35608.
Aldrich, Allen R., FR36314.
Alexander, James H., FR52291.
Alexander, Thomas D., FR36050.
Allard, Lionel C., Jr., FR24331.
Allen Lew, Jr., FR17342.
Allery, Kenneth E., FR36093.
Allison, John S., FR21479.
Allison, Robert M., FR52312.
Alloway, Hillard C., FR36167.
Almes, Guy C., FR36012.
Altiere, Fred J., FR36079.
Alverson, Henry A., FR37065.
Alverson, Richard C., FR36482.
Ambrose, Earle H., FR36335.
Ames, James R., FR35945.
Amos, Leon W., FR26830.
Anderson, Carroll R., FR36479.
Anderson, Donald L., FR36065.
Anderson, John B., FR36552.
Andrews, Robert J., FR52200.
Amenson, Lester N., FR52077.
Appel, Kenneth J., FR35970.
Arasmith, Lester L., FR35941.
Arentson, Robert M., FR52197.
Armer, Willis L., FR36774.
Armstrong, Lloyd R., FR36069.
Arnold, Hendrick J., FR36874.
Asher, Clifford L., FR52301.
Atkinson, Anderson W., FR17339.
Augustyn, Frank J., FR17308.
Austin, David A., FR26422.
Austin, Harold R., FR37040.
Austin, Louis C., Jr., FR36354.
Bachtell, Linford B., FR17989.
Bailey, Carl E., Jr., FR36152.
Bailey, Joseph D., FR21508.
Bain, James, FR36368.
Baisden, Orville R., FR24336.
Baker, Herman W., FR21475.
Baker, Richard D., FR36241.
Baker, Samuel E., FR36153.
Baldridge, William J., FR35996.
Ball, Harlan E., FR16694.
Ballard, James F., FR36609.
Bally, William J., Jr., FR36589.
Barker, Herbert R., FR36047.
Barker, Paul W., FR36196.
Barr, Thomas J., FR17307.
Barre, Louis A., III, FR20753.
Barrentine, Emmett S., Jr., FR27679.
Barricklow, John A., FR17370.
Barron, Thomas P., FR36554.
Barry, Russell J., FR20656.
Bartholf, John C., FR17502.
Bartlett, James B., FR52146.
Barton, Bernard H., FR36844.
Bass, Bernie S., FR36743.
Bassett, John K., FR17562.
Bates, Edgar A., Jr., FR36886.
Baumamn, Lee S., FR36615.
Baxter, William D., FR17530.
Beam, John B., FR36695.
Bean, William S., FR37197.
Beane, Walter O., Jr., FR36021.
Beaumont, Charles R., Jr., FR36226.
Bechtold, Louis A., FR17259.
Beck, William J., FR36918.
Becker, William R., FR36373.
Beebe, Robert G., FR27694.
Beecham, Charles N., FR36626.
Behr, Robert M., FR21515.
Beinkemper, Elmer H., FR36513.
Bell, Donald F., FR37069.
Bell, Paul E., FR26466.
Bell, Woodrow M., FR36316.
Bellis, Benjamin N., FR17330.
Benedict, James E., III, FR36171.
Benit, Henry J., FR35982.
Bennett, Charles F., FR26666.
Bennett, Samuel L., FR37016.
Bennington, Lewis R., FR36850.
Benschine, Edward, Jr., FR36932.
Bensey, Clyde S., FR36579.
Benton, Ernest L., FR36608.
Berge, Truman K., FR17376.
Berneburg, Lavern L., FR36342.
Berry, John J., FR35830.
Berry, Waldron, FR17480.
Bieber, Robert W., FR17739.
Bilyeu, Hiram P., FR36204.
Birdsall, Alan H., FR17429.
Birkland, Robert K., FR35971.
Birtwistle, Owen G., FR52295.
Bishop, Robert M., FR35940.
Bjorgen, Leonard L., FR17270.
Blades, Leo L., FR17250.
Blanton, Clarence F., FR36336.
Blanton, Dwight W., FR36070.
Blanton, Eugene T., FR36526.
Blanton, William J., FR17553.
Bledsoe, Carroll H., FR22682.
Blessley, Rowland C. W., Jr., FR16929.
Bloom, John P., FR36713.
Bogo, Robert K., FR52287.
Bogan, Robert J., FR52287.
Boland, Thompson S., FR36595.
Bombyk, Stanley, FR52238.
Bordeaux, Lyle B., FR52268.
Boswell, Marion L., FR17719.
Bowman, Robert L., FR37096.
Boyce, Robert E., FR36157.
Boyd, Charles W., FR36505.
Boyd, Harwell L., Jr., FR37047.

Boyle, William F., FR17729.
Bozman, Dale A., FR36286.
Bradburn, David D., FR17335.
Bradford, Joseph E., FR36560.
Bradley, Richard W., FR37053.
Branch, Robert, Sr., FR36598.
Brant, Edward L., FR36023.
Brasseux, Emmett L., FR37072.
Brechwald, Edward J., FR17363.
Bresett, Charles K., FR51887.
Brewer, Harry E., FR36808.
Brewer, Martin M., FR36929.
Brewster, Ernest J., FR36351.
Briarton, Henry R., FR52321.
Bridge, Charles F., FR36804.
Briggs, John A., FR35959.
Brink, James N., FR36362.
Brock, George W., FR36950.
Brock, James E., FR35997.
Broderick, William P., FR36709.
Brookbank, William C., FR36523.
Brooks, Glenn L., FR36428.
Brothers, Will W., Jr., FR17359.
Brown, Cortez C., FR36654.
Brown, Elzie C., Jr., FR36008.
Brown, Frank B., FR35933.
Brown, Gordon S., FR36799.
Brown, Richard A., FR64409.
Brown, Russell J., FR36897.
Brownlee, Francis L., FR36967.
Bryan, Donald W., FR17302.
Buchanan, Allen E., FR36516.
Buckingham, Charles E., FR17483.
Buckley, James W., Jr., FR35460.
Buckley, Robert C., FR17352.
Buckner, James C., FR26763.
Bullock, Frederick E., FR52286.
Bunge, Howard T., FR17567.
Burcham, Lee A., FR17305.
Burda, Theodore A., FR36605.
Burger, Robert J., FR36914.
Burgess, Leon M., FR37019.
Burgess, Richard B., FR17353.
Burke, Arthur R., FR36324.
Burke, Robert O., FR17453.
Burkett, Daniel L., FR17571.
Burkhart, Morris C., FR36536.
Burkle, Henry, FR36999.
Burnett, Maurice G., FR52047.
Burnham, Robert E., FR37034.
Burnham, Welbon D., FR22640.
Burns, John J., FR28203.
Burns, Joseph, FR23334.
Burrell, Harry R., FR36384.
Burriss, Richard C., FR22641.
Burtenshaw, Edwar C., FR36164.
Butler, Thurman B., FR36951.
Caldwell, John W., III, FR36131.
Calfee, Fred H., FR36969.
Call, Clair R., FR36198.
Callahan, Charles, FR35762.
Calmes, William P., FR 25519.
Cameron, Carl C., FR 36832.
Cameron, William, III, FR39758.
Campbell, Harvey H., FR37105.
Campbell, James M., FR36195.
Campbell, Julian R., FR64399.
Campbell, Milton A., FR36624.
Caram, John C., FR52079.
Caramia, Dominick J., FR 36527.
Carbine, James T., Jr., FR17445.
Carey, Hobert L., FR36736.
Carlisle, Jason J., FR37086.
Carlsen, Carl R., FR36630.
Carnwright, Richard G., FR17455.
Carpenter, William W., Jr., FR26458.
Carper, Morris E., FR36210.
Carroll, Thomas L., FR17313.
Carson, James S., FR52255.
Carter, Jack E., FR36242.
Carter, Ray I., FR36263.
Caruthers, Marion F., FR 36145.
Casey, Maurice F., FR36992.
Castelli, Joseph R., FR76525.
Castle, Johnny R., FR17445.
Casto, Dayton C., Jr., FR36990.
Catching, Robert M., FR36525.
Cathcart, Charles E., FR17300.
Cerny, Louis C., FR36062.
Chambless, William F., Jr ., FR36114.
Champion, William H., FR36057.
Chandler, Van E., FR26427.
Chandler, Vernon L., 36449.
Chapman, Kenneth R., FR17362.
Chappell, William R., FR52056.
Charpilloz, Kenneth L., FR36346.
Chastain, John W., FR35907.
Chatfield, James D., FR17515.
Cheever, Charles T., FR36034.
Chille, Peter J., FR17231.
Chrisco, Sam D., FR36439.
Christensen, Keith L., FR22639.
Christian, William E., FR36436.
Chronis, George H., FR36645.
Clancy, Orville W., FR36620.
Clapper, Robert E., FR36910.
Clark, Carlton H., FR36122.
Clark, Charles R., FR36088.
Clark, Philip S., FR52264.
Clary, Barney H., FR36325.
Clemenson, Robert C., FR17365.
Clement, Lewis S., Jr., FR25820.
Cocks, Samuel W., FR36903.
Cogburn, Charles S., Jr., FR28190.
Coghlan, Jack V., Jr., FR36163.
Cohlmia, George V., FR36393.
Coke, Paul E., FR25500.
Cole, Frank E., FR17338.
Cole, James R., FR52256.
Coleman, James A., FR36617.
Colladay, Martin G., FR17344.
Collins, Billy C., FR36877.
Commins, Robert E., FR26672.
Conelly, Arthur B., FR36549.
Connor, Roy J., FR25624.
Connors, Arthur F., FR37157.
Cook, Harold L., FR35952.
Cook, William R., FR36350.
Coombs, Robert P., FR36849.
Cooper, Howard M., FR36553.
Corrao, Nicholas A., FR37109.
Cothern, Billie R., FR36861.
Cothran, Harold R., FR35913.
Cottrill, Ronald M., FR36255.
Counts, Dave, FR24718.
Covington, James C., FR37093.
Cox, Joe C., FR35906.
Craner, Darrell S., FR22758.
Crawford, Cecil C., FR35856.
Crawford, Tom H., FR36445.
Creveling, Louis G., FR17318.
Crisman, Marcus B., FR24704.
Crisp, Harold N., Jr., FR17310.
Crook, Eugene M., FR52319.
Cross, Floyd E., FR36545.
Crowder, Lucien G., Jr., FR36518.
Crowley, Jerry N., Jr., FR35162.
Crutchfield, Silas M., Jr., FR35899.
Crysler, Richard D., FR36044.
Cunningham, Carl E., FR36181.
Curry, Ralph J., FR18245.
Curtis, Andrew R., Jr., FR28218.
Curtis, Philip E., FR36107.
Dahlem, Walter E., Jr., FR36115.
Dailey, Cole N., FR36543.
Dalferes, Georg L. J., FR48786.
Daniel, William T., FR36066.
Daniels, Robert W., FR22860.
Darmstandler, Harry M., FR36641.
Davis, Lawrence L., FR36786.
Day, Richard D., FR36257.
Daye, Thomas M., FR17518.
Dean, Orien G., Jr., FR36892.
Deatrick, Eugene P., Jr., FR17371.
Debord, Robert M., FR35512.
Deen, Grover C., FR36301.
Degenaro, Guy J., FR36311.
Delaney, Charles E., FR52285.
Demoody, Harold C., FR36042.
Deniston, Dale R., FR36901.
Denniston, Clyde R., Jr., FR17437.
Denny, Donald A., FR36870.
Denton, Edward P., FR36594.
Depaolis, Thomas A., FR36035.
Dewolf, James G., FR36390.
Dexter, Harry R., FR32709.
Deyhle, Roger E., FR36413.
Dickens, John W., FR36059.
Dickey, Philip A., Jr., FR36876.
Dillon, Leonard T., FR36715.
Dingeldein, Robert, FR17568.
Dipiero, Phil M., FR36733.
Disalvatore, William J., FR36696.
Disharoon, Jerry B., FR17230.
Dishuke, Jerry W., FR36692.
Dixon, Christopher P., FR52252.
Dixon, Von H., FR16727.
Dobbs, Charles E., FR20708.
Dodson, Robert W., FR16776.
Doherty, Albert M., FR36614.
Doll, George A. J., FR28321.
Dollar, James W., FR35912.
Doolittle, John P., FR17402.
Dorman, George S., FR17411.
Dosh, Robert N., Jr., FR17382.
Doswell, John P., FR25822.
Dotterer, Richard T., FR36735.
Doty, Erceal V., FR36752.
Downer, Charles P., FR36080.
Doyle, Donald R., FR36220.
Dragnich, Stanley W., FR36948.
Drake, Clarence H., FR36017.
Drake, Francis R., FR36687.
Draper, Russell C., FR17245.
Dreiseszun, Abraham J., FR36902.
Drenguis, John W., FR36885.
Drew, Adrian E., FR37125.
Driver, Loren F., FR52046.
Dukes, James L., FR52325.
Dulaney, Arthur A., Jr., FR35802.
Dulion, William E., FR37037.
Dunaway, Glendon K., FR69707.
Dunlap, John V., FR20723.
Dunlap, Lloyd L., Jr., FR17380.
Dupont, Forrest R., FR36273.
Duquette, Norman C., FR35523.
Durham, Ernest J., FR36587.
Durham, Nathan B., Jr., FR22770.
Duys, Dirk, FR36232.
Dwyer, George T., FR25512.
Dye Rufus, Jr., FR36943.
Dyer, Kenneth L., Jr., FR20717.
Easley, Frank, FR36317.
Eckhardt, Malcolm M., FR37045.
Edge, Robert L., FR17565.
Eichelberger, William R., FR17244.
Eisen, Charles K., FR36202.
Eisenhart, William E., FR36971.
Eklund, Robert G., FR27700.
Elbert, Edward A., Jr., FR52123.
Elliot, James S., FR37095.
Elliott, Michael B., FR23796.
Ellis, Patrick N., FR52231.
Ellis, Richard H., FR36867.
Ellis, Wood, FR36694.
Ellison, Paul R., FR35989.
Ellison, Thomas W., FR36452.
Elstun, Maurice, FR36278.
Elizroth, Nerlin S., FR36092.
Ensberg, Stanford A., FR35992.
Eskridge, James W., FR36936.
Evans, William J., FR17355.
Evans, William L., FR36453.
Evely, Clyde P., FR23738.
Everette, John B., FR17559.
Farady, John T., FR64420.
Farnsworth, Robert A., Jr., FR37058.
Farrell, Robert M., FR36648.
Fedele, Frank, FR48799.
Feeney, Dean R., FR36681.
Feibelman, Max M., FR17478.
Felger, Ralph W., FR36964.
Felices, Salvador E., FR17377.
Fels, Leslie R., FR25801.
Ferrato, Theodore P., FR22713.
Fiene, Walter W., FR36450.
Fink, John B., FR36156.
Finnie, William L., FR36182.
Fisher, Harry C., FR35157.
Fisher, Paul H., FR36862.
Fisher, Robert O., FR36159.
Flansaas, Glenn A., FR17261.
Fleek, Thomas A., FR36200.
Fletcher, Avon L., FR35461.
Flint, Cecil R., FR36330.
Flowers, Idus R., FR36253.
Floyd, Charles M., FR64421.
Fordham, Joseph T., FR35951.
Forsythe, Thomas H., FR36815.
Fortin, Edmond L., FR35927.
Foster, Everett E., FR37000.
Foster, Thomas G., FR36880.
Fouche, Marvin E., FR37011.
Fouquette, Richard H., FR35983.
Foust, William L., FR23690.

Fowler, Lawrence A., FR36386.
Fox, George A., FR17563.
Francis, Charles E., FR36140.
Franklin, R. C., Jr., FR36845.
French, James R., FR17528.
French, Lafayette, FR37075.
French, Willis M., FR36575.
Freshwater, Robert E., FR17522.
Freudenthal, Char H., FR36399.
Froebe, Leonard R., FR36888.
Fry, Wesley L., Jr., FR36588.
Fulgham, Edwin C., FR36563.
Fulton, Fitzhugh L., Jr., FR36417.
Fulwider, Richard B., FR36577.
Fuqua, Robert P., FR37092.
Furlow, Leo T., FR35969.
Gabbert, John H., FR36471.
Gahn, John W., FR23744.
Gaines, Edmund P., Jr., FR17558.
Gall, Herbert J., FR52316.
Gallagher, Walter J., FR36427.
Gallarda, William J., FR36920.
Galvin, Donald W., FR23886.
Garlington, Arthur, Jr., FR17545.
Garoni, Aldo E., FR36322.
Garrett, Clifford E., FR36813.
Garrett, John S., FR36704.
Gauch, Eugene W., Jr., FR35961.
Gauthier, Adelbert G., FR36457.
Gavey, Thomas W., FR35327.
Geller, Walter N., FR37074.
George, Richard S., FR36177.
Gering, George W., Jr., FR36801.
Ghormley, William G., FR26442.
Gibson, John S., FR36792.
Gibson, Ralph D., FR17284.
Gibson Winfield S., FR36407.
Giel, William G., FR37154.
Gilbert, Raymond H., Jr., FR18092.
Gilbert, William W., FR20738.
Gill, Gerald B., FR25797.
Gimmi, Richard F. B., Jr., FR21517.
Gippert, Winfield S., Jr., FR35931.
Giraudo, Joseph L., Jr., FR36639.
Giuli, John F., FR36933.
Gledhill, John W., Jr., FR36685.
Glen, Robert E., FR37094.
Glessner, James L., Jr., FR36778.
Glover, Kenneth B., FR36285.
Goldin, Sarah, FR21349.
Gonzalez, Santiago, FR36289.
Goodman, Joseph N., FR36356.
Goodnight, Elmer K., FR21495.
Gordon, Lawrence N., FR17467.
Gorman, Robert T., FR17361.
Goss, James L., FR36661.
Gottschalk, Dovre, FR35199.
Graalfs, Edward H., FR36465.
Graham, Sam, FR37057.
Grant, Harold E., FR36288.
Gray, Thomas A., FR64419.
Graybill, Harold L., FR28222.
Green, Jesse E., FR17447.
Green, Paul L., FR36168.
Greenwade, Paul V., Jr., FR37102.
Greenwood, Guither G., FR37099.
Greer, Orson P., Jr., FR37152.
Greget, Tony M., FR35946.
Grieder, Orville E., FR36722.
Griffard, Robert M., FR18264.
Griffin, Robert J., FR52304.
Griffith, James A., FR37090.
Griffith, Rolla E., FR36800.
Griffith, Weston F., FR37100.
Grimes, Daniel D., FR36432.
Grisson, Thomas R., FR36192.
Groons, Ray M., FR36944.
Gross, Kenneth E., FR18289.
Grossman, Frank H., FR52279.
Grossmiller, William J., III, FR17311.
Grosso, Gerard M., FR36717.
Grow, John W., Jr., FR36887.
Gulledge, Tom W., FR36749.
Gunvordahl, John W., FR36418.
Gustin, George, FR36865.
Guthrie, Bobbie G., FR27683.
Guthrie, Harold E., FR36444.
Guthrie, Keith R., FR49301.
Guynes, Joseph B., FR20743.
Gwynn, Robert W., FR37051.
Hackney, Donald I., FR17374.
Hafer, Frederick L., FR17341.
Haggard, Samuel R., FR64401.
Haggerty, Walter E., FR36292.
Hairston, Guy E., Jr., FR17432.
Hairston, Robert, III, FR36186.
Hale, Carl F., Jr., FR26787.
Hall, Clarence, Jr., FR35934.
Hamel, Robert E., FR20728.
Hamilton, James W., FR36578.
Hamilton, Percival B., FR48791.
Hamilton, Robert S., FR36381.
Hamm, William A., FR37193.
Hammer, Edson G., FR36490.
Hamner, Albert P., FR36209.
Hampton, Luther L., Jr., FR36691.
Haney, George W., FR35784.
Hanna, Keith C., FR22642.
Hannum, Robert R., FR36937.
Hardcastle, Frank L., FR23693.
Hardie, Robert L., FR36052.
Harding, Warren W., FR22685.
Hardy, Alan H., FR36738.
Hargarten, Richard A., FR36345.
Haring, Frederick C., FR36956.
Harkins, George F., FR36789.
Harmon, Carlos B., FR36313.
Harron, Russell A., Jr., FR37130.
Harris, Claude E., Jr., FR36806.
Harris, Edgar S., Jr., FR17505.
Harris, Robert M., Jr., FR36199.
Harris, Roy L., Jr., FR17560.
Hart, William M., FR37084.
Hartenberger, Edmund K., Jr., FR36089.
Hartman, Roy E., FR52118.
Hartzell, Richard A., FR17547.
Hawkins, Edward D., FR36271.
Haworth, Gordon C., FR36938.
Hayes, Louis W., FR36367.
Hayes, Thomas G., FR36916.
Haynes, Joseph V., FR36446.
Hays, Ralph M., FR36669.
Hazel, John H., FR36856.
Hazzard, Robert F., FR36305.
Head, Vernon L., FR36425.
Heath, Robert C., FR25813.
Hebert, Kenneth G., FR36029.
Heiberg, Harrison H. D., Jr., FR17368.
Heiberg, Lloyd C., FR52300.
Heine, Julian C., FR35450.
Helser, Loren E., FR52250.
Henderson, Fred H., Jr., FR36262.
Henderson, Joseph C., FR37114.
Henry, Harold F., Jr., FR37063.
Heyboer, Gerald T., FR36398.
Hicks, Arlie H., Jr., FR17531.
Hicks, Joseph W., Jr., FR36986.
Hicks, Robert D., Jr., FR36663.
Hildebrandt, James E., FR17851.
Hildebrandt, Oliver F., FR35357.
Hiley, James H., FR36438.
Hill, James E., FR20741.
Hill, Robert L., FR37115.
Hindsley, John A., FR36135.
Hines, Donald M., FR52283.
Hinson, Pat N., FR21494.
Hinton, John R., Jr., FR20691.
Hissem, Alan H., FR36939.
Hitchcock, James W., FR36566.
Hoerter, George J., FR35942.
Hoffs, Henry, FR36071.
Hogan, William H., FR36032.
Hoh, John E., FR36415.
Holladay, Robert L., Jr., FR35269.
Holmes, Robert E., FR36060.
Holton, William J., FR52274.
Holtorf, Arthur M., FR17279.
Holtz, Lorenz P., FR36500.
Holway, Orlando, III, FR16862.
Homich, George E., FR36320.
Honchul, Delbert, FR36698.
Hood, James D., FR37121.
Hopkins, James R., FR37029.
Hopkins, Philip B., Jr., FR17504.
Hopman, William F., FR36841.
Horne, Raymond E., Jr., FR20735.
Horton, Clarence F., Jr., FR17486.
Houck, John R., Sr., FR64411.
House, Charles D., FR36326.
Howell, Homer H., Jr., FR25783.
Howell, Philip V., Jr., FR17534.
Hoyer, Richard G., FR35915.
Hoyt, Thurber L., FR17233.
Hubbard, Charles H., FR36904.
Hubbes, Robert E., FR36302.
Hudiburgh, Sydney C., FR36478.
Hudlow, Richard J., FR17550.
Hudson, James D., FR24370.
Hudspeth, Edwin G., FR28223.
Hudspeth, Roy R., FR17472.
Huffer, Frank M., Jr., FR36054.
Huffman, Wallace E., FR36358.
Huggs, Edward C., FR36828.
Hughes, Jack L., FR36921.
Hughes, James D., FR17468.
Hulett, Charles E., FR36643.
Hunsberger, Harold D., FR36026.
Hunt, John H., FR36928.
Hunt, Merwyn A., FR36930.
Hunt, Ralph M., FR36538.
Hunt, Samuel R., FR36592.
Hunt, Senour, FR17405.
Hunter, Cedric V., FR17290.
Hunter, Guy N., FR37127.
Hunter, Willia J., Jr., FR36095.
Hurn, James L., FR17294.
Hutchins, Lavern C., FR24363.
Hutchinson, Raymond P., FR36376.
Hutchison, Thomas J., FR22801.
Hutchison, William C., FR36197.
Hutto, Merl G., FR17433.
Hyde, James R., FR17260.
Immig, Richard G., FR17309.
Inman, Benjamin F., FR37005.
Israelsen, Orson A., FR36469.
Jackson, Bush M., Jr., FR36061.
Jackson, Calvin W., FR49300.
Jackson, John W., FR17517.
Jackson, Lawrence, Jr., FR36291.
Jacobs, Albert, FR36281.
Jacobson, Bertram, FR48796.
Jacobson, Hilding L., Jr., FR36683.
Jacolick, Harvey T., FR36889.
James, Arthur H., FR52306.
James, Charles M., FR36401.
Janson, Alfred P., FR36604.
Jarmek, Edmund J., FR36481.
Jaudon, Robert H., FR36266.
Jeanes, Bill F., FR36239.
Jeffries, Jess E., FR36909.
Jewell, Harold R., FR17297.
Johnson, Dale A., FR37021.
Johnson, George A., FR24341.
Johnson, Ivan D., FR36010.
Johnson, Mark R., FR37057.
Johnson, Ralph W., FR36366.
Jolly, Warren M., FR25604.
Jones, Arthur M., FR17286.
Jones, Dale M., FR22781.
Jones, David M., FR36019.
Jones, Henry I., Jr., FR24368.
Jones, John P., Jr., FR37070.
Jones, Muller L., Jr., FR37044.
Jones, Murray O., FR36472.
Jones, William M., FR36151.
Jorgensen, Richard I., FR52181.
Joseph, Adolph D., Jr., FR17301.
Kaempfer, Robert E., FR36112.
Kaiser, Henry A., FR35938.
Kalb, Robert D., FR36879.
Kalessa, Russel R., FR36519.
Kaminski, Edward J., FR35972.
Karol, Joseph, FR36231.
Kartun, Milton R., FR35204.
Kasten, Nelson, FR22714.
Kasun, Nicholas J., Jr., FR36015.
Kaynor, Donald D., FR36451.
Keeter, Tom E., FR36300.
Keir, Robert E., FR64405.
Keith, Jack L., FR36073.
Keller, Floyd E., FR23712.
Kelley, Gordon L., FR36343.
Kellogg, Richard A., FR17431.
Kelly, Edwin E., FR64413.
Kelly, John K., Jr., FR35944.
Kelly, Thomas G., Jr., FR36723.
Kemp, Eugene A., FR36065.
Kendziora, Franklin C., FR37061.
Kennington, Joe T., FR36718.
Kent, James L., FR35702.
Keogh, Curtis R., FR36424.
Keriakou, Paris N., FR25511.
Keuthan, Charles H., FR24699.
Kienlen, Rodney T., FR36063.

Kilian, William F., FR52266.
Kimball, Jack Q., FR17426.
Kimball, Wesley D., FR52302.
Kimble, Robert C., FR26754.
King, Neil E., FR52064.
Kinney, Robert W., FR36129.
Kirby, Elwin G., FR23714.
Kirkland, Henry O., Jr., FR36132.
Kirkpatrick, Herman L., FR23853.
Kleber, Raymond B., FR52265.
Klein, Walter J., FR36783.
Klinger, Ralph R., Jr., FR17247.
Knapik, Delores M., FR21359.
Knowlton, Harold B., FR36369.
Kohn, Norman R., FR36327.
Kolb, James R., Jr., FR35974.
Koltz, Roger H., FR52315.
Korinek, Warren J., FR36118.
Korpanty, Leo S., FR24354.
Koshatka, Raymond, FR36090.
Koumdundouros, Nikolaus N., FR36596.
Kozelka, Paul. FR36795.
Kraker, Eddie C., FR36875.
Kramer, John C., FR36458.
Krauska, Thomas J., FR23186.
Kresge, Cletus C., FR36965.
Krieger, Thomas B., FR17538.
Kuhn, Coleman D., FR37031.
Kuntz, Scott A., FR16948.
Kutarnia, Robert P., FR36790.
Kutsch, Hubert A., FR36064.
Ladd, Herbert W., Jr., FR36884.
Lake, William J., FR36397.
Lake, Willis M., FR36125.
Laliberte, Robert C., FR36750.
Lamb, Charles M., Jr., FR17273.
Lamb, Thomas E., FR25495.
Lantz, John A., FR36190.
Lapping, Sherwood F., FR35914.
LaSalle, Louis W., FR36412.
Laseter, William H., FR36180.
Lavender, Emory C., Jr., FR17240.
Law, Jot B., FR48783.
Lawrence, August R., FR64415.
Lawrence, Keith L., FR36248.
Lebell, Jonah, FR19786.
Lecce, Albert J., FR36814.
Leibel, Louis L., FR36968.
Leighty, Claude C., FR35988.
Lembeck, Edward A. II, FR17451.
Lengnick, Roger H., FR17326.
Leonard, John H., FR28161.
Lester, Frank G., FR17367.
Leuchthann. Robert L., FR17564.
Lewis, C. J., FR28022.
Lien, Maurice L., FR36039.
Ligon, William C., FR36649.
Lillie, William H., Jr., FR36812.
Lindeman, Jack R., FR17314.
Lindow, Kenneth R., FR24371.
Lindsey, Paul N., FR36637.
Linn, John S., FR36802.
Little, Samuel J., Jr., FR37077.
Littlejohn, Don W., FR36217.
Loar, Matthew E., FR36583.
Lobdell, Harrison. Jr., FR17360.
Lock, Philip A., FR36847.
Lockee, Archie S., FR36104.
Lockhart, Charles L., FR35932.
Lockridge, Claren R., FR18298.
Loeffler, Robert M., FR36504.
Loftus, Marshall J., FR36353.
Loggins, James C., FR35975.
Lomax, Everit B., FR37113.
Lonsdale, John K., FR36411.
Loos, Raymond E., FR35963.
Loveless, William C., FR36078.
Lovett, John M., FR36489.
Lowry, Robert M., Jr., FR17420.
Lowry, Thomas J., Jr., FR36881.
Luby, Edward W., FR36855.
Lucas, Charles W., FR36221.
Ludeman, Roger B., FR36081.
Luebbert, Herman E., FR37013.
Luther, Joseph G., FR36989.
Lyles, Luther W., FR36097.
Lynn, Raymond H., FR36864.
Macia, James H., Jr., FR36621.
Mackie, Francis M., FR36570.
Maclellan, Donald, J., FR36006.
Macquesten, Frederick G., Jr., FR36510.
Macwilliams, Malcolm M., FR17396.
Madison, John E., FR24725.
Magers, Norman P., Jr., FR36805.
Magnan, Marn W., FR25204.
Magness, Gaylord W., FR36672.
Mahon, William J., FR25537.
Mancus, John R., FR36893.
Mand, Robert, FR36433.
Mankin, Alfred P., FR36830.
Mann, Frank W., Jr., FR36067.
Mansfield, John, FR36361.
Marinkovich, Obrad, FR36555.
Mark, Sherwood A., FR36076.
Marker, Stanley N., FR28329.
Markey, James R., FR52296.
Markowitz, Israel B., FR36751.
Markussen, Orlin H., FR36866.
Marquardt, Elden G., FR24262.
Marrkand, Paul J., FR36460.
Marsh, Wesley C., FR23007.
Martin, John A., FR17507.
Martinez, Cesar J., FR36127.
Marx, Albert B., FR37006.
Mason, Arno R., FR35965.
Mason, William H., FR17508.
Massey, Harold, FR35219.
Masters, Allen A., FR52310.
Mathews, Hughie E., FR36934.
Mathewson, Tracy B., III, FR36690.
Matthew, Harry L., FR36702.
Mauck, John F., FR36629.
Maxwell, Joseph B., FR36526.
May, Edward S., FR18301.
Maykut, Edward S., FR36084.
McBain, Gordon D., Jr., FR36714.
McBride, Benjamin R., FR17424.
McBurney, Raplee Y., FR36700.
McCain, William M., FR36600.
McCann, John G., FR36205.
McCary, Benjamin C., Jr., FR36747.
McCleary, George C., FR17735.
McClelland, Clifton A., FR36708.
McClinton, James L., FR36147.
McCormick, Howard E., FR20744.
McCormick, John C., FR35386.
McCormick, Thomas W., FR36495.
McCracken, Robert L., FR36344.
McCrea, Gerald D., FR36707.
McCreary, Harry A., FR36416.
McCullough, Willi N., FR52323.
McCully, Robert H., FR18274.
McCurdy, Norman R., FR17556.
McDaniel, Ralph E., FR37068.
McDannel, William W., FR36660.
McDonald, Robert J., FR36260.
McDowell, Gildas D., FR36511.
McEwen, Dale R., FR36705.
McGee, Horris W., FR36872.
McGovern, Francis J., FR36935.
McGrew, Gale I., FR56541.
McGuire, Harold J. A., FR36043.
McKamy, James H., FR36150.
McKinney, Joseph T., FR17323.
McLain, Herbert W., FR37030.
McMann, Ira H. S., FR36447.
McManus, Leonard M., FR36146.
McMichael, Julian A., Jr., FR37064.
McMillan, Cornelius, FR17492.
McMillan, Edward H., Jr., FR35904.
McMillin, Charles L., FR35515.
McMullin, Joseph B., FR32405.
McPherson, Daniel E., Jr., FR17907.
McRobbie, William A. D., FR36502.
Mead, Bobby J., FR52135.
Means, Harwood F., FR36561.
Meehan, Thomas F., FR36030.
Mejaski, Joseph W., FR36454.
Melendez, Michael J., FR17252.
Memminger, Charles G., FR17499.
Mendenhall, Keith S., FR36820.
Merz, Charles F., FR35956.
Meserow, Joseph T., FR36720.
Messer, James T., FR36565.
Messher, Eugene J., FR17289.
Metcalf, James D., Jr., FR36048.
Meyers, Harold B., FR35750.
Meyers, Roy L., FR17264.
Michaelis, Donald R., FR35984.
Michell, Irvin E., FR36619.
Mikkelsen, Jack A., FR36051.
Millard, Howard W., FR36911.
Miller, Charles E., FR36408.
Miller, Clement K., FR36267.
Miller, Donald D., FR36086.
Miller, Edward W., FR36409.
Miller, George K., FR52308.
Miller, Jerome L., FR36837.
Miller, Julius D., FR64407.
Miller, Winston G., FR64400.
Mills, Bruce E., FR64391.
Mims, John W., FR37046.
Minnich, E. Scott, FR17462.
Minor, John M., FR17415.
Mitchell, Jerry, Jr., FR64412.
Mitchell, John O., FR36550.
Mitchell, Robert V., Sr., FR36603.
Mock, Theodore E., FR22724.
Moebius, Homer N., FR36942.
Moffatt, John S., FR36499.
Molchan, John E., FR17391.
Mold, David T., FR36878.
Molesworth, Frank, FR35897.
Molnar, George, FR36149.
Moody, George W., FR48795.
Moon, Howard E., FR36461.
Moore, Arthur R., Jr., FR17475.
Moore, Elbert L., Jr., FR36448.
Moore, Harry Z., FR52263.
Moore, James A., FR36477.
Moore, Marvin F., FR36769.
Moore, Maury K., FR36983.
Moore, Raymond P., Jr., FR51951.
Morgan, John P., Jr., FR36188.
Morin, Ernest N., FR37020.
Morris, Dryden E., FR36556.
Morris, Edward D., FR36279.
Morris, George H., FR25776.
Morris, Jack B., FR24326.
Morris, Thomas W., FR36900.
Morrison, Charles M., FR36148.
Morrow, James H., FR36113.
Mortensen, Eldon D., FR52289.
Morton, Oakley K., II, FR36143.
Moser, Willie R., FR36277.
Mosier, Perley L., FR36972.
Moulton, Ralph R., FR36601.
Moye, Russell D., FR36540.
Mueller, Delbert L., 36842.
Mulcahy, William J., FR22798.
Mulddon, Dennis, FR36303.
Mull, Glen D., FR52269.
Mullen, Everett J., Jr., FR36355.
Murphy, Arthur B., FR37010.
Murphy, James S., FR37080.
Murphy, Robert B., FR36456.
Murphy, Robert D., FR17526.
Murphy, Walter S., FR36611.
Murphy, Warren G., FR36191.
Murphy, William J., Jr., FR22681.
Mutch, Alex Y., FR17295.
Nadon, Norman C., FR28207.
Nakis, George M., FR36810.
Naleid, Jerome F., FR17334.
Naler, James D., FR37038.
Neal, Perry W., FR36679.
Neal, Windell W., FR36656.
Nealon, John F., FR35995.
Nedbal, Charles F., FR36382.
Neff, Benjamin G., FR17280.
Nelsen, Raymond Z., Jr., FR36506.
Nelson, Alfred J., FR35947.
Nelson, Beryl E., FR17112.
Nelson, George J., FR17491.
Nelson, Michael S., FR36730.
Nelson, Milton E., FR26782.
Nelson, Omer C., FR35935.
Nelson, Thomas O., FR17242.
Nemetz, Albert M., FR17414.
Newby, Warner E., FR37082.
Newell, Richard G., FR17484.
Newfield, Lou K., Jr., FR36462.
Newhouse, Norris H., FR36124.
Newson, Thomas L., FR23882.
Nichols, Joseph C., Jr., FR20699.
Nicholson, Gilbert D., FR28205.
Nickelson, Marvin F., FR52260.
Nicol, Thomas E., FR37122.
Nixon, Alva E., FR36194.
Norris, Paul M., FR17510.
Norwood, Billie J., FR17525.
Nostdal, James O., FR36988.
Novy, James S., FR35965.
Nuessle, Harry C., FR37004.
Nunes, Arthur R., FR35894.

Nunez, Raul, FR23751.
Nyhous, Gordon B., FR36896.
Obarski, Stanley J., FR36371.
O'Connell, William F., FR48782.
O'Connor, John T., FR36761.
O'Connor, Theodore J., FR36165.
O'Connor, Thomas F. X., FR36372.
Odenthal, Warren M., FR26764.
Oechsler, Robert H., FR26438.
Ohmann, Duane F., FR36824.
Olds, Roger H., FR52326.
O'Leary, James P., FR36405.
Oliver, Jeptha D., Jr., FR36243.
Opfer, David H. E., FR36869.
Osterhus, Peter C., FR35909.
Osver, Sam L., FR37003.
Oswald, Louis A., FR36970.
Ottem, Gerald A., FR36868.
Ouder, Melvin L., FR23010.
Overton, Thomas L., FR36955.
Owens, Kenneth A., FR35699.
Owens, Merlin R., FR35896.
Pace, John D., FR36613.
Pace, Robert E., FR22710.
Paige, Leroy D., FR24724.
Palenscar, Alexander J., Jr., FR48787.
Palmer, William R., FR36632.
Pappas, Antonio S., FR36455.
Paradise, Alfred A., FR36174.
Park, Paris D., Jr., FR36250.
Parker, John M., FR36475.
Parker, Levin W., Jr., FR26460.
Parr, Ralph S., FR28206.
Parrott, William H., FR36732.
Parry, Thomas B., FR36791.
Parsons, Charles H., FR17514.
Paschall, James E., FR17427.
Pasenhofer, Arlo H., FR20696.
Pasqualicchio, Robert P., FR36766.
Pate, Ernest W., FR35898.
Patrick, Harold L., FR36725.
Patrick, James T., FR36827.
Patterson, Charles L., FR52275.
Pattison, John D., FR36406.
Payton, Harold J., FR37014.
Pear, Charles E., FR36251.
Pearson, James N., FR36184.
Peck, Waldo W., FR36395.
Pendergraft, Wesley L., FR18242.
Penix, Guymon, FR35118.
Pennington, Charles E., FR36531.
Pennington, Ralph H., FR62091.
Perkinson, Julian E., FR36223.
Perks, William R., FR36984.
Perris, Walter H., FR36987.
Perry, Clyde A., FR51994.
Perry, Jack R., FR36787.
Perry, Norman F., FR36503.
Perry, Robert E., FR36082.
Peterson, Charles H., FR37120.
Peterson, Harry W., FR18275.
Peterson, Robert D., FR36212.
Petty, Cecil E., FR64417.
Pfeffer, Frank A., FR36819.
Phelan, James, FR36496.
Picarelli, Rudolph R., FR36420.
Pine, Forrest S., FR24323.
Pittaway, James W., FR36846.
Pitts, John E., Jr., FR17406.
Planinac, John W., FR26318.
Plank, David H., FR17417.
Planta, Edward A., FR36560.
Plowden, William M., FR36676.
Poe, Bryce II, FR17393.
Pohl, Nelson O., FR23709.
Pool, Sam J., FR36247.
Popp, Russell A., FR36771.
Portaluppi, Charles J., FR36387.
Portt, Glen A., FR52311.
Posselt, Gale V., FR36533.
Post, Gerald J., FR24707.
Potter, Davis B., FR36003.
Poutre, Rex L., FR36535.
Powell, Wade N., FR35910.
Prestin, Carl B., FR48773.
Preston, Charles F., FR36272.
Prevost, Herbert L., FR36760.
Prieve, Donald G., FR23743.
Prince, Tony, Jr., FR35925.
Provencio, Juan J., FR36547.
Pruett, Murphy A., FR37083.
Pugmire, Glen L., FR36119.
Purdy, Robert F., FR36532.
Putman, Earl E., FR52305.
Ramsey, Charles E., Jr., FR37111.
Rankin, Allan P., FR36068.
Ransel, Alfred S., FR36871.
Ransom, Jerald J., FR36421.
Rapley, Herbert J., FR36520.
Rapp, John W., FR25726.
Readdut, Clifford H., FR36329.
Reding, John A., FR36599.
Reed, George M., FR36977.
Reed, Junior B., FR36109.
Reed, William P., FR17454.
Reese, Harold E., FR35130.
Reeter, William E., FR36991.
Reeves, Alton P., FR37132.
Reeves, Merrit A., FR36360.
Reinhard, Charles W., FR36033.
Reinhart, Arthur S., FR36319.
Reisinger, William J., FR36782.
Remaklus, Theobol G., FR35993.
Rentschler, Victor R. T., FR36779.
Revel, Russel J., FR36502.
Reynolds, Robert R., FR36925.
Rhoades, Maynard R., FR36094.
Rhodes, Dome S., FR36005.
Riach, John B., FR36169.
Riave, Lionel L., FR41289.
Rice, Franklin C., FR36403.
Rice, John G., FR36394.
Rice, Warren H., FR36139.
Richards, Marion R., FR17430.
Richards, Paul M., FR36908.
Richardson, Vernon B., FR36265.
Richardson, William G., FR37534.
Ricketts, James E., Jr., FR17543.
Ridgway, Clifton S., FR36959.
Ridler, George E., FR36002.
Riess, Donald A., FR28333.
Riggs, Charles E., Jr., FR36941.
Ritchason, Alfred C., FR36770.
Ritchie, Nelson C., FR36467.
Ritter, Elvador E., FR36528.
Rivenbark, Thomas H., FR35953.
Robb, Francis J., FR36607.
Roberson, John F., FR36706.
Robinson, Noel K., FR36310.
Robinson, Ray A., Jr., FR23528.
Rochelle, Joseph B., Jr., FR27106.
Rockwood, Charles L., FR36863.
Rockwood, William P., FR36716.
Roeder, Victor H., FR36544.
Roffinoli, Louis J., FR36072.
Rogers, Walter W., FR25527.
Rogers, William J., FR36138.
Rohlfs, Robert D., FR52267.
Romero, James E., Jr., FR36213.
Romey, William R., FR17503.
Rose, Alvin S., FR36014.
Rose, Jesse L., FR36077.
Rose, John M., Jr., FR24398.
Rosenow, John J., FR35994.
Ross, Herbert E., FR36339.
Rossing, Arthur T., FR26436.
Rothwell, Ian D., FR36728.
Rottmann, Carl W., Jr., FR36486.
Rouse, James L., FR36193.
Rowdon, Earle J., FR36668.
Roy, A. J., FR36731.
Roy, Carl W., FR17572.
Ruggiero, Charles, Jr., FR17487.
Ruley, Charles H., FR36757.
Runyan, Jack E., FR35921.
Ruoff, Edwin E., FR21492.
Russell, Durward B., Jr., FR51941.
Ruth, Cecil, FR36442.
Sachanen, Felix, FR36809.
Sadek, Louis C., FR37042.
Sadler, Robert E., FR17561.
Safford, Philip R., FR17439.
Salmon, Donald K., FR52281.
Sanders, Henry G., FR37026.
Sanderson, Robert W., FR36541.
Sandin, Edward E., FR36106.
Sargen, Charles N., FR52297.
Saunders, William F., FR36739.
Saurer, Richard H., FR36905.
Sauvage, Russell E., FR36404.
Saylor, Warren D., FR20637.
Schaefer, Raymond P., FR36363.
Schafer, Seymour N., FR36658.
Scherler, Arnold E., FR23697.
Schiess, Francis C., FR36606.
Schmitt, John J., Jr., FR17470.
Schneiderhan, William J., FR36612.
Scholz, Nicholas J., FR36501.
Schoonover, Orville G., FR17238.
Schreiner, Joseph B., FR37056.
Schrom, Robert C., FR36476.
Schuh, Robert C., FR36402.
Schulz, Richard G., FR36689.
Schwab, Samuel G., FR36557.
Scott, Elgin W., Jr., FR36836.
Searle, Joseph W., FR36546.
Sears, Phillip F., FR36238.
Seay, Richard W., FR36038.
Seccomb, Milo L., Jr., FR36833.
Seeman, Ralph T., FR36234.
Self, David A., Jr., FR17151.
Senkbeil, Edwin A., FR37133.
Senter, Lee R., FR36825.
Sexton, Roy D., FR26677.
Shackley, George G., FR36982.
Shamblin, Austin L., FR36840.
Shanahan, Roger T., FR36599.
Shannon, William E., FR21802.
Sharkey, Howard C., FR36201.
Sharkoff, Eugene G., FR71067.
Sharp, Paul E., FR37091.
Sharp, Paul H., FR36233.
Sharp, Savell L., FR36559.
Shattuck, Jack B., FR37009.
Shawe, Hamilton B., Jr., FR17395.
Shay, Francis S., FR36764.
Shearer, William D., FR52248.
Sheehan, Danie J., Jr., FR16675.
Sheppard, Harry A., FR36101.
Sheppard, Walter L., Jr., FR36777.
Sherrell, Walter J., FR36422.
Sherrill, Alvan C., Jr., FR35917.
Shinn, Homer R., FR37110.
Shockley, Gene W., FR36230.
Shrawder, Gerald R., FR36729.
Shriner, Frederick F., FR36781.
Shuler, Lucien B., FR20768.
Shupe, Bennie A., 17241.
Sielbeck, Lloyd W., FR35977.
Sigman, Isiah, FR36657.
Silva, Anthony, FR35374.
Simmons, Don E., FR36590.
Simmons, Herschel E., FR52002.
Simmons, James A., FR17282.
Simonson, Clifford W., FR52328.
Sinsabaugh, Robert M., FR35987.
Skaggs, Alvin D., FR23931.
Skladzien, Thaddeus S., FR17460.
Slaughter, James M., FR36120.
Sleeper, John, Jr., FR36678.
Smedberg, Renwick W., FR37156.
Smith, Carl D., Jr., FR64416.
Smith, Cecil L., FR36551.
Smith, Charles A., FR17276.
Smith, Clarence R., FR36684.
Smith, Forrest L., FR36753.
Smith, Gilbert A., Jr., FR36794.
Smith, Harry B., FR20727.
Smith, James S., FR37035.
Smith, Paul A., FR36997.
Smith, Robert C., FR36530.
Smith, Stanley C., FR36664.
Smith, Walter A., Jr., FR17574.
Smithson, Daryl P., FR17267.
Snyder, John W., FR36027.
Snyder, Robert W., Jr., FR36256.
Sonderman, Clarence H., Jr., FR35908.
Soucie, George E., FR35949.
Sowell, Jesse D., FR36207.
Sowers, Robert L., FR52273.
Spain, DeWitt S., FR36000.
Spalding, John R., Jr., FR36711.
Spencer, William R., FR36392.
Spicer, Garland H., Jr., FR25789.
Staley, Ray C., FR20742.
Starker, William A., FR36697.
Starr, William R., FR64501.
Steele, Leonard H., FR20740.
Stees, Hubert S., Jr., FR17513.
Stein, Milton, FR36329.
Steiner, Floyd D., FR36219.
Steiner, Philip, FR22844.
Stepanian, Stephen, FR36831.
Stephenson, Or W., Jr., FR36821.
Stephenson, Ralph, FR64402.

Sterling, Raymond N., FR36699.
Stern, Nathan, FR36912.
Stevens, David B., FR24572.
Stevens, Jack D., FR20679.
Stewart, Emmett F., FR36282.
Stewart, Robert B., FR17322.
Stillwell, Howard A., FR52294.
Stippich, Robert C., FR37041.
Stockton, Lyle E., FR17275.
Stoddard, Loren A., FR36616.
Stoesser, Robert E., FR52088.
Stoneberger, Harold W., FR23699.
Strain, Bailey T., FR17320.
Strand, John H., FR22858.
Strate, Sterling J., FR36307.
Strating, Robert E., FR52261.
Strickland, Bunyan D., Jr., FR36848.
Strickland, Joseph M., FR36573.
Stringer, Elbert M., FR17423.
Strom, Edwin W., FR36569.
Stroud, Roy W., FR42071.
Studak, Joseph W., Jr., FR36274.
Studer, William F., FR17332.
Sugerman, Leonard N., FR36666.
Sullivan, Joseph M., FR52196.
Sullivan, Mervin R., FR36096.
Sullivan, Michael W., FR36963.
Summers, Thomas L., FR37054.
Susskind, Harold A., FR52298.
Sutherland, Edward A., FR36954.
Swan, Harry C., FR36383.
Swank, Ellery E., FR20733.
Swanson, Arthur K., FR37131.
Swanson, William A., FR16695.
Sweeney, Francis J., Jr., FR36784.
Sweetnam, Richard W., FR36052.
Swift, John J., FR52277.
Swift, Mayland D., FR36667.
Sworn, Douglas L., FR36746.
Syester, Robert R., FR36388.
Tallman, Kenneth L., FR17337.
Tarr, George P., Jr., FR37036.
Tarrant, Edward W., FR17237.
Tauer, Otto S., FR36001.
Taylor, John H., FR52280.
Taylor, Robert L., FR20736.
Taylor, Robert W., FR26838.
Temple, Robert J., FR17248.
Temple, William A., FR17319.
Terry, Willard R., Jr., FR48790.
Theus, Lucius, FR18270.
Thomas, Charles P., FR36529.
Thomas, James M., FR37118.
Thomas, John E., FR52318.
Thomas, Onial A., FR23758.
Thompson, Clay E., Jr., FR36214.
Thompson, John D., FR26770.
Thompson, Leslie S., Jr., FR36494.
Thompson, Robert J., FR36772.
Thompson, Webb, FR52307.
Thompson, William D., FR20711.
Thornton, Ellison E., FR36767.
Thoson, James M., FR36859.
Thurman, George D., FR36625.
Tieman, August, FR36633.
Tinney, Jack R., FR36677.
Toburen, Robert D., FR37097.
Tony, Nicholas, FR21464.
Toolan, Frank J., FR36807.
Toon, Thomas A., Jr., FR36211.
Torvestad, Robert J., FR24268.
Tracey, John C., Jr., FR36304.
Trammell, James C., FR36237.
Trexler, David H., FR17527.
Trexler, Ernest J., FR36087.
Tribolet, Robert W., FR17404.
Trigg, William B., FR36378.
Trigg, William J., FR36178.
Trimble, Robert J., Jr., FR36410.
Turbyfill, Carl M., Jr., FR25518.
Turner, Arthur R., FR36252.
Turner, Gordon L., FR35905.
Turner, Joseph H., FR17537.
Turner, Richard H., FR18060.
Twitchell, Alvin, FR76841.
Tyndall, Joseph M., FR22803.
Uhalt, Joseph H., Jr., FR52317.
Umphress, Robert C., FR36298.
Underwood, Roberts L., FR64406.
Vancura, Arthur T., FR36780.
Vanmatre, David F., FR36024.
Vanpelt, Warren W., FR26429.
Vansickle, Earl R., FR17516.
Vargo, John H., FR36688.
Varney, Thomas S., FR35943.
Vega, John W., FR18250.
Velde, Theodore M., FR36305.
Ventres, Robert L., FR17234.
Vernon, Sheldon I., FR36703.
Vice, Carl R., FR363388.
Vidmer, Richards, Jr., FR17544
Vik, Leonard F., FR36468.
Villone, Victor J., FR36203.
Vincent, John H., FR37017.
Voll, John J., FR22754.
Voss, John B., FR36811.
Walding, William H., FR22611.
Wale, Elmer G., FR36883.
Walker, John E., FR37007.
Walker, William L., FR37126.
Walsh, James H., Jr., FR52272.
Walsh, Robert A., FR17459.
Walters, Clarence D., Jr., FR28024.
Waple, Charles G., Jr., FR52290.
Ward, Dale B., FR36216.
Ware, Reuben M., FR37028.
Warndorf, James P., FR36981.
Warner, Paul A., FR52313.
Warren, Foster G., FR17566.
Washington, Fielding L., FR25603.
Wassner, William R., FR36340.
Watkins, Charles T., Jr., FR36013.
Watkins, Marvin M., FR17742.
Watson, Allan R., FR17258.
Watts, William G., Jr., FR23857.
Wayne, Robert E., FR17397.
Weatherford, Ross H., Jr., FR17288.
Weaver, Arthur D., FR36155.
Weaver, Horace A., FR35466.
Weber, George F., FR36245.
Weber, Marvin O., Jr., FR17461.
Wehrle, Joseph H., FR52329.
Weigelt, Winfred H., FR17278.
Weinbrenner, George R., FR36374.
Weingand, Paul G., FR36839.
Weishan, Gerald P., FR36227.
Weitner, Walter L., FR36765.
Weldon, James J., FR48768.
Werbeck, Donald L., FR18290.
Werlich, John D., FR36662.
Wesighan, Arthur E., FR35911.
Weston, Robert L., FR36759.
Weyhrich, Melvin P., FR23700.
Wheaton, Harry P., Jr., FR36187.
Wheeler, James I., FR23717.
Whistler, Charles F., FR37235.
White, Charles R., FR17533.
White, Jack E., FR36945.
White, Richard T., FR17418.
Wienecke, Edward R., FR23002.
Wilkinson, Stanley, Jr., FR36675.
Williams, David O., Jr., FR36634.
Williams, Durwood B., FR23750.
Willis, Richard G., FR36756.
Willis, William T., Jr., FR52286.
Willoughby, David J., FR36521.
Wilson, Clarence D., FR52104.
Wilson, Robert M., FR36308.
Winn, David W., FR36646.
Winsor, Willia J., Jr., FR37103.
Witt, James R., FR36437.
Witzel, Robert B., FR36744.
Wolf, Horace G., FR36680.
Wolf, Ray D., FR35930.
Wood, George D., FR37104.
Wood, Robert S., FR36644.
Woodrum, William C., FR36618.
Wortman, John J., FR17281.
Wright, Jerome D., FR37059.
Wright, Robert K., FR17348.
Wright, Robert W., FR36254.
Wrinkle, Jack H., FR36318.
Wyrosdick, Charles R., FR37234.
Yancey, William B., Jr., FR17476.
Yaw, Robert H., FR36754.
Yawn, Henry C, III, FR22735.
Yep, George, FR48789.
York, Charles J., FR37039.
Young, Kendall S., FR36493.
Youngblood, Winston S., FR36172.
Younger, Clyde W., Jr., FR22719.
Younger, Dale J., FR37232.
Younk, William E., FR36160.
Zaniewski, Felix, J., FR26685.
Zeh, Theodore G., Jr., FR17421.
Zeine, Donald A., FR25725.
Zemitis, John M., FR35957.
Zengel, John F. P., FR36952.
Zierden, Eugene H., FR52052.
Zutter, Leroy P., FR16525.
Zuppan. Lawrence L., Jr., FR17523.

CHAPLAINS

Alt, Eugene R., FR23202.
Bonner, Harold W., FR21865.
Brian, Sam E., FR48605.
Christensen, Morley W., FR55116.
Clemens, Eugene M., FR48606.
Delos, Bernard M., FR70979.
Dubose, Wilds S., Jr., FR48803.
Finneran, Michael J., FR20859.
Gaffney, Conrad J., FR48604.
Gilchrist, Frank J., FR48602.
Hoop, George E., FR21861.
Jellico, Thomas M., FR24681.
Levitan, Kalman L., FR23204.
Mulligan, Edward B., FR20860.
Prokopovitsch, John E., FR48601.
Puseman, Edmund A., FR21864.
Ray, Erwin, R., FR56411.
Saul, Laurence E., FR21862.
Shelton, David K., FR21863.
Shinn, Benjamin J., FR24680.
Shoemaker, William L., FR55114.
Spiewak, Stanley W., FR48600.

DENTAL CORPS

Buchholz, Robert E., FR27982.
Calomeni, Alexander A., FR23179.
Chappell, Robert P., FR26635.
Cornyn, John, FR27632.
Crouse, Vance L., FR26735.
Dirlam, James H., FR21765.
Freeborn, Carl H., FR32354.
Hayden, Max W., FR49699.
Hooker, Southern P., FR32353.
Julius, Loy L., FR23071.
Mahan, Charles J., FR24678.
Metts, Dewey H., Jr., FR26695.
Morris, Charles R., FR21852.
Prejean, Edward J., Jr., FR29277.
Riley, William D., Jr., FR26358.
Roy, Edward W., FR24676.
Sachsel, Arthur J., FR29278.
Salentine, Russell J., FR22407.
Schwatka, Charles T., Jr., FR21768.
Shuttee, Thomas S., FR23590.
Smolen, George, FR32570.
Snider, J. Martin, FR29651.
Stern, Roger O., FR29652.
Varrin, Rene D., FR25481.
Woodward, Hubert W., FR22977.

MEDICAL CORPS

Bralliar, Max B., FR25468.
Burba, William H., FR24212.
Cerha, Harry T., FR26693.
Chesney, Murhpy A., FR29808.
Digidvanni, Anthony J., FR25477.
Gipson, Edgar N., FR25646.
John, Joseph J., FR27975.
Peniston, William H., FR25636.
Smith, Milton J., FR29770.
Spada, Frank J., FR23067.
Staples, Pelhan J., Jr., FR23064.
Webster, John G., FR25658.
Wells, John C., Jr., FR26732.
Woltjen, Myron J., FR55905.

NURSE CORPS

Amton, Juliet M. D., FR22056.
Blount, Janice M., FR22040.
Carle, Martha, FR21145.
Chandler, Etta, FR22034.
Duplease, Margaret L., FR21180.
Emigh, Ona M., FR22054.
Erdmann, Marjorie B., FR21162.
Fornara, Josephine E., FR22020.
Garvin, Sara E., FR21045.
Guitrau, Genevieve D., FR26655.
Hedrick, Florence D., FR21166.
Hyatt, Delores I., FR21178.
Jones, Inez L., FR21164.
Lawrence, Evelyn N., FR22075.
McCloskey, Blanche A., FR22004.
Michelitsch, Anna V., FR21020.
Milroy, Lyla P., FR22069.

Pace, Lora J., FR21063.
Raglin, Alice H., FR22039.
Seaudt, Valeska B., FR21151.
Shefud, Rose M., FR22065.
Taylor, Bernice V., FR21112.
Wickstrum, Mary K., FR51566.

MEDICAL SERVICE CORPS

Baker, Wesley A., FR48953.
Cahill, Daniel P., FR48944.
Cox, Sidney D., Jr., FR21875.
Crabb, Kirkham V., FR48948.
Dibona, Philip, FR21641.
Dykes, Leroy C., FR48942.
Haigler, Steven V., Jr., FR21638.
Herold, Paul A., FR48945.
Hilty, Eugene A., FR48956.
Liberson, Samuel, FR48946.
McChesney, Lambert W., Sr., FR48955.
McMahan, Philip E., FR48954.
Park, Arthur W., FR23077.
Payne, Carl N., FR48947.
Plock, William L., FR21639.
Shaw, John R., FR48941.
Snyder, Edward E., FR48943.

VETERINARY CORPS

Grau, William H., Jr., FR23073.
Griffin, Thomas P., FR23217.
Lang, Charles V., FR27530.

BIOMEDICAL SCIENCES CORPS

Bodycomb, Joyce, FR20847.
Ellis, Mary C., FR49737.
Peterson, Robert L., FR48950.
Smith, Francis S., FR36854.

WITHDRAWAL

Executive nomination withdrawn from the Senate July 11, 1966:

The nomination sent to the Senate on April 20, 1966, of Carl Cleveland to be postmaster at Quinhagak, in the State of Alaska.

EXTENSIONS OF REMARKS

Vice President Pays Tribute to Rev. Richard E. Evans

EXTENSION OF REMARKS

OF

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 1966

Mr. FARBSTEIN. Mr. Speaker, it gives me great pleasure to submit for the RECORD a letter from Vice President HUBERT H. HUMPHREY in tribute to the late Reverend Dr. Richard E. Evans of the old Labor Temple, formerly located at East 14th Street and Second Avenue in New York City, which is part of my congressional district.

Vice President HUMPHREY's letter has been laminated and has been affixed in a place of honor in the Reverend Richard E. Evans Interfaith Meditation Room of the J.F.K. Library for Minorities, Inc., which is dedicated to the Nation's immigrants in the spirit of the book "A Nation of Immigrants," written by the late President John F. Kennedy.

The letter follows:

THE VICE PRESIDENT,
Washington, May 25, 1966.

Mr. J. P. SOMMER,
Director, J.F.K. Library for Minorities, Inc., Brooklyn, N.Y.

DEAR MR. SOMMER: Please convey my greetings and congratulations on the dedication of the Reverend Richard E. Evans Interfaith Meditation Room. Its location is so very appropriate in the Library for Minorities which bears the immortal name of our late, beloved President John F. Kennedy. Dick Evans would have been so pleased to be remembered in this meaningful manner—which serves the cause of God and of human brotherhood. As Dick Evans' friend, as one who admired his humility, his spiritual dedication, his devotion to the Family of Man and to the cause of liberty and good will, I join with his many other friends and admirers in commending this fine occasion.

One of the greatest success stories in all the world consists of the contributions to our nation by immigrants of every background, every race, creed and color. By giving the foreign-born the opportunity to rise individually to their highest potential, America has enriched itself beyond measure—in intangibles as well as tangibly.

It is a fact—all too unfortunately, that at times in our history, America has not been fully true to its own ideals. There have been unhappy times of bigotry and intolerance. The door of discrimination has often been slammed in the face of many innocent people—native or foreign-born—merely because of the color of their skin, the temple of their worship, the land of their father's birth. Fortunately, our nation has turned the corner. Most of these regrettable situations have now been changed for the better. More corrective action is still to be taken. As you pause for prayer in this Interfaith Meditation Room may you—may all of us—take renewed strength from Dick Evans' great values. May you—may all of us—proceed to fulfill the highest principles of our respective faiths. By putting our creed into our daily deed, we will demonstrate our true devotion to the Fatherhood of God and the Brotnerhood of Man. We will thus carry on in Dick Evans' inspiring memory.

Sincerely,

HUBERT H. HUMPHREY.

Radio Station KLOL in Lincoln, Nebr., Honors Vietnam Units

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 1966

Mr. CALLAN. Mr. Speaker, on Monday, July 4, 1966, KLOL radio in Lincoln, Nebr., devoted the entire broadcast day to saluting officers and men of the U.S.S. *Tortuga* and the armed helicopter detachment, Sea Wolf, of the 145th Aviation Battalion, operating from the flight deck of the *Tortuga*, both serving with the 7th Fleet along the coast of Vietnam. This special broadcast was recorded and rushed to the U.S.S. *Tortuga* and played back over the ship's public address system.

The *Tortuga*, a specialized Navy ship equipped with a flight and well deck, is stationed in the maze of river mouths where the Mekong River meets the South China Sea east of Saigon. The *Tortuga*, along with Sea Wolf, assists Vietnamese forces in the control of Communist river traffic.

All of the officers and men of the *Tortuga* and Sea Wolf were individually recognized during KLOL's special July 4 broadcast with many of the midwesterners receiving specially recorded messages from home. Officials of the various branches of the armed services and State and local government personalities also participated in this special recognition.

We, the people of Nebraska, invite all Americans to join us in paying tribute to the gallant men who represent our armed forces in war-torn Vietnam.

The Feast of SS. Cyril and Methodius

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 1966

Mr. JOELSON. Mr. Speaker, as we mark the feast of SS. Cyril and Methodius, it is fitting to consider also the observance of Slovak independence. These two apostles of the Slavs in introducing Christianity in Slovakia in the middle of the ninth century, also brought in the idea of freedom to Slovakia. Since then, these brave and industrious people have clung as tenaciously to the tenets of Christianity as they have to the idea of freedom and independence. The Christianity thus preached in Slovakia by these two Byzantine missionaries became, in the course of centuries, the principal binding force among the Slovak people, the very core of their spiritual unity.

In the course of their turbulent history the Slovaks have preserved this spiritual unity. Unfortunately, however, they have not been as successful in retaining their national political freedom and unity. At the end of the First World War they united with the Czechs and formed the Czechoslovak Republic. In 1939 when the Czechoslovak Republic was broken up, then Slovaks proclaimed their independence, only to fall under the oppression of Nazi Germany. Since the end of the war they were once more united with the Czechs and today they enjoy some form of autonomy in the People's Republic of Czechoslovakia.

All loyal and patriotic Americans of Slovak descent have maintained some spiritual ties with the land of their Slovak forebears. Here in this great Republic they have appreciated the opportunities offered to them, and they have made the best of these opportunities. They have numerous welfare, educational, and philanthropic organizations, all of them rendering invaluable services to American-Slovak communities. Particularly strong is the Sokol, an organization devoted primarily to the physical development of the youth, and also very active in the improvement of the mind, in educational work.

Universal Language of Music Overcomes Tensions of International Relations

EXTENSION OF REMARKS

OF

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 1966

Mr. REES. Mr. Speaker, in times of war the most conspicuous acts of excellence are often those occurring on the battlefield. But if man is ever to achieve peace, he must pursue excellence in realms of beauty and not in fields of death. Thus I view with hope and pride the achievements of Misha Dichter, a 20-year-old student from Beverly Hills, Calif., and would like to bring his achievements to the attention of my colleagues.

In the recent Third Tchaikovsky Music Competition in Moscow, Mr. Dichter was awarded second place in the piano division. The first-place winner, a Russian, was all but ignored by the audience, who gave the young American an ovation unprecedented since Van Cliburn's triumph 8 years ago. It seems that the universal language of music was able to overcome the tensions of international relations.

Misha Dichter was born in Shanghai, China, in 1945 and came to the United States with his parents, Mr. and Mrs. Leon Dichter, in 1948. A lifetime resident of West Los Angeles, Mr. Dichter began piano lessons at the age of 6. Throughout his elementary and secondary education, he was able to maintain good grades, participate in athletics, and still practice piano up to 8 hours a day. His first public concert was given at the University of California at Los Angeles in early 1963, where his presentation of Stravinsky's "Petrushka" won praises from music critics.

After graduation from Beverly Hills High School in June 1963, Mr. Dichter spent 1 year pursuing a full course load at UCLA and continuing his music at home under the direction of Aube Tzerko. In the fall of 1964, he was accepted at Juilliard School of Music to study piano under Rosina Lhevinne. For the past 2 years he has devoted himself to his music, and his hard work has yielded well-earned recognition in Moscow.

We of California's 26th Congressional District are proud of Mr. Dichter, as must be all Americans. Proud, not only because of his triumph in Moscow, but also because his dedication and his talent offer a reminder that the universality of art can supercede the diversity of politics. John F. Kennedy once said that he believed in the Greek definition of happiness—the full use of one's powers in pursuit of excellence. On that ground, Misha Dichter must be the happiest of men, and we congratulate him on his victory.

Margaret Creek Watershed Project

EXTENSION OF REMARKS

OF

HON. WALTER H. MOELLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 1966

Mr. MOELLER. Mr. Speaker, today I want to congratulate the fine citizens of my district, who last week finalized details for the construction of the first dam for the Margaret Creek watershed project in Athens County in the 10th Congressional District of Ohio.

I wish to personally commend Mr. Perry Munn, chairman, of the Margaret Creek Conservancy District, whose untiring leadership has brought this project to reality.

The contract, signed last week, for $117,000 will be for a multiple-purpose flood prevention fish and wildlife reservoir. Of the cost, $95,238 will come from Federal funds and $16,000 of the remainder will come from the Ohio State Department of Natural Resources. The 46-acre fish and wildlife reservoir to be created will be operated by this department.

The Margaret Creek watershed area covers 38,600 acres. The purposes of the watershed plan are to reduce flood damages and soil erosion, provide municipal water storage, and also provide for water recreation, and fish and wildlife use. The planned works, in addition to the above-mentioned reservoir, include four flood prevention impoundments, another multiple-purpose reservoir, and almost 10 miles of channel improvements. The entire program will be installed over the next 5 years.

The monetary benefits from the total watershed structure program are estimated at $96,173 yearly. Most of this—$85,449—will come from flood prevention, water supply, and recreational use. About $2,065 will come from redevelopment benefits and $8,659 from secondary benefits.

About 96 percent of the Margaret Creek watershed area is in agricultural land. Frequent floods cause extensive damage to lands, buildings, and transportation facilities.

In March of 1964, Margaret Creek overflowed its banks and covered 1,200 acres, causing damages estimated at $40,750.

In March of 1963, flood damages of $51,000 were reported. And in the summer of 1961, an estimated 1,100 acres were inundated, causing $30,600 worth of damage. Obviously, there is a clear need for flood prevention measures in this area.

New methods of water management are also necessary. The city of Albany has increased its population 57 percent since 1950. The water supply is rapidly diminishing and does not now meet present demands. In addition, a recently created school district is planning to build a new school and this will create further needs.

As for outdoor recreation, this is a must, not a luxury, in today's urban society. Parks, beaches, and picnic areas were jammed all over the country this past holiday weekend, and authoritative sources estimate that by the year 2000, our outdoor recreational needs will triple, although our land area, of course, will not grow by an acre.

The Hocking River Valley, in which Margaret Creek watershed is located, is one of the most scenic areas in Ohio. At present, the nearest State park provides facilities only for picnicking. I am pleased that the Margaret Creek watershed plan is including swimming, fishing, and other basic facilities for outdoor recreation in its plan. In addition, the recently signed contract for the first reservoir to be built will also create a 46-acre fish and wildlife sanctuary for rabbits, squirrels, muskrats, and other species of wildlife in the area.

The sponsors of the watershed project are the Athens County Board of Commissioners, the Athens Soil and Water Conservation District, the Margaret Creek Conservancy District, the Ohio Department of Natural Resources, and the village of Albany. Federal assistance is provided by the Department of Agriculture's Soil Conservation Service and Forest Service.

I know all these people have worked long and hard for this project, and I congratulate them on achieving this interim milestone of the signing of the first contract for construction. With the continued support and assistance of these sponsors, I know the project will be successfully completed.

Captive Nations Week

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 1966

Mr. CALLAN. Mr. Speaker, the overwhelming desire of the captive peoples of east central Europe for self-determination and freedom from Communist tyranny is a factor that can too easily escape the allegiance of our alertness during this time of major focus on the war in Vietnam.

I urge my colleagues to avoid this potential oversight and wish to call to their attention the annual observances of Captive Nations Week this July 17 to 23.

The problems of the captive east central European nations belong in the forefront of international issues. Let us not so quickly forget the difficulties we have been so long exposed to because of Communist objectives in Europe. We must not focus so intently on the Vietnam situation that we forget our obligations to encourage and support all efforts to free these captive peoples from their totalitarian regimes.

Any tendency on our part to readily accept news of liberalization in Communist East Europe as a sign that the threat to freedom in that area has ended is a tendency mistaken in its identity of the overall objectives to which this Nation has pledged itself.

The peoples of east central Europe are still denied fundamental human rights. Communism still maintains its stranglehold of the minds and bodies of 100 million people in this area. The woes of the captive peoples in Europe have thus not subsided. They remain a subject for major consideration in the conduct of our foreign affairs.

I urge my colleagues to renew their vital interest in the welfares of these captive millions and to endorse that part of the Captive Nations Week 1966 manifesto that accuses the Soviet Union of violating "its solemn promises of freedom and independence to the nine nations made captive during or after World War II—Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania."

Ground-Breaking Ceremony for Cleveland Transit System

EXTENSION OF REMARKS
OF
HON. CHARLES A. VANIK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, July 11, 1966

Mr. VANIK. Mr. Speaker, on Thursday, June 30, 1966, it was our privilege in the city of Cleveland, Ohio, to break ground for the Cleveland transit system's extension to the Cleveland Hopkins International Airport.

This was an epic-making event in Cleveland, which was made possible by a grant of $6,995,000 from the U.S. Department of Housing and Urban Development for half the project cost. If the community completes a comprehensive land use study within 3 years, the Federal Government has committed itself to donate an additional $2,250,000 for the project.

Additionally, the voters of Cleveland and Cuyahoga County have approved bond issues to finance parking lots and bridges in order to develop the transit extension. Cuyahoga County will spend an estimated $3.7 million on the project by providing five bridges along the rapid transit extension.

This extension of the Cleveland rapid transit system will make Cleveland the first city in the United States to have a rapid transit line serving the downtown area and the airport. This will make the Cleveland airport only minutes away from hundreds of thousands of greater Clevelanders.

It was our privilege to have the Honorable Robert Weaver, Secretary of Housing and Urban Development, signal this transit achievement which was made possible under Federal law. Following is the statement of Secretary Weaver:

REMARKS AT CLEVELAND TRANSIT SYSTEM GROUND-BREAKING BY ROBERT C. WEAVER, SECRETARY, HOUSING AND URBAN DEVELOPMENT

I am doing a lot of business these days with Mayor Locher and the City of Cleveland. The Mayor and I met in Washington early this month to announce a joint agreement between the city and the Department of Housing and Urban Development on an immediate action program to speed up Cleveland's urban renewal program.

We met again at the Conference of Mayors in Dallas in mid-June when I urged the Mayors to give strong support to our major 1966 legislative proposal—the Demonstration Cities Act. The Conference did endorse the proposal, and the House Banking and Currency Committee this week reported out an excellent bill.

This kind of cooperative action is increasing as we gear ourselves to meet the increasingly complex problems of urban areas and to the kind of coordination required to meet these problems.

President Johnson has characterized this as Creative Federalism, which he defines as follows:

"Many of our critical new programs involve the Federal Government in joint ventures with State and local governments in thousands of communities throughout the Nation. The success or failure of these programs depends on timely and effective communication and on readiness for action on the part of both Federal agencies in the field and the State and local governmental units."

We meet again today in a test of this new partnership. We are celebrating the ground breaking for an extension of the Transit System's line to this great international airport. This extension is possible because of a $6,995,000 grant from the Department of Housing and Urban Development. The City is investing a considerable sum in parking lots at two new rapid transit stations and for an access roadway to the airport lots. And Cuyahoga County will make a considerable contribution by providing five bridges along the rapid transit extension.

This is Creative Federalism at work in the most practical way, activating the city, its transit system, the county and the Federal Government in a constructive and effective joint venture.

This expansion is an example of good planning and imaginative thinking. If I have read my facts correctly, you will have this combination:

The first modern rapid transit line in the nation serving both the downtown area and the airport;

Attractive and comfortable high-speed trains;

A convenient access road to airport parking lots;

Good parking facilities at transit terminals to lure the driver from the highway;

Loading platforms at transit terminals to accommodate feeder bus lines and what you describe as "kiss-n-ride" passengers.

It sounds to me as though you are instigating a lively flirtation between your customers and your transit system. You have my congratulations. I hope it leads to a compatible marriage.

I would also like to indulge myself in pointing with pride to our Federal achievements in this field.

The Urban Mass Transportation Act of 1964 was characterized by President Johnson as "one of the most profoundly significant domestic measures to be enacted by the Congress during the 1960's." It is already living up to its promise.

The Congress authorized $375 million for grant assistance to cover a three-year period. The largest outlays have been for capital improvement grants for equipment and facilities, as in the Cleveland Transit System extension.

Let me report briefly where we stand at the end of this fiscal year:

There have been 35 capital grants approved for a Federal commitment of about $133.7 million;

These have gone to communities of all sizes, in every part of the country. The smallest was about $49,000 to Kenner, Louisiana—population 17,000—for two busses and a garage. The largest was more than $23.4 million to the City of New York for 400 new cars for the subway system;

Some of these grants have prevented a breakdown or total loss of public transportation service;

The capital projects approved to date will generate an estimated $243 million in manufacturing and construction work in the transportation industry over the next two to three years, so there is a sizeable contribution to the economy;

There have been 43 grants for research, development, and demonstration projects—for a total Federal commitment of $38.4 million. These have ranged from a project to test an air cushion vehicle (known as a hovercraft) in San Francisco Bay, to one in Massachusetts which led to a reorganized metropolitan transit system.

Since a key requirement is that of planning, the Federal grant program has been a major factor in creating coordinated urban transportation systems as part of the planned development of whole metropolitan areas. This, in the future, may turn out to be our most important contribution.

All these projects have been developed locally, with the Federal involvement restricted to assistance and incentives. The fundamental concepts in this program are local initiative, local responsibility and local control.

Having passed out congratulations, I must now take a moment to view with alarm.

We have barely started the arduous journey to rebuild and revitalize our urban mass transportation systems. It is a strange combination of events indeed when we realize that while the number of people in urban America has doubled in forty years, railway commuting has been cut in half and travel by rapid transit has declined by millions of customer rides each year. As a matter of fact, transit riding is less in 1966 than it was in 1907.

We must orchestrate all the transportation facilities of whole metropolitan complexes—highways, subways, surface rail systems, and water transportation if necessary. We must coordinate these systems into the whole urban scheme of things, so that transportation doesn't tear the physical and social fabric of the community.

We must recognize, in short, that transportation must help create the urban environment we seek; that the principal problem of the city is not how to move, but how to live. In this effort, our new Department intends to move forward vigorously and effectively. We, too, have barely started our journey to help create viable and attractive urban transportation systems. We must accelerate—together—toward the future.

Fraser Survey Finds Public Opinion Divided on Vietnam

EXTENSION OF REMARKS
OF
HON. DONALD M. FRASER
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 11, 1966

Mr. FRASER. In May, Mr. Speaker, I distributed a questionnaire among my constituents on some of the critical issues facing our Nation. Paramount among these issues is the Vietnam war. For this reason a question on Vietnam headed the list of 15 topics covered by my questionnaire.

The answers reflected the divided opinion of our Nation toward the conflict. Three choices were offered: Withdrawal of American forces, increases military activities or continuation of our present limited involvement while seeking avenues for negotiation. None of the three choices attracted a majority. A plurality of 42 percent favored continuation of our present policy. Military acceleration was favored by 30 percent, and 28 percent supported withdrawal.

WIDE DISTRIBUTION

More than 150,000 questionnaires were mailed out—one to every household in the city of Minneapolis—to Minnesota's Fifth Congressional District, which I represent.

Some 5,300 were returned. This is a sizable response, considering that the questionnaires were printed on the back of a newsletter and had to be torn off and put in an envelope by the recipients. I realize that a separate questionnaire would have produced a larger response, but the combined mailing was made to save money. The cost of printing the questionnaire was paid with my own funds, not with tax money.

The response to the questionnaire has demonstrated, above all else, that the people of Minneapolis are aware of and concerned about the problems with which we in Congress struggle every day.

POLLUTION

The greatest majority of all—88 percent—expressed concern over our increasingly polluted air and water by favoring Federal action to control pollution. The next most popular issues were truth-in-packaging and truth-in-lending bills, with 86 percent in favor.

CONTRIBUTIONS

Only one question drew a predominantly negative response. This was the question concerning tax relief for persons who make small political contributions. More than 60 percent of the respondents said no.

RHODESIA

Relatively small numbers of "undecided" answers to most questions indicated that most persons who returned the questionnaires have definite opinions on most of the subjects covered. The greatest uncertainty—more than one person in five undecided—centered around our support of British efforts to guarantee majority rule in Rhodesia. While I consider this an important issue, apparently it has not attracted a great deal of public attention. Those with an opinion were quite evenly divided.

THREE-FOURTHS SUPPORT

All the remaining questions received a majority of support. Three out of four respondents favored a change in the electoral college system and federally required safety features for new cars.

TWO-THIRDS SUPPORT

Among the issues that attracted at least 50 percent, but fewer than 66 percent, of support were these: 4-year terms for Congressmen; an increased minimum wage; a new Federal Department of Transportation; more Federal aid to education; a Federal highway beautification program; and Federal aid to cities for police training.

TABULATION

Mr. Speaker, I submit for the RECORD the following tabulation, question, by question, showing the percentage responses to my questionnaire:

[Results in percent]

1. Vietnam—Should we—

a. Withdraw our forces completely?	28
b. Maintain our present policy of limited involvement while containing to seek negotiations for peace?	42
c. Increase our military activities?	30

2. Do you favor 4-year terms for Congressmen?

Yes	62
No	31
Undecided	7

3. Do you favor raising the present $1.25 minimum wage?

Yes	50
No	41
Undecided	9

4. Do you favor a Department of Transportation that would bring under one department all Federal agencies now engaged in transportation activities?

Yes	60
No	24
Undecided	16

5. Do you favor a change in the electoral college system to divide a State's electoral votes in proportion to the popular vote instead of on a winner-take-all basis?

Yes	75
No	14
Undecided	11

6. Do you favor tax relief for persons who make small political contributions?

Yes	30
No	62
Undecided	8

7. Do you favor expanded U.S. trade in nonstrategic goods with eastern European countries?

Yes	66
No	24
Undecided	10

8. Do you favor a Federal requirement that auto manufacturers include additional safety features on new cars?

Yes	73
No	21
Undecided	6

9. Do you favor continued U.S. support of the British Government in opposition to the Smith regime in Rhodesia?

Yes	43
No	35
Undecided	22

10. Do you favor "truth in packaging" and "truth in lending" laws?

Yes	86
No	7
Undecided	7

11. Do you favor the return of a percentage of Federal funds to State and local governments?

Yes	66
No	20
Undecided	14

12. Do you favor expanded Federal aid to education?

Yes	56
No	37
Undecided	7

13. Do you favor Federal action against water and air pollution?

Yes	88
No	10
Undecided	2

14. Do you favor a Federal program to beautify our highways?

Yes	55
No	36
Undecided	9

15. Do you favor Federal assistance to cities for training and strengthening their police forces?

Yes	52
No	40
Undecided	8

Let me make it clear, Mr. Speaker, that I consider the results of my questionnaire to be a cross-section of community thought in Minneapolis, and nothing more. The questionnaire makes no pretense of being a scientific poll. I have tried, however, to phrase the questions as objectively as possible to avoid eliciting a particular response to any of them.

BIPARTISAN RESPONSE

Those who went to the trouble of responding were, I am happy to report, representative of the entire political spectrum of Minneapolis. Three blanks were provided: Democratic-Farmer-Labor, Republican, and independent.

Thirty-four percent of the persons who returned questionnaires identified themselves as Democratic-Farmer-Laborites, 19 percent as Republicans and 37 percent as independents. An additional 10 percent did not identify themselves by party.

MANY COMMENTS

It has been gratifying to receive a large number of personal comments in the space at the bottom of the questionnaire. And more persons than ever before sat down and wrote letters containing their thoughts on some of the issues.

Mr. Speaker, I have found during my two terms in Congress that these questionnaires are most useful tools in the give and take between me and the people of my district.

Obviously it is impossible to exchange information personally with each of the nearly 500,000 residents of Minneapolis. As a substitute for personal conversations, I have discovered that questionnaires draw out opinions from many persons who otherwise would not have the opportunity to express them.

TWO-WAY CHANNEL

A two-way communications channel is imperative if a Congressman is to keep in touch with current thinking in his district. Congressman and constituent alike are, in effect, both a transmitter and a receiver of facts and opinions.

The Congressman has the dual responsibility both of initiating and working toward passage of legislation he believes in and of representing the aspirations and desires of the voters who elected him. It is impossible, of course, for these two elements to run parallel all the time. But they are more likely to run parallel if the Congressman receives a periodic sounding of opinion in his district.

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